UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 91st CONGRESS
FIRST SESSION

VOLUME 115—PART 18

AUGUST 13, 1969, TO SEPTEMBER 10, 1969
(PAGES 23659 TO 25124)

27 AUG 1970

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1969

AUTHENTICATED
U.S. GOVERNMENT
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Congressional Record

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AUGUST 14, 1969, TO SEPTEMBER 10, 1969
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PROCEEDINGS AND DEBATES OF THE 91st CONGRESS, FIRST SESSION

SENATE—*Wednesday, August 13, 1969*

The Senate met at 10 o'clock a.m. and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Lord, our God, we have toiled through the long hours of past days and now before we depart we offer the sum of all our efforts to Thy greater glory. Bestow Thy blessing upon what we have done. Confirm what has been right; correct what has been wrong; and overrule all human imperfections.

As we find brief respite from our tasks, give journeying mercies and safe conduct to all who go forth from this place. Bring us back renewed in mind and spirit with a firmer grasp upon Thee and a purer vision of a better world.

Now may the Lord bless you and keep you; the Lord make His face to shine upon you and be gracious unto you; the Lord lift up the light of His countenance upon you, and give you peace; through Jesus Christ, our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, August 12, 1969, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on August 9, 1969, the President had approved and signed the joint resolution (S.J. Res. 85) to provide for the designation of the period from August 26, 1969, through September 1, 1969, as "National Archery Week."

EXECUTIVE MESSAGE REFERRED

As in executive session, the President pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Henry L. Brooks, of Kentucky, to be U.S. circuit judge for the sixth circuit, which was referred to the Committee on the Judiciary.

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the order heretofore entered, the Senator from Connecticut is recognized.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. MANSFIELD. I thank the distinguished Senator for yielding.

ORDER FOR RECOGNITION OF SENATOR TALMADGE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from Georgia (Mr. TALMADGE) be recognized for not to exceed 15 minutes at the conclusion of the remarks of the distinguished Senator from Connecticut (Mr. RIBICOFF).

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, following the remarks of the distinguished Senator from Georgia (Mr. TALMADGE), statements in relation to routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. The nominations on the Executive Calendar will be stated.

DEPARTMENT OF JUSTICE

The bill clerk read the nomination of Douglas B. Baily, of Alaska, to be U.S. attorney for the district of Alaska.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

AMBASSADORS

The bill clerk proceeded to read sundry nominations of ambassadors.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

INTERNATIONAL MONETARY FUND, INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT, INTER-AMERICAN DEVELOPMENT BANK, AND ASIAN DEVELOPMENT BANK

The bill clerk read the nomination of Nathaniel Samuels, of New York, to be U.S. Alternate Governor of the International Monetary Fund, U.S. Alternate Governor of the International Bank for Reconstruction and Development, U.S. Alternate Governor of the Inter-American Development Bank, and U.S. Alternate Governor of the Asian Development Bank.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. MARINE CORPS

The bill clerk proceeded to read sundry nominations in the U.S. Marine Corps.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

U.S. ARMY

The bill clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

AUTHORIZATION FOR THE SECRETARY OF THE SENATE TO RECEIVE MESSAGES DURING ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate following the completion of business today until noon, Wednesday, September 3, the Secretary of the Senate be authorized on Friday, August 29, and on Tuesday, September 2, to receive messages from the President of the United States and from the House of Representatives and that they may be appropriately referred; that during the same period all committees of the Senate may be permitted on those days to file their reports together with any minority, individual, and supplemental views; and that the Vice President, the President pro tempore, or the Acting President pro tempore may be permitted to sign duly enrolled bills and joint resolutions.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL SEPTEMBER 3, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, in accordance with the resolution on adjournment which was adopted yesterday, the Senate stand in adjournment until noon, September 3, 1969.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. SYMINGTON addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Connecticut yield?

Mr. RIBICOFF. I am pleased to yield.

Mr. SYMINGTON. I thank the distinguished Senator from Connecticut for yielding to me.

PLANNED FUTURE HEARINGS ON FOREIGN COMMITMENTS

Mr. SYMINGTON. Mr. President, the Subcommittee on Security Agreements and Commitments Abroad of the Senate Foreign Relations Committee will hold its first hearings, in executive session, late next month.

At that time the subcommittee will explore the details of U.S. programs, personnel, and facilities in certain countries of Southeast Asia, excepting Vietnam.

A declassified version of the record on each country will be released; and it is expected that public hearings will be conducted later in order to present the American people with as much detail as security will permit with respect to the vital matter of U.S. relationships and commitments with the countries in question.

The subcommittee staff returned recently from a 6-week trip to Korea, Japan, Okinawa, Taiwan, Thailand, Laos, and the Philippines.

Perhaps it is significant to note that, when the staff completed a trip last May to five Mediterranean countries, we said, "In almost every country visited the staff found military facilities whose original mission had long since faded."

A brief review of material developed during the latest trip not only raises questions of excess facilities, but also the types of programs and involvements undertaken in this explosive area.

Using material developed by our subcommittee, the full Foreign Relations Committee has been able to explore both the Spanish base agreement and the United States-Thailand joint contingency plan. These two matters now being publicly discussed illustrate in but a minor way the scope of the material to be covered as our hearings progress.

Questions of commitments and security agreements go far beyond words on paper. They include facilities and deployment of U.S. troops and equipment abroad; financial and equipment support for foreign forces and foreign government operations; bilateral contingency planning and joint exercises; and storage of special weapons outside the United States.

The fact that questions are now being raised with respect to such matters should not necessarily mean that the subcommittee objects to them; rather, this will be an effort to gather information so as to be able to discuss the basic questions of foreign policy direction and the manner in which the executive, through the Departments of State and Defense, formulates and oversees such policies.

Some of us believe that for too long Members of Congress and the respective committees have satisfied ourselves in this area by limiting inquiries to policy decisions, rather than also to the programs and activities which have flowed from, and have continued to grow, as a result of, those decisions.

It is hoped that as a result of these hearings the full committee will have the material necessary for an evaluation of the role of the United States.

THE PRESIDENT'S WELFARE PROGRAM

Mr. RIBICOFF. Mr. President, President Nixon has presented the Congress and the country with a sound and constructive first step in our fight to improve the lives of all our citizens. In his speech to the Nation last Friday evening and his messages to Congress this week, he has outlined the changes he proposes for the welfare and manpower programs of this country.

I welcome the President's vow to provide assistance to all families whose incomes fall below certain levels; to train the unskilled; to upgrade and expand day care services; to relieve the financial burdens of our cities and States; and, in circumstances where employment is not possible, to reform and improve our welfare system and remove inequities among States.

There are elements in the President's proposals that the Congress will want to examine carefully. Additional proposals will be necessary if we are to attack seriously many of the problems discussed by the President.

Nonetheless, I am sure that those of us who have worked over the years for these programs will do our best to see that they are adopted. Many parts of the President's message are forward looking, imaginative, long overdue, and a genuine credit to the President himself—and to his administration.

A number of the President's suggestions deserve our wholehearted support. Providing a Federal program of family assistance to low income families with children is a good beginning. Replacing the aid to families with dependent children program with a family assistance program aimed at keeping families intact by helping the working poor has been long overdue in this country.

The plan to permit welfare families with dependent children to keep a larger share of their earnings is important and builds on the social security amendments of 1967.

The requirement that there be basic minimal Federal standards for welfare recipients across the country has long been advocated by authorities in the field. The President deserves our support on this issue.

I fully support the President's request that the administration of his family assistance proposal be delegated to the social security administration at HEW rather than be channeled through State welfare agencies.

Similarly, I endorse his attempt to coordinate manpower programs at the State and local level in an attempt to rationalize our efforts. Decentralizing the administration of Federal manpower training efforts is a worthy attempt to bring the Government programs closer to the people they serve.

Revitalizing the Office of Economic Opportunity by focusing its efforts on experimentation and demonstration deserves our support.

Many of these ideas are not new. Previous administrations have made similar proposals.

This should not detract from the President's declarations, however. The American system of government is evolutionary. The ideas of one generation or administration often become the achievements of another. That is the basis for the continuity that supports our democracy.

What is important is that the President's message marked the beginning of a serious, intelligent and open debate on the issues he has raised—a debate in which the Congress, the general public and even the President himself must participate.

The President's proposals are sound in principle. But in reality, they raise some serious questions.

For example, the President placed great emphasis on work and what he called "workfare."

But he provided no jobs.

That is the major weakness in his program.

Our first priority must be a commit-

ment to full employment—a guaranteed job for every person who is willing and able to work.

Of course "workfare" is preferable to welfare. But a new word in the dictionary is no substitute for a new job in the labor force—and new hope for the man who wants a job but cannot find one.

Provision is made for 150,000 job-training slots for persons on welfare. But where is the job at the end of the training?

If our experience of the past several years has taught us anything, it is this: nothing is more frustrating or humiliating to an individual—or more corrosive of a nation's spirit—than when that individual is trained for idleness.

As for the family assistance system, its basic flaw is the meager amount of assistance.

The assured income of $1,600 a year comes out to about $33 a month per person for a family of four. And those families who, by a combination of earnings and family assistance payments, receive $3,200 still will live in poverty.

This is inadequate. If families who once could count on food stamps now must use this small allowance to buy food as well, the net result may be a step backward.

Furthermore, those States carrying the greatest burden will not find any meaningful assistance in this program.

In Connecticut, a family of four receives a total allotment of nearly $3,800 a year—of which $1,900 already comes from the Federal Government.

The same can be said for New York, New Jersey, Massachusetts, California, Minnesota, Wisconsin, and other States.

Another problem is that the welfare proposals do not assist those persons who are not blind, disabled, aged, or members of a low-income family with children—but who still need help.

Two to three million Americans will be completely overlooked in this program as they have been overlooked in the past. A married couple, 50 years old, with no children at home, will not qualify for any aid even if the husband is unable to work.

The trouble with the basic minimum Federal standard for welfare payments to adults who are blind, aged, or disabled is just that—it is a minimum payment.

An adult in one of these categories will receive $780 a year—not enough for the basic necessities of life. Though many States and cities will provide additional assistance, their support has—and probably will vary radically. Often it has amounted to very little.

The President's message gave the impression that welfare was the fundamental problem facing our society. It seemed to say that the welfare system had, by itself, created millions of persons who were sick, uneducated, unemployed, and poorly housed.

Is this really the case?

Welfare did not cause poverty in America. Poverty in America caused welfare.

Welfare is not the cause of our failures. Welfare is the result of our failures—our failures in education, employment, housing, and health.

Our task is to begin to remedy all these failures—not just the welfare system. Otherwise, we shall never stem the tide of wasted lives.

We should begin by amending and improving the President's welfare proposals. I plan to introduce in the Finance Committee amendments to achieve the following:

Increased Federal welfare support for urban areas.

Expansion of Federal assistance to include needy individuals and families without children.

Increased benefits for the aged, the blind, and the disabled.

In addition, Congress must expand substantially the funding of Federal programs in the following directly related areas:

Establish Federal support for public service employment.

Expand comprehensive child development programs, including enlarged day care and child and maternal health programs.

Increase Federal aid to education.

I will introduce legislation in these areas as well.

These questions are obviously difficult and complex and require close study. But it is imperative that study not be used to justify further delay. The days of rhetoric must be over. We must convert rhetoric to substance.

The poor and disadvantaged of our country will no longer rest easy with simple promises or good intentions. They demand and deserve action.

Our response must be prompt, but it must be responsible. Therefore, I have asked six experts, representing a cross-section of the Nation, to serve me in an advisory capacity as the Committee on Finance, of which I am a member, considers this entire question.

Included are:

Fidel Fauri, dean of the school of social work at the University of Michigan;

Lisle Carter, visiting professor of public administration, Cornell University, and former Assistant Secretary of HEW for Individual and Family Services;

William H. Burson, director of family and children's services; State of Georgia;

Mrs. Sonoria Johnson, director, Washington Bureau, National Urban League;

Lloyd E. Rader, director of welfare, State of Oklahoma; and

Bishop Raymond Gallagher, Bishop of Lafayette, Ind., former executive secretary of the National Conference of Catholic Charities.

Let me elaborate on the new programs we will need if we are to attack successfully the problems raised by the President.

JOBS

We cannot substantially improve the lot of the unemployed without a commitment to full employment.

We have talked about this since 1946.

Now it is time to go ahead and do it.

We have any number of proposals and techniques, involving both the private and public sector, that can be fashioned into a policy to achieve the goal of full employment.

Some examples are raising the minimum wage and providing adequate salaries; enforcement of equal employment practices in Federal contracts; and tax incentives for industries that become active in job development.

But two programs must be cornerstones: on-the-job training in the private sector, regardless of whether it is in the slums or outside the slums; and public service employment.

I will propose to the Committee on Finance that a program of public service employment be made an adjunct to the welfare system.

There has been too much talk about the Government being the employer of last or first resort. What we have lost sight of is the tremendous need for more workers in the public sector.

There are presently over 500,000 jobs that could be filled in State and local governments if they only had the funds to hire the necessary workers. These are not make-work jobs. These are needed services we all expect.

Those on welfare and those presently unemployed could be trained for example, to fill existing jobs as police aides, hospital aides, teacher aides, sanitation workers, and conservation assistants. We should be prepared to train and support 500,000 additional workers at the State and local levels, who would be engaged in making our cities and towns more livable and enjoyable.

COMPREHENSIVE CHILD DEVELOPMENT

The President wants to expand our present day-care facilities and substantially upgrade them. The extent of these plans is not clear, but I will give my strong support to a comprehensive program of child development operated through these day-care centers.

For too long, day-care centers have been storage bins for children of working mothers. If these women are to be encouraged to work, they must be assured that their children will not suffer as a result.

Also, we continue to tolerate an unnecessarily high infant mortality rate. The United States has the 15th highest rate in the world, with almost 90,000 infants dying each year. Other children are born malnourished and never recover. They grow up sick and hungry.

There is no conceivable reason why this Nation cannot provide full and complete health care to every mother who is pregnant and to every child until the age of 6.

The recent report of the Joint Commission on the Mental Health of Children has reminded us of the critical importance of the early years of a child's life. I will introduce legislation implementing their major recommendations.

In particular, day-care programs must provide adequate education, nutritional, and health programs in addition to the simple supervision presently provided.

The cost of such a program will not be small. The President provides only $828 per child per year in his day-care proposal. This is clearly inadequate when measured against a general estimate of almost $1,000 per child for adequate custodial care alone. A truly expanded day-care program may cost as much as $1,500 per year per child.

This cost is well worth our efforts. We

need to support our aged and those with severe disabilities. But the future of our country is tied to the health and education of our children. We can no longer afford to neglect or deny children their basic right to healthy development and growth.

EXPANDED SUPPORT FOR EDUCATION AND HEALTH

Jobs and a comprehensive child development program operating through expanded day-care centers will not be enough. I have already noted that the large number of low-income families and unemployed people represent the general failure of our institutions.

We must begin to meet the commitments we have made in education and health. We have often made grand promises, only to renege on them with small appropriations.

Education is of particular importance.

A child's education must be more than a geographic accident.

But that is what has happened in our big city schools, where the need is greatest but the resources poorest. Local budgets are strained to the breaking point.

We should begin determining how to shift the costs of education to State and National Governments—while keeping control of education a local matter.

This would be fairer to both taxpayer and child, and result in more money which could be used according to need. It also would be fairer to our cities, which desperately need their tax revenues.

A program of revenue sharing is vital to the successful operation of our cities and States. But we should not lose sight of the fact that expanded Federal support in established programs is equally important. It will do local government little good for us to begin a revenue sharing plan on the one hand, while removing Federal program support with the other.

In summary, the President's proposals have great significance.

How we respond to them may well determine the course our Nation takes during the 1970's.

What is required is a high degree of political leadership from both the President and the Congress at a time when it seems much easier to follow old habits than develop new directions.

But if we have elected followers instead of leaders, we are in much deeper trouble than any of us had imagined.

Mr. President, I yield the floor.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. BAYH in the chair). Under the previous order, the Senator from Georgia (Mr. TALMADGE) is now recognized for 15 minutes.

Mr. TALMADGE. I thank the Chair.

HEW'S CUTOFF OF SCHOOL FUNDS

Mr. TALMADGE. Mr. President, earlier this year the Secretary of Health, Education, and Welfare came before the Senate Committee on Nutrition to talk about what the department was doing to help the poor.

I inquired how HEW could reconcile its attempts to fight poverty on one hand and then take school lunches and educational funds away from needy children with the other.

I referred, of course, to the Department's heavy-handed policy of the past and present in enforcing the provisions of title VI of the Civil Rights Act of 1964.

This has been a policy of taking Federal assistance away from schools which in reality need it the most. School lunches for hungry children have been totally wiped out or drastically curtailed. Educational programs, such as remedial reading and special teaching, designed especially for economically deprived schoolchildren, have been impaired. In short, in many, many cases those whom the law was supposed to help were the ones hurt the worst.

One Georgia school superintendent wrote me recently:

> How in the name of Heaven the federal government thinks it can upgrade the education of deprived children by denying them funds, completely escapes me.

Another wrote:

> It seems to me a very poor policy to cut off funds to children who need it the most. The food children get in the school lunch program is in many instances the most nutritious food they have. In some cases, it may be the only real meal they get.

These are but two examples. I have written to 122 school systems to determine the extent of damage to their school lunch programs and other educational efforts because of the loss of Federal assistance. I had an almost 60 percent response. The aforementioned examples are representative of what I learned. The worst damage has been inflicted on school lunch programs and title I funds under the Elementary and Secondary Education Act—both of which are primarily designed to aid children of poor families.

Such action by the Department of Health, Education, and Welfare goes far beyond the law. It was not the intent of title VI to cut off funds for school lunch programs. In fact, it was specifically stated by even the most ardent supporters of the bill that this not only would not but should not happen.

HEW, through its so-called school guidelines, has made new law, and attempted to enforce it by getting a financial stranglehold on local school officials.

Only yesterday in New Orleans, the U.S. fifth circuit of appeals, which has not been known for its conservatism on this issue, accused HEW of abusing the intent of Congress in acting so arbitrarily in cutting off school funds. Such a reprimand has been long overdue.

Here is what the court said, in part:

> Schools and programs are not condemned en masse or in gross, with the good and the bad condemned together, but the termination power reaches only those programs which would utilize federal money for unconstitutional ends.

Mr. President, I ask unanimous consent that there be printed at the conclusion of my remarks the Washington Post article regarding the fifth circuit court of appeals ruling.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. TALMADGE. Mr. President, it is a ridiculous inconsistency to have virtually all the agencies of the Federal Government working day and night to fight poverty, and then have HEW, in effect, contribute to the problem by taking food away from hungry schoolchildren.

It is absurd to hear the administration talk about education as a prime weapon against poverty, and then have HEW bring education programs to a standstill where they are most critically needed.

This is what I asked Secretary Finch to explain, when he appeared before the Committee on Nutrition.

The Secretary replied that this was indeed "a vexatious dilemma."

Secretary Finch and the Department of Health, Education, and Welfare have now been removed from the horns of that dilemma by the Federal judiciary.

On August 1, the Department of Justice filed suit against the State of Georgia, the State board of education, and the State superintendent of schools. It asked the Federal court to order desegregation "at the earliest practicable date."

This action removed the school controversy in Georgia from HEW to the Federal judiciary. I hope that the courts will restore this complex problem to its proper perspective, and that we will be finished with forced student and faculty assignments, and the closing of schools and the busing of children, on the basis of arbitrary percentages and ratios dreamed up by somebody in Washington.

I also hope that no more Federal assistance will be withheld from the Georgia school system or other school systems to try to punitively bring about social reform. Heretofore, schools have been besieged by Federal bureaucrats who were mixed up themselves on just what was required by the law, and what action was necessary to carry it out.

School administrators never knew precisely what was required of them. They were never certain where they stood. But they felt the impact—and so did thousands upon thousands of schoolchildren—when the Government moved in to cut off all Federal assistance—regardless of how badly it was needed and without regard for the children, black and white, that the funds were meant to help obtain a better education.

Someone decided that a certain school system was not running things right. That school system was then starved out of the Federal Treasury.

The time has come for HEW to step back out of the way. Now is the time for more attention to be paid to the law, as it was written and as it was intended.

Now that this matter is in the breast of the court, I further hope that HEW will restore Federal assistance to the 37 school systems in Georgia that have cutoff orders against them.

A new school term is about to start. These funds are needed by the schools. Thousands of deprived children need their benefits, in terms of food and an adequate education, which is their birthright.

HEW can restore these funds, if it will. This would be the humanitarian thing to do. It would be the sensible thing to

do. HEW ought to be barred from making any more cutoffs. And for those school systems already cut off, funds ought to be restored.

In this way, school lunch programs for more than 10,000 needy children can be reinstated. Title I educational programs can be put back in operation.

Education, where it has been weakened by an ill-advised policy of the past, can be strengthened.

I urge the Secretary to carefully consider the needs of these schoolchildren. I hope he will seize this opportunity to remove HEW from its self-styled dilemma and strike a blow for education.

EXHIBIT 1

[From the Washington Post, Aug. 13, 1969]

COURT SCORES HEW IN SCHOOL FUND CUTOFF

NEW ORLEANS, Aug. 12—The U.S. Fifth Circuit Court of Appeals said today the Health, Education and Welfare Department abused the intent of Congress in cutting off federal funds to school boards not complying with desegregation guidelines.

The court ruled HEW was wrong in cutting off funds under three federal programs to the Board of Public Instruction, Taylor County, Fla., without first determining precisely how each individual program stacked up to desegregation guidelines.

The court said the action was "clearly disruptive of the legislative scheme."

"Schools and programs are not condemned en masse or in gross, with the good and the bad condemned together, but the termination power reaches only those programs which would utilize federal money for unconstitutional ends," the court said.

Because three separate and distinct programs were involved in the Florida cutoff, the circuit court said, HEW must make individual determinations of whether the funds are being used to further the cause of racial discrimination, as Congress intended.

HEW cannot, the court said, simply cut off all funds to a school district because one segment of it may be in noncompliance with HEW mandates.

"Each of the programs has a different objective; each requires a separate plan and a separate administrative approval; and each has an individual provision for appellate review," said the ruling.

"Under the circumstances it is not possible to say on the basis of segregation of faculty and students that all programs in the schools in Taylor County are constitutionally defective."

The Civil Rights Act provides a policy of separating programs in the fact finding process, the court said. "Each must be considered on its own merits to determine whether or not it is in compliance with the act. In this way the act is shielded from a vindictive application," it said.

HEW cut off $203,675 in federal funds under three programs in Taylor County after one of its examiners last year found that the school board was in violation of Title VI of the Civil Rights Act and no longer entitled to federal funds.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. The Senate will now have a period of time for the transaction of routine morning business, with statements limited to 3 minutes.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REAR ADM. JOHN HARLLEE, U.S. NAVY, RETIRED, CHAIRMAN, FEDERAL MARITIME COMMISSION

Mr. KENNEDY. Mr. President, effective September 1, 1969, while the Senate is in recess, Rear Adm. John Harllee, U.S. Navy, retired, will be leaving Government service. His resignation as Chairman of the Federal Maritime Commission marks the end of almost 40 years of public service of which he, his family, and all of us can be justly proud. His career, Mr. President, is worthy of note and commendation.

Born in Washington, D.C., the son of Mrs. Ella F. Harllee and the late Brig. Gen. William C. Harllee, U.S. Marine Corps, retired, John Harllee was graduated from the U.S. Naval Academy in 1934.

On December 7, 1941, Admiral Harllee participated in the defense of Pearl Harbor, where he was stationed. During World War II, he commanded Torpedo Motor Boat Squadron 12. He and his command were awarded the Presidential Unit Citation for outstanding performance in combat in the Southwest Pacific during 1943 and 1944. He also served a year as chief staff officer of the PT organization in the Southwest Pacific, which included 10,000 officers and men, 200 PT boats, 11 supporting ships, and seven bases. During World War II, Admiral Harllee's service was recognized with the award of the Silver Star and the Legion of Merit with Combat V.

From 1947 to 1948, Admiral Harllee served in the Navy's Congressional Liaison Unit. From 1948 to 1949, he commanded a destroyer—the U.S.S. *Dyess*—which won the annual divisional competition, after which he attended the senior course of the Naval War College.

During the Korean conflict, Admiral Harllee was executive officer of the cruiser *Manchester*, during which tour of duty he received the Commendation Ribbon for conduct in action. He has also been awarded various compaign and service medals, including 10 battle stars.

From 1955 to 1958, his assignments included the command of Division 152, commander of the surface ships on the Formosa patrol, chief of staff of Destroyer Flotilla 3, and commander of the amphibious attack cargo ship U.S.S. *Rankin*, which won more awards than any other ship in peacetime. In January 1959, All Hands magazine ran a special report on the U.S.S. *Rankin* and its Captain, John Harllee, entitled "Is There a Formula for a Smart Ship?" In seeking to find why one ship could win as many awards as the U.S.S. *Rankin*, one notable conclusion was drawn—that any ship that John Harllee commanded would be a winner of awards.

For Naval Institute Proceedings, Admiral Harllee has written such feature articles as "Practical Leadership Aboard Ship," September 1959, and "Patrol Guerrilla Motor Boats," April 1964.

Admiral Harllee voluntarily retired from the U.S. Navy in 1959 and worked in private industry for 2 years before becoming a consultant to the Under Secretary of Commerce for Transportation.

In August 1961, President Kennedy appointed John Harllee to the Federal Maritime Commission. This body confirmed that appointment without dissent. He was named Chairman of the Commission on August 26, 1963, and has served ably in that capacity since that date, having been sworn in to a second term by President Johnson on July 20, 1965.

Admiral Harllee's service as Chairman of the Federal Maritime Commission has been heralded by many individuals and groups of the shipping industry. He has received the Golden Quill Award from the Rudder Club of New York, the Order of Maritime Merit from the San Francisco Port Authority, the Honorary Port Pilot Award from the Port of Long Beach, Calif., and "Man of the Year" award from the New York Foreign Freight Forwarders & Brokers Association. In presenting the latter award to Admiral Harllee, the president of the association pointed to the concern and dedication which the admiral has quietly but effectively made a part of his service to the country and to those whom he was authorized to regulate. He said:

> In our memory he is the first Chairman to sit down with forwarders at their homeports and review in detail the operations of our industry. We are most impressed with this willingness to exchange views. We find it indeed heartening that the Chief of an important Federal regulatory agency is willing to seek out the facts of our economic lives and consider our views as to solutions for existing problems. Administrators who are well informed and appreciate the problems of those they regulate offer the best guarantee that our regulatory statutes will be wisely administered.

When recently honored by the Federal Bar Association with a commendation award for his work in maritime law, Admiral Harllee displayed the same innovation leadership which has marked his career when he called for a internship program by the transportation regulatory agencies to train lawyers to cope with "intermodal" problems.

All those who have known Admiral Harllee respect him for the integrity and professional capacity which he has brought to public service. I have been privileged to know him as a personal friend for many years, and I know that the career of this fine gentleman which I have briefly outlined can speak for itself.

I simply want to render my own salute to Adm. John Harllee as he leaves the Government service and wish him and his family the success, good health, and good sailing they deserve in the years of private life ahead.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of unobjected-to items on the calendar, beginning with Calendar No. 335, and then proceeding to Calendar No. 359, and the following calendar numbers in sequence.

The PRESIDING OFFICER. Without objection, it is so ordered.

OLDER AMERICANS ACT AMENDMENTS OF 1969

The Senate proceeded to consider the bill (H.R. 11235) to amend the Older Americans Act of 1965, and for other purposes, which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 4, line 12, after the word "title.", to insert:

Funds appropriated pursuant to the preceding sentence for the fiscal years ending June 30, 1970, and June 30, 1971, but not expended because a State did not have authority under State law to expend such funds, as determined by the Secretary pursuant to paragraph (4) of subsection (b) of this section, shall remain available as provided in such paragraph.

On page 5, after line 21, insert:

(4) In any case in which a State does not have authority under State law to expend the full amount of its allotment under this subsection in the fiscal year ending June 30, 1970, the amount of such allotment which the Secretary determines the State did not have such authority to expend during a part of that fiscal year shall remain available to such State until June 30, 1971, subject to reallotment after June 30, 1970, in accordance with the provisions of subsection (c) of this section, except as provided by the following sentence. In any case in which a State does not have authority under State law to expend the full amount of its allotment under this subsection, including any amount available pursuant to the preceding sentence, in the fiscal year ending June 30, 1971, the amount of such allotment which the Secretary determines the State did not have such authority to expend during the part of that fiscal year shall remain available to such State until June 30, 1972, subject to reallotment after June 30, 1971, in accordance with the provisions of subsection (c) of this section.

On page 6, line 18, after the word "required" insert "(i)"; in line 19, after "(a)" insert "and (ii) for the purposes set forth in paragraph (4) of subsection (b)"; on page 7, line 1, after the word "during" strike out "the" and insert "any"; in line 2, after the word "the" strike out "original"; in the same line after the word "allotment" strike out "was" and insert "is"; and on page 14, line 19, after the word "the" insert "new".

Mr. PROUTY. Mr. President, as a strong supporter of the Older Americans Act, I urge the prompt enactment of H.R. 11235.

As you know, authorization authority for the Administration on Aging created by the Older Americans Act of 1965 expired July 1. The general continuing resolution passed by Congress kept the agency operating temporarily. Nevertheless, I suspect that millions of older Americans and some agency personnel are troubled by the uncertainty which always surrounds congressional delay in extending program authorization.

I do not care to go into a comprehensive case history concerning application of the legislative process to extension of the Older Americans Act. I merely want to state that one of several reasons delaying prompt extension of the Older Americans Act was my insistence that the transfer of the foster grandparents program from the Office of Economic Opportunity to the Administration on Aging should include legislative language which would preserve both the service orientation of the program and the job status of those dedicated older Americans already in the program.

H.R. 11235, the House-passed extension of the Older Americans Act, transferred the foster grandparent program to the Administration on Aging. In doing so, however, for all practical purposes, it removed from the executive branch all discretion in establishing eligibility standards for participants in the program. Under the House-passed bill, all participants in the program are required to be low-income persons.

I initially proposed an amendment to give the Secretary of Health, Education, and Welfare some degree of discretion by adding the caveat "to the maximum extent feasible" to this requirement.

I had three reasons for proposing this amendment:

First, I believe in the general principle of giving the executive branch some discretion in program administration. As a legislator, I have never been convinced that Congress could foresee each and every contingency which might occur during the actual administration of a program.

Second, I believe that the success of the foster grandparent program can to a great extent be attributed to the fact that it has been a service-oriented program. All of the foster grandparents I have met are favorably impressed by the program because of the rewards inherent in serving others, rather than merely because of any economic benefit which accrues to them.

Third, I was concerned about the continued participation of the 4,000 grandparents presently in the program. Many of those now in the program began service when OEO income eligibility requirements were less restrictive. For example, OEO regulations issued as recently as May 1968 excluded farm income in computing individual income for program eligibility. Those same regulations specifically excluded current participants from the new income standards put into effect at that time.

When I raised the point that under the House-passed bill some foster grandparents in the program might be excluded, a number of lawyers in the General Accounting Office agreed with me. By giving the Secretary some discretion in determining eligibility, we could have prevented such undesirable results as excluding from the program individuals already participating in it.

While the majority of the committee did not see fit to support my original proposal of giving the Secretary some discretion in establishing eligibility requirements, I am pleased that the committee adopted another amendment of mine which has the effect of not changing income eligibility requirements for those foster grandparents already in the program.

The committee bill, H.R. 11235, makes the requirement that all foster grandparents be of low income applicable only to new participants in the program. While this does not completely satisfy my desire to have the service aspect of the foster grandparent program emphasized over the income supplement aspect, it at least preserves the status of those presently successfully participating in the program because of their desire to do for others.

Mr. President, with respect to the success of the foster grandparent program, I take particular pride in pointing out that one of the larger foster grandparent programs in the country is operating in my own State of Vermont.

The foster grandparent program at the Brandon Training School in Brandon, Vt., has been and continues to be a source of great satisfaction and reward for the foster grandparents, and also for the handicapped children who benefit from the love, care, and attention given to them on a daily basis.

Mr. President, I ask unanimous consent that a memorandum concerning the accomplishments of the Brandon, Vt., foster grandparents program be included in the RECORD immediately following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PROUTY. The bill before us today, Mr. President, does much more than transfer the foster grandparent program to the Administration on Aging. It extends and perfects the Older Americans Act of 1965.

In all candor, I think that all of us would agree that, to date, the Older Americans Act has achieved very limited progress toward fully meeting the needs of our older citizens. Nevertheless, we should take heart in the fact that some progress has been made. I am personally convinced that the changes in the program suggested by the administration's bill will enable the Administration on Aging to accelerate and expand the progress which has been made to date.

I think all of us desire to see the Administration on Aging developed into a more forceful focal point for articulating the pressing needs of older Americans, while at the same time expanding the services it makes available to meet the needs of older Americans.

President Nixon's appointment of John Martin to be Commissioner on Aging has, in and of itself, Mr. President, gone a long way toward insuring that the Administration on Aging will develop into a powerful voice for older Americans.

One of the first acts of the President after Mr. Martin's confirmation was to name him as a special assistant to the President for solving the problems of older Americans. In the months ahead, I am sure that we in Congress will begin

to feel the impact that John Martin and the Administration on Aging will most surely make in developing and carrying out meaningful programs to ease the plight of older Americans.

EXHIBIT 1

A RECORD TO THE CREDIT AND PRAISE OF OLDER PERSONS, 1966–69: THE FOSTER GRANDPARENT PROGRAM AT BRANDON TRAINING SCHOOL, BRANDON, VT., CAROLYN WHITLOCK, PROJECT DIRECTOR

1. Sixty percent of our Foster Grandparents are over 70 years old.

2. Of 40 Foster Grandparents, only one had to be replaced during the past year and that was because of her getting married and moving away from Vermont.

3. There has been no tardiness in 3 years and little absenteeism. Even on blizzard days Foster Grandparents attendance records could match and probably surpass any other school or business.

4. As a group, the Grandparents seem to improve as years go by, physically, emotionally, and socially. Twelve of the original 15 Grandparents will have been in the program for 3 years in October. The local doctor who gives them annual physical examinations has commented that their sustained good health is remarkable. Emotionally, the Grandparents seem to project more self-confidence in their ability to do their jobs and to relate to other employees. Socially, we continue to see warm friendships and kindnesses exchanged between Grandparents of varied backgrounds and ages. The common denominator of the children and the work seems to have brought about the appreciation they have for each other, despite ethnic differences.

5. One third of our group have never had children of their own before becoming Foster Grandparents. They have shown in many areas that oldsters are not so "set in their ways" that they cannot learn new skills or attitudes when the need for such learning really matters to them. One example of this is the way in which six Grandparents are giving meaningful training and care to blind children. Another example, is a Grandmother who had never been off of a farm until her late 50's when she became a childless widow and had to go to the city to find work. She had never known electricity or used a telephone until this age. With less than $600 a year income before this program, she had not had a home of her own for more than 10 years, living with various families that needed her housework assistance. After a year with this program, she now says that she is happier than she has ever been in her 72 years. She takes great pride in the way she is able to care for a child with disturbed behavior. Likewise, her skill in feeding a difficult baby gives her pleasure. When recently briefly hospitalized, she was in tears as to whether the baby was getting as much to eat without her care. In order to keep well and continue coming to her charges, this woman is taking great care with her diabetic diet for the first time in years and has lost 25 pounds with this health maintaining desire. Another example of "being needed" affecting physical health is our 80-year old Grandmother critically ill with a collapsed lung and tumor. During her three month hospital stay, she was positive and determined that she would get back to her "baby." For the past seven months she has been back without missing a day and at 82 is thrilled to now hear her charge begin to talk. One cannot help but wonder if Nursing Homes would be less crowded if more oldsters had opportunities to really feel and be needed.

6. Not one of our Foster Grandparents found the tragedy of retardation too much to take or to approach with hope.

7. The calmly happy optimistic attitudes of Grandparents have had healthy effect in Brandon. The unsung heroes in an institution are often the underpaid, hard working dormitory personnel. Their many efforts for the children above and beyond what their jobs demand are seen and appreciated by the Grandparents and therefore better understood by the community outside the institution.

8. Our eldest Grandfather (age 89) did not miss one day's work in 18 months, except for a two week cataract operation absence. Our eldest Grandmother, Daisy, was one of our first 15 Grandparents and is credited with giving the program its motto, "Lets Wear Out, Not Rust Out." We almost did not hire her because she refused to put her birth date on our application form (thinking she would never be hired at nearly 85 years). At 86, she returned to work after a months illness with a lovely white wig and now she is back with us at 87, after a two month absence and wearing a new eye. Daisy surely shows no signs of "rust" and her "wear" is fortunately kept in good repair.

To many persons living responsible, hectic lives the thought of retiring with nothing to do is anticipated as one step from heaven. The reality of total forced retirement is far from being even pleasant according to most Senior Citizens who are living it. Here at Brandon, we are convinced that doing nothing and being responsible to no one is not a happy state of being for any age, especially not for older persons with skills in human relationships acquired through 60 to 90 years of experience in dealing with other people of all ages and types.

Perhaps, at this time when our social ills and education goals are being scrutinized we should take our older persons "off the shelf" and let them take a vital role in our society. In fields of technology, an experienced person would not be "shelved" but society has no role and little use for the human relations experience, and skills of our older generation. As one-fourth of our national voting population, persons over 65 generally feel they no longer are useful because society has told them they should not be, except in a few isolated situations such as the Foster Grandparent Program. The numbers of such "roleless" persons are rapidly increasing as retirement age comes earlier and medical advancement keeps us healthy longer. The performance of the 40 Foster Grandparents at Brandon Training School and of 4,000 similarly involved persons in other parts of the United States has clearly demonstrated that older persons do have much to offer society and should never be "shelved".

The younger generation toward which our national attention and funds are focused often sings out that ". . . what the world needs now is love . . ." Perhaps if the oldsters had not been made "roleless" for so many generations, the youngsters would not be singing out this need with such a fervor today. Teenage volunteers working at Brandon have appreciated the attitudes and work of Foster Grandparents and made many close friendships with them.

Each of the 40 Brandon Grandparents gives individual attention, care, and training to two retarded children for four hours daily. Thus, over 70 children are having needs of self-identity met, as are the Grandparents' needs for feeling important and useful. Every Grandparent works out a program to meet the needs of his particular charges. Among the things that are patiently taught are skills of self-feeding, going up and down stairs, learning to manipulate buttons and shoestrings, getting along and sharing with others in work and play, and behavior in public. For those children who have the ability, there is help with learning to read and count, with crafts and games. There are special events too such as field trips, visits to stores or grandparents' homes. The children are taken out-of-doors daily and many participate in the Grandparents Rhythm Band and gardening projects. Speech stimulation and physical therapy are also children's benefits from the program.

As the individual Grandparent-Grandchild relationships continue in most cases they seem to improve in effectiveness for both the oldster and the youngster. As the child matures or his abilities improve, the Grandparent's gratification with his work likewise increases.

The Institution's attitude toward the Program has changed considerably since its beginning in 1966 when it was questionable to all concerned whether elderly persons could handle emotionally disturbed or severely handicapped children. Nowadays, if a child is a difficult problem or has multiple handicaps, the prescription is often to give him a Foster Grandparent. The patience, dedication, and perseverance that older people have is often what children need. To hear a 77-year old woman, with a good understanding of what future potential her young charge has, say that she would die happy if she could get him toilet-trained, exemplifies the thoughts of many Foster Grandparents.

Mr. KENNEDY. Mr. President, the Older Americans Act of 1965 represented a landmark piece of legislation for the senior citizens of this Nation.

The act created the Administration on Aging in the Department of Health, Education, and Welfare to serve as a central focus within the Government in all matters of concern to older people. The act also authorizes three programs to encourage and support efforts to enrich the lives of our seniors. Title III provides grants for community planning, services, and training. Title IV supports research and development projects. Title V gives grants and contracts for training efforts to meet the widespread needs of qualified personnel in the field of aging.

Activities under the act have led to a number of exciting developments and accomplishments for the aging. Under title III, for example, approximately 1,100 projects have been funded in all States and territories except the four which do not have approved plans. Under these projects: 83,000 older Americans were served through home maintenance, friendly visiting or telephone reassurances; 41,000 benefited from special transportation services for the frail, and for those without available public transportation; 47,000 received personal counseling services; 290,000 participated in recreation and leisure-time programs; and thousands of other older Americans received services appropriate to their needs.

In all, it is estimated by the Administration on Aging that over 600,000 older persons are being served under title III.

Research and development grants made under title IV of the act have demonstrated new approaches toward meeting the needs of the Nation's elderly, and have revealed new truths to help them in solving their problems and taking full advantage of the opportunities available to them. For example: the nationwide study conducted by the University of Denver refutes the stereotype of the older driver as a high-insurance risk and as a potentially dangerous licensee; the use of television has been successfully demonstrated as a technique for informing the elderly; and new light has been thrown on changes in life patterns caused by widowhood.

Training programs authorized by the act have made a dent in the shortage of workers trained to serve in programs for older Americans. This is particularly important because fewer than 10 to 20 percent of the approximately 300,000 professional and technical workers in programs serving the elderly have had no formal preparation for work with the elderly.

At the present time in the United States, out of a population of 203 million, 20 million persons are 65 or over. In my own State of Massachusetts, 620,000 citizens are 65 or over, constituting more than 11 percent of the population. Median income of older persons living alone with nonrelatives is about $1,500; 40 percent are poor or near-poor, and 5 million senior citizens actually fall below the poverty line.

In Massachusetts, the Older Americans Act has been extremely valuable and successful.

Twenty-three projects have been funded, of which 20 are still active.

Project Moneywise Senior in Boston has trained older persons to conduct consumer education programs for other elderly persons throughout the Commonwealth.

Schools in Boston, Holyoke, Quincy, Malden, Worcester, Brookline, and Pittsfield are providing lunches at 50 cents each for low-income persons over 60.

Roxbury has a home aid program, which employs recipients of aid to families with dependent children to help older citizens in their homes by cleaning, washing, shopping, and other household jobs.

The John F. Kennedy Health Center in Quincy provides various health services to the elderly, including massive screening programs.

The "new roles for older Americans" project in Worcester recruits, trains, and places senior volunteers in a variety of service opportunities.

In fiscal year 1969, approximately 50,000 older persons in Massachusetts received direct services from title III projects. Over 500 served as volunteers, helping other elderly persons as well as people in other age groups. Over 5,000 benefited from the transportation services available. Over 200 were placed in paid employment; 8,500 seniors confined to their homes were aided by friendly visits and telephone services.

Mr. President, the success of the Older Americans Act in Massachusetts is a tribute to the many dedicated workers in the field of aging in our Commonwealth whose ability and commitment have been so essential.

I would especially like to congratulate Msgr. Joseph T. Alves, chairman of the Massachusetts Commission on Aging, and John T. Sweeney, the commission's executive secretary.

In his Senate testimony on the proposed act back in 1965, Monsignor Alves said:

> Passage of this kind of legislation at the Federal and State level will give us the tools to forge a kind of effective partnership between local, State and Federal Government that could make for a genuine alliance for action in aging.

While there remains much room for much progress and improvement, I believe any fair observer would have to agree that we are well on the way toward forging the "genuine alliance for action in aging" which Monsignor Alves called for.

Mr. President, the bill which we are considering today would have three effects. First, it would extend and moderately increase authorizations for the Older Americans Act of 1965, which expired on June 30 of this year. Second, it would make a number of technical amendments which would improve administration of the act itself. Third, it would authorize two programs to provide service opportunities to older Americans. The new retired senior volunteer program—RSVP—would provide retired persons opportunities for service within their own communities. Volunteers would be compensated for transportation, meals, and other out-of-pocket expenses incidental to their services. The program would satisfy the desires of so many senior citizens to be active and useful and participating in the mainstream of society.

The foster grandparent program, which for several years has been operated by the Administration on Aging with funds delegated from the Office of Economic Opportunity, would be formally transferred to the Administration on Aging. Under this program low-income persons, aged 60 or older, are compensated for providing companionship and attention to foster children who are in need of this affection. The program provides senior citizens with needed income to supplement their inadequate retirement finances. It gives them the joy of serving where needed. It utilizes their experience and full background. It assists younger citizens who need the care.

As chairman of the Special Subcommittee on Aging in the U.S. Senate, I have worked closely on the problems and the needs and the accomplishments of the elderly. I have had the opportunity to recognize the importance of senior citizens across the Nation and in my home State of Massachusetts. I am committed to full programs for the aging.

Their organizations are strong. Their aspirations are exciting. Their contributions are substantial. And their needs are reasonable.

In the wealthiest nation in the world, with a gross national product rapidly approaching $1 trillion, it is outrageous to think that we cannot afford more than $1.41 per senior citizen per year. I think that we can do more, and I think that we must do more. The Older Americans Act gives us that opportunity.

Mr. President, in an age with great emphasis on youth and change and rebellion—in an age when memories are short and society less personalized—it is small wonder that our older citizens are often ignored. A small wonder, but a large disgrace.

We have an obligation to assist our seniors to continue full and rewarding lives. And we have an opportunity to benefit from their experience and dedication and talent and wisdom.

The Older Americans Act is based on this twofold premise. It has been a strong success in the 4 years since its enactment. Expanded programs under this act can do even more in the future. I urge passage of this legislation of the present bill to extend and expand the Older Americans Act of 1965.

Mr. WILLIAMS of New Jersey. Mr. President, the legislation before the Senate today is of direct importance to the 20 million Americans now 65 years and over, as well as all those now nearing that age.

When Congress passed the Older Americans Act in 1965, its intention was to establish a Federal agency that would concern itself, not just with the problems of the elderly, but also with their opportunities to live productive and satisfying lives.

The Administration on Aging has, during its first 3½ years, attempted to fulfill the congressional mandate, but of course it first had to build a foundation from which to work. Naturally, there had to be experimentation. Naturally, there had to be some false starts and—in some cases—no starts at all because of limited funds or other difficulties.

But, despite difficulties and the need for more adequate funding, the Administration on Aging has pioneered; it has shown what can be done and it has provided us with a wealth of experience and concrete results from individual programs and research projects.

For all these reasons, the Older Americans Act must be extended and it must be improved. The bill before the Senate today would do both, and it would also add an important program to enlist the elderly in service programs as volunteers. This innovative addition, together with the technical changes in administrative procedures, make this worthwhile and much-needed legislation. As chairman of the Senate Special Committee on Aging and as a Senator from a State with more than 650,000 persons of age 65 and over, I am proud and pleased to support it.

Mr. KENNEDY. Mr. President, on behalf of the Senator from Texas (Mr. YARBOROUGH), I ask unanimous consent that a statement prepared by him be inserted in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> Mr. YARBOROUGH. The Older Americans Act extension under consideration by the Senate today is a renewal of an important and successful piece of legislation. The Older Americans Act has proven its worth in stimulating more effective use of existing resources for our older citizens and in promoting new programs which will make their lives fuller and richer.
>
> An example of this type of new program which is being authorized by this legislation is the National Older Americans Volunteer Program. This program will provide service opportunities for older Americans and allow the country and its younger citizens to benefit from the skills and experiences of citizens who have retired from jobs but who are ready to spend their time helping their fellow men.
>
> I wish to take this opportunity to commend the senior Senator from Massachusetts (Mr. KENNEDY) for his leadership in this field as chairman of the Aging Subcommittee of the Committee on Labor and Public

Welfare. It is through his dedicated efforts and those of the other members of the subcommittee that this legislation is before us today.

The Act has been successful in the past—in the last fiscal year eighty-three thousand older Americans were served through home maintenance, friendly visiting, or telephone reassurance services; seventeen thousand older Americans received the benefit of nutritional meals, home delivered to the homebound, and in friendly community settings for the healthy; eleven thousand older Americans were placed in paid, part-time jobs; forty-seven thousand older Americans received personal counseling services; and two hundred and ninety thousand older Americans participated in recreation and leisure time programs.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments were agreed to en bloc.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–340), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSES

H.R. 11235 has three principal purposes:

1. To extend the grant and contract programs of the Older Americans Act of 1965 beyond their June 30, 1969, expiration date, and to effect a modest increase in the authorizations for those programs;

2. To make a number of technical amendments to improve the administration of the act; and

3. To authorize a "National Older Americans Volunteer Program" to provide service opportunities for older Americans.

BACKGROUND

The Older Americans Act of 1965 (Public Law 89–73—July 14, 1965) created the Administration on Aging in the Department of Health, Education, and Welfare to serve as a central focus within the Government in all matters of concern to older people. The agency was given the responsibility to—

(1) Serve as a clearinghouse for information related to problems of the aged and aging;

(2) Assist the Secretary in all matters pertaining to problems of the aged and aging;

(3) Administer the grants provided by this act;

(4) Develop plans, conduct, and arrange for research and demonstration programs in the field of aging;

(5) Provide technical assistance and consultation to States and political subdivisions thereof with respect to programs for the aged and aging;

(6) Prepare, publish, and disseminate educational materials dealing with the welfare of older persons;

(7) Gather statistics in the field of aging which other Federal agencies are not collecting; and

(8) Stimulate more effective use of existing resources and available services for the aged and aging.

At the same time, the act authorized three programs of grants and contracts to encourage and support efforts designed to enrich the lives of older people:

Title III.—Grants for community planning, services, and training;

Title IV.—Grants and contracts for research and development projects; and

Title V.—Grants and contracts for training efforts to meet the widespread need for qualified personnel in the field of aging.

Under the act as enacted in 1965, authorizations for these grant and contract programs were scheduled to expire on June 30, 1967. Congress enacted the "Older Americans Act Amendments of 1967" (Public Law 90–42—July 1, 1967), to extend these authorizations for 2 years, through June 30, 1969.

PROGRESS UNDER THE ACT

1. *Title III activities.*—The Administration on Aging and the State agencies on aging have made significant progress in the 4 years of the act's existence. Only three States and one territory do not have title III programs in operation. There have been approximately 1,100 title III projects funded. It is estimated by the Administration on Aging that over 600,000 older persons are being served. In fiscal year 1968 alone, AOA reports:

Six thousand older Americans were served in their homes by homemaker or home health aid services;

Eighty-three thousand older Americans were served through home maintenance, friendly visiting, or telephone reassurance services;

Seventeen thousand older Americans received the benefits of nutritional meals, home delivered to the home-bound, and in friendly community settings for the healthy;

Eleven thousand older Americans were placed in paid, part-time jobs;

Forty-one thousand older Americans benefited from special transportation services for the frail, and for those without available public transportation;

Forty-seven thousand older Americans received personal counseling services;

Twenty-nine thousand older Americans volunteered their time and talents to the community;

Two hundred and ninety thousand older Americans participated in recreation and leisure time programs;

Four million older Americans resided in the areas covered by the local planning programs of title III.

The persons served by these programs represent the full spectrum of the social, economic, ethnic, and racial composition of the Nation.

2. *Title IV activities.*—The title IV research and development grant program is beginning to show results as the first of its multiyear projects are being completed. For example:

A nationwide study by the University of Denver refutes the stereotype of the older driver as a high insurance risk and potentially dangerous driver licensee.

The use of television for outreach and information and referral services has been successfully demonstrated by the educational television station in Hershey (WITF–TV) and by the statewide five-station educational television network in Minnesota.

A study of changes in life pattern caused by widowhood is being made by Roosevelt University to develop new content for counseling services.

Approximately $4 million has been invested in the 29 projects of a title IV nutrition program, which is testing nutrition program techniques in an effort not only to improve diet but also to enhance self-sufficiency and bring elderly participants into social contact with others.

3. *Title V activities.*—The title V training grants program has established 15 long-term university training programs at the masters degree level in areas where no previous training existed. These are occupations in aging concerned with—

Planning, evaluation, administration, and coordination at Federal, State, and community levels;

Administration and management of retirement housing, homes for the aged, and related facilities;

Management of multiservice senior centers; and

Specialized service needs of older persons in adult education, architecture, home economics, library science, and recreation.

The above programs currently have over 200 students in training.

Moreover, 24 short-term projects, together with training components of title III projects, have trained 4,750 persons already employed in the field of aging, or about to enter such employment.

In recognition of the importance of trained personnel to the success of programs in aging, this committee included in the Older Americans Act Amendments of 1967 a provision authorizing and directing the Secretary of HEW to undertake "a study and evaluation of the immediate and foreseeable need for trained personnel" in aging, "and of the availability and adequacy of the educational and training resources for persons preparing to work in such programs."

During 1968, the requested report was submitted by Secretary Cohen. Its conclusion is that there is "an urgent and increasing need for personnel" to serve in the field of aging. In addition, it states that "a projection of future demand * * * would place requirements for trained workers in 1980 at a level two and three times above that of 1968." Twenty-three recommendations are made for relieving present shortages and preventing future shortages of personnel trained to serve in aging programs.

The increased authorizations in H.R. 11235 can make possible a stepping up of Administration on Aging activity to meet the training challenge if Congress takes advantage of the opportunity to follow through with adequate appropriations for this purpose.

4. *Foster Grandparents.*—Since 1965, the Administration on Aging has operated the Foster Grandparent program, under contract with the Office of Economic Opportunity, with funds appropriated to that agency. This program began as a limited demonstration program in August 1965 with 21 projects. It now has 68 projects operating in 40 States and Puerto Rico. The services of 4,000 foster grandparents are being utilized to help 8,000 retarded, disturbed, or emotionally disadvantaged children every day. The Administration on Aging estimates that about 16,000 children are served by the program at one time or another during the course of a year.

These are illustrations of the ways in which the Older Americans Act has provided services and opportunities for the Nation's elderly that were previously unavailable or nonexistent.

HEARINGS

On June 19, 1969, hearings on H.R. 11235 and similar proposals were conducted by the Special Subcommittee on Aging, Senate Committee on Labor and Public Welfare. Among those testifying on behalf of the amendments were Commissioner John B. Martin of the Administration on Aging, which administers the Older Americans Act; representatives of the National Council on the Aging, the American Association of Retired Persons—National Retired Teachers Association, the National Council of Senior Citizens, and the National Association of State Units on Aging, and participants in Project Serve, a service project for the elderly on Staten Island, N.Y.

While there were minor differences as to the details of the legislation, all who testified were unanimous in endorsing the principal provisions and objectives of H.R. 11235.

VOLUNTEER SERVICE

Of particular interest was the testimony on the value to older persons of rendering services needed in their communities. Mrs. Janet Sainer, project director of Project Serve, testified:

We wish to record our gratification about the recognition given to the value and importance of volunteer service by the RSVP provision, the Retired Senior Volunteer Program of H.R. 11235 passed last Monday.

This national older Americans volunteer program is a forward-looking concept of care and concern for the elderly stressing the positive potential of the older person and emphasizing his dignity and self-esteem.

Such a program enables him to be the giver rather than the receiver of services. Such a program gives him the status and the recognition that is so often lacking in the later years and such a program creates a new image of the aging in the community.

Our experience in Serve * * * has shown that older persons can contribute in many significant ways if encouraged and if given the opportunity.

Mr. Fred Russbild, an elderly person who participates in that program, testified as follows as to what such service means to those who serve:

"We are happy to be able to do something * * * my wife and I signed up. We have never regretted it. We have found happiness and fulfillment in giving to those who can use our efforts to best advantage. We * * * would not give this up for anything in the world. Neither would any one of the other volunteers that I have known who go there. They are eager to come. They meet through hailstorm or rainstorm. Nothing keeps them away * * * Whenever in a meeting it is brought up that * * * the project may stop, it is amazing the way those faces drop and blanch * * * Our week is not empty. We don't vegetate. We live. We live for a purpose, to serve * * *"

As a result of these hearings and the deliberations of the committee and its Special Subcommittee on Aging, H.R. 11235 as it passed the House has been amended in two respects.

AMENDMENTS

1. Reallotment of allotments for planning, coordination, and evaluation and administration of State plans

Section 4 of the bill would amend section 304 of the act to provide for a Federal allotment of at least $75,000 to each State for fiscal years 1970, 1971, and 1972 for planning, coordination, and evaluation and administration of State plans. The committee feels that such activity is vitally important to effective programs for older Americans. Therefore, the bill puts added incentive on States to move ahead on planning, coordination, and evaluation and administration of State plans by reallotting funds which a State cannot use for this purpose in a given fiscal year and making them available to States which can use the funds.

The committee recognizes, however, that the strict reallotment provision would work an undue hardship on States which do not have the legal authority to utilize all of their allotments for these purposes at the present time.

Robert B. Robinson, president, National Association of State Units on Aging, testified at the June 19, 1969, hearing:

One matter that does concern me is the reallocation of nonexpended administration funds. * * * This is the requirement that I use all of the $75,000 proposed for State planning, coordination, evaluation, and administration, or have the unused funds portion reallocated to other States for these same purposes.

I would prefer that the States be given the opportunity to shift any unused portion to title III project support for a period of 2 years, so that the States whose legislatures have already adjourned and those which meet on a biennium basis, can have time to adjust to this new provision.

To protect States which lack legal authority to use these funds and whose legislatures may have adjourned or meet on a biennial basis and therefore must delay getting such authority, the committee adopted an amendment providing that whenever a State, during a part of the fiscal year 1970 or of the fiscal year 1971, lacks authority under State law to use all of its allotment for planning, coordination, evaluation, and administration, that portion of its allotment which it is unable to use for lack of authority under State law during a portion of 1970, 1971, or both shall be temporarily carried over (and not be subject to reallotment).

States would fall into four classifications, according to their authority under State law to expend the full amount of their allotments. The precise effect of this amendment on the four classes of States would be as follows:

"Class A" States, those having authority under State law to expend the full amounts of their allotments on the effective date of the proposed act: The amendment would not apply to these States. Under another provision of the proposed act, allotments to these States would be subject to reallotment on the effective date of the act and at all times thereafter. The portion of an appropriation which is subject to allotment to these States will, if not expended by them or reallotted to other States and spent by them before the end of the fiscal year for which appropriated, expire and revert to the Treasury at that time.

"Class B" States, those lacking authority under State law to expend the full amount of their allotments on the effective date of the proposed act, but acquiring that authority at some time during the current fiscal year (which ends June 30, 1970): The amount of the allotment to a State in this class which the Secretary determines the State did not have authority under State law to expend during a part of the current fiscal year would remain available to the State until June 30, 1971. However, any part of the allotment to that State for the current fiscal year which is not expended prior to July 1, 1970, would be subject to reallotment on and after that date. Allotments to these States for the fiscal years beginning on and after July 1, 1970, would be subject to reallotment on and after that date, just as if these States had never lacked authority under State law to expend their full allotments.

The portion of an appropriation which is subject to allotment to these States during the current fiscal year which is determined by the Secretary not to be expendable by them will not expire and revert to the Treasury if not spent by them on or before June 30, 1970, but will remain available until June 30, 1971. However, if not expended by these States or by the States to which reallotted during fiscal year 1971, these appropriations will expire at the end of that fiscal year.

"Class C" States, those lacking authority under State law on the effective date of the proposed act and at all times during the current fiscal year to expend the full amount of their allotments, but which acquire that authority at some time during the fiscal year 1971: The amount of the allotment to such a State which the Secretary determines the State did not have authority under State law to expend during fiscal year 1970 and a portion of fiscal year 1971 would remain available to the State until June 30, 1972. However, any part of the allotments to that State for the fiscal years 1970 and 1971 which is not expended prior to July 1, 1971, would be subject to reallotment on and after that date. Allotments to these States for fiscal years beginning on and after that date would be subject to reallotment on and after that date, just as if these States had never lacked authority under State law to expend their full allotments.

The portion of an appropriation which is subject to allotment to these States during fiscal years 1970 and 1971 which is determined by the Secretary not to be expendable by them will not expire at the end of these fiscal years, but will remain available until June 30, 1972. However, if not expended by that date, these appropriations will then expire.

Class D States, those lacking authority under State law on the effective date of the proposed act and at all times during the current fiscal year and fiscal year 1971 to expend the full amount of their allotments: The amount of the allotments to these States which the Secretary determines the States did not have authority under State law to expend during those fiscal years would remain available to the States until June 30, 1972. However, any part of the allotments to those States for the fiscal years 1970 and 1971 which they did not expend prior to July 1, 1971, would be subject to reallotment on and after that date. Allotment to these States for fiscal years beginning on and after that date would be subject to reallotment on and after that date.

The portion of an appropriation which is subject to allotment to these States during fiscal years 1970 and 1971 which is determined by the Secretary not to be expendable by them will not expire at the end of these fiscal years, but will remain available until June 30, 1972. However, if not expended by that date, these appropriations will then expire.

For purposes of this amendment, it is important to understand that making funds "available to" a State after the fiscal year during which they were allotted to the State, under the proposed paragraph (3) of section 304(b) of the act, would not give the State an irrevocable claim to the funds. They would be "subject to reallotment" after the dates prescribed in the amendment, and could then be reallotted in the same way in which funds allotted by paragraph (3) but not subject to the amendment can be reallotted.

2. Requirement that Foster Grandparents be older persons of low income

In requiring in section 612(a)(1)(A) that participants be "of low income," the committee expects that the Secretary will follow the poverty guidelines as developed and applied in programs under the Office of Economic Opportunity. With only a few thousand foster grandparents slots available the committee feels that very strong priority must be given to those older Americans who fall under the poverty line—over 5 million at present. As the Foster Grandparent program is transferred from the Office of Economic Opportunity to the Department of Health, Education, and Welfare, the committee opposes weakening of its poverty orientation.

The committee also recognizes that some degree of flexibility in the Secretary can help to achieve most effectively the goals of the Foster Grandparent program. For this reason, a "grandfather clause" has been added qualifying the requirement of section 612(a)(1)(A) so that it reads that "new participants" must be "of low income.". The committee's intent is to make explicit the policy that persons who already are participating in the foster grandparent program at the present time and whose incomes may be slightly above the strict poverty line will not by virtue of section 612(a)(1)(A), be barred from further participation.

As a result of the new Retired Senior Volunteer Program proposed to be established by part A of the proposed title VI, persons whose incomes fall above the poverty line

will have an alternative to participating in foster grandparent and other activity. But in borderline cases, for example where a person in a foster grandparent program has a small rise in income which carries him slightly above the poverty line, the Secretary will have the discretion to retain him in the program. The Secretary also can exercise flexibility in other exceptional circumstances. Otherwise the committee intends that the Secretary be firmly guided by the poverty guidelines promulgated by the Office of Economic Opportunity.

SUMMARY OF PRINCIPAL PROVISIONS OF THE BILL

As stated earlier in the report, there are three principal purposes of the bill. Its provisions are summarized below under these purposes.

First purpose.—To extend the grant and contract programs of the Older Americans Act of 1965 beyond their June 30, 1969, expiration date, and to effect a modest increase in the authorizations for these programs.

Title III (grants for community planning, services, and training) authorizations would be increased from $16 million for fiscal year 1969 to $20 million for 1970, $25 million for 1971, and $30 million for 1972 (plus $5 million in each of those years for State plan administration and $5 million in 1970 and $10 million in 1971 and 1972 for "statewide, regional, metropolitan area or other areawide model projects.")

Authorization for title IV (research and development projects) and title V (training projects) would be increased from $10 million for fiscal year 1969 to $12 million for 1970, $15 million for 1971, and $20 million for 1972.

Second purpose.—To make a number of technical amendments to improve the administration of the act.

Would repeal prohibition of Federal support for title III projects beyond 3 years, and would permit Federal support for certain selected projects for unlimited number of years at 50 percent for fourth and subsequent years.

Would insert a new State plan requirement that the State plan "provide for statewide planning, coordination, and evaluation of programs and activities related to the purposes of the act, in accordance with criteria established by the Secretary after consultation with representatives of State agencies.

Would authorize appropriations for State plan administration separate from the authorization for title III project support (at present, both purposes are achieved from the same authorization and appropriation); $5 million would be authorized for fiscal year 1970 and each of the next 2 fiscal years. These funds would be allotted to States and territories on the basis of a formula, with a minimum of $75,000 to each State. The Secretary would be authorized to reallot any such allotment to a State which he determines will not be required for this purpose in that State. However, he would not be permitted to reallot before July 1, 1971, any portion of an allotment for fiscal years 1970 or 1971 which the State lacked legal authority to use for this purpose during any part of the year for which it was allotted.

Would insert a new requirement that the State plan "provide satisfactory assurance that there will be expended for carrying out the plan for each fiscal year, from State funds other than Federal funds, not less than the amount expended for fiscal year 1969.

Minimum allotment to each State for State plan administration would be increased from $25,000 to $75,000.

Percentage of costs of State plan administration that can be paid from Federal funds be increased from 50 to 75 percent.

Would authorize the Secretary (under a separate title III authorization) to pay up to 75 percent of the cost of the development and operation of statewide, regional, metropolitan area, or other areawide model projects for carrying out the purposes of title III. Not more than 10 percent of title III funds could be set aside for this purpose.

A portion of State's title III allotment could be reallotted to other States if the Secretary determined that State will not need it for carrying out the State plan. (Replaces the requirement that the State to which such funds are allotted notify the Secretary that they are not needed.)

The Secretary would be authorized to make contracts with (but not grants to) any agency, organization or institution (even though it is not a nonprofit organization) for research and development and training projects. As at present, grants could only be made to public or nonprofit private agencies, organizations, or institutions.

Third purpose.—To authorize a "National Older Americans Volunteer Program," providing service opportunities for older Americans.

Would authorize a "Retired Senior Volunteer Program (RSVP)" to recruit individuals aged 60 or over to provide services needed in their own communities, without compensation other than for transportation, meals, and other out-of-pocket expenses incident to their services. Authorizations for this program would be $5 million for 1970, $10 million for 1971, and $15 million for 1972.

Would also authorize as the other component of the "National Older Americans Volunteer Program" a foster grandparent program. While the Administration on Aging is presently administering a foster grandparent program with funds from the Office of Economic Opportunity, this provision would, for the first time provide specific authorization for the program as an ongoing program and give direct authorization to the Administration on Aging to administer it with its own funds, thus effecting a complete transfer of the program from the Office of Economic Opportunity. Although the program would be removed from OEO, there would be a requirement that new participants be "older persons of low income who are no longer in the regular work force."

Authorizations for the foster grandparent program would be $15 million for 1970, $20 million for 1971, and $25 million for 1972.

THE LYNDON B. JOHNSON NATIONAL HISTORIC SITE

The Senate proceeded to consider the bill (S. 2000) to establish the Lyndon B. Johnson National Historic Site, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 10, after "Sec. 2." to strike out "The Secretary of the Interior is authorized to acquire by donation or otherwise the real property or interests therein within the boundaries which he designates and the personal property associated therewith." and insert "The Secretary of the Interior is authorized to acquire by donation or by purchase with donated funds only, the real and personal property or interests therein within the boundaries which he designates."; and on page 2, after line 11, insert a new section, as follows:

SEC. 4. There are hereby authorized to be appropriated not to exceed $180,000 to provide for the development of the Lyndon B. Johnson National Historic Site.

So as to make the bill read:

S. 2000

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the site of the birth of Lyndon Baines Johnson, thirty-sixth President of the United States, located near Hye in Blanco County, Texas, and that certain property known as the Lyndon B. Johnson Boyhood Home in Johnson City, Texas, are hereby designated as the Lyndon B. Johnson National Historic Site, the boundaries thereof to be designated by the Secretary of the Interior.

SEC. 2. The Secretary of the Interior is authorized to acquire by donation or by purchase with donated funds only, the real and personal property or interests therein within the boundaries which he designates.

SEC. 3. The Lyndon B. Johnson National Historic Site shall be administered by the Secretary of the Interior in accordance with the laws applicable to the national park system.

SEC. 4. There are hereby authorized to be appropriated not to exceed $180,000 to provide for the development of the Lyndon B. Johnson National Historic Site.

Mr. BYRD of West Virginia. Mr. President, the senior Senator from Texas (Mr. YARBOROUGH) is necessarily absent and he left with me a statement on the passage of S. 2000, the bill to create a Lyndon B. Johnson National Historic Site. I ask unanimous consent that Senator YARBOROUGH'S statement appear in the RECORD at this point.

There being no objection, the state- and children receive less than the so-called RECORD, as follows:

THE L. B. J. HISTORIC SITE—A FITTING TRIBUTE

Mr. YARBOROUGH. Mr. President, I am highly gratified at Senate passage of S. 2000, to create an L. B. J. National Historic Site. President Johnson will certainly be listed as one of our greatest Presidents and future generations of Americans will thank us for setting aside the site of his birth and the home in which he grew up as a historic monument.

It is a fitting tribute to a great American and, in my opinion, only a small way for us to say "Thank you, Mr. President."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–364), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

DESCRIPTION

The Lyndon B. Johnson National Historic Site will consist of two principal areas:

(1) the President's birthplace within walking distance of the LBJ Ranch, and

(2) his boyhood home, 13 miles east in Johnson City.

The birthplace is just off U.S. 290 at Stonewall, Tex. Across the street is the Johnson family cemetery—and directly across the river is the LBJ Ranch. In the area it is proposed to reconstruct some of the outbuildings in the birthplace area and to increase more than double the 18-space parking lot now in existence. It is also proposed to install walkways and a three-rail fence around the yard. The birthplace is currently open to the public 4 hours a day and is staffed by a director, caretaker, and volunteer hostesses.

His boyhood home is a small house located at the intersection of U.S. 290 and U.S. 281. It was in this house that Lyndon Johnson spent his boyhood and young manhood. Like the birthplace, the boyhood home has been

somewhat modernized to make an apartment for the director living there, and minor rehabilitation may be needed in the future.

It will be necessary to provide visitor parking on a side street. Outside the house itself it is proposed to prepare an interpretive introduction and an exhibit of articles not appropriate as furnishings yet which will add meaning to the site. The wellhouse and barn which were on the property when Lyndon Johnson lived there as a boy will be reconstructed. Landscaping of the property will include a new stone and concrete walkway between the dwelling and the parking lot, and orchard, a wildflower display, and a three-rail fence to replace the one now in existence.

Since the Johnson City Foundation has stated its desire to donate to the United States the land on which the birthplace and boyhood home are located, the committee believes no funds should be authorized for additional land acquisition, it being assured that the foundation will finance any additional acreage needed.

COSTS

The second amendment to the bill would limit the authorization for funds to $180,000 to be used exclusively for development. It was testified that operation costs for the two areas is expected to be $120,000 annually.

The committee recommends enactment of the bill as amended.

THE EISENHOWER NATIONAL HISTORIC SITE

The Senate proceeded to consider the joint resolution (S.J. Res. 26) to provide for the development of the Eisenhower National Historic Site at Gettysburg, Pa., and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 2, line 1, after the word "appropriated" to strike out "such sums as may be necessary" and insert "not to exceed $1,108,000"; and, after line 5, to insert a new section, as follows:

SEC. 2. There are hereby excluded from the boundaries of Gettysburg National Military Park, and included within the boundaries of the Eisenhower National Historic Site, the lands and interests therein identified as "Additions to Eisenhower NHS" on the drawing entitled "Proposed Additions to Eisenhower National Historic Site", numbered EISE–20,000, and dated June 1969, which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

So as to make the joint resolution read:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby authorized to be appropriated not to exceed $1,108,000 for the development of the Eisenhower National Historic Site at Gettysburg, Pennsylvania, which may be expended only upon termination of the estates reserved by the donors.

SEC. 2. There are hereby excluded from the boundaries of Gettysburg National Military Park, and included within the boundaries of the Eisenhower National Historic Site, the lands and interests therein identified as "Additions to Eisenhower NHS" on the drawing entitled "Proposed Additions to Eisenhower National Historic Site", numbered EISE–20,000, and dated June 1969, which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was amended, so as to read:

Whereas the Secretary of the Interior has designated, under authority of the Act of August 21, 1935 (49 Stat. 666), the Gettysburg, Pennsylvania, farm of the late General Dwight D. Eisenhower, thirty-fourth President of the United States, as the Eisenhower National Historic Site; and

Whereas the Secretary's order of designation prohibits the use of funds appropriated to the Department of the Interior for the development of the national historic site unless otherwise authorized by Act of Congress: Now, therefore, be it

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–365), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

NEED

The Eisenhower National Historic Site is located in the area of one of our Nation's most significant military engagements, the Civil War Battle of Gettysburg.

It was this historic aspect which first attracted General Eisenhower to the spot and which further enhances its value to the Nation as a national historic site. General Eisenhower bought the farm in 1950. Its principal significance began in the early 1950's when the general became the 34th President of the United States. After 1961 the farm was the retirement home of General and Mrs. Eisenhower until his death in early 1969.

In 1967 the Eisenhowers donated their Gettysburg residence and surrounding 230 acres of farmland to the United States, subject to a life estate retained by General and Mrs. Eisenhower, and the right of the survivor to continue to live there for a period not to exceed 6 months. However, since General Eisenhower's death last March, Mrs. Eisenhower at her own request, has been extended permission to continue to reside at their home indefinitely by the issuance of a special use permit now in effect. The farmhouse and immediately surrounding 14 acres are the subject of the special use permit. The remainder of the 230-acre farm, together with the adjacent Federal lands, donated to the Federal Government by the Alton Jones Foundation have been leased for farming purposes and will be developed with visitor facilities.

The Department proposes in its report that the 262-acre adjacent Alton Jones farm, used for many years by the Eisenhowers, be removed from the Gettysburg National Military Park and made a part of the Eisenhower National Historic Site.

The development plan includes keeping the hayfields, croplands of barley and oats, the General's garden, and the Black Angus cattle.

A visitor center and parking facilities, as well as improving existing walks and roadways and adapting the farm to visitor use in general are proposed.

It is not intended to initiate any of the proposed developments as long as Mrs. Eisenhower occupies the farm.

THE FARM OPERATION

Testimony presented at the hearings on the resolution indicated that the National Park Service operated farms in at least three other sites under its jurisdiction: at Wakefield, Va., at the Lincoln Boyhood Memorial in Indiana and at Oxon Hill near Washington, D.C., as well as the one at the Eisenhower site.

The committee expressed considerable concern over the advisability of the Park Service entering into this type of operation. It was the consensus of the members that where possible these facilities should be leased to qualified individuals who should not only be able to maintain the lands, and improvements in an adequate manner, but return a substantial rental to the Government.

It was the committee position that this area should be a revenue producer, and that in the case of the Eisenhower site the estimated annual operation cost of $178,000 could be substantially reduced through a proper lease arrangement. It is recognized, of course, that the maintenance costs of the 14-acre tract under permit to Mrs. Eisenhower will not be an obligation of the Government during the term of the permit.

AMENDMENTS

A new section 2 was added to the resolution providing for the transfer of the Alton Jones Farm of 262 acres donated to the Gettysburg National Military Park to the Eisenhower National Historic Site as recommended by the Department of Interior. These lands that were donated to the Government in 1962 have been used since that time as a part of the Eisenhower Farm operation under a reservation contained in the original grant. A second amendment limits the authorization to $1,080,000 for development of the historic site.

The Interior and Insular Affairs Committee recommend enactment of Senate Joint Resolution 26, as amended.

EXCLUSION OF OFFICERS AND EMPLOYEES OF WESTERN HEMISPHERE BUSINESSES FROM BEING CHARGED AGAINST THE WESTERN HEMISPHERE IMMIGRATION QUOTA

The Senate proceeded to consider the bill (S. 2593) to exclude officers and employees of Western Hemisphere businesses from being charged against the Western Hemisphere immigration quota, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 1, after the word "an" to strike out "officer or employee" and insert "executive officer or managerial employee"; so as to make the bill read:

S. 2593

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 21(e) of the Act entitled "An Act to amend the Immigration and Nationality Act, and for other purposes", approved October 3, 1965 (79 Stat. 921; 8 U.S.C. 1151 note), is amended by inserting after "that Act" the following: "and exclusive of any special immigrant who, at the time of applying for a visa and admission to the United States and at the time of arrival at a port of entry in the United States, is an executive officer or managerial employee (or who is the spouse or child of any such immigrant, if accompanying or following to join him) of a business in the Western Hemisphere and who is being assigned to a branch office, affiliate, or subsidiary of the business located in the United States".

Mr. HART. Mr. President, I wish to indicate my support of the bill to amend the Immigration and Nationality Act and to commend the distinguished Senator from North Carolina (Mr. ERVIN) for his leadership in moving this necessary legislation.

On July 1, 1968, the Immigration Act of 1965 imposed a numerical ceiling of 120,000 on annual immigration to the United States from Western Hemisphere countries. Since then we have witnessed growing difficulties involving the transfer of executive and managerial employees of Western Hemisphere business concerns to branch offices and affiliates in the United States.

Before the ceiling went into effect, immigrant visas were issued freely and with minimum delay. The ceiling, however—and the first-come, first-serve basis on which it operates—has thrown roadblocks in the way of visa applicants, causing delays of up to 10 or 12 months before a visa is issued. Inevitably, the situation is causing severe hardship to business concerns in Canada and elsewhere. Sensitive as I must be to problems of this nature, which involve Michigan businesses and personnel in Canada, I believe the pending bill is a remedy which is in the interest of all concerned, wherever we may live.

The bill simply provides that executive and managerial employees of Western Hemisphere business concerns, being transferred to offices in the United States, will be issued immigrant visas as "special immigrants." This means that such employees will come into this country without delay—and without regard to the numerical ceiling and the first-come-first-served principle which generally applies to visa applicants.

I was hopeful that an administrative solution could be found for the problem. But every indicator suggests a need for legislation.

In my book, while the enactment of the pending bill will not solve all the problems generated by our new policy toward Western Hemisphere immigration, it is a step in the right direction, encouraging a greater freedom of movement and, most important, a more open border with our immediate neighbors to the north and south.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to exclude executive officers and managerial personnel of Western Hemisphere businesses from the numerical limitation of Western Hemisphere immigration."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–366) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States of executive officers and managerial personnel of Western Hemisphere businesses having branch offices, affiliates, or subsidiary corporations in the United States. The amendments are clarifying in nature.

STATEMENT

Section 21(e) of the act of October 3, 1965 provided that effective on July 1, 1968 the number of immigrants from the Western Hemisphere admitted into the United States could not exceed 120,000 in any 1 year. The act did not establish any preference system for selecting these immigrants, nor did the act set any quotas or ceilings on the natives of any single country who could be issued immigrant visas. Since the number of applicants for immigration from the Western Hemisphere countries to the United States greatly exceeds the annual ceiling of 120,000 natives of those countries applying for admission as immigrants may be issued visas only in accordance with their competitive position on the waiting list with respect to all other natives of the Western Hemisphere. In other words, in the administration of the act, the visas are issued to all natives of Western Hemisphere countries on a first-come, first-served basis.

It has been brought to the attention of the committee that imposition of the numerical limitation on Western Hemisphere immigration has resulted in a serious disruption of the traditional conduct of trade and commerce between Western Hemisphere countries and the United States. Western Hemisphere businesses having affiliate corporations or branch offices in the United States have numerous occasions for transferring to the affiliate corporations or branch offices many of their executive officers or managerial personnel. While these managerial personnel may be ultimately retransferred to the parent business, they are required under present law to enter the United States as immigrants. However, because of the numerical limitation imposed upon the number of immigrants who may enter from Western Hemisphere countries in any one year, businesses have been experiencing extended delays in obtaining immigrant visas for this managerial personnel. This has resulted in serious difficulties in planning their operations in the United States.

Our business, cultural and trading relations with the Western Hemisphere countries are of such a nature that in the normal course of business operations it is necessary for the Western Hemisphere businesses to be able to promote or transfer personnel freely to their branch offices or affiliates in the United States. In view of the peculiar hardships involved, the bill would modify existing law in such manner as to permit a freer movement of executive officers and managerial employees of the Western Hemisphere businesses into this country if they have branch offices, affiliates, or subsidiaries in the United States by excluding such persons from the numerical limitation on Western Hemisphere immigration. This proposed change would extend to Western Hemisphere businesses similar privileges to those which American businesses enjoy with respect to the transfer of managerial personnel to branches, affiliates, and subsidiaries in other Western Hemisphere countries.

The committee, after consideration of all the facts, is of the opinion that the bill (S. 2593), as amended, should be enacted.

LLOYD L. WARD, JR.

The resolution (S. Res. 97) to refer S. 1003 to the Court of Claims was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF THE SMALL BUSINESS INVESTMENT ACT OF 1958

The bill (S. 2540) to amend the Small Business Investment Act of 1958 was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2540

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 303(b) of the Small Business Investment Act of 1958 is amended to read as follows: "To encourage the formation and growth of small business investment companies the administration is authorized (but only to the extent that the necessary funds are not available to the company involved from private sources on reasonable terms) to purchase, either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis (including guarantee agreements), the debentures of any such company."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–369), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

S. 2540 would clarify the Small Business Administration's authority to enter into guarantee agreements on loans made by private lending institutions to small business investment companies.

HISTORY OF THE LEGISLATION

S. 2540 was introduced by Senator McIntyre for himself and Senator Percy on July 2, 1969. Hearings were held on the bill on July 8, 9, and 11, 1969, by the Small Business Subcommittee. At those hearings the subcommittee received testimony from officials of the Small Business Administration and officials of the National Association of Small Business Investment Companies.

GENERAL STATEMENT

In 1967 amendments to the Small Business Investment Act rewrote section 303(b) to revise significantly the basic structure of SBA financing for SBIC's. In making this revision the words "or deferred (Standby)" were deleted. Though the act specifies SBA authority to participate with private lenders in loans to SBIC's, a number of lending institutions have questioned whether SBA presently has authority to guarantee loans to SBIC's. In order to make such authority clear, this bill is necessary.

The SBIC program has provided more than $1.5 billion to small business since its inception, in more than 30,000 separate financings. In the most recent 6-month period for which data is available, ending September 30, 1968, the industry disbursed $95 million to small business concerns. With the investment of the SBIC's venture capital funds and the ensuing financial and management counseling provided by the SBIC, the program has made a significant contribution to meeting the financing needs of small business.

However, in order to implement the statutory framework of SBA matching financial assistance to the SBIC's, it has become apparent that direct Federal appropriations must be supplemented by attracting additional private capital through means of SBA guarantees. SBA has began attempting to develop a flexible guarantee program which will allow the SBIC industry access to private funds in accord with the demands of the financial marketplace. This legislation is an essential element in establishing such an effective SBA guarantee program necessary to carry out the purposes of the Small Business Investment Act.

The bill would clarify and reaffirm SBA's

authority to guarantee to private lending institutions the timely payment of all principal and interest for the full term of the loans made to SBIC's. Institutional investors must be confident of clear and comprehensive SBA statutory authority to guarantee all payments as scheduled in order to allow the SBIC's to obtain sound, long-term financing on the private market.

SMALL BUSINESS ADMINISTRATION LEGISLATION FOR 1969

The bill (S. 2815) to amend sec. 4(c) of the Small Business Act and secs. 302 and 304 of the Small Business Investment Act of 1958 was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2815

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 4(C) of section 4(c) of the Small Business Act is amended by striking out "$300,000,000" and inserting in lieu thereof "$500,000,000".

SEC. 2. Section 302 of the Small Business Investment Act of 1958 is amended by striking out "Notwithstanding the provisions of section 6(a)(1) of the Bank Holding Company Act of 1956, shares of stock in" and inserting in lieu thereof the following: "Shares of stock and other equity and debt securities issued by".

SEC. 3. (a) Section 304(a) of the Small Business Investment Act of 1958 is amended by inserting "and unincorporated" after "incorporated".

(b) Section 304(d) of such Act is amended by inserting "and unincorporated" after the word "incorporated" the first time such word appears.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–370), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The bill would increase the ceiling on the amount of loans which can be outstanding at one time for loans to State and local development companies under title V of the Small Business Investment Act of 1958 from $300 million to $500 million. It would clarify the right of banks to purchase the debentures of SBIC's. It would also permit SBIC's to make equity type loans to unincorporated as well as incorporated companies.

HISTORY OF LEGISLATION

On July 8, 9, and 11, 1969, the Small Business Subcommittee held hearings on the small business bills pending before it. At those hearings the subcommittee received testimony from Government witnesses, officials of the National Association of Small Business Investment Companies, and private individuals.

AMENDMENT TO THE SMALL BUSINESS ACT MADE BY THE BILL

Increase the ceiling on the amount of loans which may be outstanding in State and local development company loans.—Section 1 of the bill increases the ceiling on the amount of loans which may be outstanding at any one time on loans made to State and local development companies under section V of the Small Business Investment Act of 1958 from $300 million to $500 million. It is estimated by SBA that this increase will permit SBA to operate these lending programs until June 30, 1972.

The following table shows the increase in the activities of these programs until fiscal year 1972.

ESTIMATED DEVELOPMENT COMPANY LIMITATION REQUIREMENTS FISCAL YEARS 1969–72

[Dollars in millions]

	Budget estimates		Projected	
	Fiscal year 1969	Fiscal year 1970	Fiscal year 1971	Fiscal year 1972
Outstanding loans and commitments, start of year	$205.8	$256.8	$322.5	$386.6
Plus new loan approvals	67.0	86.0	86.0	86.0
Minus:				
Loan repayments	10.5	11.2	12.8	14.4
Cancellations	5.5	9.1	9.1	9.1
Total	16.0	20.3	21.9	23.5
Outstanding loans and commitments, end of year	256.8	322.5	386.6	449.1
Plus: contingency reserve		27.5	38.4	50.9
Recommended limitation		350.0	425.0	500.0

Clarify banks' ability to purchase debentures of SBIC's.—Section 2 of the bill amends section 302 by amending subsection (b) to strike an obsolete reference to section 6 of the Bank Holding Company Act of 1956, which was repealed by section 9 of Public Law 89–485. The new language of subsection (b) would make "other equity and debt securities" as well as shares of stocks issued by small business investment companies eligible for purchase by national banks. These securities would also be eligible for purchase by other member banks of the Federal Reserve System and nonmember insured banks to the extent permitted under applicable State law.

12 U.S.C. 24 permits a national bank to invest up to 10 percent of its capital stock actually paid in and unimpaired and 10 percent of its unimpaired surplus in investment securities. Investment securities are defined in the code as "marketable obligations." There has been some question as to whether debentures issued by SBIC's have been accepted by the market. This provision of the bill would make it clear that the debenture bonds issued by SBIC's are eligible for purchase by banks. The committee believes that this can be a valuable source of private funds for SBIC's.

Permit SBIC's to make equity investment in unincorporated businesses.—Section 304 of the Small Business Investment Act of 1958 permits SBIC to make equity investments only in incorporated small businesses.

Section 3 of the bill would broaden SBIC's authority and permit them to make equity investment in both incorporated and unincorporated small businesses.

Statistics show that about 85 percent of all American businesses are unincorporated. This means that there are many partnerships in which opportunities exist for SBIC's to make investments which could prove profitable to both the SBIC and the small business concern. The committee believes that this investment should take the form of limited partnerships and under regulations issued by the Small Business Administration covering such investments.

MODIFICATION OF THE OPERATION OF THE KORTES UNIT, MISSOURI RIVER BASIN PROJECT, WYOMING

The bill (S. 40) to authorize the Secretary of the Interior to modify the operation of the Kortes unit, Missouri River Basin project, Wyoming, for fishery conservation, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 40

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to modify the operation of the Kortes unit, Missouri River Basin project, Wyoming, authorized by the Act of December 22, 1944 (58 Stat. 887), to provide for the conservation of fishery resources.

SEC. 2. The Secretary shall operate the Kortes unit so as to maintain a minimum streamflow of five hundred cubic feet per second in the reach of the North Platte River between Kortes Dam and the normal headwaters of Pathfinder Reservoir: *Provided,* That sufficient water is available to maintain such minimum flow, without a resultant adverse effect on other water users who have valid rights to the use of this water: *Provided further,* That when sufficient water is not available to operate in this manner, water will be reserved for hydroelectric peaking power operations on a four-hour daily, five-day-week basis and any remaining water will be released for conservation of the fishery resources.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–371), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE MEASURE

The purpose of this legislation, which was introduced by Senator Hansen, is to permit the Secretary of the Interior to operate the Kortes unit in such a way as to maintain sufficient flows in the North Platte River below Kortes Dam to enhance fisheries.

BACKGROUND

The Kortes unit is an existing unit of the Missouri River Basin project. It consists of the Kortes Reservoir, Dam, and powerplant and is located on the North Platte River in Carbon County, Wyo. The Kortes Reservoir lies between the Seminoe Reservoir of the Kendrick project which is immediately upstream and the Pathfinder Reservoir of the North Platte project which lies immediately downstream.

The Kortes unit was authorized for construction, as one of the initial units of the Missouri River Basin project, by the Flood Control Act of 1944 for the single purpose of hydroelectric power generation. Construction of the unit was completed in 1951, and it has been operated for power since that time.

As a result of recommendations resulting from studies made by the Wyoming Game & Fish Commission in cooperation with the U.S. Fish and Wildlife Service, the Bureau of Reclamation has been operating the Kortes unit in a manner to enhance the downstream sport fishery since the 1964 water-year. This operation is on a year-to-year basis and subject to commitments for water and power.

A bill to authorize permanent operation for fisheries (S. 2553, 90th Cong.) was considered in the 90th Congress. Hearings were held on that bill by the Subcommittee on Water and Power Resources on March 18, 1968. It passed the Senate on October 2, 1968, in a form which was similar to S. 40 of the 91st Congress, but no action was taken in the House.

AMENDMENT OF THE ACT ENTITLED "AN ACT TO AUTHORIZE THE SALE AND EXCHANGE OF ISOLATED TRACTS OF TRIBAL LAND ON THE ROSEBUD SIOUX INDIAN RESERVATION, SOUTH DAKOTA"

The Senate proceeded to consider the bill (S. 73) to amend the act entitled "An Act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota," which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 2, line 11, after the word "Indian," to insert "member of the Rosebud Sioux Tribe"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of December 11, 1963 (77 Stat. 349, Public Law 88–196), entitled "An Act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota", be and the same is hereby amended by adding a section 3 reading as follows:

"SEC. 3. Any land mortgaged under section 2 of this Act shall be subject to foreclosure or sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of South Dakota. For the purpose of any foreclosure or sale proceeding, the Rosebud Sioux Tribe shall be regarded as vested with an unrestricted fee simple title to the land, the United States shall not be a necessary party to the foreclosure or sale proceeding, and any conveyance of the land pursuant to the foreclosure or sale proceeding shall divest the United States of title to the land. Title to any land redeemed or acquired by the Rosebud Sioux Tribe at such foreclosures or sale proceeding shall be taken in the name of the United States in trust for the tribe. Title to any land purchased by an individual Indian member of the Rosebud Sioux Tribe at such foreclosure sale or proceeding, may, with the consent of the Secretary of the Interior, be taken in the name of the United States in trust for the individual Indian purchaser."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–372), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of S. 73, introduced by Senators Mundt and McGovern, is to amend the act of December 11, 1963 (77 Stat. 349), which authorized the sale or exchange or mortgaging of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, by adding a section 3 to the act. The new section provides that any lands mortgaged under the authority granted in section 2 of the 1963 act shall be subject to foreclosure and sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of the State of South Dakota. It further provides that any land redeemed or acquired at a foreclosure or sale by the Rosebud Sioux Tribe will be taken in the name of the United States in trust for the tribe, and any land purchased by an individual Rosebud Indian at such foreclosure sale may, with the consent of the Secretary of the Interior, be taken in trust for the individual Indian purchaser.

The Rosebud Sioux Tribe has for a number of years been actively engaged in a consolidation of its land base. Although the authority of the 1963 act has been an effective tool with respect to the sale or exchange of certain isolated tracts, the mortgage authority of section 2 has not proven adequate.

The Rosebud Sioux Tribe obtained a commitment for a substantial loan from one of the insurance companies to help with its land consolidation program. However, the title examiner would not approve the loan on the ground that there was no means by which the mortgage could be foreclosed on the lands offered to the insurance company as collateral for its loan. The 1963 act leaves open the questions of whether foreclosure would be in the State court or Federal court, whether the laws of the State would apply or some other law, and whether the United States would be an indispensable party to the foreclosure action. These questions are answered by the amendment made to the act by S. 73.

The enactment of this bill will enable the tribe to receive the benefits of favorable loan commitments in today's market without the questions of the acceptability of the mortgages or deeds of trust that had resulted from the act as it stood.

AMENDMENT

An amendment has been adopted making clear that land reacquired under this act by an Indian may be taken in trust only if the individual is a member of the Rosebud Tribe.

COST

No increase in Federal expenditures will result from the enactment of this legislation.

TRUST STATUS OF CERTAIN LANDS ON THE STANDING ROCK SIOUX INDIAN RESERVATION IN NORTH AND SOUTH DAKOTA

The Senate proceeded to consider the bill (S. 74) to place in trust status certain lands on the Standing Rock Sioux Indian Reservation in North Dakota and South Dakota, which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 2, line 8, after the word "the" where it appears the second time, to strike out "title" and insert "beneficial interest"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall hereafter be held by the United States in trust for the benefit of the Standing Rock Sioux Indian Tribe all the right, title, and interest of the United States in and to the following described land on the Standing Rock Sioux Indian Reservation in North and South Dakota.

The southwest quarter southwest quarter southwest quarter southeast quarter of section 35, township 132 north of range 83 west of the fifth principal meridian, Sioux County, North Dakota, containing 2.5 acres more or less.

SEC. 2. This conveyance is subject to all valid existing rights-of-way of record.

SEC. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the beneficial interest conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–374), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of S. 74, introduced by Senators Mundt and McGovern, is to provide that all the right, title, and interest of the United States in and to certain federally owned land, which was acquired by the United States for school purposes, is hereafter declared to be held by the United States in trust for the Standing Rock Sioux Indian Tribe. It also provides that the conveyance shall be subject to all valid existing rights-of-way. The bill further provides that the Indian Claims Commission will determine the extent to which the value of the beneficial interest conveyed should or should not be set off against any claim against the U.S. Government determined by the Commission.

The committee also considered a companion bill, S. 776, introduced by Senators Burdick, Young of North Dakota, and McGovern. Since the legislation pertains to the same subject matter both Senators Burdick and Young have been added as cosponsors of S. 74.

NEED

The tract consists of approximately 2.5 acres of land acquired for school purposes in 1938 for a consideration of $2,100. At that time, the land had a value of $50 and the improvements were valued at $2,050. The present fair market value of the land is $87.50, and the entire property, including land and improvements, has a current appraised value of $700. The school that occupied the land was discontinued in February 1960, and the land is excess to the needs of the Department of the Interior.

The Standing Rock Sioux Tribe requested by Resolution 36–68 dated October 18, 1967, that the trust title in the 2.5 acre tract be transferred to it. The parcel lies within the area designated for consolidation and acquisition by the tribe and would enhance the utilization of the adjacent lands already owned by the tribe.

AMENDMENT

The committee has adopted a technical amendment recommended by the Department of the Interior in its report on S. 74.

COST

No additional Federal expenditures will result from the enactment of this bill.

CONVEYANCE OF DISTRICT PROPERTY TO THE WASHINGTON INTERNATIONAL SCHOOL, INC.

The bill (H.R. 12720) to provide for the conveyance of certain real property of the District of Columbia to the Washington International School, Inc., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–375), explaining the purpose of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill (H.R. 12720) is to provide that the Commissioner of the District of Columbia shall convey to the Washington International School, Inc., certain land and improvements owned by the District of Columbia and known as the Phillips School, which is located in Georgetown in Northwest Washington. The bill provides that the conveyance of the property shall be subject to certain conditions and that the International School pay to the District the sum of $500,000.

THE PHILLIPS SCHOOL PROPERTY

The Phillips School is an elementary school structure which has not been used for 15 years for instruction purposes and has been surplus to any use for public education purposes for some time. The District of Columbia Subcommittee of the Committee on Appropriations directed the District of Columbia government to secure an appraisal on the Phillips School and to dispose of it for its reasonable market value. An appraisal study at the direction of the District of Columbia government set the value of the Phillips School property at $475,000.

THE WASHINGTON INTERNATIONAL SCHOOL

The Washington International School is a private, nonprofit corporation and has been given tax-exempt status by the Internal Revenue Service. The school was established in January 1966. In May of that year the school was incorporated in the District of Columbia as a nonprofit educational institution. The school has been in operation for 3 years and the enrollment in October 1968 was 130 children. The school in testimony before the committee advised that it expects to increase its enrollment in elementary-level schoolwork to something in excess of 200 students.

Bilingual instruction is provided for children from more than 40 countries. The school is open to children desiring the type of curriculum offered and who are able to pay the tuition of approximately $825 for the full day sessions for the school year.

At the present time the school is staffed with 27 teachers from 10 countries and the school has been able to maintain a ratio of about one teacher for each seven children. Eighty percent of the families whose children attend the school live within the District of Columbia.

PROVISIONS OF THE BILL

Subsection (a) of the bill directs the Commissioner of the District of Columbia to convey the property described in the bill and known as the Phillips School, to the Washington International School, Inc., for the sum of $500,000.

Subsection (b) provides that the conveyance contain a condition requiring the school corporation to use the property for educational purposes for a period of 5 years from the date of the conveyance. If the corporation discontinues use of the property for educational purposes during the 5-year period, it is required to notify the Commissioner in writing of such fact and the Commissioner of the District of Columbia has the option to reacquire the property within 1 year from the date he receives notice from the corporation and the corporation shall be paid not less than $500,000 or the fair market value but not to exceed $600,000.

The effect of this subsection is to give the District of Columbia government the right to recapture the real property if it is not used for educational purposes or if the school has no further use for it or desires to dispose of the land and improvements within a 5-year period. If the District government does not exercise its right of recapture under the conditions stated, the school corporation may dispose of the property without any restrictions. At the end of the period of 5 years after conveyance of the real property to the school corporation, the corporation may use the property for other than educational purposes or dispose of it without any restrictions.

Subsection (c) preserves to the District of Columbia its right of eminent domain so that it may reacquire the real property, during the first 5 years after conveyance, even though it is being used for educational purposes by the school. However, the District government is required to pay the school $500,000 or the fair market value but not to exceed $600,000.

HEARINGS

Hearings were held before the Fiscal Affairs Subcommittee of the Committee on the District of Columbia on July 30, 1969.

Your committee received testimony from sponsors of the legislation, from the associate director and the counsel for the Washington International School, Inc., and from the Assistant Corporation Counsel representing the government of the District of Columbia. The Assistant Corporation Counsel indicated that the District of Columbia had no immediate, important uses for the building known as the Phillips School and that it would be sold with all fixtures intact, for example, drinking fountains, lights, and blackboards.

No opposition to the bill was expressed.

H.R. 12720 passed the House of Representatives on July 14, 1969.

COMDR. EDWARD WHITE RAWLINS, U.S. NAVY (RETIRED)

The resolution (S. Res. 96) to refer S. 881 to the Court of Claims was announced as next in order .

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

LONGER TERM LEASES OF INDIAN LANDS LOCATED OUTSIDE THE BOUNDARIES OF INDIAN RESERVATIONS IN NEW MEXICO

The bill (S. 1609) to amend the Act of August 9, 1955, to authorize longer term leases of Indian lands located outside the boundaries of Indian reservations in New Mexico, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of the first section of the Act entitled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955 (25 U.S.C. 415), is amended by inserting immediately after "the pueblo of Zuni," the following: "Indian trust or restricted lands located outside the boundaries of Indian reservations in the State of New Mexico,".

AMENDMENT OF THE INDIAN LONG-TERM LEASING ACT

The Senate proceeded to consider the bill (S. 204) to amend the Indian Long-Term Leasing Act, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 2, line 18, after the word "Fort," to strike out "Apache Reservation, and the Navajo Reservation which" and insert "Apache Reservation, the Navajo Reservation, the Coeur d'Alene Reservation, the Colorado River Reservation, and the Salt River Reservation, and any other Indian trust or restricted land authorized by specific legislation, which"; so as to make the bill read:

S. 204

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended, is hereby amended to read as follows: "Any restricted Indian lands, whether tribally or individually owned, may be leased by the Indian owners, with the approval of the Secretary of the Interior, for public, religious, educational, recreational, residential, business, farming, or grazing purposes, including the development or utilization of natural resources in connection with operations under such leases, but no lease shall be executed under this Act for purposes that are subject to the laws governing mining leases of Indian lands. The term of a grazing lease or a farming lease that does not require the making of a substantial investment in the improvement of the land shall not exceed ten years. The term of a farming lease that requires the making of a substantial investment in the improvement of the land shall not exceed forty years. The term of any other lease shall not exceed sixty-five years, except such other leases of land on the Agua Caliente (Palm Springs) Reservation, the Dania Reservation, the Southern Ute Reservation, the Fort Mojave Reservation, the Pyramid Lake Reservation, the Pueblo of Pojoaque, the Pueblo of Tesuque, the Pueblo of Cochiti, the Pueblo of Zuni, the Hualapai Reservation, the Yavapai Reservation, the San Carlos Apache Reservation, the Gila River Reservation, the Havasupai Reservation, the Tulalip Reservation, the Swinomish Reservation, the Lummi Reservation, the Spokane Reservation, the Fort Apache Reservation, the Navajo Reservation, the Coeur d'Alene Reservation, the Colorado River Reservation, and the Salt River Reservation, and any other Indian trust or restricted land authorized by specific legislation, which may be for a term of not to exceed ninety-nine years. No lease shall contain an option to renew which, if exercised, would extend the term beyond the maximum term permitted by this Act. The Secretary of the Interior shall not approve any lease with a term that is longer than is necessary in his judgment to obtain maximum economic benefits for the Indian owners."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INDIANS OF THE PUEBLO OF LAGUNA

The Senate proceeded to consider the bill (S. 210) to declare that certain federally owned lands are held by the United States in trust for the Indians of the Pueblo of Laguna, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 4, line 8, after the word "a" to strike out "point," and insert "point;", and on page 9, line 3, after the word "continued" to strike out "jurisdiction over" and insert "use and occupancy"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in and to the following described federally owned lands and all improvements thereon, situated in Valencia and Sandoval Counties, New Mexico, which were acquired for school, sanatorium, clinic, agency, or other administrative purposes, are hereby declared to be held by the United States in trust for the Pueblo of Laguna:

Antonio Sedillo Grant administrative site situated in unsurveyed sections 2, 11, 12, and 14, township 8 north, range 3 west, New Mexico principal meridian, and more particularly described as beginning at center of west line of section 11, thence south along same section line approximately one-sixteenth mile to a point where a fence line ties on to west line of same section; thence southeasterly along said fence line approximately one mile through the southwest quarter and southeast quarter section 11, and to a point in the northeast quarter section 14 where said fence corners; thence in a northeasterly direction along same fence line through sections 14, 11, and 12 to a point where said fence ties on to a mesa rim; thence in a northeasterly direction along mesa rim to a point where same mesa rim turns in an easterly direction; thence north approximately fifty yards to a water gap on Rio San Jose in northwest quarter section 12; thence in a northwesterly direction through the northwest quarter section 12, northeast quarter section 11 and southeast quarter section 2 to a point where channel of Rio San Jose turns westerly; thence along said channel of Rio San Jose westerly, southwesterly and northwesterly approximately one mile to a point of intersection of said channel with the west line of section 2; thence south along west lines of sections 2 and 11, township 8 north, range 3 west, to point of beginning, containing 640 acres, more or less.

Bernabe M. Montano Grant administrative site described as the southwest quarter section 7 and northwest quarter section 18, township 12 north, range 1 west, New Mexico principal meridian, containing 320 acres, more or less.

Laguna Sanatorium site situated in sections 4 and 5, township 9 north, range 5 west, New Mexico principal meridian, described in quitclaim deed dated June 7, 1923, from the Pueblo of Laguna to the United States of America, as follows: From the southeast corner of the school tract, north 32 degrees 15 minutes east 6.47 chains to the southwest corner of the addition; thence south 57 degrees 45 minutes east 4.00 chains to the southeast corner; thence north 21 degrees 57 minutes east 7.00 chains; thence north 77 degrees 09 minutes east 6.05 chains; thence north 13 degrees 39 minutes east 3.87 chains; thence north 7 degrees 33 minutes east 9.47 chains to the northeast cornor; thence north 82 degrees 27 minutes west 1.97 chains to the northwest corner; thence south 32 degrees 15 minutes west 22.62 chains to the place of beginning, containing 9.90 acres, more or less.

Government excluded tract that was excepted and excluded from the United States Patent Numbered 89,316 dated November 15, 1909, to the Pueblo of Laguna covering the Pueblo of Laguna grant in townships 9 and 10 north, ranges 5 and 6 west, New Mexico principal meridian, described as beginning at a point 72 feet westwardly from the center of the main line of the Santa Fe Pacific Railroad and 75 feet northwardly from Robert G. Marmon's north fence; thence north 32 degrees 15 minutes east on a line parallel to the railroad, 21 chains 47 links to the northeast corner, which is a mound of stone; thence north 57 degrees 45 minutes west, 15 chains to the northwest corner while is a pile of stone; thence south 32 degrees 15 minutes west, 21 chains 47 links to the southwest corner, which is a point; thence south 57 degrees 45 minutes east, 15 chains to the southeast corner and place of beginning, containing 32.20 acres, more or less.

Encinal School site (acquired by condemnation in case numbered 1604, equity, in the United States District Court in the District of New Mexico), situated in section 3, township 10 north, range 6 west, New Mexico principal meridian, and more particularly described as follows: The place of beginning is a point located north 44 degrees 40 minutes east a distance of 1,300.0 feet and thence north 56 degrees 15 minutes east a distance of 232.0 feet from the southwest section corner of section 3, township 10 north, range 6 west. From said place of beginning line runs north a distance of 335.1 feet; thence east 260.0 feet; thence south 335.1 feet; thence west 260.0 feet to point of beginning, and contains 2 acres, more or less.

Laguna Day School site (acquired through condemnation proceedings in United States District Court in the District of New Mexico, case numbered 2895; final decree filed May 19, 1937), consisting of two parcels described as follows:

Parcel numbered 1 situated in section 5, township 9 north, range 5 west, New Mexico principal meridian, lying south of and adjacent to the United States Government excluded tract situated in said section, and more particularly described as beginning at the northeast corner of parcel numbered 1, which corner is located on the south boundary of the said United States Government excluded tract, and bears north 57 degrees 45 minutes west 212.7 feet from the southeast corner of the said United States Government excluded tract, and running thence north 57 degrees 45 minutes west 210 feet, more or less, along the south boundary of the said United States Government excluded tract to the northwest corner of said certain tract; thence south 32 degrees 16 minutes west 173.3 feet, more or less, to the southwest corner, thence south 54 degrees 06 minutes east 197.7 feet to the southeast corner; thence north 36 degrees 03 minutes east 186.9 feet, more or less, to the point of beginning, containing 0.83 acres, more or less.

Parcel numbered 2 situated in section 5, township 9 north, range 5 west, New Mexico principal meridian, lying south of and adjacent to the United States Government excluded tract situated in said section, and more particularly described as beginning at the northwest corner of parcel numbered 2, which corner is located at the intersection of the south boundary of the United States Government excluded tract with the south right-of-way line of United States Highway Numbered 66 and bears north 57 degrees 45 minutes west 503 feet, more or less, from the southeast corner of the said United States Government excluded tract, and running thence south 57 degrees 45 minutes east 81 feet, more or less, to the northeast corner of said tract; thence south 32 degrees 16 minutes west 173.2 feet to the southeast corner of said tract; thence north 54 degrees 06 minutes west 227 feet, more or less, to the southwest corner, which corner is a point on the south right-of-way line of United States Highway Numbered 66; thence following a 3-degree 5.2-minute curved line curving to the right and following the said south right-of-way line of Highway Numbered 66 a distance of 217 feet, more or less, to the point of beginning, containing 0.61 acres, more or less.

Paguate School site (acquired by condemnation in case numbered 125, in the United States District Court in the District of New Mexico; judgment rendered July 5, 1912), situated in section 33, township 11 north, range 5 west, New Mexico principal meridian, and more particularly described as beginning at the 11th mile corner on the north boundary of the Paguate purchase; thence south 34 degrees 20 minutes west, a distance of 36.25 chains; thence south 3 degrees 50 minutes east, a distance of 32.00 chains; thence south 17 degrees 41 minutes east, a distance of 95.18 chains to the southwest corner of the lot; thence south 77 degrees 15 minutes east, a distance of 3.395 chains; thence north 10 degrees 43 minutes east, a distance of 3.82 chains; thence north 89 degrees 38 minutes west, a distance of 2.175 chains; thence south 30 degrees 40 minutes west, a distance of 0.67 chains; thence north 82 degrees 33 minutes west, a distance of 1.06 chains; thence south 9 degrees 54 minutes west, a distance of 2.613 chains to the southwest corner, containing 1.11 acres, more or less.

Mesita School site (acquired by condemnation in case numbered 86; judgment rendered June 3, 1912), situated in section 18, township 9 north, range 4 west, New Mexico principal meridian, and more particularly described as beginning at the southwest corner of the school site, which is north 1 degree east a distance of 3 miles 24.6 chains from the standard corner of township 9 north, ranges 4 and 5 west, New Mexico principal meridian; thence south 84 degrees 46 minutes east, a distance of 4.00 chains; thence north 5 degrees 14 minutes east 2.50 chains; thence north 84 degrees 46 minutes west 4.00 chains; thence south 5 degrees 14 minutes west 2.50 chains to point of beginning, containing 1 acre, more or less.

Paraje School site described as south half northwest quarter northwest quarter southeast quarter section 33, township 10 north, range 6 west, New Mexico principal meridian, containing 5 acres, more or less.

Seama Government site described as northwest quarter southwest quarter southwest quarter northwest quarter section 6, township 9 north, range 6 west, New Mexico principal meridian, containing 2.50 acres, more or less.

Seama School site (acquired by condemnation in case numbered 1604, equity), situated in section 36, township 10 north, range 7 west, New Mexico principal meridian, and more particularly described as follows: The place of beginning is a point on the one-sixteenth subdivision line 1,251.3 feet west from the east one-sixteenth corner of the southeast quarter section 36, township 10 north, range 7 west, New Mexico principal meridian. From said place of beginning, line runs west on said one-sixteenth subdivision line for a distance of 208.7 feet; thence north 417.4 feet; thence east 208.7 feet; thence south 417.4 feet to place of beginning, containing 2 acres, more or less.

SEC. 2. This conveyance is subject to all valid existing rights-of-way of record; and to the right of the United States Public Health Service to continue use and occupancy of that property, presently in use by it, for so long as is necessary.

SEC. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of any lands and improvements placed in a trust status under the authority of this Act should or should not be set off against any claim against the United States determined by the Commission.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONFEDERATED SALISH AND KOOTENAI TRIBES OF FLATHEAD RESERVATION, MONT.

The Senate proceeded to consider the bill (S. 1766) to provide for the disposition of a judgment recovered by the confederated Salish and Kootenai Tribes of Flathead Reservation, Mont., in paragraph 11, docket numbered 50233,

United States Court of Claims, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 1, line 6, after the word "of" to insert "the final decision in"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds appropriated to the credit of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, in satisfaction of a judgment awarded in paragraph 11 of the final decision in docket numbered 50233, United States Court of Claims, including interest thereon, after payment of attorneys' fees and other litigation expenses, may be advanced, expended, invested or reinvested for any purposes that are authorized by the tribal governing body and approved by the Secretary of the Interior.

SEC. 2. Any part of such funds that may be distributed to members of the tribes shall not be subject to Federal or State income tax.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INDIANS OF CALIFORNIA

The bill (H.R. 671) to compensate the Indians of California for the value of land erroneously used as an offset in a judgment against the United States obtained by said Indians was considered, ordered to a third reading, read the third time, and passed.

CHEYENNE RIVER SIOUX TRIBE OF THE CHEYENNE RIVER INDIAN RESERVATION

The Senate proceeded to consider the bill (S. 921) to declare that certain federally owned land is held by the United States in trust for the Cheyenne River Sioux Tribe of the Cheyenne River Indian Reservation which had been reported from the Committee on Interior and Insular Affairs, with an amendment on page 2, after line 3, insert a new section, as follows:

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claims against the United States determined by the Commission.

So as to make the bill read:

S. 921

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in land heretofore used in connection with the Cheyenne River Boarding School described as the east half section 19 and the west half section 20, township 13 north, range 31 east, Black Hills Meridian, Dewey County, South Dakota, comprising approximately 640 acres, together with all improvements thereon except fencing owned by Indian permittee, are hereby declared to be held by the United States in trust for the Cheyenne River Sioux Tribe of the Cheyenne River Indian Reservation. The land conveyed by this Act is subject to all valid existing rights-of-way.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claims against the United States determined by the Commission.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THREE AFFILIATED TRIBES OF THE FORT BERTHOLD RESERVATION, N. DAK.

The Senate proceeded to consider the bill (S. 775) to declare that the United States shall hold certain land in trust for the Three Affiliated Tribes of the Fort Berthold Reservation, N. Dak., which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, at the beginning of line 10, strike out "subject to a reservation to the United States of a right to remove the radio tower and gasoline pump located thereon and subject to the reservation of an easement for road purposes over the west 75 feet of the parcel: southwest quar-", and insert "subject to the right of the United States, its successors or assigns to use the west 75 feet of the parcel for a road right-of-way so long as it is needed, as determined by the Secretary of the Interior, for such purposes: southwest quar-"; and after line 10, insert a new section, as follows:

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claims against the United States determined by the Commission.

So as to make the bill read:

S. 775

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in and to the surface of the following described land (together with all buildings and other improvements thereon), such land and improvements having been declared excess to the needs of the Bureau of Indian Affairs, are hereby declared to be held by the United States in trust for the Three Affiliated Tribes of the Fort Berthold Reservation, subject to the right of the United States, its successors or assigns to use the west 75 feet of the parcel for a road right-of-way so long as it is needed, as determined by the Secretary of the Interior, for such purposes: southwest quarter southwest quarter northwest quarter of section 21, township 150 north, range 90 west, to the fifth principal meridian, North Dakota, comprising 10 acres.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claims against the United States determined by the Commission.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONSTRUCTION AND IMPROVEMENT OF A CERTAIN ROAD ON THE NAVAJO INDIAN RESERVATION

The bill (S. 404) to provide for the construction and improvement of a certain road on the Navajo Indian Reservation was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 404

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to promote the rehabilitation of the Navajo and Hopi Tribes of Indians and a better utilization of the resources of the Navajo and Hopi Indian Reservations, and for other purposes", approved April 19, 1950 (64 Stat. 44), as amended, is amended (1) by deleting "$108,570,000" and inserting in lieu thereof "$113,570,000"; and (2) by amending clause (7) thereof to read as follows:

"(7) Roads and trails, $45,000,000; of which not less than $5,000,000 shall be (A) available for contract authority for such construction and improvement of the road on the Navajo Indian Reservation, which runs from its junction with United States 666 about six miles from south of Shiprock, New Mexico, west through Red Rock to Lukachukai, Arizona, as may be necessary to bring any portion of such road located in any State up to at least the secondary road standard in effect in that State, and (B) in addition to any amounts expended on such road under the $40,000,000 authorization provided under this clause prior to amendment."

SEC. 2. The contract authority and appropriations authorized by the amendment made by the first section of this Act shall be in addition to sums apportioned to Indian reservations or to the States of New Mexico and Arizona under the Federal Highway Act, as amended and supplemented.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letter, which was referred as indicated:

REPORT OF NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Administrator, National Aeronautics and Space Administration, reporting, pursuant to law, on the number of individuals in each general schedule grade employed by the Administration under the Classification Act of 1949, as amended, on June 30, 1968, and on June 30, 1969; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 855. A bill to provide for the establishment of the Buffalo National River in the State of Arkansas, and for other purposes (Rept. No. 91-385).

By Mr. TYDINGS, from the Committee on the District of Columbia, without amendment:

S. 2502. A bill to authorize suits in the courts of the District of Columbia for collection of taxes owed to States, territories, or possessions, or political subdivisions thereof, when the reciprocal right is ac-

corded to the District of Columbia, and for other purposes (Rept. No. 91–386); and

H.R. 12677. An act to authorize the Commissioner of the District of Columbia to lease to the Jewish Historical Society of Greater Washington the former synagogue of the Adas Israel Congregation and real property of the District of Columbia for the purpose of establishing a Jewish Historical Museum (Rept. No. 91–388).

By Mr. TYDINGS (for Mr. BIBLE), from the Committee on the District of Columbia, with an amendment:

S. 2056. A bill to amend title 11 of the District of Columbia Code to permit unmarried judges of the courts of the District of Columbia who have no dependent children to terminate their payments for survivors annuity and to receive a refund of amounts paid for such annuity (Rept. No. 91–387).

EXECUTIVE REPORT OF A COMMITTEE

As in executive session, the following favorable report of a nomination was submitted:

By Mr. LONG, from the Committee on Finance:

Rex M. Mattingly, of New Mexico, to be a member of the Renegotiation Board.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLINGS:

S. 2841. A bill to amend the Marine Resources and Engineering Development Act of 1966 to establish a comprehensive and long-range national program of research, development, technical services, exploration and utilization with respect to our marine and atmospheric environment; to the Committee on Commerce.

By Mr. PROUTY:

S. 2842. A bill to amend title 5, United States Code, to assist Government employees in preparing for retirement; to the Committee on Post Office and Civil Service.

(The remarks of Mr. PROUTY when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. STENNIS (for himself and Mrs. SMITH) (by request):

S. 2843. A bill to amend the Military Selective Service Act of 1967 in order to provide for a more equitable system of selecting persons for induction into the Armed Forces under such act; to the Committee on Armed Services.

(The remarks of Mr. STENNIS when he introduced the bill appear later in the RECORD under an appropriate heading.)

By Mr. BAYH:

S. 2844. A bill for the relief of Marguerita Ponce; to the Committee on the Judiciary.

By Mr. BAKER:

S. 2845. A bill for the relief of George W. Hardin; to the Committee on the Judiciary.

By Mr. KENNEDY (for himself and Mr. YARBOROUGH):

S. 2846. A bill entitled "The Developmental Disabilities Services and Facilities Construction Act of 1969"; to the Committee on Labor and Public Welfare.

(The remarks of Mr. KENNEDY when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. NELSON:

S. 2847. A bill to amend the Foreign Assistance Act, as amended, to authorize the Secretary of State to participate in the development of a large prototype desalting plant in Israel, and for other purposes; to the Committee on Foreign Relations.

S. 2848. A bill to amend the Mineral Leasing Act, and for other purposes; to the Committee on Interior and Insular Affairs.

(The remarks of Mr. NELSON when he introduced the bills appear later in the RECORD under appropriate headings.)

By Mr. HARRIS:

S. 2849. A bill to amend the act of August 25, 1959 with respect to the final disposition of the affairs of the Choctaw Tribe; to the Committee on Interior and Insular Affairs.

By Mr. HANSEN (for himself, Mr. CURTIS, Mr. ERVIN, Mr. FANNIN, Mrs. SMITH, and Mr. THURMOND):

S. 2850. A bill to amend the Fair Labor Standards Act of 1938 to establish procedures to relieve domestic industries and workers injured by increased imports from low-wage areas; to the Committee on Labor and Public Welfare.

(The remarks of Mr. HANSEN when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. MATHIAS:

S. 2851. A bill to authorize refunds of duties paid on certain forms of nickel imported between July 1, and December 31, 1967; to the Committee on Finance.

By Mr. INOUYE:

S. 2852. A bill to amend the Shipping Act, 1916, as amended, to require common carriers by water in the domestic offshore trade to obtain a certificate of convenience and necessity, and to require contract carriers by water in such trade to obtain a permit; to the Committee on Commerce.

(The remarks of Mr. INOUYE when he introduced the bill appear later in the RECORD under the appropriate heading.)

S. 2842—INTRODUCTION OF A BILL ON PRERETIREMENT PLANNING FOR FEDERAL CIVILIAN EMPLOYEES

Mr. PROUTY. Mr. President, in March of 1966 I proposed an amendment to the Social Security Act which was adopted by this body, slightly modified by the other body, and finally became law. Some refer to that law, which provided a monthly benefit to Americans age 72 or over who were not already covered under social security, as the Prouty amendment. Well over a million individuals have benefited from it, and there is not a week that passes but that letters of appreciation come to my office concerning that amendment which provides so little for those who had little to begin with.

During this session of Congress I intend to introduce legislation which will increase the monthly cash income for many of those now getting benefits under the so-called Prouty amendment. But today I want to consider one piece of evidence I used before this body on March 15, 1966, in my successful effort to convince my colleagues that there was a need for special social security benefits for older Americans not already receiving such benefits. Let me read to you a memorandum that I read then:

MEMORANDUM ON FEDERAL RETIREMENT ANNUITIES

Of the more than 200,000 surviving widows and children of civil service retirees, 38 per cent receive less than $50 a month; 79 per cent receive less than $100 a month; 93 per cent receive less than $150 a month. Ninety-nine per cent of all surviving widows and children receive less than the so-called poverty level of $3,000 a year. Of the 170,000—some widows on the civil service retirement rolls as of June 30, 1965, the average age was 65.8, the average annuity a meager $80 per month.

The situation of surviving widows and children is not necessarily the most desperate. Look at the unfortunate figures relating to employee annuitants: 49,700 receive less than $50 a month; 126,100 receive less than $100; 214,300 receive less than $150 per month; 307,600 receive less than $200. Viewing the so-called poverty level as $250 per month, 377,500 civil service employee annuitants out of a grand total of 508,500 receive less than poverty-scale annuities.

Alarmingly enough, nearly 74 per cent of all civil service employee annuitants receive less than the magical poverty level.

I was alarmed by those statistics then, and I continue to be alarmed by similar statistics now.

As the country's largest single employer, the Federal Government should be providing retirement protection for its employees second to none. Instead it has a retirement system basically the same as Congress intended in 1921 when it enacted the civil service retirement system. Certainly it has been modified by subsequent Congresses, but basically it continues to be a staff retirement designed more for worker retention than for retirement protection.

For example, when survivor benefits under the civil service retirement system are compared to survivor benefits under social security the disparity is disgraceful. Did you know, Mr. President, that the surviving widow and one child of a deceased civil service employee earning $500 a month and with 5 years' Federal service would receive a $78 a month benefit while had her husband been under social security instead she would get $266 a month.

Did you realize, Mr. President, that for that widow of a civil service employee to get that $266 a month her deceased husband would have had to been employed for 40 years in the Federal Government. I could repeat example after example showing the complexity and inadequacy of the civil service retirement system, but my purpose today is not to overhaul or revamp that system.

Several weeks ago I was pleased to cosponsor S. 2554 with the distinguished junior Senator from Minnesota (Mr. MONDALE). Both of us had independently arrived at the conclusion that legislation in this area was needed. However, our conceptualization of the specific methods to be used for achieving effective Government-wide preretirement planning differ. Therefore, I am today introducing a bill that I had drafted during the last Congress.

My bill differs from S. 2554 in one important respect. S. 2554 provides in part that—

> The head of each agency shall formulate and carry out a program to provide comprehensive preretirement assistance to employees of such agency who are eligible, or approaching eligibility, for retirement.

The bill I am introducing today provides that the Civil Service Commission shall provide preretirement assistance.

Now I feel that this is an important difference for two major reasons.

First, I can see the possibility for many problems in having each individual agency responsible for preretirement assistance. I suspect that there would be a great deal of employee resentment from older employees who would suspect that their employing agency was merely using preretirement planning as a vehicle for encouraging them to retire. On the other hand, my bill which gives the authority for preretirement planning to the Civil Service Commission would avoid this situation whereby employing agencies would be put in a difficult position of trying to provide preretirement assistance without unduly upsetting their employees.

Second, I am convinced that in legislation of this sort it is always a good general principle to provide the agency with primary responsibility with as much latitude and flexibility as possible.

I sincerely hope that prompt action is taken on this matter during this Congress.

Mr. President, in August of 1961 the U.S. Civil Service Commission published a little pamphlet entitled, "Retirement Planning: A Growing Employee Relations Service." The conclusion of their little pamphlet reads as follows:

A variety of approaches are used in retirement planning programs in industry and in government. This is to be expected considering the relative recency of employer participation in this field, and the fact that most organizations are still feeling their way, testng and experimenting with various approaches, adjusting program activities to local needs and resources. These differences are healthy, because without effort there will be no results. There is a need for further experimentation and evaluation because of the scarcity of objective information on the relative effectiveness of various programs and the dearth of research evidence on the long-range significance of retirement planning activities.

The signs are many, however, that retirement planning is a matter of increasing general interest; that it has begun to be recognized as a significant aspect of employee relations; and that few modern personnel offices can much longer ignore considering how their organizations can best meet the needs of employees approaching retirement. It can reasonably be expected from this that we will have more, not less, retirement planning activities in the future, with program arrangements more selective and effective.

Mr. President, it is now nearly 10 years later and the retirement planning activities of the Federal Government are nearly as dormant and stagnant as they were when the Civil Service Commission pamphlet was written. Some agencies have some progress sometimes, but nowhere is there an overall program to assist any of the 2½ million civilian employees who will all some day be faced with retirement.

Mr. President, I believe the Federal Government has done a very poor job of being an employer concerned about the individual's successful retirement. I am hopeful that the bill I have introduced today will provide the catalyst for the Federal Government as an employer to move off dead center into the role as a pacemaker for effective preretirement planning.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2842) to amend title 5, United States Code, to assist Government employees in preparing for retirement, introduced by Mr. PROUTY, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 2843—INTRODUCTION OF THE SELECTIVE SERVICE AMENDMENTS ACT OF 1969

Mr. STENNIS. Mr. President, by request, for myself and the senior Senator from Maine (Mrs. SMITH), I introduce, for appropriation reference, a bill to amend the Military Selective Service Act of 1967 in order to provide for a more equitable system of selecting persons for induction into the Armed Forces under such act.

I ask unanamious consent that a letter of transmittal requesting consideration of the legislation and explaining its purpose be printed in the RECORD immediately following the listing of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 2843) to amend the Military Selective Service Act of 1967 in order to provide for a more equitable system of selecting persons for induction into the Armed Forces under such act, introduced by Mr. STENNIS, for himself and Mrs. SMITH, by request, was received, read twice by its title, and referred to the Committee on Armed Services.

The letter presented by Mr. STENNIS, is as follows:

SELECTIVE SERVICE SYSTEM,
Washington, D.C., May 13, 1969.

Hon. SPIRO T. AGNEW,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Transmitted herewith is a draft of legislation "To amend the Military Selective Service Act of 1967 in order to provide for a more equitable system of selecting persons for induction into the armed forces under such Act". This legislation would carry out the President's recommendations in his message on selective service which was transmitted to the Congress today.

In that message the President indicated that he would change from an oldest-first to a youngest-first order of call so that young men would become less vulnerable rather than more vulnerable to the draft as they grew older and that he would select those who are actually drafted through a random system. The draft legislation which I am submitting today would amend existing law so as to permit the President's objectives to be accomplished.

I urge the Congress to act promptly and favorably on this legislation.

PURPOSE OF THE LEGISLATION

Selective service law authorizes the President to provide for the selection or induction of persons by age group or groups. Under the authority provided in section 5(a) of the Military Selective Service Act of 1967 (50 App. U.S.C. 455(a)), the President presumably may designate any age group or combination of age groups as the first to be called, second to be called, and so forth.

In expectation that the President would use this authority to provide for calling "younger men first", the Congress, in 1967, when it enacted a college student deferment program, provided that students would revert to any prime age group for possible induction when no longer deferred.

In 1967, the method of selecting individuals within such a prime selection group was considered. The Congress, in amending the selective service law, adopted a provision prohibiting any change in the method of selection then in use (oldest first in order of date of birth).

Sec. 2 of the bill, by repealing paragraph (2) of Sec. 5(a) of the Military Selective Service Act of 1967, would restore to the President the broad authority he had before 1967 to determine an appropriate method of selection.

Sec. 3(a) of the bill would provide that all registrants deferred under section 6 of the law would, as students under present law, be subject to selection in a young prime age group when their deferment ended. This would treat all deferments and exemptions under the law equally.

Sec. 3(b) of the bill would place in such prime selection group when it is designated by the President, all registrants then neither deferred or exempt, under 26 but older than the age group or groups which comprise such prime selection group. This provision would prevent the relief from possible selection of large numbers who are now liable for selection so long as selections are made from the 19–26 year old group.

A simple random selection procedure has been developed to implement the proposed legislation. Under the procedure, selection would be made each year from the current 19 to 20 year-olds and older men whose college or other deferments or exemptions have expired. Prime exposure to the draft would therefore be limited to a 12-month period. Those not selected by the end of the year would be placed in a progressively lower order of priority for induction and would normally not be called except in emergency.

The Bureau of the Budget advises that enactment of this legislation would be in accord with the program of the President.

Sincerely yours,

LEWIS B. HERSHEY,
Lt. General, USA, Director of Selective Service.

SECTIONAL ANALYSIS OF BILL

SECTION 2

Section 5(a)(1) of the Military Selective Service Act of 1967 authorizes the President to establish rules and regulations for impartial selection of persons for induction, including selection by age group or groups. Section 5(a)(2), added in 1967, provides that if the President establishes selection by age group—i.e., designates a prime age group or groups as the first to be called—selection of individuals within such prime age group or groups would have to be made by the method in effect on date of enactment (June 30, 1967), i.e., oldest first in order of date of birth.

Section 2 of the bill repeals section 5(a)(2) of the Military Selective Service Act of 1967, thus restoring to the President the broad authority he had before June 30, 1967 to determine an impartial method of selection, including selection within any designated prime age group by lottery.

SECTION 3

Section 6(h)(1) of the Military Selective Service Act of 1967 provides that when the President designates a prime age group, any person granted a student deferment shall upon termination of the deferment be liable

for induction within the prime age group irrespective of his actual age.

Section 3 of the bill remedies two technical deficiencies in the definition of prime age group. Section 3(a) makes clear that in addition to students all other deferred or exempt persons shall be liable for induction within the prime age group when their deferments or exemptions expire.

Section 3(b) of the bill provides that all persons, aged 19 to 26, who are not deferred or exempt at the time of initial implementation of the prime age group shall be liable for induction within the prime age group. This provision prevents large numbers of persons from escaping exposure to selection in the initial or "transitional" period following designation of the prime age group.

SECTION 4

Section 16(a) of the Military Selective Service Act of 1967 provides for the construction of age references in the law, as follows:

"The term 'between the ages of eighteen and twenty-six' shall refer to men who have attained the eighteenth anniversary of the day of their birth and who have not attained the twenty-sixth anniversary of the day of their birth; and other terms designating different age groups shall be construed in a similar manner".

Section 4 of the bill clearly spells out the authority to construe references to age group or groups in the law as referring to registrants born between designated dates.

S. 2847—INTRODUCTION OF A BILL AMENDING THE FOREIGN ASSISTANCE ACT, AS AMENDED

Mr. NELSON. Mr. President, today I am introducing a bill to amend the Foreign Assistance Act, which provides U.S. assistance for the cooperative construction of a dual-purpose desalting and powerplant in Israel. This same measure was introduced by Congressman BENJAMIN ROSENTHAL and Congressman PETER FRELINGHUYSEN in the House of Representatives on July 24, 1969.

The scarcity of water resources is an alarmingly real problem in Israel today. The last of Israel's meager natural water resources will have been fully utilized by the 1970's. Over 95 percent of the available water has been already tapped. The remaining natural waters in the south will probably be completely exploited in the next few years.

Desalination holds the greatest promise as a long-range method of coping with water shortage. The advancement in desalting techniques offers dramatic new opportunities. More specifically, desalination permits the location of plants in the areas of greatest need. It also affords the production of electricity, another critical requirement for these arid regions. Finally, the desalination process may be used to purify polluted and brackish water as well as sea water and hence can play a major role in conservation.

Under the proposed amendment, the United States would contribute a maximum of $40 million over a 5-year period and would have the permanent benefit of all data and advances in the technology of desalinization in Israel. Israel would contribute an additional $100 million.

With American assistance, the cost would be about 35 cents per 1,000 gallons and the completed plant would produce almost 40 million gallons per day or 10 times the currently largest yield from existing desalination plants. In addition, the plant will generate 450 megawatts of electricity.

For many years, there has been broad bipartisan support for this project. In 1961, President Kennedy remarked:

No water resources program is of greater long-range importance—for relief not only for our shortages, but for arid nations the world over—than our efforts to find an effective and economical way to convert water from the world's greatest, cheapest natural resources—our oceans—into water fit for consumption in the home and by industry. Such a breakthrough would end bitter struggles between neighbors, states, and nations—and bring new hope for millions who live out their lives in dire shortage of usable water and all its physical and economical blessings, though living on the edge of a great body of water throughout that parched lifetime.

Another major consideration of the project came from former President Eisenhower and the former Chairman of the Atomic Energy Commission, Lewis L. Strauss. They recommended a regional plan to attack simultaneously the water and the refugee problems. Their proposal envisioned three plants with a combined capacity of about 1 billion gallons to be constructed on the Mediterranean and the Gulf of Aqaba. This proposal, while commendable for its recognition of the water needs of the area, is not feasible because of the political climate and technological obstacles to the undertaking. Desalting complexes of the size envisioned would require the prior testing of equipment and techniques. This could only be accomplished through the development of a prototype of more limited capacities. The amendment being offered provides for that prototype.

In August 1967, Senator HOWARD H. BAKER, JR., introduced a resolution embodying the principles of the Eisenhower-Strauss plan. Thirty-two Republicans and 20 Democratic Senators cosponsored the proposal. Former Secretary of Interior Udall supported the measure and it was adopted by the Senate. No action was taken on the resolution in the House. Through the efforts of Congressman FRELINGHUYSEN and others of the Republican Coordinating Committee, it appeared as a recommendation of the 1968 Republican platform.

In 1968, the Johnson administration supported a specific proposal for U.S. participation in the construction of a dual-purpose electric power and desalting plant in Israel. This measure set a limit of $40 million as the U.S. share in costs—the same as the proposed amendment.

The volatile hostilities in the Middle East are perpetuated by economic depravity and frustrated by an almost interminable lack of understanding. Here we have the opportunity to challenge these conditions by focusing our energies in the direction of economic improvement—a significant indication of peaceful change. By assisting Israel in the construction of a prototype desalting plant we can develop a process which will insure the survival and growth of vast regions and whole countries which today face aridity and economic desolation from lack of water. This project represents, therefore, a real contribution to peace in the Middle East.

I ask unanimous consent that this amendment to the Foreign Assistance Act be printed in the RECORD at this time.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2847) to amend the Foreign Assistance Act, as amended, to authorize the Secretary of State to participate in the development of a large prototype desalting plant in Israel, and for other purposes, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 2847

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in furtherance of the purpose of the Foreign Assistance Act, as amended, and for the purpose of improving existing, and developing and advancing new, technology and experience in the design, construction, and operation of large-scale desalting plants of advance concepts which will contribute materially to low-cost desalination in all countries, including the United States, the Secretary of State is authorized to participate in the development of a large-scale water treatment and desalting prototype plant and necessary appurtenances to be constructed in Israel as an integral part of a dual-purpose power generating and desalting project. Such participation shall include financial, technical, and such other assistance as the Secretary deems appropriate to provide for the study, design, construction, and, for a limited demonstration period of not to exceed five years, operation and maintenance of the water treatment and desalting facilities of the dual-purpose project.

SEC. 2. Any agreement entered into under first section of the Act shall include such terms and conditions as the Secretary deems appropriate to insure, among other things, that all information, products, uses, processes, patents, and other developments obtained or utilized in the development of this prototype plant will be available without further cost to the United States for the use and benefit of the United States throughout the world, and to insure that the United States, its officers, and employees have a permanent right to review data and have access to such plant for the purpose of observing its operations and improving the science and technology in the field of desalination.

SEC. 3. The Secretary of State shall be responsible for the conduct of the technical aspects of the project.

SEC. 4. In carrying out the provisions of this Act, the Secretary may enter into contracts with public or private agencies and with any person without regard to sections 3648 and 3709 of the Revised Statutes.

SEC. 5. Nothing in this Act shall be construed as intending to deprive the owner of any background patent or any right which such owner may have under that patent.

SEC. 6. In carrying out the provisions of this Act, the Secretary may utilize by agreement, with or without reimbursement, the personnel, services, and facilities of any other Federal agency.

SEC. 7. The United States costs, other than its administrative costs, for the study, design, construction, and operation of a prototype plant under the Act shall not exceed either 50 per centum of the total capital costs of the facilities associated with the production of water, and 50 per centum of the operation and maintenance costs for the

demonstration period, or $40,000,000, whichever is less. There are authorized to be appropriated, subject to the limitations of this section, such sums as may be necessary to carry out the provisions of this Act, including administrative costs thereof. Such sums shall remain available until expended.

S. 2848—INTRODUCTION OF THE MINERAL LEASING ACT REVISION OF 1969

Mr. NELSON. Mr. President, I am introducing legislation today to replace the mining law of 1872 with a modern mineral leasing system based on multiple use of public lands.

Perhaps the most convincing testimony in favor of a new mining law is that of former Secretary of the Interior Udall who said:

> After eight years in this office, I have come to the conclusion that the most important piece of unfinished business on the nation's natural resources agenda is the complete replacement of the Mining Law of 1872.

When the mining law was enacted nearly a century ago, the underlying philosophy was to encourage unlimited exploration and development of new frontiers in the belief that the country as a whole would benefit directly and that the Federal Treasury would benefit indirectly.

This philosophy has no place in our modern world where all our resources are finite and where the competitive demands for them are increasingly heavy. The 97-year-old law is a major obstacle to wise and effective land management in a world where the best kind of multiple-use management is imperative.

Under the provisions of the old law, an individual must merely stake a claim on public land to assume almost complete property rights. While he might be required to record his claim in a county office, he need not inform the Federal Government. To maintain control of his claim, he has only to make $100 worth of improvements annually.

If the requirements of the law are simple, the resulting problems are numerous and complex.

The law has been what Secretary Udall terms "a veritable jungle of legal uncertainties." These legal complexities retard the development of the mining industry by inhibiting modern discovery techniques and discouraging accumulation of low-grade reserves.

The mining law permits no comparison of alternative land values; it gives blind priority to mineral resources and makes any consideration of wildlife, recreation, esthetic, or urban land values impossible.

The miner has all of the rights and none of the responsibilities. He may establish property rights on any public land. He need not mine the land. If he does, he need not use good mining practices, nor must he reclaim any damaged surfaces.

The law is easily subverted. There are numerous instances of individuals who, under the guise of marking a claim, appropriate public land for logging, homesites, subdivisions, and summer resorts.

In 1920 Congress passed the Mineral Leasing Act, which excepted certain minerals from the 1872 law and made them available only by leasing from the Government. Title to minerals not included in such a lease continues to belong to the Federal Government, and so does control of the surface and its resources.

This legislation would extend this principle to all minerals on the public domain.

No private landowner would tolerate unregulated intrusion to search for and remove mineral resources. The public can no longer allow this blatant giveaway of national resources which should be regulated under laws that take into account modern resource management techniques.

This in no way implies that mineral development is unimportant. But it is not preeminent—it is one of a variety of valid uses for public land.

Congressmen SAYLOR and DINGELL have introduced this same measure in the House. Only through such a bipartisan effort can we repeal this law which results in irreparable damages to our Nation with no justifying social or economic benefits.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2848) to amend the Mineral Leasing Act, and for other purposes, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 2848

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this statute may be cited as "The Mineral Leasing Act Revision of 1969."

SEC. 2. As used in this Act the following terms have the following meanings:

(a) The term "mining laws" means the mining law of May 1872, as amended and supplemented (30 U.S.C. 22–54), and section 1 of the Act of August 4, 1892 (30 U.S.C. 161).

(b) The term "Mineral Leasing Act" means the Mineral Leasing Act of February 25, 1920, an Act to promote mining on the public domain, as heretofore amended and supplemented and as further amended by this Act.

(c) The term "hard rock minerals" means all minerals except sulfur which immediately prior to the effective date of this Act were subject to location under the mining law and all varieties of sand, stone, gravel, pumice, pumicite, clay, and cinders whether or not they were subject to location under the mining law.

(d) The term "Secretary" means the Secretary of the Interior.

(e) The term "Department" means the Department of the Interior.

SEC. 3. (a) Except as otherwise provided in this section, the mining law is hereby repealed and all lands and interests in lands belonging to the United States are hereby closed to entry and location under the mining law as of the effective date of this Act. No new rights under the mining law may be acquired after the effective date of this Act.

(b) Any claim under the mining law existing on the effective date of this Act shall remain subject to the provisions of the mining law if it is recorded with the Department not more than one year after the issuance by the Secretary of regulations prescribing the manner in which mining claims will be recorded. Any mining claim not so recorded shall be null and void. However, recordation will not render valid any mining claim which is invalid on the effective date of this Act or which becomes invalid thereafter.

(c) Any mining claim on which application for patent has not been filed within three years after recordation shall be null and void.

(d) The Secretary may upon application made within one year after recordation, under general regulations, authorize the issuance of a production lease or leases under section 43 of the Mineral Leasing Act in exchange for (1) any mining claim or claims, validly existing on January 1, 1969, or (2) any mining claim or claims valid, except for lack of discovery, on January 1, 1969, if a showing is made that a workable deposit of hard rock minerals, as required by section 43 of the Mineral Leasing Act, was found within the limits of each said claim prior to and was in existence on January 1, 1969. Each such production lease shall cover approximately the same land as the mining claim or claims for which it is exchanged and shall conform as nearly as practicable to the public land surveys, but in no event shall a lease exceed five thousand one hundred and twenty acres, and shall be subject to the terms and conditions specified in subsection 43(d) of the Mineral Leasing Act.

SEC. 4. (a) The first sentence of section 1 of the Mineral Leasing Act (30 U.S.C. 181) is amended to read as follows: "Deposits of all minerals (including all varieties of sand, stone, gravel, pumice, pumicite, clay, and cinders) and the lands containing such deposits owned by the United States, including those in national forests, but excluding lands acquired under the Act known as the Appalachian Forest Act, approved March 1, 1911 (36 Stat. 961), and those in national parks and monuments (other than as to minerals covered by the mining law in those parks and monuments to which the mining law had been extended prior to the effective date of this Act), those acquired under other Acts subsequent to February 25, 1920, and lands within the naval petroleum and oil shale reserves, except as hereinafter provided, shall be subject to disposition in the form and manner provided by this Act to citizens of the United States, or to associations of such citizens, or to any corporation organized under the laws of the United States, or of any State or territory thereof, or, in the case of coal, oil, oil shale, or gas, to municipalities."

(b) A new paragraph is hereby added to the end of section 1 of the Mineral Leasing Act (30 U.S.C. 181) as follows:

"As used in this Act, the term 'hard rock minerals' means all minerals except sulfur which immediately prior to the effective date of this paragraph were subject to location under the mining law (30 U.S.C. 22–54) and all varieties of sand, stone, gravel pumice, pumicite, clay, and cinders, whether or not they were subject to location under the mining law."

(c) Section 34 of the Mineral Leasing Act (30 U.S.C. 182) is amended to read as follows: "This Act shall also apply to all deposits of minerals (including all varieties of sand, stone, gravel, pumice, pumicite, clay, and cinders) in the lands of the United States, which lands may have been or may be disposed of under laws reserving to the United States such deposits with the right to prospect for, mine, and remove the same, subject to such conditions as are or may hereafter be provided by such laws reserving such deposits."

(d) Section 39 of the Mineral Leasing Act (30 U.S.C. 209) shall be applicable to hard rock mineral leases issued pursuant to section 43 of the Mineral Leasing Act except as in that section provided.

(e) The Act of April 17, 1926, as amended (30 U.S.C. 271–276), is amended as follows: Section 1 (30 U.S.C. 271) by deleting the words "located in the States of Louisiana and New Mexico" and by increasing the maximum acreage of a prospecting permit from "six hundred and forty" acres to "two thousand five hundred and sixty" acres; section 2 (30 U.S.C. 272) by inserting before the number "5" the words "not less than", and by deleting the proviso; section 3 (30 U.S.C. 272) by increasing the maximum acreage of a lease from "six hundred and forty" acres to "two thousand five hundred and sixty" acres, and by changing the rental from "50 cents" to "$1" per acre per annum; section 5 (30 U.S.C. 275) by changing the words "three sulfur permits or leases in any one State during the life of such permits or leases" to "twenty thousand four hundred and eighty acres under sulfur lease or permit in any one State at any one time"; and by deleting section 6 (30 U.S.C. 276).

SEC. 5. The following new section 43 is added to the Mineral Leasing Act:

"SEC. 43. (a) The Secretary of the Interior is authorized to issue, in accordance with general regulations which he shall prescribe therefor, an exploration lease for hard rock mineral deposits to the highest responsible qualified bidder under competitive bidding, except as provided in subsection (e) of this section, when in his judgment the public interest will best be served thereby but only after consultation with the head of such agency in the case of land the surface of which is administered by a Federal agency other than the Department of the Interior. Terms on which bidders shall compete and the method of bidding, either by oral auction, sealed bids, or both, shall be specified in the notice of sale. An exploration lease shall give the exclusive right to prospect for hard rock minerals for a period of not exceeding three years in an area reasonably compact in form, as defined by the Secretary in general regulations, and described by legal subdivisions of the public land surveys, of not more than ten thousand two hundred and forty acres. Only such quantities of hard rock minerals may be extracted under an exploration lease as are reasonably required for purposes of evaluating the hard rock mineral deposits. Each exploration lease shall require that the lessee shall exercise due diligence in the prosecution of the prospecting work in accordance with a prospecting plan to be approved by an authorized representative of the Secretary before prospecting operations commence. The prospecting plan shall also include provisions for protection and restoration of the lands covered by the lease and for the protection of environmental and recreational values. The Secretary shall reserve the right to and may cancel any exploration lease issued for failure to comply with the prospecting plan. The lessee shall pay an annual rental of not less than 50 cents per acre, and shall submit to the Secretary at the expiration of the lease all exploration data obtained during the term of the lease.

(b) An exploration lease issued under this section may be extended by the Secretary for an additional period, not in excess of two years, as he deems advisable, if he finds that the lessee has been unable, with reasonable diligence, to determine the existence and workability of deposits of hard rock minerals and the lessee desires to prosecute further prospecting.

(c) Upon application by the lessee made not later than three months after the expiration of the term of his exploration lease and upon a showing that he has found a workable deposit of hard rock minerals, the lessee shall be entitled to a production lease covering that portion of the area subject to his exploration lease reasonably encompassing such deposit as determined by the Secretary. The lessee shall be entitled to a production lease for each such deposit found by him within the limits and during the term of the exploration lease but the total acreage embraced in all such production leases shall not exceed five thousand one hundred and twenty acres.

(d) Each production lease shall be in compact form described by legal subdivisions of the public land surveys or, if the land be not surveyed, by survey executed at the cost of the lessee in accordance with regulations prescribed by the Secretary. Each lease shall be conditioned upon payment to the United States of (1) a royalty of not less than 5 per centum of the gross value of the output of hard rock minerals thereunder; and (2) a minimum annual rental, payable at the date of the lease and on each anniversary date thereafter, of not less than $5 per acre. The initial annual rental prescribed shall obtain for the first two years of the term of the lease. Commencing with the rental payable for the third year of the lease, and for each of the seven succeeding years, the rental shall be increased each year by 10 per centum over the rental payable for the preceding year: *Provided*, That for any year in which there is production in paying quantities, the amount by which the rental paid for that year shall have exceeded the initial annual rental shall be credited at the option of the lessee against either royalties or the rental next coming due or refunded to him as he may elect: *Provided further*, That section 39 of the Mineral Leasing Act shall not be applicable during this period.

Each production lease shall be for a term of ten years and so long thereafter as hard rock minerals are produced in paying quantities. Unless otherwise provided by law at the time of expiration of such period, the terms and conditions of such leases shall be subject to readjustment by the Secretary ten years from the date of issuance and every ten years thereafter. Unless the lessee files objection to the proposed terms or a relinquishment of the lease, the right to which shall be absolute under this section notwithstanding the provision of section 30 of this Act, within thirty days after the receipt of the notice of proposed terms, he will be deemed to have agreed thereto. Notice of the proposed readjustments shall be given, whenever feasible, before the expiration of each such ten-year period, but receipt of notice after the expiration of each such ten-year period shall not be deemed a waiver of the right to adjust the terms and conditions of the lease.

As used in this subsection, the term "produced in paying quantities" means that the receipts from the sale or other commercial use of the output of hard rock minerals under a lease exceed operating and marketing expenses for the leased premises for a six-month period of the lease year preceding the date on which the calculation is made.

(e) Lands known to contain workable deposits of hard rock minerals and not covered by either exploration or production leases shall be subject to production lease by the Secretary to the highest responsible qualified bidder under competitive bidding, when in his judgment the public interest will best be served thereby but only after consultation with the head of such agency in the case of land the surface of which is administered by a Federal agency other than the Department of the Interior. Leases under this subsection shall not exceed five thousand one hundred and twenty acres and shall be in compact form described by legal subdivisions of the public land surveys. Terms on which bidders shall compete and the method of bidding, either by oral auction, sealed bids, or both, shall be specified in the notice of sale. Leases made pursuant to this subsection shall be subject to the terms and conditions specified in subsection (d) of this section.

(f) (1) If the holder of a hard rock mineral exploration or production lease finds any other mineral or minerals, except oil or gas, leasable under this Act so commingled with hard rock minerals in the same deposit that none is separately workable and if there is no lease or prospecting permit covering such other commingled mineral or minerals, the hard rock mineral exploration or production lease, as the case may be, shall embrace such other mineral or minerals.

(2) If the holder of a prospecting permit or lease for any other mineral, except oil or gas, leasable under this Act finds hard rock minerals in the same deposit so commingled with such other leasable mineral that neither is separately workable and if there is no hard rock mineral exploration or production lease covering such hard rock minerals, the prospecting permit or lease, as the case may be, for the other commingled mineral shall embrace such hard rock minerals.

(3) Where both an exploration or production lease for hard rock minerals and a prospecting permit or lease for another mineral, except oil or gas, leasable under this Act are held by different persons include a deposit in which both minerals are so commingled that neither is separately workable, the Secretary may impose such terms and conditions upon both parties as he deems appropriate for the proper development of the intermingled minerals, but the parties in such a situation may, with the Secretary's approval, enter into an agreement for the joint development of the deposit, and, if the Secretary deems it in the public interest, he may exclude all or any portion of the leases subject to such an agreement from the acreage limitations of section 27.

(g) The Secretary, under such terms and conditions as he may prescribe, may permit the holder of a production lease issued under this section to use so much of the surface of federally owned lands not included in the lands leased hereunder as he determines to be necessary or convenient for the extraction, treatment, and removal of the mineral deposits, but lands under the jurisdiction of any other Federal agencies shall be subject to use under this subsection only with the consent of and as designated by the head of such agency.

(h) The Secretary, under such terms and conditions as he may prescribe, may permit operating or development contracts, or processing or milling arrangements to be made subject to the Secretary's approval, by one or more production lessees with one or more persons, associations, or corporations, where operations on a large scale for the development, production, or transportation of ores are justified, whenever in his discretion the conservation of the mineral resources, the preservation of environmental and recreational values, or the public convenience or necessity may require it, or the interests of the United States may be best served thereby.

SEC. 6. (a) The first sentence of section 1 of the Materials Act of July 31, 1947, as amended by the Act of July 23, 1966 (69 Stat. 367) is amended to read as follows: "The Secretary, under such rules and regulations as he may prescribe, and if he concludes that such disposal would not be detrimental to the public interest, may dispose of hard rock minerals, as an alternative to the disposition under section 43 of the Mineral Leasing Act, or under the Mineral Leasing Act for Acquired Lands, and vegetative materials (including but not limited to yucca, manzanita, mesquite, cactus, and timber or other forest products) on public or acquired lands of the United States, including, for the purposes of this Act, land described in the Acts of August 28, 1937 (50 Stat. 874), and of June 24, 1954 (68 Stat. 270), if the disposal of such vegetative materials (1) is not otherwise expressly authorized by law, including, but not limited to, the Act of June 28, 1934 (48 Stat. 1269), as amended, and the United States mining laws, and (2) is not expressly prohibited by laws of the United States".

(b) The third sentence of section 1 of that Act is amended by inserting the words "or acquired" after the word "withdrawn.".

(c) The last sentence of section 1 of that Act is amended by adding after the last word the phrase "and the term 'hard rock minerals' means all minerals except sulfur which immediately prior to the effective date of this paragraph were subject to location under the mining law (30 U.S.C. 22–54) and all varieties of sand, stone, gravel, pumice, pumicite, clay, and cinders, whether or not they were subject to location under the mining law.".

S. 2850—INTRODUCTION OF A BILL TO ESTABLISH PROCEDURES TO RELIEVE DOMESTIC INDUSTRIES AND WORKERS INJURED BY INCREASED IMPORTS FROM LOW-WAGE AREAS

Mr. HANSEN. Mr. President, unlimited imports are damaging a number of American industries as well as the workers dependent on those industries.

Wyoming, the second largest sheep producing State in the Union, is being injured economically by a mounting flood of lamb meat from New Zealand, Australia, and Iceland. This meat was excluded from the Meat Import Act of 1964. Imports for the first 4 months of 1969 are running at a rate of more than 200 percent of the 1968 rate and have seriously depressed the domestic lamb market prices.

An amendment to include lamb in the 1964 quota act and set reasonable quota figures is now pending. I am hopeful that it will be approved when it is called before the Senate, but, in the meantime, I introduce another bill which would help not only the sheep and wool people but any industry that can prove injury from imports.

The bill, known as the Fair Labor Standards Trade Act, was passed by the House during the first session of the 90th Congress by a vote of 340 to 29, and has been reintroduced in the House this year.

In addition to the beef cattle, dairy and fruit industries, the bill was supported by textile manufacturers, footwear, glass, steel, fuel oil and natural gas, luggage and leather goods, chemicals, furniture, electronics, plastics, and many others as well as the unions which represent employees of these industries.

This bill does not replace any import quota bills but, rather, responds to need for further congressional attention to the threat many of our domestic industries face from foreign competition.

The bill establishes a procedure whereby the Secretary of Labor would investigate to determine if a product or related group of products is being imported into the United States under such cricumstances as to undermine the public policy expressed in the Fair Labor Standards Act—by impairing or threatening to impair seriously the health, efficiency, and general well-being of any group of workers in the United States—or the economic welfare of the community in which any such group of workers are employed.

If the investigation revealed unfair competition or undue burden on commerce from imports or conditions detrimental to workers, the President would be empowered to take such action as he deems appropriate to remove such impairment or threat of impairment.

The House committee report on the bill emphasized "that such action will be applied to the offending imports in the form of increased duties or quantitative limitations, and will not in any way be addressed to jobs or communities."

I believe there is at long last a growing awareness in Congress that we have traded off in recent years what little protection in the way of tariffs that we had left. We have done this in the interest of promoting free trade with other nations but it has not quite worked that way.

In opposing import quota bills, our free trade advocates have said that because of the agreements we made under the auspices of GATT, the General Agreement on Tariffs and Trade, any nonnegotiated duty increase would be contradictory to the present U.S. liberal trade policy.

GATT is not a permanent world trade organization, but rather an ad hoc or advisory body. The so-called Kennedy round in negotiations produced few concessions for U.S. agricultural products. Rather, there has been an increase in agricultural protectionism in other countries while protective tariffs and trade controls have been used less and less by the United States. We have been assured by the advocates of free trade that increasing exports coming from freer trade would compensate for any injury inflicted by competitive imports. But even this argument has been punctured by a continually worsening balance of payments as imports have increased at far higher rates than exports. Even the International Wheat Agreement has failed to open markets for huge U.S. wheat crops as other nations with surpluses made special deals to get what they could for theirs. So I believe it is high time to take some effective action against the freetraders who have sold the American farmer down the river and protect domestic agriculture and industry from its own government.

Reciprocal trade is—or would be—a great thing but reciprocity means two-way considerations and unless we want to lower our living standards and wage scales down to the level of those producing most of these imports, we had better act and act now.

The bill is so drawn that remedial action is possible on any item whether or not it is included in any trade agreement, present or future.

I believe a bill such as this could be effective in establishing reasonable rules for truly reciprocal trade.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2850) to amend the Fair Labor Standards Act of 1938 to establish procedures to relieve domestic industries and workers injured by increased imports from low-wage areas, introduced by Mr. HANSEN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

AMENDMENT OF SHIPPING ACT, 1916, AS AMENDED

Mr. INOUYE. Mr. President, the most critical problem my State of Hawaii faces is the need for stable, adequate ocean transportation. We are unique in that we are surrounded entirely by water and are cut off from any contiguous territory.

As an island State, we depend upon freighters to transport daily necessities to sustain our booming economy. Without a steady flow of ships, our economy would cease to be viable. At present the large majority of our food, clothing, and construction material moves by ocean carriers even though most people travel by air.

Unfortunately, we have encountered a serious problem resulting from the practices of some carriers which transport these vital items. Under the law as it is presently constituted, a carrier can engage in business after filing its rate schedule. It may also abandon its routes and ports for more lucrative business without the approval of the Federal Maritime Commission or the line's customers. The permissive latitude given to the carriers under existing statutes allows them to shift the locus of their business whenever more profitable opportunities arise.

While there may be legitimate business reasons for the decision to cease service, these activities have had a seriously adverse effect on merchants in Hawaii who have hitherto relied on the sailings to transport their goods. More expensive arrangements for transportation must then be made, and the prices of our products are raised even higher. The cost of living in Hawaii is the highest in the entire country, and without the assurance of steady water transportation, prices will increase even more.

The bill which I am introducing today will do nothing more than follow the current principles of the Interstate Commerce Commission. Under the practices now in effect, railroads and trucking lines under the ICC's jurisdiction must obtain a certificate of convenience and are not allowed to abandon their routes unless they can show that they are losing money, no longer serve the public interest, or can improve their service in other ways.

To counter the threat of sporadic service, I am introducing a bill that will add a new section to the Shipping Act of 1916. This section will require common carriers by water to obtain certificates of convenience and necessity before engaging in business. My bill also prohibits a carrier from abandoning the routes prescribed in the certificate if the Federal Maritime Commission does not find it in the public interest.

Carriers which have been active in bona fide operation since August 13, 1969, will be protected from administrative hearings because the Commission shall issue such certificates without requiring further proof that public convenience and necessity will be served by such operation. This is also true of carriers which have served continuously in a seasonal capacity.

This new section will provide means for amendment and revocation as the public interest may dictate. Means will be provided to suspend the certificates by application from the holder, on the Commission's initiative, or upon complaint for willful failure to comply with the provisions of this act of the Intercoastal Shipping Act of 1933. Certificates of convenience would also give the carrier leeway to improve his service.

My bill also authorizes the Commission to require annual, periodic, or special reports from carriers holding certificates pursuant to this section. Designed to provide the Commission with more information about the operation of carriers, the section also authorizes the Commission to prescribe systems of accounts, books, records and documents.

I believe that this bill is long overdue and that the public deserves the protection this measure provides. I earnestly solicit the support of my colleagues in considering this important bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2852) to amend the Shipping Act, 1916, as amended, to require common carriers by water in the domestic offshore trade to obtain a certificate of convenience and necessity, and to require contract carriers by water in such trade to obtain a permit, introduced by Mr. INOUYE, was received, read twice by its title, and referred to the Committee on Commerce.

ADDITIONAL COSPONSORS OF BILLS

S. 870

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New Jersey (Mr. WILLIAMS), I ask unanimous consent that, at the next printing the name of the Senator from Washington (Mr. JACKSON) be added as a cosponsor of S. 870, to promote the advancement of biological research in aging through a comprehensive and intensive 5-year program for the systematic study of the basic origins of the aging process in human beings.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1032

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New Jersey (Mr. WILLIAMS), I ask unanimous consent that, at the next printing the name of the Senator from California (Mr. CRANSTON) be added as a cosponsor of S. 1032, to amend the Urban Mass Transportation Act of 1964, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2674

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Hawaii (Mr. INOUYE) I ask unanimous consent that, at the next printing, the name of the Senator from New York (Mr. JAVITS) be added as a cosponsor of S. 2674, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2689

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Hawaii (Mr. INOUYE), I ask unanimous consent that, at the next printing, the name of the Senator from Texas (Mr. YARBOROUGH) be added as a cosponsor of S. 2689, to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2802

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Washington (Mr. MAGNUSON), I ask unanimous consent that, at the next printing, the name of the Senator from Oregon (Mr. HATFIELD) be added as a cosponsor of S. 2802, to assist the States in establishing coastal zone management programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 243—RESOLUTION RELATING TO TREATMENT OF PRISONERS OF WAR BY NORTH VIETNAM

Mr. BAYH. Mr. President, on Monday, August 4, I expressed my deep concern about the welfare of American prisoners of war being held by the North Vietnamese. Although the North Vietnamese endorsed the Geneva Convention Relative to the Treatment of Prisoners of War in 1957, they have consistently refused to abide by those simple humane rules.

The officials in Hanoi have publicly stated that American prisoners receive adequate and proper care, but they have refused to permit impartial inspection of prisoner of war facilities which would substantiate and verify such claims. This is only one transgression, Mr. President, on the part of a country which continues to violate the requirements of an international agreement. Other violations include the refusal to release sick and wounded captives, the refusal to permit the regular flow of mail, and most importantly, to the chagrin of the United States, the refusal to provide even a list of those being held captive. As a result, American families have lived in uncertainty and anguish for months and years, not knowing if their loved ones are dead or alive. How much longer can we expect the more than 1,300 families to live under these conditions?

It is my contention that every effort must be exerted to obtain the release of prisoners of war. Since the State Department and the Defense Department have been thwarted at every turn because of Hanoi's obstinance; since proposals suggested by our Ambassadors at the peace talks in Paris have gone unheeded; and since North Vietnam refuses to respond to our pleas, it would seem fitting for the United Nations, an organization which is devoted to the maintenance of international peace and the achievement of international cooperation in solving problems of social, cultural, economic and humanitarian character, to take the leadership in trying to bring about compliance by the government of North Vietnam with its obligations under the Geneva Convention of 1949.

For this reason, I am today joining in the statement made by the Senator from California (Mr. CRANSTON), and the Senator from New York (Mr. GOODELL) and I am submitting a Senate resolution urging the President of the United States to request the United Nations to take such steps as may be appropriate to induce North Vietnam to honor its previous commitment to that international agreement. Recognizing the fact that the United Nations has limited authority to impose stringent sanctions on recalcitrant nations, I still am hopeful that the weight of world opinion, expressed concretely through specific action of an international organization representing more than 100 nations, might be able to encourage the North Vietnamese authorities to adopt a more humanitarian attitude toward prisoners captured in the current conflict.

Mr. President, I ask unanimous consent that the resolution be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the RECORD.

The resolution (S. Res. 243), which reads as follows, was referred to the Committee on Foreign Relations:

S. RES. 243

Whereas members of the Armed Forces of the United States and civilian personnel of the United States Government assigned to duty in South Vietnam have been captured and are held prisoner by military forces under the Government of North Vietnam;

Whereas the Government of North Vietnam has adhered to the Geneva Convention of August 12, 1949, relative to the treatment of prisoners of war;

Whereas the Government of North Vietnam has consistently refused to identify the persons so held, to release those who are sick or wounded, to permit the regular flow of mail to or from these prisoners, and otherwise to accord humane treatment to prisoners, and has refused to permit inspection of the facilities in which prisoners of war are held;

Whereas these refusals by the Government of North Vietnam are in flagrant violation of its undertakings as an adherent to this Convention and of the requirements of international law established or affirmed by it: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President should request the United Nations to take such steps as may be appropriate to bring about compliance by the Government of North Vietnam with its obligations under the Geneva Convention of August 12, 1949, relative to the treatment of prisoners of war.

SENATE RESOLUTION 244—RESOLUTION AUTHORIZING THE PRINTING OF ADDITIONAL PRINT ENTITLED "SUMMARY OF H.R. 13270, THE TAX REFORM ACT OF 1969"

Mr. LONG submitted a resolution (S. Res. 244) authorizing the printing of additional print entitled "Summary of H.R.

13270, the Tax Reform Act of 1969," which was considered and agreed to.

(The remarks of Mr. LONG when he submitted the resolution appear later in the RECORD under the appropriate heading.)

SENATE RESOLUTION 245—RESOLUTION CALLING FOR THE RELEASE OF AMERICAN PRISONERS OF WAR

Mr. MONTOYA. Mr. President, recently, the Secretary of Defense had occasion to publicly plead with the Government of North Vietnam and the National Liberation Front to adhere to the 1949 Geneva Convention covering prisoners of war. He specifically asked that North Vietnam and the Vietcong: release the names of prisoners held; immediately release sick and wounded prisoners; permit impartial inspection of prisoner of war facilities; give proper treatment to all prisoners; and permit a regular flow of mail. Above all, he asked for the prompt release of all American prisoners.

The response of North Vietnam was as blatantly callous as it had been to previous appeals by this and the preceding administrations. The chief North Vietnamese negotiator at Paris, Xuan Thuy, said that the question of prisoner release "is connected with other questions" before the Paris conference. He further stated that the United States would get no list of prisoners until it had ceased its "aggressive war in Vietnam and withdrawn its troops from Vietnam." The Vietcong has included a proposal for prisoner release in its peace proposals, but has linked that suggestion with a demand that the United States bear full responsibility for the devastation in North and South Vietnam.

The specifics may be different, but the message from the Vietnamese Communists is loud and clear. It is this: prisoners of war are nothing but pawns which we will use to extract military, political, and economic concessions from the United States. "Get out of Vietnam," the North Vietnamese say, "and then we will maybe let you have a list of the names of the Americans we have in custody." "Pay reparations," the Vietcong say, "and then we will return your men."

Both of these propositions are in violation of the Geneva Convention of which North Vietnam is a signatory. Both amount to nothing more than international blackmail of a particularly nasty and vicious kind. It would consign 1,300 men to limbo, with no communication with the outside world except what the Communists choose to present. The families of the great majority of these prisoners have no way of knowing whether they are alive or dead.

Some 800 of the missing men were pilots downed over North Vietnam, and we have good reason to believe that many of them who are listed as missing are actually prisoners. But fewer than 100 have been heard from in 5 years, and more than 200 of the men listed as missing in action have been in that status for more than 3½ years. That means that if they are prisoners, they have already been held longer than any U.S. serviceman was held in World War II.

There has recently come to light distressing evidence that the Pathet Lao, the Laotian Communists, are following the model of their North Vietnamese mentors. Some 114 American pilots and crewmen have been lost over Laotian territory in the unpublicized air operations over the Laotian infiltration routes to South Vietnam. Nobody except the Pathet Lao knows whether these men are alive or dead. All efforts to elicit information concerning their fate has been turned aside by the Communists.

In view of these circumstances, how can we accept at face value the assurances of the North Vietnamese, the Vietcong, or even the Pathet Lao, that captive U.S. servicemen are being humanely treated? We know that captured U.S. prisoners have been paraded through the streets of Hanoi. We can guess pretty accurately through North Vietnamese films, that some of the prisoners have apparently not received adequate medical care. In other films American officers have appeared dazed or drugged. Lt. Robert Frishman, recently released, told an Italian journalist when she interviewed him that she was the first person he had spoken to in a year and a half. This and other evidence confirm that he had been held in isolation, as have other prisoners, and subjected to inhuman physical and emotional duress.

No, we will not believe Hanoi until they open their camps to international inspection, until they permit a regular flow of mail between our men and their families. As long as Hanoi continues to evade these and other clear obligations under the Geneva Convention, we must conclude that North Vietnam has something to hide.

It has become obvious that the United States must adopt new approaches to mobilize world opinion against cruel treatment of prisoners of war, and to induce North Vietnam and other adjoining Communist-held territories to make substantive concessions on this very fundamental humanitarian issue.

Accordingly, I am today—along with my distinguished colleague, Senator CRANSTON, submitting a Senate resolution representing an attempt to secure the united and deep concern of the membership of the U.S. Senate for the welfare of American prisoners of war; its condemnation of and repugnance for the crude and callous policies toward prisoners of war pursued by Hanoi and adjoining Communist-held territories contrary to standards of simple human decency and the rule of law; and the need to obtain prompt release of all Americans now held as prisoners of war in North Vietnam and adjoining Communist-held territories. The resolution also represents an appeal to the force of world public opinion in adding its voice to and urging respect for this humanitarian issue.

I ask that other Members of this body also join me in cosponsorship of the resolution, and that each of my colleagues also join in as signatories to a letter I plan to address to His Holiness, Pope Paul VI—as one of the more potent moral forces with world stature—asking his intervention on behalf of the prisoners. I believe that an appeal from His Holiness, with his unrivaled moral authority, might also be extremely influential in helping to crystallize world opinion against arbitrary imprisonments under conditions described above, as well as serve to enhance the chances that others wrongfuly detained without trial and on dubious and trumped-up charges might be released or at least have their sentences reduced.

In this connection, Mr. President, it is as much to the advantage of the Communist nations as it is to Western countries to abide by and respect these basic humanitarian values. In this shrinking and profoundly changing world, more and more men are groping for and demanding common values and guiding principles which transcend national frontiers and will lead us to a new and better world. While nations often do not see themselves as obliged to explain or report reasons for their decisions, still it is significant that they do feel compelled to justify what they do according to principle. Certainly the principles advocated here would appear to be guiding forces in the lives of peoples everywhere. Political ideologies not withstanding, when a nation places its political actions outside of and ignores these basic values, and refuses to abide by international agreements, the effect must be to bring the wrath of world opinion on those who would choose to flaunt global policy.

The issuing of appeals to the Hanoi Government through such media as press conferences is clearly insufficient, and the administration and/or the United Nations may wish to consider the following alternatives:

First. Appeal by the United Nations: Ample precedent already exists for an appeal to the U.N. in resolutions passed relative to the treatment of prisoners by the North Koreans and the Chinese Communists during the Korean conflict, and concerning the treatment of prisoners by both Arabs and Israelis in the wake of the 6-day war.

The United States could introduce a resolution in the General Assembly calling upon the Government of North Vietnam, the National Liberation Front, and the Pathet Lao to abide by the Geneva Convention and permit the inspection of their prisoner of war camps by a duly constituted international body, such as the International Committee of the Red Cross.

That committee, which is actually wholly Swiss, is well known for its activities relative to prisoners of war.

The U.S. delegate to the Economic and Social Council could request that the Human Rights Commission, which is under ECOSOC supervision, be directed to conduct an investigation of conditions in the Communist prisoner of war camps.

The mechanics of an appeal to the U.N. could be left to the State Department and the U.S. Mission to the United Nations. But some attempt should be made to invoke the moral authority and prestige of the U.N. to obtain more humane

treatment of the prisoners, and above all their prompt release.

Second. An appeal to other international organizations giving aid to North Vietnam: The administration could consider appealing to international organizations which give aid to North Vietnam, asking them to exert pressure on Hanoi to abide by the Geneva Convention. The administration could also suggest that such groups suspend assistance to North Vietnam if it continues its present prisoner of war policy. The United States could specifically direct such an appeal to the League of Red Cross Societies, which has provided North Vietnam with approximately $1.5 million in aid over the last few years.

Third. A direct appeal to countries which have influence with North Vietnam: A number of countries, both Communist and non-Communist, have good relations with North Vietnam. The administration could consider presenting the prisoner of war problems to these governments, asking them to intercede with Hanoi. While the administration may have done this in the past, a new and expanded effort may prove worthwhile.

Fourth. An open appeal by President Thieu for a prisoner exchange: While South Vietnam has reportedly privately offered a prisoner exchange with North Vietnam, President Thieu has not openly proposed this. North Vietnam, admittedly, is not likely to accept an appeal from Saigon, but a public offer would bring the prisoner of war issue before world opinion to a greater degree than it is now.

Fifth. Appeal by wives of men "missing in action" in Vietnam: Since there is apparently deep and openly expressed sentiment among the wives of men missing in Vietnam, it might be possible to stimulate the formation of a wives' group to appeal to the U.N. to use its good offices to secure observance of the provisions of the Geneva Convention. Such a wives' committee could address an appeal to U Thant, for example. Or they could address an open appeal to the Government of North Vietnam, the NLF, and so forth. Beyond this, they might appeal through U Thant or directly to the respective Communist authorities to be permitted to visit their husbands. It could be pointed out that the failure of the North Vietnamese, and so forth, even to confirm whether their husbands are alive or dead, denies these women and their families the most fundamental of human rights, and is the cause of untold and often unnecessary anguish.

Whatever method might be adopted to bring the plight of these women to the attention of the public would highlight their situation considerably and help focus upon the purely humanitarian aspects of the request.

Mr. President, I ask unanimous consent that the text of the resolution be printed in the RECORD at this point, and am hopeful that through a broad consensus as expressed by this august body and the further marshaling of world public opinion, we may begin to progress and see some results on this question of worldwide import which transcends all politics.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the RECORD.

The resolution (S. Res. 245), which reads as follows, was referred to the Committee on Foreign Relations:

S. RES. 245

Whereas the Government of North Vietnam, the National Liberation Front of South Vietnam, and the Pathet Lao—

(1) have consistently refused to release the names of prisoners of war;

(2) have declined to release immediately sick and wounded prisoners;

(3) have refused to permit impartial inspection of their prisoner of war camps;

(4) have not guaranteed the proper treatment of all prisoners; and

(5) have not permitted a regular flow of mail between prisoners and their families; all such actions being in violation of the Geneva Convention and basic standards of human decency: Now, therefore, be it

Resolved, That the Senate of the United States most urgently calls upon the President, the Department of State, the Department of Defense, and all other concerned departments or agencies of the executive branch, the United Nations, the peoples of the world, vigorously to use all means of peaceful persuasion at their disposal to bring the facts concerning treatment of prisoners of war by the Government of North Vietnam, the National Liberation Front of South Vietnam, and the Pathet Lao, to the attention of all other governments, with a view to eliciting international support and respect for such measures as may be undertaken by the President, or such departments or agencies, and the United Nations, to obtain the prompt release of all Americans so held as prisoners of war.

ADDITIONAL COSPONSORS OF RESOLUTION

SENATE RESOLUTION 223

Mr. BAKER. Mr. President, at the request of the Senator from Alaska (Mr. STEVENS), I ask unanimous consent that, at the next printing, the names of the Senator from Wyoming (Mr. MCGEE) and the Senator from Alaska (Mr. GRAVEL) be added as cosponsors to Senate Resolution 223, expressing the sense of the Senate of the United States with respect to establishment of at least one standard metropolitan statistical area in each State.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, August 13, 1969, he presented to the President of the United States the enrolled bill (S. 742) to amend the act of June 12, 1948 (62 Stat. 382), in order to provide for the construction, operation, and maintenance of the Kennewick division extension, Yakima project, Washington, and for other purposes.

AVIATION FACILITIES EXPANSION ACT OF 1969—AMENDMENTS

AMENDMENT NO. 138

Mr. BOGGS. Mr. President, today I am submitting an amendment to S. 2437, the Aviation Facilities Expansion Act of 1969 which is pending in the Senate Committee on Commerce. This amendment is to provide for the establishment of an Aviation Advisory Commission.

S. 2437, sponsored by the distinguished Senator from Washington (Mr. MAGNUSON), and the distinguished Senator from New Hampshire (Mr. COTTON), is very important for the future development of aviation facilities. I believe it deserves favorable consideration if we are going to see orderly expansion of an area that is growing so rapidly.

However, to simply find ways to finance this growth and provide the vehicle for development is not enough. Nor are the short-range plans for aviation currently designed by the Department of Transportation sufficient. This Nation needs a coordinated plan for airways and airports not just for 5 or 10 years. It needs to take a look far into the future and develop a blueprint that will cope with this rapid growth for many years. It needs a projection that will eliminate the crowded airports, that will eliminate unnecessary delays of aircraft on the ground, and that will establish traffic patterns that will aid traffic controllers in their vital job of guiding our planes and avoiding collisions. And, if we are going to plan for the future, we should know what kind of airports are necessary. Land is fast disappearing and if we are going to preserve suitable land to use for runways in 20 years, then we need to know now where this land is. We must establish guidelines for metropolitan areas to construct adequate facilities that will meet the needs of the future.

It is for this reason, Mr. President, that I offer this amendment.

This amendment is designed to remedy this collision course that we are now flying in our crowded skies and cramped terminals. We all know that this problem is reaching crisis proportions. The demand even today is considered by some too great for our existing facilities to handle.

This commission that I propose would develop the vitally needed guidelines for the future that are presently lacking. The commission, appointed by the President, would be composed of representatives from Government, industry, community agencies, and professional associations concerned with the aviation industry.

It would be responsible for coordinating the national airport system plan already provided for in the present bill. More important, its chief task would be to plan for the future of aviation for 20 years, if not longer, in a national air system plan. This plan would encompass all facets of aviation in an effort to develop the most comprehensive plan possible. The deadline for submission of this plan to the President and the Congress would be January 1, 1971. The date requires that the deadline for the national airport system plan referred to in the bill be changed from "2 years of the date of enactment of this act," to "prior to January 1, 1971." It is only because I regard this problem of crowded skies as critical that I recommend this date be changed.

The urgency of this situation can be realized by any air traveler today. This problem demands attention and demands it now. I think that S. 2437, if enacted,

will do much to improve the current situation. But I strongly think that a measure to provide for a long-range study of the problem must be incorporated in this bill.

Mr. President, I ask unanimous consent that the full text of the amendment be printed in the RECORD at this point.

The PRESIDING OFFICER. The amendment will be received and printed, and will be appropriately referred; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 138) was referred to the Committee on Commerce, as follows:

On page 10, lines 21 and 22, strike out "within two years of the date of enactment of this Act" and insert in lieu thereof "prior to January 1, 1971".

On page 10, line 24, after "The plan" insert "shall be prepared and revised with the advice of the Aviation Advisory Commission established pursuant to subsection (d) and".

On page 15, between lines 2 and 3 insert the following:

"AVIATION ADVISORY COMMISSION

"(d) (1) The President, with the advice of the Secretary, shall appoint an Aviation Advisory Commission consisting of members representing the Departments of Transportation, Defense, the Interior, and Housing and Urban Development, the Civil Aeronautics Board, the National Aeronautics and Space Administration, the Air Transport Association of America, the Aerospace Industries Association of America, Airport Operators Council International, the Association of American Railroads, the American Transit Association, the American Automobile Association, the American Trucking Association, the Aircraft Owners and Pilots Association, the Airline Pilots Association, several major metropolitan areas, and the fields of conservation and community development. The President shall also appoint a chairman for such commission with the necessary qualifications to lead such commission in effectively carrying out its functions.

"(2) Such commission shall—

"(A) advise the Secretary in the preparation and revision of the National Air System Plant pursuant to subsection (a);

"(B) prepare a Long Range National Air System Plan for at least the year 1980 or the foreseeable needs of the Nation thereafter giving consideration to airport location and size, surrounding land use, terminal arrangements, ground access, airspace use, air traffic control, airline route structure and administrative arrangements, aircraft design, environmental effects, effect on urban areas, and costs of carrying out the plan;

"(C) report an initial such plan to the President and the Congress prior to January 1, 1971, and make any necessary revisions in such plan thereafter and report such revisions to the President and the Congress; and

"(D) make such investigations and studies as are necessary to carry out its functions.

"(3) Members of such commission who are not regular full-time employees of the United States, shall, while serving on the business of the commission, be entitled to receive compensation at rates fixed by the Secretary of Transportation, but not exceeding $100 per day, including travel time; and, while so serving away from their homes or regular places of business, members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

"(4) The Secretary shall engage such technical assistance as may be required to carry out the functions of such commission, and the Secretary shall, in addition, make available to the commission such secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Transportation as the commission may require to carry out its functions.

"(5) In carrying out its functions pursuant to this subsection, such commission may utilize the services and facilities of any agency of the Federal Government, in accordance with agreements between the Secretary of Transportation and the head of such agency."

REFORM OF INCOME TAX LAWS—AMENDMENT

AMENDMENT NO. 139

Mr. METCALF. Mr. President, I was pleased to learn from reading the report of the House Ways and Means Committee that it considers the problem of tax-dodge farming one that should not be allowed to continue. Imagine my surprise when I learned from examining what has been hailed by some as a genuine tax reform bill that the tax-dodge farmer will still be able to use the full amount of his so-called farming losses to reduce the taxes he would otherwise have to pay on his nonfarm income.

Generally the House bill now pending in the Senate Finance Committee provides that individuals and corporations would be required to list in an excess deductions account only that portion of a farm loss in a given year that exceeds $25,000. However, an individual taxpayer would not have to add any amount to his excess deductions account unless his nonfarm adjusted gross income in that year exceeded $50,000.

Back in May of this year I mentioned that the EDA approach was one of the methods I considered when I first began to look into ways to remedy the tax-dodge farming situation. After a great deal of technical discussion with experts, I was convinced that the most effective way to get at this problem without hurting the legitimate farmer would be to take the loss limitation approach. Under this method, a dollar limit would be placed on the amount of artificially created farm losses that could be used as an offset against nonfarm income in any given year.

The problem with the EDA approach is that it allows the tax-dodge farmer unlimited current deductions of farm losses, while at the same time it allows him to defer any recognized capital gains until such time as the balance in his EDA account has been substantially diminished. This means that the possibility of recapturing previously loss tax dollars by converting what would otherwise be capital gain into ordinary income to the extent of any balance in an excess deductions account may look plausible in theory, but in practice it simply will not do the job.

You have only to look as far as the revenue estimates contained in the House bill to illustrate that the EDA approach provides an ineffectual solution to this problem. The revenue increases under the farm loss provisions of the bill are estimated at $5 million in 1971 and $20 million in 1979. Contrast this with the revenue estimated contained in the study conducted by the Treasury Department during the last 2 years of the Johnson administration. In that study, the Treasury Department estimated that its loss limitation proposal would raise $145 million annually from individuals. Since farm operations carried on by corporations usually are not separately reported on a corporate tax return, data concerning the number of corporations and revenue effect on them could not be estimated in the 2-year study. To summarize, the farm loss provisions contained in H.R. 13270 are admittedly at best only 13 percent as effective as the loss limitation approach would have been, since $20 million is only 13 percent of the $145 million revenue estimate contained in Treasury's 2-year study.

I want to make one thing very clear. The loss limitation approach would include the hobby loss farmer and would limit the current deduction of his farm losses. Some people are now under the mistaken impression that the House bill would discourage hobby farming to a greater extent than the bill which I introduced last January. This is not the case. Moreover, the contrasting revenue figures I have just discussed take into account not just the EDA approach contained in the House bill, but its provisions pertaining to hobby losses, depreciation recapture, and the increased holding period for livestock. In other words, when you add up the dollar figures on all of those provisions, it is admittedly only 13 percent as effective as the loss limitation approach.

Mr. President, the Senate Finance Committee will hold hearings on this subject sometime during the months of September and October. I want to place myself on record now as requesting an opportunity to be heard. To that end, I reintroduce my tax-dodge farming bill, S. 500, as an amendment to H.R. 13270. The bill introduced by me last January is cosponsored by 26 other Senators and our loss limitation approach has the overwhelming support of all those who are sincerely interested in the working farmers of our Nation. We hope that the time is now right for the House-passed bill to serve as a vehicle for meaningful tax reform in not only this but other area that have been crying for attention way too long.

The PRESIDING OFFICER. The amendment will be received and printed, and will be appropriately referred.

The amendment (No. 139) was referred to the Committee on Finance.

TAX REFORM—AMENDMENT

AMENDMENT NO. 140

Mr. KENNEDY. Mr. President, I submit for appropriate reference an amendment to H.R. 13270, the Tax Reform Act of 1969. The amendment would require that the Federal income tax on interest and dividends must be withheld at their source.

Last month, during the Senate debate on extending the income tax surcharge, I introduced an amendment proposing the addition of a number of tax reforms to the House-passed surcharge bill. The principal reforms I proposed were con-

cerned with tax relief for poor- and middle-income groups; a minimum income tax; the allocation of deductions; and the tax treatment of capital gains, the oil industry, interest on State and local bonds, real estate transactions, and farm losses. Significant reforms in each of these areas are included in the Tax Reform Act of 1969 recently passed by the House under the able leadership of the distinguished Chairman of the Committee on Ways and Means, and now pending before the Senate Finance Committee.

In the statement accompanying my tax reform amendment last month, I mentioned briefly an additional reform that I believe is desirable—a requirement that the Federal income tax on interest and dividends must be withheld at their source. The amendment I am introducing today is designed to accomplish this reform.

Our income tax laws now require the withholding of tax only on income from wages and salary. There is no comparable requirement applicable to income from interest and dividends. All that is required is that those who pay such income must file an information return disclosing the relevant data to the Department of the Treasury.

Yet, as many experts on the revenue laws have observed, if withholding is equitable for wage-earners and is not unreasonably burdensome for their employers, it should also be equitable for the recipients of dividends and interest, and should not be unreasonably burdensome for those who pay such income. My present amendment would eliminate this inconsistency in our tax laws by requiring the tax on interest and dividends to be withheld at their source.

The revenue gain from the amendment would be significant. Under present law, there appears to be substantial underreporting of income from interest and dividends. According to the best available data from the Treasury, a total of $4 billion of such income is not reported each year on tax returns, and the resulting revenue loss is about $1 billion.

The amendment I have submitted is strongly supported by the National Committee on Tax Justice, a citizens' organization formed under the chairmanship of Senator Paul Douglas to champion the cause of tax reform throughout the Nation. Indeed, in its initial statement on tax reform, the Douglas committee regarded withholding on interest and dividends as one of the five most important tax reforms that should be enacted, ranking along with reforms in the areas of capital gains, mineral depletion allowances, interest on State and local bonds, and relief for low- and middle-income families.

The amendment I have proposed is an updated version of similar provisions that passed the House of Representatives in 1962. Subsequently, however, the Senate voted to insert the information-reporting requirement, and that requirement was subsequently enacted into law as part of the Revenue Act of 1962.

The time is now ripe to go beyond the 1962 act and require the withholding of income tax on interest and dividends at their source. Such reforms would close a major loophole in our existing tax laws, and would establish more even-handed treatment between those who earn their income from wages and salaries, and those who derive their income from interest and dividends. I believe that this reform can be accomplished without imposing an excessive burden on corporations, banks, insurance companies, savings and loan associations, and others who would be required to withhold the taxes. Therefore, I look forward to the coming hearings and debates in the Senate as a fresh opportunity to develop and implement this important reform.

Mr. President, because of the interest of this proposal to many of us concerned with the cause of tax justice, I ask unanimous consent that the amendment be printed in the RECORD.

The PRESIDING OFFICER. The amendment will be received and printed, and will be appropriately referred; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 140) was referred to the Committee on Finance, as follows:

AMENDMENT NO. 140

At the end of the bill insert the following:

"TITLE IX—WITHHOLDING OF TAX ON INTEREST, DIVIDENDS, AND PATRONAGE DIVIDENDS

"SEC. 901. WITHHOLDING OF INCOME TAX AT SOURCE ON INTEREST, DIVIDENDS, AND PATRONAGE DIVIDENDS.

"(a) In General.—

"(1) Amendment of subtitle C.—Subtitle C (relating to employment taxes and collection of income tax at source) is amended by redesignating chapter 25 as chapter 26 and by inserting after chapter 24 the following new chapter:

" 'CHAPTER 25—COLLECTION OF INCOME TAX AT SOURCE ON INTEREST, DIVIDENDS, AND PATRONAGE DIVIDENDS

" 'SUBCHAPTER A. Interest.
" 'SUBCHAPTER B. Dividends.
" 'SUBCHAPTER C. Patronage dividends.
" 'SUBCHAPTER D. General provisions.

" 'Subchapter A—Interest

" 'Sec. 3541. Income tax collected at source on interest.

" 'Sec. 3452. Interest defined.

" 'SEC. 3451. INCOME TAX COLLECTED AT SOURCE ON INTEREST.

" '(a) REQUIREMENT OF WITHHOLDING.—Except as otherwise provided in this chapter, every person who pays interest shall deduct and withhold on such interest a tax equal to 20 percent of the amount thereof.

" '(b) PAYEE UNKNOWN.—If the withholding agent is unable to determine the person to whom the interest is payable, the tax under this section shall be deducted and withheld at the time payment of the interest would be made if such person were known.

" '(c) CROSS REFERENCES.—

" '(1) For credit, against income tax of the recipient of the income, of amounts deducted and withheld under this section, see section 40.

" '(2) For special rules as to credit or refund of such amounts, see sections 3484, 3485, 3486, 3487, and 3506.

" '(3) For exemption from requirement of deducting and withholding on certain interest paid to certain persons, see section 3483.

" 'SEC. 3452. INTEREST DEFINED.

" '(a) GENERAL RULE.—For purposes of this chapter, the term "interest" means—

" '(1) interest on evidences of indebtedness (including bonds, debentures, notes, and certificates) issued by a corporation with interest coupons or in registered form, and, to the extent provided in regulations prescribed by the Secretary or his delegate, interest on other evidences of indebtedness issued by a corporation of a type offered by corporations to the public;

" '(2) interest on deposits with persons carrying on the banking business;

" '(3) amounts (whether or not designated as interest) paid by a mutual savings bank, savings and loan association, building and loan association, cooperative bank, homestead association, credit union, or similar organization, in respect of deposits, investment certificates, or withdrawals or repurchasable shares;

" '(4) interest on amounts held by an insurance company under an agreement to pay interest thereon;

" '(5) interest on deposits with stockbrokers;

" '(6) interest on obligations of the United States; and

" '(7) in the case of a non-interest-bearing obligation of the United States—

" '(A) issued on a discount basis, and

" '(B) having a maturity date more than one year from the date of issue,

the amount by which the amount paid on surrender or redemption exceeds the issue price.

" '(b) EXCEPTIONS.—For purposes of this chapter, the term "interest" does not include—

" '(1) interest on obligations described in section 103(a) (1) or (3) (relating to interest on certain governmental obligations);

" '(2) any amount paid by—

" '(A) a foreign government or international organization,

" '(B) a foreign corporation not engaged in trade or business within the United States,

" '(C) a nonresident alien individual not engaged in trade or business within the United States, or

" '(D) a partnership not engaged in trade or business within the United States and composed in whole or in part of nonresident aliens;

" '(3) interest on deposits with persons carrying on the banking business paid to a person described in paragraph (2) (B), (C), or (D);

" '(4) any amount paid by one corporation to another corporation, if both corporations are members of the same affiliated group which filed a consolidated return for the preceding taxable year of the affiliated group;

" '(5) interest subject to withholding under subchapter A of chapter 3 (sec. 1441 and following, relating to withholding of tax on nonresident aliens and foreign corporations) by the person paying such interest, or which would be so subject to withholding by such person, but for the fact that it is not treated as income from sources within the United States;

" '(6) any amount on which the withholding agent is required to deduct and withhold a tax under section 1451 (relating to tax-free covenant bonds), or would be so required but for section 1451(d) (relating to benefit of personal exemptions);

" '(7) to the extent provided in regulations prescribed by the Secretary or his delegate, any amount payable with respect to deposits in school savings accounts; and

" '(8) any amount described in subsection (a)(2), (3), or (7) paid to a State or a foreign government or international organization (other than any amount described in subsection (a)(3) paid in respect of a transferable certificate or share).

" '(c) EXEMPTION FOR UNITED STATES.—The Secretary may authorize exemption from the tax imposed by section 3451 for any amount paid by the United States or any wholly owned agency or instrumentality thereof to the United States or any wholly owned agency or instrumenality thereof if the Sec-

retary determines that the imposition of the tax with respect to such amount will cause a burden or expense which can be avoided by granting the tax exemption.

"'Subchapter B—Dividends

"'Sec. 3461. Income tax collected at source on dividends.

"'Sec. 3462. Dividend defined.

"'SEC. 3461. INCOME TAX COLLECTED AT SOURCE ON DIVIDENDS.

"'(a) REQUIREMENT OF WITHHOLDING.—Except as otherwise provided in this chapter, every person who pays a dividend shall deduct and withhold on such dividend a tax equal to 20 percent of the amount thereof.

"'(b) PAYEE UNKNOWN.—If the withholdholding agent is unable to determine the person to whom the dividend is payable, the tax under this section shall be deducted and withheld at the time payment of the dividend would be made if such person were known.

"'(c) AMOUNT OF DIVIDEND UNKNOWN.—If the withholding agent is unable to determine the portion of a distribution which is a dividend, the tax under this section shall be computed on the entire amount of the distribution.

"'(d) CROSS REFERENCES.—

"'(1) For credit, against income tax of the recipient of the income, of amounts deducted and withheld under this section, see section 40.

"'(2) For special rules as to credit or refund of such amounts, see sections 3484, 3485, 3486, 3487, and 3506.

"'(3) For exemption from requirement of deducting and withholding on dividends paid to certain individuals, see section 3483.

"'SEC. 3462. DIVIDEND DEFINED.

"'(a) GENERAL RULE.—For purposes of this chapter, the term "dividend" means—

"'(1) any distribution by a corporation which is a dividend (as defined in section 316); and

"'(2) any payment made by a stockbroker to any person as a substitute for a dividend (as so defined).

"'(b) EXCEPTIONS.—For purposes of this chapter, the term 'dividend' does not include—

"'(1) any amount paid in the stock, or rights to acquire the stock, of the distributing corporation if the distribution is not includible in gross income of the recipient under the provisions of section 305 (relating to distributions of stock and stock rights);

"'(2) any distribution to the extent that, under chapter 1—

"'(A) the amount thereof is treated by the recipient as an amount received on the sale or exchange of property, or

"'(B) gain or loss to the recipient is not recognized;

"'(3) any amount which is includible in gross income as a taxable dividend by reason of the provisions of section 302 (relating to redemptions of stock), 306 (relating to dispositions of certain stock), 356 (relating to receipt of additional consideration in connection with certain reorganizations), or 1081(e)(2) (relating to certain distributions pursuant to order of the Securities and Exchange Commission);

"'(4) any amount paid by one corporation to another corporation, if both corporations are members of the same affiliated group which filed a consolidated return for the preceding taxable year of the affiliated group;

"'(5) an amount which—

"'(A) is subject to withholding under subchapter A of chapter 3 (sec. 1441 and following, relating to withholding of tax on nonresident aliens and foreign corporations) by the person paying such amount, or

"'(B) would be subject to withholding under such subchapter A by the person paying such amount but for—

"'(i) the fact that it is attributable to income from sources outside the United States, or

"'(ii) the fact that the payor thereof is excepted from the application of section 1441(a) by the provisions of section 1441(c);

"'(6) any amount paid by a foreign corporation not engaged in trade or business within the United States;

"'(7) any amount described in section 1373 (relating to undistributed taxable income of electing small business corporations); and

"'(8) amounts paid pursuant to the terms of a lease entered into before January 1, 1954, if under such lease the shareholders of the lessor corporation are entitled to such amounts without deduction for any tax which any law of the United States might require to be deducted and withheld on the payment of dividends.

"'Subchapter C—Patronage Dividends

"'Sec. 3471. Income tax collected at source on patronage dividends.

"'Sec. 3472. Amounts subject to withholding.

"'SEC. 3471. INCOME TAX COLLECTED AT SOURCE ON PATRONAGE DIVIDENDS.

"'(a) REQUIREMENT OF WITHHOLDING.—Except as otherwise provided in this chapter, every cooperative to which part I of subchapter T of chapter 1 applies which pays an amount described in section 3472 shall deduct and withhold on such amount a tax equal to 20 percent of such amount.

"'(b) PAYEE UNKNOWN.—If the withholding agent is unable to determine the person to whom the amount is payable, the tax under this section shall be deducted and withheld at the time payment of the amount would be made if such person were known.

"'(c) CROSS REFERENCES.—

"'(1) For credit, against income tax of the recipient of the income, of amounts deducted and withheld under this section, see section 40.

"'(2) For special rules as to credit or refund of such amounts, see section 3484, 3485, 3486, 3487, and 3506.

"'(3) For exemption from requirement of deducting and withholding on amounts paid to certain individuals, see section 3483.

"'SEC. 3472. AMOUNTS SUBJECT TO WITHHOLDING.

"'(a) GENERAL RULE.—Except as otherwise provided in this section or section 3483, the amounts subject to deduction and withholding under section 3471 are—

"'(1) the amount of any patronage dividend (as defined in section 1388(a)) which is paid in money, qualified written notices of allocation (as defined in section 1388(c)), or other property (except nonqualified written notices of allocation as defined in section 1388(d)), and

"'(2) any amount, described in section 1382(c)(2)(A) (relating to certain nonpatronage distributions), which is paid in money, qualified written notices of allocation, or other property (except nonqualified written notices of allocation) by an organization exempt from tax under section 521 (relating to exemption of farmers' cooperatives from tax).

"'(b) EXCEPTIONS.—The provisions of section 3471 shall not apply to—

"'(1) any amount paid by one corporation to another corporation, if both corporations are members of the same affiliated group which filed a consolidated return for the preceding taxable year of the affiliated group;

"'(2) an amount which—

"'(A) is subject to withholding under subchapter A of chapter 3 (sec. 1441 and following, relating to withholding of tax on nonresident aliens and foreign corporations) by the person paying such amount, or

"'(B) would be subject to withholding under such subchapter A by the person paying such amount but for the fact that it is attributable to income from sources outside the United States; and

"'(3) any amount paid by a foreign corporation not engaged in trade or business within the United States.

"'(c) EXEMPTION FOR CERTAIN CONSUMER COOPERATIVES.—A cooperative which the Secretary or his delegate determines is primarily engaged in selling at retail goods or services of a type that are generally for personal, living, or family use shall, upon application to the Secretary or his delegate, be granted exemption from the tax imposed by section 3471. Application for exemption under this subsection shall be made in accordance with regulations prescribed by the Secretary or his delegate.

"'(d) DETERMINATION OF AMOUNT PAID.—For purposes of this subchapter, in determining amounts paid—

"'(1) property (other than a written notice of allocation) shall be taken into account at its fair market value, and

"'(2) a qualified written notice of allocation shall be taken into account at its stated dollar amount.

"'Subchapter D—General Provisions

"'Sec. 3481. Liability for return and payment of withheld tax.

"'Sec. 3482. Return and payment by United States.

"'Sec. 3483. Exemption certificates.

"'Sec. 3484. Refund of tax to individuals.

"'Sec. 3485. Refund of tax to States, tax-exempt organizations, etc.

"'Sec. 3486. Refund of tax to corporation.

"'Sec. 3487. Credit for tax withheld on corporation.

"'Sec. 3488. Obligation sold between interest-payment dates.

"'Sec. 3489. Presumption.

"'Sec. 3490. Definitions.

"'SEC. 3481. LIABILITY FOR RETURN AND PAYMENT OF WITHHELD TAX.

"'(a) GENERAL RULE.—Every person required to deduct and withhold any tax under this chapter shall, on or before the last day of the first month following the close of each quarter of his taxable year, make a return of the tax required to be deducted and withheld during such quarter and pay the tax to the officer designated in section 6151. The withholding agent shall be liable for the payment of the taxes required to be deducted and withheld under this chapter, and shall not otherwise be liable to any person for the amount of any such payment.

"'(b) TAX PAID BY RECIPIENT.—If the withholding agent, in violation of the provisions of this chapter, fails to deduct and withhold any tax under this chapter, and thereafter the tax against which such tax may be credited is paid, the tax so required to be deducted and withheld shall not be collected from the withholding agent; but this subsection shall in no case relieve the withholding agent from liability for any penalties or additions to the tax otherwise applicable in respect of such failure to deduct and withhold.

"'(c) CROSS REFERENCE.—

"'For limitation on the use of Government depositaries in the collection of taxes deducted and withheld under this chapter, see the last sentence of section 6302(c).

"'SEC. 3482. RETURN AND PAYMENT BY UNITED STATES.

"'If the withholding agent is the United States the return of the tax deducted and withheld under this chapter may be made by an officer or employee of the United States having control of the payment of the amount subject to withholding, or appropriately designated for that purpose.

"'SEC. 3483. EXEMPTION CERTIFICATES.

"'(a) GENERAL RULES.—

"'(1) INDIVIDUALS UNDER AGE 18.—Any individual may file with any withholding agent an exemption certificate on which he

certifies the date of his birth. If such a certificate is filed, all amounts payable by such withholding agent to such individual, on and after the effective date for such certificate and before the beginning of the calendar year during which the certificate indicates that he will attain age 18, shall be exempt from the requirement of deducting and withholding under this chapter.

"'(2) INDIVIDUALS OVER AGE 17.—Any individual may file with any withholding agent an exemption certificate on which he certifies—

"'(A) that he will have attained age 18 before the close of the calendar year for which such certificate is filed, and

"'(B) that he reasonably believes that he will not (after the application of the credits against tax provided by part IV of subchapter A of chapter 1, other than the credits under sections 31, 39, and 40) be liable for the payment of any tax under chapter 1 for each of his taxable years any portion of which is included in the period for which such certificate will be in effect.

If such a certificate is filed, all amounts payable by such withholding agent to such individual during the period such certificate is in effect shall be exempt from the requirement of deducting and withholding under this chapter. Except as may otherwise be provided in regulations prescribed by the Secretary or his delegate, an exemption certificate filed by an individual described in this paragraph shall remain in effect only for the period beginning on the effective date of such certificate and ending at the close of the calendar year in which such period begins.

"'(3) TAX-EXEMPT ORGANIZATIONS.—

"'(A) Any organization (other than a cooperative described in section 521) which is exempt from the tax imposed by chapter 1 may file with any withholding agent who pays amounts described in section 3452(a)(2), (3), or (7) an exemption certificate on which it certifies that it is such an organization. If such a certificate is filed, all amounts described in section 3452(a)(2), (3), and (7) payable by such withholding agent to such organization on and after the effective date for such certificate shall (except as provided in subparagraph (B)) be exempt from the requirement of deducting and withholding under this chapter.

"'(B) An exemption certificate filed by an organization under subparagraph (A) shall cease to be effective on the thirtieth day after the day on which the withholding agent, with whom such certificate was filed, is notified by either the organization or the Secretary or his delegate that the organization is no longer exempt from the tax imposed by chapter 1. If an organization ceases to be exempt from such tax, it shall, within the time specified in regulations prescribed by the Secretary or his delegate, so notify each withholding agent with whom it has an exemption certificate in effect.

"'(b) EXCEPTIONS AND SPECIAL RULES.—

"'(1) CERTAIN EXCEPTIONS.—This section shall not apply to any amount—

"'(A) described in section 3452(a)(1) (relating to interest on evidences of indebtedness),

"'(B) described in section 3452(a)(3) paid in respect of a transferable certificate or share, or

"'(C) described in section 3452(a)(6) (relating to interest on obligations of the United States).

"'(2) SERIES E BONDS, ETC.—In the case of transactions involving the redemption of one or more obligations described in section 3452(a)(7) (relating to certain obligations of the United States issued on a discount basis), a separate certificate shall be filed with respect to each such transaction.

"'(3) NOMINEES, CUSTODIANS, AND JOINT OWNERSHIPS.—Under regulations prescribed by the Secretary or his delegate, the exemption provided by subsection (a) may be extended, in a manner consistent with the other provisions of this section, to—

"'(A) amounts (other than amounts described in section 3462(a), relating to dividends) paid through nominees;

"'(B) amounts paid to custodians; and

"'(C) amounts paid jointly to 2 or more individuals.

"'(4) EFFECTIVE DATE OF CERTIFICATE.—Any exemption certificate under this section shall take effect on such day as is specified in accordance with regulations prescribed by the Secretary or his delegate.

"'(5) FORM AND CONTENTS OF CERTIFICATE AND NOTICE.—Any exemption certificate under this section, and any notice under subsection (a)(3)(B), shall be in such form and contain such information as the Secretary or his delegate may by regulations prescribe.

"'(c) CROSS REFERENCE.—

"'For penalty for filing fraudulent certificate, or for failing to provide notice, under this section, see section 7205.

"'SEC. 3484. REFUND OF TAX TO INDIVIDUALS.

"'(a) GENERAL RULE.—Except as provided in subsection (e), the tax deducted and withheld under this chapter with respect to amounts received by an individual during any quarter (other than the fourth quarter) of his taxable year (together with any tax so deducted and withheld on amounts which were received by him during any prior quarter of such year and with respect to which no allowable claim for refund has been filed under this section) shall, to the extent such tax does not exceed his refund allowance as of the time the claim for refund is filed, be promptly refunded to him as an overpayment of tax. A refund of tax shall be made under this section only if the amount claimed and allowable equals or exceeds $10.

"'(b) REFUND ALLOWANCE.—For purposes of this section, the refund allowance of an individual as of the time the claim for refund is filed is an amount equal to the excess, if any, of—

"'(1) an amount equal to 22 percent of—

"'(A) the total of the deductions which, on the basis of facts existing at the time the claim for refund is filed, such individual would be allowed for the taxable year under section 151 (relating to deductions for personal exemptions), plus

"'(B) in the case of an individual who, at the time the claim for refund is filed, reasonably expects that he will be allowed a credit under section 37 (relating to retirement income) for the taxable year, the amount which, at such time, such individual reasonably expects to be the amount of his retirement income (as defined in section 37(c) and as limited by section 37(d)) for the taxable year, less

"'(C) the amounts (other than amounts on which tax is required to be deducted and withheld under this chapter) which, at the time the claim for refund is filed, such individual reasonably expects to be includible in his gross income for the taxable year; over

"'(2) the amounts of tax with respect to which an allowable claim for refund has been previously filed under this section during the taxable year.

For purposes of paragraph (1)(C), an individual who files more than one claim for refund under this section for any taxable year may use the estimate for the proceeding claim for such year unless, at the time he files the claim, he reasonably expects the amounts referred to in paragraph (1)(C) to exceed such prior estimate by more than $100.

"'(c) MARRIED INDIVIDUALS.—For purposes of subsections (a), (b), and (d), married individuals shall be treated as an individual if, at the time the claim for refund is filed, they reasonably expect that they will file a joint return for the taxable year in which such claim is filed.

"'(d) TIME FOR FILING CLAIM.—Not more than one claim may be filed under this section by any individual during any quarter of his taxable year. A refund of tax deducted and withheld on amounts received during a taxable year shall be made under this section only if claim therefor is filed on or before the last day of such taxable year.

"'(e) INDIVIDUALS NOT ELIGIBLE FOR REFUND.—No claim for refund may be filed under this section by—

"'(1) any individual (other than an individual referred to in paragraph (2) or (3)) unless, at the time the claim for refund is filed, he reasonably expects that his gross income for the taxable year will not exceed $5,000;

"'(2) any married individual unless, at the time the claim for refund is filed, he reasonably expects that the aggregate gross income of such individual and his spouse for the taxable year will not exceed $10,000;

"'(3) an intermediate tax rate individual (as defined in secteion 1(b)(2)) or a surviving spouse (as defined in section 2(b)) unless, at the time the claim for refund is filed, he reasonably expects that his gross income for the taxable year will not exceed $10,000; or

"'(4) any child, unless, at the time the claim for refund is filed, he reasonably expects that no reduction would be allowed for him under section 151(e)(1)(B) for the taxable year of his parent (or parents) beginning with or within the calendar year in which the claim for refund is filed.

"'(f) CROSS REFERENCE.—

"'For credit or refund of amounts not refunded under this section, see section 40.

"'SEC. 3485. REFUND OF TAX TO STATES, TAX-EXEMPT ORGANIZATIONS, ETC.

"'(a) GENERAL RULE.—In the case of a person which is—

"'(1) the United States or a State,

"'(2) an organization (other than a cooperative described in section 521) which is exempt from the tax imposed by chapter 1,

"'(3) a foreign government or international organization, or

"'(4) a foreign central bank of issue,

if the tax deducted and withheld under this chapter with respect to amounts received by such person during any calendar quarter exceeds the credit, if any, claimed by and allowable to such person under section 3506 (relating to credit against employment taxes) for such quarter, the excess (together with any such excess for any prior quarter of the same calendar year with respect to which no refund has been claimed and allowed under this section) shall be promptly refunded or credited to such person as an overpayment of tax. In the case of a person to which paragraph (4) applies, the amount which may be refunded or credited under this section shall not exceed the amount of tax deducted and withheld under section 3451 on interest paid on obligations of the United States which are not held for, or used in connection with, the conduct of commercial banking functions or other commercial activities.

"'(b) CROSS REFERENCES.—

"'(1) For period of limitation for filing claim under this section, see section 6511.

"'(2) For presumed date of payment of purposes of (A) period of limitation, see 6513(b), and (B) allowance of interest on overpayments, see section 6611(d).

"'SEC. 3486. REFUND OF TAX TO CORPORATION.

"'(a) GENERAL RULE.—If the tax deducted and withheld under this chapter with respect to amounts received by a corporation (other than a corporation described in section 3485(a)) during any quarter (other than the fourth quarter) of its taxable year exceeds

the amount claimed by and allowable to such corporation under section 3487 as a credit against its liability for tax under this chapter for such quarter, the excess (together with any such excess for any prior quarter of the same year with respect to which no refund has been claimed and allowed under this section) shall be promptly refunded or credited to such corporation as an overpayment of tax. A refund of tax shall be made under this section only if claim therefor is filed after the close of the period covered by the claim and on or before the last day of the taxable year.

"'(b) CROSS REFERENCE.—

"'For credit or refund of amounts not refunded under this section, see section 40.

"'SEC. 3487. CREDIT FOR TAX WITHHELD ON CORPORATION.

"'(a) GENERAL RULE.—Any tax deducted and withheld under this chapter with respect to amounts received by a corporation (other than a corporation described in section 3485 (a)) during a taxable year shall, to the extent not claimed and allowable as a credit or refund to the corporation under section 3486, be allowed, under regulations prescribed by the Secretary or his delegate, as a credit against (but not in excess of) the tax for which such corporation is liable under this chapter in respect of amounts paid by it during such year.

"'(b) DIVIDENDS AND PATRONAGE DIVIDENDS PAID DURING TAXABLE YEAR.—For purposes of determining the credit allowable to any corporation under subsection (a), a dividend, or amount subject to withholding under section 3471, paid by it may be considered as having been paid during the taxable year—

"'(1) in the case of a personal holding company, if treated as paid during such taxable year under section 563(b),

"'(2) in the case of a regulated investment company, if treated as paid during such taxable year under section 855(a),

"'(3) in the case of a real estate investment trust, if treated as paid during such taxable year under section 858(a), or

"'(4) in the case of a cooperative described in section 1381(a), if paid during the payment period (as defined in section 1382(d)) for such taxable year.

"'(c) SPECIAL RULE FOR CORPORATIONS WHICH ARE MEMBERS OF AN AFFILIATED GROUP.—To the extent and subject to such conditions as may be provided in regulations prescribed by the Secretary or his delegate, the tax deducted and withheld under this chapter with respect to amounts received by a corporation which is a member of an affiliated group which filed a consolidated return for the preceding taxable year of the affiliated group may, for purposes of this section, be treated as tax deducted and withheld under this chapter from any corporation which is a member of the same affiliated group.

"'SEC. 3488. OBLIGATION SOLD BETWEEN INTEREST-PAYMENT DATES.

"'For purposes of any credit or refund provided in section 3484, 3485, 3486, or 3487, in the case of an obligation which is sold or exchanged between interest-payment dates the amount required to be deducted and withheld on the interest at the end of the interest-payment period shall be treated in the manner provided in section 40(c).

"SEC. 3489. PRESUMPTION.

"'For purposes of establishing that any person is entitled to a credit or refund of any tax required to be deducted and withheld under this chapter with respect to amounts received by such person, the correct amount of such tax shall, in the absence of evidence to the contrary, be presumed to have been so deducted and withheld.

"'SEC. 3490. DEFINITIONS.

"'For purposes of this chapter—

"'(1) PERSON.—The term "person" includes the United States, a State, a foreign government, and an international organization.

"'(2) STATE.—The term "State" includes a State, the District of Columbia, a possession of the United States, any political subdivision of any of the foregoing, and any wholly owned agency or instrumentality of any one or more of the foregoing.

"'(3) FOREIGN GOVERNMENT.—The term "foreign government" includes a foreign government, a political subdivision of a foreign government, and any wholly owned agency or instrumentality of any one or more of the foregoing.

"'(4) NONRESIDENT ALIEN.—The term "nonresident alien individual" includes an alien resident of Puerto Rico.'

"(2) CLERICAL AMENDMENTS, ETC.—

"(A) The heading for subtitle C is amended to read as follows:

"*'Subtitle C—Employment Taxes and Collection of Income Tax at Source'*

"(B) The table of chapters for subtitle C is amended by striking out the last item and inserting in lieu thereof the following:

"'CHAPTER 25. Collection of income tax at source on interest, dividends, and patronage dividends.

"'CHAPTER 26. General provisions relating to employment taxes and collection of income taxes at source.'

"(C) The table of subtitles under the heading 'Internal Revenue Titles at the beginning of the Internal Revenue Code of 1954 is amended by striking out the third item and inserting in lieu thereof the following.

"'SUBTITLE C. Employment taxes and collection of income tax at source.'

"(D) The heading for chapter 26 (as redesignated by paragraph (1) of this subsection) is amended to read as follows:

"'CHAPTER 26—GENERAL PROVISIONS RELATING TO EMPLOYMENT TAXES AND COLLECTION OF INCOME TAXES AT SOURCE'

"(b) CREDITS AGAINST INCOME TAX FOR TAX WITHHELD.—

"(1) Allowance of credit.—Subpart A of part IV of subchapter A chapter 1 (relating to credits allowable) is amended by renumbering section 40 as 41, and by inserting after section 39 the following new section:

"'SEC. 40. TAX WITHHELD ON INTEREST, DIVIDENDS AND PATRONAGE DIVIDENDS.

"'(a) GENERAL RULE.—Under regulations prescribed by the Secretary or his delegate, the tax deducted and withheld under chapter 25 (relating to withholding at source on interest, dividends, and patronage dividends) shall be allowed, to the recipient of the amount with respect to which such tax was deducted and withheld, as a credit against the tax imposed by this subtitle for the taxable year in which such amount is received.

"'(b) SPECIAL RULE FOR DEPENDENT CHILDREN.—If—

"'(1) the taxpayer for his taxable year is entitled to a deduction under section 151(e)(1)(B) with respect to a child, and

"'(2) such child had, for the calendar year ending with or within the taxpayer's taxable year—

"'(A) gross income of less than $600, and

"'(B) no wages (as defined in section 3401 (a)) with respect to which withholding was required under chapter 24,

then, under regulations prescribed by the Secretary or his delegate, the taxpayer shall be entitled to the credit provided by subsection (a) with respect to amounts received by such child during such calendar year, but only if such child has not filed any claim for credit or refund of any portion of the tax deducted and withheld with respect to such amounts.

"'(c) APPORTIONMENT OF CREDIT.—For purposes of subsection (a), if an obligation is sold or exchanged between interest-payment dates—

"'(1) so much of the amount required to be deducted and withheld on the interest at the end of the interest-payment period as is properly allocable to that part of such period which ends on the date of the sale or exchange shall be treated as an amount deducted and withheld from the transferor on the date of the sale or exchange, and

"'(2) so much of such amount as is properly allocable to that part of such period which begins on the day after the date of the sale or exchange shall be treated as an amount deducted and withheld from the transferee.

"'(d) LIMITATIONS.—The credit provided by subsection (a) shall not be allowed—

"'(1) REFUND TO INDIVIDUALS.—To any individual with respect to any amount of tax allowed him as a refund under section 3484.

"'(2) CREDIT OR REFUND TO STATES, ETC.—To any person with respect to any amount of tax allowable to such person as a credit or refund under section 3485 or as a credit under section 3506.

"'(3) CREDIT OR REFUND TO CORPORATIONS.—To any person with respect to any amount of tax allowed such person as a credit or refund under section 3486 or as a credit under section 3487.

"'(4) CERTAIN DEPENDENT CHILDREN.—To any person with respect to any amount of tax which has been claimed and is allowable as a credit to such person's parent by reason of the provisions of subsection (b).

"'(5) NOMINEES, ETC.—To any person with respect to any amount of tax allowed such person as a credit under section 1444(b).'

"(2) COMMON TRUST FUNDS.—Section 584 (c) (relating to the income of participants in the fund) is amended by adding at the end thereof the following new paragraph:

"'(3) TAX WITHHELD AT SOURCE ON INTEREST, DIVIDENDS, AND PATRONAGE DIVIDENDS.—In any case where tax under chapter 25 is deducted and withheld on any amounts received by a common trust fund, for purposes of any credit or refund provided in section 40 or 3506, or chapter 25, such tax shall, in accordance with regulations prescribed by the Secretary or his delegate, be considered as having been deducted and withheld proportionately from each participant.'

"(3) ESTATES AND TRUSTS.—Section 642(a) (relating to special rules for credits and deductions in the case of estates and trusts) is amended by adding at the end thereof the following new paragraph:

"'(3) TAX WITHHELD AT SOURCE ON INTEREST, DIVIDENDS, AND PATRONAGE DIVIDENDS.—In any case where tax under chapter 25 is deducted and withheld on any amounts received by an estate or trust, for purposes of any credit or refund provided in section 40 or 3506, or chapter 25, such tax shall, in accordance with regulations prescribed by the Secretary or his delegate, be considered as having been deducted and withheld from each beneficiary in an amount which, when added to the amounts paid, credited, or required to be distributed to him, equals the amounts which would have been paid, credited, or required to be distributed to him in the absence of chapter 25. Any tax under chapter 25 which is deducted and withheld on amounts received by the estate or trust shall be considered as withheld from such estate or trust to the extent it is not considered as withheld from a beneficiary under the provisions of the preceding sentence.'

"(4) TECHNICAL AMENDMENTS.—

"(A) Section 275(a)(1) (relating to deduction denied in the case of certain taxes) is amended by—

"(i) striking out the word "and" at the end of subparagraph (B);

"(ii) striking out the comma at the end of subparagraph (C) and inserting "; and"; and

"(iii) adding after subparagraph (C) the following new subparagraph:

"'(D) the tax withheld at source under chapter 25 (relating to collection of income tax at source on interest, dividends, and patronage dividends),'.

"(B) Section 874(a) (relating to allowance of deductions and credits to nonresident alien individuals) is amended by striking '31 and 32' and inserting in lieu thereof '31, 32, and 40'.

"(C) Section 1314(e) (relating to inapplicability of part II of subchapter Q of chapter 1 of subtitle A to taxes imposed by subtitle C) is amended by striking 'employment taxes' and inserting in lieu thereof 'employment taxes and collection of income tax at source'.

"(D) Section 6211(b)(1) (reltaing to rules applicable in determination of deficiency) is amended by striking '31' and inserting in lieu thereof '31 or 40'.

"(E) The table of sections for part IV of subchapter A of chapter 1 is amended by striking out

"'Sec. 40. Overpayments of tax.'

and inserting in lieu thereof

"'Sec. 40. Tax withheld on interest, dividends, and patronage dividends.

"'Sec. 41. Overpayments of tax.'

"(c) INTEREST AND DIVIDENDS PAID TO NONRESIDENT ALIENS, ETC.—

"(1) WITHHOLDING RATE.—

"(A) Section 1441 (relating to withholding of tax on nonresident aliens) is amended by adding at the end thereof the following new subsection:

"'(f) TREATIES.—In the case of amounts described in section 3452(a) (relating to interest), section 3462(a) (relating to dividends), and section 3472(a) (relating to patronage dividends), the tax required to be deducted and withheld under subsection (a) shall not by reason of the provisions of any treaty be less than 20 percent of such amounts.'

"(B) Section 1442(a) (relating to withholding of tax on foreign corporations) is amended by adding at the end thereof the following new sentence: 'In the case of amounts described in section 3452(a) (relating to interest), section 3462(a) (relating to dividends), and section 3472(a) (relating to patronage dividends), the tax required to be deducted and withheld under this subsection shall not by reason of the provisions of any treaty be less than 20 percent of such amounts.'

"(2) NOMINEES, ETC.—Subchapter A of chapter 3 (relating to withholding of tax on nonresident aliens and foreign corporations) is amended by adding at the end thereof the following new section:

"'SEC. 1444. INTEREST AND DIVIDENDS PAID TO NOMINEES; CREDITS TO WITHHOLDING AGENTS.

"'(a) WITHHOLDING OF TAX BY PAYOR.—Under regulations prescribed by the Secretary or his delegate, every person who pays amounts subject to withholding under chapter 25 and who has been notified by a payee thereof that the payee is a nominee required to deduct and withhold on such amounts under section 1441 or 1442 shall, in lieu of the nominee, deduct and withhold from such amounts paid to the nominee the tax required to be deducted and withheld under section 1441 or 1442, in the same manner as if such amounts were paid by such person directly to the beneficial owner thereof.

"'(b) CREDITS TO WITHHOLDING AGENTS.—In the case of any person who is required to deduct and withhold tax under section 1441 or 1442 in respect of amounts received by him during any calendar year on which tax was deducted and withheld (or, in the case of amounts described in section 40(c)(1), was treated as deducted and withheld) under chapter 25, the taxes so deducted and withheld (or treated as deducted and withheld) under chapter 25 shall, under regulations prescribed by the Secretary or his delegate, be allowed as a credit against (but not in excess of) his liability for the year in respect of the taxes imposed by sections 1441 and 1442.'

"(3) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 3 is amended by adding at the end thereof the following:

"'Sec. 1444. Interest and dividends paid to nominees; credits to withholding agents.'

"(d) CREDIT FOR STATES AND TAX-EXEMPT ORGANIZATIONS.—

"(1) ALLOWANCE OF CREDIT.—Chapter 26 (general provisions relating to employment taxes and income tax withheld at source) is amended by adding at the end thereof the following new section:

"'SEC. 3506. SPECIAL CREDIT IN CASE OF STATES OR TAX-EXEMPT ORGANIZATIONS.

"'(a) GENERAL RULE.—In the case of a person which is a State (as defined in section 3490(2)) or which is an organization (other than a cooperative described in section 521) which is exempt from the tax imposed by chapter 1, the tax deducted and withheld under chapter 25 with respect to amounts received by it during any calendar quarter shall be allowed, under regulations prescribed by the Secretary or his delegate, as a credit against (but not in excess of) such person's liability (after the adjustments, if any, provided for in sections 6205(a) and 6413(a)) for such quarter in respect of the taxes imposed by chapter 21 (Federal Insurance Contributions Act) and by chapter 24 (collection of income tax at source on wages). Such credit shall be allowed only if claim therefor is made, in accordance with such regulations, at the time of the filing of the return with respect to the taxes under chapter 21 and chapter 24 for such quarter.

"'(b) OBLIGATIONS SOLD BETWEEN INTEREST-PAYMENT DATES.—For purposes of this section, in the case of an obligation which is sold or exchanged between interest-payment dates, the amount required to be deducted and withheld on the interest at the end of the interest-payment period shall be treated in the manner provided in section 40(c).

"'(c) CROSS REFERENCE.—

"'For refund under chapter 25, see section 3485.'

"(2) TECHNICAL AMENDMENTS.—

"(A) Section 3502 (relating to nondeductibility of taxes in computing taxable income) is amended by adding at the end thereof the following new subsection:

"'(c) The tax deducted and withheld under chapter 25 shall not be allowed as a deduction in computing taxable income under subtitle A either to the person deducting and withholding the tax or to the recipient of the amounts subject to withholding.'

"(B) The table of sections for chapter 26 is amended by adding at the end thereof the following:

"'Sec. 3506. Special credit in case of States or tax-exempt organizations.'

"(e) OTHER TECHNICAL AMENDMENTS.—

"(1) DECLARATION OF ESTIMATED INCOME TAX BY INDIVIDUALS.—Section 6015(a) (relating to declaration of estimated income tax by individuals) is amended by striking out the period at the end of paragraph (2) and inserting in lieu thereof 'and amounts on which tax is required to be deducted and withheld under chapter 25.'

"(2) ADJUSTMENT OF TAX; UNDERPAYMENT.—

"(A) Subsection (a)(1) of section 6205 (relating to special rules relating to assessment of employment taxes) is amended by striking out 'or 3402 is paid with respect to any payment of wages or compensation,' and inserting in lieu thereof '3402, 3451, 3461 or 3471 is paid with respect to any payment of remuneration, interest, dividends, or other amounts.'

"(B) Subsection (b) of such section is amended by striking out 'or 3402 is paid or deducted with respect to any payment of wages or compensation' and inserting in lieu thereof '3402, 3451, 3461, or 3471 is paid or deducted with respect to any payment of remuneration, interest, dividends, or other amounts'.

"(C) The heading for such section is amended to read as follows:

"'SEC. 6205. SPECIAL RULES APPLICABLE TO CERTAIN TAXES UNDER SUBTITLE C.'

"(D) The table of sections for subchapter A of chapter 63 is amended by striking out

"'Sec. 6205. Special rules applicable to certain employment taxes.'

and inserting in lieu thereof

"'Sec. 6205. Special rules applicable to certain taxes under subtitle C.'

"(3) USE OF GOVERNMENT DEPOSITARIES.—Section 6302(c) (relating to use of Government depositaries) is amended by adding at the end thereof the following new sentence: 'The Secretary or his delegate shall not require the deposit under this subsection of any tax deducted and withheld under chapter 25 (relating to collection of income tax at source on interest, dividends, and patronage dividends) in a Government depositary before the last day prescribed in section 3481 for payment of the tax.'

"(4) EXCESSIVE WITHHOLDING.—Section 6401(b) (relating to excessive withholding) is amended to read as follows:

"'(b) Excessive Credits Under Sections 31, 39, and 40.—If the amount allowable as credits under sections 31 (relating to tax withheld on wages), 39 (relating to certain uses of gasoline and lubricating oil), and 40 (relating to credit for tax withheld on interest, dividends, and patronage dividends) exceeds the tax imposed by subtitle A (reduced by the credits allowable under subpart A of part IV of subchapter A of chapter 1, other than the credits allowable under sections 31, 39, and 40), the amount of such excess shall be considered an overpayment.'

"(5) ADJUSTMENT OF TAX; OVERPAYMENT.—

"(A) Subsection (a)(1) of section 6413 (relating to special credit and refund rules applicable to certain employment taxes) is amended by striking out 'or 3402 is paid with respect to any payment of remuneration,' and inserting in lieu thereof '3402, 3451, 3461, or 3471 is paid with respect to any payment of remuneration, interest, dividends, or other amounts,'.

"(B) Subsection (b) of such section is amended—

"(i) By striking from the heading of such subsection the words 'OF CERTAIN EMPLOYMENT TAXES'; and

"(ii) By striking out 'or 3402 is paid or deducted with respect to any payment of remuneration' and inserting in lieu thereof '3402, 3451, 3461, or 3471 is paid or deducted with respect to any payment of remuneration, interest, dividends, or other amounts'.

"(C) The following new subsection is added at the end of such section:

"'(e) CROSS REFERENCES.—

"'For special refunds or credits of tax withheld on interest, dividends, or patronage dividends under chapter 25, see sections 3484, 3485, 3486, 3487, and 3506.'

"(D) The heading for such section is amended to read as follows:

"'SEC. 6413. SPECIAL RULES APPLICABLE TO CERTAIN TAXES UNDER SUBTITLE C.'

"(E) The table of sections for subchapter B of chapter 65 is amended by striking out

"'Sec. 6413. Special rules applicable to certain employment taxes.'

and inserting in lieu thereof

"'Sec. 6413. Special rules applicable to certain taxes under subtitle C.'

"(6) OVERPAYMENT NOT DEDUCTED AND WITHHELD.—Section 6414 (relating to income tax

withheld) is amended by striking 'chapter 3' and inserting in lieu thereof 'chapter 3 or 25'.

"(7) TIME TAX CONSIDERED PAID.—Section 6513(b) (relating to time tax considered paid) is amended by adding at the end thereof the following new paragraph:

"'(4) Any tax deducted and withheld under chapter 25 which is allowable under section 40, 3484, 3485, or 3486 as a credit against tax or as a refund of an overpayment (or an amount treated as an overpayment) of the tax imposed by chapter 1 shall, in respect of the person entitled to such credit or refund, be deemed to have been paid by him on the last day prescribed for filing the return (determined without regard to any extension of time for filing such return) of tax under chapter 1 for his taxable year in which the amount subject to withholding under chapter 25 is received by him or, if such person has no taxable year, on the fifteenth day of the fifth calendar month following the close of such person's annual accounting period within which such amount is received by him. In the case of an amount allowable as a credit under section 40(b) to the parent of a child, such amount shall, if claimed by the parent, be deemed to have been paid on the last day for filing his return (determined without regard to any extension of time for filing such return) for his taxable year which begins with or within the calendar year in which amounts subject to withholding under chapter 25 were received by the child.'

"(8) FAILURE TO PAY ESTIMATED INCOME TAX.—

"(A) Individuals.—Section 6654 (relating to failure by individuals to pay estimated income tax) is amended—

"(i) by striking out subsection (e) and inserting in lieu thereof the following:

"'(e) APPLICATION OF SECTION IN CASE OF WITHHELD TAXES.—For purposes of applying this section—

"'(1) the estimated tax shall be computed without any reduction for amounts which the individual estimates as his credits under section 31 (relating to tax withheld at source on wages) and section 40 (relating to tax withheld on interest, dividends, and patronage dividends); and

"'(2) the amount of the credits allowed under sections 31 and 40 for the taxable year shall be deemed a payment of estimated tax, and an equal part of such amount shall be deemed paid on each installment date (determined under section 6153) for such taxable year, unless the taxpayer establishes the dates on which all amounts were actually withheld (or in the case of amounts described in section 40(c)(1), were treated as withheld), in which case the amounts so withheld shall be deemed payments of estimated tax on such dates.' and

"(ii) by inserting before the period at the end of subsection (f) the following: 'and section 40 (relating to tax withheld on interest, dividends, patronage dividends)'.

"(B) CORPORATIONS.—Section 6655 (relating to failure by corporation to pay estimated income tax) is amended—

"(i) by striking out the period at the end of subsection (e)(1)(B)(i) and inserting in lieu thereof ', other than the credit against tax provided by section 40 (relating to tax withheld on interest, dividends, and patronage dividends).'; and

"(ii) by adding at the end of such section the following new subsection:

"'(h) APPLICATION OF SECTION IN CASE OF TAX WITHHELD ON INTEREST, DIVIDENDS, AND PATRONAGE DIVIDENDS.—For purposes of applying this section—

"'(1) the estimated tax shall be computed without any reduction for the amount which the corporation estimates as its credit under section 40 (relating to tax withheld on interest, dividends, and patronage dividends); and

"'(2) the amount of the credit allowed under section 40 for the taxable year shall be deemed a payment of estimated tax, and an equal part of such amount shall be deemed paid on each installment date (determined under section 6154) for such taxable year, unless the corporation establishes the dates on which all amounts were actually withheld (or in the case of amounts described in section 40(c)(1), were treated as withheld), in which case the amounts so withheld shall be deemed payments of estimated tax on such dates.'

"(9) PENALTY FOR FILING FRAUDULENT EXEMPTION CERTIFICATE.—Section 7205 (relating to fraudulent withholding exemption certificate or failure to supply information) is amended by adding the following new sentence at the end thereof: 'Any person who willfully files an exemption certificate with any withholding agent under section 3483, on which the certification is known by him to be fraudulent or to be false as to any material matter, or who is required to file a notice under subsection (a)(3)(B) of section 3483 and who willfully fails to provide such notice in the manner, at the time, and showing the information required under such subsection (a)(3)(B), or the regulations prescribed thereunder, shall, in lieu of any penalty otherwise provided, upon conviction thereof, be fined not more than $500 or imprisoned not more than 1 year, or both.'

"(10) OFFENSES WITH RESPECT TO COLLECTED TAXES.—The last sentence of section 7215(b) (relating to offenses with respect to collected taxes) is amended to read as follows: 'For purposes of paragraph (2), a lack of funds existing immediately after the payment of wages or amounts subject to withholding under chapter 25 (whether or not created by the payment of such wages or amounts) shall not be considered to be circumstances beyond the control of a person.'

"(11) DEFINITION OF WITHHOLDING AGENT.—Section 7701(a)(16) (defining the term 'withholding agent') is amended by striking out 'or 1461' and inserting in lieu thereof '1461, 3451, 3461, or 3471'.

"(f) EFFECTIVE DATES.—

"(1) GENERAL RULE.—Except as provided in paragraph (2), the provisions of this section shall apply in the case of interest and dividends paid on or after January 1, 1970.

"(2) SPECIAL RULES.—

"(A) In the case of transferable obligations described in paragraph (1) or (6) of section 3452(a) of the Internal Revenue Code of 1954, the provisions of this section shall apply only to interest paid with respect to interest-payment periods commencing on or after January 1, 1970.

"(B) The provisions of this section shall apply to amounts described in section 3472 of such Code paid on or after January 1, 1970, with respect to patronage occurring on or after the first day of the first taxable year of the cooperative beginning on or after January 1, 1970."

TREATMENT OF AMERICAN PRISONERS OF WAR IN NORTH VIETNAM

Mr. CRANSTON. Mr. President, 38 Senators have joined the Senator from New York (Mr. GOODELL) and me in signing the attached statement concerning the treatment of American prisoners of war in North Vietnam.

We intend to forward copies of this statement to the Secretaries of State and Defense, urging that they bring it forcefully to the attention of the North Vietnamese negotiators in Paris.

Mr. President, I ask unanimous consent that the statement be included in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

JOINT STATEMENT ON VIETNAM POW'S BY SENATOR ALAN CRANSTON AND SENATOR CHARLES E. GOODELL

Along with Americans everywhere, we too rejoiced with the families of the three servicemen freed from North Vietnamese captivity.

These gallant men emerged from their ordeal physically weakened, but unwavering in their courage and loyalty.

Yet even as we share the joy of their release, our happiness is clouded by the knowledge that 1,365 other American families are still waiting—some for the release of a husband or son, some even for definite word whether a loved one is dead or alive.

For many of these families, the North Vietnamese could devise no subtler cruelty than their persistent refusal even to provide a list of names of the prisoners in their custody. Each of us regularly receives poignant letters from parents and wives of the more than 1,000 men who are missing and thought to be prisoners of the North Vietnamese and the more than 300 known to be in custody.

When, they ask, will our men be able to come home?

And, all too often, how can we find out if they are still alive?

It is hard for us to understand how Hanoi can maintain so callous a position. By our own standards, this kind of cruelty imposed on innocent bystanders is both repugnant and virtually unthinkable.

Yet it may be that North Vietnam hopes through such cruel pressure to influence the policy of the United States toward the Vietnam conflict.

If this is their intention, they are doomed to failure. Neither we in Congress, nor the Administration, or the American people as a whole, nor indeed the families directly affected, will be swayed by this crude attempt.

Though we may differ in our views on the future course of American policy in Vietnam, we are firmly united in support of the position on our prisoners made clear both by the present Administration and by its predecessor.

In 1967, for example, the United States formally protested mistreatment of American prisoners and urged North Vietnam to observe the provisions of the 1949 Geneva Convention Relative to the Treatment of Prisoners of War. Equally important, our government asked Hanoi to permit impartial observers to verify its claims that our men were being treated humanely—claims contradicted by a growing body of evidence that prisoners were being subjected to emotional and physical duress.

Indeed, Hanoi had threatened a year earlier to put American prisoners on trial as war criminals, a clear violation of the Geneva Convention. Fortunately, they were dissuaded from their plans by worldwide protests against this extreme form of inhumane treatment.

Efforts to help our servicemen held by North Vietnam have been pursued with equal vigor by the present Administration. Secretary of State Rogers, Secretary of Defense Laird, and Ambassador Lodge in Paris have all pressed North Vietnam in recent months for compliance with the provisions of the Geneva Convention. In particular, they have urged such basic steps as repatriation of sick and wounded prisoners and the furnishing of a list of men actually in North Vietnamese hands.

This latter, most basic, request was brutally rebuffed by North Vietnamese representative Xuan Thuy in Paris, who flatly refused even to identify the American prisoners held in his country so long as the United States "continued its aggressive war in Vietnam."

This obvious attempt by Hanoi to capitalize on our deep concern for these men, and to turn it to their propaganda or political advantage, is inhumane and inexcusable.

We urge Hanoi not to be misled by our divergences on policy into believing that we are not united on this issue of simple humanity. Cruelty of the kind being practiced in this instance by North Vietnam can serve only to increase our determination and, in the words of Ambassador Lodge, "cannot have a favorable effect on our negotiations."

We therefore pledge our full support to the Administration in its efforts on behalf of the American servicemen held captive in North Vietnam.

With the Administration, we too ask Hanoi to prove the "humane and generous" policy it claims to follow in treatment of prisoners by naming the men in captivity, by immediately repatriating the sick and wounded, by permitting impartial inspection of prison facilities, by assuring proper treatment of all prisoners, by making possible a regular flow of mail, and by undertaking serious negotiations for the prompt release of all American prisoners in their custody.

And, finally, we urge the governments, the statesmen, and the ordinary men and women around the world who spoke out against "war crimes trials" in 1966 to make their voices heard once more. Then, as now, the issue was not political but humanitarian—and Hanoi responded to the force of world public opinion. If that force can again be mobilized, this too may contribute to inducing from Hanoi greater respect for human decency and for the rule of law.

LIST OF MEMBERS WHO SIGNED JOINT STATEMENT ON VIETNAM POW'S

Gordon Allott, Colo., Birch Bayh, Ind., Alan Bible, Nev., J. Caleb Boggs, Del., Edward W. Brooke, Mass., Robert C. Byrd, W. Va., Marlow W. Cook, Ky., Alan Cranston, Calif., Peter H. Dominick, Colo., Thomas F. Eagleton, Mo., Allen J. Ellender, La., Barry Goldwater, Ariz., Charles E. Goodell, N.Y.

Mike Gravel, Alaska, Robert P. Griffin, Mich., Edward J. Gurney, Fla., Fred R. Harris, Okla., Philip A. Hart, Mich., Ernest F. Hollings, S.C., Harold E. Hughes, Iowa, Henry M. Jackson, Wash., Charles McC. Mathias, Jr., Md., Thomas J. McIntyre, N.H., Walter F. Mondale, Minn., Joseph M. Montoya, N. Mex.

George Murphy, Calif., Edmund S. Muskie, Maine, Gaylord Nelson, Wis., Robert W. Packwood, Oreg., James B. Pearson, Kans., Claiborne Pell, R.I., Charles H. Percy, Ill., William Proxmire, Wis., Abraham Ribicoff, Conn., Richard S. Schweiker. Pa., Hugh Scott, Pa., William B. Spong, Jr., Va., Strom Thurmond, S.C., Joseph D. Tydings, Md., Harrison A. Williams, Jr., N.J., Ted Stevens, Alaska, Howard W. Cannon, Nev.

Mr. SPONG. Mr. President, I wish to associate myself with the remarks of the junior Senator from California (Mr. CRANSTON) and the junior Senator from New York (Mr. GOODELL).

The position of the North Vietnamese with regard to U.S. prisoners of war is indefensible and inexcusable.

Hanoi has consistently ignored basic provisions of the Geneva Prisoner of War Convention of 1949 by its failure to provide names of prisoners, to allow them to correspond with their families and to allow them to be visited by Red Cross representatives. In addition, there are indications that many of those held prisoner have been exploited and subjected to mental and physical abuse.

As a result, neither the U.S. Government nor the families of numerous soldiers know whether or not these men are still alive, what their state of health may be, or what treatment they may be receiving.

More than 300 servicemen are assuredly in custody of the North Vietnamese, and more than 1,000 others are missing under circumstances suggestive of North Vietnamese capture.

A policy such as that followed by the North Vietnamese represents a callous disregard for these men and their families and a gross indifference to international agreements.

I am grateful for the efforts of this administration and the preceding one to secure the adherence of North Vietnam to the Geneva Convention and I am certain that these efforts will be continuing and tireless ones. At the same time, I believe it incumbent upon all humane nations and peoples to prevail upon the North Vietnamese to modify existing policy, in the hope that worldwide public pressure will help evoke a beneficial change.

Mr. HATFIELD. Mr. President, on the eve of the summer adjournment of Congress, as I make preparations for returning to Oregon for a visit with family and friends, thoughts cannot help turning to those families of more than 1,300 servicemen known to be held captive in North Vietnam or simply listed as missing in action. Not only are those families without visits to look forward to; they do not know if their loved ones are safe, or even alive.

As attention is focused on peace overtures and the circumstances of the men now in the field in Vietnam, it is easy to overlook the American servicemen being detained in North Vietnamese prisons. For their families at home, there is no word—just continued uncertainty, coupled with more waiting and a fervent hope that soon they will hear from their fathers, husbands, and sons. Yet more than 200 men are known to have been captive for over 3½ years and have not been allowed communication since 1966.

In speaking of her children, one yet hopeful, though distressed, mother said:

> They need their father . . . They talk about him every day . . . They pray for him every night.

And, with hundreds of other women across the country, this wife and mother has joined in the appeal to obtain some word as to her husband's condition.

Secretary Laird's response has been admirable in asking the North Vietnamese for a release of all Americans being held captive, or at least a compliance with the 1949 Geneva Convention provisions relating to prisoners of war. But, according to Xuan Thuy, Hanoi's chief delegate at the Paris peace talks, nothing is going to be done about the prisoners until all U.S. forces are withdrawn.

Although the administration appears to be seeking a minimal assurance of humane treatment of American prisoners, the North Vietnamese in the meantime refuse to release a list of the captives, prohibit a regular inspection of prison camps by the International Red Cross, and disallow mail service. The exact state of the prisoners' conditions is unknown.

There is no way to force the North Vietnamese Government to provide a humanitarian treatment to American prisoners, or even a sure way to achieve convention compliance; but it is our obligation to pledge our full support to any measure which might bring an acceptable treatment of our captured men.

UNITY ON BEHALF OF AMERICAN PRISONERS OF WAR IN NORTH VIETNAM

Mr. GOLDWATER. Mr. President, it is a great pleasure for me to be among the many Senators who have signed the joint statement being released today relative to the expression of our full support to the cause of securing the humanitarian treatment and early release of the more than 1,300 American prisoners of war held by North Vietnam.

As a Senator from Arizona, I have a special feeling about this subject that is caused by my personal knowledge of the extent of the suffering which is being borne by so many families in our State. It is an unusual facet of this problem that nearly 6 percent of the families of American prisoners of war reside in Arizona—a State which has less than 1 percent of the Nation's total population.

The joint statement we have issued today provides precisely the type of united support on behalf of our captured servicemen which I called for in my address to the Senate on August 5. At that time I suggested that we take steps to demonstrate our determination, unity, and resolve on this matter. Also, I asked that we provide a solid backing for the administration in its new and vigorous efforts to achieve progress toward the more humane treatment and speedy release of our captured servicemen.

Mr. President, I am happy that the joint statement makes these points evident in no uncertain terms. The message of this statement, which has been endorsed by almost one-half of the membership of the Senate, rings loud and clear to the North Vietnamese, and to any governments who may have an influence on them, to declare that we are unanimous in our condemnation of the despicable conditions of confinement which American prisoners are suffering.

In my earlier remarks I detailed many particulars of the inhumane treatment of captured Americans and sought to illuminate the differences between this conduct and the proper treatment of North Vietnamese prisoners by the South Vietnamese Government. I was compelled to mention the several peaceful initiatives begun by the United States and to compare these moves with the arrogant and uncooperative response of the North Vietnamese representatives.

Mr. President, the administration has made a new attempt to attack this problem by transferring the primary responsibility for action on the prisoner problem to the Department of Defense, where it is presently being pursued with great determination. Now it is our turn to play a role. With this joint statement we will erect a solid foundation under the administration's efforts and, perhaps, contribute to a groundswell of world opinion that will gather in force until even the callous officials in North Vietnam are

moved to honor the basic rules of humanity laid down in the Geneva Convention.

ACTION IN THE NAME OF HUMANITY

Mr. WILLIAMS of New Jersey. Mr. President, I am pleased to join Senators today in appealing to the North Vietnamese Government to honor the 1949 Geneva Convention relative to the treatment of prisoners of war.

Not political consideration, not diplomatic maneuvering, not international balances—nothing but a deep sense of humanity and decency—is necessary to underscore the importance of these four basic requests:

First. Release immediately all sick and injured prisoners.

Second. Allow an uninterrupted exchange of mail between prisoners and their families.

Third. Permit impartial inspection of prison facilities.

Fourth. Release complete and up-to-date lists of prisoners held by the North Vietnamese, or their allies, the Pathet Lao, and the Vietcong.

War is an awful clamor of guns and explosions—but frequently, when men are captured, war is an agonizing echo of silent isolation. For these haunted men, somewhere behind the lines, there should be no hesitation in our efforts to be compassionate.

As early as January 1968, I called upon the Johnson administration to negotiate directly with the Vietcong for the release of the more than 700 men then being held prisoner. In my letter I stated:

> We cannot dismiss the possibility of these negotiations with excuses that we do not recognize the Viet Cong as a valid government or because American military policy dictates turning over our captured to the South Vietnamese.

The position of the United States concerning negotiation with the North Vietnamese and their allies over prisoner repatriation has become more flexible since the beginning of the Paris peace talks. We have and will continue to attempt to convince all parties at the Paris talks to seek speedy means of compliance with the 1949 Geneva Convention.

In spite of these efforts, the issue of prisoner repatriation transcends all political and military rhetoric. The human terms in which we speak of wives, and parents, and children waiting in anguish for word of their brave loved ones debase all attempts at propaganda. The well being of those young men who have so valiantly and selflessly jeopardized their safety serving their country is in the hearts and minds of all Americans and all free men today. Every parade of prisoners through North Vietnamese streets, each staged inspection of prisoner facilities, and every propaganda photo of prisoners receiving mail is repugnant to men of conscience and good will.

Mr. President, it is with a sense of the utmost urgency that I join Senators today in fully supporting this administration's efforts on behalf of the American servicemen held captive in North Vietnam. We call upon world opinion today, as we did in 1966, when North Vietnam threatened captured Americans with trial as war criminals, to resolve this question in the best interests of humanity.

Mr. DOLE. Mr. President, one of the saddest consequences of our present war in Vietnam is the refusal of North Vietnam to give humane treatment to American prisoners and to abide by the 1949 Geneva Convention relative to the treatment of prisoners of war.

The recent release of three American prisoners represents a great deal of propaganda for Hanoi but virtually no progress towards a humane policy for the 1,300 other American prisoners in their hands.

The North Vietnamese have steadfastly refused to abide by international law—they have refused to repatriate those who are sick or injured—they have refused to allow inspections by representatives from international organizations to determine if the prisoners are receiving humane treatment—they have even refused to acknowledge if these men are still alive.

This blatant disregard for the provisions of the Geneva Convention will strengthen rather than weaken the American will to insure that a just settlement is reached for the South Vietnamese and those Americans still in prisons in North Vietnam.

In my State of Kansas, more than 50 families are waiting, not knowing whether their loved ones are receiving humane treatment, not knowing whether they are injured, not even knowing whether they are alive or dead, or the day when Hanoi will take a more humane view of those who are suffering most from this conflict.

I, therefore, am gratified to join with the Senator from California (Mr. CRANSTON) and the Senator from New York (Mr. GOODELL) in fully supporting the administration in its efforts on behalf of American servicemen held captive in North Vietnam and in adding my name to those of people from all over the world in urging Hanoi to respond to this basic humanitarian issue.

SMALL BUSINESS ADMINISTRATION LOAN GUARANTEE PROGRAM

Mr. GRAVEL. Mr. President, the Small Business Administration loan guarantee program has been effectively stifled due to the restricted availability of bank funds. Besides the lack of available bank funds today, long-term loans to the small businessman, the SBA loan guarantee program is supposedly available but the lack of bank participants leaves him with nothing but hopes.

For the past 4 months I have been working with insurance companies and Mr. Hilary Sandoval on policy changes that would bring into the program a meaningful injection of funds.

I was heartened by Mr. Sandoval's serious consideration of this problem and the resultant policy change agreed to by SBA. Henceforth, insurance firms and pension funds, among others, working in conjunction with local banks, can now invest millions of dollars in the SBA loan guarantee program.

I ask unanimous consent to place in the RECORD my correspondence with Mr. Sandoval and telegrams I have received from the Guardian Life Insurance Co. of America, Massachusetts Life Insurance Co., and Beneficial Standard Life Insurance Co.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

JULY 28, 1969.

Mr. HILARY SANDOVAL,
Administrator, Small Business Administration, Washington, D.C.

DEAR HILARY: Pursuant to our numerous meetings on the availability of additional loan funds under the Loan Guaranty Program, I respectfully request your consideration to approve the following clause for future agreements with lending institutions:

"In the event the bank assigns its guaranteed portion of the loan to another lender, then SBA may accept such assignment as a waiver by bank of any claim upon said assigned share of the loan and SBA may make distribution for said assigned share to the new owner of such portion. However, any such assignment shall not constitute any release of bank from any obligation or liability by bank under the Guaranty Agreement between bank and SBA. Furthermore, the new owner agrees that any and all security of any nature held by the new owner as security for said loan shall secure both the new owner and SBA in proportion to their respective interests in the loan."

Numerous insurance executives have assured me that they would like to see this kind of agreement incorporated in guarantee contracts with the SBA. They feel that such an arrangement would open the door to a substantially increased flow of capital for the program in question.

I would appreciate a meeting with you on this matter at your earliest convenience. Kindest personal regards.

Sincerely,

MIKE GRAVEL.

SMALL BUSINESS ADMINISTRATION,
Washington, D.C., July 30, 1969.

Hon. MIKE GRAVEL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GRAVEL: Thank you for your letter of July 28, 1969. I am happy to advise that we have no objection to the substance of the provision proposed. The proposed clause is consistent with our guaranty program. We are most grateful for your work with various insurance companies. This type of encouragement is vital if we are to meet our objective of increasing participation by private investors.

The Guaranty Agreement usually used between the Small Business Administration and the original participant provides ". . . nothing contained herein shall prevent the Bank from granting to other financing institutions participating shares in its interest in the Note, provided notice thereof is furnished to SBA; provided, however, that SBA shall recognize and deal only with the Bank. . . ." Accordingly, we have no objection if the original participant assigns part of the guaranteed loan to a second participant, or if they mutually agree that only the guaranteed portion will be assigned to the second participant. Furthermore, if SBA is notified of any such assignment, we will recognize it.

It is understood that the obligation of the original participant in connection with the making and servicing of the loan remains unchanged by the assignment to the second participant, and SBA's obligation to purchase the guaranteed share also remains unchanged. Any security held by SBA, or by the original participant, or by the second participant, to secure the guaranteed loan shall be held to secure each participant in proportion to its respective interest in the loan.

We appreciate your continued interest and support.

Sincerely,

HILARY SANDOVAL, JR.,
Administrator.

BENEFICIAL STANDARD LIFE INSURANCE CO.,
Los Angeles, Calif., August 1, 1969.
Senator MICHAEL GRAVEL,
Senate Office Building,
Washington, D.C.:

Thank you for your assistance in facilitating the new Small Business Administration guaranteed loan program. We are looking forward to participating in this program.

MARCUS LOEW,
W. T. HOVEY.

MASSACHUSETTS MUTUAL LIFE INSURANCE CO.,
Springfield, Mass., August 1, 1969.
Senator MICHAEL GRAVEL,
Senate Office Building,
Washington, D.C.:

We are very pleased to hear of your great assistance in simplifying the Small Business Administration participation loans. This policy will actively permit us to participate in the 90/10 program of the Small Business Administration. Again we want to compliment you on your successful efforts.

D. WHEELER.

GUARDIAN LIFE INSURANCE CO. OF AMERICA,
New York, N.Y., August 12, 1969.
The Honorable MIKE GRAVEL,
U.S. Senate,
Washington, D.C.:

We appreciate your efforts working with Mr. Hilary Sandoval, administrator, Small Business Administration with objective obtaining SBA approval clarifying documentation which would permit assignment guaranteed portions of loans. This will motivate us to increase our already substantial participation SBA loan program.

EULENE F. GLEASON,
Vice President and Treasurer.

ROYALTY PAYMENTS TO COPYRIGHT OWNERS

Mr. HART. Mr. President, yesterday I submitted an amendment, No. 137, to the Copyright Act, S. 543, which would substitute a flexible formula for the present flat-rate mechanical royalty payment to copyright owners

The president of the American Guild of Authors & Composers, Mr. Edward Eliscu, has prepared a comprehensive statement describing the necessity for the amendment and its practical effect. So that all might have a fuller understanding of the proposal, I ask unanimous consent that his statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY EDWARD ELISCU

The subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary, has been considering the first revision of the Copyright Act since 1909. This Act was passed to protect and encourage the creators of copyrighted works, and thus promote the useful arts. The pace of technology and the vast changes in our economy in the last 60 years have made it necessary to modernize the framework of copyright protection, if we are to encourage and protect creative artists in years to come.

One section of the present Act in particular needs reform if this is to be accomplished. I refer to the provision that once a copyright owner of a nondramatic musical work grants a license to record that work to one person, he must make that right available to all persons in exchange for a fixed royalty, called a "mechanical royalty," of 2 cents for each selection contained on the record.

It takes no student of economic history to know that since 1909, the purchasing power of the dollar has shrunk drastically. Between 1958 and 1968, the average annual mechanical royalty received by authors and composers dropped from $1,100 to $800—a decline of 27%. Inflation has whittled down the buying power of the 1968 return to only $650 in 1958 dollars. Unless a more equitable method of determining royalties is devised, these creative people who have been tied to the same 2 cent royalty ceiling for 60 years, will have to struggle with it indefinitely into the future. At a time when Congress is being asked to cope with the effects of inflation of just the past few years, it is remarkable that we have not helped those who have been buffeted by inflationary winds for so long.

In January of this year, the distinguished Chairman of the subcommittee, Senator McClellan, introduced a bill, S. 543, that incorporated the copyright revisions passed by the House of Representatives in April, 1967. Among them is an increase in the mechanical royalty rate from 2 cents to 2½ cents per selection. While a step in the right direction the 2½ cent royalty makes no provision for future changes in the record business, or in the economy, which might make that royalty either too high or too low. Since the House passed its bill, for example, consumer prices have risen by almost 11%. Since 1964—the date of the data compiled for the economic studies the House used in making its decision—consumer prices have risen more than 18%.

We live in changing times. In 1909 the old player piano provided one of the commonest means of reproducing music for entertainment in the home. Since that year, we have seen piano rolls give place to fast playing records with few selections, which in turn gave place to slow playing records with many selections. Now we are witnessing the rapid growth of a new phenomenon in the recording industry, the tape cartridge and cassette, which has brought recorded music into automobiles as well as the home. Tapes account for approximately 20 per cent of record sales and are constantly increasing their share of the market. Although tapes sell for more than disc recordings, under present law the copyright holder receives no more for the use of his work. Competition with tapes may drive record prices down. Tapes in turn may be succeeded by new and even more efficient reproduction systems at prices now unknown.

Thus, if we fix a specific rate of compensation for copyright owners, as conditions in years to come, both the record companies and the copyright owners will be returning to Congress seeking adjustments in the royalty rate they could better make themselves. When we look at the issues we have been considering on the floor of the Senate over the past few weeks, it is obvious that we have too many problems of great national concern before us to occupy ourselves, time and again, with trying to decide what is a fair payment for authors and composers to receive for the recording of their songs.

This amendment provides a flexible, fair share formula for determining the mechanical royalty that will hold up through the changes of the years. It eliminates the fixed payment in cents, and instead sets a mechanical royalty ceiling of 8% of the suggested retail price of the record. Where a record consists of more than one selection, as in the case of the standard LP, the ceiling with respect to each selection is computed on the basis of the ratio between its playing time and the total playing time of the record. Industry practice would undoubtedly develop, as it has in the past, to implement division of the royalty among the copyright proprietors.

Below this 8% ceiling, bargaining could take place, as it does today below the 2 cent ceiling. But the negotiated rate would rise and fall with the price of the recording, something it does not necessarily do today.

I support 8% as the ceiling for several reasons. In addition to its being the standard mechanical royalty on Continental Europe, it is the percentage originally suggested by the Copyright Office in its first draft of a copyright revision bill in 1964. More important, it is the percentage equivalent of the royalty level chosen by the House of Representatives in the bill passed in April, 1967. After extensive hearings, the House increased the mechanical royalty to 2½ cents per selection, on the basis of studies supplied by the record industry that showed the average long-playing record sold for $3.79 (not including excise tax) and contained twelve selections. Thus, the House concluded that on a $3.79 record, a total royalty of 30 cents, or 8%, was an equitable return to copyright owners. This amendment makes this percentage, which the House deemed a fair one, the ceiling under which bargaining will take place in the future.

The percentage mechanical royalty based on suggested retail price is not a novel concept. It is currently in use throughout continental Europe and Great Britain. Compensation based on a percentage of the suggested retail price is also the standard contractual arrangement for the recording artists and producers involved in making records; and it is found in the contracts for the musician's performance trust, the union pension funds and negotiations for original cast performance albums of musical shows. In fact, of all the groups that contribute to the making of a record (union musicians are paid by the session, but the rate is renegotiated periodically) only the copyright owners are restricted by a statutory flat payment. Thus, if record companies were to eliminate the practice of suggesting a list price, they would have to devise an alternative comparable standard of payment to fulfill these other contracts, and when this is done, the mechanical royalty could be tied to that standard.

The percentage ceiling approach protects the record companies as well as the copyright owners. If, as is often the case, a record company chooses to manufacture a budget-priced record, or if it decides to cut its prices generally, it could do so with ease, as its royalty payments would decrease as its retail price decreased. Under existing law if a company records a selection on both its low price and high price lines of records, it could be required to pay the same royalty of 2 cents per selection. Under the percentage royalty arrangement, the royalty would be lower on the lower priced record.

I recommend this change in the statutory regulation of the mechanical royalty because I have concluded that, while an increase in that rate at the present time is imperative, it would not be wise for the future to fix the rate at any given monetary level.

We have learned from bitter experience, more than once, that abuses and inequities are both inherent and inevitable in any attempt to fix prices by law, and that prices should be fixed only in situations of grave economic hardship or emergency. After a careful search of the statute books, I have been able to find only one situation in which Congress, in the absence of war emergencies, has fixed the dollars and cents fee that one private party pays another for its talents or services. That is where the relative bargaining powers of the parties is grossly unequal, as in the case of the minimum wage laws, and where there is an overriding public interest in assuring a minimum income to the recipients. There are other fields which are

affected with a public interest where the Congress has limited competition, as in the airline, communications and utilities industries, but Congress has wisely left it to administrative agencies to fix rates. The mechanical royalty falls into neither of these categories. Both the record companies and the copyright holders—authors, composers and music publishers—are economically healthy and able to bargain with each other on equal terms. Far from being monopolies, their industries are characterized by almost every attribute of free competition: there are large and growing numbers of both copyright holders and record makers; freedom of entry for all participants; intensely competitive and constantly changing forms of record distribution; and no indication of substantial economic and monopoly power.

Moreover, to make a sound judgment, it would have to spend far more time than the problem deserves. This year, at the request of the subcommittee, the Library of Congress undertook to analyze the economics of the industries involved. Its report, which ran almost 100 pages, concluded that Congress could not responsibly determine a flat rate without making an exhaustive inquiry into the financial condition of both record producers and music publishers. The suggested inquiry would have to include full disclosure of financial records, including those of subsidiaries, and a thorough analysis of the changes in the economic structure of the industries involved. Since many of the firms, especially on the publishing side, are highly diversified personal service businesses which do not keep cost accounting records, it would be lengthy, expensive and burdensome for Congress, and the companies, to try to obtain this information. With the music industry changing so dramatically, even if such information could be obtained, it would be outdated shortly after it was compiled.

While an 8% royalty ceiling would broaden the permissible range of bargaining between record makers and copyright holders, this would not necessarily lead to higher royalties. The LRS study concludes that with a higher ceiling "the actual rates charged . . . would depend upon prevailing market conditions and the relative bargaining strength of the parties involved." Moreover, the records made under the hundreds of thousands of licenses already negotiated, many of which have substantial and continuing sales, would remain at or below the 2 cent ceiling; and this fact will influence any new bargaining.

But if this flexible formula allows the negotiation of a greater return for copyright holders, the record industry is in a position to provide it. It has been one of the fastest growing and most dynamic industries in the country. Over the past ten years, increased sales and increased prices have more than doubled the annual volume of record sales, sending them over the billion dollar mark. This amendment will allow the copyright holders to share more fairly in this prosperity.

In summary, the 8% mechanical royalty ceiling would enable composers and other copyright holders to receive—without periodically returning to Congress—their fair share of a record's earnings, no more and no less, whether the economy, the value of the dollar, the price of records or audio technology change drastically for better or worse. Beneath this ceiling, the actual royalty can be negotiated between the parties in much the same way as negotiations are carried on to determine the appropriate percentage paid to recording artists and producers. Only in this way can protection be assured well into the future, for those whom the music provisions of the Copyright Bill were intended to protect—not the giant companies of the entertainment industry, but the creative composers and authors.

PRIVATE SUPPORT FOR LAW-ENFORCEMENT IMPROVEMENTS

Mr. SCOTT. Mr. President, major support for the needed improvements of the Nation's criminal justice system can be given by both private citizens and their organizations. This point was made forcefully by Charles H. Rogovin, Administrator of the Law Enforcement Assistance Administration, in a recent speech to the Criminal Laws Division at the American Bar Association's annual meeting in Dallas.

The bar, as Mr. Rogovin pointed out, already has made a noteworthy contribution with its project on minimum standards for criminal justice. But he suggested that attorneys and their bar groups might wish to consider expanding their horizons. He said, for instance, that lawyers could volunteer their services to State planning agencies set up under the LEAA program, and also could help persuade judges to take a more active role in this planning process. Another priority concern, he said, is to find fair, effective ways to reduce case backlogs that now pose such a problem in many parts of the country.

Mr. President, since the speech contained a number of valuable suggestions on how joint State-local-Federal projects could be initiated, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY CHARLES H. ROGOVIN, ADMINISTRATOR, LAW ENFORCEMENT ASSISTANCE ADMINISTRATION, BEFORE THE CRIMINAL LAWS DIVISION AT THE 92D ANNUAL MEETING OF THE AMERICAN BAR ASSOCIATION, DALLAS, TEX., AUGUST 12, 1969

I am pleased to be here today not only because of my general respect for the ABA, but because of your value—as professionals—to the criminal justice system. A major focus of any citizen's exposure to the so-called criminal justice system—and I shall comment on that term—is the courts, and the vehicle for this focus is the criminal bar. Accordingly it is with full appreciation of your power to affect this system that I am here today.

The Law Enforcement Assistance Administration was created by Congress in a long overdue recognition that criminal justice in its entirety is a substantial concern to the nation. Not just police; not just the courts; not just the penal institutions, but all the processes which might confront a citizen have equal importance. The very term "criminal justice system" is an innovation. Ten—or even five—years ago, the phrase might have conjured an attempt by Mr. McLuhan to classify a mysterious amalgam of separate functions. Today the term is no longer mysterious—although it is still in many areas impenetrable. For what purpose should we correct inequities in trial calendars when the parole system is unprofessional? Why should we express concern about speedy trials when the possible result of a trial—incarceration—leads to further acts of crime, rather than to rehabilitation?

It is the recognition of this unity to which LEAA was dedicated by Congress. It is equally important to emphasize that Congress saw law enforcement as primarily a local and state responsibility. That is how the LEAA program is being administered. The federal government is a meaningful partner in the reform of the nation's criminal justice system, but the bulk of the work must be done by local and state governments. This concept is supported by the program's distribution of funds. In the past fiscal year, which ended June 30, the LEAA budget was $63 million. This included $29 million in action grants, $19 million in planning grants, $6.5 million for academic assistance, $3 million for the National Institute of Law Enforcement and Criminal Justice, $3 million for FBI programs and $2.5 million for administration. Nearly all of the action and planning funds, which total $48 million, went to local and state governments.

To assess the impact the program already has made, look at the period prior to enactment of Safe Streets. Before June of 1968, there was no national strategy against crime, no unified program to improve all elements of the criminal justice system. Only one or two states had planning agencies, and their programs did not cross state lines. Within these states, there often was no significant aid to local law enforcement. City and county governments usually operated by themselves. Common criminal justice planning programs seldom existed. To make matters worse, the nation's criminal justice system has faced fund shortages for decades. In view of the fragmented national picture, what has occurred since passage of the Act is astounding. Every state created a top-level planning agency to draft plans for statewide law enforcement improvements. Each state then set to work making those plans. The same response came from Washington, D.C., Puerto Rico, and the Virgin Islands, which also are eligible for funds. All states submitted plans for their specific law enforcement improvements and initiated their action programs in the first year of LEAA operations. Thus, in a few short months, a national strategy against crime has been created. Massive and meaningful programs are underway to improve the nation's entire criminal justice system—not just in a city or state here and there, but from coast to coast and border to border. The potential of this program—for enhancing the quality of life for all Americans, for making this a safer, more just America—is enormous.

Each state sets its own priorities for action programs, but LEAA requires that each state plan be comprehensive. It must have significant projects for improvement of every part of the criminal justice system—police, courts, and corrections. Plans emphasize such things as training of police, creation of organized crime programs, community relations programs, studies to improve court procedures and reduce backlogs of cases, programs for more effective rehabilitation of adult and juvenile offenders, projects for prevention and control of juvenile delinquency, prevention and control of civil disorders, and programs for reduction of drug and alcohol abuses. Funds also are being used for equipment, police laboratories, construction of facilities, salaries, communications systems, and other programs relevant to law enforcement and criminal justice improvements.

This, then, is the broad scope of the Omnibus Crime Control and Safe Streets Act. One thing must be clear. Criminal justice is a new field. There are virtually no criminal justice experts as such. The experts must be those who are most familiar with the components of this system. *You* are the experts. *You* have the responsibility for providing guidance and ideas to your states and localities. You must provide pressure as well—not the pejorative sense but pressure in its most honored meaning: a genuine expression of interest in an ideal. How desperately you are needed might lie in one statistic alone: of the $25 million in action grants given to the states by LEAA in the past fiscal year, only about 5.5 percent of the total was earmarked for improvements in courts, prosecutions,

and defense. That, I am certain we can agree, is not enough. States set their own priorities for use of LEAA funds, but we already are urging them to devote substantially greater resources for the courts in the current fiscal year. The courts, like every other part of the nation's criminal justice system, have been starved for proper resources for decades, despite their enormous burdens. The lack of public concern has been staggering. And many experts, both in and out of the system, might also have done more. Why is there a lack of confidence?

Because in Michigan, according to its own plan it is not uncommon for persons charged with felonies to wait up to two years for their cases to be brought to trial. Because too many prosecuting attorneys must divide their time between official duties and more lucrative private practice. Because salaries are too low in some counties to attract qualified men. Because the number of judges is inadequate to handle the workload. Because the courts and prosecuting attorneys' offices—even where the prosecutor *is* an attorney—both need systematic reorganization of administrative procedures and workload management. Because in Montana, justices of the peace hold court in newspaper offices and pool rooms, while in Arizona justices of the peace and magistrates don't have to be lawyers. Starts are being made, of course. Indiana has proposed the non-political selection of judges and revision of the criminal laws. Connecticut is starting a pilot project to handle many types of misdemeanors and cases of first offenders through community service agencies instead of the courts. Missouri is beginning development of a prototype computerized docket control system for the courts to speed processing of cases for its court records now are prepared and retrieved manually under a basic system that began 137 years ago.

Most states have done a good job of pinpointing their problems and have laid the groundwork for programs to solve them. But much more remains to be done. The public must give its crucial support. The criminal justice components of state and local governments must redouble their efforts—expending both their energies and their financial resources. And, finally, we look for great contributions from the nation's lawyers—both individually and joined together in their organization. You have reservoirs of skills and knowledge that can be of immense value to all parts of the criminal justice system—but especially to the courts. In this context, the American Bar Association already has made immense strides through its Project on Minimum Standards for Criminal Justice. Two of the standards, relating to speedy trial and to pleas of guilty, were of special interest to me, for they intelligently deal with major problems now confronting courts in many parts of the country.

The standards are important for what they accomplish implicitly as well as explicitly. For too long lawyers have been ashamed of the tools of their trade. Plea bargaining has been relegated to the smoke-filled room, as far as the public is concerned. When a man pleads guilty, and the judge asks, "Have any promises been made?" woe to the defendant who replies affirmatively. We all know that guilty pleas too often do not result from pangs of conscience. The defendants know this. The public knows this. And yet a litany is repeated in courtroom after courtroom. Is it any wonder that lawyers fall into disrepute when they must counsel their clients that it is somehow shameful to repeat in open court what has theoretically been discussed already with the judge and the prosecutor. It is for these reasons that the new standards can add immeasurably to public confidence in our courts.

Another recommendation of great merit is that the court should grant a continuance only for good cause and only for as long as necessary. As anyone with court experience knows, continuance after continuance can mean a delay of up to one or two years or more before a defendant comes to trial. Sometimes delays are justified, but often they serve as a defense gambit based on the hope that the prosecution will waver or witnesses will grow tired of it all or forget or move away. Yet when persons question the bar, and express dissatisfaction, we ask why.

Proposals like these—if instituted by the Bar, if made a reality in all the states—would go far toward achieving the modernization and reform so badly needed by courts throughout the country. One difficulty, of course, is making certain that we do not falter in pursuit of our goals, that we keep at this work tenaciously until it is a reality. Another difficulty is that the courts need more than new procedures—they desperately need more manpower, larger staffs, and more efficient administrative systems. In this and the other parts of the criminal justice system, the Bar can play a major role. I know of no group related to the criminal justice system that is held in higher esteem than the Bar Association. Its good offices could be of immense influence in shaping reforms not only in the courts—but in the police and corrections components as well.

One of the difficulties faced by many states this past year has been their inability to persuade judges to serve on their state, regional, and local committees planning comprehensive criminal justice improvements. Many judges feel such participation might be a conflict of interest. But I feel that judges have an inherent interest in making certain that courts function properly. The courts, after all, will be the beneficiaries of the court improvement components of the plans. If some judges reject the invitations of state or local officials out of hand, they might lend a more willing ear to the request of Bar groups that they take an important role in this process.

Lawyers themselves, and their bar associations, might wish to consider volunteering their services to the state planning agencies—and I imagine they would be astounded at the warmth of the response. There is a special relevance for Bar groups in working to improve the entire area of prosecution and defense. It is a fact that many prosecutors' offices have neither the manpower nor the time to adequately prepare cases. For example, I have been informed recently that in New York, juvenile cases go untried because of a shortage of prosecutors. They often are so underpaid that it is impossible to retain a career staff because of the high turnover. Again, the Bar is in an enviable position to make its influence felt with legislative bodies at the state and local level in a campaign to correct such shortcomings.

Equal effort could be expended on proper defense for indigents—including a thorough strengthening of Public Defenders' offices where they exist, and creation of such offices where there are none now. It is a common sight in many courts to see a Public Defender handle 30 and more cases a day—and prosecutors, of course, must do the same. As your Association's studies already have such bargain-basement, production-line practices.

Defenders and court-appointed private counsel frequently lack even the most rudimentary staffs for investigations of cases or the backgrounds of indigent clients. Such information is vital if the defense attorneys are to be able to provide the judge with meaningful proposals for alternatives to imprisonment. Many more persons might be placed on probation, to be rehabilitated and aided by community service agencies, if accurate information and meaningful programs could be presented for a court's consideration. To again note the findings by the states, one said 58 percent of its penitentiary inmates were first offenders; another cited a survey that as many as 50 percent of its convicts need not be imprisoned at all. Sound, intelligent probation programs represent one of the great hopes for corrections reform, and judges and the Bar could play a major innovative role. Not only the offender would be aided, but his dependent wife and children as well.

In these remarks, I have stressed the role of the courts for two reasons. One, this is the area of the criminal justice system of greatest relevance to you as attorneys. But more important, the courts compose the central part of that system. If they do not function properly, then the system fails. It will do little lasting good if only police are improved, for the courts can't handle the flow of cases today—let alone double or triple the number that vastly more efficient police departments might prompt. And no matter what reforms the corrections system creates, they will not be completely relevant if the courts don't improve sentencing practices and wholeheartedly adopt intelligent alternatives to jail terms.

A magnificent opportunity now exists for thorough and lasting improvement of our criminal justice system, to make America really safe, to make it much more just. Crime is not a figment of somebody's imagination. But it takes little effort to imagine what may happen if our present opportunities for achievement are again frittered away.

COMMUNIST RULES FOR REVOLUTION

Mr. METCALF. Mr. President, today I am going to compare a document entitled "Communist Rules for Revolution" with one called "Lincoln's Ten Points."

At first glance, it appears there is little ground for comparison. "Lincoln's Ten Points" consist of maxims of which this one is typical:

> You cannot help the poor by destroying the rich.

The "Communist Rules for Revolution," on the other hand, start with this one:

> Corrupt the young, get them away from religion. Get them interested in sex. Make them superficially destroy their ruggedness.

How, then, are these documents similar? First, both are widely reprinted and distributed by extremist rightwing groups and individuals, and, occasionally, by smalltown newspapers. Second, we know that Abraham Lincoln never uttered his so-called "Ten Points" and there is strong evidence that the "Communist Rules for Revolution" are equally spurious. Third, both documents purportedly comment upon our own times in such a way as to reinforce right wing causes by fostering fear and mistrust in the United States.

On previous occasions, I reported to the Senate on the "Lincoln's Ten Points." I told the Senate that the guidelines were first associated with Lincoln in 1916 by Rev. William J. H. Boetcker, who copyrighted and printed them in 1916 as authentic Lincolnisms. Lincoln scholars and magazines articles have disassociated the maxims from Lincoln. The Republican National Committee warned that the maxims were not Lincoln's. "Do

not use them as Lincoln's words," it admonished. "Lincoln's Ten Points" appeared off and on for several years.

This is the season for the "Communist Rules for Revolution." This summer, I have received several copies of the rules, and know of several references to them in letters to my office and in rightwing publications. These are the rules, as printed and distributed by Western Voice Publishers, Englewood, Colo.:

RULES FOR REVOLUTION

On a dark night in May, 1919, two lorries rumbled across a bridge and on into the town of Dusseldorf. Among the dozen rowdy, singing "Tommies" apparently headed for a gay evening were two representatives of the Allied military intelligence. These men had traced a wave of indiscipline, mutiny, and murder among the troops to the local headquarters of a revolutionary organization established in the town.

Pretending to be drunk, they brushed by the sentries and arrested the ringleaders—a group of thirteen men and women seated at a long table.

In the course of the raid the Allied officers emptied the contents of the safe. One of the documents found in it contained a specific outline of "Rules for Bringing About a Revolution." It is reprinted here to show the strategy of materialistic revolution, and how personal attitudes and habits of living affect the affairs of nations:

"A. Corrupt the young. Get them away from religion. Get them interested in sex. Make them superficial, destroy their ruggedness.

"B. Get control of all means of publicity and thereby:

"1. Get people's minds off their government from religion. Get them interested in sex, books and plays, and other trivialities.

"2. Divide the people into hostile groups by constantly harping on controversial matters of no importance.

"3. Destroy the people's faith in their natural leaders by holding these latter up to ridicule, obloquy, and contempt.

"4. Always preach true democracy, but seize power as fast and as ruthlessly as possible.

"5. By encouraging government extravagance, destroy its credit, produce fear of inflation with rising prices and general discontent.

"6. Foment unnecessary strikes in vital industries, encourage civil disorders and foster a lenient and soft attitude on the part of government toward such disorders.

"7. By specious arguments cause the breakdown of the old moral virtues: honesty, sobriety, continence, faith in the pledged word, ruggedness.

"C. Cause the registration of all firearms on some pretext, with a view to confiscating them and leaving the population helpless."—From *New World News*, Feb. 1946.

Parenthetically, Western Voice Publishers is responsible for other contributions, such as a map showing where the publishers believed America's blacks were going to set up a Communist country in the Southern States. Western Voice Publishers also has a long record of anti-Catholic, anti-Semitic and racist publications. Its former publisher, the late Rev. Harvey H. Springer, conducted a vigorous anti-Catholic campaign against President John F. Kennedy lasting through the presidential campaign of 1960 and the term of President Kennedy. The Western Voice also published on its front page, on behalf of the investor-owned utilities, the I.O.U.'s scary, hoary advertisement that the Socialists were about to gobble up American doctors, farmers, and businesses, starting, of course, with the power companies.

In addition, I have seen the rules printed by Guardian of the Republic, a publication at Valparaiso, Ind.; the Idaho Conservative, of Nampa, Idaho; the Waterville Advance, of Waterville, Minn.; and flyers printed or distributed by the Association To Preserve Our Right To Keep and Bear Arms, Inc., of Medford, Oreg., and the Network of Patriotic Letter Writers, Pasadena, Calif.

Furthermore, in the March 1969 issue of American Opinion, the John Birch Society magazine, Gary Allen wrote in an article entitled "Sex Study: Problems, Propaganda, and Pornography":

As far back as May of 1919, Allied forces in Dusseldorf, Germany, first captured a Communist document entitled "Rules for Revolution." Number One on that list of objectives was "Corrupt the young, get them away from religion. Get them interested in sex. Make them superficial, destroy their ruggedness." Again, in the early 1950's, Florida State Attorney George A. Brautigam confirmed that "The above 'Rules for Revolution' were secured by the State Attorney's Office from a known member of the Communist Party, who acknowledged it to be still a part of the Communist program for overthrowing our Government."

I believe the spurious nature of this document will be of special interest in those communities where it is being used by opponents of sex education in the schools. One such community is Montgomery County, Md. I ask unanimous consent to insert at this point in the RECORD an article from the August 9 issue of the Washington Daily News concerning use of the phony quote. The article is headlined "Maryland Groups Gears for Sex Drive—Those Bolsheviks Knew All the Tricks."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THOSE BOLSHEVIKS KNEW ALL THE TRICKS: MARYLAND GROUP GEARS FOR SEX DRIVE

According to the Movement to Restore Decency, Montgomery County's new public school sex education program is just a current manifestation of a half-century-old idea.

Francis Scott, chairman of the recently created local MOTOREDE committee which he says is sponsored by the John Birch Society, believes sex education in schools is a communist conspiracy that dates back to the Bolshevik Revolution.

"Back in 1919," said Mr. Scott, "the Allied forces found 'Communist Rules for Revolution' and rule No. 1 was: 'get their (the young) minds interested in sex and trivialities, make them superficial, take their minds off their country, away from religion, and away from ruggedness.' "

Mr. Scott concludes that it is not accident that Communists are behind the "powerful conspiratorial forces that are intent on destroying all civilized values." He added "it goes without saying that they are interested in degrading the moral fiber of our children."

Is there a relationship between communists and sex education courses planned for this fall? "That's like asking 'Does the devil have anything to do with sin?' " Mr. Scott said.

Mr. Scott claims a committee membership of over 40 with the support of area doctors and businessmen who, he said, wish to remain nameless.

Other issues his committee will attempt to combat include "drug abuse, pornography, filthy language, squalid dress, lewd behavior, and disrespect for authority."

"We will in time do battle with these forces of evil on every front," promised Mr. Scott.

MOTOREDE, Mr. Scott believes, is a program whose success virtually all Americans would like to see. "But additional help from the 'silent majority' of Americans is essential, and that's what we seek."

So far, however, said Mr. Scott, the volume of mail and phone calls has not been overwhelming.

Mr. METCALF. Mr. President, it saddened me, however, to learn that the rules, as printed by the Waterville Advance, were reprinted by the school newspaper of Northfield Junior High School, Northfield, Minn., by young people who should be better advised by their teachers.

Because of my experience with "Lincoln's Ten Points" and with other phony quotations used by right-wing extremists, I began to inquire into the authenticity of the "Communist Rules for Revolution." I wrote letters to J. Edgar Hoover, Director of the Federal Bureau of Investigation; Richard Helms, Director of the Central Intelligence Agency; the Legislative Reference Service of the Library of Congress; and Senator JAMES O. EASTLAND, chairman of the Internal Security Subcommittee of the Senate Committee on the Judiciary.

The Legislative Reference Service replied:

The "Communist Rules for Revolution" have been and are currently being published by a variety of people, all of whom generally cite the same two sources of information: the alleged capture of Communist documents including the "Rules" by Allied Forces in Dusseldorf, Germany, in May, 1919, and the disclosure of the "Rules" by Florida State Attorney, George A. Brautigam (now deceased), while investigating Communists in Florida during the 1950s. Despite concerted efforts involving telephone queries and written correspondence between ourselves and a number of persons responsible for publishing the "Rules," we have been unable to verify or disprove the authenticity of either of the above sources or of the document itself.

J. Edgar Hoover replied:

I have received your letter of July 22nd, with enclosures, and appreciate the interest which prompted you to contact me. With respect to your inquiry, it is not possible for this Bureau to assist you in confirming the authenticity of the "Communist Rules for Revolution" mentioned in your communication. I regret I cannot be of help to you in this instance.

Senator EASTLAND replied:

Your letter of July 22, 1969, requested information concerning the authenticity of the so-called "Communist Rules for Revolution" reportedly captured by Allied forces in Germany in 1919.

I am enclosing for your retention excerpts of the testimony of J. Edgar Hoover before a House Subcommittee on Appropriations on April 17, 1969, when this same inquiry was posed.

The excerpt provided me by Senator EASTLAND indicates that Mr. Hoover supplied the following information to the Subcommittee on Appropriations at the request of Representative FRANK T. BOW, of Ohio:

Our files reflect this document has been rather widely distributed during the past several years, particularly by groups opposed to firearms registration.

The FBI has a copy of this "Communist Rules for Revolution" which bears the note: "The above 'Rules for Revolution' were secured by the State Attorney's office from a known member of the Communist Party who acknowledged them to be still a part of the Communist program for overthrowing our Government." This was signed by George A. Brautigam who was State Attorney, Dade County, Florida, from 1952 until 1956, and who died in 1957. Mr. Brautigam conducted hearings on communism before a Dade County grand jury in 1954; however, it has not been possible to definitely ascertain Mr. Brautigam's source for this document.

Significantly, our files reflect no other information regarding these "Rules," and, therefore, we can logically speculate that the document is spurious.

To this exchange, I would like to add one other thing for the record, and that is my suggestion that the extreme right wing in America also follows rules and one of these rules is to make maximum use of false, misleading, and fear-inspiring quotations.

REMOVAL OF AGRICULTURAL FACILITY FROM AMES, IOWA, TO LINCOLN, NEBR.

Mr. HUGHES. Mr. President, according to the news reports this morning, President Nixon castigated Congress for appropriating $1.1 billion for education beyond his budget request.

In his strongly worded statement, he made it clear that he personally is committed to cutting Government spending and that he will refuse to spend the additional funds if the ceiling on the overall budget is exceeded.

In the light of the administration's commitment to economy in Government, it seems strangely inconsistent that the U.S. Department of Agriculture is, at this very time, getting ready to move a scientific agricultural research facility from its established and logical location at Iowa State University at Ames, Iowa, to Lincoln, Nebr., the former home of Secretary Hardin. The Des Moines Register of this date contains an editorial that tells the story admirably. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POLITICS OF SCIENCE

U.S. Department of Agriculture officials are considering whether to move the USDA Veterinary Biologics Division from Ames, Iowa, to Lincoln, Neb., or to some other site. They have mentioned Columbia, Mo., Ft. Collins, Colo., and Fargo, N.D. However, these last three seem not to be under serious consideration. The real choice is between Ames and Lincoln.

The apparent reason for considering a move from Ames is that facilities are inadequate there. Lincoln businessmen have offered to provide facilities for the laboratory at the former Air Force base in that city. However, Ames businessmen have offered to construct a building to USDA specifications and to "meet any offer" of facilities elsewhere. So that reason does not stand up.

Anyway, should the USDA go shopping around for the best deal local businessmen will offer to install a scientific research agency? It seems to us the government ought to select the proper location on the basis of what will serve the purposes of the agency best.

Since Agriculture Secretary Clifford Hardin was formerly chancellor of the University of Nebraska at Lincoln, questions have arisen about favoritism in the relocation of the laboratory. Why would anyone consider moving a veterinary biologics research organization away from its close association with a major veterinary college and the USDA's own animal disease laboratory—especially to a university that does not even have a veterinary college?

It does not make sense for any scientific or professional reason. And USDA officials have made no attempt to justify a move on such grounds.

If the facilities reason does not stand up, and if no scientific reason has been given, what does that leave? Politics. Nebraska Republican congressmen could claim to have "gotten something" for their state from the new Republican Administration. A corps of highly paid professional scientific workers and all that goes with a modern scientific laboratory are not to be sneezed at as a political plum.

Secretary Hardin has "taken himself out" of the decisionmaking on the proposed change. But can he? He is the official in charge of the Department, and he can hardly shuck responsibility. It is at best naive of Hardin to think he can escape charges of political favoritism by leaving the choice to his subordinates—or rather by leaving his subordinates to face the pressure of Nebraska congressmen alone.

If there are sound scientific reasons why the biologics division should be located somewhere else than Ames, USDA should make these reasons clear. Officials have given the impression that they were hurrying to get the transfer to Lincoln completed before the public woke up to what was going on, despite inquiries by Iowa Governor Robert Ray and people at Ames.

A TIE WITH THE PAST

Mr. HANSEN. Mr. President, it is easy in this day and age to give lipservice to the needs of minority groups. Many people bemoan the lot of these groups and agree, without really doing anything about it, that "something should be done."

But the people of Sheridan, Wyo., have seen the need for doing something about the needs of the Indian people and have, indeed, taken a number of positive steps to preserve their culture and call attention to the greatness of their heritage.

Not the least of the activities undertaken by the Sheridan people is the All American Indian Days celebration in early August. Each year's activities include the selection of Miss Indian America and a series of games and ceremonies which call attention to a number of interesting and significant ties to the frontier past and involve members of dozens of tribes from throughout the country.

Citizens of Sheridan deserve warm praise for their efforts over a period of years. They have been exceedingly loyal to this cause, and generous in their support. This has been a communitywide effort by dedicated and resourceful people. Theirs is a colorful and exciting addition to Wyoming's many attractions.

To indicate the scope of their undertaking, I ask unanimous consent to have printed in the RECORD some material about All American Indian Days, especially this year's sessions.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

ALL AMERICAN INDIAN DAYS HISTORY

(NOTE.—A special feature of all American Indian Days is the annual Miss (Indian) America Pageant. Girls from all over the United States and Canada, representing many tribes, compete for the title. The contestants are judged on the basis of poise, Indian characteristics, scholastic ability, and dedication to the advancement of the Indian people.)

All American Indian Days was founded by volunteers with a great idea and no money, volunteers who never gave up. Through fifteen years of trial and error, Indian and non-Indian have worked together to present a beautiful show that has done much to revive and present Indian culture and to further inter-racial friendship. The three day celebration features an Indian Arts and Crafts exhibition, historic ceremonies, dancing, Indian games, and other talent, both traditional and modern. On Sunday, a joint church service is held under the open sky, watched over by tall mountains, on ground fought over by the ancestors of today's worshippers.

The most important feature of the celebration is the National Miss Indian America Contest. It is very different from the usual beauty pageant because this girl must have so much more than beauty. She must be able to function as an ambassadress from her people to the rest of the United States and overseas as well . . . she will have to face audiences who have never seen an Indian and who will be inclined to judge an entire people by the girl they see before them. To pick up this challenge, Miss Indian America must have outstanding ability as a speaker, she must have poise, character and intelligence, plus a knowledge of and pride in her people, and a dedication to their service. She must have good health to meet the demands made on her. Miss Indian America is indeed a proud and demanding title and has been borne by young women who have done it great honor.

Before All American Indian Days began there were signs in Sheridan and other western towns reading "No Indians or dogs allowed." "No Indians wanted," and in restaurants, "No Indians served." AAID is a resounding answer to the mentality behind such signs. Since 1952, the spirit that put them there has all but vanished.

The change came in 1952 when Lucy Yellowmule, a Crow Indian girl, was chosen Queen of the Sheridan Rodeo. As a result, Howard Sinclair, a long time friend of the Indians, conceived the idea of All American Indian Days and the Miss Indian America Pageant. Opening in 1953, AAID and Miss Indian America, continued under Mr. Sinclair's direction until 1957. Then there was a years recess for reorganization made necessary for financial reasons. The show was resumed in 1959, under the direction of Dean Sage, also a dedicated man of broad vision. Both Howard and Dean are now dead, but their hopes and aspirations are being carried forward by an ever growing band of volunteers. Led by Miss Indian America, All American Indian Days is finally moving into its deserved place on the national scene.

INDIAN AID NEEDED, THOMASINE PLEADS

SHERIDAN, WYO.—Indians need better teachers and better schools on reservations if they are to improve their economic status, Miss Indian America of 1968 said Sunday.

Miss Thomasine Hill, 22, a member of the Crow Indian Reservation in Montana, said too many teachers now on reservations did

not fully understand the culture and background of the Indian child. Teachers are needed who are able to relate to Indian children, she said.

Miss Hill, whose reign as Miss Indian America ended Sunday night, also urged the federal government to develop a more realistic attitude about Indians.

The government should deal with the Indians as they are and not as the government thinks they should be, Miss Hill said.

Miss Hill, who plans to study law at the University of Oklahoma in the coming year, noted that each new Presidential Administration seems to develop a new approach toward Indian problems.

Miss Hill called on the government to "re-evaluate programs on Indian reservations." She said there now was an overlap in federal programs which resulted in money going to extra government employes instead of to Indians.

Miss Hill also criticized the protrayal of the Indian as presented by television and other communications media.

"The Indian needs to have a positive image of himself portrayed on the screen," she said. "Television could do this if it wanted to."

ALBUQUERQUE COED NAMED AS MISS INDIAN AMERICA

SHERIDAN, WYO.—Margery W. Haury, a pretty teen-ager from Albuquerque, N.M., and a descendant of four Indian tribes, Sunday was named new Miss Indian America.

The 18-year-old daughter of Mr. and Mrs. Kenneth Haury, was selected from a group of 32 young Indian girls from across the nation.

Miss Haury, whose Indian name is Nah-Kah or "Bear Woman," has Cheyenne, Arapahoe, Navajo and Sioux blood. She succeeds Miss Thomasine Hill, 22, a member of Montana's Crow Reservation, and will represent the Indian people at various functions throughout the 1969–70 year.

Miss Haury, who wore a red and black traditional Navajo costume in the final of the pageant, was employed in Albuquerque this past summer by the Bureau of Indian Affairs.

In the talent portion of the contest, she ground corn. She also plays the flute and is a member of an All-Indian women's softball team.

First runnerup in the pageant, where the selection was made on the basis of poise, talent and appearance, was Millicent Natchees, 26, of Randlett, Utah.

Kathleen Bender, a 20-year-old Chippewa from Milwaukee, was second runnerup and Shirley Harrison, 20, a Navajo from San Lorenzo, Calif., was third runnerup.

Myrna Medicine-Horse, 18, a Crow Indian from Wyola, Mont. was named Miss Congeniality.

NEED FOR A BALANCED TRANSPORTATION POLICY

Mr. TYDINGS. Mr. President, as a strong advocate of a balanced transportation policy, I was deeply disappointed that the Nixon administration has rejected a trust fund for urban mass transit so that urgently needed Federal investment in this area can match the levels of funding for highways. It does not appear that the administration is willing to commit itself to the level of investments required—so I felt I must register my strong disagreement over this failure in a letter to Secretary of Transportation Volpe.

I would like to include that letter in the RECORD, as well as the testimony that I gave in behalf of the trust fund last month before the Housing and Urban Affairs Subcommittee of the Committee on Banking and Currency. Because the administration will not move forward, I plan to reintroduce the Tydings-Bingham bill that allows cities the option of using highway trust fund money for urban mass transit. This choice is desperately needed by cities attempting to begin essential transit programs. In Baltimore, for example, an ambitious $1.7 billion program awaits adequate Federal financing. Baltimore is not willing to sit by passively, nor am I.

I ask unanimous consent that my letter to Secretary Volpe, my testimony and an editorial from this morning's Washington Post which underscores this crucial problem, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., August 11, 1969.

Hon. JOHN A. VOLPE,
Secretary, Department of Transportation, Washington, D.C.

DEAR MR. SECRETARY: I am deeply disappointed with President Nixon's rejection of a federal trust fund for mass transportation facilities. The recent message to Congress with an announcement of a request of a twelve-year authorization of ten billion dollars does not hide the fact that the Administration has failed to take even a halting step forward into an area that needs decisive action.

The President's message to Congress, by asking for a long-term authorization, is little more than a token commitment to aiding our hard-pressed cities. Instead of seeking a revolving trust fund that would assure adequate funding, the President is evidently satisfied to rely upon the uncertain process of yearly appropriations. With our present Pentagon spending, it is hard to believe that the amounts authorized will in fact be funded. And the authorization requests beginning with $300 million in 1970 are themselves totally inadequate for the needs of a *single* major city, not to speak of the entire nation.

Finally, the failure of this approach to helping our cities is almost assured by the Administration's offer to pay only two-thirds of funding costs rather than the 90 percent share that goes to pay for highway construction.

The critical mass transit situation is well known to all of us in the Northeast. As our city transit systems decay, their revenues decrease and our urban congestion burgeons, federal funds are still directed almost exclusively towards increased highway construction. This near-sighted imbalance in transportation investment—in 1969 $4.5 billion for highways and $175 million for mass transit—threatens of transportation chaos in the future. And President Nixon's present plan offers little hope that the federal government will begin to remedy this distortion.

We all know that any transportation system in this nation depends upon huge capital investments, investment upon the scale that only the federal government can make. This was true of the roads and canals of our infant republic funded by public monies, of the transcontinental railroads given free land from coast to coast, of the aircraft industry whose research and development is almost totally underwritten by the Defense Department, and of the subsidies directed to our merchant marine. Until the federal government moves on a large scale, the next step in transportation, one painfully overdue will not be made.

The critical situation in my own state is typical. Baltimore has begun planning a $1.7 billion rapid transit system to meet its present and future transportation needs in an efficient, modern manner. Now the prospect of beginning the long and difficult construction phase will be delayed because the hope of adequate federal funding remains so dim. And that is why I join Mayor D'Alesandro in expressing my disappointment today. It will be impossible to move into the construction phase and have localities raise funds until our national commitment is made unmistakeably clear.

Those of us who have attempted to initiate change in our federal transportation policy—or non-policy—can only be deeply discouraged now. I had written you earlier this year encouraging a move towards a trust fund and offering to help organize legislators in support of this endeavor. I had the opportunity to testify on behalf of Senator Williams' proposal for a trust fund this summer. Yet, it seems as if this beginning movement in Congress towards a realistic balance in our transportation policies will not receive any cooperation from the Administration.

I hope this setback for an efficient and realistic transportation policy will be temporary.

Sincerely,

JOSEPH D. TYDINGS.

TESTIMONY OF U.S. SENATOR JOSEPH D. TYDINGS, JULY 23, 1969

Mr. Chairman, it is a privilege for me to appear here this morning to testify on behalf of substantially increased federal support for local efforts all across America to provide fast, economical and convenient transportation facilities in our cities and towns. Adequate federal support for mass transit facilities is absolutely vital to cities, such as Baltimore in my own state, now undertaking construction of mass transportation facilities.

I congratulate you upon your imaginative and forward-looking proposal to create a federal trust fund financed out of existing auto excise taxes to assist in the creation of mass transportation facilities. Your leadership in this field is well-known and has been vital to the development of even the limited federal mass transit assistance program we have today.

We who have been associated with the progress made so far to provide a decent level of federal support for mass transit are painfully aware of the enormous imbalance which exists today in the allocation of our national mass transportation resources. Of the more than 5 billion dollars a year being spent on urban and intercity transportation today, only 3 percent goes for mass transportation. Seventy percent goes to highways. Last year the federal government spent 160 million dollars in support of urban mass transit compared to more than 4 billion dollars on roads.

But the challenge in urban transportation this country faces is not a contest between highways and mass transit.

We need both.

We need balance.

Although I have been a sponsor of legislation to create more latitude for state and local governments in spending federal trust fund moneys, so that a portion of those funds could be spent according to local option on mass transit systems, I fully recognize the continuing need for improvements and additions to our national highway system.

Mass transit and highway must complement, not compete with, each other.

Just as mass transit systems obviously cannot meet many of the commercial and commuter transportation needs of our cities, the traffic jam strangling most major cities today graphically demonstrates that highways cannot meet all these needs either.

A balanced transportation system must contain an appropriate proportion of highways and mass transportation facilities. Regrettably, however, there has been no balance in our national transportation policy. The federal government has never yet faced

its responsibility to provide adequate resources to states and local governments to permit the construction of subways, bus systems, or any of the many new forms of urban mass transportation available to cities today.

Sadly, our nation, among the industrialized nations of the free world, lags far behind in providing its people with alternatives to the automobile in urban areas. Our exclusively highway-centered transportation resource allocation has condemned millions of Americans to wasting substantial portions of their lives sweltering in highway congestion just trying to get to work in the morning or back home at night. It has cost employers untold millions of hours of lost work time as their employees become embroiled in unexpected traffic jams or lose efficiency as the inevitable result of battling hours of traffic congestion.

The legislation you have proposed has my hearty endorsement. It is a welcome ray of hope to the people who live in cities. It is an indication that the federal government at long last will meet its responsibilities to help alleviate the traffic crisis and provide a balanced transportation system.

By tapping existing auto excise revenues to fund the mass transportation trust fund, your proposal meets the mass transit need without any increase in taxation.

I must express my disappointment, however, that the Administration has not seen fit to follow through on its campaign pledge to meet the critical urban transportation crisis. Four months ago, I wrote Secretary of Transportation Volpe urging him to propose a trust fund such as that in the legislation you have introduced. In that letter I offered not only to support such legislation, should the Administration propose it, but also to help organize concerned legislators in both houses of Congress to insure passage of such a bill.

I regret that many months later, no mass transportation bill has been forthcoming from the Administration. I renew my offer to the Administration and certainly to you, Mr. Chairman, to help in any way I can to insure the creation of such a trust fund.

This past weekend our nation thrilled to the truly incredible feat of transporting men 277 thousand miles to the surface of the moon. This extraordinary achievement in the history of mankind was possible only because our government made a rational, calculated decision and then supported it with the resources necessary to the task.

A similar decision must be made in the area of mass transit. A nation which has put men on the moon can certainly create the means to get them downtown.

As a matter of national policy, deserving of the highest priority, we must now, before it is too late, decide to provide modern mass transit systems and then back this decision with the financial and technical resources necessary to do the job. Your bill is a major step in doing this.

I congratulate you on your initiative and I urge you to pursue the legislation vigorously.

A Timid Approach to Transit Problem

President Nixon's message to Congress on urban mass transit spells out a program that is at its best a parsimonious approach to a major problem and at its worst a promise that may not be fulfilled. Mr. Nixon has recognized one of the pressing needs of our time—a method of moving people into and through the major cities by something other than the automobile—but his program holds out little real hope that this need will ever be met.

The President asked Congress for only $3.1 billion in the next five years to get new subway and other mass transit systems under way. The paltry nature of this amount rests in the simple fact that it is not enough to build decent subway systems in even two cities and that it is less than the federal government will spend on highways, not in the next five years but in the next year alone.

There are, of course, budgetary problems which operate to cut back the federal funds available for the fight to save cities from becoming completely uninhabitable. But the country must make a decision. The billions of dollars turned into concrete strips in each of the last 15 years have produced the greatest highway system in the world. The cities have been tied together, and the suburbs linked to downtown areas, in a way that always entices and sometimes compels people to travel by automobile. The autos are devouring the cities and the choice is to let them continue—jamming the streets, polluting the air, demanding more land for parking lots and more highways—or to provide alternative transit systems. A failure to do the latter is a choice to do the former and that is close to what Mr. Nixon's transit proposal really is. A total of $300 million next year, $3.1 billion in the next five years, and $10 billion in the next 10 years won't come near providing feasible alternatives.

The highway program has been funded consistently at a high level (approximately $4.5 billion this year) because of the trust fund established to finance it. Tax money accumulates in that fund and can be spent on nothing else. This same approach, urged on Mr. Nixon by the mayors of most cities and many congressmen for urban transit has been rejected, apparently because the economists and the budgeteers do not approve of it. Their approach is to persuade Congress to authorize the spending of $10 billion over 10 years and then to go back to Capitol Hill every two years to get the actual money to spend. It is here that the Nixon program possesses the potential of becoming a sham. The states have been able to schedule highway construction years in advance because they know that federal money will be available to pay for it. It may be that the three-year contractual period Mr. Nixon proposes will be sufficient to allow subway planners to do likewise. But in light of the experience of the District of Columbia in getting subway appropriations (as contrasted with the original authorization) and of the housing program in getting the money needed to fulfill the promise of last year's Housing Act, it is well to regard Mr. Nixon's transit program with a healthy degree of skepticism.

A NEW APPROACH TO DETER CRIME

Mr. WILLIAMS of New Jersey. Mr. President, every day we encounter a report of some new criminal trend or statistic. Crime has become a thorn in our freedom, a razor to our growth. It must come to a halt. We must find new ways to attack the problem.

Crime cannot be solved by imprisonment alone. Experts recently told a Senate subcommittee that U.S. jails are overcrowded and understaffed; they often turn offenders into hardened criminals and subject them to abnormal and perverted experiences. Our prisons have failed to contribute to a workable solution; we must create new approaches.

The Department of Labor in its funding of the Vera Institute of Justice in New York City has made a creative and profound contribution to this problem through its experimental and demonstration authority under the Manpower Development and Training Act. This is a sophisticated program designed to rehabilitate young offenders by keeping them out of jail and into jobs in lieu of possible incarceration. The defendants do not have a free ride or an acquittal. All participants remain under the supervision of the institute and those who do not show improvement are subject to the original criminal charge.

Project Crossroads, which is also funded by the Labor Department, is a similar program in our Nation's Capital. This, too, attempts to test the proposition that young people accused of criminal offenses are less likely to repeat their alleged antisocial behavior if they can develop an economic stake in the community before they become committed to a lifetime of criminal activity.

I strongly support the proposition that manpower development and training services provides an excellent opportunity to deter further criminal behavior.

Mr. President, I ask unanimous consent that the article, entitled "Vera to the Rescue," written by Ralph Keyes, and published in Newsday of March 15 be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Vera to the Rescue

(By Ralph Keyes)

Eighteen years old, slight, light-complexioned, Riff is a New York street product who last spring dropped out of high school and two months later was arrested for burglary. "It really kind of shook me," he recalls. "I didn't know what was going on."

Riff was put in a cell to await trial. Jails aren't built for comfort and he still winces in recalling his confinement. Small, dirty, crowded with older criminals—"The place was disgusting," Riff says with a shudder.

The case could have been classic. High school dropout with low reading ability, and no skills get sent to prison where, if he isn't kicked around too much, he gets wise and learns a better hustle which he'll need because "decent" people won't want to have too much to do with him.

But Riff lucked out. He didn't have to face this. About the time of his arrest, the Vera Institute of Justice was starting its Manhattan Court Employment Project and Riff was one of the first invited to join. A Vera counselor explained to Riff that if he agreed to go to work, or back to school, they would ask the district attorney and judge to postpone his trial. As a first offender who wasn't an addict and hadn't been charged with too serious a crime, Riff's prospects looked good. If he kept clean over three months' time and demonstrated progress, Vera would ask the court to dismiss the charges entirely.

Riff quickly consented. "I really wanted to do it," he says, insisting that "it wasn't just to get off. I had been out of school for two months and didn't have any cash. It was a lucky break."

And he has been exceptionally lucky. Today, almost a year after his arrest, Riff is working and attending night school. Charges against him were dismissed months ago.

Many arrestees like Riff are getting similar breaks in Vera's year-old Manhattan project. The Vera Institute is a respected legal reform outfit that pioneered bail reform and is now diversifying. More than two years ago it decided to tackle recidivism (the repeated confinement of ex-convicts), a social cancer of increasing public concern. Federal Bureau of Prisons Director Myril Alexander calls imprisonment "a failure" from the standpoint of both punishment and rehabilitation, and argues, "Simply removing an offender to an institution as punishment often only compounds the problem of reintegrating him into the community as a law-abiding citizen." Recent hearings held by the Sen-

ate juvenile delinquency subcommittee produced gruesome testimony about frequent homosexual assaults, beatings and murder in the nation's prisons. "We do better with our animals than we do with a lot of human beings," charges Sen. Thomas Dodd (D-Conn.), the subcommittee chairman.

Milton Luger, director of the New York State Division for Youth, testified, "It would probably be better for all concerned if young delinquents were not detected, apprehended or institutionalized. Too many of them get worse in our care."

As an alternative, Vera proposed a pilot program of preventive nondetention for the Manhattan courts. The program was jointly announced in May, 1967, by New York City Mayor Lindsay and Sen. Robert F. Kennedy, both of whom lent assistance by enlisting the cooperation of governmental agencies. Here's how the program, which got under way in February, 1968, works:

Certain defendants are selected at arraignment and invited to enter the employment project for a job or training, and counseling. With the consent of the district attorney, the judge is asked to postpone the trial of Vera participants for three months.

This is not an acquittal, or a free ride. All participants remain under Vera's supervision and are expected to show satisfactory adjustment. Those who don't show signs of progress or get rearrested generally are returned to the courts for prosecution. Those who seem to be making it get a Vera recommendation to the court for dismissal of charges.

Rip Harris was the Vera counselor assigned to Riff Harris, who is 28, black and moustached, comes on different from the average counselor. "I thought he was a pretty groovy guy," recalls Riff. "It was mostly the way he talked and how quickly he could pick up things that were said around him."

Rip is part of a Vera improvisation—the hiring of former prisoners as project representatives ("reps") to do most of the counseling. "As soon as a guy hits the office, man," says Pedro Riera, an intense, 22-year-old father of three who served almost four years in the penitentiary, "we tell him all the reps are ex-cons and no one's a rat who's gonna talk on you. You can talk in confidence, you dig, man? Our credibility is 100 per cent." Big Bob McGowan, a 40-year-old rep whose easy laugh belies the 19 years he spent in prison, adds, "Though in most cases participants have a built-in resistance to authority, the moment you tell them that you've been through it they identify."

Always on call to participants, Vera's 10 reps often spend long hours after work helping with an overdose case, settling family fights, or just being a friend. Dirk VanLierop, a 35-year-old, goatteed urban buccaneer, was recently best man at the wedding of a former participant in the program. "Dirk's boss," says one of his counselees. "He's like me 30 years from now. You can't look at him and say, 'What do you know about my problem?' He talks to you like he was in the same situation."

Harris developed that sort of relationship with Riff. "I liked him," he recalls of his young charge. "He seemed like me in a lot of ways."

The rep first introduced Riff to a Vera career developer—Mike Carpenter. Riff told Carpenter that his goal was to be an artist. He was 17, a school dropout with no training in art and burglary charges hanging over his head, and he wanted to be an artist.

"He was anxious to go far fast but was not too interested in school," Carpenter recalls. Though career developers try as much as possible to meet the participants' aspirations—even getting on the phone to dig up the right job when one doesn't exist—this art thing was a little too much. Carpenter got Riff an interview to see about training as a cook. That didn't work out and a week later Mike sent Riff to a large Manhattan firm to see about becoming a mail clerk—with the chance to move up. Riff got the job, at $70 a week. It wasn't great, it wasn't art, but it was hope.

Vera has found that employment per se doesn't mean a whole lot to most participants. The street offers any number of ways to hustle that pay better than the average job. (Vera hasn't even attempted to take on prostitutes.) For this reason, the project has had to hustle itself to keep young men in the program and progressing.

Immediate handling of any problem—housing, lack of money, personal hang-ups—is one tool. Rapid job placement in work with a future is another. An attractive clubhouse where participants can hang out has helped. Why go to all this trouble? "Give a guy a stake in the community and he won't commit crimes," explains Al Gellar, one of two counseling supervisors. "This means a good job, a rise in self-esteem. If a guy is really feeling good about himself, he ain't gonna recidivate."

Riff quickly ran into problems on his new job. He was late a lot and Harris had to back him up, talk to him, cajole his employers. "He could well have been fired," Harris says, "but his supervisor took a liking to him."

"I had never done anything like this before," Riff says of his adjustment difficulties. "I used to go down and discuss these little problems because I didn't know how to handle them—little things like how to deal with people and handle myself."

Riff started attending meetings with other participants. Vera requires such group counseling and considers this essential to adjustment. "We've come to look upon the group as perhaps our most important vehicle," says Ray Robinson, the other counseling supervisor. "Group is not a luxury. It's a *must*."

In the groups, generally led by reps, participants are encouraged to bring out their innermost hang-ups and lay them on the table for all to dissect.

Interaction isn't necessarily gentle. To a defensive young member who refused to answer others' questions, Pedro Riera said, "When you're tired of this program you let me know and I'll surely terminate you man, because you're not a tough guy to me, and when you portray that man, you're showing me that you don't give a damn about this program, and you're not slick to me. When you get yourself together, that's when I'll smile with you."

"How old are you?" asked an older group member.

"Seventeen."

"I believe you just about that damn age. Why don't you come up here with us?"

"Why don't you come down here with me?"

"Well I'm down. Why you think I'm here? I'm trying to get back up."

(Pedro): "You're not an astronaut man, you know you gotta come down to earth and deal with facts, be more realistic and do something for yourself, cause walking around with a chip on your shoulder isn't gonna get you anywhere."

And the groups can work. Attendance, supposedly mandatory but hard to enforce, is consistently high. "It was really nice," says Riff of his group. "Hearing other people speak about things, really wanting to get themselves together, talking about problems, getting involved with each other. I found out a lot of things that I haven't seen before."

Ninety days after he entered the program, Riff's satisfactory job and personal record resulted in the charges against him being dismissed by the judge, with the consent of the district attorney. Such mutual consent is necessary legally and Vera has gone out of its way to keep up good relations with all departments concerned. "These people have been very diplomatic," says Assistant District Attorney Joseph Stone, head of the Criminal Courts Bureau. Though he emphasizes that the district attorney's office does not always go along with Vera recommendations, on the whole, says Stone, "we think it's a very worthwhile experiment, a real attempt to rehabilitate people who get in trouble instead of putting them through the whole legal process, giving them a record."

Not all are so happy with this approach to criminology. One recent victim of a crime allegedly committed by a Vera participant vehemently protested the accused's being "let off." Stone explained to him that crimes are legally committed not against people but against the State of New York. "While the victim of a crime should be consulted and advised, in the end it's up to us," Stone said. "In this case we explained this to the man, and later he sent us a letter saying that he understood so long as something was being done."

The courts generally have proved cooperative. Judge Arthur Braun, who has never refused a district attorney-backed Vera request to postpone or dismiss charges, calls the Vera approach "one effective way of dealing with a situation where incarceration is the only alternative." His colleague, Judge Dennis Edwards, concurs, terming the project "within the concept of a preventive approach."

Even the police, not always receptive to Vera's philosophy, work along with the project. In one instance, a patrolman fought against Vera's getting a man he had just arrested, then three weeks later showed up to ask how another arrestee might be admitted to the program. He just felt this one would benefit where the other wouldn't.

In its year of operation, Vera has worked with about 500 persons and has recommended and been granted charge dismissals in 36 per cent of the cases. This went up to 41 per cent for October-November, 1968. The figures are conservative, and many people whose charges weren't dismissed hold jobs and stay in touch with the program.

Drug users have proved a major problem. Vera eliminates identifiable addicts at the outset, yet still finds that about 30 per cent of their participants turn out to have a serious drug problem. For nonaddicts, the dismissal rate has been 49 per cent. For addicts, it is a dismal 11 per cent .

Though this overall success rate may not appear earthshaking, the Labor Department's liaison with Vera, Joseph Ehrenberg, points out that most hard-core employment programs, even without the problem of criminal charges, generally succeed with only 25 to 30 per cent of their populations. The Labor Department has re-funded Vera's program, which Ehrenberg calls it "one of the better demonstration projects we have going." He adds: "It has sound leadership, authentic people who reach out rather than reach in."

Ehrenberg's major concern is that Vera as yet tapped only 1 per cent of New York City's criminal population. "The enormity of the problem is staggering," he says. And city arrests are up 14.9 per cent this year, with the sharpest rise occurring among 16-20-year-olds. Judge Edwards believes that "the whole Vera concept today could be applied to young people all over." Judge Braun calls it "a challenge to our whole system of penology."

Project Director Henry Aronson concurs. A tough-talking, 34-year-old Yale Law School product, Aronson spent three years practicing civil rights law in Mississippi before coming north and taking on Vera's manpower project. He calls it "a very radical tinkering with the criminal process." Aronson elaborates: "We're saying that court should be reserved for very serious cases and our sort of thing should be used for those cases which are not capital or violent and where the guy seems to have some chance of making it. You should start rehabilitating at the earliest stages. The Criminal Court is always viewed as a 'bad' thing. Why not offer its services to people who by their very involve-

ment with the law are saying they've got problems?"

Vera's program is intended as a model. The institute has deliberately kept costs down (now below $700 per participant) and consistently has attempted to exploit existing resources such as welfare, commerce, schools and training programs. The club-house was outfitted by donated labor and materials. Research has been done every step of the way, and exhaustive statistics are now being computerized.

The Labor Department's Ehrenberg, who is generally enthusiastic about the project, expresses confidence that it will prove a model and points to the effects he feels it is already having: loosening of judicial attitudes toward crime and punishment; improving employment prospects for accused criminals; and, through the reps' example, opening up the whole social service field to greater use of ex-offenders.

Riff is today an artist. He mastered the mail room so thoroughly that his employers promoted him to the commercial art department to start from scratch. This month's company magazine has a college cover designed by Riff. He spent days in an art museum putting together the designs needed—"technically a rather difficult thing to do," says his supervisor. Last month Riff got a raise—to $325 a month. And he has returned to night school to get a diploma, after which he plans to take some college courses at his employer's expense. "I really don't know what would have happened if I hadn't met Vera," says Riff. And Bob McGowan, who entered prison at 16 to stay till 35, comments wistfully, "I should have had it myself when I was young and fooling around."

BUSINESSMEN ARE CONCERNED TOO

Mr. HATFIELD. Mr. President, the distinguished Senator from New York (Mr. GOODELL) and I have noted that a group of successful and highly respected businessmen from various parts of the country have formed an organization called the Businessmen's Educational Fund. These men believe that what is good for America is good for business, rather than vice versa. They believe that private interests and public issues no longer can be separated and that the most pressing public issue today is reassessing and reexamining our national values, goals, and priorities.

The national chairman and the treasurer of the Businessmen's Educational Fund have just written a letter commending Fortune magazine for its August 1 editorial, which calls for a sharp reduction in military spending as a first step toward redirecting our national energies and resources.

It is with much optimism at the interest and concern expressed by these businessmen in the course of the Nation that Senator GOODELL and I ask unanimous consent that the Fortune editorial and the letter from the Businessmen's Educational Fund be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

IT IS TIME TO AUDIT THE DEFENSE DEPARTMENT

The U.S. is in the grip of a costly, escalating pattern of military expenditure that could well keep rising even after Vietnam. As reported in a special defense section of this issue, evidence multiplies that this expenditure has come to live a life of its own—neither soundly based on our commitments nor, indeed, properly responding to the very real potential of the U.S.S.R. Appropriately, the Nixon Administration has begun a thoroughgoing review of the threats facing the U.S. and the defense structure needed to cope with them. The reassessment is urgently needed.

At staggering cost, the military has repeatedly bought weapons and deployed forces in a way that have added only marginally to national security. Moreover, in the procurement of new weapons, both the military and its corporate suppliers have been guilty of wasteful practices and flagrantly disingenuous cost estimates. "The Case for Cutting Defense Spending" suggests that in the aftermath of the Vietnam war the defense budget could immediately be cut by more than 20 percent, to about $62 billion, without compromising either the nation's security or its present commitments.

The Soviet Union, realizing one of its most compelling dreams, has now built a military machine roughly equal in power to that of the U.S. In the absence of arms-limitation agreements, prudence clearly requires that we maintain a strategic force amply capable of countering this adversary, whose military growth rate is so breathtaking. But prudence requires as well that we re-examine a conventional force structure based on obsolete premises. Some of the basic tenets of U.S. defense policy have been carried over without systematic analysis since the late 1940's, a time when allies were poor and weak and potential enemies were sternly monolithic. The most expensive legacy from the past is the assumption, now quite dubious, that the U.S. needs what is known as a "two-plus capability"—a force structure that can be quicky expanded to fight a major conventional land war in Europe, another in Asia, and a limited war in the Americas, all at the same time. Many analysts believe that we can safely move back toward the "one-plus capability" that prevailed in the 1950's.

THE NARROWING OUTLOOK

For a long time, and particularly since the departure of the Eisenhower Administration, few of the outside checks and balances that constrain other federal agencies have been applied to the military establishment. In most matters, neither the President, his Budget Bureau, nor Congress was disposed to challenge policies agreed to by the armed services and the Secretary of Defense. Today's military leaders have come to senior rank expecting a level of financial support that would have been the envy of generations of predecessors.

To be sure, the Defense Department staff, particularly during Robert McNamara's tenure as Secretary, projected an aura of iron control over the military. Civilians vetoed manned bombers, nuclear carriers, and other projects requested by the services, and closed hundreds of superfluous military facilities. The Secretary boasted annually of deep cuts made in the budget requests of the individual services. While McNamara sometimes interposed his judgment with disappointing and expensive results, much of the civilian auditing surely was to the good. But it is wrong to conclude that a vigilant internal review at the Pentagon constituted ample control over the military. Allowing those responsible for day-to-day operations such a decisive say in their own operational scope and budget level has been no more justifiable at Defense than it would be anywhere else in the government. However competent the civilians who run the Pentagon, their heavy responsibilities and the intensive pressures of their jobs inevitably narrow their outlook. As a former Budget Bureau official recalls, "At first, McNamara was a real tough budget director over the military, but eventually he and his people couldn't be so tough. It got to be *their* systems they were defending and arguing for."

THE COMPLEX "COMFLEX"

In Congress, through the years, a core of knowledgeable legislators have been deeply involved with defense matters, mostly through the Armed Services and Appropriations committees of both houses. Until the last couple of years, these Congressmen were generally in accord with the point of view of the military. On occasion, some of them actively supported the services against the Pentagon civilians when the two groups disagreed, as in the long controversy over the TFX-F-111 fighter-bomber. But they practically never overruled any *concerned* recommendation of the services and the Secretary.

Searching for a villain to account for the long absence of adequate control, a lot of Congressmen and others have lately fastened their attention on the "military-industrial complex." It is true that the interplay between the services and their suppliers generates pressures to maintain high levels of defense spending, almost irrespective of the external threat. The natural desire of military men to have ever more sophisticated and expensive weaponry coincides with the desire of contractors to supply it.

This can lead to excesses; as one former Pentagon official observes, "The contractors' engineers and the government's engineers get all excited and oversell each other" But there is little reason to question the sincerity of either side. The overwhelming majority of both defense-industry executives and military officers hold strongly to a view of the world in which expensive weaponry is essential to security.

TOO MUCH TOO SOON

The problems posed by big weapons systems make some such symbiotic relationship almost imperative. As NASA has learned in the Apollo project, large, technically adventurous undertakings demand the closest kind of interaction between buyer and seller.

Still, procedures at all levels of the decision-making and procurement processes need tightening. Fortunately, the biggest cause of unnecessary defense spending is not (as some congressional critics seem to think) sloppy management or skulduggery in the defense industry; if it were, the problem of cutting spending would be much more diffuse and impervious to solution than it is. Contractors sometimes do misbehave, of course. But they are already heavily policed by the Pentagon and the General Accounting Office. Moreover, under the fixed-price and incentive contracts favored by McNamara, penalties for egregiously bad management have been toughened. Many lax practices can be traced to the military's frequent tendency to emphasize performance and fast delivery of weapons over cost. More stringent budgets could dramatically change that emphasis.

Larger savings can be made by rationalizing the Pentagon's basic procurement practices and philosophies. As Deputy Secretary of Defense David Packard puts it, "We are designing and building weapons that are too complex, and therefore too costly. We further compound the problem by trying to produce hardware before it is fully developed." A panel headed by Gilbert W. Fitzhugh, chairman and chief executive officer of Metropolitan Life, is studying the Pentagon's management machinery, and will report next year. Meanwhile the Defense Department is already introducing a number of promising techniques to discourage the practices Packard has identified. Among them: tying the start of production to the achievement of research and development "milestones," relying more on prototypes of new equipment

instead of paper plans, and requiring the services to save money on one project if they add to the costs of another.

THE WILL TO COUNTERVAIL

Welcome as this ferment inside the Pentagon is, it does not change the urgent need for closer outside supervision. The defense establishment of itself can never provide the proper sense of balance between military needs and other priorities. But given the will to do so, the governmental structure as a whole is perfectly capable of countervailing the momentum of any "complex."

There are some promising signs. The new Budget Director, Robert Mayo, has moved to strengthen his bureau's powers over the defense budget. And the Administration's broad review of defense policy should enable the White House to provide more coherent strategic guidance than was offered under Presidents Kennedy and Johnson.

In Congress, skepticism about defense spending is now more pervasive than it has been at any time since the onset of the cold war. The frustrations of Vietnam and accelerating inflation, and the attention drawn to unmet domestic needs by urban disorders, have all contributed to the change. An early sign of the new legislative mood was Senator Richard Russell's successful assault in 1967 on the Navy's proposal to build fast-deployment logistics ships. Russell, the most respected advocate of the military on Capitol Hill, argued that FDL ships would increase the tendency of the armed forces to intervene abroad by making them more capable of intervention. Since that vote, Congress has been paying more and more critical attention to other defense questions, ranging from broad matters of strategy, as in the debate over the ABM, to the shortcomings of the weapon-procurement process.

Congressional pressure has already helped kill or sidetrack several major weapon projects, including the Army's Cheyenne helicopter and the Air Force's manned orbiting laboratory, and the Senate again this year turned down FDL ships. Inevitably, as the article on Lockheed Aircraft beginning on page 76 suggests, some of the legislative criticism has been unfair and immoderate. But the desirability of a broad role for Congress as a countervailing force to the defense establishment can no longer be in doubt.

REDEFINING THE NEED TO KNOW

Congress does need to supplement indignation with much better information than it has been getting on military questions. Senator John Stennis' decision to have the staff of his Armed Services Committee monitor the progress of major weapon programs is a step in the right direction. In addition, Congress ought to hold exhaustive hearings each year on the premises and strategy underlying the defense budget. These hearings should regularly test even the most fundamental assumptions about the nature of the external threat, and should critically examine the justifications not only for proposed new programs but also for continuing existing ones.

Furthermore, Congress needs its own permanent staff of systems analysts and others capable of assessing weapon programs and basic strategies. The staff, which should be responsible only to Congress, should file periodic reports, including recommendations for legislative action, and should be available for special assignments. These might include reviewing the Pentagon's contracting decisions on major systems and analyzing the efficiency with which big contracts are carried out. Perhaps some of this work could be done by outside organizations such as the Brookings Institution. Whatever form the new staff takes, it needs to have access on a confidential basis to all Pentagon data, including classified material. At present, legislators are hampered in investigating defense matters because their security clearance is on a "need to know" basis—with the need determined solely by the Defense Department.

In redefining the goals of the military and its place in the governmental structure and in society, Congress and the Administration have a chance to exert a profoundly constructive influence on the character of American life in the 1970's. They should seize the opportunity.

THE BUSINESSMEN'S
EDUCATIONAL FUND,
August 8, 1969.

FORTUNE,
New York, N.Y.

TO THE EDITORS: "It's Time To Audit the Defense Department" and related articles (August 1, 1969, *Fortune* are an exemplary blend of journalism, research, and public service. If all American businessmen acted on your judicious advice, the nation would quickly be assured of a brighter and more rational future.

Businessmen live with the realities of limited resources and the need to choose between alternatives in allocating these resources. Businessmen understand the high and often fatal costs of pursuing obsolete policies. The harsh mandates of the marketplace compel us to be objective, flexible, change-minded. When we deceive ourselves into believing our policies or products are better than they are, competitive reality rapidly and painfully sets us straight.

Until now there has been no effective check on the allocation of resources for military purposes. Your editorial heralds the appearance at last of such a check—a rallying of business opinion against waste and arrogance.

We are, as you point out, deploying troops and resources in many nations "like the Twentieth Century equivalent of the Roman legions." But unlike the Romans, we also pay other nations for the privilege of defending them. Such policies, together with continuation of the two-plus capability, add up to what former Marine Corps Commandant General David M. Shoup calls the "new American militarism" rather than legitimate "defense." The same is true of what you call "gold-plating" of new weapons systems. When Americans, and particularly Members of Congress, begin to distinguish between "defense" and "military" financial requests, a long step toward a sane military policy will have been taken.

Despite the belief in some areas of the Pentagon to the contrary, our resources are not limitless. Ever-expanding military budgets are draining us, weakening our currency, impairing productivity and inhibiting the solution of serious domestic problems. Equating national security with military overkill is an expensive mistake which must be corrected.

We must redefine national security. We have got to put a stop to the endless game of military leapfrog so relished by Russian and American hardliners. Businessmen can help achieve these objectives by joining *Fortune* in speaking out for reasonable cuts in military spending. They can act, as responsible members of the business community, to counterbalance the powerful constituencies which press for escalation of military expenditures.

The motivations for American businessmen to form such a counterconstituency are apparent. Your editorial touched most of them. Private interest can no longer be separated from public issues. The urgent public issue is the redirection of national goals and priorities reflected in a reallocation of public resources. A reduction of military expenditures on the scale recommended by *Fortune* is the essential preliminary to everything else.

American businessmen will serve their own interests and those of their country in speaking out in support of such reductions and in stressing the important distinction between legitimate "defense" and excessive "military" spending.

Sincerely,
HAROLD WILLENS,
Factory Equipment Supply Corp.,
Los Angeles, Calif.
J. SINCLAIR ARMSTRONG,
United States Trust Company,
New York, N.Y.

(NOTE.—Mr. Willens is National Chairman and Mr. Armstrong is Treasurer of the Businessmen's Educational Fund.)

ENVIRONMENTAL QUALITY: PESTICIDES IN OUR LAKES

Mr. TYDINGS. Mr. President, on July 31, I introduced a bill designed to protect our people and ecological system from the growing accumulation of toxic residues in our environment stemming from the widespread use of pesticides.

The bill in part places a 4-year moratorium on the use of four of the more powerful pesticides, DDT, dieldrin, aldrin, and endrin.

DDT, of course, is perhaps the best known pesticide. Yet it is also one of the most persistent and thus has raised considerable concern among scientists and conservationists alike, both here in this Nation and abroad. Denmark, Sweden and Hungary have banned its use. So have Michigan and Arizona.

Increasing public alarm over the deterioration of the quality of our environment has necessitated strong action on the part of public officials. Normal types of air and water pollution have been recognized and a start toward their abatement has begun. Yet insufficient action has been taken regarding pesticides. Their toxic residues poison our soils and waterways, yet the Federal Government takes small strides when giant steps are required.

One example of a body of water that has been polluted by DDT is Lake Michigan. The impact of the pesticide on the lake as well as a brief but good discussion of the DDT problem is found in the article entitled "Our Point of View: DDT Threatens You," written by Ed Chaney, and published in the August–September issue of National Wildlife magazine. It is of interest to all concerned with conservation. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OUR POINT OF VIEW—DDT THREATENS YOU
(By Ed Chaney)

Thousands of tons of DDT have been ladled onto lands surrounding Lake Michigan over the past 20 years to combat real, and sometimes imaginary threats from a variety of creepy crawlies.

This perennial application contains poison that moves freely from place to place and retains its toxicity for a guess-timated half century or more. Yet it has become an accepted method for dealing with pests. And over the years—via wind, water and soil—DDT has washed into Lake Michigan from farms, orchards, mosquito swamps, elm-lined streets, flower beds and even from moth-proofing by dry cleaners.

Occasionally, someone would wonder at the scarcity of robins after the community elms were doused with DDT to fight Dutch elm disease. Once in a while a few unexplainably dead fish would appear in a nearby creek. And sometimes an article claiming DDT was eating the livers out of eagles and ospreys would turn up on the back page of our paper.

"SILENT SPRING" SILENCED

But compared to the commotion over the surtax, the ABM and getting Johnny ready for graduation, these isolated incidents seemed of little concern to most people. Dr. George Mehren, former Assistant Secretary of Agriculture, summed up the tenor of the times in a statement to a congressional committee in 1968, ". . . the hysteria associated with 'Silent Spring' has effectively subsided."

But then it happened! The Food and Drug Administration put the grabs on more than 10 tons of Lake Michigan coho salmon enroute to family dinner tables. The salmon contained up to 19 parts per million DDT—almost three times the maximum allowed in beef sold for human consumption. Suddenly, the fundamental relationship of DDT to man's position at the top of the natural food chain became an exciting topic of conversation for folks living in the Great Lakes area.

The coho seizures added fuel to the smoldering coals of Rachel Carson's best seller which had already been furiously fanned by a group of citizens and scientists banded together in the "Environmental Defense Fund." Attempting to ban DDT as a water pollutant in the state of Wisconsin, EDF paraded an impressive array of scientists through the national press damning DDT as a heinous, uncontrollable global pollutant.

Reaction to the contaminated coho impoundment was quick. Lacking an established tolerance level for DDT in fish, Secretary Robert Finch of Health, Education and Welfare, quickly set a temporary standard of five parts per million. He also established a commission to study the situation and present recommendations within six months.

HOT COHO

State and Federal fishery biologists predicted DDT levels in this year's crop of Lake Michigan coho would reach that five parts per million by mid-summer and several times that concentration by fall. Because growing fish concentrate DDT in their tissues, biologists hold out little hope that millions of pounds of valuable fish will be safe for consumption by the end of summer. The United States Bureau of Commercial Fisheries also warned that DDT levels in the lake are so high that reproduction of lake trout, salmon and other species may be in real danger.

Visions of DDT scuttling the $200 million Lake Michigan coho salmon fishing industry brought prompt reaction from the governors of the states surrounding Lake Michigan.

They met and declared there was no immediate DDT health hazard in Lake Michigan. Then they set up several committees to study the problem to see if a tolerance level of 20 parts per million DDT would be safe for humans. (Nobody knows what a really safe limit is. Whether it is 1, 5, 20 or 100 parts per million is an arbitrary judgment.)

Illinois Governor Richard B. Ogilvie announced his intention to continue drinking Lake Michigan water and eating coho salmon.

The Michigan Department of Agriculture "banned" DDT in April. This "ban" was analogous to slamming the barn door behind a horse thief and giving him several years to get out of town since it allows unlimited quantities of DDT to be sold and used in Michigan if the chemical was in transit from the manufacturer by June 27. Consequently, new, home-grown DDT will continue to pollute the air, water, soil, wildlife and people of Michigan for a long time.

It is a disturbing, spooky fact that no one really knows what effects, if any, DDT has on humans. Some eminent scientist maintain it may be difficult, even impossible, to find out until incalculable damage has occurred and it is too late to do anything about it.

TWELVE PARTS PER PERSON

We do know the average American carries around approximately 12 parts per million DDT in his body. Man gets an estimated 90 percent of his DDT from food. We also know it is passed on to the human fetus via the mother's placenta and a nursing mother's milk generally contains more DDT than is allowed in milk you buy at the store.

Laboratory experiments with various animals have shown DDT attacks the central nervous system, upsets body chemistry, distorts cells, accelerates gene mutation, reduces drug effectiveness and affects calcium absorption by the bones.

Hungarian experiments with mice emphasized DDT's cancer-producing potential, and that country recently banned its use. These carcenogenic properties were confirmed by a recent controversial six-year study by the National Cancer Institute which found DDT in mice did cause tumors, most of which ". . . had malignant potential."

A pharmacologist with a leading drug firm says DDT has a deleterious effect on rats' sex hormones, which are essentially the same as man's. Further, the amount of DDT necessary to produce that effect ". . . is well within the range of DDT found in human fat."

All this growing, damning evidence does not *absolutely prove* DDT is having or might have the same effects on the human animal. But Dr. Wayland Hayes, past chief of the Public Health Service toxology section, has said, "In considering the safety of workers who formulate DDT, we must depend largely on animal experiments."

Unfortunately, the evidence damning DDT as a potential threat to mankind, all the laboratory experiments, state and Federal study groups, commissions and exploding public concern, may have little impact.

IT IS BIG BUSINESS

The manufacture of DDT is a $20 million a year business, and pesticide manufacturers also fear the fight over DDT will carry over onto its persistent chlorinated hydrocarbon relatives, heptachlor, lindane, aldrin, endrin, dieldrin, and chlordane which constitute a big part of the industry's $1 billion annual sales.

The pesticide lobby is powerful, experienced and at the slightest disparaging word aimed at DDT, industry spokesmen trot out an impressive array of truths extolling its virtues in fighting disease organisms and agricultural pests throughout the world. No one contests these truths.

But there are substitutes for DDT in the form of safe non-persistent insecticides. Insect sterilization offers much hope for counteracting certain pests, and research has been stepped up on insect predators.

But DDT's apologists continue their campaign that DDT is indispensable to the welfare of mankind and get away with it. They know from past experience that the public's memory is short and the people who make the laws and buy the products don't read history books. The decisions will be made behind the scenes.

Agriculture committees in state and Federal government are almost universally dominated by farm and pesticide-oriented legislators. These committees are commonly considered rubber stamps for all but the most offensive industry pleas and graveyards for regulatory bills.

DDT's proponents seem willing to write off the growing list of threatened wildlife including the bald eagle, osprey, peregrine falcon, eider duck, bermuda petrel, brown pelican and even the sportsman-revered mallard duck. During the EDF hearing in Madison, spokesmen for the National Agricultural Manufacturers Association said, ". . . the damage is not as severe as conservationists claim." One of their arguments is that "DDT inhibits the reproduction of birds . . . but these are primarily birds of prey, and very small numbers are involved." And, "A person whose thing is studying the peregrine falcon is concerned only about every little thing that might happen to this bird."

CANNOT PROVE HUMAN EFFECTS

When the question of DDT's possible effects on humans is raised, their answers boil down to "prove it." Despite the overwhelming, growing scientific evidence that portends frightening effects on man, DDT's fans are willing to gamble. And they have graciously volunteered the rest of the world.

The already dangerous and climbing levels of DDT in the food fish of Lake Michigan may be a grim hint of what is to come. Even if not another ounce of DDT were applied anywhere in the world, beginning today, some experts guess it would be at least 25 years before the concentrations in the environment begin to level off. However, researchers have revealed a great deal of variability in the chemical's persistence depending upon local conditions.

Our exploding technology now keeps some men alive with artificial hearts and puts others on the moon. What unknown secrets will we discover about the 12 parts per million DDT we all carry in our bodies? At this level, the FDA would rule the average American unfit for human consumption.

John Gottschalk, Director of the Bureau of Sports Fisheries and Wildlife, said, "What is Happening in Lake Michigan is an indication of what to expect elsewhere. There will be a day, and it may not be until the year 2000, when *we* are the coho salmon."

The widespread use of DDT should be halted immediately unless its safety can be proven.

TRANSPORTATION IS ESSENTIAL

Mr. HANSEN. Mr. President, in recent years all Americans have been made dramatically aware of the tragic problems of our cities. It is unfortunate that our history has been blighted by outbursts of frustration termed "the long hot summers."

These events are the concomitants of our rapidly changing, complex social organization. There are no simple answers to this dilemma, no shortcuts to resolution of longstanding problems. However, there is no one who does not wish to see harmony restored to the tempo of urban life.

One part of the answer to city problems lies with the creation of a national transportation policy generally, and with the formation of an urban mass transit policy specifically. Today "urbanologists" speak in terms of transportation as "a tool for urban development." Such a tool would be very useful in efforts to work out the difficulties in our metropolitan areas. It can break down the ghetto walls behind which so much frustration builds.

As I indicated, I feel that there are no simple answers. There are also no cheap answers. Nor are there quick answers.

Correction of poor social and economic conditions which have evolved through decades will require the best of our mental efforts and our allocation of adequate funds. Currently there are Govern-

ment-sponsored programs whose purpose it is to utilize public transportation to bring the disadvantaged into the mainstream of American life.

Unfortunately, however, the urban public transportation system in this country is in a sad state of disrepair. Part of the blame for urban disorders is the situation wherein urban residents find themselves cut off from the "good life" of cities for want of adequate transportation. People who cannot get to available jobs or who cannot enjoy the cultural benefits to be had in our cities are bound to be angry.

For these and other reasons—traffic congestion, noise, pollution—I feel that it is imperative for us to establish a program of financial assistance for local governments which seek a way out of the asphalt and concrete jungles that so many people call home. Public transportation is essential to the health of the urban environment. It is essential to those people who have no alternative but to rely on a public service to get to and from jobs and shopping areas.

Local governments will be encouraged to act only if they can count on the Federal Government's aid for a period of years. Without assurances of financial assistance they can hardly be expected to undertake costly programs aimed at the alleviation of transportation problems. There is no doubt in my mind that if we set our minds to do it we can make our cities something besides "a nice place to visit"—where perhaps the summers will not be so hot or so long.

Mr. President, our Nation's transportation problems and deficiencies increasingly demand the attention and imaginative efforts of every one of us. The Committee on Commerce will be examining these problems and the President's proposed solutions in the coming months, and I would again emphasize that the need for new approaches calls for the best thoughts and efforts of all.

ABM: A SHIELD, NOT A SWORD

Mr. JACKSON. Mr. President, I invite the attention of Senators to an article written by Dr. Ernest W. Lefever and published in Tempo of August 15, 1969. Tempo is a twice-monthly publication of the National Council of Churches. Dr. Lefever's article presents a positive case for the Safeguard ABM system, and I think it is very much worth reading by Members of Congress.

Dr. Lefever, an ordained minister, served from 1952 to 1954 as associate director of the National Council of Churches' Department of International Affairs. He is currently professor of international politics at American University and senior fellow on the foreign policy studies staff of the Brookings Institution.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ABM Is a Shield, Not a Sword

(By Ernest W. Lefever)

In our dangerous world where nuclear war is possible, though not probable, any humane citizen wants his government to pursue policies designed to prevent a nuclear holocaust. Concerned and informed persons differ in their assessment of the external threat faced by the United States and of the means to counter the threat as they see it.

Will President Nixon's proposed Safeguard ABM system make nuclear war more or less likely than alternative ways of dealing with the strategic threat of the mid-1970s?

To deal with this fundamental political and moral question, one must define the dangers we face. The President and most strategic experts believe we will confront a new and serious nuclear threat within five years if present trends in the United States and the Soviet Union continue. In the past decade Soviet spending for strategic nuclear weapons has increased about 70 percent, while ours has declined about 50 percent. For several years Russia has been spending substantially more on its strategic forces than we have on ours.

By the mid-1970s Russia's massive SS–9 intercontinental missiles will be sufficiently accurate to virtually wipe out our land-based Minuteman missiles in their reinforced concrete silos in one devastating blow—unless we develop an active defense for them before that time. This widely accepted judgment is a statement of Russian military capability, not a statement of Russian political intentions. We have no way of knowing what Soviet leaders intend to do with their mighty military capability. But we do know from history that political leaders sometimes are prepared to use the maximum military power they have to achieve their objectives.

To put it another way, the strategic stability that now prevails between U.S. and Soviet forces, and which thus far has prevented nuclear war, is now being seriously challenged by the dramatic upsurge of Soviet missile might. The situation is further complicated by the capacity of both sides to develop multiple warheads on one missile—MIRV's, multiple independently targetable reentry vehicles, though neither we nor they have completed a testing program.

Doctrine of Mutual Deterrence

The major strategic problem is to prevent a first nuclear attack from either side. If we succeed in this prime objective there will never be a deliberate nuclear exchange. This is where the doctrine of mutual deterrence comes in. Each side must have the capacity to deter a first strike by the other. The essence of this capacity is a second-strike force sufficient to deliver an unacceptable blow to the homeland of the other—thus deterring any rational and responsible government from launching an attack in the first place.

There are two principal ways of maintaining a creditable deterrent force. One is to deploy more offensive missiles than the adversary can destroy. The other is to deploy a smaller number of offensive weapons, but better protected.

It is this second alternative that Safeguard is designed to make possible. Since hardening will not provide adequate protection for Minuteman in the mid-seventies, an active defense is required. As such an active system, Safeguard will maintain an effective deterrent without a significant increase in U.S. offensive weapons.

Safeguard is an anti-ballistic missile system designed to destroy attacking missiles before they reach their targets and without detonating the nuclear warhead of the attack missile. Its long-range Spartan missile intercepts the attack missile 200 to 400 miles above the earth. The smaller Sprint destroys warheads missed by Spartan within 40 miles of the target. No one claims perfection for this complex system which involves radar and computers, but the majority of the best informed scientists believe it would be about 80 percent efficient.

In my professional contacts with scientists and engineers in and out of Government, I have had many opportunities to discuss the feasibility of Safeguard. I am convinced it will work, a conviction based primarily on my respect for the views of experts who have a good record of being right in the past.

Five Reasons

I reject as immoral and dangerous the position of those Safeguard opponents, and there are many, that a substantial increase of U.S. missile capacity is the best way to counter the new Soviet threat of the 1970s. There are five reasons why President Nixon's Safeguard system is preferable to the alternative of deploying additional offensive weapons, all of which have significant moral and political implications.

First: Safeguard will more effectively protect our deterrent than the multiplication of new offensive weapons. It is better to protect the weapons we have than to build and deploy additional offensive weapons which, if matched by the other side, will also need protection.

Second: Safeguard is not as provocative to the Soviet Union as the multiplication of offensive weapons. A shield is less menacing than a sword. Recognizing this the Russians have deployed ABM weapons at some 60 sites and have repeatedly asserted the desirability of defensive weapons. We have deployed no ABM weapons. The fact that Moscow has made no official protests against our ABM plans suggests that the Soviet leaders accept mutual need for a limited ABM system, at least against the common threat from Red China.

There is no evidence that Congressional support for Safeguard will delay strategic arms limitation talks with Moscow nor adversely affect their outcome. On the contrary, if we entered the talks just as the President's request was rejected by the Congress, we would start off from a position of weakness that the Soviets would be tempted to exploit.

Third: Safeguard would have a stabilizing effect on strategic arms expenditures on both sides, while a new round of offensive weapons could launch a strategic arms race. The mutually provocative character of offensive missiles has been demonstrated in the past. After declining 50 percent in the past ten years, U.S. strategic expenditures have leveled off substantially below current Soviet strategic spending. It is important to note that U.S. strategic expenditures (including research, development, hardware, maintenance, and manpower) constitute about 15 percent of the defense budget, the remaining 85 percent going for general purpose forces.

Fourth: Safeguard is less expensive than a significant increase in offensive weapons. The requested ABM appropriations for 1970 is $893 million, which is less than 1/90 of the defense budget and less than 1/1000 of the GNP. The total cost of the projected ABM program from 1968 (the year Congress authorized it) through its completion in 1976 is estimated at $10.2 billion, or about eight percent U.S. strategic expenditures, less than two percent of each defense budget, and about one-fifth of one percent of the GNP. By any measure this is a tiny fraction of our total resources, and in any event, defense "savings" are not transferrable to any other slot in the Federal budget.

Fifth: Perhaps most significant of all, Safeguard increases the military, diplomatic, and moral options of the President in a serious confrontation with a nuclear adversary or in the event of a nuclear accident. If a nuclear event should occur now, the President has two choices—he can choose to do nothing militarily or he can unleash nuclear retaliation against Russian cities. This is a terrible choice. While we all hope that no President will ever be faced with a deliberate nuclear attack or even a nuclear acci-

dent, what humane and rational man would deny him a third option in that fateful moment—if a third option were available?

A NEW BUTTON FOR NIXON

Safeguard provides that third option between capitulation and retaliation. If a nuclear event occurs after we have a deployed ABM system, the President will not be limited to do nothing and pushing a button that may kill millions of Russians. He will have an ABM button, a damage-limiting option, which may save millions of American lives without killing a single Russian. Who would deny the President this chance to save millions of lives, to reflect, to plan? Furthermore, Safeguard strengthens mutual deterrence and thus reduces the probability of a nuclear attack in the first place.

Our world is becoming more dangerous and uncertain because of China's growing nuclear might. By 1975 Peking will be able to launch a nuclear attack against the United States. Both Communist giants have serious internal stresses, and a leadership crisis at the top could erupt at any time. In the ensuing power struggle there could be a breakdown of restraint and a nuclear event, by design, miscalculation, or accident, could take place. If the United States were the target, we want to be in a position to limit damage to ourselves and to avoid a full-scale nuclear exchange. Only an ABM system can make this possible. Offensive missiles can retaliate and cause damage, but they cannot prevent and limit damage. Safeguard can prevent and limit damage, but it cannot cause it. Safeguard is a shield, not a sword.

A PRAYER

Mr. HATFIELD. Mr. President, as an honorary member of Kiwanis International, which has currently 136 members in Congress, I am happy to note that on the eve of the Apollo 11 flight a moving invocation was offered at one of the Kiwanis Clubs in Metropolitan Washington, the Kiwanis Club of Bethesda. The invocator was Dr. George K. Chacko, a member of the club and also the district chairman for special communications of the Capital district comprising 164 Kiwanis Clubs in Washington, D.C., Maryland, Delaware, and Virginia. Astronaut Frank Borman acknowledged the invocation in behalf of his fellow astronauts on the Apollo 11 mission. The invocation and acknowledgement are published in the Capital District—Division One Newsletter. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the prayer was ordered to be printed in the RECORD, as follows:

O Lord: Who created the Sun and the Moon and the stars of our galaxy, as well as those of all other galaxies; Yet who remembers man whom Thou hast created in Thine own image and set above them all—we exalt Thy gracious mercies which permit us to understand the mysteries of Thy creation so that we may enjoy them.

Grant Thou our Father, that we may magnify Thy holy name at this time: by offering our highest technical excellence in astronautics in our first voyage to the nearest celestial neighbor tomorrow, as true worship of Thy bounty to us and to all mankind.

Be Thou with our astronauts—Neil Armstrong, Buz Aldrin, Michael Collins—guard, guide and strengthen them; give them journey mercies, and grant that if it be Thy will, their conquest will serve to reverberate in outer space Thy praises even as they do here on earth today at this Kiwanis meeting in Bethesda, Maryland.

In Thy name we ask. Amen.

WASHINGTON POST ENDORSES MASS TRANSIT TRUST FUND—REJECTS NIXON BILL AS A TIMID APPROACH TO TRANSIT PROBLEM

Mr. WILLIAMS of New Jersey. Mr. President, the Washington Post, a newspaper which over the years has been in the forefront of the fight for adequate mass transportation, has now rejected the Nixon-Burns transit bill and endorsed my concept of trust fund transit financing.

The Post's endorsement is particularly significant in view of the fact that its editorial staff is thoroughly familiar with the problem of financing an adequate transit system. The experiences of the Washington metropolitan area in obtaining a Federal commitment through the appropriation process is one with which we are all familiar. So far it has resulted in complete and utter failure. As Secretary Volpe well knows, this is the Nixon approach—one which experience tells us will not work.

As the Post in its August 13, 1969, editorial clearly and succinctly points out:

> The President asked Congress for only $3.1 billion in the next five years to get new subway and other mass transit systems under way. The paltry nature of this amount rests in the simple fact that it is not enough to build decent subway systems in even two cities and that it is less than the Federal government will spend on highways, not in the next five years but in the next year alone.

The Post goes on to state:

> The highway program has been funded consistently at a high level (approximately $4.5 billion this year) because of the trust fund established to finance it. Tax money accumulates in that fund and can be spent on nothing else. This same approach, urged on Mr. Nixon by the mayors of most cities and many congressmen for urban transit has been rejected, apparently because of the economists and the budgeteers do not approve of it. Their approach is to persuade Congress to authorize the spending of $10 billion over 10 years and then to go back to Capitol Hill every two years to get the actual money to spend. It is here that the Nixon program possesses the potential of becoming a sham. The states have been able to schedule highway construction years in advance because they know that federal money will be available to pay for it. It may be that the three-year contractual period Mr. Nixon proposes will be sufficient to allow subway planners to do likewise. But in light of the experience of the District of Columbia in getting subway appropriations (as contrasted with the original authorization) and of the housing program in getting the money needed to fulfill the promise of last year's Housing Act, it is well to regard Mr. Nixon's transit program with a healthy degree of skepticism.

Thus the Washington Post joins a long list of newspapers, including the New York Times, the New York Daily News, the Asbury Park, N.J., Evening Press, the Trenton, N.J., Evening Times, Macon, Ga., Telegraph & News, the Boston Herald Traveler, and the Boston Globe, which have rejected the Nixon formula in favor of the trust fund.

I would hope that the administration will take this excellent advice and reconsider its ill-advised position. The motto of this administration should not be, "If you've seen one traffic jam you've seen them all."

Mr. President, I ask unanimous consent that the Washington Post editorial of August 13, 1969, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A TIMID APPROACH TO TRANSIT PROBLEM

President Nixon's message to Congress on urban mass transit spells out a program that is at its best a parsimonious approach to a major problem and at its worst a promise that may not be fulfilled. Mr. Nixon has recognized one of the pressing needs of our time—a method of moving people into and through the major cities by something other than the automobile—but his program holds out little real hope that this need will ever be met.

The President asked Congress for only $3.1 billion in the next five years to get new subway and other mass transit systems under way. The paltry nature of this amount rests in the simple fact that it is not enough to build decent subway systems in even two cities and that it is less than the federal government will spend on highways, not in the next five years but in the next year alone.

There are, of course, budgetary problems which operate to cut back the federal funds available for the fight to save cities from becoming completely uninhabitable. But the country must make a decision. The billions of dollars turned into concrete strips in each of the last 15 years have produced the greatest highway system in the world. The cities have been tied together, and the suburbs linked to downtown areas, in a way that always entices and sometimes compels people to travel by automobile. The autos are devouring the cities and the choice is to let them continue—jamming the streets, polluting the air, demanding more land for parking lots and more highways—or to provide alternative transit systems. A failure to do the latter is a choice to do the former and that is close to what Mr. Nixon's transit proposal really is. A total of $300 million next year, $3.1 billion in the next five years, and $10 billion in the next 10 years won't come near providing feasible alternatives.

The highway program has been funded consistently at a high level (approximately $4.5 billion this year) because of the trust fund established to finance it. Tax money accumulates in that fund and can be spent on nothing else. This same approach, urged on Mr. Nixon by the mayors of most cities and many congressmen for urban transit has been rejected, apparently because the economists and the budgeteers do not approve of it. Their approach is to persuade Congress to authorize the spending of $10 billion over 10 years and then to go back to Capitol Hill every two years to get the actual money to spend. It is here that the Nixon program possesses the potential of becoming a sham. The states have been able to schedule highway construction years in advance because they know that federal money will be available to pay for it. It may be that the three-year contractual period Mr. Nixon proposes will be sufficient to allow subway planners to do likewise. But in light of the experience of the District of Columbia in getting subway appropriations (as contrasted with the original authorization) and of the housing program in getting the money needed to fulfill the promise of last year's Housing Act, it is well to regard Mr. Nixon's transit program with a healthy degree of skepticism.

THE MORAL CLIMATE OF A NATION

Mr. TALMADGE. Mr. President, what in the world is happening to the moral climate of a Nation where citizens go to

the aid of criminals instead of their victims?

With increasing frequency we read about and hear about law-abiding people on the streets, old men and women in many cases, being set upon by vicious criminals, or of police officers in the performance of their duty trying to arrest criminal suspects. Then what happens? Other citizens pitch in to help the criminal abuse, assault, or rob the victim and prevent police from doing their job.

This is an outrageous commentary on the times in which we live. It demonstrates a deterioration of the moral fiber of this great country that cannot be tolerated.

Today's edition of the Washington Post contains a news article from Jersey City, N.J., that relates an example of this tragic situation.

In this case, five spectators helped a thief to snatch the purse of an elderly woman, and when her son struggled to recover it, they set upon him and took his wristwatch and wallet.

This is an abomination that shocks the senses of civilized people. It constitutes a threat to the safety and security of every man, woman, or child who walks the street, day or night.

I am surprised that the law-abiding, hard-working people of America have not yet risen in righteous indignation:

Against the tidal wave of crime that has virtually inundated the country;

Against people who take the law into their own hands and trample on the rights and property of others; and

Against people who are no better than the brutes and the robbers they seek to assist.

I ask unanimous consent that the Washington Post article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PURSE SNATCHERS IS HELPED BY FIVE SPECTATORS

JERSEY CITY, N.J., August 12.—Five men watched a purse thief and the victim's son grapple over the pocketbook Monday on a crowded sidewalk. They pulled the pair apart, let the thief go and then robbed the son.

Police said Mrs. Anna Piatruska, 64, and her 26-year-old son, Victor, were shopping for a ring when a man walked in the jewelry store, snatched the woman's purse and fled with its $900 contents.

Victor raced after the thief and tackled him about a block away. Police said five spectators pulled the struggling men apart, told the thief to run with the purse, then took Victor's wristwatch and his wallet containing another $100.

TRIBUTE TO WASHINGTON WORKSHOPS

Mr. HATFIELD. Mr. President, it is with great pleasure today that I, on behalf of the Senate, extend a warm welcome and hearty congratulations to the Washington Workshops Foundation. In these times of student unrest and explosive world crises, our concern must reach beyond the materialistic problems of the day to the enigmas which will foreseeably confront us in the future. But we cannot wait until tomorrow to start tackling the innumerable obstacles which block the road to peace and harmony on this earth. Such is the nature of these obstacles that, if they are to be overcome, we must start solving them now, today.

The Washington Workshops Foundation is giving us a chance to do just that. The foundation, a private nonprofit organization directed by Mr. Leo S. Tonkin, sponsors congressional seminars throughout the summer. The students come from every State in the Nation, and social and economic standings are not factors as the foundation offers scholarships to over one-third of the participants while several others are funded by their local communities, nationwide organizations such as Western Electric, and the Government, under title I of the Elementary and Secondary Education Act of 1965.

Every day this comprehensive sampling of eager, concerned young U.S. citizens venture onto the Hill in search of meaningful dialog with those who represent them. They listen to hearings, and meet as a group with various Senators and Representatives. But they do not stop there. Pains are taken to schedule key officials in the other two branches of our Government, including Cabinet Members and Supreme Court Justices. Their deep commitment to do something about the world they live in and their inexhaustible search for answers carry them out into the corridors of Capitol Hill, where they seek out and corner many more Representatives and Senators for a few minutes of hurried conversation.

I had the great pleasure of speaking with about 150 of these students. Their eagerness to learn, their awareness of what is happening today, their probing questions and well-reasoned remarks, excited me both as a Senator and as a former teacher. I was glad to be able to share my views with them as well as to learn what troubled and interested them. We spoke to each other; we listened to each other. Together we achieved the first step toward solving the many problems which confront us all: we communicated.

Thanks to the Washington Workshops the Government is being drawn closer to the governed, and they to it. The workshops is only in its second year, but has already brought more than a thousand students from every background and State to come to know the Government as their Government. The workshops is continually expanding at an overwhelming rate. Already Mr. Tonkin has brought 65 outstanding students from last year's program back to Washington this summer for 2 weeks of intensive study and research on the Congress, followed by 2 weeks of voluntary intern work in congressional offices.

No words can express how important this task is that the Washington Workshops Foundation is undertaking. Without programs like this a true understanding between constituents and representatives cannot be reached. Without understanding, communication becomes impossible, and honest, energetic attempts to solve national and world problems are lost in a maze of emotions and frustrations.

Washington Workshops is offering an exciting challenge to us in the Government and to our high school students around the country. It is up to all of us now to meet it, support it, and participate in it in order that the greatest possible advantage for all concerned may be drawn out of it. Again I commend the Washington Workshops for its achievements and untiring efforts in the service to this country and its citizens.

TAXATION OF CHURCH PROPERTY

Mr. SPARKMAN. Mr. President, on July 31, 1969, the Alabama Baptist published an article which I think gives some pretty potent ideas regarding the taxation of property belonging to churches but not being used actually as a part of the church operation.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CHURCHES, THE DENOMINATION, AND TAXES

(By T. B. Maston)

Is it consistent with our theory of separation of church and state for our Baptist churches to be exempt from taxation? Some contend that it is the only practice consistent with the separation of church and state. They suggest that the power to tax is the power to control. Others insist that this argument is a mere rationalization.

It is also suggested that the exemption from taxation of church property is a recognition by the government of the valuable and distinctive contribution of the churches to the general welfare.

Whatever the reasons for the exemption, it has been the traditional practice in our nation and evidently will be for the indefinite future. There are, however, many citizens, including some sincere churchmen, who are raising questions concerning the practice.

I do not claim to be a tax expert but it does seem to me that we need to give some attention to the tax exempt status of our churches, and of our denominational agencies.

There may properly be some question about the exemption of all church property. I personally believe that the only property of local churches that should be tax exempt should be the building or buildings that are used for worship and educational purposes. If the church has revenue-producing property it certainly should be taxed. This would include houses or business property that is rented.

The preceding would also mean that the houses provided by the church for members of the church staff, including the pastor, would be taxed. These taxes might be paid by the church or by the staff members. The latter would enable the staff to identify more fully with the ordinary members of the church.

Also, I believe it would be proper for the church to pay an agreed amount to the county or city for fire and police protection. Why should citizens who are not members of the church or of any church be taxed to provide protection for our churches?

Our denominational agencies and institutions may need to review their policies regarding taxation. Let their trustees and administrators be sure that they do not abuse their present tax-exempt status.

Surely no church or denominational agency or institution should ever enter into an

agreement that would enable an individual or a business concern to evade taxes illegally.

Taxes should be paid on all revenue-producing property by boards, benevolent institutions, colleges, seminaries, and other denominational agencies. Dormitories could be an exception to this rule, but only if the rent charged simply cared for liquidation and/or depreciation.

Any time an institution, through apartments or housing, becomes competitive with legitimate business interests in the community it should pay the same taxes as its competitors.

Certainly any property held for investment purposes should be taxed.

Let our institutions be more concerned with what is fair and right than they are with what will be most advantageous to them.

"THE NEXT 1,200 DAYS," AN ARTICLE BY SENATOR JACOB K. JAVITS

Mr. MATHIAS. Mr. President, it is appropriate that this week the Senate is both debating possible cuts in military procurement and beginning to discuss the new domestic programs outlined by President Nixon on August 8. These two issues are intimately related, for our current fiscal pressures make it imperative for us to establish sensible priorities and focus Federal investment where it will really help to meet our most pressing national needs.

In a thoughtful article in the Ripon Forum, the journal of the Ripon Society, for July 1969, the senior Senator from New York (Mr. JAVITS) discussed the problem of national priorities and outlined the initiatives he feels this administration should take to bring this Nation "to grips with the crisis of the cities and the closely related hopelessness of its rural poor." Senator JAVITS summarizes the current sense of frustration in the Nation as "a crisis of inaction, not of impotence," and calls for "an immediate and highly visible response" by Government.

I believe Senator JAVITS' remarks merit wide consideration. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE NEXT 1,200 DAYS

(By Senator JACOB K. JAVITS)

Our nation is facing a crisis of purpose which will determine its destiny for the rest of this century—a crisis which demands an immediate and highly visible response. The response that is needed, at the very least, is the establishment of goals and the means to implement them which will bring this nation to grips with the crisis of the cities and the closely related hopelessness of its rural poor. What is needed is the reordering of our national priorities away from the building of "limitless" military power—without any sacrifice of national security—and toward the restoration of "domestic tranquility."

Up to this point, with one exception, the Nixon Administration has not yet moved on the nation's problems of poverty and alienation with the resources and speed so vitally needed. The one substantive exception has been on the problem of hunger—an exception which I hope will clearly mark the route the President will follow, and which could be noted with great profit by some of the President's advisors.

In a dramatic and humanitarian gesture, the President announced—apparently overruling even some of his own advisors—that he planned to wage an aggressive campaign against hunger, a campaign that would cost an additional $1 billion annually. This was a thrilling moment in my political career because I am the ranking minority member of the so-called Hunger Committee. It pointed up how an issue illuminated in the public forum that sears the conscience of the nation can be translated into immediate, meaningful political action.

HOPE AMIDST DOUBT

There is some doubt that the additional $1 billion per year the President plans to spend will be adequate to expand and improve the Federal food stamp and food distribution programs sufficiently so that every family, no matter how modest its means, will be guaranteed a diet that meets the minimum Federal nutritional standards. But one thing is no longer in doubt: if the President has the will, then I feel we have a right to expect that he will find the means to finance the new forward-looking programs that are required to help our poor. And I might add that the President has given every indication that these funds can be found even within his pared-down budget for fiscal 1970 without diverting the nation from the anti-inflationary course he has charted.

Inflation is the nation's most *immediate* pressing problem. But while the Administration must act to curb inflation, it can illafford to downgrade attention to our urgent social problems. The action to reduce federal spending should have cut deeper into military spending—especially into the outlays for overseas bases and for research and development—and should have left the funds available for domestic programs substantially intact or enhanced by transferred military funds. There is still time to revise these priorities.

In his domestic message to Congress, the President indicated that once inflation had been brought under control through short-term budget cuts, "we must be prepared to increase substantially our dollar investment in America's future as soon as resources become available."

TRIM DOD BUDGET

I submit that the resources are now available, even with the present need for Federal austerity to offset the legacy of inflation left by the folly of President Johnson's "guns and butter" policy. Those resources—of say $5 billion—can be found today in the "guns" portion of the national budget because I am convinced that much fat can be trimmed from the nearly $80-billion defense budget at no real danger to our nation's security. And those deferrable or unneeded military dollars are sorely needed on the domestic side of the ledger to offer better housing, schools, health care, transportation, job training and a decent diet to the millions of our nation's poor. Indeed, there is every indication that the President himself already sees this and plans to dip into the Defense budget to find the extra fund he needs for the enlarged food assistance program he has announced in the coming year.

Yet, desirable as it is, the President's program to feed the hungry is but a jetty against an ocean of poverty and racial tension that is pounding against the underpinnings of our society. The President and other Republicans, including myself, can speak properly of the unkept promises, of the massive spending programs and the muddled bureaucracy that have come to characterize the New Deal and Great Society approaches to eliminating poverty. We Republicans can make new promises that the solutions lie in tax incentives to the business community, in revenue-sharing to promote local initiative and in new programs that stress voluntarism by the private sector and self-help and participatory democracy by the poor. But it is quite another thing again to come up with the programs and the substantial funds that will be required to make even these enlightened concepts work.

WELFARE CHANGES

The first step in the difficult transitional process of moving away from the present inequitable and degrading welfare system—and the Administration shows signs of moving in this direction—is for the Federal government to adopt minimum standards of welfare throughout the nation and to pay a share of the resulting higher payments in states that cannot afford them. Such reform would go a long way toward ending the exodus of the poor from rural areas where welfare payments are shockingly low to the cities where assistance to the poor is generally maintained at more enlightened levels.

The new Administration must be bold enough—and generous enough—to overcome the vicious and degrading stereotypes of poverty. It must, for example, require that assistance programs be available to all impoverished families including those that have a man in the house. No longer should able-bodied men be encouraged or compelled to abandon their families so that their wives and children can qualify for welfare assistance. No longer should families be disqualified from receiving assistance if the man or the woman of the house is able to find work and yet is unable to maintain the family at a subsistence level. I do not preclude the possibility of a system that moves toward a guaranteed family income, either through a reverse income tax or income maintenance by family allowances—but always with incentives to work, to educate oneself, to lift oneself out of the degradation and hopelessness of poverty.

But in the meanwhile, where are the funds needed to implement the present programs? The poor are told that they are to participate in their own flight from poverty. But the funds sought by this and the previous Administration for local initiative through OEO's community action programs came to less than what was requested to cover operating expenses of the Coast Guard.

Ghetto residents are told that they will be helped to establish themselves in small businesses. But blacks, who comprise 10 per cent of the population, still own less than one per cent of the businesses. Loans from the Economic Opportunity Loan Program, which were promised to aspiring ghetto businessmen at the rate of 10,000 a year by the Johnson Administration, totaled only 1,700 last year. Not only must the Administration take bold steps to give life to this program, it should reverse any tendency within the Small Business Administration toward cutting back on its prior commitment of bolstering minority enterpreneurship through technical and financial assistance.

TICKING TIME BOMBS

Time bombs of frustration, despair and anger among our urban poor continue to tick away. What a tragedy it would be if more explosions came this summer because we failed to heed in time demands for action by the tenants of those slums that *someday* are to be renovated or replaced; by the students in the schools that *someday* are to receive suburban-quality facilities and instruction; by the disadvantaged sick who *someday* are to get first-class treatment and hospital care; by the malnourished who *someday* are to feel the full bellies promised by the President's food program; by the hardcore unemployed who *someday* will receive the vocational training and the equal opportunities now promised by Federal law.

The children of the poor are also entitled to the same educational opportunities as those who can afford the spiraling costs of

a college education. And yet, the Administration's budget proposals include a cutback of about a quarter from the amount appropriated last year under the National Defense Education Act's student loan program, and eliminate altogether Federal grant programs for the construction of college buildings and the stocking of elementary and secondary school libraries.

HEW VIGILANCE

True equality of education is unapproachable on a national scale without the end of segregation in nearly 800 school districts largely in the South. A deadline for compliance of September 1969 seems little to ask in view of the fact that the Supreme Court ordered desegregation *15 years ago* and Congress passed Title VI of the Civil Rights Act of 1964 *five years ago*. There should be no lessening in HEW's enforcement of the law or in any Department's efforts in the area of civil rights.

In the field of health care, I see a promising and constructive role for Government in cooperation with the individual and the private sector. But in the "Knowles affair" we faced a danger of a reversal in present national health policies. For, the key question was what the controlling influences would be with this Administration in the field of health—that is, to what extent would the AMA be a dominant factor, and to what extent would opinion opposed to participation by government in the health care of the people be a dominant factor. The appointment of Dr. Harold Egeberg as Assistant Secretary for Health puts many of these fears to rest because he has made clear his dedication to the principle of adequate health care for all and has asserted his independence from undue influence by the AMA.

ABM CRITICAL

Those as concerned as I about reordering national priorities would be more reassured if it were clear that we are pointed in the direction of early disengagement from the Vietnam conflict and deescalation of the arms race so that we can devote major attention to relieving the nation's domestic ills. This concern has contributed to much of the opposition to the development of the Safeguard ABM system which has become a symbol in the debate over national priorities. I think the Safeguard debate stands out as a critical phase of the struggle for the soul of the Nixon Administration. With his decision to deploy the ABM the President has shown that his military advisors continue to carry great weight with him. In their minds military hardware is to have the first claim on national resources. I submit that the rich and varied tapestry of American society as we have always known it may not survive the excessive cost of another major escalation in the arms race. Indeed, at the risk of sounding like an Old Testament prophet, I believe that the diversion of resources necessitated by the $8-billion deployment of Safeguard—combined with continuation of the Vietnam war and no progress on further disarmament—could touch off such a maelstrom of protest from our disadvantaged citizens and disenchanted youth as to jeopardize the life of our free institutions.

It is at the threshold to such a potentially tragic future that we now stand. But, the spectre of inexcusable poverty and domestic unrest provides the President with an opportunity as well as a challenge. It is an opportunity of politics as well as of history. By moving boldly in the direction of uplifting the poor into the mainstream of American society, by seeking to reconcile the alienated, by achieving a new synthesis of the public interest and sound business practices in his domestic programs, by ending the war in Vietnam, by progressing further in disarmament—President Nixon, who was elected by a minority of the people, may yet transform the Republican Party to the Party of the majority.

GOP OPPORTUNITY

I have always believed that the Republican Party could be the vehicle for truly progressive action in our society. I have always believed that the private sector has the capacity to operate in the public interest to solve such vital problems as urban decay, rural poverty and unemployment. It is now for President Nixon to bring this lesson home to the majority of the American people by utilizing traditional confidence of the business community in the Republican Party wherever possible and by bringing the full effect of government power, funding and partnership to bear on the problems that do not lend themselves to solution by the private sector alone.

But overreliance on non-governmental approaches to dealing with our nation's domestic ills could produce a new generation of unkept promises not at all dissimilar to those that have been the legacy of the Roosevelt and Johnson years. The difference is that such a set of broken promises could provide the match to ignite the flames of violent upheaval that, with some tragic exceptions, has thus far been generally contained.

The sense of crisis that pervades our nation today is a crisis of inaction, not of impotence. It is a crisis of not doing, rather than a crisis of not knowing what to do. And therein lies our hope for the future—the immediate future—so far as President Nixon is concerned. The great hope in the Nixon Administration is that it will lead the nation to taking action in time. Its greatest tragedy would be if history reveals that our nation could have prevailed over the social ills that now afflict it, except that we failed to act in time.

A PROFILE OF THE LATE SIDNEY J. WEINBERG

Mr. TYDINGS. Mr. President, one of the most remarkable of this country's many stories of self-made men came to an end on July 23, when Sidney J. Weinberg died.

During the 77 years of his life, he had traversed the world of Wall Street, beginning as a summer runner for a brokerage house at the age of 13; ending as a partner of Goldman, Sachs & Co., and known admiringly as "Mr. Wall Street."

Sidney Weinberg was an adviser at the highest level of five Presidents. He was for almost half a century America's statesman of finance.

It was my pleasure to first meet him when I was only a lad of 10 years. He was and had been for many years before a close and valued friend, both of my father, the late Senator Millard E. Tydings, of Maryland, and my grandfather, the late Ambassador, Joseph E. Davies of Wisconsin.

Our Nation will sorely miss the remarkable talents, judgment, and energy of this great American.

I ask unanimous consent to have printed in the RECORD an article by Alden Whitman, published in the New York Times describing the length and breadth of Mr. Weinberg's interests and the unique qualities of brilliance, humor, and independence that those who knew him can never forget.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SIDNEY WEINBERG, "MR. WALL STREET," DIES; EXPERT ON FINANCE, SAT ON BOARDS OF 35 CORPORATIONS; WAS AN ADVISER TO FIVE PRESIDENTS—SOLD FORD STOCK

(By Alden Whitman)

Sidney J. Weinberg, whose financial acumen earned him the sabriquet "Mr. Wall Street," died at Columbia-Presbyterian Medical Center Wednesday evening after a short illness. He was 77 years old.

Mr. Weinberg, a tart-tongued man whose formal education ended with eighth grade, was one of the most sought-after wizards in the intricate world of corporate financing and merging.

Partner in Goldman, Sachs & Co., one of Wall Street's leading investment banking houses, Mr. Weinberg was an acknowledged oracle—in such demand that at one time he sat on 31 boards of directors, most of them the bluest of the blue chip companies.

While he was earning the title, "Mr. Wall Street," he was also serving as an unofficial adviser to five Presidents. Franklin D. Roosevelt nicknamed him "The Politician" as a tribute to his knack for getting things done. Mr. Weinberg also counseled Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy and Lydon B. Johnson.

The most succinct (and probably one of the most accurate) testimonials to Mr. Weinberg's abilities was written when he was 16 years old and leaving Public School 13 in Brooklyn.

"To Whom It May Concern," his teacher's letter read:

"It gives me great pleasure to testify to the business ability of the bearer, Sidney Weinberg.

"He is happy when he is busy, and being always ready and willing to oblige, we believe he will give satisfaction to anyone who may need his services."

DIRECTED FORD STOCK DEAL

Typically, Mr. Weinberg was not only busy but he also gave satisfaction in two notable Wall Street deals. One was the sale in 1956 of $650-million worth of Ford Motor Company stock for the Ford Foundation. It was the largest corporate-financing project in history up to that time.

The sale, arranged in the greatest secrecy, took more than two years to bring off, and it earned its architect a fee estimated at $1-million. Describing Mr. Weinberg's feat in The New Yorker in 1966, E. J. Kahn Jr. wrote:

"Although others naturally had a hand in the proceedings, the immense chore of reorganizing the Ford Company's entire financial setup was left pretty much up to him. The big problem was to get all hands to agree on how much money the Ford family should get for transferring part of their voting rights in the company to the shares the Foundation wanted to sell.

"Although the Foundation owned more than 88 per cent of all Ford shares, with Ford directors, officers and employes owning nearly 2 per cent more, these shares were all of the nonvoting variety; every bit of the voting power, which meant direction of the company's affairs was vested in the remaining 10 per cent, and this was owned by the Ford family."

"The New York Stock Exchange would not accept Ford stock for trading unless it had voting power, and voting power was just what the Foundation's trustees were powerless to convey without the cooperation of the Fords.

"As Weinberg set about his assignment, he could see that any plan he devised would have to be acceptable to the Ford family, to the Foundation's trustees, to the New York Stock Exchange and to the Internal Revenue Service. The last party was a far from inconsiderable one, since if it should rule that whatever benefits the Ford family got out of the deal weren't tax-free, the Fords wouldn't

be interested, and if the Foundation's tax-exempt status should be questioned, it wouldn't be interested.

"Weinberg prepared some 50-odd reorganization plans; under the one that was finally approved by all parties, the Ford family increased its equity in the company by 1.74 per cent—which, reckoned in terms of the stock's value on the day it was marketed, amounted to a paper gain of nearly $60-million."

Of all the securities packages that he had a hand in marketing, Mr. Weinberg was proudest of his Ford accomplishments. Afterward, he joined the company's board and at one time held 3,000 shares of its stock.

UNDERWROTE SEARS DEBENTURES

His second outstanding financing success occurred in 1958, when he was the underwriter for $350-million of Sears, Roebuck debentures. The largest company debt offering to that time, it was floated in a bond market so soft that some financiers doubted that the issue would sell at all.

Mr. Weinberg, however, judged the acquisitive temper of the market correctly by offering the debentures at a price to yield 4.75 per cent, slightly above comparable offerings.

Mr. Weinberg's securities flotations, his directorships (they totaled 35 over a lifetime), his network of friendships and his intimate links with Washington (he saw to it that some of his friends got high Government jobs) made him one of the most powerful men in Wall Street.

He was not, however, the richest by any means. Many of his financing fees went to Goldman, Sachs. About his personal fortune, he was close-mouthed.

Mr. Weinberg hustled his way to eminence from slum beginnings. The third of 11 children of Pincus Weinberg, Sidney James was born Oct. 12, 1891, in the Red Hook section of Brooklyn. His father was a wholesale liquor dealer of such modest means that his son was obliged to fend for himself as soon as he was graduated from grammar school.

By that time, however, he was already somewhat familiar with Wall Street, having been a summer runner at 13 for a brokerage house. This career was cut short because he got similar jobs with two other brokers, and when his triplicity was discovered all three employers discharged him.

After graduation, the young man worked briefly as "a flower and feather horse," a boy who delivered millinery goods, for $2 a week. But when the Panic of 1907 broke, he realized that there was more money to be made—as much as $5 a day—standing on line for depositors in the run on the Trust Company of America.

WAS JANITOR'S AIDE

In November of that year, after taking a course in penmanship, the youth joined the financial community for life by getting a job as assistant to the janitor at Goldman, Sachs, then at 43 Exchange Place.

Mr. Weinberg liked to recall that he canvassed the building from the top down, inquiring of each company if it wanted a boy, until he was hired.

Then a pioneer in financing industrial corporations, Goldman, Sachs seemed ill-suited to a lowly employe who delighted in putting tacks on the chairs of company clerks. Mr. Weinberg, however, had other qualities, which started to come to light in 1909 through chance.

One day he was told to deliver a flagstaff to the home of Paul Sachs, one of the partners. After taking the 8-foot pole uptown in a trolley car, young Weinberg knocked at Mr. Sach's door and was greeted by the partner himself.

Demonstrating a knack for becoming friendly with men in a position to help him, the youth impressed Mr. Sachs with his energy and his brightness. Mr. Sachs urged him to persevere in Wall Street and to go to night school.

Nonetheless, his promotions were slow, and he resigned in 1917 to enlist in the Navy. Although he was underweight, near-sighted and stood only 5 feet 4 inches tall, he persuaded the recruiting officer to accept him as an assistant cook, a rating of which he was ever after proud.

After a few weeks the Navy felt it could dispense with his cookery and shifted him to Intelligence, where his talents as an organizer and his innate gregariousness were utilized in inspecting cargoes at the port of Norfolk, Va.

TRADER IN BONDS

Returning to civilian life, Mr. Weinberg was re-employed by Goldman, Sachs as a trader in the bond department. In a short time, he was doing most of the work on one corporate-financing job after another. He was so astute in his pricing recommendations that he was given participation in the profits. That started at one-eights of 1 per cent, and by 1930, when he became a senior partner, it reached 33⅓ per cent.

In April, 1925, Mr. Weinberg bought a seat on the New York Stock Exchange for $104,000. Twenty months later he became a partner in his firm, making a $100,000 capital contribution to it.

Mr. Weinberg always stressed that the money came from his own income. "It was my money, which I earned," he said proudly in an interview two years ago. "None of it was from trading."

"I never traded," he added. "I'm an investment banker. I don't shoot craps. If I had been a speculator and taken advantage of what I knew I could have five times as much as I have today."

He grew so accustomed to money that he once told a visitor, "Money? Keeps coming in all the time, and hardly means anything at all."

The investment banker had a close call in the financial crash of 1929 and the Depression. This came about through the Goldman, Sachs Trading Corporation, an investment trust that Goldman, Sachs set up in 1928 and of which Mr. Weinberg was the treasurer.

The trading company was brought to market at $104 a share. Its price soared to $326 and then it tumbled in the crash to $1.75, wiping out hundreds of investors in the process.

One of the losers was Eddie Cantor, the comedian, who made Goldman, Sachs the butt of some of his most biting humor. In one joke, Mr. Cantor would show up with a stooge who tried to squeeze juice from a dry lemon.

"Who are you?" the comedian would ask, and the stooge, quick as a flash, would respond, "The margin clerk for Goldman, Sachs." It was a sure laugh-getter.

Mr. Cantor compounded his wit by suing Goldman, Sachs for $100,000; it was one of a score of legal actions that the company had to contest. The partners also had to confront their own losses, an aggregate of $12-million.

WORKED WAY OUT OF FIASCO

Ultimately, Mr. Weinberg was able to work the company's way out of the fiasco and liquidate the investment trust by selling its assets to Floyd Odlum's Atlas Corporation, which later sold them at a profit.

Mr. Weinberg's explanation for his association with the trust was simple. "I just wasn't very bright," he said. He offered the same explanation a few years later, when the president of McKesson & Robbins, a drug house on whose board Mr. Weinberg was sitting, was found to have defrauded the company of $21-million.

Mr. Weinberg's triumphs far outnumbered his lapses of judgment. In fact, his success as a corporate financer were credited in the 1930's and 40's with having help to restore investor confidence in Wall Street.

Part of this was said to be Mr. Weinberg's presence on company boards. Save for the hoodwinking to which he was subjected by the McKesson & Robbins president, Mr. Weinberg was an extraordinarily keen-minded director. He could be counted upon to have a mastery of the company he served and a keen eye for its stockholders' welfare.

One example of this was described in Mr. Kahn's article. "In the winter of 1954," he wrote, "when the Lambert Company (Listerine), of which he was then a director, was considering an invitation to merge with Warner-Hudnut (Sloan's Liniment and cosmetics), his fellow officials in the concern voted to leave all the negotiations up to him.

"The merger went through resulting in a new firm called the Warner-Lambert Pharmaceutical Company, but not before Weinberg worked out a deal highly advantageous to his side: each share of Warner-Hudnut, which had been worth $36 when the bargaining began, could be exchanged for one share in the new company, but so could each share of Lambert, which had been worth only $28."

Something of a wag, Mr. Weinberg was not always reverent toward industrialists and corporations. Once presiding over a dinner for former Secretary of the of the Army Robert T. Stevens, he introduced Secretary of Defense Charles E. Wilson, formerly of General Motors by saying:

"Oh, and we also have Charlie Wilson. I mean the bad Charlie Wilson, not the good Charlie Wilson."

Charles Erwin Wilson was the Defense Secretary under President Eisenhower. Charles Edward Wilson headed General Electric.

A SENSE OF HUMOR

Citing Mr. Weinberg's sense of humor, Mr. Kahn's New Yorker related this incident:

"Shortly after he was elected a director of General Electric, he was called upon by Philip D. Reed, the chairman of its board, to address a flock of company officials at a banquet in the Waldorf-Astoria.

"In presenting Weinberg, Reed said that he was sure that the new director would have some interesting and penetrating remarks to make about G.E., and that he hoped that Mr. Weinberg felt, as he felt, that G.E. was the greatest outfit in the greatest industry in the greatest country in the world.

"Weinberg rose—or, at any rate, got to his feet. 'I'll string along with your chairman about this being the greatest country,' he began. 'And I guess I'll even buy that about the electrical industry being a pretty fair industry. But as to G.E.'s being the greatest business in the field, I'm damned if I will commit myself until I've had a look-see.'

"Then he sat down to vehement applause, which was probably occasioned not only by his brevity but his brashness."

ONLY ON TWO BOARDS

Mr. Weinberg's plain talk was no bar to his directorships. Among the 35 concerns in whose board rooms he sat in addition to General Electric, Sears, Roebuck, and Ford were National Dairy Products (now Kraftco); B.F. Goodrich; Continental Can; General Foods; McKesson & Robbins; Cluett Peabody, Corinthian Broadcasting and General Cigar. At his death he was a director of only two companies—Ford and Corinthian.

Mr. Weinberg was fanatically loyal to his companies' products. When he was living in Scarsdale, N.Y., from 1923 until a couple of years ago, when he moved into the Sherry-Netherland, his house was stuffed with Kraft cheese (to which he professed himself extremely partial) as well as with hundreds of other boons of his directorships. He even switched to Ford-made cars when he became a Ford director.

An "independent Democrat" and "practical liberal," Mr. Weinberg entered politics in

1932 by working for Mr. Roosevelt's election. Almost immediately he began an intimate association with the White House that continued until this year.

At President Roosevelt's suggestion in 1933 he organized the Business Council, through which businessmen could present their views to the Government.

He was assistant director of the War Production Board in World War II and special assistant in the Office of Defense Mobilization in the Korean conflict. He was also chairman of the balance of payments advisory committee of the Commerce Department and a member of a Treasury Department liaison committee.

REJECTED ENVOY'S POST

In 1936, after helping finance Mr. Roosevelt's second campaign, Mr. Weinberg was offered the ambassadorship to the Soviet Union. He turned it down after his wife said she was unwilling to have their two sons tutored abroad. Mr. Weinberg also told his friends that he had declined "because I don't speak Russian, so who the hell could I talk to over there?"

Mr. Weinberg detoured from the New and Fair Deals in 1952 to help raise $1.7-million for General Eisenhower's campaign. His fund-raising technique, mostly personal solicitation in his rasping voice, was abrupt.

According to his friend John Hay Witney, the financier and newspaper and radio proprietor, "Sidney is the best money getter I've ever seen."

"He'll go to one of his innumerable board meetings—General Foods, General Electric or General Whatnot—and make no bones about telling everybody there what he wants. Then he'd say, 'Come on boys, where is it?—and up it comes.' "

Mr. Weinberg's influence in the two Eisenhower Administrations was conceded to be enormous. He was also a power at the White House with President Kennedy, who called on him for advice on tax proposals and for help in putting together Comsat, the Communications Satellite Corporation.

In 1964 he helped form a Johnson for President group and later recommended John T. Connor and Henry H. Fowler to the President. Mr. Connor became Secretary of Commerce and Mr. Fowler Secretary of the Treasury. Mr. Weinberg's only campaign loser was Hubert H. Humphrey, for whom he raised money in 1968.

Mr. Weinberg married twice. His first wife was the former Miss Helen Livingston, whom he married in 1920. She died in 1967. They had two sons, Sidney Jr., an executive of Owens-Corning-Fiberglas, and John Livingston, a partner in Goldman, Sachs. Mr. Weinberg had eight grandchildren.

Last Dec. 25 Mr. Weinberg married Miss Regina Pierce, a photographer 30 years his junior. They made their home in a suite at the Sherry-Netherland that Mr. Weinberg had occupied on and off since the mid-1920's.

A MAN WHO MADE A DIFFERENCE

Mr. HARTKE. Mr. President, in this complex and involved world, it is easy to say: "What can one man do? What difference can one man make?"

As difficult as the problems implied by those questions are, one man can make a difference, can change attitudes and directions.

RICHARD "MAX" MCCARTHY, a Democratic Representative from New York, is such a man. Largely through the efforts of this one man, Congress and the Nation were made aware of the unnecessary dangers of Defense Department activities in gas and germ warfare.

The June 9, 1969, issue of Commonweal magazine contains an excellent article written by Representative MCCARTHY on this problem. The article contains many good ideas and comments, but I would particularly like to join "MAX" MCCARTHY in his statement that—

All Americans who long for a more peaceful and secure world should urge President Nixon to resubmit this document (Geneva Protocol banning the first use of germ and gas warfare) to the United States Senate, and plead with their Senators to belatedly ratify it.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POISON FOR PEACE

(By RICHARD D. MCCARTHY)

During the past five years three events have aroused the concerns of Americans about the gas and germ warfare activities of the armed services. The first was a series of earthquakes in the Denver area resulting from the pumping of poison wastes from the Rocky Mountain Arsenal into a deep well. Following almost a century of inactivity, Denver experienced over 150 earthquakes from 1962 through 1967. Some of these quakes were strong enough to cause property damage, registering as high as 5 on the Richter scale. Geologists showed that the quakes were the result of the large-scale poison waste disposal at the Rocky Mountain Arsenal. Once the Army began pumping out the well, the quakes stopped.

The second event was the death of 6400 sheep in Skull Valley, Utah, next to the Army's Dugway Proving Grounds. An accidental discharge of a deadly nerve gas, VX, was carried by winds onto crop land used by the sheep and caused their death. The Army was many months in admitting that nerve gas caused the sheep-kill, although earlier scientists from the U.S. Public Health Service's Research Center in Atlanta positively identified the gas as the cause of death.

The third event—an event that may yet be prevented—is the planned move of thousands of tons of poison gas across the United States by rail for disposal in the Atlantic. In early May, I learned that the Army planned to ship 4,000 tons of mustard gas, 2,500 tons of nerve gas in bomb form, and smaller amounts of tear gas from Colorado, Alabama, Kentucky and Maryland to the Naval Ammunition Depot in Earle, New Jersey. At Earle this gas was to be loaded on four old Liberty ships, taken out 250 miles off the New Jersey coast, and sunk. At this point, the Army has announced that it will not move this gas until its plans have been reviewed by the National Academy of Sciences.

But even these incidents leave many Americans totally ignorant of the military's activities in the field of chemical and biological warfare. The United States Senate failed to ratify our country's signature on the Geneva Protocol of 1925 outlawing the first use of gas and bacteriological warfare. The United States and Japan remain the only two major powers not to do so. The only recorded uses of chemical warfare by combatants in the past quarter century have been in a civil conflict in Yemen and in Vietnam by the United States.

After viewing a television documentary describing some of our chemical and biological warfare activities, I realized that I knew nothing about this aspect of our defense operation. I discovered that most of my colleagues, even those of the House Armed Services Committee, knew little about this part of our arsenal. Congressman Claude Pepper of Florida, for example, said that in his more than twenty years in Congress he had never received any detailed information on gas and germ warfare.

In 1959 a House committee produced a brief report—"Research in Chemical, Biological and Radiological Warfare"—which recommended extensive research on the manufacture and deployment of chemical and biological agents. The Army now claims this report gave the impetus and direction for its CBW activities and constitutes Congressional authority and sanction.

The Army conducts CBW activities in almost total secrecy. The tight security became evident to me as I began a review of this sector of the military's many-sided enterprise, described by the *New York Times* as "the dark corner of the Defense Department." The security curtain is rarely parted and appears to go beyond the valid purpose of preventing potential enemies from learning about our activities. Some members of Congress believe it is at least partially designed to keep the American people from learning about our policies and practices in gas and germ warfare.

INCREASING CONCERN

At my urging, the Army consented to brief interested members of Congress on its CBW programs, insisting on providing most of the information during the classified portion of the presentation. Most of those who attended the briefing agreed with me that the basic public policy questions remained unanswered. I then addressed a list of such questions to Secretary of Defense Laird, Secretary of State Rogers, Director of the Arms Control and Disarmament Agency Smith, U.S. Ambassador to the United Nations Yost, and presidential advisor Henry Kissenger. Their replies shed some light on our CBW policies and practices, but were far from reassuring and in fact pointed out contradictions between known facts and alleged policy. I became increasingly concerned that the United States had adopted chemical and biological warfare policies without thorough review at top levels in the Pentagon, without the consent of Congress, and removed from the searchlight of public debate. And these policies and practices conflict with the declared position of American Presidents over the past 40 years.

Unnecessary secrecy has caused a serious information gap. Whereas most Americans know about our basic nuclear defense policies, these same informed Americans are totally unaware of our chemical and biological warfare policies and practices. The first use of tear gas in Vietnam caused a minor storm of public opinion but it died down and tear gas is now used in large quantities there. Our arsenals contain not only enormous numbers of nuclear weapons, but also an estimated billion lethal doses of nerve gas. Surely our chemical and biological warfare policies deserve as much attention—from the White House, the public, and from Congress—as our nuclear policies.

It is encouraging to see that the strength of our democracy, defined by President Kennedy as "our great interior dialogue," is being revitalized by a full and searching debate over the merits of the ABM system proposed by President Nixon. Should we not ask the same for our CBW policies: that the American people know the facts and discuss them?

Americans cannot excuse untenable gas and germ warfare policies on the grounds of ignorance. Over-zealous security resulting in imposed ignorance must be remedied. Congress does not leave the final, far-reaching decisions on missiles to the Pentagon, and we must not continue to abdicate our responsibility in the field of chemical and biological warfare. We must bring these activities to light and allow open public debate. And it is fair to ask why Congress did not keep a more careful eye on gas and germ warfare policies and practices.

Our experience in the Korean War illustrates some of the fallacies in our current policies. We say that we might retaliate to a biological warfare attack with biological weapons, yet the military and the State Department went to great lengths during the Korean conflict to offer documented refutation to Communist charges that the UN forces were employing germ warfare. Both were sensitive to the universal world condemnation which would be hurled at any nation which proved to have used germ warfare.

Similarly, our gas warfare policies have been subtly changed during the Vietnamese War. Although the United States did not ratify the Geneva Protocol of 1925, our official position since that time has been full support of its principles. In 1937 President Roosevelt stated that the use of chemical warfare was "inhuman and contrary to what modern civilization should stand for." In 1943, he stated our "no-first-use" policy. And in 1966, we voted in the United Nations to support the principles of the Geneva Protocol.

Yet as early as 1966 American helicopters were dropping tear gas grenades on the Vietcong and North Vietnamese to drive them out of bunkers and foxholes so that B–52 bombing and artillery strikes would be more effective. And we have used powerful chemicals to destroy jungle and crops. It is unworthy of this country to obscure the facts with semantics such as "herbicides, defoliants, and crowd-controlling devices." There is no semantic escape: the use of gas in conjunction with lethal conventional weapons and the use of anti-food and jungle-stripping chemical weapons is clearly chemical warfare.

We also cannot ignore the potential danger to our own population of continued research, storage and transportation of lethal gas and germ agents. The Denver incident in which poison wastes in a deep well caused the first series of earthquakes in the area in 80 years is only one of several testing accidents. The sheep-kill near Dugway Proving Grounds in Utah involving nerve gas was perhaps the most frightening incident. And field tests of biological agents at Dugway and abroad present grave hazards to the animal and human population of Utah, the United States, and the world. Dr. Joshua Lederberg, a Stanford Nobel Laureate, warns that the very testing of biological weapons may be as dangerous as their use.

Only this spring, the Army proposed to move thousands of tons of obsolete poison gas in tanks and bombs across the country by rail, load it aboard ships, and sink the ships at sea. Such a move of more than twenty gas trains involves the very real possibility of a rail accident. The Transportation Safety Board reports a 100 percent increase in derailments in the last decade with the total now exceeding 5000 per year.

Disposal of outmoded poison gas and poison gas weapons also poses a major threat to our population. Even with the extensive precautions which would presumably be taken with the special trains, there is the possibility of the derailment of another train or a collision. If several GB nerve gas bombs were to rupture and cause the death of thousands of people, what consolation would it be that it had been "the other train's fault?"

The Army says that the trains are to avoid population centers as much as possible, but the proposed route includes Indianapolis, Dayton, Philadelphia and Elizabeth, New Jersey. In any case, the danger to one man in an otherwise unpopulated cornfield is just as great as that posed to a large population center. Would the Army accident report then describe "only minimal loss of life"?

The proposed dumping in the high seas also raises the question of contamination of the water and marine life. Might not other countries justifiably resent this pollution of international waters? What have other countries done to dispose of similar surpluses? As of yet, no one seems to be able to supply the answers to these questions. Apparently it was only after I raised the issue that Defense called in oceanographers to get answers. Eleven previous dumpings—at least three of which consisted of poison gas—were evidently carried out by the Army without consulting the State Department, or any other government department or agency. We know that England, France, Germany and the Soviet Union publish charts of their dumping grounds in the ocean as we do—but no one has bothered to find out how they take whatever it is they take to these dumping grounds.

The Army states that sea burial is the best method of disposal, maintaining that they do not have the facilities at the arsenals to decontaminate the poison gas quickly enough. They claim that burning the gas would take 68 months and chemical neutralization would take 59 months. This is contrasted with 3 months for sea burial. But Louis E. Garono, Chief Engineer at Edgewood Arsenal, with responsibility for the Pine Bluff, Arkansas, and Rocky Mountain, Colorado Arsenals, tells my office that it would take only one year to dispose of the excess nerve gas by decontamination and that facilities exist at each arsenal which could be easily expanded, if necessary, at a cost less than that of the rail transport and burial at sea.

It is obvious that there are safer ways to dispose of poison gas than to ship it across country and dump it in the ocean. It is equally obvious that interdepartmental and international cooperation is sorely lacking. But most important is the need for open, informed debate on the public policies that govern our chemical and biological warfare activities. To this end, I have asked President Nixon to resubmit the Geneva Protocol to the United States Senate so that our policies can be reviewed and the Protocol ratified. I have also urged that we support the British proposal to the Eighteen Nation Disarmament Conference—that all production, storage and use of biological warfare be fully banned.

TO RATIFY THE GENEVA PROTOCOL

National policies and practices do not change overnight. The shifts are often slow and subtle. In the case of chemical and biological warfare, I believe that we have begun a shift away from our traditional and correct policy of no-first use. President Coolidge, President Hoover, President Roosevelt, President Eisenhower, General Pershing, Admiral Leahy, and Admiral Nimitz, among others, have all clearly stated that they were opposed to the first-use of these forms of warfare. Yet in Vietnam, we have resorted to chemical warfare first—not after an enemy has used it on us. And there are many in the military who would like to expand our uses to incapacitating gases and incapacitating biologicals. These moves are steps backward in our attempts to limit man's violence toward man. The United States should not—indeed cannot—take the lead in breaking down this ban.

The "no first-use" policy on germ and gas warfare has been officially adopted by the signatories of the 1925 Geneva Protocol. It was observed throughout World War II, has been generally honored by most nations, and is, even today, the only international agreement that has held certain deadly weapons in check during war. It is a building block upon which controls on other weapons of mass destruction can be placed. All Americans who long for a more peaceful and secure world should urge President Nixon to resubmit this document to the United States Senate, and plead with their Senators to belatedly ratify it. The failure of the United States to ratify the protocol along with recent policy changes on chemical and biological warfare have undermined this critical building block. It would be a tragedy for all mankind if it were crushed.

THE PRESIDENT'S DOMESTIC REFORMS

Mr. GOODELL. Mr. President, this week President Nixon has unveiled three proposals that would revolutionize our domestic social programs. These three plans—for welfare reform, job training reform, and revenue sharing—clearly show that the President does not feel bound by the old and worn methods of solving the Nation's pressing problems, and is prepared to move forward with new and imaginative solutions.

Mr. President, I ask unanimous consent to have printed in the RECORD the statements I have made regarding the President's forward-looking proposals.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

GOODELL PRAISES PRESIDENT'S WELFARE MESSAGE

New York Senator Charles E. Goodell said President Nixon's welfare reform proposals represent "a constructive step forward toward creating a fairer welfare system—one that will protect individual dignity, assist the working poor, provide effective job incentives and hold some real hope of reducing the relief rolls.

"Among other beneficial changes, the President's package would for the first time establish national welfare standards with minimum benefit levels; supplement the incomes of the working poor who now are unfairly excluded from Federal relief programs; create stronger incentives for those not on relief to take jobs, by increasing the earnings they may take home without losing their welfare benefits; and establish an expanded day care assistance program that would permit welfare mothers to seek jobs.

"Another far-reaching reform in the President's package is the creation of a system of Federal revenue sharing with states and localities. Since 1959, I have urged Federal revenue sharing as the best method of rectifying the fiscal imbalance that now exists in our system of shared powers and of strengthening the fiscal base of state and local governments. This year, I introduced a 'Federal Revenue Sharing Act' (S. 50); and together with Senator Muskie I sponsored the 'Intergovernmental Revenue Act' (S. 2483), a revenue sharing proposal prepared by the Advisory Committee on Intergovernmental Relations.

"I must express my deep concern, however, with the provisions of the plan that apparently would give the greatest Federal aid to those states that are doing the poorest job of supporting the needy and give the least aid to states like New York that are now providing the most generous welfare benefits. A state such as Mississippi would have its state share cut by as much as 50% under the plan, whereas New York taxpayers seemingly could look forward to only a 10% reduction in New York State's welfare burden."

GOODELL COMMENDS PRESIDENT'S MANPOWER TRAINING INITIATIVES

Senator Charles E. Goodell said today that "President Nixon has shown imaginative leadership in proposing a comprehensive new Manpower Training Act.

"The Manpower Training Act as outlined in the President's Message would help streamline manpower training programs through reducing duplication and fragmentation and eliminating the impediment of

'red tape' which have plagued manpower training programs in the past."

Senator Goodell said he was especially pleased with two of the President's specific recommendations; creation of a comprehensive career development plan and the establishment of a National Computerized Job Bank.

"Manpower training programs which fail to develop the whole person really fail to meet the most important objective of improving a man's contribution to his society. The comprehensive career development plan is designed to accomplish this purpose. As an advocate of a computerized job bank for many years, I am confident that the President's 'job bank' will go far towards matching jobless men with available jobs.

"No doubt the Congress will examine the President's proposal very critically and carefully. It is my hope, however, that the President's proposals will serve to initiate a constructive dialogue as we seek to solve one of our nation's most pressing problems."

THE PRESIDENT'S REVENUE SHARING PLAN IS HAILED BY GOODELL

New York Senator Charles E. Goodell hailed President Nixon's revenue-sharing plan as "an historic step toward strengthening the fiscal base of state and local governments and redressing the growing fiscal imbalance in our Federal system."

Goodell has been a strong advocate of revenue-sharing since 1959, and this year was the sponsor of two major revenue-sharing bills: the Goodell "Federal Revenue-Sharing Act" (S. 50) and the Muskie-Goodell "Intergovernmental Revenue Act" (S. 2483).

The Senator said, "I am particularly gratified by the fact that the President's proposal adopts the same basic concepts as my own bill and the Muskie-Goodell bill. These include:

"Permanent" appropriation of a specified share of the federal tax base for revenue-sharing purposes.

Allocation of this fund among the fifty states on the basis of population and revenue effort.

A mandatory "pass through" of specified amount of each state's allocation to local governments on the basis of the relative rates of state and local taxation in each state.

No Federal strings attached to the use of these funds by states and localities.

Goodell noted that the Muskie-Goodell bill has been referred to the Intergovernmental Relations Subcommittee of the Senate Government Operations Committee, and that hearings will be held on the bill in the third week in September.

"I very much hope," Goodell said, "that these hearings will provide a forum for the exploration of the President's forward-looking proposals.

"By returning to State and municipal governments a stated share of Federal tax revenues without Federal controls, revenue sharing will give greater vigor to states and local governments. It will supplement these governments' local tax base, thus enabling them to strengthen their administrative apparatus, supply better public services, meet pressing social needs more effectively and provide some hope for relief of growing local tax burdens. It can put new life in our Federal system by giving greater emphasis to decentralized decisionmaking, initiative, and innovation."

STUDENT VETERANS NEED A RAISE

Mr. CRANSTON. Mr. President, many Senators have become aware of the inadequacy of the educational assistance allowances presently paid to veterans under the cold war GI bill. On January 16, the distinguished Senator from Texas (Mr. YARBOROUGH) introduced S. 338, which provided for increases of approximately 46 percent in the monthly benefits for veterans enrolled in high school and college courses. I am one of 24 cosponsors of that bill. On June 24, Senator YARBOROUGH and I introduced an amendment to S. 338, extending this increase to allowances for veterans pursuing farm training, on-the-job training, and vocational rehabilitation. The Subcommittee on Veterans' Affairs, of which I am chairman, concluded hearings yesterday on S. 338 and the amendment, as well as eight other bills pertaining to veterans' education, training, and manpower programs—S. 1088, S. 1998, S. 2036, S. 2361, S. 2506, and an amendment to it which I proposed, S. 2668, S. 2700, and H.R. 6808—and will, I hope, act on the proposed legislation shortly after the August adjournment.

Our veterans' organizations have firmly supported proposals to increase the educational assistance allowances to meet the rising costs of education and living. I invite Senators to consider an article entitled "Student Veterans Need a Raise," written by Richard W. Homan, Commander in Chief of the Veterans of Foreign Wars. The article was published in the August, 1969, issue of the VFW magazine, and is an excellent statement of the need for this type of legislation.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STUDENT VETERANS NEED A RAISE

(By Richard W. Homan)

Inadequate subsistence payments are discouraging thousands of Vietnam veterans from entering college and delays in receiving their allowances are causing others to drop out.

For this reason the V.F.W. is pressing for a substantial increase in monthly payments from the current $130 a month a single veteran presently is receiving, with appropriate boosts for each dependent for married veterans.

Many other national officers of the Veterans of Foreign Wars and I have studied the problems of veterans in our travels to college and university campuses throughout the United States over the past year.

We have concluded that a situation like this is unfortunate for the country and for the young men who have been fighting our fight in Vietnam and manning the barricades of freedom in the four corners of the world.

This is an era of technology and learning in which the race will be won by the best prepared, not the swiftest. The country needs more trained and educated people to maintain its lead over the forces of aggression.

A young veteran on a Midwest campus summed it up like this:

"I have no resentment toward those who went to college, or even rioted while I was in Vietnam, because, tough as it was, I wouldn't have missed the chance for anything—now that I'm back I can say that.

"But frankly, I don't know how I can make out on what we are getting. My wife, Linda, has to work on the side as a typist and we have two small children to look after. I have a job in a gas station after classes.

"When I get home at night, I am so bushed it's all I can do to study and it's tough on Linda, too, because she has to take care of the children, fix supper and do the wash.

"Our parents have been swell and have helped out a lot, but we can't go on much longer sponging off them. I just don't know what I'll do if I don't make it."

Another complaint is that VA checks are slow in arriving, sometimes as much as four months.

On the West Coast, a veteran student said that he had to borrow a "small fortune" from his brother—his parents were dead—just to tide him over until his checks began coming.

"That was pretty tough for a while," he said. "Even after the checks did come, and I paid my brother, I still had to borrow again to make up for what I paid him and the loan company didn't lend the money for nothing."

Last winter in the South another said, "I don't know how some of these guys make out at all. A lot of them have just given up and gone back home. I know I'd have to quit if I weren't single and didn't have parents who were able to help a lot."

Although other types of training, such as apprenticeship, trade school and on-the-job instruction are authorized, most of the young men are enrolling in colleges and universities.

For example, of the 2,760,000 Vietnam Era veterans, 336,748 are in academic institutions, while 184,111 are receiving other types of training, according to VA figures.

This means that 19% of the eligible veterans are taking advantage of the opportunity to improve themselves and 64% of these who do are attending college.

These figures compare with 1,162,000 veterans of World War II who used the original GI Bill to upgrade their education and the 1,338,000 who received other types of training.

There is vital difference, however, between that earlier law and the present one.

Vietnam and Post Korean veterans receive $130 a month, if they are single—a little more than $4 a day—and $175 a month if they are married and have one child.

Unlike World War II veterans, whose maximum $500 for tuition, books and fees was paid directly to the schools, today's veterans must pay all these costs out of their monthly subsistence checks.

World War II veterans at first received $50 a month if single and $75 with dependents, a figure later raised to $75 and $105 with $120 for more than one dependent.

Subsistence rates were raised for Korean veterans, but they had to pay tuition, book, supply and other costs out of their allowances, the same as Vietnam veterans.

Costs and prices had begun rising at the time of the Korean War, but the higher cost of living at that time is hardly comparable to what we are witnessing now.

Cost of education, like everything else, has risen, too.

For example, in 1946–47 tuition and fees for a year in public institutions averaged $125, while in private ones they were $330. The total cost of education in public colleges were $960 and in private schools $1,290.

In 1948–49 tuition had risen to $140, public, and $396, private. Total was $1,010, public, and $1,380 private.

When Korean veterans were forming the second wave of student veterans in 1954–55, total cost of education in public institutions had climbed to $1,190 a year and to $1,700 in private colleges and universities.

Two years later these costs had risen more than $100.

Since then costs have been shooting up rapidly.

Tuition in private institutions now averages $1,436, while in public colleges it is $298. In many major state universities the $298 for tuition is higher, especially for non resident students.

In a private school, board and room that cost $456 a decade ago is now $544 a year, and the figures are only slightly less in a state-supported college.

College costs generally have mirrored the

higher cost of living. According to the Department of Labor's Bureau of Labor Statistics the rise has been 26.4% in the last decade and 5.4% in the last year.

In the past 20 years—since the time when many of the World War II veterans were just about winding up their college careers—the cost of living has gone up 55%.

To ease the burden on the college veteran, a bill has been introduced by Sen. Ralph Yarborough (Texas) that would increase subsistence payments to $190 for a single veteran with no dependents.

The bill would also boost the rates to $215 for one dependent and $235 for two, with another $10 a month for each additional dependent.

Where will the young veterans get the money to pay for their education and support their families—especially those young men who entered the service from high school without having learned a civilian occupation of any kind?

Part time employment may help a little, but hardly supplements the VA subsistence adequately to provide for a family.

The veteran's wife may work, but that means leaving her children in the hands of a stranger, and one who must be paid, too, further reducing spendable income.

In addition, academic standards are now so high, the work so demanding, the competition so keen that time away from studies lessens the chances of successful completion of the courses.

Scholarships and fellowships are inadequate for most students.

The only solution is to provide a substantial increase in VA payments or thousands of returning veterans will wind up in work that promises only a lifetime of drudgery and near poverty because they were unable to upgrade themselves.

The veterans, remember, are the ones who answered their nation's call, while thousands of others stayed behind to go to school, preparing themselves for the good jobs that will be denied the veteran if his current plight is not corrected.

VIETNAM PRISONERS OF WAR

Mr. HART. Mr. President, regardless of what views one holds on the war in Vietnam, people sensitive to the feelings of others cannot help but deplore and condemn the refusal of the Hanoi government to abide by the 1949 Geneva Convention dealing with the treatment of prisoners of war.

The facts are these.

There are more than 1,300 American servicemen who are either prisoners of war or listed as missing in action.

Of that total, we know 346 are prisoners of war. However, we have little information about their health or the quality of the prison camps in which they are held.

There is considerable evidence that these men are receiving poor medical treatment, that some of them have been paraded as propaganda stunts, and that they may be held in isolation from each other.

Of the 978 Americans listed as missing in action, we know nothing.

The families of these men do not know whether the men are dead or alive.

Under the terms of the Geneva Convention, the names of prisoners are to be made public, sick, and wounded prisoners are to be released immediately, prison camps are to be open for impartial inspections, prisoners are to be allowed to send and receive mail regularly, and prisoners are to be treated properly.

The Hanoi government signed the Geneva Convention on June 28, 1957.

Despite being a signatory to that convention, Hanoi has not announced the names of prisoners, has permitted only 100 men to write letters, and only two a year, has not released wounded or sick prisoners, and has not revealed prison camp locations or permitted inspection of the camps.

The result of this inaction has been to put the families of these men, whether the men are known to be prisoners or are listed as missing in action, under a cruel and continuous cloud of uncertainty.

It is not for me to guess what Hanoi hopes to accomplish by this inhumane policy.

However, I can warn the pursuors of such a policy what it will not accomplish.

Such a policy will not strengthen the hand of Hanoi in Paris negotiations. To the contrary, it can only have the opposite effect.

Such a policy can and should create strong opposition throughout the world from those persons who, regardless of their view of the Vietnam war, are deeply disturbed by the brutalizing effects war has on the spirit of man.

It is my hope that governments and people around the world will join in protesting this inhumane policy.

Past experience has shown that Hanoi sometimes reacts to world public opinion.

Let us help generate that world opinion.

And let the word go out loud and clear that all Americans, regardless of party, regardless of their degree of support or lack of support for the war, are united in condemning this policy.

Let Hanoi know that all Americans support fully the efforts of this and the past administration to bring about a change in this inhumane policy.

ADDRESS BY REPRESENTATIVE GILBERT GUDE AT THE DEDICATION OF THE BROOKSIDE ARBORETUM

Mr. MATHIAS. Mr. President, on July 13 my colleague from Maryland, Representative GILBERT GUDE, had the privilege of speaking at the dedication of the Brookside Arboretum in Wheaton Regional Park in Maryland. This new public asset, designed and operated by the Maryland-National Capital Park and Planning Commission, is the first of its kind in Maryland and one of only about 100 in the Nation.

Representative GUDE appropriately addressed himself on this occasion to the obvious importance of the plant world to human health, physical and mental, in this increasingly crowded and clamorous society. He reviewed the contributions of arboretums as parks, as "plant dictionaries," and as classrooms. In keeping with his deep personal commitment to conservation, he called for far greater emphasis on developing the types of plants and trees which can contribute to health, beauty, and balance in urban and suburban areas.

The speech deserves wide attention. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

TEXT OF SPEECH BY CONGRESSMAN GILBERT GUDE

You have indeed honored me in asking that I dedicate the Brookside Arboretum today. As first of its type in Maryland, it joins a distinguished group of about one hundred arboretums across our great land. My congratulations go to my friends, Chairman W. C. Dutton of the Park and Planning Commission; Vice-Chairman Caroline Freeland; Park Director Jack Hewitt; and Frank Rubini; Landscape Architects Joseph Kondis and Hans Hanses. I congratulate as well the County Council and commend it for its support of this fine project; the Council always has the difficult task of coming up with that "other kind of green"—the tax money to finance such facilities. Finally, my particular congratulations go to the citizens of Montgomery County and Prince Georges County for their great addition to our Maryland part of the National Capital Region.

I know you understand my deep interest in this project from the several hats which I wear in public and private life. I point out the foregoing in order to indicate to you that I have more than just a passing knowledge of this type of institution and what it means to the community.

Recent events here in our Metropolitan Area make me inclined to share with you some observations and thoughts about arboretums in today's society. Specifically, I refer to the proposal presently being considered in the U.S. Senate to have the National Arboretum transformed into housing projects. Although I know the proposers of this amazing plan would say my charge is absurd, they really have stated a clear proposition: there must be a choice made between man and trees, and the trees must go.

I admit that such a proposal is absurd, but those who propose the elimination of the National Arboretum are saying that in so many words. And to my way of thinking, they are demonstrating a real blind spot regarding the basic fundamental needs of people, of American cities in general, and our Nation's Capital in particular.

What about the plant world and man in our 20th century cities, where more than 60% of Americans live? Let's consider some fundamentals regarding plants and man:

1. Plants and their role in man's physical and mental survival.

2. Plants in arboretums and their role in helping man learn means for better living: arboretums as plant dictionaries, if you will.

3. Arboretums as school rooms: arboretums as a teaching resource.

4. Finally, in light of the U.S. situation today, the priorities we must establish in our Agriculture budget: our plant investment must provide the greatest yield in meeting the demands of urban man.

First, with respect to man's physical and mental survival, plants are life-givers. They are massive factories converting carbon dioxide to life-giving oxygen. We require plants to continue the life cycles which are going on in the air and waters around the earth. This Brookside Arboretum, as a part of the regional park, gives an added dose of clean fresh air to Wheaton. And the trees on the 412 acres of the National Arboretum clean up a lot of air for the District.

On the mental side, arboretums as open green areas comprise part of man's protection from himself. Man as an animal requires certain amounts of open space.

The study of the need of animals for open or living space has been entitled "Proximics". Scientists have made an intensive study of Proximics in recent years, and they find that

animals of the same species living too closely together actually become mentally ill. Some go berserk, attack each other, eat their own young; even perversion is manifested among some animals who are forced to live closer than they should to their fellows.

It is interesting that the word "Proximics" is derived from the same word as proximity fuse. You recall in World War II the proximity fuse was developed to automatically explode a bomb when it came within a certain distance of its target. We need to ask ourselves what is the role of Proximics in the terrible explosions we have witnessed in the great American cities during the past few years?

Arboretums, like parks, serve as places where the human spirit can receive the magic therapy of physical separation from other people—a place where man can think and reflect.

But arboretums are more than parks: arboretums are plant dictionaries, and this is my second point. If you want information on Maryland plants or unusual grasses, Jack Hewitt is publishing it right here at Brookside. Arboretums, public and private, all across the country provide specimens and information on plants and trees to make home and factories and city streets better places to live and work. Visitors who otherwise would never have come to Wheaton, Maryland, will come to visit Brookside Arboretum. Every year three-fourths of a million people from all over the world visit the National Arboretum, and you can be sure that as part of tourism it adds welcome tax dollars to the D.C. budget.

In addition to being a plant dictionary open to consultation by any person, arboretums serve as a focus for making new plants. Plant breeding, which has provided a bounty of healthful food from better varieties for the American dinner table, has directed only a small effort to develop better plants for our inner city and suburbs. Of almost 3000 patents for ornamental plants issued to the private sector in forty years, there have been 98 new varieties of shade trees such as new types of maples, poplars, locust and crab apple. This has been the result of the effort of private enterprise. Department of Agriculture Ornamental Breeders have produced with public funds approximately 500 new varieties of all types and they are now public property. But this investment in plant breeding to make the quality of urban and suburban life better is too small.

We must give more support and encouragement to plant breeders both public and private. There should be more work, for example, at the national arboretum to develop better shade trees—trees that can endure the restrictions and confines of city growing and withstand diesase and pests and the baking heat of city sidewalks. Trees are also needed which can better hide the ugliness and give the hint of open space to the drab monotony of concrete.

But arboretums make another invaluable addition toward better urban life, which brings me to my third point: The arboretum serves as a classroom for students from elementary school to college post graduates. The riches of the plant world are available in their growing state. Here the words and figures of the botany text take on new meaning. And there is an opportunity for training disadvantaged young people in gardening and horticulture careers. What a magnificent classroom! The district is not taking full advantage of the classroom opportunities at the national arboretum. And urban America is not getting full credit from our tax investment in agriculture.

Finally, we need to raise in this regard the question of priorities in spending, a question so vital in these days of limited resources and overwhelming need. Our spending priorities in agriculture are out of kilter. We are pouring 3½ billion dollars into farm subsidies alone. The total budget for the Department of Agriculture is 8 billion. Of this, less than 2% is spent on research and only a minute fraction of that is directed to programs of bettering our urban and suburban environment. We in the House of Representatives voted to limit subsidies to individual farms to $20,000 per farm; it seemed to us that that was enough to pay to each farm not to grow crops. The musty, dusty subsidy programs are geared to a national economy of several generations ago. I think it is high time that some of these billions and some of the expertise of the Agriculture Department such as in the Forest Service and the Soil Conservation Service were put into a crash program to better our suburban-urban environment. We have water, soil, turf, and trees to conserve in downtown America, and we've got some blighted areas which need reclamation with parks and plants. Let's not bull-doze our arboretums; rather let's correlate our agricultural spending with the needs of America today!

I am reminded occasionally in this regard of certain organisms studied under the microscope. They grow and flourish for a while but eventually, through their own growth activity, create conditions which cause their own destruction. Certainly we, as intelligent creatures, can plan better. Surely we can better adjust our priorities and goals to acknowledge the areas of real need and work toward their resolution, rather than continue or create conditions which point inevitably to our own self-destruction.

SLUSH FUND TO FIGHT CONSUMER LEGISLATION

Mr. PROXMIRE. Mr. President, I was most dismayed to learn that the National Association of Credit Management is building a slush fund to fight against the Fair Credit Reporting Act now before the Committee on Banking and Currency. This act would permit consumers to correct inaccurate information in their credit files; it would require that consumers be notified whenever adverse items of public record information are entered into their files; it would require that credit bureaus keep such information confidential; and it would require creditors to disclose to consumers that they are being rejected for credit because of an adverse credit report and to indicate the name and address of the credit reporting agency. The bill received strong support from several outstanding legal scholars as well as from the Nixon administration and the President's consumer adviser, Mrs. Virginia Knauer.

It is difficult to see how these elementary principles of fair play can be strongly opposed by the credit industry. Nonetheless, the National Association of Credit Management has mounted a nationwide lobbying campaign to defeat this legislation. The association has even written to its members asking for a minimum contribution of $5 to help kill the fair credit reporting bill.

If every member of the association contributed a minimum of $5, a slush fund of $180,000 would be acquired. It is hard to understand why such a huge sum of money is required to make the association's views known to Congress. The association has already testified before the Senate Banking Committee on the legislation and is ably represented by Washington counsel.

Mr. President, I am confident that the lobbying fund being acquired to fight this legislation will not be effective. I think the Members of the Senate should be warned, however, that they are about to be besieged by high-power lobbyists in a belated attempt to defeat the Fair Credit Reporting Act.

I ask unanimous consent that a letter issued by the National Association of Credit Management on July 22 to its members soliciting funds to defeat pro-consumer legislation be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF CREDIT MANAGEMENT,
New York, N.Y., July 22, 1969.

DEAR MEMBER: You are undoubtedly aware that several bills have been introduced in Congress which would, if enacted, severely restrict the exchange of credit data between credit and financial executives and would reduce the amount of information that credit reporting agencies could furnish their subscribers. Compliance with the terms of these bills would make credit management an almost impossible task. Similar bills have been introduced in many state legislatures and have already passed in two states.

NACM has been fighting this legislation on a limited scale on both fronts. At the National level we have encouraged our members to write to members of Congress protesting against the federal bills and on May 22 our Washington representative presented testimony at a hearing on Senator Proxmire's bill, S. 823. Our larger local offices have fought similar legislation in their state capitols. But, this is not enough and we can lose the battle.

To protect your interests against these anti-credit bills we must step up our lobbying in Washington and use the services of lobbyists in those states where we have no local offices or the offices are not financially capable of handling this additional expense.

We do *not* have the funds to adequately fight back at the current anti-credit bills and those which we can expect to be introduced in the future. In recognition of this problem the Board of Directors of NACM, at the San Francisco Convention, unanimously approved the recommendation of the National Legislative Committee for a direct appeal to the members for a Legislative Emergency Fund.

We are asking each member for a minimum contribution of $5.00. The funds will be placed in trust to be used solely for the purpose of combating present and future legislation adverse to the interests of our members.

Please make your contribution *now*. You will be helping us help you. And your contribution is tax deductible. Mail your individual or corporate check to: NACM-Legislative Emergency Fund, 44 East 23rd Street, New York, New York 10010.

Cordially,

ROBERT L. ROPER.

LONG OVERDUE FOCUS ON ALCOHOLISM AND NARCOTICS ABUSE

Mr. CRANSTON. Mr. President, my esteemed colleague on both the Committee on Labor and Public Welfare and the Committee on Banking and Currency, the junior Senator from Iowa (Mr. HUGHES), has embarked upon a most important and most promising venture. As the first chairman of the newly created Special Subcommittee on Alcoholism and

Narcotics of the Labor and Public Welfare Committee, he has already completed 6 days of hearings, 3 days on alcoholism and 3 on drug abuse. This degree of activity is itself remarkable for a special subcommittee chaired by a freshman Senator.

But, of greater significance is the extremely valuable information revealed at these hearings elicited both from widely recognized experts, from the administration and outside it, as well as from individual victims of alcoholism and drug abuse.

In his July 23, 1969, opening statement, Senator HUGHES set the main objectives of his subcommittee as follows:

(1) To dramatize to the Congress and the public the magnitude and urgency of these problems,

(2) To develop new approaches to helping people in our society afflicted by alcoholism and drug abuse, and

(3) To develop legislation that is practical and that is on a realistic financial scale not previously dreamed of by this government.

Although I am not a member of this subcommittee, I have been following its deliberations and have been privileged to sit with it on occasion. Senator HUGHES and I have agreed to work closely together on the question of alcoholism and narcotics abuse within our armed services veteran population in connection with his membership on and my chairmanship of the Veterans' Affairs Subcommittee.

I believe that Senator HUGHES has already gone a long way toward fulfilling his first objective of dramatizing the magnitude and urgency of the afflictions of alcoholism and drug abuse in our society. In his opening statements on these subjects, he has poignantly and with a most refreshing candor outline the pitifully small effort society is making to alleviate these twin curses. He points out that, as a people, we have been willing to spend tens of billions of dollars to lift the spirit of mankind by our soaring to the moon but have been unwilling to commit even the tiniest fraction of that amount to lift men and women out of the gutter—either literally or the gutter of the special degradation which imprisons the alcoholic and the narcotic abuser.

I look forward to the development by the subcommittee of new approaches and legislative solutions to the preventive health, medical treatment, and social implications of these devastating and debilitating afflictions. I am a cosponsor of the Comprehensive Narcotic Addiction and Drug Abuse Care and Control Act of 1969, authored by the distinguished chairman of the Labor and Public Welfare Committee who is also chairman of the Health Subcommittee (Mr. YARBOROUGH). That most commendable bill would authorize a total of $380 million over a 5-year period for research; training of personnel; incentive grants for community treatment and rehabilitation programs; and prevention and education efforts. This sort of approach is grievously overdue in the alcoholism field and I am sure that Senator HUGHES will be moving in that direction. Given the enormous increase in the use of hallucinogens—not only in the younger segment of society—and the continuing excessive pressures toward social drinking, it is intolerable that the Federal Government has done and plans to do only the most token work in this area.

I congratulate Senator HUGHES on the outstanding start he has made with his subcommittee, and I pledge him my support in the vital tasks he is undertaking.

I ask unanimous consent that the full text of Senator HUGHES' excellent statements of July 23 and August 6 be printed in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

OPENING STATEMENT BY SENATOR HAROLD E. HUGHES, CHAIRMAN, SPECIAL SUBCOMMITTEE ON ALCOHOLISM AND NARCOTICS, AT PUBLIC HEARINGS ON ALCOHOLISM, WASHINGTON, D.C., JULY 23, 1969

At the outset, I wish to express my appreciation to the distinguished Chairman of the Committee on Labor and Public Welfare, Senator Yarborough, for commissioning this Special Subcommittee on Alcoholism and Narcotics and for appointing me its chairman.

I also wish to express my esteem for the high caliber of the the members of this subcommittee and my appreciation for their dedication to the urgent tasks we are undertaking.

The hearings beginning today and extending through the next two days will be on alcoholism. On August 6, 7, and 8, the hearings, also here in Washington, will be on narcotics and drug abuse.

This is a new kind of subcommittee. It is, to the best of my knowledge, the first congressional committee exclusively devoted to the cause of helping individual citizens and society gain relief from the human blights of drug and alcohol abuse. Other committees have got into these areas indirectly and principally from the standpoint of law enforcement, rather than health.

With such a charge we have a staggering responsibility. We dare not fail.

The health approach—the business of treating desperately sick people, rehabilitating addicts, preventing the growth of drug abuse and alcoholism—has had a very low place on the totem pole of our public priorities.

But let me tell you this. In the hearts of the people of the United States, these subjects have the highest priority that you can imagine.

We are infinitely proud that we have put men on the moon. But in our stomachs we are sick over the threat of drugs to our children and of the deteriorating effects of alcoholism on our society.

It seems to me that it is essential that this subcommittee, entering this sensitive and all-important field, should have a foundation of fresh information on which to make later decisions.

It also seems to me essential that our approach be open-minded, that we should not begin with pre-formed conclusions. If we go through the routine motions of the past with reference to these problems, it would appear likely that we would simply repeat the failures or inadequacies of the past.

Up to this point, federal action on both alcohol and drug abuse has been the puniest type of tokenism. In the areas where a dollar invested would yield the greatest returns in economic and human value legal tender, we have been unwilling to spend pin money.

The original budget for fiscal 1970 requested a paltry $4 million for community assistance grants for alcoholism programs—for the whole nation! This is like trying to stop the Mississippi River at flood stage with a pebble. But even this token sum was not recommended by the Nixon Administration.

The main objectives of this subcommittee, as I view them, are three-fold. (1) To dramatize to the Congress and the public the magnitude and urgency of these problems, (2) To develop new approaches to helping people in our society afflicted by alcoholism and drug abuse, and (3) To develop legislation that is practical and that is on a realistic financial scale not previously dreamed of by this government.

Everything depends on arousing the Congress and the people to the critical urgency of this problem.

In the past, there has been a tendency to try for drop-in-the-bucket legislation on alcoholism on the theory that "something is better than nothing."

But even pitifully token programs have failed to get through the Congress. I believe the fact that they have been on such an unrealistic dimension has contributed to this failure.

I believe the time has come to "go for broke"—to present the needs on their true scale and urgency.

Alcoholism is an area on which we could spend a fraction of what we are currently spending on any one of a variety of weapon systems we are currently financing. And we could reap the richest kind of harvest in economic savings as well as in the more important dividends of human life and well-being.

I can assure you ladies and gentlemen who have come here to testify this afternoon that you can count on this subcommittee to develop constructive legislation to meet the problems.

This means we must be open-minded to new approaches. This means we cannot settle for window dressing. This means we must disengage ourselves from the old ruts and prejudices of the past.

A century ago, an English author, Samuel Butler, wrote a book about an imaginary, Utopian society called Erewhon.

One practice of this mythical country is particularly worth remembering.

When people got sick, the authorities put them in jail.

We don't have to look to fiction to find this practice. For generations, here in America, we have been putting people suffering from one of our most malignant illnesses in jail without treatment. The custom still goes on.

Periodically, we read of some victim of alcohol abuse dying in jail for lack of medical treatment. This is not a rare occurance. Only occasionally, however, does such an incident get noted in the papers.

I have been deeply involved with the problems of alcoholism—from both a personal and social standpoint—for more than 25 years.

If, at times, I sound like an angry and frustrated man, it is because I am.

I see this great abundant land of ours with resources beyond compare.

I see the wonderful achievements of our science and technology, the miracles of modern medicine, the explosive growth of knowledge in numberless areas, the marvelous exploits of American industry.

But in this vital, accessible area we have fallen flat on our faces. It is a national disgrace.

The next time you see some drunk making a spectacle of himself in public, mark it down that we are the ones who should be ashamed for our gutless failure to meet this problem, not the miserable victim of the affliction.

We have developed the Salk Vaccine; we are making notable progress in cancer treatment and research; we have done wonders in controlling heart disease; we have tamed tuberculosis as a major health problem.

But in this one commonplace, accessible area, we have fallen flat on our faces.

We have failed to make a small dent in the treatment, control, and prevention of a killing illness that is as widespread and as familiar as the common cold.

As a consequence—whether we are willing to admit it or not—alcoholism ranks with heart disease and cancer as one of our most vicious public killers.

If you add to the list of those who are dying of alcohol abuse those who are slaughtered each year on our highways by accidents in which drunkenness is involved; then alcohol would take its place at the top of the list as a public executioner.

But while we have forthrightly met other public health menaces, we are still merely shadow-boxing with this one.

Ladies and gentlemen, it doesn't have to be this way.

There is an aura of hopelessness around our attitude towards the treatment of alcoholism that needs to be exploded right now.

* * * * *

But if a person is suffering from alcoholism, we *know* we can help him.

Therefore the treatment of alcoholism should not be an area of doubt or discouragement, but an area of certainty and optimism.

So I am not discouraged about the fight to control and prevent alcoholism in America.

I am just determined to plow new ground, and extremely impatient with the slow pace of our advancement.

I recognize that this is a time when budget-cutting in the civilian programs of our government, particularly in the HEW areas, is the order of the day.

Nonetheless, I believe the time is ripe to launch and unprecedented, all-out campaign against alcoholism on the massive, realistic scale that is needed.

And if we take this message to the Congress and the people with force and conviction, I am convinced we will succeed.

The battle against liquor abuse is universal and nonpartisan in our society. It cuts across all sectors—rich and poor, young and old, liberals and conservataives, the humble and the high-placed.

If any program has a sound economic rationale, it is this one. For every dollar invested, we can save ten in the ultimate cost to society of alcoholism.

I think we can convince the toughest-minded cynics of this point—if we can get them to listen.

And it is our first job—to get them to listen.

In order to get the show on the road, we must resolve to be openminded to new approaches and willing to gore a few sacred cows as we move along.

To begin with, I believe we have to begin calling things by their right names.

We have too long taken a country club approach to a gutter problem.

We are dealing with a dirty, vicious affliction.

We have glossed it over in order to entice people to seek treatment without the pain of embarrassment.

In the meantime we have dismally failed to communicate the urgency and pervasiveness of the problem.

It is high time that in developing a comprehensive program to combat alcoholism in this country, we direct our attention to the fundamental proposition of *helping sick people get well.*

Research is necessary. Education is essential. But none of it is worth anything *if we fail in the basic problem of helping people recover from this malignant illness.*

And generally, when we do come up with programs, token though they are we have given attention to everything but the patient and the stricken family.

To me this is the most discouraging thing of all about our alcoholism programs. When the surveys and research and other supplementary work have been completed and catalogued and paid for, we suddenly discover that the one thing that has been submerged and forgotten is helping human beings recover from the illness itself.

It won't be easy, but somehow the death grip that respectable social drinking has on our society must be broken.

Perhaps the greatest single contributor to the growth of alcoholism in this country is the fashionable cocktail party.

You either drink or you're not "with it" socially.

So our attitude towards problem-drinking is gutless and whisy-washy.

Let's fight alcoholism, we are saying subconsciously, but let's not be bores and spoilsports and party-poopers about it.

Above all, let's not disturb that comfortable, cozy American institution of the happy hour by admitting that some of our best friends are problem-drinkers who are committing socially acceptable suicide before our eyes.

Another item:

Of our politicians, we must demand tough, substantive action—not the conventional window-dressing we have been getting.

The truth is that the excruciatingly tough, frustrating business of helping drunks dry up doesn't have much glamor as a political issue on either national or local levels.

But we've got to come to grips with realistic programs or we may as well give up the whole cause.

On another point I am going to be painfully blunt because I think it is absolutely necessary to get at the truth.

In my opinion, one of the severe and ridiculous obstacles to getting anything done in the way of combatting alcoholism is the bullheadedness and fruitless wrangling among the various groups and professional disciplines working in the field.

It seems to me that some of the individuals working in this area are more intent on promoting their own particular theories of what should be done than in helping relieve individual human beings and society of this affliction.

I think those of us who are working on alcoholism programs through various professional disciplines and health associations should place as a number one item on our agendas the determination to pool our efforts in the common cause.

The various groups who recognize alcoholism for what it is, and see the terrible cost it exacts from our society in human life, heartsickness and economic waste, have no business working at cross purposes.

We should be able to speak a common language on the subject of alcoholism.

What we have now is a tower of Babel—and this has contributed to the pitiful inadequacy of our efforts against alcoholism.

We can unite effectively if we simply keep our eyes on the main objective—to save and help human beings.

Research for the sake of research leaves me cold.

Programs that are aloof from contact with people suffering from the illness have limited usefulness.

An increasing number of people accept the general proposition that alcoholism is a sickness, rather than a crime, and should not be the object of moral condemnation. But despite this enlightened attitude, when the curse of alcoholism strikes our own families, the old moralistic attitudes are apt to reassert themselves.

When you sift down all of the estimates and conjectures and theories, it is frightening how little hard information we have about alcohol abuse in the United States.

A decade ago, researchers were estimating the number of alcoholics in this country as about five million.

Today, despite the growth of population, they are using the same figures.

In a society in which two thirds or three quarters of our population use alcoholic beverages to some degree, I am convinced that the number of problem drinkers far exceeds anything we have admitted thus far.

Much of our alcoholism goes undetected. For example, one of the fast growing areas of alcoholism may be found in women who do their drinking at home and are not recognized as problem drinkers until the malaise is far advanced.

We have been too polite and restrained about the subject, as I see it. It is time we got angry and blunt. Alcoholism is a dirty, vicious illness that destroys human life and happiness and causes staggering economic waste. It is disgraceful that we have done so little about it thus far. I am convinced that the time is at hand that our society will be willing to face the responsibility of doing a great deal more.

In conclusion, I would like to make a few more observations about the plans of this subcommittee.

In addition to hearings here in Washington, it is our plan to conduct hearings in some of the major cities across the United States.

As indicated earlier, we will get down to the consideration of specific legislation in the near future. I am aware that several of my distinguished colleagues here have bills in which they have a personal interest, and these legislative proposals—and any others that may be advanced—will be given full and fair consideration.

In the meantime, I appreciate your cooperation in these opening hearings which I trust will enable all of the members of the Subcommittee to gain an open-minded overview of the problems before us before we commit ourselves to specific legislative approaches.

OPENING STATEMENT BY SENATOR HAROLD E. HUGHES, CHAIRMAN, SPECIAL SUBCOMMITTEE ON ALCOHOLISM AND NARCOTICS, AT PUBLIC HEARINGS ON NARCOTICS ADDICTION AND DRUG ABUSE, WASHINGTON, D.C., AUGUST 6, 1969

At the beginning, I wish to thank Senator Yarborough, Chairman of the Committee on Labor and Public Welfare, and the other members of this Subcommittee for their help in setting up these hearings and obtaining appropriate witnesses.

I am also grateful to Dr. Yolles, Dr. Cohen, and other staff members of the National Institute of Mental Health for their cooperation and good offices.

The subject of these general hearings—drug abuse and narcotic addiction—poses one of the most alarming threats to our public health and well-being in the history of our nation.

In my view, the need to take effective action against the growth of drug abuse in the United States ranks with Vietnam and poverty and civil rights among our most urgent national priorities.

The issue has a key significance far beyond the physical effect of drugs on those who are currently using or misusing them. It is a symbolic issue, symptomatic of the strange restlessness and malaise we find abroad in our land these days and of the deep-rooted revolt of our young people.

The problem now infects all social levels, regional categories, and age groups of our society. It is growing rapidly and seemingly uncontrollably, particularly among the young.

Everywhere in America, parents are sick and scared about the exposure of their sons and daughters to the illicit use of drugs.

It is a national nightmare.

But the strangest and most frustrating phenomenon of all is that while our private fears about the drug problem reach a fever pitch, our action to meet it on the governmental level is pitifully token and wrong-footed.

Our solution to correct what we have been doing that is wrong seems to be simply "more of the same."

We are dealing with the drug problem in an atmosphere of fear and blindness that can only be compared to our attitude towards witchcraft in the 17th century.

We know more about the craters on Mars than we know about the drug problem.

But what we don't know about the drug problem, the Mafia and other crime syndicates understand very well. Big-time crime reaps huge profits from controlling the illegal drug traffic. Addiction, in turn, is linked to all kinds of criminal acts ranging from mugging to murder.

There is a tendency to regard the drug problem as an isolated phenomenon—which it isn't. It is clear that any long-range solution to drug abuse must involve correcting some of the conditions of poverty and unrest and inequality of opportunity that have provided a setting conducive to drug use and addiction.

In his message to the Congress on July 14, 1969, on "The Drug Problem," President Nixon very clearly outlines how, in the last decade, "the abuse of drugs has grown from essentially a local police problem into a serious national threat to the personal health and safety of millions of Americans."

We are indebted to Mr. Nixon for pointing up the seriousness and magnitude of the problem.

"Between the years of 1960 and 1967," the message states, "juvenile arrests involving the use of drugs rose by almost 800 percent; half of those now being arrested for the illicit use of narcotics are under 21 years of age. New York City alone has records of some 40,000 heroin addicts, and the number rises between 7,000 and 9,000 a year."

The President aptly describes these statistics as "only the tip of an iceberg whose dimensions we can only surmise."

He is also forthright in calling attention to the "dearth of scientific information—and the prevalence of ignorance and misinformation."

In his message, the President mentioned the need for additional programs of research, education, and rehabilitation, rightly stating that "it has been a common oversimplification to consider narcotics addiction, or drug abuse, to be a law enforcement problem alone."

The major part of the Presidential message and the thrust of its recommendations are devoted to tightening up laws and enforcement facilities.

I certainly agree with Mr. Nixon that we need strict enforcement in the drug area and that severe penalties should be applied particularly to pushers—especially the big-time operators.

But given vastly improved and increased law enforcement, we have still gone only a step of the way to meet the drug problem.

For example, the "turned-on" younger generation can't be "turned off" by simply flicking a switch labeled "stiffer prison sentences."

It seems to me farfetched to consider the youngster with the "joint" or marihuana cigarettes to be in the same category as the hardcore heroin addict.

And, for that matter, you surely can't believe that the college kid who passes on some marihuana cigarettes to his friends at a pot party is the same as the Mafia overlord pushing the hard drug traffic in the big cities.

Nor can you fail to understand that if you make the sale of marihuana or LSD not less than five years and not more than 20 years in prison for a first offense and not less than 10 years or more than 40 for a second, you're only compounding our problem. The ones who will get caught are not the big-time pushers but the college kids with "grass" and the wretched addicts in the ghettos who are pushing only to sustain their habit. And the deterrent value of the stiffer sentence is zero.

I am not pleading for any particular program or approach, but simply for open-mindedness and the willingness to admit that we are in a mess and need a fresh start. I am pleading that for the love of Heaven we do something sensible about this problem before it is too late—and it is already terribly late.

I get the feeling that we are so completely hemmed in by the basic misconceptions, handicaps, faults and limitations of our system that we are impotent to take effective action.

Treatment for drug abuse is virtually nonexistent because, in point of fact, addiction is not recognized to be the illness it is.

Under our law, it is a crime.

Research into the causes, treatment and prevention of drug addiction is pitifully lacking—for the same reason.

We are working from a prosecution, rather than a public health, approach.

We are concerned with punishing people, not educating them or healing them.

The tangle of existing laws governing drug use and distribution is hopeless to straighten out because the fundamental premise is wrong—that drug addiction is a crime instead of an illness.

There is no reason that the Alcoholic Anonymous concept shouldn't work with drug addicts as well as it does with alcoholics—and, indeed, there has been encouraging success with such groups as Synanon. But the onus of the criminal association with drugs is a severe obstacle to this kind of therapy in drug addiction.

We can't even communicate with our kids about smoking pot because, under our laws, smoking marihuana and shooting heroin are in the same league, and neither we nor our kids can forget it.

And so we are hemmed in by our basic misconceptions and the rigidities of federal and state laws governing drugs.

We are like a wagon train, completely surrounded by hostile savages. We are going to have to shoot our way out, at some point, if we are to begin making any headway at all against the drug problem.

Secretary Robert Finch was invited to testify here today.

He sent word through his staff that he could not testify at this time because the department had not fully formulated its policy on the drug problem but that he would testify at our next round of hearings, perhaps next month.

I want to say that I appreciate this candor and open-mindedness and am happy that the Department of HEW has not closed its mind on a progressive approach to the drug problem.

We should have learned by this time that excessively harsh laws do not invariably deter people from breaking the law or even improve the possibilities for the authorities to do an effective job of enforcement. If anyone thinks he can effectively reduce marihuana use on college campuses by doubling the penalty for possession; then he is not very well acquainted with today's youth.

With regard to enforcement, officials of the New York State Narcotics Addiction Control Commission estimate that in the United States "not one percent" of those arrested for using soft drugs are convicted—because the penalties provided are so harsh.

The National Crime Commission had this to say about mandatory minimum sentences for drug abuse:

"Mandatory provisions deprive judges and correctional authorities of the ability to base their judgments on the seriousness of the violations and the particular characteristics and potential for rehabilitation of the defender."

I did not come to this committee room with predetermined conclusions about what needs to be done about drug abuse and the illicit traffic in drugs in the United States.

But I believe the least we can do is to try to get at the truth and to base our legislative recommendations on facts—not superstition—and on realistic, reasonable approaches—not a ridiculous repetition of the mistakes we have made in the past.

At a time when millions of American youth, including kids of junior high school age, are on drugs or about to be, it would be criminal to gamble with their lives by refusing to take a sensible, open-minded approach to the drug problem.

I don't fault or discredit anybody's intentions, including those of the blindest advocates of tough and unselective enforcement.

But the time has come to shoot our way out of the fantastic ring of prejudices, misconceptions and half-truths that have surrounded us.

Since the White House Conference of 1963, there have been four major national groups that have made recommendations in the area of drugs and narcotics. They are: The President's Advisory Commission on Narcotics and Drug Abuse, The Cooperative Commission on the Study of Alcoholism, The President's Commission on Law Enforcement and Administration of Justice, and The National Commission on the Causes and Prevention of Violence.

It is my hope that this Subcommittee will explore the recommendations of these committees and commissions and make inquiry as to why so little has been done to implement those recommendations.

Why, instead of following sane and professional recommendations, do we continue with a system that busts up kids' lives, makes treatment of addiction impossible, and over-punishes the nameless, wretched addict or pusher, while channeling easy profits into the hands of the underworld.

The crux of the matter is marihuana. This is where our investigation should start. This is where it is starting.

I don't have an answer to the marihuana problem. I wish the drug didn't exist—just as I wish that other widely used drug, alcohol, didn't exist. But they exist and we need to deal with them in terms of realism, not old wives' mythology.

There has been increasing support in this country for legalization of marihuana. Other informed critics of existing law hold the viewpoint that marihuana should be reclassified under our law with the hallucinogens controlled by the Drug Abuse Control Act which provides much less severe penalties for violations and none at all for possession.

The President's Advisory Commission on Narcotic and Drug Abuse in 1963 reported: "This Commission makes a flat distinction between the two drugs and believes that the unlawful sale or possession of marihuana is a less serious offense than the unlawful sale or possession of an opiate."

Does the use of marihuana lead to violence, aggressive behavior and crime?

Does it alter the basic personality structure?

Is it addictive or does it lead to the use of stronger, addictive drugs?

If legalized, would it become available in this country in a more concentrated and potentially dangerous form?

Does it make sense to put a kid smoking pot in the same felonious category with a heroin addict that is forced to support his habit by robbery and extortion?

These are the kinds of questions that should be put out on the table and discussed

frankly and openly. We have fumbled around in the dark too long.

And somewhere along the line in our unbelievable mishandling of the drug problem, we have lost track of the main objective of all—the redemption of human lives.

We are willing to spend millions for highly publicized, unselective enforcement—but we begrudge a pittance for public health programs devoted to saving human beings.

Eventually, we can hope that the economic rationale of sound rehabilitation and prevention programs will get through the heads of those whose hearts we have been unable to touch with the theme of human compassion.

Dr. Vincent P. Dole of the Rockefeller University in New York, one of the developers of the plan for methadone treatment of heroin addicts, calls attention to the exorbitant cost of the enforcement-without-rehabilitation approach.

He cites the fact that there may be 50,000 addicts in New York City alone and points out that it would take $500 million to get them off the streets with a lock-up system—and "you still would not have solved the problems."

I have taken a longer time to set the stage of these hearings than I intended, but I felt that some basic, blunt points needed to be made.

Obviously, we are limited in what we can accomplish in these first three days of hearings.

But I hope we can accomplish these basic and essential objectives:

(1) I hope we can take a realistic look at the drug problem in its full magnitude, variety, complexity, and critical seriousness.

(2) I hope we can agree that the system relating to drugs that we now have in this country simply won't do. We can't settle for "more of the same."

(3) I hope we can be open-minded and receptive to new approaches to the drug problem. Quite frankly, if we can't we may as well close up the hearings and go home.

(4) With regard to the legal aspects of the drug problem, I am convinced that we need to develop comprehensive, rather than piecemeal legislation. There is a mini-jungle of federal law relating to drugs and narcotics and the treatment approach and the enforcement approach are inextricably tied together. From wherever we start, we get to the central point—that we must revise our basic thinking about drug use and abuse. We must recognize addiction as a sickness, not a crime. And we must understand the social and symbolic significance of youthful drug use. In this realistic setting we must construct workable laws, realizing, all the way, the limitations of trying to use criminal law to legislate morality.

EVERGLADES

Mr. HART. Mr. President, I wish to express my grave concern over the threatened destruction of one of our most beautiful natural resources, the Everglades National Park. The continued existence of this valuable and unique area is presently in serious jeopardy because of the proposed plan of the Department of Transportation and the Dade County Port Authority to construct a large jetport just north of the park boundary. This jetport, which will be designed eventually to provide landing facilities for the supersonic transport, will cover 39 square miles, an area greater than that required for all the runways of Washington National, Kennedy, Los Angeles International, and San Francisco International Airports. Its adverse effects are readily imaginable.

First, the numerous land fills which construction of the jetport, access roads, and the inevitable second generation subdivisions and industrial plants will necessitate, might well cut off a great deal of the water which presently flows into this immense swamp area and sustains its unique ecological system. Since the Everglades Park depends upon undeveloped, privately held, land to the north for its water supply, as this water is choked off, the marshlands of the Everglades will dry up, and many of the basic nutrients will no longer be available for the fish and wildlife which depend for their existence upon them.

Second, problems of pollution will be greatly aggravated. Petroleum products used in and around the jetport and on the access roads will inevitably find their way into the natural drainage system and flow downstream for many miles, contaminating the fresh water supply of the Everglades. Quantities of pesticides, which are presently being used extensively to decontaminate international flights, could also find their way into the Everglades environment with potentially disastrous effects. And sewage and other byproducts of the significant population center which will undoubtedly spring up in and around the jetport could represent one of the greatest long-term obstacles to attempts to preserve the supply of clean water which sustains this swamp area.

Third, air and noise pollution could destroy the distinctive atmosphere of the park. Nine hundred thousand flights a year, the projected operations level for this massive air facility, would dump many thousands of tons of carbon monoxide, nitrogen oxide, hydrocarbons, aldehydes, and particulate matter into the air above the Everglades, and the noise level of the jets at takeoff will be at the threshold of pain at points more than 3 miles from the runway.

Clearly, construction of this jetport could well spell disaster for the 22 endangered species of fish and wildlife which find refuge in the park. And since the extensive marsh area also provides nesting grounds and a food source for many forms of migrating fish and wildlife, the repercussions from any disruption would be felt along the entire East Coast.

Besides imperiling the unique ecological system of the Everglades, the proposed jetport could gravely disrupt the life of the Miccosukee Indians, whose reservation is located in this general area. The source of much of their food might be destroyed, private land developers may drive many of the Indian tradesmen back to the narrow confines of their reservation, and the new economic competition could destroy the economic viability of many tribal enterprises located there.

Nevertheless, despite the very obvious ecological, environmental, and social problems which construction of this jetport at its present proposed location might create, the Department of Transportation has apparently blithely ignored the requirements of section 4(f) of the Department of Transportation Act which declares a national policy of launching a special effort "to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites" and which requires the Secretary of Transportation to consult with the Secretary of Interior in developing transportation plans.

Instead it is moving rapidly to make the proposal an accomplished reality. In the fall of 1968, the Federal Aviation Administration made an initial grant to the Dade County Port Authority of $500,000 to assist it in the planning and development of the jetport. In January 1969, DOT's Office of High Speed Ground Transportation announced a $200,000 grant to Dade County for a planning study in high speed ground transportation between Miami and the jetport. And just last week, DOT announced a grant of $163,202 for lighting runways at the airport. In addition, the Federal Highway Administration is presently considering the routing of the new Interstate 75 in southern Florida. Because of the importance of establishing adequate access to the jetport, the final location of this highway will depend largely on the site of the jetport and vice versa.

As these plans have crystalized, the Department of the Interior has become increasingly concerned about the serious threat which this massive construction program poses for the Everglades and for the welfare of the Miccosukees. As a result, in May of this year, the Associate Solicitor of Parks and Recreation at the Department of the Interior, Mr. Bernard Meyer, prepared a legal memorandum which concluded that the Department of Transportation had violated section 4(f) of the Transportation Act, by failing to consult with Interior over the proposed jetport. Since this memorandum may be of particular interest to Members of the Senate, I ask, unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MEMORANDUM

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SOLICITOR,
Washington, D.C., May 29, 1969.

To: Solicitor.
From: Associate Solicitor, Parks and Recreation.
Subject: Miami Jetport—Everglades National Park.

In a memorandum of May 22, 1969, the Under Secretary requested the views of the Solicitor's Office on the applicability of section 4(f) of the Department of Transportation Act, 80 Stat. 931, 933 (1966), as amended, 49 U.S.C. 1651, 1653(f) (Supp. III, 1965–67), to the development of a jetport 50 miles west of Miami, Florida, just north of the Everglades National Park, and to the development of an interstate highway and high speed ground transportation corridor, constructed in conjunction with the jetport in order to provide access to jetport facilities.

We have been advised that the Dade County Port Authority has undertaken the initial stages of constructing the jetport, which will be the world's largest—39 square miles. All the runways at Washington National, Kennedy, Los Angeles International and San Francisco International Airports could be constructed within the site of the proposed jetport. (See *Horizons*, vol. 2, No. 23, p. 4, a FAA–DOT publication.) Although the jetport, which is scheduled to go into operation this fall, will be used initially as

a training facility, by the 1970's it is planned to be the SST airport for the southeastern United States with projected flight operations every minute or two on a 24 hour basis. We have also been informed by the National Park Service that the flight patterns, including take offs and landings, will take aircraft directly over Conservation Area 3A of the Central and Southern Florida Flood Control Project and the Everglades National Park.

The jetport will be serviced by a transportation corridor containing an interstate highway and a high speed ground transportation facility within a right-of-way of 900 to 1000 feet wide that will be located either in the north section of the park or in the southern section of Conservation Area 3A.

In the fall of 1968 the Federal Aviation Administration made a grant of $500,000 to the Dade County Port Authority under the provisions of the Federal Airport Act, 60 Stat. 170 (1946), as amended, 49 U.S.C. 1101 (1964), to assist in the initial phase of construction and development of the jetport. *Ibid.* FAA also has the responsibility for determining whether the jetport should be made operational, even as a training facility.

In January of 1969, the Office of High Speed Ground Transportation of the Department of Transportation announced a $200,000 grant to Dade County, Florida, for the purpose of a planning study on high speed ground transportation between Miami and the jetport, pursuant to the Act of September 30, 1965, 79 Stat. 893, 49 U.S.C. 1631 (Supp. III, 1965), which is a program responsibility transferred to the Secretary of Transportation under section 6(a)(2) of the Department of Transportation Act, *supra.*, 49 U.S.C. 1655(a)(2) (Supp. III, 1965–67).

The location of the interstate highway in the transportation corridor falls under the direction of the Federal Highway Administration pursuant to the interstate highway and Federal-aid to highway programs as set forth in Title 23 of the United States Code.

In view of the fact that this comprehensive program for the development of transportation facilities in southern Florida falls within the administrative responsibilities of the Secretary of Transportation, the provisions of the act establishing the Department of Transportation are directly applicable.

Section 2(b)(2) of that act provides:

"It is hereby declared to the national policy that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. 49 U.S.C. 1951(b)(2) (Supp. III, 1965–67)."

Section 4(f) of the Department of Transportation Act, which was amended by section 18(b) of the Federal-Aid to Highway Act of 1968, 82 Stat. 815, provides:

"(f) It is hereby declared to be the national policy that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands wildlife and waterfowl refuges, and historic sites. The Secretary of Transportation shall cooperate and consult with the Secretaries of the Interior, Housing and Urban Development, and Agriculture, and with the States in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of the lands traversed. After the effective date of the Federal-Aid Highway Act of 1968, the Secretary shall not approve any program or project which requires the use of any publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance as determined by the Federal, State, or local officials having jurisdiction thereof, or any land from an historic site of national, State, or local significance as so determined by such officials unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use."

The opening sentence of section 4(f) declares as a national policy that a "special effort" should be made to preserve public park and recreation lands. This sentence, in our judgment, places an affirmation obligation on the Department of Transportation to make a "special effort" to preserve the Everglades National Park from all damage to park values which may result from the development of the jetport and the transportation corridor. See *Udal* v. *Federal Power Commission*, 387 U.S. 428 (1967), *Scenic Hudson Preservation Conference* v. *Federal Power Commission*, 354 F. 2d 608 (2nd Cir., 1965), cert. den. 384 U.S. 941 (1966).

Similarly, in our opinion, the Department of Transportation ought to make the same "special effort" to preserve Conservation Area 3A. This area is managed by the Florida Game and Fresh Water Fish Commission for hunting and fishing and by the Central and Southern Florida Control District for recreational purposes. This area is used by approximately one million persons per year. (H.R. Doc. 369, 90th Cong., 2nd Sess., p. 34). As a part of the modification of the Corps of Engineers Central and Southern Florida Flood Control Project the report of the Chief of Engineers noted that over 6 million dollars in the project authorization were for the improvement of recreational facilities and features of the project, which includes Conservation Area 3A, and over 4 million dollars in recreational benefits were attributed to the modification of the project. *Ibid.*, pp. 69 and 79. Not only the Federal and State investment in this area, but also the heavy public recreational use of the area qualifies Conservation Area 3A as a recreation area worthy of preservation and protection under section 4(f).

The second sentence of section 4(f) requires the Secretary of Transportation to cooperate and consult with this Department in the developing transportation plans and programs which include measures to maintain and enhance the natural beauty of the lands traversed. Insofar as the transportation corridor will traverse the park and/or Conservation Area 3A, this provision is, in our view, also applicable to the proposed jetport and transportation corridor.

The last sentence of section 4(f) provides that after August 23, 1968, the Secretary of Transportation shall not approve any project or program which requires the use of any publicly owned lands from a public park or recreation area of national, State or local significance, as determined by the officials having jurisdiction over the area, unless there is no feasible and prudent alternative and such program includes all possible planning to minimize harm. These conditions precedent, which apply to all programs or projects of the Department of Transportation, including those receiving federal financial assistance as well as those which are a direct program activity of the Department of Transportation, were set forth in a more stringent form in the original section 4(f). Because we have been advised by the National Park Service that the jetport grant was approved in the fall of 1968 and that the high speed ground transportation grant was approved in January 1969, we have limited our inquiry to the applicability of 4(f), as amended in 1968.

Initially it should be noted that the Department of Transportation is under a specific Congressional directive by the use of the word "shall" in section 4(f). By stating that the Secretary shall not approve a project until certain conditions have first been met, Congress was not being merely suggestive, but rather giving a mandatory directive. See *Jack Stone Company* v. *United States*, 344 F. 2d 370, 374 (Ct. Cl., 1965).

In view of the fact that the transportation corridor will use the northern section of the park and/or the southern section of Conservation Area 3A, the Department of Transportation is directly concerned with projects and programs which require the use of publicly owned lands of a park of great national importance and a significant recreation area. There should be no question about the public park status and national significance of the Everglades National Park. Congress established the park by the Act of May 30, 1934, 48 Stat. 816, as amended, 16 U.S.C. 410, for preservation as wilderness.

As previously discussed Conservation Area 3A is a heavily used public recreation area. There should be no question about its local and State significance, considering the scope of the State and federal investment in the area. This significance has been expressed numerous times by the Chairman of the Central and Southern Florida Flood Control District, which is the State agency responsible for the management of the flood control project including Conservation Area 3A.

Furthermore the overflights of the park and Conservation Area 3A by aircraft landing and taking off from the jetport may involve the "use" of both park and recreation lands. These overflights, if sufficiently low and frequent, could involve a taking of property rights through navigational easements or servitudes. *Griggs* v. *Allegheny County*, 369 U.S. 84 (1962), *United States* v. *Causby*, 328 U.S. 256 (1946). See also *Martin* v. *Port of Seattle*, 391 P. 2d 540 (Wash. 1964), *Hillsborough County Aviation Authority* v. *Benitez*, 200 So. 2nd 194 (Fla. 1967), *City of Jacksonville* v. *Schurmann*, 167 So. 2nd 95 (Fla. 1964), *Thronburg* v. *Port of Portland*, 376 P. 2d 100 (Ore. 1962). Although the issue is not completely free from controversy, this office would view the term "use" as it appears in section 4(f) to be sufficiently broad in meaning and scope, considering the benefit to be derived from the statute, to include overflights of such a level that a private landowner would be entitled to compensation for a taking of a property right. The term "use" does not, in our judgment, have to be limited exclusively to actual physical use, but could include a constructive use which operates to limit or prevent use of the park or conservation of lands by the public for their intended purposes.

We have been advised by the National Park Service that certain agencies of the Department of Transportation do not consider section 4(f) as applying to their basic programs. For example, FAA has questioned the applicability of section 4(f) to any decision to open the jetport as a training facility. We disagree with such a limited interpretation.

In our judgment, the requirements of 4(f) apply to all programs of the new Department of Transportation and modifying the existing statutory authorities of the programs transferred to the control of the Secretary of Transportation. These programs are now subject to the additional statutory consideration required by section 4(f).

It follows, therefore, that under the Congressional directive of section 4(f) the Department of Transportation could not approve assistance to the jetport, high speed ground transportation, or highways, and could not allow the jetport to open even as a training facility, unless the conditions precedent of section 4(f) have been met, i.e., a determination by that Department that there is no feasible and prudent alternative to the whole airport development complex and that the program includes all possible planning to minimize harm.

We also view the requirements of 4(f) as an affirmative obligation on the part of the Department of Transportation, requiring an indepth and comprehensive study. *Udall* v. *Federal Power Commission, supra.*,

Scenic Hudson Preservation Conference v. *Federal Power Commission, supra.* See also *Outagamie County, Wisc.* v. *C.A.B.*, 355 F. 2d 900, 907 (7th Cir. 1966), *City of Pittsburgh* v. *F.P.C.*, 237 F. 2d 741 (D.C. Cir., 1956).

In order to meet these requirements, the Secretary of Transportation must consider, among other things, alternative site locations, the threat of noise pollution, pollution of the park's water supply from jet exhaust and the municipal sewage, air pollution from jet exhaust, further disruption of the park's water supply through accelerated run off, damage to the recreational features and use of Conservation Area 3A, and the serious damage to the wilderness character of the park, before he can implement or carry into effect any project or program under his administation involving the jetpot and transportation corridor.

We find nothing in the legislative history of this act which is contrary to these conclusions or supports a more restrictive interpretation of section 4(f). (See H. Rept. 2236, 89th Cong., 2nd Sess. p. 25, S. Rept. 1659, 89th Cong. 2nd Sess. pp. 5 and 22, H. Rept. 1799, 90th Cong., 2nd Sess. p. 31, S. Rept. 1340, 90th Cong., 2nd Sess. p. 18).

Section 4(f) was intended by Congress to accomplish a very significant objective—a coordinated approach to all affected federal programs which in the past have not been coordinated. In order to minimize adverse affects and duplication, waste of federal and State funds, and conflicting and incompatible programs on objectives resulting from transportation programs, the Secretary of Transportation was required to undertake a variety of pre-program and pre-grant studies and investigations, including consultation and cooperation with the heads of certain named departments, in order to assure that his program responsibilities do not frustrate the program objectives of other agencies of the federal and State governments. The threat to the Everglades National Park and Conservation Area 3A results from the failure of the Department of Transportation to comply, as of the present time, with the requirements of section 4(f) as they apply to its activities in connection with the Miami jetport and the related transportation corridor.

BERNARD R. MEYER.

Mr. HART. Mr. President, on May 26 of this year, I wrote to Secretary Volpe expressing my grave concern over the proposed location of the jetport and requesting him to review the Department's plans. A month later, following the announcement by President Nixon that Dr. Lee DuBridge would be responsible for coordinating the environmental programs of the various departments in the executive branch, I wrote him suggesting that he might quickly and forcefully establish his interest in conservation and the environment by resolving the differences which exist over this project between Transportation and Interior in a manner which would preserve the Everglades. I was disappointed to receive a two paragraph response from Dr. DuBridge a week later, which merely said that the two Departments were studying the project and that he would follow the course of their study with interest. It would appear that Dr. DuBridge has little real opportunity or interest in moving aggressively to deal with environmental problems. His answer suggests either that he has only limited authority to act or that the designation of his office as the coordinating branch for environmental quality problems was little more than a public relations ploy.

The following day, however, I received a more detailed response from Mr. James Beggs, the Undersecretary of Transportation. Mr. Beggs, who interestingly never referred to DOT's participation in any joint study, acknowledged that the present training site which is under construction north of the Everglades could well become the major jetport for southern Florida by the late 1970's. To justify DOT's selection of this site, Mr. Beggs commented that the Department had considered and rejected four other alternatives which he briefly described.

An examination of the location of these alternative sites indicates, however, that three of them would have been even closer to the Everglades National Park than the presently proposed site, and the fourth alternative would be adjacent to the existing site. All the alternatives were located in the same general vicinity, and none represented a realistic attempt to deal with the environmental problems which would accompany construction of the proposed jetport. Mr. Beggs rightfully suggests, in a magnificant understatement, that it will be a challenge to develop "imaginative approaches to protect the existing environmental values" before the major jetport is completed. He further acknowledges that the critical problem will be the potential population buildup near the airport's boundaries, but he provides no assurances that this problem can be avoided. He merely expresses a hope that State and local governments will be able to control this development. This letter provides me with little reassurance, for it would seem to be considerably easier and less risky for the Department to employ its "imagination" in seeking alternative sites for the jetport rather than in relying on future breakthroughs for the preservation of the distinctive environment of the Everglades.

Discussing alternatives seems to be particularly important at this time since several persons have identified at least two alternative sites which might be suitable for use as a major air facility, and which would not cause the tremendous environmental disruption which could be produced by the presently proposed airport. One of these alternatives is some game lands owned by the State of Florida which are located just north of conservation area No. 3 and are adjacent to some poor agricultural land. This site is quite far removed from air traffic and from the Everglades National Park. Yet these State game lands are only about 10 miles further from Miami than the land now being developed as a jetport by the Dade County Port Authority—a difference of only a few minutes on a high-speed expressway, and a negligible difference with high-speed ground transportation. In addition, since these lands are already owned by the State of Florida, it might be possible to negotiate an exchange with the Dade County Port Authority for the lands which are presently held for the jetport's construction—lands, incidentally, which are richer in game than the present State-owned tract. Existing Highways 27 and 84 could be improved to serve as routes for an expressway, and levees in the water control district could furnish a right-of-way for high-speed ground transportation to Miami. Since this alternative site is appreciably closer to other central and southern Florida population centers, such as West Palm Beach and Fort Lauderdale, it would provide better service for the entire south Florida region. Finally, the alternative site would not disrupt the life of the Miccosukee Indians.

Another alternative site exists in State conservation area 2B. Although this site would be on State-owned conservation land, the disruption caused by locating a jetport here would not be as great as that which would be caused by constructing it just north of the Everglades. Moreover, this site would be considerably closer to the population centers along the east coast of Florida than either of the other two sites. Although this tract of land, which was used as a bombing range during World War II, is slightly smaller than the area presently earmarked for the jetport, it probably would be suitable for use.

While certain interests of Dade County might explain some of the reluctance to relocate the jetport, the national interest in preserving this area for the enjoyment of present and future generations of Americans should certainly take precedence in this case. Unfortunately, however, officials at the Department of Transportation appear to have never seriously considered persuading the Dade County Port Authority to move the jetport to either of these alternative locations. Yet two State officials who testified at recent hearings before Senator JACKSON'S Interior Committee on this subject acknowledged that either of these sites would be an acceptable, and probably preferable, alternative to the existing location.

Mr. Nathaniel Reed, special assistant to the Governor of Florida stated:

Unfortunately when the port authority picked this location, to my knowledge they made no serious effort to bring the agencies of conservation in the State of Florida into any depth of consideration on this site.

Had they, I would be willing to say that other sites with less ecological impact could have been found. I can think of at least two, and possibly more, but before we do it, sir—before we knew it, sir, that field was there.

And Mr. Robert Padrick, chairman of the Central and Southern Florida Flood Control District, in the following exchange with Senator NELSON also mentioned these sites:

Senator NELSON. Are you aware of any other alternative airport sites to the current one?

Mr. PADRICK. Yes, sir.

Senator NELSON. What would they be?

Mr. PADRICK. The ones you discussed this morning have been suggested. Again I am no expert on airports. I found that out when I got into this thing, but the one just north of conservation area 3 [, and] very reluctantly area 2B. We like to consider that as our conservation area, but that would be for a determination other than our Board, sir.

Planning officials from the Dade County Port Authority merely indicated that locating the jetport at either of these alternative sites was "a new idea" which they had not considered.

Mr. President, it seems clear to me

from my correspondence with Secretary Volpe that the Department of Transportation is not at this time going to consider a meaningful alternative site for this jetport unless outside pressure mounts, forces reconsideration of the present plan. The importance of preserving this invaluable and unique resource dictated that the application of this pressure should be a matter of highest priority. I, therefore, will take the following action.

First, I urge today that all concerned citizens, conservation groups, and other parties interested in the preservation of the Everglades, write to President Nixon and Secretary Volpe protesting the present location of this jetport.

Second, I shall propose an amendment to the Department of Transportation appropriations bill which would prohibit the expenditure of any moneys for the further development of the present jetport site or for planning high speed ground or highway access to this airport, and I am pleased that the able junior Senator from Wisconsin (Mr. NELSON), will join me in offering this amendment.

Third, I shall discuss with Chairman MAGNUSON of the Commerce Committee the possibility of shedding oversight hearings to determine whether the Department of Transportation is abiding by the provisions of section 4(f) of the Department of Transportation Act.

Finally, I suggest other Members of the Senate to join me in expressing concern over the shortsighted policy which has created this problem, and I solicit support in a common fight to force the relocation of this massive air facility and to save the Everglades.

Mr. President, I ask unanimous consent that a copy of my exchange of correspondence with Secretary Volpe and Dr. DuBridge appear in the RECORD at the conclusion of these remarks.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

MAY 26, 1969.

The Honorable JOHN A. VOLPE,
Secretary of Transportation,
Washington, D.C.

DEAR SECRETARY VOLPE: Recently several newspapers have carried articles discussing a proposed plan for the construction of a jetport just north of the Everglades National Park. There is little doubt in the minds of most people concerned about the conservation of our diminishing natural resources, that this jetport could jeopardize the continued survival of many forms of wildlife found only in this beautiful national park.

The numerous land fills which construction of the jetport, access roads, and the inevitable second generation subdivisions and industrial plants would necessitate, might well cut off a great deal of the water which presently flows into this immense swamp area. Between this reduction of the water supply and the increased pollution by petroleum products, which will be used in and around the jetport; pesticides, which are apparently used extensively to decontaminate international flights; and sewage and other by-products of a large population center; the entire ecological system of the Everglades may be gravely endangered. And since this extensive marsh area also provides food for many forms of fish and wildlife which migrate great distances, the repercussions from this disruption might be felt along the entire East coast.

As Chairman of the Commerce Committee's Subcommittee on Energy, Natural Resources, and the Environment, I earnestly request you to consider carefully the proposed location for this jetport. It is difficult for me to believe that the need for this new air facility could possibly justify the potential destruction of this irreplaceable natural resource.

Sincerely,

PHILIP A. HART,
Chairman, Subcommittee on Energy, Natural Resources and the Environment.

OFFICE OF THE SECRETARY
OF TRANSPORTATION,
Washington, D.C., June 2, 1969.

Hon. PHILIP A. HART,
Chairman, Subcommittee on Energy, Natural Resources and the Environment, U.S. Senate, Washington, D.C.

DEAR SENATOR HART: The Secretary has asked that I thank you for your letter of May 26 concerning construction of a jetport north of Everglades National Park, Florida.

This is receiving the Department's attention, and you will receive a reply in the near future.

Sincerely,

A. B. VIRKLER LEGATE,
Executive Secretary.

JUNE 26, 1969.

Dr. LEE A. DUBRIDGE,
Director, Office of Science and Technology, Executive Office of the President, Washington, D.C.

DEAR DR. DUBRIDGE: The recent announcement by the President that you will be responsible for coordinating the programs of the various Governmental Departments which affect the quality of our environment is extremely encouraging. For some time we have needed an adequate overview of environmental problems in the Executive Branch, and I hope that your office will receive strong support from the President in developing a progressive and consistent Federal policy in this area.

An environmental problem of regional but great importance to which your office might give its immediate attention is the recent proposal by the Department of Transportation to construct a jetport just north of the Everglades National Park. There is little question that this proposed facility, which will cover 39 square miles of land, will have a serious adverse effect upon the Everglades, both by reducing the quantity of water which sustains this immense swamp area, and by greatly increasing air, water, and noise pollution in the Park. Since the Everglades serve as a source of food for many forms of fish and wildlife which migrate great distances, the repercussions from this disruption might be felt along the entire East coast.

Already, however, the Department of Transportation is moving quickly to make this proposal an accomplished fact. In the fall of 1968 the Federal Aviation Administration made an initial grant to the Dade County Port Authority of $500,000 to assist it in the planning and development of the jetport. In January, 1969, DOT's Office of High Speed Ground Transportation announced a $200,000 grant to Dade County for a planning study on high speed ground transportation between Miami and the jetport. In addition, the Federal Highway Administration is presently considering the routing of the new interstate 75 in southern Florida. Because of the importance of establishing adequate access to the jetport, the final location of this highway will depend largely on the site of the jetport and vice versa.

The Department of the Interior on several occasions has expressed its grave concern over the serious danger which this massive construction program poses for the fish and wildlife which thrive in the unique environment of the Everglades or depend upon it for their food supply. The Department is also disturbed by the disruption which the project could cause to the life of the Miccosukee Indians whose reservation is located in this general area. Nevertheless, despite the express requirements of Sec. 4(f) of the Department of Transportation Act, which states a national policy of preserving the "nautral beauty of the country side and public park and recreation lands, wildlife and water fowl refuges, and historic sites" and requires consultation with the Department of the Interior in developing transportation plans, the Department of Transportation has apparently never discussed its plans for this project with other agencies and has completely disregarded the recent pleas by conservation groups to seek alternative sites.

Given this apparent conflict between two Departments in the Executive Branch over the appropriate location of this jetport, your office could play an extremely valuable role in resolving this dispute in a manner which would help preserve the valuable ecological system which depends upon the present environment of the Everglades. Politically, the fact that these short-sighted construction plans were inherited from the previous Administration should make your task easier, particularly since there are at least two, apparently acceptable, alternative sites which could be made available. And finally, the fact that this particular environmental problem is one that can be resolved in a short period of time, should make it particularly attractive as an issue upon which your office can cut its teeth.

The threatened destruction of one of our country's most beautiful natural resources should be a matter of extreme importance for all persons concerned with the preservation and improvement in the quality of our environment. I certainly hope that your office will make the relocation of this jetport a matter of highest priority.

Sincerely,

PHILIP A. HART,
Chairman, Subcommittee on Energy, Natural Resources and the Environment.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF SCIENCE AND TECHNOLOGY,
Washington, D.C., July 1, 1969.

Hon. PHILIP A. HART,
Chairman, Subcommittee on Energy, Natural Resources and the Environment, U.S. Senate, Washington, D.C.

DEAR SENATOR HART: Thank you for your June 26 letter commenting on the proposed Miami jetport on the north edge of the Everglades.

You will be glad to know that there is currently underway a joint study by the Departments of the Interior and Transportation to consider the very matters you discuss. This study was mentioned briefly at the first meeting of the Environmental Quality Council. The Council will be following its course with interest.

I do appreciate your concern.

Sincerely,

LEE A. DUBRIDGE,
Director.

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., July 1, 1969.

Hon. PHILIP A. HART,
Chairman, Subcommittee on Energy, Natural Resources and the Environment, U.S. Senate, Washington, D.C.

DEAR SENATOR HART: This is in further response to your letter of 26 May 1969 concerning the new jetport in the Florida Everglades.

Limited development of the airport as an air carrier training and transition facility is underway. A single 10,000-foot runway of east-west alignment is expected to become operational about 1 September 1969. Its pur-

pose will be to accommodate the pilot proficiency training that is now severely taxing Miami International and thus provide relief to that situation. When operational, the facility will require a maintenance and operation staff of approximately a dozen persons, a minimum of protection facilities for their needs, and a tower to control the training flight activity. If training activity grows as it is presently projected for the future, a second runway might become necessary some three to five years later. Its addition, however, will not materially change the character of the airport.

The useful life of Miami International Airport will probably be extended to about 1980 because of the relief to its capacity that will be afforded by the training airport. Beyond that time an additional major airport will be needed to serve the scheduled air traffic of the Greater Miami Area. The training site may very well become such a major facility.

In addition to the present site, four other alternatives were considered within its general vicinity. The first was located within Water Conservation Area No. 3 and was abandoned at the request of the Central and South Florida Flood Control District. A second straddled the Dade-Monroe County Line—south and west of the first site. This was highly satisfactory from a flight viewpoint but was abandoned in conformance with objections raised by the National Park Service. The third was located entirely within Monroe County and was further removed from the Everglades National Park. It was abandoned because of the inability of the two counties to resolve jurisdictional problems. The fourth site considered is the airport's present location. A fifth was under consideration entirely within Dade County, but it again encroached upon Water Conservation Area No. 3. It was abandoned when Collier and Dade Counties reached agreement upon Site No. 4.

In February and March of 1968, the Port Authority received letters from the Florida Board of Conservation, Florida Game and Fresh Water Commission, and the Central and South Florida Flood Control District approving the project.

In view of the State approval from a conservation and water control standpoint and in consideration of the private ownership of the land involved, the FAA entered into a grant agreement for funds under the Federal-aid Airport Program.

Imaginative approaches must be developed to protect the existing environmental values long before this airport is permitted to expand from a training facility to a major air carrier airport. Federal leadership is vital in such action. In this regard, Federal, state, and local governments and the concerned environmental bodies have recently united to provide the guidance necessary to ensure that the needed environmental planning not only takes place but is effective. The ecology subgroup formed by this effort is being chaired by the Atlanta Regional Director of the Bureau of Outdoor Recreation. The Director of the Everglades Park is likewise a member. It is their charge to formulate an action program which inventories the environmental values to be protected and to establish the ecology objectives to be attained through the comprehensive planning effort. Other similar groups are dealing with the area's hydrology, waste control, pollution controls, and other similar environmental factors. We intend to closely observe their progress.

It is our understanding that the airport proper will not inhibit the flow from Water Conservation Area No. 3 to the Park. In any event, the Dade County Port Authority has pledged accomplishment of any and all actions necessary to continue the supply of quality waters from within the airport boundaries to the Park. We will ensure their performance of that action. However, we recognize that the connecting transit corridor might affect the free flow of water to the Park and we will be alert to that requirement.

The critical problem is the potential population buildup northwest of the airport's boundaries. If such development is not effectively planned and stringently controlled by the state and local governments, the free flow of quality water to the upper western reaches of the Park will be adversely affected. This is the obvious area where the Department of Transportation and the Department of Interior must promote effective and positive local government action.

Sincerely,

JAMES M. BEGGS.

THE CONVENTION ON POLITICAL RIGHTS OF WOMEN DOES NOT REQUIRE "ENFORCEMENT"

Mr. PROXMIRE. Mr. President, before Congress adjourns, I wish to extend to Senators an invitation to consider, in the weeks ahead, the Human Rights Conventions. I particularly point out the Convention on the Political Rights of Women.

The point is raised that the United States has enough foreign relations problems without adding more to them. It is argued that we would have to somehow enforce this treaty if another nation did not comply with its terms. Nothing could be further from the truth.

First of all, this treaty is "enforceable" only on its signatories. States which have not ratified the Convention need not fear the imposition of its terms on themselves; nor need the United States fear the responsibility of imposing those terms on others. Second, this Convention is self-executing. Those nations which choose to ratify are indicating, first, their compliance with its terms, and second, that they encourage adoption of the concepts embodied in the Convention by non-signatories. Finally, in the event of a dispute arising between signatories over the interpretation or application of the terms of the treaty, the parties are directed by the Convention to settle between themselves through negotiation.

Still another argument is raised that ratification of the Convention would constitute a violation of States' rights. Again, this simply is not true. In the 14th, 15th, and 19th amendments, we have guaranteed the right to vote and hold Federal office to all of our citizens. The U.S. Supreme Court, in Breedlove against Suttles, 303 U.S. 277,283 (1937), ruled that an amendment "by its own force supersedes inconsistent measures whether Federal or State." Thus, our Constitution, with the rulings of the Supreme Court, precludes the possibility of any inconsistency with the laws governing any individual State.

During the last weeks, I have shown that the arguments raised against the Convention are without firm foundation. I have shown that our history has a strong tradition of equal political rights for women and that we can, constitutionally, ratify this treaty. It is time that we live up to our public professions of interest in human rights. I urge the Senate to take immediate steps to advise and consent to the Convention on the Political Rights of Women.

BICENTENNIAL OF ST. CHARLES, MO.

Mr. EAGLETON. Mr. President, on August 15, the historic city of St. Charles, Mo., will begin a week-long bicentennial celebration. Many exciting activities will take place in St. Charles during the celebration of its 200th anniversary, the highlight being the coronation of the queen at a Bicentennial Cotillion.

St. Charles has indeed played an important role for Missouri and our country. In 1804, the Lewis and Clark Expedition chose St. Charles as the starting point for their important journey.

In the early 1800's, St. Charles served as a major post on the great Santa Fe and Oregon Trails. From 1821–26, St. Charles served as the first State capital of Missouri.

From a small French trading post, St. Charles has grown into a beautiful city of 38,000 citizens. With its historic background, its modern schools, beautiful homes and excellent businesses, St. Charles is truly a wonderful city to live in.

Mr. President, I ask unanimous consent that an article entitled "Experiences of the Early Settlers," published in the Daily Banner News be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EXPERIENCES OF THE EARLY SETTLERS

LOG CABINS

The first buildings in the country were not just like the log cabins that immediately succeeded them. The latter required some help and a great deal of labor to build. The very first buildings constructed were a cross between "hoop cabins" and Indian bark huts.

As soon as enough men could be got together for a "cabin raising" then log cabins were the style.

The following is a good description of those old landmarks:

"These were of round logs, notched together at the corners, ribbed with poles and covered with boards split from a tree. A puncheon floor was then laid down, a hole cut in the end and a stick chimney run up. A clapboard door is made, a window is opened by cutting out a hole in the side or end two feet square and finished without glass or transparency. The house is then 'chinked' and 'daubed' with mud. The cabin is now ready to go into. The household and kitchen furniture is now adjusted, and life on the frontier is begun in earnest."

The pioneers spoke of their log cabins with much affection. It may be doubted whether palaces ever sheltered happier hearts than those homely cabins.

A window with sash and glass was a rarity, and was an evidence of wealth and aristocracy which but few could support. Windows were often made with greased paper put over them, which admitted a little light, but more often there was nothing whatever over them, or the cracks between the logs. The doors were fastened with old-fashioned wooden latches, and for a friend, or neighbor, or traveler, the string always hung out, for the pioneers of the West were hospitable and entertained visitors to the best of their ability.

The one-legged bedstead, now a piece of furniture of the past, was made by cutting a stick the proper length, boring holes at one end, one and a half inches in diameter, at right angles, and the same sized holes corresponding with those in the logs of the cabin

the length and breadth desired for the bed, in which are inserted poles.

Upon these poles the clapboards are laid, or linn bark is interwoven consecutively from pole to pole. Upon this primitive structure the bed is laid.

The convenience of a cook stove was not thought of, but instead, the cooking was done by the faithful housewife in pots, kettles or skillets, on and about the big fireplace, and very frequently over and around, too, the distended feet of the legal sovereign of the household, while the latter were indulging in the luxuries of cob-pipe and discussing the probable results of a contemplated deer hunt on the Missouri or Mississippi rivers or some one of their small tributaries.

Rude fireplaces ere built in chimneys composed of mud and sticks, or, at best, undressed stone. These fireplaces served for heating and cooking purposes and for ventilation. Around the cheerful blaze of this fire the meal was prepared and these meals were not so bad, either. They were not such as would tempt an epicure, but such as afforded the most healthful nourishment for a race of people who were driven to the exposure and hardships which were their lot. We hear of few dyspeptics in those days.

Another advantage of these cooking arrangements was that the stovepipe never fell down, and the pioneer was spared being subjected to the most trying of ordeals, and one probably more productive of profanity than any other.

CLOTHING

Primitive garments were woven at home of cotton and linen. Flax was culled and spun into linen. Cotton was raised at home, the children picking out the seeds so that the cotton could be woven. Wool was shorn from the little flocks of sheep which had to be guarded against the wolves and other wild animals. Moccasins or rude boots and shoes were worn, and they were made from leather tanned in the small tan yards. Men also wore britches and shirts of tanned leather, the more illustrious wearing tanned beaver skins. Regal uniforms were imported from New Orleans.

COIN OF THE REALM

The only "coin of the realm" was the Spanish peso, which was cut evenly into four or eight parts called "bits," and was passed as currency. Furs were also used as currency, as was tobacco, bees wax, maple syrup, salt, feathers, bear oil, fish, wood, and lead.

No one, not even an old resident, was permitted to travel in the country more than twenty miles without a passport from the Post Commandant, in which was specifically stated the road to be traveled going and returning. Traveling on Sundays was prohibited.

CHURCH SERVICE

It was mandatory that everyone attend Sunday Church Services, and all affairs of the Territory were conducted at the church door after mass. Decrees, new laws, and ordinances of the Governor General, Lieutenant Governor, and Post Commandant were read.

WOLVES

For many years after pioneers came to what is now known as St. Charles County, the wolves were very numerous, and some pioneers paid their taxes for many years in wolf scalps. At night the howls of these animals were so loud and incessant that to sleep at times was almost impossible.

Often at midnight, all

"At once there rose so wild a yell,
Within that dark and narrow dell,
As all the fiends from heaven that fell,
Had pealed the banner cry of hell."

At such times the whole air seemed to be filled with the vibrations of their most infernal and diabolical music.

The wolf was not only a midnight prowler in the county, but was seen in the daytime, singly or in packs, warily skulking upon the outskirts of a thicket, or sallying cautiously along the open path with a sneaking look of mingled cowardice and cruelty.

The sports and means of recreation were not so numerous and varied among the early settlers as at present, but they were more enjoyable and invigorating than now.

Hunters nowadays would only be too glad to be able to find and enjoy their favorable opportunity for hunting and fishing, and even travel many miles, counting it rare pleasure to spend a few weeks on the watercourses and wild prairies, in hunt and chase and fishing frolics. There were a good many excellent hunters here at an early day, who enjoyed the sport as well as any can at the present day.

Wild animals of almost every species known in the wilds of the West were found in great abundance. The prairies and woods and streams and various bodies of water were all thickly inhabited before the white man came, and for some time afterward. Although the Indians slew many of them, yet the natural law prevailed here as well as elsewhere—"wild men and wild beasts thrive together."

Serpents were to be found in such large numbers, and of such immense size, that some stories told by the early settlers would be incredible were it not for the large array of concurrent testimony, which is to be had from the most authentic sources. Deer, turkeys, ducks, geese, squirrels, and various other kinds of choice game were plentiful, and to be had at the expense of killing only. The fur animals were abundant; such as the otter, beaver, mink, muskrat, raccoon, panther, fox, wolf, wild-cat and bear.

An old resident of the county said that, in 1809, while he was traveling a distance of six miles he saw as many as 73 deer, in herd of from 6 to 10.

PRESIDENT NIXON'S DOMESTIC PROGRAMS

Mr. MATHIAS. Mr. President, viewed in long perspective, the domestic programs unveiled by Presiident Nixon this week could represent a very significant step in the evolution of American Government.

In the short run, the President's recommendations—for comprehensive public welfare reforms, consolidation of manpower training, revenue sharing, and reorganization of OEO—are certain to spark a long, lively public and congressional debate, both over basic concepts and over details.

The President's proposals are grounded in the recognition that the social programs and the financial approaches of the past third of this century are not adequate now, and simply will not serve the needs of the next decade or the coming generation.

Most important and impressive is the President's determination to break the crippling cycle of public welfare, the cycle of poverty, dependency and hopelessness which has proved so oppressive for the poor, so expensive for the taxpayers, and so destructive for American society.

The plan outlined by President Nixon in his message to Congress this week has many attributes:

For the first time it would place a national floor under the income of those families, in every State, who must have public help in order to survive;

It would encourage families to stay together;

It would help those who are now struggling to support their families on jobs with very low incomes;

It would link family assistance to willingness to work or enter a training program, and would provide more realistic economic incentives for poor adults to work;

It would give greater support to day care, both to enable mothers of preschool children to work, and to help those young children during the most important years of their growth and development; and

It would reduce the heavy and rapidly growing financial burdens which the present system imposes on the States and cities.

The Nixon welfare reform program of course is a proposal, not a final product, but it is promising. It recognizes that piecemeal adjustments in the present "system" cannot elminate its basic faults, that fundamental changes are needed, and that basic changes require bold and controversial steps. By proposing such steps, the President has given Congress and the country an agenda to debate and a challenge to act.

I look forward to examining the details of the President's plan, and discussing it and all alternatives with public officials and citizens from throughout the State. For instance, I want to determine precisely how this plan would affect welfare recipients and taxpayers in Maryland and the District of Columbia, where AFDC payments are now higher than the proposed Federal floor of $1,600 per year for a family of four. I want to study closely the procedures suggested for determining eligibility, making assistance payments, and providing social services. I intend to review carefully the new proposals for expanding high-quality day care and manpower training, and to look at the impact of welfare changes upon related programs such as food stamps, medicaid and housing for low-income families.

Equally close study should be given to the President's manpower training program, which appears to be in general accord with proposals I have made for some time to pull together our currently fragmented manpower efforts and give States and cities far more latitude to shape projects and set priorities.

Finally, I trust that prompt attention will also be given to the President's proposed revenue-sharing legislation, which suggests a way to help relieve the fiscal strains of our cities and States, and permit local and State governments to assume greater responsibility for many of the services which they cannot now afford.

TREATMENT CENTER FOR EX-ADDICTS OPENING IN ST. LOUIS

Mr. SYMINGTON. Mr. President, according to the best estimates available, the National Bureau of Narcotics and Dangerous Drugs reports there are over 64,000 Americans who are actively addicted to narcotics. This is an increase of 38 percent in the last 10 years.

Drug use is increasingly prevalent among young Americans. Of the known active addicts, more than half are under 30 years of age, and 2,688 are under 21. These figures emphasize the immediate need for controlling drug traffic and stopping it at its source.

But these figures also present the importance of greater effort to rehabilitate drug addicts—to help them once again find a useful place in society. Prevention and cure are both important.

In this connection, under the sponsorship of the University of Missouri Medical School and its affiliate, the Missouri Institute of Psychiatry, the Missouri Division of Mental Diseases, and the financial contributions of the National Institute of Mental Health, a rehabilitation center for narcotic addicts is being established in St. Louis.

This center will be the third step in a treatment program already in existence. The first two steps are a crisis station and an inpatient hospital "withdrawal" program. Both professional psychiatrists and ex-addicts will help to rehabilitate the patients at the center.

The imagination and coordination of efforts shown in planning this center bode its success. In making its plans for this center St. Louis has profited from experiences of other areas, and it is hoped other major cities will in turn profit from the experiences gained in this St. Louis project to set up similar centers and continue in this direction to improve our vital human resources.

I ask unanimous consent that a press release describing this center in further detail be inserted at this point in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

TREATMENT CENTER FOR EX-ADDICTS OPENING IN ST. LOUIS

Fashioned somewhat on the success of Daytop Village in New York and Synanon in California, a new rehabilitation center for ex-narcotic addicts is nearing the final planning stages prior to its tentative opening in St. Louis.

Planning for the center began in 1968 when the Missouri Institute of Psychiatry (MIP), an affiliate of the School of Medicine, University of Missouri-Columbia, decided to face head-on the problem of narcotics addiction in the St. Louis area and the state. The project is being carried out in conjunction with the Missouri Division of Mental Diseases.

Opening of the rehabilitation center will mark the beginning of a third stage of the MIP narcotics addiction treatment program which already includes a crisis station and an inpatient hospital "withdrawal" program.

"Ideally, the addicts will visit the crisis station, go to the state hospital for in-patient services, be transferred to the residency center for months of rehabilitation, return to staff the crisis station, and then 'graduate' to society," said Dr. Raymond R. Knowles, director of the MIP treatment project.

Since the initial planning began, more than three-quarters of a million dollars have been awarded for the project by the National Institute of Mental Health, a division of the Department of Health, Education, and Welfare. This includes a recent NIMH award of $461,422.

Additional funds for the project are being provided by the Missouri Division of Mental Diseases. It is matching the project costs on a sliding scale, paying 10 per cent of the first year costs and increasing that support to 50 per cent of costs by the fifth year of the project.

MIP plans to convert a vacant hotel at 5650 Pershing in St. Louis to serve as the residency rehabilitation center, adjacent to an entertainment area called the "DeBaliviere Strip."

"I think it is a proven fact that where similar centers have begun, here and in other cities, the surrounding communities have experienced less drug trafficking in the immediate areas," Dr. Knowles said.

"And by taking what is now a vacant hotel and improving it to serve as our residency rehabilitation center, we will bring physical improvement to an area that is searching for new ways to upgrade itself," he added.

The center will be administered and directed by both a professional medical staff and ex-addicts. A professional psychologist, Roman Catholic priest Father Renee Wilett, will assist the director of the center, longtime ex-addict Rovonder McClain who had previously directed such a center in Chicago.

The MIP center will provide a place for men and women who have kicked the narcotics habit to learn to live without drugs and rehabilitate themselves until they are ready to return to society. Initially, the center would house five to ten residents and eventually house as many as 50, Dr. Knowles said.

Prior to arrival at the center, each resident must meet a rigid standard for being free from drugs. All will have undergone "cold turkey," the experience of withdrawing completely from drugs.

Most will be transferred to the center directly from the inpatient hospital "withdrawal" program at the St. Louis State Hospital where a 10-bed ward has been set up specifically to handle the unique problems of withdrawal.

"In addition to the various kinds of vocational, social, and educational rehabilitation," Dr. Knowles said, "the center will provide a 24-hour-a-day association between ex-addicts who are struggling with the same problems and demonstrating their ability to cope with it."

From the first moment of arrival, discipline will be the responsibility of the ex-addicts themselves, Dr. Knowles said. "Group decisions and pressures will be the means of maintaining a 'clean' and orderly home."

Eventually, some ex-addicts will emerge as leaders at the residency center. After months of staying "clean" from drugs some will staff the crisis station, which has been in partial operation for the past six months.

Located in an inconspicuous storefront office in Gaslight Square, another area of narcotics trafficking in the city, the crisis station provides help, advice, and information to addicts who may come in off the street seeking rehabilitation.

In a sense the crisis station represents the beginning and the end of treatment.

It is a beginning for the addict seeking help for the first time.

But for the ex-addict the crisis station represents a final testing ground before returning to society. By successfully manning the station from 8 a.m. to 10 p.m. seven days a week, ex-addicts show their ability to deal with responsibility and the kinds of problems brought to them by addicts off the street.

"We see this program as a training ground for personnel with which to staff narcotic addiction treatment programs and rehabilitation projects in Kansas City and other areas of the state where trafficking in narcotics is known to be heavy," Dr. Knowles said.

MEETING OUR PLEDGE TO INSURE WHOLESOME MEAT AND POULTRY PRODUCTS

Mr. MONTOYA. Mr. President, I am sure many Senators will recall that at this time 2 years ago the Senate was devoting its time and attention to what was then a problem of concern to all consumers—the problem of the safety and wholesomeness of our meat supply. Our deliberations on that problem were long and—at times—heated. But out of those deliberations came the Wholesome Meat Act of 1967.

A year ago, about this time, we were addressing ourselves to the equally important problem of the safety and wholesomeness of our poultry supply. Our deliberations on that problem brought forth the Wholesome Poultry Products Act of 1968.

Both of these measures were designed to update and strengthen the longstanding Federal meat and poultry inspection programs which over the years have assured the American consumer of a safe and wholesome supply of meat and poultry moving in interstate and foreign commerce. In addition, the new meat and poultry inspection measures incorporated the necessary machinery to extend that assurance to meat and poultry marketed within State boundaries. We considered and debated the new concept that ultimately all meat and poultry made available to consumers should be subjected to the same uniform standard of inspection, assuring all of our consumers of a clean, safe, and wholesome meat and poultry supply whether subject to Federal or State inspection.

I had the privilege of being the chief sponsor of both those measures—the Wholesome Meat Act, and the Wholesome Poultry Products Act. Accordingly, I feel it is appropriate that I take this opportunity to review and comment on developments in these areas of meat and poultry inspection over the 1 and 2 years that have gone by since we passed these two measures.

I will ask at the conclusion of my remarks that a number of materials be printed in the RECORD for the additional information of Senators.

As the principal author of the two legislative proposals, I want to insure that the intent of the acts is carried out without compromise. I believe that these acts are serving as an effective catalyst in bringing into being a Federal-State meat and poultry inspection system that is proving itself to be both sound in its concept and practical in its applications.

Basically—if I may remind the Senate of this scope—the meat and poultry inspection laws we enacted gave the U.S. Department of Agriculture broad powers of enforcement and the necessary authority to more effectively eliminate the shipment of unsafe commerce. But perhaps even more significantly, the Wholesome Meat Act and Wholesome Poultry Products Act provided a foundation on which the individual States could establish and develop their own inspection programs to control the shipment of unsafe meat and poultry within their borders.

As the chief sponsor of these measures, I have both a continuing interest in the progress that is being made under them, and I feel a responsibility to you to monitor that progress. I know that many more of you share my continuing interest, and I feel it is not only appropriate, but very timely, to report to you on the progress

that is being made in the administration of the system which we created.

The U.S. Department of Agriculture has now entered into cooperative Federal-State meat inspection agreements, with a total of 44 States, plus Puerto Rico. These cooperative agreements constitute a first step toward achieving the "at least equal to Federal inspection" status required by the act. Each of these States has a mandatory meat inspection law on its statute books, has a documented plan for developing an effective inspection system, and has taken preliminary steps to implement that system.

Establishment of these cooperative agreements has required active support by the State executive and legislative leaders. For every dollar of the $9.5 million contributed by the Federal Government to aid the States in fiscal 1969, the States themselves had to appropriate a like amount.

In addition to taking advantage of the opportunities to improve their inspection programs through Wholesome Meat Act agreements, many States have availed themselves of additional means for improvement. Thirty-two States have entered into Federal-State meat inspection agreements under provisions of the act to provide for cooperation with States in administration and enforcement of certain Federal laws. Under that authority inspection is provided by federally licensed inspectors, working under Federal supervision, and under the same standards which apply to plants inspected by Federal inspectors.

The States have shared the costs of this type of inspection program on a dollar-for-dollar basis, the same as under the Wholesome Meat Act.

Turning to the Wholesome Poultry Products Act, which is now almost a year old. To date, 10 States have entered into Federal-State cooperative poultry inspection agreements. These States, too, had to have mandatory poultry inspection laws on their books before the agreements could be entered into, and they had to submit documented plans for implementing effective poultry inspection systems. In fiscal year 1969, the States matched total Federal contributions of $110,000 to improve their poultry inspection programs.

A total of eight States have upgraded their poultry inspection programs, by taking advantage of the act to provide for cooperation with States in administration and enforcement of certain Federal laws.

Many States have also taken advantage of the training assistance provided by the Wholesome Meat Act. So far, they have sent about 2,300 State inspectors to USDA training facilities. As more and more State inspectors complete the Federal training program, we come closer and closer to the goal of a single uniform standard of inspection.

What do all these statistics mean for the consumer? What do all these facts and figures mean to those of us in Congress who supported this legislation? The goal that we set when we enacted the Wholesome Meat and Wholesome Poultry Products Act has not yet been achieved. No State has yet been certified as having a meat or poultry inspection system equal to Federal inspection. But many States are on the way in their efforts to reach "at least equal to" status.

I think that we are making progress and while we may not be proceeding as speedily as I or others would hope, the machinery established by the two inspection measures is functioning. For example, prior to enactment of the Wholesome Meat Act, there was little or nothing that the Federal Government could do to provide consumers with protection against unwholesome meat and meat products being processed in intrastate plants. We all remember only too well the reports which came to our attention 2 years ago with respect to the production of unwholesome meat products. We remember only too well the accounts of insects and vermin on cutting tables; rats running across cutting areas in many plants; carcasses in coolers soiled with kill floor contamination; carcasses contaminated with hide, hair and dirt; meat from dead, dying, disabled and diseased animals being sold to consumers; dogs and cats allowed into processing areas; abcessed livers being sold as wholesome meat; and on and on and on. Those of us that were here during the floor debates and the committee hearings can well remember the sickening conditions that existed in many intrastate plants that reminded us of Upton Sinclair's book "The Jungle," which recounted conditions as they existed in the meat industry at the turn of the century.

The conditions that existed in intrastate plants led to the enactment of the Wholesome Meat Act of 1967. That act provided the machinery whereby the Secretary of Agriculture had the responsibility to survey all plants to determine if the provisions of the act were being complied with. The Secretary had no such authority before. What has this meant in terms of insuring the consumers of this Nation wholesome meat products? As part of their surveillance duties, the Department of Agriculture made a survey of non-federally inspected meat plants in 1968 in accordance with the requirements of the Wholesome Meat Act. The survey included about 1,000 plants selected on a statistical sampling basis. During the course of this survey State and Federal inspectors, working as teams, made this survey and identified 40 meat slaughtering and processing plants which were considered to be "hazardous" or possibly endangering public health. I have secured a tabulation showing the names and locations of these plants, the reasons for considering them as "hazards" and the action taken as a result of this determination.

What this data reveals, in and of itself, justifies the enactment of the Wholesome Meat Act of 1967. The fact that the legislation was on the books permitted the Secretary of Agriculture to survey the plants and force the plants to take corrective action. The fact that there are undoubtedly other such plants that the Secretary has not yet surveyed makes it imperative that the Department of Agriculture make a more conscious effort to root these plants out and make them comply with the law or close them down.

Mr. President, I ask unanimous consent to have printed at this point in the Record a tabulation giving the State, the type of operation, the reason for action and the followup action, of the intrastate meatpacking plants identified to state officials as endangering public health as a result of a 1968 survey of such plants pursuant to the Wholesome Meat Act of 1967.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

INTRASTATE MEATPACKING PLANTS IDENTIFIED TO STATE OFFICIALS AS ENDANGERING PUBLIC HEALTH; GENERALLY AS A RESULT OF THE 1968 SURVEY OF SUCH PLANTS

State	Date State notified	Type of operation	Reason for action	Follow-up action
Arizona	May 29, 1968	Slaughtering (locker plant)	Failure to control insects and vermin. Lack of environmental sanitation. Insanitary handling of meat and meat byproducts.	Corrected.
	do	Slaughtering	Failure to control insects. Insanitary procedures used in manufacturing products. Lack of environmental sanitation.	Do.
	do	do	Failure to control inedible and condemned products. Lack of environmental sanitation. Insanitary procedures used in manufacturing product.	Do.
Connecticut	May 31, 1968	do	Failure to control condemned and diseased carcasses. Spoiled meat byproducts present in cooler.	Closed by State officials.
Delaware	May 25, 1968	Slaughtering and processing	Nonpotable water (contaminated) being used in producing products for human consumption.	Do.
Idaho	May 10, 1968	do	Failure to properly control inedible and condemned products	Corrected.
	do	Slaughtering and sausage processing.	Improper control of inedible and condemned products	Do.
	June 29, 1968	Slaughtering and processing (locker).	Lack of proper environmental sanitation	Do.
	May 10, 1968	Wholesale slaughtering and processing.	Poor environmental sanitation. Lack of control of inedible and condemned products. Insanitary procedures used in manufacturing product.	Do.
	June 29, 1968	Slaughtering and processing (custom).	Lack of proper environmental sanitation	Do.
Illinois	Mar. 27, 1968	Slaughtering	do	Closed by State officials.

INTRASTATE MEATPACKING PLANTS IDENTIFIED TO STATE OFFICIALS AS ENDANGERING PUBLIC HEALTH; GENERALLY AS A RESULT OF THE 1968 SURVEY OF SUCH PLANTS—Continued

State	Date State notified	Type of operation	Reason for action	Follow-up action
Michigan	Mar. 11, 1968	Processing	Lack of proper environmental sanitation	Corrective action taken by State officials. Subsequently the plant requested and was approved for Federal inspection.
	Apr. 3, 1968	Slaughtering and processing	Insanitary handling of product. Lack of proper environmental sanitation	Closed by State officials.
	Apr. 29, 1968	do	Insanitary handling of product. Lack of environmental sanitation. Lack of control of inedible and condemned products.	Corrected.
New Hampshire	July 12, 1968	Slaughtering and retail store	Nonpotable water (contaminated) being used in producing products for human consumption.	Discontinued slaughter operations as a result of State corrective action. Source of water to retail operation converted to new source.
Nebraska	June 3, 1968	Processing	Improper environmental sanitation. Insanitary handling of product	Closed by State officials.
Nevada	do	do	Improper environmental sanitation	Corrected.
	do	Slaughtering and processing	Failure to control condemned and inedible products. Insanitary procedures used in manufacturing products.	Do.
	do	do	do	Do.
	do	Processing	Improper environmental sanitation. Lack of control of condemned and inedible products.	Do.
Pennsylvania	May 21, 1968	Slaughtering	Failure to properly control condemned product	Do.
	do	do	Improper environmental sanitation	Do.
	Aug. 7, 1968	do	do	Closed by State officials, until unsatisfactory conditions corrected. Conditions corrected per memo from State official, dated Aug. 28, 1968.
	do	do	do	Closed by State officials, until unsatisfactory conditions corrected. Conditions corrected per memo from State officials Aug. 26, 1968.
Puerto Rico	July 26, 1968	Processing	Insanitary environment and lack of insect and rodent control	Corrected.
	do	do	do	Do.
	do	Slaughtering	do	Closed by local officials.
	do	do	do	Corrected.
	do	do	do	Do.
	do	do	do	Closed by local officials.
	do	do	do	Do.
	do	do	do	Corrected.
Texas	July 23, 1968	Slaughtering and processing (locker plant).	Improper environmental sanitation. Lack of control of insects and vermin. Failure to control inedible and condemned products.	Closed by State officials.
	Do	Slaughtering and processing	do	Do.
	Aug. 13, 1968	do	Improper environmental sanitation. Lack of control of insects and vermin. Insanitary handling of products.	Corrected. Statei nspection inaugurated.
	do	Slaughtering and processing and retail.	do	Do.
	Aug. 19, 1968	Slaughtering and processing	Improper environmental sanitation. Lack of control of insects and vermin. Failure to control inedible and condemned products. Insanitary handling of products.	Closed by State Officials.
Utah	May 1, 1968	Processing	Lack of control of insects and vermin. Improper environmental sanitation. Insanitary handling of products.	Corrected.
	do	do	Improper environmental sanitation. Insanitary handling of product	Do.
	July 13, 1968	Slaughtering and processing (custom slaughtering and processing).	Lack of proper environmental sanitation	Do.

Mr. MONTOYA. Mr. President, it will be noted that of the 40 plants which were found to be endangering public health, 14 of them were closed down either by local or by State officials. It is disheartening to note that the State and/or local authorities had failed to act on their own to correct these deficiencies. However, consumers now have the protection of the Wholesome Meat and Wholesome Poultry Products Acts that gives the Federal Government authority to survey these intrastate plants and to enforce remedial actions.

It will be noted, Mr. President, that many of the conditions that are shown in this listing of 40 plants are as bad as those we discovered 2 years ago in intrastate meat plants and last year in intrastate poultry plants. Clearly the States have fallen down in their jobs and I intend to hold the Department of Agriculture responsible for seeing that they in turn hold the States' feet to the fire until all intrastate plants are either cleaned up or closed down.

Mr. President, in a day and age when we send men to the moon and protect them against contamination with the most refined technology science has ever devised, there is no excuse whatsoever for contaminated water being used in producing products for human consumption, of failure to control condemned and diseased carcasses, of lack of proper environmental sanitation, and all the other unsanitary conditions and practices that were discovered in these plants.

And this listing of 40 plants is only a small part of the still ugly picture. For example, in my own State of New Mexico, while no plants were found that the Department felt were "hazardous" to human health, my State received a very poor rating. I think the New Mexico Livestock Board which has the responsibility of inspecting meat and poultry plants in the State, was doing a good job with the authority, tools, and appropriations they had at hand. The board needed additional authority from the State house and they have finally secured that authority now that the State has been forced to act pursuant to the Wholesome Meat Act of 1967. The State of New Mexico has, for example, failed to provide a sufficient number of inspectors engaged in the inspection of processed products at the plant operational level. There was not complete assurance that products handled or produced are wholesome or safe; that sanitary environment and equipment are maintained; that accuracy of labeling, product identity, or net contents declarations are adhered to by manufacturers.

Other conditions found in New Mexico included the fact that about 40 percent of locations reviewed were not even reasonably free from nor protected against air pollution; about 50 percent of plants did not have adequate separation of edible and inedible departments; 15 percent of the waste disposal systems were unacceptable; about 65 percent of the plants lacked adequate screens or other needed controls for insect and vermin; operating areas in about 70 percent of plants were not acceptable; about 70 percent of plants did not have adequate lavatories; about 70 percent of plant equipment was not acceptable; staffing in approximately 90 percent of the plants was not adequate; ante mortem inspection facilities in plants surveyed were not acceptable; inspectional procedures were not adequate in most of the plants reviewed; about 95 percent of facilities for controlling inedible and condemned products were not adequate; and, adequate control and denaturing of condemned and inedible products was absent in 95 percent of plants visited.

This, in summary form, was the condition of intrastate plants in New Mexico when the survey was conducted a year ago. It was not anything to be proud of, and even more disturbing is the knowledge that conditions as bad and worse than these existed in other States in their intrastate plants. This is nothing for our State governments to be proud of. They must strive to do more. They must strive to clean up their own houses. We know from experience that the States move slowly in these areas unless prodded. We provided the Department of Agriculture with both the carrot and the stick when we passed the meat and poultry inspection laws. They have been using them as I have reported to you. But there is much more that yet needs being done. We cannot ease up. For that reason, Mr. President, I am asking the Department of Agriculture to supply me with an up-to-date status report of the inspection programs in all States for both poultry and meat. All States have certainly had adequate time to comply with the legislation as far as the Wholesome

Meat Act of 1967 is concerned. The 2-year breathing period is over. They should be in full compliance by now. As for poultry products, the Wholesome Poultry Products Act of 1968 is now a year old. Forty-eight of the 50 States have had a legislative session since enactment of the poultry inspection legislation. They should have had adequate time to pass the necessary State legislation and to comply with the Federal law, but yet only 10 States have entered into Federal-State cooperative poultry inspection agreements. The Department of Agriculture has not surveyed any intrastate poultry plants. I am asking that they do so and report back to me so that I may report to you. Under Secretary of Agriculture J. Phil Campbell is quite familiar with the poultry industry and I am confident he will insure that this survey is brought about promptly and that conditions are corrected if things are not up to par.

In summarizing, I am confident that the Wholesome Meat Act of 1967 and the Wholesome Poultry Products Act of 1968 are paying dividends. Whether progress is proceeding as rapidly as we had hoped for in another question. Any delay in implementing the acts is a delay contributing to unwholesome meat and poultry products reaching the consumers and, therefore, unjustified.

I urge Senators to help the Department of Agriculture to help the consumer by insuring that we appropriate sufficient funds to permit them to carry out this task which we have assigned them, and by helping the Department prod the respective State governments. At the same time, let us here in Congress prod the Department to insure that they carry out their mission.

Judged against the standard we set, I think the progress, while not completely satisfactory, is encouraging. I would have been happier, today, to report more progress. Let me make you a promise that I will continue to watch these programs carefully. Time is running out. These next few days and weeks are highly significant ones in the administration of the Wholesome Meat Act. I am going to stay tightly "on top" of it as well as the Wholesome Poultry Products Act. I might add that the officials at the Department have been most cooperative and I am confident will, with our help and concern, seek complete and immediate compliance with these laws.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point, a listing of funds paid to States under the Meat and Poultry Inspection Acts during fiscal year 1969; a chart showing meat inspection by State programs and program developments; and a chart showing inspection and operations analyses of intrastate plants; and an article which appeared in the Washington Post on July 7, 1969, and a letter from the Department of Agriculture responding to charges in that article and dated July 28, 1969.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

FUNDS PAID TO STATES, UNDER MEAT AND POULTRY INSPECTION ACTS, FISCAL YEAR 1969

State	Meat		Poultry		Total
	Wholesome Meat Act	Talmadge-Aiken Act	Wholesome Poultry Products Act	Talmadge-Aiken Act	
Alabama	$30,304.18				$30,304.18
Alaska	22,700.00	$1,352.98			24,052.98
Arizona	37,431.52				37,431.52
Arkansas	163,804.50				163,804.50
California	807,464.50	304,946.50	$108,391.50		1,220,802.50
Colorado	118,690.00				118,690.00
Connecticut					
Delaware	50,732.25				50,732.25
District of Columbia	166,528.00				166,528.00
Florida	6,866.50		2,103.00		8,969.50
Georgia	495,528.21	4,954.86			500,483.07
Hawaii	129,209.84				129,209.84
Illinois	1,182,851.50	40,616.32			1,223,467.82
Indiana		10,518.10			10,518.10
Iowa	63,637.50				63,637.50
Kentucky	109,371.22				109,371.22
Louisiana					
Maine					
Maryland	194,055.50				194,055.50
Massachusetts	6,684.86				6,684.86
Michigan	985,361.55	18,399.04			1,003,760.59
Minnesota	3,311.50				3,311.50
Mississippi	249,532.59				249,532.59
Missouri	421,123.09	6,542.20			427,665.22
Montana	43,023.11				43,023.11
Nebraska					
Nevada					
New Hampshire					
New Jersey	$90,005.63				$90,005.63
New Mexico [1]		$99,881.32			99,881.32
New York	1,313,605.00				1,313,605.00
North Carolina	394,878.06	60,919.34			455,797.40
North Dakota					
Ohio	90,654.28	11,985.44			102,639.72
Oklahoma	276,365.12				276,365.12
Oregon	302,410.80				302,410.80
Pennsylvania	417,991.00				417,991.00
Rhode Island	42,104.90				42,104.90
South Carolina	166,534.72	1,554.56			168,089.28
South Dakota	26,280.25				26,280.25
Tennessee	255,881.66	9,459.25			265,340.91
Utah	105,256.97	10,369.46			115,626.43
Vermont	74,386.77				74,386.77
Virgin Islands					
Virginia	153,718.67	133,302.02			287,020.69
Washington	206,744.26	67,493.97			274,238.23
West Virginia	135,252.01				135,252.01
Wisconsin	178,896.00				178,896.00
Wyoming					
Total	9,519,177.95	782,295.36	$110,494.50		
Grand total					10,411,967.81

[1] New Mexico completed a Wholesome Meat Act agreement with USDA June 2, 1969. During July and August of fiscal 1970, New Mexico received $10,390 under the Wholesome Meat Act and $20,172 for meat inspection under the Talmadge-Aiken Act.

MEAT INSPECTION ACTIVITIES BY STATE PROGRAMS AND PROGRAM DEVELOPMENTS

States	Establishments			Personnel															Agreements		Budget
	Number plants of record			Number trained			Number of staff veterinarians						Number of staff inspectors						WMA [2]	TAA [3]	
		Under inspection		USDA consumer protection program		State training programs	Full time			Part time			Full time			Part time			Date signed	Date signed	Total funds expended, calendar year 1963
	Total in State	Dec. 31, 1967	Dec. 31, 1968	Training centers	On-the-job		1967	1968	Est.[1]	1967	1968	Est.[1]	1967	1968	Est.[1]	1967	1968	Est.[1]			
Alabama	145	0	0	0	0	0	1	1	10	21	21	30	19	19	120	1	1	0			(4)
Alaska	17	17	17	0	1	0	2	2	2	1	1	1	0	0	3	0	0	1	1/69	8/68	$63,000
Arizona	140	14	90	0	0	3	1	2	3	7	5	12	14	14	34	1	2	16	1/69	9/68	151,000
Arkansas	200	0	30	19	8	27	1	2	5	1	12	16	2	26	70	0	0	0	7/68	6/68	228,000
California	334	354	334	26	121	137	45	42	47	2	2	2	83	93	119	0	0	0	4/68	2/68	1,812,000
Colorado	250	36	31	12	0	0	1	1	5	26	21	11	1	8	43	26	21	0	6/68	----	126,000
Connecticut	149	138	138	0	0	0	0	0	5	0	0	0	0	1	51	0	12	0	----	----	80,000
Delaware	22	0	22	9	0	0	0	4	4	0	0	0	0	5	7	0	0	0	8/68	----	78,000
Florida	244	238	244	0	39	0	27	27	(4)	0	4	0	80	119	119	0	0	0	----	----	1,101,000
Georgia	402	206	196	15	8	0	2	5	7	53	53	83	84	93	143	0	0	1	6/68	6/68	916,000
Hawaii	91	38	34	1	0	3	7	7	8	0	0	0	13	13	27	2	2	0	9/68	4/68	236,000
Idaho	131	66	63	0	0	2	2	1	8	4	7	20	24	25	76	19	18	27	----	----	235,000
Illinois	745	806	745	109	78	0	7	10	22	200	200	(4)	130	161	210	0	0	0	4/68	2/68	1,743,000
Indiana	412	5	5	17	0	0	0	9	58	0	0	0	0	17	82	0	0	0	----	10/68	596,000
Iowa	655	655	655	3	3	0	7	7	11	48	56	144	4	4	173	0	0	0	----	6/68	270,000
Kansas	301	59	58	0	0	0	4	4	5	40	40	40	3	2	50	1	1	0	----	----	140,000
Kentucky	483	0	0	15	9	16	0	3	22	0	4	35	0	16	83	0	0	0	8/68	11/68	87,000
Louisiana	597	8	7	2	2	0	1	1	8	0	0	25	7	7	125	0	0	0	----	----	25,000
Maine	92	0	0			0	1	1	6	0	0	0	2	2	24	0	0	0	----	----	55,000

Footnotes at end of table.

MEAT INSPECTION ACTIVITIES BY STATE PROGRAMS AND PROGRAM DEVELOPMENTS—Continued

States	Establishments: Number plants of record: Total in State	Under inspection: Dec. 31, 1967	Under inspection: Dec. 31, 1968	Personnel: Number trained: USDA consumer protection program: Training centers	On-the-job	State training programs	Number of staff veterinarians: Full time: 1967	1968	Est.[1]	Part time: 1967	1968	Est.[1]	Number of staff inspectors: Full time: 1967	1968	Est.[1]	Part time: 1967	1968	Est.[1]	Agreements: WMA[2] Date signed	TAA[3] Date signed	Budget[4]: Total funds expended, calendar year 1968
Maryland	140	66	66	4	0	0	7	8	8	0	0	2	12	14	34	0	0	1	7/68	7/68	$233,000
Massachusetts	227	227	227	0	0	0	0	0	14	0	1	0	0	0	68	0	30	0	1/69	1/69	70,000
Michigan	631	220	241	14	26	145	26	28	37	15	10	10	82	104	184	7	3	0	5/68	5/68	1,547,000
Minnesota	526	385	385	1	0	10	0	0	(4)	0	0	0	1	11	287	56	56	0	----	----	108,000
Mississippi	195	16	33	15	17	2	1	1	2	13	19	36	7	42	70	0	0	0	8/68	12/68	400,000
Missouri	500	0	187	3	86	0	1	13	(4)	0	30	35	0	47	88	14	5	0	5/68	3/68	497,000
Montana	85	24	21	0	0	0	5	5	5	9	9	18	7	7	15	0	0	3	12/68	----	152,000
Nebraska	266	295	266	6	6	15	0	1	8	10	12	30	0	3	40	12	13	3	----	----	130,000
Nevada	22	29	29	0	0	0	0	0	(4)	4	4	4	0	0	(4)	7	7	7	----	----	(4)
New Hampshire	15	0	0	0	0	0	0	0	2	0	0	0	0	0	8	0	0	0	----	----	(4)
New Jersey	318	0	0	4	5	0	0	0	(4)	0	5	0	0	4	(4)	0	0	0	7/68	7/68	100,000
New Mexico	149	34	35	0	0	7	0	1	(4)	0	0	0	16	23	32	1	1	1	----	3/68	155,000
New York	770	495	400	9	10	27	31	30	33	0	0	0	104	127	344	0	0	0	4/68	----	3,004,000
North Carolina	212	239	212	9	42	25	11	9	22	49	45	100	88	99	250	6	4	20	5/68	3/68	738,000
North Dakota	198	8	9	0	0	0	0	0	(4)	0	0	0	0	0	(4)	0	0	0	----	----	(4)
Ohio	730	18	21	0	7	0	5	5	35	1	1	0	35	35	276	0	0	0	----	----	297,000
Oklahoma	317	37	41	47	7	0	1	2	6	23	23	27	41	60	98	4	4	3	5/68	5/68	534,000
Oregon	139	87	68	0	3	2	9	8	13	17	17	17	37	34	75	32	31	0	6/68	3/68	588,000
Pennsylvania	897	55	81	5	51	51	11	13	22	0	0	0	0	51	140	0	0	0	7/68	7/68	297,000
Puerto Rico	89	0	0	0	0	0	0	0	(4)	5	5	(4)	0	0	(4)	70	70	(4)	----	----	(4)
Rhode Island	64	64	40	0	0	0	9	0	(4)	0	0	(4)	2	2	6	2	5	0	6/68	9/68	48,000
South Carolina	200	55	106	0	2	20	4	5	8	8	18	25	14	33	38	0	0	0	7/68	5/68	150,000
South Dakota	187	0	0	2	0	0	0	2	3	0	0	2	0	0	28	0	0	0	9/68	----	12,000
Tennessee	190	55	83	19	22	0	0	1	5	1	8	16	25	50	97	0	2	2	5/68	4/68	250,000
Texas	2,220	921	918	2	0	15	18	19	47	13	7	19	181	182	532	1	2	19	----	----	1,229,000
Utah	51	51	51	2	2	19	1	2	2	5	5	7	18	20	25	13	11	13	5/68	3/68	238,000
Vermont	44	24	24	3	2	0	1	2	3	0	0	0	9	11	12	0	0	0	6/68	5/68	80,000
Virginia	200	40	75	19	6	45	7	11	15	0	0	0	25	56	66	0	0	0	11/68	2/68	444,000
Washington	80	57	75	0	35	0	14	27	29	20	4	0	1	8	19	0	1	2	5/68	3/68	448,000
West Virginia	131	122	131	20	4	13	2	2	6	1	6	20	6	20	40	0	0	0	6/68	----	160,000
Wisconsin	636	0	386	48	0	5	0	14	14	0	18	(4)	0	80	80	0	2	2	----	----	1,141,000
Wyoming	99	7	8	1	0	0	1	1	(4)	15	15	(4)	4	5	(4)	2	2	(4)	----	----	62,000
Total	15,925	6,271	6,883	461	602	589	265	339	575	612	688	787	1,181	1,753	4,511	277	306	121	31	28	21,054,000

[1] Estimated for a fully implemented program.
[2] Wholesome Meat Act.
[3] Talmadge-Aiken Act.
[4] Information not available.

INSPECTION AND OPERATIONS ANALYSES OF INTRASTATE PLANTS

[Key to codes used: "AC" acceptable; "MV" minor variations; "MIN" major improvements needed]

State	General facilities: Water supply	Waste disposal	Floors, walls, and ceilings	Insect and vermin control	Operating area (space)	Dry storage	Refrigeration	Plant equipment	Lavatories	Welfare facilities	Personal hygiene (plant employees)	Control of inedible and condemned material: Facilities	Inspection procedures	Ante-mortem inspection: Facilities	Inspection procedures	Post-mortem inspection: Lighting	Sterilizers	Lavatories	Inspection equipment	Edible product containers	Inspection procedures	Use of approved materials	Establishment's responsibility: Product identification	Examination of raw materials	Processing inspection procedures: Maintain product identification	Label and ingredients control	Sanitation	Reinspection procedures
Alabama	MV	MV	MV	MIN	MV	MV	MV	MV	MIN	MIN	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN
Alaska	AC	AC	AC	AC	AC	MV	AC	AC	AC	AC	AC	AC	MV	AC	MV	MIN	MV	AC	MV	MV	MIN	MV	MV	MV	AC	MV	AC	MIN
Arizona	AC	MV	MV	MIN	MV	MIN	MV	MIN	MIN	MIN	MV	MIN	MIN	MIN	MV	MIN	MIN	MIN	MIN	MV	AC	MIN	MIN	MIN	(1)	(1)	(1)	(1)
Arkansas	AC	AC	MIN	MV	AC	MIN	MV	MIN	MIN	MIN	MV	MIN	MIN	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN
California	AC	AC	AC	AC	MV	MV	AC	AC	MV	MV	AC	AC	MV	AC	MV	MIN	AC	AC	AC	AC	MV	MV	MIN	MV	MV	AC	AC	MIN
Colorado	AC	AC	MIN	AC	AC	AC	AC	MIN	AC	AC	AC	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	(1)	(1)	(1)	(1)	(1)
Connecticut	MV	MV	MV	MIN	MIN	MV	AC	MIN	MIN	MV	AC	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Delaware	MV	AC	MIN	MV	AC	MIN	MIN	MV	MV	MV	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MV	MIN	MIN
Florida	AC	MIN	AC	MV	MIN	MIN	AC	MIN	MIN	MIN	AC	MIN	MIN	MIN	AC	MIN	MIN	MIN	MV	MV	MV	MIN	MIN	MIN	MIN	MIN	MV	MIN
Georgia	MIN	MIN	MV	MV	MV	MV	MV	MV	MIN	MIN	MV	MIN	MIN	MIN	MV	MIN	MV	MIN	MIN	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN
Hawaii	MV	MV	MIN	MIN	MV	MIN	MV	MIN	MIN	MIN	MV	MIN	MIN	MIN	MIN	MIN	MV	MIN	MIN	MIN	MV	MIN	MIN	(1)	(1)	(1)	(1)	(1)
Idaho	MV	MV	MV	MV	MV	MV	AC	MV	MV	MV	MV	MV	MIN	MIN	MIN	MIN	MV	AC	MV	MV	MV	MV	MIN	MIN	MIN	MIN	MIN	MIN
Illinois	MV	AC	MV	MIN	MV	MIN	MV	AC	MIN	MIN	MIN	MIN	MIN	MV	MIN	MIN	MIN	MIN	MIN	MV	MIN	MIN	MIN	MIN	MIN	MIN	MV	MIN
Indiana	AC	MV	MV	MIN	MIN	MIN	AC	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN
Iowa	AC	AC	MV	MV	AC	MIN	MV	MV	MV	MV	AC	MIN	MV	AC	MIN	MIN	MIN	MIN	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN
Kansas	AC	AC	MV	MV	AC	MIN	AC	MV	MV	MV	AC	MIN	MIN	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN
Kentucky	MV	AC	MIN	MIN	MV	MIN	MIN	MIN	MIN	MIN	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN
Louisiana	AC	AC	MV	MIN	MV	MV	MV	MIN	MIN	MIN	MV	MIN	MIN	AC	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	(1)	(1)	(1)	(1)	(1)
Maine	MV	MV	MV	MV	MIN	MIN	AC	MIN	MIN	MIN	MV	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Maryland	MV	MV	MV	MIN	MV	MV	AC	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN
Massachusetts	MIN	AC	MIN	MIN	MIN	MIN	MV	MIN	MV	MV	MIN	MIN	MIN	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Michigan	AC	AC	MV	MIN	MIN	MIN	AC	MV	MIN	MIN	AC	MV	MIN	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN
Minnesota	AC	AC	MIN	MIN	MV	MIN	AC	MV	MIN	MIN	MV	MIN	MIN	MIN	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Mississippi	MV	AC	MIN	MIN	AC	MIN	AC	MV	MV	MV	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN
Missouri	AC	AC	MV	MV	AC	MV	MV	MV	MIN	MIN	MV	MIN	MIN	MV	AC	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN
Montana	AC	AC	MV	MV	AC	MV	MV	MV	MIN	MIN	MV	MIN	MIN	MV	AC	MIN	MIN	MIN	MIN	MIN	MV	MIN	MV	MIN	MIN	MIN	MIN	MIN
Nebraska	AC	MV	MIN	MIN	MIN	MIN	MV	MIN	MIN	MIN	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN
Nevada	AC	MIN	MV	AC	AC	MIN	MV	MV	MIN	MIN	AC	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN
New Hampshire	MIN	MIN	MIN	MIN	MIN	MIN	MV	MIN	MIN	MIN	MV	MIN	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
New Jersey	AC	AC	MIN	MIN	AC	MIN	MV	MV	MIN	MIN	MIN	MIN	MIN	MV	MV	MIN	MIN	MIN	MIN	MV	MIN	MIN	MIN	MIN	(1)	(1)	(1)	(1)
New Mexico	MV	MV	MIN	MIN	MV	MIN	AC	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	AC	AC	MIN	MIN	AC	MIN	MIN	MIN	(1)	(1)	(1)	(1)	(1)
New York	AC	AC	AC	MV	AC	MIN	MV	MV	MV	MV	AC	AC	MIN	MV	AC	MIN	AC	AC	MV	AC	MV	MV	MIN	MIN	MV	MV	AC	MIN
North Carolina	AC	MV	AC	MIN	AC	AC	AC	MV	MIN	MIN	AC	MIN	MIN	MIN	MIN	MIV	MV	MV	AC	AC	AC	MIN	MIN	MIN	MIN	MIN	MIN	MIN
North Dakota	AC	MIN	MIN	MIN	MV	MIN	MV	MV	MIN	MIN	MV	MIN	MIN	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Ohio	AC	AC	MIN	MV	AC	MIN	AC	MV	MV	MV	MV	MIN	MIN	MV	MIN	MIN	MV	MV	MIN	MV	MIN	MIN	NIM	MIN	MIN	MIN	MIN	MIN

Footnotes at end of table.

INSPECTION AND OPERATIONS ANALYSES OF INTRASTATE PLANTS—Continued

[Key to codes used: "AC" acceptable; "MV" minor variations; "MIN" major improvements needed]

State	General facilities											Control of inedible and condemned material		Ante-mortem inspection		Post-mortem inspection						Establishment's responsibility	Processing inspection procedures					
	Water supply	Waste disposal	Floors, walls, and ceilings	Insect and vermin control	Operating area (space)	Dry storage	Refrigeration	Plant equipment	Lavatories	Welfare facilities	Personal hygiene (plant employees)	Facilities	Inspection procedures	Facilities	Inspection procedures	Lighting	Sterilizers	Lavatories	Inspection equipment	Edible product containers	Inspection procedures	Use of approved materials	Product identification	Examination of raw materials	Maintain product identification	Label and ingredients control	Sanitation	Reinspection procedures
Oklahoma	AC	AC	MIN	MIN	MV	MIN	MV	MV	MIN	MIN	MV	MIN	MIN	MV	MIN	MIN	MIN	MIN	MV	AC	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN
Oregon	AC	AC	AC	AC	AC	AC	AC	MV	MV	MV	MV	MV	MV	MV	AC	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Pennsylvania	MIN	MIN	MIN	MIN	MV	MIN	MV	MV	MIN	MIN	MV	MIN	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MV	AC	MIN	(1)	(1)	(1)	(1)	(1)
Puerto Rico	MV	MIN	MV	MIN	MIN	AC	AC	MV	MIN	MIN	MIN	MIN	MIN	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	(1)	(1)	(1)	(1)	(1)
Rhode Island	MV	MV	MV	MIN	MV	MIN	MV	MIN	MIN	MIN	MV	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	MIN	MIN	MIN	MIN	MIN	MIN	MIN
South Carolina	MIN	MV	MIN	MIN	MV	MIN	AC	MV	MIN	MIN	MV	MIN	MIN	MV	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	(1)	(1)	(1)	(1)	(1)
South Dakota	MV	MV	MV	MV	MV	MV	AC	MV	MIN	MIN	MV	MIN	MV	MIN	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Tennessee	MV	MV	MV	MV	AC	MV	AC	MV	MIN	MIN	MV	MV	MIN	MV	MV	MIN	MIN	MIN	MIN	MV	MIN	MIN	MIN	(1)	(1)	(1)	(1)	(1)
Texas	MV	MV	MV	MIN	MV	MIN	MV	MIN	MIN	MIN	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN
Utah	MIN	MIN	MIN	MIN	MV	MV	MV	MIN	MIN	MIN	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	(1)	(1)	(1)	(1)	(1)
Vermont	AC	MV	MIN	MIN	MV	MIN	AC	MV	MIN	MIN	AC	MIN	AC	MV	AC	MIN	MIN	MIN	MIN	MIN	AC	(3)	(1)	(1)	(1)	(1)	(1)	(1)
Virginia	MV	MV	MIN	MV	MV	MV	MV	MV	MV	MIN	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MV	MV	MIN	MIN	MIN	MIN	MIN
Washington	AC	AC	AC	MV	AC	AC	AC	AC	AC	AC	AC	MV	MV	MV	MV	MIN	AC	AC	AC	AC	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN
West Virginia	MIN	AC	MV	MIN	AC	MV	AC	MV	MIN	MV	MV	MIN	MIN	MV	MIN	MIN	AC	MIN	MIN	MV	MIN	MIN	MIN	(1)	(1)	(1)	(1)	(1)
Wisconsin	MV	MV	MIN	MIN	MV	MV	MV	MIN	MIN	MIN	MV	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN
Wyoming	AC	MIN	AC	MV	AC	AC	AC	MV	MIN	MIN	MV	MIN	MIN	MV	MIN	MIN	MV	AC	MV	AC	MV	MIN	MV	MIN	MIN	MIN	MIN	MIN

[1] No program.
[2] No inspection program.
[3] No plant.

[From the Washington Post, July 7, 1969]

AGENCY SCORED—NADER: AGRICULTURE SUPPRESSES REPORTS OF DIRTY MEAT PLANTS

(By Bruce Galphin)

Ralph Nader accuses the Agriculture Department's meat inspection chiefs of repeatedly suppressing reports of "deplorable" packinghouse sanitary conditions.

"Their political antennae to industry and state pressures," the consumer crusader asserts in a letter today to Agriculture Secretary Clifford Hardin, "have made them far more solicitous of packer protection than of consumer protection.

". . . Protecting one's bureaucratic flanks—no matter what the consequences for consumers who impliedly rely on their government for protection from contaminated meat products—is an epidemic at (the) Consumer Protection Program," Nader writes.

Nader's far-ranging assault on consumer protection director Robert K. Somers and assistants J. S. Stein and E. J. Murphy includes these allegations:

Two months ago Somers and two aides inspected a meat-packing company in Vernon, Calif., and concluded that it ought to be closed down until cleaned up. But they didn't "because it would . . . have led to the closing down of many other plants in the Vernon area, thereby leading to a major scandal reflecting most adversely on their administration, past and present."

Somers is keeping secret a five-week-old report showing that some 150 meat-processing plants are marking meat with a Federal stamp and shipping it across state lines even though none of the plants inspected has passed Federal standards.

Since 1965, Somers has "sat on" reports of "disgraceful" conditions in Los Angeles area packinghouses. (Nader has obtained a copy of the report and has quoted excerpts in his letter to Hardin.)

Meat inspectors who have been too vigorous in enforcing the law have been "ostracized, removed or overruled."

Nader said Department sources have informed him that although the 1967 Wholesome Meat Act requires states to achieve an inspection and enforcement system at least as tough as the Federal system by this December, no state will be able to meet that deadline, "or for that matter a December 1970 deadline." Moreover, he said, Department efforts to train new Federal inspectors are at a standstill.

Somers could not be reached for comment over the holiday weekend.

In his letter to Hardin, Nader blames Government secrecy for much of the meat sanitation problem.

"Until the USDA rejects its traditionally protective posture toward the meat and poultry industries, and sheds the cloak of secrecy from health data obtained by public funds for public protection, the maladministration, the corruption, the demoralization of honest, hardworking inspectors and supervisors will continue," he writes.

This is not the first time Nader has turned his attention to meat inspection. Two years ago he helped shake loose reports of malign conditions in intrastate packing operation not then subject to Federal inspection. The resultant publicity led to the 1967 act giving states two years to establish their own inspection programs, at least equalling Federal standards, or else yield to Federal inspection.

A quarter of all the meat sold in this country is covered by the 1967 act. The remaining three-quarters already is federally inspected, and this Federal inspection system is the object of Nader's current fire.

The letter to Hardin cites excerpts of reports on eight Los Angeles packinghouses.

Some of the inspectors' findings included these: "The viscera truck man opened gall bladders on abscessed liver and did not wash or sterilize knife later . . . Sanitation was very bad . . . The inspector said that he cannot be sure that restricted ingredients limit (for sausage) is not being exceeded . . . he found the foreman urinating on the floor . . . the butchers had not been sterilizing their knives . . .

"He asked the foreman to sterilize the splitting saw after it had passed through an abscess and then contaminated the next animal. The foreman told him the saw sterilizer had not been used since the last time 'one of you ——— from the Midwest' had been there . . . condemned and edible (meat) went into the same hoist . . ."

Nader contends that Somers and his assistants did "nothing that changed anything" about this report. But this spring, he says, after Sen. Abraham Ribicoff's subcommittee on Executive Reorganization became interested in one California plant and the Inspector General found bad conditions at others, Somers wrote field personnel on May 14 that he "'will not hesitate to take appropriate action' against those who do not achieve full compliance with all meat and poultry inspection regulations."

But, Nader said, "beneath this veneer of words, he is still covering up."

U.S. DEPARTMENT OF AGRICULTURE,
CONSUMER AND MARKETING SERVICE,
Washington, D.C., July 28, 1969.

HON. JOSEPH M. MONTOYA,
U.S. Senate.

DEAR SENATOR MONTOYA: Secretary Hardin has asked me to furnish you the information requested in your letter of July 7. I am glad to do so.

For your convenience, I am quoting each of the "allegations" reported by the Washington Post, and following the allegation with the complete report you requested.

Allegation: Two months ago Somers and two aides inspected a meat packing company in Vernon, California, and concluded that it ought to be closed down until cleaned up. But they didn't "because it would . . . have led to the closing down of many other plants in the Vernon area, thereby leading to a major scandal reflecting most adversely on their administration, past and present."

Report: A special team was sent to a meat packing company in Vernon, California, on May 5 and 6, to determine appropriate corrective action after receipts of an adverse review report on that plant. Dr. Somers was not a member of the special team. It was headed by the Director of the Slaughter Inspection Division.

The team found the plant to be in need of major improvements in plant sanitation, facilities and operations. The plant's management was given its choice—to make the improvements needed promptly, or to stop operations. The plant management elected to make the necessary improvements, within the time limits specified, and it has made those improvements.

Allegation: Somers is keeping secret a five-week-old report showing that some 150 meat-processing plants are marking meat with a Federal Stamp and shipping it across state

lines even though none of the plants inspected has passed Federal standards.

Report: This allegation apparently relates to a survey of plants which operate under the "Talmadge-Aiken" Act. In these plants, inspection is provided by using Federally licensed State inspectors working under Federal supervision, and under the same standards which apply to plants inspected by Federal inspectors. For the most part, these are plants which were previously under wholly state inspection. The state employees have been given appropriate instruction and training by Federal inspectors and apply the same procedures and standards as are applied by Federal inspectors. Also, all these plants were surveyed by Federal inspectors and approved for Federal inspection before being permitted to use the Federal marks of inspection.

In December 1968, Dr. Somers ordered a survey of such plants to determine how well this program was operating under the cooperative agreements with the State governments, and to provide a basis for strengthening this cooperative program. Of 128 such plants *then* in operation, (now 157) a sample of 57 plants was selected for survey.

The survey showed there were deficiencies—some minor, some of significance—in facilities, sanitation, and inspection procedures. On February 13, Dr. Somers directed his staff to take prompt action to correct all deficiencies. The survey was made for management purposes, to improve an authorized program, and it has served these purposes. As with all such investigative and enforcement reports, it is not available to the public.

Allegation: Since 1965, Somers has "sat on" reports of "disgraceful" conditions in Los Angeles-area packing houses.

Report: In 1965 internal reports disclosed unsatisfactory conditions in several plants in the Los Angeles area. As the result of those reports, a special team was selected to make a survey of conditions in Los Angeles packing houses. Also, the Department initiated a comprehensive nation-wide program audit of meat inspection at about the same time. The survey team and the auditors found a number of conditions needing correction.

Action was initiated to correct all deficiencies. This action included providing additional staffing, increased supervision, and special training of new employees and other employees who had not been performing satisfactorily. Immediate arrangements were made to provide adequate inspection personnel not only in Los Angeles, but in other locations where shortages existed. A supplemental appropriation was requested by this Department and the Congress appropriated $2 million for this purpose. It was at this time that the meat inspection program was being reorganized under the Consumer and Marketing Service, and strenuous efforts were begun to make the meat inspection program more effective in providing adequate consumer protection.

All these efforts formed a back drop to the enactment in 1967 of the Wholesome Meat Act, which you so effectively sponsored.

Allegation: Meat inspectors who have been too vigorous in enforcing the law have been "ostracized, removed or overruled."

Report: Historically, conflicts have arisen between meat inspectors and the management of meat plants in enforcing the requirements of the Act. In most cases, the inspector has been in the right, and we have backed him up. But we have found isolated instances where the inspector's judgment or conduct has been less than acceptable, or where he had misconstrued the law or regulations. In those cases—limited in number—when the inspector's conduct was either not fair or not in accord with program instructions, we have taken appropriate corrective action respecting the inspector.

The paramount concern of the Consumer Protection Program has been and continues to be the assurance that only wholesome meat is produced by Federally inspected plants. Consumer Protection employees are given full support to see that this objective is achieved.

Allegation: Nader said Department sources have informed him that although the 1967 Wholesome Meat Act requires states to achieve by this December, an inspection and enforcement system as least as tough as the Federal system, no state will be able to meet that deadline, "or for that matter a December 1970 deadline."

Report: It is simply too early for anyone to know how many states will meet the deadlines established in the Wholesome Meat Act. The states, individually and collectively, have worked hard and have made encouraging progress toward accomplishing the objectives sought by the Act. Here are some significant statistics—comparing the situation now with what it was when the Wholesome Meat Act was enacted:

	December 1967	July 1969
Number of States (including Puerto Rico) which have enacted mandatory meat inspection laws	30	50
Number of States (including Puerto Rico) which have signed Wholesome Meat Act Agreements with USDA	0	44
Number of plants that States had under regular inspection and/or surveillance	[1] 4,211	9,079
Number of State inspection personnel engaged in the inspection of intrastate plants	2,403	4,270

[1] Estimated

Allegation: Moreover, he said, Department efforts to train new Federal inspectors are at a standstill.

Report: USDA has trained 959 State Inspection personnel since January 1, 1969—387 at Federal Training Centers, and 572 in on-the-job training in Federally inspected plants. And training is continuing. During the last week in June, 126 State inspectors and 710 Federal inspectors were receiving training—either in a training center or on-the-job.

You have also requested a copy of each report of survey of meat and poultry plants made since the enactment of the Wholesome Meat Act and Wholesome Poultry Products Act. Along with this you asked for a statement on the remedial action proposed and subsequently taken as respects each plant. At our meeting tomorrow we shall be happy to discuss with you the several problems in complying with this request.

Let me again assure you that we are making strenuous efforts to fully accomplish the objectives you and we sought in the passage of the Wholesome Meat and Poultry Acts. We are doing so to the best of our ability.

We certainly appreciate your interest in this important consumer protection program.

Sincerely,

ROY W. LENNARTSON,
Administrator.

A REPORT ON BIAFRA

Mr. GOODELL. Mr. President, some time ago, a group of Americans concerned about what is happening to the 8 million men, women, and children in Biafra visited the area and made a cultural study of conditions there.

The group was led by Miss Miriam M. Reik, president of the Committee for Biafran Artists and Writers, the group which sponsored the tour. She was accompanied by novelist, Herbert Gold, novelist and critic Leslie Fiedler, and a photographer, Diana Davies. The purpose of the trip was to gain more insight into the quality of existence in Biafra and into, as the report notes, "what in fact, the current conflict with Nigeria will mean for Biafrans, and for us, the rest of the world."

Mr. President, I think this report merits close study by all those interested in the Nigerian-Biafran war. There are parts of the report with which I do not wholly concur—particularly its political recommendations and its comments on news media coverage of the war. Its description of the quality of life in Biafra, however, is most illuminating and confirms many of the impressions I had of the country when I visited it in February.

Mr. President, the Biafran tragedy goes on. It must be alleviated. I commend this article to my colleagues in the Senate, especially those who have taken a leading role in seeking to alleviate the suffering in this war—Senators BROOKE, KENNEDY, MCCARTHY, MURPHY, and PEARSON. I commend it to all citizens who are concerned with Biafra. I ask unanimous consent that Miss Reik's report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

A REPORT OF BIAFRA

(Compiled from the observations of a study group that went to Biafra under the auspices of the Committee for Biafran Artists and Writers, Inc., on May 27, 1969, as prepared by Miriam M. Reik.)

I

Preliminaries: On May 27, 1969, a group of four United States citizens left New York for Biafra, two of whom remained there until June 4th, and two of whom remained until June 11th. The trip was unofficial in the sense that it was sponsored by no government agency or government affiliated persons, and was wholly motivated by an interest in and a concern for the peoples of Biafra.

Planning and co-ordination for the trip was arranged by the Committee for Biafran Artists and Writers, Inc., a cultural organization in New York City, which espouses no political position on the Biafran-Nigerian war other than to deplore the tragedy it entails and to urge a swift and just conclusion to it. Each person invited to join the group was consequently told that he was in no way obliged or committed to a political point of view by virtue of agreeing to particiapte in the trip. The intention of the group was to study the life and culture of Biafra, even as it exists in these war-time conditions. Precisely because there is a war however, to carry out such a study and ask the participants to deliberately avoid all political considerations would have been too artificial. Thus, the opinions expresesd in this report reflect a compilation of the observations of the individuals on the trip and are not necessarily those of the sponsoring Committee.

The participants were Dr. Leslie Fiedler, Professor of Literature at New York University at Buffalo, an author of fictional works as well as a distinguished essayist; Mr. Herbert Gold, the author of eight novels and numerous essays; I accompanied the group as co-ordinator (I am a Professor of Literature, Temple University); a photographer, Miss Diana Davies, documented our trip with her artful camera. Both Miss Davies and myself have been in Biafra before, in January of this year; the other two participants were going for the first time.

Purposes of the Study Group: While our group proposed to gather information, it was not technical information exclusively that we were after. All of the participants were well-informed about Biafra, but none of them was particularly well qualified to speak

on nutritional matters, none was an Africanist by profession, and none was holding public office, thereby making this group substantially different from the earlier technical study team sponsored by Senator Charles E. Goodell. Since the kinds of observation we hoped to make were different, we will not try to duplicate the factual and technical data gathered by his team.[1]

Although the relief plane which flew us into Biafra from San Tomé was fired upon by the Nigerians, although we were subjected to aerial attack by them while in the vicinity of a hospital and church, and although we saw many children who were mutilated variously by bombs and malnutrition, we will also try not to duplicate too much material on those questions which are already well documented, though not sufficiently well acknowledged, viz: The harassment of relief flights by Nigerians, the bombing and strafing of civilian populations, the mortality rate from starvation and the other statistics of human wretchedness.

The skills of the participants were those necessary to analyze and characterize the lives of the people and the nature of their circumstances in other than technical terms. In understanding such things, quantified material can only give a part of the picture, if a very necessary one. Our group was looking for the other part, however. What was sought was an insight into the quality of existence in Biafra and into what, in fact, the current conflict with Nigeria will mean for Biafrans and for us, the rest of the world.

It is in order here to say a few words about why we find it necessary to release this report. Americans are vague, if not ignorant, of what kind of place Biafra is and of the kind of people that live there, as they are vague about most African civilizations. Our notions of the current situation are largely shaped by the press and other media, and their coverage has been for the most part grossly inadequate and often distorted. The reasons for this are no doubt many and complex, ranging from the emotional to the practical and the political. Aside from outright management of the news for political purposes, and difficulties encountered in Biafra and Nigeria, some newspapers are impeded by insufficient reporting staffs, for instance, and others limit their coverage because of the relatively low priority given to African affairs generally.

Perhaps one of the most important reasons for this inadequate coverage though, is that unmitigated tragedy, month after month, makes bad copy. People turn away from it, as they turned from their T.V. screens some months ago when a widely broadcast film showed a Biafran civilian being murdered by an interrogating Nigerian officer. Even one of the participants in our group said of the journey, "I wouldn't have chosen the trip, but neither could I refuse it." Too many do give in to the impulse to refuse thinking about Biafra altogether: it is an unpalatable subject, and it arouses unpleasnt feelings of guilt, helplessness and rage. Many, too, feel disgust in the face of persistent, ugly starvation, or, what is worse, have no feelings at all after awhile. Even when Biafra receives coverage, how many of us no longer read those short articles invariably accompanied by photographs of bloated and fragile children?

One no longer knows whether this kind of exclusive emphasis on disaster by the press is supposed to be an appeal to our humanitarianism or to our sadism. In either case, it is certainly not an appeal to our intelligence. The situation in Biafra is about a great many things: why doesn't the media tell us about those things? Why not inform the public sufficiently so that it can make reasoned judgments? Hungry people can never make "sense," but at least they can be seen in a context that the world may know how they came to be hungry. This report therefore will have occasions to note disparities between our observations and those of the media, both in matters of fact and of emphasis. It will try to corroborate where corroboration is needed, and try to correct where we felt it was due. It must be added that the group's efforts were met by courteous cooperation from Biafrans almost everywhere and we were assisted to the greatest extent possible under the circumstances.

II

The Biafran People: Since only a few nations recognize the Biafran sovereignty, most of the world regards a Biafran state as a fiction, but the existence of a Biafran people is an undeniable reality. Although diverse tribes are encompassed by present Biafran borders, there is sufficient social cohesion and unity of purpose (undoubtedly strengthened by having a common external enemy) that one can speak unhesitatingly of the Biafran people. Even in terms of cultural homogeneity, it is thought that the mass population movements caused by the war has weakened tribal differences and various sectors of the country are getting to know each other better.

The Biafrans have suffered incredibly during the war, and few, if any families have not been touched by some kind of loss as a result of it. Since the government has the full support of the people however, they have suffered as willingly as a people can, displaying great dignity and courage where others might have been reduced to simple despair. Not all of them of course can handle the anxieties and losses of war with such conspicuous restraint, and it was not surprising that a visit to the psychiatric hospital at Nsu (the only psychiatric hospital there at present, and one that is short of everything except patients) indicated that the major problem among civilian patients was severe depression.

Nonetheless, exception must be taken to the wide-spread impression of Biafra as a land whose stoic population doggedly persists from day to day, grimly persevering. The fact is that they are a gay and optimistic people. The dogged quality is surely there, particularly among the refugees, when it comes to finding food and other necessities, and there are surely a multitude of bleak situations to be seen in Biafra. But if circumstances are anything less than desperate, one can also find plenty of good humor about the difficulties and but little grumbling. Having one's car break down in the middle of the night and having to push it for the next six hours, for example, is such a common occurrence in these days of no spare parts that the wry telling of it is usually greeted with a good deal of sympathetic laughter. Biafrans are witty people, and humor is one of their best weapons against misfortune. As for their optimism, no one can doubt it: they have been secure in the belief that the world must recognize the justice of their cause, yet after two years of fruitless waiting they are still serene in that expectation. What is that but optimism?

The characteristic ebullience and cheerfulness of Biafrans is partly due to their self-confidence in their ability to solve problems, making them slow to succumb to feelings of hopelessness. If this confidence seems somewhat euphoric since a bomb may literally drop on it at any time, it nonetheless has a basis in the fact that the Biafrans have indeed shown remarkable inventiveness and ingenuity in tackling their problems. They have, after all, kept a society together and running on almost nothing but their wits. With astonishing adaptability, they have tried simultaneously both to move into the twentieth century and defend themselves against its weaponry. Thus the vignette sticks in the mind of modern technology in the form of a powerful Russian MIG swooping down on mud and thatch huts while homemade Biafran rockets try to beat it off. Needless to add, perhaps, the bombing does nothing to their spirit of determination but strengthen it.

At times, Biafra must struggle with its own rather unwieldly bureaucracy, all of it somewhat British in tone, which seems to have developed where Biafran love of efficiency became an unthinking infatuation. By some miracle, a country which is critically short of paper has a proliferation of forms, applications and records for everything, albeit that old pre-war high school composition books frequently have to be used for those purposes. The efficiency, however, together with the Biafran adaptability and self-confidence has often been galling to the Nigerians, and when excessive, to other foreigners as well. The combination produces what is frequently referred to as Biafran pride or Ibo arrogance. The Biafrans have added to it a tremendous appetite for education, and prior to the war was able to supply Nigeria with professional and skilled labor far in excess of their percentage of the population. Biafran pride and sense of accomplishment is therefore all the more vexing inasmuch as it is not wholly unjustified.

Biafran eagerness to learn Western technology and the ease with which they have accommodated modern modes of life has evoked the contempt of the Nigerians, who disdain their willingness to relinquish native ways in favor of upward mobility. This is the beginning of the characterization of the Ibo as too interested in success, too "pushy," too much, in fact, the Jew of West Africa. But Nigerian contempt is not a little mixed with envy, an envy which contributed susbtantially to the regional friction in pre-war Nigeria. One must wonder though, if the Biafrans are so undesirable, why the Nigerians are so eager to effect a union with them.

Considering the character of the Biafrans, it is conceivable that the press as well as some of the propaganda from various pro-Biafran groups is actually doing Biafra a disservice by stressing only the suffering, rather than dealing with, say, the Land Army (the Biafran program to put every available incn of land into cultivation) or the home-made oil refineries, or the other things which show their spirit of community self-help and independence. By harping on the face of the calamity, the media may be missing the heart of it, namely that a highly intelligent, resilient and physically beautiful people are at stake in this war.

The War and the Biafran Spirit of Unity: Biafra is not simply a conglomeration of tribes. Having affirmed that there is undeniably a Biafran people, it must be further asserted that there is also a Biafran nation (whether or not there is a Biafran state is a mere legalism). Perhaps the clearest external evidence of this is that the people obey the law; according to Sir Lewis Mbanefu, Biafra's Chief Justice, there has been no rise in the crime rate and perhaps a bit of a drop since the secession. Private property is respected, and there is general compliance with government instructions.

The Nigerians often contend that the idea of a state called Biafra, and consequently the idea of the war, was manufactured by a group of politicians who used it to advance their ambitions, and that they have cynically sacrificed hundreds of thousands of lives to those ambitions. Biafrans themselves hardly share this opinion, and feelings of national solidarity run very high. Moreover, since it is widely believed that if they lose or surrender there will be a terrible massacre, if not total extermination of the Biafrans, the humanitarian concern for their lives and the political goal of nationhood merge into one for them. Thus the phrase "we will be

[1] While a certain amount of material gathered by Senator Goodell's group has become dated, the general picture of the material needs and conditions in Biafra is still very informative. His group's report appears in the Feb. 25, 1969 *Congressional Record*, vol. 115, no. 33, 4370–4382.

Biafrans or die" and similar ideas are often heard.

There are many examples by which one could gauge Biafran national determination and unity: the success of the Land Army in mobilizing the people; the effectiveneses of the Biafran army which, at times, has fought in extraordinarily difficult circumstances; the large percentage of the population which has invariably fled before the advancing Nigerian army, preferring to take their chances as refugees in Biafran held territory, even with the food blockade. Similarly, there seem to have been no mutinies or revolts against the Biafran government, though Nigeria is plagued by riots, particularly in the West.

What is striking about this feeling of national unity is the uniformity with which it runs through all the ranks of Biafran society, cutting through both tribal differences and class distinctions. Nor is this sentiment a triumph of the Biafran propaganda machine, which is necessarily very weak since there is so little equipment. There is no television, and at the time of the trip, there were two radio stations and a third just beginning. Even those three stations function with limited affect since there are not too many radios, and of those a large percentage lack batteries (batteries of the flashlight variety are so scarce that they can command a price of four Biafran pounds). There is only one large newspaper—and large means a circulation of 4,000—and its print is almost unreadable since a shortage in that area too has forced them to set it in two or three different sizes for any given word. The popular response, therefore, seems to be almost wholly spontaneous.

Biafran national unity derives its energy from two sides, a negative pole which is fear and distrust of the Nigerians and a wish to throw off neo-colonialist interests, and a positive pole, which is their hope for a future in which they will create a democratic state and govern it themselves. Biafran thinking, and certainly Biafran propaganda, has so far been dominated by the former, though lately the latter—a clearer vision of this kind of state Biafra hopes to build—has begun to emerge more prominantly. These two aspects will be dealt with separately.

The Biafran attitude toward the Nigerians: While it is not within the scope of this report to give a full discussion on the question of genocide, it must be taken up in however a cursory fashion since it figures so largely in the thinking of Biafrans. The genocide question is admittedly a murky one, if for no other reason that the intent to commit genocide is so difficult to prove until it is, in fact, almost accomplished. The word, moreover, has lost any well-defined meaning. If one means by genocide what happened to the Jews and Gypsies in the years of Nazi Germany when they were threatened with total extinction down to the last man, woman and child, many observers might well feel that the case of Biafra does not fit into the category. On the other hand, the guidelines set up under Article 2 of the United Nations *Convention for the Prevention and Punishment of Genocide* adopted on December 9, 1948, are such that both the pre-war programs and the present conduct of the war by the Nigerians could well be held to be genocidal. This, of course, is the opinion of many Biafrans, and the official stance of the Biafran government.

Citing Article 2, Biafrans will point to the shooting of seven hundred male Ibos by the Nigerians when they captured Asaba and numerous similar incidents as evidence constituting a clear indictment of genocidal intent.[2] However, more than anything else, they recall the pre-war massacres of 1966 during which 30,000 Ibos and other peoples from the Southern part of Nigerian, excluding Yorubas, were killed by citizens mostly in Northern Nigeria, often with the compliance and even the co-operation of the police and army. While earlier Nigerian history records a number of examples of similar programs against people of the Southern half of the country, particularly the South-East (now Biafra), and while harrassment and vilification of these people has been consistent, the 1966 catastrophe became something like a trauma in the national psyche that was both irremediable and irrevocable. If the Biafrans had any doubts thereafter that their tribe or place of origin aroused uncontrollable hostility in the Nigerians, and that they could not live securely within the framework of a united Nigeria, the manner in which the war has subsequently been prosecuted has done nothing to convince them that their original assessment of Nigerian intentions was incorrect. The Tanzanian statement which was issued on their recognition of Biafran sovereignty succinctly expressed the Biafran point of view when it said, "There is no unity between the dead and those who killed them."

Not all Biafrans believe that the Nigerians intend to commit wholesale murder and that if they had their way not an Ibo would be left, but a few think that there would not be a repetition of the pogroms and other reprisals if Biafra once again entered into a Nigerian federation. At the very least, Biafrans believe that the Nigerians wish to destroy their leadership, that is to say the male population, particularly the educated who provide political, intellectual and cultural leadership. The aim of the Nigerians is to bring the upstart East back to heel, to deprive it of political leverage and to prevent its members from moving in society or gaining distinction. To be ham-strung in this way, reduced to second-class citizenship, is what Biafrans sometimes call "cultural genocide" since it is tantamount to making them an insignificant population in their society. Whatever the nature of Nigerian intentions are however, it is clear that the Biafrans are sufficiently fearful of the consequences that they feel they have nothing to lose by fighting to the last, that in fact they have no choice but to do so.

Whether or not the Nigerians have intended to do so, they have brought about a major change in the balance of the generations in Biafra. Many of the older prominent leaders from the East were killed during the pogroms, and the most important ministerial and other posts in the Biafran goverment are held by relatively young men, who generally provide energetic and responsible leadership, and who are rapidly becoming experienced politicians. Many of the younger men are of course in the armed services, but it is the next generation which will suffer most as a result of the war. This is not only because of the loss of so many of them (forty per cent between the ages of two to four are already dead according to reliable estimates) but also there is no way of judging at this point to what extent permanent damage, particularly of the brain, will afflict those children who do survive the severe malnutrition and protein deficiency disease. This is an especially tragic situation for a people who value intellectual achievement and intelligence so highly.

The educational system in Biafra is pretty much in ruins, partly because of lack of facilities and manpower, and partly because the congregation of children in schools is considered unsafe while Nigerian war planes are in the air. The longer these people, with their great ability to advance themselves through instruction and good books, are prevented from continuing their education, the more the next generation will feel the loss of adequate leadership and the slower will be their technological progress. This should certainly be counted among the most serious affects of the war.

The Biafran Revolution: There are other aspects of Nigeria's stance which the Biafrans consider inimical to their goals. For one thing, since Nigeria is largely Muslim while Biafra is mainly Christian (another point that makes them culturally distinct), the present conflict is seen as another result of historic Arab-Muslim expansionism in Africa. In this light, according to General Ojukwu, the Biafran Head of State, Russian military aid to the Nigerians is seen as an extention of its North African policy and its support of the Arab countries in the Middle-East, as well as an opportunity to gain a foothold in West Africa. Finally, and perhaps most importantly, Nigeria represents the continuing neo-colonial presence of Great Britain and its overwhelming economic influence in a country which was officially granted independence in 1960. As everyone knows by now, or ought to know, the war is as much about Shell-BP's wish to control oil reserves in what was Biafran territory as it is about anything else. About these matters—the diverse cultures that Great Britain threw together when it created that unwieldy commercial unit called Nigeria, and the activity of the British and Russians in Nigeria—the press has been unnecessarily reticent. With all its interest pinned on dying babes, it has neglected to give the political, social and economic causes of the war any attention at all.

The determination of the Biafrans not to be a neo-colonial state is at least part of what is meant by the new phrase for the war, the Biafran Revolution. As one of our participants observed, the Biafran Revolution is "more like the American Revolution than the French or Russian ones—it is a war for national independence, which means in this case, a war against the artificial boundaries enforced by European colonialism on the African peoples, and sustained ever since by local (Black) bureaucracies whose prestige and power depends on their maintenance." The Biafran Revolution is thus not just another local war: it seeks to create an exemplary political order among African states and to release Biafra from the share-cropper mentality and corruption which Nigerian politics represent to it.

The phrase, "Biafran Revolution," has been in the air for some time, but it was officially initiated in a recent major speech by General Ojukwu known as the Ahiara Declaration and delivered in celebration of the second anniversary of Biafra's independence. It initiates with it a new phase in the thinking of Biafran leaders as they try to formulate more clearly the kind of state they want to create and its place in the world; in short, this new nation, abruptly born in a political upheaval, requires a more definite political identity and a direction for the future. In this context, it should be remembered that while Biafra has little in the way of a history on which to draw for these purposes, it nonetheless has indigenous traditions of government reaching back further than colonial times which are altogether serviceable here. The region that is now Biafra has traditionally had relatively democratic social institutions prior to the colonial era. Leadership was not determined along dynastic lines, for instances, nor was it rigid as it was in the rest of Nigeria. Government was local, based on the unit of the village group, and thus tended to keep individual participation strong and the political struc-

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[2] Article 2 stipulates that "genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group as such: (a) killing of members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; (e) forcibly transferring children of the group to another group."

ture responsive to the popular voice. These traditions have in many ways given Biafrans a feeling of kinship to the nations of the West, and Western models have in turn helped them develop their ideas of what a modern state should be.

Biafran ideas of the future of their nation thus rest heavily on notions of democratic government (though the war prohibits instituting the full apparatus for such a government at the moment), of a social order that is fluid and based on individual merit, an outlook shaped by Christian precept, and an emphasis on individual enterprise and responsibility. This Revolution then, resembles few of those in recent history since it relies neither on revolutionary Marxist ideology nor militant nationalism guided by an autocratic Personality. While the features of the Biafran state are by no means wholly clear yet, at the moment it more nearly resembles a black variation of the democratic welfare state than anything else.

The Biafran Revolution is also a black revolution, and Biafran leaders have begun to speak of their problems as being rooted in racism. Why else, they ask, has the world been so slow to recognize their suffering? There is undoubtedly some truth in their accusation, at least insofar as the racism implicit in the colonization of Africa is a persistent influence. However, in this war of black against black, where white intervention is a factor on both sides, the Biafrans probably over-estimate the race issue to the extent that they fail to realize that African affairs in general seem somewhat out of the way for white nations today. Focusing on the race question has nevertheless led Biafra to look at the war in the broader context of a world problem, and it seems to have sharpened their sense of mission. Biafra no longer feels that it fights for itself alone, but for all of black Africa, and not only for all of black Africa, but for all Negroes, when it struggles to establish the first truly free, democratic black state. There is no question that such a state would be viable: Biafra has the necessary democratic traditions, it has the technological adaptability and sense for modernity, it has the natural resources. To deny then, the "Biafran possibility," as it has been called, is to deny one of Africa's brightest possibilities among the emergent nations.

III

Concluding remarks: The military solution to the war which Nigeria has so long promised and which Britain has so long supported seems altogether unfeasible. There is, first of all, some question as to whether or not it can be accomplished. Where there does not seem to be the remotest chance that Biafra can win, there is a growing possibility that they can hold the war at the level of a stalemate, at least for quite some time to come. Meanwhile, with increasing bitterness, the fighting goes on at great cost to life, particularly among Biafran civilians, and at great cost to the Nigerian economy, which it can ill-afford at this time. Should the Nigerians over-run the remaining Biafran towns, it would again entail a tremendous loss of life on both sides, and then they would almost certainly be faced with a continuing guerrilla war. Finally, should the Nigerians crush the guerrilla war and effect a military solution, the new political balance in the reconstituted Nigeria would certainly be even less stable than before, and totally unsatisfactory in terms of social justice.

It is a political problem that requires a political solution, and either Biafra must be recognized as a functioning, viable and sovereign state, or it must voluntarily enter into some kind of confederation with Nigeria that is of their own making—a confederation such that its citizens feel their safety is secured and that their destiny as a free, black people can be fulfilled. In the order of priorities, certainly a cease-fire is necessary and certainly a program of massive relief and rehabilitation, but to continue to think of Biafra solely as a gigantic charity case is to avoid the political core of the question. As one of our participants observed, "What is needed now is not Lady Bountiful but a kind of King Solomon."

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(Thereupon at 10 o'clock and 52 minutes a.m., the Senate took a recess subject to the call of the Chair.)

The Senate reconvened at 11:31 a.m., when called to order by the Presiding Officer (Mr. BAYH in the chair).

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2846—INTRODUCTION OF A BILL TO PROVIDE SERVICES AND FACILITIES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES

Mr. KENNEDY. Mr. President, on behalf of Senator YARBOROUGH and myself, I introduce for appropriate reference the Developmental Disabilities Services and Facilities Construction Act of 1969. The principal title of the bill would broaden existing Federal grant programs by providing an extensive new range of services and facilities for the mentally retarded and other persons affected by developmental disabilities. A separate title of the bill would extend for 5 years the current statutory program authorizing construction of university facilities and training programs for the care and treatment of the developmentally disabled, and would amend the existing legislation to place greater emphasis on the interdisciplinary character of such programs.

In 1963, Congress enacted the first major Federal legislation for the specific assistance of the mentally retarded. The Mental Retardation Facilities Construction Act, enacted as part of the combined mental health-mental retardation legislation of that year, was the outgrowth of the path-breaking work of the President's Panel on Mental Retardation, appointed by President Kennedy in 1962.

The President's Panel found an appalling shortage of appropriate residential and nonresidential facilities for our mentally retarded citizens, both children and adults. The panel also recognized the need for new approaches to the training of personnel to work with the handicapped, to diagnose their difficulties, to treat their disorders, to train their crippled minds, to cultivate their potential for rewarding activity, and to counsel their bewildered families.

The Panel also recognized the need for the establishment of special centers for research into the causes of mental retardation and its care and treatment. In such centers, the differing skills of a variety of professionals and other research experts could be focused on the basic unknowns of mental retardation, such as the chromosome abnormality in mongolism, or the effect of malnutrition on the prenatal development of infants.

The investigators would study new methods for teaching language to children who do not learn to speak in the normal way. They would develop improved methods of behavioral training to overcome many of the other obstacles that block the progress of retarded children, and better ways to train groups of children in residential and nonresidental facilities.

In the Mental Retardation Facilities Construction Act of 1963, Congress implemented many of the panel's basic recommendations. In the various provisions of the act, Congress established a program of Federal financial assistance for the construction of three types of facilities for the mentally retarded:

Community facilities for the retarded;

University-affiliated clinical facilities for the diagnosis, care, treatment, and training of the retarded, in conjunction with programs to train professional personel to help such persons; and

Centers for research on mental retardation and related aspects of human development.

In the initial years under the 1963 act, Congress gave enthusiastic support to these three complementary programs. However, after a dozen mental retardation research centers had been funded, the construction authority for this program was allowed to lapse. The authorization for the so-called university-affiliated facility program was renewed in 1967, but the program has been underfunded since that time. In addition, budgetary restrictions have also forced a serious curtailment of the Community Facility Program in recent years.

At the same time, however, there were liberalizing influences. In late 1967, in response to the need for assistance in staffing the community facilities, Congress amended the legislation to authorize grants to be made for such staffing. The first staffing grants under this amendment were announced last month, July 1969. Nearly 300 applications, requesting Federal funds totaling over $14 million for the first full year of operation, were received, even though only $8 million was actually appropriated for the fiscal year 1969.

At the present time, under the 1963 act as it has been amended, approximately 300 community facilities and 19 facilities for university training programs have been funded. For the construction of facilities for the retarded, Congress has obligated a total of $56 million over a period of 5 fiscal years. Ironically, this amount is only slightly higher than the amount recommended by the President's

Panel for each of the first 10 years of the proposed program. And, it represents less than one-third of the total cost of the facilities that have been established.

We know that the scope and current level of funding of these programs are too narrow to meet the constantly increasing demand for services and facilities for the retarded in all parts of the Nation. That demand represents the conscientious response in each of the 50 States by concerned citizens eager to right the wrongs and injustices suffered by this long-neglected segment of our population.

The work that Congress began so well in 1963 is far from finished. Each of the present grant programs in this crucial area will expire in less than a year. Yet, even now, responsible State agencies estimate that projects requiring an additional $100 million in Federal funds are on the drawing boards awaiting the availability of Federal funds. The time is long past due for action by Congress to expand and extend this vital legislation.

In its recent report entitled "MR 1968," the President's Committee on Mental Retardation highlighted many of the current problems of inadequate care and treatment for the retarded. One of the most serious problems documented by the Committee concerns the lack of satisfactory residential care facilities for the retarded. At least 50 percent of the country's institutionalized retarded live in functionally inadequate buildings whose average age is 44 years. The staffs are overworked, underpaid, and ineffectively used. Many of the staff personnel are poorly trained. Waiting lists for the admission of the retarded—both children and adults—are far too long.

To a limited extent, other Federal programs have helped to fill the gap. Small islands of innovation have been created under the so-called HIP and HIST programs—the hospital improvement program and the hospital inservice training program. These two programs are operated on a project grant basis. For the past 3 years, however, less than $9 million has been appropriated annually for these programs, and scarcely more than half of the 170 public institutions for the retarded in the country have been able to benefit from them.

The President's Committee recommended that substantial Federal funds should be made available to all public institutions for the retarded. Grants would be made on the basis of a comprehensive State plan. Under the plan, existing institutions would be required to meet specified standards, and new types of localized residential facilities would be developed. Such facilities would not have the dehumanizing characteristics often associated with large remote hospitals. Under the Committee's recommendation, the Federal program could move from an underfunded project approach to a more realistic grant approach that would include a direct attack on the problem of inadequate residential care.

It is widely recognized today that mental retardation is often associated with other kinds of developmental disabilities—such as cerebral palsy, epilepsy, congenital malformations, sensory disorders, and the like. Moreover, even normally intelligent children and adults with such developmental disorders may have problems requiring special care, training, treatment, and living arrangements similar to those needed by the mentally retarded. Yet, unlike the retarded, they frequently have urgent needs which are not covered by any of our existing Federal grant programs. I believe that our programs should be expanded to cover these persons as well.

Another significant problem in the care and treatment of the retarded under existing Federal legislation concerns the anomalous position of mental retardation in the Partnership for Health Act, which was enacted by Congress in 1966. Under that act, the Public Health Service has begun to move away from the so-called categorical grant approach to health services. As an inadvertent result of this approach, however, there has been a serious decline in the overall Federal and State commitments in the area of mental retardation.

In the Partnership for Health Act, Congress recognized that, more often than not, State health departments do not have the primary responsibility for mental health. Therefore, Congress sought to protect the existing programs for mental health services and facilities. It required that at least 15 percent of the basic formula grant to each State for health services must be placed at the disposal of the State mental health authorities.

No such provision was made applicable, however, in the case of funds for mental retardation. Congress failed to recognize that, just as in the case of mental health, facilities and services for the mentally retarded are often the responsibility of other State agencies, and are often not exclusively or even primarily the responsibility of State health departments. Even in the States which include mental retardation within the scope of their mental health agencies, there is no assurance that the mentally retarded will receive their proportionate share of the benefits of the Partnership for Health Act. Thus, the mentally retarded still do not have the benefit of the kind of impetus that Congress has given to the States with respect to many other health and mental health-related problems.

It is time to remedy this oversight by providing specific Federal financial assistance to the States for a wide variety of mental retardation services and facilities. In addition, broad flexibility should be allowed each State to apportion its mental retardation grants among its various governmental agencies, in accordance with the particular State plan, and to include persons with related disorders.

The magnitude of the problem of mental retardation was already enormous in 1963, the year the basic Federal statute was enacted. Since that time, officials and responsible citizens have become even more acutely aware of the extent of the problem. The comprehensive State planning effort undertaken with Federal support and encouragement during the years 1965 through 1968 has pinpointed many of the defects in the present system. Each State now has a view of its problems and its priorities, and of the steps it must take to meet them. In many States, new agencies have been created to spearhead the effort and bring a more effective and diversified attack on the problem.

Yet another aspect of the problem of mental retardation involves the need for better training of professional personnel working in this area. In 1962, few physicians, psychologists, social workers, rehabilitation counselors, physical therapists, and others who could have contributed to the rehabilitation of the mentally retarded had the opportunity during their training for firsthand contact with handicapped children and adults. Even fewer had the opportunity to observe or participate in demonstration programs for the education, care, or treatment of such persons.

Part B of the Mental Retardation Facilities Construction Act of 1963 was addressed to this serious deficiency. It authorized Federal grants for the construction of clinical and demonstration facilities affiliated with colleges or universities. A major emphasis of such grants was on the use of the facilities for training physicians and other specialized personnel. Although the first facilities funded under this program have now become operational, it will be several years before the specialists trained in the facilities will begin to have a significant impact on services for the retarded.

In the course of developing the plans for these facilities—of which 18 have now been approved and funded under the act—important lessons have been learned. It has become especially clear that the proper approach to mental retardation, like many of today's complex problems, requires the application of a variety of skills exercised in concert. Professional training of people to attack this problem must include not only skills traditional to their respective disciplines, but also techniques of professional teamwork and cooperative action by persons of diverse training and background.

In addition, there is an urgent need for training new kinds of personnel to meet the critical shortage in our existing system of care for the mentally retarded. We must encourage the development of new types of professionals and subprofessionals, who may be able to provide even better services for the retarded in many respects than the presently established disciplines are able to provide.

For all of the reasons I have mentioned, the time has come to create new and more comprehensive approaches to the problems we first began to attack in the 1963 legislation. Some of these approaches are proposed in the Developmental Disabilities Services Act of 1969, which I am introducing today.

In essence, the bill would assist the States in planning and carrying out a comprehensive program of facilities and services for persons suffering from mental retardation or other serious chronic mental or physical disabilities originating in childhood. Such disabilities are

referred to in the Act as "developmental disabilities." The bill would provide broad grants for the establishment, extension, improvement, and supplementary support of services, facilities, and training needed for the care and treatment of persons with such disabilities.

In particular, title I of the bill would:

Assist the States in preparing and implementing comprehensive plans for the care and treatment of persons suffering from mental retardation or a broad range of other developmental disabilities;

Provide resources for improving residential care for the retarded, as recommended by the President's Committee on Mental Retardation;

Permit States to apportion parts of their grants among several State agencies, which may share the responsibility for implementing the State plan;

Permit State agencies to combine grant funds with other program funds, where proportionate benefit to the developmentally disabled will result; and

Permit the States to adopt a wide variety of modes of funding their projects, including grants to voluntary organizations and universities.

This portion of the bill would authorize appropriations of $100 million for fiscal year 1971, $150 million for fiscal year 1972, $200 million for fiscal year 1973, $250 million for fiscal year 1974 and $250 million for fiscal year 1975.

Title II of the bill would extend for 5 years—with annual authorizations at the present level of $20 million per year—the authority for Federal grants for construction of university-affiliated facilities for the mentally retarded and persons with related neurological handicaps. Such facilities would be established in conjunction with programs for the training of personnel for the diagnosis, education, care, training, and treatment of personnel for the diagnosis, education, care, training, and treatment of the retarded. The bill would further modify the existing law by placing greater emphasis on the interdisciplinary character of these training programs.

In addition, title II provides that grants for such facilities may be used to pay part of the basic costs of administering and operating the facilities. If Federal support for these basic costs can be reliably assured, the facilities will be able to attract better support from the communities and the State agencies they serve, as well as from Federal agencies with established responsibilities for professional manpower development in related disciplines. Title II authorizes the appropriation of a total of $73 million for this purpose over a 5-year period.

I am hopeful that the proposed legislation will give us new determination to attack the problems of the mentally retarded and those with other developmental disabilities. For too long, we have been content with inadequate gestures in this vital field. I look forward to the coming hearings and debates on this and other legislation as a fresh opportunity for us in Congress to examine our present efforts and establish creative new programs for the future.

I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDING OFFICER (Mr. SPONG in the chair). The bill will be received and appropriately referred; and, without objection, will be printed in the RECORD, in accordance with the Senator's request.

The bill (S. 2846) entitled "The Developmental Disabilities Services and Facilities Construction Act of 1969," introduced by Mr. KENNEDY (for himself and Mr. YARBOROUGH), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2846

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Developmental Disabilities Services and Facilities Construction Act of 1969."

TITLE I—GRANTS FOR PLANNING, PROVISION OF SERVICES, AND CONSTRUCTION OF FACILITIES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES

SEC. 101. Part C of the Mental Retardation Facilities Construction Act, as amended is amended by striking out Sections 131 through 137 and substituting the following:

"PART C—GRANTS FOR PLANNING, PROVISION OF SERVICES, AND CONSTRUCTION OF FACILITIES, FOR PERSONS WITH DEVELOPMENTAL DISABILITIES

"DECLARATION OF PURPOSE

"SEC. 130. The purpose of this part is—

"(a) to make grants to assist the several States in developing and implementing a comprehensive and continuing plan for meeting the current and future needs for services to persons affected by developmental disabilities; and

"(b) to make grants to assist public and nonprofit agencies in the construction of facilities for the provision of services to persons affected by developmental disabilities.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 131. In order to make the grants to carry out the provisions of section 130, there are authorized to be appropriated $100,000,000 for the fiscal year ending June 30, 1971, $150,000,000 for the fiscal year ending June 30, 1972, $200,000,000 for the fiscal year ending June 30, 1973, $250,000,000 for the fiscal year ending June 30, 1974, and $250,000,000 for the fiscal year ending June 30, 1975.

"STATE ALLOTMENTS

"SEC. 132. (a)(1) From the sums appropriated to carry out the purposes of section 130 for each fiscal year, the several States shall be entitled to allotments determined, in accordance with regulations, on the basis of (A) the population, (B) the extent of need for services and facilities for persons with developmental disabilities, and (C) the financial need of the respective States; except that the allotment of any State (other than the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands) for any such fiscal year shall not be less than $100,000.

"(2) In determining, for purposes of paragraph (1), the extent of need in any State for services and facilities for persons with developmental disabilities, the Secretary shall take into account the scope and extent of the services specified, pursuant to section 134(b)(4), in the State plan of such State approved under this part.

"(3) Sums allotted to a State for a fiscal year and designated by it for construction and remaining unobligated at the end of such year shall remain available to such State for such purpose for the next fiscal year (and for such year only), in addition to the sums allotted to such State for such next fiscal year, provided that whenever the State plan calls for the construction of a specific facility the Federal share of which will exceed the State's maximum permissible allotment for construction for the fiscal year, the Secretary may, on the request of the State, provide that funds allotted to the State remain available, to the extent necessary but not to exceed two additional years, to be combined with subsequent allotments for the specified purpose.

"(b) Whenever the State plan developed in accordance with section 134 provides for participation of more than one State agency in administering or supervising the administration of designated portions of the State plan, the State may apportion its allotment among such agencies in a manner which, to the satisfaction of the Secretary, is reasonably related to the responsibilities assigned to such agencies in carrying out the purposes of this part. Funds so apportioned to State agencies may be combined with other State or Federal funds authorized to be spent for other purposes, provided the purposes of this part will receive proportionate benefit from the combination.

"(c) The amount of an allotment to a State for a fiscal year which the Secretary determines will not be required by the State during the period for which it is available for the purpose for which allotted shall be available for reallotment by the Secretary from time to time, on such date or dates as he may fix, to other States with respect to which such a determination has not been made, in proportion to the original allotments of such States for such fiscal year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Secretary estimates such State needs and will be able to use during such period; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount so reallotted to a State for a fiscal year shall be deemed to be a part of its allotment under subsection (a) for such fiscal year.

"NATIONAL ADVISORY COUNCIL ON SERVICES AND FACILITIES FOR THE DEVELOPMENTALLY DISABLED

"SEC. 133. (a)(1) There is hereby established a National Advisory Council on Services and Facilities for the Developmentally Disabled (hereinafter referred to as the 'Council'), which shall consist of twelve members, not otherwise in the regular full-time employ of the United States, to be appointed by the Secretary without regard to the provisions of title 5, United States Code, governing appointments in the competitive civil service.

"(2) The Secretary shall from time to time designate one of the members of the Council to serve as Chairman thereof.

"(3) The members of the Council shall be selected from leaders in the fields of service to the mentally retarded and other developmentally disabled persons, in State or local government, and in organizations representing consumers of such services. At least four members shall be representative of State or local agencies responsible for services to the developmentally disabled, and at least four shall be representative of the interests of consumers of such services.

"(b) Each member of the Council shall hold office for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that, of the twelve members first appointed, three shall hold office for a term of three years, three shall hold office for a term of two years, and three shall hold office

for a term of one year, as designated by the Secretary at the time of appointment.

"(c) It shall be the duty and function of the Council to (1) advise the Secretary with respect to any regulations promulgated or proposed to be promulgated by him in the implementation of this title, and (2) study and evaluate programs authorized by this title with a view to determining their effectiveness in carrying out the purposes for which they were established.

"(d) The Council is authorized to engage such technical assistance as may be required to carry out its functions, and the Secretary shall, in addition, make available to the Council such secretarial, clerical, and other assistance and such statistical and other pertinent data prepared by or available to the Department of Health, Education, and Welfare as it may require to carry out such functions.

"(e) Members of the Council, while attending meetings or conferences thereof or otherwise serving on the business of the Council, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"STATE PLANS

"SEC. 134. (a) Any State desiring to take advantage of this part must have a State plan submitted to and approved by the Secretary under this section.

"(b) In order to be approved by the Secretary under this section, a State plan for the provision of services and facilities for persons with developmental disabilities must—

"(1) designate (A) a state planning and advisory council, to be responsible for submitting revisions of the State plan and transmitting such reports as may be required by the Secretary; (B) the State agency or agencies which may administer or supervise the administration of all or designated portions of the State plan; and (C) a single State agency as the sole agency for administering or supervising the administration of grants for construction under the State plan;

"(2)(A) set forth policies and procedures for the expenditure of funds under the plan, which, in the judgment of the Secretary, are designed to assure effective continuing State planning, evaluation and delivery of service (both public and private) for persons with developmental disabilities;

"(3) contain or be supported by assurances satisfactory to the Secretary that (i) the funds paid to the State under this part will be used to make a significant contribution toward strengthening services for persons with developmental disabilities in the various political subdivisions of the State in order to improve the quality, scope, and extent of such services; (ii) part of such funds will be made available to other public or nonprofit private agencies, institutions, and organizations; (iii) such funds will be used to supplement and, to the extent practicable, to increase the level of funds that would otherwise be made available for the purposes for which the Federal funds are provided and not to supplant such non-Federal funds; and (iv) there will be reasonable state financial participation in the cost of administering and implementing the State plan;

"(4)(A) provide for the furnishing of a range of services and facilities for persons with developmental disabilities associated with mental retardation, (B) specify the other categories of developmental disabilities which will be included in the State plan, and (C) describe the quality, extent and scope of such services as will be provided to persons with mental retardation and other developmental disabilities;

"(5) provide that services and facilities furnished under the plan for persons with developmental disabilities will be in accordance with standards prescribed by regulations, including standards as to the scope and quality of such services and the maintenance and operation of such facilities;

"(6) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

"(7) provide that the State planning and advisory council shall be adequately staffed, shall include representatives of each of the principal State agencies and representatives of local agencies and nongovernmental organizations and groups concerned with services for persons with developmental disabilities: *Provided*, That at least one third of the membership of such council shall consist of representatives of consumers of such services;

"(8) provide that the State planning and advisory council will from time to time, but not less often than annually, review and evaluate its State plan approved under this section and submit appropriate modifications to the Secretary;

"(9) provide that the State agencies designated in paragraph (1) will make such reports, in such form and containing such information, as the Secretary may from time to time reasonably require, and will keep such records and afford such access thereto as the Secretary finds necessary to assure the correctness and verification of such reports;

"(10) provide that special financial and technical assistance shall be given to areas of urban or rural poverty in securing services and facilities for developmentally disabled residents of such areas;

"(11) describe the methods to be used to assess the effectiveness and accomplishments of the State in meeting the needs of developmentally disabled persons in the State;

"(12) provide for the development of a program of construction of facilities for the provision of services for persons with developmental disabilities which (A) is based on a statewide inventory of existing facilities and survey of need; and (B) which meets the requirements prescribed by the Secretary for furnishing needed services to persons unable to pay therefor;

"(13) set forth the relative need, determined in accordance with regulations prescribed by the Secretary, for the several projects included in the construction program referred to in paragraph (12), and assign priority to the construction of projects, insofar as financial resources available therefor and for maintenance and operation make possible, in the order of such relative need;

"(14) specify the percent of the State's allotment (under section 132) for any year which is to be devoted to construction of facilities, which percent shall be not more than 50 percent or such lesser percent of the allotment as the Secretary may from time to time prescribe;

"(15) provide for affording to every applicant for a construction project an opportunity for hearing before the State agency;

"(16) provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of and accounting for funds paid to the State under this part; and

"(17) contain such additional information and assurances as the Secretary may find necessary to carry out the provisions and purposes of this part.

"(c) The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (b). The Secretary shall not finally disapprove a State plan except after reasonable notice and opportunity for a hearing to the State.

"APPROVAL OF PROJECTS FOR CONSTRUCTION

"SEC. 135. (a) For each project for construction pursuant to a State plan approved under this part, there shall be submitted to the Secretary, through the State agency designated in section 134(b)(1)(C), an application by the State or a political subdivision thereof or by a public or other nonprofit agency. If two or more agencies join in the construction of the project, the application may be filed by one or more of such agencies. Such application shall set forth—

"(1) a description of the site for such project;

"(2) plans and specifications therefor, in accordance with regulations prescribed by the Secretary;

"(3) reasonable assurance that title to such site is or will be vested in one or more of the agencies filing the application or in a public or other nonprofit agency which is to operate the facility;

"(4) reasonable assurance that adequate financial support will be available for the construction of the project and for its maintenance and operation when completed;

"(5) reasonable assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of the project will be paid wages at rates not less than those prevailing on a similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a–5); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c); and

"(6) a certification by the State agency of the Federal share for the project.

"(b) The Secretary shall approve such application if sufficient funds to pay the Federal share of the cost of construction of such project are available from the allotment to the State, and if the Secretary finds (1) that the application contains such reasonable assurances as to title, financial support, and payment of prevailing rates of wages and overtime pay, (2) that the plans and specifications are in accord with regulations prescribed by the Secretary, (3) that the application is in conformity with the State plan approved under this part, and (4) that the application has been approved and recommended by the State agency and is entitled to priority over other projects within the State in accordance with the State's plan for persons with developmental disabilities and in accordance with regulations prescribed by the Secretary.

"(c) No application shall be disapproved until the Secretary has afforded the State agency an opportunity for a hearing.

"(d) Amendment of any approved application shall be subject to approval in the same manner as the original application.

"WITHHOLDING OF PAYMENTS FOR CONSTRUCTION

"SEC. 136. Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency designated in section 134(b)(1)(C) finds—

"(a) that the State agency is not complying substantially with the provisions required by section 134(b) to be included in the State plan, or with regulations of the Secretary;

"(b) that any assurance required to be

given in an application filed under section 135 is not being or cannot be carried out;

"(c) that there is a substantial failure to carry out plans and specifications related to construction approved by the Secretary under section 134; or

"(d) that adequate funds are not being provided annually for the direct administration of the State plan,

the Secretary may forthwith notify the State agency that—

"(e) no further payments will be made to the State for construction from allotments under this part, or

"(f) no further payments will be made from allotments under this part for any project or projects designated by the Secretary as being affected by the action or inaction referred to in paragraph (a), (b), (c), or (d) of this section, as the Secretary may determine to be appropriate under the circumstances; and, except with regard to any project for which the application has already been approved and which is not directly affected, further payments for construction projects may be withheld, in whole or in part, until there is no longer any failure to comply (or to carry out the assurance or plans and specifications or to provide adequate funds, as the case may be) or, if such compliance (or other action) is impossible, until the State repays or arranges for the repayment of Federal moneys to which the recipient was not entitled.

"PAYMENTS TO THE STATES FOR PLANNING AND SERVICES

"SEC. 137. (a) (1) From each State's allotments for a fiscal year under section 132, the State shall be paid the Federal share of the expenditures, other than expenditures for construction, incurred during such year under its State plan approved under this part. Such payments shall be made from time to time in advance on the basis of estimates by the Secretary of the sums the State will expend under the State plan, except that such adjustments as may be necessary shall be made on account of previously made underpayments or overpayments under this section.

"(2) For the purpose of determining the Federal share of any State, expenditures by a political subdivision thereof or by nonprofit private agencies, organizations, and groups shall, subject to such limitations and conditions as may be prescribed by regulations, be regarded as expenditures by such State.

"(b) The 'Federal share' for any State for purposes of this section for any fiscal year shall be 80 per centum of the expenditures, other than expenditures for construction, incurred by the State during such year under its State plan approved under this part.

"WITHHOLDING OF PAYMENTS FOR PLANNING AND SERVICES

"SEC. 138. Whenever the Secretary, after reasonable notice and opportunity for hearing to the State planning and advisory council finds that—

"(1) there is a failure to comply substantially with any of the provisions required by section 134 to be included in the State plan; or

"(2) there is a failure to comply substantially with any regulations of the Secretary which are applicable to this part, the Secretary shall notify such State council that further payments will not be made to the State under this part (or in his discretion, that further payments will not be made to the State under this part for activities in which there is such failure), until he is satisfied that there will no longer be such failure. Until he is so satisfied, the Secretary shall make no further payment to the State under this part, or shall limit further payment under this part to such State to activities in which there is no such failure.

"REGULATIONS

"SEC. 139. Not later than March 1, 1970, the Secretary, after consultation with the National Advisory Council on Services and Facilities for the Developmentally Disabled (established by section 133), by general regulations applicable uniformly to all the States, shall prescribe—

"(1) the kinds of services which are needed to provide adequate programs for persons with developmental disabilities, the kinds of services which may be provided under this part, and the categories of persons for whom such services may be provided;

"(2) standards as to the scope and quality of services which must be provided for persons with developmental disabilities under a State plan approved under this part;

"(3) the general manner in which a State, in carrying out its State plan approved under this part, shall determine priorities for services and facilities based on type of service, categories of persons to be served, and type of disability, with special consideration being given to the needs for such services and facilities in areas of urban and rural poverty; and

"(4) general standards of construction and equipment for facilities of different classes and in different types of location.

"NONDUPLICATION

"SEC. 140. (a) In determining the amount of any payment for the construction of any facility under a State plan approved under this part, there shall be disregarded (1) any portion of the costs of such construction which are financed by federal funds provided under any provision of law other than this part, and (2) the amount of any non-Federal funds required to be expended as a condition of receipt of such Federal funds.

"(b) In determining the amount of any State's Federal share of expenditures for planning and services incurred by it under a State plan approved under this part, there shall be disregarded (1) any portion of such expenditures which are financed by Federal funds provided under any provision of law other than this part, and (2) the amount of any non-Federal funds required to be expended as a condition of receipt of such Federal funds."

SEC. 102. (a) Section 401 of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 as amended (42 U.S.C. 2691) is amended by—

(1) inserting "the Trust Territory of the Pacific Islands" after "American Samoa" in subsection (a);

(a) striking out subsection (b) and inserting in lieu thereof the following: "(b) The term 'facility for the developmentally disabled' means a facility, or a specified portion of a facility, designed primarily for the delivery of one or more services to persons affected by one or more developmental disabilities.";

(3) striking out the words "mentally retarded" wherever they occur in subsection (d) and inserting the words "developmentally disabled" in lieu thereof; and

(4) striking out "August 31" in subsection (j) (1) and inserting in lieu thereof "September 30".

(5) by adding at the end of the section the following subsections:

"(l) the term 'developmental disability' means a disability attributable to mental retardation, cerebral palsy, epilepsy, a neurological impairment, a sensory defect, or any other chronic physical or mental impairment of an individual which originates before such individual attains age 18, which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to such individual.

"(m) the term 'services for persons with developmental disabilities' means specialized services or special adaptations of generic services directed toward the alleviation of a developmental disability or toward the social, personal, physical, or economic habilitation or rehabilitation of an individual affected by such a disability, and such term includes diagnosis, evaluation, treatment, personal care, day-care, domiciliary care, special living arrangements, training, education, sheltered employment, recreation, counseling of the individual affected by such disability and of his family, protective and other social and socio-legal services and information and referral services.

"(n) the term 'regulations' means (unless the text otherwise indicates) regulations promulgated by the Secretary."

(b) Sections 403 and 405 of such Act are amended by inserting the words "or the developmentally disabled" after the words "mentally retarded" wherever they occur.

EFFECTIVE DATE

SEC. 103. The amendments made by this title shall apply with respect to fiscal years beginning after June 30, 1970: *Provided, however,* That funds appropriated prior to that date under Part C of the Mental Retardation Facilities Construction Act shall remain available for obligation during the fiscal year ending June 30, 1971.

TITLE II—AMENDMENTS TO PART B OF THE MENTAL RETARDATION FACILITIES CONSTRUCTION ACT

CAPTION

SEC. 201. (a) (1) The caption to part B of the Mental Retardation Facilities Construction Act is amended to read as follows:

"CONSTRUCTION, DEMONSTRATION AND TRAINING GRANTS FOR UNIVERSITY-AFFILATED MENTAL RETARDATION FACILITIES"

CONSTRUCTION GRANTS

SEC. 202. (a) The first sentence of section 121(a) of the Mental Retardation Facilities Construction Act is amended—

(1) by striking out "clinical facilities providing, as nearly as practicable, a full range of inpatient and outpatient services for the mentally retarded (which for purposes of this part, includes other neurological handicapping conditions found by the Secretary to be sufficiently related to mental retardation to warrant inclusion in this part) and";

(2) by striking out "clinical training" and inserting in lieu thereof "interdisciplinary training"; and

(3) by striking out "each for the fiscal year ending June 30, 1969, and the fiscal year ending June 30, 1970" and inserting in lieu thereof "for each of the next seven fiscal years".

(b) Section 121 of such Act is amended by adding at the end thereof the following subsection:

"(c) For purposes of this part, the term 'mentally retarded' shall include mental retardation and other neurological handicapping conditions found by the Secretary to be sufficiently related to mental retardation to warrant inclusion in this part."

DEMONSTRATION AND TRAINING GRANTS

SEC. 203. Part B of the Mental Retardation Facilities Construction Act is amended by redesignating sections 122, 123, 124, and 125 as sections 123, 124, 125, and 126, respectively, and by adding the following new section after section 121:

"SEC. 122. (a) For the purpose of assisting institutions of higher education to contribute more effectively to the solution of complex health, education, and social problems of children and adults suffering from mental retardation, the Secretary may, in accordance with the provisions of this part, make grants to cover costs of administering and operating demonstration facilities and interdisciplinary training programs for personnel needed to render specialized services to the mentally retarded, including established disciplines as well as new kinds of training to

meet critical shortages in the care of the mentally retarded.

"(b) For the purpose of making grants under this section, there is authorized to be appropriated $7,000,000 for the fiscal year ending June 30, 1971, $11,000,000 for the fiscal year ending June 30, 1972, $15,000,000 for the fiscal year ending June 30, 1973, and $20,000,000 for each of the next two fiscal years.

SEC. 204. Section 123 of such Act, as redesignated by this Act, is amended by inserting "(a)" after "SEC. 122," by inserting "the construction of" before "any facility," and by adding the following new subsection at the end thereof:

"(b) Applications for demonstration or training grants under this part may be approved by the Secretary only if the applicant is a college or university operating a facility of the type described in section 121, or is a public non-profit agency or organization operating such a facility."

SEC. 205. Section 124 of such Act, as redesignated by this Act, is amended by deleting the phrases "for the construction of a facility" and "of construction" in subsection (a) thereof, and by deleting the phrase "in such installments consistent with construction progress,".

SEC. 206. Section 125 of such Act, as redesignated by this Act, is amended by inserting "construction" before "funds" in the first line thereof.

MAINTENANCE OF EFFORT

SEC. 207. Such Act is amended by adding at the end thereof the following new section:

"SEC. 126. Applications for grants under this part may be approved by the Secretary only if the application contains or is supported by reasonable assurances that the grants will not result in any decrease in the level of State, local, and other non-Federal funds for mental retardation services and training which would (except for such grant) be available to the applicant, but that such grants will be used to supplement, and, to the extent practicable, to increase the level of such funds."

EXECUTIVE REPORT OF A COMMITTEE

Mr. LONG. Mr. President, as in executive session, I report favorably from the Committee on Finance the nomination of Rex M. Mattingly, of New Mexico, to be a member of the Renegotiation Board.

EXECUTIVE SESSION

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination favorably reported today by the Committee on Finance.

The PRESIDING OFFICER. Without objection, the Senate will go into execusession, and the clerk will state the nomination.

RENEGOTIATION BOARD

The assistant legislative clerk read the nomination of Rex M. Mattingly, of New Mexico, to be a member of the Renegotiation Board, vice Thomas D'Alesandrio, Jr,. resigned.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. KENNEDY. I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EQUAL EMPLOYMENT OPPORTUNITY—IMPOSITION OF RACIAL QUOTAS ON FEDERAL CONTRACTORS BY THE DEPARTMENT OF LABOR

Mr. McCLELLAN. Mr. President, on Monday I called attention to the Comptroller General's decision that the Labor Department's efforts to impose racial quotas on Federal contractors violated the spirit, intent, and letter of the Civil Rights Act of 1964—CONGRESSIONAL RECORD, August 11, 1969, pages 23268–23276.

One would naturally assume that executive heads would take heed of a formal decision of the Comptroller General and act accordingly, however, such was not the case in this instance. For on the day following the Comptroller's ruling, Secretary of Labor Shultz summoned a press conference to announce that he would continue to implement his racial quota plan—the so-called Philadelphia plan—despite the action of the General Accounting Office.

I think it is unfortunate that there are those in the executive branch who presume to take the laws into their own hands and try to implement them as they desire and not as they are enacted.

Mr. President, title VI of the Civil Rights Act of 1964, entitled "Nondiscrimination in Federally Assisted Programs" is applicable to precisely the same employers and the same federally assisted programs to which the Labor Department proposes to apply the current racial quota provisions of its Philadelphia plan. That plan clearly contravenes not only the congressional policy expressed therein with respect to nondiscrimination in employment practices, it also directly violates the congressional mandate addressed to all executive departments and agencies, set forth in section 604 of title VI, which expressly provides that:

Nothing contained in this title shall be construed to authorize action under this title by any department or agency with respect to any employment practice of any employer, employment agency, or labor organization, except where a primary objective of the Federal Financial assistance is to provide employment.

The promulgation and implementation of the revised Philadelphia plan constitutes in effect a nullification of title VI and, if this plan is executed, then the enactment of title VI by Congress becomes nothing more than a gesture in futility.

Title VII, because it applies to the same employers who would be covered by the Philadelphia plan would likewise be reduced to a nullity wherever the Philadelphia plan was put into effect.

Mr. President, it will be a sorry day for this Nation, if the executive department can so far usurp the legislative functions of the Congress, that it can supplant the laws that Congress has enacted, by executive orders, rules, regulations and other impositions.

The Secretary of Labor states that the Comptroller General's opinion ignores the Executive Order 11246 as an independent source of law. Apparently the Secretary does not recognize the fact that our Constitution vests all legislative power in the Congress.

As Justice Black pointed out in *Youngstown Steel* v. *United States* (343 U.S. 579), the President has no legislative power and the power of the President to faithfully execute the laws starts and ends with the laws that Congress has enacted.

It is one thing for the President to issue an Executive order which properly implements a law enacted by Congress in accord with the express policy and intent of Congress. But it is quite a different matter for the President or any head of an executive department or agency to issue an order which not only contravenes an enactment of Congress, but is in direct conflict with the congressional policy and intent therein set forth.

As Justice Frankfurter said in the Youngstown Sheet & Tube case—supra:

Where Congress has acted the President is bound by the enactment.

In his decision on the validity of the Labor Department's racial quota system, the Comptroller General ruled—

Until the authority for any agency to impose or require conditions in invitations for bids on Federal or federally assisted construction which obligate bidders, contractors, or subcontractors, to consider the race or national origin of their employees or prospective employees for such construction, is clearly and firmly established by the weight of judicial precedent, or by additional statutes, we must conclude that conditions of the type proposed by the Philadelphia Plan are in conflict with the Civil Rights Act of 1964, and we will necessarily have to so construe and apply the Act in passing upon the legality of matters involving expenditures of appropriated funds for Federal and federally assisted construction projects.

In a Labor Department press release dated August 6, 1969, and entitled "Statement by Secretary Schultz," the Secretary of Labor is quoted as challenging the validity of the Comptroller General's decision and questioning the latters authority with respect to the matters involved.

If quoted correctly, the Secretary apparently misconceives the role and the scope of the Comptroller General's authority and responsibility with respect to

the issues raised in connection with the revised Philadelphia plan and the Civil Rights Act of 1964.

For example, the Secretary's statement that "the interpretation of the Civil Rights Act has been vested by Congress in the Department of Justice" completely ignores the Comptroller General's broad authority and responsibility to rule on the appropriateness of expenditures and proposed expenditures of funds appropriated by Congress and the concurrent necessary authority to interpret the statutes enacted by the Congress.

The Secretary of Labor's statement that "we have no choice but to continue to press the Philadelphia plan" is little less than incredible in view of the fact that decisions of the Comptroller General regarding the expenditure of public funds are by law, binding upon all heads of the executive departments.

Mr. President, the General Accounting Office, under the control and direction of the Comptroller General, was created to assist the Congress in providing legislative control over the receipt, disbursement, and application of public funds including, I might add, all funds appropriated by Congress for the Department of Labor.

One of the primary responsibilities imposed upon the General Accounting Office is to make for the Congress, independent examinations of the manner in which Government agencies—including the Department of Labor—are discharging their financial responsibilities. An examination of the financial responsibilities of Government agencies necessarily includes a review of the administration of funds and the utilization of property and personnel only for authorized programs, activities, or purposes, and the conduct of programs or activities in an effective, efficient, and economical manner.

The Comptroller General is required by law to render decisions as to the legality of expenditures of public funds to heads of executive departments or independent agencies, or disbursing or certifying officers, who are authorized to apply for a decision upon any question involving a payment to be made by or under them or pursuant to their certification.

In addition to the work which it initiates, the General Accounting Office makes many special audits, surveys, and investigations at the specific request of congressional committees, as required by law. Special audits, surveys, and investigations are also made and information, often relating to the legality of specific transactions or to their conformance with existing regulations, is furnished at the request of Members of Congress.

By law, the decisions of the Comptroller General are final and conclusive on the executive branch of the Government and establish the validity of the individual payments and, in some instances, the legality of entire programs.

Mr. President, the financial powers of the U.S. Government are set out largely in article I of the Constitution pertaining to the legislative power. There in section 8, among other powers, the Congress is specifically given the power to lay and collect taxes, to borrow money on the credit of the United States, and to coin money. And to insure legislative control of the purse, section 9 provides:

> No money shall be drawn from the Treasury, but in consequence of appropriations made by law.

Mr. President, I ask unanimous consent that a copy of the press statement of the Secretary of Labor, and a statement which was submitted to me by the Comptroller General pursuant to my request, concerning the functions and authority vested in his office, be printed in the RECORD immediately following the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. McCLELLAN. Mr. President, the press statement of the Secretary of Labor contains, in my judgment, many other erroneous statements regarding the Comptroller General's decision. For example, the Secretary, after stating that the Comptroller General's opinion "was not solicited by the Labor Department," then goes on to say that the Comptroller General "concedes that the Philadelphia plan is consistent with procurement law." Nowhere in his decision does the Comptroller General make such a concession. The Secretary apparently is referring to the Comptroller's statement on page six of his opinion where he said:

> The present statement of a specific numerical range into which a bidder's affirmative action goals must fall is apparently designed to meet, and reasonably satisfies, the requirement for specificity.

Such statement by no means constitutes a concession that the Philadelphia plan is consistent with procurement laws. For those laws require not only "specificity" but also that the activities specified be permissible under relevant statutes. And as the Comptroller General points out, the requirement of racial goals, quotas and preferences as required under the Philadelphia plan, are clearly in conflict with existing law, that is, the Civil Rights Act of 1964. Furthermore, the Comptroller General's decision points out other provisions of the Philadelphia plan which suffers from the lack of specificity as well as from lack of statutory or constitutional authority.

Mr. President, let no official of the executive department be heard to say that his responsibility to preserve, protect, and defend the Constitution, provides justification for the flagrant usurpation by the executive department of the legislative power which is vested by that same Constitution in the Congress, and only in the Congress.

Mr. President, the Secretary of Labor's handling of his Philadelphia plan presents not only a case of a flouting disregard for an act of the Congress it also evidences object contempt for a decision of the Comptroller General. I do not think that the Congress can afford to let this act of defiance go unnoticed. I trust that the situation will be remedied promptly and without the need for specific congressional action.

EXHIBIT 1

SECRETARY SHULTZ TO CONTINUE TO PRESS PHILADELPHIA PLAN DESPITE STAATS VIEW

In the wake of a decision by Comptroller General Elmer B. Staats that the Labor Department's so-called Philadelphia Plan for insuring increased employment opportunity for minorities in federal construction collides with the Civil Rights Act of 1964, Secretary of Labor Shultz summoned a news conference to announce that the government will continue to press the Plan.

Shultz's reply to the Staats decision that the Plan is contrary to law is to say in a press conference statement:

"His objection to the Plan is based on his interpretation of a law unrelated to procurement. The Comptroller General's opinion ignores Executive Order 11246 as an independent source of law. We have no choice but to follow the Executive Order. Moreover, courts have held that this Executive Order has the force of law."

Solicitor of Labor Laurence Silberman said at the Shultz conference that it is quite possible that litigation may develop in connection with the controversy over the validity of the Philadelphia Plan.

Following is the text of the Secretary's statement:

"We were advised by the Comptroller General yesterday that in his opinion the Labor Department's order establishing a revised Philadelphia Plan was in conflict with the Civil Rights Act of 1964.

"The interpretation of the Civil Rights Act has been vested by Congress and the Department of Justice which is the principal executive agency with authority to interpret that law. The Department of Justice has approved the Philadelphia Plan as consistent with the Civil Rights Act.

"The Comptroller General said he would have to follow his construction in passing on the expenditure of funds for federal or federally assisted construction projects.

"The Comptroller General is the agent of Congress, not a part of the Executive Branch. His opinion was not solicited by the Labor Department. He has authority to pass on matters of procurement law and concedes that the Philadelphia Plan is consistent with procurement law. His objection to the Plan is based on his interpretation of a law unrelated to procurement. The Comptroller General's opinion ignores the Executive Order 11246 as an independent source of law. We had no choice but to follow the Executive Order. Moreover, courts have held this Executive Order as the force of law.

"His opinion attacks the entire affirmative action concept of the Order. His opinion would destroy all reason for the existence of the Executive Order and the OFCC. Congress was aware of the Executive Order and its affirmative action concept when it enacted the Civil Rights Act of 1964.

"In the absence of a definite opinion of the Supreme Court of the United States, the Comptroller General disputes the authority of the Executive Departments in implementing their program 'to assess the relative merits of conflicting opinions of the lower courts'.

"He would in effect forbid the Executive Branch to function in every area of conflict in the lower courts which touches the expenditure of government funds. This would paralyze government until the Supreme Court has spoken.

"His opinion is based on his own speculation of how the Philadelphia Plan will work without waiting to see whether it will work that way. The courts, as we know, are loathe to deal with concepts in the abstract. The Comptroller General, however, is willing to proceed without the facts of any particular case in front of him.

"We have no choice but to continue to press the Philadelphia Plan and the fight for equal employment opportunity for all Americans."

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STATEMENT BY OFFICE OF THE COMPTROLLER GENERAL

Purpose.—As an agency in the legislative branch, the General Accounting Office was created to assist the Congress in providing legislative control over the receipt, disbursement, and application of public funds. (31 U.S.C. 41 *et. seq.*, 31 U.S.C. 53a, 31 U.S.C. 60.)

Its principal functions are in the fields of auditing, accounting, claims settlement, legal decisions, special assistance to the Congress, and records management and services.

Organization.—The General Accounting Office is under the control and direction of the Comptroller General of the United States, who is appointed by the President with the advice and consent of the Senate, for a term of 15 years. In the absence or incapacity of the Comptroller General and the Assistant Comptroller General, the General Counsel, the Assistant to the Comptroller General, the Director, Office of Policy and Special Studies, the Director, Defense Division, and the Director, Civil Division have been designated in the order named to act as Comptroller General. The organizational components of the General Accounting Office are shown in the chart on page 656.

Auditing.—The General Accounting Office performs an independent audit of receipts, expenditures, and use of public funds by departments and agencies of the Federal Government, and audits the records of certain Government contractors and their subcontractors and of certain recipients of Federal financial assistance such as loans, advances, grants, or contributions.

The primary purpose of audits by the General Accounting Office is to make for the Congress independent examinations of the manner in which Government agencies are discharging their financial responsibilities. Financial responsibilities of Government agencies are construed as including the administration of funds and the utilization of property and personnel only for authorized programs, activities, or purposes, and the conduct of programs or activities in an effective, efficient, and economical manner.

To carry out these functions, the Comptroller General or his authorized representatives are authorized by law to have access to and examine any books, documents, papers, or records—except those pertaining to certain funds for purpose of intercourse or treaty with foreign nations—of any department or establishment (31 U.S.C. 41 *et. seq.*, 31 U.S.C. 53, 31 U.S.C. 54, 31 U.S.C. 65, 31 U.S.C. 67, 31 U.S.C. 72).

Implicit in the audit responsibilities is a responsibility to report to the Congress information obtained in the audits. In addition, section 312(a) of the 1921 act requires the Comptroller General to submit to the Congress an annual report of the work of the General Accounting Office. In this report, or in special reports to the Congress, he is to make recommendations looking to greater economy or efficiency in public expenditures.

Accounting.—The Comptroller General is responsible for prescribing principles, standards, and related requirements for accounting by the executive agencies. The agencies are responsible for establishing and maintaining the accounting systems, but these are to conform with the prescribed principles, standards, and related requirements.

The General Accounting Office cooperates with the agencies in the development of their accounting systems, reviews the systems from time to time, and approves them when deemed to be adequate and in conformity with the requirements of the Comptroller General.

Also, the Comptroller General, the Secretary of the Treasury, the Director of the Bureau of the Budget, and the Chairman of the U.S. Civil Service Commission conduct a continuous program for the improvement of accounting and financial reporting. All other Government agencies also participate in this Joint Financial Management Improvement Program.

Settlement of accounts and claims.—The General Accounting Office has responsibility for settling the accounts of disbursing and collecting officers who are accountable for public funds and for making settlements with certifying officers when there are improper certifications on vouchers. The Office also settles claims (1) against the United States as required by law or where doubt of legal entitlement exists, (2) by the United States where efforts by the responsible agencies have not been successful.

The balances certified by the Comptroller General are final and conclusive upon the executive branch. However, the Comptroller General may review any settled account or claim either on his own motion or at the request of an interested party.

Debt collection.—The responsibility for collecting debts stems from the provision in 31 U.S.C. 71 that all claims and demands by the Government of the United States shall be settled and adjusted in the General Accounting Office, from 31 U.S.C. 93 which provides that the General Accounting Office shall superintend the recovery of all debts finally certified by it to be due to the United States, and from the Federal Claims Collection Act of 1966 (31 U.S.C. 951), which provides agencies and the General Accounting Office collection and compromise authority of claims due the Government where the principal amount is $20,000 or under.

Decisions of the Comptroller General.—The Comptroller General is required by law to render decisions as to the legality of expenditures of public funds to heads of executive departments or independent agencies, or disbursing or certifying officers, who are authorized to apply for a decision upon any question involving a payment to be made by or under them or pursuant to their certification (31 U.S.C. 74, 31 U.S.C. 82d, 33 Op. Atty. Genl. 265, 267.)

In addition, many legal questions arise in the audit and settlement work of the General Accounting Office which require determination.

Under certain circumstances, contracting officers may request advance decisions on questions involving the awarding of a contract. Also, any bidder may request a decision on the legality of a proposed or actual award of a contract adversely affecting him.

By law, the decisions of the Comptroller General are final and conclusive of the executive branch of the Government and establish the validity of the individual payments and, in some instances, the legality of entire programs (31 U.S.C. 44, 31 U.S.C. 74, 33 Op. Atty. Genl. 268, 271.

Special assistance to the Congress.—In addition to the work which it initiates, the General Accounting Office makes many special audits, surveys, and investigations at the specific request of congressional committees, as required by law. Special audits, surveys, and investigations are also made and information, often relating to the legality of specific transactions or to their conformance with existing regulations, if furnished at the request of Members of Congress. (31 U.S.C. 53(b).)

General Accounting Office representatives may be assigned to assist specified committees at their request and are called upon frequently to testify before congressional committees on various matters. Another service to the Congress consists of furnishing comments on proposed legislation.

Rules, regulations, and decisions.—The Comptroller General makes such rules and regulations as deemed necessary for carrying on the work of the General Accounting Office, including those for the admission of attorneys to practice before it. Under the seal of the Office, he furnishes copies of records from books and proceedings thereof, for use as evidence in accordance with the act of June 25, 1948 (62 Stat. 946; 28 U.S.C. 1733).

RECESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 11 o'clock and 51 minutes a.m.), the Senate took a recess subject to the call of the Chair.

The Senate reconvened at 12:20 p.m., when called to order by the Presiding Officer (Mr. EAGLETON in the chair).

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further business? If not, morning business is concluded.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated.

The BILL CLERK. A bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each reserve component of the Armed Forces, and for other purposes.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin (Mr. PROXMIRE).

ORDER OF BUSINESS

Mr. LONG addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. LONG. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside in order that a resolution may be considered.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION TO PRINT ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "SUMMARY OF H.R. 13270, THE TAX REFORM ACT OF 1969"

Mr. LONG. Mr. President, there have been numerous inquiries about the hearings to be held by the Committee on Finance on the tax reform measure passed by the House of Representatives. I submit a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The bill clerk read as follows:

S. RES. 244

Resolved, that there be printed for the use of the Committee on Finance five thousand additional copies of its Committee Print of the current Congress entitled "Summary of H.R. 13270, The Tax Reform Act of 1969".

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 244) was considered and agreed to.

Mr. LONG. Mr. President, the 5,000 copies made reference to in the resolution just agreed to are to make available to those who are concerned about the tax reform measure passed by the House an explanatory statement of what is in the measure and the arguments for or against the proposal. These arguments are by no means exhaustive. This is simply a summary of what the staff has extracted from the debates, and from the hearings held in the House of Representatives, and speeches made on the floor of the Senate on the same issue.

Mr. President, I ask unanimous consent to have printed in the RECORD the press release announcing the hearings commencing on September 4, 1969, on this same measure; together with a terse and concise statement prepared by the staff of the Finance Committee, printable under the provisions of H.R. 13270 as passed by the House.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[A press release from the Committee on Finance, U.S. Senate, Aug. 12, 1969]

TAX REFORM HEARINGS—COMMITTEE ON FINANCE

Honorable Russell B. Long, Chairman, Committee on Finance, announced today that on Thursday, September 4, 1969, the Committee would begin hearings on H.R. 13270, the Tax Reform Act of 1969. The hearing will begin at 10:00 a.m. on Thursday, September 4 in the Senate Auditorium, Room G–308, New Senate Office Building.

Administration Witness.—He stated that the lead-off witness would be the Honorable David M. Kennedy, Secretary of the Treasury, who would testify on Thursday, September 4 and Friday, September 5.

Public Witnesses.—He stated further that public witnesses testifying on tax reform would be scheduled beginning Monday, September 8, 1969, and continuing through Friday, October 3, 1969. Following the hearing, the Committee will begin closed-door mark-up sessions on the bill.

The Chairman noted that because of the particularly comprehensive nature of the House tax reform bill, an unusually large number of witnesses are expected at the hearing. For this reason, he stated that it would be necessary to very carefully construct the time allotted for oral presentations before the Committee.

Legislative Reorganization Act.—In this respect, the Chairman observed that the Legislative Reorganization Act of 1946, as amended, requires all witnesses appearing before the Committees of Congress—"to file in advance written statements of their proposed testimony, and to limit their oral presentations to brief summaries of their argument."

The statute also directs the staff of each Committee to prepare digests of all testimony for the use of Committee members.

Senator Long stated that in light of this statute and in view of the large number of witnesses who desire to appear before the Committee in the limited time available for the hearing, *all witnesses who are scheduled to testify must comply with the following rules:*

(1) All statements must be filed with the Committee *at least two days in advance* of the day on which the witness is to appear. If a witness is scheduled to testify on a Monday or a Tuesday, he must file his written statement with the Committee by the Friday preceding his appearance.

(2) All witnesses must include with their written statement a *summary of the principle points* included in the statement.

(3) The written statements must be typed on letter-sized paper (not legal size) and at least *50 copies* must be submitted to the Committee.

(4) *Witnesses are not to read their written statements* to the Committee, but are to confine their oral presentation to a summary of the points included in the statement.

Witnesses who fail to comply with these rules will forfeit their privilege to testify.

Consolidated Testimony.—The Chairman also stated that the Committee urges all witnesses who have a common interest and a common position in a provision in the Tax Reform Act to *consolidate their testimony and designate a single spokesman* to present their common viewpoint orally to the Committee. He stated that this procedure would enable the Committee to receive a wider expression of views on the total bill than it might otherwise obtain. He praised witnesses who in the past have combined their statements in order to conserve the time of the Committee, and he urged very strongly that all witnesses exert a maximum effort to consolidate and coordinate their statements, not only to conserve the time of the Committee, but also to avoid repetitious testimony.

Staff Digests.—The Chairman emphasized that the Committee staffs had been instructed to fully digest all statements submitted to the Committee so that every important point made by any witness would be called to the Committee's attention. He stated that these digests would be available to the Committee members each morning before the witness involved actually appears before the Committee.

Schedule for Major Topics.—Senator Long stated that the proposed schedule of the Committee called for testimony on major topics to begin on the date specified as follows:

Private Foundations, Tuesday, September 9, 1969.

Capital Gains and Losses, Tuesday, September 16, 1969.

Minimum Income Tax, Allocation of Deductions, and State and Municipal Bond Interest, Tuesday, September 23, 1969.

Natural Resources, Percentage Depletion, etc., Tuesday, September 30, 1969.

He stressed, however, that this schedule was not intended to suggest that testimony on these major topics would be concluded in a single day.

Investment Tax Credit Repeal; Surtax Extension.—The tax reform bill contains several provisions similar to those previously passed by the House in H.R. 12290. These relate to the repeal of the 7 percent investment tax credit, the extension of the 10 percent tax surcharge, the extension of the excise tax on automobiles and communications services, and the allowance of an amortization deduction for air and water pollution control facilities. The Chairman indicated that because the Committee on Finance had already taken five days of testimony (covering 530 pages of hearings) on those subjects, the Committee *would not* receive testimony with respect to those matters during the present hearing. He indicated that if the position stated by any witness at the earlier hearing on H.R. 12290 had changed since that time, the witness could communicate that fact to the Committee in a written statement.

He observed that H.R. 12290 also included a major amendment described as "the low income allowance," designed to eliminate tax on persons whose income was below or near the poverty level. Because the House of Representatives had made a major change in the low income allowance, the Chairman advised that the Committee would receive testimony on this provision, despite the fact that it had been subjected to hearings as part of H.R. 12290.

Requests to Testify; Witness List.—Senator Long advised that witnesses desiring to testify during this tax reform hearing must make their *request to testify* to Tom Vail, Chief Counsel, Committee on Finance, 2227 New Senate Office Building, *not later than Tuesday, August 26, 1969.* He reported that it was particularly important that this hearing program be fixed in advance so that Senators and witnesses alike could prepare their own schedules. Toward this end, he announced that the Committee would publish, by Wednesday, September 3, 1969, a complete listing by subject matter of all

those scheduled to appear before the Committee.

Written Statements in Lieu of Appearance.—The Chairman stated further that those persons who desire to submit a written statement to the Committee in lieu of a personal appearance should submit their statements not later than the day on which the Committee is to take testimony on the topic with which they are concerned. He stated that this would enable the written statements to appear in the printed hearing along with the oral statements on the same topics. He emphasized that these written statements would also be digested by the staff for presentation to the Committee during its closed-door sessions, and that they would receive the same careful consideration by the Committee as though they had been delivered orally.

PRINCIPAL PROVISIONS OF H.R. 13270

The provisions included in H.R. 13270 can be briefly summarized as follows:

I. TAX REFORM PROVISIONS

1. *Private foundations.*—The permissible activities of private foundations desiring to preserve the benefits of tax exemption, as well as the benefits to their contributors, are substantially tightened to prevent self-dealing between the foundations and their substantial contributors, to require the distribution of income for charitable purposes, to limit their holdings of private businesses, to give assurance that their activities are restricted as provided by the exemption provisions of the tax laws, and to be sure that investments of these organizations are not jeopardized by financial speculation. In addition, these private foundations are called upon to make a small contribution, 7½ percent of their investment income, toward the cost of government.

2. *Tax exempt organizations, generally.*—The activities of exempt organizations generally are limited so that they cannot participate in debt-financed leaseback operations, wherein they, in effect, share their exemption with private businesses. Second, the unrelated business income tax is extended to virtually all tax-exempt organizations not previously covered by this tax, including churches. Third, the bill extends the regular corporate tax to the investment income of tax-exempt organizations set up primarily for the benefit of their members, such as social clubs, fraternal beneficiary societies, etc.

3. *Charitable contributions.*—Charitable contribution deductions are substantially restructured. The general charitable deduction limitation is increased to 50 percent but the so-called unlimited charitable deduction is phased out over a 5-year period. The extra tax benefits derived from charitable contributions of appreciated property, are restricted in the case of gifts to private foundations, gifts of ordinary income property, gifts of tangible personal property, gifts of future interests, and in the case of so-called bargain sales. Also, the 2-year charitable trust rule is repealed and a number of changes are made limiting charitable contribution deductions where there are gifts of the use of property and in the case of charitable remainder and charitable income trusts.

4. *Farm Losses.*—The deduction of farm losses is restricted in the case of those with farm losses of $25,000 or more and with incomes of over $50,000 from nonfarm sources. Other provisions of the bill, primarily relating to farm operations, provide for the recapture of depreciation upon the sale of livestock, the extension of the holding period for livestock and a revision of the treatment in the case of hobby losses.

5. *Interest Deductions.*—The deduction of interest on funds borrowed to carry investments is generally limited to investment income plus $25,000.

6. *Moving Expenses.*—Moving expense deductions are allowed when changing jobs for househunting trips, for temporary living expenses prior to locating a new home, and for the expenses of selling an old home or buying a new one.

7. *Limit on Tax Preferences.*—In those cases where tax preferences are not fully subject to tax, provision is made for a minimum tax on individuals having tax preferences in excess of their taxable income. The additional tax in this case is determined by adding to the regular income subject to tax, one-half of the tax preferences but only to the extent they exceed the regular income.

8. *Allocation of Deductions.*—Where taxpayers have substantial tax-free income, provision is made to allocate itemized personal deductions between this tax-free income and the individual's taxable income.

9. *Income Averaging.*—The income averaging provision of present law is substantially simplified and also made more generally available.

10. *Restricted Stock.*—In the case of so-called restricted stock plans, the interest in the property is taxed at the time of receipt, unless there is a substantial risk of forfeiture. In the latter event, the value of the property is taxed when the possibility of forfeiture is removed.

11. *Deferred Executive Compensation.*—Other deferred executive compensation is, in general, subject to tax rates as if taxed when earned, although the tax is not payable until the income is received.

12. *Multiple Trusts.*—In the case of accumulation trusts (including multiple trusts), the beneficiary, generally, is to be taxed on the distributions in substantially the same manner as if he had received these amounts of income when they were earned by the trust (taking into account any taxes paid by the trust on the income).

13. *Corporate Mergers.*—In the case of corporate mergers, a number of changes are made. The principal change establishes tests to be used in determining when amounts cast in the form of "debt" have sufficient characteristics of "equity" to be denied the deduction of interest, where this so-called "debt" is used in the acquisition of other companies. Included among the other provisions is one which limits the availability of the installment method for reporting gains, where the debt can be readily traded on the market, and also where the installment payments are not spread relatively evenly over the period during which part of the debt is outstanding. Other restrictive changes are also made in the case of original issue discount and premiums paid on the repurchase by a corporation of its indebtedness which is convertible into its own stock.

14. *Multiple Corporations.*—Multiple surtax exemptions in the case of related corporations are withdrawn over a 7-year period.

15. *Stock Dividends.*—The rules applicable in determining when stock dividends become taxable are revised generally to provide for taxation where one group of stockholders, directly or indirectly, receives a disproportionate distribution in cash while the interests of the other shareholders in the corporation are increased.

16. *Foreign Tax Credit.*—The foreign tax credit is revised in two respects. First, it is provided that where losses of a corporation operating abroad are offset against domestic income (either of the same corporation or as the result of filing a consolidated return), subsequent earnings from the foreign operations to the extent of one-half of these earnings remaining after foreign tax, are to be recaptured until the tax benefit for the operations derived in the case of the initial offset of the foreign losses is recovered. Secondly, a separate limitation under the foreign credit is provided in certain cases with respect to foreign mineral income.

17. *Commercial Banks.*—The tax advantages of commercial banks, relating to special reserves for bad debt losses on loans and to capital gains treatment for bonds held in their banking business are withdrawn.

18. *Mutual Savings Banks and Savings and Loan Institutions.*—The tax treatment of mutual savings banks and savings and loan associations is revised to remove a series of tax advantages presently available to these financial institutions.

19. *Depreciation in Case of Regulated Industries.*—Action is taken generally to limit the depreciation, which may be taken in the case of certain regulated industries to straight line depreciation unless the appropriate regulatory agency permits the company in question to take accelerated depreciation and "normalize" its tax reduction. However, in the case of existing property, no faster depreciation may be taken than is presently taken. Companies already on "flow through" may not change without permission of their regulatory agencies.

20. *Use of Depreciation in Computing Earnings and Profits.*—In computing earnings and profits—which determine whether dividends are taxable or not—corporations are required to make the computation on the basis of straight line depreciation. As a result, this tax benefit cannot be passed on to stockholders.

21. *Capital Gains of Corporations.*—The alternative capital gains tax on corporations is increased from 25 to 30 percent.

22. *Depletion, Etc.*—The percentage depletion rate for gas and oil wells is reduced from 27½ percent to 20 percent. Other depletion rates are comparably reduced (with five minor exceptions). Percentage depletion also is eliminated with respect to foreign oil and gas wells. Additionally, carved out production payments, as well as retained production payments (including ABC transactions) are treated as if they were loans, or the sale of property subject to a mortgage. The effect of this generally is to prevent such payments from artificially increasing the percentage depletion deduction and foreign tax credits or giving rise to income which can offset net operating losses. In addition, this eliminates the possibility of buying mineral property with money which is not treated as the taxable income of the buyer. Finally, recapture rules are applied to certain mining exploration expenditures to which the rules of present law are inapplicable.

23. *Capital Gains.*—Capital gain and loss treatment is revised in several respects. First, the alternative capital gains tax for individuals was repealed, with the result that in the case of those in the top tax brackets, the rates may rise to as much as 35 percent (or 32½ percent under the new rate structure provided by this bill); second, long-term capital losses of individuals are reduced by 50 percent before being available as an offset against ordinary income; third, the offset against ordinary income in the case of husbands and wives filing separate returns is limited to $500 for each or to the same aggregate amount as if they filed a joint return; fourth, the sale of papers by a person whose efforts created them, or by a person for whom they were produced, is to give rise to ordinary income; fifth, the holding period for capital gains is increased from 6 months to 12 months; sixth, employees' contributions to pension plans, when paid out as a part of a lump-sum distribution, is to be taxed as ordinary income; seventh, life interests are not to be accorded a cost basis when sold; eighth, casualty losses and gains are to be consolidated in determining whether they give rise to ordinary loss or to gain which is consolidated with other section 1231 gains or

losses; and ninth, transfers of franchises are not to be treated as giving rise to capital gains if the transferor retains significant rights.

24. *Real estate depreciation.*—Real estate depreciation is revised in several respects. The 200-percent declining balance (or sum-of-the-years-digits) method is limited to new housing; other new real estate is limited to 150-percent declining balance depreciation; and all used property is limited to straight line depreciation. However, 5-year amortization is allowed for certain rehabilitation expenditures on low-cost rental housing. Finally, the so-called recapture rules of present law, in the case of real estate, are revised so that they apply to depreciation in excess of straight line depreciation. In other words, upon the sale of property, depreciation in excess of straight line will be recaptured at that time by converting the capital gain to ordinary income to the extent of this excess.

25. *Cooperatives.*—The tax treatment of cooperatives is revised to require patronage dividends and per-unit retains to be revolved out over a period of no more than 15 years. In addition, the required cash payout in any year, on either current or prior years' patronage, must at least equal 50 percent of the amount of the current year's patronage (taking into account the 20 percent which under present law must be paid in cash on the current patronage).

26. *Subchapter S corporations.*—In the case of subchapter S corporations (that is, the corporations treated somewhat like partnerships) amounts set aside under qualified pension plans for shareholder-employee beneficiaries may not exceed 10 percent of the compensation paid or $2,500, whichever is smaller.

27. *State and municipal bonds.*—State and local governmental units are given an opportunity to issue taxable obligations and in turn receive from the Federal Government a payment equal to between 30 and 40 percent of the interest yield of the bond (on issues brought out after 5 years, the payment will be between 25 and 40 percent). Additionally, the interest on so-called arbitrage bonds of State and local governments are denied Federal income-tax exemption.

II. EXTENSION OF SURCHARGE AND EXCISES, TERMINATION OF INVESTMENT CREDIT, AND CERTAIN AMORTIZATION PROVISIONS (CONTAINED IN H.R. 12290 BUT WHICH HAVE NOT YET PASSED THE SENATE, AND WHICH ARE IN H.R. 13270)

1. *Surcharge.*—The income-tax surcharge at a 5-percent rate is extended by this bill from January 1, 1970, through June 30, 1970.

2. *Excises.*—The present excise taxes on communications services and automobiles are extended for one more year and future reductions of these taxes are postponed.

3. *Investment Credit.*—The 7-percent investment credit is repealed.

4. *Pollution Control.*—Five-year amortization is provided for pollution control facilities.

5. *Railroad Rolling Stock.*—Seven-year amortization is provided for railroad rolling stock, other than locomotives.

III. ADJUSTMENTS OF TAX BURDEN FOR INDIVIDUALS

1. *Standard deduction and maximum standard deduction.*—Over a 3-year period the standard deduction is increased from 10 percent to 15 percent and the maximum standard deduction is increased from $1,000 to $2,000. This rate and amount are effective for 1972 and later years. In 1970 the percentage is 13 percent and the maximum, $1,400. In 1971 the percentage is 14 percent and the maximum, $1,700.

2. *Minimum standard deduction and low-income allowance.*—The minimum standard deduction is increased to a level of $1,100, by adding to the present minimum what is called a low-income allowance. This amount is phased out for the income levels above the taxable levels. This phaseout, however, is used for only 1 year. After 1970 the full $1,100 allowance will be available for all taxpayers whose standard deduction without regard to the minimum is not in excess of $1,100.

3. *Top rate on earned income.*—In the case of earned income, a maximum rate of tax of 50 percent is provided. This is a maximum marginal rate, with the result that no earned income will be taxed at a rate in excess of 50 percent.

4. *Tax treatment of single persons.*—Single persons, 35 years of age or more, and persons whose spouse has died, are provided income tax rates which are halfway between those available to married couples and those previously available to these single persons. This intermediate tax rate treatment is the category formerly known as head-of-household treatment. In addition, in the case of widows and widowers with dependent children, age 19 or less or attending school or college, full income splitting is to be available.

5. *Rates.*—In 1971 and 1972 tax rate reductions aggregating slightly over $1 billion in each year are provided. The 1972 rates provide slightly over a 5-percent reduction for those whose income levels are above the levels where the low-income allowance and increase in the standard deduction provide substantially greater reductions.

NOTE.—For a complete description of the provisions referred to above, reference must be made to the committee report to accompany H.R. 13270, namely, House Report 91-413.

PRESIDENT NIXON'S TAX-SHARING PROPOSAL

Mr. BAKER. Mr. President, we have today received from President Nixon a message recommending a plan of revenue sharing which will require the regular distribution of a specified portion of the Federal income tax to the States primarily on the basis of population with virtually no conditions attached.

As I understand the President's proposal, it contains the following four major elements:

First, the amount of moneys to be shared will be a stated percentage of personal taxable income with one-third of 1 percent of personal taxable income to be appropriated for the second half of fiscal year 1971. Thereafter, the rate will escalate until it reaches 1 percent of personal taxable income for fiscal year 1976, providing a yield of about $5 billion.

Second, the funds will be distributed from the Federal Treasury to the 50 States and the District of Columbia with each State receiving an amount based on its share of the national population adjusted by the State's own revenue effort. The revenue effort factor will be computed as the sum of all State and local general revenue, divided by personal income in that State, divided by the national average of such a revenue-income ratio. The net result of the application of this formula to available funds will provide some premium to those States that exercise their best efforts to provide for their own requirements and also some premium to those States that have a greater fiscal need.

Third, a portion of the money allocated to each State will be required to be distributed to all general purpose local governments. The amount that must be distributed to local governments will be the proportion of locally raised general revenues compared to total State and local revenues, and the amount which an individual unit of general local government will receive is that percentage of the total local share that its own revenues bear to the total of all local government revenues in the State.

Fourth, the States and their local entities will be given virtually complete freedom in the use of their tax shares except for the usual public auditing, accounting, and reporting requirements on all public funds.

Mr. President, I shall enthusiastically and energetically support this revenue-sharing plan. During my 1966 Senate campaign I advocated the enactment of such a proposal and in the 89th Congress I introduced a bill to this effect. On March 24 of this year I introduced S. 1634, the Tax Sharing Act of 1969, a modified version of the 1967 bill. This proposal was under the cosponsorship of Senators BELLMON, COOK, COOPER, COTTON, DOLE, DOMINICK, FANNIN, GOODELL, GRIFFIN, GURNEY, HANSEN, JAVITS, JORDAN of Idaho, MURPHY, PACKWOOD, PEARSON, PERCY, SCOTT, THURMOND, and TOWER. Identical measures have also been submitted in the House of Representatives by Congressmen CAHILL, BUSH, POLLOCK, CUNNINGHAM and PODELL. The revenue-sharing plan incorporated in S. 1634 contains virtually identical provisions to the proposal recommended today by the President. Accordingly, I am most hopeful that when the administration's bill is introduced, the House Ways and Means Committee and the Senate Finance Committee will hold early hearings and take prompt action to establish the concept of tax sharing.

Congress must, in my judgment, take this action to establish a more efficient delivery system for rapidly proliferating Federal assistance. It is imperative that we create a delivery system with a greater degree of flexibility by moving away from complete reliance on particularistic Federal grant-in-aid instruments and by adopting approaches which seek to strengthen the political structure and enhance the responsiveness of American federalism. This can best be achieved, as the Advisory Commission on Intergovernmental Relations has recommended, by the establishment of a combination of Federal tax-sharing and general functional bloc grants, along with Federal categorical grants-in-aid.

Underlying my firm support for the concept of tax sharing is the basic conviction that strong and financially viable State and local governments are essential not only to a healthy federalism, but also to the best possible performance of governmental services. Dr. Walter W. Heller has stated this thesis cogently:

> In part, this simply expresses the traditional faith in pluralism and decentralization, diversity, innovation, and experimentation. For those who lack that faith—for died-in-the-wool Hamiltonians and for those who believe that the states are bound to wither away—there can be little attraction in revenue sharing or other instruments relying heavily on local discretion and decision.
>
> Yet, apart from the philosophic virtues of federalism, all of us have a direct stake in the financial health of state-local governments for the simple reason that they perform the

bulk of essential civilian services in the country.

The enactment of a revenue sharing measure would thus recognize a substantial role for the States and would provide a broad scope for decentralized decisionmaking. If the benefits of American diversity are to be exploited and enhanced, then the Federal Government must aid in creating a fiscal environment that will enable States and localities to exercise wide latitude in determining their own priorities and solving their own problems.

In my judgment, the enactment of tax sharing would relieve the intense fiscal pressures on State and local governments. It would serve the tradition of federalism by instilling in State and local governments a new vitality and independence. It would reverse the regressive tendency in the Federal-State-local tax structure. It would enable the economically poorer States to upgrade the quality of their essential civilian services.

For all these reasons, I urge adoption of the President's recommendation on revenue sharing.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

FEDERAL ASSISTANCE TO STATES AND LOCALITIES; MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91–148)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was referred to the Committee on Finance:

To the Congress of the United States:

If there is a single phenomenon that has marked the recent history of nations, large and small, democratic and dictatorial, it has been rise of the central government.

In the United States, revenues of the Federal government have increased ninety-fold in thirty-six years. The areas of our national life where the Federal government has become a dominant force have multiplied.

The flow of power from the cities and States to Washington accelerated in the Depression years, when economic life in America stagnated, and an energetic national government seemed the sole instrument of national revival. World War II brought another and necessary expansion of the Federal government to marshal the nation's energies to wage war on two sides of the world.

When the war ended, it appeared as though the tide would be reversed. But the onset of the cold war, the needs of a defeated and prostrate Europe, the growing danger and then the reality of conflict in Asia, and later, the great social demands made upon the Federal government by millions of citizens, guaranteed the continued rapid growth and expansion of Federal power.

Today, however, a majority of Americans no longer supports the continued extension of federal services. The momentum for federal expansion has passed its peak; a process of deceleration is setting in.

The cause can be found in the record of the last half decade. In the last five years the Federal government enacted scores of new Federal programs; it added tens of thousands of new employees to the Federal payrolls; it spent tens of billions of dollars in new funds to heal the grave social ills of rural and urban America. No previous half decade had witnessed domestic Federal spending on such a scale. Yet, despite the enormous Federal commitment in new men, new ideas and new dollars from Washington, it was during this very period in our history that the problems of the cities deepened rapidly into crises.

The problems of the cities and the countryside stubbornly resisted the solutions of Washington; and the stature of the Federal government as America's great instrument of social progress has suffered accordingly—all the more so because the Federal government promised so much and delivered so little. This loss of faith in the power and efficacy of the Federal government has had at least one positive impact upon the American people. More and more, they are turning away from the central government to their local and State governments to deal with their local and State problems.

As the Federal government grew in size and power, it became increasingly remote not only from the problems it was supposed to solve, but from the people it was supposed to serve. For more than three decades, whenever a great social change was needed, a new national program was the automatic and inevitable response. Power and responsibility flowed in greater and greater measure from the state capitals to the national capital.

Furthermore, we have hampered the effectiveness of local government by constructing a Federal grant-in-aid system of staggering complexity and diversity. Many of us question the efficiency of this intergovernmental financial system which is based on the Federal categorical grant. Its growth since the end of 1962 has been near explosive. Then there were 53 formula grant and 107 project grant authorizations—a total of 160. Four years later on January 1, 1967, there were 379 such grant authorizations.

While effective in many instances, this rapid growth in Federal grants has been accompanied by:

—Overlapping programs at the State and local level.
—Distortion of State and local budgets.
—Increased administrative costs.
—Program delay and uncertainty.
—A decline in the authority and responsibility of chief executives, as grants have become tied to functional bureaucracies.
—Creation of new and frequently competitive state and local governmental institutions.

Another inevitable result of this proliferation of Federal programs has been a gathering of the reins of power in Washington. Experience has taught us that this is neither the most efficient nor effective way to govern; certainly it represents a radical departure from the vision of Federal-State relations the nation's founders had in mind.

This Administration brought into office both a commitment and a mandate to reverse the trend of the last three decades—a determination to test new engines of social progress. We are committed to enlist the full potential of the private sector, the full potential of the voluntary sector and the full potential of the levels of government closer to the people.

This week, I am sending to Congress for its approval for Fiscal Year 1971, legislation asking that a set amount of Federal revenues be returned annually to the States to be used as the States and their local governments see fit—without Federal strings.

Because of budget stringencies, the initial fund set aside to start the program will not be great—$500 million. The role of the Federal government will be redefined and re-directed. But it is my intention to augment this fund annually in the coming years so that in the Fiscal Year beginning in mid-1975, $5 billion in Federal revenues will be returned to the States without Federal strings. Ultimately, it is our hope to use this mechanism to so strengthen State and local government that by the end of the coming decade, the political landscape of America will be visibly altered, and States and cities will have a far greater share of power and responsibility for solving their own problems. The role of the Federal Government will be re-defined and re-directed toward those functions where it proves itself the only or the most suitable instrument.

The fiscal case for Federal assistance to States and localities is a strong one. Under our current budget structure, Federal revenues are likely to increase faster than the national economy. At the local level, the reverse is true. State and local revenues, based heavily on sales and property taxes, do not keep pace with economic growth, while expenditures at the local level tend to exceed such growth. The result is a "fiscal mismatch," with potential Federal surpluses and local deficits.

The details of this revenue sharing program were developed after close consultation with members of the Congress, governors, mayors, and county officials. It represents a successful effort to combine the desirable features of simplicity and equity with a need to channel funds where they are most urgently needed and efficiently employable.

The program can best be described by reviewing its four major elements.

First, the size of the total fund to be shared will be a stated percentage of personal taxable income—the base on which Federal individual income taxes are levied. For the second half of Fiscal Year 1971, this will be one-third of one percent of personal taxable income; for subsequent fiscal years this percentage will rise to a regular constant figure. In order to provide for the assured flow of Federal funds, a permanent appropria-

tion will be authorized and established for the Treasury Department, from which will be automatically disbursed each year an amount corresponding to the stipulated percentage.

Second, the allocation of the total annual fund among the 50 States and the District of Columbia will be made on the basis of each State's share of national population, adjusted for the State's revenue effort.

The revenue effort adjustment is designed to provide the States with some incentive to maintain (and even expand) their efforts to use their own tax resources to meet their needs. A simple adjustment along these lines would provide a state whose revenue effort is above the national average with a bonus above its basic per capita portion of revenue sharing.

Third, the allocation of a State's share among its general units of local government will be established by prescribed formula. The total amount a State will share with all its general political subdivisions is based on the relative roles of State and local financing in each State. The amount which an individual unit of general local government will receive is based on its share of total local government revenue raised in the State.

Several points should be noted about these provisions for distribution of a State's portion of revenue sharing.

—The distribution will be made by the State.

—The provisions make allowance for State-by-State variations and would tend to be neutral with respect to the current relative fiscal importance of State and local governments in each State.

—In order to provide local flexibility, each State is authorized to develop an alternative distribution plan, working with its local governments.

Fourth, administrative requirements are kept at a minimum. Each State will meet simple reporting and accounting requirements.

While it is not possible to specify for what functions these Federally shared funds will provide—the purpose of this program being to leave such allocation decisions up to the recipient units of government—an analysis of existing State and local budgets can provide substantial clues. Thus, one can reasonably expect that education, which consistently takes over two-fifths of all state and local general revenues, will be the major beneficiary of these new funds. Another possible area for employment of shared funds, one most consistent with the spirit of this program, would be for intergovernmental cooperation efforts.

This proposal marks a turning point in Federal-State relations, the beginning of decentralization of governmental power, the restoration of a rightful balance between the State capitals and the national capital.

Our ultimate purposes are many: To restore to the States their proper rights and roles in the Federal system with a new emphasis on and help for local responsiveness; to provide both the encouragement and the necessary resources for local and State officials to exercise leadership in solving their own problems; to narrow the distance between people and the government agencies dealing with their problems; to restore strength and vigor to local and State governments; to shift the balance of political power away from Washington and back to the country and the people.

This tax-sharing proposal was pledged in the campaign; it has long been a part of the platform of many men in my own political party—and men in the other party as well. It is integrally related to the national welfare reform. Through these twin approaches we hope to relieve the fiscal crisis of the hard-pressed State and local governments and to assist millions of Americans out of poverty and into productivity.

RICHARD NIXON.

THE WHITE HOUSE, *August 13, 1969.*

REPORT ON ANTIDUMPING—MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Finance:

To the Congress of the United States:

In accordance with Title II, section 201(b) of Public Law 90–634, I am pleased to submit the enclosed report for the period beginning on July 1, 1968, and ending on June 30, 1969, setting forth: (1) the texts of all determinations made by the Secretary of the Treasury and the United States Tariff Commission under the Antidumping Act, 1921, as amended, in that period; (2) an analysis with respect to each determination in that period of the manner in which the Antidumping Act, 1921, as amended, was administered to take into account the provisions of the International Antidumping Code; and (3) a summary of antidumping actions taken by other countries in that period against United States exports, relating such actions to the provisions of the International Antidumping Code.

I have no recommendations to make at this time concerning the administration of the Antidumping Act, 1921.

There are differences in language between the Antidumping Act, 1921, and the International Antidumping Code. The differences in language, when applied to the cases contained in this Report, have not affected the Treasury Department and the Tariff Commission in making their determinations under the Act. Obviously, the domestic law would take precedence over the International Antidumping Code in the event of an actual conflict. If this question should present any problem in the future, I shall submit a supplemental report to the Congress covering this matter.

RICHARD NIXON.

THE WHITE HOUSE, *August 13, 1969.*

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Foreign Relations.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 4813. An act to extend the provisions of the U.S. Fishing Fleet Improvement Act, as amended, and for other purposes;

H.R. 10420. An act to permit certain real property in the State of Maryland to be used for highway purposes; and

H.R. 12982. An act to provide additional revenue for the District of Columbia, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 742. An act to amend the Act of June 12, 1948 (62 Stat. 382), in order to provide for the construction, operation, and maintenance of the Kennewick division extension, Yakima project, Washington, and for other purposes;

H.R. 1707. An act for the relief of Miss Jalileh Farah Salameh El Ahwal;

H.R. 5107. An act for the relief of Miss Maria Mosio;

H.R. 8136. An act for the relief of Anthony Smilko; and

H.R. 10107. An act to continue for a temporary period the existing suspension of duty on certain istle and the existing interest equalization tax.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 4813. An act to extend the provisions of the U.S. Fishing Fleet Improvement Act, as amended, and for other purposes; to the Committee on Commerce.

H.R. 10420. An act to permit certain real property in the State of Maryland to be used for highway purposes; to the Committee on Armed Services.

H.R. 12982. An act to provide additional revenue for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A PERCEPTIVE VIEW OF THE ABM CONTROVERSY

Mr. MILLER. Mr. President, the distinguished and knowledgeable columnist, Richard Wilson, has an article in the August 11 edition of the Washington Evening Star which merits the reading and thoughtful attention of all who are concerned over the future security of our country.

Mr. Wilson perceptively analyzes the controversy which has been raging in the Senate over the ABM and other aspects of the pending military procurement authorization bill. He well points out the emotionalism, factual oversight, and lack of statesmanship which have char-

acterized some of the tactics and appeals by the so-called opponents.

Unlike some other members of the press who have aided and abetted such conduct, Mr. Wilson's sharp pen and keen insight call attention to what is really going on, and the ominous implications for our country's future.

This is journalism at its best, and Mr. Wilson deserves the highest of praise for the service he has rendered to the public.

I ask unanimous consent that the article, with deletions noted in accordance with senatorial courtesy, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ABM ISSUE ILLUSTRATES AMERICA'S EMOTIONALISM

(By Richard Wilson)

A vivid illustration was provided by the U.S. Senate on the ABM issue of how shaky and risky the making of critical national decisions has become in this age of protest and demonstration.

The group of men who undermined public support of the Vietnam war and drove Lyndon Johnson from the presidency very nearly tied the hands of President Nixon in providing for the defense of the United States.

Leaving aside the merits of the ABM issue, the methods employed by Nixon's opposition were alarming in advanced degree. If this is to be the pattern of the future, the defense of this country may turn upon tricky parliamentary maneuver and emotional pacifism spurred by New Left cliches in the mouths of peaceniks.

It was all the more appalling that otherwise sincere and dedicated senators would lay aside what they had previously stood for in a last-minute maneuver of desperation to gain the vote of Margaret Chase Smith of Maine.

With her vote the ABM opponents thought they might conceivably win and send ringing through the Pentagon the chilling notice that politicians in the U.S. Senate were taking over the decision-making process on the kind of complicated weapons systems needed for the nation's defense.

The maneuver did not succeed, but it easily might have with just one more vote for the misleading and imprecise Smith amendment which would have junked the Safeguard system proposed by Nixon.

The scene on the Senate floor was not reassuring. A quickly scribbled revision of Senator Smith's proposal to satisfy her and meet the requirements of other ABM opponents . . . the scurrying about to get the last possible vote while the roll call was slowed down . . . the dissembling and outright deception about what the Smith amendment meant. All that was redolent of the parliamentary chicanery that might have to be accepted as part of the democratic system on less critical issues.

But this issue is whether or not the United States can survive attack by the Soviet Union's now equal nuclear striking power. The opposition saw the issue mostly in terms of blowing the whistle on the Pentagon and the military-industrial complex so that [various senators] and other like-minded men, can impose upon the Nixon Administration their concepts of national priorities and foreign policy.

They are supposed to be responding to the national mood for harnessing the Pentagon but what they are doing is attempting to grasp control of national security policy on the basis of their ideas about our safety and getting along with Russia and the rest of the world. They are proceeding on a rapid course of disengagement and isolationism. Nixon is not moving fast enough for them.

It is to be doubted if they are representing a national mood which exists. The polls do not show it exists. The House of Representatives, which is more representative of the national mood than the Senate, does not reflect the imagined revolt against the Pentagon and the military-industrial complex.

The opponents of advanced weapons systems are now failing to make an essential distinction. This distinction is between waste, blundering and mismanagement in the Pentagon, which is indefensible, and the critical decisions which sometimes must be made insecurely on the kind of weapons systems essential to defense. The big waste on the TFX plane is often cited as an example of Pentagon mistakes which must be prevented in the future. This is a precise example of the distinction ABM opponents fail to make. The TFX aircraft was unanimously opposed by the Joint Chiefs of Staff. It was imposed upon them by the civilian authority of Robert S. McNamara and John F. Kennedy.

In the present case, the Senate instead of McNamara is trying to override the combined expert judgment of the military leadership.

The chances are that Congress will now go ahead and approve the $20 billion for military weapons in the defense authorization bill without much further trouble.

But the experience with ABM leaves a sense of foreboding about the future of American policy as it is exposed to recurrent waves of emotionalism. It is not easy to say how such important decisions can otherwise be made. But in this case it is not hard to agree with George Bernard Shaw that you do not have to be able to lay an egg to know when one is rotten.

THE SITUATION TODAY IN CZECHOSLOVAKIA

Mr. DOMINICK. Mr. President, beginning on July 27, 1969, the Washington Evening Star published a series of five articles written by a very competent correspondent, Smith Hempstone, European correspondent for the Star, commenting on what has been going on in Czechoslovakia during his recent tour of that country.

Since we have been discussing the problems that we face in this country, in connection with potential threats from some of our Communist opponents, it strikes me that this series of articles, commenting on life today in Czechoslovakia after the Soviet invasion of that country, is particularly pertinent.

I therefore ask unanimous consent that the five articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, July 27, 1969]

ANATOMY OF DESPAIR—1: CZECH LIFE OFFERS ONLY A GLIMMER OF HOPE

(NOTE.—This is the first of a five-part series by Smith Hempstone, who took a 1,300-mile drive around Czechoslovakia, including visits to major cities in Slovakia, Moravia and Bohemia.)

PRAGUE.—The distance between the Austrian and Czechoslovakian border checkpoint at Bratislava is only 100 yards. But on leaving Austria, you sense immediately that you are passing from an imperfect but hopeful world into one in which hope withers.

On the Austrian side, the formalities are perfunctory, brisk and informal, and can be accomplished almost while shifting the car's gears.

On the Czechoslovak side, there are the border guards festooned with tommy-guns, the crowds of people trying to get in or out of the country, the blank-eyed policemen with their crimson shoulder-boards and the snarl of red-tape so typical of "people's paradises."

The next mandatory stop is the foreign exchange window. Visitors are not allowed to take Czechoslovak crowns in or out of the country.

The teller explains that, since your visa is for 10 days, you must change a minimum of $30 in hard currency into crowns. This transaction and all subsequent ones are entered into the currency form which each visitor surrenders on leaving Czechoslovakia.

The next stop is customs. The inspection is not as bad as in East Germany, where the state is reduced to pushing a wheeled mirror under the cars of departing visitors to ensure that none of its citizens are clinging to the chassis.

Then it's across the Danube bridge and into Bratislava, the capital of Slovakia and Czechoslovakia's third largest city (pop. 275,000).

The city in the days of the Austro-Hungarian empire was known as Pressburg, and Napoleon, after his great victory over the Russians and Austrians at Austerlitz, imposed a humiliating peace there.

It is a little surprising to find St. Martin's Cathedral open at midday: The state regulates the hours during which church doors may be open and priests must work at regular jobs lest they be condemned as social parasites.

A group of dark, raggedly clothed and very dirty gypsy children (230,000 of Czechoslovakia's 260,000 gypsies roam Slovakia) are gathered around a nun.

The gothic interior of the cathedral is very dark and it exudes an odor of great age, dampness and permanency. A few coins dropped in an offering box echo hollowly. There are posters asking alms for relief in Biafra.

Outside, it is hot and the twisting cobbled streets are empty. A visitor goes to the terrace of the Hotel Devin in search of a beer. The waitress speaks no German, although Austria is just across the river. Desperation prods the middle-aged memory: pivo is the word for beer in both Czech and Slovak.

A young man, having seen the Austrian plates on my rented Volkswagen, comes up and speaks in German.

"I'm American," I reply.

"You want to change money?" he says in English, offering 40 crowns to the dollar (16 is the tourist rate).

"No." It is too risky, but one feels a little guilty about turning down a youngster who has chosen freedom.

It turns out he is a Turk who has lived within half a mile of my London home. He shows me his passport. He comes often to Czechoslovakia because it is cheap and, as he says, "for the girls."

The narrow road to Zvolen, where Russian Maj. Gen. Fedor Krivda has his headquarters, passes through Trnava, once called "the Slovak Rome" (it has lost its former preeminence) and Nitra, whose hilltop castle looks down, somewhat incongruously, on a crowded municipal swimming pool and tennis courts where aspiring Drobnys volley and lob.

Neither Gen. Krivda nor his troops are much in evidence at Zvolen, a somewhat untidy little town with a remarkably ugly castle in the basin of the Hron River.

The Polana Hotel is crowded and exudes the traditional smell of all Eastern European hostelries, regardless of class or age.

This odor seems to be composed of roughly equal parts of moulding plaster, disinfectant, stopped up drains and stewing meat. Oddly enough, it is not unpleasant once a person gets accustomed to it.

You carry your suitcase up to your room (there are porters only in luxury class ho-

tels), test the bed (no springs and very hard) and go to dinner.

Restaurants are few and generally full at meal times, hence one seldom experiences the luxury of a table to one's self. Perhaps because of this lack of privacy, people eat methodically in an almost unbroken silence. Nobody wears a necktie, scorned as the traditional badge of servitude of the bourgeoisie.

There are a few Czechoslovak soldiers in their tieless Eisenhower-jacket shirts of olive drab, but no Russians. And almost no girls.

In the morning, I drive 15 miles out of the way through the mountains to visit Kremnica, whose fortified cathedral is reputed to be the best preserved medieval structure in Slovakia. It is locked.

Some ill-kept 16th Century houses rim Kremnica's square, which is a tangle of weeds and shin-high grass. It seems that here, as elsewhere in Eastern Europe, the five-year plan cannot provide for both guns and lawn mowers.

At the market place in nearby Banska Bystrica, a one-armed man is selling cherries (30 cents, at the tourist rate of exchange, for two pounds).

Banska Bystrica was the center of the 1944 Slovak uprising against the retreating Nazis, in which both ousted party leader Alexander Dubcek and his successor, the hard-nosed Gustav Husak, fought.

The municipal museum contains a good display on the uprising, including an enlarged photograph of Husak as a young commissar.

Even then, before Novotny had imprisoned him, a hunted look flitted behind his eyes. But one's initial sympathy is deflected by the mouth, which is slack and twisted into a slight sneer, hinting at cruelty. There is no photograph of Dubcek, whose crudely painted name adorns a hundred walls across Slovakia.

The road to Kosice is long and winds through wind-swept valleys toward the plains of Hungary. Women are haying the fields by hand under darkening skies, and the sweet smell of freshly-cut grass is heavy with rain. Their husbands, lean, weathered men in sweat-stained shirts, drive the teams of horses which carry the hay to their barns.

In Kosice's St. Elizabeth's Cathedral, 30 people are waiting in line at the confessional. Although differences between Prague and the Vatican means that Slovakia now has only one aged bishop, one has the feeling that Catholicism will survive in Slovakia, where the church and patriotism are synonomous.

Outside, young people are eating ice cream out of the saucer-shaped "Cones" which some brilliant bureaucrat has decreed to be the only acceptable form in Eastern Europe; the operation requires both a muscular tongue and a receding chin if it is to be accomplished neatly.

A night at the so-called "luxury" hotel at Tatranska-Lomnica, perched in the rain-filled High Tatra Mountains.

In the morning the rain has stopped and vacationing couples, having met their work norms and passed the litmus test of party loyalty, are walking around Tatranska-Lomnica admiring the pine forests and searching for things to do or buy. Aside from grilling sausages and cheap souveniers, there appears to be little of either.

On the road leading down to the valley, I pass a motorcade in which President Ludvik Svoboda is traveling (he is hosting the Polish president and inspecting the facilities for an international skiing competition to be held here next year).

Svoboda, whose name means "freedom," looks old and tired, as surely he must be after the struggle to preserve what little is left of the Czechoslovaks' liberty. There are rumors that only his threat to resign has prevented Husak from fully endorsing the Russian occupation.

At Zilina, I turn north toward Ostrava, another Russian garrison town. The roads are terribly torn up with many detours, perhaps as the result of damage from Russian tanks. Some of the detours may be to divert travellers away from areas where the Russians are billeted.

Ostrava is a big industrial center, a grimy town over which hovers like an ugly questionmark a permanent cloud of smog. The factories, like the town squares of the smaller centers, have an untidy look about them, with debris and rusting machinery scattered everywhere.

A stop for the night at Frenstate (as one moves West, the skirts of the waitresses become decidedly minier, although not short enough to offend the most prudish Marxist sensibilities), and then on through Olomouc to Brno, the capital of Moravia, leaving the sweeping valleys of Slovakia behind.

Here the towns, although still depressing, have an air of settled permanency and purpose to them alien to the newer settlements of traditionally agricultural Slovakia. And the people gradually take on a different appearance: The wide Slavic faces begin to narrow and there are fewer children with hair the color of ripe wheat.

This is the bailiwick of Lubomir Strougal, the tough Communist party boss of the Czech lands of Bohemia and Moravia (historically a dissident area), and there had been trouble in both Olomouc and Brno. The truth often is in the eye of the believer, but the people here seem to avert their faces more, to turn inward on themselves.

It has been a cold summer and it is said that the farmers, to show their disapproval of the Husak regime, are sending their produce to market only reluctantly and in small quantities.

At Hradec Kralove's hotel restaurant (veal cutlet, dumpling and ersatz coffee again), I share a table with a middle aged Czech who speaks some English. But he obviously is not anxious to talk. He finishes his meal hurriedly, leaving half his beer; these are not the best of times to be seen with an American.

It is Sunday and the roads into Prague are clogged with the cars (nearly two years' salary for a working man) of Czechs who have come out into the country to buy vegetables, swim and forget about their troubles.

Prague outwardly has changed little since the Russian invasion 11 months ago. The most obvious difference is the facade of the National Museum on Wenceslas Square, which is badly chipped where the Russians sprayed it with machine gun fire when they first moved into town.

Czechs stand on the corners of the square and gaze up at the pock-marked building in silence. Somehow that wounded stone seems to mean much to them, if only because it shows that they did not submit willingly to the Kremlin's yoke.

There are no uniformed Russians on the streets of Prague.

Life goes on. The Czechs still troop to U Flecku for the 13 percent brown beer and the brass band. They still crowd their traditional puppet shows. They still trudge across the beautiful medieval Charles Bridge to gaze in silence at the tombs of the Kings of Bohemia in Hradcany Castle, above the pensive Vltava.

But things have changed in nuance and tone. Many people who one once knew are not to be found. They have either fled West or lost their jobs; their successors are vague as to their whereabouts. Of those still around, some are understandably reluctant to talk freely and others know nothing. The press is gagged and the well springs of information have dried up.

There are long lines outside the Western embassies of Czechs wanting tourist visas. The government has given them exit permits in the probably vain gamble that permitting this much freedom will entice some of the 40,000 urgently needed technicians who have fled the country since last August to return.

The people of Czechoslovakia have little enough to smile about.

Because they have the misfortune to live at the very heart of Europe, they have been overrun a score of times down through the centuries, starting with the Romans and ending with the Nazis. Now they have the Russians, and a regime which will do the Russians' bidding. They will endure both unsmilingly because they must.

Despair is the mood of the moment, and this is a time of private grief for every man. But another day will come, if not for this generation then perhaps for the next.

The Czechs and Slovaks are realists and they know this is a slim, perhaps illusionary hope. But it is the only one they have.

And they nurture it like the small flames of the candles which flicker eternally amidst the flowers in front of the statues of King Wenceslas and Jan Hus, honoring those who fell defending the dream of freedom.

[From the Washington (D.C.) Evening Star, July 28, 1969]

AN ANATOMY OF DESPAIR—2: CZECHS STEPPING UP PURGES

(By Smith Hempstone)

PRAGUE.—As the first anniversary of the Russian invasion of Czechoslovakia approaches, the Kremlin-backed purge of Czech and Slovak liberals is being intensified.

Although there have been few if any imprisonments for political belief, hundreds of reformist politicians, journalists and writers—from former party leader Alexander Dubcek on down—have been demoted, transferred or have fled the country.

Prime Minister Oldrich Cernik, at best only a moderate rather than a progressive, could be the next to go.

And there are signs that the witchhunt soon will be widened to include teachers, trade union leaders and army officers.

Meanwhile, the exodus from the country has reached such mammoth proportions that Cedok, the official government tourist agency, announced in early July that Western European embassies in Prague no longer could keep up with the flood of applications for tourist visas.

Most of those who go abroad now may well return; many just want a last look at the West before the door slams. But others unquestionably will take the painful decision to turn their backs on their native land, particularly in view of the way things are shaping up here now.

Gravel-voiced party leader Gustav Husak, who displaced the popular Dubcek on April 17, put his regime's policy clearly in a speech at Ostrava when he warned that for those who reject his stern diktats "there is unfortunately no place in our party and we shall have to part."

That parting has begun and is accelerating daily. On May 19, the official party weekly Zivot Strany revealed that 21,050 Czechoslovaks had resigned from the Communist party or had their memberships lifted in the first quarter of this year.

The 4,035 new members admitted during the same period was the lowest number for any quarter since the grim Stalinist days of 1952, leaving party membership at 1,650,587 (out of a total population of 14 million) on April 1.

Since salary-levels and promotion prospects are directly tied to party membership, one's card is not a thing to be given up lightly.

This shrinkage in party membership is not a matter of concern to either the Kremlin or to the more rigidly pro-Russian members of the Husak regime.

The notorious Milos Jakes, the 46-year-old former electrician who is chairman of the party's Central Control and Auditing

Commission (and thus Husak's chief ideological inquisitor), declared in May that there is no room within the party "for those who openly speak against its policies."

Both Moscow and men of Jakes' stamp feel that a mass-based party is more trouble than it is worth. They reportedly are willing to see membership reduced by as much as a third to make the party easier to control and manipulate.

Cernik could be one of the next to lose his post, although unlike former Presidium-member Frantisek Kriegel, he will retain his party membership unless he chooses to contest his dismissal.

With President Ludvik Svoboda, Dubcek, and former National Assembly President Josef Smrkovsky, Cernik was one of the "Big Four" who directed the political liberalization halted by the Russian invasion last August.

Dubcek and Smrkovsky since have been demoted. Svoboda still is of use to the regime, since he provides it with at least a facade of respectability not enhanced by the presence of 70,000 Russian troops. But Cernik, who lacks the popular appeal of the other three men (he was roundly booed at a Prague soccer game recently), is highly vulnerable and appears unlikely to last the year.

It has become clear in recent weeks that the purge now being implemented within the party by more than 2,000 local control boards, soon will be extended to all aspects of national life.

New and more compliant party organizations already have been installed in every Czechoslovak city from Prague to Kosice.

Presidium-member Lubomir Strougal, who is Husak's gauleiter in Bohemia and Moravia, warned recently that "from the top (Cernik?) to the bottom of party organizations there must be comrades in leading positions who have correctly assessed the political situation."

That means comrades who have kept their bets on the Russian horse.

Strougal, who is even tougher than Husak (whom he may one day displace), in the same speech complained that "the mass information media are not actively helping us."

He predicted that this lack of enthusiasm for the party's leadership and policies will result in "cadre changes"—a Communist euphemism for mass firings—among journalists.

Scab newspaper editors have in fact already been found to replace those who showed themselves willing to accept censorship but refused to write precisely what they were told.

More and more journalists, according to one Czech newspaperman, have seen the writing on the prison wall and are seeking refuge in "less exposed" work such as public relations or employment on technical journals.

The Czech witchhunter next turned his attention to teachers who are "poisoning the minds of our children with anti-Sovietism and nationalism." Strougal warned that the Husak regime will not take this "lying down."

And indeed it hasn't: In announcing that disruptive elements" will be cleared away "as dirty foam," he singled out for his displeasure the defiant trade unions, accusing them of "moving in high politics" and warning that "we cannot allow the trade unions to be turned into an opposition party."

If the workers themselves were not quick to fall into line, the union "leaders" imposed upon them from above immediately got the message.

Only the next day, Vlastimil Toman, chairman of the central committee of the Czech Metalworkers' Union, which has been the vanguard of resistance to "normalization," conceded that "the most important problems of the life of society can be solved only through the party."

Speaking the same day to Czechoslovak army officers of June the government disbanded the 60-member Czech Students' Union for refusing to join the Communist-controlled National Front.

In his Ostrava speech Husak was no less implacable, warn * * * the Western Military Zone, Alois Indra, one of the most notorious of the pro-Soviet quislings, warned that Dubcek's progressives in their activities "have not avoided the armed forces."

Indra, who once was the official Russian candidate to succeed Dubcek (Husak is a conservative Communist but a strong nationalist), warned that only officers who are "ideologically firm" should be allowed in the army.

In addition to being a possible harbinger of a general urge within the army, Indra's fulmination was seen here as a direct attack on the popular Col. Emil Zatopek, the former Olympic track gold medalist and outspoken advocate of reform.

Zatopek has been suspended from duty "until his case has been investigated."

The net effect of these moves, and of those planned but not yet announced, is to place liberals, socialists and progressive Communists under almost intolerable pressure.

They have three options. They can flee, as 40,000 others have, saving themselves and their families but abandoning their country.

They can leave the party with clean hands, remaining in Czechoslovakia while handing over power to the most retrograde elements within the party.

Or they can stay within the party for as long as possible, which means associating themselves with oppressive policies as the price of retaining at least for the moment the slender possibility of contesting and exposing those policies.

With Czechoslovakia's few remaining freedoms eroding daily before the Stalinist tide, the choice is not an easy one and can be made only by the men involved.

[From the Washington (D.C.) Evening Star, July 29, 1969]

ANATOMY OF DESPAIR—3: STROUGAL IS MOST FEARED IN PRAGUE

(By Smith Hempstone)

VESELI NAD LUZNICI.—The most feared man in Prague today is not tough-talking Communist party boss Gustav Husak but his 45-year-old deputy, Lubomir Strougal, whom many fear will be Husak's successor.

Going for him Strougal has the sine qua non for survival and success in the jungle of Communist politics—toughness coupled with the chameleon's ability to match his colors to those of the winning side.

A short, muscular lawyer with a Barry Goldwater jaw, unparted hair combed straight back in the traditional Slavic style and cold, unblinking eyes framed by horn-rimmed glasses, Strougal without question is the most notorious son of the hamlet of Veseli nad Luznici, a crossroads amidst the peat bogs northwest of the metropolis of Ceske Budejovice.

Born in this southern Bohemian podunk near the Austrian border on Oct. 24, 1924, Strougal celebrated his 21st birthday by joining the Communist party.

It almost certainly is not without significance that 1945 was the year Russian tanks rolled into Czechoslovakia on the heels of the retreating Germans: Strougal always knew a winner when he saw one.

REGIONAL BOSS

After graduating with a law degree from Prague's Charles University in 1949 (the year after the Communists seized absolute power in Czechoslovakia), Strougal went to work for the party and quickly became boss of his native region.

It is indicative of the affection with which his former neighbors regard Strougal that in recent weeks party organs have been complaining regularly about the level of anti-state activity in the Ceske Budejovice area.

But then not even Strougal ever claimed that to know him was to love him.

In 1958, he was elected to the party central committee and the following year, at age 35, was named minister of agriculture and appointed to the powerful party secretariat.

NOVOTNY SERVANT

Strougal was no ball of fire as minister of agriculture. But that was less important than the fact that he showed himself to be a loyal servant of detested Communist party leader Antonin Novotny.

When in 1961 Novotny was looking for someone to take over as minister of interior (top cop) from a dangerous rival, Rudolf Marak, whom Novotny had jailed on trumped-up charges of fraud, Strougal was Lubomir-on-the-spot.

The Czechs by then had developed that wry sense of humor that is their principal shield against despair. The joke current in Prague at the time was that, since there had been a shortage of potatoes while Strougal was minister of agriculture, perhaps there would be a shortage of police now that he had moved to interior.

That hope proved a trifle sanguine (one of those languishing in a Czech prison while he was the country's jailer: present party boss Husak).

In 1965, as Novotny came under increasing pressure within the party, he moved Strougal back into the party apparatus as central committee secretary and chairman of the subcommittee on legal questions.

MENTOR ABANDONED

With Novotny's political ship sinking in 1967, Strougal, whose adroitness always has exceeded his loyalty, abandoned his mentor to adopt a more moderate pose.

Although his support of the dictator cost him his position as party secretary in April of last year after Novotny's fall, Strougal had switched sides in time to be appointed a deputy prime minister in party leader Alexander Dubcek's reformist regime, which also named him chairman of the National Economic Council.

Although it is not entirely Strougal's fault, the Czechoslovak economy could not be in worse shape than it is today.

While working with the architects of Prague's "spring of freedom," Strougal, perhaps sensing the inevitability of Russian intervention, began covering his tracks by avoiding becoming too closely identified with the liberals.

CONSTANT WARNINGS

He constantly warned against the dangers of antagonizing the Kremlin of allowing party discipline to slacken, and of permitting a free press to flower.

It is impossible to say at this juncture just how closely Strougal collaborated in the invasion of his country by the Russians. But it is certain that in the 11 months of the occupation he has given total support to the Soviet presence and led with alacrity the witchhunt against Czech nationalists, democrats and progressive Communists.

His rise since the invasion has been meteoric. At last November's plenary meeting of the Central Committee, he gave up his largely decorative deputy premiership to become, simultaneously, a member of the ruling 11-member Presidium and of its even tighter executive committee, Central Committee secretary, and boss of the party's newly-created Czech Bureau.

This last post makes him virtually undisputed ruler of the 10 million inhabitants of the Czech lands of Bohemia and Moravia.

HUSAK A SLOVAK

The power inherent in this position is enhanced by the fact that Husak, his only superior within the party, is a Slovak ill at

ease in Bohemia and Moravia and without a personal powerbase in this vital area.

On May 3 Strougal crowned his rise toward total power through his formal appointment to the unprecedented post of deputy party secretary.

Strougal has used his multiple positions in the classical Communist fashion to consolidate his personal power by eliminating opponents and opposition groups one by one.

He has replaced moderates with his henchmen throughout Bohemia and Moravia, ousted the entire progressive leadership of the key Prague city Communist party organization, and had himself (on July 7) proclaimed commander of the paramilitary People's Militia in the Czech lands.

DISSENT RULED OUT

Having "cleansed" the party apparatus, Strougal in recent weeks has turned his attention to students, teachers and the press. His message always is the same: There is no room for dissent; either conform or get out.

To achieve absolute power, Strougal now has only to eliminate Husak. He appears to be in no hurry. With the economy in chaos, the people restive and such conditional moderate support as Husak once had rapidly evaporating, Strougal can afford to play a waiting game, perhaps until after next year's plenary session of the Central Committee.

Strougal has been close to the center of power for too long not to appreciate the dangers of premature ambition and precipitous action.

There are, after all, other and even more detestable Stalinists such as party secretaries Vasil Bilak (international affairs) and Alois Indra (state organizations) to be won over or neutralized.

Strougal realizes that an unsuccessful attempt to oust Husak could cost him all that he has achieved. But any man who can work for 24 years within an Eastern European Communist party without spending a night in jail has demonstrated both an amazing lack of personal integrity and a remarkable instinct for survival.

At 45, Lubomir Strougal has come a long way from the peat bogs of Veseli nad Luznici. He can be relied upon to keep his cool until there's room at the top.

[From the Washington (D.C.) Evening Star, July 30, 1969]

ANATOMY OF DESPAIR—4: OUTLOOK FOR CZECH ECONOMY GLOOMY

(By Smith Hempstone)

BRATISLAVA.—The ousted Dubcek regime's stalled program of economic reform and the pressures of the continuing Russian occupation spell gloomy economic news for Czechoslovakia.

A shortage of consumer goods and the failure of productivity to keep up with wage increases have resulted in a galloping inflation which the government hopes to dampen.

The austerity package imposed by the Husak regime May 14 raised prices of such staples as canned meat (41 percent), frozen foods (34 percent) and ersatz (an almost undrinkable) coffee (39 percent). Most other items, food and consumer goods alike, went up between 6 percent and 58 percent.

Even at these inflated prices, Czechoslovakia's wheezing factories cannot come close to meeting demand, with an estimated shortage this year of 100,000 radios, 30,000 television sets and of most other consumer goods ranging from motorcycles to irons.

Farmers, aware of the declining value of paper money, are tending to withhold produce from the market, creating shortages in the cities of everything from beef to lettuce.

Unable to put their money into housing (of which there is an acute shortage) or durable goods, many Czechoslovaks are anxious to have one last fling in the West (one Western embassy reportedly is deluged with 4,000 applications a day for tourist visas) or to convert it into hard currency as a hedge against even harder days which may lie ahead.

To meet this demand for convertible currency, a brisk black market (despite periodic police sweeps) exists, with any Western currency commanding three times its official value.

The shortage of automobiles is one which most riles many middle class Czechoslovaks. More than 270,000 people are on waiting lists to buy cars, with delays of two and three years not unusual.

In an attempt to sop up some of this buying power, the government last month created a priority list designed to cut the waiting time for people willing to pay more than double the "normal" price.

On the "fast" list, a tiny Fiat built under license in Russia costs $4,300, nearly four years' wages for the average working man here. If comparable prices applied in the United States, a Chevrolet compact would cost more than $30,000.

To try to meet the demand at even these sky-high prices, Czechoslovakia on July 4 signed an agreement under which the Russians between 1971 and 1975 will sell Prague 110,000 Fiats and 90,000 other passenger cars.

Earlier this month, Premier Stanislav Razl admitted to the Czech parliament that "extraordinary difficulties in the national economy continue to exist."

Razl put his finger on one important aspect of the problem when he conceded that "difficulties in the national economy retard the progress of political consolidation; on the other hand, political phenomena which impede this consolidation hinder the carrying out of rational economic solutions."

INTEREST WANES

That is another way of saying that the Russian occupation and the substitution of the hard-nosed Husak regime for the reformist administration of Alexander Dubcek have resulted in a loss of interest by workers in their jobs.

Shop foremen have difficulty in keeping workers on the job until the final whistle, absenteeism is high and most Czechoslovaks moonlight in an attempt to earn the money necessary to cover the rising cost of food and durable goods.

Razl termed the situation a "vicious circle" and said it would be disastrous if it could not be broken.

But his remedy—higher prices, productivity increases, a freeze in state expenditures and no reduction in the work-week—are unlikely to commend themselves to the restive workers.

Nor will he gain popularity with his admission that weekend work in the fields of mining and transport appears to be the only solution.

INEFFICIENT INVESTMENT

Part of the problem goes back to the Novotny era when there was heavy investment in inefficient industries at the cost of other expenditures.

These industries, which are heavily subsidized by the state, turn out a glut of inferior produce which is virtually unsaleable, either abroad or on the goods-scarce domestic market.

The reforms envisaged by the self-exiled Prof. Ota Sik, father of Dubcek's New Model economy, would have cut subsidies to these industries decentralized control, and introduced a partially free market economy.

But to implement the plan, to which the present regime at least pays lip-service, a $500 million hard currency loan to re-equip the national industrial plant is needed.

BORROWING DIFFICULT

The continuing Russian occupation makes it difficult for Prague to obtain this in the West (to which Czechoslovakia already is in debt to the tune of about $400 million) and, despite recurrent rumors, the Soviets have yet to make such an offer.

The irony of the situation is that the countries of Eastern Europe owe Czechoslovakia 11.2 billion crowns, or $1.6 billion at the official rate of exchange.

Because of Soviet economic policy, however, Czechoslovakia cannot collect these debts in the hard currencies necessary to buy new machinery from the West. And without such machinery, the country cannot hope to earn more hard currency.

Nobody knows precisely how much damage was caused by last August's Russian invasion. But preliminary estimates were on the order of $1 billion, none of which is likely ever to be paid.

Finally, no one can assess the long-term damage to Czechoslovakia's economy caused by the exodus of many engineers and technicians after the invasion.

Some 40,000 Czechoslovaks who were out of the country at time or managed to flee later have remained abroad, despite an amnesty for their "illegal" act. Among them were many key men (particularly physicians) who will not be easily replaced.

And at least some of those going abroad now on tourist visas probably will elect to stay in the West, thus compounding the shortage of skilled personnel.

All in all, the economic situation here looks almost as gloomy as the political scene.

[From the Washington (D.C.) Evening Star, July 31, 1969]

ANATOMY OF DESPAIR—5: CZECHS SHADOWBOXING AGAINST OCCUPIERS

(By Smith Hempstone)

PRAGUE.—Freedom-loving Czechoslovaks are waging a bloodless war of gestures against both their Russian occupiers and party boss Gustav Husak's authoritarian regime.

Since the 70,000-man Russian garrison here does its best to remain invisible, gestures of definance to them are made indirectly through silent demonstrations of dissatisfaction with Husak.

With newspapers, radio and television now almost totally gagged, reformers are forced to resort to a kind of shorthand skirmishing to demonstrate their dedication to freedom.

Wall-painting is one such method, although it is becoming increasingly dangerous nowadays.

SOME SLOGANS LACKING

In a recent, five-day graffiti-viewing car trip through Slovakia, Moravia and Bohemia, this correspondent saw not a single wall-slogan acclaiming either Husak or his less appealing lieutenants, such as Czech gauleiter Lubomir Strougal.

There were scores of words scrawled on the walls of factories, homes and public buildings pledging loyalty to President Ludvik Svoboda, deposed party leader Alexander Dubcek, and demoted or ousted liberals such as Cestmir Cisar, Josef Smrkovsky and Frantisek Kriegel (one slogan with an international lilt spotted in rural Slovakia: "Long Live Apollo 13!")

Many anti-Soviet slogans have been daubed over by Husak's agents, as have some of those referring to Cisar, Smrkovsky and Kriegel.

The gesture-war at present centers around Kriegel, a burly, balding 61-year-old physician with the face of a bemused potato.

A CLASSIC EXAMPLE

Kriegel has devoted his life to the cause of communism and his case is a classic example "the God that failed."

He served as a volunteer with the Republican Army in the half-forgotten Spanish Civil War which preceded World War II. More recently (1960–63), he worked as a medical adviser in Castro's Cuba.

One of the earliest and most sincere advocates of Dubcek's reforms, Kriegel was a member of the powerful party Presidium when Russian tanks swept into Czechoslovakia last August.

He was physically abused by Czechoslovak and Russian secret police who forcibly whisked him from Prague to Moscow after the invasion.

Soviet party boss Leonid I. Brezhnev, in barring Kriegel from the Moscow talks, is reputed to have asked: "What is this Galician Jew doing here?"

Only when President Svoboda refused to go ahead with the talks in Kriegel's absence was he permitted to return to the conference table.

At the May 29–30 plenary meeting of the 180-member Czechoslovak Communist party Central Committee (the Husak regime had come to power on April 17), Kriegel was attacked by Stalinists for having voted against ratification of the Russian occupation by the National Assembly last October.

In a defiant speech which since has been widely circulated here clandestinely by the resistance movement, Kriegel said he had refused to vote for the accord because it had been written "not with a pen but with the barrels of cannons."

In retaliation for this "anti-party, anti-Socialist and anti-Soviet" peroration, Kriegel was dropped not only from the Presidium and the Central Committee but from the party.

DAILY ATTACKS

Currently there are almost daily attacks against him in the controlled press and by every party leader from Husak on down.

As one of the few means they have of showing their real feelings, numberless Czechs have sent bouquets of flowers and notes of appreciation to the suburban Prague hospital where Kriegel serves as head of the rheumatic diseases section.

A more direct method of demonstrating dissatisfaction with the erosion of freedom here has been the dispatch of hordes of unsigned critical letters to newspapers, foreign embassies and to the Czechoslovak leaders.

The letters to newspapers seldom get printed, and then only to be shot down by editorial blasts from pro-Husak editors. But Rude Pravo, the official Communist party newspaper, last month bitterly acknowledged the existence of such an anti-government letter-writing campaign.

As another way of showing how they feel, Czechs daily decorate with flowers, candles and pictures of the late and beloved President Thomas Masaryk the Prague statues of King Wenceslas of Bohemia and of religious reformer Jan Hus, burned at the stake as a heretic in 1415.

For Aug. 21, the first anniversary of the Russian invasion, clandestine leaflets are calling on Czechoslovaks to boycott public transportation, movies, theaters, shops, restaurants and newspaper kiosks.

They are being asked to decorate the graves of patriots, to halt work at noon for five minutes and, if driving at the time, to stop and turn on their lights.

There is not much the Czechoslovaks can do to change things here. Neither Russian troops nor the present Prague regime are renowned as respectors of either liberty or public opinion.

But the Czechs remember Masaryk's motto "The Truth Shall Make You Free"—and they are determined that, while it may be convenient and even necessary for the West to forget about Czechoslovakia, no man in generations to come shall believe that this small nation lost its freedom willingly.

WAYNOKA'S DAYS OF GLORY

Mr. ALLOTT. Mr. President, on this particular day when the United States is honoring the astronauts on their very successful trip to the moon and their successful and safe return, I have had called to my attention an article entitled "Waynoka's Days of Glory," which I think is very enlightening, which was published in the Tulsa Sunday World of July 6, 1969. The article was sent to me by Mr. M. A. Wright, of Houston, Tex.

I am sure that anyone interested in aviation history will find this article extremely interesting. The article deals with the first transcontinental air transport and it points out that Waynoka was the end of the line for transcontinental passenger service. The article points out further that travel by night was done on the train and travel by day was done on the plane.

Mr. President, I ask unanimous consent that the article may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WAYNOKA'S DAYS OF GLORY

Forty years ago, on July 7, 1929, "The Airway Limited" chugged out of New York's Pennsylvania Station on the first leg of a combined rail-air journey for 20 people that slashed transcontinental travel time from 100 to 48 hours. A new era of fast transportation was born and Waynoka, Okla., gained its days of glory as a mid-continent transfer point.

Launched by Transcontinental Air Transport (now Trans World Airlines) and the Pennsylvania Railroad (now Penn Central), this historic transportation milestone is recognized as the turning point for commercial aviation passenger service. The two companies are celebrating the 40th anniversary of the event this July.

What was it like July 7, 1929 when, after months of planning by Charles Lindbergh and others, this air-rail adventure started?

Col. Lindbergh, at 27 a national hero, was hired as technical adviser to TAT. He plotted the fledgling airline's cross-country routes, inspected airport and weather stations and set up standards for equipment and personnel. In fact, he was so closely identified with the airline that for a number of years TWA was known as "The Lindbergh Line."

Famous aviatrix Amelia Earhart joined TAT later as assistant to the general manager in charge of making flying attractive to women.

Pre-1929 flying was rough business. Passengers flew with the mail, and a pilot was usually disgruntled to find he had a passenger. And the passenger, in among the mail bags, was lucky if he had a candy bar to nibble on in flight.

But now passengers were to get prime consideration. That was one of the great novelties of the new air-rail service. Riding overnight from New York on the Pennsylvania Railroad, passengers boarded new Ford Tri-Motor planes at Columbus, Ohio, and flew to Waynoka, making intermediate stops at Indianapolis, St. Louis, Kansas City, and Wichita. From Waynoka the Santa Fe Railroad carried them to Clovis, N.M. At Clovis, the passengers once again boarded a Ford Tri-Motor for their flight to Los Angeles, stopping enroute at Albuquerque, and Winslow and Kingman, in Arizona.

But the service and decor! A courier attended to the passengers' every whim, serving them tea and a hot lunch aloft on lavender place mats with goldplated flatware. Seats reclined. For greater comfort and legroom, there were only 10 seats instead of the 16 that could have been installed.

The combined air-rail one-way fare was $351.94 compared to today's one-way fare of $145 for nonstop coast-to-coast jet speed and comfort.

On inaugural day, Col. Lindbergh entered the office of California Gov. C. C. Young in Los Angeles where a telegraph loop had been rigged and contact had been made with New York. At 6:05 p.m. (EST), Lindbergh, "after staring fixedly at his wrist watch a moment," pressed the telegraph key that flashed the signal across the country to Pennsylvania Station in New York for "The Airway Limited" to pull out.

Newspaper accounts said: "Quiet, concise, confident, the youthful colonel sat at the edge of the governor's desk while the telegraph key, over which he had just dispatched the starting signal, clicked and sputtered. Col. Lindbergh smiled and nodded, then said earnestly: 'As people begin to use the airlines, they will discover that speed, safety and comfort are to be found in the air. They will discover such a saving in time that they will make use of air transportation whenever possible or whenever it is available.'"

Meanwhile in New York a ceremony was taking place in Pennsylvania Station. Following the customary ceremonial speeches, Miss Earhart, a passenger on the inaugural trip, christened "The City of New York," the TAT Ford Tri-Motor which had been on exhibition in the station.

Bearing plaques and messages from Mayor Jimmy Walker to the mayors of Los Angeles and San Francisco, the 20 air-rail travelers boarded the train for their overnight trip to Columbus. As the train pulled out, the Sunrise Trail Band of the Long Island Railroad struck up "California, Here I Come."

More than 5,000 people braved a steady drizzle the next morning in Columbus to watch the transfer at Port Columbus, the city's then new municipal airport. Following dedication ceremonies, two TAT planes, "The City of Columbus" and "The City of Wichita" roared off on the first air leg of the trip. Watching the take-off were Henry and Edsel Ford, manufacturers of the 10 Tri-Motors in TAT's fleet.

The diary of one of the passengers reveals what "luxury" airliners were like in 1929. Describing the takeoff, she said, "The din is terrific. Every throb of the propeller as it beats the air is like a thousand snare drums in your ears. But the courier comes forward to give you little pieces of cotton to stuff in your ears."

Flying at 5,000 feet and 100 mph after leaving St. Louis, the passengers were served a cold lunch, hot consomme and Missouri strawberries and shortcake. "A special treat from the Mayor of St. Louis, it says on a little card."

Over Kansas City she looked out and saw the airport "virtually in the center of town. What a boon it would be if all cities could bring the field so close to the center of things. It is a problem the airlines will have to face in the future."

In Los Angeles, the day after the train passengers had set out from New York, Col. Lindbergh was ready to fly TAT's first regularly scheduled eastbound flight. At the airport at 7 a.m. on July 8, Col. Lindbergh, in order to conform to a Department of Commerce ruling that forbade pilots from carrying passengers until they had made 10 flights in the particular type of ship to be used, took off 10 times, shuttled over the field and made 10 perfect landings.

"The City of Los Angeles" was christened by Mary Pickford with a bottle of grape juice (prohibition was still in force) shortly before Colonel Lindbergh took off for Winslow, Ariz., to the cheers of 30,000 on-lookers. Among his passengers was his bride, Anne Morrow Lindbergh.

The next day when the westbound passengers from New York arrived at Winslow, Colonel Lindbergh piloted one of the planes back to Los Angeles. Another great crowd

was gathered as he taxied the ship up to the grand stand. While passengers told reporters, "We've never been more comfortable or less wearied," Gloria Swanson christened the plane from New York with another bottle of grape juice.

In two days and two nights, 20 people in two airplanes had crossed the continent—2,343 miles by air and 970 miles by rail. No other scheduled passenger carrier had ever done that before.

And so it all began with fanfare, signals flashing across the country and movie stars. A few years later, the diary writer noted, "if we can believe what they are telling us about new planes coming along, someday another young Lindbergh, flying in a fast jet-propelled or rocket ship will make the trip so fast that he'll get there before he started." And so it may be in the '70s—because of the three-hour difference on the clock, a supersonic transport will arrive in Los Angeles before it leaves New York.

RECESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess, subject to the call of the Chair.

The PRESIDING OFFICER. Without objection, it is so ordered.

(At 12 o'clock and 29 minutes p.m., the Senate took a recess, subject to the call of the Chair.)

(At 12 o'clock and 48 minutes p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. EAGLETON in the chair.)

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCURMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. STENNIS. Mr. President, what is the pending business?

The PRESIDING OFFICER (Mr. ALLEN in the chair). The pending business is amendment No. 108 offered by the Senator from Wisconsin (Mr. PROXMIRE).

Mr. STENNIS. I thank the Chair.

Mr. President, this matter was made the pending business yesterday. It was my impression at that time that there would be no debate on the amendment. However, I learned later that the Senator from Wisconsin planned to debate it. I had already made some other plans concerning other matters that I must look into in my home State.

I called the Senator from Wisconsin this morning and explained the situation. We had an understanding that each of us would proceed when we could. So in view of these other pressing matters, I am going to proceed, and I hope that the Senator from Wisconsin will be here before too long. I believe that he will.

Mr. President, the pending amendment concerns what we call the C–5A, which is a new, large cargo-carrying plane. The aircraft carries Army men and cargo as well as for the Air Force. It has just reached the point where we are close to having the production line product roll out, ready for use.

Mr. President, earlier in life one of my favorite teachers—one that I have remembered all of these years, not only for what she was, but also for many things that she said—laid down a cardinal guideline for her students in a special talk one day when she said, "Always keep your eye on the ball."

Regardless of all the things that may come up about the contract, who negotiated it, who signed it, who proposed it, and who went into the matter, the ball that we must keep our eye on is our national security.

The C–5A aircraft is an essential part in these modern times of the military plan for our national protection and our national security. Part of that plan for our national security is that we think it is necessary to protect certain other areas of the world as part of our front line defense.

This large cargo plane will replace others that we have in use at the present time that are not as adequate and do not have the qualities this one possesses. This is a modern plane.

As a member of the Armed Services Committee and the one member of that committee with special responsibility at this time, I have been disappointed repeatedly this year by the lack of surveillance over several contracts that has been exhibited by our Department of Defense. I have not only been disappointed in it, but frankly, I have been greatly surprised.

I have said several times during the last several years that whatever might be said about the past Secretaries of Defense concerning their judgment, the acts they performed or did not perform, and what advice they gave or did not give to the President, I thought that we were superb in our standing at the business table, at the contract table.

I really have been greatly surprised by the lack of surveillance and lack of attention given a number of these larger contracts.

I emphasize that if we really want to understand the matter, we must get on the ground and appreciate the great problems that go with a contract to create something that is not in being, to create a new concept of a plane, a missile, a ship, or a submarine, to conceive it in our minds from the beginning and get it on paper, and finally, through trial and error, starting and stopping, and changing and ordering, conceive it as an imaginary instrument and then moving from that imaginary stage into the realities of the hardware and the putting together of the pieces and the creation of a powerful item, like this plane, that will really operate.

We have to imagine this crisis over a 6- or 7-year period and the changes that will come about, the competition for the engineering talent and the scientific talent, the competition for various kinds of metals, the competition even in the skilled labor field and all of the things that go over a 6- or 7-year period. That is the time over which this contract has run.

I point out in the beginning that I strongly support the items now in the bill and the C–5A. However, I do not approve of the kind of contract that was used in this case. This was the first large trial that that type of contract had.

It will be fully explained later in the debate. I am just debating the matter now to hit the high points for the RECORD so that it might be read during the recess.

That contract will be explained fully and critically by each side of the debate, I think, but certainly I do not defend it.

I know it has been proven to be a bad type of contract, a type that should not be employed any further. Perhaps one of the reasons it worked so badly in this case was because, without having prior use, it was used for one of the largest contracts that we have ever gone into. At any rate, it did not work out for this case. It was bad for the Government and it was bad for the contractor, too, as will very readily appear.

The point I want to emphasize is that we must keep our eye on the ball. According to all the testimony, I believe we have a good product. We have a good plane. We have one that is beyond the expectations of the Air Force, beyond the requirements of the specifications. It has had its usual bumps during the trial-and-error period, but there is no evidence that it is not going to come through in a fine way, and its performance is beyond expectations and requirements.

I refer to one witness, the Senator from Arizona. I requested him to go down there and go through this plane, go over it, and I was very much pleased when he returned with his report. He not only looked at it but also flew it, and he will give a report on that.

We move now to this amendment. The amendment, Mr. President, seeks to strike from this bill $533 million for the procurement of 23 of these aircraft and certain lead funds.

We have what we call the No. 1 run, run A. That is composed of 58 planes in all—5 for research, development, and testing, and 53 for regular type, the finished product. All that has been taken care of by money that already has been authorized and appropriated. It is not involved in this bill.

So that moves us over to run B, under the contract referred to as run B, and that will consist of 57 planes in addition to the 58 I have mentioned; but this bill contains money for only 23

planes out of run B. At issue is the sum of $533 million for 23 C–5A aircraft.

What would be the effect of taking this money out of the bill with the adoption of this amendment? It should be understood that we do not have a single plane yet for use; but they are on the assembly line; they are moving. If this amendment is adopted, it would require a report from the GAO in 90 days; but that is purely incidental. It would take away the money for the plane. At the very best, we would lose 1 year. There would be a delay in the entire program. More money must be authorized by Congress; otherwise, the production lines will soon come to a grinding halt. We will have a standstill.

That is just a fact of life regarding this fine product which is just coming to fruition and which we need.

If we were to cut off the money, if we ever were to get any planes for use, the company would have to proceed solely with its own money to complete the first run of 58 planes, run A. It is estimated that if this should happen, the company would sustain a loss of at least $600 million. I doubt that any company can stand such a loss.

Incidentally, I wish to point out that no one estimates that this company is going to make a great deal of money even if it gets all the contract—the planes beyond the number called for by this bill. Various estimates have been made. The Air Force has estimated that the company will lose a certain amount, and the company says they will lose less than that. But all agree that there will be a loss to the company under either situation.

According to the contractor, Lockheed, if all the aircraft in run B are bought, its loss would be in the neighborhood of $13 to $15 million. The Air Force says that if we buy all it is possible to buy under run A and run B, they think the Lockheed loss will be in the neighborhood of $285 million. I mention that just to indicate that by no kind of figuring or estimates is this a contract in which the contractor is going to make money. There will be a loss either way it goes.

We talk about a 90-day investigation by the GAO—whatever that may mean. I will return to that later. But what the amendment really does is to take the entire project out of the bill and disallow the money.

There is one thing further about the number of planes involved, and it is not in the bill, and it does not have to be decided now. If the Senate keeps the money in the bill—as I trust it will do—there still will be a question of whether or not we are going to buy 34 additional planes at a later date. That is a matter that would be left up to the Defense Department initially. I do not know what their decision will be. I do not know what their recommendation will be. We cannot decide that now. That is just another mileboard down the road.

We cannot possibly come to it now. It is not involved in the bill. That is a judgment to be made by the Secretary of Defense. It would be up to him to make that judgment and to give Congress a recommendation.

Mr. President, if this program is killed now as a result of the failure to provide funds in the bill for the 23 aircraft now in question, additional Government costs will be over $100 million because there will be termination costs of at least $30 million and $72 million in long-lead funds approved last year and already committed. Those are costs that are involved in the termination of a contract. Sometimes we have to incur them in the termination of contracts. However, it is a necessary part of any contract involving manufacturing of extensive products like this. It is a cost of doing business. It certainly is to be considered and measured when we get into the question of whether or not we are going to terminate the manufacture of a product that is more than good, it is essential, and a product that we actually need in the years to come.

Mr. President, when these planes are placed in operation they will replace other planes and actual savings will be had in connection with the operation.

In connection with the matter about the General Accounting Office—and I mention this with all deference to that fine agency of the Government that is certainly a great deal of help to the Committee on Armed Services—they have advised me that this amendment provides for them to make a study and to report in 90 days. They have informally advised me that at the best, any study would take at least 6 months, even in connection with those items they are competent to study. They are not committing themselves by any means to saying they are competent and have the type men with the type training that would be necessary to carry out all of the requirements.

Mr. President, just a word about a matter that was in the newspapers lately. I wish to pause at this point to say that I think the Senator from Wisconsin has done a lot of fine work in this matter. He is diligent and he always pursues a matter. He is frank, clear, and forceful in giving a report to the Senate about his work. I am proud he is that type man. It is a pleasure to work with him in the Senate.

There has been a great deal of publicity and many fancy names used about this contract. They have called the C–5A contract the Golden Handshake, and so on. However, let us remember that the main questions are whether it is a good plane and whether we need it.

There has been a crack in the wing in the testing. A crack occurred in the wing in a static test on July 13. I am advised over and over by those who know—and other members of the committee would be more competent to speak on this matter than I am—that that is a normal expectation in every aircraft development. The failure occurred at 125 percent of the load for which the airplane was designed.

Every aircraft wing, as I understand it, is tested upward and upward to the point of breaking. That is how they find out the terminal point. Where does the strength of this mighty wing stop after all?

In this case it did not crack until it had reached the point of 125 percent of the weight for which it was designed.

As I said, almost all aircraft, particularly the heavier ones, have experienced failures of some components during static testing. That is what static testing is for. To determine the amount of stress and learn its breaking point. Wing failure occurred on the B–52A, our present so-called big bomber, at 139 percent of the design load. In the C–130A it occurred between 127 percent and 135 percent; in the C–130B it occurred at 139 percent; in the F–104G it occurred at 135 percent; and the C–141 had a main landing gear frame failure at 129 percent of load, a vertical tail failure at 135 percent, a fuselage failure at 120 percent, and a main landing gear failure at 145 percent.

Many additional examples could be cited. Failures of this kind are not unexpected. In fact, it is a part of the development and testing process regularly to be expected. They reveal these possible weaknesses in the structures at an early stage of development to permit design modifications in the production of aircraft.

We have had much debate here about the amount of money in this bill for research and development. This is an illustration of how far removed from real research, as we ordinarily term this, is this testing we have been talking about. Over and over again a good part of the money for research and development is really research, development, test, and evaluation.

If I have any bearing at all with the Department of Defense when they bring over the recommendations next year, they will have this research and development account, as they call it, broken down with more commonsense and divided up into categories where Senators will have a better opportunity to know what they are passing on.

What is the need for the C–5A?

Certainly that has already been established, or there never would have been such a plane devised and contracted for.

Six squadrons of the C–5A's will permit the phasing out of such obsolete and inefficient aircraft as the C–124's and the C–133's. "C" means here "cargo," Mr. President.

With the C–5A's we will reduce the number of airlift aircraft in the force by one-half while providing more than three times the transport capability.

Mr. President, that is the key fact in this whole debate.

Times have changed. Modern aircraft are altogether different. Versatility of the C–5A is greater and its capability more.

Thus, I repeat, with the C–5A's, we will reduce the number of airlift aircraft in the force by one-half, while providing more than three times the transport capability.

When we reduce the number of aircraft by one-half, we also reduce the number of pilots, navigators, and the rest of the crew members, including maintenance men—all will be reduced, including repair parts and all other items that go to make up the expensive line of operation. At the same time, we will have three times the transport capability.

Second, the C–5A's operating cost per ton-mile will be way lower than any

other airlift aircraft. It will be 2.9 cents for the C–5A against 5.3 cents for the C–141. That is the operating cost per ton-mile. It will be almost one-half as much for the C–5A as it is for the C–141 that is now in such extensive use.

Three, under any theory, the 23 aircraft in the fiscal year 1970 request are needed. They are ready now to start coming off the assembly line. These will take us only to four squadrons—the number I am talking about—81 aircraft versus the six squadrons of 120 aircraft, to be approved as a minimum requirement by the Secretary of Defense and the Joint Chiefs of Staff. That is under review by the Joint Chiefs all the time.

As I pointed out a few minutes ago, that will be a determination for the Secretary of Defense, as to whether the last purchase is made. It is not before us now. If he decides to quit at the end of the 81 aircraft that the bill will build up to, that is a matter of judgment, and also a matter of judgment for Congress whether to approve it, if the Secretary of Defense does recommend it. But this is no time to stop on a good plane just as the first ones start coming off the line for use.

Mr. President, despite cost overruns, every indication is that the Air Force will get an aircraft with fine performance characteristics. It is the only aircraft which can carry weapons and equipment of any Army division; namely, tanks, bridge launchers, armored personnel carriers, and helicopters, concurrently with the personnel associated with the equipment.

If the C–5A is used to carry only manpower, light equipment, and the lighter weapons, it is so large that it can carry an enormous load with great rapidity of movement.

Mr. President, we have heard a great deal of talk about overruns. I am going to be quite brief on that matter, but the idea is false that there can be a certainty and a fixed final figure in a contract like this, without running into a lot of big money, and it would cost just as much to the Government in dollars, even though not called overruns.

This contract had a form of sliding scale. If there had not been a sliding scale as to cost, any contractor, in order to protect himself, would have required a fixed amount, in much larger proportions, in order to provide a cushion of protection, even before we get to the concept of profits.

I have already mentioned profits. As I pointed out, so many changes came about that it not only caused the so-called overruns, but absorbed chances for profit.

I would in no way try to defend overruns as such in any kind of contract. I point out, however, that one reason for the genuine overruns has been the inflation which has been raging in our economy since 1964. There was a clause in this contract which covered part of the inflation, but we had an extraordinary situation existing during those months and years, which made the situation different from what it had ever been. I covered this point in my opening remarks on this entire bill, and I would like to restate my remarks at this time, which occurred on page 18590 of the CONGRESSIONAL RECORD of July 8.

MAIN REASONS FOR OVERRUNS

The committee has found as a general proposition that the principal reasons that the original cost estimates in these programs have been invalid in recent years are as follows:

First. Subsequent to the original estimates there were changes in the weapons programs, that is, revision to the total number of weapons to be produced and the schedule at which they would be produced, both factors causing an increase in the unit cost.

It is possible to alter these two factors in such a manner that unit costs will be reduced. However, such decisions in recent years have resulted in increasing the costs of these programs. The assumptions on which original estimates were made were therefore invalidated to the extent of these changes.

I think we have moved too rapidly from research into procurement with respect to some of these goods. In some cases, the need exists, accentuated by the war. So we had to move forward regardless of cost.

Second. The military services themselves have requested changes in the weapons through either a change in technology or a policy decision which caused an increase over the original estimate.

Third. There appears to have been a lack of sufficient management supervision over these various programs to take timely action to either correct or recognize, early, the overrun problem.

Fourth. There has been the fact of abnormal inflation since 1964, which has reduced the Defense procurement dollar to a substantial degree. There is no precise index on the effect of the Vietnam war on the procurement dollar itself. Some estimates, however, indicate that the overall loss of purchasing power of the defense procurement dollar would approximate 25 percent.

Inflation since 1964 has affected not only Defense moneys but many other activities in the economy.

Between 1964 and 1968 the interest rate on 3 months Treasury bills rose from 3.5 to 6.15 percent or an increase of 75 percent; the interest yield on FHA home mortgages from 5.45 to 8.05 percent, or an increase of 48 percent; services—less rent—rose 21.6 points from 117 to 138.6 or an increase of 18 percent; the cost of food rose 12.9 points from 106.4 to 119.3 or an increase of 12 percent.

I point this out not by way of excuse. I am not defending any of those contracts. The military as such and civilian groups as such were given some of the hard reasons why some of the increase occurred and have been given some comparison.

Mr. STENNIS. Mr. President, without attempting to fully cover all the ramifications of the contract and the plane, I have presented the high points of what the original conception was, the need for the plane, the contract, and the type of contract which was entered into in 1964. I have covered the fact that it proved to be the wrong type of contract.

I think one reason why the Department of Defense got into the contract for this large plane, involving so many millions of dollars, was that it just did not take time to try out that type of contract on smaller missions or smaller projects. If it had, these defects in it would have shown up. But that is all behind us now, and nothing can be done about it. We have to start from where we are.

This program is in fine form now, right to the point where the planes are going to start coming off the assembly line. We certainly will need the ones we have already appropriated money for. The number is 58 in run A; and, by all standards, we are going to need the 23 out of run B, as provided in the bill.

A great deal of testimony on this subject was taken by another committee. It is entitled to consideration, of course. We considered this item from every viewpoint. Then for all of the public who were interested, we had 2 full days of hearings, in which that testimony was taken. Nothing came out, either in public or private, that attacked the plane, or the product. Nothing came up that questioned the motives or questioned the impartiality of the Defense Department in awarding the contract. All the evidence is that, whichever way it goes, it is not going to be a profitable contract for the company. It is going to lose money, according to its own estimates and according to the Air Force. It is going to cost more money than we or they thought it would. We regret that, but it is another illustration that, over these long periods it is impossible to foresee what the future holds. Who can contract with certainty about the cost, particularly with things moving forward as rapidly as they are now in the field, for example, of electronics. It has gotten to the point where over half the cost of a plane is in electronics.

In preparation of this vast matter, we prepared a series of questions that related to the financial status of the program and the developments and effect of various lines of effort. We sent those questions to the Department of Defense for answers. I have the questions in my hand. The questions are ours. The answers are those of the Department of Defense.

Having checked through those answers, I believe they are substantially correct. The staff believes they are generally and substantially correct.

For the information of other Senators and all interested parties, I ask unanimous consent that the questions of the Senate Committee on Armed Services and the answers of the Department of Defense thereto be printed in the RECORD at this point.

There being no objection, the questions and answers were ordered to be printed in the RECORD, as follows:

Question No. 1: Financial Status of the Program:

(a) How much has been obligated to date?

(b) How much has been expended to date?

(c) On what date will present funds be expended?

Specify these funds by fiscal year and those under the continuing resolution.

AS OF JUNE 30, 1969

[Dollars in millions]

Fiscal year	R. & D. Obligations	R. & D. Expenditures	Aircraft procurement Obligations	Aircraft procurement Expenditures
1964	10.0	10.0		
1965	42.0	42.0		
1966	158.9	158.9		
1967	278.6	278.6	385.6	383.7
1968	340.7	314.2	414.2	394.7
1969	123.6	68.7	443.7	414.2
Total	953.8	872.4	1,243.5	1,192.6

On July 28, 1969, the Department of Defense, under the authority of the continuing resolution for FY 1970, approved additional funding in the amount of $100 million to protect production continuity. Of the $100 million, $80 million has been obligated. The difference of $20.0 million will be obligated to the most urgent requirement consistent with the financial management of the total program. Based on the present rate of expenditure, presently available funds may be exhausted by 1 October 1969.

Question No. 2: Provide a summary of funds that have been authorized prior to fiscal year 1970 and indicate how they have been expended or obligated.

Answer:

R. & D. AND PROCUREMENT AS OF JUNE 30, 1969

[Dollars in millions]

Fiscal year	Program	Expended
1964	10.0	10.0
1965	42.0	42.0
1966	158.9	158.9
1967	667.0	662.3
1968	781.9	708.9
1969	624.7	482.9
Total	2,284.5	2,065.0

Question No. 3: Provide a summary of the effect on the present C–5A aircraft program if no fiscal year 1970 procurement funding is forthcoming and the program is delayed one year.

Answer: Failure to provide FY 70 procurement funding would void the current contract option commitments for Run B. The contract options between Lockheed and General Electric and their subcontractors and suppliers would lapse. The Air Force would be obligated to pay the $30.5 million Run B termination liability if requested by Lockheed.

The $225 million over target funds requested for FY 70 would still be required to fund the contracts from target to ceiling for Run A. Additional funds would be required because of the additional target and ceiling associated with the repricing application of the Run B option exercise in January 1969. These additional funds would not finance Lockheed until FY 1971 funds could be made available. It is doubtful that Lockheed would be able to finance on its own the costs of continuing the Run A production during this time period. As a result, there is a substantial likelihood that the contractor would be forced to default the contract for the Run A aircraft.

If it is assumed that the costs of continuing the current Run A production could be sustained by the cotnractor there would still be a production gap of about 18 months between Runs A and B. During this gap, as many as 40,000 employees could be affected. Up to 20,000 at Lockheed would probably be laid off and 20,000 involved with subcontractors and vendors either laid off or put on other work. The rehire and/or retraining of these people would be extremely difficult. Negotiation of the prices of the Run B aircraft after this delay would be in a sole source environment with no contractual commitments or price options available. A rough estimate of the cost increase is from $400–$550 million for Run B.

Reduction in the Run A production rate in order to stretch Run A and avoid a production gap would void the existing contract. Negotiation of the stretch in Run A production would probably permit Lockheed to recover most of its presently projected losses on RDT&E and Run A. This negotiation would be essentially sole source and again with no contractual commitments or price options. It is likely that the program cost increase would equal or exceed the cost increase associated with the gap in the production line discussed earlier. In addition, while the total number of employees affected would be reduced, the lower production rates would require almost immediate lay-offs of people by both Lockheed and their subcontractors and vendors.

Question No. 4: What have we received for this money so far? How many airplanes will be delivered from prior appropriations?

Answer: Thus far, the bulk of the R&D effort has been completed. Five R&D aircraft have been completed and about 600 hours of flight testing have been accomplished. About nineteen production aircraft are in various stages of assembly. A substantial amount of maintenance and operational training equipment has been delivered. The first operational aircraft is scheduled for delivery in December 1969. We have high confidence of securing a much needed strategic airlift capability with the delivery of an aircraft that will meet all of its performance guarantees. Fifty-eight (58) aircraft are contractually required to be delivered from prior year appropriations.

Question No. 5: Give a complete statement of the effect of the repricing formula and the reverse incentive on the procurement of the 23 aircraft proposed in the bill.

Answer: Our interpretation of the present contract is that the repricing formula came into effect when we exercised the Run B option in January 1969. It will apply to the 23 Run B aircraft requested for FY 70 and will result in a new target cost and ceiling price for the 76 production aircraft. This means that some, but not all of the contractor's RDT&E plus Run A over-ceiling condition will be eliminated. This over-ceiling relief would be only a fraction of that which would obtain by applying the repricing formula to all 57 Run B aircraft.

No reverse incentive (see questions 10 and 20) exists with the 23 aircraft being requested for FY 70. We are negotiating with Lockheed to eliminate the possibility of a reverse incentive, before more than the 23 FY 70 Run B aircraft are procured.

Question No. 6: What could the Air Force be expected to receive in the way of operational C–5A aircraft in the event no additional funds other than the $225 million for over-target costs on Run A in the present bill and prior year funds were available?

Answer: Contractually, the Air Force can expect to receive 58 aircraft when the $225 million is added to the Run A contracts. Realistically, in view of Lockheed's projected loss on the sale of only 58 aircraft, it is questionable whether the contractor could proceed if a decision were made not to buy any Run B aircraft. If the contractor defaulted the contract, it is possible some 10 to 20 airplanes could be delivered.

Lockheed is contractually committed to provide the 58 R&D and Run A aircraft. The Government is committed to provide the $225 million over-target funds requested in the FY 70 Budget plus whatever additional costs may result from the application of the repricing formula relative to our exercising the Run B option in January 1969. If Run B were terminated, an additional $30.5 million of termination liability would be also required.

Question No. 7: Is the company not legally committed to furnish 58 aircraft under Run A?

Answer: The company is committed to furnish five test aircraft under RDT&E and 53 operational aircraft under production Run A, a total of 58 aircraft. This commitment is legally binding so long as the Government meets its commitments. This means that funds must be provided in a timely manner for the allowable costs associated with producing these 58 aircraft.

Question No. 8: What changes, if any, are being considered in the contracting methods, i.e., repricing formula, abnormal escalation, etc.?

Answer: It is the Air Force's intention to change the C–5A Lockheed contract as follows:

a. Remove the reverse incentive possibility feature from the repricing clause, which does not arise until more than four squadrons are procured;

b. Incorporate a new delivery schedule in the contract;

c. Modify the methods of procuring/pricing spare parts;

d. Negotiate the disagreement as to the intended application of abnormal escalation. Other secondary issues and attendant matters will be clarified and resolved within the overall negotiation package.

e. Negotiate the scope and operation of the Correction of Deficiency Clause so as to better clarify its meaning and to facilitate its administration.

Question No. 9: Summarize in simple terms the cost elements of Run A.

Answer: The cost elements for R&D plus Run A may be expressed in the following way. These are based on the assumption that only three squadrons are procured and no repricing is involved.

	Cost to Government	Cost to produce
Lockheed-Georgia Co.	1,764	2,436
General Electric Co.	534	558
Other program costs	214	214
Initial spares	201	201
	2,713	3,409
or		
R. D. T. & E.	1,003	1,246
Procurement	1,509	1,962
Initial spares	201	201
	2,713	3,409

Question No. 10: Furnish a graphic analysis of how the reverse incentive operates.

Answer: Price adjustment in accordance with Air Force position: (Applicable Run A actual cost $1526M, Run A target cost $832M).

Quantity of Run B Aircraft	Increase in overall contract ceiling price (millions)	Increase in overall contract ceiling for each $1 over run A ceiling	Reverse incentive
AT–23	$292	0.66	No.
AT–33:			
AF position	393	.89	No.
Lockheed position	558	1.01	Yes.
AT–57	680	1.54	Yes.

Question No. 11: Can the Air Force give assurance that the reverse incentive provision will be deleted from the contract? Explain the manner in which the repricing formula will operate on the proposed procurement of 23 aircraft.

Answer: As Dr. Seamans publicly stated, the nature of the Air Force commitment beyond the 4th squadron is dependent upon the results of negotiations. In large measure, these revolve around the deletion of reverse incentive feature in the contract. This deletion is a prime negotiation objective of the Air Force prior to procurement of the balance of Run B aircraft. Presently,

operation of the reverse incentive on the proposed FY 1970 buy of 23 aircraft depends upon whether or not we procure the fifth squadron. If we stop at 23 aircraft, repricing of the contract target cost and ceiling will be made only on the basis of the items actually ordered. The total amount of Run B costs to be treated in the repricing formula will be just the target cost associated with the 23 aircraft and associated support. It is specifically noted that the procurement of the 23 aircraft does *not* involve any reverse incentive feature when the repricing formula is applied.

Question No. 12: Explain in precise terms the elements of the C–5A aircraft contract which will be controlled by military personnel and those elements controlled and administered by civilian personnel. In other words, what is the chain of authority for the contracting and administration of the program?

Answer: Authority and responsibility for procurement decisions concerning major Air Force systems, such as the C–5, rests completely with the Secretary of Defense and Secretary of the Air Force. Military people evaluate technical material, selection data and procurement approaches and make recommendations when required. Final decisions clearly and completely rest with the statutory civilian appointees with the Department of Defense.

Statutory procurement authority for executing contracts for the government within the Air Force flows from the Secretary of the Air Force through the Chief of Staff to the Deputy Chiefs of Staff (Research and Development) and (Systems and Logistics) and to the Director of Procurement Policy in Air Force Headquarters and then to Air Force Systems Command and Air Force Logistics Command.

Under this authority the Deputy Chiefs of Staff and the Director of Procurement Policy are responsible for providing the Commands with broad policy and procedural guidance resolving issues beyond Command jurisdiction, assessing Command compliance with established policy and guidance, and for supporting the Air Force Secretary in connection with his statutory and administrative responsibilities to Congress.

In the C–5 aircraft and engine procurement, the Air Force followed its standard source selection procedures. The Air Force Secretary was the Source Selection Authority. The Source Selection Advisory Council and Evaluation Board functions were carried out by senior military members of the Aeronautical Systems Division and C–5 System Program Office respectively at Wright Field, Ohio. Contractors submitted proposals covering all elements in great detail. Proposals were evaluated by a large, highly skilled group of specialists specifically picked for the task. Recommendations of these Source Selection bodies were reviewed at appropriate levels in the Command chain up to the Air Force Secretary. Based on a detailed review of these recommendations plus those of the major Commanders and Chief of Staff, the Air Force Secretary determined that the recommendation of General Electric for the engine would be accepted and the award of the airframe contract to Lockheed was in the best interest of the Government. The Air Force Secretary provided a detailed report to the Secretary of Defense.

In addition to source selection decision, others are required during regularly scheduled program reviews, program change requests, or when a program varies from the cost schedule or performance requirements of the contract. Again, these decisions are made by the Secretary of the Air Force or Defense.

Question No. 13: The current cost estimate under which you are operating is based on a study culminating in late October which is now ten months old. Lockheed and the Air Force have serious disagreement about certain provisions of the contract and how they apply. The question is, if the October 1968 estimates should be substantially wrong—substantially lower—and the alleged ambiguities in the contract should be decided in favor of Lockheed, how does the Government exposure change?

Answer: The Government exposure will increase if our October estimate to complete production Run A (53 aircraft) is substantially low. This is so because in exercising the Production Run B option in January 1969 we activated the price adjustment clause.

The Government exposure is the contract ceiling price and the price adjustment clause adjusts the contract ceiling price. Operation of the price adjustment clause and the resultant increase in ceiling price, is dictated by (1) the cost to complete Run A aircraft, and (2) the total number of Run B aircraft procured.

In addition, if the abnormal economic escalation estimates increase, the contract ceiling would increase further by that amount.

The current negotiations with Lockheed are being conducted with a view toward mutual resolution of all of the ambiguities presently in the contract. One of the principal ambiguities relates to the use of the abnormal escalation in the repricing formula. Should we be unable to resolve these ambiguities in negotiation, the Armed Services Board of Contract Appeals (ASBCA) and/or the courts would be resorted to. A judgment favorable to the contractor in these cases would also increase the Government exposure.

Question No. 14: Based on the October cost data, what was the estimated cost per aircraft

(a) Under Run A with 53 aircraft? (5 R&D not included)

(b) Under Run A plus 23 aircraft of Run B?

Answer: The procurement cost for the 53 Run A aircraft (assuming completion of the Run B buy) was estimated at $1,904 million for an average cost of $35.9 million per aircraft. If we had decided at that time not to buy Run B, the repricing formula would not have become effective. The procurement cost of the 53 aircraft would have been $1,509 million for an average cost of $28.5 million. It is very unlikely that this cost would be valid if we decide now (after exercising the Run B option in January) not to buy Run B. The cost of the Run A aircraft would probably be decided in court, if the aircraft were produced at all. The average price would probably be substantially higher than $28.5 million. As noted earlier, however, there is no assurance that Lockheed would be able to complete Run A if Run B is eliminated.

If we procure Run A plus only 23 aircraft of Run B (76 production aircraft), considering the effect of the price adjustment clause, the average procurement (flyaway plus AGE, training, and data) cost for the 76 aircraft would be about $29.9 million.

Question No. 35: On page 24 of the C–5A study the following appears:

"It should be noted that the costs to the Government reflected above are based on the detail cost review completed in October 1968. There is a distinct possibility that costs may continue to increase. A quick look cost review is now in the process of being completed by the Aeronautical Systems Division (ASD). Preliminary information from this cost review indicates that the estimated cost to complete the program (i.e., the contractor's cost) may increase above the October 1968 estimates."

Furnish some estimate as to what the maximum cost to completion will be, based on the information now available.

Answer: A revised cost estimate is now being completed by the System Program Office. Preliminary information indicates a potential increase in the two to four percent range for the six squadron program. Part of this increase is associated with the schedule slip. The October 1968 estimate was based on a Run B production rate of four aircraft per month. The Air Force changed to three per month in order to extend the decision time for the fifth and sixth squadrons pending more definitive cost data. That action extended the production period several months and results in some increased cost in Runs A and B. These factors combined with increased inflationary trends contribute to the potential cost increase.

Question No. 16: How will the spares be provided and how will it affect the contract?

Answer: We are now negotiating with the contractor to determine specifically how the spares are to be provided and how their procurement will effect the contract. Our intent is to get good spares at reasonable prices. We intend in our negotiation to establish a reasonable break-out of the spares and insure that we procure from Lockheed only those spares and equipment that cannot effectively be procured directly from the supplier. We do not intend for the procurement of the spares from Lockheed to off-set the losses expected to be incurred as a result of their RDT&E and Run A efforts.

Question No. 17: Is the aircraft meeting all performance specifications, specifically, the sink rate, the lower flap speeds, and wing failure?

Answer: The aircraft is predicted to meet or exceed all of its mission performance guarantees. Its weight empty is projected to be exceeded by less than 1%. However, the aircraft is more streamlined (less drag) than required and this more than offsets the slight additional weight and permits it to meet or exceed the performance guarantees. Some minor changes were made to some specifications. This was done to produce a better airplane through a more balanced design and to reduce cost to the Government. No degradation of safety or mission performance resulted. Equitable consideration was received by the Government. The sink rate, flap speeds, etc., all meet established military standards. Critics who do not understand the technical details may allege the Air Force reduced criteria to "help" the contractor. This is not the case. For instance the sink rate was changed from 10 feet per second maximum to nine feet per second. The FAA standard is 10 FPS; but the FAA allows a lower weight for 10 FPS. The Air Force nine FPS at a higher weight is equivalent to the FAA standard of 10 FPS at its lower weight.

The flap speed criteria change affected only the use of full flaps. The criteria for use of partial and take-off flaps were not changed. Since the flaps on the C–5 are not considered a braking device, the reduced speed for use of full flaps will impose no diverse limitation on operation or performance.

The static test failure in the wing of the test article was not related in any way to any specification changes made. This failure was not unusual for the static test program the purpose of which is to demonstrate the aircraft capability to withstand flightloads up to 150% of its design limit load.

Question No. 18: How many significant changes have been made and have any of them resulted in a degradation of the performance specifications?

Answer: Only minor changes have been made in the specifications as outlined in the answer to Question 17. None have resulted in any degradation of the mission performance of the airplane.

Question No. 19: How real is the threat of termination if no funds are available by the end of August?

Answer: The contract, as amended, permits Lockheed to request termination if Run B funding is not provided before 1 September. The contract also permits equitable cost and schedule adjustments associated with the funding delays. The purpose of these provisions is to maintain program continuity and to protect vendor commitments. The risk of termination, depends largely on the con-

tractor's confidence that FY 70 funds will be ultimately provided. Both contractors have a number of subcontractor funding commitments which must be met. The Air Force would attempt to assist in this interim funding problem. It is likely, however, that there would be a cost increase to the program. If funds were delayed for several months after the 1 September date, it is probable that a number of the vendors and subcontractors commitments would lapse. There would be a substantial cost increase and a schedule slip. The General Electric contract does not permit them to request termination if funding is delayed but price and schedule adjustment could result, depending on the extent of the delay.

Question No. 20: Define in simple terms:

(a) The meaning of the repricing formula

(b) The reverse incentive as it applies to the repricing

Answer:

(a) The intention of the repricing formula was to preclude catastrophic losses to the contractor. A formula was developed in recognition of the early commitment to operational aircraft prior to development. The clause provided that if the actual costs associated with the production of Run A aircraft exceeded the contract target costs for that effort by a specified amount or greater, the contractor is entitled to an adjustment in the overall target and ceiling price. The amount of this adjustment and the changes to the contract prices are determined pursuant to the application of the formula. Until the target for Run A aircraft are exceeded by 130%, the repricing formula is not invoked.

(b) A point can be reached where, for each additional dollar of cost occurring in the production of Run A aircraft, the result is an increase in total contract target and ceiling of more than a dollar. This potential could encourage a contractor to add costs to Run A so as to reduce his overall loss on both the Run A and the Run B production.

Question No. 21: What would be the impact of delaying appropriation of FY 70 funds for procurement of the Run B aircraft until after completion of a 90 day review of the program?

Answer: The Air Force has requested $533 million for the 23 FY 70 aircraft of Run B. In the event the appropriation of FY 70 funds is delayed 90 days, the actual delay in applying these funds to the C-5 contract would probably amount to four or more months. The Lockheed contract as amended requires FY 70 funds for the 23 aircraft to be on contract by 1 September 1969. The contract stipulates that if such funds are allotted after 1 September, an equitable adjustment in the price, delivery schedule, or both may be made provided the contractor has incurred additional costs or delay due to the funding delay. Further, the contractor can request termination for convenience of the Government in the event funds are not allotted by 1 September.

There would be a substantial impact associated with this funding delay. Existing contract options between Lockheed and General Electric and their subcontractors and suppliers would be voided. As a result, production costs would increase by about $140 to $170 million depending on whether the Run A delays were stretched to preclude a production line gap or not.

Mr. STENNIS. Mr. President, for the time being, that will conclude my remarks. I believe they are the main high points.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. STENNIS. Mr. President, I yield to the Senator from Virginia, a valuable member of our committee.

Mr. BYRD of Virginia. Mr. President, I would like to say a few words with regard to the Senator from Mississippi.

This is the sixth week that the Senate has been debating the pending legislation.

During all this time the Senator from Mississippi has been on the floor and he has carried the burden of answering the many questions—proper questions—which have been put to him as committee chairman.

I doubt if there have been any committee chairmen in recent years who have been under such intense pressure in regard to work here on the floor for such a long period of time as has the distinguished Senator from Mississippi in handling on the floor of the Senate this very important and very difficult bill.

When the legislation was first submitted, the budget request sought by the Johnson administration totaled $23 billion. Then the new administration came into office, and the budget request was revised somewhat to $22 billion. Then the Committee on Armed Services, of which the Senator from Mississippi (Mr. STENNIS) is chairman, went over this proposal in great detail.

The bill which finally came before the Senate represents, in round figures, a total of $20 billion for procurement of military weapons for the fiscal year 1970. So the committee brought about that reduction and now recommends to the Senate that the budget request of the Nixon administration be reduced by $2 billion.

I favor such a reduction.

That is, in round figures, a 10-percent reduction.

The committee is aware of the need to carefully scrutinize all items in the budget, whether it be a budget for the Defense Department, or a budget for the Department of Health, Education, and Welfare, or any of the other departments of the Government.

The committee went into these matters very carefully and, as I mentioned before, has recommended to the Senate that the authorizations for military procurement be reduced from the amount originally requested by $2 billion.

That is a substantial reduction, but I think it is one that can be sustained.

I think that we can accomplish, with the reduced amount of money, all that is necessary to be done to protect the security of the United States.

I say again, Mr. President, that I have great admiration for the way the distinguished chairman of the committee, the Senator from Mississippi (Mr. STENNIS) has handled this legislation on the floor of the Senate during 6 difficult weeks. The hours have been long each day, and there has been a keen debate. I say to those whose viewpoints have differed from those of the Senator from Mississippi and the Senator from Virginia that I think it is important and desirable that Senators do just what they have done for the past 6 weeks: go into these budgeted figures item by item, and require justification.

I believe that the Senator from Mississippi has fully justified what the committee has recommended, and I state again that I am pleased to be associated with the distinguished Senator. I commend him on his handling of a very difficult problem over a long period of time.

Mr. STENNIS. Mr. President, I thank the Senator from Virginia for his gracious remarks. What little I have done required much help, and help was forthcoming from many different sources, including the Senator from Virginia. He played an important part in the making of this bill, in tearing it apart, as it were, and then putting it back together. We all owe him a debt of gratitude for his fine work; I do, particularly as chairman of the committee. I appreciate his statement, and I give him fair warning that I am looking forward to getting a lot more work out of him.

Mr. President, I yield the floor.

Mr. PROXMIRE. Mr. President, before I yield to the Senator from Indiana, which I shall do in a moment, I wish to say that I concur in everything the distinguished Senator from Virginia has just stated about the distinguished Senator from Mississippi. This has been a very difficult and trying 6 weeks for him. He has done a magnificent job. I, as one who has disagreed occasionally with the Senator from Mississippi, can say that he has been most helpful and accommodating, though he has certainly been under unusual pressure. Rarely in the 12 years I have been in the Senate has any chairman had to meet challenges as often as has the Senator from Mississippi on this measure; and he has done the great job of meeting them.

I agree wholeheartedly that this debate is certainly in the national interest, as well as in the interest of a more intelligent and healthy fiscal policy.

Mr. STENNIS. Mr. President, I thank the Senator from Wisconsin. There has been a little effort, from some sources, to try to drive a wedge between Senators who might have differing viewpoints. I am proud of the Senator from Wisconsin for not letting them do it. I, too, did my part in not letting them do it. After all, we are all here working for the same cause. I do not deserve any credit for the days I have spent on this floor; for it is a privilege to be a Member of this body. It has been a little bit rugged at times, but it is a privilege, and I think trying to do our duty is reward enough for all of us.

Mr. PROXMIRE. Mr. President, I think every Senator is proud of the way that the Senator from Mississippi has done his duty and handled his work on this measure.

I yield now to the Senator from Indiana.

Mr. HARTKE. Mr. President, before I begin my prepared remarks, I, too, would like to express my appreciation for the outstanding work done by the Senator from Mississippi. He is well versed and well informed, and takes the debate in his stride, in a manner he might not do if he did not have the feeling that the debate on the Senate floor is entirely sincere on both sides, and with good purpose, and that differences of opinion do not necessarily mean that those who hold them are disagreeable otherwise. The Senator from Mississippi has stood up extremely well under the strain, and I compliment him, before he leaves the floor for a well-

deserved recess, for the fine work he has done.

Mr. STENNIS. I thank the Senator from Indiana. He has always been an important contributor to the debate on these matters.

F–14: A $25 BILLION MONUMENT TO THE PAST?

Mr. HARTKE. Mr. President, the pending military procurement bill contains a $239 million authorization for the purchase of a new Navy fighter plane, the F–14A. This item is significant because it marks the first procurement request for a new fighter system which may run to a cost of nearly $25 billion over the next decade. In this year of the taxpayers' revolt, I believe that no new system of such major proportions should escape close congressional scrutiny.

My own interest in the F–14A has been heightened by some disturbing news—I have been informed that according to a recent cost comparison study conducted by the Pentagon, the relative cost of carrier-based fighter strength far exceeds the cost of comparable land-based strength. The F–14A, a carrier-based fighter, will require reevaluation if these high costs can indeed be avoided by basing our air strength on land. At any rate, our consideration of the F–14A should be undertaken with full knowledge of these cost relationships, and so I am requesting today that the Defense Department release to the Congress this most recent study of the problem, which clarifies the economy of land-based air strength and which adds measurably to the doubts which already surround the proposed F–14A. I have sent a letter to the Secretary of Defense requesting the immediate release of this revealing cost comparison study.

It will be difficult, of course, for the U.S. Senate to conduct its own study of the F–14A. This new fighter aircraft is an enormously complicated weapon, just as complicated as the ABM or the MBT–70. The features of the F–14A must be described in a technical jargon which requires our closest attention; the need for the F–14A must be measured in uncertain probabilities about the future; and the high cost of the F–14A must be judged against the far higher cost of inadequate military preparedness.

But we must not let these difficulties prevent us from taking a hard, critical look at the F–14A. Whenever the expenditure of so much money is at issue, the Congress has a responsibility to do no less. Accordingly, I shall outline some of my own doubts about the F–14A, and suggest some alternatives to the blank-check approval of that weapons system which is found in the bill as it reads today.

In the words of Secretary of the Navy John Chafee, the current F–14 program is an outgrowth of the cancellation of the F–111B, the Navy version of the ill-fated TFX tactical fighter-bomber. In fiscal year 1969 Congress appropriated $130 million to finance engineering development of this new plane; and now, for fiscal year 1970, the Senate Armed Services Committee has recommended approval of the $224.6 million F–14A procurement request, with an additional advance procurement of $14.4 million.

These funds represent new obligational authority for development only—technically, real production of the aircraft will not begin until fiscal year 1971, according to Assistant Secretary of the Navy Robert A. Frosch. This year's money will be spent building airplanes, but test and evaluation models only, not full-scale production models.

The F–14, when fully developed, will be a multipurpose carrier-based fighter. The A model, designed to become operational in 1973, will be a swing-wing, tandem seating, supersonic aircraft—with a new airframe design incorporating the engine and the avionics of the now abandoned and ill-fated F–111B. It was envisioned as a replacement of the Navy's F–4 Phantom, to perform a fleet air-defense mission, carrying the yet-to-be-developed Phoenix air-to-air missile. The F–14B and F–14C models will become operational in the middle and late 1970's as advanced technology engines and advanced avionics become available to replace the older component systems planned for the F–14A.

Doubts about the wisdom of producing the F–14A in quantity stem in part from this mismatch between a new airframe and an old engine. By producing the F–14A, the Navy hopes to replace our F–4's by 1973, 2 years before the F–14B is scheduled to become operational. This may be a worthy goal, but it is not yet clear that a hybrid aircraft such as the F–14A is the proper means to reach that goal. By rushing the F–14 airframe into production before its engine and avionics components are fully developed, the Navy may find itself saddled with an expensive, low-performance substitute for what it really needs, resulting in the worst of both worlds.

Surprisingly, well-known flaws in the F–14A design are not even mentioned in the committee report. That report describes the F–14A as an aircraft of "superior range, endurance, and maneuvering performance over the F–4, allowing greater utilization of its supersonic capabilities in the combat situation." This evaluation is misleading because it does not mention the fact that the air combat performance of the F–14A has been compromised by its multipurpose specifications and its hybrid design. The airframe of the F–14A was not designed to carry the heavy weight of the F–111B engine, and when fully loaded with the 1,000-pound Phoenix missiles, the aircraft will not be capable of anything approaching superior performance. I have learned that the acceleration of the F–14A, when it finally becomes operational in 1973, will be less than the best Soviet fighter in operation today, in 1969.

The committee report also fails to mention the serious difficulties which have plagued the Phoenix missile, the complement to the F–14A. I have learned that the Phoenix, which has been under study and development since 1957, was tested live for the first time only last year. These tests, however, did not measure the capability of the weapon against maneuvering targets, multiple targets, or jamming. The Phoenix missile is fantastically complicated—five times as complex as our next most sophisticated radar missile—and we must not take its successful development for granted.

Finally, and perhaps most important, the committee report failed to mention the conceptual flaws of the F–14A system. Technical difficulties aside, it is simply not clear that a carrier-based fighter is needed in the 1970's. This brings me back to my point about the relative costs of land and sea based air strength. But it also raises the question of just what mission the F–14A would perform. The F–14A was originally designed to protect the fleet from a Soviet bomber attack, but as we know, the Soviet bomber threat has never materialized. Chairman MAHON of the House Appropriations Committee made this point clearly enough during hearings in 1968 when he said:

> The bomber threat against the fleet, as you know, has been predicted by Navy officials for some time. It has not, of course, developed to date.

I understand that Chairman MAHON has expressed concern again about the substances of this, even as late as today.

Later in 1968, a report on the U.S. tactical air power program by the Senate Armed Services Preparedness Investigating Subcommittee, made a similar assessment of the Soviet bomber threat, and drew the obvious conclusions with regard to the F–14A when they said:

> The F–111B was designed primarily for fleet air defense against Soviet supersonic bombers. But that threat is either limited or does not exist; and therefore, we believe the Navy should re-examine the prime requirement for the VFX–1 (F–14A) as to its most important role, in the light of the most predictable threat to the fleet.

If our fleet were to come under Soviet attack in a conventional war situation, of course, Soviet submarines would pose the most predictable and by far the greatest threat to our carrier force. As unlikely as that contingency may be, it is clear that the F–14A will not be of much help in meeting the danger of a submarine attack.

Clearly, the F–14A deserves a more critical appraisal than it has received to date. My own assessment of the F–14A suggests two alternatives to blank check approval. First, we could prohibit the purchase of any production model F–14A's. Second, we should deal with the conceptual as well as the technical flaws in the system. We should admit to ourselves that a multipurpose carrier-based fighter is never going to be able to provide superior air combat performance.

It has been 20 years since the United States has developed a single purpose, air-superiority fighter; in those same 20 years the Soviets have developed four such fighters. Our air superiority over the Soviet Union could be threatened if we continue to develop TFX-type multipurpose designs.

The proposed Air Force F–15 shows more promise than the F–14A for this very reason. There has been a firm determination, reinforced by a directive from the Air Force Chief of Staff, not to compromise air-superiority capability of the F–15 through corollary mission requirements. Unlike the F–14A, the F–15 will be a single seat, fixed wing aircraft with a thrust-to-weight ratio of better than 1 to 1. I believe it is a mistake to assume that anything less will provide us with

adequate air combat strength, and I believe that we must pass judgment on the F–14A with this comparison in mind.

In conclusion, Mr. President, I hope that my remarks will stimulate a more thorough review of this $25 billion weapons system. I intend to continue my discussion of the F–14A until all relevant information has been made available to the Congress, and until the troublesome issues which I have raised are fully clarified.

I ask unanimous consent to have printed at this point in the RECORD a letter written by me to Secretary of Defense Melvin Laird under date of August 13, 1969.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 13, 1969.

Honorable MELVIN LAIRD,
Secretary, Department of Defense,
Washington, D.C.

DEAR MR. SECRETARY: As the Senate continues to review the pending military procurement bill, it will be helpful to insure Congressional access to all relevant information detailing comparative cost and advantages of various weapons systems under consideration.

Accordingly, I would like to request the release of a cost comparison study, conducted in the Office of Systems Analysis, which measures the relative cost of carrier-based and land-based air strength.

Sincerely,

VANCE HARTKE,
U.S. Senator.

Mr. HARTKE. Mr. President, I thank my friend, the distinguished Senator from Wisconsin, for yielding.

C–5A: AN UNNECESSARY PLANE—A FISCAL DISASTER

Mr. PROXMIRE. Mr. President, I thank the Senator from Indiana, and I thank him especially for the substance of his remarks.

I think it is most desirable that this very expensive, new plane which is of highly questionable value be critically examined, as the Senator intends to examine it.

I think this has a great deal of merit. It is an example of how we can save a great deal of money. Certainly, by means of fiscal pressure, the Senator from Indiana and I will try to hold down the budget and decrease the immense amounts being spent in the military area.

I think the Senator has found one area in which we can make substantial savings without any real loss.

Mr. HARTKE. Mr. President, I thank my friend, the Senator from Wisconsin. He is well known for his diligence in pursuing such matters. He is trying to cut down on the Government expenses where it can be done without threatening our national security.

C–5A: AN UNNECESSARY PLANE, A FISCAL DISASTER

Mr. PROXMIRE. Mr. President, I thank the Senator.

Mr. President, the purchase of the C–5A by the Air Force from the Lockheed Corp. already represents one of the greatest fiscal disasters in the history of Federal procurement. The purpose of my amendment is to make the best of a bad situation, to suspend pouring good money after bad, to permit an investigation based on current data and the latest analyses.

WEAK CONTRACT

The C–5A contract is one in which there is now every evidence of a "buy in" bid. That is a deliberate low bid, impossible of fulfillment, in order to get the award of a major contract.

It is a contract in which the target cost has been greatly exceeded.

It is a contract in which the "ceiling cost" has also been broken.

It is a contract in which there is a $2 billion overrun.

The planes are being built in a Government-owned plant, with large amounts of Government-owned machinery, and where huge "progress payments" are made which in effect supply the working capital.

The Federal Government investment in this matter is very great. The Lockheed investment is minimum.

REVERSE INCENTIVE

But, in addition, it is a contract which has a repricing formula in which there is a blatant reverse incentive. If the costs of the first 58 planes exceed the original estimates, the contractor is rewarded. Each additional plane will cost more, not less. The contract gives incentives for excessive costs and inefficiencies. Just think of that: the contract gives incentives for excessive cost and inefficiency.

It is a contract in which the "reverse incentive" becomes effective if any part of the second run of planes beyond the original 58 is authorized. This is the "golden handshake" in which millions are at stake in my amendment.

It is a contract under which there is already a 6-month delay in delivery.

MODIFIED SPECIFICATIONS

It is a contract in which the original specifications have already been modified and reduced. FAA requirements are not to be met. The landing sink rate has been modified. The wing stress failed to meet specifications.

It is a contract in which the contractor has thus far failed in meeting key requirements in some aspects of quality, timely delivery, and costs; and, under its outrageous terms, the contractor will be rewarded for inefficiency if my amendment is not adopted.

HEARINGS BY COMMITTEES

The Subcommittee on Economy in Government first looked into the C–5A last November. Since that time at least three other congressional committees have held hearings and heard testimony about this contract. In addition, a recent study has been conducted by the Air Force. The Air Force study, entitled "Review of the C–5A Program," was released on July 28, 1969. The striking fact, however, is that none of the investigations of the costs of the C–5A since last year have been able to proceed on the basis of any significant and substantial information gathered since the hearings before the Subcommittee on Economy in Government in November 1968. The fact is that even the recent Air Force review, published only a few weeks ago, failed to gather any new cost data. I quote from the Air Force study:

It should be noted that the costs to the Government reflected above are based on the detailed review completed in October 1968.

The information gathered by the Subcommittee on Economy in Government was also based on the cost review completed in October 1968. That information led the subcommittee to conclude that there would be a cost overrun in the C–5A program of approximately $2 billion.

Mr. President, I point out that only five of these planes have been produced out of 120, and they already have an overrun of $2 billion in a contract that originally was to call for $3.4 billion. It is costing $2 billion more than that. Specifically, according to testimony received by the subcommittee, the original estimate of the cost of 120 C–5A airplanes was $3.4 billion. Because of cost overruns mainly being experienced in the performance of the Lockheed contract, actual costs would total $5.3 billion. These estimates included the cost of spare parts. I will come back to the subject of spare parts later, because I am sure there will be a dispute on the floor with respect to this matter when we return in September; and there was a dispute when I was briefed by the Assistant Secretary of the Air Force, Mr. Whittaker, as to the actual size of the overrun. The difference is that, somehow, the Air Force does not want to include all the spare parts, including replenishment parts. When they are questioned on it, they admit that the spare parts are essential parts of the plane. They have to be purchased. They should be included both in the first estimate and in the last estimate, and that is what I have done.

EMBARRASSING FACTS

At first the Air Force refused to comment on the C–5A cost overruns. I can well understand this refusal. In light of earlier Air Force assertions and representations to Congress about the C–5A, it must have been extremely embarrassing for the Air Force when these facts came to light. Only a few months prior to our hearings, the Air Force had testified before another committee of Congress that the current costs of the C–5A were within the original cost estimates—in other words, no cost overrun. For example, on March 6, 1968, Alexander H. Flax, Assistant Secretary of the Air Force for Research and Development, testified before the House Subcommittee on the Department of Defense, of the Committee on Appropriations. Secretary Flax was asked whether C–5A program was within the original cost estimates. He replied:

We believe it is within the range between the target and ceiling costs at the moment.

Secretary Flax went on to say:

According to the best estimates of people in the program office the contractor is in the range where he should be between the target and the ceiling costs.

Secretary Flax added that the average weapons systems cost of the first 53 production aircraft would be $22 million each, and that the average weapons systems cost for the first 115 aircraft would be $18.6 million per copy. To be generous with Secretary Flax, his testimony was wildly overoptimistic.

SECOND TESTIMONY

On May 8, 1968, the Air Force again testified to Congress, this time before the Senate Subcommittee on Appropriations for the Department of Defense. General Robert G. Ruegg, Deputy Chief of Staff, Systems and Logistics, was asked to describe the C–5A program. He responded:

The design, development and manfacture of the C–5A aircraft is progressing very satisfactorily and is generally on schedule.

General Ruegg then stated that the current average weapons systems unit cost for the approved program of 120 C–5A aircraft was $19.6 million per plane.

It should be noted that there is a slight discrepancy between the testimony of Secretary Flax before the House Subcommittee on the Department of Defense of the Committee on Appropriations and the testimony of General Ruegg before the Senate Subcommittee on Appropriations for the Department of Defense. The discrepancy amounts to a mere $1 million per plane. Secretary Flax testified that the cost would be $18.6 million for 115 aircraft, while General Ruegg testified that the aircraft would cost $19.6 million for 120 aircraft.

It seems strange that the unit cost of 120 aircraft would be more than the unit cost of 115 aircraft. But this discrepancy and this confusion in the wake of the real facts as we now know them is neither here nor there, unless one were to expect consistency and accuracy on the part of the Air Force with regard to the costs of its weapons systems. Again to be generous to General Ruegg, his testimony on the costs of the C–5A was also wildly overoptimistic.

COST AND DELIVERY SLIPPAGE

The point is that the Air Force has been asserting as recently as 6 months before the hearings before the Subcommittee on Economy in Government—my subcommittee—that there was no C–5A overrun, and the Air Force assured Congress that the program was proceeding satisfactorily. These assurances, by the way, related to the delivery schedule and to the performance of the C–5A as well as to the costs. Both of the Air Force spokesmen to whom I have referred also testified that the plane would be delivered on time, and that the first delivery was scheduled for June 1969. They also testified of their high expectations of the performance of the plane. Now we know that these claims were also overoptimistic. The fact is that a substantial delivery slippage has occurred. The Air Force was to have its first C–5A's last June. They were not delivered. In other words, the contractors have already failed to meet their delivery schedule. The first deliveries are now scheduled for next December a slippage and delay of 6 months.

Whether the plane when it is finally delivered will perform according to the contract specifications is also a question, in my opinion. For we have learned that the C–5A has developed a wing crack during static testing in the last few weeks. Just how serious this wing crack is and how it relates to the overall strength or weakness of the C–5A aircraft has not been publicly disclosed so far.

In any event, one can well understand the embarrassment of the Air Force to see the public disclosure of the $2 billion overruns in November 1968.

HUGE FUNDS AT STAKE

Mr. President, $2 billion is a phenomenal amount of money. These are not the funds for the yearly procurement of an entire military service. Two billion dollars is the amount of money by which costs will exceed the estimates on one weapon system alone. That is the hard, shocking, scandalous fact.

Look at the alternatives to spending the money on the overrun.

Two billion dollars would pay for the housing subsidy under the new homeowners section of the 1968 Housing Act, for some 3⅓ million housing units for poor families for an entire year. Yet we are having trouble getting the full $100 million for that program. The $100 million needed for the program for the entire country is only one-twentieth the $2 billion overrun on this one plane.

COMBAT TROOPS

Mr. President, the $2 billion, at $10,000 per man per year, would finance the pay and allowances and associated personnel costs for 200,000 combat troops or more than 10 combat divisions for a full year. That is why many of us say this country would be stronger if we spent defense funds more efficiently.

The $2 billion overrun on one plane and one contract would finance all the economic assistance or AID funds in the fiscal 1970 budget of $1.973 billion.

The $2 billion is five times the amount in the budget for rural electrification.

It is more than five times the amount the Interior Department will spend on all forms of recreation.

The $2 billion excess to be spent on the C–5A is almost 20 times the $212 million in the Department of Transportation budget for urban mass transportation to which the President addressed himself with such vigor in the past few days—and high-speed ground transportation programs which are desperately needed.

DOUBLE HOUSING FUNDS

It is almost double all the funds we intend to spend in 1970 for low- and moderate-income housing by HUD.

The overrun on the C–5A is more than twice as much as we intend to spend in this entire fiscal year for low- and moderate-income housing for the entire country. If there is one economic shame in this country, where we have really fallen down, it is in low- and moderate-income housing.

It is only slightly less than all the $2.3 billion in the fiscal 1970 budget for Federal outlays to elementary and secondary education.

The C–5A overrun would virtually pay for all non-service-connected pensions for the U.S. veterans for fiscal year 1970. It is more by $300 million than all the money we spend on veterans' hospitals and medical care.

The $2 billion overrun on the C–5A is almost three times the $742 million in the Federal budget in fiscal year 1970 for law enforcement, justice, and civil rights. What kind of priority system is that when our cities are burning, when our courts are jammed, when the crime rate has risen, and when millions of Americans still suffer the stigma and indignities of second-class citizenship?

These are among the reasons this contract is outrageous. What kind of priorities do we have when we spend $2 billion more on one single plane than for any one of the programs I have mentioned above?

The alarming thing about it is the Air Force performance. They have backed and filled. They have tried to hide the facts. They have attempted to cover up the excesses.

CHANGE PRIORITIES

For the sake of the security of the country on the one hand, and the welfare of the American people on the other, the time has come to call a halt to such outrageous excesses.

AIR FORCE PRESS RELEASE

As I stated, at first the Air Force would not officially comment on the disclosure of the overrun. Finally on November 19, 1968, a week after the disclosure was made before the Subcommittee on Economy in Government, the Air Force did make a statement in the form of a press release. The press release stated as follows:

C–5

The prime contract for the C-5, with Lockheed Aircraft Corporation for the airframe and General Electric Company for the engines, were the first on a "Total Package" basis, which was an innovation in Government procurement. Under these contracts, designed to check the large cost increases of the past, the competing contractors made commitments with respect to production C–5 airplanes prior to their development.

In view of the great risks inherent in such commitments, which embraced a period of seven years, the contracts contained safeguards both for the Government and the contractors. The Government is protected by contractual provisions which create increased motivation for the contractors to produce technically superior equipment on time at the lowest cost possible. For example, the contractors pay 20–30¢ of every dollar above the target price of 2B$. The Government is not obligated to pay anything above the ceiling price of 2.4B$ for the first 58 airplanes including their engines and the research and development. Similarly, should the Government proceed with a follow-on buy, the contract contains a formula which would reduce but not eliminate large losses that the contractors might incur on the first 58 airplanes, by increasing the target cost of the follow-on airplanes. All of these terms were contained in the original competitively awarded contracts.

The Government is now considering the question of ordering C–5 airplanes beyond the original 58, but no decision has been made. The incentive for the contractors to reduce costs remains in effect; and any such order will provide continued positive motivation to maintain cost control.

At the beginning of this program over three years ago, the Air Force estimated that the cost of development and production of the first 58 airplanes would be $2.3 billion. The corresponding estimate for the 120 airplanes ultimately contemplated was $3.1 billion. Current estimates, including economic escalation and all other factors, are $3.25 billion and $4.3 billion, indicating increases of 41% and 39% respectively.

These additional costs result from: (1) increased costs for labor and materials resulting from the combination of a significant war effort and an unprecedented demand for civilian aircraft, both of which occurred after the original estimates, (2) the introduction of new technology, and (3) modifications to overcome technical difficulties inherent in the development of all new aircraft.

Based on flight experience to date, the C–5 will exceed its technical performance guarantees.

What all that verbiage means is that the Air Force was admitting that the 120 C–5A's would cost approximately $1.2 billion more than the original 1965 estimates. This concession, although it did not represent the whole truth, indicated part of the magnitude of the problem.

CONGRESSIONAL RESPONSIBILITY

The problem revealed by the C–5A case goes far beyond the cost of a single weapons system, even though the cost problem alone is very great. The problem is whether the Congress is willing and ready to exercise its full responsibility to the American people with regard to the military budget. In my view, military spending for many years has been out of control so far as the Congress is concerned. The Congress, in short, has failed to properly exercise its constitutional responsibility to provide for the common defense. This responsibility should not signify the complete abdication of authority by the Congress over the military budget in general and military weapons systems in particular.

The C–5A program symbolizes the failure and the breakdown of the present system.

WHY A C–5A?

In the first place, Congress unthinkingly permitted the military to sell the C–5A concept to it. Is there a real military requirement for the C–5A? What is the nature of this military requirement? Why do we need 120 C–5A's, even assuming that there is a real requirement?

I may emphasize that my amendment would permit 58 C–5A's, already authorized. It would simply mean that the additional 23 C–5A's—or going to 81 C–5A's—would be held up until we could get an investigation to determine whether that was desirable.

Why would not the 58 C–5A's presently authorized, funded, and under construction not meet whatever military requirements exist?

My information indicates that the Air Force and the military already have more than adequate aircraft capability with the cargo planes in its inventory. In addition, the Air Force has access to the cargo capability of private carriers. The Air Force has traditionally utilized private carriers for its airlift needs. This seems to me to be an eminently sound policy. But with the addition of the C–5A and the excess cargo airlift capability which it would bring to the Air Force, I predict that there will be a change in this policy. Already there are signs that the military is cutting down on its use of private carriers. I think this is unfortunate, that it represents a mistake in judgment, and that it will impair our private carrier fleet.

THE 58 PLANES WOULD BE PRODUCED

Now let me explain that my amendment would not end the C–5A program altogether. Fifty-eight planes has been authorized and are under construction, as I have stated. My amendment does not apply to the 58 aircraft under construction. These aircraft are known as first production run, or run A. A second production run is also contemplated by the Air Force. In fact, the Air Force may be contemplating several subsequent production runs.

The second production run is known as run B. The total number of aircraft in run B is 62 units. The authorization bill before us today contains funds for 23 aircraft from the second production run, or run B.

My amendment applies only to the 23 aircraft in run B. The funds that my amendment would strike from the bill are the funds earmarked for the 23 aircraft. The amendment provides that no more than 58 C–5A's, meaning run A, shall be purchased until after the Comptroller General of the United States has completed and submitted to the Congress a comprehensive study and investigation of the projected costs of the C–5A's.

Among the facts the Comptroller General should gather are those which would allow us to judge, whether the purchase of the 23 aircraft from run B would add significantly to the deployment capability of the military forces of the United States. This in effect is the military requirement.

The essence of the military requirement justification for the C–5A concerns the rapid deployment strategy envisioned by the former Secretary of Defense, Robert McNamara. This strategy contemplated the availability of military forces for very rapid deployment. It would therefore depend upon a strategic deployment force which could deliver the necessary military forces with unprecedented speed.

TWO AND ONE-HALF WAR STRATEGY

All of us have now heard of the 2½ war contingency. This means that our entire defense strategy is based on the assumption that we might have to fight simultaneously two major conventional wars and one minor "brushfire" war. That is we assume, not that we might have to fight these two wars in succession or in a relatively short space of time; rather, we assume that we might have to wage the wars all at once, simultaneously. I might add, that how this farfetched and questionable assumption crept into our defense policy and our foreign policy is a mystery to me; and until a relatively short time ago, very few Members of the Congress, on the basis of my information, knew that there was such an assumption.

In any event the military requirement for the C–5A, and specifically for the full 120 aircraft, is based on the 2-plus war contingency plus the McNamara rapid deployment strategy.

IS IT COST EFFECTIVE?

In my judgment, the 23 aircraft from run B cannot be justified even if we accept the assumption that we must be prepared to engage in two major conventional wars and one minor war, simultaneously, which, as I have indicated, strikes me as an unrealistic if not irrational assumption.

I do not say that the United States should not have any rapid deployment capability. No doubt some rapid deployment capability is desirable. That is not the question here. The 58 C–5A's now under production will give us substantial rapid deployment capability. What is at issue is the question of whether the 23 additional C–5A's will add significantly to our deployment capability. In my judgment, it will not. The 23 additional aircraft will add only the capability to move the equipment for half an Army division to Europe in 3 weeks and for less than one-quarter of a division to Asia in the same period.

This is a very small capability considering the very large price we are being asked to pay. I would also add that the McNamara rapid deployment concept is questionable because the C–5A is justified only during the very early movement requirements following the outbreak of hostilities. Only for the 1- to 3-week period following the beginning of a war can the C–5A be justified. At any later period, that later than 3 weeks, ships become a much more efficient and effective means of moving men and equipment. Ships, of course, can move many more men and much larger tonnages than aircraft.

As an example, if we plan to move our military forces to Europe from the United States in a period of 2 weeks, ships become more economically efficient than C–5A's. If we plan to deploy our forces to Asia during a 3½-week period, ships are more economically efficient than C–5A's.

SHIPS LESS EXPENSIVE

The question should be asked, What is our realistic readiness capability? The fact is that our military has never demonstrated the capability to assemble and deploy more than one or two light airborne or marine divisions in a matter of a few weeks. Any plan we may have to assemble, transport, and reassemble for combat 12 or more heavy, mechanized or armored divisions in a period of a few weeks is completely unrealistic based on our experience and our peacetime training. If we take our experience into account and allow for the relative readiness capabilities of peacetime troops, ships are far more inexpensive than the C–5A for equal deployment capability in a 2-month period after D–Day. According to information that I have received, ships are one-half to one-sixth as expensive as the C–5A for such a period.

In other words, if 23 additional aircraft are not purchased there will be only a minor impact at best on our overall rapid deployment capabilities. This is because of the relatively minor incremental advantage to be gained from the purchase of the 23 additional planes, considering their cost. The fact is that we already have more than an adequate aircraft capability from our available C–141's, C–130's, and our civilian reserve aircraft. Indeed this aircraft capability is already adequate even assuming the 2½ war contingency. According to my information currently procured air-

craft forces are adequate even for emergency wartime supply.

SYSTEMS ANALYSIS STUDY SAYS PLANE NOT JUSTIFIED

I recently asked Philip N. Whittaker, the Assistant Secretary of the Air Force, Installations and Logistics, to brief me on the military requirement for the 23 additional aircraft or for the 120 aircraft. Mr. Whittaker replied that the military requirement is based on classified information. I can well understand the Air Force's reluctance to discuss the military requirement publicly. I have learned that the most recent study by the Office of Systems Analysis into the C–5A program concludes that the 23 follow-on aircraft cannot be justified on either military or economic grounds.

Mr. President, I suspect that this is probably the most important statement I shall make this afternoon, and I wish to repeat it. I think if all Senators know of this statement, every considerable question will arise in their minds as to whether they should vote for this C–5A; and I think it would be very persuasive to many Senators to vote for my amendment. Let me, therefore, repeat it: The most recent study by the Office of Systems Analysis into the C–5A program concludes that the 23 follow-on aircraft cannot be justified on either military or economic grounds.

That is an analysis by the Office of Systems Analysis, in the Office of the Secretary of Defense. I do not know how we can get a better qualified authority, and it is especially persuasive in view of the fact that the Secretary of Defense and the Defense Department have asked for these aircraft and yet their own analysis shows they cannot be justified on either military or economic grounds.

TWO BILLION DOLLAR OVERRUN

The second major issue in the C–5A procurement is the matter of costs. I have indicated that the conclusion of the Subcommittee on Economy in Government was that the cost of 120 aircraft will be about $2 billion more than was estimated when this contract was entered into in 1965.

This brings us to a discussion of the C–5A contract. Since the largest portion of the overrun and the problems revealed so far deal with the Lockheed contract, I will refer to it. The contract entered into by the Air Force with Lockheed was a negotiated, fixed price incentive contract. It was the first contract utilizing the so-called total package procurement concept—TPPC. When the Air Force announced the award of this contract, it did so very proudly. It was proud of the contract as a new concept in procurement, that is, the total package procurement concept which was supposed to achieve two major objectives. Because the C–5A contract gave birth to this new concept, it is important to understand what it was supposed to do.

FAILURE OF TOTAL PACKAGE PROCUREMENT

First, total packaging was supposed to act as a deterrent against cost overruns in less than promised performance. To accomplish this objective, all development, production, and as much support as is feasible of a system throughout its anticipated life, was to be procured in a single contract, as one total package. The contract for the C–5A includes price and performance commitments by the contractor, which is supposed to motivate him to control costs, perform to specifications, and produce on time. In view of the enormous overrun and the 6-month delay in the delivery schedule, at least two of the three criteria for performance of the contract show negative results. It has been our experience that contractors have often bought into an R. & D. contract by offering to perform it at a low price and making other promises, often unkept, in order to place themselves in a position to be the prime contractor or the sole source contractor for the production. The production of a weapons system, of course, is usually the more lucrative end of the job.

INEFFECTIVE METHOD

Second, total packaging was supposed to motivate contractors to design for economical production and support of operational hardware.

In May of 1966, several months after the award of the C–5A contract, the Air Force published a description of the total package procurement concept. This description contains the following passages:

> Most simply stated, the TPPC as conceived by the Air Force, envisions that all anticipated development, production, and as much support as is feasible of a system throughout its anticipated life is to be procured as one total package and incorporated into one contract containing price and performance commitments at the outset of the acquisition fees of a system procurement.

In other words, the C–5A contract with Lockheed included R. & D. production, and support; that is, spare parts. The contract also contained price and performance commitments.

PAST FAILURES

In explaining why the Air Force felt the need for this new contractual device, it stated:

> Thus, the history of defense procurement is replete with cost overruns and less than promised performance which were, at least in part, the results of intentional "buy in" bidding where cost estimates are understated and performance and scheduled estimates overstated on the initial contract and this has been the case even where there has been no substantial increase in the then state of the art.

The principal benefits enumerated by the Air Force in this publication are that the contract:

First, requires a tightening of design and configuration and discipline.

Second, inhibits the unrealistic salesmanship or buy in bidding, includes overestimates of performance as well as underestimates of cost.

Third, motivates the contractor to design initially for economical production, and should produce not only lower costs on the first production units, but also a lower takeoff point on the production learning curve, thus, benefiting every unit in the production run.

Fourth, permits the Department of Defense to negotiate with a contractor on the basis of binding commitments concerning the performance and the price of what is really required—operational equipment.

OBJECTIVES UNOBTAINED

These were the expressed objectives of the total packaging concept as embodied in the C–5A contract. They are desirable objectives. Unfortunately, none of them were obtained in the C–5A contract. There is considerable evidence, in my judgment, that Lockheed engaged in unrealistic salesmanship and that its intent was to buy into the C–5A. It did this by underbidding the Boeing Corp. which was also a candidate for the C–5A by $300 million. Lockheed also underbid its nearest competitor in price, the Douglas Corp. by $100 million. The enormous cost overruns cast Lockheed's low bid in a new perspective. In light of what we now know, Lockheed's low bid is ludicrous, and it can be reasonably concluded that Lockheed knew or had reason to know that its bid was unrealistic. The proposal submitted by the Boeing Corp. by the way, was considered superior on technical design grounds than the Lockheed proposal by the Air Force Source Selection Board.

The Air Force assertion that this contract was based on binding commitments concerning the performance and price is especially foolish or deceptive in view of what we now know. This brings us to a discussion of the now famous repricing formula and it also brings us to the subject of spare parts which I said earlier I would more fully discuss.

REPRICING FORMULA

The repricing formula contained in the contract was first publicly disclosed in hearings last November. The repricing formula is the most blatant reverse incentive in Government contracting that I have ever encountered. It provides, in effect, that the second production run, run B, is to be repriced, on the basis of the actual cost of the first production run, run A, and in accordance with a specific formula. The effect of using the repricing formula is to renegotiate with the contractor over the price of the follow-on production, run B. It means that in the event the actual costs of the first 58 planes exceed the original estimates, the contractor receives a higher price for the follow-on production. In other words, the higher the cost to produce the first 58 planes, the higher the prices go for the follow-on aircraft. As can be seen, there is a very limited incentive to control the costs. Instead of being penalized for exceeding these cost estimates, the contractor in this case is awarded a higher price for the follow-on production.

NO BINDING COMMITMENT ON COST

How firm, therefore, are the firm price commitments which the Air Force has claimed for the C–5A contract? I asked this question of the then Assistant Secretary of the Air Force, Robert H. Charles—the father of the package procurement, and some Senators say he wrote the book on it—when he testified before the Subcommittee on Economy in Government on January 16, 1969. The colloquy with Mr. Charles on this point follows:

> Mr. PROXMIRE. Do we really have binding commitments on the C–5A price if the contract is repriced for future production runs in order to take care of cost overruns in the initial production? Do we not lose one of the main advantages of the total packaging?

Mr. CHARLES. No, I think not.

Mr. PROXMIRE. I do not see how we can have binding commitments, on the one hand, on price and a repricing projection at the same time.

Mr. CHARLES. I do. It is a binding clause in the contract. Any contract adjustment is made pursuant to a formula to which the competitor bids. I see nothing non-binding about it.

In other words, to the Air Force a contract clause provides for a firm price commitment even though another clause in the contract provides for a way to increase the price. It seems to me that under that kind of arrangement, the only party committed is the American taxpayer and he is committed to pay any price, no matter how high and excessive it might be, once the Air Force decides it wants a new weapons system.

AIR FORCE NOW ADMITS MISTAKE

But even the Air Force has recently admitted that the repricing formula was a mistake. The Air Force states in its recent review of the C–5A program:

This provision was well intentioned but poorly comprehended at the time of award. In operation it is beset with ambiguities, complicating its implementation and raising the prospect of a reverse incentive. Under a selected set of conditions, the point can be reached where, for each additional dollar of cost occurring in the production of Run A aircraft, an increase of total contract target and ceiling of more than a dollar could result. This potential could encourage the contractor to add costs to Run A so as to reduce overall loss on both the Run A and Run B production.

GOLDEN HANDSHAKE

Contrary to Air Force claims at the early stages of this program, when it was being sold to the Congress and to the public, the contract has not produced lower costs for the first production units. The costs for the first production units are greatly exceeding the original estimates. Thus, instead of a lower takeoff point on the production of learning curve, benefiting every unit in the production run, we have a higher takeoff point on the production learning curve, thus inflating every unit in the production run. On top of all this, we have the repricing formula, which has been called the "golden handshake," which further inflates the cost of the run B aircraft. The Subcommittee on Economy in Government concluded in its unanimous report the following:

Not only were the price increases made possible by the repricing formula, but the cost overruns which are resulting in the higher prices may very well have been encouraged by the existence of the formula and by the nature of the formula. For the mere fact that a repricing provision existed in the contract constituted a built-in get-well remedy for almost any kind of cost growth. According to this provision, the price of the second increment (run B) could be increased on the basis of excessive actual costs on the first increment (run A). The motivation, if any, of the incentive feature of the contract is thereby largely nullified, provided the contractor is confident that the Government will exercise the option. Why bother to keep costs down if their increase forms the basis for a higher price? Additionally, because of the nature of the formula, the higher the percentage of overrun over the original contract ceiling price on the first increment, the higher the percentage by which the second increment is repriced.

As I have indicated, the Air Force itself now recognizes that the repricing formula was a serious mistake. The mistake was so serious that the Air Force says it would now like to renegotiate the contract to remove the reverse incentive feature. The Air Force review of the C–5A program calls for such a renegotiation.

The problem, however, cannot be so easily resolved. Revising the contract to eliminate or modify the repricing formula will not make this a good contract nor will it necessarily reduce the cost of the C–5A to the Government. And the cost is what is at issue here.

SHOULD STOP AFTER FIRST RUN

There is no way, in my judgment, to get out from under the huge cost of this program without curtailing it at this point. If the program is ended at the completion of the first 58 aircraft, Lockheed would be forced to absorb the cost of overruns for which they are responsible, over and above the ceiling price in the contract. There is no reason for Lockheed not to absorb the costs over and above the ceiling price.

And these costs, by the way, would include possibly the extensive costs brought about by the recent failure of the C–5A wing to meet structural strength requirements. I might add here that the failure of the C–5A to meet the structural strength requirements in the contract is a serious matter. It is no excuse to say that the plane is satisfactory to 100 percent of its designed load limit, and that it only fails to meet 150 percent of the designed load limit. The fact is that the 150 percent provides for a safety feature which is absolutely essential before any plane can be deemed airworthy. The FAA, according to my understanding, would require this plane to meet 200 percent of its designed load limit. But the Air Force has decided for some reason which it has not made known, not to seek FAA certification, although the contract provides for FAA certification. In addition, the fact that the plane failed to meet the static tests indicates that it would more than likely fail under dynamic conditions. Static tests only simulate dynamic conditions. The static tests that occur on the ground do not create the same kind of stresses on an airframe that is created during the dynamic conditions that occur in the air.

LETTER TO SECRETARY

On this point I wrote a letter to Robert Seamans, Secretary of the Air Force, on July 18, 1969, inquiring about the reported crack in the C–5A wing. I also addressed certain questions to the Secretary relating to recent changes in the C–5A specifications which seem to represent degradations in its performance standards. So far I have had no response from the Secretary of the Air Force to my letter, although I wrote him on July 18! However, I believe that what I said to him was pertinent to this discussion:

JULY 18, 1969.

The Hon. ROBERT C. SEAMANS, Jr.,
Secretary of the Air Force, Department of Defense, The Pentagon, Washington, D.C.

DEAR MR. SECRETARY: I have noted the recent announcement by the Air Force that tests of a C–5A aircraft produced a crack in one of its wings.

This development seems to me to raise additional questions about the C–5A program. You may be aware of recent testimony by Mr. A. E. Fitzgerald before the Subcommittee on Economy in Government with regard to certain changes in the C–5A specifications. One of the changes, according to Mr. Fitzgerald, is a decrease in the maximum speed for lowering flaps on landing from 205 knots to 180 knots. Another change is a decrease in the maximum allowable sink rate at landing. It occurs to me that both of these changes represent degradations in the C–5A specifications.

What are the reasons for lowering the standards of the C–5A specifications?

Have wing cracks, fuselage cracks, or any other substantial defects been produced in the C–5A prior to July 13, 1969, by ground static tests or other tests or usage of this aircraft?

Were the performance standards for the C–5A lowered because defects were produced in previous tests?

Would you be normally advised of any defects produced from the C–5A during tests?

Will the delivery schedule for the C–5A be affected by the current difficulty? If the delivery schedule will be delayed, please estimate the amount of the delay.

Please estimate the cost of fixing the current difficulty (the cracked wing). Who will pay the cost of necessary modifications, the Government or the contractor?

In the event that Congress does not authorize the purchase of the Run B aircraft, who would pay the costs of the modifications made necessary by the cracked wing? In the event that Congress does authorize the purchase of Run B, who would pay the costs of the modifications?

Your early response to these questions will be appreciated.

Sincerely,

WILLIAM PROXMIRE,
Chairman, Subcommittee on Economy in Government.

IS GOVERNMENT LIABLE FOR REPAIRS?

The question that we also need answered is whether the purchase of the 23 additional aircraft would make the Government liable for the cost of repairs and modifications necessary to correct the structural defect. This is one of the questions which my amendment seeks to answer. In the amendment, the Comptroller General is instructed specifically to seek an answer to this question.

I should add here that according to the lawyers for the contractor, the Government would be liable not only for the costs of repairing the cracked wing and making whatever modifications are necessary, but would also be liable for all contractor losses and termination costs if the full 120 aircraft are not procured. This view is based on the fact that the Secretary of the Air Force early this year exercised the option to purchase the follow-on aircraft.

The exercise of this option was announced on the morning of the January 16, 1969, hearings before the Subcommittee on Economy in Government, of which I am chairman. This announcement came in spite of my request to the Secretary of Defense that the Government not commit itself to purchase the Run B aircraft until a complete investigation of the cost overruns could be completed. The investigation I asked for was not even started on the morning of January 16, when the announcement of the Government was made.

COST OF SPARES

The amendment I have introduced addresses itself to several other cost issues, including the cost of spares. The Air

Force has consistently tried to gloss over and obscure the huge cost increases that have occurred on the spare parts. It has even attempted to create the impression that the original contract did not include the cost of spares. This is not true. The contract entered into in 1965 with Lockheed did include the cost of spares.

Now the Air Force claims that the original contract included only the cost of initial spares as distinguished from replenishment spares. The difference, as it has been explained to me by the Air Force, is that the initial spares would be comparable to the first set of tires on an automobile needed to replace the original tires, while the replenishment spares would be the second and third set of new tires.

The question, then, is whether the original contract estimates included the cost of the replenishment spares.

REPLENISHMENT SPARES IN CONTRACT

In answering that question, I would first point out that the contract itself contains a provision covering the costs of replenishment spare parts and repair spare parts. Secondly, it has always been assumed by persons familiar with the contract from its origin that replenishment spares were included in the original contract estimates. This assumption is based on the description of the total package contract described by the Air Force in 1966 and on an early briefing document written in 1965. The Air Force's description of total packaging, as I stated earlier, indicated that all anticipated development, production, and as much support as is feasible was to be included in the total package contract. This would include spare parts, whether initial or replenishment.

Further, the briefing document which I referred to states explicitly that replenishment spare parts are to be included as part of the C–5A package. I will now read from this briefing document. On the title page is the following:

Contract AF 33(657) 15053 FPIF–VP, C–5A, Lockheed Aircraft Corporation Lockheed—Georgia Div.

On page 3 of this document, which was prepared by the Air Force, is the following:

What we bought: Item A—RDT&E, System Integration and Assembly ACFT/Mission Kits, Training/Training Equipment, AGE, System Test, System Management, Data and Reports.

On page 4, this list of what the Air Force bought continues:

What we bought: Item B—Production, ACFT/Mission Kits, Training & Training Equipment, AGE, Contract Technical Services.

Provisions for: Initial Spare and Repair Parts, Replenishment Spare and Repair Parts, Up Dating/Modification Changes.

It will be noted, of course, that the list of what the Air Force bought with the C–5A contract included initial spare and repair parts as well as replenishment spare and repair parts.

In my judgment, the Air Force is intentionally attempting to confuse the Congress and the people on the subject of spare parts.

Mr. President, I go into the detail on replenishment spare parts because again and again we have had different estimates as to the original cost of the C–5A and as to its present cost. Repeatedly, those who have argued that the overrun is not $2 billion but some lesser figure—it is $1.4 or $1.3 billion—have said that in the initial estimates, replenishment spare parts were not included, and that by adding the cost of replenishment spare parts in the present estimates, we are not comparing the same things. I go into this detail today to establish beyond any question the documentation to show that I am comparing the same things, that the replenishment spare parts are included in both, and that on that basis there is a $1.9 billion to $2 billion overrun.

Rarely has there been a case with so much concealment and obstruction on the part of a Government agency with respect to its handling of public funds that has been so well demonstrated and documented in public hearings. The callous and devious treatment by the Air Force of one of its employees, Mr. A. E. Fitzgerald, well illustrates this point.

FITZGERALD CASE

Mr. Fitzgerald has been the deputy for Management Systems, Office of the Secretary of the Air Force, for almost 4 years. His responsibilities until recent months included development of the management controls used on the C–5A program. He was also a member of the steering committee reviewing the financing of the C–5A. He was first asked to testify before the Subcommittee on Economy in Government last November because of his recognized expertise in the area of management systems and cost controls.

Mr. Fitzgerald's problems began when he was invited to testify. The Air Force first attempted to deny his appearance before the subcommittee altogether. Only after repeated urgings by my office did the Air Force finally relent and grudgingly permit him to appear. However, the Air Force notified me that Mr. Fitzgerald was to appear only in the capacity of a "backup" witness. The main witness was to be someone else. But this someone else was an individual with whom the subcommittee was not familiar and whom it had not invited.

In other words, the Department of Defense was attempting to dictate to the subcommittee of Congress who was to be its principle witness: and the Department of Defense had taken it upon itself to inform us of the appearance of someone who was not invited, while relegating the individual who was invited to "backup" status. Of course, the subcommittee insisted on hearing from Mr. Fitzgerald, and we did.

However, the Air Force denied Mr. Fitzgerald the opportunity to prepare a written statement, although the subcommittee had requested a written statement from him in our letter of invitation. A written statement permits the witness to organize his testimony in an orderly way, and to prepare statistical data, charts, and other materials. It also provides a committee with a chance to become familiar with the testimony in advance of the hearing, to prepare thoughtful questions, and to have a more fruitful dialog with the witness. But the subcommittee was denied this opportunity because of the directive to Mr. Fitzgerald not to prepare a written statement.

The only explanation, in my judgment, is that the Pentagon was attempting to interfere with this witness' testimony by gagging him as much as possible.

This explanation is amply supported by the events that followed Mr. Fitzgerald's oral testimony in November. In his oral testimony, responding to direct questions from me, he conceded the fact that there would be a cost overrun on the C–5A, possibly as high as $2 billion.

COMPUTER ERROR

Less than 2 weeks after his testimony, he was notified of his loss of civil service tenure. Imagine that. Less than 2 weeks after this man testified before a congressional committee and simply answered a question put to him—and as far as we know he answered it honestly—he was notified of the loss of his civil service tenure by the Air Force. The Air Force claims that this action was only coincidental to the fact that he had recently testified before the Subcommittee on Economy in Government about the C–5A.

It was called a "computer error." We checked on the basis of the latest testimony and found that the computer made very few errors. It had made two errors before that were similar to this one, although it made some 50,000 decisions. Whether the Air Force's action in stripping Fitzgerald of his job protection was a coincidence may be judged from the events that followed. For the subcommittee subsequently obtained a copy of a memorandum to the Secretary of the Air Force from the Secretary's administrative assistant. The memorandum was dated January 6, 1969.

GET RID OF FITZGERALD

The intriguing feature of this memorandum is that it concerns ways in which the Air Force could get rid of Mr. Fitzgerald. I think the Members of this body ought to think about this a few minutes. Here was the Secretary of the Air Force, Harold Brown, receiving an interoffice memorandum from his administrative assistant. The subject of the memorandum was ways by which the Air Force could get rid of one of its civilian employees. The civilian employee happened to be Mr. A. E. Fitzgerald. The civilian employee happened to have testified before a committee of Congress on the costs of the C–5A cargo plane. The civilian employee testified that there would be a $2 billion cost overrun on this program. Previously the Air Force had gone to great lengths to hide the costs of the overruns. Less than 2 weeks after his testimony the civilian employee was stripped of his civil service public tenure. A few weeks later a memorandum is prepared by the administrative assistant on how to get rid of the civilian employee. Is this still a coincidence?

The memorandum itself explained for the benefit of Secretary Brown three separate actions "which could result in Mr. Fitzgerald's departure." They were, first, adverse actions for cause. Second, reduction in force. Third, conversion of Mr Fitzgerald's position from an excepted category to career service, and then eliminating him in subsequent competitive procedures. To explain the last

possibility, the memorandum contains this example of Air Force ethical constraints:

This action is not recommended since it is rather underhanded and would probably not be approved by the Civil Service Commission, even though it is legally and procedurally possible.

A coincidence?

I have done everything in my power to prevent the Air Force from taking punitive action against Mr. Fitzgerald. In my view, he is a dedicated, loyal Federal employee and citizen, whose conduct is beyond reproach. His only offense is that he is cost conscious. His job is to control costs, to save the taxpayers' money. He works at this job conscientiously and tries to save as much of the taxpayers' money as possible.

He is extremely competent in this area. He is one of those rare persons who is highly gifted and who has had the character and the strength to persist in what is an unpopular job of trying to hold down costs. This is the kind of conduct which engenders real hostility on the part of contractors and others who worked with him in the Air Force and the Pentagon.

COLD CLIMATE FOR FITZGERALD

Unfortunately, there are those in high places in the Air Force and in the Department of Defense who do not agree with this approach to Government spending. And these persons have been responsible for the peculiar coincidences affecting Mr. Fitzgerald's job. Even now they are attempting to hound and discredit him.

His major responsibilities have been taken away from him. Instead of the major weapons systems for which he was formerly responsible, his new job is to look into the cost overruns on a bowling alley in Thailand.

But perhaps the most reprehensible and dangerous acts committed by the Air Force in connection with Mr. Fitzgerald's appearance before the subcommittee relates to the supplemental testimony the subcommittee requested last November. The subcommittee had asked Mr. Fitzgerald to prepare certain cost data and other information in writing, to be submitted to the subcommittee following the close of oral testimony. Among other things, the subcommittee had asked for a breakdown of the C–5A cost overruns. The request was made on November 13, 1968.

DELAYED TRANSMITTAL

Not until December 24, 1968, did the subcommittee receive the materials from Mr. Fitzgerald, and only after the subcommittee had raised strenuous objections to the delay in transmitting the supplemental testimony. In fact, as the subcommittee later learned, Mr. Fitzgerald had prepared his supplemental testimony within a few days of the November 13 appearance and had turned it over to the Air Force for transmittal to the subcommittee. The Air Force had held on to the supplemental testimony and intentionally delayed its transmittal for more than 4 weeks.

The materials received on December 24, were labeled "Insert for the Record testimony of A. E. Fitzgerald." However, upon checking with Mr. Fitzgerald, the subcommittee learned that the materials received on December 24 were not the same materials prepared by Mr. Fitzgerald. They had been altered by the Air Force. More importantly the Air Force had altered the C–5A cost estimates prepared by Mr. Fitzgerald. The alterations made it appear that Mr. Fitzgerald's figures corresponded with the official Air Force figures contained in its November 19 press release.

The subcommittee advised the Air Force that it would not accept the materials received on December 24 as the testimony of A. E. Fitzgerald. We insisted on our right to receive the true and accurate testimony of the witness, unaltered and uncensored by the Air Force. The subcommittee finally, on January 15, received Mr. Fitzgerald's authentic and uncensored testimony.

The Air Force's attempts to muzzle, interfere and alter the testimony of Mr. Fitzgerald cannot be justified. They appear to have been almost desperate and panic stricken in their efforts to prevent public disclosure of the C–5A overrun. The Air Force testimony in two separate committees of Congress in March and May of 1968 that there was no C–5A overrun should be considered in this connection.

LATE REPORTING OF OVERRUN

What also needs to be considered is the fact that they began to learn of the C–15A overrun as early as November 1966. During that month an Air Force team, which included Mr. Fitzgerald, visited the Air Force plant in Marietta, Ga., where the C–5A was being produced. The review team found overruns of up to 100 percent in key segments of the program.

That was in 1966, a year and a half before Mr. Flax testified before an appropriations subcommittee of the House that there were no overruns, and that the costs were between the cost and the ceiling.

The second visit 3 weeks later confirmed the initial observation. The overrun in the C–5A program grew steadily in late 1966. Yet, according to the evidence received by the subcommittee, evidence of its existence began disappearing from Department of Defense internal reports. In 1968 evidence of the overruns also disappeared from internal Air Force reports. In fact, the Air Force reports had been changed by directive from higher headquarters to eliminate the evidence of the C–5A overruns. Mr. Fitzgerald requested an audit to determine the true facts about the C–5A costs but it was never performed.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Virginia.

Mr. BYRD of Virginia. The Senator from Wisconsin mentioned that the records were altered, and I believe he said by higher authority. Could the Senator identify the higher authority more precisely?

Mr. PROXMIRE. I cannot identify it other than by saying that the information, the testimony of Mr. Fitzgerald, was sent to us and we received it. We then checked with Mr. Fitzgerald and he said that that was not his testimony, that it had been changed by persons in the Air Force. Unfortunately, at the present time, I do not know and I cannot tell the distinguished Senator from Virginia who it was that changed that testimony.

I will do my best to determine the identity of that person, or persons, and provide it for the RECORD.

Mr. BYRD of Virginia. I was not so much concerned about that as whether it was done within the Air Force or by a higher echelon; namely, the Department of Defense as differentiated from the Air Force.

Mr. PROXMIRE. Again, I would have to say to the distinguished Senator from Virginia that I am not sure. I think he makes a good point. It could come from either source. It would not be fair to the Air Force to assume that it was likely they, because it might very well have come from the Department of Defense. Mr. Fitzgerald worked in the office of the Secretary of the Air Force. His superior was in the office of the Secretary of the Air Force. On the other hand, he did work with the Department of Defense in this, and it could have come from either area, both of which, of course, would be higher headquarters than Mr. Fitzgerald.

Mr. BYRD of Virginia. I have had great concern about this contract, just as has the Senator from Wisconsin. I shall not further interrupt the Senator at this time, but when he finishes his address, I should like to go over a few points with him.

Mr. PROXMIRE. Very good.

Mr. President, I believe that the evidence in the case indicts the Air Force and Department of Defense for its handling of the C–5A program. The C–5A has been mismanaged and public funds have been mishandled. The Air Force has shown its great disregard for the heavy responsibility it has over the use of public funds, and it has shown serious disrespect for Congress by its high-handed conduct.

MISMANAGED WEAPONS SYSTEM

I might point out that the Air Force is not alone in this regard. The House investigation of the Army Sheridan tank program revealed similar disclosure problems, deceptions, and mismanagement on the part of the military. The Aerospace Daily and Executive Report, a trade newspaper, on July 30, 1969, commented on certain aspects of the tank and the C–5A cases. I believe what the Aerospace Daily has to say on this matter is significant because that journal can by no means be labeled as critical of military spending or of the aerospace industry. I will therefore read excerpts from what the Aerospace Daily has to say:

Pentagon internal reporting has come under fire and suspicion as an outgrowth of findings of the House Army tank investigation and Congressional hearings on the C–5A jet transport cost overrun.

In the $2.5 billion Army tank procurement, House Armed Services Committee investigators found internal reports misleading, inaccurate and deliberately optimistic. Officials

connected with the program were criticized for failing to provide objective information to high command upon which logical and supportable decisions could be made.

In the now $4.6 billion C–5A Galaxy transport procurement, Air Force admits that it deliberately did not report for two years initial and continuing cost growth which showed up only five months into the eight-year program.

In the first case, Army claimed it wrote optimistic reports on development of the M–551 Sheridan light assault reconaissance vehicle and its Shillelagh weapons system because at every reporting period developers "believed" serious deficiencies were shortly to be corrected. The House investigation shows they were not in many cases, despite 10 years of work.

In the second case, Air Force said it withheld cost growth because it did not want to jeopardize the financial condition, in the stock market and elsewhere of its only C–5A supplier.

As a result of these faulty reports, Congressmen and Senators charged with responsibility for authorizing and appropriating Defense funds have been abashed to discover they are the last persons to find out about unsolved developmental problems and cost overruns. In a time of inflation, high taxes and serious Federal budget constraints, they are placed in a tenuous position vis a vis their constituents.

The article then points out that the Senate Armed Services Committee has requested quarterly reports on cost, schedule, and performance on 31 major weapons systems and that it is considering having the General Accounting Office monitor contracts. The Aerospace Daily continues:

How effective this step will be has to be seen. House tank investigators found that GAO was denied access to Army records, a procedure which the Pentagon can invoke under "executive privilege" precedents. Further complications are caused by differing record-keeping and auditing procedures used by the services and by their contractors.

A price example is the fact that in the C–5A procurement Air Force estimates that contractor Lockheed Air Craft will lose $285 million. Lockheed estimates it will lose $13 million but make a profit after spares are ordered. The systems analysts in Laird's office have still another set of figures.

It remains that the Pentagon's veracity has been hurt by the findings of Congressional inquiries into the tank and transport procurements. Members of Congress can forgive and forget if they feel they made a bad decision based on objective information. But if the information they received was not honest, they will look at future Pentagon reports askance, and take them with a very large grain of salt.

TIME TO CALL A HALT

What all of this adds up to, in my judgment, is that the Congress must call a halt to Pentagon shenanigans. The C–5A case symbolizes the worst aspects of military procurement. The Air Force has been managing this program since 1965 and it has utterly failed to do a good job. Public funds have been squandered on a program of dubious value which will cost at least $2 billion more than Congress originally agreed to pay. Where are the C–5A overruns leading? The recent Air Force report admits that "there is a distinctive possibility that costs may continue to increase." I believe that this statement means that the Air Force is putting the Congress on notice that it will come in at a later date to ask for even more money for the C–5A.

Mr. President, let me add that when Assistant Secretary Whittaker briefed me in my office a few days ago he said that, too. He said that there is evidence of further cost growth, that we have not seen the end of the overruns on the C–5A, that we cannot say that $2 billion is the limit; it could be more. There is every indication that it will be more. As a matter of fact, the Air Force now is being franker in predicting overruns than it has been at any time.

The American people deserve a better accounting of its tax money with respect to the C–5A program than we can now give. My amendment will at least place the Congress in a position of knowing what the real military requirements for the 23 additional aircraft are and what the economic justification for them is. The amendment asks the General Accounting Office for an investigation of the facts and to submit its findings with recommendations to the Congress within 90 days.

NEED MORE KNOWLEDGE

Clearly it is not unreasonable to refuse to authorize any additional C–5A's until we know more about this program. Furthermore, if it is determined that there is a military requirement for the 23 additional aircraft, then I believe we ought to know what they will cost and whether their costs will be ballooned by the repricing formula. I therefore urge the adoption of the amendment.

Mr. President, I ask unanimous consent that sections from the Subcommittee on Economy in Government report on the economics of military procurement, on the C–5A overruns, which includes a table on the cost overruns, be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

2. COST OVERRUNS: THE C–5A CARGO PLANE

The Air Force selected the Lockheed Aircraft Corp. as the airframe prime contractor for the C–5A, a large, long-range, heavy logistic aircraft, on September 30, 1965, after proposals had been received in response to Requests for Proposals (RFP) from 5 firms, and preliminary contracts had been entered into with 3 of them in 1964. It is not clear, from the evidence, how much *price* competition had to do with the selection. Secretary Charles testified that there was competition among the firms. But when asked how low Lockheed's bid was compared to the others, he refused to disclose the figures on the grounds that "this is company proprietary information". A similar procedure resulted in the selection of General Electric as the engine manufacturer.

The contract with Lockheed is a negotiated, fixed price incentive fee contract. It is also the first contract utilizing the total package procurement concept (TPPC). Two major objectives of the concept, according to the Defense Department, are to discourage contractors from buying in on a design and development contract with the intention of recovering on a subsequent production contract, and to motivate contractors to design for economical production and support of operational hardware. Thus, TPPC is supposed to act as a deterrent against cost overruns and less-than-promised performance. To accomplish this, all development, production, and as much support as is feasible of a system throughout its anticipated life, is to be procured in a single contract, as one total package. The contract includes price and performance commitments to motivate the contractor to control costs, perform to specifications, and produce on time. As the C–5A is an incentive contract (TPPC does not necessarily result in incentive contracting) it contains the usual financial rewards and penalties associated with incentive contracting.

The C–5A contract for the airframe provides for five research, development, test and evaluation (R.D.T. & E.) aircraft plus an initial production run of 53 airplanes (the total of 58 planes is called run A), and a Government option for additional airplanes. The present approved program for the C–5A is 120 airplanes comprised of run A (58 airplanes) plus run B (57 airplanes) plus five airplanes from run C.

The testimony received during the November 1968 hearings indicated a cost overrun in the C–5A program totaling as much as $2 billion. A "cost overrun" is the amount in excess of the original target cost. According to the testimony, the program originally called for 120 C–5A airplanes to cost the Government $3.4 billion, but because of cost overruns mainly being experienced in the performance of the Lockheed contract actual costs would total $5.3 billion.

Following the November hearings, Senator Proxmire asked GAO to investigate into the causes and amount of the C–5A overruns and other matters relating to the contract.

On November 19, 1968, the Air Force announced, in a press release, that the original estimate for 120 C–5A aircraft was $3.1 billion, compared to the current estimate of $4.3 billion. Subsequently, in response to a request by the subcommittee, Mr. Fitzgerald, who was responsible for the development of a management controls used on the C–5A and who was on a steering committee directing a financial review of the C–5A, supplied a breakdown of the estimates of C–5A program cost to completion. This data showed Air Force estimates for 120 airplanes was $3.4 billion in 1965, and $5.3 billion in 1968, indicating an overrun of about $2 billion. The difference between the Air Force press release and the data supplied by Mr. Fitzgerald seems to be accounted for in the figures for spare parts. The data supplied by Mr. Fitzgerald shows $0.3 billion for spares estimated in 1965, and $0.9 billion in 1968. If the figures for spares are added to the estimates in the Air Force press release, the two sets of figures are close to one another.

In the January 16 followup hearing, GAO reported on its investigation, the nature of which is discussed below on page 40. Briefly, GAO transmitted to the subcommittee figures supplied by the Air Force 2 days prior to the hearing. These figures indicated a substantial overrun but a smaller total cost for the overall C–5A program than the $5.3 billion figure shown in the November hearings. The reason for the lower total was the omission by the Air Force of the costs of the spares.

Nevertheless, testimony and other evidence received in the course of the hearings confirmed the existence of the approximately $2 billion overrun in the C–5A program, the reverse incentives contained in the repricing formula, and large overruns in other Air Force programs. The latest estimate of the total cost of 120 C–5A's, including spares, provided by Secretary Charles, is $5.1 billion. This is close to the estimate previously supplied by Mr. Fitzgerald, and about $2 billion more than was estimated in 1965. The following table shows the estimates supplied by Mr. Fitzgerald, the Air Force press release of November 19, 1968, and Assistant Secretary Charles:

COMPARISON OF ESTIMATES OF C–5A PROGRAM

[In billions of dollars]

	Fitzgerald		Air Force press release[1]		Charles	
	1965	1968	1965	1968	1965	1968
120 aircraft:						
R.D.T. & E. plus production	$3.1	$4.4	$3.1	$4.3	.....	$4.3
AFLC[2] investment	.3	.9	.....	.....	.....	.8
Total	3.4	5.3	3.1	4.3	.....	5.1

[1] The Air Force press release of Nov. 19, 1968, did not provide cost breakdowns between R.D.T. & E. (research development, testing, and engineering), production runs, and AFLC investment. The figures given seem to omit AFLC investment.

[2] AFLC (Air Force Logistics Command) investment submitted by Fitzgerald includes spare parts; that submitted by Charles includes initial spares, replenishment spares, and support. Table submitted by Secretary Charles (hearings, pt. 1, p. 311) does not include estimates for 1965.

The cost growth in the C–5A program can be seen in the table. The figures supplied by Fitzgerald show an increase from $3.4 billion in 1965 to $5.3 billion in 1968. The Air Force press release can be reconciled with the Fitzgerald figures if the AFLC investment (spares) is added to each of the estimates. Thus, the $3.1 billion estimate for 1965 would total $3.4 billion, and the $4.3 billion estimate for 1968 would total $5.2 billion. Secretary Charles' own figures for 1968 total $5.1 billion. The subcommittee rejects the attempts of Air Force spokesmen to minimize the size of the program or the size of the overrun by removing spares as an item of cost. Spares are an integral part of the C–5A program and should be included in any consideration of costs.

According, to the Air Force, the cost growth in the C–5A program has resulted from normal development problems associated with complex weapons and inflation. However, the subcommittee notes that the C–5A was chosen for the first application of the total package procurement concept partly for the reason that it was not considered a highly complex weapon system requiring technological advances beyond the state of the art. The inflation argument, which is supposed to account for $500 million of the cost growth, appears questionable. The contract contains an inflation provision to protect the contractor from unforeseeable price changes in the economy, to go into effect 3 years after the issuance of the initial contract, that is, October 1, 1968. The initial 3-year period was supposed to be considered a normal business risk. The Air Force official explanation of this provision states: "The contract thus included in the price an amount which reflected a projection of the mounting cost trend in the economy of labor, materials, equipment, and subcontract prices." If future inflation for at least 3 years was included *in the price*, it is hard to see why inflation should be a major factor in later increasing the price. Without a more thorough investigation of the C–5A program, the technical problems encountered, the failure to anticipate them at the time of the negotiations, and operations of the inflation provision, the subcommittee cannot form any firm conclusions about the reasons for the enormous overrun.

A repricing formula built into the contract was also revealed in the November testimony. The repricing formula is one of the most blatant reverse incentives ever encountered by this subcommittee. It should be recalled that the C–5A contract is supposed to represent an important step toward cost control. An Air Force manual on the total package procurement concept dated May 10, 1966, states that "It should produce not only lower costs on the first production units, but, in turn, a lower take-off point on the production learning curve, thus benefiting every unit in the production run." The facts about the C–5A are just the reverse. Costs for the first production units are greatly exceeding original estimates, resulting in higher take-off point on the production learning curve, thus inflating every unit in the production run. In addition, the contract is supposed to provide the Government with binding commitments on price and performance. Obviously, there is in fact no binding commitment on price if the price can be modified upwards, as is being done in the C–5A, because actual costs are exceeding estimates. Whether the actual performance of the C–5A lives up to its promise remains to be seen. On the matter of delivery, it is interesting to note that the Air Force announced on February 25, 1969, a 6-month delay in the first operational C–5A aircraft, from June 1969 to December 1969.

Not only were the price increases made possible by the repricing formula, but the cost overruns which are resulting in the higher prices may very well have been encouraged by the existence of the formula and by the nature of the formula. For the mere fact that a repricing provision existed in the contract constituted a built-in get-well remedy for almost any kind of cost growth. According to this provision, the price of the second increment (run B) could be increased on the basis of excessive actual costs on the first increment (run A). The motivation, if any, of the incentive feature of the contract is thereby largely nullified, provided the contractor is confident that the Government will exercise the option. Why bother to keep costs down if their increase forms the basis for a higher price? Additionally, because of the nature of the formula, the higher the percentage of overrun over the original contract ceiling price on the first increment, the higher the percentage by which the second increment is repriced.

The subcommittee learned, on the morning of the January 16, 1969, hearing, that the Air Force had exercised the run B option for 57 additional C–5A aircraft, apparently committing the Government to spend at least $5.1 billion on aircraft originally estimated to cost $3.3 billion. The subcommittee was dismayed to learn that this decision was made before the completion of the GAO investigation and without a full disclosure of the reasons for the cost overruns. The public interest in economy in Government was not served by this precipitous decision, announced a few hours before the start of a congressional hearing and a few days before the inauguration of the new President.

Mr. BYRD of Virginia. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Virginia.

Mr. BYRD of Virginia. I do not want, at this time, to comment on the amendment offered by the Senator from Wisconsin because I want to give it more study than I have had the opportunity to give it up to this point. However, I commend him for going so fully and into such detail in regard to the C–5A contract.

It seems to me the Senator from Wisconsin has rendered both the Senate and the American people a real service.

I have been deeply concerned with regard to this contract, which appears to me to be so flexible and so ambiguous that either party can do almost anything it might wish to do.

In that connection, I ask unanimous consent to insert in the RECORD at this point some inquiries that I put to the president of Lockheed and other officials of Lockheed when they appeared before the Committee on Armed Services. That testimony begins on page 2150, beginning with, "Senator BYRD of Virginia. Thank you, Mr. Chairman," and goes through page 2152, ending with, "Senator BYRD of Virginia. Thank you very much."

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

Senator Byrd?

Senator BYRD of Virginia. Thank you, Mr. Chairman.

I shall not attempt to second-guess either the Air Force or Lockheed on this contract. Necessarily it is a very complicated one. It does seem to me after 2 days of hearings it is a very flexible one and a very ambiguous one. I woud like to get an understanding of a couple of things.

As I recollect Mr. May's chart, Lockheed says that the cost to the Government when the contract is completed will be $3.2 billion.

Mr. MAY. Yes, sir.

Senator BYRD of Virginia. Now the Air Force testified yesterday, and I checked my memory a little while ago, that the cost to the Government will be $4.3 billion, or a difference of more than $1 billion, and could it be explained where that $1 billion is?

Mr. MAY. Senator Byrd, I think we have to recognize that the Air Force estimates are for the total program, including the Government-furnished engines. Our projections that we showed you are only for that portion of the cost that Lockheed is responsible for, and this involves primarily the airframe.

Now that differential that you speak of, as best I can understand it consists therefore of items that are not within the framework of our contract, plus the difference in estimates that exist between what the Air Force feels our costs will be and what we feel they will be for 115 airframes.

Senator BYRD of Virginia. You feel that your cost will be a great deal less than the Air Force believes your cost will be?

Mr. MAY. I think the Air Force estimate is approximately $200 million higher than ours through 115 airplanes, and that the difference in those numbers that you are citing is accounted for by the prime contract with the General Electric Co. for the furnishing of their TF–39 engines.

Senator BYRD of Virginia. Then the cost to the Government, if you take Lockheed's figure, is not $3 billion which your chart shows? That is only your part of the contract?

Mr. MAY. Yes. We feel that is the only portion that we are competent to testify about.

Senator BYRD of Virginia. Yes, I agree with that, but I wanted to get clear that the total contract, the total cost to the Government will not be $3.2 billion for the total contract. It will be $3.2 billion if you are correct insofar as Lockheed's share is concerned.

Mr. MAY. That is correct, sir.

Senator BYRD of Virginia. You have a difference between the Air Force and the Lockheed Company, there is a difference of about $272 million, as I understand the figures. The loss would be 285 if the Air Force is correct, while it would be roughly $13 million if Lockheed's figures are correct.

Mr. MAY. Yes, sir.

Senator BYRD of Virginia. How much has Lockheed actually spent on the C–5A program to date? Do you happen to have those figures?

Mr. MAY. The number is approximately $1.5 billion, Senator, and we will supply the precise number for the record if we may.

Senator BYRD of Virginia. You will supply the precise figure for the record?

Mr. MAY. Yes, sir.

(The information furnished is shown below.)

"Through May 30, 1969, Lockheed has expended $1,372,112,173. In addition unliquidated progress payments to subcontractors amounted to $197,580,196. In total, through May 30, 1969, the amount was $1,569,682,369."

Senator BYRD of Virginia. Now, how much has Lockheed received from the Federal Government up to this point?

Mr. MAY. I will have to supply that for the record, sir.

(The information furnished is shown below.)

"Cash receipts from the Government through May 30, 1969, are as follows:

"Final billing for contract line items delivered	$494,878,575
"Progress payments to Lockheed for work in progress	827,699,140
Total	1,322,577,715
"Progress payments to subcontractors for work in progress	197,580,196

"As additional information, through May 30, Lockheed had incurred $91,966,571 in unreimbursed work in process costs."

Senator BYRD of Virginia. I am not suggesting that this be done at all, but if the contract were canceled at the end of Run A, do you have an estimate as to what Lockheed's profit or loss would be?

Mr. HAUGHTON. We do not have such an estimate, Senator, and we think that it is past the time when it would be canceled at Run A, because we already have funding on Run B, so Run B would have to be included now.

Senator BYRD of Virginia. And as I understand from your reply to one of Senator Symington's questions, Lockheed feels that it has a contract for 155 C–5A aircraft.

Mr. HAUGHTON. Subject to certain funding requirements, yes, sir.

Senator BYRD of Virginia. Of course Congress has not approved the funding, but Lockheed feels that it does have a contract for 115 aircraft, provided the Congress funds the 115 aircraft?

Mr. HAUGHTON. Right, yes, sir.

Senator BYRD of Virginia. Now it was testified yesterday that Lockheed is 6 months behind schedule. Does Lockheed concur in that assertion?

Mr. HAUGHTON. Yes, sir.

Senator BYRD of Virginia. The contract provides for a penalty up to a total of $11 million for schedule delays. As I understand it, no penalties have been determined or assessed at this point.

Mr. HAUGHTON. That is right. There have been no penalties assessed, because the operational aircraft are not required for delivery as of this time.

Senator BYRD of Virginia. Yesterday the Air Force testified that it is not, at this time, able to estimate as to what the Government would lose if the program were terminated at the present time. Does Lockheed have an estimate as to what the Government loss would be if the program were to be terminated?

Mr. HAUGHTON. No, sir; we do not, because it goes out into termination clause for all the suppliers of the program, and I do not have that figure. I think that figure would be very difficult to develop with any accuracy.

Senator BYRD of Virginia. The next question may be one that you would prefer not to answer and I will not press it if you feel that way for business reasons, but what percent of the business of the Lockheed Corp. does the C–5A program represent?

Mr. HAUGHTON. Well, there is going to be 2 or 3 years in here when it is going to approximate 25, close to 25 percent of our total sales. Our sales last year ran $2.2 billion, and I think our sales average on the C–5 over a 3- or 4-year period would be about $500 million a year.

Is that about right, Tom?

Mr. MAY. A little higher than that, but substantially 25 percent.

Mr. HAUGHTON. About 25 percent, maybe a little more, give or take a little.

Senator BYRD of Virginia. Thank you very much.

Mr. BYRD of Virginia. Mr. President, may I ask the Senator from Wisconsin his estimate as to the total cost to the Government if and when the contract is completed.

Mr. PROXMIRE. The total cost to the Government, on the basis of the evidence we have now—and, as I said, my estimate would have to be conservative because the Air Force tells us it is going to be higher—is $5.3 billion for the 120 planes.

Mr. BYRD of Virginia. As I understand it, that is the estimate which the Senator and his staff made. It is not the Air Force estimate?

Mr. PROXMIRE. I understand the Air Force estimate is $5.2 billion.

Mr. BYRD of Virginia. The Air Force estimate for the completed contract is $5.2 billion?

Mr. PROXMIRE. $5.2 billion.

Mr. BYRD of Virginia. And the estimate of the Senator from Wisconsin is what?

Mr. PROXMIRE. $5.3 billion.

Mr. BYRD of Virginia. Through May 30 of this year, Lockheed has expended, in round figures, $1.570 billion, according to testimony submitted on page 2151 of the committee hearings. Lockheed has received, during the same period of time, up to the date of May 30, $1.520 billion, in round figures, on this contract from the Government.

Mr. PROXMIRE. This is an important colloquy. The Senator is pointing out that Lockheed has received almost 100-percent reimbursement—not quite, but very close to it.

Mr. BYRD of Virginia. Lockheed has received practically 100-percent reimbursement, which means Lockheed has been operating on Government money. Would the Senator not agree?

Mr. PROXMIRE. The Senator is absolutely correct, not only with respect to progress payments, but the Government owns the plant in which Lockheed is building the plane. $150 million worth of equipment is also owned by the Government. Therefore, Government capital, the capital supplying the equipment, is largely, but not entirely, Government capital; a great deal of it is; and almost all of the working capital cost is provided by the Government.

Mr. BYRD of Virginia. So Lockheed has had the benefit, I calculate, of somewhere around $150 million in interest. If the Government had not put up the money and Lockheed had had to go on the market to borrow the money, Lockheed would have been billed for that money and would have had to pay it.

Mr. PROXMIRE. The Senator has made a point that escaped me. That point should be made. $150 million is just about right. It may be a little more than that in view of what has happened to interest rates, but it is close to that.

Mr. BYRD of Virginia. I would like to make a further study——

Mr. PROXMIRE. If the Senator will yield, I want to make the point that interest payments are not reimbursable. They are not allocable. So the point is well made that it would have had a great effect on Lockheed.

Mr. BYRD of Virginia. So Lockheed has had the benefit of $150 million of otherwise nonreimbursable cost that has been paid by the taxpayers.

Mr. PROXMIRE. That is correct.

Mr. BYRD of Virginia. So when we speak of the total cost of the contract, I think it is well to consider the interest charges, as well as the other figures the Senator gave, to make up the total.

Mr. PROXMIRE. I agree wholeheartedly with the Senator.

Mr. BYRD of Virginia. I would like to read into the RECORD at this point one paragraph of the statement I made before the committee last June when the officials of Lockheed appeared before the committee.

Now, just another brief comment or two. Mr. Haughton has mentioned the lack of flexibility in the contract.

Lockheed had been complaining of lack of flexibility.

Continuing the statement:

I admit I find the contract very difficult to understand, but it seems to me that here is a great deal of flexibility in that contract, and a great deal of ambiguity in the contract, to the extent of at least $272 million worth, because that is the difference between what the Air Force figures the final figure will be and what the company figures it will be, so it seems to me there is a great deal of flexibility, and the taxpayers will be called upon to pay somewhere between those two figures, the one mentioned by the Air Force of 285 million and the other by the company of $13 million. In the way of flexibility, while I say I do not fully understand the contract, it seems to me there is a great deal of flexibility in this contract and a great deal of ambiguity.

The question I am suggesting is whether the public interest is being adequately protected by the Department of Defense, particularly the Department of the Air Force. It is not Lockheed's responsibility to protect the taxpayer, but it is the Air Force's responsibility to protect the taxpayer. The Air Force is a Government organization. It is part of the Department of Defense. It receives all of its money from the taxpayers. It is the responsibility of the Government—the Air Force in this case—to say that any contract made on behalf of the Government adequately and fully protects the general public and the tax funds that come out of the pockets of the wage earners of our country.

What passed through my mind, as I was listening to the distinguished Senator from Wisconsin as he spoke on the Senate floor this afternoon and brought out many facts and figures, just as went through my mind during the committee hearings, was whether the Air Force in its procurement practices is adequately protecting the taxpayers. I think it is important that all Government agencies handle their contracts in a way that will adequately protect the taxpayer.

Mr. PROXMIRE. I thank the Senator from Virginia. His point is well taken. We should be concerned not only with the Lockheed contract. That is only one. The Air Force spends billions and billions of dollars of the taxpayers' money every year. It is important to focus attention on the practices which have been highlighted by the way the Lockheed situation was handled. No matter what action is taken on my amendment, the important lesson we should learn from the Lockheed contract is that the Air Force simply must handle its procurement practices more honestly as far as Congress is concerned and it must handle

them with far greater regard for the American taxpayer than it has in the past. I think that is the point made by the Senator from Virginia, and it was made extremely well. I think it was the most important point of all made with reference to the Lockheed contract, in terms of what we can save in the future.

Mr. BYRD of Virginia. The Senator from Wisconsin has rendered a splendid public service in focusing attention upon this fact. As he pointed out a moment ago, it concerns not just the C–5A contract or just the Air Force, but all departments of Government, and particularly the Defense Department, because that is where the greatest spending occurs and that is where these large contracts are. It is important that the Department of Defense promulgate practices and procedures which will protect the tax dollars taken from the pockets of the wage earners. What the Senator from Wisconsin has been doing in recent weeks in this regard, and what he is doing today on the floor, I believe will contribute substantially toward the protection of the dollars of the American taxpayers.

Mr. PROXMIRE. I thank the Senator from Virginia. I assure him that our subcommittee has just started hearings, which will continue through the recess, into the spending of a number of Government agencies—not the Defense Department alone.

Mr. President, the current issue of Life magazine, on August 15, 1969, contained an article entitled "The New Math of Inflation," which should be a lesson for everyone in politics, particularly those who serve our country in the Senate and the House of Representatives. It says:

For a decade it's been called "the affluent society," but suddenly the U.S. public is beginning to think all those dazzling statistics and ever-rising curves are a giant con game. Between inflation, which today is at an annual rate of 7.2%, and the relentless increase in Federal, state and local taxes, we are all running to stand still. In fact, many have begun to fall behind, and the average citizen is furious about it. The Life Poll, conducted by the opinion research firm of Louis Harris and Associates, Inc., reveals that 86% of a nationwide cross section of young and old, rich and poor, rural and city dweller assess their anger at current tax policies as either "high" or "very high." Eighty-two percent of them want major cuts in federal spending now, and a surprising 56% are even ready to see wage and price controls imposed to stabilize prices. Twenty-one percent claim they are ready to take part in a tax revolt, and another 22% who could never openly oppose their government said they could sympathize with those who did.

The Bureau of the Budget made an analysis last year of controllable and uncontrollable spending. They found that about $100 billion of our Federal spending is controllable. We obviously cannot control such items as interest on our national debt; we could pass all the resolutions in the world, and still could not do it. We cannot cut social security payments. But 80 percent of all our national spending is in the budget.

As the Life magazine article points out:

The potential savings in the post-Vietnam defense budget are estimated by the August 1 Fortune at $17.6 billion out of $78.7 billion. . . . To get this monstrous 40% of all federal spending under control would be the biggest single step toward a more rational schedule of national priorities.

In this connection, Mr. President, I call to the attention of the Senate a series of very thoughtful and revealing articles in the current issue of Look magazine, which I shall ask to have printed in the RECORD.

The articles are entitled as follows:

"The Defense Establishment," written by Charles W. Bailey and Frank Wright.

"Defense Contract: The Money Web," written by Gerald Astor.

"Generals for Hire, written by Berkeley Rice.

"The Waste," written by David R. Maxey.

"How to Cut the Budget," written by David R. Maxey.

"The University Arsenal," written by Ruth Gelmis, showing how the universities have become involved and enmeshed, and what the effect has been.

A fine epilog by Averell Harriman, entitled "Our Security Lies Beyond Weapons."

I ask unanimous consent that the articles which I have listed, published in Look magazine for August 26, 1969, be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

THE DEFENSE ESTABLISHMENT

(By Charles W. Bailey and Frank Wright)

For the first time in 30 years, the American defense establishment is on the defensive.

Not since the 1930's—before World War II, the cold war, the Korean War, Vietnam—have those who build and manage our military machine been seriously challenged.

The argument this year in Washington has been centered mainly on the ABM—the anti-ballistic-missile system that President Nixon proposed to defend our own intercontinental missiles and bomber bases against surprise attack.

But the issue has become much broader: What is the proper place of the nation's defense establishment in the Government and in American society? Has the military machine grown so large that it threatens to throw that society critically out of balance? Once again, critics are raising the specter of the "military-industrial complex"—the shorthand label for that combination of political, military and economic pressures that influence U.S. security policy, military strategy, armed forces and defense spending.

The Vietnam war has dragged on for years, and military victory, despite repeated predictions by the nation's civilian and military leaders, is now admittedly beyond our grasp.

Military spending has grown steadily until it swallows almost $80 billion a year—more than 40 cents of every dollar in the Federal budget—and requests for new and more costly strategic weapons may offset any savings that would result from a cease-fire in Vietnam.

Pressures are rising for greater Federal outlays to meet the domestic needs of a nation whose multiplying urban problems are compounded by racial, social and economic stresses. The voices of concern do not sing in unison, and most of them recognize both the complexities of the issue and also the high motives of those with whom they disagree. The chorus is rising nonetheless.

"I don't question the patriotism of anyone," says Sen. Mike Mansfield of Montana, majority leader of the U.S. Senate. "But I do question the judgment of creating a military-industrial-labor complex which exercises such great power. You have to control the money—control the spigot—and then you can get into philosophy."

Former Vice President Hubert Humphrey says, "It isn't as if bad men were conspiring against good people. It is that events combine to bring about a preponderant allocation of resources to defense. That preponderance inevitably affects national policies, inevitably brings a looseness of control, and feeds on itself."

Walter F. Mondale of Minnesota, a young Democratic liberal in his fifth year in the Senate, sees the issue as one of national priorities: "I've watched every fiscal dividend be dribbled away. There's not a dime left for people. We ought to write a book on ourselves. The first chapter ought to be what we think we are as white people. The rest should be on what we really are and what we do to people who can't defend themselves—the Indians, the blacks, the Mexican-Americans. Then we call them animals because they don't react right after we've beat them flat. If you want to destroy the defensive capacity of our nation, just keep it up the way we've been going. If these young militants on campuses and in the political parties are going to be the leaders—and someday they are—they are not going to be interested in keeping this kind of society together."

John Sherman Cooper of Kentucky, who speaks for anti-ABM Republicans in the Senate, recalls his early efforts to question big defense outlays: "You couldn't find out anything. The Armed Services Committee would say, 'It's classified,' or 'We've gone into this already and have more information than you.' "

Another anti-ABM spokesman, Democratic Sen. George McGovern, knows firsthand the kind of pressures that can be generated. Some of his South Dakota constituents urged him to try to get an ABM site in the state because of the economic benefits it would bring. "I don't think there's any conspiracy between the military and industry," he says, "but it does develop a momentum. Even the clergymen know their congregations are swollen by defense installations. There's a subtle influence on labor unions, business, community groups."

The defense establishment is complex. It is huge. It is also one of the most pervasive institutions in the nation: one out of every ten Americans who works for a living is part of the defense establishment. In the fiscal year just ended, an estimated $78.4 billion was spent on defense—nearly nine percent of the gross national product.

There are 500 major military installations in the continental United States, and 6,000 smaller ones. The Defense Department controls 45,000 square miles of land—an area the size of Pennsylvania. Overseas, we have 3,400 big and little bases in 30 foreign countries, Hawaii and Alaska.

Some 22,000 U.S. corporations are rated "major" defense contractors, and another 100,000 or so get a piece of the action through subcontracts. One example of the geographic spread of the defense dollar: When Lockheed Aircraft Corp. got the contract to build the C–141 *Starlifter* jet transport for the Air Force, it bought parts and services from 1,200 other firms. Just one small part for the plane—a fuel-pump switch—required material from New York, Connecticut, Illinois, Ohio, California, Wisconsin and Massachusetts.

The major share of defense spending—$44 billion last year—goes for weapons and other equipment. Two-thirds of that went to the 100 biggest defense contractors, and a whopping one-quarter of the total—$11.6 billion—was paid out to these ten: General Dynamics, Lockheed, General Electric, United Aircraft, McDonnell-Douglas, American Telephone & Telegraph, Boeing, Ling-Temco-Vought, North American Rockwell and General Motors.

Even the university campus can be a big defense contractor. Last year, both MIT and

Johns Hopkins University were among the top 100.

Some states do better than others. California got one out of every seven defense-procurement dollars last year—or $6.5 billion. Texas was second with $4.1 billion. The rest of the top ten are: New York, Connecticut, Pennsylvania, Ohio, Massachusetts, Missouri, New Jersey, Indiana.

How did it all start? And how did the defense establishment get so big? There are many reasons for its growth—but only one for its birth: We live in a dangerous world.

At the end of World War II, the nation rushed—as it had after every war—to dismantle its armed forces and turn its attention to the search for the good life. Suddenly, however, the U.S. faced an unprecedented military and ideological challenge. The Soviet Union sought to expand its dominion westward across Europe and southward into Iran, Turkey and Greece. In Asia, another Communist government came to power in a bitter civil war in China. The United States hesitated—and then, in an extraordinary series of basic policy decisions, moved to check the Communists. The rationale was "containment," which came to mean a U.S. commitment to meet, if necessary with armed force, any Communist encroachment on independent nations that asked for our help. This required our nation for the first time to maintain a large peacetime military force.

Beyond this, there was another reason for the pyramiding growth and cost of defense: atomic bombs, hydrogen bombs, jet airplanes and, finally, intercontinental missiles made the tools of war astronomically costly. The complexities of these weapons dictated years of research and development before they could be ready. Their capacity to strike a single, sudden, devastating blow meant that a nation committed by political decision to constant readiness for conflict could no longer wait until war began to beat its plowshares into swords.

There are other reasons—some of them unrelated to either high policy or the march of science—why defense spending has grown. Neither Congress nor the White House has been able to find ways of exercising anything like the critical scrutiny that is routinely applied to much smaller domestic programs. Many congressmen are reluctant to vote against anything for "our boys in service." Secrecy labels applied to many projects hinder those who do raise questions. Finally, there is "pork"—the economic benefits that defense spending can bring to a community.

There are positive factors too. By and large, the Pentagon and its industrial allies have done all they can to encourage congressional permissiveness. This year, there are 339 Defense Department employees assigned to "legislative liaison"—the bureaucratic euphemism for lobbying. That works out to two Pentagon agents for every three members of Congress; no other special-interest group comes close to having so many.

Defense Department lobbyists don't limit themselves to pushing the Pentagon's legislative program. They also spend much of their time currying favor with congressmen in other areas—passing advance word of contract awards so members can get political credit for "announcing" them, or handling inquiries about the problems of constituents in service.

They also give special attention to congressmen who hold major influence over defense affairs. The South Carolina district of Chairman L. Mendel Rivers of the House Armed Services Committee is chock-full of Army, Navy, Air Force and Marine Corps bases. Georgia—home of Sen. Richard B. Russell, for years, chairman of the Senate Armed Services Committee and now head of the Appropriations Committee—is loaded with armed services installations and defense industry. The congressional military barons get some personal benefits too. The Air Force routinely provides planes from its "VIP" fleet to ferry them around the country. And one night this spring, the Defense Department not only turned out its top brass for a Mississippi testimonial dinner for Chairman John Stennis of the Senate Armed Services Committee but also flew in the entertainment—a Navy choir from Florida, an Army WAC band from Alabama and an Air Force string ensemble from Washington, D.C.

If the Pentagon can bring heavy pressures and blandishments to bear on Congress, the defense industry—companies and unions alike—can exert massive leverage on both. Its lobbyists, ranging from high-priced vice presidents to clerks, do most of their work in private, staying out of public debate over weapons systems or budgets.

Industry's influence in Congress is sometimes magnified by outside help—from chambers of commerce, state and local officials or labor unions eager to impress on congressmen the benefits of defense bases or contracts. A study two years ago of 27 firms slated for prime contracts on the ABM suggests the potential for this kind of pressure; the firms operate more than 300 plants in 172 congressional districts spread across 42 states. Thus, at least 256 senators and representatives had some economic stake—direct or indirect—in the ABM. A recent estimate that 15,000 firms, including subcontractors and suppliers, would share in ABM spending suggests that the impact is even broader.

At the Pentagon, several factors combine to bolster industry's standing. First, the growing complexity of modern weapons has made it ever harder for Government to keep its provisioners at arm's length. No longer does a service simply decide what it wants, design it, and then advertise for somebody to build it; now, industry's "sss men"—strategic-systems salesmen—and engineers play a major role in military-weapons design.

Industry and the military join hands in other ways too. There are the service associations, to which active and retired officers as well as industry representatives belong. The groups are large (the Air Force Association counts 100,000 members) and often rich—upwards of $2 million yearly income in some cases, with industry providing much of it through dues and advertising in association magazines that advocate bigger and better weapons.

Another factor is the ease with which some men move from defense industry to the Defense Department, and vice versa. Secretaries of Defense, and lesser officials, have come from industry, and returned to it. Retired military officers flock to defense industry, often going to work for a firm whose operations they had monitored while on active duty.

When industry and the Pentagon go hand-in-hand to Congress, they find powerful friends awaiting them. A few senior members control congressional action on military matters; four committee chairmen—all Southerners, all conservatives, all well along in years, all with over 20 years of service—make up the elite:

Rivers, 63, a congressman for 28 years, chairman of the House Armed Services Committee.

George Mahon of Texas, 68, a congressman for 34 years, chairman of the House Appropriations Committee.

Stennis of Mississippi, 68, a senator for 21 years, chairman of the Senate Armed Services Committee.

Russell, 71, whose 36 years of service make him the Senate's senior member, chairman of the Senate Appropriations Committee.

These men are strong and talented in their own right. But the primary source of their power lies in the seniority system, in the way members are chosen for advancement, and in the structural and jurisdictional tradition of Congress.

The Southern flavor of the defense positions—one official calls it "the South's revenge in perpetuity for Gettysburg"—is a self-feeding process. Warm weather and ease of year-round operation lead the military to spend much of its money in the South. Members of Congress from Dixie therefore gravitate to the committees that deal with military affairs, and because it is relatively easy for them to get reelected, they build up seniority and thus control the committees.

This process is even more marked in the Senate, where the smaller membership allows senators to serve on more than one major committee. The result has been the creation of interlocking directorates; the three topranking members of Armed Services—Stennis, Russell and Republican Margaret Chase Smith of Maine—are also on Appropriations. Such dual membership and parallel inclinations almost always produce the same result: Armed Services approves Pentagon proposals and Appropriations provides the money to finance them.

There are more personal ties to the Pentagon too. Two members of the Senate Armed Services Committee hold commissions as major generals in the Reserve forces, a third is a retired two-star Reserve general. The man who writes the military-construction appropriation bill each year—Rep. Robert L. E. Sikes of Florida—is a major general in the Army Reserve. A 1967 Minneapolis *Tribune* survey of the entire Congress turned up 32 senators and 107 representatives with Reserve commissions.

One reason military committees generally have their way is the system itself; if you attack the other fellow's committee on the floor, he may do the same to yours. Armed Services and Appropriations members defend their bailiwicks with relentless zeal against either indivdual attack or jurisdictional raids by other committees. The bulk and complexity of programs, the frequent censoring of reports and hearings records for "security" reasons, and the traditionally one-sided nature of the testimony that is published—all these also inhibit opposition to military outlays.

The debate on the defense establishment has been highlighted this year by a new round of "horror stories" about Pentagon mismanagement and inefficiency: $2 billion increase in the cost of a new giant jet transport; the belated cancellation of a contract for a new helicopter that was badly flawed. Such disclosures of waste are only ancillary to the basic issues in the rising debate over the proper role and size of the nation's defense establishment. But saving a billion here and a billion there has its merits—especially in the light of the military's post-Vietnam "shopping list" of new and even more costly weapons.

The new weapons list is long and varied. It includes a replacement for the Minuteman missile, now the backbone of our strategic force; multiple warheads to boost the striking power of missiles; a long-range bomber to replace the B–52; fighter planes for the Navy and Air Force; three nuclear-powered aircraft carriers at a half-billion dollars each. There are dozens of others.

All of these systems would cost money. But critics argue that some of them—especially the Multiple Independently-targeted Reentry Vehicle (MIRV), as the multiple-warhead project is called—could also seriously escalate the U.S.-Soviet arms race. To some in Congress and elsewhere, MIRV is a greater menace than the ABM.

The case of MIRV points up the critical importance of how decisions are made on whether or not to build a weapons-system. The crucial decisions are made, in the end, by only one man: the President. But the coinage of presidential actions is often minted long before it is issued by the White House. Proposals for foreign and defense policy, for military strategy and for the spending to implement them come to the President's desk from many sources: the Secretaries of State and Defense, the Joint

Chiefs of Staff, the National Security Council, the Budget Bureau, the Congress. Policy-making decisions should, in theory, flow in an orderly sequence: first, basic foreign policy, defense policy to support it, military strategy to implement defense policy, military forces to carry out the strategy; finally, budget decisions to pay for the forces. But, in fact, it sometimes goes the other way: money decisions determine force levels, these in turn affect strategy, strategy influences defense policy—and defense policy then dictates foreign policy.

One man who served two Administrations in a top national-security role puts it this way: "What is needed is a counter to the parochially presented programs and decisions of the Defense Department. No other part of our society functions with so little check and balance. This is not a plot—it is the failure of the rest of our society to develop the expertise to permit reasoned decisions on basic policies."

Can this be done? Many people who know the problem firsthand are gloomy. But the effort is going to be made. A half-dozen proposals for study of the defense structure, and its implications for future national policy, are under way or about to start—including several in the Defense Department itself. The suggestions cover the waterfront and include privately financed research centers to review programs, a new joint Senate-House committee with a strong grant of authority to review national priorities, a new independent defense-review office to analyze military spending, expansion of the Budget Bureau's staff. Some think that a determined, open fight will have to be made on the floor of the House and Senate over every major defense issue.

Even with much stronger congressional control, the President will have the key role. "The question in defense spending is 'how much is necessary?'" President Nixon said in June. "The President of the United States is charged with making that judgment."

Still, questions of costs and priorities persist. None of the answers will come easily, especially in a world where nations build great military forces not to make war but to deter it—a world where weapons are built, as one scholar suggests, "not to be used but to be manipulated."

But however hard the questions, they are at least being asked, some for the first time in 20 years, some for the first time ever. Upon the course of the debate that has just barely begun, and upon the kind of answers that emerge, may depend the place of the United States in the next decades—or the next century.

DEFENSE CONTRACT: THE MONEY WEB

(By Gerald Astor)

The Pentagon has long been able to jet combat troops to fight 5,000 miles from American shores if a President decided to apply kill power there. But heavy equipment—tanks, cannons, helicopters, portable bridges and trucks—all traveled slow water freight. So the word went out from the Pentagon to U.S. industry: build us a really big bird.

Lockheed won, and the droopy-winged C–5A Galaxy, 247 feet in length, is the biggest bird yet to get off the ground. In one load, the four engines will lift an M–48 bridge launcher (128,420 pounds), four quarter-ton trucks with trailers, two ambulances, two five-ton trucks with trailers, two three-quarter-ton trucks with trailers plus 52 soldiers to erect the bridge and drive the vehicles.

The C–5A gives the U.S. armed forces massive airlift power, but when it grabs its maximum gross weight of 762,000 pounds and flings itself into the air, a lot more than military hardware goes into the wild blue yonder. In the three and a half years since Lockheed got the contract, it has added 10,000 workers to its Marietta, Ga., plant. Chubby C. U. Dixon, Jr., a mason who earned $5.55 an hour, signed on for $3.75 an hour to stuff C–5A wings with electrical gear. "Outside, there's no vacation, no retirement, no credit, and it don't rain in here," says Dixon pointing to the 76 acres of U.S. Air Force Plant B–1.

Perhaps another 9,000 Lockheed-Georgia people who worked on other projects have moved on to the C–5A along with the new recruits. In fact, of Lockheed's $6 million weekly payroll, approximately $4 million goes to C–5A workers. For 15 years Gene Amos has been drawing paychecks from Lockheed. "I'm one of the lucky ones, never been laid off," says Amos, a troubleshooter on the production line. "It's a funny thing," he goes on, "but when the union's negotiating a contract, businesses in the area all seem to raise their prices just before the contract's signed. So all you keep are the fringe benefits."

Employees of Lockheed-Georgia spend their money in 85 counties, and most of them pass along their dollars in the Atlanta area and Cobb County, where Marietta is. Gray-haired Len Gilbert, director of the Cobb County Chamber of Commerce, crosses one leg over the other and says, "What does Lockheed mean to us? A heckuva lot. In 1961, a low point when they had about 13,100 employees, the total wages for a quarter in Cobb County amounted to $33 million." He paused to locate the figures. "In the last quarter of 1968, Cobb County showed a payroll of $85 million." Corresponding figures for 1961 and 1968 show an increase in retail sales from $133 million to $368 million. "A payroll dollar turns over seven times," points out Gilbert, making the C–5A responsible for a big chunk of those sales. While the population of Marietta shows only a slight increase since the 1960 census figure of 25,000, suburban Cobb County has added 66,000 folks to the 114,000 that lived there then. Marietta Mayor L. Howard Atherton remembers when the former tenant of the factory, Bell Aircraft, stopped making B–29's in 1945, and 32,000 people lost their jobs. "It felt like the end of the world, but it wasn't so bad. When Bell shut down, the people left town. It was a transient population. Now, it's different. Lockheed is culturally and economically a part of Marietta. Lockheed people are much more solid, they pay their bills, participate in the community life. They couldn't just move away."

Atherton, who is a drugstore owner, believes that even in the unlikely event that Lockheed should go the way of Bell, his community would survive. "There's been so much building in the last few years, construction's had a bigger effect than Lockheed." In the next breath, Mayor Atherton calls the company "vital not only to Marietta but the whole state."

Some local citizens agree with him. The head of a jewelry outlet says business is up, and not just because of the aircraft workers. "But I often say if Lockheed goes, everything goes. Yet there is a helluva lot of new industry around." The manager of a small-loan company says, "We're not solely dependent upon Lockheed, and with Atlanta coming out this way, it wouldn't be that bad if there were a cutback."

The C–5A spins a web of money that touches far beyond Marietta-Atlanta or even the rest of Georgia. Through subcontracts, the money flows to people in 44 states plus Canada and the United Kingdom. One large satellite effort belongs to Avco in Nashville, Tenn., which builds the 223-foot wings. Avco also makes fuselages for Bell helicopters, wings for other Lockheed planes and metal office furniture. But the largest number of employees, 1,500, work on the droopy C–5A wing, making it, in effect, the largest project in Nashville industry. Few workers joined Avco for this particular job—most shifted over from other assignments.

Avco's $125 million C–5A contract sounds like handsome business, but General Manager and Vice President Charles Ames says, "We couldn't live on programs like the C–5A." When and if Lockheed goes ahead with the L–10–11 air bus for civil transport, Avco expects to add workers.

One smaller subcontractor operates out of an abandoned shopping center in Caldwell, N.J. Nash Controls, Inc., a subsidiary of Simmonds Precision, turns out small actuating devices. Business dropped when the Pentagon canceled production on Lockheed's Cheyenne helicopter but picked up with the C–5A. Sensitive to recent congressional rumblings on the "overrun" in the C–5A price (perhaps $2 billion extra), Lockheed officials blame the higher costs on severe inflation in their industry and production-capacity shortages.

Whether one talks to executives, assembly-line workers or local officials, the fears of the military-industrial complex get midget shrift. "We got enough problems building the C–5A," says Gene Amos, "without worrying about that." "It's all a lot of nonsense," says Avco's Charles Ames. "The civilians I know in the Department of Defense are very dedicated, have the highest integrity. There's no desire to perpetuate any military-industrial complex."

GENERALS FOR HIRE

(By Berkeley Rice)

For those who have trouble understanding the complexities of the military-industrial complex, one graphic illustration is the traffic in retired military officers who join the defense industry. More than 2,000 retired generals, colonels, Navy admirals and captains now work for the 100 largest defense contractors. Their numbers have tripled in the last ten years. The top ten firms employ more than half of the 2,000. Many of these had been involved in the contracting process on major weapons systems. Their decisions often meant millions of dollars to companies for whom they now work.

Sen. William Proxmire (D., Wis.) calls this a dangerous and shocking situation." While not charging anyone with corruption, he claims the trend represents "a distinct threat to the public interest." The threat, he says, is twofold: high-ranking retired officers may be using their influence at the Pentagon to affect decisions on contracts with their companies; active officers involved in procurement may be influenced by the prospect of jobs with companies they are buying from. Defense contractors, of course, deny the charges of influence-peddling, and insist they hire ex-military men because of their expertise, and not in reward for past favors.

Despite these denials, research on the employment of retired officers reveals some intriguing patterns. Take the Minuteman II missile program, which has climbed from an original price of $3.2 billion to $7 billion. One of the major subcontractors is North American Aviation ($669 million in 1968 defense contracts). Its autonetics division produces the missile's guidance system for the Air Force. Two Air Force plant representatives and a project officer for the contract recently retired and joined North American autonetics, one as division manager. Lt. Gen. W. Austin Davis, ex-chief of USAF's Ballistic Systems Division, which handled the contract, is now a vice president of North American. His chief procurement officer also joined the company, which employs a total of 104 high-ranking retired officers, including several other Air Force generals.

Asked if this employment pattern is unusual, a senior Pentagon official remarked, "It happens all the time. Almost all the officers who have anything to do with procurement go into the business. Naturally, they go to the companies they've had the most contact with. If you check the history of any missile or weapon program you'll find the same story."

The story usually ends with the Defense Department paying far more than the original estimate. When the Navy contracted with Pratt & Whitney for 2,000 engines for the controversial TFX, or F–111, the original bid

was $270,000 per engine. By 1967, when production began, the price had risen to more than $700,000 apiece. The man who signed the production contract was Capt. Patrick Keegan, the Navy's plant representative at Pratt & Whitney. Soon afterward, he retired from the Navy and joined P. & W. as special assistant to the executive vice president. Sharing his office was another special assistant, a former colonel who until his retirement had been in charge of engine purchases for the Air Force.

The problem of plant representatives is crucial, for they are the watchdogs who supposedly guard against delays, failures and cost overruns on a contract. At Marietta, Ga., where Lockheed Aircraft Corporation ($1.8 billion in 1968 defense contracts) is turning out the giant C–5A jet transport, 230 Air Force officers watch over production. Despite all this supervision, however, the C–5A is well behind schedule, and the final price on 115 planes has climbed from the original bid of $1.9 billion to $3.2 billion. The fact that some of these Air Force production supervisors will probably join the 210 other retired generals and colonels at Lockheed makes one wonder about their objectivity.

There are some limits on what kind of work these men may do when they retire. Federal laws prohibit retired officers from selling to the Department of Defense for three years after retirement and to their own service for life. However, the laws are vague about what constitutes "selling." Since 1962, the Department has taken action in only one case involving a major contractor. Asked why, a Defense Department legal officer comments, "I doubt if anybody here is vigorously beating the bushes trying to discover violations of the selling laws."

Since the purpose of defense companies is to sell to the Defense Department, some observers feel the question as to which employees are engaged in sales is ridiculous. Anyway, most large firms now call their salesmen "marketing men." As defense companies, many of the marketing men are retired officers, but they do not sign the contracts.

W. T. "Pete" Higgins, a former Navy officer, is "marketing manager for naval programs" for an electronics company. "I come with the team that makes the presentation," he admits, "but only as an adviser. With my background in naval electronics, I know damn well I'm helping the company get contracts." Does this mean using his influence? "That's nonsense," says Higgins. "Anything of significance goes through ten to fifteen levels in the chain of command before a final decision. Only peanuts are settled on a single level that could be influenced by personal interest."

Helping the company get defense contracts is a popular non-selling job for high-ranking retired officers. They usually have titles like "assistant to the president" or "director of advanced planning," but they are known in the trade as "rainmakers." Regardless of how much clout they have at the Pentagon, they bring to their companies valuable inside knowledge of service plans for future weapons systems. When a general or admiral who has been involved in planning or research on a big project retires, defense contractors bid for his services as eagerly as any professional football team after a top college quarterback. When Maj. Gen. Harry Evans retired in 1967 as vice director of the Air Force's $3 billion Manned Orbiting Laboratory program, he was immediately hired as vice president and general manager of Raytheon's Space and Information Systems Division. In 1966, Bell Aerospace Corporation, the Army's largest supplier of helicopters, hired Gen. Hamilton Howze, former chief of Army Aviation, as vice president for product planning.

Most of the large defense companies have high-ranking ex-officers in their Washington offices. Everyone denies that they have any influence on defense contracts, but they are obviously there because they know their way around the Pentagon. One of them is Lt. Gen. William Quinn, former Army Chief of Public Information, and now in charge of "Washington operations" for Martin Marietta, which produces many of the Army's missiles. "We maintain liaison with Defense," says General Quinn, "but I don't go over to the Pentagon on any sales matters." Asked about using his influence, he admits he knows "half the people in the hierarchy over there," but claims he never uses his contacts for business. "Believe me," says Quinn, "this operation is as clean as a hound's tooth. Our real contribution is in maintaining a dialogue between our companies and the military people."

Just how retired officers can help to "maintain a dialogue" can be seen in the work of an ex-Navy officer who prefers to remain anonymous. He retired in 1968 from the Bureau of Naval Weapons, where he had been involved in the selection of contractors. He now works for one of them as a $200-a-day consultant in Washington. "I know a lot of Navy people here," he says, "and I sort of help the company's men find their way around. The salesmen take care of selling, but if you don't have an intro like me, you waste your time with underlings who don't have any power. If I want a contract, I know exactly who to go to. Some other guys may know the technical stuff, but I know the people. That's my expertise."

Such expertise may raise questions about conflict of interest, but not to most retired officers who have joined the defense industry. Says Pete Higgins, "You take a man who retires around 45 to 50, with his kids ready for college, and he's got a problem. He can't do it on his retired pay. He's got to have a second career. Many of these men have no other marketable experience. Where the hell else do you want them to go!"

No one seems to know, but as they continue to go into the defense industry the contracting process may suffer. One Defense official claims, "the fact that these lucrative job opportunities exist cannot help but influence those who deal with defense contractors. I remember trying to hold down costs on a large contract once, and a general working with me said, 'I must be out of my mind, trying to cut the overhead on this company. I'll be part of that overhead in a few years.'"

When military men spend much of their careers dealing with companies they may eventually work for, they naturally develop some concern for the company's point of view. When 90 percent of the major defense contracts are negotiated in such a congenial atmosphere, price and the public interest can easily become secondary considerations. A normal buyer-seller relationship has a built-in check against this sort of thing, because the buyer must spend his own money. The services do not, a fact which Pentagon officials and procurement officers often seem to forget.

Despite all the criticism of defense spending, most military men look on the growing traffic between the services and the defense industry as natural and proper. An admiral who has bade the transition himself claims, "It's good for the military, it's good for the company, and it's good for the country."

It's certainly good for the companies thriving on defense contracts. It may be good, or at least comforting, for the military to deal with former comrades who understand their problems and look forward to jobs in industry. But as defense costs continue to drain funds desperately needed for domestic programs, some Americans are beginning to wonder if "it" is really good for the country.

THE WASTE

(By David R. Maxey)

Remember Robert Goodloe Harper? No? He's the prophet who said, in 1798, "Millions for defense, but not one cent for tribute." We haven't let Bob down. Harper's hyperbole, now puffed to $80 billion annually, is still part of the American way of life. Congress has traditionally watched domestic spending like a hawk, but focused loosely on defense. Here are some examples of looseness that have stirred interest. How do you like them?

DIVE! DIVE!

In 1964, the Navy planned to buy 12 Deep Submergence Rescue Vehicles. Purpose: to lend aid to disabled submarines. Cost: $3 million each. In June, hideous new cost estimates surfaced. Now, the Navy will buy six vehicles for $80 million each. Cost increase: 2,666 percent. Since the 1920's, we have had one submarine accident at which the DSRV might have had a chance of being useful. One.

THE RUSSIANS WERE COMING, THE RUSSIANS WERE COMING!

The threat of Soviet bombers in American skies caused us to build a gigantic air-defense system. One estimate of cost: $18 billion. The Russians failed to uphold their part of the bargain by not building enough bombers to be a real threat. We should be grateful for that, because our air-defense system does not work very well. Now hear this testimony:

Senator Cannon: "In other words, the Air Defense Command agrees that if the Soviets sent over (deleted) heavy bombers now, we would only knock down (deleted) out of the (deleted)?"

Dr. Foster [of the Defense Department]: "I cannot speak for the Air Defense Command, sir; but I am not the least bit surprised. (Deleted)."

Senator Cannon: "I am shocked at that."

Senator Symington: "Incredible."

The system maligned above costs annually at least $1.34 billion to operate, with outsiders betting on $2 billion.

DISINGENUITY WALTZ

Gordon Rule, Director of Procurement Control and Clearance, U.S. Navy, told Sen. William Proxmire at a meeting of his subcommittee recently why defense-procurement programs so often cost much more than estimated: "We play games. The contractors know if they tell the Department of Defense how much a system will really cost, they'll scrub it. The Department of Defense knows if they tell the Congress the real cost, *they'll* scrub it. You start in with both sides *knowing* it's going to cost more." Proxmire shouted that was dishonest. Rule replied that he preferred to call it disingenuous.

BALLAD OF ERNIE FITZGERALD

In November, 1968, A. Ernest Fitzgerald, Deputy for Management Systems for the Air Force, told the Proxmire subcommittee he estimated the Lockheed C–5A cargo plane would cost about $2 billion more than the Air Force had originally estimated. Pentagon executives became cross with Fitzgerald for his candor. Twelve days later, he found that his Civil Service status had been revoked. "Computer error" was blamed for giving him that status in the first place. Senator Proxmire then unearthed a memo to Assistant Secretary of the Air Force Robert Charles. The memo discussed ways to fire Fitzgerald. Fitzgerald still has a shriveled version of his job, but cost control on large weapons procurements is not part of it. The Air Force has since verified that Fitzgerald's estimate of a $2 billion overrun on the C–5A is very close to right. Lockheed first estimated that it would lose $13 million on the C–5A, then allowed it might make a few bucks.

THE LITTLE HELICOPTER THAT COULDN'T

Helicopters are crafts of real beauty only when they work. The Cheyenne helicopter was never beautiful. It was to be a gunship, built as such from the ground up. Willis Hawkins, then Assistant Secretary of the Army for Research and Development, supported the idea. Hawkins had come to the Army in 1963 from a vice president's job at Lockheed.

It took time to decide what firm should

build the Cheyenne. Experts first rated Vertol, Bell, Lockheed and Sikorsky in that order. A Source Selection group of generals made changes, rating Lockheed first, then Vertol, Sikorsky and Bell. A final pick gave the contract to Lockheed. Why? "Stronger management." "What general," rips a critic, "could rate Lockheed's management anything but high when he knows that the Assistant Secretary came from Lockheed?"

On March 23, 1966, Lockheed got the research-and-development contract. Three months later, Willis Hawkins resigned and returned to Lockheed. The first Cheyenne appeared in May, 1967, followed by nine more. Test flights began. In March, 1969, a Cheyenne off California threw three rotor blades and plunged, killing the pilot. In April, the Army threatened to cancel the contract for lack of satisfactory performance. Estimated costs had soared all the way from $138 million to $186 million for 15 ships. In May, 1969, the Army canceled the Cheyenne, after spending $159 million.

BUT IT WORKS ON PAPER

A study by Richard Stubbing of the Bureau of the Budget said we're getting worse, not better, in the design and application of electronics system for aircraft and missiles. Strubbing listed 13 major Air Force and Navy aircraft and missiles produced since 1955, pointing out that only four had electronics systems that were over 75 percent reliable. Eleven other systems, which cost $25 billion, sputtered below the 75 percent standard. Four programs were either canceled or phased out for low reliability. Stubbing said we'd do better to ask systems contractors to build working models rather than promising reliability based on paper estimates. He also thought competition between contractors would concentrate their minds wonderfully.

THE HIGH COST OF ABORTED MISSILES

Sen. Stuart Symington of Missouri pointed out last March that over $4 billion had been spent since 1944 for missiles that never got into position to be fired. They all perished during the research-and-development phase of their lives. Big as that figure is, it's smaller than if those missiles had been produced and deployed, then found to be technically sick or obsolete. Fifteen other missiles did get into position, then were scrapped. Cost: $18.8 million.

How To Cut the Budget

Vietnam is a giant teaching machine. Without the mind-riveting pain it causes, we might still be leery of questioning the operations of the Department of Defense. We might still be dreaming that since our military establishment is the finest in the world, the running of it is better left to military experts, well-supplied with money.

Such dreams have faded. Congress, less afraid of being labeled unpatriotic, is asking penetrating questions. And the answers prove beyond imagining that if to err is human, the Pentagon is full of mortals. From that finding, it is only a step to asking whether we can't have sufficient defense at lower cost, and perhaps use the savings for programs with lower priorities, like healing our cities and making poverty an anachronism. The answer to the first part of that question is yes. The Defense budget can be cut without radically thinning our blood.

Some of the best thinking about the military budget has been done by Charles Schultze, former Director of the Bureau of the Budget and now a Senior Fellow at the Brookings Institution in Washington. Schultze, a rational man, hopes that our defense planning proceeds logically. First, we examine what our commitments around the world are. For instance, we now have in force better than 40 mutual-security agreements involving the U.S. in the defense of large chunks of Earth. Should we be all that involved? Do some pacts need rethinking? Given those commitments, what kind of fight might we get into? What threats should we plan for?

This June, Schultze reminded Sen. William Proxmire's Subcommittee on Economy in Government that our contingency planning now says that we should be able to start fighting, simultaneously, a major "NATO" war in Europe, a major war with China in Southeast Asia, and a minor scuffle in Latin America, such as our last trip to the Dominican Republic. Schultze pointedly said that the China war contingency, a $5 billion assumption, was never debated in the Congress, even though the Defense Department has made it very, very clear that it is covering the possibility of such a war.

Once our contingencies are agreed on, Schultze said, we take the step of asking what force levels we need to handle them. How many men? Then, what weapons systems should we buy?

So. An orderly process, from commitment to contingency to force level to weapons systems. Schultze cautions that every decision along the way needs fresh scrutiny, because, for instance, the decision to be ready for two and a half wars does not make the force level needed to fight them obvious and unchangeable. Schultze delights in the example of the Navy's aircraft carriers. Currently, the Navy has 15. Why 15? One reason is that the Washington Naval Disarmament Treaty of 1921 ladled out national quotas of capital ships. The U.S. got 15. After World War II, the Navy saw that the 15-battleship force was obsolete. The aircraft carrier became the new capital ship, but we cling to the magic number still.

Carriers are what one critic calls "hideously vulnerable" to air attack. They work best, when the U.S. has unquestioned air superiority, such as in Vietnam. But does their vulnerability, and the number of dryland fields, justify having 15? If the force could be cut to 12, say, the U.S. would save about $360 million. And the direct cost of building one new carrier is about $540 million.

Schultze comes down hard on the military tendency, logical only in a world of limitless wars and money, to plan for every possibility, remote or not, and build forces and weapons systems to meet it.

Currently, we are planning AWACS, the Airborne Warning and Control System, to add to our existing air-defense system. The logic of air defense tortures the mind. We built the system to shield us from Russian bombers, which the Russians never really got around to building. Now, we spend to improve it in order to discourage Russia from getting around to building bombers. Proponents of AWACS say it will warn us of Kamikaze-style attacks from Soviet medium-range bombers. How likely is that? And would it feel better to know that if our cities crisp in a nuclear war, we'd be burned by missiles instead of bombers? There is, by the way, much reason to doubt that AWACS will work any better than the current system.

In June, 1968, *Congressional Quarterly*, putting civilian and military officials off the record to elicit candor, did an exhaustive reporting job on the Defense budget. *CQ* found Pentagon insiders estimating that, aside from savings on weapons systems we don't need, around $4.2 billion could be excised by cutting the size of the armed services. That estimate did not assume an end to the Vietnam war, but only a reduction in the proportion of support troops to combatants (now about three to one), and a drop in the number of men in the "transient" category—men budgeted in excess of force requirements because they'll be traveling, not working.

Nine months later, Robert Benson, formerly of the Comptroller's Office, Defense Department, wrote in *Washington Monthly* that he saw another $1.5 billion in savings from troop reductions in Europe. We have over 300,000 there now, plus 200,000 dependents. Benson argued that the U.S. will not send troops into Eastern Europe anyway (witness Hungary, Czechoslovakia), so the forces can be reduced without critically diluting the American presence.

Benson found further savings in people. He figures that if annual leave time for a serviceman were cut from 30 days to 20 (to more nearly match civilian vacations), it would slice manpower requirements enough to save $450 million. Benson also proposed shortening basic training for soldiers not aimed at combat roles—that is, most of them. Saving: $50 million a year. The Air Force and the Navy have already shortened basic training for their men. And why, asks Benson, should every Army officer be shuttled around as if he were in training to be Chief of Staff? Right now, men move on the average of once a year. Benson shows savings of $500 million if assignment changes could be lowered by 25 percent.

Between them, Benson and the *Congressional Quarterly* staff agreed on a cut in the Defense budget of $9 to $10 billion a year, Vietnam or no Vietnam. Benson's estimate includes a 15 percent increase in the efficiency of defense contractors. That might take some doing.

In the broadest terms, and with examples almost too fierce to mention, the Proxmire subcommittee found that there never has been much interest in cost control, either on the part of contractors or their customers in the armed services. Ernest Fitzgerald, who first identified the $2 billion cost "overrun" on the Lockheed C–5A jet transport that cost control is seen as "antisocial acivity." He cited the case of the Mark II avionics system, a "black box" for the navigation gear and radar on the F–111 fighter-bomber. Costs on the system, experts bet, have risen from a planned $610 million to $2.5 billion.

In June, Secretary of Defense Melvin Laird, doing some digging of his own, produced a study of 12 weapons systems that showed cost overruns ranging from 0.2 percent to 194 percent on nine of them. The latter increase was on SRAM, the Air Force's Short Range Attack Missile, now expected by the Pentagon to cost $313.9 million more than was estimated. Outsiders bet the SRAM bloat is worse than that. Laird dryly noted that $1.4 billion of the nine overruns was due to "optimistic original cost estimates" on the part of weapons contractors.

But contractors suffer from more than simple optimism. They sometimes underestimate their costs deliberately, in order to bid low and grab a contract. This practice is called "buying in." It is based on the assumption, valid historically, that the customer services will pay the costs no matter how they creep. Former Assistant Secretary of Defense Robert Charles could not recall for Proxmire when he'd last seen a major defense contractor lose money on a contract. That, in spite of the fact that over 90 percent of all weapons systems end up costing twice what the contractors' original estimate said they would.

Fitzgerald has some ideas of how to bring an atmosphere of candor and concern for cost into the military-industrial dialogue. In the process of explaining them, he has made public a privileged language. For instance, when a manager of a weapons-system procurement finds that costs are outrunning the money Congress gave him, he has a "funding problem." In other words, costs are not too high, his funds are too low. Fitzgerald reports that since he's been in the Pentagon, he has never heard of cost reduction as an answer to a funding problem. A "credible" cost estimate is one high enough so that actual costs do not produce an embarrassing overrun.

What Fitzgerald and others are telling us is that bargaining and cost control, twixt military and contractor, is not gimlet-eyed jockeying in the best sense of free enterprise. It is more the murmuring of lovers.

Fitzgerald would like to see the Pentagon use what are known as "should-cost" studies. These studies, sharp penciled by efficiency experts, try to answer what a weapons system should cost, assuming for one sweet, fleeting moment that the contractor operates in a reasonably efficient way. The Government would function as a management consultant to show the company how to hold costs down. Previous should-cost studies found considerable waste motion and superfluous workers, sometimes overstaffed up to 60 percent for the work needed. Taken together with hard-nosed devotion to economy on the part of top Pentagon officials, should-cost studies and other techniques, Fitzgerald thinks, could result in the saving of billions. Think that over. Billions.

We should lay to rest now the notion that defense cuts would damage the economy. Arjay Miller, ex-Ford Motor Co. vice chairman, told Look Senior Editor Al Rothenberg: "I think a reduction in military expenditures . . . would have a plus effect on the economy. When rumors of peace break out, the stock market goes up. . . ."

If the Pentagon moves sharply to slash costs, the size of the Defense budget will depend all the more on the decisions made in the White House and Congress about how ambitious the country's defense policy should be. Charles Schultze is not impressed with the idea that a well-organized military-industrial complex has been siphoning cash out of the Treasury with evil design. Rather, he said, the American people "have pretty much been willing to buy anything carrying the label 'Needed For National Security.'" Schultze talked about involving the Bureau of the Budget, traditionally the President's watchdog, more deeply in the writing of the Defense budget. Previously, the Department of Defense was less scrutinized than any other Cabinet department. President Richard Nixon recently took Schultze up on that, giving Budget Director Robert Mayo what Mayo called his "marching orders" to examine Defense thoroughly.

All the talk of cost-cutting now, of reducing the Defense budget, echoes down the road to a time when the bad dream of Vietnam will be over. Then, we will find out what kind of "peace dividend" we'll get, i.e., how much money will be available for use in domestic programs or for paying out to taxpayers in the form of lower taxes. Projecting tax gains from a growing economy and the savings from not being in Vietnam against the automatic increases in domestic programs and the growth in non-Vietnam defense spending, Schultze forecast a cumulative fiscal dividend of $35 billion by 1974. That sounds large, until we note that increases in military spending *already planned* will use up the $20 billion a year we save from leaving Vietnam. The Defense budget can go marching on without the war. Whatever fiscal dividend we do get will come from the gain in tax revenues from a full-tilt economy. And Schultze's projection does not include the costs of large new weapons systems, or an escalation in the arms race. Those would poison the dividend.

The Nixon Administration has already cut $1.1 billion in expenditures from the 1970 Johnson Defense budget. Recently, the Manned Orbiting Laboratory, a project on everyone's list of extraneous matter, was unmanned. Future savings from that surgery will be at least $1.5 billion, perhaps more. And Laird has given every indication that his study of nine weapons systems would not be the last hunt for waste.

But we also have the word of Robert Moot, Defense Department Comptroller, that the Pentagon expects no significant cutbacks below the $80 billion budget, even after American forces move out of Vietnam. He guessed $75 billion would be somewhere near right, unless "our commitments and our missions can be cut back." And the responsibility for thinking about that, aside from the President's, lies with a Congress now somewhat awake to the chances of saving some dollars for domestic consumption.

THE UNIVERSITY ARSENAL

(By Ruth Gelmis)

Angry students and newly formed groups of concerned faculty are raising some tough questions on college campuses. The American multiversity, it seems, is fast on its way to becoming a docile Pentagon pet, dependent on military financing and deeply enmeshed in the defense establishment.

On March 11, more than 1,400 students crammed into Stanford University's Memorial Auditorium to demand the facts about that school's involvement in war research. (Stanford ranked 46th last year among the nation's defense research-and-development contractors.) The answers were to come from five university trustees. One was William Hewlett, president of Hewlett-Packard, whose defense sales last year totaled $34 million. Hewlett is also a director of Chrysler ($146 million in defense contracts) and FMC Corporation ($185 million). Another trustee was Charles Ducommun, a director of Lockheed ($1.9 billion).

Among the trustees who were not there were the president of Northrop Aircraft and the chairman of General Dynamics.

A trustee began, "I don't think it's fair to say that the university is participating in the war." The audience groaned. He continued, "Many people within the university are actively opposing the war."

"It's very nice," a student shouted, "to view the university as an open place where I do my thing and you do your thing, only your thing happens to be doing research on weapons of destruction and death in the name of the university."

The two-hour confrontation turned very nearly into a rout, as the trustees' answers became progressively inadequate, irrelevant and evasive. At one point, Hewlett flatly denied a charge that FMC manufactured nerve gas. The students presented evidence; Hewlett countered that his source was the president of the corporation. Finally he admitted FMC *had* been making nerve gas up to six months earlier.

The trustees' performance at that meeting radicalized a good many students, including Mike Sweeney, a former editor of the Stanford Daily who was sufficiently respected by the administration to have been appointed to two important student-faculty committees. Sweeney walked in a liberal and walked out a radical. Now he pickets and demonstrates. "I've lost all my credit with the Establishment. It doesn't matter; you no longer care that much whether your future is going to be destroyed, whether you're imprisoned, whether you'll be physically endangered—because there's no alternatives."

The Stanford University trustees appoint the Board of Directors of the Stanford Research Institute. SRI was created in 1946 as a nonprofit "wholly-owned subsidiary" of Stanford to "improve the standard of living and the peace and prosperity of mankind." It does nearly half its research ($29.7 million) for the Defense Department. Ten percent of its work ($6.2 million) is military research directly related to Southeast Asia. SRI operates top-secret counter-insurgency projects in Thailand, including a new $1.8 million contract accepted last December. It has also done secret counterinsurgency research in Vietnam, Honduras and Peru. One classified project is summarized as "considering the advantages and disadvantages of providing U.S. operational assistance to the armed forces of the Government of Peru engaged in counterinsurgency operations."

SRI's board includes:

Ernest Arbuckle, chairman. Arbuckle is a Stanford trustee, a director of Hewlett-Packard and a director of Utah Construction & Mining. Utah built B-52 bases in Thailand, and its affiliate, Marcona Corp., mines iron ore in Peru.

Edmund Littlefield, also a Stanford trustee, and president of Utah.

Malcolm MacNaughton, president of Castle & Cooke, which owns 55 percent of Thai-America Steel and 84 percent of Standard Fruit. Standard Fruit imports bananas, nearly half its supply from Honduras.

Edgar Kaiser, chairman of Kaiser Aluminum, part owner of Thai Metal Works. Kaiser also has an 80 percent interest in the phosphate deposits of the Sechura Desert in Peru.

Fred L. Hartley, president of Union Oil of California, which has drilling rights off the Thai coast.

Gardiner Symonds, chairman of Tenneco, which now has extensive concessionary rights in Indonesia.

Counterinsurgency is not the brainchild of these directors, but it protects their interests very well.

Jerry Dick, a young physicist and father of two, is opposed to the Vietnam war. In February, at a meeting sponsored by the Stanford chapter of the American Association of University Professors, Dick heard SRI President Charles Anderson argue that no researcher was forced to take on any project he found morally objectionable.

Dick stood up: "Sir, I was pressured into doing chemical-warfare research." That candor, he learned later, nearly cost him his security clearance.

I went looking for Dick, and an employee told me, "I think he's still here, but he may not want to see you." Couldn't I talk to him on the telephone? "Well, that might not work either. It's clear that they *can* bug the switchboard, and a lot of us here think they probably do."

I asked Weldon "Hoot" Gibson, executive vice president of SRI, if Dick was still working there. His face flushed with anger. "I don't know. I really don't. Have you seen him? Don't bother. . . . People like that have a decision to make—do they want to support the organization or not?"

When I found Jerry Dick, he'd been fired.

William Rambo is associate dean of the Stanford School of Engineering and director of the Stanford Electronics Laboratories, target of a nine-day student sit-in in April. The labs held $2.2 million in classified contracts, primarily in electronic-warfare research, before the faculty senate directed on April 24 that the contracts be phased out. Shocked faculty members learned meanwhile, from the sit-in students, that contract titles and summaries had been carefully edited to delete military references, apparently to facilitate approval of the contracts by a watchdog committee on classified research. "Applied Research in Electronic Warfare Techniques," for example, became "Applied Research in Electromagnetics."

Rambo is on the board of, and holds stock in, Itek, an electronics firm that held over $80 million in defense contracts at the end of last year.

He is also a member of several military advisory committees, including the Defense Department Advisory Group on Electronic Warfare and ECOM—the Army Electronics Command. In other words, he is called upon as an expert to advise the Defense Department on the usefulness of the kinds of equipment Itek supplies.

Rambo, in all sincerity, says he wonders "how much talent we are denying the Government by this sensitivity regarding conflicts of interest."

In a 1966 memo, Hubert Heffner, then Stanford's dean of research and now Nixon's deputy science director, acknowledged that it was "not uncommon" for faculty members to be directors of private firms, and, declining to set rules, urged teachers to be "sensitive" to potential conflicts of interest.

Sensitive or not, professors across the nation sit on the boards of defense industries and advise military committees.

MIT'S research budget for the academic year 1967–68 was $174 million, and 95 percent of this came from the Federal Government, with $120 million from the Defense Department alone.

Such heavy dependence on one source worries many university administrators, including Cornell's former president, James Perkins, who warned that the "acceptance of Government work and corporate donation has been known to result in a slowing down of the university's critical faculties."

One laboratory director may already be in trouble because of his cautiously critical views. Dr. Wolfgang Panofsky, who directs the AEC-funded $30-million-a-year Stanford Linear Accelerator Center (SLAC), believes university scientists ought to play a crucial role as an independent source of public review of defense policy: "It can't come from people who work directly for the Defense Department because they're obligated to live by official policy. It can't very well come from the contractors whose living depends on the Defense Department. So the universities are the only places with the technological expertise left. The real problem is how do you keep the universities from becoming captive in the process of furnishing this advice?" One answer, he says, is that "the livelihood of the university must in no way depend on Defense Department support."

A professor at the Center, arguing that "the director of a laboratory is not a free man," attributes SLAC's current funding difficulties to political reprisals. "This lab is not being pleasant politically anymore. Most of the people here have come out against the ABM, so the Center has begun to lose a few of its friends in Congress. And the way you get a budget increase is, you have friends on the AEC, friends on the Joint Atomic Energy Committee."

A few months ago, as if deliberately to substantiate that charge, Francisco Costagliola, who was at the time an AEC Commissioner, wrote to Stanford and MIT threatening that should the schools decide against doing classified research, he would press for withdrawal of *all* AEC research money.

Sidney Drell, another SLAC professor, found himself in an awkward position when he addressed the Stanford March 4 Convocation. (Stanford and more than 30 other universities held convocations that day to raise the issue of war research.) Drell carefully avoided taking a public stand on the ABM that day because he felt constrained by his position as a member of the President's Science Advisory Committee. He is an opponent of the ABM.

Money, or the lack of it, has boxed a number of university administrators into a corner. Some admit a desire to pull back from defense work and reorient research priorities, but complain there is simply no alternate source of comparable financing. The one agency specifically charged with supporting basic research, the National Science Foundation, has only enough in its till to support 12 percent of that research. But the Defense Department, NASA and the AEC do support a good deal of basic research, partly because they can more easily get appropriations.

When pressure on the Defense Department compelled it to cut back on some of its controversial foreign-country projects, it offered to transfer $400,000 of its own $7.8 billion research budget to the State Department. The Department of State's current budget for research contracts is $125,000.

Stanford's President Kenneth Pitzer complains, "Our national priorities are wrong." But when he needs funds for university research programs or expansion, where is he to go? The new Stanford Space Engineering and Science Building, for example, was made possible by grants of $2,080,000 from NASA and $992,000 from the Air Force.

Universities have learned that it doesn't hurt to have a Pentagon man on your staff. When the president of the California Institute of Technology, Lee DuBridge, left for Washington to become Nixon's Science Adviser, he was replaced by Harold Brown, then Secretary of the Air Force. Last year, Caltech received $3.5 million from the Defense Department, much more than its entire student tuition. NASA and the AEC supplied an additional $5 million. Caltech also operates the nearby $214-million-a-year Jet Propulsion Laboratory for NASA.

A year ago, the University of Rochester, whose defense contracts increased from $1 million in 1966 to $13 million in 1968, hired as its vice president and provost, Robert L. Sproull. Sproull is the current chairman of the Defense Science Board, the top Pentagon science-advisory committee.

The University of California holds $17 million in defense-research contracts and administers the $250-million-a-year missile-development and testing laboratories at Livermore and Los Alamos. Its new president is a former Assistant Secretary of Defense, Charles Hitch. The university also maintains an $80,000-a-year office in Washington.

MIT chose Jack Ruina to be vice president in charge of the Lincoln and Instrumentation laboratories, which do most of their business ($92 million) with the Defense Department. A former Pentagon official, Ruina is a pragmatist: "You can say you'll withdraw the labs [from military work], but who's going to pay their salary?"

The heavy investment in military research has a snowballing effect. As one professor complains, "The trouble is, when you develop it, somebody will want to build it." The researcher who takes on a military contract because that's where he can most easily get funding, and then develops a new technique or weapon, frequently starts a new "spin-off" corporation to produce it. Route 128 around MIT and Harvard and the 900-acre industrial park owned by Stanford University are crowded with hundreds of aerospace and electronics spin-offs, most of them doing most of their business with the Defense Department. In recent years, 160 new firms have spun off from MIT alone.

The new corporations in turn hire university consultants (MIT professors may consult one day out of five) and graduating students. For that one-third of MIT's graduate students who support themselves as research assistants, future careers are determined by the kind of research they do while in graduate school. In 1968, 45 percent of MIT's industry-bound graduates took jobs with the top 100 prime defense contractors. Many still receive draft deferments for working in a defense plant.

Every new employee of a defense-oriented corporation has a vested interest in a swollen defense budget. His livelihood depends on it.

Half of all U.S. research and development is military in nature. Last year, the U.S. spent four times as much on chemical and biological warfare as it did on cancer research. The man who invented napalm was not a Dow employee but a Harvard professor working in a Harvard lab. Universities and nonprofit research institutes received $665 million from the Defense Department in 1968, for work on the ABM and MIRV, for research on aerial-weapons systems, antipersonnel bombs, chemical and biological warfare, incendiary weapons, counterinsurgency, and such mind-teasers as the classified contract titled "Beliefs and habits of certain foreign populations of significance for psychological operations."

Talent and funds that could be applied to problems of urban blight, disarmament, pollution, poverty, and disease are drained into newer, bigger, better weapons systems.

Dr. James Killian, chairman of the MIT Corporation (he was the nation's first presidential Science Adviser), has recommended to a Senate subcommittee that an ad hoc task force be created to review our weapons technology and strategic policies. Scientists thus "free or organizational loyalties" could make recommendations "without being constrained by any departmental commitments or biases."

Such a task force is not even in the planning stage. Right now, if the President wants a detailed study of, say, Russia's strategic capabilities vis-à-vis the U.S., he asks the Defense Department to ask the Air Force to ask the Rand Corporation to do the study. There is no large-scale, civilian-supported "think tank" to which the public or Congress or even the President can go directly for advice on strategic policy. The scientist's voice is captive, reaching us only after it has been filtered through Pentagon agencies and distorted by military interpretation.

Our Security Lies Beyond Weapons

(By W. Averell Harriman)

Like many other Americans, I am fearful about the present role of the military in our national life. Military men have as their primary responsibility the defense of the nation, and they are miscast when they are expected to be omniscient on other vital national concerns. It is in some ways unfair to ask them to accept responsibility for decisions on which they are clearly unqualified to give a balanced judgment.

I have worked closely with our military officers during the past three decades and respect them for their competence and dedication to our country. I have held many of them in the highest esteem, among them General Marshall. I vividly recall Marshall explaining to President Roosevelt that his advice was given purely from a military standpoint.

When military men advised extreme action in Vietnam, I am not sure that they fully realized the limited character of our objectives there. We are not there to win a war, but simply to stop the North from taking over the South by force, and to permit the people of the South to decide their own future. I am not sure that all those advising the President fully understand how limited our objectives are. Somehow or other, there is a feeling that we are fighting the international Communist conspiracy—rather than Vietnamese national Communists who do not want to be dominated by either Peking or Moscow. The international Communist situation is quite different today than it was in the early postwar period. During those days, I was always on the side of those wanting more arms for our nation. When South Korea was attacked, we had a military budget of only about $14 billion, and we suffered greatly from it. But today, we have a military budget of almost $30 billion, and have so many other requirements in our country that it is time to call a halt to our arms buildup. The war in Vietnam is an unfortunate drain on our resources, and will, I hope, be brought to an early settlement. The money we spend there is urgently needed now to reunite our own divided country.

It is not the military's job to know how that is to be done, and they cannot be expected to weigh the technological requirements of the military against the requirements in our cities. The military today are asking for new weapons that in my judgment are clearly less important than other national needs.

We obviously must maintain nuclear capability giving us a second strike force that would deter the Soviet Union or anyone else from hitting us. But that does not mean we have to be ahead in every aspect of nuclear capability, nor does it mean that we

must have many times the power to overkill any enemy.

In 1941, I was in London as President Roosevelt's representative to Prime Minister Churchill and the British Government. Even then, I was struck by the difference in the role of the military in Britain and in the U.S. The British War Cabinet consisted of the political leaders of the country, and the ministers of the armed services were not even members of it. I am not suggesting that the British military leaders were not highly respected or that their views were not given full weight. But they were given weight within the Cabinet in balance with the other problems of the British nation. The military chiefs of staff were advisers to the Cabinet. The military establishment was integrated into the policy-making procedures of the British Government. They had no contact with the Parliament, nor did they give any public expression of their views.

This is altogether different from our present procedures. Not only the Secretary of Defense but also the Chiefs of Staff go to the committees of the Congress and testify on all sorts of matters. As a result, a number of senators and congressmen get an unbalanced view of our nation's needs from military men who are responsible for only one aspect of our national concerns. What I am suggesting is that we have a group of senators and congressmen whose attention is concentrated on military needs. That is why we had one member of the Congress saying a short while back that if we turned over the Vietnam war to the soldiers, they would win it in a month.

Nothing could be more absurd than that statement. But it indicates the mind-set that some members of Congress get after steady bombardment by the views of our military. Their responsibility is the security of the nation, and they must look at the worst of everything. Those who see only the possible military threats would drive us into another world war. That is why isolated military judgments of political situations are not sound. Robert Kennedy wrote that during the Cuban missile crisis, he was struck by how often his brother's military advisers took "positions, which, if wrong, had the advantage that no one would be around at the end to know" how wrong they were.

All of us abhor Soviet repression of freedoms at home and in Czechoslovakia, and their support for Communist subversion in independent countries. But I decry the attempt that is being made today by some in the Defense Department and Congress to scare the American people into believing that the Soviets are scheming to attack us with nuclear weapons. No one knows the intention of the Kremlin, but I can speak from my Russian experience that dates back over forty years. I am convinced that the Soviets are as anxious to avoid destruction of their country by nuclear war as we are of ours.

It is particularly alarming that there appears to be a new policy in the Pentagon, to have the civilian-directed offices of International Security Affairs and Systems Analysis support the recommendations of the Joint Chiefs of Staff and not question them.

It is reassuring that the Congress is increasingly showing concern over military programs and exercising its independent judgments on decisions.

I believe that negotiations we are now starting with the Soviets to control the nuclear arms race are the most important we have ever undertaken. They can be successful if we act wisely.

From my talks with Mr. Kosygin and other Soviet officials, I am satisfied that they want to stop the nuclear arms race for two reasons. They don't want to divert further expenditures from their pressing internal needs. And they believe the U.S. and the Soviet Union should come to an understanding now to reduce the risk of nuclear war. This is a time of world opportunity—a split second in history. I have been told by my scientist friends that both sides can develop effective MIRV's (Multiple Independently-targeted Re-entry Vehicles) in a relatively short time. It is vital that agreement be reached before this occurs. We can each tell the number of missile sites the other has but we cannot know the character of warheads fitted to the missiles without detailed on-site inspection. I was very much shocked to hear that the military had gone ahead to order these multiple warheads without telling the Congress or the public that they had done so.

There are advisers in our defense establishment who are on record as opposing an agreement with the Soviet Union on nuclear restraint. They are entitled to their opinions, but it would be inexcusable if actions were taken that committed us to the arms race without the widest possible discussion. I am sure President Nixon believes that an agreement on nuclear restraint is of vital importance to our nation, and most Americans share this judgment.

It is interesting that it took eight years for the Congress and the public to understand what President Dwight Eisenhower was talking about when he warned about the military-industrial complex. It is only recently that we have begun to question the new weapons programs, the wisdom of immediate deployment of the ABM, and testing of the MIRV. Until now, the pressure from the Congress has been to appropriate more money than the Administration requested for new weapons programs. Pressure comes now in the opposite direction. The turnaround is due largely to the unpopularity of the war and the urgency of domestic needs. We are beginning to recognize the danger of a militaristic attitude on the part of our country. Our security will not come from the number of our weapons. It will come from the strength of our moral force at home and abroad, from our economic and social strength, and from the unity of our people.

Mr. PROXMIRE. In addition, Mr. President, I call attention to two editorials, published in the New York Times of August 11, 1969, one entitled "Homage to the Astronauts," and the other entitled "Portrait of Mars." I read briefly from the first editorial, as follows:

This background makes it particularly unfortunate that the formal celebration planned this week has such a narrow, nationalistic cast. In the words of the plaque they left on the moon, the astronauts "came in peace for all mankind." Yet their visit to the United Nations next Wednesday will be very brief, while the rest of the day will be devoted to an American celebration of an American achievement.

Perhaps it is not too late for more imaginative planning to emphasize the role of the astronauts as envoys of all humanity, emissaries whose trip was made possible by contributions of knowledge from many nations over many centuries. Better than any men before them, after all, Armstrong, Aldrin and Collins know that this one planet is one world and that what unites men is far stronger and more important than the forces dividing them.

I also wish to quote briefly from the followup editorial, on where we go from here, entitled "Portrait of Mars." After discussing what the remarkable shot we have seen in the last few days has revealed about Mars, the article says:

Whether the Pimentel-Herr hypothesis is right or wrong, the case is strong for further intensive study of Mars by unmanned satellites—as against a precipitate switch to the much more costly alternative of manned exploration. A race to put men on Mars would be a moondoggle for which there is neither need nor justification.

I hope when we look at the space authorization bill, which I understand will be before us shortly after we return, we will keep that in mind. The National Advisory Council advised some time ago that we can save a billion if, for the next 3 or 4 years, we limit our space exploration to unmanned exploration. Our voyage to the moon is the most remarkable achievement in centuries. Having accomplished that, our next step should be unmanned space exploration, with less potential loss of life and a great saving in funds.

I ask unanimous consent that the New York Times editorials from which I have quoted be printed in the RECORD at this point.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

HOMAGE TO THE ASTRONAUTS

By this morning, if all goes as planned, the three Apollo astronauts will have been released from quarantine and reunited with their families. Then they will begin receiving the world's homage for their historic accomplishment in a celebration that will start with Wednesday's grueling cross country parade.

Armstrong, Aldrin and Collins richly deserve the heroes' acclaim they will receive in the days immediately ahead. As no earlier feat has ever done, their successful trip to and return from the moon captured the imagination of men and women almost everywhere. In the universal glow produced at least briefly by their success, many of the normal divisive barriers among men broke down. They were hailed in Moscow as well as in Washington, in Cairo as well as in Jerusalem, in New Delhi and Karachi, in East Berlin and West Berlin.

This background makes it particularly unfortunate that the formal celebration planned this week has such a narrow, nationalistic cast. In the words of the plaque they left on the moon, the astronauts "came in peace for all mankind." Yet their visit to the United Nations next Wednesday will be very brief, while the rest of that day will be devoted to an American celebration of an American achievement.

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PORTRAIT OF MARS

On that eventual day when the first men walk on the surface of Mars, they will find much "magnificent desolation" akin to that seen by Neil Armstrong and Edwin Aldrin when they strolled on the moon last month.

That virtual certainty emerges from the brilliantly successful exploration of the red planet just completed by Mariners 6 and 7. Their expedition lacked the human drama of Apollo 11, but the scientific information they returned may well qualify the two Mariners as the most scientifically productive enterprise men have yet carried out in space.

Generations of science fiction writers—from H. G. Wells and Edgar Rice Burroughs to Ray Bradbury—were mistaken, it turns

out, in their visions of human or nonhuman civilizations on Mars. On the contrary, Mars is a bleak, arid wasteland, a geologist's nightmare of twisted plains and innumerable craters whose typical landscape is almost indistinguishable from that of the moon.

True, Mars has a thin atmosphere—whose ground-level pressure is about that found twenty or thirty miles above the earth—but it is composed mainly of carbon dioxide, and could never support any complex life familiar here on earth. Worse yet, the Martian surface—or most of it anyway—is bathed daily in a deadly shower of ultraviolet radiation, and there is no equivalent of the life-saving protection provided by the atmosphere here. While Martian temperatures may get up to a comfortable 70 degrees or so at best, they descend at worst to hundreds of degrees below zero. For lovers of comfort, Mars is as uninviting as the moon, and well over a hundred times as far away.

The irrepressible optimists who refuse to believe that earth alone has life in this solar system did get something to cheer about from Mariner 7. Professors Pimentel and Herr believe they detected methane and ammonia in Mars' south polar region, and they suggest this may have a biological origin, i.e., there may be some primitive form of life in that part of Mars.

It is an exciting hypothesis worth further investigation, but for the moment the idea must be viewed as an extremely long shot. Methane and ammonia can arise from nonbiological processes. Moreover, there are serious contradictions between some of the Pimentel-Herr conclusions and those of other investigators using different data sent back by Mariner 7.

Whether the Pimentel-Herr hypothesis is right or wrong, the case is strong for further intensive study of Mars by unmanned satellites—as against a precipitate switch to the much more costly alternative of manned exploration. A race to put men on Mars would be a moondoggle for which there is neither need nor justification.

The fascinating close-approach photographs sent back by the two Mariners covered only 20 per cent of the planet, and they offered no explanation for the changing patterns of dark and light that telescopes have shown on Mars for centuries. Additionally, Mariner 7 has uncovered an intriguing mystery by demonstrating that the bright area called Hellas is decidedly atypical in not having craters. That revelation immediately raises the question of what processes have obliterated the craters that meteors must have created in Hellas too.

For the scientifically minded or even the merely curious, the rich harvest of the Mariners can only whet the appetite for more knowledge.

ADVANCE MANNED STRATEGIC AIRCRAFT

Mr. McGOVERN. Mr. President, the military procurement authorization bill, S. 2546, represents a significant increase for an advanced manned strategic aircraft.

In fiscal 1969 the approved program for this project was $25 million. It is proposed that we spend $100.2 million in fiscal 1970, for purposes outlined by Defense Secretaries Clifford and Laird in their respective posture statements.

Secretary Clifford raised the figure to $77 million, to "continue the competitive design phase initiated with fiscal year 1969 funds and to advance the development of the long leadtime avionics and propulsion systems."

Secretary Laird added another $23 million, to "shorten the competitive design phase and permit the start of full-scale engineering development in fiscal year 1970. While no decision on production and deployment must be made now, the accelerated research and development effort could advance the initial operational capability—IOC—of this aircraft by 1 year."

While we might take some small comfort from the fact that we can avoid a final decision this year on a system estimated to cost a minimum of $12 billion, it is nevertheless important to recognize that present plans call for the expenditure of at least $2 billion on research, development, test and evaluation alone—before any of these aircraft enter our strategic arsenal.

I might say at this point, Mr. President, that in talking about this new bomber, we are talking about a system the eventual cost of which could be as high as or higher than that of the Safeguard anti-ballistic-missile system about which we have just debated for some 5 or 6 weeks. Moreover, it is contemplated, according to a recent issue of Aviation Week & Space Technology:

> Under the new schedule, USAF will select by November 1 a single contractor for the final development and production of the AMSA.

We are clearly at the threshold of a major new expenditure. We should not be drawn into it little by little without having a clear idea of where we are going and why. I believe, therefore, that the time is at hand for a thorough examination of our entire strategic bomber program.

With the cosponsorship of the Senator from New York (Mr. GOODELL), the Senator from Oregon (Mr. HATFIELD), and the Senator from Wisconsin (Mr. PROXMIRE), who have been leading the effort to review our military outlays, I have proposed an amendment to the pending bill which aims to hold AMSA to the fiscal 1969 spending level; in other words, to avoid an acceleration of work on the system. It would leave $20 million in the pending authorization bill, to be combined with $5 million in carryover authority from fiscal 1969.

Mr. President, this would be the effect of reducing by $80 million the amount requested in the pending authorization bill for work on a new bomber.

In the meantime I hope we can initiate a more extensive review of the alleged need and justification for any strategic bomber force at all and for this elaborate new system in particular. I am especially interested in learning more about the administration's contentions in this regard.

For my own part, I must say that at the end of a substantial amount of study, including briefings from the Air Force officers in charge of the AMSA program, I have been unable to escape the conclusion that the many legs upon which the AMSA case rests, even in combination, cannot begin to support it. The case for retaining any kind of a bomber deterrent is almost as doubtful.

I will call up my amendment for active consideration shortly after the recess. In preparation for discussion at that time, and so that all of us can develop a clear understanding of the Administration's position, we have submitted to Defense Secretary Laird the following list of questions bearing on the strategic bomber program. Most of them have been discussed with Air Force officials in both classified and unclassified terms. I have asked that they be answered in writing for the public record, and that the response be supplied to me by the end of the recess.

I ask unanimous consent that the list of questions submitted to the Secretary of Defense be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

I. THE NEED FOR A TRIPLE DETERRENT

A. We understand that strategic bombers are retained primarily because of the belief that we are best able to deter nuclear attack when we have three separate deterrent forces—bombers, intercontinental ballistic missiles, and submarine launched ballistic missiles—thereby insuring that we will be able to destroy an adversary after failure or neutralization of at least two of the three. What are the specific contingencies for which this policy has been developed, i.e.,

(1) Is it contemplated that the Safeguard antiballistic system in which the Administration has expressed such confidence will fail?

(2) Is it believed that the Soviet Union will devolop means of neutralizing our Polaris submarine fleet, recently described as "invulnerable" by its commander, Admiral Levering Smith?

(3) Is there substantial concern that the Soviet Union will be able to accomplish the degradation of both of these systems at the same point in time?

(4) Is it contemplated that these systems can be neutralized notwithstanding internal improvements which might be made in them, such as superhardening or MIRV warheads?

(5) If such counterforce weapons were developed, is it not possible that the Soviet Union would nevertheless be deterred by the possibility that our ICBMs and SLBMs could be launched on warning, and that we could cause such deterrence simply by leaving them uncertain as to what our policy is in this regard?

(6) Alternatively, is there any perceivable risk that the Soviet Union will develop a ballistic missile defense system capable of intercepting enough of our SLBMs and ICBMs to limit destruction to acceptable levels—including interception of improvements which might be made absent agreements, such as MIRV warheads or warheads which can be maneuvered in flight?

(7) If the Soviet Union were to find the economic and technical resources to develop and deploy such weapons, is it perceived that they would have such enormous confidence in them that they would be willing to launch a first-strike under any conditions, realizing that misplaced reliance could result in the total destruction of their society?

B. It is our understanding that in 1966 then Secretary of Defense McNamara prepared a study indicating that if it did become necessary to provide further insurance of our missile force, the cost-effectiveness of insuring with additional missiles would exceed the cost-effectiveness of insuring with B–52 bombers, up to the point where missile effectiveness fell to below 50 percent. The same study concluded that, against improved Soviet defenses, missile effectiveness would have to be lower than 30 percent before insurance with FBM–111/SRAM insurance would be more desirable than missiles. What is the current status of these relationships?

(1) Does not the cost-effectiveness of bombers as opposed to missiles drop still further in light of the potential development of MIRV warheads and in light of AMSA's higher cost?

(2) Is it not probable that a country capable of developing counterforce, or defensive systems with the ability to destroy or intercept high speed missiles with penetration aids could also develop the ability to counter much slower manned bombers which, on the ground, are also much softer targets?

(3) We have been told that maintenance of a bomber force requires the enemy to "mix" his defenses to divert to bomber defenses funds which otherwise might be employed for antimissile defense. In this connection,

(a) Does not the maintenance and improvement of bombers also require us to divert substantial amounts of funds which might otherwise be used to develop increased penetration ability for our missiles?

(b) Do not existing bombers, the B–52, the B–58 and the FB–111, possess among them the ability to penetrate any defensive system which AMSA could penetrate, albeit not for all targets in the Soviet Union? Does this not require that the Soviet Union, if it does aim for a first-strike capability, at least develop the technological competence to counter AMSA regardless of whether it is built? Does it not require that for substantial portions of the country such systems also be deployed if our deterrent is to be degraded?

(c) Will not the development of stand-off capability and penetration aids, including the Short Range Attack Missile and Subsonic Cruise Armed Decoy, further increase the capability of existing bombers to penetrate even the most sophisticated Soviet air defense?

(d) If there were no problem of strategic obsolescence, how long could existing strategic bombers be made to last through continuing modifications and restructuring?

II. SECONDARY CAPABILITIES OF BOMBERS

A. We are told that a "fall out" benefit of AMSA would be its utility in situations calling for conventional response. In this connection,

(1) Against unsophisticated defenses or no defenses, as has been the case with targets in South Vietnam, would not AMSA be overdesigned? Would it perform with significantly greater effect than the B–52?

(2) Against sophisticated air defenses, as is the case with targets in North Vietnam where the B–52 has not been used, would not even the AMSA be vulnerable to the point where its use for carrying conventional bombloads would not be worthwhile; i.e., is not whatever cost-effectiveness retained by bombers against surface-to-air missiles and high speed interceptors heavily dependent upon their carrying nuclear warheads with such great destructive power that high attrition rates are acceptable?

(3) In a conventional war situation, is it not likely that carrier or land-based tactical aircraft would be available to obviate the need for a larger force of long-range bombers? Is it not true that such aircraft would be much more useful in such roles because of their enhanced maneuverability and ability to penetrate defenses?

B. It has been claimed that bombers are desirable because of their "flexibility" primarily their ability to change targets in flight and to be recalled from attack. In this connection,

(1) Is it not true that ICBMs and SLBMs could be held well beyond the point in time where bombers could no longer be recalled because of penetration of Soviet air space, and that the missiles could then be fired and still beat bombers to their targets?

(2) Will not "real time targeting" through satellites give missiles the capability to change targets before launch and to reach most new targets before bombers could make similar changes?

(3) For "show of force" purposes to illustrate our determination in periods of tension, is not the President's ability to send thousands of megatons to Soviet targets within some thirty minutes just as meaningful as his ability to put bombers in the air?

III. COSTS AND STATUS OF THE AMSA PROGRAM

A. What are the current minimum and maximum estimates of the costs of developing and procuring the Advanced Manned Strategic Aircraft at the various force levels being considered?

B. What are the costs of maintaining a strategic bomber program over and above the costs of the aircraft—i.e., manpower, training, bases, operation and maintenance.

C. Is there a specific reason why it became necessary between Secretary Clifford's posture statement and that of Secretary Laird, to advance the Initial Operating Capability of AMSA by a full year, from 1978 to 1977?

D. What new steps in terms of contracts with industry are contemplated under the proposed program for fiscal 1970?

E. If Congress were to decide not to go forward with the planned program for fiscal 1970, what level of funding would preserve the option of moving ahead at a later date?

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. PROXMIRE. Mr. President, does the Senator's amendment provide for a reduction in funds for the various manned strategic aircraft to $20 million?

Mr. McGOVERN. The Senator is correct. It would hold it at the 1969 level.

Mr. PROXMIRE. So it would permit continued research, but would delete the funds available for the building of prototypes.

Mr. McGOVERN. The Senator is correct.

Mr. PROXMIRE. Mr. President, I was very concerned about the program.

It seemed to me that we should consider it with great care. As I understand, former President John F. Kennedy and Secretary McNamara seemed to feel some 7 or 8 years ago that the day of the manned bomber might be limited. They were reluctant to spend more money on the B–52.

Secretary McNamara was concerned about the B–70. They felt it might become obsolete and that anything it could do we could do much cheaper and in a more devastating way with the ICBM.

The aircraft would not be available for 6 or 7 years, at least. It would still be a manned bomber. It would cost $8 billion or $10 billion, and perhaps more. According to the present estimates, it will range between $8 and $10 billion.

So, to confine this to research, it seems to me, is very logical. Once we go ahead with the prototype, we are not actually in production, but are close to production. It is very hard at that point to hold back and say no.

The ultimate cost to the taxpayer would, as I have heard, be greater than that of the ABM on the basis of present plans.

Mr. McGOVERN. I do not think that any one of us really knows what the ABM would cost.

Mr. PROXMIRE. No. It would be in the neighborhood of $10 or $12 billion. This would cost more than that.

Mr. McGOVERN. This could very well reach or exceed that cost, according to the estimates I have seen.

I think that is one item the Senate will want to look at.

The Senator has found in so many cases where cost estimates proved to be unrealistic and where the actual costs were billions of dollars beyond what had been anticipated by the Department of Defense at the time those proposals were authorized by Congress.

I think we do want to look at the cost factor and also the question of whether we need another bomber.

If one would grant the argument that some kind of bomber capability is needed in our defense, then the question goes to the existence of several different bombers that we already have in operation and whether with modifications they could be kept operative, and the whole question of whether we even need a bomber capability at a time when we have both submarine and land-based missiles. It seems to me that all of those questions should be kept under review.

My amendment would not delete the research and development funds, but it would hold them to the level that they were in 1969.

Mr. PROXMIRE. Mr. President, the Senator from South Dakota is, I believe, well qualified to present the amendment. As I understand it, he is a former bomber pilot himself. No one can say that he does not appreciate or understand the great value that the planes have been in the past and may continue to be in the future. The Senator is in a position, in a sense, of having rare competence and experience in this field.

Mr. McGOVERN. Mr. President, I appreciate the Senator's generosity. However, the bomber that I flew was a pea-shooter when compared with this one.

I have been concerned in this field for a long time.

As I understand it, Secretary Laird is arguing that the additional $80 million would make this new bomber operable by 1977 as against 1978. I have not yet seen any convincing rationalization that that year's time would make all that much difference in terms of our defense posture.

I think a good argument can be made that every year we can delay passing judgment may be a prudent move for the Senate to take.

If we had gone ahead and built the B–70, which the Defense Department had been working for, it would have been obsolete and all of those billions of dollars would have been down the drain. I do not know how much money we have spent on this program. Perhaps the Senator would know.

I am pleading for a careful consideration before we go into the engineering and operational stages of the plane.

AMERICAN PRISONERS OF WAR IN NORTH VIETNAM

Mr. BYRD of Virginia. Mr. President, together with Americans everywhere, I rejoiced with the families of the three

servicemen freed from North Vietnamese captivity.

My happiness is clouded, however, when I recall that 1,365 other Americans are still being held by the North Vietnamese.

Ho Chi Minh is sometimes pictured as a kindly grandfather being put upon by the great might of the United States. This image certainly does not hold up when we consider the callous position taken by him and his government to our repeated requests for a prisoner exchange.

Americans may differ on policy toward our involvement in Vietnam, but all Americans are united in their desire to see real progress made toward identifying and exchanging prisoners of war.

I call upon Hanoi to prove they want peace by publishing a complete list of all prisoners, by immediately releasing the sick and wounded, by permitting the International Red Cross to inspect all prisoners, and by the prompt exchange of all prisoners in their custody.

Until these steps are taken, there can be no progress toward an honorable and lasting peace in Vietnam.

OUR APPROACH TO FOREIGN POLICY

Mr. BYRD of Virginia. Mr. President, Secretary of State Rogers has just returned from a 100,000-mile trip to Asia and throughout Asia. I call the attention of the Senate to an interview which was had with Secretary Rogers in Auckland, New Zealand.

The news dispatch from New Zealand quotes the Secretary as saying:

> I am convinced our general approach to foreign policy in taking a fairly low tone—but being perfectly frank and outspoken—is the way our foreign policy should be conducted in the future.

Mr. President, it seems to me that that is a very sensible statement made by the Secretary of State. It seems to me that it expresses our basic American viewpoint.

I am a little prejudiced in regard to Secretary of State Rogers, because I have known him a long time and I like him very much. I do believe that in the 7 months he has been Secretary of State, he has made a fine impression on the people of our Nation; and I think he is grasping well the many problems which he faces in that very important office.

So as he returns to our country, I am glad today to express, in the Senate, my high regard for Secretary of State Rogers.

OKLAHOMA'S CALL FOR A CONSTITUTIONAL CONVENTION INVALID

Mr. TYDINGS. Mr. President, last week, the attorney general of Oklahoma, in a written opinion for the Oklahoma Legislature, declared that Oklahoma's call for a constitutional convention had no continuing effect. Thus, according to its own legal criteria, Oklahoma's petition to Congress has been declared invalid.

This is a tremendous victory for those who would protect our Constitution from a frontal assault by the advocates for the return to the rotten-borough system of apportionment.

The distinguished Senator from Wisconsin (Mr. PROXMIRE) and myself, following the leadership of the former Senator from Illinois, Mr. Douglas, fought the Dirksen rotten borough amendment successfully in the 89th Congress. However, the fight still continues in some of the State legislatures.

Having failed to convince Congress to pass a constitutional amendment to reverse the Supreme Court's enforcement of the one-man, one-vote principle, these people desperately seek to retain their undemocratic apportionment by amendment through a constitutional convention. To this end, many State legislatures have quietly passed calls for a convention, before the import of such action was perceived by the rest of the country.

Fortunately these efforts have come to light, and many of these petitions calling for a constitutional convention are revealed as prima facie invalid because they are in improper form, because they are out of date, or, ironically, because they were passed by legislatures declared malapportioned by the Supreme Court.

Last week's action by the attorney general of Oklahoma adds to the long list of invalid petitions that have been submitted to Congress. Certainly before Congress will even consider whether under Federal standards their petitions are valid, they must be valid according to State legal standards. Of course, those State standards must be judged by the State itself, in other words, its judicial officers and its courts. As it stands now in Oklahoma, the petition to Congress is invalid. Naturally, the attorney general's opinion can be challenged in the Oklahoma courts, and we must await a final determination of that matter. In any case, until the Oklahoma courts find the call valid or until a new call is issued by the Oklahoma Legislature, Congress cannot begin to consider the validity of Oklahoma's petition.

I might add one more comment: Because of the profound consequences of any constitutional convention called to rewrite the Constitution or to amend it, because it is major legislation, and with the bill of the Senator from North Carolina (Mr. ERVIN) addressed to questions relating to this matter now pending, I intend to devote myself in some detail to the problem in an address which I shall deliver immediately after the August recess.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the opinion of the Oklahoma attorney general.

There being no objection, the opinion was ordered to be printed in the RECORD, as follows:

THE ATTORNEY GENERAL OF OKLAHOMA,
Oklahoma City, Okla., August 1, 1969.

Opinion No. 69–200.

Hon. FINIS W. SMITH,
President Pro Tempore, State Senate,
Tulsa, Okla.

DEAR SENATOR SMITH: This office has had under consideration your request for an opinion wherein you in effect ask the following question:

Does a concurrent resolution passed by a session of the Oklahoma Legislature but not sent to the Governor for signature have any binding effect on a subsequent session of the Legislature?

As the resolution of which you speak was not signed by the Governor, it did not become the law of this state. See *Ward* v. *State*, 176 Okl. 368, 56 P.2d 136 (1936), and *Board of County Commissioners of Marshall County* v. *Shaw*, 196 Okl. 66, 182 P.2d 507 (1947).

A concurrent resolution which does not have the effect of law, is merely an expression of the sentiment of the Legislative body passing the resolution. See *Hawks* v. *Bland*, 156 Okl. 48, 9 P.2d 720. Generally, a legislative body uses a resolution to express an opinion or purpose with respect to a matter that is temporary in nature. See *State ex rel. Jones* v. *Atterbury*, Mo. 300 S.W.2d 806.

It is the opinion of the Attorney General that a concurrent resolution passed by a session of the Oklahoma Legislature which does not meet the criteria of becoming law, is merely an expression of opinion of that particular body and has no binding effect on a subsequent session of the Legislature. This opinion is in conformance with Attorney General's opinion No. 64–153 dated February 21, 1964.

Sincerely,
DAVID L. RUSSELL,
Assistant Attorney General,
(For the Attorney General).

Approved in conference:
G. T. BLANKENSHIP,
Attorney General.

Mr. PROXMIRE. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I am happy to yield to the Senator from Wisconsin.

Mr. PROXMIRE. I congratulate the Senator from Maryland for having brought this matter to the attention of the Senate and the country. Frankly, I had missed that opinion; by the attorney general of Oklahoma, was it?

Mr. TYDINGS. That is correct.

Mr. PROXMIRE. This is a great victory, because my State of Wisconsin has been possibly on the verge of becoming the State that would have made it the——

Mr. TYDINGS. The 34th.

Mr. PROXMIRE. Yes. Some people would have said it would have made it necessary for Congress to call a national convention for the purpose of revising the U.S. Constitution.

This has concerned me very deeply, as well as the people of my State, because the Bill of Rights could be knocked out of the Constitution and anything else in the Constitution as well. It could be a runaway convention, according to some interpretations.

The purpose of calling the convention, as the Senator from Maryland has so well stated, is so that the one-man, one-vote interpretation by the Supreme Court which former Supreme Court Justice Warren has stated was, he thought, the greatest accomplishment of his Court, could invalidate that great accomplishment. So that what the Senator has called to our attention seems to have slowed, maybe stopped that, on the basis of the action of Oklahoma's top legal authority. It is of very great significance. I would hope that this would be the end of what could have been a serious danger to this Republic.

Mr. TYDINGS. I certainly hope it will

be the end although, knowing the proponents of the rotten borough system, and having great respect for their political ability and accomplishments, I would not be so sanguine as to say that this is the end of the fight.

THE WASHINGTON AREA TRANSPORTATION SYSTEM

Mr. TYDINGS. Mr. President, a major local news item in Washington for the past month has been the controversy over construction of Washington's transportation system.

I have a deep concern about that controversy. It has been my privilege to be long associated with a major portion of that system—the proposed subway-mass transit system for the Washington metropolitan area. I was principal Senate sponsor in 1966 of the legislation to create the interstate compact under which the mass transit system will be built. I was the principal sponsor of the bill the Senate passed this year to provide the Federal share of the system's financing. I have had the opportunity to both chair the hearings on these bills and to see to their passage on the Senate floor.

My interest derives as well from the fact that I am a Senator from Maryland. The fate of the Washington mass transit system is of urgent concern to the million Marylanders who live near the District of Columbia and the hundreds of thousands who daily come to work, shop, and seek services in the Capital City.

Events of the last several days and my own knowledge of them convince me that we are at last moving forward on the mass transit system. In fact, my own recent contact with all the principal officials involved, including the President of the United States, leads me to believe the subway will be started by year's end, just in the nick of time to save it.

Most of us are well familiar with the facts of the subway-freeway dispute. Briefly, the subway-transit system was conceived and approved by Congress as a part of a Washington, D.C., transportation plan which included a series of highways. However, after Congress approved initial funding for the subway, the District of Columbia City Council authorized most of the freeway plan but blocked construction of two of its parts.

Thereafter, Congress, in the 1968 Highway Act, mandated the construction of one of the two contested road segments and an 18-month study of the other. The House Appropriations Committee refused to approve further funds for the mass transit system until the new congressional mandate was complied with.

The impasse between Congress and the City Council over highways lasted nearly a year, with the subway held hostage.

Meanwhile, inflation relentlessly eroded the financial plans upon which the transit system is based. That plan, agreed to by referendum of the suburbs and acts of Congress, will be obsolete by the end of this year. With the lapse of the financial plan, the transit system itself will collapse, not to be revived for a decade or more.

Collapse of the mass transit plan would be an unparalleled disaster for the National Capital. During the years required to put the plan back together again, the pressures to build even more freeways would become intense. In view of the strong possibility that the subway will be permanently derailed by collapse of its financial plan, what Washington faces is not a question of highways versus subways, but rather the question of whether there will be a subway at all or only more highways.

It is worth noting that the subway system was never intended to replace needed highways, but rather to complement them in a balanced transportation program.

Nor could the subway replace highways in many parts of the Washington metropolitan area which the subway will either never reach, or at least will not reach within the next decade, under current plans.

I have reservations of my own about the contested highway projects. But the need for the subway is so urgent, and the number of additional roads eventually required if the subway is lost is so great, that I have devoted a substantial part of my time in the past three weeks attempting to help resolve this issue.

I view last Saturday's action by the City Council in reversing its opposition to the contested road sections to be a belated, but essential, act of political realism and responsible urban planning.

A year has been lost.

The cost of the subway has escalated to the peril point in the meantime.

But at last we appear on the verge of achieving a balanced subway-highway program for the Washington area.

It remains now not to "lose our cool" as the last steps are taken toward release of the subway funds. This is no time for loose lips or hot heads. My own contacts within the past 2 weeks with Congressman NATCHER, with the city government, with the Secretary of Transportation, and with the President and his staff, convince me that, if cool heads prevail, subway construction can begin by year's end. Law suits need not deter it if they are vigorously defended. Good faith on all sides can, I believe, assure subway construction and replace the suspicion and hostility which has imperiled Washington's transportation plan.

NEWSPAPER COMMENTS ON SENATE PROCEEDINGS

Mr. HOLLAND. Mr. President, for the information of the Senate I wish to place in the RECORD two clippings from the Washington Star of today with respect to what others are thinking about what is going on on the floor of the Senate.

The first article is entitled "Senate Joins Campus Revolt on Arms Research," written by Mary McGrory. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATE JOINS CAMPUS REVOLT ON ARMS RESEARCH

(By Mary McGrory)

In the most startling development of the current debate on defense appropriations, the Senate came down on the side of rebellious college youth. It agreed, by a vote of 49–44, that military research is an intruder on university campuses.

Hardly a kind word about students had been heard on Capitol Hill lately. No one has ever accused the Senate of being pro-intellectual. But $45 million was cut out of the Pentagon's research budget and one of the successful arguments—by Sen. Philip A. Hart, Democrat of Michigan—was that "it offends and outrages" the young.

The amount of money involved was, by Pentagon standards, "peanuts," as the leader of the offensive, Chairman J. W. Fulbright of the Armed Services Committee, said. It was the idea that in a confrontation between the military and the young, the under 30-crowd would prevail.

In one line that should have guaranteed that the vote would go the other way, Sen. Hart said, "You don't have to be a member of SDS to jump up and scream that your priorities are out of whack."

The Senate these days is like Harvard in the spring, full of rampaging young men demanding to be heard. Poor Chairman John Stennis of the Armed Services Committee is like a dean whose office has been seized.

He promises change. He told the Senate he had sent letters to the Pentagon suggesting a review of their scholarly activities.

But the senators are looking at the Pentagon the way the students do as a huge, hostile foreign power that wants to take over the country. It has millions of subjects in mufti. It would have $80 billion to spend if it has its way.

It has its own propaganda mills, its own publishing companies and its own "think tanks," which come up with ideas like putting a moat around Saigon, and a lake in the middle of Latin America.

Stennis is doing the best he can to defend it. He is at least making no new enemies for the military establishment. He is immensely popular in the Senate, the soul of civility, geniality and straight-forwardness.

He could have expected to win a minor encounter with his fellow Southerner and chief goad, Fulbright, who is querulous and patronizing with his opponents.

In adversity, Stennis as always is courtly. "I thank the senator for his fine generosity," he beamed at Fulbright, just before the new axe fell.

Stennis begs the Senate to remember that he did not make the commitments which the military needs money to secure. But that is part of the trouble. Fulbright suspects the Department of Defense of usurping foreign policy.

And he and his allies are engaged in a fight not only to rearrange priorities but to restore to each department of government its proper function. Only the Senate, he thinks, can put the Pentagon in its place.

Fulbright, in a scathing aside, mentioned a Pentagon study of French foreign policy. "This study," he said "I would think would take place in the Department of State, unless the Department of State has gone so far it is nothing but a small bureau in the Department of Defense."

The mania for change that has swept the campuses has spread to Capitol Hill. It will probably be stopped short and reversed when the House faces the Department of Defense. In the meantime, the students will have to say the Senate, at least, has been listening to them.

Mr. HOLLAND. Mr. President, the second article has to do with our unfortunate vacation period which we just voted for yesterday. The article is entitled "Oldsters Bow to Family Cries, Congress Goes on Vacation."

For the purpose of emphasis I shall read the last four paragraphs of the article:

With the calendar year almost two-thirds gone, the workload of Congress for 1969 still lies ahead.

A landmark tax reform bill has passed the House but not the Senate. So has a bill extending the elementary and secondary education program.

The official "status of major bills" lists just two laws enacted. One increased the national debt limit; the other continued the income tax surcharge first imposed last year.

None of the dozen or so annual appropriation bills for the fiscal year that started July 1 has been enacted.

Mr. President, I ask unanimous consent that the entire article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, Aug. 13, 1969]

OLDSTERS BOW TO FAMILY CRIES, CONGRESS GOES ON VACATION

Congress takes off today on its first planned summer vacation in modern history, a concession to its younger members and an admission that it will be in session the rest of the year after it returns Sept. 3.

Only a corporal's guard was available for formal adjournment after today's no-business meeting of the House and the Senate. Many members got an early start on foreign junkets and others were headed for Los Angeles and a testimonial banquet for the Apollo 11 astronauts.

Some of the younger members with children who must return to school in September were packed up for beaches and other vacation spots.

It was the insistence of the young fathers that spurred the older leaders of Congress early this year to fix a schedule that would allow for planned family vacations.

In past years, vacation planning was a hit-and-miss proposition. There always was the hope that there would be an early summer adjournment, but it was a hope seldom realized.

A group of Senators mostly old veterans, put up a protest when the Senate voted yesterday on the recess, okayed Monday by the House, but it was approved 76–14. Sen. Winston L. Prouty, R-Vt., in a speech he had prepared but did not deliver, said the recess should be postponed at least until work is finished on the military authorization bill still before the Senate.

There have been four previous prolonged holidays this year, over Lincoln's birthday, Easter, Memorial Day and Independence Day.

With the calendar year almost two-thirds gone, the workload of Congress for 1969 still lies ahead.

A landmark tax reform bill has passed the House but not the Senate. So has a bill extending the elementary and secondary program.

The official "status of major bills" lists just two laws enacted. One increased the national debt limit; the other continued the income tax surcharge first imposed last year.

None of the dozen or so annual appropriation bills for the fiscal year that started July 1 has been enacted.

THE FEDERALLY IMPACTED AREAS PROGRAM IN IDAHO

Mr. CHURCH. Mr. President, recently the House of Representatives concluded its consideration of appropriations for the Departments of Labor, Health, Education, and Welfare and related agencies. The House bill was a victory for forces within the Congress striving for a more realistic set of national priorities. The legislation added nearly $1 billion to the proposed education budget and increased Federal education funding $629 million over last year.

Of particular interest to many of the people of Idaho was the decision made in regard to school aid for federally impacted areas. During the last fiscal year, $506 million was disbursed through this program. But for this year President Nixon requested only $187 million—a wholly inadequate level of funding and one that would have the most severe consequences in my own State of Idaho, which received $2,664,619 under the program in 1968. With two-thirds of the land in Idaho owned by the Federal Government, many of our public schools depend upon this source of revenue to maintain adequate educational standards.

I applaud the action of the House of Representatives, not only in restoring the recommended cuts, but also in adding an additional $79,100,000 for a total appropriation of $585 million for the impacted areas program.

I will support the action of the House when this legislation reaches the Senate floor. Education is not a program which can be set on the backburner for a few years and then rekindled again. Young people cannot wait.

Mr. President, earlier this year I contacted school officials in Idaho and informed them of the huge cuts which the Nixon administration had proposed in the impacted areas appropriation and asked for their reactions to the cuts. Without exception, they support the highest level of funding, and many of them explained the exact use made of the funds and why they were essential to their school's operation.

Their replies are instructive, underlining the importance of our funding this program in an adequate manner. Accordingly, I ask unanimous consent to have selected, Representative letters printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JOINT SCHOOL DISTRICT NO. 93,
BOONEVILLE COUNTY,
Idaho Falls, Idaho, March 20, 1969.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CHURCH: We are very concerned over the imminent cutback of P.L. 874 and 815 funds. Our District enrollment has increased from 1,650 students in the 1957–1958 school year to 4,300 students for the 1968–1969 year, primarily due to the installation of the Atomic Energy Commission and supporting services in this area. This represents approximately an 8% per year average enrollment increase compared to approximately 2% on a State-wide basis. We are also a district with low evaluation compared with other industrial areas.

From the incidence of Public Law 874 and 815 programs, we have been continually qualifying for building funds because of the influx of federally-connected students. Without the additional support of the P.L. 874 allotment the educational opportunities for our students would have been increasingly inferior to any other District in the State of Idaho.

This District has always made a maximum effort to support their schools and is carrying three unretired bond issues. In addition, we are attempting to further finance the construction of desperately needed classrooms through a Plant Facilities Levy fund, which has been the means of supplementing Public Law 815 building monies.

It has been necessary to place our first grade classes on half-day sessions for the past five years, thus freeing rooms for the older students. We were also faced with the necessity of scheduling grades 7–12 on double sessions for the 1969–1970 school year. However, the recent P.L. 815 grant has made it possible for us to avoid this situation for another year by making a shift in grade organization. If the present influx of students continues, lack of funds may make it necessary to again consider secondary double sessions as well as first grade.

While we probably will not qualify for P.L. 815 funds another year, a fifty percent cutback in P.L. 874 funds will seriously affect the financial status of this District.

We sincerely appreciate your interest in our Idaho schools and wish you success in your attempt to retain these two programs. If we can be of further assistance please contact us.

Sincerely yours,

CHARLES L. CLARK,
Superintendent of Schools.

JOINT SCHOOL DISTRICT 192,
Glenns Ferry, Idaho, March 18, 1969.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR MR. CHURCH: One half depletion of 874 Funds would mean a loss of $13,000 to us.

At the present time, 78% of our school budget is allocated for teachers' salaries.

The loss of this money would necessitate the elimination of 1½ teachers from our present staff in order to balance the budget.

Since 874 Funds have been integrated in the total operation of our system, any loss of revenue should be anticipated in February before the budget is made out. I would prefer this loss to come in a year when the state legislature is giving money at the state level.

We strongly urge you to do everything in your power to retain these funds, and we are assured you realize what a 50% cut would do to the schools in our state.

You have our whole-hearted support in your endeavor. Do not hesitate to call on us for any assistance we may be able to give you.

Sincerely,

GEORGE POWELL,
Superintendent.

MEADOWS VALLEY SCHOOLS, DISTRICT 11,
New Meadows, Idaho, March 18, 1969.

Hon. FRANK CHURCH,
U.S. Senator from Idaho,
Washington, D.C.

DEAR SENATOR: We are very concerned over the Budget Bureau recommendation that P.L. 874, which provides for the supplementing of local school district revenues to help pay for the education of children whose parents either work or live on Federally operated lands or installation, be cut 50%.

We are a small district serving approximately 250 students. We are attempting to offer quality education to our students. If P.L. 874 were to be cut 50% we would have to curtail our curriculum drastically. The money our district would lose would pay for 2 certified teachers, 1 teacher's aid, and 1 secretary and teacher's aid. As you can see, the damage to our district would be overwhelming.

We are but one of over 50 districts in our state who would suffer if this *is not* funded as in the past. I, therefore, urge you to do all in your power to block any attempts to cut P.L. 874 funds.

Sincerely,

CLIFTON G. WINDISCH,
Superintendent of Schools.

CANYON SCHOOL DISTRICT NO. 139,
Caldwell, Idaho, March 18, 1969.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CHURCH: I am writing this letter to attest to the importance of PL874 and 815 Federal Funds.

I spent some time as Superintendent of the Salmon School District at Salmon, Idaho, and can definitely state without reservation that it would have been impossible to have operated the school without funds from the above mentioned sources.

I urge you and the other Senators, as well as the House of Representatives, to take a long hard look, before there is any cut-back in these two programs.

There are many other School Districts in Idaho who are more dependent upon the funds than the one at Salmon that was mentioned above.

I want to thank you for any consideration that you might give in regards to the full funding of these two laws.

Best regards,
EARL WILLIAMS, *Superintendent.*

MACKEY PUBLIC SCHOOLS,
JOINT DISTRICT NO. 182,
Mackay, Idaho, March 17, 1969.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CHURCH: Public Law 874 has brought us in around $270.00 per child for people living or working on Federal property and having children in attendance at our school. This Federal money has been of high importance to us because it helps to defray the cost of operating the schools. We are a poor district, having around 90% of the district owned by the Federal Government. We do not have many sources for income and depend on this additional Federal money to help operate the schools. If we lose 50% of this money we will have to cut our educational program. If we continue to have cuts then the money that we receive from the State of Idaho on the foundation program for for next year will put us just about where we were to start with.

We sincerely appreciate all your efforts on our behalf.

Sincerely yours,
NOLAN SAYER,
Superintendent.

BOISE PUBLIC SCHOOLS,
Boise, Idaho, March 19, 1969.

Senator FRANK CHURCH,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR CHURCH: Your letter addressed to "School Official" has reached my desk for consideration.

Of all the federal education programs in which the Boise School District participates we are certain that P.L. 874 and 815 does the most good for the most pupils and without publicity and unnecessary fuss by the Federal and State administrators. As you probably know that there is a great deal of "over administration" by those in authority of the ESEA (P.L. 89-10) programs which has in many cases hindered the operation—this is not true in the administration of P.L. 874 and 815.

Operating a school in a Capital city draws a good many federal employees whose children qualify for 874. For example, the recent opening of the new Federal Building on Fort Street, located on federal lands, took many employees out of "tax paying offices" and placed them in the new federal building. Some of the "tax paying offices" formerly occupied by federal employees are vacant as a result of the move. Without 874 monies there is no way to compensate for the loss of taxes on this multi-million dollar structure. It should also be mentioned that Boise School District educate many children of families who work on federal properties located in Mountain Home.

Over the past ten years the Boise School District has received on an average of $132,625.00 from 874 monies. This amount does not include the $902,664.00 from P.L. 815 used to help build West and Fairmont Junior High Schools. Most of the federal impact at the time fairmont was constructed resulted from the activity at Mountain Home Air Force and the Missile Bases. The recent increased activity at Mountain Home Air Force Base is again impacting our area. To cut back fifty percent in the 874 program would for next year amount to two additional mills in our budget. Boise District at the present time is levying 15 mills over the recommended 30 mills,—we are now above the breaking point.

Without reservation we urge you to do all that is possible to salvage the P.L. 874 and 815 and in addition encourage greater federal financial participation in these two programs.

Again I wish to express to you and your staff my appreciation for the courtesies extended to Mrs. Beary and me during our recent visit to Washington, D.C.

With continued good wishes, I am
Sincerely,
D. H. BEARY.

SCHOOL DISTRICT NO. 42,
WESTERN BENEWAH COUNTY,
Plummer, Idaho, March 17, 1969.

Senator FRANK CHURCH,
Committee on Interior and Insular Affairs,
Washington, D.C.

DEAR SENATOR CHURCH: P.L. 874 and 815 funds for Idaho are a must for Idaho, due to the states low assessment. This low assessment is caused from a high percentage of Federal Lands, Western Benewah is a prime example.

Eighty-five percent of Western Benewah is non-taxable and increasing each year because of the Coeur d' Alene Tribe buying more taxable land each year.

Last year it was two grain elevators and one farm. This year it looks like four farms, two of which are quite large.

We are bonded to capacity and are on tax anticipation notes. Quality education cannot be given to our students at the present budget, so what are we going to do if P.L. 874 is going to be cut in half.

I would like very much to see all profit making lands taxed, then P.L. 874 and 815 would not be needed.

It is not fair to have some states with less than 15% Federal Lands and other states with 55% Federal.

These laws only help Federally Impacted Areas and act as an equalization factor and at present are not sufficient. I believe Idaho can show by statistics that she is not offering an education program that is in competition with our neighboring schools.

Sincerely yours,
THOMAS HITCHCOCK,
Superintendent.

WORLEY PUBLIC SCHOOLS, CLASS B
SCHOOL DISTRICT NO. 275,
Worley, Idaho, March 17, 1969.

Hon. FRANK CHURCH,
U.S. Senate, Senate Office Building,
Washington, D.C.

DEAR SENATOR: This is in reply to your letter concerning P.L. 874 and 815.

Nearly all of the land in the Worley School District is on the Coeur d'Alene Indian Reservation. About 50% of the land in the district is Federally owned. If it were not for this our evaluation would be practically doubled. Consequently it is very important to the well-being of the district that we receive P.L. 874 funds. Without these funds we would not be able to offer a satisfactory program.

At present we do not need 815 funds. However (noting the above paragraph), they would be vitally necessary in any future building program.

Thank you for the opportunity to present this.

Yours truly,
LEO RIEMAN,
Superintendent.

SCHOOL DISTRICT NUMBER 401,
TETON COUNTY SCHOOLS,
Tetonia, Idaho, March 18, 1969.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CHURCH: School District #401 has had a large increase in enrollment due to the increased number of people with federally connected employment in this area. P.L. 874 has enabled us to continue operating without any serious cutbacks in our program.

We are opposed to any reduction in P.L. 874 funds.

Sincerely,
DEAN WADE, *Chairman.*
ORSON L. BOWLER,
Superintendent.

SALMON PUBLIC SCHOOLS,
DISTRICT NO. 291,
Salmon, Idaho, March 21, 1969.

Hon. FRANK CHURCH,
U.S. Senate, Committee on Interior and Insular Affairs, Washington, D.C.

DEAR SENATOR: I wholeheartedly support your efforts on behalf of school districts in Idaho in relation to Public Law 874 funds. Our school district is surrounded by federal lands. 96% of the lands located in our district are federal, leaving only 4% of privately owned lands to carry the tax burden. The money we receive from Public Law 874 makes it possible to hire additional teachers needed to educate the children of the parents employed on federal lands. A reduction in Public Law 874 would result in a cutback of teaching personnel, thus increasing the class load to a point of inefficiency, resulting in a poor quality of education for all children.

Again let me assure you of our continued support in maintaining these funds at least a present level of federal support, and encourage you to work for an increased appropriation for Public Law 874 funds.

Sincerely,
ROBERT M. BANKS,
Superintendent.

MALAD CITY SCHOOLS,
CLASS A. DISTRICT NO. 351,
Malad City, Idaho, March 19, 1969.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CHURCH: I appreciate your concern over Public Law 874 funds.

This past year we received $7,179.00 from this program.

While this is not a large sum of money, we would indeed miss it if we were to have it reduced or eliminated.

Inasmuch as 874 funds are placed in the general M&O budget it would be difficult indeed to give a detailed account as to the actual specific use of this money, as it may be reflected in many areas.

However, if this program were reduced it could affect our libraries, classroom supplies and equipment, the maintenance or improvements of facilities, a reduction in staff, or other areas that would reduce and impair the educational program that is now offered our students.

We need more money to improve our program, not a reduction to impair the quality that we have.

I sincerely hope that Public Law 874 is not reduced.

Thank you for your interest in our schools.

Respectfully yours,

LLOYD L. SORENSEN,
Superintendent.

JOINT SCHOOL DISTRICT NO. 241,
IDAHO AND ADAMS COUNTIES,
Grangeville, Idaho, March 20, 1969.

Hon. FRANK CHURCH,
U.S. Senator,
Washington, D.C.

DEAR SENATOR CHURCH: Thanks for your note about PL 874 and 815 funds and your concern about the future of them.

While our district is not large as far as population goes it is large in area. It contains over 8,000 square miles with its western border as the state line of Oregon and the eastern border the state line of Montana. As you can see by a map of the U.S. Forest lands most of it belongs to the Federal Government.

If we didn't get our PL 874 funds I don't know just what we would do. We use PL 874 money for current operating expenses and even now our salaries are so low that we are under professional sanctions. We need PL 874 funds to maintain our meager staff which accounts for over 70% of our budget. We need it for supplies, transportation equipment and maintenance.

The local taxpayers are paying the legal limit the Board of Education can levy now.

Sincerely,

EARL VOPAT,
District Superintendent.

ELEMENTARY SCHOOL DISTRICT NO. 73,
Horseshoe Bend, Idaho, March 20, 1969.

Hon. SENATOR F. CHURCH,
Washington, D.C.

DEAR MR. CHURCH: We are very grateful for this opportunity to comment on the value of the P.L. 874 and 815.

Horseshoe Bend is a small district—we have grades 1–8 and approximately 150 students. Being a mill town, we have quite a few transients and there are not too many property owners; resulting in a rather low budget for the school and the 50 some children we have to send to Emmett to Highschool.

Regardless the size of a district, one will find slow learners, handicapped and mentally retarded children. It is especially the small districts that have tremendous troubles with these children as generally there are no funds available at all to help these children. There are barely enough teachers to provide at least one teacher per grade (Whatever one may say: the fact is that a double grade only receives half time) We have used the P.L. 784 money to:

1 divide up a double grade into 2 separate grades.

2 hire a teacher-aid for three special cases out of our first grade.

It is our belief that all children—regardless where they live—have a right to proper education and in cases where insufficient funds are available—like in Idaho where so much land is untaxable—the school district should be refunded by that same federal government which occupies these lands.

We should like to take this opportunity to commend you for your tireless efforts made in behalf of Idaho and its young citizens.

Sincerely,

JOHN VERMEULEN,
Principal.

GARDEN VALLEY SCHOOLS,
Garden Valley, Idaho, April 28, 1969.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR SIR: It has been brought to my attention that there is an economy move being aimed at the Public Law 874 Program. I want to go on record as opposing this move.

Garden Valley School District #71 is a tiny isolated district (current enrollment of 110 students, grades one through twelve), located in a small valley surrounded by mountainous forests that are owned almost entirely by the Bureau of Land Management and the U.S. Forest Service.

Approximately 80% of our district (971 sq. miles) is federally owned and is therefore tax exempt. Our local economy is based on logging and supporting U.S. Forest Service employees, with recreation playing an increasing role.

With so many of our people involved on tax exempt federal lands and direct federal employment plus a small local tax base we would be hard pressed to open our doors without P.L. 874 funds. I hope you will do your utmost to support the continuation of this fine federal program. "Don't economize with our children."

Sincerely,

JAMES E. FISHER,
Superintendent.

JOINT SCHOOL DISTRICT NO. 171,
Clearwater County, Idaho, April 22, 1969.

Mr. FRANK CHURCH,
Senator, State of Idaho,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CHURCH: Through the News Media we read and hear that Federal Programs for Public School assistance are being closely analyzed at the present time by the new Administration. I understand Public Law 874 is on the agenda to be closely scrutinized.

I realize that PL 874 has always been strongly supported and has received your blessings. We list following data for your information in support and continued fully funding PL 874.

As you know we are in the midst of an increasing enrollment due to the construction of the Dworshak Dam, and the reduction of this money would work a definite hardship on our maintenance and operation budget. Impact students have increased from 126 in 1963, until presently we have 537 pupils in this category. Ultimately our established figure will be 666 pupils in 1970.

You can easily understand the strain on our funds were PL 874 funds curtailed or reduced. We wish to enlist your continued support to maintain PL 874 funds to eligible districts at the present level. Thank you.

Yours truly,

MICHAEL L. CASSETTO,
District Superintendent.

INDEPENDENT SCHOOL DISTRICT NO. 1,
Nez Perce County, Lewiston, Idaho,
March 18, 1969.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR MR. CHURCH: The Directors of this school district hope you do everything in your power to see that P.L. 815 and 874 are totally funded. Although our district has never received funds under 815 we have been eligible, but through the efforts of you and Senator Jordan it appears the Army Corps of Engineers is going to make about $275,000 available to house the students whose parents are employed on the Dworshak Dam project.

The following is a tabulation of the six hundred fifteen students in our district whose parents work on properties that are owned by the federal government and thus do not produce property tax revenues to help with the burden of educating them. It might also be noted that this district will be impacted greatly by the Asotin Dam, the Lower Granite Dam, and levee and railroad location projects associated with both. It should also be noted that the impacted students represents 10% of our total student population.

Lewiston-Nez Perce County Airport	6
Dworshak Dam Site	221
Little Goose Dam Site	115
U.S. Armed Forces	49
Lewiston Orchards Irrigation District	33
Nez Perce Indian Reservation	73
Umatilla National Forest	6
Nez Perce National Forest	18
Clearwater National Forest	53
St. Joe National Forest	34
Cottonwood Job Corps	3
Wallowa-Whitman National Forest	2
Kaniksu National Forest	2
Total	615

Last year this produced about $72,000 for our district for expenditures under our general fund. While the facets of the ESEA Act of 1965 are good they can in no way be used to replace the above amount, as they must be used to supplant rather than supplement existing programs.

The money has been used almost exclusively to employ the additional teachers needed for the influx. Since about 60% of our budget comes from local sources it does not even do the job of furnishing the additional teachers, but without it we would be lost. It does give us ten teachers we otherwise could not afford. These are the ten that are critical, as they make it so our classes average about 30 per teacher. Some of them are more and some less, but if we lost the funds for the ten in question there would be over 30 students in every class and the ratio would be about 32 to 1.

Sincerely,

ANDREW L. SMITH,
Superintendent.

CLARK COUNTY PUBLIC SCHOOLS,
CLASS B SCHOOL DISTRICT NO. 161,
Dubois, Idaho, March 21, 1969.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CHURCH: Our total acreage in Clark County School District is one million one hundred forty-two thousand three hundred fifty (1,142,350) acres. Of this total amount three hundred thousand one hundred seventy (300,170) acres is deeded or taxable land. Of the remaining amount practically all is either National Forest, B.L.M., or Sheep Experiment Station lands, all of which is taken off the tax rolls. We have approximately sixty children from these federal properties which we educate in our schools.

Should the Federal Government withdraw P.L. 874 money, this District would have serious financial problems. This is the one government program where the money can be put to the best use for the education of the children of the District. We are levying the maximum tax and just barely getting by. I trust you will be able to keep this program alive.

Very truly yours,

DAVID ROSS,
Superintendent of Schools.

SNAKE RIVER SCHOOLS, DISTRICT NO. 52,
Blackfoot, Idaho, March 20, 1969.

Hon. FRANK CHURCH,
U.S. Senate Office Building,
Washington, D.C.

DEAR SENATOR CHURCH: The Board of Trustees requested that I write you regarding your recent news release and letter indicating your concern over possible cutbacks in Public Law 874 and 815. The entire board feels that this program has been one of the finest school finance laws that the Congress has ever passed. The program has less federal controls and red tape than any other that we participate in. We feel strongly that it provides in lieu of taxes to our school district for activities conducted by the federal

government. If it weren't for these funds we would have to increase our class size considerably and reduce the effectiveness of our instructional program. Without these funds our school system would have a real difficult time to continue to operate at our present level. We receive only a small sum (about $38,000 per year) but this is a terrific assistance to a small rural school district, adjacent to the Atomic Energy Commission and the Fort Hall Indian Reservation.

May we express our appreciation to you for your efforts in maintaining this program. Feel free to contact us if you have any further questions or need for help.

Very truly yours,

R. LAVERNE MARCUM, ED. D.,
Superintendent.

JOINT SCHOOL DISTRICT NO. 305,
LEWIS, IDAHO, AND NEZ PERCE COUNTIES,
Craigmont, Idaho, April 1, 1969.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CHURCH: The Trustees of Joint School District 305 at Craigmont, Idaho, join you in your annual battle to retain P.L. 874 and 815 funds.

To date we estimate receipts for 1969 fiscal year as $3,983.40 which isn't a staggering sum, but in lieu of the fact that we have had to phase out 3 teachers to even exist for next year, due to lack of and adequate appropriation on the state level, it is vital.

Frank, we want to commend you for your constant battles for the schools. You are constantly helping me and my districts. Two years ago you helped me get the National Guard Armory at Ashton and this unit serves as a vocational plant today. I want you to know how very much I appreciate you and your fine work and achievements.

Sincerely,

DON A. BLAKELEY,
Superintendent.

PLUMMER, IDAHO,
March 26, 1969.

Hon. SENATOR CHURCH,
U.S. Senate,
Washington, D.C.

DEAR MR. CHURCH: In answer to your question on benefits to Plummer School Dist. 42 through P.L. 874 and 815. I quote:

The law provided about 8% of our budget for 1967 and 1968. It provided enough money to hire two teachers of our 20 teachers on the staff.

This does not seem like a great factor at first glance, however School Dist. 42 is bonded to full maximum the law allows, and assesses the full 30 mills plus 3 mills special levy.

Loss of P.L. 874 and 815 will cause us to cut our classes to the minimum. We would have to ask for 12 mills more or a special levy to make up the difference. I do not think we could pass that additional burden on our taxpayers. Only 17 to 18% of our land is taxable due to the Reservation.

Thank you for asking for what help I can give. I hope this will help in your annual battle to retain P.L. 874 and 815.

Yours truly,

RALPH W. LAUPUT,
Trustee, School District 42.

MOSCOW SCHOOL DISTRICT NO. 281,
Moscow, Idaho, March 28, 1969.

Senator FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CHURCH: I would urge you to make every effort to prevent cutbacks in the appropriations for P.L. 874 and 815.

Moscow School District No. 281 is in dire financial circumstances. Not only does our district have federal impaction, but even more severe "state impaction." Over forty-three per cent of the property in this district, based on real value, is not subject to property taxes. Some one-third of our pupils' parents are employed by the state.

Our proposed maintenance and operating budget for the 1969–70 school year will devote eighty-six per cent of the total expenditures to salaries. The professional salaries paid by the Moscow Schools are among the nation's lowest. The current starting salary for a teacher with a Bachelor's Degree is $5208. Currently the Moscow School District is levying the highest school millage in the state of Idaho. If a 17 mill levy election scheduled for April 8, 1969 fails, this district will literally be unable to operate.

We just cannot operate a satisfactory school system without adequate funding. May I again urge you to do all within your power to maintain P.L. 874–815 funding at its present level. This same appeal will apply to Title II (ESEA) and Title III of NDEA funding.

Thank you for your consideration.

Yours very truly,

CARL L. HARRIS,
Superintendent of Schools.

SCHOOL DISTRICT NO. 193,
Mountain Home, Idaho, March 27, 1969.

Hon. FRANK CHURCH,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR FRANK: We noted with concern your recent news release in regard to a possible cutback in PL 874 and 815 funds. As you know our school district depends for its very existance on 874 funds for maintenance and operation.

Out of a total of 3609 children enrolled in our school system 2501 are here because of the Mountain Home Air Force Base, 1410 live on the Air Base property and another 1091 live in Mountain Home, but their parents either are in the Air Force or work on the Air Base in civilian capacity.

In Idaho, the only way money can be raised at the local level is by property taxes. When two-thirds of the parents of the children enrolled in our schools do not furnish us any tax base, the only way that we can survive is thru the 874 monies that we receive.

Our budget for the 1968–1969 fiscal year is approximately $1,650,000.00. Our 874 funds received in this fiscal year is $575,000.00. The above listed statistics show that more than two-thirds of our children are Federally connected, but only one-third of our monies come from the Federal Government.

We feel that this is about all the effort that our local and state taxpayers should make and if further cutbacks are made in the 874 program it could result in turning over to the U.S. Government the responsibility for educating the Air Force children which we are certain would at least double the cost to the Federal Government.

Sincerely yours,

LEROY HUGHES,
Superintendent of Schools.

SCHOOL DISTRICT NO. 363,
Marsing, Idaho, March 26, 1969.

Hon. FRANK CHURCH,
U.S. Senate, Committee on Interior, and Insular Affairs, Washington, D.C.

DEAR SENATOR CHURCH: I am writing with regards to the funds we receive from P.L. 874.

Although the amount is not large, it is necessary to the operation of our school. Almost 10% of our enrollment comes from the Marsing Job Corps Center employees, and this necessitates hiring extra teachers in order to operate a satisfactory educational program. The amount that we receive is about enough to hire one extra teacher.

If the program was cut 50%, the amount would have to revert to the local tax payers, who are at present, taxing themselves above the state average.

I feel that the P.L. 874 is a good program and would recommend its continuance at the present level.

Sincerely,

HOWARD A. MAY,
Superintendent.

JOINT CUSTER-LEMKI SCHOOL DISTRICT NO. 181,
Challis, Idaho, March 25, 1969.

Senator FRANK CHURCH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CHURCH: We have computed our income from Public Law 874 and find that we received about $19,000.00 for the last year operation. This is about 7% of our total Maintenance and Operation budget. A 50% cut would affect us to the tune of 3½% of our operating budget. In todays rapidly inflating economy and particularly with Idaho teachers striving for significant salary increases it would have an adverse effect upon our operation.

Custer County is 94.6% federally owned with very littly possibility of any additional tax base to support local institutions. As a matter of fact the land base is retrogressing due to acquisitions by government agencies of several parcels of private land for as they put it "administrative purposes." As the Federal government plays a continuing larger part in the economic affairs of areas such as this, they should accept a larger part of the financial burden of supporting schools and related facilities.

It appears to me that the conflict may come from those in the government who would like to usurp most of the authority away from local school boards in matters of curriculum, standards, etc., under the guise of knowing what is better for us than we do. If we have to compromise this facet of local control to maintain federal monies, then from my personal point of view we will manage without the money.

We support you in your attempt to sustain Public Law 874 as it now is being applied. Please feel free to request any additional information we may be able to supply to support your argument.

Sincerely yours,

CLAYTON HURLESS,
Chairman.

RATHDRUM, IDAHO,
March 24, 1969.

Hon. FRANK CHURCH,
U.S. Senate, Washington, D.C.

SIR: In reply to your letter regarding Public Law 874 I most sincerely position you to fight to retain all appropriation possible.

Our school district, being Lakeland School District No. 272. Rathdrum, Idaho, encompasses a great many acres of public lands in the Kaniksu National Forest and in the Coeur d'Alene National Forest and our only recompense for these lands is in lieu of taxes through P.L. 874.

Our district receives approximately $5,400.00 per year from P.L. 874. This is not a tremendous amount of money but it does supplement an inadequate budget.

Very truly yours,

MRS. ARTHUR SCARCELLO,
School Trustee, School District No. 272.

JOINT SCHOOL DISTRICT NO. 252,
Ririe, Idaho, April 24, 1969.

Mr. FRANK CHURCH,
Member of U.S. Senate, Washington, D.C.

DEAR MR. CHURCH: We are fearful that the present drive for government economy may result in at least an attempt to reduce funds appropriated for the assistance of federally-impacted schools under P.L. 874. It is our hope that any cut in this project may be avoided.

We rely heavily upon funds derived from this source in our school district. We have a large number of students whose parents work

on government projects so that their employment and sometimes their homes also contribute nothing in the way of taxes toward the support of our schools. We really need the assistance given us under P.L. 874.

We urge that everything possible be done to maintain government support of this program.

Yours very truly,

FRED V. PORTER,
Superintendent.

JOINT SCHOOL DISTRICT NO. 251,
JEFFERSON AND MADISON COUNTIES,
Rigby, Idaho, March 25, 1969.

Hon. FRANK CHURCH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CHURCH: We need more funds for education similar to those provided in P.L. 874. These funds can be used by Boards of Education, wherever they feel it would be in the best interest of the boys and girls in the school district, for the improvement of instruction.

Take all or part of these funds from a small school district, which is the situation with most districts in Idaho, and the funds are hard to replace. It means many things to us; $350 of salary for each teacher, or new textbooks for a certain subject, or renovating an old building to make it livable for another 25 or 30 years, or as I mentioned before improving instruction in the areas where it's needed most.

Two of the most accepted and acceptable programs emanating from the Federal source, is P.L. 874 and the school lunch program. These are the kinds of programs for education that I encourage.

Sincerely,

VIRGIL POWELL,
Superintendent.

MARCH 17, 1969.

DEAR SENATOR CHURCH: We appreciate your concern about federal funds for P.L. 874 as it pertains to our district. In a district such as ours which encompasses all of Oneida county we feel very strongly that the Federal government has some responsibility for funding the local schools because so much of the land of the county is federal land and thus displaces land which otherwise would have a local tax base.

In the past year we received $7,179 from P.L. 874, which in a small district such as ours is considerable help. Of course a 50% cutback would mean we would get half that.

We especially appreciate funds such as this which are not earmarked for specific use and thus can be used wherever the need is greatest.

Sincerely,

MYRON P. SORENSEN,
Chairman.

JOINT SCHOOL DISTRICT NO. 304,
Kamiah, Idaho, March 24, 1969.

From Paul P. Jackson, Superintendent.
To Hon. Frank Church.
Subject Benefits P.L. 874 and 815.

Due to P.L. 874 Funds, we've been able to offer Art (supplies and Room), and supplies and room for Small Motors and crafts. Without these funds these two projects would be curtailed or dropped. With a valuation of $3,940.00 per pupil in A.D.A. we sorely need these funds as local taxes would only operate schools for two months.

Sincerely,

PAUL P. JACKSON.

KENDRICK JOINT SCHOOL DISTRICT
NO. 283,
Kendrick, Idaho, March 24, 1969.

Senator FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Once again I am writing you about our P.L. 874 funds. It is true we only receive about $7,600.00 annually from 874, but without it we would be one teacher short in the classroom.

Without our 874 funds we could be in trouble money wise. Where do we get the money for the Federally impacted student? These students need an education also, but I feel the Districts involved should not be penalized.

Itemized accounting of funds:

1. One extra teacher.
2. Textbooks and Instructional material.
3. Vocational training.
4. Increased transportation cost.
5. Library books.
6. Some of the funds were used to help complete our New Vocational Shop Building.

The above comments are just some of the things done in our School System with P.L. 874 funds.

Sincerely,

JAMES V. MUSCAT,
Superintendent of Schools.

SWAN VALLEY SCHOOL DISTRICT NO. 92,
Irwin, Idaho, March 25, 1969.

FRANK CHURCH,
U.S. Senate, Committee on Interior and Insular Affairs, Washington, D.C.

DEAR SIR: A 50% cut-back would wipe out teacher salary increases (and hence teachers), our two teacher's aides and involve our Federal people in worse controversy than they are in now. Presently it is felt that the Federal employed people do not pull their full weight. They comprise ⅓ of the school population but provide less than 18% of the funds.

Sincerely,

ROBERT SOUTHERN,
Head Instructor.

SCHOOL DISTRICT NO. 271,
Coeur D'Alene, Idaho, March 26, 1969.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CHURCH: During the 1967–68 school year our district received $16,082 from P.L. 874. While this is a very small percentage of our budget it certainly does help a great deal when it comes to purchasing school supplies, hiring the extra teachers needed, or just paying the monthly bills.

When you figure the number of acres of Federal land in District 271 the amount we receive from P.L. 874 is just a fraction of what should be forthcoming when you consider that over 50% of the school district is government land.

We appreciate the help you have given in the past to keeping P.L. 874 in operation and urge that everything be done to hold to the present level or increase it.

Sincerely yours,

LLOYD E. E. DILTZ,
Chairman, Board of Trustees.

ST. ANTHONY, IDAHO,
March 25, 1969.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR FRIEND: I am writing in response to your letter regarding Public Law 874 as it pertains to our school district. Even though, I am no longer a member of the Board, having finished 9 years last summer, I am still concerned about financing of the schools.

P.L. 874 provided us in the past year about $21,000.00 or about $10.00 per child in our District. This may not seem much to some people, but it meant a great deal to us. We can expect an influx of people into this area on the Targhee Natl. Forest; also, the Idaho Stud Mill has already added 1 more shift and expects to be going 3–8 hour shifts as soon as possible. One of the Forest Service employees told me a week ago that they are shooting for sales of 100 million board feet of lumber per year on the Targhee Forest.

It would be very detrimental to our District to lose these funds from either P.L. 874 or 815. They have truly been a light in the wilderness for us in the past.

I, also, wanted to thank you for your support on securing the Ashton National Guard Armory for our School District. We have a 5 year lease on the building at $100.00 per month.

Best Wishes to you.

Sincerely,

ANTHONY GARDNER.

PRAIRIE PUBLIC SCHOOLS,
Cottonwood, Idaho, March 25, 1969.

Senator FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CHURCH: There certainly would be no justification for reducing or eliminating P.L. 874 programs. As a specific instance in our case, District #242 educates approximately 55 students who are here because of Federal impact. If we were to lose our 874 money for next year—or any year that these students reside in this district we would have to release at least two or possibly three teachers in order to balance our budget. This would cause overcrowded classrooms resulting in an inefficient educational system.

Our thoughts are: That if the Federal Government owns the forest lands and other properties which cause pupils to be here with no tax base to support their education, P.L. 874 funds should be increased rather than decreased.

Sincerely yours,

A. J. MALCOLM, *Superintendent.*

BLACKFOOT SCHOOL DISTRICT NO. 55,
Blackfoot, Idaho, April 10, 1969.

Senator FRANK CHURCH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CHURCH: I just read your March News Release concerning the war on an attempt to cut impact aid for schools (P.L. 874 and P.L. 815). For your information, and you are well aware of this, School District No. 55 located on the borders of the Fort Hall Indian Reservation, has 465 square miles of property within the confines of the boundary of the school district. 376 square miles is reservation land which is non taxable. There are 400 students living on the Fort Hall Indian Reservation who attend school in District No. 55.

Our school district is not wealthy. The tax base is agriculture.

School District No. 55 is levying the maximum amount possible under the state statute for maintenance and operation of schools. It also levies 14 mills for bond indebtedness which is one-third of the total amount of direct tax dollars coming into the school district and is used to pay off bonds. With our low property tax base and with federal statutes not permitting taxation on Indian Reservation property, we would have to reduce our teaching staff 30 people. Our average class load is 27 pupils per classroom; you can see what this would do in overloading our classrooms.

We feel in our school district and in the state that if the federal government is going to hold federal properties in obeyance and not susceptible to property taxes they must also assume the responsibility of educating children where they are located on such properties.

We appreciate your feeling in reference to Public Laws 874 and 815 and I would hope the information in this letter will give you some ammunition to assist us in retaining the program. Our Board of Trustees view these two programs as in lieu of taxes and not as federal aid. The federal government, the state government and local governments have talked of partnerships in education.

When we have partnerships there are certain obligations accrued by all parties. We would expect each party to assume their obligation and take care of it. It is our hope the federal government, as the leading body of this nation, will not refuse to assume its obligation in this partnership. If there are any questions that we can assist with please let me know.

Thanks for your past services.

I. T. STODDARD,
Superintendent.

CASCADE PUBLIC SCHOOLS,
Cascade, Idaho, April 18, 1969.

Hon. FRANK CHURCH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CHURCH: I am writing to again express my concern over the future of Public Law 874 and 815. Their extension seems to be again in jeopardy.

Your efforts have been largely responsible for our being able to enjoy the benefits of these laws in the last few years. Your efforts on our behalf again are requested.

We use only the P.L. 874 provision but it is a vital part of the income for this school district. Our fiscal year 69 entitlement is $18,428.00 which represents approximately eleven per cent of our current operating budget. This loss in our small school district (approximately 90% tax exempt because of federal ownership) could be a crippling blow.

Please do everything possible to continue these provisions and to see that they are funded at the level of entitlement.

Thank you for your past efforts on our behalf and best wishes in this endeavor again.

Sincerely,

JERRY L. EVANS,
Superintendent.

COUNCIL SCHOOL DISTRICT NO. 13,
Council, Idaho, April 18, 1969.

Senator FRANK CHURCH,
Senate Office Building,
Washington, D.C.

DEAR SIR: I should like to point out to you the importance of PL–874 to Idaho schools. As you know, this money is used for the maintenance and operation for schools in Idaho, a state which is ⅔ owned by the federal government and, therefore, ⅔ nontaxable.

As I see it, this is the only way we can derive revenue from lands owned by the United States. I refer to revenue for maintenance and operation, not capital outlay. I hope that you will see fit to support the continuance of PL–874. There is a great deal of federal money spent in places which may be cut rather than education. If you need assistance in finding those places to cut, fee free to call on me.

Sincerely,

MORT CURTIS,
Superintendent.

SHOSHONE PUBLIC SCHOOLS, JOINT SCHOOL DISTRICT NO. 312,
Shoshone, Idaho, March 17, 1969.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

SIR: This is to encourage and support your efforts to retain P.L. 874 funds at an adequate level. In my opinion, this legislation is among the fairest and least complicated of all federal programs. I would much prefer cuts in programs other than this, if cuts be necessary.

Although P.L. 874 funds received by the Shoshone School District do not represent a large percent of its maintenance and operation budget, they do provide a fair amount to support the federally connected students in our schools. In our case, these students are from families employed by the Bureau of Land Management. These people are an important and welcome segment of our community, but their mere presence indicates that our school district has much federal land which produces no taxes. We would likely be forced to employ one fewer teacher if P.L. 874 funds were discontinued.

Sincerely yours,

KENNETH D. CROTHERS,
Superintendent.

SCHOOL DISTRICT NO. 25,
BANNOCK COUNTY,
Pocatello, Idaho, April 28, 1969.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CHURCH: It has come to the attention of participating school districts that Public Law 874 which reimburses schools for a concentration of federally-connected employees is under review by the Congress.

I believe that Public Law 874 is one of the finest aids to education that has been developed. The advantage of 874 is that after the survey and the need has been established, funds are remitted to the district to be spent under their regular fiscal controls. I would hope that future federal-aid programs would follow this same principle rather than the categorical aid programs that are now in existence.

I feel this program should be strongly supported. I would hate to see any reduction in the emphasis or in the funding. Would you please consider supporting 874 legislation.

Sincerely,

W. JAMES BRANVOLD,
Business Manager.

LAPWAI PUBLIC SCHOOLS,
Lapwai, Idaho, April 25, 1969.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CHURCH: The school administrators in Idaho whose schools are eligible for 874 funds, are concerned about any attempt by Congress to lower or phase out this program. Public Law 874 has always been a very popular federal program and a terrific help to such school districts as Lapwai, with 50% of its student body living on trust lands which produce no taxes for our M & O budget.

The public schools in Idaho, because of the 30 mill ceiling on district taxes, are hard pressed to provide an adequate educational program. The federal assistance to our district from 874 makes it possible to provide a reasonable program of studies. However, if we were to lose these funds, or if they were funded at a lower level, it would be a catastrophy for us.

There are federal funds appropriated to the public schools under the various titles of E.S.E.A. that are peripheral, that could be reduced or phased out, that wouldn't strike at the heart of our elementary and secondary hard core program.

May I urge you to support P.L. 874 in its present form.

Sincerely,

GLENN SATCHWELL,
Superintendent.

SHELLEY PUBLIC SCHOOLS, JOINT SCHOOL DISTRICT NO. 60,
Shelley, Idaho, April 30, 1969.

Senator FRANK CHURCH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CHURCH: We would like to encourage you to give your full support to funding Public Law 874 at 100%.

We would have to cut back our educational program in some areas if Public Law 874 funds are decreased. Public Law 874 has helped our district more than any other federal school program. The part that we appreciate the most about Public Law 874 funds is that we, the school district, can use the funds where they will do the most good in the district.

Thanks for your support and interest in the schools of Idaho.

Sincerely,

DONALD J. HOBBS,
Superintendent.

POTLACH PUBLIC SCHOOLS, DISTRICT NO. 285, LATAH COUNTY,
Potlatch, Idaho, April 21, 1969.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR CHURCH: The Potlatch Schools receive Public Law 874 funds, although not in any vast amount, which helps to operate our school system. This school district has approximately 90 square miles of federal forest land included in 350 square miles of total area in our school district. This makes up more than 25% of our total area. Another 90 square miles must be State forest land, so about 50% of our total area produces no taxes to operate schools.

Naturally, many of our school patrons live here because of employment in the Federal Forest property and Public Law 874 enables us to collect some money for these people so employed. Many school districts in Idaho are in similar situations.

In my opinion, P.L. 874 is one of the most fair federal programs for aid to public schools. Rules for establishing eligibility seem fair and eligibility can be established without too much red-tape. I would gladly trade all of the Elementary and Secondary Education Act benefits for the continuation and improvement of P.L. 874 benefits.

Sincerely yours,

JAMES W. BIEKER,
Superintendent.

BOUNDARY COUNTY SCHOOL DISTRICT NO. 101,
Bonners Ferry, Idaho, April 22, 1969.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CHURCH: We have received information that Public Law 874 is now on the agenda relative to funding for the next fiscal year and since Public Law 874 is vital to not only our school district but many school districts in the State of Idaho we are taking this opportunity to urge your continued support of this program.

The entitlement for Boundary County School District 101 for this fiscal year was $30,615.00. Approximately the same amount of Public Law 874 funds have been budgeted for the coming fiscal year. Not only would the loss of these funds seriously curtail our maintenance and operation budget for the coming year but would in the final analysis, mean that it would be necessary to cut back our costs this coming year in those areas that we can least afford; namely in the areas of text books, supplies and other teaching materials. Since the teaching staff has already been contracted for the coming year it is obvious that any cutback will have to be be made in other areas. It is also extremely unfortunate that our budgets have to be prepared prior to the time that Public Law 874 comes before Congress for consideration. When a district stands to lose five or six percent or even more of their operating budget this creates an intolerable situation as far as school districts are concerned.

Boundary County School District is composed of approximately 1,693,000 acres of which 458,000 are federally owned and 100,283 State owned. Thus approximately 66.7 percent of the acreage in Boundary County is non-revenue producing land. It seems inconceivable consideration is being given to further penalizing our district through withdrawing of additional Federal funds. In addition our district is levying 30 mills at the local level which is the maximum levy allowed by the State of Idaho. Thus it is readily apparent that this loss of funds

could not be made up by additional local levies.

Thank you for your interest in the school districts of the State of Idaho and we urge you to make every effort to see that Public Law 874 continues to be funded at its current level.

Sincerely,

RICHARD D. HAWORTH,
Superintendent of Schools.

MESSAGE FROM THE HOUSE— ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H.R. 671. An act to compensate the Indians of California for the value of land erroneously used as an offset in a judgment against the United States obtained by said Indians.

H.R. 12720. An act to provide for the conveyance of certain real property of the District of Columbia to the Washington International School, Incorporated.

ADJOURNMENT UNTIL SEPTEMBER 3, 1969

Mr. BYRD of West Virginia. Mr. President, I move, in accordance with the provisions of House Concurrent Resolution 315, that the Senate stand in adjournment until Wednesday, September 3, 1969, at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 1 minute p.m.) the Senate adjourned until Wednesday, September 3, 1969, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate August 13, 1969:

U.S. CIRCUIT JUDGE

Henry L. Brooks, of Kentucky, to be U.S. circuit judge for the sixth circuit to fill a new position created by Public Law 90-347 which was approved June 18, 1968.

DIPLOMATIC AND FOREIGN SERVICE

Charles W. Adair, Jr., of Florida, a Foreign Service officer of the class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Uruguay.

Robert M. Sayre, of Virginia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Panama.

William E. Schaufele, Jr., of Ohio, a Foreign Service officer of class 2, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Upper Volta.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 13, 1969:

U.S. ATTORNEY

Douglas B. Baily, of Alaska, to be U.S. attorney for the district of Alaska for the term of four years.

AMBASSADORS

Taylor G. Belcher, of New York, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Peru.

Walter L. Rice, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Australia.

INTERNATIONAL MONETARY FUND, INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT, INTER-AMERICAN DEVELOPMENT BANK, AND ASIAN DEVELOPMENT BANK

Nathaniel Samuels, of New York, to be U.S. Alternate Governor of the International Monetary Fund for a term of 5 years; U.S. Alternate Governor of the International Bank for Reconstruction and Development for a term of 5 years; U.S. Alternate Governor of the Inter-American Development Bank for a term of 5 years and until his successor has been appointed; and U.S. Alternate Governor of the Asian Development Bank.

IN THE ARMY

The following-named officers to be placed on the retired list, in grades indicated, under the provisions of title 10, United States Code, section 3962:

To be general

Gen. Charles Hartwell Bonesteel III, O18655, Army of the United States (major general, U.S. Army).

To be lieutenant general

Lt. Gen. Jean Evans Engler, O19198, Army of the United States (major general, U.S. Army).

The following-named officers, under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grades as follows:

To be general

Lt. Gen. John Hersey Michaelis, O20328, Army of the United States (major general, U.S. Army).

To be lieutenant general

Maj. Gen. Joseph Miller Heiser, Jr., O43773, U.S. Army.

Maj. Gen. Charles William Eifler, O32614, U.S. Army.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for temporary appointment to the grade of major general, subject to qualification thereof as provided by law:

Robert P. Keller	Charles F. Widdecke
Alan J. Armstrong	Louis H. Wilson, Jr.
George C. Axtell	John N. McLaughlin
Foster C. La Hue	Robert R. Fairburn

The following-named officers of the Marine Corps for temporary appointment to the grade of brigadier general:

Charles S. Robertson	Thomas H. Miller, Jr.
Duane L. Faw	Robert H. Barrow
Mauro J. Padalino	Herbert L. Beckington
Edward S. Fris	Leonard E. Fribourg
Frank C. Lang	Robert D. Bohn
Victor A. Armstrong	William F. Doehler

RENEGOTIATION BOARD

Rex M. Mattingly, of New Mexico, to be a member of the Renegotiation Board.

HOUSE OF REPRESENTATIVES—*Wednesday, August 13, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Now let Thy servant depart in peace.—Luke 2: 29.

O God and Father of us all, who dost reveal Thyself in all that is good and true and beautiful, make in our hearts a quiet place and come and dwell therein.

May the days ahead be a period of rest and relaxation for us and may we return ready in body and spirit for the tasks that lie ahead.

As we separate may Thy blessing be upon us to keep us healthy and strong, ever ready to serve our beloved country and always being about our Father's business.

God be in our heads and in our understanding;

God be in our eyes and in our looking;

God be in our mouths and in our speaking;

God be in our minds and in our thinking;

God be at our end—and at our departing.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on the following date the President approved and signed bills of the House of the following titles:

On August 7, 1969:

H.R. 2785. An act to authorize the Secretary of the Interior to convey to the State of Tennessee certain lands within Great Smoky Mountains National Park and certain lands comprising the Gatlinburg Spur of the Foothills Parkway, and for other purposes; and

H.R. 5833. An act to continue until the close of June 30, 1972, the existing suspension of duty on certain copying shoe lathes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and a concurrent resolution of the House of the following titles:

H.R. 671. An act to compensate the Indians of California for the value of land erroneously used as an offset in a judgment against the United States obtained by said Indians;

H.R. 1707. An act for the relief of Miss Jalileh Farah Salameh El Ahwal;

H.R. 5107. An act for the relief of Miss Maria Mosio;

H.R. 8136. An act for the relief of Anthony Smilko;

H.R. 12720. An act to provide for the conveyance of certain real property of the District of Columbia to the Washington International School, Incorporated; and

H. Con. Res. 315. Concurrent resolution providing for an adjournment of Congress from Wednesday, August 13, 1969, until 12 o'clock noon on Wednesday, September 3, 1969.

The message also announced that the Senate had passed with amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4658. An act for the relief of Bernard L. Coulter.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 742. An act to amend the act of June 12, 1948 (62 Stat. 382), in order to provide for the construction, operation, and maintenance of the Kennewick division extension, Yakima project, Washington, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 203. An act to amend the act of June 13, 1962 (76 Stat. 96), with respect to the Navajo Indian irrigation project; and

S. 1583. An act to provide that appointments and promotions in the Post Office Department, including the postal field service, be made on the basis of merit and fitness.

FUNDS FOR EDUCATION

(Mr. JOELSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOELSON. Mr. Speaker, I have read newspaper reports that President Richard Nixon has stated that he may order the Department of Health, Education, and Welfare not to spend a billion dollars of the amount recently appropriated by the House of Representatives for education of the youth of our Nation.

This is a clear statement by the President of his willingness to engage in a flagrant disregard of the will of Congress. Since the amendment which I proposed to add about $900 million to our appropriation for education was passed by the House by the overwhelming vote of 293 to 120, it represents a clear mandate to the executive branch. Refusal to abide by such a mandate would be an arbitrary and arrogant action.

Such refusal would also afford an indication of the type of set of priorities that the Nixon administration endorses. It would prefer missiles and space capsules to the adequate education of our youth. I think it most regrettable that President Nixon who opposed the concept of Federal aid to education from the beginning should now express a readiness to scuttle House appropriations for Federal aid to education.

The allegation that the spending of the money provided by my amendment would be inflationary is erroneous. If the Federal Government does not spend it, the vast portion of it will have to be spent by local governments or school boards to maintain their local public schools. This money will have to be provided by local property owners out of local taxes. Since the small homeowner is already hard pressed, the President's refusal to afford him the relief provided by my amendment would be a bitter blow indeed.

Failure to follow through on the increased appropriation would also be a heavy blow to parochial schools since a small but important portion of the money will go to these schools for libraries and equipment. It would also be very damaging to young people who want Government loans for college tuition since a small portion is devoted to that purpose also.

I noticed that the President issued his statement after consulting with his advisers, but that the Secretary of Health, Education, and Welfare was not among them. This has already been so undercut by the Nixon administration in the attainment of the goals of his Department that it is understandable why he is increasingly being referred to as "Secretary Flinch."

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I desire to compliment the distinguished gentleman from New Jersey for his statement and also on the leadership which he showed when the appropriation bill was before the House recently.

Surely the President will not turn his back on the Congress of the United States or on the schoolchildren of America. I think it will be the most serious mistake the President will make during his administration if he does not let the will of the Congress take full effect.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, I listened with great interest to what the gentleman from New Jersey had to say. It might have been much easier for the President had the gentleman voted for the surtax extension and the tax bill.

Mr. JOELSON. Mr. Speaker, I did vote for the tax bill. I voted for the tax bill.

THE APPROPRIATION AND SPENDING BUSINESS OF THE SESSION

(Mr. MAHON asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MAHON. Mr. Speaker, at this session of Congress we have enacted a number of supplemental appropriation measures dealing with fiscal 1969, and the House has passed six of the regular annual appropriation bills for the current fiscal year 1970. We lack action in the House on seven of the regular appropriation bills for fiscal 1970.

None of the regular appropriation bills for 1970 have been enacted into law.

And there are a number of bills out of the legislative committees that have a direct bearing on the budget.

Mr. Speaker, I will place in the Extensions of Remarks of the RECORD a general statement and certain tables in regard to the record of the Congress thus far in regard to these matters.

DIRT IN THE MAILS

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, an editorial which appeared in the July 24 Redding Pilot analyzes three antiobscenity bills which I introduced on July 17. The questions raised in the article concerning two of the bills highlight the difficult constitutional problems encountered when trying to halt the illicit traffic in obscene materials while maintaining intact the protected freedom of communication.

While the editorial cites my third bill as being the most practical to implement, I intend to urge enactment of all three of my bills.

The main objective in all my antiobscenity bills is to protect our children and certainly their welfare is important enough to push ahead in spite of the interpretation that certain courts have placed on particular situations. This is a case by case matter. And the fact that the issues are difficult should not deter us from working for sound, constitutionally permissible laws to deal effectively with the cancerous traffic in obscene materials.

The editorial follows:

PLAIN BROWN WRAPPER

Congressman John S. Monagan has introduced three bills before the House which he hopes will stem the flood of pornography which passes through the mail.

In a speech before the House, he said "the prohibitions and penalties in my bills are sufficiently stringent to slow the pace of the current flouting of standards of minimum decency by money hungry and calculating publishers." Mr. Monagan has already filed a bill which would require that pornography placed in the mails be prominently labelled as such.

Having had our name acquired by several of these "money hungry and calculating publishers" we think we'd prefer the system they now use—a plain wrapper over an inside envelope which warns what's inside. After all, who wants the mailman to snicker about all the pornographic advertisements you get—even if it's only because a hard-up magazine you subscribe to sold its mailing list.

The first of Mr. Monagan's new bills makes it a crime to ship through the mails or in interstate commerce any materials unsuitable for minors. We don't think this is a practical solution. There are certainly some "materials" which are neither filthy nor prurient which we wouldn't recommend for minors.

The second bill would make it illegal for a person to ship through the mails or interstate commerce any advertisement "designed to appeal to a prurient interest in sex." This law probably wouldn't have much effect, because proving an appeal to a prurient interest has been notably difficult.

The third of Mr. Monagan's proposals is the one we would be most inclined to support. It would authorize the U.S. Postmaster General to mantain a list of citizens who do not want to receive any sexually oriented materials or advertisements. The criminal penalties for those who mail obscene material to those who have registered would be a $5,000 fine and or five years in prison for the first offense.

This bill seems like a good way to protect those people who wish to be protected. The number of people who would register under this bill would at least give pornographers an idea of how popular or unpopular they are.

WHAT PRICE CLEARING THE AIR?

(Mr. MONAGAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, an editorial, "Clearing the Air in Peru," in the Washington Post of August 1, 1969, lavishly praised the recent takeover by Chile

of the Anaconda Mining Co. properties and stated:

> This nationalization negotiated, compensated, worked out before political storms destroyed the option of compromise—has cleared the air.

It went on to state:

> The United States is delighted to be able to point to it as a model for possible takeovers in other Latin countries.

In addition to deploring the fact that the writer appears to be welcoming such takeovers, I believe that someone should challenge this superficial analysis of the Chilean expropriation which glosses over the difficulties which this governmental action has caused and which similar actions there or elsewhere would cause in the future.

Certainly I do not question the doctrine that Chile had the right to expropriate Anaconda's properties but I do insist that the stockholders of that company have the right to receive adequate and prompt compensation.

The payment of the book value of the company's assets—particularly in an extractive industry—on notes spaced over a period of 12 years would hardly seem to qualify as prompt and adequate payment under the standard which we in the United States require in a case where the sovereign takes the property of the citizen. In this country we insist on immediate payment and in cash. Should our fellow Americans not be entitled to expect the same? And while it may be true that we are not going to enforce such a policy, should our Government not at least make noises of disapproval?

Such negotiation as there was in this case was carried on with a gun at the head of the negotiators and any settlement was reached under duress and it is hard to see how this procedure serves as a model for the future takeovers with the editorial envisages.

What a dispassionate observer thinks of Anaconda situation was graphically set out in a recent article in the Wall Street Journal of July 2 where a market analyst not schooled in politics set out his appraisal of the value of the corporate stock of this company as follows:

> Aside from the general view that Chile is buying the mines at "well below their true value" analyst Lester Krellenstein of H. Hentz questions the "quality of the paper" involved in the purchase, the extended period during which the payments will be made and "the more critical problem of whether the present or future," government "will be willing and able to service the debt."

Now it may well be true that the tide of socialization is running so strongly in Latin America that in spite of the 20-year agreement which the company had recently concluded with Chile the alternative in this case was outright seizure. And the company directors may have concluded that by paying in 12 years bonds on the book value for 51 percent of the company, the host Government took only one arm instead of the whole body. But do we have to act as if we loved every minute of the experience?

Certainly an Anaconda stockholder whose stock had dropped from 66 to 30 would hardly share the euphoria expressed in the editorial about the fairness of the compromise. And brass mill workers whose jobs might well depend upon a supply of reasonably priced copper would scarcely applaud our maidenly acquiescence.

The result may have been inevitable, but must we give the impression that we enjoy it?

STUDENTS HANDICAPPED BY LACK OF ACTION ON STUDENT LOAN PROGRAM

(Mr. MELCHER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MELCHER. Mr. Speaker, the House has failed to do necessary work before the recess starting today. The guaranteed student loan program is vital to many of our young men and women who will soon be entering in colleges and universities.

Continuation of the education of 200,000 young citizens or even one-tenth that number if the figure is in dispute—is far more important according to my sense of values, than 435 Congressmen getting a little midsummer relaxation.

College students are up against a deadline that for many may pass before we return after Labor Day. If the guaranteed student loan program is not extended before we adjourn—and that appears the way it is going to be—thousands of young people who are struggling against economic handicaps for an education which will assure their maximum contribution to our society may not be able to enroll this year.

A few of them may be able to get loans at 8½ percent interest or more—at absorbent rates—becoming the victims of the interest spiral, saddled with indefensibly high repayments, throughout their early careers.

I am told, Mr. Speaker, that there is no way to postpone our recess, that there is no way to bring this issue before the House until we return after Labor Day, and after it is too late to provide the loan assistance these young people need and there is nothing the lowliest Member of this 435-Member body can do but protest. I do so now.

I do protest that there is too much at stake in the student loan matter alone, because of a deadline which will not wait until after Labor Day, for us to leave without resolving it.

I am convinced that the House will approve the loan program needed by a large majority when it comes to a vote. I believe banks can rely on that. I can only hope that they will do so and make loans at reasonable interest to keep our young people in school.

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. MELCHER. I yield to the gentleman from Minnesota.

Mr. QUIE. I will say to the gentleman, the committee could have gone to the Rules Committee and gotten a rule on the bill. Now the banks can make loans with the assurance that a bill will pass and they can be covered at the end of the quarter. I hope the banks will have confidence and will make the loans during this month, and be able to participate after the bill has been passed.

Mr. MELCHER. That is my hope, also.

THIRTIETH ANNIVERSARY OF THE RIBBENTROP-MOLOTOV SECRET PACT

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, I would like to call to the attention of my colleagues in the House of Representatives, to the people of the United States, and to free people all over the world the 30th anniversary of the infamous nonaggression pact and secret protocol signed on August 23, 1939, by J. von Ribbentrop, Hitler's Minister for Foreign Affairs, and V. M. Molotov, Stalin's Commissar of Foreign Affairs.

This secret agreement between Russia and Germany paved the way for Russian domination of the Baltic States by allowing the Soviet Government to establish itself in Estonia, Latvia, and Bessarabia—part of Rumania—and in Poland as far west as the Vistula River which flows through Warsaw. Part of Warsaw was to be transferred to the Soviets and Lithuania was to fall within the German sphere of influence and activity. At subsequent military conferences, however, the Russians surrendered part of their Polish zone, including the section of Warsaw. In exchange, Germany consented to Soviet domination of Lithuania.

The Russo-German Pact of August 23, 1939, came into force immediately on its signing, and only 8 days later, Germany attacked Poland. And less than a year later, in June 1940, bolstered by this agreement reached with Hitler, the Russians overran the Baltic States, brutally conducted mass deportations to Siberia, and caused the death of thousands upon thousands of innocent Baltic people.

Mr. Speaker, today, 30 years later, I would like to remind my colleagues, and the official representatives of our country, as well as the official representatives of other countries of the free world, that the unfortunate people of the Baltic States, Estonia, Latvia, and Lithuania, still find themselves under the yoke of Soviet domination.

I am pleased that President Richard Nixon has concluded a visit to Rumania, and according to the press, he is contemplating a visit to Moscow in the future. It is my hope, as serious discussions take place between representatives of our country, the leader in the free world, and representatives of the Soviet Union, that besides the currently popular issues of disarmament, and curtailment of developing and testing of sophisticated weapons, the compelling and urgent issue of the fate and future of the people of the Baltic States; namely, Estonia, Latvia, and Lithuania, will receive prime consideration.

The world cannot live at peace unless and until the territorial integrity and freedom of the people who are held in bondage today are restored, so that once

again they may enjoy the precious rights of self-determination and self-government. This is the mission, this is the task, this is the duty, and this is the obligation of the United States of America to people everywhere who are held in bondage.

Mr. Speaker, at this point in the RECORD I would like to include the text of the Ribbentrop-Molotov Pact, which follows:

[From "Nazi-Soviet Relations, 1939–41," documents from the Archives of the German Foreign Office, edited by Raymond James Sontag and James Stuart Beddie]

TREATY OF NONAGGRESSION BETWEEN GERMANY AND THE UNION OF SOVIET SOCIALIST REPUBLICS, AUGUST 23, 1939

The Government of the German Reich and the Government of the Union of Soviet Socialist Republics, desirous of strengthening the cause of peace between Germany and the U.S.S.R., and proceeding from the fundamental provisions of the Neutrality Agreement concluded in April 1926 between Germany and the U.S.S.R., have reached the following agreement:

ARTICLE I

Both High Contracting Parties obligate themselves to desist from any act of violence, any aggressive action, and any attack on each other, either individually or jointly with other powers.

ARTICLE II

Should one of the High Contracting Parties become the object of belligerent action by a third power, the other High Contracting Party shall in no manner lend its support to this third power.

ARTICLE III

The Governments of the two High Contracting Parties shall in the future maintain continual contact with one another for the purpose of consultation in order to exchange information on problems affecting their common interests.

ARTICLE IV

Neither of the two High Contracting Parties shall participate in any grouping of powers whatsoever that is directly or indirectly aimed at the other party.

ARTICLE V

Should disputes or conflicts arise between the High Contracting Parties over problems of one kind or another, both parties shall settle these disputes or conflicts exclusively through friendly exchange of opinion or, if necessary, through the establishment of arbitration commissions.

ARTICLE VI

The present treaty is concluded for a period of ten years, with the proviso that, in so far as one of the High Contracting Parties does not denounce it one year prior to the expiration of this period, the validity of this treaty shall automatically be extended for another five years.

ARTICLE VII

The present treaty shall be ratified within the shortest possible time. The ratifications shall be exchanged in Berlin. The agreement shall enter into force as soon as it is signed.

Done in duplicate, in the German and Russian languages.

Moscow, August 23, 1939.

For the Government of the German Reich:
V. RIBBENTROP.

With full power of the Government of the U.S.S.R.: V. MOLOTOV.

SECRET ADDITIONAL PROTOCOL

On the occasion of the signature of the Nonaggression Pact between the German Reich and the Union of Socialist Soviet Republics the undersigned plenipotentiaries of each of the two parties discussed in strictly confidential conversations the question of the boundary of their respective spheres of influence in Eastern Eruope. These conversations led to the following conclusions:

1. In the event of a territorial and political rearrangement in the areas belonging to the Baltic States (Finland, Estonia, Latvia, Lithunania), the northern boundary of Lithuania shall represent the boundary of the spheres of influence of Germany and the U.S.S.R. In this connection the interest of Lithuania in the Vilna area is recognized by each party.

2. In the event of a territorial and political rearrangement of the areas belonging to the Polish state the spheres of influence of Germany and the U.S.S.R. shall be bounded approximately by the line of the rivers Narew, Vistula, and San.

The question of whether the interests of both parties make desirable the maintenance of an independent Polish state and how such a state should be bounded can only be definitely determined in the course of further political developments.

In any event both Governments will resolve this question by means of a friendly agreement.

3. With regard to Southeastern Europe attention is called by the Soviet side to its interest in Bessarabia. The German side declares its complete political disinterestedness in these areas.

4. This protocol shall be treated by both parties as strictly secret.

Moscow, August 23, 1939.

For the Government of the German Reich:
V. RIBBENTROP.

Plenipotentiary of the Government of the U.S.S.R.:
V. MOLOTOV.

CONFIDENTIAL PROTOCOL

The Government of the U.S.S.R. shall place no obstacles in the way of Reich nationals and other persons of German descent residing in the territories under its jurisdiction, if they desire to migrate to Germany or to the territories under German jurisdiction. It agrees that such removals shall be carried out by agents of the Government of the Reich in cooperation with the competent local authorities and that the property rights of the emigrants shall be protected.

A corresponding obligation is assumed by the Government of the German Reich in respect to the persons of Ukrainian or White Russian descent residing in the territories under its jurisdiction.

Moscow, September 28, 1939.

For the Government of the German Reich:
J. RIBBENTROP.

By authority of the Government of the U.S.S.R.:
W. MOLOTOW.

SECRET SUPPLEMENTARY PROTOCOL

The undersigned Plenipotentiaries declare the agreement of the Government of the German Reich and the Government of the U.S.S.R. upon the following:

The Secret Supplementary Protocol signed on August 23, 1939, shall be amended in item 1 to the effect that the territory of the Lithuanian state falls to the sphere of influence of the U.S.S.R., while, on the other hand, the province of Lublin and parts of the province of Warsaw fall to the sphere of influence of Germany (cf. the map attached to the Boundary and Friendship Treaty signed today). As soon as the Government of the U.S.S.R. shall take special measures on the Lithuanian territory to protect its interests, the present German-Lithuanian border, for the purpose of a natural and simple boundary delineation, shall be rectified in such a way that the Lithuanian territory situated to the southwest of the line marked on the attached map should fall to Germany.

Further it is declared that the economic agreements now in force between Germany and Lithuania shall not be affected by the measures of the Soviet Union referred to above.

Moscow, September 28, 1939.

For the Government of the German Reich:
J. RIBBENTROP.

By authority of the Government of the U.S.S.R.:
W. MOLOTOW.

SECRET SUPPLEMENTARY PROTOCOL

The undersigned Plenipotentiaries, on concluding the German-Russian Boundary and Friendship Treaty, have declared their agreement upon the following:

Both parties will tolerate in their territories no Polish agitation which affects the territories of the other party. They will suppress in their territories all beginnings of such agitation and inform each other concerning suitable measures for this purpose.

Moscow, September 28, 1939.

For the Government of the German Reich:
J. RIBBENTROP.

By authority of the Government of the U.S.S.R.:
W. MOLOTOW.

THE LATE HONORABLE BARRATT O'HARA

(Mr. MADDEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MADDEN. Mr. Speaker, this morning's Washington Post in an editorial reveals a remarkable tribute to our departed colleague, Congressman Barratt O'Hara. The Illinois congressional delegation has set aside time when the House reconvenes on September 3 to pay tribute to this great statesman and patriot. His public service to this Nation extended from the Spanish-American War in 1898 up to his passing last Monday, August 11.

I hereby submit the editorial that appeared in this morning's Washington Post in tribute to Barratt:

BARRATT O'HARA

"Our youth and our manhood are due to our country," wrote Pliny, "but our declining years are due to ourselves." Few men have reversed that sentiment more dramatically than Barratt O'Hara, who died this week in Washington at age 87. At a time when the delights of grandchildren, rocking chairs and St. Petersburg take hold, Mr. O'Hara won election to the House of Representatives, from Illinois, at 66. The next term he was defeated, but he rebounded two years later, this time to stay in office until 1968.

In his earlier career—as a writer, soldier, lawyer, film executive, radio commentator—Mr. O'Hara displayed the same courage and intelligence that he later brought to Capitol Hill. A liberal, he was a student and supporter of emerging African nations. He also fought the abuses of the House Un-American Activities Committee. To the younger members of Congress, as well as the nation, Mr. O'Hara displayed one of the rare skills: growing old with grace and enthusiasm.

THE LATE HONORABLE CLARE MAGEE

(Mr. HUNGATE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. HUNGATE. Mr. Speaker, I would call to the attention of the House the death of a former colleague from Mis-

souri, the Honorable Clare Magee, who was elected in 1948, and who served here from 1949 to 1953. He served on the Veterans' Affairs Committee and the Committee on Public Works. He rendered distinguished service to his district, to his State, and to the Nation.

I know we all join in mourning his passing.

I now yield to my distinguished colleague from Missouri (Mr. RANDALL).

Mr. RANDALL. Mr. Speaker, the State of Missouri and our Nation has suffered a loss in the passing of Clare Magee.

Although it was not my privilege to serve in the Congress with him in the days when he was a Member of this body, it was my pleasure to visit with him in the city of Washington on numerous occasions as a spokesman for the county court of Jackson County, Mo., to present and explain some of our local problems. Moreover, the late Mrs. Magee was a close and good friend of some of my predecessors who represented the Fourth Missouri District.

For the foregoing reasons I can attest to the fact that the former distinguished Representative from northeast Missouri was a man who always had time to see and visit with those who journeyed to Washington if they had business that concerned the Congress, whether they happened to be constituents of his particular district or not.

Clare Magee was a man who had the enviable characteristic of being gracious and friendly with everyone who knew him. Like everyone else, he had his frustrations and disappointments, but he seemed to be possessed of a capacity of imperturbability, and as I remember him, was always pleasant and even tempered.

Many things can be said about a man who serves as a Member of Congress but I suppose when all is said and done, the best that can be said is that Clare Magee was always on the job. He tried to represent the district from which he had been elected and with all the decisions he had to make he kept uppermost in his mind—first, the welfare of his country; second, the welfare of his district, and last, the welfare of the party to which he belonged—in that order. If all Members applied this kind of a test when their time comes to depart this life, words and eulogy would be much easier for their survivors.

The passing of our good friend from northeast Missouri will leave a void in the hearts and minds of all those who knew him and all Missouri will be the poorer because he has gone on to his reward. Our sympathy goes to those loved ones that he leaves behind.

FOURTH GENERAL ASSEMBLY OF THE LATIN AMERICAN PARLIAMENT

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, I would like to take a few minutes this afternoon to report on the Fourth General Assembly of the Latin American Parliament which was held last week in Bogotá, Colombia.

My distinguished colleague from California and ranking minority member of the Subcommittee on Inter-American Affairs, the Honorable WILLIAM S. MAILLIARD, and I were designated to represent the U.S. Congress at that conference.

We went to Bogotá in response to an invitation extended by the Latin American Parliament. The Parliament, a relatively new body, asked the U.S. Congress to send observers to Bogotá.

Similar invitations were extended to the earlier meetings of the Latin American Parliament. This was the first time, however, that the U.S. Congress responded by sending observers.

I believe that my colleagues will be interested to know that 10 Latin American countries—Bolivia, Colombia, Costa Rica, Chile, Ecuador, Honduras, Nicaragua, Paraguay, Uruguay, and Venezuela—were officially represented at the Fourth General Assembly.

In addition, a number of countries and international organizations sent observers.

The latter included parliamentarians from Belgium, Denmark, France, Germany, Great Britain, Norway, and Sweden; representatives of the Council of Europe; and delegates from the Organization of American States, the United Nations, and other international organizations.

The meetings of the Latin American Parliament were held in the chamber of the House of Representatives of the Colombian Parliament.

The Speaker of the Colombian House, the Honorable Ramiro Andrade Teran, presided.

The discussions related to Latin America's internal conditions, development tasks, and external relations.

A dialog with the Western European parliamentarians, and an exchange with the U.S. congressional observers, also took place.

The resolutions adopted at the conclusion of the Fourth General Assembly covered a number of subjects. They touched on such issues as economic integration, condition of liberty on the Latin American continent, interhemispheric relations, and U.S. policies affecting economic and other developments on the South American continent.

Mr. Speaker, although it was not our role as observers either to contribute to the shaping or to comment on the substance of those resolutions, I would like to note that some of them were, in my opinion, unduly and unnecessary critical of various U.S. policies and programs.

The expression of such views was, of course, the prerogative of the Latin American parliamentarians—just as it is our prerogative, which we exercise here quite frequently, to make observations and pass judgments on their laws, customs, actions, and so forth.

In both instances, however, I feel that as the representatives of the people, both here in the United States and in Latin America, the parliamentarians have a very grave responsibility to seek the truth and the advancement of the public good.

My colleague, Congressman MAILLIARD, and I tried to stress this point in our presentations to the Latin American parliamentarians. And we urged closer collaboration and greater unity in approaching the solution of the complex problems which confront Latin America.

A more complete account of our remarks appeared in a number of Colombian newspapers, and I would like to insert in the RECORD the text of a release summarizing them. It follows:

NORTH AMERICAN CONGRESSMEN CALL FOR UNITY, CLOSE COOPERATION BETWEEN UNITED STATES AND LATIN AMERICA ON 1970'S

Two North American Congressmen today called for unity and close collaboration between the governments, private organizations and individuals in the Hemisphere "to hammer out a new strategy of development for the 1970's."

The two Congressmen are Rep. Dante B. Fascell (Democrat from Florida), Chairman of the Subcommittee on Inter-American Affairs of the U.S. Congress, and Rep. William S. Mailliard (Republican from California), the leading Republican member of the Subcommittee.

They are attending the 4th General Session of the Latin American Parliament as official observers designated by the U.S. Congress.

In a dialogue Wednesday morning between the North Americans and their Latin American counterparts, the two Congressmen praised the initial progress of the Alliance for Progress and said that "there is no more urgent task before this Hemisphere than the realization of the goals of social and economic progress outlined in the Act of Bogota, the Charter of Punta del Este, and the Declaration of the American Presidents."

Congressmen Fascell and Mailliard told the Latin American Parliamentarians that "all of us as legislators have a tremendous responsibility to help bring about the implementation of policies which will promote development and fulfill the legitimate aspirations for better life of 250 million people of Latin America."

In their presentations, the North American legislators stressed three major issues:

INTEGRATION

They expressed their particular satisfaction with the growing interest in and accomplishments of Latin American integration spurred on by actions taken in the III General Assembly of the Latin American Parliament in Brazil last year and its preliminary meeting in May of this year in Managua.

The North American Congressmen singled out the Central American Common Market and the recent formation of the Andean Group as "significant, constructive steps leading to the creation of a larger, more diversified market in Latin America."

Citing parallels in the development of the United States, Congressmen Fascell and Mailliard said that their own country "did not begin to approach its potential for progress until the creation, in North America, of a single market stretching from the Atlantic to the Pacific Oceans."

"Latin America, with the enlightened support of its leaders and parliamentarians", they said, "is beginning to move firmly in the same direction."

The North American legislators said that they would urge the United States Government "to provide more effective assistance to Latin American integration."

Specifically, they expressed their personal interest in working for the untying of AID loans for integration to permit procurement of goods and services not only in the U.S. but also in the cooperating countries within each regional trade group.

CONSENSUS OF VINA DEL MAR

In a reference to the Consensus of Vina del Mar, Congressmen Fascell and Mailliard commended the Special Latin American Coordinating Committee (CECLA) "for initiating the first step in a useful and necessary dialogue which must precede the working out of a new strategy of development for the next decade."

"The listing of the principal aspirations of the Latin American countries, added to the findings of Governor Rockefeller's Mission, and the results of the various initiatives which we have already started within the U.S. Government," they said, "will provide the Inter-American Economic and Social Council members meeting in Washington in October, with a format for discussions which should lead to positive, constructive programs and policies in support of Latin American development."

The North American Congressmen stressed that "the U.S. Government has taken very seriously the expressions originating in Vina del Mar and elsewhere in Latin America."

As a case in point they cited President Nixon's actions in:

Discontinuing the practice of applying the so-called "additionality" requirement to U.S. aid;

Preparing recommendations to the OECD for a system of generalized trade preferences;

Pledging a $15 million loan to the Diversification Fund of the International Coffee Agreement; and

Increasing multilateralization of financial and technical assistance.

In addition, the Congressmen pointed out that a report issued a few days ago by their Subcommittee urged relaxation of conditions in aid to Latin American development, greater sharing of technology between the U.S. and Latin America, and the creation of "imaginative new ways" for engaging the broad spectrum of private and governmental institutions "in the advancement of human progress in our Hemisphere."

FUTURE ASSISTANCE

The Congressmen expressed their particular pleasure in having an opportunity to visit Colombia, which recently has made important progress in its economic and social development programs. Both indicated the very favorable impact on the entire Alliance for Progress of the recent visit of Colombian President Carlos Lleras Restrepo to the United States. They expressed the hope that their efforts in the U.S. Congress to continue economic assistance to the Alliance would prove successful.

Congratulating the delegates to the Latin American Parliament for their dedication to inter-American development, the Congressmen urged a redoubling of efforts.

Citing the Consensus of Vina del Mar, the Congressmen said they agreed that "economic growth and social progress (in Latin America) is the responsibility of the (Latin American) peoples and that the attainment of their national and regional objectives depends fundamentally on the efforts of each country."

"We intend to work with you," the Congressmen concluded.

EIGHTH ANNIVERSARY OF THE ALLIANCE FOR PROGRESS

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, 8 years ago, on August 17, the Charter of the Alliance for Progress was signed at Punta del Este, Uruguay. We will observe the eighth anniversary of the Alliance quietly and thoughtfully, for we have far to go and many difficulties to overcome before the United States and the other members of the Alliance in North America, Central America, the Caribbean, and South America will satisfy the aspirations of their peoples for national modernization and individual advancement.

In this last year we have worked and studied intensively in various cities in this hemisphere—at Vina del Mar, Trinidad and Washington, D.C., reassessing the priorities of the Alliance, pointing out and rectifying shortcomings. This process will go on when the Inter-American Economic and Social Council meets here at the expert level in October and the ministerial level in December for a look at both priorities and operations.

We have looked back before 1961 for guidance and we are planning ahead, far beyond 1971.

Mr. Speaker, during the past 5 months, the Subcommittee on Inter-American Affairs which I have the honor to chair, has been involved in a lengthy and comprehensive reexamination of the past record of the Alliance for Progress and of the tasks that still lie ahead.

We have found that the Alliance has had many shortcomings and many successes. Most important of all is that 8 years of the Alliance for Progress has led to a deep and, if I read it rightly, an enduring realization by most of the people and many of the governments of the hemisphere that the obstacles to social and economic progress can be overcome. This shared experience has contributed to the determination to complete the job. The people in the United States have learned, too, that our neighbors to the south are firm in their resolve to advance. And despite the setbacks and the difficulties, there is running in this hemisphere a tide of confidence that will assist our historic efforts to modernize before the 20th century is ended.

The 8th year of the Alliance for Progress made it increasingly clear that the original 10 years envisaged in the Charter of Punta del Este was too short a time to do the job. Some said the Alliance was trying to do too much. I do not agree. But I do think we were trying to do it with too little and in too short a time. And I think there has been a tendency, too, to ignore the notable progress made so far in economic growth. Over the last 8 years, the average growth in Latin America has been about 5 percent. At a more modest rate of population growth, this economic growth might have been a great success by any standard. Unfortunately, with a population growth of about 3 percent, even more economic growth is needed.

Our initial planning for the Alliance at Punta del Este tended to underestimate the profound economic and social problems of most of the countries, and the fragility of their institutions, political processes and economic capabilites. Since then, we have learned to be more cautious about the great size and complexity of the tasks, and we are better prepared psychologically to overcome the frustrations and reverses that lie ahead.

We are shifting now to the problems of social change as the next priority, perhaps even the overriding priority. We have demonstrated that we know more about the problems of economic development than we do about the art of development in the social and political areas. Perhaps this is understandable. It is easier to quantify economic indicators than it is to analyze social and political indicators it is easier to count numbers of tangible things than it is to identify and take into account attitudes, yearnings, and ability of people to participate in making the great decisions of their nations.

Looking for the good things of the Alliance for Progress on its birthday, I would put at the top of the list the fact that since 1961 the United States has become less and less a patron and more and more a partner in the Alliance for Progress. This does not mean that the United States is no longer contributing, but it does mean that the Latin American countries are contributing many, many times more.

The Latin American countries are the senior partners in this enterprise. Our role is to help, where we can, but basically, if the development process is to take place, in the right direction and fast enough to be satisfying to the peoples and governments of Latin America, it has to be on the basis of Latin American initiatives—both individual country efforts within their own borders and multilateral efforts in regional goals and initiatives. The Alliance for Progress was and is a Latin American effort, and should remain that way. As Secretary General Galo Plaza has said, the Latin Americans must take the lead in setting their own political directions for the future.

Mr. Speaker, in concluding my remarks, I would like to point out that the conclusions reached by our subcommittee point in the same direction. They are outlined in House Report 91–385, entitled, "New Directions for the 1970's: Toward a Strategy of Inter-American Development." And while our subcommittee has suggested some changes in existing programs, some new directions, we did agree, with an overwhelming bipartisan majority, that the primary responsibility for charting the course for the 1970's lies with the Latin American people, their leaders and their governments.

Mr. Speaker, on this occasion of the eighth anniversary of the Alliance for Progress, I want to congratulate our friends to the south upon the encouraging beginnings which have been made toward the realization of the goals of the Charter of Punta del Este—and to wish all of us, joined in this tremendous undertaking, greater, more tangible successes in the years to come.

SUGGESTED USE OF MODERN TECHNIQUES FOR OBTAINING INFORMATION INSTEAD OF EXPANSION OF BASIC CENSUS QUESTIONNAIRE

(Mr. MARSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARSH. Mr. Speaker, I take the floor at this time to point out to the

Members of the House the growing concern over the number and content of questions that citizens may be required to answer in the coming census for 1970.

As the Members are aware, the taking of the census every 10 years is required by the Constitution. In fact, it was one of the first official acts of the new Federal Government shortly after the ratification of the Constitution. However, the constitutional purpose of the census is to establish an accurate count of our citizens according to place of residence for the purposes of establishing apportionment of the population for representation in the U.S. House of Representatives.

Over a period of time, we have moved beyond the original purpose of the constitutional provision by expanding the area of questioning beyond the basic constitutional need to establish representation in this body.

I have joined with a number of other Members in sponsoring legislation that would limit the scope of questioning in the forthcoming census to questions essential to meet the constitutional need. It would further provide that questions which go beyond those basics to establish an accurate population count would have to be answered only on a voluntary basis.

It has been suggested that the Federal Government use the modern techniques of selected sampling, or polling, to obtain information which go beyond the constitutional requirements. Today, modern techniques have developed into a science of sampling of opinion on behalf of industry and advertisers to determine consumer tastes, marketing needs, and new product development. These techniques have become so reliable and accurate that industry, each year, invests millions of dollars in developing products to meet customer demands. The television industry is an example of the use of selected polling to ascertain audience's response.

I urge those in the Federal Government who are insisting on expansion of the basic census questionnaire, that they look at new means and techniques of eliciting this information, rather than subjecting the entire population to this broad and extensive questionnaire. By using sampling techniques, it could be done on a voluntary basis at, no doubt, considerably less expense, and without the invasion of privacy of every citizen of these United States.

BIOLOGICAL WARFARE AS NATIONAL POLICY

(Mr. ECKHARDT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ECKHARDT. Mr. Speaker, my distinguished colleague, the gentleman from New York (Mr. MCCARTHY), spoke on August 10 in Dallas to the American Bar Association on the subject of this country's biological warfare program. Congressman MCCARTHY has done this country a great service in alerting all of us to the dangers of this program. I commend to your attention his Dallas speech, a valuable exploration and denunciation of the military's biological warfare policies, which follows:

BIOLOGICAL WARFARE AS NATIONAL POLICY

(Address of Representative RICHARD D. MCCARTHY, to American Bar Association, Dallas, Tex., August 10, 1969)

"It is the policy of the United States to develop and maintain a defensive chemical-biological capability so that our military forces could operate for some period of time in a toxic environment if necessary; to develop and maintain a limited offensive capability in order to deter all use of chemical and biological weapons by the threat of retaliation in kind." This statement of national policy was given to me on April 15, 1969 by Mr. John S. Foster, Jr., Director of Defense Research and Engineering, on behalf of Secretary of Defense Melvin Laird. It was part of a response to a series of questions that I had addressed to the Departments of Defense and State, the Arms Control and Disarmament Agency, our Ambassador to the United Nations, and Mr. Henry Kissinger of the White House staff.

What does this policy mean? It means that despite the emphasis on deterrence, the United States maintains an offensive capability with biological weapons. It means that we maintain major research laboratories; Fort Detrick, Maryland and the Naval Biological Laboratory, Oakland, California, exclusively working on the development of diseases to be used as weapons. It means that we test the effectiveness of these diseases in the open air in Utah, at Eniwetok, in Alaska and possibly even Maryland. It means that we maintain a production center, Pine Bluff Arsenal, Arkansas where bacteria and toxins—or poisons—which are the byproducts of bacteria are produced. It means that quantities of these disease-causing bacteria are stockpiled at Pine Bluff Arsenal in refrigerated igloos for use in war. It means that we have developed aircraft bombs, artillery shells, and even—I am told—a hand grenade to spread these germs and toxins over an enemy. The hand grenade sounds improbable but I am told that the bacteria are frozen so that the grenade can be left on a road or in a trench and not become active for several hours. It means that our military have contingency plans for an offensive attack with disease against another country.

Despite the emphasis on the defensive aspects of biological warfare in the policy stated by the Department of Defense and accepted by Mr. Kissinger there is very little of a defensive nature in our biological warfare program. Mr. Foster's reply said that:

"The U.S. does not maintain large stockpiles of medical supplies such as antibiotics and vaccines against the possibility of biological attack. There is no specific antibiotic therapy available for most biological warwarfare agents. As for vaccines, there are more than 100 possible biological warfare agents, and production and administration of 100 vaccines to the U.S. population is not practical. There is medical reason to believe that such a program would be generally injurious to health in addition to requiring prohibitive expenditures."

We do not have any defense for our civilian population against a germ attack. We do not even have an effective warning system against attack with biological agents, although the Department of Defense says that "research on methods of detecting and warning, identifying, and defending against biological attack are continuing. . . ." We would not know that we had been attacked until after people began to get sick. Even our armed forces have no effective means of protection against biological warfare since it takes nine months of continuous inoculation before our researchers are allowed to work in our germ laboratories or production plant.

We can conclude from the lack of a defense that our germ warfare policy is one that would defend against biological warfare by the threat of a biological attack in retaliation. Even more disturbing, however, is the information that we have seriously considered offensive first-use of biological warfare. I have been told, although it has never been confirmed officially, that we came very close to using biological warfare in Cuba during the missile crisis. And it is a well established fact that a segment of our military planners are exerting every influence to have a policy allowing the use of what they call incapacitating biological weapons adopted at the National Security Council-White House level of government. If this policy is adopted, the United States would loose a germ war on another country without warning, even the thought of which I find indescribably repulsive.

The disease-bearing weapons that we develop and test and in some cases stockpile include the plague, anthrax, tularemia, psittacosis, O-fever, botulism, Rocky Mountain Spotted fever, brucellosis and Venezuelan equine encephalitis. As the Department of Defense pointed out, there are more than one hundred of these diseases which could be used. Biologists employed by the Army and the Navy at Fort Detrick and the Naval Biological Laboratory not only refine and concentrate the bacteria that cause known disease, they develop new vaccine-resistant strains of disease. The purpose of this work is to find germ weapons that are unknown to doctors in the country on which they would be used. Although the public relations officers of our biological warfare centers emphasize the work that they do to find cures to disease and point to their published work in recognized scientific journals, the published work is only a small fraction of their total work. Unclassified publication is more of a recruiting aid to attract biologists to these labs than a reflection of what they do.

The diseases that we research and in some cases produce for weapons range from the most deadly to those that are *usually* only incapacitating and I emphasize "usually". The recent report of Secretary General of the United Nations, U Thant, on gas and germ warfare describes the symptoms of some of these diseases. It describes the plague as follows:

"Under natural conditions, small rodents, from which the disease is transmitted by fleas, are the main source of human infection with plague. This is how 'bubonic' plague develops. If the plague microbes are inhaled, pneumonic plague develops after a three-to-five-day incubation period. The patient suffers from severe general symptoms and if untreated, normally dies within two or three days. A patient with pneumonic plague is extremely contagious to contacts."

Tularemia is described as follows:

"Under natural conditions, tularemia is a disease of wild animals, the source of human infection being rodents, especially rabbits and hares. When it occurs naturally in human beings, who are very susceptible to the disease, skin lesions with swelling the lymph nodes are its usual manifestation.

"The pulmonary form is more serious. Pulmonary tularemia is associated with general pain, irritant cough, general malaise, but in Europe and Japan mortality due to this form of the disease was never higher than 1% even before antibiotics became available. American tularemia strains, on the other hand are more dangerous; some epidemics have been associated with a mortality rate as high as 20%, despite antibiotic treatment."

These two diseases, the plague and tularemia are illustrative of the weapons that some would include in our arsenal, truly the deadly fourth horseman of Apocalypse.

There has been very little public discus-

sion of the policies that would govern the use of biological weapons in warfare. Those responsible for research, development, test and production of biological warfare weapons argue for first-use of both lethal and incapacitating diseases. This policy has apparently not been adopted by those responsible for military operations plans in the armed forces or by the Secretary of Defense. In talking to those familiar with thinking on biological warfare at the top level in the Air Force, I asked whether they seriously contemplated loosing a lethal disease on another country. I was told that policy makers in the Air Force did not. I found this a reassuring evidence of common sense.

Less reassuring was a study conducted by Army chemical and biological warfare planners for a hypothetical invasion of Cuba. Using detailed plans for an invasion of Cuba, plans that showed which beaches American troops would assault and the estimated number of Cuban defenders, these planners assessed the effects of biological attack on the Cuban defenders. They believed that most of the Cuban military would be incapacitated with fevers of 102½ degrees, diarrhea, vomiting and a general sick feeling. They believed that 10,000 American lives would be saved as a result. It was estimated that the civilian population would also be affected and that somewhere between 1 and 3% of the civilians would die. Death would generally strike the very young and the old.

The results of the CBW planners' study were turned over to the military operational planners, those responsible for preparing the guidelines for our armed forces in combat operations. They were asked what they would expect the Cuban army defending the beaches to do if they had the symptoms described above. They came back with the conclusion that the Cuban soldiers, incapacitated with the biological agent would be unable to abandon their foxholes and fortifications under the shock of air and artillery attack. They would feel so rotten that they would probably man their guns to the last man and be willing to die at their post. Our operational planners concluded that our casualties would be far higher than otherwise if a so-called incapacitating biological weapon was used.

I find a United States policy based on the use of biological weapons unbelievable. It is directly contrary to principles of humanity and decency for which America stands. Anyone familiar with the history of the Korean War knows of the intensive efforts by the United Nations and the United States to refute the false Chinese-North Korean charges that germ warfare had been used in Korea. Knowing the universal revulsion to this form of warfare, every effort was made to assure the world that there was no basis for the charge. And beyond that, the principle of humanity, as a practical matter, biological weapons are so potentially dangerous to all of mankind, both in testing and development, that I believe they must be abandoned as weapons of war.

Contrary to the policy stated by Mr. Foster of Defense, I believe that if one of our NATO allies was attacked with a plague, that we would not loose a plague on the attacker. Rather I think that we would send as many medical and health teams as we could to assist our ally in stamping out the disease. We then would probably either threaten to or actually retaliate against the attacker with conventional weapons or tactical nuclear weapons, weapons which are much more predictable in effect than biological weapons.

I do not believe that lethal biological weapons are a creditable deterrant. To say that we prepare them to stop another country from using them on us means that we are willing to use a disease which we don't fully understand. We do not know whether the plague would stop at the boundary of the country on which it was used. As Dr. Joshua Lederberg, Nobel laureate biologist at Stanford University, has pointed out, a disease is highly unpredictable. What starts out as an incapacitating disease may mutate, become highly deadly, and spread around the world as a pandemic, a world epidemic. Each year we must invent a new vaccine for the flu and even so we are not able to stop its spread. As prominent medical authorities have pointed out, all of biology involves averages, an estimate of lethality is an average—some bacteria in a weapon are milder, some are more deadly. And because of the limitations on testing, there is little likelihood that our knowledge of the effects of these weapons will improve.

Even with toxins, non-living by-products of disease microbes, the effects are highly unpredictable. Staphylococcus toxin, a fairly common bacteria, may have highly different effects from those normally experienced if it is breathed in rather than entering the body through the intestine. We may find that fatalities run to fifty or seventy-five percent from a so-called incapacitating agent. This is particularly true with the differences in physical strength from country to country. What might be incapacitating in the United States might well prove fatal among the people of a poorly fed tropical country.

"I also do not believe that in wartime an enemy would be able to distinguish between a lethal and an incapacitating disease used in war. As the effects of the disease became evident, the enemy would probably assume the worst and strike back with the most effective weapons at his disposal, very possibly nuclear weapons."

Biological weapons have a further drawback. Relatively speaking, biological weapons are cheap. A nation that may not be able to afford a creditable nuclear or conventional military force could afford a germ warfare arsenal. Although a reliable biological weapon in any quantity takes some technical skill, it is not a skill limited to a very few countries, but is rather widespread. Aside from the question of humanity, it is in the interest of the United States to support and practice a policy that completely denies the use of biological weapons.

No documented case of the use of biological warfare has been found in the Twentieth Century. It is an area of inhumanity that by tacit agreement man has been able to avoid. For this reason, I find it bizarre that our military planners can argue that we should adopt a policy to initiate its use. No form of war is humane and every step that we can take to assert human values should be taken. I do not believe that we should be the country to further break down the fragile humane practices that have been agreed upon.

Fortunately, our national policy in the fields of chemical and biological warfare are now under review. Mr. Gerard Smith of the Arms Control and Disarmament Agency informed me on June 17 on behalf of President Nixon that a full-scale Executive review of our practices and policies is being made. This is the first such review in a decade and gives us an opportunity to correct what I regard as the pre-nuclear World War I vintage policies still accepted by part of our armed forces. The Departmental position papers are due at the National Security Council in September.

President Nixon has indicated that he is considering resubmitting the Geneva Protocol of 1925 banning first-use of gas and germ warfare to the Senate for action. I urged him to conduct such a review on April 30, 1969 and to resubmit the Protocol on June 12, 1969. As of now 98 members of the House have joined me in sponsoring a resolution urging President Nixon to resubmit the Geneva Protocol. Twenty members of the Senate have joined Senator Hartke in sponsoring a Senate version of my resolution. Senator Fulbright, Chairman of the Senate Foreign Relations Committee, in a letter to Secretary of State Rogers has indicated that he is anxious to hold complete hearings on the Protocol as soon as possible. I believe that ratification of the Geneva Protocol banning first-use of gas and germ warfare is in the interests of the United States.

Although we have said that we support the principles of the Geneva Protocol, we have not ratified it. To illustrate one of the incongrous effects of our failure to do so, let me cite the following case. Early this year, two countries in a de facto state of war with each other, Israel and Syria, ratified the Geneva Protocol of 1925. They notified the French Registrar of their action. Under the terms of the Protocol the French are only required to notify those signing the Protocol of additional nations joining the pact. The result is that when I contacted the Department of State this last week, even in the offices specifically concerned with these countries, no one was aware that the Israelis and the Syrians had acted on the Geneva Protocol. The State Department still has not been informed of this action. This makes it impossible to honor the principles of the Protocol in the case of Israel and Syria.

Going beyond the principles of the Geneva Protocol is a resolution that has been introduced at the Twenty-five Nation Disarmament Conference in Geneva this summer. This resolution would ban the development, production, stockpiling, and use of biological weapons. I have urged President Nixon to fully support this resolution. I believe that the United States has nothing to lose by abandoning biological weapons as an instrument of war. I do not believe that they are effective deterrents to use by others and I do not believe that they are safe enough to use. The resolution would go into effect when the twelve or thirteen nations with a capability in biological warfare ratified it. We will always continue to find ways to eliminate disease. I do not think we should, as a matter of national policy, work to spread disease.

I urge the legal profession of this nation, as ably represented by the American Bar Association, to join in this effort to ban germ warfare and to support the growing movement for U.S. ratification of the Geneva Protocol.

NINTH ANNUAL WEST SIDE COMMUNITY CONFERENCE—"WORLD PROBLEMS AND AMERICAN POWER"

(Mr. RYAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RYAN. Mr. Speaker, as our world grows smaller, world problems increasingly affect the lives of every citizen.

Those who seek to solve world problems must increasingly consider individuals, who are now all neighbors. At the same time, it becomes even more important for individual citizens to understand world problems and to participate in Government.

In a democracy, and in a world grown small through modern communications and travel, both the individual citizen and the world leader have a direct responsibility to one another—for understanding and direction.

And in this world, and in our democracy, elected officials and Members of Congress have a special responsibility to bring the individual citizen and world leaders together.

Thus each year of my tenure in Con-

gress I have sponsored an annual daylong community conference in New York City. Democratic and Liberal Party Clubs of Manhattan's West Side and many individual citizens have joined me in presenting the conferences.

On March 22, 1969, we held our ninth annual West Side community conference on "World Problems and American Power." More than 2,000 individuals attended and took part in the five panels and the plenary session at Riverside Church, New York City.

Arthur J. Goldberg, former United Nations Ambassador and former U.S. Supreme Court Justice; Wayne L. Morse, former U.S. Senator, Oregon; and I addressed the plenary session.

The panelists included: David McAdams, former Peace Corps Director, Ivory Coast; former program associate in the Congo for Ford Foundation; former Deputy Associate Director, VISTA.

Waldo Waldron-Ramsey, counsellor, Tanzanian mission to the United Nations.

Immanuel Wallerstein, professor of sociology, Columbia University; author: "Africa: The Politics of Unity."

Waldemar A. Nielsen, president, African-American Institute; author: "African Battleline."

Ralph A. Dungan (chancellor, higher education, New Jersey; former Ambassadors to Chile; former special assistant to Presidents Kennedy and Johnson.

Teodoro Moscoso, former U.S. coordinator, Alliance for Progress; former Ambassador to Venezuela.

Carlos Sanz de Santa Maria, Chairman, Inter-American Committee, Alliance for Progress, Organization of American States.

Ronald M. Schneider, professor, Institute of Latin American Studies, Columbia University.

Richard W. Richardson, former associate U.S. coordinator, Alliance for Progress.

A. Doak Barnett, professor of government, Columbia University; author: "Communist China," and "China after Mao."

Edwin O. Reischauer, university professor, Harvard University; former Ambassador to Japan; author: "Beyond Vietnam: The United States and Asia."

Allen Whiting, professor of political science, Center for Chinese Studies, University of Michigan; former deputy consul-general, Hong Kong; author: "China Crosses the Yalu."

Roger Hilsman, professor of government, Columbia University; former Assistant Secretary of State, Far Eastern Affairs; author: "To Move a Nation."

Alexander Dalin, director, Russian Institute, Columbia University.

Ralph J. McGuire, director, Office of NATO and Atlantic Political-Military Affairs, Department of State; former deputy chief of mission in Congo; former counselor political and military affairs, and political adviser to U.S. and European military command.

Philip E. Mosely, professor of international relations; director, European Institute, Columbia University.

Ronald Steel, author: "End of the Alliance: America and the Future of Europe," and "Pax Americana."

Robert Kleiman, editorial board, New York Times; former European correspondent; author: "Atlantic Crisis: American Diplomacy Confronts a Resurgent Europe."

Alfred L. Atherton, Jr., country director, Israel and Arab-Israel Affairs, Department of State.

Nasrollah Fatemi, dean, Graduate School, Fairleigh-Dickinson University.

Allen Pollack, chairman, executive committee, American Professors for Peace in the Middle East.

Uri Ra'anan, professor, Fletcher School of Law and Diplomacy, Tufts University.

Mike Wallace, CBS news correspondent.

I wish it were possible to acknowledge by name everyone whose work and leadership made the conference a success. I do want to thank the following people who made particularly vital contributions.

The chairman was Susan Cohn and the cochairman was Doris Clark. With the assistance of the conference committee they organized and coordinated the entire conference.

Members of the committee, who worked tirelessly and brilliantly, were: secretary, Elaine Bernstein; treasurer, Ira Zimmerman; administrator coordinator, Elizabeth Savels; club coordinator, Judy Neale; arrangements, Doris Clark; assistant arrangements, Rita Breitbart, Betsy Eisner, Virginia Horton, Leilani Straw, Ellen Wallach; press, Bob Aronson; publications, Jack Rennert; photographer, Philip Eisner.

The panel coordinators were Suzanne Abramson, Ann Comay, Carol Leimas, Chauncey Olinger, Anna Lou Pickett, Eva Popper.

The club representatives were Suzanne Abramson, Philip Eisner, William Feyer, Charlotte Frank, Fred Haber, Eleanor L. Hensor, Pauline Marcus, Judy Maxwell, Stephan A. Nicholas, Tamara Rosen, Israel Weinstein.

Other members of the conference staff were Zvi Abramson, Mary Adamson, Sarah Arthur, Stephen Ballecer, Ada Bass, Freya Clibanski, Michael Cohn, Deborah Diller, Gemma Fastigi, Vivian Feyer, Samuel Freedman, Judith Gottehrer, Judy Harrow, Edrice Hutchinson, Mary Jimenez, David R. McGregor, Dan Nelson, Josephine Odom, Melva Peterson, Lome Piasetsky, Dean Porter, Alan Rachlin, Laura Robinson, Julio Ronda, Thomas Ryan, Dara Lee Schulman, Joan Serrano, Richard Serrano, Rosalind Silver, Treadwell Smith, Barbara Steinberg, Ricky Twersky, Jacob Waldman, Barry Willis, Selma Ziskin.

To each and every one who participated in the work of the conference we are indebted.

I also want to acknowledge the friendly cooperation of Mrs. Theodore A. Dilday, of Bob French, and the staff of Riverside Church; of Samuel Ural, assistant program director, International House; Larry Parker, manager of the cafeteria, International House; Eleanor Smith, head of the food services, Barnard College; Garland C. Hartsoe, assistant manager, Men's Faculty Club, Columbia University; and the staff of the 20th Congressional District office.

The participating clubs were: Ansonia Independent Democrats; Central Harlem Liberal Club; Columbus Circle Democratic Club; Fort Washington-Manhattanville, Hamilton Heights, and Kennedy Democrats; F.D.R.-Woodrow Wilson Democrats; Heights Reform Democrats; John F. Kennedy Democratic Club; Manhattan West Democratic Club; New Chelsea Reform Democratic Club; New Horizons Democratic Club; Original John F. Kennedy Democrats; Park River Independent Democrats; Riverside Democrats; Solomon Weiss Liberal Club; Tioga Democratic Club; Village Independent Democrats; Washington Heights Progressive Democrats; West Side Democratic Club; West Side Liberal Club.

I am also deeply grateful to the large numbers of community sponsors whose generous contributions enabled the conference to be held.

I opened the plenary session by calling for a strong political movement to really change our foreign policy from confrontation to negotiation.

However, I noted that a policy based on negotiation must not camouflage unacceptable or outmoded policies. We cannot hope to negotiate our way out of mistakes like Vietnam or into the domestic politics of emerging nations.

Rather, the first step toward a real policy of negotiation is unilateral initiative and example. We must take action, withdrawing troops from Vietnam, stopping support of repressive regimes, honoring commitments in the Middle East.

In his speech at the plenary session, former Senator Wayne Morse called for an immediate return to constitutionality in foreign policy and a restriction of the use of military power.

Senator Morse pointed out that the Vietnam war has been the most unpopular in American history. Not only was it undeclared by the Congress, but it has been waged against a country that has not attacked the United States and showed no signs of doing so.

The American Constitution, however, was drafted to require Congress, through a legislative act, to declare war. The purpose of this was to avoid war—like Vietnam—which the people might see as not in the national interest. For the Congress to commit the military forces would, so the Constitution assumes, require a widespread, general realization that the basic safety and interests of the Nation were at stake.

Senator Morse also pointed out that the War-State Departments and the military-industrial complex have continually extended America's theoretical defense line and vital interests further and further into Asia, making a war with China almost inevitable.

He called for a foreign policy that commits America to a military withdrawal from Asia; to negotiation and treaties, and to the substitution of the rules of law of the United Nations treaty for the jungle law of the military.

Arthur J. Goldberg in his remarks prepared for the plenary session said that we must rededicate ourselves to uphold-

ing and improving the United Nations system of peaceful change. He said the Nation should cast away such policies as have subjected us to the charge of being the defender of weary status quo situations throughout the world.

The former Ambassador to the United Nations listed a number of principles for American foreign policy, including a commitment to progressive, orderly change throughout the world.

He noted that American feelings of disillusionment about the United Nations are based on United Nations failures. However, he said the fault lies not in the institution but in the failure of support by major member nations. The United Nations works well when supported by the common will of the great powers.

Ambassador Goldberg said that whatever the United Nations' defects, America must support the world organization in its own interests and simply because there is no realistic alternative.

I include at this point in the RECORD my remarks and the remarks of Senator Wayne Morse and Ambassador Arthur Goldberg at the plenary session:

REMARKS OF CONGRESSMAN WILLIAM F. RYAN BEFORE THE NINTH ANNUAL WEST SIDE COMMUNITY CONFERENCE, MARCH 22, 1969

I want to welcome you to the Ninth Annual West Side Community Conference. For nine years this annual assembly has attempted to create a model for public involvement in the affairs of the American republic. Often it may have seemed a very lonely gesture. Yet 1968 proved what many of us involved in these conferences had always believed, that public dialog and grassroots political pressure can affect the course of history.

Our agenda this year is more ambitious than ever before—"World Problems and American Power"—but we chose it because we believed that the great debate over Vietnam must not be allowed to dissipate as a new administration takes power. Indeed, the scope of that debate must be expanded, its energy replenished, and its political force sharpened.

The assumptions which led us into Vietnam and the institutions which directed and defended that tragic misadventure seem to be as firmly entrenched as ever. And if, by tradition, a new President is granted a short period of grace, we should make it clear that no such allowances will be granted to the foreign policy establishment.

It will do us well, however, to take President Nixon seriously when he urges that we move "from a policy of Confrontation to one of Negotiation." I believe the American people presently support that principle. And that is important. So it should be our duty—here today and in the future—to clarify what such a change in policy must entail. And, perhaps, more important, we must build a tough, uncompromising political movement to translate such analysis into action. We aren't going to get much help from the Department of Defense or the Department of State. But we do have allies in the Congress and around the country. And it is up to us to support them and to urge them into further battle.

In doing so, let us be clear that diplomacy is not going to be altered by rhetoric alone. For "negotiation" can easily turn out to be nothing more than the continuation of "Confrontation" by other means. So, let us be very explicit about what negotiation must entail if it is to provide the keystone for a truly new American diplomacy.

For example, there is no reason whatsoever for America to 'negotiate' a continued military presence in Vietnam or South East Asia generally. We have no business being there. We never did. And it is time to get out. That does not entail elaborate negotiation with the Saigon regime. It requires us merely to tell them that they must immediately enter into direct talks with the NLF in order to establish a new government in the South, or face the immediate withdrawal of American troops.

There is no reason for America to "Negotiate" continued support for military dictatorships. We have no business showing up repressive regimes by trade agreements or by military aid. What these situations call for is decision not negotiation—decision to end America's role as political godfather to authoritarianism.

There is no reason for America to "negotiate" civil struggle and revolution in the Third World. We have no business being involved in the domestic politics of emerging nations. We have no business "negotiating" the historic struggle for liberation and self-determination among those who were long oppressed by the West.

What I am trying to suggest is simply that there are areas of diplomacy in which the concept of "Negotiation" can camouflage the continuation of policies which are either unacceptable in the first place or outmoded today. There is, after all, a familiar tactic in American diplomacy whereby we initiate error so as to be able to "negotiate" it away subsequently—from a position of strength, as they say. Thus, we bomb North Vietnam—in order to "negotiate" its cessation. Or we deploy an ABM system—in order to "negotiate" its dismantling. Only such "negotiations" never seem to get started. This approach which all too often characterize the thinking of our diplomats—has nothing at all to do with "Negotiations." It is in fact the very essence of "Confrontation," and it cannot be allowed to continue.

The first stage in a diplomacy of genuine negotiation, therefore, must be a policy of *unilateral* initiative and example. We cannot wait to do with others what we ought to be doing by ourselves—not for political gain—but because America has not exactly been the symbol of international justice recently, and because of the generous and moral deed is its own reward, for nations as for individuals.

Surely we do not lack opportunities for such unilateral initiative. We can begin by withdrawing some of our troops from Vietnam—today. We can begin by recognizing China—today. We can begin by curtailing support for repressive regimes—Greece, Spain, South Africa—today. We can begin by refusing to deploy an ABM system and by cutting our military budget by 25%—today. We can begin by reappraising our relations with Cuba—today. We can begin by moving toward a program of multilateral development assistance—today. And we can begin by replacing the leaders of the American foreign policy establishment with new statesmen, new diplomats, new thinkers—today.

Such unilateral initiatives are necessary preconditions for genuine negotiations. In the Middle East, where commitments must be honored and peace secured. In arms control—where initiative can provide a basis for real disarmament. And in Asia—where lasting peace can follow an end to the terrible torment of the Vietnamese people.

The issue we address today—World Problems and American Power—is one which must concern the entire nation but this will be painful, as painful as Vietnam. For in large measure world problems are a result of American power and it will take candor and strength for the people of this country to accept that. *If we are to negotiate with others, we must first confront ourselves.* We cannot allow this period to be one of retrenchment, and retreat from reality.

Several years ago, discussing Vietnam, I said, "When the war is over and the burning is done, we must be different men than before." The war continues. We still burn in Asia. But the effort to be new men must start today. That is how I view this conference and the larger effort of which it is a part.

REMARKS OF THE HONORABLE WAYNE MORSE ON THE U.S. ROLE IN FOREIGN POLICY IN RESPECT TO OUR FOREIGN COMMITMENTS AT NINTH ANNUAL WEST SIDE COMMUNITY CONFERENCE, MARCH 22, 1969

In the closing months of the 90th Congress, there was building up in the United States Senate a clear-cut constitutional issue over the formulation and control of American foreign policy. Entwined with the constitutional part of this issue was the political ramifications of it, which saw a President elected only 3 and ½ years earlier with one of the largest margins in history, compelled to withdraw from further candidacy.

The situation in which the Johnson Administration found itself in March, 1968, was exactly the situation the framers of the Constitution had planned to avoid when they gave the war power to Congress, rather than to the President. Under Constitutional design, war is embarked upon only through joint resolution passed by both houses and signed into law by the President. It is a legislative process, not an administrative one. Its purpose and scope are plainly stated. The war policy thus becomes the law of the land, the national policy—as fully and completely as we can establish a national policy.

War waged by administrative decision leaves every aspect of that war an arguable matter. Its purpose, its scope, as well as its day to day prosecution, are left to individual discretion. All are subject to second-guessing and public dispute.

The bombing of North Vietnam has been a good example of the inadequacy of administrative war. When we began bombing North Vietnam in February of 1965, we attacked a country that had not attacked United States territory, and which had no apparent intentions of doing so. The first explanation for the bombing was that it was in retaliation for a Vietcong assault upon the barracks of U.S. troops at Pleiku in the central highlands of South Vietnam 12 hours earlier. Its purposes was explained at that time as one of "showing" the Vietcong and their friends in North Vietnam that we could levy far greater destruction upon them than they could upon us.

Within a few months, however, the Secretary of Defense began to justify the continuation of the bombing as necessary for cutting supply lines from the North into the South. Lengthy descriptions were made available to the press of infiltration routes, of bridges destroyed, of key passes closed by massive explosions delivered by our B–52's.

But the trickle of infiltration that was going on when the bombing started grew to large proportions. There were explanations that without the bombing, infiltration would have been even heavier, and not as costly to Hanoi. Yet the level of manpower and equipment that went South seems to have been determined essentially by North Vietnam and not by American airpower.

It was not until the bombing policy had been in operation for a matter of years that it was then said to have been undertaken to bolster the morale of the South Vietnamese government, which was at a low ebb in the early months of 1965.

What the real reason for the bombing may have been cannot be known yet by the American people. It is not really known by Congress. But the carrying of armed attack into the territory and population of another country, and at levels of intensity

unsurpassed even in World War II, was not undertaken as a matter of a unified national policy to conduct war against North Vietnam. It was undertaken, stopped and started up again for reasons that only a few administrators knew then and even now.

These reasons for bombing, and for the various bombing pauses, were typical of our entire adventure in southeast Asia. They are not a war policy. They are a use of military force to buttress and enforce a diplomatic policy that cannot succeed on its own. With a wealth of money, manpower, and weapons that no doubt seems limitless to policy-makers, we have seen the United States come readily and easily to practice the old dictum that war is but the pursuit of diplomacy by different means.

The system is often advertised and described now as something new—a necessity in a different kind of world than Americans knew in the good old days when military force was used only to defend American territory and then upon declaration of war.

But there really is nothing new about it at all. For nearly three centuries Great Britain practiced the same tactic, using military power from one end of the world to another to gain this political end and to enforce that aspect of diplomacy that could not succeed on its own.

Thus was an empire created. And then it was said that being the world's leading power, the burdens of leadership and responsibility called for even more massive involvements, in the Crimea, in South Africa, in France.

Britain saw great value in sending her military forces abroad, using them to enforce her foreign policies. Part of the theory held that it was better to fight abroad on someone else's territory than to let warfare come to the British Isles. But the policy brought the expenditure of such blood and wealth in World War I that the collapse of the Empire was but a matter of years. And the technology of war brought destruction to British territory in World War II even without the landing of hostile forces.

Far from being a new concept, the amalgamation of armed forces with diplomacy is as old as the nation-state. Its merger under the executive is as old as kings. Indeed, in explaining the assignment of the war power to Congress rather than to the President, the Federalist Papers mention that in this respect our Constitution is quite different from the British Constitution, denying to the American president a power held and exercised by British kings.

Most countries are saved from the easy use of military force abroad by a scarcity of means. The country that cannot afford to enforce its foreign political objectives by use of military power, does not find it necessary to do so. The country that *can* afford to send and maintain armies and navies around the world, seems to find reasons why it *must* do so.

Fear of change is usually the reason that is found. Fear of a vacuum of power, fear that where America does not dominate, someone else will, fear that if we do not enforce our stated will in one part of the world it will be ignored everywhere.

The cost of our policy is considerable. National defense costs run over $80 billion a year. Weaponry is the largest single activity of our national government. In the case of Vietnam, since 1954 when we first began aiding South Vietnam in an effort to create a country where none existed, we have spent a grand total of $90 billion, first on economic aid, then on military aid as well and finally to sustain the fourth biggest war in American history.

The availability of so much power has, in my opinion, sadly corrupted the administrative judgment of what is sound policy for the United States to pursue. Perhaps Vietnam is a good example of the difficulty the military establishment has in trying to make an unsound policy work through the application of force. Half a million men and the dropping of more explosives than were used in Western Europe throughout World War II have not compelled North Vietnam, in the words of the Secretary of State Rusk to "stop doing what she is doing," which has been to aid guerrillas in the South.

But at the outset, it undoubtedly looks easier to call in the troops and send over the planes than to assess whether a pro-American government can be created to govern an area that never was a nation before.

But in addition to the warping of judgment is the loss of support at home that such use of military power entails. I think Vietnam is rightly called the most unpopular war in American history, ranking alongside Korea in that unpopularity. Both were undeclared, foreign wars. Both were fought for what their administrators called "limited purposes." Both are described as not lending themselves to declarations of war, because our purposes in fighting did not include the destruction or occupation of either North Korea or North Vietnam. Rather, they are described as designed to force another country to stop doing something we want stopped.

It is not usually mentioned, but both of these most unpopular wars not only were undeclared by the United States but they were waged against countries that had not attacked the United Sattes and showed no sign of doing so. They were interventions on behalf of another country.

It is, I think, the fact that the war is fought to defend someone else that American public opinion has such a hard time following. When the object of our protection changes as often as the governments in Saigon have changed, when corruption and profiteering are among their foremost qualities, it is not easy for the American people to believe for long that they deserve the American blood and money that goes into their support.

It was the expectation of the framers of the Constitution that by placing the war power in Congress, these disadvantages would not occur. For the Congress to commit the military forces would, so the Constitution assumes, require a widespread, general realization that the basic safety and interests of the nation were at stake. The object and purpose of the war would be exposed to Congressional debate and therefore to public discussion. Enactment of a resolution of war would give expression to a national unity of purpose. Despite the objections raised to a declaration of war in the current Vietnam conflict, it could set forth a limited purpose and objection that still would establish a unified national policy.

Remember that even the Administration that embarks upon the use of armed forces abroad without a declaration of war is still involving the Congress. What an administration cannot do without money it cannot do without Congress. For a president to give the commands that set fighting in motion, and then come to Congress and ask it to appropriate the money needed to pay for the fighting is simply an effort to exclude Congress from the formulation of the policy.

It has often succeeded. Congress has indeed been excluded from the formulation of the policy, and has only paid the cost of putting it into effect. But the price has been high. The price has been a Congress that quickly comes to reflect public dissatisfactions and disenchantment. It is a Congress that feels no need or obligation to explain and defend a policy it had no hand in making. But if the war continues for long without an end in sight, the angry public dissatisfaction will become evident quickly.

On the face of it, at least, the Administration now coming into office has nothing to gain and much to lose by letting this undeclared war continue indefinitely. If it continues, the Nixon Administration stands to inherit the renewed dissension and the political turmoil that forced the Johnson Administration to forgo another term. Any plans it may have for domestic programs will be lost in the competition for funds and the welter of political conflict.

A return to Constitutionalism in foreign policy and a restriction of the use of military power is in the interest of both people and government. It should be sought at once.

The major role of our international relations in recent years has been in Asia. The stabilization of affairs in Europe, in spite of the invasion of Czechoslovakia, has induced the State Department-Defense Department complex that runs our international relations to turn its attention to Asia.

It has done so with no clear rationale, and with no showing of where American security interests in Asia actually lie. In fact, events, particularly military events, have dictated policy at critical turning points and have been responsible for our having backed into a full scale war in Vietnam that no policy-maker would have advised or recommended in advance.

The formal rationale of our policy in Asia was formulated at the close of World War II, when we regarded as vital to our interests certain islands in the Pacific which had served as stepping stones for Japan in launching her war against us. We sought and obtained trusteeship over them. But mainland Asia was put beyond our immediate security needs. The attitude of the United States toward Indo-China, for example, was in keeping with our attitude toward the rest of colonial Asia. Burma, the Dutch Indies, Malaya, had been easy pickings for Japan largely because they were colonies of western powers. Elliott Roosevelt quotes his father as saying of the future of Indo-China, en route to the Casablanca conference:

"The native Indochinese has been so flagrantly downtrodden that they thought to themselves: Anything must be better than to live under French colonial rule!"

Cordell Hull quotes FDR as favoring a trusteeship for Indo-China.

During World War II our ally in Indo-China was none other than Ho Chi Minh, who was supported and supplied by American Intelligence units.

Roosevelt's death and the surge of the Communist Chinese across the Chinese mainland brought about a radical change in American policy, not only toward Indo-China but toward Asia generally. It is hard to say how much of the change was due to the elements of world politics and how much due to the facts of American domestic politics. Certainly the American people were shocked by the Communist takeover in China. Chiang Kai-shek had been a wartime ally. He and his family had been highly romanticized by the American press. Billions worth of American weapons and war material had been given to China to keep her in the war against Japan and thousands of Americans had served in the Chinese theater.

Having just finished a war, the United States had no taste for going back to Asia for another. There was no American military intervention on behalf of Chiang.

The shock of China's fall to Communism was taken out instead in the domestic political arena. Probably few in this audience recall the violence of the charges that flew, blaming the Communist takeover not on the Communists, nor on the failures of the Nationalists, but upon American diplomats. It was the height of the postwar era, when we believed our military and financial power was so supreme in the world that nothing could happen anywhere without having been willed to happen, and probably planned and executed, by American authorities.

By 1950 the Democratic Administration that had been in office during the fall of China, was in headlong retreat. The Secre-

tary of State was daily accused of sympathy and even compliance with Communist objectives. He finally found it desirable to become as royal as the king. In February of 1950 the United States recognized the French arrangement of the Bao Dai government in Indo-China, whereby France gave Indo-China the form of sovereignty without any of its substance. In May of 1950 the Secretary of State announced that we would furnish arms and money to the French to put down the independence movement led by Ho Chi Minh.

THE WAR IN KOREA

Even so, Secretary of State Acheson drew for the press a line enclosing the string of islands lying off the Asian mainland and described it as the new perimeter of the American security interest. It embraced Japan, Okinawa, Formosa, the Philippines, Australia, and New Zealand. That chain, he said, was part of our security, the clear inference being that what lay beyond was not. It was widely assumed at the time that this press conference description served as an invitation to North Korea to invade the South, on the assumption that because Korea lay outside the Acheson line, the United States would not act.

The United States did act, of course. But we did so under our obligations as a signatory of the United Nations Charter. Like all signatories, we have obligations under it that exceed our own national security interests.

But here again, events began to dictate a change in policy. Once the United States became heavily involved in a war undertaken under the aegis of the United Nations, we began to justify it in terms of our own national interest. In a speech a few weeks ago to the National Press Club, Averill Harriman chided Americans for their bad habit of escalating their objectives in mid-war. He was talking about Vietnam. But he could well have been talking about Korea.

American apprehensions about Communist China were in control. U.S. military and financial aid to France to pursue the Indo-China war was stepped up. It would add $2.6 billion before France finally gave up. The announcement of increased aid to France in 1950 was combined with an announcement that the Seventh Fleet would be stationed in the Formosa Strait to protect Chiang Kai-shek.

As happened with China, no amount of U.S. aid could salvage the French cause in Indo-China. Even so, there still was an American intervention. President Eisenhower vetoed all such suggestions on the ground that they would be more costly than anticipated, and secondly, because he was not willing to act without the support and participation of other allies.

What we did instead in 1954 was to set out upon a new salvage effort in South Vietnam. We installed as President a man who had sat out the war in the United States; we financed his government, equipped his army, and encouraged him to ignore the requirements of the Geneva Agreement that North and South Vietnam be united under a single government.

THE FORMOSA RESOLUTION

At almost the same time China's bombardment of islands within artillery range of the mainland induced the Administration to seek advance approval from Congress for military action against China.

The Formosa Resolution is a direct forebear of the Tonkin Gulf Resolution. It authorized the President, and I quote: "to employ the Armed Forces of the United States as he deems necessary for the specific purpose of securing and protecting Formosa and the Pescadores against armed attack.

"This authority to include the securing and protection of such related positions and territories of that area now in friendly hands and the taking of such other measures as he (the President) judges to be required or appropriate in assuring the defense of Formosa and the Pescadores."

At issue were not Formosa and the Pescadores. They were not under assault, and China had no means of bringing them under assault. At issue were two tiny islands of Quemoy and Matsu within 3 miles of the mainland.

Senator George of Georgia presented the Resolution to the Senate. "We must commit American military power to the defense of these islands," he said, "because their abandonment would dishearten the Nationalists on Formosa." Then he said:

"If Formosa falls into unfriendly hands, it would be with the greatest difficulty that we could defend not merely Japan, nor merely the Philippines, which lie a relatively short distance from Formosa and Okinawa, but the whole of Southeast Asia clear down to the end of the great countries that lie under the Equator would be endangered. That is clear."

What is clear now from the Formosa Resolution is that American security interests were seen all across the mainland of Asia where they never had been, and an obligation to defend countries was seen where it never had been seen before. Senator Smith of New Jersey, a ranking Republican on the Senate Foreign Relations Committee, was also explicit in moving the American defense line onto the Asian mainland.

"Let us first consider a line drawn from Korea, down through China, and down through Indo-China. We see three danger spots which might well result in the entire Asiatic world being engulfed in communism, and if that should happen, the security of the United States and the western free world would be seriously threatened . . . Unless we maintain and strengthen the defenses and solidarity of our allies, unless the program of the Administration under President Eisenhower and Secretary of State Dulles is carried out, *so that the defense of those areas is maintained*, we shall face one of the most critical periods in our history."

What was not foreseen was that the price and futility of defending those areas would itself cause one of the most critical periods in our history. In Asia, we have worked a "domino theory" in reverse. To defend the United States, we needed Pacific Islands like the Marianas put under our trusteeship; then to protect those islands, we needed Japan, Okinawa, Formosa, and the Philippines; then to defend Japan, Okinawa, Formosa, and the Philippines we needed the islands immediately off the mainland, plus Korea and South Vietnam.

It seems likely that in Asia, there is still not an end to what more we must contest in order to keep what we have. Whether or not the Vietnam war ends, this trend in our Asian policy will draw us deeper into war in Asia. Unless we repudiate the Eisenhower, Nixon, Dulles military containment policy vis a vis China initiated in 1953 we may very well become the greatest threat to peace in the world. We cannot militarily contain China without eventual war with China in 10, 25, 35, 50 years. Such a war will produce an empty victory at best and a sure loss of our constitutional system of self government.

Now is the time to bring the American military under the control and checks of our constitutional system based upon government by law rather than by the exercise of arbitrary power by Presidents, Secretaries of State and Defense, Joint Chiefs of Staff, CIAs, Formosa and Tonkin Bay Resolutions and our blood money military industrial complex.

Now is the time for the American people to demand a foreign policy that commits us to a military withdrawal from Asia and elsewhere in the world where we are maintaining a unilateral military posture of dominance.

Now is the time for us to return to the foreign policy role of offering to abide by the binding jurisdiction of adjudication through multilateral negotiations of threats to the peace of the world conducted under the aegis of international tribunals and treaties such as the United Nations.

Yes, now is the time for us to practice our professed ideals of believing in the substitution of the Rules of Law of the United Nations Treaty for the Jungle Law of the Military Claw as we have come to practice it in Vietnam and threaten to practice it elsewhere in Asia.

Unless the killing of American troops in Southeast Asia is stopped quickly, domestic disunity is certain to increase because a foreign policy that conscripts our youth into military fodder to be consumed in an immoral and unjustifiable war will be repudiated by our people. It is being repudiated by increasing tens of thousands of our citizens, and it should be.

President Nixon's announcement to leave our troops in Vietnam for an indefinite time resulting in thousands more being slaughtered and wounded in further escalation of the war, his attempt to justify a scientifically unsound ABM monstrosity by playing upon the fears of our people, his military approach to foreign-policy in general, bodes ill for his Administration and catastrophic for the Nation.

It would appear that on the basis of what we have seen this far from the new Administration in respect to its role in foreign policy and the military commitments we can expect from it, the only thing that will stop the military from marching our youth into a greater war is for our citizens to start marching across the country for peace.

REMARKS OF HON. ARTHUR J. GOLDBERG ON THE UNITED STATES AND THE UNITED NATIONS AT THE NINTH ANNUAL WEST SIDE COMMUNITY CONFERENCE, MARCH 22, 1969

The United States must take the lead to strengthen the United Nations as a force for peacemaking and peacekeeping.

This is in our own interest as the greatest world power, committed to the benefits and restraints of the rule of law.

Recent bitter experience teaches us that single states, however strong, cannot succeed in keeping the peace by themselves without provoking rival forces and thus generating the very insecurity they seek to end.

Even with the best will in the world, states cannot trust one another when the international system is so unstable that they feel they must "shoot first" in self-defense.

The central challenge to our foreign policy in this nuclear age is to organize a system of multilateral security which would render any unilateral solution unnecessary.

The United Nations is the only available instrument for organizing the response to this challenge.

We should therefore rededicate ourselves to upholding and improving the UN system of peaceful change and cast away such policies as have subjected us to the charge of being the defender of weary status quo situations throughout the world.

In this way we can regain our former position of leadership in the United Nations.

Our principles should be these:

1. Fidelity to the UN Charter, demonstrated by resorting to the UN or to appropriate affiliated regional organizations to prevent or halt outbreaks threatening world peace.

We should involve the UN *before* rather than after any unilateral American military action, except in the most dire emergency such as the 1950 North Korean invasion.

In an extreme emergency, when diplomacy including UN organs cannot produce results sufficiently promptly, the United States can appropriately exercise its self-defense rights and responsibilities, under the UN Charter.

2. Taking the lead at the UN in opposing intervention by any country in the internal affairs of another independent nation.

A recent example was our prompt resort to the UN in the Czech crisis. To maintain fidelity to the Charter and our own credibility, we must of course apply this standard to our own actions.

3. Committing ourselves to progressive, orderly change throughout the world. We must not permit our good name to be borrowed in defense of reactionary regimes or colonialism or racism. Our abhorrence of racism must go beyond mere words to action.

4. Standing resolutely for collective UN action against violent disruption of established international arrangements.

5. Speaking and acting to promote good relations with all nations, regardless of differences of ideology, but without abandoning those safeguards which we have properly created in order to protect the free world.

6. Acting no longer as a barrier to the increasing universalism of the UN membership notably in the case of China.

7. Enlarging substantially our support for multilateral economic aid. (It is clear that Congress has lost its enthusiasm for direct U.S. foreign aid.) In contrast to direct aid, multilateral aid has the virtue of stimulating a fair sharing of the burden by other countries. It also eliminates unhealthy political entanglements from the aid process. Of course, multilateral aid does not preclude additional bilateral economic assistance.

Our moral authority to insist upon peaceful international conduct is handicapped now by world reaction to the Vietnam conflict. But our position in the UN and outside will be restored as Vietnam moves to a political settlement.

The inability of the UN to have come up with a solution to the Vietnam war has contributed to feelings by many Americans of disillusionment about the UN.

Other contributors to American feelings of disillusionment include:

Failure of the UN to enforce the obligation of the Soviet Union, France and others to contribute to UN peacekeeping operations.

Abuse of the veto power in the Security Council by the Soviet Union, as occurred recently when the Russians exercised the veto for the 105th time to block UN condemnation of Soviet invasion of Czechoslovakia.

The apparent double standard applied by some countries on issues involving racial discrimination and other abuses of human rights.

The failure of the UN to go beyond its achievement of ceasefires to permanent solutions for such crisis items as the Middle East, India-Pakistan, Cyprus.

In my experience of three years as American Permanent Representative at the UN, I have found considerable basis for this disillusionment.

But the fault is not with the institution. The UN works very well whenever it is supported by the common will of its members, particularly the great powers. Without that common will it cannot realize its full potential.

Even when the common will is weak, as is too often the case, the UN has not been given sufficient credit for substantial achievements. Here are some "plus" examples from my three years:

At the UN we stopped the 1965 war between India and Pakistan. The ceasefire worked out in the Security Council "bought time" for an agreement still sorely needed.

The long-smoldering Cyprus problem seems now to be moving toward solution, although there was real danger of war there only a few months ago.

We negotiated successfully the Outer Space Treaty and contributed substantially to the completion of the Nonproliferation Treaty to prevent the spread of nuclear weapons to additional countries.

These treaties represent important steps on the road to arms control and disarmament. The UN is the umbrella under which the Soviet Union can cooperate with the United States on such vital matters despite our deep-rooted differences over Vietnam and Czechoslovakia.

In the Middle East, the UN couldn't prevent the June 1967 war, but it brought about the ceasefire. We were able to negotiate the unanimous November 22 Security Council resolution which hopefully will provide the basis for eventual agreement.

In the case of the Soviet invasion of Czechoslovakia, the UN could not force Soviet withdrawal. But it did mobilize world public opinion against this aggression.

UN peacekeeping activities continue—notably in Cyprus and Kashmir—despite Russian and French refusal to contribute. The United States should not give up trying to strengthen this valuable UN machinery.

The little-noticed UN activities in the economic and social fields constitute an achievement I hope will continue to grow as major nations increase their stress on multilateral aid and other forms of international cooperation.

Still another important UN contribution is in providing a forum where the newly independent ex-colonial countries can make themselves heard. This is a valuable service, even though some speeches and votes are overly extreme.

For Americans, the plain fact is that while the UN has not realized our most profound hopes, it nevertheless has made great contributions.

For whatever the UN defects may be, one thing is clear: out country in its own interest cannot afford to slacken its support of this world organization which is so much our own creation. On the contrary, there is no realistic alternative to the UN.

Volunteer student reporters of the Columbia School of Journalism, including Giselle Bergeret and Mindy Reisen, and other talented citizens of the West Side generously gave of their time and skills to report proceedings at the conference. For their reporting, notes and articles, I am particularly grateful.

The morning panel on "Africa," was moderated by Waldemar A. Nielsen, president, African-American Institute; author: "African Battleline." Panel members were David McAdams, former Peace Corps Director, Ivory Coast; former program associate in the Congo for Ford Foundation; former Deputy Associate Director, VISTA; Waldo Waldron-Ramsey, counselor, Tanzanian mission to the United Nations; Immanuel Wallerstein, professor of sociology, Columbia University; author: "Africa: The Politics of Unity."

I include the report at this point in the RECORD:

AFRICA

(By Elizabeth Savels)

Waldemar A. Nielsen, as Moderator of the panel, introduced each panelist and then gave a brief survey of the continent of Africa, and of the United States in relation to the nations of Africa.

David McAdams illustrated some of the difficulties encountered by U.S. government representatives who have been assigned the task of implementing American policy in Africa. One of these is the element of time; U.S. government representatives, specifically the A.I.D. personnel, are bound by the restriction of the fiscal year and are dealing with nations most of which operate on the premise of a 4 or 5 year plan. Another difficulty is that of the language barrier, making oral communication inexact and the perusal and signing of contracts and agreements unnecessarily delayed which exacerbates the problems in any cooperative venture of the United States in an African country. A third drawback mentioned by Mr. McAdam is that each African country has a different agenda, not only different from each other, but different from that of the United States in relation to them.

In 1960 the U.S. State Department inaugurated its first Africa desk, and at that time personnel assigned to Africa was of fairly high quality. Since 1961 that quality has gradually declined. United States priorities in Africa are, unfortunately, not the same as African priorities. There is a tendency still to think of Africa in terms of regions, when regions, as such, no longer exist in Africa. Furthermore, the United States today has the same "pets" amongst African nations which it had in 1960. These "pets" amount to about 10 countries which receive the bulk of U.S. aid in Africa.

The United States' policies in regard to Africa need upgrading and updating.

Waldo Waldron-Ramsey, of Tanzania, declared that United States policy makers have shown themselves to be insensitive to the needs of Africa. "Africa was a conquered continent," he said, "but its people were never vassals." The U.S. has shown itself willing to work with the colonial powers in Africa which gave its policies a vicarious character. Paralleling these vicarious policies, the United States preached independence and self-determination. This, to Africans, was hypocrisy, and it aroused resentment and some contempt for the United States.

The main objectives in Africa today are the elimination of vestiges of non-freedom, the banishment of colonialism, and the formation of an organization of African states similar to a United States of Africa. The United States has given no support to the first two objectives and only a marginal interest in the third. It is the opinion of Mr. Waldron-Ramsey that the United States has failed to recognize that Africa is going to play an important role in the panorama of nations.

Professor Immanuel Wallerstein called attention to the fragility of the state machinery in the majority of African countries. They are operating on increasing deficits, their needs being too great and their incomes too small. Some African countries have attempted to solve this problem by allocating state funds for projects which they hope will attract foreign investment or foreign gifts or loans. Others have allocated disproportionate appropriations for the relief of the most pressing needs of their people. In either case time is not on the side of the state. The usual scenario reads: "Promises of better times—inability to meet these promises—and coup d'etat." Repeat United States aid to Africa was at its height in 1960 and 1961 at the time of peak competitiveness with the U.S.S.R. Since 1961 the competitiveness has declined and so has aid to Africa. Aid from other sources is negligible.

In 1960 the United Nations seated 17 new African nations. The movement for freedom and self-determination was at its height. An area of bedrock was met, however, when no change was accomplished in southern Rhodesia, Angola, Mozambique, and South Africa. In a belt across Africa lie three states which are independent, Congo, Zambia and Tanzania. The bedrock nations make continuous efforts to break the solidarity of these belt states, for they pose a dangerous problem, being both free and allied.

Mr. Nielsen quickly introduced several points of discussion which he felt would be of interest to the audience, and asked the members of the panel to comment briefly on each one. They were the alliance of some African states against Israel, the Nigeria-Biafra troubles, possible policy changes in Africa under Nixon, and the degree to which racial problems in the United States affects its policies in regard to Africa.

Mr. Waldron-Ramsey, attacking the first area of discussion, suggested that Israel and the Arabs sit down and solve their own problems without recourse to mediation by other countries or to military force. The policy of his own country, Tanzania, was to press for such a solution.

Professor Wallerstein, commenting on the Nigeria-Biafra troubles, said it was simply a matter of internal policy and fits the scenario.

Mr. Waldron-Ramsey added that the Biafrans will continue to fight Nigeria no matter what settlement is reached. He urged, however, that human considerations be recognized by both parties to the strife.

Because of the lack of time for more, only one question was heard from the floor: "How are the internal racial problems in the United States reflected in U.S. Africa policy?"

Mr. McAdams' reply gave an example from the present: The Peace Corp volunteer force is 98 percent white and middle class. If there were more black volunteers, the Peace Corps might not have been asked to leave some of the African countries.

Professor Wallerstein predicted that conflict will develop between the bedrock nations and the states of the belt and that the United States will be called on for aid. Will we send aid to the so-called "white" countries, such as Angola and South Africa? There are many people in the United States who would vote firmly for that course. Would we send aid to the belt states of Tanzania, Zambia, and the Congo? Many people in the United States would vote firmly for that course. Would we do neither, but declare ourselves neutral? There are even many people who would vote firmly for that course. But no matter which way the U.S. attempts to solve this problem, its own internal racial problems will determine the outcome.

The morning panel on "Latin America" was moderated by Richard W. Richardson, former associate U.S. coordinator, Alliance for Progress. Panel members were Ralph A. Dungan, chancellor, higher education, New Jersey; former Ambassador to Chile; former special assistant to Presidents Kennedy and Johnson; Teodoro Moscoso, former U.S. coordinator, Alliance for Progress; former Ambassador to Venezuela; Carlos Sanz de Santa Maria, Chairman, Inter-American Committee, Alliance for Progress, Organization of American States; Ronald M. Schneider, professor, Institute of Latin American Studies, Columbia University.

I include the report on this discussion:

LATIN AMERICA

(By Rita Breitbart)

Ronald Schneider opened the discussion on Latin America by warning that prospects for liberal constitutional regimes are now dimmer than any time in the past 20 years.

In the past, there have been swings to the right and left on the part of Latin American governments, but now this pendulum has swung so far right that it threatens to swing off its fulcrum.

Professor Schneider said major problems in Latin America are agricultural reform, demographic problems, the economic base, high rates of internal migration, swelling marginal slum populations, housing and educational deficits. An important problem is control of a major part of Latin American economies by foreign investors, as a consequence of which there is a widespread feeling that the countries' wealth is being drained off by imperialists. Results of this feeling are alienation and apathy on the part of the older people and anger among the young.

Military establishments are even more deeply involved in politics than ever before (e.g., Nicaragua, Paraguay and Haiti). Repression keeps the appearance of stability and engenders violent revolt. To a certain extent limited violence may be functional and necessary. Emergent groups cannot now gain access to power through electoral means since stable political agencies have failed to take root. There is a crisis of legitimacy and authority; the revolution of rising expectations has led to a revolution of roaring frustrations.

Professor Schneider said Latin Americans are wary of the Nixon administration. They believe President Nixon must be resentful of the treatment he received in Lima and Caracas 11 years ago. Nixon didn't mention Latin America in his inaugural address and hasn't filled major diplomatic posts there.

Teodoro Moscoso said the first half of the 19th century saw United States-like revolutions throughout Latin America, with countries adopting constitutions similar to ours. Since then the Latin American countries have been assiduously anti-American. Cynical Latins think that the Alliance for Progress died with Kennedy. Although the mystique may have been lost, however, in fact, the money support of the Alliance has continued.

Mr. Moscoso said antipathy toward the U.S. is rooted in unilateral intervention, our proclivity for dealing with military governments rather than with the people.

He said we should decide which people in Latin America share our ideals. They are the people who should get our aid. In addition, we should seek to encourage political and economic stability in Latin America, since anything we do in this regard will redound to our benefit.

Ralph Dungan said that United States foreign policy should be activist, including strong support of liberal popular democracies. The United States should be actively involved in Latin American affairs. Mr. Dungan said he has "profound respect for prudent application of American power." He said that economic assistance unaccompanied by political and social reform is wasted money. We have failed operationally.

Mr. Dungan claimed that the failure of American policy in Latin America in part results from spasmodic attention, failure to appoint adequate people to important posts in the area; the failure to recognize that what we do is much more important than what we say, and a failure to support liberal politicians.

He noted there are intrinsic difficulties in applying Anglo-Saxon standards of democratic government to Latin America. Constitutionality in the Latin American context may in fact be socially regressive, since the Latin American constitutions are dedicated to the status quo, and it is difficult to achieve change if one insists too strongly on constitutionalism. Latin American countries may need to find their own means of democratic control which still leaves large grants of power in the hands of one person. For example, he said Latin America needs wage controls which are critical to capital accumulation, but seemingly inimical to the interests of the masses. This kind of wage policy could only be achieved if the government had a powerful head. We should therefore think more creatively about some alternative solution midway between dictatorship and constitutional governments typical of developed western countries.

Carlos Sanz de Santa Maria said that to understand the plight of Latin America, it is necessary to look at the external situation as well as domestic problems. Moreover, he said, one cannot treat Latin America as a unit, ignoring the vast differences between countries and regions within countries.

Dr. Sanz said agrarian reform must involve more than the mere redistribution of large estates. Owners of large estates no longer control political mechanisms of countries. The criterion for successful reform must be increased production, and agrarian reform may also involve integration of small and unproductive land holdings.

The following points were made in a lively question and answer exchange involving the audience:

Q. (to Moscoso). Is the "showcase for democracy" label really relevant to Puerto Rico?

A. The label has been mainly applied by the press. People there don't consider it a showcase, but one must grant the great strides toward modernization and social advancement which have been made.

Q. If there are so many Puerto Ricans in this country, there must be something wrong in Puerto Rico.

A. (By Moscoso): We don't have the resources to provide education and jobs for everyone. Puerto Rico has perhaps the highest net population rise in the world.

Q. Democracy in Latin America is impossible as long as some people are exploiting land ownership for their own gain.

A. (by Moscoso). The problem of land ownership has been exaggerated. Our concern should be land productivity accompanied by tax and labor laws. With good inheritance laws, land redistribution will take care of itself. Land reform has historically reduced productivity.

A. (by Dungan). I concur that actual title to land is not as important as productivity. But we should not lose sight of the psychological need of people who work land to participate in decisions as to how that land is used. With productivity as a criterion, it might perhaps be necessary to expropriate lands from the larger owners not using modern methods of farming.

Q. But you cannot accomplish any land reform or tax reform because the same people are in power everywhere. The problem is circular. Large land owners prevent reform.

A. (by Richardson). No one here has denied the problem of entrenched oligarchies. The purpose of American aid has been to get at this problem.

Q. (to Sanz de Santa Maria). You have spoken of the ignorance of the American people about Latin America. Does the Alliance have a program of education to inform Americans about what is going on in Latin America?

A. No. Education costs money, and we do not have enough for this kind of program, too.

Dr. Sanz de Santa Maria pointed out that Latin American countries are vastly different from one another. In terms of income one goes from a low of Haiti to countries of relatively high per capita income such as Argentina or Venezuela which compare favorably with Italy today.

He said that tax reform is necessary to pay for education which must be the basis of future development.

Dr. Sanz de Santa Maria noted that in proposing the Alliance for Progress, President Kennedy was really accepting ideas which had been developed over a period of years by Latin American leaders themselves. Since its inception, the Alliance has made progress toward each of its goals. The Alliance will continue regardless of the level of U.S. support. However, Dr Sanz said, it is absolutely not true that the United States is producing the transformation of Latin America. The support program of the Alliance includes few outright grants. Loans to Alliance countries are all being repaid at high interest rates and half have already been paid back.

Q. From whom should the sacrifices come from economic progress? Mr. Dungan said that greater sacrifices are necessary from the masses?

A (by Dungan). Those who possess the greatest wealth.

Q. I am disturbed because we do not know what is happening in Mexico City today.

A (by Schneider). It is true we don't know

what is going on. From 1940 on, the Mexican system has involved a careful balance among various interests. This has become a new establishment, and Mexican students have been willing to cooperate with the establishment. What made their movement so dramatic, therefore, was the comparison with their long dormancy. It is difficult to know how much the students were revolting against the system itself, and how much they merely wanted to exert some influence within the system and affect the Presidential election.

Q. Why are the Puerto Rican people who come here so ill-prepared?

A (by Moscoso). We spend more per gross national product on education than the United States. But we are victims of the population explosion. What we need is population control, and unfortunately we have been delinquent in this regard.

Q. In the aftermath of the Bay of Pigs, do you think the prospect for American military intervention has increased or decreased?

A (by Richardson). Neither.

A (by Sanz de Santa Maria). As a Latin American, I hope it will never happen again.

I include at this point in the RECORD the text of the opening remarks to the panel on Latin America by Dr. Carlos Sanz de Santa Maria:

REMARKS OF CARLOS SANZ DE SANTA MARIA, CHAIRMAN, INTER-AMERICAN COMMITTEE ON THE ALLIANCE FOR PROGRESS, AT THE NINTH ANNUAL WEST SIDE COMMUNITY CONFERENCE, MARCH 22, 1969

I appreciate very much the invitation of my distinguished friend, Congressman Ryan, to attend this Conference. It is a pleasure to join this panel with such distinguished friends as Professor Schneider, Ralph Dungan, Teodoro Moscoso, and our moderator, Dick Richardson, with whom I have also worked in the noble endeavor of the Alliance for Progress.

The subject of the Ninth Annual West Side Community Conference in New York is "World Problems and American Power". That is an awfully big subject for one, eight hour meeting. But let us try to shed some light on some of the problems of the Latin American region, especially with reference to that great enterprise of human development, the Alliance for Progress.

You all know that the Alliance for Progress is a cooperative movement of the member nations of the Organization of American States, that it is based on ideas that were developed over many years by Latin American leaders. You also know that President Kennedy had the greatness of vision to accept those ideas and to think that his country's vast economic and technical power could be used to help Latin America attack the whole panorama of problems of underdevelopment, which persist despite the comparative affluence and the high degree of technical and industrial development in parts of the modern world.

President Kennedy proposed that the Latin American countries unite in an extraordinary effort of self help, in an alliance to accelerate economic and social development, with the United States serving as their main partner in this Hemisphere, providing financial and technical cooperation.

The Alliance was launched in 1961 with twelve major objectives. I will not take the time to list them all or to tell how far the countries have come toward the achievement of those objectives. There has been progress towards all of them and rather impressive progress in mobilizing internal financial resources, in tax reform, in education, in expansion and diversification of industry, in health. There has been rapid development in agrarian reform and housing in only a few countries.

There is much criticism of the Alliance in this country and in Latin America. But I must say that I have never seen a criticism that suggested a constructive alternative to this program.

The critics of the Alliance see only the shortcomings of the process. They tell the U.S. taxpayers that their money is being used abroad for no good. The Alliance, one of these critics say, serves no important interest of U.S. citizens.

In Latin America, because of the great expectations that the Alliance generated, peoples believed that financial cooperation from such a powerful and wealthy country, as the U.S. would in ten years transform their societies—educating the masses overnight, curing all sickness, adopting new science and new techniques, building hydroelectric power plants and super highways—all in a matter of a few years.

You all know that such a miracle does not happen in any society on earth. Education and economic development calls for the undertaking of a process which is difficult, sometimes painful, and definitely longer than we wish.

But I do not want to emphasize today the past. It is better to look into the future.

I believe that the Alliance must and will continue. I believe it is important, very important, for the United States—for you here on the West Side of Manhattan.

First, the Alliance for Progress in my opinion is above all the decision of a group of soverign countries to work individually, and to work collectively towards a process of integration, to accelerate development and social progress. This effort must be carried in with or without external cooperation. It will also involve a healthy concept of nationalism by which I mean the preservation of the culture, the background, the philosophy and the state of mind of each country.

In the modern world external cooperation, financial and technical, is essential, not only for the developing countries, but for all countries on earth, because all are inter-related. None of the developed countries can guarantee that their currencies will always be strong. None of the developed countries can guarantee that its own society will always be peaceful and that there will be no strikes, social movements, or students unrest. None of the developed countries can guarantee that inflation will not harm its citizens. Those phenomena of political disturbance, so familiar to Latin America are not a monopoly of the underdeveloped countries. They are caused by a complex set of socioeconomic and geopolitical forces which, in the modern world, with the advancement of science and communications, shock all the countries, no matter how strong they may be.

For the United States the Alliance offers a way of using its economic and technical "power" to help to develop healthy economies in the rest of this Hemisphere and to create great consumers for American industries in the future. The statement of Pope Paul VI that "development is the new name for peace" applies very well in our Continent. The United States needs peace in this Hemisphere in order for its citizens to prosper. That means the Hemisphere must develop. This does not mean that the U.S. taxpayer must make gifts to Latin America. One of the worst misconceptions is that what we call "aid" is donations, handouts. In fact, Latin America is receiving—and repaying—loans, with interest.

It was originally estimated that Latin American development would require an investment over 10 years of about $100 billion of which $80 billion, or 80 percent, would have to come from Latin America itself; $10 billion from the United States Government; and $10 billion from international agencies, and public and private investors in capital-exporting nations other than the United States.

Today we find that Latin America has invested more than $100 billion in seven years and that it has supplied 90 percent of the external financing. U.S. loans and technical assistance account for about 6 percent of the region's financing. The level of private investment from the United States and the flow of private and public financing from other parts of the world has been far below expectations. That is one reason why the pace of development has been less than was hoped for. Certainly the Latin American effort to mobilize resources has been impressive. But both Latin America and the external collaborators must mobilize even greater financial resources in the future.

Now we have had some useful experience, we must look to the future with faith and honest self-criticism. You, North Americans, as well as we, Latin Americans.

We can talk here today about problems such as prices of raw materials, terms of trade, discriminatory treatment by Europe against Latin American exports and many other aspects on which this panel may be asked to comment. I am happy to contribute to this conversation. But I am trying to keep my remarks to ten minutes. The time is about up. Let me say just this: I should like to see a thorough study in the United States of the needs for development and peace in Latin America. I would like all of you in this country to study better Latin American problems and also possibilities, because I believe that Latin America has a bright future. I also believe that the international posture of your great country over the next decades will be determined mainly by its capacity to create a harmonious relationship with the emerging world of the developing countries. Latin America, which is in every respect closer to the United States and to the Western world than any other developing region, can play a key role in enhancing this posture. The United States as a great power will have to show enlightenment and restraint, especially in coping with nationalism—the same force that animated your country in the late 19th Century. The verdict in East and West relations may be decided by where the developing world will throw its weight and influence.

If you accept this idea, then we must introduce new resiliency into United States-Latin American relations and stimulate the Alliance with a new spirit and decision that may recover the pristine image of the Alliance for Progress, a phrase that awakened great expectations in all the Americas.

The afternoon panel on "Asia" was moderated by Roger Hilsman, professor of government, Columbia University, former Assistant Secretary of State, Far Eastern Affairs, and author: "To Move a Nation." Members of the panel were A. Doak Barnett, professor of government, Columbia University, author: 'Communist China," and "China After Mao"; Edwin O. Reischauer, university professor, Harvard University, former Ambassador to Japan, author: "Beyond Vietnam: The United States and Asia"; Allen Whiting, professor of political science, Center for Chinese Studies, University of Michigan, former Deputy Consul-General, Hong Kong; author: "China Crosses the Yalu."

I include the report on the discussion:

ASIA

(By Elizabeth Savels)

In his introduction of the panelists Roger Hilsman called attention to the fact that Japan is now the third most productive nation in the world, and that China is going to play an increasingly prominent part in world affairs.

Edwin O. Reischauer emphasized the importance of the partnership of Japan and

the United States. This partnership enables Japan to help keep the peace within its area of influence. Japan is a trading nation and wishes to maintain cordial realtions with every nation with which she trades. It may even be possible that Japan can break through the isolation and antagonism of China and draw that country into the international community, for Japan has, besides a common cultural background, extensive trade agreements with China. At the present moment in history even the United States-Japan defense pact has a peaceful use: it enables Japan to concentrate on production of other than military needs, and it keeps the sea lanes open for her ships.

However, in the relationship of the United States with Japan there are a few areas of danger. There is strong opposition to the U.S. military commitment in Viet Nam, and a good deal of unrest with regard to the political situation on Okinawa. Traditionally, culturally and linguistically the population of Okinawa is Japanese and, while nominally self-governed, actually the political scene is dominated by the United States by virtue of the presence of our military base on Okinawa. Another disquieting factor, particularly as it affects the youth of Japan, is the role of that nation as "a friend of the United States," a restriction they find irksome. By 1970 these danger areas must be removed if the United States and Japan are to remain partners.

Allen Whiting drew a sober portrait of the Grand Old Man of China. Mao, he said, was a visionary, an idealist. His dream for China was that of an egalitarian society, nonmaterialistic, with selfless service of the entire population devoted to China. However, this vision met with lack of enthusiasm from his co-revolutionists, and Mao was forced to permit the establishment of more practical political policies.

In 1965, when the economy of China began to revive, Mao again argued for his visionary schemes. In an attempt to force them to fruition he purged the establishment, including his named successors, and organized the youth of China to carry forward his plans. 1967–68 was the winter of China's discontent. The youth were repudiated by the military, rejected by the peasants and workers, and the establishment remained in power. There is now no one to "carry the torch" for Mao. Indeed, the central government has become soft, and the real power is returned to the local level.

Doak Barnett reviewed the history of the United States' posture in relation to China since 1949, and asked, "How can China be included in the international family of nations?"

If, after the Communists came to power in China, there had been a period of peace the United States probably would have accepted this government and established diplomatic relations with it as was done in the case of the U.S.S.R. However, the Korean War destroyed any chance of this, and the consequences of the war produced a rigid attitude toward China on the part of the United States which is reflected in the China policy of non-recognition, opposition to any contact, and opposition to China's admission into the United Nations. Since 1959 the United States, for various reasons, has begun to reassess its position on China and to redefine its posture, as is illustrated by the "Open Door" speech of Roger Hilsman and by the statement of President Lyndon Johnson that our ultimate goal is reconciliation. To date, however, this redefinition has not been translated into concrete policy.

The present task of the United States, Professor Barnett stated, is to activate our changed attitude toward China. Positive steps must be taken toward reconciliation and they must be taken with the foreknowledge that the first efforts in that direction will meet with rejection. China, he predicted, will eventually accept our overtures, even if it is only to the extent of becoming "limited adversaries." Recommended steps which would help remove China from its present isolated position included encouraging trade in non-strategic goods, seating China in the UN (without forfeiting the seat of Nationalist China), and taking every possible initiative for reconciliation except the discontinuance of the defense pact with Taiwan. Professor Barnett felt that the question of Taiwan should be left open except for absolute opposition to any question of a "military solution." Then, too, China should become involved in the nuclear limitation commitment for the level of fear must be reduced on both sides.

The major problem faced by the United States with regard to China is not military confrontation, Professor Barnett warned, but China's subsidizing of revolutionary movements.

Professor Hilsman quickly tallied the areas of concern in Asia which were not included in discussion of Japan and China. These included the problem of hunger in Asia, the problem of overpopulation, the economic development gap, the ancient religious and tribal rivalries, village cultures vs. membership in larger population units, anticolonialism, and the problem of multiple languages in one country. There is an identity crisis in many Asian nations. "What does it mean," he asked, "to be a Viet Namese, a Cambodian?" The concept of national identity, of national pride, is in many cases too new, and often, due to the multiplicity of languages, business and affairs of state must be conducted in a foreign tongue, such as English or French, a further confusion of identity. United States policy in such nations should reflect some understanding of these problems.

Concerning the war in Viet Nam, Professor Hilsman expressed the belief that it was not only a mistake but a failure. The Paris peace talks, he said, were being conducted under the fallacious impression that a show of maximum military pressure can accelerate them.

Following are some questions and answers by panel members.

Q (to Professor Hilsman). What do you think will happen at the Paris talks?

A. I see nothing encouraging. Mr. Nixon seems to be ignoring them.

Q (to Ambassador Reischauer). Why can't the U.S. withdraw from Asia altogether?

A. It would be most unwise for the United States to withdraw from its commitments in Asia, except, of course, militarily, and even the military commitment in Korea should not be withdrawn.

Q (to Professor Barnett). Should not the U.S. remain quiet in the United Nations on the question of seating of China?

A. No. The United States should press for dual membership of mainland China and Nationalist China.

Q (to Professor Hilsman). Why don't the speakers, when they are in government, speak out on these problems as they do when they are out of government?

A. They do, but usually it is in committee and not publicized.

Q (to Professor Hilsman). Would it help if everyone concerned about a problem would write to his Congressman?

A. It certainly would. It would also help if they would work for their Congressman.

Q (to the Panel). Would the panel comment on the breakdown in India of the Congress Party.

A (by Professor Hilsman). While the anti-colonialist-nationalist leadership in India is trying to weld the country together, regional nationalism weakens its efforts. (India has 12 languages.)

Q (to Ambassador Reischauer). How can we cure the uneasiness of the Japanese regarding their status in the U.S.-Japanese partnership.

A. By 1970 Japan should have become the senior partner in this partnership, making the decisions both economically and militarily.

A correction from the floor for Ambassador Reischauer: Okinawans are not Japanese and the United States does not govern the country, as it has its own elected government.

Reply (by Ambassador Reischauer). After several hundred years of Japanese occupation, the people of Okinawa consider themselves Japanese; and as a matter of practical politics, the island is governed by the United States because of the importance of the U.S. military base in Okinawa.

The afternoon panel on "Europe" was moderated by Robert Kleiman, editorial board, New York Times, former European correspondent, author: "Atlantic Crisis: American Diplomacy Confronts a Resurgent Europe." Panel members were Alexander Dalin, director, Russian Institute, Columbia University; Ralph J. McGuire, director, Office of NATO and Atlantic Political-Military Affairs, Department of State; former deputy chief of mission in Congo; former counselor political and military affairs, and political adviser to U.S. and European Military Command; Philip E. Mosely, professor of international relations; director, European Institute, Columbia University; Ronald Steel, author: "End of the Alliance: America and the Future of Europe;" and "Pax Americana."

I include a report on the panel:

EUROPE

(By Mary Adamson)

Europe is a vital, not a secondary, interest of the United States, Robert Kleiman, moderator, said in brief introductory, remarks at the "Europe" panel discussion.

He suggested the panel should touch on significant points, including historic developments and recent events. These points include the actions of General De Gaulle and the rapid economic growth of European countries as this growth affects the United States. He gave as an instance the fact that Germany now has gold reserves equal to those of the United States.

Mr. Kleiman cited the significant aspects of post-war development: the Marshall Plan, the North Atlantic Treaty Organization, the Common Market with its intense rivalry between Britain and France, the growing power of Germany, Russia's role in Europe as shown by the recent action in Czechoslovakia. He said that President Nixon's trip to Europe so early in his term of office meant the turning back to Europe from the Johnson emphasis on the Far East.

Speaking first, Ronald Steel said that Europe is crisis-prone because the crucial issues have not been settled. He asked, Is NATO dead? The answer, he said, is no, but it no longer gets decisive support from the U.S. It is in fact "an empty room," as Walter Lippmann recently called it. Creation of a German army was the key. Should NATO survive in the '70's? Its existence prevents settling the crucial matter of the unity of East and West Germany, which is at the heart of a settlement between East and West Europe, between the Soviet Union and the United States. A nuclear-free zone in Central Europe might eliminate or help ease the problems of there being two blocks of power in Europe.

Professor Dalin said that the first problem for Europe is the settling of Soviet American relations economically and politically so that the wall dividing Europe and the U.S. may be scaled. However, there is a withering of Soviet optimism regarding Europe, and there is now no cohesive plan in the

Communist world. It is important in Europe what the U.S. does *not* do in Vietnam, because there is division in the West on policy in Vietnam, with a realistic Soviet attitude.

Mr. McGuire held that the health of NATO is a vital concern to the U.S. and to Europe because it is the link between the two. Europe alone could not withstand Soviet power. NATO is doing well, as shown in the Carmel report on the future tasks of the alliance, and has led to more meaningful consultations. It has maintained defenses and political stability in Europe. Even when France pulled out, 14 nations got together and reorganized NATO without losing pace. Czechoslovakia recent events have demonstrated the necessity for hanging together in Europe. The alliance is of course different from what it was 10 years ago, but it still has remarkable life. The Nixon Administration has a commitment to consult with NATO, and the organization will be revitalized.

Professor Mosely prefaced his talk with comments on points made by previous speakers. Does the Budapest conference indicate there are secret bilateral treaties for European security? Soviet action in Czechoslovakia was not on behalf of the Warsaw Pact. It should be noted that Finland in recent elections has chosen leadership friendly to the Soviet Union. What kind of Europe will emerge in 10 years? The answer lies in what the European countries themselves want. They, not the U.S., will decide, even if NATO continues. A detente is essential. We should try to improve trade with Central Europe, and East Europe including the Soviet Union. Strategic goods are not the issue. We need more cordial relations, with arms control in effect because Germany could in two years develop nuclear power and that would greatly disturb European relations. The main point is that the U.S. needs a strong Europe to be used in a constructive way for peace between the U.S. and the Soviet Union.

Panelists discussed briefly the preceding presentations, saying variously that the unification of Germany and of Europe are incompatible; NATO is not crucial in West Europe today nor in the relationship of the U.S. and the U.S.S.R.; Europe is skeptical of the U.S. Could Germany be integrated into West Europe? Unfortunately, the unification of Germany remains as a major problem for the Germans themselves. Could there be a confederation in Europe including the Soviet Union? Professor Dallin questioned whether European unity could come without an outside threat. Is East Europe a Soviet empire? Mr. Kleiman thought the unity question must turn on what exists now. Economic unity may come for six countries in the Common Market in the '70's. NATO will have to be reorganized for joint decisions.

A dozen members of the audience addressed questions to the panel and received comments on different points: concerning NATO and the United Nations, German reunification, the possible reconciliation of France and Germany, a deterrent strategy in NATO, the passing of the age of superpowers, possible world organization on a geographical, regional or functional basis, the reactions of European citizens to NATO, Arab military strength, possible U.S. supplying of arms to the Greek government for internal action.

Mr. Kleiman adjourned the meeting with the comment that the lively presentations and discussion demonstrate that the U.S. interests are turning back to Europe.

The afternoon panel on the "Middle East" was moderated by Mike Wallace, CBS news correspondent. Members of the panel were Alfred L. Atherton, Jr., country director, Israel and Arab-Israel Affairs, Department of State; Nasrollah Fatemi, dean, Graduate School, Fairleigh Dickinson University; Allen Pollack, chairman, executive committee, American Professors for Peace in the Middle East; Uri Ra'anan, professor, Fletcher School of Law and Diplomacy, Tufts University.

I include a report on the panel:

MIDDLE EAST

(By Virginia Horton)

Nasrollah Fatemi opened the formal panel discussion by pointing out that countries in the Middle East are old in culture and traditions but young in political existence.

He noted the countries have great natural resources whose revenues could benefit the people. He said that the big powers should stop exploiting the people and let them decide the solution to their problems. Most of the countries of the Middle East are united. They should work together to strengthen each other. The Arab-Israeli conflict is not in any way a religious conflict. The Golden Age of Islam was the time when the Jews, Christians, et. al. created one of the finest civilizations.

Dean Fatemi said the big powers and everyone interested in peace in the Middle East must make one point very clear: the existence of Israel is not negotiable. Israel is a state like any other state. In order to have peace in the area, the minimum requirement is that the Arabs accept recognition of Israel, end hostilities, accept the border before June, 1967, and free passage through the Gulf and the Suez Canal. Israel must accept withdrawal from occupied areas and find some solution of refugee problems. Israel must accept self-determination.

Mr. Atherton said there are three conflicts in the Middle East:

The Arab-Israel conflict is the most dramatic, but there is also one in the Arab world itself, and one between the East and West.

U.S. interests in the Middle East are primarily strategic but also economic and financial. The Soviet Union also has interests. Neither the Soviet Union nor the U.S. can control this area or any single state of the area. The Arab-Israel conflict is the greatest area of instability. Its continuation is a threat to the U.S. position there, and could embroil us with the Soviet Union.

The resolution of the United Nations represents the consensus of the Security Council and the consent of the parties that accept it. Implicit in the resolution is the feeling that settlement this time must be a package, a general settlement that deals with all elements. No aspects should be left to fester in the future. The settlement must be agreed to by all parties concerned—no imposed solution. The settlement must come to grips with and end territorial dispute, the conflicting claims to the strategic bit of geography known as Palestine. There must be permanent boundaries, not armistice lines—boundaries that are secure and recognized by both sides. The sovereignty and territorial integrity of the states must be assured. Free navigation must be provided. It must provide guarantees for territorial inviolability when borders are agreed upon. It must solve the human problem of this conflict.

To secure this the U.S. must help get things started. The status quo is dangerous, and permanent members of the Security Council have a special responsibility.

Professor Ra'anan said the Soviet Union depends upon a policy of bluff to deter the West. They put up a bold front, always hoping they won't be tested.

The overthrow of revolutionary regimes, their minimal help to Vietnam, confront the Kremlin with a credibility gap of vast proportions. The Soviet Union is anxious about the impact on its bloc. Her ability to apply her power is not taken seriously. The six-day war experience was bad for the Soviet Union because of the linking of this debacle with that of Prague. As long as the U.S. Sixth Fleet is on hand, Soviet naval strength is dubious, at best. The Soviet Union doesn't want responsibility for the Arabs, and would like closer ties between Nasser and the U.S., so U.S. can pull their chestnuts out of the fire.

Mr. Ra'anan said we can discuss the Middle East seriously with the Soviet Union. There can be a tacit agreement between the two powers that if any conflict should last more than two or three days, a cease-fire would be insisted upon immediately, before either Israeli or Arab strategic centers are reached. A U.S.-Soviet Union understanding would lead local people to work out their conflict. An arms limitation agreement is Utopian.

Dr. Pollack said the mythology of the Middle East: He said the mythologies and ideas that the Soviet Union has had great victories, and that, unless a way is found immediately, war is going to break out in the Middle East which will lead to confrontation of the great powers. However, the only way war can break out is if the Arab states feel they can destroy Israel, which is not physically possible, or if Israel feels Arabs are preparing to destroy her, which she doesn't. The commando myth is that a war will be fought to save face. Actually, Dr. Pollack said, they want peace.

Dr. Pollack said there is a myth of the United Nations peace making mission. The U.N. role is nice if the parties are ready to come to an agreement, but the U.N. can't build up an alternative to coming together. There is a myth that peace is possible *now*. But hatred will not end soon, and it is idiocy to talk about what force will change it. Only Israel and the Arabs can achieve peace, in their good time.

MARS AND NATIONAL PRIORITIES

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, this evening the astronauts of the Apollo 11 mission, Neil Armstrong, Edwin Aldrin, and Michael Collins, will be honored at a state dinner in Los Angeles hosted by President Nixon. The dinner will follow a day in which the astronauts will be greeted by hundreds of thousands of Americans in New York, Chicago, and Los Angeles.

It is fitting that astronauts Armstrong, Aldrin, and Collins should receive the tributes and acclamations which have already poured forth from a grateful American public; for their performance during the 6 day Apollo 11 mission was enormously impressive and a source of great pride to the entire Nation. I join with the millions of other Americans who take justifiable pride in the accomplishments of the Apollo program in congratulating these three courageous Americans, and the thousands of others who contributed to the success of the Apollo 11 mission, on their splendid achievement.

Now that the Apollo program has achieved its objective of sending a man to the moon and returning him to earth, however, I believe Congress should begin a thorough examination and review of our future objectives with respect to space exploration. For unless such an evaluation is initiated soon, I am afraid that Congress may be dragged by degrees, and without reaching a conscious decision to do so, into financing what is

very clearly the next objective of the National Aeronautics and Space Administration: a manned mission to Mars by the early 1980's.

In the past few weeks, the goal of sending a manned mission to Mars has been endorsed by several public officials. On July 17, the day on which the Apollo 11 was launched from Cape Kennedy, Vice President AGNEW revealed that he was urging that the Nation mount a program to send men to Mars by the end of this century. The Vice President's endorsement of such an effort came at a time when the results of neither the Apollo 11 project nor the two Mariner rockets then approaching Mars were available. To say his endorsement was scientifically, if not technologically, premature, then, understates the extent to which he was carried away by enthusiasm.

The Vice President's call for a manned mission to Mars by the end of the century was modest, however, compared to the call of Dr. Thomas O. Paine, Administrator of NASA, who in an August 6 speech to the National Press Club, urged that the United States set the early 1980's as the target date by which to send men to Mars. Dr. Paine, not content with simply advocating such a mission, went on to describe the kind of space craft—which he said would be nuclear powered—which would carry men to Mars and the sort of rocket propulsion system which it will be necessary to develop in order to achieve the objective of a manned trip to Mars.

It just so happens that a nuclear rocket system on which the Mars propulsion stages would be based is already under development. That system is, as I have pointed out repeatedly to the House, the NERVA nuclear rocket engine. Dr. Paine's reference to the NERVA system as the basis of a manned mission to Mars is, insofar as I am aware, the first time NASA has publicly admitted that the NERVA program forms the foundation of NASA's goal of sending men to Mars. Indeed, Dr. Paine's explanation of the relationship between the NERVA program and a manned Mars mission is the first time Congress has been apprised officially by NASA of the exact mission of the NERVA project. As recently as June 24 of this year, the Joint Committee on Atomic Energy, in commenting upon an appropriations measure for the Atomic Energy Commission, noted on page 15 of its report on H.R. 12167 that the committee continued "to be concerned that no mission has yet been planned for the nuclear rocket." While the committee's report went on to suggest several possible missions for the NERVA program, including manned and unmanned lunar missions, unmanned deep space missions, and manned or unmanned earth orbital missions, the fact remains that Congress has to this date approved no mission for the nuclear rocket engine currently being developed.

While Congress may not have a mission for the NERVA program, NASA very clearly does—a fact which I have pointed out to the Congress for several years. The mission is, as Dr. Paine indicated in his August 6 speech, to send men to Mars by early 1980's. Thus, even though Congress has yet to debate, let alone approve, the initiation of a program which would point toward landing a man on Mars, NASA, and the Atomic Energy Commission are already at work on a program which is admittedly the first stage in a manned mission to Mars.

The danger of allowing development of the NERVA project to proceed even though Congress has not yet assigned it a mission is, as I pointed out again on June 24, that further investments in the program will increase the pressure to approve whatever purpose NASA ultimately determines for the program. For as investments in the program mount, NASA will argue that, if the investments which have already been made are not to be wasted, we must proceed with whatever mission NASA proposes—even though the ultimate cost of that mission, the landing of men on Mars, may be upwards of $200 billion.

Before the escalating investment in the NERVA program propels Congress into approving a manned mission to Mars, then, it is essential that future space objectives be evaluated and balanced with other national needs; in short, that the space program be harmonized with national priorities. Several considerations are central to the kind of evaluation I am urging on Congress.

First, Congress must be thoroughly acquainted with the benefits and costs of manned versus unmanned space exploration. To stress a manned space flight capability over unmanned missions could, in the end, undermine the space program itself. It is indisputable that manned missions are enormously more expensive than unmanned missions. These costs in themselves may cause the program to lose public support. In addition, the huge cost of developing a manned space flight capability will limit the number of possible missions; its extensive safety and life-support systems will limit the potential of each mission for innovative exploration, and the need to orient onboard experiments to the survival and performance of man will limit the acquisition of data about space itself. Perhaps most important, the cost of unmanned space exploration is, in my judgment, likely to fall within far more reasonable limits than manned space flights.

The desirability of emphasizing a manned space flight capability, then, must be weighed against the benefits of unmanned space exploration such as that being carried out under the Mariner program, and the relative cost of manned and unmanned programs.

A second consideration, and one to which Congress is not only suited but, in my view, required to make a decision, is the relative importance of whatever space program we wish to develop as opposed to the unfullfilled human needs on Earth.

The phrase "urban crisis" has been invoked so many times in the past few years that its relation to the truly pressing problems which the term encompasses is, I fear, being lost. The crisis which besets our urban areas is not an abstraction. As anyone who has walked through the streets of New York City or any other large American city knows, the crisis is visible and manifest. It is represented by crumbling and delapidated slum housing, decaying or nonexistant urban transportation systems, polluted air and water supplies, and increasing public fear of crime and violence.

We can debate the urgency of landing men on Mars. We cannot debate the urgency of developing and adequately funding programs which will alleviate escalating urban miseries which cannot be solved without a commitment on the part of the Federal Government to help solve them and to provide the money that is needed by the cities to generate those solutions.

It is a plain fact, and many Congressmen are fond of pointing out this fact, that the financial resources of the Federal Government are not unlimited. That being the case, Congress simply must establish national priorities which reflect the urgency of the multiple areas of national need and assign money to those areas accordingly. In short, Congress must exercise its responsibility to determine which areas of national need have priority and apportion the Federal budget around those priorities.

The goal articulated by President John F. Kennedy of reaching the moon by the end of this decade has been realized. An enormous technological feat has been accomplished; and the Nation has expressed today, in honoring astronauts Armstrong, Aldrin, and Collins, its pride in that achievement. But the achievement of the Apollo program cannot be allowed to become the rationale for automatically approving the next goals of NASA.

As Colonel Edwin Aldrin said in the course of the astronauts press conference yesterday:

> What this means is that many other problems perhaps can be solved in the same way, by taking a commitment to solve them in a long time fashion. I think we were timely in accepting this mission of going to the moon. It might be timely at this time to think in many other areas of other missions that could be accomplished.

If this Nation has the capacity to achieve the goal of landing a man on the moon in less than a decade, it has the capacity to achieve other goals in a similar period. It is not a question of capacity but a question of will and, as Colonel Aldrin said, commitment.

The goal of providing a decent home in a suitable environment for every American was first embodied in the 1949 Housing Act. The Federal Government has made other commitments to alleviating the problems which beset society on earth. It is time that those commitments receive first priority.

Mr. Speaker, at this point in the RECORD I wish to insert several articles relating to the space program and national priorities: an editorial from the July 18 New York Times entitled "After Apollo—Mars?"; a column from the July 28 New York Times by John A. Hamilton entitled "Meanwhile, Back on Earth"; an article from the August 7 New York Times which reveals the American pub-

lic to be opposed to a manned mission to Mars; a second article by Harold M. Schmeck, Jr. from the August 7 New York Times on Dr. Thomas O. Paine's August 6 speech to the National Press Club; and an article from the July 26 Ave Maria by Gary G. Gerlach entitled "American Priorities: Lost in Space?"

The material follows:

[From the New York Times, July 18, 1969]

AFTER APOLLO—MARS?

Vice President Agnew chose the day Apollo 11 blasted off for the moon to reveal that he is urging this country to mount an effort to send men to Mars before the end of the century. Politically, this was good timing since it obviously took advantage of the nation's present concentration on space exploration.

Scientifically and technically, however, it was premature. The Vice President's trial balloon was released even before the lunar landing has been achieved and before the two Mariner rockets now nearing Mars have sent back their pictures and other data. If these three projects are all fully successful, they will provide far better data for rational consideration of a manned expedition to Mars than are now available.

Compared to some of the ideas put forward by enthusiasts in the National Aeronautics and Space Administration, Mr. Agnew's proposal is relatively modest. He would be content to take up to thirty years for the task, while the more feverish advocates of a Martian voyage want to put men on that planet by the mid-1980's.

But it must not be taken for granted that a manned trip to Mars can be accomplished even on Mr. Agnew's more relaxed schedule. At its closest approach, Mars is still tens of millions of miles from earth, not a mere quarter million miles away like the moon. Astronauts taking off for Mars would have to carry supplies for a round trip lasting at least a year and perhaps longer—unless much greater rocket speeds than now available are attained—instead of a mere eight-day journey such as is envisaged in the timetable for Apollo 11. Far more powerful rockets and much improved guidance and life support systems would be required, and they will be both difficult and very expensive to develop.

The staggering costs of mounting an expedition to Mars would therefore dwarf even the $24 billion spent on Apollo. Yet there is no pressing scientific reason to hurry with such a manned effort. It is already certain that a great deal of valuable information about earth's planetary neighbors can be acquired by unmanned rockets. A rich harvest of scientific knowledge is promised from the launching of the Martian equivalents of the Rangers, Lunar Orbiters, and Surveyors that performed invaluable service in scouting the moon. More important, any forced-draft Martian analogue of the Apollo Project would divert hundreds of billions of dollars that are more urgently required to meet the needs of men and women on earth, needs ranging from the fight against poverty to cleaning up this polluted earth and providing really adequate education, medical care and nutrition for all human beings.

Yet once men have attained and consolidated their first footholds on the moon, the call to move ahead to Mars will be strong, and rightly so. Of all members of the solar system besides this earth, Mars has the greatest probability of having life and of providing relatively hospitable—though far from ideal—conditions for permanent human habitation. Moreover the task of reaching Mars will be significantly eased once the moon is available as a launching pad for this next step up the cosmic ladder.

It would be a tragedy, however, if the inevitable manned trip to Mars were to be accomplished under the same conditions of enormously wasteful national rivalry that marred the ascent to the moon. Here is a project that makes sense only if it is conducted on a truly international basis—with contributions of money, men and technology from all interested nations and with central direction provided by an agency of the United Nations.

In a highly appropriate gesture to the sacrifices and aspirations of men irrespective of nationality in their questing probes into space, Apollo 11 is at this moment taking to the moon mementos of five dead astronauts, three American and two Soviet citizens. How much more appropriate it will be if at some future date the first manned spaceship takes off for Mars carrying living Americans, Russians and citizens of other nations as representatives of all mankind in this greatest of human adventures.

[From the New York Times, July 28, 1969]

MEANWHILE, BACK ON EARTH

(By John A. Hamilton)

As the moon sent signals to the earth last week, the earth sent signals to the moon.

The Eagle blasted off from the Sea of Tranquility and flames shot skyward from Columbus, Ohio, and York, Pa. Already this year fire bombings, lootings and sniper activity have required the summoning of the National Guard in more than 40 urban disorders. The total thus far is smaller than last year's. No disorder has been as massive as some of those in 1967. The recent ones have broken out, however, in such disparate cities as Chicago, Ill., Omaha, Neb., and Charleston, S.C., and they signal deeply pervasive domestic problems.

After President Nixon dreamed aloud about visiting new worlds where there will be a form of life and Vice President Agnew urged sending men to Mars by the end of the century, Secretary of Housing and Urban Development Romney recalled some older commitments and cited some mundane figures designed to bring a moonstruck nation back to earth.

He recalled that 20 years ago Congress set as a goal the provision of a decent home and a suitable environment for every American. Last year's omnibus housing act launched a construction program to provide 26 million new or rehabilitated homes within the decade, six million of them to replace presently occupied but substandard structures largely clustered in urban slums.

Noting that housing deterioration still outruns housing construction, Mr. Romney blamed the parsimonious funding of last year's act—at $165 million—and recommended that this figure be increased four or five fold to $700 million or $800 million beginning with the next fiscal year.

NEW YORK BAROMETER

Many of the urban problems that exist nationally are proving especially acute in New York City, which may foretell worsening conditions elsewhere. The housing shortage here, growing increasingly severe, has required extension of rent controls. Structures are said to deteriorate at the rate of about 2,000 annually and more residents live in substandard units—the city has 800,000 such units—than live altogether in most cities.

Across the nation urban areas show other unmistakable signs of neglect and strain. Inner-city education offerings remain almost uniformly inferior to those of the suburbs. Health services, always pathetically inadequate, are being cut back further. Job training and skill upgrading programs lag badly, as the Nixon Administration lops the Job Corps in half and trims the Neighborhood Youth Corps by a third. The Federal Government has postponed an effective attack on hunger. Although the cost of living soars, mothers and children on welfare are forced to accept reduced benefits while fundamental reform of the relief system does not command real attention.

Municipal budgets fall awkwardly short of their goals. Simultaneously with the nation's giant leap forward in space, the Citizens Budget Commission released a report depicting serious back-sliding in the provision of essential services in this metropolis. It found New York City's budget both frightfully bloated—triple its size a decade ago—and at the same time far too small to meet mounting responsibilities. Those in the middle class flee as the disadvantaged arrive, requiring the city to provide additional services from an eroding tax base.

PATTERN OF DISORDERS

While some of the urban disorders this year tend to follow established patterns, the Lemberg Center for the Study of Violence at Brandeis University detects a "politicalization of violence." It describes the course of events as: issuance of demands, staging of demonstrations and then disorders. It points to campus troubles as generally following this new pattern. The 113-day strike by Negro hospital workers in Charleston would also seem to fit it.

These disorders, cutbacks in important domestic programs, polarization of sentiment in urban areas as reflected in recent election returns and in the decisions by some of the nation's outstanding mayors not even to seek re-election emphasize the need for Federal action on housing and on the host of other programs basic to a healthy urban society. They are, together, a reminder that old commitments need meeting and the more recent recommendations of the Kerner Commission following the devastating 1967 riots still await implementation. The commission urged a "commitment of national action—compassionate, massive and sustained"—that would include urban programs at "unprecedented levels of funding."

The space program must go forward, of course. This was the message from the moon. But domestic needs must also be met. This message from earth, sketched in flame and agony, cannot be ignored. The grave risk in the afterglow of last week's space spectacular is that the nation may succumb to a form of luancy and neglect pressing urban problems. It may unwisely try to tuck the Kerner recommendations, as unceremoniously as green cheese myths, into its discarded past.

[From the New York Times, Aug. 7, 1969]

POLL FINDS PUBLIC COOL TO MARS TRIP—OPINIONS SPLIT BY AGE, WITH YOUNG ADULTS IN FAVOR

PRINCETON, N.J.—The public is generally lukewarm toward the idea of setting aside money for an eventual manned landing on Mars, according to the Gallup Poll. Opinions on this issue, however, were found to depend largely on a person's age, with a majority of young adults in favor of the idea and a majority of those over 30 opposed.

Taking adults of all ages together, 39 per cent favored a space push to Mars, 53 per cent expressed opposition and 8 per cent had no opinion on the question.

Persons with college training are far more likely to favor a Mars landing program than are those with only a high school or grade school background, the poll indicated.

Negroes questioned in the survey were opposed to such a project by the ratio of 3-to-1.

The core of the public's opposition to setting aside money for a Mars project appears to stem from the belief that money earmarked for a Mars landing would be better spent on domestic problems.

A 59-year old college instructor from Lansing, Mich., said: "With all the poverty, crime, urban decay that we have on this planet, I see no reason why we should use all of our resources to get to a planet where life probably does not exist."

Those in favor reasoned that the scientific exploration of space must be continued to "advance the knowledge of mankind" and to "stay ahead of Russia."

A 23-year old Bronx printer was excited about the prospect of a Mars landing: "The moon shot was tremendous, almost unbelievable. We can't stop now. There are so many areas of the universe we should explore. Man can learn a great deal from these adventures."

A total of 1,517 adults in more than 300 areas selected at random across the nation were asked this question between July 26 and July 28:

There has been much discussion about attempting to land a man on the planet Mars. How would you feel about such an attempt—would you favor or oppose the United States setting aside money for such a project?

Following are the national results and the findings by age and education:

[In percent]

National:	
Favor	39
Oppose	53
No opinion	8
21 to 29 years:	
Favor	54
Oppose	41
No opinion	5
30 to 49 years:	
Favor	40
Oppose	53
No opinion	7
50 and over:	
Favor	28
Oppose	60
No opinion	12
College:	
Favor	52
Oppose	45
No opinion	3
High school:	
Favor	39
Oppose	52
No opinion	9
Grade school:	
Favor	25
Oppose	63
No opinion	12

The public was also lukewarm about proposals in the early 1960's to begin an extensive program designed to land a man on the moon.

In May, 1961, President Kennedy called on Congress to increase expenditures for the space program with the ultimate goal of landing a man on the moon before Russia did.

On the eve of that appeal, the Gallup Poll found only one person in three willing to see the United States spend the billions necessary to get a man on the moon.

[From the New York Times, Aug. 7, 1969]

MARS FLIGHT PLAN: NUCLEAR SPACESHIP WITH A "LIFEBOAT"

(By Harold M. Schmeck, Jr.)

WASHINGTON, Aug. 6.—The first Americans to go to Mars will probably fly there on a nuclear-powered spaceship accompanied by an identical second ship to act as a "lifeboat."

This plan was described today by Dr. Thomas O. Paine, administrator of the National Aeronautics and Space Administration.

In a speech at the National Press Club, he said that the recent landing on the moon was not a celestial Mount Everest expedition lacking further significance, but the opening of a great era of space exploration.

He said that a reasonable space budget would permit a manned expedition to Mars in the nineteen-eighties. In answer to a question after his speech, he gave a detailed description of the Mars flight.

Each Mars-bound vehicle would be assembled in earth orbit. Its rocket portion would probably consist of three nuclear-powered stages mounted side by side, Dr. Paine said. The outer two would be fired to send the center stage and the manned spacecraft on their way to Mars.

The two outer stages, having separated, would then fire rocket blasts in the reverse direction so that they would return to earth for re-use.

The manned vehicle with a crew of about six would take many months to get to Mars and would be accompanied all the way by the duplicate spaceship. The crew could transfer to the other ship if difficulties arose with the first.

Dr. Paine said that this plan was prompted by the difficulty of trying to mount a relief expedition across the 50-million-mile interplanetary distance.

Once in orbit around Mars, the spaceship would detach the landing craft to send three men to the surface for a possible month of exploration before returning to their orbiting main ship.

After a total of 90 days in the vicinity of Mars, the expedition would then return home on a long looping path that would take it to the vicinity of Venus. The whole expedition would take about two years.

Dr. Paine said that the nuclear rocket system on which the Mars propulsion stages would be based was already under development. This rocket engine system, called Nerva, should be ready for flight testing by 1977 if the program is continued, the space agency administrator said.

He said that nuclear rockets, far more efficient than present chemical rockets, would allow the redesigning of all American spacecraft to allow bolder missions and with smaller vehicles than would otherwise be possible.

An integral factor in this redesign will be a second nuclear power system, designed to provide electrical power for the spaceships. At present, they rely mainly on solar and fuel cells.

Dr. Paine, who had suggested that the United States should consider a manned expedition to Mars in the nineteen-eighties, said that this country and the Russians should be capable of doing it by then.

Questioned about the Soviet program, he said that he expected the Russians to establishe a large manned space station, land on the moon and set up a scientific station there, all in the "not too distant future."

COOPERATION URGED

With a major, high-priority program, they might go to Marsh in the nineteen seventy's, he said.

Dr. Paine said that international cooperation in space exploration was highly desirable and that the scientific value of the Apollo 11 mission to the moon could have been enhanced if the Russians had been less secretive about their Luna 15 flight.

Luna 15 went to the moon about the same time as the Apollo 11 flight. The Soviet unmanned spacecraft touched down on the moon in what appears to have been a high-speed crash landing.

If the Russians had told the United States when Luna 15 was to land and changed its orbit somewhat, Dr. Paine indicated, they might have aided an important experiment involving the seismometer the Apollo 11 crew placed on the lunar surface.

This experiment might have made possible an important analysis of the moon's interior structure, he said.

[From Ave Maria, July 26, 1969]

AMERICAN PRIORITIES: "LOST IN SPACE?"

(By Gary G. Gerlach)

Who on earth (literally) would dare criticize the cost of a program that brought us a dramatic Christmas Eve prayer for peace direct from an astronaut orbiting the moon in a space capsule?

Such displays of the combination of what we like to think of as traditional American values and modern American know-how by the United States space program have rendered it nearly immune to criticism, or even to close scrutiny in terms of its place in the country's priorities, as far as many persons are concerned.

Suggest that the money spent on space travel might more profitably be used to start eliminating hunger or pollution or slums or any of the other urgent problems here at home and you'll get that old line about what if Spain had decided to take care of domestic problems instead of financing Columbus.

To many, the very idea and the space program should be required to more clearly define its goals, the best ways of reaching them, and the practical benefits the country can expect to receive for the money it is spending is regarded as somehow not quite American—rather as if one said that mothers do nice work, but an efficiency expert should be called in to make sure they're really worth the cost.

Yet in the past two years, particularly since the disastrous spacecraft fire that killed three astronauts in January of 1967 and the revelation of space program problems that followed, more and more Congressmen and scientists have spoken up with doubts about the program.

During the fiscal year just ended, as part of the government's overall spending reduction, the National Aeronautics and Space Administration (NASA) has been limited to a budget of less than $4 billion, its lowest in six years.

The real problem, however, according to such space program critics as Rep. William F. Ryan, D-N.Y., is that the relationship between the space program and "human needs on earth" has not been explored with an eye to setting priorities.

"Perhaps the central issue is the question of what we seek in space," Rep. Ryan has said. "Is it knowledge and practical benefits, or is it glory? If it is knowledge through data which may be useful to scientists, or benefits which may accrue through application of space technology on earth, then we must ask if we have chosen the means which will lead most surely to those results. If it is glory, we must ask if that glory is worth the price in potential loss of scientific data, in low priority placed on useful earth applications, and in terms of dollars and cents.

"The primary role of Congerss in connection with the space program should be to participate in the definition of national goals. It is not sufficient to make some cuts in NASA's budget one year when the budget-cutting fever is rampant and restore them in another year if funds are more readily available or if attitudes are more favorable.

"Not only is that inefficient and wasteful, but in so doing we overlook our primary responsibility, the responsibility for leadership in this program," said Ryan.

"Congress should determine which goals are worthy of the investment of public funds and which potential benefits are of the greatest value to the nation."

A major impetus to the space program, and one that until recent years has been tacitly accepted as justification for spending nearly any amount, is the desire to "beat the Russians" in space. Just as critics of military spending now are asking pointed questions about the need to invest $8 billion or more in the so-called "Safeguard" antiballistic missile (ABM), space program critics have begun wondering whether the Russian bogeyman is truly scary enough to justify the tremendous efforts * * *.

In announcing his resignation as head of NASA last fall, James E. Webb complained that cuts in his agency's budget for the current fiscal year meant that "we are going to

be in a second position for some time to come." He warned that the Soviet Union was building a booster bigger than the American Saturn 5, and said that the Russians "are still increasing" their programs, while the Americans are cutting back.

The reply by many space program observers to this charge is, essentially "If so, so what?" In an editorial after the successful Apollo 8 mission last December, the *Wall Street Journal* called for a reexamination of the United States space program, particularly with regard to its goals after the $24 billion moon project is finished.

"The target date of 1969 for the lunar landing was wholly arbitrary, dictated by no scientific need but at most by a faintly childish wish to beat the Russians to the moon and at the same time to give the American citizenry something grandoise to think about," said the *Journal*.

A supporter of the space program, Harold C. Urey, Nobel Prize-winning chemist known for his research on the atomic bomb, puts this aspect rather nicely in a newspaper article a few months ago.

"The space program is often discussed as a primary scientific program," he said. "This is not true. Its primary purpose is political, but it is also primarily an adventure. Are we not all excited when these men circle the moon? And will we not watch while men land on the moon? Why not build the modern equivalent of the Parthenon?"

Dr. Urey does take note of the problems of the cities and the poor but he says it would cost considerably more to solve them than is spent on the space program and, besides, the country should be prepared to take care of its poor and also go into space.

Perhaps it should be prepared to do both, but recent steps to close Job Corps centers and cut various other phases of the poverty program indicate that the country's resources are not limitless.

Particularly if the Vietnam war continues, the choices are likely to come down to feeding the hungry in this country or building a "Parthenon" through space flights.

The desire to give the American public "something grandiose" in the form of heroes (and therefore assure continuation of space program appropriations) is thought by some critics to be a major reason for sending men on the space missions. It would be much less costly, they say, and just as effective in terms of gathering information, to explore space with instruments instead of men.

"To stress a manned space flight capability as our primary goal, and to plan our planetary activities around manned requirements could be a grave mistake," says Rep. Ryan. "In general, its great cost may cause the space program to lose public support. More specifically, its great cost will limit the number of possible missions; its extensive safety and life-support requirements will limit the potential of each mission for innovative exploration, and the need to orient on-board experiments to the survival and performance of man will limit the acquisition of data about space itself."

But a machine, no matter how sophisticated, does not show up as well as a clean-cut young man in a ticker-tape parade (and the astronauts all are so determinedly clean-cut that one longs for a Joe Namath to sneak into the program while the public-relations men are looking the other way).

A machine cannot be photographed kissing its wife and children goodbye before a big flight, and it cannot trade good-natured insults and not-so-funny jokes with ground control. Obviously, its appeal is limited.

Nearly a year ago, a panel of the country's best-known space scientists, the National Academy of Sciences' Space Science Board, urged NASA to give up the idea of exploring the nearby planets with men.

The board proposed that NASA concentrate instead on flying unmanned spacecraft to as many of these nearby planets as possible. It said that the developing technology of fully automated systems should be able to do this job well, and it called the $80 million devoted to such unmanned planetary exploration in NASA's budget for fiscal 1969 "totally inadequate."

"While at some time in the future it may be in the national interest to undertake manned missions to the planets, we do not believe man is essential for scientific planetary investigation at this stage," the board said.

In May of this year, Dr. Lee A. DuBridge, the presidential science adviser, told the Senate Space Committee that NASA was limited in the amount of planning it could do beyond the Apollo moon-landing program. He said in response to a question: "There are no manned flights planned to other planets for the next 10 to 15 years."

And is one to infer from this that with its "limited" planning, NASA will suddenly in 10 or 15 years decide to send men to explore other planets and be all set to go? Obviously, some such planning must be going on now, but again the country is drifting into preparing for manned flights without clearly deciding whether it wants them.

Ralph E. Lapp, a well-known physicist and another architect of the atomic bomb, blames the "space-industrial-political complex" for much of the force behind the perpetuation and growth of the space program.

The aerospace industries "grab half the prime military contract awards," he says. "There are over 1.5 million aerospace workers. And they are concentrated in sensitive areas like California and Texas. Let's not forget that the Apollo program has enriched the South—there's a 'golden arc' of federal facilities stretching from Cape Kennedy to Houston."

The ordinary tendency of any bureaucracy to stay alive and indeed to grow is therefore given strong backing in the case of the space program by this complex of aerospace industries, their workers, and the politicians who represent the areas profiting from them.

Dr. Lapp points out that when the Apollo program was established by President Kennedy it was meant to hit maximum activity and then phase out. "The Apollo program was supposed to phase down, and by the year 1970 (when presumably we have reached the moon) there should be nobody working on the Apollo program, and theoretically you should be spending nothing on it; but I'm sure you'll have plenty on the government payroll doing the cost accounting for the project," he said.

"The fact is that you should not be spending money on it unless you intend to go somewhere after you've reached the moon. And that to me is the fundamental issue today. Where is NASA planning to go?"

The obvious answer is to that question, said Dr. Lapp, is "into manned space systems of long duration—of deep missions—eventually going to Mars, because there is no other reason for having such big funds, such a big budget. Man is the expensive thing in space.

"After all, I thought we've heard a great deal about the microminiaturization of instruments which bring, acquire, and send back data from space. And if these instruments which now have been made so tiny are so good, then isn't it true that we can put a great deal of instrumentation in a small payload? We don't need a Saturn 5 booster in order to do this."

Rep. Ryan charged NASA with "lack of candor . . . in terms of long-term planning" after learning that a NASA internal memorandum from as far back as 1966 revealed plans for landing a man on Mars in the 1980's.

"If it is our purpose to support that mission, we ought to do it frankly and openly, and we ought to recognize what that is going to cost," said Ryan.

"If this is not our purpose, we should not be led into a program that will take us down this road, only to be confronted later with a statement by NASA that the investment is so great we cannot turn back." Ryan has estimated the cost of a manned Mars trip to be nearly $200 billion. "This is occasion for a real national decision," he says.

Ryan also charges that "NASA intends the Apollo applications program as the basis for a spectacular, manned planetary mission, a goal which has not been presented to the Congress for discussion or evaluation, nor accompanied by any projection of the costs which will be eventually involved."

Practical applications of space technology so far have scarcely justified the huge sums the country has spent—one astronaut mentioned Teflon, but several billion dollars is rather a large amount to spend to keep food from sticking.

A study by the National Research Council of the National Academy of Sciences in 1967 indicated that NASA itself has placed a very low priority on achieving the potential benefits of the space program.

"That part of the NASA budget that is directly aimed at developing practical applications of space technology is now about $100 million per year or about two percent of the total," the study said. "If the future benefits of space technology are large, and if they can be realized soon, that amount is too small. If they are small or illusory or very far off it may be too large. The question is important and should be answered."

In some areas where benefits have been realized, such as weather prediction, there is a question as to just how much value they have in relation to the cost. As Dr. Lapp says, "If a farmer is given a three-day warning that he's going to have a hailstorm, how does he protect a wheat field? It doesn't do him any good."

With the Apollo program nearly finished, it is more than time for Congress and the country as a whole to take a hard look at where we are going in the space program, why, how much it will cost, and what we can expect to gain.

To do that will require more candor from NASA about its plans than it is in the habit of showing.

"NASA has an unfortunate habit of swamping Congress with engineering details and starving it for policy and management information," said Sen. Walter F. Mondale, D-Minn., during the investigatiaton that followed the 1967 spacecraft fire.

"And it is in this second area—policy and management—not the first, where the responsibility of Congress lies."

FURTHER MESSAGE FROM THE PRESIDENT

A further message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

EDUCATION PROGRAMS

(Mr. BRADEMAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRADEMAS. Mr. Speaker, I rise to associate myself with the remarks of the distinguished gentleman from New Jersey (Mr. JOELSON) and the distinguished majority leader, the gentleman from Oklahoma (Mr. ALBERT), in respect to their comments on the statement attributed to President Nixon in the news reports this morning in which the President is represented as having strongly objected to the recent House vote to add $1.1 billion to his recommended budget

for educational programs and in which the President is reported as having said that Congress was following budgetary policies which promised, in the President's words, "long-term grief for the people."

Mr. Speaker, I remember in the campaign last year that Mr. Nixon made a statement in which he said that the one area in American life which we should not shortchange was education at every level. It seems to me, Mr. Speaker, that if we try to shortchange American education in 1969 and 1970, it will be this shortchanging of the young people of our country which will in fact mean "long-term grief for the people." So I call to the attention of the Members of the House the fact that the recent House vote for additional funds for education was an overwhelming vote strongly supported by Members on both sides and that on the teller vote on the Joelson amendment, even the distinguished chairman of the Republican National Committee, the gentleman from Maryland (Mr. MORTON) voted for it and thereby voted to add about $1 billion to President Nixon's proposed budget for education.

Therefore, Mr. Speaker, I would hope that the President would heed the call of Republicans and Democrats alike that we must invest more in the most valuable natural resource America has—educated men and women.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. BRADEMAS. Of course, I yield to the distinguished minority leader.

Mr. GERALD R. FORD. I think the gentleman would be on far sounder ground trying to justify the $1.1 billion amendment to which he referred if on June 30 the gentleman from Indiana had had the wisdom to vote for the tax bill as recommended by President Johnson and as modified by President Nixon. The gentleman from Indiana did not vote for it on June 30 and, as a matter of fact, he failed to vote for the 6-month extension on August 4. The distinguished gentleman from Indiana obviously believes in greater Federal expenditures but drops out when called upon to provide the needed revenue to pay the bills.

Mr. BRADEMAS. I very much appreciate what the distinguished minority leader has said, but I wish to remind the minority leader of another campaign promise that Mr. Nixon made; namely, that he was going to be opposed to the extension of the surtax. Surely the minority leader does not object to my helping Mr. Nixon keep a campaign promise.

Also I wish to say to my good friend from Michigan that the gentleman from Indiana voted against the surtax when Mr. Johnson wanted it and he voted against the surtax when Mr. Nixon wanted it. So he is very consistent and does not base this position on partisanship. The main reason I voted last month against President Nixon's bill to continue the 10-percent income tax surcharge was that the measure contained no significant tax reform at all. In 1968 I voted against President Johnson's surcharge for exactly the same reason, I would advise the minority leader.

And, Mr. Speaker, I might here note that it is exceedingly revealing that 42 Republican Members of the House of Representatives who voted for the surtax this year when President Nixon proposed it voted against it last year when President Johnson proposed it.

Those 42 Republican House votes represent quite a turnabout.

To reiterate, I voted against it both when proposed by President Johnson and by President Nixon because neither surtax measure contained any significant reform.

Mr. GERALD R. FORD. Will the gentleman yield further?

Mr. BRADEMAS. If I have any more time.

The SPEAKER pro tempore. The time of the gentleman has expired.

EDUCATION PROGRAMS

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I think that the last statement of the gentleman from Indiana proves beyond any doubt whatsoever that he is a big spender but does not want to provide adequate revenue to pay the bills. He voted against his own President's recommendation for a tax increase in 1968—a responsible proposal—and he voted against the present President's surcharge proposal.

Mr. BRADEMAS. Will the gentleman from Michigan yield to me?

Mr. GERALD R. FORD. He voted against both extensions in 1969.

Mr. BRADEMAS. That is correct.

Mr. GERALD R. FORD. Where does he expect to get the money to pay the bills he is voting to have the Government incur?

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. Of course.

Mr. BRADEMAS. I appreciate the gentleman yielding.

The reason I said to my friend, the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD), that I had voted against President Johnson's recommendation for a surtax was that I wanted him to understand that neither my attitude on the surtax nor my attitude on the Joelson amendment was a partisan attitude. I was very glad to join with my friends on the Republican side of the aisle in strongly supporting the Joelson amendment. Indeed, more Republicans voted for the Joelson amendment and against President Nixon's position than voted against the amendment and with the President. Moreover, I believe I am correct in saying that only two of the Republican Members of the House, from the minority leader's home State of Michigan voted against the Joelson amendment and with President Nixon.

So I think my good friend from Michigan—one of the two, by the way—is on shaky ground in seeking to make a partisan matter of the vote on Mr. Joelson's amendment to provide additional funds for American education.

But I would say to the gentleman from Michigan that if we had had any very strong support from the President beginning in January of this year when the chairman of the Committee on Ways and Means, the gentleman from Arkansas (Mr. MILLS), got busy on tax reform and got a good head of steam up for reform of our tax laws, and if we had had stronger support from the other side of the aisle at that time, we could have passed a tax reform bill that would have succeeded in generating the substantial increases in Federal revenues that I, like the gentleman from Michigan, want very much to see.

Mr. GERALD R. FORD. Mr. Speaker, I think it is amusing that the gentleman from Indiana does not realize that President Nixon is the first President in more than 20 years to send a message to Congress recommending long overdue legitimate and bona fide tax reform. No President prior to President Nixon recommended tax reform and that includes former President Johnson and former President Kennedy as well as others. President Nixon did recommend tax reform. He is the first President in 20 years to have done so and with his help we now have tax reform.

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield further?

Mr. GERALD R. FORD. I yield further to the gentleman from Indiana.

Mr. BRADEMAS. I am delighted to see that the President recommended tax reform and I had hoped that we could make this subject a bipartisan matter. I have already pointed out that the Joelson amendment had strong bipartisan support and I would add that the tax reform bill that we passed last week had strong bipartisan support.

So I am delighted that the President followed the lead of the distinguished chairman of the Committee on Ways and Means, the gentleman from Arkansas (Mr. MILLS), with reference to tax reform, but I note that the President did not speak out for tax reform until several months after the gentleman from Arkansas (Mr. MILLS) commenced hearings on the matter in January of this year.

Mr. GERALD R. FORD. The gentleman from Indiana has a consistent record of wanting to spend, spend, spend, and of not voting for the necessary legislation with which to provide the revenue to pay the bills, and he knows it.

Mr. BRADEMAS. The gentleman from Michigan is mistaken, but I am always glad to hear his viewpoint with reference to these matters.

CORRECTION OF STATEMENT WITH REFERENCE TO THE VOTE OF REPRESENTATIVE JOELSON ON THE SURTAX ISSUE

(Mr. ARENDS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARENDS. Mr. Speaker, I take this time solely for the purpose to state that during the colloquy which I had with the gentleman from New Jersey (Mr. JOELSON) when I inquired of him whether he had voted for the surtax bill when it was before the House, he said he did.

I now ask unanimous consent to strike

my remarks from the RECORD because as I read the RECORD of June 30 he did vote against the original surtax extension bill, which passed the House by only five votes. Therefore, I ask unanimous consent that my remarks of congratulations be struck from the RECORD. It is easy to spend, but the question is how to keep the budget in balance without taxes to provide the revenue.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Illinois?

There was no objection.

THE STATUS OF GREECE

(Mr. ANDERSON of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANDERSON of Tennessee. Mr. Speaker, recently I had the privilege of visiting Greece for the first time. Though this trip was completely unofficial and at my own expense, I thought perhaps my colleagues would be interested in my making a few observations.

The visit was necessarily brief, but included Athens and the surrounding area, Rhodes, and Symi—a delightful small island where there are no automobiles or buses to pollute the air, one of the very earliest seats of learning within our Western civilization.

As an American, I have always been fascinated by the influence of Greek history and culture on the world, and on our own country. As a politician, I revere Greece as the birthplace of democracy. As a former military man, I am deeply appreciative of the heroic achievements of Greek soldiers and sailors during World War II and Korea. As a friend of many Greek-Americans, including several in this Chamber, I am intensely aware of the great contribution of her native sons and daughters to the success of America.

Mr. Speaker, I am also a pragmatist, and as such I must speak in terms of a profound national interest in the continuation of the strongest ties with Greece.

While all of us realize it, I believe one must visit the country to fully appreciate the strategic importance of Greece to the cause of Western noncommunism, and the bulwark of Western strength that nation has been, and is today. In terms of geography, Greece has but a thread of continental connection with NATO. Geographically, it is of a piece with its Balkan Communist neighbors to the north. Even Western Germany is not so militarily vulnerable as Greece. It is an outpost in most tenuous geopolitical circumstance, but one laced in code, interests, commitment, and traditions to our mutual cause.

There is no profit in playing fast, loose, and arrogantly in our relations with Greece. I talked with dozens of citziens ranging from modest fishermen and small businessmen through industrialists, bankers, and prominent educators. Without exception, everyone I talked with had favorable comments about the existing government and the stability, confidence, the atmosphere of personal dignity, and the climate of opportunity it has achieved.

Certain magazine writers and others would lead us to believe that Greece is an armed camp, carried on by a government built on oppression and torture, not unlike that of the days of Nazi Germany. As a brief visitor to Greece, I would be foolhardy to take the role of defense attorney against these charges. On the other hand, I would be a coward not to say that I found absolutely no evidence to support these charges. Thus, I am compelled to report to my colleagues.

American magazines sell better with stories about torture than about emancipated businessmen. A publicity seeker does better to attack than to defend.

Mr. Speaker, I shall not take any more time except to suggest to my colleagues the following points of consideration:

It will be a disaster of great consequence if Greece should be left exposed, isolated, and alienated at the mercy of its Balkan neighbors.

Perhaps there are some idealists who tend too easily to equate the problems and solutions of different nations in differing circumstances. There are certainly seekers for accommodation who bristle with invective over every transgression of the right, while ignoring, forgiving, or defending monstrous crimes against freedom, human conscience, and political decency by Marxist regimes.

Before we assume the exalted role of advising Greece how to handle things, let me point out that compared to the United States, there is very little crime in Greece—virtually no civil strife, virtually no uprising on the campuses. Greek taxicab drivers do not swear at their passengers or other taxicab drivers. Greek children are well fed and not left to drift on their own. A narcotics addict or hippie is a person disrespected from another land.

The current new government has acknowledged its pledge and aim to return to a consentual democracy. I cannot assure you that they will do it, but I can assure you, Mr. Speaker, of this: Its record thus far seems beneficial to the people of Greece, and distrust of this Government seems more endemic among the literati in the United States than among the fishermen, farmers, and businessmen of Greece.

Stable democracy is notoriously the hardest form of social organization to learn. Certainly we, who inherited at our national birth a great body of democratic practice, and have sought to improve upon it ever since, are yet far short of perfection. The history of democratic political development is everywhere similar in its gradually decreasing cyclical swings between authoritarian and permissive emphasis. Any such society collectively learns, usually with pain, to intuit a variable scale of balance between organizational necessity and personal freedom within democratic parameters. It learns to adjust this scale in a manner acceptable to its citizens in response to external and internal crises and calms. Any nation which commits itself to the pursuit of consentual democratic governance undertakes a grueling task fraught with perils. To opt for political democracy is to seek the best and the hardest.

Greece has made this commitment. It has thrown its lot with the European democracies, with NATO, with the great western maritime trading world. It has opposed the Communist advance, defeated a guerrilla war of subversion, and fought beside the United States in the Korean war. It has rejected the Facist and Communist totalitarian systems, and done so with blood and sacrifice. But it is having its pains in democratic political development. This is hardly shocking, nor should it be viewed as an excuse for shrill vilification and retribution.

Finally, we should recognize that despite the celebrated achievements of ancient Athens, Greece, has less experience in modern political democracy than most people realize.

Greece languished under foreign rule almost continuously from 146 B.C. till 1830, and from 1940 to 1944. Modern political parties became effective factors in Greek life in the mid-1920's, and the vote was extended to women in 1952. Greece is learning the hard balance of democracy between political freedom and workable national unity. The latest swing in emphasis is toward authoritarian organization. I suspect that the pendulum may swing two or three times in the next 30 years, each time in a less extreme arc. On each occasion there will be temptations here in the United States to agonize, dramatize, lecture, and chastise. Let us think twice, keep our historical perspective and our geopolitical cool. We can begin now.

THE PRESIDENT'S RECENT WELFARE MESSAGE

(Mr. FOLEY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. FOLEY. Mr. Speaker, I should like to express my very deep concern about the recommendation in the President's recent welfare message which states:

> For dependent families there will be an orderly substitution of food stamps by the new direct monetary payments.

Mr. Speaker, it was only last May 6 that the President took a momentous step forward in behalf of all Americans when he said:

> America has come to the aid of one starving people after another: But the moment is at hand to put an end to hunger in America itself.

On that date the President recommended proposals which—if carried out—would be useful first steps toward meeting the goal.

In general, I support and applaud the suggestions of President Nixon in his recommendations to reform the present welfare system. These recommendations as they apply particularly to the aid-for-dependent-children program, represent a movement toward greater equity, adequacy of funding and broadening of participation. In addition, the President's recommendations tend to eliminate discrimination against the working poor and tend to discourage undesirable rural-to-urban migration.

However, I am deeply concerned that

the President's message indicates that the change in his position about providing an adequate and nutritious diet for all American families threatens a long-overdue expansion of the food stamp program.

In the President's May 6 message on hunger and malnutrition, he pointed out and emphasized the need for adequate nutrition for millions of American families who lack sufficient means to obtain it.

The welfare reforms recommended by the President cannot substitute for food-stamp programs. The income support is too minimal to accomplish that purpose. It is particularly disturbing that the President's recommendations in cutting back food stamps come so soon—only a little over 2 months after his hunger and malnutrition message. If the Congress were to endorse the food-stamp cutback and pass the welfare reform only, we would be committing a fraud on millions of Americans whose hopes have been raised.

The two programs are not only compatible but complementary. Indeed the original concept of food stamps can work with far greater effectiveness if the welfare reform is implemented. And the concept of breaking the poverty cycle by both sound education and wholesome care for all children and job opportunities for adults will fail without an adequate nutrition program.

THE FAMILY NUTRITION ACT OF 1969

Mr. Speaker, the gentleman from Pennsylvania (Mr. GREEN) and I were pleased on Monday to present to the House a proposal—H.R. 13423—we believe may be the most far-reaching, responsible approach yet to meeting the grave scandal of hunger and widespread malnutrition among American citizens and nationals. In this effort, we were joined by 23 other Members. After the August recess, we hope additional Members will join in cosponsorship.

The successful eradication of domestic hunger and malnutrition, I should like to point out, is perhaps the most concrete way we can today help to break the poverty cycle. Other programs are certainly important, but malnutrition is—if not the single most critical element—certainly one of the basic factors in the poverty cycle and clearly that element that we can most promptly, effectively, and measurably cope with.

I do not believe we can too often reiterate the basic facts of domestic hunger and malnutrition. Here are some of the key findings as they relate to poverty, to learning ability and to the immense social costs the American taxpayer incurs from permitting this situation to continue:

Although only 12 percent of the white population in the United States lives in poverty compared with 40 percent of the black population, a total of 21 million white people and 10 million black people live at or below the poverty level using the definitions provided by the Social Security Administration.

One-fourth of the Nation's children, and one out of every three children under 6 years of age, are living in homes in which incomes are insufficient to meet the costs of procuring many of the essentials of life, and particularly food.

There is strong evidence that malnutrition may be the common denominator of the evils—among the impoverished—of a high incidence of prematurity and low-birth-weight infants, increased maternal mortality and almost unbelievable prevalence of mental retardation. Children in the culture of poverty, particularly those prematurely born, contribute the major numbers of those of our population who grow up to be mentally retarded. Up to 50 percent of low-birth-weight infants may, upon survival, have intellectual quotients below 70 percent. It is estimated that approximately 70 to 80 percent of all mentally defective children are born in a poverty environment. We might note here that severe nutritional deprivation during the first 18 months of life prevents normal brain development. The number of cells present in the brains of infants dying of severe malnutrition may be from 20- to 50-percent below that present in age peers dying of causes unrelated to nutrition. In general, we can say that while there is no evidence that feeding people makes them smart, there is indisputable evidence that hunger makes them dull.

HOW DO THE POOR GET FOOD HELP TODAY?

The food stamp program reaches only about 3.2 million people. Many poor families live in jurisdictions without this program. The commodity distribution program reaches approximately 3.7 million people. The defects of the latter program are well-known. In response to my inquiry, the U.S. Department of Agriculture advises that their estimate of the percent of the poor with incomes under $3,000 participating in the food stamp program is only 16 percent and the percent of the poor participating in the commodity distribution program is only 22 percent—on a national average.

Some 1.3 million Americans have no cash income at all: 561,000 are unrelated individuals; 770,000 live in families of varying size. More than 5 million Americans live in families whose yearly household income is less than the total amount they must have for food alone—less than the equivalent of $1,200 a year for a family of four, the amount the Department of Agriculture claims is the minimum cost of an "emergency economy" diet. Another 9 million live in families with incomes between $1,200 and $2,400. They cannot spend more than half their income on food and still meet their childraising and other fixed living expenses. These 14 million hard-core poor have inadequate diets. Many, perhaps millions, suffer from chronic and severe hunger and malnutrition simply because they do not have the money to purchase a nutritious diet. Our Nation's food programs are clearly not designed to meet a hunger and malnutrition problem of these dimensions.

TOWARD AN ADEQUATE DOMESTIC FOOD PROGRAM WITH STABLE FINANCING

Our proposal, we suggest, has the particular merit of tying together—perhaps for the first time in the history of U.S. farm programs—the legitimate interest of the agricultural producer and the compelling human and social needs of a large segment of American consumers or potential consumers in the same program on a basis that will insure fair representation of the interests of both groups. In short, we are linking, in an operational way, through the mechanism of the Commodity Credit Corporation, the producer, consumer, and welfare aspects of American agriculture.

I need only point out that the precedent for doing so is well settled as far as U.S. aid to other nations is concerned. The Commodity Credit Corporation today finances the sale and export of agricultural commodities under the Food for Peace Act—commonly known as Public Law 480. I should like to underscore the fact that title II of Public Law 480 authorizes the donation of U.S. agriculture commodities to combat malnutrition, to provide help for needy persons and for nonprofit school lunch and preschool feeding programs outside the United States. The United States has been utilizing Commodity Credit Corporation financing for such activities abroad since 1954.

The provision of adequate financial support for a major and successful effort to combat hunger and malnutrition in the United States is the basis for our proposed increase of $5 billion in the borrowing authority of the Commodity Credit Corporation. There is no requirement that all of this authority be used every year. There is sufficient latitude in this authority to provide for both a major effort in domestic food programs and to take care of farm emergencies resulting from bad crop years. Responsible estimates indicate that in addition to the amount the United States is presently spending for domestic food programs we must spend another $3 billion if we are to provide adequate food for all those in America who are now suffering some degree of malnutrition.

ADDITIONAL FEATURES OF PROGRAM

Other major features of our program are:

Allowing the working poor to participate in Federal food programs;

Making distribution of stamps more convenient by allowing retail stores and other outlets to sell them.

Approaching budgeting problems more realistically by offering stamps weekly instead of monthly and bimonthly;

Authorizing the Secretary of Agriculture to establish food stamp programs in every county in the United States, and allowing him to administer programs directly or through private nonprofit agencies in counties where participation falls below 50 percent of eligibles;

Authorizing free food stamp coupons for certain very low income households; and

Allowing self-certification by affidavit for low-income households thus drastically cutting administrative costs. The bill also carries heavy penalties for fraud.

In addition, for the first time, the vast majority of the elderly poor would be

able to participate effectively in the food stamp program. It is estimated that more than 5 million Americans over 65 would be able to take advantage of the provisions of our proposal.

Our proposal, we suggest, will effectively help meet the most serious aspects of the domestic hunger and malnutrition problem. I hope, after you have had an opportunity to examine this material, members of both parties will see fit to join us as coauthors of this measure. Your support, your comment, and your testimony will be welcome for hunger and malnutrition know neither party nor ideology. Finally, I expect that the Committee on Agriculture will hold hearings on the substance of our proposal shortly after the August recess.

Mr. Speaker, I should like, at this point in the RECORD, to include some explanatory and comparative material illustrating the details of the program we are recommending:

COMPARISON OF CURRENT FOOD STAMP PROPOSALS

The following table contains a comparison of twenty-five of the major provisions of the five food stamp proposals, including the existing Food Stamp Act of 1964, which are currently alive and either before the full Senate (S. 2547—the bill reported on July 7 by the Senate Committee on Agriculture and Forestry—and Senator McGovern's individual views on what provisions the Senate-enacted bill should contain) or the House Committee on Agriculture (the original McGovern bill, introduced by Rep. Leonard Farbstein, Dem.-N.Y., on April 30 as H.R. 10728 and by Rep. Donald Edwards, Dem.-Cal., on June 26 as H.R. 12458; the Nixon Administration proposal, introduced by Rep. Catherine May, Rep.-Wash., on June 17 as H.R. 12222 and 12223, with 33 Republican co-sponsors; and the Foley-Green bill, introduced by Rep. Thomas Foley, Dem.-Wash., on August 11, 1969 as H.R. 13423, with 23 Democratic co-sponsors). It should be noticed that Senator McGovern's views and the provisions of his bill (the Farbstein bill in the House) differ at points because Senator McGovern is seeking broad support on the Senate floor for his reform efforts. In particular, the family income eligibility cut-off for free food stamps is not specified in his views.

Item	Present act	Senate committee bill (S. 2547)	McGovern views (Farbstein bill, H.R. 10728)	Nixon-May bill (H.R. 12222)	Foley-Green bill (H.R. 13423)
1. Policy of program	Raise levels of nutrition among low-income households.	No change	Provide adequate nutrition for low-income families and permit them to pruchase an adequate diet.	Permit low-income households to purchase a nutritionally adequate diet.	Provide adequate levels of food consumption and nutrition among low-income households by permitting them to purchase a nutritionally adequate diet.
2. Method and level of funding.	Authorization of appropriations: Fiscal 1970, $340,000,000; fiscal 1971 (1st 6 months only, through Dec. 31, 1970), $170,000,000.	Authorization of appropriations: Fiscal 1970, $750,000,000; fiscal 1971 and 1972, $1,500,000,000.	Authorization of appropriations without limitation on sum (such sums as may be necessary) or possible Commodity Credit Corporation financing or new sec. 32 covering additional 30 percent of customs receipts in addition to appropriations (Farbstein—such sums as may be necessary plus up to 10 percent override if necessary to meet unanticipated increases in participation).	Authorization of appropriations: Fiscal 1970, $610,000,000; fiscal 1971–72, such sums as Congress may appropriate.	Food stamps to be a Commodity Credit Corporation-run program with CCC empowered to use up to $19,500,000,000 in borrowing authority to fund this and various farm programs followed by appropriations to reimburse CCC for previous year's expenditures.
3. Carryover of unexpended funds.	None—Unspent funds automatically revert to the Treasury.	Unspent funds continue to remain available until June 30, 1972.	Unspecified	Unspent funds continue to remain available until expended.	No problem with CCC financing.
4. Term of program	Ends Dec. 31, 1970	Ends June 30, 1972	do	Ends June 30, 1973	Ends June 30, 1974.
5. Territorial coverage	50 States only and District of Columbia.	No change	50 States, District of Columbia, Puerto Rico, Virgin Islands, Guam, and Pacific Trust Territories (Farbstein—Not Virgin Islands or Guam).	No change from present program.	50 States, District of Columbia, Puerto Rico, Virgin Islands, Guam, and American Samoa.
6. Individual coverage	Group of related or nonrelated individuals living as one economic unit sharing cooking facilities and for whom food is customarily purchased in common. Not residents of institutions or boarding houses.	do	No change	No change	Includes persons residing in private nonprofit institutions or in boarding houses (except for persons in fraternities, sororities, or social clubs) as well as persons 65 years or over.
7. Product coverage	Any food or food product except alcoholic beverages, tobacco, imported packaged foods and imported meats or meat products.	do	Includes items necessary for personal hygiene and home sanitation.	No change from present program.	Includes imported food or food products where Secretary determines that comparable domestic items are not reasonably available; nonfood products which Secretary determines to be essential for personal cleanliness, hygiene, and home sanitation; meals served to residents of private nonprofit institutions or boarding houses and to persons over 65 by private nonprofit organizations or schools.
8. Store coverage	Establishment or house-to-house trade route that sells food to households for home consumption.	do	No change	No change	Same as in present program plus private nonprofit institutions or boarding houses and private nonprofit organizations or schools which provide meals to persons 65 years or over and DOD commissaries for households otherwise eligible to utilize them.
9. Income eligibility level, e.g., family of 4 with 2 schoolchildren.	State agency to determine consistent with income standards used in federally aided public assistance programs $1,800 (Virginia) to $4,140 (Alaska, New York).	State agency to take local factors affecting cost of living into account as well as income standards used in federally aided public assistance programs other than medic aid, but within national minimum and maximum standards prescribed by Secretary $3,600.	Secretary to set uniform national standards using poverty index formula or low-cost food plan with States permitted to exceed standard if local cost of living or other conditions, warrant (Farbstein—Secretary to prescribe annually, with all households whose incomes are less than 3 times low-cost food plan automatically eligible. State option to raise eligibility ceiling) $2,335 (rural) to $3,335 (urban) or $4,320.	Secretary to establish uniform national standards of eligibility in consultation with Secretary of HEW (emergency eligibility standards to help disaster victims on a temporary basis) $3,600.	Secretary to set eligibility standards with maximum disposable income criteria to be equal to 4 times the cost of the low-cost food plan as varied for household size, composition, 4 regions, and rural-non-rural areas; New York City, $6,530; rural Vermont, $4,550; Cleveland, $6,030; rural Iowa, $4,220; Atlanta, $5,450; rural Mississippi, $3,810; Los Angeles, $6,160; rural Utah, $4,310.
10. Resource limitation on eligibility.	State agency to determine	State agency to establish within Federal minimum and maximum.	Not mentioned (Farbstein—State agency to set, but no inclusion of income realized through liquidation of resources).	Secretary to establish as part of uniform national eligibility standards.	Secretary to determine maximum value for personal or real property owned by eligible household.

Item	Present act	Senate committee bill (S. 2547)	McGovern views (Farbstein bill, H.R. 10728)	Nixon-May bill (H.R. 12222)	Foley-Green bill (H.R. 13423)
11. Method of certification	Determined by State welfare agency (forms and investigation).	May be based on information in possession of State agency without further investigation if information is adequate but only if households receive some other type of public assistance.	Certification by personal declaration in the form of an affidavit with investigation thereafter—either on a pilot basis or in every food stamp area (Farbstein self-certification universal).	No change from present program.	Certification solely on execution of affidavit prescribed by Secretary.
12. Challenge to certification.	No provision	State agency to grant fair hearing and prompt determination to any aggrieved household affected in participation.	No provision	State agency to grant fair hearing and prompt determination to any aggrieved household affected in participation.	Operating agency to have right to challenge information included in affidavit before panel of three appointed by Secretary with challenged household to participate on basis of affidavit information during pendency of challenge.
12a. Penalties	Criminal offense to knowingly acquire coupons in unauthorized manner.	No change	No change in criminal offenses, but no prosecution for error in declaration of income level and no criminal charge on basis of any information or statements contained in affidavit.	No change from present program.	Additional criminal offense for knowingly making a false affidavit; enforcement by special unit within office of Inspector General known as the food stamp squad.
13. Interjurisdictional certification.	No provision	do	No change	No change	Certification valid for 60 days if household moves to another political subdivision in which program is operating.
14. Place of coupon issuance.	Purchase at banks, credit unions, welfare agency offices, poverty agencies, and local businesses.	do	Post offices to assume responsibility (Farbstein—post offices, retail stores, or such other manner as will best insure participation).	No change from present program.	Purchase through operating agency or, if operating agency delegates responsibility, from post offices, banks, credit union, community action agencies, any other public or private nonprofit agencies.
15. Frequency of coupon issuance.	At least monthly	At least monthly and semi-monthly.	At least weekly	do	At least weekly.
16. Method of coupon purchase.	Transfer for cash	Cash or deduction of charge by State from federally aided public assistance payments when household so authorizes.	Add to Senate bill permission to households to purchase less than full allotment of stamps with proportionate deduction in amount charged.	Cash or deduction of charge by State from federally aided public assistance payments when household so authorizes and Secretaries of USDA and HEW approve.	Cash or deduction of charge by State from federally aided public assistance payments or from Federal old-age, survivors, and disability insurance benefits by Federal Government when household so authorizes.
17. Price of coupons	Amount equivalent to household's normal expenditures for food.	Reasonable investment on the part of the household, but no less than 50 cents per person per month for family of 5 or $3 per household per month for family of 6 or more and no more than 30 percent of income. To assure participation by persons too poor to pay the minimum charge, State agency would be required to arrange for State or local sources (including local welfare funds and charities) to underwrite portion of all of charge.	Families of 4 or the equivalent with incomes between $80 and $120 a month would pay up to 15 percent of income; with incomes between $120 and $360 a month up to 25 percent of income (Farbstein—Same as above, but 15 percent maximum would go into effect after June 30, 1970; 25 percent maximum after June 30, 1971).	No more than 30 percent of household income to be charged any eligible household.	If income is between ⅓ and ⅔ of low-cost food plan ($40 to $80 a month for average family of 4) no more than 5 percent of disposable income. If income is between ⅔ and 1⅓ of plan ($80 to $160 a month)—no more than 10 percent of disposable income. If income is between 1⅓ and 2 times plan ($160 to $240 a month)—no more than 15 percent of disposable income. If income is between 2 and 3 times plan ($240 to $360 a month)—no more than 20 percent of disposable income. If income is between 3 and 4 times plan ($360 to $480 a month)—no more than 25 percent of disposable income.
18. Free coupons	None, except in 2 countries in South Carolina for families of 3 or less with less than $20 of income a month and families of 4 or more with less than $30 of income a month.	No change	No set sum, although clearly to cover families with no income and possibly families of 4 or the equivalent with less than $100 of income a month (Farbstein—families of 4 or the equivalent with less than $80 of income a month).	To households with little or no incomes or other financial resources under standards prescribed by Secretary (less than $30 a month for family of 4).	If household's disposable income is less than 33⅓ percent of low-cost food plan applicable to household ($40 a month for average family of 4).
19. Total value of coupons	Such amount as will provide household with an opportunity more nearly to obtain a low-cost nutritionally adequate diet with a range of from $58 a month (southern family of 4 with income under $30 a month) to $100 (northern family of 4 with income of $325 a month).	Such amount as Secretary determines to be the cost of a nutritionally adequate diet (emergency food plan or $100 a month for a family of 4).	Low-cost food plan or $120 a month for a family of 4 to be equivalent to nutritionally adequate diet.	Economy food plan or $100 a month for a family of 4 to be equivalent to nutritionally adequate diet.	Low-cost food plan defined as nutritionally adequate, taking into account regional and rural-nonrural food price differentials (between $108.80 a month in rural Mississippi and $135 a month in New York City for a family of 4).
20. Federal administrative responsibility.	Food Stamp Division of Consumer and Marketing Service.	No change	No change	Food stamp division transferred to new food and nutrition service.	Commodity Credit Corporation with 7-man Board of Directors (Secretary, Under-Secretary, and 5 assistant secretaries of agriculture) to oversee with daily operations by food stamp division in new food and nutrition service.
21. State and local administrative responsibility.	State agency must request program and set plan of priorities among counties which desire to participate. Possible program revocation by Secretary if State agency fails to comply substantially with act, regulations, or State plan of operation and State fails to correct such failure within reasonable time of notification thereof by Secretary.	As in present program, but Secretary may undertake program in any area within State as if he were State agency if 3 conditions exist: Secretary finds manifest and urgent need for food stamps rather than commodities; State agency refuses for 90 days or more to request formulation of program; Governor requests Secretary to act.	Authority for Secretary to operate programs directly or to use other local public and private agencies to administer program (regardless of State agency) if local officials refuse to act after reasonable time or if local officials fail to comply with law or if program is only token and fails adequately to serve those in need (Farbstein-Federal, State, county, local, or private nonprofit agency can administer where local agency fails to request program after Secretary offers to pay part or all of administrative costs or where Secretary determines local program necessary or where local agency fails to comply with act).	State agency must provide for operation of food stamp or commodity distribution program in each of its political subdivisions by June 30, 1970 (or 1971 if Secretary is willing because Governor notifies him of need for State legislative action) or else State cannot continue to participate in either program. State must provide for commodity distribution program until areas can be approved by Secretary for food stamps.	Secretary must directly administer program or administer it through private nonprofit agency when State agency has not submitted plan of operation for program in all of its political subdivisions, but only in nondesignated area. Secretary may so administer program if number of persons participating in an area is less than 50 percent of the OEO-classified number of poor persons in the area for 3 consecutive months after July 1, 1970. If Secretary fails to exercise disrection so to administer, he must report annually to the Congress his reasons for failing to do so and the reasons for the low level of program participation.

Item	Present act	Senate committee bill (S. 2547)	McGovern views (Farbstein bill, H.R. 10728)	Nixon-May bill (H.R. 12222)	Foley-Green bill (H.R. 13423)
22. Payment of administrative costs.	Federal Government finances cost of bonus coupons and their printing and 62.5 percent of travel and salaries of State personnel engaged in certifying nonassistance households.	Same as in present program plus 62.5 percent of cost of hearing officials.	Secretary should be able to pay full administrative costs to State agency wherever lack of adequate funds or personnel limits successful program operation (Farbstein—Secretary may pay total costs if he deems it necessary to enable local agency to conduct program).	Same as in present program plus 62.5 percent of cost of hearing officials and outreach personnel.	Secretary permitted to pay State agencies 50 percent of their administrative costs, including all certification and issuance costs, and up to 100 percent of education and outreach costs. Secretary must pay 100 percent of administrative costs to private nonprofit agencies operating the program or a simultaneous commodity program.
23. Simultaneous commodity distribution and food stamp issuance.	Not unless emergency situation caused by a national or other disaster as determined by Secretary, interpreted to exclude long term, non-natural disasters.	Permitted as well during initial period (90 days) of stamp program to provide orderly transition if State agency requests it and if commodity distribution is already in effect.	Secretary to be given authority or directed to distribute commodities in all food stamp counties until participation in stamp program reaches previous (highest?) level of participation in commodity program (Farbstein—Secretary free to distribute foods in food stamp area without governing standards).	Secretary may authorize for whatever period he determines necessary upon State agency request to effect orderly program transition (3 months?) with continued limited Federal payment of administrative costs of both programs or upon State agency request if State agrees to finance all of commodity distribution costs.	Permitted during temporary emergency; at State agency request in program transition period; at State agency request at any time if State agrees to pay distribution program costs (other than food); and at request of private nonprofit agency which wishes to run distribution program.
24. Program Outreach	No provision	State agency must undertake effective action to inform poor of program's availability and benefits and insure their participation, including use of services of other federally funded organizations.	Require State and local agencies to seek out and inform and assist in becoming certified all eligible families and to enlist services of public and private voluntary agencies in effort.	State agency must undertake effective action to inform poor of program's availability and benefits and insure their participation including use of services of other federally funded organizations.	Potentially eligible households must be informed of program's existence and given bid in making application.
25. Education	No provision other than administrators should take steps, including the coordination of other bodies' informational and educational efforts, to insure that participants obtain needed staple foods, particularly those in abundant or surplus supply.	No change	Require State and local agencies to make use of educational potential of school system and school lunch program to provide nutrition education.	No change from present program.	Participants must be afforded opportunity to receive nutrition counseling.

PRESS RELEASE FROM THE NATIONAL COUNCIL ON HUNGER AND MALNUTRITION IN THE UNITED STATES

The Executive Director of the National Council on Hunger and Malnutrition in the United States, John R. Kramer, charged today that the Nixon Family Assistance System announced on nationwide television on Friday night, August 8, by the President would, by forcing recipients to choose between receiving the new family assistance and participating in the food stamp program (in its present form and in the expanded format requested of Congress by the President on May 6) be a Family Deprivation System for the vast majority of those now on welfare (and even some of the working poor).

The Nixon System undermines its own premises, Kramer contended, by the addition of one feature designed to economize—the abandonment of the right to receive food stamps as the price of receiving Nixonian welfare. Because of this budgetary gimmick, instead of providing "a leap upward for many thousands of families that cannot care for themselves", as the President had claimed, the Nixon System would, in fact, operate to reduce rather than increase the total level of support welfare clients in 44 states are currently receiving from the states and Federal Government under a combination of welfare and stamps. Because of the food stamp cut-off, instead of giving every American family with dependent children a firm foundation on which to build, it would pull the rug out from under all but 820,000 of the individuals now on the AFDC rolls or some 87% of the 6,478,000 welfare poor. Because of the desire to save $1.5 billion, instead of eradicating "blatant inequities" among the several states, the Nixon System would be beneficial (and minimal at that) only for persons living in Alabama (103,000 on AFDC as of February, 1969), Arkansas (40,000), Florida (174,000), Mississippi (104,000), South Carolina (38,000), Texas (168,000), Puerto Rico (181,000), and the Virgin Islands (2,000).

The arithmetic and not the rhetoric of the Nixon System proves, according to Kramer, that that 90-day wonder, the Nixon May pledge to eliminate hunger and malnutrition is a casualty of the war against inflation, with deflated pocketbooks and belies the inevitable consequence.

The manner in which the Nixon System would work to the detriment of the poor is as follows: Every family of four (the illustration throughout) caught up in its net would receive a basic Federal payment of $1,600, but would be forced to forego participation in the food stamp program as the price of this "opportunity". The only people who would remain eligible to receive stamps would be single persons and couples without children (and, presumably, those who were smart enough to reject the Nixon floor). Every state would be required to maintain its present level of amounts payable for basic needs, even if it should exceed the $1,600 level. The relationship between the new level of support (at $1,600 for the 20 states, primarily in the South, whose minimum benefits are less than $1,600 and above $1,600 in the 30 states that now pay above that amount) and what the family now obtains (or can potentially receive) from both welfare and food stamps would be negative at every level of welfare payments above $1,200 (actually $104 per month). This means that passage of the Nixon System, with its integral requirement that food stamps be eliminated for welfare families, would hurt, not help, in every state but the states mentioned above, which are the only one to provide $104 or less to a family of four. Table I, attached hereto, documents that at every state level of welfare support from Mississippi ($39 a month or $468 a year) to New Jersey ($263 a month or $3,156 a year).

Should the Nixon proposal for changes in the food stamp program with a substantial revision downward in the prices charged and benefits received at every level of income become law later this year, every AFDC family would be worse off by electing Nixon security. It is quite likely that food stamp benefits will be expanded by December (or well before the Nixon System could go into effect), since the Senate Committee on Agriculture and Forestry has already reported to the Senate floor for debate and action in early September, S. 2547, which amends the Food Stamp Act of 1964 essentially to produce the purchase price-bonus stamps (or food stamp benefits) ratio suggested by Nixon. Table I illustrates that as well.

Even if every state in the Union were to decide voluntarily to supplement the Federal minimum payment by 50% (Presidential adviser Daniel P. Moynihan expects a state add-on in only 40 states), present welfare recipients would still be better off by sticking with the present unsatisfactory welfare system in California, Connecticut, Massachusetts, Montana, New Jersey, New York and Wisconsin (given the current level of food stamp benefits) and would find their purchasing power reduced, not increased, under the Senate bill benefits everywhere but the six states in which the Nixon System would be a boon no matter what the circumstances, plus Georgia, Louisiana, Missouri, Tennessee and West Virginia. Since it is unlikely that any state would go as high as 50% on supplementing the Federal guarantee, because welfare savings would not be that substantial and state incentives to do so would be minimal state supplementation would probably not alter to any significant degree the conclusion that at least 80% of present welfare recipients would find Nixon's hands reaching into their pocket to withdraw, not render financial aid. See Table III, attached hereto.

The working poor would, indeed, profit from the Nixon System, unless the Senate food stamp bill were passed and a family earned over $3350 or unless, as is distinctly possible, Senator George McGovern were to wage a successful floor fight to push stamp benefits up even more (his total coupon allotment would be $1440, not $1200, his maximum input 25%, not 30%) in which case the $2040 salary level ($170 per month) would be the cut-off point at which the Nixon System would become a detriment. Once a female family head worked over 106 hours a month (the equivalent of 2½ weeks) at the minimum wage, under the McGovern food stamp schedule, she would help her family more by steering clear of the Nixon System entirely and opting for food stamps. See Table II, attached hereto.

In conclusion, Kramer indicated that the Nixon System, solely for the sake of saving the Federal fisc rather than saving human beings, would force families to choose between food stamps and Nixonian welfare and thereby guarantee their continued poverty measured in terms of the percentage of their incomes they must spend to eat a subsistence diet. It thereby totally undermines the forceful statement the President made on May 6

that he would "put an end to hunger in America itself for all time" by, among other things, requiring families to invest no more than 30% of their incomes in food. Under the Nixon System, purchase of the Economy Food Plan of $128 (for a family of 4) itself an inadequate, emergency diet, would cost Nixonian welfare families a minimum of 33% of their incomes (at the $3920 Nixon cut-off level for welfare benefits), a maximum of 80% (at $1600) and a average of 55% (the $2320 level after which benefits are reduced in light of earnings). The adequate Low-Cost Food Plan would cost 38%, 94%, and 65% of their incomes, respectively. Since poverty starts when 33⅓% or more of a family's income must go to buy food (it has been accepted by the Social Security Administration for 4 years as the prime indicator of the demarcation line between economic well-being and poverty), the Nixon Family Assistance System would assure every family on it of being poor by its own definitions.

The only solution to family deprivation instead of family assistance is for the President to revise his System to make it unequivocally clear that assistance recipients could contiue to participate in an expanded food stamp program until, perhaps a decade hence, the System floor were high enough (three or four times as great as proposed) to provide sufficient food purchasing power.

EXPLANATION OF COLUMBUS

(1) Present income level: Calculated on an annual basis with monthly equivalents in parentheses. In the welfare chart, the levels commence at $500 or $32 more than the Mississippi support level for a family of four on an annual basis ($39 per month or $9.50 per person per month), which is the lowest state level of welfare payments, and conclude at $3100 or $56 less than the New Jersey suport level for a family of four on an annual basis ($263 per month), which is the highest state level of welfare payments.

In the non-welfare chart, the levels commence at $100 and proceed up to $3900 or $20 less than the level of earned income at which the Nixon plan would cease to be operative.

(2) Present food stamp benefits: Derived from USDA's tables entitled "Food Stamp Program—Net Income Basis of Coupon Issuance," reflecting monthly net income levels and the concomitant purchase price and bonus value received. Bonus value received is the same as food stamp benefits. There are two coupon issuance tables, one for the South (S), the other for the North (N). The one for the South normally involves slightly smaller bonus values or benefits.

(3) Present total: Income and stamps: Total of columns (1) and (2) reflecting current purchasing power based on blend of welfare/income and bonus stamps under food stamp program now in effect.

(4) Senate Agriculture Committee food stamp benefits: Benefits that may be available by late fall if S. 2547, the Senate Agriculture & Forestry Committee's food stamp bill becomes law. The benefit schedule is based on the Nixon Administration proposal contained on page 4 in the Committee hearings entitled "Food Stamp Program and Commodity Distribution," 91st Cong. 1st Sess. (1969). No reference is made there to any North-South differential, so accordingly none is used. There is one modification—the Committee followed Nixon's proposal as to the total coupon allotment ($1200 a year for a family of four), maximum charge (30% of income), and maximum eligibility ($333 per month for a family of four), but rejected Nixon's request for free stamps for families of four with incomes less than $40 per month,, substituting instead a requirement that the present minimum charge of 50 cents per person per month be retained. Senator McGovern's proposal would add between $240 and $500 to this column if it should pass.

(5) Probable pre-Nixon plan total: Income and stamps: Total of columns (1) and (4).

(6) Nixon proposals for income level: Based on provisions of Nixon Family Assistance Plan, including nationwide floor of $1600 for a family of four, no reduction in benefits for first $60 a month of earnings, and reduction of benefits by 50 cents for each $1 earned up to maximum earned income of $3920. Assumes that none of the 30 states currently above the $1600 figure will raise the level of their current payments.

(7) Nixon proposal for food stamp benefits: Nixon intends to force families to choose between coming under the Family Assistance Plan and receiving food stamps.

(8) Potential total: Nixon welfare, but no stamps: Total of columns (6) and (7).

(9) and (10) Net loss with Nixon: The difference between columns (8) and (3) is contained in column (9). This reveals the net loss (or gain) to a family of four if the Nixon Family Assistance Plan replaced welfare or added to its earnings, while eleminating the food stamps program now in effect.

The difference between columns (8) and (5) is contained in column (10). This reveals the net loss (or gain) to a family of four if the Nixon Family Assistance Plan replaced welfare or added to its earnings, while eliminating the food stamp program likely to be in effect.

The 50-percent State supplementation table

This table is the same as Table I on the Welfare poor insofar as Columns (1), (3), and (5) are concerned. Column (8) is changed to reflect the possibility that each state will utilize the 50% of its present welfare appropriations it must continue solely in order to supplement the Federal guarantee, that is, that Column (1) will be multiplied by 1½ and added on to the standard $1600. Columns (9) and (10) thus are changed because they are computed by determining the difference between Columns (8) and (3) and Columns (8) and (5), respectively.

TABLE 1.—THE NIXON FAMILY ASSISTANCE PLAN AND THE WELFARE (AFDC) POOR (FAMILY OF 4)

Present income level	Present food stamp benefits	Present total: income and stamps	Senate Agriculture Committee food stamp benefits	Probable pre-Nixon plan total: income and stamps	Nixon proposal for income level	Nixon proposal for food stamp benefits	Potential total: Nixon welfare but no stamps	Net loss with Nixon: Present food stamp benefits	Net loss with Nixon: Senate Agriculture Committee food stamp benefits
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
South, $500	$576	$1,076	$1,128	$1,628	$1,600	0	$1,600	+$524	−$28
North ($42)	576	1,076						+524	
South, $600	504	1,104	1,128	1,728	1,600	0	1,600	+496	−128
North ($50)	528	1,128						+472	
South, $700	504	1,204	1,080	1,780	1,600	0	1,600	+396	−180
North ($58)	528	1,228						+372	
South, $800	465	1,256	1,056	1,856	1,600	0	1,600	+344	−256
North ($66)	480	1,280						+320	
South, $900	408	1,308	1,032	1,932	1,600	0	1,600	+292	−332
North ($75)	456	1,356						+244	
South, $1,000	384	1,384	1,008	2,008	1,600	0	1,600	+216	−408
North ($83)	432	1,432						+168	
South, $1,100	360	1,460	1,008	2,108	1,600	0	1,600	+140	−508
North ($92)	432	1,532						+68	
South, $1,200	360	1,560	924	2,124	1,600	0	1,600	+40	−524
North ($100)	408	1,608						−8	
South, $1,300	360	1,660	900	2,200	1,600	0	1,600	−60	−600
North ($108)	408	1,708						−108	
South, $1,400	312	1,712	864	2,264	1,600	0	1,600	−112	−664
North ($117)	408	1,808						−208	
South, $1,500	312	1,812	840	2,340				−212	
North ($125)	384	1,884			1,600	0	1,600	−284	−740
South, $1,600	288	1,888						−288	
North ($133)	384	1,984	816	2,416	1,600	0	1,600	−384	−816
South, $1,700	288	1,988						−288	
North ($142)	360	2,060	768	2,468	1,700	0	1,700	−360	−768
South, $1,800	264	2,064	732	2,532	1,800	0	1,800	−264	
North ($150)	360	2,160						−360	−732
South, $1,900	264	2,164	720	2,620	1,900	0	1,900	−264	−720
North ($158)	360	2,260						−360	
South, $2,000	264	2,264	696	2,696	2,000	0	2,000	−264	−696
North ($165)	336	2,336						−336	
South, $2,100	264	2,364	660	2,760	2,100	0	2,100	−264	−660
North ($175)	336	2,436						−336	
South, $2,200	264	2,464	624	2,824	2,200	0	2,200	−264	−624
North ($183)	312	2,512						−312	
South, $2,300	240	2,540	576	2,876	2,300	0	2,300	−240	−576
North ($192)	312	2,612						−312	
South, $2,400	240	2,640	528	2,928	2,400	0	2,400	−240	−528
North ($200)	288	2,688						−288	

TABLE 1.—THE NIXON FAMILY ASSISTANCE PLAN AND THE WELFARE (AFDC) POOR (FAMILY OF 4)—Continued

Present income level	Present food stamp benefits	Present total: income and stamps	Senate Agriculture Committee food stamp benefits	Probable pre-Nixon plan total: income and stamps	Nixon proposal for income level	Nixon proposal for food stamp benefits	Potential total: Nixon welfare but no stamps	Net loss with Nixon: Present food stamp benefits	Net loss with Nixon: Senate Agriculture Committee food stamp benefits
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
South, $2,500	$240	$2,740	$528	$3,028	$2,500	0	$2,500	−$240	− $528
North ($208)	288	2,788						−288	
South, $2,600	216	2,816	480	3,080	2,600	0	2,600	−216	−480
North ($217)	288	2,888						−288	
South, $2,700	0	2,700	456	3,156	2,700	0	2,700	0	−456
North ($225)	288	2,988						−288	
South, $2,800	0	2,800	418	3,218	2,800	0	2,800	0	−418
North ($233)	288	3,088						−288	
South, $2,900	0	2,900	360	3,260	2,900	0	2,900	0	−360
North ($242)	288	3,188						−288	
South, $3,000	0	3,000	324	3,324	3,000	0	3,000	0	−324
North ($250)	288	3,288						−288	
South, $3,100	0	3,100	324	3,424	3,100	0	3,100	0	−324
North ($258)	288	3,388						−288	

TABLE 2.—THE NIXON FAMILY ASSISTANCE PLAN AND THE WORKING, NONWELFARE POOR (FAMILY OF 4)

Present income level	Present food stamp benefits	Present total: income and stamps	Senate Agriculture Committee food stamp benefits	Probable pre-Nixon plan total: income and stamps	Nixon proposal for income level	Nixon proposal for food stamp benefits	Potential total: Nixon welfare but no stamps	Net loss with Nixon: Present food stamp benefits	Net loss with Nixon: Senate Agriculture Committee food stamp benefits
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
South, $100	$672	$772	$1,176	$1,276	$1,700	0	$1,700	+$928	+$424
North ($8)	696	796						+904	
South, $200	672	872	1,176	1,376	1,800	0	1,800	+928	+424
North ($17)	696	896						+904	
South, $300	672	972	1,176	1,476	1,900	0	1,900	+928	+424
North ($25)	648	848						+904	
South, $500	576	1,076	1,128	1,628	2,100	0	2,100	+1,024	+472
North ($42)	576	1,076						+1,024	
South, $750	456	1,206	1,080	1,830	2,335	0	2,335	+1,129	+505
North ($63)	480	1,230						+1,105	
South, $1,000	384	1,384	1,008	2,008	2,460	0	2,460	+1,076	+452
North ($83)	432	1,432						+1,028	
South, $1,250	360	1,610	924	2,174	2,585	0	2,585	+975	+411
North ($104)	408	1,658						+927	
South, $1,500	312	1,812	840	2,340	2,710	0	2,710	+898	+370
North ($125)	384	1,884						+826	
South, $1,750	288	2,038	768	2,518	2,835	0	2,835	+797	+317
North ($146)	360	2,110						+725	
South, $2,000	264	2,264	696	2,696	2,960	0	2,960	+696	+264
North ($166)	336	2,336						+624	
South, $2,250	264	2,514	624	2,874	3,085	0	3,085	+571	+211
North ($188)	312	2,562						+523	
South, $2,500	240	2,740	528	3,028	3,210	0	3,210	+470	+182
North ($208)	288	2,788						+422	
South, $2,750	0	2,750	456	3,206	3,335	0	3,335	+585	+129
North ($229)	288	3,038						+297	
South, $3,000	0	3,000	324	3,324	3,460	0	3,460	+460	
North ($250)	288	3,288						+172	+136
South, $3,250	0	3,250	276	3,526	3,585	0	3,585	+335	
North ($271)	288	3,538						+47	+59
South, $3,500	0	3,500	240	3,740	3,710	0	3,710	+210	
North ($292)	288	3,788						−78	−30
South, $3,750	0	3,750	192	3,942	3,835	0	3,835	+85	
North ($313)	288	4,038						−203	−107
South, $3,900	0	3,900	168	4,068	3,910	0	3,910	+10	−158
North ($325)	0	3,900						+10	

TABLE 3.—THE WELFARE (AFDC) POOR (FAMILY OF 4) WITH 50 PERCENT STATE SUPPLEMENTATION

Present income level	Present food stamp benefits	Present total: income and stamps	Senate Agriculture Committee food stamp benefits	Probable pre-Nixon plan total: income and stamps	Nixon proposal for income level	Nixon proposal for food stamp benefits	Potential total: Nixon welfare but no stamps	Net loss with Nixon: Present food stamp benefits	Net loss with Nixon: Senate Agriculture Committee food stamp benefits
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
South, $500		$1,076		$1,628			$1,850	+$774	+$222
North ($42)		1,076						+774	
South, $600		1,104		1,728			1,900	+796	+228
North ($50)		1,128						772	
South, $700		1,204		1,780			1,950	+746	+170
North ($58)		1,228						+772	
South, $800		1,256		1,856			2,000	+744	+144
North ($66)		1,280						+720	
South, $900		1,308		1,932			2,050	+742	+118
North ($75)		1,356						+694	
South, $1,000		1,384		2,008			2,100	+716	+92
North ($83)		1,432						+668	
South, $1,100		1,460		2,108			2,150	+690	+42
North ($92)		1,532						618	
South, $1,200		1,560		2,124			2,200	+640	+76
North ($100)		1,608						582	
South, $1,300		1,660		2,200			2,250	+590	+50
North ($108)		1,708						548	
South, $1,400		1,712		2,264			2,300	+588	+36
North ($117)		1,808						+492	

TABLE 3—THE WELFARE (AFDC) POOR (FAMILY OF 4) WITH 50 PERCENT STATE SUPPLEMENTATION—Continued

Present income level	Present food stamp benefits	Present total: income and stamps	Senate Agriculture Committee food stamp benefits	Probable pre-Nixon plan total: income and stamps	Nixon proposal for income level	Nixon proposal for food stamp benefits	Potential total: Nixon welfare but no stamps	Net loss with Nixon: Present food stamp benefits	Net loss with Nixon: Senate Agriculture Committee food stamp benefits
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
South, $1,500		$1,812		$2,340			$2,350	+$538	+$10
North ($125)		1,884						+466	
South, $1,600		1,888		2,416			2,400	+512	−16
North ($133)		1,984						+416	
South, $1,700		1,988		2,468			2,450	+462	−18
North ($142)		2,060						+390	
South, $1,800		2,064		2,532			2,500	+436	−32
North ($150)		2,160						+340	
South, $1,900		2,164		2,620			2,550	+386	−70
North ($158)		2,260						+290	
South, $2,000		2,264						+336	−96
North ($166)		2,336		2,696			2,600	+264	
South, $2,100		2,364						+286	−110
North ($175)		2,436		2,760			2,650	+214	
South, $2,200		2,464						+236	−124
North ($183)		2,512		2,824			2,700	+188	
South, $2,300		2,540		2,876			2,750	+210	−126
North ($192)		2,612						+138	
South, $2,400		2,640		2,928			2,800	+160	−128
North ($200)		2,688						+112	
South, $2,500		2,740		3,028			2,850	+110	−178
North ($208)		2,788						+62	
South, $2,600		2,816		3,080			2,900	+84	−180
North ($217)		2,888						+12	
South, $2,700		2,700		3,156			2,950	+250	
North ($225)		2,988						−38	−206
South, $2,800		2,800		3,218			3,000	+200	−218
North ($233)		3,088						−88	
South, $2,900		2,900		3,260			3,050	+150	
North ($242)		3,188						−138	−210
South, $3,000		3,000		3,324			3,100	+100	
North ($250)		3,288						−188	−224
South, $3,100		3,100		3,424			3,150	+50	−274
North ($258)		3,388						−238	

MILITARY EFFECTIVENESS HURT BY RACE PROBLEMS

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, the sickness of a liberal society has now contaminated even our military structure. The backbone of any military organization is discipline.

The commander is given responsibility and must have authority to carry out that responsibility. Those who try to escape discipline by screaming "racism" are frauds and goldbricks, and all military personnel and veterans know it.

Camp Lejeune reports that 155 marines in training at that installation have been assaulted by other marines since the first of the year. One has been killed and a number hospitalized.

It becomes apparent that forced race mixing creates problems which cannot be handled even by the most stringent discipline and supervision. And if it will not work in the U.S. Marine Corps, how can we expect it to prove to be anything less than a disaster in our elementary and secondary schools.

Talk of "patience, understanding, and tough mindedness" may sound pleasing and look good in print, but it evades the real causation. Blind refusal to face unpleasant facts will never solve the military race riot problem.

What a tragedy that in a topnotch fighting outfit like the U.S. Marines that a noncom or an officer must be more concerned over the possibility of being smeared as a "racist" or prejudiced than he is in turning out a first-class fighting man.

The business of military men is to be prepared to fight our enemies, not to become proficient Negrophiles. Topnotch military leadership can be destroyed and its value lost to the Nation because of one accusation of racial prejudice, whether true of false.

Racial integration in military units might be justified if it strengthened our Armed Forces or aided our fighting men. If it does not do either of these things, military service is no place for social experiments. Where experience has shown the experiment to have harmed our men and weakened our defense, it should be terminated at once.

Mr. Speaker, I include a report by Orr Kelly on Camp LeJeune:

[From the Washington Evening Star, Aug. 13, 1969]

DISCIPLINE BREAKDOWN PLAGUING MARINES

(By Orr Kelly)

CAMP LEJEUNE, N.C.—This is paradise.

Lush green grass flows off through the pine woods and around the sturdy red brick barracks and office buildings. The broad New River moves with stately grandeur past the headquarters of the 2nd Marine Division.

Bass, crappie and panfish abound in the rivers and nearby lakes. Hunters find deer, bear, wild boar, ducks, geese, marsh hens, woodcock, ruffed grouse, quail, pheasant and wild turkey almost in their own backyards.

Some of the world's finest ocean beaches are only a short drive away.

To escape this utopia, many young Marines volunteer for service in Vietnam. Others sign on for another two or three year enlistment in return for the promise that they will be sent somewhere else—almost anywhere else.

For this is a deeply troubled paradise. And the troubles bound up in the 173 square miles of this Marine base and training camp are symptomatic of profound changes within the Marine Corps—changes so deep that some career Marines have already begun to mourn the death of the Corps they have loved.

The incident of the night of July 20, which cost the life of a 20-year-old white Marine from Picayune, Miss., and which has resulted in charges of murder, rioting and assault against five other Marines, three of them Negroes, two of them Puerto Ricans, is symbolic of the trouble and yet, in some ways, not at all typical.

On that Sunday night, about 200 Marines of the 1st Battalion, 6th Marine Regiment, held a party in one of the 12 enlisted men's clubs on the base. They were celebrating their impending departure for a tour of duty in the Mediterranean Sea with the 6th Fleet. Accounts vary, but there were perhaps as many as seven women present. (The commander of the small contingent of women Marines here has since forbidden the women under her command to visit the enlisted men's clubs.)

There is evidence that a small group of men—including at least some of the five later accused of murder—deliberately tried to create a racial incident at the club. But the effort—if, indeed, that is what it was—did not succeed. Beer sales were cut off and the party ended about 10:30 p.m.

A few minutes later, a white Marine came back into the club, his face streaming blood. He had been in a scuffle in the parking lot behind the club. He was not seriously hurt.

By this time, five to ten men, followed by a group of perhaps 30 others, had gone running off across the 6th Marines area. Within 45 minutes, according to Lt. Col. Robert E. Switzer, legal officer for the 2nd Division, there were attacks on 15 white Marines at six different points spread over a distance of about 10 to 15 city blocks.

Maj. Gen. M. P. (Mike) Ryan, soft-spoken white-haired officer who has only recently returned from Vietnam to take over command of the 2nd Division, escorted a visitor through the area the other night at about the same time as the incident of July 20. The section is heavily wooded and, even though

some lights have since been added, quite dark.

"There were 3,000 men in this area and they started coming out of the barracks," Ryan said. "The military police concentrated on getting them back into the barracks. In effect, they were told, 'Get them back in the barracks even if you have to club them in.'"

Maj. Gen. R. McC. Tompkins, commanding general of the base, who returned earlier this year after commanding the 3rd Marine Division in Vietnam through the siege of Khe Sanh, can imagine a situation in which a riot or confrontation might be used as a front for an assault on the armory with its ammunition and automatic weapons. In fact, two boxes of grenades were stolen a month ago in a meticulously planned robbery.

In the darkness of the night of July 20, the MP's quick reaction prevented a massed confrontation. But they couldn't prevent the sudden, widely separated and brief assaults.

The Marine who died a week after the rampage—Cpl. Edward Bankston—was beaten with a tree limb. Pfc. James S. Young, 19, of Roanoke, Va., is still hospitalized with head injuries, apparently inflicted by a kick. Another was stabbed, but not critically hurt. In several other assaults, broomsticks were used.

Whether the whole incident was a deliberate racial attack is not clear.

That none of the assailants had armed himself in preparation for the attacks would indicate that it was not planned in advance. But all the victims were white and one of the attackers, a 17-year-old high school drop-out when he entered the Corps less than a year ago, jumped up on a platform at one point and shouted: "Kill the white beasts!"

Figures gathered by both Ryan and Tompkins from separate sources in recent days indicate the problem that has to be dealt with is the lone Marine who is beaten and robbed and then left lying in the dark, usually unable to identify his attackers or even unsure how many there were.

Ryan asked the base hospital to list the men in his division who had been treated for injuries resulting from assaults, either on the base or in the nearby town of Jacksonville, since the first of the year. The total was 155, of whom 11 were hospitalized.

Tompkins asked his provost marshal for a breakdown of assaults reported to him between Jan. 1 and the first week in August.

There were four cases of assaults by one Negro on another, two on base and two off; 14 by a Caucasian on a Negro, 10 on base and 4 off; 50 by one Caucasian on another, 32 on base and 18 off, and 122 by a Negro on a Caucasian, 104 of them on base and 18 off base—a total of 190 assaults.

Most of the attacks have occurred in an area near the bus station—an area dubbed the DMZ—and the most frequent target is a Marine returning from town late with too many beers under his belt.

In a two-hour stroll through the entire 2nd Division area on a recent night, Ryan (wearing civilian clothes) and a visitor encountered no trouble. Two-man roving patrols were much in evidence. Ryan pointed to a dark area where bushes and tall grass grow in the shadow of the trees. Several nights before, a roving patrol saw a man being attacked by a group.

The patrol caught the attackers but, in the confusion, the victim got away, apparently because he didn't want to get involved with the MP's.

Ironically, the very effort to prevent assaults has tended to intensify some of the deeper problems that afflict both this base and, in a broader sense, the entire Marine Corps.

A senior non-commissioned officer returned to his office after a morning in the field and found a note assigning him to duty in an enlisted men's club on Sunday evening.

"Look at this," he seethed. "I've got 17 years in this Corps and what do I have to do? Strap on a .45 and spend my Sunday night watching PFC's drink beer. If one of them —— gets out of line, he's going to get it right across the teeth."

Another non-com with even more service was sympathetic.

"I hate to have to say this about an institution I love," he said. "But it's dying. There's no respect for authority any more."

"Men are afraid to speak up and exert their authority. It's this racial thing. I've seen men who are ready to lay it on the line. You know what I mean, ready to die for this country, with their careers ruined because they were accused of prejudice. Falsely accused . . . falsely. But their careers were ruined."

In Downtown Jacksonville, the lights along Court Street flash and glare like a miniature version of the Las Vegas Strip.

Two buddies from Columbus, O., one black and one white, stand on a corner just watching people go by and shouting "Hiya, Marine" to acquaintances.

"What do we think of the trouble out there? I'll tell you," said the white Marine. "It means we got to pull more guard duty and can't get out of this place."

Both said they "swoop" home to Columbus as often as possible. "Swooping" is the young Marine's favorite recreation. Thousands pile into cars every Friday afternoon and head for New York, Washington and hometowns up and down the Atlantic seaboard.

Many young enlisted men consider Lejeune little better than a prison. To the officers and senior enlisted men, who have their families here and enjoy reasonably adequate housing, coastal North Carolina is a perpetual delight. Therein lies part of the problem that plagues Lejeune.

"I'll tell you what the trouble is," said the black Marine. "It's those staff NCOs always picking on you. I don't know whether it's racial. Some of them are prejudiced, some aren't.

"I drive a truck, see. The other day, I'm driving and it's hot so I've got my shirt out. I stop to put my shirt back in and this NCO comes up and starts chewing me out about my hat. I've got it pushed on the back of my head."

His hair is cut in a neat, modified Afro style, trimmed close on the sides and tapering up to about a bushy one inch on top.

"A colonel and some other officers come along and I snap to and salute and then this sergeant starts chewing me for not doing what he told me fast enough.

"I told him, 'Well, goddom. You stop picking on me. You stop givin' me all this . . .'"

A few weeks ago, he said, he called his mother and told her he was coming home.

"I told her I was going to crack," he said. "I said I had to get out of here. Well, she got my daddy on the phone and she got the minister to call me and they got me a 10-day leave.

"I got home there with my Mom and Dad and my aunts and I talked to the minister some more and I felt okay. Then I got back here and the sergeant asks me if I want to volunteer to go to 'Nam.

"I told him, 'You're crazy, man. I ain't goin' to volunteer to go to no 'Nam.'

"Next thing I know, he tells me I'm goin' anyway. That's not fair, after they give you a choice."

He thinks his chances as a truck driver are better than if he were the machine-gunner atop the truck, but he has had nightmares ever since he saw a film on a television news program the other night. It showed a truck on fire in Vietnam.

At the base, a sergeant who had recently returned from Vietnam—his third war—told in acid tones of an incident involving another frightened young Marine when he was serving near the DMZ.

"What do you think of a Marine who jabs his arm with a pointed stick and says a rat bit him to avoid combat?" he asks and his blue eyes are icy cold. "I would like to have seen him shot dead on the spot."

Both the young private and the veteran sergeant would probably agree that cowardice—as distinguished from fear—is despicable. But there is a wide gap between the the attitude of the young black drafted to fight in an unpopular war and that of the sergeant who has made the Marines his life.

"You want to know what the trouble is?" asked a man about to retire from the corps. "I'll tell you in one word. It's bitterness . . . hatred. It's in our society and it's affecting the Marines. And it's going to get worse before it gets better."

Last spring, a committee of seven officers reported to Maj. Gen. Edwin B. Wheeler, Ryan's predecessor, that conditions were such that a minor incident might expand into a "major racial confrontation." A major problem, the report said, is that many white officers and non-coms "retain prejudices and deliberately practice them."

Part of this is attributed to an adverse reaction to the symbols young blacks use, which set them apart from the rest of American society—and, even more to the point, sets them apart from other Marines.

The use of these symbols appears to come as a challenge to a generation of Marines who have been taught to think of a Marine, in Ryan's words, as green rather than as black, or white or yellow.

The Afro hair style is an example.

"For the black Marine, the Afro haircut style is 'in,'" says a Platoon Leader's Pamphlet on the racial situation prepared at Ryan's direction. "Such a haircut is not necessarily contrary to Marine Corps standards of appearance. Pictures of such acceptable haircuts are on display in all Marine Corps exchange barber shops. The young black Marine deeply resents arbitrary standards established by a white officer or NCO which forces him to adopt a more 'customary' hairstyle."

But even a haircut well within regulations—closely trimmed on the sides, no more than three inches long on top—can be seen as a deliberate affront to a man who has always considered the very short haircut as one of the hallmarks of a Marine.

"I've been a skinhead all my life," said one sergeant. "We all have. I don't see why these kids have to be different. They say it's their 'African heritage.' Hah!"

The young Negro coming into the Corps, Ryan's pamphlet notes, "is extremely sensitive to real or imagined indications of racial prejudice or discrimination."

But non-commissioned officers complain that some black Marines are quick to complain about discrimination as a means of avoiding unpleasant duties.

"You can't tell a black to clean the commode," said one sergeant. "That's 'menial labor.' But it has to be done, so you end up getting a white to do it."

Thus even the attempts to avoid prejudice and discrimination add to the remnants of the real thing and, along with all the reflected tensions of the outside world, add to the tensions between black and white. Perhaps even more, they increase the tensions between rookie and veteran that plague the corps.

Fortunately, despite their rural southern atmosphere, Jacksonville and surrounding Onslow County seem to be free of overt racial prejudice. The young Marine, regardless of color, is welcome in the bars, clothing stores, jewelers and pawn shops along Court Street as long as his money holds out.

Until the early 1960s, the two predominantly black areas of Jacksonville were off-limits to white Marines. Now, gangs of Negro teen-agers seem to have taken it on themselves to keep them out—and make a profit in the process.

A man returning after 13 months in Vietnam for assignment to the 2nd Division can be assured of two months duty in this country. Then he may be shipped to the Mediterranean, the Caribbean or Guantanamo Bay.

If he wants to marry and bring his bride here, he may—if he is lucky—be assigned to what the government officially calls "inadequate quarters." If he is not lucky, he may pay half his month's salary for rent. And if he is black, he may encounter discrimination although Jacksonville seems to do better on housing than communities near many other military bases.

Because of its isolation—and probably, in many cases, because of just plain homesickness—Camp Lejeune has an unusually high rate of desertion and unauthorized absence. To try to cut the rate, an intensified effort to prosecute and convict deserters was begun last August. The result has been a sharp rise in the number of general courts martial—from 22 in 1967, to 57 in 1968 to 99 in the first seven months of 1969.

Coupled with this problem is the 2nd Division's record for the highest re-enlistment rate in the Corps—a reflection, according to some knowledgeable officers, more of a desire to get away from Lejeune than any deep love for the Corps.

There is also a feeling among some noncoms that the Corps is hurting itself by its emphasis on the rate of enlistment and re-enlistment rather than the quality of the recruits.

Ryan and Tompkins insist that the beatings and assaults are the work of a tiny minority. Ryan calls them "hoodlums," and there's little doubt that Ryan and Tompkins are capable of dealing with this hoodlum element, although at the cost of even further tensions.

One young black Marine came up to Ryan recently and asked: "General, is it true that if more than four of us get together we'll be fired on?"

This is one of many unfounded rumors sweeping across the base. Some of them, it is suspected, have been deliberately planted by a small and not clearly identified group of militants active on the base and in town.

To a visitor from the outside world, the Marine Corps still seems, from all appearances, to be a highly motivated and tightly disciplined organization. To those closer to it the corps has changed vastly in the last 30 years.

It is apparent that there are severe tensions, between black and white, between old and young, that are not susceptible to the same techniques Ryan and Tompkins are using to control the overt violence. They are tensions that can be eased only by patience and understanding combined with a good measure of toughmindedness.

This is the challenge facing this troubled paradise today.

DISTRICT OF COLUMBIA ENVIRONMENT—FORCED RACE-MIXING CREATES ANARCHY

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, yesterday's issue of a leading New Hampshire newspaper has two significant and related columns on its front page. It is fitting that we take a careful look at the relationship of these current emergencies prior to departing from Washington for the recess. Our people are seeing the truth which some of our colleagues refuse to acknowledge.

First, there is a photograph of an all too common sign on the side of a grocery delivery truck. The signs says: "Driver carries no money . . . Truck Equipped With Safe Not Under Drivers Control." Similar signs on the buses serving the city, and on the buses from the surburbs entering the city have become so common that we may fail to realize how inexcusable it is for honest tradesmen to fear to carry money in broad daylight in the Nation's Capital, or for the public transportation system to be the target of such repeated armed robbery that its vehicles must bear signs signifying that such assaults will be fruitless.

When the Warren Supreme Court perverted the Constitution by writing into it that which the people had refused to write into it, the then President Eisenhower proudly claimed that school integration in the city would make Washington a model for the Nation. It certainly has become a model—albeit a model of abject failure.

When the demagogs who had sought to serve their political purpose by mixing races in the public schools had accomplished their initial purpose, the predictable thing happened. Decent parents who were financially able to remove their children from the dangers and deprivation of an inferior school system did so without delay. Citizens moved from the city to the suburbs, where responsible elected officials were still attempting to preserve a decent system of public education.

One of the interesting features of this whole sorry episode was the haste with which those advocates of social leveling for others removed their own children from the dangers which they had deliberately foisted on others.

And so Washington, the Nation's Capital city, became what it is today. As the decent people moved out, the welfare crowd moved in, and the schools suddenly became "de facto" segregated. Crime rose, left-wing demands for "home rule" resulted in more and more abandonment of authority to the mob, and each gain by the demagogs led to louder demands for more and more surrender. FBI statistics released today show another 38 percent crime rise during the past year.

This Congress was even stampeded into proposing an amendment to the Constitution whereby the Washington rabble has a voice in the election of the President—and the people, ignorant of the truth, showed their inate goodness by "granting a vote" to the voteless residents of the Federal Capital.

The diligent efforts of the far left to further amend the Constitution, and to permit the District of Columbia to masquerade as a sovereign State, are now seen for what they really are. Today on the east steps of the Capitol a ragged crew of Hanoi supporters carried signs pointing out that the sabotage of the ABM system—sabotage called for by Moscow and by the Communist Party USA—was prevented by a vote of 51 to 49 in the other body. The signs also pointed out that the District of Columbia should have had representation in the other body, and that two additional anti-anti-ballistic-missile votes would have then been available, helping to destroy the defenses of the United States.

Mr. Speaker, it is imperative that we face up to what is going on here in Washington under our very noses. The people around the country know. And they are determined that they will no longer be used as teaching aids for rehabilitating criminals.

The other item in the New England newspaper relates to the tragic betrayal of schoolchildren in the State of Arkansas. Here again, the parents are unwilling to sacrifice their children to the demagogs. At double expense to themselves, responsible parents have built independent educational facilities. This was necessitated by the deliberate destruction by the "judicrats" of the schools which the people had previously built to educate their youngsters.

Mr. Speaker, those of us who represent the people made the victims of the latest power grab by liberal bureaucrats, are well aware of the facts in our home areas. We know intimately the results which will follow when public schools are made unfit and unsafe for the children of our districts. We know all too well the mood of the people—a people who have suffered much, but who are still too ruggedly American to allow their children to be sacrificed on the altar of political expediency as a propitiation to the nationally repudiated left.

We who represent these Americans have expressed our sentiments directly to the President. We have talked personally with the Attorney General. We have conferred with the Secretary of Health, Education, and Welfare. We have plainly and repeatedly told these gentlemen what the facts are, and what the dangers are. We have not done what we can with the executive branch.

Mr. Speaker, it is necessary again to inform all of our colleagues in this House, and from the floor of this House, the members of the judiciary branch, that the people have had all that they will stand. The decent, responsible, hard-working, taxpaying Americans are through being pushed around. They have spoken at the ballot box in every significant election for more than a year. They are acutely aware that neighborhood peace and harmony cannot be bought with greater outlays of their tax dollars. They are dispatching petitions by the pound to the Congress, to the President, and even to the courts. They are holding meetings numbering in the tens of thousands.

They are determined that what happened to the District of Columbia will not happen to their homes. They are determined that their children will remain safe, and will be educated, not indoctrinated with propaganda foreign both to truth and to the great history of our Republic. And they are determined to do whatever it is necessary for them to do

to protect their homes and their children. This is Americanism at its finest, and we call for the understanding and the assistance of other Americans in removing from the backs of our people the unconstitutional, illegal, and useless punitive measures designed only to appease repudiated and dissident minorities in other parts of the land.

Mr. Speaker, I include several news clippings at this point in the RECORD:

[From the Manchester (N.H.) Union Leader, Aug. 12, 1969]

LIFE IN WASHINGTON, D.C.

Washington is a city in which bus drivers require that the exact change be dropped in the fare boxes, as they no longer carry either change or tokens because of the frequency of holdups.

The holdup peril also is the reason for the sign on Elswick's truck. The safe built into the truck is designed to delay or foil thieves.

Holdup men—who Elswick says often are seeking money to buy drugs—would have several options open on encountering Elswick and his truck.

They might leave him alone and look for easier prey.

They might overpower Elswick and take him and the truck to some quiet spot where they could pry the safe open at leisure. They possibly would kill Elswick afterward so he could not identify them.

If they didn't notice the sign in time—until after they had boarded the truck—they might be defeated by the safe and flee. However, to avoid identification, they might kill Elswick. Or they might beat or kill him to express their disappointment.

The sign and safe, then, lessen the odds against Elswick as a prospective holdup victim—but not by much.

The greatest effect of the sign is to reveal the shocking extent of crime in the streets of Washington, and its effect on the daily lives of ordinary working people.

Probably the best deterrent to the holdups—on the basis of statistics from other states and cities—would be the criminal's knowledge that many responsible citizens, including truck drivers, legally were carrying firearms, while if he, the criminal, were to use a gun to commit a crime, he would be subject to heavy punishment. While desirable, it wouldn't be essential for Elswick himself to carry a gun. The fact that he might be armed would provide him much more protection than his truck's sign.

It was in crime-ridden Washington, ironically, that a commission on violence recently recommended that citizen-owned handguns be confiscated throughout the nation!

This was proposed despite the fact that not one Washington holdup was committed by a handgun. In every case the holdup was committed by a criminal, who may have used a gun, knife, club or broken bottle to terrorize or kill his victim.

Yet political commissions and political cliques continue to pass lightly over the criminal's role, and direct their wrath and restrictions at the nations' citizen-owned firearms, using arguments which with equal absurdity could be turned against automobiles, which often are used in getaways after crimes.

Meanwhile, Washington's sign painters and safe installers are being kept busy.

[From the Washington Evening Star, Aug. 13, 1969]

HOOVER BLAMES "MINORITY" OF REPEATERS FOR RISING CRIME

(By John Fialka)

FBI Director J. Edgar Hoover released a set of statistics today that blames much of the nation's upsurge of crime on a "relatively small minority" of repeaters.

Announcing the results of a special five-year study of 18,333 persons arrested in 1963, he pointed out that 63 percent returned to the streets to be arrested on other charges.

More than 3,900 persons in the group were arrested four or more times between 1963 and 1968, he added.

Hoover said he was most disturbed with mounting arrest rates among the young. Of those who were under 20 when arrested in 1963, 72 percent were arrested again later.

MANY WERE ACQUITTED

By case disposition, the highest number of repeaters, or recidivists, were those who had their original cases dismissed or were acquitted. Of these, 91 percent were arrested again in five years.

Adding fuel to the growing criticism of the lack of rehabilitation in the nation's penal system the statistics showed that of those who served prison sentences for their 1963 crime, 74 percent were arrested again.

In another way of documenting the problem the FBI traced the records of 5,528 persons arrested on robbery charges in 1967 and 1968. Of these, 86 percent had been arrested previously, 73 percent had been convicted of a prior serious crime, and 50 percent had served time for prior convictions.

"We are talking about a small number of people who repeat and repeat and repeat, there's no other way of putting it," commented one FBI official.

RISK TO CITIZENS GROWS

Hoover said the risk that a citizen will become a victim of crime has doubled since 1960.

The statistics show that the risk of becoming a victim of crime in the Washington area is substantially higher than the national average, but lower than the risk in other major, nearby metropolitan areas.

Last year 2235 serious crimes were reported for each 100,000 population in the nation. In the Washington Metropolitan area, which includes all surrounding suburban jurisdictions, including Loudoun and Prince William counties, the rate per 100,000 was 3,416 crimes.

However, the Baltimore area reported a higher rate, at 4,449, and the New York metropolitan area was still higher with 4,733 serious crimes per 100,000 residents.

The nation's rate of crime increase has grown 11 times faster than the population in the 1960s, Hoover said.

The FBI statistics showed that, while police were able to solve more cases than ever before in 1968, their clearance or solution rate compared with the total amount of serious crime reported is continuing to drop.

SERIOUS CRIME UP 17 PERCENT

In 1967, clearances were reported in 22.4 percent of serious cases. Last year the figure dropped to 20.9 percent. It was more pronounced in the category of robbery, where a 7 percent decline in clearances was reported.

As Hoover reported earlier this year, serious crime in the nation increased by 17 percent over 1967.

Washington had an increase of 24 percent over 1967. In 1967, 39,585 serious crimes were reported. In 1968 the number rose to 49,360.

The FBI report complains of a "growing attitude of disrespect for police" and shows that the rate of citizen assaults on policemen climbed 17 percent last year. There were 15.8 assaults for each 100 officers.

However, the report adds, there was a decline in the number of officers murdered in the line of duty. Sixty-four officers were killed throughout the nation last year, compared with the record of 76 killed in 1967.

[From the Washington Daily News, Aug. 13, 1969]

THE SERIOUS CATEGORY—D.C. CRIME TOPS U.S. HIKE

The number of serious crimes in the District rose 24.7 per cent in 1968 over the previous year, nearly 50 per cent above the national increase of 17 per cent according to the FBI's Uniform Crime Report released today.

The District ranked sixth in the nation in number of serious crimes, with all the higher-ranked cities having larger populations. New York, with 482,990 serious crimes, led the nation.

The FBI lists murder and non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny-theft of more than $50, and auto theft as "serious crimes."

District police chief Jerry V. Wilson blamed part of the crime rise here on court delays in trying suspects and a lenient bail release policy. He told the House Select Committee on Crime on Monday the "immediate answer to our crime problems . . . lines in the major shoring up of our court systems and corrections facilities."

Two innovations in District police efforts to combat the upward trend of crime were put into effect this week. The city's 14 precincts were consolidated into six districts and a $1 million worth of communications equipment was put into operation.

The report shows that in the District there was an increase in all serious crime categories except aggravated assault, where the rate dropped by 1.3 per cent. The rate also went down in two lesser categories—negligent manslaughter and larceny-theft of less than $50. The negligent manslaughter rate dropped 13.3 per cent, while the larceny category rate drop was less than 1 per cent.

Other category rises over 1967 figures were: murder and non-negligent manslaughter, up 9.5 per cent; forcible rape, up 51.1 per cent; robbery, up 49.7 per cent; burglary, up 22 per cent; larceny-theft of $50 and over, up 10.5 per cent; and auto theft, up 33.5 per cent.

In all, the District showed 49,360 crimes "known to the police" as compared to 39,585 in 1967, and 29,479 in 1966.

Suburban statistics were not broken down in the FBI lists, and "metropolitan Washington" figures included crimes committed in Loudoun and Prince William Counties—sections not ordinarily considered part of the metropolitan area.

In the FBI's "metropolitan Washington," there were 3,416.5 crimes per 100,000 inhabitants in 1968, and 2,839.6 crimes per 100,000 inhabitants the previous year. That amounts to a 20.3 per cent ries.

National statistics show a 17 per cent increase in crime, with a citizen's chances of being a victim on the increase. There were more than two victims per 100 inhabitants of the country in 1968.

[From the Washington Daily News, Aug. 13, 1969]

CRIME—A GROWING PROBLEM

(By Mark Schneider)

The dominant factor affecting crime in suburban Maryland is the District of Columbia—its residents, its illicit attractions and its social crises.

In each instance, law enforcement problems and responsibilities are created for Maryland police forces. Suburban police chiefs say that the impact may be unavoidable when a center city is surrounded by increasingly affluent bedroom communities.

SPILLOVER FROM D.C.

The crime spillover was outlined during Senate District Committee hearings on crime earlier this year. Sen. Joseph D. Tydings, committee chairman, summed up the testimony: "Across the streets and rivers which mark the District of Columbia boundaries spill many of the culprits, costs and consequences of crime in its suburbs."

A review of crime statistics for the first half of 1969 and interviews with area police chiefs reinforce those conclusions, but bring into question how much police forces can do to reduce crime.

The trend of serious crimes in suburban

Maryland from January through June showed an approximate 15 per cent increase over the first six months of 1968. Crimes against property—auto theft, grand larceny and burglary—produced much of the increase. Among the violent felonies—murder, rape, assault and robbery—the latter set new highs and in most areas police had difficulty keeping up with the increase.

However, Prince Georges police, where robbery incidents jumped 48 per cent, managed to up their arrests by 60 per cent over the first half of last year. D.C. residents continued to comprise some 60 per cent of the robbery suspects.

Those robbery statistics supported the testimony before the Senate District Committee by Prince Georges Commissioner Francis J. Aluisi, who said his county, with 17.4 miles of common boundaries with the District, had the "largest and most costly crime spillover problem."

ATTRACTION FOR YOUNG

The spillover produced other law enforcement problems. John Trubow, executive director of the Maryland Governor's Committee on Law Enforcement and the Administration of Justice, stressed that the District's social unrest ripples of fear across political boundaries that could be measured in the sudden upturn of gun sales last year.

He said pistol sales jumped from 4,126 to 7,983 in Prince Georges and from 2,756 to 4,315 in Montgomery in 1968.

Montgomery County Police Chief James J. McAuliffe also emphasized that suburban residents, particularly young people, were drawn to Georgetown and Dupont Circle and all too often returned home with marijuana and other illicit drugs. Prince Georges police officials found drug usage reports tripling over 1968 with the District one of the major drug sources.

But the District's effect on suburban communities has been uneven and nearly every jurisdiction has a different "major" problem.

CRIME STATISTICS

A profile showing the increase in serious crimes during the first half of 1969 over the same period a year ago points up the unevenness of Montgomery County, up 23 per cent; Prince Georges, up 8 per cent; Takoma Park, up 34 percent; Hyattsville, up 6.8 per cent; and Greenbelt, up 66 per cent.

Behind those figures are the thousands of people who have called police to report their home broken into, their car stolen or their store robbed.

Statistics cover the prosperous businessman who spent a week at his cabin and returned to a ransacked Bethesda home to find television, radio and jewelry missing. They also include the high-rise apartment complex in Silver Spring where a secretary opened the door to her airconditioned apartment and discovered the electric appliances missing. The numerical totals also cover the Takoma Park motel owner who was pistol whipped during the second armed robbery of his office this year when he "moved too slowly."

MONTGOMERY COUNTY

Montgomery County (577 officers, $8 million police budget, 505,000 population) Chief McAuliffe said there were 10 murders and 20 rapes this year, a substantial increase over last year. But the Chief added, "We've also upped our arrest rate in those cases."

However, the police clearance rate for robberies was far below its mark last year with only 23 arrests compared to the 45 recorded in the first six months of 1968. "A goodly proportion of those robberies were committed by people from other areas—D.C. and Prince Georges particularly," he said.

The most frequent felonies were housebreaking and thefts of more than $50.

"The wealth of the county, the location of our homes surrounded by hedges and shrubs makes it easy prey for burglars," he explained. He said that the county hoped to counteract a recent rise in apartment burglaries by requiring "dead bolt" locks to make it harder for the apartment burglar who depends on fast entrance and exit.

Chief McAuliffe also said that the county's narcotics problem has continued undiminished, with juveniles and the under-25 age group the major offenders. Since January, 129 arrests for narcotics violations have been made, nearly all in the younger age group, the chief said.

"In our county, the actual use of narcotics is more or less restricted to marijuana." He agreed with the earlier statement made by Lt. John Bechtel:

"Our kids started going to Georgetown two or three years ago and it (drug use) mushroomed up just as soon as they did."

PRINCE GEORGES

Prince Georges (500 officers, $9 million budget, 632,000 population) Police Chief Vincent S. Free said, "about 95 per cent of our crime occurs between the D.C. line and the Beltway." He said that most robberies—489 through June 1969—fall within a mile or two of the District.

Robbery Squad Lt. James Ross added that only one shop along the 10-mile length of Eastern-av had not been robbed.

Chief Free added, "the targets have been small businesses, dry cleaners, fried chicken and hamburger restaurants."

He said that most of the stores and shops had parking lots that made "drive-in" holdups easy to accomplish.

Despite the difficulties involved, Chief Free cited the increase in robbery arrests and attributed it to "concentrating our people in the places of highest incidence."

JUVENILES AND DRUGS

Both men named the narcotics problem as the county's most difficult to detect.

"It is increasing by leaps and bounds with more juveniles involved each day," Chief Free said. He called the drug usage "just phenomenal" and added, "It's coming from the larger cities."

Narcotics arrests nearly tripled in the county during the first six months of the year with 148 persons, including 62 juveniles, apprehended. In 1968, only 53 persons were arrested during the same period.

"We're sending them (policemen) through narcotics training as fast as we can," Prince Georges Vice Squad Capt. Wayne Milligan said. He added that more police undercover work is needed.

Here's how the crime problem shapes up in a sampling of suburban Maryland communities.

CITY OF GREENBELT

The city of Greenbelt (15 officers, $200,000 budget, population 20,000) Police Chief William T. Lane reported that serious crimes had jumped 66 percent, with larceny over $50 tripling and burglaries also rising by more than 60 percent.

Greenbelt's recent experience was the most dramatic evidence of a shift in the target of thieves that also was felt by other suburban Maryland communities.

The vast majority of the thefts—20 last January thru June, 1968, and 62 this year—were from autos that had been stripped inside and out. The major attractions were the tape recorders, radios and elaborate speaker systems that stud many new car interiors.

HYATTSVILLE

Hyattsville (13 officers, $150,000, population 18,000) Police Chief Kenneth C. Moureau also said, "They go after those accessories as well as tires and batteries." Grand larceny showed the single largest increase with 97 instances compared to the 80 reports last year.

He also said that housebreakings were in "apartments mostly, and in the evening, when people are out."

TAKOMA PARK

In Takoma Park (27 officers, $250,000 budget, population 25,000) a sudden rash of 40 apartment break-ins last month helped send burglary statistics up 20 percent and larceny soaring some 60 percent above last year's totals at the same date.

Lt. Robert E. Porter said the burglaries were clustered in the apartment complexes abutting East Silver Spring. He attributed the crimes to "outside gangs who were after T.V.'s, cameras, binoculars—anything and everything small that was pawnable or sellable."

Altho the department was aware of the trend upward in narcotics usage, he said that only eight narcotics reports had been registered since the first of the year. He added that drugs were concentrated among young adults who were not habitual users but smoked marijuana or amphetamines and barbiturates at parties. He said a drug abuse educational program is beginning in junior and senior high schools in September.

PROBLEM GROWING

Despite the efforts and the cooperation of area police departments, in communication, computerized records systems and mutual aid arrangements, the simple fact is that crime continues going up.

Police expenditures for manpower and equipment are on the rise. But so is the rate of crime. That is where it stands.

QUIT? NEVER!

(By John J. Synon)

As my friend pushed himself under the steering wheel, his right heel brushed the big, black .45 strapped against the seat's upright.

My eye caught the movement as his eye caught the startled expression on my face.

"We don't go out any more without a gun," my friend said, by way of explanation. "Not in this part of Arkansas. There have been several incidents."

The journey was to be a short one, a mile, from the Marvell fair grounds where a barbecue was in progress to the new school house I had asked to see.

"Things are really getting tight," my companion told me as we arrived. "Between the federal courts and the NAACP, they mean to crush us and we don't really know what to do exactly—except resist."

The school was no great shakes, not if one were to compare it to tax-bought, public school. But the pride and love so evident in the timber of my friend's voice changed the one-story, 12-room brick building into a veritable palace. This was their very own, they had built it for their children, independent of the public schools and (they hoped) independent of the federal government. And (they hoped) nobody could tell them how to operate it.

"We built it for a hundred-thousand dollars, all of it; land, equipment, everything."

"How much do you still owe?"

My friend seemed to savor his reply: "Twenty-seven hundred more and she's clear."

Marvell, Arkansas, is located about 75 miles south and a bit west of Memphis. It is cotton country; no rain, no cotton; no cotton, no life worth the living. It is an elementary land. Its people believe in God, and they believe in good and in evil, in the United States of America, and in the boll weevil. And they believe in social segregation of the races; blacks as well as whites believe in that.

"Ninety per cent of the people of this

country, black and white, don't want the races mixed up in the schools—but that doesn't matter. They are going to do it anyway—they say."

I rather doubt they will, or if they do, not for long. And, I gather, the federal judge who rules the area is developing doubts, too. One suspects he has come to question the insistent counsel he has been getting from the NAACP.

"Over in the next town," my friend went on, "they had a man—white man, think of that—go around to all the white parents, asking them please, wouldn't they send their children to integrated school, this fall?

"And they got some to say they would. It costs $400, you know, to send a child here.

"They told them not to worry, that the white children would be brought in separate busses and would be taught in a separate building. They told 'em the whites and the colored would have separate recess times and that they would begin school and end school at different times of day. Not to worry.

"That's what they are going to do in September, so they say. But you watch. The NAACP ain't going to put up with that. Once they get those white kids on the lot, they will lock the door in that whites-only building and lump 'em all together"

"And then what?"

"You ever put six cats in a sack?"

I said I had not but I thought I knew what he meant.

"And that will spread."

"How far?", I wanted to know.

"Got me; it will be like six-thousand cats in a sack. That's the best I can tell you. They can crush us, and we expect they will. And then the trouble will quiet down."

"You think then, if they bring troops to Arkansas again, you will quit?"

"No, sir. They will bring the troops, all right, but we won't quit. They will just crush us."

"No, sir. Quitting and being tied up are two different things. They are just going to have to hold us. They can do that but that's all they can do. Maybe, one day, they will get tired and turn us loose. But we will never quit."

And they never will.

OBJECTIVES OF SDS

(Mr. ICHORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ICHORD. Mr. Speaker, in the event that there may be some who think that SDS will be more responsible since the Peking-oriented Progressive Labor Party group lost the SDS elections in Chicago. I think it would be well for students and college administrators, who shortly will be faced with the possibility of continued SDS-sponsored campus disruptions, to take a close, hard look at the ultimate objectives of the current SDS leaders.

A position paper entitled "You Don't Need a Weatherman to Know Which Way the Wind Blows," printed in the June 18, 1969, issue of New Left Notes, official publication of the Students for a Democratic Society (SDS), sets forth the views of leading officials of the SDS including Mark Rudd, national secretary; Jeff Jones, national interorganizational secretary; and Bill Ayers, national education secretary. These individuals control the SDS national office, its finances, and its propaganda facilities.

Their attitude, relative to the American educational system, is that "revolutionaries should never put forth a line which fosters the illusion that imperialism will grant significant reforms." They express the belief that high schools and colleges should be closed rather than reformed.

They have bodily stated:

The goal is the . . . achievement of a classless world: world communism.

And that—

Political power comes out of the barrel of a gun.

That—

A revolution is war.

And—

To win a war with an enemy as highly organized and centralized as the imperialists will require a clandestine organization of revolutionaries.

They state:

Because war is political, political tasks—the international communist revolution—must guide it.

And that a revolutionary mass movement is "akin to the Red Guard in China" and one "with a full willingness to participate in the violent and illegal struggle."

The text of pertinent sections from New Left Notes follows:

Goal Is World Communism

So the very first question people in this country must ask in considering the question of revolution is where they stand in relation to the United States as an oppressor nation, and where they stand in relation to the masses of people throughout the world whom US imperialism is oppressing. * * * We are within the heartland of a world-wide monster, a country so rich from its world-wide plunder that even the crumbs doled out to the enslaved masses within its borders provide for material existence very much above the conditions of the masses of people of the world.

The goal is the destruction of US imperialism and the achievement of a classless world: world comunism.

How To Make a Revolution

"The Communists are distinguished from the other working class parties by this only: 1. In the national struggles of the proletariat of different countries, they point out and bring to the front the common interests of the entire proletariat, independently of all nationality. 2. In the various stages of development which the struggle of the working class against the bourgeoisie has to pass through, they always and everywhere represent the interests of the movement as a whole." (Communist Manifesto.)

At Columbia it was not the gym, in particular, which was important in the struggle, but the way in which the gym represented, to the people of Harlem and Columbia, Columbia's imperialist invasion of the black colony. Or at Berkeley, though people no doubt needed a part (as much, however, as many other things?), what made the struggle so important was that people, at all levels of militancy, consciously saw themselves attacking private property and the power of the state. And the Richmond Oil Strike was exciting because the militant fight for improvement of material conditions was part and parcel of an attack on international monopoly capital. The numbers and militancy of people mobilized for these struggles has consistently surprised the left, and pointed to the potential power of a class-conscious mass movement.

The masses will fight for socialism when they understand that reform fights, fights for improvement of material conditions, cannot be won under imperialism. With this understanding, revolutionaries should never put forth a line which fosters the illusion that imperialism will grant significant reforms.

What does it mean to organize around racism and imperialism in specific struggles? In the high schools (and colleges) at this time, it means putting forth a mass line to close down the schools, rather than to reform them so that they can serve the people. * * * And even where high school kids are not yet engaged in such sharp struggle, it is crucial not to build consciousness only around specific issues such as tracking or ROTC or racist teachers, but to use these issues to build toward the general consciousness that the schools should be shut down. * * *

Agitational demands for impossible, but reasonable, reforms are a good way to make a revolutionary point.

Neighborhood-Based City-Wide Youth Movement

One way to make clear the nature of the system and our tasks working off of separate struggles is to tie them together with each other; to show that we're one "multi-issue" movement, not an alliance of high school and college students, or students and GI's, or youth and workers, or students and the black community. The way to do this is to build organic regional or subregional and city-wide movements, by regularly bringing people in one institution or area to fights going on on other fronts. * * *

From a neighborhood base high school kids could be effectively tied in to struggles around other institutions and issues, and to the anti-imperialist movement as a whole.

The second level is combining these neighborhoods into city-wide and regional movements. This would mean doing the same thing—bringing people to other fights going on—only on a larger scale relating to various blow-ups and regional mobilization. * * * The existence of this kind of cross-motion makes ongoing organizing in other places go faster and stronger, first by creating a pervasive politicization, and second by relating everything to the most militant and advanced struggles going on so that they influence and set the pace for a lot more people. * * *

Revolutionary Youth Movement (RYM) and the Pigs (Police)

Pigs don't represent state power as an abstract principle; they are a power that we will have to overcome in the course of struggle or become irrelevant, revisionist, or dead. We must prepare concretely to meet their power because our job is to defeat the pigs and the army, and organize on that basis. Our beginnings should stress armed self-defense—building defense groups around karate classes, learning how to move on the street and around the neighborhood, medical training, popularizing and moving toward (according to necessity) self-defense, all the time honoring and putting forth the principle that "political power comes out of the barrel of a gun." These self-defense groups would initiate pig surveillance patrols, visits to the pig station and courts when someone is busted, etc.

The Need for a Revolutionary Party

The RYM must also lead to the effective organization needed to survive and to create another battlefield of the revolution. A revolution is a war; when the movement in this country can defend itself militarily against total repression it will be part of the revolutionary war.

This will require a cadre organization, effective secrecy, self-reliance among the cadres, and an integrated relationship with the active mass-based movement. To win a war with an enemy as highly organized and centralized as the imperialists will require a (clandestine) organization of revolutionaries,

having also a unified "general staff"; that is, combined at some point with discipline under one centralized leadership. Because war is political, political tasks—the international communist revolution—must guide it. Therefore the centralized organization of revolutionaries must be a political organization as well as military, what is generally called a "Marxist-Leninist party." * * * A revolutionary mass movement is different from the traditional revisionist mass base of "sympathizers." Rather it is akin to the Red Guard in China, based on the full participation and involvement of masses of people in the practice of making revolution; a movement with a full willingness to participate in the violent and illegal struggle.

INTERESTING PARADOXES

(Mr. HALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HALL. Mr. Speaker, I was interested, as all Members were, at the remarks of the gentleman from New Jersey (Mr. JOELSON) concerning the application of pressure to the chief administrator in the executive branch on the HEW appropriation bill.

Mr. Speaker, I believe there are several paradoxes involved in this. First, this is not an act or a law yet. Hearings will not be started in the other body of Congress, until the end of next month.

Second, when a ceiling of $192.2 billion has been placed on the Chief Executive, and we rather wantonly increase it by $2.3 billion in one single appropriation out of some 15 bills—not counting the supplementals—it is needless to say that any Executive who administers under such reins would impound and withhold until such time as priorities are established by the legislative branch, or indeed he has to assert them himself.

And finally, let me invite your attention to the paradox in the statement that if this money is not spent by the Federal Government, certainly it must be spent by the local school boards, the municipalities, political subdivisions, and governments of States other than the Federal Government. This might indeed be a very wonderful thing, and even more constitutional than our help from the Federal taxpayers' pockets.

Finally, I would say, Mr. Speaker, that if the gentleman from New Jersey does not want the credibility gaps in the halls of justice of the State of New Jersey to be greater than they were in the Department of Defense under Robert Strange McNamara and Arthur Sylvester, he had better correct the CONGRESSIONAL RECORD because it says he did vote against the surtax extension which he has just denied on this floor.

SCHOOL AID TO IMPACTED AREAS

(Mr. QUIE asked and was given permission to address the House for 1 minute.)

Mr. QUIE. Mr. Speaker, I heard the gentleman from New Jersey talk about his amendments and the suggestion that if the Federal Government does not spend the money, the local school boards and the States will spend the money instead.

If that was the case, I would not have voted for the Joelson amendment. In fact, a number of those expenditures, especially vocational education, title II of the Elementary and Secondary Education Act, I doubt that the local schools would be able to find that money to spend. I think the local schools would find the money to spend for general education now financed by impact aid. But there are some programs that will be financed, only if the Federal Government makes those expenditures. We passed an adequate authorization last year for vocational education but, we have to spend the increased amount of money in the House-passed HEW appropriation bill in order to implement that Vocational Education Act.

It is my feeling that the President is right to the extent that the Congress has the responsibility of holding spending down to the limit we set. When we set the priorties in the House for more education money, which I favor, I also believe we have a responsibility to reduce expenditures in some other areas so that we can keep the budget in balance. I hope the administration hears our demands for more adequate education funding but I hope we also hear and heed the administration's demand for sound fiscal judgment on the total budget.

Mr. JOELSON. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. JOELSON. I think you are right to a certain extent. You referred to impacted aid which I think is almost $400 million over the budget estimate and title I which certainly is drastically needed in the industrial cities which is $180 million. So I would say half a billion dollars would have to be provided by the cities if the Federal Government did not provide it.

GUN CONFISCATION: THE ISSUE IS JOINED AS NEVER BEFORE

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, for the first time in the many years of public debate over gun registration, control, and licensing, the public has started to recognize that the thrust of all these proposals has been, and is, gun confiscation. The July 30 statement of Dr. Milton Eisenhower on behalf of the National Commission on the Causes and Prevention of Violence has brought the issue to a head as never before.

The Commission's recommendations were not watered down or obscured by technicalities, but were direct and unequivocable. The Commission has advocated gun confiscation by the U.S. Government.

What the Commission has done is to polarize the debate. As one of those Members who has consistently fought what I consider to be unconstitutional proposals for gun registration, I can only state my delight and surprise that the gun confiscators have decided to come out from under the cloak of respectability in which they wrapped themselves after the Kennedy-King-Kennedy assassinations. We, the opponents of gun confiscation, have cried "wolf," and sure enough, but unlike the fable, the wolf appeared. In the fable, the neighbors came running to fight the wolf and that is what is happening today. The citizens are beginning to fight these unnecessary, unwarranted, and unworkable recommendations that would destroy their right to self-protection.

It is interesting that some representatives of the press are also beginning to see the light, but most important, one of the leaders of the confiscation forces has drawn back from the Commission's statement. He said:

I don't think the American people are ready to go that far.

With that statement, I find for the first time that I am in agreement with the senior Senator from Connecticut. The Commission has truly gone too far, but I fear that the gentleman from Connecticut was showing more concern for the detrimental impact of the Commission's report and recommendations on the carefully constructed image which the gun confiscators have built up over the years than on the substantive issue of gun control. The Commission's report may have given hope to some, but its blunt and uncompromising tone has finally shown the true colors of those in the forefront of the gun control debate. With the issue now out in the open, with the battle lines firmly drawn, with the American citizen aroused as never before, I believe it is appropriate to say that the turning point has been reached. The direction now is toward realism. The sob sisters and do gooders have had their day, now the voice of reason—the voice of the American people, the voice of the American sportsman—will prevail.

That voice of reason has been heard by the administration, although acknowledgment has not come from as high up as I would have expected considering the statement of candidate Nixon and the mandate of the people as expressed last November. If you will recall, candidate Nixon said on July 9, 1968:

Gun control . . . disarms law-abiding citizens . . . merchants, cab drivers and bus drivers who are unarmed because they have obeyed the gun law become the easy prey of the criminals who have evaded it.

Candidate Nixon went on to call for a mandatory sentence of up to 7 years for the use of a firearm in the commission of a major crime.

Even though I do not believe the Nixon administration's current position is strong enough in opposition to gun control legislation, I am pleased with the indication that the administration is willing to slow down the heretofore headlong rush into gun confiscation. This position was stated by the Associate Deputy Attorney General on July 24 before the Senate Subcommittee on Juvenile Delinquency.

The Justice Department and the Treasury Department are, in my opinion, faced with an impossible situation. They must attempt to enforce a law which is basically unworkable—the Gun Control Act of 1968. The administration spokesman has not come right out and said that the law is useless, but he did put the law in perspective concerning attempts to revise it this year. He said:

Since the (Act) did not become effective until the end of 1968, we have had only approximately seven months of experience with its enforcement.

In short, knowing that the law is basically unenforceable, the administration is hoping that the Congress will not further complicate the problem of enforcement by adding more rules and regulations. Naturally, you know my reaction to that—if it is a bad law, repeal it.

In the same statement, the Justice Department expresses what I take to be the philosophy of the administration concerning the further attempts to push gun control and registration, to wit:

We agree with the representatives from the Department of the Treasury that registration and licensing proposals represent a distinct departure from previously held concepts of Federal controls of sporting firearms and would constitute an unwarranted invasion into the province of State and local governments.

Earlier, the Justice Department spokesman gave a succinct statement on the "why" of this position:

I believe it is necessary to emphasize that each State faces different problems and conditions in the area of firearms control. The problems and conditions peculiar to the populous urban Northeastern States are not those peculiar to the sparsely populated Plains and Mountain States. Thus, the legislatures of these diverse States are likely to adopt different measures in dealing with firearms."

You will notice that the department mentions "firearms," not long guns, or handguns, but "firearms." The distinction which the Commission has endeavorder to make is very weak. Unfortunately, the administration seems to play into the hands of the gun confiscation advocates when its spokesman prefaces "firearms" with "sporting." At the present time, I am willing to give the administration the benefit of the doubt on this issue and hope that the distinction between types of weapons will not become a new wedge upon which to mount a campaign to legislatively deprive the citizens of their firearms.

The gun confiscation advocates, having failed in their attempts to confiscate or control every gun in the United States last year with the emotionally spurred Gun Control Act, are now relying on the press notices generated by the Commission on Violence and the Commission's distinction between the relative "harm" caused by the ownership of one type of weapon over another. This false distinction is not likely to be palatable to the American public, and for a change, it is not left to a member of the loyal opposition to gun controllers to point out the absurdity of the distinction.

In an editorial entitled "More Gun Control Nonsense," in the July 30 edition of the Washington Evening Star, the point was made more dramatically than I could hope to do. The importance of that editorial requires its full reading and I incorporate it here for the convenience and edification of all Members:

MORE GUN CONTROL NONSENSE

As an introductory note to this editorial comment, an item in the crime news is worthy of attention. On Monday there were 22 armed robberies in Washington. This brought the July total as of that date to 450, compared to 332 armed robberies in all of July of 1968.

In the face of this a task force of the President's Violence Commission (appointed by President Johnson) comes forward with a wacky recommendation. Its proposal is, except in a very small number of cases, that all Americans should be required to surrender any hand guns they own to the government.

Here is the task force's reasoning: This is the only way in which the United States can break "the vicious circle of Americans arming to protect themselves from other armed Americans." Now what does this really come down to? Even the task force, we suppose, would concede that criminals are not going to surrender their hand guns. So what they are saying is that no homeowner, to cite one example, should be permitted to keep a hand gun in his own house to protect himself, his wife, and his children against the night when some armed criminal might break into his home. Their argument is that home owners "may" seriously overrate firearms as a method of self-defense against crime. The "loaded gun in the home creates more danger than security."

This strikes us as blithering nonsense. How many members of this task force have been awakened in the middle of the night by a scream for help by some member of his family? Probably not one. But thousands of Americans are exposed to this dreadful experience every year. And in such a situation what is an unarmed householder supposed to do against an armed intruder? Hide under his bed, and never mind what happens to his family?

The major thrust of this soft-in-the-head report is that the requirement to surrender your hand gun, of which there are an estimated 24 million in the country, would reduce crime. This is absurd, for the criminals are not going to surrender their guns. A better and much more realistic way to deal with this problem will be found in legislation now being considered in Congress.

The intent of this legislation is to provide tough, really tough, mandatory penalties for criminals who use guns in the commission of a felony, such as rape, robbery or burglary. For a first offense the penalty generally favored would be a mandatory jail sentence in a federal jurisdiction, which includes Washington, of from one to 10 years. A judge would be forbidden to suspend this sentence or to make it run concurrently with the sentence for the primary offense. In case of a second offense, much stiffer jail sentences are proposed, and they should be written into law.

A similar bill passed the House last year, but was watered down in the Senate before becoming law. The argument then was that mandatory sentences deprive judges of discretion in imposing penalties. And so they would. But in one week at the time the watered-down bill was passed 17 criminals in this city were found guilty of crimes in which guns were used. In six of these cases, more than one-third, the judge imposed suspended sentences, which means that no jail terms were served for using a gun.

So we say let's make the sentences mandatory. And let's not deprive the law-abiding citizen of hand guns in his own home while the criminal element will remain armed to the teeth.

One point in that editorial is worth repeating over and over:

The major thrust of this soft-in-the-head report (of the Commission) is that the requirement to surrender your hand gun, of which there are an estimated 24 million in the country, would reduce crime. This is absurd, for the criminals are not going to surrender their guns.

This is what I have always stressed—we must attack the criminal problem with an attack on the criminal, not with a broadside against the law-abiding citizen who owns a gun. The President has suggested that mandatory sentences be handed down for those using firearms in the commission of a crime and the administration has already shown support for bills in Congress which would provide this.

I am introducing a bill today which would amend the penalty provisions for crimes committed while armed. The bill would provide mandatory, additional consecutive sentences for persons who carry or use firearms during the commission of felonies in violation of Federal law. Under the provisions of the bill, sentences could not be suspended, nor could offenders be given probation. The purpose of this bill is to attempt to convince the man who sets forth on a criminal venture to think twice about being armed.

We know that the Gun Control Act of 1968 provided for minimum mandatory sentencing, but that law has a loophole big enough to drive a truck through. The result is that the intent of the provision of that act may be thwarted by the very persons to whom it is directed. What good does it do to tell the criminal that if he commits a crime using a firearm he would, if convicted, receive a mandatory sentence, and then have a judge put him on probation? No use whatsoever, but that is what is happening under the 1968 act and is one more reason why the act is unworkable and should be repealed.

In addition to wrongly attacking the owners of guns as the "cause" of violence in America, the Commission on Violence in one of its recommendations calls for something that is already in existence. The Commission recommends that—

Public education program(s) to inform Americans fully about the role of firearms in accidents, crime, and other forms of violence; a publicity campaign to reduce the number of loaded guns in American homes . . . We urge in particular that the National Rifle Association and other private organizations devoted to hunting and sport shooting be enlisted with interested citizens and the media to assist in pointing out the dangers of loaded firearms in the home and the need for meaningful firearms legislation.

This suggestion is a little behind the times. Members of Congress and the sportsmen have long known of the firearm safety and marksmanship program of the NRA. For the information of the public, I am incorporating part of the NRA's 1968 Operating Report in my remarks to show that the Nation's largest firearms organization is deeply involved in safety programs:

FIREARM SAFTEY AND MARKSMANSHIP

Through firearm safety education and marksmanship training, the National Rifle Association renders much of its public service. These programs are used by affiliated shooting clubs, state agencies and national youth-serving organizations. Through these activities the NRA maintains a widespread contact with the youth of America. Unquestionably, this has aided the growth of the NRA.

Police firearms training is a vital part of the NRA firearms education effort. The availability of this program has stimulated many

law enforcement agencies to place more emphasis on firearms training. Some agencies have conducted their first complete firearms training courses as a result of exposure to the NRA program. During 1968 the NRA Training Staff trained 353 police firearms instructors representing 196 enforcement agencies. The new Police Instructor Manual and combat shooting filmstrip, introduced in 1968, has aided substantially in this area. NRA also serves as a clearing house and standardizing influence for police firearms training courses, training aids, targets and courses of fire.

CERTIFIED INSTRUCTORS

NRA Certified Instructors and NRA Training Counselors are the heart of our training program; without them it could not exist. The total number of instructors continues to grow and expand. It is through the unselfish devotion of these dedicated members that many NRA objectives are achieved and the influence of the National Rifle Association is spread. These volunteer instructors give thousands of hours annually to the introduction of new people to the sport of shooting and firearms safety. Since 1933, our records show that 272,260 individuals have been appointed as NRA instructors. All instructor ratings are renewed annually in order that the files will include only active instructors. The figures below show the growth in the number of instructors for the past 3 years and the new instructors during 1968.

During 1968, 209 NRA Training Counselors (trainers of instructors) and NRA staff personnel trained 3,912 instructors. This means that more than one-third of all new marksmanship instructors were appointed after in-person training.

CERTIFIED INSTRUCTORS

	Total Dec. 31, 1968	New 1968	Total Dec. 31, 1966	Total Dec. 31 1967
Hunter safety	62,480	10,902	52,871	52,545
Rifle marksmanship	25,470	4,459	22,520	24,915
Pistol marksmanship	10,261	2,514	11,220	13,194
Shotgun	6,481	1,680	4,117	5,461
Police	3,130	745	1,970	2,693
Home safety	5,329	946	4,612	4,176
Total	113,151	21,246	97,310	102,984

Note: NRA firearm safety programs.

NRA FIREARM SAFETY PROGRAMS

The NRA, long considered an authority by those who know guns, is now widely recognized and accepted as a partner by other organizations and groups concerned with safety in other fields.

Forty states and six Canadian provinces now operate hunter safety programs. Fifteen states and two provinces have laws which make hunter safety training a prerequisite for obtaining the first hunting license. The remaining twenty-five states and four provinces have official programs with voluntary participation. The number of students graduated during each of the last 3 years is: 384,514 in 1966; 385,244 in 1967; and 387,070 in 1968; with a total of 4,010,535 at the end of 1968.

Home Firearm safety training continues to fill a very definite need. Statistics show that firearms accidents in the home exceed those in the hunting field each year. NRA Clubs, Women's Organizations, Police Departments and youth groups show a continuing interest in this area of firearm safety.

NRA BASIC MARKSMANSHIP COURSES

Marksmanship training was the primary reason for the organization of the National Rifle Association in 1871. It has shown a continued increase through the years. Growth has been achieved through the creation of new manuals and teaching aids, by the regular updating of methods and materials and the development of new programs. A total of 514,514 individuals, mostly juniors, have completed the courses. Participation for the last 3 years is shown below:

REGISTERED COURSES CONDUCTED

	1968	1967	1966
Rifle	947	1,069	646
Pistol	246	184	98
Shotgun	61	51	27
Home safety	241	184	178
Total	1,495	1,488	949

STUDENTS GRADUATED

Rifle	34,363	32,332	20,111
Pistol	5,316	3,654	2,656
Police	56,767	36,041	31,552
Shotgun	3,413	1,419	980
Home safety	4,813	5,327	5,478
Total	104,672	78,773	6,777

NRA MARKSMANSHIP QUALIFICATION COURSES

Marksmanship qualification courses are designed to stimulate the shooter to practice in order to improve his skill. Such improvement is recognized by means of special awards at various stages throughout each course. Awards may be earned over various courses of fire and with many types of firearms. Some awards are within reach of the beginner while others present a challenge to even the most experienced marksman. The NRA Qualification Program has been popular since its introduction in 1926. Since that time 8,157,791 qualification awards of all types have been issued. In 1968, a total of 356,474 were earned in the following qualification courses: Air Rifle, Gallery Pistol, Gallery Rifle, Outdoor Position Smallbore, Outdoor Prone, Outdoor Pistol, Light Rifle, .22 Shotgun, Full-gauge Shotgun, Police Combat, Collegiate Pistol, Collegiate Smallbore Position, High Power Rifle, Carbine and 9 international courses of fire for 4 different arms.

NRA RANGE PROMOTION AND DEVELOPMENT

Today, finding "a place to shoot" is considerably more difficult than it was 25, or even 5 years ago. Recognizing this problem, and knowing also that the number of recreational shooters increases daily, the NRA is focusing a great deal of effort in the areas of range promotion, planning and development.

In the past year, a Nationwide Range Facilities Survey was taken, collecting data which will be used to create necessary guidelines for promotion and expansion in this field.

Programs of research and experimentation are being conducted at the NRA Experimental Range located in Cheltenham, Maryland. The facility presently includes a shooting house incorporating various types of construction design and materials, a one-hundred-yard smallbore and high power rifle range, a standard pistol and police combat pistol range which includes a manual turning target system, and an international clay pigeon field and trap house.

Beginning last summer and continuing to this time, construction has centered on the development of a safety baffle system of practical and effective design. The system includes a shooting house "overhang," a series of overhead baffles filled with crushed stone, a newly designed backstop which incorporates an "eyebrow" to contain shots deflected upward, and a "wing-baffle" structure to close in the sides of the range. This total system will provide effective safeguards against ricochets or accidental discharges leaving the range area.

Range promotion and planning services are available to all individuals and groups interested in the development of shooting facilities. Available are information booklets which cover virtually all types of range design, range equipment, fund raising for range development and recreational shooting programs.

Mr. Speaker, the program has been in operation since 1933 and I want to point out that as of December 31, 1968, the NRA had 62,480 firearms instructors in the 50 States and Canada conducting programs for 4,010,535 students. In my humble opinion, that is a more direct and more meaningful contribution to the cause of firearms safety than all the reports, dramatic statistics, and recommendations made by any national commission, however illuminary its leaders or however many hours were spent in preparing a glossy report.

Mr. Speaker, in summary, I want to reemphasize that the gun control battle has entered a new era with the report of the Violence Commission and I, for one, welcome frankness of those who would confiscate all the guns in America. We who supported the citizens' right to own firearms could only warn the American public about the true intentions of the gun control advocates. Now that we know the real purpose of these proposed laws, I am convinced that the American public will rise together to fight off this expanded attempt to more deeply involve the Federal Government in their private lives.

REPORT OF THE COMMISSION ON OBSCENITY AND PORNOGRAPHY

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, it is with a sense of relief that I note the Commission on Obscenity and Pornography has finally decided to issue an "interim" report on its activities. The report, though falling short of what I had hoped to see in terms of recommendations and guidelines, nevertheless comes at a propitious time. Hearings on smut peddling in America are underway in the Post Office and Civil Service Committee, and have also been scheduled by a Judiciary subcommittee. The number of my colleagues who have introduced or cosponsored bills to control the spread of pornographic trash indicates a general sense of concern on the part of Congress. The mail I receive marked "personal" or "to be opened by male staff only," is truly staggering and indicates the depth of concern of our citizens with the unimpeded solicitation of pornographic material throughout the country.

After my comments in the House of June 5, concerning the eminence of the interim report of the Commission, many Members called my office to inquire if I had any information on what the Commission was doing or its general activities. Unfortunately, and unexplainably, a critique on the Commission was most

difficult to obtain. Now that the interim report has been published and Members are aware of the direction and scope of its inquiry, I hope the Commission will be more cooperative with Members of Congress in the future because many of us want to cooperate and assist in this crusade.

I include the full text of the report of the Commission on Obscenity and Pornography following my remarks. A close examination should provide guidance to other Members into ways of combating all forms of smut.

The material follows:

PROGRESS REPORT OF THE COMMISSION ON OBSCENITY AND PORNOGRAPHY

INTRODUCTION

This is a progress report to the Congress and the President. It reports no findings. It makes no recommendations. Either would be premature at this time in view of the extensive study and research assignments Congress gave to the Commission. It simply reports the manner in which the Commission is carrying out its assignments, and the directions its studies, investigation and research are taking. The Commission plans to report its findings and recommendations in the summer of 1970 as directed by Congress.

THE COMMISSION'S ASSIGNMENT

Congress, in Public Law 90–100, found the traffic in obscenity and pornography to be a matter of national concern. The Federal Government was deemed to have a "responsibility to investigate the gravity of this situation and to determine whether such materials are harmful to the public, and particularly to minors, and whether more effective methods should be devised to control the transmission of such materials." To this end the Congress established an advisory commission whose purpose is "after a thorough study which shall include a study of the causal relationship of such materials to antisocial behavior, to recommend advisable, appropriate, effective, and constitutional means to deal effectively with such traffic in obscenity and pornography."

Congress assigned four specific tasks:

"(1) with the aid of leading constitutional law authorities, to analyze the laws pertaining to the control of obscenity and pornography; and to evaluate and recommend definitions of obscenity and pornography;

(2) to ascertain the methods employed in the distribution of obscene and pornographic materials and to explore the nature and volume of traffic in such materials;

(3) to study the effect of obscenity and pornography upon the public, and particularly minors, and its relationship to crime and other antisocial behavior; and

(4) to recommend such legislative, administrative, or other advisable and appropriate action as the Commission deems necessary to regulate effectively the flow of such traffic without in any way interferring with constitutional rights."

The Commission subscribes completely to the Congressional directive to make recommendations only after thorough study. Therefore, because results of its studies are not yet available, the Commission cannot yet make recommendations. Rather, this report relates the history of the Commission's activities, the status of its current work, and the directions in which it is moving.

ORGANIZATION OF THE COMMISSION

Congress established the Commission in October 1967, and the President appointed its members in January 1968. (A listing of the Commissioners is provided as Appendix A.) However, not until July 1968 were funds appropriated for its operation; at the same time the tenure of the Commission was extended to provide it the originally intended two years for its activities. The Commission is to report its findings and recommendations to the President and the Congress by July 31, 1970.

The Commission held its first meeting in July 1968. It gave exploratory consideration to the various areas of its responsibilities, making use of experts who presented preliminary analyses of the available information in the legal, traffic, and effects areas. It elected a chairman and vice-chairman. The Commission then organized itself into four working panels: 1) Legal; 2) Traffic and Distribution; 3) Effects; and 4) Positive (non-regulatory) Approaches. It appointed a subcommittee to recommend a director for the Commission's staff. The Director and a General Counsel were appointed effective the last week in August 1968, and the nucleus of a staff was assembled during September 1968. (A listing of the Commission's staff is provided in Appendix B.)

The full Commission or its working panels held 16 meetings through June 5; the attendance of Commission members at these meetings has averaged 90%. The Commission has reviewed many available studies and other data in the areas of its responsibility, developed research plans, and implemented the studies required by Congress. The remainder of this report will review the status of the Commission's work in each of the panel areas.

LEGAL PANEL

The Legal Panel, noting Congress' directive that recommended action should not in any way interfere with constitutional rights, reviewed recent case law regarding obscenity and pornography for guidelines concerning permissible legislative action. Apart from general obscenity statutes, constitutional precedents suggest three primary directions for effective legislative action to control erotic materials: 1) statutes with specific concern for juveniles; 2) statutes dealing with assaults upon individual privacy and offensive public displays; and 3) statutes prohibiting pandering.

The panel, in experimenting with drafting statutes, has worked first in these above areas, while leaving open the possibility of other types of legislation, including possible use of Federal laws to aid in enforcement of local obscenity laws. In Appendix C will be found an example of a possible statute designed to meet one of the areas of expressed public concern—the problem of assaults upon privacy through unsolicited mailings.

Congress in establishing the Commission stated "The State and local governments have an equal responsibility [to the Federal Government] in the exercise of their regulatory powers and any attempts to control this transmission [of pornographic and obscene materials] should be a coordinated effort at the various governmental levels." To provide the necessary background information for recommendations in this area, the panel is studying the legal provisions and enforcement activities at all three governmental levels.

Obscenity statutes of the Federal Governmental and from the 50 states have been assembled and are under review; statutes from selected municipalities are currently being collected. Also in preparation is a descriptive review of the activities of several Federal Departments which have responsibilities under Federal law for dealing with obscenity (the Postal Inspector's Office and the General Counsel's Office within the Post Office Department; the F.B.I., the Criminal Division, and the Civil Division of the Department of Justice; and the Customs Office in the Treasury Department). A survey of State and Municipal prosecutors regarding their experience, problems, and recommendations regarding the enforcement of obscenity statutes is nearing completion, and a survey of police officials is in the planning stage. The recommendations of States Attorneys General and of constitutional lawyers throughout the United States are being solicited. Intensive first-hand examination of obscenity law enforcement in a number of communities throughout the nation will take place within the next few months.

The survey of prosecuting attorneys merits some further elaboration. Questionnaires have been mailed to a stratified random sample of over 700 prosecuting attorneys. The questionnaires inquire into the extent of the problem of obscenity in the local community and what kinds of materials and distributions are involved; the experience of their offices in prosecuting obscenity cases; the methods most often used; the obstacles encountered in prosecution; recommendations for changes in existing obscenity law; and the role of local police officials and citizens groups in law enforcement. The sample has been selected in such a way as to allow comparisons between local and state prosecutors, between large urban and small town communities, and among regions of the nation. Although the returns are not all in and the analysis is not completed, a preliminary review indicates that there is considerable variation in the experiences of the prosecuting attorneys. The returns are providing valuable information, insights, and suggestions. Finally, the Legal Panel has authorized the staff to plan a national sample survey designed to provide information relevant to the currently applied judicial test of "contemporary community standards." Recent discussions indicate that there are considerable variations in opinions about what are contemporary community standards regarding the offensiveness of sexual stimuli, but there does not now exist any empirical data on the matter to inform these discussions. One of the most troublesome aspects is the changing climate of opinion. Change has, of course, always been a factor, but currently the rates and degree of change make the problems in assessment of community standards increasingly difficult. Differences based on locality, age, economic status, education, etc., are obviously wide. Greater knowledge seems essential in order to construct any acceptable definition of obscenity. This survey is tenatively planned for the fall of 1969.

TRAFFIC AND DISTRIBUTION

The Commission concluded early in its existence that, since there is no well-defined and generally accepted definition of obscenity or pornography, it must study a wide variety of erotic stimuli or sexually related materials. In its study of traffic and distribution, materials will be classified by descriptive categories.

Most existing estimates of volume of traffic do not designate the kinds of materials that are involved and are seldom based on empirical data. The most informative source on traffic and distribution is a report made to the California Legislature by the Office of the California Attorney General in 1967. This report described chiefly the state of affairs in California at that time, and requires updating because of rapid developments. Nevertheless, the report, based on carefully specified classes of materials, provides valuable insights into the organization of the erotic materials industry and helpful leads for further study. The overall question with which the panel is faced is, "Who gets how much of what, and how?" A two-pronged attack on the problem is being made by approaching it through studies of both distributors and consumers. Thus, two independent estimates of volume and nature of traffic will be secured.

The Commission staff is currently engaged in a study of the producers and wholesale distributors of erotic materials. Also, on our agenda is the study of local retail distribution, open and underground, including the types of materials handled and types of customers served by the various classes of retailers, and an inquiry into the extent of circulation among youth of material initially purchased at retail by adult customers. All these studies are somewhat complicated by the fact that there tend to be several different industries, each centering in a particular medium. Because of limited resources, the studies will have to be done serially, and thus, spread over time. Currently, we are looking at certain types of magazines, books, and newspapers; movies are scheduled for the fall.

The mail order business in erotic or sexual materials is also currently under study. The study is being coordinated with the Post Office Department, and will complement its activities and provide independent estimates of volume. Questions concerning the use and abuse of mailing lists for unsolicited advertising of erotic materials are of high priority in the mail studies.

Estimates of the volume of traffic in erotic materials provided by the studies of distributors will be compared with independent estimates based on studies of potential customers. A national sample survey is being planned to determine the general public's experience with erotic materials. The survey is being designed to produce information about how much exposure, under what circumstances, various kinds of people have had to different kinds of erotic stimuli. This survey, scheduled for the fall, will not only provide independent estimates of the gross volume of erotic materials, but also crucial empirical data about patterns of distribution to the eventual consumers.

Two research projects currently under way are closely related to this issue of patterns of exposure: One is a study of the experience of college students with erotic materials, and the other is a feasibility study to see if this information can be obtained from high school students. The results from these studies are expected in the summer and will provide much needed information about the extent to which and the channels by which young people are exposed to erotic materials.

Another vital question in the realm of patterns of distribution is "Who are the large scale consumers of erotic materials—the regular customers?" The staff is designing a research project, which is to be carried out next fall, that will provide information about the characteristics of the habitual consumer of erotic materials, the functions of such materials for these people, and how they came to be involved with erotic materials.

EFFECTS

The assignment to study the effects of obscene and pornographic materials on the public, and in particular on minors, is the most complicated of the Commission's technical tasks. The study of cause and effect relationships in any area is difficult enough; in the area of pornography and minors it is even more so. Some of the problems are: (1) the variety of stimulus materials that may be of concern; (2) the variety of supposed consequences of exposures; (3) isolating the effects of exposure from the effects of other influences; and (4) the sensitivity of research and inquiry in the sexual realm.

One of the first activities of the Commission was to review the existing social and behavioral science literature relevant to its tasks. A review of this literature published in 1962 reached the following conclusions: (1) there was only meager research available at that time and much of it was open to criticism on methodological grounds; (2) the reported empirical research related to "immediate, transient responses," and there was as yet no empirical evidence to answer the questions "how long the conditions of arousal last and how this stimulation might affect overt behavior, attitudes governing behavior and mental health." Cairns, Paul & Wishner, *Sex Censorship: The Assumptions of Anti-Obscenity Laws and the Empirical Evidence*, 46 Minn. L. Rev. 1009, 1032, 1034 (1962). A Commission-conducted review of the literature published in the years 1960–1968 reveals that the situation is not changed substantially in the 7-year period since that previous review.

The Commission has only limited resources and limited time, and recognizes that it cannot completely remedy this absence of information. Nevertheless, the study of effects is one of the Commission's principal tasks, and the Commission believes that in the time available it can provide helpful scientific information to guide legislative judgments, even though the answers may be tentative. Because of our almost complete empirical ignorance in the area of effects, even tentative answers should have a value.

The panel has established a series of research goals: (1) to ascertain the relationship between use of erotic material and sexual and nonsexual behavior; (2) to ascertain the relationship between use of erotic materials and attitudes toward sex, moral outlook regarding sex, and standards of conduct in sex; (3) to ascertain the relationship between cumulative exposure over time to erotic materials and arousal and interest in such materials; (4) to ascertain the relationship between exposure to erotic materials and general social attitudes and ideas; and (5) to ascertain the relationship between exposure to or use of erotic materials and mental health or psychopathology.

The panel has defined several methods of research that should contribute to the achieving of these goals; (1) survey research with national samples of persons; (2) intensive, "clinical" research on selected populations of persons (e.g., comparison of sex offenders or juvenile delinquents with nonoffenders in terms of history of experience with erotic materials); (3) studies of incidence and rates at the community level (e.g., to study the relationship between the amount of erotic material sold and the number of sex crimes in a sample of cities with differing characteristics); (4) experimental studies (e.g., rating the degree of offensiveness of erotic stimuli presented in a controlled laboratory situation); and (5) international comparative studies.

The panel has also agreed upon a strategy for implementing the research program in the Commission situation of limited funds at present, uncertainty regarding the total amount of funds to be available, and limited time. The strategy adopted is to work first on the creation of relatively standardized research instruments to be used in the survey and clinical (quasi-experimental) research, the identification of specific research situations, and exploratory feasibility studies, and to postpone large commitments to data gathering activities. Thus, we will be able to move rapidly into the data collection phase as soon as funds are available in FY '70.

A consequence of the necessity for relying on this two-phase research strategy is that much of the information regarding effects will not be available until near the end of the Commission's tenure. The results of these studies will be scheduled to be reported to the Commission in the spring of 1970 and will thus be available for the Commission to consider in making its recommendations and for inclusion in its final report.

Examples of exploratory and feasibility studies that are currently underway are: (1) the relationship between availability of pornography and sex crimes; (2) the consequences of exposure to erotic materials among college students; (3) the judgments by adults of the degree of intensity of various erotic stimuli; (4) the cumulative effects of large scale exposure to erotic materials, i.e., satiation or increased appetite; (5) adolescents' reports of the effects of erotic stimuli they have encountered in the "ordinary course of events"; and (6) potentially erotic stimuli associated with the dating experience of junior college girls and of unwed pregnant high school girls.

The Commission has also let contracts for the development and pretesting of an adult survey research instrument, a clinical interview procedure, a test of moral reasoning regarding sex, and a high school interview instrument.

POSITIVE APPROACHES

The purpose of the Positive Approaches Panel is to explore and evaluate alternatives to legislative controls. The importance of this direction of inquiry has recently been pointed up by President Nixon, "The ultimate answer lies not with the government but with the people. Government can maintain the dikes against obscenity, but only people can turn back the tide." The panel is focusing on four types of alternatives: sex information programs, programs to encourage good reading by children, industry self-regulation, and citizen action groups.

A number of studies have shown that adolescents are generally characterized by a combination of strong curiosity about sex and a wealth of misinformation about the subject. Adolescents report that the principal source of sex information is their peers. Parents, church, and school are almost insignificant as sources of information in this area. The panel is investigating two central questions regarding sex information: (1) whether the availability to children of sex information in the home, school, or church prevents an obsessive interest in obscene and pornographic materials; and (2) whether sex education in the home, church, or other institutions prevents potentially harmful effects of later exposure to obscene and pornographic materials. These questions can be tested by empirical research. One feasibility study in this area is underway. We are conducting a number of discussions trying to identify further appropriate research settings to inquire into these questions.

The panel is exploring the possibility of testing whether programs to encourage the reading of good books may serve as an alternative to interest in obscene materials.

Most of the mass media industries have promulgated codes that supply guidelines to the members of the industry in fulfilling their responsibilities to the society and the public, and these codes often contain sections dealing with erotic stimuli. The effectiveness of these industry self-regulating attempts is a much debated issue. The panel desires not only to analyze the provisions of such codes, but also to examine their effectiveness. The recently instituted movie-rating system of the motion picture industry offers an opportunity to study the operation of such an attempt at industry self-regulation. The Commission has contracted for an independent evaluation of the effectiveness of the new movie-rating system with an emphasis on the questions of the validity of the ratings and the enforcement of the admission standards regarding minors.

Citizen action groups may perform many functions relating to the control of erotic materials within a community. These ad hoc groups arise in a variety of circumstances, manifest a variety of organizational structures, achieve a variety of specific aims, and maintain viable existences for variable periods. No one, however, has attempted to

describe the social dynamics of their emergence and operations; and no general statements, based on observation and analysis, can be made regarding them. Several ad hoc citizen groups have indicated to the Commission a desire to cooperate with the Commission and to be studied as a case history. The panel has initiated one research contract to investigate the feasibility of such studies. The complete results are not yet in, but the preliminary reports indicate that a valuable contribution will result. A second research site is now being explored as a possibility for a second case history as a test of the generalizability of the tentative description of the social dynamics of such groups.

CONCLUSIONS

This brief description of the current status of the Commission's work indicates the many specific tasks being undertaken to fulfill its assignments: to analyze the legal problems and develop useful definitions; to ascertain volume of traffic and patterns of distribution; to study effects; and to recommend action. The presentation does not adequately reflect the degree of integration among the work of the various panels. The work of the various panels is intentionally coordinated, however, and one research project often serves several of the panels and several goals simultaneously.

One example of the integration of the work of the several panels may be found in the instance of the national survey. The Legal Panel requires information on community standards. The Traffic Panel requires information on how many people have been exposed to what kinds of material. The Effects Panel requires information on behavioral and attitudinal correlates of exposure to erotic materials. These three different information requirements are joined together in a single research project—a national sample survey.

Congress assigned to the Commission a tremendous task that is complicated by the primitive state of knowledge in this very complex area. The Commission feels that it is making progress in its program to remedy this lack of information. The direction of our studies will continue to be flexible as we seek the best means of securing the information needed for the recommendations requested by Congress. Although the Commission cannot exhaust the studies that need to be made in this huge and difficult area within the limited time and funds available, the Commission believes it will be able to make significant contributions by the summer of 1970 when it plans to make its report and recommendations in accordance with the assigned deadline.

All members of the Commission concur in the foregoing Progress Report as accurately reflecting the Commission's activities. A separate Statement by Commmissioner Morton A. Hill will be attached, together with a brief response by the other members of the Commission.

Report Approved June 5, 1969.

WILLIAM B. LOCKHART,
Chairman.

APPENDIX A

COMMISSION ON OBSCENITY AND PORNOGRAPHY

CHAIRMAN

William B. Lockhart, dean, University of Minnesota Law School, Minneapolis, Minnesota.

MEMBERS

Edward E. Elson, President, Atlanta News Agency, Inc., Atlanta, Georgia.

Thomas D. Gill, Chief Judge, Juvenile Court for the State of Connecticut, Hartford, Connecticut.

Edward D. Greenwood, Chief Psychiatrist, The Menninger Foundation, Topeka, Kansas.

Morton A. Hill, S.J., President, Morality in Media, New York, New York.

G. William Jones, Assistant Professor of Broadcast-Film Art, Southern Methodist University, Dallas, Texas.

Kenneth B. Keating,[1] Judge, New York Court of Appeals, Rochester, New York.

Joseph T. Klapper, Director, Office of Social Research, Columbia Broadcasting System, New York, New York.

Otto N. Larsen, Professor of Sociology, University of Washington, Seattle, Washington.

Irving Lehrman, Rabbi, Temple Emanu-El, Miami Beach, Florida.

Freeman Lewis, Vice President, Publishing, Simon & Schuster, Inc., New York, New York.

Winfrey C. Link, Tennessee Annual Conference, Methodist Church, Hermitage, Tennessee.

Morris A. Lipton, Professor of Psychiatry, University of North Carolina Medical School, Chapel Hill, North Carolina.

Thomas C. Lynch, Attorney General, California, Sacramento, California.

Barbara Scott, Attorney, Motion Picture Association of America, New York, New York.

Mrs. Cathryn A. Spelts, Instructor in English, South Dakota School of Mines, Rapid City, South Dakota.

Frederick H. Wagman (Vice Chairman), Director, University Library, University of Michigan, Ann Arbor, Michigan.

Marvin E. Wolfgang, Professor of Sociology, University of Pennsylvania, Philadelphia, Pennsylvania.

APPENDIX B

COMMISSION ON OBSCENITY AND PORNOGRAPHY

PROFESSIONAL STAFF

W. Cody Wilson, Ph. D., Executive Director (August 1968), Social Psychologist.

Paul Bender, LL.B., General Counsel (August 1968), Lawyer.

Jane M. Friedman, LL.B. (January 1969), Lawyer.

Karen I. Green, M.A. (October 1969), Clinical Psychologist.

Bernard Horowitz, Ph. D. (September 1968), Educational Psychologist.

Weldon T. Johnson, Ph. D. (June 1969), Sociologist.

Lenore R. Kupperstein, M.A. (May 1969), Criminologist.

John J. Sampson, LL.B. (June 1969), Lawyer.

Virginia P. Banister (August 1969), Administrative Officer.

SECRETARIAL AND CLERICAL STAFF

Alfred S. Carter, Kathy I. Diester, Dorothy A. Gooding, Muriel L. Montgomery, Anna M. Zerega.

APPENDIX C

TENTATIVE DRAFT OF STATUTE REGULATING UNSOLICITED MAILINGS OF POTENTIALLY OFFENSIVE MATERIALS

The following tentative draft of possible legislation regarding the unsolicited mailings of potentially offensive sexual materials is presented only as an example of the Legal Panel's work in exploring the problems of drafting effective legislation to regulate the flow of traffic in erotic materials without in any way interfering with constitutional rights, as directed by Congress. This experiment in drafting legislation has been extremely instructive to the Commission and the result may be helpful to others who are struggling with similar issues. Whether this draft will ultimately emerge as a specific recommendation of the Commission must, of course, await the completion of the studies designed to bring the total problem into as accurate focus as possible. The definition it contains of "offensive sexual material" should not be misread as the Commission's attempt to define the "obscene" or the "pornographic."

TITLE—UNSOLICITED MAILING OF POTENTIALLY OFFENSIVE MATERIAL

(a) *Purpose*—It is the purpose of this section to afford mail recipients the option not to receive through the mail unsolicited potentially offensive sexual materials.

(b) *Requirement of Symbol*—Every person who, for himself or by his agents, mails or causes to be mailed potentially offensive sexual material, as defined in subsection (h) herein, to an addressee or addressees who have not expressly requested receipt of the mailed material from the sender, shall place a symbol upon the envelope or outer wrapping thereof. The form, placement, size and other attributes of the required symbol, and the effective date of the requirement of this subsection, shall be set forth in regulations promulgated by the Postmaster General of the United States: *Provided that* (i) the regulations shall not, insofar as possible, require significant extra expense to be incurred by persons subject thereto in order to comply with their requirements, nor shall the symbol prescribed under this subsection contain language or signs indicating a judgment regarding the quality or value of the materials to which it is required to be affixed, and, (ii) the regulations shall not require compliance therewith sooner than 90 days after publication of such regulations both in the Federal Register and by the posting thereof at all United States Post Offices.

(c) *Publication of Symbol and Return of Mail*—The Postmaster General shall take suitable steps to acquaint the public with the symbol required by subsection (b) with the definition of potentially offensive material contained in subsection (h) of this section. Any person who receives mail bearing the symbol required by subsection (b) of this section, and who does not wish to open such mail, may either destroy it or mark it "refused," in which case he may redeliver it to the Post Office from which delivery was made, where it shall be destroyed. The right of destruction or refusal under this subsection may be made by a parent or guardian on behalf of his or her minor children who reside with the parent or guardian.

(d) *Exercise of Option by Mail Recipients*—Every person who wishes not to receive unsolicited mailings of any potentially offensive sexual materials, as defined in subsection (h) herein, may so notify the Postmaster General on a form provided by the Postmaster for that purpose. Such forms, which shall contain the definition of potentially offensive sexual materials set forth in subsection (h) of this section, shall be made available to the public at every United States Post Office and shall be deliverable to the Postmaster through any Post Office. A notification under this subsection may be made by a parent or guardian on behalf of his or her minor children who reside with the parent or guardian and, when expressly authorized by them to do so, a person may give such notice on behalf of other adults receiving mail at the same mail address. The Postmaster General shall take suitable steps to inform mail recipients of their option under this subsection.

(e) *Revocation of Exercise of Option*—Any person who, having notified the Postmaster General pursuant to subsection (d) of this section, wishes to revoke that notification, may do so on a form provided by the Postmaster General for that purpose. Such forms shall be made available to the public at every

[1] After approval of the Progress Report, Judge Keating resigned from the Commission to become U.S. Ambassador to India.

United States Post Office and shall be deliverable to the Postmaster through any Post Office. The Postmaster General may, by regulation, prescribe a reasonable period of time before such revocation shall become effective and the Postmaster may further provide, by regulation, reasonable restrictions upon the frequency with which the powers conferred upon mail addressees by subsections (d) and (e) of this section may be alternatively exercised.

(f) *Non-Delivery of Mail Carrying Symbol to Persons Exercising Option*—The Postmaster General shall, after enactment of this section, devise and implement procedures to prevent the delivery of mail bearing the symbol required by subsection (b) of this section to persons who notify him pursuant to subsection (d) of this section; *Provided that*, if practical considerations so require the Postmaster may restrict the application of such procedures to mail addresses where the option under subsection (d) of this section has been exercised by or on behalf of all persons residing at that address.

(g) *Penalties*—Whoever violates the requirement of subsection (b) of this section shall be guilty of a misdemeanor and liable to pay a fine of not more than $1,000, if the violation consists of the mailing of unsolicited material without the required symbol to no more than 25 addressees, or to pay a fine of not more than $50,000, if the violation consists of the contemporaneous mailing of unsolicited material without the required symbol to more than 25 addressees.

(h) *Definition*—For the purposes of this section:

(i) Person means natural person, corporation or other legal entity;

(ii) Potentially offensive sexual material means:

(A) Any pictorial representation, photographic or otherwise, of uncovered adult human genitalia or pubic areas, of human sexual intercourse, sodomy, masturbation, or direct physical stimulation of clothed or unclothed gentalia, or of flagellation or torture indicating an erotic relationship, or any description, advertisement or offer to sell such pictorial material where such description or advertisement presents an excerpt or excerpts from or a detailed verbal description of such material; or

(B) Any artificial human penis or vagina or device primarily designed physically to stimulate genitalia, or any description, advertisement or offer to sell or distribute such an artificial organ or device where such description or advertisement presents either a pictorial representation or a detailed verbal description of such organ or device or its manner of use; or

(C) Any pictorial or verbal material consisting primarily of instructions in or depictions of human sexual techniques or of detailed fictional or factual descriptions or depictions of human sexual practices, or any description, advertisement or offer to sell or distribute such materials, where such advertisement or description presents an excerpt or excerpts from such material incorporating detailed descriptions or depictions of sexual techniques or practices or presents a summary of the contents of the material describing in detail its treatment of sexual techniques or practices;

Provided that, material otherwise within the definition of this subsection shall not be deemed to be potentially offensive sexual material if it constitutes only a small and insignificant part of the whole of a single catalogue, book or other work the remainder of which does not primarily treat sexual matters and, *provided further*, that the Postmaster General shall, from time to time, issue regulations of general applicability exempting certain types of material, or material addressed to certain categories of addressees, such as advertisements for works of fine art or solicitations of a medical, scientific or other similar nature addressed to a specialized audience, from the definition of potentially offensive sexual material contained in this subsection, where the purpose of this section does not call for application of the requirements of this section.

(i) *Prohibition Upon Use of Symbol in Prosecution.* The compliance by any person with the requirement of subsection (b) of this section shall not be used against him, either as evidence of his violation of laws pertaining to obscenity or related matters or as a reason for initiating or pursuing any investigation of him for violations of such laws, or in any other manner whatsoever. The prohibition of this subsection shall be applicable to all law enforcement officers and all proceedings within the United States, whether federal, state or local.

COMMENTARY

This statute would be designed to cope with the problem of the use of the Federal mails to engage in unsolicited distributions of explicit sexual material—almost always in the form of advertisements for the mail order sale of such material—which distributions may cause serious offense to recipients who do not wish to be exposed to such matter. This is one of the principal obscenity problems presently falling within Federal jurisdiction. The statute would be a supplement to the recently enacted Federal Anti-Pandering Act, 39 U.S.C. 4009, which permits persons who have once received unwanted sexual advertising material in the mail to have their names removed from the mailing lists of the mailer responsible for the offending material. The Anti-Pandering Act, as noted, comes into play only after an offending mailing has been received, and it applies only to prevent future mailings flowing from the source of the prior offending material. There were well over 100,000 complaints under the Act during its first year of operation. (The Act became operative on April 14, 1968.) The present proposal would go further than the Anti-Pandering Act in protecting postal patrons, since it would screen them from unwanted material regardless of whether they had previously received material from the source involved, thus attacking the sizable problem of initial offense mailings.

The basic aim of the statute is to use Federal power to permit persons to choose what sexual material they wish to receive through the mail. The regulatory technique used is that of a Federal labelling requirement, placed upon the mailer of material which comes within the definitional subsection of the statute. The definitions describe the sexual material capable of causing significant offense when received through the mail by persons who do not wish it. The labelling requirement thus imposed is enforced through Federal criminal penalties. A structure is then created whereby mail recipients may decline to receive and be exposed to labelled potentially offensive material if they so choose, and the Postmaster is further directed to establish procedures to prevent such material from being delivered to those who do not wish it. Labelled material may, at the same time, be freely distributed to other persons who do not exercise their option not to receive such mail. The statute would then avoid impinging upon the constitutional rights of those who consent to receive sexual material and the rights of those who wish to send material to such consenting persons, while it fully protects the interest of many persons not to be exposed to such material through the mail.

This statute would establish procedures by which local community action groups would greatly diminish receipt of unsolicited mailings of offensive sex materials through concerted drives informing local residents of their rights under the statute and distributing the requisite forms for signatures.

Subsection (a) of the proposal states its purpose. Subsection (b) imposes the labelling requirement upon mailers of explicit sexual material which falls within the definitional provision of subsection (h) of the statute. The labelling requirement applies only to unsolicited material; it would not apply, for example, to magazines distributed to subscribers or to material distributed upon receipt of an order. The core of the material to which it would apply is that sent out as mail advertisements to persons whose names appear upon lists, which are ordinarily "rented" by the mail order house from mailing list brokers. As a consequence of this commerce in lists of names, persons who belong to certain organizations, who subscribe to certain publications, or who appear in other compilations—such as a compilation of licensed automobile drivers—may be solicited to buy explicit sexual material because pre-testing of the list on which they appear by the mail order house indicates to it that a profit is to be made through solicitation of all persons on the list. Persons may thus be exposed to sexual material coming into their homes because of some wholly sex-unrelated activity of theirs which has resulted in their names being placed upon a list: These are the recipients of mail for whose benefit the present statute is designed.

Subsection (b) does not itself prescribe the label which its terms require, but leaves this prescription to the Postmaster General, since the exact content and form of the label may need to depend upon the procedures to be devised by the Postmaster, under subsection (f) of the statute, for preventing the delivery of labelled mail to those who do not wish it. Subsection (b) does require, however, that the Postmaster's decision as to the content and placement of the label not cause undue expense nor require mailers to label their material with a symbol expressing any judgment as to the quality or suitability of the material. By this latter provision, it is hoped to prevent the required label from being used for pandering purposes.

Subsection (c) provides for self-enforcement of the purpose of the Section by giving mail recipients the option to refuse or destroy individual pieces of mail which are labelled in accordance with subsection (b). The concept of self enforcement includes the right of a parent to make the decision to return or destroy mail on behalf of minor children living with the parent.

Subsections (d), (e), and (f) provide an additional means of enforcement to that authorized by subsection (c). A mail recipient may "opt out" of receiving all mail which bears the label required by subsection (b), by requesting the Postmaster not to deliver such mail to him; a parent or guardian may, as in subsection (c), make this decision on behalf of a minor child residing in the home. These provisions for Post Office enforcement are included in the draft—in addition to the self-enforcement procedures of subsection (c)—largely in response to the problem created by children in the home. Where there are such children, it may not be a satisfactory solution to parents, who do not wish their children to see the material covered by the statute, to provide for self-enforcement within the home, since the children may have unsupervised access to mail deliveries. In addition, there may be thought to be social value in permitting persons who object to the receipt of explicit sexual material the option not to be confronted with such material directly, even in the form of an unopened envelope indicating, but not openly displaying its sexual content.

Subsection (g) provides the penalty to be imposed for violations of the labelling requirement. This penalty is the key to the effective operation of the statute. Its deterrent effect is the means of compelling persons who mail unsolicited material to affix the label which permits the enforcement procedures of subsections (c) through (f) to be operative.

The definition of potentially offensive sexual material set forth in paragraph (ii) of subsection (h) was constructed after examination of a large range of material which has recently given rise to complaints to the Post Office Department both generally and under the recent Anti-Pandering Act. Each of the three parts of paragraph (ii) responds to a class of material productive of a substantial number of complaints; in each case an attempt was made to require a label not only for the precise type of material now being distributed through unsolicited mail campaigns, but also to require the label for similar types of material which might be distributed in the future and which would have the same potentiality to cause offense. Subparagraph (A) deals with pictorial material; subparagraph (B) with sexual "devices;" and subparagraph (C) with marriage manuals, sex novels and stories, and anthropological sexual accounts and similar material which may be exclusively textual or combine pictures with text. Each subparagraph applies to the complete material itself as well as to certain advertisements for that material. (It is probable that most and perhaps all of the actual application of the definitions will be to advertising material, since unsolicited mailings are ordinarily advertisements which do not usually contain a full sample of what is being offered.) Not all advertisements for material which would require a label are subjected to the labelling requirement; for the advertisement must itself contain offensive matter beyond the fact that it offers offensive matter for sale. Thus, a bland "tombstone" type advertisement for a nudist publication or a marriage manual, which merely sets forth the fact that such a publication is offered, without presenting excerpts from the offered material or detailed descriptions thereof capable of causing affront, would not require a label.

The proviso paragraph to subsection (h) makes two classes of exemptions—for matter which constitutes such a small part of a whole work, not generally sexual in nature, that its inclusion in the work would not be capable of causing significant offense, and for material exempted by general regulation of the Postmaster from the requirements of the section because the language, but not the purpose of the section is applicable to such material. The Postmaster is given the power to act to grant exemptions only with regard to general classes of material; not to particular mailings by specific mailers. Thus, he does not act as an arbiter about changes to be made in particular direct mail solicitation campaigns. This rule making power would be subject to the procedural requirements of the Administrative Procedure Act.

Subsection (i) prohibits compliance with the section from being used against a person so complying. An absolute immunity from all prosecution is not accorded to persons who comply with the labelling requirements, since such persons may, despite their compliance, violate other laws prohibiting the distribution of "obscene" material. However, fairness and, perhaps, the requirements of the self-incrimination clause of the Fifth Amendment, would seem to require that the fact of compliance with the labelling requirement of this statute should not itself subject a person to an increased likelihood of prosecution as compared with persons who refuse or omit to comply with the labelling requirement.

SEPARATE REMARKS OF COMMISSIONER MORTON A. HILL, S.J.

The foregoing report accurately and appropriately states that the Commission on Obscenity and Pornography has no recommendations to make at this time. It also states that it relates the directions in which the Commission is moving.

The report is not complete, however, because it does not record the vigorous dissent of Commissioner Hill, precisely on the subject of the direction in which the Commission is moving. It is becoming an "effects" commission, and this is not what the Congress intended.

Public Law 90–100 states, as reported here, "after a thorough study, *which shall include* a study of the causal relationship of such materials to anti-social behavior, to recommend advisable, appropriate, effective and constitutional means to deal effectively with such traffic in obscenity and pornography." Congress did not intend that the study of effects be the principal task of this Commission, and that all recommendations be contingent upon the results of this study. Congress did not mandate us to prove that there must be a "clear and present danger" of anti-social behavior before we make recommendations. Congress is concerned about the traffic in obscenity and pornography. Effects studies are only *one* of the tasks of the Commission.

Even a cursory examination of the foregoing report, and the amount of space devoted to the section on effects, as compared to other areas, indicates that the greatest proportion of the Commission's efforts is being expended on effects studies. The major portion of funds allocated to contract studies will be channeled into effects studies.

Now, behavioral scientists who have worked in this area concede that causal relationship is extremely difficult, if not impossible to prove.

If the Commission continues in the direction in which it is going, i.e., expending the major portion of effort and funds on effects studies and making recommendations contingent on these studies, it will come full circle, and the traffic in obscenity will continue to flow. It must be repeated: this is not what Congress intended.

Legal research is suffering because of the over-emphasis on effects studies. For example:

(1) The foregoing report states that obscenity statutes of the Federal Government and of the fifty (50) states have been assembled and are under review.

Congress mandated that analysis of these laws and evaluation and recommendation of definitions be carried out with the aid of "leading constitutional law authorities." To my knowledge no "leading constitutional law authority" has been hired. In fact, the phrase itself was omitted, in the listing of Commission duties, from every draft of the foregoing report, including the final draft which was approved by the Commission on June 5. It was inserted as a "stylistic change," after these separate remarks were presented, at or after a subcommittee meeting convened June 23.

(2) The nagging problem of "utterly without redeeming social value" should be analyzed and studied. I maintain that this is not a constitutional standard, since it was the opinion of merely three justices and not of the Court majority. Yet, it is being applied in lower courts as a test and being adopted into the language of state statutes.

This is open to serious study, for this "utterly without redeeming social value" so-called "test" has led to an enormous increase in the traffic in pornography in all media. This question is not being thoroughly studied, and after six weeks of debate was included incidentally in the questionnaire to prosecutors. An oral commentary on the issue, delivered by a staff member at a legal panel meeting after my request for study, was based on the incorrect proposition that "utterly without redeeming social value" is a constitutional decision of the Court. I repeat, it is simply the opinion of three justices. Thorough analysis of this issue could lead to a re-definition of obscenity. However, the decision was made that re-definition should await "the outcome of our effects research."

(3) Reported "descriptive" reviews of activities of Post Office and Customs Departments are in actuality editorial-type articles written in law review article style, somewhat critical of both departments, and so of little objective assistance.

(4) In the area of traffic and distribution, which is a matter of intensive investigations as well as academic research: to my knowledge no investigators have been hired. One lawyer has joined the staff to work in this area.

(5) Public hearings have not been planned. Hearings would be invaluable, in the ascertainment of methods of distribution as well as in the ascertainment of community standards for legal research.

In general, I believe the foregoing report could be misleading, for it leaves the public with the impression that programs initiated are geared toward resolving the problem of the traffic in obscenity. A careful reading will show quite clearly that there is no program pointing in the direction of regulating this traffic. Of the three directions for additional effective legislative action pointed to, those dealing with obscene material and the adult community are in the areas of pandering and invasion of privacy. (Item (2) above makes one wonder if we are leaving open the possibility of other types of legislation). In other words, under the present chairmanship, the Commission appears to be moving toward permitting obscenity for adults, and therefore, will not provide constitutional "means to deal effectively with such traffic in obscenity and pornography." How can children be prevented from exposure if this situation prevails? With this in mind, I make the following recommendations:

1. That each commissioner, under the direction of the Chairman, with the aid of staff, undertake a personal content analysis of one area of obscene material, so that the entire Commission will be aware of the rapidly changing situation. The expertise of commissioners has not been adequately utilized in this area, and this could perhaps lead to re-definition.

2. That the Commission cut back on contract research into effects, and allocate—over and above staff and expenses—one-third of its appropriation to legal research, one-third to research and investigation into traffic and distribution and one-third into effects.

3. That the Commission retain leading constitutional law authorities to guide us as to how we can constitutionally present legislation to Congress which will reverse the mislabeled Supreme Court "test" of "utterly without redeeming social value." ***Roth*** **is the only case (except for the recent *Stanley* v. *Georgia* decision on the invasion of privacy)** in which a majority of the Supreme Court agreed. In that case, the Court said:

"The unconditional phrasing of the First Amendment was not intended to protect every utterance . . . All ideas having even the slightest redeeming social importance have the full protection of the guarantee . . . but implicit in the First Amendment is the rejection of obscenity as utterly without redeeming social importance. This rejection for that reason is mirrored in the universal judgment that obscenity should be restrained, reflected in the international agreement of all 48 states, and in the 20 obscenity

laws enacted by the Congress from 1842 to 1956. This is the same judgment expressed by this Court in *Chaplinsky* v. *New Hampshire* . . . There are certain well-defined and narrowly limited classes of speech, the prevention and punishment of which have never been thought to raise any constitutional problem. These include the lewd and obscene . . . such utterances . . . are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and *morality* . . . We hold that obscenity is not within the area of constitutionally protected speech or press . . . The test (is): whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to the prurient interest."

Justice Clark, in a dissenting opinion in *Fanny Hill*, called the "utterly without redeeming social value" so-called "test" novel and noted that only three members of the Court held to it. He maintained that it rejects the basic holding of *Roth*.

4. That the Commission plan public hearings to assist in ascertaining methods employed in the distribution of obscene materials and exploring the nature and value of traffic; and, in ascertaining from the American public themselves, what community standards are.

5. That the Commission work diligently to recommend definitions of obscenity and pornography, as mandated by Congress in creating this Commission; noting particularly, that we are not restricted to the opinions of individual members of the Supreme Court, which are mistakenly called tests.

6. That the Commission work to recommend legislation when the above have been completed—not awaiting the results of effect studies which will be admittedly incomplete, undoubtedly inconclusive, and unnecessary under the *Roth* decision. In the matter of effects, the Court said in Roth:

"It is insisted that the constitutional guarantees are violated because convictions may be had without proof either that obscene material will perceptibly create a clear and present danger of anti-social conduct, or will probably induce its recipients to such conduct. But, in light of our holding that obscenity is not protected speech, the complete answer to this argument is in the holding of this Court in *Beauharnais* v. *Illinois* . . ." Libelous utterances not being within the area of constitutionally protected speech, it is unnecessary, either for us or from the State Courts, to consider the issues behind the phrase 'clear and present danger.' Certainly no one would contend that obscene speech, for example, may be punished only upon a showing of such circumstances."

7. That the Commission move more practically to fulfill our mandate to "recommend such legislative, administrative, or other advisable and appropriate action . . . to regulate effectively the flow of such traffic, without in any way interfering with constitutional rights."

Failing action on these recommendations, it is difficult to see how the Commission, under its present leadership, can produce the results Congress intended. If the Commission continues in the direction in which it is now moving, it will simply propose laws on pandering, invasion of privacy and sales to minors. Congress does not need a Commission to recommend legislation of this sort. Such limited proposals will not "regulate effectively the flow of such traffic."

RESPONSE TO SEPARATE REMARKS BY COMMISSIONER MORTON A. HILL

All members of the Commission, other than Commissioner Hill, join in the following response to Commissioner Hill's Separate Remarks:

1. The study into the effects of obscene and pornographic material is only one of the four principal areas of study undertaken by the Commission. The Progress Report reflects the broad, inclusive scope of the Commission's studies into the various areas of inquiry directed by Congress. In order to carry out the research and study program outlined in the Progress Report, we estimate that the expenditures among the four principal areas for both staff work and contract research will be approximately as follows:

[In percent]

Effects	40
Traffic and distribution	25
Positive approaches	20
Legal	15

This relative allocation of funds was given to the Congress at the Senate and House Appropriations Subcommittee hearings on the Commission's 1970 budget. These estimates do not reflect judgments as to relative importance, but variations in the costs of different kinds of investigation, research and study. Social science research into such matters as effects and some aspects of traffic and distribution is far more expensive than study of legal problems.

2. As with all Commissions concerned with controversial topics, there have been healthy differences of opinion among the Commissioners concerning the major thrust of the Commission's activities and the priorities of our efforts. But the Commission has achieved the results reported in the foregoing Progress Report by careful consideration and nearly always without dissenting vote. The future direction of our studies will continue to be flexible as we seek the best means of securing the information needed for the final report. As changes are made in research plans, some changes in the estimated expenditures in the various areas of study and research will necessarily occur.

3. Commissioner Hill's statement that the "Commission appears to be moving toward permitting obscenity for adults" is a dissent as to our procedure and not a fair report as to our intent or future actions. The Commission will consider adult obscenity legislation, along with all other aspects of control over traffic and distribution in obscenity, when the studies directed by Congress have progressed to the point where such consideration is appropriate. To attempt to form judgments on this and other questions at this time would be premature and inconsistent with the Congressional directive to make recommendations "after a thorough study."

4. At its November 8, 1968, meeting the Commission unanimously concluded that in the first stage of its work public hearings would not be a likely source of accurate data or a wise expenditure of its limited resources. It concluded that other methods of ascertaining the facts concerning traffic and distribution and community standards would be less expensive and more productive. In addition to the research outlined in the Progress Report, national organizations are being invited to express their views on the problems of obscenity and pornography by submitting written statements. The Commission has directed the solicitation of views from those involved in law enforcement, from the legal profession generally, and from constitutional law experts. The Commission has left open the possibility of holding public hearings at a later date when it would be possible to invite witnesses to focus on particular issues and proposals as those evolve from the Commission's studies and discussions.

Respectfully submitted.

Edward E. Elson, Thomas D. Gill, Edward D. Greenwood, G. William Jones, Joseph T. Klapper, Otto N. Larsen, Irving Lehrman, Freeman Lewis, Winfrey C. Link, Morris A. Lipton, William B. Lockhart, Thomas C. Lynch, Barbara Scott, Cathryn A. Spelts, Frederick H. Wagman, Marvin E. Wolfgang.

OPINION OF CONSTITUENTS ON NATIONAL ISSUES

(Mr. BROYHILL of North Carolina asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BROYHILL of North Carolina. Mr. Speaker, during my tenure in the House, I have each year asked my constituents for their opinions on national issues. This has been done in the form of a public opinion poll. This year, over 9,000 people responded to 18 questions of vital importance to the Nation's well-being.

These surveys have been of great value in assessing the opinions of my constituents and the path they would like to see the country travel. In thousands of instances where people felt a categorical "yes" or "no" was inadequate, they troubled themselves to explain their sentiments in a paragraph or letter. This was extremely useful to me because in many cases this was the first opportunity I have had to communicate with many of the residents of my new district.

On August 13, a total of 9,747 had been returned to me. The present tabulation is based upon these expressions of opinion.

As in previous years, the war in Vietnam continues to be the most pressing problem facing our people. Of those responding to the questions, 51.08 percent agree to the continued presence of American troops in Vietnam. However, from the letters I have received on this matter, I believe this percentage also is an expression of the continued frustration of our people about this conflict and their desire to have it brought to an honorable end as soon as possible. Coupled with support for the President's anti-ballistic-missile proposal, it is clear that my constituents, while willing to support military programs which will continue to keep our Nation's defenses strong, clearly do not want another Vietnam.

Expressions were also divided about the question of ending the draft and replacing it with an all-volunteer Army. No doubt, once the Vietnam conflict is concluded, the public will be able to express its wishes more definitely.

Concerning Federal assistance to people covered by social security, feelings are strong that the benefits should be made more realistic so as to reflect the recent increases in living and medical costs. Especially concerned about this question were the older citizens with limited or fixed incomes. An overwhelming 81.18 percent favored extending medicare assistance to those people under 65 who are permanently and totally disabled.

Federal programs to alleviate hunger and malnutrition received general support, although, on a somewhat related question, a slightly higher percent of those responding felt the present anti-poverty program should be reorganized.

It would seem that my constituents support well-planned, properly executed Federal assistance programs.

On the question of the surtax, 65.96 percent opposed its continuation, while 26.42 percent favored it, with 7.61 percent undecided. Since this question was proposed, however, the House has passed a modified bill calling for the gradual phasing out of the surtax. This bill, coupled with the Tax Reform Act of 1969, hopefully will correct all financial problems that are a major concern of the people of the 10th District.

This year, as last year, strong support for direct popular election of the President and Vice President was indicated. The same is the case for the proposal to convert the Post Office Department into a Government-owned corporation. At a time when the Post Office is handling an increasing volume of mail, the public is becoming aware of the need for reorganization in order to make the Post Office self-sufficient and to improve its efficiency.

Reflecting their continued concern about campus disorders, an overwhelming 95.83 percent favor denying Federal funds to students actively engaged in campus violence. Most feel, however, that care should be exercised so that students not taking part in such activities are not penalized. This was, of course, done in the recently passed Labor-HEW appropriations bill.

Crime in the streets and the individual's awareness of its increase is no doubt reflected by the 71.51 percent support of an additional $25 million appropriation to fight organized crime. Continued support was given for law enforcement and active cooperation between all levels of government to assure protection of life and property during disorders. As a curb against the rise in violent criminal acts, 88.49 percent support mandatory jail sentences when a firearm is used in committing a Federal crime. Only 8.70 percent oppose the proposal.

The detailed results of the poll are as follows:

	Yes	No	Undecided
1. Do you believe that the United States should withdraw its troops from South Vietnam now?	35.96	51.08	12.97
2. Should the Federal Government assume a greater share of the cost of public welfare from the States and local communities?	24.73	67.18	8.09
3. Are you in favor of a proposed constitutional amendment lowering the voting age to 18?	41.24	55.61	3.15
4. Should the present antipoverty program be retained?	19.74	66.93	13.34
5. Would you support a law requiring an additional and mandatory jail sentence when a firearm is used in committing a Federal crime?	88.49	8.70	2.81
6. Should the Post Office Department be made a government-owned corporation and operate on a self-supporting basis?	71.82	17.04	11.14
7. Do you believe Federal funds should be denied to students actively engaging in violence and unlawful campus disorders?	95.83	3.47	.70
8 Viewing the economy as it now stands, do you favor renewing the 10 percent surtax when it expires on June 30?	26.42	65.96	7.61
9. Should the District of Columbia be granted full home rule and representation in the House of Representatives?	41.74	39.25	19.00
10. Do you believe that the electoral college should be abolished and that we should elect our Presidents and Vice Presidents by direct popular vote?	77.54	16.54	5.92
11. Should social security benefits be increased to reflect increases in the cost of living even though it means increases in social security taxes?	59.84	33.18	6.98
12. Do you favor ending the draft and creating an all-volunteer Army?	40.05	50.39	9.56
13. Should Congress approve the antiballistic missile (ABM) defense system?	58.84	20.15	21.00
14. Do you support a Federal plan costing an additional $25,000,000 to fight organized crime?	71.54	20.74	7.72
15. Would you support the admission of Communist China to the United Nations?	26.03	62.99	10.98
16. Should the medicare program be extended to those under 65 who are permanently and totally disabled?	81.18	13.35	5.47
17. Do you believe that the Federal Government should do more than it is doing to alleviate hunger and malnutrition in the United States?	52.43	39.71	7.85
18. Should a percentage of Federal income taxes be returned to the States to be used as they see fit?	59.96	30.65	9.39

JOINT RESOLUTION REDESIGNATING CAPE KENNEDY AS CAPE CANAVERAL

(Mr. BURKE of Florida asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BURKE of Florida. Mr. Speaker, today I am introducing a House joint resolution which I am sure reflects the respectful, yet strong, feelings of the citizens of the entire State of Florida on a matter of national prominence. Over 400 years ago, according to the Library of Congress, Ponce de Leon is accredited with discovering what may well be the earliest point of land ever discovered in the United States. It is located in the State of Florida and it was renamed by a Presidential Executive Order 11129 on November 23, 1963, as "Cape Kennedy."

As we also well know, the cape is the launching site for our space frontiersmen of this Nation to explore and discover our universe. How fitting then, for a country which cherishes and loves its traditions that have come down to us through the explorations and discoveries of other men on our own planet—to continue this same tradition as we now reach out to explore the heavens.

It is for this reason, then, that I now call upon my colleagues in the House to join with me and support me in the bipartisan and nonpartisan effort of this House joint resolution to restore the original name of great historical significance not only to Florida but to this entire Nation. "Cape Canaveral," the original name has been borne by this cape since 1530.

I would like to point out at this same time, however, Mr. Speaker, that it is also the feeling and desire of the people of Florida to honor and pay tribute to one of their late Presidents, John F. Kennedy. A respecter of history himself—and although he would have valued deeply this tribute to his memory—he would have and did value more greatly, the meaningful marks made long before his time by other men to the heritage of this Nation.

The people of Florida—while calling upon Congress to restore their cape to its original name of "Canaveral"—earnestly desire that the facilities of the National Aeronautics and Space Administration and of the Department of Defense, located on this cape, to remain known as the John F. Kennedy Space Center. For it is more truly significant of President Kennedy's mark on history that he nurtured the space program which has now resulted in America's space frontiersmen placing our mark on the historical significance of the moon.

Mr. Speaker, this joint resolution by the House which I am introducing today corresponds with action taken by my colleagues in the Senate on July 10, 1969, Senate Joint Resolution 133 is now pending before the Senate Committee on Interior and Insular Affairs. It is my hope that this House will early consider and speedily and favorably pass upon this legislation.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. BURKE of Florida. I yield to the gentleman from Florida.

Mr. HALEY. I wish to join with my colleague from Florida in the statement he is making here. I think it would be no disrespect to the late President if we continued the name of the space center, the John F. Kennedy Space Center, and redesignated Cape Kennedy as Cape Canaveral. The gentleman well knows that the Spaniards, who were the great mapmakers of that time, designated only two places in Florida as points to which attention could be called on the maps of the world, one was Cape Canaveral, the other Cape Sable. The people of Florida, I believe, want the traditional name of Cape Canaveral restored, and by such move we would not show any disrespect to the late President.

Mr. BURKE of Florida. I thank my colleague from Florida.

I ask all other Members of the House to join in this joint resolution.

STATEMENT ABOUT PRESIDENT NIXON'S PLAN FOR THE OFFICE OF ECONOMIC OPPORTUNITY—FOR INNOVATION AND PIONEERING

(Mr. ERLENBORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ERLENBORN. Mr. Speaker, this is a period of renewal and reform in our institutions—important changes in our welfare system, our tax system, our manpower programs. Building a new federalism—with responsiveness in all our institutions—will be one of the vital tasks of the Office of Economic Opportunity as reorganized and refocused under the President's proposals.

The goal of this agency will be to aid men in participating to the full extent of their capacity in the economic life of the Nation. We have found that this is a more difficult task than we expected some years ago—demanding new knowledge and new programs. This is why the innovative and pioneering activities of the Office of Economic Opportunity, involving new research and development, will be so critical.

The Congress and the public must assure this agency the base of support, especially in funding, that it will need for its exploratory work. The Congress should move to approve the President's proposed legislation authorizing an extension of the current Economic Opportunity Act.

We must apply to this endeavor many of the principles of action that have characterized our space program—the same flexibility of funding, extraordinary talent, teamwork and sense of adventure. The President has recognized the importance of this agency by assigning its able director, Donald Rumsfeld, a place in the Cabinet. His reorganization assures that the functions of the agency, often confused in the past, will be clearly defined and assigned.

THE PRESIDENT'S MESSAGE ON WELFARE AND THE TRAINING OF PEOPLE

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I am informed by the White House that wires and letters concerning President Nixon's speech of last Friday night are overwhelmingly favorable. At the last tally, the White House staff had counted 570 telegrams and 247 letters favoring the President's proposals. There have been only 36 wires and letters opposed to them.

Mr. Speaker, when our colleagues return to their districts this week I urge them to take their own soundings. I feel sure they will find that the great mass of their constituents favor the President's approach as outlined in his nationwide speech.

Certainly it is high time that we made it a national goal to train people and get them off welfare whenever possible. At the same time we should assure the truly needy of enough income to supply their basic needs.

Mr. Speaker, the President has urged Congress to consider and act upon his proposals as quickly as possible. I am sure this also will be the sentiment we will find back in our own congressional districts.

If this is the case, then I hope and trust we can initiate a major part if not all of the President's programs this year.

We can do this if we are all truly concerned about the welfare of people throughout this great country of ours.

LEGISLATIVE PROGRAM FOR THE WEEK OF SEPTEMBER 1, 1969

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the program for the week following the recess.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader, the program for the week of September 1, 1969, is as follows:

On Monday and Tuesday of that week the House will be in recess.

On Wednesday and the balance of the week the following bills will be considered:

H.R. 10105, Motor Vehicle Safety Act Amendments, with an open rule and 2 hours of debate;

H.R. 7621, Child Protection Act of 1969, which will come up under an open rule, with 1 hour of debate; and

H.R. 12085, to amend the Clean Air Act to extend the program of research relating to fuel and vehicles, which will come up under an open rule, with 1 hour of debate.

This announcement is made subject to the usual reservation that conference reports may be brought up at any time, and that any further program may be announced later.

EDUCATION—OUR NATION'S NO. 1 PRIORITY

(Mr. COHELAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHELAN. Mr. Speaker, can it really be that the continuation of the war in Vietnam is more important than the education of our children.

Yesterday, President Nixon issued a statement from his new palatial vacation estate in California noting that now was the time for economy. The President paid particular mention to the action of the House last month in increasing education appropriations by a billion dollars. The President issued an ultimatum in which he stated that he would not authorize the expenditure of the increased funds until such time as the Congress had completed all of its actions on the fiscal 1970 budget. He emphasized, too, that he ultimately would not spend more than $192.9 billion for the year.

The clear implication of these statements is that the President does not want to devote more money to the education of our children at this time.

There seems to be a clear instance in which the President is willing to place greater priority on expenditures for the war in Vietnam and for wasteful defense spending than he is on our very own children at home.

In making these increases in the education appropriations, the Congress was asserting its power—given by the Constitution—over the revenues and expenditures of the Federal Government. The House was asserting a long-neglected congressional prerogative of reordering our national priorities to allocate increased resources for education and health. The House was asserting its view that the future of our youth and the health of our citizens are more important than the continuation of enormous expenditures for the war in Vietnam.

There is a very expeditious means of easing Federal spending. That is to cut back on the scale of American involvement in Vietnam and to reduce needless defense spending. The Congress has expressed the view that health and education expenditures are of the highest priority. A priority apparently higher than the President is willing to accord to it.

Earlier this year in the consideration of the second supplemental appropriation bill for fiscal year 1969 I introduced amendments which would have exempted from the budgetary ceiling Federal expenditures for uncontrollable expenses like interest on the public debt, social security and veterans' benefits. At the time I introduced these amendments I told the Members of this body that the estimates for these so-called uncontrollable expenditures were very likely to turn out too low. Now only a month or so into the new fiscal year we find that these estimates are already $2½ billion too low according to the President.

This is exactly what I said we could expect if we enacted this inflexible ceiling. The House on that occasion ignored my plea and proceeded to pass the ceiling.

Now the President has come back to us to say that his budget estimates were wrong and that if the inflexible ceiling is to be applied Federal expenditures for other programs will have to be cut back. This, too, is exactly what I warned the Congress would happen.

It was my feeling and it should now be your feeling as well that as Federal expenditures for interest on the debt and social security increase, Federal expenditures for the social programs like Federal aid to education and health would have to be reduced. This is exactly what we face in light of the President's recent statement.

Mr. Speaker, last month the House was warned that while we had won the moon race and while we were waging the arms race at astronomical costs, we were losing the education race. The United States was being outspent dollar for dollar in the amount of resources it was devoting to the schooling of its people. In the long run we will not be able to survive if we do not devote adequate resources to education.

Mr. Speaker, last month the House overwhelmingly expressed the strong view that increased Federal aid to education was of the very highest priority. This view was expressed even in light of arguments on the nature of the current tight fiscal situation and the need to control inflation. Mr. Speaker, I agree that education is of the very highest priority and I agree, too, that we must act to control inflation. We can devote more resources to education and at the same time control inflation if we are willing to disengage ourselves from our tragically over-long involvement in Southeast Asia and from our persistence in purchasing wasteful and unnecessary defense hardware. Mr. Speaker, I most vigorously dissent from the position taken by President Nixon yesterday.

TAX-SHARING PROPOSAL—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–148)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

If there is a single phenomenon that has marked the recent history of nations, large and small, democratic and dictatorial, it has been rise of the central government.

In the United States, revenues of the Federal government have increased ninety-fold in thirty-six years. The areas of our national life where the Federal government has become a dominant force have multiplied.

The flow of power from the cities and States to Washington accelerated in the Depression years, when economic life in America stagnated, and an energetic national government seemed the sole instrument of national revival. World War II brought another and necessary expansion of the Federal government to marshall the nation's energies to wage war on two sides of the world.

When the war ended, it appeared as though the tide would be reversed. But the onset of the cold war, the needs of a defeated and prostrate Europe, the growing danger and then the reality of conflict in Asia, and later, the great social demands made upon the Federal government by millions of citizens, guaranteed the continued rapid growth and expansion of Federal power.

Today, however, a majority of Americans no lcnger supports the continued extension of federal services. The momentum for federal expansion has passed its peak; a process of deceleration is setting in.

The cause can be found in the record of the last half decade. In the last five years the Federal government enacted scores of new Federal programs; it added tens of thousands of new employees to the Federal payrolls; it spent tens of billions of dollars in new funds to heal the grave social ills of rural and urban America. No previous half decade had witnessed domestic Federal spending on such a scale. Yet, despite the enormous Federal commitment in new men, new ideas and new dollars from Washington, it was during this very period in our history that the problems of the cities deepened rapidly into crises.

The problems of the cities and the countryside stubbornly resisted the solutions of Washington; and the stature of the Federal government as America's great instrument of social progress has suffered accordingly—all the more so because the Federal government promised so much and delivered so little. This loss of faith in the power and efficacy of the Federal government has had at least one positive impact upon the American people. More and more, they are turning away from the central government to their local and State governments to deal with their local and State problems.

As the Federal government grew in size and power, it became increasingly remote not only from the problems it was supposed to solve, but from the people it was supposed to serve. For more than three decades, whenever a great social change was needed, a new national program was the automatic and inevitable response. Power and responsibility flowed in greater and greater measure from the state capitals to the national capital.

Furthermore, we have hampered the effectiveness of local government by constructing a Federal grant-in-aid system of staggering complexity and diversity. Many of us question the efficiency of this intergovernmental financial system which is based on the Federal categorical grant. Its growth since the end of 1962 has been near explosive. Then there were 53 formula grant and 107 project grant authorizations—a total of 160. Four years later on January 1, 1967, there were 379 such grant authorizations.

While effective in many instances, this rapid growth in Federal grants has been accompanied by:

—Overlapping programs at the State and local level.
—Distortion of State and local budgets.
—Increased administrative costs.
—Program delay and uncertainty.
—A decline in the authority and responsibility of chief executives, as grants have become tied to functional bureaucracies.
—Creation of new and frequently competitive state and local governmental institutions.

Another inevitable result of this proliferation of Federal programs has been a gathering of the reins of power in Washington. Experience has taught us that this is neither the most efficient nor effective way to govern; certainly it represents a radical departure from the vision of Federal-State relations the nation's founders had in mind.

This Administration brought into office both a commitment and a mandate to reverse the trend of the last three decades—a determination to test new engines of social progress. We are committed to enlist the full potential of the private sector, the full potential of the voluntary sector and the full potential of the levels of government closer to the people.

This week, I am sending to Congress for its approval for fiscal year 1971, legislation asking that a set amount of Federal revenues be returned annually to the States to be used as the States and their local governments see fit—without Federal strings.

Because of budget stringencies, the initial fund set aside to start the program will not be great—$500 million. The role of the Federal government will be redefined and re-directed. But it is my intention to augment this fund annually in the coming years so that in the Fiscal Year beginning in mid-1975, $5 billion in Federal revenues will be returned to the States without Federal strings. Ultimately, it is our hope to use this mechanism to so strengthen State and local government that by the end of the coming decade, the political landscape of America will be visibly altered, and States and cities will have a far greater share of power and responsibility for solving their own problems. The role of the Federal Government will be re-defined and re-directed toward those functions where it proves itself the only or the most suitable instrument.

The fiscal case for Federal assistance to States and localities is a strong one. Under our current budget structure, Federal revenues are likely to increase faster than the national economy. At the local level, the reverse is true. State and local revenues, based heavily on sales and property taxes, do not keep pace with economic growth, while expenditures at the local level tend to exceed such growth. The result is a "fiscal mismatch," with potential Federal surpluses and local deficits.

The details of this revenue sharing program were developed after close consultation with members of the Congress, governors, mayors, and county officials. It represents a successful effort to combine the desirable features of simplicity and equity with a need to channel funds where they are most urgently needed and efficiently employable.

The program can best be described by reviewing its four major elements.

First, the size of the total fund to be shared will be a stated percentage of personal taxable income—the base on which Federal individual income taxes are levied. For the second half of Fiscal Year 1971, this will be one-third of 1 percent of personal taxable income; for subsequent fiscal years this percentage will rise to a regular constant figure. In order to provide for the assured flow of Federal funds, a permanent appropriation will be authorized and established for the Treasury Department, from which will be automatically disbursed each year an amount corresponding to the stipulated percentage.

Second, the allocation of the total

annual fund among the 50 States and the District of Columbia will be made on the basis of each State's share of national population, adjusted for the State's revenue effort.

The revenue effort adjustment is designed to provide the States with some incentive to maintain (and even expand) their efforts to use their own tax resources to meet their needs. A simple adjustment along these lines would provide a State whose revenue effort is above the national average with a bonus above its basic per capita portion of revenue sharing.

Third, the allocation of a State's share among its general units of local government will be established by prescribed formula. The total amount a State will share with all its general political subdivisions is based on the relative roles of State and local financing in each State. The amount which an individual unit of general local government will receive is based on its share of total local government revenue raised in the State.

Several points should be noted about these provisions for distribution of a State's portion of revenue sharing.

—The distribution will be made by the State.

—The provisions make allowance for State-by-State variations and would tend to be neutral with respect to the current relative fiscal importance of State and local governments in each State.

—In order to provide local flexibility, each State is authorized to develop an alternative distribution plan, working with its local governments.

Fourth, administrative requirements are kept at a minimum. Each State will meet simple reporting and accounting requirements.

While it is not possible to specify for what functions these Federally shared funds will provide—the purpose of this program being to leave such allocation decisions up to the recipient units of government—an analysis of existing State and local budgets can provide substantial clues. Thus, one can reasonably expect that education, which consistently takes over two-fifths of all state and local general revenues, will be the major beneficiary of these new funds. Another possible area for employment of shared funds, one most consistent with the spirit of this program, would be for intergovernmental cooperation efforts.

This proposal marks a turning point in Federal-State relations, the beginning of decentralization of governmental power, the restoration of a rightful balance between the State capitals and the national capital.

Our ultimate purposes are many: To restore to the States their proper rights and roles in the Federal system with a new emphasis on and help for local responsiveness; to provide both the encouragement and the necessary resources for local and State officials to exercise leadership in solving their own problems; to narrow the distance between people and the government agencies dealing with their problems; to restore strength and vigor to local and State governments; to shift the balance of political power away from Washington and back to the country and the people.

This tax-sharing proposal was pledged in the campaign; it has long been a part of the platform of many men in my own political party—and men in the other party as well. It is integrally related to the national welfare reform. Through these twin approaches we hope to relieve the fiscal crisis of the hard-pressed State and local governments and to assist millions of Americans out of poverty and into productivity.

RICHARD NIXON.

THE WHITE HOUSE, *August 13, 1969.*

PRESIDENT'S MESSAGE ON FEDERAL REVENUE SHARING

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. GERALD R. FORD. Mr. Speaker, incentive and extra effort have always been essential elements of success.

It is just those elements that would be generated by Federal revenue sharing, as proposed today by President Nixon.

Throughout the President's proposal for diversion of an assured portion of Federal income tax revenue to the States and local units of government is woven the idea of greater responsibility for those units of government, for governing bodies closer to the people than is the Federal Legislature.

As a supplement to other Federal aid, revenue sharing can be the catalyst for problem-solving on a scale we have never yet witnessed in America, problem-solving at the local level on the basis of priorities viewed as local people see them in their own communities.

The House Republican leadership has long urged the adoption of Federal revenue sharing. Together with the President's new family assistance program and his Comprehensive Manpower Training Act, revenue sharing would supply the cement for the building of a better America.

This is the new federalism the President spoke of last Friday night—a channeling of new funds and new responsibilities to States and local communities, a movement which will return Government to the people.

Mr. Speaker, any proposal as bold as Federal revenue sharing will require deep study and concentration within the Congress. I am hopeful that hearings on the President's revenue sharing plan will begin very soon in the House and move steadily to a favorable conclusion.

President Nixon's revenue-sharing plan is a proposal which speaks to the future of America, a program which is needed to revitalize the American political system and the people it serves.

Mr. ARENDS. Mr. Speaker, one of the most difficult tasks any President can undertake is the task of reversing governmental trends. It cannot be done overnight, and it cannot be done all at once.

As power and authority and responsibility have accrued to the Federal Government, step by step over a period of 35 years at the expense of State and local governments, so must the trend be reversed.

Until now no President has made a start toward reversing that trend. On the contrary, in recent years the trend toward centralization has accelerated as one new Federal program after another has tied State and local governments ever more closely to Washington and ever more subject to Washington dictation.

But today President Nixon, in announcing his revenue-sharing proposal, has signified his willingness to take the first significant step in the opposite direction. He seeks to bring Government closer to the people and make it more responsive to them.

Mr. Speaker, I think it well to repeat what the President has said, in announcing his plan. I quote:

> Ultimately, it is our hope to use this mechanism to so strengthen state and local governments that by the end of the coming decade . . . states and cities will have a far greater share of power and responsibility for solving their own problems. The role of the Federal Government will be re-defined and re-directed toward those functions where it proves itself the only or the most suitable instrument.

Mr. Speaker, this is what the Founding Fathers had in mind and this is what Lincoln referred to when he spoke of Government of, by, and for the people. If President Nixon can succeed in this effort, he will have taken a major step toward the preservation of the Republic.

Mr. ANDERSON of Illinois. Mr. Speaker, for 30 years we have watched power accumulate in the Federal bureaucracy. For 30 years we have watched Americans turn to the White House and to Capitol Hill for the solution of their own social and economic problems. The result of that has been the most enormous growth of any Government in history. Within those 30 years, the Federal Government has become a behemoth and an increasingly ineffective one in resolving the crises that grip our society and may ultimately decide its destiny.

In President Nixon's revenue-sharing message, we have the beginnings of a great change—a reversal of power to the States and cities, the restoration of funds to their sources where the problems of America can be better dealt with.

The President's message represents the beginning of a new era in American political history—the restoration of a proper balance between the States and the Federal Government—a new partnership—a "New Federalism" in the President's own eloquent words.

Mr. RHODES. Mr. Speaker, for every national Republican convention that I remember, the Republican Party has gone on record for the strengthening of local and State governments—for providing Government closest to the people with the power and responsibility for dealing with the great problems closest to the people.

Last November, we elected a Republi-

can President; and today I am proud to say that this Republican President has made good upon the promise of our party.

Under the new revenue sharing act, power, and responsibility begin to flow away from Washington and back to their source, the country and the people whence they came.

A tide of 30 years of having power come to Washington is being reversed and this measure is what is changing the course of political history.

Under this proposal, each year a percentage of the gross personal incomes in the United States will be automatically turned back by the Government to the States, for their use and for use by the local communities. The percentage rises each year in the next 5 years—so that by 1975 and 1976 more than $5 billion a year will be returned without strings from Washington to the State capitals. Here is presidential performance on a campaign promise; here is a party delivering on its platform; here is a major governmental reform that should alter the political landscape of the Nation by the end of the decade.

Mr. TAFT. Mr. Speaker, it was the stated intention of the Nixon administration when it took office in January to use new engines of social progress in addition to the old workhouse—the Federal Government. The administration declared its intent to place some of the expanded responsibilities of the Federal establishment back on the shoulders of local and State governments where they belong. I think the President's revenue sharing proposal confirms that intention and spells out the means of attainment.

The President's proposal not only provides the States and local governments with the responsibility for solving their own problems, but, more importantly, provides the financial basis for carrying out the new charge from the administration.

It is estimated that the amount of revenues returned to the States will rise each year by approximately $1 billion. Therefore, by the year 1976, when we celebrate our 200th anniversary as a nation, some $5 billion annually will be returned to the States by the Federal Government, and without the usual bureaucratic strings attached.

Mr. Speaker, this is a noteworthy occasion—a time when the Federal Government is finally giving recognition to the fact that it is not the only instrument or necessarily the best instrument for solving all of America's problems. It is a time for building "a new partnership" with the States.

GENERAL LEAVE TO EXTEND

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the President's message on Federal revenue sharing.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

REPORT CONCERNING ADMINISTRATION OF ANTIDUMPING ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Ways and Means:

To the Congress of the United States:

In accordance with Title II, section 201(b) of Public Law 90–634, I am pleased to submit the enclosed report for the period beginning on July 1, 1968, and ending on June 30, 1969, setting forth: (1) the texts of all determinations made by the Secretary of the Treasury and the United States Tariff Commission under the Antidumping Act, 1921, as amended, in that period; (2) an analysis with respect to each determination in that period of the manner in which the Antidumping Act, 1921, as amended, was administered to take into account the provisions of the International Antidumping Code; and (3) a summary of antidumping actions taken by other countries in that period against United States exports, relating such actions to the provisions of the International Antidumping Code.

I have no recommendations to make at this time concerning the administration of the Antidumping Act, 1921.

There are differences in language between the Antidumping Act, 1921, and the International Antidumping Code. The differences in language, when applied to the cases contained in this Report, have not affected the Treasury Department and the Tariff Commission in making their determinations under the Act. Obviously, the domestic law would take precedence over the International Antidumping Code in the event of an actual conflict. If this question should present any problem in the future, I shall submit a supplemental report to the Congress covering this matter.

RICHARD NIXON.

THE WHITE HOUSE, *August 13 1969.*

THE NEED FOR EFFECTIVE FIREARMS CONTROL

(Mr. MIKVA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MIKVA. Mr. Speaker, one of the most distressing domestic problems facing our Nation today is the continuing increase in the level of violence in our national life. Regardless of whether it is individual or collective, whether it is spawned by malice or frustration, violence can only impede our efforts to understand and respond to the severe deficiencies of our national life.

The National Commission on the Causes and Prevention of Violence was established to consider this problem and to make recommendations for its solution. The commission has concluded, quite accurately in my opinion, that the frequency and severity of violence has been exacerbated by our ineffective and almost irresponsible policy toward the possession and use of firearms. The Commission's Task Force on Firearms has found that:

> Firearms, particularly handguns, play a major role in the commission of homicide, aggravated assault, and armed robbery, and that they are being used in greater percentages of these violent crimes.

On July 28, the Commission released a statement on firearms and violence indicating that an effective national firearms policy would help to reduce gun violence in the United States. Such a policy would impose reasonable controls without seriously inconveniencing responsible citizens who have a legitimate need for a handgun.

I ask that the Commission's statement be printed at this point in the RECORD to bring it to the attention of both the Members and citizens alike.

COMMISSION STATEMENT ON FIREARMS AND VIOLENCE

(Dr. Milton S. Eisenhower, Chairman)

FIREARMS AND VIOLENCE

Whether guns cause violence, contribute to it, or are merely coincidental to it has long been debated. After extensive study we find that the availability of guns contributes substantially to violence in American society. Firearms, particularly handguns, facilitate the commission and increase the danger of the most violent crimes—assassination, murder, robbery and assault. The widespread availability of guns can also increase the level of violence associated with civil disorder. Firearms accidents, while they account for only a small percentage of all accidents, cause thousands of deaths and injuries each year.

This relationship between firearms and violence tends to obscure two other important facts bearing on the firearms question. First, the vast majority of gun owners do not misuse firearms. Millions of Americans are hunters, target shooters, and collectors, who use their guns safely and responsibly and who, perhaps more than many of their fellow citizens, deplore the criminal use of firearms. Second, in attending to the firearms problem, we must not forget that the root causes of American violence go much deeper than widespread gun ownership. Firearms generally facilitate, rather than cause, violence.

The challenge for this Commission—and for the nation as a whole—is to find ways to cope with illegitimate uses of guns without at the same time placing undue restrictions on legitimate uses. We believe this is possible if both the advocates and the opponents of gun control legislation will put aside their suspicions and preconceptions, accept the fact of a common danger without exaggerating its dimensions, and act for the common good.

1. The domestic arms buildup—We find that the United States is in the midst of a period of increasing firearms ownership

Our Task Force on Firearms estimates that there are now about ninety million firearms in the United States. Half of the nation's sixty million households possess at least one gun, and the number of guns owned by private citizens is rising rapidly.

During the first half of this century, about ten million firearms on the average were added to the civilian firearms supply in each decade. In the decade since 1958, however, nearly thirty million guns have been added to the civilian stockpile. Moreover, the sharp-

est increases have occurred in the last five years—a period of urban riots and sharply rising crime rates. Annual rifle and shotgun sales have doubled since 1963. Annual handgun sales have quadrupled.

Some of the increased gun sales in recent years have resulted from an increase in hunting and sport shooting, a fact consistent with the rising amount of money being spent on leisure time activities. But these predictable increases in sales of sporting arms cannot explain the much larger increases in the sales of handguns. With a few scattered exceptions, handguns are not sporting guns.

A substantial part of the rapidly increasing gun sales, particularly handgun sales, must be attributed to the rising fear of violence that the United States has recently experienced. Studies by our Task Force on Frearms, as well as by the Stanford Research Institute and the Senate Subcommittee on Juvenile Delinquency, show that gun sales in a particular area tend to increase sharply during and after a period of disorder. After the 1967 Detroit riot, for example, gun sales skyrocketed: Detroit issued four times as many handgun permits in 1968 as it did in 1965, and a nearby, predominantly white suburb issued five times as many permits.

Lending impetus to the arms buildup are the exhortations of extremist groups, both black and white. In their speeches and publications, leaders of these groups urge their members to buy firearms and be prepared to use them against "the enemy." Neighborhood protective associations have proliferated and have sometimes come to share the fears of the right-wing paramilitary groups, with the result that firearms are now being stockpiled in homes as well as "in the hills." A new wave of American vigilantism could result from these activities. Further, black extremist organizations urge their members to obtain firearms for neighborhood and home defense, and sometimes for guerilla warfare and terrorist activities as well. Ironically, extremist groups, regardless of race, are remarkably alike in their attitudes toward firearms and their opposition to firearms control.[1]

Quite apart from civil disorders, the urban arms buildup has increased the role of firearms in accidents and violent crime. Our Task Force has found that in Detroit accidental firearms deaths were three times greater in 1968, the year after the riot, than in 1966, the year before the riot. Between 1965 and 1968, homicides in Detroit committed with firearms increased 400 percent while homicides committed with other weapons increased only 30 percent; firearms robberies increased twice as fast as robberies committed without firearms. (These rates of increase are much higher than for the nation as a whole.)

Other studies confirm our finding that the proportion of gun use in violence rises and falls with gun ownership. The urban arms buildup threatens not only to escalate future civil disorders, but also to bring with it greater misuse of firearms in crimes and accidents.

2. *Firearms and violent crime—we find that firearms, particularly handguns, play a major role in the commission of homicide, aggravated assault, and armed robbery, and that they are being used in greater percentages of these violent crimes*

Many Americans are alarmed by the rise of violent crime in the United States, and not without reason. Personal injury and death from crime occur more often in the United States than in any other industrial nation of the world.

Firearms are a primary instrument of in- of every three homicides are committed with jury and death in American crime. Two out guns. Since 1963 the number of homicides involving firearms has increased 48 percent in the United States while the number of homicides committed with other weapons has risen only 10 percent.

The circumstances of most homicides suggest that a person without ready access to a gun would not inevitably kill with another weapon. Studies show that most persons who commit homicide are not relentless, determined killers, but rather are persons likely to act on impulse in a moment of rage or passion and without a plan or determined intent to kill. There is no hard evidence to prove or disprove the thesis that lacking a gun, an enraged person will resort to a knife or other weapon. But there is evidence demonstrating that the fatality rate of firearms attacks is more than four times greater than the fatality rate of knife attacks (knives being the next most frequent and lethal weapon used in homicides). Thus, even if the number of violent attacks did not go down, the number of fatalities resulting from violent attacks would be substantially reduced if the attackers did not have guns.

The deadliness of firearms is perhaps best illustrated by the fact that they are virtually the only weapons used in killing police officers. Policemen are armed. They are trained in the skills of self-defense. They expect trouble and are prepared for it. Yet, from 1960 through 1967, 411 police officers were killed in the course of their official duties—76 of them in 1967 alone. Guns were used in 96 percent of these fatal attacks on police.

In assassinations, guns play a crucial role because they extend the deadliness and the effectiveness of the assassin. Of the nine assassination attempts on American presidents or presidential candidates, all involved firearms. All, except the assassination of President Kennedy, involved handguns.

Guns also play an increasingly deadly role in aggravated assault and robbery. In 1968, 23 percent of all aggravated assaults were committed with guns, as opposed to only 13 percent in 1963. One out of every three robberies (two out of every three armed robberies) is committed with a gun, and the fatality rate for victims of firearms robberies is almost four times as great as for victims of other armed robberies.

In all these violent crimes, handguns are the weapon predominantly used. Although only slightly more than one-fourth (or 24 million) of the firearms in the nation are handguns, they account for about half of all homicides and three-fourths of all firearms homicides. When firearms are involved in aggravated assaults and robberies in large cities, the handgun is almost invariably the weapon used.

3. *Firearms and self-defense—We find that firearms in the home are probably of less value than commonly thought in defending the householder's life against intruders, but that firearms in business establishments may sometimes be effective in defending against robberies*

It may seem incongruous that in our advanced and civilized society individual citizens should feel the need to keep a gun for self-protection. Yet a 1966 public opinion survey, conducted for the President's Commission on Law Enforcement and the Administration of Justice, disclosed that more than 22 million households (37 percent of the total and 66 percent of the households with guns) included self-defense as one reason, among others, for owning a firearm. Since many owners keep their guns in the home for protection against intruders, it is important to assess, to the extent possible, the nature of the threat from intruders and the chances of gun owners to defend themselves successfully with their weapons.

What is the nature of the threat in the home? The number of killings in the home by burglars and robbers[2] is not large relative to the total number of homicides. Burglars usually try to avoid contact with the homeowner: they rely on stealth and are more likely to flee than fight when discovered. The robber poses a much greater threat to the personal safety of the occupant of the house, but robberies occur in the home far less often than in other places.[3] Because of these factors, studies in several cities indicate that killings in the home by robbers and burglars account for no more than 2 percent or 3 percent of all criminal homicides.[4]

What are the householder's chances of successfully defending himself with a gun? In only a relatively small number of instances do home robberies or burglaries result in the death of the victim. Examination shows that in the great majority of the cases, the householder had no warning and thus no chance to arm himself with a gun. Studies in Los Angeles and Detroit indicate that only about two percent of home robberies, and two-tenths of one percent of home burglaries, result in the firearms death or injury of the intruder at the hands of the householder.[5] Moreover, in considering the value of handguns, or firearms generally, for self-defense in the home, one must also take into account the risks associated with home possession of a gun. A substantial number of the 23,000 annual firearms accidents occur in the home. Of the 8,000 annual firearms homicides, a large percentage occur among family members or acquaintances, and many of these also occur in the home.

From the standpoint of the individual householder, then, the self-defense firearm appears to be a dangerous investment. The existence of guns in one-half of America's homes may deter intruders. One may assume a robber is reluctant to ply his trade in homes rather than on the street because of the possibility that he may encounter an alert, armed householder. Our Task Force made an effort to study the extent of this deterrence, but was unable to arrive at any firm conclusion. The evidence is convincing, however, that the home robber most often has the advantage of surprise, and the armed segment of our population is paying a heavy price in accidents and in the shooting of family members, friends and acquaintances for whatever deterrent effect their possession of self-defense firearms may be providing. In a more rational world, home intrusion

[1] This is not to imply that all persons who oppose additional controls are extremists.

[2] Robbery involves taking property by force; burglary involves illegal entry without force against the person.

[3] The 17-city victim-offender survey conducted by our Task Force on Individual Acts of Violence shows an average of 6 percent of armed robberies occurring in the home.

[4] Home intrusions resulting in sexual attacks are also a threat, but they occur much less frequently than commonly believed. Our victim-offender survey suggests that substantially less than one fourth of the 27,000 rapes or rape attempts reported in the United States each year are oommitted by intruding strangers in the home. Since about 20,000 robberies (armed and unarmed) and 800,000 burglaries occur annually in the home, not more than three-quarters of one percent of home intrusions result in an attempted rape.

[5] No data are available on how frequently robberies and burglaries are foiled by the householder's display of a gun that is not fired. Nor are data available on use of guns by women to prevent attempted rapes; presumably this occurs extremely infrequently.

would be deterred by other means—such as non-lethal weapons, alarm systems, and other security arrangements—that are less dangerous to the occupants of the home.

Burglars and robbers also threaten businesses, and firearms are frequently kept in places of business for protection. Such firearms are useful primarily against robbers, since burglars usually break and enter after the business has closed. Research to date does not permit us to draw firm conclusions as to the net usefulness of self-defense firearms possessed by storeowners and other businessmen. We do know, however, that business self-defense firearms do not cause the great number of accidents caused by home firearms or involve the same risk of homicide to family members and friends. Thus, the home and the business establishment must be clearly distinguished from each other when considering the usefulness of firearms for self-defense.

4. Firearms control in the United States—A national firearms policy which signficantly reduces the availability of handguns will reduce the amount of firearms violence

The United States still does not have an effective national firearms policy. Federal gun laws have been passed largely in response to sensational episodes of gun violence. In general the approach of these laws has been to use federal power merely to curtail interstate movements of firearms, leaving each of the states free to adopt the degree and kind of internal control it wished. Moreover, even this limited policy objective was not effectively implemented. It was perfectly legal, until the passage of the Gun Control Act of 1968, to sell or ship weapons from a state which had little or no firearms control to persons in a state with a stricter system. Since attempts to establish uniform state and local firearms laws never succeeded, the few serious efforts at state and local regulations (as in Massachusetts and New York) have been consistently frustrated by the flow of firearms from jurisdictions with looser or no controls.

Under this patchwork statutory regime, our firerarms population has grown to the point where guns are readily available to everyone—legally in most cases, illegally in the rest. The Gun Control Act of 1968 does curtail imports of cheap foreign firearms; it significantly restricts mail order and interstate gun shipments to individuals; and it forbids the possession of handguns by convicted felons and other dangerous classes. But the 1968 Act is not designed to affect either the overall size of the tremendous United States gun population which is the legacy of past firearms policies, or the hand-to-hand or "street" sales of second-hand guns. Yet such sales appear to be the major source of the firearms used in crime. We have learned that almost half of all rifles and shotguns and more than half of all handguns are acquired second-hand—usually from a friend or other private party.

Our lack of an effective national firearms policy is primarily the result of our culture's casual attitude toward firearms and its heritage of the armed, self-reliant citizen. These are the factors that have prevented passage of effective gun regulation legislation in the United States. Guns are routinely carried in pockets and left in closets, and bureau drawers. In many parts of the country, they are standard equipment in pickup trucks and small businesses. Nearly 15 million licensed hunters make extensive use of firearms for sporting purposes. The hero of American movies and television is the man with a gun—the soldier, cowboy, spy, sheriff, or criminal—and our children accumulate an arsenal of toy guns. Accustomed to firearms, convinced that they are household necessities, entertained by fiction and drama that portray the gun as a glamorous instrument of personal justice, many Americans underestimate the consequences of widespread firearms availability.

Despite the acceptance of guns as a common part of everyday American life, there is also a growing realization in the United States of the social costs of ineffective gun control. On the one hand, firearms manufacturers are on record favoring the requirement of an identification card for firearms owners and denying gun ownership to felons and mental and physical incompetents. On the other hand, advocates of strict gun control are increasingly inclined to acknowledge the legitimate use of guns by sportsmen. Both the President's Commission on Law Enforcement and the Administration of Justice in 1967 and the National Advisory Commission on Civil Disorders in 1968 recommended that the federal government and the states should act to strengthen the presently inadequate firearms control laws.

In determining what our national firearms policy should be, it is necessary to keep clearly in mind that just as the term "firearms" includes different kinds of weapons which contribute unequally to violence, so also does the phrase "gun control" comprise a number of quite separate ideas. Four different strategies of gun control can be identified, though in legislative measures the strategies are often found in various combinations.

1. Registration of firearms.—Registration is designed to provide a record of all persons who own firearms as well as the firearms they own. Proponents point out that registration would help police trace weapons and thus deter a registered owner from criminal use or illegal transfer of his firearm. Opponents of registration reply that criminals will not register firearms and that the registration process is costly.

2. Prohibition of gun ownership by certain classes of persons (felons, addicts, etc.).—This type of control is put forward as making it more difficult for poor gun risks to obtain firearms from legitimate sources. Licensing and investigation of applicants are often utilized as part of this strategy. Opponents argue that the prohibited class can still obtain guns by theft or in the hand-to-hand market, while legitimate users are caused added inconvenience.

3. Increased criminal penalties for the use of guns in crime.—Increased penalties are urged as a means to deter criminals from using firearms. Opponents point out that existing penalties for violent crime are already severe and that an extra measure of punishment will have little additional deterrent effect.

4. Restrictive licensing.—This method requires all persons seeking to buy a particular type of firearm, typically a handgun, to demonstrate to the authorities an affirmative need to own the firearm. Its proponents urge that alone among the four control strategies, restrictive licensing is designed to reduce substantially the number of handguns in circulation. Its opponents note that restrictive licensing systems require the surrender of many previously lawful firearms, and amount to "confiscation."

Can any of these systems of firearms control be expected to reduce firearms violence? Some argue that with 90 million firearms in our country, no system of control will prevent persons from obtaining guns and using them illegally. The criminal, they declare, can always get a gun. The argument is not without merit, for it points the way to the steps which must be taken.

Our studies have convinced us that the heart of any effective national firearms policy for the United States must be to reduce the availability of the firearm that contributes the most to violence. This means restrictive licensing of the handgun. We believe, on the basis of all the evidence before us, that reducing the availability of the handgun will reduce firearms violence.

Although no other nation in history has ever attempted to institute firearms control with so many guns already dispersed throughout all segments of the population, foreign crime statistics provide some encouraging insights into the possible results of stricter control of the handgun in the United States. Thus in England and Wales, with restrictive licensing systems and with much lower rates of violent crime than the United States, only 18 percent of homicides in 1967 were committed with firearms weapons compared to 64 percent in the United States. Only six percent of all robberies in England and Wales in 1967 involved guns, as compared to 36 percent in the United States. These lower rates of homicides and armed robberies and more importantly of firearms usage in such crimes suggest that a system which makes it substantially more difficult to obtain firearms can reduce the use of firearms in violent behavior and consequently can reduce both the frequency and the dangerousness of such behavior. In England and Wales the criminal cannot—or at least does not—always get a gun, and the public safety is much improved as a result.[6]

5. Recommendations for a national firearms policy

The Commission offers the following recommendations to reduce the role which firearms play in violence in the United States.

Public Education

We urge a public education campaign aided by the National Rifle Association and other private organizations devoted to hunting and sport shooting, to stress the duties and responsibilities of firearms ownership so that a new awareness of the proper role of firearms in American life can prevail in the more than 30 million homes which possess firearms. In particular, we urge the nation's gun manufacturers to issue safety booklets with each gun that they sell and to administer safety tests by mail to purchasers based upon these booklets.

We urge individual citizens—particularly on the basis of the statistics on firearms accidents—to reflect carefully before deciding that loaded firearms are necessary or desirable for self-defense in their homes.

Research

We urge that further research be undertaken on the relationships between firearms and violence and on the measures that can reduce firearms violence. Further work should especially be done on how firearms accidents occur and can be prevented and on the psychological impact of guns on criminals.

Further research is also needed as part of the effort to design firearm control systems that are no more restrictive than necessary and which minimize costs to firearms users and to the community as a whole.

Scientific research should be intensified on devices to assist law enforcement personnel in detecting the presence of concealed firearms on the person.

The Federal Governor should join with private industry to speed the development of an effective non-lethal weapon. We consider this recommendation to be of the utmost importance. So long as crime rates mount in this nation and civil disorders threaten, law-abiding Americans understandably fear for their safety. An effective non-lethal weapon could serve defensive needs without risk to human life.

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[6] Comparison of firearms crimes in cities within the United States, although complicated by the problem of "leakage" across state lines, also shows that rates of firearm use in violence are lowest in the Northeast where firearms possession rates are the lowest.

LEGISLATION

We conclude that the rising tide of firearms violence in this country merits further legislative action at the present time.

It is the ready availability of the handgun, so often a weapon of crime and so infrequently a sporting arm, that is the most serious part of the current firearms problem in this country. The time has come to bring the handgun under reasonable control.

A restrictive licensing system for handguns is needed. State governments should be given the first opportunity to establish such systems in conformity with minimum federal standards that afford considerable discretion to each state to adopt a system suitable to its own needs. Accordingly—

We recommend federal legislation to encourage the establishment of state licensing systems for handguns. The federal legislation would introduce a federal system of handgun licensing, applicable only to those states which within a four-year period fail to enact a state law that (1) establishes a standard for determining an individual's need for a handgun and for the licensing of an individual who shows such a need and (2) prohibits all others from possessing handguns or buying handgun ammunition.

We propose that the states be permitted to determine for themselves what constitutes "need" to own a handgun. For the federal system applicable to states which fail to enact their own licensing systems, we recommend that determinations of need be limited to police officers and security guards, small businesses in high crime areas, and others with a special need for self-protection. At least in major metropolitan areas, the federal system should not consider normal household self-protection a sufficient showing of need to have a handgun.

We also recommend that a system of federal administrative or judicial review be established to assure that each state system is administered fairly and does not discriminate on the basis of race, religion, national origin, or other unconstitutional grounds.

We note that it will be necessary to compensate those handgun owners who are required to give up previously lawful firearms; this cost, which should be borne by the federal government, could amount to $500 million.

Finally, we emphasize that laws controlling handguns should provide serious penalties for the possession of such guns by unlicensed persons. The apprehension of such persons should in time greatly reduce the rate of violent crime in the United States.

Shotguns and rifles are far less of a threat than handguns, particularly in the area of violent crime. At the same time, legitimate use of the long gun is widespread. The significant differences between handguns and long guns call for substantially different control strategies. We can make substantial inroads on firearms violence without imposing major inconveniences on hunters and skeet and trap shooters, and without impeding other legitimate activities of millions of long gun owners. Accordingly—

We recommend federal legislation to establish minimum standards for state regulation of long guns under which (1) an identification card would be required for long gun owners and purchasers of long gun ammunition (a system similar to that recommended by gun manufacturers) and (2) any person 18 and over would be entitled to such a card, except certain classes of criminals and adjudicated incompetents. For states which do not adopt such regulations within four years, a federal regulatory system would be established.

We do not recommend federal legislation to require nationwide registration of existing long guns. Substantially the same benefits could be obtained from less costly and burdensome control strategies.

We do recommend that persons who transfer long guns be required to fill out a single card giving the serial number, type, make, and model of the weapon, the transferee's social security and firearms identification card numbers, the transferor's name and social security number, and the date of the transaction.

Supplementary Measures

Restrictive licensing of handguns and the simple identification card system for long guns represent the key legislative recommendations of this Commission in the area of gun control. There are, however, a number of other important goals which uniform and effective gun control legislation should accomplish. We urge the nation's lawmakers to consider them.

First, the Gun Control Act of 1968, which is intended to curtail the import of firearms unsuitable for sporting use, should be extended to prohibit domestic production and sale of "junk guns." Second, a federal firearms information center should be established to accumulate and store information on firearms and owners received from state agencies; this information would be available to state and federal law enforcement agencies. Third, licensed gun dealers should be required by federal statute to adopt and maintain security procedures to minimize theft of firearms.

6. Conclusion

An effective national firearms policy would help to reduce gun violence in the United States. It would also have a significance beyond the question of firearms. In comparison with most of the causes of violence in America, the firearms problem is concrete and manageable. But it is also complex and emotion-laden. For the United States to move effectively toward its solution would signify a new ability to transcend our violent past.

Separate statement

Four members of the Commission (Senator Roman L. Hruska, Judge Ernest W. McFarland, Congressman Hale Boggs, and Leon Jaworski) state that there is a great deal with which they agree in the report on "Firearms and Violence." They feel, however, that the needs are not the same in the various States, or, for that matter, in all parts of a State. It is their opinion that each State should be permitted to determine for itself without additional restrictions from the Federal Government the system which best meets its needs to control the use of both the handguns and the long guns. They are unable, therefore, to concur fully in the report of the Commission.

RETREAT, RETRENCHMENT, OR REALITY: SOME OBSERVATIONS ON INTER-AMERICAN AFFAIRS—1969

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts (Mr. MORSE), is recognized for 60 minutes.

Mr. MORSE. Mr. Speaker, Columnist James Reston noted several years ago that North Americans are willing to do anything for Latin America except read about it. Once again, Latin America has drifted off our front pages. There is no raging civil war; there are no threatening Communist missiles. The recent dispute between Honduras and El Salvador was settled through the quiet procedures of the Organization of American States.

Since the completion of the Rockefeller mission, it is difficult to find Latin American news in North American newspapers.

Yet, today, perhaps more than any other time in history, we are at a crucial stage in inter-American relations.

The Nixon administration will soon announce its own Latin American policy. It is awaiting the recommendations Governor Rockefeller developed on his four fact-finding missions. It has already received the recommendations of the House Foreign Affairs Subcommittee on Inter-American Affairs, developed through a series of hearings on the status of the Alliance for Progress chaired by the able gentleman from Florida (Mr. FASCELL).

Whatever policy is proposed by the Nixon administration, it will be the duty of the Congress to give serious consideration to its implementation. It is for this reason that I have taken the floor today. The Congress has its own solemn obligation to assess what is happening in Latin America today and how best the United States should relate to those developments.

It has long been a truism that the United States and Latin America have a special relationship based upon common colonial and revolutionary traditions. In point of fact, however, Latin American history differs markedly from our own. We have been too eager to accept the trusim and too reluctant to try to understand the very different political, legal, social, and religious traditions of our hemispheric neighbors.

United States-Latin American relations have historically been characterized by misunderstanding and excessive United States actual or apparent intervention and dominance of Latin affairs. Just as we have learned in Southeast Asia that we must not only talk more softly but also carry a smaller stick, so we must learn this lesson in Latin America.

There is a tremendous difference, however, between nonintervention and nonparticipation.

Despite our different traditions and experience, the future of the 200 million people of the United States is linked with that of the 250 million people of Latin America by geography, history, and the realities of global politics.

No one who has traveled in Latin America can fail to be struck by the massive problems that each of the Republics face. Nor can one help but notice that each of those Republics is an entity unto itself. We err when we assume that Latin America is monolithic in its problems, politics and policies.

While we can and in my judgment should encourage greater cooperation between the Latin nations, we cannot ignore the individuality of each of them.

As we move toward a new era of U.S.-Latin American relations, we must also recognize the crucial relationship between procedure and substance. In some respects, we have tended to overestimate the one and underestimate the other in alternate cycles. Out of concern for drama and style, we promised through the Alliance for Progress more than could be achieved in a single decade. Expectations were raised but hopes were not fulfilled.

At the same time, we have been insensitive in some of our diplomatic appointments, disrespectful upon occasion, of the procedures of the inter-American

system, and inattentive to the psychic needs of peoples for whom personal dignidad is extremely important.

We now have an opportunity to correct these errors and misundesrtandings. We have an opportunity to move into an era when the concept of partnership can move from rhetoric to reality.

With these thoughts in mind, Mr. Speaker, I have taken the floor to discuss recent changes in Latin America and what I believe to be the correct U.S. response to those changes.

We must first face the fundamental question—what is the U.S. interest in the future of Latin America?

First, Latin America is part of what former Assistant Secretary Covey Oliver often referred to as our "Home Hemisphere." In geopolitical terms, the security of Latin America is indispensable to our own. The events of October 1962, demonstrated the validity of this precept.

Second, by our very existence and economic involvement in Latin America we have a stake in the manner by which our neighbors evolve.

Third, we have much to learn from Latin America. In our excessive concern with growth rates and GNP, we tend to forget the age and richness of Latin American culture.

Fourth, because of the affinity born of our common bonds, there is a genuine desire on the part of the people of the United States to assist our Latin American neighbors in their own drive for self-sufficiency and equal standing in the world community. We not only have expressed this commitment publicly, as in the Charter of Punta del Este and the 1966 Hemispheric Presidents meeting, but also through the private commitment of the thousands of individuals involved in groups like the Partners of the Alliance. We must not shrink from responsibilities we have already openly, willingly, and enthusiastically accepted.

We often neglect the fact that the U.S. public investment in Latin America since the beginning of the Alliance has accounted for only 6.7 percent of the total investment in Latin America. The Latin American nations have contributed almost 90 percent from their own resources. How best the United States could participate in the development thrust is a question to which I will return later in my remarks.

In the discussion that follows, I will call attention to some recent developments in Latin America and to recent developments in the United States which have particular relevance to inter-American relations. I will conclude by offering a few recommendations for future U.S. policy toward Latin America.

I. RECENT DEVELOPMENTS IN LATIN AMERICA

Let me note a few comparatively recent Latin American developments and trends involving the military, the church, economic development and U.S. trade relations, and U.S. property and investment.

1. THE MILITARY

There has long prevailed in many circles in this country an image of Latin American military regimes dedicated to preservation of the status quo, espousing a Neanderthal and cynical anticommunism which treats as subversive all elements of the country advocating reform and change, and conducting a foreign policy in line with that of the United States on most major issues. That image is misleading, of course, because the military in Latin America is by no means monolithic, and there are wide variations in their countries of origin, their traditions, and their levels of training and political sophistication. Nevertheless, it is fair to say that in the past, Latin American military forces have generally exerted a conservative influence and in recent decades have often represented one of the major obstacles to leftist and radical attempts to gain power, either peacefully or through violence.

That is why I regard the Peruvian military golpe of last October as particularly significant. During intervening months, it has become quite clear that the government of Gen. Velasco Alvarado is not one which is susceptible to facile classification and convenient labeling. On the contrary, available evidence indicates that the objectives and policies of this regime present a sharp contrast to the traditional patterns set by many previous Latin American military governments. Among other things, the new Peruvian Government has expropriated the oil fields and refinery of the International Petroleum Co.—IPC—a Standard Oil subsidiary, and has announced a sweeping agrarian reform program calling for the expropriation and redistribution of all large landholdings. If implemented, this agrarian program will involve a basic shift in Peru's traditional political and economic power structure. Indeed, agrarian reform apparently is to be only one of a number of measures contemplated by the Velasco Government for the total transformation of Peru. Far from seeking to preserve the status quo, this military regime seems bent on shattering it. Far from embracing conservative economic and social theories, this regime seems to be guided by a combination of forces representing nationalist and leftist philosophies.

In the field of foreign affairs, it is also noteworthy that the Peruvian Government established relations with the Soviet Union early this year. A trade agreement between the two countries was signed shortly thereafter. And I feel it is both revealing and significant that whereas Soviet commentators at first attacked the October takeover as just another Latin American military coup inspired by the Pentagon, Moscow's propaganda has switched to praising the expropriation of the IPC and describing the new Peruvian Government as something quite out of the ordinary, if not unique, for Latin America. The new Peruvian leaders were even compared with the Nasserites of the fifties.

I trust it is unnecessary for me to add immediately that I am not implying that the current Peruvian Government is Communist. Obviously it is not. Nor would it be my purpose here to pass judgment on the Velasco regime, even if I knew enough to do so responsibly and accurately—and I certainly do not. Furthermore, I am well aware that other military coups have taken place in Latin America in recent years in the name of progress, reform, and more efficient administration. But I do submit that the present pattern of cooperation between certain nationalist and leftist groups in Peru is something essentially different. And I would estimate that regardless of what happens in Peru or any other specific country, we are going to witness a growing tendency among some elements of the Latin American military to abandon the role of guardian of the status quo, to participate actively on behalf of rapid and radical change, whether well- or ill-conceived, and to assume different attitudes toward the United States.

I believe this is a new and important factor which must be taken into consideration in the formulation and conduct of our policies in Latin America.

2. THE CHURCH

A second traditional supporter of the status quo in Latin America, the Catholic Church, is also undergoing change—change which became evident soon after World War II and which has gained momentum during the past decade. This is, of course, in part a reflection of the review of the liturgy and social doctrine and the reassessment of the proper role of the Church in modern society that is occurring throughout the world.

The impact on Latin America became all the greater when, in 1960, in response to a Papal plea for help to the Latin American church, American and European priests and nuns began to arrive in relatively large numbers. Today the various schools of thought prevailing among the clergy in Latin America range across the ideological spectrum, from determined conservatives and traditionalists through moderates and liberals of one variety or another, on to those whose views are decidedly of the radical left. Those on the right wish the church to limit itself to a narrow interpretation of its religious function, doing little to disturb the social order. More liberal elements see a need for considerable change and reform, and believe the church should either acquiesce to such change or actively promote it. Those on the far left are convinced that Latin American societies today are too rigid to be improved by peaceful reform, and that the only path of change lies through violent revolution.

Thus the Latin American church is a vastly different force than it has been. Some of the clergy have become focal centers of dissent in their countries. It is not unusual to read of Latin American priests going to jail. A good many not only look upon their own governments with hostility but also regard the United States as a major obstacle to Latin American progress. Some priests advocate dialogue and cooperation with Marxists. The growing diversity and intensity of church debate was reflected at the general conference of the Latin American Episcopate held in Medellin, Colombia, immediately following the Pope's visit last August.

3. ECONOMIC DEVELOPMENT AND U.S. TRADE

Some recent trends in the field of Latin American economic development and U.S. trade are also relevant. I have in mind first of all the proposals pre-

sented last month to President Nixon by Chilean Foreign Minister Valdes on behalf of the Special Latin American Coordinating Committee—CECLA. These proposals—46 items running some 16 pages—spell out Latin American concerns and expectations regarding future economic relations with our country. Among other things, the Latin Americans hope for an increase in the flow of U.S. resources available for development assistance, along with a reduction in the conditions we attach for the use of such resources. The Latins also hope to gain greater access to world markets, particularly U.S. markets, through the elimination or reduction of tariff and nontariff barriers. Not least in significance, the proposals are based on the hope of obtaining from us firm commitments which can be relied upon as a permanent basis for inter-American relations.

I realize that many—probably most—of these Latin American proposals are not new. We have been hearing them for many years. But I would point out that the CECLA document was prepared and presented in circumstances quite different from those of two, three, or four decades ago.

We have come a long way in our relations with Latin America since World War II. For one thing, along with the many changes taking place south of the border there has been a rapid rise in Latin American expectations. For another, Latin Americans have become painfully aware that the economic and technological gap between them and the United States, as well as Europe, is widening. Moreover, the promises of the Alliance for Progress fired still further Latin American hopes.

We must admit that the Alliance has fallen short of many of its original goals. We must face the fact that the utility and feasibility of its very existence is being questioned in some quarters. But whether or not the Alliance is modified, improved or continued under a different name, there can be no question but that Latin America feels more intensely than ever before that its views must be heard, that justice and reason are on its side, and that our commitment to assist Latin American economic, social, and political development was formalized under the Alliance for Progress.

Once again, I am not attempting here to evaluate the validity of specific Latin American proposals and complaints but only to call attention to this aspect of the new stage we have now reached in our relationship with Latin America. I should not leave this subject without also referring at least briefly to the visit paid to this country in June by a man considered by many, including myself, to be one of the most intelligent and farsighted democratic leaders of Latin America: President Carlos Lleras Restrepo of Colombia. In his speech before the National Press Club, President Lleras eloquently described the disadvantages experienced by less developed countries in trading with industrialized nations, and in his meeting with Senate and House leaders, he was most articulate and convincing about the difficulties arising from certain required AID procedures, such as the "additionality" provision.

The Colombian President's articulate presentation was instrumental in Assistant Secretary Meyer's announcement to the IA–ICOSOC meeting in Port of Spain, Trinidad, that the additionality provision would be abandoned.

4. U.S. PROPERTY AND INVESTMENT

The nationalization or buying out of some of the larger and more prominent U.S. business interests in Latin America has had a more immediate and direct impact on the United States. I have already referred to the Peruvian expropriation of the IPC oilfields and refinery, last year. In addition, the Peruvian Government as since taken over lands belonging to W. R. Grace & Co. as part of its agrarian reform program. In Chile, after protracted negotiation, the Kennecott Copper Corp. signed an agreement in 1967 to "Chileanize" the largest underground copper mine in the world. A mixed corporation was formed in which Kennecott retained 49 percent ownership. Last month the Chilean Government reached an agreement with the Anaconda Company to buy out that firm's vast copper mining operations there. U.S. oil companies in other places are facing restrictions on the size of their concessions.

It is also significant that some Latin American countries are limiting foreign participation in such varied fields as landownership, banking, and information media. Brazil, for example, issued decrees this year regulating the sale of land to foreigners, and altering in a number of respects the principle of equal treatment for foreign and domestic firms.

I do not conclude from these developments that U.S. petroleum and mining companies will necessarily be subjected to a wave of further expropriations throughout Latin America, although that is what Soviet propaganda in Latin America is urging. And I certainly do not mean to suggest that U.S. business and private investment has no future in Latin America. It is noteworthy, for example, that although Mexico has extremely strict regulations with regard to foreign ownership of enterprises, over $1 billion of U.S. capital has been invested there during the past 20 years and the country is regarded as an excellent investment area.

Nevertheless, I do believe that as in other aspects of our relations with Latin America, so in the field of business and investments we are entering a new stage. It promises to be one in which U.S. private companies will be operating more and more on Latin American terms, and it will demand increased sensitivity on the part of U.S. private investors, entrepreneurs, and managers not only with regard to the environment of the particular host country, but also to the goals of U.S. policy. This is one more trend which calls for reassessment of our past policies and practices.

I could point to developments in still other fields which have helped to bring us to the turning point I feel we have reached in our relations with Latin America, but I believe those cited are sufficient to make the point.

II. SOME RECENT DEVELOPMENTS IN THE UNITED STATES

Now, let us turn for a moment to the United States. What trends, what developments do we see here that are relevant to our attitudes and policies toward Latin America? There are innumerable viewpoints in this country, of course. But if I am not mistaken, the prevailing mood of Congress and the public is one of disappointment, discouragement, and frustration that things somehow have not gone well in our relations with Latin America. There is considerable confusion as to just what we do now and where we go from here. There is a tendency to look for convenient targets for blame, be it the State Department, AID, the U.S. military, or Latin Americans who sometimes seem to North Americans to be much more energetic at criticizing the United States than they are helping themselves.

It is disappointing to note that while illiteracy was one of the main targets of the Alliance, there are more illiterates in Latin America today than there were when the Alliance was conceived. It is frustrating to realize that while the Alliance was supposed to help promote political democracy as well as economic development and growth, there are more military governments in Latin America now than there were 8 years ago.

In Congress this reaction has resulted in deep cuts in Alliance appropriations. Some able and intelligent individuals in and out of Government now share the view that the Alliance was naively conceived, hopelessly optimistic in its objectives, and grossly oversold to Latin America and to the North American public. They argue that experience has proved that there is, after all, relatively little that the United States can do to help the economic or political development of Latin America, that neither the withholding of economic assistance nor the refusal of diplomatic recognition have been effective instruments for discouraging military golpes and fostering the growth of democratic institutions, that our role at best can be but peripheral, and that wisdom therefore recommends reducing our commitments and presence.

They reason that the reduction of U.S. presence will remove many of the irritants in our relations with Latin America, that U.S. disengagement will be psychologically healthier for Latin Americans in encouraging them to take the initiative and to shoulder greater responsibility. They believe that the United States will, with disengagement, get less of the blame for future failures in Latin America.

Thus we have reached a turning point in our own attitudes toward Latin America—a point which also presents new opportunities and dangers.

Speaking personally, I would like to express my own hopes and my own apprehensions on this subject. Let me begin by spelling out my reaction to North American frustrations which lead some to a desire to disengage. Then, I would like to suggest an alternative course.

First of all, I understand and sym-

pathize with this frustration and the irritation which it has caused. I also agree that the Alliance was oversold and that it was overly optimistic in its expectations. I further agree that there are very real limitations on the extent of the influence we can and should exert in Latin America, and that Latin Americans must shape their own future.

Nevertheless, I have long been convinced that what the United States does and does not do, has and will continue to have, profound repercussions in Latin America. I disagree strongly with the argument that we should diminish our efforts and our commitments to Latin America and attempt to reduce our involvement.

That objective is totally unrealistic. The thrust of recent history indicates that, regardless of whether we wish it or not, our impact on Latin America will be even greater than it is now, that we are going to draw closer together rather than farther apart, and that our daily lives and destinies will be more closely linked than ever before. Nor will attempts to extricate ourselves reduce in any way the volume of Latin American criticism or diminish Latin American claims on our cooperation. I would expect quite the contrary. As I pointed out at the outset, our very size and existence make our impact on Latin America substantial and inevitable.

I, therefore, maintain that the best course lies not in reducing our efforts to assist Latin America, but rather in increasing them while employing techniques more effective and sophisticated, more sensitive and acceptable to Latin America. There is no question in my mind but that we have it within our capacity to do much better in Latin America than we have to date.

I hope that rather than conclude that our record shows we cannot improve our performance, we will now seek to learn from our experience and return to the task with renewed determination. I also hope that we will discard once and for all the illusion that there are going to be any quick, easy, and simple solutions to the problems of Latin America. Finally, we should not let discouragement with the Alliance blind us to its many solid achievements. The U.S. contribution to those achievements reflects credit on our people and Government, and particularly on the competent, dedicated, and hard-working officials of the Department of State and the Agency for International Development.

III. SOME RECOMMENDATIONS REGARDING FUTURE U.S. POLICY

I now turn to some specific suggestions as to a few of the ways in which I believe U.S. performance in inter-American affairs could be improved. They are certainly not intended as a panacea for the many ills which beset Latin America and inter-American relations. Nor do they touch on such important issues as health and education, population, agrarian reform, labor, military assistance programs, and Cuba. But I believe on the basis of my own personal experience and observations, both in this country and in Latin America, that the following recommendations, if implemented, would yield beneficial results and that they are well within our capacity to implement if we but have the will. Last, and of particular concern to this body, these recommendations could for the most part be accommodated within levels of appropriations presently being sought for our Latin American programs.

1. A CLEAR POLICY

The United States must develop and announce an unequivocal policy statement making clear that we regard the development of a democratic, independent, well-educated, and prosperous Latin America to be important to our own interests as well as to those of our neighbors. The fact that such goals may be beyond immediate reach of some of the Latin American nations does not obviate the need for clarifying and reaffirming our long-range objectives. This is all the more important since confusion and misunderstanding regarding U.S. policies now abound in Latin America, where it is too widely assumed that we seek to preserve the status quo, force our neighbors into the role of impoverished, semicolonial satellites, and pin a Communist label on those calling for basic, structural social change.

As to the perennial controversy over whether the goals of Latin American economic development or democracy and social justice should take precedence in our policy plans, advocates of both sides usually assume that one objective can or must wait upon attainment of the other. In actual practice, that assumption has proved to be false. Both goals can be achieved more rapidly if we pursue them simultaneously, and it is in our interest to cooperate with Latin America in doing so.

Likewise, the controversy over whether we should be "for democracy" or "work with" military governments is equally unrealistic. We can and should emphasize to all concerned our preference for democratic government while recognizing that the facts of Latin American political life indicate clearly that democratic development will not come quickly or easily.

The maintenance of normal diplomatic relation with nondemocratic governments—and these include a wide variety of regimes functioning in a wide variety of circumstances—is not, in itself, a betrayal of our democratic objectives and should not be regarded as such.

2. SUSTAINED COMMITMENT

Concrete proof of a genuine and mature U.S. commitment to sustained, long-range cooperation would have a positive and steadying effect on Latin America. Inter-American affairs have long suffered from too much rhetoric unsupported by substantive commitment and action. Therefore, an increase in the AID appropriations and other concrete forms of economic assistance must be an essential part of our policy. However, we should avoid the mistake, which has often proved very costly in the past, of assuming that money is the only, or even the decisive, factor in promoting Latin American development. The trick is people, not dollars or pesos.

3. DEMOCRATIC POLITICAL INSTITUTIONS

One of the fundamental weaknesses of the Alliance has been its excessive reliance on central governments, with little or no involvement of the mass of the population in either selecting or carrying out Alliance programs. A number of us in Congress have long been concerned over this basic shortcoming.

In 1966, I cosponsored with the gentleman from Minnesota (Mr. FRASER) title IX of the Foreign Assistance Act which calls for "assuring maximum participation in the task of economic development on the part of people of developing countries, through the encouragement of democratic private and local governmental institutions." Despite much rhetoric, this mandate has largely been neglected. It has been neglected principally because AID officials generally have far more experience in economic development, and they naturally prefer to stick to what they know best. In part this neglect, frankly, reflects skepticism regarding the feasibility or even desirability of title IX objectives.

And yet the results achieved at local levels in some places have revealed the dramatic potential of this approach.

It is essential to place more emphasis on civic development and the promotion of local community institutions. This can be done by applying methods which have already proved successful and by giving leadership responsibilities to those most affected by the proposed projects. It is impossible to promote democracy without involving the people of the society.

4. EFFECTIVE TRADE PROMOTION

Clearly the less developed countries must expand their export earnings to finance increased imports or capital goods and essential raw materials, and to service their international debts. To some extent the problems they face may be eased through concessions on imports by the United States and other developed countries. However, concessions are not necessarily an answer. They can do as much harm as good by permitting inefficiency and high costs in local production to continue indefinitely. We could use sugar quotas as an example. Judging from all indications, no significant percentage of the profits accruing from sugar quotas has been used for national economic development plans, for improved efficiency in production, or for improved labor conditions in the producing countries.

Some international action may be necessary to establish price floors to prevent the complete collapse of prices while normal market forces work to adjust the flow of trade between countries. This kind of stabilization, in my view, would be desirable and has been achieved through devices such as the International Coffee Agreement. But most of the effort to increase profits through trade must be made by the less developed countries themselves. There are countless examples of countries which have lost important export markets because they failed to pay attention to production requirements and export promotion. Available evidence suggests the likelihood that in practically every coun-

try there are major opportunities for profitable expansion of exports and/or economically sound substitutes for imports. But this requires a concentrated and professional effort in locating trade opportunities, in organizing the needed private and public production and marketing efforts to supply proper qualities and quantities at the right time, in obtaining the needed financing, and in carrying out the essential export promotion. The United States could effectively provide the necessary managerial advice to achieve this goal.

The prevalent foreign trade image of the United States in Latin America is that of an industrial nation which sells manufactured goods to the developing countries at steadily increasing prices while importing raw materials and agricultural commodities at advantageous prices from them. But the fact is that we also export large quantities of raw materials. U.S. exports of agricultural products alone exceeded $6 billion last year. This year they will again approximate that figure, with about $5 billion in cash sales. The tremendous growth achieved by the United States in soybean output and exports serves as one example of the opportunities available in the field of agricultural production and trade. In the early post World War II period we produced and exported less than $10 million worth of soybeans a year. Now soybean production is a multibillion dollar crop, and our last year's exports of beans, oil, and meal were valued at well over $1 billion.

South America provides a similar success story in this field. In 1964, Brazil was faced with a serious problem because exports had failed to keep up with foreign exchange needs. Helped by temporary balance-of-payments support from us and others Brazil set about diversifying production and exports. Through its own effort and determination, that country has expended exports of nontraditional agricultural commodities by 50 to 75 percent—$200 to $300 million per year—since 1964, accounting for about 15 to 20 percent of total national exports. Brazil's export earnings are now almost sufficient to meet her total foreign exchange needs for imports of capital and consumer goods and for supplies and debt servicing. Our contribution to this success consisted largely of technical assistance, plus modest amounts of financial aid.

Ecuador is faced with a similar foreign exchange problem, though of different proportions. Banana exports, which in 1968 accounted for half of Ecuador's total exports of $210 million, are expected to be off sharply in 1969 and to decline still further in 1970. Action is urgently needed to locate and develop new opportunities for export and for import substitution. Through agreements for private development of petroleum and timber, Ecuador expects to improve its foreign exchange position by $30 to $35 million per year after 1973–74. However, these earnings will not meet interim needs and if the present rapid growth rate of imports continues, they will not meet post-1974 needs either. A study now being completed suggests several other potentially favorable commodity opportunities which, through a combination of economically sound import substitution and export expansion, would provide over $50 million per year to relieve balance-of-payments pressures.

This is an area of United States-Latin American cooperation of great potential benefit to our neighbors and involving relatively little cost to us. We should encourage Latin Americans to seek and expand production and trade opportunities, and we should help them in doing so.

5. PROGRAMS THAT REACH THE PEOPLE

Most U.S. assistance programs in Latin America have concentrated mainly on the development of large industry and urban services, housing and living conditions, leaving very little for the 50 to 85 percent of the Latin Americans who live in the campo and in the smaller towns and cities. Nevertheless, we have learned through experience that the intelligent and well-coordinated application of modest resources can achieve a great and rapid impact in rural areas in terms of agricultural production. A 5- to 6-percent annual increase over a period of 5 years would be quite possible in most South American countries. Rural living standards can be raised appreciably at costs of from a few dollars to a few hundred per family, compared with several times the amount needed for creating urban jobs and barely adequate urban living conditions. This in turn would reduce the massive migration to the cities which is already overwhelming urban facilities and creating political pressures of dangerous proportions.

Future U.S. lending should concentrate more on rural and interior areas with emphasis on such targets as production and marketing, processing of agricultural products, building farm-to-market roads, and the development of local community services. Large industry and most urban programs would be better left to other international lenders and multilateral agencies. Except for emergencies, U.S. bilateral loans should not be made for the principal purpose of financing general commodity imports. Instead, the United States should reserve its loans for institutions that will provide new public and commercial services which help the small man get on his feet, or that stimulate private initiative generally.

6. PRIVATE INITIATIVE

Latin American private enterprise could play a much more productive and beneficial role than it does at present. Properly encouraged and controlled, it is capable of infusing faltering economies with new sources of energy and income. In many areas of Latin America private initiative is thought of in terms of the dog-eat-dog practices prevalent in the 19th century. And in all too many instances local practices justify that image. There may be some ways in which the United States could effectively encourage Latin America to derive much greater benefit from the private enterprise sector; for example, to—

Assist willing countries in systematically identifying and studying opportunities for increasing production and improving distribution through expanding the private sector.

Encourage the use of economic incentives which some countries have used successfully to attract funds and managerial know-how from indigenous sources into productive private enterprise in depressed areas.

Employ seed money obtained from U.S. Government, business, and elsewhere to establish special funds for the financing of investments which develop indigenous talents.

Ask the U.S. business community to lend, at its own cost, junior executive or professional talent on a rotating 1-year basis for specialized management skills needed in Latin American business. This would be a kind of business-world Peace Corps. I have been encouraged to note that the new Peace Corps director, Joseph Blatchford, is moving in the direction of attracting highly skilled individuals into the Corps. The International Executive Service Corps can also play an expanded role.

Assist Latin American governments in identifying government services which indigenous private enterprise could manage more economically, thereby permitting them to shift public resources to areas presently neglected.

7. DIALOGUE WITH LATIN AMERICA

It is essential to establish a more meaingful dialogue and increase rapport with those Latin American groups, particularly intellectuals and students, who are highly critical of our policies but who are still open to reason and persuasion. Fortunately our visa policy has become more intelligent in recent years, and Latin American leftists wishing to visit the United States usually have no difficulty in obtaining the necessary authorization. But visits and tours to the United States, useful as they are, are not enough to provide a clear perspective of our country with all its virtues and defects. And at all events the numbers of Latin Americans involved in such visits are relatively small. We must improve the quality and scope of our dialogue, especially with Latin Americans outside government circles. More frank and vigorous give-and-take is needed, not only for purposes of mutual understanding and correction of misconceptions, but also to overcome unfortunate prejudices which have developed on both sides in our relations over past decades.

Neglect of this aspect of our relationship with Latin America, either through failure to understand its importance or because of fear and resentment of Latin American criticism in frank discussions, has cost us heavily in the past. Our officials should be encouraged to develop an activist approach to the dialogue with Latin America, and should be trained to become much more effective at it. This includes a willingness to listen as well as to talk, and an ability to explain the United States and its policies with honesty and objectivity.

8. IMPROVED PERSONNEL SELECTION

Our performance in Latin America could be improved through better selection and assignment of experienced and professionally qualified State, AID and other officials, including our military representatives, especially for key posts both here and in the field. Selection should be based on proven ability and

achievement in the actual implementation of U.S. policies and in improving our relations with Latin America, particularly along the lines set forth in these recommendations. Among others, the trade promotion and title IX programs will require dedicated, experienced professionals with private as well as public experience working directly and full-time on these activities.

9. OAS LEADERSHIP

We should help to increase the prestige and effectiveness of the OAS by working to improve the level of its day-to-day operations, its decisionmaking ability, and the quality of its personnel. Special emphasis should be placed on recruiting officials who are skilled in the fields of economic and civic development. To the extent the OAS gains recognition and acceptance as a competent, serious and useful organization there will be a lessened tendency to interpret inter-American affairs as an inevitable confrontation between the United States and Latin America.

10. COORDINATION OF U.S. ACTIVITY

Much more could be done inside the United States to raise the level of our knowledge and understanding of Latin America. Progress in this field could be achieved by increasing and improving relations among the various sectors of our society which are involved, in one way or another, with Latin America. Hopefully this would yield better results in the performance of all concerned. During my years in Congress I have often despaired, not only over the lack of coordination among those sectors but also with the amount of mutual suspicion and even hostility which prevails. Congress is frequently superficial and unfair in its criticism of the State Department, and the latter is usually extremely defensive and cagey in its dealings with the Hill. Some of the Latin Americanists in our academic community regard any contact with the Government as pointless. And there is much wasted motion and misunderstanding on all sides. I am not suggesting for a moment that we should all get together to agree on a common "party line." But I am convinced that we all have a great deal to learn, much of it from one another.

As a specific example, it would be very useful if more of the results of United States and Latin American research and scholarship could be injected into the "think tanks" of the State Department, and if our academicians could be brought a little closer to the realities of Latin American problems which confront us daily in Government. The State Department's creation of a special office to follow and report on U.S. research on Latin America was an excellent step in this direction. But I would hope that much more frequent contact and exchange can be developed among all of us who are seriously committed to improving United States-Latin American relations.

Mr. Speaker, the 10 suggestions I have outlined today only scratch the surface of possibilities for improvement in United States-Latin American relations. As I mentioned, I have not addressed myself in detail to the massive substantive problems of literacy, public health, housing, and population growth, among others.

Together with the Latins, and with their leadership, we can solve those problems. But we cannot be unrealistic about what that solution will require. It will require: A realistic time frame; the will of the Latin Americans and their leaders; sensitive, patient and understanding U.S. participation; and a commitment, stated at the highest levels of our Government, to active U.S. participation in the challenge of Latin American political, social and economic development.

As I stated at the beginning of my remarks, I believe we are at a critical turning point in our relations with Latin America. This point is fraught with dangers as well as opportunities. We can, like spoiled children, pick up our marbles and go away in frustration and defeat. Or we can use the wealth of tools at our disposal to develop a mature relationship with an important, vibrant and exciting area of the world.

It is my judgment that we must take the second path and take it with dispatch and sensitivity.

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. VANIK) is recognized for 10 minutes.

Mr. VANIK. Mr. Speaker, last Thursday the House passed the tax reform bill of 1969. It was a commendable effort. Although it does not meet all of our expectations, it is a beginning down the long road toward tax equality.

Now our attention must turn to our Nation's senior citizens. It is imperative that this session of the 91st Congress adopt legislation to increase social security benefits. Those hardest hit by the current inflation have been the elderly. It is unconscionable that our senior citizens should suffer because the Government has been unable to control the rising cost of living.

Mr. Speaker, at the beginning of this session I introduced social security legislation which would raise benefits by 15 percent and set a minimum payment at $80 per month. Built into the system would be a cost-of-living increase provision. Over 80 Members of the House of Representatives cosponsored this legislation.

In addition, my staff has just completed a study of all other social security legislation which has been introduced in the House of Representatives by all Members. The compilation of different types of bills, by number and sponsoring Member's name will be included at the conclusion of my remarks. In summary, this study shows that nearly 700 separate social security bills have already been introduced this year: 124 Members introduced legislation to increase social security benefits; 149 Members introduced cost-of-living increase measures; 172 Members introduced disability coverage.

This study clearly shows the extensive support which exists among members of both parties for immediate action on social security improvements. It is my sincere hope that the Ways and Means Committee will take immediate action on this vital legislation. Our senior citizens deserve nothing less.

Number of Members introducing or cosponsoring bills (by party)[1]

Percentage and dollar minimum benefit increase:	
Democrat	108
Republican	16
Cost of living increase:	
Democrat	105
Republican	44
Special increases in benefits:	
Democrat	5
Republican	2
Computation of benefits:	
Democrat	8
Republican	2
Death benefits:	
Democrat	9
Republican	4
Maximum limitation on earned income:	
Democrat	161
Republican	82
Coverage (Federal, State, and local Employees):	
Democrat	21
Republican	10
Disability benefits (eligibility):	
Democrat	118
Republican	54
Eligibility:	
Democrat	12
Republican	4
Benefits at 72 for certain uninsured individuals:	
Democrat	24
Republican	6
Benefit categories (adoptions, parent, wives, etc.):	
Democrat	20
Republican	5
Taxes and contributions:	
Democrat	13
Republican	4
Total Democrats	604
Total Republicans	233

HEALTH BENEFITS

General aid and miscellaneous amendments:	
Democrat	105
Republican	26
Child health and welfare; aid to dependent children:	
Democrat	86
Republican	6
Hospital insurance for the aged:	
Democrat	104
Republican	18
Supplemental medical insurance:	
Democrat	70
Republican	16
Grants to States for medical assistance programs:	
Democrat	4
Republican	4
Total Democrats	369
Total Republicans	70
Grand total:	
Democrats	973
Republicans	303

[1] Correct as to the Ways and Means calendar and subsequent additions through Aug. 8, 1969.

INDUSTRIAL DEVELOPMENT PROFILE

The SPEAKER. Under a previous order of the House, the gentleman from Missouri, (Mr. HALL) is recognized for 30 minutes.

Mr. HALL. Mr. Speaker, a new way has recently been discovered by those who would seek "instant publicity" to

acquire same, by the simple device of catigating the Department of Defense.

There are those who have served in the Congress for 20 years and more, who have had opportunities time and time again, year after year, to express their opinions of this Federal agency; yet no voices of criticism had been heard until recently, when it apparently became fashionable and the "in" thing to do, to take "picks" on the military in general and the Department of Defense in particular. I have taken my swings at individuals therein, especially civilians at the top level, but today I speak of and for the organization, and especially one of its components.

I am not here today to defend the Department of Defense, their record of achievement for defense of air, land, and sea, needs no words of backing from me; however, I do wish to take this time to commend one section of that Department, for an outstanding contribution to the city of Neosho, Mo., located in the Seventh Congressional District, a district that I have proudly been privileged to represent in the Congress since 1960.

I refer to the Office of Economic Adjustment, its Director, Donald F. Bradford, and his fine staff, who at my request studied the problem, surveyed it with me, and have made at least two subsequent helpful and cooperative trips to the area, and then prepared an industrial profile and district plan for the city of Neosho.

All of this, following the loss of its major industry, the Rocketdyne plant of North American Rockwell, when its liquid propelled rocket engines were phased out, and the remaining capability was merged with other plants belonging to the company.

To those of you unfamiliar with the industrial profile idea and the Office of Economic Adjustment of the Department of Defense, let me provide you with a brief backgrounding on the subject—

The Office of Economic Adjustment was established in March 1961 by the Secretary of Defense for the specific purpose of assisting individuals and communities to adjust to the economic impacts of changes in programs of the Department of Defense. It operates under the Assistant Secretary of Defense for installations and logistics, Mr. Barry Shillito.

The Office of Economic Adjustment is assisted by representatives of other Federal agencies who join in ad hoc conferences or community visits under the management of the DOD.

Assistance to private individuals and business firms provided indirectly by helping communities raise their levels of economic activity .

Assistance to communities consists of counseling and technical support: That is, helping community leaders—who invite its assistance—to organize for economic growth, to develop a strategy for economic expansion and diversification, to identify the resources and liabilities of the area, and to find and apply appropriate Federal programs.

Since its establishment, the OEA has engaged in a total of 98 projects in 39 States. Among these, 61 were major base closures, and nine others contract-change situations. At the present time, 21 base closure projects and two contract-change projects are active in the OEA offices in varying degrees.

The Office of Economic Adjustment is manned by five professionals and two secretaries. It has no field offices. It contracts for industrial development assistance at a cost of $22,500 annually.

On June 26 of this year, Mr. Donald Bradford, accompanied by four members of his staff, journeyed to Neosho, Mo. for the third time and for the purpose of presenting the industrial development profile to the leaders of that city, and to discuss with them the intention of the Air Force to declare certain—old deactivated Fort Crowder—industrial properties of interest to the community—surplus to its needs.

The industrial profile, a 92-page document prepared by the OEA, was developed after numerous trips to Neosho and much research and preparation. It contains a detailed charting of the course, for Neosho's best industrial development strategy based on the economic activities and locational factors of Neosho in today's national economy.

The profile deals in great detail with seven areas of importance:

First. The economy of the Neosho area;

Second. An evaluation of the industrial development program;

Third. Recommendations for an industrial development strategy;

Fourth. Target industries recommended for promotion;

Fifth. The industrial development program;

Sixth. Development and control of industrial land;

Seventh. Training for the industrial skills of the future.

The visit to Neosho, Mo. by the Director and staff of the Office of Economic Adjustment, has brightened considerably the prospects of that community to attract and acquire new industry, and has assured the people that the pullout of an important defense-related, high-employment industry, will not leave them stranded and helpless in their quest of improving the economic base of their community.

I am sure that the advice, and analysis offered the city of Neosho, Mo. will benefit it as much as it has other cities.

To cite a few examples:

First. The Brookley Air Force Base in Mobile, Ala., was announced for closure in November of 1964. Following the development of a program by the Office of Economic Adjustment, the city of Mobile has established a general aviation airport, an industrial development park, which has accounted for 1,635 jobs, including an engine remanufacturing plant of Continental Motors Corp., which employs 1,200 persons.

The University of South Alabama built on 250 acres of the property, and by the end of 1970, the campus is projected to have a student enrollment of 3,260 and a faculty and staff of 250.

In addition to these major uses, the city of Mobile will use 24 acres of the property for a new city park and a U.S. Coast Guard station will occupy a portion of the former base.

Overall, 11,000 new jobs have been created in the Mobile area since the initiation of the industrial profile by the economic adjustment program.

Second. Olmsted Air Force Base, in Middletown, Pa., was scheduled to be closed in June 1969. It was found possible, however, to close the installation one year earlier because of the rapid development of civilian uses for the property following closure announcement.

Civil aviation, industry, and higher education represented the major civilian uses found for the property.

Olmstead State Airport, a regional jet airport, was established.

Warehouses have been converted to factory space by a number of companies, such as Fruehauf Corporation. The total of more than 20 industrial and service enterprises occupying space at the former base provides employment for 1,500 persons.

The State Capitol campus of Pennsylvania State University opened at Olmsted with an enrollment of 500; by 1975 the enrollment figure is expected to rise to 7,500.

A residual military use is represented by the presence of the Pennsylvania National Guard on a portion of the property.

Third. To cite another example, Schilling Air Force Base, Salina, Kans., was closed in June 1965. With the industrial profile made available to the city by the Office of Economic Adjustment, Salina was encouraged to turn part of the base into a new municipal airport. A number of industrial enterprises, such as Beech Aircraft Corp., have set up operations on the property and current employment is running over 2,000 persons.

An area vocational-technical school with an enrollment and faculty of 500 is established on the property and a "waiting wives" program for 3,092 dependents of military personnel serving overseas are occupying Capehart housing at the installation.

Many other cities, have received the most helpful attention of this fine division of the Department of Defense.

To name a few:

Waco, Tex., James Connally Air Force Base; Erie Army Depot, Port Clinton, Ohio; Hastings Naval Ammunition Depot, Hastings, Nebr.; Dow Air Force Base, Bangor, Maine. The shock of losing a defense related industry would be great for any community, be it large or small. The Department of Defense, being under no obligation to involve itself in local problems, could well have plead "too busy," or have adopted a "so what," "hands off" policy, and gone on about its business. Instead, realizing, the loss of jobs, income, and opportunity that would befall a community undergoing such a loss, the Office of Economic Adjustment was created, and has paid for itself many times over and good will and competent service to many cities of the Nation.

It is a pleasure for me to speak in their

behalf today, and say to them, for the Seventh Congressional District of Missouri and the city of Neosho, thank you for a job well done.

Mr. EDWARDS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. HALL. Mr. Speaker, I am delighted to yield to my distinguished colleague, the gentleman from Alabama (Mr. EDWARDS).

Mr. EDWARDS of Alabama. Mr. Speaker, I want to thank the gentleman from Missouri for mentioning in some detail the work that has been done in Mobile, Ala., since the closing of the Brookley Air Force Base there.

Second, Mr. Speaker, I would like to say, as the gentleman in the well knows, and as many of us in the House know from experience, that when the word comes down from the Defense Department that a base is going to be closed in a Member's district, sudden panic sets in. Certainly that was the case in my district. Two weeks after I was first elected and before I ever set foot into Washington, Secretary McNamara ordered Brookley Air Force Base closed.

There were 13,000 civilians working on that base, and about 1,000 military people. This represented 17 percent of the work force in the area of Mobile, Ala., the biggest industry in southwest Alabama, if you will, and all of a sudden the ax descended.

So when you shake yourselves, and shake that sort of a thing off and try to get your wits about you again, and your people start to rally and to try to save the base, as is proper, and find that that is out of the question, then there appears on the scene Don Bradford, and the Office of Economic Adjustment, with the sole purpose of trying to assist the community in overcoming this impact.

Mr. Speaker, I think the gentleman from Missouri is very sound when he says that one of the smart things the Defense Department has done is to take into consideration the fact that there will be an impact when one of these bases is closed, and to set up a department such as the Office of Economic Adjustment to go in and work with the community leaders, with the city officials, the county officials, with the chamber of commerce, and all other officials and citizens in trying to help them, through experience with past base closings, to find ways and means to convert the facility to a thoroughly useful purpose insofar as the community is concerned.

What the gentleman from Missouri has said about the progress made in Mobile, Ala., is true. In addition to that, Mr. Speaker, we have now located Lear-Siegler in Mobile with the help of Don Bradford and his agency.

This is not to say, Mr. Speaker, that they go personally and solicit industry; that is not their business, but they find ways to help the community do the job.

So, Mr. Speaker, I take this opportunity to join with my colleague in the well, the gentleman from Missouri (Mr. HALL) in his comments about the agency and in his comments about Mr. Bradford himself, and to say that the agency and Mr. Bradford and his fine staff have been of immeasurable value to the people of southwest Alabama in trying to work out the problems created by the unfortunate—and I still believe wrongful—closing of Brookley Air Force Base.

Mr. Speaker, I again thank the gentleman from Missouri for yielding.

Mr. HALL. Mr. Speaker, it was a pleasure to yield to the gentleman from Alabama.

I am sure, Mr. Speaker, that all of us who have dealt with industrial procurement, industry related, and defense related, and other agencies in our own communities, know full well that the distinguished gentleman from Alabama (Mr. EDWARDS) was right in there scrambling, so that, even with the help of the base technicians, as far as industrial profiles and business and management procedures are concerned, the local community can do much to lift itself up by its own bootstraps.

Again, Mr. Speaker, I am delighted with the comments made by the gentleman from Alabama, and I am also delighted with the additions that have recently come to his community, and I certainly appreciate the gentleman's comments about this defense agency.

Mr. Speaker, I think it is very important as a member of the Committee on Armed Services that we lend a hand and recognize the degree of service given to our Nation over and above the call of duty at times by our various agencies.

Mr. Speaker, I would like to ask unanimous consent that our colleague, the gentleman from Kansas (Mr. SEBELIUS) whose predecessor, the present Senator from Kansas, has just been on the floor—to insert his remarks concerning the situation at Salina, Kans., and that our colleague, the gentleman from Pennsylvania (Mr. SCHNEEBELI) be permitted to extend his remarks on this subject of the Economic Adjustment Agency of the Department of Defense.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SEBELIUS. Mr. Speaker, I want to take this opportunity to point out and illuustrate how cooperation between a Federal agency and a local community can achieve meaningful results through an example in my home State of Kansas. We hear much about the ineffectiveness of our vast Government bureaucracy; I think the public should also be aware when a Government program achieves proven success.

I would like to thank my good friend and colleague from Missouri, Mr. HALL, for giving me this opportunity to talk about the cooperation and progress between the Office of Economic Adjustment of the Department of Defense and the City of Salina, Kans.

As the gentleman from Missouri pointed out, Schilling Air Force Base in Salina, Kans., was closed in June 1965—a decision that might have meant an economic crisis for the city of Salina, located in the First Congressional District in Kansas.

However, the Office of Economic Adjustment developed an industrial profile similar to past projects for Neosho, Mo., and Mobile, Ala. The offer of qualified assistance by the Federal Government sparked local initiative by community, city and county leaders, and many civic organizations.

The combination of advice and direction from the Federal Government plus local involvement and enthusiasm attracted industry to Salina, stimulating the economy and avoiding the slack in business activity that was anticipated.

My colleagues from Missouri and Alabama have already mentioned the basic reason for this success. The Office of Economic Adjustment based on their past experience, has with a minimal staff, been most successful in offering sound advice to communities in similar situations. The key to their success is that they allow the local community to make the key decisions and plot the course to achieve the goal of economic growth.

To paraphrase the gentleman from Missouri, "There is nothing that will sustain the momentum in a local community more than the pride resulting from a community lifting itself up by its own bootstraps."

The success of this approach in Salina, Kans., has been noteworthy; Beech Aircraft Corp. set up operations on the base employing over 2,000 persons; an area vocational-technical school, with an enrollment and faculty of over 500, uses the facility; and a waiting wives program and organization for 3,092 dependents of military personnel serving overseas is located on this property.

Mr. Speaker, I think this cooperative progress emphasizes a basic principle in keeping with President Nixon's "New Federalism"—that the Federal Government should provide for local initiative to implement the programs, direction, and other assistance provided by our governmental agencies.

GENERAL LEAVE

Mr. HALL. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks concerning the Economic Assistance Division of the Department of Defense.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

NATIONAL LIVING INCOME PROGRAM OF 1969

(Mr. CONYERS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CONYERS. Mr. Speaker, yesterday I was joined by three of my colleagues in introducing legislation that would provide a realistic living income for all citizens. Mr. WHALEN, Mr. BINGHAM, and Mr. RYAN and I feel that the National Living Income Program Act will provide subsistence, not affluence for all Americans; but it will treat the poor as they have not been treated by any past or pending legislation, with dignity and as equal and individual citizens.

In concept, our plan seems similar to the family assistance plan outlined by

President Nixon in that the Government undertakes a form of income maintenance as a substitute for welfare. In reality, the President's family assistance program departs little from the theories behind current welfare programs. Conceptually and specifically it contrasts greatly with the national living income program. The administration has not accepted that a minimum standard of living is a right, not a privilege in the wealthiest nation in history. A person is forced to work under the family assistance program to receive family assistance; it is available only to couples with children, implying that the older generation does not deserve help. The level of assistance under the Nixon plan is only half the requirement for a minimum existence. It provides a financial foundation but not a living.

Three important issues are involved in any income maintenance plan our proposal attempts to resolve in a new way. To the question below what level should no family's income be allowed to fall, we assert that the poverty line set by the Social Security Administration is the absolute minimum. With the affluence and expertise possessed by the United States, the Federal Government has the responsibility and the resources to insure that all its citizens—families, couples, and single persons—enjoy at least this minimum standard of living. A floor of $3,200 for a family of four faces the realities of the cost of living. Even a $3,200 benefit level for a family of four provides nothing more than subsistence in a time of great inflation of all prices; $3,200 will not allow a family to live in affluence, but is just adequate for its basic needs.

A welfare plan fails if it does nothing to help its recipients to take over from the Government the task of supporting them, and to choose for themselves the type of life they want. Thus we have included a system of work incentives to provide the poor with the tools by which they may become more productive members of society. Payments are not contingent on employment, but the more outside income a person earns, the more he is able to keep. He will eventually, under the national living income program, be able to work his way up from the subsistence level of government benefits, to a decent living which he has earned. The right to live and survive should not be a reward that can be taken away as punishment. The living income program encourages, but does not coerce, the poor to work.

This is one of the most serious problem with the Nixon proposal, that it seeks to impose the desire to work. It substitutes incentives to work for coercion to work. If the threat is not accepted, loss of payments results as punishments.

Through this legislation we seek not only to encourage employment, but also human dignity. The theory that, if welfare is distasteful and shameful enough, people will be dissuaded from accepting it and get a job instead, has not proved valid. Only a small percentage of those receiving welfare have been found to abuse it, and only a small number of the poor are actually able to work, but do not. If the Government asserts that a living income is available to all citizens as a human right, the poor can accept the money without a stigma and will be free to use it as they wish, to make the choices that any other consumer makes, to feel that they are directing their own lives.

The goals of the national living income program are ambitious; the scope is wide. Yet I believe we cannot afford to strive for less. This Nation can—must—provide the $20 million our program will cost. If we reordered our priorities so that human needs come before missiles and dams and buildings, the money would be easy to come by. The sooner the Vietnam war ends, the sooner the Government can devote proper attention to its underprivileged citizens.

Mr. WHALEN and I first presented a draft of our current proposal in the CONGRESSIONAL RECORD on March 10, 1969 as a bipartisan attack on the problem of poverty which pays no heed to party affiliations. Mr. BINGHAM and Mr. RYAN joined us yesterday in cosponsoring the national living income program. We introduce it as a realistic approach to the problem, more in the hope that the principle will provide a basis for study than in the expectation that it will immediately become the law of the land.

I believe, however, that this is a worthwhile objective that will gain acceptance as its purpose becomes clear to the Congress. In this spirit I insert a summary of our bill, confident that this beginning will attract, stimulate, and move my colleagues to join us in this newest and most vital antipoverty effort:

SUMMARY: NATIONAL LIVING INCOME PROGRAM ACT OF 1969

The National Living Income Program Act of 1969 is designed not only to eliminate poverty and provide incentives for work, but also to encourage stable family structures, to protect the rights and dignity of the recipients, and to do all this without impossible burdens on administration. These goals are difficult to achieve, but this proposal, outlined originally by Professor James Tobin of Yale and worked out in detail by the *Yale Law Journal,* comes closer than any other to satisfying the numerous requirements of a comprehensive and decent family assistance program.

HOW THE PROPOSED NATIONAL LIVING INCOME PROGRAM WOULD OPERATE

A family (a single man or single woman is considered a "family") may receive an "income supplement". The family may choose either to have its supplement paid in semimonthly installments or in a lump sum at the end of the year. If the family decides to have the Treasury pay benefits twice a month, it must file an affidavit estimating its income for the calendar year, based on its income from the previous year. Benefits are then paid on the basis of these affidavits. Except in special cases, only a specified random percentage of these affidavits may be investigated by the government. Benefits may not be discontinued without granting a hearing to the recipient prior to the date of cutoff.

The amount which the government will pay to a family is equal to the family's basic income supplement, reduced by one-half of any income which the family has received. The definition of income is very comprehensive, including, for example, a fixed percentage of the value of a recipient's capital assets and imputed rent on his house as well as almost all income taxed under the positive tax system. If a family has no income, it will be entitled to the entire basic income supplement, which approximates the Social Security Administration poverty line for the particular family size and varies only according to the cost-of-living in the area in which the family resides.

The following schedule shows the sliding scale of benefits provided by the Act on the basis of the Social Security Administration's figures:

Number in family:	*Income supplement*
1. (adult)	$1,200
2. (1 adult, one child)	1,800
3. (2 adults)	2,000
4. (2 adults, 1 child)	2,600
5. (2 adults, 2 children)	3,200
Each additional child	600

These figures are for the nation as a whole. Income supplements in New York City would be higher, while those for rural Mississippi or South Carolina would be lower.

The Act contains many provisions to protect the rights and dignity of recipients. All payments are to be made in cash and there are no restrictions on how the family may spend money and no circumstances under which it can lose its entitlement. Finally, the Act provides generous administrative and judicial remedies for aggrieved members of recipient families.

The National Living Income Program is to be federally funded and federally administered. The administration of the Program would be vested in a newly-created agency within the Treasury Department, the Bureau of Income Maintenance, and it would be funded directly from the federal treasury. The Program would thus free substantial state funds for other state and local projects. The personnel involved in welfare administration would be allowed to concentrate on providing counseling and advisory services, together with administering whatever emergency financial assistance was still needed.

An example of a hypothetical family of four will show how these elements fit together. The income supplement for this family is $3,200 a year. If the family has no earnings or other available income for the year, it will receive the full income supplement, which is set at the poverty level. Thus, even the poorest families get enough money so that they need not live in poverty. If, however, a member of the family takes a job and earns $3,000 a year, so that the family's available income climbs from zero to $3,000, its supplement will drop from $3,200 to $1,700 (the supplement is reduced by half of available income). The family's final income for the year—including the supplement paid by the government—is thus equal to $3,000 (earned) plus $1,700 (supplement) or a total of $4,700. There are two points to note here. First, the National Living Income Program preserves a substantial financial incentive for continued employment and advancement. As family available income climbs from zero to $3,000, the supplement is not reduced dollar-for-dollar, but only fifty cents on each dollar earned. In effect, the family is allowed to keep half of what it makes. Second, most families will have an income far in excess of its income supplement. These well-to-do families would, therefore, lose money under the program and so would not elect to participate.

ENDING THE RURAL HOUSING VACUUM

The SPEAKER. Under previous order of the House, the gentleman from Texas (Mr. PATMAN) is recognized for 10 minutes.

Mr. PATMAN. Mr. Speaker, rural America—30 percent of the Nation's

population and 99 percent of its landmass—is in a vacuum so far as the housing needs of low- and moderate-income families are concerned. This condition exists and is worsening despite the fact that rural America has nearly half of all the Nation's poverty stricken people and two-thirds of its substandard housing. It exists despite a mountain of testimony and reports on housing—despite an extensive and continuously growing library of housing legislation—despite frequently repeated 20-year-old promises that everyone in the land is entitled to adequate housing and a suitable living environment.

That promise was made in 1949 and, if there is hope of its fulfillment, that hope exists largely, if not solely, in our cities where almost all of the resources marshalled to provide adequate housing are being invested. The token efforts made in rural areas during the past 20 years have done little to slow the pace of continuing housing deterioration which now is measured by the more than 4 million substandard dwellings that now exist there. The facts of the matter are the rural housing programs are not even sufficient to maintain a status quo situation, as sad as that is.

As an example, 16 percent of all occupied units in the Nation are substandard, but 25 percent of all occupied units in rural America fall into this category. And this is but one set of figures that are part of a picture that shows the struggle to achieve a decent life in rural America is far greater than in the cities. Nonmetropolitan areas of the country with 37 percent of the population have received less than 20 percent of the home mortgages insured by the Federal Housing Administration. Only 15 percent of Housing and Urban Development Department units for the elderly have gone to rural America where 43 percent of all the Nation's elderly live. Less than 10 percent of HUD's low income public housing rental units have been built or are under construction in rural areas. Thirty percent of all rural families are without bathrooms and less than half of all rural homes have central heating. To this sad list of statistics showing that rural America is desperately disadvantaged should be added the fact that the median income for nonmetropolitan areas of the Nation is 22 percent less than in urban America.

RURAL AREAS—THE FORGOTTEN AMERICA

Mr. Speaker, these conditions have existed for decades in rural America because of the indifference, or lack of knowledge, or both, on the part of the Government and most of our urbanized population. How else can you explain antipoverty and housing programs which virtually ignore nearly half of the Nation's poor and most of its substandard housing? How else can you explain the creation of the Urban Affairs Council, a title that clearly implies that its concerns are concentrated almost completely on the city?

The pronouncements of the Council, so far at least, have utterly failed to recognize there is a rural America, to say nothing of the inescapable conclusion that its problems are even worse than those of the city. My description of housing and income in rural areas are but two aspects of this situation. Proportionately, rural America has far fewer doctors, nurses, dentists, educational facilities, and needed social services of all kinds. More than 30,000 rural communities lack water systems and more than 40,000 lack sewage systems.

Efforts to meet the desperate housing needs of rural America are being made by the Farmers Home Administration of the Department of Agriculture. Farmers Home Administration staff members have said theirs is the only agency providing housing of any consequence for low- and moderate-income families in rural areas. At the same time, they will readily admit that their accomplishments not only fall far short of meeting the need but, if continued at the present level, may not even check the problem, let alone eliminate it. In the 4 years ending in fiscal 1969, the agency received only $104 million for its water and sewer facilities grant program, less than half the amount it estimates is needed. Throughout its entire history, Farmers Home has been able to provide only 22,000 units of low-income housing. Even if Farmers Home is successful in tripling the volume of its insured home loan program, as is proposed in its 1970 budget, it will still only scratch the surface of the rural housing problem. If its budget is tripled it would theoretically be able to make 150,000 insured home loans next year and that is all to the good. But it cannot be considered a serious response to the prevailing circumstances when there are more than 4 million substandard homes in rural America and the need for federally assisted housing there amounts to 300,000 new or rehabilitated units a year, according to testimony given by Farmers Home Administrator James Smith himself when he appeared at the housing goals hearings of the House Banking and Currency Committee.

FARMERS HOME CANNOT DO THE JOB ALONE

The possibilities of realizing even this inadequate expansion of activities have diminished considerably. The House, in a burst of misguided generosity, has voted to increase the Farmers Home insured home-loan fund about 2¼ times, but it has drastically cut funds proposed to increase the agency's staff so that it can administer the loan applications that will be applied against this increased capacity. If the situation is not corrected, Farmers Home will end up with just about the same number of employees that it had when the Federal Expenditures Control Act went into effect last year and, in the name of false economy, forced Farmers Home to leave 596 authorized permanent positions vacant at a time when the agency was headed toward a record backlog of more than 70,000 insured home-loan applications.

None of these things are said in criticism of Farmers Home, which I think has done a remarkable job despite extreme limitations. This has been particularly true so far as Farmers Home's operations in east Texas are concerned. The staff of the program in this area, in my view, is the most dedicated of any in Government. Nevertheless, these limitations do exist in the program and make it impossible to meet the urgent housing needs of low- and moderate-income families in rural America. Chief among the restrictions imposed on Farmers Home is that it has been characteristically viewed by Agriculture Department policymakers as a minor section of an otherwise farm industry dominated program. From the day it was established, the Department has focused its attention almost solely on the problems of our farm economy and the development of methods designed to assist in food production and pricing. There was a time in the Nation's history when the Department's programs and expenditures affected the lives of far more people living in rural America than is now the case. Today, only 30 percent of all rural families have direct farm connected incomes. An indication of the Department's treatment of Farmers Home is exemplified by orders issued by its leaders over the years to the agency to cut back its budget proposals despite studies conducted by the Department itself that showed rural housing conditions were rapidly deteriorating. There still is no indication that Farmers Home will ever be elevated to the position it should occupy in the Department.

Other restrictions on Farmers Home include the law limiting the services it can provide to rural communities of 5,500 or less which, in my view, ignores a large part of rural America.

TWO HOUSING PROGRAMS FOR THE NATION

Mr. Speaker, in essence, I have described two housing programs for the Nation. One is operated by the Department of Housing and Urban Development and is directed almost entirely to the needs of our cities. The other, in some respects resembling an unwanted offspring of the Department of Agriculture, is prevented from even dealing adequately with the housing needs of only a part of rural America.

Under present circumstances, it is my opinion that the housing needs of our cities stand a far better chance of being met than those of the rural areas. The deplorable slums of our cities, with their congestion, squalor, the lack of opportunity for the people and their despair and anger cannot be hidden from the Nation—indeed from the world. The demand for change and for a chance to contribute to and share the wealth of the Nation is concentrated here and it cannot and will not be denied.

The new Secretary of the Department of Housing and Urban Development, Mr. George Romney, is obviously acutely aware of these conditions and of his responsibility to help lead the way toward their elimination. He has clearly demonstrated, in his decisions to launch a crash program to rebuild riot damaged ghettos and to develop mass production techniques to provide housing for low- and moderate-income families, that he wants to move the programs of his Department forward as rapidly as possible in the areas of greatest need as he sees them.

It is understandable, since there is little in his political or business background that has related directly to the economic problems of rural America,

that he has failed to recognize that the problems of cities are magnified in rural areas. The great migration of rural people to the cities—a migration which continues at a rate of over one-half million people a year—is one of the most dramatic examples of this. By the same token, it is a national tragedy that awareness of rural problems is occurring only after the victims of these conditions are forced to leave their homes in what more often than not is a futile attempt to escape from poverty. The poverty of rural America, the substandard housing, the wretchedness of life where families must live in rotting houses, jammed into one or two rooms and made to pay appallingly high rent, is frequently hidden from public view along the backroads of the countryside. But the poverty stricken are there, comprising a scattered, anonymous army of despair.

HUD MUST BE BROADENED

Mr. Speaker, the Government of our Nation must not be permitted to meet the housing needs of only the urban half of the country. It is clear to me, as I hope it will be to all who profess concern for low- and moderate-income families, that the programs of the Department of Housing and Urban Development must be broadened so that they extend equally to urban and rural America. HUD is, after all, the national Government's housing department, primarily responsible for providing housing assistance for low- and moderate-income families in both urban and rural areas. Although it is the youngest of all Federal departments, it is well on its way to becoming one of the largest and hopefully one of the most effective in Government.

Mr. Speaker, I, therefore, am proposing that the Housing Act of 1968 be amended to provide for establishment of the office of Assistant Secretary for Rural Housing within the Department of Housing and Urban Development. In my view, this is one of the first steps that should be taken in the effort to meet the housing needs of our rural areas as quickly as possible.

HUD has the staff, the expertise and the funds and the avenues of credit that can form a solid base for an expanded effort to deal with rural housing problems. An Assistant Secretary for Rural Housing, as the title implies, should be responsible for administering HUD housing and community facility programs in rural America.

In this connection, the boundary lines for rural America itself should be redrafted. I am convinced the present descriptions—the 2,500 population criteria used by the Census Bureau and the 5,500 standard employed by Farmers Home—fail to describe the real boundaries of rural areas. Communities of 25,000 or less outside of standard metropolitan statistical areas would be much closer to an accurate description of rural America.

I want to make it clear that this amendment will place a part of the Department of Housing and Urban Development, both in Washington and in the field, under the administrative direction of the Assistant Secretary for Rural Housing. Of necessity, HUD, either through training, or recruitment, or both, must in the future include on its staff people who are experts on the economy of rural areas, rural housing and rural mortgage credit requirements. Moreover, because of the very nature of our rural population, scattered and frequently isolated, HUD staff members working in rural areas must have direct contact with loan applicants to provide necessary counseling in terms of credit, site and building arrangements. In addition, a mandate directing the HUD staff to seek out the people who need help must be placed over the entire operation. Only in this way can the program reach the maximum number of participants and provide maximum benefits.

HUD AND FARMERS HOME BOTH NEEDED

Nothing said here, Mr. Speaker, is meant to imply in any way that expanded efforts in HUD will result in diminishing the Farmers Home program. As I have stated, Farmers Home has done an excellent job despite the restrictions under which it labors. Nevertheless, these restrictions make it impossible for that agency to extend its housing services throughout rural America to say nothing of meeting the housing needs of rural communities of 5,500 population or less. As a matter of fact, James V. Smith, Farmers Home Administrator, testified before the House Banking and Currency Housing Subcommittee that he was not certain that his agency's budget, even though its proposed insured loan fund for home ownership is tripled, would be able to surpass the rate by which rural housing is falling into a substandard state. He told the subcommittee that he hoped his budget would manage to reverse the decline, but that he was not certain because the level of funding for personnel was inadequate.

It is obvious that the only feasible solution to this problem is to have the Nation's housing department reach out to the rural areas with the same effort that it has, until now, focused on the cities and suburbs. Adequate funding for HUD for this purpose and strong support for Farmers Home are both required if we are to realistically expect the critical housing problems of rural areas will be finally overcome.

BARRATT O'HARA, A MAN WHO LIVED AND GAVE FULLY

The SPEAKER. Under previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, it was just last October 8, 1968, that I gave a "Merienda" in honor of our distinguished colleague, the Honorable Barratt O'Hara, whom I affectionately called the Mexican Shamrock.

Barratt O'Hara departed this earth on Monday, and I feel very keenly the need to pause long enough to pay tribute to the full and distinguished life of this wonderful man.

In 1948 at the age of 66, Barratt O'Hara rather amazingly began his 20-year career in Congress. Long before that time he had already crowded into the first 30 years of his life more accomplishments and good deeds than the overwhelming preponderate number of other human beings do in a long lifetime.

In January 1962 I first came to the Congress of the United States and enjoyed a warm, close working relationship with this distinguished gentleman through October of last year.

The dean of the House was always a source of great inspiration to me. He was deliberative, he was just, he was knowledgeable, and always alert, despite his many years.

His great wisdom was the result of decades of great personal involvement with people and with life.

His great physical and moral courage was legendary and the envy of such luminaries as the trial lawyer, Clarence Darrow.

He was the champion of the little man and the champion of the emerging African nations. He was once chairman of the House Foreign Affairs Subcommittee on Africa.

During the depression in Chicago, he had a daily radio commentary in an attempt to help people.

From the time of his early boyhood, Barratt O'Hara led a life which would destine him to be uniquely a man who fully lived and fully gived.

In 1895, at the age of 13, he went to Nicaragua with his father and accompanied an expedition marking the route of a proposed canal. A Panama route was chosen later.

At 15 he ran away from home to enlist in the 33d Michigan Brigade, which followed Teddy Roosevelt's Rough Riders as the second American force in Cuba. He became chief scout for the brigade and was awarded the Order of Military Merit by Cuba.

He was the last congressional veteran of the Spanish-American War and he always spoke of it on the anniversary of the sinking of the *Maine* that set off the war.

He attended the University of Missouri, became sports editor of the St. Louis Chronicle at 20, then moved to Chicago where he was sports editor of the American and later Sunday editor of the Examiner.

He went to law school, edited and published "Chicago Magazine," wrote a history of boxing "From Figg to Johnson" and at 30 became the youngest lieutenant governor in Illinois history. In this job he attracted attention with his investigation of substandard wages being paid women. A brief stint as president of a Hollywood movie company followed, then Army service in World War I, and finally law practice.

As defense attorney, he tried nearly 300 homicide cases and won acquittals for more than 90 percent of his clients. None was executed.

Mr. Speaker, although it is not possible to mourn Barratt O'Hara's passing because he did not live a long life, it is always sorrowful to know that such a singularly unique leader and distinguished colleague and friend will no longer walk these hallowed halls that house this august body.

Nevertheless, I know that he has left for us a cherished legacy by the example of the full and dedicated life which he led.

I know that at least some of his spry spirit, his sharp wit, and great wisdom will be with us always.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HALL, for 30 minutes today, to revise and extend his remarks and include extraneous material.

(The following Members (at the request of Mr. DANIEL of Virginia) to address the House and to revise and extend his remarks and include extraneous matter:)

Mr. PATMAN, for 10 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. WHITTEN, for 30 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MONAGAN and to include extraneous matter.

Mr. MAHON and to include certain tables.

Mr. BURKE of Massachusetts and to include extraneous matter.

Mr. MADDEN in two instances and to include extraneous matter.

Mr. ICHORD in two instances and to include extraneous matter.

(The following Members (at the request of Mr. WILLIAMS) and to include extraneous matter:)

Mr. ROTH in five instances.

Mr. BROOMFIELD.

Mr. WYATT.

Mr. HALPERN in three instances.

Mr. FINDLEY.

Mr. BROYHILL of Virginia.

Mr. RIEGLE.

Mrs. HECKLER of Massachusetts in two instances.

Mr. DUNCAN in two instances.

Mr. ARENDS.

Mr. BELCHER.

Mr. SCHERLE.

Mr. EDWARDS of Alabama.

Mr. WHALEN.

Mr. STEIGER of Wisconsin in two instances.

Mr. MCDADE in two instances.

Mr. HOSMER in two instances.

Mr. BEALL of Maryland.

Mr. BIESTER.

Mr. ASHBROOK in two instances.

Mr. COUGHLIN.

Mr. WOLD.

Mr. BROWN of Ohio.

Mr. KEITH in three instances.

Mr. POLLOCK in two instances.

Mr. PETTIS.

(The following Members (at the request of Mr. DANIEL of Virginia) and to include extraneous matter:)

Mr. KARTH.

Mr. MAHON.

Mr. O'NEILL of Massachusetts in two instances.

Mr. BINGHAM in five instances.

Mr. GONZALEZ in two instances.

Mr. THOMPSON of New Jersey in two instances.

Mr. FOUNTAIN.

Mr. BOLLING.

Mr. MOORHEAD in six instances.

Mr. PIKE.

Mr. BLATNIK.

Mr. BROWN of California in two instances.

Mr. STEPHENS.

Mr. MARSH in four instances.

Mr. RARICK in three instances.

Mr. RYAN in four instances,

Mr. MIKVA in three instances.

Mr. CORMAN.

Mr. FRASER in five instances.

Mr. MINISH in four instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 203. An act to amend the Act of June 13, 1962 (76 Stat. 96), with respect to the Navajo Indian irrigation project; to the Committee on Interior and Insular Affairs.

S. 1583. An act to provde that appointments and promotions in the Post Office Department, including the postal field service, be made on the basis of merit and fitness; to the Committee on Post Office and Civil Service.

ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 671. An act to compensate the Indians of California for the value of land erroneously used as an offset in a judgment against the United States obtained by said Indians;

H.R. 1707. An act for the relief of Miss Jalileh Farah Salameh El Ahwal;

H.R. 5107. An act for the relief of Miss Maria Mosio;

H.R. 8136. An act for the relief of Anthony Smilko;

H.R. 10107. An act to continue for a temporary period the existing suspension of duty on certain istle and the existing interest equalization tax; and

H.R. 12720. An act to provide for the conveyance of certain real property of the District of Columbia to the Washington International School, Inc.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 742. An act to amend the Act of June 12, 1948 (62 Stat. 382), in order to provide for the construction, operation, and maintenance of the Kennewick division extension, Yakima project, Washington, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on August 12, 1969, this day present to the President, for his approval, bills of the House of the following titles:

H.R. 1462. An act for the relief of Mrs. Vita Cusumano;

H.R. 1808. An act for the relief of Capt. John W. Booth III;

H.R. 2037. An act for the relief of Robert W. Barrie and Marguerite J. Barrie;

H.R. 6581. An act for the relief of Bernard A. Hegemann; and

H.R. 9088. An act for the relief of Clifford L. Petty.

ADJOURNMENT

Mr. DANIEL of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. In accordance with House Concurrent Resolution 315, the Chair declares the House adjourned until 12 o'clock noon on September 3, 1969.

Thereupon (at 1 o'clock and 6 minutes p.m.), pursuant to House Concurrent Resolution 315, the House adjourned until Wednesday, September 3, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1057. A letter from the Clerk of the House of Representatives, transmitting a detailed statement of disbursements, January 1 to June 30, 1969, pursuant to the provisions of section 105 of Public Law 88–454; to the Committee on House Administration.

1058. A letter from the Administrator, Law Enforcement Assistance Administration, U.S. Department of Justice, transmitting the first annual report of the Administration, for fiscal year 1969, pursuant to the provisions of the Omnibus Crime Control and Safe Streets Act; to the Committee on the Judiciary.

1059. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on the number of employees of the agency in each general schedule (GS) grade on June 30, 1968, and June 30, 1969, pursuant to the provisions of section 1310 of the Supplemental Appropriations Act of 1952 (65 Stat. 736, 758); to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 8449. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; with amendment (Rept. No. 91–469). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES (for himself, Mr. QUIE, Mr. BELL of California, Mr. DELLENBACK, and Mr. STEIGER of Wisconsin):

H.R. 13517. A bill to further promote equal employment opportunities for American

workers; to the Committee on Education and Labor.

By Mr. ANDERSON of Illinois:

H.R. 13518. A bill to establish a comprehensive manpower development program to assist persons in overcoming obstacles to suitable employment, and for other purposes; to the Committee on Education and Labor.

By Mr. BERRY:

H.R. 13519. A bill to provide for the conveyance of certain real property of the United States to the Yankton Sioux Tribe; to the Committee on Interior and Insular Affairs.

By Mr. BRADEMAS (for himself, Mrs. MINK, and Mr. REID of New York):

H.R. 13520. A bill to provide comprehensive preschool education programs in the Department of Health, Education, and Welfare; to the Committee on Education and Labor.

By Mr. BROWN of California:

H.R. 13521. A bill to enlarge the Sequoia National Park in the State of California; to the Committee on Interior and Insular Affairs.

H.R. 13522. A bill to provide that the numerical limitations on the number of immigrant visas that may be issued under the Immigration and Nationality Act shall not apply with respect to certain nonimmigrant aliens; to the Committee on the Judiciary.

By Mr. BROYHILL of North Carolina:

H.R. 13523. A bill to establish a Commission on Population Growth and the American Future; to the Committee on Ways and Means.

By Mr. BURTON of Utah:

H.R. 13524. A bill to permit expenditures in connection with a library in Ogden, Utah, to be counted as local grants-in-aid to federally assisted urban renewal projects and neighborhood development programs in Ogden; to the Committee on Banking and Currency.

H.R. 13525. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. BUTTON:

H.R. 13526. A bill to amend title I of the Housing Act of 1949 to extend, in certain pending cases, the period prior to approval of a neighborhood development program within which a public improvement or facility must have been commenced in order to qualify as a local noncash grant-in-aid; to the Committee on Banking and Currency.

By Mr. CONYERS:

H.R. 13527. A bill to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DENT:

H.R. 13528. A bill to suspend for a 3-year period the import duty on certain raw silk and certain yarns of silk wholly of noncontinuous silk fibers; to the Committee on Ways and Means.

By Mr. EVANS of Colorado:

H.R. 13529. A bill to authorize the Secretary of Transportation to provide for a long-range program of comprehensive regional planning for, and coordination of, transportation, including therein the undertaking of research and development and the conducting of demonstrations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FARBSTEIN:

H.R. 13530. A bill to provide for quarterly reporting to the Congress by the Secretary of Defense with respect to major defense contracts, to provide for auditing by the Comptroller General of such reports and contracts, and for other purposes; to the Committee on Armed Services.

By Mr. FRASER:

H.R. 13531. A bill to share the costs of education borne by State and local governments; to the Committee on Education and Labor.

H.R. 13532. A bill to share the costs of public safety borne by State and local governments; to the Committee on the Judiciary.

H.R. 13533. A bill to share the costs of public works and sanitation borne by State and local governments; to the Committee on Public Works.

H.R. 13534. A bill to share the costs of general government borne by State and local governments; to the Committee on Ways and Means.

H.R. 13535. A bill to share the costs of health, welfare, and recreation borne by State and local governments; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 13536. A bill to provide additional protection for the rights of participants in employee pension and profit-sharing retirement plans, to establish minimum standards for pension and profit-sharing retirement plan vesting and funding, to establish a pension plan reinsurance program, to provide for portability of pension credits, to provide for regulation of the administration of pension and other employee benefit plans, to establish a U.S. Pension and Employee Benefit Plan Commission, and for other purposes; to the Committee on Ways and Means.

By Mr. HUNGATE:

H.R. 13537. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORHEAD:

H.R. 13538. A bill to establish a clean water trust fund in which Federal water-use fees shall be deposited and from which shall be expended all amounts for Federal water pollution control programs; to the Committee on Public Works.

By Mr. MURPHY of Illinois:

H.R. 13539. A bill to authorize appropriations to be used for the elimination of certain rail-highway grade crossings in the State of Illinois; to the Committee on Public Works.

By Mr. MURPHY of New York:

H.R. 13540. A bill to require the Secretary of the Army to remove Shooters' Island from lower Newark Bay to improve navigation; to the Committee on Public Works.

By Mr. PEPPER:

H.R. 13541. A bill to authorize the States to be reimbursed for certain toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. PUCINSKI:

H.R. 13542. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance; to the Committee on Ways and Means.

By Mr. PURCELL:

H.R. 13543. A bill to establish a program of research and promotion for U.S. wheat; to the Committee on Agriculture.

By Mr. RARICK:

H.R. 13544. A bill to strengthen voluntary agricultural organizations, to provide for the orderly marketing of agricultural products, and for other purposes; to the Committee on Agriculture.

By Mr. SAYLOR:

H.R. 13545. A bill to amend chapter 44 of title 18, United States Code, to strengthen the penalty provision applicable to a Federal felony committed with a firearm; to the Committee on the Judiciary.

By Mr. STRATTON:

H.R. 13546. A bill to provide for the issuance of a special postage stamp to recognize the independence of the Republic of Lithuania; to the Committee on Post Office and Civil Service.

H.R. 13547. A bill to prohibit the use of the mails to send material harmful to minors and to regulate the use of the mails to send material which is sexually provocative; to the Committee on Post Office and Civil Service.

By Mr. TEAGUE of Texas (by request):

H.R. 13548. A bill to provide veterans an option to receive hospital care in facilities other than Veterans' Administration facilities, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 13549. A bill to amend title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to participate in programs under title IX of the Public Health Service Act, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WHALLEY:

H.R. 13550. A bill to adjust agricultural production, to provide a transitional program for farmers, and for other purposes; to the Committee on Agriculture.

By Mr. WHITE:

H.R. 13551. A bill to amend title 5, United States Code, to provide for the inclusion of premium pay under section 5545(c)(2) of that title in the determination of Federal employee benefits under the civil service retirement, group life insurance, work injury compensation, and severance pay provisions of that title, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BURKE of Florida (for himself and Mr. HALEY):

H.J. Res. 880. Joint resolution to redesignate the area in the State of Florida known as Cape Kennedy as "Cape Canaveral"; to the Committee on Science and Astronautics.

By Mr. HAYS:

H.J. Res. 881. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.J. Res. 882. Joint resolution to provide for the issuance of a special postage stamp in commemoration of Dr. Arthur E. Hertzler; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GILBERT:

H.R. 13552. A bill for the relief of Giuseppe Vella; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 13553. A bill for the relief of Manuel Gines Potencion; to the Committee on the Judiciary.

By Mr. MOLLOHAN:

H.R. 13554. A bill for the relief of Dr. M. Farooz Anwar; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 13555. A bill for the relief of Lumena La Guerre; to the Committee on the Judiciary.

By Mr. WHITE:

H.R. 13556. A bill for the relief of Luis Krasny-Factor (also known as Louis Krasny-Factor); to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

215. The SPEAKER presented a petition of the Defenders of Bataan and Corregidor, Inc., San Carlos City chapter, Negros Occidental, Philippines, relative to redress of grievances, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

ECONOMIC DEVELOPMENT: A NEW APPROACH TO SELF-DETERMINATION FOR AMERICAN INDIANS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. FRASER. Mr. Speaker, most of us give lipservice to the concept of self-determination for American Indians. But if this concept is to have any real meaning, it must be coupled with economic self-sufficiency. Too often in the past, self-determination has meant only that the Indian people could choose between staying on the reservation and starving, or moving off the reservation and taking their chances in an alien environment.

In recent years, economic development of the reservations has provided a hopeful new option for the Indian people. Since 1962, 140 new industrial and commercial enterprises have been established on or near reservations as a result of Indian industrial development programs. These new efforts are only just beginning to make a dent in Indian unemployment—but they are an important beginning.

In a recent speech to the National Congress of American Indians, Marvin Franklin, director of special cooperative projects for the Phillips Petroleum Co., reports on new trends in the area of Indian economic development. I am taking this opportunity to insert Mr. Franklin's speech in the RECORD:

INDIANS AND INDUSTRY

It is a thrill to share in this enthusiastic response to the invitation of the National Congress of American Indians. My special salute to you—the industrialists of the greatest economy in the world. To many this may be your first introduction to one of the most exciting accomplishments of this decade—the story of the American Indian and Industry!

I want to pay tribute to the many tribal representatives here today. Your fellow tribesmen will be proud to know how well you have represented them at this New York Industrial Conference. Without hesitation, I can assure you the business leaders visiting with you on this occasion are grateful for your very efficient presentations.

To our host—National Congress of American Indians—we acknowledge your thoughtfulness in preparing such an efficient forum at which we might speak directly to industry representatives, civic leaders, government officials and the news media. You have an extremely important and interesting story to tell and it deserves the great setting you have prepared in in this New York landmark.

It has been less than ten-years ago that a presidential task force studied the Indian Reservations of our country and found one of the great needs to be an opportunity for economic betterment *at the reservation level.* Many things had been tried—all designed to afford an assimulation into the dominate culture of our society. Relocation of families into urban areas for example, education at many levels—and vocational training. None of which could overcome the intense love for the land—and home. So one of the strong recommendations in the final report was that *"job opportunities* be brought to the reservation." Several forms of employment situations have been created—but the most successful means of reaching the goal has been through the development of industry on or near reservations. And that is why we are here today!

As evidenced by the exhibits you have seen—and the articulate representatives with whom you have talked—you have already sensed they have a success story. A story that is one of the most dramatic examples of cooperation of this decade—and one that has an immediate application elsewhere in our society—in this country and perhaps abroad—and *now!*

I know it is inconceivable for those of you in this area to contemplate the problems that exist where a concentration of capable people suffer unemployment as high as 93%—and underemployment is a persistent situation! Many of you may ask—"What is being done about it?" And that is also why we are here—let us share with you what we think is the beginning of a timely story.

There is a parallel between the reservations of the Indian Tribes and the urban centers. In one instance people are locked in by too much land surrounding them—in the other, too little land for the number of people—and isn't it ironical that both suffer from the same problem—transportation. Did you ever stop to think—90% of the population in the continental United States live on only 2% of the land area—but even if you have, I will bet you did not know that the American Indian Tribes own areas totalling 2% of the total land area. Look at the products on the displays and you will see how this transportation problem is being solved on reservations. Transportation of products, rather than people. Think, if you will, of the many items which require a dedicated craftsman, or a special skill that only a concerned person can perform—and you will quickly realize why industry can use these talents at seemingly distant locations—transportating light weight, high value products.

Two predominant factors have lead to the success of bringing industry and employment to the people. The cooperative efforts of Government, Industry and the Tribal leadership—each contributing his share to channel resources, technology and talent into the formation of viable enterprises. The other factor is the intense loyalty and dedication of the individual American Indian. At one time we proudly pointed to the keen manual dexterity as an outstanding feature—but now we can proudly tell you that judgment and intellect are the leading characteristics of our Indian employees.

Government has been quick to respond when those areas involving changes in programs dictated the need for administrative flexibility to increase resource opportunities. Most people think only in terms of one agency when considering Indian Affairs—when in fact—many agencies, departments and administrative bodies are engaged jointly in providing services and resources. The Department of Commerce, through the Economic Development Administration has approved or funded over $18-million for industrial parks, or loans for buildings, equipment and machinery. It has approved over $27-million for recreation and commercial development. Other agencies have provided leadership training—many of those with whom you will talk today could not have served so adequately without this preparation.

You will be interested to know that through 1968 more than $99-million had been invested by the private and public sectors along with tribal resources in creating business enterprises.

Like yourself, I too am from Industry—and like yourself, I deal with the tangibles.

In the very early stages, developing employment opportunities for Indian people was essentially finding an industry that was not only willing to locate on a reservation, but willing to teach and train a labor pool that had little orientation to the sophisticated manufacturing complexes of our time. In just a short period—less than ten years in some instances, it is a tribute to both industry and government that these people have not only become efficient craftsmen—they have made substantial investments in manufacturing plants, created facilities to develop their natural resources—and in many cases, own and operate facilities that rival the best examples of commerce.

The Navajo Tribe, for example, has a bountiful forest on its mountain ranges—and with the aid of volunteers from industry, has developed through its own investments, a $12-million sawmill, complete with cutstock plant, planing mill and specialty products, a plant which processes between 45 and 50-million board feet of pine and fir timber annually. It employs about 450 of its tribal members and the total benefits in 1968 exceeded $3-million. This enterprise known as Navajo Forest Products Industries would not have come about had it not been the results of dedicated industrialists who brought technology, government participation through loans for buildings and equipment, and the desire to learn and to be productive on the part of the Navajo people. From this tribal enterprise come a steady stream of workmen qualified for employment in many forms of endeavor throughout the land, and many candidates for managerial positions.

Several similar situations involving the total concept of developing natural resources owned by a Tribal group are to be found on other reservations.

The most common method of bringing industry to the American Indian—and one I hope will appeal to you—is through investments by the private sector which creates a new or branch plant to manufacture products for today's markets. Industrial tracts have been developed at most reservations. Facilities are available or can be erected to fulfill a particular need. Training programs are available, both at the institutional or in-plant level. Speaking now as an Indian, we are very much interested in talking with you.

Beyond the common approach—and perhaps reflecting the sophistication that the American Indian has reached in these few short years—there is a growing desire on his part to be the owner—and operator—of manufacturing enterprises in which he invests his own resources. This is quite possible today where industry is looking for additional suppliers—and particularly if he is willing to share his technology.

An example of this concept is a newly formed tribal enterprise in Stilwell, Oklahoma called Cherokee Nation Industries, Incorporated. A joint effort on the part of Phillips Petroleum Company and Western Electric Company to create a wholly minority owned private business corporation has been accomplished. Incidentally, you will be interested to know this project grew out of a meeting similar to this one—held in the Waldorf-Astoria on March 8 of last year. To support this enterprise, Phillips is training the people to manage their business affairs, and Western Electric is furnishing the

technology and skill training. Contracts for manufactured items for a three-year period assures this new company a stable footing. Again, we are equally interested in discussing this concept in detail with you if you have a product supplier problem.

In retrospect, we have taken a quick look at a segment of the American scene, formerly dependent upon the direction and guidance of government. An outgrowth of an over emhpasis brought about by the trust responsibilities of government to the Indian resources and lands. With a new emphasis on a "freedom to manage their own affairs", you are witnessing a kindling of initiative that will enhance the economy of our country.

None in recorded history have experienced restraint and defeat known to the American Indian—and yet—they have retained a strong belief filled with compassion—they have been the great architects of conservation—they have a fervent reverence for the land and for native—but most of all—they are willing to share. It is not unreasonable to believe that our Indian population—with his resources—with his ambitions—and his capabilities, can build a better America. The Great Spirit is not dead—loyalty is not dead—patriotism is not dead.

Let us profit from these experiences! The American Indian has been the target of more experimentation than any ethnic group in history and it has taught us some important lessons on how to solve the problems of others in our nation. Together—industry, government and the identifiable cultures—must stabilize and balance the industrial growth of America to create living and working conditions that emphasize the individual and his family—for it is this freedom of choice, to work, to play and be humble that we build a great country. Our biggest obstacle is a lack of belief that we can change the future—that we are destined to follow the disastrous path of the probable—and not the possible. Let us not be the prisoners of events—but the masters of them—I urge you to consider a growing partnership—a partnership with the American Indian!

KEE FIELD, IN WYOMING COUNTY, W. VA., IS DEDICATED—AIRPORT IS IMPORTANT TO AREA AND STATE

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, August 12, 1969

Mr. RANDOLPH. Mr. President, on Sunday, July 27, it was my privilege to participate in the dedication of a new airport in Wyoming County, W. Va.

Carved out of the mountains and valleys of southern West Virginia, this new facility—approximately an hour and 40 minutes flying time from Washington—represents a vital link in the rapidly emerging transportation program of our State.

My participation in the ceremonies was a special pleasure because the local citizenry chose to formally dedicate the new airport to the Kee family—a family that has exercised an important role in the lives of West Virginians for more than a third of a century. It has been my privilege to serve in the Congress with three members of that family, the late Representative John Kee, the former Representative Elizabeth Kee, and their son, JIM KEE, now serving in the House of Representatives. The Kee family, over the years, has exhibited a high level of responsible service with continued attention to the public welfare. They have contributed much to the development of our State. Thus, the dedication of this airport is a timely tribute to their endeavors. Representative JIM KEE was present to accept the formal presentation and to respond to deserved tributes. It was helpful to have him recall the legislative endeavors of his father, and the manner in which that work was carried on by his mother. JIM serves in the fine tradition of public service established by his parents.

The establishment of a new airport is not an easy job for any community, either large or small, and the work that went into the construction of Kee Field, near Pineville, is an admirable example of cooperative action.

Governmental agencies and private interests were involved. A vital contribution was the donation of 232 acres of land by the Georgia-Pacific Co., an indication of the importance that industry places on air facilities.

The Federal Aviation Administration provided $305,000 in construction money from the Federal-aid airport program. Another $105,000 came from the Appalachian Regional Commission which also recognizes the urgent need to improve all types of transportation in the Appalachian region. The State of West Virginia added $95,000 of State funds. This participation by different levels of government enabled the airport to be built with only $106,000 in local money, including the value of the land.

It is my belief that the participation of FAA indicates that this airport can be of considerable economic and social value to the region.

While airline service is not available to Kee Field, the new port will provide direct links by smaller planes to larger cities and connections there with major airlines. It opens the possibility of having regular commuter air service established in future years. Immediately, however, Kee Field will be utilized by privately owned and company planes, thus giving Wyoming County and the area an additional inducement in efforts to strengthen its economy. The capacity of providing an air facility is becoming increasingly important in attracting new industries and businesses.

The potential of Kee Field is evidenced by the impressive citizen participation on Sunday. Some 3,000 persons attended the dedication. Though every individual present will not derive direct advantage from the facility, I feel they realized the overall benefit which will accrue to their community, their county, and their State.

Mr. President, accompanying me to the dedication were Stanley Henceroth and William Whittle of the Federal Aviation Administration. The former Governor of West Virginia, Hulett C. Smith, a pilot in his own right, participated in the ceremonies. It was during his administration that the Kee Field project was finalized. Also present were Representatives JOHN SLACK and KEN HECHLER of the Third and Fourth West Virginia Congressional Districts. Gov. Arch Moore, who had planned to attend, sent his regrets and greetings.

To outline the contributions of the persons who diligently worked to bring this new airport into being is not possible. Their endeavors were significant and their number was large. Yet, I must call particular attention to Joe H. Hansbarger, chairman of the airport authority, who was presented with a special award by his authority members in recognition of his contributions. Former West Virginia Secretary of State Robert D. Bailey was a moving force in the airport development.

Mr. President, I ask unanimous consent that excerpts from the dedication program be printed in the Extensions of Remarks.

There being no objection, the excerpts were ordered to be printed in the Extensions of Remarks, as follows:

KEE FIELD, PINEVILLE, W. VA., JULY 27, 1969

PROGRAM

Mullens High School Band: Louis J. Kamen, Director.

Sky Diving Exhibition: Para-Pros, Morgantown, W. Va.

Welcome: Judge R. M. Worrell, 27th W. Va. Judicial Circuit.

Invocation: Rev. R. J. Chenoweth, Jr., Pineville United Methodist Church.

Posting The Colors and Flag Salute, Color Guard, Pineville Boy Scouts, Troop 154.

Star Spangled Banner.

Presentation of Guests: Honorable Hulett C. Smith, Former Governor of West Virginia.

Dedication of Kee Field: Honorable Jennings Randolph, U.S. Senator of West Virginia.

Acceptance: Honorable James Kee, M.C., 5th West Virginia Congressional District.

Announcements: Judge R. M. Worrell, 27th W. Va. Judicial Circuit.

Benediction: Rev. Robert Wheeler, Pineville Baptist Church.

Sky Diving Exhibition: Para-Pros, Morgantown, W. Va.

AIRPORT NOTES

In 1961 the legislature of West Virginia enacted a local bill providing for the creation of a Wyoming County Airport Authority, members to be appointed by the Wyoming County Court.

Due to the prior interest and initial work that had been done by certain individuals, the court was able to appoint men already dedicated to a vision of an airport in Wyoming County. The court appointed Joe H. Hansbarger, chairman of the authority and more recently C. E. Richner as his co-chairman. Other members include Robert D. Bailey, Jack Feller, Arnold A. Rose, Dr. Emerson Shannon and B. W. Bailey.

The acquisition of the land came as a donation from the Georgia-Pacific Corporation which today totals approximately 260 acres. The airport is located one and nine-tenths miles from Pineville on the headwaters of Skin Fork Branch with access by way of the newly constructed Williamson Branch Road as well as from Wyoming or Rockview on the Skin Fork Road.

To date approximately $610,000 has been required to provide the facilities you see before you today. The Honorable Hulett Smith, while Governor of West Virginia, allocated $92,000 of the Governor's Contingency Fund;

the Federal Aeronautics Administration allocated $305,000; the Appalachian Regional Commission allocated $162,000; the County Court of Wyoming County allocated $15,000; and individuals and business concerns in the county have donated approximately $36,000, all of these funds being used in clearing, excavating, draining, grading, paving and lighting this airport that we dedicate today.

The actual construction began with a cooperative effort between the Wyoming County Board of Education and the Manpower Development Training Administration conducting an eight-week heavy equipment school on the airport site.

The pupils enrolled in this school did some of the clearing and excavation work prior to the time that the contract was let to the W & H Contracting Company of Bluefield in the amount of $415,812 for excavation, drainage, grading, paving, and lighting of the runway and apron.

At present the airport is under the very capable management of Jack Taylor, a highly qualified and licensed pilot and instructor, a former commercial pilot with more than 25 years flying experience. Mr. Taylor owns two airplanes and is presently operating a flying school at this site.

The facilities are open for twenty-four hour operation offering a 3100 x 60 foot paved runway with adjacent taxi-way and apron, in addition to which office, lounge and hangar facilities will soon be available.

The engineering and architectural designs were done by Rader and Associates of Miami, Florida.

We can all be proud of these modern facilities we are dedicating on this day, and we may be equally proud of West Virginia's Kee family to whom this field is this day dedicated.

AIRPORT AUTHORITY

Joe H. Hansbarger, Chairman; C. E. Richner, Co-chairman; Robert D. Bailey, Jack Feller, A. A. Rose, Dr. Emerson Shannon, W. W. Bailey.

COUNTY COURT MEMBERS

Tom Smith, Woodrow W. Cook, W. W. Bailey.

OTHER ELECTED OFFICIALS

Circuit Judge, R. M. Worrell; Sheriff, Bill Bolt; Assessor, Mack Arnold; Circuit Clerk, John S. Lambert; County Clerk, Bill Houck; Prosecuting Attorney, D. Grove Moler; House of Delegates, Warren McGraw; House of Delegates, J. T. Davidson; State Senate, Tracy Hylton.

DEDICATION AND ARRANGEMENTS COMMITTEES SPONSORED BY PINEVILLE ROTARY CLUB

General Chairman, Jesse W. Morgan.

Dedication Arrangements Committee: Mrs. Robert Bailey, Jr., Chairman; Mrs. W. C. Bailey, Jr., Co-chairman; Mrs. C. E. Richner, Mrs. Jack D. Martin.

Publicity, Ranny Cline.

Special Music, Larry Cooper.

Sky Divers, Dick Rundle.

Decorations, Byron Rose, Ned Crews.

Programs, James Stone.

SPECIAL ACKNOWLEDGMENTS

We especially wish to thank these individuals and businesses for their contributions to this airport.

C. E. Richner, Dr. Ned Rogers, Castle Rock Bank, Pine Chevrolet, Wyoming County Insurance, Southern Exterminating, Wyoming Lumber and Supply, Owens Manufacturing Company, B. B. Shilling, City Auto, Wyoming Refrigeration, Miniaci Engineering, Pineville Fashion Shop, The Cow Shed, Guyan Mobile Homes, The Joy Manufacturing Company, Thomas Grocery, Robinson-Phillips Coal Company, Buddy's Discount, Crews Store, Dr. E. M. Wilkinson, Pineville Gas Company, Pocahontas Fuel Corporation, Jackson's Ashland Service Station, Island Creek Coal Company.

SUPPORT FOR THE DEPARTMENT OF TRANSPORTATION

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. SCHWENGEL. Mr. Speaker, I have recently received two editorials from newspapers in my district indicating support for actions and positions taken by the Department of Transportation. The first is from the Muscatine Journal and deals with comments of Secretary Volpe relative to renewed efforts in two areas of highway safety.

The second is from the Keokuk Daily Gate City, and deals with the Mass Transit Trust Fund. I concur in the positions taken in both of these editorials.

[From the Muscatine (Iowa) Journal, July 30, 1969]

COMBINED EFFORT

The federal Highway Safety Act of 1966 has been a major incentive for states to develop their own programs to curb death on the roads.

It was the 1966 law which appropriated funds to be matched by states in creating programs. The act also threatens states with a 10 per cent loss of highway aids if they do not have a program Jan. 1, 1970.

Iowa does have an implied consent law (mandatory tests for persons arrested on suspicion of drunken driving) but Iowa does not have a law establishing statewide motor vehicle inspections.

One criticism of the safety act is one that applies to numbers federal programs: promises of a certain amount of federal aid with actual aid made available at a substantial lower level.

Nevertheless, the federal government's program has pushed in the right direction. This year $70 million to be shared by all states has been requested for the fiscal year (three years ago it was presumed that as much as $250 million or so would be available for all.)

Secretary of Transportation John A. Volpe is moving on two major fronts for higher safety.

A few weeks ago he singled out the fatal mix of alcohol and driving before the Senate Public Works Committee. He said that he was at work on a "tough and workable program" to identify drinkers and keep them from driving.

On a second major front, Secretary Volpe recently told the Automotive Safety Foundation of Washington that the Nixon administration was prepared to "get tough" with auto makers.

In citing the need for safer auto construction, he said, "Industry leaders should insist that their cars be designed from road to rooftop as mobile safety systems." If the automakers do not voluntarily follow the standards for safety as defined by the Transportation Department, federal action should be taken in Volpe's opinion.

The overall federal approach to highway safety continues to be one of working through state governments where possible and providing complimentary programs where a national effort is necessary, such as in auto standards.

Reducing the highway death toll should be high among the national priorities. It demands complete federal and state cooperation.

[From the Keokuk (Iowa) Daily Gate City, July 29, 1969]

MASS TRANSPORTATION

The Highway Act of 1956 created the Highway Trust Fund, which as a matter of national defense enabled the Federal Government to pay 90 per cent of all interstate freeways. It is creating a highway system unsurpassed in the world.

The Highway Trust Fund is also levelling poor people's homes, neighborhoods and public parks, as it pushes approaches and elevated highways in and out of the nation's cities, and drains the lifeblood from the cities. For it has become clearly apparent that freeways run in two directions, away as well as into the city, and it is taking people and trade outside the cities.

Mayor James D. Braman of Seattle was the first to appoint a team of highway engineers, transportation experts, architects, sociologists and other specialists in the various aspects of urban ecology. The result was a transportation plan with a truly integrated social and physical development.

Now as Assistant Secretary of Transportation for Urban Systems and Environment, Braman has, through Secretary John A. Volpe, withdrawn federal funds from the riverfront expressway in New Orleans, thus saving the historic French Quarter. His theory, which Volpe backs, is that "If we lose the core of our cities, we create the seedbeds for the destruction of our Nation."

Both are looking forward to the expiration of the Highway Act in 1972 and the introduction of the proposed Mass Transit Trust Fund. It would make it easy for cities to get help for public transportation and thus get commuter traffic off the roads and back into the heart of the city to shop and do their business. It could well be the savings of the big cities of the nation.

SELF-REGULATION OR CENSORSHIP

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. DULSKI. Mr. Speaker, the problem of smut being sent through the mails is one to which our Subcommittee on Postal Operations is devoting considerable attention. Hearings were held last week and further hearings are planned after the August recess.

Smut in the mails is not the only problem in this area. There also are the complaints being received about the liberties which are being taken in programs being broadcast over radio and television stations, particularly the latter.

As for the matter of dealing with television programs, I was very much impressed by the excellent discussion contained in a speech which Commissioner Robert E. Lee of the Federal Communications Commission provided in a talk to the Association of Broadcasting Executives of Texas, meeting in Dallas, Tex., on July 31, 1969.

Following is the text of his remarks:

SELF-REGULATION OR CENSORSHIP

George Bernard Shaw, asked what he thought of television, retorted with typical

Shawian wit and precision—"I don't know; I'm afraid to look."

About five years ago, I gave a speech expressing considerable apprehension on the future use of movies, then being produced, and speculated what would happen when this old product was fully exposed and the then current motion pictures were released for television.

The public and Congressional reaction today to an overkill of sex and violence can be traced to many of the productions of several years ago and now, for the first time, available to television.

What will happen 4 or 5 years hence when the television rights to current controversial movies becomes available? My first reaction is that of Mr. Shaw—I am afraid to look.

Actually, I do watch and enjoy television and expect to watch it for years to come. We have the very best television and communications network in the world, which was not brought about by government regulation but by the broadcaster's responsible use of freedom of speech and expression, and I might add, a large measure of his perspiration and common sense.

A MAJOR INTERSECTION

We are now at another major intersection—industry self-regulation or censorship. I doubt if this matter will ever be solved.

Back in the 1700's, Dr. Samuel Johnson, a leading writer of his time, said that the unbounded liberty of printing "has produced a problem in the science of government which human understanding seems hitherto unable to solve." The problem still remains.

Before I proceed further in this delicate area, I think you should know my position on Commission control of programing. I must emphasize that anything I say from here on is not to be interpreted as Commission policy.

Actually, there is a divergence of opinion within the Commission as to just what our role can and should be in this area. When I say "can" I have reference to the view of those who believe the Commission is, pursuant to Section 326 of our Act,[4] completely without legal authority in the field of programing.

This is based on the theory that there can be no prior restraint on material that is broadcast. From this, it follows that we cannot examine material already broadcast, and, if we find said programing not in the public interest, cannot refuse to renew the license.

FEAR OF REPRISAL

The fear of reprisal by the Commission is no less censorship than if the licensee were required to submit his day-by-day programing in advance.

I have read with great interest the 5 part series of articles published in the Congressional Record[2] by Congressman Thaddeus J. Dulski of New York called "The Smut Peddlers."

He is primarily concerned with the use of mails for distributing such matters but an equal temptation exists in the radio and TV medium to pander to the baser emotions within all of us. Congressman Dulski points out that in his state alone there is a 19-million-dollar-a-year business in pornography.

Nation-wide, pornography is estimated perhaps to be a 500-million-dollar business. Is it any wonder that the radio or TV producer or owner might be tempted to the off-color or risque in programming?

The station's financial support comes through public donations in the case of noncommercial stations or through advertisers on commercial stations. Without question, smut of any type through any medium has dollar appeal.

MOST STATIONS HAVE BALANCE

However, I believe that the majority of our stations have reached a balance on programming which is acceptable in their communities insofar as the morals and local tastes are concerned.

Even though I commend the industry for its effort along this line, I cannot overlook the fact that the Commission received 1265 complaints during the fiscal year 1969 which were related solely to the off-color type of programming.

I think it may be safely assumed that for every complaint received there were others who shared those views but did not write.

I believe that the station owners must exercise ever increasing diligence in the review of programming offered over the station so that the off-color smut will not be aired.

When borderline programming is used because of some overriding social or moral redeeming value, the broadcaster should insist on truth, not titillation.

CENTRALIZING STANDARDS

I do not view moral standards as being equal for the entire nation nor do I believe that such standards should be necessarily dictated by production centers located in New York State, California or other states.

I question whether we have either now accepted or should ever accept universal or unrestricted use of the 4-letter words and all manner of normal and abnormal sexual activity.

Courts have found that theatre admission can be restricted to "adults only" but how is a station to judge the age of its viewers with precision?

I believe that a station must assume that its audience at all hours of operation includes the young who can be mentally injured by smut programs as seriously as they can be by a dose of strychnine or LSD.

In the final analysis, station control is surely preferable to censor control.

FCC DOES NOT SIT AS JUDGE AND JURY

I am in complete agreement with the view that the Congress very wisely did not set up a seven-man body to sit as a judge and jury of what the American people shall hear and see on their air waves.

This could be carried one step further when you consider that only four of the seven Commissioners are required to take action. Had Congress attempted to set up such a body, I have no doubt that the Supreme Court would have held such an Act unconstitutional.

On the other hand, the Court said in the *NBC* case[3] that:

"The right of free speech does not include . . . the right to use facilities without a license. The licensing system established by Congress in the Communications Act of 1934 was a proper exercise of its power over commerce. The standard of licensing of stations was the 'public interest convenience or necessity. Denial of a license on that ground is not a denial of free speech.' "

The Court went on to say:

". . . The Act does not restrict the Commission merely to the supervision of the traffic. It puts upon the Commission the burden of determining the composition of that traffic."

COMMISSION DOES HAVE CONTROL

This, or similar statements contained in various decisions of the Courts, indicates that the Commission does have a certain amount of control over programming through the exercise of its public interest determination.

This, to me, is a passive duty in that I expect the licensee to determine what the listening or viewing desires of his service area may be.

Having once made such a determination, I regard that licensee as the expert to carry out his commitment—which I also recognize can be changed from time to time.

BROADCASTER HAS RESPONSIBILITY

It is the obligation of the broadcaster to bring his positive responsibility affirmatively to bear upon all who have a hand in providing broadcast matter for transmission through his facilities so as to assure the discharge of his duty to provide acceptable program schedules consistent with the public interest in his service area.

If the licensee *significantly* fails to live up to this commitment, then we do have authority to examine past programing. In the *KFKB*[5] case, the court turned to scriptures and stated:

"In considering an application for renewal of license, an important consideration is the past conduct of the applicant for 'by their fruits, ye shall know them.' Math. VII:20."

Actually, I believe the broadcasting industry is close today to inviting censorship, even though the courts may later strike it down, if the broadcaster does not daily practice responsible self-regulation in direct relationship to the public he serves.

SHOULD UNDERSTAND YOUR FREEDOM

I believe your best defense against censorship is an understanding of the freedom which you now enjoy. At the outset, the critical question you will have to answer is: Do you view censorship as representing hatred of restraint more than a love of freedom?

Someone once said to John Adams that man is born with a desire for freedom. "Yes" replied Adams "but so is a wolf." If freedom meant no more than a natural hatred of restraint, it would not be a useful ideal.

Your freedom as a broadcaster, under Section 326 of the Act, is more than a matter of making choices. It also includes the freedom to share in setting up possible choices of programming.

This implies some restrictions because no society allows unlimited choice. Laws, as well as the unwritten codes embodied in community standards may restrict freedom. Free speech, like other rights has definite limits.

ON MAKING A SPEECH

For example, if a man walks uninvited into a home and makes a speech, he has no right to complain when the owner puts him out or has him put out and arrested. He has abused the privileges of free speech by invading the privacy, and perhaps also the property, of those who do not want to hear him.

Speech can invade the rights of listeners. In the case of the broadcaster invading the rights of the listener, the listener can turn off the offending program; refuse to purchase the products of the sponsor; write the station, the Federal Communications Commission, or his Congressional delegation.

Over a period of time, if enough people object by the various means open to them, the broadcaster must eventually get the message that he has missed the mark. He simply is not responsive to the public he serves.

A CALL FOR ADJUSTMENT

The duty connected with his freedom as a broadcaster is calling for adjustment. Let me make it clear at this point that I am not talking about the fringe or way-out complaint. And, I do not expect a puritanical sentiment to seize the broadcast industry.

Former President Hoover, then Secretary of Commerce during the Radio Conference

[4] Id. at 215.

[2] Congressional Record Vol. 115, Nos. 112, 113, 114, 115, and 116, July 8, 9, 10, 11 and 14, 1969.

[3] NBC v. U.S., 319 U.S. 190, 227.

[5] 47 F. 2d, 670.

[6] *McIntire* v. *Wm. Penn Broadcasting Co.* 151 F. 2d, 597, 600.

of 1922–1925, set forth the responsibility of the local licensee to the public:

"The dominant element for consideration in the radio field is, and always will be, the great body of the listening public, millions in number, country wide in distribution. There is no proper line of conflict between the broadcaster and the listener, nor would I attempt to array one against the other. Their interests are mutual, for without one the other could not exist.

"There have been few developments in industrial history to equal the speed and efficiency with which genius and capital have joined to meet radio needs. The great majority of station owners today recognize the burden of service and gladly assume it. Whatever other motive may exist for broadcasting, the pleasing of the listener is always the primary purpose. . . .

"The greatest public interest must be the deciding factor. I presume that few will dissent as to the correctness of this principle, for all will agree that the public good must ever balance private desire, but its acceptance leads to important and far-reaching practical effects, as to which there may not be the same unanimity, but from which, nevertheless, there is no logical escape."

RELY ON BROADCASTERS' CODE

I can say that personally I rely heavily on the standards set by the industry itself in the Code of the National Association of Broadcasters and the commitment of each individual broadcaster, as far as the judgments I am called upon to make in the field of programming.

It is my belief that if all broadcasters lived up to the Code and observed their programming commitment as updated to a true cross section of the public interest, it seems, my job as a Commissioner would be much easier and the growing number of skeptics would be obliged to concede that ours is the best broadcast system in the world.

But as you know, all broadcasters do not live up to the Code and I am afraid some few treat the public with an "I know what is best for you attitude," or simply do not care.

Carved on the Archives Building, in Washington, D.C., which houses many of this nation's important historic documents, is a statement admonishing all who enter that "The past is prologue to the future."

These dusty files, and men, who long since have passed from the scene, still attest to the most advanced thinking and up-to-date precepts. The Founding Fathers knew what they intended when they used the word "freedom."

THEIR FEELING OF FREEDOM

They felt that true freedom was obedience to moral laws. Lawful freedom, they said was the right of decent men, governed by conscience, to make their own principal choices in life. The founders were not anarchists, who wished to abolish government.

Most of them, lead by men such as John Adams, Benjamin Franklin, James Madison, Gouverneur Morris, George Wythe, John Marshall, and Alexander Hamilton, desired only a disciplined, moderate, law-respecting freedom.

Perhaps the greatest cause of decay of freedom is that people do not understand the sources from which come true freedom.

In this sense, I believe the "Self Regulation" (part of the title of this speech) is perhaps a misnomer for what I am really talking about is the broadcaster's true freedom.

Such freedom does not grow out of any fear of what government or the FCC may do but rather grows out of love, respect and regard for the freedom we have here.

In closing, I would briefly bring before you a few observations on current issues involving programming and the individual licensee.

A FEW OBSERVATIONS

I question whether a broadcaster is actually exercising his right of freedom when an off-color program is permitted on the air only to be cancelled after one night due to the vociferous outcry of an overweary public. This is your responsibility.

I question the individual network affiliate's right to accept the judgment of a review board in New York. This is your duty as a broadcaster and you cannot delegate such obligation.

Here the local licensee cannot look to the network to perform this duty for him. It is not the answer to say that the local broadcaster has no control over network programming or is obliged to take whatever comes over the "line."

Unlike the network, the local broadcaster is a censor of programming with the exception of political broadcasting.

I question whether the broadcaster's freedom duties can be discharged with occasional spot checking of programs because these duties entail a 365 day-per-year task.

I will vigorously dissent to any FCC decision which threatens to control the content of your programming.

The broadcaster's license is not intended to convert his business into "an instrumentality of the Federal Government"[1] but neither may he ignore the public interest.

PATRIOTISM OF AN ADOPTED CITIZEN

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. WALDIE. Mr. Speaker, I recently received a letter from a pastor in my district, Rev. Theophilus Palis of the Lady Queen of the World Church in Pittsburg, Calif., which I think is a wonderful expression of patriotism in its finest sense.

I include this letter in the RECORD in order to share it with all the Members of the Congress.

The letter follows:

OUR LADY QUEEN OF THE WORLD CHURCH,
Pittsburg, Calif., July 28, 1969.

Hon. JEROME R. WALDIE,
U.S. Congressman,
Cannon House Building,
Washington, D.C.

HONORABLE CONGRESSMAN WALDIE: I thank you for your kind letter welcoming me to the area of the 14th District of California! I am happy to be here in Pittsburg and to work for the spiritual welfare of the people. I am adoptive citizen of this great Country, and have great respect to it. I shall never forget what America did after the Second World War—thousands and thousands of refugees were taken care, protected from starvation, then settled in the free countries, but most of them in the U.S. of America. I am sure all of them are loyal citizens, because they have learned better to appreciate the true freedom that they found in this Country. Some of us, like myself, still cannot speak too freely, because our parents, brothers are still behind the Iron Curtain—so we can endanger their lives.

I appreciate your interest in all citizens, and I will support you in your great work.

Very sincerely yours,
Rev. THEOPHILUS PALIS,
Pastor.

[1] Sec. 326 Censorship; Indecent Language—Nothing in this Act shall be understood or construed to give the Commission the power of censorship over the radio communications or signals transmitted by any radio station, and no regulation or condition shall be promulgated or fixed by the Commission which shall interfere with the right of free speech by means of radio communication. (The last sentence of Sec. 326 was repealed and recodified as Sec. 1464 of the Criminal Code, 18 U.S.C., 1464. Sec. 1464 now reads as follows: Broadcasting Obscene Language. Whoever utters any obscene, indecent, or profane language by means of radio communication shall be fined not more than $10,000 or imprisoned not more than two years, or both.)

CONGRESSMAN WYDLER'S 1969 QUESTIONNAIRE RESULTS

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. WYDLER. Mr. Speaker, it has become a tradition in the "Fabulous Fourth" Congressional District to send reports of my activities to constituents and, once each year, to ask for their views on important current national issues, by means of a questionnaire. The questionnaire is now in its sixth consecutive year.

I send the questionnaire to every resident who lives in the Fabulous Fourth Congressional District, regardless of party. In this way, I can truly test the prevailing opinion on great national issues.

Once again, many thousands of people of the Fourth Congressional District have answered the questionnaire. The results have been carefully tabulated and I am still busy answering the many comments that have been made to me on the questionnaire returns. The enthusiastic response proves, once again, that people do care about their government.

I am now sending a copy of the questionnaire results to each home in the Fourth Congressional District. These results show the prevailing opinions in the district.

As for the results, almost three-quarters of my constituents oppose a Federal guaranteed annual wage and more than 90 percent favor an expansion of private industry's involvement in programs to train the unemployed for jobs.

More interestingly, more than 90 percent believe the Federal Government should use wiretapping to fight organized crime when authorized by court order.

Strong opposition to the surtax—78 percent—is coupled with strong support to tie social security benefits to the cost of living—88 percent.

The people of the Fourth District surprised me by favoring most a selective service system that would establish compulsory public service for men at age 19—40 percent.

Not surprising was the overwhelming support for my proposal for direct election by popular vote of the President—75 percent.

The questionnaire results follow:

YOUR 6TH ANNUAL FABULOUS 4TH QUESTIONNAIRE

[In percent]

	Yes	No	Undecided
1. Are you in favor of a Federal guaranteed annual living wage?	24	73	3
2. Do you favor an expansion of private industry's involvement in programs to train the unemployed for jobs?	92	7	1
3. Should the Federal Government use wiretapping and electronic surveillance under court order to fight organized crime?	92	7	1
4. Do you favor returning a portion of Federal income tax revenues to State and local governments?	79	17	4
5. Should the Federal Government develop laws to help prevent strikes by public employees?	76	21	3
6. Should the $600 Federal income tax exemption be increased?	92	7	1
7. Should social security benefits be tied to the cost of living?	88	10	2
8. Do you favor renewing the 10-percent income tax surcharge when it expires on June 3 ?	18	78	4
9. The admission of Communist China to the United Nations should be:	(Check only 1)		
(a) prevented absolutely	29		
(b) postponed for now	26		
(c) favorably considered	26		
(d) arranged as soon as possible	10		
(e) undecided or no opinion	9		
10. Which Selective Service System would you prefer?			
(a) abolish the draft, increase pay, and rely on volunteers	28		
(b) a lottery system	16		
(c) establish compulsory public service for men at age 19	40		3
(d) the present system	13		
11. Which presidential election procedure do you support?			
(a) the present electoral college system	7		
(b) electoral college system with electoral votes of each State being divided by the percentage of the State's popular vote	14		2
(c) direct election by popular vote	75		
(d) some other system	2		
12. Do you believe that the war on poverty should be:			
(a) continued as is or expanded	23		
(b) discontinued or sharply cut back	28		
(c) replaced by a system which provides funds for the same purposes to existing local agencies and business	42		7

BIG TRUCK BILL IS BACK

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. SCHWENGEL. Mr. Speaker, the big truck bill is once again before the Roads Subcommittee of the House Public Works Committee in the form of two bills, H.R. 11870, and H.R. 11619. I recently testified before the Committee in opposition to this legislation. I insert my statement in the RECORD at this point as background material for other Members on this important legislation:

STATEMENT OF CONGRESSMAN FRED SCHWENGEL BEFORE THE ROADS SUBCOMMITTEE OF THE HOUSE PUBLIC WORKS COMMITTEE, JULY 10, 1969

Mr. Chairman, we have before us again this year a misguided piece of legislation that was productive of much controversy in the last session, primarily due to a woeful lack of research and study. Once more, I feel it is necessary to present my views and convictions. It may be well to put the bill in proper perspective.

But before turning to the substance of this matter, I would like to express my appreciation to the Chairman for ensuring that more adequate time is being made available for both sides to be heard on this critical subject. One thing which was made clear last year. This matter is far too important to pass over lightly with only cursory consideration.

I. BACKGROUND

A. Federal Aid Highway Act of 1956

In 1956, the Congress first considered the subject of vehicle weights and dimensions. The subject was broached in the consideration of the Federal Aid Highway Act which established a vast new highway system spanning the country known as the National System of Interstate and Defense Highways. The Federal-State ratio of contribution was to be 90–10.

The magnitude of the Federal contribution gives support to the imposition of standards for vehicle users designed to protect the useful life of this enormous investment and to enhance the safety of the motorists who travel on our highways. Before this time, the matter of regulation had been primarily regarded as a State concern. Naturally, the standards varied quite widely from State to State, ranging, for example, from 18,000 to 24,000 pounds for single axles—from 28,650 to 44,000 pounds for tandem axle maximums.

Ten years earlier, the American Association of State Highway Officials (AASHO), concerned with the same problem of promoting the maximum useful life of the nation's highways, established certain standards to that end. This group of professional highway officials from the various States set forth the following standards:

1. maximum weight: (a) single axle, 18,000 lbs.; (b) tandem axle, 32,000 lbs.; (c) gross truck, 73,280 lbs. (as determined by AASHO formula based on maximum allowed length within the states).
2. maximum height: 12½ feet.
3. maximum width: 96 inches.
4. maximum length: (a) single unit trucks, 35 ft.; (b) buses with 2 axles, 35 ft.; (c) buses with 3 axles, 35 ft.; (d) truck-trailer semi-trailers, 50 ft.; (e) other combinations, 60 ft.

Although in 1956 some thought that these standards were out of date and somewhat restrictive, still it was felt that they were reliable enough to be incorporated into the Federal Aid Highway Act. As passed, the Bill adopted the following legal limits and made them binding upon all Interstate mileage, with certain exceptions for States with liberal legal standards:

1. maximum weight: (a) single axle, 18,000 lbs.; (b) tandem axle, 32,000 lbs.; (c) gross truck, 73,280 lbs.
2. maximum height: 12½ feet.
3. maximum length: No limit.
4. maximum width: 96 inches.

The exceptions protected by the "grandfather clause" contained in Section 108(J) of the 1956 Act are in the appendix to my statement.

At the time of the bill's passage, a commitment was also made to undertake extensive research to determine the standards necessary to ensure maximum useful life of the new Interstate System. The commitment was embodied in Section 108(K) of the Act which reads:

"TEST TO DETERMINE MAXIMUM DESIRABLE DIMENSIONS AND WEIGHTS

"The Secretary of Commerce is directed to take all action possible to expedite the conduct of a series of tests now planned, or being conducted by the Highway Research Board of the National Academy of Sciences, in cooperation with the Bureau of Public Roads, the several states, and other persons and organizations, for the purpose of determining the maximum desirable dimensions and weights for vehicles operated on the Federal Aid Highway Systems, including the Interstate System, and, after the conclusion of such tests, but not later than March 1, 1959, to make recommendations to the Congress with respect to such maximum desirable dimensions and weights."

In 1956, AASHO already had in the planning stage, a series of tests which were designed to elicit much the same information as that mandated by the Act. With some modifications to meet the requirements of Section 108(K), 836 sections of test pavements were built late in 1956 near Ottawa, Illinois. Beginning in 1958 and spanning a two-year period, a nearly continuous series of tests of fully-loaded trucks was conducted over these sections of pavement. The purpose was to gather information bearing on the relationship between pavement types and bridge construction *and* vehicle weight limits and axle loadings. The resulting data was to be a critical factor in setting the maximum desirable weights and dimensions of motor vehicles allowed on the Interstate System.

After several delays, the data from the tests was made available by the Secretary of Commerce and printed as House Document No. 354, 88th Congress, 2nd Session.

The maximum weights and dimensions of vehicles justified on the basis of the Ottawa tests are the following:

1. Maximum weight: (a) Single axle, 20,000 lbs.; (b) tandem axle, 34,000 lbs.; (c) gross truck—(to be determined by the formula

$$W=500\left(\frac{L\times N}{N-1}+12N+36\right)$$

Where W is the maximum weight in pounds carried on any group of two or more axles, L is the distance in feet between the extension of any group of two or more axles, and N is the number of axles in the group under consideration.

2. maximum height: 13½ feet.
3. maximum width: 102 inches.
4. maximum length: (a) Single unit truck, 40 ft.; (b) single unit bus, 40 ft.; (c) semi-trailer, 40 ft.; (d) truck-trailor semi-trailer, 55 ft.; (e) all other combinations, 65 feet

It must be noted that the AASHO tests were designed to compare the durability of various pavements and bridge structures under the stress of different vehicles, load suspension systems, etc. Before we change these standards, we must be provided with ample and

proven justification. The toll in needless safety hazards and mounting costs which is likely to follow any increase in the present limits should place a heavy burden on those who would propose a change. Unless the economic benefit to the nation derived from increasing vehicle weights and dimensions is sufficient to offset the higher safety and construction costs necessarily incurred due to the greater burden created by these larger vehicles on present roads and bridges, this bill should be summarily rejected. It should be noted that AASHO's official position is in opposition to any increase in size or weight of motor vehicles on the Interstate System.

We must also put this bill in other than economic terms. We must place it in the realm of human consideration—the well-being of all the motorists who use our nation's highways. We should not promote the economic well-being of particular interest groups at the expense of the safety of the great majority of the motoring public.

II. ACTION IN THE 90TH CONGRESS

A. Senate action

In November of 1967, Senator Magnuson, and others, introduced a bill, S. 2658, to increase the maximum weights and dimensions of vehicles operating on the Interstate System. This bill provided for the following limitations:

1. Maximum weight: (a) Single axle, 20,000 lbs.; (b) tandem axle, 36,000 lbs.; (c) gross weight, computed by formula:

$$W=500\left(\frac{L\times N}{N-1}+12N+40\right)$$

Where W equals the maximum weight in pounds carried on any group of two or more axles, L equals the distance in feet between the extension of any group of two or more axles, and N equals the number of axles in the group under consideration.

2. Maximum length: No limitation.

3. Maximum width, 102 inches, exclusive of tire bulge and safety devices such as mirrors.

Four days of hearings were held before the Senate Public Works Committee in February and March of 1968. The bill was reported out of committee after it was amended to include the following limitations:

1. Weight, single axle, 20,000 lbs.; tandem axle, 34,000 lbs.; gross weight (computed by formula):

$$W=500\left(\frac{L\times N}{N-1}+12N+36\right)$$

The bill was then considered by the Senate under suspension of the rules, and passed by a voice vote with only 7 Senators on the Floor.

B. House action

Similar legislation, H.R. 14474, was introduced in the House of Representatives by Congressman Kluczynski of Illinois and 8 others. During the general hearings on the Federal Aid Highway Act of 1968, this bill was considered together with S. 2658. The hearings were held in February, May and June of 1968. On July 3, 1968, the House Public Works Committee favorably reported the bill, as amended, to the House.

Subsequently, a rule was obtained from the Rules Committee and the bill was placed on the Union Calendar, Number 669. The bill, however, was never called up for action and died at the end of the session.

C. Campaign

During the Presidential Campaign of 1968, the question of increasing the vehicle weight and dimension limitations became a national issue. Eventually, both major candidates issued statements on the subject. President Richard M. Nixon observed during the 1968 campaign, that:

"This proposal raises serious issues, including the safety and convenience of the motoring public. Questions remain about the extent to which greater truck size and weight would impose additional wear and tear on a road network.

"I believe these matters are so important to so many of our people that I favor postponement of action on the bill now before the House.

"As President, I would want this entire matter most carefully reconsidered. I would direct the Secretary of Transportation to take a hard look to make certain that the interests of the traveling public and also the life of our highways are fully protected as we facilitate the vital movement of goods in the Nation's commerce."

Former Vice President Humphrey also indicated his opposition to the legislation during the campaign.

III. ACTION IN THE 91ST CONGRESS

A. House of Representatives

In June of this year, Representatives Kluczynski and Denny introduced legislation essentially the same as that which was reported out of the House Public Works Committee in amended form in 1968. This bill is H.R. 11870. The only change is the addition of a length limitation not contained in S. 2658. The following limits are provided in the bill presently under consideration by this committee:

1. Maximum weight: (a) Single axle, 20,000 lbs.; (b) tandem axle, 34,000 lbs.; (c) gross truck, as computed by the formula:

$$W=500\left(\frac{L\times N}{N-1}+12N+36\right)$$

2. Maximum height: No change from present limits.

3. Maximum width: 102 inches.

4. Maximum length: 70 feet.

We must bear in mind that this bill, while specifically referring to the Interstate System, must in fact apply to all Federal Aid Systems—Primary, Secondary and Urban extensions—as well as Interstate, as there is no Federal law governing maximum size and weight standards for any system except that System.

This bill would increase the present allowable width of a vehicle from 96" to 102", "plus additional width necessary for safety devices and tire bulge due to loads." Competent authorities have estimated that safety devices can add as much as 24" to the width, thus making legal a total width of about 126", or 10½ feet. This creates a definite safety hazard on roads with 10 and 11 foot traffic lanes. Under the present limit, two trucks passing on an average two-lane road, with 12 foot lanes (of the size found in the Interstate System), would have 4 feet of clearance if they are in the middle of their lanes. Under the new limits, this safety gap would be reduced to less than 2 feet. Now, consider for a moment two supertrucks passing at 60 or 70 miles an hour with less than 2 feet of clearance between the trucks. Most truck drivers would attempt to put far more distance between vehicles, thus putting the trucks virtually on the shoulder of the road, a very dangerous practice in itself. Further, more than 60 per cent of all State primary road mileage in 1966 had lane widths under 12 feet; another 16 per cent of the roads were under 10 feet.

For the first time, the Federal law would impose a length limit. In H.R. 11870 the limiting length is placed at 70 feet. At the beginning of 1969, only two states permitted lengths of 70 feet or greater for regular operation, while 18 permitted 65 foot units, and 32 states restricted overall length to 60 feet or less.

The single axle weight would be increased, in the proposal, from 18,000 lbs. to 20,000 pounds, and that on a tandem axle from 32,000 pounds to 34,000 pounds.

The gross weight of a vehicle is presently restricted to 73,280 pounds. Under the bill this weight would be determined by formula. The practical new gross weight of the proposed 70 foot vehicle with 5 axles would be 88,625 pounds or an increase of 15,345 pounds above the present legal limit. A six axle, 70 foot vehicle would have a practical gross weight of 92,000 pounds.

A new section provides that two consecutive sets of tandem axles separated by 36 feet or more may carry 68,000 pounds, regardless of the law's formula. The practical effect of this section is to permit the common 55 foot truck-tractor semi-trailer unit to haul about 78,000 lbs. rather than the 73,500 lbs. which would result from using the formula.

It is noteworthy that the policy of AASHO recommends performance standards for vehicles of the anticipated sizes. The Department of Transportation concurred with the AASHO recommendations in 1968, and submitted a bill covering this aspect which is so fundamental to safety. The proposals before us do not include any such item on safety.

B. Hearings on highway safety

Early in June, hearings were held on the subject of the Highway Safety Act of 1966. In the course of these hearings, Dr. Robert Brenner, Acting Director of the National Highway Safety Bureau, testified that little, if any research was being conducted with respect to the effect of increasing vehicle weights and dimensions on highway or vehicle safety. Mr. Ben Kelly, Vice-President of the Insurance Institute for Highway Safety, testified that he knew of no credible research done on this problem. Dr. Brenner further testified that he believed the work done by Professor Wolff at Cornell University, with respect to the high rate of accident involvement of trucks, was reasonably accurate.

It seems clear, then that there are several important aspects of this legislation which must be considered and dealt with, and important questions which must be answered, before this committee or the Congress can act on the question of increasing vehicle weights and sizes. Generally, these considerations fall into four broad categories: safety, highway costs, economic benefits, and Federal initiative versus State's rights. I shall discuss each briefly:

Safety

When I speak of the problems of safety with respect to increasing the weights and sizes of vehicles, there are a number of areas to be explored. One of the most important, in my judgment, is the effect of increased vehicle dimensions on automobiles. This legislation must, of necessity, reduce clearance between passing vehicles, decrease visibility, increase difficulty in passing, increase the hazards of negotiating narrow corners, generate additional suction or blast caused by ever larger trucks and buses, etc. These are not trifling problems to be lightly passed over. They are concerns which may be reflected in lost lives and disabling injuries. These are problems upon which we now lack sufficient information to make reasoned judgments. In the highway safety hearings last month, Dr. Robert Brenner, Acting Director of the Highway Safety Bureau, testified before this very committee that his agency has almost no research underway with respect to these problems. Witnesses who have testified to date in favor of the bill have failed to come forward with any credible research to support their position that the weights and sizes of vehicles can be increased with-

out significantly affecting safety. I believe, in fact, that when these hearings are completed, there will be a considerable amount of raw data and personal observations indicating that serious highway safety problems would result if we allow bigger and heavier trucks on our highway system. I might note here also, Mr. Chairman, that it is my position that the proponents of this legislation have the burden of coming forward with sound evidence that the increases in legal limits which they seek can be made without endangering the safety of the motoring public at large. Economic benefit is of little value if it must be measured in terms of needless accidents and human suffering.

A distinct aspect of the safety problem is that where two trucks or buses are involved. The real problems in passing, turning, suction, and decreased clearance between vehicles are present here as well.

Consider also the safety of the single large vehicle. Adequate braking capacity, weight to horsepower ratios, coupling devices, tires, and stability must be assured. Of prime importance is adequate braking capacity for each weight of vehicle considered, and adequate horsepower to diminish the problem of speed differentials which are the cause of so many fatal accidents.

Still another concern is related to highway surfaces and structures. Nearly every source admits that increases in vehicle weights and sizes will bring about an accelerated deterioration of highway surfaces. The earlier and more pronounced any deterioration is, the greater the safety hazards in the form of cracking and rutting and—in the case of our narrower highways—serious rutting in the shoulder area alongside the pavement. Aside from these dangers, any increase in required maintenance means more detour lanes as well as machines in the roadway, which pose additional safety hazards in and of themselves. Similarly, the effect of the proposed increases in sizes and weights on structures such as bridges will create additional hazards. While the legislation before us purports to deal only with vehicles on the Interstate System, it is clear that these same vehicles cannot load and unload on the Interstate System itself. They must of necessity travel on primary and secondary road systems for at least a sizeable portion of most journeys. These highways, which are the backbone of our road network, account for 244,753 miles of our most vital roadways on which we would rely in a period of national emergency. This important system includes 95,750 bridges. 68,700 of them, or over 71%, are designed for less than the present Interstate Standard (HS–20) and 30,073, or more than 31% are designed for a 15-ton truck with a 24,000 lb. load on its rear tandem axle and 6,000 lbs. on its steering axle with a 14 foot wheelbase. These are much smaller and lighter vehicles than those being considered in this bill. Thus the dangers of allowing still larger and heavier trucks on our highways is apparent.

Effect on highway costs

Now we shall consider the effects on our nation's highway system with respect to costs of building and maintenance. In a Government document entitled "Total Disbursements for Highways, All Units of Government," I find that from 1921 to 1965 we have invested over $232,190,000,000 in this system of highways. A great portion of these billions of dollars represents the so-called Federal "contribution." This alone justifies more extensive Federal involvement in the active protection of our nation's highway network. It is an undisputed fact that an increase in weights and sizes will cause more rapid deterioration of highways. AASHO testimony last year stated that a 20,000 lb. axle weight would reduce the remaining service life of payments by 35 to 40 percent.

We would have, then, a direct increase in total costs over those which would accrue under present standards. The basic design criteria for the Interstate System is based on the standard of an 18,000 lb. single axle weight. Doesn't this mean that the bill, if enacted, would require reconstruction of the 70% of the system presently built, at a period 35 to 40% sooner than we have anticipated? Such reconstruction is already taking place due to overweight trucks. The potential costs of this early reconstruction are staggering. Conceivably we would actually be rebuilding some of the older Interstate sections before the System is ever completed. I think it is important that this committee and the Congress have a reasonably accurate estimate of this enromous additional cost.

A corollary question is that of *who should pay for the additional costs incurred by any increase in the weights and sizes of vehicles.* It would appear that we presently have sufficient data at hand to make an informed judgment on this question. Both the Highway Cost Allocation Study, 88th Congress, First Session, House Document No. 354, and the Supplementary Report of the Highway Cost Allocation Study, 89th Congress, First Session, House Document No. 124, are available. Relying on these documents we should have sufficient information to determine which highway users should bear the increase in cost of highway construction and maintenance accrued by reason of any increase made in vehicle weights or dimensions. At present, studies of wear characteristics of pavement indicate that the passage of a heavy truck over a high grade pavement produced deterioration equivalent to the passage of 6,000 autmobiles. In order to pay their fair share of road costs, heavy trucks would have to pay 6,000 times the tax levied on the passenger car per mile traveled. These figures do not, obviously, reflect the substantially greater costs which would result from increasing vehicle weights. And, just as obviously, large trucks are not paying their fair share of road maintenance costs even now. Therefore, in considering any increase in truck sizes and weights we must also include reasonable increases in user taxes. No such proposal is included in this bill.

One remaining problem in this area is the method by which the increased costs of highway building and maintenance would be recouped by the government. This could take the form of an increase in the fuel tax, in the various user taxes presently being used by the states, or some new form of taxation. Suffice it to say that I am not troubled about the ability of this committee to arrive at a fair and rational decision with respect to each of the items I have here mentioned.

C. Economic benefits

While I feel other factors, such as motorist safety, are our primary concerns, the economic impact of increasing vehicle weights and sizes cannot rightly be ignored.

The first important element of this discussion is the adequacy of available transportation for goods and materials in various geographic sections of the nation. It is clear that certain areas of our country rely almost entirely on motor vehicles for transportation of vital goods, and, obviously, the economic impact of this legislation will be very grave in these regions. I am more concerned with this phase of the economic problem than any other. At the same time we must realize that the adverse effects of increasing motor carrier sizes can more than cancel out the economic benefits of such an action. The undesirable side-effects of adding larger vehicles to our roadways must be measured realistically against the benefits to the public which might result from increasing hauler capacity.

Further, the extent to which this legislation will reduce transportation costs, namely freight rates, is questionable. Again, we must know exactly by how much costs will be reduced and, more importantly, who will be the ultimate benefactor of the purported savings. I seriously doubt if the consumer, or even the various manufacturers and intermediary shippers will experience substantial or any benefits. The trucking industry has recently signed a new labor contract providing for rather significant increases in labor costs. The temptation to offset these increased costs with any savings resulting from an increase in vehicle weights and sizes will undoubtedly prove too difficult to resist.

D. Coercion of the States

A fourth and final consideration with which this committee must deal is that of the relative roles of the Federal and State governments in regulation of vehicle weights and dimensions. This Congressman realizes that the action we take with respect to this legislation will have effects more far-reaching than those which simply concern the Interstate System of this nation. In this respect we should look once again to the mandate of the 1956 legislation. The Federal Aid Highway Act of 1956 directed a study of the appropriate vehicle weight and size limitations with respect to all Federal aid highways. The AASHO studies and the recommendations resulting therefrom, have been directed solely to the Interstate Highway System. Obviously, the Interstate System has been built to the highest standards of any highway system in our Nation. The greater problem arises from the fact that our Interstate System does not lead from one vacuum to another, but, in fact, leads from one city to another via the ABC, or primary and secondary road systems. The Federal Government has an investment of 50% in the cost of constructing these systems. Granted, this amount may be considerably less than the 90% of construction costs which we have invested in the Interstate System, but there is no logical argument why the Federal Government should not protect its investment merely because it is *"only 50%"* of the total cost.

The larger and heavier vehicles which would be permitted on the Interstate System under the legislation now before us are not going to load and unload in the middle of that system. They must, of necessity, use the primary and secondary systems in their movement from one point to another. Section 109 of the Federal Aid Highway Act of 1956, which includes standards for all Federal Aid Systems, says that the Secretary of Transportation may not approve plans and specifications for proposed projects unless they provide a facility "(1) that will meet the existing and probable future traffic needs and conditions in a manner conducive to safety, durability, and economy of maintenance." AASHO stated in testimony last year that they believe the standards adopted as maximums should apply to all systems. It is clear that passage of this legislation by the Congress would serve as leverage to force the various states to increase their size and weight limitations on the primary and secondary systems so as to equal that of the Interstate System. This is despite the clear fact that our primary and secondary systems are not up to the same standards as our Interstate System, particularly with respect to the bridge structures on these systems, many of which were built prior to 1935, and are over-stressed even under present weight limitations. It is one thing to say that this legislation is merely "permissive" and doesn't force the states to do anything. To adopt this philosophy is to be something more than naive.

EXHIBIT I

STATE LEGAL MAXIMUM DIMENSIONS AND WEIGHTS PROTECTED BY "GRANDFATHER CLAUSE"

State	Width, inches	Axle load pounds: Single: Statutory limit	Axle load pounds: Single: Including statutory enforce-tolerance	Axle load pounds: Tandem: Statutory limit	Axle load pounds: Tandem: Including statutory enforce-tolerance	Specified maximum gross weight—lbs.: Truck-tractor semitrailer: 4-axle	5-axle	Other combination
Alabama			19,800	36,000	39,600			
Alaska		20,000		34,000		74,000	88,000	100,000
Colorado				36,000				
Connecticut	102	22,400	22,848	36,000	36,720			
Delaware		20,000		36,000				
Florida		20,000	22,000	40,000	44,000			
Georgia			20,340	36,000	40,680			
Hawaii	108	24,000						
Indiana			19,000		33,000			
Iowa			18,540		32,960			
Kentucky			18,900		33,600			
Maine	102	22,000		36,000				
Maryland	96	22,400		40,000				
Massachusetts		22,400		36,000				
Nebraska			18,900		33,600			
Nevada			18,900		33,600			
New Hampshire		22,400		36,000				
New Jersey		22,400	23,520		33,600			
New Mexico		21,600		34,200				
New York		22,400		36,000				
North Carolina			19,000	36,000	38,000			
Ohio		19,000	19,570		32,960			
Oregon		20,000		34,000			76,000	76,000
Pennsylvania		22,400	23,072	36,000	37,080			
Rhode Island	102	22,400						88,000
South Carolina		20,000						
Utah				33,000			79,900	79,900
Vermont		22,400	23,520	36,000				
West Virginia			18,900		33,600			
Wisconsin			19,500		32,000			
Wyoming					36,000			
District of Columbia		22,000						

EXHIBIT II

1. The additional cubage granted to longer vehicles would be about as follows:

States with 55-foot law: additional 15 feet or 27% more cubage.

States with 60-foot law: additional 10 feet or 17+% more cubage.

States with 65-foot law: additional 5 feet or 8−% more cubage.

The history of additional length is that for each foot of additional length, the permissible weight has gone up about 2700 pounds.

2. (a) The findings of the AASHO road test (from testimony of AASHO on S. 2658, page 203) that a single axle had a tandem axle equivalent in accordance with the following:

Single axle:	*Tandem axle*
18,000 lbs.	29,000 lbs.
20,000 lbs.	33,000 lbs.

(b) The increase from 18,000 lbs. to 20,000 lbs. single axle, would reduce the remaining life of pavements from 35 to 40 percent. (AASHO testimony S. 2658, page 203)

(c) Cost of resurfacings due to heavier loads would be about $3 billion over a ten year period (Congressional Document 354 expanded to 50 states)

3. A 65 to 70 foot double bottom unit with 4–18,000 pounds axle would have about 125% of the damaging effect of a truck-tractor semi-trailer with two 32,000 pound tandem axles. (AASHO road test date—Summary Report #7, Chap. 7)

4. In September of 1968, the U.S. Bureau of Public Roads reported that there was a total of 473,869 miles of surfaced roads on the State Primary Systems. 429,913 miles of these roads were undivided. 198,735 miles had lane widths of less than 12 feet. When two vehicles 10.5 feet wide (including the width of their safety equipment) meet on a highway with 10 or 11 foot traffic lanes, the result is obvious. This condition pertains to 198,735 miles of State Primary highways or nearly 42% of the total.

5. About 70% of the original 41,000 mile Interstate system is now built and it was designed basically for 18,000 pound single axles and 32,000 pound tandems.

6. The defense requirement routes of the country total 244,753 miles or one-seventh of the total highway network. This System includes 95,750 bridges, 68,700 of which are designed for less than HS–20 (the present Interstate Standard), and 30,073 for H–15 or less (the standard which applied prior to World War II.)

EXHIBIT III

(From the June 4, 1969, hearings on "Federal Aid Highway and Highway Safety," before the Subcommittee on Roads, of the Committee on Public Works, House of Representatives)

Mr. SCHWENGEL. And I would like to ask, have you done any research or are you planning any research on the effects of increasing the width of the trucks on the highway?

Dr. BRENNER. We have work in progress at the present time in the general problem area of stability of trucks, truck-trailer combinations, double bottoms, semis, the whole problem of truck-trailer stability. And insofar as the width of the vehicle, wheel base in relation to the height as well as the mass distribution, are certainly central to stability studies and we will be working in the general area.

As to the specific of what the extra width does or does not do in the safety picture, I am not aware of any work specifically in that regard.

Mr. SCHWENGEL. Do you not think since this was a question before the committee, question before the Congress, question both of the candidates for President commented on in the last election—one candidate said we ought to do a lot more studies here in this area—where we should be immediately pursuing this?

Dr. BRENNER. Of course, the Department is studying its position on this question of truck size and weight right now.

I think that we have to learn a great deal more about the problem of truck stability. I think this would be helpful. I do not know whether or not at this time this would preclude action, one way or another, upon the legislation that is pending. I think we have to continue to work in the area.

I would not comment as to whether or not we now know enough one way or another with regard to safety.

Mr. SCHWENGEL. You are not sure we ought to study this, research this before we act on increasing the width? One candidate for President said we should.

Dr. BRENNER. I certainly would like to see as much information as possible, or at least all of the information that is available, considering any legislation on any matter. And I am not familiar with the totality of the research that has been done with regard to the truck-trailer stability. I do know that there is an awful lot we do not know about why some of these vehicles flip over and why some of them don't.

Mr. SCHWENGEL. Are you aware of the Professor Wolfe report?

Dr. BRENNER. Generally dealing with it, yes, sir.

Mr. SCHWENGEL. If you are, then you know that they say that there will be two and one-half million accidents per year in which trucks are involved, with 4,000 to 5,000 deaths. And this study also shows that for every truck driver killed in a truck-auto crash, 35 are killed in automobiles.

Now, this is one of the reasons the public is concerned, the very reason we had better know what we are doing, the safety measure before we consider legislation.

This also applies to buses. I do not know what effect it is going to be, increasing width, how much more suction or how much more it has to bear, or what will be the result if we have better design for trucks, so that there will be a better flow of air as it goes through down the road.

Dr. BRENNER. I am familiar with Professor Wolfe's study. As a matter of fact, his group is one of the groups that is under contract to us in the accident investigation area. I have known Professor Wolfe for many years and the work there certainly is reasonably accurate.

Mr. SCHWENGEL. I understand you do try to do research, more research in this area?

Dr. BRENNER. Yes, sir.

Mr. SCHWENGEL. I am very glad to hear this.

DISTRICT OF COLUMBIA ENVIRONMENT—DEMAGOGS IN THE URBAN JUNGLE—II

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. RARICK. Mr. Speaker, the disgraceful riot in the chambers of the Washington City Council, resulting in the arrest of District of Columbia School Board Member Julius Hobson, and District Democratic Chairman Bruce J. Terris, among others, even drew an unfavorable editorial comment from the usually liberal Washington Post.

The riot came about quite simply—when the City Council finally, and quite reluctantly, agreed to obey the law.

The dissidents objected to the building of highways for working people to use to come into Washington, alleging that such progress would displace welfare recipients upon whom they depend for their power. A demagog with no rabble to rouse is out of business—hence the riot.

Meanwhile, following the example of their local civic and political leaders, some 200 Washington youths rioted over a several block area, threw rocks and bottles, fired shots, and required the

activation of the police special operations division to restore peace.

Mr. Speaker, I include three news clippings following my remarks:

[From the Washington Post, Aug. 12, 1969]

VIOLENCE IN THE COUNCIL CHAMBER

The cause of orderly government in the Nation's Capital took a fearful beating in city hall on Saturday. When the City Council attempted to take the only course that Congress had left open to it to provide this city with a modern transportation system, it was jeered, insulted and disrupted. Violence then broke out when the Council was compelled to clear the chamber in order to proceed with its business.

It is obvious from what happened that emotions were deeply stirred, but the essence of a democratic system is that issues will be settled by debate and majority action of the body entitled to make the decision, regardless of how critical or momentous the outcome may be. In this case the issue of whether the Three Sisters Bridge should be built and the proposed North Central Freeway restudied had been debated and redebated until there was nothing more to say. Congress, which is the constitutional law-making body for the District, had made the final decision and indicated to the City Council that further delay in carrying out its mandate would not be tolerated.

The Council had only one decision to make: would it comply with the law or inflict disaster upon the city? It was not only a question of losing the proposed city subway system until the demands of Congress were met. The city was also threatened with loss of the Federal payment if it did not comply and loss of the meager control it had exercised in the past over the raising of local revenue. In effect, therefore, the Council had no control over the situation whatever. It had to bow to the inevitable.

For this belated but nevertheless courageous acknowledgement that a more authoritative voice had spoken, the Council members were denounced as "liars," "cheats" and "tricksters." An ash tray was thrown at Chairman Gilbert Hahn Jr., and the Council meeting was plunged into turmoil by swinging fists and flying chairs. Whether one favors freeways or opposes them, the incident must be regarded as a disgrace to the city.

It is difficult to imagine, moreover, a more damaging setback to the cause of home rule in the District. The Council jeopardized its own standing by its long defiance of the congressional mandate on the freeways. When the ingredient of violence was added in a desperate effort to force the Council to persist in its definance, the warmest friends of home rule on Capitol Hill were left in a hopeless predicament.

It would be ironical indeed if the repeated disruption of its meetings should force the Council into closed-door sessions. That would involve another critical loss for democratic procedure. Ways must be found to permit the Council to operate in the open without intimidation, disruption or violence, and this is probably the most important business now before it.

[From the Washington Post, Aug. 12, 1969]

ONE HUNDRED YOUTHS CLASH, SIX HELD

Six juveniles were arrested when police broke up a wide-spread fight between two factions of youths last night in Northeast Washington. 150 to 200 persons were involved.

Numerous shots were fired by the youths during the confrontation between groups who had attended two separate dances, but there was no reported serious injuries.

The police special operations division was activated to help quell the disturbance after youths from a dance at 9th street and West Virginia Avenue clashed with some attending another dance at 13th Street and Florida Avenue.

The fighting spread out over a several-block area. Rocks and bottles were thrown.

One of the six youths arersted was charged with carrying a prohibited weapon, which police said was a knife. All six were charged wth anti-loitering violations.

[From the Washington Daily News, Aug. 11, 1969]

POLICE CHIEF RAPS COURT FOR CRIME WOES

District Police Chief Jerry V. Wilson said today court delays and liberal bail release policies permit the average youthful criminal to feel "there is virtually nothing to constrain him from committing crime."

Testifying before the House Select Committee on Crime, the city's new police chief blamed court backlogs for making "the criminal much less fearful of the consequences of his act."

Chief Wilson, who also called for a "complete realignment of social attitudes," nevertheless insisted that "the immediate answer to our crime problems in this city . . . lies in the major shoring up of our court systems and corrections facilities."

He took issue with those who claim the District is the crime capital of the nation, noting that while the city logged a 24.7 per cent increase in crime in 1968 over 1967 most suburban jurisdictions surrounding the District showed a 20 percent or more increase in the same period.

[From the Evening Star, June 21, 1969]

TWELVE PERCENT BOOST IN DISTRICT CRIME IS SMALLEST RISE IN YEAR

Crime in the District increased 12.2 percent in May over May 1968 for the smallest monthly percentage increase in the last year, Police Chief John B. Layton said yesterday.

Decreases were recorded in two crime classifications—auto theft, down from 1,028 to 925 offenses, or 10 percent, and burglary, down from 1,710 to 1,707 offenses, or .2 percent.

However, increases were noted in rape, up 66.7 percent; homicide, 37.5 percent; robbery, 23.7 percent; aggravated assault, 36.1 percent, and larceny ($50 and over), up 64.3 percent.

Crimes against persons—homicide, rape, robbery and aggravated assault—represented 25.6 percent of the May total, while the remainder, 74.4 percent, were crimes against property—burglary, larceny and auto theft.

NIXON'S NEW WELFARE PLAN A VICTORY FOR GEORGE SHULTZ

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. PUCINSKI. Mr. Speaker, the Chicago Sun Times quite properly called to the attention of its readers today the fact that the principal architect of President Nixon's welfare reform proposal is the Secretary of Labor George P. Shultz.

I am pleased to place in the RECORD today an article by Mr. Tom Littlewood which describes Secretary Shultz's role in the development of the President's proposal.

We in Chicago are particularly gratified that one of our constituents should have played so important a role in hammering this new concept.

Secretary Shultz is a former University of Chicago professor.

The article by Mr. Littlewood follows:

NIXON'S NEW WELFARE PLAN A VICTORY FOR GEORGE SHULTZ

(By Tom Littlewood)

WASHINGTON.—The Cabinet officer who was instrumental in making the family income maintenance plan politically palatable to President Nixon was his secretary of labor, former University of Chicago professor George P. Shultz.

The President's Cabinet was overwhelmingly against the welfare reform program that was introduced to the nation Friday night and described more fully Monday in a message to Congress.

Shultz placed a crucial role within the administration's Urban Affairs Council by perfecting the job training and employment requirements that Mr. Nixon thought were needed to make the proposed changeover salable, both in Congress and among the Republican Party's conservative middle-class constituency.

Besides contributing the job training features, Shultz worked stubbornly for the basic but highly controversial support program for the working poor.

Only Robert H. Finch, secretary of health, education and welfare, Economic Opportunity director Donald Rumsfeld and Shultz actively supported the plan that was originated almost six months ago by Daniel P. Moynihan, Mr. Nixon's principal urban affairs adviser.

While guaranteeing a foundation level of income for families, able parents of school-age dependent children would be required to register with the employment service and accept jobs that are available.

THREE OPPOSED PLAN

Vice President Spiro T. Agnew, Atty. Gen. John N. Mitchell and Housing and Urban Development Sec. George W. Romney all tried to shoot down the Moynihan-Finch plan on its troubled journey to the President's desk.

Although labeled a GOP liberal, Romney has chosen to push hard for low-income housing, of primary concern to his department, to the exclusion of most other rival plans for the scarce federal budget dollar.

The outcome against uncertain odds is expected to boost the Nixon administration stock of the mild-mannered Shultz and his "Midway Mafia"—the former Chicago colleagues led by the assistant secretary for manpower, Arnold R. Weber, who joined Shultz at the Labor Department.

One White House informant said that Defense Sec. Melvin R. Laird, whose political judgments on domestic affairs are respected by Mr. Nixon, also encouraged the drastic new program.

TWENTY TO ONE IN FAVOR

Moynihan said Monday the mail and telegram response to the President's Friday night speech had been "absolutely astonishing"—about 20 to 1 in favor of the program.

Moynihan tended to underemphasize the work requirements in the proposed system, which he said were not much different from existing law. He pointed out that requirements would not apply to mothers with preschool-age children, as many as 8 out of 10 present ADC recipients in many of the large cities.

Interestingly, the administration is proceeding on the dubious assumption that the biggest problems in getting the change through Congress will be raised by liberal Democrats.

A White House spokesman suggested Monday that a Democratic administration never could have proposed such a revolutionary program because of the vested interest that big-city Democratic organizations have in the existing welfare system.

DEBATE ON BENEFITS

On another level, the ensuing debate is certain to involve the proper share of benefits for the industrial cities of the North, as compared with the rural South, where the

underfinancing of welfare payments has been most severe.

Many black politicians and other leaders also have mixed emotions about the welfare system, another reason why the administration is convinced that "the Democrats never would have dared fool around with welfare."

Following his Friday night television address, Mr. Nixon was reported to have told one of his assistants that he had been reading the life of Disraeli and was convinced that:

"It has been the Tory men with liberal principles who have enlarged democracy."

Of immense prospective importance is how and by whom the work requirements are policed.

MESSAGE DUE TUESDAY

The administration plan would vest that power in the U.S. Employment Service and give the governors more control over the operation of the employment offices in the big cities.

The manpower training message that Mr. Nixon will submit to Congress on Tuesday will spell out the details of his proposal to consolidate and decentralize the scattered employment assistance programs.

Now the governor of Illinois has little or no control over the federally financed manpower grants that are provided directly to Chicago. Under the new plan, Chicago would be assured a fair share of the money. But Gov. Ogilvie would establish a state planning council with some authority over Chicago's manpower projects.

Shultz's agency would settle any jurisdictional squabbles between Democratic Mayor Daley and Republican Gov. Ogilvie.

THE DISTRICT OF COLUMBIA ADMISSIONS TAX PROPOSAL—A POOR APPROACH

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. GIAIMO. Mr. Speaker, as a member of the District of Columbia Appropriations Subcommittee, I am certainly well aware of the financial difficulties faced by the governing body of this city. It is obvious that many of the necessary programs so vital to the well-being of the citizens of Washington, D.C., are woefully inadequate; others are nonexistent. I cannot blame the District government, therefore, for seeking new sources of revenue to meet the needs of its people.

I must take issue, however, with the recent proposal by the District of Columbia government to place a 4-percent admissions tax on the performing arts in this city. In my opinion, this proposal would result in a loss of revenue in the long run, rather than the desired increase. Further, I strongly believe that this tax would contradict the sense of the Congress in regard to the performing arts. Finally, I fear that this proposal would lead to a further erosion of culture in this city and throughout the Nation by depriving those who need and want it most of the opportunity to see cultural events in person.

Much of my concern over the admissions tax idea is embodied in a letter which I sent to the gentleman from South Carolina (Mr. MCMILLAN), the chairman of the House District of Columbia Committee and the other members of the committee. I wish to insert a copy of that letter at this point in the RECORD:

JUNE 12, 1969.

Hon. JOHN L. MCMILLAN,
Rayburn House Office Building, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I am deeply distressed by a suggestion in the District Government's revenue proposals that admissions to legitimate theaters, concerts, and other cultural events be taxed four percent. For many years now, my Committee and the Congress have heard persuasive arguments that the arts are in dire economic trouble in our nation and, because of this, government financial assistance is needed. In response, we have appropriated funds to bolster our cultural institutions in Washington and in the Nation. In 1965, we removed a federal tax on admissions, and I am informed that several major cities have in similar fashion eliminated such local taxes. Several times my committee has been requested by the District Government to provide funds for theater, music and similar activities.

The suggestion of the District Government that these worthwhile and necessary programs which offer so much in the way of constructive recreation be subjected to a new tax runs directly counter to the steps taken by Congress and the nation to encourage these activities. Furthermore, it directly contradicts programs the District Government itself has undertaken to assist and finance.

I am informed that the tax on legitimate theater, concerts and dance presentations would produce approximately $200,000. I believe that because these activities already take place on a precarious financial base, a consequence of this tax would be to force their curtailment. If this were to happen, I have no doubt that the District would suffer more than $200,000 per year in revenue loss. This will occur because the employment of District residents will be reduced in these cultural areas. In addition, businesses that benefit from the fact that these attractions draw people into the city will also suffer, and the District's revenue raising program will accordingly be impaired.

The proposed tax poses many very serious questions in my mind. This Congress has invested in the John F. Kennedy Center for the Performing Arts which falls under the Smithsonian's operations; the Ford Theater which is operated by the Interior Department; and the Carter Barron Theater which is also operated by the Interior Department. Is it the intention of the District Government to tax admissions to these places? If not, wouldn't the proposed tax place cultural activities conducted under private auspices at a competitive disadvantage? The answer must certainly be "yes". The consequence, therefore, of the District's proposal is to discourage privately sponsored and operated cultural institutions from operating in the city with the end result that eventually all such activities will have to be government operated and financed.

Last year, the District Government created an advisory committee on the arts. It is my understanding that this commission was never consulted on this tax proposal and that no study regarding the impact which this proposal would have on the cultural life of our nation's capital has been conducted by the commission or the District Government. I respectfully suggest that this proposal of the District Government not be incorporated in legislation at this time, but be placed in abeyance pending such consultation and study.

Meanwhile, I will strongly oppose any attempt to levy a new tax on the legitimate theater, concerts, the dance and similar cultural activities because it would contradict efforts of my own committee to support such programs on the grounds that they are desirable to the economic, cultural and recreational life of the Nation's Capital city.

Sincerely yours,

ROBERT N. GIAIMO,
Member of Congress.

Mr. Speaker, I have always supported the performing arts, for I believe that they provide the quality and cultural stimulation so necessary to a healthy society. I must oppose, therefore, any attempt to reestablish this unnecessary and unproductive levy in the District of Columbia, for if the Congress reverses its position and approves this proposal, it will most certainly result in cries of "tax the arts" from other cities throughout America. Such a trend, in my opinion, would lead to cultural disaster.

At a time when the performing arts have been described in committee testimony as "an economically depressed area of activity typified by high unemployment, low wages, diminishing returns on investment, increasing deficit, and a decreasing product," must we hasten the erosion by adding to the financial burden?

At a time when more and more Americans are unable to afford the cost of admission to a live play, concert, or other cultural event, must we increase the price even further, thus making culture the sole property of the affluent?

At a time when young people of all races and creeds are seeking their cultural heritage, must we deprive them of this opportunity, thus consigning them to the wasteland of television, or, what is worse, to the streets?

We cannot allow this to happen, Mr. Speaker. I, for one, refuse to sacrifice a portion of the economical, cultural, and recreational life of the Nation's Capital for a financial scheme which will, in all probability, wind up losing money. I refuse to give the green light to those in other parts of our land who would endanger the quality of American life for a few pennies. I refuse to support any measure which would reverse the recent trend of Congress toward a meaningful partnership with the arts, a partnership which is beneficial to all Americans.

I realize the value of the performing arts to the American way of life. My committee realizes it and so does the Congress. Now, especially, we cannot afford to renege on our cultural commitment. The District's admissions tax proposal would do just that. I urge its defeat.

PUT UP OR SHUT UP: A CITIZENS CRUSADE

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. OBEY. Mr. Speaker, one of the major findings made after man landed on the moon was an expected one—water does not exist on that distant planet. A few days later, however, scientists were excited when pictures and data indicated that perhaps water—and, therefore, the possibility of life—existed on the planet Mars.

We know that without water there is no life. But what kind of life can man expect if our water becomes polluted and lifeless, for although the pollution of water may not be a problem on the moon, for the majority of us on earth who will never get to the moon, it is a major problem, indeed.

Man has existed on earth a relatively short 2 million years. In that time, whether consciously or not, he has mismanaged his environment to such an alarming degree that it will take billions of dollars to clean up our abundant, but still limited, water resources.

With passage of legislation such as the Water Quality Act in 1965 and the Clean Water Restoration Act in 1966 Congress has recognized the fact that this damage has been done; that it will take money to clean it up, and that the Federal Government has a responsibility to help in the effort. We stated the problem and promised the help, but to put it in current terms, we "copped out" when it came to performance. And there is no doubt that the longer we wait to curb pollution, the more expensive this job is going to be, both in terms of money and in terms of the incalculable and irretrievable damage which we will have done to our lakes, rivers, and streams.

There is an old saying which all of us have heard at one time or another: Put up or shut up. I think it applies here.

Certainly the people of this Nation will not shut up about the pollution of their water. They are concerned about water that is discolored, water that has offensive odors, water that is so polluted that people can neither swim in it safely nor eat fish from it except at their own risk.

Moreover, people are willing to do something about it. In a recent Gallup poll, 73 percent of the American people said they are willing to pay additional taxes to finance pollution abatement programs. Eleven million have voted in recent referenda to tax themselves in an effort to get clean water, including over 800,000 people in my own State of Wisconsin.

So, now the responsibility has been passed to Congress, and the question the American people want answered is whether or not we are going to allocate funds to end the pollution of our rivers and lakes at the level Congress promised when it passed the Clean Water Restoration Act in 1966.

Under that act, funds were authorized to finance Federal grants for sewage treatment facility construction. The problem developed when Congress failed to match its performance with its promises.

In 1968, for example, $450 million was authorized for waste treatment grants under that act, but only $203 million was actually appropriated. In 1969, $700 million was authorized but only $214 million was granted, and in 1970, with $1 billion authorized, only $214 million has been asked by the administration to help clean up our waterways.

Fortunately, a committee of concerned citizens has been formed to persuade the Congress and the President that full funding is necessary to help finance local sewage-treatment plants.

Last Friday I attended a meeting of this committee—the Citizens Crusade for Clean Water—and joined with more than 135 Members of the House of Representatives in an effort to obtain full funding of $1 billion for the Clean Water Restoration Act for the 1970 fiscal year.

That crusade includes labor organizations, government officials, civic groups, and conservationists from all over our Nation. The coordinator of this massive effort is Mr. J. W. Penfold, conservation director of the Izaak Walton League of America.

Mr. Penfold and his organization have played a leading role in attempts to get meaningful funding for water pollution programs, and have generated support from others partially through Outdoor America, the magazine of the Izaak Walton League. In the July 1969 issue of that magazine, there appeared an editorial titled "Clean Water—Call to Action." That editorial states that "the organizations and the individuals of the Citizens Crusade for Clean Water are to be commended."

Mr. Speaker, to that I say "amen." As one who supports the goal of full funding for construction grants under the Clean Water Restoration Act, I wish the Citizens Crusade every success, and congratulate them on their fine efforts thus far.

The full text of the editorial follows:

CLEAN WATER—CALL TO ACTION

The Citizens Crusade for Clean Water, reported elsewhere on these pages, points up once again two important truths which all people concerned with environmental quality should remember.

First of all, the public wants pollution eliminated from the lakes, streams, estuaries and coastal waters of the Nation and are willing to pay the costs involved. The gallup poll taken earlier in the year showed this. Yet more conclusively, the public, when given the opportunity to vote for bond issues indebting themselves for waste treatment facilities, have voted "yes." The Administration and the Congress should note this well.

The Crusade also demonstrates that strong and independent organizations of widely varied purposes can put aside their differences and join in an effort to achieve a common objective.

Forces in the modern world which degrade the environment—population growth itself being a major root cause—are powerful and unrelenting. They can be resisted and turned back only as people are willing to put aside their differences, great and petty, and join their strengths toward the common objective. And what more universally desired objective than a decent, wholesome, and rewarding environment for all people!

The organizations and the individuals of the Citizens Crusade for Clean Water are to be commended. And, we urge that this coalition not be permitted to expire. The Crusade for Clean Water has not yet been won, and there are a myriad of other environmental problems in which we shall find common objectives, if we will but seek them out.

INSURRECTIONISTS GET A BREAK

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. ASHBROOK. Mr. Speaker, in recent years a rash of extreme decisions by the U.S. Supreme Court and other courts, both State and Federal, have raised the ire of citizens everywhere, whether they be legally oriented or not. A recent decision of New Jersey Superior Court Judge Robert A. Matthews is a good example of why the public has for some time now been fed up with judicial judgments which strain to protect by every device the civil rights of criminals, revolutionaries, and other extremists who war on society while at the same time placing undue burdens on the protectors of that same society. If the press accounts of Judge Matthews' action are factual, the law-enforcement officials in the State must destroy secret files kept on persons suspected of involvement in riots and other public demonstrations, except in cases where there are "specific charges against persons for specifically defined conduct." Judge Matthews is quoted as saying that the "secret files maintained by the intelligence gathering system are inherently dangerous, and by their very existence tend to restrict those who would advocate social and political change."

The Chicago Tribune of August 8 commented editorially on the effect such a decision, if allowed to stand and adopted nationally, would have on law-enforcement agencies throughout the Nation:

A ruling which could drastically affect record-keeping by every police department in the country and conceivably lead to court action to force the Federal Bureau of Investigation to dismantle its files has been handed down by a state court judge in New Jersey.

The Trib editorial further pointed out that:

This is a strange interpretation of the motives of those who, in New Jersey's sad experience, engaged in rioting, looting, and sniping. In Plainfield, for instance, a policeman was shot and kicked to death and 90 stores were looted in what a police lieutenant described as racial "war." In Newark, five days of fire-bombing, looting, and sniping left 27 dead, 1,100 injured, 1,300 under arrest, and property damage in excess of 15 million dollars. Are such outbreaks within constitutional "protected areas," and have they anything to do with free speech and right of assembly? Only the most tenuous and far-fetched rationalization would hold they were.

As I have previously stated, if the sum and substance of Judge Matthews' decision have been factually reported, then I trust State authorities in New Jersey will take their case to the highest courts for correction. I include at this point the editorial "Insurrectionists Get a Break" in the Chicago Tribune of August 8:

INSURRECTIONISTS GET A BREAK

A ruling which could drastically affect record-keeping by every police department in the country and conceivably lead to court action to force the Federal Bureau of Investigation to dismantle its files has been handed down by a state court judge in New Jersey.

Acting on a complaint of the American Civil Liberties union, Judge Robert A. Matthews of the Superior court of Hudson county ordered the state attorney general and every other law enforcement official in New Jersey to destroy secret intelligence files on persons suspected of being involved in riots and other public demonstrations.

The intelligence-gathering was instituted

last year as a precautionary measure against the repetition of bloody rioting in Newark and Plainfield in 1967. Atty. Gen. Arthur J. Sills directed law enforcement officials to compile data on suspected groups and activists and to turn them over to state police.

The attorney general defended the system in reply to the ACLU court attack by saying that "on balance, the public need for information predominates over the individual's interest in not having the police compile information about him."

The ACLU, in turn, called the files the product of a "gestapo-like network of police spies," and Judge Matthews bought this highly charged thesis. He said that they violated the guarantees of freedom of speech and assembly of the 1st amendment to the federal Constitution, adding that the Supreme court had repeatedly held that individual rights are paramount and that any restriction on freedom could not be tolerated.

"The secret files that would be maintained as a result of this intelligence-gathering system," the judge held, "are inherently dangerous, and by their very existence tend to restrict those who would advocate, within the protected areas, social and political change."

This is a strange interpretation of the motives of those who, in New Jersey's sad experience, engaged in rioting, looting, and sniping. In Plainfield, for instance, a policeman was shot and kicked to death and 90 stores were looted in what a police lieutenant described as racial "war." In Newark, five days of fire-bombing, looting, and sniping left 27 dead, 1,100 injured, 1,300 under arrest, and property damage in excess of 15 million dollars. Are such outbreaks within constitutional "protected areas," and have they anything to do with free speech and right of assembly? Only the most tenuous and far-fetched rationalization would hold they were.

If files of the sort described can be ordered destroyed, what about fingerprints and criminal records kept by every police department and by the FBI? What about "mug shots" of criminal and suspected criminals? What about records of traffic violators kept by every state? Where is the line to be drawn?

The first requirement of the Constitution, and the first duty of government, is to insure domestic tranquility and to secure the rights of the citizens in their person and property. Surely society has a right to protect itself from the lawless, the anti-social, and the revolutionary. The state of New Jersey was seeking to take out insurance against a revival of civic disorder, yet, even while Passaic, because of violence and racial tension, was under curfew, a Jersey judge has ruled that the law is to be disarmed.

MARINER 6 AND 7

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. MILLER of California. Mr. Speaker, during all the excitement of the world's welcome home to the Apollo 11 astronauts, another equally significant space achievement was being unfolded. I refer to the flights of Mariner 6 and Mariner 7 to the planet Mars. Spectacular pictures, giving us many times more information about the red planet than man has ever had, have been returned to NASA's Jet Propulsion Laboratory in Pasadena, Calif. For many months scientists will be poring over these pictures and other scientific data to try to unravel the mysteries of our neighbor, Mars. These flights are among the greatest achievements of NASA's unmanned space science program. Congratulations are in order for Dr. Thomas O. Paine, NASA Administrator; Dr. John Naugle, Associate Administrator for Space Science and Applications; Mr. Donald Hearth, Planetary Program Manager, NASA Headquarters; Mr. N. W. Cunningham, Mariner '69 Manager, NASA Headquarters; and Mr. Bud Schurmeier, Mariner '69 Project Manager at JPL.

I place in the RECORD several newspaper editorials commenting on the Mariner 6 and 7 flights:

[From the New York Times, Aug. 11, 1969]

HOMAGE TO THE ASTRONAUTS—AND PORTRAIT OF MARS

By this morning, if all goes as planned, the three Apollo astronauts will have been released from quarantine and reunited with their families. Then they will begin receiving the world's homage for their historic accomplishment in a celebration that will start with Wednesday's grueling cross country parade.

Armstrong, Aldrin and Collins richly deserve the heroes' acclaim they will receive in the days immediately ahead. As no earlier feat has ever done, their successful trip to and return from the moon captured the imagination of men and women almost everywhere. In the universal glow produced at least briefly by their success, many of the normal divisive barriers among men broke down. They were hailed in Moscow as well as in Washington, in Cairo as well as in Jerusalem, in New Delhi and Karachi, in East Berlin and West Berlin.

This background makes it particularly unfortunate that the formal celebration planned this week has such a narrow, nationalistic cast. In the words of the plaque they left on the moon, the astronauts "came in peace for all mankind." Yet their visit to the United Nations next Wednesday will be very brief, while the rest of that day will be devoted to an American celebration of an American achievement.

Perhaps it is not too late for more imaginative planning to emphasize the role of the astronauts as envoys of all humanity, emissaries whose trip was made possible by contributions of knowledge from many nations over many centuries. Better than any men before them, after all, Armstrong, Aldrin and Collins know that this one planet is one world and that what unites men is far stronger and more important than the forces dividing them.

On that eventual day when the first men walk on the surface of Mars, they will find much "magnificent desolation" akin to that seen by Neil Armstrong and Edwin Aldrin when they strolled on the moon last month.

That virtual certainty emerges from the brilliantly successful exploration of the red planet just completed by Mariners 6 and 7. Their expedition lacked the human drama of Apollo 11, but the scientific information they returned may well qualify the two Mariners as the most scientifically productive enterprise men have yet carried out in space.

Generations of science fiction writers—from H. G. Wells and Edgar Rice Burroughs to Ray Bradbury—were mistaken, it turns out, in their visions of human or nonhuman civilizations on Mars. Or the contrary, Mars is a bleak, arid wasteland, a geologist's nightmare of twisted plains and innumerable craters whose typical landscape is almost indistinguishable from that of the moon.

True, Mars has a thin atmosphere—whose ground-level pressure is about that found twenty or thirty miles above the earth—but it is composed mainly of carbon dioxide, and could never support any complex life familiar here on earth. Worse yet, the Martian surface—or most of it anyway—is bathed daily in a deadly shower of ultraviolet radiation, and there is no equivalent of the lifesaving protection provided by the atmosphere here. While Martian temperatures may get up to a comfortable 70 degrees or so at best, they descend at worst to hundreds of degrees below zero. For lovers of comfort, Mars is as uninviting as the moon, and well over a hundred times as far away.

The irrepressible optimists who refuse to believe that earth alone has life in this solar system did get something to cheer about from Mariner 7. Professors Pimentel and Herr believe they detected methane and ammonia in Mars's south polar region, and they suggest this may have a biological origin, i.e., there may be some primitive form of life in that part of Mars.

It is an exciting hypothesis worth further investigation, but for the moment the idea must be viewed as an extremely long shot. Methane and ammonia can arise from nonbiological processes. Moreover, there are serious contradictions between some of the Pimentel-Herr conclusions and those of other investigators using different data sent back by Mariner 7.

Whether the Pimentel-Herr hypothesis is right or wrong, the case is strong for further intensive study of Mars by unmanned satellites—as against a precipitate switch to the much more costly alternative of manned exploration. A race to put men on Mars would be a moondoggle for which there is neither need nor justification.

The fascinating close-approach photographs sent back by the two Mariners covered only 20 per cent of the planet, and they offered no explanation for the changing patterns of dark and light that telescopes have shown on Mars for centuries. Additionally, Mariner 7 has uncovered an intriguing mystery by demonstrating that the bright area called Hellas is decidedly atypical in not having craters. That revelation immediately raises the question of what processes have obliterated the craters that meteors must have created in Hellas too.

For the scientifically minded or even the merely curious, the rich harvest of the Mariners can only whet the appetite for more knowledge.

[From the New York Times, July 31, 1969]

RECONNAISSANCE OF MARS

For the scientifically minded, the reconnaissance of Mars now under way by Mariner 6 and Mariner 7 is almost as exciting as the triumph of Apollo 11.

Mariner 6 has been traveling through space for nearly six months. It is now close to 60-million miles from earth, or 240 times as far away as the moon. Yet on a signal from the Jet Propulsion Laboratory of the California Institute of Technology, the instruments aboard Mariner 6 took pictures of Mars and later transmitted them to earth. Even the first pictures of Mars, taken from more than half a million miles away from that planet, had recognizable features and apparently provided new information to delighted scientists watching the transmissions unfold.

Within recent years, unmanned rockets carrying cameras and other instruments have been sent toward Venus as well as toward Mars and the moon. Man's knowledge of all three of these celestial bodies has been enormously enhanced by these missions, none of which risked human lives and all of which were relatively cheap compared to the enormous cost of manned flight to the same destinations.

Nevertheless, American political leadership has been so obsessed with sending a man to the moon that unmanned probes of the planets became the stepchildren of the national space program. There were times when even the continued existence of the Jet Pro-

pulsion Laboratory—the center for these unmanned flights—seemed in doubt.

Now, in the new phase of American space exploration begun in the wake of Apollo 11's historic achievement, the major cost-benefit advantages of Mariner-type unmanned flights needs be more fully appreciated by Washington policy makers, and more intensively exploited than in the past, even as the manned exploration of the moon continues.

[From the Washington Post, Aug. 2, 1969]

THE MOON AND MARS

It is not often that the public has a chance to share in the day to day unraveling of scientific mysteries. The men and women who engage in basic research prefer to work quietly in laboratories and eventually announce their findings in the atmosphere of scholarly meetings or academic publications. But at Houston and Pasadena these days, the public has become a silent observer of the plodding work that goes into basic research. Regardless of the drama that is involved, the study of the rocks brought back by Apollo 11 from the moon and of the pictures being transmitted back by Mariners 6 and 7 as they fly past Mars is simply basic research. Although results are trickling out each day, the dimensions of each discovery are hard to measure and an understanding of their cumulative impact is likely to be long in coming.

The rock samples scooped up before our eyes less than two weeks ago probably have taught us already more about the moon than all of man's study in previous history. This knowledge, combined with the preliminary reports from the experimental packages left there, indicates that the moon may be a smaller version of the earth. In itself, this fact (if it is so) means little or nothing to men immersed in trying to solve earthly problems. But neither did the initial discoveries about radioactive elements or of the properties of electricity, although these now have major roles in daily life. What our first knowledge of the moon does hold out is the promise of more knowledge, first of how both the earth and the moon were created and eventually, perhaps, of how we can better control the physical forces in both bodies. It is possible, for example, that our scanty knowledge of the hows and whys of earthquakes can be immeasurably increased by knowledge gained through moonquakes, if further seismic reports bear out the first readings that there are such things.

Similarly, the new pictures of Mars will broaden substantially our limited knowledge of that planet although they are likely to do no more than bring our understanding of it up to where our understanding of the moon was before the space program began. It is quite possible, however, that they will enable the scholars of the heavens to make a much better estimate about the possibility that some form of life exists there.

Each of these stabs into space ought to be regarded for what it is—basic research that will broaden our knowledge of the universe. Since these efforts are being conducted in the full glare of constant publicity, we might as well get accustomed to the scientific method once taught us in school—the building of hypotheses and then the confirming or destroying of them, a process in which negative results are often as helpful as positive ones. That is what basic research is all about—wandering down roads without knowing what, if anything, is at the end of them and discovering, once in a while, fantastic new vistas. And that is what is going on today at Houston and Pasadena.

[From the Washington Star, July 31, 1969]

A LOOK AT MARS

The current twin probe of Mars, coming on the heels of the triumph of Apollo 11, must inevitably suffer by comparison. The photographic and scientific mission of Mariner 6 and 7 cannot compete for drama and glamour with man's first landing on the moon. Two weeks ago, the world would have stood in awe of the feat. Today, the enthusiasm is notably restrained.

There should, however, be no mistaking the major contribution that the Mariners are making. Mariner 6 has already done its work. If the technicians at the Jet Propulsion Laboratory succeed in correcting the difficulties aboard Mariner 7, man will receive 183 photographs from his distant messengers, sent back across 60 million miles of interplanetary space. These pictures will provide views of Earth's intriguing neighbor never before seen by man.

The closeup look at Mars, together with the scientific probes carried on aboard the Mariners, over the next few days can answer many of the questions that have been the subjects of wonder and debate for centuries. The environment and the topography of the planet should be thoroughly clarified. The mystery of the Martian canals may be solved. The suitability of Mars for human visitation will be known. And the most intriguing question of all—can Mars support any form of life—may well be answered by the time the Mariners have completed their sweeps 2,000 miles above the alien surface.

It is possible that nothing man accomplishes from now on can match the excitement of the fantastic sight and sound of his first step onto another celestial body. But the Mariners have something, too, that should commend them to the public attention.

For a fraction of the cost of manned exploration, and at no risk to human life, they have expanded man's probing intelligence to the other planets. There, they and other unmanned probes to come should be able to tell us if there is any need for man to follow.

[From The Cleveland (Ohio) Plain Dealer, July 21, 1969]

MARS MIGHT BE BROUGHT NEARER

Vice President Spiro T. Agnew stirred up a hornet's nest when he proposed Mars as a possible future stop on the United States' space probe itinerary.

The debate over national priorities has been a heated one and undoubtedly will continue to be such. And some critics felt that the vice president was jumping the gun by talking about Mars at the moment Apollo 11 had just left the pad on its moonquest.

But the fact is that America's space program of the future is, and has been, directed beyond the moon and Mars has become more than a mere item of curiosity.

The National Aeronautics and Space Administration has two Mariner vehicles headed toward Mars. They will pass within 2,000 miles of that planet and take more than 200 pictures to send back to the earth.

Mariner 6, launched last Feb. 24, will reach its closest point to Mars on July 31. Mariner 7, launched March 27, will pass by Mars on Aug. 5. The closest approach to Mars so far was made by Mariner 4 in 1965 when it came within 6,100 miles of the Red Planet.

NASA said this series of television pictures, taken while the planet revolves through several Martian days, will reveal general surface features not visible from earth and may provide information on the formation and motion of clouds.

Peeking in at Mars may not sound like much but it has to be remembered that the entire moon shot program to a large degree has been developed on what cameras were able to relay to scientists and researchers. First the picture, then the trip. The vice president may be premature in his enthusiasm for a Mars voyage but the fact is that the first probing steps, to determine feasibility at least, are under way.

A ROAD IN PERU

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. RYAN. Mr. Speaker, although Latin America is, geographically, our closest neighbor, few Americans are adequately acquainted with the problems and issues confronting this vast continent. In order to further understanding of one such Latin American country, Peru, I am today inserting in the RECORD an article by Mr. Clayton Willis, entitled "A Road in Peru," which appeared in the Manhattan Tribune of July 5.

Mr. Willis' analysis of the problems facing one small community in Peru illustrates some of the problems faced in Latin America today; problems with which Congress must become more familiar if it is to be in a position to make a knowledgeable evaluation of the U.S. Latin American aid program.

The article follows:

[From the Manhattan (N.Y.) Tribune, July 5, 1969]

A ROAD IN PERU

(By Clayton Willis)

PUCALLPA, PERU.—This boom town of about 65,000 residents which hugs an Amazon River tributary called the Ucayali River, is at least one example of what can happen when a road connects it to the "outside world." It also spotlights a clearcut discrimination problem through which this nation's Indians have suffered for decades.

Once a sleepy jungle outpost of a bare 2,368 inhabitants in 1955, people from all over this country of 13.5 million inhabitants and some from abroad began to flock here in the last five years as the first overland road was completed, the 525 road miles from the capital of Lima on the Pacific coast. Pucallpa is about 350 airline miles northeast of Lima which is now giving the United States a tough time over its expropriation of the International Petroleum Company and the country's demands for control over waters for fishing out to 200 miles from the coast.

Former President Fernando Belaunde Terry succeeded in getting a fairly good road built across the Andes Mountains from Lima to here. The all-weather highway sparked the construction and opening of a jet airport and modern airport terminal building, the construction of several plywood mills, the opening of a big paper factory partly owned by the brother-in-law of former Panamanian Foreign Minister Fernando Eleta (Eleta left office when now deposed President Arnulfo Arias took over Panama for 13 days last September.)

Also Sinclair International has modernized its oil refinery here to handle a capacity of 2,500 barrels per day. A 46-mile long, 4-inch pipeline brings crude oil to it from the Agua Caliente Field. The Pucallpa refinery in 1967 processed 1,512 barrels a day, according to a Sinclair spokesman.

Truck farming by Japanese immigrants has sprung up east of here and is helping the economy. Various small industries are popping up.

Examples of Europeans coming here to cash in on the business boom include the German couple who opened the Berlin Hotel and Berlin Restaurant.

"We used the name Berlin because we thought international travelers would know from it that we had a clean restaurant and clean hotel," it was explained.

Pucallpa itself has few hard surface, black tar roads. Quite a few people live in real squalor. Yet a modern housing development on the southeastern side of town attracts some of Pucallpa's wealthier residents.

Luis Escalante on May 1, 1968, started up the city's only daily newspaper, "La Razon." Editor and Publisher Escalante said the tabloid's first month profit was a whopping $25. (That's twenty-five U.S. dollars!)

Escalante is concerned about the failure of the Peruvian Government to complete the final 100 miles of a transcontinental highway which starts in Lima, passes through here and is to go on to the Brazilian border. Completion of the road would permit overland highway travel from Rio de Janeiro through Brasilia and on to Lima.

Brazil has built most of its part of the road from Brasilia to Cruceiro do Sul which is about 75 miles east, northeast of the Peruvian border. The final 400 miles from Rio Branco, Brazil, to Cruzeiro do Sul, Brazil, is not all weather. It is little more than a trail in some spots. Although finishing the road is the only way to open up mineral, forest and agricultural development of the 175-mile area from this city to Cruzeiro do Sul, United States A.I.D. and U.S. Public Roads officials told me they are not giving priority to this link to the Brazilian border. U.S. A.I.D. funds have been cut. What money remains goes into several projects of Belaunde's Marginal Road system which he pushed to open up the Andes Mountains areas (one snow-clad peak of Mt. Huascaran is 22,205 feet high.)

At Pucallpa a bridge must be built across the massive Ucayali River which at this point is from one quarter to one half mile wide, depending if it is at flood stage during the rainy season or not.

But, of all things, the new military regime in power in Peru apparently is cranking up the rusted survey for the 100-mile link, and may order the road built.

Then it must allocate the money and have it built, which is something else! Such road projects in this part of the world are not usually done very quickly.

But as American missionary Jim Davidson of the South American Indian Mission Group here said, "With the military behind it, the road just might get some action."

In Rio Branco, Brazil, recently, General Maldonado Yanez, Peruvian minister of development, discussed the project with officials of the Bolivian and Brazilian Governments. There is talk about starting work on the road this year.

Who knows, perhaps the Indians of this land will get a break yet from the new government just as they benefitted somewhat from Belaunde's 1964 land reform law which called for distribution of large land tracts to peasants.

Meanwhile, the Indians remain primarily a mass of people whom the Spanish-Peruvians choose to "forget" just as the Spanish-Colombians "forget" the Indians who are mostly isolated in the Amazon River region of Colombia between Leticia and Miraflores. Miraflores is 250 miles southeast of Bogota, and 400 miles northwest of Leticia. A road from Miraflores to Leticia on the Amazon River could give Colombia another trade outlet to the Atlantic Ocean, open up vast areas of potentially mineral-rich jungle, and help include the Indians of Colombia in that neighboring country's economy.

Since the Peruvian Highway Department did a survey of the remaining 100-mile stretch of the road several years ago, Escalante complained the government had done "nothing" to get under construction the final link of the potentially rich trade route.

"Our government just doesn't have the money," he lamented.

Located in the jungle northeast of Lima, Pucallpa is a sort of "capital" for much of this country's huge indigenous population which lives in the jungle in the eastern part of this nation. Many other million Indians scrape an existence off the land in the Andes Mountains areas.

Three times as large as California, Peru's population breakdown is: 46 per cent Indians; 11 per cent white and 43 per cent mestizo (a mixture of both).

For the most part, the people of Spanish descent living in Peru have deliberately and ruthlessly squeezed the Indians out of the Peruvian economy except as sellers of beads, rugs, spears, jewelry and other such items. By excluding them from the Peruvian economy, the Spanish-Peruvians have essentially economically controlled the Indians. They have simply been left out of a sizable piece of the economic action of the country.

Although former President Belaude put up a magnificently equipped jungle hospital here in this river city with dust filled streets, many of the Indians who go there are turned away for one predominant reason: they are Indians. As many as possible are treated at the Albert Schweitzer Amazon Hospital. It is a small privately run hospital located about 6 miles from here near the Summer Institute of Linguistics regional headquarters at Yarinacocha. The Summer Institute of Linguistics has done much to bring the Indians at least a little closer to the mainstream of the economy by teaching them to read and write in incredibly remote areas of the jungle. Although the Spanish population in Peru boasts of what most specialists consider to be the greatest archaeological ruins in South America (the stone city of Machu Pucchu 70 miles from Cusco), these same Spanish-speaking Peruvians have always rated themselves better than the Indian.

THIS WEEK'S HORROR STORY: NORTHERN PACIFIC WOULD KILL NORTH COAST LIMITED

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. PELLY. Mr. Speaker, the August 8, edition of the Seattle Argus, contains an interesting story by Mel Voorhees quoting Louis Menk, president of Northern Pacific Railway as saying he would welcome the death of their fine train, the North Coast Limited.

This is distressing, Mr. Speaker, but it is indicative of the attitude of the railroads toward passenger trains they say are losing money; in the case of the North Coast Limited, it is $3 million annually.

However, I hope the Interstate Commerce Commission will find that this train is necessary in the public interest to be maintained. Meanwhile, I will support legislation that would permit the payment to the railroads of the amount above their operating expenses that is considered to be a loss so these passenger trains can be saved.

But, there is an obligation on the part of the railroads too, for they must remember that their endowment in public lands and profits from the public domain, oil and timber, and other resources as a land grant have been more than profitable for many years.

Passenger trains are not to just be discarded as a thing of the past. They are necessary in the transportation of people and becoming increasingly so in today's world of hurry up and wait airports.

For the information of my colleagues, I include the Argus story at this point in the RECORD:

THIS WEEK'S HORROR STORY: NORTHERN PACIFIC WOULD KILL NORTH COAST LIMITED

(By Melvin B. Voorhees)

One might have expected such a statement from the president of the Airlines' Association, but coming from *Louis Menk* it was shocking—and, to some of us, a virtual obscenity.

Menk said he would welcome death for the *North Coast Limited*.

Menk is not head of a bus line or even of the competitive Great Northern or Union Pacific. He is president of the *Northern Pacific* which, for about 80 years, has operated the illustrious North Coast Limited with pride and profit.

Menk said at Missoula the other day that he'd like to junk the famous old train because it is losing $3 million a year—according to his bookkeeping, of course.

It's like *Frederich & Nelson* boarding up display windows because they don't directly make money.

There was a time when a railway president was a regional demi-god. With good reason, his service area hung on his wisdom, hearkened to his advice and forecasts.

That was when rail bosses were rail operators. Now is the day of the comparatively timid attorney or accountant in the drivers' seats. *They measure by the buck.*

This writer is ignorant of Menk's background. But when he derided the *North Coast Limited*, he sounded like the authentic voice of the counting-house, not the roundhouse.

The *North Coast Limited* remains one of the world's dozen finest trains. It was a leader during all the past years when there were hundreds of fine passenger trains, most now faded into hazy history.

It is unseemly for the N.P. to seek the *North Coast's* demise, and such loss to travelers, in light of the railway's unmatched endowment in public lands and its profits from the public domain (oil). Northern Pacific should be required to fulfill its long-ago eagerly and profitably assumed compact with the public.

Mr. Menk ought to eat his shameful words in a *North Coast Limited* dining-car papered with thousands of N.P. deeds to millions of acres of public lands and parked among the railroad's Dakota derricks.

TAX REFORM PASSES THE HOUSE AT LAST—A BEGINNING HAS BEEN MADE

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. PODELL. Mr. Speaker, after years of frustration and weeks of intensive debate, the House of Representatives has approved a major series of tax reforms. My vote was cast in favor of this measure despite attachment of an unfair surcharge extension. I also disapprove of the fact that it is not adequate in depth of reform as it is in breadth. We have covered all the ground, but have not dug deeply enough into vested accumulated tax privilege. Still, every vested interest will lose a small portion of its privileges. Lower- and middle-income taxpayers will gain across the board.

A typical family of four with a $7,500 income will gain an annual tax reduction of $111 by 1972. As written by the House, the bill removes $7 billion worth of special tax benefits, while giving $9 billion

worth of benefits, largely in the form of lower tax rates. Who gains and loses then, specifically?

All taxpayers will basically gain from lower rates. Extra benefits will be available for low-income taxpayers, single people, widows, and people on straight salary now paying more than 50 percent in taxes.

Those who will be hit include stock market speculators, wealthy persons now paying no taxes, foundations, oil companies, bond-floating municipalities, and real estate speculators.

For nearly all taxpayers, reduction in rates will mean tax savings of 5 percent, half of it in 1971 and the rest in 1972. Lower income people would benefit far more. Those under $3,000 would save 66 percent. Those from $3,000 to $5,000 31 percent. Some at the top would save too.

Widows, widowers, and single persons over 35 would get half the income benefits now available to married people who now file joint returns. A person whose spouse dies would continue to receive full income-splitting benefits as long as there are dependent children.

A raise in the standard deduction from 10 to 15 percent—up to $2,000—would mean a tax break for 34 million taxpayers. People who rent, and have no major interest deductions, would benefit. Eleven million taxpayers would be able to come out ahead by taking the standard deduction instead of itemizing, which would mean they could use the simplified tax form. Those who would be hit hardest are upper-income people who escape much taxation by investing in tax-free municipal bonds or taking fast writeoffs on real estate. The House bill says everyone will have to pay taxes on at least half their income. Million-dollar incomes with no taxes will be a thing of the past.

Stock investors who play the market for short-term gains will be hurt. A stock will have to be held for a year instead of 6 months before profit can be treated as capital gains. Only 50 percent of losses can be deducted. Foundations would have to pay 7.5-percent tax on investment income that is now tax free. This is what corporations pay on received dividend income. Foundations would have less money to dispense.

Extra-fast writeoffs on new buildings would be limited to housing. Construction of new office buildings would be less attractive from a tax viewpoint. Some real estate money would move into remodeling of old residential buildings as well as into new homes and apartments. Corporations would no longer be able to avoid tax by setting up a number of related corporations to secure a $25,000 exemption for each division. Corporate mergers would be less attractive because some tax advantages—interest deductions for debt—would be removed.

Banks lose tax advantage coming from special reserves for bad debt losses and capital gains treatment on bonds held in their business. The oil industry is at last slated to lose some tax privileges. The House-approved bill reduces the outrageous 27⅔-percent depletion allowance to 20 percent, eliminating the foreign depletion allowance entirely. This is not enough, but it is a start.

It is my fervent hope that next time around we shall be able to cut much deeper into such privileges. Broad popular support from many of my constituents was of inestimable help.

BEFORE WE START TO MARS

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. FISH. Mr. Speaker, the Nation is justly proud of the Apollo 11 astronauts and the extraordinary teamwork and effort of so many who made possible the first walk on the moon.

It is the responsibility of the Congress to determine policies for future space exploration and the appropriation of public moneys for the space program. It is our duty to consider internationalizing space exploration and to set priorities between the ills at home and further conquests in space.

On Friday, August 8, 1969, the lead editorial in the Washington Post provided a thoughtful analysis of the object of space exploration. It reminds us that the pursuit of scientific knowledge and not simply perfecting the technology of space travel is the object of the program.

I include it in the RECORD at this point for the consideration of my colleagues:

BEFORE WE START TO MARS

It is quite understandable that NASA Administrator Paine and Associate Administrator Mueller should propose an expanded manned space program designed to send men to Mars perhaps as early as 1981. Flushed with the success of Apollo 11, the advocates of manned flight are eager to latch onto a new goal and the money needed to reach it. It may be that they have judged the mood of the country accurately and that a Mars landing will become the focus of future space activities. But before they or the President make a final judgment, some other considerations ought to be weighed.

The news from Houston, still exciting in some respects, has taken a disturbing turn in others. There seems to be a notion in Houston that the highest priority in the space program should be assigned projects designed to perfect the technology of space travel. The resignations of Dr. Wilmot Hess as director of science at the Manned Space Center and of the scientist-astronaut F. Curtis Michel, coupled with the low priority given research scientists who wanted to talk to the two men who walked on the moon, demonstrate the results of such thinking. The challenge of the space program for the group in Houston which has had the dominant voice in planning the Apollo missions has been simply to put men into space. So far the pursuit of basic scientific knowledge, which is the fundamental justification for the program, has been a handmaiden (often an unwanted one) on space flights.

Against this background, Dr. Hess was brought into NASA a few years ago in an effort to improve the quality of the basic research done on Apollo flights. His successes have been small but important for they seemed to pave the way for other scientists—those more interested in the knowledge that lunar and planetary exploration can bring than in the techniques of getting there—to take a larger hand in the future Apollo plans. His departure is likely to reverberate through the scientific community as a sign that the goal of Apollo is simply to repeat the tremendous feat of July 20–21 and improve on the techniques of space flight instead of setting the mission of each flight primarily to maximize the yield of basic scientific data.

The manned space program cannot be allowed to take such a course either in future Apollo flights or in the grandiose plans for a trip to Mars. If the landing of Apollo 11 is to be any more than a stunt, albeit the grandest stunt in history, it must be the beginning of a careful and systematic basic research program aimed at unlocking the secrets of the universe. It makes only a little sense to go back to the moon again and again simply to improve our method of getting there and of getting to Mars; it makes a great deal of sense to go back in order to learn all we can about the moon's origin and composition. It makes little sense to send only test pilots while bypassing the trained scientists among the corps of astronauts, although it is undoubtedly wise to use only test pilots until landing techniques are improved.

There was a certain logic in playing down the purely scientific aspects of the Apollo program in the past since the effort was to land men on the moon before the Russians did. But that day is past. The scientists of space, as contrasted with its engineers and technicians, have been forced into the back seat of the manned space program. It is time now to make them the navigators. The choice of missions—for future flights to the moon and for future operations that will lead some day to a trip to Mars and eventually other planets—should be largely in their hands. They, far better than the men who created the hardware and the knowledge necessary to make space travel possible, know the areas most appropriate for exploration in terms of gaining knowledge.

It is possible that the great sense of exhilaration that Apollo 11 provided can be sustained most easily by embarking at once on an all-out effort to reach Mars. But the costs of the space program (and Messrs. Paine and Mueller are now talking about $6 billion a year) can be rationalized only in terms of basic research. Before either NASA or the administration commits itself to long-range plans for man in space, it ought to be sure that the program it suggests is based on doing it right, not merely on doing it first. It is knowledge we seek, not spectaculars, and the task of gaining knowledge often is tedious. Our ability to move through the universe may grow more rapidly than our ability to absorb the information that awaits us there. In such a situation, the pace of the space program must be geared to our capacity for absorption, not our capacity for travel.

INHUMAN TREATMENT OF CAPTIVES

HON. ED FOREMAN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. FOREMAN. Mr. Speaker, today I received a letter from a distinguished gentleman and leading citizen of Santa Fe, N. Mex., expressing his concern, his alarm, and his disgust over the deplorable inhuman treatment being given some of our men being held captive by the North Vietnamese. I, along with a great many others, share his feelings as so forthrightly described in his letter, as follows:

SANTE FE, N. MEX.

Hon. ED FOREMAN,
Congress of the United States, House of Representatives, Washington, D.C.

DEAR ED: Having such a widespread interest in all areas and problems effecting the state of New Mexico, I think you would want

to assist in a cause which Santa Fe County wholly supports and one which I feel we as concerned citizens are obligated to support in Washington since it involves men who are patriotic soldiers.

It has come to my attention during the past year that the North Vietnamese are holding some 1300 Americans, 300 and some captives and the others known only as missing-in-action. These men are undergoing stresses which should not by all humanitarian standards be tolerated by the United States and by peoples of the world. Evidence in support of this statement was very apparent on national television recently when the three pilots were released by North Vietnam: one with a dangling and useless arm, one too ill to even face the cameras and all three seemingly on the verge of malnutrition. I for one feel this is a deplorable state of affairs when we cannot obtain better treatment for these prisoners, allow them to write to their families and make the enemy abide by the rules as outlined in the Geneva Convention.

I would like to request that you bring this before the House of Representatives in an open appeal to all nations of the world, the United Nations, Red Cross contacts in other countries, in an effort to bring the plight of these prisoners to the judgment of the world community with the request that we begin primarily by asking for the release of all sick and wounded prisoners.

Lt. Colonel James Lindberg Hughes of Santa Fe has been a prisoner for two years and three months when his F-105 was shot down over Hanoi; a young Navy Lieutenant, Everett Alvarez, was shot down and captured over five years ago. Can you imagine the effect of being placed in a solitary cell with no contact with the outside world—the effect on the minds of educated, active, dedicated men.

Mrs. James Lindberg Hughes has been a long time resident of Santa Fe County and it was through her that the city of Santa Fe and as a matter of fact, the State of New Mexico became aware of the sad situation involving these prisoners.

I would be very proud to have our state representation in Washington expound on this subject at an early—and every—opportunity in an effort to help these men and solve the prisoner dilemma.

Most gratefully,

VICTOR M. MARTINEZ.

STATEMENT ABOUT PRESIDENT NIXON'S NEW DOMESTIC POLICY PROPOSALS—A NEW REALISM

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. BOB WILSON. Mr. Speaker, the President has referred to a concept which he calls the New Federalism. I would like to add that he has also brought about a "new realism" to the complex and important field of welfare.

This new realism is implicit in every part of the President's proposals. For the first time in our Nation's history, a President has addressed himself to the problems of welfare and the problems of urban living in their entirety, boldly striking out on new paths, paths which take us away from the confused and confusing tangle of outmoded welfare programs that have burdened as much as they have helped the poor.

The poor people of America do not need fantasy; they need realistic aid so that they can begin to share the American dream. The President's policy recognizes this.

Hitherto, in many cases, the hand that had reached out to help the poor to rise only helped to keep them down through bureaucratic misunderstanding of the essential problem of the poor.

The essential problem of the poor is not lack of money; it is lack of opportunity. The President has in effect said to the poor: "Let us work together. Let the Federal Government not only help you to keep alive but also help you to find employment opportunities that make life worth living." I applaud this new realism, and I know that it will meet with the approval of the American people.

EMPLOY THE HANDICAPPED

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. DORN. Mr. Speaker, on July 22, Harold Russell, Chairman of the President's Committee on Employment of the Handicapped, delivered an outstanding address at a rehabilitation workshop dinner for business and industrial leaders in Aiken, S.C., located in my congressional district.

Following Mr. Russell's visit, an excellent editorial appeared in the Augusta Herald which I call to the attention of my colleagues, as follows:

HAROLD RUSSELL POINTS THE WAY

When Harold Russell visited Aiken County recently in behalf of the National Employment of the Handicapped movement, no man could have come on the mission with better credentials or with fuller understanding.

More than 20 years ago, Russell suffered the loss of both hands in a training mishap while in the service of his country. The blow might have foundered a lesser man, but not Russell. It has been said of him that "God took his hands, then performed a miracle" that guided him "to point in many directions." In the two decades since his own rehabilitation, Harold Russell has steadily pointed the way for this nation's handicapped.

As chairman of the President's Committee on Employment of the Handicapped, this warm, magnetic, inspiring, altogether very human personality made his South Carolina visit on invitation from the Aiken Rehabilitation Workshop's board of directors and staff. While being feted by handicap victims, business and industrial leaders and local and state officials, Russell had an opportunity to appraise the Workshop's progress over the three years of its existence. It has been substantial, alike in its physical expansion, its increase in work contracts and its records which boast more than 100 clients now gainfully employed at full time vocations.

All of this has been made possible in large part by Aiken's cooperative efforts through volunteer citizens and business and industrial leaders working together.

But much of this kind of local level success can also be credited to the inspiring example set by just such men as Harold Russell who, though cruelly handicapped, never let go of the idea that there still existed for him a useful place in the world, in a community made up of people who care, and that with determination and self-preparation, he and others like him could be no different from others.

The degree of effectiveness to which Mr. Russell has carried this inspiration into many communities across the length and breadth of the country was attested once again on his Aiken trip, where the general response seemed to be one of genuine thankfulness that providence has given the handicapped a champion like Harold Russell.

Combined with community cooperation such as has been shown in Aiken, and the determination of the afflicted to help themselves, this inspiring leadership continues to prove every day that no man, however great his handicap, need ever surrender himself to the hopelessness of the physical reject.

EFFORT TO ELIMINATE AIR AND WATER POLLUTION

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. LUJAN. Mr. Speaker, today I am introducing legislation designed to alleviate one of the most urgent, the most potentially dangerous problems facing our society today: the pollution of our air and water. No national asset could be more important to us than our air and our water, the very substances of life; and yet, almost every American daily sees his air defiled by more and more exhaust fumes and industrial waste, and his waters becoming increasingly filthy until many of our rivers are little more than open sewers. Everyone is aware of the problem—how could you not be—and almost everyone expresses concern, but clearly not enough is being done.

My legislation proposes to attack the issue head on, with no hedging, by establishing a Federal Pollution Control Commission, with extremely broad powers, with the responsibility to formulate national standards for air and water quality, and then to enforce them rigorously. I should say here that I have not chosen to propound this course without much careful thought. I believe in letting the States, the municipalities, the counties, do everything that they can, but the more one considers this problem of pollution, the more clearly apparent are two facts. Local and State governments, try as they have, are not in all too many cases coping with the problems. If ever there were two interstate media—two elements that cross State boundaries and are of concern to everyone in the Nation—those are air and water. I think this is one area where the Federal Government has the right to act and I think we shall be remiss in our responsibilities if we do not. My proposal would allow States and local governments to establish and enforce standards higher than the Federal minimums.

The Federal Pollution Control Commission would bring together under one roof and under a single and unified directorship, the several Federal agencies that are now attempting to deal with the problems. The commission would continue all the good works that these agencies have begun, but it would have substantially greater enforcement authorities. Standards are of no value unless enforced, and research and knowledge are of little use unless implemented. I would suggest that the authorities pro-

vided to the current pollution agencies are far too cumbersome, and leave far too many loopholes. I would ask my colleagues: When was the last time you remember anyone being fined or brought to court for polluting the air or discharging waste into the water?

I fully realize that my proposal is a rather abrupt departure from the current directions we have taken to deal with pollution, but I believe that we can no longer content ourselves with half measures in this area. In some places in the United States time has run out already, in others it grows short. I urge my colleagues to give this proposal the most careful deliberation.

EDUCATING FOR 21ST CENTURY MANPOWER NEEDS

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, nowhere is the impact of our rapidly changing times being felt more keenly than in our schools. America's educational system at all levels is now faced with the need to make a number of wholly different types of changes at the same time. One of the educators who has demonstrated that he has the perspective to contemplate what these changes should be and what they may mean is Dr. Howard Matthews, Director of the Division of Manpower Development and Training in Health, Education, and Welfare. In Outlook, published by the New York State Department of Social Services, Dr. Matthews has written an article entitled "Tomorrow Is Now." Because this article successfully pinpoints a number of directions in which it is now necessary for us to move, I would like to introduce it at this point into the RECORD:

TOMORROW IS NOW—IN EDUCATING FOR 21ST CENTURY MANPOWER NEEDS

(By Howard A. Matthews)

The people who are in school now will be the backbone of industrial and technological society when the year 2000 dawns. Will they be prepared for the radically different world of the 21st century? Not unless educators raise their sights. The bulk of the training being given in our schools is geared to yesterday and not to tomorrow.

So little is known today about people's future needs that educators face extremely vexing problems in designing an educational system to serve these needs.

Often, too, the real issues in education are hopelessly entangled with questions of status: vocational schools seeking academic recognition or some comparable insignia of respectability, teachers of standard academic subjects fighting for preeminence, some advocates of an educable elite resenting the infringement of mass education, those committed to the research ideal opposing expenditure of time on other disciplines and all types of institutions competing for students and for popular support.

General education, when viewed functionally, is not the opposite of vocational education. The two are complementary. Often they are alike in kind, differing only in purpose.

Education functions vocationally when its purpose is the cultivation of skill in the actual performance of a previously determined task. Argument to the effect that general and vocational offerings must be totally different and separately administered will delay the development of the 21st century education needed now for adjustment in a rapidly changing economy. Conflict between the two functions is joined when concern for the one leads teachers and students to forget the importance of the other.

Today, the terms "education" and "manpower" are virtually synonymous. When they are not, they should be. Two assumptions must pervade all manpower policy. First, within every job (from the research physicist to the custodian) skills are changing, and there will be increasingly less emphasis on years of experience and more emphasis on education. Second, a radically increasing number of jobs puts a premium on general intellectual alertness, on ability to read well and compute accurately, analyze and solve problems, and work cooperatively with others. These are educational needs of people and of society, not of schools, universities, and institutions. These are our manpower needs. Education should be concerned with more than just what people do in the teaching-learning transaction.

What really should concern us, then, is education as a whole, recognizing that it has several functions and purposes. Education, like electricity, is easier to define in terms of its effects while in motion than in terms of its actual composition.

The educational needs of society can be met only through the development of more and better education at all levels from the nursery to the university. Several specific suggestions come to mind:

ADJUST TO THE TIMES

(1) In order to play something more than a passive role in social change, all schools at all grade levels need to be able to respond quickly and effectively to sudden technological changes. They must provide educational experiences which will assist people in making short and long term adjustment to changing social and economic conditions.

Unfortunately, there have been instances in a few cities where the sudden termination of jobs caused the unemployment of hundreds of adults almost overnight and where the local school boards refused to provide the necessary retraining—apparently because the money was to come from Federal sources. More often, of course, the reverse has been true. Cooperation between levels of government is generally acceptable today.

Some prime examples are found in the skill centers which have recently been developed in several key metropolitan areas under the Manpower Development and Training Program. In these, the local director works with all levels of government, but also seeks out the advice and support of the local power structure outside the formal halls of officialdom.

(2) More active and comprehensive educational planning by school officials in all types of school administrative units and by the leadership of the community must be nurtured. Some school board members and school administrators are making forces for change, such as automation, positive influences. To do so, they continually seek the advice of business, labor, universities, agriculture, and other interested groups. They are designing responsive educational systems that will provide programs suited to the emerging needs of the community. However, one of the most justified criticisms of public schools at all levels is still that they fail to anticipate change and take deliberate steps to prepare for it.

AGONIZING REAPPRAISAL

(3) Evaluation is just as much a part of planning a new course or program as is the housing of it. Programs must be redirected whenever evaluation suggests such a change. Many teachers, particularly those at the post-high school level, simply do not know to what extent they are effective. Tests of their own making, reflecting not what the student knows but what the teacher thinks is important, prevent careful analysis.

Schools are not the only training agencies in society. Labor unions and industry which are involved in apprentice programs and on-the-job training should, like the schools, be asking themselves questions: Is it possible, for instance, to accelerate some of these programs and do, say, in three years what we are now convinced takes five?

(4) Education must be available to people throughout their lives or fails to meet the needs of today as well as tomorrow. Ability to manage change—whether keeping up with developments in professions or retooling for new jobs—requires education to be available when needed. Access to education governs the pace at which new knowledge is absorbed, adjustments are made to new technologies, and solutions are reached to related social, political, and economic problems.

The lifelong learning process goes on not only in the classroom, the extension course, and the lecture series, but through individual reading, television, instruction on the assembly line, and even at the coffee break.

A well-balanced system of continuing public education must provide a comprehensive program of educational opportunity for persons with varying educational attainments in all areas of the state. The high school drop out should be able to find a program which encourages reentry to school, and the Ph.D. an opportunity to probe more deeply into a special field or to broaden his general background. Such possibilities require an open-ended system with students free to enter, to leave when other experiences seem more fruitful, then to reenter.

MAKING TOMORROW NOW

With the intent to make tomorrow now, programs must be designed without regard for the conventional administrative (but not educational) conveniences of quarters, semesters, six-week or nine-week terms, Carnegie units, and quarter-hour and semester-hour formulas. Flexible programs can be developed so the student may leave to take a job at any time or stay for advanced school work without regard for the school calendar or the college catalog. Such a system can become a reality only through the coordinated efforts of public schools, community colleges, vocational schools, universities, and employers.

The educational process, beginning at the most basic levels, must impress upon the individual his responsibility for continuing self-education and self-renewal to achieve a meaningful adaptation to his changing environment.

(5) There is a special need for broader and deeper opportunities for those adults whose basic education is deficient. About 30 million members of the present labor force lack high school diplomas. Some eight million have not completed the eighth grade. One-sixth of American youth cannot qualify for military service because they are unable to pass a seventh grade equivalency test. Yet opportunities for adult basic education are few, and knowledge of how to overcome the problems of teaching adults is meager.

(6) Retraining programs need to be expanded rapidly so that a significant percentage of the local labor force is retrained annually. The training provided thus far by the Manpower Development and Training Act has demonstrated that a significant capacity for training and retraining exists outside the public school framework. It has also uprooted some entrenched ideas about how long it takes for the American worker to develop the skills necessary for an entry-level job, for entering apprenticeship or on-the-job training.

There is increasing evidence that one of the most effective ways to retrain people—whether displaced as a result of automation

or unemployed because of social and economic disadvantages—is through cooperative education programs. In such "person-centered programs," the school develops instruction best suited to the classroom and helps a potential employer develop specific work skills at the job site. The total training responsibility, however, rests with the school.

In summary, it has been far too common in our tradition of mass free education to blame failure on the shortcomings of the student and to neglect innovative techniques which could meet the student's needs. Reducing economic barriers helps those who can respond to well-established techniques of formal education. But it does little for those, either in or out of school, who cannot make effective use of established training patterns. The task must focus, then, on adjusting the system to meet the needs of people who cannot be reached through existing educational methods.

OVERTURN OLD METHODS

Considerable experimentation and research in the application of computer technologies to educational problems is under way. Much of what is being done bears on compensatory education techniques for disadvantaged people in the labor force and on the development of a system of continuous, lifelong education. Applying new techniques to systems of education is difficult because it requires overturning antiquated methods.

Through newer techniques, a wider variety of individual learning patterns can be recognized and accommodated. The new technologies can also relieve teachers of administrative chores so they can spend more time helping individual students.

In short, more educational programs of high quality must be made available. But the word "quality" should not be confused with sophistication of course content. "High quality programs" are those with adequate resources, well-trained teachers, suitable buildings, and appropriate curricula and educational methods. These are possible only through partnerships between agencies of the federal, state, and local governments, private employers and trade associations, labor unions, and the rest of the community.

The beneficiary of this careful planning and cooperation is the student in the first instance. In the long run, society as a whole can be expected to benefit.

INDEPENDENCE DAY SPEECH FOR CONGO-BRAZZAVILLE: AUGUST 15, 1969

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. POWELL. Mr. Speaker, independence has been a guidepost for the Congo-Brazzaville since its political independence nearly a decade ago. Since its independence from France, the Congolese Government has been keenly bent on pragmatic, adaptive approaches to its international relations in trade and in politics. One of its earliest governments, for example, under the Abbe Fulbert Youlou chose to maintain close links with France and to pursue pro-Western policies defiant of its less enthusiastic neighbors. Congo-Brazzaville also supported Mr. Tshombe's bid for Katanga secession from neighboring Congo-Leopoldville.

President M. Alphonse Massamba-Debat followed an even more independent course in foreign affairs than his predecessor. He permitted the left-wing opposition to the Congo-Leopoldville Government to operate from Brazzaville, and concluded aid agreements with both the Peoples' Republic of China and the United States of America.

The Congo's economic relations have also been highly colored by independent activity—as much a function of necessity as of conviction. The Congo's natural resources are small, and its known mineral deposits are not considered commercial. Thus the government is thrown back upon its own independent initiative to develop close trade and economic ties with a diversity of nations. Her trade lines include the countries of Equatorial Africa; the European Economic Community, of which she is an associate member; as well as with countries of Eastern Europe.

These pragmatic and independent policies have brought success and prosperity to the 760,000 inhabitants of Congo-Brazzaville. Allow me to take this opportunity to congratulate them on their independence—in its many senses—and to wish them success among the African family of nations.

RURAL MIGRATION

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. HUNGATE. Mr. Speaker, enclosed is an article on a matter of national importance affecting both rural and urban America:

RURAL MIGRATION

That old problem of "keepin' 'em down on the farm" is fading away. There just aren't many people left to migrate to the cities.

Says Calvin L. Beale, the Department of Agriculture's chief population specialist, "We try not to mislead people into thinking that you can solve the problem of the cities by stopping rural migration. It is too late, by about 20 years."

One of the major arguments used by the farm bloc in justifying to city congressmen the huge agricultural subsidies is that they keep some poor farmers from heading to town to see if they can better their lot.

CITY UNREST ROSE

In the past, many of those leaving the farm ended up in the slums.

America's Negro population, for instance, was once primarily rural. Now about 1 million are living on farms. That's approximately 5 percent of the total of more than 22 million blacks.

This huge shift in population was accompanied by growth in unrest in the cities. It eventually roused the interest of politicians, sociologists, and others. Curiously, the number of requests for demographic information on this topic rose 250 percent between 1964 and '68, reports Mr. Beale, a man skilled in the use of a calculating machine. Other population queries rose only 12 percent.

However, the number of migrants had well passed its peak.

During the 1950–60 decade, a net annual average of 1 million persons left farms or ceased farming operations on their land. For the period 1960–68, the comparable figure has been 750,000.

Mr. Beale guesses that about 500,000 farm people are dropping farming this year, most going to the cities and towns.

Of course, half a million is a sizable number. But not all of these end up in city slums by any means.

Comments Mr. Beale: "The main problem of the cities is coping with the natural population increases there—the excess of births over deaths."

He adds: "Most of the population effects of the technological changes in agriculture have already taken place."

ABOUT 10.5 MILLION LEFT

There are at present about 10.5 million residents on the nation's nearly 3 million farms.

The farm population is still declining rapidly through outmigration and reclassification—about 6 percent a year. However, 6 percent of 10 million is a lot less than 6 percent of the 30.5 million who lived on farms in 1940.

Farm people make up no more than 20 percent of the total rural population today. Thus, from the city standpoint, it is more important to look at migration trends for the rural population as a whole. And here, too, the picture is happier than a few years back.

The rural population has been more greatly affected by trends of employment in the off-farm phases of agriculture (such as farm supply, farm services, transporting and processing of food products), mining, lumbering, rurally located manufacturing industries, employment in urban centers within commuting distance of rural people, defense spending, and development of rural recreation and retirement areas.

In the 1950's the rural counties grew by 3.3 million people, even though they lost some 4.6 million migrants. From 1960 to '66, they gained a net of 2.8 million population, while their outmigration was reduced to about 550,000. That is only a fifth of the annual average outmigration of the 1950's.

In other words, both birthrates and migration have dropped.

Probably the most dramatic change in population trend has come in the South Central states—Kentucky, Tennessee, Mississippi, and Alabama. These states embrace the Appalachian heartland, Mississippi Delta, and the black-belt areas. They exported a net of 1.5 million migrants from their rural areas in the 1950's. But from 1960 to '66, only 164,000 left.

ALTERNATIVE JOBS APPEAR

The area that did least well since 1960 in retaining population in rural areas is the western North Central states—Minnesota, Iowa, Missouri, the Dakotas, Nebraska, and Kansas. They lost 300,000 people to other parts of the country in the 1960–66 period. Again, though, that's less than the outflow in the 1950's.

Contrary to the impression of many, rural and semirural counties in the United States have grown faster economically than metropolitan ones during the 1960's.

This has some importance to farm policy. It means farmers have a somewhat greater opportunity to get work elsewhere.

From 1962 to 1967, about half the nation's 2,000 rural counties added at least enough private nonfarm jobs covered by social security to offset losses of farm jobs. However, the situation varies greatly from one region to another.

Mr. Beale notes that these regional differences point to the need for special regional adaptations of public and private programs to deal with rural and farm problems.

For instance, nonfarm job opportunities for residents of rural and semirural counties have been relatively plentiful in the industrial North and in the industrializing upper South. On the West Coast, agriculture itself is growing rapidly.

About half the north-central counties reported moderate to major gain in nonfarm jobs.

AGE LEVELS RISING

But in much of the rest of the country, nonfarm job opportunities were growing more slowly; people are departing. These areas extend from the central Appalachian counties westward through the Ozarks. They include large portions of the plains and mountain states, part of the lower South, and the region west of the Great Lakes.

Another demographic factor affecting the farm problem is the growing age of farmers on the average, particularly of smaller-scale farmers.

The average age of all farmers was 51.3 years in 1964, up from 49.6 in 1954. Mr. Beale expects the 1970 census to show another increase in the average age of farmers.

In 1964, 41 percent of the farmers who sold between $2,500 and $10,000 in farm products were 55 or over. This size farm does not provide a good living for most farmers in this category.

Only 24 percent of farmers selling $20,000 or more of produce were 55 or over.

MEASURE OF SELF-CORRECTION

These figures indicate that retirement has tended and will tend to remove many surplus farmers from the land. They also show that younger men generally do not enter farming unless they can do so on a large enough scale to obtain a reasonable standard of living.

Thus, to a limited extent, the farm problem is self correcting.

One other population trend that concerns farm policy is the change in small towns. Many congressmen suspect that land-retirement programs would hurt these small towns.

Mr. Beale says overly pessimistic views of population trends in small towns are common.

In fact, more than three-quarters of all nonmetropolitan urban towns of between 2,500 and 25,000 population increased in population between the past two censuses. Their overall growth was 21 percent. That exceeds the growth rate of the U.S. as a whole.

Those towns of 2,500 to 5,000 population grew by 18 percent, equal to the national growth rate.

TOWNS OF 500 SHRINK

It is only those places of less than 500 population where population loss was more common than population gain. Some 57.5 percent of them declined in population. But the gainers more than made up for the losers, with a small aggregate growth of 3 percent for the class.

Mr. Beale admits these tiny towns may have had more serious business problems than mere population losses, as some gas stations, local retail stores, and farm-implement dealers closed up shop to concentrate on their more active locations. Also, some regions declined more than others, such as in the Midwest.

Despite the decline in the number of farmers there as still too many to match the demand for farm products.

Says Agriculture Secretary Clifford M. Hardin: "I know that when I leave this office, be it four or eight years from now, we are still going to have excess farm capacity.

"But I think everyone should be glad they are living in a country where the problem is surpluses and not shortages."

Urban congressmen undoubtedly agree. But they are not grateful for having to pay large subsidies to agriculture. It seems likely that Mr. Hardin will see substantial farm-policy reforms in his term of office even if it is only four years.

VIETNAM PEACE AND THE BUDGET

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. HALL. Mr. Speaker, Dr. Murray L. Weidenbaum, Ph. D.—an Assistant Secretary of the Treasury, and former professor of economics at Washington University in St. Louis, Mo., has written a most interesting article for the magazine Nation's Business.

In his article, Dr. Weidenbaum discusses the potential effect of peace in Vietnam on this country's budget. I know the Assistant Secretary and serve on the Committee on Armed Services. We must not engage in a postwar debacle as we did in the post-World War II era; at least until our arsenals are restored and our deterrent ability is preserved. His analysis is most provocative and enlightening.

VIETNAM PEACE AND THE BUDGET

The Viet Nam war's demands for men, materials and other resources of the American economy resulted in much of the inflation that we have been experiencing; thus, peace should help to ease inflationary pressures.

However, inappropriate economic policy after Viet Nam could generate another round of inflation.

Many people hope the war's end will bring massive increases in federal civilian expenditures. It is easy enough to conjure up visions of so-called fiscal dividends and peace dividends totaling more than $40 billion in the year after peace is achieved.

That $40 billion of monetary "manna" appears to consist of two parts.

The first is about $12 billion a year which the progressive income tax brings forth in the form of increases in federal revenues at current levels of income and economic activity.

The second consists of almost $30 billion a year which the United States is spending to sustain the war.

In addition to making some allowance for built-in increases in such federal commitments as social security and veterans' pensions, I suggest we take a harder look at the federal budget, before we start spending those fiscal and peace dividends.

On the revenue side, the major item that warrants our attention is the temporary increase in income tax rates—the surcharge. It seems likely to me that all or most of the surcharge will be allowed to expire soon after the war's end.

The surcharge is raising over $10 billion a year. In the year that it lapses, then, we lose an amount of revenue almost equal to the fiscal dividend.

That still leaves us the $30 billion peace dividend that so many people anticipate will result when the military budget declines from the current $80 billion height to the pre-Viet Nam $50 billion annual level. However, if there is any prediction I can offer with considerable confidence, it is that the military budget will not decline to anything close to $50 billion a year.

For one thing, we have had very substantial inflation during the past four years and, hence, large increases in prices of equipment that the military buys and in wages it pays.

Thus, just to devote the same amount of real resources to defense programs as prior to the war will require a substantially higher level of expenditures than in 1965, before the Viet Nam buildup. With the continuing high level of international tensions, it is hard to see how we would do any less than maintain at least the 1965 level of military effort.

Moreover, many upward pressures on the non-Viet Nam part of the military budget already are visible. Considerable deferred maintenance and depleted inventory positions will need to be taken care of. Also, under legislation already passed by Congress, the pay of the armed forces and of the military establishment's many civilian employees is to rise by well over $2 billion this year.

Of perhaps greater fiscal significance is the fact that several large weapon systems are in early stages of production and large expenditures are anticipated in the next year or so.

Thus, should peace in Viet Nam be achieved in the near future, I would estimate a peace dividend closer to $10 billion than to the $30 billion we hear so much about. In a sense, that would just about replace the fiscal dividend we would lose when the surcharge is lifted.

Hence, the immediate post-Viet Nam fiscal outlook is not one of great liberality. Rather, it is likely to involve many difficult choices among a large array of alternative claims on our federal revenues.

One striking indication of these potential demands on the public purse was contained in former President Johnson's "swan song" economic report, released in January.

There were items such as $9.5 billion for more social security and income support, $7 billion for further increases in federal education programs, $5.5 billion for model cities and other urban development, almost $3.8 billion for "kiddie-care" and other health activities, almost $2 billion for more public jobs and $1 billion for science and further space exploration.

Will it be worth the effort to balance the budget after peace is achieved? My vote is affirmative.

To the extent that it takes more purchasing power out of the economy in the form of taxes than it pumps in via expenditures, the federal government will be helping to reduce inflationary pressures. And the Federal Reserve system might ease its pressure on interest rates.

As an economist, I might find on occasion some justification for running a budget deficit during a period of recession. But that is hardly the situation we have been facing. The gross national product rose from $790 billion in 1967 to $861 billion in 1968. The GNP is expected to exceed $920 billion this year.

The advent of peace in Viet Nam can lead to balanced federal budgets. Whether the federal government actually will achieve a budgetary surplus will depend on several key factors, such as the state of the national economy and the uncertain international situation.

However, the most important factor is likely to be the willingness of the American people and their elected representatives to make the difficult choices among the many pressures for government spending increases. A tough-minded sense of priorities and a careful weighing of benefits against costs will be needed.

DETENTION CAMP PROVISIONS OF THE INTERNAL SECURITY ACT

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. HOLIFIELD. Mr. Speaker, at the recent convention of District Four of the B'nai B'rith Women held in Beverly Hills, Calif., this respected organization

of 12,000 members unanimously adopted a resolution supporting repeal of title II of the Internal Security Act of 1950. I bring this resolution to the attention of my colleagues to further illustrate the need to erase the anxiety among our citizens that exists because this law is in existence and could be enforced. This is just one example of the increasing demands to eliminate this threat to our basic rights as established by the Constitution. To this end the honorable gentleman from Hawaii (Mr. MATSUNAGA) and I have introduced a bill to repeal the so-called Emergency Detention Act, title II of the Internal Security Act. I am pleased to be able to record that as of this date that 128 of my colleagues have joined in cosponsoring the Matsunaga-Holifield bill.

Mr. Speaker, I insert the resolution adopted by District Four of the B'nai B'rith Women in the RECORD at this time:

DETENTION CAMP PROVISIONS OF THE INTERNAL SECURITY ACT

Whereas, Title II of the Internal Security Act of 1950 authorizes the creation of emergency detention camps and empowers the Attorney General, without due process, to detain therein American citizens suspected of rebellion or insurrection in "aid of a foreign enemy"; and

Whereas, the National Jewish Community Relations Advisory Council, of which B'nai B'rith and the Anti-Defamation League are members, opposed and continued to oppose said Internal Security Act as undesirable legislation which is repugnant to constitutional guarantees and the philosophy of a free society; and whereas, our experience as Americans and as Jews with such concentration camps and the concepts of presumed guilt because of ethnic or racial relationships impel us to be unalterably opposed to such provision for detention even in emergency situations; and

Whereas, there are pending in the Congress of the United States bills to repeal Title II of the Internal Security Act of 1950;

Now, therefore, be it resolved, that B'nai B'rith Women, District Four, in Convention assembled, wholeheartedly supports legislation to repeal Title II of the Internal Security Act of 1950 as violative of the constitutional guarantees and judicial traditions that are basic to our democratic way of life, and specifically supports S. 4270, and H. 4497-4500, which would repeal said Title II; and

Be it further resolved, that each B'nai B'rith member in the states in this District be urged to write her Senator and Congressman to oppose this type of legislation; and

Be it finally resolved, that copies of this resolution be sent to each United States Senator and Congressman of the States composing District Four.

Adopted this 2nd day of July, 1969.

Mrs. MORRIE LANE,
President.

MILDRED FAULKNER,
Executive Secretary.

BEVERLY HILLS, CALIF.

TO SHARE AMERICA'S AFFLUENCE

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. PUCINSKI. Mr. Speaker, the Chicago Sun Times has presented an excellent editorial in support of President Nixon's proposal to revamp our entire public aid program.

The President's proposal is particularly gratifying to the Chicago Sun Times because on several occasions this very distinguished newspaper had editorially urged changes similar to those incorporated in great measure in the President's proposal.

In a recent editorial, the Chicago Sun Times called for a family assistant program and national standards.

The Sun Times editorial follows:

TO SHARE AMERICA'S AFFLUENCE

President Nixon has proposed a giant leap forward in dealing with modern industrial society's great dilemma and moral obligation: the ending of poverty in the midst of 20th Century affluence.

Only America's affluence can make possible Mr. Nixon's proposals for far-reaching reforms in the nation's welfare system. What he proposes goes far beyond President Johnson's war on poverty; it is far more imaginative and pragmatic. No other nation, except New Zealand, has even considered the concept he proposes. The United States, traditionally about 50 years behind industrialized Europe in social legislation, now has an opportunity to lead the world in showing how to share the benefits of the capitalistic system with all citizens.

Mr. Nixon would put a floor under the incomes of all families. He would help the working poor wherever they may live who now are excluded by federal law from welfare benefits. This is the big breakthrough. The working poor comprise two thirds of the poor persons of this country. Two-thirds of the poor are white. Nearly half are 21 or younger.

The cost—$4 billion a year at the start—is not high in comparison with the cost of the Vietnam war, which is about $36 billion a year. Mr. Nixon expects funds for the new program to be available beginning next June when, presumably, American extrication from Vietnam will be well along.

Mr. Nixon's plan would make federal payments to low or no income families based on the size of the family and the amount of its earnings with built-in incentives to encourage members of the family to earn as much as possible; the government would provide job training and placement to help increase that earning power; day care centers for children would be provided to give mothers an opportunity to work.

This is not a flat guarantee of an above-poverty-level income regardless of need or ability or willingness to work. Nor is it like the family allowance plan, in effect in 62 counties, in which a specified amount is paid for each child rich and poor alike.

Mr. Nixon's plan is an answer to criticisms that have been piling up of the present welfare system.

The present system was created during the Great Depression of the 1930s; before that, help for the poor often was little more than a Christmas basket from the City Hall or private charities.

The present system represents a compromise between the Judeo-Christian belief that the poor deserve help and the Calvinist doctrine that the poor are a shiftless lot who have only themselves to blame for their troubles.

Out of this schizophrenic concept came the system which forbids help to families if there is an unemployed man in the house—a man presumably who can and should go to work. Twenty-seven states have this rule. This causes many fathers with low incomes to desert their families so they may qualify for aid. (Assistance will be provided in Illinois if the father agrees to accept necessary employment or appropriate training.)

As a consequence, some women with large families have received welfare payments that are as large or larger than the income of other families with working husbands. Resentment has grown among the working poor against the welfare recipients. And yet, both need help.

Resentment also has grown, justifiably or not, over the migration of families from the South to the North, where welfare payments are higher. Most families migrate for better working conditions and wages. An incentive to stay put would exist if the welfare floor was the same in Mississippi, now $8.50 per person monthly, as in Illinois, now $46.

Mr. Nixon would set a floor of $1,600 a year in all states for a family of four. States could add to that amount; Illinois, for example, now has a base of $1,932. The family could build on this foundation, earning outside income. After the first $60 a month, the $1,600 would be reduced by half the amount earned. If the family earned $2,000 a year it would end up with $2,660 federal minimum which presumably could be sweetened by the state. Differences would still exist between states but not as much.

Mr. Nixon's plan has been criticized because it will give more help, proportionately, to states like Mississippi that have not been as concerned about the problem as some other states, like New York and Illinois. This may be true, but the important matter at hand is to make a start.

The most important thing about Mr. Nixon's proposal, which we shall discuss in more detail later, is that it has brought into the national forum for debate a great change in public attitude toward poverty-amidst-affluence; the debate has opened in much shorter time than anyone could have expected when the basic ideas he has embraced began to be seriously discussed seven years ago.

Looking back to 1933 when Franklin Roosevelt began great innovations in the government's attitude toward social problems, few could ever imagine then that a Republican President would propose the changes now advanced by Mr. Nixon. But the nation has changed greatly since those years. If it can put a man on the moon, it should be able to give the least of its working citizens a better chance to share the general affluence.

HOW REAL IS OUR NATIONAL DEBT?

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. ROSENTHAL. Mr. Speaker, in a recent issue of Lithopinion, a graphic arts and public affairs journal of Local 1, Amalgamated Lithographers of America, Mr. Robert Sherrill has raised an important issue in his article "How Real Is Our National Debt?"

He demonstrates that the assets of the Federal Government exceed the national debt by many times. In accord with good business practices, a debt of $350 billion is small when compared with assets that total $17 trillion.

More importantly, Mr. Sherrill demonstrates that the controversy generated over this relatively small national debt obscures the deplorable policy of the Federal Government in generously cutting up the national pie, saving the biggest pieces for the favored buyers. He points out that lumber and railroad companies were given huge supplies of resources by the Department of the Interior during

the period he refers to as "the great giveaway." He warns that the problem continues today:

The atmosphere is not quite so easygoing today, but neither is it of the strictest. Great portions of the federal lands are unsurveyed and are at the mercy of the exploiters. The bureaucrats who are paid to be guardians do not always seem sufficiently concerned with this. They sometimes seem more determined to keep the public in ignorance than to keep special interests at bay. What goes on these days is likely to be more subdued and sophisticated. The Great Giveaway has perhaps given way to the Great Slipaway. But by any name, federal generosity continues.

Exaggerated arguments over the national debt must not avert our attention from the mismanagement of the Nation's assets.

The article follows:

HOW REAL IS OUR NATIONAL DEBT?

(By Robert Sherrill)

(NOTE.—Robert G. Sherrill lives with his wife in a charming old Washington house a few blocks from the nation's Capitol. This is handy for his work, which consists of descending on surprised bureaucrats and coming up with harvests of facts. They then appear in Lithopinion, Esquire, Harper's, The Nation and The New York Times Sunday Magazine. Sherrill's recent book, "Gothic Politics in the Deep South," has reddened many cheeks below the Mason-Dixon line.)

There must be a reason for it, when the most capitalistic nation on earth—a nation dedicated to the principles of profit and business—violates the most basic rules of bookkeeping. Any business that kept its books as the federal government keeps its tally sheets would have to close its doors after the first day, for our federal budget tells only half the nation's financial transactions: it shows the debts, but it does not show the assets. Put simply, the problem is that the same item that a corporation would list as a capital investment is listed in our federal budget as an expense.

Out of this lopsided approach to federal expenditures has arisen the queer, pernicious myth that the government is suffocating in debts. Some of our most august politicians—men such as Senator John Williams—have built their careers around the perpetual warning that if the national debt is allowed to increase much more, the whole economic structure of the United States will likely come crashing down and with it the government itself. Some of our politicians—men such as Senator Strom Thurmond—even view the debt as a Communist trap.

So intimidated has Congress been made by these warnings that each year it approaches the construction of the budget in a ritual of fear, with endless wrangling over the relative risks of raising the "debt ceiling" another inch. Typical of the atmosphere in which Congress operates, the Democratic Study Group of the House of Representatives sent to its members early in March 1969, a "Special Alert" bulletin, urging them to be ready to fight for a piece of legislation that would raise the permanent debt ceiling to $355 billion and the temporary ceiling to $377 billion. The air crackled with adventure.

The implication of these debates is that the government is actually on the town, a beggar; that the American people have made a botch of their business. The psychological effects are bad, the budgeting effects are even worse. When requests are made for money to rebuild slums, or to support the food stamp program, or to set up anti-pollution machinery, fiscal conservatives point to "the national debt" and insist that the nation cannot afford such expenditures. Usually their argument prevails, and progress is once again victimized by the debt myth.

Admittedly, if we use the term "debt" to indicate the money borrowed by the government from commercial banks, federal reserve banks, insurance companies, a variety of corporations and a clot of individuals through the sale of government securities, then there is in fact a paper debt. It is insignificant—a mere $350,000,000,000—but it does exist.

On the other hand, if by "debt" we mean liabilities bigger than and overwhelming assets, then we are about as far from being in debt as any nation could possibly be.

Even by the most conservative estimates, federal assets as of now total $400,000,000,000. If the government were really operated by the principles of private business which the politicians are constantly touting, the balance sheet would show that we are not in debt, but that we are in fact $50 billion ahead of the game.

The $400 billion estimate on the assets is made by the General Services Administration and by the House Committee on Government Operations. But the situation is actually much better, much sounder than even this figure indicates. For, among other defects, it does not include items that the government received at no cost. (For one homey example, the $2 million Hope diamond is carried on the books at zero value because it was given to the government.) But even if $400 billion were an accurate figure of our national assets it would not be bad, considering that the settlers of this country parlayed that amount from a cash outlay of only about $85 million for land (the costliest items being the Louisiana Purchase for $15 million, Florida for $6.6 million, the Mexican cession, $16 million, and Alaska for $7.2 million).

The fact is, however, that the federal holdings—land, minerals, real estate, and luxuries—are almost immeasurably greater than the Budget Bureau's bookkeeping would indicate. They are so enormous that—as one eminent economist expressed it—we could pay off the national debt, turn the continent back to the Indians, and all depart for our favorite dream spots abroad with $8,825 in the pocket of each of our 200,000,000 citizens.

WOULD YOU BELIEVE $23 TRILLION?

The following evaluation of the government's worth is incomplete. It does not include, for instance, the value of our national parks to their estimated 800 million annual visitors, or the value of our fish and wildlife to the 14 million people who buy hunting licenses and the 20 million who buy fishing licenses. It does not include many of the priceless relics and art and personal effects that have been given to the government. Also, the values of many minerals are excluded. The following inventory is based on judgment of data supplied by Congressmen, officials of the Interior Department, the Bureau of Roads, officials of the oil, coal and natural gas industries, the Tennessee Valley Authority, the Corps of Engineers, and the Navy's Bureau of Docks and Yards. The values are for replacement, not cost. They go like this:

760,000,000 acres of land	$100,000,000,000
Buildings	120,000,000,000
Armaments	225,000,000,000
Space equipment	10,000,000,000
Oil	1,900,000,000,000
Natural gas	78,000,000,000
Coal	15,000,000,000,000
VA and FHA homes (defaulted)	601,000,000
Highways	40,900,000,000
2 airports (Washington and Dulles)	500,000,000
Locks, dams, levees, canals	45,000,000,000
Military bases, docks, shipyards, hospitals	120,000,000,000
Electric generating facilities	$12,500,000,000
Total (we're in the trillions here)	17,652,501,000,000

Federal officials have always put the public down in estimating the commonwealth's worth. The figures they use invariably reflect purchase and cost prices, which, of course, are often totally unrealistic as evaluations of contemporary values. Ironically, only the Defense Department—from whom one is not always accustomed to candor—states this accurately in its report: "The values reflected in the report for land and buildings and for long-life equipment, such as ships, represent acquisition cost. Acquisition costs of ships as well as land and buildings are often substantially below current replacement values."

SEVEN HUNDRED AND SIXTY MILLION TIMES $70

A great deal of the government's 760 million acres is arid and seemingly almost worthless, but appearances in this instance are deceiving indeed. For example, the flats around Salt Lake City appear to be as inhospitable and unprofitable a stretch of land as man is likely to cast his eyes upon. As a place for habitation this land does look worthless. But the State of Utah and the federal government are today litigating the ownership of it because of the mineral content; some officials of the Interior Department privately estimate that it is worth $1,000 an acre, which would make it some of the most valuable wild real estate in the western states.

The bureaucratic estimators pretend that the public land is worth a little more than $5 an acre; this is the figure they file with Congress. But a much more realistic estimate was given Lithopinion by Mo Udall, Congressman from Arizona and brother of the past Secretary of the Interior; "The public land in the West [which is where most of the public land is] would be worth between $50 and $100 an acre." If the frozen tundra of Alaska is averaged out with the highly valuable timber and grazing lands of the more southern states, we can hit an average of $70 an acre, which would give us a barely reasonable *minimum* value of $51 billion on the land, rather than the present absurd figure of $4.8 billion.

But even this new $51 billion evaluation looks woefully short when we consider that for what they spend on one year's defense budget the Pentagon generals could, at that price, buy all the U.S. land there is. Too cheap. Double it again, and it will still be a conservative figure.

Evaluations placed on the federal buildings come closer to reality, but, in some instances, not much closer. J. George Stewart, Architect of the Capitol, places a book value of $217 million on the U.S. Capitol, the new and the old Senate Office Buildings, the Cannon, Longworth, and Rayburn House Office Buildings, and the Senate Garage. Reputable architects (Stewart is not really an architect; he is an engineer) estimate it would cost at least that much to replace the Capitol alone, to say nothing of the other buildings, of which the Rayburn Office Building—said to be the only building in the world where 1,500 persons can go to the bathroom simultaneously—is the most costly by far, with a price tag of about $130,000,000. It happens that on another occasion Stewart admitted that all of the legislative buildings but the Capitol would cost a quarter billion to replace—which by his figuring, would leave the Capitol worth nothing.

WHAT DOES A SHRINE COST?

The original Capitol cost only $2,432,851, but that was in the days when real craftsmen could be hired for pennies: bricklayers

who worked on the original Capitol earned $1.50 to $1.75 a day, carpenters $1 to $1.50 a day, stonecutters $1.25 to $1.35 a day, straight laborers 75 cents a day. Merely to extend the central portion of the East front by 32 feet a few years ago cost $24,000,000, or ten times the entire price of the original Capitol. If one were seriously to set about duplicating that structure down to the last detail, including such virtually irreplacable decorations as the Brumidi murals, the price would be a bargain at a half billion dollars (which is, by the way, less than one-third the project costs of producing just one experimental model of the supersonic transport airliner.)

Admittedly, these gross errors of evaluation have to do with buildings which are more than buildings and are more accurately considered national shrines. For most of the federal buildings across the country the replacement problem would not be concerned with architectural art but merely with the natural rise in labor and materials. If we make a modest allowance of 100 percent increase in these costs since the "buildings, structures and facilities" (to use the bureaucratic catch-all) went up, a replacement price would be $120 billion rather than the official price of $60 billion.

For those who are inclined to defend the bureaucratic estimators and to argue that they could surely not have missed the true worth of the land by such a wide margin—an error of 80% is rather wide—there is the following evidence that such a blunder is within their capabilities:

The Capitol architect's budget for 1969 contains a $1,250,000 item for buying a 95,000-square-foot chunk of land for constructing a capitol police headquarters. This site is four long blocks from the Capitol. Obviously it is choice land, but it is far from being the choicest in the District of Columbia. Using his evaluation of this land as our average, we see that the true value of the federal portion of the District of Columbia is, in his eyes, $556,280 an acre or $6,720,000,000—which is *thirty-eight times* higher than the present official evaluation of the federal land in the District and is, in fact *one-third higher than the present official evaluation placed on the entire federal land holdings in the District and in the 50 states combined.*

WHAT WE GOT FOR THE MONEY

The nation's arsenal is difficult to put a price tag on because the generals and the admirals are so quick to call their weapons obsolete. But there are now in operation or available: 26 intercontinental ballistic missile squadrons, 41 Polaris submarines equipped with 656 missiles, 35,114 active aircraft (plus many that could be put into commission) and 960 commissioned ships (plus several thousand in mothballs), plus all sorts of tanks, trucks, shovels, rifles, sidearms, can openers, bombs, and that ruffian et cetera that always goes with military activities. To replace these, $225 billion would be a bargain price.

In the last five years the government has put about $30 billion into its space program for research and technology. The replaceable value of the usable hardware resulting from that effort (not to count the more ancient products) would come to at least $10 billion.

Those who run the country, both industrially and politically, are well aware of the fact that the federal riches are vastly greater than those listed in the formal inventories issued by the GSA and the various Congressional committees. These inventories are undervalued and played down quite purposefully.

WHY THEY MAKE A POOR MOUTH

There are two main reasons for this. First of all, if the American taxpayer were straightforwardly told that his government is worth $17.6 trillion, he might question the reasonableness of feeling forever depressed by a debt of $350 billion. This would make it more difficult for economic conservatives to dictate management of the government. Secondly, if the public were told the true value of its lands and natural resources and other possessions, it might be more concerned with the protection and management of these things; and lobby-led looting would thereafter be more difficult.

There is political-economic collusion in the drawing of the curtain of ignorance around these operations; there is great profit to be made behind this curtain so long as the general public is unaware of what is going on. Only occasionally, when political jealousies momentarily make the fatcats careless, does the public receive any intimation of the wealth at stake.

This was the significance of the fight over the Senate confirmation of Walter J. Hickel to the office of Secretary of the Interior.

THE WORLD'S BIGGEST LANDLORD

The biggest landlord in the world is the Interior Secretary. The territory directly measurable as his domain exceeds the land area of England and the friendly portion of Europe combined. The hydroelectric dams that are operated under his jurisdiction could light a bulb in every home in the Western hemisphere. The petroleum and coal deposits that repose underneath his land are so immense that one can, without much exaggeration, speak of them as being capable of meeting the world's fuel and energy needs virtually forever. His grazing lands mean, and will no doubt continue to mean, the difference between the nation's livestock growers making a good living and just scrimping by. And, of course, if it were not for the land holdings of the Secretary of the Interior, the great wilderness playgrounds of the nation would already have disappeared; hunters and fishermen and campers more and more have come to depend on the areas he provides for their pleasure.

Obviously a caretaker of this magnitude is subjected to enormous pressures. Here are some major decisions he must make, siding either with exploiters or with the general public:

Just before leaving office, Interior Secretary Stewart Udall jumped the grazing fee ten cents a month per cow and issued a regulation that would result in future increases. Since range management experts concede that the rental was only about one-third or one-fourth what should have been charged, why had he waited until the eve of his departure to raise the fee? Perhaps he merely wanted to leave a touchy situation for his successor to deal with. In any event, Hickel is now under tremendous pressure from sheepmen and cattelmen to lower these fees. Many millions of dollars are at stake—millions that will go either into the ranchers' pockets or into the public treasury, depending on his decision.

A TREASURE IN WOOD

In today's building market, timber is almost worth its weight in gold. The federal government talks of needing 26 million new housing units over the next ten years; of these, the six million public housing units alone will cost $12 billion. It is boom time for the big lumber companies—whose profits have soared to such heights that Congress is investigating them—and the future is dependent at least in part on the generosity of the Secretary of the Interior, whose department supervises lands that hold about a quarter of the nation's timber supply. This is leased to private companies. Hickel is now being bombarded by the rhetoric of lumbermen who wish to cut more wood at fees that have little relationship to the market value of the timber.

The federal government's trees—based on the value of all timber-supported industries—are worth at least $8 billion a year, notwithstanding the fact that the government's income from its timber annually comes to little more than $50 million. This is just one more of those friendly government-industry relationships.

THE POWER BROKERS

Then there is the matter of electric power. Most people do not realize it, but in terms of gross capital assets (over $70 billion) electric power is by far the nation's largest industry (compare this with the $40 billion-plus assets of the next largest, petroleum refining). Much of the power sold privately comes from government generating sources, managed either by the Tennessee Valley Authority or four Interior agencies. The federal government sells it to the private companies. The private companies sell it to you. It's a multi-billion dollar business, and a friendly Interior Secretary can affect it hugely.

There is another way for the private utility companies to profit. The big companies don't want to pay for the building of power-generating dams, and they often fight this construction, but when it is completed they come in and say, "We'll take the burden of building the transmission lines off the public's back. We will 'wheel the power' anywhere you want it, and it won't cost the taxpayer a penny in construction costs." This argument has been bought for many of the major power projects across the country. The end result is that the major private companies actually control generating facilities that they did not build. Co-ops and municipalities and states that under the law should receive preferential price privileges from the federally-owned generating plants find that they have to do business with private power companies first, and must pay transmission fees in order to get the public power. Thus the major private utility companies are riding piggy-back on public power projects and are receiving large profits from them.

As for the value of the federal government's mineral holdings, the official estimate of that is the most strikingly stingy of all. The Interior Department says that the mineral resources of the public domain are worth $2.5 billion. This is most unusual restraint, considering the fact the Geological Survey has admitted that there are at least 150 billion barrels of petroleum under the U.S. government's portion of the continental shelf, to say nothing of the oil deposits under the federal government's mainland holdings. Recent oil strikes on federal property in Alaska have in themselves promised reserves of perhaps 30 billion barrels—which is three times more than all the oil produced to date from Saudi Arabia.

These are slippery estimates and it is easy to become too generous in predicting the future, but inasmuch as there are undoubtedly many billions of barrels of oil still to be discovered, we can be conservative by stopping with the oil already discovered (or predictable on the basis of explorations already carried out) for our figure.

Settling, then, for 200 billion barrels of offshore and mainland oil, and figuring from the conservative market value of $3 a barrel, we find that instead of the government's mineral deposits being worth only $2.5 billion, as the Interior Department tells us, they are really worth a minimum of $600 billion in oil alone. This does not include numerous other valuable minerals being tapped on federal land, or, most significantly, shale oil deposits.

Chris Welles recently wrote in THE NATION: "In all, there are 16,000 acres of shale land in Colorado, Utah and Wyoming, 80 percent of it federally owned. It is estimated to contain as many as 5 trillion barrels of oil—400 times the annual world consumption and worth $10 *trillion.*"

OIL ALONE COULD WIPE OUT THE "DEBT"

Disregarding the total value of this oil field and settling only for the normal 12.5 percent and 15 percent royalty that the fed-

eral government demands of private companies which exploit federal petroleum properties, this means that the national "debt" could be wiped clean with about $1 trillion (that's $1,000 billion) to spare—from royalties alone.

As for other mineral deposits available to the exploiters of federal lands, these are wrapped in especially heavy secrecy. It is not generally known, but more coal lies west of the Mississippi River—where Interior controls 80 percent of the land—than in the East. The Interior Department's Bureau of Land Management will not make public how much coal is under its dominion, but it is known that there are at least three trillion tons of coal in the continental "recoverable reserves," excluding Alaska, and the Bureau of Mines admits that between 24 percent and 40 percent is federal. The general public will never know whether this coal is sold at a price that protects the public's interest, nor will it know if it has been taken advantage of (via the Interior Department) by companies that will eventually exploit the federal government's share of the 500 trillion cubic feet of natural gas (minimum estimate) in our known and estimated reserves. These are riches that will be passed around at the bureaucratic and corporate level without the slightest attention from the mass of people.

Then there are those even more mysterious—to the public—minerals, uranium and thorium, from which will come much of the energy of the future. Do not bother to inquire of the Interior Department as to how much of these rich minerals are controlled by the government; it will not tell you. This is another of the secrets which are reserved for the corporate intelligence alone. But here and there we can find hints. In a 1964 power survey published by the Federal Power Commission one finds this statement: "The latest estimate of total known and undiscovered uranium resources mineable at $5 to $10 a pound of uranium oxide is about 900,000 tons of metal." This is the most profitable quality; less profitably quality ore runs into the millions of tons, the report tells us. Much of this is on federal land.

For some reason only oil—which is hardly more profitable than natural gas and will eventually be less profitable than atomic fuels—has captured the public's imagination and has stirred the public's watchfulness. It was this fixation that caused trouble for Secretary of Interior Hickel, whose past actions as governor of Alaska as well as his career associates and his corporate ties did not exactly inspire vast confidence that he could resist the blandishments of the major oil companies.

After all, the man he had appointed as Alaska's Commissioner of Natural Resources—in other words, the man he named to control the oil companies in that state—himself owned $60,000 worth of oil and mineral stocks, including 1400 shares of British Petroleum, which happens to be the company which subsequently made one of the most fabulous oil strikes in Alaska that any company has made on this continent. The man he appointed to stop pollution in Alaska also had oil holdings.

A MOST POWERFUL MAN

The powers of the Secretary over oil matters are so enormous it is unlikely that the public quite understands them all. Aside from holding the key by which he can open—or keep closed—the oil shale treasures of the far West, he can decide whether the public should put up with pollution to make corporate profit (as Udall decided Santa Barbara should put up with pollution for the sake of Union Oil's explorations), and he can decide whether or not to alter the present oil import program by which a select group of major oil companies are given a *gift* of more than $1 million a *day* by being permitted to bring in the cheaper foreign oil.

As a general rule, the Interior Department makes its choices quietly and without disturbing the peace. This, of course, is the best way to avoid public attention and criticism. But sometimes its confidence runneth over, as it did in 1968 when then-Secretary Udall issued an order granting permission for the construction of highways, dams, powerlines or other structures on certain tribal lands without the Indians' consent. The 500,000 Indians under the jurisdiction of the Interior Department's Bureau of Indian Affairs have been wretchedly treated by Washington's officials over the years, but there is usually at least a pretense of amiable paternalism. In this instance, it took a Congressional investigation to reverse the Department's action.

LET'S THINK ABOUT OUR ASSETS

When one appraises our national assets, one better understands why some of our political and business leaders would prefer that we give all our thoughts and all our concern to a "debt" that need not exist and that in fact exists only in a casual way. If we worry about the debt rather than about our assets, we may leave the assets to be cut up without due public attention. This is a nasty suspicion, to be sure, but unfortunately, it is firmly based on our history.

In the late 1900's the government gave lumber companies enormous fortunes in timberland. Between 1850 and 1967 the government gave railroad companies an area equal to France, 94 million acres directly, and another 37 million acres to the state for conveying to the railroads—enough choice acreage that, if it were on the market today, could more than pay off the national debt by itself. It was a period which went into the history books as The Great Giveway, and for good reason.

Up to the present the government has given away or sold, usually at cut-rate prices, more than one billion acres to individuals, businesses and other governments—more than it retains under its control. The atmosphere is not quite so easygoing today, but neither is it of the strictest. Great portions of the federal lands are unsurveyed and are at the mercy of the exploiters. The bureaucrats who are paid to be guardians do not always seem sufficiently concerned with this. They sometimes seem more determined to keep the public in ignorance than to keep special interests at bay. What goes on these days is likely to be more subdued and sophisticated. The Great Giveaway has perhaps given way to the Great Slipaway. But by any name, federal generosity continues.

A TRIBUTE TO CHAD

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. POWELL. Mr. Speaker, on August 11, 1960, a huge but impoverished nation located in the center of the African Continent—Chad—marks the ninth anniversary of her independence. Chad is deserving of mention on this day not so much for her scenic beauties or her economic marvels, but mainly for her perseverance in the face of enormous problems.

Centrally located in the forbidding expanses of the southern Sahara, Chad is a clear example of a country created by colonial whim rather than reason. The southern regions of the nation are closer to the black African Nations of West Africa, while northern Chad is Moslem, more akin to the North African Arab Nations. Colonial mapmakers and their astounding ability to ignore ethnic, climatic, and cultural divisions among their colonial peoples created in this case a country which is at best awkward. Aside from creating Chad, though, the colonial presence—France in this case—did not leave an indelible imprint. It is at least understandable if not justifiable, France ignored her distant war, for Chad had little to offer gainseeking French colonialists. Remote, land locked, and inaccessible, Chad never received the full impact or benefits of colonial rule—schools, modernization, industry, et cetera. Effectively, the 20th century had never come to Chad.

As an independent nation, Chad has tried to come into the 20th century—a gallant enterprise which has foiled other, better-endowed nations. While Chad would be the first to admit she is not a marvel of modernization, her modest record is impressive considering the difficulties she faces. Among these difficulties are a scattered population, lack of mineral resources, and extreme transportation difficulties. At independence, she had only 1 mile of paved road. Climatic conditions make much of the land unusable. What is referred to as "Chad utile"—useful Chad—is small indeed. As a landlocked nation, she is dependent on neighbors such as Nigeria, through which the rail supply lines must pass.

Considering such problems, Chad has made impressive attempts to modernize. She is trying to raise the level of agricultural output. At the same time, she is encouraging crop diversification to make her more self-sufficient. During the Algerian war, Chad supplied the French forces with beef; she is now trying to further develop the cattle industry. A sugar mill, a cigarette factory, a meat-processing plant, and most importantly, roadbuilding are all indicative of the efforts Chad is making.

The most heartening aspect of Chad today is her political stability. This stability has proved one of Chad's most vital natural resources, giving her time to proceed with her efforts for progress. Chad's stability can be largely attributed to the careful leadership of President Tombalbaye, who has been an important progressive force. On this anniversary, it indeed gives me great pleasure to salute President Tombalbaye, Chad, and her people. I wish them every success for the future.

SHABBY POLITICS

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. BOB WILSON. Mr. Speaker, last week statements were made in the other body to the effect that President Nixon is not honoring his promise of last June 8 that approximately 25,000 American troops would be withdrawn from South Vietnam by the end of this month. The clear implication of these statements, which included figures on troop strength,

was that the administration is playing some kind of numbers game with the American people on this matter—a matter so close to the hearts of all of us, and especially those whose relatives or friends are fighting for their country in that unhappy land.

Let us first consider the figures which were set forth in the other body. It was said that on January 18, 2 days before President Nixon took office there were 532,500 U.S. troops in Vietnam; that on July 17 there were 535,200; on July 26, 536,000; and on August 2, there were 537,000. Therefore, it was said, we have 4,500 more troops in Vietnam than when the President was inaugurated. We were also reminded that since January 18 there have been 55,462 U.S. casualties in Vietnam.

The hope was then expressed that there will be quicker results henceforth than we have had to date.

Now what are the facts? President Nixon did not commit himself to troop reduction until June 8 at the Midway meeting with President Thieu of South Vietnam. He said at that time:

As a consequence of the recommendation by (President Thieu) and the assessment of our own Commanders in the field, I have decided to order the immediate redeployment from Vietnam of a division, equivalent of approximately 25,000 men. This troop replacement will begin within the next 30 days and will be completed by the end of August.

Obviously, troop replacements cannot be retroactive. President Nixon is not responsible for the troop strengths which greeted him last January when his administration began. He made no promises of troop withdrawal prior to the Midway conference of June 8. And on that day, he said that the troop replacements would be completed by the end of August, a date still more than 2 weeks away.

By the end of August, I am informed, the Defense Department expects to have an actual troop strength of 515,000, compared to an average strength of 540,500 during fiscal 1969. This is a reduction of about 25,000, just as the President promised.

I would suggest that those who try to discredit the President's word before he has had a chance to live up to his word, who try to use January figures to disprove August estimates, are playing a shabby game of politics with the American people, a game they cannot win.

PRESIDENTS DREAM THE IMPOSSIBLE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. DERWINSKI. Mr. Speaker, one of the most knowledgeable and experienced observers of the Washington scene is the distinguished correspondent of the Chicago Tribune, Walter Trohan.

In his Tribune column Wednesday, August 6, he comments as only a keen student of history can on the inherent frailty in presidential diplomacy.

The column follows:

PRESIDENTS DREAM THE IMPOSSIBLE

(By Walter Trohan)

WASHINGTON, August 5.—It is sad but true that the 12-day, around the world trip of President Nixon produced little more concrete than the usual array of glittering platitudes and pious incantations that have marked Presidential foreign travel for a half century.

Crowds and courtesy exchanges do not make or temper foreign policy no matter how devotedly hopeful hearts may pray for it. Unfortunately, about the most a Presidential traveler can expect from foreign travel is to boost his political stock at home.

Nixon characterized his trip as a "quest for peace," reflecting the "spirit of Apollo 11." He said everywhere, deep in their hearts, he found that people desire peace. This he knew or any American could have told him before he set out on his tour, because man has longed for peace thruout history, but greed, distrust, suspicion, and hate have denied it to him.

"Deep differences in political philosophy cannot permanently divide the peoples of the world," Nixon said on his return.

They not only can, but they have thru recorded history. In particular he is questing for peace in southeast Asia and in the middle east where men have been fighting for 5,000 years.

Fifty years ago President Woodrow Wilson set out on a quest for lasting peace based on open covenants openly arrived at, but was persuaded to sow the seeds of World War II in deals made in secrecy. Almost 33 years ago President Roosevelt capped a triumphant reelection by journeying south in a quest for hemisphere peace and 9 years ago President Eisenhower launched a quest for peace on a vague intangible known as the spirit of Camp David, where he had conferred with Deposed Russian Premier Nikita S. Khrushchev.

Peace shrieked when FDR went to Quebec, Tehran, Cairo, and Yalta. It was outraged when President Truman went to Potsdam to confirm captivity for many peoples. The building of the Berlin wall followed President Kennedy's quest for peace in Vienna. Travels by President Johnson in search of peace, once hailed as promising, are now all but forgotten.

Nixon was cheered by the outpouring of crowds in communist Romania, but that nation still remains captive. If it should bid for freedom, it is certain that planes and tanks and guns would be moved in as they were in Hungary and Czechoslovakia.

The President was made so happy by the sight of waving American flags that he joined in dancing the national hora. He must have known that American flags could not be purchased in Romania unless they were provided by a government seeking trade and other advantages, and that the crowds would not have been there unless they were mobilized.

In 1936 this observer saw thousands of cheering Latins race after FDR's automobile in Rio de Janeiro and Montevideo. In 1959 I saw Eisenhower address a seething mass of one million, the largest assemblage many eyes have beheld, in New Delhi.

I have seen other outpourings for other Presidents. Often the visits were timed to coincide with luncheon crowds or the home hour rush. Frequently they were organized on what would correspond to American precinct levels. Generally nations visited want money or aid and crowds are one way of attracting it.

Peace remains the impossible dream, but that does not mean man, especially Presidents, should stop dreaming. Yet, when one wakes up from a beautiful dream, possible accomplishment is brought closer by a sound evaluation of aspiration.

LOW WAGE IMPORTS GRAVE THREAT TO OUR TEXTILE INDUSTRY

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. DORN. Mr. Speaker, those of us who have been struggling night and day to save our textile industry and the jobs of its employees from low-wage foreign imports were shocked to see an editorial in the Wall Street Journal on July 30 entitled "A Synthetic Case for Quotas."

Mr. Speaker, one of the most dedicated and outstanding leaders in the textile industry is Morris M. Bryan, Jr., of Jefferson Mills, Jefferson, Ga. Mr. Bryan very effectively responded to this editorial. I commend Mr. Bryan's letter to the attention of my colleagues and to the people of our county:

THE JEFFERSON MILLS, INC.,
Jefferson, Ga., July 31, 1969.

Mr. VERMONT ROYSTER,
Re editorial Synthetic Case for Quotas.
Editor, Wall Street Journal,
New York, N.Y.

DEAR MR. ROYSTER: It falls my lot to be president of a small textile manufacturing company employing about 400 people.

For ten years we have worked and researched and developed new technology and put into operation what is generally regarded the most modern mill in the world. It produces corduroy. We can make and sell cloth as cheaply as anybody in the world and still pay the highest textile wages in the world. It is small, representing only about 3% of total U.S. corduroy production—but it cost $6½ million to complete.

To get this cloth to ultimate consumers it must go through the U.S. garment industry which, though the most efficient garment industry in the world today, still utilizes much manual labor per dollar of sales—manual labor paid at rates at least ten times that of low wage countries. Distributors of garments (chain stores and others) buy their garment needs cheaper from low wage countries. So, we have lost this business to cheaper imports.

Having lost this market we tried to export, hoping our corduroy could be sold to garment manufacturers abroad so that it could be used in garments coming back to American consumers. The many barriers encountered—freight rates, size of rolls of cloth, duty, commissions, pilferage insurance, credits, local government restrictions—could not be discussed in detail in this small space, and these efforts failed.

So, the most modern mill in the world is likely to go out of business due to our government's policy of failing to regulate in some orderly fashion imports from countries paying what would be called starvation wages in this country and, therefore, illegal wages under American law. This, sir, to me and my people is not synthetic.

Corduroy imports now exceed 25% of the domestic production. Small mills like ours are not diversified nor can they be shifted quickly and easily from one merchandising direction to another.

Two things must be done: (1) Give us an orderly growth of imports related to the growth of U.S. markets regulated by fabric, by country while our technology of weaving cloth, dyeing and finishing cloth, making cloth into garments can finish the job of cost reduction; and (2) insist other countries which enjoy the privilege of access to U.S. markets eliminate trade barriers so that we might enjoy the same opportunity to their markets.

Correct these two gross inequities in the free trade policy of this great nation and maybe some years from today we will compete with any nation on a free trade basis.

We invite you to see our new modern mill, but hurry. It might be closed.

Sincerely yours,

MORRIS M. BRYON, JR.,
President.

NEED FOR INCREASED SOCIAL SECURITY BENEFITS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. ANDERSON of California. Mr. Speaker, inflation has imposed heavy hardships on people depending on fixed incomes such as pensions or social security. Those living on social security alone have been especially hard hit. Social security was intended to be a supplemental retirement income. However, one-half of the retired people on social security today depend totally on these benefits; therefore, it has become obvious that increased benefits under the social security program are needed.

Much of my mail reflects the seriousness of the situation that confronts many of our senior citizens. After a long and productive life, such should not be the plight at old age.

President Nixon has proposed an increase of 7 percent effective January 1, 1970. I feel this is not enough and we should act to raise benefits at an earlier date.

I would like to insert at this time into the RECORD an editorial by WCBS–TV, channel 2, New York, N.Y., which describes the dilemma of many of our older citizens on social security:

SOCIAL SECURITY

In today's inflated economy the elderly are caught in a squeeze. Old age survivors insurance, i.e., Social Security, does not provide enough benefits for an elderly person to live on. In New York State the average yearly income for those on Social Security is $1,118. Certainly not enough on which to live.

Many people believe that Social Security is supposed to provide retired men and women with enough income to live a comfortable life. This is, regrettably, not the case. Social Security from the beginning was intended as a supplemental retirement income. It was designed to encourage working people to save for their retirement years.

However, many did not save. Fifty percent of the retired people on Social Security in the United States today depend *totally* on their benefits and another 30% depend heavily on their benefits. What all this means is that only 20% of the retired people receiving Social Security have put aside enough additional income which combined with Social Security allows them to live comfortably.

Because of the low benefits, many retired persons must either try to supplement their income through work, or they must receive public assistance in the form of welfare.

For many retired persons—including those who have written to us—the humiliation of having to ask for welfare assistance is almost unbearable for they have led productive lives until forced to retire because of illness or age. Furthermore, those who can work part time to supplement their benefits are restricted to earning only $1,680 additional dollars a year before losing a part of their Social Security benefits, hardly an incentive.

In our opinion the Social Security law as now written must be amended to provide enough income for the elderly to live on. It must allow those retired persons who wish to work part time to retain their earnings in order to better their lives.

With affluence all around, it is only fair that our senior citizens enjoy the fruits of their labor with comfort in their retirement years.

LOSS OF BUSINESS FIRMS CAUSED BY SHRINKING FARM POPULATION

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. ZWACH. Mr. Speaker, everyone knows that there is a high mortality among family farms in America. The migration of these farmers to the cities accounts for some of the ills of those high population centers.

There is talk that part of our future agricultural policy will include the retiring of entire farms from production and retraining their occupants for productive jobs in the cities.

One aspect generally overlooked in these plans is the impact of this shrinking farm population on our small countryside communities.

Every dollar of newly earned farm income is said to generate $7 in national income. Much of this newly generated income starts in the small towns where the rural producers do their shopping.

The impact of a shrinking farm population on these small towns was graphically pointed out in an editorial appearing in the July 31 issue of the Sacred Heart News in the Minnesota Sixth Congressional District.

Mr. Speaker, tax records show that 47 business places in Renville County closed within the past year. Oliva, population about 2,400 and Fairfax, population about 1,800, had the dubious distinction of losing 12 businesses each.

I urge my colleagues to read the following editorial from the Sacred Heart News which deals with this subject:

LOSS OF FARM FAMILIES

Loss of farm families in Renville county is a subject that has been discussed long and often during the past few years—but we wonder if our readers realize that the loss of business firms in the county is also a very serious matter. According to tax records Renville county lost a total of 47 business firms during the period from May 31, 1968 to June 1, 1969. Of these 47, four have been consolidated with others firms, so the actual loss is only 43. Hardest hit appears to be the cafe business, where six have closed their doors during the year. One of these, and the only business loss in Sacred Heart is the Silver Dollar Cafe, while two cafes have closed in the city of Renville. Fairfax and Olivia had the largest number of losses, 12 each, while the smallest villages of the county, Morton and Franklin, had none. (They had lost heavily in preceding years). However, in the larger towns especially, there have also been several new businesses started during the year which would cut down their net loss somewhat.

Renville county towns and losses reported:

Bird Island	3
Buffalo Lake	1
Danube	5
Fairfax	12
Hector	9
Morton	0
Olivia	12
Franklin	0
Renville	4
Sacred Heart	1

CAN WE SAVE OUR SICK GREAT LAKES?

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. DINGELL. Mr. Speaker, an admirable article appeared in the August issue of True magazine by the Honorable Stewart Udall entitled, "Can We Save Our Sick Great Lakes?"

The pollution level of the Great Lakes has reached a frightening point. Enormous effort is required to clean them up and to preserve them. In order to accomplish this goal a number of Members of this body will be shortly seeking to fund at a fairer and more constant level the Federal Water Pollution Control Act by raising the appropriation level to $1 billion, the amount authorized by law.

It is my hope that this article will, in the minds of my colleagues and others who will read it, fully justify maximum feasible expenditures in this area in order to preserve great national treasures enormously jeopardized by wasteful foolish actions of the men who are dependent upon them.

The article follows:

CAN WE SAVE OUR SICK GREAT LAKES?

(By Stewart L. Udall)

Our Great Lakes, which make up the largest body of fresh water on earth, are under sentence of premature death. Born 20,000 years ago when the glaciers gouged out their huge basins, then retreated and filled them with the crystalline waters of melting ice, the Great Lakes are beginning to show signs of old age at a time when they are still geological youngsters. In Lake Erie great green skeins of algae have broken loose from rocky moorings and washed ashore to rot in long, malodorous, fly-infested windrows. At Green Bay, Wisconsin, people sun themselves on park benches that look out on Bay Beach—shut down by pollution in 1941, and now covered by marsh grass and weeds. In Chicago United States Steel Corporation's south works inflicts dark-purple bruises on Lake Michigan from its daily discharge of 440 million gallons of waste water. Just below Niagara Falls, the city of Niagara Falls, New York, pours sewage into the Niagara River after giving it what is euphemistically called "preliminary treatment": the raw sewage is merely passed through a screen. The oil-thick Buffalo River, a tributary to Lake Erie, necessarily, though perhaps unbelievably, has been declared a fire hazard by the Buffalo fire chief.

Since Samuel de Champlain first sailed into Lake Ontario in 1615 seeking a northwest passage to China but finding instead a waterway into the heart of a continent, the heavy hand of man has aged the Great Lakes at a rate exceeding geometric progression. It is quite likely that in the last 20

years more deterioration has occurred than in the previous 20,000, and that in the next 80, the remaining life expectancy of the lakes will be unconsciously and unconscionably compressed.

How did this happen? How could we have squandered this great treasury of fresh water to the point of bankruptcy? For years people had thought these inland seas capable of absorbing all the wastes of society. The attitude is summed up in the engineering profession's old bromide, "The solution to pollution is dilution." Rapid industrialization and a booming population left their mark, accompanied by a "robber baron" mentality that held economic progress—at any environmental or social cost—to be sacrosanct. All of a sudden, there were more than 25 million people congregated along the shores of the Great Lakes; industries were consuming more than 2,660 billion gallons of water a year; cities were drawing 1,400 billion gallons annually from the lakes and their tributaries to provide drinking water for over 15 million people.

As early as the turn of the century, events had forced the city of Chicago to act. Following a series of typhoid epidemics, engineers undertook to reverse the flow of the Chicago River. Instead of discharging into Lake Michigan, the river was caused to flow backward and now carries its enormous quantities of treated waste into the Illinois River system. This arrangement has provided protection for the Chicago area's freshwater supply and bathing beaches, but at the expense of other water users down the Illinois. Even so, Chicago's costs of treating its water supply have doubled in the last 20 years because of the contaminants from neighboring Indiana carried by lake currents into its water intakes.

The reversal of the river, however, has kept Lake Michigan from deteriorating with the rapidity that has marked Lake Erie's decline. In the summer one-fourth of Lake Erie's 9,930 square miles of water is "dead." The water at the bottom of the lake is completely without oxygen. And this suffocating phenomenon not only lasts for longer periods each summer but covers more area.

Yet scientists feel that Lake Erie's recovery could be spectacular—possibly within 10 years—if all sources of pollution were given adequate treatment, for Erie is flushed by the still relatively clean waters of Lake Huron. Lake Michigan, by contrast, is a cul-de-sac that receives no flushing action. If ever it slips to Lake Erie's degree of degradation, anywhere from 100 to 1,000 years would be required to restore its water quality. Indeed, despite all the technical skills that man might finally muster, some pessimists say that Lake Michigan might never recover from such pollution.

There is no single villain but we are all—individuals, even industries—victims. On the Cuyahoga River, which enters Lake Erie at Cleveland, a steel company must play a constant stream of water on the surface to keep floating logs, oil and debris away from its water intake.

The biggest single industrial polluter of the Great Lakes is the United States Steel Corporation. Its Gary, Indiana, plant alone discharges more than 330 million gallons of wastes a day into the Grand Calumet River, a tributary of Lake Michigan. This carries a load of pollutants equivalent to daily dropping 130,000 full-size automobiles into the lake.

The worst *municipal* polluter in the Great Lakes region is the City of Detroit, which discharges more wastes into Lake Erie than all other cities in the basin combined. Yet Detroit is one of the many cities that has agreed, in compliance with the Lake Erie Enforcement Conference, to install secondary treatment facilities by 1970. U.S. Steel's sheet and tin works at Gary has four new water-pollution control systems in operation; these are among the most modern in the country.

Lake Ontario, the easternmost and last link in the lake chain, receives its flow and, therefore, the pollution, from all of its sister lakes. It is also doused with staggering amounts of pollution from cities and industries discharging into the Niagara River, the connecting waterway between Lakes Erie and Ontario. The river, which flows over Niagara Falls, disgraces local communities along its banks, demeans the State of New York and the nation, and does violence to an otherwise peaceful border. The Genesee, Oswego and Black Rivers also spill wastes into the lake.

Lake Ontario resembles Lakes Erie and Michigan, with piles of rotting algae and dead fish besmirching its shores. While all three lakes have alewives, a tiny inedible "trash" fish, nothing in history rivals the huge die-off of some 16 billion alewives in Lake Michigan in 1967. No evidence has been found that poisons in the water caused their deaths, but the huge numbers of fish washed ashore became a major pollution problem with both odorous and economic consequences. Moreover, an example of the interrelationships in our world cropped up when a predatory fish, the coho salmon, was introduced to feed on the alewives. The coho have now become so contaminated with pesticides washed into the lake from farmlands that this spring the Food and Drug Administration seized 22,500 pounds of commercially landed coho, which contained up to 19 parts per million of DDT. (The maximum safe limit for human consumption has been set by the FDA at five parts per million.)

Another critical problem is caused by the combined sewer systems used in most communities which have progressed beyond the privy and septic tank. These sewers carry both sewage and rainwater, and during heavy rains a sewage treatment plant often bypassed capacity loads into lakes and streams. Thus, while the plant is not flooded, there is a resultant discharge of raw sewage. Whiting, Indiana, whose beach has been closed off and on for the past 10 years because of bacterial pollution bypasses to Lake Michigan. On a rainy day, one can see a black puddle of pollution spreading out—much like an ink stain on a blotter—near the deserted Whiting Beach, and similar scenes can be observed on all the Great Lakes.

While old problems press in, new problems are appearing. The large-scale planning of nuclear utilities on or near the Great Lakes is an example. Near Minneapolis-St. Paul, Minnesota, residents have protested the construction of a nuclear power plant at Monticello, located on the Mississippi River north of the source of the Twin Cities' drinking water. They complain that radioactive wastes contaminate the water supply and maintain that the standards approved by the Atomic Energy Commission are much more lenient than those adopted by the World Health Organization. Nuclear utilities also add substantial amounts of heat to the water—even moderate increases in temperature have killed fish or made them more susceptible to disease—and encourages the growth of new crops of algae. A committee formed at the Lake Michigan Conference has been meeting with AEC personnel to develop guidelines for the control of thermal and radioactive pollution.

A controversy also erupted in Ohio and Pennsylvania this past year over the potential pollution threat of offshore oil and gas drilling which, though a possible economic bonanza, could result in another nightmare.

Lakes Huron and Superior are being scarred for the first time by pockets of pollution. The Saginaw River system which drains approximately 6,000 square miles, carries a heavy burden of industrial and municipal pollution into Huron. The Superior, largest, deepest, coolest and cleanest of the Great Lakes is developing pollution sores from steel, sewage and paper mill discharges pouring down the St. Louis and Montreal rivers and from Duluth Harbor; red TNT wastes from the E. I. du Pont de Nemours Company plant at Barksdale, Wisconsin, bloody Lake Superior's Chequamegon Bay.

Recently hearings have been held and a bitter argument has broken out over whether the Reserve Mining Company's taconite processing plant on Superior's Silver Bay is polluting the lake with its dull-gray outpouring of 59,000 tons a day of ore residues.

Thus, the next 10 to 15 years may require our spending as much as 15 billion dollars to save the Great Lakes. For we are not only dealing with a situation brought on by decades of neglect; we also face the prospect that industrial water use may triple with municipal consumption increasing at almost the same rate during the next 50 years.

In the Lake Erie Basin alone, construction costs just to provide adequate secondary treatment facilities for all municipalities will run to $1 billion. Equivalent industrial treatment facilities will add $285 million to the bill. By 1990 municipalities will have to spend another $1.4 billion to expand facilities. Secondary treatment, which is required by the 1965 Lake Erie Federal Enforcement Conference, achieves up to 90-percent removal of wastes. Advanced waste treatment, which has a 99-percent effectiveness, will ultimately be needed, along with techniques for removing phosphorous to curb excessive algae growth. These refinements will raise costs still higher, for the Great Lakes receive more than 75.5 million pounds of phosphates a year. A four-state Lake Michigan Enforcement Conference which I called in January, 1968, at the request of former Illinois Governor Otto Kerner will require all municipalities to achieve at least 80-percent reduction of phosphorus by December 1972.

To control agricultural runoff of pesticides into Lake Erie alone, we would have to invest approximately $400 million in a system of drains, dams, channel improvements and in grassing the slopes of waterways.

The cost of replacing combined sewers with separate systems for carrying storm water and sanitary wastes is also prodigious. In the Lake Erie basin, it would cost in the vicinity of $3 billion, and in Chicago, close to $2 billion. Yet such construction projects must one day be undertaken out of dire necessity. And certainly separate systems should now be installed in all urban reconstruction projects and new developments. The city of Chicago has received federal financial assistance to experiment with the retention of storm overflows in deep underground reservoirs. During rains the water would be stored in the reservoirs for future treatment, avoiding the bypassing of sewage to the lake or a tributary.

However, muscle as well as money is required. The Oil Pollution Act, which covers petroleum dumping into the lakes, is woefully inadequate. It requires proof that the pollution results from gross negligence or willfulness, a charge almost impossible to substantiate in a court of law against those ships which nonchalantly pump oil into the water when cleaning their bilges. And this act does not cover oil discharges from shore installations; that is the responsibility of the Army Corps of Engineers under the Rivers and Harbors Act of 1899. Legislation is now before the Congress to streamline and strengthen these laws, and a uniform law has also been proposed to regulate control of pollution from commercial and pleasure vessels. Needed legislation to control drainage from mines of acid and other pollutants also is pending.

Money and technical skills must also be applied to finding alternate sites and methods for the disposal of polluted dredgings. For years the Corps of Engineers dumped material dredged from harbors and channels into the open waters of the lakes. As Secretary of the Interior, I entered into a Memorandum of Understanding with the Secretary of the Army as a step toward solving this problem, and some progress has been made

in finding other locations where polluted dredgings will not be harmful.

We must also enforce existing laws. We must hold industries and communities to the deadlines for cleaning up wastes that they agreed to meet at various enforcement conferences; and we must uphold the water quality standards established for interstate waters under the Water Quality Act of 1965. Under the law, these standards were made subject to the approval of the Secretary of the Interior, and while in office I approved in whole or in part the standards developed by all the Great Lakes states.

This is also an appropriate time for the United States and Canada to determine if more international efforts should be applied to lake pollution problems. While Canada, which borders four of the lakes on the north, needs to improve its treatment facilities and is acting to do so, the bulk of pollution comes from the United States.

In a number of Great Lakes states, the people now are being asked to decide on their future. Yet Illinois voters last fall rejected—I note with objective regret—an opportunity to pass a $1 billion bond issue for air and water conservation. What will other voters do in the critical years ahead when they have pollution control referendums in their own states?

UN Secretary General U Thant stated not long ago: "The truth, the central stupendous truth, about developed countries today is that they can have—in anything but the shortest run—the kind and scale of resources they decided to have. . . . It is no longer resources that limit decisions. It is the decision that makes the resources. This is the fundamental revolutionary change—perhaps the most revolutionary mankind has ever known."

If this were ever true anywhere on earth, it is true in America today. We do have the technology. Desalinization, for example, when coupled with power generation, is on the way to providing economical access to the greatest water resource of all—the seas. We do have the wealth: our gross national product is closing on the trillion-dollar mark. We have the resources and resiliency but we await the decision, the commitment.

Far too long we have viewed conservation as a peripheral endeavor to save a species, to clean a river or to restore a forest. Now, however, there is a growing awareness of a new dimension of conservation whose subject and substance is man himself. We are at last beginning to realize that all of life is a system, not unlike the Great Lakes, which is an intricate web of interdependent relationships. There is an ecological discipline that operates in nature to which man is subject. For every action there is a reaction; for every consequence, a cause. As man's power and prowess increase, so does his responsibility.

Instead of a fragmented look at the pollution problem, we must examine the total system by which our industry, economy and society transform energy and materials from ground resources to finished products, to ultimate use and finally disposal. We must begin to examine the very goods and services we produce for their inevitable environmental impact *before* we produce them.

If, in the future, we are to make those decisions that will in fact create our resources, our wisdom must match our wealth. The present condition of our nation's waters is grim testimony to the fact that we have not done this. We have treated water as if we could make it when in reality we can neither make nor destroy—but only transform—it. We have used it and discarded it when it became overburdened with the chemicals and heat of our effluents.

It is a magnificent testimony to the indomitability of nature that the evolution of man's technical genius that at first threatened him with extinction has the potential now to save him.

But beyond any attempt to quantify our resources by their magnitude and to qualify them in terms of the manner of their use, is the overriding necessity to also view them in terms of the number of humans who must share them. The plentitude of resources on our planet is a constant; the only factor which bears on that constant is the variable of man's numbers. If we double our numbers, there will be only half as much water per person. The same is true of our foodstuffs, parklands, air, and physical space. Therefore, it is no longer possible to consider a program to extend, enlarge, and protect our resources or our environment without concomitantly considering what a rational population policy might be for our nation.

Adlai Stevenson in his last speech said: "We travel together, passengers on a little spaceship, dependent on its vulnerable supplies of air and soil . . . preserved from annihilation only by the care, the work, and I will say the love, we give our fragile craft."

Even since Prometheus, of Greek mythology, stole fire from the gods to give to mankind, man has been trying to impose order on his environment; far too often he has created havoc. Of all the ransacked rooms in nature's house, none has been more abused—nor in so short a time—than the Great Lakes. Patchwork repair jobs will no longer do. We have not only exhausted our excuses for inaction and apathy; we have also run out of time. Quite simply, it is up to us. Man—if he wants—can be master of his fate. Indeed, he has no alternative.

COAST GUARD COUNTRY

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. RUPPE. Mr. Speaker, northern Michigan is Coast Guard country. The 1,600-mile Michigan shoreline is dotted with Coast Guard installations. There are major Coast Guard bases at Traverse City, where the air station is located, and at Sault Ste. Marie. The vessel, *Sundue,* is moored at Charlevoix, and just across the Straits of Mackinac at St. Ignace, a $600,000 search and rescue station was recently completed.

These facilities serve, of course, only to harbor the dedicated men and women that have made the Guard the competent and professional service that it is today. I am proud that the Commandant of the Coast Guard, Adm. Willard J. Smith, was raised in Charlevoix County which is located in the 11th Congressional District. Nearly 1,200 officers and enlisted men are manning Coast Guard installations in Michigan; many of these men, too, come from northern Michigan homes. These talented individuals are continually, but quietly, making a great contribution to our Nation's strength.

I was honored to share with them, and with the people of Cheboygan, Mich., in the 25th anniversary celebration for the Coast Guard Cutter *Mackinac.* The history of the cutter is much like that of the Coast Guard itself. It is the story of a ship that steadily, but unobtrusively, contributes to our Nation's might.

The *Mackinac* was built as part of the war effort in the 1940's; her mission was to keep the shipping lanes open a little longer and to increase the movement of cargo and raw materials on the Great Lakes. Built to cruise through an area that sometimes sees 200 inches of snow and ice in the winter, her ice-breaking capacities were unsurpassed anywhere in the world. Today—25 years later—as a harbinger of spring, she still glides into the ice-choked Great Lakes and opens shipping lanes with an ease and skill still unsurpassed in the United States.

It is difficult to assess the magnitude of the contribution of the *Mackinac.* Before she went into service, the shipping season was closed about 4½ months per year. The *Mackinac* cut this time to an average of 3 months. When one realizes that 480 million tons of cargo move on the Great Lakes in one day during the navigation season, one begins to sense the great importance of the Coast Guard cutter.

The 25th anniversary celebration in Cheboygan is over, and the fanfare has ended. But, the unforgettable *Mackinac* will continue to fulfill her mission—steadily, with determination.

MINNESOTA EXPERIMENTAL CITY MAY CONTAIN A NETWORK OF TUNNELS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. FRASER. Mr. Speaker, in most cities, driving and parking are problems, especially in high-density population areas. Utilities and services are fragmented even in new, suburban communities. Planning on a coordinated systems basis for utilities and services is difficult because of diversity of ownership—public and a variety of private concerns—coupled with locked-in ownership of existing land and buildings.

For a completely new city, many of the subjects noted above can be planned on a systems basis without any of the constraints of existing cities. A unique and exciting proposal for utilities and services and possibly for movement of people and parking is the use of a tunnel complex. This proposal, made by the Oak Ridge National Laboratory, envisions a coordinated tunnel services system in the higher density population areas with the possibility of extension into lower density areas.

Following is a discussion of the tunnel complex proposal, extracted from volume II of the Minnesota experimental city progress report, dated May 1969:

TUNNEL COMPLEX

A tunnel complex for utilities and services has been proposed by the Oak Ridge National Laboratory. Their initial investigations in this field suggest that a coordinated services tunnel system might be used for the movement of goods, mail, solid wastes, and even perhaps the movement of people as well. Certain conveniences and efficiencies would result for the new City which would not otherwise be possible. (One need but compare this concept to the present city modes of burying each utility in a separate trench or the repeated "digging

up" of city streets to refine or modify distribution lines.)

Question has been raised about security and policing in such an extensive system. Special consideration should include the "security" of the service itself; video surveillance might, perhaps, serve in a coordinated system to provide detection of service interruptions, breakdowns, or failures.

The economics of tunnel complex branches in residential areas would obviously relate to length of runs plus the frequency and quantity of services provided. American suburbs, as now constituted, seem unlikely clientele for the tunnel complex. "Clustering" of dwelling units in recent community development does, however, suggest some possibility. An important study would be the examination of "tunnel economics" in terms of the minimum densities and appropriate patterns of development. Similar studies should consider other low density, low intensity land users in the city.

One principle might be applied with regard to tunnel economics; that of developing *multiple-shared uses*—new uses as well as combined uses. Thus, study of the use of the underground structure might well explore the inclusion of a simple pattern of automobile circulation such as an underground street with parking along either side, underground garages hundreds of feet long but 40 feet wide. What promise might this have for low residential densities?

Multiple-shared uses does raise questions of campatability, and these questions should be viewed in terms of coordinated *developmental work* which will be needed. An integral part of this work must be the development of individual and organizational interaction which will assure coordination.

Infrastructure as a *building foundation* might well be one of the multiple uses. While it seems most natural to speak of infrastructure as a grid of services buried in our streets, it may be that greater efficiency could be derived were service tunnel complexes beneath the structures and functions they serve. This might lead to radically different ways of conceiving of the central city and its form. In addition to its service functions, the tunnel complex grid would become the "foundations" of city structures, three-dimensional space being leased or sold to private developers, "plug-in" services being immediately available.

GLOBOLINKS

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. LUJAN. Mr. Speaker, it is my pleasure today to introduce into the CONGRESSIONAL RECORD a review of Gian Carlo Menotti's opera, "Help, Help, the Globolinks," by Paul Hume, the noted music and theater critic of the Washington Post. "Help, Help, the Globolinks" had its American premiere last week at the Santa Fe Opera, for many seasons now one of the outstanding opera companies in the entire world. Mr. Hume's review testifies to the remarkable accomplishments of this country, which is a credit to New Mexico and America.

The article follows:

GLOBOLINKS

(By Paul Hume)

SANTA FE, N.M., August 10.—Between Gian Carlo Menotti at the very peak of his vivid imagination and the superlative staging of the Santa Fe Opera, the American premiere of Menotti's newest opera, "Help, Help, The Globolinks," is a smash hit of unqualified proportions.

Into its single act, Menotti has poured all his love of children and of music. And he has done it in a style wholly fun, with brilliant forays against those who rank science high above the art of music and by superb use of electronic music in combination with his own finest inspirations in solo and ensemble writing.

Globolinks are dangerous creatures from outer space. Their invasion of earth is boomed out at the beginning of the new opera, which had its world premiere last December in Hamburg, Germany. No known weapons are effective against the strange visitors, but they are strongly allergic to music. Any human being touched by a Globolink immediately loses his powers of speech, and, within 24 hours becomes a Globolink himself.

The opera is a melodramatic account of how the children and faculty of St. Paul's School meet and overcome the invaders, though not without some losses.

Santa Fe's opera house, open at the top, sides, and even the back of its handsome stage, is uniquely equipped to present Menotti's marvelous fantasy, and the composer's own stage direction took advantage of every possibility. As the announcement of the Globolink invasion was heard, fireworks rocketed through the air surrounding the theater while strobe lights flared across the stage.

Suddenly, with all the lighting flashes, weird creatures began to appear, some leaping, while others moved awkwardly around, all the more frightening because of their unearthly appearance. Much of Menotti's admiration for the choreography of Alwin Nigolais underlies all of his new opera, and it was Nikolais who designed the costumes for the creatures from outer space. He was originally intended to do the choreography as well, but for some undisclosed reason, and even though he and Menotti worked closely together on the opera, the ultimate dance movements of the Globolinks were the excellent work of Willa Kim, who also did the costuming of the human members of the cast.

The opera's action centers around a group of children returning to school after a spring vacation. Their bus is mysteriously halted in a forest, where they are promptly menaced by the Globolinks. When the sound of the bus horn obviously slows down the unwelcome visitors, the bus driver asks Emily, the only one on the bus who has brought her instrument with her, to play her way through the Globolinks in search of help from the school's faculty. Emily timidly sets off.

The faculty, meantime, is finding out, in its own way, about the invasion. The school's headmaster, falling asleep in his office, is touched by one of them, and for the rest of the opera, John Reardon, one of the finest singers in the country, is reduced to singing nothing but "la."

However, under the inspired guidance of Mme. Euterpova, the school's music teacher, the faculty is marshaled into a marching band—they suddenly take a startling resemblance to the famous faculty of St. Trinian's—and the Globolinks' ultimate defeat is assured.

Menotti, as his own stage director, has loaded his latest brainchild with all kinds of wizardy. His score includes the most brilliant use of electronic music I have yet heard in any score. When audiences hear this opera, they will realize how magnificently electronic music can take its place in the developing history of the art.

Along with this latest musical innovation, Menotti has made touching and hauntingly beautiful use of a single soprano voice in combination with a violin. In Judith Blegen, who was Monica in The Washington Opera Society's recent production of "The Medium," Menotti has found a remarkable, if not unique, artist. Not since the days of Marcella Sembrich at The Metropolitan a half century ago has a prima donna both sung and played the violin in an operatic production.

One of the loveliest lyrical passages in the opera is the melody with which Miss Blegen, as Emily, walks off stage, playing her violin as she goes to find help for the other children. And the children's chorus, sung by the Texas Boy Choir, which is in residence at Santa Fe this summer, is a fine touch.

The school faculty, headed by Reardon's marvelously comic Dr. Stone—a figure that later turns to something near tragedy as he turns into a Globolink—is a great collection of characters.

As Mme. Euterpova, Margaret Willauer has taken advantage of Menotti's offer, and, with him, creates one of the strongest comic figures on the opera stage.

William Workman, emerging in a number of major roles this summer in Santa Fe, is excellent as Tony, the bus driver.

In its total impression, "Globolinks" is so strong that members of the audience began to clap in time with its faculty march, and mature businessmen, caught up in its drama, were heard exclaiming, when Emily was driving back the advancing Globolinks with her violin, "Come on, give it to him. Atta girl, give 'em hell."

FREE PRESS OR FEDERAL PRAVDA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. RARICK. Mr. Speaker, if government is going to promulgate guidelines on what is published in a theoretically free press, a real Pandora's box is opened because someone must make distinctions between editorial comment, news reporting, and paid advertisements. If this distinction is to be made by any agency of the Federal Government—relying on the commerce clause—not only is the first amendment violated, but to the extent that newspaper space, which is sold to advertisers, is appropriated by a Federal agency, the fifth amendment prohibition against the taking of private property for public use without just compensation is broken.

The FCC control over radiowaves in the "public good" was limited to the determination of broadcast frequencies, not content.

The psychedelic reasoning of the Supreme Court in plain contravention of this long understood rationale of the Federal Communications Act will not be available to any "judicrats" seeking to circumvent the Bill of Rights respecting newspaper space.

While pretty words can be written about public ownership of such a thing as the ether, it is extremely difficult to find any public ownership of the inkwell.

David Lawrence has put his finger squarely on the trend in a recent editorial, recognizing the problems created by forbidding certain television advertising on the theory that the product might not be good for the public. This is bare-faced Government censorship.

At about the same time, an FCC Commissioner, at the American Bar Association meeting in Dallas—logically following the illogical Supreme Court decision—has called upon Congress to plainly violate the first amendment by requiring newspapers to give free "right of reply" to personal criticism in print.

It is in the traditional American spirit of free competitive enterprise for individuals to own newspapers, for men to disagree, and for people to try to affect public opinion through their privately owned papers, but it is a completely different thing for the Government to step in with this direct control.

The policy of any American newspaper can be legally influenced by other Americans—by letters to the editor, advertising, subscriptions. Can you imagine a Russian citizen influencing Pravda? This is what is at stake.

Mr. Speaker, I include the several articles that follow:

[From the U.S. News & World Report, Aug. 4, 1969]

GOVERNMENT CENSORSHIP OR FREEDOM OF THE PRESS

(By David Lawrence)

The Supreme Court of the United States has ruled that incitement to violence is not protected by "freedom of speech," but proof is required that the remarks or speeches actually produced the violence.

What shall be said then of the threat by the Federal Communications Commission to ban the broadcasting of all cigarette advertisements without any proof that seeing or listening to these presentations actually prompted the purchase of the tobacco which allegedly produced ill effects in certain instances?

What shall be said also of the reluctance of Congress to forbid the manufacture, sale or distribution of cigarettes, while at the same time an advertiser is being denied the right to assert on television or radio that his cigarettes are as good as, if not better than, those of a competitor?

We are currently witnessing a kind of governmental blackmail. The Federal Communications Commission has no legal right to tell broadcasting stations what they shall say over the air. "Freedom of the press" applies to the spoken as well as the written word.

The Commission nevertheless let it be known recently that, unless all cigarette advertising on radio and TV were stopped, an order would be issued forbidding such advertisements. Coerced by the warning, the broadcasters felt that they had to make a "voluntary" agreement by which tobacco companies would not be allowed to do radio or TV advertising. It is being asked why the National Association of Broadcasters yields to such pressure by the Commission instead of resorting to the courts.

The constitutional question is whether a governmental agency or even Congress may interfere with the right of free expression in extolling the merits of any product which it is lawful to manufacture and sell.

Perhaps one reason the broadcasting industry has hesitated to go into the courts to obtain a ruling on its rights is that the Federal Communications Commission wields a tremendous power through the authority to grant or deny licenses to radio and television stations.

The existing law states that such licenses are to be issued on the basis of "public interest, convenience and necessity." No right is given to the Federal Communications Commission to censor any program or to withhold a license just because it does not like what is being broadcast. The purpose of licensing is to enable the Commission to decide whether the use of a frequency by one station might collide with another and interfere with transmission. The intended emphasis was on the assignment of wave lengths—not on program content.

Usurpation of power unfortunately grows when challenges are not made in the courts. If cigarettes are bad for people, the lawful way to deal with the problem is to enact an amendment to the Constitution prohibiting the manufacture, sale or distribution of tobacco products in the various States of the Union.

This was how the manufacture, sale or transportation of intoxicating liquors was prohibited in 1920—by adoption of the Eighteenth Amendment to the Constitution. Prohibition laws, however, were ignored by millions of people, and the illegal marketing of alcoholic beverages developed into an undercover business known as "bootlegging." Finally, in February 1933, Congress, by a two-thirds vote of both houses, decided to repeal the Eighteenth Amendment. In less than 10 months, this measure—the Twenty-First Amendment—was ratified by three fourths of the States.

For the country had discovered that individualism is paramount. Each person chooses for himself what he likes to eat or drink, and laws are not going to stop him.

There are millions of persons who smoke and do not believe it has any harmful effects. There are many foods which are injurious to some persons but not to others. The individual has a right to determine for himself whether he should stop smoking.

In England and Ireland, where cigarette advertising on television has been prohibited since 1965, consumption has gone up year by year. In Italy, where all advertising of cigarettes has been outlawed since 1962, more are being smoked today than ever before.

There is still a dispute between medical authorities as to whether cigarettes are always a hazard to health. The relevant question really is how the Government of the United States shall deal with the problem.

This writer has been a non-smoker for many years, but believes that if people are to be deprived of the privilege of smoking, the prohibition should be imposed in a lawful manner—by the adoption of an amendment to the Constitution. Meanwhile, neither Congress nor a governmental agency has the right to threaten that, unless cigarette ads are banned, broadcasting licenses will be withheld.

The contest today is between Government censorship and maintenance of freedom of the press.

"EQUAL TIME" PRINCIPLE SUGGESTED FOR THE PRESS

DALLAS, August 11.—Newspapers and magazines should apply their own version of the "equal time" principle that requires broadcasters to air both sides of controversial issues, Federal Communications Commissioner Kenneth A. Cox said today.

And, Cox said, Congress should require newspapers to give free "right of reply" to persons criticized in print.

The FCC commissioner said his views were a logical outgrowth of a Supreme Court decision last June upholding FCC "equal time" and "right of reply" strictures on broadcasters.

"Congress could—if it wished—constitutionally apply counterparts of our equal time and right of reply obligations to most newspapers," he said, "since they move in, or clearly affect, interstate commerce and since the public interest in their providing their readers with both sides of important questions is clear."

Cox spoke at an American Bar Association meeting on "Mass Media—Rights of Access and Reply." His major theme was that newspapers, as well as radio and television, "must serve much more effectively than they have as forums for the discussion and resolution of the complex issues now facing us."

Clifton Daniel, associate editor of The New York Times, said that access to the press is a problem, but he added that because of space problems newspapers "must discriminate or drown."

"Every day of the year," he said, "The New York Times receives an average of a million and a quarter to a million and a half words of news material. At best, we print only a tenth of it."

"A highly skilled, high-speed process of selection is involved—a massive act of discrimination, if you like—discrimination between the relevant and the irrelevant, the important and the unimportant," Daniel said.

Richard W. Jencks, president of CBS Broadcast Group, reserved for the news media the function of making "some sense-making whole" out of the welter of events that occur every day.

Corydon B. Dunham, vice president and general attorney of the National Broadcasting Co., said: "Selection, which is to say the editorial process, is essential if broadcasters are to perform effectively the task set for them by the public of providing a flow of information and ideas."

[From the American Mercury, Summer, 1969]

IS THE FREE PRESS STILL FREE?

(By John H. Hutchinson, Jr.)

Increasing numbers of professional newspaper people are becoming concerned that something is radically wrong with our free press. Long one of the super-sacred cows of our society, ready to criticize individuals and institutions at will, the free press has come under sharper and more penetrating criticism recently than at any time in its history.

Some of the critics would prefer the news they dislike be completely censored. These critics neither appreciate nor understand the legitimate function of a free press and deserve little attention.

A few newsmen are slowly becoming aware that the critics of the press are not all asking for a muzzling of the Fourth Estate, but rather, a more completely balanced coverage of the news. This segment of press critics merits careful attention. The press is viewed by them as having failed to fully cover all aspects of news events; particularly those in the fields of civil rights, riots and campus turmoil. It has become an advocate rather than a chronicler of events, they complain.

Has the press really failed to present a balanced news accounting? Does this explain the loss of trust by the people in the mass media today? How is the free press, an indispensable guardian of liberty, performing in these critical times?

No less an impeccably Left-wing publication than the November, 1968 issue of *The Crisis*, official organ of the NAACP, deplored "a tendency on the part of the news media to by-pass spokesmen for the majority and to project the minority spokesmen as the authentic voices of the Negro community."

JUDGE BY WHAT IS AVOIDED

Our Nation cannot rise above the responsible behavior of its free press. Freedom of the press, as guaranteed in the first amendment to the Constitution was intended to permit responsible citizens to present differing views and to insure the truth in news presentation. Not only must the press thus be judged on what it does print but also on what it does not choose to permit the people to read, see or hear. What kind of judgments go into the selection of the news?

By its own definition Sigma Delta Chi, the professional journalism society is the "Badge

of the Professional in Journalism." The author has been a member of this fraternity for over twenty years and has observed the profession from a close vantage point. Writing in the December, 1968 isue of *Quill*, the Sigma Delta Chi national magazine, Mr. Hal Bruno, news editor of *Newsweek* magazine stated: "If public opinion now favors the use of night sticks instead of arresting those who violate the law, then people should be told what it looks and sounds like when a policeman's club hits a human head. It's not our fault if the telling stirs sympathy or hostility for one side or the other."

NO SYMPATHY FOR POLICE

No mention was made, of course, of the need to tell the people how the policeman feels when he gets hit with a sack of human excrement or a potato loaded with razor blades. Obviously the news reporters are not to take any chances that might stir up some sympathy for the policeman who is holding the line against the law-breakers and anarchists in American streets and on the campuses.

The difference is that Mr. Bruno and the brand of wolf-pack journalism that he defends are simply interested in only one side of the story, a half-truth approach. The importance extends far beyond Chicago and the August problem to which he referred. Indeed Mr. Bruno goes on to insist that in the case of a mob "They have a right to demonstrate and be heard and we have a responsibility to report their protest in its proper context." The incredible assumption that a mob is entitled to the same rights as an individual is perhaps a key to Mr. Bruno's philosophy and remember he holds the highly influential position of news editor at *Newsweek* magazine. Is it any wonder that journalism finds itself losing public confidence?

In defending newsmen Bruno brushes off criticism of leftist oriented reporters. "The implication is that they are anti-cop, pro-demonstrator, left-wing radicals. A few may be, but most are not." Why should even a few such biased reporters be assigned to a situation where riots are almost sure to develop? How many pro-cop, anti-demonstrator, Rightwing radicals would Bruno brush off so lightly?

Behind the generally favorable public reaction to police methods in Chicago lies a much deeper and dangerous problem for the free press of America. A growing proportion of the American people, unfortunately, no longer trust the Fourth Estate to provide them with honest, unbiased news coverage. The American people are aware of the biased anti-cop, pro-demonstrator, Leftwing radicals that Bruno admits are in the ranks. They feel this group is more than a few. Their judgment is based on experience including such news shows as those controlled by educational television.

ANATOMY OF A NEWS FRAUD

The tax free Ford Foundation gave $6 million to educational television in 1968. The nightly news show on KQED in San Francisco, incidentally, is paid in part by funds from a Ford Foundation grant. On the evening of Friday, December 13, 1968 KQED news people introduced Carl Braden as a Southern journalist. They proceeded to interview this man without further explanation of who he was.

It soon developed that Mr. Braden was in San Francisco to observe the goings on at San Francisco State by demonstrating students. It was stated by Braden that he had been convicted of sedition in Louisville, Kentucky for selling his home to a Negro and that he had served eight months before being released because of a United States Supreme Court decision voiding state sedition laws. He was obviously fawned over as a civil rights worker by the men of the press during the interview. Mr. Braden predictably used the opportunity to accuse the authorities of San Francisco State of racist tactics designed to cause conflict between Whites and Negroes.

COMMUNIST IDENTITY NOT REVEALED

Why was it predictable? The news men didn't bother to tell their audience what they should have. Carl Braden is one of the top Communists in the United States and he accused his enemies of exactly what he himself is doing, fomenting racial conflict. His wife, Anne, has long published the subversive *Southern Patriot*, and is also a Communist. Carl Braden was not convicted of sedition for selling his home to a Negro but for a matter involving dynamiting that home which stirred considerable racial strife in Louisville.

Simply put, both Carl and Anne Braden have been an active part of the Communist apparatus in the South for years. Was it coincidence that Braden showed up just after acting president S. I. Hayakawa of San Francisco State charged outside agitators were being brought on the campus? Possibly, but KQED saw no reason to query Braden on the matter. Should legitimate news media present known Communists in interviews without making any attempt to alert their audiences to who these people are? KQED never tells. Can the public make rational judgments of the news when presented in this manner? Of course not. It is no wonder that informed people are rapidly losing faith in the integrity of the press.

PROFESSIONAL NEWS MANIPULATION

Perhaps it is time the news media began to get objective, at least about themselves, if they cannot be objective about the news. The press is as guilty of manipulating the news and stifling objective reporting as those it accuses. In covering its own convention in Atlanta in 1968 the Sigma Delta Chi journal, *The Quill*, made no mention of a resolution that was noted in *Editor and Publisher* on November 30, 1968: "A resolution proposing that representatives of the so-called 'underground press' be accredited to the Society's 1969 convention, at San Diego, was approved."

If you haven't read a copy of one of these "underground" newspapers you certainly should. They are the most filthy, foul and distorted publications ever conceived. You should know what they are. To consider representatives of these publications fit for accrediting to the convention of an organization that calls itself the "Badge of the Professional in Journalism" is incredible. It is no wonder they were ashamed to admit the resolution in their own publication. Our Nation had better begin to wonder about the behavior of its free press.

TELL IT AS IT IS

The same permissive, no-nothing attitude that is afflicting our schools can be observed in journalism today. The profession is slowly but surely dropping into disrepute, disrespect and general contempt because of its failure to say "No" to the radicals' demands for preferential treatment. A free country cannot exist without a free press. But it must be an honest press. It must begin soon telling the real story of the Leftwing, Communist influence on American youth, on churches, on tax free foundations and all the other aspects of the continuing war against this Nation by the International Communists if the story is going to be told at all.

A genuine free press must soon develop the courage to "Tell It As It Is" if it intends to remain free. They must stop making heroes and martyrs of those trying to destroy our society. A free press can meet the challenge. It has the all-powerful swords of mass communication.

There are three possible approaches to the use of this power: (a) Report and print the full truth. (b) Continue the half-truth approach defended by Mr. Bruno of *Newsweek* and exemplified by the educational television newsmen. (c) Encourage development of the distorted, pornographic ravings of the mysteriously financed, so-called "underground press."

Journalism cannot serve multiple masters. If professional journalism feels it can solve its credibility gap with the American public by crucifying a few Chicago police who lost their cool after days of unbelievable abuse it is sadly mistaken.

Mr. Bruno tells us "editors should be even more determined to 'Tell It As It Is,' especially if it means telling the American people some unpleasant things they don't want to hear."

Fine. If America really has a free press when does it intend to start this commendable effort?

THE SENIORS WHO STAYED AWAY

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. EILBERG. Mr. Speaker, during this session, the halls of Congress have been filled with bitter cries of anger and anguish at the actions taken and the attitudes held by the campus militants throughout our Nation. We have complained that they show no respect for authority; we have decried their violent methods; and we have even passed legislation which would punish them.

At the same time, all of us have called upon the majority of students to seek peaceful regress of their grievances. Use the democratic process, negotiate with school officials, we urged and wrongs would be righted. One hundred seniors at Bellaire High School in Houston, Tex., protesting the fact that their graduation was to be held on Friday night, the Jewish Sabbath, followed our advice.

They discussed the problem rationally with their principal 8 months prior to their graduation date; they wrote letters of protest to the Houston Independent School Board; they sought and received the aid of the Houston clergy, both Jewish and non-Jewish alike; and they presented several practical alternative dates on which their graduation could take place; dates which would have caused inconvenience to no one.

These students, taught the essential American doctrines of freedom of religion and freedom of conscience in the Houston schools, now sought the school board to practice that which it had others teach. To them, the Biblical command to "guard the Sabbath day to keep it holy," and the words of Shakespeare, "to thine own self be true," were more than mere phrases taken from past ages; they were guidelines for all men, young and old alike.

Despite their efforts, despite their pleas, despite the fact that they followed all of the "rules of the game," the graduation exercise was held on Friday night, May 30. That night, 100 idealistic high school seniors failed to attend their own graduation.

Rather, they sat praying in a Houston synagogue, proclaiming their faith in and their devotion to a principle. That night, also, and herein lies the great tragedy of this episode, the American sys-

tem of peaceful and lawful redress also failed. Its failure, in this instance, may seem insignificant to us; however, the damage it has caused and the scars it has left on the minds and thoughts of 100 young men and women is truly beyond calculation.

Mr. Speaker, next month, as the colleges of the Nation open their doors for another year, the choice will be made by students whether to seek changes through violent means, a course which has proven successful at numerous schools, or through peaceful means, a course which failed in Houston. For 100 college freshmen from the Houston area, this choice will not be an easy one to make.

Mr. Theodore Freedman, the southern director of the antidefamation league of B'nai B'rith, has written a stirring account of this sad incident in the June issue of the ADL bulletin. Under unanimous consent, I submit that article for inclusion in the RECORD, as follows:

THE SENIORS WHO STAYED AWAY

(By Theodore Freedman)

We live at a time when adults lament some of the actions of the young and show both disdain and concern for hippies, yippies, dropouts and a wide assortment of campus radicals. Moral and spiritual values must be strengthened, they say sanctimoniously.

This is the story of nearly 100 high school seniors in Houston, Texas, who deliberately dropped out of their own commencement exercises because they were taking place on a Friday night, the Jewish Sabbath. It is not a big story, although it was reported in the local papers, but it is a story with big implications. A group of bright, idealistic youngsters, convinced that there are no limits to freedom and a just cause, were let down by adults they had been taught to respect.

The students, about two-thirds of the 1969 graduating class at Bellaire High School, took the drastic action of not attending graduation after school officials had refused to change the date. They made their decision after careful thought and after all other efforts had failed. It was a decision they never should have been forced to make.

The Bellaire graduation date—May 30—was set last summer. Attempts to change it began in October. The high school principal was approached first. He regretted the conflict but said there was nothing he could do about it.

The issue was discussed next with the school superintendent who seemed receptive to changing the date and said he would look into the matter. When he wasn't heard from after a reasonable length of time, the Anti-Defamation League was asked to contact him. It was now four months since the original protest had been made.

On February 26, a letter addressed to me as ADL regional director advised that my request for a change in date had been considered and discussed with the school superintendent's administrative assistants—who said a change was impossible.

Several days later about 30 Bellaire seniors met to discuss the problem. At their request, I sat in along with two other adults. The students were most impressive. There was no emotionalism. They dealt with facts and with the public relations aspects of the situation. They wanted to avoid any unnecessary embarrassment to their school or principal, but they were determined not to violate the Sabbath even if they had to forgo graduation exercises.

It was obvious that the students had done their homework. They reported that the Coliseum, the site of their graduation and of other local schools, had two open dates the first week in June—on a Monday and a Wednesday. They had also checked and found that graduation invitations had not yet been printed. They voted to convey this information to a group of rabbis who had a meeting scheduled with the high school principal and to defer any action on their own until after the meeting.

The rabbis were unsuccessful and an issue which could have been, and should have been, resolved easily had now become hopelessly bogged down in "procedure" and "the time element."

The Houston Independent School Board, despite appeals by the Houston Rabbinical Association, the Jewish Community Council of Metropolitan Houston and the executive committee of ADL's local advisory board, insisted it was too late to change the date. A motion to reschedule this year's graduation and to adopt a policy that future commencement exercises not be held on the Sabbath, either the Jewish or the Christian Sabbath, died for lack of a second.

Members of the Houston Clergy Association, an ecumenical group, were asked to, and did, sign a statement expressing displeasure at commencements held on the Sabbath. The Rev. Park Allis, minister of Christ Church Episcopal and secretary of the Association, asked its members whether "in times of world uncertainty, when the Judeo-Christian communities are deeply concerned for the spiritual, moral and ethical values transmitted to our children, should we condone a mocking and curtailing of spiritual undergirdings which our society sorely needs?"

In a letter to the president of the Houston school board, the Rev. J. E. Christensen of the Catholic Council on Community Relations, said "it may be too late to change without inconvenience, but it is not too late to change."

Rev. Christensen said it was the burden of the school administration to undergo inconvenience "to undo the damage caused by conflicting with a religious minority's imperative of conscience."

He went on to say that he regarded the school board's lack of action as "an example of the anti-Semitism of insensitivity."

In a letter headed "Dear Fellow Student," the youngsters announced that a successful appeal appeared dim and that many Jewish seniors had decided to attend *Shabbat* services with their families instead of graduation. The letter spelled out the students' position:

There are Jewish seniors who have strong commitment to their Jewish heritage and the Sabbath which would have to be violated in order to attend graduation;

There are Jewish seniors whose commitment is not as strong but who nevertheless believe that as long as one person wishes to keep the Sabbath he should be supported, not forced to compromise his convictions;

The apathy and lack of consideration given the matter by school officials is appalling.

"All of us have worked hard to reach this day," the letter said. "Graduation is and should be an important part of our lives. However, the situation is a clear cut matter of principle which must be weighed carefully by you as a member of the Jewish faith and of the Jewish community. To take a stand on this issue is an opportunity to champion the dignity and convictions of the Jewish community and of our heritage . . . It is up to you."

The students were right in their assessment—successful appeal was indeed dim. They had one small victory. Following a complaint from the Anti-Defamation League, the school board voted to direct Bellaire High School authorities to drop their requirement that Jewish seniors wishing to be excused from graduation exercises submit a note stating the reason and signed by the student, his parents and rabbi. The board refused to do away totally with the note requirement, however, and asked that one simply indicating absence be submitted and signed by a parent.

Nearly 100 Bellaire High School seniors did not attend their graduation exercises. Their names were not mentioned during the proceedings—not even those of the honor graduates among them.

They are not likely to forget the experience. Neither are those of us who supported them, worked with them, and respected their stand.

Many of them went instead to services in Congregation Emanu El, Houston, where Rabbi Robert J. Kahn commended them for "their devotion to the principle of religious freedom."

"I know how difficult a decision this must have been to make," the rabbi said, "because the pomp and circumstance of the robed march, the sense of being part of something very large and very important, the receiving of a diploma from the principal's hand is a thrilling experience. And for you to have given it up means the kind of self-sacrifice for principle that I admire."

Discussing what had happened and other instances of conflict when school exams were held on religious holidays, Rabbi Kahn said that through the years the rabbis had done what they could to defend the religious rights of Jewish students in Houston. Each year, at their urging, the school board sends out a list of Jewish holidays on which teachers are asked not to give exams, but each year, the rabbi pointed out, there are anguished calls from parents about an exam on a Jewish holiday.

This year, he went on to say, "It has been a student movement. When they heard that Bellaire graduation had been set for Friday evening, they themselves, without any pressure, without any violence, made their representation through the administration and then, because the principle was worth defending, decided to attend religious services instead of graduation."

Rabbi Kahn said that there is a tendency for people to feel that the individual doesn't really count for much.

"I would like to give you the feeling that the individual *is* important . . . and he has value if he does what needs to be done . . . Rights can be written down on paper and then very easily ignored or whittled away," he declared. "Every Supreme Court decision in the past fifteen years has been in objection to the whittling away of various human rights guaranteed by the Constitution. People ask what is so important about graduation on Friday night. How many are going to suffer, and is it really suffering? It's very easy for rights guaranteed on paper to be whittled away. But if a human being recognizes his obligations then he responds. Perhaps a lawyer offers to take a case to the Supreme Court to appeal some individual's rights, one unimportant individual's rights. Or perhaps the seniors at Bellaire High recognize that something is wrong and do what they can. . . ."

He ended the service, the "substitute commencement," with this prayer:

"Eternal Father, our lives are in Thy hand and our souls in Thy keeping. Humbly do we thank Thee that Thou has given health and growth to these, our children. Thou has shielded them during infancy, strengthened them in their growth, and brought them now to the thresholds of adulthood. Now they are about to observe another milestone in their young lives.

"They have chosen to celebrate their graduation day here, in Thy house. They have demonstrated their loyalty to Judaism and their dedication to the dignity of every man. Inspired by the teachings of the prophets, they have spoken out, in word and deed,

against the wrongs which men do to their fellow men.

"May their actions, O Lord, be an example to all of us. May it inspire us to rededicate our lives to the noble principles which have directed their actions. May we, their elders, learn from their example and be renewed in our faith and strengthened in our courage . . ."

MEMORIAL DAY ADDRESS

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. SCHWENGEL. Mr. Speaker, Mr. Robert L. Birch, who is president of the Lincoln group of the District of Columbia, gave the Memorial Day address at the Battle Ground National Cemetery, Washington, D.C. His address is thought provoking and I commend his address to all Members:

THE MIDWIFE OF FREEDOM: THE MEANING OF OUR EFFORT IN VIETNAM

(Memorial Day Address by Robert L. Birch)

It is a duty of mixed sadness and pride to welcome you to this gathering in honor of those who died so that freedom might live.

The men who died here during the Civil War, defending the city of Washington and of Lincoln, were the worthy successors of those who died during the Revolution at Lexington and at Bunker Hill. Their own successors are now in Viet-Nam. Many of those who are now in Viet-Nam, or who have given their lives there, were the newsboys in our neighborhoods a few short months or years ago. My own four sons may soon be called to the service of their country.

It is right that we remember the past. We should be prepared for the future.

The men who died at Lexington and Bunker Hill, at Gettysburg and Vicksburg, were the fathers, sons, or brothers of Americans in communities all over the nation. In remembering the dead, we are reminded of their relatives. The question which rises in the heart, if not also from the lips, is: "Why this one? Dear God, why this one?"

Abraham must have asked this question when he was called on to sacrifice a life dearer than his own. He had been asked to have faith that somehow this would make possible a new birth of freedom.

At the time of the American Revolution, many mothers in France must have asked the same question: Why our sons? France had been called to serve as the uneasy midwife at the birth of freedom in a little-known land beyond the ocean to the west.

The nation which grew from that birth has now been called, in turn, to help as midwife at another birth of freedom. Her own sons, and sons of the neighbor, have been called to fight against the blindfold forces of the masters of the lands of slavery. Those masters have determined that there must be no new birth of freedom, anywhere.

We cannot always hope that freedom, once established in a country, will continue to bless that country without further sacrifice or effort. Freedom makes possible the continual renewal of freedom. But the renewal of freedom calls for the dedication and sacrifice of some hearts in each new generation.

Slavery makes possible the continual building of walls. Eventually the pressures of history collapses those walls on the tyrants and on their captives. The masters of the slave lands feel that they must destroy the example of freedom, since otherwise they cannot remain in their rigidity. They have no shock absorbers to permit non-violent change.

We can hope that all Americans will always honor a small gold star. But how dead it sounds, how philosophical it sounds, to ask a mother to remember freedom when a gold star is being pinned above a breaking heart. The dead died only once. Each met his God. This meeting may have been strangely beautiful. The living can die again each time the knife of memory turns in the heart. Only slowly will the nation learn the meaning of the scar beneath the golden star which reminds us of the nation's dearest treasure.

A TRIBUTE TO THE CENTRAL AFRICAN REPUBLIC

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. POWELL. Mr. Speaker, 9 years ago, a tiny African nation embarked on the unfamiliar journey of becoming a state. Located at almost the exact center of the continent, this landlocked French colony appeared to have a difficult path to follow in striving to achieve complete independence. With its history of dependence on France dating back to 1894, and a backward if not a faltering economy, little more than faith and determination were the resources at hand. Yet today it is with a feeling of pride and confidence that I salute the Central African Republic.

The chief economic activity in the Central African Republic—it occupies approximately 90 percent of the population—is its agriculture. Since the beginning of independence in 1960, the Government has wisely concentrated its efforts toward developing an efficient agriculture and making it an asset to its economy. Government-sponsored programs have provided farmers with instruction on the myriad aspects needed to attain rural success, from the rudiments of proper timing of planting and harvesting to the complications of operating sophisticated equipment. The emphasis has been on modernization and mechanization, with encouraging results. Production of the chief cash crop of cotton soared 25 percent above that of 1967, reaching a record level of 49,000 tons in 1968. In addition, diversification is not lacking, with increased production in tobacco, rice, coffee, and other food products.

Nonetheless, the Central African Republic is not without its share of industry. A significant increase in diamond production—the output in 1968 was five times that of 1960— accounts for slightly more than half of their exports. New projects, under the guidance and foresight of the Government, include a recent completion of a $10 million textile plant and a $2.5 million group of plants for manufacturing oil and soap, flour, and animal feed.

One of the problems the Central African Republic has had to grapple with has been the difficulties involved in transporting their goods. Rightly so, the current 1967–70 development plan has provided for an extensive roadbuilding program. Over the 4-year period covered by the plan, some $36 million has been allocated for this vital necessity. The Government has worked hand in hand with private investors, supplying 75 percent of these funds.

But if the goods have a hard time getting out, what else can be done? You can bring people to them. Last year found our African friends with a modern jet airport and an international-class hotel. To further entice visitors, not to mention the promotion of tourism, there are game reserves for hunters or photog-

To the Central African Republic, which has established a substantial foothold as a thriving nation, to her leader Genraphy hobbyists, water-skiing, boating, or other forms of recreation. The dry season in this rolling, grassy, and wooded highland is pleasantly cool.

eral Bokassa and to her people, I extend my warmest wishes on this ninth anniversary of independence.

THE CONSUMER PAYS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. ZWACH. Mr. Speaker, in reading our Sixth Congressional District newspapers, I find an increasing awareness on the part of our editors about the dangers of inflation and resulting high prices. This concern is a reflection of the mood of our people.

This was the theme of an editorial which appeared in the Hendricks Pioneer of July 31.

Mr. Speaker, I commend the reading of this editorial, which follows, to my colleagues:

THE CONSUMER PAYS

The arithmetic of high and rising prices was recently explained with dramatic clarity by Mr. Gerry Pratt, Business Editor of The Portland Oregonian. He presents the tragic toll of inflation in a tone of neither blame nor rancor.

First he takes national figures that show average earnings of retail chain food stores at 1.1 percent net profit on sales. Then he describes the effect of a more or less typical new wage contract signed by a grocery workers union that over a three-year period will add 24.5 percent to retailer wage costs—not unusual in the light of current contracts. Then Mr. Pratt translates this increased cost into the additional sales that wil be required to make it up. The figure runs about $450 an hour or $3600 a day per cash register.

In Mr. Pratt's words, "The vicious part of the cycle is that labor leaders are trapped. They must produce better and better contracts—or give way to younger, more aggressive men who will. Management is trapped too, by investors looking for profits to give them a fair return on investment equal to the inflation cycle that is making other investments more attractive. They don't want to take the strike—and they have to have profits. Who pays?"

There is no one to pay but the consumer. And as Mr. Pratt points out, the tragedy of inflation involves the consumer who has worked a lifetime and is living on a fixed income. In reality, he has become the victim, rather than the benefactor, of the welfare state philosophy—and if he is around long enough, we might even starve him to death."

GEORGIA-PACIFIC CORP.'S GIFT TO NATURE CONSERVANCY

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. DON H. CLAUSEN. Mr. Speaker, on August 6, an editorial appeared in the Oregonian which I feel is of vital interest to my colleagues, since it presents a different view of the so-called timber barons, and demonstrates that at least one of the largest forest products producers, the Georgia-Pacific Corp., is vitally interested in the preservation of one of the Nation's greatest natural resources; namely, our redwood forests.

The following is the full text of that editorial, by Mr. Herbert Lundy:

GEORGIA-PACIFIC'S REDWOODS GIFT REVEALS NEW FACE OF TIMBER BARONS

(By Herbert Lundy)

The timber industry took a fearful beating from outdoor conservation spokesmen in their commendable and successful efforts to set aside large areas of redwoods in California as a national park. To whip up public support, lumbermen were pictured as the beasts of the forest out to lay low every tree and leave the giant redwoods only a memory.

But now comes the Georgia-Pacific Corporation, one of the largest forest products companies, with a gift of two redwood groves totaling 390 acres on the Van Duzen River in northern California. The groves contain an estimated $6 million worth of timber, including 206 acres of old growth up to 800 years in age and 15 feet in diameter.

With the national goal established by Congress being 26 million homes by 1978—an average of 2.6 million a year compared with the present construction rate of 1.5 million—some eyebrows may be raised by Georgia-Pacific's donation to the public. After all, the prime redwood in this gift package would provide houses for a million people.

But the national interest also demands preservation of large stands of these magnificent trees, not as "wilderness" but as protected areas to be visited by millions of Americans and visitors from afar. The deed was given to The Nature Conservancy, a privately organized, national, nonprofit organization formed to acquire and protect outstanding natural areas. The California Park System will administer the tract 12 miles from Fortuna, Calif.

Georgia-Pacific is only one of the many large wood products firms which recognize responsibility to communities and the public generally. But in Oregon alone, Portland-based Georgia-Pacific provides 500,000 acres of deer hunting territory and maintains several parks for public recreation.

It is a pleasure to report G-P's interest in recreation and conservation because, as almost everyone in Oregon knows, Georgia-Pacific's intentions were viewed with much suspicion when it entered Washington and Oregon after World War II and started buying vast timber acreages and operating companies.

Robert B. Pamplin, president, made no bones of this the other day in addressing a luncheon of Oregon business leaders on behalf of his board of directors at the Portland Hilton.

"Most of you can remember then that the 'common gossip' among a lot of people around town was that we would be broke within a few years and that we were 'cutting out and getting out,' " he said. Then he gave some statistics:

Georgia-Pacific's sales in 1954 were $65 million, profit that year was $1,794,000 and net worth was $22 million.

"It is with pleasure that I can state today our sales last year were over $1 billion and our profits were $76 million—or, in other words, our profits last year were more than our sales in 1954. From this you can see we are quite a long way from being broke! Furthermore, instead of cutting out and getting out, we now have in Oregon an investment of over $300 million, and over 5,500 employes whose annual payroll last year topped $47 million."

Georgia-Pacific, on the basis of this phenomenal growth, evidently could afford the redwoods gift to the nation. Still, the company didn't have to do it. There ought to be a big public hand for the enlightened management and public conscience of this group of "timber barons."

BREZHNEV SETS THE CLOCK BACK

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. BOLLING. Mr. Speaker, a sobering account of life in the Soviet Union is contained in the Sunday Magazine of the New York Times for August 10, 1969. The article is written by Henry Kamm, until recently chief of the Moscow bureau of the New York Times.

I describe the article as "sobering" because it certainly should be for those Americans who euphorically look for better things within the Soviet Union on the basis of the slenderest indications that life in that oppressive country is being even infinitesimally lightened. The article is simply confirmation for those of us who realize the awesome extent of centralized governmental power of the Soviet Union. The New York Times can hardly be accused of being a "hard-liner" on the subject of the Soviet Union. Other of its correspondents as well as the American people should read Mr. Kamm's article. It follows:

BREZHNEV SETS THE CLOCK BACK

(By Henry Kamm)

Five years ago, Nikita S. Khrushchev found himself swiftly transferred from supreme rule over the Soviet Union to tending flowers and cucumbers in exile in a V.I.P. cottage colony outside of Moscow. And five years ago hope faded once more for the oppressed human spirit in that unhappy land.

Somehow, this truth does not seem to have reached the West. A reporter, back after two years in the Soviet Union, finds himself constantly answering questions and replying to comments based on an appraisal of the Soviet Union that is now five years out of date and was from the outset rosier than reality. What do you mean there are no rebellious poets? Aren't there Voznesensky and Bella Akhmadulina? And how about Yevtushenko? Well, I explain, the first two are having trouble getting anything published, certainly nothing even vaguely unorthodox, and it's been a long time since Yevtushenko has felt rebellious at his typewriter, and still he has been fired from the editorial board of the literary monthly Yunost.

And the man named to succeed him, Anatoly Kuznetsov, a novelist, so despaired of the future of his country that he reached the heart-rending decision to defect on a visit to Britain last month. Heart-rending, because he knew that his choice of freedom—as a writer in a country whose language he does not speak—will make it unlikely for a long time to come for any Soviet artist suspect of liberal learnings to visit the West.

But isn't Igor Blashkov performing cycles of concerts of avant-garde music, including works of Soviet composers, in Leningrad? Mr. Blashkov has been fired, I say, and is now working in the Ukraine. And how about that daring film about the life of Rublyov, the ikon painter? Didn't it win a prize in Cannes? Yes, but more than two years after its completion it has not yet been shown to the Soviet public. And so on.

Not the series of political trials beginning with the writers Andrei Sinyavsky and Yuli Daniel nor even the invasion of Czechoslovakia has succeeded in dispelling the illusion that somehow the Soviet Union has overcome Stalin's legacy and is engaged on the road toward decency and liberalization, allowing for the occasional detour.

No one knows better how far the ruling group, headed by Leonid I. Brezhnev, has turned back to clock than those who had their hopes stirred during the erratic rule of Khrushchev. For reasons connected more with the infighting for power than a devotion to truth and freedom, Khrushchev raised the curtain on the carnage and incarceration of Russia's best by which Stalin had ruled. While incomplete and self-serving Khrushchev's de-Stalinization marked the first time that the Soviet Communist party, the absolute and infallible guardian of the revealed truth by which 240 million Soviet citizens must pretend to live, confessed to the world that for three-quarters of the period of Soviet rule that rule had been exercised by a megalomaniac madman.

This first flickering of truth raised hopes in some Russian breasts, hopes that the truth might some day come to the Soviet Union and that a measure of freedom must follow. The present leaders have extinguished that hope. Khrushchev has become an unperson, while all public references to Stalin serve to restore to him a measure of his former glory. And not only in the public prints.

"The most despairing thing about my country is that if you ask any normal person what he thinks of Stalin and what of Khrushchev, Stalin will be talked of with respect and Khrushchev with disdain," a friend, a scholar of democratic convictions, said.

During my travels—to Siberia and the Soviet Far East, Central Asia and the Caucasus, to Minsk and Leningrad—I asked as many Russians as I could to make that comparison. Invariably, Stalin emerged as a revered father figure, a great man—"He had his faults, but so did Napoleon"—and a dignified leader of a nation that wants to be great. Khrushchev, by contrast, was depicted as a rustic buffoon, a braggart, a plotter of harebrained and wasteful schemes, uncultured and undignified to the point of banging his desk at the United Nations with his shoe. The people had no share in the removal of Khrushchev, but his barefoot outburst helped immeasurably in making his ouster popular. The Russian people forgive no breach of dignity by their rulers.

A high Soviet official told a French diplomat who had tried to explain why the French allowed General de Gaulle to resign, "I don't understand, when we have a good czar we keep him." To the average Russian, Stalin fulfilled the role of a good czar—distant, aloof and authoritarian—and Khrushchev did not. So Khrushchev's great accomplishment on behalf of truth and enlightenment counts only with the handful who think like my democratic scholar friend.

The plodding and insecure team that followed the reasonably benevolent dictator it toppled is not the pure evil that the Soviet

Union endured for three decades in the person of Stalin. It is doubtful that Brezhnev and his associates possess the perverted greatness and the evil boldness of vision that enabled Stalin to rule his anarchic and amorphous realm by sheer terror. They are ruling, instead, by sheer weight, a concentrated bureaucratic mass of heavy specific gravity that presses down on the loose mass below but moves very little. They have made no bold departures, at home or abroad, except the negative initiatives of undoing some of Khrushchev's most disastrous agricultural errors immediately after they took power and invading Czechoslovakia last year. How then does the Soviet Union look after five years of such rule?

To see the country in meaningful perspective, a foreigner must try to view it through the eyes of Russians with whose way of looking at the world he can identify. They must be people who through a mysterious alchemy of their own have managed to shake off the never-ending pressures on all Soviet citizens to forget that Russia was once part of the world in cultural and political tradition.

The foreigner's own vision during his stay in the inhospitable country is distorted by his being forced to live in compartments and passageways reserved to outsiders, rigidly screened off from the realities of life in the Soviet Union. It is possible for the foreigner to make friends with those few who because of their hunger for contact with the life and culture of the world they are not allowed to visit and from no disloyalty to their own country, which they love, cast aside normal Soviet fears and associate with foreigners. I never dared ask any of my Soviet friends to what harassment from the authorities this may have exposed them.

They were intelligent men and women of various arts and professions, some young, and some not so. I love them not only because they dared to walk past the policeman posted at the entrance to the foreigners' ghetto in which I was required to live, but also because they were all that made my two years in the Soviet Union bearable. In the mass of homogenized homo Sovieticus—the "New Man" Pravda is so fond of boasting the Soviet system has created—they were the only human beings who retained the familiar virtues and vices of the world beyond, individuals with whom normal communication on any subject was possible. Their conversation did not have to be translated from the special Soviet vocabulary. They proved to resilience of the spirit under the most concentrated onslaught that has ever been mounted against it.

There is no letup ever in the process of converting men, women and children into homo Sovieticus and to prevent backsliding. It is hardly possible to leave one's home without being constantly confronted by banners, posters and billboards bearing slogans. Stepping into the street, he may be greeted by a poster declaring that the ever-present Lenin lived, lives and will live, or urging him to work for the victory of Communism. On the bus, he is likely to face a sign celebrating the glory of the Soviet people, or of labor, or of the army. Arriving at his job he may find the uniqueness of Marxism-Leninism proclaimed. The posters are alike in the repetitiveness of the slogans, low quality of design and draftsmanship, and hideous colors.

Soviet newspapers are made up in great part of sermonizing articles. Whether they deal with achievements of the petrochemical industry, relations with Afghanistan or the successes of amateur choral groups, the tone is heavily self-satisfied, calling on all concerned to continue the good work for the greater glory of Communism and the fatherland.

Radio and television news broadcasts are songs of praise to the Soviet Union and hymns of hatred to the other side, known collectively as the imperialists, and to Communist China. Announcements of Soviet achievements—the winning of an Olympic gold medal in weight lifting or a successful venture in space—are usually preceded by fanfares, and the announcer speaks in nobly solemn tones, reserved elsewhere for the death of kings. Programs abound in patriotic poems with interminable numbers of verses.

There are compulsory political education meetings at places of work and in schools, required courses in Marxism-Leninism, meetings of the party and its affiliates, obligatory participation in May Day parades, protest marches against the foes of the Soviet Union and similar festivities. (These activities have been stepped up since the plenary meeting of the party's Central Committee in April, 1968, when, in response to the liberalization then under way in Czechoslovakia, an intensification of the "ideological struggle" was called for.)

The result of this sustained cradle-to-grave barrage of stridently one-sided propaganda, unrelieved by the expression of differing views, has been an almost total deafening of political receptiveness on the part of the overwhelming majority of Russians. "We have to turn off our ear trumpets to be able to live," an establishment Russian said to me during the ballyhoo that preceded the 50th anniversary of the Bolshevik Revolution in 1967.

Thus, the never-ending wave of *agitprop* (agitation and propaganda) has produced the most nonpolitical large nation on earth. The contrast between the loudness of the propaganda and the sullenness of the response is astounding. There is more concern, for instance, among Americans for the plight of their long-suffering North Vietnamese foes than there is among their Soviet allies, who are exposed to ceaseless propaganda on behalf of their fighting comrades.

In a way, the present heavy-handed and unenterprising leadership looks like the most truly representative Government the Soviet people have had. Russians of independent mind say that the lethargic and unimaginative Brezhnev team is the Government the Russian people deserve. Just as their leaders, the overwhelming mass of the people seem possessed by feelings of inferiority, blinded by ignorance of the world outside, fearful of taking initiative and unwilling to accept responsibility for their fate.

"But what can we do? We have no power and no rights," the bright and beautiful wife of a friend said with a sigh when the parallel between the leaders and the led was discussed.

"And we will continue to deserve what we get as long as we look at it like this," her husband turned on her angrily. "This is the way we stand before authority," he said, lowering his head in mock submissiveness and holding out his arms, crossed at the wrists, like a prisoner's. "That's the great Russian people."

"It takes courage to demand freedom openly, as you do," I said.

"No," he replied, still angry. "Courage comes from here or here," he continued, pointing to his head and heart. "With me it's here," he said, jabbing his stomach with the same finger. "I just can't live with it."

This unwillingness to coexist with the system is exceedingly rare, even among intellectuals. The Soviet people don't seem to object to things done to them nor things done to others in their name. The throttling of hope for internal freedom has aroused no more open discontent than the aggression against Czechoslovakia. There was almost no spontaneous public reaction to the invasion of last August. Even months after the event, it appeared as though it was a visitor's questions that first prompted people to define their own reactions. The answers revealed two prevalent attitudes, indicative of how Russians view the world.

One was inferiority feelings expressed in remarks like, "Why were the Czechs shouting so much anyway? We know they already have a great deal more than we do, so what else do they want? Serves them right. We have to pay the bill one way or the other."

Most Russians are convinced that their allies sponge mercilessly on the Soviet budget. They consider this an act of particular ingratitude because they feel that the Soviet Union has already made enormous sacrifices for them by liberating them in World War II. The number of Soviet soldiers buried in Czechoslovakia was frequently cited as an argument against liberalization in that country.

Cynicism about all political statements, from any government, was equally prevalent. The average Russian believes that all governments lie most of the time. They may not believe their own Government's explanation of the invasion, but they also believe that all major powers are rapacious. "It was either us or you together with the West Germans," was a frequent comment on the fate of Czechoslovakia.

Russians explain that the blend of political apathy and cynicism derives from a Russian attitude toward government that is far older than the Soviet system. Government is considered by the average Russian to be an unavoidable evil with which he feels no sense of identification. His optimum expectation from government is that it will stay far away, in Moscow, and not pay too close attention to what he is doing. Then he will continue to get away with as much shirking on the job, petty theft of government property and general cutting of corners as he can.

In this respect, the Soviet dictatorship is far removed from Hitler's Germany. The Kremlin rules over an anarchic people, keeping them nonmutinous but failing to instill in them the fanatic discipline and unquestioning obedience that distinguished the Nazi regime.

Although the Soviet Union makes a cult of labor and claims to have created a New Man who rejects the greed and cupidity of the capitalist societies and forsakes personal gain for the benefit of the *kollektiv*, the actual workdodging and inefficiency of labor and the single-minded concentration on the acquisition of material possessions are one of the great initial surprises to foreigners.

Western businessmen and visitors are struck by such things as the overstaffing and absurdly intricate bureaucracy of business organizations, the amount of time workers spend sitting at their work sites without actually working, the frequency with which construction equipment stands idle at one site while its absence is obviously making workers idle at another and the amount of building material stacked away at construction projects, often deteriorating from exposure, while no work is done.

"I bought more than 50 rubles worth of groceries the other day at the supermarket because my wife and the children are going to spend the summer in a *dacha* far from any store," a friend reported. "I imagine in America the shopkeeper would be very happy with such a big customer. But look what has happened to such normal instincts in Russia.

"First, the old woman with the abacus who adds up the bill complained because I bought so much. Then the people waiting behind me joined in, and the other women working in the store. There was a whole group around me. 'Why should you buy so much?' they asked, or 'He must be profiteering on a black market somewhere,' or 'Where did you get so much money, comrade?' They refused to let me buy it."

My friend is a mild-mannered man with a firm belief that the Soviet Constitution and laws allow more individual rights than So-

viet citizens have the spirit to claim. Nothing will change for the better in the Soviet Union, he believes, until this spirit is aroused. He insisted on his right to buy all the groceries he wanted and demanded to see the manager. He came, not because my friend asked for him, but because others had complained to him about my friend.

"The manager asked me the same questions as the others, but I told him it was none of his business and asked him on what grounds he refused to sell me what I wanted to buy. He said he didn't have to tell me but finally, because he realized that I was in the right and would not give in, he gave in. He said that this time he would let me buy all that but don't do it again, comrade.

"What happened next would also not happen in America, I think. The woman adds up on her abacus what you bought and you take the slip to the cash register to pay. But nobody trusts anybody in this country, so no slip can be for more than three rubles. Otherwise, I guess, somebody could put a one before the three and collect 13 rubles' worth of goods and pay only three. So the limit is three. My 50 rubles' worth had to be divided in groups worth no more than three rubles each and separte slips written for each. And the people behind me started to argue all over again because they had to wait while the woman did this.

"If you understand all the tragedy and all the comedy of trying to buy 50 rubles' worth of groceries in the most modern store in the capital of this great country, you Westerners will understand what it means to be a Russian," my friend said. "And the greatest irony is that the only ideal of most Russians is to live like you Americans do. But their ideal is limited to your material life. The ideals of this country are the ideals of your *bourgeoisie*."

How does the spirit of an intelligent and sensitive man survive in so hostile an atmosphere? "By blotting out your sensitivity as early as you can and using your intelligence to get the most out of the system," a Russian, who has never tried either, said. But many have followed that pattern, giving rise to a class of intellectuals of extraordinary cynicism.

On a recent visit to the Academy of Science of the Soviet Republic of Georgia, a dozen academicians talked with me over glasses of the sweet local champagne. They were distinguished men from various academic disciplines, sure of their value and high station. Their ease and bearing, the cut and cloth of their suits, the fact that they had traveled abroad, set them apart from Soviet Man, even of high rank. They would have looked at home at the Union League; they were the most worldly group I met in the Soviet Union.

But what these extraordinary men said on any subject—the moral problems of scientists, youth questioning established values, the role of the modern university, Czechoslovakia, China—was Soviet-ordinary. Soviet intellectuals who have made it speak about the great issues in the same terms as politically well-drilled farmers or mechanics. The language is that of Pravda.

The problems I raised, they said, were strictly the problems of the West, did not exist in the Soviet Union and could never arise. Soviet scientists are not bothered by the knowledge that much of their research might some day be used to blow up the world because they know their country would never make aggressive war. Soviet youth is joyous and happy in the knowledge that it is living in the best of all possible worlds and knows that it will get even better. Problems in the university? What problems? Not here. There was never a wink or the redeeming shadow of a doubt.

The few who have not sold out suffer, mostly in silence. To possess a sense of truth and beauty when one must live surrounded by lies and ugliness is painful. When I told a friend that a mutual friend, a Westerner, had fallen ill from the bitterness of living in the Soviet Union, the Russian asked, "How long has he been here?"

"Three years."

"And I've been here for 43," the 43-year-old Russian said dryly.

An artist whose work is not exhibited and who drives a taxi because he says he cannot bear to work in a Soviet organization said, "You may not believe me, but I spend 80 per cent of my vital energy just on remaining human." It takes that much energy, he explained, actively resisting the influence of the ceaseless propaganda, resisting getting depressed by the ugliness of so much of material life and objects, studying English, French and German to be able to listen to Western news broadcasts and trying to find at least moderately attractive things with which to decorate the one room he and his wife have in an old apartment, in which they share kitchen and bath with five other tenants.

Most Russian consumer goods—clothes, furniture, utensils—are ugly. Former Western residents who return to Moscow these days are struck by the improvement they see in this respect, and Russians say that that is true, but things are still far from beautiful—only less ugly. Houses being built now, for example, are no longer the richly ugly confections of the Stalinist period—like the All-Union Exhibition of Economic Achievements in Moscow, or the entire city of Minsk—but resemble the drabbest of modern Western buildings. And the same buildings are going up from one end of the country to the other. Arriving in Khabarovsk from Moscow, after eight hours of flight and 3,800 miles further east, one has the sensation of never having gotten off the ground. The scene is the same.

Because of the ugliness of Soviet cities, those who respond to beauty like to visit regions that have not yet been Soviet for a long time and retain a European aspect—like the Baltic countries, or the Carpathian region annexed from Czechoslovakia after World War II—or undeveloped and exotic parts of Central Asia, Siberia or the Caucasus. For similar reasons, household objects and clothes of peasant origin are greatly prized by people of taste. But there is no relief for such people from the pervasive barrenness of cultural life.

The major novels of Alexander Solzhenitsyn circulate in Moscow only in typescript or in Russian-language editions brought in from the West. Most works of originality and imagination do not even have underground circulation. They are written "for the drawer" of the writer's desk in the feeble hope of a better day. Room for innovation in theater, music and dance is infinitesimal. Yuri Lyubimov, director of the Haganka Theater, the most adventurous in Moscow, is proudest of his production of "Ten Days That Shook the World," after John Reed's book. His daring has consisted in staging a rhetorical and clumsily propagandistic play in the manner of the German expressionist theater of the twenties. Even such a deviation from the prevailing Socialist realism is considered daring modernism.

The Bolshoi Opera and Ballet are dusty museums of outdated styles, with repertories that, with few exceptions, leap directly from the Romantic to the Soviet period. A conductor, asked whether he saw any possibility of mounting Berg's "Wozzek" at the Bolshoi, replied sadly, "We haven't even reached Wagner and Strauss yet." Concert and recital programs are equally unadventurous, and, because of the infrequency of performance, those works of the later repertoire that turn up tend to be badly and unidiomatically played. The plight of the composer of genuinely modern music—not of the spurious, folk-derived, approved style—is even sadder than that of the writer, poet or painter who works for his desk drawer. The composer's work is incomplete without performance.

The museums of the Soviet Union are filled with acres of academic and bigger-than-life paintings of the approved school. It is ironic and sad that on this level of creation the ideal communication between the creator and the public seems to exist far more fully than in the West, where works of originality and imagination often go unnoticed. I have seen groups of eager people seriously discussing and appreciating the works of nonart that face them. Equally sad is the fact that very few of the "underground" painters whose work is seen only in their houses or at friends', show enough talent to be taken seriously.

Alcohol is the great substitute for printing, performance or exhibition for people with creative talent. Haunted by the absence of the essential public for the works they have created or feel stirring within them, they drown their gifts in vodka. It destroys the talent first and the man later.

People of artistic and intellectual predilections look for ivory towers in which they can lead satisfying lives without having to prostitute themselves. They may find their havens in mathematical linguistics, or musicology, or pre-Columbian art. A woman, replying seriously to the joking question what her year-and-a-half-old son would be when he grew up, said, "A classicist, it's safe." But for every Solzhenitsyn or Voznesensky, or those who write in the hope of some day being published, for every painter and musician who lives as an artist only in the stillness of his room, there are thousands whose integrity as men and artists is tempered by the all too human wish to live well and raise their children in tranquillity.

And for every Sinyavsky or Daniel, or Larisa Daniel, or Pavel Litvinov, or Aleksandr Ginzburg, or Yuri Galanskov, or Pyotr Grigorenko, or Pyotr Yakir, or Natasha Gorbanevskaya—the heroic and lonely few who, like my friend, cannot coexist with the system and must say so—there are hundreds of others who see the same wrongs but have not found the tongue and the heart to say so, and thousands who also see them but pretend that they don't, and hundreds of thousands who hate those that say so, because to say so is rocking the boat and the rulers reward a peaceful, well-behaved citizenry with more bread, and it is bread most Russians want and not freedom.

The hopeful image of the Soviet Union still common in the West is so wrong that even some strongly anti-Soviet groups are basing their protests on unduly positive ideas. The Jewish groups that protest, justifiably, against the deprivation of full cultural and religious rights from Soviet Jews raise the impression that the 3,000,000 Soviet Jews are asking such rights and are heartened by such demands from beyond the borders. The truth is blacker.

The typical Soviet Jew feels, like other Soviet citizens, deprived of his human right, only more so. He knows he lives in a country that is as anti-Semitic as the rest of Eastern Europe. But he is not outraged. He knows his place. He hopes that he will be left alone, if he keeps quiet, and his brothers abroad do the same. And who knows, perhaps, if he is allowed to live in peace, some day a leader will come along who will not require a Jew to be twice as good as all the other candidates to get the job.

The doubtful image of the Soviet Union as a country that, while somewhat behind the West in standards of living and freedom, is heading in the same direction is due, I believe, to the unswerving commitment of the United States and the rest of the West to the unproved idea that the peace of the world can be assured only by assuring the Soviet Union of our wide span of tolerance.

To a Czechoslovak, it would be difficult to see the difference between this policy and what was once known derisively as "appeasement," an idea that proved notably unsuccessful in dealing with Hitler.

Why should the average citizen of the West think too badly of the Soviet Union when the total American riposte to the rape of Czechoslovakia by broad daylight was a brief delay both in the negotiations about arms-reduction negotiations and the tour of the Soviet Union by the University of Minnesota Band? (The belated arrival of the Midwestern pipers and drummers in April came, fittingly, at the time Moscow finished the Prague job with the removal of the liberal Czechoslovak party leaders.)

The Soviet Union has also been remarkably successful in creating conditions in which Western news media find it difficult to present a true and complete image of the country. The methods are crude pressure or gentle persuasion and they work.

By crude pressure, the authorities have frightened the bulk of the 100 or so Western correspondents into thinking twice before writing an article that might expose them to warning, retaliation or expulsion. The threat of being expelled hangs over Western newsmen, and those who think twice almost always conclude that expulsion is a greater evil than silence.

The Western news agencies have minimized their coverage of Soviet dissidents, for example, because their bureaus might be closed and they would find it difficult to sell their service if it did not include the vital Moscow dateline. As a result, their junior correspondents, some of the brightest journalists in town, find it impossible to write the stories they have gathered.

Among the senior resident correspondents, there are representatives of important newspapers whose chief stock-in-trade is *expertise* on the Soviet Union. For them, expulsion might mean the end of their journalistic careers or, at least, recall to less profitable assignments at the home office. It proves an effective deterrent to full coverage. Similarly, visiting scholars tend to pull their punches when writing because their careers will be enhanced by being allowed to visit the country in which they specialize.

Because of the physical and professional discomforts of working in Moscow, there are newspapers who find their Moscow bureaus a staffing problem. They tend to send journalists who are easily persuaded that, news being difficult to come by and social life in the artificially self-enclosed foreign community free and easy, there is no great point in trying. This attitude endears them to the authorities, who reward them with the things that in most other countries are free to all journalists: the right to travel, to see innocuous public figures in pursuit of non-political stories and to attend public events.

Radio-television correspondents know that if they say unfriendly things on radio they are likely to find their next request to do a television show turned down or their film held up from shipping until it has lost its news value. Since the glory is in television rather than radio, some correspondents tend to keep themselves in check in their radio news and commentaries. This is particularly true for correspondents from Western countries that control their broadcasting networks and cultivate good relations with the Soviet Union.

The Soviet Union's power to intimidate correspondents derives from the extraordinary controls it puts on their activities. The press department of the Foreign Ministry insists that all contacts journalists have with Russians for the purpose of gathering news must be cleared through it, as well as all travel beyond the suburbs of Moscow. In effect, this means that a correspondent who is considered less than friendly will not be allowed to leave Moscow or to write even about such noncontroversial subjects as plans for the Moscow musical season or electric shock therapy. Dozens of such requests that I made must still be in the files of the ministry. They went unanswered because Soviet authorities do not like to say no.

In return, there are rewards for well-behaved correspondents. An agency reporter who derisively refers to political dissenters as professional protesters may find himself getting news of a Soviet space shot an hour before his competitors, an important *coup*.

Because the Soviet Union has made it so difficult for journalists to gather news, it has been able to create a source of foreign-currency earnings by selling news it refuses to give. This part of foreign trade is conducted through Novosti, a news agency believed to be controlled by the K.G.B., the secret police. Its agents, posing as fellow journalists, put newsmen or authors of books in contact with Russians who can be relied upon to present the glossiest facade of the Soviet Union. The fee for the service averages $50 a day.

Because of the dearth of real news from the Soviet Union, a great part of the material published in the West is speculative. There may have been a time when the science of Kremlinology—the divining of what may be going on within the Soviet leadership—had its uses. During the reign of Khrushchev, when the leader himself spoke publicly not only to his people but also to journalists, and when various Soviet newspapers were known to represent different centers of power, a study of the minutiae could yield bits of information. But even in the heyday of Kremlinology it must be observed that none of the practitioners, in Moscow, in editorial offices or in foreign ministries, perceived any signs that Khrushchev's hold was slipping.

Perhaps to avoid being caught out once again, Kremlinologists are feverishly active now, picking over the scantiest of material. Brezhnev and his colleagues rarely speak, and when they do it is hard to tell their last speech from their previous one, which may have been two years ago. The closest readers of the press find nothing but leaden uniformity. The wisest of the diplomats are the first to admit their ignorance of whether there is a struggle for power in the Kremlin and who is on whose side.

When I arrived in July, 1967, Aleksandr N. Shelepin had just been assigned to head the trade union organization. All experts were agreed that for a member of the ruling Politburo this was a serious demotion. He was down but not quite out. Since then, all that has happened to Shelepin is that he also has been removed from his Central Committee secretaryship. Yet as I left Moscow, the same experts were convinced, without further knowledge, that Shelepin was now the major threat to Brezhnev's power.

With the total absence of reliable Soviet sources, and the secrecy in which the leaders of the Soviet Union conduct their affairs, newspaper readers should have the right to demand that Moscow correspondents take a pauper's oath, confessing that they do not and cannot know what goes on inside the Kremlin. If tomorrow's newspapers brought news that the new leader of the Soviet Communist party is Ivan V. Gusev, until yesterday a regional chief in the boondocks, I would be no more or no less surprised than if five years from now the leader were still Leonid I. Brezhnev.

Soviet democrats refuse to build hopes on the possibility of a leadership change. No known political personality is presently suspected of liberal tendencies, but so little is known about anybody that there seems no more ground for pessimism than for optimism—only ignorance.

"We live in a perfect vacuum," a world-weary, aging painter, who long ago despaired of being allowed to be an artist, said, "except for fear. It is the only freedom left to us—the freedom to fear."

NEW SYSTEM FOR AUTO ELECTRICITY DEVELOPED BY ESSEX INTERNATIONAL OF FORT WAYNE, IND.

HON. E. ROSS ADAIR

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. ADAIR. Mr. Speaker, a revolutionary computerized energy system and automotive control system which will replace automotive circuitry was recently unveiled by Essex International, Inc., of Fort Wayne, Ind. Consumers will be greatly benefited by this system as the system is more reliable, and makes trouble diagnosis easier, parts are replaced easier, design flexibility is increased, assembly procedures are better, and it results in improved safety with more driver convenience. The following description of the system appeared in the August 5 issue of the Wall Street Journal:

ESSEX INTERNATIONAL DEVELOPS NEW SYSTEM FOR AUTO ELECTRICITY—COMPUTER-ACTIVATED SIGNALS SEEN REPLACING CIRCUITS; OUTPUT OF COMPONENTS STARTS IN FALL

FORT WAYNE, IND.—Essex International Inc. introduced a new electronic computerized control system designed to replace electrical circuitry now used in automobiles.

The system, called Computerized Energy Distribution and Automated Control System, or Cedac for short, is expected to be in component production this fall, Paul W. O'Malley, Essex president, said. The target date for full-system placement in cars is the mid-1970s. Essex also is introducing a new computer to be used in diagnosing automotive problems.

Commenting on the complex electrical wiring systems now used in automobiles, Mr. O'Malley said that Cedac "utilizes electronic signal information, along with electric and pneumatic power, and virtually does away with the automotive electrical system as it is known today by eliminating most of the terminal connectors and electrical wires."

In place of the present automobile wiring method, which utilizes hundreds of electrical circuits, the Essex system will use only three electrical wires and one pneumatic air tube, he said.

Through a "matchbox-sized computer" the system will control a wide range of automobile operations including power doors that lock at a predetermined speed, electronically controlled power windows and safety lighting. The computer will be connected to a single energy distribution and control harness, which will be routed to sensors and actuators about the size of nail heads.

Other possible uses, the executive noted, include a digital display panel that will give the driver instantaneous speed readouts, engine revolutions per minute, oil pressure, fuel level, time, engine and car temperatures, and lamp outage warnings.

With the increased emphasis placed on automotive products, Mr. O'Malley estimated that by 1978 Essex's sales to the auto industry would amount to $550 million annually. The automotive product market accounted for $142 million of Essex's $426 million sales total in 1968.

REPUBLICAN TASK FORCE ON EDUCATION AND TRAINING GOES TO MORGAN COMMUNITY SCHOOL TO STUDY DECENTRALIZATION AND COMMUNITY PARTICIPATION

HON. JOHN DELLENBACK

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. DELLENBACK. Mr. Speaker, this summer the House Republican Task Force on Education and Training has focused its attention on the problems of urban education. We have found that one of the most frequently voiced complaints is that the large and rigid bureaucratic structure of many big city school systems prevent response to the special needs voiced by members of individual communities.

It has been suggested that administrative decentralization and community control of schools offer solutions to some of the persistent problems of urban education.

In an attempt to find out more about both the problems of urban education and their possible solutions, the task force met at the Morgan School on August 8 with a cross section of the educational community in Washington, D.C. There we gained firsthand knowledge about Washington, D.C.'s, experimental projects in decentralization and community participation, and we learned more about the nature and extent of the problems urban educators confront daily. Finally, we came away with added knowledge about the effects of community participation in school decisionmaking.

A summary of the major points brought out at that meeting follows:

SUMMARY OF MEETING AT MORGAN SCHOOL

GUESTS

Dr. John Sessions: Elected at-large to the D.C. Board of Education, he has been instrumental in the Board's approval of the Washington pilot projects in community participation and control of schools.

Sylvester Williams: An Assistant to the Superintendent of the D.C. Public School system, presently serving as Coordinator for the Special Projects Division. (The Special Projects Division coordinates the four community based projects in the Washington area: Morgan Community School, Anacostia Community School Project, Model School Division, and Fort Lincoln New Town.)

William Rice: Director of the Anacostia Community School Project, a subsystem of 10 schools governed by a locally-elected Community Planning Council. Mr. Rice was the past director of the Special Projects Division.

Charles Cheng: Assistant to the President of the Washington Teachers' Union. The Washington Teachers' Union, a local of the nationally-organized American Federation of Teachers, has been directly involved in the planning of the community school project and strongly favors local involvement.

John Anthony: Principal of the Morgan Community School, nationally acclaimed for its large degree of functional autonomy and local control. The Morgan Community School Board has been granted the responsibilities for expenditure of funding, and control of both curriculum and personnel.

Josephine Butler: Chairman of the Morgan Community School Board, elected from the community and composed of parents, community leaders, young adults (ages 16–23) and teachers.

Julian West: Director of the Special Projects Division in the Office of the Superintendent of the D.C. Public Schools.

MEMBERS OF CONGRESS PRESENT

John Dellenback, of Oregon.
Margaret M. Heckler, of Massachusetts.
Earl B. Ruth, of North Carolina.

(Each guest was asked to express his views regarding the major problems and possible solutions confronting education in Washington, D.C.)

REMARKS

SESSIONS. Our need is for a system that is more responsive than the highly bureaucratic structure we have. But the procedures developed at Morgan School are showing the ways in which a school can be responsive to the needs of the community.

There are special problems which come from being in the District of Columbia. The most difficult of these is that the Morgan School Board wants powers that the D.C. Board itself does not possess. But when this happens, we try to work around the situation.

For example, this building we're meeting in today is going to be replaced and the Morgan School Board wanted to choose the architect responsible for designing the new structure. The D.C. School Board couldn't delegate this responsibility to the Morgan Board for the simple reason that the *city* government has the right to select the architect. We eventually managed to work it out, and Morgan was able to choose its own architect.

But, we still often feel that the D.C. Board of Education would be low on the list of people who control education in this city.

WILLIAMS. The most difficult thing has been the attempt on the part of the school system to move into more responsive programs. The Morgan pilot project represents one division's efforts to cut red tape and allow for meeting special needs.

Internal operation within the school system is difficult because the people inside are more concerned with what you *can't* do than how you can get something done. We must try to change the "can't do's", but we keep meeting with resistance from upper echelon people who are already oriented to a certain way of doing something.

Much of our time is also spent in encounters with the D.C. Government. It often seems that when the Superintendent and the Board of Education have tried to facilitate things, they have run into the D.C. Government and it then becomes a question of the school people against the city government. One example of this concerns the question of interpreting building codes.

We also find ourselves in direct involvement with other government agencies trying to bring about change.

Another difficult task is relating to the community. People were initially suspicious of the system, and at Morgan we had to develop a posture not of supervising but of facilitating their needs.

The biggest problem, though, is making the school responsive is its bureaucratic structure, with all the clerks, secretaries and aides who cut off any attempts at work and improvement somewhere along the line. The answer to this is to deal only with the heads of departments, but this isn't always possible.

Central Boards of Education don't really give up that much, and they can bring about great changes and involvement by letting the people in the communities make their own decisions. The local people can set up priorities that are more realistic than those of the central board.

RICE. What should our role as public educators be? To *listen* and then to translate what the community is saying into programs. We cannot turn away from their needs.

The ingredients for success include dedication, a friendly school board, a friendly administration and a friendly teachers' union. Our people, poor people, come to the meetings without fail, even refusing to allow themselves, or us, a vacation. The community has grown in sophistication because they sat down and thought things over. The Board has supported us, although there were questions.

The community holds the system accountable for *all* their children. Educating 90% is not enough anymore and they refuse to consign 10% to the garbage heap. Instead, they are willing to help in order to see that every kid gets an education. In fact, over 175 community people are being used as reading assistants and in other capacities, and they are taking quite an active part in the running of the schools.

CHENG. The teachers and the community should be natural allies in fighting for a just school system. Right now, however, teachers are not being involved in many decisions, or even consulted about room design in the new building. This failure of teachers to make decisions stems from other, higher-up people who don't allow it. They have no say in forming the curriculum they have to teach and are often denied the opportunity to use supplies that are on hand in the same building because of stingy principals who enforce a quota system.

I do not share Mr. Rice's view that there is a friendly administration. Many principals have left the Anacostia project because they could not work with the community. While some of the people downtown are friendly, others would like to get rid of these two men. In fact, the school administration is supposedly holding up the transfer of two teachers because it doesn't like this project.

The greatest tragedy of education is the professional isolation of teachers from social issues such as Vietnam and housing. With their Alice-in-Wonderland attitude, the closest they come to politics is listening to the Huntley-Brinkley Report in the evening. Teachers should be involved, concerned with housing and welfare and active in the issues important to their communities.

Finally, the Teachers' Union is supporting community control. Not only have we written a paper taking this stand, but we have implemented the paper by working in Morgan, Anacostia and other projects. And we have developed a subcontract, similar to that of the UAW, whereby the union would supplement existing contracts to meet the needs of teachers in special projects such as this.

ANTHONY. The role of the educator must be redefined to include commitment, dedication and action.

A key issue is the red tape which the school must go through. An example, right here at Morgan, concerns the supplies we requested for the last school year—they didn't arrive until May.

It's not that the school system didn't have them; it just took that long to process our request. How can we provide an education when this happens?

Then, there is a serious problem in the inadequate financing of Morgan School. Until the necessary funds to support quality education are available, a truly responsive school is impossible. How can we provide compensatory education when we don't even receive as much as the regular per pupil expenditure allocated out in the suburbs.

We have been able to depart from the traditional system to some extent here at Morgan School. We have tried to get a relevant program here by dealing with the problems of the community and the children.

There is a unique amount of input in terms of the participation of the parents. The Morgan Community School Board is made up of 15 members: 7 parents, 3 community representatives, 3 young adults from the community (ages between 16–23), and two staff representatives (one community intern and one professional representative). We feel this gives us a good cross-section of community and staff on our board.

Educators often have been frightful of getting involved with the problems and leery of possible backlash. But here they have found that we all contribute to meeting the needs of the community, and are accountable to the community.

The school should fit the community and should take its style and character from the community.

BUTLER. My interest in schools was first aroused when I discovered that the textbooks being used in the Junior High School were printed in 1919 and predicted that some day man would fly nonstop across the Atlantic.

By working with problems like this, we came to the conclusion that community control is the only answer. We know the problems. People here take pride in their schools and that is why we have gone as far as we have—everybody here is involved.

But when we talk about decentralization, sometimes I wonder whether we are just adding another layer rather than helping things.

WEST. When our people hear what is going on in the schools, they become dissatisfied; They want what everyone wants: an intelligent population.

I attended a meeting at Adams, the new community school, last night. They are still not united about what they want, but they are one rung up because Morgan has opened the way for them. They will never have to go through the pain Morgan went through.

Community control has meant that we now have to know so much more about the whole bureaucracy than before. We have to deal with HUD, the RLA, the National Capital Planning Commission, with those concerned with licensing and inspection and contracts. And this places a burden on the community.

HECKLER. I have certainly gained a new insight here today in an area where I felt a lack of understanding before. It is great to see how much the community has been aroused. Jo Butler, a member of the community but not a mother herself, has shown us that the people care. And I'm relieved to hear about the involvement of the teachers. A child who goes to school where the whole community cares will be a different person.

One thing still unanswered, though, is the question of objective criteria. Do tests and academic records show educational progress?

ANTHONY. Yes. Morgan is way up in improvement. SCAT and STEP tests were administered last year and Morgan was one of six schools in the entire District of Columbia (which includes 176 schools) to show progress. It raised its scores significantly and this year its reading levels were at the national norms.

DELLENBACK. It's interesting to note that out in the West, in many areas, they are still trying to improve education by bringing small isolated schools together while here, in a large city, they are trying to improve education by making school units smaller. So we can see things moving in opposite directions at the two extremes.

RUTH. What we are really talking about here is a battle for the reins. The more involved, the better *if* they all cooperate. The community could discover that a text being used was printed in 1919, but does the community feel able to choose the correct text to replace it?

RICE. The community doesn't want to take over the school. There must be a definition of roles. The people don't want to be the teachers and they know that the professional must handle things like selecting the texts.

RUTH. Is the community group more interested in enriching the program or in taking it over?

RICE. They're interested in getting the best possible education. They chose teachers from a list according to their qualifications. When I pointed out that many of those selected were white, they stuck to their choices because they wanted the most qualified teachers, regardless of race.

RUTH. What if someone tries to use the community board to his own advantage?

RICE. People know when you start preaching your own sermon.

RUTH. If Anthony resigns as principal, who would decide on his replacement?

ANTHONY. The board. This has already happened, in fact, when we lost the principal we had last year.

RUTH. Do the other districts dislike Morgan's having this kind of privilege?

WILLIAMS. Yes.

DELLENBACH. How is the Board selected?

BUTLER. The whole community participates.

ANTHONY. One month before the election, a petition is circulated by those interested in running and signatures are obtained. All those age 16 and older are eligible to vote.

DELLENBACK. How many voted?

ANTHONY. 400.

DELLENBACK. How many were eligible?

ANTHONY. 30,000 live in the entire Adams-Morgan area which is serviced by three elementary schools. But there are only 285 families represented in the Morgan School, although technically the entire district was eligible to vote.

DELLENBACK. Who chooses the three young representatives? Do the young people choose their own?

ANTHONY. Not yet.

DELLENBACK. Does the Board decide on courses?

ANTHONY. The principal does this. The teachers are picked by the people—the board interviews the teachers. Although the principal has veto power, it hasn't been used so far, and the Board hasn't overruled the school's selections.

DELLENBACK. What impact has community control had upon the curriculum?

ANTHONY. The curriculum is left to the teachers.

DELLENBACK. Is education different under community control?

ANTHONY. Yes, for example, Morgan has picked its own texts, entirely different ones from those we had before. They are still standard texts however. And we now have teaching teams, consisting of one coordinator and teachers for language arts, science, mathematics, and social studies, together with a community intern.

So far, there have been no real disagreements and the principal has not had to overrule any deciisons. The teachers heading the teams decide on the general guideline concerning what to cover during the year, and then each teacher works together with her own team to decide how to approach her section.

DELLENBACK. Do teachers want to come here to teach?

ANTHONY. Yes, we have about 75 applications from all parts of the country. The salary here is comparable to other schools in large cities.

DELLENBACK. Why is the situation with the teachers' union so different here from New York City?

CHENG. There are several key differences in the two situations.

First, the blacks in New York had been unable to break into the system and you had a situation where the schools were 57% black and the teachers' union was almost entirely white. You don't have that kind of racial polarization here. We have a black local here and a black system.

Second, the union leadership here at all times supported philosophically the community control concept, whereas in other places it has not.

Third, the only way to overcome the educational system was for the teachers and the community to come together. This has meant a political uplifting for all teachers. We can't separate community control from the black struggle for freedom.

Fourth, there are many young teachers coming in.

And last, the obsolete evaluation system has been used to intimidate and fail teachers, and now the community wants to see the procedures well used.

DELLENBACK. What effects have followed from the election of the D.C. School Board?

SESSIONS. The Board has been more responsive since the election. Even though the record hasn't been entirely successful and the elected board has spent too much time reinventing the wheel, it has been more responsive.

STUDENTS LEAGUE AGAINST NARCOTIC TEMPTATION

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. HELSTOSKI. Mr. Speaker, the narcotics problem is one of the most serious facing our Nation. This problem reaches into every community and is much more serious that we realize because of its growing influence on the youth of this country.

While we are well aware of the fact that there is a great deal of narcotics traffic in high schools and colleges, in some instances, according to reports, this drug problem is reaching into the elementary schools. This is a shocking revelation.

Every parent, every school, every church, and every community should be aware of this problem and be prepared to answer questions truthfully and frankly that young people may raise on drugs and the abusive use of them.

There are widespread pressures among the young to use dangerous drugs and, unless this situation is changed, as much as half of this generation of young people may acquire drug habits and crippling drug addiction.

In the past, our culture rejected drug addiction as improper and foreign to our way of life. The drug addict was an unpopular outcast. However, the general attack on all authority that is a part of the recent sweep of revolutionary forces has created a pressure to use drugs of all kinds and a drive to liberalize restrictive laws.

The drug user is unprepared to understand the long-range hazards of drugs. The individual whose personal experience with drugs has not yet created a serious problem for him is usually convinced that drug use is safe. Apparently only those who have had a frightening experience with drugs give them up.

Every community and every school has to some extent become infected with this newly unleashed social disease. It appears

that the entire problem can be traced to misinformation about drug use or abuse. To this end, I have cosponsored legislation which would authorize the U.S. Commissioner of Education to make grants to elementary and secondary schools and other educational institutions for the conduct of special educational programs and activities concerning the use of drugs.

Further, Mr. Speaker, I would like to call to the attention of my colleagues the activities of the Students League Against Narcotic Temptation, formed in 1968. In this matter, I would like to include, as part of my remarks the SLANT position paper on bringing the truth about drugs to the school student.

The position paper follows:

SLANT POSITION PAPER

In a society where sickness is the exception rather than the rule and epidemic a word rarely used, a contagious disease is infecting a large portion of our teenage population.

The disease is drug addiction. It is contagious because those who contract it are more than willing to contaminate others. We have spawned it and insured its longevity by creating an environment conducive to its growth and development. The war and the uncertainty that it has caused, racial strife, and the great disparity between rich and poor have provided a ready market for the pushers and junkies who peddle "the stuff dreams are made of."

Drugs have become the "in" thing. More than one quarter of all the teenagers in the United States have experienced or are regular users of some form of narcotic or hallucinogen. At a time when adolescents are faced with the fears and seemingly hopeless problems involved with growing up, drugs provide at least a temporary escape. The hard core addict is still considered a social outcast, but the opposite holds true for those who experiment with marihuana or the hallucigens such as LSD. Users of these so-called non-addictives often consider themselves the new intellectuals, seekers of the truth through experience. But to the contrary, drug usage is a sign of ignorance and mental instability.

The source of most addiction problems can be traced to information, or to be more exact, misinformation. Usually the only knowledge a teenager has about drugs has come from a pusher or a user with whom he has come in contact. The information they provide is misleading and distorted to their own point of view. They present an attractive picture of the experience to be gained by drug usage, but gloss over or completely avoid mentioning the ill effects. The unsuspecting teen usually learns the truth when it is too late. In order to counteract the spread of misleading information, an informational-educational program must be established.

While detection and apprehension by police agencies and rehabilitation represent necessary aspects of a program to combat addiction among teens, it is obvious that a program of prevention through education should hold first-rank priority. The degree of success obtained in the preventive sector determines the allocation of resources in the two remaining areas. Hence, it is of critical importance that maximum effort be given to this first line of defense. The first major step in this regard in our community was taken by Hudson County Prosecutor James A. Tumulty, Jr.

In September, 1968, Tumulty decided to take some positive steps in forming a drug preventive education program in the county's high schools and junior highs. As a result his office set up the "Students' League Against Narcotic Temptation" with Leonard Ford as director. The program was to move along on three fronts. One major thrust was to be aimed at the teenage population in the schools. The second was directed toward teachers and administrators in the schools. The third was to obtain an increased awareness among all county residents as to the general nature and seriousness of the drug problem.

Initial steps in the preventive education sector included the recruiting of interested students from each school. Ironically, the response was so overwhelming that the success of the entire program was threatened. So many students volunteered their services that it was impossible to establish and train any workable size group for each of the schools. Clearly, a set of practical guidelines had to be written.

In November of 1968 Dr. Silvio R. Laccetti, an assistant professor of Humanities at Stevens Institute of Technology came to SLANT as an advisor. With his special insights into the problems of youth and education, he assumed the responsibility of setting up the necessary guideline to make SLANT a working organization. The result was the core-group concept; a small number of students in each of the county schools was chosen to serve as SLANT representatives, or workers. Their job is to conduct information programs within the school, arrange meetings, sponsor poster and essay contests and various other projects that will bring the truth about drugs to light.

SLANT operates on the premise that an ounce of prevention is worth a pound of cure, and has set out to provide more than that proverbial ounce for the teenagers in the county's secondary schools. The program advocates a student-to-student approach; that is, one student is able to help another avoid the pitfalls of drug addiction. The program is by no means a police informant group. It is a sincere and honest effort of a group of students to offset a problem that affects a large segment of their peer group. It is unique in the fact that students have a chance to manage their own affairs. To emphasize the fact that SLANT is a program of students for students, the core-groups meet without any faculty supervision. However, the groups do seek advice and suggestions from faculty members.

Although SLANT operates in a particular school system, the problem cannot be solved in one location if efforts are not made to solve it everywhere else. Drug abuse is, as previously mentioned, a contagious disease, one that spreads rapidly. One infested area influences another uninfested area. Because the scope of the problem is so large, it is the opinion of the Students' League Against Narcotic Temptation that a preventive education program such as ours should be implemented in every community regardless of population or location. Only on such a scale can the full aims and hopes of SLANT be realized.

In conclusion we believe that the SLANT formula offers the best hope for halting the spread of drug abuse because

1. It seeks to involve young people in active and meaningful roles.

2. It relies on a peer group (student to student) approach.

3. It offers a real chance to change attitudes of young people throughout the nation.

In addition, Mr. Speaker, I would like to include the suggested method of establishing a SLANT program in any individual community which wishes to combat the problem of drug use among its students. This is only a guideline to the actual setting up of a group of students who are eager to undertake this program and can be adjusted to fit any school group interested in working for the eradication of drugs use in their own school.

The suggested program follows:

You can be instrumental in helping to establish a SLANT program in your community. To guide you in your endeavors we set forth suggestions on how one might go about doing this.

I. GENERAL SLANT MEMBERSHIP

Announcement of the SLANT anti-drug program may be made to the entire student body at assembly. Invitations to general membership should be offered to all students. If a large registration results it will be necessary to isolate those students who are most interested and able to work in the program.

II. QUALIFICATIONS FOR STUDENTS OF THE CORE GROUP

(A) That they be conscientious students (not necessarily high average students) who have records of dependability throughout their school years.

(B) That they have limited extra-curricular activities, so that they may be available for planned SLANT activities. Availability and interest of the student are of the greatest importance to this group. Those students who are "joiners" will be of little service to the organization. One who is president of a half-dozen activities already has too much to do.

(C) That interested students volunteer officially through the principal's office by written registration.

When this procedure is complete, the Core group should meet as an extra-curricular club activity without any obvious direction from faculty. The group will, hopefully, consist of 30–40 students at most, with a close to equal representation from each class (in a Core group of 40 students, 10 students from each class might be members). From this group the SLANT Coordinating Committee (SCC) should be elected.

III. THE SLANT COORDINATING COMMITTEE

(1) This committee will consist of two students from each grade level who shall regulate the activities of the CORE group.

(2) The SCC shall fill vacancies caused by withdrawal.

After enough of these Core Groups have been set up in a given area, a Regional Slant Organization can be set up so that guidance may be given to the individual Core Groups.

IV. ACTIVITIES OF CORE GROUP

There can be no single schedule of activities for all schools since circumstances will vary in every instance. However, some or all of the following might be instituted:

1. Open-ended discussion about narcotics and drugs at regular meetings with a view to uncovering gaps in information and critical differences of opinion.

2. Sponsorship of essay contests: all SLANT members (the mass of certificate holders) might submit essays to the Core unit of its own evaluation. The best of such essays might be given publicity in school or local newspapers.

3. Sponsorship of poster contests: again, open to all SLANT certificate holders.

4. Maintenance of bulletin board and/or display case to influence and inform not only SLANT members but all in the school.

5. Assembling a "library" of pamphlets, articles, and student essays on drugs.

6. Attendance at outside educational programs, clinics, which may be given by local county, state, or federal agencies.

7. Periodic meetings of the group with the SCC.

V. DUTIES OF SCC

1. Maintain guidance of school program for SLANT.

2. Report to Core group on information received from regional organization if such organization exists.

3. Deal with outside agencies in preparation for in-school assemblies, talks, movies.

Given advance approval of school administration, SCC will contact appropriate people and set agendas.

4. Maintain communication with SCC of other schools in the region through the Regional Slant Organization.

VI. IF YOU ARE A PRIVATE CITIZEN OR PARENT WHAT CAN YOU DO?

1. Contact civic officials and the local board of education as to the possibility of establishing a SLANT program in the school system.

2. Bring the idea before the PTA and other civic organizations.

3. Enlist the support of the students in the schools, for without them, all efforts will surely fail.

VII. URGENCY OF THE PROBLEM

Daily, the spread of drug abuse continues. Every day of delay is a valuable day lost to the effort of containment. We urge you to act quickly today. Tomorrow is at stake.

MILITARY RACE RIOTS—THE EXPERIMENT A CONTINUING FAILURE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. RARICK. Mr. Speaker, some 20 years ago, President Harry S. Truman used his authority as Commander in Chief of the Armed Forces to conduct a social experiment of complete integration in the services.

There was not then, and there is not now, the slightest indication that this experiment improved the fighting quality of any military unit or increased the effectiveness or chances of survival of any member of the Armed Forces.

Artificial race mixing in military units will surely draw applause—and a certain number of votes—from people who have no military experience or responsibility.

It creates nothing but unnecessary problems in the unit effected.

As a combat soldier, I well know the mutual trust and respect which men who fight together must have for one another. Any situation which detracts from such unit feeling lessens the effectiveness of the military unit and endangers all of the men who serve in it.

After a generation, we see plainly the deterioration of military units brought about by this discredited social experiment.

We should admit its failure. It is an appalling thing for men serving in the uniform of their country to be attacked in their training centers by other men wearing the same uniform—their supposed comrades in arms.

These shameful disorders cannot be blamed on the men themselves. Nor can they be blamed on the leaders of our Armed Forces. Military race riots are the clearly demonstrated result of attempting to use the restrictions of military service to change social habits.

What the leaders of our country are going to have to decide is whether they are going to draft young men for an effective military force or for race-mixing sensitivity training by the numbers. Young Americans who associate with members of other races in military service are not so easily fooled. They are going to form their own opinions from their own personal experiences, and are not going to be permanently influenced by sociological indoctrination. The failure should terminate.

I include several news clippings, as follow:

[From the Atlanta (Ga.) Journal & Constitution, Aug. 10, 1969]

LEJEUNE RIOT "WAS EXPECTED"—MARINE PANEL WARNED GENERAL 3 MONTHS AGO OF RACIAL DANGER

(By E. W. Kenworthy)

WASHINGTON.—The commanding general of Camp Lejeune, N.C., was warned three months before a fatal racial clash there that a lack of leadership was contributing to an "explosive" racial situation at the Marine Corps facility.

The warning was contained in an April 23 report and statement of policy from an ad hoc committee appointed by Maj. Gen. Edwin B. Wheeler, commander of the 2nd Marine Division, who since has been transferred to Vietnam on Normal rotation.

"The lack of informed, courageous leadership in dealing with racial matters is widening the gulf of misunderstanding between the races," the committee of seven officers told Wheeler. The report, a copy of which has been obtained by The New York Times, also warned of "an explosive situation of major proportions has been created and continues to be aggravated."

Less than three months later—on July 20—a group of 30 Negro and Puerto Rican Marines attacked 14 whites after an enlisted men's dance in a fight that led to the death of one white enlisted man and severe injuries to another. Three Negroes and two Puerto Ricans two days ago were charged with murder, rioting and assault and now face a general court martial.

Cpl. Edward Bankston, 20, of Picayune, Miss., died of a fractured skull he received in the attack. Pfc. James S. Young, 19, of Roanoke, Ala., was badly injured but has recovered.

Maj. Gen. Michael P. Ryan, who succeeded Wheeler on May 19, has said there were "indications" but "no tangible evidence" that the Negro Marines were members of the Black Panther party.

Wheeler, in a letter last April 5 to Col. Louis S. Hollier, head of divisional personnel, asked that an ad hoc committee be set up to look into the question of equal treatment and opportunity and report to him.

Hollier headed the committee. Included were two Negro officers—Lt. Col. H. L. Maxwell, commander of the 1st Battalion, 6th Regiment (the battalion to which the Negroes and Puerto Ricans involved in the clash belonged) and Capt. Mel Nolley, an aviator.

The committee reported to Wheeler on April 23 and also submitted "a proposed statement of policy."

The committee apparently intended the very frank report for the commanding general only but hoped the statement of policy which was equally blunt in its description of the situation, would be circulated within the command structure. This was not done.

One officer said that he suspected the document had not been distributed because "it was considered too open and shocking," and that he felt the committee's criticisms and recommendations had fallen "on deaf ears."

However, in a telephone interview Saturday, Hollier said that "the intent of the report was to bring the subjects in the problem areas to the attention of the general and not to circulate it."

He further said that the subject matter in the report had been circulated and "the problem has been the subject of detailed discussions."

[From the Washington (D.C.) Evening Star, Aug. 11, 1969]

MARINES HAD RACE-TENSION WARNING

CAMP LEJEUNE, N.C.—The study report by a biracial group of officers warned in April an "explosive" racial situation existed in the Second Marine Division.

It added that "the lack of informed, courageous leadership in dealing with racial matters is widening the gulf of misunderstanding between the races."

The report was made public yesterday. On July 20 a brawl between white, Negro and Puerto Rican Marines at a base service club resulted in the death of one Marine and serious injury to a second.

The dead white Marine, Cpl. Edward Bankston, 20, of Picayune, Miss., suffered a fractured skull in the melee at a going-away dance at a servicemen's club. Authorities said 30 Negro and Puerto Rican Marines attacked 14 white Marines.

Five Negro and Puerto Rican enlisted men charged with murder in the case face general court-martial. A congressional subcommittee headed by Rep. William Randall, D-Miss., completed a preliminary investigation of the incident Saturday.

Maj. Gen. Michael P. Ryan, commander of the Second Marine Division, said he had studied the officers' report, ordered by former commander Maj. Gen. Edwin B. Wheeler, and completed April 23. After reading the report, Ryan said, "I discussed the situation with commanders and Gen. Wheeler. On the basis of these discussions, I prepared a division order" included in the platoon leader pamphlet.

Ryan said the officers' report, prepared by a panel headed by Col. Louis Hollier, divisional personnel head, "was not as appropriate as it should be."

That report, described as frank and bold, said "failure to take corrective steps to assure racial harmony would produce more deeply seated prejudices when the Marines left the service."

The report charged that white officers and noncommissioned officers were prejudiced and that black Marines were subject to discriminatory action by the military police.

It recommended that there be a continuing program of frank education on racial topics, and a revitalization of a program called "Request Mast" which allowed Marines to take personal problems directly to their superiors.

Ryan said his pamphlet covered all these areas. He said he had ordered his officers to review the "Request Mast" procedure and conceded that some enlisted men "simply distrust the system."

Ryan said he had constantly checked charges of NCO prejudice and found the charges were true in a limited number of cases.

"I don't think, however, that a general condemnation is right at all," he said.

Ryan said his pamphlet encouraged commanders to establish biracial discussion groups to promote "racial understanding and cohesiveness."

[From the Washington (D.C.) Post, Aug. 12, 1969]

BLACK, WHITE SOLDIERS CLASH AT TWO BASES

Hundreds of Negro and white enlisted men clashed Sunday in brawls at two military installations—sprawling Ft. Bragg, near Fayetteville, N.C., and a Marine Corps Air Station near Honolulu.

Army officials at Ft. Bragg said the trouble began over a woman in an enlisted man's club and eventually involved nearly all of an estimated 200 men in the club.

"This was not a racial riot and it was not a racial fight. It was just a helluva fight," said a Ft. Bragg spokesman. But authorities at nearby Fayetteville said one white soldier reported he was beaten and thrown off a bus

near the base. The city officials declined, however, to say that the problems were racial.

Four men, including two military policemen called in to quell the fighting in the club were injured, none seriously. Four men were arrested.

"It was mostly fist-fighting," a base spokesman said. "There may have been a knife or a chain (used), who can really tell when 200 men are fighting."

Sixteen Marines were injured in a brawl between Negro and white enlisted men in a barracks area at Kaneone station, 12 miles from Honolulu.

The free-for-all involved about 250 men, most of them onlookers, and was ended when a military policeman fired shots into the air.

Isolated incidents continued throughout the night, and witnesses said there were shouts of "black power" and "white power" as gangs of Marines armed with clubs, rocks and belts roamed the bases.

The brawl is still under investigation.

Both incidents followed by a few hours the release of a report by a biracial group of officers at Camp Lejeune, N.C., that warned of an "explosive" racial situation in the 2d Marine Division as early as last April.

The report charged that "the lack of informed, courageous leadership in dealing with racial matters is widening the gulf of misunderstanding between the races."

It was made public after a July 20 brawl at the Marine Corps training base between white, Negro and Puerto Rican enlisted men resulted in the death of one Marine and serious injury to another.

Meanwhile, the Marine Corps said 25 Marines have been returned to Camp Lejuene in connection with an investigation of the July 20 melee. The 25 had been participating in Mediterranean maneuvers.

ANNIVERSARY TRIBUTE TO THE IVORY COAST

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. POWELL. Today, Mr. Speaker, I would like to join with many of our colleagues in recognizing and paying tribute to the Ivory Coast Republic on its ninth anniversary of independence. Situated on the West Coast of Africa, the Ivory Coast proclaimed itself a republic on December 4, 1958. It was not, however, until August 7, 1960, that its independence from France was proclaimed and recognized. On October 31, 1960, the infant country adopted its present constitution.

The country is building roads, schools, ports, dams. In fact, there is so much work going on in the Ivory Coast Republic that they must import labor to keep up with production schedules.

Economic progress has continued a spectacular pace and the ever-increasing demand for American construction and roadbuilding equipment in addition to electronics and plastics is a clear indication that Ivory Coast is rapidly approaching the stage of self-sufficiency. Ivory Coast has consistently maintained a favorable trade balance and has attracted increasing amounts of foreign investments.

The Ivory Coast today is enjoying the benefits of its booming economy based on private enterprise. Its industrialization is proceeding at a regular and rapid pace.

The people of the Ivory Coast have clearly demonstrated their maturity and sense of national responsibility in the 9 years of their independence. We congratulate them on their impressive internal achievements and do not doubt that they will continue to progress; we wish the people of the Ivory Coast the best in all their future endeavors.

GOVERNMENT AND PENSIONS

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, I am inserting in the RECORD a speech recently delivered by Robert J. Myers, Chief Actuary of the Social Security Administration, entitled "Government and Pensions." Mr. Myers delivered this speech before a symposium sponsored by the American Enterprise Institute on Private Pensions and the Public Interest.

Mr. Myers is one of the outstanding experts in the world in the field of social security. He has served as an actuary with the Social Security Administration since 1934, and has been Chief Actuary since 1947. Mr. Myers has been an actuarial consultant to foreign countries in every area of the world, and recently returned from Saigon where he assisted the South Vietnamese Government in developing plans for a social security program.

Mr. Myers is a vice president and fellow of the American Society of Actuaries. In 1965, Mr. Myers' book on social security, entitled, "Social Insurance and Allied Government Programs," was published by Richard D. Irwin, Inc., and since that time has become the leading textbook for students of our social security system and allied Government programs.

During Mr. Myers' long service with the Government, he has consistently advised the congressional committees concerned with social security legislation on actuarial problems. His counsel has been invaluable to the Ways and Means Committee, on which I serve, in developing social security legislation.

In view of Mr. Myers' distinguished record of service and demonstrated expertise in matters pertaining to social security, I am including his recent speech in the RECORD so that all of the Members may have the opportunity to read it. The role of private pension systems and governmental retirement programs is an important one in need of careful definition as Congress proceeds to enact legislation in this field. Mr. Myers' paper presents a cogent analysis of the philosophical and practical considerations that bear on this question. The speech follows:

GOVERNMENT AND PENSIONS*

(By Robert J. Myers)

The topic "Roles of Private Pension Systems and Government in Retirement Income Maintenance" is indeed a very broad one and of extreme significance in regard to the future course of our nation's social and economic structure. This paper will primarily cover the two philosophies of the role of the social security program and their implications as to what role the program should play in the future. In passing, there will be a brief consideration of the government's proper role in the supervision and regulation of private pension plans.

The results of these deliberations will then permit us to decide whether the private pension plan system and the social security program are compatible by being complementary and thus on parallel courses, or whether they are in conflict and in a war of survival of the fittest.

In an unorthodox manner, and lest you are impatient to know the results of my thinking, I shall first formalize my conclusions before presenting my detailed analysis and deliberations on the subject. In brief, I believe that there is an appropriate role for both private pension plans and social security and that it is important, even vital, that each should have such role.

At this point, I should make it clear that I am not hedging in using the word "appropriate." Specifically, I believe that each system should be of about equal importance. Those who have an expansionist philosophy of social security would likely assert that social security should provide the lion's share of old-age security and that private pension plans should complete the job. Of course, the purist would logically and correctly point out that, according to Aesop, in this instance, the "lion's share" really means "all."

CONCEPT OF SOCIAL SECURITY AS BASIC PENSION SYSTEM

It can fairly be said that the social security system has widespread, almost universal, acceptance by the American people. This is not to say that they fully understand its various complex provisions or its financing nature and aspects. I believe, however, that most people have a reasonably good knowledge of what the system provides and what it costs. A small proportion of the public might wish to do away with the program, but the vast majority are convinced that it is desirable and should continue.

The real differences of opinion arise in respect to the future course of social security and its relative importance in the economic-security picture. Labels of categorization are often difficult to define because of the possibility of slanting the argument by the nomenclature adopted. Nonetheless, let me designate as "moderates" those who believe that the present system is reasonably adequate and plays a proper role in our society. Such viewpoint, of course, recognizes that modifications in the program will be necessary in the future; primarily to keep the system up to date with, or to reflect changes in, economic, demographic, and social conditions, and also to remedy any significant problems.

On the other hand, there are the "expansionists," who believe that the social security program should provide the full economic security for the vast majority of the population (say, all but 5 or 10 percent). The expansionists hold the philosophy that pri-

* The opinions expressed in this paper are those of the author and are not necessarily those of the Social Security Administration. This paper was presented at a Symposium on Private Pensions and the Public Interest, sponsored by The American Enterprise Institute for Public Policy Research, May 8, 1969, Sheraton-Park Hotel, Washington, D.C.

vate efforts in the economic security field have little likelihood of success. (A vivid example of this was in the late 1930s and in the 1940s, when the advocates of national health insurance proclaimed that voluntary insurance could not have any significant impact in providing health insurance protection for persons of all ages. Despite this, the developing experience has shown otherwise. Several pertinent specific quotations on this matter are contained in the paper "Trends in Health Insurance," by J. F. Follman, Jr., *Best's Insurance News*, October, 1958.

Quite naturally, there are views intermediate to those of the moderates and the expansionists, with a considerable degree of spread of such views. In fact, there are a few who hold more extensive views on both sides. However, it is not unreasonable to carry forth the following discussion on the assumption that the vast majority of views on any given issue can be classified in either one camp or the other.

For purposes of simplicity and brevity, I have adopted the aforementioned two terms. Neither is intended to carry any connotation of disapproval or any stigma. I have purposely avoided the terms "liberal" and "conservative," since they are often misused.

We have often heard it said—perhaps *ad nauseum*—that the social security program should provide only "a floor of protection" in the economic security area. This, however, is not a precise concept, and one cannot say exactly just how low or how high the floor should be. In fact, one eminent student of social security, who belongs to the expansionist school, has suggested that, desirably, the floor should have a luxurious carpet laid on it through government action. One might well raise the question as to why this expansion is necessary and desirable, since there are always two sides to the coin—in this case, not only who receives, but also who pays. There might also be asked why should not such supplementation be done through private action?

In the debate as to what is the proper level of the floor of protection that social security should provide, the moderate tends to be placed in a difficult defensive position by the aggressive expansionist. The latter attempts to set the conditions for the debate on the grounds that a person is either for or against social security; then, if he is in favor of social security, he must therefore support a complete expansionist approach, and if he is against this almost total role for social security, he obviously favors its complete repeal. In other words, the expansionist argues that, if some social security is good, then the ideal is to provide complete economic security for the vast majority of the population through governmental means.

The answer to this argument—although one which may be somewhat difficult to convey to the general public under some circumstances—is to draw an analogy to the value of taking medicine. Twice as much is not twice as effective as the prescribed dosage—and, in fact, not nearly as good. Nonetheless, the moderate can, unless he is quite alert and skillful, be placed in the "villain's position" of being selfish, not interested in the welfare of his fellow man, etc.

Now let us examine what the concept of social security as the floor of protection might be for those whom I have classified as moderates. Later—in discussing the possible future changes in the role of the social security program—I shall point out in detail what the aims of the expansionists are in this area. It may be said, insofar as the moderates' viewpoint is concerned, that a governmental program of retirement benefits should provide only a certain level of benefits, available to the vast majority of people who must retire from gainful employment. Such level of benefits should be sufficient so that, with assets and real estate normally accumulated, the vast majority of beneficiaries will be able to have at least a reasonable subsistence.

This, of course, is still not a precise mathematical formula for measuring whether a floor of protection is being provided—and such is not really ever possible, as I will mention later in discussing the related concept of poverty. A good, although rough, indicator is the proportion of persons receiving social insurance benefits who require supplementation through public assistance payments. Many persons believe that if less than 10 percent of social security beneficiaries fall in such category, the level of benefits is adequate and that this is a reasonably good yardstick of the adequacy of social security benefits. At present, this ratio is only about 7 percent, so that, even if we recognize that public assistance programs in some states may be somewhat inadequate, the test is readily met.

In summary then, the position of the moderates is that, if a small minority have needs beyond the protection provided by social insurance, the solution is not to raise social security benefit levels, but rather to have adequate supplementary public assistance. This is especially so when a substantial proportion of the minority involved is of a transitional nature, such as being cohorts who were not covered under the social security program during their working lives, or who were not covered as extensively under private pension plans as is the case for current workers, or who were adversely affected by the great depression of the 1930s and could not as readily accumulate individual resources as could individuals who began their working careers in the 1940s and later. Of course, there will always be a small residual of persons who have only sporadic employment during their working lives or who have unusual needs, and in these cases public assistance will be necessary.

CONCEPT OF POVERTY

Closely related to the concept of social security as being the basic pension system and providing a floor of protection is the subject of poverty. As a matter of historical interest, this concept, as it is applied in the political field, was developed for the late President Kennedy as one of the prospective major talking points for his 1964 presidential campaign and was taken over by President Johnson.

Poverty, like sin, is something that nobody really favors. It seems to me that a clear distinction must be made between "poverty" as now defined and "want and destitution" or "need." Social security was established to *prevent* "need." It was not intended to deal with this new measure of poorness called "poverty." It so happens, however, that the social security program, established more than 30 years ago, has been the most important governmental program in combatting poverty. Of course, really the most important way to eliminate poverty among those in the working ages, or those being supported by such persons, is by education and employment training, rather than attempting to cure it through monetary grants.

Nonetheless, those who are of the expansionist philosophy have employed the poverty label to support their aims. One way in which this can be done is to define poverty in a mechanistic style and at a higher level than is really justified by a true analysis of the concept. At one extreme, we can never eliminate poverty in the sense that some have less income than others—unless we completely equalize all income. Under a more flexible interpretation of this concept, however, problems as to its validity still persist.

The concept of poverty that is so widely used currently is the mechanistic approach of proclaiming that poverty is present if the individual has less annual income than a certain prescribed amount of dollars. Such amount will vary by size of family and, in some discussions, by geographical or farm-nonfarm location. The illogical approach is taken by many who use these data that, if an individual is $1 short of the so-called poverty amount, then he is indeed in very bad shape. On the other hand, once his income has reached this level, then he is in entirely different status. The situation is almost as though one were to leap across a crevice, where the situation is entirely different when the jump is one inch short, as against its being sufficient.

Looking more intensively at the mechanistic approach at measuring poverty, numerous weaknesses can be pointed out—in fact, to such an extent that serious question can be raised as to whether this approach has any real validity or significance. The question of whether the individual has assets, including real estate, is usually ignored—as is also, for those aged 65 and over, the value of their Medicare protection. Yet, this is most important because if the poverty level for a married couple is promulgated at $2,000 a year, then there is an entirely different situation between a couple with slightly less income than this who lives in an owned home with a garden plot in a small town and a couple with the same income and no assets living in the middle of a metropolis.

Also often ignored by the exponents of the mechanistic poverty concept is the possibility of the individual living with his or her close relatives. Of course, some people deplore such situations, but I am strongly of the belief that firm family ties are most desirable. If the mechanistic definition of poverty for a single person is having income of less than $1,500 a year, is a widow with a $1,300 income who is living with one of her children truly in poverty?

The foregoing discussion should not be taken as implying that the moderates are aloof to the matter of poverty and human need. Rather, they believe that the facts of poverty should be demonstrated by objective realistic standards and not by mechanistic approaches. Consistent with this view is the approach mentioned previously of having social insurance programs that cover the vast majority of the economic-risk problem and public assistance programs that cover the residual needs of the remaining small minority.

Before leaving this subject, I believe that it is appropriate to make a comment on the work of many researchers in the social sciences and of those who direct their research, as I have observed this matter over a period of three decades. Too frequently, there is the view that the purpose of research and of collection of statistics is to gather data to substantiate a predetermined conclusion or reach a desired social goal.

This viewpoint holds that valuable research time and talent are wasted unless aimed only at proving a preconceived conclusion; otherwise, the efforts will be diffused by searching for all the facts, rather than by seeking only those which will "prove the point"! Specifically, in the area of research into the poverty field—and particularly as to the presentation of the results of such research—some people have approached the matter along the lines of a theology of making the extent of poverty appear to be as large as possible.

POSSIBLE CHANGES IN THE ROLE OF SOCIAL SECURITY

It is impossible to predict with any exactitude whether there will be any changes in the relative role of the social security program in our society—and if so, specifically what the changes will be. If the philosophy of moderatism largely prevails, the relative role of the social security program will not change significantly. Its provisions will be modified from time to time to keep it up to date and to solve such problems and anomalies as arise, especially those which are not being handled in a reasonably satisfactory manner by the private sector. On the other

hand, if the expansionist philosophy prevails the role of the social security program would be greatly enlarged.

The moderates argue that the social security program has now developed to the point where it has reached relative maturity and should be maintained at about its current size. The argument further goes that a satisfactory economic and political balance has now been reached between those who currently receive benefits and those who currently finance them through payroll taxes or contributions.

Those of the expansionist school who would have the social security program be predominant or virtually monopolistic in the economic-security field have goals that can be described relatively simply. As a subsidary matter, essentially they would eliminate the private pension system, except for persons with the highest earnings.

The expansionists have very definite ultimate goals for the social security program. They do not always express these goals in a single "bill of rights," but instead they advocate various steps at different times. Nonetheless, a fair, unbiased picture of the entire "iceberg" can be obtained.

The expansionists, as a matter of strategy, frequently use the "ratchet" approach—namely, not unveiling their ultimate goal in its entirety, but rather advocating only part of it and then being satisfied, for the time being, when they get only a fraction of that part. They believe that there is always another day to push further forward toward their goals, and they know that once a certain expansion has been achieved, a retreat from it is virtually impossible, so that hopefully tomorrow they can make another advance from their partially achieved gains until eventually their entire goal will be achieved. In fact, the ink is scarcely dry on a newly-enacted amendment before plans are being developed for the next legislative effort.

The general goals of the expansionists in the social security field can be given in three areas—cash benefits, health benefits, and financing of such benefits. Let us consider each of these areas in turn.

Cash-benefits objectives

In the cash-benefits field, the first goal of the expansionists is to increase the maximum earnings base that is creditable for benefit purposes to a level such as $15,000 currently, and to adjust this base upward automatically in the future according to changes in the general earnings level. This course is pursued primarily so that full economic security can be provided under social insurance to the vast majority of the population.

On the other hand, the moderates argue that, over the past two decades, the earnings base has been maintained at about the same level relative to earnings (see Table 1) and that this relationship should be continued in the future. If this is to be done, and if a change from the present $7,800 adopted effective first for 1968 is to be made for 1970, an increase to $8,400 at most is warranted. This is so because the change to $7,800 somewhat over-compensated for past experience, relative to that in 1950 and after. Even if the change to $7,800 in 1968 is considered to be "proper" and should be used as the benchmark for the future, the data show that the change in 1970 should be to $8,470, which under the customary rounding procedures would be taken as $8,400.

The expansionists argue that a $15,000 earnings base will merely restore the situation to what it was in 1937, when the program began (see Table 1). The moderates rebut this argument on the basis that Congress re-examined this matter in connection with the 1950 Amendments (and affirmed their action then by all subsequent amendments) and decided that the depression-influenced original basis was not proper.

TABLE 1.—PROPORTION OF TOTAL EARNINGS IN COVERED EMPLOYMENT COVERED BY VARIOUS TAXABLE EARNINGS BASES

Year	Earnings base	Proportion of earnings that is taxable (percent)
Actual experience for 1st year for which base was effective:		
1937	$3,000	92.0
1951	3,600	81.1
1955	4,200	80.3
1959	4,800	79.3
1966	6,600	80.2
1968	7,800	82.1
Projected experience for 1970 under present base and under various possible bases:		
1970	7,800	79.6
1970	8,400	81.9
1970	9,000	83.7
1970	15,000	92.3

The next step of the expansionists, then, is to double the present benefit level—or, to begin with, to increase it by at least 50 percent. This step, combined with the previous one, would then make it virtually unnecessary to have private pension plans, private insurance, and other forms of long-term private savings for the vast majority of the population. The benefit payments would, under the expansionist approach, be automatically adjusted for changes in the general earnings level (and not merely for changes in the price level) in order to maintain the so-called adequacy of the benefits. In this manner, virtually no individual and group supplementation would ever be needed.

Still another goal of the expansionists is to liberalize greatly the various eligibility conditions for disability benefits—such as the definition of disability, the length of the waiting period, and the prognosis of permanency or length of disability. Consequently, the present basis of permanent and total disability benefits would be extended to include all short-term, temporary sickness cases. Then, the expansionists argue, there would be adequate universal protection against this sickness risk. Obviously, there would thus be no need for sick-leave plans, for employer- or union-sponsored group insurance plans or individual private insurance in this field, or for private savings to help take care of this problem (essentially for very short periods of illness, when no income is earned).

If the foregoing goals of the expansionists as to levels of social security benefits were achieved, the consequences must be clear to anyone. There would not only be the direct effect of eliminating most private-sector efforts in the economic-security field, but there would also occur a most significant effect on our national economy. Private savings of all types, including pension plans and deferred profit-sharing plans (which had assets of $104 billion at the end of 1967), would be greatly diminished. This, in turn, would result in a shortage of investment funds for private industry to maintain and expand its economic-productivity activities. Accordingly, private industry would have to turn more and more to the government for such funds, and this could well mean increasing governmental regulation, control, and even ownership of productive activities.

Medical care objectives

Now considering medical-care benefits, again the ultimate goal of the expansionists is a relatively simple, but comprehensive, one—to provide Medicare benefits for the entire working and retired populations and their dependents. Quite possibly it would be advocated that there should be less cost-sharing, such as deductibles and coinsurance, to be paid directly by the beneficiaries. This would be argued on the basis that such cost-sharing imposes financial barriers which prevent adequate medical care being sought and which do not prevent over-utilization (as the moderates believe).

Once again, the expansionists would take the gradual approach to their desired social goal. This would be done by first extending Medicare to some or all of the persons under age 65 who are receiving cash benefits. Then, there might be instituted the so-called Kiddicare proposal (prenatal care, obstetrical care, and infant care—up to age 1, or age 6, or age 18, as much as can be obtained at the moment—all financed through Medicare).

Some discussion of the Kiddicare proposal may be worthwhile. This is an outstanding example of the technique of solving a small, but important, problem by discarding the highly successful private-sector procedures that apply to the vast majority of the population. This would be another step toward the attainment of the expansionist social goal of nationalizing medical care.

The argument given by the expansionists for the need for the Kiddicare program is that infant mortality in the United States is higher than in about 10 other countries throughout the world. No mention is made of the fact that the absolute differences in infant mortality between the United States and the countries with the most favorable experience are quite small, or that there are certain reason for these differences, which reasons are in considerable part being eliminated.

It is often argued that the financial barrier prevents many people from obtaining necessary health services. Yet, about 98 percent of the births in the United States now occur in hospitals. Accordingly, the Kiddicare proposal could produce relatively little improvement in this area. Probably the major problems in the infant and maternity medical-care area are getting adequate prenatal care at an early enough stage and environmental factors such as working during pregnancy. The vast majority of the population has no problem in this respect. The difficulty for the remaining minority is both educational and economic. Both of these causes could be eliminated through properly directed welfare activities, without the necessity of setting up a huge new government program applicable to the entire population.

Certainly the consequence of establishing a Kiddicare program would be to reduce further the potential scope of private insurance. As a result, the relative operating costs of private insurance for the limited benefit area in which it would operate would become high. Private insurance would thus be subject to adverse criticism, and it would be suggested that the governmental plan might as well take over the entire load since it can operate more efficiently from an administrative standpoint.

Once again, there is an important indirect effect if this goal of the expansionists to have virtually complete and comprehensive national health insurance were to be achieved. When medical-care costs covered by a social insurance program are for only a portion of the population—as with Medicare now—it is possible to have standards against which program reimbursement bases can be measured. However, under a complete-coverage program, there would be no private-sector standard against which to measure reasonable and customary charges of physicians. Accordingly, physician fees or remuneration could be established only by agreement between the government and the physicians (with the latter perhaps being at a considerable disadvantage). As a result, the practice of medicine as we know it today would be considerably altered—and this is what the expansionists seem to desire.

How expansions would be financed

Finally, as to that most important element, financing, the expansionists seek to tackle this unpleasant item in as "painless" and "unobtrusive" a fashion as possible. The maximum taxable earnings base for employees would necessarily be the same as for benefit purposes—namely, at an initial level of about $15,000 per year, automatically adjusted in the future in accordance with changes in the general earnings level. Employer contributions would be based on the entire payroll, without any maximum taxable earnings base. Moreover, the employer contribution rates would be double those for employees, instead of the present equal-rate basis.

Further, to make the greatly increased financing more "palatable" the expansionists strongly favor a government contribution out of general revenues in an amount equal to 50 percent of the combined employer-employee contribution receipts. At present, except for certain transitional provisions and except for the voluntary-individual Supplementary Medical Insurance program, the government makes no contributions to the program. A government contribution of this type is, of course, a very easy and simple way to increase the benefit level significantly without any apparent direct tax cost to anybody.

Since a government contribution on the order of 50 percent of the combined employer-employee contributions would involve an annual cost to the general treasury of $15 billion or more, the approach of gradualism is sometimes suggested by the expansionists. Instead of an immediate 50 percent matching, continuing in all future years, a graduated basis is proposed. For example, the matching proportion could start at a modest 5 percent and increase slowly each year until attaining the ultimate level of 50 percent (or more).

In the field of financing, the moderates believe that the primary sources of any additional financing necessary are the savings to the system due to the rising trend of general earnings and to the increases in the maximum taxable earnings base required to keep it up to date with this trend. Then, any further financing needed should come from increasing equally the contribution rate on workers and employers, but this should be done with restraint and caution. Such procedure would make the real increases in the cost of the program readily apparent to all. In no instance, according to the view of the moderates, should the additional financing come from an increase in the earnings base beyond that called for by changes in the general level of earnings or from introducing a government contribution.

Pros and cons of a Government contribution

It is worthwhile considering in some detail the arguments for and against general government contributions to the social security system, because such financing is the keystone of the expansionist philosophy. If all benefit liberalizations were to be financed by visible direct payroll taxes, it would probably be impossible to achieve them. In this respect, it may be noted that, for several decades, the congressional committees concerned with social security have always strongly favored the self-supporting principle for financing the regular program and have thus opposed general government contributions.

Several arguments have been given for introducing government contributions as a major financing sources of the social security program. One argument is the "logic" approach. Three parties are involved in economic security—the worker, the employer, and the government—and it is reasoned that each should pay equally.

Another argument in support of government contributions is that there would be substantially higher general-revenue costs for public assistance if there were no social security system. Therefore, it is argued, some of the resulting savings to the general treasury because of the existence of the social security program should be given to that program.

Another argument given in favor of a government subsidy is that higher direct contribution rates would be difficult to levy. Accordingly, this is the only way that benefits can be increased substantially. Quite obviously, if equal tripartite financing were put into effect, the general benefit level could immediately be increased by 50 percent.

This is, of course, part of the expansionist philosophy—to raise the general benefit level without making the increased cost readily (and perhaps painfully) apparent to the public. For somewhat the same reason, the expansionists favor eliminating the direct premium payments made by the enrollees under the Supplementary Medical Insurance program by placing the cost on the payroll tax, where it would be less obvious to people.

Those advocating a government contribution to the social security system often do so by analogy with private pension plans. There, the employer usually bears the entire cost for service rendered before establishment of the plan and for the higher cost for benefits based on subsequent service because initial members are older than future entrants will be. Accordingly, some expansionists argue that the government, through general revenues, should pay the "past-service" costs of benefits for social security beneficiaries.

Those favoring continuation of the present self-supporting financing basis and thus opposing government contributions—and I number myself among them—argue that the introduction of such contributions will seriously weaken cost controls over the program. Changes in the program might be voted without regard to the cost considerations—on the grounds that the necessary financing can always be easily obtained from general revenues. On the other hand, under the present basis, the costs of any benefit changes are fully recognized; they are met by direct, visible financing changes applicable to workers and employers.

One problem which may occur is that, for budgetary or political reasons, the government contributions may not be paid in the amount required or at the time specified. Several times in the past, government contributions to the social security system were legislated, but were not actually made, or were delayed for long periods. For example, appropriations from the general fund of the treasury for the cost of benefits arising from "gratuitous" military-service wage credits (for periods before 1957) have either not been made at all or have intentionally been made at a lower amount than according to the required actuarial determination. Then, too, general-revenue appropriations authorized for the Medicare program have frequently been delayed considerably beyond when they were due (although generally an appropriate interest adjustment is provided for).

It is not inconceivable that reliance on government contributions for financing a major portion of the cost of the social security program could lead to its collapse or to partial repudiation of benefit obligations.

Another difficulty which may arise is the pressure that would be generated to impose a means test on the beneficiaries, so that those who have substantial other income would not be paid benefits—on the grounds that people with large incomes should not receive payments which are partially financed from general revenues.

Those who oppose government contributions do not necessarily oppose benefit changes that will involve substantially increased costs. They believe that such costs should be as openly and completely recognized in the direct financing provisions as is possible.

Why the expansionist philosophy?

Having seen what the ultimate goals of the expansionist philosophy are, we should perhaps turn back for a moment to consider why these views are held. Briefly speaking, the expansionists argue that the present system of distribution of economic-security protection, even though built on a basic floor of protection from the social security program results in unequal and thus inequitable treatment. It is pointed out, for example, that in the cash-benefits area, some persons receive both social security benefits and private pensions (which is a rapidly growing category), while others receive only social security benefits.

Further, the argument goes that it is inefficient to have such a multitude and diversity of private employee benefit and health plans. Accordingly, why not have a single uniform governmental program that will provide completely adequate protection at the lowest possible administrative expense? Carrying this argument to its logical conclusion in other fields would, of course, mean the end of our competitive individual-enterprise system, which is probably the major element responsible for the phenomenal success in the economic development in this country.

Those with the expansionist philosophy in social security frequently argue for their goals as though governmental programs are the only way to achieve the betterment of our society and the brotherhood of man. This is well expressed by the following statement of former Secretary of Health, Education, and Welfare, Wilbur J. Cohen, as to his function—"the only national official paid by all the people whose full-time job is to guard and strengthen the people's health, education and social opportunities."[1]

Mr. Cohen has also pointed out that in fiscal year 1968, expenditures for health, education, and welfare in the United States amounted to 19.8 percent of the gross national product, of which 31.7 percent is from private sources—a proportion that has been steadily decreasing (with a relative decline of 13 percent between 1955 and 1968). He then went on to recommend that, by 1976, the proportion for health, education, and welfare activities should increase to 25 percent; although he did not specify whether the growth should be in the public sector or in the private sector, I believe that it can safely be assumed that he anticipates that it would be the former. Even keeping the public-sector percentage for such expenditures constant would result in a large increase in available funds, as a result of the increasing GNP.

Under these circumstances, one might wonder why the proportion would have to increase, and further whether 25 percent is to be the ultimate level desired by the expansionists (why not 30 percent, or 50 percent or more?). The expansionist philosophy might even go so far as to say "Would not people be healthier and happier and have greater social opportunities if the government took over more and more responsibilities?" For example, many (if not most) people—especially teenagers—do not have the ideal diet that is essential for good health, even though they can afford it. So, under the expansionist philosophy, why not prohibit the public sale of food and the right to raise one's own food, and instead have the government tell each person what they should eat, then provide it, and see that they eat it?

The moderates say in reply that there should be a certain amount of government control and regulation—the familiar floor

[1] Annual Report of the Department of Health, Education, and Welfare, Fiscal Year 1968.

of protection concept—but there is certainly a limit that should be set.

Objectivity role of the social security staff worker

One admirable and desirable human tendency is to advocate strongly whatever one's efforts are deeply engaged in. Workers in the private sector, accordingly, have the primary incentive and drive that their business organization should continually expand, seeking increased activity and profits. The worker in the social security field—just as in any other area of governmental activity—should ideally, at least according to the viewpoint of the moderates, have a somewhat different approach. This difference has as its foundation that the government employee is supposed to be working for all the people—not merely those who would benefit by the expansion of any particular program, but also those who would pay for it.

Turning back specifically to the social security program, we often hear statements of pride from top-level political figures and key administrators that benefit outgo has increased from only $X billion a few years ago to as much as $Y billion this year. This fact may or may not indicate a desirable situation, even though it is always implied that an increase is good—and the larger the better. Under these circumstances, the opposite side of the coin is that, for every increase in benefit outgo, there was a corresponding increase in contributions, or taxes collected. When a benefit increase goes to the 25 million social security beneficiaries, it is paid for by the 70 million active workers. This is one reason why Congress obviously considers benefit liberalizations only after thoughtful consideration as to who pays for them—and with due regard for the payors as well as for the payees. Accordingly, social security officials should point out the increases in contributions as well as the increases in benefits.

GOVERNMENT'S ROLE IN SUPERVISING PRIVATE PENSION PLANS

Assuming that there is a significant role for private pension plans—even though some social security expansionists do not believe so—then what should be the role of the government in supervising and regulating them? This subject in itself is sufficient for a full paper, so I shall touch on the matter only briefly here.

Many of those who propose extensive regulation and controls on private pension plans basically believe that such plans have little value and should be superseded by a greatly expanded social security program. Thus, one must wonder whether some of their views and recommendations are for the real purpose of making the private pension plan system more viable and more effective.

The moderates take the viewpoint that many improvements should take place in the private pension system, such as more vesting. The moderates believe that these improvements will come about voluntarily, and that they are occurring relatively rapidly, and thus governmental action is not required. It can be argued that the very nature of the voluntary private pension plans is such that compulsion as to benefit structure is anomalous.

Such argument does not necessarily follow in the field of financial security. Certainly, it is reasonable, at the least, to require open disclosure of the financing of private pension plans, assurances that investments will be properly made, etc.

Along these lines, some people incorrectly believe that it would be relatively simple to have a governmental requirement that there should be certain minimum funding of prior-service liabilities so that pension expectations will be fulfilled. This, however, is not nearly as simple as it seems, because the calculation of benefit liabilities and the adoption of different financing methods produces widely diverse results, even when performed in a highly professional manner. The situation is quite different from that of individual savings accounts or individual life insurance, where the financing bases and principles are much more precise. Some of the well-meaning, but poorly-informed, students of private pension plans who wish to reform them just do not realize this!

The governmental requirement of reinsurance of the obligations of pension plans against the risk of their being terminated without sufficient assets to meet the accrued liabilities has great popular appeal. Some individuals erroneously believe that this would be a simple matter, as it was in the insuring of bank accounts by the government. The situation, however, is vastly different, because of the lack of precision possible in making cost estimates of future operations for many decades hence and because of the different, but equally acceptable, financing methods possible. Another difference is that the proposed reinsurance of pension obligations would "insure" something that has never actually been in existence (namely, the unfunded portion of what may be an imprecisely-calculated liability), rather than something tangible as is the case with bank accounts.

It would seem that the possibilities of abuse and manipulation make impossible the establishment of a sound system of insurance of pension plan liabilities in the event of plan termination. Certain requirements could, however, be instituted that would probably solve the vast majority of the problems arising in plan terminations. It has been suggested that it should not be possible for an employer to determine his pension plan for part of his operations and not recognize the accrued liabilities if he continues in operation elsewhere; of course, he should have the right to terminate the plan as to future service and not have any liabilities therefor. Similarly, it has been suggested that, if one firm is purchased by another, the latter should be required to accept the accrued benefit liability of the pension plan of the former, even though it would not be required to continue the plan with respect to future service.

CONCLUSION

Now, let us turn back to the basic question of whether the private pension plan system in the United States and the social security program are compatible by being complementary and thus on parallel courses, or whether they are in conflict and on a collision course. First, I should like to state my view that, if the latter is the case, the loser most certainly will be the private pension system; under these circumstances, it will come out second best and will sink to the bottom.

I hasten to point out, however, that I do not believe that such dire circumstances will result, but rather that the two systems are compatible. This desirable result will occur, however, only if the future role of social security follows the lines of the views which I have termed as those held by the moderates. Certainly, if the expansionist philosophy should prevail in the future, my optimistic prediction that both the private pension system and the social security system can have significant and more or less equal roles to play will not materialize.

MILITARY SPOKESMEN EULOGIZE REPRESENTATIVE BATES

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. ARENDS. Mr. Speaker, as you know, our esteemed late colleague, William H. Bates, of Massachusetts, was at the time of his death the ranking minority member of the House Armed Services Committee. Since his untimely passing, it became my duty to carry on his minority leadership duties on that committee. It is on an official, as well as personal basis, that I know the high regard in which Bill Bates was held by military people everywhere.

The messages of condolence received by Bill's lovely wife, Pearle Jean Bates, are illustrative, and I should like to quote some of these. Everywhere, both in and out of Congress, wherever Bill Bates was known he was held in the highest regard.

Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff:

Mrs. Wheeler joins me in extending our deepest sympathy to you at the loss of your fine husband, Congressman William H. Bates.

For more than a quarter of a century, your husband served our country with true distinction both as a Naval Officer and as a Member of the United States Congress. I shall miss his counsel on matters affecting the Armed Services.

While words are small solace indeed, you may take pride in the length and quality of your husband's service. Again, our deepest sympathy.

Gen. W. C. Westmoreland, Chief of Staff, U.S. Army:

It was with deep regret that I learned of your husband's untimely passing. I wish to extend Mrs. Westmoreland's and my heartfelt sympathy in your great personal loss. I admired your Bill very much and considered him a warm friend.

All members of the Army join me in the hope that the memory of his distinguished service to our country will be of some comfort to you and your daughter in your bereavement.

Adm. T. H. Moorer, Chief of Naval Operations, U.S. Navy:

It was with great sorrow that we learned of the loss of your husband on Sunday. Bill was a great man and a staunch American who served his country with peerless dedication.

Mrs. Moorer and I and all the men and women of the Navy offer our prayers and heartfelt condolences for the untimely loss of your beloved and respected husband.

Gen. J. P. McConnell, Chief of Staff, U.S. Air Force:

It is with deep regret that I learned of the passing of your husband. On behalf of the men and women of the United States Air Force, I extend our heartfelt sympathy.

Gen. L. F. Chapman, Jr., Commandant, U.S. Marine Corps:

It was with the deepest regret that I learned of the death of your husband, the Honorable William H. Bates. Both personally and officially on behalf of all Marines, I extend to you my sympathy in your bereavement.

The memory of his selfless devotion to our country and the world will serve as an inspiration to those who follow. His courage, dedication, and love for humanity will always serve as a shining example of those noble qualities which have made our country great.

It is my sincere hope that the memories of your many years together and the knowledge that Marines throughout the world share your sorrow at his passing may be a source of some comfort to you in the days to follow.

For the past several years, Congressman Bates was one of the U.S. Representatives to the Parliamentarians' Conference of the North Atlantic Treaty Organization, and he served on the Military Committee at these annual Conferences.

These two messages from NATO headquarters in Brussels, Belgium, therefore, are of special interest:

William Dixon Boggs, First Secretary, U.S. Mission to the North Atlantic Treaty Organization:

Rein and I were deeply saddened to receive the tragic news of your husband's death. We will remember him as an intelligent and friendly man and as a wonderful servant of his country.

Please accept our sincere condolences.

Ph. Deshormes, Secretary General, North Atlantic Assembly:

It was with much sorrow that we learned of the news of your husband's death. Please accept, on behalf of the President of the North Atlantic Assembly, Dr. Kasim Gulek, and in my own name, our most sincere condolences and deep sympathy for you and your family on your bereavement. I know that your husband's loss will be deeply felt by all of us who had the privilege of knowing him.

The Honorable Robert E. Quinn, chief judge of the U.S. Court of Military Appeals, Washington, D.C., wrote about Mr. Bates:

He was a fine Congressman and a great American.

Rear Adm. B. H. Bieri, Jr., Chief of Supply Corps, Department of the Navy, had reference to Representative Bates' service in the Supply Corps when he wrote to his widow. Mr. Bates enlisted as a seaman and nearly 10 years later held the rank of lieutenant commander when he resigned upon being elected to Congress. When he died, he was a captain in the Naval Reserve Supply Corps. Admiral Bieri's letter to Mrs. Bates read:

It was with profound sorrow that I learned of Congressman Bates' passing, and on behalf of his many friends in the Supply Corps I extend my deepest sympathy for your great loss.

Congressman Bates served his country with patriotism and honor for many years, both as an officer in the active naval forces and as a Member of Congress. We can never repay him for this service, however, if we can be of any assistance to you we would consider it a privilege.

May God give you strength and courage through this most trying time.

Vice Adm. B. J. Semmes, Jr., commander of the U.S. Navy's 2d Fleet, dispatched this message to Chairman MENDEL RIVERS of the Armed Services Committee:

With a deep sense of loss we join with other military in expressing our sympathy at the passing of Capt. William Bates, U.S. Naval Rescrve, Member of Congress. His dedication and effectiveness as a member of your committee resulted in many actions in behalf of servicemen and in strengthening the readiness of the U.S. Armed Services. Please pass our deep sympathy to his family and to your committee.

Rear Adm. F. Massey, commander, Fleet Air, U.S. Naval Air Station, Quonset Point, R.I., wired Mrs. Bates:

Mrs. Massey and I are deeply saddened at the death of your husband. A truly great and dedicated man, he represented the finest qualities of a Naval officer and an American. Our prayers join those of your family at this time of great sorrow.

Capt. Raymond A. Komorowski, commanding officer, U.S.S. *Boston*—CA–69:

The Officers and men of U.S.S. *Boston*, CA–69, in South East Asian waters wish to extend their condolences to the family of the Honorable William Henry Bates, esteemed Congressman from Massachusetts.

We who are adopted sons of Boston and Massachusetts know full well his accomplishments—for the nation, the Commonwealth and the Navy. He will be sorely missed. We grieve with you and add our measure of prayer to that of the country.

Capt. Alfred R. Olsen, Jr., commanding officer, U.S.S. *Biddle*—DLG–34—of which Mrs. William H. Bates was sponsor in 1965:

Words are inadequate at a time like this, but I want you to know that you both are in our prayers and that you have our heartfelt sympathy in your tremendous loss.

Comdr. John W. Peterson, commanding officer, U.S.S. *Glover*—AGDE–1—named for a Revolutionary War hero from Marblehead, Mass., in Congressman Bates' district:

Officers and men of *Glover* join me in sending deepest personal regrets upon receiving the news of your husband's death. The warm bonds of friendship between *Glover* and the town of Marblehead which were fostered largely through his efforts will never be forgotten.

Brig. Gen. Felix J. Gerace, commanding, U.S. Army Natick Laboratories:

All of us here at Natick Laboratories are deeply grieved by the loss of our dear friend and supporter, Congressman William H. Bates.

Through the years he worked tirelessly to increase the responsibilities and to improve the capabilities of these Laboratories, even though the Installation was not in his District. We all remember the personal interest he took in the "fight" to move the Food and Container Institute from Chicago to Natick, and like most of his battles, he won that one, too. A Food Radiation Laboratory was established here in about the same time frame because of his great interest in the applications of atomic energy for the betterment of mankind.

Please accept this letter as representing the feelings of all of the employees here, because we want you to know that we are thinking of you, your daughter and Bill's mother at this time.

Col. Frank P. Bane, New England division engineer, Corps of Army Engineers:

The tragic passing of your beloved husband is a personal loss to me and the entire staff of the New England Division of the Corps of Engineers. May I express my sincere condolences to you and your family.

We at the Division had worked closely with Congressman Bates and are keenly aware of his dedication to his country and to the district which he served so well for many years.

Mrs. Bane joins with me in expressing our sorrow. It is our hope that time and happy memories will ease the days ahead.

Adm. Gordon McLintock, Superintendent, U.S. Merchant Marine Academy:

All hands at the United States Merchant Marine Academy join me in sending you our deepest sympathy. Congressman Bates was a very good friend to all of us who served the United States of America upon the sea. We shall miss him but we will not forget him and we will go forward in the Bates tradition.

FORMER COMMITTEE LEADERS

The Honorable Carl Vinson, the eminent former chairman of the House Armed Services Committee, a few years ago wrote to Bill Bates on the anniversary of his coming to Congress:

You have made a great record. When you take the gavel to run the Committee, the defense and security of the nation will be in a strong hand.

Bill naturally felt pleased and complimented, but destiny was not to permit fullment of the Vinson prediction. Upon learning of Mr. Bates' death, Chairman Vinson wrote from his Georgia home to Mrs. Bates:

I was profoundly sorry and deeply grieved to learn of the passing of your husband. In your hour of bereavement and sorrow you and your family have my deepest sympathy.

Bill was one of my best friends and my life was enriched by my association with him during the years we served in Congress together.

You and your daughter have the satisfaction of knowing he was an outstanding American, and he made a very fine record during the years he served in Congress and on the Armed Services Committee of the House.

I mourn deeply his passing as I have lost a close friend.

Former Representative Porter Hardy, Jr., of Virginia, with whom Bill Bates worked closely on the Armed Services Committee for many years wired to Mrs. Bates:

Deeply distressed by Bill's death. He was one of our great statesmen and my good friend.

Another former Congressman, the Honorable James E. Van Zandt, who, like Mr. Vinson, served on the Armed Services Committee with both Bill Bates and his father, the late George J. Bates, had campaigned for Bill during that historic special election campaign of 1950. His letter to Mrs. Bates after the sudden end of Bill's brilliant career read as follows:

It was a source of personal sadness to learn of the death of your beloved husband and I extend my deep sympathy to you in your bereavement.

Bill as he was affectionately known by a large circle of admiring friends attained a high place in public life. He and I were close friends as well as colleagues when I was a member of Congress and I also knew his father quite well. As you know, Bill and I were in the Naval Reserves together and served on the Armed Services Committee as well at the Joint Committee on Atomic Energy.

Bill's death will be mourned by countless persons who have benefitted from his active and fruitful life. As far as I am concerned personally, I have lost a true friend.

It is my fervent prayer that God will give you the necessary strength and courage to accept your great sorrow in the knowledge that death is not the end but in reality is the opening of the portals to a richer and more abundant life.

NAVY LEAGUE TRIBUTES

James M. Hannon, national president, Navy League of the United States, wrote to Mrs. Bates:

It was with the deepest sorrow that I learned of the tragic death of your husband. In sending our heartfelt sympathy, the Navy League of the United States joins with you and the Nation in mourning the loss of a great leader.

Though I know there is little that I can convey to alleviate your anguish and that of your family, I sincerely hope you will find consolation in the magnificent contribution Bill Bates has made to the strength and well-being of the Nation over his span of years in public life. Members of the Navy League shared your husband's deep devotion to the sea and his profound grasp of the importance of the world ocean to the public welfare.

His brilliant leadership ever served to foster progress that would reinforce this strength, in a way that was a source of inspiration to each of us. His profound conviction was a source of marked admiration, and I was especially pleased that our organization was able to pay tribute to his leadership through a resolution commending him, prior to his death.

Our prayers are with you and your family as we send our condolences in having lost a friend, who had gained our deep respect and affection, and one whom we greatly admired.

John G. "Jack" Norris, editor in chief of Navy magazine, official publication of the Navy League, paid this editorial tribute in the July-August 1969 issue:

WILLIAM H. BATES, 1917–69

Although coincidental, it was altogether fitting that Navy bandsmen were playing the National Anthem when Representative William Henry Bates (R-Mass.) died of stomach cancer at the Bethesda Naval Hospital.

For the distinguished 52-year-old Congressman had devoted his life to his country. He entered the Navy well before Pearl Harbor, saw combat in the Pacific and was a career lieutenant commander until he resigned after running for and winning his father's seat in Congress in 1949.

Representative George Bates for years had been an influential member of the old House Naval Affairs Committee and the new House Armed Services Committee, playing a major role in the B–36-carrier controversy. His career ended tragically in a plane crash over Washington at the height of his Congressional prestige.

After Bill Bates took his seat on House Armed Services, his brilliance, strength of character and military and naval expertise also won him a coveted spot on the powerful Joint Committee on Atomic Energy. He was ranking minority member and a top decision-maker of the Armed Services Committee and would have become chairman had he lived and the Republicans won control of the next Congress.

His popularity, standing and respect among his colleagues was shown by the 107 speeches of eulogy delivered in Congress after his death. Mr. Bates was a power in Congress, a strong advocate of a powerful nuclear Navy and a constant advocate of adequate American defense forces. His passing is an irreplaceable loss to the Navy and the nation.

HALL OF FAME AWARD

Brig. Gen. Homer I. Lewis, national president, and Col. John T. Carlton, executive director, Reserve Officers Association wired to Mrs. Bates after the 43d national convention of ROA at Las Vegas, Nev.:

The Reserve Officers Association in National Convention assembled has voted unanimously to express our sorrow in the untimely passing of our great friend and statesman the Honorable William H. Bates and has awarded in tribute to his memory the ROA Minute Man Hall of Fame Award.

Details about this special award and plans for its presentation are expected to be announced shortly.

VIET TRAP KILLS HYATTSVILLE GI

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. LONG of Maryland. Mr. Speaker Pfc. Bobby R. Quesenberry, a fine young man from Maryland was recently killed in action in Vietnam. I wish to commend the courage of this young man and to honor his memory by including the following article in the RECORD:

VIET TRAP KILLS HYATTSVILLE GI

A 19-year-old Army private first class from Hyattsville was killed August 7 when he stepped on a booby trap while on combat patrol in Vietnam, the Defense Department said yesterday.

PFC Bobby R. Quesenberry enlisted in the Army last January because "he wanted to fight for his country," his mother, Mrs. Opal Quesenberry, said yesterday. "We didn't think about it going this far," she said.

Private Quesenberry had worked in the die shop at the National Fence Company in Bladensburg before enlisting, his mother said. He had been in Vietnam a month.

Besides his mother, and father, Archie Quesenberry, he is survived by his wife, Mrs. Deborah Woodard Quesenberry, at 6809 Riggs Road in Hyattsville a daughter, Darlene Quesenberry; two brothers, John and Barry Quesenberry, and a sister, Mrs. Brenda Smith.

HELEN DELICH BENTLEY

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. FRIEDEL. Mr. Speaker, under unanimous consent to extend my remarks in the RECORD, I include a news article that appeared in the Baltimore, Md., Sun under date of August 11, 1969, with respect to the appointment of Helen Delich Bentley as the first women to be appointed to the Maritime Commission or to be named chairman of a Federal regulatory agency by the President and will rank as one of Mr. Nixon's top female appointees.

I have known Mrs. Bentley for many years as an outstanding news reporter for the Baltimore Sun whose knowledge of maritime affairs would be difficult to match. The problems of the American maritime industry are most complex and we must get on with the job of solving them as soon as possible.

I congratulate Mrs. Bentley on her new position and wish her every success in this very important and challenging post.

The article follows:

MARITIME CHAIRMAN

Mrs. Helen Delich Bentley is taking on a difficult assignment as chairman of the Federal Maritime Commission, the position to which President Nixon has announced her appointment. She knows that the task is difficult, of course, but, more important, she has definite ideas of what to do about it. Mrs. Bentley will take to Washington the special combination of determination, ability, knowledge and unflagging energy which has brought her distinction in the maritime field and has amply qualified her, in our opinion, for the task ahead.

As the maritime editor of *The Sun* Mrs. Bentley has long distinguished herself in what is often thought of as a man's world. She has helped, among other things, to underscore to this community the great importance of the port of Baltimore and to describe the complexity and scope of its operations. Her appointment thus is a tribute to her work as a reporter and editor—President Nixon said she "has established a record of professional excellence unsurpassed by any maritime expert in the country"—and a recognition of the position of the port of Baltimore in national and international shipping. Mrs. Bentley goes to her new position with the best wishes of this newspaper and with our confidence, which we believe many others share, that the President has made an outstanding choice.

THE GRIP OF THE MAFIA OVER GOVERNMENT WITNESSES

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. KOCH. Mr. Speaker, the Mafia, whose activities often go unreported in the newspapers, remains a powerful force in this country and maintains a reign of terror over many Americans. This week, the Village Voice of New York City, is carrying an exclusive interview by Mary Perot Nichols with Herbert Itkin, an agent for the CIA for 14 years and an agent for the FBI for 5 years. Mr. Itkin is perhaps best known to the public for his association with James L. Marcus, New York City's former water commissioner who was convicted last year in a bribe case.

Mr. Itkin told Mary Nichols, one of New York City's leading investigatory reporters, that he will not be a witness in the Government case against top Mafia figures because he is afraid that to do so would imperil the lives of his wife's two sons and because he claims he cannot get any protection from the Government for them.

Of course, I am not in a position to attest to the validity of any of Mr. Itkin's allegations. I am concerned about the dangers which may exist for persons who may be willing to testify against Mafia operations.

The text of the Village Voice article follows:

ITKIN WON'T TESTIFY; MAY BLOW FEDS' CASE

(By Mary Perot Nichols)

The federal government lost its star witness in a series of major Mafia cases this week because it has failed to protect his family. The development may well turn the long battle against organized crime into a total rout.

The witness, Herbert Itkin, who was also the chief witness in the trial of former City Water Commissioner James Marcus, told The Voice in an exclusive interview on Monday night, "If the government cannot arrange to protect the children of witnesses as promised by Robert Kennedy when he was attorney general, then not only will I not testify but there will be no war on organized crime because no one will be willing to testify and endanger their own children's lives."

Itkin has been an agent for the Central Intelligence Agency for 14 years and an agent for the FBI for five years. In a state court last November, Itkin became the only agent on whose behalf the CIA ever filed an affidavit. Itkin was expected to be the leading witness in an upcoming trial of top Mafia figures in Pittsburgh, Detroit, and New York. He was also expected to be a witness in the trial of former Tammany chief Carmine G. DeSapio.

In an interview in an East Side restaurant, Itkin and his wife, Ada, said they had been unable to find any court that would put Mrs. Itkin's two sons into protective custody.

They said they feared the children would be killed or maimed by the Mafia. Mrs. Itkin's sons, by a previous marriage, live with their father, Frederick Hersh, in Peekskill, New York.

The Itkins said that Mrs. Itkin lost custody of the boys on a legal technicality in 1965 when they went to England on assignment by the CIA. Itkin's assignment in England was to set up a business as a cover. He set up a partnership with James Marcus, then an assistant to Mayor Lindsay; Peter Littman, a Swiss banker; and Littman's brother-in-law, Philadelphia businessman Albert Greenfield. Itkin said that at that time he was assigned to investigate the flow of gambling funds from organized crime in this country to Swiss banks and the influx of American gangsters into British gambling.

What prompted Itkin to call The Voice and seek an interview was that last Friday the Itkins apparently thought they had exhausted all the legal remedies to get protection for the children. The Itkins also indicated they now felt the CIA had not lived up to their promise to protect the children. The Itkins now live on a federal government military installation and, during dinner, they were guarded in the restaurant by two federal marshals.

According to the Itkins, Judge Edmund Palmieri of the United States District Court ruled on Friday that his court had no jurisdiction over the question of the children's protective custody. The Itkins claimed that on Wednedsay the Westchester Family Court also ruled it had no jurisdiction. They also claimed that in the three and a half years since Mrs. Itkin lost the children, she had been unable to get a full hearing in the Westchester Family Court on the custody question.

Itkin said that Judge Palmieri told his attorney, F. Lee Bailey, last Thursday—before he ruled that his court had no jurisdiction—that the situation with the children was "horrendous" and that "while we are sitting right here something could be happening to the children."

Judge Palmieri declined to comment on the case but it was learned from informed sources that the federal court has not closed the case. The sealing of Judge Palmieri's decision and the retention of possible jurisdiction in the case is regarded by close observers of the situation as a pressure on the state courts to watch their step in this case.

Informed sources also confirmed Itkin's statement that Judge Palmieri is concerned over the safety of Mrs. Itkin's two children. Itkin's own four children and his previous wife are already in federal custody.

Mrs. Itkin said that what was now needed was the appearance of Lawrence Houston, chief counsel of the CIA, and Richard Helms, director of the CIA, "to go into the Westchester Family Court and fight. Would the judges in that court," she asked, "refuse to listen to Richard Helms?"

The Itkins claimed that undercover agents all over the country were watching to see if the CIA and the FBI are able to protect their own. If the federal agencies cannot, the Itkins maintained, there can be no war on organized crime because other agents will not "blow their covers" and testify.

WRONG MOVE

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. BURTON of California. Mr. Speaker, while the citizens of San Francisco are attempting to expand employment opportunities for minorities, the Federal Government sometimes seems intent upon frustrating their efforts. Some 1,600 persons—most of them residents of San Francisco—find that their place of employment may be moved to an outlying community. The San Francisco Examiner called attention to the consequences of this proposed action in an editorial of June 27 of this year:

WRONG MOVE

The Social Security Administration's tentative plan to move its payment center out of San Francisco carries damaging implications for the City.

A total of 1600 jobs is at stake, half being clerical posts held by workers of minority origin, the very class of citizen toward whom job-finding efforts are most energetically directed. As Congressman Phillip Burton warned, "The plan at best could turn (them) into commuters to the suburbs and deprive the City of employment opportunities it desperately needs."

The payment center's operations currently are spread out in five San Francisco locations, admittedly not a desirable situation. But the employment needs of the central city—certainly one of the keystones of the Nixon Administration—must take a higher priority.

Job accessibility is of unusual importance to the minority worker. A lengthy commute by bus or auto—or later even by BART—is expensive and, at this stage of the game, contrary to the life style of many.

No obstacle should be put in the way of minority hiring. Since one of the main thrusts of the Administration is toward the rehabilitation of the core city, any policy that reduced employment opportunities there would be destructive of the central purpose.

City officials should join with Congressman Burton in forcefully impressing this indisputable fact on the proper authorities in Washington.

POPULATION GROWTH

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. HORTON, Mr. Speaker, modern medicine and nutrition have cut the death rates throughout the world, producing unprecedented population growth. And if left unchecked world population will double to 7 billion persons by the end of the century.

The very quality of life on this planet is at stake. Such growth cannot continue indefinitely without serious social and environmental problems.

Eighteen months ago, Secretary General U Thant made public a "world leaders declaration on population."

The declaration signed by the heads of 30 nations, including the United States said:

The population problem must be recognized as a principal element in long-range national planning if governments are to achieve their economic goals and fulfill the aspirations of their people.

As a member of a special congressional task force on earth resources and population, I have been studying this problem on a worldwide basis.

Yesterday, I cosponsored legislation to create a Commission on Population Growth and the American Future. The thrust of this act would be to study population problems and to educate the country to an awareness of these problems.

When you are told that only a dozen or so countries around the world now have efficiently functioning population programs, the importance of broadening public awareness and expanding family programs becomes even more evident. We must erase the unjustified stigma associated with such phrases as "birth control" and "family planning."

Population growth is a serious problem because it affects health and nutrition, literacy and education, productive employment and living standards. It becomes obvious that overpopulation is much more an economic and political problem than a medical one.

The late President Dwight D. Eisenhower recognized this problem.

He said:

The population explosion has already become one of the most critical world problems of our time and daily grows more serious.

It threatens to smother the economic progress of many nations and endangers the free world struggle for peace and security.

While the current rate in the United States is a low 1 percent a year, this natural population increase cannot be maintained. By the year 2000, the population of our country could reach 360 million.

In this country and elsewhere, the basic problem lies with persons, most of them poor, who are unable to limit their families to the number of children they desire and can feed and support.

It is a fallacy to believe the poor have children only because they want to stay poor. Unfortunately, they have more children and these children are condemned to perpetuate the poverty of their parents.

For the majority of Americans, birth control can be attained through current research and family training programs.

But for one-fifth of the Nation—those who are poor or nearly poor—such programs will not be enough. The current family planning programs are of little help to those who cannot afford the services, who do not know that they are available or who live where medical facilities are scarce.

The lack of family planning services among the poor is not a problem confined to one race, nor is it confined to the urban areas.

In fact, two-thirds of the Nations' poor are white and only one-third live in the central city slums. Neither is the problem confined to any particular geographic area. The people needing such services live in all sections of the country.

The Federal Government must undertake a much larger effort if this Nation is to play its proper role in attaining a better life for our people as well as for the people of developing nations.

To preserve and improve the quality of human life here and abroad, we must focus attention on the quantity of population now. I urge my colleagues to support this measure.

U.S. TRADE WITH JAPAN OMINOUS PROSPECT

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. DENT. Mr. Speaker, I am pleased to submit the following analysis of U.S. trade with Japan for consideration by the Members. It was prepared by O. R. Strackbein, president of the Nationwide Committee on Import-Export Policy, and one of our country's most knowledgeable men in the field of international trade.

The analysis follows:

Our trade with Japan has undergone a radical change in recent years.

As recently as 1964 we had a surplus of exports with that country, according to our official statistical reports. We exported goods valued at $1.9 billion in that year to Japan whereas our imports were only $1.7 billion. In 1965 we imported $350 million more from Japan than we exported to her. By 1968 the turnabout was so complete that any idea that the reversal was merely a temporary phenomenon was shattered. In that year we imported $1.1 billion more than we sold there. Our imports were 38% higher than our exports.

The 1968 deficit in our trade with Japan was greater than our total trade surplus.

There are other aspects about our trade with Japan that set it apart from our trade with most of the other areas of the world.

In 1968, for example, at least 91% of our imports from Japan consisted of manufactured goods, or $3.7 billion of the total of $4.0 billion.

With respect to our exports to Japan the same classifications of manufactured goods represented only 31.6% of our total exports to Japan.

It goes without saying that more labor goes into producing manufactured goods than into raw materials and partially manufactured goods. Therefore our trade with Japan, aside from showing a broad deficit in total dollar value, represented a heavy labor deficit in 1968.

Predominantly we are selling low labor-content goods to Japan and importing high labor-content goods.

Whatever may be said about the stake of labor in foreign trade, our trade with Japan does not provide us with a happy example of an exchange beneficial to labor.

It represents an exchange in which a high-wage economy is pitched against a low-wage economy in a competitive contest in which relative productivity must be the arbiter of where the advantage lies. If our wages are four or five times as high, including fringe benefits, as the Japanese counterpart we must enjoy a wide margin of higher productivity per man-hour than the Japanese if we are to be able to compete. It does not follow that we must be exactly four or five times as productive per man-hour as the Japanese, because other factors intrude; but since employee compensation is by far the greatest part of the cost of production incurred in bringing goods to market, it is clear that we must enjoy a formidable lead in productivity if we are to compete with wages as low as the Japanese.

Of course, we find some market in Japan because that country is deficient in certain resources. She must import heavily if she is to manufacture extensively. Therefore we can sell raw cotton, coal and a large variety of other raw materials to Japan, not because we could undersell her if she had the same resources, but because she is not self-sufficient in those products. This is not a test of relative competitiveness.

We compete with other countries in selling these products to Japan. In the case of cotton, wheat and wheat flour, we sell Japan at world market prices thanks to our policy of subsidizing the production of these commodities in the United States and offering them to the world at the world prices. But for this subsidization we would have little hope of selling cotton and wheat to Japan in competition with other countries.

As for coal, which is another important export to Japan, the opening is genuine because we are a low-cost coal producer among the countries of the world. We achieved this competitive stature in coal by virtue of extremely drastic displacement of labor in our coal mines. In some fifteen years before 1965 the mechanization of our coal mines sacrificed the jobs of two out of every three coal miners in this country. In terms of total jobs lost, it was in the magnitude of some 350,000 miners of a total of some 485,000. The economic result in this country of the mechanization was what is referred to as Appalachia. It meant the transfer of miners to the relief rolls on a large scale and the expenditure of hundreds of millions of dollars by the Federal government. The adjustment has not yet been more than partially completed.

Here we can see the raw bones of what is implied in being or becoming competitive with imports from Japan. The same drastic adjustment that made us competitive in coal with Japan (and elsewhere) is a stark reminder where we stand in terms of many other products.

Sometimes there are special conditions or developments that hold the umbrella over our trade; but these cannot be depended on to assure us normal outlets for our exports or defenses against low-cost imports.

In the case of our trade with Japan it is becoming increasingly obvious that we are running out of special conditions and developments of the kind on which we have depended to keep our trade in balance or in surplus. The great strides of the Japanese in technological development and the persistent wide differential in her wage costs per unit of production compared with ours, clearly pose the question of what can or should be done to prevent the capture of increasing shares of our market by Japanese goods, particularly consumer goods, while our hope of selling in Japan continues to rest on the export of raw materials in which she is deficient.

On occasion Japan voluntarily limits her exports; but this is a self-defeating undertaking if other countries export the same kind of products to us. Japan learned to her disadvantage that after a voluntary cutback on her shipments of cotton textiles to this country in the late 'fifties other countries quickly took up the slack while the Japanese share of our market just as quickly shrank. That experience explained her willingness to enter into an international arrangement under which other countries also consented to a restricition on their own shipments to this country.

Many of our consumer goods industries are wholly at the mercy of Japan in point of rising imports. Only Japan's own limited range of production provides a containment; but the expansion of Japanese production has been such that little hope can be placed in any continuing limitation from that source. According to the Statistical Yearbook of the United Nations Japan outdid the remainder of the world in the growth of industrial production during the 1958–67 decade.

The Japanese expansion was 245% compared with 69% for the United States, 77% for Canada, 113% for Italy and 121% for the Soviet Union.

Unquestionably Japan represents the principal threat to our industries producing consumer goods, ranging all the way from radio and television receiving sets, tape recorders, sewing machines, pottery, wearing apparel, footwear, athletic goods, toys, household and kitchen ware and much else. In other fields, machinery, steel and more recently automobiles, represent durable goods in which Japanese competition is severe and growing.

Thus the energy and efficiency of Japanese industry, combined with her low wages, pose the gravest competitive problem to American industry and labor.

The least objectionable and the fairest recourse would lie in an import-containment policy that would offer a fair share of our market for specified products to other countries, including Japan. The share-of-the-market concept would permit imports, including those from Japan, a rate of growth in proportion to the increase in our domestic consumption. Japan need not then fear a loss of her share of the market, and our industries and other countries need not fear a Japanese take-over of our market.

Unless such a step is taken scores of our industries will face the same imperative of retreat as a number of industries have already experienced. They have invested heavily in foreign countries, in new plants and going concerns. While seeking by this route to recoup their own finances in self-defense, their employees have no similar escape. Some industries, indeed, have little hope of expanding successfully abroad. Japan is not favorably disposed to foreign investment in her borders.

While the foreign investments temporarily increase our exports of machinery and equipment, they will in the end reduce our export markets. Were the investment climate at home improved vis-a-vis imports, the flow of investments abroad would soon be tempered without the imposition of governmental restrictions.

INDEPENDENCE DAY OF CYPRUS

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. POWELL. Mr. Speaker, throughout its long history, the island of Cyprus has been a crossroads of commerce, a steppingstone of empire builders, a center of the arts, and the seat of political institutions often far advanced over its neighbors on the continents of Europe, Asia, and Africa. Cyprus was the site of colonial enterprises of the ancient Egyptians, the Phoenicians and the Greeks. During the Ionian revolts against the Persians in the fifth century B.C., the people of Cyprus joined with their island friends in trying to cast off the bonds of the Asian conquerors, but the attempt was unsuccessful. After the meteor-like passing of Alexander the Great, Cyprus became a province of the Ptolemies of Egypt. When the Romans were destroying the Temple at Jerusalem, Cyprus was a refuge for the fleeing Jews of Palestine. After the Arab armies had reached northward in their search for converts to their new Islamic faith, Cyprus became the meeting ground for the conflict between the Byzantines and the Arabs that was to rage for three centuries.

The Crusaders under Richard Coeur-de-Lion conquered Cyprus in 1192, and the island of the Mediterranean became a Crusader stronghold under Western rule until the coming of the Turks in

1570. Through a treaty with the Turks in 1878, Cyprus became a British base against the encroachment of the Russian Czars into the area of the Middle East. After World War I, the island of Cyprus became a possession of the British Crown, assuming the status of crown colony in 1925. On August 16, 1960, the island of Cyprus became an independent nation.

But Cyprus was to be plagued by a series of constitutional problems which revolved around the rights of the two dominant ethnic and national groups on the island, the Greeks and the Turks. The unrest finally erupted into a civil war in 1963, and the eventual establishment on Cyprus of a United Nations force for the purpose of keeping the peace until the two communities could settle their outstanding differences and resume the work of building a viable and progressive society. Presently, the problem of finding an amicable settlement of the conflict between the Cypriot Greeks and the Cypriot Turks is under discussion by the principals and representatives of the two parent nations of Greece and Turkey.

We, and the many friends of Cyprus, hope that the deliberations between reasonable men will find an equitable solution to the dilemma of Cyprus, and that the people of this ancient and noble island will soon be able to continue the tasks of establishing a modern nation of Cyprus. On this anniversary of their independence, we wish the people of Cyprus every success in their endeavors and express the fervent hope that soon they will be again at peace and will achieve the greatness of which they are capable.

THE INDIAN SICKNESS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. DERWINSKI. Mr. Speaker, a very frank and sound editorial commentary in the Chicago Tribune, Thursday, August 7, analyzed Government complications in India. India possesses obvious importance due to its strategic location and the size of the populace but in administrative talent and political philosophy its governmental leaders have failed to meet the needs of the populace.

This editorial commentary hits the nail on the head.

The editorial follows:

THE INDIAN SICKNESS

Mrs. Indira Gandhi, India's prime minister, told a wildly cheering mob outside her palatial residence in New Delhi Tuesday that the nationalization of her country's major banks, just completed, was only a small step toward her goal of "democratic socialism." A dispatch to the Times of London, which also appeared in The Tribune, said the mob was "led by prominent communist leaders."

Mrs. Gandhi fired Morarji Desai, deputy prime minister and finance minister, from her cabinet because he opposed the bank nationalization program. She threatened her conservative critics with further collectivist innovations less than a week after she had welcomed President Nixon on his visit to India and heard him praise its "sense of independence and nonalignment."

Independence? Since 1945, India has received aid of more than 9 billion dollars from the United States. In recent years the level has been about 800 million dollars a year and the Nixon administration has proposed no decrease.

Nonalignment? Before 1962, when Red China attacked India, the Indian government was passionately attached to Red China; now it is passionately attached to the Soviet Union.

Mr. Nixon and Mrs. Gandhi discussed only global and extraterrestrial affairs. The Indians, especially Mrs. Gandhi, do not hesitate to tell the United States to get out of Viet Nam, but they would violently resent any criticism of their domestic socialist program, which the United States has financed to the extent of more than 9 billion dollars. For years, however, leading Indian economists and industrialists have contended that the worst evil afflicting their country, not even excepting overpopulation and the high birth rate, is the government's socialist policies and its indolent, incompetent, tax-eating, corrupt, and oppressive bureaucracy.

Mrs. Gandhi's father, Jawaharlal Nehru, and the other intellectuals who founded the Congress party and led the struggle for India's independence were Marxists. They were also parlor proletarians, convinced that Lenin was right when he said that a socialist revolution must be based upon a proletariat. For a proletariat you must have industry. Hence India's government adopted a program of rapid industrialization and neglected agriculture, on which 80 per cent of India's 550 million people depend for a living.

The government's official industrial policy statement proclaims "a socialist pattern of society as the national objective." It contains a long list of basic industries which are reserved for the state and another long list which are to be progressively owned by the state, but with participation by private enterprise.

Overexpansion of the public sector and overregulation of the private sector have produced industrial stagnation, widespread unemployment, and severe inflation.

India has abundant resources of iron ore, coal, and manganese, but it would be far more economical to buy steel from Japan, paying for it with raw materials, than to produce it at home. India's food shortages could have been prevented by encouraging private initiative in the production of fertilizers and the introduction of high-yield strains of wheat and rice. India has more land under cultivation and much more under irrigation than the United States, and has more acreage per capita under cultivation than has Japan. With technical assistance from United States foundations and universities, particularly the University of Illinois, India is improving its agriculture, but whether it will ever become self-sufficient is doubtful.

Chester Bowles, former ambassador to India, and other zealous Indophiles have supported American assistance to India's "democratic socialism" as the Asian alternative to communism. It's about time for Congress to realize that the Indian sickness is a transition stage, not an alternative, to communism.

BRONZE STAR AWARDED MASTER SERGEANT

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. LONG of Maryland. Mr. Speaker, M. Sgt. Albert T. Jones, a fine man from Maryland, was recently awarded the Bronze Star for meritorious service in Vietnam. I wish to commend his courage and honor him by including the following article in the RECORD:

M. SGT. JONES AWARDED BRONZE STAR

Master Sergeant Albert T. Jones, Augusta Court, Aberdeen Proving Ground, Md., was awarded the Bronze Star Medal at the U.S. Army Ordnance Center and School July 11, 1969.

He was cited for meritorious service in connection with ground operations against a hostile force in the Republic of Vietnam from May 1968 to May 1969. His loyalty, initiative, and perseverance were in the highest traditions of the military service.

He is assigned to Headquarters, Second Battalion, USAOC&S.

ROOSEVELT MEMORIAL BOYS' CLUB OF SAN PEDRO, CALIF.

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. ANDERSON of California. Mr. Speaker, today I rise to pay tribute to an outstanding organization, the boys' club, and a remarkable chapter of that organization, the Boys' Club of San Pedro, Calif.

My colleagues in the Congress may remember that clubs affiliated with "Boys' Clubs" of America operate under a charter, granted by Congress, which reads, "to promote the health, social, education, vocational, and character development of boys throughout the United States."

A boys' club is a licensed, private, social service agency. It is the most exclusive club in town. It is open to every boy between the ages of 8 and 18, regardless of his racial, religious, economic, or cultural background.

Particularly inspiring has been the history of the Roosevelt Memorial Boys' Club of San Pedro, Inc.

The Boys' Club of San Pedro was organized March 1, 1938, under the leadership of John S. Gibson, with the assistance of the San Pedro Civitan Club and a large number of other San Pedro groups and individuals.

The first clubhouse was located at 718 West Sixth Street and had a membership of 225. Today it is located at 1200 South Cabrillo Avenue in a facility valued at over $750,000 with a membership of over 2,000, and a daily use of over 500 members.

The program from its inception proved popular and larger facilities were soon needed. After a few years the boys' club was moved from its first location to the abandoned San Pedro High School shop buildings. In 1947, the condemnation of these shop buildings forced the boys' club to move into the old high school made usable largely through the efforts of the San Pedro Lions Club.

During this transition, the efforts of the board of directors, in negotiating an agreement with the local shipyard union and the late Mr. Skouros of Fox Theaters resulted in the boys' club gaining title to the property upon which the present structure stands.

A fund-raising drive in 1965 secured such wide community support that the facilities are now completed and entirely paid for. The structure has foresight incorporated into its architecture. It was designed to serve the present and the future, for it is to the future to which the boys' clubs are dedicated.

The boys' club operates upon a budget of $62,000 a year. Approximately two-thirds of this comes from United Way contributions. The other third comes from local fundraising activities. This year the Keystone 100 Dinner is the major fundraising activity.

I am pleased to add my congratulations to the board of directors; to the officers; to Mr. Nick N. Trani, the executive director and his staff; to the many past officers and leaders; and to the parents of San Pedro; all who have made the boys' club a great success. The youth of San Pedro are fortunate indeed to have been served so well by so many over so many years.

THE TAX REFORM ACT OF 1969

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. HELSTOSKI. Mr. Speaker, the tax reform bill, passed last week by the House, has generated a great deal of interest among the general public as to what are the provisions of this legislation.

I wish to make it clear to my constituents that I voted for this tax reform measure, but had great reservations on the legislation which was adopted by a vote of 394 to 30. Although not a perfect solution to all our tax problems, it is, nevertheless, a step in the right direction. I have listened very carefully to the debate on this bill and find that there is still much to be desired in a way of a genuine tax reform measure.

Mr. Speaker, because of the very technical nature of this tax bill, I would like to bring to my constituents a general summary of the key provisions it contains.

The tax bill, passed by this House, breaks down into two main sections: One contains the provisions that grant tax relief while the other embodies reforms that close or narrow certain loopholes in the Federal tax structure.

Added to the measure is a section which I opposed, that extends the income tax surcharge at a 5-percent rate for 6 months beyond January 1, 1970, repeals the 7-percent business investment credit, and extends excise taxes on automobiles and telephones.

The following is a summary of the major provisions dealing with tax relief and tax reform:

TAX RELIEF

Individual income tax cuts are spread over 3 years, rising to a total of $8 billion in 1972. Virtually all taxpayers will get some relief under the bill.

The present top tax rate of 70 percent would be reduced to 65 percent for investment income over the 2 years and a maximum rate of 50 percent would be imposed on earned income.

The standard deduction, for a person who does not file an itemized return, is raised from 10 to 15 percent over 3 years. The maximum amount of the deduction is raised from $1,000 to $2,000, also from 1970 through 1972.

Each taxpaying unit, whether a single person or a family, would be given a minimum standard deduction of $1,100. For 1970, this amount would be available only on a limited basis to incomes above the poverty level, but after that it would be fully effective.

By adding the minimum personal exemption of $600 per person to the new $1,100 standard deduction, single persons with gross incomes of up to $1,700 would be exempt from any Federal income tax. Incomes up to $3,500 for a family of four would be similarly exempt, and so on.

Single persons 35 years of age or more and any person whose spouse has died would benefit from reduced tax rate—halfway between the lower rates available to married couples and the higher rates currently applicable to single persons.

This change would be effective next year as would one permitting widows and widowers with dependent children or children in school to file on the present split-income basis open to married couples. The children must be under 20 years of age.

The present deduction for moving expenses, when changing jobs, is expanded to cover expenses for house-hunting trips, temporary living expenses prior to finding a new home, and expenses related to selling an old home or buying a new one. Total deductions for these additional categories is limited to $2,500.

The bill would simplify an existing income-averaging provision that lets the taxpayer with unusually large earnings in a single year spread them over several years for tax purposes.

TAX REFORM

The capital gains tax on individuals and corporations is altered in a number of respects:

For an individual, the present maximum tax rate of 25 percent on capital gains would be repealed. The rate for those in the top brackets could go up as high as 32.5 percent under the bill. The period that assets must be held before profits from their sale are eligible for capital gains treatment would be extended from 6 months to 1 year.

The corporate tax rate on long-term capital gains would be increased from 25 to 30 percent. Employers' contributions to pension plans, when paid as part of a lump-sum distribution, will not receive capital gains treatment.

These changes along with several others affecting individuals and employers, are expected to increase Federal revenue by nearly $800 million a year.

An individual having income from any of five types of sources that now goes untaxed would be required to pay taxes on half of such income above $10,000. Among these income categories are interest on tax-exempt State and municipal bonds and the excluded half of long-term capital gains when the plan becomes fully effective after next January 1 would be $85 million annually.

A companion provision would require allocation of personal deductions between taxable income and tax-free income on the same five sources, plus two others relating to percentage depletion and intangible drilling allowances. This provision could increase yearly revenue by more than $450 million when fully effective.

Any stock dividends that increase the holder's proportionate interest in a corporation's assets and earnings would be taxed. Preferred stock and preferred stock-rights distributions would be treated as taxable income. Certain stock transfers to employees under stock plans also would be taxed.

A Federal subsidy is authorized to States and municipalities on bonds they issue, making the payment equal to the average cost of the additional interest plus some additional amount. The revenue gain by taxation of previously tax-exempt interest has been estimated at $100 million a year.

There would be tightened tax treatment on charitable contributions by phasing out an unlimited deduction now allowed in some areas.

There would be prohibitions against wealthy persons operating farms at a "paper loss" through accounting gimmicks and removal of capital gains treatment on certain farm operations. These changes would eventually bring in an added $20 million a year.

Topping the major new business tax provisions in amounts of anticipated revenue are:

Restrictions on accelerated depreciation of real estate and tightening of real estate tax recapture provisions, except for housing construction, that may bring in as much as $1.3 billion in new revenue in 10 years.

A reduction of the 27½ percent gas and oil allowance to 20 percent, discontinuance of it on foreign production, and a scaling down of allowances on most other minerals. Annual revenue is estimated at $450 million.

Another provision to remove capital gains treatment for commercial banks on profits from bonds, special tax advantages on bank reserves and listed debts, and remove previous tax advantages given to special reserves for bad debt losses. Annual revenue gain is set at $300 million.

Among other business tax provisions are:

Revision of the foreign tax credit to allow recapture of tax benefits claimed due to a loss in a foreign country to the extent of profits realized in subsequent years in that same country. Another change would limit the tax escape on foreign mineral income. The estimated revenue gain is $40 million a year.

Elimination of multiple tax exemptions over a period of 8 years. These have permitted a corporation to divide up into branches to get down to a 28-percent rate on the first $25,000 of income for each branch instead of the regular 48 percent for larger businesses. Revenue gain is seen as $30 million.

Disallowance in some cases of interest deducted in connection with bond issues used to purchase other unrelated businesses—the conglomorate mergers. This, along with other new tax methods on corporate mergers, would eventually bring in an added $40 million.

There are other provisions that would prevent companies from passing on accelerated depreciation to stockholders in a tax-free manner, set new yardsticks for determining depreciation and the income or loss of certain corporations, apply the new taxes on bad debt reserves proposed for commercial banks to savings and loan associations. They would bring in about $75 million yearly.

The bill calls for substantial curbs on activities of foundations to: First, prevent self-dealing—borrowing—between a founder and his foundation; second, require distribution of their income for charitable purposes; third, limit their holdings of private businesses; fourth, assure that their investments are not endangered by financial speculation.

Foundations not living up to these and several other new requirements would pay additional taxes or penalties. In addition, foundations would pay 7½ percent on net investment income.

Other present tax-exempt organizations—churches, social welfare clubs, civic league, and fraternal organizations—would pay taxes on unrelated business income.

A patronage dividend deduction allowed to cooperatives would be continued only if at least 50 percent of the dividend allocated is distributed by the end of a 10-year period.

All told, the bill provides for tax cuts for individuals that would total a little over $8 billion by 1972. Its reforms—eliminating some deductions and restricting others—would bring in an estimated $7 billion by then.

Mr. Speaker, I repeat that this bill, in its present state, has a long way to go to achieve adequate tax reform. We are headed in the right direction and this should not be the end of our quest for a proper tax reform. We must continue our efforts in this direction until all the loopholes and unjustifiable preferences are stricken from the Federal tax laws.

PAN AMERICAN AIRWAYS TO PROVIDE IMPROVED SERVICE TO GUAM

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. CAREY. Mr. Speaker, anything of a positive nature that encourages mainland citizens to get out and look at some of our territories is of interest to me, in my capacity as chairman of the Subcommittee on Territorial and Insular Affairs.

That is why I am gratified that Pan American World Airways, this country's pioneer air carrier in the Pacific, has announced that it will be providing faster and more convenient service to and from the island of Guam, commencing September 1.

Under the new schedule, Pan Am will provide a daily 10 a.m. departure from Guam to Tokyo and New York. Flight time to New York will be cut by almost 7 hours. In the opposite direction, the new daily flight to Guam from New York and Tokyo will arrive at a more convenient hour.

This news is most pleasing, Mr. Speaker, because it will doubtless mean that this fall and winter, the most delightful periods to be in Guam, will see a greater abundance of stateside visitors than ever taking advantage of the unique attractions offered on our tiny island possession in the Pacific.

POLICEMEN AND FIREMEN SURVIVORS' BENEFITS BILL GAINS SUPPORT IN HAWAII

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. MATSUNAGA. Mr. Speaker, on July 23, 1969, I joined more than 100 of my colleagues in sponsoring legislation which would provide benefits to policemen and firemen who are killed or totally disabled in the line of duty.

Specifically, the legislation would eliminate the provision under existing law which limits coverage under the Federal Employees Compensation Act to cases where death or injury occurs during the enforcement of Federal law. The proposed new extended coverage would insure the well-being of families of those public safety officers who are killed or are totally disabled while protecting our general welfare in all instances, whether engaged in the enforcement of Federal law, State law, or local ordinance.

Believing that my colleagues would be interested to know that the council of the county of Maui, State of Hawaii, and the Honolulu Police Patrolman's Association have endorsed this proposed legislation, I submit for inclusion in the RECORD the Maui County Council's resolution of August 1, 1969, and the Honolulu Police Patrolman's Association letter dated July 31, 1969:

RESOLUTION

Resolution supporting legislation which will provide the families of policemen and firemen with survivors' benefits

Whereas, Representative Spark M. Matsunaga has joined more than 100 of his colleagues in co-sponsoring a bill to provide the families of all policemen and firemen with survivors' benefits; and

Whereas, said bill would extend the benefits of the Federal Employes Compensation Act to all policemen and firemen killed or disabled in the line of duty, whether they were enforcing Federal law or not; now, therefore,

Be it resolved by the Council of the County of Maui that it does hereby support legislation which will provide the families of all policemen and firemen with survivors' benefits; and

Be it further resolved that certified copies of this resolution be transmitted to Representative Spark M. Matsunaga, Representative Patsy T. Mink, Senator Daniel K. Inouye, and Senator Hiram L. Fong, Hawaii's delegation to the U.S. Congress.

HONOLULU POLICE PATROLMAN'S ASSOCIATION,

July 31, 1969.

SPARK M. MATSUNAGA,
U.S. Congress,
Cannon House Office Building,
Washington, D.C.

DEAR CONGRESSMAN MATSUNAGA: This letter is in response to a July 27, 1969 newspaper article which appeared in the local newspaper. The article stated that you and some 100 other colleagues were co-sponsoring a bill to provide the families of all policemen and firemen with survivors' benefits.

The organization we represent is the Honolulu Police Patrolman's Association which consists of over 400 members primarily of the patrolman rank within the Honolulu Police Department.

As you may know the patrolman is the one most vulnerable to being killed on duty since he is the "front line" of any police force. So it behooves our organization to seek your assistance in this endeavor.

This newspaper article excited our organization into writing you and asking for your continued support on this subject matter. The security this bill would afford our families is certainly of great concern to all who may be eligible.

Our membership will be informed of your bill and we will be watching ever so closely for further developments. If you have a copy of the bill, we would like to have it for our records and information.

If there is any way in which our organization can assist you in passing this bill, we would be more than willing to carry a share of the load.

In closing we would like to extend our sincere aloha for your thoughtfulness in considering the problems of the policemen and firemen. But more important is your actions which make us appreciate your presence in Congress.

Mahalo Nui Loa,

A. KELIINUI,
President.
M. JOY,
Vice President.

EVERGLADES NATIONAL PARK

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. McCARTHY. Mr. Speaker, last Wednesday I entered in the RECORD my objection to the proposed jetport near the Everglades National Park in Florida. This project, as I said then, concerns not just Miamians, or Floridians, but all Americans.

Now the New York Times has written a major feature on this important issue. It pinpoints the two viewpoints that clash to make this issue controversial.

On the one side, is the man who values progress without evaluating its consequences; he states his case with understanding:

The preservationist wants everything to remain the way it was. He's right in a sense. But it's not the way the great American system operates.

On the other side is the preservationist, who respects progress, but is highly concerned with conserving the natural beauty and natural resources of this Nation; he pleads his case with simple eloquence:

You can't make it. You can't buy it. And when it's gone, it's gone forever.

I am entering this article in the RECORD for the benefit of my colleagues. I hope that after a thoughtful reading on it, they will support the efforts to preserve the natural beauty of the Everglades National Park.

NATURALISTS SHUDDER AS OFFICIALS HAIL EVERGLADES JETPORT

(By Homer Bigart)

HOMESTEAD, FLA.—At the bottom of Florida, beyond the burgeoning Miami suburbs, past the last television tower, the last alligatorium, the last serpentarium, the last used car lot, the last snakorama and pancake house, is a wonderfully quiet place where the only offending spoor of civilization is a rusty litter of beer cans along the infrequent trails.

The Everglades National Park is the last refuge of solitude along the Eastern Seaboard. And it is surely doomed, conservationists warn, by a jetport under construction just north of it.

An aquatic wilderness, the glades have faced many crises in this decade.

Consecutive seasons of subnormal rainfall, combined with the wasteful diversion of water by drainage canals, produced droughts that decimated the alligators and threatened several species of birds with extinction.

Oil exploration and urban and agricultural development intruding close to the boundaries of the park brought an increasing menace of pollution.

AT CENTER OF SWAMP

But these were lesser perils against the threat posed by the new jetport. That facility, covering 39 square miles, is right in the middle of the Great Cypress Swamp, which supplies 38 per cent of the water flowing into the park.

Water pollution, air pollution, a shattering of the stillness by overflights of jets will be inevitable when the project is fully developed, park officials warn. The impact on the glades, they contend, could be catastrophic.

This is sharply denied by the Dade County (Miami) Port Authority, sponsors of the project.

"No pollution is anticipated," Port Authority officials assert. "The operations are not expected to create excessive noise. Wildlife will be protected."

Alan C. Stewart, Port Authority director, dismisses conservationists as "butterfly chasers." To him the rare and endangered bird species in the park—the wood stork, the bald eagle, the roseate spoonbill, the great white heron, the pink and wood ibis, the noddy and sooty terns—are just a bunch of "yellow-bellied sapsuckers."

SEEN AS BAR TO DEVELOPERS

If conservationists want to stop the development of south Florida, says Mr. Stewart, "it behooves them to save up their pennies and buy up the land."

In a more diplomatic vein his deputy, Richard H. Judy, assures visitors that work on the jetport would be halted immediately if it was proved that the project would spoil the Everglades. But he is currently convinced that the jetport will serve the park as a buffer, saving the environs from greedy developers.

"The preservationist wants everything to remain the way it was," Mr. Judy observes. "He's right in a sense. But it's not the way the great American system operates.

"We can't escape reality. People are coming here to live. This is going to be one of the great population centers of America in the next 20 years.

"Great Cypress Swamp is just typical south Florida real estate. It's private property; eventually it's going to be put to human use."

APPEALS TO VOLPE

A word from the Department of Transportation in Washington would halt the project. Conservationist leaders throughout the country have appealed to Secretary John A. Volpe, urging him to order relocation of the airport.

But the Department of Transportation has already provided $500,000 toward construction of the first runway, a pilot training facility scheduled to go into operation next month, and $200,000 more for a study of a high-speed transportation corridor slashing across the wilderness and linking the airport with the east and west coasts of Florida.

These grants were made without consultation with the Department of the Interior, where sentiment against the jetport is hardening.

Meanwhile, an interdepartmental committee headed by Dr. Luna Leopold, of the United States Geological Survey, is preparing a report on the potential effects of the jetport on the park.

Conservationists are hoping that a strongly negative report by the Leopold group will persuade both Secretary Volpe and Interior Secretary Walter J. Hickel to condemn the airport.

Last week, the Dade County Commissioners hired Stewart L. Udall and his environmental planning consulting firm, Overview Group of Washington, to prepare a plan that would keep to a minimum any adverse effects of the jetport on the national park.

The Udall organization will first conduct a four-month feasibility study to determine whether the jetport can be built without destroying or severely damaging the Everglades. This "first-phase study" will also consider alternate sites.

To a nonconservationist, it is difficult at first to see why opposition to the jetport is so intense. The site is six miles from the nearest park boundary. And at the outset the jetport will be used merely as a training field. Only one runway will be used in the initial development.

However, a second training runway may become necessary in three to five years, the Port Authority says, and by 1980 the jetport would be transformed into a giant commercial operation, the nation's biggest air terminal, covering more land than the entire City of Miami, and able to accommodate jumbo jets and supersonic planes.

Conservationists warn that even before that materializes the delicately balanced ecology of the park could be upset by polluting and altering the flow of water in the park.

The park is absolutely dependent on a cycle of summer flooding and winter drought. Any change in the quantity, quality and rhythm of the flow threatens the incredible diversity of plants and wildlife established there.

The true Everglades are sawgrass prairies stretching to the horizon, a vast green blanket dotted with wooded hammocks, the grass hiding the shallow water of a strange river, 30 miles wide, that creeps imperceptibly southwestward toward the Gulf of Mexico.

CHANGES IN PLANT LIFE

A few years ago, when the water table in the park began falling, changes were noted in the plant life. Poisonwood, buttonwood, willow and other scrubby vegetation began shouldering into dried-up areas where formerly they had been drowned out. They threatened a drastic alteration in the appearance of the glades.

Today, after three years of abundant rainfall, the river of grass seems revived, and the invasion of brush has been slowed. The river, starting as seepage from Lake Okeechobee, 100 miles north, enters the park from the north and east.

The flow of the river has been impeded, before reaching the park, by a complex system of drainage and flood-control canals and by two highways, the Tamiami Trail and the newer Alligator Alley.

A bill passed by Congress last year provides for the release to the park of 315,000 acre-feet of water annually from conservation districts north of the park. This would meet the park's minimal needs, but the plan will not be implemented before 1976, and the interim release schedule is tied to the water level in Lake Okeechobee.

Frank Nix, park hydrologist, said the jetport threatened the last unimpeded flow of water into the park. All the northwest corner of the park, he explained, is dependent on water from the Big Cypress Swamp.

Dr. William B. Robertson Jr., the park's research biologist, noted that "substantial residues" of DDT were found recently in bald eagle eggs. The poison had apparently been ingested by fish, and the fish, in turn, eaten by the eagle.

Most birds may adjust to the noise of jet engines, Dr. Robertson suggested, but there is danger of collision with aircraft for some soaring species, especially the wood stork, which likes to ride the thermal updrafts. There is a major colony of wood storks in Big Cypress Swamp.

In a recent test, it was found that birds in the park flushed whenever a plane flew over at less than 5,000 feet. Consequently, park officials have asked for an airspace reservation of at least 5,000 feet. The Federal Aviation Administration contends that 3,000 feet is enough.

In their concern for plants and wildlife, conservationists tend to forget the 400 or more Miccosukee Indians living along the Tamiami Trail near the jetport. Initially the Indians went along with the project, hoping it would give them jobs. Now they oppose it.

USED TO HAVE GOOD LIFE

At the tribal office in Miami, Chief Buffalo Tiger told why:

"It happens to Indians year after year: progress wasting the hunting grounds.

"Indians used to have good life here; clean air, clean water, plenty of food.

"We used to see two or three raccoons on every hummock, a lot of otters, turtles, alligators in every pond.

"Now even the snakes are scarce. The fish and turtles are going. It's hard to make a living in the glades."

Buffalo Tiger, 49, said the Port Authority had usurped sacred Indian ground where the annual tribal festival, the Green Corn Dance, is traditionally held.

At this affair, which usually lasts five days, boys are given new names and inducted officially into manhood.

Eating the new corn crop at the close of the ritual marks the start of a new year for the tribe.

There is also a display by the medicine men of sacred tribal relics; dried seeds, little shards of glass, and what looks like the shriveled claws of animals. These are kept by medicine men in buckskin bags and revealed only at Green Corn dances, Buffalo Tiger said.

Turning back to the despoiling of the Everglades, Buffalo Tiger said:

"You can't make it. You can't buy it. And when it's gone, it's gone forever."

TRANSFER TO FOREIGN FLAGS OF AMERICAN SHIPS

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. DENT. Mr. Speaker, I am submitting correspondence from the Brotherhood of Marine Officers re transfer to foreign flags of United Fruit Co. vessels.

Apparently Mr. Speaker, the job drain from the United States to foreign countries is being carried out at record pace. For many years some of us have tried to warn the Congress and the country of the serious economic dangers involved in the runaway industry and runaway ships that give jobs to foreign workers while curtailing our job opportunities. Unless we follow some of the suggestions made by the Brotherhood of Marine Officers and by other right thinking persons and organizations, we face inevitable economic catastrophe. The letter is self-explanatory, and I want to add my voice to those of others in protesting this latest job transfer to foreign countries.

BROTHERHOOD OF MARINE OFFICERS,
Hoboken, N.J., July 31, 1969.

Re Transfer to foreign flags of United Fruit Co. vessels.

Hon. JOHN H. DENT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DENT: As you know by our previous letters, we are the Collective Bargaining Representatives for the Licensed Deck and Engineering and Staff Officers of the U.S. Flag Fleet of the United Fruit Company.

Up to very recently this fleet consisted of 18 vessels all of which were completely refrigerated and were the only ones of this kind under the U.S. Flag. Because of these desirable qualities fourteen of these vessels were chartered by M.S.T.S. to carry military refrigerated foods to our armed forces in Viet Nam, serving for the past four years in that capacity and doing a job that no other vessels under the U.S. Flag could perform. This establishes the need for the unique and essential nature of such vessels in the U.S. Maritime Fleet.

Now due to the reduction in the requirements for Viet Nam several vessels were released by the M.S.T.S. In two transactions a total of six of these highly specialized vessels have been transferred to foreign flag with the permission of the Maritime Administration as required by law.

Following transfer these vessels are continuing the same operations, to the same ports, carrying the same cargoes as they did before the transfer. In other cases these transferred vessels relieved company owned or chartered foreign flag ships and who then took over the run of the American Flag vessels.

The transfer therefore is simply a method of depriving the United States and its citizens of the benefits of ownership, taxes, control and jobs enjoyed while under the U.S. Flag. The United Fruit Company's basic income is derived from the American domestic market, yet the company prefers to utilize foreign transportation facilities to transport its products. In this light it is clear that the transfers are chiefly for the purpose of a few additional dollars in the pocket of the company and causes disproportionate injury to the welfare of the United States and its citizens.

Rumor is now abroad that the Company is contemplating an additional request for permission of the Maritime Administration to transfer several more vessels, and that in the near future the United Fruit Company will operate only a foreign flag fleet.

In the interest of preserving the U.S. Merchant Fleet against losing further vessels of this unique type the Brotherhood and other labor organizations representing the seamen sailing these vessels have offered to meet with the Company to discuss modification of the labor cost of these vessels in order to alleviate the claimed financial loss caused by operations.

We plead with you for the welfare of the U.S. Merchant Marine, and to protect jobs of American citizens, to voice a strong protest to the President, Mr. Nixon, Andrew Gibson, Maritime Administrator and in Congress where it will no doubt do the most good. Since the United Fruit Company has definite intentions of transferring its entire American Flag Fleet to its foreign owned tonnage, our unsuccessful effort to stop the transfer of the SS Quisqueya, SS Santo Cerro and the SS Morazan to Dutch Registry and the ultimate approval of the transfer by the Government has paved the way for the complete transfer of their fleet over the next several years. Only the efforts of yourself and others in Congress can now stop this mass transfer.

The approval was granted by the Government partially on the grounds that the vessels would be under effective control of the U.S. Maritime Administration in case of emergency. The effective control of vessels transferred foreign is nothing more than a farce, as was proved during the Viet Nam conflict, when crews of vessels under effective control refused to carry essential war cargo to Viet Nam.

This effective control clause simply allows the United Fruit Company and other American Companies, who derive their income in our country, to transfer considerable assets in the form of vessels to foreign countries, hire cheap foreign labor, avoid our taxes and in turn use these transferred assets to drain more money out of our country which is further invested foreign.

We ask that you, as an elected representative of the American people, to protest this abuse, which will have far flung effects for once a vessel is transferred foreign these vessels are repaired foreign, a loss to our shipyards. The uses of foreign stores and supplies instead of American, will further affect many of the people who build, make and supply these vessels.

Our Government has set a goal of 30 new ships over the next 10 years to replace and rebuild our Merchant Marine, yet how can the transfer of a total of 18 refrigerated vessels, over half the amount to be built in the next 10 years, be allowed if we are going to revitalize the Merchant Marine?

We know that certain foreign countries have been expanding their merchant marines and navies at a time when the U.S. Merchant Marine has been shrinking at a horrible rate. Considering the uncertainties in foreign affairs, the U.S. Merchant Marine has deteriorated beyond the critical point making it absolutely essential to stop further deterioration, pending adoption of a vigorous policy of renewal.

The United Fruit Company has a ship replacement program, building vessels in Japan and France, yet there is no replacement program for the United Fruit Company American Fleet. If the United Fruit Company was replacing or intended to replace its fleet, the transfer would have little overall effect on the American Merchant Marine, but by insisting on building no American vessels and building only for their foreign fleet, we feel a great injustice is being done to the American people who support and provide the majority of the profits of the Company.

We need your help and support in a loud clear voice and we ask that you join us in insisting that not only the United Fruit Company but also other Companies be informed by our Congress and the Maritime Administration that no further applications for transfer to foreign flag will be approved. Such support from you will stop the planning and scheming that goes into such transfers and would further the interest of the American Merchant Marine, the American people and our Country.

Respectfully yours,

E. JOSEPH FARR,
President.

FREDERICK B. TROXWELL,
Secretary-Treasurer.

PLIGHT OF GRAPEPICKERS FASHIONABLE CAUSE FOR LIBERALS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. DERWINSKI. Mr. Speaker, one of the most troublesome labor disputes has been the attempt to unionize the California grapepickers, one of its features we are all aware of, is the organized effort to boycott California grapes.

My attention has just been directed to a very penetrating article in the Friday, July 18, New World, the official publication of the Catholic Archdiocese of Chicago, written by Jeffrey Hart which properly and effectively discusses the great boycott controversy.

PLIGHT OF GRAPEPICKERS FASHIONABLE CAUSE FOR LIBERALS

(By Jeffrey Hart)

The movement led by Cesar Chavez to unionize California grape pickers has become so involved with liberal emotions, and also so fashionable a "cause," that the substance of the whole controversy—though fascinating—is seldom discerned.

Liberalism springs from such deep psychological needs that many actually prefer its myths to the less satisfying actuality. Looked at psychologically, liberalism is really a secular mechanism designed to generate the confidence that one is virtuous: redemption—the conviction that one is virtuous—requires that an endless series of situations be structured as melodrama, with victims and villains; and the "right-thinking" individual earns his redemption by espousing the side of the virtuous victim. The desire to be virtuous is so deep and so natural, and the need, consequently, for moral melodrama so continuous, that the melodramatic structure tends to be imposed even where the actuality is more complex and problematical—and interesting.

From the Volkswagen with its "Boycott Grapes" sticker, to the pages of the National Catholic Reporter, to Southampton, L.I., where beautiful people like Anne Uzielli and Ethel Kennedy stage elaborate bashes in support of Chavez, the satisfying myth prevails: migrant workers, grossly underpaid and living in wretched conditions, pick the grapes in the San Joaquin valley; they are naturally eager to join Chavez' union; but they are prevented from doing so by fear of the growers, who comprise a fascistic oligarchy. Hence national, and even global, moral indignation.

The reality is much more complicated and ethically problematical. In Delano, the major grape-growing area which is central to the whole controversy, 90 percent of the pickers

aren't migrants, but year-round residents. They are also exceptionally well paid, the best paid agricultural workers in the continental U.S., averaging between $2 and $2.50 per hour—much more, for example, than the $1.69 per hour of the average California farm worker. Delano workers also enjoy more comprehensive extra benefits than farm workers in any other state.

But Chavez has concentrated on Delano precisely because the pickers are well paid and are not migrants. He in fact abandoned his earlier attempt to organize migrants in Texas, for their very mobility makes it difficult to collect dues efficiently, and in states like New York and Florida migrants aren't paid enough to make the dues worth collecting. But in Delano the workers are on the scene, and they have the money.

Which is precisely why they have not been eager to join Chavez. So far, only about three per cent have signed up. And this wariness about Chavez is why there has in fact been no "grape strike"; thus making the consumer boycott Chavez' chief weapon. The "pickets" Chavez has been able to muster are not Delano grape pickers but Chavez followers from elsewhere.

What, then, is going on? In order to have a viable union, Chavez needs the dues of the relatively well paid and established, but therefore reluctant, table-grape pickers in the San Joaquin Valley. He also wants a closed shop—i.e., a monopoly—and so opposes placing farm workers under the NLRB, which would make a closed shop illegal. Now if this were all, one would conclude that Chavez is merely on the make, and wants the power and profit such a situation would bring him.

But this is not so. Everything we know about his life and his ideals goes against such a conclusion. The truth appears to be more complex and more ambiguous. Chavez conceives of the grape-picker drive in the context of the entire Mexican-American problem.

If he can force unionization on the grape pickers, he will have an organization in being, with funds, and such an organization would apply economic and political pressure on behalf of Mexican-American migrants, on behalf of the urban barrios, and so on. The reluctant dues of the Delano pickers are only the essential foundation of his efforts to improve the lot of Mexican-Americans generally. Like the Mafia for the Italians, like the urban political machines for the Irish a generation ago, the grape-pickers union will be an instrumentality of Mexican-American community power.

All this may be admirable, and may even be practicable (though the growers say that if Chavez succeeds, they will simply switch to wine grapes, which can be harvested by machine). But it is all pretty remote from the melodrama of liberal myth.

Those who boycott grapes are penalizing growers, most of them small, family owned enterprises, which pay good wages and provide good working conditions, in order to force pickers, mostly against their will, to pay their dues to Chavez in order to organize economic and political power on behalf of the Mexican-American community.

BRADSHAW NAMED PRESIDENT-ELECT AMERICAN LIBRARY ASSOCIATION

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. COLLINS. Mr. Speaker, in the bulletin just received from Atlantic City, N.J., we have learned of the announcement that Mrs. Lillian M. Bradshaw, Dallas, has been named as the president-elect of the American Library Association. Everyone in Dallas shares this great honor and recognition with her. Mrs. Bradshaw has been an outstanding participant in all of our community activities. She will bring this same charm, enthusiasm, and intellectual drive with her into her administration as the head of the American Library Association.

The following is the complete report on Mrs. Lillian M. Bradshaw, who is now serving as the director of the Dallas Public Library, and who will become president of the American Library Association in 1970.

Mrs. Bradshaw received her undergraduate degree from Western Maryland College, Westminster, Md., and her library science degree from Drexel Institute of Techonlogy in Philadelphia.

She has served on the staff of the Utica Public Library, N.Y., from 1938 to 1943; as assistant coordinator of young adult work at the Enoch Pratt Free Library in Baltimore, Md., from 1943–46. She has held positions of director of reader's services, coordinator of adult services, assistant director and acting director of the Dallas Public Library from 1946–62. In 1962 she was appointed director of libraries for the Dallas Public Library System.

Mrs. Bradshaw has previously filled various offices in the American Library Association, including president of the adult services division, 1967–68; director of the executive committee for the public relations section of the Library Administration Division; and has diverse responsibilities in the Public Library Association. She is currently a member of the American Library Association Council and chairman of the Association's National Library Week Committee. Mrs. Bradshaw has also served as President of the Texas Library Association, 1964–65, and is now chairman of that association's legislative task force.

In other activities, Mrs. Bradshaw has served as a member of the national steering committee for National Library Week; as a member of the advisory council and board of trustees of the association for Graduate Education and Research in North Texas; director of the Texas Municipal League; director of the Dallas County Community Action Committee; a conferee and assistant task force leader on the goals for Dallas program; and president of the Dallas Metropolitan Area Public Libraries Association. She is a member of the Zonta Club of Dallas and the Dallas chapter, American Association of University Women. Mrs. Bradshaw is listed in Who's Who in America and Who's Who of American Women. She was a representative of the American Library Association at the Swedish Public Library Conference in 1960, was chosen Librarian of the Year by the Texas Library Association in 1961, was chosen B'nai B'rith Woman of Awareness in 1965 and has been the recipient of numerous local honors for civic endeavors.

AN ACHILLES HEEL—THE GREEK POST

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. PUCINSKI. Mr. Speaker, the very highly respected member of the Chicago Tribune's Washington bureau, Mr. Phillip Warden, has written a very timely article about the selection of an American Ambassador to Greece.

Mr. Warden's column appeared in this morning's Chicago Tribune and I should like to call it to the attention of my colleagues.

Mr. Warden's column follows:

AN ACHILLES HEEL—THE GREEK POST

(By Phillip Warden)

WASHINGTON, Aug. 11.—The choice of an ambassador to Greece threatens to become an Achilles heel for the Nixon administration.

Greek-Americans want to see one of their own chosen. They look to Vice President Agnew, the son of a Greek immigrant, to influence the administration in its choice. Agnew, however, has refused to become involved.

The state department proposes to give the post to one of its career diplomats, Henry J. Tasca, now ambassador to Morocco. His postdoctoral studies in the London School of Economics and his service as economic adviser to W. Averell Harriman on North Atlantic Treaty organization matters make his political views suspect to many Republicans.

"The liberals are trying to ram him thru as ambassador to Greece," a Member of Congress who has worked closely with the Greek-American community in Chicago, said last week. "The reports we receive from Sweden say that the state department has chosen Tasca. The Kennedy-Johnson carryovers in the state department have been pushing him."

Ever since Nixon chose Agnew to be Vice President, the Greek-Americans have contributed heavily to the Republican Party. Consequently, no one wants to bite the hand which is feeding it.

The naming of an ambassador acceptable to all the Greek-Americans has been complicated by the growing debate over the Greek government. The once-powerful support for the Greek military junta has waned.

These undoubtedly are among the reasons why Agnew decided not to become involved. But stronger reasons are found in Agnew's background. Agnew's father drummed into the mind of his son the fact that Spiro was an American, not a Greek. The elder Agnew would not allow Greek to be spoken at home. The Vice President speaks no Greek. Agnew is proud of his Greek ancestry and his immigrant parents, but the Vice President stresses that he is "an unhyphenated American."

The state department has received a number of nominations for the ambassadorship. Anthony Angelos, a business man of Chicago, is among them. Sen. Dirksen (R., Ill.), Senate minority leader, asked for the appointment of his close friend, Kimon T. Karabatsos, a banker. Karakatsos lives near Dirksen in suburban Virginia. George Christopher, former mayor of San Francisco, is another nominee.

Sen. Barry Goldwater (R., Ariz.) has pushed Lt. Gen. William W. Quinn, chief of the army section, United States military advisory group to Greece from 1953 to 1955, as a nominee. Quinn has been extremely popular with the Greek-Americans. If they cannot have an ambassador from their own ethnic group, members of Congress say that

Quinn probably would be the first choice of the group.

Whoever is chosen by the White House will have to first be cleared by Thomas Anthony Pappas, millionaire food importer and capitalist, and a member of the Republican national finance committee, administration officials said.

Ultimately a far greater problem for the Nixon administration will be whether the man finally chosen will be acceptable to the Greek government.

Tasca, who will be 57 this month, did his undergraduate work at Temple university. He pursued his economics studies at the University of Pennsylvania and the London School of Economics. He received a post-doctoral social science research council fellowship and was a Penfield traveling scholar in Europe in 1938 and 1939.

SECONDARY MARKET FOR STUDENT ASSISTANCE

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. DON H. CLAUSEN. Mr. Speaker, when the Federal guaranteed loan program was enacted in 1965, there was great optimism that it would fulfill a real national need, particularly in alleviating the increasing burdens of a college education for middle-income families. Although the concept is sound, the program has, unfortunately, been unable to meet the need for a variety of reasons.

The program now faces a crisis situation. As a result of soaring interest rates and the tight money market, one-third or more of the students seeking guaranteed loans in order to enter college this fall are being rejected.

I commend the administration for offering proposals to help solve this immediate problem and I am pleased that hearings in both Houses of the Congress have made this acute situation nationally visible.

Concern for the immediate needs is not enough, however, as we contemplate the educational demands of the country over the remaining years of this century. What is needed, in my opinion, is creative arrangements utilizing the strengths of our private lending sector to unlock yet untapped pools of money to meet these increasingly pressing demands. Lender participation must be increased by several magnitudes if we are to achieve a meaningful "breakthrough."

One of the key problems is the lack of a secondary market mechanism to allow lending institutions to avoid or minimize their liquidity problems in connection with long-term loans. Testimony at the recent hearing acknowledges that this is a major part of this complicated situation and certain of the proposals are thought to indirectly enhance the potential for a secondary market and thereby bring in new sources of loan funds.

What is needed, as I see it, is a direct and determined effort to do for education in this country what has been done for housing through the FHA with its secondary market.

I have recently written to President Nixon advocating the establishment of an FHA-type mechanism for education in order to assure the needs of lending institutions who might be induced to participate in the student loan program. And I was very pleased to note, shortly thereafter, that in testimony before the Senate, the American Bankers Association devoted a goodly portion of their testimony to this point; indicating, among other things, that they were appointing a special force of experts in the investment and student loan areas to formulate a specific proposal for a secondary market. I commend them for this initiative and trust that this will contribute to the much-needed discussion on this issue. With such discussion, we should be able to frame specific proposals and identify alternatives.

Admittedly, this is a difficult area to work in—statistics are meager and advice is often conflicting. But the national interest makes it imperative that we attack the problem head on. And we must start now so that we can have workable possibilities available when the economy allows for improvement in the money market.

In this regard, my understanding is that the Joint Economic Committee is tentatively planning to hold hearings this fall on the structure and financing of higher education and I would hope that this matter of a secondary market for student loans would be given in-depth attention.

My feeling is that it is none too early to be working hard to substantially increase the quality and quantity of opportunity in education available by 1976, the 200th anniversary of the U.S. Declaration of Independence. Perhaps the most appropriate way to mark this significant date would be to have available to all our people a comprehensive "bill of education rights."

SALUTE TO GABON

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. POWELL. Mr. Speaker, although Gabon is a small and relatively unknown country on the West Coast of Africa, it has the highest per capita income of all the former French African territories. The economic outlook for the future of this palmy, mountainous, forested country which straddles the Equator on the West Coast of central Africa, holds more promise still. Currently, Gabon's most important natural resource is its forests; the lumber industry is the country's largest employer and main source of revenue. Perhaps more significant for the country's long-term development, however, are its rich mineral resources, which have only begun to be exploited in recent years.

Gabon is bounded on the north by Rio Muni and Cameroon, and on the south and east by the Congo Republic—Brazzaville. Unlike many of its sister republics, Gabon enjoys a favorable balance of trade and payments, and its per capita gross national product is the highest among the independent states of black Africa. Gabon finds itself in this fortunate situation partly because it has a relatively small population and partly because it possesses enormous wealth in natural resources.

Gabon is rightly proud of her development since independence. The country's burgeoning economy is an encouraging contrast to the economic problems of many of her neighboring states in Africa. In 1967, Gabon's total exports represented a 19.3-percent increase over exports in the previous year.

Gold, uranium, and petroleum are other natural resources expected to bring in increasing amounts of foreign exchange in future years. Thus, in Gabon's rich minerals would seem to be the key to her development as a modern self-sufficient nation. Like all of the other new nations, however, Gabon badly needs foreign capital to build up her economy. But Gabon has been more successful in attracting foreign capital than some of the other new countries. Realizing that foreign private capital investment is necessary to the development of the country, the Government has made significant efforts to encourage the inflow of investment capital. Gabon's Investment Code provides liberal terms for private investors and makes no distinction between foreign or locally owned firms concerning privileges and guarantees. Gabon has had an investment guaranty agreement with the United States since April 1963.

Mr. Speaker, I would like to take this occasion to congratulate the people of Gabon on their achievements since independence and to express my hope that they will continue to enjoy the blessings of steady economic and social progress in years to come.

ANATOLY KUZNETSOV

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. SPRINGER. Mr. Speaker, I attach herewith an article from the New York Times of Sunday, August 10, by Anatoly Kuznetsov. This is an interesting article by a man recently a resident of Russia. I feel sure my colleagues will be interested in reading the article:

SOVIET DEFECTOR TELLS HOW SECRET POLICE USED HIM

(NOTE.—*The following article, "Russian Writers and the Secret Police," is by the 39-year-old Soviet author who received asylum in Britain on July 30, saying that he could no longer work under repression and censorship. He describes the surveillance directed against him, and his enforced role in overseeing other prominent writers. He also tells of his long yearning, frustrated by the secret police, to go abroad.*)

(By Anatoly Kuznetsov)

It is a frightful story that I have to tell. Sometimes it seems to me as though it never happened, that it was just a nightmare. If only that were true.

The Soviet system remains firmly in power in Russia only thanks to an exceptionally powerful apparatus of oppression and primarily thanks to what has been called at various times the Cheka, the G.P.U., the N.K.V.D., the M.G.B. and K.G.B. In other words, the secret police, or the Soviet Gestapo.

Everybody knows that the number of people murdered by the secret police runs into many millions. But when we come to reckon the number of people who are terrorized and deformed by them, then we have to include the whole population of the Soviet Union. The K.G.B.'s tentacles reach, like cancerous growths, into every branch of life in Russia. And in particular into the world of Soviet literature.

I do not know a single writer in Russia who has not had some connection with the K.G.B. This connection can be one of three different kinds.

The first kind: You collaborate enthusiastically with the K.G.B. In that case you have every chance of prospering.

The second kind: You acknowledge your duty toward the K.G.B., but you refuse to collaborate directly. In that case you are deprived of a great deal, and in particular of the prospect of traveling abroad.

The third kind: You brush aside all advances made by the K.G.B. and enter into conflict with them. In that case your works are not published and you may even find yourself in a concentration camp.

How all this works out in practice I shall explain by reference to my own experience. As a matter of fact a similar story could be told by any Russian writer who is even slightly known. But they are there, and they want to live, and so they keep quiet.

In August, 1951, I was preparing for the first time in my life to travel abroad, to France. I had been included in a delegation of writers. It was a most impressive experience (because in the Soviet Union the only people who are allowed to travel abroad are those with "clean" records, who have been thoroughly "vetted," who have not been in any trouble at their work or in their political activities, who have never in their lives consulted a psychiatrist, who have never been before the courts, and so on and so forth.

What is more, the whole process of getting one's papers in order lasts many months and requires a mass of references, questionnaires, secret signatures and confidential advice on how to behave. By the time a person has gone through this procedure he is so intimidated and tensed up that the trip begins to seem like some religious ritual.

I had already gone through this intimidating procedure and was packing my case when someone telephoned to say that people from the secret police were going to visit me. A couple of men appeared and showed me their identity cards. They made a few jokes, chatted about literature, then got down to business:

"You realize, of course, why we've come. One of our comrades will be traveling, as usual, with your delegation. But it will be difficult for him to cope on his own. So you will help him. You just keep an eye out to see that nobody slips away and stays abroad, to see who talks to whom, and to see how people behave."

"No, I don't want to," I said.

"You must."

"Let somebody else do it."

"Others will be doing it."

"I don't want to."

"Well, then, we shall have to reconsider. In that case, what's the point of your going."

I remained silent, quite overcome. And the two men started to explain to me that this was the most usual and most natural thing: No group of tourists and no delegation could do without its "comrade" and the voluntary assistants attached to him. The Western world was devilishly cunning, and we had to be incredibly vigilant. Either I would undertake to maintain contact with the "comrade" or else my trip would be canceled and I would never be allowed to travel anywhere abroad. The "comrade" would be a very pleasant person, and he would approach me himself, saying: "Greetings from Mikhail Mikhailovich."

Our delegation consisted of some 15 writers and editors of Moscow magazines, and we all gathered at the harbor in Leningrad to embark on the liner Latvia. I looked at each of the delegates and wondered: Which one of them is it? The person in charge of the delegation was a woman from Intourist who kept counting everybody as if we were chickens. Maybe she was the "comrade"?

But when we were aboard the ship it was one of the editors who came up to me and, with a crooked grin, said "Greetings from Mikhail Mikhailovich."

He was a boorish fool, who spied openly and cynically on everybody, who also kept counting up the delegation, and who listened greedily to every conversation. But I noticed that some of the writers were also keeping their eyes about them, especially a certain Sytin, who now holds one of the key jobs in the Soviet film world. Of the 15 members of the delegation, one was from Intourist, one was the "comrade" and at least five were "voluntary assistants." Later I came to understand that this was the usual arrangement.

WRITING OF REPORTS

If five people are traveling abroad, at least two of them are informers. If two are traveling, at least one must be an informer. And if there's only one person, then he is an informer on himself.

Perhaps some other Russian writer will also, like me, be reduced to blind horror and will wrench himself out of the control of the K.G.B. and reveal what they did to him. Perhaps Yevtushenko will one day tell of the conditions on which he was allowed to travel round the world and the reports he had to write.

Because we are all obliged to write reports after a trip abroad.

I was ordered to write such a report after my trip to Paris. I went through agonies trying to guess what our "comrade" would write, so that I would agree with him. On one occasion someone had turned up late for the bus, and the "comrade" had been green from fright. I described that incident in detail and others like it. I devoted about half the report to reporting on myself, because that is essential—where I had gone, whom I had met and what had been said.

But my report wasn't to the liking of someone high up. Eight years passed before I was again allowed to travel abroad, this time to Britain. You will now learn the price I had to pay for that.

RESIDENT OF TULA

I lived the whole of those eight years in Tula, and throughout that time the "comrades" kept coming to see me. When I came to inquire of other writers it appeared that this was the most ordinary occurrence—they went to see everybody, everybody. And it depended on the extent of the writer's decency which of the three categories of collaboration he would choose.

They would ask me gently and politely about my life, about what I was working on, what my friend's Yevtushenko, Aksyonov Gladilin and others were doing, what they were saying and what sort of people they were. At first I said only favorable things and spoke highly of them. But they objected. Yevtushenko was committing mistakes, I was not watching carefully enough, I must provoke him to argument and report what was really going on inside him. They started to talk to me more sharply and to use threats.

At this I could not take no more. I shouted at them that it was not proper behavior and I asked them to keep away from me. I said I didn't see anything bad around me, no conspiracies and nothing anti-Soviet. If I did see anything, then I would ring them up. And with that they vanished.

I couldn't believe my luck. So that, it seemed, was the way to talk to them. After all, what could they do to me? I was already a well-known writer, my books were being published in 40 different countries, and I could permit myself the luxury of having nothing to do with such characters.

How very wrong I was! I was simply transferred to the second category.

My home in Tula was open to everybody. One day there appeared a very pleasant young man, a student at the Polytechnic Institute, who unburdened himself to me at great length. He told me that he and his fellow students were being taught how to make missiles and were made to sign terrifying documents about the preservation of state secrets. He said he had dreamt of being an inventor, but instead of that he was obliged to work out according to special "man-kill" formulas, how many missiles were needed per thousand human lives.

The Soviet Union was, in his opinion, a fascist country. The students, he said, were publishing a handwritten magazine and were being arrested. Finally he burst into tears. I tried to calm him. Through his tears he screamed that he would produce the magazine himself. I said that was stupid and that he would prove nothing like that.

A MEETING IN SQUARE

Not long afterward somebody phoned me and asked me to meet him on the square outside. It was one of the "comrades" I knew, who invited me to sit on the bench and said: "Why didn't you ring us up? Somebody reveals state secrets to you and tells you various formulas, gives you information about underground papers, and you simply object that that is not the right way. What is the right way, then, in your opinion?"

I tremble when I write now about that conversation on the bench in the square. For me it was like a red-hot frying pan. I was forgiven and allowed to go, but I was warned.

From that time in 1963 I was regularly followed. Not, of course, that I was an anti-Soviet element or that I was intending to organize some plot. On the contrary, I was a member of the Communist party, a recognized Soviet writer, and I wanted only one thing: to go on writing. But I had automatically to be followed, because I came in the second category.

STAY AT YASNAYA POLYANA

Then I took a room in Yasnaya Polyana where I wrote a novel. I become friendly with the scholars working in the Tolstoy Museum, and they were very kind to me, especially the intelligent and attractive Luiza Senina.

One day she came to my room and told me she had been appointed to follow every step I made and report every word I said. But, she said, I was good and trusting and she couldn't do it any more; she was having nightmares.

One of the "scholars" at Yasnaya Polyana was an officer of the K.G.B. and everybody, from the director down to the guides, had to report to him. Every foreigner who visited Yasnaya Polyana was kept under specially strict surveillance. The fact that I had taken a room there was especially suspicious and they were trying to get something out of her about me. What was she to do? She would be sacked!

I was particularly shaken by the fact that this was taking place on the revered territory of Tolstoy's estate. "Well," I said, "let's try and save you; let's make something up together."

MAN-TO-MAN TALK

I did not succeed in saving her. On the contrary, out of inexperience I wrecked her

life. One day in the cafe a K.G.B. officer in civilian clothes sat down opposite me and started joking and asking odd questions. I looked him straight in the face and said: "Listen, by dint of pure logic, I have realized that you are from the security and that you're interested in me. So let's talk like man to man. What do you want to know? You ask the questions and I'll give you straight answers. It'll be easier for you and for me."

He was terribly embarrassed and started muttering that he was not interested in me personally, that I was above any suspicion, that I had well-known friends in Moscow, that they sometimes behaved rather strangely, and that in general my circle of acquaintances. . . .

Later, in his own time, he reached his own conclusions. Luiza Senina was dismissed after a frightful row, was given a hopeless reference, was a long time without work until she was given a job as a librarian in some trade school, where she still is today.

I hurried away from Yasnaya Polyana as if a curse had been laid on it.

But wherever you live you still have contact with people. Young writers kept coming to see me, bringing their works with them. There was one very sweet girl, a student at the teacher's institute, Tanya Subbotina, who came along in this way and then one day asked me to go outside on the street with her.

Once she was sure we were alone she said she had been forced to come to me and told to try and become my mistress and report on everything I did. Otherwise, they threatened, she would be turned out of the institute. She was not doing very well there, and they could well have done it.

Heavens above! I have recounted only two incidents, because they are no longer secret and everything is already very well known to the K.G.B. In Tula. Poor Tanya got completely confused and told everything to her "comrades."

But I was struck with the way people would immediately tell me everything, warn me and give me advice. I cannot say any more, so as not to harm them. After all, they are there, they are not to blame, they are the victims.

A STRANGER TELEPHONES

There are others whom even I do not know. A stranger phoned me from a call box at a tram stop and told me what was in my letters to my mother and which foreign magazine I had at home:

"What on earth are you doing? Don't you realize that all your mail is opened? That your neighbors on both sides and above you are watching you? That your phone conversations are recorded?"

He gave no name and hung up. Thanks. But I just couldn't understand: What was the point of this horror? I was writing literary works and had no intention of engaging in political activity. I was a writer. What do you want from me? That I should stop to think before every word I said on the telephone?

In fact, on one occasion the telephone at home started tinkling in an odd way. I took off the receiver but heard no ringing tone, so I started banging on the cradle. Suddenly a tired voice at the other end of the line said: "Please don't keep banging; have patience. We're switching you over to another recording machine. It's a complicated system—you understand . . ."

Later an electrician appeared and changed the electricity meter, fitting a new one, freshly sealed, with a microphone, no doubt.

In 1967 I locked up my flat and went off on a long trip. Two days after I left, in the middle of the night there was a fire in my study and everything in it was destroyed. The firemen who came to the scene prevented the whole flat from being destroyed but never discovered what caused the fire. But my papers and manuscripts escaped by a real miracle: Literally on the day of my departure I had moved the cupboard with the manuscripts into another room, intending to move my study there on my return.

After that I kept my manuscripts buried in the ground. Another reason was that, whenever I left my flat for any length of time afterward, I recognized by various signs that someone had been in the flat in my absence.

I frequently asked various top people about my having a trip abroad but without much hope. I wanted to see the world. They were always ready to promise me, but that was the end of it. Others went traveling, but not me.

Then, unexpectedly, the Paris publishers, Les Editeurs Français Réunis, invited me to spend a month in Paris as part of the payment for my 'Babi Yar.' I thought that the authorities must understand at last that I was no enemy, so I made my application and started to go through the procedural marathon. I got right on to the end of it only to be told that the Union of Writers had no money for my trip. Then they told me in a whisper that it was simply that the authorities in Tula had formally sanctioned my departure, but that Safronov, the Propaganda Secretary, had said by telephone that I should not be allowed to go.

EVERYONE IS SUSPECTED

I said in my statement [syndicated last week] how my writings were maltreated. But they also deformed my whole life. I couldn't speak on the telephone; I practically stopped writing letters; and I saw an informer in every one of my acquaintances. I began to ponder: What sense is there in such a life at all?

Here is an extract from my diary in October 1967. "I have not been able to sleep for several days now. I am just a great lump of nostalgia. I turn over in my mind what I have written and compare it with what I would like to write and what I could write. I see before me years and years of life in which I could have got to know and study and understand and create so much and which have been wasted. On what, it is frightful to think about. . . . When I quote what I wrote in "Babi Yar" I feel like an ant, cemented up in the foundations of a house. All around there is nothing but stones, walls and darkness. To live to the end of my life with this feeling of being stifled, in this state of being buried alive. . . ."

CLASH OVER "BABI YAR"

That was just after the trial of Sinyavsky and Daniel. Solzhenitsyn's writings were no longer being published. The process of rehabilitating Stalin had begun.

I had my own troubles. There was an unpublicized row over "Babi Yar." They suddenly decided that it ought not to have been published. At Yunost they told me that it was practically an accident that it had ever appeared at all and that a month later its publication would have been out of the question. In any case they forbade the reprinting of it.

Before the writers' congress to which I was to be a delegate from Tula, Solzhenitsyn sent me a copy of his famous letter [in which he denounced censorship]. I spent several nights thinking it over. At home they wondered what was the matter with me. I said: "Solzhenitsyn is inviting me to commit suicide with him."

Yes, I could not find in myself the courage, and I probably fully deserved Solzhenitsyn's contempt. I simply did not attend the congress. I signed no protests, either then or later. I saved my own skin and kept out of things. Others were expelled from the party and from the union and were no longer published. But they continued to publish me, and the "comrades" resumed their kindly and friendly attention.

How movingly they explained to me that the situation among the intelligentsia was very complicated. That people as high-strung as the writers, however clever they were, were in revolt and they did not want to resort to tough measures. . . . I had done very well, they said, not to sign any protests; that was not the business of an artist. But I ought to try and influence my misguided friends and make them understand that if they did not stop causing trouble, then—well, you understand.

I went from town to town trying to keep out of the way of these "comrades," from Moscow to Leningrad, to Kiev. Many people there probably remember my asking: What are you going to do? What is the way out? What is there to hope for? Nobody knew anything. Intelligent people in Russia feel only horror. There is nothing but darkness ahead.

EFFECT OF THE INVASION

On the night of Aug. 20, 1968, Russian tanks entered Czechoslovakia. I spent several days listening to the radio. Many people in Russia wept during those days. It marked, they said, the turn to fascism.

It came over me somehow of itself. I realized that I could not remain there any longer, that every day, every month and every year would see only a piling up of horror and cowardice inside me. . . .

But Russia is as well defended as a prison. Just read Anatoly Marchenko's remarkable "My Testimony." He wanted only one thing: to get out. They caught him 40 yards from the frontier and threw him into the same camp as Daniel. Marchenko's description of that present-day concentration camp is enough to make your hair stand on end.

Then I received another invitation, this time from America, from the Dial Press, which had allotted $5,000 for my trip. I began to attend all the meetings in Tula; I presented Safronov with signed copies of my books; and I always turned up on time for talks with the "comrades" and spent six months fixing my papers for America.

U.S. TRIP TURNED DOWN

Then I was turned down again, with the explanation that the Dial Press had published Solzhenitsyn as well as me and they were therefore enemies. It was clear from certain details that once again it was the K.G.B. that would not let me out. This coincided with some fierce criticism of my latest writing in the press.

Now I began to feel myself run down and hemmed in like a wolf. I went down to Batumi to study the lie of the land. The whole of the holiday coast of the Black Sea is under the strongest guard. When darkness falls patrols drive everybody away from the water. Searchlights play over the beach and the sea. Radar installations detect even a child's ball floating on the surface of the sea.

But I had made up my mind to swim under water to Turkey with the help of an aqualung, entering the water before the patrols appeared and pushing in front of myself an underwater raft with spare oxygen containers. I would swim by compass just one night, otherwise, I would be detected in the morning by the helicopters that were about like flies. I had trained myself to swim without stopping for 15 hours. I started on the building of my raft.

FINAL EFFORT TO LEAVE

It was frightening all the same. I imagined myself being cut in two in the darkness by a submarine at full speed. They are about the place like sharks. Or I would drown.

So I decided to make one last desperate effort to obtain permission for a trip abroad. I no longer thought of anything but getting out, at any price.

Night and day I had going round in my mind only that: to get away, away, away from that monstrous country, from those scoundrels, from that K.G.B. Let me get out, even to the Antarctic, even to the Sahara,

so long as they are not there. I just could not go on.

It was stronger than me; it was the animal instinct for self-preservation. Probably—I was at least a living being. I wrote in "Babi Yar" that by the time I was 14 I should have been shot 20 times. That I was still alive was practically by a miracle, a sort of misunderstanding. So there we are: According to the rules of the K.G.B. I should now be shot for the 21st time. If only because I went straight at them and got out. If only because I am writing this. And I shall go on writing, as long as there's life in me.

Now listen to what the Russian Writer, Anatoly Kuznetsov, did. He said to himself: "You have to imagine that they are the Gestapo and think what they like most of all. Informers are what they like. Fine. So they'll get a real piece of informing." I hinted to the "comrades" that it seemed as though an anti-Soviet plot was being hatched among the writers. They were really impressed and believed me. They demanded some facts, and of those I had a headful.

My report revealed that the writers were preparing to publish a dangerous underground magazine called "The Polar Star" or "The Spark," but they were still arguing about the name. I said that the people who are going to publish it included Yevtushenko, Tabakov, Arkady Ralkin, etc., etc. I said they were collecting money and manuscripts. The first number would start with Academician Sakharov's memorandum. I very much wanted to add that they also intended to blow up the Kremlin, but that would have been too obvious an exaggeration. I was transferred to the first category.

That's how I came to be in Britain. I brought a copy of my report with him, photographed on film, because it is the most remarkable work I have ever written. The rest was easy. Only six months' filling in forms, a promise to write a novel about Lenin, just one personal agent—Andzhaparidze—and I didn't have to go swimming in the Black Sea. (Who knows? Maybe they have got radar that operates even under water.) On July 24 I got out of Russia on the same plane as Gerald Brooke, and I don't know which of us was the more moved, as he looked out at the blue sky.

WIDE INVOLVEMENT SEEN

I managed to get out and I'm still alive. You can try me if you wish. I have still not come round; I still feel as if I lay on the edge of a sea, groaning, exhausted and bleeding. But it is the sea, I have got away from them.

I now believe that the main reason why many highly intelligent and able people do not escape from there is that the Soviet regime has forced them to commit such cowardly acts that no amount of repentence can absolve them. There is no way out.

But really, what would you say if you learned that Leo Tolstoy had been a secret police agent and had written reports on all the foreigners visiting his Yasnaya Polyana? Or, that Dostoyevsky informed on his best friends? Would it be possible after that to have any respect for their works, however brilliant they were? I personally have no answer to that question. The only thing I can say is that Dostoyevsky and Tolstoy did not live in Soviet Russia.

If you are a citizen of Soviet Russia, you automatically cannot be a 100 per cent decent person. Cowardly silence or half-truths—are those not lies? I have told you only about myself. But, believe me, there are very many others who could tell a similar story. Let me leave it at that.

PEOPLE AND PLACES CITED BY KUZNETSOV

Following are identifications of personalities and places cited by Anatoly Kuznetsov in his article "Russian Writers and the Secret Police":

Aksyonov, Vasily, 37 years old, Moscow novelist.

Andzhaparidze, Georgi, Moscow University instructor of English literature who traveled with Mr. Kuznetsov to Britain.

"Babi Yar," Anatoly Kuznetsov's documentary account of the execution of Kiev Jews and others by German occupants in World War II.

Batumi, Black Sea port near the Turkish border.

Brooke, Gerald, British Russian-language teacher who was arrested in Moscow in 1965 on charges of anti-Soviet activities and exchanged last month for Soviet spies held in Britain.

Daniel, Yuli, writer, sentenced in 1966 to five years' forced labor for having published abroad material judged anti-Soviet propaganda.

Gladilin, Anatoly, Moscow novelist.

Marchenko, Anatoly, 31, worker, imprisoned 1960–66; his account of prison-camp conditions, "y Testimony," written in 1967, was published abroad; rearrested 1968.

Raikin, Arkady, well-known Soviet satirist.

Safronov, Tula, party secretary for ideology.

Sinyavsky, Andrei, 44, writer, sentenced in 1966 to seven years' hard labor for having published abroad material judged anti-Soviet propaganda.

Solzhenitsyn, Aleksander, 51, writer; his work has been published in Soviet Union only briefly (1962–63); since then it has appeared only abroad.

Sytin, Viktor, Moscow essayist and novelist; former head of Auditing Commission of Russian Republic's writers union.

Tabakov, actor of the Moscow theater Sovremennik.

Tula, industrial city, 100 miles south of Moscow.

Yasnaya Polyana, Leo Tolstoy's estate, seven miles south of Tula; tourist attraction.

Yevtushenko, Yevgeny, 36, Soviet poet who has frequently traveled abroad.

MILITARY PROCUREMENT: AN EARLIER VIEW

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. SCHWENGEL. Mr. Speaker, Mr. Paul H. Gantt, is a member of the Board of Contract Appeals for the Atomic Energy Commission. He is also a former president of the District of Columbia Lincoln Group, and recently published an article entitled "Old Abe and Government Contracts" in the Public Contract Newsletter. In view of the extensive discussions recently on the subject of military procurement, I felt Mr. Gantt's article was quite timely.

The article follows:

"OLD ABE" AND GOVERNMENT CONTRACTS

(By Paul H. Gantt)

President Lincoln had an inquisitive mind. "It ranged over the abstract and the infinite, the absolute and the immediate. It was philosophical, and at the same time practical." [1] And he was, first and foremost, a lawyer.

During the War Between the States, Lincoln turned his mechanical bent [2] to the improvements of the weapons. He tested them; [3] inspected them; expedited the procurement; and wrote a legal opinion. The latter is the subject of this article.

During April 1862, the New York firm of Solomon Dingee and Company offered to furnish 53,500 Austrian rifles at $19.[4] There were several contracts made for European arms, but this was the particular one to which Lincoln gave considerable attention.

General George McClellan realized the need for additional rifle sources and considered the offer a bargain. The representative of the Ordnance Department, Major Peter V. Hagner, considered the Dingee offer to be "fishy". However, the heat from above became too hot and he ordered the rifles. When the first delivery fell short of contract specifications as to caliber, weight, material and finish, Hagner terminated the contract for default *in toto* although "most of the guns were serviceable."

Dingee's New Jersey lawyer, Oliver S. "Pet" Halsted, Jr., who had access to Lincoln, showed him a letter from Captain Silas Crispin, the New York Ordnance Officer, to Dingee of April 1, 1862, which in part read as follows:

"In accordance with instruction received from Ordnance Department this day I have to offer you a voucher for that portion of last inspected lot of your arms. . . . As regards the balance of the lot I conceive it to be clearly my duty . . . to assess their value before issuing voucher, and as you have expressed yourself to submit to any other basis of settlement that heretofore offered you by Maj. Hagner I have referred the matter to Washington for decision."

Lincoln without hesitation, immediately wrote the following endorsement [5] on the letter to General James W. Ripley, the Chief of Army Ordnance:[6]

"What reason is there that the appraisement by Major Hagner, and adopted & acted upon by Capt. Crispin, should not stand, so far as it went."

Lincoln, according to Halsted, said that he "wanted substantial justice done" [7] and ordered Hagner to accept all Dingee arms that met specifications, reject those that were, in fact, unserviceable and buy the remainder at a reasonable value. Exit Major Hagner to serve on a Commission to investigate the arms contract.

His successor was Captain Silas Crispin, "a man of erratic temper, a consistent drinker, and a bachelor".[8]

Major Hagner had established valuations on certain arms offered but not meeting the specifications. Captain Crispin refused to allow these valuations. He insisted on evaluating each separate shipment at the market value at the time of the offer.

Again, on April 23, 1862, Lincoln wrote a memorandum to General Ripley as follows:[9]

It is said that in the case of the contract of S. Dingee & Co. in relation to arms a dispute has arisen as to the proper construction of a clause in an order signed by me, which clause is in these words: "and that arms not conforming thereto" (the contract) "be appraised by the ordnance officer at New York, and received at such price as he may determine."

"This order was prepared with reference to *a definite number* of arms expected to be delivered within a *definite time*, and not in reference to an *indefinite* number to be delivered in an *indefinite time*. I certainly did not expect that under the clause in question a lot of guns would be appraised at one price at one time, and another lot of precisely the same quality appraised at different prices at another time. I expected that when under the clause the price of a particular quality of gun was fixed it would stand throughout the transaction, neither going down or up. I still think this is the just construction."

The matter was finally settled by Dingee's offer, accepted by the Secretary of War, Edwin McM. Stanton [10] to substitute English

Enfield rifles at $19 in sufficient numbers to complete the contract within 90 days.[11]

FOOTNOTES

[1] Foreword by the late Benjamin P. Thomas to Bruce, Lincoln And The Tools Of War (1956), VIII.

[2] Lincoln was the only inventor to become President of the United States. His U.S. Patent No. 6469 for "Buoying Vessels over Shoals" was issued on May 22, 1849. Judge Arthur M. Smith, A. Lincoln, Inventor, 22 Fed. Bar J. 274 (Summer 1960). Thomas Jefferson also was an inventor who became President but Jefferson did not patent any of his numerous inventions.

[3] When Christopher M. Spencer of Connecticut called on Lincoln to demonstrate his rifle, Lincoln invited him to return to the White House the next afternoon when "we will go out and see the thing shoot." On August 18, 1863 Lincoln accompanied by Spencer, his son, Robert Todd Lincoln (later Secretary of War) and John Hay, his Secretary went to the Treasury Park. Secretary Edwin McM. Stanton sent word that he was too busy to join them. Lincoln shot at a target about 40 yards away. The target, which the author has examined, is about six by eight inches in size. Lincoln fired seven times. He hit a bull's eye; the other six shots were close to the bull's eye. Letter of Captain R. D. Descoteau (Army Materiel Command) of July 11, 1963 to author. J. O. Buckeridge, Lincoln's Choice (1956), Bruce, fn. 1. supra. The Army bought 106,000 Spencer Seven Shot Repeating Carbines and Spencer rifles during the period January 1, 1861 to June 30, 1866. H.R. Ex. Doc. 1, 39th Cong., 2d Sess. (1966), pp. 663, 664; Great Guns by Andy Palmer (1956); p. 65; Washington Post, May 30, 1963; W. A. Barlett, Lincoln's Seven Hits With A Rifle, 19 Magazine of History (1921), p. 68; 3 Lincoln, Day by Day, pp. 202–203.

[4] While serving as a volunteer cadet in the Austrian Army in 1937, the author shot a bull's eye with an Enfield rifle and can attest to the excellence of the rifle.

[5] Autograph Endorsement, signed by President Lincoln, now in Brown Un. Library, Providence, R. I. If offered at auction, the author estimates that it would bring about $600.

[6] Bruce, fn. 1 supra at p. VI, quotes The Scientific American of September 19, 1863 that Lincoln's first Chief of Army Ordnance, General James W. Ripley, exclaimed: "What does Lincoln know about a gun?"

[7] Cf. Rules governing AEC Board of Contract Appeals, 10 C.F.R Part 3: "The . . . rules of procedure seek to recognize the real nature of the contract appeals process, namely a means by which an agency can take a second, top level, independent look at the actions of its authorized agents and effect any necessary revisions of such actions dictated by justice and fairness."

[8] No criticism is implied that these qualifications would disqualify any person to be a contract administrator. In fact, the author does know some bachelors who fall into that category.

[9] 5 Collected Works of Abraham Lincoln 196.

[10] Ibid, 197.

[11] Sen. Ex. Doc. No. 72, 37th Cong., 2d Sess., p. 116.

BERKELEY ARRESTS

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. EDWARDS of California. Mr. Speaker, along with many other California Congressmen I voiced my concern about the violence in Berkeley in May. At that time I asked for an U.S. Attorney General's investigation of the events there.

I understand the investigation is still continuing, but that it is being slowed because of a lack of cooperation both from students involved and from law enforcement agencies. I would hope that at least the law enforcement agencies would cooperate.

Recent information has illustrated the need for a full and complete Federal investigation.

On May 22 protesting students and others conducted a march through Berkeley. Law enforcement agencies, including police, sheriffs' officers and National Guardsmen made mass arrests. In fact a total of 480 persons were arrested. None of this is news.

What is news is what has happened to that 480 persons.

In each and every case charges have been dropped. By July 9 all charges had been dismissed "in the interests of justice."

Let me submit to you that what we have witnessed in Berkeley was a complete failure of law and order. Four hundred and eighty persons are arrested, booked, jailed overnight, and then forced to the expense of putting up bail and then not tried "in the interests of justice."

What caused this breakdown?

First, many of those arrested were innocent of any involvement in the demonstration. Jesse P. Ritter, Jr., writing in this week's edition of Life magazine, tells of his experiences during these mass arrests. He describes those arrested with him:

> Nineteen of us—17 men and 2 women—were packed into a paddy wagon. I was never able to identify myself or state my business. . . . Aboard were students with books and notepads who had been on their way to and from classes at the University. There was a U.S. mailman (with long hair), still carrying his bag of mail, and a resident psychiatrist who had stepped outside his hospital for a short walk during a 30 minute break.

Thus, the first breakdown in law and order on that day in Berkeley—the innocent were arrested along with the guilty.

The second breakdown came at the Santa Rita prison farm of Alameda County. The words of Sheriff Frank Madigan of Alameda County testify to what happened there. He said of his young deputies:

> They have a feeling that these people should be treated like Vietcong.

The treatment, brutal treatment, was the same for all arrested, both innocent passersby and demonstrators.

The sheriff suspended 10 of his officers because of the treatment of the prisoners.

A full description of the events in Berkeley is provided by Mr. Ritter, and I include in the RECORD at the end of my statement.

But let me add, that the events there make clear the necessity for a full Federal investigation of what happened in Berkeley. There are still many unanswered questions. The article follows:

NIGHTMARE FOR THE INNOCENT IN A CALIFORNIA JAIL

(By Jesse P. Ritter Jr.)

When I moved my family to San Francisco last year to teach in the English department at San Francisco State College, I did so with misgivings. I knew that the educational atmosphere in California was far from tranquil—Governor Reagan was waging virtual war against student protesters, and the political polarization between the left and the right could only be described in terms of paranoia. Through the year, my fears were confirmed as I witnessed student and faculty strikes, bombings, brawls, police assaults, mass arrests. But none of those events—brutal as they were—prepared me for the nightmare that followed my recent chance arrest this spring in Berkeley. Overnight that experience, which can be verified by many reliable witnesses, turned a father of five, veteran of the Korean war and law-abiding citizen into a bitter man.

On Thursday morning, May 22, I left San Francisco State College with four other teachers to drive to Berkeley. We were beginning work on an environmental art project one of the teachers was directing. We planned to borrow a sailboat from a couple I knew in Berkeley and dump a small amount of nontoxic dye in the bay water at strategic points to observe the action of the currents.

We arrived in Berkeley about noon. After a pleasant lunch and a trip to buy supplies for the sail we walked toward Shattuck on Addison Street. There we were to meet my friend's wife, Nora.

The city of Berkeley was then in something like a state of siege because of the People's Park issue. On the streets, under the command of Alameda County Sheriff Frank Madigan, was a vast force of National Guard troops, county sheriffs, San Francisco Tactical Squad units. Madigan had authorized use of shotguns against demonstrators. One man had already been killed, and many others wounded. Demonstrators, workers and onlookers trapped in a plaza on the University of California campus had been sprayed from a helicopter with a virulent form of tear gas currently being used in Vietnam. To protest, approximately 2,000 students had now begun a spontaneous march from the university campus through downtown Berkeley.

We could see a concentration of National Guard troops, policemen and citizens several blocks east of us. I described what Nora looked like to the others and we stopped at the southwest corner of Shattuck and Addison to scan the crowd for her. We decided not to go any farther because we saw soldiers, police and people both to the east and south of us. The National Guard troops nearest us were climbing into trucks and moving out. Small groups of people on each corner of the intersection watched the troops; others walked casually on the sidewalks.

Berkeley policemen and Alameda County deputies began moving our way. An officer leading four or five others approached our group of 12 to 15 people and said, "Let's move out; clear the area!" Everyone on our corner obediently started walking away. Suddenly, a Berkeley policeman ran in front of us, spread his arms and shouted, "Stay where you are!" Behind us, two other policemen kept repeating, "Keep moving, clear out of here!" We said we were leaving, and at this point a Berkeley police sergeant approached and began pointing to various people in our group, saying, "Get that one, that one, that one."

An officer snapped handcuffs on me and joined me with the cuffs to a protesting youngster. I asked if we were under arrest

and the officer said yes—we were charged with blocking traffic. We were not allowed to talk to the policemen after that. The sergeant who had us arrested taunted us, using obscenities and accusing us of being revolutionaries, rock-throwers and hippies. Those not fingered by the sergeant continued down the street and were not apprehended. While we were being herded into the paddy wagon, however, officers continued to arrest people at random—mostly young people, and particularly those with long hair, mustaches, sideburns. Three of the teachers with me were arrested; our fifth companion was not, and he immediately began calling friends and relatives to arrange our release.

Nineteen of us—17 men and two women—were packed into a paddy wagon. I was never able to identify myself or state my business; indeed, the policemen threatened anyone who talked at all. We sat in the wagon for about 20 minutes, then it backed up the street a block, where we were transferred to a large bus. We were all being taken to "Santa Rita," a place I had never heard of.

During the 45-minute ride our feelings were reinforced that it had been an indiscriminate bust. Aboard were students with books and notepads who had been on their way to and from classes at the university. There was a U.S. mailman (with long hair), still carrying his bag of mail, and a resident psychiatrist who had stepped outside his hospital for a short walk during a 30-minute break. Others included several young divinity students and five medical observers—young men in white smocks with red crosses—who had accompanied the student march down Shattuck Avenue. The police blew it, I thought. They went too far this time. Most of us will be released when we get to wherever we're going.

The bus stopped inside the Santa Rita Rehabilitation Center and Prison Farm, an institution run by Alameda County. Prison guards who work under the jurisdiction of County Sheriff Madigan now took charge of us. We heard repeated orders through the frosted bus windows: "Unload single file and march. Anybody talks and he'll get a club up the butt!" As we filed off the bus the sight that greeted us was from a World War II movie—shabby wooden barracks, barbed-wire fences, rickety watch towers and rows of men lying face down in an asphalt-paved compound. We were marched into the compound and ordered to lie prone in rows. Those who looked around or stumbled or didn't move fast enough were prodded and hit with clubs. Frequently, men were dragged out of the marching lines and forced to kneel while being struck. The guards shouted and screamed, often giving conflicting commands and clubbing those unable to obey them. Our chief source of terror was not so much the beatings as the wild hysteria that had seized many of the guards. They walked up and down our rows of flattened men, striking upraised hands with clubs, striking us on the soles of our feet with clubs to make us lie in even rows.

We were told we would be shot if we tried to escape. We were cursed continuously; we were called dope users, revolutionaries, filthy long-hairs. We would, they shouted, be taught such a lesson that we would never again cause trouble. All of us were identified as political troublemakers. No attempt was made to distinguish us by age, nature of charges or physical condition. Periodically we were ordered to turn our heads to the left or right. I experienced severe leg cramps and sharp twinges of pain from an arthritic elbow. From time to time we were forced to close up ranks by crawling across the asphalt, which was covered with sharp gravel. Those accused of speaking or looking around or moving slightly were dragged out and forced to kneel with their hands behind them in a separate group. Some remained kneeling for hours. There were some 300 men on the ground.

After a few of us asked to use the rest rooms (and were abused for it), guards began allowing small groups to go. At times, the guards said, "You'll have to wait another half hour." One kid near me identified himself as a diabetic in the rest room and was cruelly beaten.

This savage parody of prison discipline had an obvious psychology behind it. Humiliate the prisoners totally from the beginning so they will obey orders and accept punishment without resistance. Of course, we weren't prisoners—*we were simply being held for booking!*

During the time I was lying in the compound, from approximately 4 until 8:30 p.m., new arrestees were brought in and forced to lie in rows. It was cold when the sun went down, and men around me were shivering. At 8 we were allowed to stand and exercise in place for a few minutes. We then lay back down on our faces. They had taken our names when we were first arrested, and about every 20 minutes a guard would call out some names in alphabetical order. At 8:30 my name was called along with seven others, and we were taken into an adjoining barracks for booking.

Here we experienced new refinements. We were forced to sit in single file on the floor, knees together, while a squat, dark-haired guard waving a blackjack shouted that if we didn't do exactly as he said he would beat us until we couldn't walk. He had us face the wall, spread our legs and place our hands high on the wall. We then turned and threw our jackets, belts and the contents of our pockets into a pile. During this procedure, the squat guard struck prisoners in the back, stomach, face and legs with his fist or the blackjack. He struck me four times with the blackjack during the booking process—either for not having my heels tightly together or for not clasping my hands in front of me. He assaulted one of us—a very young boy with long hair—by slugging him with his fist and then grabbing the boy's hair and slamming his face into the wall. Later, in the barracks, we saw that the boy's left eye had swollen badly and he could barely open his jaw.

After the booking and fingerprinting, we again had to sit on the floor with legs drawn up, heels together. We were then lined up and marched to Barracks B across the street. The guard in charge treated us firmly but decently, telling us that while we were in the barracks we could get together and talk, plan our bail procedures and wait our turn to use the telephone. He repeated what other guards had told us in the compound—that the regular prisoners were outraged at us because we were troublemakers, because we were repsonsible for the regular inmates' missing movies and other privileges. The inmates would beat us terribly, and the guards couldn't prevent it. We would be turned over to "hardened criminals and sex perverts."

At about 11:30, four lawyers from the People's Park Defense Committee appeared in the barracks. They told us they were trying to arrange bail procedures for as many people as possible, but they lacked funds and organizations for rapid release. We filled out forms giving information about our families and personal legal arrangements. We later were told that many of these forms were destroyed by prison guards who claimed they were "messages." At no time during our detention did anyone in my barracks have an opportunity to make a telephone call to relatives or lawyers.

During the night we were taunted and threatened by different prison guards. We left in small groups all through the night to have photos taken—I went in a group at 2:45 a.m. Few of us slept.

At 4:30 a.m., the door crashed open and three guards moved among the bunks rousting out people with curses, threats and blows. We were going to eat, they said, and we would eat what we took or it would be "shoved in your faces." Under continual threats, we were marched to the mess hall. Breakfast was Corn Chex and milk (no sugar), half-cooked prunes, white bread and artificial marmalade. We sat packed at the tables, ordered not to move or talk. Five men were dragged from their seats and forced to kneel before an empty table for such things as "looking around," "talking" or "moving." They were not allowed to eat. One boy was forced to lean his head on a post while the guards beat on the post. His nose began bleeding. Guards would prod him, pull him off the post and strike him, or kick his feet back farther until he was leaning at a severe angle to the post, his head and neck bearing the full weight of his body. After about 15 minutes of quivering spasmodically, the boy collapsed to the floor. Two guards dragged him over to the empty table and made him kneel, still twitching, with the others. After we finished eating, we were forced to kneel on the floor in columns of two and wait for about 15 minutes before being marched back to the barracks.

At 6 a.m. a new guard, a small man with reddish-blond hair on his neck, came into the barracks, yelling, "I had a good night's sleep and I feel like KILLING!" He announced that he was now in total control of us and said he needed a "boss' in the barracks. He grabbed my bunkmate, Professor Gary Oberbillig, by the shirt and dragged him out to the center of the floor. "Get out here," he said. "You're big; you want to take me? Come on, let's go outside. Want to go outside?" He then instructed Oberbillig that he, Oberbillig, was the "barracks boss" and was to "beat the ——! out of anybody who don't do right!"

At 7:30 a guard came in and read off a list of names. We lined up and marched outside into the street, where several other guards spent approximately 30 minutes giving us military marching commands, making those who did not execute the commands smartly do calisthenics. (Ironically, not one of them was able to give an accurate "about-face" command, and our ragged "about-face" maneuvers enraged them.) We marched at double-time, forced to yell "We love the blue meanies!"

The guards were proud of this idea: I overheard one tell another, "Say, we've gotta do that Blue Meanies bit some more." We marched to what appeared to be the receiving center of the prison, where we were put in open-screen cells already occupied by new arrestees. It was here that we learned we would be released soon. While we waited in the cells, several men were dragged out and beaten in our presence and told that they were on the way to further beatings and a stay in the "quiet room."

My three companions and I were finally processed for release on bail by 8:30 a.m., Friday, May 23, nearly 18 hours after our arrest. All released prisoners had to catch rides out of the main gate, a distance of a half mile, with outgoing bail bondsmen.

The first thing I learned facedown on the Santa Rita asphalt was that I could make it without begging or breaking. This felt good; it was enough strength to counter the fears engendered by the heavy blue-black guards' shoes slowly crunching by my eyes six inches away. *But to be put to these tests in America!*

At a press conference, Alameda County Sheriff Frank Madigan admitted there had been "irregularities" at Santa Rita on that Thursday. He put the responsibility on his guards. Many of the deputies assigned there, he said, are young Vietnam war veterans and "they have a feeling that these people should be treated like Vietcong."

On July 2 Madigan suspended 10 of his

officers at Santa Rita for "violating civil service and or/departmental rules" in handling the mass arrests. The officers, all of whom were told they had the right to appeal (only four chose to do so), included the commander, his two immediate assistants and a sergeant. By July 9, charges against all the people who had been arrested—a total of 480—had been dropped by the court.

Still, several hundred young men and women came out of Santa Rita believing there is no middle ground anymore—nowhere to stand to reconcile the growing polarities of our political lives. I am haunted by the bitterness brought forth by such assaults on our humaneness and human rights. When in the history of man have prisons and guards ever rooted out the ideas in which men really believe?

CONGLOMERATES—CIVIL RIGHTS STYLE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. RARICK. Mr. Speaker, failing—discredited—and financially distressed, the so-called civil rights demagogs have now departed from nonviolent direct action and, taking a lesson from big business have now extended their organizations into "agitation conglomerates."

Old labor unions are to be replaced by new alliances, tenements are acquiring new landlords, and not even the sick and dying in our Nation's hospitals will be granted peace of mind from these self-serving exploitations of extremist has-beens.

Mr. Speaker, I include several news clippings:

[From the Washington Daily News, Aug. 11, 1969]

UNION MUSCLE AND SOUL POWER EYE HOSPITALS

(By Stanley Levey)

Private hospitals in at least a dozen cities will be the target of a combined organizing drive by labor and the civil rights movement.

This same combination—Local 1199 B of the Drug and Hospital Union and the Southern Christian Leadership Conference (SCLC)—recently conducted a three-month strike in Charleston, S.C. While failing to win union recognition, substantial gains in salaries and other benefits were retained for 550 workers.

Moe Foner, the union's executive secretary in New York, said the widely publicized organizing drive in Charleston resulted in a "flood of requests" from other hospital workers across the country for similar efforts in their communities. He said the union would concentrate on "big, sophisticated cities" and would "pick our spots carefully."

Union-SCLC coalition groups already have been set up in Philadelphia, Baltimore, Detroit, Connecticut and New Jersey. Later, organizing drives will be scheduled for other major cities in Pennsylvania (Pittsburgh), Ohio (Cleveland, Columbus and Cincinnati), North Carolina, Florida, Georgia and Kansas.

In Baltimore, the union and representatives of the Johns Hopkins and Lutheran hospitals have met with officials of the state labor board to work out details of a representation election. Mrs. Coretta King, widow of the Rev. Dr. Martin Luther King Jr., will address a rally there tomorrow giving the effort the civil rights movement's official stamp of approval.

The stakes in a nationwide hospital drive would be big for both the union and the SCLC. Workers in the country's thousands of private non-profit hospitals number about 2.5 million. Any union that could bring a large share of them into its ranks would soon count as a major labor organization.

For the SCLC, which lost momentum after Dr. King was assassinated in Memphis 15 months ago, a successful hospital drive would provide a focus for SCLC's activities and help cement a potential coalition with labor.

A principal factor in settling the Charleston strike was the threat of the International Longshoremen's Assn. to close the city's ocean port. Similar support probably would be forthcoming in the new target cities of the union and the SCLC.

"We don't have a million dollars or a million people," said Mr. Foner. "But maybe we have something even better—an alliance between union power and soul power. Together, we can do what neither the SCLC nor the union could do alone."

[From The Atlanta (Ga.) Journal and Constitution, Aug. 10, 1969]

CHARLESTON TO BE HOST FOR SCLC

Appearances by Mrs. Martin Luther King Jr., New York City Mayor John Lindsay and Fayette, Miss., Mayor Charles Evers will highlight the 12th annual convention of the Southern Christian Leadership Conference this week in Charleston, S.C.

The Rev. Thomas Kilgore, a Los Angeles Negro who is president of the predominantly-white American Baptist Convention, will deliver the keynote address at the Wednesday opening of the four-day meeting.

Mrs. King will take part in the organization's cultural program Wednesday night.

Lindsay and Evers will address a Thursday night banquet meeting which will also feature an appearance by gospel singer Mahalia Jackson.

SCLC president Rev. Ralph Abernathy will deliver the president's message Thursday morning and other officers, including Atlantan Hosea Williams and the Revs. Jesse Jackson and James Bevel, also will speak Thursday.

The Wednesday "Culture and Heritage Night" will include, in addition to Mrs. King, herself a singer, various choral groups and singers and a theatrical production.

Each day's schedule will begin with a worship service and panel programs will include "Poor People" and "Economic Development and Poor People." Tom Reaves of the National Council to Repeal the Draft will also appear on "Poor People, War and the Draft."

The session will close Saturday morning with a business meeting and a discussion of federal poverty programs.

WORK-WELFARE PLAN ATTACKED BY ABERNATHY

Rev. Ralph Abernathy, head of the Southern Christian Leadership Conference, Saturday branded President Nixon's welfare proposal as an insult and a political gimmick.

Abernathy said Nixon had proposed "an adequate, deceptive and repressive" welfare plan. He said the program also "calls for a system of forced work—even for mothers."

"Mr. Nixon's welfare plan is in reality a political gimmick designed to fool both the poor who need so much more and the rich who think they're already too generous with welfare," Abernathy said.

"First, it is inadequate. The Department of Agriculture says a family of four needs at least $1,200 a year for food alone. Mr. Nixon proposes only $1,600 for the total needs of such a family. The poor must be guaranteed an income that will bring them at least to the poverty line—$3,000 for a family of four."

Second, Abernathy charged, the program would set up "forced work," adding:

"Everyone knows that decent jobs with decent pay are not available now and Mr. Nixon makes no provision for finding them. Also, Mr. Nixon should know that less than one per cent of all people on welfare now are able to work. All the rest are children, mothers with infants, the aged, the disabled and a relatively small number of men without adequate training.

"Third, Mr. Nixon would turn the main responsibilities of a welfare system over to the states," he said. "Does he mean to say he will let the State of Mississippi, where starving children now receive $8.50 per month in welfare, control the new program."

Abernathy said the only good features he saw in Nixon's proposal were in the establishment of minimum federal standards for welfare payments and the making of welfare available to families with unemployed fathers.

"These are demands of the Poor People's Campaign," the civil rights leader said. "They should have been met long ago."

SENTENCED TO TIME SERVED

NEW YORK.—Civil rights crusader James Meredith has been sentenced to "time served" on his conviction of harassing tenants who lived in a Bronx apartment building he owns. The sentence, handed down by Bronx Criminal Court Judge Ross Bach, meant that the two days Meredith has spent in jail since his arrest is the only penalty he will have to pay on the conviction.

[From United Press International, May 13, 1969]

HARASSMENT OF TENANTS IS DENIED BY MEREDITH

NEW YORK, May 13.—Civil rights activist James Meredith today denied charges he has harassed elderly white tenants in a rent-controlled Bronx apartment house he owns.

Three summonses charging harassment have been issued against Meredith, the latest Monday, and thus far he has refused to answer them.

Meredith today held a news conference outside his 34-family apartment house in the Highbridge section and told newsmen the tenants had told him, "We are going to force you out."

As he spoke, about 10 tenants came out of the building while others leaned out of windows to argue with him.

The tenants have charged that Meredith demanded a rent increase when he took over the building 17 months ago, and, when he did not get it, began to cut heat, hot water and elevator service.

Meredith said he had only asked "the cooperation" of the tenants in getting an increase in the rent-controlled building and denied he had curtailed services.

But one tenant produced a letter from Meredith to the occupants of the building. The letter, dated Feb. 15, 1968, said, "We are requesting that you sign a lease giving a 15 per cent increase in rent.

"Unless we get cooperation and all of the tenants sign such leases by March 31, 1968 effecting the change for April 1, 1968, it will be necessary for us to take immediate steps to vacate the building and convert it into a different kind of property."

Meredith admitted writing the letter but declined to elaborate on whether any threats were implicit.

Meredith said there are three Negro families in the 34-family, six-story brick building. All the tenants who complained to newsmen were white.

Meredith claimed he was losing $18,000 in operating the building but said he was maintaining the ownership because "I'm interested in this city, in this neighborhood. I want to supply a decent place for Negroes and Puerto Ricans."

[From the Washington, (D.C.) Evening Star, Aug. 12, 1969]

FATHER GROPPI, ARRESTED

MILWAUKEE, WIS.—The Rev. James Groppi and two youths were arrested yesterday when they refused to break their locked arms and permit employes of the Allen-Bradley Co. to pass through plant doors.

The Roman Catholic priest, who has been active in civil rights demonstrations, and the youths were charged with unlawful assembly.

The demonstration started when a small circle of 11 demonstrators marched in front of the employes' entrance to the plant, protesting what they termed "plant discrimination on all minority groups." Police said Father Groppi and the two other then locked arms at the entrance.

Onlookers cheered and applauded as the trio was escorted to a patrol wagon and their picket signs were trampled in the brief scuffle with police.

U.S. MOON TRIUMPH

HON. WM. J. RANDALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. RANDALL. Mr. Speaker, on Monday morning, July the 21st, the morning edition of the Kansas City Star which carried the name of the Kansas City Times, published an extra edition. Across the top of the paper from margin to margin were 3-inch-high headlines with the words, "U.S. Moon Triumph."

One of the most interesting feature stories that it has been my privilege to read was the one written by Phillip S. Brimble and James J. Fisher, who are members of the Star's staff, writing from Houston, Tex.

Theirs is a fascinating article and contains such a vivid description of that first historic exploration of the moon that when you start their story, the reader cannot stop until he finishes. These able reporters start with the words of the first human to step onto another celestial body, and set out the first words uttered by Neil Armstrong, which as they point out ended the mystery of what the first man would say when he reached the lunar surface.

Every one of the articles written for the extra and commemorative editions of the Kansas City Times and the Kansas City Star are outstanding. The Kansas City Star is to be commended and congratulated for providing these editions as a lasting memento of these milestones in the history of man. To say that these editions have been accepted by the readers of the Star is an understatement. There has been an unprecedented demand for this most popular journalistic effort. It is my personal privilege and high honor to say that I know and respect these writers, Mr. Brimble and Mr. Fisher. It is my further privilege to congratulate them for an article which describes a portion of the greatest odyssey in all of our history. These reporters have done an outstanding job, in describing something unique. It is my privilege to share this story with my colleagues and to ask that this feature article be incorporated as a part of the permanent edition of the CONGRESSIONAL RECORD as follows:

[From The Kansas City Times, July 21, 1969]

LIFT STARS, STRIPES

(By Phillip S. Brimble and James J. Fisher)

With the earth looming like a blue ball in the black bleakness of space above them, two American astronauts stepped onto the moon, which one of them described as a "magnificent desolation," and gave the world a moment of greatness last night.

An automatic television camera transmitted the feat live to millions of earth viewers. Neil A. Armstrong became the first human to step onto another celestial body, putting his left foot onto the lunar surface at 9:54 o'clock (Kansas City time).

"That's one small step for man, one giant leap for mankind," Armstrong said, thus ending the mystery of what he would say.

There was no awe or emotion in his voice, just the solid confidence of a man who set out to do a task and did it well.

Armstrong and Edwin E. Aldrin, Jr., then began what shall rank as the most dramatic and unbelievable television show in history. They at times seemed to float across the lunar soil, which they described as "fine-grained and almost like a powder," leaning forward all the while to offset the weight of their life-sustaining backpacks.

After about 2 hours and 15 minutes on the surface of a world without air or known life, without any of the beauties that make a good earth, Armstrong and Aldrin returned to the safety of the lunar module, or Eagle.

They were expected to sleep—to close their eyes and lose consciousness and, maybe, dream—after having done what none before them had done, after having become special mortals: Men among men, pioneers of a new era just dawning.

About 30 minutes after Armstrong and Aldrin stepped onto the surface, and after they had erected the American flag—held outright in the airless surface with spring-mounted supports—they got a telephone message from President Richard M. Nixon. It was transmitted from the Oval room at the White House through the NASA radio network.

President Nixon said:

"Hello, Neil and Buzz . . . I can't tell you how proud we all are . . . for every American, this has got to be the proudest day of their lives . . . Because of what you have done, the heavens have become a part of man's world."

The President said the lunar landing by Armstrong and Aldrin had united the world as never before, in pride in their achievement and in prayers for their safety.

"Thank you, Mr. President," Armstrong said. "It is a great honor to be here, not only in representing the United States, but the world."

"We look forward to seeing you on the Hornet Thursday," Nixon said. (The USS Hornet is the recovery ship.)

"We look forward to that very much, sir," Armstrong replied.

After that brief exchange, interrupted occasionally by radio feed-back in the transmission, Armstrong and Aldrin returned to their tasks, mainly collecting rock and soil samples and deploying instrument packages.

Armstrong's first step onto the moon occurred at 9:54 o'clock (Kansas City time). Silhouetted against the stark lunar whiteness, Armstrong stretched his left leg toward the surface, then jerked it back up.

"That last step is a long one," he explained, adding later that the ladder was about 3 feet above the surface and that the Eagle had not sunk into the moon as deeply as expected.

"I can kick it (the moon's soil) up loosely with my toe," Armstrong said. "It is like powdered charcoal. I can see the footprints of my shoe tread . . . I seem to have no difficulty in moving around . . . as we suspected, it's even easier moving than in the one-sixth g (gravity) simulation we performed on earth.

To demonstrate how easily he could move on the moon, Armstrong seemingly raced across the screen in bouncy, ballet-like steps, then turned and raced toward the camera. Equally at home on the surface was Aldrin, who, when finding himself at the bottom of the ladder, jumped up and down.

Aldrin's exit onto the moon came about 20 minutes after Armstrong's stepdown. Mission Control showed momentary concern about the contingency sample, which Armstrong was scheduled to pick up first and send back to the cabin on a pulley system. However, he seemed more interested in taking pictures with the still camera attached to his chest pack.

"I'm looking up at the LM, at Buzz in the window, and I can see everything quite clearly . . . everything is clearly visible," Armstrong said.

"Are you going to get that contingency sample tonight?" asked Mission Control.

"I'm taking pictures," Armstrong said, then turned his back to the television camera and took some photographs of the lunar landscape.

He then filled the contingency sample pack and passed it up to Aldrin, describing the lunar soil as "very soft at the surface, but difficult to scoop up . . . very cohesive material."

He said his boot footprints only sank into the surface about one-eighth of an inch, and that the Eagle had sunk but 2 inches.

"The rocks are rather slippery . . . finely porous," Aldrin reported. "You have to be careful and lean in the direction you want to go . . . it is not hard to lose my balance in one direction, but recovery is easy."

Aldrin then moved away from the Eagle, looking for rock samples.

"Remember them telling us we would find purple rocks?" Aldrin said.

Armstrong answered he did.

"Did you find one?" he asked.

"Yep," Aldrin said. "It is small, and sparkly . . . like agate. First, guess it is some sort of biotite." (Biotite is a mica substance, indicative of volcanic action.)

About this time Armstrong moved the television camera out of the storage rack on the LM, and out about 50 feet to give a wide-angle view of Aldrin standing before Eagle, a gleaming adventurer before his craft.

As the two men moved about setting up the experiments, they reported that the lunar soil smudged their gloves and covered their boots.

Perhaps one of the most dramatic shots was the one showing both Aldrin and Armstrong busy working about the LM, with Armstrong's footprints leading to and back from the television camera, footprints clearly visible on an otherwise barren plain.

The halfway mark to realizing that dream occurred yesterday afternoon when the lunar module landed, under the control of Armstrong's deft hands for the final few hundred feet.

Eagle landed at 3:17:42 o'clock (Kansas City time).

Watching and listening as the fragile craft started its descent from 50,000 feet above the lunar surface was an audience estimated in the hundreds of millions.

Armstrong was calm as he ticked off the readings from his instruments.

He had used those same instruments earlier in the first burn of Eagle's descent engine, a burn which shifted the craft out of a 60-mile-high orbit it had shared with Michael Collins in the Columbia, the command module.

The first burn changed Eagle's orbit to an exaggerated elliptical path with a high point, or apolune, of 65.6 miles and a low point, or perilune, of 9.8 miles.

The first burn was made on the backside of the moon, out of communications with Mission Control. At that point the computer on Eagle started the automated landing sequence.

That sequence began with the refiring of the descent engine for almost 12 minutes, starting soon after 3 o'clock.

At that point, Eagle was at 50,000 feet and about 14 degrees uprange from the second landing site.

Since the powered descent of Eagle put it into a lower and slower orbit than the Columbia, Collins was the first to return to radio contact with Mission Control as Columbia slipped from behind the moon at 2:44. Eagle reappeared from behind the moon two minutes later. Its rocket was firing, dropping it closer and closer to the moon below.

At 47,000 feet Armstrong reported fluctuation in the alternate voltage current.

Seconds later he said of Eagle:

"I think it's gonna drop."

At 40,000 feet, Mission Control told Eagle it was "go" for powered descent.

At that point several alarm lights came on in Mission Control. They came on once and did not reappear. It was later explained that the computers were receiving and processing so much information that they automatically recycled themselves and started their tasks over.

Readings of data at this point indicated Eagle was on its intended trajectory. Dr. Charles Berry, the astronauts' doctor, was getting readings that Armstrong's heart rate had increased to 156 beats a minute. Because of the limited space on the Eagle, only one pilot was hooked up for readings.

At 25,000 feet above the lunar surface, Armstrong started to throttle down on the descent engine, slowing both his descent rate and his forward rate. The computer on board Eagle was assisting his manual control of the craft.

At 3,000 feet, Mission Control told Armstrong and Aldrin that they were "go" for landing.

Eagle and its 2-man crew continued down—2,000 feet, 1,600, 750, 540, 150, 100, 75, 60.

At 40 feet, the blast from the descent engine kicked up dust from the surface of the moon.

"Drifting to the right a little," Armstrong said. Then:

"Contact light."

That referred to the 5-foot-long probes on the ends of three of the four legs of Eagle which activated a panel light inside the module on touching the lunar surface.

"Okay, engine stop. A. C. A. out of detent. Modes control both auto, descent engine command override off. Engine arm off."

"Houston, Tranquillity base here. The Eagle has landed."

Houston replied:

"Roger, Tranquillity, we copy you on the ground. You've got a bunch of guys about to turn blue. We're breathing again."

Inside Mission Control, there was cheering. Gene Kranz, a flight controller, keyed his microphone and told the other controllers: "Knock it off, we've still got work to do."

Sixty-nine miles above the lunar surface, Michael Collins frantically asked to hear the transmission of the landing. A tape was played to him immediately after Eagle set down.

"I heard the whole thing," Collins said. "Fantastic!"

That was the only superlative of the afternoon.

Eagle landed west of the second landing site and about 4 miles north.

Armstrong radioed that the auto targeting device aboard the spacecraft took the spacecraft into a crater the size of a football field with large rocks and boulders in it.

"It required flying manually over the rock field to find a reasonably good area," he said.

That fly-by was at 200 feet.

Collins quipped from the Columbia:

"When in doubt, land wrong."

Aldrin, looking out the triangular window of the module, calmly described the scene as "lots of boulders and smaller rocks . . . grays and some browns . . . littered with 2-foot craters around the area . . . There's a hill in view."

Apollo 11's day started at 6:30 o'clock yesterday morning when Mission Control awakened the astronauts.

The flight plan had called for nine hours of sleep, but the astronauts were undoubtedly eager to start their long day by getting ahead of schedule and keeping ahead of it.

By 8:30 o'clock yesterday morning, Aldrin had pressurized the tunnel to the LM, then the LM itself.

He entered the LM, and Armstrong followed moments later, wearing his bulky moon suit.

After a systems check by both men, Aldrin returned to the command module and donned his suit.

By 11 o'clock, Aldrin and Armstrong were in the LM. It was on its own electrical power, although still attached to command module.

At 12:45 o'clock, Collins undocked the LM by releasing the 12 latches which hold the command module and the lunar module together.

At 1:09 o'clock, just before the separation of Columbia and Eagle, a conversation occurred indicative of the laconic nature of the three astronauts.

Columbia: "Take care."

Eagle: "See you later."

THE APPROPRIATION AND SPENDING BUSINESS OF THE SESSION

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. MAHON. Mr. Speaker, with the summer congressional recess beginning tomorow, it seems timely to supply for the information of Members and others who may be interested a summarization of the appropriation business and spending actions thus far, especially with respect to bills dealing with the budget for the current fiscal year 1970.

Recommendations on the spending side of the budget are handled mostly in appropriation bills, dealing—in this session—with supplements to fiscal 1969 and with the main budget for the current fiscal year 1970. A handful of items relate to fiscal 1971. And a number of actions with impact on the pending budget have been taken in bills out of the legislative committees—the details of which are reported on in the latest budget scorekeeping report of the Joint Committee on Reduction of Federal Expenditures.

THE APPROPRIATION BILLS

The House has acted on six of the fiscal 1970 appropriation bills. They involved consideration of some $45 billion of the President's budget requests for new appropriations and other new budget—obligational—authority. In those six bills, the Committee on Appropriations, after weeks and months of detailed hearings, recommended $44.5 billion—a net reduction, overall, of nearly $500 million.

But the House, through floor actions, made net additions of $725 million to the committee's recommendations, with the result that the six bills—as finally voted in the House—are above the related budget requests by some $247 million in new spending authority, counting a $10 million reduction that technically relates to fiscal 1971. The figure is $257 million above the budget requests that relate solely to fiscal 1970.

In respect to fiscal 1969 supplementals at this session, budget requests for new budget spending authority totaled nearly $5.9 billion. Amounts approved totaled $5.4 billion, a reduction of nearly a half billion dollars—$461 million—from the budget requests.

In terms of expenditures—or more precisely, budget outlays—it is tentatively estimated that House actions to date in these six appropriation bills would result in increasing budget expenditures for 1970 by roughly $337 million. The late passage of the second supplemental bill for fiscal 1969, in which reductions were made, resulted in some spillover effect of the reductions in relation to expenditures for fiscal 1970 which began July 1, in consequence of which it is tentatively estimated that the $337 million increase is diminished to about $227 million above the budget projections.

These increases are in the face of the action of Congress only a month ago in adopting an overall expenditure ceiling for 1970 in the Second Supplemental Appropriation Bill, directing a cut of at least $1 billion below the $192.9 billion expenditure budget for fiscal 1970 projected in the President's April 15 budget revision. Thus far, cumulative House actions in the individual spending bills have not matched up—they are in the aggregate tending in the opposite direction.

The principal reason can be found in the Labor-HEW appropriation bill. The committee bill itself was a compromise with the budget—it reflected a number of reductions, and several increases. It was $155,802,000, net, above the budget. The House added another $922,563,000, principally through adoption of the nine-part amendment involving $894,547,000 in various education programs. The bill total as adopted in the House is $1,078,-365,000 above the related budget requests.

This year, as Members know, the congressional budget business was understandably delayed with the change of administration involving a lengthy review of the budget of the outgoing administration. The new budget review was not released until April 15. And late consideration of some of the annual authorization bills has contributed to delays in reporting appropriations—notably the defense authorization bills, the foreign aid authorization, and the District of Columbia revenue bill, all of which are far from finalization.

Some $87.5 billion of new budget spending authority requests are pending in connection with the seven regular appropriation bills for fiscal 1970 still unre-

ported. We hope to report two of them in September after Congress resumes its business. Others will depend largely on related authorization legislation.

OVERALL SPENDING ACTIONS ON THE BUDGET

Mr. Speaker, folding in the various spending actions in legislative bills with those in the appropriation bills for fiscal 1970, the latest budget scorekeeping report of the Joint Committee on Reduction of Federal Expenditures projects a more comprehensive picture of congressional actions thus far on the budget.

From the latest report of August 7:

SUMMARY HIGHLIGHTS

The new administration has made various revisions in the January budget estimates, in three steps, as shown in the summary table on page 2.

These actions changed the estimated surplus for fiscal 1970 from $3.4 billion in the January budget to $1.8 billion as a corrected budget to $5.8 billion in the updated estimates, and finally to $6.4 billion in the revised estimates being considered by the Congress. Without the new taxes proposed in the budget this estimated surplus of $6.4 billion would become a deficit of $4 billion.

House action to date reflects a net increase of $525 million in the 1970 estimates for budget authority and a net increase of $523 million in the 1970 estimate for outlays.

Senate action to date reflects a net increase of $649 million in the 1970 estimates for budget authority and a net increase of $399 million in the 1970 estimate for outlays.

Mr. Speaker, the tables herewith carry supporting details in respect to both the appropriation bills and the applicable legislative bills, together with a capsule summary of the situation on both sides of the budget:

ACTIONS ON BUDGET ESTIMATES OF NEW BUDGET (OBLIGATIONAL) AUTHORITY IN APPROPRIATION BILLS, 91ST CONG., 1ST SESS., AS OF AUG. 7, 1969

[Does not include any "back-door" type budget authority; or any permanent (Federal or trust) authority, under earlier or "permanent" law,[1] without further or annual action by the Congress]

Bill and fiscal year	House actions: Budget requests considered	House actions: Reported by committee	House actions: Approved by House	Senate actions: Budget requests considered	Senate actions: Approved by Senate	Enacted	(+) or (−) latest action compared with budget requests
A. Bills for fiscal 1970:							
1. Treasury-Post Office (H.R. 11582) (net of estimated postal revenues appropriated).	[2] $2,314,714,000	[2] $2,272,332,000	[2] $2,272,332,000	[2] $2,314,714,000	[2] $2,280,195,000	.....	−$34,159,000
(Memoranda: Total, including authorizations out of postal funds)	(8,821,727,000)	(8,779,345,000)	(8,779,345,000)	(8,821,727,000)	(8,787,208,000)	.....	(−34,519,000)
2. Agriculture (H.R. 11612)	6,967,562,050	6,806,655,000	6,806,655,000	6,967,562,050	7,642,797,650	.....	+675,235,600
3. Independent offices-HUD (H.R. 12307) (including 1917 advance)	15,380,413,600	14,907,089,000	14,909,089,000	.....	.....	.....	−471,324,600
(Fiscal year 1970 amounts only)	(15,205,413,600)	(14,732,089,000)	(14,734,089,000)	.....	.....	.....	(−471,324,600)
4. Interior (H.R. 12781)	1,390,096,500	1,374,434,000	1,374,286,700	.....	.....	.....	−15,809,800
5. State, Justice, Commerce, and Judiciary (H.R. 12964)	2,475,704,600	2,534,134,200	2,335,634,200	.....	.....	.....	−140,070,400
6. Labor-HEW (H.R. 13111)	16,495,237,700	16,651,039,700	17,573,602,700	.....	.....	.....	+1,078,365,000
7. Public works (and AEC)	(4,176,978,000)	.....	.....	.....	.....	.....	.....
8. Legislative	(309,374,273)	.....	.....	.....	.....	.....	.....
9. Transportation (including 1971 advances)	(1,994,515,630)	.....	.....	.....	.....	.....	.....
(Fiscal year 1970 amounts only)	(1,744,515,630)	.....	.....	.....	.....	.....	.....
10. District of Columbia (Federal funds)	(190,106,000)	.....	.....	.....	.....	.....	.....
(District of Columbia funds)	(732,788,000)	.....	.....	.....	.....	.....	.....
11. Defense	(75,278,200,000)	.....	.....	.....	.....	.....	.....
12. Military construction	(1,917,300,000)	.....	.....	.....	.....	.....	.....
13. Foreign assistance	(3,679,564,000)	.....	.....	.....	.....	.....	.....
14. Supplemental	.....	.....	.....	.....	.....	.....	.....
Total, these bills—							
As to fiscal 1970	44,848,728,450	44,370,683,900	45,096,599,600	9,282,276,050	9,922,992,650	.....	+1,091,876,800
As to fiscal 1971	175,000,000	175,000,000	175,000,000	.....	.....	.....	.....
Total, 1970 bills	45,023,728,450	44,545,683,900	45,271,599,600	9,282,276,050	9,922,992,650	.....	+1,091,876,800
B. Bills for fiscal 1969:							
1. Unemployment compensation (H.J. Res. 414)	36,000,000	36,000,000	36,000,000	36,000,000	36,000,000	$36,000,000	.....
2. Commodity Credit Corporation (H.J. Res. 584)	[2] 1,000,000,000	[2] 1,000,000,000	[2] 1,000,000,000	[2] 1,000,000,000	[2] 1,000,000,000	[2] 1,000,000,000	.....
3. 2d supplemental (H.R. 11400)	4,364,006,956	3,783,212,766	3,783,212,766	4,814,305,334	4,459,669,644	4,352,357,644	−461,947,690
Release of reserves (under Public Law 90-364)	(82,463,000)	(82,766,000)	(82,766,000)	(79,999,000)	(80,230,000)	(80,230,000)	(+231,000)
Total, 1969 bills	5,400,006,956	4,819,212,766	4,819,212,766	5,850,305,334	5,495,669,644	5,388,357,644	−461,947,690
C. Cumulative totals for the session:							
House	50,423,735,406	49,364,896,666	50,090,812,366	.....	.....	.....	−332,923,040
Senate	.....	.....	.....	15,132,581,384	15,418,662,294	.....	+286,080,910
Enacted	.....	.....	.....	5,850,305,334	.....	5,388,357,644	−461,947,690

[1] In round amounts, the revised (April) budget for fiscal 1970 tentatively estimated total new budget (obligational) authority for 1970 at $219,600,000,000 gross ($205,900,000,000 net of certain offsets made for budget summary purposes only), of which about $80,700,000,000 would become available, through so-called permanent authorizations, without further action by Congress, and about $138,900,000,000 would require "current" action by Congress (mostly in the appropriation bills). Also, the April Review of the Budget contemplates budget requests for advance fiscal 1971 funding in 4 items totaling $1,661,000,000.

[2] These figures do not reflect the budget proposal for postal rate increases, valued in the revised budget at $621,500,000 for fiscal 1970.

[3] Shifted from fiscal 1970 budget, a portion of which is technically classified in the budget as "liquidation of contract authorization" rather than as new budget (obligational) authority.

Note: House actions to date on bills for 1970 are tentatively estimated to increase outlays (expenditures and net lending) budgeted for 1970 by approximately $337,700,000. Prepared Aug. 7, 1969, in the House Committee on Appropriations.

SUPPORTING TABLE NO. 1.—ACTIONS ON INDIVIDUAL BILLS AFFECTING BUDGET AUTHORITY AND OUTLAYS (EXPENDITURES) (AS OF AUG. 7, 1969)

[In thousands of dollars]

Items acted upon	Congressional actions on budget authority (changes from the budget): House (1)	Senate (2)	Enacted (3)	Congressional actions on budget outlays (changes from the budget): House (4)	Senate (5)	Enacted (6)
Fiscal year 1970:						
Appropriation bills (changes from the budget):						
Treasury, Post Office, and Executive Office (H.R. 11582)	−42,382	−34,519	.....	−37,000	−30,600	.....
Agriculture and related agencies (H.R. 11612)	−160,907	+675,236	.....	[1] +53,000	+556,000	.....
Second supplemental, 1969 (H.R. 11400)	.....	.....	.....	−110,000	−82,000	−75,000
Section 401 outlay ceiling[2]	.....	.....	.....	.....	(−1,900,000)	(−1,000,000)
Independent Offices and Department of Housing and Urban Development (H.R. 12307)	−471,325	.....	.....	−113,000	.....	.....
Interior and related agencies (H.R. 12781)	−15,810	.....	.....	−15,300	.....	.....
State, Justice, Commerce, the Judiciary and related agencies (H.R. 12964)	−130,070	.....	.....	−71,000	.....	.....
Labor and Health, Education, and Welfare and related agencies (H.R. 13111)	+1,078,365	.....	.....	+521,000	.....	.....
Subtotal, appropriation bills	+257,871	+640,717	.....	+227,700	+443,400	−75,000

Footnotes on following page.

SUPPORTING TABLE NO. 1.—ACTIONS ON INDIVIDUAL BILLS AFFECTING BUDGET AUTHORITY AND OUTLAYS (EXPENDITURES) (AS OF AUG. 7, 1969)—Continued

[In thousands of dollars]

Items acted upon	Congressional actions on budget authority (changes from the budget)			Congressional actions on budget outlays (changes from the budget)		
	House	Senate	Enacted	House	Senate	Enacted
	(1)	(2)	(3)	(4)	(5)	(6)
Fiscal year 1970—Continued						
Legislative bills with spending authorizations (changes from the budget):						
Legislative and judicial salaries (H.R. 7206)	+313			+313		
Civil service retirement benefits (H.R. 9825, S. 2754)	N.A.	[3] N.A.		[4] −55,000	[3 4] −55,000	
Defense: overseas mailing privileges (H.R. 8434)	+8,900			+8,900		
Veterans readjustment benefits (Public Law 91–22)	+1,362	+1,362	+1,362	+3,952	+3,952	+3,952
Veterans hospital care for 70-year-olds (H.R. 693)	+3,400			+3,400		
Veterans care in State homes (H.R. 9334)	+2,803			+2,803		
Veterans care in community nursing homes (H.R. 692)	+5,954			+5,954		
Veterans outpatient care (H.R. 3130)	+8,000			+8,000		
Veterans nursing home care (service-connected) (H.R. 2768)	+1,500			+1,500		
Additional district judges (S. 952)		+1,473			+1,473	
Additional clerks for House Members (H. Res. 357)	+3,600		+3,600	+3,600		+3,600
J.F.K. Center (H.R. 11249)	+5,000	[3] +5,000		+5,000	[3] +5,000	
Appalachian highways (H.R. 4018)	+20,000					
Food for needy children (H.R. 11651)				+100,000		
Veterans education assistance (H.R. 11959)	+206,500			+206,500		
Subtotal, legislative bills	+267,332	+7,835	+4,962	+294,922	−44,575	+7,552
Total, fiscal year 1970	+525,203	+648,552	+4,962	+522,622	+398,825	−67,448
Fiscal year 1969:						
Appropriation bills (changes from the budget):						
2d supplemental, 1969 (H.R. 11400)	−580,794	−357,496	−461,948	−464,000	−254,600	−325,000

[1] Reflects floor action increasing milk funds by $120,000,000, but does not reflect effect of $20,000 limitation on subsidy payments adopted by House. The Appropriations Committee assumed a reduction in Public Law 480 spending which if not realized will result in higher spending than estimated.

[2] The 2d Supplemental Appropriation Act, 1969, carried an overall expenditure limitation for fiscal 1970 which was different in all 3 versions. The House-passed version set the ceiling at the Apr. 15 budget figure of $192,900,000,000 with provision for increases or decreases depending upon actions or inactions of the Congress affecting the budget. The Senate version made a flat reduction of $1,900,000,000 in the overall ceiling but exempted certain items from the ceiling. The enacted version made a flat reduction of $1,000,000,000, provided for increases or decreases depending upon action or inaction of Congress affecting the budget, and granted up to $2,000,000,000 of flexibility in the ceiling to the President for certain uncontrollable items.

[3] Committee action.

[4] Estimated savings in first year.

N.A.—Not available.

BUDGET SUMMARY

A SUMMARY OF FISCAL YEAR 1970 AND FISCAL YEAR 1969 FEDERAL BUDGETS—REFLECTING CONGRESSIONAL ACTIONS AFFECTING THOSE BUDGETS DURING THE 1ST SESS. OF THE 91ST CONG.

[In millions of dollars]

Summary totals	Budget authority (obligational and lending authority)	Budget outlays (expenditures and net lending)	Budget receipts	Budget surplus or deficit
	(1)	(2)	(3)	(4)
Fiscal year 1970:				
Net total budget estimates as submitted Jan. 15, 1969	210,116	195,272	198,686	+3,414
Net total budget estimates as corrected by the new administration	211,412	196,921	198,686	+1,765
Net total budget estimates as corrected and revised to Apr. 15, 1969	205,901	192,899	198,686	+5,787
Net total budget estimates as revised and amended to date	[1] 204,201	[2] 192,885	[1] 199,337	+6,452
Adjustments for interfund and intragovernmental transactions and applicable receipts	+13,714	+13,714	+13,714	
Total gross budget estimates	217,915	206,599	213,051	+6,452
Budget estimates not requiring further action by Congress (previously enacted or permanent)	80,710	114,894	202,584	
Prior year's budget authority		(85,165)		
Current (1970) budget authority	(80,710)	(29,729)		
Budget estimates requiring action by Congress	137,205	91,705	10,467	
Effect of congressional action on budget estimates (net changes) to Aug. 7, 1969:				
House	+525	+523	−270	−793
Senate	+649	+399		−399
Enacted	+5	[3] −67		+67
Fiscal year 1969:				
Net total budget estimates as submitted in January	194,620	183,701	186,092	+2,391
Net total budget estimates, as revised	196,030	185,588	186,492	+904
Net total budget estimates, as changed by congressional action	195,568	185,263	186,492	+1,229
Actual net total as enacted by Congress and reported by the Treasury	195,568	184,769	187,843	+3,074

[1] Reflects latest estimates and revised legislative program presented to Ways and Means Committee on May 20, 1969, representing a decrease of $1,700,000,000 in 1970 budget authority for the previously proposed social security program and a net increase in estimated receipts for 1970 of $620,000,000 including aviation user charges.

[2] On July 22, the President issued a statement indicating that estimated expenditures for certain uncontrollable items have increased by approximately $2,500,000,000 since net expenditures were estimated on Apr. 15, 1969, to be $192,900,000,000. However, the President also indicated that it was the intent of his administration to hold expenditures to the Apr. 15 estimated level. It is therefore assumed that the official budget estimate is still $192,900,000,000.

[3] Sec. 401 of the 2d Supplemental Appropriation Act, 1969, imposes a flexible ceiling on expenditures (outlays) for fiscal year 1970, based upon congressional action or inaction on the various appropriation and legislative requests in the Apr. 15 Nixon administration budget estimates. However, the limitation also requires a $1,000,000,000 reduction in expenditures either by congressional action or (if not accomplished by Congress) by the President. For current scorekeeping purposes the figure shown reflects the net effect of congressional action to date, as shown in supporting table No. 1.

THE WET FRONTIER

HON. GORDON ALLOTT

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Wednesday, August 13, 1969

Mr. ALLOTT. Mr President, The senior Senator from Alaska (Mr. STEVENS) is a member of the recently announced subcommittee of the Committee on Interior and Insular Affairs formed to deal with the problems of the Outer Continental Shelf.

The Senator from Alaska (Mr. STEVENS) is a man of action and responded to this appointment by presenting an informative paper to the American Bar Association.

His remarks, entitled "A United States Policy for the Wet Frontier," call for a reassessment of claims to exclusive fishing rights and management of the resources of the Outer Continental Shelf. I ask unanimous consent that the remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

A U.S. POLICY FOR THE WET FRONTIER

(By Senator TED STEVENS to the Section of Natural Resources Law of the American Bar Association, Dallas, Tex., Aug. 12, 1969)

I am here to discuss with you suggestions for modification in United States policy with respect to our interpretation of the 1958 Geneva Convention on the Continental Shelf. In my opinion, a reassessment of claims to exclusive fishing rights and management of

the fish and minerals off our coast would be in the best interests of our future utilization of these resources.

For the sake of consistency, in my discussion I have adopted the following terminology: the term "continental shelf" is understood to be that portion of the continent which is covered by the waters up to the point of declivity of the slope or edge of the shelf. The term "continental slope" refers to the slope from the edge of the shelf to the abyssal. "Continental terrace" is understood to be that part of the submerged land mass that forms both the shelf and the slope.

In appraising our nation's right to control the disposition and development of the natural resources on the continental terrace and its right to the marine life that inhabits the waters above the terrace, it is important to remember that a nation's jurisdiction can be likened to a bundle of sticks. Landward of a baseline, which is low water line or straight-line joining points along an irregular coast line, the coastal nation has exactly the power it has on land, a complete bundle of jurisdictional sticks. Outward from the baseline to the limit of territorial waters, say three miles, as our government insists, or six, or twelve, or more, as other nations claim, the coastal nation has most of the sovereign power it has on land. These extend to all four elements of the marine environment—the seabed, the overlying water, the water surface, and the superjacent air space. This near plenary control over territorial waters is subject under international law to the easement in favor of innocent passage of merchant ships and war ships in peacetime, subject to certain restrictions.

Beyond territorial waters, some sticks begin to fall out of the bundle of sovereign powers. Coastal nations, under international law, have some powers beyond the belt of territorial waters, but these are restricted, extra-territorial powers. For example, with respect to the surface, the Convention on the Territorial Sea and Contiguous Zone provides that a contiguous zone may be established to encompass a belt twelve miles wide, measured from the same baseline from which the territorial waters are measured. In this contiguous zone, the coastal nation may, for example, exercise exclusive control of fisheries. Beyond that, the surface of the ocean is part of the high seas over which the coastal nation has no more power than any other nation of the world.

The potential value of the undersea area adjacent to the coast of the United States in terms of mineral resources and food sources is almost beyond estimate.

For instance, the importance of offshore petroleum and natural gas is reflected in estimates that, within two decades, 30% to 40% of the domestic and world production will come from offshore sources. Currently, 15% of United States production of sulfur comes from offshore, and additional sulfur areas have been identified in the Gulf of Mexico. While the potential for offshore solid minerals is still in the exploratory stage, projections show that U.S. consumption of many commodities will double by 1980. Additionally, the demand for sand, gravel, shells, and other construction materials dredged from near shore waters is increasing significantly in areas where rapid urbanization is simultaneously enlarging the need and excluding land sources of supply. The value of all minerals produced from Federal and state offshore waters in the past decade exceeds $7.5 billion, including petroleum production valued at about $6 billion.

Also of some commercial importance are varieties of seaweed to be found off both the Atlantic and Pacific coasts. California kelp, which is machine harvested as a source of algin, is of greatest importance.

In terms of animal resources in the waters superjacent to the continental terrace, the fishing industries that have flourished in our coastal states testify to the wealth of this particular food source. However, these same industries testify to the need for wise management and conservation of a continually diminishing supply of commercially harvestable marine animal life. Of particular concern in my State of Alaska is the management of the salmon harvest. The Japanese, operating a mother-ship fleet consisting of nearly 400 salmon vessels, were taking salmon originating in Alaskan river systems during June and July. During this same period, observations by a U.S. fishery patrol unit revealed that catches of salmon—mature sockeye salmon on their way to Bristol Bay—were being made by a small fleet of 6 South Korean vessels. In 1967 a total of nearly 1200 Soviet and Japanese vessels were sighted operating in the Bering Sea and the North Pacific. About 500 of these vessels operated in the Eastern Bering Sea on the Alaskan continental shelf.

For me, these activities raise two distinct problems: (1) to what seaward boundary should the United States assert exclusive American jurisdiction over submarine mineral development, and, (2) to what seaward boundary should the United States assert exclusive American jurisdiction over the management and disposition of the food resources of the sea.

Let us look first to the basis for assertion of exclusive American rights to the mineral development of the continental terrace. From all evidence, there is no reason to assume that the value of potential mineral discoveries will end at the edge of the shelf. In addition, there is no way to clearly delineate, satisfactorily, the limits of the shelf for national claims and take into account all specific situations that arise. There is, however, a clear and easily defined manner in establishing a boundary of the terrace, and we shall briefly discuss this point later. Since 1945, when President Truman proclaimed that ". . . the United States regards the natural resources of the subsoil and the seabed of the continental shelf beneath the high seas but contiguous to the coasts of the United States as appertaining to the United States, subject to its jurisdiction and control", it has been the policy of our Government to regard the resources of the continental shelf as within the jurisdictional bundle of sticks that belongs to the United States.

In 1951 the International Law Commission for all intents and purposes gave legitimacy to President Truman's proclamation by recommending that a coastal nation should have control and jurisdiction over the natural resources of a continental shelf, contiguous to the coast but outside the area of its territorial waters "where the depth of the superjacent waters admits of the exploitation of the natural resources of the seabed and subsoil." Neither the International Law Commission nor the Truman proclamation included any reference to depth or defined the term continental shelf.

The first reference to depth or an attempt to define the recommendations of the International Law Commission was made by that body in 1953 when it defined coastal jurisdiction of the shelf lands solely in terms of water depth, using 200 meters as the outside limit. In March of 1956, 20 American nations, which were dissatisfied with the Commission's 1953 recommendations met at Ciudad Trujillo and adopted a resolution that would admit national jurisdiction to a depth of 200 meters, or beyond that limit to a depth of the superjacent waters which would admit the exploitation of the natural resources of the seabed and subsoil. The International Law Commission met a week after the Ciudad Trujillo American meeting and, in essence, adopted the American position which placed national jurisdiction at any depth that admitted exploitation of the resources of the seabed and subsoil.

In 1958, the United Nations Conference on the Law of the Sea convened in Geneva. The Convention on the Continental Shelf was one of the end products of this meeting. The language used in the Convention was the same as that recommended by the 20 American nations at Ciudad Trujillo and that of the 1956 International Law Commission recommendations. The Convention was ratified by the United States in 1960 and went into effect on June 10, 1964, when the 22nd nation ratified that agreement.

Essentially then, the rights of the United States in the continental margin are controlled by the 1958 Convention on the Continental Shelf. This recognizes in the coastal nations exclusive "sovereign rights" to the exploration and exploitation of the natural resources of the "continental shelf". The Convention uses the term continental shelf as shorthand expression which refers to the submarine areas adjacent to the coasts but outside the territorial sea to a depth of 200 meters or, as the Convention asserts in Article I, beyond that limit to where the depth of the superjacent waters admits of exploitation of the natural resources of that area. This, of course, extends coastal jurisdiction beyond the continental shelf, and the Convention does this deliberately. In light of the relative ease with which a geo-legal definition of the continental terrace can be made, it would seem in the best interests of the United States to interpret the wording of the Convention to mean the continental terrace to alleviate possible problems of disputes that may arise from some unforeseeable contingencies. Article II of the Convention asserts that these rights are exclusive in the sense that, if the coastal nation does not explore or exploit these resources, then no one may undertake these activities. Again, we can see the desirability of a firmly fixed boundary that is easily definable rather than the fairly fuzzy one of the Convention. Article III of the Convention clearly states that the seabed rights of the coastal state do not affect the status of the superjacent waters as high seas or that of the air space above these waters. There are, however, valuable resources in the overlying water column in the form of food resources which brings us to a discussion of our second question, to what seaward boundary should the United States assert exclusive American jurisdiction over the management of and disposition of the food resources of the sea.

The European Fisheries Convention of 1964, although limiting its effect to the parties of the Convention, represents the first multilateral agreement which recognized that a state is entitled to fix the limits of its territorial sea up to a maximum of 6 nautical miles with a contiguous fishing zone extending not further than 12 nautical miles from the baseline of its territorial sea. The Convention further provides that the fishing vessels of any party, which had made a practice of fishing in the outer 6 miles of a fishing zone, retain these fishing rights for an unlimited period provided that they do not fish for stocks or in any area substantially different from those they have habitually exploited. The United States is not a party to this convention.

Again, as in the case of mineral resources, it is absurd to assert that fish inhabit areas of oceans convenient to the Convention definition of exclusive fishing rights. Indeed, as early as 1938, it was recognized by Anthony Diamond, then Delegate to Congress from Alaska, and others, that the migratory practices of salmon, for instance, carried them far afield from the fishing zone and that the practices of foreign and American fishing vessels outside the fishing zone areas could, in fact do, irreparable harm to that species. Mr. Diamond cited the near destruction of the Siberian fisheries of Siberia in 1937 due to unwise management and conservation practices. At that time, he was concerned lest the same thing happen to the Alaskan salmon

industry. Today we face the same problem. As I cited earlier, in 1967 about 500 foreign vessels were observed fishing in the Bering Sea over the continental shelf lands adjacent to Alaska, Any fisherman of fresh water lakes that have been over fished can tell you of the disastrous consequences of uncontrolled management of fishing. Salmon are particularly vulnerable to over fishing because of their migratory habits. Yet there is no way we can now control those nations who are not a party to the North Pacific Fishing Treaty from harvesting salmon beyond our territorial waters.

I suggest it would be in the best interests of this nation and every coastal nation to assert exclusive fishery rights in the waters that lie above their continental terrace lands. I would also suggest that this nation take the lead in seeking international recognition of this right. We cannot continue to allow a pillage of the marine resources above the continental terrace.

In summary, I assert that the United States ought to seek to have the definition of exploitability in the Convention on the Continental Shelf modified so that the term embraces the entire continental terrace. Secondly, I assert it is in the best interests of this nation for the United States to claim exclusively fishery rights in the waters superjacent to the continental terrace and seek international recognition of this claim. Neither of these assertions is inconsistent with the right of innocent passage nor with the basic intent of the Convention on the Continental Shelf.

It is my understanding that the position I have voiced today is in basic agreement with that of the current administration in my home State of Alaska. Today I seek broad federal acceptance of this position and will submit legislation to that effect in the near future.

RESULTS OF POLL

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BUSH. Mr. Speaker, I recently sent out a legislative questionnaire to constituents in the Seventh District, querying them on 10 different issues. I was most impressed by the enthusiastic response registered in the district to this poll. While the returns were extensive in number, they were also highly enlightening in content. Of equal import was the conversant tone of the comments that many chose to attach to their completed questionnaires.

Revealing as well as reassuring, a sampling such as this offers perhaps the best method of determining the extent of cohesion that exists between Congressman and constituency. In short, it affords the legislator a barometer that can be of continued and real benefit in helping him effectively represent his district.

Most significant, I think, is the fact that over 30,000 constituents chose to return this questionnaire, and thus, to involve themselves in the affairs of our Government; they have chosen to have their voices heard. Achievement begins with action; action of the very sort taken by these constituents.

Mr. Speaker, I respectfully submit for inclusion in the RECORD the results of this poll:

	Percentage results	
	His	Hers
1. Do you think our current draft system should be:		
(a) Retained as is	26.3	28.7
(b) Abolished	9.7	12.4
(c) Based on a lottery system as recently called for by President Nixon	52.2	54.7
No response	11.9	4.2
2. Do you think we should settle the Vietnam War by:		
(a) All-out military escalation	28.2	25.5
(b) Seeking a settlement through negotiation as proposed by President Nixon	41.7	47.2
(c) Unilateral withdrawal of all our Armed Forces	18.2	23.6
No response	11.9	3.8
3. Do you favor a Government-guaranteed annual wage as a means of attacking poverty?		
(a) Yes	6.4	7.0
(b) No	78.7	85.0
(c) Undecided	4.7	6.4
No response	10.2	1.6
4. Do you favor legislation to limit the number of mandatory questions in the 1970 census?		
(a) Yes	61.9	66.7
(b) No	16.5	16.9
(c) Undecided	10.0	13.1
No response	11.7	3.3
5. With regard to current tax reform legislation, do you feel that tax-exempt foundations should:		
(a) Be permitted to keep their tax-exempt status	5.5	5.4
(b) Be taxed on profits	33.1	36.3
(c) Receive no exemptions at all	14.2	14.4
(d) Be better defined by the Congress and more closely watched by the Internal Revenue Service	36.3	41.1
No response	10.9	2.9
6. Do you feel the proposed ABM system is:		
(a) Necessary	61.5	66.4
(b) Unnecessary	23.7	24.7
No response	14.9	8.9
7. Do you feel the 7-percent investment tax credit should be:		
(a) Repealed	33.2	32.4
(b) Retained	40.7	36.2
(c) No opinion	14.6	26.7
No response	11.5	4.7
8. Do you think the 27½-percent oil depletion allowance should be:		
(a) Retained	53.8	53.2
(b) Lowered	18.1	16.2
(c) Eliminated	9.3	10.2
(d) No opinion	8.1	17.1
No response	10.6	3.3
9. Which course of action do you favor in dealing with campus unrest:		
(a) More Federal laws	1.9	2.3
(b) More use of local law enforcement by university administrators	48.4	47.8
(c) A combination of (a) and (b)	35.9	44.2
(d) No action	3.2	3.5
No response	10.6	2.1
10. Do you favor a mandatory retirement age of 70 for members of the legislative and judicial branches?		
(a) Yes	67.9	73.4
(b) No	13.6	15.3
(c) Favor no change	7.9	9.0
No response	10.6	2.2

VETERANS OF REMAGEN BRIDGE

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. ST. ONGE. Mr. Speaker, at the request of our colleague, the Honorable KEN HECHLER of West Virginia, I recently announced in my congressional district that he was interested in obtaining the names of World War II veterans of the first crossing of the Rhine River over the famed Remagen Bridge.

I have since received a number of letters from such veterans or their relatives, and copies of such letters were forwarded to Congressman HECHLER. As you know, our colleague is the author of a best-selling book "The Bridge at Remagen," which has been made into a movie by United Artists and will shortly be released for public showing throughout the country.

Mr. Speaker, the capture of the Remagen Bridge and the first crossing of the Rhine River at that point took place on March 7, 1945. The crossing of the bridge by the U.S. 9th Armored Division was one of the most heroic episodes in modern American military history, and later proved to be a turning point in the war in Europe.

I believe that all those who were instrumental in capturing, crossing, and holding this bridge on this historic occasion during World War II deserve to be honored. I do not know what plans Congressman HECHLER has in mind by way of paying tribute to them, but I want to take this opportunity to honor them by placing their names in the RECORD. The names of the following men from Eastern Connecticut have been forwarded to me as veterans of the Remagen Bridge:

Raymond W. Aucoin, RFD #1, Wauregan Rd., Danielson, Conn.

Gregory Curtis, Oak Terrace, Durham, Conn.

Nicholas DeGange, 842 Montauk Ave., New London, Conn.

L. J. Francesconi, 2004 Shepard Ave., Hamden, Conn.

Saverio R. La Terra, 107 Park Ave. Ext., Uncasville, Conn.

William E. Michaud, Thompson Ave., Putnam, Conn.

James S. Nihill, Seaside Ave., Westbrook, Conn.

Hirschel Rabinow, 64 Mason Drive, New Britain, Conn.

Howard L. Traeger, RFD #3, Norwich, Conn.

Irving W. Wessman, 37 Diane Lane, Bristol, Conn.

Joseph F. Wilkos, 61 Bay View Rd., Niantic, Conn.

Rader Wilson, 32 Great Plains Rd., Norwich, Conn.

GEORGIA-PACIFIC'S REDWOOD GIFT REVEALS NEW FACES OF TIMBER BARONS

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. WYATT. Mr. Speaker, Mr. Herbert Lundy, editor of the editorial page of the Oregonian, Portland, who is a noted conservationist, has written a most interesting and excellent article concerning the Georgia-Pacific Corp. and its contribution to recreation and conservation. All who are genuinely interested in these areas should have an opportunity to read Mr. Lundy's article which I am pleased to share with my colleagues:

GEORGIA-PACIFIC'S REDWOODS GIFT REVEALS NEW FACE OF TIMBER BARONS

(By Herbert Lundy)

The timber industry took a fearful beating from outdoor conservation spokesmen in their commendable and successful efforts to set aside large areas of redwoods in California as a national park. To whip up public support, lumbermen were pictured as the beasts of the forest out to lay low every tree and leave the giant redwoods only a memory.

But now comes the Georgia-Pacific Corporation, one of the largest forest products companies, with a gift of two redwood groves totaling 390 acres on the Van Duzen River in northern California. The groves contain an estimated $6 million worth of timber, including 206 acres of old growth up to 800 years in age and 15-feet in diameter.

With the national goal established by Congress being 26 million new homes by 1978—an average of 2.6 million a year compared with the present construction rate of 1.5 million—some eyebrows may be raised by Georgia-Pacific's donation to the public. After all, the prime redwood in this gift package would provide houses for a million people.

But the national interest also demands preservation of large stands of these magnificent trees, not as "wilderness" but as protected areas to be visited by millions of Americans and visitors from afar. The deed was given to The Nature Conservancy, a privately organized, national, nonprofit organization formed to acquire and protect outstanding natural areas. The California Park System will administer the tract 12 miles from Fortuna, Calif.

Georgia-Pacific is only one of the many large wood products firms which recognize responsibility to communities and the public generally. But in Oregon alone, Portland-based Georgia-Pacific provides 500,000 acres of deer hunting territory and maintains several parks for public recreation.

It is a pleasure to report G-P's interest in recreation and conservation because, as almost everyone in Oregon knows, Georgia-Pacific's intentions were viewed with much suspicion when it entered Washington and Oregon after World War II and started buying vast timber acreages and operating companies.

Robert B. Pamplin, president, made no bones of this the other day in addressing a luncheon of Oregon business leaders on behalf of his board of directors at the Portland Hilton.

"Most of you can remember then that the 'common gossip' among a lot of people around town was that we would be broke within a few years and that we were 'cutting out and getting out,'" he said. Then he gave some statistics:

Georgia-Pacific's sales in 1954 were $65 million, profit that year was $1,794,000 and net worth was $22 million.

"It is with pleasure that I can state today our sales last year were over $1 billion and our profits were $76 million—or, in other words, our profits last year were more than our sales in 1954. From this you can see we are quite a long way from being broke! Furthermore, instead of cutting out and getting out, we now have in Oregon an investment of over $300 million, and over 5,500 employes whose annual payroll last year topped $47 million."

Georgia-Pacific, on the basis of this phenomenal growth, evidently could afford the redwoods gift to the nation. Still, the company didn't have to do it. There ought to be a big public hand for the enlightened management and public conscience of this group of "timber barons."

CONSTITUENT POLL OF THE SEVENTH OHIO CONGRESSIONAL DISTRICT

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BROWN of Ohio. Mr. Speaker, during each of the past 3 years I have surveyed the citizens of the Seventh Ohio Congressional District for a reflection of their viewpoints on current and anticipated issues regarding legislation. I have found the results of these polls very valuable in helping to assess the opinions of my constituents. The high ratio of returns of questionnaires during past years also indicates that the public considers its views necessary for the proper functioning of their Government.

With the 1968 survey of the Seventh Ohio District now going out to my constituents, I ask that the questions be printed in the RECORD. When the responses have been tabulated, I will also share the results with my colleagues.

SURVEY OF THE 7TH OHIO DISTRICT, BY CONGRESSMAN CLARENCE J. BROWN

[If you have no opinion, please do not answer]

		His	Hers
WAR AND MILITARY			
1. If there are no meaningful developments in the Vietnamese peace talks in Paris soon, which course should the United States follow? (Check one)			
(a) Apply all-out military pressure to win the war		☐	☐
(b) Continue fighting and negotiating for neutral supervision of elections and mutual troop withdrawals, with South Vietnam taking over the fighting when and where possible.		☐	☐
(c) Withdraw U.S. forces regardless of progress in the Paris peace talks		☐	☐
2. Do you favor the proposed limited antiballistic missile defense system (ABM), with installations around strategic ICBM sites?	Yes	☐	☐
	No	☐	☐
POVERTY AND WELFARE			
3. Do you favor a 2-year extension of the Office of Economic Opportunity (OEO) as an agency to study and initiate new programs to aid in the fight against poverty?	Yes	☐	☐
	No	☐	☐
4. Should private industry be granted tax incentives to:			
(a) Engage in job-training programs?	Yes	☐	☐
(b) Aid black capitalism projects?	No	☐	☐
5. Do you favor automatic cost-of-living adjustments in social security benefits?	Yes	☐	☐
	No	☐	☐
6. Should Congress enact national welfare benefit standards to replace the present system of State standards?	Yes	☐	☐
	No	☐	☐
7. Should welfare recipients be required to work, if physically able, as a condition of receiving welfare benefits?	Yes	☐	☐
	No	☐	☐
TAXES AND INFLATION			
8. Which of the following proposed tax reforms do you favor? (Mark as many as appropriate):			
(a) Enactment of a minimum Federal income tax for citizens with substantial incomes by limiting their use of deductions	Yes	☐	☐
	No	☐	☐
(b) Exempt families with less than $3,000 annual income from paying any Federal income taxes	Yes	☐	☐
	No	☐	☐
(c) Tax earnings of investments and businesses owned by foundations, social and fraternal organizations and churches	Yes	☐	☐
	No	☐	☐
(d) Allow parents and/or students to deduct the full cost of college or vocational education expenses from their Federal income taxes	Yes	☐	☐
	No	☐	☐
(e) Eliminate or reduce the oil depletion allowance	Yes	☐	☐
	No	☐	☐
(f) Repeal the 7 percent investment tax credit allowed to industry for capital expenditures for new equipment and facilities	Yes	☐	☐
	No	☐	☐
(g) Repeal the tax exempt status of State and municipal bonds	Yes	☐	☐
	No	☐	☐
(h) Permit individuals to claim a Federal tax deduction for a total contribution of up to $100 to political candidates or parties (including non-partisan contests) to encourage more participation in our election process	Yes	☐	☐
	No	☐	☐
(i) Permit industries to deduct from their Federal income-tax payments investments made to control air and water pollution	Yes	☐	☐
	No	☐	☐

SURVEY OF THE 7TH OHIO DISTRICT, BY CONGRESSMAN CLARENCE J. BROWN—Continued

[If you have no opinion, please do not answer]

	His	Hers
TAXES AND INFLATION—Continued		
9. Which measures do you favor being taken to halt inflation? (Mark as many as appropriate)		
(a) Extension of the Federal income tax surcharge	☐	☐
(b) Reduced Federal spending	☐	☐
(c) Wage and price controls	☐	☐
(d) Higher interest rates	☐	☐

10. If Federal spending must be reduced, list the order in which you think such cuts should be made (Number the first area you would cut as "1," the next as "2," etc.).

	His	Hers		His	Hers		His	Hers
Poverty	____	____	Highways	____	____	Space exploration	____	____
Education	____	____	Welfare	____	____	Air and water pollution control	____	____
Health	____	____	Foreign aid	____	____	Military research and hardware	____	____
Agriculture	____	____	Crime control	____	____	Public works (dams, post offices, etc.)	____	____

		His	Hers
11. Do you favor a Federal tax-sharing program which would give State and local governments a share of Federal tax revenues to spend as they see fit (within broad Federal guidelines)?	Yes	☐	☐
	No	☐	☐
12. Would you be willing to pay increased State and local income taxes to finance the Nation's needs if Federal income taxes were reduced?	Yes	☐	☐
	No	☐	☐
GOVERNMENT OPERATIONS			
13. Do you favor removal of the Post Office Department from the Cabinet and the formation of a nonprofit Government corporation to run the postal service?	Yes	☐	☐
	No	☐	☐
14. Should the Congress enact legislation prohibiting strikes by public employees?	Yes	☐	☐
	No	☐	☐
15. Should public employees be allowed to join labor unions?	Yes	☐	☐
	No	☐	☐
16. Which approach do you favor in national agricultural policies? (Choose one):			
(a) Continuation of the present farm program		☐	☐
(b) Direct controls on farm commodity production		☐	☐
(c) Expansion of consumption of farm products through free or low-cost distribution to the poor of surplus commodities purchased by the Federal Government to maintain farm prices.		☐	☐
(d) Termination of production controls and price support programs so as to rely on free markets (supply and demand) to set prices and production levels:		☐	☐
(e) Retire 10,000,000 acres of farmland per year through the use of Government funds (on a bid basis)		☐	☐
(f) Are you a farmer?	Yes	☐	☐
	No	☐	☐
CAMPUS DISORDERS			
17. Should Federal aid be denied to students who engage in disruptive campus demonstrations?	Yes	☐	☐
	No	☐	☐
18. Should Federal aid be denied to institutions which fail to set up procedures for controlling campus disorders?	Yes	☐	☐
	No	☐	☐
ELECTORAL REFORM			
19. Which system of electing the President do you favor? (Choose one):			
(a) Direct popular election, with a runoff if none of the candidates receives a majority of the popular vote		☐	☐
(b) Selection of presidential electors from each of the States' congressional districts, with the election settled by Congress if none of the candidates receives a majority of the electoral votes.		☐	☐
(c) Provide for a proportional division of each State's electoral votes according to the share of popular votes each candidate received in the State, with the election going to the Congress if no candidate receives a majority of the electoral votes.		☐	☐
(d) No change in the present system		☐	☐
20. Should the voting age be lowered nationally from 21 years?	Yes	☐	☐
	No	☐	☐

EVALUATING YOUR PUBLIC SERVANTS

21. Please assess the jobs being done by the following public officials:

President Richard Nixon:					
His	Excellent ____	Good ____	Average ____	Below average ____	Poor ____
Hers	Excellent ____	Good ____	Average ____	Below average ____	Poor ____
Senator Stephen Young:					
His	Excellent ____	Good ____	Average ____	Below average ____	Poor ____
Hers	Excellent ____	Good ____	Average ____	Below average ____	Poor ____
Senator William Saxbe:					
His	Excellent ____	Good ____	Average ____	Below average ____	Poor ____
Hers	Excellent ____	Good ____	Average ____	Below average ____	Poor ____
Congressman Clarence J. Brown:					
His	Excellent ____	Good ____	Average ____	Below average ____	Poor ____
Hers	Excellent ____	Good ____	Average ____	Below average ____	Poor ____

RESPONDENT INFORMATION

22. Please indicate your annual family income bracket: less than $3,000 ☐; $3,000 to $7,500 ☐; $7,500 to $10,000 ☐; $10,000 to $15,000 ☐; $15,000 to $25,000 ☐; more than $25,000 ☐.
23. What is your political preference? Republican ____ Independent ____ Democrat ____ Your wife's? Republican ____ Independent ____ Democrat ____
24. What is your age? ____ Your wife's? ____

How can I be of better service to you as your Congressman? ____

MELWOOD AGRICULTURAL TRAINING CENTER: AN EXAMPLE FOR THE NATION

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Wednesday, August 13, 1969

Mr. TYDINGS. Mr. President, one of the primary obstacles in providing the mentally retarded with a fruitful, useful life has been the difficulty in finding meaningful employment for them. Without special training these people are not equipped to perform in an unsheltered, competitive environment.

Yet proper job training for the retarded is usually not available. One encouraging exception to this is the Melwood Agricultural Training Center in Upper Marlboro, Prince Georges County, Md. The center provides special training in elementary horticultural skills and is a glowing example of what can be done for retarded young adults, given guidance by skilled, concerned teachers, and backed by active community support.

We in Maryland are very proud of the Melwood Agricultural Training Center and I personally feel it should serve as a model for similar centers across the country.

What makes Melwood so unique, and so successful, is the stress the center places on developing a sense of self-reliance on the part of its trainees. The basic agricultural skills are taught but the emphasis is on providing the understanding, experience, and ability required to work under normal conditions. When the trainee is judged to have all these, the center finds him suitable employment. Both the individual and society at large gain.

Another reason for Melwood's success, and a most encouraging sign, is the involvement and participation of the Upper Marlboro and Prince Georges community. Such local support is vital if a project of this type is to succeed.

In an August 3, 1969, New York Times article entitled "Where Skills Are a Harvest," Barbara Dubivsky writes about the Melwood Agricultural Training Center and describes its programs and benefits. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHERE SKILLS ARE A HARVEST

(By Barbara Dubivsky)

WASHINGTON.—The trees, shrubs and plants at the Melwood Agricultural Training Center in upper Marlboro, Md. are carefully cultivated, but the harvests that really count are self reliance and skills learned by the trainees.

Established under the auspices of the Prince George's County Association For Retarded Children, Inc., as a non-profit organization, Melwood uses an intensified form of garden therapy to achieve employability for young adults previously considered untrainable for positions in the work-a-day world.

Because of the special problems involved in training the mentally retarded, there is no specific time frame for entering or leaving the facility. Boys are accepted whenever openings exist and leave as soon as they achieve competence in elementary horticultural skills and are judged to have developed satisfactory job responsibility. The average stay is twelve months.

The center, which started in a tent six years ago and grew into a complex of buildings through the efforts of local Lions clubs and other interested community groups, can presently accommodate 20 boys. Trainees are referred through the division of vocational rehabilitation of the Board of Education of Prince George's County, which pays for their pre-entry medical and psychological examinations and underwrites the tuition costs of just under seven dollars per day per boy.

Few of the boys know a coldframe from a potting shed when they first report to the seven acre center just outside Washington and most of them couldn't care less. What motivates them is the chance to get a job, like everyone else. The interest in greenery comes later as they experience the satisfaction of watching things they have tended grow and flourish.

The wide range in intelligence quotients and the special emotional problems of the mentally disadvantaged dictate a curriculum that is necessarily flexible with a heavy emphasis on the personal approaches.

"We try to keep the newer boys near the center until they get to know the plants and learn some self-sufficiency", explains Earl Copus, Jr., Melwood's dedicated young director. "They're always keen, though, to go out on the truck with the older boys who work out in the field during the spring and fall on some of our maintenance contracts."

During the first two or three weeks, the boys are closely supervised as they receive individualized instruction in how and when to water plants, how to identify and use such basic agricultural tools as rakes, hoes and shovels, and some simple aspects of greenhouse work. When they have achieved a certain stability within their new environment, the boys are assigned to small work crews where they learn to adjust to regular job conditions.

While there is no fixed course of study, certain goals are kept in mind. To the level of his ability, each boy is taught to transplant and fertilize various species of plants as well as the use and maintenance of cultivators, grinders, sprayers, etc. He is encouraged to acquire basic painting and carpentry skills in the center's workshops.

Occasionally in the early stages of adjustment, some boys experience frustrations which necessitate special counselling by instructors and the trainee's big brother who serves as a reassuring link.

A garden shop on the premises serves as something of an instant therapy facility. Here the boys can mix a little bit of sand, water, cement, and gravel, pour it into a mold and something that looks good and people pay money for what comes out. Basically a winter project, the mold produces attractive bird baths and an assortment of decorative outdoor planters and urns, all of which are established sellers.

The public may also purchase such landscaping plants as flowering cherry, crab apple, pin oak, maple, yew, juniper and dwarf holly at the center.

To help the boys develop a better understanding of job routine, the center hours, 8 A.M. to 4:30 P.M., are modeled on those of commercial establishments. The boys, who live at home, are picked up and returned to designated spots by school buses.

Ninety per cent of the boys have never worked before. Now and then the parents of a beginning trainee will complain their son arrives home too tired to eat. Because of misguided, over-protectiveness, many of them have led extremely sedentary lives, and tire quickly until their muscles are sufficiently exercised.

What the boys call "pay" is really non-competitive incentive compensation based on attendance and individual ability to progress. The boys can take home anywhere from $2 to $20 each week, depending on the effort they put out.

As there are no graduations at Melwood, Richard Barnard, the job placement officer is constantly looking for openings, preferably ones that offer the boys a future. The boys biggest need is security. They can't jump from job to job without risking serious setbacks.

Government is a popular and enthusiastic employer. Several boys have been placed at the Department of Agriculture's research center in nearby Beltsville. Among them is a mongoloid with an IQ of 49 who earns $2.80 an hour. Two boys are at the National Arboretum and a fair number work on the grounds of the Goodard Space Center.

The center has a good job follow-up program with frequent consultations during the first few months. Instructors work closely with the boys' employers, briefing them on which areas the boys are strongest in, what their weak points are and how to get the best out of each.

Concern for the welfare of marginal students who can do a lot but will never quite be able to compete outside a sheltered environment, has led to the formation of plans for an open company to be operated by the center. "We'd concentrate on the small yard jobs", Barnard says, "the kind even the smallest commercial firms wouldn't consider worth the time and effort, pulling weeds, cutting grass, etc." Foundation money is being sought for the project.

Sometime early this fall, Melwood will go coed. Ten girls, already selected, will help transform a borrowed corner of the greenhouse into a demonstration flower shop where they will be taught to make flower arrangements, prepare planters, box and wrap cut-flowers, pot plants, ring up sales, etc. The embryonic program, believed to be the first of its kind in the country for mental retardees, has enlisted the cooperation of florists in surrounding communities who have agreed to accept the girls as apprentice assistants. If a grant applied for the Department of Health, Education and Welfare should be approved, a much needed separate training facility will be built.

POPULATION EXPLOSION—AN APPALLING THREAT

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. BUSH. Mr. Speaker, the Sunday Star of August 10 contained an editorial entitled "Population Explosion—An Appalling Threat," which superbly describes the view in Government circles today of the population problem.

As chairman of the House Republican Task Force on Earth Resources and Population, I would like to recommend that every Member of this body review this editorial carefully. There can be no question of the seriousness of the problems increasing populations will present to this country and the world. In the United States we are already experiencing some of them. In the underdeveloped nations of the world the problems are even more acute.

In our task force hearings on population we have been trying to ascertain the degree of sensitivity to voluntary family planning. The responses have been varied, highly informative, and substantially in agreement on the point that people do want family planning and that in this they are out in front of their elected officials. I hope that every Member of the House will read this editorial—it may change some of your ideas:

POPULATION EXPLOSION—AN APPALLING THREAT

By an interesting coincidence, President Nixon's recent warning that the human race is disastrously overpopulating the earth was issued at almost precisely the moment that man's foot first touched the alien soil of the moon. It is too bad that the latter event does not offer some direct solution to the problem.

But as a practical matter it doesn't. Neither space travel nor the ultimate possibilities of extraterrestrial colonization has the slightest immediate relevance to man's apparent determination to turn his home planet into a human ant hill.

Yet, there are important elements of similarity in these two events. Human life is proliferating at a rate so fantastic, and with such terrifying ramifications that the phenomenon, no less than space travel, almost smacks of science-fiction. It is clear, furthermore, that the population challenge requires a fiscal, political and technological commitment no less than that which put Astronauts Armstrong and Aldrin on the moon. And it is accordingly hopeful, at least, that most of the world has become aware by now of the capabilities of such vast commitments.

If there is awareness, however, there is as yet no evidence of such a commitment—despite the compeling threat of statistics which bear repeating over and over again.

When Christ walked the earth, the world population totaled about one-quarter billion people, and civilization required more than 1,600 years to add another quarter-billion. By 1830 there were only 1 billion people, and a full century passed before there were 2 billion.

But by 1960—only 30 years later this time—the third billion had appeared on the scene. And the fourth billion, expected by 1975, will have required only 15 years to materialize. At this rate the earth's population will exceed 7 billion by the turn of the century—a doubling of today's numbers, in other words, within a mere three decades. After that, President Nixon asserted, the eighth billion "would be added in only five years—and each additional billion *in an even shorter period.*"

Indeed, it becomes absurd to project these rates beyond the year 2000. At that stage, says former Defense Secretary Robert McNamara, now head of the World Bank Group, the projection "becomes so demanding on the imagination as to make the statistics almost incomprehensible." It is no great task, however, to see what lies ahead—immediately ahead—in purely human terms.

To the affluent nations, which is to say

ours and most of Western Europe, a continuation of the current growth level will impose social and physical complications whose dimensions we can only guess. In terms of housing alone, for example, if this rate prevails, the United States would have to build the equivalent of a new city of 250,000 persons each month from now until the end of the century. This is to say nothing, of course, of the need for additional school rooms, hospitals or transportation facilities.

And these problems would be nothing, in fact, in comparison to the plight of the poorer areas of earth. In these regions, where growth is fastest (10 times the growth rate of a century ago in some nations), the result would be at best a total stagnation of development, and, at worst, scourges of famine, disease and political chaos on a scale undreamed of before in history.

None of this knowledge is really new. Yet, the incredible fact is that President Nixon's July 18 message to Congress was the first time that an American president had ever deigned to give the subject such major attention! Nor, of course, can the reason for this unconscionable neglect, and for the token nature of federal programs on the subject, be written off as oversight. McNamara, addressing, significantly, the University of Notre Dame, faced the subject squarely in saying that the issue of birth control is "so hypersensitive—giving rise to such diverse opinion—that there is an understandable tendency simply to avoid argument . . . and hope that the problem will somehow disappear."

President Nixon has not, at least, succumbed to that temptation. His legislative proposal would create a high-caliber Commission on Population Growth to formulate long-range goals, step up research and direct birth-control grants. It would also give the subject more attention in foreign aid and—as a "national goal"—seek to provide "adequate family planning services" to all Americans who desire them within the next five years. This is surely a step forward, and the best measure of its significance, perhaps, is the fact that Dr. Alan Gutmacher, the president of Planned Parenthood, has hailed it as the "magnificent culmination" of a federal government policy which has been several years in the making.

Yet, by any realistic assessment of what needs to be accomplished, this surely remains a small first step—with very little time in which to take the needed longer strides. Of $2.6 billion in economic and military aid requests now pending, for example, only $50 million is allocated for population-family planning work. Of a total National Institutes of Health budget of $1 billion this year, less than $10 million is being spent in the area of birth control. There are growing signs of a more realistic, and courageous, congressional attitude toward the subject. Some 23 senators, nearly a fourth of the Senate, for example, are co-sponsoring a bill similar in some respects to the Nixon approach. But even so, the deliberate tenor of the political approach seems much better attuned to some far-distant problem than to a world crisis which resembles, more than anything else, a bomb about to explode.

The British novelist-scientist, C. P. Snow, thinks the time fuse is already so short, and the efforts ahead likely to be so feeble, that "many millions of people in the poor countries are going to starve to death before our eyes."

"We shall see them doing so," Lord Snow says, "upon our television sets." He predicts that local famines within the next decade will go into "major catastrophies" before the end of the century in which the rich countries "will be surrounded by a sea of famine, involving hundreds of millions of human beings."

Few experts share Lord Snow's despair, assuming that all-out efforts are made within the time frame remaining before such disasters occur. McNamara's experts at the World Bank cite, for example, the "revolution" in agricultural technology now under way involving new high-yield grain seeds, hybrid strains and fertilizers. If this revolution is spread through adequate and properly administered technical and economic assistance, McNamara believes, it may be "that for the next two decades the world's food supply will grow at a faster rate than its population."

But even such efforts as these require positive, aggressive and successful curtailments in birth rates if the poorer regions, despite all else that may be done, are to move beyond minimal levels of existence. For this reason, a great deal more emphasis—indeed perhaps the focal point of emphasis—should be the development of easier, cheaper, more acceptable and more effective methods of birth control than those now available.

It is not a new thought that the population problem inevitably will be solved, in one way or another. Allowed to proceed unchecked, the rate of growth will lead to a point at which famine, disease or the other acts of human desperation envisioned by Lord Snow will inevitably apply the counterweights. The alternative solution is a method of rational, humane, voluntary control—and seeking out that solution ranks second in importance, we suspect, only to the prevention of a holocaust of nuclear war.

DR. VYTAUTAS DAMBRAVA

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. FASCELL. Mr. Speaker, at a time when the news media of Latin America and the United States does not always report in glowing terms on United States-Latin American relations or the personnel who represent the United States in Latin America, it is heartwarming to learn of the tribute paid to the devotion and skill of a member of the U.S. Foreign Service.

Vytautas Dambrava, who has just completed his tour of service as press attaché of the U.S. Embassy in Bolivia, has been awarded the highest decoration of that country, the Order of the Condor of the Andes in the grade of gentleman. The award was personally presented by President Siles of Bolivia and received extensive press coverage.

Dr. Dambrava was born in Russia in 1920. His studies at the University of Vilnius in Lithuania, the University of Innsbruck, Austria, the Academy of Music at Salzburg, Austria, and Columbia University in New York, provided him with a wide background in the humanities, the arts, and economics. While in Salzburg he also was editor of various Lithuanian periodicals.

In 1951, Dr. Dambrava began his career in the U.S. Government as a translator-announcer for the State Department, subsequently transferring to the U.S. Information Agency and serving in Munich, Washington, and Saigon. Dr. Dambrava's performance within the Agency earned him the Meritorious Honor Award in 1962 and in 1967.

Mr. Speaker, I would like to bring the following communication concerning Dr. Dambrava, received by the Director of the U.S. Information Agency from the Office of the Presidency of Bolivia, to the attention of the Members of the House:

[Translation]

PRESIDENCY OF THE REPUBLIC OF BOLIVIA,
La Paz, July 4, 1969.

DEAR MR. DIRECTOR: I have the high honor of informing your Agency that on the Fourth of July (Day of Independence of the United States), His Excellency, the Constitutional President of Bolivia, Dr. Luis Adolfo Siles Salinas, received in private audience Dr. Vytautas A. Dambrava, Press Attache of the United States Embassy in Bolivia, to express to him good wishes and congratulations on the completion of his tour in this country.

The sentiments of His Excellency, and of the Bolivian people, have been duly represented by the conferring upon Dr. Dambrava for his services in Bolivia of the highest decoration of this country, the Order of the Condor of the Andes in the grade of Gentleman.

As evidence of the sentiments reflected also by the press of this country, I am enclosing press clippings which point up the qualities of this American official who has strengthened the bonds of sincere friendship felt by both countries.

I cannot do less than mention that the Dambrava family has participated actively in the cultural life of this country, extending familiarity with the culture and art of the United States. We are proud of this family, and we admire the Agency which has sent to Bolivia a man of such outstanding qualities.

I take advantage of this opportunity, Mr. Director, to offer you my sincerest regards.

AUGUSTO MONTECINOS S.
Chief of Public Relations of the Presidency of Bolivia.

FACTS ABOUT THE NEW "AMERICA"

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, May 3, 1851, was to see a significant event in the annals of yachting history, for on that day the *America*, our Nation's entry into the Royal Yacht Squadron Race in England won the coveted 100 Guinea Cup. The importance of this day cannot be overestimated, for any American boating enthusiast will proudly tell you this triumph was the foundation of the supremacy of the United States in international yachting competition. In honor of the *America* the trophy which she won was renamed the "America's Cup." This has since become the most renowned symbol of this exciting sport.

The *America* was a New York ship, but New Englanders had a love for her as they had for all ships. For ships are part of the sea and of American history, and both of these are basic to New England. It is not strange that New Englanders combine a real appreciation of history with a deep pride in America's naval tradition. We live in the place where our Nation had its beginnings and being so close to where so much of American his-

tory was made, we value reminders of our country's achievements. We also live by the sea. To people whose existence has been tied to the sea by the strongest bonds; who have taken from it their livelihood; who have lost to it their sons—these men and women have gained inspiration from the sea. They have taken to it in time of war to defend their country—and in time of peace to compete for their country's glory. To these people, the sea is much more than water or tides. To them it is a primeval symbol of life and of the courage which life necessitates. They have won life and success with and often against the sea. This is more than success, this is victory.

The triumph of the *America* was such a victory. It was more than just a race. It was the culmination of an effort by many men who knew the sea and loved it; who knew ships and loved them. Their effort has been commemorated by a man who like them, loves the sea and ships, and who like the men of New England, values history. This man is Rudolph J. Schaefer, who in 1966 conceived the idea of building an exact replica of the *America* as a project to observe the 125th anniversary of the F. M. Schaefer Brewing Co. In doing so, Mr. Schaefer brought to life for all Americans the beginnings of a glorious era in our Nation's sporting history.

On August 8 I enjoyed an extremely pleasurable cruise around Boston Harbor on this very elegant schooner. She is indeed a beautiful boat and a joy to behold. Her majestic lines, slender good looks and graceful movements are an eloquent tribute to her creators. My delight on this occasion was doubly increased by my knowledge of her magnificent heritage. For the benefit of my colleagues I would like to include at this point a description of the *America*:

Plans and specifications for the original boat were discovered recently and were made available by Howard Chapelle of the Smithsonian Institution in Washington. The lines had been taken off the "America" by the British Admiralty when she was hauled out in England in 1851, already an international phenomenon. As a rule, shipbuilders of the 19th century did not write down their plans, but worked from carved models and the practiced eye of builder and designer.

The new "America" was designed to the original lines and the details and specifications were developed by the well-known architectural firm of Sparkman and Stephens of New York. Builders were the Goudy and Stevens Shipyard in East Boothbay, Maine. Construction of the boat for the most part was done by hand. The lines and dimensions of the original "America" were reproduced faithfully in virtually all details, although some modern modifications have been incorporated, notably, auxiliary power and modern service facilities below decks.

Sails for the replica were cut by Ratsey and Lapthorn of City Island, N.Y. Colin Ratsey, president of the firm, is a sixth generation descendant of George Ratsey, who cut a jib topsail for the first "America" when she was in England. George Ratsey later forfeited payment for his work in a wager against the "America."

The principal statistics of the new "America" are:

Length (overall) 104'10".
Length (waterline): 90'8".
Extreme Beam: 22'10".
Draft: 12'.

The new "America" was launched May 3, 1967, in East Boothbay, Maine, where the event was witnessed by an assembly of yachting authorities and enthusiasts. The launching took place exactly 116 years to the day after the launching of the original "America" at Brown's shipyard, at the foot of 12th Street and the East River in Manhattan, N.Y.

Mr. Speaker, I would like to take this opportunity to thank Mr. Shaefer for the wonderful experience he afforded me and to commend him as a generous boating enthusiast who is sharing his love of the sea with people all over the world.

WATER POLLUTION CONTROL

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. ESCH. Mr. Speaker, my beautiful State of Michigan has for years been known as the water wonderland, and aptly so. Surrounded on three sides by the Great Lakes, the Nation's largest system of inland waterways, and dotted with thousands of small lakes and reservoirs, much of Michigan's economy and life is concentrated on its waterways. Throughout the years they have served to supply power, as a conduit for interstate and international commerce, as a magnificent vacation and recreation source, as the supplier of water for tremendous cities and for an enormous concentration of the Nation's industrial strength.

Surrounded as we Michiganders are with constant reminders of the importance of water resources, it is little wonder that we have become intensely conscious of the dangers of pollution and spoilage of those water resources. Lake Erie, once a beautiful clean body of water has now deteriorated until some scientists claim that it is already dead from "eutrophication"—or the growth of plant and small animal life along the bottom of the lake. The larger and deeper Lake Michigan has taken longer to deteriorate but is now at a critical stage. Even the magnificent Lake Superior is beginning to feel the effects of manmade waste.

Our lakes, our rivers and streams, our reservoirs simply can no longer continue to absorb the great amount of trash and junk which we humans dump into them every year. The concern about water pollution is no longer something which can be talked about—but no action taken about. Time is running out and it is absolutely urgent that we take action and take it immediately.

Cleaning up our water resources will not be cheap—we must now pay the price for years of neglect. The Water Resources Council estimates that a minimum of $8 billion will be required in the next 3 years for the construction of municipal waste treatment plants and interceptor sewers. An additional $6.2 billion will be required to construct sanitary collection sewers in communities where such facilities are not now in existence. This total of $14.2 billion by 1973 would not entirely solve the problem, however, since this would just meet minimum acceptable standards and does not allow for the tremendous growth our cities and towns are undergoing. Every year another 1,000 communities outgrow their treatment facilities and every year it will be necessary to expand and improve those facilities. By 1975, an estimated $20 billion will be required to simply catch up on the backlog of needs so that annual growth needs can be met.

The enormity of cleaning up municipal waste is staggering, but it cannot be delayed. The people of Michigan recognized their responsibility to take prompt action and last year by a large margin they approved a clean water bonding program of $446 million. Six other States have followed in our footsteps and in a vote of the people have authorized major pollution control bond issues. By an overwhelming margin of 66 percent of all the people voting, these issues have carried. Of the 17,625,254 citizens who have been asked to express their concern about pollution in the ballot box, 11,725,444 have voted yea.

This commitment on the part of the people of Michigan and so many other States has been made mostly on the basis of the Federal promise, contained in the Clean Water Restoration Act, of 50 percent Federal funding of water and sewage treatment plants designed to clean up the rivers and streams. Unfortunately, the Federal Government has not even come close to fulfilling that promise.

By the end of fiscal 1970, the Federal expenditure of water pollution control funds will have fallen more than a billion and a half dollars short of the Federal promise. Under the Federal promise, Michigan should be eligible for $42 million in Federal funds next year to control pollution. The inadequate funds contained in the 1970 budget, however, will yield only $8 billion—only one fifth the Federal pledge.

There are 39 Michigan projects already underway which would require an additional $11,227,634 from the Federal Government to meet the 50-percent funding which has been pledged by the law. There are an additional 54 water pollution abatement projects in Michigan which have been approved and which are eligible for $66,589,612 in Federal funds under the 50-percent Federal participation commitment.

This situation is not confined to Michigan. State-approved applications for matching grant funds totaling $2½ billion from States and local governments are now on file with the Federal Water Pollution Control Administration. The proposed appropriations of $214 million meets less than one-tenth of the need in already approved projects—not to mention the thousands which are now being prepared.

Mr. Speaker, the disgraceful failure of the Federal Government to meet its promises in this vital area is scandalous. This is a breach of faith with the American people and with America's future. The Federal Government is in a poor position to require high standards of water quality from the States and local governments unless it begins to do its share.

The Government is in a poor position to require the installation of expensive cleanup equipment for industry unless it first takes action against its own pollutants.

I call upon this Congress to fulfill its commitments and appropriate the full $1 billion which has been authorized for the control of water pollution this year. To do any less would be to sacrifice the future for temporary fiscal advantage.

The quality of our environment should be one of the most serious concerns of the Government and it should be placed very highly in our Federal priorities for the expenditure of funds.

But the Federal responsibility cannot stop merely with the appropriation and expenditure of funds. Water pollution is not confined by political boundaries. The pollution in one State inevitably transferred through other States as the rivers and lakes cross boundaries. Although there have been new efforts on the parts of these political subdivisions to cooperate, there has been very little coordination on a national level. Clearly the Federal Government could serve as a useful coordinating agency. It must set up regional conferences and use its vast research resources to determine the regionwide action which can be taken.

Throughout the Second District of Michigan there has been a great deal of attention and action to control pollution. The coordination between local communities, county government, the State agencies and the Federal Government should serve as a model for the rest of the Nation as to what can be done if a spirit of cooperation can be established. The examples of successful water pollution control programs which have been started in the Second District are widespread and include: the Berlin Township system for the disposal of hard waste, the Monroe Water Purification and Environmental Control Facility, the Rollin-Woodstock planning advance for water and sewer facilities in Lenawee County, and the public works planning grant for French Town-Stony Point. Study is underway for major water pollution facilities in Livingston County and in Ypsilanti. A coordinated regional effort is being undertaken by the Huron River Watershed Council which is a working model for similar programs elsewhere in the country.

Water pollution control is primarily a technical problem and it is one that is open to technical solutions. Space and defense industries have been able to solve even more complex technical problems through the use of systems analysis—making use of the computer to determine the effect of every part of the problem on every other part of the problem. Employment of this systems analysis technique, as recommended in my bill to establish a National Commission on Public Management, might well go a long way toward making our pollution control programs more effective and more efficient.

There are no "bogie-men" in the field of water pollution. We cannot point to only one factor and say "The other guy is primarily at fault." In fact, we are all at fault. Industry is at fault. Municipalities are at fault. Water and recreational vessels are at fault. Farm runoff is at fault. What we need is not to place the blame but to coordinate solutions.

Mr. Speaker, I view the question of water pollution control as one of the most important that this Congress will consider and I urge my colleagues to join with me in attempting to find immediate solutions. Our responsibility to the future of the Nation demands our attention.

UPDATING SOCIAL SECURITY DESERVES HIGH PRIORITY

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. DULSKI. Mr. Speaker, although I have pointed out already that the Ways and Means Committee still has work to be done on tax reform, there also is the urgent necessity for updating of our Social Security program.

Our senior citizens really are feeling the pinch of the increased cost of living and there remain various inequities in the handling of social security benefits. The committee has a heavy schedule and a still heavier responsibility, which I am the first to acknowledge.

But the necessity for further tax reform and for an updating of the social security system demands and deserves high priority.

An editorial in the Buffalo, N.Y., Evening News of July 30 makes the point very well, as follows:

UPDATE SOCIAL SECURITY

Although Congress is unlikely to increase again this year the benefits paid to millions of retired Americans, there are reasons beyond the obvious for a searching new look at the social security system.

Nobody needs to be reminded that the inflation that robs the purchasing power of us all does special damage to the fixed incomes of most retired people. And a recent Senate report clearly documents this.

But this report also illuminates a number of less visible social changes that further undermine the financial stability of the retired. For one thing, people tend to retire earlier now than in the past, and to live longer. For another medical costs, which hit the elderly hard, have recently risen faster even than the general level of prices.

Congress could ease such burdens for many by allowing a widow as full a payment as a widower and by installing an escalator clause to raise social security benefits automatically whenever the cost of living goes up.

But these are not the sole, or even the central, needs. Of particular importance is for the federal government to examine a series of relationships that now seem somewhat out of kilter. We believe social security should continue to be a wage-related, rather than a welfare-related, system: those who pay most into the system should get most out of it. But it may well be, in view of the increasingly heavy payroll deductions for social security, that general tax funds should be used to supplement medicare costs. Moreover, if social security is to be only a floor for retirement income and not the major portion of it for millions of people, then Congress might well examine how to promote and safeguard private pension funds as a carefully related supplement to that income.

DAVE OBEY: AN ASSET TO THE CONGRESS

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BLATNIK. Mr. Speaker, it has been a great privilege for me to have met and come to know DAVE OBEY, our young Congressman from Wisconsin. Since DAVE's election in April, he has shown us all a refreshing mind, unlimited energy, a zest for delving into difficult and often sensitive problems, and a deep conviction in the strength of our democratic process. He is a stimulating addition to the Congress, and an asset to his constituents.

Congressman OBEY's assignment to the Public Works Committee has proved fortunate indeed for our committee. During his short time on the committee he has shown keen interest in its business, and through hard work has contributed significantly to the success of the legislation which we have handled—and I know he will grow even more valuable as his natural ability is developed further through experience.

A recent article in the Minneapolis Tribune puts in sharp focus DAVE's characteristic clear thinking approach to the great national issues of our times:

HE'S FRUSTRATED, BUT DAVE OBEY STILL LOVES WASHINGTON

(By Richard P. Kleeman)

WASHINGTON, D.C.—Three months after being elected the nation's youngest Congressman, Dave Obey is frustrated and impatient—but loves it here.

Obey—more formally David R., but his calling card makes it "Dave"—is the 30-year-old former Wausau Assemblyman chosen in an April special election as the first Democrat to represent Wisconsin's Seventh District. He replaced Melvin Laird, the Nixon Administration's defense secretary.

By now Obey—well past the period when capitol elevator operators would try to bar his way with a supercilious "Members only, please"—has made some judgments about the national legislature.

He's impatient because he feels congressional accomplishment since April has been "a big zero."

"Nixon doesn't send anything and when committees try to do something on their own people say, 'Let's wait and see what the administration sends down'," Obey said last week in an interview.

He's frustrated because—while he considers congressmen overworked and understaffed—on his frequent trips back to Wisconsin, he senses a constituent's-eye view of Congress that is "not very high."

"People are absolutely fed up," Obey reported. "They feel we've got our priorities turned around—not that they want to spend more money, but they feel we're spending it in the wrong places."

Obey registered his agreement with that view earlier this month in voting against a $3.9 billion space budget that topped by more than $200 million the requests of both present and former administrations.

"When the House can pass a bill for nine or 10 more trips to the moon, it's pouring money into shiny programs that people can see on TV and not the programs that determine whether we have a quality society or not.

"I think the space budget ought to be No. 1 priority for cutting," Obey said.

He can be expected to register another protest Monday, when the extension of the 10 percent income surtax comes up. It's not just that he wants tax reform—as do most ther protesting liberal Democrats—but Obey also believes the surtax should not be continued without full funding of the elementary and secondary education and anti-water-pollution programs.

These clearly are his top priority concerns. Nothing takes more time of his six-member Washington staff, he reports, than processing requests for water pollution control grants from communities in his 15-county dairy-farming district.

"Funny thing: the people believed Congress when it said it would spend $1 billion on water pollution control," Obey said. "Then Nixon followed former President Johnson's last request for just $215 million."

In his committee assignment, public works, Obey hopes to work for better federal financing of clean-water facilities that should, he believes, command no less federal support than the 9-to-1 financing of interstate freeways.

Turning to his other main concern, education, Obey made a strong plea against campus violence (while recognizing that universities can be "unresponsive and bumbling.") But he also considers inadequate education a form of violence—"something society does to a kid."

"It's more subtle—But just as devastating as when someone picks up a brick or blocks a classroom door, and we've got to oppose it just as much," he said.

If fat space budgets and a search for unattainable "absolute security" through new missile systems spell topsyturvy priorities to Obey, he blames Congress, not the "military-industrial complex."

"Those are witch-words that people run against, as liberals used to run against 'communism,'" he said. "You expect the military to ask for new weapons systems: that's their job—but you'd expect Congress to look at their request as it does anybody else's—and we don't."

Military and space budgets ought to be looked at "as deeply and skeptically as the Wisconsin Legislature dug into the University of Wisconsin budget this year," Obey declared.

Looking back over the three months since he, his wie Joan, and son, Craig, 5, moved to Washington, Obey has no regrets.

"I love it here," he said, despite his long list of frustrations. "If somebody is going to attack these problems, this is where it's going to be done—and if that's the case, this is where I want to be."

ARAB TERRORISM

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. RYAN. Mr. Speaker, the recent series of border clashes between the Arabs and Israel are but another chapter in the long standing determination of the Arab States to wear down Israel's military strength and wipe Israel off the map. The Arab Governments' support of terrorist groups carrying out raids against Israeli property and civilians is also calculated to chip away at Israel's defenses in preparation for yet another all-out assault on the State of Israel.

The Arabs claim that these terrorist groups, including E! Fatah, seek to achieve self-determination for the Arabs of Palestine. The falacious interpretation of "self-determination" by these terrorist groups has been pointed out by several observers, however.

I am inserting in the RECORD today an article by Abraham C. Weinfeld, which appeared in the June issue of the American Zionist, which discusses with especial clarity the concept of self-determination in relation to the Palestinian Arabs. I commend Mr. Weinfeld's article to my colleagues and urge that they give it their closest attention.

The article follows:

ARAB SELF-DETERMINATION

(By Abraham C. Weinfeld)

Though Arab Governments entered into cease-fire agreements with Israel after the war of June 1967, they publicly approve and fully support actions of Arab terrorists which continue the war against Israel in an effort to wipe Israel off the map. The terrorists claim to act in behalf of "Palestinians" or "the Arabs of Palestine." In a recently published article,[1] Ambassador George Tomeh, the Syrian representative to the United Nations, after stating that Palestine is "the southern part of Syria," continued that "the United Nations in 1947 took a step in the wrong direction. Now, as then, the Arabs of Palestine, a real and historical entity that should be recognized by international law, have been deliberately disregarded." He also stated that "the only people in the world that were denied the right to self-determination was the Arab people of Palestine," and further that, "The Arab struggle for Palestine is basically a struggle of a people for liberation, a people who are asking for nothing more than the right of self-determination, . . ."

In a memorandum submitted to a meeting of foreign ministers of the Arab League in Cairo which ended on March 12, 1969, the Palestine Liberation Organization, representing almost all of the guerrilla groups, urged the Arab states to reject the November 1967 resolution of the U.N. Security Council which called for peace in the Middle East. According to the memorandum, acceptance of the resolution was "an infringement by the Arab states of the right of the Palestinian people to all of Palestine, presently occupied by the state of Israel."

In view of the sympathy which Arab terrorists have evoked among some Americans, and the approval of the terrorists by Arab states, it seems important to analyze the concept of self-determination and its applicability here.

"During the first World War it was generally believed by public opinion in the Western democracies that there was a right of national independence which the Central Powers had overthrown, and that the primary object of the Allies was the reinstatement of this right. The democratic conception of government being added to it, the combined ideal obtained widespread recognition as the principle of self-determination."[2]

The principle of national self-determination was designed to meet the needs of *peoples*. President Wilson demanded in his Fourteen Points that "the peoples of Austria-Hungary, whose place among the nations we wish to see safeguarded and assured, should be accorded the freest opportunity of autonomous development"; that "the Turkish portions of the present Ottoman empire should be assured a secure sovereignty, but the other nationalities which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity of autonomous development." He demanded an independent Polish state. The Atlantic Charter required respect of "the right of all peoples to choose the form of government under which they will live," and Article 1(2) of the Charter of the United Nations states as one of the purposes of the organization, "To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, . . ."

The evil which the principle of self-determination was designed to cure was that of a people—that is, a separate cultural entity, molded by factors like centuries of common history, traditions, language, territory, religion—having no government of its own and therefore deprived of the opportunity to develop its life as a group, feel its needs in its own way, and fashion its own remedies to meet those needs. This was the situation of the Poles, the Czechs, and many other European and Asiatic peoples before the First World War.

The Arab people, numbering about 100 million and occupying about four million square miles from the Atlantic Ocean to Iran, is not deprived of an opportunity to govern itself. In this vast area, the Arab people has 14 independent governments. There are about two and a half million Jews living in Israel out of about 14 million Jews living all over the world, and Israel contains about 8,000 square miles. Under these circumstances, for the Arab people to take the position that the Jewish people is not entitled to one independent government is monstrous from the standpoint of international morality. It is true that by the creation of the state of Israel, the Arabs who lived there at the time or who live there as citizens now, have been deprived of an opportunity to practice national self-determination. They became a national minority. Whatever their number was at that time or is now, they were and are a drop in the Arab sea. Becoming a national minority is, under some circumstances, a part of the hazard of living. There are hundreds of national minorities all over the world. There is no doubt in my mind that the Israeli government has fully protected and will continue fully to protect the status and rights of its Arab citizens.

The denial of the Jewish right to an independent state is not only a grave moral injustice; it also violates a legal principle, one that is analogous to eminent domain. According to the law of eminent domain, an owner of property may be forced by a government or semi-governmental authority to part with that property if it is needed by such authority for the public good, for instance, for a school or a hospital, against compensation. There are also many judicial decisions as well as statutory and constitutional provisions which force an owner to part with his property *in favor of another individual for the latter's private benefit*, under certain circumstances involving the public good. Such circumstances may be the need of the other individual for a necessary private road or right of way to his property; for irrigation; for the use of water primarily for household and stockraising purposes; for flowage of lands for mill purposes and to create water power; for mining; or for production of electric power for use in aid of farming.[3] The Jewish need of an independent

[1] George Tomeh, *Palestine—The Arab Point of View*, Viewpoints (a magazine published by the Boston Chapter of the Organization of Arab Students), March 1968, p. 25. The article is part of a statement Mr. Tomeh made on October 13, 1965, at the 20th Session of the U.N. General Assembly.

[2] Alfred Cobban, National Self-Determination (Chicago: University of Chicago Press, 1944), p. 1.

[3] The legal authorities above referred to are listed and a further discussion of this viewpoint is contained in Abraham C. Weinfeld, *Eminent Domain Among Peoples—A Jewish State in Palestine and Arab Self-Determination*, 21 Temple Law Quarterly 223, 225–232 (1948).

state after wandering over the face of the earth for 2000 years is just as great as is the need of any individual for the property and services above-mentioned, and by way of analogy a principle similar to eminent domain may be applied in this situation.

The decision of the United Nations to recognize the state of Israel as a member of the United Nations may be considered similar to a judgment of a governmental or semi-governmental body that certain property is to be taken from an individual and used for a public good, that is, for the good of the United Nations. Further, the Arab claim to self-determination should be held to yield to the Jewish right to statehood by analogy with those many situations where one individual's right was held to yield to another individual's right for the latter's private benefit, as previously referred to. As to compensation, I have not come across any precedent for it in this kind of situation, that is, any record of payment to a group to compensate for ceasing to be a majority and instead becoming a minority, or payment to a person for experiencing a change from a member of a majority to a member of a minority. The general rule as to compensation is that it is to be adequate, prompt, and effective, but there have been cases of partial compensation and of no compensation.[4] In addition, in this Arab-Jewish dispute, one cannot overlook the property and cash which Jews had to relinquish in many Arab states when forced to leave those states prior to their migration to Israel.

Lately, the claim for national self-determination in opposition to Israel began to be made, not in the name of the Arabs or the Arab people or the Arab nation, but with increasing frequency in behalf of "the Arabs of Palestine" or "the Palestinians." But "the Arabs of Palestine" are not the kind of cultural entity for whose benefit the principle of national self-determination was established. They never had a government of their own, they never had a literary language separate from that of other Arabs, a separate religion, or a separate political history. When Jordan annexed the West Bank or when Egypt seized Gaza, the Arabs of Palestine did not protest, as any people would if some other people occupied its land. The only thing that distinguished Arabs of Palestine from other Arabs was that they resided in a certain territory. Even as to that, Mr. Tomeh still considers Palestine to be "the southern part of Syria," as previously stated. If mere living in a certain territory qualifies the residents for national self-determination, the residents of Amman or of Nablus could also be qualified and declare these cities to be independent states, infringing on others' rights.

President Wilson, who was devoted to the principle of self-determination of peoples as much as any other person, supported a Jewish state in Palestine. He said: "I am . . . persuaded that the allied nations, with the fullest concurrence of our Government and people, are agreed that in Palestine shall be laid the foundations of a Jewish Commonwealth."[5]

In the United Nations, the main objective for which the principle of self-determination was used was the liquidation of traditional colonialism. Discussions involved the question of whether the principle was part of international law concerning friendly relations and cooperation among states in accordance with the Charter of the United Nations and whether permanent sovereignty over national wealth and resources was a constituent of the right of peoples to self-determination. The Jewish-Arab problem is not one of traditional colonialism or of sovereignty over natural wealth and resources, and application to it of the provisions of the charter should certainly not lead to a destruction of a member-state. The Jewish-Arab problem is one of the original type, going back to the Wilsonian era, and involves enabling each people to have a state of its own in which to continue to develop as a cultural entity.

The viewpoint here presented does not derogate from, but furnishes additional support to, the Jewish position based on the historical connection between the Jewish people and Palestine and on the membership of Israel in the United Nations.

[4] Abraham C. Weinfeld, *The Mexican Oil Expropriation*, National Lawyers Guild Quarterly 367, 393 (1938).

[5] New York Times, March 3, 1919, p. 1, col. 2.

NATIONAL WILDLIFE FEDERATION: DDT THREATENS YOU

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. MIKVA. Mr. Speaker, last week my distinguished colleague from Wisconsin (Mr. OBEY) and I introduced a bill which would ban the distribution and use of DDT throughout the United States.

The fact is that evidence continues to mount every day illustrating the deleterious effects of these pesticides. The evidence is not ambiguous. DDT is a poison; it is a threat to man and his environment and especially to all forms of wildlife.

The most recent issue of National Wildlife has a particularly lucid article by Ed Chaney, director of information services for the National Wildlife Federation, on the awesome threat that DDT poses to life forms in Lake Michigan. As Mr. Chaney suggests, more research is needed to develop new substitutes that will not jeopardize our environment and wildlife.

This is a matter that demands immediate attention by Congressman and citizen alike.

The article referred to follows:

OUR POINT OF VIEW: DDT THREATENS YOU!

(By Ed Chaney)

Thousands of tons of DDT have been ladled onto lands surrounding Lake Michigan over the past 20 years to combat real, and sometimes imaginary threats from a variety of creepy crawlies.

This perennial application contains poison that moves freely from place to place and retains its toxicity for a guestimated half century or more. Yet it has become an accepted method for dealing with pests. And over the years—via wind, water and soil—DDT has washed into Lake Michigan from farms, orchards, mosquito swamps, elm-lined streets, flower beds and even from mothproofing by dry cleaners.

Occasionally, someone would wonder at the scarcity of robins after the community elms were doused with DDT to fight Dutch elm disease. Once in while a few unexplainably dead fish would appear in a nearby creek. And sometimes an article claiming DDT was eating the livers out of eagles and ospreys would turn up on the back page of our paper.

"Silent Spring" silenced. But compared to the commotion over the surtax, the ABM and getting Johnny ready for graduation, these isolated incidents seemed of little concern to most people. Dr. George Mehren, former Assistant Secretary of Agriculture, summed up the tenor the times in a statement to a congressional committee in 1968, ". . . the hysteria associated with 'Silent Spring' has effectively subsided."

But then it happened! The Food and Drug Administration put the grabs on more than 10 tons of Lake Michigan coho salmon en route to family dinner tables. The salmon contained up to 19 parts per million DDT—almost three times the maximum allowed in beef sold for human consumption. Suddenly, the fundamental relationship of DDT to man's position at the top of the natural food chain became an exciting topic of conversation for folks living in the Great Lakes area.

The coho seizures added fuel to the smoldering coals of Rachel Carson's best seller which had already been furiously fanned by a group of citizens and scientists banded together in the "Environmental Defense Fund." Attempting to ban DDT as a water pollutant in the state of Wisconsin, EDF paraded an impressive array of scientists through the national press damning DDT as a heinous uncontrollable global pollutant.

Reaction to the contaminated coho impoundment was quick. Lacking an established tolerance level for DDT in fish, Secretary Robert Finch of Health, Education and Welfare, quickly set a temporary standard of five parts per million. He also established a commission to study the situation and present recommendations within six months.

Hot coho. State and Federal fishery biologists predicted DDT levels in this year's crop of Lake Michigan coho would reach that five parts per million by mid-summer and several times that concentration by fall. Because growing fish concentrate DDT in their tissues, biologists hold out little hope that millions of pounds of valuable fish will be safe for consumption by the end of summer. The United States Bureau of Commercial Fisheries also warned that DDT levels in the lake are so high that reproduction of lake trout, salmon and other species may be in real danger.

Visions of DDT scuttling the $200 million Lake Michigan coho salmon fishing industry brought prompt reaction from the governors of the states surrounding Lake Michigan.

They met and declared there was no immediate DDT health hazard in Lake Michigan. Then they set up several committees to study the problem to see if a tolerance level of 20 parts per million DDT would be safe for humans. (Nobody knows what a really safe limit is. Whether it is 1, 5, 20 or 100 parts per million is an arbitrary judgment.)

Illinois Governor Richard B. Ogilvie announced his intention to continue drinking Lake Michigan water and eating coho salmon.

The Michigan Department of Agriculture "banned" DDT in April. This "ban" was analogous to slamming the barn door behind a horse thief and giving him several years to get out of town since it allows unlimited quantities of DDT to be sold and used in Michigan if the chemical was in transit from the manufacturer by June 27. Consequently, new, home-grown DDT will continue to pollute the air, water, soil, wildlife and people of Michigan for a long time.

It is a disturbing, spooky fact that no one really knows what effects, if any, DDT has on humans. Some eminent scientists maintain it may be difficult, even impossible, to find out until incalculable damage has occurred and it is too late to do anything about it.

Twelve parts per person. We do know the average American carries around approximately 12 parts per million DDT in his body. Man gets an estimated 90 percent of his DDT from food. We also know it is passed on to the human fetus via the mother's placenta and a nursing mother's milk generally contains more DDT than is allowed in milk you buy at the store.

Laboratory experiments with various animals have shown DDT attacks the central nervous system, upsets body chemistry, dis-

torts cells, accelerates gene mutations, reduces drug effectiveness and affects calcium absorption by the bones.

Hungarian experiments with mice emphasized DDT's cancer-producing potential, and that country recently banned its use. These carcenogenic properties were confirmed by a recent controversial six-year study by the National Cancer Institute which found DDT in mice did cause tumors, most of which ". . . had malignant potential."

A pharmacologist with a leading drug firm say DDT has a deleterious effect on rats' sex hormones, which are essentially the same as man's. Further, the amount of DDT necessary to produce that effect ". . . is well within the range of DDT found in human fat."

All this growing, damning evidence does not *absolutely prove* DDT is having or might have the same effects on the human animal. But Dr. Wayland Hayes, past chief of the Public Health Service toxology section, has said, "In considering the safety of workers who formulate DDT, we must depend largely on animal experiments."

Unfortunately, the evidence damning DDT as a potential threat to mankind, all the laboratory experiments, state and Federal study groups, commissions and exploding public concern, may have little impact.

It's big business. The manufacture of DDT is a $20 million a year business, and pesticide manufacturers also fear the fight over DDT will carry over onto its persistent chlorinated hydrocarbon relatives, heptachlor, lindane, aldrin, endrin, dieldrin, and chlordane which constitute a big part of the industry's $1 billion annual sales.

The pesticide lobby is powerful, experienced and at the slightest disparaging word aimed at DDT, industry spokesmen trot out an impressive array of truths extolling its virtues in fighting disease organisms and agricultural pests throughout the world. No one contests these truths.

But there are substitutes for DDT in the form of safe non-persistent insecticides. Insect sterilization offers much hope for counteracting certain pests, and research has been stepped up on insect predators.

But DDT's apologists continue their campaign that DDT is indispensable to the welfare of mankind and get away with it. They know from past experience that the public's memory is short and the people who make the laws and buy the products don't read history books. The decisions will be made behind the scenes.

Agriculture committees in state and Federal government are almost universally dominated by farm and pesticide-oriented legislators. These committees are commonly considered rubber stamps for all but the most offensive industry pleas and graveyards for regulatory bills.

DDT's proponents seem willing to write off the growing list of threatened wildlife including the bald eagle, osprey, peregrine falcon, eider duck, bermuda petrel, brown pelican and even the sportsman-revered mallard duck. During the EDF hearing in Madison, spokesmen for the National Agricultural Manufacturers Association said, ". . . the damage is not as severe as conservationists claim." One of their arguments is that "DDT inhibits the reproduction of birds . . . but these are primarily birds of prey, and very small numbers are involved." And, "A person whose thing is studying the peregrine falcon is concerned only about every little thing that might happen to his bird."

Can't prove human effects. When the question of DDT's possible effects on humans is raised, their answers boil down to "prove it." Despite the overwhelming, growing scientific evidence that portends frightening effects on man, DDT's fans are willing to gamble. And they have graciously volunteered the rest of the world.

The already dangerous and climbing levels of DDT in the food fish of Lake Michigan may be a grim hint of what is to come. Even if not another ounce of DDT were applied anywhere in the world, beginning today, some experts guess it would be at least 25 years before the concentrations in the environment begin to level off. However, researchers have revealed a great deal of variability in the chemical's persistence depending upon local conditions.

Our exploding technology now keeps some men alive with artificial hearts and puts others on the moon. What unknown secrets will we discover about the 12 parts per million DDT we all carry in our bodies? At this level, the FDA would rule the average American unfit for human consumption.

John Gottschalk, Director of the Bureau of Sports Fisheries and Wildlife, said, "What is happening in Lake Michigan is an indication of what to expect elsewhere. There will be a day, and it may not be until the year 2000, when *we* are the coho salmon."

The widespread use of DDT should be halted immediately unless its safety can be proven.

REVENUE SHARING

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, President Nixon's proposal to provide fiscal relief to the States and local communities through a revenue sharing plan is an attempt to head off the fiscal disaster that looms over most of the State and municipal governments of our Nation. It is important that revenue sharing be widely discussed and understood.

The Treasury Department has prepared a series of questions and answers to explain the President's revenue sharing proposal. I hope it will be helpful to my colleagues:

QUESTIONS AND ANSWERS ON THE ADMINISTRATION'S REVENUE SHARING PROPOSAL

Q. What is the purpose of this proposed legislation?

A. Our ultimate purposes are many: to restore to the States their proper rights and roles in the federal system with a new emphasis on and help for local responsiveness;

To provide both the encouragement and the necessary resources for local and state officials to exercise leadership in solving their own problems;

To narrow the distance between people and the government agencies dealing with their problems;

To restore strength and vigor to local and state governments; and

To achieve a better allocation of total public resources.

In short, our purpose is to build a streamlined federal system with a return to the States, cities, and communities of the decisionmaking power rightfully theirs.

Q. How much money is to be shared?

A. The size of the total fund to be shared will be a stated percentage of personal taxable income—the base on which federal individual income taxes are levied. To provide for an orderly phase-in of this program, the FY 1971 percentage will be one-sixth of one percent, or about $500 million; with subsequent fiscal year percentages being increased annually up to a permanent one percent for FY 1976 and thereafter. On this basis, we estimate an appropriation for fiscal 1976 of about $5 billion.

Q. Can the States and localities depend on this flow of funds to be regularly appropriated?

A. In order to provide for the assured flow of federal funds, a permanent and indefinite appropriation will be authorized and established for the Treasury Department, from which will be automatically disbursed each fiscal year an amount corresponding to the stipulated percentage.

Q. How will the funds be distributed?

A. The funds will be distributed from the federal Treasury to the 50 States and the District of Columbia. Each state will receive an amount based on its share of national population, adjusted for the state's revenue effort.

The revenue effort adjustment is designed to provide the States with some incentive to maintain (and even expand) their efforts to use their own tax resources to meet their needs. Revenue effort is defined as the ratio of total general revenues collected by state and local governments in a given fiscal year to the total personal income of that state. A simple adjustment along these lines would provide a state whose revenue effort is 10 percent above the national average with a 10 percent bonus above its basic per capita portion of revenue sharing.

Q. Will the States be required to share some of this distribution with their local governments?

A. The allocation of a state's share among its general units of local government will be established by prescribed formula. First, there will be determined a total amount which a state will share with all its local governments. This amount will be that percentage of its national share which total local general revenues bear to the sum of state and total local general revenues. Second, there will be determined the distribution of this local share among the various units of local government within the state. The amount which an individual unit of general local government will receive is that percentage of the total local share that its own revenues bear to the total of all local government revenues in the state.

Q. Why are these particular distribution formulas used?

A. Distribution based on revenues raised have several important advantages: they make allowance for state-by-state variations;

They tend to be neutral with respect to the current relative fiscal importance of state and local governments in each state; and

They provide a method for allocating among government units with overlapping jurisdictions.

Q. Does a state have any opportunity to use some other distribution procedures than those just outlined?

A. Yes. In order to provide local flexibility, each state—working with its local governments—is authorized to develop an alternative distribution plan.

Q. What restrictions or qualifications will be imposed on the use of these funds?

A. There will be no program or project restrictions on the use of these funds. One purpose of revenue sharing is to permit local authorities the programming flexibility to make their own budget allocation decisions.

Each state will be required to meet minimum reporting and accounting requirements.

Q. How do the various state, county, city, and other local officials view this revenue-sharing proposal?

A. We have had numerous discussions with governors, mayors and county officials about the essentials of this proposal. There has developed a remarkable degree of consensus approval on its key measures. At our July 8 White House conference on revenue sharing, for example, the various representatives of state and local governments reached broad agreement on all the program's major features.

Q. How much of a new administrative apparatus will be required to administer revenue sharing?

A. None. The plan has been designed to operate almost automatically, avoiding any requirement for the establishment of any new Federal bureau or agency. The whole purpose is to avoid Federal controls and to increase the fiscal discretion available to state and local governments.

CUMBERLAND CHAPTER 377, SAFE-TEEN, INC.

HON. J. GLENN BEALL, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BEALL of Maryland. Mr. Speaker, I am happy this morning to pay tribute to an excellent group of young people from Cumberland in Western Maryland. The organization is the Cumberland Chapter 377, Safe-Teen, Inc. This group was founded on July 2, 1959, largely through the efforts of Lynn Walker and a charter was granted by the national organization at the same time.

These young men and women are dedicated to the improvement of their community and since their beginning have been involved in programs which have contributed substantially to bettering life in Cumberland.

In March 1960 the chapter voted to adopt the national vehicle safety check program as a community service program for annual presentation in the city of Cumberland.

Their first program was presented in June 1960 and received the circle of safety award. This is the national award for placing second in the quality of the program presented and the community cooperation achieved.

In each successive year since 1960 the chapter has received the circle of safety award, with the exception of 1965 when they received the national grand award for teenage participation. This is the top honor given by the national board of judges.

In the 1969 program the chapter has just been notified they have again been selected to receive the national grand award.

The chapter has undertaken many other projects in the community including: the collection and shipment of books to our servicemen in Vietnam and veterans hospitals; playtown, a pedestrian and bicycle safety program for primary grade school pupils; and radio and newspaper publicity programs of traffic safety during holiday seasons.

At present they are actively participating in the drive to secure funds for the Greater Cumberland Youth Center.

The chapter has 20 active members at present representing the three high schools in the city of Cumberland. Listed below are the officers and members comprising the chapter which we are proud to salute today:

Advisers: Lynn Walker, Administrator, 229 Pear Street, Cumberland. Willys Wilson, RD No. 2, Box 288, Cumberland. Lloyd Harrison, 640 N. Centre St., Cumberland. Sgt. Oliver Cook, City Police Headquarters, Cumberland.

President: Phil Young, Winchester Rd., RD No. 5, Cumberland.

Vice-President: Rosemary Lehman, 817 Shriver Ave., Cumberland.

Secretary-Treasurer: Mary Wilson, 245 N. Mechanic St., Cumberland.

Members: Diane Collins, Shortest Day Road, LaVale; Tim Farrell, 815 Shriver Ave., Cumberland; Cindy Hanks, 701 Arundel St., Cumberland; Nancy Hanks, 701 Arundel St., Cumberland; Sandy Hanks, 701 Arundel St., Cumberland; Kathy Harrison, 640 N. Centre St., Cumberland; Dale Kimble, 611 Greene St., Cumberland; Pat McDermott, 312 Franklin St., Cumberland; Sue Patterson, 712 Louisiana Ave., Cumberland; Sue Ransom, 1002 Holland St., Cumberland; Sue Shriey, McGill Dr., BelAir, Cumberland; Maris Smith, 135 E. Elder St., Cumberland; Donna VanBuskirk, 128 N. BelAir Dr., Belair, Cumberland; Carol Weakley, RD No. 6 Brant Road, Cresaptown; Cindy Worgetz, 61 C Stoneybrook Lane, LaVale; and Ruth Young, Winchester Rd., RD No. 5, Cumberland.

HAILED AS HEROES

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BINGHAM. Mr. Speaker—

If ever men deserved to be hailed as heroes, they are Armstrong, Aldrin, and Collins.

So says the New York Times today. So say we all, especially on this day when the great cities of New York, Chicago, and Los Angeles, representing America as a whole, will welcome the moon travelers and indeed hail them as heroes. The Times editorial follows:

REPORT FROM THE MOON-WALKERS

What came through most clearly in yesterday's enthralling first-hand report by the Apollo astronauts was the infinitesimal margin by which Eagle escaped either catastrophe or a decision to abort the moon landing. Either of the two major problems that emerged in those nerve-wracking moments before touchdown—the overburdened computer and the near-exhaustion of their fuel supply before Neil Armstrong and Edwin Aldrin found a suitable landing spot—might have forced a very different ending to the historic mission. That all turned out perfectly is a tribute to the astronauts' skill, courage and poise as well as to the ability of the back-up personnel at Mission Control in Houston.

In their news conference, the moon visitors compared themselves to five-year-old children in a candy store. There were so many fascinating delights and intriguing opportunities all around them, and so little chance to do all they wanted to do. Had they been less tactful, the astronauts might have noted that their precious two-and-a-half hours on the lunar surface could have been even more productive for science if they had been less burdened with ceremonial and public relations obligations.

The astronauts' emphasis on the mysteries and puzzles they found on the moon points up how much remains to be done there. In effect, the scientists of this planet have been given an entire new world to explore. Even the whole Apollo program as now projected for the next few years will only begin to scratch the surface of the vast body of new knowledge available from earth's nearest celestial neighbor. The many goodies in the lunar candy shop, to use the astronauts' simile, deserve to be digested before the major emphasis of the space program turns to the much more controversial and expensive project of putting men on Mars.

The astronauts' joint appearance served to remind the world how attractive and modest as well as brave all three of these Columbuses of space are. If ever men deserved to be hailed as heroes, they are Armstrong, Aldrin and Collins. Today the millions of this great city will have the opportunity to exhibit their admirations for these first envoys of mankind to another world. We join with all New York in expressing our delight that the Apollo 11 team will be here, even if only for a few hours, on this happy day.

STARS AND STRIPES

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. ICHORD. Mr. Speaker, these days patriotism is doubted on every hand and flag waving is considered old hat. For me, patriotism is a living, growing thing and the sight of the Stars and Stripes warms my heart, sharpens my mind and gives me courage to do the things I must for my country.

It is that belief which came to mind as I read an article in the May 23, 1969, edition of the Poughkeepsie, N.Y., Journal, titled "Area Pupil Wins Statewide Essay Contest." In this instance, a 13-year-old Chinese girl attending a junior high school in New York, spoke of what the American flag meant to her when she first set foot on American soil. She described a quality missing to many of us native born or who have been here so long that we have let the love for our country and what it stands for become faded and jaded and slide into disuse.

Let me share that article with you:

Hsiao-lien Chin, 13, a student at Arlington Junior High School, has been named winner of the New York State Society, Daughters of the American Revolution Flag Essay Contest.

The daughter of Mr. and Mrs. Tsung Chin, Watson House, Vassar College, her essay was judged among 172 winners from DAR chapters across the State.

She was sponsored by the local Mahwenawashigh Chapter. Hsiao-lien came to this country with her parents from Taiwan about 3½ years ago and she was not able to speak English.

This is her winning essay:

"I stepped out of the plane and looked out at the new and strange land. Seven days ago I was still in Taiwan, the Republic of China.

"But now I am in a completely different place. I looked up and there up on the top of the roof of the airport building, was a flag. It was strange to me for it was different from my country's flag. The wind was blowing hard and the flag waved endlessly in the wind as if saying, 'Hello there! Welcome to the United States of America.'

"I smiled and suddenly a strange feeling of loneliness came creeping into my heart. All my friends are at the other end of the world. Perhaps I shall never see them again and perhaps they'll forget that they ever had a friend named Hsiao-lien. Tears came, and slowly I raised my head and looked at the flag through my tear-filled eyes.

"The flag seemed to say to me, 'My country is different from yours, that I know and

understand. But there is no reason for you to cry. You'll make new friends, but before you do, you must face the responsibilities that lie ahead of you. You must meet it half way and you must have courage and determination.'

"I dropped my head in confusion and shame, then I shrugged my shoulders and forced myself to look at the flag again. This time, there were no tears in my eyes, instead, a look of courage. I said, 'I'm not afraid now. I'll do what you said and I'm grateful of it. You gave me the courage which I never knew had existed. From now on, I'll start a new life and the words you said will never be forgotten.'

"I walked across the air field and before I went into the airport building, I turned and waved at the new friend for the last time. The flag fluttered for a second, then slowly settled into a calm position as if satisfied.

"I smiled, then whispered, 'Thank you so very much.'

Hsiao-lien's father is assistant professor in the Chinese Division of the Linguistic School at Georgetown University. Her mother is assistant professor of Chinese at Vassar College.

Hsiao-lien will be honored at an assembly program next Wednesday morning at which time a state DAR representative will present her with a $50 U.S. Savings Bond.

Mrs. Bernard J. O'Connell was chairman of the local contest.

The essays were written on "What the American Flag Means to Me."

DANGEROUS GAME

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BRADEMAS. Mr. Speaker, I insert in the RECORD an excellent editorial from the August 10, 1969, issue of the South Bend, Ind., Tribune warning against the dangers of the adoption of the so-called Dirksen amendment.

The text of the editorial follows:

DANGEROUS GAME

There may have been a few moments in American history when the times were less propitious than now for a constitutional convention, but there surely haven't been very many.

Yet this country stands at the brink of its first constitutional convention since the one that met in Philadelphia in the hot summer of 1787 and drafted the nation's basic legal document.

Ostensibly, the new convention would confine itself to considering an amendment to the U.S. Constitution allowing one house of a bicameral state legislature to apportion itself on bases other than population.

But it might be difficult to control the activities of constitutional convention, even if Congress passes bills designed to put reins on what a convention could do. A time of drastic social upheaval hardly seems an ideal time to indulge in wholesale tampering with the Constitution.

Much of the push behind the convention movement comes from Sen. Everett M. Dirksen. Stymied in putting an apportionment amendment through the familiar channels of congressional approval and state ratification, Mr. Dirksen has been trying to take advantage of a clause in the Constitution that empowers the legislatures themselves to call a constitutional convention into being.

Thirty-four states must issue such a call. So far, 33 are on record favoring a convention. If one more state acts, Congress will have to decide whether and how to respond.

It is a shabby fact that of the 33 state resolutions seeking a convention, only five emerged from assemblies which met court standards for proper apportionment. (Indiana was one of the five although federal judges have subsequently found a flaw in our legislative districts.)

What it boils down to is a batch of state legislatures, poorly representative of the voters, scrambling to perpetuate inequalities which the Supreme Court has declared unconstitutional. It is a dismal standard for the senior senator from Illinois to be flying.

One hope for avoiding a constitutional convention is a spate of state resolutions rescinding convention calls. So far, though, no rescinding resolution has passed both houses of any state legislature.

"Little federalism"—the patterning of state legislatures on the federal model, with one house having fixed membership and the other representative membership—is a myth without foundation. The federal system was created among other reasons, as a check on centralized government. There is no reason why states should copy it.

The Supreme Court's one-man, one-vote ruling was just and deserves to be left alone. Sen. Dirksen is playing a dangerous game to salve a personal pique.

NIXON PROPOSALS ON WELFARE VIEWED

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BOGGS. Mr. Speaker, two of the newspapers in my part of the country, the New Orleans Times-Picayune and the Louisiana Weekly have recently published several editorials and articles on the subject of welfare and on the proposals made by President Nixon last Friday night.

Because I consider these articles well written and informative and because of the timely and important nature of the subject, I am inserting them in the RECORD and calling them to the attention of my colleagues:

[From the New Orleans Times-Picayune, Aug. 10, 1969]

NIXON PROPOSALS VIEWED WITH CAUTIOUS OPTIMISM—LOUISIANA OPINIONS CENTER ON PROBLEM OF CONGRESS

(By Brent Manley)

Cautious optimism was the prevailing sentiment Saturday as reactions to President Nixon's domestic proposals—particularly welfare reform—were gathered throughout Louisiana.

In his Friday night telecast, Nixon included broad reforms in existing welfare programs. The heart of his proposals was the federal guaranteed annual income of $1,600 a year to a family of four with supplements until earnings reach $3,920, provided the breadwinner is willing to work.

Typical of the reactions was that of Arthur J. Chapital Sr., urban programs director of the New Orleans branch of the National Association for the Advancement of Colored People:

"It sounds good generally, but knowing the politics of the situation, you have to keep your fingers crossed."

CONGRESS LAG FEARED

Most of those who commented on the proposed reforms expressed concern that the President's suggestions may bog down in Congress.

And most agreed that the existing welfare system is grossly inadequate in its effort to meet the needs of the poor.

"One basic thing I agree with is that the welfare program now is not meeting the needs of the people," said Emmit Douglas, president of the Louisiana branch of the NAACP.

"The basic concept is good, I just hope it can be implemented," Douglass said.

State Rep. Ernest N. "Dutch" Morial said he feels President Nixon took a step in the right direction, but not far enough.

"Hopefully, Congress will see fit to enlarge on what the President has suggested to the extent that the programs will be adequate to give the poor the dignity they should have," Morial said.

He added, however, that Nixon still has "said nothing about other programs, such as aid to the aged and blind and disabled. The federal government should take over all welfare-related programs."

LA. WELFARE ASSAILED

Mixed in with the guarded optimism was a sour note: an appraisal of Louisiana's current welfare crisis, which cannot be affected immediately by any of the President's proposals.

John Pecoul, executive director of the city's Human Relations Committee, said he feels the federal minimum income concept is definitely a "positive step."

He said, however, New Orleans and the rest of the state are still faced with the problem of financing the welfare system as it exists.

Even if President Nixon's proposals moved quickly through Congress, the earliest possible date for federal funds for Louisiana would be July of 1970—possibly January of 1971.

Thus, Louisiana's welfare crisis cannot be relieved by federal funds for about a year and a half, Pecoul said.

"The existing system is the problem," he remarked, "and it's still here. We're not out of the woods at the local level."

State Sen. Michael H. O'Keefe's reaction was in accord with Rep. Morial's.

O'Keefe lauded the President's departure from the existing welfare structure, but added that "he has not taken the best of the minimum income alternatives."

FAVORS DEMO PLAN

He said the minimum income proposal authored by Democrats is far better than the one President Nixon has proposed.

The state senator said the Democratic minimum income proposal is a flat payment to those persons earning less than the established standard.

This method of guaranteed income eliminates welfare programs altogether and thereby eliminates the red tape welfare applicants are forced to go through to receive financial assistance.

O'Keefe said he feels Nixon's basic proposals may be revamped in Congress to resemble programs more closely allied to Democrats' concepts.

"President Nixon's departure from the existing system is commendable," O'Keefe added. "He (Nixon) has taken a courageous step toward the Democratic position which will endanger him with members of his own party."

NEED UPDATING

Mayoral candidate David Gertler also lauded President Nixon's departure from welfare systems now in use.

"I feel that all our programs certainly need a proper updating. Outmoded programs are the cause of many problems in the city and State today," Gertler said.

Gertler said he is not in accord with every phase of the President's proposal but that

any effort to evaluate and update antiquated programs is "a step in the right direction."

Ellis Hull, president of the United Voters' League, sad he is skeptical of the feasibility of the entire program.

"Some of the programs might work, but others—such as day care centers for working mothers—just can't work. You can't depend on people for voluntary work."

Chapital commented further that any programs for the rehabilitation of the poor must include their education as well as job training, which President Nixon outlined as one of the objectives of his domestic proposals.

"Many of these poor people are functional illiterates, so they must receive education along with their training," Chapital said.

The poor will remain poor without education and training for meaningful jobs, he added.

[From the New Orleans Times-Picayune, July 29, 1969]

WELFARE SWITCH IN PERSPECTIVE

The confusing complaints and commentary over abolition of the Welfare Department's Aid to Dependent Children dollar maximums in favor of a new hypothetical standard system—to which a 42 per cent ratable cut was applied—need to be brought into focus.

Generally speaking, large ADC families now receive more; smaller ones are due about the same or are experiencing a reduction. (In the Crescent City three out of 10 recipients are getting increases.) Two appropriate instances: One leading protester is having payments cut $5 from the erstwhile maximum $163; another garners $67 a month more under the new system.

In some cases, benefit losses will be partially compensated by the food stamp program—fewer dollars will be needed to buy about the same amount of grocery-multiplier stamps. For example, a household of five whose monthly allotment may drop from $133 to $120 will pay $48 (instead of $52) for $80 (instead of $82) worth of food stamps. Thus this family's "net income" really becomes $152; about $2.66 a day for food and an aggregate $72 left over for rent, utilities, clothing, household supplies and transportation.

The dilemma for many welfare families, however, is that they say they do not—and cannot afford to—spend 40 per cent of their meager income for food. That's what $48 of $120 is, and, in fact, the rules demand a take-it-or-leave-it $48 stamp purchase for such a family even if its income were as low as $110 a month. (The average American family, by contrast, devotes about 17 per cent of its income for food.)

While $80 or so a month—with proper food budget management—is a respectable sum for a family of five to "chew" on, those welfare families whose rent, utilities, etc., aggregate well over $75 a month may indeed be "skimping" on their food budget by allocating less than the daily $1.60 which, in this instance, United States Department of Agriculture says should be spent for food—or stamps.

By contrast, again, a similar-sized non-welfare family with take-home pay of $400 a month, when fed and housed at like expense, has abont $245 or more remaining for other needs. But the welfare family may have $12 to $15 "to spare." The economics of the total family budget, then, may press these "worse off" households NOT to opt for the food stamp program.

There has been some talk in Washington of liberalizing the rules—requiring a lesser slice of a family's income to go toward food. A reasonable goal, we believe would be to work toward requiring "poverty-level" families to pay no higher percentage of their total income for a "basic subsistence" quantity of food stamps than the percentage that the average American family spends, albeit, for somewhat classier menus.

In the meantime, however, a readily implementable rules change might be to allow prospective food-stamp applicants the option to purchase with fewer dollars a lesser amount of monthly stamps, if their circumstances seem to justify it. While this may do violence to the program's presumed ideal, common sense would seem to dictate that this buy-fewer-stamps provision would be the lesser of two evils.

If a mother says she can't—and doesn't—spend $35 a month for food, is it logical to exclude her from the program? Rather, if prevention of gross malnutrition is the goal, would it not be better to allow her a prorated $60 of stamps in exchange for what she does spend for food? Though not fully adequate, her family's fare, with good management, would greatly improve.

The USDA–LSU Extension Service program initiated here this past year on good health and nutrition habits for homemakers should be continued and expanded to educate low-income families on the best use of their food dollars.

But what's the welfare-switch rhubarb all about? Under the scuttled ADC program the hypothetical ceiling was $199—really only funded to a maximum $163. The new system has a $233 ceiling—but the new scales give some families, especially large ones, $200 a month or more, while smaller ones, in some cases, are allotted less than they used to get.

We haven't heard a full explanation why this had to be—only that $13 million more was needed to implement the new system fully, and available new funds this year, mostly federal, came to about $2¼ million.

Besides normal caseload increases, welfare recipient head counts swelled by the thousands because of the U.S. Supreme Court's "man in the house" ruling. And, like Old Man River, the welfare rolls roll on.

[From the Louisiana Weekly, Aug. 9, 1969]

WELFARE PROBLEMS ARE NATIONAL

Developments of the past few weeks have made New Orleans a "welfare disaster area."

But what is happening here is typical of conditions in other parts of the nation.

Recently a series of articles entitled "Welfare: A Bankrupt System," written by John T. Dauner, was published in the Kansas City Times and Star.

A few excerpts from this series are offered The Louisiana Weekly readers for comparison with the local situation:

"Awash in a sea of red tape, intellectually bankrupt, and threatening the financial ruin of state and local government, the public welfare system is rapidly becoming a national issue as heated and divisive as the urban crisis, Vietnam and black nationalism.

"It can, in fact, hardly be called a system. It is a morass of 50 state laws, all different, thousands of pages of federal and state regulations and local traditions and interpretations that attempt to implement and administer the public assistance provisions of the Social Security Act.

"The welfare system is supposed to provide an ultimate guarantee against poverty and social privation. But it breeds poverty and continuing dependency rather than independence . . ."

During the past week here in New Orleans, Mayor Victor H. Schiro indicated he was not pleased by an action of the City Council which provided $20,000 for the purchase of medicine for needy welfare recipients. He said, in fact, that he did not think the city should go into the welfare business.

Mayor John V. Lindsay of New York told President Richard M. Nixon recently:

". . . The welfare system is bankrupting our cities and must be scrapped and replaced. . . . We in the cities have reached our limit. We cannot ante up more every year at the expense of other essential services."

The article by John T. Dauner continued:

"State and local responsibility for administering and, originally, for financing public assistance is deeply rooted in the American tradition. But in 1935, the federal government through the Social Security Act, began helping the states finance their welfare programs. Since then, five programs—old-age assistance, aid to the blind, aid to the permanently and totally disabled, aid to families with dependent children, and Medicaid—have been set up, each with state and federal responsibility requirements.

"The federal government will pay 50 to 80 percent of the costs, depending on the program and the state's ability to pay.

"States are free to participate in the programs only to the extent they wish, controlling that participation by the amount of money they are willing to make available. Both the states and the federal government put a maximum on the amount they will contribute to any one individual, and some states put a ceiling on the amount a family can receive.

"It is the federal-state partnership that the problem lies in this period of rapidly expanding rolls and increasing costs. . . ."

Governor John J. McKeithen of Louisiana was quoted as urging full federal responsibility for the entire welfare program last week.

Dauner's article says:

"The federal government's revenues respond to the economy, to inflation and to the gross national product. State revenues have not kept pace, and the local revenues, based mainly on property taxes, have hardly increased at all. While potential of the federal government to pay and its willingness to pay have increased, that of the states has not. . . .

"A federal takeover is being seriously studied," Dauner wrote, "and may be proposed by President Nixon as part of a move to a guaranteed annual income system . . ."

POLAND MISSION FATAL TO BISHOP GROCHOWSKI

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. McDADE. Mr. Speaker, it is my sad duty to inform you and my colleagues of the death of Prime Bishop Leon Grochowski, the spiritual leader of the Polish National Catholic Church in the United States and Canada. His death occurred when he was stricken in a hotel while visiting Warsaw in the beloved land of his birth.

It would be difficult to summarize all of the activities in the life of Bishop Grochowski from his ordination on September 10, 1910, to his death on July 17, 1969. During those years, he not only served as a pastor and then as the spiritual leader of his church, but also founded a weekly diocesan newspaper, conducted weekly Sunday religious programs on the radio, and established a special fund to aid sick or disabled priests in the Diocese.

I am sure that all of us will join the members of the Polish National Catholic Church in mouring his passing.

With your permission, Mr. Speaker, I will append here two articles which appeared in the Scranton Tribune and the

Scranton Times which tell of the life of this religious leader:

[From the Scranton (Pa.) Tribune]

POLAND MISSION FATAL TO BISHOP GROCHOWSKI—HEADED POLISH NATIONAL CATHOLIC CHURCH

Prime Bishop Leon Grochowski, head of the Polish National Catholic Church in the United States and Canada and pastor of St. Stanislaus Church, South Scranton, died Thursday in Poland. He was 82.

Bishop John Misiaszek of Cleveland, a member of the primate's party, said the church leader died in the downtown Warsaw hotel where he was staying.

The bishop's wife, Bernice, was informed at about 1:30 p.m. by telephone from Poland.

Bishop Misiaszek said Bishop Grochowski had been hospitalized in past years for heart trouble. Lately, he said, the bishop had not been feeling well, and added the present heat wave in Poland may have been a contributing factor.

Bishop Grochowski was in Warasw leading a delegation of 25 Polish National bishops and lay leaders at the invitation of the Polish National Catholic Church. The group was scheduled to return to this country Aug. 1.

Born in Poland, he completed his early education in Siedece and pursued academic studies in Warsaw, Poland, where he distinguished himself as an upperclassman in the Warsaw Polytechnic.

Following studies in Poland, he came to the United States and entered the Savonarola Seminary, Scranton. Ordained on Sept. 10, 1910 by the late Bishop Francis Hodur, he was consecrated as a bishop into the Polish National Catholic Church Aug. 17, 1924.

On Sept. 30, 1925 Bishop Grochowski became head of the Western Diocese of the church and was transferred to its headquarters in Chicago. He served in Chicago for 30 years before returning to Scranton.

Prior to taking on his duties as Western head of the church, he served as pastor of SS. Peter and Paul Church, Passaic, N.J., and St. Adalbert's in Dickson City.

Following the death of Prime Bishop Hodur, Bishop Grochowski was elected his successor by the General Synod. He officially assumed the post as highest authority of the church in 1953 and was installed May 15, 1955 at ceremonies in St. Stanislaus Church.

In 1952 he was awarded a doctorate degree by the board of trustees, Nashotah House, Wisconsin, and again received a doctorate in 1957 by the Virginia Seminary, Alexandria, Va., singling him out as a scholar and outstanding leader of the Old Catholic Church.

Born on Oct. 11, 1866, he was the youngest son of Albert and Victoria Pienkowski Grochowski, the latest trip to Poland was his 17th missionary trip to that country. In 1964, he made a trip to England, Poland and Holland.

In 1959, Bishop Grochowski consecrated Rev. Maksimilian Rode as bishop of the Polish National Catholic Church in Poland. The ceremonies took place in St. Gertrude's Cathedral, Utrecht, Holland.

In October of 1960, Bishop Grochowski observed his 50th anniversary of ordination with ceremonies and religious rites in St. Stanislaus Cathedral, followed by a program at the Masonic Temple.

Bishop Grochowski is survived by his wife and a son, Mitchell, who is in the U.S. Army.

The body will be taken to Scranton for burial in St. Stanislaus Cemetery. Other arrangements are incomplete.

[From the Scranton (Pa.) Times]

PRIME BISHOP GROCHOWSKI TO BE BURIED IN SCRANTON

The body of Prime Bishop Leon Grochowski, spiritual leader of the Polish National Catholic Church in the United States and Canada, who died Thursday in Poland, will be flown to Scranton for burial, a family spokesman said today.

The date of arrival of the body and funeral arrangements have not been determined.

Bishop Grochowski, pastor of St. Stanislaus Polish National Catholic Cathedral, South Scranton, had been in Poland since early this month leading a delegation of Polish National Catholic bishops and lay leaders. The group was scheduled to return to this country Aug. 1.

Bishop John Misiaszek of Cleveland, a member of the delegation, said the 82-year-old bishop was stricken and died in a downtown Warsaw hotel where he had been staying.

Bishop Grochowski's wife, Bernice, was informed by telephone of his death about 1:30 p.m. Thursday.

According to Bishop Misiaszek, the prelate had been in failing health the past several years and a current heat wave in Poland may have been a contributing factor in his death.

Besides his widow, Bishop Grochowski is survived by a son, Mitchell, who is in the U.S. Army.

Burial will take place in St. Stanislaus Cemetery following Mass in the cathedral at a time to be announced.

The latest trip to Poland was his 17th missionary journey to that country. In 1964 he journeyed to England, Poland and Holland.

In October, 1960, Bishop Grochowski observed the 50th anniversary of his ordination with ceremonies and religious rites in St. Stanislaus Cathedral, followed by a program at Masonic Temple.

Bishop Grochowski died in the land in which he was born. He was born in Skupica, Poland, and came to this country in 1905 at age 19.

In 1910 he was ordained a priest in the Polish National Catholic Church at Savonarola Theological Seminary in Scranton by the late Prime Bishop Francis Hodur.

On Aug. 17, 1924 he was consecrated to the episcopate.

In 1925 Bishop Grochowski was appointed bishop ordinary of the Western Diocese of the Polish National Church, with Episcopal residence in Chicago, Ill. He remained there 30 years, during which time the two parishes in Chicago and 21 in the Western Diocese grew to nine in Chicago and 55 parishes and missions in the diocese.

Among his accomplishments in the Chicago area were: Founding of a weekly diocesan newspaper, "The Awakening;" personally conducted weekly Sunday radio hour for 18 years; organization of United Women's Societies; construction of a new cathedral church in Chicago; organization of the United Choirs in the Western Diocese and expansion of the Polish National Spojnia.

He also organized a Clergy Fund for sick and disabled priests of the diocese. During World War II he organized the Polish Platoons of Samaritans, which sent more than 7,000 gift packages and tons of food, clothing and medical supplies to needy Polish people. The Samaritans also financed an ambulance fully equipped for the Polish Army in England.

In 1949 the General Synod elected him Prime Bishop and he became head of the Polish National Church upon the death of Bishop Hodur on Feb. 18, 1953.

Bishop Grochowski's first pastorate was at SS. Peter and Paul Church, Passaic, N.J., where he served four years. He was pastor of St. Adalbert s Church, Dickson City, for nine years before leaving for Chicago.

On July 4, 1966, Bishop Grochowski commemorated the 100th anniversary of the birth of Bishop Hodur by laying the cornerstone of a new church in Zarski, Poland, birthplace of the founder of the Polish National Church.

Organizer of the Aid to Poland Commission, Bishop Grochowski sponsored the entry of 1,500 displaced persons into the U.S. He was editor of the church organ, "Rola Boza" (God's Field), and served as representative to ecumenical meetings of the World Council of Churches.

VETERANS BENEFITS

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. DORN. Mr. Speaker, over the years we have passed many bills providing benefits to our veterans and their families. H.R. 11959 will increase the educational allowance to veterans, widows, and orphans attending school under programs administered by the Veterans' Administration. The proposed increase for those attending school under the GI bill will be approximately 27 percent.

Mr. Speaker, I want to commend our distinguished chairman, the Honorable OLIN TEAGUE. Under his able leadership, and that of our subcommittee chairman, GEORGE BROWN, the committee reported a bill designed to make the educational benefits programs more meaningful. The bill provides for increased benefits to offset the rising cost of living and the ever increasing cost of education.

The Congress has recognized the value of providing the means for an education to those who have fought in past wars. In 1943, Congress enacted into law a program providing for vocational rehabilitation to veterans with service-connected disabilities. On June 22, 1944, the first GI bill passed the Congress without a dissenting vote. On July 16, 1952, during the Korean conflict, we passed another GI bill. Both of these bills were tremendously successful. Then on March 3, 1966, Congress passed the third generation GI educational bill. These are all major bills—all designed to provide millions of veterans, widows, and orphans an education and an earning capacity far greater than the average individual.

Mr. Speaker, during a visit to Vietnam in January 1966, I met with General Westmoreland. I talked with many servicemen from General Westmoreland to privates in the ranks serving in all branches of our military. Every place I visited—Danang, Pleiku, Saigon, Nha Trang, and others—the question was always asked whether Congress was going to pass a GI education bill. When I returned from my visit there, I cosponsored the cold war GI education bill, providing assistance for those who served since January 1955. The passage of that bill was a tremendous boost to the morale of our servicemen. It will benefit millions in years to come. It has been estimated that it cost the Federal Government approximately $19 billion for the World War II GI bill; at the same time, estimates are that the tax return to the U.S. Treasury will double that amount due to the increased earning capacity of those who continued their education.

This bill will affect more than 750,000 persons. Each month over 70,000 veterans are discharged from active service. All

of them will be eligible for these increased educational benefits. This bill will raise the allowance for a single veteran going to school full time from $130 to $165 per month; from $155 to $197 monthly for a veteran with one dependent, and from $175 to $222 for a veteran with two dependents.

ABM AND THE CHANCES FOR PEACE

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. HALPERN. Mr. Speaker, the narrow margin with which the Senate approved the Safeguard ABM system increases our responsibility for thorough study of that measure.

In my investigation of this matter, I have discovered a cogent treatise by Mr. Bill Wickersham, founder and president of the Missouri Peace Study Institute. I met him when he joined 25 other concerned citizens to form the Peace Act Advisory Council last May.

The purpose of this council is to promote public education and support for the Peace Act bill—H.R. 6501—which I introduced last February with over 60 cosponsors.

In order to share Mr. Wickersham's views with other Members, I insert them in the RECORD at this point:

HYDROGEN BOMBS IN MID-MISSOURI

(By Bill Wickersham)

In recent months much publicity has been directed toward the proposed Safeguard anti-ballistic missile system and the very critical issue of whether to scrap it, delay it, or deploy it. It is probably one of the most crucial decisions in history, in that it could be the technological straw which breaks the world's back. The acceptance of ABM by the Congress could very easily be the turning point in the escalation and development of super weaponry systems which will bring an end to civilization as we know it.

We in Mid-Missouri are much more involved with nuclear weapons than many people seem to realize, and we will definitely be affected by ABM, since a portion of the Safeguard system will be located in the area of Sedalia, Missouri, home of Whiteman Air Force Base and home of the 351st Strategic Missile Wing.

The U.S. now has enough nuclear weapons to easily kill 120 million Russians in a day's time. A sizeable portion of those weapons (Minuteman Missiles) are located near Columbia, and are dispersed in underground silos throughout 14 counties of Missouri.

According to the Official Manual of the State of Missouri (1967–68): "Whiteman Air Force Base itself covers 3,384 acres with the entire missile complex spanning 15,678 square miles in 14 west central Missouri counties: Saline, Lafayette, Cooper, Moniteau, Pettis, Henry, Bates, St. Clair, Cedar, Vernon, Johnson, Cass, Morgan, and Benton.

Each of the missiles which is located near a cornfield or other relatively open area, houses a one megaton hydrogen war-head which contains fifty times the potential destructive power of the A-bombs dropped on Hiroshima and Nagasaki.

From the top side, the missile sites, which resemble small parking lots enclosed by low level cyclone fences, appear to be quite harmless. The truth is that within 25 miles of Jesse Hall, in a silo near Boonville, Missouri, is a weapon which is designed to reach a target in Russia or some other country within one half hour. When it reaches its target, it will kill thousands of innocent men, women, and children.

The moral and ethical question which the people of Columbia, Sedalia, Clinton, Marshall, Higginsville, California, Versailles, Warsaw, Butler, Nevada, and many other Missouri towns have to ask is: Are there any conditions under which we are willing to sanction the deaths of 120 million people on a given day?

This is a question which all the religious groups in the above named towns should be asking themselves. The various Christian denominations should ask themselves what they think Jesus would have said about their approval of such obscenities.

If one is *not* willing to answer yes to the deaths of 120 million people under *any* conditions, then he (as the writer does) should disavow our "threat capability" and intention to use the Minuteman strategic weapons.

If one answers the question "only if the Russians use them on us first, then he simply wants revenge. A Mid-Missourian won't be around to be aware of his revenge if the Russians strike first because we live in a "prime target area" and will be the first to die if there is a nuclear war. And if we should deploy Safeguard ABMS and do prevent incoming Russian missiles from destroying our "second strike" Minuteman missiles, then the chances are that the radioactive fallout emitted by our own ABM will rain down upon the towns of Missouri, leaving our soil and water unfit for agricultural production.

If one answers yes to the deaths of 120 million people in a day's time, then he can hardly consider himself either a humanist or a truly religious person, since such excessive killing and suicide far outstrip the criteria put forth by even the most hawkish of the "moral war" and "just war" theologians.

When the ABM hearings were held in Boston, Chicago, and other cities, many of the urbanites who opposed ABM were extremely concerned about the possibility of having a two megaton H-bomb in their backyards. Missourians cannot really offer that point in argument against ABMs because we already have enough nuclear energy in our backyards to blow up a big chunk of mankind.

Our main argument against putting an ABM in Sedalia is that the "Safeguard," which most people in the independent (non-governmental) scientific community say is unworkable, is just one more manifestation of insane technical barbarism which will seriously disturb the so-called nuclear balance of terror, increase the upward spiral of the world's weaponry race, and simultaneously feather the nests of the arms merchants.

People who raise questions about nuclear weapons and their disastrous potential are sometimes said to be afflicted with the disease known as nucleomitaphobia (the irrational fear of death by nuclear weapons). Neucleomitaphobia should come easy for any Mid-Missourian.

It should be remembered that man has seldom had machines which didn't eventually make mistakes, and there is no reason to believe that our present weaponry systems will not make mistakes. In three separate tests of Montana based Minuteman missiles, the missiles failed to operate properly.

Dr. Kurt Hohenemser, Professor of Aero-Space Engineering at Washington University, St. Louis, estimates that 20 to 30 per cent of our Missouri missiles will not function properly. Dr. Hohenemser does not predict the nature of the failure, but it is not difficult to imagine Minutemen misfiring, going off target, exploding, or failing to launch.

Most of the weapons experts assure us signers have worked hard to insure that our that our system is virtually fool-proof. Deweapons control devices are as effective as humanly possible, and as Dr. Donald Inglis says, "they must be good, for the record is excellent. It happens to be perfect." Dr. Inglis, senior physicist at Argonne National Laboratory, also points out that: "We don't hear much about near accidents, but in the case of one H-bomb dropped accidently in North Carolina in 1961, it was reported that five of the six safety devices had failed. There were six, and the bomb was 'unarmed' so there was no detonation."

Another basis for rational fear of nuclear weapons is that man has always used his major inventions. Yet this writer, through a series of interviews with Mid-Missourians, has found that many people feel that no one would ever *really* use nuclear weapons.

In the October 16, 1968, Columbia Missourian, James Kilpatrick quoted General Curtis Le May, former head of the Joint Chiefs of Staff, as saying: "If I found it necessary I would use anything that we could dream up, including nuclear weapons—if it was necessary. . . . My desire is not to use any weapons. But once the time comes that you have to fight, I would use any weapon that we have in the arsenal that is necessary."

In the same article Mr. Kilpatrick went on to say: "If the United States is not prepared to use nuclear weapons, as a last resort, in a fight for survival itself, why do we have a fleet of 40 Polaris submarines patrolling the ocean floor? Why do we have a stockpile of hydrogen bombs and nuclear weapons? Why does research continue on fantastic new techniques for delivering multiple warheads? Is the whole thing a multi-billion dollar bluff, having no national will behind it?"

Mr. Kilpatrick agrees with General LeMay that if nuclear weapons are never to be used under any circumstances, then "we might as well bury them under Ft. Knox with the gold." Kilpatrick also feels that Americans have developed a phobia on the subject of nuclear weapons and "resolutely refuse to think upon such things."

This writer agrees that many, in fact most, Americans refuse to give much thought to the weaponry problem. The sad fact is that many active conservatives, liberals and radicals who are very alert on other pressing social problems refuse to consider the nuclear symptoms of the largest of all problems—war. If a solution to war is not found, the solutions to the other problems will not have a chance to materialize.

Any student, educator, scientist, businessman, or other citizen who fails to comprehend the obscenity of a world without law which is loaded to the teeth with suicidal weapons, will make no contribution to his own or the world's survival.

Any academic institution which fails to direct major attention and substantial resources for research, teaching, and extension efforts aimed at war elimination is guilty of irrelevance and lacks a sound educational philosophy.

As Norman Cousins says: "The biggest lesson to be learned about contemporary civilization is that nothing anyone is doing today makes any sense unless it is connected to the making of a genuine peace."

HOUSE PUTS OFFICE OF EDUCATION ON ALERT

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. EDWARDS of Alabama. Mr. Speaker, as one who vigorously supported the Whitten amendment to the

HEW appropriations bill, I think it is appropriate to call to the attention of the Members of the House the following column of James J. Kilpatrick entitled "House Puts Office of Education on Alert," which appeared in the Evening Star, Tuesday, August 12, 1969. I also hope the Secretary of Health, Education, and Welfare and the U.S. Commissioner of Education read this column and take it to heart.

The column follows:

HOUSE PUTS OFFICE OF EDUCATION ON ALERT

(By James J. Kilpatrick)

The House of Representatives put in a good day's work a couple of weeks ago, when members insisted upon retaining the "Whitten amendments" dealing with federal aid to education. The Senate may nullify the gesture, as it did a year ago, but the gesture is worth making anyhow.

The two sections inserted in the bill by Mississippi's Jamie Whitten are not phrased with pure felicity, but their meaning is tolerably clear: "No part of the funds contained in this act may be used to force busing of students, the abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent."

When this identical language was inserted in the aid-to-education appropriation bill of 1968, the Senate watered it down by adding "in order to overcome racial imbalance." The Commissioner of Education said his office could live with that, since—heh, heh—their object wasn't to overcome racial imbalance, but to achieve desegregation, and these were two different things.

Doubtless an effort will be made in the Senate to repeat the process this time. Some of us who have followed the Office of Education over the years will hope that the effort fails. It would be a salutary thing to see the language preserved intact.

After all, what's so wrong with the Whitten restrictions? Opponents charged in floor debate that Whitten's provisions were dangerous, disastrous, obnoxious, and iniquitous—calculated to crush civil rights, rape the Constitution, violate the Bill of Rights, and trample upon the conscience and dignity of man. It was freely predicted that if the language were accepted, the South would return to segregation, degradation and slavery through the device of "freedom of choice," and opponents appealed to heaven to forfend so cruel a betrayal.

This was mostly hot air. Nothing in the Whitten amendment would prevent federal courts from interpreting the Constitution and the Civil Rights Act of 1964 as they please. Nothing would prevent school boards from voluntarily adopting desegregation plans that might include the busing of children, the abandonment of schools, or the transfer of students with parental consent.

What the Whitten amendment might accomplish, however, is this: It might put the Office of Education on notice, through its new commissioner, James E. Allen, Jr., that the Congress and the country are fed to the teeth with the doctrinaire methods that have been employed to achieve racial integration as the be-all and end-all of federal aid to education.

Dr. Allen ought to understand this growing resentment and concern. In the days before he came on the scene, agents of the commissioner's office were roaming the South in the fashion of Reconstruction proconsuls. Many of them were quite young and utterly inexperienced. They often were arrogant beyond belief. They had packed their carpetbags with guidelines, theories, and threats to cut off the federal money. "Do as we say!" they demanded; and flew grandly back to Washington.

In their furious orders to shift pupils here, combine schools there, assign black teachers to these classrooms and white teachers to those, no place remained for compassion or for common sense. The children became faceless ciphers. Integrate! That was the overriding goal, and if the quality of education suffered, so what?

Whitten's amendments may not survive; but Dr. Allen would have to have a heart of stone not to be touched by last week's appeal from Negro parents in Charlotte, N.C. Their 4,200 children are about to be bused like cattle out to the suburbs. Seven old and well-loved schools are to be closed altogether. They foresee total disruption of their lives—and for what? For artificial integration, imposed by court decree pursuant to federal guidelines. It is this brutal management of people's lives that Whitten seeks to prevent. He ought to be encouraged.

THE COMING BATTLE FOR NATIONAL HEALTH INSURANCE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. ROSENTHAL. Mr. Speaker, there is ample and well-documented evidence from the basic medical care indexes like infant mortality, maternal mortality, and life expectancy, that the United States is not delivering good medical care to many citizens. Compared to other developed countries which are not nearly as wealthy, our country has so far failed to build an effective delivery system for the superb medical knowledge we possess.

An equally disturbing message comes from an analysis of medical care costs. Doctors' fees and hospitalization have been inflated by Federal medical programs like medicare and medicaid. The limited Federal involvement in these problems has, so far, had a negative effect. Further, Americans spend more—as a percentage of our gross national product—and get poorer medical care in return, than comparable developed countries.

This fiscal comparison, and many other aspects of our serious medical care problem, are examined in Bert Seidman's excellent article "The Coming Battle for National Health Insurance" in the June 1969 issue of Social Service Outlook.

Mr. Seidman's excellent credentials as an experienced observer of national medical problems make this an authoritative article. His present position as director of the AFL–CIO Department of Social Security gives him good insights in the growing concern of middle-income wage earners that something better must be done for medical care. His article follows:

THE COMING BATTLE FOR NATIONAL HEALTH INSURANCE

(By Bert Seidman)

Renewed interest in a universal and comprehensive health insurance program has been gathering momentum in the last few years as the rapid rise in medical costs has made it increasingly difficult for people to pay their health bills.

There is increasing evidence also that special programs for the poor, including Medicaid and the neighborhood health centers of the Office of Economic Opportunity, are not meeting the need. And although federal and state governments are literally "pouring" billions of dollars into many different health programs, there is no appreciable impact on the efficiency with which health services are delivered.

Since 1938, both the AFL and the CIO repeatedly endorsed a national health insurance program for all the American people. The 1955 merger convention, in its resolution on health programs, called upon Congress to enact:

"A national health insurance system which would make complete prepaid health protection available to all Americans, with contributions geared to income; assure high quality medical services, facilities and personnel in expanding quantity and quality; and at the same time provide free choice of doctors and patients, with control of medical decisions in the hands of the medical profession."

In 1957, the AFL-CIO reaffirmed the 1955 convention action as the continuing position of the federation. At its February 1967 meeting, the AFL-CIO Executive Council again called on Congress to enact a program of national health insurance embodying the principles of universal coverage; comprehensive benefits; adequate financing; and assurance of high quality services. This action was underscored by a comprehensive resolution adopted at the AFL-CIO convention in December 1967.

Support for national health insurance has waxed and waned in this country, but at least three times since World War I it was strong enough so that its establishment was under active consideration.

A universal compulsory system of medical care insurance was first advocated in the United States before World War I. This early movement covered the years 1910 to 1920. Significantly, this initiative had the support of the American Medical Association. Professional opposition soon developed, however, and at the annual meeting of the AMA in New Orleans in 1920, the House of Delegates established a basic policy which has not been revised to the present day. This is what the AMA said nearly 50 years ago:

"The American Medical Association declares its opposition to the institution of any plan embodying the system of compulsory insurance against illness, or other plan of compulsory insurance which provides for medical service to be rendered contributors or their dependents, provided, controlled or regulated by any state or federal government."

In 1925 and 1926, a number of conferences were held which were called to formulate plans for a study of the structure of medical services in the United States. As a result of those conferences, the Committee on Costs of Medical Care (CCMC) was established, financed by six foundations. The final report of the Committee was published in 1932. Battle lines were quickly drawn. The majority of the members of the Committee were of the opinion that "medical service, both preventive and therapeutic should be furnished largely by organized groups of physicians, dentists, nurses, pharmacists and other associated personnel" and that "the costs of medical care be placed on a group payment basis" through the use of insurance, taxation or both. The minority report, which was supported by the AMA, objected to the proposal for group practice and the adoption of insurance plans unless sponsored and controlled by organized medicine.

Following the report of the CCMC, a serious movement began for enactment of a national health insurance program. Originally, it was to have been part of the Social Security Act which was passed in

1935. Apparently for tactical reasons, it was left out. Later, Senator Wagner introduced his first National Health Insurance bill in 1939 with the Roosevelt Administration's blessing. The first Wagner-Murray-Dingell bill was introduced in 1943 and subsequently reintroduced in 1945, 1947 and 1949. Despite considerable interest and support, the bill never passed either house of Congress.

MEDICARE EVOLVED

We all know what happened then. Despairing of the likelihood that universal national health insurance could be enacted in the foreseeable future, organized labor and other supporters made a tactical retreat. It was then that the long, successful fight began for Medicare which now provides health insurance for 20 million elderly Americans. I hope that the Congress will extend Medicare to the disabled and eventually to other social security beneficiaries. In this way, health insurance under federal auspices may gradually cover more and more of the population.

But there is an easier way of doing it and that is to recognize that America needs now a national health insurance system with universal coverage.

What would be the main features of a national health insurance program for the 1970's? First, let me clear up one possible misconception right away. By national health insurance, we do not propose a government-operated health system as, for example in Great Britain. Rather, it would be a financial mechanism to pay for the costs of medical care for all people much like the present Medicare program for the elderly. A national health insurance program would not "interfer" with the clinical practice of medicine. Benefits under the program would be broad and should cover hospitalization, physician services in the office, home and hospital care, extended care as well as custodial care in nursing homes, home health services, outpatient and inpatient psychiatric services, eye examinations and prescriptions. Preventive health services such as physical examinations would be covered for members of comprehensive group practice prepayment plans or in community multi-phasic diagnostic centers for those beneficiaries who prefer to receive benefits from a physician on a fee-for-service basis.

We would propose universal coverage, including not only the working population and their families but also the unemployed, students in school and those on public assistance. Rather than a separate program for the poor such as Medicaid, all citizens would be covered on an equal basis, thereby implementing the concept of health as a basic human right.

THREE-WAY FINANCING PROPOSED

Coverage of those on public assistance and the unemployed naturally implies federal participation from general revenues. We, therefore, feel the program should be financed on a tripartite basis under social security, probably with the employer paying one-third, the employee paying one-third and the Federal Government participating by paying one-third from general revenues.

Physicians would be given a choice of practicing fulltime under the system or combining care of patients paid for by the system with care of those who prefer to pay for their care privately or of continuing to practice fulltime outside the system. But since most people would get their care under the system, care of patients under national health insurance would constitute the bulk of most physicians' practice. Whether caring for prepaid patients or for others, physicians would be free, as they are now, to practice alone or as members of a group. Physicians would also be free to choose to be paid by fee-for-service or by capitation, that is, periodic payments for each individual or family covering total health care. Capitation payments would be payable for physician services or for entire health delivery systems, such as Kaiser or other group health plans which undertake a total responsibility for delivering comprehensive care.

Patients should have not just free choice of physicians but also free choice of health delivery systems. The government should not "freeze in" either the fee-for-service system or a capitation system. Rather, the national health insurance program should allow maximum flexibility in methods of paying for services so that innovations and experiments designed to develop new ways of delivering health care would be encouraged.

Since the trade union movement believes in competition, we think the interests of the American people would best be served by stimulating competition between health delivery systems. We also think that fee-for-service entrepreneurial medicine cannot, by its very nature, ever be efficient and would in time lose out to an organized system.

No one should get the idea that the AFL-CIO would favor a completely laissez-faire system under national health insurance. Frankly, we would not. Some of the trials and tribulations we have experienced under Medicare and some of the mistakes other countries have made under their national health insurance programs could be and should be avoided under a national health insurance program. We would not tolerate sky's-the-limit doctor fees and we would insist on both controls and incentives for moderating hospital charges. We would also want to institute some type of negotiation of physician fee schedules and hospital charges instead of present arrangements which largely permit providers to determine their own compensation. Moreover, we would do everything possible to provide appropriate incentives to improve quality, enhance efficiency and reduce the cost of medical care.

These are the bare bones of a national health insurance program for the American people. There remain a number of questions: How much such a program would cost? Can we afford it? Are there enough hospital beds? Enough physicians? Enough health manpower? These are indeed legitimate questions.

First, there is no doubt that if the unregulated fee-for-service, entrepreneurial system of delivering health care is to remain sacrosanct, then we may as well resign ourselves to inefficient, costly, fragmented and ineffective health care of inferior quality. But national health insurance, by providing financing for across-the-board health care, will help to move us away from predominant reliance on fee-for-service.

Total U.S. health expenditures in 1968 were over $50 billion, 6.3 percent of the Gross National Product. This is more, not just in dollars but as a proportion of the total economy, than for any other country in the world. Great Britain, with its National Health Service which provides a scope of health services as broad as proposed in this article, spends less than 5 percent. Most other western countries have national health programs covering substantially all of their citizens. Yet they all spend less than we do as a percentage of their Gross National Product. On the basis of what we are now spending, the United States has ample resources to underwrite a national health insurance system covering the benefits outlined with the proviso that something will be done to begin to rationalize the health delivery system in this country.

ENOUGH HOSPITAL BEDS?

Next, let us examine the question of hospital beds. We have 3.9 hospital beds per 1,000 population. However, about one-third of these should be modernized to conform to minimium federal standards. The Division of Hospital and Medical Facilities of the Department of Health, Education, and Welfare estimates an additional 75,000 beds are needed under our unorganized system of delivering hospital services.

But it is conceivable that, with a more rational medical care system, we might now have too many beds! The fact that the group practice prepayment plans have but one-half the rate of hospital bed utilization as under conventional fee-for-service has been well documented. For both federal employes and for employes of the State of California, the number of hospital days per thousand enrolled under the group practice prepayment plans, as compared to those enrolled under Blue Cross and under commercial indemnity insurance for federal employes, was as follows for the contract year ending December 31, 1965: Blue Cross, 990; Commercial Insurance, 1,006; Group Practice Plans, 475.

The group practice prepayment plans used to use as a rule of thumb that two beds were required for every 1,000 subscribers. Now, as a result of experience they are planning on the basis of 1.7 to 1.8 beds per 1,000. This is less than half our present ratio. The backlog need for modernization of hospitals under the present "non-system" is estimated to be $20 billion. Under an organized system of health care, most of these obsolete hospitals could be simply torn down.

PHYSICIANS ENOUGH NOW?

Now, just one more jolt. Under a rational system of health care, we might even now have enough physicians!

Prepaid group practice plans also make physicians' services more efficient so that fewer of them are needed in relation to the patient population. Kaiser Portland has one physician for every 1,500 subscribers. Group Health Cooperative of Puget Sound has one physician for every 1,200 subscribers. The East Nassau clinic of the Health Insurance Plan of Greater New York has one physician for every 1,100 subscribers. Kaiser of Northern and Southern California likewise have one physician per 1,100 subscribers.

These ratios are for plans which have a fulltime medical staff. Let us be conservative. Let us assume that one physician per 1,000 population is needed. With about 200 million population, we would need 200,000 physicians. We have slightly over 300,000 doctors but, of course, many of them are in government, in fulltime teaching and research in our medical schools and some are retired.

It is estimated that there are 233,000 "patient seeing" physicians in the United States—more than we would need if health services were rationalized in this country!

With regard to nurses, dentists, psychiatrists and many categories of allied health personnel, we do need more health manpower but, except for psychiatrists, the training period is not as long as for physicians.

In order to implement a national health insurance program in the United States, we would propose a double attack. We realize, of course, that group practice prepayment plans will not become the predominant form of medical practice for many years to come—perhaps never. To solve our facility and manpower problems, we should support federal programs to meet these needs under our present "non-system" while at the same time federal funds should be provided to encourage large-scale development of new group practice prepayment plans in order to reduce our future requirements. At some time in the future, our increased supply of facility and manpower resources will converge with a gradually decreasing need for such resources as the health delivery system becomes more rational.

THE COST?

Now, let's talk about money. Can we afford national health insurance? For the fiscal year ending June 30, 1967, total expenditures for personal health services in the United States totaled $41.5 billion or 5.4 percent of the Gross National Product. This

excludes expenditures for health facility constructions, medical research and other items not associated with personal health care. While a national health insurance program would certainly result in an increase in personal health services, assuming we can make some headway in rationalizing our delivery system I believe we could finance such a program providing more comprehensive and higher quality health services to the American people for no more and perhaps less than we are now spending for personal health services.

Moreover, a national health insurance plan as broad as the one outlined would not have cost $41.5 billion in fiscal 1967 because there are some items of personal health expenditures included in the total figures that would not be covered, such as over-the-counter non-prescription drugs.

The more comprehensive group practice prepayment plans cover about 75 to 80 percent of the personal health expenditures of the subscribers and their benefits are roughly comparable to those outlined. Granted that such a comparison is rough, it would seem that an 80 percent coverage factor for a comprehensive national health insurance program should be reasonable. Eighty percent of $41.5 billion is approximately $33 billion.

With tripartite financing, this comes to an annual contribution of about $11 billion each by employes, employers and from general revenues. Now, in fiscal 1967, total public expenditures—federal, state and local—for personal health services came to $12.6 billion, of which $7.8 billion were federal. If the appropriate adjustments are made to take account of the fact that public expenditures included Medicare payments partly financed by employer-employe contributions, federal expenditures out of general revenue combined with state and local expenditures for personal health services approximated $11 billion. So the one-third government contribution for national health insurance would be less than what government is now paying for inadequate health care.

Labor is particularly interested in what the financial impact of national health insurance would be on workers. Health plans negotiated by unions under collective bargaining seldom meet more than 50 percent of the health expenditures of workers and their families. In addition, workers pay on the average one-seventh of the cost of their private health insurance. This means that workers today are paying for nearly two-thirds of their total health care costs. Under national health insurance, they would pay one-third in contributions plus 20 percent out-of-pocket or a total of 53 percent. But this would be for comprehensive across-the-board health care instead of the fragmented partial services they can afford today.

NO TAX INCREASE SEEN

From these facts, we conclude that a national health insurance program could now, or in the near future, be financed without increasing taxes and with most workers paying less for health care than they do today.

The time is now ripe to again make a determined effort to enact national health insurance. This is why the last AFL–CIO convention unanimously reaffirmed organized labor's longstanding support for national health insurance. And we resolved that organized labor should take the initiative to unite with other progressively minded groups in the nation in devising and promoting a medically advanced and economically sound program of national health insurance.

With the health services national health insurance would make possible, America could have the best medical care in the world. This is a goal worth striving for. It is time to bring the wonders of modern medicine to all the American people. It is time for national health insurance.

CURRENT PROBLEMS IN THE UNIVERSITY

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. ICHORD. Mr. Speaker, Mr. F. V. Pohle, professor of mathematics and chairman, department of mathematics, Adelphi University, Garden City, N.Y., recently furnished me a copy of his paper entitled "Current Problems in the University." Professor Pohle is among those faculty members who object bitterly to the trends now in existence on many of our campuses and are trying to do something about them. Since the Members of the House have a strong interest in campus problems, I feel that they may wish to know about faculty viewpoints which, though they exist, have not been given too much publicity.

Obviously, no person would agree with each and every conclusion and recommendation of Professor Pohle, but in balance, I believe, his paper is one of the most accurate analysis of campus problems I have had the opportunity to review. I agree most strongly with his conclusion that universities should be run by competent and expert educators who are working with the Nation's most important resources—its youth. I insert Professor Phole's paper in full in the Extensions of Remarks, as follows:

CURRENT PROBLEMS IN THE UNIVERSITY

INTRODUCTION

You may wonder why I,[1] as a mathematician, have sought out every opportunity to address off-campus groups about problems in the university. My answer is that it is no longer possible to solve the problems of the university through discussions and acts on the campuses alone. The universities are virtually unable to govern themselves, as the events of the spring of 1969 have demonstrated over and over again. It is my conviction that the university can only be rescued by informed parents and the public at large, acting through their legislators.

The universities have been damaged and are threatened with greater damage in the near future. To avoid this calamity it will be necessary for the public to be much better informed than it has been on the nature of the problems the universities face. In addition to outlining some of the problems, I have suggested some possible remedies, so that constructive discussions can take place before new legislation is enacted.

For years university faculties and students have judged society and have found it wanting. Such criticisms, from whatever source, must be freely expressed.

But it is also time now for society to judge the university, its morality, its acts, and its shortcomings. That judgment, in my opinion, will be a harsh one.

I have taught full-time for 6 years at New York University (at the College of Liberal Arts, and in the College of Engineering), 10 years at the Polytechnic Institute of Brooklyn, and am in my 9th year at Adelphi University. I served in the U.S. Navy for 3 years during the second world war.

During my university work I have served on faculty senates, personnel committees, curriculum committees, accreditation committees, and also served for more than a year recently on a screening committee for the selection of a president of Adelphi.

In addition to this experience I have close colleagues and former students at Cornell, Queens College, City College in New York, Berkeley, Stanford, Columbia, MIT, Harvard, and New York University. As a result of this experience it is my conviction that newspaper accounts have been grossly inaccurate and misleading as to the actual nature of the problems of the university today and that many spokesmen for the universities have been not less misleading.

These spokesmen have tried to divert the attention of the public so that donors, faculty and students will not be offended and that, in effect, the campus can continue "business as usual". They have made ringing statements (Perkins, Cornell) on Monday in defense of academic freedom and on Wednesday are smilingly photographed on the front page of the New York Times next to the gun-carrying hoodlum and the local SDS leader. And they have made strong statements (Hessburgh, Notre Dame) on Monday on campus disruptions and on Wednesday have issued statements that we should thank God for our rebellious students. But they have not been candid in explaining to the public what could be done to restore sanity to the campus—other than to do nothing.

The faculty, along with a fanatically indoctrinated minority of the students, must take the greatest share of the blame. Among *all* components which can be involved with the university (president, faculty, students, administration, trustees, alumni, parents, courts, newspapers, police) it is likely that when future studies are made of these agonizing days, they will show that there was one group with the least to be criticized for: *the police.*

The faculty have either been indifferent or have not rallied to the side of rationality in time for effective countermeasures to be taken. Some faculty have protested and have tried to restore sanity but it must be noted too that a number of fanatical faculty members (usually but not always concentrated in the departments of sociology, anthropology, political science, social work, and some of the humanities) have been busy urging the students to greater and greater demands.

These groups know that they have now evolved a working formula for success and they will continue to use it until they have brought the university to its knees on their terms. A minority of students have agreed with this program.

The administration has been all but powerless as a result of its own ineptness combined with faculty opposition to them. The trustees have gone along with the president, who all too often is essentially powerless without the backing of the faculty; the alumni have not taken a stand in time and parents have been perplexed, neutral, or enraged, all without effect. The courts have often been lenient or have even condoned too many acts even though there is some hope that the courts will now take a firmer stand. The newspapers have been hunting headlines for the most part and have not given a coherent account of the situation.

Finally, the police have been made into the main villains in a drama carefully rehearsed on many campuses: the refrain is always the same that *the police are the enemy,* that the campus is above the law, and that an administration which calls upon the police is without morality.

SOME MORAL JUDGMENTS OF THE UNIVERSITY

Just as the war in Viet-Nam, and domestic issues, are viewed in uncompromising terms on the campuses, so let us apply the same standards to the university on the first issue and on some related issue. The argument which could be made might run as follows.

The opposition to the Viet-Nam war has

[1] F. V. Pohle, Professor of Mathematics and Chairman, Department of Mathematics, Adelphi University, Garden City, New York.

been carried out with such fanaticism as to undermine the will of the nation, and hence to prolong the war and to kill additional thousands on both sides and desperately compromise the ability of the United States to function in foreign or domestic affairs. Somehow moral judgments against Hanoi always seem to be totally lacking. The fanatics consider the withdrawal of Johnson from the presidential race last year as their supreme triumph, and the sign of even more power to come.

Therefore the university dissidents can justifiably be charged with the deliberate prolongation of the war and in making a reasonable peace all but impossible. I merely state this argument as a possible one to make against the university. It is entirely possible for the university to be accused, in the future, of a "stab in the back" to the nation. Society, in a state of crisis, could easily make such charges and they would have a great deal of validity. That matters would assuredly not be that simple may turn out to be irrelevant; the universities, having entered politics, cannot be expected to be immune from counter-attack.

Life on the campus is a good area for moral judgments to be made. Many of my colleagues would merely sneer at this and try to shame the listener into feeling that "more important" issues should be discussed instead. Yet I am sure that parents and the general public cannot and will not take such a casual attitude on questions of morality and the quality of life on or near the campus.

I refer to the issues of drugs, sex, and obscenity.

In the case of drugs, their use has either been condoned or ignored, and little effort has been made to make clear to our students that the campus is not a drug center or a rehabilitation center and will not become either one. Administrators have too often either turned away from the issues or have informed the students of impending police actions. Thus some faculty members and administrators have become accomplices to illegal and degrading acts. In addition, some faculty have openly advocated the use of drugs.

In the matter of sex, the tendency has been to run away from any and all moral judgments. The result has been the predictable one of setting up academic red-light districts which go under the name of co-ed dorms. Again, this is done under the wholly incorrect assumption that students can now set up their own life-style, and brutalize those who do not wish their privacy destroyed. We are expected to accept this as the highest revelation of inspired morality, but it amounts to the demand for society to subsidize its own destruction and to become a partner to something which it has never accepted. The faculty need not accept, on its own campuses, such arrangements, yet they have accepted this in a terrified state, always unable to hold out any guidance to any student.

Verbal and psychological assaults continue in lectures, and there is a pattern of dehumanization which the faculty has either tolerated, ignored, or at times initiated. If some immature faculty have this freedom, society can demand open disclosure too, and this is just what I intend to do at every opportunity. Why should society pay many thousands of dollars for an education which includes the enforced brutalization of a generation.

We will soon have, not the most moral generation, but the most brain-washed generation in our history, and a maimed one at that. Some professors may believe that the essence of present-day education is the introduction of material on oral-genital stimulation into their talks, but if parents now object and insist upon removal of their children with full re-payment of all tuition, I for one would support their complaint.

The issue of obscenity is no dream on the part of the public: too many campus publications could not, for their filth, perversion and obscenity, be allowed in the library or the home. The morally fanatic reply is that *something else* is the real obscenity, and how could a word, anyway, hurt anyone? However, we know from the Nazi experience how words can not only corrupt the language but also the spirit of a nation as well. Many college newspapers are deliberately brutalizing in their language, knowing full well that such dehumanization is needed for later violent actions. The faculty response to this has too often been silent agreement, abdication, toleration, indifference, or down-right encouragement—all in the name that, somehow or other, this is not evil, but the rest of the world *is* evil.

The list could be extended. It would show that the universities have not only criticized external evils but are guilty of a long list of self-created internal ones.

The obscenity and the degradation have been *exported from the campus*, and not (by and large) imported into it. It is therefore time for society to hold the university accountable for its acts, and to expose its moral shortcomings—and to impose some restraints. Specifically it is time for society to insist that

(1) Co-ed dormitories be banned.

(2) The faculty and administration acknowledge the seriousness of the drug problem and that the campus is not a rehabilitation center. Expulsions of both faculty and students are called for. The human destruction must be stopped and the administration can no longer ignore the needs of society and must stop all cooperation with the students against the police. The faculty is *not* above the law, and the university is *not* a privileged sanctuary, with a self-created higher morality of its own.

(3) Student publications, if found to be obscene, will have to be suspended by the faculty. It is not necessary for the faculty to tolerate this state of affairs and it will not do for the faculty to insist that, after all, obscenity cannot be defined to the satisfaction of everyone.

PARALLELS WITH NAZISM

The similarities between the actions in the German universities 35 years ago and present situations in the United States have often been commented upon. If the circumstances are not entirely analogous (and they are not) they are at least similar or parallel.

The young post World War I German generation under Hitler was indoctrinated as few generations have ever been indoctrinated. Over and over again they were told that:

"*You* are not the miserably immoral and corrupt generation which lost the great war! *You* did not stab this nation in the back! You are the first moral generation that the Fatherland has produced and with your moral courage and energy we will, together, build a New Order and a new nation to last 1000 years! Your absolute moral judgment will tell you what laws to obey in this rotten and corrupt society, a society which must first be destroyed before the New Order can take over!"

Now this is precisely what is preached to our young students, in modern terminology, in countless classes throughout the country, day in and day out, without adequate discussion, and to the point where many students are now acting upon the indoctrination they have received—justifying all acts on the basis of a moral fanaticism which is their weapon and their defense to all counterarguments. It is this type of immorality which has now been presented to us as the greatest morality of all. Ultimately, of course, the young Nazis also acted on the basis of their beliefs. If the situation in the United States is not yet the German one, it still has far too many similarities for any of us to expect the campuses to solve the problems with their present organization.

GOVERNANCE OF THE UNIVERSITY

The universities, nation-wide, must be subject to a uniform code of governance. The screams, too, will be nation-wide, but as the sequel will show, all this will demand of the faculty is that they assume the obligations society has the right to expect of them.

We note two facts: (1) the universities *are* subject to law and society can impose such codes of governance through legislation, boards of regents, accreditation agencies, and so on; (2) In the past many organizations (specifically and by way of example, the railroads, Wall Street, the banks) have mistakenly felt that their self-interest was either identical with that of the nation or even superior to it. They were wrong. Society *did* impose restraints upon their activities and wrote laws for their proper governance—and for the benefit of their activities and of society too.

The universities, in their supreme arrogance, must also learn the same lesson. Since their role in our life is so vital, society cannot accept the destruction of the university, either by internal fanatics or by uninformed and misguided outsiders. Although the present threat to academic freedom comes primarily from student fanatics and their faculty allies (and is internal), we must also see to it that this threat is treated just as seriously as an external one would be treated.

How? This is a question of governance: that is, the power to run and direct the university. It is this aspect which must be clarified and it must be based upon some clearly stated principles.

The first principle is that the students *cannot* run the university and that the favorite words "meaningful participation" cannot mean voting as equals with the faculty in the running of the university. Student opinions and suggestions must indeed—and always have been—sought by responsive faculty members and administrators. But this does not imply a voting voice for the following reasons:

(1) *The students do not have the competence of the faculty members and the university cannot be run except by equally competent people.* If the country is now willing to pay $15,000 and often much more per year for senior faculty, we also must expect such faculty to do their important work and not assume that a vastly less qualified (and unpaid) student member is now his equal.

(2) *The Students have no professional responsibility for their acts. I do.* As a mathematician and also as a chairman of a department I have responsibilities to my university at times of accreditation, and at other times, when the state asks me for information and for evidence of complying with existing laws. Also there is no continuity in the student membership and each year another equally unqualified member would have to get on-the-job training to do what he never came to the university to do.

(3) *There is a direct conflict of interest in having voting students on standing committees, Boards of Trustees, and so on.* We see this most acutely on discipline committees where students can in effect judge themselves. Even if such students would take a harsh stand against the disrupters, the fact is that the students cannot be the judges of their own actions and this is of course well known by the activists and has made it all but impossible to enforce discipline on the campuses. There are enough weak-willed faculty members on such committees without adding students to it to make the work virtually impossible.

The remarks just made also point to some rational acts to take to restore proper governance to the university:

(1) *All* standing committees of the faculty must have a majority (say 60%) of *tenured* (senior) faculty and no voting students or members present other than committee mem-

bers when the final deliberations take place. Consultation with students should not be taken to mean direct voting participation or the presence of students in the committee room, since in that case the usual coercive emotional atmosphere can be generated to make rational actions impossible.

(2) *No members of the Board of Trustees should be appointed who have not had at least 10 years of experience after the granting of the BA degree:* they need this time to gain the minimum amount of maturity to make suggestions about the proper running of the university.

The recent appointment of a recent graduate (class of '69) to the Board of Trustees of Princeton University is a prime example of appeasement; the new member has no experience whatever for the post and could not be presumed to speak for anyone but himself, and has no subsequent experience to guide him. This appointment is nothing more than an attempt to buy off the opposition and to cool off what is considered to be a hot issue.

After all, when a dean or a chairman appears before the Board and is questioned on any matter where he must take into account the opinions and beliefs of others (say his faculty) he will make certain that he *does* speak for them. There is no comparable information available to the new graduate, intent upon starting a career or attending graduate school, and it is a disgrace to the cause of education that Princeton has seen fit to do this. Far from being a forward looking action it is precisely an illustration of how not to run a university. Whether coercively made or not, the addition will not strengthen the Board in making its difficult decisions.

(3) *Discipline is to be placed in the hands of the faculty and the administration alone, and ultimately with the President and the Board of Trustees.* Knowing all the facts, they are in the position to run the university, and not the students.

TEACHING LOADS; FINANCIAL SUPPORT; OTHER SUGGESTIONS

Although the matter of proper governance is at the heart of the problems before the university today, these are not the only ones. Among others we could mention, for example, the matter of lowering the voting age to 18. Not only is this entirely uncalled for, on the basis of maturity and insight, but it would encourage the politicization of the campus to a marked degree since now opportunists could also court the student vote and make further promises in the name of the students. While not all of this need be bad, it would intensify a situation which needs quieting down, and not heating up.

An investigation (or fact-finding) committee could do this nation a lasting service if the matter of teaching loads were thoroughly studied. Indeed my personal expectation is that this study would result in a national scandal. If we keep in mind that the productivity per man hour of a professor cannot change too much in the course of time (and cannot be remotely compared with a production worker in industry who bases his demand for more money upon the fact that he is able to produce more per hour) we see that society must make some adjustments for this fact, the faculties do (indirectly) produce wealth for the nation. However, society can in turn also make some demands: at least let the faculties teach and not turn over vast amounts of their proper work to teaching assistant. What many faculty currently want is an economic impossibility: more pay (7% or more per year in increases) for less work, and at constant unit productivity.

If any group in this nation suddenly and entirely on its own, reduced its work week by 25% and wanted more money at the same time, it would be headlined in every newspaper and discussed on every editorial page. Over the past 15 years the teaching loads have been reduced by much more than 25%. Now, the faculty will at once insist that the work week is distinct from the teaching load, and that the amount of work has *not* been reduced, more research work is being done, more students are advised, and so on—and on. This is part of the truth, but it is only a part and a rather small one at that.

That teaching loads were too high 15–20 years ago is true enough, but some data on current teaching loads would do little credit to many faculty members, the more so when we look at the consequences: when the faculty do not teach many classes (or teach to huge classes numbered in the hundreds), the remaining classes are routinely turned over to teaching assistants, young students often with only the MA, little or no formal training in teaching, often with little interest in their work, underpaid, and with their minds on other matters (doctoral studies, family responsibilities).

If each university in the country were to list the amount of teaching actually done by the full-time faculty, part-time (or adjunct) faculty, teaching assistants, and so on, the nation could also judge matters more accurately. What has been done, of course, is to balance the financial books by having the assistants earn the money to allow the senior professors their large salaries and exceedingly comfortable working conditions. That many faculty members need such time off for scholarship and research is clear, but this does not mean that such arrangements have to be done at the expense of sound teaching. Society will have to recognize that the universities have been driven to this arrangement in self-defense, and not because they wished to ignore their students. If good teaching is essential (and it is) then it will have to be honorably rewarded on its own terms and not squeezed to help other activities.

The general matter of university financing is also approaching the state of scandal. It is often assumed that government or foundation support is a great boon to the university. This is, sad to say, a half-truth.

In the first place the university must put up money of its own, or have done so in the past, in order to obtain the money. Also the grant never pays for itself and indirect costs are but partly paid; office spaces, library holdings, and so on, are not paid for. Instead there is a selective exploitation of the university by outside (and well meaning) agencies. It also means that outside forces can control many internal changes of the universities and too many universities are at the mercy of such forces As a result many excellent departments languish, since they are not currently visible or popular; yet they too are part of the university.

Some illustrations are in order: if we consider a university with a $10,000,000 budget then it is certain that most of this sum is already spoken for and that little of it is free or "seed" money—perhaps not 3% of it, or $300,000. Now the outside agency enters with its grant, say for an expanded program in a professional field; if the agency has $250,000 for this purpose it could amount to the entire sum that the university has for such innovations. Therefore the universities accept the bait, enlarge the program, and after 5 years or so have to continue it on their own. That some good comes of these programs is of course true; but it also carries with it the fact that the university has lost control of its own future, and is in fact now at the mercy of outside forces. The results are a steady impoverishment of its situation, despite the outside money. And if the university refuses the money, then it will suffer through the loss of energetic staff members who, as true migratory workers, will gravitate to the newest center of affluence (temporarily at least). At the same time the other activities of the university, of little interest to the foundation, must be supported by the university and often must get by with substandard budgets.

Many of the acute problems of the university can be traced to this source of funding and it is time that this were also recognized and changed, since so many other problems depend upon its solution. The university is perhaps the only organization that uniformly sells its services at a loss!

ADDITIONAL MEASURES

Although investigation is clearly called for in the areas of teaching loads and in financing, in other areas quite different actions are called for. Just as the granting agencies hold out the carrot, so society should also hold out a stick. Tough as this sounds, I believe that society has a right to demand, for example, that the universities be kept open, or that if they are closed, there should be some consequences for the faculty and the administration of a financial kind.

In particular if a school is closed due to disruptions, or indeed even to avoid them, then twice the amount of tuition should be refunded to the parents (in private schools) or, in the public schools, twice the state aid should be forfeited. *In addition, all faculty salaries should be forfeited during the time the university is closed.* Thus if a faculty member earns $15,000 for the 9-month academic year (39 weeks, or $385/week, that is $77/day) he should have his salary reduced $77 for each day that the university is closed. This would provide him and others in the administration with some incentive to keep the university open for its prime mission in our culture. Too often the schools have been allowed to drift into this situation, or to use it without fear of the consequences. Society should not stand idly by during these closings and calmly accept the loss of education, the severe disruptions, and *still* pay all the bills.

Although changes are slowly taking place, the universities will have to take a more realistic stand on expulsions (with no right of re-admittance to the same university) not only with respect to the students, but also with respect to the faculty, if either group insists upon disruptive practices such as the seizure of buildings, refusal to teach classes entirely on their own moral judgment, and defying the laws on the campuses, still expecting amnesty for all their acts. Court decisions in many cases would seem to indicate that laws would also have to be re-written to clarify the obligations of students and faculty to conform to the law.

A related matter of importance, but one which cannot be fully discussed here, is the problem of establishing new and more suitable schools and colleges: we have too many students underqualified to be in the traditional college, and alternatives must be made available for those with different aptitudes and interests in life. At present far too many students are indirectly coerced into attending the traditional college, and cannot benefit from the work there.

The individual outside of the university can in any case do a great deal to change matters for the better. As a parent he should be in close touch with the university and be ready to exert his influence at every turn. As a taxpayer he should be alert to the needs and to the problems of all universities, especially the state-supported ones. Above all, he can remain in close touch with those members—presently far too few—on campuses who are trying to preserve the integrity of the university in our society. (Such groups are currently being organized on campuses throughout the country by S. Hook and S. I. Hayakawa.)

SOME PREDICTIONS

If present trends continue it is fairly easy to make some predictions:

(1) *Acceptance of pass/fail systems (or ungraded systems in the final analysis):*

though put forward to minimize competition (and therefore humanize learning) this will surely tend to downgrade learning everywhere.

(2) *Abolition of the tenure system,* on the ground that students, to get good teaching, must not only select those professors whom they want, but also those whom they do not want. Again this is put forth in absolutist moral tones but the practical consequences will be at best a popularity poll to select and retain professors, or at worst the setting up of political tests to throw out the opponents. The latter, of course, is one of the practical intentions of the activist students and junior (untenured) faculty.

(3) *Unless alternatives are offered in the form of new schools, more and more underqualified students will be forced into the universities.* This will also have the practical effect (intended at least in part by the activists) of *excluding* able students. Inevitably there will be pressure for racial criteria for admission and indirect ones for the exclusion of other races or religions. We have indeed seen some of these forces at work at the City College of New York, during the late spring of 1969. It was in this college that the deadly issue of negotiating away admissions standards was allowed to become a matter of negotiation between the administration and some dissident students.

(4) *Able faculty will leave as soon as possible for other schools* where the problems either do not exist or are still in a manageable form.

(5) *Steady erosion of academic freedom* and the setting up of restraints to open discussion on the campus, *by insiders,* not by outsiders.

(6) *Serious scholarly work will become less and less possible.*

(7) *The "life-style" on the campus (and near it) will become more and more destructively oriented,* both with respect to moral conduct, and to the use of drugs. This may be dismissed by all too many faculty members and students, but the society at large will ignore these developments at its peril.

CONCLUSIONS

Society, through its legislators, must now face the issues of university governance and the additional issues that have been outlined (financing, teaching loads in particular) and to take appropriate actions.

Indeed the main hope in giving this talk was to suggest some specific solutions and tasks so that we can move from the endless discussions of campus difficulties to their realistic solution.

The time still remaining to avert permanent damage to the university is short, and outside forces must now come to the aid of the university so that—once more—we can restore its integrity and instill a sense of purpose to university life.

YOUTH BRIDGES THE GENERATION GAP

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. HALPERN. Mr. Speaker, a remarkable young constituent of mine, Susan Heller, had the honor of delivering the valedictorian address at the Sands Point Academy and Country Day School this past June.

Susan's message to her classmates is an extremely perceptive and most appropriate statement of youth's concern with the problems of today. Indeed, it reaches out beyond the generation gap, speaking to parents and Susan's elders—reflecting vividly the awareness and sensitivity of today's youth.

I was greatly impressed by it, and feel that its message merits the attention of all of my colleagues.

The address follows:

SUSAN HELLER'S VALEDICTORIAN ADDRESS, SANDS POINT ACADEMY AND COUNTRY DAY SCHOOL, AT GRADUATION EXERCISES ON JUNE 13, 1969

This is our last day of school at Sands Point Academy and Country Day School. When I first came here, we didn't even have a senior class, and now I'm proud to be valedictorian at our fourth graduation.

Next fall, we will be entering various colleges and universiites across the country, the culmination of our years at Sands Point. When we arrive, and become assimilated into the college community, we will begin to apply the knowledge we have acquired at Sands Point towards gaining an understanding of the changing world around us, from which we have been largely insulated. We seem to be at a turning point in history. Man first underwent an agricultural revolution, and then, in the nineteenth century, the beginnings of the industrial revolution. Today one side of the world knows instantaneously what is happening on the other side, and the world has become truly small. This revolution has created new problems, many of which may not be solved by using past methods.

Another effect of this revolution is the growing dependence of people on mass media and other mass forms of communication. This gives the media tremendous power, which it may misuse in an effort to entertain instead of inform. The media tends to emphasize the more exciting aspects of an event, publicizing those details which will make "good copy". By this method of overamplification, certain feedbacks will develop in the system, as witnessed in the recent furor over campus rebellion.

On campuses today, there are some students who feel that America has not quite fulfilled the goals of freedom and democracy that its founders proposed in the Declaration of Independence and in the Constitution. There are certain aspects of modern society that they feel should be changed. Tremendous emphasis has been placed by the media on those who feel that the channels provided by our government are not doing the job they should be doing.

This militant minority has been using violent means to achieve their ends, means which include interfering with the other students' right to attend classes. Because of this a backlash forms, and polarization occurs. This polarization has resulted in the increased closed-mindedness of both generations. We cannot allow this trend to continue, for without open minds, communication becomes impossible, and without communication, man is just another animal.

One of the difficulties in trying to reconcile the militants to the administration's way of thinking is the greatly enlarged size of the campuses. Most of the colleges and universities which we are going to attend have grown tremendously in the past few years. This makes personal communication between students, faculty, and administration proportionately harder.

One of the unique attributes of Sands Point is its small size, which enables the student to get individual attention. Unfortunately, this cannot hold true for a "megaversity" of forty thousand in which the student is reduced to a number instead of being treated as a person.

The growth of the university is largely due to the change in its role, from an educational institution to a training school. Since a college degree is necessary for a professional job, and since these jobs are more in demand than they used to be, the college has had to grow in order to accommodate the enlarged number of applicants.

Today, college enrollments mainly consist of students from middle and lower class homes who need an education in order to get a good job rather than a wealthy few who go to college simply because it is nice to have some higher education. The university must consider its changed roles in society, and the ramifications of this.

In these ways, the technological revolution will affect us in college. It seems that whether we like it or not, as college students we will be objects of national interest. How we react to this depends upon our individual personalities and beliefs. If we, in the future, look back upon our Sands Point experience objectively, and remember to keep an open mind, it will help us to make the judgments that will be essential to us in this most recent revolution.

Thank you for listening.

THE TIDE OF TAX REFORM

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BOGGS. Mr. Speaker, the past month has been a momentous one for the House of Representatives. We have passed two truly significant pieces of legislation: the 10-percent surtax bill and, most importantly, the Tax Reform Act of 1969. The latter is the most comprehensive tax reform bill ever to be passed by this body.

The Washington Post published an editorial on this subject last Saturday, August 9, and I am taking this opportunity to insert it in the RECORD for the benefit of those Members who may not have seen it.

The editorial follows:

THE TIDE OF TAX REFORM

Nothing is more powerful, as the old saying goes, than an idea whose time has come. That is the chief explanation for the remarkable 394–30 vote in the House of Representatives for the tax-reform bill. Congress is well aware of a strong national demand for more equitable distribution of the tax burden and for tax relief, and this lusty vote in the House is a virtual guarantee that a tax-reform bill will be enacted before the present session adjourns.

In the light of this vote the great mystery is why some legislators insisted over a long period that tax reform be tied to extension of the surtax. The surtax bill, which itself had been sweetened with some important reforms, barely squeaked through the House after a number of votes had been changed to save it from failure. Yet some responsible legislators, including the Majority Leader of the Senate, held up the essential extension of the surtax bill for weeks on the flimsy argument that some linkage between the two measures was necessary to the achievement of the tax reform.

Actually, the roaring success of the reform measure has carried with it the 1970 portion of the surtax extension, which might otherwise have been in trouble. In our opinion, there has been no solid ground at any time since the first of the year for the assumption that Congress might balk at the showdown on tax reform if it stood alone. An enormous amount of time and energy was wasted fighting a chimera.

Our feeling has been from the beginning of the controversy that both renewal of the surcharge for a year and far-ranging tax reform were essential. We still think so. For-

tunately, there appears to be no basic disagreement on either point between the administration and Congress, despite the differences in regard to timing and some details. It is a relief that the futile wrangling over the timing of the respectvie bills has now been resolved. All that remains is for the Senate to perform as well as the House has done on the reform front. There are many provisions in the House bill which call for scrutiny on the Senate side, but the general dimensions of the bill are likely to stand. The Ways and Means Committee and the House are entitled to generous credit for the outcome in the face of very persistent skepticism.

QUOTA INTERNATIONAL

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, the 10th Congressional District of Massachusetts is honored to have as resident the international president of a very distinguished service organization, Quota International. When Miss Edwina Gies of Wellesley, Mass., was installed in this office on July 12, 1969, at the Washington Hilton Hotel, she delivered an outstanding statement of acceptance before a convention membership of 800 Quotarians. I should like to share the text of Miss Gies' remarks with my colleagues. No one can dispute the importance of the theme proposed by Miss Gies for her year's term of office. Quota International's remarkable public service in several lands is in many respects a direct result of wide commitment to Miss Gies' challenge, "Aim high—seek new horizons." Her statement follows:

REMARKS OF EDWINA GIES

We have just completed the first half of Quota's first century and are embarking on the second part of this momentous era. In accepting the office of President, I am deeply privileged and honored and, with God's help, will carry out the responsibilities you have entrusted to me. It is an inspiring challenge to continue the work that has been so well done by those officers who have preceded me.

My Quota associations span the really short period of fifteen years, but in that time I have come to realize the importance of our cause and to cherish all that Quota has already given to me in good friendship and in the satisfaction that comes from helping others. I am grateful for the opportunity to serve Quota and I know that the Board of Directors elected at this Convention will do everything possible to further the objects of our organization.

Ten years ago we "Set our Sights for the Sixties"—planning for a decade of progress. Ten years ago our membership totalled 11,000. Today our membership stands at 12,169. Ten years ago our clubs numbered 365. Today we are 399 clubs. So the sixties have been years of progress.

Now some of our members will immediately say this progress has been far too slow—we are travelling at a snail's pace. They will say that Service Clubs have outlived their usefulness and have no place in this modern world where governments seem to be assuming all responsibility for the needs of the people. They will say that, if we are to continue, we must change our thinking and simply become a part of the government structure for social welfare.

I do not subscribe to these theories. I believe that the need for service clubs is just as great now as it was fifty years ago. Unselfish involvement in worthy causes by individuals and groups will continue to exist as long as people are free to act voluntarily.

If Quota has failed to grow as rapidly as it should have done, the fault lies in our failure to reach out in a positive approach because of the negative attitude of some members.

The basic areas of Service of Quota do not need to be changed. But perhaps we do need to revise our approach to these programs of service. It is not enough to do the same things year after year. We must have new ideas coordinated to the dynamic years in which we live.

Service to Girls—Is your club satisfied to furnish a new dress to a high school graduate because you have always done this?

Service to the Hearing and Speech Handicapped—Is your club satisfied to have a hearing aid repaired because you have always done this?

Community Service—Is your club satisfied to give Thankgiving Food Baskets to the needy because you have always done this?

International Relations—Is your club satisfied to have one program a year on the United Nations because you have always done this?

Now there is nothing basically wrong with a new dress for the Senior Prom, or with repairing a Hearing Aid, or with giving Food Baskets, or with having one United Nations program. All of these things may still be needed in your community.

The point I wish to emphasize is that this type of service alone, be it done by a large club or a small club, is not enough. We must approach service with open minds and not be satisfied with the same programs we have always had.

We live in an exciting, changing world, and we must be ready for change when it is needed.

Our graduating girl could probably have acquired that new dress herself, if a Quota Club had helped her organize her time and had showed her how to help herself.

The hearing aid may not be needed, if the youngster has the opportunity of attending a good school for the Hearing Handicapped, staffed with trained teachers whose education was financed by a Quota Club.

Perhaps the food baskets would not be necessary, if we directed our energies to helping the less fortunate to help themselves.

We might truly be furthering the cause of International good will and understanding, if we supported the Exchange Student Programs—people living together truly can understand one another.

We will do what needs to be done, if we have the vision to see the opportunity and the courage to accept the challenge.

I lived in this city of Washington during World War II and to me it is visual evidence of what can be done. The magnificent capitol building was started in 1793, just ten years after the treaty which established the independence of the States. A tremendous undertaking for a new, little country: The men who planned this city had courage. They made no little plans. They aimed high. I never return to Washington and view it on the flight in without a feeling of excitement and gratitude for those who accepted the challenge to *Aim High* for the future.

I know our Canadian Quotarians must feel the same about the magnificent city of Ottawa, and certainly Australians are proud of their new capitol at Canberra.

Within a few days we shall be sending our astronauts on that long journey to the moon. This program is the culmination of planning, of courage, and of aiming high.

Throughout the history of mankind successes have been achieved by those who said we will do it—not by those who said it cannot be done.

Quota will continue to expand, and to expand more rapidly, if every member will say it can be done—if every member will be willing to accept changes that are inevitable because of the tremendous changes we are seeing in the social structure of the world today.

An open-minded and forward look in our Service programs will result in an increase in membership. Only a meaningful service program will create the opportunity for unselfish involvement in worthy causes.

We need new clubs and these we shall have, provided we have persons willing to do organizational work. I believe we have an untapped reservoir of these people in the affiliate members of Quota. Many members in this classification are energetic, alert women with great knowledge of Quota, and I call upon them to offer their services to Quota International for organizational work.

We need growth in our present clubs. Your International Presidents for the past several years have given you a challenge in membership growth. Some clubs have accepted the challenge and have met the goals. Too many clubs have taken the negative approach of "we cannot get new members" and have failed to meet the goals.

The financial budget which has been prepared for the coming year has been based on a membership of 13,000. To achieve this number, I ask each of our 399 clubs to give us a net increase of two members. This can be done if we all take a positive approach.

There is nothing to be gained if we do not try. There is a whole new, exciting, enlarged Quota world, if we only reach out for it.

If we have the vision to see the opportunity and the courage to accept the challenge, we will make the second half of our first century an era never to be forgotten. For the year ahead, I propose to you just one theme: "Aim high—seek new horizons."

HOW BRIDGE HELPED TO SHORTEN A BIG WAR

HON. PAGE BELCHER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BELCHER. Mr. Speaker, under leave granted, I wish to insert in the RECORD the following article entitled, "How Bridge Helped To Shorten a Big War." This article appeared in the Tulsa Tribune, July 30, 1969, and is about a book, "Bridge at Remagen" written by one of our esteemed colleagues, the Honorable KEN HECHLER, Fourth District of West Virginia. The movie based on this book is currently showing in the Washington area.

The article follows:

HOW BRIDGE HELPED TO SHORTEN A BIG WAR

(By David Jones)

WASHINGTON.—Sometimes it's the things that don't happen that count in a war.

The Germans didn't blow up one iron bridge.

Sixty-one days later Hitler's survivors surrendered.

The Ludendorff bridge that crossed the Rhine River at the resort town of Remagen didn't make the difference between winning the war. By that time Germany, despite its new rockets and its jet planes, had already lost.

But it did shorten the war by weeks, perhaps months.

It saved perhaps thousands of lives on both sides that would have been lost had

Hitler's fanatical attempt to stem the Allied tide been stretched out.

The Allies hadn't even given serious thought to taking a bridge across the Rhine intact. Eisenhower had dreamed a little, but not much. The Germans would surely destroy them all.

There had been two attempts to capture a Rhine bridge. Both failed.

Thus it was with enormous surprise that an advance American unit, looking down at the town of Remagen Mar. 7, 1945, saw the Ludendorff Bridge standing.

Rep. Ken Hechler (D–W. Va.) has lived with that bridge for 24 years. He attributes his seat in Congress to it. He covered the bridge, first as a war historian, then as a writer telling the story, and finally as a technical adviser for the new movie, "The Bridge at Remagen."

His life with the bridge began when the Allied troops poured across the bridge and the Germans, incredibly, failed to blow it up.

TWISTING A KEY

From the safety of a tunnel, a German officer twisted a key that was supposed to send the entire structure soaring into the sky. A few minutes before, when he checked the wiring while the last Germans sought safety by dashing across the bridge, everything had seemed perfect.

But now it failed to work. Frantically, as the Americans charged toward the eastern shore, he turned the key again and again.

Just why the charges failed has never been explained. Some forced laborers, Poles and Russians, claimed they had sabotaged the wiring, but it was encased in a cast iron pipe.

Two German soldiers ran frantically to the bridge to light a fuse leading to an emergency charge. The attempt was successful but in the confusion of the falling Reich the defenders, who had asked for 600 pounds of high-grade explosives, had received only 300 pounds of inferior industrial explosives.

The charge went off, the bridge seemed to lift into the air and then, agonizingly, slowly resettle intact.

A LUCKY BLAST?

Hechler's own theory is that a lucky blast by American tanks trying to protect the advancing troops broke the pipe carrying the charge wires.

Ten days later the structure, weakened by the explosion, would collapse, but on that late March afternoon it was still crossable—a bridge into the German heartland.

Hechler was then an Army captain, a former history professor, who was charged with writing the history of the major battles as quickly after they occurred as possible. He happened to be near Remagen and was sent in to gather data even as the Germans were launching a desperate counter-attack.

For the next few days the Nazis threw troops, jet planes, artillery, V–2 bombs, and even demolition swimmers into the battle. Nothing apparently worked, but 10 days after the bridge was captured the structure suddenly, and without warning, fell, killing 28 engineers who were trying to strengthen and repair it.

By the time it went down, however, the Americans had constructed two pontoon bridges across the Rhine and pushed troops out into Germany. The Rhine had been irrevocably leaped.

Hechler duly wrote his official history and returned to civilian life. Then, as he tells in "The Bridge at Remagen," "during Christmas vacation in 1953, I was cleaning out some old files when I came across the wartime notes and interviews concerning Remagen Bridge, decided they had rested long enough, and set out to complete the story."

ABOUT 500 VETERANS OF ACTION

Thus began Hechler's second personal battle of Remagen. Through the Army he was able to contact about 500 veterans of the action, and in the summer of 1954 he returned to the town to talk to the Germans who had seen and participated in the action. He found the bridge stripped to its piers and towers. It has never been rebuilt.

He had to battle for an accurate history through the thousand frustrations that beset an author. Honest men remember the same incident differently, or try to distinguish themselves or try to ease guilt when talking to a historian.

The publisher didn't want so many personal touches but more military detail—what unit was where when. This can be fine for an official history but distracting to a narrative.

"I fought to keep my opening chapter in (in which the mother of the lieutenant who led the charge was informed of her son's heroism—a particularly poignant passage because the mother was a German war bride of World War I who had relatives fighting for the Nazis) but I had to trim quite a few things I wanted to keep," Hechler says.

The book gave Hechler the satisfaction of doing something he felt had to be done. But it had an unexpected side benefit—a seat in the U.S. Congress.

A TOUCH OF BRANDEIS

"I had been teaching at Princeton University when I came under the influence of Justice (Louis) Brandeis. He urged the greatness in smallness, how much better it was to be an integral part of a small unit than lost in a large one. So I took a job at Marshall University in Huntington, W. Va.

"The students and I began discussing various theories of government and, almost as a lark, they asked me why I didn't run for Congress so I could put my theories into practice.

"It started as a kind of a joke. Then I filed for the Democratic nomination and things got serious. Dr. Will E. Neal, a Republican, was the incumbent. To meet him I had to get by a Democratic primary with a tough machine opponent.

"I was unknown, having been in the state only a year, but the students worked hard, and then the book came out in paperback.

"The publisher had 15,000 special editions with my campaign platform printed as a foreword rushed to me. I became locally known."

OPTION TO SCHULBERG

It was 1958, 13 years after the fall of Germany and five after he found the notes in his attic. But the events had made Ken Hechler a congressman.

After publication came movie offers. Hechler sold an option to Budd ("What Makes Sammy Run") Schulberg. For several years Schulberg picked up the options faithfully, and then Sherman Gruenberg bought options for a few years. Then they ran out.

Along came David Wolper, TV documentary producer par excellence ("The Making of the President," "Escape to Freedom") who is now branching into movies ("The Devil's Brigade," "If It's Tuesday, This Must Be Belgium").

Wolper started checking out locations. The site at Remagen was out—lucrative commercial traffic down the Rhine wouldn't stop long enough to shoot the picture and besides, the area had changed too much since 1945. The expense of rebuilding the bridge was prohibitive.

No place in the United States would substitute for Remagen.

Finally a bridge was found at Davle, Czechoslovakia, some 15 kilometers south of Prague. Davle looked enough like Remagen to be a double and the Czechs agreed to halt bridge and water traffic on the Vltava River for a minimum of five months. Wolper drilled a phony railroad tunnel part way into a nearby hill.

The agreement was made with the conservative Communist government of Antonin Novotny.

BEHIND IRON CURTAIN

Because the movie was being made behind the Iron Curtain the Defense Department wouldn't lend Wolper the assistance it usually gives when Hollywood makes a war movie. That didn't stop Wolper. He simply leased from the Austrian government the military equipment they had received from the U.S. years ago.

By this time the liberal regime of Alexander Dubcek had replaced Novotny and the conservative Communist propaganda mills outside the Czech border began heating up.

This was no simple movie crew, charged the East German "Berliner Zeitung." These were, "busloads of American troops arriving in Prague disguised as tourists, actors and film technicians," to support the Dubcek regime.

The World War II tanks and weapons, claimed the Germans, constituted a "grave and serious threat to the security of the Communist bloc."

The Czech government largely ignored the tirades and work proceeded peacefully enough on the movie. Then came August, 1968, and the Russians attacked.

Rep. Hechler, had left the production site on a flight to London just hours before the invasion, but for all his staff knew he was a prisoner. It took 48 hours to get the mess straightened out.

FLEEING INVASION

The movie company, including actors George Segal, Ben Gazzara, and Robert Vaughn had to flee Prague by motorcade, finally crossing the Czech border into Austria. The military props and equipment were left behind. The Russians finally gave them back to the Austrians.

With the original set denied him Wolper had to search desperately for a new site. He found it at Castel Gandalfo, Italy, right under the summer home of one of the world's better known citizens.

Had he felt like it Pope Paul could have thrown rocks off his terrace at the advancing troops.

To save money Wolper only constructed a short section of the bridge.

"They did a remarkable job in matching the sets and locale scenes," says Hechler. "I defy you to tell me which ones were shot in Italy and which were shot in Czechoslovakia."

Another tunnel was built in Hamburg, Germany, where the final interior scenes were finished.

The movie "Bridge at Remagen" is not entirely like the book "Bridge at Remagen." Where the book dealt with the real heroes by name the movie has a fictional platoon.

This, says Hechler, gave the film makers freedom with some story lines and personality traits, although readers of the book should have little trouble figuring out who is who.

How does Hechler, the author, look at the movie?

"The 'feel' is very close to the original action. Oh, there are some details I could carp over, but they've done a fine job of tightening the suspense by showing both sides with the bridge as the focal point."

LONELY GI AND LOVELY GIRL

The still photographs of the movie give one pause. We have the old Hollywood standby of the lovely girl and the lonely GI (with the new morality she offers favors to him in exchange for a pack of cigarettes).

Then there is the scene where the lieuenant gives an order his men don't want to obey so he holds a rifle on the hero and again orders him across the bridge.

Old hat? Indeed! But the director is John Guillermin, who took some cliches wrapped up in a literate script and turned out a first-rate drama in "The Blue Max." His "Guns of Batasi" also won high praise.

"Remagen" has a cast of some of the best young actors in the industry and Hechler thinks George Segal should win an Academy Award for his performance.

(For the record, Hechler sold the screen rights for a fixed sum, so whether the movie does well or poorly is, at least financially, a matter of no concern to him.)

Presumably, after the actual event, the book and the movie Hechler's working connecting with the Remagen bridge would seem to be over. "Don't count on it," he says.

"This incident has been such a part of my life, and has had such an effect on my career, that I wouldn't be surprised if it continued to have some influence."

Even if it doesnt it has been a dramatic connection.

"It's hard to believe," blares one movie ad, "That after the Rape of Poland, the Fall of France, the Blitz of London and the Siege of Leningrad, one of the final blows of World War II came at a little iron bridge."

For once Hollywood doesn't overstate the case.

LIBERTY BELL

HON. EDWARD G. BIESTER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BIESTER. Mr. Speaker, I would like to take this opportunity to place in the RECORD a very fine poem written by a constituent of mine, Marie S. Bordner, of New Hope, Pa. "Liberty Bell" has been accepted by the U.S. Park Service to hang permanently in Independence Hall in Philadelphia, and I recommend it highly to my colleagues and to all who read the RECORD.

LIBERTY BELL

(NOTE.—From *"A Goodly Heritage": Poems of Pennsylvania.* The Pennsylvania Poetry Society, Inc., Copyright 1968).

It rang in answer to the ancient cry,
Let us be free! The mighty sound surged on
To fill the universe, rose to the sky
To reach the stars men set their hopes upon.
The creed divine that steeled the arms and thrilled
The hearts of those who fought at Lexington
Rings down the ages! It will not be stilled
Till every war for freedom shall be won.
Could they but know, those fervent, stalwart men,
It still reverberates . . . as when a hand
Casts one small pebble into water . . . then
Can never stop the rippling to the land.

For Liberty shall widen more and more,
Stir every heart and touch on every shore.

It rang again for all the world to hear
The deeper tones. They had been amplified
By what had gone before; and far and near
They intonate the earth where men have died
Who kept the faith . . . to where the poppy grows
In far-off France, though once it drooped in grief;
To where the English hawthorne and the rose
Pay homage to their dust with bud and leaf;
To farthest jungles where with eerie light
The moon seeks out the places where they fell,
Marks them with beauty through the lonely night,
Mourns with the palms their only sentinel.

These are the ones who gave it strength and power,
Who died to hasten our victorious hour!
Listen, America! It rings today!
Discord shall never drown it out! The force
It roused no power but God alone can stay.
For righteousness and peace it sets our course.
The homeless hear it and take heart again;
The hungry falter in their cry for bread;
Deeper than agony to those in pain,
It answers them, and they are comforted.
For us the bell will always ring most clear.
That clarion call declares majestically,
"The strong go on! The brave, the just will hear
Who disregard their safety to be free!"

Oh, never cease to listen; count no cost;
Let not one single note of it be lost!

MARIE S. BORDNER.

INDUSTRIAL LEADERS AND WORKERS BOTH APPRECIATED REPRESENTATIVE BATES

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BURKE of Massachusetts. Mr. Speaker, as I have stated here before, I was privileged to serve for years with the late Congressman Bill Bates, my distinguished colleague from my home State of Massachusetts, as cochairman of the informal House Footwear Committee. Together we sponsored many bipartisan efforts to aid our beleaguered shoe industry. I am continuing to carry on the fight we launched together; and I feel it was a tribute to Bill Bates that more than 300 Members of this House joined in signing our petition to President Nixon, which we hope may lead to needed voluntary controls on the devastating flood of foreign shoe imports.

In my close association with this fine man who has been wrested from our midst, I learned that he and his public service were appreciated by labor and management in many other areas besides the footwear industry. I would, therefore, like to quote some of the reactions to Bill Bates' passing.

Maxwell Field, executive vice president of both the National Footwear Manufacturers Association and the New England Footwear Association, in a letter to Mrs. Bates said:

Representative William Bates was a loyal friend and stalwart supporter of the shoe industry during all the years he served in Congress. He was always the first to come to the aid of any shoe manufacturer or tanner, or their workers, if they had any serious problems, such as the current one on foreign footwear imports. In every respect he was much like his famous father, George.

John E. Mara, president of the Boot and Shoe Workers' Union, wired Congressman Bates' office:

40,000 members of the Boot and Shoe Workers Union saddened by the tragic death of Bill Bates who fought their greatest battle in sickness and health and lost his own. Deep sympathy to his family and colleagues.

Angelo Georgian, general secretary-treasurer of the United Shoe Workers of America—AFL–CIO—in a telegram to Mrs. Bates:

The general officers and members of the United Shoe Workers of America AFL–CIO extend their sincere and heartfelt sympathy and condolences. We were shocked to learn of the Congressman's death, and his loss will be keenly felt by all of us. May God bless you and keep you and yours in your hour of sorrow.

Robert A. Chadbourne, executive vice president of the Associated Industries of Massachusetts, sent this telegram to Congressman Bates' Washington office:

All of us are deeply saddened by the death of Congressman William H. Bates. Massachusetts has lost an outstanding national leader and devoted citizen, and Massachusetts industry has lost a great friend. On behalf of the officers, members and staff of A.I.M. please accept and convey to Mrs. Bates our heartfelt sympathy.

H. N. Snook, general manager, Merrimack Valley Works, Western Electric Co., North Andover, Mass., wrote to Bill Bates' widow:

It is with the deepest personal grief that I write to express to you my sincere sympathy on the death of your husband. To me, Bill was not only a dedicated, conscientious man, devoted to the service of the people, he was also a kind, gentle person whose friendship provided inspiration to all of us who knew him.

Bill served his country in time of war and time of peace with a strength of duty that was unswerving in its determination that the cause of humanitarianism should be forever at the forefront in the wishes and deeds of man.

I would like you to know that my thoughts—and those of his many friends at Western Electric—are with you at this time.

Daniel S. Lisberger, general manager, investment department, General Electric Co., West Lynn, Mass., wrote to Mrs. Bates:

I was deeply shocked and very saddened to learn the news of your great loss. Like so many others, I was very fond of your husband and looked forward to the occasions when we had a chance to be together.

He was not only a fine man, but a truly wonderful public servant. We will miss him very much.

HONORS FROM FISHERMEN

"The Gloucester Fishermen" was the way the card was signed, advising Jean Bates that a generous contribution had been made to the American Cancer Society in her husband's memory. Through Salvatore J. Favazza, executive secretary of the city of Gloucester Fisheries Commission, Mrs. Bates learned that many fishermen had donated to this token in honor of the man who, year in and year out, had worked for ways and means of assisting the fishing industry.

Nothing could better illustrate how highly the fishermen and others concerned with the American fishing industry regard Congressman Bates than this editorial which appeared in the Gloucester Daily Times:

[From the Gloucester (Mass.) Daily Times July 29, 1969]

A WAY TO REMEMBER BILL BATES

Congressman William H. Bates worked diligently for his constituency on Cape Ann during a dedicated political career which spanned more than 20 years.

This diligence and dedication should not go unremembered.

Bill Bates should be remembered as the man who worked so well to have Gloucester recognized as an economically depressed area, thereby opening many of the federal funding doors our present city administration is now utilizing.

Bill Bates should be remembered as the man who helped greatly to bring the U.S. Bureau of Commercial Fisheries North Atlantic Regional headquarters and other establishments with resulting federal commitment to the fish industry.

And Bill Bates should be remembered as the man principally responsible for construction of the $650,000 Marine Products Development irradiator in the BCF Technological Laboratory on Emerson Avenue, Gloucester.

Bill Bates should be remembered.

But will he be?

What would be more fitting than to memorialize Bill Bates, as he should be memorialized by officially giving his name to the irradiator? After all, he caused it to be.

This facility is already informally known as the Bates irradiator due to the late Congressman's enthusiastic support of the project from its first vague inception back in 1960.

Let's make the designation official. Let's demonstrate our appreciation of his life's work in a way most meaningful. Let's remember a man who represented value among men. What better way to remember Bill Bates?

In Washington Bill Bates will be remembered as the Congressman who carried irradiated fish in his pocket, prepared at any moment to show the Gloucester product to any interested person. It was a standing joke on Capitol Hill and widely applauded. He used his fish as a gimmick to gain support for the irradiator whenever its federal funds were threatened by cost conscious administrators. And his gimmick usually worked.

Just prior to his death Bates once again expressed his dedication to the irradiator (and to Gloucester) by appealing from his hospital bed at the Bethesda Naval Center, for the continued Atomic Energy Commission funding of a key project now underway at the Gloucester Lab.

Though hospitalized with what then was known to be a terminal illness, Bill Bates fought to have AEC funds recommitted to the irradiator and to the Bureau of Commercial Fisheries animal feeding studies, designed to prove that irradiated food is safe for human consumption.

Bill Bates knew the value of these feeding studies. He knew that now, especially now, they must be continued lest all of the previous experimental work at the irradiator go to waste for lack of empirical evidence. Bill Bates was that committed.

Fittingly, one of Bill Bates' last official acts as the U.S. Congressman from the Sixth District was to fight (and win) to have the AEC restore $750,000 for food irradiation studies in the 1970 fiscal budget.

We think this sort of commitment deserves recognition, a fitting memorial to work well done. We do not doubt that he will be otherwise remembered, for the leather workers in Peabody will surely remember him, together with Gloucester fishermen, as long as they survive.

He will also no doubt be remembered by many of those who returned him to Washington for 20 consecutive years.

But sometimes memory needs a nemonic, an aid to prompt recollection more readily. To remember we believe is to value.

Even recognizing the sometimes puerile fetish we Americans have for naming things in memory of persons, the practice we feel remains to be one of the best means we have to remember an individual's contribution to the common good.

When the United States follows the example of Germany and the Soviet Union and begins to allow the sale of irradiated food for human consumption, let's remember the role Bill Bates played in the early history of this exciting process of the future.

It is with the future in mind that we propose that he be memorialized by the official designation of the Gloucester Marine Products Development Irradiator as "The William H. Bates Irradiator."

And who is to say, perhaps we also memorialize ourselves by doing so.

H. E. Crowther, Director of the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, addressed this message to Congressman Bates' widow:

On behalf of the entire staff of the Bureau of Commercial Fisheries, may I express our deep sympathy to you on the loss of your husband.

Over the years, we maintained a close working relationship with Bill. He was very dedicated to the welfare of the American fisherman and will be long remembered for his deep and sincere interest in improving the economic status of the fishing industry.

His passing is a loss, not only to those of us who had the benefit of knowing and working with him, but to our entire country as well. Our thoughts and prayers are with you in your sorrow.

NAVY YARD TRIBUTES

In accordance with the family's suggestion that donations might be made in Bill Bate's memory to the Cancer Society, numerous such contributions were made. Among them was one from the Boston Naval Shipyard Metal Trades Council—AFL–CIO. In a letter advising Mrs. Bates of this action, Council President Gustaf Lindberg stated:

Congressman William H. Bates was one of our hardest workers for the Boston Naval Shipyard. He always welcomed us when we went to Washington. The Council members really thought a great deal of him as one of our representatives.

D. D. Glatthorn, secretary-treasurer of the Superintendent's Association, Boston Naval Shipyard:

The members of the Association deeply appreciate the past help and interest of Congressman Bates and sincerely mourn the loss of a fine friend and benefactor.

Not only was Bill Bates credited with a major share of responsibility in the continuance and planned modernization of Boston Naval Shipyard, but he was a constant leader in the efforts to have the 1974 closure order reversed for Portsmouth Naval Shipyard. In fact, his distinguished colleague on the Armed Services Committee, Mr. LEGGETT of California, has proposed that the closure be canceled as a tribute to this example of Congressman Bates' dedicated concern for the Nation's defense and economic security.

Timothy D. Flynn, president of local No. 4, American Federation of Technical Engineers, at Portsmouth Naval Shipyard, wrote to Mrs. Bates about her husband:

He was a great man and I met him many times during the crisis here at the Shipyard. He also was a considerate and well informed friend. I am enclosing the feeling of the people of our area.

The enclosure was the following editorial from the Portsmouth Herald:

[From Portsmouth (N.H.) Herald, June 24, 1969]

THE SHIPYARD HAS LOST A GOOD FRIEND WITH THE DEATH OF REPRESENTATIVE BATES

The Portsmouth Naval Shipyard has lost a good friend—U.S. Rep. William H. Bates of Massachusetts.

That dreaded killer—cancer—felled the representative Sunday with all too few of us aware that he was making his last fight.

Throughout his nearly 20 years in the House, Rep. Bates displayed a keen interest in the welfare of the Portsmouth Naval Shipyard. True, the cynic can point out that many of his constituents from the Newburyport-Amesbury area are employed there and it was to his political advantage to promote the yard.

However, in all honesty, their numbers aren't so great that Rep. Bates would have lost re-election without their support.

The man was sincerely a promoter of the shipyard because he believed it had a vital role to play in national defense.

We can only hope his successor will manifest the same interest; Portsmouth needs all the friends it can get.

THE ARMS TRADE—PART III

HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. COUGHLIN. Mr. Speaker, it is evident that one of the byproducts of the President's visit to India and Pakistan has been an increase in pressure to supply both countries with more armaments.

What bothers me is that recent reports make it appear that our Government has not supplied arms to the two countries since the end of the Pakistan-India war of 1965. This is not true.

Let me illustrate what has happened.

In the autumn of 1965, the Pakistanis and Indians went to war over Kashmir. Pakistanis in American Patton tanks fought Indians in American Sherman tanks, and Pakistanis were transported to the front in American C–130B Hercules to fight Indians who had been transported to the front in American C–119's and C–47's.

Within a month after the cease-fire of September 22, an Iranian arms-buying delegation went to West Germany to purchase military jet aircraft. One member of the Iranian delegation was an armaments expert of the Pakistani Army, a Colonel Zaidi. Apparently his presence raised no eyebrows in Bonn.

The Iranians agreed to purchase 90 surplus F–86 Sabrejets from the Luftwaffe and, since the planes were American in origin, Washington's consent to the deal was obtained. The 90 planes were transferred to Iran—reportedly by Luftwaffe pilots in civilian clothes—between March and November 1966, and almost immediately thereafter were secretly transferred to Pakistan, ostensibly to be "repaired."

The Indian press complained loudly that this was a violation of the U.S. embargo, and a diplomatic scramble began between Washington, Bonn, Teheran, and New Delhi. A crisis was averted when Washington announced that the "planes were returned to Iran," although

to this day the U.S. Government refuses to state categorically that all of them in fact have been returned.

Here is an instance where the U.S. Government knowingly broke its own embargo. I charge that our Government knew from the beginning that those 90 planes were destined for Pakistan.

According to the prestigious Institute for Strategic Studies of London, the entire Iranian Air Force in 1956–66 numbered no more than 110 combat planes of all types. For the U.S. Government to encourage a nation like Iran virtually to double its combat air strength over a 9-month period would indicate that those who make arms sales decisions in Washington were lacking in elementary commonsense. Air forces are just not doubled in 9 months as it takes at least 2 years to train pilots and mechanics, and build additional hangars, barracks, runways, and support areas. Doubling an air force in 9 months also is a seriously destabilizing factor which is not an act the United States would likely approve.

On the other hand, Pakistan lost an estimated 70 jet aircraft in the 1965 war which suggests that there was a void in the area which needed to be filled.

Furthermore, Iran in 1965 and 1966 was in the process of negotiating with the United States for F–4 Phantoms to replace some of its own aging F–86's. The Shah eventually received at least one squadron of F–4's. I submit that no country trying to upgrade its air force is going to overload itself with the same type of jet it is trying to get rid of.

Under the circumstances it seems reasonable to assume that someone in our Government knew from the beginning that the 90 jets were meant for Pakistan. It was common knowledge among arms dealers where the jets were meant to go but the U.S. Government refused to admit it.

In addition to this abortive attempt to rearm Pakistan secretly in contravention of its own embargo, there are other instances where the U.S. Government armed both sides following the 1965 war that should be mentioned.

In the spring of 1967, the United States announced that it would resume the sale of "nonlethal" arms to both Pakistan and India. As everyone knows, nonlethal items such as tires, gasoline, spare engines, and radios are used to activate the lethal items—guns, bombs, tanks, missiles, and jets. Selling such spares is, in reality, a subterfuge to calm public opinion; but when the dust has settled these nonlethal items are still just as much an integral part of arms sales as the items that actually shoot and explode. Why we bother to make this distinction is baffling since it fools no one.

One year later, in March 1968, the U.S. Government quietly approved the resumption of "lethal" arms sales to Pakistan. Typically, the move was made in a manner designed to calm the fears of arms sales critics. The arrangement called for several Italian firms to provide Pakistan with 100 refurbished Sherman tanks that had previously seen service in the West German Bundeswehr.

Whether these tanks have in fact been delivered yet has not been announced by the U.S. Government. But what is clear is that our arms embargo against the two nations was completely abandoned 17 months ago. Yet we are telling the world that the embargo is still in force, and that we are considering "breaking" it by selling additional equipment to the Pakistanis.

I think it might be of interest to my colleagues to show how bloated Pakistan's and India's military establishments are by listing the major equipment owned by each. The fact that Pakistan maintains a relatively smaller military establishment should not necessarily be interpreted as weakness, any more than the ability of Israel's 315,000 soldiers can necessarily be compared unfavorably to the larger combined forces of Egypt, Syria, and Jordan.

My figures come from "The Military Balance 1968–69," published by the Institute for Strategic Studies in London. In order to put them in perspective, it should be noted that Pakistan's army is roughly the same size as West Germany's and that India's combat air force is larger than either that of France or Italy.

The figures referred to, follow:

INDIA

General

Population: 520,000,000. 7.5 rupees=$1.
Voluntary military service.
Estimated GNP 1967: $41 billion.
Total armed forces: 1,033,000 (regular armed forces excluding police, border guards, and other para-military units).
Defence expenditure 1968–69: 10,825 million rupees ($1,452,000,000).*

Army

Total strength: 950,000.
1 armoured division.
2 independent armoured brigades.
13 infantry divisions.
10 mountain divisions.
6 independent infantry brigades.
2 parachute brigades.
220 *Centurion* 5/7, 250 M4A3 *Sherman*, and 50 *Vijayanta* medium tanks (with 105mm guns).
100 PT–76, 90 AMX–13, and 50 M3A1 *Stuart* light tanks.
Some 400 T–34 and T–54 medium tanks have been delivered from Eastern Europe, but are believed to be not yet operational.
About 3,000 artillery pieces, mostly British 25-pounders, but including some 350 100mm and 140 130mm guns from the USSR.
About 12 anti-aircraft artillery regiments.
Trained reservists number about 100,000, including a Territorial Army of 42,000.

Navy

Total strength: 25,000.
1 16,000-ton aircraft carrier.
1 submarine (ex-Soviet *F*-class).
2 cruisers.
6 destroyer/destroyer escorts (including 1 ex-Soviet *Petya*-class).
3 anti-aircraft frigates.
5 anti-submarine frigates.
2 other escort vessels.
4 coastal minesweepers.
4 survey ships.
2 inshore minesweepers.
1 landing ship.
3 landing craft.
2 patrol craft.
3 seaward defense boats.
5 other ships.

The naval air force includes 30 *Sea Hawk* attack aircraft, 12 *Alizé* maritime patrollers, and some *Alouette 3* helicopters. 10 *Sea Hawks*, four *Alizés*, and two *Alouettes* can be carried on the aircraft carrier at any one time.

Air Force

Total strength (regular, including all ground personnel): 58,000; 500 combat aircraft.
45 *Canberra* B(1) light bombers.
8 *Canberra* PR–57 reconnaissance aircraft.
80 MiG–21 interceptors.
150 *Hunter* F–56 fighter/ground-attack aircraft.
150 *Gnat* Mark I interceptors.
60 *Mystère IV* fighter/fighter-bombers.
7 *Convair* B–24 maritime reconnaissance aircraft.
About 50 *Vampire* and *Ouragan* fighter-bombers (in reserve).
50 C–47, 9 *Super Constellation*, 60 C–119, 22 I1–14, 35 An–12, 30 *Otter*, 20 HS–748, and 18 *Caribou* medium transport aircraft.
90 Mi–4, 50 *Alouette 3*, 4 Bell–47, and 6 S–55 helicopters.
About 60 *Auster* and *Krishak* observation aircraft.
About 50 *Guideline 2* surface-to-air missile launchers.
There is an Auxiliary Air Force of 7 squadrons, flying chiefly *Harvard* and *Vampire* trainers.
6 Su–7B *Fitter* fighter-bombers have been delivered by the Soviet Union, but are believed not yet to be in operational service.

Paramilitary forces

A Border Security Force of about 100,000.

PAKISTAN

General

Population: 110,000,000. 4.8 rupees=$1.
Voluntary military service.
Estimated GNP 1967: $13.1 billion.
Total armed forces: 324,000.
Defense estimates 1968–69: 2,457 million rupees ($514,000,000).

Army

Total strength: 300,000 (including 25,000 Azad Kashmir troops).
4 armoured brigades with M–4 *Sherman*, M–47 *Patton*, M–48 *Patton*, and Chinese T–59 tanks.
12 infantry divisions (based on 32 brigades).
Some of the infantry divisions have reconnaissance regiments with M–24 *Chaffee* and M–41 *Bulldog* light tanks.
About 90 25-pounders, 125mm and 155mm howitzers.
Cobra anti-tank missiles.
An air defense brigade with anti-aircraft guns.

Navy

Total strength: 9,000.
1 submarine.
2 large destroyers.
3 destroyer escorts.
2 ASW frigates.
8 coastal minesweepers.
4 fast patrol boats.
2 small patrol boats (less than 100 tons).
8 support ships.
There is a coast guard force of 1,500 men.
Naval aircraft include *Albatross* and some UH–19 helicopters for air-sea rescue.

Air Force

Total strength: 15,000; 250 combat aircraft.
4 Il–28 light jet bombers.
20 B–57B light jet bombers.
140 F–86 jet interceptor/fighter-bombers.
40 MiG–19 jet interceptors.
14 *Mirage IIIE* jet interceptor/fighter-bombers.
12 F–104A jet interceptors.
20 RT–33A, RB–57, and *Mirage IIIR* reconnaissance aircraft.
8 C–47, 6 Bristol Mark 31, and 8 C–130B transport aircraft.
About 75 T–6, T–33, T–37B, and *Mirage IIIE* trainers.

* Including some categories not included in the Defense Ministry budget.

25 Bell–47, Kaman–43B, and *Alouette 3* helicopters.

Air Force reservists number 2,000.

Paramilitary forces

Total strength: 200,000.

This total includes the frontier corps, lightly-armed tribal levies and local defense units.

Mr. Speaker, perhaps a basic tenet of arms aid policy is that every nation should be armed only to the extent necessary to defend itself. More extensive armament escalates the risk of war, yet in many parts of the world we are actively selling those extra arms.

I do not believe it is in anyone's interest to supply additional arms to either Pakistan or India. Both countries already have more than enough military equipment for the purpose of defending themselves from any external threat save a great power invasion.

It seems to me that the U.S. Government should do two things to dampen the threat of war in this area: First, it should resist the temptation to supply more arms and, second, it should request that a limitation on arms sales to these two countries by all suppliers be placed on the agenda of the upcoming disarmament talks in Geneva.

A GREAT KINDNESS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. WOLFF. Mr. Speaker, a retarded woman learning assembly work; 3,500 youth canvassing over 25 Nassau County communities in a fund drive; a retarded man operating light machinery; a vivacious and dedicated woman originating and directing a vitally significant project.

Despite the contrast, these persons have a great deal in common. It is the personification of the fact that the cloak of ignorance and embarrassment which surrounds mental retardation does not smother the efforts of all persons. It is also the fact that community action coupled with vocational training centers has shown the world that retardates are capable of and should have every chance to "learn, work and earn."

The Association for the Help of Retarded Children located in Brookville, N.Y., a part of the Third Congressional District which I represent, is the source of these vast achievements. Recently, the AHRC's teen drive, originated and directed by the organization's tireless vice-president, Mrs. H. E. Schueler, whom I have had the pleasure of knowing for several years, added to the accomplishments of this exceptional center.

More than 3,500 youths offered their time and efforts to raise $40,000 for a proposed $2 million vocational training center to be built by 1970 in Freeport, N.Y. Designed to serve over 500 retardates, the proposed center, to be built with matching Federal and State aid, will provide facilities comparable to those found at the highly successful William and Esther Kaufman Center in Hempstead, N.Y. This center, I might add, offers more than 200 retardates, ranging from 17 to 60, the opportunity to gain dignity, self-respect, and independence through vocational training.

Certainly, each one of the 3,500 young canvassers deserved recognition for helping this goal become a reality. And subsequently, they did receive a delightful "thank you" from the AHRC. On June 1, they were guests at a party which I had the good fortune of attending. Among those cited at this gala were the 45 most outstanding volunteers, including a young lady voted "All County Top Teen" for her extraordinary work, Miss Nancy Denker of Plainview, N.Y., also a Third Congressional resident I am pleased to say.

Mr. Speaker, Cervantes once said, "Great persons are able to do great kindnesses." Although I am unable to include the 3,500 persons who showed such "great kindnesses" in the RECORD, I would like to include the top 45 teenagers cited at this occasion. I believe that they are invaluable expressions of American youth's willingness to undertake worthwhile endeavors.

The list cited follows:

Mrs. H. E. Schueler, Chairman; Mrs. Karl Ganin, Mrs. Stuart Larick, Co-Chairman; All County Top Teen—Nancy Denker.

(City, Top Teens, and chairman)

Baldwin, Susan Weinberg, Mrs. George De Annuntis.

Bellmores-Merrick, Marcia Amsterdam and Cheryl Gaynor, Mrs. H. Donald Fisher, Jr., and Mrs. Arthur Luhmann.

Farmingdale, Susan Klos, Mrs. John Cottone.

Floral Park, Diane Peterson and Phyllis Cuttita (Elmont), Mrs. Paul S. Devan, and Mrs. John L. McDonald.

Freeport, Candy Licence, Mrs. Walter E. Johnson.

Glenwood, Janet Koloski, Mrs. Donald Whyte.

Great Neck, Bart Weiss and Donna Laub, Mrs. Gary R. Ozaroff, Mrs. Stuart H. Larick, and Mrs. Louis H. Emmanuel.

Levittown, Hickville, Wantagh, Marjorie Gilcher (Wantagh), Susan Cardone (Levittown), and Gerry Russell (Hicksville). Runners-up: John Graham (Wantagh), Kathleen Beach (Levittown), and Virginia Santini (Hicksville), Mrs. John Hansen, Mrs. Elmer B. King, Jr., and Mrs. Edward Ramsteck.

Long Beach, Richard Bartholomew, Mrs. Arthur Fisher.

Manhasset, Theresa Habe:le, Mrs. Cyril Draddy, and Mrs. Richard Sexauen.

Massapequa, Steven Liposki, Mrs. Warren E. Poling.

New Hyde Park, Randy Mason, Mrs. Robert L. Pellegrino, Mrs. George W. Kilminster, and Mrs. Otto N. Schaefer.

Oyster Bay, E. Norwich, Lorraine Cimino, Paula Ryan, and Helen Lazarus. Runners-up, Anita Petrella, Janice McCue, Matthew Eerbig, and Jan Connors, Mrs. Fred Cimino, and Eleanor Monson.

Port Washington, Kathy Wynkoop, and Carol Mathews, Mrs. Sara Ann Fatizzi, Miss Sandra Bondy, and Mrs. Frank Bergen, Jr.

Roslyn, Maxine Sobel and Karen Berko, Mrs. Leo Vogel.

Tri-Town (Jericho Syosset, Plainview), Charles Cyge, Geoffrey Grable, David Schulamn, and Demi Zodda. Runners-up, Melanie Stopeck, and Lauren Baker.

Uniondale, East Meadow, Frances Messina and Gary Schwartz. Mrs. Richard F. Erb.

Valley Stream, Harvey Katz, Mrs. Abraham Vernikoff. Runners-up, Maida Oringer and Linda Haas, Mrs. Herbert Schleifer.

Westbury, Donna Valentine, Mary McCormack, and Linda Silvers, Mrs. George Ploska, Mrs. Joseph R. Molina, and Mrs. Martin Schindler.

REV. LEROY PATRICK

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. MOORHEAD. Mr. Speaker, many claim that organized religion has shunned its logical role in helping America in its myriad social problems.

Although this claim holds some general truth, there are numerous cases of individual churchmen who have fought long and hard for civil and equal rights for all Americans.

Every American city has its vocal and dynamic religious leader. In Pittsburgh, we are fortunate enough to have several. One of these is the Reverend LeRoy Patrick, a giant of a man to his parishioners and to all Pittsburghers.

Reverend Patrick, whose son, Steve, is an intern in my office this summer, recently expressed his concern about cutbacks in money headed for low-income neighborhoods.

I now would like to introduce these comments, which appeared in an article in the Pittsburgh Press, for the perusal of my colleagues:

CHURCH MUST MEET NEEDS OF WHOLE MAN—HOMEWOOD PASTOR CONCERNED THAT FUNDS WON'T MATCH FAITH—ANY OEO CUTS DANGEROUS, REV. LEROY PATRICK SAYS

(By Ralph Miller)

"If there are no serious cutbacks in funding special programs in potentially troubled areas, things can be reasonably peaceful. . . ."

That's the opinion of the Rev. LeRoy Patrick, pastor of the Bethesda United Presbyterian Church of Homewood. Now in his 19th year of serving the people there, Dr. Patrick knows "what he's talking about."

In addition to the traditional church program, the Bethesda pastor says Federal anti-poverty money and other funding will be needed to maintain several special projects of the church.

He cites the church's Community Center and the Youth House as examples.

"The Youth House is a fairly new idea designed to help troubled youth who seek help for a variety of reasons," Dr. Patrick says.

The Youth House is located at 6812 Simonton St., and the young men range between 17 and 23 years of age.

Through the church's Community Center, persons from nursery school age through senior citizens' age are provided programs to meet their interests and needs.

Dr. Patrick, 53, believes "it is a little too early to say how much actual success some of these programs have . . . but it's an effort to do something in a positive way to help others."

RELIGIOUS MOTIVATION STRONG

Asked to comment on the priority values, Dr. Patrick said, "It is the religious motivation which gives substance and strength to the social endeavors."

He said the church is not interested in running settlement house programs just for the sake of doing good for goodness sake. He emphasized that his church is "interested rather in doing good for others for God's sake . . . there's a big difference."

Generally, he opined, the church—the total church—"must look at the community

and the people therein and see what unmet needs it can meet."

At the same time, he continued, "the church must look at the world to see what new things must be done to make the proclamation of the Gospel of Jesus Christ a relevant force for the healing of the hurts of mankind."

Dr. Patrick warned that "the absence of violence doesn't mean there is a greater degree of justice in troubled areas."

BASIC PROBLEMS STILL EXIST

He cautioned that the "basic problems of prejudice and inequality and inhumanity still exist in our society and they must be solved."

Until they are solved, he pointed out, "we can expect disruptions of varying degrees."

Dr. Patrick, an eloquent and earnest man in expressing his views, is soft-spoken, but his thoughts are those of good, hard common sense.

He believes in facing the problems of the day, but he retains a strong faith in what he considers to be the "primary goal of the church today—to let men know that God has come to him in Jesus Christ to meet the needs of the whole man."

Busy "in such an intense way," he says he has no particular hobbies.

"I suppose," he responded, rubbing a long hand over a deep forehead, "my hobby would be staying away from hobbies."

In 1943 he married Norma Brandon in New York City. Mrs. Patrick is a professional social worker in her own right and is now the training supervisor of case workers for the Travelers Aid Society in Pittsburgh.

TWO SONS STUDENTS

Dr. and Mrs. Patrick have two sons. Stephen LeRoy, 19, a junior at Lincoln University, works during the summer months as an aide to Congressman William S. Moorhead.

Gregory, a sophomore at Haverford College, is attending summer school sessions at the University of Pittsburgh.

Dr. Patrick received his education at Lincoln University and at Union Theological Seminary. In 1964 he was awarded his Doctor of Divinity degree from Lincoln University.

The Patrick family live at the church manse, 233 Mayflower St., East Liberty.

"Just like Pilgrims on the Mayflower," he quipped, concluding the interview.

The Pilgrims needed funds to match their faith, too.

ESTABLISHMENT OF A U.N. STANDBY MILITARY FORCE

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. FINDLEY. Mr. Speaker, with the success of our two most spectacular space shots during the last 3 or 4 weeks, man has come to realize how alone he really is in his own world here on Earth. After the astronauts had walked upon the sterile Moon, and Mariners 6 and 7 had swept past a lifeless Mars, I suddenly felt how alone and unique the Earth really is. Man has reached out to touch his nearest neighbors in space only to find a void. For the first time in history, man cannot look over the mountain to greener pastures. He must take a good look at the space vehicle upon which he was born and realize that this is where life began and it is here on Earth where life may possibly end. It is up to man to develop institutions that will allow his race to survive.

For many years now, I have supported measures which would strengthen the United Nations and other regional organizations as a means of maintaining and strengthening the peace. Today, in a letter to Secretary of State William P. Rogers, my colleagues and I are expressing our conviction that some way must be found which permits a larger number of countries to share more fully the responsibility for international peacekeeping. One such way has been suggested by the National Policy Panel of the United Nations Association. The mechanism which their report recommends, and which deserves close scrutiny and consideration, is the establishment of an effective, adequately funded U.N. standby force. Where a military force is required, it should clearly consist of a multilateral effort on behalf of all mankind.

In this connection, I have very recently introduced, with 90 cosponsors, House Concurrent Resolution 283, the Atlantic Union Resolution, which provides for the appointment of a U.S. delegation to explore with similar delegations of other nations the possibilities of federation as a means of solving supranational problems. In my view, this suggests another means of answering this important question: How do we get a larger number of countries to share more fully the responsibility for international peacekeeping?

It was estimated by former President Eisenhower that the sharing of defense costs among the Atlantic States could save the United States 50 percent on its defense budget. Today's proposal offers a similar opportunity to save on certain defense costs. International sharing of the responsibility of maintaining a U.N. standby force would mean that our proportionate share of that cost would be substantially less than if we decided to maintain such a force ourselves. The $30 billion-a-year cost of carrying on the Vietnam war should give adequate evidence of the value of a multilateral effort.

Far more important, though, than the possibility of saving badly needed tax dollars is the very real contribution a U.N. standby force would make to peace and stability. Among the numerous handicaps under which our men fight in Vietnam is the fact that they have never received meaningful support from the vast majority of our allies. The failure of other nations to participate in the struggle against the Vietcong and North Vietnamese has deprived our military effort of the legitimizing support of world opinion. As a consequence, we fight virtually alone in Vietnam, often viewed more as the oppressor than the standard bearer of the oppressed.

A U.N. standby force, adequately funded, will provide for political stability threatened by local insurgent groups backed by Hanoi, Peking, Cuba, or the U.S.S.R. When fighting actually breaks out, the intervention of the standby force, rather than the armed force of a single country, will help to secure the public support for and success of the military mission.

The cost of the Vietnam war to our own country, and to the world, has been so great that it should be clear to all that the United States will never again become embroiled in another similar conflict on these terms. President Nixon said as much when he visited Laos on his recent Asian tour. Today's proposal for a U.N. standby force is a commonsense alternative to international lawlessness among nations in the future.

THE LEGACY OF APOLLO 11

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BROOMFIELD. Mr. Speaker, among the millions of words of praise and hope generated by the flight of Apollo 11 in recent weeks, there has been a small but persistent minority view critical of the cost of the program. There are many ways to reply to this kind of shortsightedness. One of the best answers I have seen was delivered in the form of an editorial on television station WJBK–TV 2 in Detroit last week by the station's vice president and general manager, Mr. Lawrence M. Carino. I commend it to the attention of the Members of the other body and to my colleagues here in the House:

THE LEGACY OF APOLLO 11

Soaring enthusiasm over the journey of Apollo 11 has been tempered somewhat by sincere critics concerned with ample unfinished business here at home. Their reservations, however, give the impression that the $24-billion spent on Apollo is lost forever, shot into the vacuum of outer space.

Well, as a viewer reminds us, there were two things which Armstrong, Aldrin and Collins didn't take with them to the moon—weapons . . . and *money*. The billions which launched their fantastic journey remain right here on earth—a good share of the expenditure in the most impoverished areas oi the American South.

It went, as salaries, into the pockets of the 400,000 people directly employed by the program at its peak. In areas of Alabama, Louisiana, Texas and Florida—places lacking both skilled nd unskilled jobs—the space program put to work not just scientists and astronauts, but construction workers, truck drivers, waitresses and countless others.

Furthermore, as it developed jobs and taught new skills, Apollo represented the most constructive kind of spending—especially when compared to the untold billions we have poured into a complex of social programs of doubtful or limited value.

Critics of Apollo 11 should also consider its many spin-off contributions to industry, medicine, communications, and nearly every major field working to create a better life for all Americans.

Perhaps most important, we now have the thrilling example of Apollo to demonstrate the incredible heights we can reach as a nation with our will and resources focused on a single massive goal.

The goal can be mastery of human needs as well as of space. TV2 has sufficient faith in this nation to believe it can be *both*.

LUNNEY "OVERWHELMED" BY BIG WELCOME, PARADE

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. McDADE. Mr. Speaker, on the 16th of July it is estimated that more than one-half billion people all over the world watched the beginning of the flight of Apollo 11, which was destined to land mankind on the moon.

It was not only the fulfillment of 8 long years of planning since Apollo first was conceived, but it was the fulfillment of the dream of mankind to stand upon another celestial body to look across the universe at the earth.

The Apollo space vehicle must, indeed, be considered a wonder of our age. I am sure that my colleagues are aware that this was not the first flight of the Apollo. It was tested thoroughly for every phase of this mission. I am proud to say that the flight director of the first Apollo mission was a fine gentleman from my congressional district, Mr. Glynn Lunney.

Here is a man who is dedicated and intelligent, typical of the splendid men and women at NASA who started with a dream and brought that dream to its fulfillment in what might be described as the most historic event in the history of mankind on earth.

Mr. Lunney and his family have been honored in my congressional district, and the honor is certainly deserving. I am sure that all my colleagues join me in offering our warmest congratulations to Glynn and to his splendid colleagues in NASA for the part each one played in giving this Nation such distinction in the eyes of the world.

Many years ago, upon the death of Sir Isaac Newton, the Poet Alexander Pope wrote Newton's epitaph:

> Nature and nature's laws lay hid in night. God said: "Let Newton be!" and all was light.

It would take another Alexander Pope to find the words to describe the excellence of these splendid men. All we can do is to behold and to admire.

With permission, Mr. Speaker, I will append herewith two articles in the Scranton Tribune and in the Scranton Times concerning Mr. Lunney. I know everyone will be delighted to read about this fine man:

[From the Scranton (Pa.) Tribune, Aug. 9, 1969]

APOLLO FLIGHT DIRECTOR GREETED BY THOUSANDS AT OLD FORGE—LUNNEY "OVERWHELMED" BY BIG WELCOME PARADE

(By Bob McCarthy)

"It was overwhelming!"

This was the reaction of Glynn Lunney, a flight director for the National Aeronautics and Space administration, to the hero's welcome he received upon his return to his home town of Old Forge Friday.

"I had been told there was to be some kind of reception," he said, "but I didn't expect the parade, the speeches, and all those people. I can't tell you what it felt like to see all the American flags flying."

The gala reception for the man who played a key role in the Apollo 11 moon mission began when a large delegation met Lunney at the Dupont exit of the Pennsylvania Turnpike at 4 p.m. after he and his wife, Marilyn, had landed at the Wilkes-Barre-Scranton Airport after a flight from Cleveland where Mrs. Lunney's family resides.

The Lunneys were escorted amid cheers through Dupont, Avoca, Duryea and Moosic to Old Forge, where the group met a large parade which Lunney described as "quite a surprise."

The parade, organized by parade marshals Thomas Gaylets and John Laurenzi, made its way to Old Forge Borough Stadium, where the mayors of more than a dozen communities and a crowd of several thousand proud residents were on hand to greet Lunney.

Old Forge Mayor Edmund Wascavage presented Glynn with a proclamation making Friday, August 8, "Glynn Lunney Day" in Old Forge.

Also on hand with plaudits, keys to their cities and proclamations were mayors: James Walsh, Scranton; John Morris, Wilkes-Barre; Martin Monahan, Dunmore; John O'Malley, Moosic; Al Costello, Dupont; Joseph Hannon, Avoca; John Salek, Duryea; Edmund Kalley, Throop; Nicholas Duchnik, Dickson City; John Chichilla, Olyphant; Joseph Jay, Mayfield, and John Derenick, Taylor.

It was well into Friday night before Lunney was able to join his family and friends at the home of his parents, Mr. and Mrs. William Lunney, 303 River St., Old Forge. At home Friday night, Glynn's mother commented, "the whole thing seems unbelievable."

While preparations were under way last week for the grand homecoming, Mrs. Lunney told a reporter "we're really not prepared for all of this, you know; we've always led a quiet kind of life—it scares you a little."

Lunney and his wife plan to remain in Old Forge for about a week before they drive back to Cleveland and then fly to Texas. The celebrated flight director, if he can find the time, will spend the next few days visiting friends. "It seems like we never get to see our friends any more," he said.

During the historic Apollo 11 mission, Lunney worked eight-hour shifts, rotating with five other directors. The six men shared an awesome responsibility, empowered to alter or even cancel the mission if such measures became necessary.

Apollo 11 Commander Neil Armstrong and his fellow astronauts, Mike Collins and Edwin Aldrin, were directly answerable to Lunney while he was on duty. Reflecting on the mission, Lunney told The Tribune "there was a great deal of courage shown on the part of everyone involved in the mission—in letting certain decisions and responsibilities rest in someone else's hands."

"We (flight directors) were responsible for making decisions that had to be made in a hurry. When there was time, we made it a point of advising our bosses of a problem and discussing the alternatives—it was a good working relationship."

Lunney says he was "reasonably confident" of the success of the moon landing mission. "Everything possible had been done," he said, "The worst that crossed my mind was that we might have to call the astronauts back to earth. But we never came close to a decision like that."

Commenting on the current popular joke to the effect that the entire mission was a hoax—a simulation filmed in a New York studio—Lunney said "I can tell you from experience that simulations don't go that well."

Lunney, a veteran of Apollo missions 1, 4 and 7, was at the controls when Apollo 11's lunar module "Eagle," made the crucial ascent from the moon's surface to rendezvous with the command module "Columbia."

While the excitement for man's greatest adventure is past, Lunney has no fears about being bored when he returns to Houston and expresses great optimism about the future of the manned space program.

"There is no slowdown in between missions," he reported, "and when I return there'll be plenty to do. We have a mission to review, new hardware to examine. There are plans for orbiting space stations and solar telescopes."

"The space program has really come along—it's all part of the flight business—from Kitty Hawk to the moon landing. It can't do anything but grow. I feel that despite talks of cutbacks in the program, etc., we can't go anywhere but ahead."

The father of four children, Lunney is married to the former Marylin Kurtz of Cleveland. The family resides in Friendwood, Tex., a suburb of Houston.

A 1953 graduate of Scranton Preparatory School, Lunney received his BS degree in aeronautical engineering at the University of Scranton in 1958.

He was with the NASA program at its inception and participated in the Mercury, Gemini and now Apollo programs. Four years ago, as he sat at the controls in Houston for the Gemini 10 flight at age 29, he was the youngest man ever to serve as a flight director for a manned space mission.

Before Lunney leaves Old Forge, he will be honored at a testimonial dinner Sunday, Aug. 17, in St. Nicholas Hall, Old Forge. Officials of the Old Forge Lions Club, which is sponsoring the fete, said former Gov. William Scranton and Congressmen Daniel Flood are planning to attend, along with many other dignitaries.

[From the Scranton (Pa.) Times, Aug. 9, 1969]

TRIBUTES PAID AT OLD FORGE

(By Daniel Cusick)

Glynn Lunney came home to Old Forge on Friday and found the town had turned out for a tumultuous welcome.

Lunney, 33, native of the borough and flight director for the National Aeronautics and Space Agency's Manned Space Flight Center in Houston, Tex., arrived at the Dupont exit of the Pennsylvania Turnpike at 4:10 p.m. On hand to greet him there were: A contingent of state police; squad cars and motorcycles from various area police departments; officials of civic and social organizations; mayors from 10 communities including his own, and the Old Forge Borough council.

"This is just overwhelming," he said as he climbed from his car, in which he and his family drove from Cleveland, Ohio., where he had been visiting his wife's family. "I knew a few days ago that there had been something planned, but nothing like this."

"This" included the reception, a caravan of 25 cars which took Lunney through Dupont, Avoca, Duryea, and Moosic; a full-scale parade in Old Forge and a public welcome at Veterans Memorial Stadium in Old Forge where he was asked to send a model rocket aloft.

Many posters along the parade route declared "Welcome Home Glynn" and "We're Moonstruck by Glynn Lunney."

At the Old Forge Stadium, Lunney heard proclamations read from his hometown mayor, Edmund Wascavage, and from the mayors of Wilkes-Barre, Scranton, Dunmore, Moosic, Dupont, Avoca, Throop, Dickson City, Olyphant, Mayfield and Taylor, all declaring Friday as "Glynn Lunney Day" in their communities. Many of the mayors presented keys to their cities and boroughs to the flight director.

Cyril Bosak, general chairman for the celebration, told the crowd at the stadium, "This is indeed a proud day for all of us and a day that will be marked indelibly in the history of Old Forge and the area."

Lunney, whose major responsibility on the Apollo 11 moon voyage was directing the liftoff of the lunar module from the Moon's sur-

face and its rendezvous with the command module following the moonwalk by two American astronauts, then told the audience, "I'm overwhelmed by all of this, but what you are really doing today is honoring my parents."

Lunney said he is looking forward to seeing many of his friends in the area during his vacation, but he will be in Los Angeles on Wednesday and Thursday, at the invitation of President Nixon, for a special dinner honoring the astronauts and the space team.

A testimonial dinner will be held in Lunney's honor, Aug. 17, in St. Nicholas Hall, Old Forge. Many dignitaries are expected to attend, including Gov. William Scranton and Rep. Daniel Flood.

TAX REFORM IN 1969—A PUBLIC DEMAND

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. MADDEN. Mr. Speaker, the American public has become highly educated during the recent years on fabulous tax loopholes which have been secured by high-powered lobbies for certain of our industries and other high-powered organizations. The following editorial from the Gary Post Tribune of August 11 physically warns the other body that the country is aroused and that loopholes must be not only greatly reduced but in most cases outright repealed as demanded. The Senate should heed the warning.

The one-sided vote of almost 12 to 1 on final passage of the tax reform bill should serve notice that the American people are demanding tax reform and demanding it this year.

The editorial follows:

BUT DON'T BANK IT YET

It would be unwise to start banking all your federal tax savings yet, but congressional weathervanes point increasingly in that direction.

The bill the House has now passed would give most all individuals up to the $100,000 income brackets a minimum saving of 5 percent, totaling some $9 billion. The measure is devised to offset $7 billion of that loss in revenue through closing of loopholes on foundations, on tax exempt bonds, limitation of benefits now realized by the oil industry and some others, and through attempts to close other loopholes.

But all of that faces review in the Senate and that's why counting your savings now may be premature.

True, the Democratic Senate leadership has insisted on just this kind of tax reform as the price for the already approved six-month extension of the 10 percent income tax surcharge and for consideration of a further six-month extension at 5 per cent. However, the reaction of a number of individual senators or senatorial blocs could still spell rough going ahead.

Unless realistic cuts can be made in federal spending there still could be an effort on the part of administration senators to offset that $2 billion difference between individual tax cuts and the added revenue from reform.

Further, the oil state senators and others whose industries might be affected will probably make more of a fight over the oil depletion allowance and other reforms than was evident in the House where the door was closed on amendments to the bill as it came out of the Ways and Means Committee.

The fact remains, however, that the one-sided vote in the House accurately reflects the public clamor for tax reform and the Senate knows it. That relief isn't coming, of course, until the tax bills you pay in 1972 and spending requirements could change. As of now, though, it would appear the tax weary public finally has made its voice heard.

SIR JONATHAN AND THE ELECTRONIC DRAGONS

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BINGHAM. Mr. Speaker, the sending out of unwanted, unsolicited credit cards continues apace.

A number of newspapers around the country have criticized the practice and have commented favorably on my bill, H.R. 8920, which would prohibit it. An example is the following editorial from the Montgomery Advertiser, April 28, 1969, which has just come to my attention:

SIR JONATHAN AND THE ELECTRONIC DRAGONS

Many citizens have lost battles with computers over small matters of personal finance.

Rep. Jonathan Bingham of New York is one of them. He found not recently that being a congressman didn't impress an argumentative computer, but the computer didn't reckon with Bingham's trump card. He is in the enviable position of being able to introduce legislation to abolish the practice that offended him.

Bingham's troubles began when he received an unsolicited credit card through the mail. He sent it back, with an angry note demanding that his name be taken off the approved charge list. No answer. Bingham thought that was the end of the matter.

Several months later, his wife ordered some goodies from an imported food shop in Boston, enclosing a check for the correct amount of the purchase. Somehow, the check was not credited. Bingham received a computer-printed bill for $10.79, the purchase amount and the amount of the check. The bill was charged against the credit card Bingham had previously returned.

A second protest letter, this time on congressional stationery, was ignored. A week later, Bingham got a past due notice with a late charge tacked on.

At that point, Bingham gave up arguing with the computer. He introduced legislation in Congress to prohibit the issuance of unsolicited credit cards. Chances of passage are reportedly 50–50.

Bingham's bill may solve his particular problem, but it does nothing to resolve the matter of computers which refuse to acknowledge their mail. To most citizens, that is a larger, more serious problem. The method we've adopted is simple: If a computer won't answer your letter, don't answer its.

Other editorials include the following:

[From the Detroit (Mich.) News, Mar. 21, 1969]

SOLON'S TARGET: FREE-WHEELING CREDIT CARDS

WASHINGTON.—The free-wheeling, free-mailing credit card people have gone too far.

Now they've got a congressman mad at them—so, mad, in fact, that he has introduced a bill that would prohibit the issuing of credit cards except on request.

The way Rep. Jonathan B. Bingham, D-N.Y., wants it, any person who really wants a credit card can ask for it. Otherwise, nothing doing!

As Bingham sees it, "the chutzpah of the banks, the imperviousness of the computer and the threat of a bad credit rating have combined to create a nightmare for the consumer."

The New Yorker has criticized the practice of some companies of sending out unsolicited credit cards, telling the "unwary recipient" he has a shiny new line of credit up to $300.

Now, says Bingham, he finds the situation is even worse. Once a person gets a card he is stuck and cannot get rid "of the darned thing. Protesting letters go unanswered and notifications tumble in showing unidentifiable entries issued by a Frankenstein like computer who will not listen to reason."

"I feel like a character in a Kafka novel," says Bingham, and the only reason he thinks he may get somewhere is that he is a congressman. If he were not, then it would really be tough.

Bingham has joined the ranks of those who received credit cards they didnt ask for and wound up with charges they should never have received.

This is his self-confessed "sad tale":

The State Street Bank & Trust Co. of Boston sent the congressman a "BankAmericard." The card misspelled the congressman's name—"slightly"—and was sent to his home, rather than his office.

Bingham says he promptly returned the card with "an angry note saying I did not want it."

Next he received a computer-issued statement showing a balance due under the credit card account. The charge was $10.79 for a purchase from a well-known oldline Boston firm specializing in canned goods and tobacco, among other items.

The purchase had been made, all right, by Mrs. Bingham. Mrs. Bingham, however, had already paid for it, by check.

"O woe, that such a fine old firm should lend itself to these monstrous practices," wailed the congressman.

So Bingham returned the statement with a second angry note. This time he made sure the note was written on congressional stationery.

"That ought to make them sit up and take notice," he thought.

No such luck, says Bingham, "what naivete. The computer was wholly unimpressed."

Instead, Bingham received a second statement telling him that $10 of the $10.79 charge was past due. It added a 16-cent interest charge to the balance, making a new total of $10.95.

Following that, Bingham received "two increasingly sharp reminders" that his account was overdue.

At least Bingham is not alone, either in or out of Congress. A companion bill has been introduced by Sen. William E. Proxmire, D-Wis.

[From the Richmond (Va.) Times Dispatch]

UNWANTED CREDIT CARDS

Convinced that they constitute a national nuisance and possibly a national economic threat, Rep. Jonathan B. Bingham (D–N.Y.) has introduced legislation to check the flow of unsolicited credit cards.

His efforts appear to be making him something of a national hero. Letters from across the nation have praised him and have condemned the practice, followed by some businesses, of sending credit cards to people who have not sought them.

Such a practice is a nuisance because, at the least, it inconveniences recipients. Those uninterested in keeping the cards they receive must either return or destroy them to make certain they don't fall into the hands of dishonest persons who would fraudulently use them at the recipient's possible expense.

And even destroying the card may not prevent trouble, since the name and number of the recipient is inside a computer somewhere and may be spewed out to erroneously charge that person with having made purchases. Or, at least, Rep. Bingham says this is what happened in his case. He has spent weeks trying to convince the computer that he never used the card.

Some critics also contend that wide, indiscriminate distribution of credit cards encourages consumer extravagance, leads some people dangerously deep in debt and contributes to inflation.

There is much to what Bingham and his supporters say. Wisely used, the credit card is a useful economic tool that facilitates transactions. Credit card users may find it unnecessary to carry large sums of money or to submit to a credit investigation every time they trade where they are not known. Still, it seems unfair to thrust a credit card upon a man and force him either to send it back or tear it up. Credit cards should go only to those who have requested them.

Recently New York State Attorney General Louis J. Lefkowitz urged the New York State Legislature to pass legislation to curb unsolicited credit cards, and I am delighted that he has done so, but Federal legislation is needed also. The following is a New York Times editorial, dated August 13, on the subject:

THOSE UNWANTED CREDIT CARDS

The phenomenal growth in popularity of credit cards has inevitably produced some abuses. One of the most exasperating is the growing commercial practice of sending out unsolicited credit cards to people who do not want them. It is indulged in even by some of our leading banks, which should know better.

Only recently the Brooklyn District Attorney, Eugene Gold, asserted that the major distributors of such cards were guilty of "helter-skelter distribution that encourages crime."

Representative Jonathan B. Bingham received and sent back an unwanted card recently, but nevertheless as a result of a computer mix-up found himself the recipient of a bill from its sender. It infuriated him so that he now has a bill pending before the House Banking and Currency Committee to forbid the practice.

Attorney General Louis Lefkowitz has announced he will ask the State Legislature for similar legislation at the next session. It is badly needed. Many unsophisticated people do not realize that if an unsolicited card bearing their names is stolen and used fraudulently they are not responsible for the debt. And, even if they are aware of their rights, they may have to pay a big court bill to defend them.

RESULTS OF QUESTIONNAIRE

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, earlier this year I mailed to every postal patron in the 10th Congressional District of Massachusetts, which I have the great honor to represent in the U.S. Congress, my annual legislative questionnaire. The generous and thoughtful response of my constituents to this inquiry was most gratifying. More than 24,000 persons took the time to consider my questions and register their preferences in these matters of national concern. It is only through cooperation like this on the part of informed citizens that Members of Congress can effectively represent the people who elect them to office.

For purposes of tabulation and because of space limitations, the questions were necessarily simplified and the optional choices abbreviated. Such brevity can be frustrating both for the constituent and Representative in a day when the issues are so complex. Thus, I found the many additional comments and letters written by a number of my constituents to expand and clarify their views most interesting. A recurring theme of these comments was inflation and the difficulties encountered by persons living on fixed incomes. The need for increases in social security payments was stressed, just as it has been in the conversations I have had over the past months with thousands of senior citizens of the 10th Congressional District.

The Vietnamese conflict remains uppermost in the minds of residents of the 10th Congressional District. There is a significant difference in opinion reflected in this year's poll as compared with the results in 1968, when no more than one-quarter of the respondents could be included in the group favoring withdrawal. This year approximately 70 percent of the answers indicate the feeling that American forces should be withdrawn from Vietnam—either immediately or on the basis of a gradual phaseout. As opposed to the 21 percent figure in my 1968 questionnaire, this year 13.3 percent favored the pursuit of complete victory in Vietnam.

In evaluating the questionnaire results, I was interested to see that the number of men and women answering my poll differed by less than 200. In question 4, both men and women ranked Federal spending priorities in the same exact order, with the exception that the order of space and welfare programs was reversed. Slightly more men in the 10th Congressional District appear to feel more strongly than women about the importance of space expenditures, and several hundred women seem to believe that welfare expenditures are more important than space programs. It should also be noted that many persons added to this list of categories health care and medical research, conservation, air and water pollution control.

Mr. Speaker, I respectfully request the results of my legislative poll be entered into the RECORD so that my colleagues and other students of this journal may benefit from the thoughtful views of the residents of Massachusetts' 10th District. Although it is said that there are regional differences in these United States, I am confident that this poll represents a wide cross section of the American people, and should be of value to Congressmen from every section of the country. The tabulation of the results of my 1969 legislative questionnaire follows:

[Answers in percent]

1. Concerning the war in Vietnam, which one approach do you favor:

Pursuit of complete victory	13.3
Paris peace talks and limited military action	13.9
Peace talks with phased withdrawal of U.S. troops	48.4
Immediate withdrawal	19.9
No answer to question	4.5

2. Concerning the antiballistic missile, which do you think is the best system:

Construct a "thick" system	7.3
Adopt the President's limited program	31.4
Delay construction pending study of alternatives but continue research and development	30.3
Stop all ABM deployment, applying the billions of dollars to domestic needs	27.5
No answer to question	3.5

3. Check any of the following you would favor:

A ban on cigarette advertising on radio and TV	56.1
Establishment of an all-volunteer army	38.3
Tighter gun control laws	64.8

4. In which three of these categories is Federal spending most important: (Preferences ranked as follows, with education and crime prevention and control the primary selections of the overwhelming majority)

1. Education.
2. Crime prevention and control.
3. Antipoverty programs.
4. Housing.
5. Military expenditures.
6. Transportation—ground and air.
7. Space program.
8. Welfare.
9. Foreign aid.

5. Regarding student disorders, which course do you think Congress should take:

No Federal intervention, thus allowing school administrations full authority on campus	25.2
Cut off Federal aid to individual students who, in school administrators' judgment, caused serious campus disruptions	46.2
Stop all Federal funds to schools whose administrations fail to curb student disorders	26.7
Create a Federal Higher Education Mediation and Conciliation Service to help settle disputes between students, faculty and administrations	12.8

LIBERAL PARTY OPPOSES DEPLOYMENT OF MIRV

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. HALPERN. Mr. Speaker, one of the outstanding forces for progressive change in my State, the Liberal Party, has added its voice to the rising tide of public indignation over the threat posed to world stability by deployment of MIRV—the multiple, independently targetable reentry vehicles.

It is my belief that we should defer further MIRV testing until every effort is made to achieve a mutual moratorium

with the Soviet Union on MIRV development.

In view of the Senate's recent vote to deploy the Safeguard ABM, the great danger of nuclear arms escalation increases as long as we give the administration the go ahead on MIRV.

Because of the immediacy of the question of testing and deployment of MIRV, I would like to commend this resolution of the Liberal Party to my colleagues:

STATEMENT OF THE LIBERAL PARTY OF NEW YORK STATE AGAINST THE TESTING AND DEPLOYMENT OF MIRV

The testing of Multiple Independent Targetable Re-entry Vehicles (MIRV) by the United States government represents not only a further dangerous and meaningless escalation of the arms race, but is also a direct threat to the success of impending U.S.-Soviet nuclear arms talks.

Many scientists, deeply concerned about U.S. security, believe that the MIRV program will do more to hurt the U.S. than to help it. As we increase weapons, we increase the chance of mistake leading to their use.

A balance of terror exists. What is gained by making it more terrible? Even without MIRV it is clear that the United States can destroy Soviet cities several times over. Another clear result of MIRV testing and deployment is that America's cities will continue to decay due to lack of urgently needed resources.

The Liberal Party of New York State strongly opposes testing and deployment of the MIRV program and urges:

1. That the United States government cease all testing of the MIRV, regardless of the program under which this testing takes place.

2. That President Nixon begin immediate nuclear nonproliferation talks with the Soviet Union making the MIRV program a top priority for discussion and agreement.

3. By concentrating on arms limitation and pressing social needs as its outstanding concerns, the United States would indicate clearly what are its priorities. The Liberal Party strongly supports such a change.

WELFARE WORKERS HAPPY WITH NIXON'S PROPOSAL

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, I am sure that every Member of Congress is interested in the early public response to the proposals to reform the welfare system the President outlined in his television speech of August 8.

One of the important constituencies effected by the President's proposals are the welfare workers. I was pleased to see that one of the enterprising newspapers in the Sixth District of Wisconsin, the Paper of Oshkosh, interviewed county welfare managers in three counties for their reactions to the President's proposals. I was particularly interested to learn that the welfare workers in my district are favorable and optimistic about the program.

What follows is the text of a story in the Paper, Oshkosh, Wis., for August 9, 1969:

WELFARE WORKERS HAPPY WITH NIXON'S PROPOSAL

"It would appear that this is really an excellent kind of change because it puts everybody on an equal basis," Outagamie County's welfare director commented Friday after President Nixon's proposal to revamp the welfare system.

Alfred Eggert said that subsidizing families would prompt welfare recipients to think "if I want more I have to work. We have to try to motivate people towards this. This ought to bring about pay checks instead of welfare checks. Get the people to work.

"I favor this. I think all people in welfare work would favor this," Eggert added.

The President wants the present Aid to Families with Dependent Children program absorbed into a new system that would subsidize poor families regardless of whether the household head has a job.

Winnebago County welfare director, Norman Whitford could not be reached Friday, but Ray Toner, chairman of the county social services board, said the proposal seemed worthwhile.

"It looks to me like there is sense in what he says," Toner commented.

Toner said that $1,600 would hardly be sufficient to sustain a family. "You know that $1,600 won't go very far with food prices today," said the chairman. "At least they would buy bread and butter. If these young kids are hungry, how do they live? They won't have the ability or desire to concentrate on learning."

The President called also for a $1 billion start on sharing federal tax revenues with states, a dramatic shift of manpower programs from Washington to state and local control, and reorganization of the anti-poverty agency for almost total emphasis on experimentation.

Joseph W. Juknialis, Fond du Lac County welfare director, particularly favored the work incentive programs proposed by Nixon.

The President proposed that all able-bodied welfare recipients "accept work or training provided suitable jobs are available either locally or at some distance if transportation is provided."

"The state (Wisconsin) for the last couple of years has had the Work Incentive Program (WIN)," Juknialis said. "Fond du Lac County has recently been accepted for the WIN program.

"They (the proposed welfare changes) have been a long time in coming," Fond du Lac County's director continued. "Wisconsin will be less effected by this than some of the southern states.

"We're moving in the right direction."

As a political observation, Juknialis said: "You know that people have always said that it's been the Democrats largely that have been spending the money and broadening the welfare programs. But it's good to see the Republicans picking up some of these programs."

PRESIDENT NIXON'S JOURNEY

HON. WILLIAM V. ROTH, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. ROTH. Mr. Speaker, I should like to add my words of congratulations to President Nixon on his recent worldwide trip, which I believe has helped to bring the peoples of the earth closer together. Coming as it did so soon after the moon landing of Apollo 11, the trip certainly emphasized the need for all men to live together in peace.

History alone will judge the ultimate benefits of this journey, but the most promising development at this point seems to be the evolution of a new foreign policy for the United States. America has neither the manpower nor the moneypower to be the world's policeman, but America does have a moral obligation to help maintain international peace that makes isolationism unacceptable. The key question is how to achieve the proper balance in moving from the overcommitted posture of the present to a realistic posture in the future.

Few people believe this Nation should retreat into a shell, like a turtle. As a principal power, we must play a major role in assuring peace and freedom among nations. In initiating his new policy, Mr. Nixon stated that while we indeed plan to do our share in keeping the peace in the Far East, the nations of that region should not in the future depend upon American combat troops for defense, but must rely primarily on the efforts of their own people.

I believe the same message should be made clear to other regions of the free world. In Western Europe, for example, the democracies must not expect the indefinite presence of a substantial number of American foot soldiers as part of the NATO defense. The time is coming when our contribution should be primarily air and sea power. The Western European nations, as well as Japan in the Far East, must therefore begin to assume a larger responsibility for the defense of their own regions.

This policy shift cannot and should not be carried out overnight. We must move positively, but we must move patiently and carefully to avoid either skepticism about the value of our international treaties from friendly nations or further aggression by Communist countries: As we approach the first anniversary of the invasion of Czechoslovakia by the Russians, for example, it is painfully obvious that Communist aggression continues to be a threat. Therefore, in evolving what I feel should be our new policy of primary reliance on air and sea power, we must make it clear to friend and foe alike that we shall honor our commitment to help maintain international peace, as we must also make it clear that the free nations of the world must assume greater responsibility in providing for their own defense.

I congratulate the President for his espousal of a new foreign policy. I believe 1969 will be marked as the turning point in our attitude toward our worldwide commitments as we move toward helping other regions take the necessary steps to become self-supporting and protective of their own rights. Truly effective reallocation of our military power will enable us simultaneously to meet our moral obligations around the world and to refocus our human and financial resources on building a strong and free Nation here at home.

OWEN B. AUGSPURGER

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. McCARTHY. Mr. Speaker, Buffalo and western New York Saturday lost one of its most valuable citizens and distinguished community leaders. He was Owen B. Augspurger, 56, the spark who ignited innumerable worthwhile—and indeed some historic—civic causes. He was a selfless and completely dedicated person who gave of himself in countless ways.

I was privileged to work with him during the 1950's when a group of Buffalonians including Melvin H. Baker, Elmer F. Lux, George F. Rand, Jr., Richard Lang Miller, and others, organized the Buffalo Redevelopment Foundation. This group later became the Greater Buffalo Development Foundation which spearheaded the multimillion dollar renewal of Buffalo's inner city and launched other far-reaching programs of community betterment.

Owen was a personal friend of Mrs. McCarthy and myself and while his untimely passing is a major loss to our area it is also a deep personal loss to us. We convey our deepest sympathy to his widow, Paula, and to his children.

Mr. Speaker, I include the obituaries from the Buffalo Courier-Express and the Buffalo Evening News following my remarks:

[From the Buffalo (N.Y.) Evening News Aug. 11, 1969]

OWEN B. AUGSPURGER IS DEAD—AN OUTSTANDING CIVIC LEADER—LAWYER WAS INSTRUMENTAL IN FORMING MAIN PLACE MALL AND UNITED FUND

Owen B. Augspurger, 56, of 115 Lexington Ave., a lawyer, former city councilman and civic leader who worked diligently and often behind the scenes to improve Buffalo, died Saturday (Aug. 9, 1969) in a Bozeman, Mont., hospital.

Mr. Augspurger, a partner in Jeckle, Fleischmann, Kelly, Swart & Augspurger, one of the most prominent law firms in the state, injured his neck Wednesday in a fall from a horse.

He had been vacationing on a dude ranch in Montana with his family.

Mr. Augspurger was so modest and unassuming that his great contributions to Buffalo often went unnoticed.

"He liked to work that way," an associate said today, "he was a nice guy, quite and nice."

FORMED MAIN PLACE

In 1963, Mr. Augspurger, with Lee R. Norton, a banker, and R. J. (Chris) Schutz of Kleinhans Inc., did the long, detailed background work that brought about the construction of Main Place, Buffalo's first, private downtown redevelopment project.

Earlier, Mr. Augspurger was the prime mover in negotiations that brought about joint fund-raising efforts by the Buffalo Red Cross Chapter and the Community Chest of Buffalo & Erie County, now the United Fund.

Always interested in history, especially military history, Mr. Augspurger was president of the Buffalo & Erie County Historical Society in 1964 when the first steps were taken to acquire the Ansley Wilcox mansion in Delaware Ave., where President Theodore Roosevelt took the presidential oath of office, as an historical shrine.

OUTSTANDING CITIZEN AWARDS

The Buffalo Evening News considered Mr. Augspurger's civic achievements so important that he was twice-honored in 1963 and 1964, by The News as one of Buffalo's outstanding citizens.

A Republican, he served in 1950 and 1951 as Delaware District councilman.

A Buffalo native, Mr. Augspurger was a graduate of Nichols School, Princeton University and the University of Buffalo Law School. He was admitted to the bar in 1937.

Mr. Augspurger was a private in the National Guard in 1940 and his outfit was called into active service as the 102d Anti-Aircraft Battalion.

Soon after the attack on Pearl Harbor, the battalion went to the Pacific Theatre and he served overseas nearly 45 months.

BATTALION COMMANDER

When he left active service in 1945, Mr. Augspurger was a lieutenant colonel and the battalion commander. He had fought in Australia, the East Indies, New Guinea and the Philippines.

In Australia, Mr. Augspurger met his future wife, Paula Norris, who was then in the Australian Women's Army Service. They were married in 1944.

Mr. Augspurger is a former member of the Buffalo Junior Chamber of Commerce and in 1948 received the Chamber's Gold Key Award as "Buffalo's outstanding young man."

Active as a lawyer and busy in community projects, Mr. Augspurger maintained his military connections and in 1960 was made a brigadier general in the New York Guard.

ADDED TO CANADIAN RELATIONS

Leader of the Guards 55th Area Command, Mr. Augspurger's group was the first in the state to conduct a summer field training program, the first to organize a radiological school for officers, and the first to develop an effective liaison with civil defense units.

Mr. Augspurger, as a member and officer of the Historical Society and through his military connections, contributed enormously to Canadian-U.S. relations.

He worked tirelessly on the 100th anniversary of peace celebration between the two nations and attended countless Canadian military functions as a U.S. representative.

The Buffalo Men's & Boys' Wear Guild named Mr. Augspurger a man of the year in 1965 for his work in the Greater Buffalo Development Foundation and Backers Realty, the group within the Foundation, that helped develop Main Place.

RED CROSS OFFICIAL

A former chairman of the Buffalo Red Cross Chapter, Mr. Augspurger was vice chairman of the American Red Cross national convention in Cincinnati, O. in 1961. He also is a past president of the Main St. Association Inc.

Mr. Augspurger helped develop Red Cross disaster services in the Buffalo area and served in 1949 as the first chairman of the Red Cross regional blood program.

He also was active in United Fund appeals and in many other philanthropic fund campaigns.

Mr. Augspurger, as The News noted in the 1963 outstanding citizen citation, "spearheaded Buffalo's effective program of off-street parking."

The citation also noted that "experience he obtained in practical politics as a city councilman has been valuable in the intricate maneuvering that involves the meshing of public and private enterprise in civic betterment programs."

HONORED BY UB

In 1960, Mr. Augspurger won the Samuel P. Capen Award for meritorious service to UB.

He was a past director of the Erie County Bar Association and a member of the New York State and American Bar Associations. He was a past president of the Lincoln Law Club and Phi Delta Phi, a legal fraternity.

He served as a deacon of Westminster Presbyterian Church and was a member of the Buffalo Athletic Club.

Survivors, with his wife, are three children, John N., Robert B., and Susan M., and a brother, Charles H. Augspurger.

[From the Buffalo (N.Y.) Courier-Express, Aug. 11, 1969]

FALL OFF HORSE PROVES FATAL TO OWEN B. AUGSPURGER, 56

BOZEMAN, MONT.—Owen B. Augspurger, 56, of 115 Lexington Ave., Buffalo, a prominent lawyer and civic leader, died here in Deaconess Hospital Saturday evening of injuries suffered Wednesday when thrown from a horse while vacationing with his family here.

Mr. Augspurger suffered a fractured neck vertebra.

Mr. Augspurger was a partner in the law firm of Jeckle, Fleischmann, Kelly, Swart & Augspurger.

He was admitted to the bar in December 1937 and for nearly three years, before entering the armed service, he was associated with the law firm of Falk, Phillips, Twelvetrees & Falk.

SERVED IN PACIFIC

Mr. Augspurger was a private in the National Guard in 1940 and his outfit became the 102nd Antiaircraft Battalion. In February, 1942, the battalion went to the Pacific and before he left the group late in 1945, he was a lieutenant colonel and battalion commander.

He was honored with numerous service medal awards and six battle stars and two arrowheads from the Pacific campaign.

In March, 1946, he was commissioned a lieutenant colonel in the New York Guard. In August, 1954, he was appointed commander of the Fifth Zone Service Command of the New York Guard and was promoted to colonel in October of that year. In 1960 he was promoted to brigadier general.

UB LAW GRADUATE

A native of Buffalo, Mr. Augspurger was graduated from Nichols School and Princeton University, where he earned his bachelor of arts degree, and the University of Buffalo Law School.

Active in university and community affairs, he was general chairman of the Greater University of Buffalo Development Program of 1952. In 1960 he received the Samuel P. Capen Award for notable and meritorious service to the University of Buffalo.

Mr. Augspurger was president of the Buffalo Junior Chamber of Commerce in 1938; president of New York State Junior Chamber of Commerce in 1939; and recipient of the 1947 Golf Key Award of the Buffalo Junior Chamber of Commerce as Buffalo's Outstanding Young Man.

RED CROSS WORKER

A devoted worker for the American Red Cross on both a national and regional level, he served as chairman of the ARC Disaster Service; first chairman in 1949 of the Buffalo Regional Red Cross Blood Program; chapter chairman of the Buffalo Chapter of the ARC from 1953–55; first chairman in 1956–59 of the United Community Chest-Red Cross Campaign Advisory Committee; and member of the ARC board of directors and the executive committee.

CHURCH DEACON

He was also a past president of the Buffalo & Erie County Historical Society; past director of the Erie County Bar Assn., and a member of the New York State and American Bar Assns.; also a member of the New York State Bar Assn. Committee on the Unauthorized Practice of Law; former president of the Lincoln Law Club and a member of Phi Delta Phi Legal Fraternity.

He was a worker in the Community Chest, March of Dimes, Cancer Fund, Sister Kenny, and Nichols School fund drives. A member of Westminster Presbyterian Church, he served as deacon of the church.

He was a member of the Buffalo Athletic Club. Interested in sports, he served as manager of the Princeton track team for one year and was a member of the Olympic Sports Committee of the U.S. Junior Chamber of Commerce.

Mr. Augspurger is survived by his wife, the former Paula Norris, of Brisbane, Australia, three children, John N., Robert B., and Susan M., and one brother, Charles H., all of Buffalo.

Funeral arrangements are incomplete.

PROTEIN FROM PETROLEUM—A REPORT FROM SCIENTIFIC AMERICA

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. WOLD. Mr. Speaker, the Malthusian specter of population increasing at a geometric progression rate while the world's supply of food only increases arithmetically is one that haunts many people today.

A short- and medium-range solution to this problem may lie beneath the ground. We now have the technical capability to make food from petroleum; that is, grow protein-rich micro-organisms on a diet of oil.

The threat of a protein deficient diet is already more of a threat to the masses of the planet that is actual starvation. However, protein deficiency can be just as pernicious in its effects. Already, too many people are living on mere subsistence diets—diets with calories enough to sustain life, but without the nourishment necessary to insure good health.

But man, in another one of his noble efforts, has devised a method which offers hope of growing edible life-sustaining micro-organisms on petroleum. Indeed, laboratories have already operated on a sizable scale and their protein products are being tested. There are difficulties yet being encountered; nonetheless, I believe the process to be one that offers a great amount of hope.

In order to elucidate my colleagues on the possibilities and problems of the process I would like to enter the following article in the RECORD:

[From Advancement of Science magazine, December 1968]

ANIMAL PROTEIN FROM UNUSUAL SUBSTRATES INCLUDING PETROLEUM AND METHANE

(Dr. J. R. Norris)

[Tables and illustrations not printed in RECORD]

Nitrogen is an essential element in the composition of proteins and other materials of which living matter is composed, and it follows, therefore, that all forms of life require a supply of nitrogen as a major part of their nutrient intake. Man and the larger animals require nitrogen in complex form as protein or, at least, as the amino acids of which protein is composed. Much of the nitrogen available in the world exists as gaseous nitrogen in the atmosphere or as simple inorganic forms of nitrogen, such as ammonium salts, in the soil and water bodies. One of the important aims of conventional agriculture is the upgrading of this inorganic nitrogen to produce the complex organic nitrogen compounds required by man.

Figure 1 summarizes the cyclic changes which nitrogen undergoes in nature, and emphasizes the key part played by the green plant. The dashed line represents the border between the organic and inorganic states of nitrogen and, whilst the proteins and amino acids of the bodies of plants and animals and the waste products of animal metabolism are readily broken down to the simpler forms of nitrogen by microbial action, there is only one route upwards from the simple to the complex; protein synthesis by the growing green plant. This nitrogen upgrading requires energy, and the green plant, by photosynthesis, is able to trap and use the energy of the sun for this purpose. That is essentially our problem; protein synthesis by agricultural crop plants is notoriously slow and inefficient in terms of protein synthesized per unit of area cropped. Conventional agriculture is correspondingly limited in its ability to supply man's protein requirements.

Of course, this cycle alone cannot support regular agricultural cropping. As nitrogen is removed in the form of plant or animal produce, it must be replaced as inorganic nitrogenous fertilizer, and we need only look at figures reflecting the world use of fertilizer nitrogen over the past half century to see how the demand for inorganic nitrogen is escalating (Table 1). Today, approximately one-sixth of the world population (say 500,000,000) is dependent on artificial nitrogen for its survival. We can safely assume that the world's soils, via nitrogenous residues, can hardly be expected to take care of more than half of the 3,000,000,000 extra people expected to be alive in the year 2000. This would imply that we shall need no less than 50,000,000 tons of inorganic nitrogen per year by the end of the century. This scale of operation alone creates problems—for instance an annual transport load enormous by present day standards would result—but this is not the aspect of the problem which concerns me here. Assuming that inorganic nitrogen can be produced and distributed on the scale required, it is quite clear that conventional agricultural practice, including all the extensions in area and increase in efficiency considered at present to be reasonable, could never manage to upgrade that volume of nitrogen to a level where it would become available to man and animals. Of course we can hope that the increase in population will be less than can be predicted by extrapolation from today's trends, and we can argue that maximum priority must be given to programmes aimed at limiting the population explosion. This is perfectly correct, but we must also remember that today about half of the world's population is already undernourished. At the present time world food production per head is declining and if we are to feed adequate amounts of protein to the population of the world during the remaining part of this century, we must search for new sources of edible protein and we must look for more efficient methods of producing protein from inorganic nitrogen. It is with the latter aspect of the problem that I am concerned here.

Fortunately, although the nitrogen cycle as outlined in Fig. 1 appears in the majority of agricultural text-books, it is incomplete in one very important respect (Fig. 2). The green plant is not the only organism capable of upgrading nitrogen. Most micro-organisms, the bacteria, yeasts and moulds, are capable of utilizing simple forms of nitrogen (in some cases including nitrogen gas) as a starting point for the synthesis of their own cell proteins. They obtain the energy for the process not from sunlight but by the degradation of energy-rich materials of many different types. Many of these energy-rich substrates—carbohydrates for example such as starch and cellulose, and hydro-carbons—were originally synthesized by plants during photosynthesis, and the micro-organism growing today is often using energy derived from the sun years, and in some cases millions of years, ago.

Granted that microbial synthesis offers us a possible route to protein, we are faced with three important questions—Can protein be synthesized by this route efficiently on a large scale? Can the protein produced be fed to man or animals? Can the whole process be operated economically? Let us look first at the question of efficiency.

A young pig or chicken may double its weight in a month, but a yeast cell will do this in about two hours. A yeast factory with ten large size fermentors could produce ten tons of yeast per day, roughly half of which would be protein. To provide the same amount of protein in the form of pork, it would be necessary to kill 80 pigs a day—30,000 pigs per year. To go back one stage in the food chain, it would require over 8000 acres of wheat to produce the same amount of protein in a year. The yeast factory might occupy an area of half an acre. Micro-organisms grow rapidly, and the equipment needed, although complex, occupies a relatively small area. Furthermore, the efficiency with which the energy of the substrate material is utilized is very much greater than the efficiency of utilization of solar energy by normal agricultural crops. In terms of production efficiency and capacity, microbial methods of protein synthesis are several orders of magnitude better than conventional agricultural practice. If we think in terms of direct feeding of microbial protein to man, a relatively modest plant of 50 tons daily capacity could furnish a protein supplement of a few grams per day for some 10,000,000 people. In practice, the immediate outlet for microbial—or as it is often called today, single cell protein—is likely to be as a protein-rich supplement in animal feed stuffs, but already some yeast is used as a human food supplement, and there is no basic reason why direct feeding to man should not become an important route for the utilization of single cell protein in the future.

Much of the high growth rate of micro-organisms stems from the microscopic size of the individual cells. Only a small proportion of the surface of a large animal or plant is available for uptake of nutrients and complex systems for the distribution of materials are needed within the body of the organisms. The microbial cell, however, is able to take in nutrients over its entire surface area which is high in proportion to the mass of the cell. What energy sources are available for the growth of such micro-organisms?

Ideally, we might perhaps hope to utilize a fast growing micro-organism that was able to obtain its energy from sunlight by photosynthesis, and we would turn to the microscope algae which have these characteristics. Indeed, this idea is by no means a new one. In the remote Sahara near Lake Chad, one of the staple human foods is a rich soup prepared from cages of algal material scooped as a green slime from brackish waters and dried in the sun. The apparent low cost of the process in which 'free sunlight plus free carbon dioxide equals valuable protein' has attracted a great deal of attention and stimulated considerable work on the production of algal protein. Unfortunately, things are not quite as simple as the equation would have us believe. The low cost of the raw materials is offset by other factors. In particular, the layer of nutrient medium in which the cells grow must be thin if sunlight is to penetrate to all the cells. This leads to high water losses by evaporation; a situation which is intolerable in many areas where production would be contemplated. Cell yields often tend to be low so that recovery may be expensive. Both on account of sunlight and temperature algal growth on a

large scale would only be possible between certain latitudes and under restricted climate conditions. The possibility of growing algae on sewage has attracted attention in recent years and several plants have been built for this purpose in areas where there are sewage purification problems, and where water shortages necessitate the efficient use and recovery of available water supplies.

One field in which algal culture might become important is in space flight programmes. Astronauts confined for long periods of time in a space vehicle must be provided not only with food but also with oxygen; and carbon dioxide must be removed from their atmosphere. The idea of using a photosynthesizing alga to achieve all three objectives is an obvious one, and it has been calculated that production of 600 g of alga per day per man would not only be nutritionally adequate as regards protein and vitamins but would also supply sufficient oxygen. Equally, it would remove adequate amounts of carbon dioxide and act as an efficient 'photosynthetic gas exchanger'.

On the 'earthbound' level, algal culture is certainly possible but is uneconomic at the present time. Important problems concern the elimination of bacterial contamination of the cultures, and the provision of nitrogen for growing cells. Nevertheless, considerable research and development effort goes into the problem of algal culture, particularly in Japan and in Czechoslovakia. A photosynthetic micro-organism which is today attracting attention is the blue-green alga, *Spiruline maxima*, a coil-shaped organism, the cells of which mat together so facilitatin; harvesting.

Space flight requirements have led to the development of interest in the microbial use of another unusual growth substrate, hydrogen. A curious group of bacteria called *Hydrogenomonas* have the ability to utilize hydrogen directly as electron donor in their energy yielding growth processes. Electrolysis of water could be used to produce oxygen (for respiration) and hydrogen as growth substrate for protein synthesizing bacteria. Carbon for growth comes from carbon dioxide and urea, from the astronaut's urine, could be used as nitrogen source. Preliminary estimates suggest that both power and space requirements are much less than for algal culture. From the equations presented in Fig. 3, it is clear that for every equivalent of carbon dioxide used, one equivalent of oxygen becomes available for the astronaut's respiration. Cultures of high cell density (7 g per l.) can be obtained, and it is estimated that a 20-litre culture would be adequate to support one man for an extended period in a closed system such as a space vehicle. Research today concerns the development of efficient production equipment suitable for use in space vehicles and the handling of the biomass produced to provide an acceptable and non-toxic food material. Hydrogen would be an expensive growth substrate for large scale use on earth and we must seek cheaper, more readily available carbon-energy sources.

The most conventional, and certainly the most extensively studied, carbon-energy source is carbohydrate material of which, since it comes almost entirely from vegetable matter, there is theoretically an inexhaustible supply. Actually, however, since a large proportion of the carbohydrate available in nature is in the form of large polymers such as cellulose, and the direct use of such material by bacteria and fungi has not yet proved realistic on a large scale, preliminary hydrolysis to fermentable material would be necessary. Much agriculturally produced vegetable material is valuable as food or feed stuff, and we are left to consider waste products with a high inherent fermentable carbohydrate content. The conventional ones are sucrose rich wastes from the sugar industry, sulphite waste liquor from paper manufacture and potato starch wastes. In recent years, we have also seen the development of yeast and algal cultivation on the organic growth substrates present in raw sewage.

There is a tendency to think of single cell protein as a new development still in its infancy. This is quite wrong. The idea of producing yeast for food dates at least from 1910 and there are many records of attempts to use yeasts such as *Candida utilis* and *Saccharomyces cerevisiae* for this purpose. *Candida* is capable of using both pentoses and hexoses whereas *Saccharomyces* uses only hexoses for growth; an important point in relation to growth on sulphite liquors which contain both types of carbohydrate and, in North America alone, yield some 50,000 tons of yeast each year. Global yeast production from carbohydrate substrates today exceeds 4000 tons per week and already single cell protein from this source, used as a supplement in animal feed stuffs, is making a significant contribution to man's protein supplies. Incorporation of yeast at a level of 3 per cent in a protein enriched maize flour results in a valuable human food stuff called Incaparina which has been introduced in recent years in various parts of Central and South America to combat protein deficiency. It is hoped that careful introduction and imaginative marketing will lead to the general acceptance of Incaparina and point the way for the introduction of similar novel foodstuffs to under-nourished populations.

If yeast production from fermentable waste carbohydrate is as well developed as this, why should we still be looking for new growth substrates and why is it that much of the present intense interest in this subject stems from the demonstration that hydrocarbons can be utilized as carbon-energy sources by a wide range of micro-organisms including both yeasts and bacteria? The immediate answer that comes to mind is that hydrocarbons are among the cheapest of all carbon-energy sources and that low cost is their main attraction as potential growth substrates. This is not, I believe, the case and in order to explain why I think this I must describe the process of fermentation in a little more detail.

Microbial cells grow only when bathed in water containing their essential nutrients, and this in practice, on the commercial scale, means that a growing culture consists of microbial cells suspended in an aqueous solution containing substantal quantities of carbon-energy, and nitrogen sources, a range of inorganic salts and, possibly, other essential metabolites such as vitamins and growth factors in smaller amounts. In the fermentations we are considering, oxygen is required and carbon dioxide is produced and our culture must be aerated vigorously by sparging air into the liquid and stirring at a high speed. Both the growth of the cells and the input of mechanical energy causes the temperature to rise, but micro-organisms grow optimally only within certain closely defined temperature limits and large volumes of cooling water may be required to dissipate the heat produced. The provision of adequate cooling can be a most expensive item in a fermentation project. On the commercial scale, the process would be operated continuously and a flow sheet for such a process would look something like that outlined in Fig 4. In addition, it may be necessary to exclude contaminating organisms rigorously from the fermentation by heat sterilizing the fermentor and the growth medium and filtering the air supply. It is obvious, I think, that fermentation is not a simple process and that capital and operating costs are going to be high. The carbon-energy source is going to be a relatively small, though not by any means insignificant, part of the cost of production.

Hydrocarbons contain no oxygen whereas carbohydrates do contain oxygen. This fact has two important effects when we compare hydrocarbon and carbohydrate fermentations. Cell material has a carbon-hydrogen-oxygen composition roughly comparable with that of carbohydrate and since quite a lot of the substrate carbon is lost as carbon dioxide during energy yielding growth processes, yields of biomass from sugars are often only of the order of 50 to 60 per cent on a weight for weight basis. Hydrocarbons, on the other hand, since they take up relatively more oxygen during conversion to cell material give higher weight for weight yields—but need much more oxygen to do it. For example, 200 kg of sugar plus 70 kg of oxygen will yield 100 kg of cells, whereas 100 kg of cells will be obtained from 100 kg of hydrocarbon, but its production will need no less than 200 kg of oxygen. Furthermore, the heat produced by the hydrocarbon oxidation is double or triple that for the equivalent weight of carbohydrate grown cells.

Increased oxygen demand means increased stirring rate with a greater requirement for mechanical energy, and increased heat production means more cooling water—possibly even refrigeration. The expense of these items can be expected largely to offset the cost advantage of using a cheap hydrocarbon substrate. At current American prices, the cost of various carbon—energy sources per kg of cell mass produced is roughly 44 cents for sucrose, 8.8 cents for molasses and 2.9 cents for hydrocarbon in light distillate oil. Thus the apparent initial advantage of the hydrocarbon over molasses is only about 6 cents per kg of cells produced. The cost of increased aeration with the hydrocarbon would be perhaps 1.3 cents per kg and the cost of heat dispersal could well be of the order of 4 cents per kg. The cost advantage of the cheap substrate has disappeared.

There is an additional problem; hydrocarbons, especially the liquid hydrocarbons used by yeasts as growth substrates are not very soluble in water. They must be emulsified in the fermentation liquid in order to provide sufficient substrate concentrations. The stragiht chain hydrocarbons used by growing yeast can be extracted from crude oil and introduced into a fermentor in a relatively pure form, in which case the substrate is completely used and clean yeast is produced. More usually, however, a gas-oil—that is a mixture of straight chain hydrocarbons, cyclic hydrocarbons and other compounds produced by distillation from crude oil—is used as the fermentation substrate. In this case, straight chain hydrocarbons are used by the growing yeast which finishes up highly contaminated with residues from the gas-oil. The subsequent cleaning operation is expensive and the final manufacturing cost of hydrocarbon grown yeast is not likely to differ much from that of a yeast grown on more conventional carbon sources.

The main advantage of using hydrocarbons as substrates for single cell protein is not their low cost but the fact that they are available in large quantities as non-agricultural products. Their production is independent of climatic conditions or seasonal fluctuations, there is no problem of reorganization of agricultural practice to increase supplies, prices are relatively stable, and the amount of hydrocarbon actually needed for single cell protein production would be so small as to have little impact on the overall hydrocarbon supply situation. There is another point which is worth noting. Figure 5, presents a picture of the geography of hunger; the dark areas show where deficiency of food supply is a permanent feature of the economy. Superimposed are the major oil and gas producing areas of the world. The conclusion is a striking one—hydrocarbons are often available in, or close to, areas where protein deficiency is most pronounced. In the case of natural gas, the hydrocarbon (methane) is often unusable at the production site and uneconomic to transport. The carbon-hydrogen bond is highly resistant to chemical attack and possibilities for the eco-

nomic utilization of methane, other than by burning as fuel, are few. Natural gas is therefore often a waste by-product of oil production; the flares of burning waste gas are the most prominent feature of many of the world's oil fields, yet some bacteria exist which have the ability to break the carbon-hydrogen bond under normal fermentation conditions and use methane as their sole source of carbon and energy. Such bacteria yield a protein-rich product which, since methane is introduced to the fermentor as a gas, is free from residual chemical contamination. The prospect of developing production plants converting liquid hydrocarbons or natural gas to valuable protein in areas of the world where protein is most needed, and where the substrates are readily available, is a stimulating one, which attracts today the research and development effort of most of the world's major oil interests.

Of course, the process does not end with the production of yeast or bacterial cells. The protein content of the biomass produced is roughly 50 per cent of the whole—somewhat higher in bacteria than in yeasts—but what of the other components of the cells. What is the nutritional value of the fats, carbohydrates and vitamins of the cells? Can we feed the intact biomass to animals (or indeed to man) without causing toxic effects? Is the protein satisfactory and readily available for digestion? Are there objectionable odours, textures or tastes which make the material unacceptable? Can the product be blended with other foods? How is it best dried, packed, stored and transported?

Protein foods are of different kinds and their nutritional values vary considerably depending on their actual content of protein, the amino acid composition of the protein and the availability of the protein for utilization. Table 2 summarizes the characteristics of some conventional protein foods and includes for comparison data for a hydrocarbon grown yeast and a methane grown bacterium. At the bottom is the recommended essential amino acid content for an idea protein for human consumption as defined by the World Health Organization and the Food and Agriculture Organization. The single cell proteins compare well with other dietary proteins and, provided that the biomass is correctly treated to render the protein available, this view is confirmed by direct feeding assessments of their nutritional value. In one series of trials recorded recently, a hydrocarbon grown yeast was incorporated at levels up to 20 per cent in feed for hens and pigs and showed excellent digestibility and conversion rates with no detectable toxic effects or interference with egg-laying capacity of the hens. Only minor toxic symptoms—probably attributable to the massive protein intake—developed in a pig receiving 60 per cent of the hydrocarbon yeast and ham from this animal showed no evidence of taint when examined by a taste panel.

The nitrogen content of bacterial cells is often somewhat higher than that of yeast but some of the bacterial nitrogen is bound up in cell wall material which may not be readily available for digestion and utilization by animals, but since some of the amino acids of the bacterial cell wall are present in the form of the unnatural D-isomer, which is certainly valueless and can even be harmful to animals, the fact that it is not readily available for digestion could prove to be a blessing in disguise.

Microbial cells contain relatively large amounts of nucleic acid the purines of which are broken down on digestion to uric acid which could accumulate in the blood system to dangerously high levels leading to kidney damage. This is a subject which has attracted a great deal of research. Indications are that normal tolerance of purines is such as to allow yeast to be used as a valuable protein supplement even in a human diet, but detailed toxicological testing, often extending over several years, is required before any new single cell protein product can be considered safe for incorporation into human food or animal feed stuffs. There is another factor which is highly relevant; the microbiologist, by strain selection, and by careful control of fermentation conditions, is able to exercise considerable control over the composition of the biomass he is producing, not only with respect to nucleic acid content but also regarding the protein, carbohydrate, fat and vitamin content. The selective breeding of microbial "livestock" is an important aspect of work aimed at increasing the potential of single cell protein as a food material.

This brief discussion of some of the problems associated with the production and utilization of single cell protein serves to emphasize the enormous amount of research and development effort that must go into the development of these novel protein sources. Such research involves many types of scientists, economists, nutrition and marketing experts and is by its very nature expensive. Obviously the problem is not simply one of microbiology, biochemistry and technology. 71 per cent of the world population lives in the economically less developed regions of the world. They produce some 42 percent of the world's food but earn only 21 per cent of the world's income. Their requirement is not simply for more food, it is for low cost protein of the right kind. To provide this will require the combined efforts of workers in many different disciplines.

We are sometimes asked whether, in view of the other pressing needs of mankind, we can afford to carry out this expensive kind of research. Figure 6 shows trends in food production over the last decade. Taking a figure of 100 for food production per head of population in 1952–56, the index has risen in developed countries of the west and the Soviet Union and ranged in 1966 from 120 to 140 in those areas. In less developed countries, output per head increased until 1963 and has since declined. The 1965 figure for India was 97, for Indonesia 89, for Cuba 80. In many of the most densely populated and hungry parts of the world, very considerable increases in output have been more than swallowed up by increases in population. These are the areas in which the rate of increase of the population is today highest.

Increased protein production is not, of course, the only answer to the problem of the world's increasing population. Indeed there are good arguments in favor of considering that it is not even the most important. But the world is already short of protein and, although we can certainly hope that we shall be able to control our numbers more effectively in the future than at present, the protein position is unlikely to improve in the immediate future. It seems to me that the world cannot afford not to carry out research and development work of the kind described here—and indeed that the subject merits more attention than it receives at present.

SMUT MAIL

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. DENNEY. Mr. Speaker, I am encouraged to see Nebraskans use grassroot opposition in combating smut mail. We must work together to halt this degrading literature which is an embarrassment to the American public.

The following letter to my constituents contains pertinent information and instructions on how to best protect themselves and their children from smut mailings under current laws:

HOUSE OF REPRESENTATIVES,
Washington, D.C.

DEAR FRIENDS: Smut peddlers are simply wolves operating in sheep's clothing with the sanction of an apathetic American public and apathetic legislative bodies and courts. The time has come for drastic, severe legislation couched in legalistic language which is enforceable. Only then will we protect our children and prevent these intrusions into our homes.

You have an important role in combating this smut mail. I need your support in backing pertinent legislation.

"Make it a federal crime to use the mail to deliver any offensive sex material to children under 18 years old."—President Nixon.

"Enable citizens to file their objection to receiving smut mail, even before any has been received, with any postal authorities."—President Nixon

"Fine offenders $50,000 or give them a 5-year sentence for using interstate facilities including the mails for the transportation of smut advertising."—Denney (HR 12843)

Many of your neighbors have been writing to me expressing their views on smut mail. This is how they feel—

From Wymore: "We have minors in our house, and I dread the day they get to the mail first."

From Scribner: "Enclosed is 'trash mail' which was opened by my office secretary without noticing the fine print in the corner. This sort of thing is repulsive and certainly merits action."

From Fremont: "Lewd, Crude and Nude. I'm sick of it all."

From Lincoln: "Although we need sex education for our young people, this is not the best method."

You can do something now. Until Congress takes stringent action, you have one recourse. Lodge a formal complaint with the Post Office about any advertsing material you receive which you deem "erotically arousing or sexually provocative." The proper form is on the back of my newsletter. Cut out this form or copy it. Fill in the blanks (be sure to give the proper name of the mailer of the offensive material) and send the completed form along with the offensive material to the Postmaster, 401 North Market Street, Wichita, Kansas, 67225. Once this form is filed, the Post Office will notify the sender that a repetition will make him subject to fines and imprisonment.

This action will help you to be effective at the community and state level in combatting the distribution and display of pornography. I want to represent you effectively, but I need your help.

Sincerely,

ROBERT V. DENNEY,
Member of Congress.

UNIQUE EDITORIAL

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. MONAGAN. Mr. Speaker, an interesting editorial in support of Senator KENNEDY appeared in the July 30 issue of the Waterbury-Wolcott, Conn., News.

For the information of a wider public and at the request of my friend, Edward M. Ryan, the publisher of this newspaper, I include this encouraging editorial herewith:

STAY IN THERE TED

Special—United States Senator Edward M. Kennedy is getting wide public support after his explanation of a traffic accident in which a young woman died. Kennedy will decide to remain in the United States Senate.

Thousands of telegrams and hundreds of telephone calls have poured into the Senator's summer home and into his office in response to his nationally televised appeal Friday night to the people of Massachusetts to help him decide whether to remain in office. He asked, "advise and opinion" but said that the final decision would have to be made "on my own."

What happened to Senator Kennedy could have happened to any American. It was an accident and his enemies can make no more than that out of it. The United States needs Kennedy. The people of his state need him.

We say "Keep up the good fight Ted and stay in there."

MORE FUNDS FOR THE EEOC

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. ROSENTHAL. Mr. Speaker, my attention has been drawn to an editorial which appeared in the Voice, the largest home-delivered weekly in the New York metropolitan area. The editorial condemns the recommendation of a House appropriation subcommittee that the Equal Employment Opportunity Commission be granted $10.1 million for fiscal 1970. While this is about $1 million more than the appropriation for fiscal 1969, both it and the $11.5 million ultimately passed by the House fall considerably short of the $15.9 million requested by the Commission.

I am alarmed that while we can allocate $30 billion each year to carry on a wasteful war in Vietnam we cannot meet our minimum responsibilities toward this country's minority groups. The number of complaints directed to the Commission has been growing astronomically, up to 30 percent from 1967 to 1968 alone. This caseload represents only a minute percentage of the incidents of employment discrimination which exist and with which the Commission should be encouraged to deal. Additional funds must be forthcoming if meaningful inroads into discriminatory hiring are to be made.

Congress might also consider giving the EEOC the power to issue cease-and-desist orders. At present, it takes the EEOC 18 months to 2 years to dispose of the average case, during which time the individual who has been unfairly treated has had to find another job. Even then, the Commission can merely investigate and mediate. It cannot order the illegal practices stopped.

The EEOC appropriations bill is now before the Senate. The time has come for the United States to turn its eyes from civil wars in Asia and a landing on Mars and direct them toward the flagrant abuses of human rights here at home. The editorial from the Voice follows:

EEOC: STARVATION WAGES

Soon after the Nixon Administration was sworn in, there were strong indications that it was trying to undercut the Equal Employment Opportunity Commission (EEOC) by forcing the resignation of Clifford Alexander, who had been fulfilling his functions as Chairman in a particularly vigorous way, much to the dismay of certain business interest.

The President tried to redeem himself by appointing another Black, William Brown III, who so far has been doing excellent work in trying to ferret out and prevent cases of discrimination in job hiring and promotion.

There are, however, other subtler ways of sabotaging the operation of an agency. Foremost among them is the simple refusal to appropriate enough funds to enable the unit to function properly.

This time the onslaught is coming from Congress. A House Appropriations Subcommittee has recommended an outlay for the EEOC of only $10.1 million for fiscal '70, while the EEOC, having already cut down its request to the bone, submitted a budget of $15.9 million, or 50% more than is being offered. This meager amount arrived at by the Subcommittee, which is headed by John Rooney, Democrat of Brooklyn, was reported to the floor of the House this week.

We strongly urge the Congress, and, in particular, congressmen from this area, which so badly needs an effective equal opportunity agency in Washington, to attempt to restore the slashed funds. We also hope that the Senate Appropriations Committee, now considering the bill, will realize the folly of handcuffing in this manner the work of the EEOC, and will take the necessary steps to remedy the situation.

$15.9 million for an entire year is little enough for an agency which is the only body on a nation-wide basis devoted to rooting out unfair practices in employment, one of the most deep-rooted and pernicious problems in the country.

The Nixon Administration has given far too little attention to the necessity of upgrading the EEOC by seeing that it is properly financed and by urging it be given the "cease and desist" powers it so desperately needs. (These powers would permit the agency to order illegal practices stopped, as other agencies can do, instead of being able only to investigate and mediate cases of discrimination.)

The Congress, of course, holds the purse strings, but without a commitment from the White House, the situation is likely to go from bad to worse.

At present, budgetary problems have caused a gigantic backlog in the work of the Commission. It takes 18 months to 2 years between the time a case is filed and the time relief is obtained for the plaintiff. Such delays are a gross miscarriage of justice, but the EEOC is powerless to do anything about it due to its present understaffing.

The $10.1 million projected for fiscal '70 is only slightly more than the appropriation for fiscal '69 (the latter $9.2 million,) whereas the complaints pouring into the Commission are increasing at a tremendous rate. In fiscal '67 there were 8,512 complaints; in fiscal '68 there were 11,172. Figures have not yet been released for fiscal '69, just ended on July 1, but the growth of cases is expected to be even greater.

It is a fallacy to reason that the EEOC, because it is being given almost a million more than last year, should be satisfied. This is equivalent to maintaining that a man who received next to no income last year has no gripe because he is getting starvation wages this year!

The fact is, there are 3000 cases pending at the Equal Employment Opportunity Commission in Washington, which does not include all the incidents being reported on a daily basis to each of the thirteen regional offices of the agency.

Since job discrimination has been an area so grievously neglected in the U.S., unlike other matters, for instance, the conquest of space and agricultural overproduction, it is natural that the need for funds should be relatively greater than in other fields.

While the task ahead is overwhelming, progress has been made. Many large corporations have changed their hiring policies since the watchful eye of the EEOC has been upon them, and individuals know they have a channel of complaint when they are refused employment or are underpaid on account of their race, age or sex.

The EEOC budgetary request of $15.9 million is a small price to pay for tackling this age-old problem. Unless the Congress restores the appropriation to the full amount it, will be proving to the world and to the underprivileged of this nation that it is totally indifferent to the second-class treatment that so many of our citizens are receiving.

WILL SUCCESS SPOIL BRETTON WOODS?

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BINGHAM. Mr. Speaker, during the last week in July, the Saturday Review noted the 25th anniversary of the Bretton Woods agreements by publishing a guest editorial entitled "Will Success Spoil Bretton Woods?" The guest editor, Prof. Richard N. Gardner of the Columbia Law School, is a former Deputy Assistant Secretary of State and a U.S. delegate to many international meetings. He is an authority on monetary problems, his latest book on the subject, "Sterling-Dollar Diplomacy: The Origins and the Prospects of Our International Economic Order," having just been published by McGraw-Hill.

Prof. Gardner's proposals for strengthening and expanding the Bretton Woods system are constructive and should receive serious study. Especially interesting is his suggestion that the creation of new monetary reserves, such as the proposed "special drawing rights," be used in part for purposes of international development. The editorial follows:

WILL SUCCESS SPOIL BRETTON WOODS?

It is not an anniversary likely to be celebrated in newspaper headlines or TV specials, but twenty-five years ago this week the charters of the International Monetary Fund and the World Bank were agreed upon at Bretton Woods, New Hampshire. That event created the international financial system still in operation today.

Everything considered, the negotiators at Bretton Woods did not do too badly. Impressed by the failures of economic diplomacy after World War I, they were determined to avoid another Great Depression, and to lay an adequate economic foundation for world peace. One measure of their success may be seen in the fact that, in the quarter-century since Bretton Woods, there has been an era of economic advance unparalleled in the history of mankind.

To give all the credit for this economic record to the planners at Bretton Woods would be an obvious oversimplification. But

it is clear that they must have done *something* right. If they had not had the foresight to draft the fund and bank agreements before the war ended, the basis for the postwar growth in trade and production would not have existed.

Yet, the system established at Bretton Woods is now in serious trouble. One of the reasons, paradoxically, is that it has worked so well. The system lacks the resources and the flexibility to cope with the fantastic increase in trade and capital flows that it made possible. The remedy is not another Bretton Woods Conference, as some have urged, but a series of negotiations aimed at reforming the system on a number of key points.

The first and most pressing necessity is to activate the new facility for Special Drawing Rights in the International Monetary Fund, and to create enough of this "paper gold" to sustain a climate of free trade and economic expansion. In concrete terms this means issuing at least $15 billion of SDRs during the initial five-year period, with perhaps $5 billion in the first year to compensate for recent reserve losses.

Second, new techniques of international reserve management need to be devised so that countries do not run from dollars, sterling, and other currencies into gold. The best way to do this would be for countries to pool their gold and currency reserves in consolidated accounts with the fund.

Third, new arrangements are needed to improve the balance-of-payments adjustment process. More effective international pressures through the fund and other forums should be brought to bear not only on deficit countries but on surplus countries that drain reserves out of the system. Since governments are reluctant to adjust exchange rates for reasons of prestige and domestic politics, devices such as the "crawling peg" by which parities could move by 1 or 2 per cent each year in response to economic forces should also be explored. Before putting this type of system into effect, of course, a major realignment of existing exchange rates—notably a revaluation of the mark and the devaluation of the franc—is in order so as to compensate for the adjustment failures of the past.

Finally, there is a need for much bolder approaches in aid to less developed countries, whose problems were hardly considered by the draftsmen at Bretton Woods. Adequate amounts of aid on sufficiently liberal terms are unlikely to be provided as long as the necessity exists for annual contributions by Congress and other national legislatures. The rational solution—admittedly a difficult one politically—would be to combine reserve creation with development assistance, allocating substantial amounts of SDRs to multilateral lending agencies for relending to the developing countries.

This is quite an agenda for those who bear the responsibility of running the international financial system. They can cope with it, if they demonstrate the same commitment to economic internationalism and the same qualities of courage and imagination as their predecessors who met at Bretton Woods, New Hampshire, twenty-five years ago.

THE PLIGHT OF AMERICAN POW'S

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. MIKVA. Mr. Speaker, of the many tragedies that have grown from our deplorable involvement in Vietnam, none perhaps is more poignant than the situation facing the families of our servicemen missing in action. In many cases, these families have no way of knowing whether their loved one—missing for months and years in some instances—is dead or alive.

As the Members are aware, Mrs. Pat Mearns, a courageous wife of one of our missing servicemen, has organized wives and parents of American prisoners of war who it is believed are currently being held captive by the North Vietnamese or NLF. My distinguished colleague from Alabama (Mr. DICKINSON) intends to request a special order next month to address the problem. His recent "Dear Colleague" letter concerning the subject was most constructive.

Mrs. Mearns' plea, and the plight of the many in her situation, demand urgent attention not only in the Congress but at the negotiating table. Our POW's in Vietnam must receive our negotiators' top priority in Paris. It is time to demand enforcement of the code of the Geneva convention: free flow of mail, release of the sick and wounded, the simple decency of listing the names of living prisoners.

Mr. Speaker, I have over the months risen to decry the cancerous effects of our misguided and ill-advised commitment to what is surely a senseless war. While the tragedy continues, however, our negotiators in Paris must not neglect the fate of our men lost in the fighting.

LEST WE FORGET

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. SCHERLE. Mr. Speaker, in these days of "building bridges" to the East and talk of increased trade with Soviet countries, it would do well to remember the two anniversaries of Soviet treachery which fall in this month. More than once the Soviets have suddenly, and under cover of night, slammed the door of freedom closed in the face of a captive people.

Eight years ago, on the morning of August 13, 1961, the world awoke to discover that the "divided" city of Berlin had been further separated by a grim "defensive" wall, not to keep people out, but to keep hostages in. That crude concrete and cinder block construction has been replaced by more sophisticated masonry works, barbed wire, watch towers, search lights and check points, but it has never, with its antitank barricades turned in on the people of East Berlin, been a "defensive" fortification. To date 66 Eastern Germans have given their lives seeking the refuge and freedom of the West over and under the infamous Berlin Wall.

Just last year, during the night of August 20–21, a Soviet-led Warsaw pact invasion of Czechoslovakia attempted to still the feeble stirrings of independence from strict Russian control. In that assault a reported 20 to 70 Czechs died. The new Prague government has yet to release an official report. The government has been "purged" and brought into line, but the interior ministry is planning heavy guard for government leaders to protect them from any "anti-socialist, anti-party and anti-Soviet" anniversary demonstrations by the people of this captive nation.

PITTSBURGH POSTAL DOCTOR HONORED

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. MOORHEAD. Mr. Speaker, we hear much today that casts disrepute on the medical profession. Surely all doctors cannot be held responsible for the jaded ethics of a surly few.

Many thousands of physicians today are dedicated still to the oath they took on becoming doctors.

One such unselfish individual is Dr. Earl S. Simms, Sr., who is the medical officer for the Pittsburgh Post Office. In this position Dr. Simms shoulders the tremendous responsibility for the health of both 7,000 postal employees plus 150 other Federal employees who work in other agencies within the same building. Thanks to his tireless efforts in directing and guiding the nursing staff all ill and injured personnel are now assured uniform treatment at all hours of the day and night.

In a recent issue of the Postmark, Dr. Simms was honored for his truly selfless and effective work by its editor Art Schmidt. It is with great pleasure that I ask that Mr. Schmidt's article be introduced into the RECORD at this time.

The article follows:

MEDICAL OFFICER HONORED

(By Art Schmidt)

Too often the good a person has done is not revealed until after they have gone. Such was not the case on Thursday, July 10, 1969.

Your editor was privileged to attend a special presentation honoring the outstanding, unselfish performance of duty of Doctor Earl S. Simms Sr., MD. Dr. Simms is the Medical Officer for the Pittsburgh Post Office.

Not only is he responsible for maintaining a comprehensible health program for approximately 7000 postal employees, he also administers medical services to an additional 150 employees of other Federal Agencies which are housed in this building. This is a monumental task and requires a medical person with the highest degree of dedication and qualification. This is the man who was honored at this ceremony.

Since first becoming a part of the Pittsburgh Postal Family in 1967, Dr. Simms has continuously strived to improve the medical services that are provided for the employees of this office. He has provided the Nursing Staff with expert advice, direction and guidance, resulting in a uniform procedure for the treatment of ill and injured personnel on a 24 hour basis.

The Nursing Staff under his direction has reached a degree of efficiency second to none. They too have been infected with the compassion and dedication Dr. Simms is so noted for. You need only refer back to the past Christmas period.

As the epidemic began to reach it's peak, the effectiveness of Dr. Simms' prior plan-

ning was clearly visible. Many of our employees were able to remain on duty, or were able to return to work after a very short absence. In truth, Dr. Simms and the Medical Unit Staff averted a near catastrophe and enabled tthe Mail Processing Sections to maintain a stable working force during the crucial period of Christmas.

It can honestly be stated that Doctor Simms lives and breathes the "Oath of Hippocrates" which each doctor must take. Particularly the line that reads, "With Purity and Holiness I will pass my life and practice my art."

Congratulations Doctor Earl S. Simms, you are indeed an outstanding man.

THAT "SECOND TO NONE" RAILROAD

HON. OTIS G. PIKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. PIKE. Mr. Speaker, the Governor of the State of New York has promised flatly that next year the Long Island Railroad would be "second to none" in the Nation. He has also promised that it would be running "smoothly" within 2 months. He is thus far implementing this promise largely by canceling trains.

So that we will really appreciate the miracles to be wrought over the next 2 months it might be useful to have an articulate statement on the present operation of the railroad by a neutral observer. Such is available in the form of an essay forthrightly called a critique in the Washington Post of Friday, August 8, 1969, the very same day the Governor's promises were published. The article, by Myra MacPherson, follows:

TO PATCHOGUE THE HARD WAY

Riding the Long Island Rail Road is like taking a trip into the 19th century.

There are these old cars with fans in the ceilings, like those you used to see in old barrooms and butcher shops. Their paddles twirl uselessly moving masses of hot air from one place to another, and you wouldn't be surprised to see the Indians coming over the horizon with bows and arrows.

Through windows covered with decades of dust, a commuter sees a landscape that looks as if it is bathed in the gloom of rain clouds. Actually it is only that you are looking through the dust. Outside those dirty windows, the sun is, in reality, shining.

It is a summer afternoon, 97 degrees, and I am taking the 1:10 steambath to Patchogue, hopeful of meeting up with a boat to Fire Island. Passengers approach each other tentatively, in non-air conditioned stupor, easing into seats, looks of apology on their faces for having to sit so close.

You move a leg, and your skirt—straight at the beginning of the trip and now accordion pleated—sticks to the seat.

The car is filled—businessmen with ties at at half-mast, mothers and children with sand buckets, men in twos with their unmistakable hissing sibilants, a young couple cuddling a cat in his cage, a girl with a long swatch of hair which she braids two or three times on the trip, two white-haired talcumed ladies in print dresses.

The car seems suitable for a World War I troop train. It was, in fact, built around 1917 and singing "It's a Long Way to Tipperary" seems far more appropriate than reading about Neil and Buzz landing on the moon, as you plumb the outer regions of Long Island (50 miles from Penn Central Station).

The chugging suddenly stops. We sit somewhere outside New York City, looking at modern America's sculpture—rusted auto junk yards and plastic backyard pools. We sit and we sit. No one tells us why. Perhaps it is to keep up with the rest of the Long Island trains. No one would want to mar that record of the day before—123 trains more than 10 minutes late to their destination. (A report states 92,250 commuters were affected by those delays.)

We finally pull into one of those Indian-named towns—made totally incomprehensible by the conductor's announcement.

We sit and sit and another train pulls up on an adjacent track. All of a sudden, countless people pour off that train, stampede through the vestibules of our train and out the other side, like clowns in a circus car. Since our train blocked their path, it was the only way they could get across to wherever they were going.

Several sickening lurches and we're off again. Commuters start asking questions. A conductor, who looks like a male Margaret Rutherford, says through wobbling dentures something that sounds like changing at Babylon if you want to get to Patchogue.

A man asks if that is indeed what he said. The conductor, whose face says he's been riding the Long Island Rail Road 80 years and hating every minute of it, shouts, "Look, I tolja once." Then the man approaches a seat where a woman is trying to extricate her leg from a slather of bubble gum, a memento left by the previous rider. She complains and the conductor says, "Lady, that's no problem of mine."

He's now zeroing in on me and my ticket. I ask whether we can make the change in Babylon in time to get to Patchogue to catch the ferry. He snarled, "I don't know nothin' about boats."

Well, we didn't make it on time. We were due at 2:50. We arrived at 3:40. Two hours and forty minutes to go 50 miles—the exact same time it took me on the Metroliner to get from Washington to New York. The ferry? It left at 3:15. The next one? Five p.m.

Several days later: Revived in an air-conditioned office, I read with renewed interest about the plight of the Long Island Rail Road.

Commuters burn their commuter cards in protest. New York Democrats and Republican factions yell at each other about doing something. The New York Times runs front page stories. In a few minutes, during one inevitable wait for a train, zealots collected 5,000 signatures on a petition calling for the ouster of the management of the Long Island Railroad.

A call to the Long Island Railroad uncovers a pleasant masochist who came from American Airlines recently to handle publicity for the company. His name is Hank Boerner and he says actually, it's his wife who is the masochist. He just works for the Long Island Railroad; she rides it.

Boerner says the "immediate problem is the shortage of electric cars. There are 774, and at present, 250 are out of service." He says the reason you have to do such things as change at Babylon is that the electric cars go no farther than that. Diesel takes over from there.

He goes into some long explanations about repairmen and union demands and why it takes so long to get bad cars repaired. He says a quarter of a million people ride the Long Island daily and he says new cars the line bought aren't operating right.

He ends up saying it is "utter chaos." To clean things up, you "need time." The Long Island operated the way it did for 100 and some odd years before the state ever heard of it." (Now run by the Metropolitan Transportation Authority, the state took over the line in 1966 when the line was in bankruptcy.)

Boerner said another problem is that "in many instances, employes just don't give a damn." An understatement, I thought, remembering my conductor.

Although Boerner admits "they don't speak too clearly on Long Island," he says you should have heard them before they took voice lessons. Station announcers were taken to WCBS in New York where a radio announcer drilled them. As a result one woman announcer now says "For change at Jamaica" rather than "change-a-maica." And they don't say Erster Bay for Oyster Bay so much any more.

As a non-New Yorker, it is not always easy to feel sorry for a New Yorker, who has learned young to gouge, kick and batter his way into taxicabs, airplanes, trains. But after one trip to Long Island, I have only pity for the commuter who must include it in his daily life, a trip that leaves grown men mumbling incoherently.

As one secretary said, perhaps better than any of the countless numbers of fed-up, complaining commuters, "Riding the Long Island Railroad is like having a second job."

SUMMER INTERNS: BRIDGING THE GAP

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. FEIGHAN. Mr. Speaker, there is much talk these days about the so-called generation gap that exists between our Nation's youth and their elders.

Congress is doing its part to bridge this gap. This summer my colleagues and I have employed several hundred college students as interns in the various congressional offices. These students are not the ones you read about who are burning buildings on campus; rather, they represent a much, much larger group of young people who are concerned with the future of our country and are constructively doing something about it.

These bright, young citizens have come to Capitol Hill to learn the workings of our Government and to witness democracy in action. They bring with them curiosity, energy, and a fresh point of view. I am sure the experience they have gained during the summer will be valuable to them; certainly the experience my colleagues and I have gained in working with them will be valuable to us.

Mr. Speaker, I am indeed fortunate to have had six interns working in my office for the summer, and I hope they have profited from our association as much as I have. These fine youth, who have contributed much during their short stay on the Hill, are to be commended for their efforts, and I would like to include their names at this point in the RECORD:

SUMMER INTERNS

Mae Kocis, American University; Patti Meadow, Beaver College; Cynthia Michael, Amherst College; Karen Schultze, Trinity College; Tom Skirbunt, Georgetown University; and Dick Loftin, Harvard Business School.

PUBLIC ASSISTANCE STATISTICS

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. RYAN. Mr. Speaker, now that President Nixon has called for an overhaul of the present welfare system, it is to be expected that in the months ahead there will be a wide-ranging debate in this country on poverty and public assistance. I expect that H.R. 586, my Income Maintenance Act, the first bill presented to the Congress to provide for a guaranteed annual income, will be widely discussed.

In matters of such importance it is essential that discussion be based on factual information and the realities of the situation, rather than on conjecture or emotion. In determining the most effective way to assist the poor, preconceptions and stereotypes must be cast aside. This determination must not be made on the basis of outmoded assumptions, such as the common misconception that the poor are poor because they are lazy, or that welfare recipients will not work unless they are forced to.

In rejecting the present welfare system, we must be aware of exactly what the old system is, how it works—or more accurately, how it does not work—and how much assistance it gives in each State.

Therefore, I am inserting in the CONGRESSIONAL RECORD information which I feel is worthy of my colleagues' careful consideration. The following tables describe several of the more striking features of the welfare system, as of March 1969.

The first table lists recent changes in public assistance payments, number of recipients, and money payments per recipient.

The second table lists the number of recipients and the payments per recipient in the aid to families with dependent children program in each of the States. In conjunction with this table it is interesting to note that on the national average, the Federal Government pays for 55.3 percent of AFDC costs; while States pay 31.7 percent and localities pay 13.1 percent. In New York State however, the Federal Government assumes only 49.2 percent of the AFDC cost, with 25.6 percent of the cost being assumed by the State and 25.2 percent by the localities. This is doubly significant when we note that New York has the highest expenses of any State for the AFDC program. The monthly cost of the program in New York was $80,315,000 in March 1969, as compared to California, the State with the next highest costs with $48,156,000.

These statistics and tables are provided by the National Center for Social Statistics of the Department of Health, Education, and Welfare in its monthly report, "Public Assistance Statistics, March 1969."

The tables follow:

TABLE 1.—RECENT CHANGES IN PUBLIC ASSISTANCE: RECIPIENTS, PAYMENTS, AND MONEY PAYMENTS PER RECIPIENT, MARCH 1969 COMPARED WITH SELECTED EARLIER MONTH

Program	2 years ago, March 1967	1 year ago, March 1968	Last month, February 1969	This month, March 1969[1]
Recipients:				
Old-age assistance	2,066,000	2,044,000	2,025,000	2,030,000
Aid to the blind	83,300	81,700	80,300	80,400
Aid to the permanently and totally disabled	597,000	656,000	718,000	728,000
Aid to families with dependent children:				
Families	1,180,000	1,365,000	1,591,000	1,621,000
Persons	4,906,000	5,587,000	6,376,000	6,478,000
Children	3,692,000	4,180,000	4,743,000	4,815,000
General assistance:				
Cases	324,000	365,000	402,000	404,000
Persons	720,000	792,000	828,000	827,000
Assistance payments (in thousands):				
Total	$620,274	$774,529	$915,892	$938,609
Money payments:				
Total	400,931	455,621	519,552	551,299
Old-age assistance	140,758	140,385	141,990	144,628
Aid to the blind	7,242	7,374	7,478	7,625
Aid to the permanently and totally disabled	45,433	52,696	60,533	62,339
Aid to families with dependent children	180,575	222,402	272,214	295,066
General assistance	26,923	32,764	37,337	41,641
Assistance payments (in thousands)—Continued				
Payments to intermediate care facilities			$12,478	$13,283
Medical assistance:				
Total	$219,343	$318,908	383,862	374,027
Medical assistance	186,450	295,218	359,860	349,087
Medical assistance for aged	5,027	5,388	4,315	4,525
Other federally aided	22,414	14,163	13,920	14,800
General assistance	5,452	4,139	5,767	5,615
Money payments per recipient:				
Old-age assistance	68.15	68.65	70.10	70.65
Aid to the blind	89.65	90.25	93.15	94.25
Aid to the permanently and totally disabled	76.05	80.25	84.30	84.60
Aid to families with dependent children:				
Average per family	153.05	163.00	171.15	171.35
Average per person	36.80	39.80	42.70	42.90
General assistance:				
Average per case	83.20	89.75	92.85	94.45
Average per person	37.40	41.35	45.05	46.10

[1] Aggregate amounts for money payments include special grants of $25 per person issued quarterly in New York City as follows: Total, $22,807,000; OAA, $1,193,000; AB, $49,400; APTD, $780,000; AFDC, $17,258,000; and GA, $3,528,000. Payments per recipient exclude the special grants.

TABLE 2.—AID TO FAMILIES WITH DEPENDENT CHILDREN: RECIPIENTS OF MONEY PAYMENTS AND AMOUNT OF PAYMENTS, BY STATE, MARCH 1969[1]

[Excludes vendor payments for institutional services in intermediate care facilities and for medical care and cases receiving only such payments]

State	Number of families	Number of recipients		Payments to recipients			Percentage change from—			
							February 1969 in—		March 1968 in—	
		Total[2]	Children	Total amount	Average per—Family	Average per—Recipient	Number of recipients	Amount	Number of recipients	Amount
Total[3]	1,621,000	6,478,000	4,815,000	[4] $295,066,000	[4] $171.35	[4] $42.90	+1.6	[4] +2.1	+16.0	[4] +24.9
Alabam	25,100	104,000	82,700	1,605,000	64.05	15.45	+.8	+1.0	+18.6	+20.7
Alaska	1,900	6,700	5,200	319,000	167.65	47.20	+1.8	+1.2	+25.0	+68.6
Arizona	10,500	44,300	33,800	1,246,000	119.15	28.15	+.7	+.6	+1.7	+1.2
Arkansas	10,000	40,200	30,500	784,000	78.30	19.50	−.1	+1.1	+2.5	+2.1
California[3]	262,000	998,000	715,000	48,156,000	183.75	48.25	+3.3	+3.4	+21.1	+27.5
Colorado[3]	15,400	57,600	43,600	2,274,000	147.70	39.50	+1.3	+.7	+1.5	+5.8
Connecticut[3]	19,800	76,000	56,500	4,749,000	239.60	62.50	+1.1	+1.1	+16.6	+33.3
Delaware[3]	4,600	18,300	13,800	602,000	131.90	32.90	+.8	+1.2	+.1	+1.8
District of Colombia	7,200	31,600	25,000	1,310,000	182.60	41.50	+1.7	+2.7	+21.8	+30.9
Florida	44,500	175,000	138,000	3,564,000	80.10	20.40	+.1	[5]	+18.3	+59.3
Georgia	39,200	152,000	117,000	3,732,000	95.30	23.50	+2.5	+2.4	+40.4	+36.2
Guam	290	1,400	1,200	50,000	171.30	34.70	+6.1	+4.2	+47.1	+38.5
Hawaii[3]	5,200	21,400	15,700	1,018,000	194.30	47.60	−.4	+1.1	+3.7	+12.4
Idaho	3,400	12,800	9,200	607,000	176.80	47.35	+2.3	+2.0	+4.6	+6.0
Illinois[3]	75,200	332,000	257,000	16,025,000	213.10	48.25	+1.5	+2.7	+14.0	+21.5
Indiana	13,900	57,200	43,100	1,856,000	134.00	32.45	+.5	+1.1	+9.5	+9.6
Iowa	14,900	57,500	41,800	2,881,000	193.15	50.10	+1.4	+1.3	14.4	+16.1
Kansas[3]	11,400	46,000	35,500	2,150,000	188.35	46.75	+1.3	+1.7	+10.2	+18.7
Kentucky	31,000	120,000	86,500	3,483,000	112.40	29.10	+1.5	+1.8	+12.1	+14.9
Louisiana	38,600	168,000	130,000	3,981,000	103.10	23.70	−.9	−.8	+27.6	+26.7

Footnotes at end of table.

TABLE 2.—AID TO FAMILIES WITH DEPENDENT CHILDREN: RECIPIENTS OF MONEY PAYMENTS AND AMOUNT OF PAYMENTS, BY STATE, MARCH 1969 [1]—Continued

[Excludes vendor payments for institutional services in intermediate care facilities and for medical care and cases receiving only such payments]

State	Number of families	Number of recipients		Payments to recipients			Percentage change from—			
							February 1969 in—		March 1968 in—	
		Total [2]	Children	Total amount	Average per— Family	Recipient	Number of recipients	Amount	Number of recipients	Amount
Total [3]	1,621,000	6,478,000	4,815,000	[4] $295,066,000	[4] $171.35	[4] $42.90	+1.6	[4] +2.1	+16.0	[4] +24.
Maine [3]	7,600	27,600	20,400	$830,000	$109.80	$30.00	+3.9	+4.2	+23.0	+24.1
Maryland [3]	30,100	118,000	90,700	44,703,000	156.40	39.95	+.8	+1.7	+5.2	+8.9
Massachusetts [3]	48,200	179,000	132,000	11,400,000	236.55	63.80	+1.6	+.9	+23.8	+45.6
Michigan [3]	51,400	208,000	156,000	10,001,000	194.60	48.05	+1.4	+1.2	+6.3	+15.1
Minnesota	18,000	64,700	49,800	3,604,000	199.70	55.70	+.8	+1.9	+6.0	+10.0
Mississippi	26,100	104,000	86,000	1,012,000	38.75	9.70	+1.0	+3.0	+3.6	+18.5
Missouri [3]	30,400	124,000	94,900	3,309,000	108.95	26.75	+1.3	+1.4	+8.3	+16.7
Montana	3,100	11,300	8,600	429,000	140.25	37.90	+4.3	+4.7	+15.3	+18.5
Nebraska [3]	6,800	26,400	20,300	992,000	146.20	37.60	+.7	+1.6	+6.8	+9.4
Nevada	2,500	9,300	7,100	286,000	115.40	30.85	+1.8	+1.0	+11.0	+11.8
New Hampshire	1,800	7,200	5,300	322,000	180.10	44.80	+1.6	+1.5	+15.6	+20.8
New Jersey [3]	51,100	206,000	153,000	13,429,000	263.00	65.30	+1.5	+8.5	+36.0	+53.6
New Mexico	11,300	44,800	34,100	1,375,000	121.25	30.65	[5]	−.1	+11.2	+11.4
New York [3]	259,000	1,012,000	726,000	[4] 80,315,000	[4] 243.15	[4] 62.75	+1.3	[4] +.9	+21.0	[4] +22.7
North Carolina	28,000	112,000	84,800	3,161,000	112.80	28.15	+1.4	+1.9	+3.4	+13.2
North Dakota	2,700	10,400	7,900	506,000	189.20	48.70	+2.3	+2.1	+6.0	+11.5
Ohio [3]	61,300	247,000	184,000	9,796,000	159.70	39.60	+.6	+.8	+5.7	+13.1
Oklahoma [3]	23,100	87,600	65,800	2,977,000	128.70	33.95	−.8	−.8	−3.7	−4.8
Oregon [3]	13,700	52,400	36,800	2,173,000	158.20	41.50	+1.9	+3.3	+17.1	+22.3
Pennsylvania [3]	88,400	369,000	268,000	17,704,000	200.25	48.05	+2.2	+1.3	+17.6	+47.8
Puerto Rico	38,600	192,000	144,000	1,625,000	42.15	8.45	+1.0	−.6	+9.9	+73.5
Rhode Island [3]	9,100	35,400	25,700	1,787,000	195.35	50.45	+2.3	+3.1	+15.2	+32.1
South Carolina	10,100	39,300	31,400	723,000	71.65	18.40	+3.2	+3.4	+32.5	+31.7
South Dakota	4,000	14,600	11,000	667,000	168.45	45.55	+2.1	+1.6	+5.9	+16.6
Tennessee	28,600	112,000	86,100	2,921,000	102.10	26.15	+1.3	+1.3	+13.3	+13.3
Texas	37,800	172,000	132,000	3,245,000	85.85	18.90	+2.4	+2.5	+27.1	+16.2
Utah [3]	8,100	31,500	21,700	1,190,000	147.65	37.80	+2.6	+.7	+3.8	+11.8
Vermont [3]	3,100	11,800	8,400	580,000	185.70	49.10	+1.3	+1.6	+31.1	+41.5
Virgin Islands	410	1,600	1,400	46,600	114.40	28.45	+1.9	+.7	+3.9	+3.7
Virginia	16,500	67,000	51,600	2,427,000	146.85	36.25	+2.5	+14.3	+10.1	+30.5
Washington [3]	23,100	85,600	60,400	4,147,000	179.55	48.45	+2.6	+2.0	+12.5	+20.0
West Virginia [3]	10,100	89,100	62,000	2,313,000	114.95	26.00	−1.0	−.4	−6.4	−5.0
Wisconsin [3]	21,300	81,900	61,500	4,490,000	211.10	54.85	+3.2	+2.1	+22.0	+35.6
Wyoming	1,400	5,200	3,900	188,000	135.50	36.25	−1.6	−.9	+11.6	+5.5

[1] All data subject to revision. Data include nonmedical vendor payments other than those for institutional services in intermediate care facilities.

[2] Includes as recipients the children and 1 or both parents or 1 caretaker relative other than a parent in families in which the requirements of such adults were considered in determining the amount of assistance.

[3] Includes data on unemployed-parent segment; see table 8.

[4] Amount includes $17,258,000 representing a special grant of $25.00 per person issued quarterly in New York City. The average payment and percentage changes exclude this amount. Including this amount the average payments would be: Total, $182.00 and $45.55 and New York, $309.70 and $79.40, respectively. Including one-third of this amount the average payments would be: Total, $174.80 and $43.75 and New York, $265.70 and $68.00, respectively.

[5] Decrease of less than 0.05 percent.

[6] Increase of less than 0.05 percent.

THADDEUS LUBERA

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. PUCINSKI. Mr. Speaker, the people in my congressional district were deeply saddened last week when we learned of the sudden death of Thaddeus Lubera, one of truly great educators of our community.

Dr. Lubera was one of those dedicated and determined public servants whose whole life was devoted toward working in education.

There are very few people in my district who in the last 30 years have not had some dealings with Dr. Lubera. He was the assistant principal at the high school from which I graduated and I well recall the many hours we spent together in interesting conversation about education.

For a brief period, Dr. Lubera served as superintendent of the Chicago school system and was most highly admired for his excellent contribution.

Dr. Lubera retired in December 1967.

I am including in the RECORD today a story about his death which appeared in the Chicago Tribune.

Mrs. Pucinski joins me in extending to the widow and his two sons heartfelt sympathy.

The article follows:

EX-SCHOOLS' CHIEF LUBERA DIES AT AGE 66—FOLLOWED WILLIS AS SUPERINTENDENT

Thaddeus Lubera, 66, of 3105 N. Rutherford av., former associate school superintendent and acting general superintendent of schools after the retirement of Benjamin C. Willis, died yesterday of a heart attack in St. Mary's Hospital.

As an associate superintendent since 1955, he was in charge of instruction at all north side schools and was the oldest associate superintendent in point of service. He served as acting superintendent in 1966. He retired in December, 1967.

DID FARM WORK

As a boy Lubera worked 12 hours a day in the fields picking onions at a few cents a bushel. He was graduated from a Catholic grade school at the age of 12, the old Armour Institute and De Paul University.

In 1935 he became an assistant principal and helped set up the manual training program at Wells High school. Nine years later he was promoted to district superintendent.

While district superintendent he obtained a doctor of philosophy degree at the University of Chicago and lectured nights at De Paul University.

CHALLENGES HAUSER REPORT

In 1964 he challenged the Hauser report that the quality of schools is improved when schools are integrated by saying that "race has nothing to do with teaching and learning. You can't be pro-integration or pro-segregation," he said. "You must be pro-children."

Mass for Mr. Lubera will be said Tuesday morning in St. Ferdinand's Catholic church, 5900 Barry av. He is survived by his widow, Marienne, two sons, Gene and Richard, and four grandchildren.

A FULL LIFE AT 90

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BURTON of Utah. Mr. Speaker, a 90-year-old constituent in Provo, Utah, has just completed his second book, a collection of odd and interesting facts of history. In the course of his long career, Jacob Coleman has been an educator, public official, newspaperman, lawyer, and an insurance counselor, as well as an enthusiastic participant in community endeavors. His active contribution to civic life continues through "Letters to the Editor," and in his lifelong avocation of helping individuals confront and overcome personal difficulties in their lives. This amazing nonagenarian is planning a third book, as mentioned in the article about him by N. L. Christensen which appeared in the July 6 issue of the Daily Herald, Provo, Utah. The article follows:

PROVO MAN WRITES NEW BOOK AT AGE 90

(By N. L. Christensen)

If a 90-year-old is supposed to stick with his rocking chair, then Jacob Coleman of 246 N. 100 E. belies the tradition.

At four score and ten years, this energetic Provoan has just written his second book.

That's only part of the story. He's still practicing law occasionally and handled one of his biggest probate cases just before his last birthday Jan. 20.

FLOWER GARDEN

As always, he still rises early, does his own gardening, and takes pride in growing beautiful flowers.

Despite declining eyesight, aggravated by the dazzle of snow in bright sun a year and a half ago, he keeps up on current events, reading large-print versions of the New York Times and Reader's Digest and having the Herald read to him.

His idea of intelligent, aggressive and serviceable citizenship is participation in community affairs. Formerly he took a more active role than now, but occasionally he still pens a letter to the editor when he feels the city or its officials need a prod, suggestion, or commendation.

Mr. Coleman—lawyer, insurance counselor, educator, public official, and newspaperman during a long career remains fairly close to home now because of his sight problem and illness of his wife, Allie Smoot Coleman.

PATRIOTIC-MINDED

His daughter, Mrs. Virgil J. (Aline) Smith of Boise, on an extended visit here, escorted Mr. Coleman to the public memorial service the American Legion held for the late President Eisenhower. But he begged off at the Flag Day program in June because of his wife's illness. "You'll have to accept my garden as proof of my patriotism," he smiled, referring to his neat rows of red, white and blue petunias which were blooming beautifully.

Mr. and Mrs. Coleman celebrated their 59th wedding anniversary June 22. They didn't make a big fuss about it—just family members present.

The Colemans' five children are Mrs. Smith, whose husband is an insurance executive; Dr. James Coleman, Nairobi, Kenya, expert on African affairs and associate director of the Rockefeller Foundation; Dr. Sherman S. Coleman, head of the department of orthopedic surgery at University of Utah Medical Hospital; Mrs. John R. (Genevieve) Walker, Salt Lake City, whose husband is executive director of the Utah Hospitals Association; and Mrs. Fred R. (Martha) Miner, Stockton, Calif., who heads a piano school and whose husband is an insurance executive.

TAUGHT SCHOOL

Mrs. Coleman, prominent in her own right, was a school teacher as a young woman. A native of Provo, she is the daughter of Abraham O. Smoot II, a one-time state senator, and granddaughter of the original A. O. Smoot, pioneer era mayor, stake president, businessman, and chairman of the Brigham Young Academy board of trustees.

The Coleman home is a delight to visit, with its artistic and homey atmosphere. Some outstanding art (including a prize painting by the late O. D. Campbell and copies of works of the great masters) adorns the walls.

The book just published by Mr. Coleman is a collection of "Odd and Interesting Facts" of history which he researched. Much of it he wrote laboriously with use of magnifying glass, relying on his daughter Aline for the typing. He is not putting the small, multigrapher volume on the bookstands. "I'm just using it for gift purposes," he said. Those fortunate enough to receive copies will find interesting reading.

Mr. Coleman wrote his first book at age 81, a hardback volume entitled, "How To Be Well Liked."

He was born in Nephi. He struggled hard for a high school education in Salt Lake and even harder in college at Stanford University where he studied law and became editor of the literary magazine and president of his class.

NEPHI CAREER

At age 21 he built his parents a six-room home at Nephi. While in Juab County he was a school principal, county clerk-auditor, city judge, and publisher of the weekly newspaper which he purchased.

After his marriage, he sold the newspaper and moved to Provo. Having passed the bar examination he was appointed Provo City Attorney, a post he held 17 years. He was elected vice president of the State Bar Association and president of the Utah County group.

His long civic service included over quarter of a century with the Provo Kiwanis Club which he served as president, in committee posts, and as Utah-Idaho District governor.

He has been a member or officer of the Utah Shade Tree Commission, Timpanogos Knife and Fork Club, Utah County Historical Society, city beautification committee, Chamber of Commerce committees, PTA, etc.

GOOD TURN

A former Boy Scout merit badge examiner, Mr. Coleman tries to emulate the scouts by doing a good turn each day. Along this line he has given free legal aid to poor widows; tried to get divorce-bound couples to drop their complaints and live happily together; helped prospective alcoholics to get on the right road again; and tried to save youthful first offenders from getting a criminal record.

"I've always tried to encourage persons struggling under difficulty," he says. "I believe we can have heaven on earth if we lead the good life and spread good among the people."

What are Mr. Coleman's future plans? He has in mind a third book about presidents of the United States. Whether he gets to the project will depend a lot on health—and particularly his eyesight.

JEWISH COMMUNITY CENTER OF GREATER WASHINGTON

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, at the request of the chairman of the Public Affairs Committee of the Jewish Community Center of Greater Washington I insert into the CONGRESSIONAL RECORD a letter addressed to me dated July 30, 1969.

The reason for this is to inform all of the Members of Congress of the outstanding job being performed by the Jewish Community Center and the problems that may be involved regarding changes in the tax laws included in the tax reform bill recently passed by the House of Representatives.

The letter, in full, follows:

JEWISH COMMUNITY CENTER
OF GREATER WASHINGTON,
Rockville, Md., July 30, 1969.

Hon. JOEL T. BROYHILL,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BROYHILL: As you are well aware, the Ways and Means Committee is now preparing a bill to reform the tax structure. Among the tentative provisions of this bill are changes affecting philanthropy. They center on gifts of appreciated property and on the taxation of foundation income.

As a Director of the Jewish Community Center of Greater Washington and chairman of its Public Affairs Committee I have been asked to express the concern of our Board and our membership with the effect these changes would have on non-profit, public-service institutions such as ours.

A five percent tax on foundation income would not penalize the foundations. They would simply have five percent less to distribute to the beneficiaries which depend on them for survival. We urgently request that such a tax either be eliminated from the bill or, in the alternative, that it be levied only against that income which is surplus after the foundation has distributed its grants for the year. This would encourage the foundations to put their income back into circulation as quickly as possible.

Here in the Washington area we have a particular problem. The Jewish Community Foundation was established to raise funds, plan and build an $8 million complex comprised of a new Jewish Community Center, Hebrew Home and Jewish Social Service Agency. This unique project is being financed entirely with private donations. Not one cent of government money has been used. A tax on the Foundation's income, or one which would limit the donations it receives, could be disastrous.

A major source of funds for organizations such as community centers, for colleges and universities and for other tax-exempt public service groups is the gift of stocks, real estate or other appreciated property. At a time when the President is urging greater private financial participation to help with this country's domestic problems, it seems singularly inappropriate to discourage these urgently needed donations. Again, those who suffer are not the donors, who simply will not liquidate those properties on which they do not want to pay taxes, but rather the worthy recipients.

I hope you will give this matter your closest attention. Because of your position on this all-important committee you have a unique opportunity to help ensure a just solution to these problems.

Sincerely,

LESLEY LOWE ISRAEL,
Chairman, Public Affairs Committee.

A TRIBUTE TO THE MEMORY OF RABBI SELWYN D. RUSLANDER, OF DAYTON, OHIO; CLERGYMAN, CITIZEN, PATRIOT

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. WHALEN. Mr. Speaker, I rise on this occasion to pay tribute to the memory of one of the finest men I have ever been privileged to know, the late Rabbi Selwyn D. Ruslander, of Dayton, Ohio.

Rabbi Ruslander died on July 18 after a long fight against cancer.

He will be greatly missed and long remembered for his many contributions to so many causes. A personal friend, Sel was a person of great intellect and compassion, a man of God who lived and exemplified the Ten Commandments. He was gentle, perceptive, courteous, and so highly regarded by so many in the greater Dayton area that his impact literally was immeasurable.

Rabbi Ruslander was active in social and civil rights programs in our community and was one of the founders of the Dayton Human Relations Council in 1962. He also was a board member of the National Association for the Advancement of Colored People, president of the Dayton Urban League, chairman of the Montgomery County Juvenile Court Advisory Council, and the Health and Welfare Planning Council's Casework Study

Committee, and a member of the Ohio Youth Commission.

To cite one of the many examples of his countless progressive activities, he helped to create a religious dialog between members of the Jewish and Christian faiths.

The Montgomery County Medical Sofirst recipient of the Dayton-Miami Valciety honored him in 1965 for "his inspired leadership in religious and social welfare programs." In 1962, he was the ley AFL–CIO Meritorious Citizen Award. The University of Dayton, a Catholic institution, conferred on him an honorary doctor of humanities degree last year for "long, continuous, and unselfish service to the Dayton community and mankind in general."

Perhaps his own words indicate more clearly the kind of man Rabbi Ruslander was. Several years ago, he commented about the changes being experienced in the second half of the 20th century:

> We're living in probably the most radically revolutionary period in the age of man. Understanding, compassion, justice and mercy; justice with mercy and respect for human dignity and the human personality—these are still the moral values . . . which are necessary if there is to be any dialogue in the tension of revolutionary change.

Rabbi Ruslander was born in Pittsburgh. He graduated with honors from the University of Cincinnati in 1930. After completing his studies at the Hebrew Union College in Cincinnati he graduated and was ordained a rabbi in 1935.

His first congregation was in Port Arthur, Tex. He later became associate director of the Hillel Foundation at the University of Illinois. In 1939 he became director of youth activities for the Union of American Hebrew Congregations.

During World War II, he served in the U.S. Navy as a chaplain from 1942 to 1946. After serving as an instructor at the Navy Chaplain School at William and Mary College in Williamsburg, Va., he was assigned in 1943 to the U.S. Eighth Fleet in the Mediterranean. With that duty, he became the first Jewish chaplain ever to be assigned to a combat fleet.

After the war he was the acting senior chaplain at the Great Lakes Naval Station in Illinois. He left the service as a lieutenant commander but remained active in the Naval Reserve, attaining the rank of captain and becoming the highest ranking Jewish chaplain.

He became associate spiritual director of the South Shore Temple in Chicago when he left active duty and in 1947, and later that year came to Dayton.

In 1961 Rabbi Ruslander was named chairman of the Central Conference of American Rabbis Chaplaincy Committee. The year before he had been chosen chaplain for the National Jewish War Veterans and was also National Chaplain for the Sigma Alpha Mu Fraternity.

He lectured extensively in the area, including the University of Dayton, where he developed the Judiac studies program at Wright State University, and in various Catholic and Protestant religious classes.

Sel was a former president of the Community Welfare Council; vice president of the Ohio Valley Association of Reform Rabbis, embracing five States; and a director of the National Federation of Temple Youth. He received the Eleanor Roosevelt Humanitarian Award last November for his work for Israel and his community activities. He was a coincorporator of the Cultural Development Brotherhood of Greater Dayton and he was known to seek college scholarships for needy and deserving students of any religion. It was said that rarely did anyone discover the identity of his advocate.

To his widow, Marguerite, and his three daughters and brother, my wife and I extend our deepest sympathy.

Mr. Speaker, from the foregoing it is obvious that Rabbi Selwyn Ruslander was no ordinary man. He was many things and above all a clergyman, a citizen, and a patriot, who devoted his life to his fellow man.

May he rest in peace.

TREATMENT OF PRISONERS

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. POLLOCK. Mr. Speaker, that war is a generally deplorable situation has long been accepted. With this premise, honorable men set about long ago to curb some of the atrocities of war. One of their more notable accomplishments has been the Geneva Convention of 1949. In seeking to make the business of war a more humane thing, the convention has dealt with nearly all aspects of organized conflict, one of the most important of which is the proper treatment of prisoners of war by belligerents.

Gentlemen, I will be brief. It was 5 years ago August 5 that the first American plane was shot down over North Vietnam. As of this week, there are confirmed reports of 348 Americans held captive by Hanoi, and indications are that they hold another 450 men. This raises the total to approximately 800 Americans incarcerated by the Ho Chi Minh regime.

It might seem natural to assume that the North would treat these prisoners according to the provisions of the Geneva Convention, but such is not the case. The Hanoi regime has consistently refused to comply with even the most fundamental of these requests such as release of the sick and wounded, neutral inspection of their POW camps, and the free flow of mail to and from these men. In fact, North Vietnam has steadfastly refused to even publish the names of those Americans held prisoner.

Gentlemen, this behavior is inexcusable and can be tolerated no longer. We ask only that these Americans be granted their basic human rights, but so far the North has ignored these pleas. Now is the time for definitive action. We, the Congress of the United States of America, must follow whatever course is necessary in order to force North Vietnam to comply with the civilized standards of treatment for prisoners of war. We dare not fail to act, to add our voice to the protest, for to do so would be not only to abandon 800 of our fellow Americans, but also the wives and families who depend on them.

WILSHIRE BAR ASSOCIATION COMMEMORATES WOMEN LAWYERS CENTENNIAL

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. ROYBAL. Mr. Speaker, I am pleased to be able to share in the recent commemoration by the Wilshire Bar Association of Los Angeles of the Women Lawyers Centennial, by including in the CONGRESSIONAL RECORD at this point the text of a letter from Adele I. Springer, program chairman of the Wilshire Bar Association, and past president of the National Associataion of Women Lawyers, together with an article on the Women Lawyers Centennial which appeared in the Wilshire Press, and an address entitled, "Belles, Courts, and Kings" by U.S. Ninth Circuit Court of Appeals Judge Shirley Hufstedler:

WILSHIRE BAR ASSOCIATION.

Hon. EDWARD R. ROYBAL,
Cannon Office Building,
Washington, D.C.

DEAR CONGRESSMAN ROYBAL: You will be interested to know that a significant event was featured in your Congressional District recently, honoring the 14 Women Judges of Los Angeles, in tribute to the "Women Lawyers Centennial", commemorating the 100th anniversary of the first woman's admission to the Bar; and that a very important speech was made on this occasion by Judge Shirley Hufstedler of the U.S. Ninth Circuit Court of Appeals, the nation's highest ranking woman Judge, the only woman on any U.S. Circuit Court of Appeals, the second woman in history to serve as a federal appellate Judge.

Her address was hailed as one of the best speeches on the subject of minorities' century struggle for equality and justice.

The objective of this centennial celebration by the National Association of Women Lawyers, and the observance of the local Wilshire Bar Association, served more than a merely commemorative purpose. It emphasized, as an example to the present-day generation, that past generations overcame discriminations by peaceful means, through the legislative and judicial process, and not by violence. It is therefore hoped that this event can serve to impress upon others the important role of women, and the importance of law and order in overcoming discriminations.

Thank you.

Sincerely yours,

ADELE I. SPRINGER,
Program Chairman, Wilshire Bar Association.

SALUTE GIVEN 14 WOMEN JUDGES

An unprecedented assemblage of the 14 women judges of Los Angeles, representing a formidable array of judicial womanpower, graced the dais at a luncheon Tuesday in the Windsor Hotel.

Proclaimed by the City Council as "Women Judges Day" in Los Angeles, the event was hosted by the preponderantly male Wilshire Bar Association in tribute to the Women Lawyers Centennial.

The event honoring the distaff side of the judiciary commemorated the 100th anniversary of the first woman's admission to the Bar in 1869. A highlight of the observance

is the progress of the women members of the judiciary in Los Angeles, not only topping all other cities in the number of women on the bench but also outranking others.

The nation's highest ranking woman judge, Shirley Hufstedler, the only woman on any U.S. Circuit Court of Appeals and the second woman in history to serve on the federal appellate bench, addressed the meeting on the subject of "Belles, Courts and Kings."

"Their Honors," in addition to the federal judge, included: State Appellate Court Justice Mildred Lillie; Superior Court Judges Kathleen Parker and Elisabeth E. Zeigler; and Municipal Court Judges Leila Bulgrin, Noel Cannon, Rosemary M. Dunbar, Joan Dempsey Klein, Bonnie Lee Martin, Mary G. Rogan, Betty Jo Sheldon, Vaino Spencer and Mary E. Waters. Also included in the honorees were retired Municipal Judge May Lahey, the first woman appointed as judge in Los Angeles, who served 50 years on the bench.

"This judge-studded centennial celebration gathering is not merely commemorative," said Wilshire Bar president Kenneth E. Lynch. "The honored guests are living symbols of the theme. When women were excluded from the Law Schools a century ago and were denied the right of a license in the profession, because of sex discrimination, they did not set fire to the school buildings, but achieved "equality and justice through the legislative and judicial process."

He added that by peaceful means women achieved an important role not only in the legal profession but also in the other fields. Other representatives of the "century of progress" invited as special guests included the president of the Los Angeles Women's Medical Society, Dr. Linda K. Morimoto, and the Wilshire Chamber of Commerce's first woman president, Margaret Burk (a sister of Superior Judge James D. Tante).

The Wilshire Bar Association's program chairman, Adele I. Springer, past president of the National Association of Women Lawyers, pointed out:

"It is noteworthy that the Statue of Justice, throughout the ages, has universally been symbolized by a woman."

BELLES, COURTS, AND KINGS

Mourning for the assassinated President had stilled. There was a restlessness in the land and outcroppings of violence. But there was optimism. A bull market surged on Wall Street and factories were chattering 14 hours a day. A group of women went to the polls in South Pass City. A woman was admitted to the bar.

The assassinated President was Abraham Lincoln. The stirring people were freed slaves making their way from shattered plantations toward strange new lives in the cities. They were European immigrants squeezing through Ellis Island and into the ghettos of New York. They were the adventurers, fugitives, miners, and sodbusters migrating to the western frontiers. The stock market was rising toward the shuddering crash of '73. There was violence as trade unionism caught fire in the factories where workers—men, women, and children—labored 14 hours a day. South Pass City was a roaring Wyoming mining town and the ladies who went to the polls were the first American women permitted to cast a vote. Belle A. Mansfield, armed with a judgment from the Iowa Supreme Court, became the first woman lawyer. The year was 1869.

The view from a distance of 100 years is vast, so vast that the individual images merge and blur. We tend now to see the efforts of women to obtain civil rights, to shed the disabilities of coverture, to join trade unions, to get an education, and to seek entrance into the professions as a pallid struggle totally removed from our own day and wholly incomparable to the present battle of black people to win first-class citizenship. That impression is enhanced when we look at the pictures of the women who led the women's rights movement. We see the whalebone rigidity of the figures, the bloomers and the bustles, the cast-iron coiffures and the frozen eyes. And we laugh. They are grotesque. We mirthfully dismiss them and their causes, unable to perceive behind the silent and ludicrous portraits the suffering, the courage, the intelligence, and the toil that was the reality of their lives.

I am going to talk briefly today about some of those women and some of their causes, and I hope thereby to hold a candlepower of light to our own time.

Let us go back a little before the Civil War, when the women's rights cause began stirring. Remember that at that time women were not only disenfranchised, they were locked by custom and law into a system of cultivated inferiority. Education, public or private, was available to the elite, and women were not included in that class.

Female education, beyond grammar school, was almost entirely confined to private seminaries, the curricula of which went little beyond china painting and advanced potato boiling. It was widely assumed that any stronger subject matter would overtax the frail and simple minds of the sex. No university admitted women until 1833, when Oberlin was established and opened its classes to all qualified students. The academic menu at that time consisted of pretty simple fare. No sturdier curricula was anywhere available to women until Vassar was founded almost 30 years later.

The efforts of women factory workers to better their appalling lot by union activity was ruthlessly put down. Wages for women textile workers averaged $1.50 per week and the hours ran from 12½ to 16 per day. Men earned over twice as much for the same or lesser labor.

The plight of married woman was worse from a legal standpoint than was that of her single sister. Upon marriage, the legal personalities of the hubsand and wife merged, and the wife's disappeared. She was incapacitated from property ownership, with insignificant exceptions. She could not contract, or sue, or be sued. She had no legal control over her own earnings, or the clothes she wore, even if her husband were profligate or incompetent. White women were privileged, of course, in comparison with black women. At the outbreak of the Civil War there were in this country 4,000,000 slaves of whom at least half were women.

The women's rights movement was in reality a human rights movement. It just happened that the humans were women. The movement was launched on a heady mixture of abolition and booze. The ladies were for the first and against the second.

Women first crossed the silence barrier in the cause of abolition. Until then the dictates of custom and the dicta of St. Paul combined to exclude any women from public speaking. The sole exception was found in the Society of Friends who alone permitted speaking parts to women. The peaceful Quakers can be charged with letting loose upon an unprepared world the fiery Grimkè sisters, Sarah and Angelina. The girls were daughters of a South Carolina slaveholding family, and both of them in childhood had developed an abiding loathing of slavery and all its works. After moving to Philadelphia, the girls joined the Quakers. From speaking at Quaker meetings, the Grimkès branched out to ladies' parlor meetings. These soon outgrew the parlors and flowed into churches, where the Grimkès found themselves speaking against slavery to men as well as women. The public notoriety of their unseemly conduct detonated a storm of protest, most particularly including vitriolic denunciations by the Protestant clergy. Angelina collapsed physically under the strain and lapsed into silence for many years. Sarah came out swinging. Her voice and her pen remained constant in the cause. It was the Grimkès who broke the platform trail for a long list of famous women orators, including Lucy Stone, Lucretia Mott, Sojourner Truth, and Susan Anthony.

Of these women none was more remarkable than Sojourner Truth. She was born a slave in a small town on the Hudson River. Her master forced her into a marriage from which he harvested her crop of 13 children. Sojourner was a lifelong illiterate. When New York freed its slaves, Sojourner went to New York City, first as a domestic worker and then as an abolitionist and a champion of rights for women. She became known as one of the most dynamic and moving speakers of the day. Here is a sample. In 1851 she attended a women's rights convention in Ohio. The women were being heckled and jeered. A clergyman had just delivered a speech ridiculing the notion of extending suffrage to women, emphasizing the weakness and helplessness of the sex. Amidst hissing and stamping, Sojourner moved to the platform, laid her old bonnet at the chairman's feet, and from the pulpit here is what she said:

"The man over there says women need to be helped into carriages and lifted over ditches, and to have the best place anywhere. Nobody ever helps me into carriages or over puddles, or gives me the best place—and ain't I a woman?

"Look at my arm! I have ploughed and planted and gathered into barns, and no man could head me—and ain't I a woman?

"I could work as much and eat as much as a man—when I could get it—and bear the lash as well—and ain't I a woman?

"I have borne thirteen children, and seen most of 'em sold into slavery, and when I cried out with my mother's grief, none but Jesus heard me—and ain't I a woman?"

Sojourner's cry was heard but it was heard only as an indictment of slavery. Many years were to pass before the pangs of conscience could be converted into a real force in the cause of civil rights for Negroes or for women of any color.

Indeed, with the passage of the 13th Amendment abolishing slavery the steam of the women's movement was largely dissipated. The remaining cause to which the women were yoked was temperance. The suffragette leaders made a measured decision to continue in tandem with temperance to pick up the support which the prohibitionists could offer. It was a strategic error of major proportions for the suffragettes. The notion that all those dedicated teetotalers would vote gave the liquor interests severe attacks of the vapors. They rallied their higher proof spirits and large rolls of cash and poured both in quantities into fight after fight successfully defeating suffrage for more than 50 years. Typical was the California experience in the 1896 campaign. Ten days before the election, the Liquor Dealers League met in San Francisco to discuss how the ladies could be kept at bay. They resolved to "take such steps as were necessary to protect their interests." Precisely what steps were taken is not on record. But the result is. The suffrage amendment carried the state handily, except for San Francisco and Alameda counties. Those thirsty citizens cast 27,399 votes against suffrage, which were just enough to kill the amendment.

When we left Bella Mansfield crossing the bar in 1869, we might have assumed that the door she opened yielded more easily to others of her persuasion. The assumption is wrong. While Bella was tucking her judgment into her reticule, Myra Bradwell was studying for the bar in Illinois. Myra passed the bar, but not the bench. Her experience was a repetition of what usually happened to women who transgressed the assumed social order in the name of employment, or suffrage, or civil liberties.

Myra was bright and ambitious. She was also married. She took her cause to the Illinois Supreme Court and presented a good lawyerlike argument for her admission. The court huffed and puffed its way through a rejection of her statutory arguments and then took off in a flight of rhetoric about the wickedness of permitting frail womankind to be exposed to the horrors of courtroom combat. Tush! It was enough to make a feller miss the spittoon.

Undaunted, Myra trundled her cause to the United States Supreme Court. Without any overt emotionalism, the majority of the Court dispatched Myra for want of a federal question. Not so Mr. Justice Bradley. Here are some excerpts from his specially concurring opinion:

"It certainly cannot be affirmed, as a historical fact, that . . . ['the right of females to pursue any lawful employment for a livelihood'] has ever been established as one of the fundamental privileges and immunities of the sex. On the contrary, the civil law, as well as nature herself, has always recognized a wide difference in the respective spheres and destinies of man and woman. Man is, or should be, woman's protector and defender. The natural and proper timidity and delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life. . . . The harmony, not to say identity, of interests and views which belong, or should belong, to the family institution is repugnant to the idea of a woman adopting a distinct and independent career from that of her husband. . . .

"It is true that many women are unmarried and not affected by any of the duties, complications, and incapacities arising out of the married state, but these are exceptions to the general rule. The paramount destiny and mission of a woman are to fulfill the noble and benign offices of wife and mother. This is the law of the Creator. And the rules of civil society must be adapted to the general constitution of things, and cannot be based upon exceptional cases."*

What impelled Bradley's performance?

Could he have been unaware that there were then more than 325,000 women factory hands working under conditions anything but dainty? That thousands of women performed hard physical labor on the farms and in the fields during the Civil War? That frontier women had been and still were working side by side with their husbands under grueling and often perilous circumstances? That women were indeed undertaking courses of study as arduous as his own, albeit in fewer numbers than men?

Impossible. Mr. Justice Bradley was neither ill informed nor ill educated. He knew from his own childhood on an impoverished farm that his mother and his grandmother had not led delicate lives, and he knew from his own law practice the conditions of American workers.

Then why did Mr. Justice Bradley orate about men's hovering protectively around those helpless women?

He wrote that way because he passionately believed that God, not man, had prescribed women's role down to the last comma in the script, that natural law dictated that women were born timid, delicate, and simple minded, and that women who did not behave that way were either biological curiosities or the victims of mankind's inexcusable rebellion against God. According to Mr. Justice Bradley, God's only directive to man was that man should protect and defend woman. Otherwise, man was on his own. It did not strike Mr. Justice Bradley as odd that God had gone to all that trouble for women and had not done as much for man.

Mr. Justice Bradley's problem was that he confused the signs of a culture with the signs of the Creator, and he mistook man's laws for the laws of nature.

He was caught up in the thralldom of mythology, by which I mean the adoption of a series of assumptions, only partly articulated, which are not objectively true, but which are treated as if they were true. He had lots of company.

Mankind has always clung to its myths with greater tenacity than it has to anything else. And no myths have been more pervasive and enduring than those which assure the dominant members of a society that their positions are secure, and even just, and which tell the servient members why it is not only their destiny, but their duty to remain where they are. Into this category fall the mild and relatively short-lived myth of the divine right of kings and the powerful and persistent myths of sexual and racial superiorities and inferiorities.

The reasons for the strength and longevity of the myths of racial and sexual inferiority are myriad. I shall mention but a few.

Myths of this kind fill emotional needs and accordingly are charged with a great deal of emotional voltage. One of those needs is relief of man's perpetual anxiety about who he is and what he's doing here. Belief in the mythology of superiority and inferiority assuages some of that anxiety by assuring one that his place is somehow ordained and that he need accept no responsibility for his lot. There is in that belief comfort to the powerful, who may need it the least. But there is also some comfort to those who are on the lower rungs of the ladder. For instance, a serf in feudal England needed no tranquilizers to prevent his worrying about whether he made the right career choice.

Really enduring myths are always supported by elements of plausibility. No one would ever have believed that the earth was flat, if it did not appear so to the earthbound. No one would have believed that women were innately men's intellectual inferiors had women consistently excelled in the intellectual community. Mr. Justice Bradley had history and the view from 1872 on his side when he observed that women were evidently unfit for occupations beyond the most menial. Why bother to ask: How come? He knew that the reason was the inherent frailities of the sex.

What Bradley actually saw was the result of the power of myths to generate their own kind of reality. We know that if one believes that a human being is inferior and, acting on that belief, tells that human being early enough and often enough about his inferiority, he fulfills the belief, regardless of the treasures with which he was born. And if a society implements the same belief by closing off to the same child all resources from which he could sustain intellectual nourishment, his intellectual yield will be as barren as society expected.

For centuries women were told that they were unfit for anything other than menial labor, except the wives of the very rich who were told that they weren't suited for any labor at all. Most women believed what they were told. But for those women who were unconvinced, society mostly saw to it that the escape hatches were not only guarded, but bolted. The surprising thing is not that most women accomplished little beyond the walls of their homes or the looms of the mills, but that any women did more than that.

Justice Bradley and his ilk succeeded in squelching Myra and many of her sisters in law, but the Genii, once released, could not be induced to return to their bottles.

The ladies kept on marching, picketing, and petitioning. Susan Anthony, that indomitable spirit, continued her needlework on Congress. Maude Park Woods and Carrie Chapman Catt spent years organizing suffragettes and training neophytes in the art of assault on the power structure. One of those neophytes was Florence Allen. Florence graduated from Western Reserve University in 1904. After completing graduate studies in Berlin and in Cleveland, she entered the University of Chicago Law School. She finished law school at N.Y.U. During her New York stay, she became active in suffrage. She returned to Ohio as a seasoned suffrage campaigner. She built a major suffrage organization in Ohio, from which flowed a successful suffrage amendment and, as a dividend, an ardent support group for Florence when she ran for Judge of the Court of Common Pleas. Florence was elected to that office 10 weeks after the 19th Amendment was ratified. Two years later she successfully ran for the Supreme Court of Ohio, an office in which she served for 10 years at which time Franklin D. Roosevelt appointed her to the U.S. Court of Appeals for the Sixth Circuit. Florence served with distinction on that court from 1934 to her retirement, 25 years later.

It is tempting to assume that the old mythology was buried about the time the suffragettes laid down their hatchets. But the assumption would be wrong. So far as white women are concerned, the legal barriers have crumbled, but we still see little vestigial remnants. Why, for example, can a man fully deduct his secretary's salary from his income for tax purposes, but his secretary cannot deduct her child care expenses, without which she couldn't be his secretary—unless she is paid so little that she is a do-it-yourself poverty pocket?

However, mythologies are made of tougher cloth than can be cut by courts and congresses. Proclamations, constitutional amendments and Supreme Court decisions, and 100 years have not been enough to maim the inferiority mythology. It is alive and well and living in the black community.

Do we have another 100 years to answer Sojourner Truth's indictment?

*Bradwell v. Illinois, 83 U.S. (16 Wall.) 130, 139 (1872).

OUR CIVIL AIR PATROL

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. PETTIS. Mr. Speaker, as deputy commander of the congressional squadron of the Civil Air Patrol, I am, of course, deeply interested in the annual international air cadet exchange in which the CAP participates. Thus, it is that I wish to call to the Members' attention an address last week by Michael Hudoba, vice president of the National Press Club, to the foreign participants in the IACE at a dinner held here in Washington. Mr. Hudoba's comments are pertinent not only to the Civil Air Patrol, which is active throughout the United States, but also to international cooperation. Therefore, under leave to extend my remarks, I wish to include his speech in the RECORD, as follows:

REMARKS TO THE INTERNATIONAL AIR CADET EXCHANGE, AUGUST 6, 1969

Your excellencies, distingushed guests, ladies and gentlemen of the International Cadet Exchange of 1969, it is my privileged honor to welcome such a varied gathering of aerospace minded young people, and particularly, to share in your meeting here in the National Press Club ballroom.

It may interest you to know that virtually every world leader who has visited Washington in contemporary history, has spoken to the Press Corps in this room.

It is international, with its five thousand members representing the press of nearly

every country in the world. It is also noteworthy that every President of the United States since William Howard Taft has been a member of this club. Many declarations of policies and news have been made by political leaders of the world from this podium.

We had a television broadcast by satellite to Japan when the prime minister appeared here recently. The day after tomorrow the chancellor of the Federal Republic of Germany will again speak from this platform. You are indeed in a historic place for the international exchange of news and information.

At this point, I wish to commend our hosts, Mercedes Benz of North America, Incorporated. It is significant that Mercedes Benz, with the pride of achievement in the world of industry recognizes and supports such a dynamic program as the International Air Cadet Exchange.

I have been advised that CAP's national commander, Major General Walter Putnam, is unable to be with us this evening. You should know. That it took the combined force of a team of Air Force surgeons to stop him though. Since General Putnam regretfully cannot be here, I would like to make a few comments about his remarkable career. General Putnam is indeed a dynamic leader, such as one would expect at the head of an organization like the United States Civil Air Patrol. In his role as national commander, he is capping a brilliant 32-year military career.

He began flying in 1937 when he left Oklahoma State University to enter cadet training. Since then he has flown nearly every fighter aircraft from the old P–6 to the F–4–C supersonic jet.

During World War Two, he became known as the "one man air force of Bataan" because he flew two hundred combat missions in the first nine months after Pearl Harbor.

Among his numerous decorations are the Distinguished Service Medal, Distinguished Service Cross, Silver Star, and the Legion of Merit.

Although he left school for an open cockpit, he went on to earn a Bachelor of Science degree from the University of Maryland and a masters degree from George Washington University. They didn't come easy. It took him fourteen years of going to night school and unremitting study discipline to achieve these degrees. He has proven his interest in education.

Looking over the audience, I know General Putnam would be delighted to see these charming young ladies. Girls, I want to extend a special welcome to you.

In the twenty-two year history of the International Air Cadet Exchange, I understand this is only the second time that young women have participated. Last year, I am informed, the United States and Great Britain exchanged young ladies for the first time. Thus, ending a long tradition of "men only" in the business of preparing their youth for careers in aerospace, as well as preparing them to assume vital roles of leadership in the future. These countries have demonstrated, through the IACE, that young people are *important*, that young people are *individuals*, that young people are the *future*.

Each of you are selected for your special merits, your demonstrated traits of leadership, and potential future value to your respective countries, in this rapidly advancing world of aerospace technology. The twenty-six countries you represent have good reason to be proud of your participation in this year's I–A–C–E program. Through your experiences of the last three weeks you have contributed to international goodwill and have helped expand the range of aerospace interests. Each of your countries has an investment in your future and you have only just begun to repay dividends as future aerospace leaders.

Needless to say, all young people are faced with a challenge to be something special in today's world—a world threatened by an overabundance of bombs, babies, and bedlam—where the need for leaders multiplies even faster. There is no escape from accepting the world's urgent responsibility for the making and keeping of the peace; otherwise, how can mankind ever hope to survive the awesome threats of a nuclear holocaust?

We are looking to *you* to assume roles of leadership—and the responsibility for helping to achieve this urgent need. Many of the crucial decisions about world foreign policy are yet to be made. *You*, and your generation, may have to make them! That's really what I–A–C–E is all about.

This kind of program is a vital link between your adolescent school years and the responsibilities of an adult world. It is a brief but important step into internationalism and better understanding of your neighbors. It is really a short course in international relations and the promotion of peace and friendship through living contact with the peoples of other free countries.

I hope all of you, in going home, will be richer in the friendship, experience, and knowledge of our country.

Back in your homelands you will find further opportunities to test, to compare, and add to what you have learned. You will be able to apply your experiences here to your own cadet programs and share your knowledge with those other cadets who remained behind.

But more importantly to your governments, your homelands, and your peoples is the kindred spirit of international goodwill and understanding to which you have been exposed. You hold a key which can help unlock the unfortunate misunderstandings among the world's nations. In your important role of "junior ambassadors" you can be a potent voice in shaping the world's future.

The I–A–C–E is a *people to people* program, made more significant because of its involvement of the youth of the free world. You are standing on the threshold of the growing aerospace age of tomorrow, facing new frontiers in aerospace opportunities, these frontiers belong to you by virtue of your youth, your interest, and your special capabilities. But the challenge of the aerospace world is constantly changing. Hardly a day passes without some new accomplishment in aviation, in the exploration of space, in scientific breakthrough. Many of the leaders in your various nations grew up with the airplane, but it was not until your present generation that the use of such terms as satellites and space vehicles became words in daily use.

This incredible twentieth century—two-thirds passed into contemporary history—has seen man awaken from a creepingly lethargic pace, now, to ride the flames of rockets, orbiting the earth and the moon, build wings on machines able to jet around the world, accelerate archaic industry into an atomic era, eradicate diseases, perform miraculous surgery. . . . And begin to tap the innermost secrets of life—yet, man continues to flounder with uncertainties and failures of living together in peace on an earth where each and every human being inevitably meets the same moment of truth, that is, to meet the creator of all life on earth. This unsolved mystery is everyone's common challenge. This is the universal bond that makes all mankind equal. Then, why is it, that all humans on earth, born in the same way, from joy and and pain, sharing the same physical limitations in their day-to-day existence, are still unable to live as brothers and sisters?

The problems of this world are man made and man must solve them!

Modern technology has shrunk earth's distances not only through aerospace but the media of communications. Newspapers bring the world to your hand and their pages unfold the drama of man's role in the struggle for existence. Magazines and books produce writings in depth on the numerous facets of our daily world. Television transports you instantly onto the scene of current events. You have available fine libraries, art museums, and symphonies.

This world is an enormously exciting place but do not limit yourselves to only one source of information. Do not risk allowing yourselves to become a carbon copy of a single source. There are thinking people whose interest in life can help enrich your own. Unless you listen, read, observe, and think, to savor and digest the innumerable menus of ideas, knowledge, and information, life can become dull and each drab tomorrow become shrouded into increasing darkness. You have available to you today the sum total of all man's combined knowledge.

Knowledge that was undreamed of at the turn of the century. Your special interest, the airplane, was invented by the Wright brothers in 1903, who flew it successfully but so briefly that its time of flight was measured by seconds and the distance in feet. The event was hardly noticed in news coverage of that day. No one then imagined air transportation would become an enormous industry constricting the whole world.

And while Alexander Graham Bell was experimenting with sound, seeking to provide a better aid for teaching the deaf, he invented the telephone. With that crude instrument he could not have imagined the fantastic extent of modern communications. Nor that man-made satellites in orbit—twenty-two thousand miles above the earth—would instantly put everyone in the world within earshot and view of each other.

Could Goddard have predicted that his experiments with rockets in 1928 and 1929 would put telestar communication into orbit, that weather and the world would be monitored by satellites, that astronauts would walk in space and on the moon, or approach the doorstep of Mars?

Television was born in 1934 with only ten thousand sets in use by 1941.

Great inventions do not come to reality as one perfected result. Each of these depends on isolated discoveries.

When the transistor was invented in 1956, it set the stage for a computer industry that has progressed industrial assembly lines toward automation. These mechanical brains will eventually change the whole pattern of man's work world. Without computers air and space travel could not meet the demands of the modern world.

The point I wish to make is that as our world becomes more complex—an incredible number of new professions and new techniques must be developed, each of these open new opportunities for each new generation. There must always be countless teams of individuals to keep the work progressing. An astronaut orbiting the earth must depend on a vast team of skilled and dedicated people to build and to support the flight. And if anyone fails to maintain perfection he risks to destroy a mission and cause the work of scores of thousands to come to failure.

To this point the individual must learn a basic lesson of life. One must learn to discipline themselves, they must strive for perfection, as well as their ideals, they must be sincere and honest so that when each faces the moment of truth—which no human can escape—there will be no need for apologetic fear. We must each be able to look ourselves squarely in the eye each day without flinching.

With all the progress that has been made in science, medicine, invention, industry, business, and government man has lagged far behind in social science. Some men and nations are still unable to live together in peace, to progress brotherhood, to reach for an approach to human utopia.

Although the United Nations is thirty-four

years old—even with its progress—we still live in a world of peril and uncertainty, with some nations distrusting each other, and more than two-thirds of the three billion people are struggling, underprivileged, starving, uneducated, without foreseeable hope of improvement in their status quo.

Here is a challenge to you, to your generation, seek to help make this world progress toward peace and goodwill and to improve the potential of man's existence for a better life and to bring the dream of a utopia nearer reality.

We, in the United States believe firmly in the concept that all people should live together in peace, we warmly welcome you and all others who are dedicated to this same goal.

So, now as you return home please take with you our sincerest and fullest expression of cooperation and goodwill to your countries and to your people.

It has indeed been our honor and privilege to have had you here!

In closing, may I again thank Mercedes Benz for making this evening possible.

ECONOMIC COMMENT BY J. WHITNEY BUNTING, PH. D.

HON. ROBERT G. STEPHENS, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. STEPHENS. Mr. Speaker, Dr. J. Whitney Bunting, president of Georgia College in Milledgeville, Ga., has written a thought-provoking article on the rapid increase in the sale and use of mobile homes for family living in the United States.

I think this article will be of interest to all the Members of Congress and, in particular, the Housing Subcommittee of the Banking and Currency Committee. I submit it, therefore, for insertion in the RECORD:

ECONOMIC COMMENT

(By J. Whitney Bunting, Ph. D.)

THE MOBILE HOME STORY

One of the most interesting trends in the area of economics today is the rapid increase in the sale of mobile homes for family living. This nation has gone a long way from the early belief that trailers provided constricted living and were useful primarily for camping trips, tourist devices or retirement living. Today these truly mobile homes are springing up all over the countryside and come "fully equipped" with all the features of basic home design included. When one realizes that this industry has had to overcome consumer prejudice against such type of living, it is necessary that much credit be given to the builders and merchandisers of mobile homes for their efforts to gain consumer acceptance.

It has been estimated that the sale of mobile homes today constitutes about ten to fifteen percent of the new home market. This is no small item in the total economy of the nation. It is further estimated that the sales of these homes should increase to over twenty-five percent of the market in the next decade. So it would appear that this type of structure will be in increasing evidence in the years ahead—particularly in urban or semi-urban environments.

PUBLIC ACCEPTANCE

It is interesting to consider the reasons for the recent public adoption of mobile living, for these facts do tend to show some very important changes in the way of life for Americans. Although a long list of reasons can be given for this trend, there are about five very important facts that have been most important. They may be listed as follows without any regard to their respective importance:

(1) The rising cost of home construction in the United States making it virtually impossible for the newly formed family on a limited budget to purchase a newly built home on the low income level. The recent, and apparently unceasing, increase in interest rates has just about pushed many potential home buyers out of the market for they do not want to pledge their future earnings to repay home loans with an eight percent rate of interest or better. Consequently, low budget prices for mobile homes with limited interest rates (as far as time is concerned) appear to be a proper solution to the young family.

(2) The mobility of families today is a rather recent phenomenon and indicates a general lack of roots for the population. Only a few decades ago generation after generation tended to stay in one area and had no thought of moving from place to place for economic improvement. Today families follow jobs in order to rise to the stage of economic affluence which they feel is essential to happiness. The mobile home, either as a small investment which can be resold without too much loss, or readily transportable, matches its mobility with the needs of the young family. There is little doubt but that this trend will continue.

(3) The merchandising of the mobile homes has been mentioned earlier but can stand re-emphasis at this point. One no longer buys a "shell" or a mere trailer but rather a fully equipped home that has been expertly designed for good living. Each room, small though it may be, has ample furnishings usually of good quality that make it liveable as soon as it is placed upon a lot. Moreover, the decor is properly designed by a skilled decorator—a service that could not be readily afforded by most low-income families. Producers of this type of home have gone to great expense and effort to ascertain consumer desires in living quarters and have made a real contribution to the needs of society. Certainly the producers of many other durable products could do well to follow suit in the design of their products to meet consumer preferences and desires.

(4) As public approval of this type of housing has increased, so has the interest by banks and lending agencies for financing increased. Since the market for re-sale has been quite good for mobile homes (particularly the more modern ones with fine quality equipment) the element of risk of financial loss is not too great. In fact in some cases there is actual appreciation in value rather than depreciation. So lending facilities are more readily available than in the past. Bank acceptance of mobile homes for financing purposes has given a type of prestige that would be hard to come by otherwise.

(5) At one time in the nation's history the public dream was to be a multi-car family. Today, with a growing trend toward more time for recreation and leisure time activity, there are many families of moderate means that desire two homes—one for normal living and a second on a lakesite, or in the mountains or at the seashore. The mobile home thus becomes an ideal retreat or second home without a heavy outlay of money. A visit to any resort area will bear this out for one can see many uses of a mobile home for gracious leisure time living. And since most living under these conditions is out-of-doors, there is little opportunity for a family to become cramped in too small quarters.

All of these items have contributed to a new and highly valued industry that has taken its place as a good income producer for the nation. And the future should be greater than the present if current projections are true.

MARKET TRENDS

There apparently is much confusion, even among experts, as to the current price movements on the stock exchanges. Basically the question pertains as to whether or not the market has "bottomed out" at this point or if a further drop can be expected. A review of most other business barometers shows a continued economic strength in the nation and little encouragement for those who feel that even a mild recession might take place. The status of the market for most stocks today is such that most have a good and protected value if purchased at current price levels. Summertime has historically been marked as a period of readjustment for security prices with a greneral "softening" accompanied by periodic gains. Action this year is not far from this situation.

For those who have doubts about a sustained period of recovery for stock prices toward the end of the year and into 1970, the best answer possible is that economic conditions should hold from "steady" to a gradually improving position. The basic true value of many securities is such that they too should forge upward with a good last quarter of 1969. With no further increase in interest rates and no formal governmental wage-price controls, every indication of economic health is present. Investors for long run growth should have little fears from adverse stock price movements in the foreseeable future.

OUR SECURITY LIES BEYOND WEAPONS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. MOORHEAD. Mr. Speaker, I have talked long and loud about the excesses in our military budget. This martial largesse hides a multitude of sins, the least of which is poor procurement practices and "doctored" reports of weapons' systems production.

Millions of words have been written about the problem of holding military spending in check and putting our defense needs more in line with desirable international commitments. This latter fact is based on an accurate analysis of Russian and Chinese intentions in Europe and Asia.

We have bloated our Army and Navy with weapons and men far beyond the limits dictated by our best foreign policy interests.

An excellent article on defense spending, and the implications of what continued congressional scrutiny of the military spending can reap, appears in the August 26 issue of Look magazine.

This extremely literate and precise piece was written by the distinguished statesman, W. Averell Harriman.

Mr. Harriman deftly labels the development and deployment of MIRV, the multiple independently targetable reentry vehicle, as very crucial to Soviet-American relations.

Harriman states:

Both sides can develop effective MIRV's in a relatively short time. It is vital that agreement be reached before this occurs.

This is a man who has represented the United States in Russia. He knows the Russians and is a very perceptive individual, sensitive to the Soviet mind and the aspirations of the Russian people and their leaders.

I am convinced that the Soviets are as anxious to avoid destruction of their country by nuclear war as we are of ours.

I would like to introduce Mr. Harriman's article in toto for my colleagues. I urge them to read carefully the words of this great American and to give weight to his thoughts when we in Congress are called upon to judge the Defense Department and their weapons systems' demands.

The article follows:

AMERICAN MILITARISM: AN EPILOG—OUR SECURITY LIES BEYOND WEAPONS

(By W. Averell Harriman)

Like many other Americans, I am fearful about the present role of the military in our national life. Military men have as their primary responsibility the defense of the nation, and they are miscast when they are expected to be omniscient on other vital national concerns. It is in some ways unfair to ask them to accept resopnsibility for decisions on which they are clearly unqualified to give a balanced judgment.

I have worked closely with our military officers during the past three decades and respect them for their competence and dedication to our country. I have held many of them in the highest esteem, among them General Marshall. I vividly recall Marshall explaining to President Roosevelt that his advice was given purely from a military standpoint.

When military men advised extreme action in Vietnam, I am not sure that they fully realized the limited character of our objectives there. We are not there to win a war, but simply to stop the North from taking over the South by force, and to permit the people of the South to decide their own future. I am not sure that all those advising the President fully understand how limited our objectives are. Somehow or other, there is a feeling that we are fighting the international Communist conspiracy—rather than Vietnamese national Communists who do not want to be dominated by either Peking or Moscow. The international Communist situation is quite different today than it was in the early postwar period. During those days, I was always on the side of those wanting more arms for our nation. When South Korea was attacked, we had a military budget of only about $14 billion, and we suffered greatly from it. But today, we have a military budget of almost $80 billion, and have so many other requirements in our country that it is time to call a halt to our arms buildup. The war in Vietnam is an unfortunate drain on our resources, and will, I hope, be brought to an early settlement. The money we spend there is urgently needed now to reunite our own divided country.

It is not the military's job to know how that is to be done, and they cannot be expected to weigh the technological requirements of the military against the requirements in our cities. The military today are asking for new weapons that in my judgment are clearly less important than other national needs.

We obviously must maintain nuclear capability giving us a second strike force that would deter the Soviet Union or anyone else from hitting us. But that does not mean we have to be ahead in every aspect of nuclear capability, nor does it mean that we must have many times the power to overkill any enemy.

In 1941, I was in London as President Roosevelt's representative to Prime Minister Churchill and the British Government. Even then, I was struck by the difference in the role of the military in Britain and in the U.S. The British War Cabinet consisted of the political leaders of the country, and the ministers of the armed services were not even members of it. I am not suggesting that the British military leaders were not highly respected or that their views were not given full weight. But they were given weight within the Cabinet in balance with the other problems of the British nation. The military chiefs of staff were advisers to the Cabinet. The military establishment was integrated into the policy-making procedures of the British Government. They had no contact with the Parliament, nor did they give any public expression of their views.

This is altogether different from our present procedures. Not only the Secretary of Defense but also the Chiefs of Staff go to the committees of the Congress and testify on all sorts of matters. As a result, a number of senators and congressmen get an unbalanced view of our nation's needs from military men who are responsible for only one aspect of our national concerns. What I am suggesting is that we have a group of senators and congressmen whose attention is concentrated on military needs. That is why we had one member of the Congress saying a short while back that if we turned over the Vietnam war to the soldiers, they would win it in a month.

Nothing could be more absurd than that statement. But it indicates the mind-set that some members of Congress get after steady bombardment by the views of our military. Their responsibility is the security of the nation, and they must look at the worst of everything. Those who see only the possible military threats would drive us into another world war. That is why isolated military judgments of political situations are not sound. Robert Kennedy wrote that during the Cuban missile crisis, he was struck by how often his brother's military advisers took "positions, which, if wrong, had the advantage that no one would be around at the end to know" how wrong they were.

All of us abhor Soviet repression of freedoms at home and in Czechoslovakia, and their support for Communist subversion in independent countries. But I decry the attempt that is being made today by some in the Defense Department and Congress to scare the American people into believing that the Soviets are scheming to attack us with nuclear weapons. No one knows the intention of the Kremlin, but I can speak from my Russian experience that dates back over forty years. I am convinced that the Soviets are as anxious to avoid destruction of their country by nuclear war as we are of ours.

It is particularly alarming that there appears to be a new policy in the Pentagon, to have the civilian-directed offices of International Security Affairs and Systems Analysis support the recommendations of the Joint Chiefs of Staff and not question them.

It is reassuring that the Congress is increasingly showing concern over military programs and exercising its independent judgments on decisions.

I believe that negotiations we are now starting with the Soviets to control the nuclear arms race are the most important we have ever undertaken. They can be successful if we act wisely.

From my talks with Mr. Kosygin and other Soviet officials, I am satisfied that they want to stop the nuclear arms race for two reasons. They don't want to divert further expenditures from their pressing internal needs. And they believe the U.S. and the Soviet Union should come to an understanding now to reduce the risk of nuclear war. This is a time of world opportunity—a split second in history. I have been told by my scientist friends that both sides can develop effective MIRV's (Multiple Independently-targeted Re-entry Vehicles) in a relatively short time. It is vital that agreement be reached before this occurs. We can each tell the number of missile sites the other has but we cannot know the character of warheads fitted to the missiles without detailed on-site inspection. I was very much shocked to hear that the military had gone ahead to order these multiple warheads without telling the Congress or the public that they had done so.

There are advisers in our defense establishment who are on record as opposing an agreement with the Soviet Union on nuclear restraint. They are entitled to their opinions, but it would be inexcusable if actions were taken that committed us to the arms race without the widest possible discussion. I am sure President Nixon believes that an agreement on nuclear restraint is of vital importance to our nation, and most Americans share this judgment.

It is interesting that it took eight years for the Congress and the public to understand what President Dwight Eisenhower was talking about when he warned about the military-industrial complex. It is only recently that we have begun to question the new weapons programs, the wisdom of immediate deployment of the ABM, and testing of the MIRV. Until now, the pressure from the Congress has been to appropriate more money than the Administration requested for new weapons programs. Pressure comes now in the opposite direction. The turnaround is due largely to the unpopularity of the war and the urgency of domestic needs. We are beginning to recognize the dangers of a militaristic attitude on the part of our country. Our security will not come from the number of our weapons. It will come from the strength of our moral force at home and abroad, from our economic and social strength, and from the unity of our people.

THE 52 ASSOCIATION, INC.

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. HELSTOSKI. Mr. Speaker, I wish to take this opportunity to bring to the attention of my colleagues the wonderful work of the "52 Association, Inc." to awaken every citizen of New Jersey to the fact that there are more wounded servicemen from Vietnam than from World War II and the Korean conflict combined.

The newly formed New Jersey Chapter of the 52 Association, Inc., has as its objective the rehabilitation of these wounded servicemen and giving them the training that will restore them to positions of productive citizens and permit them to be a part of the active life in their own community.

The 52 Association has already successfully trained wounded servicemen in the field of computer programing and data processing and these men are now gainfully employed.

To bring into greater focus the work being done by the 52 Association, Gov. Richard J. Hughes has issued a proclamation that the month of November, 1969, be pledged to the work of this organization. He has called upon all the citi-

zens of New Jersey to take an active part in providing for the sorely needed programs to assist these wounded Vietnam servicemen.

Mr. Speaker, I include some additional material touching upon this subject:

A HISTORY OF THE "52" ASSOCIATION FROM 1945 TO 1969

The "52" Association began its consistent record of loyalty, devotion and service to our seriously disabled servicemen back in 1945, just as World War II was drawing to a close.

It all started when Arnold Reuben, Sr. (of Reuben's Restaurant, New York), in the interest of patriotism, called together a group of business and professional friends and proposed that each of the men present contribute $52.00 a year and pledge to serve the Nation's war-wounded 52 weeks a year! The men approved, unanimously echoing agreement, and the "52" Association (a voluntary non-profit philanthropic organization) was formed.

From this meeting came the famed expression: "The wounded shall never be forgotten," a slogan which has now journeyed through three wars. The group of men wasted no time in replacing their pledges with actions and began hosting disabled servicemen to "nights on the town." News about their activities spread rapidly. Soon, hundreds of other patriotic Americans joined the "52" and began hosting disabled servicemen at dinners, shows, sporting events and the like. Newspaper columnists took notice, nicknaming them the "good-time Charlies," and the course of the "52" Association was secure as the membership began to grow steadily to its present figure of 1,500.

When it became apparent that many of the war's disabled could not physically make it to Broadway, the "52" Association brought Broadway to them. The Department of Defense offered their cooperation too, enabling the "52" Association to transport enthusiastic volunteer groups via military vehicles, to all the Military Hospital Installations along the Eastern seaboard. All-star Broadway reviews offering top entertainment, lavish parties where sumptuous meals were served, and distribution of gifts to the men, all were arranged by "52" as segments of their continuing weekly programs for hospitalized servicemen and discharged veterans.

In 1959, the "52" Association expanded still further their sphere of dedication and loyalty to these seriously-disabled servicemen when they purchased the Samuel H. Kress Estate in Ossining, New York. This magnificent 41-acre estate boasting spacious scenic grounds, sporting areas, picnic groves, and a breath-taking, multi-purpose five-acre lake, was adroitly converted into an Indoor-Outdoor Recreation and Rehabilitation Center for the men. All the sporting and recreational facilities were immediately adapted for the exclusive use of the handicapped. "Low" barbecue pits, especially built for the use and attendance by wheel-chair occupants, allowed the men to simultaneously fulfill their husband/father roles while casually enjoying picnics with their families. Games such as wheel-chair basketball, baseball, volley ball, soft ball and badminton became popular sports at the center, and other areas were equipped for wheel-chair fishing and archery.

The former Kress Estate has, over the years, proven itself as a haven for these disabled men, on a multitude of levels. They not only have a remarkably beautiful 'country club' where they can bring their families and enjoy the many year-round programs provided by the "52" Association, but of even more significance, it is a place where they are never embarrassed by their respective handicaps; and all of this in a total setting professionally designed to stimulate morale building as well as recreational rehabilitation:

Since 1959, more than 30,000 have thrived, enjoyed and benefitted from this beautiful oasis in Ossining, New York. Daily busloads of wounded service men, back from Vietnam, are currently being brought to the Center from the Military hospitals, and introduced to the recreation and rehabilitation facilities.

"Today, straining to uphold their original pledge—"The wounded shall never be forgotten"—to the exceptionally high number of severely disabled young men who have answered our country's call in Vietnam, the '52' Association finds itself busier than ever," explained Alan Weinberg, the Association's Executive Director. "There are more amputees from Vietnam alone than from World War II and Korea combined," Weinberg added!

The struggle of seriously disabled servicemen to triumph over their physical disabilities has been a powerful inspirational factor behind the "52" Association's continuous growth over the last 24 years. In order to respond to the current and unprecedented needs of these men, the Association is now seriously endeavoring to offer them a brand new and unique extension of their services. Plans have already been drawn for a sorely needed Vocational Rehabilitation and Training Center encompassing complete educational, recreational and residential facilities, to be constructed on the grounds of the Ossining Estate. The total cost of this new expansion program is $2,500,000.

One extremely important division of the larger complex will be an Advanced Technology and Computer Training Center geared to accommodate and train groups of from 50 to 200 severely disabled veterans during continuing courses of 12 to 14 weeks each. The vast field of Electronic Data Processing and Computer Programming was carefully selected by the "52" Association (the result of an exhaustive survey conducted under the guidance and direction of Dr. Morton Thompson, an eminent authority in the field of rehabilitation of the handicapped) as the most appropriate and sensible course of study for these men. It is a field where the seriously disabled can, consistent with the ever-growing needs of the industry, find satisfying, well-paying careers. Not only will this Training Center offer far-reaching benefits to the participating veterans, but to industry as well, for it will help to meet one of industry's greatest needs today—the availability of people trained in electronic data processing. These disabled men can fill many of these positions satisfactorily since the work, devoid of physical strain, affords them the ideal opportunity to fully utilize their minds while they demonstrate their productivity, stamina and stability—regardless of the severity of their physical disabilities.

In January of this year, with the cooperation of the Department of Defense (under its "Project Transition": "A program set up by Presidential directive through the Department of Defense and designed to assist the disabled serviceman prior to his discharge"), the "52" Association inaugurated its first pilot project course in computer programming for hospitalized servicemen at St. Alban's Naval Hospital. In order to qualify, the men need only the ability to comprehend the logical solutions to business problems. The first group of 20 men will graduate this month.

The "52" Association is extremely encouraged by the high caliber of performance demonstrated by the first group under this Pilot Project, and has already scheduled the second class in Computer Programming to begin on May 5, 1969. To date, 100 servicemen have applied!

Graduation Exercises will take place in the Pratt Auditorium of the St. Alban's Naval Hospital on Friday, April 11th at 1:00 P.M. Sharp. A Commencement Address will be delivered by leading Industrialist Philip B. Hofmann, Chairman of the Board of Johnson and Johnson, to be followed by a program of entertainment, and a Reception in the E.M. Club at St. Alban's Naval Hospital. Many prominent and outstanding personalities from business, industry, politics, the military and showbusiness will be present at what promises to be a "fitting" testimonial to the graduates.

[From the Newark (N.J.) Sunday News, July 27, 1969]

CHAPTER FORMED TO AID WOUNDED

(By Richard Bilotti)

A northern New Jersey chapter of the 52 Association, Inc., a group "pledged to serve our nation's wounded 52 weeks a year," has been formed and a drive for members, volunteers and funds is underway.

The chapter was founded when the independent three-year-old Committee to Support American servicemen (SAS) dissolved and became a part of the National 52. The temporary headquarters is at the home of Jerry Leopoldi of 17 Franklin St., Verona. Leopoldi was founder of the SAS and has been named full-time executive director of the New Jersey 52.

"There are more wounded veterans in the Vietnam conflict than there were in World War II and the Korean War combined, Leopoldi said. "That is one of the reasons we joined with the National 52."

WAR CONTROVERSY

The SAS, although it did a lot of work in veterans hopsitals, did not concentrate solely on the wounded veteran. Its work included raising money to help build the USO in Vietnam. Both of the organizations, however, stress helping the veterans without getting involved with whether the war is right or wrong.

"There is a lot of controversy in the country about the Vietnam War," Leopoldi said. "But the politics of war doesn't concern me. The fact is that men, whether they choose to or not, are being sent to fight, and some of them get wounded."

Funds raised by "52" are used to entertain wounded veterans and to make their social life better but the most important aspect of the 52 program is the training of disabled veterans in the fields of computer programing, data processing and advance technology.

GRADUATE VETS

"The New Jersey chapter will make readily accessible to the state's sizable proportion of Vietnam's battle-injured, the extensive facilities of "52's" recreational center situated on the organization's 41-acre estate in Ossining, N.Y., and maintained by "52" for the express use and enjoyment of America's seriously disabled and wounded servicemen and veterans from three wars," according to "52's" national headquarters.

In April, 20 disabled veterans graduated from the first computer program school, which was held with the cooperation of the Defense Department, at St. Alban's Naval Hospital in Queens. Another such program will begin at Philadelphia Naval Hospital and the New Jersey chapter will become the link between national headquarters and that program.

The organization also is raising funds to construct a $2.5 million vocational, recreational, morale and rehabilitation center at its estate.

The center, which will be capable of enrolling 200 disabled veterans in 12-to-14 week semesters, will guarantee the graduate placements with leading industries.

"52 MONTH"

Among those named to the temporary board of trustees are Spyros P. Skouras, chairman of the Prudential Shipping Co.,

George Franconero, father of the vocalist, Connie Francis; Mrs. Rose Box, secretary of Tande Industries, Newark, and Matthew Stevens, executive secretary of the Essex-West Hudson AFL–CIO Council.

November will be proclaimed "52 Month" by Gov. Hughes, and Leopoldi said a special effort will be made through the retailers in the state to raise funds for the organization.

Other supporters of the chapter are senators Clifford P. Case, R-N.J., and Harrison A. Williams, D-N.J., and Jacob Javits, R-N.Y., and Gov. Nelson Rockefeller of New York and entertainers, Pat Boone, Connie Francis, Betsy Palmer, Celeste Holm and Mary Lee Martin.

Among other fund raising events Leopoldi scheduled are a 52 night at a Jersey Jays football game, a tennis match between himself and former Gov. Robert Meyner, a carnival in the shore area and a golf tournament.

PROCLAMATION

The conflict in Vietnam has resulted in more casualties than from World War II and the Korean War combined. While it is true that our government does a great deal in the enormous process of rehabilitating wounded servicemen, it has nevertheless been proven throughout the last 25 years that there is much that can, should and must be done by concerned citizens. The 52 Association, organized 1945, has been actively involved in providing meaningful programs designed to demonstrate that there are American citizens who understand the problems of a wounded serviceman and who are willing to expend every effort in offering him a friendly and most deserving hand of kindness, friendship and meaningful assistance in his efforts to become a useful and productive citizen on his return to our socioeconomic society.

The 52 Association, Inc. has recently granted a charter to a group of concerned citizens of the state of New Jersey entitled, Northern New Jersey Chapter of the 52 Association, having jurisdiction throughout New Jersey. The leadership of this newly formed group is launching a campaign dedicated to the enormous needs of our severely disabled servicemen.

1. Therefore, be it resolved that the month of November, 1969, shall be proclaimed the month for all New Jersey citizens to tangibly demonstrate that they really understand and will meet the enormous needs now being placed on our community by the influx of severely disabled returning from Vietnam by providing the sorely needed programs to satisfy this need.

2. The State of New Jersey honors the 24 years of outstanding service on the part of the 52 Association, Inc. in behalf of America's wounded servicemen.

3. I, therefore, as Governor of the State of New Jersey, hail the formation of the Northern New Jersey Chapter of the 52 Association and urge the citizens of my state to actively participate and support, both personally and financially, in this most vitally needed effort and to do so "52" weeks of each year by pledging that "The Wounded Shall Never Be Forgotten".

RICHARD J. HUGHES,
Governor, State of New Jersey.

PILOT PROJECT IN COMPUTER PROGRAMMING AT ST. ALBAN'S NAVAL HOSPITAL OFFERS LOGICAL SOLUTION TO EMPLOYMENT OF NATION'S DISABLED G.I.'S

The logical solution to a two-fold problem —bridging the dearth of American big business for qualified computer programmers, with the nation's responsibility for providing adequate employment for the high number of G.I.'s returning from Vietnam seriously disabled—became boldly evident upon the successful completion of the first Pilot Project Computer Programming course given at St. Alban's Naval Hospital to 20 wounded servicemen, under the sponsorship of the "52" Association, Inc.

In an address delivered at the Commencement Exercises on April 11th, 1969, by Philip B. Hofmann, one of America's leading industrialists, and Chairman of the Board of Johnson and Johnson, Mr. Hofmann eloquently stated: "Where does the business community come into this program? Although we have the 'obligation' to utilize the men trained through a program such as this, we also have the 'opportunity' to utilize them. Men such as these, in this graduating class, are men with great fortitude and with great experiences that have made them strong and adept in skills we all find in short supply. We, in business, are always looking for trained, skillful people, people with conviction and dedication. Here we have them."

Clayton E. Wheat, Jr., President of the "52" Association, Inc. further added, in his talk to the assembly attending the Graduation: "We seek to establish a permanent center where disabled servicemen who are discharged from hospitals can be housed in a training school for both elementary and advanced computer programming. It is possible that some of you, who have completed your course in COBOL, may later enroll at our center for in-residence training that will qualify you for the more stratospheric jobs and salaries in computer work. It is possible that, if the nation and its thinking Americans, learns of this project, they will join us in this most worthy of endeavors, and help us build the Center. A council of leading industrialists has already been formed to further the building fund and establish the Center in the near future."

The concept of educating disabled servicemen in the vast and growing field of Electronic Data Processing constitutes a totally new approach, carefully designed by the "52" Association to meet current needs of both the men and big business. Among the many mutual advantages offered by the program, it affords the men an excellent opportunity to utilize their minds and regain their spirit and hope for the future by being able to earn an attractive livelihood in a field which 'needs their abilities.' On the other hand, the program also offers employers their skills plus the additional benefits of their high degree of loyalty, dependability, responsibility, stamina and stability, as well as their willingness to relocate to small towns throughout the United States.

This first class was given at St. Alban's by two full-time professional instructors in the field of Electronic Data Processing, Mr. Michael Moss and Mrs. Ann Moss. Both instructors reported that these disabled men are as capable as those who are trained in any of the other commercal schools in the country, and regardless of the severity of their disabilities, these men will now be able to perform their jobs on a thoroughly equal keel to able-bodied programmers. Mr. Moss further added: "Those men who are blind, quadraplegic or amputees, are still nevertheless perfectly capable of carrying out their responsibilities, with the aid of a tape recorder."

As a result of the complete success of this pilot project, the program is now slated for continuation at St. Alban's Naval Hospital, and a second course wil begin on May 5th, 1969. To date, over 150 men have applied. The "52" Association also plans on extending the program in the near future, to include other military hospitals in the United States. Ultimately, upon completion of a $2,500,000 Vocational and Recreational Rehabilitation Center, to be constructed on the grounds of the "52" Association's Estate in Ossining, N.Y., this program will find its home as part of the curriculum of the School of Advanced Technology where up to 200 disabled men, each semester, will be housed and trained in the technologies of tomorrow, today.

[From Business Management, July 1969]

INERT COMPUTER POWER

As computer power gallops into the 1970's, it faces a hamstringing hurdle: manpower.

Within the last decade, industry has staked a sizable chunk—about $18 billion—on the computer race, and right now, there's $7 billion more in the offing. By latest count, 50,000 to 60,000 computers are installed in the United States.

But, Joseph S. Herbets of Continental Computer Associates, Wyncote, Pa., points out: "Installing a piece of computer hardware is one thing. Turning this inert pile of metal, circuits, and associated gadgetry into a swinging, singing, sagacious source of reports, invoices, statements, and bottom line profits is another: It takes a lot of professional warm bodies to do that."

For example, the median number of electronic data processing personnel for one installation is 17. Larger installations involve hundreds. According to Herbets' arithmetic, around 700,000 qualified people—from EDP managers to keypunch operators—are needed to man the hardware now in place. Yet, the best educated guesses put the current supply of EDP talent at less than half that amount. Systems analysts lead the short supply list with programers running a close second.

Obviously, there's a big capability gap and some experts feel it will get wider before it gets better. William R. Hoover, executive vice president, Computer Sciences Corp., Los Angeles, calculates the U.S. computer software expenditures will exceed $21 billion by 1975. Where's the manpower—to communicate with both machine and management—going to come from in six short years, to handle this 300% increase in software business?

Although EDP schools are plugging hard and heavy to fill the need, the quality of their graduates leaves a lot to be desired. Despite this, the schools and those universities which now offer EDP degrees, are leading contenders to fill the gap in the near future. But right now, proselytizing remains the prime source of talent.

Two pilot programs are currently making a stab at solving the talent shortage while fulfilling larger sociological goals. One project, conducted by the philanthropic "52" Association under the direction of the Department of Defense, is the training of seriously disabled Vietnam veterans to be programers. This provides the veterans a career which relies on their mental prowess and is free of strain. Recently, 20 disabled veterans at New York's St. Albans Naval Hospital completed a four-month course. The "52" Association plans to establish an advanced technology and computer training center for other seriously disabled service men in Ossining, New York.

Elsewhere in Ossining, at Sing Sing to be exact, 16 inmates recently completed a pioneering in-prison computer training course conducted by Electronic Computer Programming Institute (ECPI), New York, one of the nation's larger computer programming schools. Admission requirements for the inmate-students were identical to those ECPI requires at its 100 centers. Since the breakthrough at Sing Sing, similar retraining programs have been introduced in California, Ohio and Pennsylvania prisons. According to ECPI, prisons in Iowa, Minnesota, Connecticut and New Jersey are also examining training possibilities.

Yet within two decades this computer-manpower problem might be entirely nonexistent: By 1990, most software will be integrated into computer hardware, for computers which learn from their own experience will exist before 1989.

The forecast is based on the intuitive judgment" of 88 computer experts from 11 countries, who attended an international computer congress in Copenhagen. According to a report of the recent conference, printed

by the management consultant firm, Parson & Williams, Copenhagen, the changes predicted by these experts strongly support an Orwellian society. To cite a few:

By 1975: Computers will control hospital patient treatment.

By the late 1980's: Industry's present labor force will be reduced 50%. Although shorter working hours and new industries will pick up some slack, unemployment is expected to be a serious problem.

By 2000: All major industries will be controlled by computers. Smaller ones will not be heavily automated but very few small industries are expected to survive to 2000.

[From the New York Sunday News, Mar. 2, 1969]

COMPUTERS GIVE DISABLED A CHANCE

(By Sylvia Carter)

Peter Papa, 21, was going back to Astoria to be a policeman, but now he may have a limp.

George DeGraw, 21, of Bellvale, N.Y., wanted to go into the nursery business. He's in a wheelchair now, and when he is able to walk, one leg may be shorter than the other.

John Wolthusen, 22, was making the Marines his career. He taught marksmanship. Now, his hands and legs are paralyzed.

Papa, DeGraw and Wolthusen may all become computer programmers and analysts instead—even if Wolthusen has to dictate his programs to a tape recorder at home.

GOOD POTENTIAL

All three are in St. Albans' Naval Hospital where they are the very first batch of vets to take a computer training program through the good graces of the '52 Association, Inc., a group that has been helping veterans for 23 years.

"This has the most potential of anything ever offered to vets," said Paul Bock, a 23-year-old Army private from Chester, N.Y. "They've had courses for vets in high school English. But this is technical, valuable. A graduate may be able to start at a $10,000 salary and work up to $20,000."

For some of the students in the pilot class, the program was a real life saver. Before it, Charlie Doyle, a West Babylon, L. I., tractor trailer driver, would not have known where to turn after a plane crash in the Naval Air Reserves left him unable to do manual work.

And Doyle, 39, is the father of six kids. The tests men must pass to take the computer program virtually assure that they're qualified, and he is no exception.

The cracked vertebrae in his neck didn't affect his vitality nor his quick mind. He is blessed with a sense of humor as well—witnessed by an uncomfortable cast in "gladiator" style instead of standard.

"I might have become some kind of vegetable," Doyle, a stocky, solid man, says. "But with the help of Mike and his missus (the computer teachers) I've got some sense knocked into my head."

"I may not be the best student—but I bet I'm the hardest working. I always heard that life begins at 40, but I didn't think about it until now."

PROUD OF MARINES

Wolthusen painstakingly fashioned a molded ceramic chess set and can grasp the pieces. He, too, is not a person who gives up easily.

Computer work can be done even at home, and he says: "I can do anything I put my mind to. The Marine Corps taught me that. All I have to do is to want it bad enough." Wolthusen has patient brown eyes, a warm grin.

But conducting the computer program at St. Albans has its drawbacks.

CAN'T MANEUVER STAIRS

For instance, Doyle and Wolthusen cannot attend the classes downstairs in the hospital and have to be tutored by Michael Moss, who volunteers his time. His wife, Ann, teaches the main class of about 20 boys.

That is why the '52 Association is beginning a fundraising drive to get $2,500,000 to build a center for training the men at their present outdoor recreation center for servicemen in Ossining.

Their eventual goal is to offer the course mainly to amputees and men confined to wheelchairs.

HOPE TO CARE FOR 200

Now, only the severely maimed are allowed at the center there, and an amputee can take off an artificial leg without embarrassment.

It is, the Association says—the only place in the world where the severely disabled can enjoy normal outdoor recreation with their families. There are even specially built barbecue pits.

The computer center will eventually be a residential facility that will accommodate and train as many as 200 severely disabled veterans for a 12 to 14-week course. Plans are already complete.

NO TIME TO WORRY

"It's not like going home at night to worry alone," explains a spokesman for the organization. And '52—which began with 52 men paying $52 each per year to help—ought to know. The group is an old hand at throwing parties for vets.

"The government pays for school on the GI bill—but they've never offered something like this," says '52 executive director Allan Weinberg. "This is a total program—social and recreational as well as eduactional."

The association also has received enthusiastic responses from business for the hiring of men who complete the course. One large company has promised to take whole classes of graduates.

It is expected, too, that the course will be accredited and thus qualify for GI payments.

SEEK INTELLIGENT MEN

"We want to get men who have good minds," Weinberg points out. "And the men others have ignored—self-respecting men who want to support their families and don't want to just collect checks or put nuts and bolts together for $1.50 an hour."

And a spokesman added: "It doesn't matter how you feel about the war. It is how you feel about people, about these boys."

Because of these men and the thousands like them throughout the entire northeastern U.S., 52 a tax-exempt organization, will be "sticking a shovel" into the ground for the center as soon as they get some of the funds.

Private funds have supported '52 until now, but this time they will be waiting for the public to help make sure their slogan, "The wounded shall never be forgotten," is remembered.

The association is located at 147 E. 50th St. in Manhattan.

BROWN QUESTIONNAIRE SHOWS ABM DISAPPROVAL

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BROWN of California. Mr. Speaker, for the sixth consecutive year I have sent a questionnaire to the residents of the 29th Congressional District, which I represent. Among the points of interest to be noted in an analysis of the results tallied from those constituents responding is strong support for a ban on sales of DDT, a desire to see cigarette advertising removed from television and radio, support for the halting of oil drilling in the coastal waters off California, and more opposition than approval for the Safeguard ABM system that the President has proposed.

At this point, I would like to insert in the RECORD certain news releases which I have issued detailing some of these results, showing selected demographic breakdowns, and a summary of the overall tally of the responses. Approximately 170,000 questionnaires were sent out—to every household in the district—and I have received about 17,000—10 percent—replies.

The results follow:

BROWN QUESTIONNAIRE SHOWS ABM DISAPPROVAL

President Nixon's first major defense policy decision, to deploy an anti-ballistic missile (ABM) system, is not receiving support from a majority of the residents of the 29th Congressional District, according to an analysis of the returns from a questionnaire sent to all households in the District by Congressman George E. Brown, Jr.

According to the results, only 42% indicated approval of the Nixon proposal to spend several billion dollars deploying an ABM system. Half of those responding to the mailed questionnaire indicate they do not approve, while 8% were undecided or did not reply to that question. With the undecided not counted, the result is 46% in favor, and 54% opposed.

Republican respondents, however, are giving a good deal more support to the President than Democrats, Congressman Brown reports. A breakdown of results by political party shows 63% of those who marked that they are Republicans favoring the plan, with 37% opposed. Democrats go almost exactly the opposite way, with 36% in favor and 64% disapproving. Persons who indicated their registration was other than Republican or Democrat gave the least support to the plan, with 26.5% for and 73.5% against.

A third breakdown of responses, by the age of the respondents, showed the greatest opposition amongst persons aged 21 to 35, with 38% approving and 62% disapproving. Those from 36 to 55 split down the middle, with 50% on each side, and persons over 56 gave support 45% of the time with 55% against.

Another group that was split 50–50 was composed of those who indicated that they had not finished 12 years of school. High school graduates showed slightly more approval than college graduates, with 47% of the high school graduates in favor, and 53% opposed. College graduates gave only a 43% 'yes' vote with a 57% against.

BROWN INQUIRY SHOWS SUPPORT FOR BANS ON SMOKING ADS, DDT SALES

Strong support for two proposals that are designed to protect the nation's health was indicated in the returns from Congressman George Brown's recent questionnaire sent to every home in the 29th Congressional District.

The responses showed nearly two to one support for the banning of all cigarette advertising from TV and radio, and showed an overwhelming majority of almost six to one in favor of banning the sale of all DDT until adequate controls concerning its use have been set up.

Brown's questionnaire results show 61% favoring the cigarette advertising prohibition, with 34% against and 5% undecided. Democrats, the young, and the elderly tended to support the ban more heavily.

In the breakdown by political party, 63% of the Democrats said "yes", with 33% opposed, whereas only 57% of the Republicans favored the plan as against 38% saying "no."

Persons over 55, probably displaying more immediate concern about the dangers of cigarette smoking showed 69% for and 31% against. Those from 20 to 35 gave a 64% approval while persons from 36 to 55 indicated 59% saying "yes".

On the question of banning the sale of DDT, Congressman Brown's constituents favored the ban by an 80% to 14% ratio, with 6% undecided. Democrats, again, gave heavier support to Federal action, with 83% in favor, only 10% against, and 7% undecided. Republicans gave almost as heavy a vote for the move, with 75% saying "yes", 19% opposed, and 6% not sure.

Less variations in opinion showed up on this question in the age categories. With the undecided respondents not counted, the results indicated ban approval by 85% of those from 20 to 35, 84% of the 36–55 age group, and a slightly larger 88% of persons over 55 in favor.

COASTAL BAN ON OIL DRILLING FAVORED

Congressman George Brown's recent questionnaire sent to all residents of the 29th Congressional District indicated very strong Democratic support and somewhat milder support from Republicans for a complete and permanent ban on oil drilling in the waters off the California coast.

Total responses to Brown's mailed questionnaire showed 56% favoring the ban, 29% opposed, and 15% undecided. With the undecided not counted, the figures indicate a 65–35% split favoring the ban.

Democrats gave a 61% approval and 23% disapproval to the ban, with 16% undecided. Republicans showed milder support 46% in favor, 36% opposed, and 18% not sure. Without the undecided responses figured in, the results indicated a 72–28% split amongst Democrats and a 56–44% tally for Republicans.

The results were also broken down by the educational background of respondents, Brown reported. Using responses from only those who expressed an opinion, the questionnaire indicated that 77% of persons with less than a high school education favored the oil drilling halt, 69% of the high school graduates approved, and 61% of those with a college education said "yes".

Congressman Brown introduced a proposal calling for a halt to drilling in the Santa Barbara channel in 1968, a year before the disastrous leak early this year which covered Southern California beaches with crude oil. Immediately following that, Brown called for a halt to all offshore drilling until satisfactorily safe procedures to insure the prevention of future accidents of this type had been instituted.

1969 LEGISLATIVE QUESTIONNAIRE OF CONGRESSMAN GEORGE E. BROWN, JR.

[Answers in percent]

1. Do you favor lowering the voting age to 18?

Yes	36
No	60
Undecided	4

2. Would you favor legislation raising the minimum wage to $2 per hour?

Yes	61
No	34
Undecided	5

3. Do you feel, in general, that the individual citizen has too little influence in government decisions, and that his opinion is generally disregarded by officials?

Yes	70
No	16
Undecided	14

4. Do you favor a large increase of 50 percent or more in social security benefits?

Yes	49
No	42
Undecided	9

5. Generally speaking, do you approve of the proposal to spend several billion dollars deploying an antiballistic-missile (ABM) system?

Yes	42
No	50
Undecided	8

6. Do you favor continuing our Nation's space program at about the present level of $4 billion per year?

Yes	46
No	40
Undecided	14

7. Do you feel that pay TV stations would present a serious threat to the quality of regular TV programs?

Yes	37
No	46
Undecided	17

8. Do you favor the banning of all cigarette advertisements from TV and radio?

Yes	61
No	34
Undecided	5

9. Do you favor legislation charging purchasers of automobiles with gasoline (smog producing) engines, a small increase in Federal excise taxes and earmarking this money for new mass rapid transit programs and smog control research to encourage development of other types of engines and to reduce the total automobile population in large cities?

Yes	44
No	40
Undecided	16

10. Considering the reports of DDT concentrations in certain fish, birds, and human bodies, would you favor the banning of the sale of all DDT until adequate controls have been set up?

Yes	80
No	14
Undecided	6

11. Would you favor a complete and permanent ban on drilling for oil in waters off the California coast in order to prevent disasters such as the Santa Barbara oil leak earlier this year?

Yes	56
No	29
Undecided	15

12. Do you approve of admitting Red China to the United Nations?

Yes	38
No	46
Undecided	16

13. Do you believe that we should broaden U.S. relations with Red China to the extent that we seek trade agreements with Red China?

Yes	36
No	48
Undecided	16

14. Do you think that the Nixon administration efforts to negotiate peace in the Vietnam war are any more effective than were the Johnson administration's efforts?

Yes	37
No	47
Undecided	16

TAX CREDIT FOR SCRAP INDUSTRY ASKED

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. KARTH. Mr. Speaker, our civilization is in serious danger of being physically overwhelmed by the wastes resulting from its various processes.

The problem of disposing or minimizing these wastes has engaged the attention of many concerned people. The House Committee on Ways and Means has recognized the need to encourage the abatement of water and air pollution by including rapid amortization of approved pollution control equipment in the just-passed tax reform bill.

It is suggested in a recent article by Thomas Kelley in the St. Paul Pioneer Press of July 27, 1969, that tax credits be provided the waste materials industry to encourage research and development in the reutilization of our resources.

I am pleased to include this article as an extension of my remarks:

TAX CREDIT FOR SCRAP INDUSTRY ASKED

(By Thomas Kelley, Ramsey County auditor)

I believe that there is a justification for giving tax credit to the scrap industry for the contribution it is making in the conservation of expendable natural resources as well as less measurable, but certainly important, contributions being made to the public welfare—such as keeping the countryside clean of old automobiles and other items which eventually wind up being disposed of at public expense.

In a book called "The Waste Makers," Vance Packard has described ours as an affluent society which has achieved temporary success by deliberately squandering its resources. Our industrial resources are directed at producing things with little regard for the environment that will be the setting for these things and for the owners of these things.

Theodore Roosevelt, America's great conservationist, said 60 years ago: "Our position in the world has been attained by the extent and thoroughness of the control we have achieved over nature, but we are more and not less dependent on what she furnishes than at any other previous time in history."

In 1908 when Roosevelt made this statement, he was looking back into the 19th century in which men were unscrupulous in their exploitation of our irreplaceable resources and deliberately ignored any consideration for our future needs in favor of large short-term profits. If he was concerned in 1908, the need for this concern has been magnified geometrically since.

Ten years ago the Materials Policy Commission observed: "The plain fact seems to be that we have skimmed the cream of our resources as we now understand them. Since the skimming is cutting down the milk still further, today Americans are consuming considerably more materials than they produce. The United States must now depend on other lands for most of the strategic and critical materials essential to the nation's defense."

It is one of the great contradictions of our society that, in the face of this warning we should have a tax structure which, through the mineral resources depletion allowances, encourages the utilization of virgin, irreplaceable resources.

Here in Minnesota we amended our Constitution to encourage the production of taconite. It should be pointed out that this taconite is being produced and used by the same companies that have left, as a monument, gaping holes in our wilderness landscape where they have scooped out the "cream" of our resources.

At the same time we are encouraging the expenditure of the virgin resources, which to me is a little like a business dipping into capital for operations, we are, through our local governments, discouraging the scrap industry which seems to be forgotten or abused except in times of national emergency.

The obvious contradiction is that at the same time government policy in one area is encouraging the depletion of natural resources and the creation of waste, government in another area is providing funds for local governments to deal with the problem of solid waste disposal.

The critics of our federal bureaucracy frequently point out the absurdity of spending money on land reclamation at one point and spending money to keep land out of production in the soil bank at another point. It seems to me we have the same sort of contradiction in the government (both federal and state) policy toward metals in which the government, both directly, through rewards for prospectors, and indirectly, through special tax provisions for oil and mining companies, should also be spending money for the disposition of the ultimate product of oil and mining companies, and ironically even going one step further by subsidizing the development of processes for remining and extracting metals which it paid to have buried.

It seems to me we could eliminate the last two steps quite simply by providing economic incentives either in the way of subsidies, grants for research, or special tax allowances for putting metals back into production before they are reburied or re-extracted.

At a conference in Washington, D.C., I heard local government officers pleading for federal help in cleaning up pollution and in disposing of waste materials. It seems to me that this is the same sort of short-sighted thing which led to the problem in the first place. Instead of dealing with the symptoms created by abundance in waste, we should deal with the condition itself and direct our federal resources at preventing the pollution of our air and water and preventing the accumulation of solid waste. We should be making sure that we prevent the further desecration of our environment instead of worrying, after the fact, about how to restore our countryside, our lands and rivers, and our air to their original condition.

We should look upon solid waste, and particularly ferrous metals, not as a problem, but as a resource and direct our efforts toward federal legislation which would make it economical to repossess metals which are now being thrown away.

Very simply stated, we have a number of related problems, including:

An economy based on rapid consumption and disposition of expendable resources.

The pollution of our air, water and landscape with the undesirable byproducts of our consumption of these resources.

An accumulation of worn out products that cannot now be economically disposed of by burning, burying or reuse.

We have become properly alarmed by these problems and have set out programs to treat each as an entity when they are really part of one big problem. For example:

Instead of looking at ways to conserve and reuse and get the maximum utility from our existing mineral resources, we subsidize programs to mine and use more minerals.

Instead of waging all-out war against the sources of pollution, we allow the pollution to occur and then seek ways to clean up the air, water and land after they have been polluted.

Research into the ways in which we can eliminate waste in products which produce pollutants and into the ways in which we can utilize our mineral resources should be undertaken on a national basis. As long as we continue to insist that these are local problems to be dealt with by local units of government, we are de-emphasizing the need for research and development.

I propose that our income tax laws be amended to give the processors of scrap metals the same tax break as is given to those persons or corporations that mine and process virgin metals. Furthermore, I think that all money spent in research and development of machines and methods for processing scrap metals should not only be tax exempt, but supplemented directly or indirectly by the federal government.

I think that in the local government, we might look into the possibility of the same kind of gross earnings tax, in lieu of all other taxes for scrap processors, that we give to other mineral producers such as the iron mining and taconite processing plants.

The U.S. Chamber of Commerce has drawn up a program designed primarily for establishing the federal role in pollution control. However, within this proposal are some recommendations that can be applied to scrap processors with very little editing. Their proposal, applied to our present problem, would ask that federal government:

Provide tax incentives for pollution abatement or scrap treatment by industry; for example, there should be allowances for rapid amortization of waste treatment equipment and credits for sums spent on research or development.

Support all kinds of research and development of scrap treatment equipment that are conducted for the general benefit and are not likely to benefit individual firms.

Underwrite industrial research and development on scrap treatment devices that may later be widely sold; by creating tax provisions which would make the use of this equipment economically feasible, the government would create a market for the successful developer of this equipment, and the government would then be able to recoup its share of the costs.

Test and demonstrate techniques for conservation of mineral resources in its own operations, particularly in the military departments. It is also hoped that the federal government could underwrite large scale demonstrations of new treatment systems.

Support the training of technicians, engineers, and scientists for work in the field of mineral salvage and reuse.

Inform the public and local units of government about the program and ways they can take part.

Provide "carrots and sticks" for the local government and private institutions by making appropriations for subsidies to private business and state and local governments for the development of scrap utilization facilities, and providing funds for the support of research, technical assistance and training for people in the field.

TANDEM TRUCK ACCIDENTS

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. McCARTHY. Mr. Speaker, there is currently before the Committee on Public Works a bill which would authorize an increase in the permissible sizes and weights of the trucks on our Nation's highways. Last year, I fought the passage of a similar bill because I believed that such a bill would force the American people to bear unwarranted financial burdens and at the same time expose them to increased safety hazards.

H.R. 11870 would cost the American people a minimum of $1.8 billion to remodel and rebuild our Nation's highways and bridges. Yet only 300,000 out of 15 million truckers would profit by this measure. It is unfair to make the American public pay while the few who would prosper from this measure refuse to pay their just share.

One of my strongest objections to this bill is that it would greatly increase the number of accidents on our Nation's highways. H.R. 11870, while supposedly limiting the length of commercial vehicles to 70 feet, in fact contains a "grandfather clause" which would permit six States to maintain lengths greater than 70 feet.

In 1968, representatives of the trucking industry introduced exhibits during hearings before the Committee on Public Works, on which I serve, which indicated that heavy trucks comprised only 1.54 percent of total vehicle registrations and drive only 5.33 percent of the vehicle miles of travel, but were involved in 11.6 percent of total accidents.

Supporters of this bill would have us believe that these large tandem tractor-trailers are perfectly safe. However, a recent survey by the Buffalo Courier-Express dispells that notion. According to this survey, published in the August 2 issue, tandem tractor-trailer accidents on the New York Thruway have increased faster than the mileage logged by commercial vehicles on this vast superhighway. The thruway authority revealed that the number of accidents involving tandem trucks almost tripled between 1964 and 1968. During the same period of time the total number of miles traveled by commercial vehicles on the 559-mile thruway system doubled over this 5-year stretch.

With this information in mind I hope that the Public Works Committee as well as the Congress if need be will, when faced with a choice between assisting the large trucking interests and protecting the safety and expense of the average motorist, choose to safeguard the public welfare.

Therefore, for the information of my colleagues, I am inserting into the RECORD an article which appeared in the Buffalo Courier-Express of August 2 of this year:

THRUWAY TANDEM TRUCK ACCIDENTS INCREASE SHARPLY FROM 1964–68

(By Modesto Argenio)

Tandem tractor-trailer accidents on the Thruway have increased faster than mileage logged by commercial vehicles on the sprawling superhighway, a Courier-Express survey found Friday.

The number of accidents involving tandem trucks almost tripled between 1964 and 1968 according to figures supplied by the Thruway Authority.

The total number of miles traveled by commercial vehicles on the 559-mile Thruway system, however, just doubled over the five-year stretch.

TRIPLE COMBINES TESTED

Double-trailer tandems frequently range the Thruway. Over the last year, the Thru-

way Authority has allowed triple-trailer combines to use the superhighway in test-run operations.

The question of whether larger and heavier trucks should be permitted to roam the highways currently is being debated in Congress where a House public works subcommittee is considering a bill which would liberalize weight and size restrictions on trucks traveling interstate highways.

Opponents of the bill have denounced it as an antisafety measure while supporters, including strong national and local trucking interests, have defended the economic benefits of allowing larger trucks on highways.

AAA OPPOSES PROPOSAL

Opposition to the proposed law is most vocal from the American Automobile Assn. and its state and local affiliates. The New York State Automobile Assn. and the Automobile Club of Buffalo have also criticized the current operation of double and triple tandems on the Thruway.

In New York State, large tandems are free to travel the Thruway without paying for special permits, a Thruway Authority spokesman said. Depending on weight, tandems pay tolls of five cents a mile for each trailer unit.

Large truck travel on other state highways, however, is restricted to special hauling permits usually issued on a trip-by-trip basis, according to the State Dept. of Transportation.

TRUCKING FIRMS INCREASE

Double-tandem trailer trucks usually include a motorized unit linked to two trailing units carrying freight. These "double bottoms" have been allowed on the Thruway since 1959.

The number of trucking firms regularly operating on the Thruway, a Thruway spokesman said, increased from 49 in 1968 to 58 this year.

In 1964, the Thruway recorded 19 accidents involving double tandems. In 1968, the number of tandem accidents nearly tripled to 52.

Nearly 13,400,000 miles of travel were registered by commercial vehicles on the Thruway in 1964. This doubled to about 26,890,000 miles in 1968.

ACCIDENT RATE LISTED

A breakdown of tandem accident figures supplied by the Thruway Authority for the five-year period showed:

1964—19 accidents, of which two involved fatalities, five personal injuries, and 12 property damage.

1965—28 accidents; one fatality, 11 personal injury, and 16 property damage.

1966—27 accidents; no fatalities, 3 personal injury, and 24 property damage.

1967—33 accidents; no fatalities, seven personal injury and 26 property damage.

TRAVEL INCREASE LISTED

1968—52 accidents; one fatality, 12 personal injury and 39 property damage.

Commercial Thruway travel over the five years rose consistently with the largest increase between 1967 and 1968:

1964—13,400,000 miles based on 47,225 trips.

1965—16,501,479 miles and 72,608 trips.

1966—18,312,772 miles and 86,047 trips.

1967—20,397,361 miles and 102,672 trips.

1968—26,890,000 miles and 133,218 trips.

The Thruway spokesman said that tandems are limited to a 55 mile per hour speed limit on the superhighway as compared to a 65 m.p.h. speed limit for passenger vehicles.

CERTIFICATION REQUIRED

"Every element of a tandem is certified and inspected," the Thruway spokesman said.

The tractor, or motorized link in a tandem, is certified by the manufacturer and the company owning the vehicle, he explained.

"We also carry out safety inspections," he added. He said the Thruway regulations cover the braking ability of tandems and insist that the lead trailer in a combine must be reinforced.

Tandems must have a one-mile clear stretch of highway for passing, the spokesman said.

THE CASE OF NLRB AGAINST GISSEL PACKING CO.

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. THOMPSON of New Jersey. Mr. Speaker, during the last week of June, I was privileged to join a number of my colleagues in honoring the services of Chief Justice Earl Warren. At that time, I commented at some length on his contributions in the areas of civil rights and civil liberties.

Today, I would like as an "addenda" to pay homage to his statesmanlike leadership in the area of labor-management relations.

One of Chief Justice Warren's last opinions was his brilliant 43-page decision for a unanimous Supreme Court in the case of NLRB against Gissel Packing Co., issued on June 16, 1969. This decision has rich significance for the field of labor-management relations because it confirms the commitment of the Congress and of this society to the principle of free choice for the American worker.

The Gissel decision reviewed and upheld a remedy fashioned by the NLRB under section 8(a)(5) of the Labor Act known as the "Joy Silk" remedy. It takes its name from a 1950 decision of the Court of Appeals for the District of Columbia Circuit which first approved its use under the Taft-Hartley Act.

The "Joy Silk" remedy requires an employer to recognize and bargain with a majority labor union when that employer's own unfair labor practices—threats, coercion, and discrimination—have unlawfully interfered with employee free choice by preventing the conduct of a fair election by the Board. Even after an election which a union has lost, the Board will sometimes provide such a bargaining order as a remedy if the employer's unfair labor practices have illegally tainted the election results, destroyed a union's uncoerced majority, and foreclosed the possibility of conducting a fair election thereafter. When an employer's illegal acts have contaminated the atmosphere of a plant with fear and hostility, a free election cannot be held because employees would be voting out of fear for their jobs and their families' security, rather than expressing their honest, uncoerced choice about whether they wish to be represented by a union.

The "Joy Silk" remedy protects the fundamental statutory right to choose to be represented by a union, for, where an employer's illegal acts of coercion have prevented the conduct of a fair election, the Board turns to other satisfactory evidence of employee choice, such as properly executed "union authorization cards." These cards simply declare that the signer wants to be represented by a designated union for purposes of collective bargaining with his employer. When a worker signs such an authorization freely and voluntarily, the Board properly respects the choice which he has made to be represented by a union. Some employers and some employer associations often attack these cards as evidence of employee free choice. They have two reasons; first, they cannot believe that any worker would voluntarily choose to be represented by a union when his employer is available to protect his interests; and, second, they do not have sufficient respect for the American worker's intelligence to believe that he can read and understand the meaning of a union authorization card.

The Gissel decision carefully reviewed the relevant statutory terms, the legislative history, the judicial and agency precedents, the articles of labor law scholars, as well as the briefs and arguments of the parties and of amici curiae. Based on this review, and it was an exhaustive one, the Court concluded that the "Joy Silk" remedy is fully consistent with congressional intent. It also concluded that the Board's reliance on union authorization cards as evidence of employee choice—particularly when coupled with the evidentiary safeguards which the Board has developed for testing the authenticity and reliability of these cards—is a sound exercise of administrative judgment to carry out Congress' policies.

I would like to add that in 1961, a subcommittee headed by Congressman ROMAN C. PUCINSKI spent many days probing this matter and concluded that the "Joy Silk" remedy was necessary, proper, and underutilized.

In 1966, the Special Subcommittee on Labor again looked into the problem, and arrived at the same conclusion.

The "Joy Silk" remedy has in fact been used most sparingly by the Board. Indeed, in the opinion of the two committees mentioned above, the Board has used it too sparingly, reserving it for only the most exceptional and extreme cases. Contrary to the ill-informed assertion of columnist David Lawrence, for example, the Board conducts 49 or 50 secret ballot elections for every "Joy Silk" bargaining order that it enters. The secret ballot NLRB election remains the standard statutory method for registering the worker's choice whether he wishes to be represented for purposes of collective bargaining. Moreover, employers who obey the law and respect their employees' statutory rights do not and need not fear this remedy, for they are never exposed to it. It is usually the deliberate and intentional law violator who brings this remedy on himself when he interferes with his employees' statutory rights through threats and acts of discrimination and intimidation. I think it is significant that the largest and most responsible employers in the country—in the steel and automobile industries, for example—rarely if ever are involved in "Joy Silk" cases.

But while the "Joy Silk" remedy has been sparingly used by the NLRB, there can be little doubt that it has been a "finger-in-the-dike" for American labor relations. If employers were free to intimidate, coerce and threaten their em-

ployees before or after an NLRB election without being subject to a bargaining order remedy, there would be simply no meaningful legal protection for the right of employees to select a bargaining agent freely. The Board remedies threats and other acts of coercion with innocuous cease-and-desist orders, and the Board remedies illegal discharges and discrimination with reinstatement orders.

I spent the better part of the summer of 1966 looking into the problem of NLRB remedies. I can assure you these remedies are inadequate, at best, for their intended purposes. They are no remedy at all for an employer's illegal interference with his employees' right to express a free choice in the selection of a bargaining agent. Our investigation of the J. P. Stevens Co. bears this out. In other words, the importance of the "Joy Silk" remedy is not to be measured by the mere handful of cases in which it is applied, but by the countless hundreds of cases in which employers hesitate to coerce and threaten their employees because of the knowledge that this remedy stands as a legal safeguard of employee rights. As the Supreme Court said in its Gissel decision:

> If the Board could enter only a cease-and-desist order and direct an election or a rerun, it would in effect be rewarding the employer and allowing him "to profit from [his] own wrongful refusal to bargain," . . . while at the same time severely curtailing the employees' right freely to determine whether they desire a representative. The employer could continue to delay or disrupt the election process and put off indefinitely his obligation to bargain; and any election held under these circumstances would not be likely to demonstrate the employees' true, undistorted desires.

It is hardly surprising, therefore, Mr. Speaker, that the Supreme Court approved the "Joy Silk" remedy. It is obviously right. Every court of appeals in the Nation—except for the fourth circuit in very recent years—had previously approved it. Virtually every responsible labor relations law scholar had also acknowledged its indispensability. We in Congress intended to protect employee free choice as the central element of our national labor policy, and we in Congress did not intend to permit employers to destroy this crucial right of free choice without providing a meaningful remedy for the violation.

I have drawn particular attention to the Gissel decision because it shows in clear relief that not one member of the Supreme Court of the United States agrees that the "Joy Silk" remedy indicates that the NLRB is indifferent to congressional intent. The Gissel decision shows that the Board has been faithful to the will of Congress.

Mr. Speaker, I hope that every Member of Congress will find an opportunity to read Chief Justice Warren's decision in the Gissel case. In some respects it is a perfect capstone for his long and distinguished judicial career. It reflects his wisdom, his fundamental fairness, his dedication to the honest implementation of congressional intent, and his respect for the integrity of the American worker.

At this point I insert in the RECORD the Supreme Court's decision in NLRB against Gissel Packing Co.:

SUPREME COURT OF THE UNITED STATES, Nos. 573, 691, AND 585, OCTOBER TERM, 1968

National Labor Relations Board, Petitioner, *v.* Gissel Packing Co., Inc., et al.; Food Store Employees Union, Local No. 347, Amalgamated Meat Cutters and Butcher Workmen of North America, AFL–CIO, Petitioner, *v.* Gissel Packing Co., Inc., on writs of certiorari to the U.S. Court of Appeals for the Fourth Circuit; The Sinclair Company, Petitioner, *v.* National Labor Relations Board, on writ of certiorari to the U.S. Court of Appeals for the First Circuit

[June 16, 1969]

Mr. CHIEF JUSTICE WARREN delivered the opinion of the Court.

These cases involve the extent of an employer's duty under the National Labor Relations Act to recognize a union that bases its claim to representative status solely on the possession of union authorization cards, and the steps an employer may take, particularly with regard to the scope and content of statements he may make, in legitimately resisting such card-based recognition. The specific questions facing us here are whether the duty to bargain can arise without a Board election under the Act; whether union authorization cards, if obtained from a majority of employees without misrepresentation or coercion, are reliable enough generally to provide a valid, alternate route to majority status; whether a bargaining order is an appropriate and authorized remedy where an employer rejects a card majority while at the same time committing unfair labor practices that tend to undermine the union's majority and make a fair election an unlikely possibility; and whether certain specific statements made by an employer to his employees constituted such an election-voiding unfair labor practice and thus fell outside the protection of the First Amendment and § 8 (c) of the Act. For reasons given below, we answer each of these questions in the affirmative.

I

Of the four cases before us, three—*Gissel Packing Co., Heck's Inc.*, and *General Steel Products, Inc.*—were consolidated following separate decisions in the Court of Appeals for the Fourth Circuit and brought here by the National Labor Relations Board in No. 573. Food Store Employees Union, Local No. 347, the petitioning Union in *Heck's*, brought that case here in a separate petition in No. 691. All three cases present the same legal issues in similar, uncomplicated factual settings that can be briefly described together. The fourth case, No. 585 (*Sinclair Company*), brought here from the Court of Appeals for the First Circuit and argued separately, presents many of the same questions and will thus be disposed of in this opinion; but because the validity of some of the Board's factual findings are under attack on First Amendment grounds, detailed attention must be paid to the factual setting of that case.

Nos. 573 and 691

In each of the cases from the Fourth Circuit, the course of action followed by the Union and the employer and the Board's response were similar. In each case, the union waged an organizational campaign, obtained authorization cards from a majority of employees in the appropriate bargaining unit, and then on the basis of the cards, demanded recognition by the employer. All three employers refused to bargain on the ground that authorization cards were inherently unreliable indicators of employee desires; and they either embarked on, or continued, vigorous antiunion campaigns that gave rise to numerous unfair labor practice charges. In *Gissel*, where the employer's campaign began almost at the outset of the Union's organizational drive, the Union (petitioner in No. 691), did not seek an election, but instead filed three unfair labor practice charges against the employer, for refusing to bargain in violation of § 8 (a) (5), for coercion and intimidation of employees in violation of § 8 (a) (1), and for discharge of union adherents in violation of § 8 (a) (3).[1] In *Heck's* an election sought by the Union was never held because of nearly identical unfair labor practice charges later filed by the Union as a result of the employer's antiunion campaign, initiated after the Union's recognition demand.[2] And in *General Steel*, an election petitioned for by the Union and won by the employer was set aside by the Board because of the unfair labor practices committed by the employer in the pre-election period.[3]

In each case, the Board's primary response was an order to bargain directed at the employees, despite the absence of an election in *Gissel* and *Heck's* and the employer's victory in *General Steel*. More specifically, the Board found in each case that (1) the union had obtained valid authorization cards [4] from a majority of the employees in the bargaining unit and was thus entitled to represent the employees for collective bargaining purposes; and (2) that the employers' refusal to bargain with the unions in violation of § 8(a) (5) was motivated not by a "good faith" doubt of the unions' majority status, but by a desire to gain time to dissipate that status. The Board based its conclusion as to the lack of good faith doubt on the fact that the employers had committed substantial unfair labor practices during their antiunion campaign efforts to resist recognition. Thus, the Board found that all three employers had engaged in restraint and coercion of employees in violation of § 8(a) (1)—in *Gissel*, for coercively interrogating employees about union activities, threatening them with discharge and promising them benefits; in *Heck's*, for coercively interrogating employees, threatening reprisals, creating the appearance of surveillance, and offering benefits for opposing the Union; and in *General Steel*, for coercive interrogation and threats of reprisals, including discharge. In addition, the Board found that the employers in *Gissel* and *Heck's* had wrongfully discharged employees for engaging in union activities in violation of § 8(a) (3). And because the employers had rejected the card-based bargaining demand in bad faith, the Board found that all three had refused to recognize the unions in violation of § 8(a) (5).

Only in *General Steel* was there any objection by an employer to the validity of the cards and the manner in which they had been solicited, and the doubt raised by the evidence was resolved in the following manner. The customary approach of the Board in dealing with allegations of misrepresentation by the union and misunderstanding by the employees of the purpose for which the cards were being solicited has been set out in *Cumberland Shoe Corp.*, 144 N. L. R. B. No. 57, 68 L. R. R. M. 1338 (1968). Under the *Cumberland Shoe* doctrine, if the card itself is unambiguous (*i. e.*, states on its face that the signer authorizes the union to represent the employee for collective bargaining purposes and not to seek an election), it will be counted unless it is proved that the employee was told that the card was to be used *solely* for the purpose of obtaining an election. In *General Steel*, the trial examiner considered the allegations of misrepresentation at length and, applying the Board's customary analysis, rejected the claims with findings that were adopted by the Board and are reprinted in the margin.

Consequently, the Board ordered the companies to cease and desist from their unfair labor practices, to offer reinstatement and back pay to the employees who had been discriminatorily discharged, to bargain with the Union on request, and to post the appropriate notices.

Footnotes at end of speech.

On appeal, the Court of Appeals for the Fourth Circuit, in *per curiam* opinions in each of the three cases (398 F. 2d 336, 337, 339), sustained the Board's findings as to the §§ 8(a)(1) and (3) violations, but rejected the Board's findings that the employers' refusal to bargain violated § 8(a)(5) and declined to enforce those portions of the Board's orders directing the respondent companies to bargain in good faith. The court based its § 8(a)(5) rulings on its 1967 decisions raising the same fundamental issues. *Crawford Mfg. Co.* v. *NLRB*, 386 F. 2d 367 (C. A. 4th Cir. 1967), cert. denied, 390 U.S. 1028 (1968); *NLRB* v. *Logan Packing Co.*, 386 F. 2d 562 (C. A. 4th Cir. 1967); *NLRB* v. *Sehon Stevenson & Co., Inc.*, 386 F. 2d 551 (C. A. 4th Cir. 1967). The court in those cases held that the 1947 Taft-Hartley amendments to the Act, which permitted the Board to resolve representation disputes by certification under § 9(c) only by secret ballot election, withdrew from the Board the authority to order an employer to bargain under § 8(a)(5) on the basis of cards, in the absence of NLRB certification, unless the employer knows independently of the cards that there is in fact no representation dispute. The court held that the cards themselves were so inherently unreliable that their use gave an employer virtually an automatic, good faith claim that such a dispute existed, for which a secret election was necessary. Thus, these rulings established that a company could not be ordered to bargain unless (1) there was no question about a union's majority status (either because the employer agreed the cards were valid or had conducted his own poll so indicating), or (2) the employer's §§ 8(a)(1) and (3) unfair labor practices committed during the representation campaign were so extensive and pervasive that a bargaining order was the only available Board remedy irrespective of a card majority.

Thus based on the earlier decisions, the court's reasoning in these cases was brief, as indicated by the representative holding in *Heck's:*

"We have recently discussed the unreliability of the cards, in the usual case, in determining whether or not a union has attained a majority status and have concluded that an employer is justified in entertaining a good faith doubt of the union's claims when confronted with a demand for recognition based solely upon authorization cards. We have also noted that the National Labor Relations Act after the Taft-Hartley amendments provides for an election as the sole basis of a certification and restricts the Board to the use of secret ballots for the resolution of representation questions. This is not one of those extraordinary cases in which a bargaining order might be an appropriate remedy for pervasive violations of § 8(a)(1). It is controlled by our recent decisions and their reasoning. . . . There was not substantial evidence to support the findings of the Board that Heck's, Inc., had no good faith doubt of the unions' claims of majorities." 398 F. 2d, at 338.

No. 585

In No. 585, the factual pattern was quite similar. The petitioner, a producer of mill rolls, wire, and related products at two plants in Holyoke, Massachusetts, was shut down for some three months in 1952 as the result of a strike over contract negotiations with the American Wire Weavers Protective Association (AWWPA), the representative of petitioner's journeymen and apprentice wire weavers from 1933 to 1952. The Company subsequently reopened without a union contract, and its employees remained unrepresented through 1964, when the Company was acquired by an Ohio corporation, with the Company's former president continuing as head of the Holyoke, Massachusetts, division. In July 1965, the International Brotherhood of Teamsters, Local Union No. 404, began an organizing campaign among petitioner's Holyoke employees and by the end of the summer had obtained authorization cards from 11 of the Company's 14 journeymen wire weavers choosing the Union as their bargaining agent. On September 20, the Union notified petitioner that it represented a majority of its wire weavers, requested that the Company bargain with it, and offered to submit the signed cards to a neutral third party for authentication. After petitioner's president declined the Union's request a week later, claiming, *inter alia*, that he had a good faith doubt of majority status because of the card's inherent unreliability, the Union petitioned, on November 8, for an election that was ultimately set for December 8.

When petitioner's president first learned of the Union's drive in July, he talked with all of his employees in an effort to dissuade them from joining a union. He particularly emphasized the results of the long 1952 strike, which he claimed "almost put our company out of business," and expressed worry that the employees were forgetting the "lessons of the past." He emphasized secondly that the Company was still on "thin ice" financially, that the Union's "only weapon is to strike," and that a strike "could lead to closing the plant," since the parent company had ample manufacturing facilities elsewhere. He noted thirdly that because of their age and the limited usefulness of their skills outside their craft, the employees might not be able to find reemployment if they lost their jobs as a result of a strike. Finally, he warned those who did not believe that the plant could go out of business to "look around Holyoke and see a lot of them out of business." The president sent letters to the same effect to the employees in early November, emphasizing that the parent company had no reason to stay in Massachusetts if profits went down.

During the two or three weeks immediately prior to the election on December 9, the president sent the employees a pamphlet captioned "Do you want another 13-week strike?" stating, *inter alia*, that "We have no doubt that the Teamsters Union can again close the Wire Weaving Department and the entire plant by a strike. We have no hopes that the Teamster Union bosses will not call a strike. . . . The Teamsters Union is a strike happy outfit." Similar communications followed in late November, including one stressing the Teamsters' "hoodlum control." Two days before the election, the Company sent out another pamphlet that was entitled "Let's Look at the Record," and that purported to be an obituary of companies in the Holyoke-Springfield, Massachusetts, area that had allegedly gone out of business because of union demands, eliminating some 3,500 jobs; the first page carried a large cartoon showing the preparation of a grave for the Sinclair Company and other headstones containing the names of other plants allegedly victimized by the unions. Finally, on the day before the election, the president made another personal appeal to his employees to reject the Union. He repeated that the Company's financial condition was precarious; that a possible strike would jeopardize the continued operation of the plant; and that age and lack of education would make re-employment difficult. The Union lost the election 7–6, and then filed both objections to the election and unfair labor practice charges which were consolidated for hearing before the trial examiner.

The Board agreed with the trial examiner that the president's communications with his employees, when considered as a whole, "reasonably tended to convey to the employees the belief or impression that selection of the Union in the forthcoming election could lead [the Company] to close its plant, or to the transfer of the weaving production, with the resultant loss of jobs to the wire weavers." Thus, the Board found that under the "totality of the circumstances" petitioner's activities constituted a violation of § 8(a)(1) of the Act. The Board further agreed with the trial examiner that petitioner's activities, because they "also interfered with the exercise of a free and untrammeled choice in the election," and "tended to foreclose the possibility" of holding a fair election, required that the election be set aside. The Board also found that the Union had a valid card majority (the unambiguous cards, see n. 4, *supra*, went unchallenged) when it demanded recognition initially and the the Company declined recognition, not because of a good faith doubt as to the majority status, but, as the § 8(a)(1) violations indicated, in order to gain time to dissipate that status—in violation of § 8(a)(5). Consequently, the Board set the election aside, entered a cease-and-desist order, and ordered the Company to bargain on request.

On appeal, the Court of Appeals for the First Circuit sustained the Board's findings and conclusions and enforced its order in full. 397 F. 2d 157. The court rejected the Company's proposition that the inherent unreliability of authorization cards entitled an employer automatically to insist on an election, noting that the representative status of a union may be shown by means other than an election; the court thus reaffirmed its stance among those circuits disavowing the Fourth Circuit's approach to authorization cards.[6] Because of the conflict among circuits on the card issues and because of the alleged conflict between First Amendment freedoms and the restrictions placed on employer speech by § 8(a)(1) in *Sinclair*, No. 585, we granted certiorari to consider both questions. 393 U.S. 997 (1968). For reasons given below, we reverse the decisions of the Court of Appeals for the Fourth Circuit and affirm the ruling of the Court of Appeals for the First Circuit.

II

In urging us to reverse the Fourth Circuit and to affirm the First Circuit, the National Labor Relations Board contends that we should approve its interpretation and administration of the duties and obligations imposed by the Act in authorization card cases. The Board argues (1) that unions have never been limited under § 9(c) of either the Wagner Act or the 1947 amendments to certified elections as the sole route to attaining representative status. Unions may, the Board contends, impose a duty to bargain on the employer under § 8(a)(5) by reliance on other evidence of majority employee support, such as authorization cards. Contrary to the Fourth Circuit's holding, the Board asserts, the 1947 amendments did not eliminate the alternative routes to majority status. The Board contends (2) that the cards themselves, when solicited in accordance with Board standards which adequately insure against union misrepresentation, are sufficiently reliable indicators of employee desires to support a bargaining order against an employer who refuses to recognize a card majority in violation of § 8(a)(5). The Board argues (3) that a bargaining order is the appropriate remedy for the § 8(a)(5) violation, where the employer commits other unfair labor practices that tend to undermine union support and render a fair election improbable.

Relying on these three assertions, the Board asks us to approve its current practice, which is briefly as follows. When confronted by a recognition demand based on possession of cards allegedly signed by a majority of his employees, an employer need not grant recognition immediately, but may, unless he has knowledge independently of the cards that the union has a majority, decline the union's request and insist on an election, either by requesting the union to file an elec-

Footnotes at end of speech.

tion petition or by filing such a petition himself under § 9(c)(1)(B). If, however, the employer commits independent and substantial unfair labor practices disruptive of election conditions, the Board may withhold the election or set it aside, and issue instead a bargaining order as a remedy for the various violations. A bargaining order will not issue, of course, if the union obtained the cards through misrepresentation or coercion or if the employer's unfair labor practices are unrelated generally to the representation campaign. Conversely, the employers in these cases urge us to adopt the views of the Fourth Circuit.

There is more at issue in these cases than the dispute outlined above between the Board and the four employers, however, for the Union, petitioner in No. 691, argues that we should accord a far greater role to cards in the bargaining area than the Board itself seeks in this litigation. In order to understand the differences between the Union and the Board, it is necessary to trace the evolution of the Board's approach to authorization cards from its early practice to the position it takes on oral argument before this Court. Such an analysis requires viewing the Board's treatment of authorization cards in three separate phases: (1) under the *Joy Silk* doctrine, (2) under the rules of the *Aaron Brothers case*, and (3) under the approach announced at oral argument before this Court.

The traditional approach utilized by the Board for many years has been known as the *Joy Silk* doctrine. *Joy Silk Mills, Inc.* v. *NLRB*, 85 N. L. R. B. 1263 (1949), enforced 87 U. S. App. D. C. 360, 185 F. 2d 732 (C. A. D. C. Cir. 1950). Under that rule, an employer could lawfully refuse to bargain with a union claiming representative status through possession of authorization cards if he had a "good faith doubt" as to the union's majority status; instead of bargaining, he could insist that the union seek an election in order to test out his doubts. The Board, then, could find a lack of good faith doubt and enter a bargaining order in one of two ways. It could find (1) that the employer's independent unfair labor practices were evidence of bad faith, showing that the employer was seeking time to dissipate the union's majority. Or the Board could find (2) that the employer had come forward with no reasons for entertaining any doubt and therefore that he must have rejected the bargaining demand in bad faith. An example of the second category was *Snow & Sons*, 134 N. L. R. B. 709 (1961), enforced 308 F. 2d 687 (C. A. 9th Cir. 1962), where the employer reneged on his agreement to bargain after a third party checked the validity of the card signatures and insisted on an election because he doubted that the employees truly desired representation. The Board entered a bargaining order with very broad language to the effect that an employer could not refuse a bargaining demand and seek an election instead "without valid ground therefor," 134 N. L. R. B. at 710–711. See also *Dixon Ford Shoe Co., Inc.*, 150 N. L. R. B. 861 (1965); *Kellogg Mills*, 147 N. L. R. B. 342, 346 (1964), enforced 347 F. 2d 219 (C. A. 9th Cir. 1965).

The leading case codifying modifications to the *Joy Silk* doctrine was *Aaron Brothers*, 158 N. L. R. B. 1077 (1966). There the Board made it clear that it had shifted the burden to the General Counsel to show bad faith and that an employer "will not be held to have violated his bargaining obligation . . . simply because he refuses to rely on cards, rather than an election, as the method for determining the union majority." 158 N. L. R. B., at 1078. Two significant consequences were emphasized. The Board noted (1) that not every unfair labor practice would automatically result in a finding of bad faith and therefore a bargaining order; the Board implied that it would find bad faith only if the unfair labor practice was serious enough to have the tendency to dissipate the union's majority. The Board noted (2) that an employer no longer needed to come forward with reasons for rejecting a bargaining demand. The Board pointed out, however, that a bargaining order would issue if it could prove that an employer's "course of conduct" gave indications as to the employer's bad faith. As examples of such a "course of conduct," the Board cited *Snow & Sons, supra; Dixon Ford Shoe Co., Inc., supra*, and *Kellogg Mills, supra*, thereby reaffirming *John P. Serpa, Inc.*, 155 N. L. R. B. No. 12 (1965), where the Board had limited *Snow & Sons* to its facts.

Although the Board's brief before this Court generally followed the approach as set out in *Aaron Brothers, supra*, the Board announced at oral argument that it had virtually abandoned the *Joy Silk* doctrine altogether. Under the Board's current practice, an employer's good faith doubt is largely irrelevant, and the key to the issuance of a bargaining order is the commission of serious unfair labor practices that interfere with the election processes and tend to preclude the holding of a fair election. Thus, an employer can insist that a union go to an election, regardless of his subjective motivation, so long as he is not guilty of misconduct; he need give no affirmative reasons for rejecting a recognition request, and he can demand an election with a simple "no comment" to the union. The Board pointed out, however, (1) that an employer could not refuse to bargain if he *knew*, through a personal poll for instance, that a majority of his employees supported the union, and (2) that an employer could not refuse recognition initially because of questions as to the appropriateness of the unit and then later claim, as an afterthought, that he doubted the union's strength.

The union argues here that an employer's right to insist on an election in the absence of unfair labor practices should be more circumscribed, and a union's right to rely on cards correspondingly more expanded, than the Board would have us rule. The union's contention is that an employer, when confronted with a card-based bargaining demand, can insist on an election only by filing the election petition himself immediately under § 9(c)(1)(B) and not by insisting that the union file the election petition, whereby the election can be subjected to considerable delay. If the employer does not himself petition for an election, the union argues, he must recognize the union regardless of his good or bad faith and regardless of his other unfair labor practices, and should be ordered to bargain if the cards were in fact validly obtained. And if this Court should continue to utilize the good faith doubt rule, the union contends that at the least we should put the burden on the employer to make an affirmative showing of his reasons for entertaining such doubt.

Because the employers' refusal to bargain in each of these cases was accompanied in each instance by independent unfair labor practices which tend to preclude the holding of a fair election, we need not decide whether a bargaining order is ever appropriate in cases where there is no interference with the election processes.

With the union's arguments aside, the points of difference between the employers and the Board will be considered in the following manner. The validity of the cards under the Act, their intrinsic reliability, and the appropriateness of a bargaining order as a response to violations of § 8(a)(5) as well as §§ 8(a)(1) and (3) will be discussed in the next section. The nature of an employer's reaction to an organizational campaign, and particularly the Board's conclusion that the employer's statements in No. 585 contained threats of reprisal and thus constituted restraint and coercion in violation of § 8(a)(1) and not protected speech, will be covered in the final section.

III

The first issue facing us is whether a union can establish a bargaining obligation by means other than a Board election and whether the validity of alternate routes to majority status, such as cards, was affected by the 1947 Taft-Hartley amendments. The most commonly traveled route for a union to obtain recognition as the exclusive bargaining representative of an unorganized group of employees is through the Board's election and certification procedures under § 9(c) of the Act (29 U.S.C. § 159(c) (1964 ed.)); it is also, from the Board's point of view, the preferred route.[8] A union is not limited to a Board election, however, for, in addition to § 9, the present Act provides in § (a)(5) (29 U.S.C. § 158(a)(5) (1964 ed.)), as did the Wagner Act in § 8(5), that "it shall be an unfair labor practice for an employer . . . to refuse to bargain collectively with the representatives of his employees, subject to the provisions of section 9(a)." Since § 9(a), in both the Wagner Act and the present Act, refers to the representative as the one "designated or selected" by a majority of the employees without specifying precisely how that representative is to be chosen, it was early recognized that an employer had a duty to bargain whenever the union representative presented "convincing evidence of majority support."[9] Almost from the inception of the Act, then, it was recognized that a union did not have to be certified as the winner of a Board election to invoke a bargaining obligation; it could establish majority status by other means under the unfair labor practice provision of § 8(a)(5)—by showing convincing support, for instance, by a union-called strike or strike vote,[10] or, as here, by possession of cards signed by a majority of the employees authorizing the union to represent them for collective bargaining purposes.[11]

We have consistently accepted this interpretation of the Wagner Act and the present Act, particularly as to the use of authorization cards. See, *e.g., NLRB* v. *Bradford Dyeing Assn.*, 310 U.S. 318, 339–340 (1940); *Franks Bros. Co.* v. *NLRB*, 321 U.S. 702 (1943); *United Mine Workers* v. *Arkansas Flooring Co.*, 351 U.S. 62 (1956). Thus, in *United Mine Workers, supra*, we noted that a "Board election is not the only method by which an employer may satisfy itself as to the union's majority status." 351 U.S., at 72, n. 8, since § 9(a), "which deals expressly with employee representation, says nothing as to how the employees' representative shall be chosen." 351 U.S., at 71. We therefore pointed out in that case, where the union had obtained signed authorization cards from a majority of the employees, that "[i]n the absence of any bona fide dispute[12] as to the existence of the required majority of eligible employees, the employer's denial of recognition of the union would have violated § 8(a)(5) of the Act." 351 U.S., at 69. We see no reason to reject this approach to bargaining obligations now, and we find unpersuasive the Fourth Circuit's view that the 1947 Taft-Hartley amendments, enacted some nine years before our decision in *United Mine Workers, supra*, require us to disregard that case. Indeed, the 1947 amendments weaken rather than strengthen the position taken by the employers here and the Fourth Circuit below. An early version of the bill in the House would have amended § 8(5) of the Wagner Act to permit the Board to find a refusal to bargain violation only where an employer had failed to bargain with a union "currently recognized by the employer or certified as such [through an election] under section 9." Section 8(a)(5) of H.R. 3020, 80th Cong., 1st Sess. (1947). The proposed change, which would have eliminated the use of cards, was rejected in Conference (H.R.

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Conf. Rep. No. 510, 80th Cong., 1st Sess., 41 (1947)), however, and we cannot make a similar change in the Act simply because, as the employers assert, Congress did not expressly approve the use of cards in rejecting the House amendment. Nor can we accept the Fourth Circuit's conclusion that the change was wrought when Congress amended § 9(c) to make election the sole basis for *certification* by eliminating the phrase "any other suitable method to ascertain such representatives," [13] under which the Board had occasionally used cards as a certification basis. A certified union has the benefit of numerous special privileges which are not accorded unions recognized voluntarily or under a bargaining order [14] and which, Congress could determine, should not be dispensed unless a union has survived the crucible of a secret ballot election.

The employers rely finally on the addition to § 9(c) of subparagraph (B), which allows an employer to petition for an election whenever "one or more individuals or labor organizations have presented to him a claim [15] to be recognized as the representative defined in section 9(a)." That provision was not added, as the employers assert, to give them an absolute right to an election at any time; rather, it was intended, as the legislative history indicates, to allow them, after asked to bargain, to test out their doubts as to a union's majority in a secret election which they would then presumably not cause to be set aside by illegal antiunion activity.[16] We agree with the Board's assertion here that there is no suggestion that Congress intended § 9(c)(1)(B) to relieve any employer of his § 8(a)(5) bargaining obligation where, without good faith, he engaged in unfair labor practices disruptive of the Board's election machinery. And we agree that the policies reflected in § 9(c)(1)(B) fully support the Board's present administration of the Act (see p. 14, *ante*); for an employer can insist on a secret ballot election, unless, in the words of the Board, he engages "in contemporaneous unfair labor practices likely to destroy the union's majority and seriously impede the election." Brief for Petitioner 36.

In short, we hold that the 1947 amendments did not restrict an employer's duty to bargain under § 8(a)(5) solely to those unions whose representative status is certified after a Board election.[17]

We next consider the question whether authorization cards are such inherently unreliable indicators of employee desires that whatever the validity of other alternate routes to representative status, the cards themselves may never be used to determine a union's majority and to support an order to bargain. In this context, the employers urge us to take the step the 1947 amendments and their legislative history indicate Congress did not take, namely, to rule out completely the use of cards in the bargaining arena. Even if we do not unhesitatingly accept the Fourth Circuit's view in the matter, the employers argue, at the very least we should overrule the *Cumberland Shoe* doctrine (see p. 6. *supra*) and establish stricter controls over the solicitation of the cards by union representatives.[18]

The objections to the use of cards voiced by the employers and the Fourth Circuit boil down to two contentions: [19] (1) that, as contrasted with the election procedure,[20] the cards cannot accurately reflect an employee's wishes, either because an employer has not had a chance to present his views and thus a chance to insure that the employee choice was an informed one, or because the choice was the result of group pressures and not individual decision made in the privacy of a voting booth; and (2) that quite apart from the election comparison, the cards are too often obtained through misrepresentation and coercion which compound the cards' inherent inferiority to the election process. Neither contention is persuasive, and each proves too much. The Board itself has recognized, and continues to do so here, that secret elections are generally the most satisfactory—indeed the preferred—method of ascertaining whether a union has majority support.[21] The acknowledged superiority of the election process, however, does not mean that cards are thereby rendered totally invalid, for where an employer engages in conduct disruptive of the election process, cards may be the most effective—perhaps the only—way of assuring employee choice. As for misrepresentation, in any specific case of alleged irregularity in the solicitation of the cards, the proper course is to apply the Board's customary standards (to be discussed more fully below) and rule there was no majority if the standards were not satisfied. It does not follow that because there are some instances of irregularity, the cards can never be used; otherwise, an employer could put off his bargaining obligation indefinitely through continuing interference with elections.

That the cards, though admittedly inferior to the election process, can adequately reflect employee sentiment when that process has been impeded, needs no extended discussion, for the employers' contentions cannot withstand close examination. The employers argue that their employees cannot make an informed choice because the card drive will be over before the employer has had a chance to present his side of the unionization issues. Normally, however, the union will inform the employer of its organization drive early in order to subject the employer to the unfair labor practice provisions of the Act; the union must be able to show the employer's awareness of the drive in order to prove that his contemporaneous conduct constituted unfair labor practices on which a bargaining order can be based if the drive is ultimately successful. See, *e. g., Hunt Oil Co.*, 157 N. L. R. B. 282 (1966); *Don Swart Trucking Co.*, 154 N. L. R. B. 1345 (1965). Thus, in all of the cases here but the Charleston campaign in *Heck's* the employer, whether informed by the union or not, was aware of the union's organizing drive almost at the outset and began his antiunion campaign at that time; and even in the *Heck's-Charleston* case, where the recognition demand came about a week after the solicitation began, the employer was able to deliver a speech before the union obtained a majority. Further, the employers argue that without a secret ballot an employee may, in a card drive, succumb to group pressures or sign simply to get the union "off his back" and then be unable to change his mind as he would be free to do once inside a voting booth. But the same pressures are likely to be equally present in an election, for election cases arise most often with small bargaining units [22] where virtually every voter's sentiments can be carefully and individually canvassed. And no voter, of course, can change his mind after casting a ballot in an election even though he may think better of his choice shortly thereafter.

The employers' second complaint, that the cards are too often obtained through misrepresentation and coercion, must be rejected also in view of the Board's present rules for controlling card solicitation, which we view as adequate to the task where the cards involved state their purpose clearly and unambiguously on their face. We would be closing our eyes to obvious difficulties, of course, if we did not recognize that there have been abuses, primarily arising out of misrepresentations by union organizers as to whether the effect of signing a card was to designate the union to represent the employee for collective bargaining purposes or merely to authorize it to seek an election to determine that issue. And we would be equally blind if we did not recognize that various courts of appeals and commentators [23] have differed significantly as to the effectiveness of the Board's *Cumberland Shoe* doctrine (see p. 6, *supra*) to cure such abuses.

Thus even where the cards are unambiguous on their face, both the Second Circuit (*NLRB* v. *S. E. Nichols Co.*, 380 F. 2d 438 (C. A. 2d Cir. 1967)) and the Fifth Circuit (*Engineers & Fabricators, Inc.* v. *NLRB*, 376 F. 2d 482 (C. A. 5th Cir. 1967)) have joined the Fourth Circuit below in rejecting the Board's rule that the cards will be counted unless the solicitor's statements amounted under the circumstances to an assurance that the cards would be used only for an election, or for no other purpose than an election. And even those circuits which have adopted the Board's approach have criticized the Board for tending too often to apply the *Cumberland* rule too mechanically, declining occasionally to uphold the Board's application of its own rule in a given case. See, *e. g., NLRB* v. *Southbridge Sheet Metal Works, Inc.*, 380 F. 2d 851 (C. A. 1st Cir. 1967); *NLRB* v. *Sandy's Stores, Inc.*, 398 F. 2d 268 (C. A. 1st Cir. 1968); *NLRB* v. *Swan Super Cleaners, Inc.*, 384 F. 2d 609 (C. A. 6th Cir. 1967); *NLRB* v. *Dan Howard Mfg. Co.*, 390 F. 2d 304 (C. A. 7th Cir. 1968); *Furrs, Inc.* v. *NLRB*, 381 F. 2d 562 (C. A. 10th Cir. 1967); *UAW* v. *NLRB*, 392 F. 2d 801 (C. A. D. C. Cir. 1967). Among those who reject the *Cumberland* rule, the Fifth Circuit agrees with the Second Circuit (see *S. E. Nichols, supra*), that a card will be vitiated if an employee was left with the impression that he would be able to resolve any lingering doubts and make a final decision in an election, and further requires that the Board probe the subjective intent of each signer, an inquiry expressly avoided by *Cumberland*. See *NLRB* v. *Southland Paint Co.*, 394 F. 2d 717, 728, 730 (C. A. 5th Cir. 1968); *Engineers & Fabricators, Inc.* v. *NLRB*, *supra*. Where the cards are ambiguous on their face, the Fifth Circuit, joined by the Eighth Circuit (see, *e.g., NLRB* v. *Peterson Bros.*, 342 F. 2d 221 (C. A. 5th Cir. 1965), and *Bauer Welding & Metal Fabricators, Inc.* v. *NLRB*, 358 F. 2d 766 (C.A. 8th Cir. 1966)), departs still further from the Board rule. And there is a conflict among those courts which otherwise follow the Board as to single-purpose cards (compare *NLRB* v. *Lenz Co.*, 396 F. 2d 905, 908 (C.A. 6th Cir. 1968), with *NLRB* v. *C. J. Glasgow Co.*, 356 F. 2d 476, 478 (C.A. 7th Cir. 1966)).

We need make no decision as to the conflicting approaches used with regard to dual-purpose cards, for in each of the five organization campaigns in the four cases before us the cards used were single-purpose cards, stating clearly and unambiguously on their face that the signer designated the union as his representative. And even the view forcefully voiced by the Fourth Circuit below that unambiguous cards as well present too many opportunities for misrepresentation comes before us somewhat weakened in view of the fact that there were no allegations of irregularities in four of those five campaigns (*Gissel*, the two Heck's campaigns,[24] and *Sinclair*). Only in *General Steel* did the employer challenge the cards on the basis of misrepresentations. There, the trial examiner, after hearing testimony from over 100 employees and applying the traditional Board approach (see n. 5, *supra*), concluded that "all of these employees not only intended, but were fully aware that they were designating the union as their representative." Thus, the sole question before us, raised in only one of the four cases here, is whether the *Cumberland Shoe* doctrine is an adequate rule under the Act for assuring employee free choice.

In resolving the conflict among the circuits in favor of approving the Board's *Cumberland* rule, we think it sufficient to point out that employees should be bound by the clear language of what they sign unless that language is deliberately and

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clearly canceled by a union adherent with words calculated to direct the signer to disregard and forget the language above his signature. There is nothing inconsistent in handing an employee a card that says the signer authorizes the union to represent him and then telling him that the card will probably be used first to get an election. Elections have been, after all, and will continue to be, held in the vast majority of cases; the union will still have to have the signatures of 30%[25] of the employees when an employer rejects a bargaining demand and insists that the union seek an election. We cannot agree with the employers here that employees as a rule are to unsophisticated to be bound by what they sign unless expressly told that their act of signing represents something else. In addition to approving the use of cards, of course, Congress has expressly authorized reliance on employee signatures alone in other areas of labor relations, even where criminal sanctions hang in the balance,[26] and we should not act hastily in disregarding congressional judgments that employees can be counted on to take responsibility for their acts.

We agree, however, with the Board's own warnings in *Levi Strauss*, 172 N.L.R.B. No. 57, 68 L.R.R.M. 1338, 1341, and n. 7 (1968), that in hearing testimony concerning a card challenge, trial examiners should not neglect their obligation to ensure employee free choice by a too easy mechanical application of the *Cumberland* rule.[27] We also accept the observation that employees are more likely than not, many months after a card drive and in response to questions by company counsel, to give testimony damaging to the union, particularly where company officials have previously threatened reprisals for union activity in violation of § 8(a)(1).[28] We therefore reject any rule that requires a probe of an employee's subjective motivations as involving an endless and unreliable inquiry. We nevertheless feel that the trial examiner's findings in *General Steel* (see n. 5, *supra*) represent the limits of the *Cumberland* rule's application. We emphasize that the Board should be careful to guard against an approach any more rigid than that in *General Steel*. And we reiterate that nothing we say here indicates our approval of the *Cumberland Shoe* rule when applied to ambiguous, dual-purpose cards.

The employers argue as a final reason for rejecting the use of the cards that they are faced with a Hobson's choice[29] under current Board rules and will almost inevitably come out the loser. They contend that if they do not make an immediate, personal investigation into possible solicitation irregularities to determine whether in fact the union represents an uncoerced majority, they will have unlawfully refused to bargain for failure to have a good faith doubt of the union's majority; and if they do make such an investigation, their efforts at polling and interrogation will constitute an unfair labor practice in violation of § 8(a)(1) and they will again be ordered to bargain. As we have pointed out, however, an employer is not obligated to accept a card check as proof of majority status, under the Board's current practice, and he is not required to justify his insistence on an election by making his own investigation of employee sentiment and showing affirmative reasons for doubting the majority status. See *Aaron Brothers*, 158 N.L.R.B. 1077, 1078. If he does make an investigation, the Board's recent cases indicate that reasonable polling in this regard will not always be termed violative of § 8(a)(1) if conducted in accordance with the requirements set out in *Struksnes Construction Co.*, 165 N.L.R.B. No. 102 (1967). And even if an employer's limited interrogation is found violative of the Act, it might not be serious enough to call for a bargaining order. See *Aaron Brothers, supra; Hammond & Irving, Inc.*, 154 N.L.R.B. No. 84 (1965). As noted above, the Board has emphasized that not "any employer conduct found violative of section 8(a)(1) of the Act, regardless of its nature or gravity, will necessarily support a refusal-to-bargain finding," *Aaron Brothers, supra*, at 1079.

Remaining before us is the propriety of a bargaining order as a remedy for a § 8(a)(5) refusal to bargain where an employer has committed independent unfair labor practices which have made the holding of a fair election unlikely or which have in fact undermined a union's majority and caused an election to be set aside. We have long held that the Board is not limited to a cease-and-desist order in such cases, but has the authority to issue a bargaining order without first requiring the union to show that it has been able to maintain its majority status. See *NLRB* v. *Katz*, 369 U.S. 736, 748, n. 16 (1962); *NLRB* v. *P. Lorillard Co.*, 314 U.S. 512 (1942). And we have held that the Board has the same authority even where it is clear that the union, which once had possession of cards from a majority of the employees, represents only a minority when the bargaining order is entered. *Franks Bros. Co.* v. *NLRB*, 321 U.S. 702 (1943). We see no reason now to withdraw this authority from the Board. If the Board could enter only a cease-and-desist order and direct an election or a rerun, it would in effect be rewarding the employer and allowing him "to profit from [his] own wrongful refusal to bargain," *Franks Bros., supra*, at 704, while at the same time severely curtailing the employees' right freely to determine whether they desire a representative. The employer could continue to delay or disrupt the election processes and put off indefinitely his obligation to bargain;[30] and any election held under these circumstances would not be likely to demonstrate the employees' true, undistorted desires.[31]

The employers argue that the Board has ample remedies over and above the cease-and-desist order, to control employer misconduct. The Board can, they assert, direct the companies to mail notices to employees, to read notices to employees during plant time and to give the union access to employees during working time at the plant, or it can seek a court injunctive order under § 10(j) (29 U.S.C. § 160(j) (1964 ed.)) as a last resort. In view of the Board's power, they conclude, the bargaining order is an unnecessarily harsh remedy that needlessly prejudices employees' § 7 rights solely for the purpose of punishing or restraining an employer. Such an argument ignores that a bargaining order is designed as much to remedy past election damage[32] as it is to deter future misconduct. If an employer has succeeded in undermining a union's strength and destroying the laboratory conditions necessary for a fair election, he may see no need to violate a cease-and-desist order by further unlawful activity. The damage will have been done, and perhaps the only fair way to effectuate employee rights is to re-establish the conditions as they existed before the employer's unlawful campaign.[33] There is, after all, nothing permanent in a bargaining order, and, if, after the effects of the employer's acts have worn off, the employees clearly desire to disavow the union, they can do so by filing a decertification petition. For, as we pointed out long ago, in finding that a bargaining order involved no "injustice to employees who may wish to substitute for the particular union some other . . . arrangement," a bargaining relationship "once rightfully established must be permitted to exist and function for a reasonable period in which it can be given a fair chance to succeed," after which the "Board may . . . upon a proper showing, take steps in recognition of changed situations which might make appropriate changed bargaining relationships." *Frank Bros., supra*, at 705–706.

Before considering whether the bargaining orders were appropriately entered in these cases, we should summarize the factors that go into such a determination. Despite our reversal of the Fourth Circuit below in Nos. 573 and 691 on all major issues, the actual area of disagreement between our position here and that of the Fourth Circuit is not large as a practical matter. While refusing to validate the general use of a bargaining order in reliance on cards, the Fourth Circuit nevertheless left open the possibility of imposing a bargaining order, without need of inquiry into majority status on the basis of cards or otherwise, in "exceptional" cases marked by "outrageous" and "pervasive" unfair labor practices. Such an order would be an appropriate remedy for those practices, the court noted, if they are of "such a nature that their coercive effects cannot be eliminated by the application of traditional remedies, with the result that a fair and reliable election cannot be had." *NLRB* v. *Logan Packing Co.*, 386 F. 2d 562, 570 (C.A. 4th Cir. 1967); see also *NLRB* v. *Heck's, supra*, 398 F. 2d, at 338. The Board itself, we should add has long had a similar policy of issuing a bargaining order, in the absence of a § 8(a)(5) violation or even a bargaining demand, when that was the only available, effective remedy for substantial unfair labor practices. See, *e.g., United Steelworkers of America* v. *NLRB*, 376 F. 2d 770 (C.A.D.C. Cir. 1967); *J. C. Penney Co., Inc.* v. *NLRB*, 384 F. 2d 479, 485–486 (C.A. 10th Cir. 1967).

The only effect of our holding here is to approve the Board's use of the bargaining order in less extraordinary cases marked by less pervasive practices which nonetheless still have the tendency to undermine majority strength and impede the election processes. The Board's authority to issue such an order on a lesser showing of employer misconduct is appropriate, we should reemphasize, where there is also a showing that at one point the union had a majority; in such a case, of course, effectuating ascertainable employee free choice becomes as important a goal as deterring employer misbehaviour. In fashioning a remedy in the exercise of its discretion, then, the Board can properly take into consideration the extensiveness of an employer's unfair practices in terms of their past effect on election conditions and the likelihood of their recurrence in the future. If the Board finds that the possibility of erasing the effects of past practices and of ensuring a fair election (or a fair rerun) by the use of traditional remedies, though present, is slight and that employee sentiment once expressed through cards would, on balance, be better protected by a bargaining order, then such an order should issue (see n. 32, *supra*).

We emphasize that under the Board's remedial power there is still a third category of minor or less extensive unfair labor practices, which, because of their minimal impact on the election machinery, will not sustain a bargaining order. There is, the Board says, no *per se* rule that the commission of any unfair practice will automatically result in a § 8(a)(5) violation and the issuance of an order to bargain. See *Aaron Brothers, supra*.

With these considerations in mind, we turn to an examination of the orders in these cases. In *Sinclair*, No. 585, the Board made a finding, left undisturbed by the First Circuit, that the employer's threats of reprisal were so coercive that, even in the absence of a § 8(a)(5) violation, a bargaining order would have been necessary to repair the unlawful effect of those threats.[34] The Board therefore did not have to make the determination called for in the intermediate situation above that the risks that a fair rerun election might not be possible were too great to disregard the desires of the employees already expressed through the cards. The employer argues, however, that his communications to his employees were protected by the First Amendment and § 8(c) of the Act (29 U.S.C. § 158(c) (1964 ed.)), whatever the effect of those communications on the union's majority or the Board's

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ability to ensure a fair election; it is to that contention that we shall direct our final attention in the next section.

In the three cases in Nos. 573 and 691 from the Fourth Circuit, on the other hand, the Board did not make a similar finding that a bargaining order would have been necessary in the absence of an unlawful refusal to bargain. Nor did it make a finding that, even though traditional remedies might be able to ensure a fair election, there was insufficient indication that an election (or a rerun in *General Steel*) would definitely be a more reliable test of the employees' desires than the card count taken before the unfair labor practices occurred. The employees argue that such findings would not be warranted, and the court below ruled in *General Steel* that available remedies short of a bargaining order could guarantee a fair election. 398 F. 2d, at 340, n. 3. We think it possible that the requisite findings were implicit in the Board's decisions below to issue bargaining orders (and to set aside the election in *General Steel*); and we think it clearly inappropriate for the court below to make any contrary finding on its own (see n. 32, *supra*). Because the Board's current practice at the time required it to phrase its findings in terms of an employer's good- or bad-faith doubts (see Part II, *supra*), however, the precise analysis the Board now puts forth was not employed below, and we therefore remand these cases to the Board for proper findings.

We consider finally petitioner Sinclair's First Amendment challenge to the holding of the Board and the Court of Appeals for the First Circuit. At the outset we note that the question raised here most often arises in the context of a nascent union organizational drive, where employers must be careful in waging their antiunion campaign. As to conduct generally, the above noted gradations of unfair labor practices, with their varying consequences, create certain hazards for employers when they seek to estimate or resist unionization efforts. But so long as the differences involve conduct easily avoided, such as discharge, surveillance, and coercive interrogation, we do not think that employers can complain that the distinctions are unreasonably difficult to follow. Where an employer's antiunion efforts consist of speech alone, however, the difficulties raised are not so easily resolved. The Board has eliminated some of the problem areas by no longer requiring an employer to show affirmative reasons for insisting on an election and by permitting him to make reasonable inquiries. We do not decide, of course, whether these allowances are mandatory. But we do note that an employer's free speech right to communicate his news to his employees is firmly established and cannot be infringed by a union or the Board. Thus, § 8(c) (29 U. S. C. § 158(c) (1964 ed.)) merely implements the First Amendment by requiring that the expression of "any views, argument or opinion" shall not be "evidence of an unfair labor practice," so long as such expression contains "no threat of reprisal or force or promise of benefit" in violation of § 8(a)(1). Section 8(a)(1), in turn, prohibits interference, restraint or coercion of employees in the exercise of their right to self-organization.

Any assessment of the precise scope of employer expression, of course, must be made in the context of its labor relations setting. Thus, an employer's rights cannot outweigh the equal rights of the employees to associate freely, as those rights are embodied in § 7 and protected by § 8(a)(1) and the proviso to § 8(c). And any balancing of those rights must take into account the economic dependence of the employees on their employers, and the necessary tendency of the former, because of that relationship, to pick up intended implications of the latter that might be more readily dismissed by a more disinterested ear. Stating these obvious principles is but another way of recognizing that what is basically at stake is the establishment of a nonpermanent, limited relationship between the employer, his economically dependent employee and his union agent, not the election of legislators or the enactment of legislation whereby that relationship is ultimately defined and where the independent voter may be freer to listen more objectively and employers as a class freer to talk. Compare *New York Times Co.* v. *Sullivan*, 376 U.S. 254 (1964).

Within this framework, we must reject the Company's challenge to the decision below and the findings of the Board on which it was based. The standards used below for evaluating the impact of an employer's statements is not seriously questioned by petitioner and we see no need to tamper with it here. Thus, an employer is free to communicate to his employees any of his general views about unionism or any of his specific views about a particular union, so long as the communications do not contain a "threat of reprisal or force or promise of benefit." He may even make a prediction as to the precise effects he believes unionization will have on his company. In such a case, however, the prediction must be carefully phrased on the basis of objective fact to convey an employer's belief as to demonstrably probable consequences beyond his control or to convey a management decision already arrived at to close the plant in case of unionization. See *Textile Workers* v. *Darlington Mfg. Co.* 380 U.S. 263, 274 n. 20 (1965). If there is any implication that an employer may or may not take action solely on his own initiative for reasons unrelated to economic necessities and known only to him, the statement is no longer a reasonable prediction based on available facts but a threat of retaliation based on misrepresentation and coercion, and as such without the protection of the First Amendment. We therefore agree with the court below that "conveyance of the employer's belief, even though sincere, that unionization will or may result in the closing of the plant is not a statement of fact unless, which is most improbable, the eventuality of closing is capable of proof." 397 F. 2d. at 160. As stated elsewhere, an employer is free only to tell "what he reasonably believes will be the likely economic consequences of unionization that are outside his control," and not "threats of economic reprisal to be taken solely on his own volition." *NLRB* v. *River Togs, Inc.*, 382 F. 2d 198, 202 (C. A. 2d Cir. 1967).

Equally valid was the finding by the court and the Board that petitioner's statements and communications were not cast as a prediction of "demonstrable economic consequences," 397 F. 2d, at 160, but rather as a threat of retaliatory action. The Board found that petitioner's speeches, pamphlets, leaflets, and letters conveyed the following message: that the company was in a precarious financial condition; that the "strike-happy" union would in all likelihood have to obtain its potentially unreasonable demands by striking, the probable result of which would be a plant shut-down, as the past history of labor relations in the area indicated; and that the employees in such a case would have great difficulty finding employment elsewhere. In carrying out its duty to focus on the question "what did the speaker intend and the listener understand." Cox Law and the National Labor Policy 44 (1960), the Board could reasonably conclude that the intended and understood import of that message was not to predict that unionization would inevitably cause the plant to close but to threaten to throw employees out of work regardless of the economic realities. In this connection, we need go no further than to point out (1) that petitioner had no support for his basic assumption that the union, which had not yet even presented any demands, would have to strike to be heard, and that he admitted at the hearing that he had no basis for attributing other plant closings in the area to unionism; and (2) that the Board has often found that employees, who are particularly sensitive to rumors of plant closings,[35] take such hints as coercive threats rather than honest forecasts.[36]

Petitioner argues that the line between so-called permitted predictions and proscribed threats is too vague to stand up under traditional First Amendment analysis and that the Board's discretion to curtail free speech rights is correspondingly too uncontrolled. It is true that a reviewing court must recognize the Board's competence in the first instance to judge the impact of utterances made in the context of the employer-employee relationship, see *NLRB* v. *Virginia Electric & Power Co.*, 314 U.S. 469, 479 (1941). But an employer, who has control over that relationship and therefore knows it best, cannot be heard to complain that he is without an adequate guide for his behavior. He can easily make his views known without engaging in "brinkmanship" when it becomes all too easy to "overstep and tumble into the brink." *Wassau Steel Corp.* v. *NLRB*, 377 F. 2d 369, 372 (C. A. 7th Cir. 1967) At the least he can avoid coercive speech simply by avoiding conscious overstatements he has reason to believe will mislead his employees.

For the foregoing reasons, we affirm the judgment of the Court of Appeals for the First Circuit in No. 585, and we reverse the judgments of the Court of Appeals for the Fourth Circuit in Nos. 573 and 691 insofar as they decline enforcement of the Board's orders to bargain and remand those cases to the Board for further proceedings consistent with this opinion.

It is so ordered.

FOOTNOTES

[1] At the outset of the Union campaign, the Company vice president informed two employees, later discharged, that if they were caught talking to union men, "you g——d things will go." Subsequently, the Union presented oral and written demands for recognition, claiming possession of authorization cards from 31 of the 47 employees in the appropriate unit. Rejecting the bargaining demand, the Company began to interrogate employees as to their union activities; to promise them better benefits than the Union could offer; and to warn them that if the "union got in, [the vice president] would just take his money and let the union run the place," that the Union was not going to get in, and that it would have to "fight" the Company first. Further, when the Company learned of an impending Union meeting, it arranged, so the Board later found, to have an agent present to report the identity of the Union adherents. On the first day following the meeting, the vice president told the two employees referred to above that he knew they had gone to the meeting and that their work hours were henceforth reduced to half a day. Three hours later, the two employees were discharged.

[2] The organizing drive was initiated by the employees themselves at Heck's Charleston warehouse. The Union first demanded recognition on the basis of 13 cards from 26 employees of the Company's three Charleston warehouses. After responding "No comment" to the Union's repeated requests for recognition, the president assembled the employees and told them of his shock at their selection of the Union; he singled out one of the employees to ask if he had signed an authorization card. The next day the Union obtained the additional card necessary to establish a majority. That same day, the leading union supporter (the employee who had first established contacts with the Union and had solicited a large number of the cards) was discharged, and another employee was interrogated as to his union activities, encouraged to withdraw his authorization, and warned that a union victory could result in reduced hours, fewer raises, and withdrawal of bonuses. A second demand for recognition was made two days later, and thereafter the president summoned two known union sup-

porters to his office and offered them new jobs at higher pay if they would use their influence to "break up the union."

The same pattern was repeated a year later at the Company's Ashland, Kentucky, store, where the Union obtained cards from 21 of the 38 employees by October 5, 1965. The next day, the assistant store manager told an employee that he knew that the Union had acquired majority status. When the Union requested recognition on October 8, however, the Company refused on the ground that it was not sure whether department heads were included in the bargaining unit—even though the cards represented a majority with or without the department heads. After a second request for recognition and an offer to submit the cards to the employer for verification, respondent again refused, on grounds of uncertainty about the definition of the unit and because a poll taken by the Company showed that a majority of the employees did not want union representation. Meanwhile, the Company told the employees that an employee of another company store had been fired on the spot for signing a card, warned employees that the Company knew which ones had signed cards, and polled employees about their desire for union representation without giving them assurances against reprisals.

[3] Throughout the Union's six-month organizational campaign—both before and after its demand for recognition based on possession of cards from 120 of the 207 employees in the appropriate unit—the Company's foremen and supervisors interrogated employees about their union involvement; threatened them with discharge for engaging in union activities or voting for the union; suggested that unionization might hurt business and make new jobs more difficult to obtain; warned that strikes and other dire economic consequences would result (a supervisor informed a group of employees that if the union came in, "a nigger would be the head of it," and that when the Company put in 10 new machines, "the niggers would be the operators of them"); and asserted that, although it would have to negotiate with the Union, it could negotiate endlessly and would not have to sign anything.

[4] The cards used in all four campaigns in Nos. 573 and 691 and in the one drive in No. 585 unambiguously authorized the Union to represent the signing employee for collective bargaining purposes; there was no reference to elections. Typical of the cards was the one used in the Charleston campaign in *Heck's* and it stated in relevant part:

"Desiring to become a member of the above Union of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, I hereby make application for admission to membership. I hereby authorize you, or your agents or representatives to act for me as collective bargaining agent on all matters pertaining to rates of pay, hours or any other condition of employment."

[5] "Accordingly, I reject respondent's contention that if a man is told that his card will be secret, or will be shown only to the Labor Board for the purpose of obtaining election, that this is the absolute equivalent of telling him that it will be used 'only' for the purpose of obtaining an election.

* * * * *

"With respect to the 97 employees named in the attached Appendix B Respondent in its brief contends, in substance, that their cards should be rejected because each of these employees was told *one or more* of the following: (1) that the card would be used to get an election (2) that he had the right to vote either way, even though he signed the card (3) that the card would be kept secret and not shown to anybody except to the Board in order to get an election. For reasons heretofore explicated, I conclude that these statements, singly or jointly, do not foreclose use of the cards for the purpose designated on their face."

[6] See, *e.g., Joy Silk Mills, Inc.*, v. *NLRB*, 87 U.S. App. D. C. 360, 185 F. 2d 732 (C. A. D. C. Cir.), cert. denied, 341 U.S. 914 (1951); *NLRB* v. *Gotham Shoe Mfg. Co., Inc.*, 359 F. 2d 684 (C. A. 2d Cir. 1964); *NLRB* v. *Quality Markets, Inc.*, 387 F. 2d 20 (C. A. 3d Cir. 1967); *NLRB* v. *Phil-Modes, Inc.*, 396 F. 2d 131 (C. A. 5th Cir. 1968); *Atlas Engine Works, Inc.* v. *NLRB*, 396 F. 2d 775 (C. A. 6th Cir. 1968), petition for certiorari pending; *NLRB* v. *Clark Products, Inc.*, 385 F. 2d 396 (C. A. 7th Cir. 1967); *NLRB* v. *Ralph Printing and Lithographing Co.*, 379 F. 2d 687 (C. A. 8th Cir. 1967); *NLRB* v. *Luisi* Truck Lines, 384 F. 2d 842 (C. A. 9th Cir. 1967); *Furr's, Inc.* v. *NLRB*, 381 F. 2d 562 (C. A. 10th Cir. 1967), cert. denied, 380 U.S. 840 (1968).

In addition to the First Circuit below, four courts of appeals have subsequently considered the Fourth Circuit's view of the cards and specifically rejected it. *NLRB* v. *United Mineral and Chemical Corp.*, 391 F. 2d 829, 836, n. 10 (C. A. 2d Cir. 1968); *NLRB* v. *Goodyear Tire and Rubber Co.*, 394 F. 2d 711, 712–713 (C. A. 5th Cir. 1968); *NLRB* v. *Atco Surgical-Supports*, 394 F. 2d 659, 660 (C. A. 6th Cir. 1968); *NLRB* v. *Ozark Motor Lines*, — F. 2d — (C. A. 8th Cir. 1969).

[7] In 1967, for instance, the Board conducted 8,116 elections but issued only 157 bargaining orders based on a card majority. *Levi Strauss*, 172 N. L. R. B. No. 57, 68 L. R. R. M. 1338, 1342, n. 9 (1968). See also J. Sheinkman, Recognition of Unions Through Authorization Cards, 3 Ga. L. Rev. 319 (1969). The number of card cases that year, however, represents a rather dramatic increase over previous years, from 12 such cases in 1964, 24 in 1965, and about 117 in 1966. H. L. Browne, Obligation To Bargain on Basis of Card Majority, 3 Ga. L. Rev. 334, 347 (1969).

[8] See, *e.g., Aaron Brothers*, 158 N. L. R. B. 1077 (1967); cf., *General Shoe Corp.*, 77 N. L. R. B. 124 (1948). An employer, of course, may not, even if he acts in good faith, recognize a minority union, *Garment Workers' Union* v. *NLRB* and *Bernard-Altmann Corp.*, 366 U.S. 731 (1961).

[9] *NLRB* v. *Dahlstrom Metallic Door Co.*, 112 F. 2d 756, 757 (C. A. 2d Cir. 1940).

[10] See, *e.g., Denver Auto Dealers Assn.*, 10 N. L. R. B. 1173 (1939); *Century Mills, Inc.*, 5 N. L. R. B. 807 (1938).

[11] The right of an employer lawfully to refuse to bargain if he had a good faith doubt as to the Union's majority status, even if in fact the Union did represent a majority, was recognized early in the administration of the Act, see *NLRB* v. *Remington Rand, Inc.*, 94 F. 2d 862, 868 (C. A. 2d Cir. 1938), cert. denied, 304 U.S. 576 (1938).

[12] See n. 11, *supra*.

[13] Section 9(c) of the Wagner Act had provided:

"Whenever a question affecting commerce arises concerning the representation of employees, the Board may investigate such controversy and certify . . . the name or names of the representatives that have been designated or selected. In any such investigation, the Board . . . may take a secret ballot of employees, or utilize any other suitable method to ascertain such representatives."

[14] *E.g.*, protection against the filing of new election petitions by rival unions or employees seeking decertification for 12 months (§ 9(c)(3)), protection for a reasonable period, usually one year, against any disruption of the bargaining relationship because of claims that the union no longer represents a majority (see *Brooks* v. *NLRB*, 348 U.S. 96 (1954), protection against recognitional picketing by rival unions (§ 8(b)(4)(C)), and freedom from the restrictions placed in work assignments disputes by § 8(b)(4)(D), and on recognitional and organizational picketing by § 8(b)(7).

[15] Under the Wagner Act, which did not prescribe who would file election petitions, the Board had ruled that an employer could seek an election only when two unions presented conflicting bargaining requests on the ground that if he were given the same election petition rights as the union, he could interrupt union drives by demanding an election before the union had obtained majority status. The 1947 amendments resolved the difficulty by providing that an employer could seek an election only after he had been requested to bargain. See H.R. Rep. No. 245, 80th Cong., 1st Sess., 35 (1947).

[16] The Senate report stated that the "present Board rules . . . discriminate against employers who have reasonable grounds for believing that labor organizations claiming to represent the employees are really not the choice of the majority." S. Rep. No. 105, 80th Cong., 1st Sess., 10–11 (1947). Senator Taft stated during the debates: "Today an employer is faced with this situation. A man comes into his office and says, 'I represent your employees. Sign this agreement or we strike tomorrow.' . . . The employer has no way in which to determine whether this man really does represent his employees or does not. The bill gives him the right to go to the Board . . . and say, 'I want an election. I want to know who is the bargaining agent for my employees.'" 93 Cong. Rec. 3954 (1947).

[17] As aptly stated in H. Lesnick, Establishment of Bargaining Rights Without an Election, 65 Mich. L. Rev. 857, 861–862 (1967):

"Cards have been used under the Act for thirty years; [this] Court has repeatedly held that certification is not the only route to representative status; and the 1947 attempt in the House-passed Hartley bill to amend section 8(a)(5) . . . was rejected by the conference committee that produced the Taft-Hartley Act. No amount of drum-beating should be permitted to overcome, without legislation, this history."

[18] In dealing with the reliability of cards, we should re-emphasize what issues we are not confronting. As pointed out above, we are not here faced with a situation where an employer, with "good" or "bad" subjective motivation, has rejected a card-based bargaining request without good reason and has insisted that the Union go to an election while at the same time refraining from committing unfair labor practices that would tend to disturb the "laboratory conditions of that election. We thus need not decide whether, absent election interference by an employer's unfair labor practices, he may obtain an election only if he petitions for one himself; whether, if he does not, he must bargain with a card majority if the Union chooses not to seek an election; and whether, in the latter situation, he is bound by the Board's ultimate determination of the card results regardless of his earlier good-faith doubts, or whether he can still insist on a Union-sought election if he makes an affirmative showing of his positive reasons for believing there is a representation dispute. In short, a union's right to rely on cards as a freely interchangeable substitute for elections where there has been no election interference is not put in issue here; we need only decide whether the cards are reliable enough to support a bargaining order where a fair election probably could not have been held, or where an election that was held was in fact set aside.

[19] The Board's reliance on authorization cards has provoked considerable scholarly controversy. Compare criticism of Board policy, particularly its treatment of ambiguous, dual-purpose cards, in H. L. Browne, *supra*, and Comment, Union Authorization Cards, 75 Yale L. J. 805 (1966), with defense of Board practice in H. Lesnick, *supra;* M. J. Welles, The Obligation To Bargain on the Basis of a Card Majority, 3 Ga. L. Rev. 349 (1969); and Comment, Union Authorization Cards: A Reliable Basis for an NLRB Order To Bargain?, 47 Tex. L. Rev. 87 (1968).

[20] For a comparison of the card procedure and the election process, see discussion in

NLRB v. *Logan Packing Co.*, 386 F. 2d 562, 564–566 (C. A. 4th Cir. 1967).

[21] See nn. 7–8, *supra*.

[22] See Comment, Union Authorization Cards: A Reliable Basis for an NLRB Order to Bargain?, *supra*, at 94 and n. 32.

[23] See n. 19, *supra*.

[24] In the Charleston campaign in *Heck's*, the employees handled the card drive themselves from beginning to end, contacting the union, obtaining the blank authorization cards, and soliciting their fellow employees on that basis; no union agents were involved in the card signing.

[25] See 1969 CCH Guidebook to Labor Relations § 402.4.

[26] Criminal sanctions are imposed by § 302 (29 U.S.C. § 186) which makes it unlawful for an employer to pay to and for a union representative to receive "any money or other thing of value." Section 302(c)(4) (29 U.S.C. § 186(c)(4)) exempts payments by employers to union representatives of union dues, however, where an employee has executed a "written assignment" of the dues, *i.e.* a check-off authorization. Signatures are also relied on in § 9(c)(1)(A) (29 U.S.C. § 159), which provides for Board processing of representation and decertification petitions when each is supported by a "substantial number of employees" (the basis for the 30% signature requirement, see n. 25, *supra*), and in § 9(c) which specifically provides for 30% of the signatures in the bargaining unit to empower the Board to hold a union shop deauthorization election.

[27] In explaining and reaffirming the *Cumberland Shoe* doctrine in the context of unambiguous cards, the Board stated:

"Thus the fact that employees are told in the course of solicitation that an election is contemplated, or that a purpose of the card is to make an election possible, provides in our view *insufficient* basis in itself for vitiating unambiguously worded authorization cards on the theory of misrepresentation. A different situation is presented, of course, where union organizers solicit cards on the explicit or indirectly expressed representation that they will use such cards *only* for an election and subsequently seek to use them for a different purpose . . . ."

The Board stated further in a footnote:

"The foregoing does not of course imply that a finding of misrepresentation is confined to situations where employees are expressly told in *haec verba* that the 'sole' or 'only' purpose of the cards is to obtain an election. The Board has never suggested such a mechanistic application of the foregoing principles, as some have contended. The Board looks to substance rather than to form. It is not the use or nonuse of certain key or 'magic' words that is controlling, but whether or not the totality of circumstances surrounding the card solicitation is such, as to add up to an assurance to the card signer that his card will be used for no purpose other than to help get an election." 172 N.L.R.B. No. 57, 68 L.R.R.M. 1338, 1341, and n. 7.

[28] See J. Sheinkman, *supra*, at 332–333.

[29] See Judge Brown's "Scylla and Charybdis" analogy in *NLRB* v. *Dan River Mills*, 274 F. 2d 331, 388 (C.A. 5th Cir. 1957).

[30] The Board indicates here that its records show that in the period between January and June 1968, the median time between the filing of an unfair labor practice charge and a Board decision in a contested case was 388 days. But the employer can do more than just put off his bargaining obligation by seeking to slow down the Board's administrative processes. He can also affect the outcome of a rerun election by delaying tactics, for figures show that the longer the time between a tainted election and a rerun, the lesser are the union's chances of reversing the outcome of the first election. See n. 31, *infra*.

[31] A study of 20,153 elections held between 1960 and 1962 shows that in over two-thirds of the cases, the party who caused the election to be set aside won in the rerun election. See D. Pollitt, NLRB Re-Run Elections: A Study, 41 N.C.L. Rev. 209, 212 (1963). The study shows further that certain unfair labor practices are more effective to destroy election conditions for a longer period of time than others. For instance, in cases involving threats to close or transfer plant operations, the union won the rerun only 29% of the time, while threats to eliminate benefits or refuse to deal with the union if elected seemed less irremediable with the union winning the rerun 75% of the time. *Id.*, at 215–216. Finally, time appears to be a factor. The figures suggest that if a rerun is held too soon after the election before the effects of the unfair labor practices have worn off, or too long after the election when interest in the union may have waned, the chances for a changed result occurring are not as good as they are if the rerun is held sometime in between those periods. Thus, the study showed that if the rerun is held within 30 days of the election or over nine months after, the chances that a different result will occur are only one in five; when the rerun is held within 30–60 days after the election, the chances for a changed result are two in five.

[32] The employers argue that the Fourth Circuit correctly observed that, "in the great majority of cases, a cease and desist order with the posting of appropriate notices will eliminate any undue influences upon employees voting in the security of anonymity." *NLRB* v. *Logan Packing Co.*, *supra*, at 570. It is for the Board and not the courts, however, to make that determination, based on its expert estimate as to the effects on the election process of unfair labor practices of varying intensity. In fashioning its remedies under the broad provisions of § 10(c) of the Act (29 U.S.C. § 160(c) (1964 ed.)), the Board draws on a fund of knowledge and expertise all its own, and its choice of remedy must therefore be given special respect by reviewing courts. See *Fibreboard Paper Products Corp.* v. *NLRB*, 379 U.S. 203 (1964). "[I]t is usually better to minimize the opportunity for reviewing courts to substitute their discretion for that of the agency." *Consolo* v. *FMC*, 383 U.S. 607, 621 (1966).

[33] It has been pointed out that employee rights are affected whether or not a bargaining order is entered, for those who desire representation may not be protected by an inadequate rerun election, and those who oppose collective bargaining may be prejudiced by a bargaining order if in fact the union would have lost an election absent employer coercion. See Lesnick, *supra*, at 862. Any effect will be minimal at best, however, for there "is every reason for the union to negotiate a contract that will satisfy the majority, for the union will surely realize that it must win the support of the employees, in the face of a hostile employer, in order to survive the threat of a decertification election after a year has passed." D. Bok, The Regulation of Campaign Tactics in Representative Elections Under the National Labor Relations Act, 78 Harv. L. Rev. 38, 135 (1964).

[34] Under the doctrine of *Bernel Foam Products Co.*, 146 N.L.R.B. 1277 (1964), there is nothing inconsistent in the Union filing an election petition and thereby agreeing that a question of representation exists, and then filing a refusal-to-bargain charge after the election is lost because of the employer's unfair labor practices.

[35] See D. Bok, *supra*, at 77: n. 31, *supra*.

[36] See *c. g.*, *Kolmar Laboratories, Inc.*, 159 N.L.R.B. 805, 807–810, and cases (relied on by the trial examiner here) cited in n. 3, enforced, 387 F. 2d 833 (C.A. 7th Cir. 1967): *Surprenant Mfg. Co.*, 144 N.L.R.B. 507, 510–511, enforced, 341 F. 2d 756, 761 (C.A. 6th Cir. 1965).

OPPORTUNITY AND CHALLENGE

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. ROYBAL. Mr. Speaker, I would like to include in the RECORD the text of a very moving and thought-provoking address given recently by Mr. Manuel Aragon, Jr., at Los Angeles City College, Los Angeles, Calif.

The address follows:

ADDRESS BY MANUEL ARAGON, JR.

Mr. President, ladies and gentlemen. I have come here to enlist your help as citizens. I am deeply convinced that only if we immediately mobilize your support can we achieve the imperative transformations in our institutional system required for an escape from total social chaos and moral confusion.

Today is greatly different from the day this College opened its doors two generations ago.

Then, the forces which have brought us to our present crisis were taking shape as problems to be solved or opportunities to be secured. Those who were charged with solving the problems and using the opportunities in the forty years since the founding of this school were to have the advantages of the best training, the most advanced technology, more information, and the greatest social and economic power of any ruling group in history.

Then, the Nation was poised on the edge of an economic depression and, within a few years, a world wide war.

In 1949, after twenty years of depression, war and the beginning of nuclear terror, the Nation could look forward to unparalleled opportunities to educate its citizens, achieve racial justice, strengthen its representative government, and eliminate poverty, for all of the necessary economic, legal, and technological resources were at the hands of those in power. The only things lacking were the will and the foresight to do what was *right*.

Today, like a doomsday machine poised for self-demolition, our massive institutional system methodically destroys the Nation's greatest treasures; its wealth, its natural resources, its water and air, and finally, most tragic of all, vast groups of its people through poverty and racism, and especially its young people through war and alienation. We are on the brink of what may be an overwhelming moral and social crisis.

Unlike the previous domestic crisis during the depression which was primarily economic, today's is mainly one of values; it has to do with what is right and what is wrong as well as with what works and what doesn't work.

It is clear to me that we have reached this juncture because those who preceded us were unwilling to foresee and take responsibility for the moral and human conesquences of their actions. They operated on the principle of securing the greatest political, military, social and economic advantage for that particular moment. The cumulative result of their expedient, short-sighted decisions, is a massive structure of institutions, priorities, and ethics which is unworkable, ineffective, inhumane, and, ultimately, immoral.

In the name of National defense we built a military establishment which now lies upon us like a heavy hand, demanding a greater and greater share of the Nation's wealth. For the first time in our history the military has become a major political force and, backed by its natural allies in the defense industry, seems likely to maintain its influence. At the moment neither Congress nor the President seem to be having much success in curbing its appetite for a giant share of the National budget.

Not content with having bankrupted the war on poverty and other urgent domestic programs in order to finance the Viet Nam fiasco, the military has already made its plans to buy a new generation of weapons just in case that unhappy war should stop or be scaled down.

The current rate of Viet Nam spending is some thirty billion dollars a year. This is more than enough, for example, to finance the war on poverty at its present National level for the next fifteen years. When we spend fifty times more for one month of war in Viet Nam than we do for a whole year of poverty programs for one million poor people in Los Angeles County, then something is drastically wrong with our National priorities and the means by which they are set. We must demand a total reordering of what is most important and all of us must insist on nothing less than a vast and immediate commitment by this Nation to invest the money and the energy needed to eliminate the inhumanity of poverty.

We created a school system which is entitled by law to take our money and our children but which seems unable to provide large numbers of our youth, especially in the barrio and ghetto, with even the most rudimentary survival skills. How can we say that a school which produces a 50% drop-out rate for Black children and one college student out of two-hundred Chicano youth is anything but a disastrous failure. Yet that is exactly what has been happening since *even* before Los Angeles City College opened its doors forty years ago.

What happened to all those young drop outs? What became of them? Who can calculate the cost of lost dreams and empty lives because we and the schools can't or won't measure up.

I have criticized the military and the schools yet essentially the same criticism could be made of most of our other major institutions; the welfare system, the tax system, transportation system, national radio and television networks, and local government.

Looking at these problems from my perspective as one who has the responsibility for eliminating the conditions which create poverty in Los Angeles and which produce generation after generation of helpless people, I conclude that rapid and in some cases immediate institutional change offers the only possibility for making a serious advance in the war against poverty. This means a concerted community action effort by the poor people themselves as well as by those of you who wish to ally yourselves with them, not only as professionals but as committed human beings.

Your generation has already demonstrated its commitment to fight for what it believes to be right, you have shown again and again that you will not easily accept things as they are. You bring the advantages of moral conscience and great motivation to this battle: We need you, welcome you, and will make way for you.

At the same time you cannot afford to make the mistakes which caused us to come to our current unhappy state. Unlike previous generations you cannot and must not ignore the human and moral consequences of your actions. It is not enough to say as Tom Hayden of SDS did, that first you make the revolution then you decide what for. That can only lead to worse moral and social chaos. But I believe you are farsighted and honest enough to look at the consequences of your actions, and certainly it is imperative that you act, and guide yourselves accordingly.

Yet your generation disturbs me for even in its finest moments it has demonstrated a self-indulgent, "Me first" personality which seems to say, as Tom Hayden has, we are not interested in helping minorities or others, we are out to save ourselves. This self-indulgent, consumption-oriented trait is in large part a product of television's brainwashing since that medium has assiduously cultivated this ethic in order to sell you everything and anything. If you permit this urge for self-gratification to predominate over your more generous instincts, then you may well achieve power only to become the most self-seeking, reactionary ruling group in American History. Thus, the current crisis of values exists not only between your generation and earlier ones, it also lies within your own ranks, and no one can do anything about it but you.

There is much to be done. We need you, we want you, and we will expect you. Thank you very much.

THE COMING REVOLUTION IN AMERICAN EDUCATION

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. PUCINSKI. Mr. Speaker, the Wall Street Journal this morning carried an excellent article by Mr. Jonathan Spivak describing a concept in American education which in my judgment offers great promise of major breakthroughs in raising achievement skills for our Nation's young people.

Mr. Spivak performs a notable service by calling attention in great detail to an experiment soon to be launched in Texarkana, Ark.

Under this experiment, the U.S. Office of Education through its Associate Commissioner, Leon Lessinger, will enter into a contractual agreement with one of the Nation's top education technology firms to provide teaching techniques in six Texarkana junior high schools and six high schools in an effort to bring all youngsters up to grade level in verbal skills.

The unique aspect of the Texarkana experiment is "guaranteed performance."

The contractor must promise to bring backward Texarkana students up to normal grades for their age levels at a given cost and in a given time—or else pay a money penalty.

As chairman of the House Subcommittee on General Education, I shall watch this experiment closely for, indeed, if it succeeds in Texarkana it is a concept that we will want to employ throughout the country.

I believe private industry has much to offer in educational technology and such firms as IBM, McGraw-Hill, RCA, and many others have performed a notable service to this country in becoming deeply involved in developing electronic equipment which can make education more meaningful and productive.

Dr. Lessinger deserves the gratitude of the American people in having the foresight to encourage this experiment and hopefully give overworked teachers in this country the assistance they can get from these major breakthroughs in education technology.

Mr. Spivak's excellent article follows:

FIRMS VIE TO SHOW HOW TO HALT DROPOUTS IN ARKANSAS SCHOOLS: EXPERIMENT COULD GIVE BUSINESS ENTRY INTO A BIG MARKET; MONEY PENALTY IF THEY FAIL

(By Jonathan Spivak)

WASHINGTON.—Private industry is beginning to bid for a significant new place is public education—far beyond anything so humdrum as supplying textbooks, films or records.

Some large education technology firms, including IBM, McGraw-Hill and RCA, are hotly seeking a small Federal contract soon to be awarded in Texarkana, Ark. It calls for a $3 million remedial education project to prevent weak students from dropping out of school. The winning bidder will use modern equipment and instruction methods to bring lagging pupils up to snuff in reading, math and other basic skills.

No one will make a killing out of the Texarkana project. But success there could give the winner a convincing competitive advantage in merchandising its teaching wares elsewhere and could provide the new technology with its first major entry into the public school market. So far, many school administrators have shied away from education technology because of cost, suspicion of private industry and concern that the new methods don't really work.

The Texarkana project to discourage dropping out, one of the 10 such projects to be financed by the Federal Government, is based on a concept unusual in education: Guaranteed performance. The competing bidders must promise to bring backward Texarkana students up to normal grades for their age levels at a given cost and in a given time—or else pay a money penalty.

BACKING THEIR BELIEFS

"We are telling people, 'If you really believe in hardware and equipment you should be willing to deliver,' " says Charles Blaschke, a Washington educational consultant who directed the design of the Texarkana project.

The bidders' proposals are expected to average about $100 per pupil for 100 to 150 hours of instruction. But there is bound to be wide variation in the costs proposed, for one object is to have the contractors come up with almost any solution that promises to succeed. If the winning bidder achieves the desired results at less than the estimated cost, it will gain a money reward.

"Accountability for results is the basic principle; it's a profoundly new principle for education," says Leon Lessinger, an associate commissioner at the U.S. Office of Education here. The basic goal is to gain specific educational results rather than simply hire more teachers, purchase more books or furnish more special services; up to now, many Federal education programs have concentrated on such means rather than the ends to be attained, officials emphasize.

Success of the Texarkana project will be determined by achievement test scores. But the contractor must prove that the required gains persist for at least six months after the pupils return to their regular classrooms. Otherwise, teaching techniques might be geared solely to tests given on a specific date, without lasting benefits for the students.

Eventually, the project will be taken over by the Texarkana schools; after five years all Federal support will end. "We've no objection to industry or anyone else coming in if they feel they can be successful," says Ed Trice, superintendent of schools in Texarkana. "The idea of the whole project is they'll teach us how to do it."

The immediate beneficiaries will be six junior and senior high schools in Texarkana, Ark., and its companion city of the same name across the state line in Texas. Next year the effort will be extended to elementary schools, and other contractors will be invited to bid.

The Texarkana schools, like many others with large concentrations of low-income students, are plagued with dropout difficulties; almost 30% of their students don't graduate from high school. It's hoped that remedying their academic deficiencies—the idea being applied in all 10 anti-dropout projects—will help hold them in school. (The other projects, in cities including Seattle, Baltimore and St. Louis, employ more conventional educational approaches without industry involvement.)

"YOU BET YOUR SOCKS"

The bids for the Texarkana project will be opened next Monday. The winner will be selected by Sept. 10, and the operation is due to start by early December. So far, 17 companies have indicated they will bid, although some big companies are coy about their intentions for competitive reasons.

"You bet your socks we're interested in bidding; it's an out-and-out challenge to prove it can be done," declares Lloyd Dorsett, president of Dorsett Educational Systems in Norman, Okla. Some firms, like Mr. Dorsett's, manufacture their own teaching machines and are convinced they have the equipment to do the trick.

But other educational experts insist the task at Texarkana will be to pick from the welter of existing remedial education programs—developed for the Job Corps, the Armed Forces and others—those elements that will work best in a public school setting. "The most intelligent approach is to modify or use combinations of existing hardware and equipment," reasons James Gillis, president of Washington's Quality Educational Development Inc., another competitor.

In any case, planners figure that a private contractor will have greater freedom to innovate and may be more successful in motivating Texarkana students than the regular school system has been. One idea could be giving pupils extra time to goof off as a reward for work well done. Or, as an experiment, some students might be paid to take tests, a chore they have found distasteful.

The instruction will be provided at a separate "accelerated learning achievement center" in a now-vacant elementary school. The students will be bused from their regular classrooms during the school day to spend up to four hours at the learning center; the contractor will determine the exact amount of time.

All the pupils who will get remedial education are at least two grades behind standards for their age level in arithmetic and reading. It's believed the contractor can bring even the most deficient up to standard in a single year.

At first, 150 to 200 students in the 7th through 12th grades will be enrolled. But in 1971 the project will be expanded to include as many as 500 more students including those in the elementary grades. Catching laggards earlier could make dropout prevention easier and less expensive.

The aim is to develop a pattern of private industry-public school cooperation that could be applied elsewhere. School officials in New York City, Detroit, Chicago and Los Angeles are eager to sponsor similar projects.

But the Texarkana project could also prove the feasibility of contracting out part of the school curricula to private firms—in competition with regular public-school operations. This concept appeals to some parents who are convinced the schools are unresponsive to the needs of their children.

In fact, some education theorists insist that only by breaking the public school's "monopoly" on the teaching process will instruction be improved. Says James Hopkins, a professor of social relations at Johns Hopkins University: "The school would find it necessary to compete with the system's external contractors to provide better education, and the parent could, for the first time in education, have the full privileges of consumer's choice."

MOON LANDING SUNDAY SERMON

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. DUNCAN. Mr. Speaker, I would like to call to the attention of my colleagues an outstanding message delivered by the pastor, Rev. A. Hubert Rust, at Eastminister Presbyterian Church, Knoxville, Tenn.

This sermon on pride and humility is especially timely, and I recommend it to all readers of the RECORD:

MOON LANDING SUNDAY SERMON: WITH HONEST PRIDE AND SINCERE HUMILITY

"The tribune came and said to him, 'Tell me, are you a Roman citizen?' And he said, 'Yes.' The tribune answered, 'I bought this citizenship for a large sum.' Paul said, 'But I was born a citizen.' " Acts 22:27–28.

I wonder if you catch the sense of pride with which each of these men spoke of his Roman citizenship? Paul was a Roman citizen by virtue of his birth. On the other hand the tribune or chief captain had purchased his citizenship, no doubt with a great sum of money. Perhaps we wonder how a man like Paul could be proud of the Roman empire. Why should Paul at first a devout Jew, but now a Christian Jew, be proud of that pagan civilization? But I suppose every citizen of every country can be proud of his citizenship even though he may live in one of the poorest of governments, even though he may live under a most tyrannical government. In any event, there are always some virtues or qualities about which a citizen can take some satisfaction. Perhaps Paul, the Christian, took satisfaction in the fact there was a peculiar unity about the Roman Empire. There was also a general peace that prevailed throughout the Roman world at that time. There was also freedom of intercourse and travel. The network of Roman roads made it possible for Paul to travel with ease on his missionary journeys and preach the gospel of Jesus Christ. Thus Paul could be proud of his Roman citizenship without accepting Roman morals, without condoning its paganism, without bowing down in worship to the emperor, without yielding to its lustful and personality-degrading practices. Paul could say, "I am a Roman" with the mingled emotions of honest pride and sincere humility.

So it is that you and I can affirm "I am an American" and do so with honest pride and sincere humility.

Let me call your attention to just a few things in which we can take honest pride today:

1. We can certainly be proud of that great host of men and women who helped to make America great. Martin Luther once said, "The prosperity of a country depends not on the abundance of the revenues, nor on the beauty of its public buildings, nor on the strength of its fortifications; but it consists in the number of its cultivated citizens, its men of enlightment, education, and character. Here are to be found its true interests, its chief strength, its real power."

Our nation has had an ample share of great men and women. We can take honest pride in our founding fathers—men like George Washington, Benjamin Franklin, Thomas Jefferson, Abraham Lincoln. We can be proud of our inventors, musicians, and scientists—indeed all who have helped to make America what it is today. Certainly these men had their imperfections, their weaknesses, their short comings, but they have given us just cause for honest pride.

Roger Babson, the great economist, and statistician, who died just recently, was once asked why North America was so advanced and progressive and South America so backward and superstitious. He wisely answered, "North America was settled by men who came in search for God, while South America was settled by men who came in search for gold."

2. We can also be justly proud of the freedom that we have long enjoyed. By freedom I mean the kind that flows from obedience to God and His Son Jesus Christ, from willing subjection to law, from the discipline of self-control. I do not mean by freedom what so many have in mind today—license to do as you please, without any restrictions or obligations whatsoever.

Our American freedom is a rock upon which men took their stand and brought forth the Declaration of Independence, wrought out the Constitution of the United States, established a democratic government, opened up a continent to a liberty-loving people, and built great institutions of learning and religion, of culture and industry. Indeed years ago, John Quincy Adams said, "Posterity! you will never know how much it cost the present generation to preserve your freedom. I hope you will make good use of it. If you do not, I shall repent it in heaven that I ever took half the pains to preserve it." Let's be proud of American freedom! Let us do all we can as individuals to preserve for succeeding generations the freedom that we have long enjoyed.

3. Furthermore, we can be justly proud of the multitude of achievements made by our country. This land called America was a marvelous gift of God to liberty-loving men. Just think of it—in a little more than 350 years "this nation under God" has performed one of the most prodigious feats in history—transforming a bare wilderness into the richest and strongest nation of all time.

Today we need to look back at our history in retrospect and see where we began and how far we've come. We need to try to visualize the land as it was before the Colonists landed at Jamestown in 1607. We need to suffer with the Pilgrims during those early days at Plymouth. We need to follow the Colonists as decade after decade they conquered the natural obstacles and opened up the continental area from the Atlantic to the Pacific. Just think also of our space program and how far we have come in a comparatively short time. A few decades ago the idea of landing a man on the moon belonged to the realm of fantasy. But today, July 20, 1969, our prayers and interests follow our astronauts as they attempt landing on the moon and a safe return to earth. As we think of all our achievements, our great institutions, our industries, our scientists, our medical discoveries, our space program—of all the great progress that has been made—let us be justly proud, but let us also give due thanksgiving to God for His gracious providence and for the outpouring of His blessings on our nation. Let us remind ourselves of the exhortation of the Psalmist, "Except the Lord build the house, they labor in vain that build it." Psalm 127.1. Yes, like Paul, we can affirm "I am an American" with honest pride.

II

But like Paul a true patriot will bow his head in same and true repentance. Paul was proud of his Roman citizenship, but he was not proud of everything the Roman Empire stood for.

We cannot and we must not agree with Steven Decatur when he said, "Our country, may she always be in the right; but our country, right or wrong." That is not true patriotism. That is folly. A nation sins just like individuals, simply because of the reason that a nation is composed of many individuals. We cannot condone sin in our national life anymore than we can condone sin in our individual life. I believe that Paul was repentant for the sins and failures of Rome and he did everything that he could as an individual to help right those wrongs.

Today atheistic Communism poses as one of the greatest threats to the future of our country. We need to be aware of what Communism is and how it subtly and unscrupulously invades a nation and gradually destroys freedom and the rights of its citizens. Unquestionably, today Communism is the most diabolical threat to the security and freedom of our country from without.

Yet equally as diabolical and destructive are those forces eating away like a cancer at the very heart of America from within.

I wonder if Macauley, the British historian, was not more of a prophet than he realized. More than 100 years ago, in 1857, he wrote these words to an American friend, "Your Republic will be as fearfully plundered and laid waste by barbarians in the 20th century as the Roman Empire was in the 5th, with this variance, that the Huns and Vandals who ravaged the Roman Empire came from without, and that your Huns and Vandals will have been engendered within your own country by your own institutions."

1. We need to bow our heads in shame and with true repentance at the increasing crime rate within our country. Almost every year J. Edgar Hoover of the FBI shocks us with the statistics which show there has been an increase in crime rate over the previous years. The places where crime is prevalent do not always coincide with the slum areas either. In fact today many criminals and delinquents are coming out of our better, more well-to-do homes. Indeed wherever men cheat and defraud, whether in the school or in the shop, whether in sports or in the government; wherever men sell their honor for prestige or power or for money; wherever men degrade or cheapen their own bodies and defile the bodies of others by lust, immorality or drink, there crime prevails. And where is the neighborhood, the hamlet, the village, the town, the city in this great land of ours that does not display examples of gross crime?

2. We need to bow our heads in shame and with true repentance at the grave injustices that prevail in our country. Without a question the major internal problem in our national life today is the Civil Rights movement. The fact that this problem has become so widespread and prominent is evidence that gross injustices have been committed toward many in our minority groups. I am not advocating this morning equality for all, simply because we are not equal. I don't believe that God intended for us to be equal. Some people are born with a "silver spoon in their mouth," while others are born in poverty; some are born with strong and robust bodies, while others are born blind or deaf or mute, or with other other physical or mental deformity. Some are born with one talent, others with five talents, still others with ten. No, we are not equal. The Bible doesn't speak of equality, but it does speak of justice. The Bible is the most outspoken book in the world against the injustices of men. In the Old Testament this was one of the greatest sins the prophets condemned. Amos pleaded with his hearers, "Let justice roll down like water, and righteousness like an overflowing stream." (Amos 5:24.) And Micah exhorted, "He has showed thee, O man, what is good, and what does the Lord require of thee, but to do justly, to love mercy, and to walk humbly with thy God." (Micah 6:8.) While progress is being made in this field of human relations, we as individuals need to do what we can to deal justly, honestly, fairly and above all, in a Christlike manner with all men.

3. We need to bow our head in shame and with true repentance at our indifference and irresponsibility toward God, toward Jesus Christ, toward the church, and toward our fellowmen. It is a terrible thing not to care, not to feel a sense of responsibility or obligation. Too many of our citizens today are willing to accept the privileges and opportunities of our American citizenship and of Christianity without accepting corresponding responsibility and duties. Nations all around us have lost their freedom because of indifference and irresponsibility on the part of their people. It grieves me to hear many of our people say, "Oh, it can't happen here." But don't you believe it! It can happen here! Already we have lost many of our freedoms, and we are on the verge of losing others. We need to shout from the housetop, "America, for God's sake, wake up before it's too late!" "In God we trust" was a motto adopted by the fathers of our country in the days when we were a weak and struggling nation. The fathers felt the absolute necessity of trusting in a higher and greater power than themselves for the making and the preservation of the nation. But with the increase of wealth and prestige and power, there has come a corresponding decrease in the consciousness of our need for God. We trust in our national wealth, our great military power, our fame, our intellect, and God is all too often left out of the picture.

A true repentance on the part of the church and Christian people must include a rededication to the evangelistic task of the church, the Christian education of our people, a felt obligation to live by the Sermon on the Mount, and a desire to set a good example in personal Christian living. Our fathers carried America westward in her development, our scientists will carry America outward in space, but we Christians must lift America upward toward God!

Dr. Elton Trueblood in one of his books pleaded for Christians to face the world with a philosophy, a program, and a passion. We have the philosophy in the Gospel of Jesus Christ. Let us rediscover it. We have a program in that same Gospel—to preach and teach, and heal and redeem in the name of Jesus Christ. My concern is this—do we have the passion? Do we really love America as we claim? Do we really care about our fellowmen? And above all have we really devoted ourselves to the Lordship of Jesus Christ?

They tell me thou art rich, my country;
Gold in glittering flood has poured into they chest;
Thy flocks and herds increase, they barns are pressed
With harvest, and thy stores can hardly hold
Their merchandise; unending trains are rolled
Along thy network rails of East and West;
Thy factories and forges never rest;
Thou art enriched in all things bought and sold.

But dost thou prosper? Better news I crave.
O dearest country, is it well with thee?
Indeed, and is thy soul in health?
O nobler people, hearts more wisely brave,
and thoughts that lift men Godward, make them free—
These are prosperity and vital wealth.

—HENRY VAN DYKE.

AMAZING INHERITANCE FOR NEIL ARMSTRONG FROM UNKNOWN FRENCH WIDOW

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

AFTER THE MOON, WHAT?

The personal fortune of Mme. Anna Emilie Guzman, the somewhat eccentric widow of a wealthy French industrialist, is about to find a home. It has been held in trust since her death 78 years ago and, if all goes well, sometime this summer it will be awarded to the first man to set foot on the moon. That man, presumably, will be an American.

This oddest of all legacies, which amounted to 100,000 francs,[1] was entrusted to the Academy of Science of the Institute of France, to be awarded without distinction of nationality to the first scientist who will succeed in making personal contact with any heavenly body, excepting the planet Mars."

What Mme. Guzman had against Mars, no one knows. No matter. Man is not yet ready to journey to that or any other planet. But, incredible though it still seems to most of us, man is finally going to pay a personal visit to his planet's only satellite—the moon. His voyage, quite possibly, will be the most spectacular single event in mankind's history.

The United States has come a long way since that day in October 1957 when the Soviets shocked the world into the space age by firing Sputnik I into orbit around the earth. And the nation has spent an enormous amount of money—about $24 billion—to catch up. Right now, on the edge of accomplishment, seems an appropriate time to ask if it has been worth it and, more important, to question just how much more of our resources we should commit to the further exploration of space.

URBAN LAW

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. WOLFF. Mr. Speaker, from the expanse which bridges prenatal to post mortem events, we are faced with the consistent presence of the law. To some, this has given rise to the law's description as "a seamless web and a jealous mistress." Yet, few will deny that our system of laws and the lawyers who exercise its viability are essential for the maintenance of society.

Within the past few years, legal education has undergone a metamorphisis, an increased effort to bring our time honored laws into closer alinement with the immediate problems which face us. One area of specialization to spring from this is the field of urban law. Concentrating on the unique problems of city life—zoning laws, transportation problems, housing code violations and other matters—it stands as one of our most promising tools for reshaping and nurturing our cities.

Concurrently, the lawyers who direct their efforts and interests toward this speciality, represent a group of persons who will provide us with the help we need to insure that city dwellers and in effect, all citizens receive "equal justice under the law."

One of the many fine universities which is meeting the challenge of urban law is Washington University in St. Louis, Mo. Along with appropriate course work in this area, the law school publishes an Urban Law Review, which affords an exceptional vehicle for interpreting the law in terms of urban problems.

I have requested leave to extend my remarks in order to bring to my colleagues

[1] At the time this was about $20,000, a respectable fortune in those days. Over the years devaluation has reduced the value of the legacy to $290, not counting any interest that may have accrued.

attention this challenging new legal specialty which in my estimation offers tremendous potential for solving our present and likely future urban problems.

Mr. Speaker, I am also pleased to have the opportunity to bring the Urban Law Review of Washington University to my colleagues' attention since the 1969 editor-in-chief of the journal, Harold L. Sarner of Glen Head N.Y., is a resident of the Third Congressional District which I represent. Mr. Sarner, I feel, is an excellent example of the talented, bright, and dedicated persons who are focuing their efforts upon answering the crises of the city with more than just cynical indifference.

I believe that the law is a living thing. And in light of the development of urban law, I feel that we may have discovered a new source of life for our moribund cities.

INDIANA'S RURAL ELECTRIC COOPERATIVES MOVE AHEAD

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BRADEMAS. Mr. Speaker, I include at this point in the RECORD two editorials from the August 1969 Indiana Rural News which bear upon the continuing progress of the rural electric systems of the State of Indiana.

The editorials follow:

PRIDE IN ACCOMPLISHMENT

Indiana's REMCs, without exception, strongly endorsed and supported the action of their national association at its last annual meeting to provide for future financing of America's rural electric cooperatives. This was a most progressive step.

By an overwhelming vote of the nation's 1,000 rural system representatives, the decision was reached to establish an independent financing institution critically needed to meet growth capital requirements.

To be called the National Rural Utilities Cooperative Finance Corporation (CFC) its purpose is to provide urgently needed funds over and above the amounts anticipated annually from the Rural Electrification Administration.

The new institution will be funded by the rural electric systems from their own reserves. The amount each will invest will be based on an equalization formula that will be fair to all. The original capitalization is expected to be about $300-million, contributed over a 15-year period with half of the total amount coming in during the first three years.

Borrowers from the new financing institution will pay substantially higher interest than the prevailing rate from REA. This will open the way for attracting new capital from private sources and hopefully, tend to dampen the criticism that has been so unfairly heaped upon America's electric cooperatives because of REA's favorable interest charges.

The fact remains, however, that adequate REA financing is imperative for many of the member-owned systems to survive. They are serving the more sparsely settled rural areas, the rugged mountainous regions and the vast open plains where there are so few electric consumers revenue does not always meet expenses. To assure the continuity and the necessary expansion of this vital service to millions of rural people, low-interest REA financing must continue for the foreseeable future. The private power companies refused to serve such rural areas from the start and they have no commercial interest in them now.

America's rural electric cooperatives are to be commended for taking the initiative and demonstrating their capacity to design and implement a plan that will supplement the financing available from REA. At the same time they will be making it possible for REA to have more money available for the systems most in need of it.

It was the imagination, resourcefulness and dedication to the needs of Rural America that helped make a success of the cooperative rural electrification program during the past 34 years. These same qualities can be expected to assure the success of the new financing institution in the years ahead.

Indiana's REMC leaders are more than justified in their sense of pride over having been in the vanguard of the movement to establish America's first "rural electric bank" and for helping to make it a reality.

A CONTINUOUS JOB

The people of America's rural electric systems know their job is a continuous one. While they made the kerosene lamp a family heirloom in most rural homes, they know that some rural communities are still without dependable, pure water.

As rural America grows, rural communities face different needs. In one, it may be water . . . in another, houses or jobs. Across the nation, America's rural electric systems are helping to meet these needs. They are working in their community—they are committed to their community's progress and future.

THE PROGRESS REPORT ON THE PRESIDENT'S COMMISSION ON OBSCENITY AND PORNOGRAPHY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. ASHBROOK. Mr. President, anyone who has followed current events in the United States in recent years will concede that the American public is concerned with the increase of obscene and pornographic materials within our Nation today. Legislation and statements by Members of Congress, in addition to articles in the public press indicate that the problem is a very real one indeed. The recent establishment of a Presidential Commission on Obscenity and Pornography seemed to be a responsible first step in coming to grips with this increasingly grave problem.

As I have introduced legislation to combat this evil, I have followed the Commission's progress with great interest. Yesterday, I received in the office a progress report by the Commission which I perused with some misgivings. Having been informed some time ago that the General Counsel of the Commission was reported in the press to be a member of the executive board of the American Civil Liberties Union, and knowing that ACLU's position on obscenity is in essence that any literary or pictorial garbage is protected by the first amendment, I was doubly curious about the Commission's operation. If I remember correctly, the ACLU opposed the establishment of the Commission in years gone by, and for a member of this organization to hold such a key position on the Commission seemed to me to warrant future close scrutiny.

The progress report of the Commission has now been made public to the public and some questions concerning the Commission's operation so far have been raised by one of the Commission's members. Because many here in Congress have placed a great deal of reliance on the eventual findings of the Commission in our national effort to combat the proliferation of obscenity and pornography, all views, pro and con, concerning the effectiveness of the Commission's operation should be given serious consideration and corrective measures, if necessary, should be effected before the Commission goes out of existence. For this reason, I include the separate remarks of Commissioner Morton A. Hill, S.J., of the President's Commission on Obscenity and Pornography in the RECORD at this point:

SEPARATE REMARKS, COMMISSIONER MORTON A. HILL, S.J.

The foregoing report accurately and appropriately states that the Commission on Obscenity and Pornography has no recommendations to make at this time. It also states that it relates the directions in which the Commission is moving.

The report is not complete, however, because it does not record the vigorous dissent of Commissioner Hill, precisely on the subject of the direction in which the Commission is moving. It is becoming an "effects" commssion, and this is not what Congress intended.

Public Law 90–100 states, as reported here, "after a thorough study, *which shall include* a study of the causal relationship of such materials to anti-social behavior, to recommend advisable, appropriate, effective and constitutional means to deal effectively with such traffic in obscenity and pornography." Congress did not intend that the study of effects be the principal task of this Commission, and that all recommendations be contingent upon the results of this study. Congress did not mandate us to prove that there must be a "clear and present danger" of anti-social behavior before we make recommendations. Congress is concerned about the traffic in obscenity and pornography. Effects studies are only *one* of the tasks of the Commission.

Even a cursory examination of the foregoing report, and the amount of space devoted to the section on effects, as compared to other areas, indicates that the greatest proportion of the Commission's efforts is being expended on effects studies. The major portion of funds allocated to contract studies will be channeled into effects studies.

Now, behavioral scientists who have worked in this area concede that causal relationship is extremely difficult, if not impossible to prove.

If the Commission continues in the direction in which it is going, i.e., expending the major portion of effort and funds on effects studies and making recommendations contingent on these studies. It will come full circle, and the traffic in obscenity will continue to flow. It must be repeated: this is not what Congress intended.

Legal research is suffering because of the over-emphasis on effects studies. For example:

(1) The foregoing report states that obscenity statutes of the Federal Government and of the fifty (50) states have been assembled and are under review.

Congress mandated that analysis of these

laws and evaluation and recommendation of definitions be carried out with the aid of "leading constitutional law authorities." To my knowledge no "leading constitutional law authority" has been hired. In fact, the phrase itself was omitted, in the listing of Commission duties, from every draft of the foregoing report, including the final draft which was approved by the Commission on June 5. It was inserted as a "stylistic change," after these separate remarks were presented, at or after a subcommittee meeting convened June 23.

(2) The nagging problem of "utterly without redeeming social value" should be analyzed and studied. I maintain that this is not a constitutional standard, since it was the opinion of merely three justices and not of the Court majority. Yet, it is being applied in lower courts as a test and being adopted into the language of state statutes.

This is open to serious study, for this "utterly without redeeming social value" so-called "test" has led to an enormous increase in the traffic in pornography in all media. This question is not being thoroughly studied, and after six weeks of debate was included incidentally in the questionnaire to prosecutors. An oral commentary on the issue, delivered by a staff member at a legal panel meeting after my request for study, was based on the incorrect proposition that "utterly without redeeming social value" is a constitutional decision of the Court. I repeat, it is simply the opinion of three justices. Thorough analysis of this issue could lead to a re-definition of obscenity. However, the decision was made that re-definition should await "the outcome of our effects research."

(3) Reported "descriptive" reviews of activities of Post Office and Customs Departments are in actuality editorial-type articles written in law review article style, somewhat critical of both departments, and so of little objective assistance.

(4) In the area of traffic and distribution, which is a matter of intensive investigations as well as academic research; to my knowledge no investigators have been hired. One lawyer has joined the staff to work in this area.

(5) Public hearings have not been planned. Hearings would be invaluable, in the ascertainment of methods of distribution as well as in the ascertainment of community standards for legal research.

In general, I believe the foregoing report could be misleading, for it leaves the public with the impression that programs initiated are geared toward resolving the problem of the traffic in obscenity. A careful reading will show quite clearly that there is no program pointing in the direction of regulating this traffic. Of the three directions for additional effective legislative action pointed to, those dealing with obscene material and the adult community are in the areas of pandering and invasion of privacy. (Item (2) above makes one wonder if we are leaving open the possibility of other types of legislation). In other words, under the present chairmanship, the Commission appears to be moving toward permitting obscenity for adults, and therefore, will not provide constitutional "means to deal effectively with such traffic in obscenity and pornography." How can children be prevented from exposure if this situation prevails? With this in mind, I make the following recommendations:

1. That each commissioner, under the direction of the Chairman, with the aid of staff, undertake a personal content analysis of one area of obscene material, so that the entire Commission will be aware of the rapidly changing situation. The expertise of commissioners has not been adequately utilized in this area, and this could perhaps lead to re-definition.

2. That the Commission cut back on contract research into effects, and allocate—over and above staff and expenses—one-third of its appropriation to legal research, one-third to research and investigation into traffic and distribution and one-third into effects.

3. That the Commission retain leading constitutional law authorities to guide us as to how we can constitutionally present legislation to Congress which will reverse the mislabeled Supreme Court "test" of "utterly without redeeming social value." *Roth* is the only case (except for the recent *Stanley v. Georgia* decision on the invasion of privacy) in which a majority of the Supreme Court agreed. In that case, the Court said:

"The unconditional phrasing of the First Amendment was not intended to protect every utterance . . . All ideas . . . having even the slightest redeeming social importance have the full protection of the guarantee . . . but implicit in the First Amendment is the rejection of obscenity as utterly without redeeming social importance. This rejection for that reason is mirrored in the universal judgment that obscenity should be restrained, reflected in the international agreement of all 48 states, and in the 20 obscenity laws enacted by the Congress from 1842 to 1956. This is the same judgment expressed by this Court in *Chaplinsky v. New Hampshire* . . . There are certain well-defined and narrowly limited classes of speech, the prevention and punishment of which have never been thought to raise any Constitutional problem. These include the lewd and obscene . . . such utterances . . . are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and *morality* . . . We hold that obscenity is not within the area of constitutionally protected speech or press . . . The test (is): whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to the prurient interest."

Justice Clark, in a dissenting opinion in *Fanny Hill*, called the "utterly without redeeming social value" so-called "test" novel and noted that only three members of the Court held to it. He maintained that it rejects the basic holding of *Roth*.

4. That the Commission plan public hearings to assist in ascertaining methods employed in the distribution of obscene materials and exploring the nature and value of traffic; and, in ascertaining from the American public themselves, what community standards are.

5. That the Commission work diligently to recommend definitions of obscenity and pornography, as mandated by Congress in creating this Commission; noting particularly, that we are not restricted to the opinions of individual members of the Supreme Court, which are mistakenly called tests.

6. That the Commission work to recommend legislation when the above have been completed—not awaiting the results of effect studies which will be admittedly incomplete, undoubtedly inconclusive, and unnecessary under the *Roth* decision. In the matter of effects, the Court said in Roth:

"It is insisted that the constitutional guarantees are violated because convictions may be had without proof either that obscene material will perceptibly create a clear and present danger of anti-social conduct, or will probably induce its recipients to such conduct. But, in light of our holding that obscenity is not protected speech, the complete answer to this argument is in the holding of this Court in *Beauharnais v. Illinois* . . ." Libelous utterances not being within the area of constitutionally protected speech, it is unnecessary, either for us or from the the State Courts, to consider the issues behind the phrase 'clear and present danger.' Certainly no one would contend that obscene speech, for example, may be punished only upon a showing of such circumstances."

7. That the Commission move more practically to fulfill our mandate to "recommend such legislative, administrative, or other advisable and appropriate action . . . to regulate effectively the flow of such traffic, without in any way interfering with constitutional rights."

Failing action on these recommendations, it is difficult to see how the Commission, under its present leadership, can produce the results Congress intended. If the Commission continues in the direction in which it is now moving, it will simply propose laws on pandering, invasion of privacy and sales to minors. Congress does not need a Commission to recommend legislation of this sort. Such limited proposals will not "regulate effectively the flow of such traffic."

TRIBUTES TO CONGRESSMAN BATES COME FROM MANY SOURCES

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. CONTE. Mr. Speaker, in addition to those previously quoted, I wish to include in the RECORD several more of the tributes which have come from a wide range of sources, both in and outside of government, to the memory of our beloved colleague, the late Congressman William H. Bates of Massachusetts, a distinguished member of both the House Armed Services Committee and the Joint Committee on Atomic Energy.

Mostly in messages to Mrs. Bates, these include:

Glenn T. Seaborg, Chairman, U.S. Atomic Energy Commission:

On behalf of my fellow Commissioners and the staff of the Atomic Energy Commission, I must tell you of our sorrow over Bill's passing. We respected him, admired him, liked him, and now we will miss him so very much.

Bill was a splendid servant of the people and a gentleman. His death in the prime of life is a tragedy to the country, as it must be to you. We join in your bereavement.

Lt. Gen. Lewis B. Hershey, USA, Director of Selective Service:

Mrs. Hershey and I were grieved to learn of the death of your husband. For ourselves and on behalf of my staff, our profound sympathy is extended to you and the family.

The Nation is deeply indebted to him for the dedication and devotion to its safety and welfare which distinguished his career as a citizen and a leader of the Congress.

To all of us privileged to know him, his death is a deep personal loss.

Richard Helms, Director, Central Intelligence Agency:

The sense of loss which those of us who have known and admired Bill here in Washington share with you is not the kind of thing that can easily be put into words. But I do very much want you to know that Bill had, and always will have, a very special place in the hearts of those of us in CIA. His wisdom, integrity, understanding and goodwill are certain to be sorely missed in the days ahead, but you can be certain that they will not be forgotten by those who have been privileged to know and work with him in connection with some of the most critical issues of our time. I trust that the high standards of public office he set will serve as an example to those who follow.

Lt. Gen. Marshall S. Carter, USA, Director, National Security Agency:

I was distressed to learn of the tremendous loss you have suffered and wish to extend my deepest sympathy to you and your family.

I had the pleasure of enjoying a fairly close association with your husband over the past seven years, first during my years as Deputy Director of Central Intelligence and since then as Director of the National Security Agency. He earned my highest admiration and respect, both for his personal virtues and for his professional capabilities. I will always remember him warmly for his unfailing courtesy and objectivity and for his absolute integrity. It was truly a privilege to have known him.

Julian D. Steele, commissioner, Department of Community Affairs, Commonwealth of Massachusetts:

I wish to extend to you and your family my profound condolences on the passing of your husband, Bill. As a longtime friend of Bill Bates, I am deeply grieved and saddened by his untimely death after a long and courageous fight.

Bill's passing is an irreplaceable loss to his country, his state, and his constitutents whom he served so admirably as a U.S. Representative. His work as a public servant in Congress was in the finest tradition of the Bates family and of American patriotism. His devotion to duty and the national interest, his outstanding ability as a legislator, and his humane concern for the individual will long be remembered by his countrymen.

I personally have known Bill, as a public figure and a private citizen, for many years, shared with him a warm and cherished friendship, and relied upon his wise counsel. His loyalty, sincerity, integrity, and above all, his decency as a gentleman, will not soon be forgotten by me or by any person whose life was touched by Bill Bates.

Edward C. O'Keefe, president, Massachusetts Association for Retarded Children, Inc.:

On behalf of the Board of Directors and members of the Massachusetts Association for Retarded Children, as well as of myself personally, please accept our heartfelt expressions of condolence for the loss of your husband, Representative William H. Bates.

His disappearance from the political arena has deprived the citizens of Massachusetts of a dedicated, honest and forceful servant. However, his many and outstanding achievements in the service of the Commonwealth will continue to be an inspiration for all his fellow workers.

Therefore, allow us to share with you the sorrow you and your family are experiencing, and accept our sincere homage to his memory.

ATHLETE AND FRIEND

In his high school and college days, Bill Bates was a football star, and he always maintained an interest in sports. Golf was his principal participation sport during his nearly 20 years in Congress, but he followed football and baseball news closely.

Paul H. Mackesey, Alumni Office at Brown University, Representative Bates' alma mater, recalled Bill's college days when he wrote to Jean Bates:

The news of Bill's death was received with great sadness here on campus, and I send to you my personal sympathy as well as that of his classmates and of the many Brown Alumni who respected and admired him.

As a North Shore product myself and as one who played football at Brown, I came to know Bill as an undergraduate. The great ends of his team—Bates, Prodgers, Finklestein and Nash—will long remain a part of Brown's football history. But Bill will also be remembered as an honest, sincere and dedicated patriot and Congressman.

Hubert A. Schneider, president of Burning Tree Club, Bethesda, Md., said in his letter to Mrs. Bates:

Although many of us have personally expressed to you our profound grief and sympathy on Bill's death, I would like to record it officially on behalf of all members of Burning Tree.

Bill was one of our most cherished members. He brought to the Club a wit, a sense of companionship and fellowship, and a competitve spirit which was unmatched. Whenever he was in our midst his exuberance lifted all our spirits and made the day so much better for those who were fortunate enough to be in his company. We shall miss him terribly, but at the same time we are grateful that a Bill Bates once lived and played among us and that we were privileged to know him and enjoy his friendship.

Bill served with distinction on many important committees where his opinions and judgments, based upon a deep devotion to the best interests of the Club and its members, were greatly respected.

(Bill's picture in the Club) will now serve as a constant reminder of one of the finest men who ever graced the halls and fairways of Burning Tree.

Arch Macdonald, newscaster for WBZ–TV, Boston, wrote to Bill Bates' widow in much the same words he expressed on television on June 23:

Your husband was one of the finest and most able men I have ever known in government—and that covers a span of 30 years.

Bill was far more than a "news source" to me. I considered him a friend as well for whom I had affection and great respect.

The many tributes paid him by the great and less great alike indicate that myriads share your loss. But none of us can alleviate you beyond praying fervently for you. That I can and will do.

Again—my heartfelt sympathy. Your husband was not just a good man—he was one of the best. His goodness and love of fellow man remains alive so long as anyone he touched remains alive.

Anthony Cama, poet and feature writer for the Lynn, Mass., Sunday Post, printed this tribute on June 29, 1969:

WILLIAM H. BATES

This is a poetic eulogy to Congressman William H. Bates, dedicated, fearless, and valiant American who served his country with an indomitable will and a profound love. He truly was a "servant of the people" with a compassionate heart, an uplifting smile, and a spirit that shall ever be a living, memorable flame.

O, Valiant spirit, tranquil be your sleep
And restful be your soft, enduring flame.
You are now part of God's eternal deep
And blessed is your bright, courageous name!
To you the hero's wreath, the lance of light,
You loved and served your nation ever true.
The name of Bates shall star the spangled night,
You were a part of us and we of you.
God bless you, Bill, in your eternal rest!
You fought to keep this nation strong and free;
How many times you raised your valiant voice
To keep this land a torch of liberty,
The democratic dream; the people's choice.
This nation mourns your sad and anguished loss;
As through life's mortal gates you now depart.
To you, the fulgent crown, the sacred Cross,
As you return within God's loving heart.
God bless you, Bill, in your eternal rest!

—ANTHONY CAMA.

Another poetic tribute was this, by Laurence Burns of Swampscott, Mass., published in the Lynn, Mass., Daily Evening Item:

HON. WILLIAM H. BATES

The flag's half-staff, the mournful sound,
Is Gabriel's horn, and in Time's distant realm;
An airplane crash, his father gone,
A Navy man must rise to take the helm.

So there he was, in Congress' halls,
He helped his country find its way;
Through tangled paths, the leaders come,
They cannot bring him back, but pause to pray.

The many that he helped crowd 'round his bier,
His body's gently lowered in the fresh spring sod;
The sound of taps is gentle as a spirit freed,
The crowds disperse, he walks the distant paths with God.

—LAURENCE BURNS.

Mark Evans, vice president and director of public affairs for Metromedia, Inc., Wahington, D.C., wrote the following letter to the editor, The Evening News, Salem, Mass., Bill Bates' home city:

Feeling a sense of frustration, I am resorting to this means of contacting the Sixth District citizenry.

It has been my good fortune for the past 25 years to have a ringside seat to observe the workings of the Federal Government, both as a broadcaster and as a broadcast executive. I have seen men of stature come and go in political defeat and in death. I can honestly state that I have never known a finer American or a more dedicated human being than Congressman William Bates of Salem.

I have known him intimately for the past five years. I have seen him under most every circumstance. I have known him when the going was rough and when the going was smooth. I have seen him on the golf course; I have fished with him; I have watched him in the legislative halls. In those years and under all those circumstances, I have never known the man to say a mean thing about any other human being. I have never seen him angry. I have never heard him profane. I have never heard him tell an off-color story. I have never seen him take a drink or use tobacco. In short, I must confess this man was as near perfection as any man I have ever known.

The devotion and love he showed his wife and daughter were exceeded only by the devotion he showed for Salem, Massachusetts, New England and the country he served so well.

My purpose in writing is simply to thank the people of the Sixth District for sending such a man to the Congress of the United States for so many years.

REPORTS FROM WASHINGTON

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. ROYBAL. Mr. Speaker, one of the key responsibilities of a Member of Congress is to keep his constituents fully informed on his activities on their behalf in the Nation's Capital.

For that reason, I would like to include in the RECORD at this point the text of my 20th Report From Washington to the residents of California's 30th Congressional District.

In addition to this series of regular reports, I have also sent out 14 special reports to cover some of the more significant events and legislative issues considered by Congress, which are of particular interest to the citizens of our Metropolitan Los Angeles area.

REPORTS FROM WASHINGTON

VETERANS COMMITTEE

I was honored to receive a second major legislative assignment in Congress this year as a member of the important House Committee on Veterans' Affairs.

This appointment is in addition to my work on the House Foreign Affairs Committee, and will provide an opportunity to be of service to California's nearly 3 million veterans—more than any other state in the Nation.

In fact, almost 50 percent of our citizens are affected, either directly, or indirectly, by activities of the Veterans Committee in such fields as veterans housing, education and training programs; VA hospitals and medical care; GI insurance; compensation and vocational rehabilitation; and veterans pensions.

I believe America has a time-honored national commitment to attempt to repay, at least in some small measure, the tremendous personal sacrifices made by our veterans to help protect and preserve the sacred freedoms we all enjoy.

WELFARE REFORM

One of the most important domestic issues facing the country today is the urgent need for reform and revision in our public assistance programs.

For that reason, I am hoping for early Congressional action on my bill, H.R. 11044, to relieve state and local taxpayers of the major financial burden of supporting the country's fast-growing welfare programs (including aid to the aged, blind, disabled, and families with dependent children; medicaid; as well as emergency assistance and local administrative expenses) by providing for 90% federal funding, while establishing uniform national standards for minimum benefits to apply across-the-board in all fifty states.

In endorsing H.R. 11044, Los Angeles County Aid Director Ellis Murphy said, "In view of the recent Supreme Court decision eliminating residence requirements for welfare, national standards become imperative.

"Ninety percent federal funding would mean a saving to Los Angeles County property taxpayers of more than $84 million annually, equal to a 46 cent decrease in the tax rate. At a time when increasing taxes place more and more of a burden on the property owner, this reduction would be especially welcome."

HOUSE APPROVES ROYBAL ANTICRIME BILL

By a record vote of 343 to 18, the House of Representatives passed legislation, which I co-authored, to create a select committee to conduct a thorough investigation and study all aspects of the growing crime crisis in the United States.

I believe this action clearly shows a deep Congressional concern for controlling and preventing crime in our cities; for improving the effectiveness of local law enforcement; for making it safe for all citizens to walk without fear in the nation's streets; and for creating in America a good place in which to live and raise a family.

SENIOR CITIZENS

With Senator Ralph Yarborough of Texas and a Committee aide at legislative field hearings held in Los Angeles to find ways of improving the effectiveness of federal programs designed to benefit America's senior citizens.

A suggestion made by several witnesses was to try to expand the number of worthwhile opportunities for older persons to continue to serve their fellow men during retirement years.

For instance, it was pointed out, the Peace Corps is now looking for retired teachers for placement in the developing countries overseas. Teachers are held in great respect in these countries, for they realize that education holds the key to their future progress. Interested and qualified persons, willing to accept the challenge of a new language, new people, a new part of the world, should contact the Los Angeles Peace Corps office on 666-8023.

PAY TV

During the last several weeks I have received many cards, letters, and petitions signed by thousands of constituents in the 30th District who are deeply concerned by the possible harmful effects of subscription, or Pay TV, on our present "free" commercial television system, on the nation's movie theater industry, as well as on a large segment of the American television viewing public.

Opponents of subscription TV claim it will be in such a strong financial position that it will gradually siphon-off most of the better television talent and programming, and virtually monopolize coverage of major college and professional sports "special events."

This could severely reduce the quality of free broadcast entertainment available to viewers without charge; threaten the economic survival of regular commercial television stations; unfairly compete with neighborhood movie theaters by showing first-run feature films; and discriminate against a substantial percentage of our population—including millions of lower-income and elderly citizens—who may not be able to afford to watch Pay TV.

I certainly share the concern expressed on this matter, and because of the seriousness of the allegations made, as well as the important public policy questions involved, I believe Congress should have an opportunity to review the entire problem thoroughly.

For that reason, I have urged the House Commerce Committee, which has legislative jurisdiction in this area, to conduct an in-depth and impartial investigation of all aspects of this complex issue, so it can recommend appropriate Congressional action to resolve the many outstanding questions in a satisfactory and equitable fashion.

I'll keep you informed of further developments on this subject.

SUPERIOR AWARD

Congratulating Mr. Santos A. Sandoval of Los Angeles on receiving a Superior Performance Award from the U.S. Department of Agriculture for his outstanding work in improving the effectiveness of the Food Stamp Program in the County—with special recognition for his personal initiative and ability to establish and maintain good communications with Spanish speaking residents.

Congress is placing more emphasis on the Food Stamp Program this year as one of the best ways of fighting poverty and improving the quality of life in America's urban centers.

TRUTH-IN-LENDING

The cost disclosure provisions of the Truth-in-Lending Act, which I co-sponsored, have just gone into effect.

This landmark consumer interest legislation bans hidden finance charges, and helps protect the Nation's private borrowers from deception and fraud by requiring loan companies, banks, savings and loan associations, department stores, credit card firms, auto dealers, mortgage brokers, and retail merchants to make disclosures of total credit costs and annual interest rates on cash loans, revolving accounts, and other forms of consumer credit and installment purchase contracts.

The new law assures that complete, honest and comparable information on credit costs will be provided in every transaction, and allows the borrower to compare the cost of credit among various lenders, and shop around for the best buy.

SERVICE ACADEMY EXAMS

I am again asking all young men from the 30th District who are interested in competing for 1970 nominations to the Air Force, Naval, Military or Merchant Marine Academies to plan to take the U.S. Civil Service Commission's special Academy Designation Exam scheduled to be given in Los Angeles several times this summer and fall. For more information, contact our District office on 688-4870.

WELCOME TO A NEWLY-ARRIVED ORPHAN

I was happy to greet Mr. and Mrs. Denney Jung of Los Angeles when they visited our District Office, and to extend my personal welcome to their 11-year-old orphaned nephew on his recent arrival in the United States.

The Jungs had tried for several years to establish sufficient documentary evidence to enable them to adopt their nephew and to comply with the strict requirements of the U.S. Immigration Laws to bring him to America as a member of their family.

It was a pleasure for me to be able to help out in this effort, and play at least a small part in making this long-awaited family reunion possible.

CLEAN AIR VICTORY

Recent federal approval of California's request to strengthen our pioneering auto-smog air pollution control regulations, and to enforce stricter motor vehicle emission standards than those in the other 49 states, was a tremendous victory for the cause of clean air in the Golden State.

By implementing the "California Amendment" to the Federal Air Quality Act, this action carries out the intent of Congress to organize a truly national program to eliminate the dangerous impurities in the air we breathe, and to create the kind of clean, wholesome atmosphere we want for ourselves and for our children.

AT YOUR SERVICE

The members of my Congressional office staff in Washington, as well as those in our Los Angeles District Office, are anxious to help you in any way they can. Please continue to make full use of the many services available through our offices by contacting us whenever you feel we can be of personal assistance.

EDUCATION

Discussing the House-passed Elementary & Secondary Education Act with National Education Association President George Fischer.

I agree with the position of the education community and deeply appreciate its strong support for more significant federal efforts to expand educational opportunities, as a solid investment in the future of our country.

Such federal assistance is of vital importance to our larger metropolitan urban school districts, like Los Angeles, where the ever-increasing demand for more schools and teachers has placed a severe strain on existing sources of state and local tax revenues.

INTERNATIONAL DRUG SMUGGLING

At a recent hearing in San Diego of the Congressional Ad Hoc Committee investigating the growing illegal drug traffic across the United States—Mexico Border into California, I was surprised to learn that upwards of 90 percent of the narcotics and dangerous drugs—such as amphetamines, barbiturates and LSD—which are smuggled in across the border, are actually made right here in this country by well-known U.S. pharmaceutical firms.

Inadequate American controls on manufacturing and export sales are responsible for these dangerous drugs being diverted from legitimate international trade channels into an ever-increasing flow of clandestine traffic brought back into California and the other border states—and contributing greatly

to the rising rate of domestic crime and juvenile delinquency.

To help meet this problem, I have introduced two bills in Congress, one to provide a 50 percent increase in the number of Customs agents assigned to border ports-of-entry, the other calling for a comprehensive year-long study of means to improve our effectiveness in combating these illicit drug imports.

In addition, I believe it is imperative that some kind of export licensing system for U.S. drug firms be devised requiring that such drugs be shipped under government bond, as alcohol shipments are now—so there would be strict inspections control, and a complete record kept of each export sale made.

Of course, industry self-policing would be preferable, but if this procedure does not work, I believe Congress will be forced to take affirmative action to protect the interest of citizens on both sides of the border.

Finally, it is vital that an effective teamwork approach to law enforcement be developed in our border areas. This can be done by establishing an official U.S.-Mexico bilateral organization to strengthen and coordinate the battle against the international narcotics traffic—to the mutual benefit of our two "good neighbor" countries.

CAPTIVE NATIONS

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. FEIGHAN. Mr. Speaker, Americans are among the most fortunate people in the world. We are free.

Yet this heritage of national independence—which we too often take for granted—is denied to millions of the world's population: the people who are being held captive behind the Iron Curtain.

The Russian invasion of Czechoslovakia in August of 1968 and the continuing military occupation has served as a grim reminder of the suppression of the people of the Communist-controlled countries of central and Eastern Europe, including those in the once-free Republics within the Soviet Union, and of their heroic struggle for freedom. These self-determined people have been forcibly separated from the atmosphere of progress which prevails in Western Europe. They have been denied free access to the ideas which represent this progress.

Yet they are our allies. They seek our support to help them achieve freedom from the tyranny which has been imposed upon them by subversion, terror, and military force. Their goals are the same as ours: liberty and national independence.

For these captive peoples to remain our allies, it is essential that the citizens of the United States, along with those of the other free nations of the world, provide their moral support and encouragement. We must keep alive the aspirations of these people by showing our concern for their current plight and by strengthening our alliance with them. The observance of Captive Nations Week each year is one such expression of our support for these suppressed people.

A large number of the citizens of my district have family ties with many of the captive nations. They understand the struggle of their friends and relatives for freedom. It is my sincere desire that Americans everywhere would share this understanding, for, without it, we may never realize our ultimate goal on earth: a family of nations dedicated to world justice and peace.

IMPRISONED AMERICANS IN NORTH VIETNAM

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. ROGERS of Florida. Mr. Speaker, recently I received a letter from the wife of an Air Force major who was shot down over North Vietnam over 4 years ago. This letter informed me that a group of wives and parents of POW's have joined together for mutual sharing of sympathy and action in having their loved ones returned to them. This group, calling itself the Association of Wives and Families of Captured and Missing American Military Men, is urging stronger efforts be made toward getting our servicemen out of enemy hands and reunited with their families.

I heartily concur and sympathize with the activities of this organization. Greater energy must be expended in retrieving these men who have fought bravely for the United States and now live under enemy subjugation, seemingly forgotten by their own countrymen. Just a few weeks ago, three American war prisoners were released by the North Vietnamese. This act is certainly commendable, but when one realizes that there are an indefinite number of between 300 and 1,000 Americans still under enemy control, it becomes only a token effort.

Along with the "toughening up" at the Paris peace talks, should not the Government be demanding that the North Vietnamese abide by the Geneva Convention? These internationally acknowledged regulations call for inspection of all POW camps by the Red Cross. The inspections, which insure the humane treatment of all captives, have been refused by North Vietnam. Mail transfers in and out of the camps have also not been allowed by the North. Heavy pressure should be put on its allies to influence Ho Chi Minh to end his irresponsible actions. More prisoner exchanges should be negotiated. In the thousands of Vietcong and North Vietnamese prisoners we hold, surely the North feels some valuable enough to trade. The United Nations should be encouraged to renew efforts in this area.

For weeks, months, and years these American women and families have waited anxiously for word and feared for the safety of their captured relatives. It is time something is done by the Government of the United States.

FIVE BILLS INTRODUCED TO SHARE COSTS BORNE BY STATE AND LOCAL GOVERNMENT

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. FRASER. Mr. Speaker, I have introduced today five bills to provide Federal funds for sharing the costs borne by State and local government. This assistance is in addition to all other Federal aid.

We have long known that most units of local government have nearly exhausted the sources of tax revenue available to them. They must put greatest reliance on the property tax at the local level, but the property tax is most regressive and fails to provide a tax base that would grow with the growing needs for local government services.

Most State governments are also trying hard to raise the funds necessary to provide education, welfare, health, natural resource, and other services needed from them. The sales tax and State income tax have both been adopted by most States, but revenues cannot keep up with the urgent needs of our people.

The State and local government assistance acts I have introduced will let the Congress examine carefully the ability of each level of government to provide services and the need for a greater share being borne by the Federal Government. The five bills are:

H.R. 13531: The Education Assistance Act of 1970, which has been referred to the Committee on Education and Labor;

H.R. 13532: The Public Safety Assistance Act of 1970, which has been referred to the Committee on the Judiciary;

H.R. 13533: The Public Works and Sanitation Assistance Act of 1970, which has been referred to the Committee on Public Works;

H.R. 13534: The General Government Assistance Act of 1970, which has been referred to the Committee on Ways and Means; and

H.R. 13535: The Health, Welfare, and Recreation Assistance Act of 1970, which has been referred to the Committee on Ways and Means.

Each bill authorizes an appropriation in an amount roughly equal to 5 percent of the total State and local expenditures for that function of government, as reported in the Census Bureau report, "Governmental Finances in 1966–67." The bills are worded to permit the authorization to increase each year as the expenditures at the State and local level increase. The initial authorizations are as follows:

Education Assistance Act of 1970, $2 billion; Public Safety Assistance Act of 1970, $250 million; Public Works and Sanitation Assistance Act of 1970, $950 million; General Government Assistance Act of 1970, $750 million; and Health, Welfare, and Recreation Assistance Act of 1970, $800 million.

Mr. Speaker, it is time for us to give serious thought to these bills as new ways of sharing the heavy burden now being

carried by our cities and villages, our county, school board, and State governments.

STATE OF CALIFORNIA BRINGS SUIT AGAINST CAR DEALER CHARGED WITH TAKING ADVANTAGE OF SERVICEMEN

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. MINISH. Mr. Speaker, in August of 1966, I headed a special subcommittee of the Domestic Finance Subcommittee of the House Banking and Currency Committee that conducted hearings in Newark, N.J., into the problems faced by servicemen when they borrow money or make large purchases.

One of the operations that the subcommittee looked into at that time was Kardon Chevrolet of Mount Holly, N.J., and Kardon Motors of Vallejo, Calif. The subcommittee was told that Kardon Chevrolet was responsible for more complaints at the Judge Advocate's office at McGuire Air Force Base than any other car dealer.

The subcommittee was told of a number of ways in which Kardon Chevrolet took advantage of servicemen.

A representative of the Better Business Bureau of South Jersey informed the committee that his office had received more complaints against Kardon Chevrolet than any other car dealer in the south Jersey area.

The better business bureau representative told the committee:

> Because of our experience with this company, we were forced to issue a "proceed with extreme caution" warning to all inquirers and we suggested to them that they might consider having legal advice prior to signing a contract and that they should determine absolutely if the car they contemplated purchasing was to be listed as new or used; and that the price being paid be compared with prices charged at other dealerships for comparable automobiles.
>
> On a few occasions, we shopped various advertisements of this company, picking out autos which seemed to be unusually low priced. Generally, these "bargains" were not available and the usual excuse was that it had been sold.

Mr. Speaker, following the hearings, Mr. Michael Kardon, the principal stockholder of both the New Jersey and California operations, steadfastly denied that his company had been engaged in any wrongdoing. On a number of occasions, Mr. Kardon and his representatives maintained that if any serviceman had been taken advantage of, it was done by former employees whose employment had since been terminated.

Last week, the attorney general of California filed suit in the Superior Court of the State of California for the County of Solano against Kardon Motors, Inc., Kardon Chevrolet, Michael Kardon, and the president and other directors and officers of the California operation. In the suit the people of the State of California seek an injunction, civil penalties, and punitive damages against the Kardon operations. The complaint asks for $2,500 penalty for each violation of the laws prohibiting false and misleading representations and punitive damages in the amount of $200,000. The court was also asked to order Kardon to set aside funds for customers to make claims against if they could show they have been defrauded. A press release prepared by the Department of Justice of the State of California outlines the various ways in which Kardon operates.

In his continuing effort to protect American servicemen against consumer fraud, Attorney General Thomas C. Lynch today moved to halt the operations of Kardon Motors, Inc., of Vallejo.

In a complaint filed in Solano County superior court, the attorney general seeks an injunction, civil penalties, and punitive damages against Kardon and its president, Murrell N. Woolman.

Lynch said that although the firm advertises in local newspapers for sale to the general public, the bulk of its advertising and operation is geared to the large market of servicemen stationed throughout the world.

Kardon Motors is owned by Kardon Chevrolet, Inc., of New Jersey, with branches in Japan and Germany.

Full page ads are regularly run in the Air Force Times, Army Times, and Navy Times, which are circulated wherever American servicemen are stationed, the attorney general reported.

Both Kardon firms are located near the largest embarkation and arrival points of Air Force and Army personnel—Travis Air Force Base and Oakland Army Terminal in California, and McGuire Air Force Base, Fort Dix, N.J.

Lynch said that while still overseas the servicemen are induced to make monthly deposits on new and used automobiles on which they will take possession when arriving home.

Overseas salesmen for Kardon, the attorney general added, actively solicit deposits from servicemen, promising "big military discounts," availability of thousands of new and used cars, "free transportation from arrival terminal to Kardon," "free motels" while taking delivery, "low bank rates" and "no money down."

Lynch said that in particular, Kardon "baited" servicemen with ads of very low prices on specific cars that had in fact already been sold.

The attorney general said:

> For example, Kardon on February 26, 1969 advertised for sale in the Air Force Times a 1967 Buick for $1,949 which had already been sold in December for $3,100. In the newspaper in July of 1969, a 1968 Plymouth was priced at $2,899 which in fact had been sold in June for $3,022.
>
> Such incidents can be cited by the hundred.

John C. Porter, deputy attorney general who filed the action, said that to further encourage deposits by impressing the overseas servicemen with the vast selection of cars available to them, Kardon ran an ad showing an aerial view of an enormous car lot holding several hundred autos.

The ad read, "Twenty minutes from Travis Air Force Base and Oakland Army Terminal." However, said Porter, the lot depicted in the ad is in New Jersey, not Vallejo.

Also, he said, the free transportation and motel accommodations were paid by the customer out of the difference between the advertised and the actual selling price.

Various methods of denying the serviceman the specific car on which he made a deposit and switching him to another car were accomplished by the following, according to the complaint:

First. Telling the serviceman the car on which he made a deposit had already been sold, or that his deposit had not been received soon enough.

Second. Telling the serviceman that the car needed repair work and was removed from the lot and was not available.

Third. Telling the serviceman that he did not qualify for the financing for the particular car selected.

In each case, Kardon would try to switch the serviceman to the purchase of an automobile on which the firm would realize an exorbitant profit at amounts grossly over the amount advertised.

Attorney General Lynch said:

> The sad part of this highly successful fraudulent scheme was the taking advantage of the returning serviceman's eagerness to return home to or with his family, his unfamiliarity with actual prevailing prices, his inability to do comparative shopping due to a tight travel schedule.
>
> In addition, the serviceman finds himself without transportation once he has arrived at Kardons, plus concern over retention of his deposit, and many other means and methods designed to and intended to coerce the serviceman into the purchase of a car he didn't order, and at an exorbitant price.
>
> The investigation of the scheme and evidence gathered was initiated by the Department of Motor Vehicles. The department performed a superb job.

The complaint, prepared by Deputy Attorney General James R. McCall, seeks a $2,500 penalty for each violation of the laws prohibiting false or misleading representation, and punitive damages in the amount of $200,000.

In addition, the court will be requested to order Kardon to set aside funds for customers to make claims against if they can show they have been defrauded.

Mr. Speaker, it should also be noted that Kardon Chevrolet and Kardon Motors, in late 1968, agreed to "assurance of voluntary compliance" with the Federal Trade Commission in which they agreed not to engage in certain advertising and sales practices.

Mr. Speaker, Mr. Kardon has complained that he has not had an opportunity to tell his side of the story and to prove his innocence. The action by the State of California will give Mr. Kardon an opportunity to fully present his case before an impartial body.

I am including in my remarks today a copy of the California action as well as a copy of the Federal Trade Commission's assurance of voluntary compliance involving Kardon:

[In the Superior Court of the State of California for the County of Solano]

PEOPLE OF THE STATE OF CALIFORNIA, PLAINTIFF(S) V. KARDON MOTORS, INC., A CALIFORNIA CORPORATION; KARDON CHEVROLET, INC., A NEW JERSEY CORPORATION; MICHAEL M. KARDON; MURRELL N. WOOLMAN; BETTY ANN MECREDY; JEROME LIPMAN; CHARLES GREENBURG; AND DOES I THROUGH XXX, DEFENDANT(S)—SUMMONS

The people of the State of California to the above named Defendant(s):

You are directed to file with the clerk of this court in which the above entitled action is brought a written pleading in response to the complaint within ten days after the service on you of this summons, if served within the above named county, or within thirty days if served elsewhere (except that if the action is against the state pursuant to Section 738.5 of the Code of Civil Procedure, within 180 days). You are notified that unless you so file a written responsive pleading, the plaintiff(s) will take judgment for any money or damages demanded in the complaint, as arising upon contract, or will apply to the court for any other relief demanded in the complaint.

You may seek the advice of an attorney on any matter connected with the complaint or this summons. Such attorney should be consulted within the time limit stated in this summons for filing a written pleading to the complaint.

NEIL CRAWFORD,
County Clerk.

[In the Superior Court of the State of California for the County of Solano]

PEOPLE OF THE STATE OF CALIFORNIA, PLAINTIFF, V. KARDON MOTORS, INC., A CALIFORNIA CORPORATION; KARDON CHEVROLET, INC., A NEW JERSEY CORPORATION; MICHAEL M. KARDON; MURRELL N. WOOLMAN; BETTY ANN MECREDY; JEROME LIPMAN; CHARLES GREENBURG; AND DOES I THROUGH XXX, DEFENDANTS

(Complaint for injunction, civil penalties, punitive damages and other relief)

The People of the State of California, by and through Thomas C. Lynch, Attorney General of California, and E. Glynn Stanley, District Attorney of Solano County, State of California, allege:

FIRST CAUSE OF ACTION

Jurisdiction and venue

I

Thomas C. Lynch, as Attorney General of the State of California, and E. Glynn Stanley, District Attorney of Solano County, acting to protect the public as consumers and as competitors from deception, fraud and misrepresentation, and unlawful, unfair and fraudulent business practices, bring this action in the public interest in the name of the People of the State of California.

II

The Attorney General's authority to bring this action is derived from each of two sources:

(a) From the common law of the State of California, as chief law officer of the state (Cal. Const. art V, Sec. 21), and as head of the Department of Justice (Gov. Code secs. 15000–01).

(b) From the statutory law of the State of California, specifically Civil Code section 3369(5).

The District Attorney's authority is derived from Civil Code section 3369(5).

III

Defendants transact business within the County of Solano and the violations of law herein described have been and are now being carried out wholly or in part within the County of Solano. The acts of defendants, and each of them, jointly and severally as set out below are in violation of the laws and public policy of the State of California and are inimical to the rights and interest of the general public as consumers and to their competitors.

IV

Defendant Kardon Motors, Inc., is a California corporation with its principal place of business in the County of Solano, State of California. It is owned and controlled by Kardon Chevrolet, Inc., a New Jersey corporation, whose principal place of business is at Mt. Holly, New Jersey. Defendant Kardon Chevrolet and/or Michael Kardon, however, does business in California in that Kardon Motors, Inc., is merely the alter ego of Michael Kardon and/or Kardon Chevrolet and they exercise complete control of their California subject and exercise all of its corporate powers, controlling its advertising, its personnel and policies. Defendant Michael Kardon is the sole stockholder of Kardon Motors, Inc., and that Kardon Motors, Inc., and Kardon Chevrolet are operated as a unit and failure to recognize that Kardon Motors Inc., is the alter ego of Michael Kardon and/or Kardon Chevrolet will promote fraud and injustice upon the People of the State of California.

V

Defendant Michael M. Kardon, at all times mentioned herein, is the president of Kardon Chevrolet, Inc., a New Jersey corporation, and a director and the sole stockholder of Kardon Motors, Inc., a California corporation, and in those capacities has conducted, managed and operated the business of both corporate defendants.

VI

Defendant Murrell N. Woolman, at all times mentioned herein, is the president and treasurer of Kardon Motors, Inc., a California corporation, and in that capacity has conducted, managed and operated the business of said corporate defendant.

VII

Defendant Betty Ann Mecredy, at all times mentioned herein, was and now is the secretary of defendant Kardon Motors, Inc., a California corporation.

VIII

Defendants Jerome Lipman and Charles Greenburg, at all times mentioned herein, were and now are directors of defendant Kardon Motors, Inc., a California corporation.

IX

The true names and capacities, whether individual, corporate, associate or otherwise of defendants named herein as Does One through Thirty, inclusive, are unknown to plaintiff, who therefore sues said defendants by such fictitious names. Plaintiff will seek leave to amend this complaint to show their true names and capacities when the same have been ascertained.

X

Plaintiff is informed and believes and therefore alleges that each of the defendants designated herein as Does One through Thirty have acted in concert with the named defendants or have acted in some other manner to carry out the unlawful acts complained of herein.

XI

Whenever in this complaint reference is made to any act of defendants Kardon Motors, Inc., and Kardon Chevrolet, Inc., such allegations shall be deemed to mean that the officers, directors, agents and employees of said defendants did or authorized such acts while actively engaged in the management, direction, or control of the affairs of said corporate defendants, and while acting within the course and scope of their employment.

XII

Whenever in this complaint reference is made to any act of defendants, such allegation shall be deemed to mean the act of each defendant acting individually, jointly and severally.

Nature of business involved

XIII

The two corporate defendants are engaged in the sale of new and used cars at the respective locations named above. In addition, they maintain branches in Japan and Germany. Although they advertise in the local newspapers for sale to the general public in Solano County and the State of New Jersey, the largest part of their advertising and operation is geared to the large market of American servicemen stationed throughout the world. Full page ads, similar to Exhibits A, B, and C, are regularly run in the Air Force Times, Army Times and Navy Times, which are circulated wherever American servicemen are stationed. They describe themselves as the "largest military dealer." Both are located in close proximity to the largest embarkation and arrival points of Air Force and Army personnel at Travis Air Force Base and Oakland Army Terminal on the West Coast, and McGuire Air Force Base in Fort Dix, New Jersey, on the East Coast. Through their advertisements circulated throughout the world where American servicemen are stationed they attract servicemen to their places of business by various means more particularly described below which are intended to and do create the impression that the serviceman can obtain much greater savings through defendants than through their competitors. The servicemen are induced while still overseas to make monthly deposits on new and used automobiles on which they will take possession when arriving home. Overseas salesmen for Kardon also actively solicit deposits from servicemen at various places in Europe and Asia wherever American servicemen are stationed. "Big Military Discounts," availability of "thousands" of cars, new and used, "all makes and models," "free transportation from arrival terminal to Kardon," "free motels" while taking delivery, "low bank rates" and "no money down" are all promised in order to obtain deposits and otherwise commit the servicemen to come to Kardon to make a purchase.

Offenses charged

XIV

Beginning at an exact date unknown to plaintiff but at least since September 27, 1965 and continuing to the present date, defendants, individually and severally, and each in conspiracy with the others, engaged in a pattern of conduct contrary to public policy and in violation of the laws of the State of California with the intent of inducing members of the public and servicemen in particular to purchase their new and used automobiles and to enter into conditional sales contracts for the purchase of defendants' automobiles. In so doing defendants performed repeated and frequent acts of false and misleading advertisements and other representations all made unlawful and prohibited by Business and Professions Code section 17500 and Vehicle Code section 11713.

In particular, defendants "baited" the servicemen with advertisements of very low prices on specified automobiles that had in fact already been sold for much higher prices.

A. Defendants did on February 26, 1969, advertise for sale in the Air Force Times newspaper, a 1967 Buick, I.D. #444657 H2106935, for the price of $1949 which in fact had already been sold on December 2, 1968 for the price of $3100, or $1151 more than the advertised price. ("Price" as hereinafter alleged means the selling price exclusive of sales tax, vehicle license fees, insurance premiums, financing charges, and after consideration of any alleged discount.)

B. Defendants did on July 2, 1969, advertise for sale in the Air Force Times newspaper, a 1968 Plymouth, I.D. #PL45C8D155-944, for the price of $2,899 which in fact had already been sold on June 27, 1969 for the price of $3,022, or $123 more than the advertised price.

C. Defendants did on December 18, 1968, advertise for sale in the Air Force Times newspaper, a 1967 Ford, I.D. #7J74H137549, for the price of $2,299 which in fact had already been sold on December 14, 1968 for the price of $2,895, or $596 more than the advertised price.

D. Defendants did on December 18, 1968, advertise for sale in the Air Force Times newspaper, a 1966 Chevrolet, I.D. #156696J-283302, for the price of $1,099 which in fact had already been sold on December 9, 1968 for the price of $1,675, or $576 more than the advertised price.

E. Defendants did on December 18, 1968, advertise for sale in the Air Force Times newspaper, a 1967 Chevrolet, I.D. # 156117L-110563, for the price of $1,349 which in fact had already been sold on December 2, 1968 for the price of $2,175, or $826 more than the advertised price.

F. Defendants did on December 18, 1968, advertise for sale in the Air Force Times newspaper, a 1967 Chevrolet, I.D. # 156697C-192107, for the price of $1,399 which in fact had already been sold on November 26, 1968 for the price of $2,125, or $726 more than the advertised price.

G. Defendants did on October 30, 1968, advertise for sale in the Army Times newspaper, a 1962 Plymouth, I.D. # 2225135198, for the price of $249 which in fact had already been sold on August 26, 1968 for the price of $654, or $405 more than the advertised price.

H. Defendants did on October 30, 1968, advertise for sale in the Army Times Newspaper, a 1964 Chevrolet, I.D. # 40437N241367, for the price of $1,199 which in fact had already been sold on September 30, 1968 for the price of $1,510, or $311 more than the advertised price.

I. Defendants did on October 30, 1968, advertise for sale in the Army Times newspaper, a 1967 Plymouth, I.D. # PM4367410-5100, for the price of $1,899 which in fact had already been sold on October 2, 1968 for the price of $2,500, or $601 more than the advertised price.

J. Defendants did on September 11, 1968, advertise for sale in the Army Times newspaper, a 1965 Mercury, I.D. #5J32T507771, for the price of $999 which in fact had already been sold on July 30, 1968 for the price of $1,468, or $469 more than the advertised price.

Defendants have, as a consistent and regular practice, advertised hundreds of automobiles already sold at prices grossly above the advertised prices which were intended as "bait" for new deposits, all of which advertisements were false, misleading and in violation of Business and Professions Code section 17500 and Vehicle Code section 11713.

XV

Defendants have, as a consistent and regular practice, offered for sale or sold automobiles at prices substantially in excess of the prices in their advertisements which were not bona fide offers to sell but were intended as merely "bait" for deposits by servicemen or to draw customers to defendants' place of business where they could be "switched" to purchase automobiles at high profits to defendants.

In particular, defendants have:

A. On February 19, 1969, advertised for sale in the Vallejo Times Herald newspaper, a 1964 Datsun, I.D. #PL410902210, for $799 which to persons visiting their lot on February 20, 1969 they stated the price was $925 and $849, or as much as $126 over the advertised price.

Defendants advertised for sale on December 18, 1968, in the Air Force Times newspaper the same car for $599, or $200 less than the advertisement to civilians.

B. On February 18, 1969, defendants did advertise for sale in the Vallejo Times Herald newspaper, a 1965 Chevrolet, I.D. #164375R 134817, for $1,399 which they sold the same day for $1,849, or $500 over their advertised price.

C. On September 11, 1968, defendants did advertise for sale in the Army Times newspaper, a 1966 Chrysler, I.D. #CH23563284270, for $2,799 which they sold on September 21, 1968 for $3,086, or $287 over their advertised price.

D. On September 11, 1968, defendants did advertise for sale in the Army Times newspaper, a 1966 Ford, I.D. #6J67Z140196, for $2,199 which they sold on September 16, 1968 for $2,430, or $231 over their advertised price.

E. On September 11, 1968, defendants did advertise for sale in the Army Times newspaper, a 1966 Chevrolet, I.D. #166476C116-850, for $2,049 which was sold on September 26, 1968 for $2,325, or $276 over their advertised price.

F. On September 11, 1968, defendants did advertise for sale in the Army Times newspaper, a 1966 Plymouth, I.D. #RH23D65128-590, for $1,699 which was sold on September 27, 1968 for $2,141.76, or $442.76 over their advertised price.

G. On September 11, 1968, defendants did advertise for sale in the Army Times newspaper, a 1964 Ford, I.D. #4J64Z104928, for $949 which was sold on September 17, 1968 for $1,282, or $333 over their advertised price.

H. On September 11, 1968, defendants did advertise for sale in the Army Times newspaper, a 1964 Rambler, I.D. #Z162481, for $749 which was sold on October 17, 1968 for $1,225, or $476 over their advertised price.

I. On September 11, 1968, defendants did advertise for sale in the Army Times newspaper, a 1965 Pontiac, I.D. #237695P146364, for $699 which was sold on October 1, 1968 for $1,332, or $633 over their advertised price.

J. On September 11, 1968, defendants did advertise for sale in the Army Times Newspaper, a 1966 Plymouth, I.D. #PH43E62251-668, for $1,649 which was sold on September 12, 1968 for $2,595, or $946 over their advertised price.

K. On September 11, 1968, defendants did advertise for sale in the Army Times newspaper, a 1967 Chevrolet, I.D. #134357Z118172, for $1,949 which was sold on October 19, 1968 for $2,286, or $337 over their advertised price.

Defendants have, as a consistent and regular practice, advertised hundreds of automobiles for less than the price at which they intended to sell them, that said advertisements were intended as "bait" for deposits from servicemen and to attract customers, all of whom defendants intended to "switch" to more profitable sales and that said advertisements were false and misleading within the meaning of Business and Professions Code section 17500 and Vehicle Code section 11713.

XVI

Defendants did on December 4, 1968, December 18, 1968, January 15, 1969, January 29, 1969, February 14, 1969, February 26, 1969, March 5, 1969, and at various times before and since the specific dates alleged, advertise in the Air Force Times newspaper as follows:

"'68 Cars Must Go. Big Discount—Save $1,000 to $1,800."

Said advertisements are false and misleading and, therefore, unlawful in that they were intended to suggest and imply that such savings could be had on new 1968 automobiles when in fact the savings quoted were merely a comparison between the suggested new retail price of a similar make, model and year vehicle and the then current retail value of a used or demonstrator vehicle and not an actual savings of any kind.

XVII

Defendants did on January 15, 1969, in the Air Force Times newspaper, advertise, as illustrated by Exhibit C, that they had available for sale brand new 1968 and 1969 automobiles of "all makes and models" when in fact defendant Kardon Motors, Inc., is enfranchised to sell only Chrysler Motor products under its California vehicle dealer's license and that the other makes of vehicles listed on Exhibit C are not available from the inventory of said dealership or from a manufacturer or distributor. Similar advertisements were made in the Air Force Times, Army Times and Navy Times at various dates both before and after January 15, 1969, including but not limited to June 8, 1968, September 11, 1968, October 30, 1968, December 4, 1968, December 18, 1968, January 29, 1969, February 19, 1969, February 26, 1969 and March 5, 1969.

The above false and misleading advertisements were placed by defendants with the intent of conveying the impression they had a virtually unlimited selection of automobiles available to their customers when in fact they did not and the advertisements were placed to encourage servicemen overseas to send in deposits on vehicles and to insure that returning servicemen would in fact commit themselves to come in to Kordon Motors on their return from overseas.

XVIII

In order to further encourage deposits by impressing the overseas servicemen with the vast selection of cars available to them through defendants, said defendants did cause to be placed in the Air Force Times newspaper an advertisement with an aerial view of an enormous automobile lot with several hundred automobiles, as shown by Exhibit A, with the description:

"20 minutes from Travis Air Force Base and Oakland Army Terminal—Free transportation from Travis AFB, Oakland Army Terminal, San Francisco Airport and Seattle. . . ."

The advertisement is false and misleading in that the lot in question is in New Jersey, not Vallejo.

XIX

On all of the dates referred to above when advertisements were placed, defendants represented through such advertisements, as illustrated by Exhibits A, B, and C, and through the mailing of written material to servicemen answering defendants' advertisements that they offered:

"Free transportation for you and your family from Travis AFB, Oakland Army Terminal, San Francisco Airport and Seattle. Free motel accommodations for you and your family."

In fact the transportation and accommodations were not free but were paid for by the customer out of the difference between the advertised price and the actual selling price.

XX

On all of the above dates and other dates before and after, defendants advertised "Big Military Discounts" and that the consistent theme of all of their advertising was that great savings could be made by servicemen on purchases from defendants. In fact the large savings supposedly available by the advertising of specific vehicles were not available and sales of those vehicles were not intended by defendants but defendants used such advertised prices as "bait" to encourage and solicit deposits by servicemen overseas and that defendants did always intend to "switch" the buyers to more expensive automobiles which were at prices in excess of local prevailing prices and greatly in excess of the specific advertised prices as shown more specifically by the allegations of Paragraphs XIV and XV.

XXI

Various methods of denying the returning serviceman the specific car on which he had made a deposit and switching him to another car were accomplished by the following:

1. telling the serviceman when he appeared at defendants' place of business that the car

on which he had made a deposit had already been sold;

2. telling the serviceman that his deposit had not been received soon enough;

3. telling the serviceman that his deposit could not be returned that day because no one was available to sign the check;

4. telling the serviceman that the car on which he had made a deposit needed repair work and was removed from the lot and was not available;

5. telling the serviceman that the car on which he had made a deposit was an East Coast car and was not readily available; and

6. telling the serviceman that he did not qualify for the financing for the particular vehicle in question.

In each case defendants would then try to "switch" the serviceman to the purchase of a vehicle on which defendants would realize an exorbitant profit at amounts grossly over the amount advertised. In accomplishing this switch defendants would take advantage of the returning serviceman's eagerness to return home either to or with his family, his unfamiliarity with the actual prevailing prices for automobiles, his inability to do comparative shopping due to a tight travel schedule, the lack of alternative transportation when having availed himself of "free" transportation to Kardon Motors, Inc., and finds he can no longer go anywhere else, concern by the serviceman over the retention of his deposit by defendants and many other means and methods designed to and intended to coerce the serviceman into the purchase of an automobile he didn't order, at an exorbitant price.

XXII

Defendants advertise, as shown by Exhibits A, B and C, "no money down" when in fact such terms were never made available by defendants themselves, never available at the "Low Bank Rates" referred to in their advertisements such as illustrated by Exhibit B, and were only rarely available at all and then by a combination of bank loans and personal loans at very much higher rates than the "low, low bank rates" advertised, all of which is an unlawful and prohibited type of advertising pursuant to Vehicle Code section 11713(k) and false and misleading advertising under Business and Professions Code section 17500.

XXIII

In order to create the impression that defendants had a special fraternal concern and sympathy for servicemen, defendants utilized in their correspondence, as shown in Exhibit D, fictitious correspondents with retired military titles such as:

"Wm. (Bill) Foley—C.P.O. U.S.N. (Ret.)

"Dick Rich—CM Sgt. (E9) U.S.A.F. Ret."

In fact no such persons with such titles exist.

SECOND CAUSE OF ACTION

XXIV

Plaintiff re-alleges and re-incorporates by reference Paragraphs I–XX, inclusive, as though set forth at length herein.

XXV

All of the conduct of defendants referred to above represents an unlawful, unfair or fraudulent business practice and as such is unfair competition within the meaning of Civil Code section 3369(3) and that the above business practices injure the honest and legitimate competitors of defendants who do not use such unlawful business practices in the conduct of their business. Such unfair competition is enjoinable by the Attorney General and the District Attorney under Civil Code section 3369(5).

THIRD CAUSE OF ACTION

Plaintiff re-alleges and re-incorporates by reference Paragraphs I–XX, inclusive, as though set forth at length herein.

XXVI

Each and every allegation of this complaint when taken together demonstrates an unlawful, fraudulent, oppressive and malicious business practice which has affected thousands of citizens of the County of Solano, State of California, and the United States servicemen throughout the world. The defendants' conduct demonstrates the necessity for exemplary damages pursuant to Civil Code section 3294 for the sake of example and to punish defendants; that such oppressive conduct described above can be adequately dealt with only with an award of exemplary damages sufficient to remove the profit from such unlawful behavior, for the sake of example and by way of punishing defendants within the meaning of Civil Code section 3294.

PRAYER

Wherefore, plaintiff prays that:

1. Defendants Kardon Motors, Inc., and Kardon Chevrolet, Inc., their officers, directors, successors, members, agents, representatives, employees and all persons and corporations who act under, by, through, and on behalf of said corporation and individuals, Michael M. Kardon, Murrell N. Woolman, Betty Ann Mecredy, Jerome Lipman, Charles Greenburg, and Does One through Thirty, and all persons acting in concert or participating with them with actual or constructive notice of this injunction be temporarily and permanently restrained and enjoined from doing any of the following acts directly or indirectly:

(a) Placing any advertisement in any newspaper or advertising in any other manner, when such advertisement offers for sale any automobile which has in fact been sold on the date the advertising copy is submitted to the publishers or other advertising media.

(b) After an advertisement is made for a specific automobile for a specific price, attempting to sell that automobile to anyone at a price in excess of the advertised price. If a time limit is to be placed on the advertised price, the advertisement must expressly say so in large type.

(c) Advertising savings on current year new cars, such as 1969, when in fact the cars offered for sale are used or demonstrator automobiles.

(d) Placing any advertisement which states "No money down" unless defendants themselves offer the financing on those terms.

(e) Placing any advertisements which state defendants offer "low bank rates" unless such rates are in fact available.

(f) Showing in their advertising a photograph of any automobile sales lot other than at the place of business suggested by the advertisement.

(g) Placing any other advertisements which are not factually correct.

(h) Soliciting any further deposits from prospective customers wherever located, unless defendants are prepared and able to refund to the customer the full amount of the deposit upon request at any time during normal business hours.

(i) Soliciting any deposit on any specific car or make and model of car, unless defendants are willing and able to hold that specific car or the specific make and model of the new car until a date agreed upon with the customer.

(j) Advertising that any specific service is free unless it is given without obligation or without raising the sales price, and that if free transportation to the place of business is offered, then defendants must likewise offer free transportation to the customer to place of origin or to some closer place requested by the customer.

2. Defendants Kardon Motors, Inc., and Kardon Chevrolet, Inc., each be assessed a civil penalty of Two Thousand Five Hundred Dollars ($2,500.00) for each false and misleading representation as provided in Business and Professions Code section 17536.

3. Defendants Michael M. Kardon, Murrell N. Woolman, Betty Ann Mecredy, Jerome Lipman, Charles Greenburg, and Does One through Thirty each be assessed a civil penalty of Two Thousand Five Hundred Dollars ($2,500.00) for each false and misleading representation as provided in Business and Professions Code section 17536.

4. The court adjudge and decree that defendants place an amount of money into an escrow account at an appropriate financial institution, within the State of California, there to be held in trust for members of the public who can establish claims against the defendants by showing that they paid more for an automobile than the price at which the automobile was being advertised.

5. All amounts ordered by the court to be returned by the defendants to the customers shall include interest computed at 7% per annum from the date of the sale to and including the date on which the funds are returned to the customers.

6. That defendants be assessed punitive or exemplary damages for the fraudulent, unlawful, oppressive and malicious conduct described herein in the amount of Two Hundred Thousand Dollars ($200,000.00) pursuant to Civil Code section 3294.

7. That plaintiff have such other and further relief as the nature of this case may require and the court deems proper to fully and successfully dissipate the effects of the unlawful, unfair and fraudulent acts complained of herein.

8. That plaintiff recover its costs of suit.

Dated: August 6, 1969.

Attorney for plaintiff:

THOMAS C. LYNCH,
Attorney General.
HERSCHEL T. ELKINS,
Deputy.
JAMES R. MCCALL,
Deputy.
JOHN C. PORTER,
Deputy.
E. GLYNN STANLEY,
District Attorney of Solano County.

ASSURANCE OF VOLUNTARY COMPLIANCE

(In the Matter of Michael Kardon, individually and as principal officer and majority stockholder of Kardon Chevrolet (former MK Chevrolet) and Kardon Chevrolet, a corporate entity and Murrell Woolman, individually and as principal officer of Kardon Motors and Kardon Motors, a corporate entity—Affidavit File No. 6723702)

Michael Kardon and Murrell Woolman, being severally sworn, depose and say:

That each is a citizen of the United States, over the age of twenty-one years and reside at 2401 Pennsylvania Avenue, Philadelphia, Pennsylvania and Apartment 3B, Holiday Gardens, Vallejo, California, respectively.

That Michael Kardon is the President, Treasurer, Director and principal stockholder of Kardon Chevrolet (formerly known as MK Chevrolet), a New Jersey Corporation, whose offices and principal place of business is located on Route 38, Mt. Holly, New Jersey, and sole stockholder of Kardon Motors, a California corporation, whose offices and principal place of business is located at 1515 Solano Avenue, Vallejo, California.

That Murrell Woolman is the President and Treasurer of Kardon Motors, described hereinabove.

That in his capacity as President and majority stockholder of Kardon Chevrolet and sole stockholder of Kardon Motors, deponent Kardon is the person primarily responsible for formulating, directing and controlling the policies and business practices, including the responsibility, supervision and control of advertising claims made on behalf of Kardon Chevrolet and Kardon Motors appearing in newspapers.

That from their principal places of busi-

ness, as forementioned, Kardon Chevrolet and Kardon Motors have been and continue to be engaged in the sale of automobiles at the retail level in commerce, as commerce in defined in the Federal Trade Commission Act.

That in the course and conduct of the business of the companies, Kardon Chevrolet and Kardon Motors prepared and disseminated certain advertising literature to various members of the armed forces stationed in foreign countries throughout the world which contained certain advertising claims and depictions or portrayals therein; as follows:

1. A seal similar to the Seal of the United States, upon which seal appeared the statement "United States Military Service Department" and/or "Kardon Military Service Department."

Deponents state that in truth and fact Kardon Chevrolet is an authorized Chevrolet distributorship and Kardon Motors is an authorized Chrysler-Plymouth distributorship, neither company having any connection whatever with any arm of the military services of the United States.

2. "Lowest Prices Anywhere"

3. "World's Largest Military Dealer"

4. "Military Price"

Deponents on behalf of their respective companies state that they have been informed that the aforementioned practices may constitute a violation of Section 5 of the Federal Trade Commission Act, as amended, in that said practices may be misleading and deceptive and likewise constitute unfair methods of competition.

Deponents on behalf of their respective companies, their officers, subsidiaries and affiliates and through agents, representatives and employees do hereby agree that in the future:

1. Depictions and/or portrayals of a seal similar to the Seal of the United States of America will be omitted.

2. The phrase "United States Military Service Department" will likewise be omitted.

3. That if a similar phrase, such as "Kardon Military Service Department" is employed, it will be accompanied by language such as "not affiliated with the United States Government", to dramatically underscore the fact that no connection exists between proposed respondents and any governmental agency or military arm of the United States Government.

The phrase "lowest prices anywhere" and words of similar import will be omitted.

The phrase "world's largest military dealer" and words of similar import will be omitted.

That price brochures disseminated to members of the armed forces serving overseas assignments will henceforth have the price columns designated in the following manner:

"Manufacturer's Suggested Retail Price" in place of "Retail" in keeping with the language of Public Law 85-506 (The Automobile Information Disclosure Act) and "Kardon Overseas Price" in place of "Military Price".

That in connection therewith, deponents' literature disseminated to members of the armed forces as stated hereinabove, will contain a statement in clear type that the "Manufacturer's Suggested Retail Price" in keeping with the language of Public Law 85-506 for the automobiles described in price brochures and elsewhere, does not necessarily reflect the prices at which these automobiles are sold by the subject companies.

That attached hereto and made a part hereof by reference as if fully set forth herein and identified as Kardon Exhibit A is an artist's rendition evidencing the changes made and indicating in part how the subject companies propose to conform to the promises made in this affidavit.

Deponents, on behalf of their respective companies will distribute copies of these assurances and otherwise inform all operating divisions and affiliates of these assurances.

The subject companies will each file reports of compliance within six months after acceptance of this Assurance of Voluntary Compliance. These reports will contain full and detailed accounts of compliance showing the actual steps taken to carry out these assurances. Submitted therewith will be sample copies of all current advertising.

Deponents state that this affidavit is made for the purpose of concluding the pending investigation of the Federal Trade Commission and for the purpose and with the intent of avoiding any other and further proceedings herein and is made without any admission either individually or as corporate officers of Kardon Chevrolet and Kardon Motors respectively, that there have been or are now present any violations of the laws administered by the Federal Trade Commission or any rules or regulations promulgated pursuant thereto.

Deponents acknowledge that this affidavit does not grant either of them any promise of immunity, nor does it in any way bind the Federal Trade Commission as to final action in this matter.

MICHAEL KARDON,
(Individually).
KARDON CHEVROLET,
By MICHAEL KARDON, *President*.
MURRELL WOOLMAN,
(Individually).
KARDON MOTORS,
By MURRELL WOOLMAN,
President.

STATE OF NEW JERSEY,
County of Burlington ss:

LOIS G. DAVIS.

On the 29th day of Nov., 1968, before me personally came Michael Kardon, to me known and known to me to be the individual described in, and who executed, the foregoing instrument, and acknowledged to me that he executed the same.

STATE OF CALIFORNIA,
County of Solano, ss:

On the 2nd day of December, 1968, before me personally came Murrell Woolman, to me known and known to me to be the individual described in, and who executed, the foregoing instrument, and ackowledged to me that he executed the same.

AUSTIN F. USSURY.

CUMBERLAND GI DIES IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. LONG of Maryland. Mr. Speaker, Pfc. George S. Kimmell, a fine young man from Maryland, was killed in Vietnam recently. I wish to commend his courage and honor his memory by including the following article in the RECORD:

CUMBERLAND GI DIES IN VIETNAM—PFC. GEORGE KIMMELL WAS MISSING SINCE JULY 12

Pfc. George S. Kimmell, a 21-year-old Cumberland soldier who was reported missing in action July 12, one month after his arrival in Vietnam, was listed as a combat fatality by the Defense Department yesterday.

Private Kimmell was a 1968 graduate of Fort Hill High School in Cumberland. A slightly built young man during his high school days, he lifted weights and "put on weight" before enlisting in the Army in January, his sister, Mrs. Mary F. Deffinbaugh, said.

HOPED TO BUY HOUSE

Like many youths in the Western Maryland city, he was an avid hunter, his sister said. "He used to hunt deer and squirrel in season," she said.

Private Kimmell arrived in Vietnam in June and was stationed with an infantry outfit. His family received one letter from him during his period of service there.

He wrote to say, his sister said, that "he didn't think it would be long before he would be back home."

It was his ambition to return to Cumberland after his Army service and get a job, and then purchase a home for his parents.

His sister said that Private Kimmell was "the last boy at home, and his mother, 63, continues to work, doing house work. He wanted her to retire, and move out of the family's rented home into a house he planned to buy her."

Surviving are his parents, Mr. and Mrs. Jess Kimmell; two sisters, Mrs. Deffinbaugh and Mrs. Edna P. White; two brothers, Jesse Lee and Richard D. Kimmell, all of Cumberland, and three stepbrothers, Curtis Yost, of Eckart, Md., Conrad Yost, of Cumberland, and Bernard Yost, of Pittsburgh.

NWRO—THE BROOD MARE MOTHERS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. ASHBROOK. Mr. Speaker, the recent decision of the Department of Health, Education, and Welfare not to approve a $300,000 grant to the militant National Welfare Rights Organization is certainly the correct one when the past activities of this group are reviewed. In view of the fact that NWRO has already received a grant of $434,930 from the Labor Department and that the HEW rejection is possibly but a temporary one, NWRO's role in this administration's newly proposed welfare program might well prove to be as disruptive and divisive in the future as it has in the past.

According to its literature, NWRO is a nationwide organization of, by, and for welfare recipients and other poor people. Individuals may join NWRO only by joining a local group. Services provided by NWRO include materials on welfare regulations, legislation, and research on special problems; help in locating lawyers for local WRO's, information on legal issues which affect all welfare recipients, and legal help from skilled welfare lawyers. In addition, NWRO claims that its assistance to local groups extends to "ideas and suggestions on how to make local contacts, greeting cards and jewelry to sell at a profit for your local group; help with ideas for writing proposals to get money from local foundations, institutions, churches, and so forth, help in organizing Friends of NWRO groups."

While the purpose and services of NWRO look good on paper, some of its past performances include bullying tactics, harassment and threats to obtain its ends. In the process, social welfare workers, mired down in a hopelessly unworkable welfare system, have been alienated by the rule-or-ruin tactics of NWRO. A good example is the havoc caused by NWRO and other militant groups at a recent convention of social welfare workers in New York City in May.

The Washington Post of June 1, 1969,

carried an article by Eve Edstrom entitled "Radicals' Demands Stun and Polarize Welfare Leaders," which described the disrupting of the 96th annual forum of the National Conference on Social Welfare held at the New York Hilton. The article began "... or get off the pot," and continued:

The full, obscene demand was shouted over a seized microphone last Sunday night as more than 5000 of the Nation's social welfare leaders convened to hear an opening address by their president.

The account continued:

In stunned silence, those who had devoted decades to helping the poor heard themselves called "racist pigs," and "fat cats," and members of the "white imperialistic oppressive society."

This was the manner in which the 5-day convention of the social welfare leaders commenced as the platform was taken over by dissident students, new organizations of militant social workers, and welfare mothers.

The NWRO was represented at the convention by its executive director, Dr. George A. Wiley, who demanded a sum of $35,000 to enable more poor people to attend the conference conventions. Delaying the opening session by 3 hours, Wiley and a group of welfare mothers blocked the exits after he had vowed that no one would be permitted to leave planning of the disruption was evident until the sum had been collected. Pre-as plastic ice buckets were passed around to collect the contributions. A temporary ballroom dividing wall had to be removed before the conference could begin.

The New York Daily News editorially described the Storm Trooper tactics of the NWRO as "the outrage of the year to date" and asked:

Why the 4,000 didn't throw the 300 out, we don't know; nor why the numerous police and plainclothesmen who were on hand allowed the stickup to be performed.

Later in the conference Director Wiley went into action again, according to the New York Daily News of May 27:

At a general meeting earlier in the day 5,000 delegates got a first-hand taste of disruption tactics when George Wiley, director of the National Welfare Rights Organization, seized control of the speaker's microphone from conference president Arthur S. Flemming.

The responsibility for not quashing the disturbances must be laid at the door of Mr. Flemming who, according to the Edstrom article, adopted a conscious strategy of inaction. When turning the gavel over to the new president, Wilbur J. Cohen, Flemming was quoted as saying:

I did not use this gavel once this week—I didn't think it appropriate.

Flemming's sad lack of leadership proved at least one militant's strategy to be correct. Derrick A. Bell, Jr., director of the Western Center on Law and Poverty at the University of Southern California, stated at the convention that "aggressive, militant tactics work." Bell was further quoted by the New York Daily News of May 27 as saying:

Defense of the present welfare system is simply contrary to the best interests of the poor. The need is for an aggressive militance, an unwillingness to be reasonable and a determination to serve the clients by any means necessary.

A month before, the NWRO sponsored a Central Park rally after which the several thousand welfare recipients and sympathizers in attendance marched downtown and were dispersed opposite Grand Central Terminal by scores of mounted policemen who pressed into screaming crowds. Foot patrolmen wrestled some demonstrators to the ground and 15 arrests were made. As reported by the New York Times of April 16, Wiley, in leading the demonstrators, shouted:

When the poor people want money they are going to get it by people power, or there's going to be — to pay in New York City.

As NWRO literature indicates, agitation, and even illegal activities are part and parcel of the movement. Here are several excerpts from NWRO pamphlets instructing local groups on how to operate:

Work on the problems people have with welfare but try to avoid just working on cases—develop issues and work to change policies. *Create your own forms of public protest and pressure.* (Emphasis added.)

If welfare (authorities) say person is not eligible, demand that they allow the person to apply anyway; ask for an immediate written statement why the person is not eligible and file an appeal.

Permission to leaflet and talk with recipients in the waiting room of the Welfare Department and even to set up a welfare rights table to recruit members. You have a legal right to do all of these things so long as you are not physically interfering with the operation of the welfare office.

In at least two cases the use of the Welfare Department's facilities by welfare rights supporters turned into vehicles for harassment, according to welfare workers. In Philadelphia, for instance, a petition signed by more than 500 caseworkers charged that the Philadelphia Welfare Rights Organization was attempting to "wreck the system which we are trying to administer according to law." Their petition, sent to the Governor of Pennsylvania, cited "abusive and intimidating practices of certain representatives of NWRO, who have been permitted to occupy space in the district offices—and—have made it impossible for us to carry out legal responsibilities in administering the welfare program."

Recently in Baltimore the new chairman of the State Board of Social Services recommended legislation to consolidate local welfare departments into the State agency. The chairman, Nicholas Mueller, served notice that he would not "put up with any truculence or brow-beating" of State and local welfare officials by the newly organized welfare recipient groups. Evidently welfare rights supporters have been granted office facilities in Baltimore as in the case of Philadelphia. Chairman Mueller stated—as reported by the Baltimore Sun of July 23:

It's not quite cricket to give someone a desk and phone so that he can harass you, and that's what the city's done.

As for possible illegal action, the NWRO offers this advice to its local groups which find themselves besieging a welfare office:

Be sure that everyone knows there is a possibility of being arrested for trespass if you are in the Welfare Center after it is officially closed for the day . . . But in case of threatened arrest you can always leave just before the actual arrest is going to be made. Leaving before arrest should be by the whole group, not individuals, and if that is the plan, everyone should decide that together.

One can imagine the possibilities of widespread disruption if a goodly number of NWRO's claimed membership of 30,000 members in 250 local chapters in more than 100 cities were to occupy welfare offices thus inviting arrest.

In addition to welfare workers and officials, Sears, Roebuck & Co. has been the target of NWRO's disruptive policies. For some time now NWRO has been pressing Sears to extend credit to welfare recipients. One demonstration against the company in New York was sponsored by the Citywide Coordinating Committee of Welfare Groups which NWRO literature says "serves as the NWRO office for that area." The chairman of the New York group is Mrs. Beulah Sanders, who organized the Sears demonstration and who is second vice chairman of the NWRO in New York City. The New York Daily News of July 4 described the demonstration:

The demonstrators hung a banner in the street-floor window and occupied the store for nearly two hours, strewing trash on the floors, turning on television sets and phonographs, defacing price tags, operating washing machines and dumping wet rags across the sales floor.

The News account ended:

And later, leaving the store in a mess, Mrs. Sanders announced: "We'll be back next week."

What does NWRO want of Sears, Roebuck & Co.? NWRO literature lists these demands:

First. Credit of at least $150 be extended to any affiliated NWRO member.

Second. A letter of reference from NWRO should be adequate proof that the recipient is a good credit risk, and there be no other investigation.

Third. That Sears make a formal written agreement with NWRO on this matter.

Fourth. That the Sears-NWRO agreement be binding on all local Sears stores.

Fifth. That there be no extra credit charges or other treatment discriminating against welfare recipients.

This is the ridiculous "package" that NWRO has demanded of Sears, illustrating the totalitarian tactic of making impossible demands followed by vindictive action when the demands are not met.

The NWRO is not above employing invectives in addition to its use of impossible demands and disruptive action. For instance, a Member of Congress, whose committee passed legislation to which NWRO was opposed, was excoriated in an NWRO pamphlet in this fashion.

Wanted for conspiracy to starve children, destroy families, force women into slavery and exploit poor people; Public Enemy Number 1.

If, as reported by UPI on August 6, "HEW is considering a long-range plan

to form working relationships with grassroots organizations such as NWRO," serious consideration had better be given by that Department before including organizations such as NWRO whose record in the past has been marked with bullying agitational tactics, irresponsible demands and charges, and the alienation of sincere, concerned welfare workers and officials who have had to labor under an impossible welfare system. This much is certain: Congress will not look kindly on the use of Federal funds to finance irresponsible organizations or individuals with the experiences of some ill-advised OEO projects still so fresh in memory.

Concerning the use of Federal funds by the NWRO, mention has already been made of the Department of Labor grant of the $434,930 which NWRO was allotted last December. As to the use of these funds which went to an NWRO affiliate, the National Self-Help Corp., at least one member group of NWRO has made inquiry. Mrs. Roxanne Jones, chairman of the Philadelphia Welfare Rights Organization, has stated that her 1,000-member chapter, composed mainly of welfare mothers, "would like to know what NWRO is doing with that money."

Other sources of funds for NWRO are gifts from private individuals, NWRO memberships and dues, foundation grants, and subscriptions to the National Welfare Leaders Newsletter. Director Wiley, in October of last year, estimated the national budget of the organization to be between $200,000 and $300,000, with approximately $25,000 being spent in October, 1968, alone.

One foundation, the Interreligious Foundation for Community Organization—IFCO—has been kind to NWRO to the tune of approximately $105,000, according to the Washington Star of October 5, 1968. IFCO which was founded several years ago and is funded by ten large religious denominations, put up the money for the National Black Economic Development Conference in Detroit where James Forman made public for the first time his Black Manifesto, demanding $500 million of the various churches for injustices suffered by the Negro people over the years.

NWRO is not the only militant recipient of IFCO funds, according to the statement of Sgt. Robert Thoms of the Los Angles police intelligence division before the International Security Conference recently in Chicago. Thoms claims that "83 percent of IFCO's funds have gone to support community groups involved in militant or disruptive activities such as picketing 'Black Power' rallies, demands on schools and school boards, unions, and support of the Black Panthers."

Another foundation source for NWRO funds, but to a much smaller degree than IFCO, is the Louis M. Rabinowitz Foundation of New York City, according to Combat, the reliable newsletter on subversive activities. Combat states that the Rabinowitz Foundation "annually pours hundreds of thousands of dollars into the left, to finance propaganda films glorifying Communist China and revolutionary activity in Berkeley, to finance socialist conferences, and in effect to subsidize Marxist and Communist publishing houses. Combat lists George Wiley, Washington, D.C., the national executive of the National Welfare Rights Organization, as a recipient of a $1,000 grant in 1967.

A few months ago, NWRO mothers made a trek to Washington to demand more welfare. I was present at one of their press conferences. They proudly proclaimed that they had between 11 and 21 children—children, I might add, that they would not support. They proudly referred to themselves as the "brood mare mothers." They, of course, want a guaranteed income. They made it clear that they were demanding—not asking—for these dollars. "We brood mare mothers will begin to stomp if we don't get more money," one militant black woman said. We have already begun to see what they mean by "stomping" and their organization should be studied very closely before any guaranteed income proposal is considered. President Nixon continually referred to a "family of four" in his nationwide speech on welfare. The effect of his proposal on the "brood mare mothers" should also be considered before we enact any program which will induce these families to grow and grow and grow.

U.S. MERCHANT FLEET AT LOW EBB

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. BOGGS Mr. Speaker, I have often spoken to my colleagues in the House about the necessity of maintaining a strong and vibrant merchant marine.

It is clear to me that this great industry has, in the past, played a key role in the progress and economic development of the United States. It is equally clear to me that steps must be taken to assure that the merchant marine will be able to continue to fulfill its historic role in our future growth.

Earlier this month, a talented reporter for the Washington Evening Star, Miriam Ottenberg, published a very perceptive article discussing the problems of this industry. I would like to take this opportunity to commend it to all my colleagues in Congress.

Here follows the article:

[From the Washington (D.C.) Sunday Star, Aug. 3, 1969]

CRISIS AT SEA: U.S. MERCHANT FLEET AT LOW EBB

(By Miriam Ottenberg)

The nation's once proud merchant marine has fallen on hard times.

Maritime experts agree that unless the Nixon administration establishes a broad ship replacement program, the United States will be down to about one-third of its present thousand-ship merchant fleet in a couple of years.

Many of the Liberty and Victory ships that slid down the ways in a fantastic show of wartime mass production are still around several wars later. Right now, in fact, World War II ships make up almost two-thirds of our merchant fleet.

How much longer can these ships last? Maritime Administrator Andrew E. Gibson warns: "We are three or four years away from disaster."

And Undersecretary of Commerce Rocco C. Siciliano told a convention of the AFL–CIO Seafarers' International Union here last week: "We feel that the merchant marine has to go back up. If the merchant marine goes down any further, it will go down the drain."

For years, congressional committees have been declaring that the nation is running out of time to save the merchant marine. And for years, Congress has voted more for the merchant marine than the administration has spent. More than $101 million appropriated to replace rust buckets is still unused.

Despite repeated bipartisan demands from Capitol Hill and repeated presidential promises, the past two administrations have failed to come up with any positive program to maintain the United States as a first-rate seafaring nation.

The last such program came in the Eisenhower administration, when a building program of some 30 ships a year was projected to overcome the block obsolescence of the World War II merchant ships. Currently, that program is some 100 ships behind schedule.

The lack of a long-range program brings other grief to a troubled industry. Uncertain of how much government support to expect, shipping interests tangle in abrasive argument and labor is reluctant to make concessions for fear there won't be enough jobs to go around.

Matching this thread of self-interest are the diverse concerns of various government agencies often operating at cross-purposes in maritime affairs.

For example, under the law, half of the government's "food-for-peace" and foreign aid cargo is supposed to be carried in American ships. But shipping industry officials claim it doesn't always work out that way. They say the Agriculture Department wants the cheap rates of foreign shipping and the State Department and the Agency for International Development want to score points with foreign governments by using their ships.

Recently, the General Accounting Office told the Agriculture Department it had found that ocean transportation costs amounting to over $416,000 were paid to foreign carriers when U.S. carriers were available at the same rate.

U.S. flag ships carry only 5.6 percent of this country's total foreign trade. In sharp contrast, Soviet ships carry 50 percent of the USSR's international seaborne trade and the Soviets expect to increase this to 75 percent by 1975.

Nowhere does the absence of a program show itself more forcibly than in actual shipbuilding. Shipyards kept alive only by naval ship orders have lacked the incentive to modernize and expand. Only in very recent years have they started to improve their facilities—prompted by the conviction that a positive merchant shipbuilding program must be forthcoming. Meanwhile, foreign shipyards are booming.

More than national pride is at stake. The Navy is now seriously concerned about future sealift of supplies to armed forces in Vietnam and around the world.

FACING FACTS

Here are some of the facts facing those dealing with the problem today:

The United States has to import 66 commodities classed as strategic and critical, but it has to rely on foreign flag ships to carry 95 percent of those imports. Warns Vice Admiral L. P. Ramage, commander of the Military Sea Transportation Service: "We are a nautical dependent in an era when we should be commercially and militarily standing on our own feet."

This increased dependence on foreign flag shipping is adding to our balance of payments deficit. A maritime industry study shows that if the percentage of U.S. trade carried in American ships from 1960 to 1967

had been as high as existed before World War II (30 to 35 percent), the country would have had a positive balance of some $5 billion instead of a $23.5 billion deficit.

SOVIET GROWTH ALARMING

To many, the most disturbing aspect of the American maritime decline is the growth of the Soviet fleet. In 1950, Russia was rated 21st among maritime nations, with only 432 major merchant vessels totaling 1.8 million dead-weight tons. Today, the Russians have an estimated 1,442 ships with a total of 12 million tons and by next year they hope to have 2,600 ships.

The Soviet merchant fleet also has an age advantage. Four out of five Soviet merchant ships are less than 10 years old. Four out of five U.S. ships are 20 years old or older.

Admiral Thomas H. Moorer, chief of naval operations, believes that following the Suez Canal crisis, that USSR shifted its concept of maritime strategy from a defensive to an offensive, worldwide one.

"What they are doing," Moorer says, "is using their maritime power—merchant ships, oceanographic ships, their fishing fleet—as an instrument of foreign policy."

GOODWILL AMBASSADORS

Soviet merchant seamen are specially trained to stay out of trouble and avoid notoriety in liberty ports while extolling the Soviet way of life.

Legislators like Sen. Warren G. Magnuson, D-Wash., chairman of the Senate Commerce Committee, preach the importance of American seamen as goodwill ambassadors around the world and the vital role of American ships in bringing Western ideology to developing nations.

Georgetown University's Center for Strategic and International Studies, in a recent report on Soviet sea power, noted that "in the ports of developing countries, the ships can reinforce the Soviet claims to scientific and technological supremacy and enhance the appeal of the Soviet system as the route to national development."

Along with the Soviet economic penetration of new nations, Admiral Moorer cited the intelligence of Soviet trawlers—"a potential which Russia exploits in many ways, including surveillance of our missile range operations and our fleet operations."

Pointing out that more than 500 ships of the American merchant fleet currently are being used to carry supplies to Vietnam and other U.S. armed forces outposts and to transport food and other aid to hungry nations, the men responsible for maintaining our logistic lifelines pose these questions:

What would we do if another Vietnam-type conflict began now, requiring another 200 to 300 ships as well as additional sealift to bolster our flanks in Europe? What will we do five or 10 years from now when none of these ships will be around?

RESERVE FLEET AT 144

Much was once made of America's reserve fleet with a grand total of more than a thousand ships. Recently, Maritime Administrator Gibson told the House Merchant Marine Committee that "the only real reserve fleet we have now, in my judgment, are those ships which have been reconditioned for the Vietnam war and are in operating status."

That, he reported, amounts to 144 ships. The average cost of putting them in operating shape for Vietnam was $700,000.

Rep. William S. Mailliard, R-Calif., ranking minority member of the committee, commenting on an estimate of 1,165 in the reserve fleet, said, "we are constantly given these over-all figures of ships in the reserve fleet and I think it gives everyone a false sense of security to seriously consider that those ships have any real value as a reserve."

More than 15 million dead-weight tons of American-owned ships flying the flags of Liberia, Panama or Honduras are classified as available to the United States in an emergency, but critics question the value of this setup.

CAN ALLIES HELP?

They contend that the concept that the United States has "effective control" over those ships is a "fallacy" because they are foreign ships in foreign waters manned by foreign seamen who owe no loyalty to the United States.

Another question: How much can this nation count on the ships of its allies in situations where there are major policy differences? There have been several instances where ships of a friendly nation refused to haul cargo to Vietnam. In other cases, the issue was avoided by a sounding before the ship was actually loaded. Commented Mailliard: "Vietnam has shown us that where allies are not in sympathy with what we're doing, we can't rely on them for sealift."

In the past three years there have been some 35 studies of the merchant marine, its problems and its future. Typical of the conclusions was this one from the Senate Commerce Committee: "The clear lesson gleaned from our committee's study is beyond dispute: The U.S. merchant fleet is in a critical condition, its future is in doubt and remedial action of a major nature is essential if the United States is to remain a leading seafaring nation."

NIXON'S PROMISE

Less than two months after that report was printed last year, Richard M. Nixon promised a revitalized merchant marine if he became president.

"The maritime industry of the United States has been permitted to decline to a point at which the nation's defense and economic welfare are imperiled," he warned.

Rep. Edward A. Garmatz, D-Md., chairman of the House Merchant Marine Committee, is hopeful that the administration will soon come through with the program Congress has been awaiting. "There's no question about it," Garmatz says. "It's a different climate now. We didn't get through to the last administration."

Undersecretary Siciliano, in his speech last week, promised that the program probably would go to Congress within 60 days.

POINT REYES IN CALIFORNIA A PATCHWORK PARK IN TROUBLE

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. MOORHEAD. Mr. Speaker, one of the most important resources that the United States possesses is the natural beauty of its land. The lush green forests, deep canyons, and roaring rivers which lie within our boundaries are, along with the wildlife found within and around them, some of the few monuments we have to pass along to future generations. As long as these areas exist, those yet unborn will be able to see and enjoy the natural splendor of America and realize what a wild, untamed country it was when our forefathers first settled it.

Yet as important as these sites are, they and areas which so far have not been declared national parkland, are still in danger of being devoured by our ever-expanding modern civilization and urbanization. History shows us that once a natural tract of land is gone, it can never be restored.

In a recent article in the New York Times, entitled "Point Reyes in California a Patchwork Park in Trouble," Gladwin Hill warns of the threat to the Point Reyes area in California. This breathtakingly beautiful tract of land which should have been declared a national park years ago, thus insuring its existence, is now in danger of being lost to real estate developers.

Because Mr. Hill's article serves as a timely warning to all Americans to save our precious resource of natural beauty. I would like to introduce his article into the RECORD at this time:

POINT REYES IN CALIFORNIA A PATCHWORK PARK IN TROUBLE

(By Gladwin Hill)

POINT REYES, CALIF.—This dramatic promontory just north of San Francisco is at once a monument to natural beauty, to man's aspirations and to governmental confusion.

Its future as one of the nation's choicest preserves hangs in the balance at this moment, clouded by the financial and administrative problems that beset, if less acutely, many other segments of the national recreation system.

President Kennedy, on Sept. 13, 1962, signed a bill creating the "Point Reyes National Seashore," the third such preserve in the national park system.

The name is misleading on two counts. Far more than a beach, Point Reyes is a 100-square-mile peninsula encompassing an unusual array of fascinating and beautiful terrain, flora and fauna.

CATTLE, FIRS, DUNES, CANYONS

Pastoral countryside dotted with dairy herds merges magically into a "Black Forest" of towering Douglas firs. The forest gives way to moors, dunes, estuaries, granite headlands and plunging canyons. California poppies and lupine, wild roses and lilac carpet the slopes. Between the tidelands and ridges are creatures ranging from oysters and elephant seals to mountain lions, cormorants and egrets.

But the name "Point Reyes National Seashore" is deceptive also in its connotation of a unified preserve. Its statutory boundary embraces nearly all of the peninsula. But in reality the Federal reservation is still only a patchwork of 10 scattered parcels of land, comprising less than half the peninsula.

The rest, contemplated as part of the park, is still in private holdings, the choicest of which are in imminent danger of falling under subdividers' bulldozers.

Under Secretary of the Interior Russell Train conceded recently that the existing reservation was too "fragmented and scattered to be regarded as efficiently administrable" and noted that its existence had not yet been formally pronounced in the Federal Register.

NEARLY $20 MILLION SPENT SO FAR

The nation's taxpayers have put nearly $20-million into Point Reyes. Some 575,000 persons visited the preserve last year, touring its roads, hiking its 50 miles of woodland trails and enjoying its beaches. But the nation still does not have an officially acknowledgeable park at Point Reyes.

Why not?

The answer is a tortuous saga of bungling—not so much by any individuals as by the system under which the Federal Government is struggling to catch up in recreation facilities with the explosive growth of population and urbanization.

It was more than 30 years ago that Conrad Wirth, then director of the National Park Service, said that Point Reyes should be a national park.

The peninsula has been described as "an island in time," geographically, sociologically and ecologically. Its mainland edge follows precisely the great San Andreas fault. (When San Francisco was rocked by an earthquake in 1906, the whole peninsula moved northward 20 feet.) The peninsula's

most spacious bay is believed by many to be the place where Sir Francis Drake refitted the Golden Hind in 1579.

ESCAPED URBANIZATION

In recent years, because it consisted of only a few large landholdings, the point managed to ride out urbanization although it is only 30 miles north of San Francisco. It retained most of the pristine charm of the era when its original Indian inhabitants greeted early explorers from Europe.

The 1962 act, excluding from the park boundaries only a few peninsula fringe communities and a state park, envisioned the Government's acquiring about half of the 53,000 acres by purchase, condemnation or exchange, leaving the rest with agrarian owners.

A total of $14-million was appropriated as supposedly adequate. But speculators swarmed in and land prices soared, just as has happened on many Federal reservation projects.

The most critical land exchange, to obtain the strategically situated 2,500-acre Lake Ranch, described by naturalists as a "jewel," fell through when Gov. Mark Hatfield of Oregon made a political issue out of the use of Federal timberland there in the trade.

In 1966, $5-million more was appropriated. With the aggregate $19-million, the Government has acquired 22,000 of the 53,000 acres—in the "unadministrable" patchwork. It is impossible to traverse all the segments without crossing private land.

"People are always trespassing," a rancher said, "letting our cattle loose, wanting to use the bathroom. They don't know what's park and what isn't."

Mounting land prices and taxes have shattered the original idea that some 26,000 acres could be left in its pastoral state, under private ownership, to complement the Federal preserve.

The problem is illustrated by the Lake Ranch, which is owned by William A. Sweet, a pleasant, soft-spoken Coos Bay, Ore., lumberman.

"It's a shame," he says. "It should be in Government ownership. We've been trying to sell or swap the ranch with the Government for 10 years. But we just can't afford to wait any longer. We paid about $22,000 in taxes last year and took in about $2,400 in leases. We just don't have the assets to continue."

So surveyors and road builders have been tromping over the Lake Ranch laying it out in 40-acre tracks, which will go on the market to subdividers any day.

Owners of another 2,500-acre ranch covering the whole northern end of the peninsula say they are faced with the same exigency.

EIGHT BILLS INTRODUCED

The best estimates are that it will take $38-million more for the land purchases necessary to round out the Point Reyes National Seashore. The $57-million total will be four times the original contemplated cost. There are eight bipartisan bills before Congress to appropriate the additional money. But the prospects of getting it are problematical.

The House of Representatives has just voted appropriations totaling only $17-million for land acquisition for the entire national park system for fiscal year 1970, which opened last July 1. The figure is less than 12 cents for each person in the country, and less than half what is needed for Point Reyes alone. The money was earmarked for eight units in the 44-unit park system, with none for Point Reyes.

The main reason the amount was not bigger was that such acquisition money has to come out of the Land and Water Conservation Fund, which annually is divided among the states and several Federal agencies. The fund, which Congress in 1968 said should be $200-million a year, was cut back by the Nixon Administration to only $124-million for fiscal year 1970.

The Point Reyes predicament was agonized over by the House Interior Subcommittee on National Parks and Recreation at a hearing May 13.

The director of the National Park Service, George B. Hartzog Jr., propounded to the subcommittee a "controlled development" plan, under which some 16,440 of the 53,000 acres would be kept in private farm operation under a special arrangement with the Government, and 9,200 acres would be sold off for residential use under restrictions "compatible" with the park.

Part of the land in each category is now in Federal hands and part would be obtained by condemnation, netting the Government a profit of some $10-million.

The residential-use idea was rejected by key committee members both on esthetic grounds and in the belief that turning a quick profit through condemnation and resale would be unfair if not illegal.

Aside from that, hearing participants concur, the only solution seems to be "legislative taking." Under this procedure Congress simply declares an entire area a national preserve, in being, as it did with the National Redwood Park.

Compensation to private owners is pegged at the land valuation of that amount, eliminating the price escalation during the actual takeover period. The disadvantage for the Government is that this forces appropriations to be made quickly, since interest fees to landowners start running at the time "taking" is declared.

"I think 'legislative taking' is the only way you can be assured that you're going to wrap up the Point Reyes project within the figures we have given you," Mr. Hartzog told the committee.

"But," he added, "if Mr. Sweet subdivides his property, then I think all bets are off insofar as our estimates are concerned. We will have opened up a Pandora's box again."

Ironically, the Point Reyes crisis peaked just as Secretary of the Interior Walter J. Hickel was ordering the National Park Service to give top priority to development of parks near big urban centers.

"Time is of the essence in formulating an action program," he said. "Opportunities are being lost daily to acquire such lands. Once lost, these opportunities can seldom be retrieved."

MAN'S NEXT STEP

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. KEITH. Mr. Speaker, now that man has accomplished what formerly had been considered an impossible feat—the landing of two astronauts on the moon—thoughts turn to the future implications of extraterrestrial explorations.

One question which has probably entered many minds is this, if we have the knowledge and technology to land two men on the moon, why is it so difficult to solve our problems on earth? Although we have successfully reached the moon; war, poverty, racial tension, pollution, and insufficient funds for educational programs still exist on earth.

Realizing the interest of my colleagues in Apollo 11 and its meaning for mankind, I would like to include in the RECORD an editorial on this subject which appeared in the Old Colony Memorial, of Plymouth, Mass.:

MAN'S NEXT STEP

One of the most remarkable achievements in the history of mankind took place Sunday, July 20, as man first set foot on the moon.

It was an inevitable happening and Jules Verne described such a journey in the last century. His fictional account of man's first trip to the moon was somewhat more colorful than the real thing, however, as have been similar accounts since. While watching the historic undertaking with millions of other television viewers, it was difficult to believe we weren't seeing a science fiction movie and we almost expected some strange moon monster to suddenly appear above the horizon.

The moon scene was at least as good as a Flash Gordon film and the very knowledge that we were seeing it live gave it the highest drama.

We could have hoped for a little more emotion in the dialogue—at least a few yells or yippees when the ship touched down. We are told that Armstrong's heart rate jumped considerably but a good part of the conversation was in cold military-like jargon. There was, however, plenty of emotion expressed on earth for this awesome achievement as the human race established its first contact with extraterrestrial soil.

Marshall McLuhan might say that man has now extended his nervous system to include the moon as the senses of millions of people throughout the world recorded the accomplishment.

In an evolutionary sense, it may be as promising as when the first amphibian crawled onto the beach for the first time in the Devonian age. On the other hand, we just spent $24 billion to pick up 60 pounds of dirt and leave a million dollar junk pile.

The implications of the event were more important than the actual task, as in many things.

This act could contribute a good deal towards a greater sense of brotherhood, and an end to conflict on this one out of many planets. We should now see ourselves clearly as earthmen rather than black or white or Americans or Russians. We are all on this earth together—and we had better make the most of it.

Now that we know we are technically able to explore other planets—a mars flight is planned for sometime after 1980—it might be a good idea to set our affairs in order down here before we attempt to explore other planets.

A respected professor of astro-physics from Boston University told a Boston area Rotary group last year that the main reason for the space program was not curiosity but to guarantee the survival of the human race. According to the professor, it was only a matter of time before life on earth is destroyed by a nuclear holocaust since we have the means to accomplish that right now. He said that the colonization of other planets is the only way to guarantee our survival. This is certainly a pessimistic reason for space exploration but it may be a valid one.

It would appear that our technological developments are unlimited. It is a pity, however, that at the same time we have hardly changed the social structure of man one iota in comparison.

It seems unreasonable that man has the power to reach other planets but cannot mend the problems on his own planet—and it hardly seems fair to bring these problems to the other planets. Why do we find it easier to believe in universal space travel than in a utopian life here on earth? If we cannot change our social actions to coincide with our scientific achievements then perhaps we should keep our primitive social system to ourselves, at least for a thousand years or two, before we consider contaminating other worlds.

A small beginning might have been to stand a United Nations flag alongside Old Glory on the Moon, and in future flights—

there's no stopping them now—it would be an excellent idea to have participation by other nations as Cong. Hastings Keith has so commendably suggested.

If man can take this giant leap, why could he not also solve the much easier and less complex problem of ending misery and poverty on the earth?

The astronauts deposited on the Moon the plaque with its words of peace—which there has been a decided lack of lately, except on the Moon. Perhaps the next $24 billion could be spent more profitably on something "down to earth" such as peace or the elimination of hunger, now that we have gotten this task out of the way.

NO NATION EXCELS THE UNITED STATES IN MODERN SHIP DESIGN

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. PELLY. Mr. Speaker, because the United States has a construction subsidy to certain American ship operators who construct their ships in American shipyards, often criticism is voiced that foreign shipyards are more efficient.

However, I think it should be known that neither our steamship industry nor our shipbuilding industry is second to foreign competition.

Our costs are higher because our living standards and labor costs are hgher.

But, we do build the best ships and design technically superior ships.

Mr. Speaker, let me cite just one example. Four American steamship operators, Lykes Lines, Prudential Lines, the Pacific Far East Line, and Central Gulf have adopted the so-called LASH system which, in short, are various types of barge carriers. These new vessels are designed to operate 95 percent of the time; in other words, to have fast turnaround times with only little time in port and thereby to greatly increase efficiency and lower costs over conventional freighters.

Now, it appears European lines intend to adopt this technique. Holland-America Line is ordering vessels of this new LASH design.

S. W. Thayer, director, steamship construction, Lykes Bros. Steamship Co., speaking at a Maritime Administration conference at Woods Hole, Mass., described this idea as a new system and, Mr. Speaker, regardless of what it is called, it points up that American steamship lines are ready and anxious to carry American cargoes at competitive prices on the seas.

The following statement of Mr. Thayer indicates this determination and gives rise to hope that the U.S. merchant marine, if given a break, will not be driven off the seas.

Mr. Thayer's statement follows:

STATEMENT BY MR. THAYER

1. The present break bulk ships on the North European run, fully loaded with deadweight cargo, could carry about 9,000 tons inbound and 9,000 tons outbound on a turn around of about 60 days (30 days in port total and 30 days at sea total) for a total yearly carriage of about 108,000 tons per year, per ship. The Lykes' Seabee, on the other hand, will carry 23,700 tons outbound and 23,700 inbound tons with a 30-day turn around (4 days in port, 26 days at sea) for a total yearly carriage of 568,000 tons per year, per ship. Thus the cargo carried on one Seabee in a year is more than that carried on 5 modern break bulk ships in a year and at todays prices, these 5 vessels would cost approximately $80 million as compared with the Seabee's cost of approximately $37 million.

2. The operating costs, with regard to fuel, are about 4 times higher than the conventional break bulk vessel, which, in this particular case would represent a savings of about 20% when comparing the Seabee with 5 conventional vessels. With regard to crew costs, it is recognized that the crew costs for a single Seabee, of necessity, must be considerably lower than the crew cost for 5 ships.

3. Other fixed costs such as hull insurance, P&I insurance and the like, of necessity, will be lower for the single $37 million investment than they will for the 5 ships, totaling some $80 million.

4. Charges, such as pilotage, tow boat and tug boat charges will be considerably reduced on the Seabee, since we are comparing 12 round trips a year for the barge carrier as compared with 30 round trips a year for its 5 equivalent break bulk vessels.

5. Port charges can be reduced considerably if the vessel does not tie up to a dock in the port proper, but rather loads and discharges its barges in an area outside the port.

Finally, we hope we have demonstrated the Lykes idea of a new system, and I must repeat this word system, not ship method of transportation. A system which is compatible and can be easily integrated with existing systems such as roll-on/roll-off, containerization and river transportation; the concept which reaches far into the interior of the United States; into areas where ocean transportation has previously been unknown. We have nothing but enthusiasm with this new idea and we hope that in some small way it will help to bring back the superiority of the American seagoing transportation system which was once the envy of all the world.

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION COMMENDS OCCIDENTAL LIFE OF CALIFORNIA FOR PROGRESS IN IMPROVING MINORITY EMPLOYMENT

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. ROYBAL. Mr. Speaker, it is a genuine pleasure for me to include in the CONGRESSIONAL RECORD a statement by the U.S. Equal Employment Opportunity Commission citing Occidental Life of California for showing "real progress in improving minority employment."

This kind of commendation is certainly an encouraging example of how private enterprise initiative can help our Nation overcome patterns of discrimination and lack of equal job opportunity now existing for many of our citizens who are members of minority groups.

Occidental Life has also been commended for its record of minority utilization by the Compliance Division of the Department of Health, Education, and Welfare, as well as by EEOC Commissioners Clifford Alexander and Vicente Ximenes during the Commission's Los Angeles field hearings held earlier this year.

Better than 41 percent of Occidental's employees are listed as being from the minority sectors of Los Angeles. This includes 19 percent Spanish-surnamed, 15 percent Negro, and 6 percent oriental. These employees comprise 53 percent of the California insurance firm's clerical work force, over 23 percent of its technical force, nearly 20 percent of its professionals, and over 4 percent of its officials and managers.

The text of the U.S. Equal Employment Opportunity Commission's statement, correcting an earlier EEOC news release which had been reprinted in the CONGRESSIONAL RECORD, is as follows:

The Equal Employment Opportunity Commission today stated: A news release from EEOC, concerning the Commission's public hearings in Los Angeles, inadvertently included Occidental Life of California in a list of companies showing a "pattern of underemployment of minorities".

Occidental Life should not have been included in an undifferentiated listing of employers since it shows real progress in improving minority employment patterns.

THE MASON-DIXON LINE

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. FRIEDEL. Mr. Speaker, the Mason-Dixon Line is, perhaps, one of the most famous boundaries in the United States because of its historic significance. It has been mentioned in songs and novels over the years and is very often referred to in articles in the daily press as well as in private conversation.

Yet, notwithstanding the fact that the existence of this line is well known, comparatively few persons know its exact location as the boundary between the States of Maryland and Pennsylvania on the north and between Maryland and Delaware on the east. Thus, all of Maryland is south of this line which has existed for over 200 years.

The "Free State" of Maryland publishes a truly beautiful and informative magazine which proudly bears the name of our State as the name of this periodical. In its spring 1969 issue an excellent article appeared about the Mason-Dixon Line which sheds considerable light on the origin and history of the border or divisions between the North and the South. Knowing of the general interest of my colleagues in the Congress and of the people in this subject, I insert this article entitled "A Hard Line To Follow" at this point in the CONGRESSIONAL RECORD:

A HARD LINE TO FOLLOW

(By Jesse F. Garber)

Most Marylanders realize the Mason-Dixon Line is a ridgepole across the State, providing a boundary with Pennsylvania and Delaware. And most Marylanders recall the Line bears the names of two English astronomers and surveyors who laid out the boundary to settle the rival claims of the Penns and the Calverts. But few people realize how today's maps might look had the claims of either Quaker or Cavalier been fully sustained.

The problem developed because those involved had limited knowledge of American geography as well as longitude and latitude.

The scene was set in 1606 when King James I granted the London Company, New World lands bounded by four degrees of latitude, from the 34th to 38th parallel. At the same time, he gave the Plymouth Company, territory from the 41st to 45th parallel. The three degrees in between the New England and Virginia settlements remained neutral or common territory.

It didn't stay that way long. In 1632, Charles I granted Lord Baltimore the lands that, ". . . lieth under the Fortieth Degree of North Latitude . . . And all the Tract of that Land . . . passing from the Delaware Bay in a right line, by the degree aforesaid, unto the true Meridan of the first fountain of the River of Pattowmack . . ."

While the early Maryland settlers were busy "developing" their land, William Penn, also interested in land development, petitioned the King for land north of Maryland. Lord Baltimore and Penn exchanged views on a common boundary and agreed that the Susquehanna Fort should be the northern boundary of the Maryland province. But for some unknown reason Penn's actual grant failed to include this. It stated the southern boundary would be established, "by a circle drawne at twelve miles distance from New Castle Northwards, and Westwards unto the beginning of the fortieth degree of Northern Latitude; and then by a streight line Westwards, to the limitt of Longitude menconed. . . ."

Two difficulties immediately developed. First, it is impossible to draw the described circle and have it reach the 40th degree of latitude. There was also the question of just what is a degree of latitude. Apparently, it was not an imaginary line as we think of it, but a 69½ mile wide band between two latitudes. As far as Lord Baltimore's charter was concerned this caused no problem. It indicated the lands lying under the 40th parallel were his. But Mr. Penn preferred to interpret his charter as giving him the lands north of the 39th.

The issue was further confused when it was found that the map in use was in error. The 40th parallel actually belonged about 12 miles farther north, placing it in the vicinity of the site of Philadelphia. The two sides tried to resolve their differences through a series of meetings. The more they met, the more the situation deteriorated. Penn informed some citizens in Maryland's Cecil and Baltimore counties that they belonged to Pennsylvania and should no longer pay taxes to Maryland. In return Lord Baltimore ordered the residents of Marcus Hook to stop paying taxes to Penn. Something of a standoff developed.

To protect their interests, both proprietors encouraged the settlement of German farmers in the disputed border regions, for they had the reputation of "staying put" and would help establish land claims.

The Quaker Penns were particularly successful in encouraging settlement of Germans in the border area and two leading Maryland partisans tried to disperse them.

Capt. John Charlton, in the service of Lord Baltimore, carried out the eviction of 52 German settlers from what is now a section of York County in southern Pennsylvania. Although the group had settled under Maryland tenure, having been given transportation and grants of land, they renounced Maryland authority in 1736 and declared they belonged to Pennsylvania. They were evicted and Captain Charlton gained control of their property.

A more active Maryland partisan was Col. Thomas Cresap, who settled on the west bank of the Susquehanna River in 1732 and two years later tried to "annex" the land of a neighbor. When his German neighbors renounced Maryland authority, Cresap took an active part in trying to reclaim their lands for Maryland. His York County home became a fort and rallying point for Maryland officials who sought to enforce their laws and to collect Maryland taxes.

Eventually Colonel Cresap was arrested by a Lancaster County, Pennsylvania, sheriff's posse and imprisoned in Philadelphia. There he maddened his captors by praising Philadelphia as the fairest city "in all of Maryland."

A Maryland delegation demanded his release and finally his plight was referred to the King who ordered his freedom.

Confusion over the actual proprietor caused numerous other contentions in the disputed territory.

When tenants refused to pay rents or taxes, sheriffs and armed posses tried to enforce the "law," which often resulted in bloodshed, reprisals, burning of homesteads and all the incidents of border warfare. This state of hostility sometimes caused incidents involving the Indians, and probably contributed in some measure to excesses of the French and Indian War.

Possibly it is only coincidence, but the establishment of the Mason-Dixon Line generally coincided with the end of the Indian disputes.

The Marylanders called the Pennsylvanians "quaking cowards," acknowledging Penn's pacifist Quaker religion, and the Pennsylvanians called their southern neighbors "hominy gentry," mocking the titles of the successive Lords Baltimore.

While all this was going on, Penn gave his attention to another aspect of the problem. Suspecting his colony might not have an outlet to the sea, he persuaded his friend, the Duke of York, to grant him land on the west shore of the Delaware River.

The Duke had taken the land from the Dutch in 1674 and appeared to have title. Lord Baltimore had tried to establish control over the area by encouraging settlement, but with little success.

This was disquieting to Lord Baltimore, for in this case personal friendship counted for more than royal ties. With the Duke of York about to become King of England, the Calvert claim to Delaware didn't appear too strong.

Eventually Penn and Lord Baltimore met at New Castle. Baltimore insisted on the 40th parallel as his northern boundary and Penn offered to buy land to give his province an outlet to the Chesapeake, but was rebuffed.

The dispute was referred to the Board of Trade and Royal Plantations. Their 1685 decision appeared to fix Maryland's northern boundary as the 40th parallel and split the Eastern Shore area that was under question.

Under King William III both proprietors "lost" their colonies, which were restored later to their heirs, who revived the boundary disputes.

Eventually, given a royal shove to adjust their differences, the proprietors agreed on a temporary line in 1732. The agreement provided for a line due west from Fenwick Island to the midpoint of the peninsula from which another line would run tangent to a circle 12 miles from New Castle and a meridian from the tangent point would run due north to a point on the parallel lying 15 miles south of Philadelphia. This agreement would divide the upper part of the peninsula between Chesapeake and Delaware bays, giving the Penns the eastern half which later became Delaware. The agreement also fixed the east-west boundary on the parallel 15 miles south of Philadelphia and disallowed Cresap's old claim that Philadelphia was in Maryland.

The commissioners appointed to establish the line couldn't agree on the center or size of the New Castle circle. Instead of resolving the matter they signed a statement to the effect that they could not reach an agreement.

The King decided to do what the commissioners could not and ordered a line established that was very close to the 1732 agreement. Neither side was satisfied and both pushed the Crown for a more beneficial decision.

Part of the problem was resolved when it was decreed that the New Castle circle with a radius of 12 miles would have its center in the town.

After more disagreements, the commissioners accepted the line run from Fenwick Island to Chesapeake Bay and fixed its midpoint in 1760. They then attempted to establish the line from the midpoint to the New Castle circle. After making and correcting several errors they were about to complete the tangent line when both sides agreed to bring in more competent personnel.

Charles Mason and Jeremiah Dixon were hired to run the actual line and arrived in late 1763 to make preparations for the survey, which began in early 1764.

Both men were uniquely qualified for their task. Each was a trainee of the Astronomers Royal of the Greenwich Observatory.

In 1761, just prior to coming to America, they had been sent by the Royal Society to sail to Sumatra in the Pacific Ocean to measure the transit of the planet Venus across the disc of the Sun. Their vessel was running behind schedule so they stopped at Cape Town to make their astronomical observations.

Shortly after returning to England they were engaged by the proprietors of the two colonies. Their work continued until early 1768 and included surveying, cutting brush and timber to clear a 24-foot vista for the monument stones, resurveying the transpeninsular and tangent lines and negotiating with the Indians for permission to continue westward from the Cumberland Valley.

The proprietors shared the $75,000 cost of the boundary operation but had only a few years to enjoy the fruits of peace brought about by the settlement. Seven years after the boundary was established the Revolutionary war broke and the principle of ownership by royal grant was set aside.

Although the Mason-Dixon Line is called a compromise by most historians, it appears most of the compromising was done by the Marylanders and the Penns came out ahead.

One of the more moderate views expressed by a Maryland partisan came from Colonel Cresap who wrote, "The Lords Baltimore in their disputes with the Penns . . . had long and deep heads to contend with and did not get their full rights."

When the boundary was settled the disputes were forgotten, only to reappear when the Mason-Dixon Line became the freedom boundary sought by fleeing slaves.

Although slaves were sold in Franklin County, Pennsylvania as late as 1828 many Pennsylvanians offered haven to escapees on the Underground Railroad. At the same time many Marylanders were active as slave catchers.

It is interesting to speculate on the course of the Civil War had the boundary line been shifted 19 miles to the north. Chambersburg, in Franklin County, Pennsylvania, might have been spared its 1864 firing by the Confederates since it was burned in retaliation for Union burnings in Virginia.

It's doubtful the Battle of Gettysburg would have been fought on southern soil for General Lee sought to make a stand in the North.

For most people today, the line belongs to history even though it still exists. Since private property blocks access to most portions, few people have ever seen a Mason-Dixon marker, which may not be such a terrible thing since it has served to protect the markers from vandalism. Not all have escaped damage, however. Some are chipped or worn by the elements. Others are broken off, buried in land fills or submerged behind dams.

Despite its present condition or true historical significance, the Mason-Dixon Line will surely remain as an artificial division as long as writers refer to the North and the South.

MR. NIXON'S FIRST 6 MONTHS

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 13, 1969

Mr. KEITH. Mr. Speaker, I would like to call the attention of my colleagues to an evaluation of the first 6 months of the Nixon administration which appeared recently in the editorial column of the Standard-Times of New Bedford, Mass.

This perceptive newspaper points out that the President has focused his attention on foreign affairs during his first 6 months in office, and I think we all must agree that the results have been promising. Mr. Nixon has renewed our ties with our European allies, he has recently returned from a successful tour of Asia, and most importantly, he has made significant progress toward ending the war in Vietnam.

On the domestic front, the paper points out that the administration is making progress in the battle against inflation—and has recommended a revolutionary approach to public assistance. While there is much more that must be done before our domestic problems are brought under control. Mr. Nixon has succeeded in restoring the confidence of the American people in the Presidency. One cannot help but feel that Mr. Nixon will accomplish a great deal if the pattern of his first 6 months continues.

Under unanimous consent I include the editorial at this point in the RECORD:

MR. NIXON'S FIRST 6 MONTHS

In his inaugural, President Nixon promised a low-key, low volume administration aspiring to modest managerial competence, and at the end of his first six months in office, this is approximately the image that has emerged.

Opponents criticize him for indecision; proponents praise his cautious deliberation and pragmatism. Meanwhile, polls show the President's popularity has increased greatly since his hair's-breath election, in part because this summer is cooler, and shorter than last.

Instead of violence in the streets, Apollo 11's breath-taking success has captured Page 1, boosted American pride, and generated new talk of better understanding on earth.

Mr. Nixon's global tour, enhanced by the U.S. moon-landing, was a personal success, no matter whether it produces much or little. His receptions were enthusiastic; his manner vigorous; his remarks temperate, and the aura of the trip was such as to make Americans—who have been much given to self-criticism in recent years—think somewhat better of themselves.

His administration is not exciting, bold, or daring, nor has it negotiated impressively with the opposition Congress. If prolonged, this might be harmful; yet to this moment, it has produced a pause that many Americans find welcome in the wake of a several-year period of escalating war, spiraling inflation, assassination, world tension, and unparalleled domestic friction.

Clearly, the President has established two top priorities—ending the war in Vietnam, and curbing inflation.

With regard to the first, he has brought about the withdrawal of some U.S. troops, has lowered intensity of the war effort, and prodded Saigon into a position of greater political flexibility, all of which ought to help the peace efforts in Paris.

His efforts to make the dollar worth more have included a federal budget reduction, tighter watch on government spending practices, limited extension of the surtax, and a serious effort to prune unnecessary military and space programs, as well as to halt Pentagon cost overruns and blank-check weapon buying.

His administration, at least insofar as its first six months have not contributed to massive increases in federal spending, can also take certain pride in announcing the first budget surplus since 1960.

The President thus far has demonstrated more boldness and initiative in foreign affairs than in home affairs.

He has called for a revitalization of the North Atlantic Treaty Organization; delineated a new Asia policy that tells Asians we will not abandon them, but they must help themselves; indicated he desires to bring Communist China into the family of nations, and moved toward accommodation with the Soviet Union that would seek a strategic arms race curb and development of machinery to control crises involving the superpowers.

To some degree, as yet not clear to the general public, these efforts have won friendly signals from Moscow, Peking, Europe, and perhaps even Hanoi. The Soviets especially seem to understand and to accept Mr. Nixon as a practical politician.

The President seems to be thinking about a foreign policy that will reflect the long-range view and, in the words of Democratic Majority Leader Mansfield, insure that we do "not become captive to the shifts and turns of the moment." Insofar as this will help us to avoid crises such as Cuba and Vietnam, the American public undoubtedly hopes he succeeds.

His home front efforts have been principally in the direction of assessing and reorganizing existing projects. It may be that his hesitancy in moving forward with urban action, job training and health programs stems from two factors: (a) The need of overhauling Great Society programs that failed to help the poor because of loose administration and inadequate planning, and (b) We do not yet know how much halting inflation will cost in unemployment and this is certainly important to any new social welfare program.

He has made mistakes at home, in our view, among them calling for antiballistic missile deployment; permitting a more benign attitude toward the South in civil rights law enforcement; rejected Dr. John H. Knowles as assistant HEW secretary; blocking the nomination of Franklin A. Long as head of the National Science Foundation—an error Mr. Nixon admitted—and catering to party conservatives by finding a high-salaried job for Otto Otepka.

The President has not yet done much to heal divisions among Americans, an effort to which he is pledged. While moderates and liberals within his administration struggle for dominance, and it cannot be seen yet who is winning, restive liberals believe we must have a rapid overhaul of national priorities to avoid major domestic upheaval and racial conflict.

Time undoubtedly will add substance to their case; at the moment, most Americans appear to accept the fact that halting the Vietnam war and stopping the inflation spiral will take more undivided presidential time. We agree.

Eventually, Mr. Nixon must do something more about the fact that the middle class of Americans feels overtaxed and the poor classes feel neglected.

At the moment, he may be accepting Jefferson's advice that "great innovations should not be forced on slender majorities," and a majority larger than that which elected him seems willing to go along with the President's interpretation of his mandate.

HOUSE OF REPRESENTATIVES—*Wednesday, September 3, 1969*

The House met at 12 o'clock noon.

Rev. Jack P. Lowndes, pastor, Memorial Baptist Church, Arlington, Va., offered the following prayer:

"Submit yourselves to every ordinance of man for the Lord's sake."—I Peter 2: 13.

Accept our thanks, O God, for all that this land has given us. Realizing that Thou has provided sufficient for the needs of the human family, help us to do our part that all may share in this abundance and none go hungry or be enslaved. Keep us aware of all who are in need, near and far.

We thank Thee for the reign of law established among us by Thy faithful servants. Lead those who now have responsibility for making and enforcing laws that we with Thy help might make it safely through the troubled waters of our time.

Help us by our thoughts, words, and actions to extend reverence for the laws that will bring a united society and a world of peace.

Our prayer is in the name of Thee, our Lord, to whom we yield final obedience. Amen.

THE JOURNAL

The Journal of the proceedings of Wednesday, August 13, 1969, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 11235. An act to amend the Older Americans Act of 1965, and for other purposes.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 40. An act to authorize the Secretary of the Interior to modify the operation of the Kortes unit, Missouri River Basin project, Wyoming, for fishery conservation;

S. 73. An act to amend the act entitled "An act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, S. Dak.";

S. 74. An act to place in trust status certain lands on the Standing Rock Sioux Indian Reservation in North and South Dakota;

S. 204. An act to amend the Indian Long-Term Leasing Act;

S. 210. An act to declare that certain federally owned lands are held by the United States in trust for the Indians of the Pueblo of Laguna;

S. 404. An act to provide for the construction and improvement of a certain road on the Navajo Indian Reservation;

S. 775. An act to declare that the United States shall hold certain lands in trust for the Three Affiliated Tribes of the Fort Berthold Reservation, N. Dak.;

S. 921. An act to declare that certain federally owned land is held by the United States in trust for the Cheyenne River Sioux Tribe of the Cheyenne River Indian Reservation;

S. 1609. An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands located outside the boundaries of Indian reservations in New Mexico;

S. 1766. An act to provide for the disposition of a judgment recovered by the Confederated Salish and Kootenai Tribes of Flathead Reservation, Mont., in paragraph 11, docket numbered 50233, U.S. Court of Claims, and for other purposes;

S. 2000. An act to establish the Lyndon B. Johnson National Historic Site;

S. 2540. An act to amend the Small Business Investment Act of 1958;

S. 2593. An act to exclude executive officers and managerial personnel of Western Hemisphere businesses from the numerical limitation of Western Hemisphere immigration;

S. 2815. An act to amend section 4(c) of the Small Business Act and sections 302 and 304 of the Small Business Investment Act of 1958; and

S.J. Res. 26. Joint resolution to provide for the development of the Eisenhower National Historic Site at Gettysburg, Pa., and for other purposes.

SUMMONS FOR THE SPEAKER TO APPEAR BEFORE THE U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN

The SPEAKER. The Chair, in his official capacity as Speaker of this House, has been served with a summons issued by the U.S. District Court for the Eastern District of Michigan to appear in the case of *Thomas W. Jones et al.* v. *Richard M. Nixon, James M. Hare, and the U.S. House of Representatives* (civil action No. 33037).

Under the precedents of the House, the Chair is unable to comply with this summons without the consent of the House, the privileges of the House being involved. The Chair, therefore, submits the matter for the consideration of this body.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON PUBLIC WORKS

The SPEAKER laid before the House the following communication from the chairman of the Committee on Public Works; which was read and referred to the Committee on Appropriations:

AUGUST 21, 1969.

Hon. JOHN W. MCCORMACK,
Speaker of the House,
The Capitol,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of the Public Buildings Act of 1959 and the Independent Offices and Department of Housing and Urban Development Appropriation Act, 1969, the House Committee on Public Works on August 11, 1969, approved the following prospectuses:

Area of Fresno, California: Treasury Department, Internal Revenue Service Automatic Data Processing Center (Lease).

Detroit, Michigan: Treasury Department, Internal Revenue Service, National Data Center (Lease), with an amendment that the prospectus be hereby approved subject to the condition that the facility leased pursuant to said prospectus be located within the city limits of Detroit, Michigan.

Vicinity of Fort Monmouth, New Jersey: Army Electronics Command and Army Materiel Command (Lease).

Suffolk County, Long Island, New York: Treasury Department, Internal Revenue Service Automatic Data Processing Center (Lease).

Memphis, Tennessee: Treasury Department, Internal Revenue Service Automatic Data Processing Center (Lease).

Miami, Florida: Post Office and Courthouse (Alteration).

San Angelo, Texas: Post Office, Courthouse, and Federal Office Building (Report of Building Project Survey).

Sincerely,

GEORGE H. FALLON,
Chairman.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON PUBLIC WORKS

The SPEAKER laid before the House the following communication from the chairman of the Committee on Public Works; which was read, and, together with the accompanying papers, referred to the Committee on Appropriations:

AUGUST 12, 1969.

Hon. JOHN W. MCCORMACK,
The Speaker,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of Section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Public Works has approved the work plans transmitted to you which were referred to this committee. The work plans involved are the following:

EXECUTIVE COMMUNICATION NO. 896, APPROVED AUGUST 11, 1969

Ohio: Pine Creek watershed.
Oklahoma: Pryor Creek watershed.
New Mexico: Sibley, Green, Jaralosa and Candler Arroys watershed.
Kansas: Lyons Creek watershed.
Maryland: Piney Run watershed.
Mississippi: Upper Leaf River watershed.
Texas: Lakeview watershed.
Arkansas: Lower Tri-County watershed.
New York: Newtown Hoffman Creeks watershed.
Arkansas: Upper Tri-County watershed.
Maine: Violette Stream watershed.
Pennsylvania: Jacobs Creek watershed.
Georgia: John's Creek watershed.
Arkansas: Des Arc Bayou watershed.

Sincerely yours,

GEORGE H. FALLON,
Chairman.

THE LATE HONORABLE DONALD C. BRUCE

(Mr. JACOBS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. JACOBS. Mr. Speaker, Donald C. Bruce, my predecessor as Representative of the 11th District of Indiana, has on last Sunday suffered an untimely death.

Don and I disagreed on several issues, including which of us should be elected to the 88th Congress. That disagreement was resolved in his reelection to a second term from which he voluntarily retired in 1964.

In this age of far too much complacency and indifference, Don Bruce made a useful, commendable, and sincere contribution to the marketplace of ideas without which democracy cannot work.

His death at 48 is tragic. And I am sure the House joins in the sympathy of the Indiana delegation for his lovely wife, Hope, and his son, Don, and daughter, Patricia.

FORD MOTOR CO. ANNOUNCES REDUCED WARRANTY PERIOD

(Mr. VANIK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. VANIK. Mr. Speaker, it was announced last Friday by the Ford Motor Co. that its warranty coverage beginning with 1970 models will be reduced to a flat 12-month warranty on all factory caused defects in the car regardless of mileage. It is also reported that the company will provide Ford purchasers' adjustments and services during the first 90 days after purchase.

Prospective car buyers have every reason to be irate at the effort to increase prices by reducing the outlays for warranty which were included in the prices of last year and for previous years.

Except for the price increase factor, few automobile owners will complain about the "retreat from warranty." To all but the most patient and persevering the automobile warranty has been a "myth of assurance." What value is a warranty if you have to present your automobile at the agency garage no later than 8:10 a.m. to get repair work done? What good is a warranty if getting the work done requires the loss of a car for day after day of procrastination?

Last Monday, I drove up for service at a very large official Ford agency in nearby Virginia. At 8:40 a.m. when I arrived, the service department was closed, "filled for the day." Only the early bird with several other cars has a chance for service. The next day I appeared at 8:15 a.m. and waited patiently in line until 8:50 a.m., when I was told that the quota for that day was filled. I gave up in despair and had my repairs made at a neighborhood service station. This will be my plan from here on in. When the work becomes too complex for the neighborhood gas station repairman, I will dispose of my automobile.

Automobile warranties have absolutely no value unless necessary repair can be made under reasonable circumstances. Factory-authorized service agencies which cannot provide this service should suffer a withholding of their franchise privilege. Perhaps the time has arrived for the automobile industry to franchise authorized automobile repairmen and let the car buyer make his choice of a new car from a catalog.

TO AMEND THE OLDER AMERICANS ACT OF 1965

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 11235) to amend the Older Americans Act of 1965, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 4, line 12, after "title." insert: "Funds appropriated pursuant to the preceding sentence for the fiscal years ending June 30, 1970, and June 30, 1971, but not expended because a State did not have authority under State law to expend such funds, as determined by the Secretary pursuant to paragraph (4) of subsection (b) of this section, shall remain available as provided in such paragraph."

Page 5, after line 16, insert:

"(4) In any case in which a State does not have authority under State law to expend the full amount of its allotment under this subsection in the fiscal year ending June 30, 1970, the amount of such allotment which the Secretary determines the State did not have such authority to expend during a part of that fiscal year shall remain available to such State until June 30, 1971, subject to reallotment after June 30, 1970, in accordance with the provisions of subsection (c) of this section, except as provided by the following sentence. In any case in which a State does not have authority under State law to expend the full amount of its allotment under this subsection, including any amount available pursuant to the preceding sentence, in the fiscal year ending June 30, 1971, the amount of such allotment which the Secretary determines the State did not have such authority to expend during a part of that fiscal year shall remain available to such State until June 30, 1972, subject to reallotment after June 30, 1971, in accordance with the provisions of subsection (c) of this section."

Page 5, line 19, after "required" insert "(i)"

Page 5, line 20, after "(a)" insert "and (ii) for the purposes set forth in paragraph (4) of subsection (b)".

Page 6, line 2, strike out "the" where it appears the first time and insert "any"

Page 6, line 2, strike out "original".

Page 6, line 3, strike out "was" and insert "is"

Page 13, line 15, after "the" insert "new".

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. GROSS. Mr. Speaker, reserving the right to object, and I shall not object, would the gentleman be kind enough to explain the reference to "slightly crossing the poverty line"? Would the gentleman please explain how this operates? What is the formula for "slightly crossing the poverty line"?

Mr. PERKINS. Mr. Speaker, if the gentleman will yield, first let me state that the authorization in this bill is the same as in the bill which originally passed the House—that is $252 million for 3 years. In answer to the question posed by the gentleman from Iowa, it is contemplated that there will be an increase in the compensation of foster grandparents by reason of social security increases. It is contemplated that, if they receive $200, $300 or $400 in excess of the $3,000 poverty figure—as will be the case in certain States—their participation in the program should not be terminated.

Mr. GROSS. The turning point is $300 or $400, approximately; is this what the gentleman is saying?

Mr. PERKINS. I must state to the gentleman that under the Senate amendment, the Commissioner on Aging will make this determination. I know that none of us would want to terminate program participation because the poverty level in New York City may not be the same as it is in eastern Kentucky. Even if it went $600 or $800 more than the $3,000 figure, I would think this would be a reasonable determination which could be made by the Commissioner on Aging.

Mr. GROSS. But there are certain cases in which $600 or $800 would mean as much to an individual in Kentucky or Iowa as it would in New York; is that not true?

Mr. PERKINS. That is absolutely correct. But I think under the circumstances we will have to leave this to the discretion of the Commissioner on Aging.

Mr. GROSS. The gentleman's committee will give proper oversight to this question; will it not?

Mr. PERKINS. Yes, we will do our best.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky (Mr. PERKINS)?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

REQUEST TO CONSIDER H.R. 13194, INSURED STUDENT LOAN EMERGENCY AMENDMENTS, 1969, UNDER SUSPENSION-OF-THE-RULES PROCEDURE ON MONDAY NEXT

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that on Monday next after the conclusion of all other regularly scheduled business, it may be in order to call up the bill, H.R. 13194, the so-called guaranteed student loan legislation—and I say Monday next because many Members are not back here and I feel that all Members would like to be here and vote on the bill—and I make the unanimous-consent request that the bill come up under suspension of the rules on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. GROSS. Mr. Speaker, reserving the right to object, let me say to the gentleman from Kentucky that insofar as I am concerned the gentleman has a very quick remedy for the situation in which the Committee on Education and Labor finds itself. If the gentleman from Kentucky will amend his request and ask unanimous consent that the bill be called up and considered next Monday, with consideration in the House as in Committee of the Whole, and the bill open to amendment at any point, I, for one, will have no objection to that request. Otherwise, Mr. Speaker, I must object to the present request of the gentleman to call the bill up under suspension of the rules.

Mr. PERKINS. Mr. Speaker, let me respond by stating that I can appreciate the gentleman's viewpoint but if this bill were to be open for amendment, student unrest amendments undoubtedly would be tied to this most important legislation. This would seriously jeopardize final enactment of the legislation. I do not want in any way to jeopardize this legislation which is absolutely necessary.

If my good friend from Iowa continues to object, consideration of the bill will have to be postponed for 1 week and come up on the regular suspension day on the 15th of September.

Mr. GROSS. Mr. Speaker, the gentleman from Kentucky has his remedy. The gentleman from Kentucky surely does not want to deny the House the opportunity to work its will upon this legislation; does he?

Mr. PERKINS. Let me say to the distinguished gentleman from Iowa, there are many reasons for considering bills under suspension of the rules, and I do not view the suspension route as an attempt to deprive the House of working its will. But if we can foresee a situation where an urgently needed bill will get bogged down and never become law—which in my judgment will take place on this legislation if student unrest amendments are attached—then I think it is in the interest of the House that we take up the bill under suspension.

Mr. GROSS. In other words, to ram this down the throats of the Members of the House regardless of whether Members think the bill ought to be amended?

Mr. PERKINS. The gentleman knows this is not the case, that it is not my intention, as he well knows, the bill must receive two-thirds of the votes of the House before it can pass under suspension.

Mr. GROSS. And the gentleman suggests a two-thirds vote as a voting test on all legislation that may be controversial?

Mr. PERKINS. I am only referring to this specific piece of legislation.

Mr. GROSS. Mr. Speaker, I have no desire to continue this colloquy and I object to the request.

The SPEAKER. Objection is heard.

CALL OF THE HOUSE

Mr. PELLY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 154]

Adair	Boggs	Corbett
Alexander	Bolling	Corman
Anderson, Tenn.	Bow	Cunningham
Andrews, Ala.	Brademas	Davis, Ga.
Andrews, N. Dak.	Brock	Dawson
Aspinall	Brooks	Dickinson
Baring	Button	Diggs
Berry	Cahill	Dingell
Blanton	Celler	Dulski
	Clawson, Del	Edmondson
	Clay	Edwards, Calif.

Edwards, La.	Lukens	Saylor
Evans, Colo.	McEwen	Scherle
Findley	McMillan	Scheuer
Flynt	MacGregor	Sebelius
Foley	Mailliard	Sikes
Frelinghuysen	May	Snyder
Garmatz	Mills	Springer
Goodling	Morton	Steiger, Ariz.
Green, Oreg.	Myers	Steiger, Wis.
Green, Pa.	Nix	Stubblefield
Gubser	Obey	Stuckey
Hanna	O'Konski	Sullivan
Hansen, Wash.	Olsen	Symington
Hébert	Ottinger	Talcott
Holifield	Passman	Teague, Calif.
Hosmer	Pepper	Teague, Tex.
Hungate	Pickle	Thompson, Ga.
Ichord	Pollock	Tiernan
Jarman	Powell	Tunney
Joelson	Preyer, N.C.	Udall
Johnson, Pa.	Price, Ill.	Van Deerlin
Jonas	Quillen	White
Jones, Ala.	Rees	Whitten
Kirwan	Reid, N.Y.	Wilson,
Kyl	Reifel	Charles H.
Landgrebe	Rivers	Winn
Lipscomb	Roberts	Wold
Long, La.	Rooney, N.Y.	Wolff
Long, Md.	Rooney, Pa.	Yatron
Lowenstein	Rosenthal	Young

The SPEAKER. On this rollcall 311 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR SUBCOMMITTEE ON HOUSING, COMMITTEE ON BANKING AND CURRENCY, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Housing of the Committee on Banking and Currency may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 10105, MOTOR VEHICLE SAFETY ACT AMENDMENTS

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules and on behalf of the gentleman from Missouri (Mr. BOLLING), I call up House Resolution 517 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 517

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10105) to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1970 and 1971, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH) and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 517 provides an open rule with 2 hours of general debate for consideration of H.R. 10105 to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1970 and 1971, and for other purposes. The resolution also provides that it shall be in order to consider the committee substitute as an original bill for the purpose of amendment.

The purpose of H.R. 10105 is to extend and expand the National Traffic and Motor Vehicle Safety Act of 1966 and, as reported, is a 3-year authorization.

There is authorized for fiscal year 1970, $23 million; for fiscal year 1971, $35 million; and for fiscal year 1972, $35 million; other than for the planning, designing, and construction of facilities as provided in title III. In title III, the Secretary of Transportation is authorized to plan, design, and construct facilities suitable for research, development, compliance, and other testing in traffic safety, including the alteration of existing facilities. However, no appropriation for an expenditure in excess of $100,000 will be authorized for these facilities unless approved by the House and Senate legislative committees.

The act is amended to require that a tire manufacturer shall furnish notification of any defect relating to safety within a reasonable time after it is discovered. Also, manufacturers of motor vehicles and tires will be required to maintain records of the names and addresses of the first purchaser, other than a dealer or distributor, of the vehicle or tires produced. The bill as reported also sets forth certain requirements as to retread tires. Safety equipment covered is expanded to include headgear.

The act is amended to require the annual report on the administration of the act to include a statement of enforcement actions, including judicial decisions, settlements, or pending litigation during the preceding year.

Mr. Speaker, I urge the adoption of House Resolution 517 in order that H.R. 10105 may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of the legislation is to extend and expand the National Traffic and Motor Vehicle Safety Act of 1966.

The bill extends the act for 3 years, through fiscal 1972, and authorizes $23,000,000 for fiscal 1970 and $35,000,000 for each of 1971 and 1972.

Additionally, the bill makes several changes in the act to resolve certain problems which have arisen in the past 3 years.

Protective headgear has been brought within the definition now existing for motor vehicle equipment. This will permit the Secretary of Transportation to establish national standards so as to eliminate variable State standards.

The bill will also require tire manufacturers to inform first purchasers of any known safety defects, thus placing tire manufacturers in the same relative position as the auto manufacturers. The Secretary of Transportation is authorized to set out record-keeping requirements and precisely what information must be recorded and retained by the manufacturer.

Also, with respect to tires, the bill provides that after July 31, 1971, no retreaded tire of less than eight plies may be shipped in interstate commerce if the carcass of such retreaded tire was manufactured before August 1, 1968. This will give time to dealers to work off stocks. Violations will be subject to the civil penalties and injunctions already provided in the act.

Finally, title III of the act is amended by the bill to provide for planning, designing, and constructing of research and test facilities. Any such facility requiring an expenditure of over $100,000 must have the approval of the Interstate and Foreign Commerce Committees and the Public Works Committees of the Congress.

The bill was reported unanimously by the committee. The Department of Transportation supports the legislation as does the Bureau of the Budget.

The bill is a committee substitute.

Mr. Speaker, I urge adoption of the rule.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 7621, THE CHILD PROTECTION ACT OF 1969

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 516 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 516

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7621) to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of

such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After passage of H.R. 7621, the Committee on Interstate and Foreign Commerce shall be discharged from the further consideration of the bill S. 1689, and it shall then be in order in the House to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 7621 as passed by the House.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from California (Mr. SMITH) and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 516 provides an open rule with 1 hour of general debate for consideration of H.R. 7621, Child Protection Act of 1969. The resolution also provides that it shall be in order to consider the committee substitute as an original bill for the purpose of amendment and that, after passage of H.R. 7621, the Committee on Interstate and Foreign Commerce shall be discharged from further consideration of S. 1689 and it shall be in order to move to strike all after the enacting clause of the Senate bill and amend it with the provisions of the House bill.

The purpose of H.R. 7621 is to amend the Federal Hazardous Substances Act to protect children from toys and other children's articles which are hazardous due to the presence of electrical, mechanical, or thermal hazards.

The existing law defines a hazardous substance as one which is toxic, corrosive, an irritant, a strong sensitizer, flammable, radioactive, or which generates pressure through heat or other means. In 1968, the National Commission on Product Safety conducted hearings and concluded that an overwhelming number of articles appeared to constitute hazards which were not covered by existing law. The nature of these hazards took various forms and exposed children to burns, cuts, strangulation, suffocation, asphyxiation, and electric shock. Therefore, the Commission recommended this legislation which would enlarge the definition in existing law to include electrical, mechanical, and thermal hazards as to children's toys and articles.

Mr. Speaker, I urge the adoption of House Resolution 516 in order that H.R. 7621 may be considered.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SISK. I shall be glad to yield to my distinguished friend, the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Since the resolution from the Rules Committee is not available at the desk, would the gentleman state whether or not the rule is an open rule and whether it waives points of order?

Mr. SISK. If I may say to my colleague, I am sorry, I should have said that it provides for a 1-hour open rule with no waiver of points of order. It is a straight open rule and will be open for amendment.

Mr. GROSS. I thank the gentleman.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the gentleman from California (Mr. SISK), House Resolution 516 does provide for an open rule with 1 hour of general debate for the consideration of H.R. 7621, the Child Protection Act of 1969.

As stated by the distinguished gentleman from California, the purpose of the bill is to amend the Federal Hazardous Substances Act in order to bring within the purview of the act several new categories of dangerous toys.

Existing law defines a hazardous substance. To this current definition the bill adds and defines electrical, mechanical, and thermal hazards as they exist in children's toys now on the market.

By thus including these terms in the definition of hazardous substances additional items are made subject to the terms of the act and are subject to regulation and control.

Under the act the Secretary of Health, Education, and Welfare is authorized, after procedures set forth in the act, to classify such items as a "banned hazardous substance" which would exclude it from the interstate market.

Two categories are set forth in the act. Items which are "banned hazardous substance" and may not be marketed in interstate commerce, and a "hazardous substance," which may be marketed if it is properly labeled.

The Secretary of Health, Education, and Welfare in classifying an article or toy as a banned hazardous substance must give notice of his intention and must give interested parties a chance to comment. The issuance of regulations banning the substance becomes final unless a person adversely affected files timely objections. Hearings are then required to be held, and on the basis of the record, the Secretary makes his determination.

Under the bill, if the Secretary finds that a child's article or toy is imminently dangerous, he may ban it from interstate commerce pending the outcome of the administrative determination.

Finally, if a banned hazardous substance is sold at retail, the seller must repurchase the item and, in turn, can return it to the distributor or manufacturer, who must repurchase it.

The administration of this legislation will be handled by the Food and Drug Administration within the Department of Health, Education, and Welfare. Cost of the program is estimated at $448,000 in fiscal 1970, $2,571,000 in 1971, $1,330,000 in 1972, $1,305,000 in 1973 and 1974.

The Department of Health, Education, and Welfare supports the reported bill, which contains several suggested amendments. The bill was reported unanimously.

The bill is a committee substitute.

Mr. Speaker, I urge adoption of the rule.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 12085, TO AMEND THE CLEAN AIR ACT TO EXTEND THE PROGRAM OF RESEARCH RELATING TO FUEL AND VEHICLES

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, and on behalf of the gentleman from New York (Mr. DELANEY), I call up House Resolution 518 and ask for is immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 518

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12085) to amend the Clean Air Act to extend the program of research relating to fuel and vehicles. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of H.R. 12085, it shall be in order in the House to take from the Speaker's table the bill S. 2276 and to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 12075 as passed by the House.

The SPEAKER pro tempore. The gentleman from California (Mr. SISK) is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 518 provides an open rule with 1 hour of general debate for consideration of H.R. 12085 to extend section 104 of the Clean Air Act. After passage of H.R. 12085, it shall be in order to take S. 2276 from the Speaker's table and move to strike all after the enacting clause of the Senate bill and amend it with the House-passed language.

The purpose of H.R. 12085 is to amend the Clean Air Act to extend for 1 year the authority in the act which relates to research and development in the prevention and control of air pollution resulting from the combustion of fuels.

The will as reported will permit the funding of research programs under section 104 authority in the amount of $18.7 million. Funds made available under section 104 can remain available until expended. This flexibility is extremely use-

ful in the planning and scheduling of large-scale research and development and demonstration projects.

This program has covered the following concepts:

First, advanced control systems for hydrocarbon and carbon monoxide from automobile engines;

Second, systems for control of oxides of nitrogen from automobiles;

Third, unconventional engines for passenger cars and buses;

Fourth, systems for control of particulates, especially lead, in exhaust;

Fifth, alternate fuels;

Sixth, understanding of diesel ordor and evaluation of control feasibility; and

Seventh, development of control concepts for lesser vehicle sources such as aircraft, small engines, and off-highway vehicles.

In the long run, a fully successful effort to restore clean air to the Nation's cities and towns will depend on the development and application of new and better techniques. Toward this end, both government and industry must pursue and intensify their research and development activities.

Mr. Speaker, I urge the adoption of House Resolution 518 in order that H.R. 12085 may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 518 is for a 1-hour open rule, no waiver of points of order, for the consideration of H.R. 12085, which extends section 104 of the Clean Air Act.

Mr. Speaker, the purpose of the bill is to extend for 1 year, through fiscal 1970, the authority contained in section 104 of the Clean Air Act. This authority relates to research, demonstration projects, and development in the field of prevention and control of air pollution resulting from combustion of fuel, primarily as used in motor vehicle engines.

The bill does not increase the amount budgeted by the administration for the program and, strictly speaking, an extension of section 104 is not absolutely necessary for the continuation of work in the general field. Under section 309 of the Air Quality Act, budgeted funds could be appropriated for these general purposes. However, the committee believes it desirable to extend section 104 of the Clean Air Act to reemphasize the commitment of the Government to the decrease of air pollutants emitted by motor vehicles. Additionally, the committee points out that funds made available under section 104 remain available until expended. This is extremely useful in long-term planning and development work.

The bill authorizes $18,700,000 for use on section 104 projects, which is part of the overall budgetary amount of $95,-800,000 presently pending before Congress.

The committee notes the considerable efforts being made by the automobile industry to reduce air pollution by motor vehicles. However, since there is no economic incentive within the industry to develop pollution-free automobiles, the committee believes research should be conducted outside the industry, both with respect to control of air pollutants and with respect to vehicle propulsion systems other than internal combustion engines.

There are no minority views. The Department of Health, Education, and Welfare has submitted a letter which supports its earlier testimony in favor of the bill.

Mr Speaker. I urge adoption of the rule.

TRACTOR SAFETY AMENDMENT

Mr. SISK. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. STRATTON).

Mr. STRATTON. Mr. Speaker, I take this time simply to advise the Members of the House that in connection with the bill, H.R. 10105, the amendments to the National Traffic and Motor Vehicle Safety Act of 1966, I propose to offer an amendment to amend the basic act, to provide for the setting of certain standards to cover safety with regard to tractors.

I noticed in the press this morning that Mr. Ralph Nader had released a report with regard to fatalities in tractors. Unfortunately, he did not mention in his report that I had introduced legislation dealing with this matter last January. I have been researching it carefully for some time, and as a matter of fact one of his assistants, I think popularly known as one of Nader's raiders, stopped by my office some weeks ago to get a look at our files and our legislation and the recommendations that he has made in his report are very similar to those contained in my basic legislation.

Primarily, what we would do would be to require tractors to have roll bars and also seat belts. More than 1,000 lives are lost each year from tractor accidents. Just in the 2½ weeks that I was back in upstate New York in my district during the recess, there were eight tractor fatalities in that area.

Mr. Speaker, this is an urgent problem. I do not think it needs to be studied any longer. We have had detailed studies by the American Society of Agricultural Engineers as well as other qualified research groups and I think it is time now for us to act. Therefore, I intend at the proper time, Mr. Speaker, to offer this tractor safety amendment to the bill, H.R. 10105.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MOTOR VEHICLE SAFETY ACT AMENDMENTS

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10105) to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1970 and 1971, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10105, with Mr. DADDARIO in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 1 hour and the gentleman from Illinois (Mr. SPRINGER) will be recognized for 1 hour.

The Chair recognizes the gentleman from West Virginia (Mr. STAGGERS).

Mr. STAGGERS. Mr. Chairman, this bill is an extension of and an amendment to the original act of 1966 known as the National Traffic and Motor Vehicle Safety Act.

I think most Members of the House are familiar with the provisions of that act. We think H.R. 10105 is a good bill and I want to commend the subcommittee and the chairman of the subcommittee, the gentleman from California (Mr. Moss), for holding the hearings and bringing out this bill. There were 7 days of hearings, and the bill was reported to the full committee unanimously. Some changes were made in the full committee, and then it was reported out of the full committee unanimously.

Mr. Chairman, the original Motor Vehicle Safety Act authorized appropriations for a 3-year period at $11, $17, and $23 million, respectively. We are recommending a 3-year extension of those authorizations at $23, $35, and $35 million, respectively.

The committee feels that we must do everything within our power to head off the tragic slaughter on the highways. Deaths and injuries continue to climb and last year as the committee report shows, total fatalities reached the figure of 55,500.

In addition to renewing the money authorizations, the committee added a provision to bring protective helmets and headgear within the definition of motor vehicle equipment, enlarged the requirements for transmission of performance and technical data from manufacturers to the public, established a requirement for notification of tire defects similar to that existing as to motor vehicle defects, increased the requirements of the annual report which the Secretary of Transportation must make, provided for cutoff dates for retreaded tires and carcasses, and amended title III of the act to authorize the planning, designing, and constructing of research and test facilities.

We recognize that the language on pages 5 and 6 of the reported bill, line 23 on page 5 to line 21 on page 6 will have to be changed because under the Department of Transportation's regulations the August 1, 1968, date applies only to what the Department calls passenger tires. The Department can and should have standards for all tires.

A floor amendment in place of the language just referred to will be offered.

I believe that you are all well acquainted with this program and so far as I

know everyone is in agreement that we must exert increased efforts to achieve a higher degree of motor vehicle safety.

All relevant ideas as well as techniques and equipment should be explored. During the recess, a young businessman from my district, Mr. Abraham Goldsworthy, of Keyser, W. Va., came to me with an idea that deserves the attention of the Secretary and his employees in the National Highway Safety Bureau. Mr. Goldsworthy pointed out that during the recent Apollo 11 moon shot, traffic accidents showed a marked decrease because so much of the population stayed out of their cars and off the highways so that they could watch the moon shot. He suggested that particularly on the long weekends when so many take to the highways, such as this recent Labor Day weekend where the National Safety Council reported 589 traffic deaths, special programs could be transmitted such as first-run movies or key sports affairs which would tend to limit the numbers of people who would take to the roads for their holiday. I do not know that this would save one life, 40 lives, or 50 lives, but I believe that it is an idea which the Secretary can profitably pursue in his work and with other departments and agencies in the Government.

Finally, I believe that this legislation is drafted in the public interest and is entitled to the unanimous support of the Members of the House.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts (Mr. KEITH).

Mr. KEITH. Mr. Chairman, as the chairman of the committee has outlined in his description of this legislation, we are amending the National Traffic and Motor Vehicle Safety Act which we passed 3 years ago. In the committee hearings it became evident that additional legislation was needed, particularly as it pertained to tires and their retreading. The legislation before us faces up to that problem and recognizes also the need for test facilities.

In this regard we had a jurisdictional problem in that, as we all know, automobile accidents are caused first, through faulty driving and second, through faulty equipment. The jurisdiction insofar as highway safety is concerned is largely in the hands of the Committee on Public Works, and the jurisdiction insofar as the safety of equipment is concerned is largely in the hands of the Committee on Interstate and Foreign Commerce.

To insure that wasteful duplication of facilities does not occur as a result of this split jurisdiction and to guarantee that all the various aspects of a proposed project are considered, section 7 of this bill allows for separate review of these projects by the appropriate committees. Then the Appropriations Committee will consider the budget request. In this way, Congress will exercise the appropriate oversight of the construction or alteration of facilities.

Other than this jurisdictional problem there is nothing unique about this legislation. Your Committee on Interstate and Foreign Commerce held hearings for an extended period of time. We heard industry and Government witnesses. We won the support of interested parties for the bill. The subcommittee reported the legislation to the full committee, where it was unanimously accepted, and we have the bill before us today.

I concur in the conclusions which have been reached by the committee and which have been related to the Members by our chairman, and I urge passage of this legislation.

Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. HARVEY).

Mr. HARVEY. Mr. Chairman, I wholeheartedly support the extension of this legislation once again.

However, Mr. Chairman, I do have some concern with the report that our committee filed and what appears to me to be an ambiguity in the report. For just one moment, if I may, I would like to have the attention of the chairman of the committee in this particular regard.

This legislation, as the chairman mentioned, extends the definition of motor vehicle equipment to include protective headgear.

The language we first considered in our subcommittee was very broad language. It would have included, as I recall, gloves and all sorts of paraphernalia; but we restricted that language and limited it specifically to protective headgear.

As I understood the purpose of our action at that time, we were permitting the Secretary of Transportation to issue standards for helmets for motorcyclists, period, and that was it.

As I read the report, on page 15, there is discussed the justification for this redefinition, and this is essentially what is said.

Reading from the top line of page 15, it says:

> Section 4 of the proposed bill concerns motorcyclist headgear.

Throughout that page 15 we discuss motorcyclists' headgear. However, then, when we go back to page 5 of the report, there is language which concerns me. At the bottom of page 5 of the report we seem to go much beyond that. I refer to the section entitled "Helmets and Headgear" and the second sentence near the bottom of the page, which starts out:

> As a result of the hearings, the committee determined that this rather far-reaching change did not appear to be justified except in the case of protective helmets or headgear for use by drivers of, and passengers on or in, motor vehicles.

This of course is the language in the amendment we are considering. Nevertheless, there is at least some inference here that we go beyond headgear for motorcyclists and that we may possibly be talking about headgear for passengers or drivers of trucks or passenger cars.

I just want to make clear that this was not my intention in voting on this bill, and I certainly cannot conceive of it being the intention of any of the subcommittee members who voted for it, nor do I believe of any member of the committee.

As page 15 says, we were talking about headgear for motorcyclists, and that is it.

I should like to ask our distinguished chairman if he concurs in this regard, and I yield to the gentleman.

Mr. STAGGERS. In response to the gentleman from Michigan, I certainly concur in everything he has said. I tried to make this clear in my statement, that this deals with just the motorcycle equipment, but if a person wanted to use one of these in a car there is nothing to hinder him from using it.

I believe I made the statement there is nothing in this bill that authorizes the Secretary to require these to be used. This is left up to the States. The last line says:

> This amendment does not authorize the Secretary to require the use of these helmets or headgear.

I mentioned in my first statement, this is left up to the States; 39 States have laws. In one of those States the court has declared this unconstitutional. We do not know what is going to happen.

In talking with the subcommittee chairman and others, as to their intent, it was the fact that if we are to have headgear or helmets we want them to be safe. We want them to have standards so that they will not have something they cannot rely on or that would be substandard.

Mr. HARVEY. I thank the chairman for his explanation. I should like to ask one other question.

I believe on this basis the gentleman would agree with me that under existing law and existing standards if the Secretary were to require the use of headgear in passenger cars or trucks that certainly would be an abuse of discretion.

Mr. STAGGERS. Yes. He cannot do it under existing law.

Mr. HARVEY. I thank the chairman.

Mr. Chairman, once again I say I wholeheartedly support the extension of this legislation.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. Moss), the chairman of the subcommittee.

Mr. MOSS. Mr. Chairman, there are several sections of this bill which have been criticized in nationally syndicated columns as representing a weakening of proposals originally brought before the committee. I want to make it abundantly clear that this is not in any sense a weakened piece of legislation.

One of the items criticized has been the striking of a fixed dollar amount appropriated for the construction of a test facility. The reason we resorted to the language providing for facilities to be planned and then submitted to the committee or the committees—and that includes the Committee on Public Works—was because of the fact that the department was unable to give us the precise type of facility or to describe to our satisfaction the type of facility it intended to construct. There was a very serious question of jurisdiction raised because it would be both a highway and an auto safety testing facility. So, after consultation with the very distinguished chairman of the Committee on Public Works—and this consultation included the ranking minority members in both instances—it was determined that

the pattern followed here, which has precedent in law in at least two other instances, would be more appropriate and would give the Congress a stronger voice in determining precisely the types of testing facilities which would be constructed.

Later on I will offer an amendment which will be criticized as a weakening amendment dealing with retreading, but again I wish to make it clear that that is offered because the department has not during the past 2 years obeyed the law. When we passed the original tire safety section we required the department to formulate standards for motor vehicle tires. The department promulgated standards for some tires for passenger cars. Therefore the strong language which we had intended to use to cover the retreading industry had to be set aside in recognition of the reality existing. So this amendment will propose to give the Secretary authority to promulgate appropriate regulations covering carcasses for recapping.

I think this is an excellent bill. I think it represents a forward step. I would urge the Department to become a little more vigorous in promulgating its rules and regulations so that we continue to improve the environment in which all of us ride from time to time when we are passengers in an automobile.

I have heard the story of the fact that drivers cause accidents, and I do not challenge that they do, but I also know that usually one driver is far more responsible for the accident than the other, and frequently is totally responsible. And, so, about one-half of the people involved in accidents are not the drivers of motor vehicles. I am also aware of the fact that there is a second collision that occurs in every accident and that is the collision of the passenger inside that vehicle. The type of environment in which he rides can to a large extent determine whether he lives or dies, whether he is horribly crippled, or whether he is safe.

Mr. Chairman, I hope the Committee adopts the bill as reported by the Committee on Interstate and Foreign Commerce.

Mr. TIERNAN. Mr. Chairman, I rise in support of H.R. 10105 which would amend the Motor Vehicle Safety Act. The magnitude of the highway safety problem, and its tendency to outstrip efforts to find solutions, was made clear over this past holiday weekend when 590 lives were lost on our Nation's highways. At this present rate of highway carnage, we will have killed more than 2 million people on our highways over the next 40 months. Clearly more steps need to be taken in order to impede this tragic waste of life.

Data from the National Highway Safety Bureau has shown that 18 percent of the tires they tested for compliance with the minimum safety standards failed one or more of the tests. One can only assume from these figures that there must be thousands of tires being sold today which do not meet the minimum safety standards.

One of the difficulties in recalling defective tires has been the inability of the manufacturer to notify the tire purchasers of any defects. H.R. 10105, however, would require that the manufacturer keep records of names and addresses of tire purchasers in order to notify these buyers of safety related defects. These names will be fed back to the manufacturers from dealers around the country and when recall is necessary, the manufacturer can quickly retrieve the names and addresses of the customers who are affected. In this way the burden will be placed where it belongs, upon the tire manufacturer.

This bill is a significant step toward closing the gap in the area of highway safety. I urge my colleagues to join with me in support of H.R. 10105.

Mr. KEITH. Mr. Chairman, I have no further requests for time.

Mr. FEIGHAN. Mr. Chairman, a startling editorial appeared in the Cleveland Plain Dealer on August 23, 1969, which stated that—

> Cleveland has the worst traffic death safety record in the nation among cities in its population classification. For the first six months of the year, the records show Cleveland had 82 traffic deaths, up 41 percent from last year. By yesterday morning the total was 102, compared to 76 at the same date last year.

This devastating increase, despite apparent efforts made to promote safety under the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, is reflected in traffic accident and death tolls throughout our country. Therefore, whatever measures we are able to take leading to a lessening of the peril on our streets and highways should be high on our list of national priorities. We are losing more lives in the war we wage on the highways than those incurred on our battlefields and yet we read of no demonstrations organized to protest this great loss to humanity. There cannot possibly be any justification for the skimping of funds in the development of safety devices when the current deplorable conditions are a threat to everyone who uses the roads of our great Nation.

H.R. 10105 would amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1970 and 1971. Although strides have been made in establishing standards for vehicles which would increase safety potential, it should be obvious that new and better techniques are essential if we hope to eliminate the need for sensational traffic statistics in the headlines.

One of the promising lifesaving devices mentioned in the committee report is the air bag restraint system which inflates at the moment of impact and cushions the vehicle occupants as they are propelled forward. Tests have indicated that with this device passengers may walk away virtually unharmed from collisions at up to 60 miles per hour. An article by Robert W. Irvin which appeared in the Washington Post of August 24, 1969, reports that the Ford Motor Co. hopes to pioneer the air bag system in 1971. This is to be installed in limited quantities at first, however, and predictions are that the device will not come into widespread use for several more years.

If we hope to promote safety through this and other new devices, we are called upon to act now. I request my colleagues to join with me in urging immediate and increased attention to this priority issue and support H.R. 10105.

Under leave granted, the following referred-to articles read as follows:

[From the Cleveland Plain Dealer, Aug. 23, 1969]

TRAFFIC SURVIVAL

To paraphrase a cliche, everybody talks about traffic safety but nobody does anything about it. Well, practically nobody. A natural exception is the Greater Cleveland Safety Council whose president, Common Pleas Judge August Pryatel, reminds drivers and pedestrians that safety really is everybody's business.

Judge Pryatel is prompted by sickening statistics which show Cleveland has the worst traffic safety record in the nation among cities in its population classification. For the first six months of the year, the records show Cleveland had 82 traffic deaths, up 41% from last year. By yesterday morning the total was 102, compared to 76 at the same date last year.

Through the month of June, San Francisco's traffic death total was down 9% from 1968 and that's the kind of performance to emulate. All it takes is obeyance of police traffic regulations. Signs and warnings are worthless if drivers and pedestrians ignore them. So safety in traffic becomes a matter of individual concern as well as stepped-up enforcement.

[From the Washington Post, Aug. 24, 1969]

AIR BAG CAR SAFETY DEVICE SLATED FOR 1971 MERCURY TEST

(By Robert W. Irvin)

The Ford Motor Co. hopes to pioneer an air bag safety device in 1971.

One program calls for installing the device first on the '71 Mercury Marquis. That would be the initial test of the system in a production automobile. It would add an estimated $50 to $100 to the car's $4,000-plus cost.

The air bag is expected to be the device which will eventually replace many of the safety belts which now clutter up the inside of a car and are shunned by many motorists. It would make shoulder belts obsolete.

In an accident, the air bag inflates in the twinkling of an eye.

It pops out of the instrument panel or steering wheel and the cushion of air keeps a person from crashing forward.

The unit, on which Ford and Eaton Yale & Towne have been working since 1967, will initially be used only to protect the front-seat passenger, and the shoulder belts will be left in the car. One reason is that the federal auto safety standard which requires the shoulder belts would have to be changed before they can be removed.

Actually, the National Highway Safety Bureau has proposed that a regulation be written requiring the device not later than Jan 1, 1972. The bureau will hold a hearing in Washington next Wednesday and Thursday to get the views of auto companies and other interested parties on the proposal. And it has set a Sept. 24 deadline for written comments.

Transportation Secretary John Volpe says he expects to see the device showing up on the first cars in 1971 and to be in widespread use the following year.

The device was tested first on baboons at Hollman Air Force Base in New Mexico in 1967. Since then it's been tested on dummies in simulated car crashes at automotive proving grounds.

The bag is triggered by an impact at 8 m.p.h. and inflates in three one-hundredths of a second. It deflates in one-half second. This is what helps cushion the car occupant. The device is said to be able to protect people

in crashes at speeds up to 40 m.p.h. better than safety belts. The baboons lived through tests simulating crashes of over 50 m.p.h.

A small explosive charge triggers the inflation of the bag. There had been fears the noise would injure eardrums. But tests have shown this is not the case. In fact, those who have had the bag inflated in front of them say they don't even notice the noise because the device is inflated so fast.

However, in the production version the sound is not quite so loud and the blow from the inflating bag is not as hard.

While those working on it believe the design is fail-safe and won't go off accidentally, the company is going to move cautiously in putting it on cars. That's why initially it will be installed on only one series—the Mercury Marquis—and only in front of the passenger, not the driver.

The company wants the same type of experience installing this device as it got with the anti-skid braking system. That was an option on the 1969 Continental Mark III. For 1970, it will be standard on the Mark III and optional on the Lincoln cars.

Prospects that the air bag will be in widespread use in a couple of years explain why little has been done to improve the present seat belt system.

Mr. BIAGGI. Mr. Chairman, I appreciate this opportunity to make a statement indicating my strong support of H.R. 10105, a bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1970, 1971, and 1972, and for other purposes.

The National Traffic and Motor Vehicle Safety Act, which became law in 1966, has been an important piece of legislation. We are now beginning to feel the results. That act has led to the establishment of motor vehicle standards which have demonstrably saved many lives and reduced injuries. Notable among these achievements are the energy-absorbing steering column, improved windshields, and safety belts and harnesses. Unfortunately, motor vehicle deaths continue to rise. Last year 55,500 persons died on the highways, but this alarming and depressing figure for 1968 would be even higher if it were not for the program authorized by the National Traffic and Motor Vehicle Safety Act of 1966.

I feel that further and increased efforts to alleviate this national tragedy are fully warranted. The motor vehicle safety program needs to be larger in terms of manpower and facilities to head off the highway slaughter epidemic.

The initial standards which were promulgated by the National Highway Safety Bureau wefe based on standards that were in existence at the time the law was passed. Later standards which have been issued concern comparatively simple features. There are innumerable areas of vehicle safety of increasing degrees of complexity which must be explored.

I urge the automotive industry as well as the Department of Transportation to proceed as swiftly as possible to implement all improvements which are designed to prevent injuries and death. In order to carry this necessary work forward, I earnestly hope that my esteemed colleagues will join me in support of this worthwhile piece of legislation.

Mr. HALPERN. Mr. Chairman, I wish to declare my firm support for H.R. 10105 which extends and expands the National Traffic and Motor Vehicle Act of 1966.

The matter of automobile safety is a primary concern to all Americans. Traffic deaths and injuries to this Nation are more costly in human life and suffering than either war or crime. In fact, automobile accidents have taken more American lives than all our Nation's wars.

Highway accidents are the third most common cause of death of youngsters between the ages of 1 and 4, the second most common for 5- to 14-year-old children and the cause of more deaths among those 15- to 24-year-old age group than the combined total of the next five categories.

The National Traffic and Motor Vehicle Act of 1966 was enacted to reduce traffic deaths and injuries. No doubt the establishment of this act has saved many lives and prevented injuries. However, efforts in traffic safety have been handicapped by budget cuts.

In hearings before the Committee on Interstate and Foreign Commerce on H.R. 10105, witnesses for the Department of Transportation made a convincing case for an expanded traffic safety program that would be large enough in terms of manpower and facilities to significantly reduce highway deaths. H.R. 10105 authorizes the money badly needed to continue and expand the traffic safety program.

It is imperative that traffic safety receive highest priority. The 55,500 persons killed and 4½ million persons injured in traffic accidents in 1968 is several times the number of soldiers killed and wounded in Vietnam. I urge that H.R. 10105 be adopted to curtail this senseless slaughter of Americans on the highway.

Mr. STAGGERS. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 121 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1409) is amended by adding at the end thereof the following new subsection:

"(c) There is authorized to be appropriated for the purposes of carrying out this Act, other than title III, not to exceed $23,000,000 for the fiscal year 1970, $35,000,000 for the fiscal year 1971, and $35,000,000 for the fiscal year 1972."

SEC. 2. Section 102(4) of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1391(4)) is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and any protective helmet or headgear manufactured, offered for sale, or sold for use by drivers of, and passengers on or in, motor vehicles."

SEC. 3. The second sentence of subsection (d) of section 112 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1401) is amended to read as follows: "The Secretary is authorized to require the manufacturer to give such notification of such performance and technical data as the Secretary determines necessary to carry out the purposes of this Act—

"(1) to each prospective purchaser of a motor vehicle or item of equipment before its first sale for purposes other than resale; and

"(2) to the first person who purchases a motor vehicle or item of equipment for purposes other than resale, at the time of such purchase."

SEC. 4. (a) Section 113(a) of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1402) is amended by inserting immediately after "Every manufacturer of motor vehicles" the following: "or tires".

(b) The first sentence of subsection (d) of section 113 of such Act is amended by inserting immediately after "Every manufacturer of motor vehicles" the following: "or tires".

(c) Section 113 of such Act is further amended by adding at the end thereof the following:

"(f) Every manufacturer of motor vehicles or tires shall maintain records of the names and addresses of the first purchaser (other than a dealer or distributor) of motor vehicles or tires produced by that manufacturer. The Secretary may establish, by order, procedures to be followed by manufacturers in establishing and maintaining such records. Such procedures shall be reasonable for the particular type of motor vehicle or type of tires for which they are prescribed. With respect to a tire marketed under a brand name not owned by the manufacturer of the tire, the brand name owner shall maintain the records otherwise required of the manufacturer by this subsection, and shall give any notification required by this section of the manufacturer whenever he is furnished such a notification by the manufacturer, and for the purposes of section 112(c) of this Act, such brand name owner shall be deemed a manufacturer.

"(g) For the purpose of this section the term 'manufacturer of tires' includes, in the case of retreaded tires, the retreader."

(d) The amendment made by subsection (b) of this section shall take effect on the date of enactment of this Act. The amendments made by subsections (a) and (c) of this section shall take effect on the one hundred and eightieth day after the day of enactment of this Act unless the Secretary of Transpotration finds, for good cause shown that a later effective date is in the public interests and publishes his reasons for such finding, except that such later effective date shall not be more than one year after the date of enactment of this Act.

SEC. 5. Subsection (a) of section 120 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1408) is amended by striking out "and (6)" and inserting in lieu thereof the following: "(6) a statement of enforcement actions including judicial decisions, settlements, or pending litigation during such year; and (7)".

SEC. 6. Title II of the National Traffic and Motor Vehicle Safety Act of 1966 is amended by adding at the end thereof the following new section:

"SEC. 206. (a) No person shall sell, offer for sale, or introduce for sale or deliver for introduction in interstate commerce after July 31, 1971, any retreaded tire of less than eight plies if the carcass of such tire was manufactured before August 1, 1968.

"(b) No person shall sell, offer for sale, trade, or introduce for sale or trade, or deliver for introduction in interstate commerce after January 1, 1971, any tire carcass of less than eight plies for the purpose of retreading such carcass if such tire carcass was manufactured before August 1, 1968.

"(c) No person shall sell, offer for sale, or introduce for sale or deliver for introduction in interstate commerce after July 31, 1972, any retreaded tire of eight or more plies if the carcass of such tire was manufactured before August 1, 1968.

"(d) No person shall sell, offer for sale, trade, or introduce for sale or trade, or deliver for introduction in interstate commerce after January 1, 1972, any tire carcass of eight or more plies for the purpose of retreading such carcass if such tire carcass was manufactured before August 1, 1968.

"(e) Violations of this section shall be subject to civil penalties and injunctions in accordance with sections 109 and 110 of this Act."

SEC. 7. Title III of the National Traffic and Motor Vehicle Safety Act of 1966 is amended to read as follows:

"TITLE III—RESEARCH AND TEST FACILITIES

"SEC. 301. (a) The Secretary of Transportation is authorized to plan, design, and construct (including the alteration of existing facilities) facilities suitable to conduct research, development, and compliance and other testing in traffic safety (including highway safety and motor vehicle safety), except that no appropriation shall be made for any such planning, designing, or construction involving an expenditure in excess of $100,000 if such planning, designing, or construction has not been approved by resolutions adopted in substantially the same form by the Committees on Interstate and Foreign Commerce and on Public Works of the House of Representatives, and by the Committees on Commerce and on Public Works of the Senate. For the purpose of securing consideration of such approval the Secretary shall transmit to Congress a prospectus of the proposed facility including (but not limited to)—

"(1) a brief description of the facility to be planned, designed, or constructed;

"(2) the location of the facility, and an estimate of the maximum cost of the facility;

"(3) a statement of those agencies, private and public, which will use such facility, together with the contribution to be made by each such agency toward the cost of such facility; and

"(4) a statement of justification of the need for such facility.

"(b) The estimated maximum cost of any facility approved under this section as set forth in the prospectus may be increased by the amount equal to the percentage increase, if any, as determined by the Secretary, in construction costs, from the date of the transmittal of such prospectus to Congress, but in no event shall the increase authorized by this subsection exceed 10 per centum of such estimated maximum cost."

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendment be considered as read, open to amendment at any point, and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

AMENDMENT OFFERED BY MR. MOSS

Mr. MOSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Moss: On page 5, strike out line 23 and all that follows down through and including line 21 on page 6, and insert in lieu thereof the following:

"SEC. 206. The Secretary shall, not later than one year after the date of enactment of this section, establish safety standards under title I of this Act setting limits on the age of tire carcasses which can be retreaded. Such standards shall establish varying age limits for such carcasses based on the extent to which the carcass was designed and constructed to be retreaded, the rate of deterioration of the materials in such tire, and such other factors as he determines necessary to carry out the purposes of this Act."

Mr. MOSS. Mr. Chairman, this is the amendment I mentioned in my earlier remarks. It is made necessary because of the failure of the Department to promulgate regulations governing all types of tires. To set a date and try to do it by size is not a practical approach to the problem. The committee gave considerable thought to this matter. This has been discussed, I might add, with the retreaders and it is acceptable to them.

I know of no opposition to it and I would urge adoption of the amendment.

Mr. KEITH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I too, support the amendment which the gentleman from California has introduced.

Until now, the Department of Transportation has set no standards to require that bus or truck tires be labeled as to the date of their manufacture. As a result, there is presently no way to tell how old the tire carcasses are or whether retreading would be safe.

The amendment of the gentleman from California (Mr. Moss) would require that the Secretary of Transportation set standards on the possible age limits of tire carcasses. These standards—far from being arbitrary or general in nature—would be based on the design of the carcass, the materials used, and other factors which vary with the manufacturer and the product.

In an industry where the problems are so diverse and the requirements of different areas so varied, allowance has to be made for these differences. Mr. Moss' amendment, instead of applying one general standard or rule, would allow the Transportation Department to work out these problems with the industry.

Mr. Chairman, since this amendment would be another step toward insuring tire safety—and auto safety in general—I urge its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. Moss).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Iowa: On page 8, after line 12 and before the paragraph beginning "Amend the title," etc., insert the following:

"SEC. 8. (a) The Secretary of Transportation is hereby authorized to prepare and to submit to the Congress no later than April 1, 1970, a report on the extent, causes and means of prevention of agricultural tractor accidents on both public roads and farms. In addition to such other information as he deems appropriate, the Secretary shall include in the report—

"(1) an estimate, based on the best statistical information available, of the number of deaths and injuries resulting annually from agricultural tractor accidents;

"(2) an identification of the primary causes of agricultural tractor accidents, including consideration of the hazards most likely to cause death or injury; and

"(3) specific recommendations on means of preventing the occurrence of, and reducing the severity of injuries resulting from, agricultural tractor accidents, including such legislative proposals as the Secretary determines are needed.

"(b) In formulating the recommendations to be submitted to the Congress, the Secretary shall give careful consideration to the advisability of establishing uniform Federal safety standards in the design and manufacture of all agricultural tractors sold in interstate commerce, requiring the installation on such tractors of safety devices, and providing assistance to the States in developing accurate reporting procedures for accidents involving such tractors.

"(c) In order to facilitate the prompt completion of this report, officials of other Federal departments or agencies shall make available to the Secretary, upon his request, any data or information in their possession relating to agricultural tractor accidents and shall otherwise provide assistance."

Mr. SMITH of Iowa. Mr. Chairman, I want to commend the members of the committee for the legislation they have brought before us today, and also for the work they did in 1966 on highway safety legislation. I think they are entitled in great measure to part of the credit for a reduction in highway fatalities in this country.

However, Mr. Chairman, agricultural tractor accidents remain about twice as high as automobile accidents for the number of miles traveled. I do not know all the answers to this problem, and I do not believe that anyone else does. There have been a number of theories, some of them are disputed or controversial, but undoubtedly there would be enough statistics available by soliciting them from the various States and from other sources, so that a report could be made so that we could better determine the causes, and secure some of the statistics and facts that are necessary so that the committee could better determine whether further legislation is needed in the form of standards, and so forth, with regard to agricultural tractors.

Mr. Chairman, this amendment authorizes the Secretary to make such a report, to gather the statistics together, and make his recommendations to the Congress by next April 1 so that we may have the benefit of that report upon which to base conclusions as to the need for further action.

Mr. Chairman, I urge the adoption of the amendment.

Mr. HARVEY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Michigan.

Mr. HARVEY. Mr. Chairman, I just want to congratulate the gentleman from Iowa on offering the amendment, and to say that I support the amendment. I believe it is a very appropriate thing for the Secretary to do to conduct a study in this field, and I believe that there is much worth while that can be accomplished through such a study in that regard.

Again, Mr. Chairman, I support the amendment offered by the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Chairman, I thank the gentleman for his support.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from California.

Mr. MOSS. Mr. Chairman, I thank the gentleman for yielding, and I wish to congratulate the gentleman on the approach that he has taken in this amendment and I fully support the amendment.

Mr. SMITH of Iowa. Mr. Chairman, I thank the gentleman.

I yield back the balance of my time.

SUBSTITUTE AMENDMENT OFFERED BY MR. STRATTON

Mr. STRATTON. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. In the nature of a substitute for the amendment offered by the gentleman from Iowa (Mr. SMITH)?

Mr. STRATTON. That is correct; a substitute for the amendment offered by the gentleman from Iowa.

In fact, Mr. Chairman, I have two amendments and I ask unanimous consent that they may be considered en gros.

The CHAIRMAN. Is the gentleman offering the amendments——

Mr. STRATTON. I am offering them as a package, Mr. Chairman.

The CHAIRMAN. Is the gentleman offering both of the amendments as an amendment in the nature of a substitute for the amendment offered by the gentleman from Iowa (Mr. SMITH)?

Mr. STRATTON. That is correct, Mr. Chairman.

The CHAIRMAN. Is there objection to the request made by the gentleman from New York that the two amendments be considered en gros?

Mr. HALL. Mr. Chairman, may we have the request stated again?

Mr. STRATTON. The request, Mr. Chairman, was that I have two amendments which should be considered en bloc, which represent a substitute, or in the nature of a substitute for the amendment offered by the gentleman from Iowa (Mr. SMITH) and I have asked unanimous consent that they be considered en gros.

PARLIAMENTARY INQUIRY

Mr. HALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. HALL. Mr. Chairman, will not the Clerk read the two amendments before the unanimous-consent request is placed?

The CHAIRMAN. The Chair will state to the gentleman that the amendments will be read.

The Clerk will read the amendments offered by the gentleman from New York (Mr. STRATTON) as a substitute for the amendment offered by the gentleman from Iowa (Mr. SMITH).

The Clerk read as follows:

Amendments offered by Mr. STRATTON as a substitute for the amendment offered by Mr. SMITH of Iowa: On page 8, after line 12, insert the following:

"SEC. 8. The National Traffic and Motor Vehicle Safety Act of 1966 is further amended by adding at the end thereof the following new title:

" 'TITLE V—TRACTOR SAFETY

" 'SEC. 501. The Secretary of Transportation shall prescribe and publish in the Federal Register minimum safety standards for tractors manufactured primarily for use for agricultural purposes including, but not limited to, standards for roll bars and safety harnesses. Such standards shall be designed so that injuries to persons operating such tractors from accidents can be kept to a minimum. Standards first established under this section shall be prescribed and published no sooner than one hundred and eighty days, nor later than one year, after the date of enactment of this title.

" 'SEC. 502. The manufacture for sale, the sale or the offering for sale, in interstate commerce or the importation into the United States, or introduction or delivery for introduction, transportation or causing to be transported in, interstate commerce, of any tractor manufactured primarily for agricultural purposes which is manufactured on or after the date this title takes effect shall be unlawful unless such tractor meets the standards prescribed by the Secretary as set forth in section 501 of this title.

" 'SEC. 503. The promulgation, amendment, enforcement, and the penalties for violation, of standards established under this title shall be the same as for the promulgation, amendment, enforcement, and the penalties for violation, of standards established under title I of this Act.' "

On page 2, after line 12, insert the following:

"SEC. 3. Section 104(a) of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1393(a)) is amended by striking out 'including representatives of State and local governments,' and inserting in lieu thereof 'including farmers, and representatives of State and local governments,'."

The CHAIRMAN. Is there objection to the amendments offered by the gentleman from New York (Mr. STRATTON) being considered en bloc as a substitute for the amendment offered by the gentleman from Iowa (Mr. SMITH)?

There was no objection.

The CHAIRMAN. The gentleman from New York (Mr. STRATTON) is recognized.

Mr. STRATTON. Mr. Chairman, I certainly support the basic intent of my colleague, the gentleman from Iowa (Mr. SMITH) in offering an amendment to instruct the Secretary to conduct certain studies into the possibility of tractor accidents and the necessity for perhaps including them in our safety legislation.

My substitute amendment, however, would go a little bit further than what the gentleman from Iowa had done because I think we already have enough data on which to take action in this particular area.

As I indicated earlier during the discussion on the rule I introduced back on the opening day of this Congress, H.R. 680 which provided for the Secretary of Transportation to have just 1 year to come up with some relevant safety standards for farm tractors, to include but not necessarily be limited to roll bars and seat belts. I did this not only on the basis of my own feeling about what was taking place in the agricultural communities which I have the honor to represent in upstate New York, but on the basis of a number of detailed studies already made.

The American Society of Agricultural Engineers, for example, has been examining this matter in great detail. They have statistics on the number of accidents and they have recommended substantially what my legislation contains.

We also have a very detailed study by the National Safety Council, reporting incidentally on some 789 farm tractor fatalities, and recommending arrangements of this same kind to prevent people being killed when a tractor overturns by requiring roll bars, as I have suggested, and seat belts.

We also have a detailed study made by the Nebraska Highways and Farms Department on this matter, and I have these studies here with me this afternoon.

We also have a detailed study by a Canadian Royal Commission. The Swedes have experimented with this kind of legislation for some time.

As I mentioned earlier, Mr. Ralph Nader has just issued a report, which has been rather widely publicized, although he does not comment in it on the fact that the basis of his own suggestions lies in the legislation which I introduced on January 31, and the research my staff had done on the subject.

Just to underline again, Mr. Chairman, the urgency of this whole matter of farm tractor safety, let me just observe that during the 2½ weeks I have just spent in upstate New York during the recess the local papers reported eight deaths from tractor accidents.

My legislation would simply call upon the Secretary of Transportation to develop necessary standards. It would give him a year in which to do it. He could in the process take advantage of all the studies already available, and he could make additional studies. But it does seem to me that if all we are going to do now is ask for more studies, then we are simply going to postpone too long the action that must be taken to protect our farm people, and particularly farm children, who are often the majority of victims of these tractor accidents.

I hope that my amendments will be approved as a substitute for the somewhat softer amendment offered by the gentleman from Iowa because I believed we should act today rather than simply conduct more studies.

Mr. STAGGERS. Mr. Chairman, I rise in opposition to the amendment in the nature of a substitute.

First, I would like to commend the gentleman from New York for his interest in this very significant and vital issue. I might say that I followed the reading of his substitute. I have a copy of his bill before me. I think he used the words out of his bill for his substitute amendment.

The bill is H.R. 680. No hearings have been held before the committee on the bill. It is offered now as an amendment. We have not heard from the farmers themselves as to what they want and what they need.

I am inclined to go along with the amendment offered by the gentleman from Iowa because he says we need to come up with some recommendations.

You know, different kinds of tractors are used in different parts of the country. Certainly this matter would have to be studied as to what we are going to do with the different kinds of tractors. In the flatlands of the West a different kind of tractor is used than is used in hilly country. I live on a farm and I run a tractor on our farm. With our tractor we can put both front wheels out pretty wide for the hills up there, and also the rear wheels, to prevent the possibility

of overturning. And we run those tractors on pretty stiff hillsides. I have done so myself. These are some of the problems we have.

Again I wish to commend the gentleman for his interest because it is a national issue. It is one that will have to be confronted and taken care of. But we should not do it in this way. The way to do it is by getting all of the evidence together and bringing it in and seeing what needs to be done. Then we will take it up as regular legislation before the committee and before the House.

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from New York.

Mr. STRATTON. I recognize the chairman's tremendous influence in this House, and with his opposition to my amendment, I realize it may have difficulty being approved by the House. In the unlikely event that it should fail, I wonder if I might have some indication from the chairman of his willingness, perhaps, to hold hearings on this basic legislation which, as he says, I have incorporated in my amendment, so at least we could move as swiftly as possible in this direction.

Mr. STAGGERS. If the gentleman is holding his hole card and saying that if he fails he wants something else, I point out to him that I do not like to bargain that way.

I said to start with that I recognize this is a vital national issue and certainly there will be hearings. I cannot say to the gentleman when, but if the amendment as offered by the gentleman from Iowa is adopted, we would probably wait until those recommendations come in.

I say again that I do commend the gentleman from New York for his interest.

Mr. STRATTON. Mr. Chairman, I certainly hope we might be able to get some hearings on the legislation.

Mr. KEITH. Mr. Chairman, I rise in opposition to the amendment. I join the chairman of our committee in congratulating and commending the gentleman from New York for the interest and initiative he has shown in offering this substitute amendment at this time.

I note that the gentleman did not say the Swedes had enacted any legislation. Only that they have examined the question. I note also the gentleman did not say the Canadians had enacted any legislation, but that they have experimented with the subject. If the gentleman from New York could elaborate on his statement and tell us whether these nations have, in fact, enacted legislation, it would be of some help to the committee in considering his amendment.

Mr. STRATTON. Mr. Chairman, if the gentleman from Massachusetts will yield to me, it is my understanding the Swedes do have a mandatory safety frame law, and therefore we have from their experience some statistics on how effective this is in preventing accidents.

The Canadians simply have been making a further study of tractor accidents. I did not intend to suggest they actually had a law.

While I am on my feet, I apologize to the gentleman from Massachusetts for not making available to him a copy of my amendment. I had intended to do so, but in the rush I missed the opportunity.

Mr. KEITH. Mr. Chairman, I appreciate the apology of the gentleman. I am certain the gentleman's intent is honorable.

In any event, it does seem that the gentleman from Iowa has offered an amendment which is much more compatible with the legislative procedure we are following here today. Therefore I rise in support of that amendment. I hope when the report does come back, the gentleman from New York will testify and give us the benefit of his advice and counsel and the experience of his constituency in this matter.

Mr. MOSS. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, first of all, I would like to direct the attention of the Committee to the language of section 301 of title III of the act we are amending here today. It directs the Secretary of Commerce and authorizes him to make certain studies. It specifically states he is authorized by law to undertake research and development and testing relating to the safety of machinery used on highways or in connection with the maintenance of highways with particular emphasis on traffic safety, as he deems appropriate and necessary.

The gentleman from Iowa has offered a far more specific direction as an amendment to the bill, which would direct timely study with a report back to the Congress by the first of April of 1970, giving us ample time to consider that report and act on it legislatively if that is necessary.

The chairman of the full committee, the distinguished gentleman from West Virginia, has indicated that he is going to try at an early date to fit into a rather crowded schedule hearings on the bill offered by the gentleman from New York and now before the House as a substitute amendment.

Mr. Chairman, this is a very complicated problem. It is not one the committee or the subcommittee has overlooked, but I think in fairness and in justice to both the users and the manufacturers, an opportunity should be given for hearings on anything as far reaching as this.

Mr. Chairman, I therefore urge the defeat of the amendment offered as a substitute by the gentleman from New York and I urge adoption of the amendment offered by the gentleman from Iowa.

Mr. NELSEN. Mr. Chairman, I wish to speak on the substitute amendment.

I feel the proposal which has been submitted by my colleague from Iowa is the wiser course, because if this procedure is followed our committee will have much more information on which to base a judgment.

I happen to operate tractors all the time. Frankly, I would be hesitant to be harnessed onto the seat of a tractor at any time. I believe it could possibly create more accidents than it would eliminate, for the reason one would have no way to get off the vehicle in the event something might go wrong.

I may be wrong in my judgment, but I should like to have more information before I render any decision on it.

I believe the proposal offered by the gentleman from Iowa (Mr. SMITH) has merit. Then we can approach the objective our good friend from New York has in mind. Certainly I compliment him for his concern, because there have been far too many accidents.

I join with the chairman of our committee in support of the amendment offered by the gentleman from Iowa (Mr. SMITH) and in opposition to the proposal submitted by my friend from New York, feeling that we will gain the best answer by the approach of the amendment previously offered.

Mr. HARVEY. Mr. Chairman, I rise in opposition to the substitute amendment.

I will not take 5 minutes, but I want to say that we who serve on the subcommittee handling this legislation have never seen fit to attempt to write the standards into the legislation itself.

I know that the substitute amendment does not precisely write the standards into the legislation, but it suggests very strongly to the Secretary what the standards should be and in what area they should be, specifically with regard to the roll bars and seatbelts. We have never gone this far.

Despite lengthy hearings which we held both this year and 3 years ago when this legislation came up, I do not believe anybody on our committee feels he has had the expertise himself to attempt to write the standards into the law. It would be a fatal mistake for Congress to attempt this and Congress could well err grievously in doing so. We have always given this precise authority to the Secretary, as we did in section 103 of the legislation enacted 3 years ago.

Let me say even if we did see fit to write the standards ourselves, I would hate to think we would do it in this fashion on the floor today.

I have great respect, as I believe every member of the committee does, for the work Ralph Nader has done in the field of safety. He has made exhaustive studies. I have great respect for the American Society of Agricultural Engineers and the National Safety Council. Let us not forget, however, that we have designated an official agency of the U.S. Congress to perform these studies for us. This is essentially what the amendment of the gentleman from Iowa would have that agency do.

This is why I wholeheartedly concur in that amendment, and hope it will be adopted, and I oppose the substitute amendment.

Mr. MAYNE. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Iowa. The gentleman is to be commended for this very sound approach to a serious problem which has assumed alarming proportions certainly in the Middle West and throughout rural America. In the State of Iowa alone there were 1,037 fatal farm tractor accidents in the period from 1947 to 1966. The number of fatal tractor accidents increased from 28 in 1947 to 70 in 1966,

an increase of 150 percent while the number of tractors on Iowa farms was increasing only 115 percent. A report on tractor safety as suggested by the gentleman is long overdue and certainly the Secretary of Transportation is the logical official to be assigned the responsibility of preparing such a report.

I believe this approach is much preferable to that suggested by the gentleman from New York (Mr. STRATTON), and will be more productive. I, therefore, rise in opposition to the substitute amendment and urge my colleagues to vote in support of the amendment offered by the gentleman from Iowa (Mr. SMITH).

The CHAIRMAN. The question is on the amendments offered by the gentleman from New York in the nature of a substitute for the amendment offered by the gentleman from Iowa (Mr. SMITH).

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. SMITH).

The amendment was agreed to.

Mr. MOSS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time to develop some history and signify the intent of the committee.

In the matter of automobile tire sales it is clearly inherent in the language, and it is so intended by the committee, that the retailer will cooperate fully and that the rules and regulations promulgated by the Secretary of Transportation for the implementation of the reporting procedures will take cognizance of the fact that there must be full retailer cooperation if the recall provision on tires is to be successful.

Now, the Tire Manufacturers Association in a letter to me dated July 28 indicated their strong support for the reporting procedure which is contained in this legislation. They took cognizance of the fact that it would require the cooperation of the retailer, and it must, of course, have that cooperation or it cannot work successfully. It is very vital that it does work, because in one instance one manufacturer had 18 tires fail in 18 test wheel tests. So there is danger in tires; there is a need to have the machinery for recall just as there has proven to be the need to have the machinery for the recall of automobiles that have been produced with defects in them.

So, Mr. Chairman, I take this time merely to make the intent of the committee very clear on this matter.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I am very happy to yield to the distinguished chairman of the committee.

Mr. STAGGERS. I certainly agree with the subcommittee chairman and call the attention of the House to the fact that the former Secretary of Transportation, Mr. Boyd, recommended this procedure to the Congress in January of this year, and it was also recommended by the present Secretary of Transportation.

Mr. MOSS. That is correct.

Mr. VANIK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to take this time to ask the chairman of the committee whether any consideration was given in this proposed legislation to direct the Administrator to provide for regulations which would bring about uniformity of bumper levels. With the intermix of automobiles and trucks on our Interstate Highway System, I ride in terror, as does everyone else on the public highways, when approach is made to trucks which have no bumper levels to meet those of an automobile. The fear of telescoping under a truck is something that haunts every driver on our highways. There are thousands of accidents and hundreds of deaths that occur every year as a result of the telescoping problem. Some people have been decapitated in this way. And, it seems to me that some definite action should be taken to provide for uniformity of bumper levels between all vehicles, including passenger vehicles and the intermix of trucks and automobile vehicles.

I would like to ask, Mr. Chairman, whether or not your committee considered this matter in connection with this legislation?

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. VANIK. I would be very happy to yield to the distinguished chairman.

Mr. STAGGERS. I might say that the Secretary and the agency or the bureau has this authority now. I am informed that they have probably been looking into it. We do not know whether they plan to come up with any recommendations. But this is their duty and I might say that we can call to their attention now the fact that they should come up with some recommendation in the manufacture of trucks and cars so that there might be, as nearly as possible, developed some safety device as the gentleman has suggested that will prevent these accidents in order to keep these vehicles from overlapping upon impact. I think the gentleman has raised a very good point.

When this bill was brought up in 1966 this authority was given to the Secretary and to the National Safety Bureau.

Mr. VANIK. I thank the distinguished chairman. I understand that the Department of Transportation has published, as of March 19, 1969, a proposed rule which would become effective as of January 1, 1971, to provide rear underride protection for trailers and trucks with gross vehicle weight of over 10,000 pounds. That rule proposal would provide that at a "height of no more than 18 inches from the road surface, the vehicle have a continuous structure that is capable of withstanding a large static load when tested at any one of three specified points."

The Department correctly points out the need for such standards noting that the "underriding of rear ends of trucks and trailers by passenger vehicles in the course of a rear end collision constitutes a major hazard to life and limb of the occupants of the striking vehicle."

But the Department's rule is inadequate. The rule does not "apply to truck tractors, or any vehicles with gross vehicle weight rating of 10,000 pounds or less." What these smaller trucks lack in danger in weight they make up for in speed. The standard should be applicable to all vehicles and trucks so that the risk of damage and fatalities resulting from nonmatching bumper guards is permanently and forever removed from American highways. All trucks should be covered under the ruling and the ruling should have the force of law behind it.

If such a regulation is not adopted during this year, I hope that your committee will issue a mandate for this regulation next year.

Following is a letter which I received on this subject from Mr. Robert Brenner of the National Highway Safety Bureau on August 4, 1969:

U.S. DEPARTMENT OF TRANSPORTATION,
Washington, D.C., August 4, 1969.

Hon. CHARLES A. VANIK,
House of Representatives,
Washington, D.C.

DEAR MR. VANIK: This is in further reply to your letter of July 14, 1969, requesting that the Secretary of Transportation issue regulations to improve bumper surface relationships between heavy trucks and passenger cars.

We concur with your views on the benefits that can be realized in reducing highway injuries and collision damage by requiring improved performance capabilities from motor vehicle bumpers. The National Highway Safety Bureau is, in fact, in the midst of developing several regulations that should alleviate, to some extent, the problems created by mismatched vehicle bumpers. These include : Docket No. 1–9, Bumper Height No. 1–10, Bumper Effectiveness, and Docket No. 1–11, Rear Underride Protection. Dockets Nos. 1–9 and 1–10 apply to passenger cars and light trucks, and Docket No. 1–11 refers to heavy trucks and trailers. Docket No. 1–11 has now been issued as a Notice of Proposed Rule Making with an intended effective date of January 1, 1971. A copy of the Advance Notice of Proposed Rule Making issued on Dockets 1–9 and 1–10 and a copy of the NPRM issued on Docket 1–11 are enclosed for your reference.

For your added information, the unsafe conditions resulting from the use of high-front bumpers on heavy trucks are to be evaluated for eventual development of a regulation. Test programs have been initiated to obtain factual data on the problems posed by these vehicles on the highways, and on the economic and operational impact the regulation may have on the transportation industry.

Sincerely,

ROBERT BRENNER,
Acting Director.

[Docket No. 1–9]

BUMPER HEIGHT—PASSENGER CARS, MULTIPURPOSE PASSENGER VEHICLES, TRUCKS, BUSES, AND TRAILERS

The Administrator is considering the issuance of a Federal Motor Vehicle Safety Standard specifying height requirements for contact surfaces of front and rear bumpers and bumper guards for motor vehicles, except motorcycles.

Comments due: November 13, 1967.

[Docket No. 1–10]

BUMPER EFFECTIVENESS—PASSENGER CARS, MULTIPURPOSE PASSENGER VEHICLES, TRUCKS BUSES, AND TRAILERS

The Administrator is considering the issuance of a Federal Motor Vehicle Safety Standard specifying requirements for bumper performance, including requirements to preclude bumper interlocking and over-riding between vehicles.

Comments due: February 5, 1968.

MOTOR VEHICLE SAFETY STANDARDS: REAR UNDERRIDE PROTECTION; TRAILERS AND TRUCKS WITH GROSS VEHICLE WEIGHT RATING OVER 10,000 POUNDS

The Administrator of the Federal Highway Administration is considering rule

making that would result in amending 49 CFR Part 371, Federal Motor Vehicle Safety Standards, by adding a new Standard: Rear Underride Protection—Trailers and Trucks With Gross Vehicle Weight Rating Over 10,000 Pounds. An advance notice of proposed rulemaking was published in the FEDERAL REGISTER of October 14, 1967 (32 F.R. 14279). Comments received in response to that advance notice have been carefully considered.

Responses to the advance notice and other information have confirmed that the underriding of rear ends of trucks and trailers by passenger vehicles in the course of a rear end collision constitutes a major hazard to life and limb of the occupants of the striking vehicle. The great majority of comments in response to the advance notice supported the need for rear underride protection. Accident reports indicate that rear end collisions in which underride occurs are much more likely to cause fatalities than collisions generally.

The proposed Standard requires that underride protection be provided but it need not be accomplished by means of an identifiable member (an "Underride guard"), if the vehicle otherwise meets the configuration and strength requirements. The requirement of a specific member would raise difficulties of definition and application, such as the problem of describing the class of vehicles that by their inherent configuration do not need such a member. Instead, the proposed Standard requires that, at a height of no more than 18 inches from the road surface, the vehicle have a continuous structure that is capable of withstanding a large static load when tested at any one of three specified points. Vehicles such as heavy cargo trailers whose beds normally are above that level would be expected to meet the requirement by having a guard, while those vehicles such as moving vans whose rear ends are within 18 inches of the ground may meet the requirement by ascertaining that the structure at the lower edge of the rear end is capable of withstanding the specified test load.

It is recognized that the proposed Standard does not deal with possible safety hazards that may be caused by sharp protrusions at the rear of vehicles. It is furthermore, possible that since no minimum height or vertical configuration is specified for the guard line, a conforming guard may be attached that is so close to the ground that it is ineffective, since another vehicle could override it while underriding a higher rear structure. If these problems are found to be significant, they may be countered either with further elaboration of the Standard proposed herein or with a separate Standard in the area of bumper height and effectiveness (Dockets Nos. 1–9 and 1–10, 32 F.R. 14279). Comments are specifically invited in regard to these questions.

Several comments expressed concern that the installation of a guard would interfere with the freedom of operation of some large vehicles during off-road operations. The interests of safety dictate, however, that this protection should be present on public highways where there is extensive mingling of passenger cars with large vehicles. If necessary, the required structure may be made movable or removable for off-road operations.

It is anticipated that the proposed Standard will be amended, after technical studies have been completed, to extend the requirement for underride protection to the sides of large vehicles. It is also anticipated that mobile homes will not be included in the Standard. The Administrator is presently considering rule making that could declare them not to be "motor vehicles" within the coverage of the Act, or could put them into a separate category (Docket No. 26, 33 F.R. 11604).

Interested persons are invited to participate in the making of the proposed regulation by submitting written data, views, or arguments. Specific information and comments are particularly invited in regard to the cost of compliance. Comments should refer to the docket and notice number, and be submitted in 10 copies to: Docket Section, Federal Highway Administration, Room 512, 400 Sixth Street SW., Washington, D.C. 20591. All comments received before the close of business on June 2, 1969, will be considered by the Administrator. The proposal contained in this notice may be changed in light of comments received. All comments will be available in the docket at the above address for examination both before and after the closing date.

In consideration of the foregoing it is proposed to add to 49 CFR Part 371, Federal Motor Vehicle Safety Standards, a new Standard as set forth below. Because of the design and development work that may be necessary to provide economical compliance with this Standard, it is proposed to make it effective January 1, 1971.

This notice is issued under the authority of sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392, 1407), and the delegation of authority by the Secretary to the Federal Highway Administrator, 49 CFR Part 1, § 1.4(c).

Issued in Washington, D.C., on March 13, 1969.

JOHN R. JAMIESON,
Deputy Federal Highway Administrator.

REAR UNDERRIDE PROTECTION—TRAILERS AND TRUCKS WITH GROSS VEHICLE WEIGHT RATING OVER 10,000 POUNDS

S1. *Purpose and scope.* This standard establishes the requirement that the rear end of heavy vehicles be constructed so as to reduce the probability of underride in rear-end collisions.

S2. *Applicability.* This standard applies to trailers and to trucks. It does not, however, apply to pole trailers, truck tractors, or any vehicles with gross vehicle weight rating of 10,000 pounds or less.

S3. *Definitions.* "Rearmost part of the vehicle" means that point, on the portion of the vehicle that is not more than 66 inches above the road surface, that is farthest to the rear when the cargo doors, tailgates, or other closing devices are in the normal closed and locked position.

"Rear surface of the vehicle" means that portion of the exterior surface of the vehicle that would first be intersected by rays parallel to the direction of travel of the vehicle emanating from a source behind the vehicle.

"Guard line" means the lowest intersection of a horizontal plane with the rear surface of the vehicle that forms a continuous line that (1) extends to within 6 inches of each side of the vehicle and (2) has no portion more than 15 inches forward of the rearmost part of the vehicle.

S4. *Requirements.*

S4.1 Each vehicle shall have a guard line that is no more than 18 inches from the road surface when the vehicle is unloaded.

S4.2 Each vehicle shall be capable of meeting the displacement test of S5.

S5. *Displacement test.*

S5.1 Position the vehicle on a level surface, restrained to prevent forward, upward, or lateral motion.

S5.2 Prepare a test block of rigid material with a plane surface in the form of a square 4 inches on a side ("the surface").

S5.3 Position the test block so that—

(a) The surface is vertical and facing forward in the direction of travel of the vehicle,

(b) The lower edge of the surface is in the same horizontal plane as the guard line,

(c) The center of the surface is at any one of three points: 15 inches inboard from either side of the guard line, or at the center of the guard line, and

(d) The surface is in contact with the rear surface of the vehicle.

S5.4 Apply a static force of 75,000 pounds in the forward direction to the test block, parallel to the direction of travel of the vehicle, with the block restrained from lateral or vertical movement.

S5.6 Required result: The test block shall not move more than 15 inches forward of the rearmost part of the vehicle. Each vehicle must be capable of meeting the test at the three contact points (center and each side) specified in S5.3(c), but a given vehicle need not meet the requirements of this standard after being tested at one of those points.

[F.R. Doc. 69–3254; Filed, Mar. 18, 1969; 8:46 a.m.]

Mr. STAGGERS. Mr. Chairman, will the gentleman yield further?

Mr. VANIK. I yield further to the distinguished chairman.

Mr. STAGGERS. I am sure that the Secretary is listening to the gentleman's words and I am sure that there will be some action taken.

Mr. MIKVA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wish to commend the committee and its distinguished chairman for the entire bill but particularly for section 4 with reference to tire safety. This takes us out of what I think has been a dream world by assuming that tire manufacturers were voluntarily going to recall defective tires under the procedure which has heretofore been mandatorily applied to the recall of automobiles.

Mr. Chairman, to carry forward what the gentleman from California has spoken about, some 42,000 tires were involved in the batch which failed the test, and less than 500 of those tires were recalled, which means that there is somewhere around 41,500 or more tires which are quite likely to blow out while being used on automobiles in this country.

Mr. Chairman, the fact of the matter is that the tire is just as important a component part of an automobile as everything else connected with it. Simply because it is manufactured by someone else does not make it less important. We can no longer let the manufacturer of the tire escape his responsibility for recall purposes.

In a bill which I introduced early in the year that dealt with tire safety exclusively, provisions were included for extended testing. I think, ultimately, we will have to move to a much more extensive testing system by the Secretary and by the Department if we are going to make that long step forward toward automobile safety in this country.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. MIKVA. I yield to the gentleman from West Virginia.

Mr. STAGGERS. I wish to commend the gentleman from Illinois for his interest in this legislation and for his proposal.

I do not know whether the Members of the House know it, but about three-fourths of all the tires made are used for replacement. We are trying to get some uniformity all along the line and certain standards that will apply to all of these matters. I just wanted the gentleman

from Illinois to know that the committee is interested in this matter.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DADDARIO, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 10105) to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1970 and 1971, and for other purposes, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. ROUDEBUSH. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 322, nays 0, not voting 109, as follows:

[Roll No. 155]

YEAS—322

Abbitt	Broyhill, N.C.	Coughlin
Abernethy	Broyhill, Va.	Cowger
Adams	Buchanan	Cramer
Addabbo	Burke, Fla.	Culver
Albert	Burke, Mass.	Daddario
Anderson, Calif.	Burleson, Tex.	Daniel, Va.
Anderson, Ill.	Burlison, Mo.	Daniels, N.J.
Anderson, Tenn.	Burton, Calif.	Davis, Wis.
Annunzio	Burton, Utah	de la Garza
Arends	Bush	Delaney
Ashbrook	Button	Dellenback
Ashley	Byrne, Pa.	Denney
Ayres	Byrnes, Wis.	Dennis
Barrett	Cabell	Dent
Beall, Md.	Caffery	Derwinski
Belcher	Camp	Devine
Bell, Calif.	Carey	Donohue
Bennett	Carter	Dorn
Betts	Casey	Dowdy
Bevill	Cederberg	Downing
Biester	Chamberlain	Duncan
Bingham	Chappell	Dwyer
Blackburn	Chisholm	Eckhardt
Blatnik	Clancy	Edmondson
Boland	Clark	Edwards, Ala.
Brasco	Clausen, Don H.	Eilberg
Bray	Cleveland	Erlenborn
Brinkley	Cohelan	Esch
Broomfield	Collier	Eshleman
Brotzman	Collins	Evins, Tenn.
Brown, Calif.	Colmer	Fallon
Brown, Mich.	Conable	Farbstein
Brown, Ohio	Conte	Fascell
	Conyers	Feighan
	Corbett	Fish
	Corman	Flood
	Cramer	Flowers
	Culver	Ford, Gerald R.
	Daddario	Ford, William D.
	Daniel, Va.	Foreman
	Daniels, N.J.	Fountain
	Davis, Wis.	Frey
	de la Garza	Friedel
	Delaney	Fulton, Pa.
	Dellenback	Fulton, Tenn.
	Denney	Fuqua
	Dennis	Galifianakis
	Dent	Gallagher
	Derwinski	Gaydos
	Devine	Gettys
	Donohue	Giaimo
	Dorn	Gibbons
	Dowdy	Gilbert
	Downing	Goldwater
	Duncan	Gonzalez
	Dwyer	Gray
	Eckhardt	Griffin
	Edmondson	Griffiths
	Edwards, Ala.	Gross
	Eilberg	Grover
	Erlenborn	Gude
	Esch	Hagan
	Eshleman	Haley
	Evins, Tenn.	Hall
	Fallon	Halpern
	Farbstein	Hamilton
	Fascell	Hammer-schmidt
	Feighan	Hanley
	Fish	Hansen, Idaho
	Fisher	Harsha
	Flood	Harvey
	Flowers	Hastings
	Ford, Gerald R.	Hathaway
	Ford, William D.	Hawkins
	Foreman	Hechler, W. Va.
	Fountain	Heckler, Mass.
	Frey	Helstoski
	Friedel	Henderson
	Fulton, Pa.	Hicks
	Fulton, Tenn.	Hogan
	Fuqua	Horton
	Galifianakis	Howard
	Gallagher	Hull
	Gaydos	Hunt
	Gettys	Hutchinson
	Giaimo	Jacobs
	Gibbons	Jarman
	Gilbert	Johnson, Calif.
	Goldwater	Jones, N.C.
	Gonzalez	Jones, Tenn.
	Gray	Karth
	Griffin	Kastenmeier
	Griffiths	Kazen
	Gross	Kee
	Grover	Keith
	Gude	King
	Hagan	Kleppe
	Haley	Kluczynski
	Hall	Koch
	Halpern	Kuykendall
	Hamilton	Kyros
	Hammer-schmidt	Landrum
	Hanley	Langen
	Hansen, Idaho	Latta
	Harsha	Leggett
	Harvey	Lennon
	Hastings	Lloyd
	Hathaway	Long, Md.
	Hawkins	Lujan
	Hechler, W. Va.	McCarthy
	Heckler, Mass.	McClory
	Helstoski	McCloskey
	Henderson	McClure
	Hicks	McCulloch
	Hogan	McDade
	Horton	McDonald, Mich.
	Howard	McFall
	Hull	McKneally
	Hunt	Macdonald, Mass.
	Hutchinson	Madden
	Jacobs	Mahon
	Jarman	Mann
	Johnson, Calif.	Marsh
	Jones, N.C.	Martin
	Jones, Tenn.	Mathias
	Karth	Matsunaga
	Kastenmeier	Mayne
	Kazen	Meeds
	Kee	Melcher
	Keith	Meskill
	King	Michel
	Kleppe	Mikva
	Kluczynski	Miller, Calif.
	Koch	Miller, Ohio
	Kuykendall	Minish
	Kyros	Mink
	Landrum	Minshall
	Langen	Mize
	Latta	Mizell
	Leggett	Mollohan
	Lennon	Monagan
	Lloyd	Montgomery
	Long, Md.	Moorhead
	Lujan	Morgan
	McCarthy	Morse
	McClory	Mosher
	McCloskey	Moss
	McClure	Murphy, Ill.
	McCulloch	Murphy, N.Y.
	McDade	Natcher
	McDonald, Mich.	Nedzi
	McFall	Nelsen
	McKneally	Nichols
	Macdonald, Mass.	O'Hara
	Madden	O'Neal, Ga.
	Mahon	O'Neill, Mass.
	Mann	Ottinger
	Marsh	Patman
	Martin	Patten
	Mathias	Pelly
	Matsunaga	Pepper
	Mayne	Perkins
	Meeds	Pettis
	Melcher	Philbin
	Meskill	Pike
	Michel	Pirnie
	Mikva	Poage
	Miller, Calif.	Podell
	Miller, Ohio	Poff
	Minish	Preyer, N.C.
	Mink	Price, Tex.
	Minshall	Pryor, Ark.
	Mize	Pucinski
	Mizell	Purcell
	Mollohan	Quie
	Monagan	Railsback
	Montgomery	Randall
	Moorhead	Rarick
	Morgan	Reid, Ill.
	Morse	Reid, N.Y.
	Mosher	Reuss
	Moss	Rhodes
	Murphy, Ill.	Riegle
	Murphy, N.Y.	Robison
	Natcher	Rodino
	Nedzi	Rogers, Colo.
	Nelsen	Rogers, Fla.
	Nichols	Rosenthal
	O'Hara	Rostenkowski
	O'Neal, Ga.	Roth
	O'Neill, Mass.	Roudebush
	Ottinger	Roybal
	Patman	Ruppe
	Patten	Ruth
	Pelly	Ryan
	Pepper	St Germain
	Perkins	St. Onge
	Pettis	Sandman
	Philbin	Satterfield
	Pike	Schadeberg
	Pirnie	Scheuer
	Poage	Schneebeli
	Podell	Schwengel
	Poff	Scott
	Preyer, N.C.	Sebelius
	Price, Tex.	Shipley
	Pryor, Ark.	Shriver
	Pucinski	Sisk
	Purcell	Skubitz
	Quie	Slack
	Railsback	Smith, Calif.
	Randall	Smith, Iowa
	Rarick	Smith, N.Y.
	Reid, Ill.	Stafford
	Reid, N.Y.	Staggers
	Reuss	Stanton
	Rhodes	Steed
	Riegle	Stephens
	Robison	Stokes
	Rodino	Stratton
	Rogers, Colo.	Taft
	Rogers, Fla.	Taylor
	Rosenthal	Thompson, N.J.
	Rostenkowski	Thomson, Wis.
	Roth	Ullman
	Roudebush	Utt
	Roybal	Vander Jagt
	Ruppe	Vanik
	Ruth	Vigorito
	Ryan	Waggonner
	St Germain	Waldie
	St. Onge	Wampler
	Sandman	Watkins
	Satterfield	Watson
	Schadeberg	Watts
	Scheuer	Weicker
	Schneebeli	Whalen
	Schwengel	Whalley
	Scott	Whitehurst
	Sebelius	Whitten
	Shipley	Widnall
	Shriver	Wiggins
	Sisk	Williams
	Skubitz	Wilson, Bob
	Slack	Winn
	Smith, Calif.	Wright
	Smith, Iowa	Wyatt
	Smith, N.Y.	Wydler
	Stafford	Wylie
	Staggers	Wyman
	Stanton	Yates
	Steed	Zablocki
	Stephens	Zion
	Stokes	Zwach
	Stratton	
	Taft	
	Taylor	
	Thompson, N.J.	
	Thomson, Wis.	
	Ullman	
	Utt	
	Vander Jagt	
	Vanik	
	Vigorito	
	Waggonner	
	Waldie	
	Wampler	
	Watkins	
	Watson	
	Watts	
	Weicker	
	Whalen	
	Whalley	
	Whitehurst	
	Whitten	
	Widnall	
	Wiggins	
	Williams	
	Wilson, Bob	
	Winn	
	Wright	
	Wyatt	
	Wydler	
	Wylie	
	Wyman	
	Yates	
	Zablocki	
	Zion	
	Zwach	

NAYS—0

NOT VOTING—109

Adair	Edwards, Calif.	Long, La.
Alexander	Edwards, La.	Lowenstein
Andrews, Ala.	Evans, Colo.	Lukens
Andrews, N. Dak.	Findley	McEwen
Aspinall	Flynt	McMillan
Baring	Foley	MacGregor
Berry	Fraser	Mailliard
Biaggi	Frelinghuysen	May
Blanton	Garmatz	Mills
Boggs	Goodling	Morton
Bolling	Green, Oreg.	Myers
Bow	Green, Pa.	Nix
Brademas	Gubser	Obey
Brock	Hanna	O'Konski
Brooks	Hansen, Wash.	Olsen
Cahill	Hays	Passman
Celler	Hébert	Pickle
Clawson, Del	Holifield	Pollock
Clay	Hosmer	Powell
Corbett	Hungate	Price, Ill.
Corman	Ichord	Quillen
Cunningham	Joelson	Rees
Davis, Ga.	Johnson, Pa.	Reifel
Dawson	Jonas	Rivers
Dickinson	Jones, Ala.	Roberts
Diggs	Kirwan	Rooney, N.Y.
Dingell	Kyl	Rooney, Pa.
Dulski	Landgrebe	Saylor
	Lipscomb	Scherle
	Long, La.	Sikes
	Lowenstein	Symington
	Lukens	Talcott
	McEwen	Teague, Calif.
	McMillan	Teague, Tex.
	MacGregor	Thompson, Ga.
	Mailliard	Tiernan
	May	Tunney
	Mills	Udall
	Morton	Van Deerlin
	Myers	White
	Nix	Wilson, Charles H.
	Obey	Wold
	O'Konski	Wolff
	Olsen	Yatron
	Passman	Young
	Pickle	
	Pollock	
	Powell	
	Price, Ill.	
	Quillen	
	Rees	
	Reifel	
	Rivers	
	Roberts	
	Rooney, N.Y.	
	Rooney, Pa.	
	Saylor	
	Scherle	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Kirwan with Mr. Adair.
Mr. Hébert with Mr. Mailliard.
Mr. Dingell with Mr. Lipscomb.
Mrs. Hansen of Washington with Mr. Cahill.
Mr. White with Mr. Jonas.
Mr. Hanna with Mr. Morton.
Mr. Garmatz with Mr. O'Konski
Mr. Sikes with Mr. Berry.
Mr. Dulski with Mr. Del Clawson.
Mr. Celler with Mr. Reifel.
Mr. Boggs with Mr. Saylor.
Mr. Brooks with Mr. Springer.
Mr. Mills with Mr. Frelinghuysen.
Mr. Brademas with Mr. Gubser.
Mr. Wolff with Mr. Corbett.
Mr. Teague of Texas with Mr. Bow.
Mr. Aspinall with Mr. Hosmer.
Mr. Lowenstein with Mr. Johnson of Pennsylvania.
Mr. Biaggi with Mr. Andrews of North Dakota.
Mr. Passman of Louisiana with Mr. McEwen.
Mr. Price of Illinois with Mr. Brock.
Mr. Rivers with Mr. Pollock.
Mr. Green of Pennsylvania with Mr. Cunningham.
Mr. Young with Mr. Snyder.
Mr. Holifield with Mr. Dickinson.
Mr. Hungate with Mr. Myers of Indiana.
Mrs. Sullivan with Mr. Goodling.
Mr. Andrews of Alabama with Mr. MacGregor.
Mr. Joelson with Mr. Kyl.
Mr. Rooney of New York with Mr. Findley.
Mr. Charles H. Wilson with Mr. Quillen.
Mr. Tiernan with Mr. Teague of California.
Mr. Van Deerlin with Mr. Scherle.
Mr. Jones of Alabama with Mr. Lukens.
Mr. Long of Louisiana with Mr. Thompson of Georgia.
Mr. Nix with Mr. Talcott.
Mr. Blanton with Mr. Landgrebe.
Mr. Alexander with Mrs. May.
Mr. McMillan with Mr. Steiger of Wisconsin.
Mr. Udall with Mr. Wold.
Mr. Tunney with Mr. Steiger of Arizona.
Mr. Ichord with Mr. Corman.
Mr. Edwards of California with Mr. Dawson.
Mr. Fraser with Mr. Diggs.
Mr. Rooney of Pennsylvania with Mr. Davis of Georgia.
Mr. Baring with Mr. Yatron.
Mr. Stuckey with Mr. Pickle.
Mr. Flynt with Mr. Stubblefield.
Mr. Hays with Mr. Olsen.
Mr. Rees with Mr. Clay.
Mr. Symington with Mr. Evans of Colorado.
Mr. Foley with Mrs. Green of Oregon.
Mr. Roberts with Mr. Edwards of Louisiana.
Mr. Obey with Mr. Powell.

The result of the vote was announced as above recorded.

The doors were opened.

The title was amended so as to read: "A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1970, 1971, and 1972, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore (Mr. GRAY). Is there objection to the request of the gentleman from West Virginia?

There was no objection.

TRIBUTE TO THE LATE "ROCKY" MARCIANO

(Mr. BURKE of Massachusetts asked and was given permission to address the House for 1 minute and to include extraneous matter.)

Mr. BURKE of Massachusetts. Mr. Speaker, I would like to take this time to pay tribute to the late "Rocky" Marciano, former heavyweight champion of the world and a native of Brockton, Mass., a city which I have the honor of representing. "Rocky," born of immigrant parents, had a dream and the implementation of his dream is surely an American classic. With hard work, courage, stamina, and determination he fulfilled his childhood vow of making something of himself. It is not so much what he did but how "Rocky" did it that wins my praise and admiration. Goals set, he never waivered. Success only added to his character—never corrupted. It was perseverance and clean living that gave form to "Rocky's" dream.

Those who followed the champ's career marveled at the gentleness of the "Brockton Blockbuster" outside the ring, and it was often said that he seemed somehow out of place in the boxing world. He brought to boxing a fresh, clean wind and added a sense of honor and dignity to the profession. For millions of Americans he became an unfaltering hero—one they could identify with and his life gave credence to the Horatio Alger myth.

After his retirement from the ring, as the undefeated heavyweight champion of the world, many of his efforts were directed toward the youth of America—boys like himself. He hoped to instill in them the same hopes and dreams he had as a boy. Who can say how many he touched, how many he influenced, how many imaginations he fired. The Marciano legend will not die, it will live in the imagination of every young boy it touches, as fathers will tell it to sons and they to their sons.

My sympathy goes out to his wife and family.

The following are tributes to "Rocky" which I would like to bring to the Member's attention:

[From the Brockton (Mass.) Enterprise, Sept. 2, 1969]

THE CHAMP

Rocky Marciano brought great distinction to this city when he became the heavyweight champion of the world.

Professional boxing, especially in the heavyweight class, long has been infiltrated by the gangster element.

But Rocky was clean. Not one whisper of anything contrary to good conduct was ever heard about The Champ during his days in the ring.

Rocky gave unsparingly of his time to causes that benefited financially by his presence.

He remained a Brockton home-town boy even after leaving this city.

Outside of the ring he was a gentle person. Fighting was a business with Rocky, not a desire to physically hurt someone.

We extend our sympathy to his wife and family.

Their loss is a great one, their grief is difficult to bear, but their pride in The Champ will help them in their time of sorrow.

The Golden Age of boxing has died twice. Once in April of 1956, and for a second time in a plane crash in Newton, Iowa.

[From the Brockton (Mass.) Enterprise, Sept. 2, 1960]

"FORGET BOXING" THE ROCK WAS ONCE TOLD

(By Toni Costa)

When eight-year-old Rocco Francis Machegiano began attacking a homemade punching bag in the cellar of his Dover St. home, little did anyone realize that he would one day become the world's undefeated heavyweight boxing champion.

That first punching bag, a gift from his uncle John who urged him to slug away at it, kindled in Rocky Marciano a spark which burst into the flaming success story of a life time—a story which boasts an undefeated professional boxing record.

That punching bag came after Rocky was popped in the nose by a neighborhood bully and came home crying. However, with a little practice, Rocky was never bullied again.

HE LEARNED QUICKLY

Somewhat skilled and toughened by his boyhood session with his punching bag, Rocky discovered while in the Army at Fort Devens, that soldiers on the boxing team received special passes and no KP.

A robust Italo-American who worked with a pick and shovel since he quit school at age 14, Rocky fought his way through the Army, losing only one bout.

THAT'S WHAT HE WAS TOLD

Spurred by his Army boxing record, Rocky, after his discharge, stopped in Chicago to see the father of an Army chum who handled boxers.

"Go home and forget about fighting" was the advice Rocky refused to accept from the Chicago man who said he was too slow and too clumsy.

Undaunted by the temporary discouragement, Rocky returned to his hometown where he began his amateur boxing career, training in the upstairs of Brockton's Central Fire Station on Pleasant St. and keeping alive his youthful love for baseball.

GOOD BASEBALL PLAYER

A good baseball player in semi-pro competition in the Brockton area, the blockbuster hitch-hiked to Fayetteville, N.C., to the Chicago Cubs tryout camp.

His desire to break into professional baseball as a catcher were snuffed out in that southern town when he learned that he just couldn't cut the ice for the big leagues.

Still intrigued by boxing, Marciano, urged by friend and neighbor Allie Colombo to pursue the sport as a career, hitch-hiked to New York City where Al Weill signed him up immediately.

THAT STARTED IT

Rocky's professional career had begun—49 professional bouts, all wins for the Brockton boy who packed a cannon in each hand and successfully defended his championship title six times. And, before each fight, his faithful Italian mother knelt in prayer in St. Patrick's Church.

With Marciano's fame came fame for Brockton. Once known as the Shoe City, Brockton became known as the birthplace and home of Rocky Marciano.

THEY'LL NEVER FORGET IT

Few Brocktonians can forget the cry of Ruby Goldstein as he announced in New York's old Madison Square Garden, ". . . and in his corner, from Brockton, Massachusetts, the Heavyweight Champion of the World, Rocky Marciano." Thousands thronged Brockton's Main St. in front of the Enterprise building to listen to those history making bouts.

In that corner along with Rocky, was another Brocktonian, Allie Colombo. Also in the corner, standing near the ring, was a little man holding a shoe box under his arm.

That man, The Rock's father, a former shoe worker, always brought with him an extra pair of boxing shoes in case his famous, but forgetful son, forgot his.

MAIN STREET WAS A BUSY STREET

Thousands of well wishers thronged Brockton's Main St. every time Rock returned after registering a knockout over a strong opponent. Each time he returned, he returned a bigger hero.

The fighter, with arms like a blacksmith, rode in triumph along the entire length of Main St. during his years as champ. His parades often ended with a huge welcome at the James Edgar Playground, opposite his boyhood home where he often propellel baseballs out of the spacious park.

Sunday night, when news of the fatal plane crash reached Brockton, that park, once the play area of a robust Italo-American, became a memorial.

The memories of Rocky Marciano, etched forever in the minds of the world, the annals of sports, and especially the memories of Brocktonians, will echo silently Thursday when the church bells knell and a Requiem is sung.

[From the Brockton (Mass.) Enterprise, Sept. 2, 1969]

FORMER FOES ARE STUNNED, SADDENED BY ROCKY'S DEATH

"This is the saddest news I've heard," Joe Louis said yesterday when he heard of the death of Rocky Marciano.

Marciano was the boxer who knocked out Louis in the eighth round in Madison Square Garden on Oct. 26, 1951, as the Brown Bomber was attempting a comeback.

"When he defeated me I think it hurt him more than it did me. He was always talking about it," Louis said.

SAID HE WAS SORRY

"After the fight, he sent a message to my dressing room saying how sorry he was the fight turned out the way it did.

"He just had a good heart," Louis said. "He put everything he had into boxing. He was the kind of man boxing can really use.

"Everything I remember about him is good," the 55-year-old ex-champion said.

KNEW OTHER SIDE, TOO

Jersey Joe Walcott and Ezzard Charles had felt the gloved fists thudding into them, raising welts and slashing open cuts. But they also felt the kindness of a man who sometimes seemed too gentle for the ring.

"The Rock and I were great friends," said Walcott, the man they called "Old Pappy" who lost the heavyweight title to Marciano. "We had a friendship unique among fighters. He was one of the toughest I ever fought, had a very unusual style, and he was a great puncher.

"He was a bundle of energy. The guy was pleasant, happy go lucky out of the ring, but in the ring he was a lion."

"I am very sorry to hear about it," said Charles, who is afflicted with a progressive crippling disease, a mytrophic multiple sclerosis. "I always liked Rocky."

ATTENDED TESTIMONIAL

It was less than a year ago that Marciano had attended a huge testimonial for Charles. When it was time for Rocky to speak there were tears in his eyes, and that is one of the memories that Charles cherishes.

In Brockton, it was time for Rocky to come home again. "Sure, everybody in town knew Rocky," said Frank DiBarrie as he grabbed a bit to eat in the Brockton Cafe, directly across the street from the Hickey Funeral Home.

"He lived up the street, I used to play baseball down at Edgars Playground, and he would be there too. You couldn't find a better guy."

The sentiment was echoed again and again. "One of the greatest champions," said Sonny Liston.

"A sad thing . . . a fine person, a fine man," former welterweight champion Curtis Stokes said.

"Boxing has lost a real stalwart," World Boxing Association president Emile Bruneau added.

Harry Markson, who is in charge of boxing for New York's Madison Square Garden, said:

ONE OF THE GREATEST

"Of course I saw Rocky in most of his fights. I would regard him as one of the great fighters of our time. His record would show that.

"He was a tremendous ambassador of good will for our sport. His loss will be sorely felt not only in boxing but in all sport."

"He was rough and tough in the ring but always remained a fine and decent man with millions of friends," said J. Onslow Fane, chairman of the British Boxing Board.

England's Henry Cooper, the European heavyweight champion who never fought Marciano, said, "Boxing can ill afford to lose men like him. He was a credit to the game."

"I saw him box many times," said British promoter Jack Solomons. "He had great character and was very nice to know."

[From the Brockton (Mass.) Enterprise, Sept. 2, 1964]

ONE OF ROCK'S LAST THOUGHTS WAS OF WIFE

(By Gloria LeVasseur)

"He's going to be missed terribly. He was such a good father and husband."

These were the soft spoken words of Mrs. Rocky (Barbara) Marciano as we spoke with her this morning at the home of her mother, Mrs. Elizabeth Cousins of Brockton.

ARRIVES IN CITY

Mrs. Marciano arrived in Brockton early last evening with her mother, her daughter Mary Ann, 16, Robert Collins, the family lawyer, and Liberty Fresca, who is a close friend of the Marciano's.

Just two weeks ago, Rocky, Mrs. Marciano and Mary Ann had returned from a two-month tour of Europe.

"We had never known such happiness as we had enjoyed in the last few months," Mrs. Marciano stated.

WENT TO CHICAGO

Upon his return, Rocky left for Chicago where he had a speaking engagement.

"He called me Saturday and sang 'Happy Birthday' over the phone. My birthday is two days before his and we always celebrated them together."

Mrs. Marciano also told us, "He had just closed a deal on a coast-to-coast chain of Italian Restaurants, and was so happy, he thought this would give him more time to be home with his family."

SAID HE'D RATHER BE HOME

During this telephone conversation, he had told her he would be home late Sunday night or early Monday morning.

"I thought it was Rocky coming home when I received the news about 1:30 Monday morning. He was so often late arriving home."

"It's such a shock, I still can't believe it," she said. "I feel that he is still away on a trip, he traveled so much. Maybe if I can keep thinking he is on a trip it will be easier.

"Mary Ann misses him so much already. The poor thing hasn't slept in two days, and this morning she finally fell asleep."

Indeed Mary Ann was asleep, lying on the living room floor with a photograph of her father by her head, and a pair of boxing gloves held securely in her hands.

"We'll be going back to Fort Lauderdale Thursday evening and will make our home there," she told us. "We've lived there for 12 years and have made so many friends." Mrs. Cousins will also move to Fort Lauderdale to make her home with her daughter.

[From the Brockton (Mass.) Enterprise, Sept. 2, 1969]

ONE OF BOXING'S GREATEST STORIES COMES TO AN END

When Rocky Marciano landed a crashing right hand to the side of Jersey Joe Wolcott's head to knock the heavyweight champion out and take the title, the Brockton Blockbuster had added one of the most important chapters in the book of a prize fighting era.

HE WASN'T ALONE

Actually, the book had many co-authors.

There was, of course, Rocky and there was his life-long friend, Allie Colombo.

Colombo went the route with Rocky. He started him out in the amateurs, turned him pro and brought him to New York to meet Al Weill, a boxing czar who later managed Marciano and became another author in Rocky's story.

HE HELPS, TOO

The fourth member of the Marciano team was Charlie Goldman, whom Weill called upon to join Colombo in Marciano's training. The pair proved to be a first-rate combination.

With Marciano's untimely death, the final pages of his great story were inked in, for the four men that made that story are now dead.

Since Weill passed away, Marciano and both his trainers have died within a period of 10 months.

THEY'RE SHOCKING

The Brockton fight trainer was killed when he was hit by a truck while working in a Stop & Shop Warehouse.

The contributors to the Rocky Marciano era are gone but the story they wrote will live on in boxing annals.

[From the Brockton (Mass.) Enterprise, Sept. 2, 1969]

ROCKY COMES HOME

(By Toni Costa)

Brockton Blockbuster Rocky Marciano is making his final visit to his hometown where a Solemn Requiem for a champion will be sung.

Rocky's return, instead of being marked with the traditional tumultuous, cheering crowds, is somber and mournful, for Rocky's return is for his funeral on Thursday when a Roman Catholic priest will intone the familiar chant, ". . . Eternal rest grant unto him . . ."

His return in 1952 as the proud heavyweight champion of the world was one of the greatest days in Rocky's life. Amid deafening cheers, praise and speeches, The Rock told his hometown friends how proud he was to bring the title to Brockton.

Monday night and today, things were vastly different. There were no crowds and cheers along Main St. A stunned silence hung over Brockton as people stopped in small groups to speak in hushed tones about "The Rock" and how tragic it all was.

Marciano, the local boy who climbed to the pinnacle of the boxing world as the undefeated heavyweight champion, was killed with two other men in a plane crash Sunday night in an Iowa pasture. He would have celebrated his 46th birthday Monday.

Just six months ago, a grief stricken Rocky returned to Brockton to attend the funeral of his lifelong friend and trainer, Allie Colombo, who was crushed to death in a freak warehouse accident. Allie had been a key figure in Rocky's climb to success and even death could not separate the two for long.

Marciano, christened Rocco Francis Marchegiano, and two Des Moines, Iowa, men, died when their single engine plane lost its power, struck a tree and crashed into a pasture about two miles south of Newton in central Iowa Sunday night.

The other men, identified by authorities as Glenn Betz, 37, the plane's pilot, and Frank Farrell, 23, a passenger, were flying Rocky from Chicago to a birthday celebration in Des Moines.

Jasper County Sheriff Darrell Hurley, "The only thing we can find out so far was that the engine conked out and they went down."

Federal investigators combed through the wreckage of the green and white plane, but one of them said it might be two months before officials have a solid indication of what caused the plane to plummet into the pasture.

The crash was discovered by an area resident who reported to authorities that she heard an engine sputter and then the plane crash, a spokesman at the sheriff's office told the Enterprise this morning.

Deputy Sheriff Alan Wheeler, who along with Deputy James Verers were first on the scene, said the plane's clock was stopped at 9:05 P.M. He said the bodies of Betz and Farrell were thrown about 30 feet from the wreckage while Rocky was found lying near the plane.

"It took us some time to identify Marciano," said Wheeler. "We had no trouble identifying the other two men."

Wheeler explained that when they could find no identification for the third man, they pulled a suitcase from the plane.

"We opened the suitcase and found lots of pamphlets with 'Why I Retired' printed on them. There were pictures on the pamphlets; we compared them with the body and identified Marciano," explained Wheeler.

"It was over an hour before we identified him (Rocky) and then we couldn't believe it," said Wheeler.

Wheeler said the plane hit a tree limb about eight inches in diameter which sheared off a wing. The plane then hit the ground, bounced off a three foot swell on the earth, flew through the air, hit a large Oak tree and finally landed in a ditch.

While members of the sports world pay tribute to the retired champ, his family is gathering at the Marchegiano homestead at 168 Dover St., where his parents, Mr. and Mrs. Perry Marchegiano, "are taking it real bad," according to another son, Peter.

Not only is the champ's family in mourning, but all of Brockton, also, shocked that the city's hero—the man who put Brockton on the map—was dead.

Enterprise phones rang all day Monday with calls from people, who, in disbelief, questioned the authenticity of Rocky's death reports.

One woman said, "There must be some mistake. It can't be Rocky Marciano who lived in Brockton. It must be someone else."

The tragedy broke one man into near tears when he called for verification of the news broadcast, and another caller simply replied, "Oh, my God, no."

Marciano's widow, Barbara Cousins of Brockton, their 16-year old daughter Mary Ann, and 7-month old adopted son, Rocco, Jr., arrived for the funeral services. Upon her arrival, Barbara could only say, "It was so sudden, so sudden."

The body of the robust Italo-American is reposing in the Hickey Funeral Home, 403 Main St., where visitors may call this evening from 7 to 9 and tomorrow from 2–4 and 7–9 P.M. The casket will be closed.

FUNERAL MASS

A Solemn High Mass of Requiem will be sung for the heavyweight Thursday morning at 10 in St. Coleman's Church, the church where the Marcianos were married. The body will then be transported to the Fannin Funeral Home in Fort Lauderdale, Fla. where there will be visiting hours Friday. Another Mass will be sung in St. Pius Church, Fort Lauderdale, Saturday, with burial in Park Cemetery.

In addition to his widow, children, and parents, Marciano is survived by two brothers, Louis "Sonny" Marchegiano of San Jose, Calif., and Peter Marchegiano of Brockton; three sisters, all of his hometown, Mrs. Vincent (Alice) Perreira, Mrs. Robert (Concetta) Languay, and Mrs. Armand (Elizabeth) Colombo; and many nieces and nephews.

At a time for sadness and final farewells, Frank DiBari said of the champ, "Sure everybody in town knows Rocky. He lived up the street. I used to play baseball down at Edgars Playground, and he would be there too. You couldn't find a better guy."

MAYOR ASKS FLAG DISPLAY FOR ROCKY

Mayor John E. Sullivan Monday night ordered that all street flags, displayed on Monday in observance of Labor Day, be left in place today in memory of Rocky Marciano.

At the same time he announced that all other flags on public buildings are to be flown at half-staff.

The Mayor also requested that all Brocktonians who have flags to display them in honor of "my good friend Rocky."

His Honor explained that he had known the former heavyweight boxing champ and his family for about 30 years.

[From the Brockton (Mass.) Enterprise, Sept. 2, 1969]

"WE'LL ALWAYS REMEMBER HIM AS CHAMP," SAYS STUNNED CITY

(By Bob Townsend)

"I'll always remember him as the champ," said Mary Ingram of 7 Winona St., as she reflected upon the death of Brockton's most renowned son, Rocky Marciano.

"I've seen him on television and I've read about him," she continued, "and I was proud that he came from Brockton."

ALL HAVE MEMORIES

Everybody on Brockton's Main St. has special memories of The Rock.

Marciano had many friends in the Brockton area, but even those who didn't know him personally had to be moved by Rocky's dramatic ring career.

HE REMEMBERS

"I remember seeing him fight," Bob Shay of 11 Spring St. recalled, "and I'm told he was a heck of a good guy."

Nineteen-year-old Kevin Clancy of 17 Jeanne Ave. knew the late Allie Colombo, Marciano's trainer, and remembers seeing pictures at Colombo's house of the retired champ.

"I'll remember him as a great fighter," Clancy commented.

FINE ATHLETE

"When I think of Rocky," commented Connie Spillane of 101 Winthrop St. "I think of a good all-around athlete. I saw him play football (he played for Brockton High) more than I saw him fight. He always gave something extra.

"What gets' your goat," Spillane said, "is that he had everything to live for."

Lawrence Brace of 73 Denton St. recalled Marciano's football career and said that he had "tremendous drive and strength. There was something super human about him on a football field."

SAW HIM ON TV

"I watched his fights on television," recalled Ernie Roberson of 80 Wyman St. "He was a great fighter."

"I think he was one of the hardest hitters in the history of the game," was the evaluation of Melvin Harlow of 110 Stillman Ave.

ONE OF THE SMARTEST

"Rocky was one of the smartest fellows I knew, too," Harlow added.

"Rocky was really a terrific man," said Mrs. Goldie Berman of 16 Lexington St., a friend of the Marciano family.

"I was quite a fan of his."

Sandra Christopoulos of 49 Grove St., in Hanover, explained that her father, a friend of Rocky's, told her that Marciano was "a great person and a great fighter."

STRUCK HIM OUT

Mike Hedio of 90 Highland St. remembers playing softball with Rocky at the Sons of Italy Park.

"I even struck him out once," Hedio recalled.

"Rocky was a real nice guy. He liked to have fun."

"Rocky was loved and respected by those who were close to him," said Dennis Farley, a friend of Rocky's brother, Peter.

QUITE A STORY

Frank McCarthy of 61 Ellsworth St. remembers a story the late Harry Brown told him about Marciano.

Brown, who owned a sporting goods store in Brockton, was a friend of Rocky's.

"When Rocky started his career in the ring," McCarthy explained, "it looked as if he might end up being a punching bag. Being a friend and concerned with Rocky, Brown advised him to quit fighting before he was walking on his ears.

FOUGHT THEM ALL

"I remember Harry used to kid about it after Rocky became champ," McCarthy continued. "He said that everybody should ask him for advice and everybody would end up doing just the opposite of what they were cut out for.

"Rocky fought all the best of his day," McCarthy commented, "and he beat them all."

"I'll remember Rocky the way everybody will," James A. Barlow of 20 Main St. stated, "as a gentleman and a sportsman."

[From the Brockton (Mass.) Enterprise, Sept. 2, 1969]

LATE TRAINER'S WORDS WERE PERFECT EPITAPH FOR HEAVYWEIGHT CHAMPION

(By Pete Farley)

The time was a few minutes before 12 o'clock the night of Sept. 21, 1955, and the stragglers in the crowd of 61,574 were still making their way out of the pressure cooker that Yankee Stadium had been for 33 minutes and 19 seconds before.

Not far away—in a clubhouse where Mickey Mantle normally slipped into a pinstripped uniform and Whitey Ford normally slipped into a pair of spikes—Allie Colombo stood wielding a pair of scissors the way a surgeon might yield a scalpel in an operating room.

THAT'S WHAT HE SAID

"You really showed 'em something tonight, 'Rock,'" Allie bubbled as he cut the tape off the fists that had just pounded Archie Moore into submission. "They won't ever forget this one."

Allie, himself, is dead now, but no one could have written a more fitting epitaph for Rocky Marciano than he did in the sweaty exuberance of the Yankee Stadium dressing room that night 14 years ago.

Show 'em something?

Rocky Marciano showed 'em something every time he laced on a pair of boxing gloves.

THE PROOF OF THE PUDDING

He showed 'em something that night in Philadelphia when, after Joe Walcott caught him with a left hand to floor him in the first round, he got up, shook the cobwebs out of his head and went on to win the world's heavyweight championship in the 13th round.

The Rock showed 'em something that night in New York when—bleeding and battered about the nose—he made Ezzard Charles pay for his indiscretions by knocking him out in the eighth round.

He showed 'em something that Sept. 21, 1955, night in Yankee Stadium, too, when, after Moore caught him with a short right to put him on the seat of his pants in the second round, he got to his feet and hacked away at him the way a farmer hacks away at a field of corn, until he knocked him out in the ninth round.

HE COULD HIT

As a boxer, Rocky was no Sugar Ray Robinson. By the same token, as a puncher and as a fighter who could take a punch, Sugar Ray was no Rocky Marciano.

Rocky's code of battle was to lace on a pair of gloves, wait for the bell to ring and wade in with both fists flying.

"God gave me the body to take a punch and the hands to throw one," he once told me in a more serious moment. "What more can I ask?"

HE AGREED

Charles, who fought—and lost to—Marciano twice within a period of three months in 1954—never thought Rocky should ask for anything more, indeed.

"Fighting Rocky," the former heavyweight champion admitted to me a few years ago, "was the most frustrating thing that's ever happened to me.

"It was bad enough," Charles said, "that every time Rocky hit me, it felt as if a telephone pole had fallen on me.

"Worse still, though," he groaned, "for a week after both fights, my arms hurt so much from hitting him with punches that I couldn't lift them."

HE REMEMBERS

Moore, too, shakes his head to this day any time Marciano's staying power is brought up.

"I thought I had him," he told me in Boston not long ago when the subject of his second round knockdown of The Rock was brought up. "I hit him with a reflex punch, and I hit him a pretty good shot.

"I couldn't believe it," Moore said, "when I saw Rocky get to his feet at the count of four and come wading right back in at me."

None of the things Rocky did in the ring, though, was a surprise to Charlie Goldman, his late trainer.

"Training a promising kid." Goldman used to philosophize between puffs on a cigar that was bigger than he was, "is like putting a quarter in one pocket and taking a dollar out of another.

"In Rocky's case, though," he grinned, "I struck gold. It was the other way around.

"Even if Rocky was being outboxed," Goldman would say, "he had the equalizer—the right-hand knockout punch."

QUITE A SIGHT

The sight of Goldman trying to be grim and gruff with Marciano in the gym was something to see, incidentally.

Goldman, a gnome-like little man who wouldn't have stood more than 5 feet tall if he'd stood on a boxing glove, would continually bark instructions from ringside.

"I hear you, Charlie," Rocky would grunt, breaking into a grin. "I'll keep the left hand higher the next time, I promise you."

HE HAD ONE FRUSTRATION

Rocky, I suspect, though, always had one frustration in life.

That was baseball!

In fact, before he took up boxing seriously,

he had an ambition to become a big league catcher.

The Rock, who swung a pretty good bat, was good enough, too, to attract the attention of the Chicago Cubs.

"I thought I was on my way," he laughed many times in later years, "until I had to start making those throws to second base."

[From the Brockton (Mass.) Enterprise, Sept. 2, 1969]

MEMORIES? THE CHAMP LEFT THEM

(By Al Caldwell)

The headline read "Rocky Marciano Dies in Plane Crash." When someone famous dies, you begin to remember things. But in your case, it goes back a little farther than that.

It starts 40 years ago to be exact, with a tough little curly-headed kid trudging past your house to begin the first grade at the old four-room wooden Belmont School (since torn down) with your own kid brother.

Later, after he was champion, he was to tell you that he still remembered the fact that on your brother's birthday, your mother provided ice cream and cake for all his classmates. Ice cream and cake were rare commodities for Rocky in those depression days.

THAT'S HOW HE WAS

You remember a kid who was never content to play with the boys his own age. A kid who wanted to play with the "big boys" and who stuck to it until they let him. A kid who took his lumps but stayed at it until they accepted him.

You remember a growing boy spending nearly all of his time at James Edgar playground across the street from his home, playing sandlot baseball with anyone who would play with him. A boy who had a burning ambition to be a big league baseball player but, when the chance came, found his arm wasn't up to standard.

HE HAD IT ALL

You remember an earnest young amateur fighter, with a wealth of power but still carrying his tactics from street fighting into the prize ring. An amateur who worked at it until he was able to fight in the national Golden Glove Championships in New York and finally lose a "home town" decision to Coley Wallace, the last decision he was to lose in the ring.

You remember Rocky turning pro and the early fights in Providence, with his father-in-law-to-be, Patrolman Lester Cousins, phoning the Enterprise after the fights. Some were on FM radio only with Walt Dunbar, who had formerly been a WBET sportscaster, doing the blow by blow.

HE'D ANSWER THE PHONE

You remember mornings after the fights, when Rocky would drop into the Enterprise newsroom about 7 A.M. after doing his roadwork and answer telephone calls on the fight results with jubilant "I won." And were the callers surprised. And you remember Rocky, jogging from Brockton to Weymouth for a Thanksgiving day grid game, waving and refusing rides.

Then you remember the first big fight, the 10-round bout on TV with Rolly LaStarza from Madison Square Garden which Rocky won by scoring the only knock-down of the fight. Every TV in Brockton was watching the fights that night.

LOVED BASEBALL

Even while moving up the fight ladder, Rocky never forgot his love for baseball. After he was fighting important main bouts in New York, Rocky would be home on a weekend, playing first base for the Taunton Lumber team. Not a stylist around the base, Rocky was always in there trying.

At bat, he attacked the ball the same way he attacked an opponent. Fans still remember one line drive which hit the far distant left field fence at O'Donnell's on one savage hop. If Rocky's manager had had any idea that his prize property was playing semi-pro baseball on his weekends at home, he would have swallowed his cigar.

Then came the big fights. The experts said that Rocky was overmatched when he was scheduled to fight Rex Layne, a highly regarded Western heavyweight. His neighbors didn't think so and some mortgaged their homes to bet money that their boy would win.

Fight night and no radio or TV coverage. Main St. was jammed from Centre St. to Ward St. from curb to curb as the Enterprise recreated a blow by blow of the fight. Al O'Connor moved his Western Union receiving apparatus into the WBET studio and the fight went out over loudspeakers, blow by blow. And when Rocky put Layne away in the sixth round, Main St. erupted in an explosion of sound which nearly shattered the windows.

BUSINESS COMES TO A HALT

The Joe Louis fight was on TV and business in Brockton virtually suspended as Rocky met the Brown Bomber, true, not the champion now, but one of the legendary greats of the fight game.

When Rocky knocked the former champion through the ropes in the eighth and it was apparent he wasn't going to get up, the city went mad. It seemed that everybody left their homes to congregate in front of the Enterprise and the celebration was only slightly less happy and boisterous than that which greeted the news of the end of World War II.

The Louis bout meant a shot at the championship and one of the most gruelling battles in the history of the ring. Again, the city went crazy when Rocky finally put away the dogged and crafty Joe Walcott and became the first white fighter to hold the title in a decade.

Then there were the fights as champion. You remember the Ward Two Club. Rocky's home club, where his neighbors and friends jammed the hall to listen to every second of the bouts and the wild celebrations that followed each win.

You remember Rocky riding in a car in Brockton's 75th anniversary parade, with his wife, Barbara, and his young daughter by his side, beaming, happy, glad to celebrate with his friends and neighbors.

You remember his decision to retire undefeated, and a telephone call to the late Vic Dubois, Enterprise sports editor, who was in the hospital. Rocky told him, "I promised you'd be the first to know." And the promise was kept.

Then came the retirement years. Rocky was usually in Florida, but when he was home, there was always a toot on the horn and a wave of the hand for his friends when he saw them.

THEY WERE GOOD YEARS

The retirement years were good years. Speaking engagements, publicity chores, television appearances, meetings with the great and the famous. And then the crash and the end. It's been a long way from the little house near Edgar's playground to the plane crash in an Iowa field. It's a journey few men can make. For part of his 46 years, Rocky was there, on top, the champ. Who can ask for anything more?

[From the Boston (Mass.) Globe, Sept. 2, 1969]

MARCIANO FLYING TO BIRTHDAY PARTY WITH FRIENDS WHEN PLANE CRASHED

NEWTON, IOWA.—Rocky Marciano, only world heavyweight champion to retire undefeated, was killed in the crash of a light plane into a pasture Sunday night as he flew to celebrate his birthday with friends.

Marciano, who would have been 46 yesterday, died with a family friend and a pilot in the wreckage of a single-engine Cessna 172 which lost power, struck a tree and crashed into a small ravine in a weedy field about two miles south of here.

Marciano's body was pinned beneath the main wreckage of the four-place plane. Jasper County medical examiner Dr. John Maughan said all three men were killed instantly.

Marciano, known as the "Brockton Blockbuster" during his devastating reign in the 1950's, was one of the most popular boxers since Jack Dempsey ruled as heavyweight king.

He compiled a perfect record of 49 victories—43 of them knockouts—in professional bouts before he retired as undefeated champion on April 27, 1956.

Marciano, born Rocco Marchegiano, the son of a shoe factory worker, captured the world heavyweight title by knocking out Jersey Joe Walcott in 13 rounds at Philadelphia on Sept. 23, 1952. His last fight was on Sept. 21, 1955, when he knocked out Archie Moore in nine rounds in New York.

Killed with Marciano were Frank Farrell, 23, of Des Moines, a friend of the former champion, and Glenn Eugene Belz, 37, Des Moines, the pilot.

A family source said Farrell and Belz were flying Marciano from Chicago to Des Moines for a birthday dinner with Farrell and his family. The source said Farrell was the son of Lew Farrell, a former boxer who had known Marciano since boyhood. Lew Farrell died about two years ago.

Federal investigators sifted through the wreckage of the 1967 green and white Cessna, the property of Executive Flyers, Inc., Des Moines Flying Club, trying to determine the cause of the crash.

K. A. Egge, an FAA inspector, injected a mysterious note when he refused to identify the one person who supposedly saw the plane go down.

Egge said he would not provide the witness' name because of Marciano's national stature, the possibility of lawsuits and the fact that the witness saw the accident "long distance."

There were indications the plane may have encountered mechanical trouble or run low on fuel and that the pilot was trying to make it to the Newton airport, about 1½ miles from the crash scene on the Henry Eilander farm.

None of the Eilanders was home at the time of the accident, but Mrs. Colleen Swarts, 30, who lives about one-half mile from the crash site, said she saw the lights of the plane as it passed overhead in an overcast. She said the plane's engine stopped, then "kind of sputtered again."

"Then I heard this awful thud and I knew it had crashed," Mrs. Swarts said.

Deputy sheriff Jim Verwers, the first person at the scene, said there was a low overcast but no rain.

One wing of the plane was sheared off when it hit the tree. Bits of the plane, flight maps and weather charts were strewn some 250 feet from the tree to the point where the fuselage came to rest.

Marciano's ring career began in 1947. Before turning to boxing he had worked as a ditchdigger, a dishwasher, a candy mixer, a truck driver. In 1946 he had a baseball tryout with the Chicago Cubs as a catcher, but the Cubs didn't think he could throw well enough.

He fought in the Army, then tried amateur boxing. He persuaded manager Al Weill to take him on as a pro in 1948 and together they went all the way to the top.

His first pro fight was on Mar. 17, 1947 against Lee Epperson. He won his first 15 bouts by knockouts and then came into national focus when he won a 10-round decision from undefeated Roland LaStarza in 1950.

After that he knocked out Rex Layne, Freddie Beshore and his own idol, Joe Louis. A two-round knockout of Harry (Kid) Math-

ews got him the title fight with Jersey Joe Walcott in 1952.

He won the title and made six defenses before retiring in 1956.

[From the Boston (Mass.) Globe, Sept. 2, 1969]

ROCKY IMPRESSED EVEN CLAY

(By Bud Collins)

The shadowy figures were scuffling on the wall of a Houston hotel room—Rocky Marciano and Archie Moore on film, entertainers at a home movie of sorts. On a couch, the man who was being entertained showed admiration for the first time. "Yeah," said Cassius Muhammad Ali Clay, "that Rocky was good, wasn't he? First time I seen his films.

"He's the onliest one that would've given me some trouble."

As a film critic, Ali hadn't been impressed by the reels of Dempsey or Tunney, or even Joe Louis. Marciano was "something else," grinned Ali that Sunday morning before he fought and beat Ernie Terrell in the Astrodome.

Nobody in boxing needed Ali's appraisal to know that Rocky Marciano was something else. But it was surprising in those super-egoistic days of the current champion-in-exile, Ali, that he could turn off the self-canonization for a moment to recognize Rocky's superior qualities. Rocky got through to him, as he might have in the ring had they been contemporaries.

Marciano, who was killed Sunday in an airplane crash, may well have been the greatest heavyweight fist fighter in the line of succession going back to another Massachusetts tough, John L. Sullivan out of Roxbury. Rocky beat everybody they put in with him—49 for 49. Nobody else did that. Nobody else had perfect results in their work, although Ali (29 for 29) had his heart set on surpassing Rocky's mark before encountering his present problems with the Justice Department.

Nevertheless, the critics were grudging when it came to putting greatness and Marciano in the same sentence. He wasn't particularly gifted, not in the sense of being a picture fighter. The picture he brought to mind was George Bellows' "Stag at Sharkey's"—a painting of a couple of club brawlers wading into each other with no thought to style.

The Marciano style was: Hit the other guy hard, and lots—and never mind what he did to you.

He didn't know how to lose. Though the purist may have winced at his approach, it all comes down to winning in boxing, and Rocky never was a party to failure that could be deliberated on.

A brawler, yes, but Charlie Goldman—a barroom fighter in the '90s who who became Marciano's first formal tutor—found in Rocky a brawler whose heart, desire and physique could meet the demands of the big league. A few refinements were added, but Rocky was still the essential fighter: Hit the other guy more than he could hit you.

For a while the critics seemed to resent Rocky's mauling of an idol, an aged Joe Louis who was propped up once more to test the young brawler. It seemed indecent that this thrashing machine from Brockton should mangle a legend. Rocky probably didn't like the idea, either, for Louis had been his hero. But Louis got into the ring with him, and there was no mercy for anybody who took that step.

Marciano only knew one way. Bash and batter. Forget the punches that came, the pain, the fatigue. Do anything. Win. Keep bashing and battering until the other guy is in a heap.

Rocky's nose was nearly torn off by Joe Walcott, and he was bashed and battered himself, but Rocky found a way to win the title. Somehow, groping through the blood and hurt, he let go with a left hand that embalmed old Joe—"the biggest I've even seen," says Don Dunphy who announced all the fights.

Rocky couldn't make all the moves that set forth boxing as the Sweet Science for some of its patrons. Such frills as the Ali Shuffle were mysteries. He was as neat and nifty as rush hour at a slaughterhouse. Hack away—smother the other guy with so many punches he's in an avalanche.

But appreciation from him grew as his retirement lengthened. He would bound down the aisle to the ring to be introduced at the big fights and the roar of the crowd was boisterous, yet warm.

The champions who succeeded him, Floyd Patterson and Ali, could not be taken to the usual boxing loyalist's heart. They were puzzles. Patterson, introspective and brooding, worried about the fact that nobody regarded him as the real thing. Ali was the screamer, convert to a religion that made whites uncomfortable, finally a draft-resister.

Rocky was a champion people could understand. They saw him as uncomplicated, a family man who trained hard, punched people thoroughly and well, and was good to his parents.

His success made the public feel there was actually something wholesome about boxing: the milltown boy, clean through and through, wins the title, respect and riches through hard work. He rewards his fellow townsmen who bet on him at long odds, and makes Brockton famous for something more romantic than shoes.

All that remains is the record, and the memories of exciting nights in arenas and ball parks when Rocky stirred those who watched him at work. The record and the memories are excellent. A man can't leave much better than that. It is hard to believe Rocky dead, of course, but the most unbelieving will be the rivals, the men who pounded on him and were beaten by him. They'd swear that it would take more than a plane crash to kill Rocky.

[From the Boston (Mass.) Globe, Sept. 2, 1969]

MAN WHO BEAT ROCKY RECALLS AMATEUR BOUT

Bob Girard, now a fireman in Lynn, Mass., was one of Rocky Marciano's biggest fans and ranked with three others as the only men who ever defeated the Brockton blockbuster.

A good amateur, but unheralded as athletes go, Girard, who once won a three-round decision from one Rocco Marchegiano (Rocky's real name) said yesterday when he heard about Rocky's death, "It's terrible. It's hard to believe."

Girard beat Marciano in the finals of the 1947 state amateur heavyweight championship at old Mechanics Hall.

Girard reminisced, "I followed his career all the way. I knew he'd be a champ that night. He was fantastic in the ring; if the fight lasted long enough, he was bound to get you. He could at any time—with one punch.

"He was the best I ever fought—the best I ever saw. I wonder to this day how I ever took his punch," Girard said.

Sportsman and race horse owner Peter Fuller was another of the young boxers who knew Marciano in those pre-professional days. He recalled another fight at Mechanics Hall.

Fuller and Marciano were scheduled to meet on an amateur card but, as Fuller related:

"The promoter saw the crowd and said we could draw a bigger crowd as winners next week. He announced we wouldn't fight that night but the winners of that card would fight the next week."

The fight never came off. Fuller won his bout, but Rocky jammed his thumb and lost the decision.

"Rocky was an incredible guy. He had a tremendous strength, aside from his physical strength," Fuller said.

[From the Boston (Mass.) Globe, Sept. 2, 1969]

"I'LL FIGHT ANY MAN IN THE HOUSE"

LONDON.—Boxing writer Bill Martin of the British Press Assoc. recalled this story about Rocky Marciano last night:

"I best remember him in 1965 when he was taken down to meet the locals in a bar in West London. This suited Marciano, for he was a sucker for people, and having signed 100 autographs and shaken hands with everyone in the bar, he was pushed up onto the stage to make a speech.

"He said in an accent, straight from the gangster film of the 1930s, 'I can't sing, I can't dance and I'm not very good at telling stories. But just to be sociable I'll fight any man in the house.' "

[From the Boston (Mass.) Globe, Sept. 2, 1969]

RITES THURSDAY: ROCKY'S DEATH STUNS BROCKTON

(By Robert L. Levey)

BROCKTON.—Rocky Marciano's friends and relatives began arriving here yesterday to mourn the former boxing champion, who died in a light plane crash Sunday night.

Marciano's body was flown to Boston and then taken to the Hickey Funeral Home, 40 Main st. It will lie in wake from 7 to 9 tonight and Wednesday from 2 to 4 and 7 to 9.

Those who knew Marciano were still dazed yesterday. Local friends of the fighter and his family began visiting his parent's home on Dover street.

Marciano's younger brother, Peter, was there to comfort the elderly father and mother, Mr. and Mrs. Peter Marchegiano.

A group of Marciano's friends sat on the front stairs of the house in the intense heat and chatted about the man who had brought them so many thrills.

"He would have been 46 today," said his younger brother. "The last time he came here was about two weeks ago. He came here a lot to visit mother and father. In the Winter, they'd go down there and stay with him in Florida."

Though Rocky had been out of the ring for 13 years, he remained extremely active in business enterprises and on the sports speaking circuit.

He had just started a new business venture, a string of spaghetti houses. Peter was supposed to leave for San Jose, Calif., this week to help manage the chain.

Rocky's wife, Barbara, and two children, Mary Ann, 16, and Rocky, Jr., 17 months flew to Boston from Florida and arrived in Brockton in the late afternoon.

Mrs. Marciano said Rocky had called her Saturday and wished her a happy birthday. His own birthday was to have been celebrated when he returned to Florida on Monday.

A solemn high Mass of requiem for Marciano will be said Thursday at 10 a.m. at St. Colmans Church on Wendell ave., Brockton. His remains will then be shipped to Fort Lauderdale, Fla., where a wake will be held Friday at a local funeral home and burial will be Saturday in Queen of Heaven Cemetery, Fort Lauderdale.

Marciano's other brother, Louis, arrived in Brockton yesterday from his home in San Jose. He also leaves three sisters in Brockton, Mrs. Vincent (Alice) Pereira, Mrs. Robert (Connie) Langway and Mrs. Armond (Elizabeth) Columbo. The family has asked that in lieu of flowers contributions be made to Boys Town of Italy.

Marciano, undefeated as a professional boxer, held the world heavyweight boxing championship from Sept. 23, 1952 to his retirement on Apr. 27, 1956.

Since then he developed a successful business career and a reputation as a loyal friend and devoted family man. His father had come from Italy and was a shoe worker in the Brockton mills.

When Rocky had finally battled himself to the top, someone in his hometown said "Brockton used to be famous for shoes, but since he won the title, it's only famous for him."

[From the Boston (Mass.) Globe, Sept. 2, 1969]

LITTLE ROCKY CAN WALK NOW, WANTED SO MUCH TO SHOW DAD

FORT LAUDERDALE, FLA.—Rocky Kevin Marciano was going to surprise his daddy. The 7-month-old only son of boxing great Rocky Marciano had learned to walk since his father departed on business 10 days ago.

But today he was unable to comprehend that his father would never again come through the front door and bear hug his boy. Little Rock loved those hugs. The same stubby, muscular arms that once terrorized ring opponents were warm and cuddly to him.

"He didn't know young Rocky could walk," said Mrs. Elizabeth Cousins, mother of Marciano's wife, Barbara. "All of us find it hard to believe he's dead, but it hits home when you learn Rocky's body is en route to Brockton in a casket."

Mrs. Cousins said a Mass was planned at St. Colman's Church where the couple was married.

The mother-in-law was visiting Mrs. Marciano when her son-in-law was killed. She arrived last Wednesday from her home in Rocky's native Brockton, Mass., along with the Marciano's other child, 16-year-old Mary Ann.

"There are a lot of presents," Mrs. Cousins said. "I don't know what will be done with them. We're not thinking too much about that with what's happened."

Since retiring from boxing with a 49–0 record, Marciano had been involved in various businesses. Some lost small fortunes, but others made money. The family lived at 2700 N. Atlantic blvd., on Fort Lauderdale Beach in an expensive waterfront home.

"He was always running everywhere to make money," Mrs. Cousins said. He was building and selling boats, dabbling in real estate and had construction holdings. The latest venture was a restaurant chain known as Luigi's in California."

A Mass will be celebrated at St. Pius Church here after the body arrives from Massachusetts. Mrs. Cousins said plans are to bury Marciano here Saturday.

[From the Boston (Mass.) Globe, Sept. 2, 1969]

TWO RING FRIENDS DIED WITHIN YEAR

The Death of Rocky Marciano late Sunday followed within a year the deaths of the two men closest to him in the ring, his trainers Allie Colombo and Charlie Goldman.

Colombo died on Jan. 7 1969, when he was crushed by a truck in Readville, Mass. Goldman died of natural causes last Nov. 17.

CLAY, MARCIANO FOUGHT 70 ROUNDS FOR COMPUTER

CHICAGO.—Cassius Clay, deposed heavyweight champion, expressed admiration for the late Rocky Marciano yesterday.

"I got to know him while we were filming a computer fight not long along," Clay said, Marciano and Clay sparred about 70 rounds for a film to be shown early next year.

"We did every conceivable thing that could happen in a fight," Clay said. "Then they'll take it and cut it up according to what the computer says. Rocky will never get to know how it comes out."

Although Marciano had not fought since 1955, he was in trim shape for the make-believe bout, according to Clay.

"For a guy his age, he was in just as good shape as me," Clay said. "He was slimmed down and didn't have any fat that I could see. When he got tired, I was tired. Most of the time we pulled our punches, but once in a while one landed.

"For a week after that, I couldn't lift my arms because the body punches were for real. They say that's the way he beat his opponents when he was fighting, and I can believe it."

Who would have won a real fight if they had both been in their prime?

"Marciano would never say that he could beat me," Clay said, "and I won't say that I could beat him. It would have been a real fight, though."

[From the Boston (Mass.) Globe, Sept. 2, 1969]

A GREAT CHAMPION AND A GOOD MAN

The boxing world mourned the death of Rocky Marciano and from all parts of the United States and England the tributes that poured in had a common sound:

"A great champion and a good man."

Joe Louis, the 55-year-old former champion, said, "Everything I remember about him is good. He was the kind of man boxing can use. When he defeated me I think it hurt him more than it did me. After the fight he sent a message to my dressing room saying how sorry he was the fight turned out the way it did.

"This is the saddest news I've ever heard."

In Weehawken, N.J., Emile Griffith, former middleweight and welterweight champion of the world, fought back tears when he heard the news.

"I came back from the movies and heard the news; my friend asked me, 'Emile, why are you crying?' and how could I explain. Rocky and myself were always good friends—that's what hurts me, and why I'm crying because this man was a gentleman with me, a great champion and a perfect gentleman."

Jersey Joe Wolcott, who lost the title to Marciano in 1952, said, "No one can really appreciate at this point what Rocky has done. He was a man all youth looked up to and a personal friend of mine. I'm not only saddened, but also deeply hurt. He was a man of courage in the ring. Outside he was gentle and kind."

Cassius Clay, deposed heavyweight boxing champion, said, "He was so great and so popular, and he never showed conceit. He was always so down to earth. Like everyone else I'm shocked."

Harry Markson, director of boxing at New York's Madison Square Garden, said, "I would regard him as one of the great fighters of our time. His loss will be sorely felt not only in boxing, but also in all of sports."

J. Onslow Fane, chairman of the British Boxing Board, said Rocky was "a fine, decent man with millions of friends."

Henry Cooper, England's European heavyweight champion, said, "It's a tragedy. He was a proper gentleman, a credit to the game."

"I am very, very sorry," said Ezzard Charles, former heavyweight champion.

Chairman Edwin Dooley of the New York State Athletic Commission issued a statement:

"My fellow commissioners mourn the untimely death of undefeated world heavyweight champion Rocky Marciano. He was not only a great champion who fought most of his exciting bouts right here in New York, but a credit to the whole boxing fraternity . . . Rocky will always be remembered as an immortal in boxing."

ALL-TIME GREAT, SAYS SILVERMAN

Sam Silverman, who promoted 31 of Rocky Marciano's fights, called him an all-time great yesterday.

"Rocky might be the best heavyweight who ever lived," said the veteran fight promoter. "You don't know how good a fighter is until he gets licked. He's never been beaten.

"Rocky was an inspiration to kids who wanted to become fighters. He had a clear background. He came up the hard way.

"Boxing gave Rocky a lot and he gave boxing a lot. He's one of the all-time greats."

[From the Boston (Mass.) Globe, Sept. 2, 1969]

NATIONAL BOARD TO PROBE CRASH

WASHINGTON.—The National Transportation Safety Board moved quickly yesterday to investigate the plane crash that took the life of former heavyweight boxing champion Rocky Marciano and two others.

Board chairman John H. Reed said he has ordered Alfred Crawford, supervisory air safety investigator at Kansas City, to look into the crash.

[From the Boston (Mass.) Globe, Sept. 2, 1969]

ROME PAPERS DEVOTE PAGES TO MARCIANO

ROME.—All three Rome afternoon newspapers devoted full pages of news and pictures to Marciano—the son of Italian immigrants.

In Ripa Teatina, where Rocky's parents were born, a town of 3000 inhabitants, townspeople milled around the squares, some in tears. Condolences were offered to Marciano's cousin, Elda Marchegiano.

The town gave Marciano a triumphal welcome when he visited it in August, 1964.

Marciano had been expected to return next month to Rome to attend the world middleweight title fight in Naples between champion Nino Benvenuti and Fraser Scott of the United States.

An Italian organizer, Eduino Zucchet, said Scott wanted Marciano to be in his corner.

All afternoon newspapers in Paris carried two and three column headlines on Marciano's death, with pictures.

So did other papers throughout Europe.

[From the Boston (Mass.) Globe, Sept. 2, 1969]

MARCIANO'S TITLE BOUTS

Rocky Marciano defended his world heavyweight boxing championship six times before retiring undefeated in 49 bouts—43 victories by knockouts—in April, 1956.

His title fights:

Sept. 23, 1952—Won the title on a 13-round knockout of Jersey Joe Walcott in Philadelphia.

May 15, 1953—Knocked out Walcott, first round in Chicago.

Sept. 24, 1953—Knocked out Roland LaStarza, 11th round in New York.

June 17, 1954—Won 15-round decision from Ezzard Charles in New York.

Sept. 15, 1954—Knocked out Charles, eighth round, in New York.

May 16, 1955—Knocked out Don Cockell, ninth round, in San Francisco.

Sept. 21, 1955—Knocked out Archie Moore, ninth round, in New York.

Marciano retired the following year.

His earnings in title bouts, including television receipts, (but not radio) were $1,460,338.

[From the Boston (Mass.) Herald-Traveler, Sept. 2, 1969]

MARCIANO THE CHAMPION COMES HOME—FAMILY PLANS BROCKTON RITES

(By Bill McCaffrey)

BROCKTON.—The body of Rocky Marciano, retired heavyweight boxing champion of the world, will be returned here today for funeral services in the city where he began a boxing career that led to fame and fortune.

Marciano, whose savage punching and courage became a legend in the boxing world,

died Sunday night in a single engine plane crash at Newton, Iowa.

A funeral Mass will be celebrated at St. Colman's Church, Thursday at 10 a.m. and another Mass will be sung at St. Pius Church, Ft. Lauderdale, Florida, Friday.

The former champion will be buried Friday in Queen of Heaven cemetery in Ft. Lauderdale. Marciano had made his home there in recent years.

Marciano was en route from Chicago to a Des Moines steak house, where a birthday party was scheduled to be held Sunday night.

Later he was to fly home to Ft. Lauderdale where a birthday party had been planned by his wife, Barbara and his daughter.

Instead his sorrowing widow arrived at Logan airport to complete her husband's funeral arrangements.

"It was so sudden, so sudden," Mrs. Marciano said Monday on arrival from her home at Ft. Lauderdale, Fla.

The tearful widow was met at the airport by a number of friends and relatives. She was accompanied by her daughter, Mary Ann.

Another child, Rocco Marciano Jr., 7 months, whom they adopted recently, was left behind in the care of Mrs. Cousens, Rocky's mother-in-law.

The boxing champion, who retired with his crown intact, was enrolled in the Boxing Hall of Fame in 1957.

Yesterday members of his family gathered at the home of his mother and father to lend them support during their bereavement.

The boxer's father, Perry (Pierini), is a retired shoe worker. His mother, Pasquelena, 68, and father live in a modest two-family home at 168 Dover St., Brockton. Marciano visited his parents only two weeks ago.

Mrs. Elizabeth Cousens, of Brockton, Marciano's mother-in-law, had flown to Ft. Lauderdale to attend the birthday fete.

His daughter, 16-year-old Mary Ann, had planned to lead the guests in singing "happy birthday" for her dad.

His parents were going to sing "happy birthday" on the phone last night.

The champ, whose reputation for clean living had won him respect outside the boxing profession, married a home town girl, the former Barbara Cousens, daughter of a former Brockton policeman.

Mrs. Marciano was placed under sedation last night shortly after her arrival to complete funeral arrangements. The funeral will be held in the same church where she and Rocky were married.

One of the first messages of condolence was from Msgr. Carroll, director of Boystown in Rome, Italy. The former world champion planned to construct an orphanage in his parents' home town in Italy in their honor.

His parents are natives of Ripateatina, Italy. The family requests that donations be sent to Boys Town in lieu of flowers.

Rocky left Brockton high school in the first year to help support his parents.

His uncle Michael Piccento, 55, said Rock's first ambition was "to earn enough money so his father could retire."

The senior Marchegniano has been in poor health for several years.

The parents were alone when they learned about the death of their son at 1 a.m.

He paid off the parent's $3,800 mortgage on the house with the first big money check—$4,000—he earned boxing.

"That's the kind of a boy he was," the uncle said, wiping a tear.

Mrs. Marciano was accompanied by her daughter, Mary Ann, last night. Their adopted son, Rocco, remained in Florida with Mrs. Marciano's mother.

But for his right arm, which sent so many boxing opponents reeling to defeat, Marciano might have been a big league baseball player.

He was given a tryout as a catcher by the Chicago Cubs in 1946. The Cubs were satisfied with his hitting but ruled that he couldn't throw fast enough.

The Ward 2 club of Brockton became famous when Rocky started up the fistic road to success. The whole town jammed into the club on Dover street only a few doors from his old home to cheer the champ on his victory.

Yesterday the club was closed and the blinds drawn. The photographs and trophies on the walls were the only reminders of yesterday's victories.

Yet the Ward 2 club is a symbol of hope and courage to a new generation of youth.

It was like "Times Square on New Year's Eve when Rocky won a fight," a club member said.

Rocky turned to fighting when he didn't make it in baseball because he wanted "to become somebody."

In his youth he worked at ditchdigging, dishwashing, candy mixing and truck driving. He began his boxing career while serving in the Army in World War II.

Rocky was given his first pair of boxing gloves by an uncle Mike Piccento, who still lives in the house where Rocky was born on Brooks street.

At that time Rocky came running into the house crying because a kid had "hit him."

"I decided it was time for him to learn how to take care of himself," the uncle said, "so I gave him the boxing gloves."

Rocky was gentle by nature but he had a fighter's face, complete with the "spread eagle nose."

He reached the height of his boxing career in the 1950's. Known throughout the nation as the "Brockton Blockbuster" he was one of the most popular boxers since Jack Dempsey. He captured the world heavy weight title by knocking out Jersey Joe Walcott in 13 rounds at Philadelphia, Sept. 23, 1952.

He compiled a perfect record of 49 victories—43 of them knockouts in professional bouts—before he retired as undefeated champion April 27, 1956.

Rocky was urged to return to the ring many times since his retirement, but he kept a pledge he made to his wife that he "would quit for good once he retired."

Killed with Marciano in the accident were Frank Farrell, 23, of Des Moines, a friend and Glenn E. Belz, 37, pilot of the single engine aircraft.

Former champ Sonny Liston called Marciano "one of the greatest champions there ever was." Jersey Joe Walcott said: "In the ring he was a lion, outside a lamb."

Cassius Clay deposed champ, called him "a nice humble gentleman."

His fights brought in gross receipts of $4 million. In seven title fights the Champion earned $1.5 million, not including radio.

Since then he tried several business ventures, one a potato farmer, in which he lost more than $100,000.

But Rocky considered his work with kids in athletic programs in which he urged them to "try hard," as one of his greatest contributions in retirement.

Besides his wife, daughter, son, and parents, Marciano leaves three sisters: Mrs. Alice Tereira, Mrs. Concetta Langway, Mrs. Betty Columbo, all of Brockton; two brothers, Peter, of Brockton, and Louis, of San Jose, Calif.

Visiting hours at the Hickey Funeral Home, 403 Main St., Brockton will be 7–9 tonight, and 2–4 and 7–9 tomorrow.

[From the Boston (Mass.) Herald-Traveler, Sept. 2, 1969]

SIX-INCH PUNCH WON WORLD CROWN: ROCKY'S PRICELESS ASSET—ABILITY TO HIT

(By Arthur Daley)

NEW YORK—The one priceless asset that Rocky Marciano brought into the ring was the ability to hit. As a boxer he was only a little more than adequate. However, he had dynamite kegs in either fist as he blasted his way to the heavyweight championship of the world before retiring undefeated after 49 straight victories. By any standard of measurement he had to rank as a great champion, not necessarily the best but very close to the top.

The tragic crash of a private plane in the midwest last night snuffed out Rocky's life on the eve of his 46th birthday and thus erased from the scene one of sport's more admirable personalities. He was a totally dedicated man, so single-minded of purpose that he subordinated himself to the monastic regimen leading to his goal of the heavyweight championship.

Not until near the end of his career did he show the slightest signs of yielding to human impulses. By then his retirement was hastened by his desire to live a normal life with his wife and a daughter who barely knew him.

The insensitive Al Weill was his ruthless manager and Weill even delayed for several years the Rock's marriage to a childhood sweetheart, Barbara Cousens. But Weill was a singularly skillful handler during the Marciano rise to the title, the svengali to the Rock's trilby. And Charlie Goldman, a gnome-like little marvel, was the trainer who became a pygmalion, breathing life into the statue.

What a puncher he was! When the Rock knocked out Joe Louis in 1951, the first big step upward, the Bomber couldn't brush his teeth or raise his hands to his head for a week, so numb were his arms from Rocky's pounding. In a fight with Roland LaStarza the force of those punches burst the blood vessels in LaStarza's arms.

Every Rocky punch hurt, whether on target or not. This was his strength. Before he fought Ezzard Charles, an extremely clever boxer, the experts agreed that Marciano's only victory chance would be by a knockout. But the Rock won by decision because he threw too many punches and was the more effective fighter. He could take a punch, too, and that also was important.

But of all the punches he ever threw none could compare with the right that bounced off the chin of Jersey Joe Walcott and earned the Rock his championship in 1952. It was the perfect punch, a classic such as few fight-goers ever are privileged to see. I was lucky that night in Philadelphia because my side of the ring gave me an ideal view of it.

In the very first round the deft Walcott landed a sneak left hook that dumped Marciano on his britches, the first knockdown of his career. In the sixth the blockbuster was in grave distress. He was blinded temporarily by some foreign substance that entered his eyes, the Rock brushing against his eyes with the back of his glove as Jersey Joe continued to pile up the points while evading the Marciano paymaker. Walcott was far ahead into the 13th. Then it happened.

They maneuvered around the ring for a while. Walcott, to my right, stepped back from the constantly pressing Marciano. They were in perfect profile and I could see everything. Walcott misjudged the whereabout of the ropes. They were closer than he expected. They flung him forward.

Rocky stepped in and braced himself. When he threw his right, the power rippled from his shoe tops right up his back and into his thunderous fist. The glove barely went more than six inches, smack on the button. An instant glaze covered Walcott's eyes. He was finished. The Rock hooked twice more at the falling body but they were unnecessary. Walcott already had been deprived of his senses and his championship.

I've known all the heavyweight champions from Jack Dempsey onward but I probably was closer to the Rock than to any of the others. Not only did I admire him as a fighter but as a man.

[From the Boston (Mass.) Herald-Traveler, Sept. 2, 1969]

ROCKY MARCIANO

Rocky Marciano goes down in the books as a heavyweight champion who never knew the taste of defeat during his entire professional career.

Fight fans remember him also as the man whose battering fists sent the great Joe Louis into permanent retirement and who fought his way back from a near-knockout to wrest the title from Jersey Joe Walcott in the 13th round of their 1952 championship battle.

Brockton oldtimers and middletimers will recall him as a strangely gentle youth, strong and burly, who backed off from schoolboy battling because he was truly afraid of hurting someone. This is the man who died in a plane crash Sunday night on the eve of his 46th birthday and this was a man whose life style was the legendary American Dream come true. He was a kind of Horatio Alger hero in the flesh, the living embodiment of the virtues parents drum into the minds of their offsprings: Work hard, save your money, live a clean life.

Do these things and the rewards will be success (even fame, maybe), wealth and all of the good life that is America's so lavishly to give. Rocky learned the precepts from immigrant parents to whom the American dream was real and true and not something to be ridiculed and denigrated.

He worked hard to develop his one great skill; he married the hometown sweetheart, he lived a clean life, he saved his money. The fame that came to him young was never smeared by notoriety. He never viewed fame as an invitation to license, and he made it to the top with none of the slime and corruption of the fight game touching him.

In fact, the fight game should revere him in memory as one man, possibly the last, who gave boxing back its good name, if only for the four years he held the title.

And when he stepped down, Rocky Marciano still had the hometown girl as his wife and still had a bundle he had socked away. Never for him the benefits for the boozed-out, broken-down once-was champ, nor the pitiful comeback attempt to scrape up enough for survival.

In the age of the anti-hero and the non-hero, Rocky Marciano was the hero with whom the mass of Americans could readily identify, the hero who surmounted all difficulties by dint of hard work, dedication and perseverance. He was a near-classic example of the triumph of classic virtues. That, not the title or the records, may be his greatest achievement, and that's why, in such times and this age, he should be remembered.

[From the Boston (Mass.) Herald-Traveler, Sept. 2, 1969]

SO MUCH TO LIVE FOR

(By Tim Horgan)

They were in Germany six weeks ago when Al Falloni told Rocky Marciano about his premonition.

"I dreamed you were on top of a 15-story building," Falloni said, "and you fell off and got killed and everybody started giving me hell for letting you go up there."

"What did they do that for?" Rocky laughed. "When my time comes, it'll come. There's nothing you'll be able to do about it."

The Rock's time came Sunday night in a patch of weeds in Iowa and he was right. There was nothing Al Falloni could do about it. Nothing except grieve.

"He had so much to live for, so many things he planned to do," said Falloni last night at his brother Larry's house in Bridgewater. Al's home is in Bayside Hills, N.Y., where Rocky used to stay when he was broke and went to New York to train under Charlie Goldman. Al works at 275 Madison Ave. in the offices of Rock Marciano-Al Falloni Enterprises. A close friend for 20 years, Falloni had been Marciano's personal and business manager for the past 10.

Rocky, according to Al, had never been busier, never happier than he was in the weeks preceding his death.

"He has a 7-month-old son in Fort Lauderdale, Rocky, Jr., who looks just like him," Falloni said. "Rocky worshipped the boy.

"We just finished a world tour a few weeks ago," Al added, "and everywhere we went the people mobbed Rocky. It was unbelievable. In fact, Rocky himself said he was amazed he was still so popular.

The pair visited troops in Hawaii, Japan and Vietnam for the USO, then went on to North Africa, England, Germany and Italy.

"It was Rocky's first time in Italy," Falloni said, "and the people treated him like a hero. They mobbed him every place he went. And he did something he'd always wanted to do. He visited his mother's home town, Bruscia, about 20 miles outside Naples. He was thrilled we made plans to bring his mother and father there in November. Rock always wanted to do that too."

Falloni paused to shake the idea out of his mind.

"Just a few weeks ago," he went on, "we finished preparing Rocky's life story for television. We had no definite offer but I was always telling Rocky something might happen to him someday and I wanted him to pick out the things he wanted in his story."

Rocky chose six fights he rated his most important—the two with Joe Walcott and the ones with Joe Louis, Ezzard Charles, Don Cockell and Roland LaStarza.

"To the day he died," Folloni said "Rocky felt awful about beating Louis. When he was a kid he used to listen to Joe's fights on the radio and Rocky worshiped the guy. He hated to knock him out."

Marciano also deplored boxing's long decline. "We just formed a new corporation called the American Boxing Association," Folloni said. "It was set up to help boxing. Rocky wanted to get the colleges to take up the sport again, and he planned to tour campuses all over the country this fall. He was also going to try to get Congress to appoint a federal boxing czar. He thought that would save the game.

"He had so many other plans, too," Folloni said. "Next week he was supposed to make three TV commercials—for a shaving cream, a finance company and a heavy equipment firm. And he was always in demand for personal appearances. In fact, that's where he was heading when his plane went down.

"You know," Al said, "Rocky hated to fly in private planes. He always tried to get a commercial flight. But these people wanted to give him a birthday party and the only way he could get there was in a private plane and Rock couldn't bring himself to refuse so . . ."

So now he's dead, and Al Falloni, who six weeks ago had a premonition this would happen, helplessly grieves.

ROCKY MARCIANO'S CAREER RECORD

1947

Mar. 17—Lee Epperson, Holyoke, KO 3.

1948

July 12—Harry Batzerian, Prov., KO 1.
July 19—John Edwards, Prov., KO 1.
Aug. 9—Bobby Quinn, Prov., KO 3.
Aug. 23—Eddie Ross, Prov., KO 1.
Aug. 30—Jimmy Weeks, Prov., KO 1.
Sept. 13—Jerry Jackson, Prov. KO 1.
Sept. 20—Bill Hardeman, Prov., KO 1.
Sept. 30—Gil Carditone, Wash., KO 1.
Oct. 4—Bob Jefferson, Prov., KO 2.
Nov. 20—Patrick Connolly, Prov., KO 1.
Dec. 14—Gilley Ferron, Phil., KO 2.

1949

Mar. 21—Johnny Pretzie, Prov. KO 5.
Mar. 28—Artie Donnato, Prov., KO 1.
Apr. 11—James Walls, Prov., KO 3.
May 2—Jimmy Evans, Prov., KO 3.
May 23—Don Mogard, Prov., W 10.
July 18—Harry Haft, Prov., KO 3.
Aug. 16—Pete Louthis, Bedford, KO 3.
Sept. 26—Tommy DiGiorgio, Prov., KO 4.
Oct. 10—Ted Lowry, Prov., W 10.
Nov. 7—Joe Domonic, Prov., KO 2.
Dec. 2—Pat Richards, New York, KO 2.
Dec. 19—Phil Muscato, Prov., KO 5.
Dec. 30—Carmine Vingo, New York, KO 6.

1950

Mar. 24—Roland LaStarza, N.Y., W 10.
June 5—Eldridge Eastman, Prov., KO 3.
July 10—Gino Buonviro, Boston, KO 10.
Sept. 18—Johnny Shkori, Prov., KO 6.
Nov. 13—Ted Lowry, Prov., W 10.
Dec. 18—Bill Wilson, Prov., KO 1.

1951

Jan. 29—Keepe Simmons, Prov., KO 5.
Mar. 20—Harold Mitchell, Hart., KO 2.
Mar. 26—Art Henri, Prov., KO 9.
Apr. 30—Red Applegate, Prov., W 10.
July 12—Rex Layne, N.Y., KO 6.
Aug. 27—Freddie Beshore, Boston, KO 4.
Oct. 26—Joe Louis, N.Y., KO 8.

1952

Feb. 13—Lee Sacote, Phil., KO 6.
Apr. 12—Gino Buonvino, Prov., KO 2.
May 12—Bernie Reynolds, Prov., KO 3.
July 28—Harry Matthews, N.Y., KO 2.
Sept. 23—Jersey Joe Walcott, Phil., KO 13.
(Won World Heavyweight Title)

1953

May 15—Jersey Joe Walcott, Chi., KO 1.
(Title Bout)
Sept. 24—Roland LaStarza, N.Y., KO 11.
(Title Bout)

1954

June 17—Ezzard Charles, N.Y., W 15.
(Title Bout)
Sept. 17—Ezzard Charles, N.Y., KO 8.
(Title Bout)

1955

May 16—Don Cockell, San Fran., KO 9.
(Title Bout)
Sept. 21—Archie Moore, New York., KO 9.
(Title Bout)

1956

Announced retirement as undefeated world heavyweight champion, April 27, 1956.

Elected to Boxing Hall of Fame, 1959.

Total bouts, 49; won by knockout, 43; won by decision 6.

[From the Boston (Mass.) Herald-Traveler, Sept. 2, 1969]

RING NOTABLES SADDENED—OLD FOES LAUD HEART, KINDNESS

"This is the saddest news I've ever heard," Joe Louis said yesterday when he heard of the death of Rocky Marciano.

Marciano was the boxer who knocked out Louis in the eighth round in Madison Square Garden on Oct. 26, 1951, as the Brown Bomber was attempting a comeback.

"When he defeated me I think it hurt him more than it did me. He was always talking about it," Louis said.

"After the fight, he sent a message to my dressing room saying how sorry he was the fight turned out the way it did.

"He just had a good heart," Louis said. "He put everything he had into boxing. He was the kind of man boxing can really use.

"Everything I remember about him is good," the 55-year-old ex-champion said.

Jersey Joe Walcott and Ezzard Charles had felt the gloved fists thudding into them, raising welts and slashing open cuts. But they also felt the kindness of a man who sometimes seemed too gentle for the ring.

"The Rock and I were great friends," said Walcott, the man they called "Old Pappy" who lost the heavyweight title to Marciano. "We had a friendship unique among fighters. He was one of the toughest I ever fought, had

a very unusual style, and he was a great puncher. He was a bundle of energy. The guy was pleasant, happy go lucky out of the ring, but in the ring he was a lion."

"I am very sorry to hear about it," said Charles, who is afflicted with a progressive crippling disease, a mytrophic multiple sclerosis. "I always liked Rocky."

It was less than a year ago that Marciano had attended a huge testimonial for Charles. When it was time for Rocky to speak there were tears in his eyes, and that is one of the memories that Charles cherishes.

In Brockton, Mass. It was time for Rocky to come home again. "Sure, everybody in town knew Rocky," said Frank DiBarri as he grabbed a bite to eat in the Brockton Cafe, directly across the street from the Hickey Funeral Home. "He lived up the street. I used to play baseball down at Edgars Playground, and he would be there too. You couldn't find a better guy."

The sentiment was echoed again and again. "One of the greatest champions," said Sonny Liston.

"A sad thing . . . a fine person, a fine champion, a fine man," former welterweight champion Curtis Cokes said.

"Boxing has lost a real stalwart," World Boxing Association president Emile Bruneau added.

Harry Markson, who is in charge of boxing for New York's Madison Square Garden, said:

"Of course I saw Rocky in most of his fights. I would regard him as one of the great fighters of our time. His record would show that. He was a tremendous ambassador of good will for our sport. His loss will be sorely felt not only in boxing but in all sport."

[From the Boston (Mass.) Herald-Traveler, Sept. 2, 1969]

ROCK TOUGHEST OF CLASS GUYS

(By Bill Liston)

There's an old back road on the Silverado Trail country of Northern California where heavyweight champion Rocky Marciano, his handler and buddy, the late Allie Colombo, and this writer often took post-dinner walks when Marciano was in nearby Calistoga training for the Don Cockell fight.

One evening we ran into a couple of grizzled, old ex-prospectors who wanted to know who the rugged guy was. "That's Rocky Marciano," they were told. "He's the heavyweight champion of the world."

"Go on," one of them said "Joe Louis is the heavyweight champion. This young man isn't big enough (185) to be the top fighter in the world."

Marciano laughed softly. "You're right," he said. "Joe Lewis will always be the heavyweight champion of the world in my book, too."

The Brockton Blockbuster was a humble, humane man even though he might have been a killer inside the ropes of the ring. He already had tasted the bitterness of poverty and struggle to fully appreciate all the rewards which go with success.

One got to know the real Marciano at the training camps . . . Greenwood Lake, N.Y. . . . Grossinger, N.Y. . . . Holland, Mich. . . . Russ Murray's estate in North Easton. . . . These are the spots where trainer Charlie Goldman polished the crude bruiser who didn't know the meaning of the word quit into a fighting machine who finished with an undefeated record of 49 straight victories—43 by knockouts.

Al Weill was Marciano's manager of record, but actually it was Boston promoter Sam Silverman who guided The Rock through his early days in Providence. Weill couldn't have cared less about Marciano until he'd piled up something like 17 straight victories.

"Is that kid really that good?" Silverman was asked one day by Weill on the telephone. When Sam assured Weill that he was, all at once Weill, then matchmaker for the IBC at Madison Square Garden, suddenly started to take in Marciano's fights.

There was a night in Holland, Mich., when Rocky Colombo and this writer were sitting around watching television. "Say," Marciano said to the writer, "all of the rest of the guys who spent any time around me asked for something. You never ask for anything—not even an autographed picture. How can I do you a favor?"

The writer said quickly, "Well, the day you decide to retire from the ring, give me a couple of hours on the country before you announce it."

The remark was made half in jest but wasn't forgotten by Marciano. Some two years later after he'd beaten Archie Moore, the phone rang one spring morning at the home of the writer. It was Rocky's wife, Barbara, calling.

"Rocky's having a press conference at the Shelton Hotel in New York at one o'clock," she said. "He's going to announce his retirement and he told me to call you."

Somehow, The Rock had remembered a promise made two years previously and never mentioned again.

Marciano was the fearless type that would sometimes take three or four punches just to land one. Perhaps this was one of the reasons he quit the ring so suddenly. At least I think so. Another is the fact that he didn't get along famously with Weill, and his partners who took nearly 60 per cent of his ring earnings.

"You know," he said once after he had beaten Bernie Reynolds in a Providence fight, "I got lucky tonight because I only got nailed a couple of times. But in tough fights, I have headaches for a week or 10 days or two weeks. Sometimes, I actually hear humming and ringing noises in my ears for that long and maybe longer and I know that can't be good for me."

But then he laughed that quiet chuckle of his and added, "But I used to have a sore back all the time from shovelling coke at the Brockton Back Gas Works. For this I get paid better."

Marciano often was criticized because he wasn't the free swing spender Max Baer, for example, was reputed to be. Rocky felt he worked too hard for the money he earned to throw it around. He came out of the ring with something like $450,000 in cash—cash that he had accumulated in the toughest manner possible. He was determined he wasn't going to wind up in Tap City like Sugar Ray Robinson.

Marciano realized that some fight experts didn't compare him favorably with the likes of Louis in his prime, Jack Dempsey, Gene Tunney, Max Schmeling or some other great heavyweight champion.

"However," he remarked kiddingly once after he'd quit, "20 years from now fight fans will look at my record and know I fought everybody around and never lost a fight. I might even end up a living legend."

In these days of pseudo champs like Jimmy Ellis and Joe Frazier, The Rock from the playgrounds of Brockton already was a legend. It's tragic he had to leave so soon. He was the toughest class guy most people ever will meet in sports.

[From the Boston (Mass.) Herald-Traveler, Sept. 2, 1969]

FIRST ALLIE, NOW ROCKY: FUNNY THINGS ONE REMEMBERS

(By Jack McCarthy)

It wasn't too long ago that a feller knelt in a funeral home in Brockton and said a prayer for Allie Colombo. Now the Rock is gone, too. It's hard to believe.

Allie was there with the Rock through all the big ones, and the reason they were so close was that they were there together through all the small ones, too.

Funny, the things you remember. Rocky fighting Gino Buonvino at Braves Field, awkward, but full of fight, and a veteran fight man leaning back with his cigar, saying, "He'll never make it. His arms are too short."

And a writer measuring the small ring that night after the fight, and Subway Sam Silverman watching in amazement.

Then there was the night in the Rhode Island Auditorium when Bernie Reynolds laid one on Rocky's chin just before the end of the second round. Rock, staggered, went to the wrong corner. After they worked on him between rounds, he came out and hit Reynolds with an overhand right, and Bernie actually bounced when he lit on his rear.

Always the impression remains of Rocky coming up from inside Rex Layne in Madison Square Garden with an uppercut from the floor. Marciano stepped back, and Layne fell like a big tree—cold. And the man in the press row screaming for Marciano and then apologizing to the fight writers—Walter Winchell.

There was the absolute lunacy in downtown Brockton when Rock starched Joe Louis and Joe Walcott. And the guys in the back room of the Ward Two Club waiting for the man to arrive to pay off the bets. Marciano paid off many a mortgage in Brockton. These guys rode with him all the way, and, remember, he never lost.

An the torment of Mrs. Pasqualina Marchegiano (Mama), when Rocky fought. She would retire to her room with her rosary beads, not ever wanting to hear a fight or watch one on TV. She would say, "I pray for Rocky, and I pray for the other man, I don't want anyone to get hurt."

One night, when Walcott knocked Rocky down in an early round, a relative listening at the radio shrieked, "Rocky's down, Rocky's down." Mama heard him, and it took all of the neighborhood's women to calm her.

But Mama, with her corsage, could smile and wave to the crowd during the victory parades downtown, while the Rock rode up ahead in the open convertible.

On one of these jaunts through the ticker tape, I and another youngster, Bill Liston, rode on the back of a convertible in the car in front of Marciano. After almost two hours of maximum exposure to the Brockton citizenry, the parade was over and Rocky, grinning, called Liston aside.

"I hate to tell you this, Bill," he said, "But you just rode through downtown Brockton with your pants split wide open." Liston swooned.

The great little trainer, Charlie Goldman, who died also this year, accompanied Rocky home in victory one time and went with us to a Brockton High School football game. Rocky's brother was playing. Charlie, who taught Rocky to utilize his natural strength and stamina, was then almost 70. When his attention wandered from the game, a reporter asked, "Don't you like football, Charlie?" Replied the derby-hatted little man from Broadway, "Don't bother me. I'm watching them cheerleaders."

Rock once, as a favor, came up to Winthrop at my request to a Rotary Club luncheon, for free—no fee, and he was the heavyweight champion of the world. The only condition was that I come down to Brockton to pick up Allie and himself. I asked, "Why don't you drive up? They just gave you a new car." The answer was, "I don't know how to drive."

He and Colombo were encountered walking along the road in dungarees after roadwork. They jumped in the car and we were off to Winthrop, thus setting up a scene right out of a movie.

When we passed South Station, a trailer truck cut me off as the driver backed into a spot. When I hollered, he leaned out of the cab and let me have it, verbally. Then Rocky leaned out of his window and straightened the guy out. I have never seen such a look of astonishment on anyone before or since.

Except, maybe, on the waitresses in Win-

throp when they watched Marciano destroy five normal luncheon plates and Lord knows how many rolls.

I bracket Rocky with Joe Jerome, once headwaiter at Jimmie O'Keefe's and now at Nashawtuc Country Club, as the two greatest eaters I ever saw. I always wanted to match them at their peaks. It would be a pick 'em match.

Rock could eat and Rock could fight, and he could train like no one before or since. He was in shape and he was in there to beat your brains out. No one ever wanted his money back after they watched him. If he didn't break your head in right away, he beat on your arms until you couldn't hold them up (Ezzard Charles and Roland LaStarza).

Rockie and Allie. I just can't believe it.

[From the Boston (Mass.) Herald-Traveler, Sept. 3, 1969]

FRIENDS, NEIGHBORS FILE BY BIER: MOURNERS PAY ROCKY TRIBUTE

(By Jack Gallant)

BROCKTON.—A silent line of mourners filed quietly into the Hickey Funeral Home on Main street last night to murmur their condolences to the family and pay their last respects to Rocky Marciano.

The line, which began to form before seven before the former undefeated heavyweight champion's family arrived, was notably devoid of sports figures. It included mainly friends and area residents.

But later Sam and Mrs. Silverman appeared. Sam was Rocky's first big time promoter.

And from the local area boxing fraternity there was former world middleweight champion Paul Pender and former New England middleweight title holder Al "Red" Priest.

Groups of curious, mostly teenagers, stood across the street in front of a block of stores or on nearby street corners.

Inside the white colonial funeral home, his parents, wife, daughter and brothers sat in a row of chairs to the right of the closed casket.

Tearfully, Rocky's wife, Barbara embraced a friend and then shifted her gaze to a photograph of her champion husband on the closed casket.

Two banks of floral tributes were arranged in back of the casket and along one wall of the small room.

An estimated 300 persons, many with children too young to remember Marciano's ring career, filed slowly out the back door and back to their cars.

Former boxing referee Sharkey Buonanno, of Providence, who had refereed "30 or 35 of Rock's fights" stood outside and reflected on the "Brockton Blockbuster's" career.

"He was a terrific hitter," Buonanno said. "He would come way back, almost from the floor.

"I had to grab his arm once and stop a fight. If he'd have hit his opponent that night once more he would have killed him. But he had a heart of gold."

On the lawn, Libby Frasca, of Ft. Lauderdale, Fla., a neighbor of Marciano's walked in a small circle with grief showing in his eyes. He had come north with the dead champ's family, to help out, if he could.

"I'm a stranger here, I don't know anyone. It's a terrible tragedy," he said.

Former Champion Joe Louis, whom Marciano knocked out in the eighth round of a 1951 fight, said from Chicago last night that "everything I remember about him was good."

The 55-year-old "Brown Bomber" said Marciano "had a good heart and put everything he had into boxing."

"He was one of the great champions," said former champ Sonny Liston.

Louis, Liston and other boxing notables are expected to arrive in Brockton today and remain for the funeral Mass to be celebrated at 10 a.m. Thursday in St. Colman's Church, on Wendell Avenue.

His body will be buried in Fort Lauderdale, on Saturday, in Queen of Heaven Cemetery.

ROCKY TRIBUTE IN POEM WRITTEN BY ARCHIE MOORE

SAN DIEGO.—Former boxer Archie Moore wrote a poem in tribute to Rocky Marciano, killed Sunday in a plane crash in Iowa.

Moore, former world's light heavyweight champion, was the last ring victim of Marciano. The world's unbeaten heavyweight champ knocked out Moore in nine rounds Sept. 21, 1955.

The poem, which Moore wrote to read in the ring of a Coliseum fight show last night, goes this way:

"At the end of the trail
When the Master calls
However we stand
We must surely fall.
Our memories will be measured
By our good deeds.
We know you have spread them
Large and small—we wish you
Godspeed."

[From the Boston (Mass.) Globe, Sept. 2, 1969]

MARCIANO'S FOES LOVED CHAMPION

(By Harold Kaese)

Three years ago, when he was 43 years old, Rocky Marciano was offered $4 million by a Texan to fight Cassius Clay. He thought it over, then refused because of his age.

Nobody was happier than his mother, Mrs. Lena Marchegiano of Brockton. She explained her feelings in these words: "I'm glad. He has a beautiful name. Everybody loves my son. It's better this way."

She did not want her son to fight again, no matter what the stakes. He had become wealthy, had earned his fame, had nothing more to prove.

To show that he could beat this fast, fancy and fresh young champion, Cassius Clay? She couldn't care less. She wanted her son safe and sound, and at peace.

For three years he was, then a single-engine plane crashed in Iowa, and he is gone.

Allie Colombo was spared this loss. Allie was Rocky's best friend, greatest admirer and most devoted associate, for he was always in the Rock's corner when he fought as an amateur and professional, in preliminary and title bouts.

An accident cost Allie his life last January. Allie was a fellow who would jump up and down angrily when asked what would have happened if Marciano had ever fought Clay.

"Marciano would have killed him," Colombo said once. "He would have let Clay run. He'd have stalked him, not chased him. He'd bob and weave, make Clay punch down, go underneath and get to his body first. He'd blast his belly, then his chin."

Colombo put his finger on a basic difference between Marciano and Clay.

"Clay always tried to humiliate someone. Nobody he beat likes him. But Rocky is friendly with those he beat—Charles, Louis, Walcott. They all liked him because he was an honest fighter who didn't try to show anybody up."

Once when describing Marciano, Colombo touched on one of the champion's traits that now seems tragically ironic.

"Rocky always has been a hustler," he said. "He'll go to Timbucktoo to make a buck. He doesn't sit down like other champions and expect everything to come to him. He goes out and gets it. Rocky makes friends everywhere, and he's always welcomed back."

When the final gong rang for Marciano, he was still hustling, on his way to make a buck or two for a speaking engagement in Iowa, not in Timbucktoo but in Des Moines.

Rocky worked as hard getting ready to hit his opponents as Ted Williams worked to hit a baseball. He drove himself hard in the gym, but beside someone like Gene Tunney, he was a crude fighter. Two things he had: enormous physical stamina and a relentless will to win. In these respects, he was truly marvelous.

He was behind when he knocked out Joe Walcott in the 13th round to win the title in Philadelphia in 1952. He was behind 5–2–1 after eight rounds when he beat Ezzard Charles to a pulp over 15 rounds in June of 1954 in a tremendous contest.

The last time I saw Marciano was at the six-second Clay-Liston fight at Lewiston in May of 1965. The crowd had yelled, "Fake, fake, fake," and now had switched to "Fix, fix, fix."

Marciano, experting at ringside, was smiling weakly, and saying, "I said boxing was dead, and I guess it's true."

He was a sad man that night, but not as sad as his friends and admirers are today.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BURKE of Massachusetts. I am happy to yield to the distinguished Speaker of the House.

Mr. McCORMACK. Mr. Speaker, in the tragic death of Rocky Marciano, last Sunday night, America has lost one of its finest and most outstanding citizens.

My sorrow over this grievous event is echoed in the sadness of all Americans who admired not only his skill as a boxer but also his devotedness to family, his integrity of character, and his kindness of heart—qualities which Rocky Marciano possessed in such abundance.

Rocky Marciano's record as a boxer and fighter is well known, indeed of almost legendary fame. His record of 49 victories, in 49 professional fights, is testimony to his invincible will, to his steadfast determination, to his strength of both body and spirit. In the ring, he was a fighter of courage; outside the ring, a man of kindness and humility.

He ranks among Jack Dempsey, Gene Tunney, and Joe Louis to name three, as one of the great boxers of all time. He was, moreover, a man of the highest personal worth, an inspiration and an example for all who have faith in the American dream—in the validity of hard work, rugged individualism, and regard for the humanity of others, as essential to true success.

In the world of sports, he was not only an undefeated champion, as Abe J. Greene, international commissioner of the World Boxing Association, so aptly stated:

He epitomized all the characteristics that true admirers of boxers held as their standards for the sports. More importantly, however, during his latter days he did much to carry the message of clean sports to hundreds of thousands of youths around the country.

In a time when young people seem to be increasingly confused and disillusioned with life, it is not only refreshing but of vital importance that men like Rocky Marciano by the excellence of their example show to the young, that success in this world can be and indeed must be, accompanied by the virtues of kindness, fairness, and a willingness to share one's blessings with others less fortunate than oneself.

Rocky Marciano shared himself with his family, with Americans, with the

world. He was a devoted man of quiet religious faith, whose essential goodness showed through in the style of his life, and in the substance of his acts. The warmth of his gentle and affable nature combined with an astute and articulate perception which imparted the feeling that here was a man, husband, father, a true model for all young men and who was a compassionate human being, a man who in the simple living of his life, was his own best spokesman.

Rocky Marciano was not spoiled by success. He did not allow his earnings to dissipate, and, in fact, quietly supported numerous beneficiaries, to whom he sent money regularly.

The anniversary of his birth on September 1, 1923, was to have been celebrated with his family on his 46th birthday. It is a tragic irony that he did not live to enjoy it. And yet, his birth, in Brockton, Mass., was the beginning of one of the most fortunate examples in the annals of the American success stories.

Rocky Marciano's father had come to the United States from Italy during World War I, to become a shoemaker. Young Marciano grew up a typical American boy—in the best sense of the word, a sports-loving youngster whose particular interests were baseball and football.

I can offer no tribute of my own more eloquent than those offered by his opponents in the ring who in the best sense of sportsmanship, considered him not merely a professional adversary but a fellow competitor worthy of their love and respect.

I extend to Mrs. Marciano and her loved ones my deep sympathy in their great loss and sorrow.

Mr. BURKE of Massachusetts. I thank the distinguished Speaker for his comments.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. BURKE of Massachusetts I yield to the gentleman from Michigan, the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I am delighted to join with the distinguished Speaker and others in paying tribute to a great American, Rocky Marciano.

I had the privilege of meeting Rocky Marciano at one point in his career. He came to my congressional district at one time to train for one of his bouts. His conduct in the area was exemplary. He was the kind of person all Americans, young and old alike, should look up to.

He came up the hard way. He led the kind of life which should be a great example to the youth particularly but equally to all Americans.

His decision to retire undefeated after some 40 or 50 bouts in the ring was a decision made, as I understand it, so he could spend more time with his family and devote a greater part of his life to helping others in doing what he could for a better America. The Nation was fortunate to have had such a leader of men.

All of us are saddened by his tragic death, but all of us can be proud that here was one American who did everything possible to make our country a better place in which to live.

Mr. BURKE of Massachusetts. I thank the distinguished minority leader.

Mr. KEITH. Mr. Speaker, will the gentleman yield?

Mr. BURKE of Massachusetts. I am happy to yield to my colleague from Massachusetts.

Mr. KEITH. I, too, should like to join in this expression of honor and sympathy at the tragic and unexpected death of Rocky Marciano.

I was raised in the city of Brockton, and knew Rocky very well. I remember an incident years ago, when I was in the State senate and JIMMY BURKE was in the house. We were attending a special joint session on a night when Rocky won one of his many victories. On hearing the news, I interrupted the speaker of that joint session to announce that Rocky Marciano had won yet another world's championship bout. The speaker thought momentarily of ejecting me from the session because of my disruption, but relented, and permitted me to make my remarks at that time.

I do not know if the gentleman in the well (Mr. BURKE) mentioned to our colleagues here in the House that Joe Louis is in Brockton today. Joe Louis, of course, was the biggest hurdle in Rocky's climb up the ladder to the world's championship. So liked and so respected, this magnificent former champion came to Brockton early upon hearing reports of Rocky's death, and is there now joining thousands of other mourners in paying tribute to this great American.

The Brockton Enterprise has followed the career of Rocky Marciano from his very first fight until this final sad homecoming. Among his most faithful fans were Vic DuBois, editor Ken Dalton and publisher Charles Fuller. And yesterday it was their sad duty to run an unprecedented eight-column headline across the front page of that paper—"Rocky Comes Home."

He will be truly missed by athletes, by sportswriters, by the American public and by the world because of the great contributions he has made to the sports field and particularly to boxing.

Mr. Speaker, in the world of professional boxing Rocky stood out like a beacon on a foggy shore. As his hometown paper put it in their eulogy, "Rocky was clean." Not one whisper of anything contrary to good conduct ever touched the champ during his distinguished career at the apex of professional boxing. A distinguished boxer and a distinguished citizen has passed on, and all who knew him, as I knew him, will miss his presence.

Let me quote the Brockton Enterprise. Their editorial comment was terse and touching, and they speak for all who knew Rocky when they speak of him:

THE CHAMP

Rocky Marciano brought great distinction to this city when he became the heavyweight champion of the world.

Professional boxing, especially in the heavyweight class, long has been infiltrated by the gangster element.

But Rocky was clean. Not one whisper of anything contrary to good conduct was ever heard about The Champ during his days in the ring.

Rocky gave unsparingly of his time to causes that benefited financially by his presence.

He remained a Brockton home-town boy even after leaving this city.

Outside of the ring he was a gentle person. Fighting was a business with Rocky, not a desire to physically hurt someone.

We extend our sympathy to his wife and family.

Their loss is a great one, their grief is difficult to bear, but their pride in The Champ will help them in their time of sorrow.

The Golden Age of boxing has died twice. Once in April of 1956, and for a second time in a plane crash in Newton, Iowa.

Mr. BURKE of Massachusetts. I thank my colleague from Massachusetts.

GENERAL LEAVE TO EXTEND

Mr. BURKE of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on the life and character of the late Rocky Marciano.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

THE LATE REV. JOSEPH S. ZABOROWSKI, C.R.

(Mr. ROSTENKOWSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ROSTENKOWSKI. Mr. Speaker, I am deeply grieved by the death of one of my neighborhood's greatest spiritual leaders—the Reverend Joseph S. Zaborowski, C.R. Father Joe, as he was affectionately referred to, was a goodhearted man with many virtues.

He was a man who possessed the rare quality of being able to effectively communicate with people of all generations. In his first assignment after being ordained a priest, Father Joe became assistant pastor at St. Hyacinth Church in Chicago. During the 5 years which he spent there, Father Joe gained the endearment of all the parishioners through his dedication and zeal. He was particularly successful in molding together the parish Catholic Youth Organization, which, during his chaplaincy, attained a membership of 200 boys and girls. The organization published its own newspaper, fielded various athletic teams, sponsored innumerable social affairs, and went out on many picnic excursions.

He was a man who gave unselfishly of himself for the service and benefit of others. After he left St. Hyacinth in 1948, Father Joe spent 6 months at the Catholic University of America before being transferred to the Resurrection Fathers Mission Band in Castleton, N.Y. The life of a missionary is one of travel and travail. Various assignments took him from city to city, and in all of these tasks he gave his usual energy and devotion. However, toward the end of his third year as a missionary he was stricken with pneumonia and this first attack was shortly followed by another. This illness ended his missionary work.

He was a man who devoted his life to faith and works; and both his faith and works will live after him. In 1960, Father Joe was called upon to be the pastor of St. Hedwig Parish. His years at St. Hedwig's are well known to the majority of the parishioners. Apart from the fulfillment of his daily duties, Father Joe handled emergency situations as well as extraordinary events with skill and prudence. The highlight of these past years was the diamond jubilee of St. Hedwig Parish. The observance of this event, planned and guided by Father Joe, will long be remembered.

TAXES BIG ISSUE IN INDIANA

(Mr. MADDEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MADDEN. Mr. Speaker, after spending almost all of the congressional recess back in my district, I find that high taxes, the Vietnam war, and inflation are by far the major complaints of almost all the citizens in my congressional district.

I also found that the only bright light regarding the complaint against heavy taxes is the fact that the House of Representatives last month passed a tax reform bill. Very few people are acquainted with all the angles of the tax reform bill but the fact that the House of Representatives recognized the need to do something about taxes brought great satisfaction and endorsement to the minds and hearts of the heavy-burdened taxpayers of the country.

The American people have gradually and finally come to realize that many of the biggest volume of our Nation's industry and business have been practically escaping their just share of tax responsibility through loopholes, deductions, exemptions, and so forth, and the actions of Congress on tax reform have given the public great encouragement. I fully realize that a great number of our citizens may be overoptimistic as to the extent of our tax reform bill, but, nevertheless, they feel that it was a good start to eventually place everybody, individual and corporate, on an equal tax-paying basis. They are all unanimous in the hope that the other body, when it considers the tax reform bill, will not, in any way, amend or reduce its impact but if any change is made they hope that the bill passed by the House of Representatives will bring more equalization in our tax system.

Mr. Speaker, I also wish to incorporate with my remarks, excerpts from a speech made by me at a Labor Day picnic in the city of Hammond, Ind.:

EXCERPTS FROM SPEECH OF CONGRESSMAN RAY J. MADDEN

Lake County organized labor, as well as labor groups throughout the United States are today commemorating and celebrating the anniversary of the day recognized throughout the land as the birth of the American laborer's fight for justice and equality in our economic system. Over three-fourths of a century has passed since a small group of labor pioneers met, and for those times, had the audacity and bravery to even publicly assert that wage and salary earners should have a voice in our industrial and business system, especially pertaining to wage and working conditions. For generations the labor pioneers fought against tremendous odds and made very slow progress, but nevertheless realizing the just cause for which the working masses were struggling, they never relented or retreated.

The older folks remember the early days of this century when small organized labor groups were bodily punished and attacked, both in person and in the news media for rebelling and opposing sweat shops, low wages and deplorable working conditions and an industrial environment that almost bordered on slavery.

It required the intelligence, diplomacy and bravery of men like Sam Gompers, William Green, Phillip Murray, John Lewis and others to lay a foundation for the younger leaders and the younger generations to inherit their organizations and carry on the fight for future generations. Today millions of Americans enjoy the fruits of the pioneers' work, not only for their own personal and family benefits, but also for the economic prosperity of our Nation.

The stagnated and reactionary policies of the heavily financed anti-labor forces continued to reign supreme up until the devastating and disastrous economic depression-crash of the early 1930's. During those panic years over 14 million unemployed Americans and their families realized the cause of their unemployment and starvation conditions and proceeded under the banner of organized labor to do something about it. Utilizing the framework of the labor organizations, which for years had been carrying on an uphill battle against entrenched wealth and political reaction, they succeeded in enacting legislation in the middle 1930's which gave organized labor a recognized national status by law as part of our national economy. Millions of working men and women were placed in a legal category of status that brought about an economic upheaval which eventually restored normal prosperity and employment throughout our land.

Every young American man and woman should read the history of organized labor's economic past in this Country. Our youth should become acquainted with the fact that their only chance to preserve and retain these great gains is through a continued fight in the legislative halls of our states and in our National Capital to protect labor's long-fought-for gains. Labor must insist on improvement and further recognition for the laboring population to enjoy more of the abundance which every American is entitled to regardless of his status in life.

As your Representative in the Congress for over a quarter of a century, participating in these great economic victories and also reverses, I can testify that if it had not been for the support of the forces of organized labor through their meeting halls, resolutions, newspapers, radio and television, none of the many great legislative proposals which we have victoriously enacted into law, would ever have succeeded in being placed in our Federal statute books. Referring to just a few of our great legislative expansion proposals in the last quarter of a century whose enactment was directly brought about by organized labor, I can mention the Wagner Act, Federal Aid to Education, medicare, housing, the war on poverty, water and air pollution, consumer protection, aid to the elderly citizens, medical education and hospitalization, youth employment, apprentice training, etc., etc.

The greatest "legislative jackpot" was won in the 89th Congress three years ago when most of the above-mentioned legislative programs were enacted into law.

We are now entering September, the ninth month of the new Administration in Washington and I am not here today to criticize or make any final judgment on the record that this new Administration has made or will make in its first year of responsibility. Every person within the reach of my voice, I believe, is familiar with the legislative proposals that the new Administration has made regarding some of the most important issues involving our domestic economy. Most of these proposals or recommendations have not arrived at a final determination and judgment should be withheld at least until the first Session of the 91st Congress is completed.

But if I could deliver only one message today to working men and women throughout our land, it would be to continue to keep active in the fight for the progressive programs that organized labor has propounded in the past and is recommending for action and expansion now in the Congress. These proposals and pending programs which I have just enumerated, along with others, need your active support in order to have them properly financed so as to carry through their functions for which organized labor gave such generous support. Powerful forces are at work in Congress and have been during the last nine months to financially strangle a great number of these outstanding proposals so as to curtail or render their functions null and void.

Now is no time for millions of our citizens affiliated with the working and producing segment of our Nation to stand idly by and see the Congress nullify and reduce appropriate funds for much-needed education, medicare, housing, water and air pollution, aid for the elderly citizens, apprentice employment for the youth and handicapped, etc., etc. Already in this Session of the 91st Congress some of these great proposals have been considerably damaged by Congress' inexcusably reducing the appropriations to carry out these important legislative programs. The Congress needs your help to build public opinion and support and begin pressing the leaders of Congress and the Executive Department not to curtail and impede progress by financially deserting many of the great programs inaugurated in the 89th Congress.

After many, many years of futile battle against fraudulent and excessive tax loopholes, exemptions and depletions for big oil, big foundations, big real estate, etc., etc., we finally pressured the Ways and Means (tax) Committee of the House to hold hearings and report out a bill on tax reform that passed the House by an overwhelming vote several weeks ago.

Through the fight that some of us have been making against the fabulous $3.5 billion farm subsidy bill over the years we finally hit success last year in the House by limiting the payments and reducing its extension to a one-year period. Our fight was successful in saving billions of future payments to this fraudulent grab of taxpayers' money by large rural corporate conglomerates. The best evidence is that after 9 months of this year the powerful farm subsidy lobbyists have not appeared on the scene proposing the reenactment of the multi-billion dollar subsidy program for 1971.

TAX REFORM

To my mind the tax reform bill which passed a month ago in the House of Representatives was one of the greatest breakthroughs against the powerful lobby system in Washington that we have witnessed in many, many years. As a member of the Rules Committee, I have personally carried on a lone fight each year in favor of the repeal of the fabulous and fraudulent loopholes enjoyed by "big oil," foundations, real estate, etc., etc. The Ways and Means Committee finally, in January of this year, announced that January hearings would be held by that committee on tax reform. For a period of four months, the committee held hearings and reported a bill which was

passed by the House on August 7. The bill took steps to curtail and abolish some of the loopholes. To my mind it was merely a "slap on the wrist" curtailing some of the fraudulent tax dodgers. Nevertheless it was a start in the right direction and the result of the House victory surprised a great many of the reactionary Members of Congress who have been protecting the tax loopholers.

For some reason or other, the newspapers and air media did not inform the American people the true facts regarding the scandalous tax loopholers and evasion enjoyed by many segments of our economy. But a small portion of our news media informed the public of the statements made on the Floor of the House by myself and others regarding the fact that possibly $20 billion could have been brought into the Federal Treasury if the more fraudulent loopholes had been repealed. As an example: Atlantic Oil in 1963, '64 and '65, with a net income before tax, averaging about $70 million a year paid no tax whatsoever during these three years. By comparison, the Consolidated Coal Company in the years 1962, '63 and '64, with an average gross profit during these three years of approximately $35 million, paid an average percentage of Federal tax each year amounting to 26 percent of their profits. Possibly the coal companies do not have as powerful lobbyists in Washington as "big oil."

As a further example, from 1962 through 1966 the Atlantic-Richfield Oil Co. had profits of $311,621,000. But after deducting its 27½ percent oil depletion allowance, "intangible drilling costs" and other tax exempt items it came up with a whole string of "no tax goose eggs." Its total income tax obligation for those five years was zero.

In 1962 the Marathon Oil Co. had a net profit of $36 million. After deducting its depletion allowance and other items, Marathon not only paid no income tax but received a tax credit of $2.2 million.

Shocking examples like these reflect no dishonesty on the part of tax loophole companies; they reflect a failure of Congress to face up to the glaring inequities in our income tax system.

Let us consider the tax "bonanza" enjoyed by the 27½ percent exemptions under the oil depletion allowance. In this case you determine your income from a producing well and deduct 27½ percent of that amount before beginning to calculate your income tax. You do the same next year, and the year after that and every year as long as that well produces. You don't stop when you have retrieved your investment; in fact, the average well is "depleted" 12 times over. If your drilling cost was $50,000 your total income tax deductions on its production might be $600,000. This bill reduces the depletion loophole 7½ percent and most Members feel that it should be repealed entirely. The multimillion dollar oil lobby is now busy pressuring the Senate to defeat the 7½ percent reduction in this tax "bonanza."

BIG OIL NOT ALONE ON TAX LOOPHOLES

Unfortunately, extravagant loopholes in other lines of business and industry cannot be covered in detail in one speech. To mention a few—large foundations—large corporate real estate operations—certain mineral products and estate taxes are among a few that also are enjoying scandalous exemptions from paying a just tax on their large profits. I do hope organized labor will make a special project program in the coming year to alert the American public to the fact that the tax of the wage and salaried earner and middle income taxpayer could be greatly reduced if all the major segments of our economy were compelled to pay a tax that would percentage-wise approach an equality with millions of American middle income and lower income taxpayers.

INFLATION

I know that leaders and members of organized labor are conscious of the great threat to our economy and prosperity which hangs over the heads of all Americans today—inflation. Unless our leaders from industry, business, management, labor and government meet in conference and agree on some mutual program to curb the ridiculous rise in the price of consumer goods and cost of living generally, the benefits of profits, salaries and wages will mean absolutely nothing to two hundred million American citizens. The American way of life is being threatened through inflation and high prices and it must be curbed or the very citadels and pillars of our free Government will be imperiled and destroyed.

TOWARD REFUNDING A SUCCESSFUL PROGRAM, A REPORT ON THE HOUSE INTERNS

(Mr. MOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and to include extraneous matter.)

Mr. MOSS. Mr. Speaker, the practice of hiring young people to fill summer positions in congressional offices goes back at least 20 years. Recently, there has been considerable discussion regarding the proper role of these "interns," their contribution to the office, the value of their summer experience, and the need for funding.

As the program developed, it became apparent that there was a real need for factual groundwork in this area, so that future decisions affecting the program could be based on a realistic evaluation of the contribution to the offices and the interns who participated. In late June of this year, with this goal in mind, my office launched an inquiry which eventually reached every congressional office, soliciting their evaluation of the intern program, and if they employed interns, a brief description of the scope of their office program.

METHODOLOGY

We solicited information from a total of 283 offices employing interns this summer. We received 226 responses—80 percent of the total. In all but a few cases, we mailed the chief staff members in each office a one-page questionnaire asking for information regarding their present program and an evaluation of their experience with student interns. In order to encourage a more objective analysis, we left identification of the responding office to the discretion of the staff member. The tabulated results of this inquiry are presented in part A, below.

In addition, we asked the 152 remaining Members for their evaluation of the program. The results of this inquiry, which drew responses from 35 Members, are presented in part B.

Finally, part C includes the combined totals for the 261 offices who cooperated in this effort.

PART A—SURVEY RESULTS

1. How many interns are presently working in your office? Response: 530.

2. (a) How many of your interns participate in a college program? Response: 174, or 32.8% of the total number of interns surveyed.

(b) How many of this number receive funding from their program? Response: 115, or 66.1% of those in a college program and 21.7% of the total number of interns surveyed.

3. (a) Have you employed interns during previous summers? Response: (1) Yes, 170, or 80.6%. (2) No, 26, or 12.3%. (3) First term, 7.1%.

(b) Have you increased the size of your intern staff since last summer? Response: (1) Yes, 63, or 32.6%. (2) No, 130, or 67.4%.

(c) Do you plan to increase the size of your intern staff in the future? Response: (1) Yes, 18, or 9.1%. (2) No, 104, or 52.8%. (3) Can't say, 50, or 25.4%. (4) Depends on Availability of Funds and/or Space, 25, or 12.7%.

4. How many of your interns receive compensation from your office and/or a college program? Response: 444 out of 542*, or 81.9%.

5. Types of Assignments (the figures listed below represent the number of offices, out of a total of 209, which used interns for each of the respective task-categories): (1) Legislative research, 164, or 78.5%. (2) Filing, 141, or 67.5%. (3) Handling mail, 141, or 67.5%. (4) Typing correspondence, 140 or 67%. (5) Drafting letters, 138, or 66%. (6) Speech research, 98, or 46.9%. (7) Miscellaneous other, 90, or 43%. (8) Press activities, 63, or 30.1%. (9) Drafting speeches, 49, or 23.4% (10) Drafting legislation, 24, or 11.5%. (11) Campaign work, 20, or 10%.

6. From the perspective of your office's experience, both past and present, what is your general assessment of the intern program? Response: (1) Favorable, 197 (of 226 responding offices), or 87.2%. (2) Unfavorable, 3, or 1.3%. (3) Neutral, 11, or 4.8%. (4) No comment, 15, or 6.6%.

PART B—RESPONSE FROM MEMBERS NOT EMPLOYING INTERNS THIS SUMMER

Number of Respondents: 35 out of 152.

Question: What is your general evaluation of the intern program, both as it functions in the individual office and in the House as a whole? Response: (1) Favorable, 11, or 31.4% of respondents. (2) Unfavorable, 11, or 31.4%. (3) Neutral, 6, or 17.1%. (4) No comment, 7, or 20%.

PART C—COMBINED TOTALS FOR #6, PART A, AND PART B

Number of Respondents: 261 out of 435, or 60%. Response: (1) Favorable, 208, or 79.7% of respondents. (2) Unfavorable, 14, or 5.4%. (3) Neutral, 17, or 6.5%. (4) No comment, 22, or 8.4%.

"WE'VE HAD A TERRIFIC SUMMER"

As the results show, there is overwhelming support for the program among those offices which employed interns this summer. To place many of the responses in the "favorable" category is really a statistical understatement. For example, the following reactions: "We have had a terrific summer." "Excellent; our intern is making a superior contribution to office operations." "We have frequently been surprised by outstanding efforts; seldom have we been disappointed." "I only wish he could join the staff full time." "A marvelous breath of fresh air; it will be hard to get along without them in the fall."

THE ROLE OF THE INTERN

"One way to fill the research gap," a responding staff member's reference to the primary task of interns, legislative research. As students, research is, after

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*Since a special effort, in the form of a supplemental telephone survey, was made to elicit responses to this question, the total number of interns surveyed is slightly higher than the total in question No. 1.

all one of their principal areas of "expertise," and rarely does the press of the normal workload allow regular staff members to devote full time to extensive research projects. As another staff member put it, "We are able to use interns to get research done, which we would otherwise not be able to obtain in a timely manner." In other words, the employment of student interns helps to insure a flexible response to the need for investigation of new areas of legislative concern.

Routine office tasks also make up a large portion of the interns' duties. The combined effects of an increase in the normal workload and staff vacations during the summer help to account for the high priority given to such duties as filing, typing, and handling mail. Among offices that were chiefly oriented toward this approach, we found that the most highly successful were those who gave prospective interns a clear indication of what their office duties would be. The educational value of this type of activity should not be underemphasized, but a substantial number of the respondents were careful to point out that the educational perspective afforded through participation in office work was enhanced by giving interns ample opportunity to attend the seminars and meetings conducted by the bipartisan intern program or by the college programs.

FUNDING

We found that nearly 82 percent of the interns covered by our survey received funding either from their offices or from a college program. This is a rather impressive figure, until one begins to delineate and analyze the separate sources of funding.

The cutoff of House funds previously set aside for compensating interns placed an increased financial burden on the college programs, and their very limited financial resources necessarily prevent them from adequately bridging the "expense gap." Several programs provide no funding whatsoever, one provides only scholarships, another only transportation costs, and a remaining few provide grants which range from $150 to $900 for the summer. These various forms of funding reach 66 percent of those in a college program, and only 22 percent of the total number of interns covered by our survey. Fortunately, adequately funded intern programs in other sectors of government allow the chairmen of college programs to reserve most of their money for financing positions on the Hill, a situation which has its paradoxical aspects, since Congress is responsible for approving the funding of all the agency programs.

The clerk-hire allotment available to each congressional office provides the other principle source of intern funding. Simple calculations, using the figures in our survey, show that 326 of the 542 interns received funding only from their office, and, since a portion of the interns receiving money from their colleges undoubtedly receive additional funding from their offices, the available clerk-hire funds are spread even thinner. Yet, this is the major source of funding for the intern program.

It is unfortunate that the funding of a program of such importance is subject to the variations in regular staff hiring among individual congressional offices. There is no reason why an intern should be paid less just because the workload in his Member's office requires a larger full-time staff, but such is the logic of the present system of intern funding.

Consequently, there is great diversity in the amounts and sources of compensation available to interns in each office. At one end of the scale, our study shows that there were 98 interns who received no funding whatsoever—and an estimated total of 148 interns in this category, based on the bipartisan intern program's total figure of 820 House interns. These are positions which are not open to students with scant economic resources, and, to paraphrase many of the letters sent to prospective summer interns, only those who have enough money to pay summer expenses need apply. Our figures indicate that, for this summer, a total of 89 offices either were new participants in the intern program or had increased the size of their summer intern staff, and, in the absence of corrective measures, further expansion of the program will doubtless increase the tendency of offices to divert attention away from students who first, require outside funding or second, do not have access to organized college intern programs.

The scope of this study did not include a determination of the average amount received by funded interns, but it is safe to conclude that the House intern program is an opportunity largely closed to students who cannot afford to come here in the absence of outside funding adequate to cover living and travel expenses.

There are a number of partial remedies available. Individual offices could, theoretically, squeeze more money out of available office funds, and colleges undoubtedly will do so, in spite of pressing financial limitations of their own. However, only the House as a whole can, by restoring the funding provisions of Resolution 416, guarantee that a minimum of funds will be available for interns in each office, thereby including in the public record, and incorporating in the budget, a well-deserved vote of confidence in our intern program and the young people who participate in it. While this will not guarantee equal opportunity for intern positions regardless of financial need, we can, with the growing support of the colleges, take a forward step in that direction.

RECESSION IS JUST AROUND THE CORNER

(Mr. PODELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PODELL. Mr. Speaker, wherever we look today, storm signals of economic distress are flying. The administration placidly observes the ominous trend, doing nothing to halt it and everything to increase its momentum. Already the average workingman is feeling the pinch. Already pustules of unemployment are breaking out across the Nation.

Last month home construction activity declined another 9 percent, as tight money continues to depress the real estate industry. The Commerce Department announced that housing starts in July plunged down to a seasonally adjusted annual rate of 1,336,000, the sixth consecutive monthly drop in construction of privately owned housing, including farm homes. On the west coast scores of lumber mills are laying off workers in droves. Apartment construction also declined, as potential lenders pursue usurious profits alltime-high interest rates allow. The administration chooses not to attack such staggering rates of interests. Instead, it fights like a demon to extend the surtax, and now makes burbling noises about cutting House-enacted tax reforms which benefit lower and middle income taxpayers.

Big steel calmly raised prices an average of 4.8 percent, to be followed by the rest of this basic industry. Aluminum companies promptly followed suit. This morning copper and zinc companies did the same. Even the auto industry sought to roll these hikes back, and lost the battle because for pressing need for steel as a new model year neared. Ford has now raised truck prices 5 percent, and all new cars will be carrying significantly higher prices. The administration, its eyes riveted upon traditional laissez-faire policies of noninterference, is as silent as a closed door and as inactive as a snail at full gallop. It certainly admires old-fashioned American virtues, like greed in high corporate places. Simultaneously, the Federal National Mortgage Association offers debentures at alltime high rates of interest, 8.30 percent. The Farmers Home Administration announces a new top interest rate of 8.5 percent on notes it uses to cover loans for rural housing and rural community projects, including water and waste disposal systems. Orders for new and sales of used machine tools fell steeply. New orders in this basic category fell 22.1 percent, as used tool orders plummeted 16 percent. All background orchestration for this drama-turning-into-tragedy was provided by the stock market, which plummeted more than 150 points.

Twenty-six million stockholders and 100 million affected Americans watched in horror as they sustained a loss of $125 billion. Soothing noises and much rhetorical vaseline flowed from the White House in response to anguished cries from all points of the economic compass.

Meanwhile, costs of homeownership rose nearly 1 percent in 1 month due to higher property taxes, mortgage interest rates, and home repair costs. Utilities across the Nation are lining up expectantly in front of public utilities commissions, requesting higher rates, which are being granted. Food prices alone tell the woeful consumer story, as family budgets stagger and collapse. Prices skyrocket. Hotdogs contain more fat and up to 15 percent of chicken ordinarily treated as garbage, and the administration could care less about tainted fish in the marketplace. The consumer is lead-

ing a shopping life akin to that of a fly alone in a room with 100 boys, each armed with a fly swatter. The administration watches happily from the sidelines, nodding approvingly.

Small savers are paying for high interest rates, but not sharing in the rewards. Banks are charging the highest interest rates in a generation on business, mortgage, and personal loans. Large investors obtain 8 percent on corporate bonds and 6 percent on tax-free municipals. Ordinary families receive the same 4 to 5 percent on their savings. Government is even paying large investors over 7 percent on short-term borrowed money. But it continues to pay series E savings bond buyers the same 4.25 percent, and 5 percent on Freedom shares available with E bonds. We therefore see the grotesque spectacle of a family borrowing money from a bank, paying anywhere from 8 percent to 15 percent, while its savings remain on deposit at 4 percent. The administration's response consists of pious mumblings about curbing inflation, balancing the budget, paying off the national debt, squaring the circle, and achieving perpetual motion. Industry and labor have been given the green light on prices and wages. Guideposts controlling such inflation-producing activities have been jettisoned. Oil companies, America's princes of plunder, have raised their prices nationally several times this year.

Meanwhile, our elderly are quietly overcome by hopelessness, as inflation devastates their limited incomes, which Government is not making even the slightest move to adjust and raise. Pious Presidential platitudes are cheap, but decent cuts of meat and drugs for arthritis are dear. But skies are so blue in California, and those golf courses are so green and inviting. Problems are so far away. It can all wait another day or another year. Or even forever. Who knows? Maybe it will all go away.

Unemployment edges higher daily. There are now more than a quarter of a million more Americans unemployed than when President Nixon took his oath of office, and the worst is yet to come. The National Industrial Conference Board estimates that more than a million workers could lose their jobs in a few short months. And do we not all remember that unctuously smooth rhetoric during the campaign that talked of ending inflation without increasing unemployment? The rate is now at a 9-month high, with adult men accounting for the lion's share of the increase. Is it meaningful to remind people that there were no such happenings during the Kennedy and Johnson administrations? We were in the ninth year of the longest uninterrupted economic boom in history, which aided the poor measurably through growth of payrolls, a phrase we have heard much of in recent months. Millions of people ceased to be "poor" as they were put to work by a prospering economy. They were willing to work and found jobs. Today, it was learned that the administration will announce a 75-percent cutback in Federal construction projects to curb inflation. These cutbacks could affect as much as $1 billion worth of work. Once again, we see Government being used to harm people, rather than help them.

Our picture is bleak, indeed. Wrong solutions are being applied to inflation, which only succeed in harming those who are most vulnerable. Irresponsible elements in our business community on the highest levels are being encouraged to give overly acquisitive impulses the full go-ahead. Government raises its voice against those who seek tax justice, but remains silent when malefactors of enormous wealth and power rob an entire nation. If this is the way to run a government and manage an economy, then so do cucumbers give light and so will your local water commissioner start at fullback for the Redskins. Their ears are open, but they listen selectively. Their eyes are open, yet they see only in a limited sense. The voice of the people is unheard. The cry of the dispossessed rings out, but is unheeded. Perhaps it will continue until we are hip deep in an economic swamp which has no bottom. Only one thing is certain. Ordinary people will pay the economic bill and do the physical suffering. Their reaction will be fascinating to watch. Certainly, they have no reason to allow this to be perpetrated upon them. I must admit that it is quite an accomplishment to ruin a prosperous economy in less than a year.

UNITED STATES SHOULD RETALIATE TO HIJACKING OF TRANS WORLD AIRLINER TO SYRIA BY SENDING 50 PHANTOM JETS TO ISRAEL IMMEDIATELY

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PUCINSKI. Mr. Speaker, the shameful and deplorable hijacking of the Trans World airliner last weekend by Arab partisans shocked the conscience of the whole free world.

It appears to me that we should not let this attack on an American airplane, an international carrier, go unchallenged. It is obvious that Arab partisans are developing a new form of terrorism against the United States and any other country which helps Israel.

As deplorable as the hijacking of this airplane was, even more shocking and shameful is detention by the Syrian Government of six Israel citizens who were passengers on this American airliner.

Mr. Speaker, the House must react as strongly as possible against this new form of political piracy by countries such as Syria. We must arouse the conscience of the world against this international outrage.

I was pleased to learn over the weekend that the International Federation of Airline Pilots Associations is contemplating very serious action against Syria for the detention of these citizens of Israel. The federation is planning a 24-hour worldwide strike if the remaining two passengers are not released by Monday.

Further, Mr. Speaker, I was interested to learn that the Airline Pilots Association in the United States is supporting this action.

I hope President Nixon will provide further leverage by signing the Tokyo Convention treaty as soon as possible so we can show Syria and the rest of the world that we will not tolerate this type of hijacking.

But most important, it would be my hope that the United States will send forthwith to Israel the 50 Phantom fighters that the Israel Government so badly needs to build up her defenses.

We should not permit hoodlum hijackers to set our foreign policy through these hijackings in an effort to deter American support to Israel. The hijackers arrogantly boasted after they brought down the TWA liner in Damascus that they hijacked the plane in retaliation for American military aid to Israel.

Mr. Speaker, it seems to me that unless the United States does take a positive stand and sends these Phantom jets forthwith to Israel, we will see more of these hijackings. We should serve notice on the Arab countries and their terrorists who persist in these attacks on American aircraft that any action against the United States will only bring more assistance on our part to Israel. We must impress on these terrorists that any further attacks against the United States in any form will mean more arms to Israel. We must make it clear these attacks will not deter our aid to Israel. And we must make it clear through stepped-up military aid to Israel that international hoodlumism is not going to dictate American foreign policy. That appears to be the only way we are going to be able to stop these hijackers and these outrages on American rights.

THE LATE HARRY P. BERGMANN

(Mr. HARVEY asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. HARVEY. Mr. Speaker, the District of Columbia and the surrounding metropolitan area lost one of their most distinguished citizens this past weekend when Harry P. Bergmann, senior vice president of the Riggs National Bank, was accidentally drowned in a boating accident in the Chesapeake Bay.

The tragic passing of Harry Bergmann is a deep, personal loss to me. It was my privilege to count him as a friend and as a neighbor. My relationship and my friendship with him date back to my first year in Congress. I first met Harry in 1961. He was then chairman of the American Bankers Association's Mortgage Finance Committee. At the time he was testifying in favor of the Housing Act of 1961—a pioneer piece of legislation in the housing field—then before the Banking and Currency Committee, on which I served.

In the years following, he testified in behalf of the American Bankers Association on several occasions, for he was a leader in the effort to provide suitable housing for all Americans through the use of our private enterprise system. I recall very well the last occasion that he testified while I still served on that committee—April 2, 1965. At the time, together with other ABA representatives, he testified in favor of the very contro-

versial rent supplement feature of the Housing Act of 1965. He suggested that it was a better alternative for solving the housing problems of the District of Columbia and other areas of the country than subsidized interest rates or public housing.

It was typical that Harry Bergmann tackled any problem with vigor and did not shy away because the problem might be controversial. In his tenure as president of the Congressional Country Club, he directed club affairs in the same forthright fashion.

Mr. Speaker, Harry Bergmann will be sadly missed by his wife, Mary Alice; by his son, Carl; and by his daughter, Carol, whom he worshipped. But he will be missed also by a host of friends in the Riggs National Bank; in the American Banking Association; and among the members of the Banking and Currency Committees in both the House of Representatives and the U.S. Senate.

Harry Bergmann was proud of his association with the Riggs National Bank; proud that he had started as a "runner" for that bank in 1934, and had risen by 1952 to become the youngest vice president of the bank at the youthful age of 37. He was proud of his membership in the entire banking community.

Mr. Speaker, Harry Bergmann will be missed not only by his family and those with whom he worked for so many years, but by the people of the District of Columbia, the surrounding metropolitan area, and our Nation as a whole. His character and leadership were of the high type that we could ill afford to lose.

I extend my heartfelt sympathy to his wife, Mary Alice, his son, Carl, and his daughter, Carol. I include with my remarks the newsstory of this tragic loss as it appeared in the August 31, 1969, issue of the Washington Post:

HARRY P. BERGMANN DROWNS; RIGGS SENIOR VICE PRESIDENT

Harry P. Bergmann, 54, senior vice president of Riggs National Bank, drowned Friday evening in a boating accident near Thomas Point, Md., in Chesapeake Bay.

Bergmann fell out of his outboard-powered runabout while attempting to drop anchor, according to Maryland state police. He was able to swim back to the boat but couldn't hold on in the choppy waters.

His wife, the only other passenger in the boat, threw her husband a life preserver and tried to signal another boat for aid, according to the police report.

The body was taken to Gambrill's pier at Turkey Point, Md.

A state police trooper and the Woodland Rescue Squad attempted to revive Bergmann. He was pronounced dead on arrival at Anne Arundel General Hospital in Anne Arundel, Md.

Dr. E. G. Linhart, county medical examiner, yesterday confirmed that drowning was the cause of death.

Mr. Bergmann was born in Washington and attended McKinley High School and National and Southeastern universities here. He started with Riggs in 1934 as a runner and made rapid advancement. In 1952, at age 37, he became the youngest vice president in the bank's history.

He was a senior vice president and head of the bank's real estate and mortgage loan department at the time of his death. He lived at 5005 Nahant St., Sumner, Md.

From 1942 to 1946 he served in the Coast Guard Reserve and was discharged as a lieutenant.

During his career he studied at the American Institute of Banking and the Estonier Graduate School of Banking at Rutger's University in New Jersey.

Active in the American Bankers Association, he had served as chairman of the association's mortgage finance and credit practices committees. Mr. Bergmann was also a past president of the Congressional Country Club.

He is survived by his wife, Mary Alice; a son, Carl, of the home; and a daughter, Mrs. Carol Ann Freeman, who was married earlier this month.

THE TRAGIC HURRICANE IN MISSISSIPPI AND LOUISIANA

(Mr. COLMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLMER. Mr. Speaker, I live down on the Mississippi gulf coast. Unquestionably, it is the most beautiful stretch of ocean beach in the United States, if not in the world. It lies on the Gulf of Mexico. A half million people live in my congressional district, which includes these three counties on the coast.

On Sunday, 2 weeks ago, the most vicious hurricane in the history of the United States struck that beautiful coast land and the interior 13 counties of my congressional district. It now looks as if a giant blowtorch had passed over, or that a tornado of 100 miles wide had scooped down and destroyed that beautiful area. Millions of dollars of timber, as well as the tung oil orchards and the pecan industry, on the shoreline and the interior of that area was devastated. Possibly $1 billion—I am trying to be conservative—would cover most of the damage. Those people are hard stricken. Thousands of homes, hundreds of beautiful motels and hotels, and highways have been destroyed, and possibly as many as 300 people have lost their lives.

Mr. Speaker, a committee of the House headed by my good friend BOB JONES very thoughtfully came down there and viewed the destruction. We are going to ask Congress to grant these stricken people some relief. To that end I am today joining with the Senators from Mississippi and Louisiana in introducing legislation which would at least partially help out in this great disaster.

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman from Mississippi yield?

Mr. COLMER. I yield to my friend from Oklahoma, the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I suppose my experience was similar to that of most Members of the House when they were away from Washington during the current recess. I was in my district, and in practically every home people were glued to their televisions and radios listening to the reports of this tragedy and the untold havoc that was being wrought upon the great gulf coast of this country, and particularly on that beautiful area in southern Mississippi which is the congressional district of my friend, the distinguished chairman of the Committee on Rules.

Everyone in America, I am sure, is hopeful that the Congress, in its wisdom, as Representatives of the people of the country, may be of such assistance as is feasible and possible to those who have suffered this tragedy.

Mr. COLMER. Mr. Speaker, I thank my friend, the gentleman from Oklahoma, for his sympathy and compassion.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield with pleasure to my distinguished Speaker and friend, the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Speaker, the terrible disaster and loss of life and property as a result of the recent hurricane is one that shocks the entire country. All our people grieve for the people of Mississippi and the others in the Southland who were visited by this terrible and destructive condition, and particularly those who were killed and their loved ones.

I think it is fair that we should do everything possible to bring the maximum of consideration—I do not like the word "relief" in a case of this kind—to the people of Mississippi and to the other areas which were affected by this terrible visitation.

If the disaster loan law and other existing laws are not adequate to meet some of the situations, I think Congress should act very rapidly and very quickly in connection with other legislation that deserves justifiable consideration.

I can remember some years ago when we had a terrible hurricane in New England, when the State of New Hampshire and maybe one or two other States of New England were visited with terrible destruction. Part of the damage was the destruction of widespread areas of forests of New Hampshire and probably one or two other States.

Technically, as I remember it, the disaster loan law did not cover it, but Congress in its consideration and its wisdom put through a bill authorizing $5 million to remove those fallen trees which were a fire menace to nearby homes and nearby villages, and on this ground.

I join with the gentleman from Mississippi (Mr. COLMER) and I know my colleagues will do the same thing, in assuring him and the people of the areas visited by this terrible disaster of our quick and speedy cooperation in every way possible.

Mr. COLMER. Mr. Speaker, I am grateful to my friend, the Speaker, for his very gracious remarks and for his offer of assistance.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. COLMER. Mr. Speaker, I am happy to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, as the distinguished gentleman from Mississippi knows, it was my pleasure to be in Pascagoula, in the district of the gentleman, in this immediate area several years ago. I was impressed with the wonderful people, with the beautiful features of the countryside and also equally impressed with the growing industrial might of that area, and particularly with the shipbuilding program that

was going on at that time and which has expanded more recently.

Like others, I read of the terrible disaster that struck in Mississippi and elsewhere about 2 weeks ago. The pictures presented dramatic evidence of the devastation. It must have been a terrifying experience for the residents of the area. It was my personal experience to be in New London, Conn., in September 1938, at the time of the hurricane that hit all of New England. I had never before seen nor have I seen since such power that wind and water can level against property, and against people. As I understand it, the Hurricane Camille in Mississippi and in the gulf area was several times stronger or worse than the one in New England in 1938.

I am sure I speak for all of us, as the Speaker has before, in extending sympathy to the people of the area represented by the gentleman, and equally, I might add, to those in the great State of Virginia who subsequently suffered loss of life and property damage as a consequence of the Hurricane Camille. I assure the gentleman from Mississippi and others from his State and elsewhere that, as far as we are concerned, we will cooperate to the maximum in working with the President, the various agencies of the executive branch and in this Congress in trying to find a maximum amount of aid and assistance that can be granted in this time of emergency.

Mr. COLMER. Mr. Speaker, I am grateful to my friend, the gentleman from Michigan.

I would just like to add at this point that people in the State of Mississippi and people in the United States as a whole have been very generous in their response to appeals for assistance.

The Vice President personally visited the area and viewed the damage.

We in Mississippi bore the brunt of this terrible vixen named Camille, but we also sympathize with our adjoining States of Alabama and Louisiana, as well as with Virginia and West Virginia, for the terrible suffering and destruction that they suffered.

Mr. KEITH. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to my friend from Massachusetts.

Mr. KEITH. I thank the gentleman from Mississippi.

Mr. Speaker, the recent hurricane disaster which struck the gulf coast is not new to many of us, particularly to those of us from New England.

From time to time I have spoken on the floor of the Congress on the need for a national disaster policy on the part of the Federal Government, in place of the present piecemeal approach to the problem.

In the case of the recent gulf coast tragedy and the hurricane which swept up Long Island Sound and into the bottleneck of Buzzards Bay in 1938 and took 600 lives, the worst problems are due to the abnormally high tides, for which there can be no insurance.

Our citizens can collect insurance for the wind storm, tornado, and hurricane damage, but cannot collect for the damage caused by the abnormally high tides which inevitably accompany the wind storms. There should be a national policy covering such situations.

In 1956, Congress passed an act to deal with hurricane disasters and floods that accompany them, but refused to fund it.

We tried with a piecemeal approach in later years.

But what is needed is a national policy, a standard operating procedure for the States and the Federal Government to follow, so that the reimbursement is in direct proportion to the damage done, in cases where no private insurance is available.

Such a disaster relief program could be expanded to possibly include earthquakes such as hit Alaska a few years ago, and may again hit California or other parts of the country.

I urge that the House face up to this problem in a businesslike way. We should not continue with the piecemeal approach we have now, that sometimes results in more assistance going to some areas than to others, where perhaps there is less political pressure available because of smaller population.

I appreciate the gentleman from Mississippi joining in these remarks today, and hope that some corrective action eventually comes from this tragedy, which so recently hit us on the gulf coast as it has hit us so many times on the east coast.

Mr. COLMER. Mr. Speaker, I appreciate the contribution of the gentleman from Massachusetts. I believe it is a very valuable one, and one which should be considered.

Mr. EDWARDS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to my friend from Alabama.

Mr. EDWARDS of Alabama. As the gentleman knows, we are next door neighbors on the coast.

I know that all of us along the coast, when we hear a hurricane is coming, hold our breath. We know it is going to hit somewhere. We never know, really until the last minute, where it is going to hit.

All of us on the coast certainly have expressed our sympathy, and again we express our sympathy, to the gentleman and to his constituents.

I want to pay tribute to the gentleman for the wonderful service he and his staff have performed for many Members of this House who have had relatives involved, or inquiries made concerning the welfare of people in the Mississippi coastal area.

Certainly we have understood the problems that the gentleman and his staff have encountered down there. Yet his responsiveness has been tremendous, and I think the House ought to compliment the gentleman on this.

Mr. Speaker, I would like to say this also: When a hurricane hits, the one thing I have seen and which the gentleman has seen is that all other Americans come to the aid of the area which has been hit. While there was much destruction and damage done in my own district, it was certainly not anything of the magnitude done in the gentleman's district. I think of the little town of Bayou la Batre almost next door to the gentleman's district which was hard hit and had many millions of dollars worth of damage. Yet on the day after the hurricane, the citizens of that coastal town loaded five boats there and hauled them over to Gulfport with food and supplies and medicines for the gentleman's constituents.

The city of Mobile, which suffered considerable damage, where electricity was off for several days, sent a stream of trucks loaded with supplies to the Mississippi coast. This I believe is indicative of the whole gulf coast region's spirit in working together as good neighbors and good Americans, coming to the aid of those who suffered such terrible damage.

I join the gentleman in his effort to find ways to assist the hurricane victims and also in the hope that ways can be found to head off future disasters of this type. Legislation is being introduced today and I am happy to be a cosponsor.

Mr. COLMER. Mr. Speaker, I yield to the gentleman from California (Mr. CLAUSEN).

Mr. DON H. CLAUSEN. Mr. Speaker, briefly I wish to relate to the gentleman in the well that as the ranking Republican on the Subcommittee on Flood Control of the Committee on Public Works, which I presume will be handling the disaster relief legislation, that we will be giving you every consideration as expeditiously as possible. Those of us who experienced similar disaster problems in California this past year and in previous years remember what the gentleman in the well has done in responding to requests that we have made of him. It is our intention to fully reciprocate now.

Mr. COLMER. Thank you so much.

Mr. Speaker, I say again that this beautiful area with valuable timber and other assets has been destroyed. The one thing that impressed me possibly more than anything else, as I went back and forth by helicopter, by plane, and later by car, was the spirit of the people there and their feeling that they are going to come through. They are going to rebuild.

Mr. Speaker, your heart would be touched to see this area and to realize that here you see a house destroyed but still an American flag is stuck up in the yard signifying that they are going to rebuild with courage and with determination.

Mr. Speaker, I appreciate the remarks of my friends and I yield back the balance of my time.

ASSISTANCE PROVIDED BY THE U.S. DEPARTMENT OF AGRICULTURE TO SURVIVORS OF HURRICANE CAMILLE IN THE GULF COAST MISSISSIPPI AREA

(Mr. ABERNETHY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ABERNETHY. Mr. Speaker, the people of Mississippi, whose suffering and losses from the ravages of killer Hurricane Camille have aroused the sympathy of fellow Americans across the

Nation and, indeed, of people in many parts of the world, are profoundly appreciative of the help in the form of services, food, goods, and money that have poured into their State since the disaster.

It is impossible to single out and commend the many sources of spontaneous aid that sprang up around the country. However, I would like to pay a special tribute to the people of the U.S. Department of Agriculture, who acted with compassion and urgency in providing a very broad range of assistance to those trapped in the terror wrought by the high winds and devastating tidal wave.

The people of the U.S. Department of Agriculture immediately supplied help ranging from food, power, and protection against disease and insects to technical help in salvaging forests and financial help in reclaiming fields, feeding herds, and rebuilding farm buildings. Here is something of what they have already accomplished since the hurricane struck on August 17 and 18.

Upon realization of the intensity with which Camille had ravaged the gulf coast, Secretary of Agriculture Clifford Hardin dispatched a high-level task force for an on-the-site inspection of major categories of needs that agencies of the USDA could meet. These were: First, the needs of refugees and storm stranded residents for food; second, the need to assess damages to agricultural lands, animals, crops, and facilities; third, the need for assistance in salvaging as much downed timber as possible, to reduce insect infestations that would spread to and destroy remaining healthy stands, and the need to guard against the high risk of forest fires; and, fourth, the need for spraying areas where large accumulations of dead animals and debris could lead to the proliferation of flies and mosquitoes, and the need to fight fire ants which were spread throughout the area by the storm.

In cooperation with State and local workers the most urgent requirements were defined and appropriate actions initiated within hours.

Employees of the Food and Nutrition Service throughout the Mississippi area were ready even before Hurricane Camille struck, ready to move to hard-hit areas and immediately assess food requirements so food might be rushed from Jackson and surrounding points.

Latest official figures indicate that over 3 million pounds of food from school lunch and commodity distribution supplies have been transported to hurricane victims. Over 2 million pounds has been moved into the State for further emergency feeding and to provide reserve stocks to carry on the regular Food and Nutrition Service programs in the area. On a typical day recently 38,975 storm victims received food through USDA for family feeding and 25,215 received food from USDA stocks at mass feeding stations. Thirty USDA nutrition specialists are working with local authorities in feeding many thousands of storm victims.

James Farrar, officer in charge of FNS in McComb, Miss., rushed to hard-hit Bay St. Louis to assess food requirements immediately following the storm. He called for and received foods to meet estimated needs in that community. The following day, Farrar found 3,000 families without food in D'Iberville, across the bay from Biloxi. He again got word out and food was helicoptered in from Jackson.

Hollis Henry, assistant to the FNS commodity district supervisor, John Hughes, went to Gulfport with several assistants as soon as an automobile could get through. They set up emergency food distribution operations at the local civil defense headquarters. He and his staff began working around-the-clock throughout the period of critical food emergency. Meanwhile, John Hughes and his staff were busy in Jackson coordinating the distribution of emergency foods throughout strickened areas along the coast. These actions were not exceptions but rather the standard set by FNS and voluntary agency personnel in the storm-struck areas.

Often the speed with which assistance was provided was because of the innovation and sense of duty of individuals. Mrs. George Dumal of Gulfport is one example. The wife of an Agricultural Research Service employee, she found that although phone lines were down throughout the area, a Federal Telecommunications System linkage still existed between her home and USDA offices outside the storm damaged area. Mrs. Dumal used her phone constantly during the emergency to relay information on spraying to and from the ARS Plant Pest Control Center at Gulfport and scientists elsewhere. Her efforts helped get urgently needed spraying operations underway quickly.

Working with Gov. John Bell Williams and State and Federal public health authorities, the USDA deployed over 60 men and numerous vehicles and pieces of equipment to the Mississippi gulf coast. Jeep-mounted mist sprayers are at work treating the beach areas with malathion insecticide to kill flies, mosquitoes, and other pests which spread diseases. Five or more planes were dispatched to make aerial applications of the insecticide. At last count 114 drums of malathion had been sent to the area from nearby stocks. Applied at 3 to 4 ounces per acre, malathion is safe to use and breaks down rapidly with no harmful residues.

The Agricultural Research Service moved to combat another insect threat, fire ants. These ants with their painful and sometimes debilitating stings were scattered by the winds and waters into homes and debris. The USDA spread 100,000 pounds of poison bait to protect workers and refugees from them. Many were already reported bitten by the fire ants and some required hospitalization. Two commercial planes were rented by ARS to spread the Mirex bait which was donated by the manufacturer as a service to hurricane survivors. About 75,000 acres of Hancock, Harrison, and Jackson Counties are being treated with the bait.

A major problem for farmers in the struck areas is the clearing of debris-strewn land and the building of new fences. An immediate allocation of $300,000 was made to the Mississippi Agricultural Stabilization and Conservation State Committee for use for these purposes. This enables farmers who must undertake this work right away to do so. They can collect repayment for 80 percent of the work at a later date upon presentation of expense records. A farmer may count his own time as money in calculating his 20 percent of the land-clearing costs.

More ASCS funds may be made available at a later date for a broader range of necessary practices and programs.

ASCS also extended emergency grazing privileges on reserve cropland taken out of production in 15 Mississippi counties. Herd losses in Mississippi did not immediately appear severe except for dairy herds. In areas where power has been disrupted for extended periods, dairymen who depend on electric milking equipment may have to liquidate their herds. Beef cattle herds were scattered, but survived in sufficient numbers to largely reassemble the herds. Twenty-nine carloads of feed are being warehoused in Jackson for emergency distribution to farms in need.

Timber losses were heavy. The Forest Service's preliminary survey indicated that between a million and a quarter and a million and a half acres of trees were damaged in Mississippi. Loss estimates in terms of board feet are not firm yet.

Representatives of the lumber industry traveled with Secretary Hardin's task force to Mississippi to consider means of timber salvage. Local lumber officials joined the Secretary's group for on-site inspections and to plan a course of action. The Governor's appointment of a State timber salvage committee grew out of recommendations made to him by the USDA task force.

The Forest Service is working with the State forester and pulpwood and lumber industry representatives to plan the best salvaging of the damaged stands possible; to control insect infestations in downed timber which would spread to healthy trees causing extensive timber losses; and to minimize the increasing forest fire hazard.

Thirty-three Mississippi counties have been designated eligible for Farmers Home Admnistration emergency loans to restore farm operations. Farmers unable to secure other credit for restoring equipment, livestock, and crops wiped out by the storm are eligible for Farmers Home Administration emergency loans at 3 percent interest. An estimated 366 farm buildings were destroyed in Mississippi and another 400 sustained major damages.

The Rural Electrification Administration made $2.3 million in emergency loan funds immediately available to four cooperative rural electric systems to speed temporary power to their service areas blacked out by the storm. Another $6.3 million in REA loans has been approved to enable three of these cooperatives to install permanent lines and equipment to replace those destroyed by Camille.

Temporary electric service to most of the consumers is now restored thanks to round-the-clock efforts of the cooper-

atives' crews with help from neighboring areas and States.

And so within this relatively short time since the awesome force of Camille ripped through the Mississippi gulf coast, we have seen this much know-how and material and spirit mustered by just one of the many departments of Federal Government involved in this effort. It is very satisfying to me to know that Government can respond so well and so quickly and in such a humanitarian way when the people need help. This is public service as it should be, public service at its best.

Mr. Speaker, I have to this point confined my remarks to the assistance, aid, interests, and activity of those associated with our great Department of Agriculture. I have done this because it is this Department with which I, because of my committee assignment, am more closely associated and to which I made a special appeal for assistance. Especially do I wish to express a word of thanks to the President and Vice President for their compassion and assistance. Many in other departments and agencies, as well as public officials, individuals, and celebrities, such as the great Bob Hope, from every section of the country have been wonderful in coming to the aid of stricken Mississippians.

Were I to make an effort to refer to each and all of them, many would undoubtedly be omitted. So, on behalf of the people of my State I express thanks to each and all.

Mr. Speaker, other assistance will be needed which will require special legislation. Such will be promptly introduced. I, therefore, wish to join with my colleague, the gentleman from Mississippi (Mr. COLMER), who has just addressed you, in urging that the legislation have the early consideration of this great House of Representatives.

EXCERPTS FROM PRESIDENT NIXON'S SPEECH AT NATIONAL GOVERNORS' CONFERENCE

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, for those of us who believe that Washington is neither the font of all knowledge nor the source of all wisdom, the new federalism of President Nixon is refreshing indeed.

In a speech Monday night to the National Governors' Conference the President pledged that Washington will refrain from telling States and localities how to conduct their affairs and will seek to transfer ever greater responsibilities to the States.

Mr. Speaker, we recognize that the accrual of power to the Federal Government has been a gradual thing and that such power cannot all at once be turned back to the States and the local governments.

But today, at least, we see a beginning in that direction, for, in the President's own words:

Washington will no longer try to go it alone. Washington will no longer dictate without consulting. A new day has come, in which we recognize that partnership is a two-way street and if the partnership is to thrive, that street has to be traveled both ways.

Mr. Speaker, the New York Times of yesterday carried pertinent excerpts of the President's speech. I insert these in the RECORD, as follows:

EXCERPTS FROM PRESIDENT NIXON'S SPEECH AT NATIONAL GOVERNORS CONFERENCE

COLORADO SPRINGS, September 1.—Following are excerpts from the address by President Nixon tonight at the National Governors conference:

The central race in the world today is neither an arms race nor a space race. It is the race between man and change. The central question is whether we are to be the master of events or the pawn of events.

If we are to win this race, then our first need is to make government itself governable.

When the new Administration took office last January, we confronted a set of hard and unpleasant facts.

I cite these not in a partisan way; they are not the fault of any one Administration or any one party. Rather, they are part of our common experience as a people, the result of an accumulating failure of government over the years to come to grips with a future that soon overtook it.

We confronted a legacy of Federal deficits that has added $58-billion to the burden of public debt in the past 10 years.

We confronted an inflationary spiral that had gone out of control, that has raised consumer prices 18 per cent in the last five years, 26 per cent in the last 10 years, and that threatened to destroy the dollar unless we acted promptly and forcibly to curb it.

A FISCAL VISE

We confronted the fact that state and local governments were being crushed in a fiscal vise, squeezed by rising costs, rising demands for services and exhaustion of revenue sources.

We confronted the fact that in the past five years the Federal Government alone spent more than a quarter of a trillion dollars on social programs—more than $250-billion. Yet far from solving our problems, these expenditures had reaped a harvest of dissatisfaction, frustration and bitter division.

Never in human history has so much been spent by so many for such a negative result. The cost of the lesson has been high, but we have learned that it is not only what we spend that matters; it is the way we spend it.

Beyond this, we confronted a collapse of confidence in government itself, a mounting distrust of all authority that stemmed in large measure from the increasing inability of government to deliver its services or to keep its promises.

As Prof. Peter Drucker has written, "There is mounting evidence that government is big rather than strong; that it is fat and flabby rather than powerful; that it costs a great deal but does not achieve much.

"There is mounting evidence also that the citizen less and less believes in government and is increasingly disenchanted with it. Indeed, government is sick—and just at the time when we need a strong, healthy and vigorous government."

The problem has not been a lack of good intentions and not merely a lack of money. Methods inherited from the thirties proved out of date in the sixties; structures put together in the thirties broke down under the load of the sixties.

GOVERNMENT UNRESPONSIVE

Overly centralized, overbureaucratized, the Federal Government became unresponsive as well as inefficient.

In the space of only 10 years, state and local expenditures rose by two and a half times—from $44-billion in 1958 to $108-billion in 1968.

States alone have had to seek more than 200 tax rate increases in the past eight years.

We have to devise a new way to make our revenue system meet the needs of the seventies—to put the money where the problems are and to get a dollar's worth of return for a dollar spent.

Our new strategy for the seventies begins with the reform of the Government:

Overhauling its structure.

Pruning out those programs that have failed or that have outlived their time.

Ensuring that its delivery systems actually deliver the intended service to the intended beneficiaries.

Gearing its programs to the concept of social investment.

Focusing its activities not only on tomorrow, but on the day after tomorrow.

This must be a cooperative venture among governments at all levels, because it centers on what I have called the "new federalism"—in which power, funds and authority are channeled increasingly to those governments closest to the people.

The essence of the new federalism is to help regain control of our national destiny by returning a greater share of control to state and local authorities.

This in turn requires constant attention to raising the quality of government at all levels.

The new strategy for the seventies also requires a strategy for peace—and I pledge to you tonight that we will have an effective strategy for peace.

This means maintaining defense forces strong enough to keep the peace—while not allowing wasteful expenditures to drain away resources we need for progress.

It means limiting our commitments abroad to those we can prudently and realistically keep. It means helping other free nations maintain their own security but not rushing in to do for them what they can and should do for themselves.

It does not mean laying down our leadership. It does not mean abandoning our allies. It does mean forging a new structure of world stability in which the burdens as well as the benefits are fairly shared—a structure that does not rely on the strength of one nation but that draws strength from all nations.

An effective strategy for peace makes possible an effective strategy for meeting our domestic needs. To place this new domestic strategy in concrete terms, let me cite a few examples of changes we in the new Administration have made or proposed since taking office.

We have proposed the first major reform of welfare in the history of welfare. . . .

We have proposed the first major restructuring of food programs for the needy in the history of the food programs. . . .

We have declared the first five years of a child's life to be a period of special and specific Federal concern. . . .

We have proposed the first major reform of the income tax system in nearly two decades, to remove millions of the poor from the tax rolls entirely, to close loopholes that have allowed many of the rich to escape taxation and to make the entire structure more balanced and more equitable.

We have proposed the most fundamental reform of the unemployment insurance system in the history of unemployment insurance.

We have proposed the first reform in the fiscal structure of federalism since the nineteen thirties. In proposing to begin the sharing of Federal tax revenues with the states—to be spent as the states see fit—we are putting our money where our principles are.

We have proposed, for the first time in history, a comprehensive and effective delegation of Federal programs to state and local management.

TWO COUNCILS CREATED

We have begun the first over-all reform of the organization of the Federal Government since the Hoover Commission....

For the first time, machinery has been created to raise the problems of the cities and the problems of the environment to the level of formal, interdepartmental, Cabinet-level concern with the creation of the Urban Affairs Council and the Council on Environmental Quality.

There is another reform I have asked and to which I attach special priority as a matter of high principle: reform of the draft.

Until peacetime conditions make a shift to an all-volunteer armed force possible—while the draft remains necessary—it is imperative that we make it as nearly fair as possible, and that we reduce to a minimum the unnecessarily long period of uncertainty that now hangs over the lives of millions of our young people....

If we are to make our choices effective, we need the machinery to translate wish into reality....

It already is painfully clear that many hard choices will have to be made. Dreams of unlimited billions of dollars being released once the war in Vietnam ends are just that—dreams. True, there will be additional money—but the claims on it already are enormous. There should be no illusion that what some call the "peace and growth dividend" will automatically solve our national problems or release us from the need to establish priorities....

In order to find the money for new programs, we will have to trim it out of old ones.

WON'T GO IT ALONE

One of the key points I want to make tonight is . . . Washington will no longer try to go it alone; Washington will no longer dictate without consulting.

This poses a new challenge to the states—not only to administer programs, but to devise programs; not only to employ resources, but to choose the things for which they should be employed. . . .

The new federalism also recognizes the role of people—of individuals doing, caring, sharing.

As only one dimension of the new tasks we face, the best estimates are that America's population will increase by 100 million between now and the year 2000.

That means that thirty years from now, there will be half again as many people as there are today. It means that in this short span of time we have to build the equivalent of 50 cities the size of Philadelphia.

Or, to put it another way, the Committee on Urban Growth Policy recommended that we should begin planning now for 100 new cities averaging 100,000 in population, and 10 new cities averaging a million each. Yet even if we did this, it would accommodate only 20 percent of the added population we have to plan for by the year 2000.

THE POSTAL SERVICE ACT OF 1969

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCHANAN. Mr. Speaker, after very careful consideration and study of the postal reform recommendations sent to the Congress by the President in May of this year, I would like to give my full endorsement of these much-needed proposals by cosponsoring today the Postal Service Act of 1969.

There is certainly no question in the minds of most American citizens that major reforms in the U.S. postal system are critically needed. The Post Office Department is operating in most instances with antiquated equipment and under the direction of management which has no real authority to manage. Its employees are frustrated in their efforts toward advancement and lack the essential right to bargain collectively with their employer. The Department is losing a billion dollars a year and as mail volume continues to skyrocket, this deficit will rise accordingly. The American citizen bears the ultimate burden of these weaknesses through taxes to underwrite the postal deficit, as well as through less than adequate postal service.

The provisions of the Postal Service Act represent not only the best judgment of the President and the Postmaster General on this problem, but are the result of extensive study by the Presidentially appointed Kappel Commission. This Commission, under the direction of Frederick R. Kappel, came to the general conclusion that the U.S. Post Office Department is being run in contradiction to most of the basic principles of modern management. Its comprehensive report presented two primary recommendations, now included in the Postal Service Act: First, improve the management structure of the Post Office by making it a separate Government-owned corporation along the lines of the Tennessee Valley Authority. Second, give the corporation real authority to manage its own operations, through such means as the borrowing of funds, the setting of postal rates, entering into contracts, and establishing its own personnel policies on the basis of merit.

The Postal Service Act of 1969 would implement these recommendations by taking the head of the Post Office Department out of the President's Cabinet and establishing a Government-owned postal system to be known as the U.S. Postal Service. The Postal Service would be run by a nine-man board of directors selected without regard to politics. Seven of the directors would be appointed by the President, subject to Senate confirmation. The remaining two, a full-time chief executive officer and a chief operating officer, would be selected by the seven directors.

The Postal Service would have essential control over its own operations in a manner similar to such other Government corporations as the TVA. It would have the power to sue and be sued, to adopt bylaws and regulations, to keep its own accounts, and to issue bonds as a means of raising funds for expansion and modernization of postal facilities. In this way, it is hoped that the Postal Service will become entirely self-supporting within 5 years of the commencement of operations.

The law, however, would not take control of the mail service out of the hands of Congress, which would retain broad powers of direction and veto. The Postal Service would be required to submit regular reports to the Congress and any provision of the Postal Service Act could be changed or eliminated by law at any time. The Congress would, furthermore, have review and veto power over all postage rate changes recommended by the Service.

Finally, while my own initial reservations about this proposed system have centered primarily around its effect upon postal employees, I am now firmly convinced that the Postal Service Act will be of great benefit to postal workers as well as being otherwise in the public interest. Among other things, the act provides for collective bargaining of employees within the system. All postal employees would be given the right by law to negotiate directly with management over wages and working conditions. All present workers, furthermore, would be transferred into a new postal career service with full retention of their civil service retirement benefits enjoyed under existing law. Employees are also guaranteed benefits at least equal to existing benefits of Federal employees with respect to workmen's compensation, unemployment compensation, life insurance, health insurance, and retirement.

I would sincerely like to urge all my colleagues in the House to give the provisions of the Postal Service Act their most careful study and sympathetic consideration.

CONGRESSMEN URGE OPEN TRIAL IN SMOG CONTROL ANTITRUST CASE

(Mr. BROWN of California asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BROWN of California. Mr. Speaker, it is futile to try to compromise the quality of our environment. Yet, that is just what will happen if the Justice Department is pressured into allowing a consent decree to be issued in the pending antitrust suit against automobile manufacturers who are charged with conspiring to prevent speedy development and installation of antismog devices.

Today, I have joined with 18 of my colleagues in the House in sending to Attorney General Mitchell a letter requesting that an open trial be held in this vital case. Pretrial discussions have been underway for some time, and it is possible a decision on whether to hold a trial or go to decree might be made any day now.

Intense lobbying being applied by the Washington counsel for the Automobile Manufacturers Association—AMA is one of the defendants along with the four major car makers—aims to have the Justice Department agree to a nolo contendere plea, and then have the Department put out a consent decree. Such a consent judgment admits no liability for the alleged charges, and so it becomes nothing more than a slight tap on the wrist for the manufacturers.

We believe this case is one of the most vital suits ever instituted by the Justice Department, and we see it representing a major forward step in the campaign for effective air pollution abatement. It must not be nullified or circumvented.

Mr. Speaker, at this point, I would like to insert into the RECORD copies of the letters—my initial letter sent last week, and the letter signed by my 18

colleagues—which were sent to the Justice Department:

HOUSE OF REPRESENTATIVES,
Washington, D.C., August 29, 1969.

Hon. JOHN N. MITCHELL,
Attorney General of the United States,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: Over the last twenty years, Southern California residents have been subjected to ever-increasing amounts of air pollutants at a rate which seriously threatens both human health and the complete delicate ecology of the area. Although vigorous efforts by state, local and Federal officials have succeeded in reducing many of the major polluting factors, a prime cause of this air pollution continues to be motor vehicle exhaust emissions.

As the problem grew more dangerous, numerous government officials at all levels pressed automobile manufacturers to develop and produce effective anti-smog engines and control devices. But, generally, response from manufacturers has been disappointing. In a letter to President Johnson, Los Angeles County Supervisor Kenneth Hahn noted in 1965 that "Now, after twelve years of correspondence . . . I have found out that you cannot 'cooperate' or urge them 'voluntarily' to do the job."

The Justice Department's anti-trust suit now pending against the manufacturers and the Automobile Manufacturers Association represents a crucial forward step in the drive for effective air pollution abatement. The cost to the American public—in terms of ill health and environmental damage—resulting from the alleged collusion has been huge.

It is my understanding that pre-trial negotiations are now underway between Justice Department and the defendants, and that chances are good that a consent judgment may be reached in this case and that there would then be no open trial.

I believe that the overriding significance of this case makes it imperative that an open trial be held, and I urge you to push for such a trial. The alleged actions of the defendants are—if true—reprehensible, and full and complete public knowledge of them should be brought before the public. I do not feel that the public interest is served in this case by closed-door negotiations.

I am also worried that a plea of nolo contendere and a consent judgment would leave many municipalities and other government units who are closely following this case without sufficient legal grounds to institute damage suits.

In addition, the case offers the opportunity to rule on some important precedents. The question of joint responses by a manufacturers association plays a key role in this case, and the Justice Department's prayer is potentially a landmark position. Another area is that of product fixing to limit competition, and I would hope that the full force of the law is brought to bear in order to deter this sort of collusion.

I fully believe that this case may be one of the most vital suits ever instituted by the Justice Department, and again I urge you to do all you can to hold an open trial.

Sincerely,

GEORGE E. BROWN, Jr.,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, D.C., September 2, 1969.

Hon. JOHN N. MITCHELL,
Department of Justice,
Washington, D.C.

DEAR MR. MITCHELL: We are writing to indicate our concern over the persistent and disquieting reports that the Department of Justice is about to compromise one of the most important antitrust cases affecting the health and welfare of the American people. We are aware of the closed-door negotiations now taking place between the automobile industry's lobbyists and the Department, negotiations which may lead to a consent decree in the Department's case against the Automobile Manufacturers Association (AMA), General Motors, Ford, Chrysler and American Motors.

Earlier this year, your predecessors in the Department resisted extraordinary industry pressures and filed a civil complaint against the defendants—(although the Department did decline to ask for a criminal indictment, as its investigating attorney had requested). The complaint alleges generally that the automobile companies, operating under the auspices of the AMA, joined together, through the device of a cross-licensing agreement—to suppress research, development and application of pollution control devices. The more important allegations charge that the companies agreed to pursue research, development, manufacture and installation of pollution control devices on a non-competitive basis, that they agreed to seek joint appraisal of patents submitted by persons not a party to the cross-licensing agreement, and that they agreed on at least three occasions—in 1961, 1962, and 1964—to attempt to delay installation of motor vehicle air pollution control equipment.

These allegations, if proved true, mean that the defendants bear responsibility for a great share of the injury to human health and the many millions of dollars in economic injury resulting from automobile pollution. If these charges are true, the American people have a right to be fully informed of this outrageous corporate callousness by a full and open trial of the issues involved. We fear, however, that the American people will be denied their right to know the full story. We fear that the entire incident will be covered over by a legal deal arranged between the Department and the AMA's Washington counsel.

The representations made to your Department by this law firm do not include, we are sure, the following information:

That the automobile is responsible for dumping more than 90 million tons of pollutants into the atmosphere each year, more than twice as much as any other single pollutor.

That the automobile accounts for 91% of all carbon monoxide, 63% of the unburned hydrocarbons and 48% of the oxides of nitrogen emitted from all sources.

That doctors, in a single year, advised 10,000 people to move away from Los Angeles because of the harmful effects of air pollution. (Automobile pollution represents 85% of the contaminants emitted into the ambient air of Los Angeles daily).

That air pollution—of which motor vehicles account for approximately 50% nationally—contains serious toxic substances associated with higher rates of illness and mortality from emphysema, lung cancer, chronic bronchitis and heart diseases.

Professor Barry Commoner, leading authority on pollution, said just last week:

"Once the automobile is allowed out of the factory and transformed, it then reveals itself as an agent which has rendered urban air carcinogenic, burdened human bodies with nearly toxic levels of carbon monoxide and lead, embedded pathogenic particles of asbestos in human lungs, and contributed significantly to the pollution of surface waters."

The time remaining for us to return our environment to a livable state is short, and if the allegations contained in the Department's complaint are proved true, the automobile companies have deliberately and cynically wasted fifteen precious years. The Los Angeles County Board of Supervisors has charged that if the automobile companies had sincerely devoted their energies to the air pollution problem in California during the years 1953–1956, "air pollution from automobiles would have ceased to be a problem by 1966 . . ."

If the defendants in this case are indeed culpable, a consent decree of almost any kind would undermine the penalties of the antitrust laws designed to deter future adventures into collusion. There would be no public acknowledgement by a public-relations conscious industry of its responsibility for the appallingly slow progress in air pollution control. Furthermore, a consent decree would raise formidable barriers to the many treble damage suits which could be founded on an open trial and full public record of the defendants' activities.

Many municipalities are closely following this case with a view toward bringing follow-up actions for pollution damage to health, property and local economies, much in the same way that states and municipalities brought follow-up suits in the *Library Book Cases*. Then also, there are a number of businessmen who invested large sums in pollution-control research, many of whom claim that they were injured by the AMA agreement. Furthermore, it is conceivable that this would open up a new area for class actions to be brought on behalf of thousands of people. But a consent decree might mean that the thousands of pages of evidence—collected by federal investigators over the course of a two-year study at a cost of many thousands of dollars—would be left to collect dust in the Department's files, forever lost to private litigants. This, of course, is what the auto industry wants. We hope that the Department does not become an accomplice in the industry's attempt to avoid redressing the injuries which it may have caused.

In addition, a consent decree would mean that the Department is surrendering a unique opportunity in a particularly strong case to have the courts rule on important landmark legal questions. For one, the Department's complaint requests that the AMA be restrained from making joint responses to government regulatory agencies with regard to information concerning air pollution control technology. Should the Department prevail on this question in court, it would do much to make public any diversity of opinion which may exist among automobile manufacturers in the field of air pollution control. In addition, the Department would have a new weapon in its arsenal to loosen the death-grip which many trade associations hold over weaker members. Secondly, there is the important issue of "product fixing", the joining together of manufacturers to limit competition for product quality. Until recently, the main thrust of antitrust law enforcement has generally been limited to price fixing and a ruling on product fixing might deter a practice which all too common in many American industries.

If the defendants have broken the antitrust laws, and are responsible for the adverse health and economic effects of automotive pollution, then they must be prepared to have the law applied with its full force. The Administration promised to see that the rights of victims would be protected along with the rights of law-violators. In this situation, an open public trial would help show that this Administration considers corporate lawlessness on no different footing than any other violation of law.

Sincerely,

JOHN A. BLATNIK, GEORGE BROWN, PHILLIP BURTON, SHIRLEY CHISHOLM, JOHN CONYERS, Jr., BOB ECKHARDT, DON EDWARDS, LEONARD FARBSTEIN, DONALD FRASER, ANDREW JACOBS, JOSEPH KARTH, EDWARD KOCH, ALLARD LOWENSTEIN, RICHARD OTTINGER, BERTRAM PODELL, BENJAMIN ROSENTHAL, EDWARD ROYBAL, ROBERT TIERNAN, CHARLES WILSON.

Next, and because it is such an important suit, I shall insert a copy of the

Justice Department's complaint against the manufacturers:

[U.S. District Court, Central District of California, Civil No. 69–75–JWC, Filed January 10, 1969]

UNITED STATES OF AMERICA, PLAINTIFF, *v.* AUTOMOBILE MANUFACTURERS ASSOCIATION, INC.; GENERAL MOTORS CORPORATION; FORD MOTOR COMPANY; CHRYSLER CORPORATION; AND AMERICAN MOTORS CORPORATION, DEFENDANTS

COMPLAINT

The United States of America, plaintiff, by its attorneys, acting under the direction of the Attorney General of the United States, brings this civil action against the defendants named herein, and complains and alleges as follows:

I

Jurisdiction and venue

1. This complaint is filed and these proceedings are instituted under Section 4 of the Act of Congress of July 2, 1890, as amended (15 U.S.C. § 4), commonly known as the Sherman Act, in order to prevent and restrain continuing violation by the defendants, as hereinafter alleged, of Section 1 of the Sherman Act.

2. Each of the corporate defendants named herein transacts business and is found within the Central District of California.

II

Defendants

3. Automobile Manufacturers Association, Inc., a corporation organized and existing under the laws of the State of New York with its principal place of business in Detroit, Michigan, is made a defendant herein. Automobile Manufacturers Association, Inc., is a trade association whose membership consists mainly of firms engaged in the business of manufacturing and selling motor vehicles and component parts and accessories thereto in various states of the United States.

4. The Corporations named below are made defendants herein. Each of said corporations is organized and exists under the laws of the State indicated and has its principal place of business in the city indicated. Within the period of time covered by this complaint said defendants have primarily engaged in the business of manufacturing and selling motor vehicles in various states of the United States, and also manufacture and sell component parts and accessories thereto.

Defendant corporation, General Motors Corporation; State of incorporation, Delaware; principal place of business, Detroit, Michigan.

Defendant corporation, Ford Motor Company; State of incorporation, Delaware; principal place of business, Dearborn, Michigan.

Defendant corporation, Chrysler Corporation; State of incorporation, Delaware; principal place of business, Highland Park, Michigan.

Defendant corporation, American Motors Corporation; State of incorporation, Maryland; principal place of business, Detroit, Michigan.

5. Whenever in this complaint reference is made to any act, deed or transaction of a corporate defendant, such allegation shall be deemed to mean that said corporation engaged in said act, deed or transaction by or through its officers, directors, agents or employees while they were actively engaged in the management, direction or control of corporate business affairs.

III

Co-conspirators

6. Each of the corporations listed below in this paragraph is not named a defendant herein but is named as a co-conspirator and has participated as a co-conspirator with the defendants in the offense hereinafter charged and has performed acts and made statements in furtherance thereof.

Corporation, Checker Motor Corporation (successor to Checker Cab Manufacturing Corporation); State of incorporation, New Jersey; principal place of business, Kalamazoo, Michigan.

Corporation, Diamond T Motor Car Company; State of incorporation, Illinois; principal place of business, Cleveland, Ohio.

Corporation, International Harvester Company (a consolidation of International Harvester Company, a New Jersey Corporation, and International Harvester Corporation, a Delaware Corporation); State of incorporation, Delaware; principal place of business, Chicago, Illinois.

Corporation, Studebaker Corporation (successor to Studebaker-Packard Corporation); State of incorporation, Michigan; principal place of business, South Bend, Indiana.

Corporation, White Motor Corporation (successor to The White Motor Company); State of incorporation, Ohio; principal place of business, Cleveland, Ohio.

Corporation, Kaiser Jeep Corporation (successor Willys Motors, Inc., a Pennsylvania Corporation); State of incorporation, Nevada; principal place of business, Oakland, California.

Corporation, Mack Trucks, Inc. (successor to Mack Manufacturing Corporation); State of incorporation, New York; principal place of business, New York.

7. Various other persons, firms and corporations not made defendants herein have participated as co-conspirators with the defendants in the offense charged in this complaint and have performed acts and made statements in furtherance thereof.

IV

Definition

8. As used herein, the term "motor vehicle air pollution control equipment" means equipment, or any part thereof, designed for installation on a motor vehicle or any system or engine modification on a motor vehicle which is designed to cause a reduction of pollutants emitted from the vehicle, including, but not limited to, any device for the control of emissions of pollutants from the exhaust system, the crankcase, the carburetor, or the fuel tank.

V

Trade and commerce

9. Automobiles for the most part are manufactured in the State of Michigan and are shipped therefrom to each of the fifty states of the United States. Some automobiles are assembled in various states of the United States from parts manufactured in the State of Michigan and other states. In 1966, 78,315,000 passenger cars and 15,864,000 trucks and buses, exclusive of off-the-road vehicles, were registered in the United States. In that year, 8,604,712 passenger cars valued at more than $17½ billion and 1,791,587 commercial vehicles valued at more than $3.9 billion were produced in this country. Of the trucks produced, 96,560 were built with diesel motors.

10. The largest number of passenger cars registered and new cars sold in any state of the United States in 1966 was in the State of California where 7,621,792 cars were registered and 832,338 new cars sold. The largest number of passenger cars, registered in any county of any state in the United States in 1966 was in Los Angeles County where 2,932,980 cars were registered. Similarly, in 1966 California accounted for the largest number of truck registrations and new truck sales with 1,542,984 trucks registered and 150,927 new trucks sold, and Los Angeles County accounted for the largest number of trucks registered, numbering 436,218.

11. Since at least 1952 it has been established that motor vehicles contribute to air pollution by the emission of hydrocarbons, carbon monoxide, oxides of nitrogen and other contaminents. For example, in Los Angeles County, as of January 1967, gasoline-powered motor vehicles accounted for 12,465 tons out of a total of 14,610 tons, or 85.3 percent of contaminants emitted into the ambient air daily. As a result of new and continuing requirements that automotive vehicles be equipped with air pollution control devices, a large and growing market for the production and installation of such devices has developed. Motor vehicle air pollution control devices are shipped in interstate commerce either as engine or system modifications or as equipment attached to automobiles, which are shipped from Michigan and other states to each of the fifty states of the United States.

VI

Offense alleged

12. Beginning at least as early as 1953, and continuing thereafter up to and including the date of this complaint, the defendants and co-conspirators have been engaged in a combination and conspiracy in unreasonable restraint of the aforesaid interstate trade and commerce in motor vehicle air pollution control equipment in violation of Section 1 of the Sherman Act (15 U.S.C. § 1).

13. The aforesaid combination and conspiracy has consisted of a continuing agreement, understanding, and concert of action among the defendants and co-conspirators, the substantial terms of which have been and are:

(a) to eliminate all competition among themselves in the research, development, manufacture and installation of motor vehicle air pollution control equipment; and

(b) to eliminate competition in the purchase of patents and patent rights from other parties covering motor vehicle air pollution control equipment.

14. For the purpose of forming and effectuating the aforesaid combination and conspiracy, the defendants and co-conspirators did those things which they combined and conspired to do, including, among other things, the following:

(a) agreed that all industry efforts directed at the research, development, manufacture and installation of motor vehicle air pollution control equipment should be undertaken on a non-competitive basis;

(b) agreed to seek joint appraisal of patents and patent rights submitted to any of them by persons not parties to a cross-licensing agreement entered into on July 1, 1955, and amended and renewed periodically, and to require "most-favored-purchaser" treatment of all parties to the cross-licensing agreement if any one were licensed by a person not a party to that agreement;

(c) agreed to install motor vehicle air pollution control equipment only upon a uniform date determined by agreement, and subsequently agreed on at least three separate occasions to attempt to delay the installation of motor vehicle air pollution control equipment:

(1) in 1961 the defendants agreed among themselves to delay installation of "positive crankcase ventilation" on vehicles for sale outside of California until the model year 1963, despite the fact that this antipollution device could have been installed nationally for the model year 1962 and that at least some automobile manufacturers expressed willingness to do so, in the absence of a contrary industry-wide agreement;

(2) in late 1962 and extending into 1963, the defendants agreed among themselves to delay installation of an improvement to the positive crankcase ventilation device, an improvement which the California Motor Vehicle Pollution Control Board had indicated it would make mandatory;

(3) in early 1964 the defendants agreed among themselves to attempt to delay the introduction of new exhaust pollution control measures on motor vehicles sold in Cali-

fornia until the model year 1967; despite the fact that all were capable of installing the improvement for the model year 1966, the defendants agreed to tell California regulatory officials that installation of exhaust antipollution measures would be technologically impossible before 1967, and only under regulatory pressure made possible by competing device manufacturers not in the automobile industry did the defendants agree to a California regulatory requirement that exhaust devices be installed for the model year 1966; and

(d) agreed to restrict publicity relating to research and development efforts concerning the motor vehicle air pollution problem.

VII

Effects

15. The aforesaid combination and conspiracy has had, among others, the following effects:

(a) hindering and delaying the research, development, and manufacture—both by the defendants and coconspirators and by others not parties to the agreements alleged herein—and the installation of motor vehicle air pollution control equipment;

(b) restricting and suppressing competition among the defendants and co-conspirators in the research, development, manufacture and installation of motor vehicle air pollution control equipment; and

(c) restricting and suppressing competition in the purchase of patents and patent rights covering motor vehicle air pollution control equpment.

Prayer

Wherefore, the plaintiff prays:

1. That the Court adjudge and decree that the defendants have engaged in a combination and conspiracy, in unreasonable restraint of the aforesaid interstate trade and commerce, in violation of Section 1 of the Sherman Act.

2. That each of the defendants named in this complaint, its successors, assignees and transferees, and the respective officers, directors, agents and employees thereof, and all persons acting or claiming to act on behalf thereof:

(a) be enjoined from continuing, maintaining or renewing, directly or indirectly, the combination or conspiracy hereinbefore alleged, or from engaging in any other practice, plan, program, or device having a similar effect;

(b) be enjoined from entering into any agreements, arrangements, understandings, plan or program with any other person, partnership, or corporation, directly or indirectly:

(1) to delay installation of air pollution control equipment or otherwise restrain individual decisions as to installation dates;

(2) to restrict individual publicity of research and development relating to air pollution control technology;

(3) to require joint assessment of the value of patents or patent rights relating to air pollution control equipment;

(4) to require that acquisition of patent rights relating to air pollution technology be conditioned upon availability of such rights to others upon a most-favored-purchaser basis; or

(5) to respond jointly to requests by government regulatory agencies for information or proposals concerning air pollution control technology unless such agency requests a joint response in a particular case; and

(c) be required to issue to any applicant interested in developing motor vehicle air pollution technology unrestricted, royalty-free licenses and production know-how under all United States patents owned, controlled or applied for to which the cross-licensing agreement dated July 1, 1955, as amended, has been applicable, and to make available to any such applicant all other know-how related to air pollution control technology which has been exchanged with any other defendant.

3. That the plaintiff have such other, further and different relief as the nature of the case may require and the Court may deem just and proper in the premises, including cancellation of the cross-licensing agreement dated July 1, 1955, as amended, and an injunction ensuring that all future joint arrangements relating to air pollution control technology be appropriately limited as to subject matter of joint effort and numbers of participants so as to maintain competition in the development of air pollution technology.

4. That the plaintiff recover the costs of this suit.

Dated:

RAMSEY CLARK,
Attorney General.
EDWIN M. ZIMMERMAN,
Assistant Attorney General.
BADDIA J. RASHID,
Attorney, Department of Justice.
WM. MATTHEW BYRNE, JR.,
U.S. Attorney.
RAYMOND W. PHILIPPS,
CHARLES L. MARINACCIO,
Attorneys, Department of Justice.

A few weeks after the suit was filed, Morton Mintz of the Washington Post wrote this interesting background story about the early history of the case:

[From the Washington Post, Jan. 26, 1969]

SMOG FIGHTER INSPIRED AUTO INDUSTRY LAWSUIT

(By Morton Mintz)

More than four years ago, an angry municipal official made a speech in Houston. Little noticed at the time, the speech was the genesis of the Justice Department's civil antitrust suit field this month charging that the four major U.S. auto manufacturers and their trade association conspired to delay development and installation of devices to curb automotive air pollution.

The public official was S. Smith Griswold, then air pollution control officer of Los Angeles County. For a decade, he had fought to control the sources of smog. All of these sources but one were brought under control or significantly checked. The exception was by far the most important source: the ubiquitous automobile.

As time went on, Griswold became convinced that for all its talk about how hard it was trying and how much it was spending, Detroit was at best halfhearted about control devices for the crankcase and the exhaust system. Finally, in June, 1964, in his Houston speech to the Air Pollution Control Association, he exploded.

"Everything that the industry is able to do today to control auto exhaust was possible technically ten years ago," he said. "No new principles had to be developed; no technological advance was needed; no scientific breakthrough was required."

Griswold depicted Detroit as a citadel of "arrogance and apathy" that has "bought ten years of delay and unhampered freedom to pour millions of tons of toxic contaminants into the atmosphere."

At the time, the industry was spending $1 million a year for pollution control. Griswold contrasted this with the total of $9.5 million that 22 industry executives earned in 1963 and with the $1 billion being spent for 1965 model changes.

Finally, Griswold tried to explain the industry's purported apathy. "Control of air pollution does not make cars easier to sell," he said. Neither does it "make them easier to produce. To people interested in profits, expenditures for the development and production of exhaust controls are liabilities."

A CASE MADE UNWITTINGLY

In an interview, Griswold, who now heads a Washington consultant firm on air pollution and other environmental problems, said he was unaware that his speech laid out the essentials of an antitrust case.

Nothing might have happened had it not been for a chance visit that Ralph Nadar, then an obscure volunteer worker in the Labor Department, paid to the office of Thomas F. Williams, public information officer for the Division of Air Pollution of the Public Health Service.

Donald Green, an aide to Williams, showed the speech to Nader, who as a lawyer sensed its antitrust implications. In a recent interview, Nader said that the Griswold speech struck him as a potentially classic portrayal of "product-fixing"—activity covered by the antitrust laws. In this case, he felt, the activity involved important impacts on health and might be delaying technology that would permit eventual phasing out of the fume-producing internal combustion engine.

After reading the speech, Nader telephoned Griswold in Los Angeles. Several long conversations followed, on the phone and during Griswold's visits to Washington.

Nader tried but failed to interest a Justice Department antitrust lawyer who specialized in auto industry matters. But in the late summer of 1964, Nader learned that William H. Orrick Jr., then the Department's antitrust chief, had set up a new policy planning staff. Nader got in touch with its head, Murray H. Bring.

Neither Bring, now a member of the Washington law firm of Arnold and Porter, nor any past or present Justice Department official involved with the case would discuss it. But the upshot of Nader's getting in touch with Bring was that he was invited to outline his antitrust theory to Orrick and more than a dozen of his aides. At a meeting lasting more than an hour, he recalls, he argued that alleged product-fixing of this kind deserved at least as much priority as conventional price-fixing cases.

In late 1964, Griswold himself informally asked the Department to make an antitrust investigation. Although he told an interviewer he could not be certain from memory, he said he believed he alerted Justice to a resolution that he was helping to prepare for the Los Angeles County Board of Supervisors.

ADVISE 10,000 TO MOVE AWAY

As finally adopted by a unanimous vote on Jan. 26, 1965, the resolution traced the history of the problem of air pollution in Los Angeles County, pointed out that because of that problem physicians had advised 10,000 persons to move away in a single year and said that health and welfare continue to be "jeopardized by the exhaust emissions of 3.5 million motor vehicles, burning about 7,150,000 gallons (of gasoline) daily."

The resolution charged that the industry had pooh-poohed the role of automobiles in Los Angeles pollution until forced to change its position by an accumulation of overwhelming evidence, by the spur of competition from "outsider" firms that had developed control devices on their own and by the pressure of California legislation making control devices mandatory.

If the Automobile Manufacturers Association (AMA) "had given the same attention to the problem in 1953–56 as they did after installation became mandatory, air pollution from motor vehicles would have ceased to be a problem in 1966," the resolution asserted.

Saying that action was not taken in the 1950s because of agreements among Automobile Manufacturers Association members to pool all of their findings and to cross-license developments for pollution control, the Board of Supervisors concluded by requesting the Justice Department to make an antitrust investigation.

By the time the resolution was formally adopted, the Justice Department already had

served demands for records on the industry—an action it took in early January, 1965.

Essentially, the Department complaint filed last Jan. 10 in Los Angeles reflects the Board's resolution. The complaint points out, for example, that in the single month of January, 1967, gasoline-powered vehicles dumped 12,465 tons—about 25 million pounds—of contaminants into the atmosphere of the bowl-shaped Los Angeles area. This was 85 per cent of all emissions.

And the suggestions was obvious in the suit that had the defendants competed in the field of control devices, rather than purportedly suppressing progress in violation of the antitrust laws, there would have been less pollution, less disease and less property damage.

The AMA's position is the reverse: the "cooperation" among the defendants—General Motors, Ford, Chrysler and American Motors, plus the AMA—was not only entirely legal and open and aboveboard, but was also the only feasible way to achieve the progress everyone sought.

The Department's charges also were heatedly rejected by the defendant manufacturers. American Motors, for example, said it "categorically denies engaging in any combination or conspiracy . . ."

COLLISION WITH AUTO SAFETY

Between the time the Justice Department started to move on the case and the time the suit was filed, the matter became involved briefly with a congressional hearing.

By late 1965, the industry was faced with another crisis: the seeming inevitability of auto safety legislation. For Detroit, the question was how tough the law would be.

In April, 1966, the AMA went before the Senate Commerce Committee to plead for an "umbrella against antitrust" so that it could undertake joint development of safety devices.

To illustrate the need for the "umbrella," AMA spokesman John S. Bugas, a Ford vice president, pointed out that the industry already was under investigation in connection with pollution control devices.

Committee Chairman Warren G. Magnuson (D-Wash.) asked Justice for immediate comment. Donald F. Turner, who meanwhile has succeeded Orrick as head of the Antitrust Division, replied with a letter attacking the industry proposal. The Department's investigation concerned cooperative efforts "to suppress, not to promote," use of the devices, Turner said. Besides, the antitrust laws are not a barrier to "necessary and constructive" joint efforts, he said.

Turner had assigned the investigation to Samuel Flatow, who has since retired from the Department to enter private practice here. As a result of Flatow's work, first in Washington and then in Los Angeles, a grand jury was convened, in July 1966, and heard evidence until December, 1967. Flatow then requested permission to ask the jurors to return a criminal indictment, a request the Department denied.

There may have been a practical consideration: At least four Federal judges who might have received the case reportedly are strongly opposed to criminal sanctions in antitrust cases. But a more fundamental consideration is that long-standing Department policy reserves the criminal route for price-fixing and other traditional cases in which there is no question of blatantly illegal conduct. The pollution case was not traditional.

Another factor is the practical utility of a criminal case as opposed to a civil case. A criminal case can result in penalties intended in part to deter further misconduct. But a civil case can lead to the fashioning of a court decree that prohibits specific forms of misconduct thereafter.

AN UNUSUAL PRAYER

In the pending case, the Department offers an unusual "prayer," to use the legal term. It is that the court will prohibit the defendants from responding "jointly to requests by Federal regulatory agencies for information or proposals concerning air pollution control unless such agency requests a joint response in a particular case." This is an uncommon recognition of the proposition that the behavior of trade associations can violate the antitrust laws.

If the "prayer" is granted, one of the broad questions that will be generated is this: When any Government agency is involved in the process of setting safety standards, can a trade association be the spokesman for an industry in which dissent and diversity among member companies is being suppressed?

The Department's "prayer" is, of course, confined to the particular facts of the air pollution case. But the petition is also in accord with the intent of Congress, expressed in the auto safety law, that car manufacturers be stimulated by the National Traffic Safety Agency to compete in the area of safety.

Late last year, the Agency declared its intention to require manufacturers to disclose to new-car buyers such safety-related performance data as the distances needed to brake to a stop from various speeds, data that would permit comparative shopping on safety aspects. The primary response from the industry was the AMA's. GM, Ford and Chrysler filed no initial responses of their own. American Motors' was an endorsement of the AMA's.

Nader's contention—denied by the AMA—was that the Association controlled the responses and that the AMA was itself controlled by GM, the industry leader.

The Department also seeks a court order banning patent licensing agreements of the kind used here and for bidding other agreements under which individual car makers did not publicize their progress in pollution control.

Another subtle but important aspect of the case is its origins in a marriage of antitrust lawyers to specialists with expertise in a field as arcane as pollution control devices.

Nader believes that the full potential of the antitrust laws to protect the public against "product-fixing" and technological repression and stagnation cannot be realized until engineers and other experts become part of the regular staff of antitrust agencies.

A prominent Washington antitrust lawyer with both private and Government experience agrees, noting that technology has brought "a whole new breed of antitrust problems that lawyers can understand only if they work with technical experts."

Actually, such problems occasionally have surfaced before. The Federal Trade Commission, for example, knew that odometers were built to record more miles than actually were driven—to the benefit of manufacturers and rental firms but to the detriment of owners and renters.

But the FTC failed to act for almost three decades. A group of law students guided by Nader said in a recent report that this was due to the FTC's being "duped by an excuse perennially put forth by the auto manufacturers; they claimed they had to make odometers register high because state highway officials demanded that they make *speedometers* register high (to diminish actual driving speeds) and that the two were inseparably connected . . . the fact of the matter is that odometer and speedometer are not connected, as any mechanical engineer would have known."

While behind-the-scenes maneuvering by the defendants has been intensive, the manufacturers have brought only one public statement on the suit. Although I would question many of the suppositions made in that statement—by AMA president, Thomas C. Mann—I would like to reprint his remarks in the RECORD as an indication of the type approach the manufacturers are using:

AMA NEWS RELEASE

WASHINGTON, D.C., January 10.—Thomas C. Mann, President of the Automobile Manufacturers Association, today issued the following statement on the suit filed by the Department of Justice against AMA and some of its member companies in Los Angeles:

"We greatly regret the Department of Justice's sudden decision to attack the industry's 15 year old cooperative program to develop and perfect motor vehicle emissions controls. The Department's action is based on a profound misunderstanding of the cooperative program and its actual effects.

"Under this program, initiated at the request of the California authorities, the industry has been developing new technologies for solving this pressing problem of our urbanized society. The program has not hindered or delayed the development and installation of motor vehicle air pollution control equipment. On the contrary, it has already succeeded in reducing the level of hydrocarbon emissions of new cars approximately 63% below the level of the pre-control models, and additional controls now under development are expected to further reduce hydrocarbon emissions to 79% below pre-control models. Moreover, the systems developed as a result of the program have reduced carbon monoxide emissions by about 60%.

"This progress has been made during a period when state and federal regulation has continually taxed the ability of engineers to meet the stringent standards that have been set. It would not have been possible to meet the timetables set by governmental agencies without the cross-fertilization of ideas and the full exchange of technical information among automobile manufacturers and suppliers. This exchange has been made feasible by a royalty-free patent cross-license agreement which all domestic manufacturers of passenger cars, a number of truck manufacturers and many foreign vehicle manufacturers have joined. Although this type of agreement has been praised as encouraging competition, the Department now attacks it.

"With continuing increases in the vehicle population and in the volume of pollutants entering the atmosphere from non-vehicular sources, there is need for even greater reductions in automotive emissions. The manufacturers are now faced with a new requirement for controlling the emission of oxides of nitgrogen, a task which in many respects will be more difficult than controlling hydrocarbon emissions. In our judgment, the Department's action today will substantially retard the rate of progress toward all of these goals by casting a serious cloud on the present arrangements and thus reducing the essential flow of information among the participating companies.

"This will be especially harmful to the smaller passenger car and truck companies and to many foreign manufacturers who account for a substantial share of the U.S. market. If these companies are unable to make the necessary progress to meet the more stringent requirements that the regulatory authorities have set for accomplishment within the next several years, the Government will be faced with the necessity of postponing more stringent requirements. If such postponement should occur, the public will be the loser.

"The problem of how Government can most effectively command scientists and engineers to make a new technological breakthrough of this kind, and the corresponding problem of how the industry can most effectively respond to such a command, are both novel and difficult. However, it is difficult to see how any result other than delay and increased cost can come from the Department's action seeking to prohibit the free interchange of technical information

about automotive emissions among the firms which are in the best position to find the needed solutions.

"A year ago the President called on Government and industry to join as partners in attacking the problems of air pollution. The automotive industry has done its best to respond to that request. Today's action can only complicate the difficult task of making the partnership a fruitful one."

What Mann said in his statement has more recently been echoed by Chrysler Corp.'s chief engineer, Charles M. Heinen, who told a meeting of the New York Society of Automotive Engineers that "the main battle against automobile pollution has been won." Dan Fisher of the Los Angeles Times reported on that speech:

EMISSION CONTROL ENGINEER SAYS SO: HAS AUTO SMOG BATTLE ALREADY BEEN WON?

(By Dan Fisher)

"Ladies and gentlemen, let me come to the point: The main battle against automotive air pollution has been won."

That's how Charles M. Heinen, Chrysler Corp.'s chief engineer, emission control and chemical development, opened a speech Wednesday to a meeting of the New York Society of Automotive Engineers.

Heinen, who tends not to mince words, stated: "We have done the job proposed . . . For the sake of perspective, let me say that if there were no other vehicles on the road except the 1969–1970 models, we would—overnight—breathe the same clean air we had in 1940 as far as the automobile contribution is concerned."

To reduce emissions from the levels that will be achieved in the 1970 models "is going to be rough, and it looks like it will be very expensive—in the billions of dollars—to car owners. The next step also raises serious and sincere questions among thoughtful and knowledgeable observers as to how much a further reduction is really necessary and is it worth it from a social, scientific, medical, and economic standpoint."

Heinen suggested that future California and federal regulations—for 1971 models and beyond—will make little significant contribution over what's already been done, and that for that small significant gain, the cost would be $10 billion plus on a national level.

That works out to about $100 added to the price of each car sold in a year.

While hydrocarbons and carbon monoxide are controlled under present California standards, a third pollutant is covered in 1971 California standards—oxides of nitrogen.

Research indicates, Heinen said, that when hydrocarbons are controlled, the reaction of the reduced hydrocarbons and oxides of nitrogen is insufficient to produce photochemical smog.

Although challenging the reasons for control, he said the technology to control oxides of nitrogen is within reach. "Unfortunately, it would mean penalties in cost, performance, fuel economy, and driveability," the emissions specialist added.

He also took issue with California medical authorities who have predicted dire health results from exposure to automobile-caused air pollution. "As a matter of fact, a further review of the medical position would seem to say that the situation is not critical now, or indeed, even serious in the opinion of pretty near everyone except those in California."

The decision about oxides of nitrogen control "should probably be made on the basis of its effect on visibility and on plant damage," he said.

Other automotive engineers have suggested that the least they seek is more time to work on inexpensive solutions to the oxides of nitrogen problem. While the 1971 California standards covering this pollutant can be met at relatively low cost, they say, those proposed for 1972 and 1974 cannot, with present technology.

One auto company engineering vice president has predicted flatly that those standards may be the ones that finally result in a court fight.

Maybe one reason Heinen can call the battle over is that the solutions are not as difficult as the manufacturers would want us to believe. For example, I find this following article from the Los Angeles Times quite fascinating:

REDUCING CAR SMOG EASY, ENGINEER SAYS—SIMPLE ADJUSTMENT CUTS EMISSIONS, HEARING TOLD

(By George Getze)

A simple mechancial adjustment of present-day automobile engines will reduce nitrogen oxide emissions by about 40%, it was stated Wednesday at a public hearing in the New Federal Building.

Robert W. McJones, consulting automotive engineer for the Pacific Lighting Corp., said the reduction would be enough in most cases to bring the cars into compliance with the nitrogen oxides standards already set by California for 1971 model cars.

That is a standard the automobile industry doubts it can meet.

McJones testified that the reduction of pollutants, hydrocarbons and carbon monoxide as well as nitrogen oxides, would be even greater than 40%, if natural gas instead of gasoline were used as fuel.

McJones and Reine J. Corbell, project engineer for Pacific Lighting, were witnesses Wednesday at a Department of Health, Education and Welfare hearing.

The hearing is being held to collect information that will help Robert J. Finch, secretary of HEW, decide whether or not California is to be permitted to have auto smog standards more stringent than those set nationally by the federal agency.

Most of Wednesday's session was taken up by cautiously worded doubts of the technological feasibility of controlling both nitrogen oxide and hydrocarbon emissions from automobiles, at least in time to meet California's present and proposed standards.

The doubting was mostly on the part of representatives of the manufacturers.

Witnesses from California universities, air pollution agencies and citizens' groups all insisted the standards could be met if Detroit really tried.

"If the automobile makers can't meet the standards with gasoline-fueled vehicles, California should insist upon conversion to gaseous fuels," Corbell said.

A 40-PERCENT REDUCTION

The simple adjustment—which McJones said would reduce nitrogen oxides emissions 40% even on gasoline automobiles—consists of disconnecting the hose or metal line that connects the carburetor and distributor.

The purpose of the hose is to advance the spark timing when an automobile is cruising along, neither slowing down nor speeding up.

The theory is that this saves gasoline, but some automotive engineers doubt that it does.

"When the hose is disconnected the auto operation at full throttle is unchanged, and the ordinary full throttle timing applies at cruising, too," McJones told the HEW committee headed by William Megonnell, assistant air pollution commissioner for HEW.

Corbell said Pacific Lighting had tried the adjustment on 10 Fords, Plymouths, Dodges, Chevrolets and Ramblers, all late models.

He told the HEW committee that only two of the cars met the 1971 nitrogen oxide standards even approximately. When the hose was disconnected, however, all but four met the 1971 standards, even though they were operating on ordinary fuel.

McJones and Corbell said there was no adverse effect on performance.

Typical reductions, for example, were from 2,500 parts of nitrogen oxides per million parts of air, to 1,000; 1,300 ppm to 800, and 3,400 ppm to 1,400.

EXPRESSES DOUBT

The chief witness for the automobile industry was Donald Jensen, who used to be executive head of the California Motor Vehicle Pollution Control Board but who now works for the Ford Motor Co. He also spoke Wednesday for the Automobile Manufacturers' Assn.

"There is a substantial question whether the California oxides of nitrogen standards can, in fact, be met by all vehicle manufacturers," Jensen told the committee.

He said the association "neither supports nor opposes California's request" for standards more stringent than the national ones.

When Jensen finished his prepared statement Megonnell pointed out that he had heard very little in it of support for California's request but a lot of opposition.

Another member of the HEW committee, Kenneth Mills, asked Jensen if Detroit would make and progress at all in controlling pollutants such as oxides of nitrogen, if very stringent standards were not adopted.

Jensen answered that the industry would make progress and would work at controlling the pollutants, even if it was not required to do so by strict standards.

CALLS FOR FAITH

"What the chairmen of the boards of the automobile corportaions say can't be taken lightly," Jensen told the HEW committee.

He said it must be taken "on faith" that these board chairmen really mean what they say, and they say auto makers are going all out to control air pollution from automobiles.

The Department of Justice replied Wednesday to Dep. Atty. Gen. Charles O'Brien's charge, made the day before, that it had used fraud and chicanery in trying to block California's investigation of auto smog.

O'Brien used the hard words in telling the HEW committee that federal attorneys had blocked his efforts to get information from Wallace Linville. Linville, a smog expert, had testified before the U.S. grand jury investigating Detroit's efforts (and alleged lack of efforts) to control auto smog emissions.

A spokesman for the Department of Justice said Wednesday that a federal law prohibits persons from disclosing testimony before a grand jury, which was why Linville was advised not to answer all of O'Brien's questions.

He denied any fraud or chicanery was involved.

"The department has cooperated and will continue to cooperate with the state's endeavor to investigate the automobile manufacturers' air pollution control record," the spokesman said.

As Heinen points out, current controls, devices and regulations for new motor vehicles have gone far in easing the seemingly exponential growth of air pollutants, but the emissions from the millions of older cars not subject to the stringent laws continue pouring ton after ton of smog into the air. If the battle is over, it is going to be one heck of a mopup operation.

Certainly, the advances in cutting down pollution from nonvehicular sources have been impressive. As the following Los Angeles Times story notes, the Los Angeles basin has apparently eliminated all pollution eminating from powerplant smokestacks, and says:

The automobile is now contributing more than 90% of the total tonnage of pollutants in Los Angeles air.

The article follows:

LOS ANGELES AREA CALLED FREE OF POWERPLANT SMOKE—THOUSANDS OF COMPLAINTS CUT TO ONE BY USE OF LOW-SULFUR FUEL OIL, FULLER DECLARES

(By George Getze)

Smoke and chemical fallout from electric power plant smokestacks have disappeared "almost miraculously" in the Los Angeles Basin, Louis J. Fuller, head of the Air Pollution Control District, said Tuesday.

Instead of the usual thousands of complaints of smoke plumes and fallout that have poured in on the APCD, there was only one complaint last winter and spring, Fuller said.

He said the drastic change was due to the burning of low-sulfur fuel oil when not enough natural gas was available in cold weather.

Fuller said the APCD now forbids the burning of any fuel oil when natural gas is available. But until federal regulations were changed to permit the importation of low-sulfur oil from Indonesia, cold weather meant that high-sulfur domestic oil was burned.

The federal permission to bring low-sulfur oil into the United States is good only through next winter. Fuller said the APCD has already begun to fight for permanent permission.

"In view of the tremendous improvement in plumes and fallout, it is unthinkable that permission to bring in low-sulfur oil should not be continued," Fuller said.

DENIES RELAXING FIGHT

The APCD chief's remarks were made in an interview in which he replied to charges that the APCD had relaxed its fight against stationary sources of smog in the Los Angeles basin.

The accusation has been made twice recently, once last month before the Board of Supervisors and once last week before the State Air Resources Board, by a group of women called Stamp Out Smog.

They said that smokestacks were "mushrooming," that the county's air pollution control is no longer the model for the rest of the world, that it is going backward instead of forward, that variances to APCD rules are granted wholesale and that smog control officers have lost the energy and initiative they had 10 years ago by not following through on a suggested rule that would have prevented the construction of more power plants in Los Angeles County.

Fuller said it's nonsense.

Smokestacks, thanks to the APCD's fight to provide low-sulfur fuel, don't smoke in Los Angeles County, so that any remark about their "mushrooming" is meaningless, he said.

"Our control of stationary sources is more of a model for the rest of the world now than it ever was," Fuller said.

"It is accepted as a model everywhere. Within the year the U.S. Public Health Service published an air pollution engineering manual based on knowledge and technology developed by the Los Angeles APCD," he said.

Another example he cited was the federal government's publication of a field operations manual describing APCD enforcement practices as models for other agencies throughout the world.

So far, APCD is the only district in the world to have begun the regulation of such inconspicuous sources of air pollution as the evaporation of volatile organic solvents used in paints, inks and dry-cleaning compounds, he said.

APCD was also responsible for the drafting of the new state law regulating the emission of black smoke from jet airplanes, Fuller said. It will go into effect Jan. 1, 1971, in order to give the airlines time to comply.

SAYS VARIANCE MISUNDERSTOOD

Fuller said the matter of variances to these rules is misunderstood. The APCD grants no variances. They are all granted by the Air Pollution Hearings Board, created by the State Legislature.

He said air pollution experts realize it is often impossible for companies to comply immediately with new rules, and that they must have time to get new equipment or modify what they have.

Many of the current variances, for example, have been granted to give firms time to comply with Rule 66, the one governing the evaporation of organic solvents. Fuller said any fair examination of the variances that have been granted would show no maladministration by the hearing board, but instead a very careful regard for the public welfare.

He said the evaluation of emissions from automobiles and stationary sources shows that the control of stationary sources is excellent, and that the automobile is now contributing more than 90% of the total tonnage of pollutants in Los Angeles air.

"The remaining problem in Los Angeles is almost entirely with the automobile, although that can't be said for some other counties in the Bay Area and farther north," he said.

Latest statistics show that 9,695 tons of carbon monoxide are emitted here by automobiles every day, compared with 35 tons by stationary sources. The figures for hydrocarbons are 1,820 tons from the automobile, and 730 tons from stationary sources.

Fuller agrees with A. J. Haagen-Smit, chairman of the Air Resources Board, that one of the biggest problems is the control of nitrogen oxides, which are the product of all kinds of burning.

Nitrogen oxides are an important emission of stationary sources such as power plant smokestacks, but figures submitted by the Air Resources Board last week show that even with them industrial burning is a less important source than automobiles.

The ARB report shows that daily emissions of nitrogen oxides in Los Angeles are 939 tons, of which 575 come from auto exhausts and 258 from industrial burning of fuel. Other sources are minor.

To control the nitrogen oxide emissions from power plants, Fuller a year ago suggested a new APCD rule, No. 67.

In a letter to the supervisors, he said the rule would prevent construction and operation of new "monster" power plants or any other fuel-burning installation unless they were equipped with very efficient pollutant controls.

The suggested rule would have forbidden the operation of any equipment unless discharges into the atmosphere were limited to 200 pounds an hour of sulfur compounds, 140 pounds an hour of nitrogen oxides and 10 pounds an hour of dust or "particulate matter."

Stamp Out Smog has accused the APCD of losing initiative and energy because it has not followed up this suggestion by pressing the supervisors.

Fuller said Tuesday that he had decided, after conferring with the Department of Water and Power, that the rule is not necessary now.

He said the department was adding one boiler to the Scattergood plant at Playa del Rey, and that though it would contribute oxides of nitrogen, it would permit the phasing out of older boilers that contribute more.

In any case, no move is under way to build any of the "monster" power plants he had in mind when he wrote to the supervisors.

"If Rule 67 should become necessary I won't hesitate to submit it to the supervisors," Fuller said. "I am waiting now to see whether or not it will be needed. If it is, it is all ready."

To show an overall perspective of the air pollution problem—with special emphasis on the particular situation in Los Angeles—I would like to insert the following series of articles from the Los Angeles Times. Taken as a whole, the picture thus presented in them does not seem overly optimistic, and, indeed, the outlook I get is not extremely promising—given the laggard rate at which society seems to be energizing its resources in this critical struggle just to maintain the current quality of our air.

The articles follow:

NO MORE ALERTS OR EYE IRRITATION, EXPERTS SAY: 1970'S EXPECTED TO BRING VICTORY OVER SMOG

(By George Getze)

The 1970s will be the decade of realization in Los Angeles County's long fight against air pollution.

By 1980 most cars and trucks on the road will be equipped with control systems that meet the standards set by the California Pure Air Act.

It will take that long because of the time lag in used cars, but, according to the Air Pollution Control District, by the end of the '70s the air of the Los Angeles basin will have 83% less hydrocarbons than it has now. There will be no more smog alerts they say, and eye irritation will be rare.

Visibility obviously will be better although the brown haze of nitrogen dioxide still will be seen occasionally. Oxides of nitrogen in the atmosphere will have decreased 41%.

The APCD says these results will depend on state and federal insistence that automobile makers manufacture cars and trucks with exhaust control systems efficient enough to meet the strict California standards that will all be in effect by 1974.

The accompanying graph shows the status of automobile air pollution as the 1970 decade begins.

The number of cars in the county is increasing and will continue to increase. This increase amounts to 31% in the nine years since 1960.

Despite that, the exhaust and other controls already in effect have resulted in decreases in two of the chief pollutants of Los Angeles basin air—hydrocarbons and carbon monoxide, both of which have been declining since 1965.

DECREASE OF 16 PERCENT

The decrease in hydrocarbons since the peak amounts to 16%. (To appreciate what has been accomplished one must consider what might have been if control had not been begun. If the emissions of hydrocarbons had risen in the same proportion as the number of automobiles, the daily tonnage of hydrocarbons in the atmosphere would now be 2,500 instead of 1,645.)

The decrease in carbon monoxide amounts to 12%. (It would be 11,380 tons a day instead of 9,100 if the present controls had not been applied.)

But as has been pointed out many times, the act of controlling hydrocarbons and carbon monoxide has improved combustion, and this has tended to make automobile emissions of nitrogen oxides worse.

This improved combustion with the increasing number of cars, accounts for nitrogen oxide emissions rising by 66% since 1960.

Controls are about to be applied to them, too, even though the automobile industry is protesting that it can't do the job on schedule. The state's answer is that it will have to if it wants to sell cars in California.

Here are the auto emission standards that will be in effect for all 1974 model cars sold in California:

Hydrocarbons—1.5 grams per mile, of 125

parts per million, beginning in 1972. (The standard for 1970 model cars is 2.2 grams per mile, or 180 ppm.)

Carbon monoxide—23 grams per mile, or about 1% by volume of exhaust gas, beginning with 1970 models.

Nitrogen oxides—1.3 grams per mile, or about 350 ppm, beginning with 1974 models. (There will be no standard for 1970 models, but 1971 models will have a standard of 4 grams of nitrogen oxides per mile, or about 1000 ppm, and 1972 and 1973 models must emit no more than 3 grams per mile, or 800 ppm of nitrogen oxides.)

Clean air in Los Angeles, even with control of automobiles as projected in the Pure Air Act and enforced by the Air Resources Board, would not be possible without control of stationary sources.

CARS WORST OFFENDER

By far the greater part of Los Angeles County air pollution comes from the automobile, but that is only because the APCD has been applying controls to stationary sources for more than 20 years.

The measure of success is evident in the fact that 88% of Los Angeles pollutants comes from cars.

Ninety-eight per cent of carbon monoxide, 68% of nitrogen oxides, 68% of hydrocarbons and 41% of dust (particulate matter) comes from automobile exhausts, crankcases and evaporation from gas tanks.

That is why control of the automobile emissions in the 1970s plus continued improvement of the control of remaining stationary sources, should bring blue skies and clean air back to Los Angeles basin.

BUT THERE WILL STILL BE SMOG

(By Irving S. Bengelsdorf, Ph. D.)

A razor blade company once ran a humorous ad showing a young man, his face lathered, falling off a skyscraper. As he fell, he was shaving himself and saying. "By using Company X's razor blade I save 11.4 seconds each morning when I shave."

This certainly was an interesting short-range statistic, but as far as his long-range future was concerned—as he plunged earthward to imminent doom—it was most irrelevant.

The same is true of the long-range future of smog in southern California. Although our air now is so filthy that for more than half the year it exceeds the air quality standards for certain pollutants set by the State Department of Health, we are told that by having this or that emission control on automobiles of smokestacks, we now prevent many tons of pollutants from getting into the air. Irrelevant. We still have smog.

We once were told by the now defunct Motor Vehicle Pollution Control Board that we would "Return to the Clean Air of 1940." One need not be very clairvoyant to look at Los Angeles in 1969 and realize that very little—surely not the air—is going to return to the way it was in 1940.

Now we are told that by the 1980s blue skies and clean air will come back to the Los Angeles basin. The new stricter standards for automobile emissions—to be in effect by 1974—will do the job. This is based upon the assumptions that cars coming from Detroit after 1973 will meet the stricter California emission standards, and that they will continue to do so as they age and are driven thousands of miles. We have no guarantee that either assumption is valid.

But, let us suppose that cars after 1973 do, indeed, meet the stricter emission standards. In 1980, it is estimated, there will be at least about 5.2 million cars in Los Angeles county. About half of these 5.2 million cars will be tossing out 1.3 grams of nitrogen oxides per mile—the strict California emission standard beginning in 1974. The other half—those cars built before 1974—will be putting out three, four, or more grams per mile.

But, let us assume that *all* 5.2 million cars in 1980 put out only 1.3 grams of nitrogen oxides per mile. Each car, on the average, will burn about two gallons of gasoline per day. Assuming an average mileage of 15 miles per gallon, each car should travel about 30 miles per day.

Thus, 5.2 million cars travelling 30 miles per day, putting out 1.3 grams per mile, would toss out about 203 million grams of nitrogen oxides per day. With 454 grams in a pound, and 2,000 pounds per ton, the 5.2 million cars would spew out about 225 tons of nitrogen oxides per day.

How much of each pollutant has to be present in Los Angeles air to make smog appear? Some calculations indicate that smog can be present in the basin if there are between 200 and 250 tons of nitrogen oxides per day. Since automobiles will account for most of this by themselves in 1980, there isn't much room left in the air to accommodate the nitrogen oxides pouring out of smokestacks of power plants generating electricity. And the demand for electricity in this area has been doubling almost every nine years.

For the long-range future of the southern California air resource, the willy-nilly patchwork approach of an emission control device here, and another there, will not work.

Five years ago, in a statewide conference entitled "Man in California—1980s," Dr. Philip A. Leighton, emeritus professor of chemistry at Stanford, warned, "Air pollution may be likened to a weed. Controls may clip back the weed but they will not keep it from growing up again. To kill the weed we must get at the root, and the root of the whole problem of general air pollution is combustion (burning)."

It should be obvious that if we are to attain a population of 18 million people in the Los Angeles megalopolis by the year 2000, as predicted by some, we must begin now to change drastically both our ways of personal transportation and the generation of electrical energy.

EXPERTS SOLVE SMOG PUZZLE, CREATE ANOTHER

(By George Getze)

Engineers and scientists have to face up to a very basic chemical fact in going about the job of trying to control Los Angeles smog.

It is this: One of the chief ingredients of photochemical smog, the hydrocarbons or organic gases, is the result of inefficient and incomplete combustion, but the other two, sunlight and the oxides of nitrogen, are not.

The oxides of nitrogen, in fact, are the natural result of combustion and the more efficient that combustion is the more oxides of nitrogen are produced.

When California authorities forced automobile makers to begin controlling hydrocarbon and carbon monoxide emissions they went about it by increasing the efficiency of gasoline combustion.

This was accomplished by adjusting the carburetor to a "leaner" mixture of air and gasoline—that is, more air and less gas.

OXIDES OF NITROGEN RISE

It has worked, and hydrocarbons and carbon monoxide emissions from automobiles have diminished.

Another, not so pleasant, effect of more efficient automobile engines has been to increase automobile emissions of oxides of nitrogen.

This is because the atmosphere of the earth is almost entirely nitrogen and oxygen—about 80% and 20%, respectively. The two gases are physically mixed in the atmosphere but not chemically united.

When air is subjected to high temperatures, as it is when it is burned in an engine or furnace, the two gases of the atmosphere combine to form nitric oxide—one atom, of each.

This happens no matter what fuel is burned. Nitric oxide will form if hay or carrots, or any other conceivable fuel, is burned.

(Tobacco, for example, produces nitric oxide when burned. Taking a drag off a cigaret gives the smoker a jolt of 500 parts per million—about the same that he would get if he stuck his head in a power plant smokestack and took a deep breath.)

The more air exposed to the heat and pressure, the more atoms of oxygen and nitrogen combine.

SIXTY-EIGHT PERCENT DUE TO AUTOS

That is the most important reason the burning of gasoline in a "leaner mixture" has resulted in an increase of nitrogen in Los Angeles air.

Another reason is that automobiles produce about 68% of these oxides emitted daily in the basin. Electric power generating plants are the next biggest contributor, with 135 tons daily or 14%, compared to 645 from motor vehicles, followed by relatively minor sources—the oil refineries (40 tons daily or 4%) and the heating of homes and offices (65 tons daily in cold weather or 6.5%).

Unforunately, the process of smog formation is not complete with the emission of nitric oxide.

Nitric oxide, when it gets into the air from an auto exhaust or power plant smokestack, reacts chemically by picking up another atom of oxygen to form nitrogen dioxide.

This is the pollutant that is one of the essential components of photochemical smog. It also is the one that causes the ugly brown haze.

In the absence of light, this chemical reaction is a slow one. When it takes place in bright sunlight, especially in the presence of the organic gases, or hydrocarbons, the reaction is rapid and thorough.

Controlling the oxides of nitrogen, it is clear, is not a matter of improving efficiency of combustion. It is a problem of an entirely different kind.

As long as there is any burning at all, oxides of nitrogen are bound to be present in the air.

All that it will be possible to do, short of doing away with Los Angeles altogether, is to ameliorate conditions.

The Air Pollution Control District, however, expects this amelioration to be substantial.

The APCD estimates that by making certain changes in the automobile engine and by strict enforcement of emission standards already set, the oxides of nitrogen in the basin's atmosphere can be reduced 41% by 1980.

That will not be perfect. Alerts probably will be a thing of the past, but Los Angeles still will occasionally have brown haze and eye irritation even then.

Still, it will be quite an amelioration.

Two methods have been suggested for reducting the oxides of nitrogen emitted from auto exhausts.

Robert McJones, a consulting automotive engineer for the Pacific Lighting Corp., recently testified at a federal public hearing that retarding the spark would cut nitric oxide emissions 40%.

Retarding the spark reduces the peak temperatures in the cylinders and, consequently, less nitric oxide is formed.

Although representatives of the automobile industry who attended the hearing acted as though they had never heard of such a thing, retarding the spark is now considered the most likely step the industry will take to meet the California emission standards for 1971 model cars.

The 1971 limit for cars sold in California will be 1,000 parts of nitric oxide per million parts of exhaust gases.

To meet the much stricter 1972 and 1974 standards (800 ppm and 350 ppm) something else will have to be done.

One way that has been suggested is to lower the temperature of combustion by recirculating 15% or so of the exhaust gas so that it goes through the engine a second time, after the oxygen in it has been used up.

This inert, recirculated exhaust gas sops up some of the heat in the cylinder—and thus also effectively the nitric oxide.

THE PRICE OF CLEAN AIR

"The main battle against smog has been won."—Charles M. Heinen, chief engineer, emission control and chemical development, Chrysler Corp., April 9.

"The peak output of automobile-produced smog in Southern California definitely has passed—and will never be as high again."—Dr. Fred Bowditch, director of emission control, General Motors, Aug. 5.

"The third consecutive smog alert was called Friday in the Los Angeles Basin as a blazing sun continued to cook pollutants in the air."—The Times, Aug. 23.

There is a kind of grim irony in the recent public concern over the potential threat from transportation and storage of military poison gases.

City dwellers throughout the nation already are slowly poisoning themselves by inhaling the air polluted by automobiles. The threat is actual and still unabated.

Nowhere is the peril of auto-caused air pollution more serious than in the Los Angeles Basin.

At least 10,000 persons leave each year on the advice of their physicians. The millions that remain simply suffer and complain that "something must be done."

Something has been done. But not enough and not quickly enough.

Although emission control regulations have brought about a reduction in the total amount of hydrocarbons and carbon monoxide, experts say the skies over Los Angeles will not be substantially cleared of pollutants until 1980.

That timetable, however, could be accelerated—if smog sufferers would pay the price.

Air pollution control can be as strict as the people want it to be. California demonstrated that public pressure is stronger than all the auto industry lobbyists when it forced Detroit to install smog control devices.

Congress also was responsive to the collective outrage of Southern Californians who demanded that this state be allowed to set tougher emission standards than the federal requirements.

Although Detroit complains, it will comply with the increasingly stringent regulations set by the Legislature for new cars in the 1970 model year and subsequently. No industry wants to give up its biggest market.

But even with improved devices, the fight against smog moves slowly because a majority of the cars in the Los Angeles Basin still have no exhaust control system at all. The total of motor vehicles in the basin, moreover, increases by nearly 10% every year.

To achieve a substantial improvement in air quality, therefore, every one of the more than 4 million cars and trucks in Los Angeles County must be equipped with an emission control device in proper working order.

This would mean that every owner of a pre-1966 vehicle would have to assume not only the initial cost of such a device but also the expense of maintenance and at least annual inspection. In Los Angeles County alone, the total price would amount to hundreds of millions of dollars.

The Legislature mandated installation of control equipment on used cars but only if two acceptable devices were available and if their cost did not exceed $85. Neither condition has been met.

Much more must be done to develop feasible inspection of the control systems installed at the factory. Unlike the crankcase blowby, these devices cannot be properly inspected with a quick look under the hood.

So long as the public insists on buying big cars with excessive horsepower, the fumes they produce can be reduced only by better control equipment subject to periodic maintenance and inspection—until there is a major breakthrough in engines or fuel.

Detroit says that turbine or steam engines or one powered with natural gas are not yet practical and may never be. Oil companies similarly offer little encouragement that pollution can be reduced by modifying present fuels.

Perhaps. But if the public outcry were loud enough, more action would be motivated in industry—and in government. Why is not the federal government doing more independent research in these two areas?

The ultimate cure was proposed by State Sen. Nicholas Petris (D-Alameda) when he proposed that the internal combustion engine be outlawed in California in 1975.

Not long ago, his bill would have drawn nothing but laughter from his colleagues. This year it passed the Senate and had support in the Assembly before being defeated.

Life without one—or two or three—cars seems unthinkable to most Southern Californians. But life may be unbearable if auto-caused air pollutants are not drastically curtailed, and before 1980.

The air can be made cleaner, just as other kinds of environmental pollution can be controlled. But smog will not diminish until the public demands—and supports—corrective action.

EXPERT SAYS CITIES DON'T HAVE CHOICE BETWEEN CLEAN, DIRTY AIR—CANADIAN ECONOMIST TELLS SCIENCE MEETING URBAN AREAS MUST DECIDE WHAT DEGREE OF CONTAMINATION IS ACCEPTABLE

(By George Getze)

Los Angeles and other modern cities do not have the choice of clean air or dirty air.

The realistic question they must answer, according to a Canadian economist, is what degree of contamination will be found acceptable.

R. M. Clinkscale said Monday at the Anaheim Convention Center that the quality of air available to every city will be a compromise in pollution.

"The only total answer to air pollution is to put an end to all combustion," Clinkscale said in an interview.

"Nobody wants to take that drastic a cure, and nobody who realizes what would be to put an end to all combustion," Clinkscale said.

He was a speaker Monday at the 15th annual technical meeting of the Institute of Environmental Sciences. Theme of the 1969 meeting is man in his environment.

"There is a basic conflict between those who want to use the air for basic life support, and those who want to use it for waste disposal," Clinkscale said.

He does not think the polluters should necessarily have to pay the whole bill for cleaning up the air as much as is possible.

"There is no market mechanism to resolve that conflict," he said. "That is, there is no economic method that would solve the problem of pollution through the ordinary workings of profit and loss.

"You can't buy and sell clean air, and there is no profit incentive for a firm to pay for waste disposal when it doesn't have to," he said.

In Southern California, Clinkscale pointed out: the polluters and the people who want the air chiefly to breathe are the same people—the automobile drivers.

Clinkscale does not think many local communities have really thought this out, especially how much it will cost.

Los Angeles, he said, has done far more than any other city in the world, but even in California it has not been entirely decided how cleaning up the air will be paid for.

For instance, Clinkscale said, strict control of automobile emissions will not be enough. There will have to be periodic inspections of the control devices and systems to be sure they are working properly. Such inspections will be expensive.

"Every community or air basin will have to decide what level of air quality it will enjoy—and how that quality will be paid for," Clinkscale said.

"It's the paying for it that will determine the quality."

THREAT TO SURVIVAL, SCIENTIST WARNS: AIR POLLUTION PERIL: ICE AGE OR HOT HOUSE

(By George Getze)

Continuing air pollution will bring about one of two conditions—both highly unpleasant and both dangerous to man's survival on earth, according to Dr. A. J. Haagen-Smit, chairman of the Air Resources Board.

Dr. Haagen-Smit said Wednesday that one result of air pollution may be to produce the famous "greenhouse effect" that would heat up the earth's atmosphere and make earth more like Venus is thought to be.

The other possibility is for the increasing amount of pollution particles in the atmosphere to act like a screen to keep out the sun's rays, resulting in a drastic lowering of the temperature and a new period of glaciers.

Scientists are worried about both possibilities, with some considering the cooling off more likely and others the heating up.

"We don't know yet which school is right," Dr. Haagen-Smit said.

"But we'd better do something before we've either melted the polar ice caps and flooded the world's biggest cities, or before we have to suffer through an era of glaciation."

Dr. Haagen-Smit is professor of bio-organic chemistry at Caltech and the scientist responsible for fixing the blame of Los Angeles smog on the automobile.

It was he who discovered the chemical make-up of photochemical smog; that is, smog that is the result of the effect of light on organic pollutants in the atmosphere.

He said this generation is seeing important man-made changes in the atmosphere of earth.

"In burning the fossil fuels of coal, oil, and gas, we are increasing the carbon dioxide in the air by about .03 percent every year. This concerns many scientists who predict a rise in temperature because of the insulating effect of carbon dioxide."

Dr. Haagen-Smit said other experts point out that the increase of the load of particles carried in the atmosphere (that is, its general dirtiness) could lead to a decrease in temperature because of increasing reflection of the sun's rays by this layer of particles.

"Our ancestors lived in the happy certainty that the earth was infinite, that there was enough soil, water and air to go around forever," he said.

"But now, looking at the earth from an astronaut's vantage point, we have begun to realize that the earth isn't so big, and that the apparent stability applies only to our own time, an infinitely small thing in the time scale of geologic changes," Dr. Haagen-Smit said.

Dr. Haagen-Smit spoke at the international symposium on man and beasts sponsored by the Smithsonian Institution in Washington, D.C.

SMOG PERILING DESERT AS HEALTH SITE, STATE TOLD—RIVERSIDE COUNTY OFFICIAL SEEKS HELP TO HALT FLOW OF POLLUTION THROUGH PASS

(By George Getze)

Air pollution upwind from the Coachella Valley may mean the "twilight of the desert" as a health and recreational area, a Palm

Springs man Tuesday told the State Air Resources Board.

Fred Metheny, representing the Regional Anti-Pollution Authority of Riverside County, asked the ARB for "protection from the smog invasion from the west."

San Gorgonio Pass, Metheny, said, is like a shotgun aimed at the hearts of Palm Springs, Palm Desert, Indian Wells, Desert Hot Springs, Indio and other towns in the desert.

The lethal ammunition is smog from Riverside, Fontana, Los Angeles and other areas west of the low desert valleys, Metheny said.

Metheny was a witness before the ARB in the first of a series of public hearings to discuss air quality standards for the whole state. Other hearings will be held in San Francisco, Sacramento, San Luis Obispo and Eureka.

OPPOSED TO CONSTRUCTION

Metheny said the desert communities which banded together in the anti-air pollution authority are opposed to the construction of power stations, refineries and other industry in the Beaumont-Banning area in San Gorgonio Pass.

He asked Dr. A. J. Haagen-Smit, chairman of the ARB, for advice on how to prevent their construction.

Dr. Haagen-Smit said he had asked the attorney general's office what could legally be done by one community to control air pollution in a neighboring community.

His advice to Metheny and the desert communities was to make their own air quality standards as strict as possible, and then try to persuade the Riverside County Board of Supervisors to refuse permits for industrial construction in the pass.

If that doesn't work, the question will have to be worked out in the courts, Dr. Haagen-Smit advised.

He said enforcement of air quality standards throughout the state will alleviate the problem faced by the resort communities that are subjected to the air pollution of industrial neighbors upwind.

The ARB, Dr. Haagen-Smit said, is considering setting air quality standards for six pollutants. They are oxidants (including ozone), carbon monoxide and nitrogen dioxide, all important elements of automobile smog like that in Los Angeles, and sulfur dioxide, hydrogen sulfide and man-made dust, which the Air Pollution Control District has largely controlled in Los Angeles but which are serious nuisances elsewhere.

WORK OUT STANDARDS

The standards being considered were worked out by the State Health Department and the ARB's technical advisory committee, and are as follows:

Oxidants (including ozone), a density of .10 parts per million lasting an hour.

Carbon monoxide, .20 ppm for 8 hours.

Sulfur dioxide, .10 ppm for 24 hours, or .50 ppm for 1 hour.

Particulate matter, or dust, enough to reduce visibility to 7½ miles on the smoggiest days.

Hydrogen sulfide, .03 ppm for 1 hour.

Nitrogen dioxide, .25 ppm for 1 hour.

Dr. Haagen-Smit explained that when these standards have been adopted it will be the duty of the ARB to see to it that local and state authorities enforce them.

Local communities, such as Palm Springs, may have standards stricter than those adopted by the state.

The oxidant, or ozone, level is the one used to determine the degree of smog in Los Angeles and the one on which smog alerts and the new special school warnings to reduce exercise are based.

In a special report presented by the ARB Tuesday, downtown Los Angeles was shown to have had 176 days in 1967 in which the proposed oxidant level was exceeded. (That year is the most recent for which statistics have been completed.)

Azusa had 225 such days that year, Pasadena had 213; Burbank, 204; Pomona, 207; Anaheim, 152; Santa Ana, 69.

Salinas, in Monterey County, had 3; San Rafael, in Marin, had 17; San Francisco had 12; San Jose, 81; San Diego, 35; Sacramento, 49; San Bernardino, 173; Cucamonga, 217; Fresno, 88, and Oakland, 20.

Another table in the same report compared 1967 oxides of nitrogen emissions in four metropolitan areas.

Los Angeles-Orange County's daily emissions averaged 939 tons, of which 575 tons of oxides of nitrogen came from automobile exhausts; 40 tons from oil refineries, and 258 from industrial burning of fuel. Other sources were minor.

San Francisco-Oakland's daily emissions averaged 500 tons, of which 273 came from auto exhausts, 186 from industrial fuels and only 9 tons from oil producers.

San Diego's average daily tonnage of oxides of nitrogen was 173, 92 tons of which was from automobiles and 65 tons from industrial fuels.

The August-September issue of National Wildlife, the excellent publication of the National Wildlife Federation, contains a new feature called the EQ—Environmental quality—index. And, of the six components making up the total index—air, water, soils, minerals, forests, and wildlife—the quality of our Nation's air rates lowest. In making its rating, National Wildlife said this:

Air pollution is probably the most serious threat to our Environment Quality. It is a silent killer which hovers over every city in our nation and touches the creatures of the polar life zones.

So our Air Quality Index stands at very bad. The Trend: We are losing.

It is a frightening kind of pollution that colors our skies, burns our eyes, blackens our lung tissues, darkens our white houses, dissolves nylon stockings, corrodes metal, hardens rubber, and dust-coats everything. I must clean the apples from my trees. Rainwater is no longer good for washing hair, my daughters tell me.

And air pollution is worse than it looks. Particles are the only air pollution you can see; the deadly gasses are invisible. It is suspected that polluted air is a major factor in causing emphysema, bronchitis and lung cancer.

When London was hit by a four-day "killer smog" in December, 1952, the "excess death toll" was estimated at 3,500 to 4,000 persons. In 1948 a stagnant air mass over Donora, Pennsylvania, choked its 15,000 residents, killed 20 and made more than 6,000 sick.

Automobile exhaust is by far the greatest polluter, followed by home heating, industry, and the burning of garbage and other wastes.

Belatedly, some progress is being made to control it. The National Air Pollution Control Administration is attacking the problem on a regional basis, with primary responsibility for clean-up resting with state and local governments. The country is being divided into 57 Urban-Industrial Air Quality Regions and, hopefully, by the summer of 1970 local authorities will have set up air quality standards to be enforced by state and local officials. If they fail, the Federal government may then step in and enforce the standards.

All but four states—South Dakota, Nebraska, Alabama and Maine—have air pollution control laws now.

But that is only the start of the battle. It is amazing how little is known yet about the full effects of air pollution on human health, and how little we are spending to control it.

Air pollution is the more serious kind of pollution since once in the atmosphere man is helpless and must rely on nature to purify it. (And that means washing it down to our land, where it goes into our rivers and on to the sea.) As long as we are so short-sighted as to use the atmosphere as a garbage dump, our air will become dirtier and more dangerous.

The current quality of our air is a national disgrace. And America's automotive syndrome has been the major contributing factor to the steady decline of that quality. For years, Government attempted to use the carrot approach to entice auto manufacturers to do something about the problem, and for years, the manufacturers procrastinated as they claimed that they were indeed doing all they could do.

As I quoted in my letter to Attorney General Mitchell, Los Angeles County Supervisor Kenneth Hahn started writing the manufacturers back in the early 1950's, asking them what they were doing to ease the mounting smog. Each year or so, Hahn would write, and each time, he would receive back equally evasive answers. Finally, as Supervisor Hahn wrote in a letter to President Johnson:

I have found out that you cannot "cooperate" or urge them "voluntarily" to do the job.

And so, if the carrot does not work, it is time to use the stick. The stick was wielded by the Justice Department in bringing this important suit, and I hope it is used more and more as needed. But, to opt for a consent decree in this case would amount to dropping the stick altogether. Were that done, I am sure the results would be disastrous.

The time is short before the Justice Department makes its choice on the manner of deciding this suit. The need for a public trial is overwhelming. Already 20 or so Members have expressed their views on the necessity for this public hearing, and I would hope that similar sentiments are soon forthcoming from many more of my colleagues as well as from all citizens and organizations who are worried about the quality of our delicate environment.

THE LATE HONORABLE BARRATT O'HARA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. MIKVA) is recognized for 60 minutes.

(Mr. MIKVA asked and was given permission to revise and extend his remarks).

Mr. MIKVA. Mr. Speaker, any mortal who lives to be 87 years of age is a man to be envied. The joys, the sorrows, and the experiences that are included in that long a lifespan are a panorama of several generations and of a large slice of the history of civilization.

When, however, that longevity is given to a restless activist like Barratt O'Hara then he and the world are fortunate indeed. Today we meet to share our sorrow at the loss of such a man, to express our deepest sympathy for those to whom he was so dear and to pay tribute to his 87 years of service to the people of Illinois

and the Nation. But more than that today we meet to express our admiration and wonder for the many lives of Barratt O'Hara.

To talk about Barratt O'Hara's career is impossible; he had too many careers. Each of them was a lifetime of service for the average person. In Barratt O'Hara's case, moreover, each of them led to still another more challenging and more fulfilling. At 29 he was the youngest Lieutenant Governor ever elected in Illinois. At 66 he started a congressional career that led to 18 useful years of service to his district, State, and country, and brought new honors and satisfactions to Barratt O'Hara. Indeed, even at 29 he already had a storehouse of experiences that would have contended many men. He had already been a soldier and explorer, a newspaper editor, and a lawyer.

Many men hold positions and engage in occupations. To Barratt O'Hara, however, the position or the occupation was rightly the means to the end. He used his position as Lieutenant Governor of Illinois to head up an investigation of the miserable working conditions under which women were employed in Chicago and other metropolitan areas of Illinois. As a result, Illinois passed one of the first wages and hours statutes for women in the country. He used his legal education and membership in the bar to crusade for social justice in the city of Chicago. As an associate of Clarence Darrow and others, he championed abolition of capital punishment, better jail conditions, and more vigorous protection of the rights of an accused. He worked hard for the interest of consumers and sought to protect them from the excesses of everybody from credit merchants to the traction interests.

He used his position in Congress to take on not just the safe causes, but the controversial ones as well. He was an early advocate of civil rights legislation and many times was one of the few voices in this Congress raised against the excesses of investigating committees.

One of his most satifying achievement was the classics of democracy program. Under this program the U.S. Information Agency translates and distributes at reasonable prices a basic library of democratic philosophy.

In 1959, Barratt O'Hara became the first chairman of the Subcommittee on African Affairs where he continued his efforts to promote peace by bringing an end to human misery and oppression through economic assistance and increased communication, and the understanding between this country and the emerging countries of the world. His several visits to Africa as chairman of this subcommittee convinced him of the great possibilities for successful self-development of that continent.

I had the privilege of seeing Barratt O'Hara in battle—with him in most instances and against him in two instances. On all such occasions he was a vigorous but gracious combatant. He never uttered an unkind word about his opponent even as he battered them with his skill and zest.

What was the career of Barratt O'Hara? It was life, it was people, it was progress. He disdained the status quo as much as the life of ease. The name of the game was action—in San Juan, in Springfield, and in Washington.

We honor Barratt O'Hara not for his 87 years, not even for the offices and positions of honor he held; we honor him for the variety and zest he found and brought to his time. The length of Barratt O'Hara's life was overshadowed by its fullness, its richness, and its contributions to his fellows. In our hour of sadness at his parting and in his family's sense of loss, we must all remember that Barratt O'Hara's life was not that of a martyr but of a joyous warrior itching to do battle. And we are all the better for his having lived it.

Mr. McCORMACK. Mr. Speaker, there are men whose passing touches us as the fall of a great tree in a forest—there is a sense of irreplaceable loss, an emptiness not easily to be filled by the passing years. So it is with the loss of a dear and honored colleague and friend, Barratt O'Hara, whose death at 87 marks the close of one of the most remarkable lives in the long and distinguished annals of this House and indeed of our Nation. I venture to say that there have been very few in the history of this great deliberative body whose careers have been so marked by the drama of life, compelling human interest, unending vitality, and dedicated service to the common good.

Consider the astonishing diversity of his attainments in so many varied fields of endeavor—journalist, soldier, political leader, radio commentator, lawyer, motion picture executive—the range of his career can only be compared with a Churchill, whose fierce courage he also calls to mind. It seems hardly possible that so many years have passed since his coming to this House in 1948. Though his passing was full of years, yet he was, in Channing's words, "always young for liberty," a champion of liberal causes to the end, openminded, and generous in spirit. During nearly half a century of service in this House, I have never known a finer or more remarkable man nor a more devoted public servant.

He was the last congressional veteran of the Spanish-American War and, in this respect alone, was a living tie with a significant part of our national history—of which he always spoke on the anniversary each year of the sinking of the *Maine*. His adventurous career began at 15 years when he ran away from home, fired with the flush of youthful patriotism, to enlist in the 33d Michigan Volunteer Infantry, which became the second American force to enter Cuba—after the "Rough Riders" of Theodore Roosevelt fame. A corporal at the siege of Santiago, he became chief scout for his brigade and eventually received the Cuban Order of Military Merit. Following the end of the war, he returned to high school—for he had falsified his age in order to serve—and completed his graduation, entering the University of Missouri shortly thereafter.

At the age of 20, he was sports editor of the St. Louis Chronicle. Later he moved to Chicago where he edited and published the Chicago Magazine, served as sports editor of the American and Sunday editor of the Examiner, and even wrote a history of boxing "From Figg to Johnson." Eventually he entered politics, ran for office, and at the age of 30 was elected Lieutenant Governor of Illinois, the youngest man ever to hold that position. The world of politics was no stranger to him for as a boy of 13 in 1895 he had accompanied his father, Judge Thomas O'Hara, on a mission to Nicaragua for President Cleveland to settle a border dispute with Great Britain. Typically, he had stayed behind to join the Smithsonian expedition exploring the Central American jungle for the route of the proposed canal later shelved in favor of a Panamanian site. As Lieutenant Governor of Illinois, he set the tone for his subsequent identification with the cause of the poor and dispossessed by investigating the substandard wages paid to working women.

After a 4-year term, he resigned to accept a position as president of the Arizona Motion Picture Co., which he left in 1917 on the entry of this country into the First World War. He enlisted almost at once, was commissioned as a major, and later became judge advocate general of the 15th Division. In this capacity—utilizing his law degree from Kent College in Chicago, granted in 1912—he won new distinction. Following the armistice in 1918 he retired from the service and undertook a full-time law practice—after "some detours," as he put it, he had found his vocation—during which time he defended some 300 homicide cases of which fewer than 30 were convicted. He took pride in this unusual 90-percent acquittal record and in the fact that none of those convicted were executed. With good reason the great Clarence Darrow paid tribute to his extraordinary courage. As "Battling" Barratt he became a truly great defense lawyer.

During the dark days of the depression, he undertook a daily radio commentary, wherein he demonstrated his ability to reach out to a vast range of people in trouble. One need cite only the incident in which he offered to assist a woman who faced immediate eviction and found some 20,000 people waiting his arrival, all also in need of help during those difficult times.

Then in 1948, at the unlikely age of 66, he opened a distinguished new chapter in his life by winning election to this House. Defeated next time around, he returned in 1952 and stayed until 1968. For many years he was indeed the oldest Member of this body—a fact which he regarded as an occasion for pride, emphasizing his age in his campaigns in the rightful conviction that senior citizens throughout the land could be of use in service to their country regardless of years. As dean of this House in recent years, he rendered signal service in this way to millions of Americans too often denied their proper place in our national life.

His zest for debate and his receptivity to new ideas never flagged. He took pride in never missing a rollcall vote until extreme circumstances intervened against him.

His career in this body was characterized by that breadth of vision and depth

of human concern which marked his whole life, public and private. In 1965 he represented this country at the 20th General Assembly of the United Nations. Vigorously opposed to colonialism in all its forms, he understood the feelings of millions in the newly emerging nations, particularly in the great continent of Africa which he saw so painfully coming into its rightful heritage of freedom in this troubled century. In arguing for the complete divorcement of this country from colonialism, he spoke prophetically:

As Africa goes, so goes the world.

As chairman of the Subcommittee on Africa of the Foreign Affairs Committee of this House, he was able time and again to prove his genuine concern for the peoples of that continent. His own words, oft quoted, well define the attitude and spirit which he embodied in this House:

I've never looked at a fellow American and thought he wasn't as fully American as I am.

Truly one "with native honor clad," I am proud to pay him these words of respect even as I grieve for the circumstance which calls them forth. Many here at this time will remember his dear wife—who passed away in 1948—and will extend to his children, his grandchildren, and his great-grandchildren the assurance of abiding sympathy in our common loss, comforted in the quiet passing of his life and in the precious heritage of love and service which he leaves. As we look back at his long career, we are mindful of those words spoken ages ago by St. Paul:

Watch ye, stand fast in the faith, quit you like men, be strong." (I Cor. 16:13).

Mr. MIKVA. Mr. Speaker, I yield to the gentleman from Hawaii (Mr. MATSUNAGA).

Mr. MATSUNAGA. Mr. Speaker, it is with a saddened heart that I rise to pay tribute to our late friend and former colleague from the State of Illinois, Barratt O'Hara. Few men, I believe, have served in this august body with as much distinction—No one, I am sure, was regarded with more affection by his colleagues.

To me, he was not only a dear friend, but he was also a valued adviser and the source of wise counsel. It was by distinct privilege to live with Barratt O'Hara for over a month at the Congressional Hotel when I first arrived as a green Member-elect and to be taken under his wings, so to speak, during that first session of my first term. The lesson which he taught me best, and which typified his sterling qualities, was couched in these words:

Sparky, don't ever get up to address the House unless you have a contribution to make.

Barratt O'Hara's dedication to the freedom and well-being of his fellow men clearly manifested itself in his long and illustrious career as a soldier, editor, lawyer, Lieutenant Governor and Congressman. He carried his 80-plus years lightly and with grace, and the youthful vigor and zestful drive of the former dean of the House of Representatives inspired all who knew him.

His sincere dedication to the work of the Congress while serving the needs of his constituency earned the respect of his colleagues in the Congress and gratitude of Americans everywhere.

In reflecting these past few weeks over the loss of this uniquely vibrant and courageous American, I found some solace in the words of James Whitcomb Riley, who once wrote:

I cannot say, and I will not say
That he is dead.—He is just away!

With a cheery smile and a wave of the hand,
He has wandered into an unknown land,

And left us dreaming how very fair
It needs must be, since *he* lingers there.

To the members of his bereaved family, I extend my profound condolences, and hope that they will find some measure of comfort in the fullness of his life's services to his fellow men.

Mr. MIKVA. I yield to the gentleman from Pennsylvania, the distinguished chairman of the Committee on Foreign Affairs, of which Mr. O'Hara was such a proud member.

Mr. MORGAN. Mr. Speaker, I was deeply grieved when I learned of the passing of our long-time friend and former colleague, Barratt O'Hara, at Georgetown University Hospital. Barratt was 87 when he died on August 11. This was hard to realize for during all his life he remained young in spirit and his intellectual vigor never waned.

All his life, Barratt was a uniquely interesting personality. He had not one, but many highly successful careers in different fields before finally coming to the Congress at the age of 66. For many years, he was the oldest Member of the Congress. In his earlier days he was the youngest man to ever serve as Lieutenant Governor of the State of Illinois.

It was my privilege and pleasure to serve with Barratt during most of his years in the House, where he brought a vast fund of diversified knowledge gained in his earlier careers as a lawyer, government official, soldier, journalist, motion picture executive, and radio commentator.

As chairman of our Foreign Affairs Subcommittee on Africa, Barratt displayed a keen and sympathetic insight into the problems of the emerging nations of that continent, and he labored long to help build and maintain friendly relations with them. His rare skill as a debater, his deep knowledge of parliamentary procedure, and his unflagging energy, all contributed to make him one of the ablest and most effective Members of the Congress. He was a great asset to the Committee on Foreign Affairs. His lucid and persuasive oratory helped clear the legislative path for many important foreign policy bills and resolutions.

We shall all miss this grand old man who had so richly earned our admiration, respect, and friendship. He showed us all how to grow old gracefully and usefully as well as with a boundless enthusiasm. We shall long miss him.

Mr. MIKVA. Mr. Speaker, I yield to the gentleman from Indiana (Mr. MADDEN).

Mr. MADDEN. Mr. Speaker, many Members of the House, including myself, were greatly saddened by the passing of our former colleague, Congressman Barratt O'Hara, of Illinois. Barratt O'Hara could be well recalled as the last Member of Congress who represented the old school of politics back after the turn of the century. No Member of the Congress has had a more dynamic career, both politically and professionally over such a long period of years. For years he held the distinction of being the only Spanish-American War veteran serving in either body of the Congress. His career started at a very early age. He was indeed a supreme American patriot.

He succeeded in enlisting in the U.S. Army in the Spanish-American War at the age of 15, and as he often related when he signed up he absentmindedly made a mistake in his age of 2 years which allowed him to go to Cuba and fight with Teddy Roosevelt's Rough Riders. Upon his retirement from the war he reentered high school, graduated, studied law at night and upon being admitted to the bar, practiced law many years in the city of Chicago.

He was elected Lieutenant Governor of Illinois at the age of 30, in the campaign of 1912. During his service as Lieutenant Governor he appointed a special committee of the State legislature and was selected as chairman of the committee to investigate child labor, sweatshops, and low wages for working women in factories in that period of time. He subpenaed many of the sweatshop proprietors who, in those days, were paying juveniles as low as 15 cents to 25 cents a day—12 hours a day—7 days a week, in Chicago and other localities. Indirectly, he caused laws to be passed at that early period to curb sweatshop operations and raise the status of female and juvenile workers to a higher level and prohibit employment of children under a certain age. He was one of the outstanding lawyers of Chicago and the Midwest for many years and was associated with the celebrated Clarence Darrow in many criminal cases which attracted national attention.

Barratt had an outstanding personality and was a friend to everybody. Never would he intentionally utter a word that would besmirch the character, or hinder legitimate progress of his fellowman, regardless of personal competition.

Previous to Barratt's enlisting in World War I in 1917 he had become president of one of the large studios in Hollywood, Calif., an organization previously headed by David Wark Griffith. He resigned this position to again serve his country in a military capacity in World War I. Later on, in conjunction with his law practice, he did considerable radio broadcasting in behalf of the American Federation of Labor and other groups.

During his career he was a member of many organizations—the American Legion, Veterans of Foreign Wars, press association, fraternities, and so forth. He was also somewhat of an author, having written several books on various subjects pertaining to sports, law, and current issues of the time. Barratt also boasted about his perfect rollcall record in the Congress over the years, having missed only one rollcall up to the time President Johnson appointed him as a delegate to the 20th session of the General Assembly of the United Nations in New York. Few public men of this century have enjoyed

a more illustrious career than our departed former congressional colleague.

I join other Members in extending to his family my deepest sympathy in their bereavement.

Mr. GALLAGHER. Mr. Speaker, will the gentleman yield?

Mr. MIKVA. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. Mr. Speaker, I rise to join with the gentleman from Illinois in mourning the death of our colleague, the Honorable Barratt O'Hara.

All of us have life experiences which are treasured as jewels. Among those, I have one which will always shine as the brightest of gems: my close association with Barratt O'Hara.

What are the ties that bind men to one another? Is it that Barratt O'Hara and I served 11 years together on the Foreign Affairs Committee? That is certainly part of it. During that period, I came to know the gentleman from Illinois as a true statesman, one whose grasp of formidable problems was exceeded only by his desire to solve them. His presence on the committee was missed from the very day he retired.

But more, is it that I knew of Barratt O'Hara's outstanding record of military service to our Nation? That is certainly a special part of it. He was with Teddy Roosevelt on the charge up San Juan Hill and with the 80th Division during the brutal battles of World War I. Here was a man with courage, a man without fear. Memories of Barratt O'Hara as a fighter in war and peace are not easily forgotten.

And yet, despite their significance, these points are only part of the story; beyond them, indeed beyond the host of incidents and experiences that yield a good friendship is the basic character of Barratt O'Hara himself. He was a very special human being.

Perhaps this is best expressed by stating that in all the years I knew him, I never heard Barratt O'Hara utter an unkind word. The love and respect which he received was surely matched, if not surpassed, by the warmth and generosity he extended. If he was the oldest in age when he left the House, he was still the youngest in spirit. No man ever walked in these Chambers with more compassion, more dignity, and more honor than Congressman Barratt O'Hara.

We say goodbye, then, to our friend, and offer our prayers and sympathy to his family. Barratt O'Hara will be missed in these halls, both as a colleague, and as a friend. For those of us who had the pleasure to know Barratt O'Hara had the privilege to know that rare person whose very presence can warm the heart.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. MIKVA. I yield to the distinguished gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Speaker, I commend our colleague in the well, the gentleman from Illinois, for taking this time to pay tribute to our very distinguished colleague from Chicago, Ill., Barratt O'Hara.

Those of us who had the great privilege of serving with Barratt O'Hara gathered new insight and new inspiration from his lofty ideals of public service. He had a compassion for the dignity of man. Throughout his whole life and all his public office one could see him in struggle after struggle on behalf of human rights. Barratt O'Hara was at his best when he could pierce through the resistance of those who did not understand the great yearnings of man after justice.

Barratt O'Hara gave his whole life to public service. He could, perhaps, have gone into fields which might have made him a much wealthier man, but he realized the fight he put up for the common man would leave in its wake many great rewards.

I think all of us who had the opportunity to work with Barratt O'Hara are much the richer for that. He came through this life but once, and he left in his wake a great record of public service, of which all of us can be proud.

Barratt O'Hara was a newspaperman and one of the members of the Three and One-Half Club in the House of Representatives and Senate, that club made up of Members who were former newspapermen. It is called the Three and One-Half Club because it is midway between the third estate which represents government and the fourth estate which represents the newspaper world.

Perhaps the greatest attribute of Barratt O'Hara that I remember was that he sought out disagreement whenever he thought injustice was being done. He had great courage and took great comfort in a good fight for justice, but I do not think there is a Member in this Chamber who would not say that while Barratt O'Hara disagreed often, he never was disagreeable. He had that composure and self-control that made him a giant among men even though he was one of the shortest men in the House.

I think all of us recall with great pleasure watching Barratt O'Hara shake his great head in anger whenever he was trying to demonstrate a point to the rest of the Members. I do not know of any Member who was more admired and respected and loved, or one who will be more sorely missed as a Member of this great institution. He had earned the love and admiration of the country. He had written his own chapter. He had come a long way in making great contributions. I think all of us who knew him realize we are that much the richer and wiser for having had him serve in this great body.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. MIKVA. I yield to the gentleman from New York.

Mr. STRATTON. Mr. Speaker, I want to join in paying tribute to our late former colleague, Barratt O'Hara, the gentleman from Illinois. What has been said with respect to him certainly is on the beam and has caught the unique spirit of one of the most unusual and gifted Members of this body. As the gentleman from Illinois (Mr. PUCINSKI) said a moment ago, we can all visualize in our minds, those of us who had the privilege of serving with Barratt O'Hara the atmosphere of this House when Barratt O'Hara took the well to speak out, usually briefly and often very dramatically and in emotional terms, and always very effectively, on some particular point that concerned him deeply.

Barratt O'Hare was a man of great courage, who never hesitated to say the unpopular thing if it needed to be said. He was a patriotic man too who, in spite of the modern fad to decry patriotism, was never afraid to speak out for his own country, recalling his own service in the uniform of his country.

He was one who, in spite of his age and in spite of some infirmness in moving about quickly, was one of the most effective and hardest working Members of the House.

Perhaps as we pause to pay tribute to our departed friend we might realize that when he was serving here as the oldest Member of this body he demonstrated clearly that one's effectiveness in this House is not based simply upon years on the calendar. Some people are worn out at 70. Others are just beginning to live!

Suggestions have been made recently to impose some age limit on service in the Congress. Certainly Barratt O'Hara, in his early eighties, was still a tremendously effective Member of this body, and this body would have been poorer had we been prevented from having his services during the last decade of his life because of some purely arbitrary age limit imposed on service in the House.

I know that we are all better today for having served with Barratt O'Hara, and we shall miss him.

Mr. MIKVA. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Florida (Mr. PEPPER).

Mr. PEPPER. Mr. Speaker, I thank the able gentleman in the well for allowing me to join with him and our colleagues in paying tribute to the memory of Barratt O'Hara.

All of us who knew him and loved him here will attest that never did a more gallant figure adorn this House than Barratt O'Hara.

Who among us can ever forget the occasions when he would come to the well and pour out of his warm and compassionate heart his deep feeling about some subject upon which he was addressing the House.

Ofttimes he spoke with the moving eloquence and passion of a Henry Clay or a Patrick Henry.

Barratt O'Hara for almost fourscore and 10 years enjoyed a great and full and rich life. It was a life of adventure, as a soldier, as a lawyer, and as a statesman, because to Barratt O'Hara life was a great romance, a challenging enterprise. He always felt that he was fighting for a great cause, and he fought for those causes with the passionate dedication and devotion of a man who felt deeply about something close to his heart.

I believe I have never known a man who captured the imagination of a person who knew him more than Barratt O'Hara. He was a Napoleonic figure in a way, small of stature but brave and dynamic. Few men great in stature would dare to challenge Barratt O'Hara in combat or contest, either physical or intel-

lectual, who knew him and were aware of his great capacity.

We all remember little anecdotes about him. I often have dinner over at the Congressional Hotel in the dining room, ofttimes joined by my wife. When we did we almost always sat at the table that had long been preempted by Barratt O'Hara. What a wonderful, delightful experience it was to sit there with him and watch him enjoy his martinis—I am sure he would not mind that being disclosed about him—and to let him regale you with his exciting experiences in life. Few men have had such noble and challenging and adventurous varieties of experiences as Barratt O'Hara had. One would find himself lingering there for a couple of hours, perhaps, on occasion—and many of my colleagues here I have seen there enjoying the same experience—because it was refreshing, inspiring and stimulating to sit there with Barratt O'Hara and share those occasions with him.

So, Mr. Speaker, I am one of the Members of this House—and I am sure that every Member of this House feels the same way—who will always honor and cherish the friendship of Barratt O'Hara and ever remember the kind words and sentiments that he liked to offer to anyone who seemed to be receptive. I think all of us will say that never again shall we see the like of Barratt O'Hara. There will always be a void in this House because he is not here and because that noble little figure does not rise in a stooped manner and come here to this podium and speak with the eloquence with which he captivated the Members who were privileged to listen to him.

Mr. Speaker, I am proud to join with you and others who honor the memory of Barratt O'Hara. I hope that that memory will inspire many others to the kind of character, life, patriotism and nobility which he symbolized so well in this House and in this country.

Mr. MIKVA. Mr. Speaker, I now yield to the gentleman from New York (Mr. FARBSTEIN).

Mr. FARBSTEIN. Mr. Speaker, I, too, wish to join all of those who are here speaking of Barratt O'Hara. I served with him in this House for many years, and I was on the Committee on Foreign Affairs with him. Barratt, although small in stature, was a lion. I regret very much his passing. I regretted when I learned of the death of our beloved colleague. While he was in years the oldest Member of the House, upon his retirement, he was among the youngest in mind and in spirit. He was also, in the best sense of the word, a warrior. From the battlefields of San Juan to the floor of this Chamber he was willing to fight for the principle that men are created equal. He believed in the dignity and integrity of humanity regardless of race, color, or creed. As chairman of the Subcommittee on Africa, he never ceased in his efforts to help the people of that continent. For his efforts he was rewarded by the people of that continent who, although they did not know him personally, knew of his efforts on their behalf. Now he is gone, but he shall not be forgotten. Wherever he is I am certain he is looking down on this House today with the kindly twinkle in his eye and the smile on his face and wishing that he were here, too. And I do, too.

I thank you.

Mr. MIKVA. Mr. Speaker, I yield to the gentleman from New Jersey (Mr. PATTEN).

Mr. PATTEN. Mr. Speaker, how does one adequately pay tribute to a champion of the oppressed, a fighter for human dignity, a fellow admirer of the law, a comrade, and a friend?

I had the privilege of knowing Barratt O'Hara only during the last 7 years of his life, when he befriended me as a newcomer to the House. In that short time, however, there developed a friendship that Mrs. Patten and I will always cherish. I loved his fighting spirit, respected his legal ability, admired his courage, and was honored to have him for a friend.

The newspapers have already listed all the accomplishments of this wonderful man. When you read through the list, it is hard to realize that it all refers to just one man. This was the man who became the youngest Lieutenant Governor of Illinois and served as the oldest Member of the House. This was the man who made a name for himself as a journalist and commentator, and who was also an outstanding lawyer, so admired by such men as Clarence Darrow. This was the man whom the African countries respected when he urged our help in aiding their emergence as new nations. This was the man whom the females of our Nation turned to as a champion of their right to equality. Here was a man whom the young could respect for his liberal views and determination to fight for justice for all our citizens. This was a man whom the senior citizens could look to as a living example that age does not render them useless and incapable of making further contributions to mankind.

In joining my colleagues here today to pay tribute to Barratt O'Hara, I still find it hard to believe that he is gone. All the words seem inadequate now to convey to those who did not know him personally the warmth of his humor, the strength of his convictions. Those of us who had him for a friend know what it meant to have him in our corner during a crucial vote, to have his counsel on matters before the Congress.

Mr. Speaker, we who knew Barratt O'Hara have lost a great friend. Our country has lost a great advocate and lawmaker. People the world over have lost one of their great champions.

Mrs. Patten joins me in conveying our deepest sympathy to Barratt's family. We will always treasure the warmth his friendship has meant to us.

Mr. MIKVA. Mr. Speaker, I thank all of my colleagues for their contribution. I believe they have captured the great breadth of the spirit of Barratt O'Hara of Illinois.

Mr. ROSTENKOWSKI. Mr. Speaker, I am deeply grieved as I join with my distinguished colleagues who eulogize today the life and accomplishments of one of America's truly great men—the Honorable Barratt O'Hara. Words alone cannot fully express the broad spectrum of contributions that this man gave to all Americans and Illinoisians alike.

Barratt O'Hara was a brilliant soldier. At the age of 15 he ran away from home to enlist in the 33d Michigan Brigade, which followed Teddy Roosevelt's Rough Riders as the second American force in Cuba. He became chief scout for the brigade and was awarded the Order of Military Merit by Cuba. But this did not end Barratt's military service to his country. When World War I erupted into a full-fledged battle, he joined the Army and again served his country with distinction and courage. He was commissioned a major, and became Judge Advocate General of the 15th Division.

Barratt O'Hara was a journalist. At the age of 20 he became sports editor of the St. Louis Chronicle. Later he moved to Chicago where he was sports editor of the American and Sunday editor of the Examiner.

Barratt O'Hara was recognized as one of the outstanding lawyers of his day. He defended 300 murder cases of which fewer than 30 were convicted and none received the death penalty. Clarence Darrow was once quoted as having said:

> I am envious of only one thing in the world—I wish I had Barratt O'Hara's courage.

Barratt O'Hara excelled in the field of politics. In 1913 at the age of 30 he was elected Lieutenant Governor of Illinois, becoming the youngest man ever to hold the office. In this job, he attracted attention with his investigation of substandard wages being paid women. After 4 years as Lieutenant Governor he returned to private life until 1948 when he was elected to the U.S. House of Representatives from the Second District of Illinois. In 1950, he lost his bid for reelection but won again in 1952 and kept his seat for the next 16 years thereafter. In Congress he became a member of the House Foreign Affairs Committee and became the first chairman of a new Subcommittee on Africa. He was also the floor manager for the passage of the bill which authorized the founding of the National Science Foundation.

Of Barratt O'Hara it can truly be said that he was a great man who will be long remembered in the annals of history.

Mr. MURPHY of Illinois. Mr. Speaker, it is with great sorrow that I rise today to join with my colleagues to pay my respects to the late Barratt O'Hara, distinguished former Congressman from the Second District of Illinois. Mr. O'Hara had a varied and distinguished career as statesman, soldier, lawyer, newspaperman, radio commentator and motion picture executive.

Mr. O'Hara served his country in both the Spanish American War and World War I and throughout his life was active in veteran organizations and was concerned with the welfare of his fellow veterans. He served the State of Illinois as Lieutenant Governor from 1913 to 1917 and the people of the Second District of Illinois as their Congressman for 18 years. He served as sports editor of the St. Louis Chronicle and the Chicago American and later became managing editor of the Chicago magazine and Sun-

day Telegraph. As an attorney, he became one of the most respected criminal defense lawyers in the United States, working in a number of cases as joint counsel with the famed Clarence Darrow.

It was my privilege to know Barratt O'Hara for many years. When I first came to Congress in 1959, I was appointed to the newly created African Subcommittee of the Committee on Foreign Affairs. The first chairman of that subcommittee and the chairman for the next 9 years was my good friend, Barratt O'Hara.

Mrs. Murphy joins me in extending heartfelt sympathy to his family on the loss of this great American.

Mr. KLUCZYNSKI. Mr. Speaker, the riders in a race, wrote Mr. Justice Oliver Wendell Holmes on his 91st birthday, do not stop short when they reach the goal. There is a little finishing canter before coming to a standstill. There is time to hear the kind voice of friends and to say to oneself: "The work is done." So it was with our colleague and friend, Barratt O'Hara, able as very few among men to look back upon a career spanning the great events of our troubled century, a life so remarkable that a writer of fiction would hesitate to create it lest the credibility of his readers be strained. Soldier, journalist, motion picture executive, sportsman, criminal lawyer, politician, and statesman—hardly an area of human enterprise and experience which his life did not at some time encompass.

If at the time of his passing he was dean of this House—which he first entered in 1948 at the age of 66—and its only surviving veteran of the war with Spain, it is also well to recall that he began public life at the age of 30 as the youngest man ever elected to be Lieutenant Governor of Illinois. His 18 years of service in this House were, in effect, the climax of a lifelong commitment to the commonweal. For Barratt O'Hara, every stage in "the ages of man" offered its distinctive challenge and opportunity. Little wonder he spoke with such scorn of our contemporary practice of compulsory retirement at 65 and all the attitudes which accompany this misguided attempt to cut short the scope of human energy and achievement.

That sharp-tongued cynic H. L. Mencken, once described Barratt O'Hara as "the world's greatest authority on the history, ethics, and philosophy of pugilism," mindful, no doubt, of his career as sports editor in St. Louis and Chicago, and of his book on boxing, "From Figg to Johnson"—covering the period from 1719 to Jack Johnson, the "Great White Hope" of the recent play. Something of this spirit imbued all of Barratt O'Hara's colorful career, characterized as it was by fairplay, hard hitting, and a sense of dramatic timing. In the vernacular of the day, he gravitated inevitably toward the action—whether in war or peace, in vigorous service to his country and to the ideals by which he shaped his life, ideals of justice, equality, and compassion. No more fitting memorial could be found than the fact of his early championing of the minimum wage, in direct response to the sorry plight of underpaid women and girls in sweatshop conditions on the eve of the First World War. In the same spirit, having fought for the first minimum-wage law, he helped effect the first pension laws for policemen and firemen in Chicago. In these areas of concern, his convictions were truly prophetic for national policy in the subsequent decades of the New Deal.

The mass media were far from alien to him in the great formative years of their birth and expansion. His 5-year radio program over WCFL in Chicago, sponsored by the AFL during the dark days of the depression, brought him into vital contact with the daily lives of countless individuals of every condition in one of the greatest American cities. Earlier, he had succeeded the great D. W. Griffiths as head of a motion picture company—a career stopped short by the entry of America into the great war and his consequent enlistment. He had always argued that the Spanish-American War had marked the advent of America to genuine world power status, a status firmly established by our role in the War of 1914–18. As the youngest U.S. soldier at the siege of Santiago in Cuba—he had left home and high school to volunteer at 15—where his unit had landed barely 3 days after the arrival of Theodore Roosevelt's Rough Riders, he earned the Order of Military Merit, acting as chief scout for his brigade.

His extraordinary career as a criminal lawyer after the war reminds us that somehow in the midst of all this he secured his formal education at the University of Missouri, Northwestern, and the Kent College of Law. Considering his long and distinguished legal record, it would be reasonable enough to expect that the law would define his public life and mark the final destination of his adventurous spirit. Yet his service in Congress lay far ahead. Some measure of his distinction as an attorney may be derived from the words of the great Clarence Darrow, himself no coward, "I am envious of only one thing in the world—I wish I had Barratt O'Hara's courage." As "Battling Barratt," he won acquittals for over 90 percent of several hundred homicide cases, never losing a client to the electric chair. Somehow he also found time to write several books, including one on the Constitution.

In this House his qualities continued to be manifest. Vigorous and forthright in debate, he was proud of his rollcall votes: 2,702 out of 2,704 as of 1965—a House record. His political abilities were considerable: in 1952, the year of the Eisenhower victory, he carried his district by 6,500 votes. His position on controversial issues was never in doubt nor was he afraid of criticism. A broadly inclusive, deeply grounded liberalism found consistent expression in his policies and views.

Barratt O'Hara's special concern was that of foreign affairs, to which he brought unusual qualifications. As a youth of 13, he had accompanied his father on a mission for President Cleveland to settle a Central American dispute with Great Britain; later, he stayed with a Smithsonian expedition in Nicaragua, and accompanied the exploration party marking a route for the proposed interoceanic canal—eventually built in Panama. As an interpreter, he played a part in settling a boundary dispute between Nicaragua and Costa Rica. It was his lifelong and ever-deepening sense of world community which resulted in his being named a special U.S. delegate to the United Nations in 1965. A passionate foe of colonialism and a genuine friend to emerging nations, he foresaw a future filled with hope and promise for the African peoples, even as he looked with growing concern upon our contemporary American concern with affluence and ease. In 1959, as chairman of the Subcommittee on Africa of the Foreign Affairs Committee, he traveled widely in Africa and met with leaders and ordinary folk throughout that great continent.

In honoring Barratt O'Hara on the sad occasion of his passing, we honor one whose loyalty to America will be a continuing inspiration to this House and to all of our citizens. He saw our Nation taking its rightful place in the great family of nations, providing understanding and help wherever necessary, to achieve a just and lasting peace based upon a world order in which the ideals and convictions by which he sought to live would find enlarging horizons. While his death deprives us of his presence the memory of his life, his character, and his achievement will not quickly pass away. Truly a silver-tongued orator, those who heard him speak will not soon forget his voice. To the end, his word was his bond in personal relations, and none ever turned to him for help in vain. Yet, in the midst of a life filled with activity, he preserved moments of quietness and helped others to do the same. I recall how during his weekly broadcasts in the early 1920's—when radio first was out—I would drive to the forest preserves where in silence I could listen to his broadcast. To his sons, his grandchildren, and great grandchildren, Mrs. Kluczynski and I extend our sympathy even as we share their sense of pride in the imperishable legacy he has left.

Mr. ANNUNZIO. Mr. Speaker, I would like to join Hon. ABNER J. MIKVA, the distinguished Representative for the Second District of Illinois, who has taken this special order, and my other colleagues in paying tribute to the late Hon. Barratt O'Hara who died on August 11 at the age of 87. He was first elected to Congress in 1948 and served his constituents of the Second District of Illinois and his country with tireless energy, dedication, and ability for 20 years until his retirement in 1968.

Barratt O'Hara had a remarkable career—a career that has proven real life indeed can be more colorful and exciting than the most ambitious fiction.

In 1895, when he was only 13 years old, he accompanied his father on a diplomatic mission to Nicaragua and stayed on to join a Smithsonian Institution party exploring a proposed canal route. At 15, he ran away from home to join the volunteers for the Spanish-American War. At 17, he was a decorated veteran.

At 20, he had finished high school and college and became sports editor of the St. Louis Chronicle. He moved to Chicago where he attended law school, was sports editor of the American, Sunday editor of

the Examiner, editor and publisher of Chicago magazine, and the author of a history of boxing. At 29, the "boy wonder of Illinois politics" was elected Lieutenant Governor, the youngest in Illinois history.

When World War I began, he volunteered immediately and served his division as Judge Advocate General. After the war, his work as defense attorney won the admiration and respect of the famous lawyer, Clarence Darrow, who once remarked that the only thing in the world he envied was Barratt O'Hara's courage.

Always dedicated to the cause of justice, Mr. O'Hara, as Lieutenant Governor of Illinois, fought to raise the substandard wages then paid to women. During the depression, he gave a daily radio commentary trying to help people. Once, he announced that if a woman about to be evicted would meet him at a certain place he would try to help, and about 20,000 people responded—all equally in need.

As chairman of the Subcommittee on Africa of the House Foreign Affairs Committee, he was a champion of developing nations and by his sympathetic understanding won many friends for America in the new African countries.

For his literary achievements, Mr. O'Hara received the Chicago Press Veterans Association Award and the Chicago Daily Defender Award. In 1965, he was honored with the Clarence Darrow Humanitarian Award in recognition of his distinguished public service; and in the same year, President Johnson appointed him as a delegate to the 20th General Assembly of the United Nations. Then, in 1966, he received the Shevchenko Freedom Award.

First elected to Congress in 1948 at the age of 66, Congressman O'Hara retained his vigor, his interest in new ideas, and zest for debate to the end of his life. He was youthful long past the age when most men are ready to resign themselves to the rocking chair and pass the torch to other hands. Seldom does one find a man of his stature—a man so wholeheartedly dedicated and responsive to the needs of the people he served.

Barratt O'Hara earned the genuine admiration and deep respect of his colleagues. His career was an inspiration to our youth, and his contributions have made America a better and a stronger country. Those of us who had the privilege of knowing him as a friend and colleague for so many years deeply mourn his passing, and our hearts go out to his bereaved family.

Mr. ANDERSON of Illinois. Mr. Speaker, those of us from the State of Illinois were particularly saddened to learn of the passing on August 11 of our former colleague, Barratt O'Hara.

All who served with him in the House knew well his ability as a debater, his wit, his kindness, and his good fellowship.

He first came to the Congress in 1948 and returned in 1952, where he served for 16 years. He became a member of the Committee on Foreign Affairs in 1957, and he took a special interest in Africa. In 1959 he was made chairman of the Subcommittee on Africa of the Committee on Foreign Affairs, and he came to be recognized as an authority on the emerging African nations. Through making several visits to the continent of Africa, he became personally acquainted with many heads of state and other leading figures in most of the countries of Africa.

Even at the age of 86 years, Mr. O'Hara displayed remarkable mental alertness, physical stamina, and the ability to deal effectively with his fellow men. Few men of his years retain their intellectual and oratorical powers as our late colleague did. All of us benefited from our association with him, and we shall miss him.

Mr. ERLENBORN. Mr. Speaker, with the death of our former colleague from Illinois, Barratt O'Hara, this Nation has lost one of its most distinguished citizens.

He fought bravely in two wars and, in peace, ably served the public at the municipal, State, and National levels. Before entering high school, he took part in several expeditions to Latin America; and, at an age when most of us are thinking of retiring, he was elected to Congress for the first time.

He brought to the House of Representatives a remarkably varied background as explorer, soldier, editor, and author. His 18 years in Congress, and his entire life, were characterized by an inquiring and innovative mind.

Truly, he was an uncommon man.

Mrs. REID of Illinois. Mr. Speaker, I join with my colleagues in paying tribute to our former colleague, the Honorable Barratt O'Hara. I shall always remember that he was one of the first Members from "the other side of the aisle" who greeted me and offered assistance when I first came to the House of Representatives in January 1963. He recalled that he had been a friend of my father-in-law, the late Frank R. Reid, who served in the Illinois House of Representatives at the same time that Barratt O'Hara was Lieutenant Governor of the State of Illinois—and who later served as a Member of Congress from 1923 through 1935.

On several occasions during our years of service here together, I appeared on programs with Barratt O'Hara and he was always most courteous and solicitous. He and I became very good friends notwithstanding the fact that in some matters our philosophical approach differed. I know that in his convictions he was honest and sincere, and for the causes in which he believed he worked and fought with tenacity, courage and ability. He was a very conscientious Member of Congress and he served his district, State, and Nation well.

It is always sad to realize that such a distinguished colleague and friend will no longer be with us. Nevertheless, I know that Barratt O'Hara has left for us a cherished legacy by the example of the full, useful, colorful and dedicated life which he led.

Mr. DERWINSKI. Mr. Speaker, I respectfully join my colleagues in paying a very special tribute to the late gentleman from Illinois, Barratt O'Hara, who was certainly one of the most remarkable men who ever served in Congress and who truly deserves this tribute being held this afternoon by those of us who had the honor of serving with him.

As a Member from Illinois representing a neighboring district and having served with him on the House Foreign Affairs Committee, I pay tribute to the leadership, spirit, integrity, and the vast experience which made Barratt O'Hara an outstanding public servant.

He had a long and fascinating career dating back to his service in the Spanish-American War, followed by his entrance into the field of journalism as a sports editor, and becoming the youngest man ever to be elected Lieutenant Governor of the State of Illinois.

Through his long years in the House and on the House Foreign Affairs Committee, he was properly recognized as an authority on Africa and his great interest and personal concern for the people of that continent was recognized by all of us who worked with him.

Barratt O'Hara was a remarkable and warmhearted individual and a great orator with a deep insight into world affairs based on his long unique record of service. He will be long remembered with great affection by all.

Mrs. Derwinski joins me in extending our deepest sympathy to the O'Hara family.

Mr. ANDREWS of Alabama. Mr. Speaker, the passing of Barratt O'Hara, a friend and distinguished former colleague, is a source of great sorrow to all who were privileged to know and work with this most unusual man.

To say that Barratt lived a full life is clearly an understatement, for he crowded into his 86 years on this earth a wealth of experiences that few mortals have or ever will match.

Barratt proved his uniqueness and exceptional abilities long before he came to Congress. After riding with Teddy Roosevelt's Rough Riders during the Spanish-American War, of which he was the last congressional veteran, he began a series of amazing and highly successful careers as a newspaperman, Hollywood movie executive, defense attorney, and finally U.S. Representative from the State of Illinois.

Along the way, he served with the Army in World War I and served as the youngest lieutenant governor in Illinois history.

By the time Barratt decided to run for Congress, he was 66, but that did not diminish his will to run then, nor did it from that time on as he carved out a 20-year career of service in this great body. He was a fierce competitor on the campaign trail and even rebounded from defeat early in his congressional service.

That same fiercely competitive spirit which put Barratt into office time and time again made him exceptionally effective as a legislator. He was a man of deep convictions and outspoken for causes that he championed. The gentleman from Illinois was respected by all.

This man of sharp wit, uncommon ability and inexhaustive spirit will be missed, but his accomplishments will remain as permanent monuments to his years among us.

Mrs. Andrews and I extend our deepest

sympathies to the family of our friend, Barratt O'Hara.

Mr. ICHORD. Mr. Speaker, it is always a sad occasion to lose a friend and former colleague, and especially when death takes a man who loved life and his fellow men as did Barratt O'Hare. His 18 years as a Member of the U.S. House of Representatives are filled with countless successes, for he was a man of dynamic legislative ability and his brilliant career as a statesman up to the time of his passing was marked with indelible contributions to government, both State and Federal, which shall outlive all of us present here today.

All who knew Barratt O'Hara when he served in this bory realized without reservation his creative ability and his legislative skills which were emphasized by his zest for life and his vigorous service to the Nation. He had a forceful life and left a rich heritage of accomplishments. Few of his colleagues can match Barratt O'Hara's resoluteness, his salty confidence, his deep sense of commitment, his firm dedication to his office and the people he represented, his adherence to high principles and conduct during his entire life and his work. Above all these qualities, he was generous, warm, and an understanding human being.

Barratt O'Hara, it can be truly said, lived day-by-day with full confidence and an abiding faith in the democratic processes which he zealously guarded, and he was one of those rare individuals of whom it can be said "he never compromised his principles."

It was a distinct honor to serve in this body with Barratt O'Hara and it is my deep privilege to join in this ceremony in paying respect and tribute to him this day. His record of service in military service and in government to the State of Illinois and America is one which all can strive toward as a lifetime goal, for Barratt O'Hara was, indeed, a man of giant proportion and broad dimension. The last years of his life can well be recorded as a "chapter in courage." Although his pace was slower the last few years I knew him and his physical endurance was shorter, his determination to fulfill the tasks entrusted to him by his people and the State he loved was a lesson in loyalty to everyone.

Barratt O'Hara left us a legacy—not only an image of a jaunty figure of a man with unruly white hair, but also the memory of an exceptional character and a legislator of great virtuosity whose priorities were duty and honor in any undertaking.

Mr. Speaker, Barratt O'Hara carved a place in history in his State of Illinois and his country, as well as in the hearts of those who had the rare privilege to know him and to work with him.

I feel a deep personal loss in his passing and extend warm and sincere sympathy to the members of his family.

Mr. GIAIMO. Mr. Speaker, what is a full life? No man can truly say. Some measure life in years; others measure it in deeds. Yet no one will disagree when we say that Barratt O'Hara lived his life to the fullest.

Barratt O'Hara, our beloved colleague, lived 87 years, each of them filled with the fruits of knowledge, activity, and service to his fellow man. He was a newspaperman, a soldier, an attorney, a public official, and a statesman. Many have done some of these things; some have done all of them, but few have done them so well for so long.

In one lifetime, Mr. Speaker, this man became the youngest Lieutenant Governor in the history of the State of Illinois and the oldest Member of the House of Representatives. In one lifetime, he fought in the Spanish-American War and voted on questions of missiles and nuclear weapons. In one lifetime, he explored the jungles of Central America and helped to determine this country's policy toward the emerging nations of Africa. In one lifetime, he saw America reach from coast to coast and helped her to reach to the moon and stars.

Barratt O'Hara served in this body for 18 years. He earned the respect, friendship, and admiration of all who knew him, not because of his age, but because of his wisdom and compassion. To the people of his district, State, and Nation, this man was, in the best sense, a public servant.

While I join in this moment of sadness and extend my deepest sympathy to his fine family, I must also recognize the feelings of awe and reverence which are in all our hearts today. Were I to write his epitaph, I would simply say of Barratt O'Hara, "He lived as we all would want to live."

Mrs. GREEN of Oregon. Mr. Speaker, it is with deep sorrow that I join the Members of the House today in paying tribute to the late Barratt O'Hara.

His death was a great loss to the Nation to which he had contributed so much; a great loss to this Government which was made infinitely better by his wisdom, courage, and integrity for so many years; and a great personal loss to me, and to scores of other Members, I am sure, for Barratt O'Hara was a true friend.

His passing was sad, for while Barratt was 87 when he died, he had such a fine mind and unbounded enthusiasm that one never thought of him as old in conventional terms. In fact, his stamina and joy in living was an inspiration to all Americans.

His career was fuller than most men could even dream of and the adventure and important events of which he was a part would have drained a lesser man and prompted retirement at the usual age. But Barratt O'Hara did not curl up into a rocking chair and dream of days past: He became a Member of the House of Representatives at 66. He was never embarrassed by his age. Rather he gloried in it. He was fond of telling how the elderly people in his district would break out their wheelchairs, go to the voting booths, and cast their votes for him. He was proud that he could encourage the old to participate in the electoral processes, and the old—and the young—of his district had much to be proud of in him. His vigor and brilliance would be a credit to any district.

His confidence, graciousness, and deep respect for his fellow man, attributes that seem sometimes to come only from many years of living, were a glowing light in this House. There was a natural inclination for new Members to seek out his advice and counsel when he was dean of the House and he always found the time and had the patience to give guidance and support.

I fondly remember the times he gave me the encouragement and courage to carry on when matters became so controversial, arguments so heated and personal insults were substituted for rational discourse and argument. Often it was a few gentle words like "Stay in there Edith," or "Don't give up now." His many kindnesses and his gentle words will always be remembered and treasured.

Another unforgettable aspect of his character was his courage. His unyielding stand for justice and for the deprived and underprivileged never ended. Clarence Darrow once said that he was envious of only one thing in the world—the courage of Barratt O'Hara.

That courage will live on in those he inspired to be more courageous.

Mr. HATHAWAY. Mr. Speaker, on August 11 of this year, our distinguished former colleague, Barratt O'Hara, passed away.

Representative O'Hara served in this body for nearly 20 years and represented the people of Illinois with honor and distinction.

His career as a public servant stretched from the Spanish-American War to his last days in the House of Representatives in 1968.

Mr. O'Hara was a dedicated man. His courage as a lawyer in Illinois and as a member of this House won him the praise and respect of all who knew him. He was an honorable man of great ability.

It was a privilege to serve with him in Congress during my first 4 years here, and I am sure each of us have benefited from our association with Barratt O'Hara.

The country and the Congress are richer for his life, and I extend my deepest sympathy to his family in their loss.

Mr. NIX. Mr. Speaker, it is difficult to believe that our former colleague, Barratt O'Hara, has passed to his reward. There have been others who have lived as long as Barratt. But I doubt if many have lived as full and as active a life as he did. Each episode in his life was in a sense a career. He was a soldier, an explorer, a newspaper editor, a State executive, a lawyer, a motion picture producer, a radio commentator, and the latest but not the least in his colorful life, a distinguished Member of this House.

Representative O'Hara was a vigorous debater and a skilled interrogator. He championed causes with a vigor that many of his younger colleagues envied. He was one of the first to recognize the growing importance of the new nations of Africa. As chairman of the Subcommittee on Africa of the Committee on Foreign Affairs, he traveled in many parts of that continent. He was interested in exchanging views with the leaders of the emerging nations. More important, he was always anxious to meet with the common people from whom he gained insights and understanding that often eluded others.

Age never dimmed Barratt's enthusi-

asm nor narrowed his vision. He was the eternal optimist. All who knew him will always remember him and be saddened by his departure.

Mr. CORMAN. Mr. Speaker, it was with great sorrow that I learned of the death on August 11 of former Representative Barratt O'Hara.

In this life, we judge our fellow men by their achievements and by their character. Congressman O'Hara was one of those rare individuals whose life, measured by both standards, was truly remarkable.

Throughout his long and productive lifetime he exhibited unlimited devotion to his Nation and to the less fortunate among men. In more than 70 years of public service—as a soldier, journalist, lawyer, and Member of Congress, Barratt O'Hara was guided by principles of justice and brotherhood. He was a man of knowledge, experience, kindness and integrity. For 18 years, he served the people of Illinois in the U.S. House of Representatives, and he served them with complete dedication. During these same years, he earned the respect and affection of his colleagues in the Congress.

I should like to extend my deepest sympathy to the sons and grandchildren of Barratt O'Hara. I hope it will be of some comfort to them to know that he is remembered with great admiration and affection both by those he served and by those with whom he served.

Mr. EVINS of Tennessee. Mr. Speaker, permit me to join with my colleagues of Illinois and others in paying a brief but sincere tribute to the memory of our beloved friend and colleague, Representative Barratt O'Hara, who passed away recently.

At the time of his retirement from the House, Barratt O'Hara was the oldest Member in the House and the only Spanish-American War veteran serving in the Congress. He began his career of service in the House in the 81st Congress. After serving in the General Assembly of Illinois, he often remarked that he served with Gov. Adlai Stevenson of Illinois.

As a member of the Committee on Foreign Affairs of the House and chairman of the Subcommittee on Africa, Barratt O'Hara played an important role in helping shape our Nation's foreign policy. He was also a delegate to the 20th Session of the General Assembly of the United Nations by Presidential appointment.

Barratt O'Hara served his beloved district, State of Illinois and Nation faithfully and well, and he will live in our memories as a dedicated public official who measured up to his responsibilities and his duties

He was eloquent, courageous, and colorful and most esteemed and respected. He was my friend and devoted colleague, and we shall miss him. I want to take this means also extending to members of the O'Hara family this expression of my most sincere sympathy in their loss and bereavement.

Mr. PATMAN. Mr. Speaker, many illustrious and distinguished Americans have served in this body, but few have combined such a long and faithful representation of their congressional district with so many other notable achievements as did the late Honorable Barratt O'Hara of Illinois. It was my privilege to serve with Barratt O'Hara for 18 years in the House and to witness and be a part of his many accomplishments during those eventful years. Winning election to the Congress at the age of 66, he had already compiled a record which rivals the feats of the greatest American heroes.

Barratt O'Hara was an explorer, a veteran of both the Spanish-American War and of World War I, an eminently successful attorney, a noted editor, publisher, and author, a radio commentator, and the youngest Lieutenant Governor in the history of the State of Illinois. The wide experience he gained in these remarkable pursuits gave him great insight into the problems which confronted the Congress during his almost two decades of service here and made him a uniquely effective and valuable Member of the Congress. His sage advice and great knowledge, particularly in the difficult area of international affairs, greatly benefited those who served with him, and his warm friendship was treasured by the many who were fortunate enough to know him.

Barratt O'Hara lived a truly full and meaningful life. He will long be remembered as a great American who fulfilled his duty to his country in overflowing measure.

Mr. WHALEN. Mr. Speaker, I would like to thank my colleague from Illinois (Mr. MIKVA) for reserving this time today so that we might join in tribute to his predecessor and our former colleague, the late Honorable Barratt O'Hara.

Perusing the career of Barratt O'Hara one can only be impressed by the variety of efforts to which he directed his energies during his 87 years. He was a soldier, sports editor, Illinois Lieutenant Governor, defense attorney, and radio commentator before his election at the age of 66 to this body where he served the Second District of Illinois for 18 years. During his years in the House, he perhaps was best noted for his service on the Foreign Affairs Committee and as chairman of its Subcommittee on Africa.

In the minds of his colleagues and friends, Barratt O'Hara will be remembered longest, however, for his courage which Clarance Darrow envied and which others have sought to emulate.

The people of Chicago, the State of Illinois, and the Nation are indeed fortunate to have had a man of his interests and vision as a Member of this Chamber.

May he rest in peace.

Mr. DE LA GARZA. Mr. Speaker, I am proud to join in paying tribute to a man who befriended me when I came to the House as a freshman Member and whose sage counsel was of enormous benefit to me, as it was to many others. Barratt O'Hara—or "Tiger," as I affectionately addressed him—lived a long time and his life was an inspiration to all so fortunate as to know him.

Twice he donned military uniform to serve his country—in the Spanish-American War and World War I. He enlisted for service in the earlier conflict when he was a boy of 15. After 2 years he returned to civilian life and to high school. He went on to college and was graduated from law school. He worked successfully as a newspaperman before beginning the practice of law in Chicago in 1912. He was elected to Congress in 1948 and, except for one term, served continuously in the House until the beginning of this year.

He had a genius for friendship. He was a man you could count on, a man of many parts, truly a man for all seasons. Our world is richer for his having lived in it.

Mrs. MINK. Mr. Speaker, Barratt O'Hara began his career in the U.S. Congress at an age when most men are thinking about retirement. And he brought to his tasks an industriousness and enthusiasm which all of us would do well to emulate.

Devoted to serving his constituents in Illinois, his breadth of mind and range of interests and experience enabled him to see the relationship of his State and Nation to the world. He was concerned, therefore, with global problems. His sympathy for, and interest in assisting the developing nations of Africa was recognized and appreciated through that continent and in other parts of the world. In his work he truly demonstrated our national commitment to brotherhood and to the duty of the powerful to aid those who are just beginning the long, hard work of nation-building.

I am grateful to have had the opportunity to know Mr. O'Hara, and to learn from his splendid performance how magnificent an opportunity we have to serve our fellow men as Members of the Congress of the United States.

Mr. EILBERG. Mr. Speaker, a short while ago, a man who loved America with impassioned devotion and served her greatly, both in public office and as a private citizen, passed away.

He was my friend and colleague, Representative Barratt O'Hara, who represented the Second Congressional District from Illinois. He was a man of rich gifts in many fields. As the oldest Member of Congress until his defeat last year, Barratt was cherished by his contemporaries as a two-fisted fighter for human rights who loved life, loved people and feared nobody; he was as much at ease with Members of Congress as he was with the poorest constituents in his district.

He could wield alike the winged phrase and the sledge hammer; he was an honest and courageous public servant, an unforgetting and unforgettable friend.

Representative O'Hara was a man on fire for his country, a man who kindled fires in our hearts. He was a man of action, calling upon us to fulfill our responsibilities not only for the sake of our own Nation and people, but for the sake of those throughout the world who look to us for hope, inspiration, and leadership.

We would do well to study the example of his life, thus, personally, rededicating ourselves to those responsibilities of American citizenship which he so zestfully fulfilled.

Barratt O'Hara twice donned the uniform of this country's Army—to serve in the Spanish-American War and in World War I. At the age of 30, he became the

youngest Lieutenant Governor in Illinois history. As chairman of the Illinois Senate Vice and Wage Commission, he was chiefly responsible for the passage of the first State minimum-wage laws. As a lawyer, he defended over 300 clients, none of whom received the death penalty. These are but a few of his outstanding accomplishments.

As a member of the Committee on Foreign Affairs and chairman of the Subcommittee on Africa, he was of tremendous help in fostering good will and friendship between this country and our neighbors.

Perhaps Representative O'Hara's greatest attribute was that he put his trust finally and everlastingly in the wisdom of the majority of the people of this United States.

Those of us who enjoy the blessings of free institutions owe much to men like Barratt O'Hara. His greatness is found in his recognition of the value of freedom and the rights of each human being.

The poorly informed may think that freedom and liberty owe their origin to the Declaration of Independence and our American way of life. Representative O'Hara knew that the right to liberty, freedom, and opportunity was self-evident in the divine inheritance of people everywhere. It was his program to restore the opportunity of securing and, then of preserving, liberty. At the same time, he fought to destroy tyrants and those standing in the pathway to human progress.

His fight will go on with the help of men of good will, but his influence and fortitude will be greatly missed. I know the sons he left behind him are proud of him, and I send to them my deepest sympathy and warmest regards.

Mr. HUTCHINSON. Mr. Speaker, Barratt O'Hara's colorful career as a newspaper reporter, a successful criminal defense lawyer, the State's youngest Lieutenant Governor, and as a distinguished Member of this House took place in Illinois, but he was a native of Michigan. He was born and raised in the city of St. Joseph where his father was one of our State's circuit judges. The O'Hara family were Democrats in an overwhelmingly Republican district, and when Barratt was a boy of 13, President Cleveland sent his father to Nicaragua as a member of a commission to look into the feasibility of a canal between the Atlantic and Pacific Oceans. Barratt went along. While there, he accompanied an expedition through Nicaragua, marking a route for the canal. He went with a second expedition exploring the jungles of Central America and still a third expedition in determination of a boundary dispute between Nicaragua and Costa Rica.

Returning to Benton Harbor, he attended high school and was a member of the football team. At the outbreak of the Spanish-American War when he was not yet 16 and only a sophomore in high school, he enlisted in the 33d Michigan Volunteer Infantry and landed in Cuba 3 days after Teddy Roosevelt and his Rough Riders. Barratt participated in the siege of Santiago and was the last Spanish-American war veteran to serve in this House. After the war, he returned to Benton Harbor and worked briefly as a reporter on the old Benton Harbor Evening News which was one of the predecessors of that city's present-day newspaper, the News-Palladium. He then left Michigan to work on newspapers both in St. Louis and in Chicago. Later he became a successful criminal attorney in Chicago and active in Democratic politics there.

Throughout his long career, Mr. O'Hara continued his friendships in the twin cities of Benton Harbor and St. Joseph, Mich., and among them was Stanley R. Banyon, publisher of the Benton Harbor News-Palladium and the St. Joseph Herald-Press. Mr. Banyon was as active and stanch a Republican as Mr. O'Hara was a Democrat, but that difference in political philosophies did not dim their close acquaintance which had continued from childhood. When Mr. Banyon passed away several years ago, Barratt came to me as Congressman from Mr. Banyon's place of residence and stated that if I had no objection he would like to place a eulogy of Mr. Banyon in the RECORD. Barratt O'Hara had a gift of expression and oratory and his remarks in this House on the life and career of his boyhood friend, Stanley Banyon, were equal to his gifted ability on that occasion.

On the news of Mr. O'Hara's passing, the Benton Harbor News-Palladium gave the event extensive front-page coverage and on Wednesday, August 13, that paper eulogized Barratt O'Hara as a man of charm and gutty patriotism in its lead editorial.

I insert that editorial at this point in the RECORD:

BARRATT O'HARA: CHARM AND GUTTY PATRIOTISM

He served in the House with Jack Kennedy and he landed in Cuba three days after Teddy Roosevelt and his Rough Riders.

These widely-separated moments of history illustrate perhaps better than anything else the long and adventuresome life of Barratt O'Hara, a native of St. Joseph who died in Washington Monday at the age of 87.

When he was only 15, still a student in St. Joseph high school, he volunteered to fight in the Spanish-American war. Many years later he received Cuba's highest military decoration from Fulgencia Batista, the dictator later to be deposed by another dictator, the masquerading communist, Fidel Castro.

He was a veteran congressman when John F. Kennedy entered the House of Representatives. Later, after President John Kennedy was assassinated, O'Hara recalled that "I told him one day he got his sweetness from his mother's father, who was mayor of Boston at one time. We were always friendly and about two weeks before he was killed, he served as a guide when I took several constituents through the White House. When we left, he said 'Barratt knew my grandfather.' Those were the last words I heard him say."

When he was only 13, O'Hara had accompanied his father, Berrien Circuit Judge Thomas O'Hara, to Nicaragua. The father had received a presidential commission to seek for a possible canal route, linking the Atlantic and Pacific oceans.

The taste of the tropics may have been what whetted the younger O'Hara's appetite for adventure and caused him to enlist for the fight in Cuba. In any event, he returned from war to the Twin Cities and graduated from Benton Harbor high school, where he played football.

He worked for a time as a reporter on the old Evening News, a forerunner of this newspaper, then headed for bigger news jobs in Illinois. He went from sports to political reporting. Simultaneously, after having reached Chicago news rooms, he studied law nights.

He got his law degree, and at 30 was elected the youngest lieutenant-governor in the history of Illinois. For a time his Democratic party's moon was in eclipse, and he dropped out of politics to practice law. But at 66, he won a seat in Congress and served there 18 years in all. He was defeated only last year when he lost the Daley machine support and got trounced in the Democratic primary. At 86, he was then the oldest member of Congress.

Looking back years later, O'Hara said he moved away from the Twin Cities "because there were too damned many Republicans in Berrien county."

That didn't stop him, however, from being a close friend of this district's arch-Republican Congressman, the late Clare Hoffman of Allegan.

While maintaining careers in both law and politics, O'Hara managed also to serve as an officer in World War I, to serve for a time as a member of the U.S. delegation to the United Nations, and even to do a little radio announcing.

He came "back home" to the Twin Cities on several occasions to chat with boyhood friends. And when he did, he was common as an old shoe; except, that is, for his appearance. With his white mane of hair, handsome features and smooth complexion, he looked as distinguished as a Roman senator ought to.

Quite obviously, he had to have a lot of moral tolerance, perhaps even hidden guile, to survive the jungle of Chicago politics. Some partisan enemies might sniff at his lack of statesmanship, even write him off as a Claghorn.

He did have the flexibility, and often the vagueness, of a born politician. But he had much more, too.

He was a gutty patriot, a good-hearted human being, a loyal friend, a charming person who lifted the spirits of those around him—indeed, a remarkable man. One who was a distinguished credit to his native heath and to the art of living.

Mr. JOHNSON of California. Mr. Speaker, today I am honored to join in paying tribute to our late colleague, the Honorable Barratt O'Hara.

Mr. O'Hara, at a time when others would be satisfied to just "sit and rock" won election to the House of Representatives at the age of 66. He served his district, his State, and the Nation for 18 years with the same courage and intelligence he demonstrated in his earlier career as a writer, soldier, lawyer, film executive, and radio commentator. During his service in the House of Representatives he was a student and supporter of emerging African nations and he once stated "As Africa goes, so goes the world. We have been thrilled by their progress."

Those of us who were privileged to serve with this dedicated servant of the people have missed his guidance and leadership, and we mourn his passing. I certainly agree with a comment from an editorial that "Mr. O'Hara displayed one of the rare skills: growing old with grace and enthusiasm."

Mrs. Johnson joins me in extending deepest sympathy to his three sons and their families.

Mr. DANIELS of New Jersey. Mr. Speaker, I join my colleagues in paying

tribute to our friend, the late Barratt O'Hara of Illinois.

Barratt O'Hara's life was a celebration of adventure and freedom. In 1895, at the age of 13, he accompanied an expedition mapping a proposed route of a canal to the Pacific through Nicaragua. After returning to the United States 2 years later, he joined Teddy Roosevelt's Rough Riders in Cuba and was awarded the Order of Military Merit by Cuba.

At the age of 20, after attending the University of Missouri, he was sports editor of the Chicago American and later attended law school. He edited a magazine, wrote a history of boxing, became the youngest Lieutenant Governor in Illinois history and was president of a Hollywood movie company. Finally, after serving in World War I, he settled down to practice law.

Barratt O'Hara became a criminal lawyer—one of the old school. He was a fighter and a scrapper. Clarence Darrow, the dean of criminal lawyers, is quoted as having wished he had Barratt O'Hara's courage.

Such courage was well evident to his colleagues in the House. Through his very last term, when he was well into his 80's, Barratt fought hard for the ideals and programs which he believed were in the peoples' interest. Never did the spirit of adventure that fired his youthful intellect fail him even during the late years when most other men are old. But Barratt O'Hara was never old.

While his body aged, his intellect and spirit remained young and vital. He carried his years with warmth and grace and inspired us to take advantage of the youth and energy which we might still possess. We shall miss him.

Mr. COHELAN. Mr. Speaker, I join with my colleagues in eulogizing our recently deceased colleague, Congressman Barratt O'Hara from the Second District of Illinois.

Barratt O'Hara was one of those rare individuals whose zest for life overcame the usual debilitations of age. When he was first elected to Congress he was 66 years old, and he served in the House until he was 86. Before coming to the House, Congressman O'Hara had also led an active and full life. He served in the Spanish-American War at the age of 15, and at the age of 30 he was elected the Lieutenant Governor of Illinois, thus becoming the youngest man ever to hold that office. Barratt O'Hara was also a sports editor of a St. Louis newspaper and a noted criminal lawyer.

While in the House of Representatives, Barratt served on the House Foreign Affairs Committee and chaired the African Subcommittee. We will all miss Barratt and we sympathize with his family on their loss.

Mr. RODINO. Mr. Speaker, it is with a deep sense of personal loss that I join today in mourning the passing of a cherished friend, our former colleague, Barratt O'Hara.

Barratt and I came to the House together some 21 years ago, and I was privileged to know him as a legislator of outstanding ability and a high sense of purpose. He was a man of courage and deep convictions, and, even as he progressed in years, he was ever a man of refreshing ideas.

Barratt O'Hara's varied career was long and illustrious, and, as the Washington Post editorialized on his passing, he displayed one of those "rare skills: Growing old with grace and enthusiasm." We, whose lives were made more meaningful by our association with this fine and noble gentleman, shall never forget him.

Mr. BIAGGI. Mr. Speaker, the late Honorable Barratt O'Hara was a man whose talent, character, and achievement may serve as an inspiration to all Americans. It is said that the youth of modern America have few heroes to emulate, but they could do no better than to pattern their lives after that of the late Representative from Illinois. Barratt O'Hara was a man of courage, dedication, patriotism, faith, and energy.

Barratt O'Hara accepted early the responsibilities of adulthood and citizenship. At the age of 15, he joined the 33d Michigan Brigade which invaded Cuba during the Spanish-American War. Returning home, he attended college, began a career in journalism, and became the youngest Lieutenant Governor in the history of Illinois. Following service in the Army in World War I, he enrolled in law school and later engaged in a successful law practice.

Representative O'Hara was first elected to Congress in 1948, at the age of 66. The knowledge and wisdom he had gained in a long career as soldier, lawyer, journalist, and political leader were put to use constantly in the 18 years he served his congressional district in the House of Representatives.

There are many additional reasons for remembering Barratt O'Hara with respect and admiration. The great affection in which he was universally held was a tribute to a dedicated public servant. I was deeply saddened to learn of the death of Barratt O'Hara. The talents of a lifetime were devoted to the betterment of his country. He was a fine legislator and a true friend.

Mr. CLEVELAND. Mr. Speaker, Barratt O'Hara lived a wonderful life. He was a close friend of mine and I miss him. We agreed on only a few issues of the day and often our votes were to be found in different columns of the tally sheet.

Our friendship began soon after I entered Congress when I started living at the Congressional Hotel and often taking my dinner there. Mr. O'Hara, more often than not, was to be found in the far corner at the end of the main dining room. Frequently he would be surrounded by friends and admirers, many of them Members, mostly of his own party. Sometimes he would be alone.

We began to dine together, if neither had other commitments and in this loose and pleasant way our friendship took root.

We fought over the day's battles on the floor; we would prognosticate on the events coming up on the morrow. We would work over the days news, sometimes agreeing, sometimes not.

I was often drawn into the warmth of his circle. We respected each other and shared totally a love of country and the Congress. I gained many a tip from him about the Congress and the personalities in and around it.

No one could avoid his spell. He was Barratt the "Enchanter." I remember watching his magic work on a group of militant young folk—girls and young men and a couple of small children. They were having supper at a big table near his. I happened not to be dining with him that night.

The young people had been spending the day protesting hearings by the Un-American Activities Committee across the street. They were talking loud and clear about it. Before they knew it, Barratt O'Hara came over and introduced himself. He sat down and worked himself into the discussion, ignoring the rudeness of them—he was, after all, an intruder.

By the time I had finished my meal and left the room, he had the young people laughing and listening to his every word. It took him about 20 minutes. It was an amazing performance—unforgettable.

In tribute to the memory of a fine man, an outstanding public servant, and a valued personal friend, I place in the RECORD the obituary published on August 12 in the Washington Post:

EX-CONGRESSMAN BARRATT O'HARA DIES AT 87

Former Rep. Barratt O'Hara (D-Ill.), dean of the House of Representatives until he lost his bid in June, 1968, died yesterday at Georgetown University Hospital.

Mr. O'Hara, first elected to Congress at the age of 66 in 1948, was turned down last year by Illinois Democratic slatemakers despite his plea for "just one more term." Instead, the party backed Rep. Abner J. Mikva in the Second Congressional District primary. Mr. O'Hara, who had beaten Rep. Mikva in 1966 for the nomination, lost the primary by 13,000 votes.

He was a champion of liberal causes and the emergence of new African nations. He was chairman of the House Foreign Affairs subcommittee on Africa at the time of his defeat.

A small man with a full mane of white hair, he padded quietly around the Capitol grounds to the nearby Congressional Hotel, where he lived alone, until he was admitted to Georgetown Hospital on July 13 suffering from congestive heart failure. The immediate cause of death has not yet been determined.

He was the last congressional veteran of the Spanish-American War and he always spoke of it on the anniversary of the sinking of the Maine that set off the war.

In 1895, at 13, Mr. O'Hara went to Nicaragua with his father and accompanied an expedition marking the route of a proposed canal. A Panama route was chosen later.

At 15 he ran away from home to enlist in the 33d Michigan Brigade, which followed Teddy Roosevelt's Rough Riders as the second American force into Cuba. He became chief scout for the brigade and was awarded the Order of Military Merit by Cuba.

He attended the University of Missouri, became sports editor of the St. Louis Chronicle at 20, then moved to Chicago where he was sports editor of the American and later Sunday editor of the Examiner.

He went to law school, edited and published "Chicago Magazine", wrote a history of boxing "From Figg to Johnson" and at 30 became the youngest lieutenant governor in Illinois history. In this job he attracted

attention with his investigation of substandard wages being paid women. A brief stint as president of a Hollywood movie company followed, then Army service in World War I, and finally law practice.

"I always wanted to be a lawyer," said Mr. O'Hara later. "There just were some detours.

As defense attorney, he tried nearly 300 homicide cases and won acquittals for more than 90 per cent of his clients. None was executed.

PRAISED BY DARROW

He was a man of great physical and moral courage. The legendary trial lawyer, Clarence Darrow, was quoted as saying, "I am envious of only one thing in the world—I wish I had Barratt O'Hara's courage."

During the depression, Mr. O'Hara did a daily radio commentary trying to help people. Once he announced that if a woman about to be evicted would meet him at a certain place he would try to help, and 20,000 people showed up, equally in need of help.

Elected to the House in 1948, he was defeated for reelection, but came back in 1952 and stayed, through the 89th Congress. Unlike many older members who prefer to sit back and listen and then vote no, Mr. O'Hara had a zest for debate and new ideas.

Once, when past 80, he leaped up so fast to answer a young speaker that he tripped over a colleague's feet and gashed his head. He was back next day with a bandage.

Mr. O'Hara was very proud of the fact that for years he had not missed a roll-call vote. His record was broken when he left town for a day when he understood there were to be no roll calls.

There was a roll call, but somehow his name appeared as being present. Rather than keep his record that way, Mr. O'Hara missed the next roll call on purpose. He missed more in 1965 when he was a member of the United States delegation to the United Nations General Assembly.

Mr. O'Hara is survived by three sons, Barratt Jr., and Lorence, both of Chicago, and Howard, of Guam, and three grandchildren. His wife, Florence, died in 1948.

Mr. FASCELL. Mr. Speaker, those of us who were privileged to serve with the late Honorable Barratt O'Hara will be forever the richer for our association with a man of such varied interests and abilities.

I am told that Clarence Darrow once remarked that the only thing in life which he envied was the courage of Barratt O'Hara—and that is easy to believe.

One stood in awe of a man who served in the Spanish-American War, edited a major newspaper, and became Lieutenant Governor of the State of Illinois by the age of 30. His career as a highly successful trial lawyer would have been a fulfilling life's work for any man, but instead Barratt O'Hara came to the Congress at an age when most men seek a well-deserved rest from responsibility.

Through his 18 years of service in the House of Representatives, Congressman O'Hara proved by example that senior members of our society have much to offer their country. As a fellow member of the Foreign Affairs Committee, I was always impressed by the experience and insight which Barratt O'Hara brought into any discussion or debate.

We have missed the expertise and ability of Barratt O'Hara in the Congress, and now we will miss our association with this man of exceptional courage.

Mr. Speaker, I join with our colleagues in grief at the loss of Congressman O'Hara. One cannot help but feel that a part of America has gone with him.

Mr. HALPERN. Mr. Speaker, the loss of our beloved former colleague, Barratt O'Hara, weighs heavily upon all of us. He was a daring spirit whose career reflected many of those qualities which have provided leadership and inspiration in American life.

Mrs. Halpern and I pride our years of personal friendship with him and we shall always think of him as one of the most beautiful human beings we have ever known.

This great man once said:

There are no "freedoms"; there is simply freedom, and it runs as the breath of life through every phase of the American tradition. In fact, it is America.

Barratt O'Hara was a man who spent the whole of his adult life fighting for the preservation of that freedom.

Although he was the oldest Member of Congress until his defeat last year, the freshness and individuality of his thinking and action evoked enthusiasm and admiration from all who had the privilege and honor to serve with him.

Representative O'Hara was a self-made man, thoroughly American in the best sense of the word, a genuine product of the great State of Illinois and his time. He was patient under adversity, unselfish in his aims, lofty in his ideals. His name will long be remembered.

He served his country in many capacities. He was in two wars—the Spanish-American War and World War I. He was the youngest Lieutenant Governor of Illinois. As chairman of Illinois' first Senate vice and wage commission, he was responsible for the passage of the first State minimum-wage laws. He held many memberships in civic organizations and was one of the organizers of the American Legion in Illinois. Finally, he was a member of the Committee on Foreign Affairs of this House and chairman of its Subcommittee on Africa.

His life was full of noble, generous, deeds—of disinterested, heroic acts of kindness. I feel sure that it will always be remembered that a leading characteristic of Barratt's was charity—not charity in its restricted, modern sense, but charity in the sense in which the Gospel uses the term—that attribute without which man becomes "as sounding brass or a tinkling cymbal." No man was ever possessed of more human sympathy or had more of the milk of human kindness.

Representative O'Hara was in the later years of life when he was serving in Congress. Yet he was not one to let age stand in the way of performance of his duty. He was a fighter for what he knew to be right.

His mind was preeminently positive in its character. He took his stands quickly, and, when taken, he held to them with a tenacity which commanded the admiration of those even against whom he contended; yet he was tolerant in everything, except when he was asked to be tolerant of what he believed to be unjust. Then neither friendship nor affection, neither wealth nor position, could deter the force of his indignation.

Such traits of character are rare; we may appropriately regard the record of Barratt O'Hara's achievements as an illustration of much that was great and good in the American past.

Mr. COLLIER. Mr. Speaker—

The days of our years are threescore years and ten, and, if, by reason of strength, they be fourscore years, yet is their strength labor and sorrow, for it is soon cut off, and we fly away.

Barratt O'Hara, who served with credit and distinction in this great body, lived beyond both the threescore and ten and the fourscore of which the Psalmist speaks. If these added years were accompanied by labor and sorrow, it was labor in behalf of the people whom he represented in this Chamber, and sorrow that his service here must finally cease.

What was unusual about Congressman O'Hara was that his two decades of membership in the National House of Representatives did not commence until he was almost 67 years old, an age when many men have either retired or look forward to retirement upon reaching their 70th milestone.

During his ninth and final term, Barratt O'Hara was our oldest Member and the only veteran of the Spanish-American War in this body. He was but 15 when he volunteered for that conflict. His later career as a newspaperman, lawyer, and businessman was interrupted by additional military service during World War I.

The burden of sorrow of those he left behind can be lightened somewhat as they recall the many achievements of a long and useful life. As a soldier, as a writer, as a jurist, and as a servant of the people, Barratt O'Hara did his duty to his community, his State, and his country. May he rest in peace.

Mr. RHODES. Mr. Speaker, as we reconvene this session of the 91st Congress, I should like to join in a special tribute to a beloved and respected former Member of the House of Representatives who passed away last month, the Honorable Barratt O'Hara.

Barratt O'Hara, until he left at the end of the 90th Congress, was the oldest Member of the House and bore the distinction of being the only Spanish War veteran in the Congress. He enjoyed an illustrious career and participated in historymaking events prior to his coming to Congress, among which most notable perhaps were his expedition as a youth through Nicaragua with General Ludlow and Admiral Walker to mark the route for an interoceanic canal and later taking part in the siege of Santiago de Cuba led by "Teddy" Roosevelt and his Rough Riders.

Barratt O'Hara was first elected to the House of Representatives in November of 1948, and during his many years of service to our country, he received nationwide acclaim and gratitude for his unselfish devotion and astute statesmanship dedicated to the preservation of justice, dignity, and freedoms of his fellow men.

I had a great deal of personal affection for Mr. O'Hara, and his thoughtfulness

and kindness to me was deeply appreciated. I had a particular reason for valuing his friendship, because his niece, Mrs. Richard Fennemore, is a valued friend and a constituent of mine.

The Nation greatly misses and mourns its Barratt O'Hara, and Mrs. Rhodes joins me in expressing our deepest sympathy to his family in their bereavement.

Mr. BOLAND. Mr. Speaker, the last congressional veteran of the Spanish-American War—Barratt O'Hara—has died. Former Congressman O'Hara will be missed by his colleagues; yet he needs no one to eulogize his impressive accomplishments. As an outstanding journalist and lawyer in private life, as a statesman in time of peace, and as a soldier in time of war, Barratt O'Hara had a long and distinguished record of service both to the Nation and to the people of the State of Illinois.

Born in St. Joseph, Mich., on April 28, 1882, Barratt O'Hara demonstrated striking ability even as a child. At the age of 13 when his father was our Minister of Nicaragua, he lived history by joining General Alexander in an expedition to explore that jungled Central American nation in search of a route for the proposed canal. Two years later, he became the youngest American to participate in the siege of Santiago de Cuba, and was subsequently awarded by the Republic of Cuba for his service to the Cuban people during their war for independence.

After receiving a law degree from Kent College, he gained valuable experience as a newspaperman. A sporting writer for the St. Louis Chronicle at age 20, he later served as Sunday editor of the Chicago Examiner and editor and publisher of the Chicago magazine.

Throughout all of his legislative life Barratt O'Hara contributed much to the welfare of the people. As the youngest Lieutenant Governor in the history of Illinois, he inaugurated the minimum-wage concept in legislation. His investigations into the substandard wages paid women and girls who were employed in the sweatshops of Chicago attracted national attention. As chairman of the Illinois legislative Vice and Wage Commission, he was as successful in passing the first minimum-wage law of any State in the Middle West. The results of his investigations were rewarding: President Wilson called the young Lieutenant Governor to Washington; eight States subsequently enacted minimum-wage laws and the minimum-wage movement was launched.

Barratt O'Hara equally stood out as one of the finest criminal lawyers in the State of Illinois and the Nation—notably in his defense of the poor and unfortunate. He knew the deprivations they suffer and the sacrifices they make. He successfully defended 200 people charged with murder during his brilliant carreer at the bar.

Elected to Congress in 1948 at the age of 66, he was defeated for reelection in a bid for a second term, but came back in 1952 and stayed through the 89th Congress. In spite of his age Representative O'Hara had a zest for spirited debate and new ideas. Throughout his 18 years of service in Congress he continually worked for the underdog, championing such necessary legislation as FEPC, minimum wage laws, adequate pensions, as well as adequate wages for civil service and postal employees, railroad workers and improved social security. Realizing the great importance of basic research in modern life, national defense, and health, O'Hara worked actively for legislation establishing the National Science Foundation.

To overlook his contribution to the field of civil rights would be to leave out an important part of his legislative career. Barratt O'Hara had struggled for civil rights all his life. He had sponsored antipoll tax and antilynching legislation. During the 84th Congress he was a member of the steering committee which worked to get civil rights legislation enacted. Continuing his work in this field, he was the first to sponsor in the House the civil rights legislation of 1958.

During the 85th Congress, aware of the challenges presented by our gradual loss of leadership in the world, Barratt O'Hara accepted an assignment to the Committee on Foreign Affairs. His leadership in this committee helped build a more peaceful world through technical assistance to backward, poverty-stricken nations by means of loans administered by the Export-Import and International Banks. He recommended tapering off of the military aid and looked askance at the alarming armaments race.

As chairman of the standing Subcommittee on Africa since its inception in 1959, Barratt O'Hara made a great contribution to a better mutual understanding and friendship between the United States and the newly emerged nations of that great continent. He saw a progressive future for the African Continent, comparing circumstances there with the way America was growing 70 years ago. Barratt O'Hara also served as ranking majority member of the Subcommittee on Inter-American Affairs, an area in which he has had a strong interest since his boyhood days exploring Nicaragua.

Barratt O'Hara boasted one of the best attendance records in the history of the House. Except for the 2 months when he was serving as a special U.S. delegate to the United Nations, O'Hara missed only one roll call in the House since his election in 1948. He was proud of his commendable record. While realizing that it was unreasonable to expect anyone to maintain a 100 percent record, he believed that a Congressman owed it to the voters to be present at least 90 percent of the time.

Barratt O'Hara was a man of great physical and moral courage—a champion of liberal causes. As the youngest Lieutenant Governor of Illinois, as one who was instrumental in enacting the first minimum wage law in Illinois, and as legislator in Washington, as one who was influential in evolving civil rights legislation, Barratt O'Hara has helped to sustain the fundamental tenets of our democracy. In his devotion to the public good Barratt O'Hara evinced a dynamic concern not only for his Chicago constituents, but for the needs of the national citizenry as well. It is indeed fitting that we pause to honor a great colleague, who symbolizes all the strength and sinew of America.

Mr. PHILBIN. Mr. Speaker, I was greatly saddened to learn of the passing of my dear friend, former Congressman Barratt O'Hara, one of the finest gentlemen and most able representatives of the people that I have ever known.

Barratt was a very dear friend of mine and knowing him was a proud privilege and unforgettable experience.

He had a well-stocked mind, a ready wit and was totally dedicated to the performance of his congressional duties.

He was gifted in many ways and always spoke with clarity, eloquence, and deep conviction.

An outstanding liberal, his service in public office and to the people went back many years. I can recall talks I had with the great internationally known lawyer and public figure, Mr. Clarence Darrow, of Chicago, years ago when I was a young man. Commenting on the political leadership of the great city of Chicago, the brilliant thinker, philosopher, and speaker, Darrow stated that the greatest liberal he knew in the city was Barratt O'Hara who was then serving in high public office.

He told me several anecdotes of Congressman O'Hara's service, loyalty, and devotion to the cause of the rank and file of the people, and praised him with encomiums and brisk, word sketches.

Barratt O'Hara was extremely popular in the House and we were all proud to call him our friend. He was respected, admired, and loved by all of us on both sides of the aisle.

As the great Darrow once said to me of Barratt:

> He is the outstanding liberal in our city and State, and one of the great leaders of true democracy in this country. We must be thankful to him for his many battles for the common people.

He has left with us a great legacy of honest, enlightened public service, warm, unselfish friendship, loyalty and inspired leadership that will long be a source of strength and a guide to us in our endeavors.

His great achievements in this body will be inscribed and gratefully remembered here for many years to come by a truly appreciative Nation which recognizes the debt it owes to this unflinching battler for social justice and the glory of his country.

I express my deepest sympathy, and send prayers and condolences to his family and surviving relatives.

May this illustrious son of Illinois, Barratt O'Hara find rest and peace in his heavenly home.

Truly, to the end, he lived out the words of Plato: "Man was not born for himself, but for his country," and I would add in Barratt's case, for his God.

Mr. MILLER of California. Mr. Speaker, Barratt O'Hara was my friend. I shall miss his wise counsel and our spirited and sometimes hilarious conversations.

I know of no one who lived a fuller life or who enjoyed life and the chal-

lenges that it carries with it than did Barratt O'Hara.

I would quite frequently drop over to the hotel where he resided and we would have dinner together; these were always rewarding and enjoyable occasions. I would sometimes take the younger, newer Members, particularly lawyers, to meet Barratt as he presided at the evening meal. They were always awed by his knowledge and his experiences in the law.

He was an American gentleman who never lost his love for his country—a country he defended in the days of his youth. I am proud to have called him friend and I, for one, know that the world is a much better place because of his having been here.

Mr. FRIEDEL. Mr. Speaker, I join my colleagues today in expressing my deep sorrow at the passing of our former colleague, Barratt O'Hara. He was truly a champion of liberal causes.

At 15, Barratt, ran away from home to enlist in the 33d Michigan Brigade which followed Teddy Roosevelt's Rough Riders as the second American force in Cuba. He was later awarded the Order of Military Merit by Cuba.

From sports editor of the St. Louis Chronicle, Barratt moved to Chicago and became sports editor of the American, and at the age of 30 he became the youngest Lieutenant Governor in Illinois history.

He was first elected to Congress at the age of 66, and was the last congressional veteran of the Spanish-American War.

Over the years my wife and I came to know him personally. His sage and scholarly approach to the affairs of state were a never ending source of interest to us.

As chairman of the Subcommittee on Africa, of the House Committee on Foreign Affairs, he did much to help in the emergence of new African nations. He also left his mark in the records of Congress for his untiring efforts to obtain better wages for women as well as champion of other liberal causes.

Congressman O'Hara was a man of great physical and moral courage and the famous Clarence Darrow is quoted as saying "I am envious of only one thing in the world—I wish I had Barratt O'Hara's courage." I think all of us who had the honor to serve with him can appreciate that tribute to a colleague who served his country and his constituents with honor, integrity, and ability.

His passing from our midst is a great loss to our country and to me personally.

Mr. Speaker, many years ago, I saw an inscription on a monument which I believe describes Barratt O'Hara. It read "Soldier, Statesman, Patriot, and Friend."

To his three sons, Barratt, Jr., Lorence, and Howard, Mrs. Friedel and I extend our deepest heartfelt sympathy.

Mr. DADDARIO. Mr. Speaker, it was with deepest sorrow that I learned of the passing of Barratt O'Hara, a distinguished and dedicated public servant.

It was my privilege to know Barratt intimately enough so that I could on occasion drop by his office to chat with him. His career was so varied and his involvement so intense, that it would be impossible to conclude which phase of his life he enjoyed the most.

I would expect that in the final analysis everything he did gave him pleasure for he could not engage himself in any venture without the participation of his enormous talents. He was a proud and sensitive man. He was concerned about his country and as a Member of the Congress showed that concern in everything he did and said. His presence in this body has added to its character as his individual friendship has been of benefit to each and every one of us.

Barratt O'Hara had a long and varied career as soldier in the Spanish-American and First World Wars, as sports writer and editor, author, attorney, radio commentator, and Member of Congress for seven terms. His stewardship of the Foreign Affairs Subcommittee on Africa, his admirable roll call record, his annual addresses on the anniversary of the sinking of the *Maine*, and his energetic participation in floor debate will be long recalled by his many friends and colleagues in this House. I personally shall sorely miss his friendship and counsel.

To his sons I extend my heartfelt sympathies.

Mr. MORSE. Mr. Speaker, Barratt O'Hara experienced more of the history of this Nation than most men; indeed, he played a far greater role in its development than most.

We who were privileged to serve with him knew him not only as the oldest member of the House and the only Spanish War veteran in the Congress, but as a dedicated, thoughtful, and compassionate public servant who contributed not only to the needs within this country, but as well to our understanding of the peoples of other nations.

As a member of his subcommittee, I was privileged to know him as a distinguished scholar in African affairs, and as a concerned human being.

Barratt O'Hara had the wisdom born of native intelligence, the sagacity born of time, and the perceptivity and understanding that comes from vast and richly varied human experience. And he put his knowledge and ability to work for the good of the Nation and the world.

He will be sorely missed by us all.

Mr. WHALLEY. Mr. Speaker, this Nation has been saddened by the loss of the beloved former Illinois Congressman, Barratt O'Hara. I would like to join my colleagues in paying tribute to this great man and great American.

First elected to Congress at the age of 66, when most men would be ready to retire, Barratt O'Hara was a fine example of resourcefulness, dedication, and ability. He was a man of remarkable talents and earned the admiration and respect of practically everyone he met.

Barratt O'Hara had the energy and zest for life and new ideas that would have put to shame many men of half his years. In a nation that symbolizes the qualities of youth, his example demonstrated that vigor, energy and ambition are not monopolized by the young.

It was my pleasure and privilege to serve with Barratt O'Hara on the House Foreign Affairs Committee. As chairman of the Subcommittee on African Affairs, he made an outstanding contribution to the American recognition and understanding of the problems faced by the new nations in Africa.

Moreover, his effective contributions and devoted service helped benefit many areas of American life, and he will be sadly missed.

I extend heartfelt sympathy to the family of Barratt O'Hara.

Mr. FEIGHAN. Mr. Speaker, it was with regret that I learned of the passing of our very able and distinguished former colleague, Barratt O'Hara.

Barratt had an extremely dramatic career and spent his life devoting his energies to the welfare of our country in war and in peace. In the Congress he carved an enviable, distinguished and inspiring career. All who had the privilege to serve with him or to know him will miss him.

Barratt had a keen understanding of the problems facing our Nation and demonstrated high qualities of leadership. These traits marked his career as one who could be depended upon. The conscientious manner in which he ably and zealously carried on his work for his district, State, and the Nation, is significant of his innate qualities which sustained him throughout his long and useful public career.

When Barratt O'Hara spoke in the well, there was unusual silence because he spoke briefly and succinctly to the point. Our country has been fortunate to have the services of this able and distinguished statesman.

I am glad to have this opportunity to join with my colleagues in honoring his memory and recounting some of his attributes. My family join me in expressing to the members of his family our deepest sympathy.

Mr. MONAGAN. Mr. Speaker, I would like to pay tribute to my long time friend and colleague, Barratt O'Hara, who passed away on August 11.

Barratt O'Hara and I served together for 10 years on the House Committee on Foreign Affairs. During much of that decade he was chairman of the House Foreign Affairs Subcommittee on Africa and he served in that position with intelligence and vigor.

Barratt's own career served to make him the ideal champion of the small and struggling nations of Africa. He was a born adventurer who at the age of 13 explored the jungles of Central America and who at the age of 15 ran away from home to fight in the Spanish-American War. He was a successful criminal lawyer who defended over 300 murder cases with less than 30 of his clients convicted, and none receiving the death penalty. While engaged in these multifaceted activities Barratt also found time to be a successful journalist, Illinois' youngest Lieutenant Governor, a motion picture executive, a major in World War I, and a radio commentator.

His flamboyance, courage, and tenacity; his unwillingness to quit or accept defeat, these were the characteristics that distinguished his work on the com-

mittee and during his 18 years in the Congress. We in Congress who knew him mourn his passing and extend our sympathies to his family.

Mr. O'HARA. Mr. Speaker, it is always saddening when one of our colleagues leaves the responsibilities and troubles of this life behind him. But I was especially saddened when the news came that my longtime friend Barratt O'Hara had died.

For the first 10 years of my service in this House, the name of Barratt O'Hara of Illinois was called by the reading clerk on every rollcall just before my own name. Throughout those 10 years, the better I came to know him, the more honored I felt I was by the association.

Barratt O'Hara's life and career, Mr. Speaker, were a living demonstration of the frequent irrelevance of the reasoning that equates age with ineffectiveness or with blind reaction. Barratt O'Hara was older than most of us, to be sure. But I have had many occasions to envy him, not only his stamina and staying powers when long evening sessions were fraying the tempers and addling the judgment of some of his more youthful colleagues, but the eternal ability he demonstrated to see old questions in a fresh, new light. Barratt O'Hara may have been the last Spanish-American War veteran among us—and that was something of which he had every reason to be proud—but he was also in every way a Congressman for the space age.

Barratt O'Hara has long fought the good fight. He served among us with more than his share of honor. He has been a credit to the two "families" of which I am proud to have been a fellow member with him—the House of O'Hara and the House of Representatives.

Mr. ZABLOCKI. Mr. Speaker, I wish to join with my colleagues in paying tribute to the memory of an outstanding Member of the House of Representatives and a great American, the Honorable Barratt O'Hara.

As one who served with Congressman O'Hara for almost 20 years and as a fellow member of the House Foreign Affairs Committee, my memories of him are many and varied.

He will be remembered for his fiery presentations on the floor of this legislative hall. Even in advanced years his voice was strong and vigorous as he debated the issues of the day. In the deliberations of the House Foreign Affairs Committee he used his skills as a distinguished lawyer to sharpen and define legislative language, to clarify the meaning of complex provisions of foreign aid bills and to find flaws in foreign aid programs in order to eliminate shortcomings and strengthen the programs.

As the chairman of the Subcommittee on Africa, his passionate pleas for understanding of the nations and peoples of that continent and his eagerness to assist the development of the countries and improve the welfare of their inhabitants will long be remembered.

Mr. Speaker, we shall sorely miss Congressman Barratt O'Hara. Let all of us and his loved ones be consoled in the thought that a truly remarkable man has left this troubled world for his justly deserved eternal rewards.

Mr. ROYBAL. Mr. Speaker, it would be hard, if not impossible, to name an American who lived a fuller, more interesting and useful life than the former Representative from the Second District in Illinois, the Honorable Barratt O'Hara.

Mr. O'Hara passed away on August 11 of this year, leaving behind him a career of a model citizen and dedicated statesman. His distinguished services as a public servant are inseparably connected with the history of this country.

As a Representative in the House, as a member of the Committee on Foreign Affairs, and as chairman of the Subcommittee on Africa, he exhibited, in all these positions, a wisdom and patriotism which made a deep and lasting impression upon the hearts of his fellow citizens.

The oldest Member of Congress when he last served in 1968, Barratt O'Hara was eminently qualified for his role. His intellectual powers, his capacity for reason, and his ability to understand and analyze a subject clearly made him a valuable colleague and friend.

Born in 1882, Representative O'Hara was one of the few men remaining in public office who bridged the gap between the present generation and the trying times of both the Spanish-American and First World Wars—in both of which he served.

He was a worthy illustration of the self-made American; his life was a vindication of a system, which offers its rewards to those who actively seek them. Barratt O'Hara was the architect of his own fortune, having made his way in life by self-exertion and a dedicated sense of purpose.

Before he was 15 years old, he had accompanied General Ludlow and Admiral Walker to Nicaragua to search for a canal route and had joined a Smithsonian Institution party exploring the jungles of Central America. By the age of 15, he was in Cuba with "Teddy" Roosevelt and his Rough Riders.

Five years later he was sports editor of the St. Louis Chronicle. Two years later he was Sunday editor of the Chicago Examiner and editor and publisher of the Chicago magazine.

At 30 he became the youngest Lieutenant Governor in Illinois history. In subsequent years, he took a prominent part, both in peace and war, in debating the great questions affecting his Nation's interest and honor. He was as pure a patriot as ever served in the councils of State and he was ever anxious for the public good, seeking always to promote it during his long and eventful life.

He was frank and fearless in expressing his opinions and in performing his duties. He possessed rare powers of eloquence which never failed to capture the attention of his audience, and which always commanded admiration.

Barratt O'Hara was prompt in decision, and firm in action. His was a vigorous mind, trained in the contests of a stirring life, strengthened by broad experience, and sharpened by acute observation.

As a friend and fellow member of the House Foreign Affairs Committee, I shall long remember Barratt as a man of outstanding courage and character. His example will be an inspiration to all those who knew and admired him.

Mr. RYAN. Mr. Speaker, I am privileged to join our distinguished colleague, the gentleman from Illinois (Mr. MIKVA) in paying tribute to Barratt O'Hara, and I commend him for reserving this time so Members of the House may have the opportunity to honor the memory of his illustrious predecessor.

Barratt O'Hara, in 87 years, led a long and distinguished career not only as a Member of the House of Representatives, but also as a soldier, journalist, Lieutenant Governor of Illinois, motion picture executive, radio commentator, and lawyer. The intelligence and commitment that he exhibited in his early careers came with him to Washington.

As a House Member, Barratt O'Hara distinguished himself as a supporter of emerging African nations and as an adversary of the House Un-American Activities Committee.

He chaired the House Foreign Affairs Subcommittee on Africa, playing an important role in shaping American policy toward the African countries.

Barratt O'Hara's fundamental commitment to civil liberties and his sense of justice caused him to oppose the House Un-American Activities Committee at a time when the political risk was high. I recall when he was one among six of us who voted against appropriations for that committee, and I remember the encouragement he gave me when I organized opposition in the House to it.

His courage was always an inspiration. Barratt O'Hara capsuled his attitude toward the committee as follows:

> I've never looked at a fellow American and thought he wasn't as fully American as I am. It's a crime when a man turns to another and calls him un-American.

Barratt O'Hara won his House seat at the age of 66, when most men are thinking of retirement. He was defeated for reelection, but he ran again 2 years later, won, and kept his seat for the next 16 years with little difficulty.

At the age of 15, he enlisted in the Army, lying about his age, so that he could fight in the Spanish-American War. He joined the 33d Michigan Volunteer Infantry, served as a corporal, and then as a chief scout of his brigade. His service earned him the Cuban Order of Military Merit.

After the war, he went back to high school and then to the University of Missouri. When he was 20, he became the sports editor of the St. Louis Chronicle. He continued his newspaper career in Chicago, where he eventually became editor and publisher of the Chicago magazine.

In 1913, Barratt O'Hara was elected Lieutenant Governor of Illinois. He was 30—the youngest man ever to hold the office. After his 4-year term was over, he became president of the Arizona Motion Picture Co., only to resign when World War I was declared. He served as major and then as judge advocate general of the 15th Division.

He had received a law degree from Chicago-Kent College in 1912, and so at the end of the war, Barratt O'Hara

started his career as a lawyer. He always considered this his favorite career, and it was one to be proud of. Of the 300 murder cases in which he served as attorney, only 30 of his clients were convicted, and none received the death penalty.

Barratt O'Hara's ability to do all these things and do them well was a mark of the man. He continued to make a major contribution to the debates in the House of Representatives throughout his service, proving that one is never too old to contribute to his country.

The Washington Post, in an editorial after his death, praised Barratt O'Hara in the following manner:

"Our youth and our manhood are due to our country," wrote Pliny, "but our declining years are due to ourselves." Few men have reversed that sentiment more dramatically than Barratt O'Hara.

Barratt O'Hara had no declining years. He grew older but never old.

My deepest sympathy goes to his three sons. They certainly should be proud of their father's full and purposeful life, which shall be a constant reminder to all Americans that it is never too late to serve one's country.

I include at this point in the RECORD the obituary from the New York Times of August 12:

BARRATT O'HARA, LEGISLATOR, DIES—OLDEST MEMBER OF HOUSE UNTIL DEFEAT IN 1968

WASHINGTON, August 11.—Former Representative Barratt O'Hara, Democrat of Illinois, who was the oldest member of the House until his defeat last year, died today in Georgetown University hospital. He was 87 years old and lived at the Congressional Hotel here.

Mr. O'Hara was admitted to the hospital July 13 with a congestive heart ailment. The immediate cause of his death was not available.

Mr. O'Hara, a Spanish American War veteral, served 18 years in Washington. He was defeated in the 1968 Democratic primary by Representative Abner J. Mikva.

He was United States delegate to the 20th United Nations General Assembly in 1965.

Surviving are three sons, Barratt Jr. and Lorence of Chicago and Howard of Guam; four grandchildren and six great-grandchildren.

Mr. O'Hara will be buried in Oakwood Cemetery, Chicago, Friday morning.

CAREERS WERE VARIED

Mr. O'Hara was elected to Congress in 1948, lost in 1950, won again in 1952 and kept his seat for the next 16 years. He usually won easily.

His entry into national politics capped several careers—soldier, journalist, Lieutenant Governor, motion-picture executive, radio commentator and lawyer.

At a time when most men would be ready to retire, Battling Barratt, as he was often called, won his first House seat at the age of 66, and was for many years the oldest member.

He used to emphasize his age in campaigns on the premise that it would encourage older segments of his electorate to feel that they could still be useful.

YOUNGEST IN STATE OFFICE

Mr. O'Hara, who was chairman of the House Foreign Affairs subcommittee on Africa at the time of his defeat last year, was elected Lieutenant Governor of Illinois when he was 30, becoming the youngest man ever to hold the office.

In 1917, after his four-year term as Lieutenant Governor, he became president of the Arizona Motion Picture Company. He resigned upon the declaration of war with Germany. He was commissioned a major, and became judge advocate general of the 15th Division. He retired at the end of World War I and began the career he always called his favorite, that of a lawyer. He had held a law degree from Chicago, Kent College of Law since 1912.

WON HOMICIDE CASES

He defended 300 murder cases; fewer than 30 of his clients were convicted and none received the death penalty.

Clarence Darrow was once quoted as having said: "I am envious of only one thing in the world—I wish I had Barratt O'Hara's courage."

At 13 Barratt O'Hara accompanied his father, Judge Thomas O'Hara, to Nicaragua, where the judge was President Grover Cleveland's special representative during a dispute with Britain. He remained to join a Smithsonian Institution party exploring Central American jungles.

At the age of 15, he ran away from home to fight in the Spanish-American War. He was a high school sophomore when the war broke out. Lying about his age, he enlisted in the 33d Michigan Volunteer Infantry, and served as a corporal at the siege of Santiago. He became chief scout for his brigade, and was awarded the Cuban Order of Military Merit.

The war over, Mr. O'Hara returned to his high school classes and went on to the University of Missouri. At the age of 20, he was sports editor of the St. Louis Chronicle.

A CHAMPION OF AFRICA

Mr. O'Hara once replied to what he considered a disparaging remark about Africa: "As Africa goes, so goes the world. We have been thrilled by their progress."

He advocated a "complete divorcement" of the United States from colonialism.

He fought for years to abolish the House Un-American Activities Committee. After the committee won a tough fight for survival in 1967, Mr. O'Hara declared:

"I've grown old in this fight against the Un-American Activities Committee. I've never looked at a fellow American and thought he wasn't as fully American as I am.

"It's a crime when a man turns to another and calls him un-American.

"This House may not do it this year, but this House is on the way to abolishing this committee."

Mr. REID of New York. Mr. Speaker, I join in mourning the passing of our distinguished former colleague, Barratt O'Hara.

Barratt served his country in war and in peace, in a lifetime of devotion that spanned two centuries. He was one of the first Members of this House to realize the importance of developments among the emerging nations of Africa and to recognize that the Congress has a responsibility to be informed about changing conditions on that continent. As chairman of the Africa subcommittee, he was the first to hold hearings on southern Africa.

He was, too, a kind and generous friend, with always a pleasant word and concerned inquiry about his colleagues and their families. Those of us who entered the House when he had already been here for many years will remember particularly his helpfulness in our early days and his continuing interest in our endeavors. To the end of his service in this House, he was a source of information and counsel on many issues and he remained always youthful in spirit.

Mrs. Reid joins me in extending our deepest sympathy to his family.

GENERAL LEAVE TO EXTEND

Mr. MIKVA. Mr. Speaker, I ask unanimous consent that all Members of the House may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

CRISIS STAGE IN SOME OF OUR SCHOOL SYSTEMS

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Georgia (Mr. HAGAN) is recognized for 10 minutes.

Mr. HAGAN. Mr. Speaker, we are rapidly approaching the crisis stage in some of our school systems.

This is particularly true in sections of the South, where the Department of Health, Education, and Welfare is taking what amounts to punitive measures against both the white and the black races.

These are in the form of dictatorial edicts calling for "busing" of students and other unreasonable measures to insure racial balance in the classrooms.

These measures are contrary to the wishes of the majority of responsible, thinking parents of both races, who have the best educational interests of their children at heart.

In a letter to the President last month, I called on Mr. Nixon to review the guidelines now being pursued by HEW.

My pleas to Health, Education, and Welfare Secretary Robert Finch for a review of HEW guidelines and a request for a meeting with him on this matter have fallen on deaf ears.

Apparently the President is the only one who can call an "about face" to these unreasonable HEW policies.

Therefore, I ask my colleagues in the House to join me in again urging Mr. Nixon to help restore the sanity and reason of "freedom of choice," which is the law of the land.

The insanity of any other course of action can only lead to chaos for our children and our schools.

PRESS REPORTS FROM NATIONAL GOVERNORS' CONFERENCE WITH REFERENCE TO CUTBACKS IN FEDERAL AND FEDERALLY AIDED CONSTRUCTION PROGRAMS

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Maryland (Mr. FALLON) is recognized for 10 minutes.

Mr. FALLON. Mr. Speaker, I am alarmed by the press reports from the National Governors' Conference quoting Vice President AGNEW to the effect that drastic cutbacks in Federal and federally aided construction programs will be announced shortly. I have expressed my concern in a telegram today to President Nixon.

Such action at this time would have a serious affect on employment and would cause a critical disruption in the on-the-job training programs which have been established to upgrade the skills of minority group workers. I personally feel

that this is no time to throw employees on the streets without jobs.

The Federal aid highway program is vital to our national effort to improve traffic safety. The postponement of highway development would be costly in terms of human lives and other accident costs. Furthermore, it is quite clear the postponement of the highway program, even for a short time, would appreciably increase the cost of meeting our highway needs and is, therefore, poor economy.

As chairman of the House Committee on Public Works, I have received a large number of telegrams and telephone calls expressing the great concern which is felt by highway officials at all levels of government. They feel that the situation is nothing short of disastrous and have called upon me for leadership in the matter.

I sincerely hope that this ill-advised action will be reconsidered by the President.

THE LATE RABBI JOSEPH S. SHUBOW

(Mr. McCORMACK (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD.)

Mr. McCORMACK. Mr. Speaker, the death on August 21, 1969, of Rabbi Joseph S. Shubow of Boston, spiritual leader for years of Temple B'nai Moshe of the Brighton section of Boston, and vice president of the Zionist Organization of America, took from our midst one of America's most prominent and outstanding churchmen, and one whose intense love of America was always evidenced by thought and deed. His death—and so sudden—has shocked and saddened his countless of thousands of friends and admirers of all races, color, and creed. Rabbi Shubow was nationally and internationally known.

Rabbi Shubow came to the United States as a boy, graduating from the Boston Latin School; receiving a bachelor of arts degree cum laude from Harvard University in 1920, and a year later, his master's degree. Rabbi Shubow was ordained at the Jewish Institute of Religion in New York.

His intense love of his adopted country was always evidenced throughout his lifetime. During World War II he served as chaplain for the Ninth Army in Europe.

Rabbi Shubow was a recognized scholar and linguist. He authored the Brandeis Abukah volume, a Zionist treatise dedicated to the late Justice Louis D. Brandeis. In 1959 he was awarded a doctor of philosophy degree by Harvard University.

On the occasion of his passing, Rabbi Murray L. Rothman, president of the Massachusetts Board of Rabbis, and Rabbi M. David Weiss, executive vice president, issued the following statement:

We record with deepest regret the passing of one of our group's founders and its second president. In 1935 Rabbi Shubow, with a small group of local rabbis, organized the Greater Boston Rabbinical Association, the forerunner of the Massachusetts Board of Rabbis, now numbering over 100 Jewish spiritual leaders.

Rabbi Shubow also helped found the Associated Synagogues of Massachusetts in 1941, which brought together orthodox, conservative and reform congregations in this area to better serve the religious community. He was also instrumental in organizing the services of the Jewish chaplains, leading to the formation of the United Rabbinical Chaplaincy Commission.

Rabbi Shubow was always an articulate and eloquent voice in behalf of democracy, and of social justice here and abroad.

For years, he was one of my most valued friends.

When he spoke in the field of religion, Rabbi Shubow spoke of God, His word, and His law, in a manner that not only inspired those of his religious convictions, but to communicants and members of all other creeds.

When he spoke of America, Rabbi Shubow did so with pride; affirmatively, not negatively; always the voice of courage—never with appeasement.

When he spoke against injustice, here and abroad, it was with the voice of logic and eloquence that made him a recognized leader in the fight for justice.

While the voice of Rabbi Shubow is silenced, his spirit will long be with us.

To his wife, Mrs. Judith Shubow, and her son and daughter and other loved ones, I extend my deep sympathy in their bereavement.

I know the beautiful, and yes, constructive and effective life Rabbi Shubow led, will always be a great consolation to them.

SOME OBSERVATIONS ON CZECHOSLOVAKIA

(Mr. BROWN of California asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BROWN of California. Mr. Speaker, during the just concluded recess there occurred the first anniversary of the invasion of Czechoslovakia by the U.S.S.R. in August 1968. The Los Angeles Times, in its issue of August 22, 1969, commented in its usual penetrating way on this subject, under the heading "Anniversary of Aggression." I would like to include this editorial at this point in the RECORD:

ANNIVERSARY OF AGGRESSION

By invading Czechoslovakia and crushing that country's groping movement toward a more humane form of communism, the Soviet Union created the very thing it purportedly feared—a nation which is bitterly anti-Russian and even anti-Communist.

This has been plain for some time, but the riots which erupted in Prague and other Czechoslovakian cities on Thursday, the first anniversary of the Russian invasion, hammered the fact home.

Unfortunately, the protests—courageous and admirable as they were—do not change the grim reality that Czechoslovakia is a captive nation, and seems condemned to remain one for a long time.

Leaflets circulated by the anti-Soviet underground summed up the prevailing Czech attitude in a few words:

"We want freedom

"And not Russian suppression."

The official line propagated by the Soviet government and its quislings in Prague is that such views are not representative of the Czechoslovak people as a whole, but are held by "hooligans" and citizens who have been misled by "subversives."

The Kremlin knows better, of course—which is precisely why the Russians have been so visibly nervous as the first anniversary of the occupation drew near.

In an obvious attempt to intimidate the Czechs and discourage any serious revolt against the occupation, Soviet military forces were beefed up—and maneuvers ostentatiously held in the Czech countryside in recent days.

The Czech underground itself urged a strategy of peaceful resistance, in order to avoid providing the Russians with a pretext for clamping down even harder on what little freedom the Czechoslovaks still enjoy.

The underground urged the people to mark the anniversary by boycotting public transportation, movies and shops, and by staging a five-minute sitdown strike at their places of work.

Deeply felt rage and frustration boiled over, however, and large-scale rioting broke out both Wednesday night and Thursday. Security forces had to use nightsticks, tear gas and water cannons to subdue scores of thousands of Czechs who poured through the streets of Prague, crying "Long live Dubcek!" and "Russians go home!"

The riots and renewed condemnation of the occupation by outspoken foreign Communists are politically embarrassing to the Soviet Union. Unfortunately, however, this is a price which the Kremlin appears willing to pay to prevent the spread of the Czech heresies to Eastern Europe's other captive nations.

One can hope that a sullen Czechoslovakia, slipping ever deeper into economic stagnation, will eventually prove so expensive that the Russians will find it wise to relax their grip.

In the short run, however, the anniversary protests—by revealing the depth of hatred for Russia and contempt for the Moscow brand of Communism—will probably result in an even harder crackdown on Czechoslovakia's dissident students, intellectuals and workers.

In looking through my own files on this subject I note that I issued a press release condemning the invasion and calling on President Johnson to protest in the strongest possible way. In passing, I pointed out the loss of U.S. moral leadership in the world and the lessened impact of such a condemnation, as a result of our own military involvements in Vietnam and in various Latin American countries, which we consider to be within the sphere of interest of the United States.

In addition to issuing the press release, I was moved to make some observations of a more philosophical nature, which, for some reason or other, I left languishing in my files. Having an aversion to such a waste of effort, and because the comments were of a nature as to be pertinent today, I am submitting for the RECORD these observations which I prepared in August of 1968:

SOME OBSERVATIONS ON CZECHOSLOVAKIA

(By George E. Brown, Jr.)

The Czechoslovakian crisis provides a focus for concerned citizens to explore thoughtfully the nature of many of the serious issues of foreign policy which face the world today. I would like to offer a few observations on these issues in the hope of stimulating a discussion that will go beyond the repetition of clichés or the expression of purely emotional reaction. Such discussion should have as its

goal strengthening America and increasing the influence of her role in the world.

It has been obvious for several years that Soviet control over the other Communist countries of the world and over the Communist parties in non-Communist countries has been weakening, as these countries and parties sought to enhance their own nationalist aspirations and follow their own brand of Communism. U.S. policy, beginning with Eisenhower, has sought to recognize these changes by selective treatment of each country. Yugoslavia and Poland, for example, were extended trade concessions and aid under Eisenhower not granted to other Communist countries, in recognition and encouragement of their efforts to follow policies independent of the U.S.S.R. Mainland China and Albania have broken strongly with the Soviets, but for different reasons than Yugoslavia and Czechoslovakia, and have remained closer to the Stalin model of Communism. The U.S.S.R. itself has, since the Stalin era, moved toward different policies, generally considered less totalitarian, in economic matters and in political and cultural expression.

Within the Soviet bureaucracy, which Joseph Kraft describes as ". . . the world's most entrenched, powerful and dim-witted . . .", there has been a struggle to adjust to this dynamic and changing situation in the Communist world. Similar struggles take place in the U.S. bureaucracy, which I would describe as the world's second most entrenched, powerful and dim-witted. In both bureaucracies there is a faction which holds that the ultimate solutions to the problems of the world depend upon the capacity for the application of overwhelming military force, and which therefore constantly seeks to maximize the allocation of national resources for military purposes, and the use of military means to solve as large a segment of problems as possible. This faction believes that totalitarian control, the hallmark of the military mind, must be applied as broadly as possible throughout society.

There is a large segment of public opinion, and of public officials, in both the U.S. and U.S.S.R. which supports this position as being the only "realistic" approach to the world. This segment of opinion tends to see each of their systems as the only reasonable way to organize political, social and economic affairs, for themselves and ultimately the rest of the world, and to envision a final military confrontation between the two systems as being the ultimate and inevitable test between reason and un-reason, or good and evil.

In both countries the bureaucratic factions committed to maximum military emphasis, and their supporters among the people, see themselves, and present themselves, as the embodiment of patriotism. In a sense, they seek to monopolize the most respected symbols of nationalism—the flag, patriotic music and ceremonies, our boys in service, and our honored dead—as emotional, if not rational, support for the course of action which they follow. This course is always labeled as "defense", never as "attack", or even as "war".

The predominant tendency on each side to see the other side as a single undifferentiated and unchanging evil force, ultimately to be resisted or conquered by a greater force on "our" side, has made it difficult to develop and employ policies based upon the concept that the other side is composed of various elements all in a process of change and that such changes within each element when favorable to our goals should be encouraged and when antagonistic to our goals should be discouraged. Even such a respected figure as President Eisenhower was attacked by many staunch patriots of the right as a "crypto-Communist" for his support of flexible policies toward the Communist countries. His successors have likewise been attacked by many for any initiatives which contradict their theory of the ultimate and unchanging evil of the other side.

The Czechoslovakian crisis now serves to illustrate several things of importance. It shows that Czechoslovakian Communism was undergoing rapid changes. These changes were in the direction of increased freedom of political and cultural expression, and possibly increased freedom to experiment with economic mechanisms, such as market control of production, profit motivations to some producers, etc. While these changes were all within a framework of declared loyalty to Communist theory and Communist political solidarity, they actually threatened that theory and that solidarity by illustrating alternatives to the dominant Soviet interpretations, alternatives which might even be superior in the minds of their own citizens.

Czechoslovakian innovations in Communist doctrine, and increased tolerance of free expression, would inevitably create demands in other satellite countries for similar freedoms. In countries where Soviet domination has been most oppressive, such as East Germany, this could set off a train of events leading to the overthrow of the existing regime. Strong pressure for German re-unification, which the Soviets see as their greatest danger in Europe, would result.

Growing Czechoslovakian freedom would pose threats within the U.S.S.R. itself. It would lend strength to the growing demands for Soviet intellectual freedom. It would accelerate the disintegration of the myth of Communist solidarity based upon a single Soviet version of Communism. It would shake the control of the military hard-liners within the Soviet hierarchy, a control based upon the theory of a unified Communist world faced by the danger of destruction from a unified non-Communist world.

After what must have been a most intense struggle within the inner circles of the Kremlin, it is obvious that a victory was won by those who fear the currents of change, and who propose to halt those changes, or control their pace, by the application of military force. They won, and the Soviet troops marched into Prague.

The Czechoslovakian situation also makes it clear that the Soviets made their move knowing with absolute certainty that there would be no danger of any retaliation—military, diplomatic, economic or otherwise—from the U.S. or any other powers, or from the U.N. as the world's collective peace-keeping organization. It is important to the people of this country in appraising our role in the world today to recognize this fact. Despite the circumlocutions of the Secretary of State there is in practice a clear understanding between the U.S. and the U.S.S.R. that each will respect the power, if not the right, of the other to use military force or other means of its choice to maintain its predominant influence within certain defined areas. Czechoslovakia, as was Hungary, is clearly within that area for the U.S.S.R. Latin America is clearly within the area of U.S. domination. As for the U.N., both of the Great Powers have demonstrated by their actions that it will be disregarded and held powerless, except in those situations where the Big Two agree on the course to be followed.

The high-risk areas of the world today are not the core-areas for the U.S. and the U.S.S.R., but are the fringe areas where boundaries are arbitrary or indistinct, or third-world areas where local tensions and conflicts may get out of control.

The Czechoslovakian crisis therefore illustrates with clarity that the same set of attitudes which holds to the inevitability of military conflict between a monolithic Communist world and a monolithic non-Communist world, also clearly precludes any effective action by the controlling groups on either side to support changes on the other side tending to make the two worlds less monolithic. Each side instead is content to issue propaganda statements which they recognize to be exercises in hypocrisy. This situation is an example of the phenomena known as the "self-fulfilling prophecy."

When a situation such as the Czechoslovakian crisis arises, on either side, the military hard-liners (sometimes loosely described as "hawks") of both sides use it to bulwark their arguments for an increased allocation of man-power and material resources. In the U.S. the first official reaction has been that this "proves what we said all along about the evil U.S.S.R." Congressional leaders make clear that now we must not only maintain our present troop level in Europe, which faced imminent reduction, but possibly increase it. They also react with increased emotion against a reduction in the level of bombing and other military activity in Vietnam. Undoubtedly the Soviet Generals and their Politburo spokesman are making the same kinds of speeches, claiming that Czechoslovakia shows that if you give an inch to the forces of change they will take a mile. In Peking the official line seems to be that Czechoslovakia shows that the U.S. and the U.S.S.R. have secretly plotted together to destroy the Czech peoples movement, hence proving the Chinese contention that they must gird themselves to fight both of the two super-powers.

It seems quite difficult for the U.S. bureaucracy, military and otherwise, and their Congressional spokesmen, to recognize that the Czechoslovakian crisis is clear evidence of the failure of Soviet bureaucratic methods. Soviet Communism is no longer able to stifle the drive for individual freedom and national expression within the Communist bloc. The invasion of Czechoslovakia will hasten the movement for greater freedom within the Communist world. This is best illustrated by the violent condemnation of the Soviet action by the Communist governments of Yugoslavia and Rumania, and by the Communist parties of France, Italy and most other Western countries, condemnation which exceeded in its force and effectiveness that of the U.S.

The attitude of Western Communist parties is indicated by the statement in the Italian Communist evening paper Paese Sera, which said:

"The occupation was a present to our enemies. Nobody can convince us that Czechoslovakia is the Dominican Republic, that the Soviet Union is Johnson's America, that socialism has to use the methods of imperialism, and least of all today when imperialism should be dead."

I consider it a great tragedy that much of official U.S. opinion has actually accepted, in practice, the basic premises of Soviet totalitarianism. That opinion agrees with Soviet leaders that individual freedom and national aspiration can be stifled by military force, even when that force is controlled by a false and evil doctrine. That opinion sees no moral wrong in using military force to support "our" dictators in areas central to our interests. That opinion sees no inconsistency in accepting the Soviet's right to suppress deviant political doctrines in their sphere of influence, as long as they concede our right to do the same in our sphere of influence. That opinion sees no hypocrisy in establishing a United Nations to secure world peace under law, but then acting on the basis that the only effective law is that which "grows from the barrel of a gun."

The Czechoslovakian crisis demonstrates the fact that the U.S. will play a minimal role in supporting change within the Communist world. While we will pass resolutions calling for freedom and national determination for Communist bloc peoples, in practice our policies will support continued Soviet domination. The key role will be played by these people themselves who, while under communist dictatorship, show by their actions that there is no greater power than

that of the human spirit seeking to control its own destiny. Those in both the U.S. and the U.S.S.R. who believe that the key to human advancement is the possession and use of overwhelming military power, will find that history has passed them by. With their power they can, and have, and probably will again, destroy what man has created, but they will never create the freedom which nourishes human progress.

It seems to me ridiculous and demeaning to the American spirit that we now must play a minor role in arousing the world to the immorality of the Soviet occupation of Czechoslovakia, while the Communist countries, Communist parties in non-Communist countries, and other governments mobilize the opinion of mankind against this action. The moral leadership we once held among the nations we have now abdicated in favor of the "realism" of military force. It is tragic that this event, the clearest evidence of the failure of a policy of repression, will be used by the "Hawks" as evidence of the success of military power, and as argument for further devotion of our resources to that sterile course.

A rational and perceptive analysis of the Czechoslovakian situation would recognize the real strength of the forces resisting totalitarianism in the Communist bloc and in the U.S.S.R. itself. As nations acquire economic security for their people, based upon industrial development and educational achievement, it becomes increasingly difficult to suppress freedom of thought, speech, publication and political choice. These values supercede physical security as the most important goals of the society. Any tyranny is more threatened by this than by any other factor or force. The "Cold War", raised to the level of a religious crusade by those who see it as the ultimate confrontation of good and evil, actually helps to maintain the worst features of Communist dictatorship in Communist countries, and leads the cold war crusaders in this country to justify the imposition of restrictions on freedom here, as well as the allocation of the major part of our U.S. budget to military rather than domestic needs.

The wiser course for this country would be to provide every assistance to those forces which seek the victory of freedom over tyranny. Reduce our military presence in Europe, and around the periphery of the Communist world. Increase our support for regional and international military forces whose mission will be to preserve freedom anywhere in the world, not the "friendly" dictatorships within great power spheres of interest. Use all of our influence to gain respect and adherence for non-military solutions to all international problems, not just those where we see no advantage to our use of force. Permit and encourage the widest possible exchange of information, and informed persons, between the two great power blocs.

I am firmly convinced that the dogmatic ideology of Communism cannot survive the exposure of its error to the informed and inquiring human intellect. Such exposure presents the most effective method of change which can be used. But it likewise requires confidence in the results of inquiry, and a willingness to accept change in one's own ideology and dogma where such change contributes to human freedom and progress. This willingness is a rare commodity among those most zealous in their desire to destroy the evil they see in systems other than their own.

THE MYTH OF MIRV

(Mr. BROWN of California asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BROWN of California. Mr. Speaker, I wish to call to the attention of my colleagues an article in last week's Saturday Review on the subject of MIRV. Entitled "The Myth of MIRV," the article is written by Leo Sartori, an associate professor of physics at MIT.

I consider this article to be the best single exposition of the many aspects of the MIRV problem that I have seen. Its excellence is due in part to the clear explanation of how MIRV relates to nuclear strategy in general and the present balance of deterrence between the United States and the U.S.S.R.

Professor Sartori concludes that to continue testing and eventually to deploy MIRV will, while increasing our military power, actually reduce our security as a nation. He explains this situation as follows:

How does installing MIRVs differ from just increasing the number of one's ICBMs? . . . First, neither side can be sure, once MIRV deployment has begun, how many weapons the enemy has; as a result, each is almost sure to overestimate the other's strength, and accordingly to overrespond. Thus the spiral of escalation and counter-escalation will expand at a faster rate. The feeling of relative security that comes from knowing the strength of one's opponent will be gone forever once the MIRV era begins.

The second feature peculiar to MIRV is that it enhances the premium on striking first in a crisis situation, making war more likely . . .

A simplified example explains why possession of MIRV by both sides increases the temptation to strike first. Suppose each side has exactly 1,000 land-based ICBMs (without MIRV). If side A wishes to attack, it may target one of its missiles on each of B's. Suppose the chance that a given missile destroys its target (called the "kill probability") is 75 per cent; this allows for the possibility of misfire, targeting error, and so on. Even if A were to fire his entire force in a first strike, he could expect to knock out only 750 of B's missiles. The surviving 250 would be more than enough to enable B to retaliate. Thus, A is deterred. Obviously, so is B. This corresponds roughly to the present situation.

Next, suppose both sides have installed MIRVs in their arsenals with ten warheads per missile. Each side now has 10,000 warheads in the same 1,000 silos as before. Because the warheads are smaller each one is less likely to knock out a silo; the kill probability is reduced, say, to 50 per cent. But A can target many warheads on each of B's silos. He can fire, say 800 of his missiles, keeping 200 in reserve. The 800 missiles contain 8,000 warheads, so eight bombs can be aimed at each of B's 1,000 sites. Even though each weapon is only 50 per cent effective, the chance that all eight will fail is extremely small, only about one in 250. According to the laws of averages, only four of B's missiles will survive, while A has 200 left. Evidently, B can obtain the same advantage by firing his missiles first . . .

Because a single incoming missile is capable of destroying many MIRVed warheads in the ground, there is a great premium on getting missiles into the air first, when the other side is MIRVed. This is clearly a destabilizing factor in any crisis.

It is unfortunate that large elements of our society, as well as many Members of Congress, have become thoroughly confused over the differences between military power and national security. For much of human history, one could make a rational, if not always convincing, case for the concept that military power and national security were directly related, at least when military power was used for primarily defensive purposes, as we claim ours to be. But in the fantasyland of modern military technology such comforting illusions are no longer valid. "Defense" and "attack" have lost their former meaning. Missiles aimed at the enemy's cities are considered nonprovocative and defensive in nature. They represent only a "second-strike" capability. On the other hand missiles aimed at the enemy's missiles, particularly if either or both side's missiles are MIRVed, represents the most virulent of aggressive actions, the posture of the "preemptive first strike." Any exacerbation of relations between the two countries under these conditions in an invitation to disaster.

Professor Sartori's concluding paragraph presents the only sensible course:

The present moment, when approximate equality prevails, seems exceptionally well suited to begin the reversal of the escalations of the past twenty years. In the words of John B. Anderson, a conservative Republican Congressman: "The time has come to call a halt to this insane nuclear version of keeping up with the Joneses."

The best chance to call a halt is to stop MIRV, but the chance is slipping through our fingers.

The complete article follows:

THE MYTH OF MIRV

(By Leo Sartori)

(NOTE.—Leo Sartori is an associate professor of physics at MIT and a member of the Union of Concerned Scientists.)

The initials MIRV, virtually unheard of six months ago, now appear on the front pages every day. They stand for a new weapon with an impressive name: Multiple Independently Targeted Re-entry Vehicle. What is MIRV? Why is the military so anxious to have it, and why have forty-two Senators sponsored a resolution urging the President to seek an agreement with the Russians to ban further tests?

Briefly, MIRV is a "missile bus" whose "passengers" are nuclear bombs. It enables a single booster to deliver as many as fourteen bombs, each one accurately aimed at a different target. The targets can be 50 or 100 miles apart, perhaps even more. Both we and the Russians have the know-how to produce MIRVs; none have been deployed yet, but testing is proceeding on both sides.

It is generally agreed that from a military viewpoint, MIRV is an effective weapon. Unlike ABM, which critics contend may not work and will not add to our defense, MIRV almost surely will work and potentially represents a tremendous increase in striking force. The opposition to MIRV is based on the conviction that it will lessen our security by severely escalating the arms race, and will increase the danger of nuclear war.

Much of the administration's case for ABM is based on the assumption that the Russians, by installing MIRVs in their big SS9 missiles, could threaten the reliability of our "nuclear umbrella" by the middle of 1970s. The principal purpose of our own MIRVs, according to the Pentagon, would be to ensure our ability to penetrate any expanded Soviet ABM. The Defense Department plans to install MIRVs in about half our Minuteman ICBMs, and is refitting most of the Polaris submarine fleet with the new Poseidon missile, also to be equipped with MIRVs.

Critics point to the planned deployment of MIRV and ABM as a typical example of the futility of nuclear escalation—the dog chasing its own tail. We will install these weapons in response to the Russians' planned deploy-

ment, and they will install them in response to our own deployment. In the end both sides will be less secure, and the balance of terror will be more unstable than ever.

The best way to avoid this latest round of escalation is to agree with the Russians to stop testing MIRV. The opponents reason that neither side would stake its survival on an inadequately tested weapon. Therefore, if testing stops we can be confident there will be no deployment. But neither side would agree to a test ban if it felt the other side had already tested enough to go ahead with deployment. Since the United States is rapidly approaching this critical stage, a test ban must be agreed to quickly if it is to have any chance of success.

But even if we get an agreement not to test, how will we know the Russians aren't cheating? Fortunately, with spy satellites and other modern surveillance techniques, each side can detect with some confidence a test of a multiple warhead missile by the other. We have recently detected a Soviet test of this kind in the Pacific Ocean. On the other hand, a ban on deployment of MIRV's would be much more difficult to police. It is probably impossible to determine, without detailing on-site inspection, whether a missile in its silo contains one warhead or many. The issue of on-site inspection has been a major stumbling block in past negotiations. The Soviets have traditionally resisted it, and even we, who have always expressed our willingness to allow inspections, might well be reluctant to submit to the kind of search required to verify that MIRV's have not been installed. Yet, without adequate verification, a deployment ban would be meaningless. Thus, unless testing stops soon, the prospects for a MIRV agreement appear dim.

What are the military advantages of MIRV? Clearly, one gets more warheads with the same number of silos and boosters, but on the other hand the individual warheads must be smaller. In fact, the *combined* yield (megatonnage) of all the weapons in a "MIRVed" missile is less than the yield of the single weapon which the same missile could carry. The reason for the loss is the extra weight that must be carried in the form of heat shields and casings, as well as the more complicated guidance and propulsion systems required with MIRV.

The decreased yield is naturally a disadvantage: small weapons cause less destruction than large ones. But the reduction is not in direct proportion to the yield; the area of destruction of a one-megaton bomb, for example, is *more* than half as great as that of a two-megaton bomb.

Despite the reduction in total yield, the increased number of warheads makes MIRV attractive to the military. There are two main purposes for which MIRV would be useful, one essentially defensive and the other potentially aggressive. The first is in a retaliatory strike against an enemy's cities. Except against the very largest cities many-megaton weapons are superfluous; much of their destruction would take place outside the city. And the crippling effect on a country of several small nuclear weapons landing on different cities is far greater than that of a single large bomb which completely devastates just one city. ("Small" here can still mean many times the size of the Hiroshima bomb.) MIRV therefore provides greater retaliatory strength with the same number of missiles.

If the opponent has an ABM defense, MIRV confronts the defense with a larger number of incoming objects; the chance that at least one of the warheads reaches its target is greatly increased. MIRV can therefore be regarded as a penetration aid. But for this purpose, independent targeting is unnecessary. The function of exhausting an ABM defense can be accomplished equally well by a less complex form of multiple-warhead missile called MIRV (multiple re-entry vehicle). In MIRV the individual warheads are not independently targeted, but are all fired at the same target in the manner of a shotgun blast. We now have MIRVs in a number of Polaris submarines.

The second possible use of MIRV would be to attack the other side's missiles. For such a purpose, accuracy is all-important and yield is only a secondary consideration. A hardened ICBM silo can survive even a many-megaton burst a few miles away, whereas even a weapon of a few kilotons will destroy the silo if it lands close enough. Consequently, a MIRVed missile containing, say, five warheads can potentially destroy five of the opponent's ICBMs, whereas the same missile carrying a single large warhead can destroy, at most, one. By installing MIRVs, one side therefore greatly increases its capacity to strike at the other side's missiles, provided the accuracy is high enough. (A system without independent targeting is not suited to this purpose and is therefore considered less provocative.)

The first generation of MIRVs probably would not be accurate enough to permit one-on-one targeting; two and perhaps more warheads would have to be targeted on each enemy ICBM to assure its destruction. But once MIRVs are deployed, the door would be opened to further improvements that are already in the research and development stage. Such improvements could reduce targeting errors to unbelievably small distances, and could be installed with no noticeable change from the outside. The threat to opponents' missiles would then be very severe.

It is a paradoxical fact of life in today's nuclear age that weapons aimed at missiles are considered far more aggressive than weapons aimed at cities. The reason is simple: weapons aimed at cities are presumably intended for retaliation only; whereas those aimed at missiles can be used in a preemptive first strike. (They can also be used in what is called a "counterforce second strike." If an enemy launches a moderate attack, using only some of his missiles, one may choose to respond by attacking his remaining missiles, thus depriving him of the opportunity to launch a second round. Counterforce second strike is therefore a defensive strategy. Unfortunately, there is no way to convince the other side that one's missiles are intended only for counterforce second strike, and not for an aggressive first strike.) In a surprise attack, the all-important objective would be to destroy the opponent's missiles, thus denying him the ability to retaliate. If a country intended to launch such an attack, the installation of MIRVs would be an important step toward acquiring the capacity to do so. This is the most alarming feature of MIRV.

How does installing MIRVs differ from just increasing the number of one's ICBMs? As far as striking capability is concerned, the effect is pretty much the same. But there are at least two ways in which the destabilizing effect on the strategic balance is likely to be greater. First, neither side can ever be sure, once MIRV deployment has begun, how many weapons the enemy has; as a result, each is almost sure to overestimate the other's strength, and accordingly to overrespond. Thus the spiral of escalation and counter-escalation will expand at a faster rate. The feeling of relative security that comes from knowing the strength of one's opponent will be gone forever once the MIRV era begins.

The second feature peculiar to MIRV is that it enhances the premium on striking first in a crisis situation, making war more likely. The reasons for this will be described later.

In order to evaluate the arguments for and against MIRV, it is necessary to have in mind some picture of the present strategic balance—the strengths of the two superpowers in deliverable nuclear weapons. One statistic points up the enormity of the nuclear arsenals: *a single B-52 bomber carries more explosive power than has been used in all the wars of history.* And we have more than 600 B-52s, as well as about 1,000 land-based ICBMs, and more than 600 long-range missiles carried by Polaris submarines. All these missiles carry warheads in the megaton range (one megaton is the equivalent of one million tons of TNT, about fifty times the yield of the Hiroshima bomb that killed 100,000 people.) Altogether, we have more than 4,500 deliverable nuclear weapons. It has been estimated that 400 one-megaton warheads could kill seventy million Russians and destroy about three-quarters of Soviet industry. (These figures refer to immediate destruction only, and do not include the widespread effects of fallout, contamination, epidemics, and so on, that surely would follow.)

The Soviet arsenal is also immense. Their ICBM force has expanded in recent years and now approximately equals ours in number. Although we are still considerably ahead in submarine missiles and nuclear bombers, as well as in total deliverable warheads, there is no doubt the Russians could devastate us if they tried.

In this situation, with each side having so much strength, numerical superiority means little. Each country insists that its strategic force is not an offensive weapon, but is intended only to "deter" the other side from attacking. At the moment, the ability of each power to retaliate after any attack is unquestioned; thus an uneasy stability rules. This state of mutual deterrence can be upset only if one side becomes capable of destroying so many of the opponent's weapons in a surprise attack that the opponent is unable to retaliate effectively. The ability to launch such an attack is known as first-strike capability.

It is not hard to imagine how desperate our situation would be if the Soviets ever obtained a first-strike capability. Even if they never actually launched a single missile, the mere threat of an attack would be sufficient to force important concessions throughout the world, perhaps even to make us surrender. The prospect that the Untied States might acquire a first-strike capability must appear equally ominous in the eyes of the Russians. Understandably, then, any move by one side that even vaguely threatens to lead to a first-strike capability is viewed with great apprehension by the other. The trouble is that each side sees its own arms expansions as purely defensive, while attributing aggressive intentions to similar actions by the opponent. At various times, both American and Soviet officials have accused the other side of "going for a first-strike capability." The most recent instance was a statement by Secretary of Defense Melvin Laird before the House Appropriations Committee on May 22, although this was subsequently qualified in testimony before the Senate Foreign Relations Committee.

How serious is the threat of a Soviet first-strike capability? To answer this, one must inquire what such a capability entails. At present, each of our three major strategic forces—Polaris submarines, long-range bombers, and land-based missiles—constitutes by itself a retaliatory force of vast strength. To achieve a successful first strike, the Russians therefore would have to knock out all three forces simultaneously. (Even if they could do all that, they would still have to worry about the 7,000 so-called "tactical" nuclear weapons based in Europe, many of which can be delivered on targets in the Western Soviet Union.) Moreover, they would have to have very high confidence in the complete success of such an attack; if any hitch occurred, their homeland would be in ashes minutes later. The United States would be faced with a similar requirement if it should ever contemplate a first strike. Let us

examine the prospects of either country attaining this capability.

The Polaris fleet is considered the least vulnerable part of our deterrent. Whereas the locations of land-based ICBMs are accurately known to the Russians through satellite photography, neither photography nor radar is effective underwater. The nuclear subs can stay under many months and cruise many thousands of miles without surfacing, and while submerged they are practically invisible. The two principal methods of submarine detection are sonar—based on the reflection of sound waves—and MAD (magnetic anomaly detection), which senses small changes in the earth's magnetic field produced by a submarine's iron hull. However, both are effective only over distances of a few miles, at most. Therefore, although they can be employed for tracking purposes, they are almost useless in searching for submarines in the vast expanse of midocean.

An effective method for locating nuclear submarines at large distances requires major new ideas and technological breakthroughs, not just the refinement of known techniques. Such breakthroughs do not appear to be on the horizon. Our own effort in antisubmarine warfare, despite expenditures of several billion dollars a year, has not come up with anything promising. And the U.S. Navy, at least, is highly confident that the Russians are no further along. Others have expressed doubts about the long-term safety of the submarine deterrent, but these doubts are not based on any known Soviet developments. We cannot be 100 per cent certain that some supersecret Soviet anti-submarine weapon is not being perfected; but this seems most unlikely.

The most plausible threat to the submarine deterrent is that swift "hunter-killer" subs will lurk offshore, pick up the missile-carrying subs as they leave their home ports, and trail them continuously thereafter. Both we and the Soviets have nuclear hunter-killer subs and are undoubtedly working hard on improving them. The hunter-killers would have to be considerably swifter and more maneuverable than their quarry, which can carry out numerous evasive measures to shake off pursuit. And to make sure that all the Polarises are continuously shadowed would require a substantial fleet of hunter-killers. Since we have a good indication of the number of Soviet submarines, we should have adequate warning if such a threat loomed.

Before the advent of intercontinental missiles, long-range bombers constituted our entire deterrent force. During that era, a fraction of the strategic bomber fleet was airborne at all times. After several embarrassing accidents this system was dropped, but about 40 per cent of the strategic bomber fleet remains on fifteen-minute runway alert. Since our long-range radar provides at least twenty minutes' warning of an ICBM attack, a good fraction of the B–52s should be able to get off the ground before any enemy missiles arrive. Because the strategic bombers carry such heavy loads, a relatively small number can provide strong retaliation.

It is argued that some possible attacks, particularly by low-trajectory missiles launched from offshore submarines, could come with less than fifteen minutes' warning and could conceivably destroy the bomber fleet on the ground. To guard against this, the B–52s are being more widely dispersed, with a greater number stationed far from the coasts. Moreover, the airborne alert can always be reinstituted if necessary; presumably this would be done during any period of crisis. To neutralize completely the bomber-borne deterrent would then require an air defense system considerably more effective than either we or the Russians now possess.

I have left for last the land-based missiles, on which most of the first-strike discussion has concentrated. Since their locations are pinpointed accurately by satellite reconnaissance, ICBMs are in principle vulnerable to attack, even though their hardened, concrete silos can survive anything but an almost direct hit. The accuracy required for assured destruction depends on the hardness of the silo and on the yield of the attacking missile; in some cases, accuracies of half a mile or less may be needed. But this is already within or very near the capability of both ourselves and the Soviets.

There is no doubt that, given enough missiles, either side could destroy practically all the opponent's missiles, provided the latter remain in their silos. It is also agreed that neither side has nowhere near enough missiles to accomplish this at the present time. The disagreement is on the question of *how many* missiles the Russians would need in order to knock out our ICBMs, and *how long* it will take them to reach that capability if we do nothing about it. Secretary of Defense Laird says this may occur by 1975 if the Soviets continue to deploy SS–9s at the present rate of about fifty a year, and equip them with three MIRVs per missile. Others claim that Laird's estimate is exaggerated.

The calculations on which estimates of probable destruction are based include many factors about which our knowledge is unprecise—the accuracy and yield of the Soviet missiles, their launch-failure rate, and so on. A conservative planner naturally tends to be pessimistic when in doubt. By using the most pessimistic estimate of every quantity that enters the calculation, one arrives at a result that, in all probability, is a gross overestimate of the true capability of the opponent. But prudence requires that we be prepared for such an extreme possibility if we can.

It is conceivable that the Soviet missile force could, by 1975, be strong enough to destroy most (say 95 per cent) of our Minutemen in a surprise attack. This is the premise on which the Administration bases its decision to proceed with ABM deployment and also forms part of the rationale for MIRV. The ABM, it is argued, will increase the number of Minutemen that survive the hypothetical Soviet first strike, and with MIRVs those surviving Minutemen will provide stronger retaliatory power.

Two principal lines of argument are offered in rebuttal to this case. First, even if the Soviets could wipe out our Minutemen, our other two deterrents would still deny them a first-strike capability. The weapons carried by a single Polaris submarine, even without MIRVs, can destroy sixteen cities. The diversity of our retaliatory force is often cited as its greatest strength.

Moreover, the argument over destruction of the Minutemen assumes that they all remain in their silos. But these solid-fueled missiles can be fired in about a minute, far less than the radar warning time of an ICBM attack. There would therefore be ample time, in case of an all-out attack on us, to fire some or even all the Minutemen before any enemy missiles arrive; the latter would then fall on empty silos, and the attempted first strike would fail.

The Administration counters that such a policy of "fire on warning" would be dangerous and unwise. Unlike bombers, missiles cannot be recalled in case of a false alarm. Perhaps they are equipped with a "disarm" mechanism that can be activated in flight; this information has not been made public. In any case, the government is understandably reluctant to rely on a strategy that commits us to massive retaliation before we know the full scope of the attack, indeed, even before we are absolutely positive that we have been attacked at all. Although our technology has come a long way since the time when the early warning system mistook the rising of the moon for a missile attack, we should still avoid the chance, no matter how remote, of plunging the world into nuclear disaster because of a radar malfunction. A fire-on-warning policy has few enthusiastic advocates.

But, say the opponents, this argument misses the point of deterrence. What matters is not whether we actually adopt a fire-on-warning strategy, but rather the mere fact that we *could* do so. How can the Russians be sure, in launching their hypothetical first strike, that the President would not immediately "press the button" and thus obliterate their country? Without such assurance they cannot count on knocking out the ICBM force, no matter how many SS–9s they may have.

Finally, if the Minuteman force should ever in fact become seriously menaced, measures can be taken to reinforce it that do not have the provocative features of MIRV. Foremost among these is superhardening—strengthening the silos so they can survive an explosion at even closer range. Substantial improvements in hardening appear to be technically feasible. Superhardening does not increase the threat to the opponent's deterrent.

If the Russians had a very effective ABM system around all their cities, they might achieve a first-strike capability without necessarily being able to destroy all our retaliatory forces in an initial attack. They could count on their ABM to bring down whatever missiles and bombers managed to survive a first strike. But neither side can plausibly expect to have that powerful an ABM for a very long time. The Soviet ABM defense ("Galosh") now deployed around Moscow has been more than fully countered. Even if each defensive missile were 100 per cent effective, which is highly doubtful, we have enough Minutemen targeted on Moscow to saturate the defense without MIRV. The Russians have apparently halted further deployment of this system, which is considered far less effective than the proposed American Safeguard system. Practically all authorities agree that it is impossible to defend populations against the kind of attacks that the superpowers are capable of launching. The most that ABM could contribute would be to reinforce a first-strike capability that is almost fully established without it. That is, if a country had the power to eliminate *almost* all the opponent's forces in a first strike, the possession of an extensive city ABM system would protect its population from the small number of remaining missiles and thus buttress its first-strike capability.

If the critics are correct, *none* of our three major deterrent forces is likely to be seriously threatened in the foreseeable future. The chance that the Russians could, with high confidence, destroy all three deterrents simultaneously then seems very slim indeed. All the arguments that establish the reliability of our own retaliatory forces can be applied to the Soviets' as well, although their submarine and bomber-borne deterrents are less convincing at present than ours. But, barring totally unforeseen developments, it seems practically impossible for either the United States or the Soviet Union to attain a first-strike capability.

If this is the case, why does the military on both sides continually clamor for more and better weapons? In particular, why MIRV?

Some would answer simply that in today's troubled world, we can never have enough weapons. Any weapon that adds to our strength will decrease the chance that we are attacked; if MIRV is effective and technically feasible, our country ought to have it. This reasoning has an obvious appeal, but it overlooks the fact that in the age of nuclear missiles, strength is no longer synonymous with security. During the past twenty years our security has actually diminished, even as our strength has increased. Before the Soviets

had nuclear weapons and delivery systems we surely were more secure than we are today, even though our own weapons were fewer and far less sophisticated. Nowadays our security depends as much on our opponent's strength as on our own, and additional weapons will not make us safer if they stimulate compensating expansions in the Soviet arsenal.

A more realistic strategy is to deploy only those weapons required to ensure that each element of our retaliatory force remains unquestionably effective. The Pentagon apparently believes that MIRV is necessary for this purpose. Dr. John S. Foster, Jr., chief of research and development for the Defense Department, told the Senate Appropriations Committee in testimony released June 13: "We are developing . . . MIRV payloads as a way to insure our ability to penetrate Soviet defenses." Dr. Foster added that it was important to maintain the present test schedule as a hedge against the possibility that the Soviet Union would convert an anti-aircraft defense system into a defense against ICBMs. It is hard to see why that possibility should be cause for such a large-scale immediate response on our part.

We are told that the Russians are developing MIRV in an attempt to obtain a first-strike capability, whereas our MIRVs are intended purely for retaliatory (defensive) purposes. No doubt a Soviet counterpart of Secretary Laird is pointing to the American MIRV development as an indication of our aggressive intentions, while proclaiming the defensive intent of the Soviet program. In the climate of mutual suspicion that has prevailed since the beginning of the cold war, this situation is hardly surprising. Each side attaches great significance to actions or utterances by the opponent that reinforce its fears. For example, a preoccupation with high missile accuracy must be particularly worrisome to the other side. A retaliatory strike against cities does not require extreme accuracy; the threat of a thermonuclear bomb exploding anywhere in New York City or Moscow provides an equally effective deterrent. But high accuracy is essential for an attack on missile silos. The Soviets must therefore have viewed with great alarm Secretary Laird's recent request for additional appropriations to accelerate work which will "improve significantly the accuracy of Poseidon guidance, thus enhancing its effectiveness against hard sites." Such a statement by a Soviet Politburo member would surely be cited by Mr. Laird as proof of the Russians' first-strike intentions.

If each country believed the other's proclamations of peaceful intent, the arms race would soon be over. This, unfortunately, is not a likely prospect. But irrespective of the motives on either side, it seems clear that we would feel more secure if the Soviets did not have MIRVs, and they would feel more secure if we didn't have them. It is equally clear that if one side proceeds with MIRV deployment, the other inevitably will also.

Therefore, an agreement that prevents the deployment of MIRV is in the best interest of both countries.

Critics of MIRV claim that it is more than just an escalation; that its deployment by both sides will actually make nuclear war more likely. The reasoning is as follows. Nuclear war can break out in a number of ways; a cold-blooded surprise attack by one side during a period of calm, is not the only way or even the most likely one. A more plausible sequence of events begins with a crisis involving the major powers. The leaders of both countries are under great pressures. It has always been an axiom of military theory that the attacking side has an initial advantage. This is particularly true in a nuclear confrontation: Even though neither side has a first-strike capability, the country that strikes first would likely suffer fewer casualties and less destruction. The pressure to get in the first blow is reinforced by the fear that the opponents may be planning to do so. As the tension mounts, the leaders of one country may be persuaded by their military staff to strike first and accept, say, thirty or forty million casualties, rather than risk total annihilation if the other side should attack.

All this is true with or without MIRV; unless there is substantial disarmament we are sentenced to live indefinitely under such a threat. But if both sides have MIRV's the advantage to the attacker is materially increased; hence the chance that a crisis may end in disaster is also increased.

A simplified example explains why possession of MIRV by both sides increases the temptation to strike first. Suppose each side has exactly 1,000 land-based ICBM's (without MIRV). If side A wishes to attack, it may target one of its missiles on each of B's. Suppose the chance that a given missile destroys its target (called the "kill probability") is 75 per cent; this allows for the possibility of misfire, targeting error, and so on. Even if A were to fire his entire force in a first strike, he could expect to knock out only 750 of B's missiles. The surviving 250 would be more than enough to enable B to retaliate. Thus, A is deterred. Obviously, so is B. This corresponds roughly to the present situation.

Next, suppose both sides have installed MIRVs in their arsenals with ten warheads per missile. Each side now has 10,000 warheads in the same 1,000 silos as before. Because the warheads are smaller each one is less likely to knock out a silo; the kill probability is reduced, say, to 50 per cent. But A can target many warheads on each of B's silos. He can fire, say, 800 of his missiles, keeping 200 in reserve. The 800 missiles contain 8,000 warheads, so eight bombs can be aimed at each of B's 1,000 sites. Even though each weapon is only 50 per cent effective, the chance that all eight will fail is extremely small, only about one in 250. According to the laws of averages, only four of B's missiles will survive, while A has 200 left. Evidently B can obtain the same advantage by firing his missiles first.

The preceding analysis is admittedly oversimplified. It ignores submarines and bombers, which are important. It assumes that B does not fire his missiles on warning, which he could well do, and the kill probabilities used are higher than present-day accuracy makes possible. But such values are not out of the question for tomorrow, and the example illustrates an essential point. Because a single incoming missile is capable of destroying many MIRVed warheads in the ground, there is a great premium on getting missiles into the air first, when the other side is MIRVed. This is clearly a destabilizing factor in any crisis.

In this example, if B's 10,000 warheads were in individual silos, a far greater fraction would survive any attack that A could mount. Thus a good case can be made for the argument that if we were genuinely threatened by Russian MIRVs, deploying more Minutemen would be a much more logical response than putting in our own MIRVs.

As the example indicates, MIRV is a step toward a first-strike capability. In fact, in the hypothetical situation described, *both* sides have a first-strike capability *at the same time.* If combined with future breakthroughs in anti-submarine warfare and in air defense, MIRV could one day make that dread possibility a reality. One can imagine the pressures that then would arise in any crisis, with each side knowing that it had at least a good chance of getting away with a surprise attack, and that the opponents did also.

What is the likelihood that MIRV will be stopped? A short time ago the chances seemed negligibly small, but opposition has been increasing at a rapid rate recently, in the editorial columns and in Congress. At last count, forty-two Senators have co-sponsored Senator Brooke's resolution urging the President to seek a joint Soviet-American moratorium on MIRV testing. A second resolution by Senator Clifford P. Case goes further and asks for a temporary cessation of U.S. testing pending negotiation of a formal agreement. President Nixon agreed in his June 19 press conference that a mutual halt to MIRV testing might be desirable, but he declined to order a unilateral halt, preferring to wait for the arms control talks to consider the question.

The key to the possibility of an agreement is the state of the testing programs. Our own program began in August 1968 with an announced timetable of two years. Nine tests each of MIRVed Minutemen III and Poseidon have been announced, and those are said to put us one-third the way through our test program. The complete functioning of the entire system is not yet reported to have been fully tested. But some critics suspect that the military is rushing the tests in an effort to get them through before the arms talks begin.

Soviet testing is apparently less far along. The tests of a three-part warhead announced by Secretary Laird on May 22, which were the first ones reported, could not be positively identified as tests of MIRV; they may have been merely MRV. If three warheads reenter the atmosphere and splash down a few miles apart, it is not obvious whether they were independently trageted. Presumably, the array of Soviet radar equipment monitoring the tests was not sufficiently elaborate to indicate unambiguously that each warhead was being separately tracked. (The difficulty in distinguishing tests of MRV from those of MIRV implies that in any agreement, both types of tests would have to be prohibited. Some proponents of MIRV claim that the Russians could disguise tests of MIRV to make them look like ordinary single-warhead missiles, which could not be banned. If that were true, even a test-ban agreement could not be confidently policed. But it is hard to believe that a country could proceed to deploy MIRVs without at least some realistic tests of the complete system.)

The advocates of an immediate U.S. moratorium argue that the proposal to discuss a mutual test ban at the arms talks may prove to be futile. By the time the negotiators get down to substantive discussion, we may already have passed the point of no return; in fact, some fear that the point has already been passed. The critical stage is when we have tested enough to make deployment feasible—more precisely, when conservative Soviet planners can no longer be confident that this is not the case. After that, all chance for a test ban agreement will have been lost.

Senator Brooke believes there will be enough time for the negotiators to conclude a meaningful test ban agreement provided the arms talks begin soon. He is confident that his resolution, scheduled to be brought up when Congress returns from vacation, will pass, at least in the Senate.

It would seem that we have nothing to lose by halting our tests for six months or a year. The potential threat which MIRV is intended to answer is so far in the future that we could surely resume testing and deployment—if it became necessary—long before the threat materialized.

On the positive side, a moratorium would give tangible evidence of our good faith and our desire to reach a meaningful agreement. Such an agreement would benefit both major powers and would create an atmosphere which might make other arms limitation agreements more likely. It would begin to implement the provision of the recently ratified Nuclear Non-Proliferation Treaty which calls for good-faith arms control negotiations. It would be enthusiastically received by the non-nuclear countries.

The present moment, when approximate equality prevails, seems exceptionally well suited to begin the reversal of the escalations

of the past twenty years. In the words of John B. Anderson, a conservative Republican Congressman: "The time has come to call a halt to this insane nuclear version of keeping up with the Joneses."

The best chance to call a halt is to stop MIRV, but the chance is slipping through our fingers.

HIGH INTEREST FEEDS FIRES OF INFLATION

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the highly respected magazine of Wall Street has recently editorialized on the current high level of interest rates and their destructive effect on the economiy.

In the course of the editorial, the magazine states:

We all know, the banks all know, and finally the Government knows, that credit is intrinsic to the American economy. To raise the price of money is like raising the price of any other essential commodity—far from dampening inflation, it contributes directly to it.

Mr. Speaker, I place this excellent editorial, "Banks: National Interest or Self-Interest?" in the RECORD:

BANKS: NATIONAL INTEREST OR SELF-INTEREST?

Treasury Secretary Kennedy said it: a prime rate rise by the banks probably will not help to curb credit demands.

Kennedy knows it—that "probably" was a political gesture—the banks know it and we know it. Some of the more responsible banks recognize the dangers of increased interest rates and tried to stem the tide, but exactly one week after Kennedy hinted that Washington has finally grasped that expensive money does not necessarily curtail the demand for credit, several banks raised their prime rate to as high as 8½ per cent.

This is cynicism at its worst. What the banks are doing is taking advantage of America's inflation plight to pump up their profits to even more unrealistic levels.

It's high time Washington accepted the fact that banking represents a monopoly business and took steps to see its profits regulated in a similar way to other monopolies, like Bell Telephone, for instance.

The really sickening part of the whole business is that this country's banks are charging "what the traffic will bear" in the name of patriotism. They say they are trying to "frighten" business out of borrowing by raising interest to ever-higher levels when they know well and good that credit is a built-in part of American business. Business has to borrow whether it likes it or not, and high interest rates merely add to the cost of doing business, and therefore contribute directly to inflation—the very ogre that the banks cynically claim they are trying to defeat.

How about the company that has to borrow to carry its receivables? How about the building company that doesn't get paid until X amount of work has been done? How about the company that has to finance expansion to meet contracts? How about the company that has to refinance debt? How about the company that has to finance replacement machinery? And how about the workman who has to raise the cash to buy a car or repair the old one so he can get to work to make money?

We all know, the banks all know, and, finally, the Government knows, that credit is intrinsic to the American economy. To raise the price of money is like raising the price of any other essential commodity—far from dampening inflation, it contributes directly to it.

Kennedy said, after noting that a prime rate rise would not help curb credit demands, that he hoped the banks would bear this in mind and act "responsibly." They have proved as clearly as posible that they do not care to act responsibly, that they place their own interests above the interests of the economy, the country and the Free World whose prosperity hinges on the prosperity of the United States.

Since the banks have demonstrated their own incapability of acting responsibly, it is now up to Washington to legislate some stricter rules. The question of interest rates should be considered in tandem with the more politically acceptable issue of one-bank holding companies. Banks have an advantage—more, they have a corner on the most important commodity of all, money—and there should be more strictures than the one that simply calls for reserve deposits. The banks, incidentally, have found a way around the reserve requirement, by way of Eurodollars, but that is another story. It does, however, add to the evidence that the banks are not putting the national interest before self interest.

Bell, that political whipping boy, would never dare try to get away with so much.

Meanwhile, there are other disturbing clouds on the horizon, shaking the faith of the public in some of its most respected institutions. The stock market is again suspect as news of a widespread penny stock hypo job makes the headlines. Under this system, penny stocks are bid up to ridiculous heights and then exchanged for paid-up life insurance. The insurance then is used as collateral for large loans.

We would have a lot more faith in the good intentions of banks if, instead of merely raising the price of credit, they would start refusing some business at any price, regardless of collateral. There is a lot of doubtful lending that could be erased before it became necessary to charge 8½ per cent to protect the supply of money.

HIGH INTEREST RATES BRING DANGER OF RECESSION

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, high interest rates are endangering the entire American economy, threatening to throw the country into a severe recession.

Already, many segments of the economy—particularly the homebuilding industry—are in deep trouble because of the Nixon administration's high interest policies.

Mr. Speaker, the AFL–CIO, realizing that workers are being badly hurt by high interest rates, recently issued a statement calling attention to the danger of a recession stemming from the misguided monetary policies currently being followed.

Mr. Speaker, I place in the RECORD a copy of the statement, "Danger of Recession," issued by the AFL–CIO Executive Council on August 7, 1969:

DANGER OF RECESSION

(Statement by the AFL–CIO Executive Council, New York, N.Y., August 7, 1969)

The highest interest rates in 100 years are leading to a collapse of home construction, cutbacks in production and rising unemployment.

As a result, the risk of recession grows daily.

For the fifth time in six months, the big commercial banks, on June 9, uniformly raised the prime interest rate they charge their richest borrowers and best credit-risk customers. Other interest rates are scaled from this basic price of money. In many parts of the country, effective mortgage rates are already as high as 9% to 10% and more.

The present 8½% prime rate is up 31% in the past year, 89% since the end of 1960. It is the biggest price increase of them all. And the average home buyer and small businessman pays even greater interest rates.

In the guise of fighting inflation, these increases contribute to rising living costs. Interest rates are passed on, all along the line—from the farmer and manufacturer to retailer and consumer.

Such price boosts, paid by the consumer, maintain and even widen the profit margins of industrial corporations and utilities. After-tax profits in early 1969 were 94% above 1960.

When the consumer borrows money to make a purchase, he pays the interest-rate hike, again, on the installment or mortgage loans—and the high interest-rate costs are built into family living expenses for years ahead.

Moreover, sharply rising interest rates discourage business expansion and result in job losses. As builders' loan costs and mortgage rates rise—and money gets hard to borrow, as well as more expensive—home builders postpone construction. State, county and municipal governments put off building schools, hospitals and roads. Small and medium-sized businesses are compelled to postpone plans for expanding operations.

The beneficiaries of soaring interest rates are the banks. After-tax profits of the nation's banks moved up 33% in the three years from 1965 to 1968. According to a tabulation by a New York investment firm, 52 major banks outside New York "Had an average gain for the first half of 1969 amounting to 19.6%," the New York Times of July 27 reported. As for the major New York City banks, seven giants showed a 9.6% increase in after-tax profits in the first six months of the year, according to the same report.

Restrictive monetary policies, however, hit almost every other part of the economy. The effects of skyrocketing interest rates and the government's restrictive economic policies can be seen clearly:

Housing starts in June were down to a yearly rate of 1.4 million—from 1.8 in January—and are continuing down.

The dollar-value of retail sales in the April–June quarter was only 1.4% above the summer of 1968—less than the increase in retail prices, indicating some decline in the physical volume of sales.

Unemployment is inching up—from 3.3% of the labor force in the first three months of 1969 to 3.5% in the second three-month period and 3.6% in July. This increase is concentrated among unskilled workers.

However, prices continue to rise. The cost of living in the April–June quarter was up 5½% from a year ago, washing out substantial portions of recent wage gains. The buying power of the after-tax weekly earnings of the average non-supervisory worker, in the past several months, was slightly less than a year ago.

Yet business investment in new plant and equipment—the only economic sector with demand-pressures—continues to boom. Such business outlays rose at an estimated yearly rate of 18% in the April–June quarter despite soaring interest rates. Rising interest rates have little, if any, early effect on the profit-inflation and investment boom of the big companies.

The blue chip corporations are the last to be curbed by tight money and high interest rates. With large financial reserves and their own ways of raising funds, they are less dependent on borrowed money from the banks. Moreover, when they do borrow, they pay the lowest interest rates available. Generally re-

strictive monetary policies affect the blue chip corporations, after the incomes and demand of other economic groups are so depressed that the sales of the corporate giants are curbed.

The Administration and the Congress should take every possible action to seek a roll-back of the prime interest rate.

The Justice Department should quickly report to the Congress on its examination of the big banks' price-fixing actions for possible violation of the anti-trust laws.

Congress should begin a comprehensive examination of the nation's monetary mechanisms and policies—as the basis for much-needed reform of the government's monetary machinery and policies.

The 7% tax credit for business investment in new equipment should be repealed, as well as fast write-offs of all real estate investment operations, except low- and moderate-income housing—to curb the major source of inflationary pressures.

The danger of recession will continue to grow, unless the Administration and the Congress act to curb the greed and avarice of the bankers and to reduce the pressures of profit-inflation and the investment boom.

MILTON FRIEDMAN WARNS OF OVERKILL BY FEDERAL RESERVE

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, many leading economists now fear that the Federal Reserve has once again overreacted to the dangers of inflation and is leading the country toward another severe recession.

The monetary overkill is discussed in the August 18 edition of Newsweek magazine by Milton Friedman, one of the Nation's most widely known economists and a close student of the Federal Reserve.

Mr. Friedman states:

Let the Fed continue on its present course much longer, however, and the economic consequences are sure to be serious.

While I do not agree with all of Mr. Friedman's thesis, his column in Newsweek raises many legitimate and serious questions about the performance and the ability of the Federal Reserve System. I place a copy of the column in the RECORD:

MONETARY OVERKILL

(By Milton Friedman)

The Federal Reserve System is at it again. Once more, it is overreacting as it has so often in the past.

To mention only the most recent examples, in 1965 the Fed accelerated monetary growth just as the economy was reaching full capacity. It thereby set off the inflation that has been bedeviling us ever since. In early 1966, the Fed abruptly halted monetary growth for about nine months. This produced the credit crunch in August 1966 and the mini-recession in the first half of 1967. The Fed then overreacted again, reviving the inflation that had been showing some signs of tapering off. The Fed continued to raise the money supply at an inordinate rate up to the very end of 1968. The consequences of that mistake are still with us in the form of rapidly rising prices—at a rate of 6 per cent per year so far in 1969.

As these episodes illustrate, it takes about six to nine months for the Fed's actions to affect the economy. That is why we are just now beginning to see the effects of the Fed's belated move to restraint last December.

That move to restraint was moderate at first. Then, around April, the Fed tightened the screw another turn, repeating its classic pattern of overreacting. This new policy threatens to convert a moderate economic slowdown into a severe contraction.

These developments raise three questions:

1. What is the evidence that the Fed is overreacting?

2. Why is the Fed overreacting?

3. What consequences are likely for the economy?

1. THE EVIDENCE

From January 1967 to December 1968, the Fed was highly inflationary, and the quantity of money, defined narrowly as currency plus demand deposits, rose at a rate of 7 per cent a year. From December 1968 to April 1969, the Fed was moderately restrictive, and the quantity of money rose at a rate of 4 per cent a year. From April 1969 to the four weeks ending July 23 (the latest four-week period for which figures are available as I write this), money supply has not grown at all. Other monetary magnitudes (broader monetary totals, the monetary base, member bank reserves, unborrowed reserves) all confirm this shift to a highly deflationary policy.

The use of April as the turning point may slightly overstate the magnitude of the shift because some April figures are abnormally high. However, reasonable alternative dates show the same general pattern.

2. THE REASON

Federal Reserve officials have given no public indication that they have deliberately changed their policy since the move to restraint last December. Yet the figures show that the Fed has drastically restricted monetary growth still further since April. Why? Because the Fed's methods are obsolete and have not been adjusted to our growing understanding of monetary relations.

For most of its history, the Fed has concentrated on interest rates or "money-market conditions" as measures of monetary influence and has paid little attention to the quantity of money. Recently, the board has come increasingly to recognize that interest rates are highly defective measures of monetary influence and has begun to pay more attention to monetary aggregates. But its policy directives are still expressed largely in terms of "money-market conditions," which the New York Federal Reserve Bank, where the directives are actually carried out, interprets as referring primarily to interest rates.

These obsolete procedures automatically produce overreaction. When the rate of monetary growth is reduced, the *initial* effect is to raise interest rates. The Fed reduces monetary growth by selling bonds (or buying a smaller amount), which tends to lower the price of bonds and raise their yield. However, after about six to nine months, the reduced rate of monetary growth starts to affect income and spending, which, in turn, produces a decline in the demand for loans. The *delayed* effect of reduced monetary growth is therefore to lower interest rates. When this effect starts operating, the New York Federal Reserve Bank interprets it as a sign that monetary influence is easing and reduces the rate of monetary growth still more in order to keep interest rates from falling. That is how the present operating procedures of the Federal Reserve automatically produce overreaction.

3. THE CONSEQUENCES

The cessation of monetary growth since April has already affected securities markets—which reflect the effect of monetary changes much more promptly than does the economy as a whole. In the stock market, the squeeze on money balances has intensified the recent sharp decline. In the bond market, interest rates have recently shown some tendency to decline—the typical delayed effect of the shift to monetary restraint last December. The shift to additional tightness has kept this incipient decline from materializing.

Economic activity as a whole has so far been little affected by the cessation of monetary growth. Indeed, if the Fed were even now to correct its course and return to a more moderate policy, the effects on economic activity might not be serious. The effects of monetary changes on total spending are spread out over many months. Hence brief perturbations in monetary growth tend to be averaged out. Only persistent movements in money have persistent effects on the economy.

Let the Fed continue on its present course much longer, however, and the economic consequences are sure to be serious. Stable non-inflationary economic growth in the U.S. requires that the quantity of money grow about 4 or 5 per cent per year. If the quantity of money does not grow at all, as it has not since April, total dollar income is very likely, after some delay, to stop growing also or even to decline. We cannot go quickly from nearly 8 per cent a year—the recent rate of growth in total dollar income—to zero per cent without a severe economic contraction. Inflation has an inertia of its own. Many prices and wages are determined long in advance and will continue to rise even after the pull of demand has eased. We shall be doing well if, by early 1970, the price rise is brought down to 4 per cent a year. Under those circumstances, a zero rate of growth of total dollar income would mean that *real* income would *decline* at 4 per cent a year. This is a rate of decline that has not been exceeded for more than an isolated quarter since 1957–58. It is also a rate of decline that would produce a sharp rise in unemployment.

Some retardation in growth and some increase in unemployment is an inevitable, if unwelcome, by-product of stopping inflation. But there is no need—and every reason to avoid—a retardation of the severity that will be produced by a continuation of the Fed's present monetary overkill.

That is why it is so urgent for the Federal Reserve System—which does not wish and does not intend any such outcome—to start the quantity of money growing again. It is equally urgent that they do so without overreacting in an inflationary direction. We need modernization and steadiness, not erratic jerks from one side to the other.

MONTCLAIR'S OWN BUZZ ALDRIN

(Mr. RODINO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RODINO. Mr. Speaker, Apollo 11's landing on the moon realized an epical quest and proof of man's indomitable will. With calm and confidence, its journeymen—Armstrong, Aldrin, and Collins—opened monumental vistas which remain for future generations to explore.

Montclair, N.J., feels a special pride in calling one of these astronauts, Col. Buzz Aldrin, its native son. And this Saturday, September 5, Montclair has planned the largest celebration in its 101-year history to honor this giant among men. For the glories of his feat, which are, of course, universally recognized, as well as for his intelligence, integrity, discipline, and rugged individualism, Buzz Aldrin is a legend in his time. He transcends the boundaries of city and Nation. He belongs not only to this generation.

Through his achievement, all mankind has been allowed to share the exultation of discovery, catapulting man's imagination into spheres heretofore undreamed.

Buzz Aldrin's contribution to history is immeasurable, and I am honored to join in Montclair's tribute to her most famous son.

THE TRAGEDY IN NORTHERN IRELAND—RODINO INTRODUCES RESOLUTION TO HELP RESOLVE IT

(Mr. RODINO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RODINO. Mr. Speaker, I am introducing today a resolution directed toward helping to find a solution to the tragic situation in Northern Ireland.

I am sure we have all been deeply shocked and saddened by the strife and bloodshed that have rent this unhappy country. It is appalling to realize that the divisive forces have deteriorated into a fratricidal conflict of violence and hatred.

Unfortunately, there is no doubt that the strife has developed from the Northern Ireland Government's incredibly archaic and oppressive policy of political, economic, and social discrimination against its Catholic minority. And it is an undoubtable fact that today any society which considers itself democratic must insure equal protection and equal rights under the law for all its citizens.

His Holiness Pope Paul spoke, I know, for all men of good will and humanity in urging a solution without violence that would assure equal rights for all. As he so movingly said, it is particularly sorrowful that at this time in history when ecumenical efforts are progressing so well, that "those who are fighting each other are Christians."

In June, I joined with many of my colleagues in sending a letter to President Nixon expressing deep concern about the situation and urging that this be made known to the heads of government of Northern Ireland and Great Britain. When the Irish Government sent its External Affairs Minister to the United Nations to ask for Security Council consideration of the situation, I personally contacted Secretary General U Thant in support of this effort.

British military forces have for now brought a halt to the disorder and bloodshed—but the barricades still stand in Bogside. And until they come down and all the people of Northern Ireland have equal rights and justice, and can live without fear, we must not cease our efforts. For the present situation is one which must concern every man who cherishes liberty and justice.

Mr. Speaker, I include the text of this resolution, which I am submitting today, in the RECORD at this point:

H. RES. 524

Whereas the United States and all civilized nations of the world have been shocked and saddened by the strife and bloodshed in Northern Ireland;

Whereas the disastrous breakdown in law and order and continuing violence decrease the opportunity for peace and stability which the Government of the United States seeks to promote throughout the world;

Whereas the fratricidal conflict in Northern Ireland has developed as a result of the oppressive history of political, economic and social discrimination against the Catholic minority of that country;

Whereas the Government of Northern Ireland has therefore violated the basic principles embodied in the Charter of the United Nations; and

Whereas the repressive and unjust policies of the Government of Northern Ireland are completely antithetical to the dedication of the United States to the objectives of achieving equal rights and human dignity for all individuals, regardless of race, color or creed: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that every effort should be undertaken to bring an end to the conflict in Northern Ireland and the suffering of its citizens; and to this end, the House of Representatives respectfully urges the President of the United States—

(1) to use all the diplomatic approaches at his command, including our membership in the United Nations, to seek a settlement of the conflict;

(2) to lend all feasible and appropriate assistance to agencies working to bring measures of relief to the innocent victims of the conflict who are hungry, homeless and injured; and

(3) to offer to place at the disposal of the Governments of Northern Ireland and Great Britain, at their request, all the resources of the United States with respect to the information and experience acquired from our own efforts to achieve the ideal of a democracy based on the principle of one man, one vote, and to assure equal opportunity in all areas for every citizen.

ROCKY MARCIANO—ALWAYS THE CHAMPION

(Mr. RODINO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RODINO. Mr. Speaker, last Saturday I was shocked and deeply saddened to learn of the death of my dear friend Rocky Marciano in an accidental plane crash. His untimely death at the age of 46, just at the time of life when he was into his second career as a businessman, and a father of a newly adopted 17-month-old son, is a tragedy to all who knew and loved him. To Mrs. Marciano, his daughter, and son, Mrs. Rodino and I extend the most heartfelt sympathy.

Rocky Marciano was not only a great pugilist and an excellent professional athlete, but even more importantly he was an outstanding human being. His qualities as heavyweight champion of the world were outshone by his qualities as a compassionate, concerned man who loved and cared about his family and his fellow man. His attitude about people endeared him to all and made him the best possible example to the youth who looked up to him.

He was certainly the most gentle, even-tempered, and soft-spoken boxer that I have ever known. He never had an ill tongue when speaking of anyone, and although he earned a sizable amount of money he was essentially nonmaterialistic minded. The little man who had received bad breaks, or the less fortunate who were not as tough and determined in mind and body as Rocky was, always received his concerned attention—and just as often with money as with sympathy. After he retired he spent a great deal of time and effort in youth activities throughout the United States, and only recently he was visiting wounded troops returned from Vietnam.

Mr. Speaker, the world of boxing will not soon find an equal to Rocky Marciano—either inside the ring or out. As for the rest of us who knew and loved him, we mourn his death and cherish his memory.

I would like to include in the RECORD following my remarks an excellent article on Rocky Marciano from the New York Times of September 2, 1969:

MARCIANO IS KILLED IN IOWA AIR CRASH

NEWTON, IOWA, September 1.—Rocky Marciano, who slugged his way to the world heavyweight championship and then retired undefeated, is dead—the victim of a light-plane crash on the eve of his 46th birthday.

Marciano, whose savage punching and courage gained him fame and fortune inside the ring and whose reputation for clean living won him respect outside it, was killed last night.

The pilot, Glenn Belz, 37, and Frank Farrell, 23, both of Des Moines, were also killed in the crash of the single-engine Cessna on a farm 30 miles northeast of Des Moines.

Marciano was en route from Chicago to a Des Moines steak house where a birthday party was being held for him. He then was going to fly to his home in Fort Lauderdale, Fla., to celebrate his birthday today.

Mrs. Elizabeth Cousens, Marciano's mother-in-law, and his 16-year-old daughter, Mary Ann, flew to Fort Lauderdale from Brockton, Mass., last Wednesday to join his wife, Barbara, and 17-month-old son Rocky Kevin, for the party.

"There are a lot of presents," Mrs. Cousens said. "I don't know what will be done with them. We're not thinking too much about that with what's happened."

The National Transportation Safety Board said in Washington that it was looking into the crash. Federal Aviation Administration investigators arrived at the scene today, but declined comment.

A flight service official at Des Moines said the pilot had informed him at about 10 P.M., that he intended to land at the Newton Airport, just over a hill from the farm but gave no indication of trouble. The crash apparently occurred a short time later.

Marciano's body is being sent home to Brockton where a mass will be offered at St. Colman's Roman Catholic Church on Thursday at 10 A.M.

The body then will be sent to Fort Lauderdale for a mass at St. Pius Church, with burial tentatively set for Saturday.

UNDEFEATED IN CAREER

Rocky Marciano was a fighter in the proper sense of the word. The blocky, short-armed, aptly nicknamed Brockton Blockbuster, was a boxer in name only.

Actually, his greatness was based on his aggressiveness, his willingness to trade punches and to brawl at close range, and his ability to withstand punishment in long exchanges. The sharp left jab, the clever footwork and the sense of timing that could make an opponent miss punches by narrow, calculated margins, were not part of Marciano's make-up. But he certainly could hit, 43 of his victories, ending by knockout.

In contrast to the "bruiser" qualities that he displayed in the ring, Marciano was a gentle, affable and pleasant companion in his everyday activities. His constant alertness was evident by the quick movements of his large brown eyes, which were able to pick out shy acquaintances in the jubilant crowds that gathered around him in moments of victory.

His gaze could become still and intent as he participated in conversation, in which he was articulate and, in professional inter-

views, most cooperative. His high-pitched speech, bearing the trace of his native Massachusetts, was soft and reminiscent of that of a parish priest or family counselor.

IN THE TOP ECHELON

With a record of 49 victories in 49 professional fights, Marciano of necessity, was counted among the best of heavyweights, at least in the time span that began with Jack Dempsey, in 1919.

Ring buffs generally concede that the top four champions in the division were Dempsey, his conqueror Gene Tunney, Joe Louis and Marciano.

But there will always be animated discussion as to which of these was the best, at his fighting peak. Some hold for Dempsey of the flashing and murderous left hook, others for Tunney of the cool, methodical, calculated battle plan. Still others for Louis, the young Joe Louis with power and crushing speed in each hand.

Marciano's adherents concede all these points, but they also maintain that their champion performed so well against each of these types. Of the three, Marciano fought only Louis, whom he knocked out .n eight rounds on Oct. 26, 1951. However, at that time there was the age difference in Marciano's favor. He was born on Sept. 1, 1923, and Louis on May 13, 1914.

His fight with Louis was the 38th of Marciano's professional career, and the outcome stamped him as having championship potential. His manager, Al Weill, carefully "picked spots" for him after that, selecting opponents that were acceptable as box-office attractions, but hardly powerful enough to sidetrack Rocky on the road to the title.

One of these opponents was Harry Matthews, a "built up" light heavyweight whose manager, Jack Hurley, had bally-hooed into a heavyweight championship contender. Marciano knocked out Matthews in two rounds on July 28, 1952, and assured himself of a match with Jersey Joe Walcott, who was then the champion.

That fight took place in Philadelphia two months later, on Sept. 23, and it developed into what has come to be regarded as the archetype of a duel between a boxer and a bruiser. Walcott, a superb ring workman, was almost nine years older than Marciano, and therefore he was on the short end of the betting at odds of 8 to 5.

But Walcott, in the first round, took command by ripping a left hook to the head and knocking him down for a count of four. It was the first time that Rocky had ever been knocked down, and when he got back to the corner he asked his handler, "Who did that?"

WALCOTT AHEAD IN THE 13TH

Craftily outpunching his foe at the long exchanges, and giving Maricano little chance to get in close where he could deal out devastating punishment, Walcott enjoyed a comfortable edge on the score sheets going into the 13th round of the scheduled 15-round contest. Contributing in a great measure to Walcott's lead was the fact that Marciano had been cut on the nose by a punch in the fifth round.

In the rest period, medication was applied to the cut, but it spilled over into his eyes, and for the next three rounds Marciano was almost completely blind as he sought to grapple with the elusive Walcott. The effects of the medication wore off, but the plodding Marciano still found it difficult to catch up with the champion.

But in the 13th round, as the highly skilled Walcott bounced off the ropes Marciano let fly with a straight, solid right that caught Walcott flush on the chin. Down he went, for the full count, and Marciano became champion. In a return bout, a year later, Marciano had little trouble with Walcott, knocking him out in one round.

A loose comparison with Marciano's first fight against Walcott could be made with the Brockton Blockbuster's scrap with Archie Moore, which took place on Sept. 21, 1955, and which was Marciano's last fight. Moore, who was born in 1913, had experienced a resurgence that had brought him to the forefront of challengers for the crown.

SECOND KNOCKDOWN

Like Walcott, Moore was a consummate boxer and, also like Walcott, Moore scored an early knockdown, in the second round, for the only other time in his career that Marciano was on the floor. After that, though, Marciano dominated his smaller rival, and finally stopped him in nine rounds.

At the time there seemed no indication that Marciano was about to end his fighting career, if for no other reason than that he would try to win and even 50 fights.

But in the months following the Moore fight word came down from Brockton that Rocky's wife, the former Barbara Cousens, and his mother, Pasqualina, were trying to persuade him to stop fighting. Their main reasons were that he had accumulated enough money, and that they would like to be able to see more of him. The long training grinds and the personal appearances that went with being champion kept him away from home too long.

So, on April 27, 1956, he announced his retirement. He had held the title three and a half years and defended it six times.

Marciano, who was born and raised in Brooklyn, was christened Rocco Francis Marchegiano. His father came to the United States in World War I from Italy to become a shoemaker in the famous Massachusetts shoe center.

In his fighting career, Marciano's gross earnings, before taxes and manager's shares, amounted to $1.7-million. Like most successful boxers, he discovered it was difficult to stay out of the limelight and the action, and in 1959 he went through a secret training session of a month in contemplation of a comeback, but he decided against it. At his best, Marciano weighed 185 pounds, standing 5 feet 11 inches.

BUSINESS ENDEAVORS

After he definitely retired, Marciano tried several business activities, some with indifferent success and others good enough to prevent a drain on his savings, if nothing else. Marciano was quite the reverse of the profligate fighter who made a half million before he was 25 and who was broke before he was 30.

Despite his reputation for conservative spending, Marciano had a list of beneficiaries to whom he sent money regularly. One of these was Carmine Vingo, a Bronx heavyweight with whom Marciano boxed on Dec. 30, 1949.

Early in that fight Vingo, according to Rocky "hit me the hardest punch I ever took." But in the sixth round Marciano scored a knockout. The end was almost tragic though, for Vingo had suffered a brain concussion. He recovered, but never fought again.

Vingo was one of two Bronx battlers that tested Marciano sternly. The other was Roland La Starza, whom he outpointed on March 24, 1955, in a fight that was so close that many thought La Starza the winner. In a return clash, Marciano's first after becoming champion, he scored a knockout in 11 rounds.

In 1954 Marciano defended his title twice, each time against a former champion, Ezzard Charles. In 1955 Marciano knocked out Don Cockell of England in nine rounds, four months before beating Moore. Cockell had another chance at the title when he met Floyd Patterson on Nov. 30, 1956, in a bout to determine a successor to the retired Marciano. Patterson won by a knockout in five rounds.

TRIED OUT BY THE CUBS

Marciano's boyhood was the typical one of a sports-loving American youngster, with his main interests being baseball and football. Indeed, while playing center for the Brockton High School eleven, he might have made a bid for an athletic scholarship at Holy Cross or Harvard. In baseball his chunky build made him an ideal catcher, and he was even tried out by the Chicago Cubs, who turned him down because he could not make the big-league throw to second base.

It was while he was in the Army—in Fort Lewis, Wash.—that Marciano was introduced to boxing. He participated in a number of tournament matches, and when he was released he entered the amateur ranks, losing only one fight.

He turned pro in 1947 and won his first 16 fights by knockouts, mostly in Providence, R.I. An interruption to the knockout skein came when Don Mogard went the scheduled 10 rounds with him, although the decision, in 1949. Marciano's first New York fight, also in 1949, was against Pat Richards, whom he stopped in two rounds, and his next was the Vingo clash.

Among the good fighters that Marciano beat on the way up were Ted Lowery, Red Applegate, Rex Layne and Bernie Reynolds. In his early days Marciano's tutelage came, more or less, from a close friend, Allie Colombo, who died in an auto accident a year ago.

Weill, the sharpest boxing manager of the era, was finally persuaded to guide Marciano's career, and Weill was a strict, if not tyrannical, boss. He insisted that Marciano learn the ring rudiments from the late Charley Goldman, a veteran of the barge fighting days and Goldman was shrewd enough to mold Marciano's strength and durability in the fighter's ring education.

Marciano was elected to the Madison Square Garden's Hall of Fame in Boxing—along with Dempsey, Sugar Ray Robinson, the late Benny Leonard and Henry Armstrong—in June, 1967.

TRIBUTES OFFERED

Tributes to Marciano poured in yesterday from former opponents and ring officials.

From Camden, where he is director of community relations, Walcott said: "He was not only a great champ but a great American. He was a man of courage in the ring. Outside he was gentle and kind."

Louis, who was in Charlotte, N.C., to referee a wrestling match, remarked: "This is the saddest news I've ever heard." The Brown Bomber recalled the night of Oct. 26, 1961, when Marciano ended Louis' comeback try.

Emile Bruneau, president of the World Boxing Association, said that Marciano was a "truly great fighter" and a credit to boxing.

Abe J. Greene, international commissioner of the World Boxing Association, said:

"He epitomized all the characteristics that true lovers of boxing held as their standards for the sport. In his latter days he had done much to carry the message of clean sports to hundreds of thousands of youths around the country."

THE ISSUE OF HIGH PRIORITY AND NATIONAL URGENCY

(Mr. COHELAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. COHELAN. Mr. Speaker, I am compelled once again to speak to an issue of high priority and national urgency, an issue deserving of our immediate attention, and of our faithful commitment. That issue is the critical state of the educational system in this country and

the need for increased Federal assistance to education.

To provide for the fullest productive development of our human resources, through excellence in our educational system, must always be one of our chief objectives. The education of our people is a national investment of importance to our future course and of extremely significant national consequence in terms of economic development and higher standards of living.

President John F. Kennedy reminded us that "education is a basic benefit of a free and democratic civilization, and as such remains the right, necessity, and responsibility of all." We were charged by the Kennedy administration with two goals:

A new standard of excellence in education; and the availability of such excellence to all who are willing and able to pursue it.

We must continue, at all costs, to pursue these goals with reason, with a new sense of responsibility, and with a spirit of determination and resourcefulness. The general upheaval and dissatisfaction so prevalent today among our people has basic roots in the weaknesses of our schools. Statistics show a distinct relationship between the deficiencies in public schools and the problems of poverty, unemployment, reduced earning power in later years, and social aberration.

Of perhaps more imminent concern and similarly related to deficient school systems is the crisis among our student population. It saddens us to read of the steady rise of violent student protests and demontrations, of the increase in the use of drugs, of the rise in the juvenile crime rate, and of the high percentage of school dropouts. The whole concept of the "generation gap" is unsettling and worrisome.

A recent series of incidents on one of our large city college campuses is indicative of the disruptive ferment among our young people today. One of the central issues of provocation was the admission of underacademically qualified students to the college. Traditionally, city colleges accept their applicants without regard to stringent admission requirements. However, the ever-increasing number of students wanting to go to college, have forced these institutions to raise admission standards in an effort to contain enrollment, and also in an effort to maintain high quality academic standards. The high schools from which these students come are by and large inferior institutions, graduating, according to one source, about 15 college-qualified students per year. The students have thus become the victims of compounded circumstances; their frustrations are manifested in riots. The colleges, on the other hand, find themselves in a similar trap; if they accept underqualified students, they risk lowering of standards and loss of accreditation.

Today, we are witnessing a most dangerous and critical situation. We have a precious and valuable heritage to defend and perpetuate. So serious a cause cannot escape our attention and should no longer be placed aside for other concerns. I am convinced that educational needs should warrant greater or at least the same priority as defense and space programs. I am also convinced that a conscious effort to meet the needs of our education system is a positive step toward solving our social ills, and that immediate action to increase the Federal contribution to education is imperative.

Traditionally, the public school systems have been the responsibility of the individual States and communities, but it is increasingly evident that support of the Nation's schools is fast becoming a burdensome strain on the States, and similarly on the individual taxpayers.

Recent surveys indicate that Federal support is not keeping up with State and local efforts. The facts are revealing and render a rather unfavorable indictment against the Federal Government in this regard. In the 1967–68 academic year, State taxes for elementary and secondary schools amounted to $1.2 billion, and local taxes amounted to $900 million, while the Federal share amounted only to $109 million, one-twentieth of the State-local support.

On the State and local levels, more than three-fourths of the funds for education come from sales and property taxes. State sales taxes make up approximately one-fourth of these funds, and local property taxes account for more than 50 percent of the school funds. While sales taxes represent an important source of revenue, they have two inherent weaknesses in that they tend to be regressive and thus place a disproportionate burden on those least able to pay; and they are highly sensitive to economy changes and fluctuations—sales tax is one of the first taxes hit when consumer buying is curtailed.

Property taxes which presently provide for close to $15 billion, or half the support for schools, tend also to be regressive and place a somewhat unfair burden on a rather large segment of our population. A measure of feeling against the spiraling of local property taxes is evidenced by the fact that school bond issues have been turned down at a rate of 55 percent during the past year, as compared with an average rejection rate of 25 percent in previous years.

In spite of the importance of these two sources of revenue, it remains that their yield is relatively insufficient when compared to the overall needs and requirements of the Nation's schools. It also remains that their levels are approaching a ceiling beyond which it would be unrealistic to go.

Studies have shown that there is a great degree of variation in the economic and financial ability of States to support their educational systems. Generally, low-income States tend to have a higher percentage of school-age children and consequently tend to allot a higher percentage of the total income for education, but are unable to equal the per pupil expenditures of the more affluent States.

Recent surveys have indicated a more rapid increase in per capita income in the lower income States, but trends do not suggest that the wide differences in State per capita incomes that exist in great degree among some States will disappear. The point of significance for all of us is whether we can afford to wait for changing economic trends to improve educational opportunities while we know that one of the most effective ways of increasing productivity and raising per capita income is through improved educational systems.

We have a long and honorable tradition of aid to education in this country, developing from the conventional theory of State and local responsibility to a new concept based on "partnership" among Federal, State, and local governments, the universities, colleges, community action groups, and private corporations.

There has indeed been a Federal commitment to education at all levels, directed to the development of the manpower resources of the Nation. Federal support, consisting of a wide variety of programs—land grants, financial grants and loans, allocation of surplus commodities, and federally owned property, operation of special education programs and institutions, and cost of services and contracts—has been categorically allocated to specific programs, either in research, training, or instruction; aid to disadvantaged children; training and retraining programs for youth and adults for better job opportunities; special education programs in the sciences, mathematics, and modern foreign languages; and various vocational educational programs.

It was not, however, until 1965 with the ESEA that the Federal Government took a major step to assist our elementary and secondary schools. Since the enactment of ESEA, almost $3 billion in Federal moneys have been invested in the Nation's school systems. By 1968, title I programs served 9 million children, including 500,000 nonpublic school students, in 15,000 school districts throughout the country.

Under ESEA, $45 million was directed to assist 185,000 children of migratory farm workers, and $30 million went to over 1,200 institutions for neglected and deprived children. In 1967, special educational services for over 80,000 physically and mentally handicapped children received $12.9 million. Another $5 million provided educational services to 50,000 Indian children in Bureau of Indian Affairs schools.

New library and instructional materials have been made available to approximately 43 million children and 1.7 million teachers in public and private schools. In addition, State educational agencies have increased their staffs by more than 2,000 members, in an effort to extend their services to local educational agencies.

We can be proud of the progress made thus far, but we must also be honest to the fact that we haven't begun to cut the surface of the problems. We still face an acute shortage of fully qualified teachers, a problem defined by HEW officials as "the Nation's most critical educational problem." Teacher's salaries remain embarrassingly inadequate, and we continue to be reminded of the pressing needs in the areas of overcrowded classrooms and outmoded, antiquated facilities.

Recent statistics released by the Office

of Education, HEW, and by the National Education Association dramatically point out needs in school housing and teacher supply. In the fall of 1968, there were approximately 1,709,000 classrooms available to house some 44,681,000 enrolled students. The teacher supply at that time was an estimated 1,909,900, providing average ratios of about 26 to 1. Established goals necessary to achieve desired levels of instructional and learning efficiency are pupil-teacher ratios of 20 to 1. To reach this goal, teacher recruitment must reach an annual rate of 215,229; the average annual teacher recruitment rate for 1962–66 was 192,117.

Teacher salary scales, a prime factor in the teacher shortage problem, are grossly unbalanced. In 1967 the average salary was $6,830—27.4 percent below the metropolitan area budget of $9,404 for a four-person family, and 18.1 percent below the nonmetropolitan area budget of $8,391 for a four-person family, and 0.7 percent below the $6,881 budget for a three-person family.

In 1968, the average annual salary throughout the United States for those with a B.A. degree was $5,523, and $6,065 for those holding M.A. degrees. These salaries compare rather unfavorably with other similar professions: 18.5 percent below those with a B.A. in liberal arts, $6,780; 34.4 percent below those with a B.S. in engineering, $8,544; 27.6 percent below those with an M.A. in liberal arts, $8,376; and 39.5 percent below those with an M.S. in engineering, $10,020.

In the 10 largest cities in this country, teacher salary scales are 10.1 percent below those with a B.A. in liberal arts, and 28.7 percent below those with a B.S. in engineering; in the category of master's degrees, teachers salaries are 21.1 percent below those in liberal arts and 34 percent below those in engineering.

ESEA represents an important beginning and in the few short years since its inception, it has certainly made beneficial contributions. It remains, however, a compensatory education program, and while the needs of our impoverished areas are great, we cannot forget that the general needs of our educational system are also great and equally deserving of attention and assistance.

It remains, also, that the efforts of the Federal Government are still not apace with those of State and local governments. Since 1965, State and local revenues for schools have increased four times over that of the Federal Government: State support has yielded an average of $6 billion as compared to the Federal share of $1.4 billion. Last year's total budget for elementary and secondary schools, as reported by the Office of Education, HEW revealed the following figures: total budget, $31.7 billion; Federal share, $2.6 billion; State share, $12 billion; local share, $17 billion; other sources, $100 million.

The continual cut-backs in authorizations represent a most serious deterrent to the entire ESEA program. Total appropriations for ESEA programs for the fiscal year 1969 were $1.5 billion—$2.4 billion below the authorized level of $3.9 billion. Title I funds, which provide support to school districts with large numbers of educationally disadvantaged children, totaled $1.1 billion of an authorized $2.8 billion. This appropriation was an estimated $400 million less than was available for title I in the first year of ESEA.

The fiscal year 1970 budget requests show a $1.6 billion for all ESEA programs—$2.8 billion below the authorized level of $4.4 billion; the request for title I funds was $1.2 billion, less than half of the $3.1 billion authorized.

The administration's failure to request adequate appropriations can only have a deteriorating effect on the entire program, and serves to undermine and negate much of the original purpose of the legislation. It is peculiar and alarming how we continue to cut back funds in the face of increasing costs in education, increasing needs, and growing school population. The appropriated funds will eventually be spread so thin, that their effectiveness will be questionable.

We must begin to look realistically at the situation and seriously reassess our priorities and responsibilities. An approximate $5 billion per year appropriation level, which has been suggested by some advocates of increased Federal assistance to education, but which would seem excessive and unreasonable to some, merely represents a little less than one-half of 1 percent of the GNP for this year—1969. Surely we can afford a greater percentage of our resources for our Nation's schools.

I was somewhat encouraged by the House action on H.R. 514, the ESEA Amendments of 1969. This legislation offers hope for improvement, but I was strongly disappointed that this bill only provides for a 2-year extension of the ESEA programs, and I was disheartened that authorizations were frozen at the 1969 levels.

The times are difficult and great demands are pressing on all of us, but I cannot emphasize too strongly or emphatically the importance of this issue of increasing Federal aid to education. Our neglect of this area cannot continue.

Of first order, we should strive for full funding for all existing legislation. We must then proceed to careful consideration of legislative proposals designed to lend general overall support to our educational system, making sure that we provide for realistic authorizations and appropriations.

I suggest the following points to be incorporated as integral measures of any future legislation of this nature:

First, additional and better equipped school facilities;

Second, smaller total classroom enrollment;

Third, greater teacher-pupil ratios;

Fourth, more and better qualified teachers;

Fifth, more realistic teacher salary scales;

Sixth, additional paraprofessional staff; and

Seventh, funds for special education programs and teacher-training programs.

HOW TO HANDLE CAMPUS AGITATORS

(Mr. DEVINE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DEVINE. Mr. Speaker, a great deal has been spoken and written about disorder created by a vocal minority on the college campuses. In this connection, a recent letter to the editor in the Columbus, Ohio, Dispatch suggested a solution which apparently was effective at St. Benedict's Monastery. Perhaps some of our college administrators can learn a lesson.

The letter follows:

"NEW" APPROACH TO CAMPUS STRIFE

TO THE EDITOR: The answer to campus anarchists was given centuries ago in St. Benedict's instructions on proper operation of monasteries:

"If any pilgrim monk come from distant parts, if with wish as a guest to dwell within the monastery, and will be content with the customs which he finds in the place . . . he shall be received for as long a time as he desires.

"If, indeed, he find fault with anything, or expose it, reasonably, and with the humility of charity, the abbot shall discuss it prudently, lest perchance God had sent him for this very thing.

"But, if he have been found gossipy and contumacious in the time of his sojourn as guest, not only should he not be joined to body of the monastery, but also it shall be said to him, honestly, that he must depart. If he does not go, let two stout monks, in the name of God, explain the matter to him."

P. R.

COLUMBUS.

NORTH AMERICAN ROCKWELL OV–10 BRONCO

(Mr. DEVINE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DEVINE. Mr. Speaker, notwithstanding recent disclosures before the House Appropriations Committee, North American Rockwell Corp., of Columbus, Ohio, has developed an outstanding aircraft in the OV–10A Bronco.

In the Armed Forces Journal of September 6, 1969, it is revealed the Air Force evaluation of the OV–10 in the South Vietnam close air support role that it responds 10 times faster than other aircraft heretofore used.

The article in full is reprinted:

OV–10AX? OV–10's 5-MINUTE SUPPORT RESPONSE TENFOLD BETTER IN AIR FORCE SEA TEST

(By Walter Andrews)

A recently completed Air Force evaluation of the OV–10 in the South Vietnam close air support role, called "Misty Bronco," shows the aircraft to be ten times faster in responding to Army close support requests than aircraft used heretofore.

FIVE VERSUS FIFTY MINUTES

The "Misty Bronco" evaluation showed that the OV–10 could respond to a battlefield request for close air support in about five minutes, on the average. This compares with a response time of about 50 minutes for other close support aircraft now being used in Vietnam.

The ten-fold OV–10 response increase is particularly important in Vietnam, where

approximately 50% of all troop engagements last 20 minutes or less and involve an enemy force of ten or less.

"Misty Bronco" involved six OV–10s from the 19th Tactical Air Support Squadron (stationed at Bien Hoa) supporting a Brigade of the 25th Division. The tests, which began on 4 April, were completed on 13 June. Over 500 sorties were flown.

Shortly before completion of the two-month evaluation, General George S. Brown, Commanding General of the 7th Air Force, directed that all Air Force OV–10s in Southeast Asia be armed. Before, the OV–10s were used principally in unarmed observation missions.

Service officials say that "Misty Bronco" utilized the OV–10 in a "new concept" of close support aircraft tactical deployment.

Taking advantage of the aircraft's loitering capability "a couple were always kept orbiting in the battlefield area."

Such a concept was found to be, either too expensive or impractical with other craft (such as the F–4, F–100, and A–37) designed for higher altitude missions, but used in Southeast Asia for close support work.

OTHERS NEEDED FAC

Pentagon officials also said the Misty Bronco tests showed that the other aircraft needed the aid of another FAC (Forward Air Controller) observation aircraft on the scene in order to be effective. In contrast, the OV–10 worked alone.

Because of armoring limitations within the Air Force, the 5 June order to arm the OV–10 just involved rockets. However, the Air Force expects to be able to arm, supply, and maintain the OV–10's 4M60C machine-gun by the middle of this month.

AX OV-10?

The Misty Bronco evaluation could affect the oft-proposed but seldom-approved Air-Force/OSD Systems Analysis program for a new AX close support aircraft.

When proposed for development, the OV–10 was promoted by ODDR&E as a low-cost, fast-response close-support aircraft. However, Air Force and Marine Corps buys of the OV–10 were predicated principally on its utility in observation and forward air control missions.

Within the last two weeks, "supplemental" Concept Formulation studies on the AX were completed and forwarded to the Secretary of the Air Force. The additional studies were done at the request of the Office of the Secretary of Defense.

With Air Force priorities and funding largely committed to a new air superiority fighter and a new strategic bomber, prospects for a new AX development program no longer appear as good as they have been.

The cost of the OV–10 also may stand it in good stead. The aircraft is estimated at $450,000 per fly-away aircraft, compared with an estimated cost of over $1 million a copy for the AX.

The OV–10 is produced by North American Rockwell's Columbus Division. It is equipped with five external store stations and two external missile stations. All external store stations have a 600-pound capacity with the exception of the centerline store station, which has a 1,200-pound capacity.

Internal armament consists of four fixed, forward-firing, 7.62mm machine guns.

The AX, however, would carry more iron bombs, have an armor-defeating 30mm high-velocity cannon, and carry ordnance better suited against "hard targets."

The Senate Armed Services Committee recently recommended funding for AX development.

Senator Howard W. Cannon (D–Nev.), Chairman of the Committee's ad hoc Subcommittee on Tactical Air Power, said he didn't think both the Army's Cheyenne helicopter and the Air Force's AX could be support for close air support (JOURNAL, 26 July).

"However, when the Army cancelled the Cheyenne helicopter program and, after independently reviewing the proposed AX program, we recommended that funds for it be authorized."

Cannon said a total AX program cost of $1.467-billion "will buy slightly less than 1,000 aircraft." Total R&D costs are estimated at $137-million, he said. (Some Pentagon officials, however, say that AX R&D costs are likely to be much higher. According to these sources, one version of the Air Force's FY '71 budget request shows that over $140-million would be needed for AX development in FY '71 alone.)

As now planned, AX would fly at gross weights of about 44,000 lbs—roughly four times that of the OV–10. One Air Force estimate shows a unit fly-away cost of $1.22-million for the AX.

OV–10 PRODUCTION

A total of 271 OV–10s have been produced. Of these, 114 have been delivered to the Marine Corps and 157 to the Air Force. However, 18 of the USMC OV–10s were diverted to the Navy in Vietnam for Riverine missions in the Delta. Those Navy OV–10s have flown armed missions using the Hughes MK 4 20mm gun pod, 7.62" rockets, and the conventional ordnance. The Navy aircraft fly at gross weights of about 14,000 lbs., compared with 11,000 lbs. for most Air Force missions.

To date, OV–10s have logged over 60,000 flying hours in Vietnam. In addition to the 19th Tactical Air Support Squadron (TAS), Air Force OV–10s are flown by the 20th and 23rd TAS. Marine Corps units using the aircraft are VMO–2 and VMO–6. The Navy Riverine missions are flown by VAL–4.

The last OV–10 was delivered to U.S. forces in April of this year.

However, North American is continuing production to fill an order for 18 aircraft from the Federal Republic of Germany. The first two of these OV–10s will be delivered in January of 1970. Germany has ordered a special version, with a J–85 engine mounted atop the fuselage. The modification is expected to increase OV–10 cruise speed from 245 knots to about 300 knots to meet German needs for target-towing missions.

A NEW ZEALANDER COMMENTS ON APOLLO 11

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIZE. Mr. Speaker, President Nixon told us of the warm response he met in nation after nation on his recent world trip. He commented on the special pride that all men shared in the accomplishments of our Apollo astronauts, and the team that supported them back here on earth.

Recently Thad M. Sandstrom, general manager of the WIBW radio and TV in Topeka, Kans., wrote an editorial for his stations which highlights the truly international significance of the U.S. space program. I know my colleagues will be heartened by its message. Under leave to extend my remarks at this point in the RECORD, I insert the WIBW editorial, as follows:

Much has been said and written about the landing on the moon. It seems to us that after all the arguments about the validity of the dollars spent to put a man on the lunar surface, perhaps the most important immediate benefit is the rise in the American prestige—with the world's people taking on a new respect for the American system of government and economics.

A few days ago, a letter arrived in Topeka addressed to Dick Harrison, President of the Fleming Company. It came from an IGA grocery concern in New Zealand, and the letter demonstrates, it seems to us, what the moon landing means to others—and in turn to us.

"We here in New Zealand have watched with great interest and indeed wonder at the unbelievable and fantastic achievements of your heroic astronauts.

"We are all very humble indeed and we have developed a tremendous admiration not only for your astronauts but for your scientists, engineers, doctors and indeed every single person involved in every minute detail of this tremendous feat. We are overwhelmed by the sheer efficiency, accuracy and precision with which every single foot of the journey has been planned and calculated. No one could be other than completely overawed with the magnitude of the success.

"We are proud too of the American people and their ideology; we are proud of the unselfish way in which the world has been allowed—no not allowed—welcomed in to share in the experience of living every minute of the journey; we are proud of the way in which your President expressed such an earnest desire that this could lead to everlasting peace since so many people on this earth were for once united in their hopes and prayers for success.

"We are proud too of your Astronauts Neil Armstrong and Edwin Aldrin as indeed we are of Michael Collins whom we believe deserves special mention. Although his part was not publicized as being as spectacular, we do recognize the tremendous courage that it must have meant to watch and wait for what must have seemed an eternity for him whilst his companions risked their lives in the interests of Mankind universally. What would failure have meant to him? Abandonment of his fellow astronauts knowing there was still life for a few hours; the turning of Apollo 11 away from them forever; the unthinkable prospect of returning to the earth completely alone and finally the prospect of living with his vivid and ghastly memories thereafter. Who could be other than proud of these courageous people?"

That letter from New Zealand was mailed in a special souvenir envelope picturing Astronauts Armstrong, Aldrin and Collins. It quotes Armstrong's phrase that will go down in history . . . "One small step for a man—One giant leap for Mankind." Indeed, the moon landing has great implications for the future prestige of the United States in the world—and in selling the world on the American way.

DOES THE NATION WANT BIGGER TRUCKS?

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, again this year we will be faced with the decision whether to allow heavier, longer, and wider vehicles on our Nation's highway systems. Last year a similar proposal was defeated on the floor of the House.

The proponents of this year's bill have attempted to make it more palatable by inserting in the bill a length limit of 70 feet for any kind of vehicle. However, a clause "grandfathering in" all special permits effective in all States as of July 1, 1969, effectively evades this length limitation.

Last year's bill created a great deal of controversy and there is little reason to

believe that it will be any different this year.

Mr. John O. Morton, former commissioner of public works and highways of New Hampshire, and past president of the American Association of State Highway Officials—AASHO—recently sent me the following letter and newspaper column which depicts his feelings on this bill. May I say that the views of Mr. Morton can be accepted with the utmost confidence as he has proven himself through many years of public service, to be one of the top experts in matters involving public works and highways.

This column, written by James J. Kilpatrick, is a very good, brief explanation of the facts surrounding this bill, H.R. 11870.

The letter and article follow:

CONCORD, N.H.,
August 11, 1969.

HON. JAMES C. CLEVELAND,
Longworth House Office Building,
Washington, D.C.

DEAR JIM: The attached clipping from the Boston Globe dated August 6, 1969 quite accurately states the feeling of the American people with regard to bigger trucks.

Sincerely,

JOHN O. MORTON.

[From the Boston (Mass.) Globe, Aug. 6, 1969]

DOES NATION WANT BIGGER TRUCKS?

(By James J. Kilpatrick)

WASHINGTON.—At one time or another, every motorist has known the miserable experience—sometimes the terrifying experience—of trying to pass a tractor-trailer truck in foul weather conditions. The box-car profile blocks the road ahead. One gropes through rain and flying spume, hands gripping the wheel. Just a couple of feet to the side, 35 tons of steel are rolling along at 60 miles an hour. At last you get around; and behold: another truck ahead.

A House subcommittee resumes hearings this week on a bill that brings these recollections vividly to mind. The bill would set new permissible maximum width, weight, and length limits for the interstate highway system. Truck and bus companies are ardently supporting the bill; the American Automobile Assn., representing passenger car drivers, is just as dead set against it. For my part, I wish there were some way to find a compromise down a middle lane.

Proponents of the bill make an excellent case—up to a point. The present interstate width and load limits were fixed 13 years ago, according to standards laid down in 1946. Since then, the interstate highways have come into being. It is a plausible contention that these magnificent freeways are capable of handling wider and heavier loads than the old primary highways could take.

The bill would permit the states to authorize an increase in single-axle loads from 18,000 to 20,000 pounds; an increase in tandem-axle loads from 32,000 to 34,000 pounds; and an increase in the gross load limit from 73,280 pounds to a higher figure obtained from a length and axle formula. The maximum permissible width would be increased from 96 to 102 inches.

These changes are recommended by the U.S. Bureau of Public Roads. They are not opposed by the American Assn. of State Highway Officials (A.A.S.H.O.). The point is made that roughly half the states already permit these higher load limits, under a grandfather clause inserted in the basic Federal act of 1956. The proposed increase in maximum width would make it possible for trucks to carry cargoes (such as plyboard) that come in multiples of eight feet; the extra six inches, it is said, also would contribute to greater stability and to greater safety.

So far, so good. The ordinary motorist may wince at the greater width, but it is hard to object to the proposed new limits on weight. At about this point in the debate, however, the proponents run out of gas; the remainder of their case is much less impressive.

The bill proposes a Federal length limit of 70 feet. It's too much. Oregon now allows up to 75 feet on designated highways and Nevada has a 70-foot limit, but 27 states hold to 65 feet. Iowa limits length to 60 feet and 20 states have a 55-foot limit. Both the Bureau of Public Roads and A.A.S.H.O. recommend 65 feet. In asking for this added length, the truckers are getting grabby.

Proponents of the bill emphasize that the bill is "only permissive"—no state would have to approve the higher limits; and they point out that the new dimensions would apply to the interstate highways only. The answer to this is, unh-hunh, or who's kidding whom? Once the higher limits were authorized, the truckers' lobby would roll into high gear; few legislatures would resist. And as spokesmen for counties and cities have observed, the new behemoth trucks would have to get on and come off the interstate system by way of old highways and bridges not meant for the mastodon size.

The truckers say that larger trucks will produce economies in freight expenses, which economies in turn will be passed along to consumers. It seems doubtful. Consumers have not seen many such economies lately. The truth is that this bill would benefit truck and bus companies. Okay, but let's leave it at that.

Substantially, this same bill passed the Senate last year, but died in the House when the 90th Congress ran out of time. On balance, the better arguments still lie against the bill. Unless a reasonable compromise can be found, the resurrected measure ought to be interred again.

THE PEOPLE'S RIGHT TO KNOW

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, 2 years have passed since our able colleague, the Honorable JOHN MOSS, of California, spearheaded the passage of the Freedom of Information Act. This landmark legislation furnished the basis for legitimatizing the people's right to know. Representative Moss, acting in his official capacity as chairman of the appropriate subcommittee and also because of his great personal interest in freedom of information, has helped push forward the frontiers in many areas where resistance has been encountered.

And yet the narrow and encrusted bureaucratic resistance has hardened in some agencies, and among particular types of individuals who do not fully deserve to be labeled as "public servants." Among some agencies and individuals there appears to be a misguided zeal for secrecy which has its roots in what the psychologists appropriately term "insecurity." This insecurity breeds an excessive, overkilling amount of security. Timidity or perhaps fear of what superiors might think frequently generates the overcautious suppression of information to which the public is entitled. Also, the source of an inquiry often dictates the generosity or the clamlike response to a request for information. Consumers and students, young people and newspapermen, liberals and labor sources somehow always have greater difficulty obtaining information than producers and industrial interests, staid conservatives and bankers, lobbies for the manufacturers and top-drawer firms with wealthy clients.

During this past summer, a group of public-spirited younger lawyers and students, led by Ralph Nader, Gary Sellers, Reuben Robertson, John Esposito, Harrison Wellford, James Turner, and Robert Fellmeth, compiled a "Status Report on the Responsiveness of Some Federal Agencies to the People's Right To Know About Their Government." This report was released on August 26, 1969, and because of its interest to all Members, it is useful to have the complete text of this report:

A STATUS REPORT ON THE RESPONSIVENESS OF SOME FEDERAL AGENCIES TO THE PEOPLE'S RIGHT TO KNOW ABOUT THEIR GOVERNMENT

(By Ralph Nader, Gary Sellers, Reuben Robertson, John Esposito, Harrison Wellford, James Turner, and Robert Fellmeth)

A well informed citizenry is the lifeblood of democracy, for in all arenas of government, information, particularly timely information, is the currency of power. The criticality of information is illustrated in the reply of the Washington lawyer to one who asked him how he prevailed on behalf of his clients: "I get my information a few hours ahead of the rest."

In this Nation, where the ultimate power is said to rest with the people, it is clear that a free and prompt flow of information from government to the people is essential to replace the myth of democratic pretense with the reality of citizen access to ajust governmental process. It was with these truths in mind that Congress passed, after a decade of temporizing, the Freedom of Information Act (FOIA) in 1966. The Act became effective on July 4, 1967. When President Johnson signed the bill into law on July 4, 1966 he stated: "I have always believed that freedom of information is so vital that only the national security, not the desire of public officials or private citizens, should determine when it must be restricted."

It is apparent that intention far exceeds performance when it comes to statements by public officials about freedom of information policy. Never has a theoretical consensus hovered around such a shambles of divergent reality. The Freedom of Information Act, designed to provide citizens with tools of disclosure, has been regressively forged into a shield against citizen access. It is important to remember that the FOIA is a unique statute. Its spirit encourages government officials to display an "obedience to the unenforceable." For insofar as the statute is enforceable, the duty devolves to the citizen. Few citizens are able to engage an agency in court—the only recourse afforded by the Act. Those who can afford judicial recourse are special interest groups who need the protection of the FOIA least of all. Consequently, as a practical matter, the attitude of agency officials toward the rights of the citizenry overwhelmingly determines whether the FOIA is to be a pathway or a roadblock.

After three months of exploring the frontiers of the Freedom of Information policy of several federal agencies, with one hundred students working in study groups coordinated by the undersigned, we have reached a disturbing conclusion: that government officials at all levels in many of these agencies have violated systematically and routinely both the purpose and specific provisions of the law. These violations have

come so regularly and with such cynicism that they seriously block citizen understanding and participation in government. There is prevailing an official belief that these federal agencies will not stand for searching inquiries, or even routine inquiries that appear searching because of their rarity, from its citizens.

The term "citizens" is used in this context to refer to any person or persons who are not regulated by the agency and who do not constitute an organized, special interest group. The distinction is important because most agencies have a two-pronged information policy—one toward citizens and one toward the special interest groups that form the agency's regulatory constituency. For the latter, a pattern has emerged of preferential access and treatment over the years. The lobbyists, the trade associations, and the corporations have made the contacts, have developed the institutions (e.g., industry advisory councils) and have generally compromised or intimidated the agency personnel into affording them entry into the early decisional process prior to public surfacing of rule-making, advanced rule-making, policy speeches, and the like. And it is during the inner council discussion stage, the draft-report or draft-standard stage that most of the decisions are made. The options for public impact at later, public stages narrow very rapidly when there is an established system of preferential access to industry or commercial groups. As is well known to the Washington press corp, this process occurs in the Department of Interior with the oil and coal industries, and with the federal banking agencies and the banking industry—to name two of the more egregious wedlocks.

The relationship between free access to information and responsible government is very direct. All of the agencies we have studied enjoy large discretionary power over the programs they administer. Under the agency's legal structure, they can go one way or another; they can delay action, decide what portions of the law to enforce or not enforce, and even adamantly refuse to carry out programs mandated by Congress. These agencies are more agencies of discretion than they are of law. Within limits, this is often necessarily the case, but without free and fast information to the public, discretion more easily becomes an absolutism or tyranny for the common citizen.

Professor Kenneth C. Davis defined discretion in this way:

"A public officer has discretion whenever the effective limits on his power leave him free to make a choice among possible courses of action or inaction. /D/iscretion is not limited to what is authorized or what is legal but includes all that is within 'the *effective* limits' on the officer's power. This phraseology is necessary because a good deal of discretion is illegal or of questionable legality. Another facet of the definition is that a choice to do nothing—or to do nothing now—is definitely included; perhaps inaction decisions are ten or twenty times as frequent as action decisions. Discretion is exercised not merely in final dispositions of cases or problems but in each interim step; and interim choices are far more numerous than the final ones. Discretion is not limited to substantive choices but extends to procedures, methods, forms, timing, degrees of emphasis, and many other subsidiary factors."

The Freedom of Information Act which came in on a wave of liberating rhetoric is being undermined by a riptide of bureaucratic ingenuity.

"The law was initiated by Congress and signed by the President with several key concerns," says a 1967 Attorney General's Memorandum. These are: "that disclosure be the general rule, not the exception that all individuals have equal rights of access; that the burden be on the Government to justify the withholding of a document, not on the person who requests it; that individuals improperly denied access to documents have a right to seek injunctive relief in the courts; that there be a change in Government policy and attitude."

The Act then explicitly provides for nine exemptions which offer a vast amount of discretion—so vast that to call these exemptions loopholes would be to indulge in the grossest kind of understatement. Exemptions for "internal communications," for material deemed to be compiled for investigatory purposes, for information "given in confidence," are agency favorites. Federal Trade Commission officials have discovered that merely instructing a secretary to open an investigatory file and dropping the item in it serves to take care of the FOIA. And as more people are learning, FTC investigational files have every potential of lying, fossil-like, undisturbed by the concern of bureaucratic man.

The broad ambit of discretion, worked upon by agencies which differ in their degree of commitment to public and special interests, is also leading to differing and inconsistent proliferation of practices and interpretations. Each agency has created its unique 'common law' in interpreting the act and in developing a maze of confusing regulations. Information which is claimed to be exempt from disclosure in one agency is freely given in another agency. (For example, records of advisory council meetings—United States Department of Agriculture—no, National Highway Safety Bureau—Yes. The Federal Extension Service (USDA) gave the students permission to ask the Inspector General to see the audits; the Farmers Home Administration did not.)

Agencies also differ in the depth of the "appeals tier" within the agency which a petitioner must exhaust before he can go to the courts for relief. Each appeals point on the tier increases the probability of exhausting the petitioner and mooting the quest, especially when each internal appeal takes weeks or months. Consumers Union's experience with the Veterans Administration is a good example of how much stamina and resources a petitioner requires to obtain test results of so mundane a product as hearing aids.

There is little doubt that if government officials display as much imagination and initiative in administering their programs as they do in denying information about them, many national problems now in the grip of bureaucratic blight might become vulnerable to resolution.

The particular intransigence characterizing refusals to provide requested information by various agencies studied this summer is noteworthy. These are not agencies in the "sensitive category." They do not deal with military or foreign affairs. They are entrusted with the most sympathetic missions in the governmental arena—health, safety, food purity and distribution and transportation. Yet even under daily approach and reasoned requests, these agencies refused to provide information, some of which is described below. One can imagine the chances of a citizen writing in from Kansas or Oregon.

What follows is a focus on those agency acts which violate or misinterpret the Freedom of Information Act. However, it is encouraging to take note of the many public servants in the federal government who have respect for the purpose of the FOIA and who frequently bridle under restrictions by their superiors that they believe wholly unjustified. The benefits of the openness of these civil servants, who have provided accurate information to the students as well as to any other interested persons, have been to further the interest in citizen involvement. Not only have the students been able to obtain a more comprehensive picture of the workings of their government, but agency personnel have in many cases received important insights and feedback from the dialogue they have established with the students. By a significant margin, the National Air Pollution Control Administration (HEW) has displayed the most open position on information access. Against this standard of performance, other agency restrictions become even more outrageous as to their ulterior purposes in protecting incompetence and cloaking regulatory surrenders to special interests—e.g., non-enforcement of the laws governing the behavior of corporations.

It is now appropriate to describe some of the concrete instances of government secrecy and the techniques used to exhaust petitioners from persisting in their quest.

1. The FOIA provides a specific exemption from mandatory disclosure for material which is an "investigative file." The text says: "[no disclosure is required of] investigative files compiled for law enforcement purposes, except to the extent available by law to a private party."

The intent of this exemption was to protect that kind of investigative material which if revealed would undermine law enforcement. Thus, in order for material to qualify as an "'investigatory file," it must be both investigatory in nature and capable of being used in a law enforcement proceeding. That is, even "investigatory" parts of the file are only exempt for so long as they can be used in a law enforcement proceeding, i.e., if law enforcement is still possible, those investigative parts of the file which relate to that enforcement may also still be privileged. When any prosecution proceedings are completed or precluded by other factors, then the entire file should be open—unless other investigative files would be directly impaired by its disclosure. The fore-going is the broadest possible interpretation that can be taken of that provision in the Act.

Several agencies have not been satisfied, however, with even these broad limits on the "investigative file" principle, so they have expanded and transmuted its character by changing the definition of what is an investigatory file. For example, the Department of Labor has denied public access to their records of past (5, 10, and 15 years old) violations of the Walsh Healey Act which sets minimum wages and safety standards for businesses which have more than $10,000 worth of sales to the Federal Government. The only sanction for violators is a 3 year bar from further contracts. Thus the Department of Labor keeps secret the nature of past violations which have ceased and are two decades old on the theory that the Labor Department might still get around to using these violations in some future law enforcement proceeding. The Department of Labor also restricts even their *record* of corporate violations of these Walsh Healey standards (rather than the investigative reports within the files). These records and the records of violations filed by inspectors are analogous to records of traffic tickets and were denied to students. In the selected industry reports (showing what companies had been inspected) the Labor Department blocked out the names of all companies inspected before allowing the students access. These denials were then followed with a request for the students to sign a pledge of non-revelation in order to receive the documents.

Another illegal broadening of the "investigative file" exemption is invoked when other excuses fail. This is when the agency places public information in an investigatory file and then refuses to separate the two. For example, the Department of Labor has claimed that all material in all Walsh Healey files is "investigative" even when the requested material is non-investigative in nature. Thus, the Department secures secrecy by its own comingling and subsequent refusal to separate. The Department then completes its denial to the records of their enforcement of that Act.

2. The FOIA provides a specific exemption for internal governmental papers in order to preserve and encourage the freedom of internal communication within government and to prohibit premature disclosure. The text of that exemption says: "(no disclosure is required of) inter-agency or intra-agency memorandums or letters which would not be available by law to a private party in litigation with the agency."

The legislative history of this exemption makes it clear that, in judging whether nondisclosure was to be allowed, the prime criterion was to be the relative finality of resolution of the issue in any such document. The evil to be prevented by the exemption was, in the words of the House Report "premature disclosure."

In practice, several agencies have illegally broadened this exemption to deny access to matters relating to *past* decisions within the Executive Branch. The Department of Agriculture has gone further and denied access to the minutes of the National Food Inspection Advisory Committee and the Poultry Advisory Committee. Those committees are made up of non-federal personnel, including private members, and their alleged purpose is to suggest policy and discuss new hazards to the public interest. The Department wants to prevent the public from realizing what an impact private interest groups and their state satellites have on meat and poultry inspection policy and what conditions and new hazards exist.

The Interstate Commerce Commission has also invoked this exemption to deny public access in specific areas to records of Congressional correspondence with the ICC. Also the ICC has declined to release a six year old study of the ICC made for it by the Civil Service Commission. The ICC has also refused to make public the past evaluations of ICC performance which were prepared by ICC personnel. Thus, no information is released as to how the agency assesses its performance. The public usefulness of a contrary policy was seen a few weeks ago when an internal FDA evaluation report was made public. The Department of Labor has misused this exemption to deny public disclosure of their interpretations of the Walsh Healey Act—made in 1936—even though that Act has been amended several times since and the public need for this information is essential if any determination of how the law has been administered over the last 33 years is to be made.

Other illustrations reflect the variety of excuses for denials. The Department of Defense has denied access to information on the quantity of oil being pumped from the bilges of naval ships on the grounds that this data will be included in a report which contains operational data relative to military characteristics and will therefore be classified. The water pollution study group wanted information about oil dumping. The Defense Department makes no claim that the specific information requested is itself classified or in any way exempt from the FOIA. DOD is a past master of the "contamination technique"—take several doses of unclassified material that may prove embarrassing and mix them with other doses of classified information and, lo and behold, the sum is entirely classified. Civilian agencies have been quick to deploy this method.

The Federal Water Pollution Control Administration has denied access to copies of research proposals made to but not accepted by FWPCA. The study group wanted this information to assess the research priorities at the agency, to determine whether there was any unfair preference by FWPCA and to see what reasons were given for denial of such proposals.

Only under pressure from the study group and the New York Times did the ICC finally release information pertaining to the expense accounts of ICC commissioners which were assumed by industry groups when the commissioners visited trade meetings.

Before continuing on to discuss even more flexible techniques for information suppression, the point must be made that most of the exemptions in the FOIA are discretionary—that is, with the exception of other statutory restrictions and Executive Orders, the agency does not have to invoke the exemption. It is still expected to produce the information and not take advantage of the exemption without a strict shouldering of the burden. Instead, agencies are simply offering the particular exemption as a reason for denial and not producing the underlying facts which are entitled to invoke the exemption.

Agencies are developing ever refined ways to handle requests under FOIA. Here are some:

The typical tactic is to delay replying for several weeks and then state that the request for information was not specific enough. This tactic has enormous potential and agencies like it. First, if the agency does not permit the inquirer initial access to learn what specifics the agency has, he has no choice but to make a more general request. Any agency knows that one level of secrecy can lead to more exquisite levels of secrecy. So the organization or filing of the information possessed by the agency is not revealed. Consequently, the citizen is exposed to a charge of non-specificity. The more knowledegeable and fraternally received lobbyists, on the other hand, have no such problems. The Department of Agriculture, especially its Pesticide Regulation Division, has perfected this dismal science to a degree that it may uproot itself by the excess of its success.

The Department of the Interior used the delay technique with all the arrogant presumption of the new Assistant Secretary of Interior, Carl Klein. He developed a hamstringing system of centralized appointments and a centralized room for interviews to be conducted under the watchful eye of his monitors. In the initial three weeks of the study, the Department repeatedly denied information by cancellation or delay of scheduled meetings and by this monitoring device. An appeal to Herbert Klein, Director of Communications and Secretary Hickel was necessary to instruct Mr. Carl Klein in his duties to the public. He withdrew his edicts promptly. But other delays emerged. For example, the memo of FWPCA's assistant commissioner for enforcement (which outlined the enforceability of water quality standards) was released only after a 10–14 day delay after the initial request and an appeal to the DOI's information officer. The reason given for the delay was the assertion that this document was still in the working paper stage; however, the paper had already been completed and circulated. Since any work of man can always be perfected, the designation of "working paper" can have no discretionary limits which is another way of saying that the agency who exploits this technique becomes a law unto itself.

A closely related response to the "working paper" one is that the information is still not verified or is in incomplete form. The FWPCA gave the latter as the reason for refusing, following a ten-day delay, a student permission to see reports on the status of water pollution abatement programs at 20 federal installations. There is a written demand pending to see the information in whatever form it exists since we have taken the position that the agency's laxity in compiling this information is a self-serving and illegal basis for denial of access.

This request for the status reports on 20 installations was made after FWPCA denied more detailed information about the entire problem on the ground that this general information would give the researcher a "warped impression." (At another time this same researcher was told that release of information would endanger Interior's relationship with DOD "because DOD is finicky about releasing figures on total sewage." Presumably, the enemy could then rush back to its abacus and calculate the manpower strength of the base. Sewage from domestic military bases is a national security matter, according to FWPCA. It could co-incidentally be a national pollution matter that is the basis of the reluctance.

More primitive responses come forth as an agency loses its last reedy rationalizing props for withholding information. Relevant materials on pesticides in the Department of Agriculture * disappeared, on the action of a high official, after the students began researching them with permission at the Pesticides Regulation Library. Outright lies are not unknown as shown by the attached appendix II describing in greater detail the Civil Aeronautics Board experience. The National Highway Safety Bureau has denied any knowledge of preferential release to General Motors in late June of an Army medical team report on offbase accidents involving servicemen in Europe. But it was sent to GM privately. Since the company has recalled several million cars for a carbon monoxide hazard, GM can be forgiven its urgent interest in a medical report showing high CO levels in the automobile crash victims' blood. But why not let all the people know at the same time? The report is being released today.

The Food and Drug Administration, which has been more cooperative than some of the other agencies in releasing information to the study group about food purity regulation (perhaps because it has so little to reveal) claimed through an official spokesman that it maintained no brand name list of beverages containing cyclamate. Such a list, however, had been used repeatedly to answer specific inquiries about specific brand names. On learning that the inquirer was part of the summer study group, the agency made the list available. This illustrates that whatever difficulty we may be having, the lone citizen making inquiry by mail from afar or even by visiting the agency is subjected to more government secrecy.

Another generic technique of preferential treatment is to compile the kinds of information that industry desires but decline to compile the information that a consumer or laborer could use. The Department of Interior compiles much information of use for the minerals industry but very little benefits consumers or workers. The Interior Department had to be pushed and prodded to develop a report on environmental depredations of the coal industry, after half a century, and then was reluctant to make it public. Consumer-related information about federal oil policy—from quotas to offshore leases—have been most hard to elicit from Interior. The same imbalance prevailed for hazards in off-shore drilling.

Search costs and reproduction costs can daunt a citizen after he has secured access to agency information. Copying fees range from no charge in some agencies to $1.00 a page in other agencies. Similarly, some agencies charge no search fees, others charge up to $7.20 per hour. Why the difference?

In conclusion, what are some lessons to be learned? First, the Freedom of Information Act is not being used by the public to secure relief in the courts. Since the effective date of the FOIA on July 4, 1967. court records reveal that 40 cases were brought under the FOIA (to March, 1969). Thirty-seven of these cases involved actions by corporations or private parties seeking information relating to personal claims or benefit. In only three cases did the suits involve a clear challenge by or

* See Appendix I for additional USDA denial.

for the right of the public at large to information. Even more significant, no records have come to our attention of any court actions initiated by the news media who should be the prime public guardians and litigators under the FOIA. Patently, the effect of the FOIA cannot be measured by court cases. But just as patently, a mere 40 cases in the first 20 months of the Act's history are shocking. There need to be institutions, be they public interest law firms, Universities, Law School Law Reviews, newspapers, magazines or the electronic media, who systematically follow through to the courts on denials of agency information. The individual citizen just does not have the resources.

The FOIA will remain putty in the hands of narrow-minded government personnel unless its provisions are given authoritative and concrete interpretation by the courts. Such litigation then feeds back a deterrence that radiates throughout an agency. Many general counsels of agencies are straining the Act to its utmost and beyond because of the improbability of judicial review. The new General Counsel of the Federal Highway Administration, David Wells, has already begun to apply the Byzantine secrecy that he learned from his former railroad and trucker employers. He now wants to prevent disclosure of violations of automotive safety standards to the public. Yet these violations are relayed quickly to the manufacturer involved. The corporation has the right to receive them but not the motorist who may become a casualty because of not knowing about the safety violations in his car or tires. David Wells will have much to learn and like his mentor, Francis Turner, will probably have to learn it all in public.

Second, Congress is not exercising adequate oversight over the way the FOIA is being observed. There have been no Congressional hearings since the Act was passed, although there is abundant material for a most worthwhile public hearing series. Two reports, one from the House and one from the Senate, have been published compiling the regulations and containing responses to some inquiries from the respective committees. Comprehensive Congressional hearings are a must.

Third, a Presidential review group should be constituted to eliminate the inconsistencies which now exist, and are increasing, among the FOIA compliance regulations of the various federal agencies. This group should also establish uniform ground rules which will make it exceedingly difficult to achieve devious and illegal circumventions of the FOIA. For example, there should be a clearcut injunction against the commingling tactic and agencies should be required to separate or segregate the public information from what information may be legitimately withheld. For another example, there should be a one-stop appeal in the agency before judicial review. Stacking up layers of appeals within the agency is a strategy of attrition and facilitates divergent policies within the department or agency.

Fourth, each agency should be specifically required to (a) respond in some manner to all information requests within 7 days of receipt of such request or a specific reason given to justify further delay; (b) have available in the Washington office, and elsewhere as needed, a public information reading room with access to copying machines; (c) prepare in advance and have available in the public reading room that data most typically requested of the agency and all relevant data showing workload, productivity, law enforcement activities and similar agency evaluation information, as well as agency-Congress and agency-public records. Such a system will not only encourage more citizen interest—which should be a frontline policy of all agencies—but also will improve the efficiency of response to citizen requests.

Fifth, specific procedures should be developed for taking corrective actions when federal officials resort to harassment techniques or other actions contrary to the FOIA. The establishment of a Director of Communications earlier this year offers the opportunity to develop effective sanctions on agency leaders who generate or condone such secrecy. Without such review and sanctions from the White House, agencies will continue to thwart or violate the Act with impunity. The most important distinction between agency responses toward information requests is the distinction between the agency's leadership. Clearly then, the most important factor in the Executive Branch for freedom of information is the President himself. And it is up to you, ladies and gentlemen of the fourth estate, to remind him continually of this first imperative.

APPENDIX I: SOME INFORMATION EXPERIENCES WITH THE U.S. DEPARTMENT OF AGRICULTURE

1. Racial hiring charts for individual electric cooperatives financed by REA loans: although the REA's information office decided to give the information, the Department's Office of General Counsel removed it without telling REA. On appeal to the REA administrator, the charts were made available.

2. Information on the fat content of various brand name frankfurters tested by the Department since 1955. Denied.

3. The Farm Credit Administration's record on the recipients of FCA-approved loans. The FCA must approve loans of more than $100,000 made by federal land banks, and other large loans made by the production credit boards. The FCA has refused several times to reveal the names or locations of the recipients, or the sizes or terms of the loans.

4. Results of the Federal Extension Service's study of its program operations in 60 counties, done in 1965 and 1966. Denied.

5. Lists of specific pieces of information that agencies consider exempt from disclosure under the Freedom of Information Act. Denied.

6. Minutes of meetings of the National Food Inspections Advisory Committee and the Poultry Advisory Committee. Denied.

7. Minutes of meetings of the Citizens Advisory Committee on Civil Rights, whose members were private citizens. Denied.

8. Records of any civil rights complaint—concerning either hiring problems or program discrimination—made against the Department. Each one of the agencies, as well as the Department's civil rights staff, has refused to tell us who has complained, how the complaints were investigated, and what the Department has done to correct any violations it found. Denied.

9. Audits done by the Department's Inspector General on various agencies. After all our requests for audits were routinely turned down, we asked to see summaries of some of the audit findings. This was refused. In one case, both the audited agency (the Federal Extension Service) and the state director whose program was under study (Dr. Marshall Hahn of VPI) gave us permission to see the OIG audit of extension programs in Virginia. Even so, the OIG refused.

10. Copies of memoranda or directives circulated in the Department to tell employees how to handle information requests in general and our summer study in specific. Denied.

11. The Pesticide Regulation Division's registration records for specific pesticide products, for instance the Shell Vapona No-Pest Strip. Denied.

12. Copies of a proposal by the Department's Program Review and Evaluation Committee for a new system to keep track of civil rights progress. After the Department refused to give us the chart, we informally asked an administrator and got the chart immediately.

13. Copies of civil rights compliance plans that state universities and land grant colleges have sent to the Federal Extension Service. FES regulations required the state colleges to prepare adequate plans in order to keep getting federal money for state extension programs. The FES has refused to reveal any details of the plans it has approved.

14. Records of any action the Department has taken to correct problems pointed out by a number of groups—the U.S. Civil Rights Commission, the Department of Justice, private citizens, and the Department's own Inspector General and Citizens Advisory Committee on Civil Rights. Denied.

15. All records of action the Pesticide Regulation Division has taken in a number of areas: seizing unsafe pesticide products; recalling products from the market; issuing citations to manufacturers of unsafe pesticides; and recommending prosecution of pesticide manufacturers. Denied.

16. Information about the Pesticide Regulation Division accident reporting system. The PRD refused to tell us how it evaluates accident reports and what action it has taken in response to the information.

17. Data that manufacturers submit to PRD when they have their products registered. The PRD claimed that all the information in the registration file is covered by the "trade secret" option, even though the specific product formula is contained in a brown envelope marked "confidential" and can be easily separated from the rest of the file.

18. Records of PRD's pesticide sampling program, which analyzes samples of pesticides from the market. We asked only for those files where no enforcement was planned, but PRD denied all the files, claiming they were exempt under the clause protecting enforcement records.

19. A Department of Agriculture report revealing health hazards in Talmadge-Aiken Act meat plants has been denied Congressmen Thomas Foley and Benjamin Rosenthal and United Press International. This denial has no time limit, as USDA admits that their investigation is closed in this matter.

APPENDIX II: THE CIVIL AERONAUTICS BOARD, A CASE STUDY OF INFORMATION POLICY AND THE PUBLIC INTEREST

The study of the CAB took as one of its primary areas of concern the ways in which the Board and the airlines industry deal with or fail to deal with complaints from members of the public. At the outset, statistical information was requested (in writing) as to the total number of complaints received by the CAB, the volume of complaints lodged against the various airlines, and the major categories and sources of complaints. The CAB refused to give this information on the grounds that it had inadequate personnel to keep any records of this sort. Not until the very end of the summer did we learn, from another source, that the Board had made detailed studies of precisely the kind of information requested. The CAB lied.

Similarly, data was requested on the CAB's backlog of consumer complaints. The board took four weeks to respond to this single request for the most basic kind of information as to how well it is performing its duties. When that information was finally provided, we learned that the backlog—number of complaints on which the CAB has taken no action—has risen by over 600 percent over the last five years!

Frustrated by this inability to get the basic statistical information from the CAB, we requested an opportunity to inspect the complaints filed by citizens with the CAB against the airlines. This request under the Freedom of Information Act was arbitrarily denied on the astonishing theory—articulated and re-

peated by Charles Kiefer, Executive Director of the CAB—that if the public's complaints were made available for inspection, the airlines would find out the complainants' identities and retaliate against them. Finally, after weeks of delay, the Board agreed to permit inspection of a few complaints, *but only if the student agreed not to write down the names or sources of the complaints.* This meant, for practical purposes, that we could not correspond with citizens filing serious complaints to see whether they were disposed of satisfactorily by the airlines or the CAB.

Late in the summer, we learned of a recent report by the CAB of the causes and handling of customer complaints received by the airlines industry. This important study, made at substantial public expense, demonstrated that citizen discontent with the airlines industry has hit a critical level, and cited specific airlines for their apparent complete lack of interest in the problems of inconvenienced air travelers.

Nevertheless, the CAB has suppressed this report from the public, which has every right to know which airlines are concerned with resolving legitimate complaints—and which ones are not. The report was denied to us on the specious reasoning that it "mentions names of airlines", gives numbers of complaints received by some of the airlines and was compiled from the records of the airlines regulated by the CAB. For these reasons, and because the CAB feared that the findings might be competitively detrimental to the deficient airlines, the CAB officials concluded—apparently without the benefit of legal advice from the CAB legal staff, it should be noted—that release of the survey to us, or even the names of the airlines considered to be deficient, was precluded by a statutory section prohibiting the Board from divulging certain classes of confidential financial and commercial data obtained in CAB audits of the airlines' books. This argument, however, utterly ignores the fact that much of the information requested had already been released to several of the airlines as well as to their trade association. The legitimacy of the CAB's rationale is further shattered by the fact that detailed information on the number and types of complaints is readily exchanged among the airlines themselves, which destroys the shibboleth of pretended confidentiality.

The fact of the matter is that the CAB officials have been regularly providing business management and public relations advice, at public expense, to private interests in the airline industry, and have been withholding critical information on the industry which is needed by the public. The dangers of governmental secrecy are manifest in this episode of patent disregard by an important regulatory agency for its responsibilities to the public. For while the CAB is busy providing services for special corporate interests, it has no time or resources for its basic mission of regulation. For example, during the summer numerous requests for basic statistical data which we requested were denied by the CAB on the grounds that it has inadequate staff and accordingly could not assemble such information or provide it for our study. Some of the records the CAB told us it does not bother to keep include the following statistics:

Speeches and personal appearances made by members of the CAB.

Records of the costs of investigations conducted by the CAB.

Travel allowances and budgetary allocations for individual Board members, the Executive Director and the Director of Community and Congressional Relations of the CAB.

Enforcement actions by the CAB's Bureau of Enforcement against air carriers for violations of the law.

Complaints charging racial discrimination by the airlines.

The number of initial decisions of CAB hearing examiners appealed to the Board in accordance with its regulations.

The number of interested parties seeking to intervene in CAB proceedings pursuant to its rules of practice.

We frankly find it beyond belief that an agency can effectively protect or advance the public interest without establishing for itself basic priorities and keeping certain basic records of its work. In the atmosphere of openness and public scrutiny contemplated in the freedom of information philosophy we submit, such contempt for the rights and needs of citizens and such patronizing solicitude for the business interest and image of private industry cannot thrive.

UMWA PRESIDENT SHOULD PERSONALLY EXPLAIN FAMILY MINING ACTIVITIES

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, the Labor Day edition of the New York Times contains reports of serious allegations concerning union and management activities of the family of W. A. Boyle, president of the United Mine Workers of America. There are reports that members of the Boyle family in Montana, Mr. Boyle's home State, had sought to close down certain coal mines for their own benefit.

There are also reports that members of the family had owned a coal mine in which four men were killed in 1958 as the result of safety violations.

These are serious allegations which should concern every Member of Congress as we prepare to consider far-ranging Federal coal mine safety and health legislation. These are serious allegations concerning every rank-and-file miner in the 160,000-member UMWA which will vote December 9 on whether to retain the tired and wornout policies practiced by Mr. Boyle as president or to replace him with the fresh new leadership of Joseph A. "Jock" Yablonski.

I think that Mr. Boyle owes it to Members of Congress and to members of his own union to personally answer these allegations instead of hiding behind a public relations consultant as the following article from the September 1 New York Times indicates he did:

BOYLE CONTROVERSY GRIPS THE MINE UNION—FAMILY OF ITS CHIEF LINKED TO CLOSINGS IN MONTANA AREA

(By Ben A. Franklin)

WASHINGTON, AUG. 31—Controversy over the role that the family of the president of the United Mine Workers of America has played in both union and management affairs is spreading from the Appalachian coal fields of the East to the farthest seam in the continent.

In Montana, the former home of W. A. (Tony) Boyle, the president of the United Mine Workers, there were reports last week that members of the Boyle family had sought to close down certain coal mines for their own benefit.

There were also reports that members of the family had owned a mine in which four men were killed in 1958 as a result of safety violations.

A Boyle spokesman has denied any implication of impropriety in both instances.

ELECTION IN DECEMBER

Mr. Boyle, 64 years old, faces the most strenuous struggle of any president of the United Mine Workers in an election Dec. 9, in which he seeks to hold onto his $50,000-a-year post. He has been accused by his opponent, Joseph A. Yablonski, 59, of padding the union payroll with relatives and collaborating with coal mine operators.

Mr. Boyle is expected on Monday to open a coal field speaking tour in West Virginia with new proposals for sweeping changes in the 160,000-member union. But the week's developments in Montana appeared to have done little to help him defuse Mr. Yablonski's attack.

It has not been widely known in the union until now, for example, that Mr. Boyle's late brother, Jack, was himself a mine owner in Montana or that four union men were killed in Jack Boyle's mine in 1958 in a roof fall.

The mine workers' district president in Montana, another brother named Richard J. Boyle, declared the accident was "unavoidable" as did a subsequent coroner's jury. Both the state and federal mine accident reports, however, described the deaths as the result of safety violations in the Boyle mine.

REPORT IN UNION PAPER

The accident was reported in the union newspaper, The United Mine Workers Journal, without naming or identifying the owners of the Mountain State Coal Company of Roundup, Mont., of which Jack Boyle was president.

These reports and others were focused upon last week by The Billings Gazette, in three page one articles headed "The Boyle Family in Montana." It reported that the U.M.W. in Montana twice during the mine management career of Jack Boyle, had caused "ostensibly for safety reasons" the closing of all the larger mines in the Roundup area that competed with the Boyle mine interests.

The mine closing affected at various times all of the Mountain State Coal Company's important competitors in the area. It finally forced them to abandon production entirely.

The closings were publicly described by the Montana state mine inspector at the time as "unwarranted" and "unnecessary." The Jack Boyle Mining Company finally won a contract to supply the Atomic Energy Commission with 25,000 tons of coal a year.

A check of records and interviews here with officials of the United States Bureau of Mines disclosed that the bureau had become so concerned about what one Federal mine official called "this unusual pattern of selective mine closings" that both it and the Federal Bureau of Investigation had considered for a time separate investigations of the matter.

A memorandum in January, 1957, in the Bureau of Mines files, marked "Administrative Confidential," reported that Marling J. Ankeny, then the bureau's director, had declined to make a recommendation for an investigation, and the matter was dropped.

Responsible Bureau of Mines safety officials said in interviews here that the investigation was not pursued because, in the case of each mine closing, "legitimate" safety violations were found after complaints to the bureau by union leaders in Montana. Union officials sought special Federal inspections of the affected mines, the official said, "and violations were found."

"Of course, there isn't a coal mine in the country where you can't find some violation," a Federal mine safety expert said.

"Our problem then was that there were violations, all right, but that the whole thing looked to us like a concerted effort to in-

volve us in closing down particular mines," the bureau official said.

"There is no doubt that some of those mines competing with Jack Boyle's operation were closed earlier than they should have been."

In both cases—in 1950 and in 1956–57—Richard J. Boyle was president of U.M.W. District 27, with headquarters in Billings. R. J. Boyle is still the $25,000-a-year district president, having been appointed to succeed his brother, Tony, in that post when the latter came to Washington in 1948 as the top assistant to the late John L. Lewis.

A reporter for The New York Times was unable this week, during a visit to Billings, to contact any of the Montana Boyles.

A Boyle spokesman in Washington later denied most of the Montana newspaper reports. The U.M.W. president declined to grant an interview, and the queries were submitted and answered in writing at his request.

The replies were made available by Oscar Jager, a former editor of labor union newspapers, who is now a public relations consultant here. Mr. Jager two weeks ago assumed the press relations account of Mr. Boyle's campaign organization.

The spokesman denied that any of the Boyle brothers had improperly sought to close Montana mines or had influenced the Musselshell County coroner's verdict that the four-man fatality in Jack Boyle's mine was "unavoidable." He also said the union would accuse Mr. Yablonski of "bribery" on the basis of a statement in The Billings Gazette.

The newspaper published a note with the first of its three articles on Aug. 24 saying that Mr. Yablonski's aides had sent the reporter who wrote the articles, Roger Hawthorne, $50 for "expenses" during four months of research and preparation for the stories. The newspaper said Mr. Hawthorne, 26, had returned the check uncashed.

COMMENT OF INSPECTOR

Mr. Hawthorne said he had accepted the check "without thinking." He said he had asked Mr. Yablonski's aides for the money to cover travel and other reporting expenses not authorized by his editors.

Loren Newman, the single Montana State mine inspector at the time of the reported closings of the Boyle competitors—The Roundup Coal Mining Company and the Republic Coal Company—said the closings were "unwarranted."

The Republic Coal Company file, at the United States Bureau of Mines here, disclosed that the company's Klein No. 2 mine at Roundup, a competitor of the Mountain States Mining Company of which Jack Boyle was president, had been ordered closed for safety violations in November, 1956, by a Federal mine inspector who last examined the mine more than two weeks earlier.

The files indicated that officials at the Bureau of Mines had been surprised at this "deviation" from prescribed inspection procedure and had ordered the mine reopened less than three weeks later after a number of safety violations were corrected.

After repeated closings the company, however, failed to resume production in November, 1956, and abandoned the mine. Its contract to supply coal to the Atomic Energy Commission was taken up by the Roundup Coal Company. Within a month, the Roundup mine was closed by Federal mine inspectors, acting on an anonymous safety complaint.

When the rank and file safety committee of the U.M.W. local at the Roundup Mine complained that there was no safety violations warranting a closure order, the union committeemen were dismissed by Richard J. Boyle, the District 27 president, for inconsistency".

The Roundup mine was not reopened, records here showed, for more than a month. In order to meet delivery commitments to the A.E.C., the company was forced to divert some of its business to the Mountain States Mining Company, headed by Jack Boyle.

State and Federal mining officials said, however, that the Boyle mine produced only sub-bituminous coal, a poorer grade, and that many of its delivered carloads were rejected on arrival at the A.E.C. plant in Hanford, Wash. in 1959, the Mountain States Mining Company finally joined the others in abandoning production. The company's Montana Queen mine property was seized by the county in 1961 for nonpayment of taxes.

CONFIRMED BY JURY

Richard J. Boyle described the rock fall as "unavoidable," a decision later confirmed in the coroner jury's verdict.

The state mine inspector's report on the accident however, noted that the unsupported mine roof that had crushed the four men, who were clearing away an earlier rock fall, "should always be supported by roof jacks, safety props or other means."

The state inspector's report said that "Mr. R. J. Boyle was present [when the accident occurred] and had sounded the roof and believed it to be safe and did not believe roof jacks or safety props necessary."

The Federal inspector's report on the same accident, records here disclosed, made the same findings that "temporary roof supports should be provided to protect workmen engaged in cleaning up operations following a roof fall." It also observed that open explosives had been detonated to break up the previously fallen roof slabs, a Federal violation.

The Federal report said that this "probably contributed to the accident owing to vibration and concussions" from the unconfined explosive charges.

Six months later, the same Federal inspector's routine mine inspection report on the Jack Boyle mine was returned to Billings for "revision" with a sharply worded memo from the Bureau of Mines Denver field office. "A reader of the report might question that the roof was supported 'where required,'" the memorandum said, "When, indeed, a multiple fatality occurred because of a lack of adequate support."

STATEMENT BY JOSEPH A. (JOCK) YABLONSKI, CANDIDATE FOR PRESIDENT OF THE UNITED MINE WORKERS OF AMERICA

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, on Labor Day in my congressional district, the present president of the United Mine Workers of America, Mr. W. A. Boyle, read an address in Logan, W. Va., which was prepared by public relations consultant Oscar Jager. As it is written in the Bible, "The voice is Jacob's voice, but the hands are the hands of Esau." On September 2, Mr. Joseph A. Yablonski responded to this statement in a significant statement which I believe fully qualifies Mr. Yablonski to be the next president of the UMWA:

STATEMENT OF JOSEPH A. YABLONSKI

The speech given Labor Day by Tony Boyle is a major moral victory for my campaign and for the rank and file coal miners whose rebellion produced my candidacy. It is an unmistakable sign that even the aloof Mr. Boyle has at last realized that the United Mine Workers of America are bitterly disappointed with his leadership.

The speech was written by Oscar Jager, a professional political publicist who has been hired by Mr. Boyle to advise him on his campaign. When Tony Boyle decides that the adoring flacks who have glorified him throughout his lackluster regime are not enough and a new apologist is needed, there can be no doubt that he is growing uneasy about his chances for re-election.

However, Mr. Jager was unable to give Mr. Boyle's speech its progressive ring without plagiarizing freely from my campaign platform. He calls, for example, for $200-a-month retirement pensions, a benefit which I have been advocating since I entered the race last May. I think it is indicative of Mr. Boyle's imagination that it took three months and the counsel of a high-priced political adviser before he realized that I have a good idea.

Mr. Jager's speech contains a number of confessions of Mr. Boyle's well-known inadequacies. Jager writes, for instance, that the UMW "has tremendous catching up to do," after six years of Mr. Boyle's leadership. Apparently Mr. Jager realizes that a progressive-sounding speech by Tony Boyle would be altogether preposterous if it did not contain some mention of how regressive Mr. Boyle has actually been.

Perhaps the most astonishing for its hypocrisy is Mr. Boyle's promise of a $50-a-day wage for miners by 1971. To the miners who heard his speech in Elkhorn City, Kentucky, this promise must have seemed a cruel joke. Thousands of union miners in that region have worked for years under "sweetheart" contracts by which they are paid as much as $15-a-day less than the union's scale wage. Mr. Boyle is responsible for these shabby arrangements, just as he is responsible for the new contract in the Pennsylvania anthracite region where miners can be required to work seven days a week. Coming from anyone other than Mr. Boyle, the promise of a $50-a-day wage for America's coal miners would be a laudable pledge. But coming from Tony Boyle, it can only be viewed as hollow campaign talk, almost laughable in its inconsistency with his record as a negotiator.

Mr. Boyle's speech calls for improving the benefits of the Welfare and Retirement Fund, but he suggests few ways of doing this other than those I have already proposed. His pledge to provide pensions for widows of coal miners could have come straight out of my campaign literature. He even lifts my idea of increasing the royalty paid to the Fund on every ton of coal produced in union mines. It may seem an exaggeration to claim that he copied such an obvious proposal as this from me, but the fact is that Mr. Boyle has negotiated three contracts without any increase in the royalty, which has remained the same for 17 years. Can anyone honestly believe, based on his past performance, that Mr. Boyle would ever follow through on these promises if he were re-elected?

I want to make it clear that I regard a $50-a-day wage and an increased welfare royalty as fair and deserved objectives for the nation's miners. But I shall not engage in an exchange of contract promises with anyone whose promises are as meaningless as Mr. Boyle's.

Another hypocritical goal set by Mr. Boyle is the organization of workers in coal-related industries. If Mr. Boyle is so concerned with broadening the union's base, why did he expel District 50 which added 225,000 men to the union's rolls? Mr. Boyle claims he took the action against District 50, which was a favorite project of John L. Lewis, because of its endorsement of atomic energy power plants. But the real reason for the expulsion was that District 50's officers chal-

lenged Mr. Boyle's dictatorial authority over them.

Of all the planks in the platform that Mr. Jager has erected for Mr. Boyle, the least sturdy is the one dealing with the union's internal structure. For five years, the Labor and Justice Departments have sought through the federal courts to get Mr. Boyle to comply with the law by allowing the election of the union's district officers. I have promised that the very first step I will take if I am elected is to give rank and file miners the right to elect all their district officers. Mr. Boyle, however, proposes the oldest tactic of political delay there is. He wants to create a "commission." It would make "recommendations" on "structural changes" in the union. It is not enough for Mr. Boyle that the present dictatorial structure is illegal and that coal miners are demanding that it be changed. Union democracy is apparently so odious a concept to him that not even pressure from the federal government and his own membership can budge him from his determination to keep the United Mine Workers the most notoriously tyrannical union in the country.

The hiring of Oscar Jager and the delivery of this speech are clear indications that Tony Boyle is trying to put on a new face. But when it comes to the key issue, union democracy, it's still the same old Tony. No amount of expensive public relations help and hypocritical promises can paper over the abysmal record Mr. Boyle has compiled in his six years in office. He remains, despite these cosmetic efforts, a thoroughly discredited leader.

I repeat again my challenge to Mr. Boyle to debate the issues in this election, anytime and anywhere. A Charleston, West Virginia, television station has offered to make an hour of free air time available for such a debate. I have accepted the offer. Mr. Boyle has refused. Short of a debate, I challenge Mr. Boyle to take his new platform before an open news conference in Washington, as I have done repeatedly since I entered the race.

HIGHWAY SAFETY: COMMENTARY NO. 14

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, the point that Bill Gold made so well in his Washington Post column on August 26 deserves to be brought to the attention of my colleagues. I am referring to Mr. Gold's description of highway fatality statistics and the drastic need for positive action.

Highway accidents are the No. 1 killer of people 37 years old and younger. Each week more than 1,000 people are slaughtered in highway accidents. This does not include the vast number that are maimed or crippled for life. As Mr. Gold states, more Americans are killed on our Nation's roads each year than have died in Vietnam.

The tragic fact is that the Nation's attitude concerning highway deaths remains passive. We feel that death statistics are nothing more than that. We continue to feel that we will never become involved and will never become a statistic.

As Mr. Gold says:

We need to develop the constant awareness that an accident is an impersonal statistic only to those who are not involved in it. To each victim, an accident is a personal tragedy; and there is not one among us that is safe or immune.

I agree with Mr. Gold, this is one war that the United States has not won. I commend him for his fine article, and I commend his article, which follows, to my colleagues:

THIS IS ONE WAR THE UNITED STATES HASN'T WON

(By Bill Gold)

In a recent column, I noted that our traffic death toll is now one thousand per week. A reader ringed this statistic in red and sent the item back to me with the notation: Deaths? This is obviously an error. What was the figure really supposed to be?"

A death toll of a thousand a week is indeed an error in the sense that most of the victims die needlessly. But the statistic itself was accurately reported. In fact, it may have been understated a bit. By the end of the year, traffic deaths may total between 56,000 and 57,000.

A Nation that is gravely concerned over its losses in Vietnam might be interested to compare war deaths with traffic deaths.

In the 193 years since Revolutionary War days, our country had lost 1,135,000 lives in wars—with almost half of those deaths due not to battle casualties but to disease, accidents and other causes. Actual battle deaths total 633,638.

In only 68 years since the turn of the century, automobiles have claimed 1,700,000 lives.

Statistics on traffic injuries are not as precise because there is no universal agreement as to what constitutes an injury, and injuries are not reported on a national basis. Insurance companies speak of 3 million to 4 million traffic injuries per year in this country. The National Safety Council, which counts only those injuries which are disabling beyond the day of the accident," offers the lowest of the generally respected figures: 2 million per year.

Even so, 2 million injuries per year in automobiles is hard to comprehend. The person who has not yet been injured by an automobile is becoming rare. The one who is fated to live out his life without ever being injured by an automobile may soon become a statistical freak.

The only bright spot in the picture is that the death-injury rates per passenger mile seem to be leveling off. The toll climbs higher each year because we're running up more passenger miles, not because the per-mile rate is climbing.

But the rate isn't declining, either. And in order to keep it stable we've had to invest billions to build safer roads.

When you ask traffic authorities why we haven't been able to whittle down the per-mile accident rate, the first thing they're likely to say is: Excessive speed and/or alcohol."

Raise a questioning eyebrow and they'll show you cold facts. Last year, excessive speed was a factor in about 31 per cent of all fatal accidents. Alcohol is a factor in roughly 50 per cent of fatal accidents.

It isn't always the driver who's been boozing. Many a pedestrian fatality has been traced to alcohol.

And "excessive speed" doesn't always mean 70 miles an hour. The National Safety Council finds that more than half of the fatal accidents in urban areas occur at speeds under 30 miles an hour. It's just that there are times and places when even 30 is too fast for prevailing conditions.

We used to like to boast that this Nation has never lost a war. Even before Korea and Vietnam clouded those claims, we should have become aware that we were losing the bloodiest of wars in daily traffic, and that simple common sense demands an end to our no-win policy on the highways.

The broad outlines of what needs to be done have been spelled out for us for years. We need more courtesy, safer cars, safer highways, less emphasis on speed, less alcohol, better driver training and education, better enforcement, swifter and more certain punishment for lawbreakers—and a realization that it *can* happen to each of us. We need to develop the constant awareness that an accident is an impersonal statistic only to those who are not involved in it. To each victim, an accident is a personal tragedy; and there is not one among us who is safe or immune.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. TIERNAN for September 3 to 17, on account of official travel.

Mr. HUNGATE (at the request of Mr. LEGGETT) for September 3 through September 17, 1969, on account of official business.

Mr. BRADEMAS (at the request of Mr. GALLAGHER) for Wednesday, September 3, through Friday, September 5, on account of official business.

Mrs. HANSEN of Washington (at the request of Mr. RODINO) for Wednesday, September 3, through Monday, September 8, on account of official business.

Mr. OLSEN (at the request of Mr. JOHNSON of California) for September 3 and 4 on account of official business.

Mr. CORMAN for Wednesday, September 3, on account of official business.

Mr. CHARLES H. WILSON (at the request of Mr. ALBERT) for today through September 13, 1969, on account of official business.

Mr. ASPINALL (at the request of Mr. ALBERT) for today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. RODINO, for 1 hour, on September 4, during which to pay tribute to Representative JOELSON of New Jersey.

Mr. HALL, for 60 minutes on Wednesday, September 10, 1969, to revise and extend his remarks and include extraneous material.

(The following Members (at the request of Mr. BIESTER) to revise and extend their remarks and include extraneous matter:)

Mr. DICKINSON for 1 hour on September 11.

Mr. EDWARDS of Alabama for 1 hour on September 11.

(The following Members (at the request of Mr. STOKES) to revise and extend their remarks and include extraneous matter:)

Mr. GONZALEZ for 10 minutes today.

Mr. FALLON for 10 minutes today.

Mr. HAGAN for 10 minutes today.

Mr. VAN DEERLIN for 60 minutes September 4.

Mr. ROSTENKOWSKI for 60 minutes September 9.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. DADDARIO and to include extraneous matter.
Mr. MADDEN.
Mr. FEIGHAN (at the request of Mr. STOKES) during debate on the bill H.R. 10105 and to include extraneous matter.
(The following Members (at the request of Mr. BIESTER) and to include extraneous matter:)
Mr. MCKNEALLY in three instances.
Mr. PELLY in five instances.
Mr. GUBSER in two instances.
Mr. FINDLEY.
Mr. ESCH.
Mr. BURTON of Utah in 10 instances.
Mr. FULTON of Pennsylvania in five instances.
Mr. WHITEHURST.
Mr. SMITH of California.
Mr. DUNCAN in two instances.
Mr. CHAMBERLAIN.
Mr. STEIGER of Wisconsin.
Mrs. REID of Illinois.
Mr. ASHBROOK in two instances.
Mr. SCHADEBERG.
Mr. DERWINSKI in three instances.
Mr. COLLIER in four instances.
Mr. BROWN of Ohio in two instances.
Mr. COLLINS in five instances.
Mr. WYMAN in three instances.
Mr. SHRIVER.
Mr. SCOTT.
(The following Members (at the request of Mr. STOKES) and to include extraneous matter:)
Mr. CORMAN in seven instances.
Mr. COHELAN in three instances.
Mr. FRASER in three instances.
Mrs. GREEN of Oregon in six instances.
Mr. THOMPSON of New Jersey in two instances.
Mr. POWELL in 10 instances.
Mr. MONTGOMERY.
Mr. ANDREWS of Alabama in two instances.
Mr. ROSENTHAL in five instances.
Mr. KASTENMEIER.
Mr. TIERNAN.
Mr. PUCINSKI in 10 instances.
Mr. DANIEL of Virginia.
Mr. EVINS of Tennessee in five instances.
Mr. GARMATZ.
Mr. O'HARA in four instances.
Mr. PHILBIN in four instances.
Mr. BINGHAM.
Mr. MCCARTHY in three instances.
Mr. HATHAWAY in two instances.
Mr. ANNUNZIO.
Mr. ICHORD in two instances.
Mr. HAWKINS in four instances.
Mr. RYAN in three instances.
Mr. MEEDS.
Mr. WRIGHT.
Mr. OTTINGER.
Mr. GONZALEZ in two instances.
Mr. ADAMS in two instances.
Mr. BIAGGI in three instances.
Mr. CHAPPELL.
Mr. BURLISON of Missouri in two instances.
Mr. NICHOLS in four instances.
Mr. CHARLES H. WILSON.
Mr. RARICK in four instances.
Mr. FASCELL in two instances.
Mr. PODELL in five instances.
Mr. FEIGHAN in four instances.
Mr. DE LA GARZA.
Mr. BYRNE of Pennsylvania.
Mr. LEGGETT.
Mr. MANN in two instances.
Mr. EDMONDSON in two instances.
Mr. MATSUNAGA in two instances.
Mr. ABBITT.
Mr. ANDERSON of California in two instances.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 40. An act to authorize the Secretary of the Interior to modify the operation of the Kortes unit, Missouri River Basin project, Wyoming, for fishery conservation; to the Committee on Interior and Insular Affairs.

S. 73. An act to amend the act entitled "An act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, S. Dak."; to the Committee on Interior and Insular Affairs.

S. 74. An act to place in trust status certain lands on the Standing Rock Sioux Indian Reservation in North and South Dakota; to the Committee on Interior and Insular Affairs.

S. 204. An act to amend the Indian Long-Term Leasing Act; to the Committee on Interior and Insular Affairs.

S. 210. An act to declare that certain federally owned lands are held by the United States in trust for the Indians of the Pueblo of Laguna; to the Committee on Interior and Insular Affairs.

S. 404. An act to provide for the construction and improvement of a certain road on the Navajo Indian Reservation; to the Committee on Interior and Insular Affairs.

S. 775. An act to declare that the United States shall hold certain lands in trust for the Three Affiliated Tribes of the Fort Berthold Reservation, N. Dak.; to the Committee on Interior and Insular Affairs.

S. 921. An act to declare that certain federally owned land is held by the United States in trust for the Cheyenne River Sioux Tribe of the Cheyenne River Indian Reservation; to the Committee on Interior and Insular Affairs.

S. 1609. An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands located outside the boundaries of Indian reservations in New Mexico; to the Committee on Interior and Insular Affairs.

S. 1766. An act to provide for the disposition of a judgment recovered by the Confederated Salish and Kootenai Tribes of Flathead Reservation, Montana, in paragraph 11, docket numbered 50233, U.S. Court of Claims, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2000. An act to establish the Lyndon B. Johnson National Historic Site; to the Committee on Interior and Insular Affairs.

S. 2540. An act to amend the Small Business Investment Act of 1958; to the Committee on Banking and Currency.

S. 2593. An act to exclude executive officers and managerial personnel of Western Hemisphere businesses from the numerical limitation of Western Hemisphere immigration; to the Committee on the Judiciary.

S. 2815. An act to amend section 4(c) of the Small Business Act and sections 302 and 304 of the Small Business Investment Act of 1958; to the Committee on Banking and Currency.

S.J. Res. 26. Joint resolution to provide for the development of the Eisenhower National Historic Site at Gettysburg, Pa., and for other purposes; to the Committee on Interior and Insular Affairs.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on August 13, 1969, present to the President, for his approval, bills of the House of the following titles:

H.R. 671. To compensate the Indians of California for the value of land erroneously used as an offset in a judgment against the United States obtained by said Indians;

H.R. 1707. For the relief of Miss Jalileh Farah Salameh El Ahwal;

H.R. 5107. For the relief of Miss Maria Mosio;

H.R. 8136. For the relief of Anthony Smilko;

H.R. 10107. To continue for a temporary period the existing suspension of duty on certain istle and the existing interest equalization tax; and

H.R. 12720. To provide for the conveyance of certain real property of the District of Columbia to the Washington International School, Inc.

THE LATE HONORABLE DANIEL J. RONAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. ROSTENKOWSKI).

Mr. ROSTENKOWSKI. Mr. Speaker, it is with a heavy heart that I notify the House and my colleagues of the passing of a great friend and truly great Illini and colleague, DANIEL J. RONAN. DAN RONAN passed away on August 13.

I would like to mention that Congressman RONAN was a public servant extraordinaire. All of his adult life, from the time he served in the U.S. Army, in the Illinois General Assembly and the city council and here in the House of Representatives he was not only a great public servant but a great man.

Mr. Speaker, I offer a resolution (H. Res. 525) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 525

Resolved, That the House has heard with profound sorrow of the death of the Honorable Daniel J. Ronan, a Representative from the State of Illinois.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

The resolutions were agreed to.

ADJOURNMENT

Accordingly (at 3 o'clock and 54 minutes p.m.), the House adjourned until tomorrow, Thursday, September 4, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1060. A letter from the Acting Assistant Secretary of State for Congressional Relations, transmitting a copy of a Presidential determination relative to the transfer of defense articles and services under section

3(a)(1) of the Foreign Military Sales Act of 1968; to the Committee on Foreign Affairs.

1061. A letter from the Deputy Assistant Secretary of Defense (International Security Affairs), transmitting a report pursuant to the provisions of section 507(b) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

1062. A letter from the Comptroller General of the United States, transmitting a report on the examination of financial statements of Federal home loan banks supervised by the Federal Home Loan Board for the year ended December 31, 1968 (H. Doc. No. 91–149); to the Committee on Government Operations and ordered to be printed.

1063. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 3, 1968, submitting a report, together with accompanying papers and an illustration, on Port Sutton, Tampa Harbor, Fla., in partial response to resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted May 4, 1962, and June 23, 1964 (H. Doc. No. 91–150); to the Committee on Public Works and ordered to be printed with an illustration.

1064. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated November 14, 1968, submitting a report, together with accompanying papers and illustrations, on Coos Bay, Oreg., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted April 2, 1962, and May 10, 1962 (H. Doc. No. 91–151); to the Committee on Public Works and ordered to be printed with illustrations.

1065. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of shellac from the national stockpile; to the Committee on Armed Services.

1066. A letter from the Acting Assistant Secretary of the Army (Research and Development), transmitting a report on research and development contracts for $50,000 or more for the period January 1 through June 30, 1968, pursuant to the provisions of section 4 of Public Law 557, 82d Congress; to the Committee on Armed Services.

1067. A letter from the Assistant Commander for Contracts, Naval Facilities Engineering Command, Department of the Navy, transmitting the semiannual report of military construction contracts awarded on other than a competitive bid basis to the lowest responsible bidder for the period January 1 to June 30, 1969, pursuant to the provisions of section 804, Public Law 90–408; to the Committee on Armed Services.

1068. A letter from the Attorney General, transmitting a report of voluntary agreements and programs as of August 9, 1969, pursuant to the provisions of section 708(e) of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

1069. A letter from the Secretary of Housing and Urban Development, transmitting the report on self-help housing pursuant to the provisions of section 1714(b) of the Housing and Urban Development Act of 1968; to the Committee on Banking and Currency.

1070. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting the report on Department of Defense procurement from small and other business firms for July 1968–May 1969, pursuant to the provisions of section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

1071. A letter from the Deputy Under Secretary, Department of Transportation, transmitting a correction to the draft of proposed legislation transmitted August 11, 1969, entitled "Public Transportation Assistance Act of 1969"; to the Committee on Banking and Currency.

1072. A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to extend for 1 year the authority for more flexible regulation of maximum rates of interest or dividends; to the Committee on Banking and Currency.

1073. A letter from the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to repeal the prohibition against flying kites in the District of Columbia; to the Committee on District of Columbia.

1074. A letter from the Chairman, District of Columbia Bail Agency, transmitting the third annual report of the Agency pursuant to the provisions of Public Law 89–519; to the Committee on the District of Columbia.

1075. A letter from the Comptroller General of the United States, transmitting a report on the administration and effectiveness of the economic opportunity loan program for low-income rural families under the Farmers Home Administration, Department of Agriculture; to the Committee on Education and Labor.

1076. A letter from the Secretary of Health, Education, and Welfare, transmitting the first annual report of the National Council on Vocational Education reviewing the administration and operation of vocational education programs pursuant to the Vocational Education Amendments of 1968; to the Committee on Education and Labor.

1077. A letter from the Comptroller General of the United States, transmitting a report on the effectiveness in meeting the supply requirements of overseas U.S. agencies; to the Committee on Government Operations.

1078. A letter from the Comptroller General of the United States, transmitting a report on the management of the suggestion award portion of the incentive awards program, Department of the Army; to the Committee on Government Operations.

1079. A letter from the Secretary of Health, Education, and Welfare, transmitting a report covering personal property donated to public health and educational institutions and civil defense organizations under section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, and real property disposed of to public health and educational institutions under section 203(k) of the act, pursuant to the provisions of section 203(o) of the act; to the Committee on Government Operations.

1080. A letter from the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act to authorize any executive department or independent establishment of the Government, or any bureau or office thereof, to make appropriate accounting adjustment or reimbursement between the respective appropriations available to such departments and establishments, or any bureau or office thereof," approved June 29, 1966, so as to include within its coverage the municipal government of the District of Columbia; to the Committee on Government Operations.

1081. A letter from the Secretary of the Interior, transmitting a report on activities of the Geological Survey under section 2 of the act of September 5, 1962, relating to the study of marine volcanic rocks in an area outside the national domain during the reporting period January 1 through June 30, 1969, pursuant to the provisions of 43 U.S.C. 31(C); to the Committee on Interior and Insular Affairs.

1082. A letter from the Assistant Secretary of the Interior, transmitting notification of receipt of an application for a loan from the Pioneer Water Co., Porterville, Calif., pursuant to the provisions of section 10 of the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

1083. A letter from the Chairman, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 79–A, *The Iowa Tribe of the Iowa Reservation in Kansas and Nebraska, the Iowa Tribe of the Iowa Reservation in Oklahoma, et al., Plaintiffs* v. *The United States of America, Defendant*, pursuant to the provisions of 60 Stat. 1055, 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

1084. A letter from the Chairman, Advisory Council on Historic Preservation, transmitting recommendations of the Council concerning a proposal to transfer the old mint building in San Francisco to the State of California for the use of San Francisco State College, pursuant to the provisions of section 202(b) of Public Law 89–665; to the Committee on Interior and Insular Affairs.

1085. A letter from the Secretary of Commerce, transmitting the 13th program report on the activities of the U.S. Travel Service for the calendar year 1968, pursuant to the provisions of section 5 of the International Travel Act of 1961 and Public Law 89–348 as amended; to the Committee on Interstate and Foreign Commerce.

1086. A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to amend the act entitled "An act to require certain safety devices on household refrigerators shipped in interstate commerce," approved August 2, 1956; to the Committee on Interstate and Foreign Commerce.

1087. A letter from the Acting Secretary of Transportation, transmitting the third report on activities carried out under the High Speed Ground Transportation Act of 1965, as amended in 1968; to the Committee on Interstate and Foreign Commerce.

1088. A letter from the Chairman, National Transportation Safety Board, Department of Transportation, transmitting a copy of the 1968 annual report of the Board, pursuant to section 5(g) of the Department of Transportation Act; to the Committee on Interstate and Foreign Commerce.

1089. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Commission as of July 31, 1969, pursuant to the provisions of section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

1090. A letter from the Secretary of the Air Force, transmitting a report of claims paid by the Department of the Air Force for fiscal year 1969, pursuant to the provisions of the Military Personnel and Civilian Employees' Claims Act of 1964, as amended; to the Committee on the Judiciary.

1091. A letter from the Acting Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to amend the Military Personnel and Civilian Employees' Claims Act of 1964, as amended, with respect to the settlement of claims against the United States by civilian officers and employees for damage to, or loss of, personal property incident to their service; to the Committee on the Judiciary.

1092. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1093. A letter from the Chairman, Commission on Mortgage Interest Rates, Department of Housing and Urban Development, transmitting the report of the Commission, pursuant to the provisions of Public Law 90–301; to the Committee on Veterans' Affairs.

1094. A letter from the Acting Director,

Bureau of the Budget, Executive Office of the President, transmitting a report on the operation of section 201(g) of the Revenue and Expenditure Control Act of 1968 on the number of civilian officers and employees in the executive branch for the quarter ending June 30, 1969, as well as for the entire fiscal year 1969, pursuant to the provisions of that section; to the Committee on Ways and Means.

1095. A letter from the Acting Secretary of the Treasury, transmitting a determination of the President under the Antidumping Act of 1921 and certain other information required under title II, section 201(b), of Public Law 90–634; to the Committee on Ways and Means.

1096. A letter from the Acting Chairman, U.S. Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

1097. A letter from the Acting Assistant Administrator for Program and Policy, Agency for International Development, Department of State, transmitting the annex to the first annual report on the steps being taken to strengthen management practices in the foreign aid program; to the Committee on Foreign Affairs.

1098. A letter from the Comptroller General of the United States, transmitting a report on assistance to Laos administered by the Agency for International Development, Department of State, Department of Defense; to the Committee on Government Operations.

1099. A letter from the Chief Justice of the United States, transmitting a report of the proceedings of the Judicial Conference of the United States, held in Washington, D.C., on March 13 and 14, 1969, together with the proceedings of the special meeting held on June 10, 1969 (H. Doc. No. 91–152); to the Committee on the Judiciary and ordered to be printed.

1100. A letter from the Architect of the Capitol, transmitting his semiannual report of expenditures during the period January 1 through June 30, 1969, pursuant to the provisions of section 105(b) of Public Law 88–454; to the Committee on Appropriations.

1101. A letter from the Secretary of Defense, transmitting a supplemental report relative to the sale or transfer of Government-owned communications facilities in Alaska under Public Law 90–135; to the Committee on Armed Services.

1102. A letter from the Comptroller General of the United States, transmitting a report on the effectiveness and administration of the migrant and seasonal farmworkers program administered by the migrant opportunity program in Phoenix, Ariz., under title III–B of the Economic Opportunity Act of 1964, as amended, Office of Economic Opportunity; to the Committee on Education and Labor.

1103. A letter from the Comptroller General of the United States, transmitting a report on opportunities for increased savings by improving management of value engineering (design or manufacture simplification) performed by contractors, Department of Defense; to the Committee on Government Operations.

1104 A letter from the Comptroller General of the United States, transmitting a report on the opportunity for the Geological Survey to increase revenues through changes in its map-pricing practices, Department of the Interior, Bureau of the Budget; to the Committee on Government Operations.

1105. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to authorize the appropriation of funds for Fort Donelson National Battlefield in the State of Tennessee, and for other purposes; to the Committee on Interior and Insular Affairs.

1106. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1107. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States under the provisions of section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1108. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, together with a list of the persons involved, pursuant to the provisions of section 212(d)(6) of the act; to the Committee on the Judiciary.

1109. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1110. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to the provisions of section 244(a)(2) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1111. A letter from the Administrator of Law Enforcement Assistance, Department of Justice, transmitting the first annual report of the Law Enforcement Assistance Administration, pursuant to the provisions of section 519 of the Omnibus Crime Control and Safe Streets Act of 1968; to the Committee on the Judiciary.

1112. A letter from the General Manager, U.S. Atomic Energy Commission, transmitting a report on the settlement of claims by Commission employees for damage to, or loss of, personal property incident to their service paid under the authority of the Military Personnel and Civilian Employees' Claims Act, for fiscal year 1969, pursuant to the provisions of 31 U.S.C. 241(e); to the Committee on the Judiciary.

1113. A letter from the auditor, American Symphony Orchestra League, Inc., transmitting the annual audit report of the league, for the fiscal year ended May 31, 1969, pursuant to the provisions of Public Law 87–817; to the Committee on the Judiciary.

1114. A letter from the Acting Secretary of Transportation, transmitting a draft of proposed legislation to improve and clarify certain laws affecting the Coast Guard Reserve; to the Committee on Merchant Marine and Fisheries.

1115. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of grants, financed wholly with Federal funds, approved by his office, under section 1120 of the Social Security Act, pursuant to the provisions of section 1120(b) of the act; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUCHANAN:

H.R. 13557. A bill to revise the laws relating to post offices and post roads, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BURKE of Massachusetts:

H.R. 13558. A bill to authorize the Secretary of the Interior to study the feasibility and desirability of a Boston Harbor National Recreation Area in the State of Massachusetts; to the Committee on Interior and Insular Affairs.

By Mr. BUTTON (for himself, Mr. ALEXANDER, Mr. BELCHER, Mr. BRADEMAS, Mr. BURTON of Utah, Mr. CHAPPELL, Mr. DON H. CLAUSEN, Mr. DAVIS of Georgia, Mr. EDMONDSON, Mr. ESHLEMAN, Mr. FOREMAN, Mr. FRASER, Mr. FRIEDEL, Mr. GARMATZ, Mr. GIBBONS, Mr. GUDE, Mr. HAMILTON, Mr. HORTON, Mr. KING, Mr. KLEPPE, Mr. LUJAN, Mr. MCKNEALLY, Mr. MIZE, Mr. OTTINGER, and Mr. PRYOR of Arkansas):

H.R. 13559. A bill to amend title I of the Housing Act of 1949 to extend, in certain pending cases, the period prior to approval of a neighborhood development program within a public improvement or facility must have been commenced in order to qualify as a local noncash grant-in-aid; to the Committee on Banking and Currency.

By Mr. BUTTON (for himself, Mr. CULVER, Mr. REID of New York, Mr. RYAN, Mr. SHRIVER, Mr. SIKES, Mr. TUNNEY, Mr. WINN, Mr. WRIGHT, and Mr. ZION):

H.R. 13560. A bill to amend title I of the Housing Act of 1949 to extend, in certain pending cases, the period prior to approval of a neighborhood development program within a public improvement or facility must have been commenced in order to qualify as a local noncash grant-in-aid; to the Committee on Banking and Currency.

By Mr. CORMAN:

H.R. 13561. A bill to provide for a comprehensive and coordinated attack on the narcotic addiction and drug abuse problem, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAMER (for himself, Mr. GERALD R. FORD, Mr. MICHEL, Mr. HUNT, Mr. KUYKENDALL, Mr. BROYHILL of North Carolina, Mr. BROYHILL of Virginia, Mr. HOSMER, Mr. SANDMAN, Mr. SCHNEEBELI, Mr. MCCLOSKEY, Mr. FREY, Mr. COWGER, Mr. BUCHANAN, and Mr. FINDLEY):

H.R. 13562. A bill to amend the Federal Water Pollution Control Act, as amended, to provide adequate financial assistance and to increase the allotment to certain States of construction grant funds; to the Committee on Public Works.

By Mr. FISHER:

H.R. 13563. A bill to establish fee programs for entrance to and use of areas administered for outdoor recreation and related purposes by the Secretary of the Interior and the Secretary of Agriculture, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FUQUA (by request):

H.R. 13564. A bill to provide that in the District of Columbia one or more grantors in a conveyance creating an estate in joint tenancy or tenancy by the entireties may also be one of the grantees; to the Committee on the District of Columbia.

H.R. 13565. A bill to validate certain deeds improperly acknowledged or executed (or both) that are recorded in the land records of the Recorder of Deeds of the District of Columbia; to the Committee on the District of Columbia.

By Mr. FULTON of Pennsylvania:

H.R. 13566. A bill to amend chapter 34 of title 38 of the United States Code to restore entitlement to educational benefits to veterans of World War II and the Korean conflict; to the Committee on Veterans' Affairs.

H.R. 13567. A bill to amend title 38 of the United States Code to provide that World

War II and Korean conflict veterans entitled to educational benefits under any law administered by the Veterans' Administration who did not utilize their entitlement may transfer their entitlement to their children; to the Committee on Veterans' Affairs.

By Mr. GIAIMO (for himself, Mr. ADAMS, Mr. CHAPPELL, Mr. DADDARIO, Mr. DENT, Mr. GONZALEZ, Mrs. GREEN of Oregon, Mr. HOWARD, Mr. KOCH, Mr. MIKVA, Mr. PODELL, Mr. PUCINSKI, Mr. SCHEUER, Mr. TIERNAN, and Mr. CHARLES H. WILSON):

H.R. 13568. A bill to provide more efficient and convenient passport services to citizens of the United States of America; to the Committee on Foreign Affairs.

By Mr. GUDE:

H.R. 13569. A bill to amend the Public Health Service Act to provide for a comprehensive review of the medical, technical, social, and legal problems and opportunities which the Nation faces as a result of medical progress toward making transplantation of organs, and the use of artificial organs a practical alternative in the treatment of disease, to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs, and for other purposes; to the Committee on Ways and Means.

By Mr. HALL:

H.R. 13570. A bill to amend title I of the Housing Act of 1949 to extend, in certain pending cases, the period prior to approval of a neighborhood development program within a public improvement or facility must have been commenced in order to qualify as a local noncash grant-in-aid; to the Committee on Banking and Currency.

By Mr. JACOBS (for himself and Mr. JONES of North Carolina):

H.R. 13571. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 13572. A bill providing for Federal railroad safety; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Florida:

H.R. 13573. A bill to amend the Public Health Service Act so as to extend for an additional period the authority to make formula grants to schools of public health; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas:

H.R. 13574. A bill to amend title 38 of the United States Code to suspend the payment of non-service-connected disability pension to any of certain veterans who are outside the United States for 36 or more consecutive months and to lift such suspension only after such a veteran is within the United States for 12 consecutive months; to the Committee on Veterans' Affairs.

H.R. 13575. A bill to make uniform the eligibility requirement for telephone service for medical officers in the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 13576. A bill to amend title 38 of the United States Code to increase the rates of dependency and indemnity compensation payable to widows of veterans; to the Committee on Veterans' Affairs.

By Mr. WIDNALL:

H.R. 13577. A bill to extend for 1 year the authority for more flexible regulation of maximum rates of interest or dividends; to the Committee on Banking and Currency.

By Mr. BUCHANAN:

H.R. 13578. A bill to allow the purchase of additional systems and equipment over and above the statutory price limitation; to the Committee on Government Operations.

By Mr. BURTON of Utah:

H.R. 13579. A bill to modify ammunition recordkeeping requirements; to the Committee on Ways and Means.

By Mr. BYRNE of Pennsylvania:

H.R. 13580. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

By Mr. COLMER (for himself, Mr. FALLON, Mr. JONES of Alabama, Mr. GRAY, Mr. CRAMER, Mr. ABERNETHY, Mr. WHITTEN, Mr. GRIFFIN, Mr. MONTGOMERY, Mr. HÉBERT, Mr. CAFFERY, Mr. WAGGONNER, Mr. PASSMAN, Mr. RARICK, Mr. EDWARDS of Alabama, Mr. DICKINSON, Mr. DORN, Mr. ROBERTS, Mr. KEE, Mr. CLARK, Mr. WRIGHT, Mr. EDMONDSON, Mr. JOHNSON of California, Mr. HENDERSON, and Mr. HAMMERSCHMIDT):

H.R. 13581. A bill to provide additional assistance to the States of Alabama, Florida, Louisiana, Mississippi, Virginia, and West Virginia for the reconstruction of areas damaged by Hurricane Camille; to the Committee on Public Works.

By Mr. DONOHUE (for himself, Mr. HUNGATE, Mr. WALDIE, Mr. FLOWERS, Mr. MANN, Mr. SMITH of New York, Mr. SANDMAN, Mr. RAILSBACK, and Mr. COUGHLIN):

H.R. 13582. A bill to amend titles 5, 10, and 32, United States Code, to authorize the waiver of claims of the United States arising out of certain erroneous payments, and for other purposes; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 13583. A bill to amend title I of the Housing Act of 1949 to extend in certain pending cases, the period prior to approval of a neighborhood development program within which a public improvement of facility must have been commenced in order to qualify as a local noncash grant-in-aid; to the Committee on Banking and Currency.

H.R. 13584. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on the Judiciary

By Mr. HENDERSON:

H.R. 13585. A bill to provide mail recipients with the option not to receive through the mail unsolicited and potentially offensive sexual materials and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KUYKENDALL:

H.R. 13586. A bill to modify ammunition recordkeeping requirements; to the Committee on Ways and Means.

By Mr. McDADE:

H.R. 13587. A bill to regulate the use of the mails with respect to the sending of material which is sexually oriented, to prohibit the sale of mailing lists for the illegal dissemination of such material, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MELCHER:

H.R. 13588. A bill to suspend the discontinuance of railroad passenger train service until December 31, 1970, to create a commission to study the feasibility of continuing railroad passenger train service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. QUILLEN:

H.R. 13589. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. SANDMAN:

H.R. 13590. A bill to amend the Military Selective Service Act of 1967 in order to provide for a more equitable system of selecting persons for induction into the armed services under such act; to the Committee on Armed Services.

H.R. 13591. A bill to amend the Manpower Development and Training Act of 1962 to provide for programs of education, job training, and supportive followup services of inmates of correctional institutions; to the Committee on Education and Labor.

By Mr. WATTS:

H.R. 13592. A bill to amend certain provisions of the Federal Food, Drug, and Cosmetic Act; to the Committee on Interstate and Foreign Commerce.

By Mr. BOGGS (for himself, Mr. HÉBERT, Mr. CAFFERY, Mr. EDWARDS of Louisiana, Mr. RARICK, Mr. WAGGONNER, Mr. PASSMAN, and Mr. LONG of Louisiana):

H.R 13593. A bill to provide additional assistance for the reconstruction of areas in the States of Alabama, Florida, Louisiana, Mississippi, Virginia, and West Virginia which were damaged by Hurricane Camille of 1969; to the Committee on Public Works.

By Mr. BROTZMAN (for himself, Mr. GERALD R. FORD, Mr. CEDERBERG, Mr. FREY, Mr. PETTIS, Mr. PRICE of Illinois, Mr. RUPPE, Mr. STUCKEY, Mr. HANNA, Mr. BELCHER, Mr. KING, Mr. CORBETT, Mr. HOWARD, Mr. MICHEL, Mr. DEVINE, Mr. HATHAWAY, Mr. DULSKI, Mr. MURPHY of New York, Mr. KARTH, Mr. ESCH, and Mr. ANDERSON of Illinois):

H.J. Res. 883. Joint resolution providing for the display in the Capitol Building of a portion of the moon; to the Committee on House Administration.

By Mr. BYRNE of Pennsylvania:

H. Con. Res. 323. Concurrent resolution expressing the sense of Congress with respect to reducing the balance-of-payments deficit by encouraging American industry and the American public to ship and travel on American ships; to the Committee on Merchant Marine and Fisheries.

By Mr. GIAIMO:

H. Con. Res. 324. Concurrent resolution expressing the sense of Congress relating to films and broadcasts which defame, stereotype, ridicule, demean, or degrade ethnic, racial, and religious groups; to the Committee on Interstate and Foreign Commerce.

By Mr. DADDARIO:

H. Res. 523. Resolution expressing the sense of the House of Representatives that the United States should actively participate in the 1972 United Nations Conference on Human Environment; to the Committee on Foreign Affairs.

By Mr. RODINO:

H. Res. 524. Resolution expressing the sense of the House of Representatives with respect to the settlement of the conflict in Northern Ireland and the establishment of equal rights for all citizens of that country; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

254. By the SPEAKER: Memorial of the Legislature of the State of California transmitting copies of certain resolutions adopted at the 1969 session, relative to school district appropriations and various other significant matters; to the Committee on Education and Labor.

255. Also, memorial of the Legislature of the State of California, relative to Space Pioneers Day; to the Committee on the Judiciary.

256. Also, memorial of the Legislature of the State of Florida, relative to requesting Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States to provide for

revenue sharing of Federal income taxes; to the Committee on the Judiciary.

257. Also, memorial of the 10th Guam Legislature of the Territory of Guam, relative to extending the GI home loan program to the territory of Guam; to the Committee on Veterans' Affairs.

258. By Mr. ULLMAN: Memorial of the 55th Oregon Legislative Assembly petitioning the Secretary of the Treasury to modify the regulations promulgated under the authority of Public Law 90–618, the Gun Control Act of 1968, to remove the undue and unnecessary restrictions on the purchase and possession of firearms and ammunition by law-abiding citizens; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FARBSTEIN:

H.R. 13594. A bill for the relief of Carlos Echegaray; to the Committee on the Judiciary.

By Mr. FUQUA:

H.R. 13595. A bill for the relief of Harry A. Murray; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 13596. A bill for the relief of Mrs. Vivencia O. Consing; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 13597. A bill for the relief of Judith Nesser, to the Committee on the Judiciary.

By Mr. LEGGETT:

H.R. 13598. A bill to authorize the Secretary of the Interior to convey certain real property in the State of California; to the Committee on Interior and Insular Affairs.

By Mr. McKNEALLY:

H.R. 13599. A bill for the relief of Claudio Ricca, Accursia Ricca, his wife, and their children, Giuseppe Ricca and Lucia Grazia Ricca; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 13600 A bill for the relief of Mrs. Lee Morrison; to the Committee on Veterans' Affairs.

By Mr. ULLMAN:

H.R. 13601. A bill to release and convey the reversionary interest of the United States in certain real property known as the McNary Dam townsite, Umatilla County, Oreg.; to the Committee on Interior and Insular Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

216. By the SPEAKER: Petition of the City Council, Eastlake, Ohio, relative to taxation of State and local government securities; to the Committee on Ways and Means.

217. Also, petition of Allan Feinblum, New York, N.Y., relative to full employment; to the Committee on Education and Labor.

218. Also, petition of the Naha City Assembly, Naha, Okinawa, relative to removal of poison gas, germ, and radioactive weapons; to the Committee on Foreign Affairs.

219. Also, petition of the executive director, International Conference of Police Associations, Washington, D.C., relative to a resolution adopted at the 17th annual conference concerning a grievance of the Rochester Police Locust Club, Inc.; to the Committee on the Judiciary.

220. Also, petition of Demetrios Demopoulos, Athens, Greece, relative to redress of grievances; to the Committee on the Judiciary.

221. Also, petition of Ram Sroop Sidher, Yuba City, Calif., relative to redress of grievances; to the Committee on the Judiciary.

222. Also, petition of Allan Feinblum, New York, N.Y., relative to trials by jury; to the Committee on the Judiciary.

223. Also, petition of Henry Stoner, York, Pa., relative to establishment of a U.S. Civil Service Academy; to the Committee on Post Office and Civil Service.

224. Also, petition of the City Council, Crescent City, Calif., relative to taxation of State and local government securities; to the Committee on Ways and Means.

225. Also, petition of the City Council, Watsonville, Calif., relative to taxation of State and local government securities; to the Committee on Ways and Means.

SENATE—*Wednesday, September 3, 1969*

The Senate met at 12 o'clock noon and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Lord, our God, who art from everlasting to everlasting, whose faithfulness never ceases, we thank Thee for Thy providential care over us and Thy renewing grace within us while we have been separated.

As we resume the work of this House may faith and courage and wisdom be given to us in full measure. Surround those who are ill with healing ministries and to all who are well give new strength for new days. Keep ever before us the holy vision of service to all the people. Show us when to speak and when to be silent and ever to preserve that inmost peace of those whose souls are Thy dwelling place. Help us to find and to follow the truth that makes all men free and great and good. Give us the assurance we do not work alone but that we are fellow workers in that higher kingdom whose builder and maker is God.

Through Jesus Christ, our Lord. Amen.

THE JOURNAL

Mr. KENNEDY. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, August 13, 1969, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of August 11, 1969, the Secretary of the Senate, on August 21, 1969, received a message in writing from the President of the United States submitting the nomination of Clement F. Haynsworth, Jr., of South Carolina, to be an Associate Justice of the Supreme Court of the United States, which was referred to the Committee on the Judiciary.

Under authority of the order of the Senate of August 13, 1969, the Secretary of the Senate, on August 29, 1969, received messages in writing from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received on August 29, 1969, see the end of proceedings of today, September 3, 1969.)

Under authority of the order of the Senate of August 13, 1969, the Secretary of the Senate, on September 2, 1969, received messages in writing from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received on September 2, 1969, see the end of proceedings of today, September 3, 1969.)

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of August 13, 1969, Mr. JACKSON, from the Committee on Interior and Insular Affairs, reported favorably, with an amendment, on September 2, 1969, the joint resolution (S.J. Res. 121) to authorize appropriations for expenses of the National Council on Indian Opportunity, and submitted a report (No. 91–389) thereon, which was printed.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that the President had approved and signed the following acts:

On August 18, 1969:

S. 714. An act to designate the Ventana Wilderness, Los Padres National Forest, in the State of California.

On August 20, 1969:

S. 912. An act to provide for the establishment of the Florissant Fossil Beds National Monument in the State of Colorado;

S. 1373. An act to amend the Federal Aviation Act of 1958, as amended, and for other purposes; and

S. 1611. An act to amend Public Law 85–905 to provide for a National Center on Educational Media and Materials for the Handicapped, and for other purposes.

On August 25, 1969:

S. 742. An act to amend the act of June 12, 1948 (62 Stat. 382), in order to provide for the construction, operation, and maintenance of the Kennewick division extension, Yakima project, Washington, and for other purposes.

EXECUTIVE MESSAGE REFERRED

As in executive session, the President pro tempore laid before the Senate a message from the President of the United States submitting the nomination of A.

Sydney Herlong, of Florida, to be a member of the Securities and Exchange Commission, which was referred to the Committee on Banking and Currency.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. KENNEDY. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes, and that, at the conclusion of the period for the transaction of routine business, the unfinished business be laid before the Senate.

The PRESIDENT pro tempore. Without objection, the unanimous consent request of the Senator from Massachusetts is granted.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. KENNEDY. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR STENNIS

Mr. KENNEDY. Mr. President, it is my understanding that the distinguished manager of the military authorization bill has requested 1 hour at the termination of the routine morning business. I ask unanimous consent that, at the conclusion of routine morning business, the Senator from Mississippi (Mr. STENNIS) be recognized for 1 hour.

The PRESIDENT pro tempore. Without objection, at the termination of the morning business, the Senator from Mississippi (Mr. STENNIS) will be recognized for 1 hour.

SENATOR DIRKSEN'S ILLNESS

Mr. KENNEDY. Mr. President, all of us on this side of the aisle were extremely distressed to hear about the surgical operation of the distinguished Senator from Illinois (Mr. DIRKSEN). We are heartened by the fact that the operation was successful and that he continues to gain strength. We all are extremely hopeful that he will return speedily to his responsibilities in representing a great State and to his leadership responsibilities as the distinguished minority leader.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. SCOTT. Mr. President, I join in the statement made by the distinguished acting majority leader, the Senator from Massachusetts (Mr. KENNEDY), in his comments concerning the illness of our very able minority leader, Senator DIRKSEN, who, as we all are aware, yesterday underwent surgery at Walter Reed Hospital in Washington.

I am happy to report that all the bulletins on Senator DIRKSEN's condition are good. He is apparently recovering satisfactorily. We are all counting on his quick and total recuperation. We hope that he will be back with us in the very near future.

I may add that the distinguished Senator from Tennessee (Mr. BAKER), a member of the family, saw Senator DIRKSEN this morning and reported him to be his usual bright, alert, and cheerful self, and that he is coming along very nicely.

Mr. BAKER. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. BAKER. I thank the Senator very much.

May I take this occasion, on my own behalf and on behalf of Mrs. Dirksen and my wife, to express our appreciation to the distinguished assistant majority leader and the distinguished minority whip.

The situation, I am happy to report, is coming along very nicely. As the distinguished assistant minority leader correctly stated a moment ago, I was able to see and visit with Senator DIRKSEN briefly this morning; and I am very hopeful that his recovery will progress as satisfactorily as it has begun and that he will soon be back with us.

THE CALENDAR

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 370 and the succeeding measures in sequence.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

COMDR. EDWARD WHITE RAWLINS, USN (RETIRED)

The resolution (S. Res. 96) to refer S. 881 to the Court of Claims was considered and agreed to, as follows:

S. RES. 96

Resolved, That the bill (S. 881) entitled "A bill for the relief of Commander Edward White Rawlins, United States Navy (retired)", now pending in the Senate, together with all accompanying papers, is hereby referred to Chief Commissioner of the United States Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and the court shall proceed expeditiously with the same in accordance with the provisions of said sections and shall report to the Senate, at the earliest practicable date, its findings of fact and conclusions thereon as shall be sufficient to inform the Congress (a) of the nature and character of his demand, as a claim legal or equitable, against the United States, (b) whether Commander Rawlins suffered nonpromotion to the grade of captain as a probable consequence of any arbitrary, capricious, inadvertent, improper, inequitable, or wrongful act or action or combinations thereof by or within the Department of the Navy, and (c) in such event, the amount legally or equitably due from the United States to the claimant, notwithstanding the lapse of time and any statute of limitations or laches.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-376), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the resolution is to refer the bill S. 881, entitled "A bill for the relief of Comdr. Edward White Rawlins, U.S. Navy (retired)", now pending in the Senate, together with all accompanying papers, to the Chief Commissioner of the U.S. Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and the court shall proceed expeditiously with the same in accordance with the provisions of said sections and shall report to the Senate, at the earliest practicable date, its findings of fact and conclusions thereon as shall be sufficient to inform the Congress (*a*) of the nature and character of his demand, as a claim legal or equitable, against the United States, (*b*) whether Commander Rawlins suffered nonpromotion to the grade of captain as a probable consequence of any arbitrary, capricious, inadvertent, improper, inequitable, or wrongful act or action or combinations thereof by or within the Department of the Navy, and (*c*) in such event, the amount legally or equitably due from the United States to the claimant, notwithstanding the lapse of time and any statute of limitations or laches.

S. 881, which would be referred to the Chief Commissioner of the Court of Claims, provides that, notwithstanding any other provision of law or any commitment in conflict with this act, Comdr. Edward White Rawlins, U.S. Navy (retired), shall for all purposes, nunc pro tunc, be deemed to have been promoted to the grade of captain on the active list of the Regular Navy on July 1, 1947, to have served continuously in such grade until June 30, 1955, and on this latter date to have been placed on the retired list in such grade.

Section 2 of S. 881 provides that the United States shall reimburse Edward White Rawlins in full for all expenses, including attorneys' fees, incurred by him in his efforts to secure the relief which this act grants to him.

Section 3 of S. 881 provides that appropriations currently available for the pay of personnel of the Navy shall be available to pay such sums as are hereby authorized by this act.

STATEMENT

Comdr. Edward W. Rawlins, U.S. Navy (retired), is a graduate of the U.S. Naval Academy of the class of 1924. He served in active duty in World War II. He was promoted to the rank of commander in August, 1942.

A Navy wartime promotion panel declined to promote him to the rank of captain in June, 1943, even though many of the members of the class of 1924 were given this promotion. The failure to promote Commander Rawlins to the rank of captain is the subject matter of this legislation.

The claimant contends that the failure to promote him to captain was due to administrative errors on the part of the wartime promotion panel. Specifically, claimant contends that at the time his promotion to captain was being considered, a derogatory letter was in his files. Claimant further maintains he had previously submitted documents completely refuting the derogatory allegations contained in the aforementioned letter, but that his rebuttal material was not placed in his file; and that as a result, the promotion panel erroneously treated the derogatory allegations as being true.

Commander Rawlins contends that he had an excellent record at the time he was considered for promotion to captain. Alleged evidence of this contention will be cited subsequently in this report.

Commander Rawlins petitioned the Board for Correction of Naval Records to correct

the actions of the wartime promotion panel, but on January 14, 1949, the Navy Department declined to grant Commander Rawlins a hearing before that Board.

This case has a lengthy legislative history. In the 81st Congress, second session, the Senate passed S. 780, which would have provided that the Secretary of the Navy be directed to appoint a Board of commissioned Naval and Marine Corps officers to review the records of certain commissioned officers, of which Commander Rawlins was one, to determine if there were any error, administrative delay, oversight, or injustice that caused the officers concerned to fail of an advancement in grade or rank which would otherwise have been made. This bill originally provided for the relief only of Commander Rawlins, but it was amended by the Committee on Armed Service of the Senate to provide for more general relief to others in his category.

Hearings were held by the Armed Services Committee on this legislation and it is pertinent to here quote findings made in the committee report, being Report No. 3012, 81st Congress, second-session, on this legislation:

S. 780 was originally introduced in the Senate as a private relief bill for the promotion of Comdr. Edward White Rawlins, U.S. Navy. The companion bill in the House was H.R. 2533. The private relief bill would have promoted Commander Rawlins to the permanent rank of captain due to alleged injustices brought about by the operation of the so-called panel promotion system.

On July 24, 1941, the selection board procedure for promotion in the Navy was suspended to the urgencies of the war situation. In lieu thereof and up until August 7, 1947, a panel system was used for determining promotions. The panel system was a short-cut system whereby it was not necessary for members of the panel to meet together, nor were they under oath. As circumstances permitted, the members of the panel reviewed the records of officers for promotion to the next high rank and rendered individual recommendations and reports on the cases reviewed by them.

There is ample evidence in the record that Commander Rawlins may have suffered due to an administrative error. It appears a letter was missing from his file which would have refuted a detrimental statement concerning him. For this reason, he alleges that he was passed over for promotion and, therefore, sought congressional action in gaining his promotion to the next higher rank.

S. 780 was passed by the Senate on July 6, 1949, and was reported by the House Armed Services Committee, but died on the House calendar in December 1950.

In the 83d Congress, first session, the Senate passed S. 1063, which was identical to S. 780, 81st Congress, first session. It is pertinent to quote from portions of the report of the Committee on Armed Services of the U.S. Senate, being Report No. 211, 83d Congress, first session, as follows:

As originally introduced, this bill would have provided for the promotion of Comdr. Edward White Rawlins, U.S. Navy, to the permanent rank of captain due to alleged injustices brought about by the operation of the so-called promotion panel system. During the course of the committee's hearings on this bill, it was developed that during the period from July 24, 1941, to August 7, 1947, the so-called selection-board procedures of the Navy were not in operation due to the urgencies of the war situation. In lieu thereof a panel system was adopted for promotions up to and including the rank of captain. A slightly different procedure was used for promotions to flag rank. Evidence before the committee indicated that the panel system was an expedient whereby designated officers, usually in addition to other duties would, at such times as circumstances permitted, review the records of officers for promotion to the next higher rank. The members of these panels did not meet as a body but rendered individual recommendations and reports on the cases reviewed by them.

In the specific case of Commander Rawlins, there was evidence that he was an officer of excellent abilities with a long and favorable record in the Navy. Apparently due to the act that a less favorable, although not unsatisfactory, fitness report was filed on Commander Rawlins at about the time he was considered by a panel for promotion to the rank of captain, he was passed over by that panel. Subsequent panels, either as a result of the action of the first or because of their consideration of the same records, also failed to nominate him for promotion to captain. Evidence was submitted to the Committee, both in verbal testimony and in the form of letters to the committee by highly placed officials of the Navy Department, including many former superiors of Rawlins, to the effect that they felt an injustice had been done. The record shows that with the exception of this one fitness report he had an excellent record within the Navy Department and in fact was decorated for his performance of duty during the period in question. The Navy Department officially opposes approval of the bill as introduced. On the other hand there was complete unanimity among even the official representatives of the Navy Department that Commander Rawlins was and is qualified to perform the duties of captain.

On July 10, 1954 Senator Edwin C. Johnson of Colorado offered an amendment on the Senate floor to H.R. 6725, 83d Congress, second session. This amendment, which was adopted, provided for the retroactive promotion to the rank of captain of Commander Rawlins and one other officer. H.R. 6725, as amended, passed the Senate. However, in the conference between the House and Senate to compose differences in the two versions of H.R. 6725, the provisions benefiting Commander Rawlins were removed.

BUFFALO NATIONAL RIVER

The Senate proceeded to consider the bill (S. 855) to provide for the establishment of the Buffalo National River in the State of Arkansas, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 3, line 4, after "(b)" strike out "With the exception of property that the Secretary determines is necessary for purposes of administration, preservation, or public use, any owner or owners (hereinafter in this section referred to as "owner") of improved property on the date of its acquisition by the Secretary may retain the right of use and occupancy of the improved property for noncommercial residential purposes, for a term, as the owner may elect, ending either (1) upon the death of the owner or his spouse, whichever occurs later, or (2) not more than twenty-five years from the acquisition."; and insert "With the exception of property that the Secretary determines is necessary for purposes of administration, preservation, or public use, any owner or owners (hereinafter in this section referred to as "owner") of (1) improved property and used solely for noncommercial residential purposes on the date of its acquisition by the Secretary or of (2) lands used solely for agricultural purposes on such acquisition date may retain the right of use and occupancy of such property for such respective purposes for a term, as the owner may elect, ending either (a) upon the death of the owner or his spouse, whichever occurs later, or (b) not more than twenty-five years from the date of acquisition."; on page 4, line 10, after the word "residential" insert "or agricultural"; on page 6, line 17, after the word "the" strike out the word "component" and insert "national river"; on page 7, after line 2, strike out:

"SEC. 6. Any person authorized by the Secretary to enforce any Federal laws or regulations applicable to the Buffalo National River may, with or without a warrant, arrest any person who violates such laws and regulations in his presence or view, and may execute any warrant or other process issued by an officer or court of competent jurisdiction, and may with a search warrant or as an incident to a lawful arrest, search for and seize property taken, used or possessed in violation of said laws and regulations. Anything so seized shall be held by such person or by the United States marshal pending disposition of the case by the court, magistrate, or commissioner. Upon conviction, any fish, bird, mammal, or other wild vertebrate or invertebrate animal, or part or nest or egg thereof seized shall be forfeited to the United States or otherwise disposed of by the court, magistrate, or commissioner. Upon conviction, any other property, except property of the United States, used or possessed in violation of said laws or regulations, including but not limited to any gun, net, or trap, may be forfeited to the United States or otherwise disposed of by the court, magistrate, or commissioner, except that this discretionary authority to forfeit or otherwise dispose of such other property shall apply only in the case of a conviction for an offense involving the taking or possession of property of the United States, or the taking, possession, capturing, hunting, or killing, or attempt thereof, of any fish, bird, mammal, or other wild vertebrate or invertebrate animal, or part of nest or egg thereof."

On page 8, line 6, change the section number from "7" to "6"; in the same line, after the word "appropriated" strike out "such sums as may be necessary to carry out the purposes of this Act."; and in line 8, after the word "Act." insert "not to exceed $9,200,000 for acquisition of land and not to exceed $8,225,400 for the development of the area as provided for in this Act."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of conserving and interpreting an area containing unique scenic and scientific features, and preserving as a free-flowing stream an important segment of the Buffalo River in Arkansas for the benefit and enjoyment of present and future generations, the Secretary of the Interior (hereinafter referred to as the "Secretary") may establish and administer the Buffalo National River. The boundaries of the national river shall be as generally depicted on the drawing entitled, "Proposed Buffalo National River" numbered NR–BUF–7103 and dated December 1967, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary may revise the boundaries of the national river from time to time, but the total acreage within such boundaries shall not exceed ninety-five thousand seven hundred and thirty acres.

SEC. 2. (a) Within the boundaries of the Buffalo National River, the Secretary may acquire lands and waters or interests therein by donation, purchase with donated or appropriated funds, or exchange, except that lands owned by the State of Arkansas or a

political subdivision thereof may be acquired only by donation. When an individual tract of land is only partly within the boundaries of the national river, the Secretary may acquire all of the tract by any of the above methods in order to avoid the payment of severance costs. Land so acquired outside of the boundaries of the national river may be exchanged by the Secretary for non-Federal lands within the national river boundaries, and any portion of the land not utilized for such exchanges may be disposed of in accordance with the provisions of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377; 40 U.S.C. 471 et seq.), as amended. With the concurrence of the agency having custody thereof, any Federal property within the boundaries of the national river may be transferred without consideration to the administrative jurisdiction of the Secretary for administration as part of the national river.

(b) With the exception of property that the Secretary determines is necessary for purposes of administration, preservation, or public use, any owner or owners (hereinafter in this section referred to as "owner") of (1) improved property and used solely for noncommercial residential purposes on the date of its acquisition by the Secretary or of (2) lands used solely for agricultural purposes on such acquisition date may retain the right of use and occupancy of such property for such respective purposes for a term, as the owner may elect, ending either (a) upon the death of the owner or his spouse, whichever occurs later, or (b) not more than twenty-five years from the date of acquisition. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value on such date of the term retained by the owner. Such right (1) shall be subject to such terms and conditions as the Secretary deems appropriate to assure that the property is used in accordance with the purposes of this Act; (2) may be transferred or assigned, and (3) may be terminated with respect to the entire property by the Secretary upon his determination that the property or any portion thereof has ceased to be used for noncommercial residential or agricultural purposes, and upon tender to the holder of the right an amount equal to the fair market value, as of the date of the tender, of that portion of the right which remains unexpired on the date of termination.

(c) As used in this section the term "improved property" means a detached year-round one-family dwelling which serves as the owner's permanent place of abode at the time of acquisition, and construction of which was begun before January 1, 1967, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use: *Provided*, That the Secretary may exclude from any improved property any waters or land fronting thereon, together with so much of the land adjoining such waters or land as he deems necessary for public access thereto.

SEC. 3. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the Buffalo National River in accordance with applicable Federal and State laws, except that he may designate zones where and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any rules and regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the Arkansas Fish and Game Commission.

SEC. 4. The Federal Power Commission shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.), on or directly affecting the Buffalo National River and no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary. Nothing contained in the foregoing sentence, however, shall preclude licensing of, or assistance to, developments below or above the Buffalo National River or on any stream tributary thereto which will not invade the area or unreasonably diminish the scenic, recreational, and fish and wildlife values present in the area on the date of approval of this Act. No department or agency of the United States shall recommend authorization of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary, or request appropriations to begin construction of any such project, whether heretofore or hereafter authorized, without advising the Secretary in writing of its intention so to do at least sixty days in advance, and without specifically reporting to the Congress in writing at the time it makes its recommendation or request in what respect construction of such project would be in conflict with the purposes of this Act and would affect the component national river and the values to be protected by it under this Act.

SEC. 5. The Secretary shall administer, protect, and develop the Buffalo National River in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented; except that any other statutory authority available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act not to exceed $9,200,000 for acquisition of land and not to exceed $8,224,400 for the development of the area as provided for in this Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–385), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

THE RIVER

The legislation would enable the Secretary of the Interior to establish the national river area to include not more than 95,730 acres preserving 132 miles of the Buffalo River, cited by the Department as "among the most outstandingly scenic of free-flowing streams in the Eastern United States."

With little residential or commercial development on its banks, and with no municipal or industrial pollution, the Buffalo River is unspoiled. It provides a unique opportunity for preservation since its headwaters lie within the Ozark National Forest, and the remaining 132 miles of the river can be preserved and administered as a single unit.

Hillsides and bluffs provide a variety of conditions for some 1,500 species of plants * * * while the Buffalo River and its tributaries are one of the richest waterways in the Nation in terms of the total number of fish species.

Within the proposed national river are * * * a 200-foot waterfall in Hemmed-in-Hollow, the highest free-leaping waterfall between the southern Appalachians and the Rockies; a collection of outstanding gypsum formations in Beauty Cave, and a number of archeological sites. These sites can yield the story of Indian occupation from archaic to late prehistoric times—a span of some 9,000 years.

Recreational uses within the proposed Buffalo National River include boating, fishing, swimming, camping, photography, nature observation, and hunting, the report states:

The old trails and wagon roads which wind along the river, parallel the tributaries and traverse the ridges, provide a good basis for developing a system of hiking and riding paths. Two rugged and virtually uninhabited expanses of country, one at each end of this area, will provide unusual primitive environments where a rider, canoeist, trail camper, and scientist may find enjoyment.

The proposed national river includes about 132 river-miles and a total of some 95,730 acres in four counties as follows: Newton County (43,610 acres); Searcy County (24,530 acres); Marion County (26,000 acres); and Baxter County (1,590 acres). The Federal Government owns about 770 acres of land within the national river boundaries, and this acreage is administered by the Forest Service, Department of Agriculture. The State of Arkansas owns about 2,960 acres of land comprising the Buffalo River and Lost Valley State Parks and scattered parcels of public hunting areas. The remaining land acreage within the national river boundaries is in private ownership.

The committee wishes to acknowledge and compliment the National Park Service on its very fine 1968 publication "Proposed Buffalo National River, Arkansas." The information contained therein was of considerable value during the hearings on the measure.

The bill authorizes the Secretary of the Interior to acquire by donation, purchase with donated or appropriated funds, or exchange lands and waters or interests therein within the national river boundaries, and outside of such boundaries in order to avoid the payment of severance costs. Lands owned by the State of Arkansas or its political subdivisions may be acquired only by donation.

As amended the bill provides that owners of improved property or lands used solely for agricultural purposes on the date of acquisition could retain the right of use and occupancy for a term ending either on the death of the owner or his spouse, whichever occurs later, or not more than 25 years from the date of acquisition.

COSTS

The Department of Interior estimates the costs of the proposal as follows:

Land acquisition	$9,200,000
Development	8,224,000

The committee following its usual practice has amended the bill limiting the authorization to the above figures.

The annual operating costs are estimated to be $685,800.

AMENDMENTS

On page 3, line 5, amend the first sentence of section 2(b) to read as follows:

(b) With the exception of property that the Secretary determines is necessary for purposes of administration, preservation, or public use, any owner or owners (hereinafter in this section referred to as "owner") of (1) improved property used solely for noncommercial residential purposes on the date of its acquisition by the Secretary or of (2) lands used solely for agricultural purposes on such acquisition date may retain the right of use and occupancy of such property for

such respective purposes for a term, as the owner may elect, ending either (*a*) upon the death of the owner or his spouse, whichever occurs later, or (*b*) not more than 25 years from the date of acquisition.

On page 3, line 24, after the word "purposes" insert the words "or agricultural."

Strike all of section 6 and renumber section 7 as section 6.

Section 6 stricken from the bill on the recommendation of the Department of the Interior provided for arrest authority for violations within the national river. In the report it is indicated that the Department favors general legislation applicable to all areas under the jurisdiction of the Park Service to solve this problem rather than accomplishing it on area-by-area basis.

Amend renumbered section 6 to read as follows:

SEC. 6. There are hereby authorized to be appropriated not to exceed $9,200,000 for land acquisition and not to exceed $8,224,400 for development of the area as provided for in this Act.

The Committee on Interior and Insular Affairs recommends enactment of S. 855, as amended.

RECIPROCAL RIGHT OF STATES TO SUE IN DISTRICT OF COLUMBIA COURTS TO RECOVER DELINQUENT STATE TAXES

The bill (S. 2502) to authorize suits in the courts of the District of Columbia for collection of taxes owed to States, territories, or possessions, or political subdivisions thereof, when the reciprocal right is accorded to the District of Columbia, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2502

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any State, territory, or possession, by and through its lawfully authorized officials, shall have the right to sue in the District of Columbia Court of General Sessions or in the United States District Court for the District of Columbia, according to the amount in controversy, to recover any tax lawfully due and owing to it when the reciprocal right is accorded to the District by such State, territory, or possession, whether such right is granted by statutory authority or as a matter of comity.

SEC. 2. The certificate of the secretary of state or other authorized official of any State, territory, or possession, or subdivision thereof, to the effect that the official instituting the suit for collection of taxes in the courts of the District of Columbia has the authority to institute such suit and collect such taxes shall be conclusive proof of that authority.

SEC. 3. For the purposes of this Act, the term "taxes" shall include—

(1) any and all tax assessments lawfully made, whether they be based upon a return or other disclosure of the taxpayer, or upon the information and belief of the taxing authority, or otherwise;

(2) any and all penalties lawfully imposed pursuant to a taxing statute, ordinance, or regulation; and

(3) interest charges lawfully added to the tax liability which constitutes the subject of the suit.

SEC. 4. The Corporation Counsel or any of his assistants is authorized to bring suit in the name of the District of Columbia in the courts of States, territories, and possessions, and subdivisions thereof, to collect taxes lawfully due the District. The Commissioner of the District of Columbia is authorized to procure professional and other services, at such rates as may be usual and customary for such services in the jurisdiction concerned, when he deems it necessary for the prosecution of any suit authorized herein.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–386), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 2502 is to authorize suits in the courts of the District of Columbia for the collection of taxes owed to States, territories, or possessions, or political subdivisions thereof, when a reciprocal right is accorded to the District.

NEED FOR THE LEGISLATION

According to the Finance Officer of the District of Columbia, many individuals move out of the District each year leaving unpaid District income taxes. In addition, corporations, other organizations, and individuals may, while located at or operated from places outside the District, incur liability for employer withholding, sales and use, franchise, or death taxes. Some evade payment of District taxes and other compliance with District tax laws because they are not within the jurisdiction of the District for normal enforcement proceedings.

Under the proposed legislation, the Corporation Counsel or any of his assistants would be authorized to sue for delinquent District taxes and obtain judgments in the courts of the States. A judgment obtained in a State court would be effective against the taxpayer's assets located within the State. Compliance with District tax laws should be greatly improved in consequence.

Tax collection suits by sister States and the District of Columbia may be brought on a reciprocal basis under the laws of 40 States, including nearby Maryland and Virginia. The bill (S. 2502) is necessary in order that the District may be eligible to proceed in the courts of these States under such reciprocal authority.

The committee is informed that the proposed legislation (S. 2502) is similar to general comity laws for such purposes of the following States:

Alaska	New York
Arkansas	New Jersey (income)
California	North Carolina
Delaware	North Dakota
Georgia	Ohio
Hawaii	Alabama
Idaho	Oklahoma
Indiana	Oregon
Iowa	Pennsylvania
Kansas	Rhode Island
Kentucky	South Carolina
Louisiana	South Dakota
Maine	Tennessee
Massachusetts	Texas (sales and use)
Michigan	Vermont
Minnesota	Virginia
Mississippi	Washington
Missouri	West Virginia
New Hampshire	Wisconsin
New Jersey	Maryland
New Mexico	

The District of Columbia government, by the Commissioner thereof, recommends enactment of the proposed legislation (S. 2502), so that the District may take advantage of the widespread reciprocal authority for tax collection provided by other jurisdictions. The District government does not anticipate that the bill will impose on the courts of the District of Columbia any substantial increased caseload. In addition, the Department of Justice and the Bureau of the Budget have advised that there is no administration objection to this bill (S. 2502).

PROVISIONS OF THE BILL

Section 1 of the proposed legislation grants to any State, territory, or possession, or any political subdivision thereof, the right to sue in the courts of the District of Columbia when the reciprocal right is accorded to the District either by statute or as a matter of comity.

Section 2 provides a means of certifying the officials authorized to institute such an action in the District of Columbia courts.

Section 3 defines the term "taxes" to include all assessments, penalties, and interest.

Section 4 authorizes the Corporation Counsel or any of his assistants to bring actions in the courts of States, territories, and possessions, and subdivisions thereof, to collect taxes legally due the District. Since such suits may occasionally require the assistance of local investigators or local counsel, section 4 authorizes the Commissioner of the District of Columbia to retain such services without the limitations on per diem compensation imposed by section 15 of the act of August 2, 1946, 60 Stat. 810 (Public Law 89–600).

HEARING

A public hearing on S. 2502 was held before the Judiciary Subcommittee of this committee on August 8, 1969. There was no opposition to the legislation.

HISTORY OF THE LEGISLATION

S. 2502 is derived verbatim from S. 1628 (90th Cong., 2d sess.) as passed by the Senate on June 26, 1968.

CONCLUSION

In the committee's view, the District of Columbia government should be made eligible to proceed in State courts for the collection of delinquent taxes, and to avail itself of the reciprocal authority granted by State laws for this purpose.

Accordingly, the committee commends S. 2502 to the Senate for favorable action.

AMENDMENT OF SURVIVOR ANNUITY PROVISIONS OF THE DISTRICT OF COLUMBIA JUDGES RETIREMENT ACT OF 1964

The Senate proceeded to consider the bill (S. 2056) to amend title 11 of the District of Columbia Code to permit unmarried judges of the courts of the District of Columbia who have no dependent children to terminate their payments for survivors annuity and to receive a refund for amounts paid for such annuity which had been reported from the Committee on the District of Columbia with an amendment on page 2, after line 4, strike out "(B) to have any amounts credited to his individual account under this subsection, together with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, to the date of his election under this sentence, returned to him." and, in lieu thereof, insert "(B) to have any amounts credited to his individual account under this subsection, to the date of his election under this sentence, returned to him, together with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter compounded annually to December 31, 1956."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That paragraph (4) of subsection (b) of section 11–1701 of title 11 of the District of Columbia Code is amended by adding at the end thereof the following: "Any judge who elected to bring himself within the purview of this subsection and who after making such election is unmarried and has no dependent child may elect—

"(A) to terminate the deductions and withholdings from his salary under paragraph (2) of this subsection and any installment payments elected to be made under paragraph (3) of this subsection, and

"(B) to have any amounts credited to his individual account under this subsection, together with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, to the date of his election under this sentence, returned to him.

"(B) to have any amounts credited to his individual account under this subsection, to the date of his election under this sentence, returned to him, together with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter compounded annually to December 31, 1956.

Any election under the preceding sentence shall be made in writing and filed with the Commissioner in such manner and at such time as he shall prescribe."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–387), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 2056 is to remedy an inequitable situation that exists under the survivorship annuity provisions of the District of Columbia Judges Retirement Act of 1964.

The Retirement Act in question provides an elective system of survivorship annuities for the judges serving on the local courts of the District of Columbia. If a judge elects this coverage, he contributes 3 percent of his salary—through payroll deductions—to a District of Columbia judicial retirement and survivors annuity fund. Upon his death in service or in retirement after having rendered at least 5 years of qualifying service, the judge's widow and dependent children become entitled to an annuity.

For purposes of this survivors annuity, the statute defines the term "widow" as a surviving wife who was married to the judge for at least 2 years immediately preceding his death, or who is the mother of issue born of her marriage to the judge and who has not remarried. A "dependent child" means an unmarried child who is under the age of 18 years or who because of physical or mental disability is incapable of self-support. These are the only categories of persons eligible to receive a survivors annuity.

A problem exists, because under existing law the election to provide a survivors annuity is irrevocable. Notwithstanding the fact that a judge's wife may have predeceased him and all of his children may have grown up, married, and gone their own ways there is no provision in the law permitting the judge to terminate this coverage. He must continue to make contributions to the survivors annuity fund even though no one remains who would be eligible to receive an annuity. Further, the present law provides that in such a case and on the death of the judge all of his contributions for the survivors annuity, plus interest at stated rates, must be refunded to a beneficiary designated by the judge or to other survivors according to an order of priority set out in the statute.

In your committee's judgment, it is highly inequitable to require one to make continued contributions toward the survivors annuity provided by the statute in question when no eligible survivor remains. Also, it makes little sense to require the continued accumulation of a survivors annuity fund only to have it paid out with interest to nondependents following the judge's death.

Your committee feels that once there has been a failure of beneficiaries a judge should be permitted to terminate his survivorship coverage. This would be compatible with the Federal civil service retirement system, which permits an employee to elect not to provide for a survivors annuity at the time he retires from the service, which he or she may do even though there may be eligible survivors.

Further, your committee feels that on a failure of beneficiaries and an election by a judge to terminate the coverage the individual's contributions for a survivors annuity should be refundable. The existing law makes little sense in authorizing such a refund only after the judge's death. The funds should be made available to the judge who made the contributions during his lifetime.

The purpose of S. 2056 is to remedy this situation. As reported by your committee, the bill amends existing law to permit any such judge who has elected to bring himself within the purview of the survivorship annuity provisions of the statute and who after making such election becomes unmarried and has no dependent child to elect—(1) to terminate deductions and withholdings from his salary for survivor annuity purposes and elected to make for such purposes, and (2) any installment payments he may have to have any amounts credited to his individual account for survivorship annuity purposes returned to together with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded annually to December 31, 1956.

COMMITTEE AMENDMENT

As introduced, S. 2056 provides that upon his election to terminate survivorship annuity coverage a judge would be entitled to have any amounts credited to his individual account for such purposes returned to him, together with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter, compounded on December 31 of each year.

On the recommendation of the District of Columbia government and the Department of Justice, your committee has amended the bill to provide that such repayment shall bear interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded annually to December 31, 1956.

HEARING

A regularly scheduled and noticed public hearing on S. 2056 was conducted by the committee's Judiciary Subcommittee on August 8, 1969. Testimony was received from representatives of the District of Columbia government, and a report on the bill was submitted by the Department of Justice. There was no opposition to the bill as amended and reported by your committee.

LEASE OF DISTRICT PROPERTY TO THE JEWISH HISTORICAL SOCIETY OF GREATER WASHINGTON

The bill (H.R. 12677) to authorize the Commissioner of the District of Columbia to lease to the Jewish Historical Society of Greater Washington the former synagogue of the Adas Israel Congregation and real property of the District of Columbia for the purpose of establishing a Jewish Historical Museum was considered, ordered to a third reading, read the third time, and passed.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–88), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 12677 is to authorize the Commissioner of the District of Columbia to acquire the city's oldest synagogue building, the synagogue of Adas Israel Congregation, and to lease it and real property of the District of Columbia to the Jewish Historical Society of Greater Washington.

NEED FOR THE LEGISLATION

The Commissioner of the District of Columbia does not have authority under existing law to enter into agreements for the preservation of historic buildings such as Adas Israel Synagogue. The authority to be granted by H.R. 12677 is sought because of vital Government interest in the property: the Washington Metropolitan Area Transit Authority owns the building; and the District of Columbia has highway property which is a suitable site for its location.

The Jewish Historical Society of Greater Washington desires to obtain a lease of the building and property on which it may be relocated, to move the synagogue and to restore it for use as a museum and as headquarters for the society. It has pledged itself to raising the required funds to match Federal grants for this purpose.

ADAS ISRAEL SYNAGOGUE

This building was the first synagogue erected in the District of Columbia. It was built between 1873–76 at the corner of 6th and G Streets NW., and was used by the Adas Israel Congregation until that group moved into larger quarters in 1907. It was subsequently used as a church and for small commercial firms. Your committee is advised that it is still structurally sound and has retained much of the original detail, particularly on the second floor which contained the synagogue, the lower floor having originally been used for classrooms.

The synagogue has been included by the Department of the Interior in the National Register of Historic Places. Because of this recognition of its importance historically, Adas Israel Synagogue is protected by the provisions of the National Historic Preservation Act of 1966. It is potentially eligible for grants in aid under that act, and its demolition may be contested before the Council on Historic Preservation, an independent Federal agency.

Adas Israel Synagogue is also listed in the Historic American Buildings Survey, an internationally famous archive of the records of distiguished structures, maintained by the Library of Congress for the use of scholars and architects. The Joint Committee on Landmarks has designated it a Category II landmark of importance.

AGENCIES' ACTIONS

Your committee is advised that Government agencies concerned with preservation of the Adas Israel Synagogue, the District of Columbia government, Washington Metropolitan Area Transit Authority, the Department of Housing and Urban Development, and the National Capital Planning Commission, and the Jewish Historical Society of Greater Washington, have approved the following commitments:

1. The District of Columbia government will provide a site for the structure on a

triangular remnant of land formed by a ramp off the Center Leg Freeway at Third and F Streets, NW., to be made available by the Highway Department.

The City Council will apply for a HUD historic preservation grant to meet half the cost of moving and restoring the building. The building and site will remain government property and will be leased on long term to the Jewish group in accordance with Federal law.

2. The Jewish group will provide the 50 percent share of local funds required to match the HUD grant.

3. WMATA will donate the building and allow sufficient time for its removal.

4. The NCPC will prepare a site plan for the new location.

5. The Department of HUD will provide a grant for restoration of the structure under title VII of the 1961 Housing Act as amended.

The site finally approved by officials of the Federal Bureau of Public Roads is the northeast corner of 3d and G Streets, Northwest, three blocks from the synagogue's present location, on a triangular plot not required for the needs of the Government. The sum to be requested from HUD is $60,500.

The District of Columbia Council endorsed the project in a resolution passed Dec. 17, 1968.

The Corporation Counsel of the District of Columbia has endorsed the bill.

AUTHORIZATION OF APPROPRIATIONS FOR EXPENSES OF THE NATIONAL COUNCIL ON INDIAN OPPORTUNITY

The Senate proceeded to consider the joint resolution (S.J. Res. 121) to authorize appropriations for expenses of the National Council on Indian Opportunity, which had been reported from the Committee on Interior and Insular Affairs with an amendment at the beginning of line 4, strike out the word "sums" and insert "sums, not to exceed $300,000 annually"; so as to make the joint resolution read:

S.J. RES. 121

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated such sums, not to exceed $300,000 annually, as may be necessary for the expenses of the National Council on Indian Opportunity, established by Executive Order Numbered 11399 of March 6, 1968.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–389), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of Senate Joint Resolution 121, introduced by Senator Jackson as requested in an executive communication from the Bureau of the Budget, is to authorize funds for expenses of the National Council on Indian Opportunity. As amended by the committee, the ceiling on authorizations for the Council would be set at $300,000 annually.

The National Council on Indian Opportunity was established by Executive Order No. 11399 of March 6, 1968. The purpose of the Council is to encourage full use of Federal programs to benefit the Indian population, including interagency coordination and cooperation and appraising the impact and progress of Federal programs for Indians. The Executive order designates the Vice President as Chairman of the Council and provides for a membership consisting of six Indian leaders appointed by the President for 2-year terms and representatives of the Departments of Agriculture, Commerce, Health, Education, and Welfare, Housing and Urban Development, the Interior, and Labor, and the Office of Economic Opportunity.

NEED

Originally, it was anticipated that the funds and staff necessary for the successful operation of the Council would come through assessment of member departments. However, Public Law 90–479, appropriating funds for public works, contained language making it unlawful for appropriated funds to be used to finance interdepartmental boards, commissions, councils, committees, or similar groups not having prior and specific congressional approval. This act led to the request for specific congressional authority contained in Senate Joint Resolution 121.

The committee was advised that the Council is requesting $300,000 for fiscal year 1970. These funds will provide seven positions—an Executive Director, an administrative assistant, three professional staff, and two clerks. This staff will work closely with staff of member departments to provide opportunities for program coordination and will keep in communication with tribal groups to assist them in their efforts to qualify for Federal programs. Staff needs account for nearly $100,000.

The Council will also draw on outside experts as needed, which might involve expertise in civil rights law, medical services, agricultural practices, housing, or any of a score of technical areas. Indian members of the Council must be compensated for time spent in meetings of the whole group, in subcommittee meetings and hearings, or in investigations on behalf of the Council. This part-time activity of Council members and outside consultants will require $80,000 in fiscal year 1970.

The remaining $120,000 will defray costs of travel and all other expenses.

AMENDMENTS

As submitted by the Bureau of the Budget, the draft resolution provided an open-end authorization for funds to operate the Council. At the request of the Vice President, the resolution has been amended to set the authorization at not to exceed $300,000 annually.

COST

Enactment of Senate Joint Resolution 121 will result in additional Federal expenditures of up to $300,000 each year.

ORDER OF BUSINESS

Mr. EASTLAND. Mr. President, I ask unanimous consent to address the Senate for 15 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

S. 2853—INTRODUCTION OF A BILL TO PROVIDE ADDITIONAL ASSISTANCE TO CERTAIN STATES FOR THE RECONSTRUCTION OF AREAS DAMAGED BY HURRICANE CAMILLE

Mr. EASTLAND. Mr. President, on behalf of myself and Mr. STENNIS, Mr. RANDOLPH, Mr. BYRD of West Virginia, Mr. ALLEN, Mr. SPARKMAN, Mr. ELLENDER, Mr. LONG, Mr. SPONG, and Mr. BYRD of Virginia, I send to the desk a bill for appropriate reference.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The bill will be received.

The bill (S. 2853) to provide additional assistance to the States of Alabama, Louisiana, Mississippi, Virginia, and West Virginia for the reconstruction of areas damaged by Hurricane Camille, introduced by Mr. EASTLAND (for himself and other Senators), was received and read twice by its title.

Mr. EASTLAND. Mr. President, I rise today with a heavy but a hopeful heart—with a spirit saddened by the suffering of Americans but strengthened by their unwavering courage in adversity.

I would attempt to describe—in words which cannot paint the picture—the awesome destruction inflicted on our people and property by Hurricane Camille, and I introduce with Mr. STENNIS, Mr. RANDOLPH, Mr. BYRD of West Virginia, Mr. ALLEN, Mr. SPARKMAN, Mr. ELLENDER, Mr. SPONG, Mr. LONG, and Mr. BYRD of Virginia a legislative program designed to alleviate the suffering of our citizenry and to rebuild shattered sections of our country.

Camille, the strongest storm ever tracked by our weathermen, and proclaimed the greatest natural disaster in modern history, slammed into the gulf crescent out of the black night of August 17.

She struck at areas of Louisiana laid waste by Betsy in 1965 and fell with all her fury on coastal and inland sections of my State. The typhoon-type giant brought death and devastation to our neighbors in Virginia and West Virginia before the North Atlantic Ocean finally brought her down.

As soon as travel was possible on the day after the hurricane, I went into the gulf region of Mississippi. I met with Governor Williams and State officials already on the scene, and in the company of Mr. Fred LaRue, personal representative of President Nixon, and members of my staff, conducted an extensive inspection of the afflicted areas by helicopter and automobile.

I remained in the devastated section for 3 days, speaking to officials and residents, seeking means and methods of relieving and rehabilitating the area and I assigned two members of my staff to this vital mission.

Because my knowledge of the havoc caused by Camille is limited to Mississippi, I shall shape my remarks around my State. However, my deepest sympathy goes out to all who paid the price of standing in the path of this storm, and I propose to render maximum assistance to hurricane victims in my State and in each State devastated by this disaster.

From end to end of our beautiful coast, spanning a 60-mile-wide section, winds in excess of 200 miles per hour literally smashed the physical structure and the economy of the area; and tides of more than 30 feet swept inland, washing over and completing the destruction of one of the most rapidly developing regions in America.

The summary of damage—the litany of losses—strains comprehension and

burdens the mind. Every official, each person who viewed the pulverized land, came away with bowed head and stricken spirit.

The most modern motel—the humble dwelling—the stately mansion—the public building—the Port of Gulfport—fatally wounded by the wind; washed away and scattered by the water.

Historic churches, business and service establishments, fine restaurants, seafood plants, recreational facilities, banking houses, gutted and littered, or reduced to rubble or represented by mounds of ugly debris.

Scenic Highway 90 rended, post offices gone, water and sewage systems demolished, gas and power and telephone services wiped out, bridges heavily damaged or destroyed, roads and streets impassable, chaos and wreckage everywhere.

And the sights, the sounds, the unforgettable impressions. Three oceangoing steamships driven onto shore—steps leading to an empty slab where a home stood—the sad search for bodies—the noise of aircraft flying in desperately needed supplies—the clatter of heavy equipment removing debris—the faces stamped with grief and shock and fatigue. And the voices—"I lost my wife—my mother—my child"—"I lost my home"—"My business is gone"—"I cannot find my family."

The enormity of this catastrophe is impossible to describe; indeed, it is almost impossible to grasp.

This superstorm took an estimated 400 lives in my section and in Virginia and brought injury and illness to thousands of our citizens.

As difficult as this is to believe, I am speaking of more than 19,000 homes destroyed or sustaining major damage, over 24,000 homes suffering lesser damage, and almost a thousand farm buildings destroyed or heavily damaged.

Try to imagine an occurrence which causes major losses for 66,200 families, which will require long-term rehabilitation assistance for 19,000 families, which wiped out or crippled 650 small businesses, which affected almost 2 million acres of timber involving half of Mississippi's annual pulpwood harvest, which totally demolished our tung and pecan industries.

These are the partial grim statistics to date that tell the horrifying story of the passage of Hurricane Camille.

However, Mr. President, Camille has passed and in the American tradition the business at hand now is to rebuild, to rise from the wreckage.

In this mission we have a shining example to follow. I have tried to detail what is gone and what has been lost. And now I can report to the Senate, with a pride beyond my power to express, what remains—firm and unshaken.

I speak of the spirit of the people who live by the sea. Cruelly hurt, bereaved, deprived of the efforts of a lifetime—the citizenry of our coastal section face the future with faith and hope and unfaltering courage.

The Governor of Mississippi asserted "we will rebuild"—and the residents of the southern portion of our State say—with the voice of valor—"we will rebuild."

Mr. President, those who bore the burden of this catastrophe stand as symbols of the great truth that, while man and his works can be swept away, the human spirit endures and will prevail. The gallant people who are picking up the pieces of their lives along the shore of the sea remind us that Winston Churchill was right when he said, "Humanity will not be cast down."

I can report to the Senate also, with gratitude and satisfaction, that the response of the Federal Government in this calamity was a model of generosity and effectiveness.

This country, with her good heart and her great resources, rushed to the aid of her stricken citizens.

President Nixon has stated repeatedly his personal concern over this disaster. The distinguished Vice President of the United States personally inspected the devastated area, along with Secretary Romney, General Lincoln, and others. We appreciate Vice President Agnew's sensitive and sympathetic attitude and actions. Seven members of the Public Works Committee of the House of Representatives toured the region with a sincere view toward assisting the hurricane victims.

The list of Federal agencies which moved into the area reads like a roll-call of the resources of this Nation. The military services performed near miracles and their selfless, tireless, and heroic efforts are a credit to every man and woman who serves or has served in our Armed Forces. I salute, particularly, the Mississippi National Guard, the Army Engineers, and the Seabees. Every person involved in this tragic event understands why the Seabee motto is "Can Do."

I am equally proud of the conduct and the devotion to duty of our local and State officials. In spite of destroyed facilities, seemingly insoluble problems, extreme fatigue and personal losses, the local leaders sought with all their strength to serve our people. The leadership of Mississippi, headed by Governor Williams, including the chiefs of all departments and agencies, deserve the highest commendation for their exemplary performance under the most adverse of circumstances and conditions.

The State of Mississippi, with her limited resources, and the United States, with her wealth and power, have offerred their hands and their help to the victims of this killer storm.

Now, Mr. President, in addition to the programs which are already in force and effect and which offer needed aid to our citizens, what can we do here to effectively support the massive effort which must be made to rebuild the physical structure and the economy of large sections of our land?

The harsh fact that we must deal with—in the case of Mississippi—is that the 60-mile-wide section proudly styled "America's Riviera" is, as I speak today, gone with the winds and the tides.

The economy was anchored by tourism and the seafood industry. The motel-restaurant complex, with several fortunate exceptions, is strewn across the littered landscape. The processing plants which were the life of the commercial fishing business are shattered or crippled, machinery and equipment inoperable, buildings demolished or heavily damaged, inventories reduced or destroyed.

We have here a double disaster. We regard a situation in which the head of a family has lost his home, and the place of business where he earned a livelihood. He is without housing, clothing, transportation, and his job. The foundations of his life were snatched away in one night and he is reduced to zero. A service station operator has lost his home—his station—and his wreckers. A veteran fisherman is without his boat and his house and the cannery where he sold his catch. A cook or a waitress has lost a dwelling and the motel-restaurant which supported the family. The economy of the area is not slowed—not depressed—it simply does not exist at this time.

To further complicate a bleak and bitter situation—the coastal section was a leading revenue producer for my State—contributing 20 percent of the funds which operate the government of Mississippi. Thus the losses we have sustained along and behind the seashore have removed one-fifth of the financial foundation of the State.

Additionally—we confront a condition wherein small communities have—in the most literal sense—been wiped out. City halls, community centers, fire stations, are gutted or gone. Streets and water and sewage systems on which bonded indebtedness is outstanding are smashed. Populations are evacuated or impoverished. The tax rolls are decimated and the tax base is buried under debris. Taxpayers have no place to live and no place to work. Unless towns like Pass Christian are supported and sustained until a resumption of normal operation is possible—these old and valuable communities are in danger of becoming permanent casualties of Camille.

Mr. President, we seek solutions to our problems and cures for our ills in proven concepts which were successful in similar circumstances in the past.

Our rebuilding philosophy is based on the comments of all who viewed the results of this unprecedented catastrophe. Time after time we heard: "It looks like a battlefield." "It has the appearance of an area which was shelled from the sea and bombed from the air." "It reminds me of towns we passed through during World War II in Europe."

We considered the devastation visited on Europe by the machines of war—and that brought to these stricken sections by the awesome might of Camille and we drew a healing parallel.

Even as Europe was rebuilt from the ruins of conflict by this great and generous Nation through the application of the Marshall plan—so can the storm-wracked areas of America be raised up by means of the modified and miniature Marshall plan we offer today in the Hurricane Camille Disaster Relief Act.

This legislation is the product of careful and coordinated research of the Alaska, California, Indiana, and Betsy bills and relies heavily on the excel-

lent and comprehensive provisions of S. 1685—the Bayh bill—in which the distinguished Senator from Indiana was joined by 26 of our colleagues.

The Camille Act launches an attack on pressing problems involved in three critical categories:

First. To provide housing and food—the most basic of the necessities;

Second. To restore viability to the business and industrial sectors of activity in order to bring life back to the economy which supports these sections; and

Third. To sustain public facilities—on a temporary basis—until vital services are restored and the population is rehabilitated to that condition which allows the resumption of the normal and orderly function of local governmental entities.

We seek—in short—to protect our people—to renew their economic strength—to preserve their communities.

Specific provisions of this act would authorize action toward the attainment of our goals.

The Department of Housing and Urban Development is empowered to provide mobile homes as temporary housing and may sell these trailers to refugee-occupants at fair and reasonable prices.

The President may make available housing where requirements go beyond the temporary—and such housing can be rented or purchased at reasonable rates.

S. 2853 authorizes long-term, low-interest refinancing of home and business loans by SBA.

The Small Business Administration is authorized to forgive existing disaster loans in the amount of $5,000 and waive interest for 4 years in a like amount. SBA's loan ceiling of $100,000 for business loans and $30,000 for home construction is lifted to allow borrowers to rebuild the tourist and seafood processing facilities which are the backbone of the area's economy—and—to allow homeowners to rebuild despite mortgage commitments or moneys owing from Hurricane Betsy, Small Business authority is expanded to encompass loans to public and private schools as well as to colleges and universities as provided under existing law—and the forms and procedure for obtaining loans are simplified.

The PRESIDING OFFICER. The time of the Senator from Mississippi has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from Mississippi may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, would the distinguished Senator from Mississippi yield to me at this point, as I find it necessary to leave the Chamber because of an appointment?

Mr. EASTLAND. I am happy to yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, the distinguished Senator's proposed legislation and his report on the hurricane disaster give us reason to consider accelerating our efforts. If the Senator will allow me to supplement to his remarks, my first comment is that he outlines with clarity the severity of the catastrophe which swept across Mississippi. And it is a catastrophe of terrible magnitude that also visited damages of differing degrees on areas of Louisiana, Virginia, West Virginia, and even other sections of the country.

The Senator from Mississippi makes particular mention of the disaster legislation previously reported from the Public Works Committee. That legislation, as he and his distinguished colleague, Mr. STENNIS, know, passed the Senate. But the measure passed by the House was not broadly national in scope, as is the Senate-passed bill. The House legislation is applicable to relief for a California disaster condition. We are attempting to have those two measures brought promptly before the Senate-House conference created to resolve their differences.

I wish to add to the references made to the legislation being introduced today by the Senator from Mississippi that it is our desire in the Public Works Committee and its Subcommittee on Rivers and Harbors and Flood Control to move forward as quickly as possible with brief but comprehensive hearings. We will highlight the situation that has caused many fatalities and much devastation in Mississippi, part of its neighbors, Alabama and Louisiana, and which also triggered the tragic flash flooding of sections of the Virginias—especially in the Commonwealth of Virginia. Damage in West Virginia was moderately severe in parts of three counties.

We will hope to be better able to supplement the legislation now in conference and to later add features of the measure which I am privileged to cosponsor with my colleagues from Mississippi, Louisiana, Alabama, Virginia, and West Virginia. We must seek to authorize in our laws those governmental actions to help bring the devastated areas back to a wholesome economy.

That is our desire. We will work very carefully with the Senators from Mississippi, Louisiana, Alabama, and Virginia, as well as with the senior Senator from Kentucky (Mr. COOPER.), who is the ranking minority member on the Public Works Committee. Senator COOPER and I have talked again this morning about this matter. Other members of the committee—including the Senator from Virginia (Mr. SPONG), who is now in the Chamber—are appraised of the intense interest generated and of the fact that we are faced with a situation which requires immediate attention.

The Senator from Indiana (Mr. BAYH), author of the Senate-passed disaster relief measure, is most cooperative in this matter. The Senator from Ohio (Mr. YOUNG), chairman of the Subcommittee on Rivers and Harbors and Flood Control, will be working diligently with us so that priority attention will be accorded to the problems of the disaster areas.

For the information of the Senate, we have dispatched two staff members from the Public Works Committee to Mississippi in a further attempt to explore and evaluate legislative remedies for the serious problems described here today. It is the intention of the Public Works Committee, as an instrument of the Senate, to be as helpful as we can in the matters that the Senator from Mississippi presents to the Senate this afternoon, and we hope to make the legislative remedies national in scope.

Mr. EASTLAND. I thank the distinguished chairman of the committee. I know the committee will proceed and will do a fine job in rebuilding this area of our country, and also in the States of West Virginia and Virginia, where the loss of life was great in the case of Virginia. I do not know about West Virginia.

Mr. RANDOLPH. The Senator refers to West Virginia. My able colleague, Senator ROBERT C. BYRD, is on the floor at this time and he is a cosponsor of the legislation with us. Because the Senator from Mississippi asked about West Virginia, I respond by noting that the devastation which was wrought in our State is not comparable to that which occurred in Mississippi and its neighboring Gulf States. Nor did West Virginia suffer the degree of devastation and the deaths experienced in Virginia. On certification by the Governor of West Virginia, the President has declared Greenbrier, Nicholas, and my home county of Randolph disaster areas, due to flooding and high winds growing out of hurricane Camille. Pocahontas County also suffered considerably. Senator BYRD and I know of the little town of Anjean, in Greenbrier County. It was obliterated—washed out and blown down.

So when reference is made to West Virginia, our problems there are substantial but not as acute as they are in Mississippi and parts of neighboring Gulf States and in the Commonwealth of Virginia.

We are all conscious of the need to cooperate here because, in a very real sense, this is a national tragedy. We must think of it not in a provincial way, but attempt to do what we can do nationally to meet this problem and be better prepared for future disasters.

Mr. EASTLAND. It is a national problem. We certainly have to attack it on a national basis.

Mr. STENNIS. Mr. President, if my colleague will yield, before the Senator from West Virginia leaves the Chamber, may I thank him for his remarks and also commend the very fine interest he has shown in this matter from the word "Go." I called him over the telephone, and no one ever received a finer response. His heart is in it, as well as his chairmanship.

I also want to thank the Senator from Kentucky, the ranking minority member of this wonderful committee.

I appreciate the fact that the committee is going to have hearings, because I think it is the only way to arrive at a solution.

Mr. RANDOLPH. Yes, it is the only way we can come to grips with this problem as completely as is necessary.

Mr. HOLLAND. Mr. President, will the Senator yield so I may ask a question of the Senator from West Virginia?

Mr. EASTLAND. Yes, I yield.

Mr. HOLLAND. I would like to ask the

Senator from West Virginia whether the level of authorization is sufficiently high in the matter which is in conference, which has been mentioned, to take care of this disaster, or will it require new legislation?

Mr. RANDOLPH. I am of the opinion, I may say to my able and esteemed friend from Florida, that the level of authorization, in view of this catastrophe, is not broad enough to take care of the problems presented. I have just talked here in an aside with the Senator from Virginia (Mr. SPONG). It seems to us that there will be very real reasons to check carefully the need for further legislation. We doubt that either existing law or pending legislation, or both combined, would be adequate.

Mr. HOLLAND. I thank the distinguished Senator. From prior experience which we, unfortunately, have had in my own State, I want to say that we have some idea of the extremities through which the States of Mississippi, Louisiana, Virginia, and West Virginia, to a limited degree, and perhaps others, are passing. I would hope the authorization might be on the generous side, because we have found heretofore that the damage generally goes beyond what is estimated in the beginning.

I would hope also that the authorization measure might be promptly carried through to legislation, because we have found in the appropriation process—and I see on the floor the distinguished Senator from West Virginia (Mr. BYRD), who is chairman of the Deficiencies and Supplementals Subcommittee—there is never any difficulty in getting speedy handling of appropriations provided the authorization was sufficiently big.

I hope Senators who are on the Public Works Committee will expedite passage of legislation which does raise the authorization sufficiently high to take care of this matter.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. EASTLAND. Mr. President, I ask unanimous consent to have 5 minutes more.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EASTLAND. The first estimate by public officials of property damage in Mississippi was approximately half a billion dollars.

Mr. HOLLAND. Of course, may I say to my distinguished friend, that makes the disaster one of sufficient size that the whole Nation will be concerned in meeting whatever the crisis is. Of course, the Senator from Florida, having had most generous treatment always from the whole Senate for his own State, knows the Senate will respond in like measure to this challenge and to this situation. It is speed I am suggesting, because delay means greater damage and greater suffering for the areas which are affected.

I thank the Senator for yielding.

Mr. BYRD of West Virginia. Mr. President, will the Senator from Mississippi yield, before he continues with his statement?

Mr. EASTLAND. Yes; I yield.

Mr. BYRD of West Virginia. Mr. President, I just want to express my appreciation to the able Senator for the leadership he is displaying in presenting this legislation. My able senior colleague from West Virginia has very adequately described the impact of the recent storms upon our State of West Virginia. I want to compliment him for the splendid work that he has performed as chairman of the Public Works Committee.

I want to assure the able Senator from Florida (Mr. HOLLAND), the able Senator from Mississippi (Mr. EASTLAND), and my colleague (Mr. RANDOLPH), that as chairman of the Appropriations Subcommittee on Deficiencies and Supplementals, I shall act, with my subcommittee, speedily to approve any funds that are needed to meet additional authorizations. Of course, as a member of the Appropriations Subcommittee on Public Works, I shall work with my able colleague, who is an ex officio member of that subcommittee, in securing any additional moneys that may be needed to meet any additional authorizations by the Senate Public Works Committee so ably chaired by my colleague.

Again I want to thank the Senator from Mississippi. I say, with my colleague, that our State of West Virginia, of course, did not suffer in comparison as greatly as did the State of Mississippi or the State of Virginia or the State of Louisiana, but the recent disaster has been brought face to face with our people at Anjean, Richwood, and other parts of West Virginia. Our hearts go out to the people of these other States in view of the great tragedy that has been visited upon them. I just want to assure the Senator from Mississippi that I shall be working with him and other Senators to provide the much needed relief, and as promptly as possible.

Mr. EASTLAND. I thank my distinguished colleague. The Senate is more than generous, and the country is more than generous.

Mr. RANDOLPH. Mr. President, will the Senator yield again?

Mr. EASTLAND. I yield.

Mr. RANDOLPH. This is a matter which I believe to be appropriate for discussion at this point. I have had the opportunity to look at the proposed legislation, and join in its purpose and want to be a cosponsor. But I am wondering about the matter of jurisdiction of the legislation. Parts of it naturally come to the Public Works Committee; but, as I have quickly looked over the proposal, I think the Banking and Currency Committee is involved. I think also that the Committee on Agriculture and Forestry has some jurisdiction. But all three committees involved certainly will want to be helpful and work together.

I am not attempting to ask the Senator from Mississippi to indicate to the Parliamentarian where, with three committees involved, he should send the legislation, but perhaps an expression from the Senator from Mississippi might be helpful at this point.

Mr. EASTLAND. I think the legislation should go to the Public Works Committee. I think that committee has jurisdiction. The main thrust is to the Public Works Committee, as I see the matter. Of course, on minor portions, the Agriculture and Forestry Committee would have jurisdiction, and so would the Banking and Currency Committee. But when the total, the whole thrust is to one committee, I think the legislation takes the jurisdiction of that committee, even though on specific, small portions, another committee may have jurisdiction.

Mr. STENNIS. Mr. President, will the Senator yield to me for an observation on that point?

Mr. EASTLAND. I yield.

Mr. STENNIS. Mr. President, I join with my colleague from Mississippi in his bill, and I also have a bill which I shall introduce when he has concluded.

In the preparation of this bill, we went back to the Alaskan disaster and earthquake, and many similar calamities. Unquestionably, the main thrust of this bill, in my humble opinion, is for the Committee on Public Works. They have the tools to deal with most of it. They might well seek the counsel and advice of other committees, but I think it is right on their doorstep, if I may put it that way.

Mr. RANDOLPH. I thought we should discuss the matter, because of the potential jurisdiction of the three committees. Our committee would not, of course, wish to remove ourselves from the leadership responsibility which has been indicated as desired. I felt, however, that we should discuss the matter, because I know the Parliamentarian has a situation here to which he must give attention in determining the reference of the bill.

Mr. EASTLAND. Mr. President, I ask unanimous consent that the bill be referred to the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EASTLAND. The Secretary of Agriculture is enabled to waive $5,000 of principal and interest on loans to farmers who suffered severe losses.

Generous food stamp provisions are included to assist low-income families and surplus commodities will be made available.

Assistance is provided for those who are unemployed as a result of hurricane damage. Sums will be equal to those provided under a State's unemployment compensation program. It was felt that this portion of the program would be of special aid to migratory workers—as well as those not covered by a State program for any reason.

The Office of Emergency Preparedness is authorized to remove debris from private property or to reimburse property owners who bore the cost of cleaning their own land. Local and State contractors are given preference in clean-up projects as a stimulant to the economy during a critical period where little or no economic activity is in progress.

Bonded indebtedness on damaged or destroyed public facilities—such as water and sewage systems—would be assumed by the Federal Government—on a temporary basis—until the facility is restored and the citizens are in a position to support the normal functions of local government. We feel that this provision is vital to the salvation of small com-

munities which suffered insupportable destruction.

Lakes and bayous will be cleared of debris as an aid to navigation and in the interest of the health and safety of the populace.

Finally, private—as well as State—forests will receive fire protection and timber roads will be rebuilt. In those instances where rebuilding is not possible, timber contractors will be relieved of their obligations.

Mr. President, I suggest that hearts will be lifted and distress and worry lightened when our people realize that the full resources of our Government will be dedicated to the mission of building back—finer than ever—those sections devastated by this superstorm.

For example—grants will be made where necessary and all disaster loans will be disbursed at cheap rates of interest—over long periods of time—and on very liberal terms.

We regard this proposal to be a minimum platform for the support of the massive effort which must be made to rebuild the communities—the businesses—the homes—indeed—the lives of hundreds of thousands of Americans victimized by this colossal disaster.

I am reminded, as we list our losses—human and material—and prepare for the task of rehabilitating and rebuilding, of the words of an ancient Scotch battle song which say:

> A little I'm hurt, but yet not slain;
> I'll but lie down and bleed awhile,
> And then I'll rise and fight again.

The people of my State and other States have been grievously wounded—but they have the strength of spirit to rise and fight again because this is the character of our citizens—the real strength of America.

Mr. President, on behalf of those brave people—in the compassionate and generous tradition of this great Nation—I appeal for early consideration and enactment of the Hurricane Camille Disaster Relief Act.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The time of the Senator from Misissippi has expired.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senator from Mississippi be allowed 10 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EASTLAND. I yield to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I was delighted to join the distinguished Senator from Mississippi in his bill which he has just presented to the Senate.

I sat out one of these storms back in 1909 in my own parish, when the eye of the storm passed over where I lived. It was a dreadful thing. During that storm, more than 500 people were drowned, and the lower part of the parish was completely destroyed. Hurricane Betsy also hit us hard only a short time ago; and in the late 1950's, Audrey wreaked great havoc and death on the Louisiana coast.

Still, it is hard to find anything to compare with Camille. I have visited parts of Mississippi as well as the stricken areas of my own State, and the devastation wrought there was terrible. You must really see it to believe it. I recall the time when a wall of water 16 feet high washed over my home area. I understand that in the case of Camille, the wall or water was between 20 and 30 feet.

Mr. EASTLAND. No; it was 33 feet.

Mr. ELLENDER. Thirty-three. Well, you can imagine what would happen to a community hit by a wall of water 30 feet high. Nothing would be able to remain standing.

Mr. EASTLAND. As an example of the intensity of this storm, I would like to tell the Senator from Louisiana that St. Louis Bay has a railroad bridge 3 miles long. The rails were set on ties and spiked down, and then there is concrete over those, that comes up even with the tops of the rails.

The wind was so high that it blew every single rail off that bridge. It broke the spikes and broke the concrete.

Mr. ELLENDER. I understand also that in various cemeteries in the area, entombed bodies simply floated away after the brick and marble casements had been broken up by the wind and water.

Mr. EASTLAND. That is correct.

Mr. ELLENDER. Mr. President, I express the hope that the Senate will consider this bill as soon as possible.

In addition, as chairman of the Appropriations Subcommittee for Public Works, last week I wrote President Nixon, pointing out to him the severe cuts the flood control and hurricane protection programs of the Corps of Engineers have suffered in recent years. When measured in real terms, the level of Federal money available for these vital areas represents a decrease in construction capability of about 50 percent since 1964.

I ask unanimous consent that my August 26 letter to the President be entered in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON AGRICULTURE AND FORESTRY,
Washington, D.C., August 26, 1969.

Hon. RICHARD M. NIXON,
The President,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: During the past several weeks, the nation has witnessed several natural disasters and near-disasters which have worked extreme hardship on our people. For example, note the following:

The brutal hurricane Camille that wrecked the Gulf Coast and resulted in more than 250 known deaths and perhaps half a billion dollars of property damage in Mississippi and Louisiana alone.

The water shortage that threatened our Capitol City in midsummer, followed immediately by severe flooding in the Washington metropolitan area.

The current floods on the James River in Virginia which may result in as many as 200 lives lost and missing and $150 million in property damage.

Although we do not have the means totally to prevent such natural disasters, this great and wealthy nation certainly does possess the means to fortify our most vulnerable areas against these ravages of nature and to minimize their toll of damage and human suffering.

We do have the know-how to minimize the effects of severe drought on our municipal and industrial water supplies. We do have the ability to prevent flooding of our great river valleys. We do know how to minimize the impact of the tidal waves which accompany coastal storms.

The fact is, however, that we are doing far too little either of a preventive or of a developmental nature and are in fact annually *decreasing,* rather than increasing, our actual effort in the field of water resources and flood control projects.

This unfortunate situation seems to me to call for a reevaluation of our priorities in the allocation of Federal funds. In effect, the Congress and the Administration must become as generous and as urgently concerned in our efforts to guard against damage resulting from hurricanes and floods as you yourself have been in your recent efforts to bring relief and rehabilitation to those who have suffered so gravely on the Gulf Coast and in Virginia.

Appropriations for water resource development has been a matter of concern to me for a number of years. On April fourteenth of this year, the senior Senator from West Virginia, Senator Randolph, discussed on the floor of the Senate a statement which Budget Director Robert P. Mayo had made before the Senate Committee on Finance, indicating that he was considering a freeze on public works construction. I joined in the colloquy that followed Senator Randolph's statement, at which time I discussed my growing concern over the delays in the completion schedule on most of the going public works projects which had been revealed to our Committee during the hearings on the Public Works appropriation bill. I concluded my remarks by restating my belief that we must do what we can to protect our two most important resources, land and water. If we failed to do that, our country will sustain great losses.

Subsequently, in May, I addressed the National Rivers and Harbors Convention, at which time I pointed out that in 1964 the construction program of the Corps of Engineers and the Bureau of Reclamation was $1,188,428,700, or about 1.09% of the 1964 budget. I noted that for fiscal year 1970, the original budget request for these two agencies was $1,038,920,000, or about .49% of the budget.

The request for the Corps of Engineers and the Bureau of Reclamation was subsequently cut by your Administration by $181 million. The revised budget represents a dollar reduction in the past six years of about 15.39%. When you take into account the rise in the cost of construction, the level of appropriations in the revised budget for these agencies represents a drop in construction capability of about 50% since 1964!

Similarly, the efforts being made by the Federal Government to control air and water pollution are completely inadequate to cope with the severe damage these problems are working on our environment and, in fact, on the very health of our citizens. For instance, in the last few years that the Federal Water Pollution Control program has been under the jurisdiction of the Subcommittee on Public Works, I have noticed an increased disparity between the authorization for construction grants for sewerage treatment facilities and the appropriations requested, as indicated below.

Fiscal year	Authorization	Appropriation request in the budget	Percent of authorization request in budget
1968	450,000,000	200,000,000	44.4
1969	700,000,000	203,000,000	29.0
1970	1,000,000,000	214,000,000	21.4

I have received well over 1,000 letters from individuals and organizations urging the Committee on Appropriations to provide the full amount authorized for construction grants for fiscal year 1970. Most of these letters point out the extent to which the states and their political subdivisions have approved bond issues to finance the non-federal costs, relying on the Federal Government's ability to meet its share of the cost.

In spite of the fact that next to the air we breathe, water is our most precious resource, it seems the Bureau of the Budget first looks to the water resource program for a disproportionate share of any contemplated cuts whenever there is a need to reduce Federal expenditures.

If we are to meet the water needs of the 300 million people that you recently estimated will occupy our land by the year 2000, we must not only support adequate annual appropriations for the orderly development of these resources, but it is also essential that the unrealistic and arbitrary restrictions placed on project evaluations be removed.

For instance, the basis for the benefit-to-cost ratio for water resource projects had its origin in the 1936 Flood Control Act, where the policy was established that the Federal Government should improve or participate in the improvement of rivers and other waterways for flood control purposes in the interest of the general welfare if the benefits to whomsoever they may accrue are in excess of the estimated cost and if the lives and social security of people are otherwise adversely affected.

The terms, "benefits" and "costs," have no meaning in the abstract. They must be related to objectives in order to give these terms meaning. Since the passage of that Act, the technicians have chosen national economic efficiency as the sole criteria for project evaluation and have disregarded the phrases, "in the interest of the general welfare" and "if the lives and social security of the people are otherwise adversely affected."

The result of such an interpretation has been that as far as flood control and hurricane protection projects are concerned, we have become a "cow society." If, for instance, a thousand cows were lost in a flood or hurricane, we could consider the economic loss involved since a cow has an economic value in the market, and the monetary losses sustained can be used in the justification of protective works. On the other hand, if a thousand human lives were lost, it would not add one dollar to the all-important economic evaluation of the project. The loss of life and human suffering associated with the havoc wrecked on the Gulf Coast by Hurricane Camille transcends the imagination.

Fortunately, the Water Resources Council is attempting to find a way to deal with this problem of recognizing loss of life and misery associated with disastrous floods, by setting up four separate accounts which recognize national objectives other than economic efficiency such as regional development, environmental benefits, and the well being of man. The Council's efforts along these lines are to be commended and they deserve and need your personal encouragement.

Had the center of Camille been 50 miles east, the damage to New Orleans in terms of lives lost and property damaged would have been incalculable. Yet, despite this near miss and in spite of the constant threat of hurricane damage to the New Orleans area, the hurricane protection project for Lake Pontchartrain will continue to drag along with inadequate appropriations, unless the Administration loosens the purse strings and cooperates with the Congress in revamping the national priorities vis-a-vis such projects.

The budget estimate for this project for fiscal year 1967 was $450,000 for planning, at a time when the Corps of Engineers had a capability of $1,600,000, which would have permitted the initiation of construction. Recognizing the potential danger to New Orleans, the Congress provided the full capability of the Corps of Engineers.

For fiscal year 1968, the original budget was $2,300,000, which was subsequently revised to $3,260,000, at a time when the Corps' capability was $4,500,000. Again, recognizing the potential loss of life and property, the Congress approved the $4,500,000.

For fiscal year 1969, the budget estimate was $7,800,000, compared with a Corps capability of $10,800,000. But in view of the expenditure ceiling contained in the Revenue and Expenditure Control Act of 1968, the Committee, although recognizing the risk involved in not moving forward expeditiously on this project, did not increase the budgeted amount for this project or any other project in the bill.

For fiscal year 1970, the budget estimate is only $6 million, compared with the Corps' capability of $8,500,000. Neither New Orleans nor the nation can afford the gamble of procrastination on this project.

Similarly, the hurricane protection project, New Orleans to Venice, proceeds at an alarmingly slow rate. Since 1967, the estimated completion date for this project has slipped from June 1975 to December 1977.

Two years ago, I secured authorization for a study of the Louisiana coastal area, looking toward hurricane protection, the protection of the physical features of the coastline, and reestablishment of the former ecology of the area which contributed so much not only to the wildlife but to the marine resources of the entire Gulf Coast. Naturally, I was disappointed this year to find that the budget provided only $60,000 for the continuation of this study in fiscal year 1970. At least double that amount will be required for satisfactory progress on the study, and I intend to urge my subcommittee and the Congress to expedite the project to this extent, at a minimum.

A few weeks ago, this nation—indeed, the whole world—was thrilled when man first set foot on the moon. In reflecting on this accomplishment, I had occasion to recall the hearings which I had recently completed on the Public Works appropriation bill, where the effect of the budget cuts which your Administration made in an already austere budget submitted by President Johnson were graphically revealed to the Committee.

Among the most serious cuts that I recall were those affecting the Southern Nevada Water District, the Folsom South Canal in Southern California, the Bonneville unit of Central Utah Project, the Chatfield Reservoir in Colorado, the Newark Bay, Hackensack and Passaic Rivers Project in New Jersey, the Wynoochee Reservoir in Washington, the New Melones Reservoir in California, the Lake Kemp Reservoir in Texas, and many more.

In a number of cases, we are finding that the expenditure ceilings imposed on the Corps will not permit contractors to pursue their work in accordance with the terms of the existing contracts, even though in many cases the funds are available or requested. Failure to provide funds and expenditure ceilings adequate to permit accomplishment of existing contracts inevitably will increase costs on all Government contracts and could even result in legal actions being taken by the contractor against the Government. I cannot help but feel that our priorities are out of balance.

These thoughts led me to a review of the requests for research and development appropriations requested by President Johnson for the NASA program, and I found that he had requested $3,051,427,000. Further research revealed that in the review of the 1970 budget, your Administration recommended a reduction of $45 million in this program, of about 1½%. In contrast, the "Construction, General" appropriation request of $769,420,000 for the Corps of Engineers was cut $142,415,000, or about 18½%. I realize that our space program is based on a national objective—but so is our water resource program.

It would require a good deal of imagination to attempt to identify the tangible benefits that will result from man's flight to the moon. Any attempt at a monetary evaluation of those benefits would be almost impossible. If, however, these benefits could be identified and evaluated, the realization of most of the benefits would be projected far into the future.

If we applied the same economic principles to the benefit-cost evaluation of our space program as are required in our water resource program (where future benefits are discounted at a rate of 4⅞ percent) the benefits expected to result from the space program would shrink drastically. For instance, benefits evaluated at $1 million to be realized 25 years from now would be worth only $304,200 in terms of economic justification for a project under today's regulations. A $1 million benefit to be realized 50 years from now would provide justification for the expenditure of only $92,600 today. Such a system would probably kill the space program, just as it is now strangling our vital water resources, flood control and hurricane protection programs.

I am enclosing a list of selected hurricanes and their damages, compiled from information provided by the Office of Emergency Preparedness. It should be recognized that many hurricanes of earlier years are not listed. In fact, during the recorded history of Louisiana alone at least 150 hurricanes or tropical storms have battered or threatened the coast of my state.

I think it is interesting to note that, based only on the partial statistics available to us, the average damage from hurricanes since the turn of the century is over $85 million per year. During the last 30 years, the damage averaged $185 million. During the last 20 years, the damage averaged $200 million and during the 10-year period from 1958 to 1968, the damage averaged about $320 million. If this progression continues, we can expect average damages of $500 million a year (or a total of $5 billion) over the next decade.

Such damage tabulations are always on the conservative side because, by their nature, they tend to exclude many categories of physical and economic loss. As I have already mentioned, the loss of human life is a factor that is incalculable in monetary terms. In addition, there are the inaccuracy of complete inventory estimates, the impossibility of fixing replacement costs, the loss of business and trade to local enterprises and to the local economy in general, the loss of employment income, the loss of earning ability by those who are too old to "get started" again and who instead become public charges. All of these factors and many others add substantially to the damage estimates that are ascribed to various hurricanes.

Yet, even these staggering figures tell only part of the story of the "cost" of hurricanes, for they generally do not include the multimillion dollar rehabilitation expenditures by Federal, State and local governments following the disaster. In the case of Camille, the Army, Navy, Air Force, NASA, SBA, HUD, HEW, GSA, USDA, OEP, and numerous other federal agencies are spending large sums to assist in the recovery effort. Also, in terms of the federal costs, over the next several years both individual and corporate tax payers will be deducting from their income taxes considerable sums to which they are eligible as a result of the hurricane damages suffered.

All things considered, we might properly *double* the so-called "damage estimates." In order that you might see the disparity between these enormous damages and the

feeble efforts being made to provide protection, I am also enclosing a status report of the authorized hurricane protection projects for your review.

In view of the magnitude of the floods that this nation has experienced this year, the recent hurricane, and the lack of adequate progress being made in meeting the water resource needs of our expanding population, I expect that our Committee will respond to the needs of the Country. I cannot help but feel that you also will want to take another look at your recommendations for water resource development projects, particularly those relating to health, safety and the protection of human life, prior to the time the Congress acts on the Public Works appropriation requests you have submitted, and I urge that you do so.

I would welcome the opportunity to discuss this matter with you personally, or with a small bipartisan group of concerned members of the Congress.

Respectfully yours,

ALLEN J. ELLENDER,
Chairman, Subcommittee on Public Works.

AUTHORIZED HURRICANE PROTECTION PROJECTS

Project	Year authorized	Total cost (estimated)	Federal cost	Appropriation to date	1970 budget	Capability of Corps
Freeport, Tex.	1962	$19,000,000	$13,300,000	$4,637,000	$2,200,000	$2,200,000
Port Arthur, Tex.	1962	59,900,000	41,600,000	8,557,000	5,000,000	5,000,000
Texas City, Tex.	1958, 1968	44,714,000	31,200,000	15,132,000	1,100,000	1,100,000
Lake Pontchartrain, La.	1965	166,000,000	113,562,000	12,498,000	6,000,000	8,500,000
Morgan City and vicinity, Louisiana	1965	6,067,000	4,180,000	347,000	150,000	200,000
New Orleans to Venice, La.	1962	43,400,000	25,885,000	1,654,000	950,000	1,400,000
Grand Isle and vicinity, Louisiana	1965	11,310,000	3,393,000	408,000		0
Hillsborough Bay, Fla.	1968	13,088,200	9,163,200			15,000
North River dike, North Carolina	1966	500,000	358,000			(1)
Top Sail Beach and Surf City, N.C.	1966	2,500,000	1,430,000			(1)
Brunswick County beaches, North Carolina	1966	24,400,000	14,400,000			110,000
Hyde County dike, North Carolina	1966	3,272,000	2,290,000			60,000
Neuse River barrier, North Carolina	1965	15,900,000	11,100,000			100,000
Ocracoke Island, N.C.	1965	2,150,000	1,880,000	109,000		500,000
Bodie Island, N.C.	1966	16,400,000	8,800,000			(1)
Fire Island Inlet to Montauk Point, N.Y.	1960	68,600,000	33,900,000	3,578,000	500,000	500,000

[1] Awaiting action by local interests.

RECENT HURRICANES AND TROPICAL STORMS

Name	Date	Areas affected	Deaths	Estimated damage (millions)
Carol	August 1954	North Carolina to Maine	60	$461
Edna	September 1954	New Jersey to Maine	21	7
Hazel	October 1954	South Carolina to New York	95	252
Connie	August 1955	North Carolina to New York	25	46
Dianne	do	North Carolina to New England	184	832
Ione	September 1955	North Carolina	7	88
Audrey	June 1957	Texas and Louisiana	390	150
Donna	August 1960	Florida to New England	50	500
Carla	September 1961	Texas and Louisiana	46	408
Great Atlantic coast storm	March 1962	Florida to New England	33	200
Cleo	August 1964	Florida	3	129
Hilda	October 1964	Louisiana	38	100
Betsy	August 1965	Florida and Louisiana	75	1,420
Alma	June 1966	Florida	7	7
Beulah	September 1967	Texas	15	500
Gladys	September 1968	Florida	5	7
Camille	August 1969	Central gulf coast and Virginia	500	750

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. STENNIS. Mr. President, I ask unanimous consent that I be permitted to proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. I yield 5 minutes to the Senator from Virginia, who is pressed for time.

Mr. SPONG. Mr. President, I thank the Senator from Mississippi for his graciousness. I commend the senior Senator from Mississippi (Mr. EASTLAND) for the effective presentation he has made here today. I also commend the Senator from West Virginia (Mr. RANDOLPH) for the expedition with which he has called for public hearings on this entire matter.

Mr. President, the rains and subsequent flooding brought on by Hurricane Camille caused the greatest natural disaster in Virginia's history. I join in sponsoring the Hurricane Camille Disaster Relief Act with the hope that it will provide a measure of assistance to those devastated by the storm in Virginia and other States.

In Virginia, the death toll from the flood which struck the James River Basin stands at 105, with 61 persons still listed as missing. Many residents of the area lost every possession; entire families were lost in flash floods and landslides.

Property damage has been estimated at $118,000,000. Homes valued at $10,000,000 were destroyed, and the latest estimate for agriculture damage has been set at $21,000,000. Hundreds of livestock were lost when the James River and its tributaries overflowed their banks. Rich bottom lands were washed out or so heavily silted that they cannot be utilized for crop production for a year or more.

Business and industry were damaged to the extent of an estimated $55,000,000. Approximately 100 bridges on Virginia's primary and secondary highway systems were destroyed or damaged beyond use. Repairing this and other highway damage will cost in excess of $19,000,000.

Mr. President, I wish to join the Governor of Virginia, Mills E. Godwin, Jr., in his expression of thanks to the public officials, private citizens, and organizations that came to the assistance of the victims of the disaster. All Virginia is indebted to them for their untiring efforts during and after the misfortune.

Legislation cannot possibly compensate people for the loss of loved ones in a tragedy such as Camille. But it can be of assistance in the rebuilding of their homes and businesses, and can help in the rehabilitation of the economy of a community.

The bills being introduced today by the Senators from Mississippi are intended to accomplish these purposes, and therefore are deserving of the most compassionate consideration of the Congress. As has been explained by the distinguished senior Senator from Mississippi (Mr. EASTLAND), the legislation is the product of earlier bills designed to alleviate suffering from previous disasters. Several provisions in the Camille bill are contained in similar form in the Disaster Relief Act of 1969, a measure sponsored by the distinguished junior Senator from Indiana (Mr. BAYH), and approved by the Senate on July 8.

The purpose of the Bayh bill, S. 1685, is to establish the machinery by which assistance can be provided following all major disasters. It would obviate the need for special legislation. Its provisions would become operable almost automatically after acts of nature such as Camille.

The purpose of the Public Works Committee in its consideration of S. 1685 was to develop a comprehensive program which would meet the general needs of the entire Nation. The Senate conferees on the bill are pursuing that goal, but pending completion of action on the measure, immediate attention and consideration should be given to the victims of Camille. It would seem desirable to develop a blend of legislation which would serve as a foundation for assisting the victims of Camille and those who might suffer from similar disasters in the future.

I thank the Senator from Mississippi.

S. 2854—INTRODUCTION OF A BILL PROVIDING ASSISTANCE FOR THE DISASTER AREA OF HURRICANE CAMILLE

Mr. STENNIS. Mr. President, the tragic toll of Hurricane Camille along our Gulf coast continues to grow. An entire region, encompassing parts of three States, was devastated by winds of a force unprecedented in hurricane history and by storm flooding of inconceivable magnitude.

I have made an inspection of the area. What I saw leaves me with a heavy heart and a deep and lasting sympathy for those who have lost their families and their possessions.

That region is now shattered economically. However, it is not shattered in spirit. The courageous citizens of the area began immediately thereafter to fend for themselves, to protect the public health and safety and to rebuild their environment so that it would be acceptable to their minimum requirements. With all of their courage, however, the task is too much for them to accomplish alone. They must have some help from the rest of our country.

The Federal and State agencies have responded to this emergency in a most admirable way.

I will be brief about the matter. There

were volunteer men in the area from the nearby Air Force base at Keesler Field. These men went up and down the streets looking for the dead and administering to the helpless and the crying.

When medicine could be found, they brought it to the people. They did everything that could possibly be done to bring relief to the suffering.

There were hundreds of these men. They worked all night and all the next day. They were joined by many more of their comrades. However, I do not mention them with any more emphasis than I mention the men who came from the Third Army Engineering Battalion. These men got in the midst of the total destruction.

People who had lived on those streets could not identify the streets on which they had lived.

There was total destruction of the houses. Debris was piled up. Trees were blown down. The engineers had to erect quickly drawn, crude signs to tell the names of the streets.

In sight of that area were two large cargo ships on the sand beach. In the middle of the highway, there was a steel tanker which was pitched out of the water by the massive waves that rose more than 33 feet. The winds reached a velocity of 210 miles an hour.

I am told by those who watch hurricanes for our Government that the total force of this massive wind with its great intensity and the waves make Camille the most destructive hurricane we have ever had in the history of the Nation. Other hurricanes have had as much wind. Others have had waves as high. However, Camille was worse than any other hurricane. The destruction is indescribable.

I want to mention in addition to the men from Keesler Field, the men from the Third Army Engineers Battalion, the Seabees. More than 1,000 of them came there. The people were amazed at the result of the training these men had received. The men were able to accomplish so much in so short a time.

The people in the area received help also from many of the men from one of the NASA facilities, men who resided in one of the other counties. Their county happened to be outside of the storm area. However, many of those men lost their own homes.

These men furnished splendid leadership.

I found that the Office of Emergency Preparedness, the disaster relief organization that is directly under the President of the United States, really has a fine and effective organization.

I know that Haakon Lindjord was before our Committee on Armed Services early this year on a matter of confirmation. I was impressed with him then. However, little did I dream that my State would be the first victim he would have to administer aid to on a large scale. He has shown unusual ability. He has a fine staff. His deputy, Mr. Russell, stayed there and gave advice.

We were visited by the Vice President of the United States and members of the House Public Works Committee, as well as several members of the Cabinet. All have shown the most wholesome interest that could be shown. Operating through very effective personnel, they have been a credit to their organization.

I wish I could speak with a little of the spirit that was so evident in the telethons held in Mississippi. There was more than one telethon in the State. I refer, however, to the telethon that Bob Hope held in his marvelous and matchless way. I saw one of the audiences there. The people of Mississippi were glued to their seats as they watched the telethon.

The telethon raised over a million and a half dollars in a little more than 12 hours by contributions that were either given at the telethon or were announced on the telethon. It was a tremendous example of people helping other people. It was one of the bright spots in our American history.

I very much appreciate the interest of the Senator from West Virginia and the Senator from Kentucky in the matter.

Mr. President, I introduce on behalf of myself, the Senator from Mississippi (Mr. EASTLAND), the Senator from Virginia (Mr. BYRD), and the Senator from Virginia (Mr. SPONG) a bill dealing with the same subject and ask unanimous consent that it be printed in the RECORD at the end of my remarks. It being of the same general substance and nature as the other bill that has been introduced, I ask unanimous consent that the bill be referred to the Senate Committee on Public Works.

The PRESIDING OFFICER. The bill will be received, by unanimous consent referred to the Committee on Public Works; and, without objection, the bill will be printed in the RECORD, at the conclusion of the Senator's remarks.

Mr. STENNIS. Mr. President, I have talked about how others have responded. It is now time for Congress to respond to the requirements of the situation. I hope and expect that Congress will do so quickly and effectively. We must do so. There are thousands and thousands of desperate people who can look only to us for the help they must have.

I want to illustrate the completeness of this destruction. I am not the begging type, and those people are certainly not the handout type.

In one of the counties, school was scheduled to start on Monday of this week. That entire county had only four schoolrooms remaining. There were no schoolhouses or buildings, but just four schoolrooms left in a condition in which to conduct school. It shows how totally devastating the hurricane was in the whole area of the county.

Those counties are highly in debt and heavily bonded. So are the school districts—the towns and cities—within them. Their revenue from the sales tax is cut off now. Throughout the county, there is no property to apply—not over half, anyway—to an ad valorem attachment. So there must be the long hands, I hope, of the State government and the Federal Government, through some kind of sound financing that will take care of situations such as this, not only to public credit but also to private credit.

I can say with confidence that I think the investment in that area of the Federal Government, in the way of loans, will be a good one and that loans, if administered carefully in the lending, eventually will be repaid with interest, which I hope can be at a smaller rate than the current rate.

Together with the Disaster Relief Act of 1966 and other existing legislation, my bill would give the Federal departments and agencies the ability to deal with the tragic situation that exists.

The bill draws in part on two measures which are now under consideration. I have drawn these aspects together in this bill so that the problem will be presented as a whole.

The bill provides that with respect to the disaster loan program under the Small Business Act, and the emergency loan program under the Farmers Home Administration Act, there may be canceled up to $1,800 of loans in excess of $500, or interest waived for 3 years up to $1,800. These authorities were provided in the case of Hurricane Betsy on the gulf coast in 1965.

Loans to homeowners and businesses would be authorized whether or not financing is available from private sources, and a higher ceiling would be established for business loans. Forgiveness is provided for in existing loans where the same property destroyed by Hurricane Betsy in 1965 was again destroyed by Camille 4 years later.

Shelter for disaster victims is authorized, as is a food stamp and surplus commodity program, unemployment assistance, and grants for removal of debris from private lands when necessary for health and safety. These provisions are from S. 1685, disaster relief, considered by the Senate earlier this year, and now in conference.

One of the most critical conditions in the Camille disaster area concerns the financial situation of local governments. At the time their expenses are the highest, their tax base has been largely destroyed and their sales tax revenues are gone. The bill authorizes certain grants and funds for renewals of bonds or equivalent public debts or expenses.

Essential to the recovery of the disaster area is the restoration of roads and streets. The Highway Act of 1968 establishes steps that can be taken in the primary system. The bill submitted today authorizes matching funds for repair or reconstruction of the non-Federal-aid systems.

There is widespread devastation of agricultural crops of all kinds. A substantial portion of our tung and pecan orchards are destroyed. Further, our timberlands have been cruelly hit. Over 1.8 million acres have been damaged. These agricultural aspects are best covered in a separate bill, so that it can be considered as an entity by the Agriculture and Forestry Committee.

I consider it essential that hearings be held in considering the legislative provisions to be established for the Camille disaster area. From the facts developed in the hearings can be gaged the precise terms of the measures that should be taken.

I am requesting hearings on this bill, because I believe that is the only way in which we can delineate the need and find a sound remedy. I hope the hearings can be held soon, so that we may go

briskly about the business of doing all that is in the power of this body to give help to those who must have it. I wish that all my colleagues could see the utter devastation that exists. They would, I know, share my sorrow and my motivation for effective haste.

I assume that Representative WILLIAM COLMER, whose district was most affected, will introduce a bill similar to this in the House of Representatives. Representative COLMER spent approximately 10 days in that area with the people. He lives in the area, where he has always lived, and he has had a great deal to do with the building up of that fine area of our State. I told him that he would have to stay on now and rebuild it; and I know he will do more than his part.

Mr. President, again I emphasize my interest in the destruction suffered by other areas of the country, the devastation suffered by the fine people of Virginia, who were caught without any warning, as I understand. I see the Senator from Virginia (Mr. BYRD) in the Chamber, and I know that he will have some comments.

I wish to make one other point, Mr. President. In spite of the fine work done by those in charge of tracing these hurricanes, in spite of some excellent work they did in a timely way, we certainly need more attention to be given to this facility of the Government.

When the plane was sent into the eye of the storm to take its readings and the pilot flew back out and reported the readings, they were so high that it was thought an error had been made, and the pilot was asked to fly back in again and retake the readings, which he did. When he came out with the same readings the second time, they knew that great trouble was ahead.

This storm, I am informed, originated over Africa, as a violent rainstorm, and moved westward clear across the Atlantic, and grew as it went. It almost came in contact with Cuba and then changed its direction and came up into the gulf coast area. It passed over the remainder of our State without substantial harm, except to the two or three county links at the coast, and then hit again; and we know what the devastation was in Virginia in the form of rain and flash floods.

Mr. President, I appreciate the indulgence of the Senate, and I know we will have proper treatment for this bill.

Mr. BYRD of Virginia. Mr. President, my heart goes out to the many thousands of victims of this great tragedy. This tragedy struck a large area of our country.

The distinguished Senators from Mississippi have just detailed the tremendous damage that has been done in that area. In my home State of Virginia we caught the backlash from this hurricane, and tremendous damage and great loss of life occurred in the State of Virginia.

I join with the distinguished Senator from Mississippi (Mr. STENNIS) in introducing a measure today, and I join also with the distinguished senior Senator from Mississippi (Mr. EASTLAND) in the measure he has introduced. I feel it is very important that hearings on both these proposals be expedited.

This was a widespread natural disaster—for certain areas of the Nation, the greatest disaster in their history. This is a situation to which I feel Congress is obligated to address itself.

So I support the proposals put forth by the Senators from Mississippi.

I feel that the victims of this natural disaster need and should have the support of the people of the United States, acting through their elected representatives in Congress.

Mr. STENNIS. Mr. President, I ask unanimous consent that the name of the distinguished Senator from South Carolina (Mr. THURMOND) be added as a cosponsor of the bill I have introduced.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2854) to provide assistance for the disaster area of Hurricane Camille, introduced by Mr. STENNIS, for himself and other Senators was received, read twice by its title, referred to the Committee on Public Works by unanimous consent, and ordered to be printed in the RECORD, as follows:

S. 2854

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby recognizes that the States of Mississippi, Louisiana and Alabama suffered extensive damage, property loss, and loss of human lives as a result of Hurricane Camille in 1969, including wind and water and other damage, and that special measures are necessary to aid and accelerate the efforts of these States to rehabilitate the devastated areas.

SEC. 2. In the administration of the disaster loan program under section 7(b) of the Small Business Act, as amended (15 USC 636(b)), in the case of property loss or damage resulting from Hurricane Camille in 1969,

(a) The Small Business Administration, to the extent such loss or damage is not compensated for by insurance or otherwise,

(1) shall at the borrower's option on that part of any loan in excess of $500 cancel (A) the interest due on the loan, or (B) the principal of the loan, or (C) any combination of such interest or principal, except that the total amount so cancelled shall not exceed $1,800 and (2) may defer interest payments or principal payments, or both, in whole or in part on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

(b) Any application for a loan thereunder in an amount of $30,000 or less in the case of a homeowner, or $100,000 or less in the case of a business concern, may be granted, if such loan is for the repair, rehabilitation or replacement of property damaged or destroyed, without regard to whether the required financial assistance is otherwise available from private sources.

(c) In those communities which are determined by the President to have suffered destruction of businesses in Hurricane Camille in 1969 to the extent that employment opportunities are substantially impaired, the Small Business Administration is authorized to increase the amount of a loan to a business concern, under the provisions of Sec. 2(b) above, to $300,000 for a direct loan or for the Small Business Administration share of a participation loan.

SEC. 3. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 USC 1961–1967), in the case of property loss or damage resulting from Hurricane Camille in 1969, the Secretary of Agriculture shall at the borrower's option on that part of any loan in excess of $500 cancel (A) the interest due on the loan, or (B) the principal of the loan, or (C) any combination of such interest or principal, except that the total amount so cancelled shall not exceed $1,800 and (2) may defer interest payments or principal payments, or both, in whole or in part on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

SEC. 4. In the administration of the loan programs of Sections 2 and 3 above, in the event the existing loan is for repair or replacement of property loss or damage which resulted from Hurricane Betsy in 1965, to the extent such loss or damage is not compensated for by insurance or otherwise, the interest due on the loan and the principal of the loan shall at the borrower's option be cancelled in its entirety.

SEC. 5. (a) The President is authorized to provide dwelling accommodations for any individual or family whenever he determines—

(1) that such individual or family occupied a house (as an ower or tenant) which was destroyed, or damaged to such an extent that it is uninhabitable, as the result of Hurricane Camille in 1969; and

(2) that such action is necessary to avoid severe hardship on the part of such individual or family; and

(3) that such owner or tenant cannot otherwise provide suitable dwelling accommodations for himself and/or his family.

(b) Such dwelling accommodations, including mobile homes, as may be necessary to meet the need, shall be provided through acquisition, acquisition and rehabilitation, or lease. Dwelling accommodations in such housing shall be made avaialble to any such individual or family for such period as may be necessary to enable the individual or family to find other decent, safe, and sanitary housing which is within his or its ability to finance. Rentals shall be established for such accommodations, under such rules and regulations as the President may prescribe and shall take into consideration the financial ability of the occupant. In cases of financial hardship, rentals may be compromised or adjusted for a period not to exceed twelve months, but in no case shall any such individual or family be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a disaster) which is in excess of 25 percentum of the individual's or family's monthly income.

(c) In the performance of, and with respect to, the powers and duties conferred upon him by this section, the President may—

(1) prescribe such rules and regulations as he deems necessary to carry out the purposes of this section;

(2) exercise such powers and duties either directly or through such Federal agency or agencies as he may designate;

(3) sell or exchange at public or private sale, or lease, any real property acquired or constructed under this section;

(4) obtain insurance against loss in connection with any such real property;

(5) enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority with respect to any such real property; and

(6) include in any contract or instrument made pursuant to this section, such conditions and provisions as he deems necessary to assure that the purposes of this section will be achieved.

SEC. 6. Notwithstanding any other provision of law, mobile homes provided under provisions of Sec. 5 above may be sold directly to the persons who are the occupants thereof at prices that are fair and equitable.

SEC. 7. The President is authorized to provide to individuals unemployed as a result of Hurricane Camille in 1969, such assistance as he deems appropriate while they are unemployed. No individual who is receiving unemployment compensation or the proceeds of private income protection insurance shall be eligible for such assistance. Such assistance as the President shall provide shall not exceed the amount and the duration of payments under the unemployment compensation program of the State in which the disaster occurred.

SEC. 8. For those communities which are determined by the President to have suffered a substantial loss of tax base in Hurricane Camille in 1969, the President is authorized for a period of one year beginning on the date of enactment of this Act to provide grants to meet payments becoming due on public bonded indebtedness or equivalent public debts or expenses. For a period of two years thereafter the President is authorized in such cases to provide grants to underwrite a renewal of such bonds or debts and the payment of interest thereon.

SEC. 9. (a) When as a result of Hurricane Camille in 1969, the President determines that low-income households are unable to purchase adequate amounts of nutritious food, he is authorized, under such terms and conditions as he may prescribe, to distribute through the Secretary of Agriculture coupon allotments to such households pursuant to provisions of the Food Stamp Act of 1964 or as said Act may be amended and to make surplus commodities available pursuant to the provisions of Section 3 of Public Law 875 of the Eighty-first Congress.

(b) The President is authorized to continue through the Secretary of Agriculture to make such coupon allotments and surplus commodities available to such households so long as he determines necessary, taking into consideration such factors as he deems appropriate, including the consequences of Hurricane Camille on the earning power of the households to which assistance is made available under this section.

(c) Nothing in this section shall be construed as amending or otherwise changing the provisions of the Food Stamp Act of 1964 except as it relates to a Presidential determination regarding availability of food stamps in the disaster area of Hurricane Camille.

SEC. 10. There is authorized to be appropriated for the period beginning on the date of enactment of this Act and ending on June 30, 1970, not to exceed $60,000,000 for allocation to the states of Mississippi, Louisiana and Alabama by the President for the permanent repair and reconstruction of those permanent street, road, and highway facilities not on any of the Federal-aid systems, which were destroyed or damaged as a result of Hurricane Camille in 1969. No money shall be allocated under this section for repair or reconstruction of such a street, road, or highway facility unless the State or local agency of government agrees to share equally with the United States all such costs of repair or reconstruction.

SEC. 11. The President is authorized to make grants to any State or political subdivision thereof for the purpose of removing debris deposited on privately owned lands as the result of Hurricane Camille in 1969 which has created conditions hazardous to health and safety.

ORDER OF BUSINESS

Mr. EAGLETON. Mr. President, I ask unanimous consent that I be allowed not to exceed 10 minutes for the completion of my remarks on the subject of Vietnam.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE SAIGON POLITICAL FARCE

Mr. EAGLETON. Mr. President, as the Vietnam tragedy continues, the American public has been treated to yet another act in the Saigon political farce.

President Thieu's crony and handpicked Premier, Gen. Tran Thien Khiem, recently summed up the actions of the Saigon regime—and, many would argue, the policies of the Nixon administration—when he stated:

> Vietnamese democracy is becoming like American democracy. We discuss all possibilities, and then do mainly what we had been doing.

The most recent Cabinet reshuffle provides an excellent illustration of this principle.

Amidst hopeful speculation that he would finally take much-needed and long overdue action to broaden the Saigon regime's political base by including many of the diverse and still unrepresented elements of South Vietnam, President Thieu failed to do so.

In fact, President Thieu seems intent on narrowing his base of support by making personal loyalty to him the primary prerequisite for holding government office.

Last week he replaced moderate civilian Tran Van Huong with his close friend and stanch supporter, Gen. Tran Thien Khiem. Thus, General Khiem joins General Thieu and Air Marshal Ky to complete the ruling military triumvirate.

The announcement of the new Cabinet last Monday was even more disappointing.

President Thieu has apparently decided to add more members of his Cabinet in lieu of genuinely broadening representation in it. The new 31-man Cabinet—33 including Thieu and Ky—is the largest in the 14-year history of South Vietnam. However, it includes no representative of the non-Communist opposition in the South, nor any leaders of the important but unrepresented An Quang Buddhists. The military still retains control of the key ministries—interior and defense and rural development.

By selecting yet another military man as premier and failing to appoint a more representative Cabinet, the Saigon regime has diminished the prospects for a compromise solution to the war.

These two politically regressive acts by the Saigon regime over the last several weeks suggest that instead of preparing for the political competition which must come if the war is to end, it is content to remain a military regime with little popular support.

Unfortunately, the Nixon administration has almost simultaneously taken a similar backward step by postponing further troop withdrawals indefinitely.

These acts raise the possibility that both Saigon and Washington are once again off on the illusive, treacherous and bloody quest for military victory.

The American public has heard Government officials time and again declare that "the corner has been turned," or "the light is now visible at the end of the tunnel"—cliches served up to justify the pursuit of military victory. Now, once again, they are heard in Saigon from people who have been repeating the same thing for years.

Messrs. Thieu, Ky, and Khiem know that as long as American military support is assured they need not broaden their base. President Thieu indicated the extent of his confidence in continued U.S. backing by announcing, upon his return from a Midway meeting with President Nixon, that anyone who suggested a coalition government would be severely punished. The new Cabinet is the most recent indication of Saigon's confidence in our power and support, and its betrayal of our most precious political ideals.

Until it is clear that the United States is not in Vietnam forever, Thieu, Ky, and Khiem will continue to head an unrepresentative and unresponsive government—neither deserving nor capable of commanding the allegiance of its own people.

Mr. President, I spoke to this point on July 28 of this year, and I ask unanimous consent that excerpts from my remarks be placed in the RECORD at this point.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). Without objection, it is so ordered.

The excerpts, ordered to be printed in the RECORD, are as follows:

> We are constantly told that, if the United States withdraws from Vietnam too rapidly, South Vietnam will fall. There will be no negotiated settlement, only capitulation.
>
> Without belaboring history, I believe it is time to ask, "Why is this so?"
>
> The preeminent reason is that today, as before, the government of South Vietnam remains unrepresentative and unresponsive to the aspirations, both national and personal, of the vast majority of the Vietnamese people. It is composed of a military and social elite—an elite all too often engaged in the pursuit of personal gain and advantage, rather in the quest for social justice and reform. It is a government of Catholics, in a land of Buddhists—of emigrees from the North in a land of strong regional loyalties—of military men in a land where the military has not been held in high regard—of men who fought for the French against their own people in a land where anticolonialism prevailed—and of men once again dependent on the force of arms of a foreign government in a land engulfed by the ferment of nationalism.
>
> For over 14 years, the United States has bought time for the governments of Diem, Minh, Tho, Khanh, Huong, Oanh, Quat, Ky, and Thieu. Time has not been purchased on the cheap. The cost is over $100 billion, nearly 40,000 American lives, over 200,000 wounded or maimed, and a cost in human suffering to the Vietnamese themselves which is unmeasurable.
>
> And yet these successive governments have failed to afford political representation to the many diverse elements that make up South Vietnam's population; more importantly, they have failed to respond to the needs of the people. Past governments as well as the present have made numerous and grandiose promises and proposed a myriad of programs. Yet in land reform, in refugee relief, in rural development, in curbing corruption and inflation, the record is clear. The challenges are unmet.
>
> Of all these deficiencies, none is more glaring than the failure of the Thieu government to broaden its base of support to include various neutralists who are not pro-Communist, but pro peace.

We cannot continue to pin American hopes for a free Vietnam on the narrow, restricted base of President Thieu and Vice President Ky. To do so is to prolong the killing and to insure, ultimately, that Vietnam will become Communist. If the neutralists are continually frozen out and their leaders jailed, we are signing in advance the death warrant for any type of non-Communist government in South Vietnam.

We must face the fact, Mr. President, that it is power—mainly American power—and not legitimacy derived from the consent of the governed, that makes public policy in South Vietnam. We have great power in South Vietnam to grant or to withhold, and Messrs. Thieu and Ky know it.

I think we have the right to insist that the thousands of neutralists confined in jail be released, and that the censored press be unshackled—now.

This strategy is not new. President Eisenhower recognized the legitimacy of withholding support if reforms were not instituted.

So did President Kennedy and Johnson.

As President Eisenhower stated on October 23, 1954, in his original commitment of aid to South Vietnam:

"The purpose of this offer is to assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means. The Government of the United States expects that this aid will be met by performance on the part of the Government of Vietnam in undertaking needed reforms. It hopes that such aid, combined with your own continuing efforts, will contribute effectively toward an independent Vietnam endowed with a strong government. Such a government would, I hope, be so responsive to the nationalist aspirations of its people, so enlightened in purpose and effective in performance, that it will be respected both at home and abroad and discourage any who might wish to impose a foreign ideology on your free people."

Unfortunately, to be effective a threat requires a willingness to act. We have been tested and found unwilling."

Mr. EAGLETON. Mr. President, I concluded at that time:

Unless and until we are willing to take the final step of withdrawal if reforms are not instituted, the small, elite group of Vietnamese running a government distinguished primarily by its corruption, repression, and inefficiency will continue to exercise great control over American lives, American wealth, and American destiny.

Such dictation of American policy must end.

This can be done by explicitly and categorically stating our commitment to a reasonable but unequivocal timetable, similar to the so-called Clifford formula, for the withdrawal of all American combat troops from Vietnam while at the same time demanding that the Saigon government be broadened to include the many diverse and still unrepresented elements of South Vietnam.

If the second demand is met the United States should continue its orderly withdrawal on schedule. Such a course of action is not without uncertainties and dangers:

The Saigon regime may not be able to respond quickly enough to win the support of its people.

Even with massive American material aid, it may not be able to fight its own war.

But as John F. Kennedy said of the Vietnamese over 6 years, $100 billion, and 200,000 American casualties ago:

In the final analysis, it is their war. They are the ones who have to win it or lose it.

It is time to heed that wise counsel.

If, however, the Government of Vietnam, after a reasonable amount of time has elapsed, refuses to take the necessary steps toward reform and accommodation, refuses to give representation to the unrepresented, continues to be controlled by a military and social elite for the betterment of that elite, the United States should withdraw with all possible speed, consistent with the safety of American troops.

This position must be made clear to the rulers in Saigon. If it is impossible for our present Ambassador to South Vietnam, Ambassador Bunker, to convey these demands to the Thieu, Ky, and Khiem regime, he should be replaced by someone who can.

To send another 5,000 to 10,000 American boys to their deaths and countless thousands more to be maimed in the cause of protecting the present regime is unconscionable.

I believe the American people now recognize the wisdom of such action, and the folly of shedding more American blood in a futile war, in a distant land, in a cause betrayed by Saigon's leaders themselves.

Mr. President, recently the Washington Post published several articles from Vietnam written by Joseph Kraft. Also, the New York Times printed an interview of Ambassador Averell Harriman by Hedrick Smith. I believe that these articles are important and germane at this time, and I ask unanimous consent that they be printed in the RECORD.

Mr. President, I also ask unanimous consent to have printed in the RECORD several articles of recent vintage pertaining to this matter: An editorial entitled "Double Trouble in Vietnam," published in the New York Times of August 25; an article entitled "Thieu Lagging in Effort To Unite Land, Bar Reds From Postwar Power," published in the Wall Street Journal on August 29, 1969, and an article entitled "Thieu Reshuffles Without Broadening," published in the New York Times on August 31, 1969.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Aug. 19, 1969]

THIEU FAILS TO PUT TOGETHER BROAD SPECTRUM OF SUPPORT

(By Joseph Kraft)

SAIGON.—President Nguyen Van Thieu of South Vietnam may well be, as President Nixon suggested, one of the four or five best politicians in the world. Which is all the more reason why his recent efforts to put together a new cabinet here in Saigon inspire fresh misgivings about Vietnam.

For Presdent Thieu is not coming anywhere close to gaining the broad range of political support he has been seeking. On the contrary, his performance suggests that even the most skillful leadership cannot generate from the present advantageous military conditions an enduring political pay-off.

The South Vietnamese president began his efforts to rebuild his cabinet with a formal announcement on July 19. At that time there was no doubt about his objectives and little doubt about the course necessary to reach them.

The prime objective was to regroup all the non-Communist elements in South Vietnam behind his government. To that end, there was adumbrated a program that, in effect, stole the Communists' clothes. It included various social measures, such as land reform, tax reform and administrative decentralization. It featured a peace offensive—various new initiatives for composing differences with the other side, such as release of political prisoners and, perhaps, a proposal for a cease-fire.

As a reward for backing that program, distinguished personalities in the country were to be given places on a special advisory council to the president. Vietnam's political parties would have their leaders taken into the cabinet—hitherto a collection of technicians under the mandarin leadership of Premier Tran Van Huong. Local village chiefs and hamlet leaders would gradually be given more of the administrative authority now vested in the army.

But efforts along these lines encountered immediate opposition. Emphasis on returning local administrative duties to civilian leaders was opposed by powerful elements of Gen. Thieu's own power base—the army. The peace offensive idea aroused misgivings among the Catholics who comprise the heart of his support in the legislature.

The most eminent personalities—the Buddhist leader Thich Tri Quang, the former chief of state Gen. Duong Van Minh, the former economics minister Au Truong Thanh, the former general and present Senate leader Tran Van Don—were not attracted by the prospect of association with the Thieu regime.

Prime Minister Huong, with backing from the American Embassy and the help of a mysterious spy case that tended to weaken President Thieu and his advisers, clung tenaciously to office. And with the chief plum not up for grabs, there was even an abatement in the appetite of party leaders for participation in the new cabinet.

In these conditions, President Thieu's closest associates began knocking the cabinet reshuffle even before the final results had been announced. Nguyen Van Huong, Thieu's chief political adviser, in an interview with this columnist disparaged the leaders of Vietnam's political parties as men "who sought office before they had followers."

President Thieu's minister of interior and closest army buddy, Gen. Tran Thien Khiem, observed that "Vietnamese democracy is becoming like American democracy. We discuss all possibilities, and then do mainly what we had been doing." And Tran Van Lam, one of Thieu leaders in the Senate, implicitly wrote off the whole cabinet reshuffle as a kind of charade played out to make Americans feel better.

"Democracy with peace," he said in an interview, "is not so hard. Dictatorship with war is not so hard either. But democracy with war is practically impossible. Still that's what the Americans want, so that's what we try to give."

In fact, the failure to make a glowing success of the cabinet reshuffle is not all that innocuous. For it expresses the utter fragmentation of South Vietnamese opinion caused by the war, a splintering of views into bits and pieces too scattered and incongruous to be reassembled into organized blocs.

While the war goes on, there is no decisive political majority in Vietnam, nor even any cement for such a majority. And the notion that stable government with popular support can be achieved before a settlement with the

other side is an illusion—perhaps the last illusion, and the most painful to shed, still left to American officials.

[From the New York Times Magazine, Aug. 14, 1969]

HARRIMAN SUGGESTS A WAY OUT OF VIETNAM

Governor, you've talked many times about the idea of a Southern solution in Vietnam. Is this just a polite way of saying that in the end we're going to have to settle for a coalition which includes both Saigon elements and the National Liberation Front?

HARRIMAN. I don't know what's going to come out of it. I'd always hoped we could get the people from Saigon together with the N.L.F. and put them in a room and lock the doors and throw away the key until they came out with a decision.

We had arranged—or at least we thought we had, Cy Vance and I—that we would have private talks, the four of us together, right after the first open meeting.

This was last November in Paris?

HARRIMAN. Yes, after the end of the bombing and after we had agreed on the procedures for four-party talks with the South Vietnamese Government represented. In fact, it was so clear that we would have four-party private talks that the North Vienamese asked if it would be possible for us to continue sometimes to have bilateral talks. I said: "Well, of course it would be, because we must have many subjects of mutual interest."

It hasn't worked out that way; both sides have been rather cautious about being unwilling to talk to each other, and it shows that each side is a bit afraid of the other. But one of the things that's absolutely essential is that the Saigon Government must broaden its base. It's not a very good negotiating team for the future of the South Vietnamese people when it represents such a narrow group.

You mean it should include many other elements, even progressives like the leftist Buddhists?

HARRIMAN. Yes. There are a number of different groups. I'm quite convinced that by far the majority of the people don't want to be taken over by the Vietcong or Hanoi; they want to be independent. The trouble is they're split a dozen different ways, and no one has been able to bring them together.

President Diem was not able to do so. That was the reason for his fall. And he got too arbitrary, put too many people in jail. And this Government is putting a lot of people in jail. I was rather startled when I heard President Thieu, coming back from meeting President Nixon at Midway, announce that he was going to punish severely anyone who suggested a coalition government.

Well, our position has been that we're not opposed to a coalition government. You remember I said in Paris a number of times that we would not impose it. We were not against it, but we would not impose it. We were against a government's being imposed either by Hanoi or by Washington.

How do you distinguish between broadening the base of the Thieu Government and what Hanoi and the N.L.F. call forming a "peace cabinet"? Are you suggesting we have to dispense with the Thieu regime?

HARRIMAN. No, I'm not. We've been urging Thieu to broaden the base, and he did to some extent when he brought in Tran Van Huong last year as Premier, and then others, but he didn't really bring together a coalition of all the anti-Vietcong forces. There are different groups, different sects, religious groups. There are two techniques, and both should be used. One is to bring in ministers that are representative of different groups, get a coalition that way. Another, possibly better technique, is to have what they once had, which is a council of notables. They could get some fellow who had great popular appeal—Big Minh,[1] for instance—to be chairman, and have it a consultative group, bring in everybody. Now, it couldn't be just a front; it would have to be consulted. Thieu would have to give up some of his arbitrary positions; he would have to really consult these people as to the kind of settlement they wanted to have.

We've been trying to persuade Thieu to broaden the base, but we've never really put heat on him, and I think that is something that ought to be done; I say put the heat on him and make him understand that this is essential for our support. I think he'd do it then.

I'm afraid that I would disagree with what the Embassy people think is enough. Some people think it's enough that he reshuffle the Cabinet and bring in two or three people who belong to certain different groups. I think he's got to bring them all into something like this council of notables, all the non-Communist groups.

There'd be some very vigorous differences of opinion between these groups, of course. But if Thieu cannot dominate the non-Communist groups, there's not much hope—is there?—for his surviving as a leader in his country, because the other side has no use for him. Thieu has been a very shrewd operator, but he hasn't got the appeal that a fellow like Big Minh has.

Do you think that broadening the base of the Saigon Government would break the present stalemate in the Paris talks, or do you think other steps are necessary?

HARRIMAN. I don't think that we'll ever come to serious negotiations until we're ready to accept the status quo, militarily and politically. The other side made it quite plain to us that they'd continue fighting as long as we continued fighting. This seems rather natural to me. If you're going to try to make a settlement you've got to accept the status quo.

I think that we ought to abandon our efforts to expand the pacification program into new areas. That's an attempt by the Saigon Government, with our support, to improve their position, to get control of more villages which were rather doubtful or were under V.C. control. As I recall it, in December, half of our combat forces were engaged in that operation. So it was a quite important activity.

But the principal object would be for our forces to go into more defensive positions, to be available if the other side attacked, but not to try, at the last minute, either to "win the war" militarily or to pacify the people. You know, there's great hope in the Embassy in Saigon that in a few more months they can do a good deal in pacification. I have grave doubts about the permanent value of this procedure.

What's more important is to consolidate our position in the areas clearly controlled by the Government, and that means getting more of the people back of the Government in the manner that I described. That has to be done or the future elections will be quite unfortunate.

You seem to imply that recognizing the political realities means recognizing that the other side is going to have a share of the political power in the South as part of any settlement. Otherwise, they won't have any interest to stop fighting.

HARRIMAN. That's right. How it can be achieved is very hard. There are certain countries that have survived with an active, vigorous Communist party. In France and Italy, for instance, you have strong Communist parties in opposition to the Government. In Finland, the Communist party is participating in the Government. There are others that were not successful in withstanding this. In the Western European countries, a number of them had Communist participation in government for a short period but the non-Communist forces were strong enough to throw them out.

[1] Maj. Gen. Duong Van Minh, a leader of the 1963 coup that overthrew the regime of President Ngo Dinh Diem. Minh was in exile in Thailand until last fall and since then has been living quietly in Saigon.

[From the New York Times, Aug. 25, 1969]

DOUBLE TROUBLE IN VIETNAM

President Nixon's deferral of a decision on another major American troop withdrawal from South Vietnam and President Thieu's choice of a General to replace a civilian as Premier are poor auguries for peace.

President Thieu is not only disregarding Washington's advice that he broaden his government—essentially a military regime with civilian window dressing—but is putting another uniform into the window. The new Premier, Gen. Tran Thien Khiem, is the country's highest ranking general and an excellent administrator. He may strengthen the government's competence and Mr. Thieu's support within the Army officer corps. But his appointment puts a third officer alongside General Thieu and Vice President Ky at the top of the state.

The fact that General Khiem is a southerner and a Buddhist can be useful, since northerners and Catholics now are visible in high places for a regime governing predominantly Buddhist South Vietnamese. His appointment suggests that President Thieu is more interested in consolidating control of the Saigon military junta and the country's administrative machine than in widening his government's political appeal. It suggests preparation for continued war rather than for the approach of peace, and amounts to a statement that competent civilian leadership cannot be found. This runs counter to the direction of peace as Washington sees it.

In view of Saigon's position, President Nixon could have strengthened his policy of phased unilateral withdrawal of American combat troops from South Vietnam, turning over the responsibility for defending the country to the South Vietnamese. Instead, he now gives the impression of becoming an instrument of the Saigon regime, which opposes further American withdrawals at this time, and of the shifting military tactics of Hanoi.

The Nixon withdrawal policy was an American decision, not necessarily related to what Hanoi or Saigon wished or did. The rate of withdrawal was to be related to three criteria: the speed with which the South Vietnamese could take over combat responsibilities; the level of enemy military activity; the degree of progress in the Paris peace talks.

Secretary of State Rogers indicated last week that enemy-initiated military action remained below normal, despite the brief upsurge that punctuated the summer lull August 11 and 12 and sent American casualties rising. Mr. Rogers said he favored "sensible risks for peace," implying that American troop withdrawals would continue unless a major Communist military offensive developed. President Nixon's decision to delay is not likely to spur Saigon to take on added responsibility.

What is now needed is not a halt in American troop withdrawals but their continuation, linked with proposals for de-escalation of the fighting, and negotiation of a standstill ceasefire. The likelihood of de-escalation and the speed of Saigon's take-over of American combat responsibilities will be improved when it becomes clear that American policy is no longer to expand the area of Saigon's control but to settle for the territorial status quo.

[From the Wall Street Journal, Aug. 29, 1969]

AFTER THE WAR: THIEU LAGGING IN EFFORT TO UNITE LAND, BAR REDS FROM POSTWAR POWER—VIETNAM PRESIDENT REFUSES TO ADD MEN FROM CHURCH, OTHER PARTIES TO HIS RULE—IS THERE A LOYAL OPPOSITION?

(By Robert Keatley)

SAIGON.—Richard Nixon rates South Vietnam's president Nguyen Van Thieu as one of the four or five best politicians in the whole world, a "very capable guy" who should not be underestimated.

Maybe so. By merely surviving two years in office, the former general has outperformed most of his predecessors. Mr. Thieu has also launched a few social reforms and brought about improvements of the South Vietnamese army and militia forces. Equally important, he has made it permissible to discuss out loud here the prospects of peace and negotiations—topics previously banned for fear of destroying Saigon's morale.

But now the dapper Mr. Thieu is facing perhaps his most important political challenge, and many here rate his performance deeply disappointing—no matter what Mr. Nixon may think. The task: Broadening the appeal of his now-unpopular regime for an eventual political show-down with the National Liberation Front over the right to rule this weary land when the war ends. The results to date: Minimal, and in some ways negative, as President Thieu's usual caution and suspicion continue to dominate his political maneuvering at a time when many believe bold leadership is essential.

The opportunity to provide it exists. Six weeks ago Mr. Thieu began a cabinet reshuffle designed to increase his regime's popularity and effectiveness. It's widely wished that this new government include representatives of leading political and religious groups along with the "technocrats" Mr. Thieu prefers. But the shuffle is painfully slow, and its direction is not encouraging. The only decision to date has been selection of a Thieu army crony as prime minister.

THE BASIC ISSUE: SURVIVAL

For many Vietnamese, all this is not only unacceptable but downright dangerous. "We need cooperation of all major political and religious groups behind some practical reform program," says Sen. Dan Van Sung, one of Saigon's most respectable politicians, who is trying to help Mr. Thieu win new mass support. "But we are not moving fast enough."

Speed is necessary because the basic issue is survival. Most analysts here consider an eventual overt political struggle between Saigon and the Communists to be unavoidable, making non-Communist unity more important than ever. This struggle could evolve in many ways—for example, through the national elections proposed by the Allies (so far rejected by North Vietnam), or in the wake of unofficial local agreements between the warring sides. Likewise, the timetable remains anyone's guess; to date Hanoi spurns Allied overtures toward cease-fire and political settlement.

But the belief grows that eventually, perhaps soon, Communists and non-Communists will compete for political power by less warlike means than at present. And without more popular support than it now enjoys, and without better organization, the Thieu government may lose this battle to the more dedicated and highly disciplined Communist minority, many people here fear. If so, this could make the American experience here—so costly in lives, materials and money—one long wasted effort.

SOME SQUABBLING LITTLE PARTIES

Mr. Thieu pays lip service at least to this argument. The announced purpose of his current governmental shakeup is to bring in new blood, with broader political backing. He is nominally encouraging South Vietnam's squabbling little political parties to form united fronts so they will have more impact. He has even formed his own front by combining six tiny parties into a National Social Democratic Front, an alliance of hawkish politicians who are mostly refugees from the Communist North. In addition, the president has promised some basic social legislation, notably major land reforms.

But many consider these measures inadequate. Assuming the American withdrawal accelerates during months ahead, as promised by Washington, Saigon will be increasingly on its own—both militarily and politically. Yet Mr. Thieu seems unwilling to make relatively daring moves that might interest, perhaps even excite, the apathetic public whose support he will one day need in opposing the NLF. For many observers, last week's switch of prime ministers illustrates this point.

Fifteen months ago President Thieu appointed the highly regarded, if rather crochety, Tran Van Huong as prime minister. Mr. Huong, an eldlerly school teacher of Confucian principles, is widely respected for his integrity and learning, values revered by many Vietnamese. Once in office, he promised a crackdown on corruption and pledged other improvements. But he accomplished little, due to faint support from Mr. Thieu and to his own stubborn personality (he has an intense dislike of most politicians, for example). Thus, when President Thieu six weeks ago began searching for a new cabinet to improve his government's image, a change of prime ministers seemed possible if a suitable replacement could be found.

GENERAL KHIEM'S LIABILITIES

Mr. Thieu didn't look far. The other day he selected Deputy Prime Minister Tran Thien Khiem, a four-star general on active duty. Though undoubtedly more efficient than Mr. Huong, Gen. Khiem may likewise prove a political liability; many Vietnamese consider the general, whose present duties include command of the national police force, a somewhat sinister figure. It's alleged he has been overly zealous in arresting critics and otherwise squelching dissent.

In any case, Gen. Khiem certainly appears more flexible in some ways than the dignified Mr. Huong. Three years ago, the general was ambassador to Taiwan when Buddhist protests seemed ready to topple the Saigon regime. Gen. Khiem, originally a Roman Catholic, checked into a Taipei monastery and announced his sudden conversion to Buddhism, to the accompaniment of appropriate press releases. He still lists Buddhism as his religion, but he is hardly a favorite of the church, having jailed a leading monk and harassed politicians close to the Buddhist movement.

The general's new assignment illustrates Mr. Thieu's basic approach to reorganization, according to some analysts. "Despite what he says, Thieu considers it more important to be efficient than to be popular," says a foreign diplomat. "He won't appoint politicians whom he—often with reason—doesn't quite trust, when he can use military men or others whose loyalty he has wooed or purchased."

Thus the mostly military regime has orders to charge ahead with pacification, bringing more peasants under government control, in hope that economic and security benefits will lead to political support from farmers. This Thieu technique—supported by many senior Americans—avoids dangers of sharing real power with uncertain cohorts, while preventing restlessness among the generals whom Mr. Thieu needs if he is to stay in office.

THE "LOYAL OPPOSITION"

But whether the president can afford this rather mechanical approach is another matter. "How can you claim to have control of 84% of the people, or whatever?" a Vietnamese senator wonders, remarking: "This doesn't mean you control them politically, or can rely on their support." Warns Prof. Nguyen Ngoc Huy, a Paris peace delegate and deputy leader of the National Progressive Movement, "We need to develop political unity behind a national reform program, otherwise the Communists will take this country." Prof. Huy's movement, perhaps South Vietnam's most serious new political bloc, is trying to become a "loyal opposition" that can press the Thieu regime into adopting more popular political measures.

But this isn't easily done. "Loyal opposition" seems a contradiction in terms to President Thieu, whose Mandarin and military conditioning apparently make him regard others as either "loyal" or "opposition," but not both. Prof. Huy's organization efforts in Hau Nghia Province, for example, were halted by the province chief, an army colonel, who saw something subversive in them, though the movement has opened chapters in several other provinces recently. If President Thieu is to obtain mass support, critics contend, he must encourage, not merely tolerate, such groups even if they aren't completely under his control.

Others whom the president must woo, many believe, are the religious organizations, notably the An Quang Buddhists—remnants of the Buddhist force that once threatened the government. Still nominally led by the Venerable Tri Quang, whose shaved head used to be prominent in the world press, these Buddhists have lost much political clout but remain one of the few organizations that can legitimately claim mass support. Moreover, they sound rather conciliatory toward the government these days.

A visit to the An Quang pagoda, the group's headquarters, finds the Venerable Huyen Quang talking about possibly supporting a reformed Thieu government. "The church thinks it is about time we should settle personal differences and work together to build the nation," says the crew-cut Venerable, an official of the political and educational arm of the church. As messages crackle over an intercom connecting the monks' cells, and a small Japanese Sanyo refrigerator hums near his foam rubber bed, the Venerable says his branch of Buddhism has hardened its attitudes toward communism.

SENATOR DON'S POSITION

"In the past, we had strong reservations about the Vietcong," he says, "and these were confirmed by last year's Tet attacks. The Communists claim they executed only guilty people, but they actually killed many Buddhist cadres. They fear anyone who has prestige with the people."

Sen. Tran Van Don, an ex-general who has been prominent since the 1963 coup that overthrew the late President Ngo Dinh Diem, also argues that President Thieu must win support of religious groups. He claims that 10 million of South Vietnam's 17 million people belong to one of the four dominant faiths—Buddhist, Roman Catholic, Hoa Hao and Cao Dai—and that religious leaders have more influence with the people than do any public figures. "To create a strong government, he must have their support," insists Sen. Don.

But Mr. Thieu doesn't appear to see it that way. He has made no noticeable overtures toward the Buddhists or other major religions. Likewise, he shows scant enthusiasm for another Sen. Don suggestion, that of turning army veterans into a pro-government political force by creating their own organization and their own welfare benefits. Perhaps the president fears that ex-general Don, a potential rival, would gain stature if Buddhists and veterans increased their influence.

The president's resistance to political base-broadening is summed up by a key palace aide: "We are not going to let politicians par-

ticipate unless they are strong and competent. We are not just going to shuffle the old bunch around in order to get a new cabinet."

A PROUD BOAST

This is not an illogical approach. Many politicians have no more backing than that of a few friends and relatives, and are motivated only by dreams of personal gain. A round of interviews with leading political activists finds them repeating the cliches of bygone years about the need for "good men" who will "fulfill the aspirations of the people"—phrases Vietnamese politicos often substitute for hard work on basic organizing and specific programs.

Perhaps typical is a self-proclaimed leader of a Dai Vet Party faction whose proudest boast is that he has opposed every government in South Vietnam since 1954 and isn't about to support this one either. Over a cup of weak tea, he confides (off the record) that he will continue to "struggle" against Mr. Thieu, whom he considers a former lackey of the French and a present lackey of the Americans. He seems willing to talk about "struggling" for hours, as a servant repeatedly refills his teacup.

Small wonder that Mr. Thieu has little use for such politicians. But his critics argue that support by serious political organizations like Prof. Huy's, and the major religious groups is essential for any broad-based government. They express dismay at the president's reluctance to enlist this support at the risk of surrendering some power. "Now, is the time for us to more positive," insists the faithful Sen. Sung. "We need a policy that goes beyond simple anti-communism."

But simple anti-communism apparently remains the president's main political message. In a recent speech to village officials at a training center, Mr. Thieu warned, "The Communists sitting in Paris had better not look for a peace cabinet or a reconciliation cabinet." This hard line is echoed by an official sign planted throughout the country: A Coalition Government With the Communists Means Suicide.

[From the New York Times, Aug. 31, 1969]

THIEU RESHUFFLES WITHOUT BROADENING

(By B. Drummond Ayres)

SAIGON.—South Vietnam is going through another of its political upheavals and, as usual, the faces are changing but not the policies.

Gen. Tran Thien Khiem, a hard-nosed military man with a reputation for efficiency has taken over the Premiership from Tran Van Huong, a patriarchal figure who also can be hard-nosed but of late has acquired a reputation of inefficiency. A new Cabinet will be named within the next few days and it probably will represent a broader cross-section of political personages than were in the Huong Cabinet. But no one will be fooled.

Everybody knows that President Nguyen Van Thieu still runs the show here.

The upheaval was caused by a number of developments. Mr. Thieu was being pushed hard by the Americans to broaden his right-wing Government so that it would be more democratic and perhaps more acceptable to those Vietcong willing to compromise to end the war.

At the same time, Mr. Thieu found it necessary to make some shifts to keep the South Vietnamese military appeased. The generals were increasingly leery of all the talk of compromise, and the President, himself a former general, was only too aware of the trouble they could cause him.

TAKING STOCK

Finally, it was time once again to take stock of the various political factions and personages to see which counted most or least in the summer of 1969 and therefore deserved a bigger or smaller slice of the action.

In short, a Government re-balancing was needed. Without it Mr. Thieu could not hope to hold power for long because the key to his tenure had always been his careful playing off of friends and enemies.

Mr. Huong, on the other hand, felt no shuffling was required. A proud man with fixed, sometimes impractical views on running a nation, he balked at bringing in new faces. The Government, he argued, should be run by dedicated civil servants or "technicians," not politicians.

Thus, a governmental stalemate developed. It dragged on for two months and during that time many ministries almost ground to a halt.

Mr. Thieu demanded that Mr. Huong resign, not wanting to go through the embarrassment of firing him. The Premier refused, not wanting to lose face.

Mr. Thieu then began to put on new pressure. The legislative branch, which Mr. Huong always treated cavalierly and which Mr. Thieu was beginning to court, suddenly called for a new Premier.

Legislators rose to accuse Mr. Huong of inefficiency. They said he had failed to push through any significant social programs. Newspaper editorials charged that he had not cleaned up rampant corruption, although it was acknowledged that he himself was one of the most honest men in Vietnamese public life. He was blamed for rising food prices and low wages. And so it went.

STEPS ASIDE

Finally, Mr. Huong and Mr. Thieu reached an agreement. The Premier would neither resign nor be fired. He would simply "step aside."

There was a minimum of embarrassment for everyone. But there was no doubt that the agile Mr. Thieu had emerged triumphant from still another crisis.

The President and Mr. Huong have never been close politically. So it can be said that Mr. Huong's appointment as Premier 15 months ago represented a certain broadening of the Government. The President found him a good choice at that time because he was one of the most popular Vietnamese personages and brought a measure of balance to the regime, being a civilian, a Southerner and a Buddhist. Perhaps most important, he was a natural foil for the driving political ambition of Vice President Nguyen Cao Ky.

It can hardly be said that General Khiem's appointment represents any real broadening of the Government. Not only is he one of the President's closest friends but his sudden elevation adds a third military man to the ruling triumvirate, since Mr. Thieu and Vice President Ky are both former high-ranking officers.

This militaristic makeup worries the United States Embassy here. But General Khiem's reputation for efficiency—based on his service as an Ambassador to Washington and as Deputy Premier and Minister of the Interior in the Huong Cabinet—offsets some of that concern. Further, he undoubtedly will prove very useful in keeping the South Vietnamese military happy.

General Khiem's appointment, then, is a consolidation of power. Now all that remains is a parceling out of Cabinet jobs—not power—to the personages who, by latest assessment, seemed to count. The appointments will be used to balance and to buy off and the over-all illusion will be that the Government has been broadening.

Obviously, Mr. Thieu is not yet ready to move toward either real democracy or accommodation with the Vietcong.

THE AUGUST 18 NARCOTICS RAID IN WASHINGTON

Mr. McCLELLAN. Mr. President, we all have much to learn about the spread of crime in our society and about the law-enforcement measures that can be employed to arrest it. While we often speak of "trial and error" and of learning by our mistakes, I believe there is much we can learn from our successes as well. Unfortunately, major successes in the escalating war against organized crime seldom occur. But a very important battle was won recently here in the District of Columbia, and I would now like briefly to describe that case and to point up certain lessons we can learn from it.

The case to which I refer involves a series of narcotics arrests and seizures in the District of Columbia beginning on August 18 of this year. In February of 1969, agents of the Federal Bureau of Narcotics and Dangerous Drugs began the planning of a long-range investigation aimed at discovering the sources of "hard" narcotics being sold in the District of Columbia. They believed that an individual named Lawrence Jackson, a 33-year-old resident of Southeast Washington with a 1969 Lincoln Continental and no legitimate job, was a major wholesale supplier to retail peddlers and smaller wholesalers in Washington. With the aid of an informer, they arranged and made "buys" from Jackson of $750 worth of heroin found to be 88½ percent pure, and on another occasion $1,500 worth of heroin which proved to be over 65 percent pure. According to an affidavit filed by Narcotics Bureau Agent John F. Cody, in connection with the case, based on his 15 years of investigative experience—

> Narcotic drugs containing such high percentages of heroin can be obtained only from international sources or from major wholesale distributors who buy directly from such international sources.

Agents conducted extended surveillance of Jackson's headquarters, and, according to the affidavit, observed "a constant daily flow in and out of the premises by known narcotic dealers."

The agents then identified the telephone listed to Jackson's headquarters and, relying upon their "buys" and surveillance to establish probable cause, applied for a court order authorizing a wiretap on that telephone. On July 9, a 30-day wiretap order under title II of last year's Omnibus Crime Control Act was entered by District of Columbia district court Judge William B. Jones, and on August 7 it was extended for 2 weeks. Pursuant to that court order, agents recorded every conversation taking place over Jackson's line, and a special device called an "electronic dialing recorder" simultaneously printed out telephone numbers dialed from Jackson's telephone. On August 1, using information obtained through the Jackson wiretap—remember that wiretap was applied only on July 9—the agents obtained a court order for a wiretap on a second telephone located in northeast Washington and listed to a Mrs. Mary Davis.

Approximately 6 weeks after installation of the first wiretap, the agents had the necessary evidence and an opportunity to arrest three of Jackson's New York contacts in Washington. So, on August 18, 41 arrest warrants were obtained. Thirty arrests were made immediately, and four more had been made by August 27, leaving seven arrest warrants not yet served. Among those arrested were a lawyer, and a real estate

broker, a dentist, and a Metropolitan police officer.

Although the prosecutions resulting from this investigation have yet to be completed, and one must consider the contents of the affidavit and news articles as unproven allegations, still the case well illustrates the great utility of even title III's limited grant of wiretapping authority in cases apparently involving organized crime participation in grave felony offenses.

In the course of the Jackson wiretap, the narcotics agents allegedly overheard a large number of conversations in which Jackson arranged sales of wholesale lots of pure heroin, pure cocaine, and empty capsules. While evidence of the two "buys" made directly from Jackson might have been sufficient to establish his guilt of some offense, it was only through the wiretap that the agents were able to learn the vast scope of his operations and not only to identify his source of supply, but to develop evidence leading to the arrests of his suppliers. It is that latter contribution of the wiretap which is most impressive, since convictions of such high-level figures are exceptionally difficult to obtain and are the key to any successful attack on hard narcotics distribution. As Jackson said in one of the telephone conversations described in the affidavit, "after he met the 'big boys,' he started to make big money." More specifically, on July 19, Jackson was heard to say that he had renewed his supply of narcotics and had given $130,000 to persons he referred to as the "Italians."

The three New Yorkers arrested in Washington on August 18 are Enrico "Harry" Tantillo, Carmine "Carlos" Paladino, and Bobby Santorelli. According to the Special Agent Cody affidavit:

> Jackson and the three New Yorkers are members of an interstate narcotics network which arranges to receive narcotics smuggled into the United States and, thereafter, to transport the narcotics to regional suppliers who serve as central distributors to wholesalers and retailers of narcotics within each particular region.

Paladino is a convicted felon and Tantillo has a criminal record of charges for firearms and narcotics violations, corruptly influencing witnesses, and obstruction of justice. At the time of their alleged District of Columiba offenses, Tantillo and Paladino were awaiting trial on New Jersey charges of possession of a kilogram of cocaine. Both were identified as members of the Cosa Nostra "family" of Vito Genovese, in testimony given during our 1963 hearings on racketeering. According to the Cody affidavit, in the first half of 1969, Santorelli sold $7,600 worth of 80-percent and 64-percent pure heroin to an undercover agent in New York and told the agent that he "supplied high quality narcotics to out-of-town wholesalers." When Tantillo was arrested on August 18 in an apartment in the 1200 block of Massachusetts Avenue NW., half a kilogram of cocaine was found with him. On the same day, officers arresting Jackson found $4,600 cash on his person and $14,000 cash at his home.

Furthermore, this case illustrates the way in which the narcotics traffic and organized crime's involvement in it poisons our society and its institutions. The local branch of this operation was centered in Washington's Negro ghetto—it was that economically deprived area which was being further debilitated and crippled as the living death of hard narcotics use was promoted—and it was from that impoverished area that men like Paladino and Jackson was taking huge sums of money. As the use of hard narcotics flourished there, it contributed to the prevalence of other forms of crime and vice which long have been notorious in certain parts of Washington. As the Washington Star reported:

> The roundup . . . is believed to have caused a near panic among the city's addicts and a disruption in the normal rhythm of life among the constellation of junkies, hustlers and addict-prostitutes who populate 14th Street NW and environs.

Nor are we spared the spectacle of official corruption which ordinarily accompanies the operations of organized crime. According to the Cody affidavit, on August 8, a Metropolitan Police officer was overheard telephoning Jackson and warning him of narcotics squad operations directed against him.

When the Congress was considering whether to pass title III, one argument used by those opposing its enactment was that today criminals, especially those involved in organized crime, are careful not to use the telephone for plotting or committing crimes. The then Attorney General suggested that wiretapping was "neither effective nor highly productive." This narcotics case completely refutes that contention, as an argument against the use of wiretapping. It is true that in one conversation described in the Cody affidavit, on August 15, Jackson interrupted Paladino and told him not to state a certain telephone number over the phone. Seven hours later, though, one of Jackson's assistants used the same telephone in Jackson's presence to haggle over whether a purchaser would pay $750 or $850 for 18 "spoons," $1,500 for 36 "spoons," or $3,000 for one-eighth of a "key"—terms well known to narcotics agents as units of heroin or cocaine. Indeed, the Washington Post reported that most of the 1,000 calls a month made from Jackson's telephone concerned narcotics sales.

Mr. President, in a letter I received on August 26, 1969, from the Honorable Jack C. Landau, Director of Public Information in the Department of Justice, he stated:

> As you may have read, John Ingersoll, the Director of the Bureau of Narcotics and Dangerous Drugs, and Thomas Flannery, the United States Attorney for the District of Columbia, said that these arrests and seizures could not have been made without the aid of wiretapping devices approved by the Attorney General and authorized by the United States District Court for the District of Columbia pursuant to Title III of the Omnibus Crime Control bill.

Mr. President, it is most gratifying that the present administration has reversed the policy of the previous administration regarding wiretapping. The Washington Star described this raid as "the first one in recent years aimed at wiping out a major wholesale system in the city." Several years had passed without such a large and significant successful narcotics investigation in the District of Columbia; yet within 6 months after the Nixon administration announced its intention to make use of the authority given to it by Congress in title III, and less than 6 weeks after the wiretap was applied, the Justice Department, in cooperation with local authorities, had completed successfully this very major investigation. The winning of one battle does not insure victory in the war against organized crime. However, this particular battle is, in my opinion, important because it represents a first step here in Washington toward reversing the tide in law enforcement against organized crime and affords a fine example of cooperation between Congress and the Executive to fashion and make efficient use of most effective tools against the leaders in organized crime. It demonstrates that when those underworld bosses use drugs to bleed the energy and meager funds of citizens in the ghetto through an interstate conspiracy with a Negro traitor to his own people, and a policeman traitor to the laws he swore to uphold, we who have legislative responsibility must support giving law enforcement the tools it needs to get its job done.

When, in 6 weeks one series of wiretaps can bring to book two members of La Cosa Nostra, a major wholesaler, a crooked policeman and an assorted group of other criminals, never again should we hear expressed a doubt that wiretapping is necessary to break the back of organized crime's exploitation of our people, particularly in the ghetto.

Mr. President, I ask unamimous consent that a letter sent to me on August 26, 1969, by Mr. Jack C. Landau, the Department of Justice Director of Public Information, and an affidavit and stories appearing August 24 in the Washington Post and Star, which he furnished to me, be inserted in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF JUSTICE,
Washington, D.C., August 26, 1969.

Hon. JOHN L. MCCLELLAN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Enclosed are materials relating to the series of narcotics arrests and seizures conducted by the Bureau of Nacotics and Dangerous Drugs in cooperation with the Washington Metropolitan Police Department on August 18.

As you may have read, John Ingersoll, the Director of the Bureau of Narcotics and Dangerous Drugs, and Thomas Flannery, the United States Attorney for the District of Columbia, said that these arrests and seizures could not have been made without the aid of wiretapping devices approved by the Attorney General and authorized by the United States District Court for the District of Columbia pursuant to Title III of the Omnibus Crime Control bill.

If this office can be of any further assistance, please contact us.

Sincerely,

JACK C. LANDAU,
Director of Public Information.

AFFIDAVIT

I, John F. Cody, being duly sworn, depose and state:

INTRODUCTION

The affiant

1. I am a Special Agent with the Bureau of Narcotics and Dangerous Drugs, (BNDD) Department of Justice. I have had fifteen years of experience in criminal investigation

and am fully familiar with the investigation of narcotic offenses and the investigation of drug-related crimes. More specifically, I am in charge of, and fully familiar with, the investigation pending in our Bureau of a major narcotic smuggling and trafficking operation.

The investigation

2. This investigation has focused on a number of subjects including, among others, Enrico Tantillo, Carmine Paladino, John Doe, also known as Bobby Santorelli, and Lawrence Jackson. The investigation has shown that these subjects are members of an interstate narcotics network which arranges to receive narcotics smuggled into the United States and, thereafter, to transport the narcotics to regional suppliers who serve as central distributors to wholesalers and retailers of narcotics within each particular region.

BACKGROUND OF SUBJECTS

I have reviewed the files of the BNDD and these files reveal:

3. Enrico "Harry" Tantillo, Carmine "Carlos" Paladino and John Doe, also known as Bobby Santorelli are identified as well-known major narcotic traffickers.

4. Enrico "Harry' Tantillo is a White male, 53 years of age, born January 28, 1916, 5'6" tall, 160 lbs., medium build, gray hair. He is a resident of New York. He is further identified by Federal Bureau of Investigation (FBI) Number 102–428–5 and New York City, New York Police Department (NYPD) Number 137–405. BNDD files indicate that Tantillo has been closely associated in illicit narcotic activities with Paladino and Santorelli described below. His criminal record includes charges involving violation of federal narcotic laws, corruptly influencing witnesses, obstruction of justice, and firearms violations.

5. Carmine "Carlos" Paladino is identified as a White male, 54 years of age, born July 14, 1916 in New York City, New York. He is further identified with New York City, New York Police Department Number 139–528 and has FBI Number 382–9275. According to these records he is a convicted felon who is now pending trial in New Jersey in case 5–NJ–1568 on a charge of possession of a kilogram of cocaine along with a co-defendant, Enrico "Harry" Tantillo, described above. A close association between Paladino and John Doe, also known as Bobby Santorelli, described below, is reflected in BNDD files. BNDD agents during this investigation have surveilled Paladino and Santorelli and have observed them acting together in narcotics transactions.

6. John Doe, also known as Bobby Santorelli is a White male, about 28 years of age, approximately 71" tall. He has black hair, brown eyes and medium build, and weighs about 185 lbs. He is a resident of New York. BNDD files indicate that he is closely associated with Tantillo described above. This close association has been determined by extensive surveillance by BNDD agents in New York City, New Jersey and Washington, D.C. He is further described in BNDD files as a deliveryman of illicit narcotics for Paladino and as a "lieutenant" for the organization's "Chieftains".

7. Lawrence Jackson is a Negro male, 33 years of age, born August 4, 1936, in Washington, D.C. He is further identified with the Washington, D.C. Police Department under Criminal Photo Number 157–130, and has the FBI Identification Number 493–468–C. Jackson has been known to the BNDD as a major violator of the narcotic laws for the past several years.

UNDERCOVER BUYS

8. During the investigation a number of large undercover buys of narcotics have been made by BNDD agents and informants. Within the past two months, such buys of heroin were made directly from Jackson by an informant, hereinafter referred to as SE 2–9–0011. On one of these occasions 14.100 grams of heroin at a price of $750.00 was purchased by SE 2–9–0011. The chemist's analysis showed that it contained 88.5 percent pure heroin. In this transaction, SE 2–9–0011 made arrangements for the purchase by telephoning 582–9265. I have personal knowledge of this, having monitored this call with the permission of SE 2–9–0011. On the other occasion, Jackson sold and delivered to SE 2–9–0011, 23.500 grams of heroin for $1,500.00 in the presence of Agent Wilder. The chemist's analysis showed that it contained 65.2 percent pure heroin. In preparation of this second buy, once again SE 2–9–0011 made preparation for the purchase by telephoning 582–9265. I have personal knowledge of this, having monitored the call with the permission of SE 2–9–0011. On both occasions, BNDD Agents carried out full surveillance. Furthermore, SE 2–9–0011 has advised me that Lawrence Jackson is currently one of the largest wholesale narcotics dealers in the Washington, D.C. area. This informant's reliability has been proven in the past. Four cases have been initiated against major violators in the Washington, D.C. area as a result of information and services he rendered. In these instances, the informant, in company with Special Agents Cooper, Metz, and Wilder, Bureau of Narcotics and Dangerous Drugs, purchased heroin on eight (8) occasions. In all of the eight (8) purchases, the chemical analysis showed the presence of high quality heroin.

SURVEILLANCE AT JACKSON'S HEADQUARTERS

9. Intensive daily surveillance by BNDD agents between early July 1969 through the present has identified Apartment 2 at 201 53rd Street, S.E., Washington, D.C. positively as the headquarters of Jackson's illicit narcotics operation in Washington, D.C. The agents have observed a constant daily flow in and out of the premises by known narcotic dealers. By subpoena to the C & P Telephone Company, Washington, D.C., I had learned previously that Telephone Number 582–9265 is listed to a Richard M. James, 201 53rd Street, Southeast, Apartment #2, Washington, D.C.

ORDERS AUTHORIZING INTERCEPTION OF WIRE COMMUNICATIONS

10. During June and July, 1969, the investigation was intensified in the Washington, D.C. area. During that period I conferred extensively with representatives of the United States Attorney's Office. Specifically, I conferred with United States Attorney Thomas A. Flannery and Assistant United States Attorney Harold J. Sullivan, Chief of the Major Crimes Unit. We agreed unanimously that use of conventional means of investigation would not be effective in accomplishing our objectives, i.e. determining the date and manner in which narcotic drugs are smuggled into the United States, the identity and role of the participants and the nature of the conspiracy involved therein and the illicit distribution of those narcotic drugs in this jurisdiction.

Hence, authorization was sought and obtained from Assistant Attorney General Will Wilson, who had been specially designated for that purpose by the Attorney General John N. Mitchell, for the United States Attorney Thomas A. Flannery, Assistant United States Attorney Harold J. Sullivan, and I to make application to the Honorable William B. Jones, United States District Judge for the District of Columbia for an order under Section 2518 of Title 18, United States Code, authorizing interception of telephone communications at 201 53rd Street, Southeast, Apartment 2, Washington, D.C., carrying the telephone number 582–9265. On July 9, 1969, an Order was entered by the Honorable Judge Jones to that effect.

11. On August 7, 1969, pursuant to my further application and that of the United States Attorney Flannery and Assistant United States Attorney Sullivan, an Order was issued by the Honorable William B. Jones, United States District Judge for the District of Columbia, extending the permissible period of the interception ordered on July 9, 1969 and described above. In this instance the approval of Assistant Attorney General Wilson, who had been specially designated by Attorney General Mitchell for that purpose, was likewise obtained in advance of our application. The period of permissible interception at 201 53rd St. Southeast, Apartment 2, Washington, D.C., carrying the telephone number 582–9265, included all times set forth below.

12. Pursuant to these Orders of the Court, BNDD Agents, used electronic devices to intercept and to record on tape all conversations occurring over telephone number 582–9265 for the period authorized by the Court. One such device was an electronic dialing recorder, a device that simultaneously prints out telephone numbers dialed from 582–9265. I have monitored personally a great number of the intercepted conversations and listened to a great number of the tape recordings simultaneously made of conversations intercepted pursuant to the Court's Order. I have examined the logs of the conversations as well as records obtained from the dialing recorder. By these means, and by talking with surveilling agents and members of the BNDD in appropriate cases, I have learned of the below-stated conversations and transactions which underly this affidavit.

13. In the intercepted conversations, certain expressions were frequently used that have a particular meaning to persons who traffic in narcotics. In my own experience and also from the experience of other BNDD agents, the following terms are commonly used by narcotic violators and have the meanings set forth below:

"Boy": Heroin.
"Girl": Cocaine.
"Piece"; One ounce (28.5 grams).
"Spoon": Approximately 5 grams.
"Blow": Dosage.
"Scrambled": Narcotics mixed with adulterants such as lactose and mannitol.
"Stuff": Narcotics.
"Package"; Narcotics of an indefinite amount.
"Hats": Empty gelatin capsules.
"Box": A box of empty gelatin capsules.
"Bonita": Mannite, which is milk substance used to adulterate narcotics.

CONVERSATIONS AND OBSERVATIONS

14. The conversations described in the remaining paragraphs of this affidavit took place over the facilities bearing telephone number 582–9265 and were intercepted pursuant to Court Order as described above. These conversations were personally heard by me, either directly or from the tape recordings of the intercepted conversations. The observations described in the remaining paragraphs of this affidavit were made by Bureau of Narcotics and Dangerous Drugs agents and reported to me.

15. On July 16, 1969, "Daisy" telephoned Lawrence Jackson at 582–9265. During the conversation reference was made to a person named "Carlos" whom Jackson meets every two weeks at Daisy's house. Referring to "Carlos", Jackson said in this conversation that after he met the "big boys" he started to make big money.

16. On July 17, 1969, "Daisy" telephoned Lawrence Jackson at 582–9265 and complained to him that he only comes around every two weeks when his "man" makes a delivery to her house. That same day, July 17, Lawrence Jackson called from 582–9265 to 584–4763 (as printed out by the dialing recorder) and spoke to "Rose" whom he instructed to get "two packages" from a location inside her premises and give them to "Paul". I reviewed records of the Chesapeake

and Potomac Telephone Company which show that telephone number 584–4763 is listed to David Surles and located at 3418 Minnesota Avenue, Southeast, Washington, D.C., Apartment Number 1.

17. At 11:24 a.m. on July 19, 1969, a man telephoned Lawrence Jackson and said he would meet him at the Alabama place. At 2:01 p.m. that same day, Jackson said in the telephone that he had renewed his supply of narcotics. At 2:55 p.m. that same day, Jackson speaking from 582–9265 told "Gilbert" on the telephone that he gave $130,000.00 to the "Italians".

18. At 9:23 a.m. on July 21, 1969, Lawrence Jackson telephoned to Richard M. James at 582–9265 and said he was at 581–9653, that he was waiting for a "dude" to call, and to have the "dude" call that number. At 10:26 a.m. Jackson called Richard M. James again to learn if the "dude" had telephoned. He had not. At 11:47 a.m. Lawrence Jackson telephoned from 582–9265 to "Daisy" at 399–3695 (as printed out by the dialing recorder). At 12:13 p.m. Jackson telephoned "Daisy" at 399–3695 and she said that "Carlos" and "Bobby" had called. At 12:15 p.m. "Carlos" telephoned Jackson and instructed him in 15 minutes to meet with him at 2801 Alabama Avenue, Southeast.

19. On July 22, 1969, Jackson called "Rose" at 584–4763 and told her to send him one "spoon" of "girl" (cocaine) and one-half "spoon" of pure "boy" (heroin).

20. On July 24, 1969, at 12:59 a.m., "Pauline" telephoned from 582–9265 to "Rose" at 584–4763 and told her that he was on his way over to her place. At 2:11 a.m., "Rose" telephoned to Lawrence Jackson, at 582–9265 and was told by him to give "Pauline" a "spoon" of "girl". At 2:17 a.m., "Rose" again telephoned Lawrence Jackson at 582–9265 and asked him if the "girl" should be "pure" or "scrambled". Jackson said, "pure".

21. At 2:52 p.m. on July 25, 1969, "Daisy" telephoned and asked for Jackson at 582–9265 but was told he was out. At 3:16 p.m. Jackson called a female at 399–3695 and talked about "a package" and "money". At 3:31 p.m., Jackson called the same female at 399–3695 and was told to wait until the female obtained the money. At 4:36 p.m., "Daisy" called Jackson at 582–9265 and was told he was not in. She said she had the money and was ready. At 5:34 p.m., "Daisy" telephoned Jackson, who was not there, and spoke with "Truck". "Truck" asked her for some "derbies"; she said "okay" and she asked "Truck" to bring the package from Jackson. At 5:51 p.m. Jackson called "Daisy" at 399–3695 and told her to send the man and one "box" over. At 5:56 p.m. Jackson telephoned "Daisy" at 399–3695 and told her to have the "guy" bring up two cans of dextrose. At 6:29 p.m. Jackson called "Daisy" and told her to give "Lester" a "box of hats" when he comes over. In my experience as a narcotics investigator I have learned that dextrose is mixed with heroin to "cut" it and that "derbie" is a slang word for an empty capsule.

22. By subpoena issued to the Chesapeake and Potomac Telephone Company, Washington, D.C., I obtained a record of long distance toll calls made from 399–3695, listed to Mrs. Mary Davis at 3676–A Hayes Street, Northeast, Apartment 301, in the District of Columbia. On June 1, 1969, two telephone calls were placed from 399–3695 to 212–838–9743 and on June 13, 1969, one call from 399–3695 was made to that same number. The telephone bearing number 212–838–9743 is located in the Emiliana Restaurant Bar, 1111 First Avenue, Manhattan, New York. Extensive surveillance by agents of the BNDD has shown that the Emiliana Bar is regularly frequented by Carmine Paladino who receives his telephone calls and makes his headquarters there.

23. On July 28, 1969, at 9:17 a.m., "Daisy" telephoned to Lawrence Jackson at 582–9265 and told him that "Carlos" had called and would be at her place between 9:00 a.m. and 11:00 a.m. At 10:46 a.m. BNDD agents observing the residence of Mary Davis, 3676–A Hayes Street, Northeast, saw two white males arrive in a taxicab and enter that address. At 10:48 a.m. "Daisy" telephoned Jackson at 582–9265 and told him that the "people" were there and that he should hurry up and come over to her place. Due to difficulties inherent in surveilling 3676–A Hayes Street, Northeast, BNDD agents were unable to remain in a position to observe Jackson enter that address, but they were in a position at 11:20 a.m. to see, and they did see, Jackson leave that address (3676–A Hayes Street, Northeast). At 11:50 a.m., the same two white males left 3676–A Hayes Street, Northeast, with a negro male and entered a 1966 Cadillac convertible. The negro male drove the two white males to Washington National Airport and left them there. White male number one was followed by a BNDD agent on to the 12:50 p.m. Eastern Airline Shuttle Flight to LaGuardia Airport in New York City. White male number two disappeared at the airport.

24. BNDD agents met the Eastern Airline Shuttle Flight described in the previous paragraph and positively identified white male number one as being a man they knew to be Bobby Santorelli who resides in the Bronx, New York.

25. BNDD agents in New York City have been conducting intensive surveillance of Bobby Santorelli during all of 1969 and have observed him regularly in the company of Carmine Paladino and sometimes in the company of Enrico "Harry" Tantillo. One BNDD agent acting in an undercover capacity has negotiated a narcotic purchase with Santorelli in which Santorelli represented to that agent that he, Santorelli, supplied high quality narcotics to out-of-town wholesalers. On January 23, 1969, at Bronx, New York, the BNDD agent purchased 52.6 grams of 79.6 percent pure heroin for $3,800.00 from Santorelli; and on April 29, 1969, at Bronx, New York, the same agent purchased 106 grams of 63.9 percent heroin for $3,800.00 from Santorelli. I know from my experience as a narcotics investigator that narcotic drugs containing such high percentages of heroin can be obtained only from international sources or from major wholesale distributors who buy directly from such international sources.

26. After white male number two disappeared at Washington National Airport at noon on July 28, 1969, BNDD agents did not see him again until the early morning hours of July 29. During the interim, Lawrence Jackson was involved in several telephone conversations. At 10:02 p.m. on July 28, 1969, "Carlos" said to Jackson that he was at Room 943 of the Hotel America registered under the name of "D. Carlo" and that he wanted to see Jackson. At 10:14 p.m. "Daisy" telephoned Jackson and told him that "Carlos" had called and wanted to see him. Jackson said that he knew that because he had just spoken with "Carlos" ten minutes ago. At 11:15 p.m. Jackson telephoned to Room 943 of the Hotel America and spoke to "Carlos." They agreed to meet in front of the hotel at 1:00 a.m. "Carlos said that he wanted Jackson to meet a buddy of mine." At 12:59 a.m. on July 29, 1969, "Daisy" telephoned Jackson, and he told her he had to go see two men—"Carlos" and "Chico."

27. At 1:00 a.m., on July 29, 1969, BNDD agents personally saw two white males leave Room 943 of the Hotel America, take the elevator to the lobby, and stand in front of the hotel. Bureau agents identified the two men as Carmine Paladino and Enrico "Harry" Tantillo. Paladino was identified as being white male number two who had been to Mary Davis' residence with Bobby Santorelli earlier on July 28, 1969. Tantillo and Paladino remained in front of the hotel until 1:25 a.m. when they returned to Room 943. Approximately two minutes later, Tantillo and Paladino emerged from Room 943 again. This time Tantillo was carrying a dark gray satchel. At 1:35 a.m. they were again standing in front of the Hotel America. BNDD agents saw Lawrence Jackson drive up in an automobile and smile at Tantillo and Paladino. Tantillo placed the gray satchel in the back seat of Jackson's car. Both Tantillo and Paladino got into Jackson's car and drove with him around the block three times. At 1:45 a.m., Jackson left them off at the hotel and drove away. The gray satchel remained in Jackson's car. Tantillo went to the hotel desk, presented a stub, and checked out of the hotel. A few minutes later, a hotel attendant arrived with a 1968 yellow Dodge Charger with New Jersey registration JH 2616. Tantillo and Paladino then drove North on the Baltimore-Washington Parkway in the direction of New York City. BNDD agents have observed Tantillo driving that same automobile on previous occasions in New York and in New Jersey.

28. At 9:25 a.m. on July 29, 1969, "Daisy" telephoned Lawrence Jackson, who told her that "Harry" was with "Carlos" last night and that "Carlos" had told him (Jackson) to be careful.

29. At 10:04 p.m. on August 7, 1969, a male telephoned Lawrence Jackson at 582–9265 and complained that Jackson had not delivered the "stuff" (narcotics), the "boy" (heroin) and "girl" (cocaine). The male told Jackson that he would come by 201 53rd Street, Southeast, the next morning.

30. At 10:48 p.m. on August 7, 1969, a male telephoned to 582–9265. When "Richard" answered the telephone, the male identified himself as "Bobby of Hannah Place" and said he wanted "girl" (cocaine) and two "spoons" of "boy pure" (pure heroin). Lawrence Jackson picked up the receiver and told "Bobby" to come by 201 53rd Street, Southeast. "Bobby" said "No" and that "Richard" or "Lester" should bring it to him because he had to talk more.

31. At 12:19 a.m. on August 8, 1969, a male identifying himself as "Butler" telephoned to Lawrence Jackson at 582–9265 and asked if he could get the same "thing" (one ounce of pure heroin). Jackson said, "Yes, come on up." "Butler" said he would be there in about five minutes.

[From the Washington (D.C.) Star, Aug. 24, 1969]

MODEL FOR FUTURE DRUG RAIDS: HOW THE BIG BUST WAS CARRIED OUT

(By John Fialka)

By a little after 5 p.m. Monday, Bill Olivanti knew he had in custody 10 men alleged to be top figures in Washington's narcotics traffic.

Olivanti, special agent in charge of the Washington office of the Bureau of Narcotics and Dangerous Drugs, then picked up a microphone and radioed the word that special force of more than 50 federal narcotics agents and accompanying District policemen had been waiting for weeks to hear.

The word was: "Go."

Striking simultaneously in several areas of the city, the agents began making the major share of arrests in what now has come to be known as the "big bust."

The roundup, using warrants naming 41 persons alleged to be involved in a major "interstate narcotics network," resulted in 30 arrests.

It is believed to have caused a near panic among the city's addicts and a disruption in the normal rhythm of life among the constellation of junkies, hustlers and addict-prostitutes who populate upper 14th Street NW and environs.

On Tuesday morning, for example, a dozen addicts were clustered outside the offices of Bonabond, which is happy if it can attract addicts to its rehabilitation programs in ones and twos.

Commented its director, Hiawatha Burris:

"Addicts are nervous people. They saw their source of supply going and they wanted to get into the hospital."

And one evening later, a high-ranking police official who drove a visitor up to 14th and U Streets to show him the extent of prostitution in the city found the situation "kind of embarrassing."

"Virtually no one was out on the streets, I guess the word was out," he said.

Burris and others are quick to point out, however, that the city is by no means "dried up." He walked up 14th Street Thursday night and found drugs still being sold.

"The dealers are telling their one- or two-pull addicts to go away; people are being a little careful, but the stuff is still around," he said.

The architects of the raid, the first one in recent years aimed at wiping out a major wholesale system in the city, readily acknowledge that sales are continuing.

"We are in touch with the reality here," said Andrew C. Tartaglino, the bureau's assistant director for enforcement. "We're not going to wipe out all the traffic with one raid."

But the Washington raid, he said, will be the model for future attacks to be made against Mafia-linked narcotics networks in other major cities.

The Washington raid was special. Planning for it was begun in February, shortly after President Nixon pledged to wage war on crime in the District, including the narcotics traffic.

The policies that guided the development of the raid were those of John E. Ingersoll, appointed last year as director of the new bureau, a consolidation of the Treasury Department's Bureau of Narcotics and the Department of Health, Education, and Welfare's Bureau of Drug Abuse Control.

According to Tartaglino, Ingersoll believed that the thrust of the bureau's major efforts should be against the organized crime "executives," the wholesalers.

Drawing on bureau units throughout the nation, Ingersoll began forming a special task force, headed by Philip R. Smith, an agent with 18 years of experience.

OUTSIDE AGENTS USED

Olivanti worked with Smith on the task force, which was intended to beef up his Washington office for the big raid.

"A lot of agents were taken out of other cities. We wanted unknowns and the best undercover men." And because the drug hierarchy in the city is largely Negro, Olivanti added, the bureau brought in young, black agents.

Attempting to size up the local market, the agents began making "buys" of heroin. The idea was, according to Tartaglino, to see how close the investigators could come to the New York channels of distribution by testing the relative purity of the drug which is usually diluted with milk sugar (lactose) by each of the many middlemen it passes through before it reaches the streets.

QUALITY GOT BETTER

"We were amazed at the quality of the stuff we bought. It was getting better and better. Finally we bought some that was 88 percent pure, as pure as it comes. We had to be close to the source."

In April, as soon as he was nominated U.S. attorney for the District, Thomas A. Flannery was brought into the planning. He organized a special team of attorneys, headed by Harold Sullivan, to begin the prosecution side of planning for the raid.

In July, Ingersoll's men believed that they had enough evidence to apply for permission as authorized in the 1968 Safe Streets Act, to place two wire taps. Permission was given by District Court Judge William B. Jones.

One tap was on the phone of an apartment allegedly used as an office by Lawrence "Slippery" Jackson, in the 200 block of 53rd Street SE.

The other tap was on the phone of Mrs. Mary Davis, 30, of the 3600 block of Hayes Street NE. Mrs. Davis, known as "Daisy," is alleged to be the contact between Jackson and Mafia sources in New York, according to court affidavits.

GLOSSARY OF TERMS

According to the affidavits, agents listened to thousands of phone calls. They assembled a glossary of code terms used to identify the tools of the drug world:

"Boy"—Heroin.

"Girl"—Cocaine.

"Piece"—One ounce of heroin or cocaine.

"Spoon"—Five grams.

"Scrambled"—Narcotics adulterated with such additives as milk sugar.

"Hats"—Empty gelatin capsules.

"Bonita"—Milk sugar.

The court papers allege that Jackson did much of his business over the phone in jargon-packed transactions such as the one recorded early in the morning of July 24:

At 2:11 a.m., "Rose" telephoned to Lawrence Jackson and was told by him to give "Pauline" a "spoon" of "girl." At 2:17 a.m., "Rose" again telephoned Lawrence Jackson and asked him if the "girl" should be "pure" or "scrambled." Jackson said, "pure."

POLICEMAN'S VOICE

The telephone taps also allegedly recorded the voice of a Metropolitan Police officer, Carl W. Brooks, who, according to the affidavits, called Jackson on Aug. 8, after federal agents had given Brooks false information that they were setting up a trap for Jackson that day.

Brooks, it is charged, told Jackson that the "Feds" were planning to set up a meeting with a "broad named Betty" who was going to attempt to buy and then "knock you off."

Finally, the taps recorded calls to a phone in a Manhattan bar, allegedly used by Carmine Paladino as a headquarters.

Agents of the bureau watched Paladino and Enrico Tantillo, identified in 1963 Senate hearings as members of the Mafia "family" headed by Vito Genovese, meet with Jackson in the early morning hours of July 29 outside a hotel near Thomas Circle, according to the court papers.

They also saw Roberto Verderosa, 35, characterized as a "delivery man" for Paladino, meeting with "Daisy" on July 28, it was charged.

The pieces seemed to fit together. The break the agents were waiting for came on Aug. 15, when, the court papers alleged, Paladino called Jackson long distance and told him he was coming to Washington on Aug. 18 and was bringing his "niece" with him. "Niece" is described as another word for cocaine.

Through complex surveillance, both in New York and Washington, agents learned that all three of the New Yorkers would be in Washington on the 18th, Monday.

The teams of agents, including three that had been tracking Paladino, Tantillo, and Verderosa separately, were given an initial "go" signal by Olivanti around 3 p.m. Monday.

SEIZED AT SHOPPING CENTER

Jackson, Paladino and Verderosa were arrested near a shopping center in Southeast Washington. Two hours later, Tantillo was captured in an apartment in the 1200 block of Massachusetts Avenue NW. Along with him, agents recovered half a kilogram of "girl," they reported.

By then, six other alleged major wholesalers had been rounded up, including an oral surgeon, a dentist and a real estate operator.

It was then that Olivanti, working with other bureau officials in a command center in the Internal Revenue Service Building, reached for the microphone to tell his radio cars to complete the arrests.

In what could be described as an anticlimax to the evening, Officer Brooks was phoned by his commanding officer, Inspector Walter Bishop of the Morals Division. Brooks, according to Bishop, was told to report for work at 10 p.m., one hour early.

"I swore out the warrant . . . served it, booked him and suspended him from the force," Bishop said.

[From the Washington Post, Aug. 24, 1969]

SE 2-9-0011 PLAYS SECRET ROLE IN DISTRICT'S MASS DRUG ARRESTS

(By Thomas W. Lippman)

Somewhere in the secret files of the Bureau of Narcotics and Dangerous Drugs is a dossier labled SE 2-9-0011.

One day early this summer, a Washington man identified only by that code number picked up a telephone here and dialed 582-9265. With him when he made the call was John F. Cody, a veteran federal narcotics agent.

As Cody listened, SE 2-9-0011 made arrangements with the man at the other end of the line to purchase 14.1 grams of "boy" for $750. "Boy," in the jargon of the narcotics trade, is heroin. Cody was watching later in the day when the transaction took place.

A chemist at the Bureau of Narcotics later tested the powder that the $750 had bought. He found it to be 88.5 per cent pure heroin, an extraordinarily high degree of purity for Washington. Most heroin sold here is heavily diluted with milk sugar and other substances.

It was the eighth time that information provided by SE 2-9-0011 had proved valuable to the agents, but the results on this occasion exceeded anything that they had obtained in the past.

The telephone number that their informant had dialed provided the most important link in the chain of data that led to last Monday's mass arrests of suspected narcotics wholesalers and dealers, including three men from New York reported to have Mafia connections.

It was the largest such roundup here since 1952, when the narcotics ring headed by Randolph (Catfish) Turner was broken up. This account of the events that led up to the raid is reconstructed from court papers, interviews with federal officials, court testimony, telephone company records and sworn statements of federal narcotics agents.

On July 9, U.S. Attorney Thomas A. Flannery called a press conference. He announced that his office, in cooperation with federal and local law enforcement agencies, was beginning a new drive against organized crime, narcotics traffic and gambling.

Flannery named Assistant U.S. Attorney Harold J. Sullivan to head the new "major crimes unit" and told him to use "any means that we consider legal" to gather information.

What Flannery did not announce was that on that same morning, he, Sullivan, and Cody had a conference with Judge William B. Jones in his chambers at U.S. District Court.

At their request, Jones signed an order authorizing agents of the Bureau of Narcotics to place electronic eavesdropping and monitoring devices on the telephone to which SE 2-9-0011 had made his call a few weeks earlier.

That telephone is in Apartment 2 at 201 53rd St. SE., less than two blocks from the house where Catfish Turner ran the narcotics ring that was broken 17 years ago.

Once the wire tap authorization was obtained, one investigator said, the mechanical operation was easy. "It doesn't even require the cooperation of the phone company," he said. "Any private eye can do it with a little instruction."

It was a simple matter, once the agents had identified the telephone line that led into Apartment 2, to follow it a few blocks through the subterranean network of wires, attach to it their own equipment, and listen in comfort at a place conveniently out of sight of the apartment.

"EXTENSION PHONE"

"It's just like putting in an extension phone," one said, "only you do it a few blocks away."

Instead of an extension, the agents attached two pieces of equipment to the line: one enabled them to hear and record both sides of every conversation; the other converted into printed numbers the electronic impulses sent when calls were dialed. That device, one investigator said, looks like a newspaper wire service ticker.

From the telephone company, the agents subpoenaed records showing who was using the telephones listed under the numbers that the machine printed out.

Thus they knew not only what was being said on the line they were tapping, they knew whom it was being said to and where those persons were.

The telephone in Apartment 2 is listed to a Richard M. James. But from SE 2-9-0011, and from their own observation, the agents concluded that the man doing most of the talking there was not James but Lawrence (Slippery) Jackson, 33, a Baptist pastor's son who had no job but drove around in a 1969 Continental.

ONE THOUSAND CALLS MONTHLY

Jackson, they said, made more than 1,000 calls a month from the phone in Apartment 2, mostly concerning narcotics sales.

The agents began "intensive daily surveillance" of the apartment, "observing a constant daily flow in and out of the premises by known narcotics dealers."

On the telephone, the conversations were laden with linguistic oddities that the agents knew are peculiar to the narcotics trade; "low" meant dosage, "bonita" was mannitol, used to "scramble" or adulterate, the drugs; "hats" referred to empty gelatin capsules.

And the agents heard names: Daisy and Rose and Pauline and Chico and Richard and Harry and a dozen others. Some of those persons were identified by tracing their phone numbers when the recording machine printed them out.

On July 16, Daisy and Jackson had a conversation about a man named Carlos, whom Jackson meets every two weeks at Daisy's house. The next day, Daisy complained to Jackson that he only "came around" every two weeks when his "man" makes a delivery to her house.

SUPPLY RENEWED

Two days later, an unidentified man called and arranged for Jackson to meet him at the "Alabama place." Later the same day, Jackson said on the telephone that he had renewed his supply of drugs and that he had given $130,000 to "the Italians."

On July 21, Jackson dialed 399-3695 from the telephone in Apartment 2, and asked for Daisy. That telephone is listed to Mary Davis at 3676A Hayes St. NE. Daisy said that "Carlos" and "Bobby" had called. A few minutes later, Jackson received a call from Carlos, who arranged to meet him at 2801 Alabama Ave. SE. That is the address of the Hillcrest American Service Station. There is no indication that anyone at the station knew of the meeting.

In the following week, narcotics agents subpoenaed from the telephone company the records of long-distance calls that had been made in recent months from the Hayes Street telephone.

Those records showed that on July 1, two calls had been made to a telephone at the Emiliana Restaurant at 111 First Ave., New York. Agents watching that restaurant reported that it is "regularly frequented" by Carmine (Carlos) Paladino, who often receives telephone calls there.

On July 28, the woman who called herself Daisy telephoned Jackson and told him to come to her apartment because Carlos was going to be there.

BUILDING WATCHED

Narcotics agents watching the Hayes Street address saw "two white males" arrive by taxi at 10:46 a.m. They did not see Jackson arrive, but they did see him leaving the building half an hour later.

Shortly afterward, the same "two white males" came out with a Negro man and climbed into a 1966 Cadillac convertible. Followed by narcotics agents, the Negro man drove the Cadillac to National Airport, dropped the two white men and drove away.

One of the white men took an Eastern Airlines shuttle to La Guardia airport in New York. An agent took the same flight and kept him in view. The second white man disappeared at the airport.

When the plane landed in New York, it was met by another group of narcotics agents who identified the man under surveillance as Bobby Santorelli, "who resides in the Bronx."

Agents in New York had been keeping an eye on Santorelli since January when "one agent acting in an undercover capacity negotiated a narcotic purchase with Santorelli in which Santorelli represented that he, Santorelli, supplied high quality narcotics to out of town wholesalers."

Santorelli, 30, is the son of a bricklayer's helper from the Bronx. His real name is Robert Verderosa. Narcotics agents had seen him "regularly in the company of Paladino and "sometimes" in the company of Enrico (Harry) Tantillo.

Tantillo was indicted here in the 1952 Catfish Turner case, but four years elapsed between the indictment and his arrest, and he was never tried. He is now under indictment in a narcotics case in New Jersey.

Back in Washington, the agents here were still looking for the second man who had eluded them at the airport.

That afternoon, July 28, Jackson received a phone call from Carlos, who said he had registered in Room 943 of the Hotel America at Thomas Circle and wanted to see him. Carlos said he was registered under the name of "D. Carlo."

Jackson called room 943 at 11:15 p.m. and arranged to meet Carlos outside the hotel at 1 a.m.

At that hour, narcotics agents watching Room 943 saw two men leave the room, take the elevator to the lobby and stand in front of the hotel. They identified the men as Paladino and Tantillo; they also realized that Paladino was the second man who had gone to the airport with Santorelli the day before.

SATCHEL CARRIED

They returned to their room once before Jackson arrived and when they came back downstairs, Tantillo was carrying a gray satchel.

Jackson drove up at 1:35 a.m., Tantillo placed the satchel on the back seat, and both men entered Jackson's car. They drove around the block three times. At 1:45, Jackson left them back at the hotel and drove away. The satchel was still on the back seat.

Tantillo went to the hotel desk and checked out. A few minutes later, a hotel attendant brought to the front door a yellow 1968 Dodge Charger with New Jersey tags.

Tantillo and Paladino were last seen that night driving north on the Baltimore-Washington Parkway.

On Aug. 1, Sullivan and the narcotics agents asked and received another court order authorizing a tap on the telephone at the Hayes Street apartment.

On Aug. 5, Tantillo rented an apartment on the seventh floor of an apartment building at 1221 Massachusetts Ave., NW., Sullivan said later in court, and Tantillo paid a year's rent in advance.

Two days later, Judge Jones authorized a two-week extension of the monitoring on the telephone in apartment 2.

NEW ELEMENT

A new element entered the case on Aug. 8. On that date, Lt. George Day of the Metropolitan police narcotics squad assigned officer Carl W. Brooks to work with the federal agents on the Jackson investigation.

Brooks was told that an informant had arranged to make a purchase of drugs from Jackson; Brooks and his partner were to watch the sale and arrest the participants.

Twice that afternoon, a person identifying himself as Chico called the number in Apartment 2 and left such messages as: "Tell Lawrence to sit tight, don't do anything."

Late in the day, Jackson himself answered the phone and a man's voice, without identification, told him, "The Feds were trying to get you today." Agents in the Bureau of Narcotics have sworn that the voice of that caller, and of the man who identified himself as Chico earlier that day, was that of officer Carl W. Brooks.

On Aug. 11, an agent sitting in the lobby of the Hotel America saw Paladino, Tantillo and Santorelli. Paladino had rented Room 232 under the name of J. DeCarlo, the agent learned, had given a nonexistent New York address, and had reserved the room only until 7 p.m.

FOLLOWED BY AGENTS

At 4 p.m., Paladino left the hotel and entered a Thunderbird driven by a man named Leon James, a known associate of Jackson. James later returned alone, and agents followed him to an apartment building at 14th Street and Florida Avenue NW.

They lost him there. Other agents had failed in an effort to follow Santorelli. At 7 p.m., the agents in the hotel entered the room where Tantillo and Paladino had been registered, but found only three empty coffee cups.

Paladino was next heard from four days later, on Aug. 15. He telephoned Jackson at Apartment 2 and arranged to meet him in Washington on Monday, Aug. 18.

Jackson replied that he would be available on that date, and told Paladino to bring his "niece." Niece, agent Cody said, is a synonym for "girl," or cocaine.

Knowing that the New York suspects were coming back to town on Monday, Sullivan and his assistants sat down with the federal agents and drafted 41 arrest warrants.

NAMED IN WARRANTS

The warrants named the three New York men, Jackson, the Mrs. Davis who had the telephone on Hayes Street, Leon James—who served a prison term of eight to 24 years after being convicted of taking part in the 1952 narcotics conspiracy—Officer Brooks, and all the persons whom the agents had been able to identify from their telephone monitoring.

On Monday morning, the warrants were signed by a federal magistrate and the arrests began.

Paladino, Verderosa (or Santorelli) and Jackson were arrested together near a shopping center at Alabama Avenue and Naylor Road SE, not far from the service station where the earlier meeting had taken place.

The arresting officers said they found $4,600 in cash on Jackson's person and about $14,000 at his house.

Tantillo was arrested in the Massachusetts Avenue apartment. There the agents said they found half a kilogram of cocaine. They estimated its value at $120,000, a figure later ridiculed by Tantillo's lawyers.

THIRTY-ONE IN CUSTODY

By Friday afternoon, 31 of the 41 persons named in the warrants had been taken into custody. Tantillo, Santorelli/Verderosa, and Paladino, still wearing the clothes in which they had been arrested, stood in handcuffs at a lineup at police headquarters.

A small, gray-haired woman came into the lineup room, quickly picked them out, and

departed. Sullivan refused to say who she was or what her connection with the case was.

In addition to Brooks, who has been suspended from the force, the agents seized a lawyer, a dentist and a real estate broker.

The dentist is Edward N. Meyers, 40, of 1756 Portal Dr. NW., a house that city records show cost him $48,500 five years ago. Dr. Meyers practices at 909 Pershing Dr., Silver Spring.

On May 9 of this year, the house was advertised for sale at a foreclosure auction. City records show that a sale actually took place, but there is no record that the deed ever changed hands.

The lawyer who was arrested is Alan V. Roberson, 31, of 4660 Nichols Ave., SE. He is an alumnus of Howard University Law School and practices here but little else is publicly known about him.

The real estate broker is Ignatius F. Perry, 41, who lives in a neat Victorian row house at 1217 New Jersey Ave. NW. He works for the Homeowners Mortgage Co., 470 K St. NW.

All three of the suspects from New York have waived preliminary hearings and been ordered held for grand jury action. Hearings for the other suspects are scheduled to begin Monday.

Mr. MURPHY. Mr. President, I take this opportunity to commend my distinguished colleague from Arkansas for the long, patient, and valiant effort he has expended in the areas that have just been recorded here. We had the problem in my own State to the point that I have in my office over 100 letters from mayors of small communities in southern California asking that the border be closed because of the narcotics problem. It is not confined to any particular area; it is all over the United States, and it is one of the most dangerous problems that we in this Nation face today. I congratulate the Senator from Arkansas.

Mr. McCLELLAN. I thank my distinguished friend. I have always insisted that this weapon, when legalized, must be used with caution, restraint, and discretion, and that it must have court approval before any wiretap or electronic surveillance is employed. But I say this is just the beginning of the proof we are going to have over and over and over again that when the law is followed, when the application and the affidavits meet the test that the law requires, and a court, in its judicial wisdom, grants the order, and that order is carried out in a manner comparable to the way in which this one was carried out, we are going to find that wiretapping and electronic surveillance as tools of law enforcement are most potent and productive and that we simply could not combat organized crime in this country effectively without their use and employment.

I thank the distinguished Senator.

APPROVAL BY PRESIDENT NIXON OF S. 714, DESIGNATING 98,000 ACRES OF LOS PADRES NATIONAL FOREST OF CALIFORNIA AS THE VENTANA WILDERNESS

Mr. MURPHY. Mr. President, I rise at this time to announce that President Nixon recently approved S. 714, of which I am a cosponsor which designates 98,000 acres of Los Padres National Forest of California as the Ventana Wilderness.

This is the first addition to the national wilderness system under President Nixon's administration and I join with the President in expressing gratification that that addition is in my State of California.

Mr. President, the Ventana Wilderness contains superb mountain scenery and unusual species of wild animals and trees, including the bristlecone or Santa Lucia fir which grows only in the Santa Lucia Mountains.

The Ventana Wilderness offers a striking and unspoiled setting for hikers, horsemen and trout fishermen in an area located near large urban centers.

It is indeed a worthwhile addition to the wilderness system.

Mr. President, no man more than President Nixon is aware of the struggle that faces us if we are to preserve areas of unmarred natural grandeur for future generations.

I am sure that as Congress and conservationists consider other areas to be set aside in their wild state, they will find in the President a staunch friend and ally. Only recently the President declared:

I hope I will have the opportunity to approve a number of wilderness proposals in the coming months so that our wilderness preservation system may continue to grow and pay dividends, intangible but nevertheless real, for countless years ahead.

Mr. President, I am sure that all my colleagues will join in sharing my enthusiastic commendation.

PROPOSED CUTBACKS IN FEDERAL CONSTRUCTION

Mr. YARBOROUGH. Mr. President, it is shocking to hear that the administration is planning a 75-percent cutback in all domestic Federal construction programs, as reported in the national press today, and on page 1 of the Washington Post, in an Associated Press article, as having been announced by Vice President AGNEW to the Governors' conference in Colorado Springs, Colo.

This is particularly shocking in view of the fact that no such cutback was announced for South Vietnam.

Before we deescalate 75 percent of domestic American improvements, we should deescalate 75 percent of the $36 billion a year being squandered in South Vietnam.

I recommend to the administration an immediate cutback of 50 percent of the forces in South Vietnam, and a continuation of the programs to develop this country. The administration, like a crawfish, is moving backward and not forward. If its present plans are carried out, America is certain to go down and backward, not forward and upward as it should be going.

It is ironical that we are debating bills for tens of billions of dollars for military procurement, much of it for overseas wars, while the administration announced a deescalation of astronomical proportions of 75 percent for Federal construction projects in America. Jobs for Americans are more important than bullets for Vietnamese.

I request unanimous consent that the account of Vice President AGNEW's announcement to the Governors' conference as reported in the Washington Post of September 3, 1969, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AGNEW SAYS UNITED STATES WILL CUT CONSTRUCTION

COLORADO SPRINGS, COLO., September 2.—Vice President Agnew told the Nation's governors today the Nixon administration will announce Friday a 75 per cent cutback in federal construction projects to fight inflation.

But informed sources reported that the Vice President, in addition to giving the bad news about cutbacks that could range as high as $1 billion, also gave the governors good news that the administration plans to oppose the removal of tax exemptions on local and state municipal bonds.

Although Agnew used the 75 per cent figure in describing the cutback, an administration source cautioned that the percentage has been under discussion.

The timing has also varied, he noted, adding that the announcement was originally scheduled several weeks ago.

[There was considerable confusion among the governors as to how much construction would be cut back, and when. The consensus seemed to be that new starts on all-federal projects such as post offices and dams would be frozen immediately, while federal-state projects would be frozen as of April 1. But one high administration source expressed surprise at the reports and said such plans may not be final.]

Governors, who attended the session without staff aides, were sworn to secrecy but details of the Vice President's presentation leaked out within hours after the session.

Agnew said the administration would ask the Senate Finance Committee to reject restriction on municipal, county and state bonds contained in the House-passed bill and restore previously existing tax advantages.

DEATH OF FORMER SENATOR THYE OF MINNESOTA

Mr. COOPER. Mr. President, it was with sorrow that I learned of the death of the Honorable Ed Thye, formerly a Senator from Minnesota from 1947 through 1958. I had also been elected to the Senate in 1946 for an unexpired term of 2 years and had the opportunity to serve with Senator Thye in that term and later when I returned to the Senate. It was my privilege to sit next to him during 1947 and 1948, which gave me the opportunity to know him and to learn his great qualities.

He was an outstanding Senator for his State and the Nation. He was one of the first in the Senate who spoke and worked for adequate authorizations and appropriations for health programs and to support research in the fields of diseases which take thousands of lives annually in our country and in the world.

Following World War II, he supported strongly the Marshall plan and other initiatives to restore the economies and peoples of countries stricken by war.

A strong Republican, he led in his State and area the effort to nominate and elect President Eisenhower.

Son of a father and mother who came from Norway to settle in our country, Ed Thye inherited their pioneer quali-

ties of hardihood, courage, and strength of character.

Ed Thye, aided by his devoted wife, Myrtle, had a good life—one of service to his State and country—a good life which provides to all who knew him an example to honor and emulate.

EXECUTIVE COMMUNICATIONS, ETC.

The President pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON APPROVAL OF LOAN TO THE COOPERATIVE POWER ASSOCIATION OF MINNEAPOLIS, MINN.

A letter from the Administrator, Rural Electrification Administration, transmitting, pursuant to law, a report on the approval of a loan to the Cooperative Power Association of Minneapolis, Minn. (with an accompanying report); to the Committee on Appropriations.

REPORT ON TRANSFER OR SALE OF GOVERNMENT-OWNED COMMUNICATIONS FACILITIES IN ALASKA

A letter from the Secretary of Defense, reporting, pursuant to law, on the sale of the Alaskan Communications System; to the Committee on Armed Services.

REPORT OF THE DEPARTMENT OF THE NAVY ON MILITARY CONSTRUCTION CONTRACTS AWARDED ON OTHER THAN A COMPETITIVE BID BASIS

A letter from the Assistant Commander for Contracts, Naval Facilities Engineering Command, transmitting, pursuant to law, a report on military construction contracts awarded on other than a competitive bid basis to the lowest responsible bidder, for the period January 1, 1969 to June 30, 1969 (with an accompanying report); to the Committee on Armed Services.

REPORT ON DEPARTMENT OF ARMY RESEARCH AND DEVELOPMENT CONTRACTS

A letter from the Acting Assistant Secretary of the Army (R&D) transmitting, pursuant to law, a report on Department of Army Research and Development contracts, for $50,000 or more, during the period January 1 through June 30, 1969 (with an accompanying report); to the Committee on Armed Services.

PROPOSED LEGISLATION EXTENDING FOR 1 YEAR THE AUTHORITY FOR MORE FLEXIBLE REGULATION OF MAXIMUM RATES OF INTEREST OR DIVIDENDS

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to extend for 1 year the authority for more flexible regulation of maximum rates of interest or dividends (with an accompanying paper); to the Committee on Banking and Currency.

REPORT ON MORTGAGE INTEREST RATES

A letter from the Chairman, Department of Housing and Urban Development, transmitting, pursuant to law, the report of the Commission on Mortgage Interest Rates, dated August 1919 (with an accompanying report); to the Committee on Banking and Currency.

PROPOSED PUBLIC TRANSPORTATION ASSISTANCE ACT OF 1969

A letter from the Secretary of Transportation, transmitting a correction in the letter of the Department of August 11, 1969, in connection with the Public Transportation Assistance Act of 1969; to the Committee on Banking and Currency.

REPORT OF ARCHITECT OF THE CAPITOL

A letter from the Architect of the Capitol, transmitting, pursuant to law, a report of all expenditures, during the period January 1 through June 30, 1969, from moneys appropriated to the Architect of the Capitol (with an accompanying report); ordered to lie on the table and to be printed.

PROPOSED LEGISLATION IMPROVING AND CLARIFYING CERTAIN LAWS AFFECTING THE COAST GUARD RESERVE

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to improve and clarify certain laws affecting the Coast Guard Reserve (with accompanying papers); to the Committee on Commerce.

PROPOSED LEGISLATION REQUIRING CERTAIN SAFETY DEVICES ON HOUSEHOLD REFRIGERATORS

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to amend the act entitled "An Act to require certain safety devices on household refrigerators shipped in interstate commerce," approved August 2, 1956 (with accompanying papers); to the Committee on Commerce.

REPORT ON THE ACTIVITIES OF THE U.S. TRAVEL SERVICE

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the activities of the U.S. Travel Service for calendar year 1968 (with an accompanying report); to the Committee on Commerce.

REPORT ON ACTIVITIES CARRIED OUT UNDER THE HIGH SPEED GROUND TRANSPORTATION ACT OF 1965, AS AMENDED IN 1968

A letter from the Under Secretary, Department of Transportation, transmitting, pursuant to law, a report on activities carried out under the High Speed Ground Transportation Act of 1965, as amended in 1968, dated July 1969 (with an accompanying report); to the Committee on Commerce.

REPORT OF DISTRICT OF COLUMBIA BAIL AGENCY

A letter from the chairman, District of Columbia Bail Agency, transmitting, pursuant to law, the third annual report of the agency (with an accompanying report); to the Committee on the District of Columbia.

PROPOSED LEGISLATION REPEALING THE PROHIBITION AGAINST FLYING KITES IN THE DISTRICT OF COLUMBIA

A letter from the assistant to the Commissioner, Government of the District of Columbia, transmitting a draft of proposed legislation to repeal the prohibition against flying kites in the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

PROPOSED LEGISLATION PROMOTING SAFE DRIVING IN THE DISTRICT OF COLUMBIA

A letter from the Assistant to the Commissioner, Government of the District of Columbia, transmitting a draft of proposed legislation to promote safe driving and eliminate the reckless and irresponsible driver from the streets and highways of the District of Columbia by providing that any person operating a motor vehicle within the District while apparently under the influence of intoxicating liquor shall be deemed to have given his consent to a chemical test of certain of his body substances to determine the alcoholic content of his blood, and for other purposes (with accompanying papers); to the Committee on the District of Columbia.

REPORT ON NUMBER OF CIVILIAN OFFICERS AND EMPLOYEES IN THE EXECUTIVE BRANCH OF THE GOVERNMENT

A letter from the Acting Director, Bureau of the Budget, reporting, pursuant to law on the number of civilian officers and employees in the executive branch for the quarter ended June 30, 1969, as well as for the entire fiscal year 1969 (with accompanying papers); to the Committee on Finance.

REPORT OF THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report of grants approved by the Department, which are financed wholly with Federal funds, for the period April 1, 1969, to June 30, 1969 (with an accompanying report); to the Committee on Finance.

REPORT OF SECRETARY OF THE SENATE

A letter from the Secretary of the Senate, transmitting, pursuant to law, a report of the receipts and expenditures of the Senate, for the period from January 1, 1969, through June 30, 1969 (with an accompanying report); ordered to lie on the table and to be printed.

REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the effectiveness in meeting the supply requirements of overseas U.S. Agencies, General Services Administration, dated August 15, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of financial statements of Federal Home Loan Banks supervised by the Federal Home Loan Bank Board, for the year ended December 31, 1968, dated August 17, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on administration and effectiveness of the economic opportunity loan program for low-income rural families under the Farmers Home Administration, Department of Agriculture, dated August 21, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on opportunities for increased savings by improving management of value engineering (design or manufacture simplification) performed by contractors, Department of Defense, dated August 25, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the effectiveness and administration of the migrant and seasonal farmworkers program under title III–B of the Economic Opportunity Act of 1964, Phoenix, Ariz., Office of Economic Opportunity, dated August 26, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, a report on the management of the suggestion award portion of the incentive awards program, Department of the Army, dated August 27, 1969 (with an accompanying report); to the Committee on Government Operations.

PROPOSED LEGISLATION TO MAKE APPROPRIATE ACCOUNTING ADJUSTMENT OR REIMBURSEMENT BETWEEN THE RESPECTIVE APPROPRIATIONS AVAILABLE TO SUCH DEPARTMENTS AND ESTABLISHMENTS, OR ANY BUREAU OR OFFICE THEREOF

A letter from the Assistant to the Commissioner, Government of the District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An Act to authorize any executive department or independent establishment of the Government, or any bureau or office thereof, to make appropriate accounting adjustment or reimbursement between the respective appropriations available to such departments and establishments, or any bureau or office thereof," approved June 29, 1966, so as to include

within its coverage the municipal government of the District of Columbia (with accompanying papers); to the Committee on Government Operations.

PROPOSED LEGISLATION TO AUTHORIZE THE APPROPRIATION OF FUNDS FOR FORT DONELSON NATIONAL BATTLEFIELD IN THE STATE OF TENNESSEE, AND FOR OTHER PURPOSES

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to authorize the appropriation of funds for Fort Donelson National Battlefield in the State of Tennessee, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

PROPOSAL TO TRANSFER THE OLD MINT BUILDING IN SAN FRANCISCO TO THE STATE OF CALIFORNIA FOR USE BY SAN FRANCISCO STATE COLLEGE

A letter from the Chairman, Advisory Council on Historic Preservation, transmitting, pursuant to law, recommendations of the Advisory Council on Historic Preservation concerning a proposal to transfer the Old Mint Building in San Francisco to the State of California for the use of San Francisco State College (with accompanying papers); to the Committee on Interior and Insular Affairs.

THIRD PREFERENCE AND SIXTH PREFERENCE CLASSIFICATIONS FOR CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classification for certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT OF THE LAW-ENFORCEMENT ASSISTANCE ADMINISTRATION

A letter from the Law Enforcement Assistance Administration, U.S. Department of Justice, transmitting, pursuant to law, the First Annual Report of the Law Enforcement Assistance Administration (with an accompanying report); to the Committee on the Judiciary.

REPORT OF TENTATIVE NEGATIVE DETERMINATION UNDER THE ANTIDUMPING ACT

A letter from the Acting Secretary of the Treasury, transmitting, the text of a particular determination inadvertently omitted in the report enclosed with the President's letter setting forth determinations under the Antidumping Act, 1921, and certain other information required, pursuant to law (with accompanying papers); to the Committee on Finance.

REPORT OF CLAIMS PAID BY THE DEPARTMENT OF THE AIR FORCE UNDER THE MILITARY PERSONNEL AND CIVILIAN EMPLOYEES' CLAIMS ACT OF 1964, AS AMENDED

A letter from the Office of the Air Force, transmitting, pursuant to law, a report of claims paid by the Department of the Air Force under the Military Personnel and Civilian Employees' Claims Act of 1964, as amended, fiscal year 1969 (with an accompanying report); to the Committee on the Judiciary.

REPORT OF THE PROCEEDINGS OF THE JUDICIAL CONFERENCE OF THE UNITED STATES

A letter from the Chief Justice of the United States, transmitting, pursuant to law, a report of the proceedings of the Judicial Conference of the United States, held in Washington, D.C., on March 13 and 14, 1969, together with the proceedings of the special meeting of the Conference held on June 10, 1969 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON POSITIONS ESTABLISHED BY NASA DURING THE FISCAL YEAR ENDING JUNE 30, 1969

A letter from the Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, a report on the positions which the National Aeronautics and Space Administration had established as of June 30, 1969 (with an accompanying report); to the Committee on Post Office and Civil Service.

REPORT ON THE COST OF CLEAN AIR

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, the first report of the Secretary of Health, Education, and Welfare to the Congress of the United States, on the cost of clean air (with an accompanying report); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution of the House of Representatives of the State of Illinois; to the Committee on the Judiciary:

"H.R. 290

"Resolved, By the House of Representatives of the Seventy-sixth General Assembly of the State of Illinois, that this House respectfully withdraws the petition made by the Seventy-fifth General Assembly of the State of Illinois to the Congress of the United States to call a Constitutional Convention; and, be it further

"Resolved, That a duly attested copy of this Resolution be immediately transmitted by the Office of the Secretary of State to the Secretary of the Senate of the United States and to the Clerk of the House of Representatives of the United States.

"Adopted by the House, June 26, 1969.

"RALPH T. SMITH,
"Speaker of the House.
"FREDERIC B. SELCKE,
"Clerk of the House."

A joint resolution of the Legislature of the State of Illinois; to the Committee on Labor and Public Welfare:

"H.J. RES. 36

"Whereas, Poverty is one of the foremost internal problems facing our great nation today; and

"Whereas, The number of people receiving public aid benefits is ever increasing; and

"Whereas, The amounts of welfare payments vary greatly from state to state; and

"Whereas, It is a common occurrence that a person receiving public aid in one state will move to another state in order to receive higher welfare payments; and

"Whereas, Since the public assistance paid by the states consists of some federal monies, the federal government has enunciated certain rules that the state must apply in determining whether individuals are eligible for welfare; and

"Whereas, The present system of public assistance payments is financially inequitable to the states and to those citizens who, of necessity, must depend on public aid benefits; therefore, be it

"Resolved, By the House of Representatives of the Seventy-sixth General Assembly of the State of Illinois, the Senate concurring herein, that we urge the federal government to assume control and responsibility for all public aid benefits and payments in the country so as to adopt uniform nationwide standards which would end any inducement based on public aid for movement from one state to another; and, be it further

"Resolved, That a copy of this preamble and resolution be forwarded by the Secretary of State to the President of the United States, the Vice-President of the United States, the Secretary of Health, Education and Welfare, and to every member of the Congress of the United States from the State of Illinois.

"Adopted by the House, June 26, 1969.

"RALPH T. SMITH,
"Speaker of the House.
"FREDERIC B. SELCKE,
"Clerk of the House.

"Concurred in by the Senate, June 30, 1969.

"SAMUEL H. SHAPIRO,
"President of the Senate.
"EDWARD E. FERNANDES,
"Secretary of the Senate."

A joint resolution of the Legislature of the State of California; to the Committee on Agriculture and Forestry:

"S.J. RES. 12

"Relative to school nutrition programs

"Whereas, The proposed federal budget for 1970, submitted by President Johnson, deleted provisions for the school milk programs; and

"Whereas, Under existing budget provisions school lunch program funds will terminate on October 31, 1969; and

"Whereas, There are many families in the United States and California who, because of their financial condition, have an inadequate diet; and

"Whereas, The school milk program and the school lunch programs supplemented the inadequate diet of the children of these families; and

"Whereas, H.R. 515 and H.R. 516, Perkins and S.B. 2548, Talmadge, will strengthen and extend existing child nutrition programs; and

"Whereas, S.B. 644, McGovern, and H.R. 5568, Sisk, will provide funds for the continuation and improvement of the school milk program; and

"Whereas, The lack of an adequately balanced diet among schoolchildren contributes in part to their poor performances in school; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President, the Secretary of Agriculture, the Secretary of Health, Education, and Welfare, and the Congress, to give support to and to continue the programs that provide nutritional food services, for schoolchildren that are currently deprived of adequate diet; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Secretary of Agriculture, the Secretary of Health, Education, and Welfare, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Appropriations:

"S.J. RES. 26

"Relative to Sherman Institute

"Whereas, The Legislature is concerned with the educational opportunities of California students; and

"Whereas, California Indians, as well as Indians of other states, are students at Sherman Institute, a Bureau of Indian Affairs boarding school, in Riverside, California; and

"Whereas, Indian students require, desire and are entitled to educational opportunities on a parity with other students throughout the State of California; and

"Whereas, Equal educational opportunities equal educational facilities, curriculum, personnel, services, and direction must be obtained; and

"Whereas, The physical plant, curriculum, and faculty training of Sherman Institute do not meet the minimum standards required in California for accreditation; and

"Whereas, Sherman Institute's library is

outdated and inadequate as a reference library in that it is deficient in both number and quality of recommended books and other resource material necessary to meet the students' educational needs; and

"Whereas, There is insufficient personnel at Sherman Institute to provide the students with an equal educational opportunity in the areas of instruction, counseling, coaching, and extracurricular activities at the school; and

"Whereas, Funds for clothing and travel for needy Indian students are not available at Sherman Institute, although funds are provided for this purpose at other federal Indian schools; and

"Whereas, The most effective schools are those which are governed by school boards that reflect the attitudes of the student's parents; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to provide for an emergency appropriation to Sherman Institute to enable the school to bring its physical plant up to standards necessary for accreditation, to improve the school's library system, to obtain adequate personnel, and to provide adequate services and to budget funds on a continuing basis to insure Sherman Institute's ability to maintain its facilities, curriculum, personnel and services at a level necessary to meet the Indian students' educational needs and to establish an all-Indian school board to direct the school's program; and be it further.

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the chairmen of the committees of the United States Congress dealing with the subject of this resolution, to the Secretary of the Interior and to the Commissioner of Indian Affairs."

Two joint resolutions of the Legislature of the State of California; to the Committee on Commerce:

"S.J. RES. 24

"Relative to high-speed rail passenger service

"Whereas, The federal government is now considering the so-called 'Pell Plan,' which envisions the creation of an interstate authority which, with federal assistance, would establish and operate a high-speed rail passenger service in the heavily populated northeast corridor of the United States; and

"Whereas, There is an imperative need for such a high-speed rail passenger service in the San Francisco Bay area metropolitan complex, in the Los Angeles metropolitan complex, and in the San Diego metropolitan complex and for the future linking of these three heavily populated metropolitan areas by a high-speed rail passenger service; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to expand the so-called 'Pell Plan' to include provisions for the establishment and operation of high-speed rail passenger service in the San Francisco Bay area metropolitan complex, in the Los Angeles metropolitan complex, and in the San Diego metropolitan complex and provisions for the future linking of these three heavily populated metropolitan areas by a high-speed rail passenger service; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

"S.J. RES. 33

"Relative to the Marine Mineral Technology Center in Tiburon

"Whereas, There are indications that the 1970 Budget of the Marine Mineral Technology Center of the Bureau of Mines in Tiburon, California, is being reduced to the extent that the center will be required to dismiss 35 to 45 employees and to suspend operation of the research vessel 'Virginia City'; and

"Whereas, The Marine Mineral Technology Center of the Bureau of Mines is concerned with the vital development of unknown mineral resources of the ocean waters along the Pacific Coast and is a function necessary for the entire United States because, with the constant Soviet operations along the Pacific Coast to determine the extent and possibilities of mineral and fishing wealth, it is imperative that our country be the first to obtain such knowledge; and

"Whereas, Curtailment of budget funds for the center would eliminate its offshore operations and limit accomplishments in the marine mineral field by the center; and

"Whereas, The Marine Mineral Technology Center urgently requires reinstatement of approximately $600,000 to its working capital to continue the well-established work in the marine mining program on the Continental Shelf; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to give prompt and full approval to the budget requirements of the Marine Mineral Technology Center in Tiburon, California, so that its invaluable services in behalf of the national interest may be sustained and implemented; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

Two joint resolutions of the Legislature of the State of California; to the Committee on Finance:

"S.J. RES. 10

"Relative to homeowners' property tax rebate

"Whereas, The increasing burden of property taxes on homeowners is of nationwide concern; and

"Whereas, The California Legislature has provided for a $70 rebate in 1969 of property taxes paid by homeowners for the 1968–1969 fiscal year; and

"Whereas, Under federal income tax law, this tax relief may be reduced by the inclusion of the rebate as income for federal income tax purposes; now, therefore be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to exclude the $70 homeowners' property tax rebate from income for federal income tax purposes; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

"S.J. RES. 19

"Relative to federal funds for urban public transit

"Whereas, At the present time, federal participation in urban public transit programs is in no way comparable to the more adequate federal participation in aviation and highway programs; and

"Whereas, It is impossible for state and local governments to plan expenditures and initiate programs in the area of urban public transit without having adequate and dependable assistance from the federal level; and

"Whereas, A trust fund, similar to that set up for highway programs, which does not depend upon yearly congressional appropriations, is needed for urban public transit in order to allow for planning over a reasonable period of time; and

"Whereas, There is now legislation before Congress embracing this trust fund concept and which is a step in the right direction; and

"Whereas, It appears that urban public transit is a necessary adjunct to our highway system in California and throughout the nation, as a means of transporting the large populations of certain metropolitan areas; and

"Whereas, The urban public transit trust funds should be drawn from a source other than highway trust funds, since in California, and other states, even at present rates of collection and expenditure of trust funds, highway needs will not be met; and

"Whereas, Such federal assistance should also provide for protection of the interests of employees of presently existing transit systems which may be affected thereby with respect to collective bargaining rights, continuation of pension rights, paid retraining programs, reemployment priorities, and dislocation allowances; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact legislation setting up a trust fund for the development and support of urban public transit systems with provisions to protect the interests and welfare of employees of existing transit systems; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Secretary of Transportation, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Foreign Relations:

"S.J. RES. 28

"Relative to oil pollution

"Whereas, It is the desire of the people of California to protect the ocean waters, coastline, and marine resources of this state from pollution by oil; and

"Whereas, One major source of pollution to the coastal environment is caused by oil washing ashore from tankers that surreptitiously clean their tanks near our shores; and

"Whereas, This causes great harm to the marine and coastal biology and wildlife resources, despoils beaches and coastline, impairs valuable recreational uses, costs taxpayers thousands of dollars to remove, and results in considerable economic loss to shoreline communities; and

"Whereas, The United States is a contracting nation to the International Convention for the Prevention of Pollution of the Seas by Oil, thereby establishing a zone extending 50 miles off our coast in which registered vessels of all contracting nations are prohibited from discharging oil; and

"Whereas, If such an oil discharge takes place outside of the territorial waters of the United States, although within the protective zone, the United States does not have authority under the treaty to punish any vessel of any contracting nation other than its own; and

"Whereas, Oil imports have risen over 100 million tons in the past 20 years and American flag vessels carry only 5 percent of the oil imports into the United States; and

"Whereas, The United States tanker fleet is governed by substantially adequate domestic laws and most American vessels are operating under a voluntary 'clean seas' policy which prohibits the discharge of persistent oils into any part of any ocean; and

"Whereas, As long as foreign vessels are preeminent in the oil import trade, the domestic law of the United States is inadequate to deal with the discharge of oil in connection with tanker operations and protection must be sought through international channels; and

"Whereas, the United States has set the international community a good example with respect to the control of oil discharges from tankers and demonstrated a need for a worldwide 'clean seas' policy; now therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to take immediate steps to commence negotiations with other countries toward the formulation of international conventions to extend controls over the discharge of oil and other hazardous substances into international waters beyond the zones presently proscribed, to establish international policies for "clean waters" on the high seas, and to provide adequate deterrent to violators; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

Six joint resolutions of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

"S.J. RES. 9

"Relative to state inspection and regulation of offshore oil and gas development operations

"Whereas, The coastline of California is of unique scenic beauty and is one of the state's greatest natural resources; and

"Whereas, The coastal fish and wildlife resources of California furnish a significant contribution to the state's economy; and

"Whereas, The California coast is under continuous hazard from oil and gas development operations which may result in oil escapement on federally controlled outer continental shelf lands; and

"Whereas, The State of California and cities and counties within the state have an exigent interest in offshore oil and gas development operations conducted under federal leases and survey permits but have no voice in the granting of such leases and permits by the federal government; and

"Whereas, The State of California, acting through its Governor and its legislative representatives, has requested that the authority for inspection and control of offshore oil and gas development in federally controlled areas beyond the three mile limit be vested in the state; and

"Whereas, The Government of the State of California has demonstrated a high degree of reliability in its inspection of, and regulations over, oil and gas developments on all onshore and offshore lands within state boundaries; and

"Whereas, The transfer of the inspection function from federal to state control would provide uniformity of protection through uniform inspection and regulation practices; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to provide for the holding of a public hearing within the affected local area of California, upon adequate notice thereof, on the matter of any future oil and gas development operation which would be conducted off the California coast whenever the granting of a federal lease or survey permit for any such operation is under consideration, such hearing to be held prior to the granting of any such lease or permit; and be it further

"Resolved, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to provide for the immediate transfer of inspection and regulation of oil and gas developments off the California coast outside the three-mile limit to the State of California; and be it further

"Resolved, That the enactment of legislation providing for such transfer also provide the necessary funding to carry on the inspection program; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Secretary of the Interior, and to each Senator and Representative from California in the Congress of the United States."

"S.J. RES. 16

"Relative to lands for the Washoe Indian Tribe

"Whereas, The Legislature is concerned with the public health, safety and welfare of all the citizens of California; and

"Whereas, The Washoe Indian Tribe residing in and around Woodfords, Alpine County, California, are living in an overcrowded condition, in vastly substandard housing with inadequate water and sanitation facilities, on public and private land; and

"Whereas, These existing conditions are matters affecting the Washoe Tribe's health, safety and welfare; and

"Whereas, Under the existing conditions it is impossible to make community improvements, or to participate in and develop community programs, particularly housing; and

"Whereas, the Washoe Tribe has expressed a united desire to acquire a land transfer from the public domain where they can build a community; and

"Whereas, The Board of Supervisors of the County of Alpine, State of California, on the third day of September, 1968, passed and adopted a resolution in support of a land transfer; and

"Whereas, Legislation has been introduced in the Congress of the United States to declare that the United States holds in trust for the Washoe Indian Tribe certain lands in Alpine County, California; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact legislation pertaining to the lands for the Washoe Indian Tribe; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the chairmen of the committees of the United States Congress dealing with the subject of this resolution, to the Secretary of the Interior, and to the Commissioner of Indian Affairs."

"S.J. RES. 18

"Relating to mineral extraction from outer continental shelf lands

"Whereas, The State of California has for many years been engaged in the study of coastal marine resources, including mineral resources, to determine the methods whereby such resources may best be utilized and protected; and

"Whereas, The federal government exercises, by virtue of its sovereignty, jurisdiction over outer continental shelf lands; and

"Whereas, The United States Department of the Interior has entered into a mineral extraction leasing program with respect to outer continental shelf lands adjacent to the coastal states; and

"Whereas, This program will have a decided impact upon the coastal environment of the states adjoining the outer continental shelf lands under lease, and the recent oil leakage disaster off the California coast is tragic evidence of the terrible impact such oil and gas operations may have upon the marine and coastal resources of adjacent states; and

"Whereas, Congress is currently considering legislation affecting the coastal resources of the various states adjoining the outer continental shelf lands and the revenues derived from such lands, which legislation would provide for the augmentation of the Land and Water Conservation Fund; and

"Whereas, The State of California recognizes the need for increased funding of the Land and Water Conservation Fund, in order to permit the acquisition and development of land and water resources by the various states pursuant to the Land and Water Conservation Fund Act of 1965 (Public Law 88–578; 78 Stat. 897); and

"Whereas, The disposition of the revenues derived from the outer continental shelf lands should take into consideration the impact which the mineral extraction leasing program will have upon the coastal environment of the coastal states; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California memorializes Congress to recognize the precedent established in the so-called Mineral Lands Leasing Act of 1920 which allocates to the particular state involved 37½ percent of proceeds derived from mineral extraction from federal lands located within such state; and to recognize, further, that the Land and Water Conservation Fund should be augmented with additional moneys (as determined by the Secretary of the Interior), provided that such funds are taken from money in the United States Treasury not otherwise allocated, together with funds specified under subsections (a), (b) and (c) of Section 2 of Title I of the Land and Water Conservation Fund Act of 1965; and be it further

"Resolved, That the Legislature of the State of California fully supports any measure which affirms the concept of allocating portions of the funds derived from mineral extraction to the states adjoining outer continental shelf lands for the purpose of serving the national interest; and be it further

"Resolved, That the Legislature of the State of California recognizes the need for Congress to provide subsidence and oil seepage disaster protection for the states located adjacent to the outer continental shelf lands; and be it further

"Resolved, That the Legislature of the State of California memorializes Congress to enact legislation creating a commission composed of both federal and state technical personnel to establish drilling and safety practices for the development of the oil resources of the outer continental shelf; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Secretary of the Interior, and to each Senator and Representative from California in the Congress of the United States."

"S.J. RES. 29

"Relative to Point Reyes National Seashore

"Whereas, A total of 64,415 acres of land is in the process of acquisition by the federal government pursuant to the act of Congress approved September 13, 1962 (72 Stats. 538), as amended in 1966, establishing the Point Reyes National Seashore in California; and

"Whereas, The State of California has provided 11,415 acres of tidelands, the federal government has additionally acquired 23,845 acres, and 29,155 acres remain to be acquired by purchase; and

"Whereas, The 1966 amendment to the act provided an increase in the amount authorized to be expended for the purchase of land for the project from $14,000,000 to $19,135,000; and

"Whereas, As is the case with respect to lands throughout California, the value of lands within the area of the Point Reyes National Seashore has risen substantially since 1962 and 1966 and an increase in the presently authorized expenditure of funds is necessary in order to acquire the remaining 29,155 acres; and

"Whereas, The National Park Service, in the course of recent hearings on HR 3786 in the National Parks and Recreation Subcommittee of the House Committee on Interior and Insular Affairs, indicated an intention to sell approximately 9,000 acres of acquired National Seashore property to private owners for development; and

"Whereas, The people of the State of California are opposed to the use of any National Seashore property for commercial or residential development which would reduce Point Reyes National Seashore property and alter the basic concept of the present plan; and

"Whereas, After due and careful consideration of the public interest, Senators Alan Cranston and George Murphy and Congressmen Don Clausen and William Mailliard, representing the First and Sixth Congressional Districts of California, respectively, have introduced bills (S. 1530 and H.R. 3786) before the 91st Congress, supported by a majority of California Congressmen, to further amend the act to authorize an increase in the expenditure of funds from $19,135,000 to $57,500,000 for the acquisition of Point Reyes National Seashore lands; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to move swiftly to support and enact S. 1530 and H.R. 3786 of the 91st Congress into law and thus act in the interest of the people of California and of the United States to complete the Point Reyes National Seashore in general, and particularly, to secure the immediate purchase of the property to insure that the National Seashore will not be split by the pending subdivision; and be it further

"Resolved, That the National Park Service is hereby requested to carefully reevaluate its budgetary requirements for completion of the National Seashore in the most conservative manner so that there is no question but that funds sufficient to complete the National Seashore will be authorized; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of the Interior, to the Director of the National Park Service, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

"S.J. RES. 32

"Relative to federal policy in regard to Indians in California

"Relative to federal policy in regard to Indians in California

"Whereas, The Indians of California are virtually excluded from participation in various federal programs and services that are available to other Indians of the United States; and

"Whereas, The Legislature of the State of California in 1968 adopted Senate Joint Resolution No. 3 requesting full participation of California Indians in all federal programs and services available to Indians of the United States; and

"Whereas, The Congress of the United States in 1953 adopted House Concurrent Resolution No. 108, which became the basis for termination legislation and which expressed a sense of Congress that was imposed upon the Indian people; and

"Whereas, Some terminated Indian groups and other California Indians wish to reestablish their trust relationship with the federal government; and

"Whereas, The termination policy of House Concurrent Resolution No. 108 has since been abandoned by Congress in favor of the Indian consent policy expressed in revisions to Public Law 280 and Public Law 85–671; and

"Whereas, House Concurrent Resolution No. 108 is still interpreted as the guiding policy by some federal agencies and officers in regard to services and programs for California Indians; and

"Whereas, Many California tribal groups and Indian organizations regard various federal programs and services as a valuable resource that should be available to them; and

"Whereas, The various federal agencies administering Indian programs for Indians of California should be able to operate their programs in a flexible manner in order to provide a sustained, positive and dynamic Indian policy with the necessary constructive programs and services needed by California Indians; and

"Whereas, House Concurrent Resolution No. 245 which has been introduced in the Congress of the United States states a new national Indian policy that more clearly expresses the will of the California Indian people; and

"Whereas, The sense of House Concurrent Resolution No. 245 should be applicable to the Indians of California especially since California is emerging as the state with the largest Indian population; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to establish a policy that insures that California Indians are included to the fullest extent in various federal programs and services that are available to other Indians of the United States; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of the Interior, to the Commissioner of Indian Affairs, to the Secretary of Health, Education, and Welfare, to the Director of the Division of Indian Health of the United States Public Health Service, to each member of the National Council on Indian Opportunity, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the chairmen of the committees of the United States Congress dealing with the subject of this resolution."

"S.J. RES 34

"Relative to the Richard Milhous Nixon Birthplace National Historic Site

"Whereas, All the Presidents of the United States of America have had a profound effect upon the history of this nation; and

"Whereas, It has been the policy of the federal government of the United States to preserve and restore birthplaces of its Presidents; and

"Whereas, The preservation and restoration of the birthplace of Richard Milhous Nixon is in the national public interest; and

"Whereas, The Nixon birthplace has been adequately maintained and is now available for acquisition and development by the federal government; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact legislation to acquire, restore, and develop the birthplace of President Richard Milhous Nixon and to designate that site as the Richard Milhous Nixon Birthplace National Historic Site; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Labor and Public Welfare:

"S.J. RES. 8

"Relative to school district appropriations

"Whereas, The Congress of the United States of America has appropriated $505.9 million for the fiscal year ending June 30, 1969, for payments to school districts under the provisions of Public Law 81–874, estimated to be sufficient to meet 90 percent of the requirements under the law; and

"Whereas, Federal administrative decisions have determined that only 35 percent of the requirement will be released during the fiscal year ending June 30, 1969, to eligible school districts; and

"Whereas, This administrative decision affects adversely some 438 California school districts, in which in excess of 400,000 eligible pupils reside; and

"Whereas, The withholding of these funds will adversely affect the educational program for more than three million children who attend school in these districts eligible for funds under Public Law 81–874; and

"Whereas, The administrative decisions made will result in reduction in school support from Public Law 81–874 in excess of $50 million during the fiscal year; and

"Whereas, Under the provisions of Public Law 81–874, the federal government since 1951 has participated as a local property taxpayer in school districts impacted with students of parents employed on federal property which is not subject to local property taxation; and

"Whereas, Such federal participation under full provisions of the law does not meet the added costs of education caused by federal activities; and

"Whereas, The withholding of these funds by administrative decision is not in accordance with the intent of the Congress as expressed in Public Law 81–874 and in Section 406 of Title III of Public Law 90–576; and

"Whereas, The withholding of these funds will have an irreparable adverse effect on the majority of school children in California; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President of the United States, the Director of the Bureau of the Budget and the Secretary of Health, Education and Welfare and other involved federal officials to review the existing administrative decision and to provide for release to eligible school districts during the 1969 fiscal year the full appropriation authorized by Congress for that year; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President of the United States, the Director of the Bureau of the Budget, the Secretary of Health, Education and Welfare, and to each

member of the California Delegation in Congress."

Four joint resolutions of the Legislature of the State of California; to the Committee on Public Works:

"S.J. RES. 13

"Relative to flood control in the Carpinteria Valley watershed

"Whereas, There exists in the Carpinteria Valley a severe flooding problem which affects hundreds of homes, local schools, valuable agricultural lands, highway and railroad transportation, and the health and safety of the citizens residing in the area; and

"Whereas, Three separate floods devastated the Carpinteria Valley in January 1969; and

"Whereas, A federally financed flood control project under the provisions of Public Law 566 is proposed for the Carpinteria Valley watershed, which would eliminate the flooding problem; and

"Whereas, Such flood control project has been found to be economically feasible, and the watershed work plan, which constitutes the feasibility report for such project, has been submitted to the federal Administrator of the Soil Conservation Service for review and transmittal to the Congress; and

"Whereas, The urgent necessity for flood protection requires quick action by the Congress and the Administrator of the Soil Conservation Service in approving the work plan, authorizing the project, and appropriating funds for the beginning of engineering and construction; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully requests federal agencies to expedite their review of the Carpinteria Valley Watershed Project Work Plan and to forward their comments to the Administrator of the Soil Conservation Service without delay; and be it further

"Resolved, That the Administrator of the Soil Conservation Service is requested to approve the work plan and to include the Carpinteria Valley Watershed Project in the group of PL 566 projects to be submitted to the Congress in the near future; and be it further

"Resolved, That the Soil Conservation Service and the local sponsoring agencies are requested to cooperate with the Department of Fish and Game in protecting and improving wildlife conditions in the project area, and especially in devising ways to enhance the management of El Estero Marsh for such purposes; and be it further

"Resolved, That the Legislature memorializes the Congress to approve, authorize, and appropriate funds for the beginning of work on the Carpinteria Valley Watershed Project; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Administrator of the Soil Conservation Service, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

"S.J. RES. 15

"Relative to federal flood control assistance

"Whereas, Many counties and communities in the State of California have been subjected to heavy and continuous rainfall and disastrous flooding; and

"Whereas, Such rainfall and flooding have caused great damage to both public and private property throughout the state and have resulted in substantial monetary losses; and

"Whereas, Conditions resulting from such rainfall and flooding continue to cause extreme peril to the safety of both persons and property throughout the state; and

"Whereas, The Governor of the State of California has proclaimed a state of disaster in many areas of the state; and

"Whereas, Legislation which would provide for increases in the amount of federal assistance available to disaster areas under already existing programs has been introduced in the Congress of the United States; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact pending legislation dealing with this problem; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

"S.J. RES. 27

"Relative to the Santa Clara River Flood Control Project

"Whereas, the Santa Clara River Flood Control Project has been proposed to provide for a system of works to control floods Control Project has been proposed to provide for a system of works to control floods along the Santa Clara River and its tributaries; and

"Whereas, The Santa Clara River Flood Control Project was authorized by the Congress of the United States through the enactment of Public Law 858, 80th Congress, approved June 30, 1948; and

"Whereas, The Santa Clara River Flood Control Project was authorized for financial participation by the California Legislature at the 1953 Regular Session of the Legislature; and

"Whereas, Floods occurring in the Santa Clara River Basin during the early part of 1969 caused severe damage to public and private property, endangered lives, and created great hardship for the residents of the basin; and

"Whereas, Much of the damage and hardship created by these floods could have been prevented had the authorized features of the Santa Clara River Flood Control Project been constructed and in operation; and

"Whereas, The United States Army Corps of Engineers is currently conducting a detailed study of the flood problems of the Santa Clara River Basin in order to determine the additional works necessary to provide vital flood control; and

"Whereas, The Corps of Engineers plans to submit three additional project reports on the Santa Clara River Basin, including a report currently being prepared for flood control in the Newhall-Saugas areas; and

"Whereas, The maintenance of an adequate level of federal funding for the construction of vital flood control projects is necessary for the safety and welfare of the people of California and of the United States; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to appropriate funds necessary to immediately undertake the construction of the presently authorized Santa Clara River Flood Control Project; and be it further

"Resolved, That the United States Army Corps of Engineers is urged to expedite their studies of flood control in the Santa Clara River Basin and to seek authorization and construction of necessary flood control works at the earliest possible time; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the chairman of the appropriations committees of the United States Senate and House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Corps of Engineers, and to the Chief of Engineers, United States Army District Engineer, United States Army Corps of Engineers District, Los Angeles."

"S.J. RES. 30

"Relative to recreation planning at federal flood control projects

"Whereas, The U.S. Army Corps of Engineers, pursuant to various federal statutes, plans and constructs flood control projects in the various states, including the State of California; and

"Whereas, Such projects include not only reservoir flood control storage projects but also channel improvements and channel rectifications; and

"Whereas, Under the Federal Water Project Recreation Act approved July 9, 1965 (79 Stat. 213), recreation planning is included in the planning of federal reservoir projects, including those that provide flood control storage; and

"Whereas, Flood control projects involving levees and channel improvements and rectifications, such as the one presently being designed for the Napa River in California, present opportunities for recreation development and beautification associated with the channel improvements; and

"Whereas, Recreational uses, such as walkways, pathways, access points, view areas, and areas for boating, fishing, swimming, and other outdoor activities, but not excluding other recreational activities, should be considered in planning channel improvement projects as well as reservoir projects; and

"Whereas, Streams and channels should be considered in relation to their multipurpose uses and not simply as flood discharge conduits; and

"Whereas, There exists a great demand for water-associated recreational development; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States, and the U.S. Army Corps of Engineers to include recreation and beautification in planning channel improvement and channel rectification projects, and that provisions for recreation be included as part of the project plans; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Director of the Bureau of the Budget, to the Chief Engineer of the U.S. Army Corps of Engineers, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A concurrent resolution of the Legislature of the State of California; to the Committee on the Judiciary.

"S. CON. RES. 159

"Relative to 'Space Pioneers Day'

"Whereas, The landing of two American astronauts on the surface of the moon on July 20, 1969, is an event sure to be remembered and honored by all future generations as an historical landmark comparable to the discovery of America by Columbus; and

"Whereas, Such an event should be commemorated in a manner reflecting its historical significance; and

"Whereas, Corporations, scientists, engineers, technicians and workingmen in California have played an essential part in making this splendid achievement possible, thereby serving their country and all mankind; now, therefore, be it

"Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Governor is requested to proclaim July 20 as 'Space Pioneers Day' in honor of the moon landing by American astronauts; and be it further

"Resolved, That the Senate and the Assem-

bly of the State of California respectfully memorialize the President and Congress of the United States to designate July 20 as a permanent national holiday to commemorate our space pioneers; and be it further

"*Resolved*, That the Secretary of the Senate transmit copies of this resolution to the Governor of California, to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A memorial of the Legislature of the State of Florida; to the Committee on the Judiciary:

"SENATE MEMORIAL 397

"A memorial to the Congress of the United States requesting Congress to call a convention for the purpose of proposing an amendment to the constitution of the United States to provide for revenue sharing with the states of federal income taxes

"Be It Resolved by the Legislature of the State of Florida:

"'That this legislature respectfully petitions the congress of the United States to call a convention for the purpose of proposing an amendment to the constitution of the United States to provide that a portion of the taxes collected in each of the states on the incomes of persons, associations and corporations shall be returned to the respective states to be utilized at the discretion of the state.

"'Be It Further Resolved that copies of this memorial be dispatched to the President of the United States, to the president of the United States senate, to the speaker of the United States house of representatives, and to each member of the Florida delegation to the United States congress.'"

A resolution adopted by the Los Angeles Board of Library Commissioners, Los Angeles, Calif., praying for the enactment of legislation relating to funds for the Library Services and Construction Act; to the Committee on Appropriations.

A resolution adopted by the Naha City Assembly, of Okinawa, praying for the immediate removal of poison gas, germ and radioactive weapons from Okinawa; to the Committee on Armed Services.

A resolution adopted by the Legislative Council of Maryland, praying for enactment of legislation to break the impasse delaying construction of the Metropolitan Washington Transit System; to the Committee on the District of Columbia.

A resolution adopted by the Kiwanis Club of New Orleans, New Orleans, La., remonstrating against the enactment of legislation relating to reduction of the present depletion as applied to the oil and gas industry; to the Committee on Finance.

A resolution adopted by the city council of the city of Madera, Calif., remonstrating against the enactment of legislation relating to the taxexempt status of interest on municipal obligations; to the Committee on Finance.

A resolution adopted by the city of Eastlake, Ohio, remonstrating against the enactment of legislation which would limit the exempt status for income tax purposes of interest paid on bonds issued by State and local governments; to the Committee on Finance.

A resolution adopted by the Board of Commissioners of the City of Lexington, Ky., remonstrating against the enactment of legislation that would in any way limit the tax exemption status on bonds issued by State or local governments; to the Committee on Finance.

A resolution adopted by the city council, of St. James, Minn., remonstrating against the enactment of legislation relating to taxation of interest on municipal bonds; to the Committee on Finance.

A resolution adopted by the Duchess County Board of Representatives, State of New York, praying for the continuance of tax exemption of bonds of local governments; to the Committee on Finance.

A resolution adopted by the city of Appleton, Wis., praying for the prevention of taxing of State and local government bond interest; to the Committee on Finance.

A resolution adopted by the city of Watsonville, Calif., remonstrating against proposed action to eliminate the tax-exempt status of State and local municipal securities issued for municipal purposes; to the Committee on Finance.

The petition of World Peace Appeal, New York, N.Y., praying for the discouragement of a nuclear confrontation between the U.S.S.R. and China; to the Committee on Foreign Relations.

The petition of World Peace Appeal, New York, N.Y., relating to protection of the right to petition for redress of grievances; to the Committee on the Judiciary.

The petition of World Peace Appeal, New York, N.Y., praying for the enactment of legislation relating to full employment; to the Committee on Labor and Public Welfare.

A resolution adopted by the Greenwich Grange, Greenwich, Ohio, remonstrating against the enactment of legislation relating to the registration of firearms; to the Committee on the Judiciary.

A resolution adopted by the Republican Club of Hicksville, Hicksville, N.Y., praying for the enactment of legislation designating Flag Day as a legal holiday; to the Committee on the Judiciary.

A resolution adopted by the National Association of Women Lawyers, Chicago, Ill., praying for the enactment of legislation relating to the equality of rights regardless of sex; to the Committee on the Judiciary.

A resolution adopted by the American Bar Association, Chicago, Ill., praying for the enactment of Senate bill 952, relating to judgeships; to the Committee on the Judiciary.

A resolution adopted by the Lambda Kappa Mu Sorority, Inc., Washington, D.C., relating to civil rights; to the Committee on the Judiciary.

Resolutions adopted by the Mississippi Association of School Superintendents, praying for the enactment of legislation to provide relief in relation to benefits under the Elementary and Secondary Education Act; to the Committee on Labor and Public Welfare.

Resolutions adopted by the 39th Illinois State Convention, Polish Legion of American Veterans, U.S.A., Chicago, Ill., praying for peace in Vietnam, and so forth; ordered to lie on the table.

The petition of World Peace Appeal, New York, N.Y., praying for the enactment of legislation relating to a Day of Fasting, Humiliation, and Prayer; ordered to lie on the table.

The petition of World Peace Appeal, New York, N.Y., praying for the enactment of legislation for the restitution to black people prior to the Civil War; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ALLOTT, from the Committee on Interior and Insular Affairs, with amendments:

S. 719. A bill to establish a national mining and minerals policy (Rept. No. 91–390).

By Mr. RANDOLPH, from the Committee on Public Works, without amendment:

S. 1499. A bill to name the authorized lock and dam No. 17 on the Verdigris River in Oklahoma for the Chouteau family (Rept. No. 91–391).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. EASTLAND (for himself, Mr. STENNIS, Mr. RANDOLPH, Mr. BYRD of West Virginia, Mr. ALLEN, Mr. SPARKMAN, Mr. ELLENDER, Mr. SPONG, Mr. LONG of Louisiana, and Mr. BYRD of Virginia):

S. 2853. A bill to provide additional assistance to the States of Alabama, Louisiana, Mississippi, Virginia, and West Virginia for the reconstruction of areas damaged by Hurricane Camille; to the Committee on Public Works, by unanimous consent.

(The remarks of Mr. EASTLAND when he introduced the bill appear earlier in the RECORD under the appropriate heading.)

By Mr. STENNIS (for himself, Mr. EASTLAND, Mr. BYRD of Virginia, Mr. THURMOND, and Mr. SPONG):

S. 2854. A bill to provide assistance for the disaster area of Hurricane Camille; to the Committee on Public Works, by unanimous consent.

(The remarks of Mr. STENNIS when he introduced the bill appear earlier in the RECORD under the appropriate heading.)

By Mr. BAKER:

S. 2855. A bill to amend section 523 of the Housing Act of 1949 to permit sale of rural housing sites to or for the benefit of qualified lower-income families in addition to participants in self-help housing programs, and for other purposes; to the Committee on Banking and Currency.

(The remarks of Mr. BAKER when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. HART:

S. 2856. A bill for the relief of Saul Bluestone; to the Committee on the Judiciary.

By Mr. MONDALE:

S. 2857. A bill for the relief of Clotilde R. Vibar; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 2858. A bill for the relief of Chin Fa Chow; to the Committee on the Judiciary.

By Mr. METCALF:

S. 2859. A bill for the relief of See Ting Lip Lee (Stan Lee); to the Committee on the Judiciary.

By Mr. HART:

S. 2860. A bill for the relief of Emmanuel Karusakis; to the Committee on the Judiciary.

By Mr. ANDERSON:

S. 2861. A bill to authorize the University of New Mexico to operate a county hospital at Albuquerque, N. Mex.; to the Committee on Labor and Public Welfare.

S. 2855—INTRODUCTION OF A BILL TO AMEND SECTION 523 OF THE HOUSING ACT OF 1949

Mr. BAKER. Mr. President, I introduce today a bill to amend section 523 of the Housing Act of 1949 to permit the sale of rural housing sites to or for the benefit of qualified lower income families in addition to participants in self-help housing programs, and for other purposes.

I ask unanimous consent that the bill be printed in full at the conclusion of my remarks.

Mr. President, this bill would amend section 523 of the Housing Act of 1946 by broadening the statement of purposes in subsection (a) to include assistance in making housing sites in rural areas available for purchase by lower income families, or nonprofit organizations or cooperatives providing housing for lower

income families, who are eligible either for HUD assistance under the National Housing Act or for Farmers Home Administration assistance under the Housing Act of 1959.

Subsection (b)(1)(B) of section 523 of the Housing Act of 1949, which authorizes loans by the Secretary of Agriculture for the purchase, development, subdivision, and sale of land for building sites in rural areas, by its language now encompasses those eligible parties. Because the statement of purposes in subsection (a) is limited to assistance to self-help housing program participants, however, section 523 has been interpreted as requiring that site sales under subsection (b)(1)(B) be likewise limited.

The bill which I introduce today would simply clarify the language in subsection (a), thereby removing this restriction. It is a corrective amendment only and would not conflict in any way with any other program administered either by the Department of Housing and Urban Development or the Farmers Home Administration. Nor is it in any way an attempt to weaken the self-help housing programs, which have been of real benefit in enabling persons who could never hope to own their own home otherwise to obtain decent housing. Rather this amendment would merely facilitate the acquisition of housing sites in rural areas by others who seek to provide adequate housing for lower income families.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2855) to amend section 523 of the Housing Act of 1949 to permit sale of rural housing sites to or for the benefit of qualified lower income families in addition to participants in self-help housing programs, and for other purposes, introduced by Mr. BAKER, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2855

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 523 of the Housing Act of 1949 is amended by inserting before the period at the end of subsection (a) the following: ", and (3) to assist in making housing sites in rural areas available for purchase by families, nonprofit organizations, and cooperatives eligible for assistance under section 235 or 236 of the National Housing Act of section 521 of this Act".

ADDITIONAL COSPONSORS OF BILLS

S. 2459

Mr. HATFIELD. Mr. President, I ask unanimous consent that, at the next printing, the name of my colleague from Oregon (Mr. PACKWOOD) be added as a cosponsor of S. 2459, relating to a feasibility investigation by the Secretary of the Interior relating to the Willamette Valley project.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2523

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at the next printing, the name of my colleague from Washington (Mr. MAGNUSON) and the Senator from Massachusetts (Mr. BROOKE) be added as cosponsors of my bill, S. 2523, to amend, extend, and improve certain public health laws relating to mental health.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2674

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Hawaii (Mr. INOUYE), I ask unanimous consent that, at the next printing, the name of the Senator from Oregon (Mr. HATFIELD) be added as a cosponsor of S. 2674, to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2705

Mr. SCOTT. Mr. President, on behalf of the Senator from Arizona (Mr. FANNIN), I ask unanimous consent that, at the next printing, the names of the Senators from South Carolina (Mr. THURMOND and Mr. HOLLINGS), and the Senator from Texas (Mr. TOWER) be added as cosponsors of S. 2705, to provide for medical and hospital care through a system of voluntary health insurance, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2790 AND S. 2791

Mr. SCOTT. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Pennsylvania (Mr. SCHWEIKER) and the Senator from New Mexico (Mr. MONTOYA) be added as cosponsors of S. 2790 and S. 2791, to incorporate the Catholic War Veterans of the United States of America and to incorporate the Jewish War Veterans of the United States of America.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2809

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Pennsylvania (Mr. SCHWEIKER) be added as a cosponsor of S. 2809, extending the authority to make formula grants to schools of public health.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 246—RESOLUTION AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF SENATE HEARINGS ON RIOTS, CIVIL AND CRIMINAL DISORDERS

Mr. McCLELLAN submitted the following resolution (S. Res. 246); which was referred to the Committee on Rules and Administration:

S. RES. 246

Resolved, That there be printed for the use of the Committee on Government Operations two thousand additional copies of part 21 of the hearings before its Permanent Subcommittee on Investigations during the Ninety-first Congress, first session, entitled "Riots, Civil and Criminal Disorders."

SENATE RESOLUTION 247—RESOLUTION AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF SENATE HEARINGS ON RIOTS, CIVIL AND CRIMINAL DISORDERS

Mr. McCLELLAN submitted the following resolution (S. Res. 247); which was referred to the Committee on Rules and Administration:

S. RES. 247

Resolved, That there be printed for the use of the Committee on Government Operations two thousand additional copies of part 22 of the hearings before its Permanent Subcommittee on Investigations during the Ninety-first Congress, first session, entitled "Riots, Civil and Criminal Disorders."

SENATE RESOLUTION 248—RESOLUTION AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF SENATE HEARINGS ON RIOTS, CIVIL AND CRIMINAL DISORDERS

Mr. McCLELLAN submitted the following resolution (S. Res. 248); which was referred to the Committee on Rules and Administration:

S. RES. 248

Resolved, That there be printed for the use of the Committee on Government Operations two thousand additional copies of Part 23 of the hearings before its Permanent Subcommittee on Investigations during the Ninety-first Congress, first session, entitled "Riots, Civil and Criminal Disorders."

SENATE RESOLUTION 249—RESOLUTION RELATING TO HURRICANE PROTECTION OF CERTAIN SOUTH CAROLINA COASTAL AREAS

Mr. THURMOND (for himself and Mr. HOLLINGS) submitted the following resolution (S. Res. 249); which was referred to the Committee on Public Works:

S. RES. 249

Resolved, That the Committee on Public Works shall, in accordance with section 110 of the River and Harbor Act of 1962, request the Secretary of the Army to direct the Chief of Engineers to make a survey, in the interests of beach erosion control, hurricane protection, and related purposes, of the following South Carolina coastal areas:

(1) the shoreline from Surfside Beach to the mouth of Murrells Inlet;

(2) Pawleys Island;

(3) Isle of Palms; and

(4) Edisto Beach, including Edisto Beach State Park.

SENATE RESOLUTION 250—RESOLUTION AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF PART I OF THE HEARINGS ENTITLED "ECONOMICS OF AGING"

Mr. WILLIAMS of New Jersey submitted the following resolution (S. Res. 250); which was referred to the Committee on Rules and Administration:

S. RES. 250

Resolved, That there be printed for the use of the Special Committee on Aging two thousand five hundred additional copies of part I of its hearings of the current Congress entitled "Economics of Aging".

SENATE RESOLUTION 251—RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURES BY THE SPECIAL COMMITTEE ON AGING

Mr. WILLIAMS of New Jersey submitted the following resolution (S. Res. 251); which was referred to the Committee on Rules and Administration:

S. RES. 251

Resolved, That S. Res. 76, agreed to February 17, 1969 (authorizing a full and complete study and investigation of any and all matters pertaining to problems and opportunities of older people), be amended by striking out "$200,000" and inserting in lieu thereof "$230,000".

SENATE RESOLUTION 252—RESOLUTION RELATIVE TO THE DEATH OF REPRESENTATIVE DANIEL J. RONAN OF ILLINOIS

Mr. BYRD of West Virginia (for himself, Mr. DIRKSEN, and Mr. PERCY) submitted a resolution (S. Res. 252) relative to the death of Representative Daniel J. Ronan of Illinois, which was considered and agreed to.

(The remarks of Mr. BYRD of West Virginia when he submitted the resolution appear later in the RECORD under the appropriate heading.)

REFORM OF INCOME TAX LAWS—AMENDMENTS

AMENDMENT NO. 141

Mr. FULBRIGHT submitted amendments, intended to be proposed by him, to the bill (H.R. 13270) to reform the income tax laws, which were referred to the Committee on Finance and ordered to be printed.

(The remarks of Mr. FULBRIGHT when he submitted the amendments appear later in the RECORD under the appropriate heading.)

DEPARTMENT OF LABOR, AND HEALTH, EDUCATION, AND WELFARE BILL, 1969—AMENDMENT

AMENDMENT NO. 142

Mr. ALLEN submitted an amendment, intended to be proposed by him, to the bill (H.R. 13111) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed.

(The remarks of Mr. ALLEN when he submitted the amendment appear later in the RECORD under the appropriate heading.)

TAX REFORM ACT OF 1969—NOTICE OF HEARINGS BY COMMITTEE ON FINANCE

Mr. LONG. Mr. President, tomorrow the Senate Finance Committee begins the long and difficult task of considering the Tax Reform Act of 1969. The Secretary of the Treasury is to be our first witness.

Public witnesses will be heard beginning September 8, and continue for 4 weeks. Hopefully, we will continue the hearing segment of our consideration of this bill on Friday, October 3. Nearly 700 witnesses have requested an opportunity to testify on the many complicated provisions of the House bill. The Finance Committee has completed the scheduling of the witnesses through Monday, September 22. For the information of the Senate, I believe it would be helpful to include in the RECORD at this point a list of those witnesses who are scheduled to testify and identify the general area to which their comments will be directed.

A total of 149 witnesses have been named to appear through September 22. In a few days we hope to complete the witness list and idenify those who will speak on the subject of State and local bond interest, minimum tax, allocation of deductions, real estate depreciation, natural resources, and a few other provisions to which the House bill relates.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

TAX REFORM ACT OF 1969—LIST OF WITNESSES

MONDAY, SEPTEMBER 8, 1969

1. The Honorable Paul Douglas—National Committee on Tax Justice.
2. The Honorable Wilbur J. Cohen—Dean, School of Education, University of Michigan.
3. Philip H. Wilkie—Rural-Small Town—Small City Coalition, Inc.
4. The Honorable Abner J. Mikva—U.S. Representative from Illinois.
5. Jacob Clayman—Administrative Director, Industrial Union Department, AFL-CIO.
6. Joel Barlow—Counsel for National Machine Tool Builders Association, American Machine Tool Distributors Association, and National Tool, Die and Precision Machining Association.
7. Charles W. Stewart—President, Machinery and Allied Products Institute.
8. John C. Davis III—Past President and Past Chairman of the Board of Trustees of the National Association of Wholesalers.
9. Jerome R. Gulan—Legislative Director, National Federation of Independent Business.
10. J. T. Higgins—Chairman, American Textile Manufacturers Institute Inc. Tax Committee.
11. James B. Irvine, Jr.—President, Association for Advanced Life Underwriting.
12. John P. Meehan—Chairman, National Association of Life Underwriters Committee on Federal Law and Legislation.
13. Leonard Kust—Vice President and General Tax Counsel, Westinghouse Electric Corporation.
14. Miss Vivian Kellems—East Haddam, Connecticut.
15. Mrs. Caryl Terry—Parents Without Partners, Inc.
16. Miss Dorothy Shinder—Director War Singles (Not War Widows) and President, Single Persons Tax Reform.
17. Richard Walton Edwards, Jr.—Washington, D.C.

TUESDAY, SEPTEMBER 9, 1969

Foundations' coordinated testimony group

The Role of Foundations in American Life

1. Irwin Miller—Chairman of the Board, Cummins Engine Company.
2. Herman Wells—Chancellor, Indiana University.

Effect of the Legislation (Proposed Tax) on Beneficiaries

3. Reverend Theodore Mortin Hesburgh—President, University of Notre Dame.
4. Frank Irwin—Chairman, Board of Regents, University of Texas System.
5. Dr. John Cooper—Executive Secretary, Association of American Medical Colleges.
6. Felix Robb—Director, Southern Association of Colleges and Schools.

Effect of the Tax as Seen by Foundations

7. George Harrar—President, Rockefeller Foundation.
8. Alan Pifer—President, Carnegie Corporation of New York.
9. David Freeman—President, Council on Foundations.

Effect of Program Limitations

10. Merriomon Cuninggin—President, Danforth Foundation.
11. Homer Wadsworth—President, Kansas City Association of Trusts and Foundations.
12. Russell Arrington—President Pro-Tempore, Illinois State Senate, testifying for the Citizens Conference on State Legislatures.
13. Elvis Stahr—President, Audubon Society.

Effect of Distribution Requirements (Including Problems Raised by Definition of Qualifying Distributions)

14. Ben W. Heineman—Chairman, Chicago and North Western Railway Company.
15. Julius Stratton—Chairman of the Board, The Ford Foundation.
16. McGeorge Bundy—President, The Ford Foundation.
17. Whitney Young—President, The National Urban League.
18. Whitney North Seymour—Counsel, Council on Library Resources and the International Legal Center.

Restrictive Effects on the Development of Philanthropy and Operation of Foundations Including Effects of "Expenditure Responsibility" and Heavy Penalty on Trustees

19. James Killian—Chairman, Board of Trustees of Massachusetts Institute of Technology.
20. Dana Creel—Director, Rockefeller Brothers Fund.
21. Dr. Jonas Salk—Director, the Salk Institute for Biological Studies.
22. John J. McCloy—Milbank, Tweed, Hadley, and McCloy.
23. Stephen Ailes—Counsel, Corporation for Public Broadcasting.

WEDNESDAY, SEPTEMBER 10, 1969

Foundations

1. Dr. Carl Kaysen—Director, Institute for Advanced Study, Princeton University.[1]
2. Kermit Gordon—President, Brookings Institution.[1]
3. Caryl Haskins—President, Carnegie Institution.[1]
4. O. Meredith Wilson—Director, The Center for Advanced Study in the Behavioral Sciences.[1]
5. John J. Gunther—Executive Director, U.S. Conference of Mayors.
6. The Honorable Brooks Hays—Chairman, Southern Committee on Political Ethics.
7. Howard J. Privett—The James Irvine Foundation.
8. Lyndol L. Young—with respect to The James Irvine Foundation.
9. Byron P. Hollet—The Lilly Endowment, Inc.
10. George C. Hazard, Jr.—Executive Director, The American Bar Foundation.
11. David D. Henry—President, Association of American Universities and President, University of Illinois.
12. John G. Simon—Professor of Law, Yale Law School.
13. Raymond B. Ondov—Member, The Hormel Foundation.
14. Charles Stewart Mott—Charles Stewart Mott Foundation, accompanied by Frank K. Manley, Executive Director.
15. Eugene T. Hackler—Vice President, American Association of Homes for the Ag-

[1] Panel on Impact of Foundation Provisions on Advanced Study Groups.

ing and Treasurer, Evangelical Lutheran Good Samaritan Society.

THURSDAY, SEPTEMBER 11, 1969

Foundations

1. Mrs. Bruce Benson—President, League of Women Voters of the United States.
2. Paul Anthony—Executive Director, Southern Regional Council, Inc.
3. Lawrence Speiser—Director, Washington Office, American Civil Liberties Union.
4. Reed Larson—Executive Vice President, National Right to Work Committee.
5. The Honorable Richard E. Thigpen—The Duke Endowment.
6. Stephen H. Hart—Holland and Hart.
7. Dr. Kenneth Clark—Metropolitan Applied Research Center, Inc.
8. John M. Stalmaker—President Emeritus, Merit Scholarship Corporation.
9. William Thayer Tutt—President, El Pomar Foundation.
10. John A. Wells—The Morris and Gwendolyn Cafritz Foundation.
11. Lyman C. Conger—Chairman of the Board of the Kohler Company.
12. Albert E. Arent—Phoebe Waterman Foundation, Inc.
13. Isaac N. P. Stokes—Chairman of the Board of Trustees and General Counsel of the Phelps-Stokes Fund.
14. William H. Baldwin—President, The Kresge Foundation.
15. Sydney Howe—President, The Conservation Foundation.
16. Mitchell Rogovin—The Louis and Henrietta Blaustein Foundation, Inc.

FRIDAY, SEPTEMBER 12, 1969

Tax-exempt organizations

1. The Honorable Mortimer Caplin—The National Tax Equality Association.
2. Reverend Homer Jolly, S.J.—President, Loyola University.
3. Robert E. McKenna—President of Chilton Company and Chairman of the Washington Legal Committee of the American Business Association, accompanied by John B. Babcock, President and Robert A. Saltzstein, General Counsel.
4. Hal M. Christensen—Director, Washington Office, American Dental Association.
5. William J. Lehrfeld—The National Fraternal Congress of America.
6. Edwin Steers—General Counsel, The Imperial Council of the Ancient Arabic Order of the Nobles of the Mystic Shrine for North America.
7. George F. Kachlein, Jr.—Executive Vice President, American Automobile Association, accompanied by Tax Counsel.
8. J. P. Janetatos—The National Club Association.
9. Denvel D. Adams—National Adjutant, The Disabled American Veterans, accompanied by Charles L. Huber, National Director of Legislation, and Donald C. Alexander of Dinsmore, Shohl, Coates and Deupree, Counsel.
10. Norman A. Sugarman—Baker, Hostetler and Patterson.
11. Zeke L. Loflin—President, National Interfraternity Conference.
12. James W. Riddell—Volume Footwear Retailers of America and Committee of Consumer Finance Companies.
13. Walter Pozen—National Retail Merchants Association.
14. Michael Waris, Jr.—Baker and McKenzie.
15. Maurice H. Goetz—Metropolitan Taxicab Board of Trade and Empire State Taxicab Association.
16. Robert E. Thomas—LP Gas Industry and MAPCO, Inc.

MONDAY, SEPTEMBER 15, 1969

Banks

1. The Honorable Preston Martin—Chairman, Federal Home Loan Bank.
2. Willis W. Alexander—President, The American Bankers Association.
3. Charles H. Ogilvie—Chairman, National Association of Business Development Corporations.
4. George C. Williams—President, National Association of Small Business Investment Companies.
5. I. Shirley Tark—accompanied by Arthur Roth, Co-chairmen of the Bankers Committee for Tax Equity.
6. Edward P. Clark—Chairman, Committee on Taxation, National Association of Mutual Savings Banks.
7. George L. Bliss—President, Council of Mutual Savings Institutions.
8. Glen Troop—Staff Vice President, U.S. Savings and Loan League.
9. Kenneth G. Heisler—Executive Director, National League of Insured Savings Associations.
10. Franklin Hardinge, Jr.—Executive Vice President, California Savings and Loan League.

TUESDAY, SEPTEMBER 16, 1969

Capital gains

1. Robert W. Haack—President, New York Stock Exchange.
2. Donald T. Regan—President of Merrill, Lynch, Pierce, Fenner and Smith, Inc., on behalf of the Association of Stock Exchange Firms.
3. James J. Rutherford—Executive Director, Financial Executives Institute.
4. John C. Bogle—Chairman of the Board, Investment Company Institute.
5. Roland M. Bixler—Chairman, Board of Directors, the Tax Council.
6. William K. Condrell, Secretary, Forest Industries Committee on Timber Valuation and Taxation.
7. Dave Ehlers—President, Gibraltar Growth Fund, Inc.
8. The Honorable Joseph D. Tydings—United States Senator from Maryland.
9. Harley Hinrichs—Associate Professor of Economics, U.S. Naval Academy and Lecturer in Economics, University of Maryland Graduate School.
10. Thomas L. Waterbury—Professor of Law, University of Minnesota.

Restricted stock

11. John Seath—Vice President-Taxes, International Telephone and Telegraph Corporation.
12. George H. Kitendaugh—New York City.
13. Leon O. Stock—The Crown Textile Manufacturing Corporation.

Lump-sum distributions under pension and profit-sharing plans

14. Charles W. Davis—Sears, Roebuck and Company.
15. Roger Vaughan—Secretary, Organization Resources Counselors, Inc.
16. S. D. Noble—President, Council of Profit Sharing Industries.

WEDNESDAY, SEPTEMBER 17, 1969

Charitable contributions

1. John D. Rockefeller III— New York City.
2. Dr. Ernest L. Wilkinson—President, Brigham Young University.
3. Chester A. Myron—Secretary, Committee on Gift Annuities.
4. Dr. H. Leroy Brininger—Associate General Secretary of the National Council of Churches.
5. William R. Consedine—General Counsel, United States Catholic Conference.
6. Leonard S. Silk—President, The National Assembly for Social Policy and Development, Inc.
7. Walter H. Wheeler, Jr.—Chairman of the Board, Pitney-Bowes, Inc., on behalf of the United Community Funds and Councils of America.
8. Kyran M. McGrath—Director, American Association of Museums.
9. Perry T. Rathbone—President, Association of Art Museum Directors.
10. H. Stewart Dunn, Jr.—Ivins, Phillips and Barker.
11. John J. Schwartz—Executive Vice President, American Association Fund-Raising Counsel, Inc.
12. W. Lloyd Tupling—Washington Representative, Sierra Club.
13. Alan Reeve Hunt—General Counsel, American Friends Service Committee.
14. Eugene Shenefield—Executive Director, American Council of Voluntary Agencies for Foreign Service, Inc.

THURSDAY, SEPTEMBER 18, 1969

Charitable contributions

1. John D. Morse—Director, American Council on Education.
2. Herman L. Trautman—Professor of Law, Vanderbilt University.
3. Dr. C. W. Sorensen—President, Augustana College.
4. Herbert E. Longnecker—President, Tulane University.
5. Miss Susan Thompson—Assistant Director, Office of Public Affairs, Lutheran Council in the U.S.A.
6. Dr. Eugene Stockstill—The Association of Independent Colleges in Virginia.
7. Louis J. Fox—President, Council of Jewish Federations and Welfare Funds, Inc.
8. Philip Sokol—Consultant on Government Programs, Federation of Jewish Philanthropies of New York.
9. Donald A. McCormack—Treasurer, National Parks Association.
10. C. Stanley Lowell—Associate Director, American United for Separation of Church and State.

Stock dividends

11. Barron K. Grier—Litton Industries, Inc.
12. Benjamin M. Brodsky—Gottlieb and Schwartz.

Accumulation trusts

13. Cornelius C. Bond—Easton, Maryland.

Moving expenses

14. Jay. W. Glasmann—Employee Relocation Real Estate Advisory Council.
15. E. D. Hoekstra—The National Constructors Association.

FRIDAY, SEPTEMBER 19, 1969

(Not scheduled.)

MONDAY, SEPTEMBER 22, 1969

1. George Meany—President, AFL–CIO.

Farm losses

2. The Honorable Lee Metcalf—United States Senator from Montana.
3. The Honorable George A. Smathers—The American Horse Council.
4. Herbert A. Fogel—General Counsel, State Harness Racing Commission.
5. Albert K. Mitchell—Chairman of the National Livestock Tax Committee, accompanied by E. H. Shoemaker, Jr., Chairman of the Tax Committee of the American National Cattlemen's Association, and Stephen H. Hart, Counsel for the National Livestock Tax Committee.
6. G. L. Hadley—President, National Livestock Feeders Association, accompanied by Don F. Magdanz, Executive Secretary-Treasurer.
7. John B. Connally of Houston, Texas, accompanied by Earl Rudder of College Station, Texas.
8. Marvin McLain—Legislative Director, American Farm Bureau Federation accompanied by William C. Anderson, Assistant Legislative Director.
9. Harry L. Graham—Legislative Representative, The National Farmers Organization.
10. Angus McDonald—Director of Research, National Farmers Union.
11. Robert W. Frederick—Legislative Representative, the National Grange.

Cooperatives

12. The Honorable E. A. Jaenke—Governor, Farm Credit Administration.
13. Stanley Dreyer—President, The Cooperative League of the U.S.A.

14. Melvin E. Sims—President, National Council of Farmer Cooperatives.

15. Bruce J. Hendrickson—Executive Vice President, National Federation of Grain Cooperatives.

16. Patrick B. Healy—Secretary, National Milk Producers Federation accompanied by M. R. Garstang, general counsel.

17. Irving Clark—Minnesota Association of Cooperatives, Farmers Union Central Exchange, Farmers Union Grain Terminal Association, Great Plains Supply Company, Land O'Lakes Creameries, Inc., Midland Cooperatives, Inc., and Twin City Milk Producers Association, Northern Cooperatives Inc., North Star Dairy.

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Leonard E. Alderson, of Wisconsin, to be U.S. marshal for the western district of Wisconsin for the term of 4 years, vice Keith C. Hardie.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Wednesday, September 10, 1969, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF SMALL BUSINESS SUBCOMMITTEE HEARINGS

Mr. McINTYRE. Mr. President, I wish to announce that the Small Business Subcommittee of the Committee on Banking and Currency will hold hearings on the problems facing our small domestic shoe manufacturers on September 16 and 17, 1969.

The hearings will begin at 10 a.m. in room 5302, New Senate Office Building. Anyone desiring information about these hearings, please contact Mr. Reginald W. Barnes, assistant counsel, Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C. 20510, telephone 225–7391.

NOTICE OF PUBLIC HEARINGS ON WATER RESOURCE PROJECTS

Mr. YOUNG of Ohio. Mr. President, as chairman of the Subcommittee on Flood Control, Rivers and Harbors, of the Committee on Public Works, I wish to announce that the subcommittee will hold public hearings on Wednesday, September 17, and Thursday, September 18, 1969. Matters and projects to be considered by the subcommittee include: First, the need for additional dams in the Potomac River Basin for flood control, water supply, and recreation; second, the flood problem in the Four Mile Creek Basin in Arlandria, Va.; third, flooding in areas of West Virginia and in the James River Basin, Va., due to hurricane Camille; and fourth, the need for flood control improvements in the Souris River in North Dakota.

The subcommittee will meet at 9:30 a.m. on the above dates in room 4200, New Senate Office Building. In the event the subcommittee is unable to hear all interested parties on the scheduled dates, remaining witnesses will be heard at a time to be announced later.

Any Senator or other person wishing to testify should notify Mr. Joseph F. Van Vladricken, professional staff member, on extension 6176, in order that he might be scheduled as a witness.

NOTICE OF HEARING

Mr. McCLELLAN. Mr. President, the Committee on Government Operations will hold a hearing on the nomination of Robert F. Keller to be Assistant Comptroller General of the United States next Thursday, September 11, at 10 a.m. in room 3302, New Senate Office Building. Persons wishing to testify or submit statements regarding this nomination should contact the staff director of the committee on extension 4751.

NOTICE OF HEARINGS

Mr. HOLLINGS. Mr. President, on behalf of the Senator from Alabama (Mr. SPARKMAN), chairman of the Subcommittee on Housing and Urban Affairs of the Committee on Banking and Currency, I wish to announce that the subcommittee will hold hearings on September 12 and 15, 1969, on S. 2740, a bill to authorize the Federal Housing Administration to insure loans financing the purchase of mobile homes, and on the subject of mobile homes in general.

The hearings will begin at 10 a.m. each day and will be held in room 5302, New Senate Office Building.

NOTICE OF HEARINGS

Mr. McCLELLAN. Mr. President, on behalf of the Senator from Connecticut, Mr. RIBICOFF, I wish to announce that the Subcommittee on Executive Reorganization will hold hearings on the capability of the General Accounting Office to analyze and audit defense contracts. The hearings will be held on September 16, 17, and 18. Anyone desiring further information should contact the subcommittee staff in room 162, Old Senate Office Building.

MEDICARE PAYMENTS FOR SERVICES OF SUPERVISORY AND TEACHING PHYSICIANS AT COOK COUNTY HOSPITAL, CHICAGO, ILL.

Mr. LONG. Mr. President, one of the serious problems in the medicare program involves the appropriateness and validity of part B payments to supervisory physicians in teaching hospitals. The question, in the main, arises because such services had generally not been paid for prior to medicare and because the actual care is in large part or even entirely rendered by interns and residents. The salaries of the interns and residents are fully reimbursable under part A—the hospital portion of medicare.

The Finance Committee is examining this matter carefully as part of its continuing inquiry into the operations and status of medicare and medicaid. As one aspect of the committee's review of medicare's payments for supervisory physician services, we asked the Comptroller General in April to investigate and report to us concerning allegations of serious and costly abuse in the Cook County Hospital in Chicago, Ill.

I have just received the Comptroller General's report on the situation in the Cook County Hospital. The full report will not be made public until after members of the Finance Committee have had adequate opportunity to read and evaluate it. Meanwhile, for the information of Senators, I ask unanimous consent that the portion of the GAO report entitled "Digest," which contains findings and conclusions, be printed in the RECORD.

There being no objection, the digest was ordered to be printed in the RECORD, as follows:

DIGEST

WHY THE REVIEW WAS MADE

In accordance with a request, dated April 28, 1969, from the Chairman, Committee on Finance, United States Senate, the General Accounting Office (GAO) reviewed selected Medicare payments for physicians' services made to the Associated Physicians of the Cook County Hospital (APCCH), Chicago, Illinois. The Chairman advised GAO that the Committee did not intend that GAO develop overall conclusions relating to any legal or policy questions which might arise during the review. The Committee has also requested GAO to limit the distribution of the report prior to its release by the Committee.

Medicare is administered by the Social Security Administration (SSA), Department of Health, Education, and Welfare (HEW). Illinois Medical Service (Blue Shield) has been operating under a contract with SSA to make payments of Medicare claims for physicians' services in several counties in Illinois, including Cook County.

In accordance with certain SSA regulations, issued in August 1967, payments under the supplementary medical insurance portion (part B) of the Medicare program could be made for the professional services rendered to Medicare patients by supervisory or teaching physicians in a hospital in cases where the physicians are the patients' attending physicians and provide personal and identifiable direction to interns and residents who are participating in the care of their patients.

FINDINGS AND CONCLUSIONS

From April 1968 to April 15, 1969, when, at the direction of SSA, Blue Shield suspended making payments of APCCH claims, APCCH had received about $1.6 million in payments under part B of the Medicare program for the services of attending physicians.

The GAO review of patient medical records of Cook County Hospital indicated that the professional services billed by APCCH and paid by Blue Shield had been furnished, in almost all cases, by residents and interns at the hospital and showed only limited involvement of the attending physicians in whose names the services had been billed.

The GAO review of the hospital medical records applicable to selected Medicare claims for attending physicians' services showed that:

For 60 of the 72 initial visits for which billings had been made, the medical records supporting the specific services billed disclosed no involvement of any attending physicians, although the SSA regulations provided that the attending physicians should review the patients' histories and physical examinations and personally examine the patients within reasonable periods after admission. (See p. 29.)

For 129 of 747 follow-up visits billed, no notations had been made by any physicians,

including residents or interns, to indicate that physicians had seen the patients. For the remaining 618 visits, which were supported by physicians' notations, attending physicians had been identified as involved in providing the services for only 35 visits and residents and interns had been identified as providing the services for nearly all the remaining visits. (See p. 31.)

The medical records applicable to 38 consultations for which the Medicare program had been billed disclosed no involvement of the attending physicians in whose names the services had been billed. (See p. 34.)

Hospital records in nine of 18 cases involving charges for operating room surgery did not indicate that attending physicians had been present during the operations. (See p. 37.)

Hospital records in 31 of 39 cases involving charges for minor surgical procedures did not indicate that attending physicians had been specifically involved. (See p. 40.)

Officials of APCCH and Cook County Hospital advised GAO that generally the services were provided to the patients under the direction of attending physicians responsible for the patients' care but that evidence of such direction was not incorporated into the patients' medical records.

RECOMMENDATIONS OR SUGGESTIONS

Although in April 1969 SSA issued new and more comprehensive guidelines which were intended to clarify and supplement the criteria for making payments for the services of supervisory or teaching physicians, GAO suggested that SSA inquire further into the propriety of the charges being allowed when the circumstances outlined above existed at hospitals.

AGENCY ACTIONS AND UNRESOLVED ISSUES

HEW pointed out that SSA, by letter dated April 9, 1969, had directed Blue Shield to suspend further payments to APCCH. HEW stated that it would inquire further into the specific circumstances described by GAO. (See p. 68.)

ILL-CONSIDERED ATTEMPTS TO CUT DEFENSE BUDGET

Mr. GOLDWATER. Mr. President, there is a growing concern in the Nation about what appears to be ill-considered attempts to cut the defense budget without regard to the possible consequences.

I am sure there is no one in this country or in Congress who does not believe there is fat in the Pentagon somewhere. As a matter of fact, President Nixon has named a blue ribbon committee to seek ways of streamlining the Defense Department and making it more efficient and more responsive to changing needs. Secretary Laird has also performed admirably in this field.

But this does not mean that Congress or anyone else should rush in and hack away at defense expenditures without being quite sure of what they are hacking at and what the results can be.

The Los Angeles Times, in an editorial published August 26, agrees that this is not the time for "slipshod, cart-before-the-horse" approaches to defense policymaking.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CAUTION IN DEFENSE CUTS

Issue: Is Defense Secretary Laird correct in charging that Congress is going too far with cuts in military spending?

Just about everybody agrees that military spending should come under much more critical congressional scrutiny than it has in the past. And there is evidence that the 91st Congress, by building a fire under the Pentagon, has already succeeded in making the Defense Department hierarchy more economy conscious.

When members of the U.S. Senate return to work after Labor Day, however, they should ponder Defense Secretary Melvin Laird's pointed warning last week that they are in danger of carrying a good thing too far, with consequent peril to the national security of this country.

Laird made his comment in the process of announcing an additional cut of $3 billion in defense spending—bringing to $4.1 billion the amount sliced off the figure bequeathed to President Nixon by the Johnson Administration.

Not all the details have been disclosed, but the $3 billion reduction involves, among other things, a 100,000-man cut in military manpower, the deactivation of more than 100 Navy ships and a sizeable reduction in Air Force training flights.

The defense secretary, blaming congressional pressure for the cutbacks, warned that "there will be an inevitable weakening of our worldwide military posture . . . these cuts will reduce our capability to meet current commitments."

It is entirely possible that Laird overstated the impact which the announced reductions will have on the U.S. defense posture. Surely there is at least $3 billion worth of "fat"—and probably more—which can be excised without real damage.

What should be taken with absolute seriousness, however, is the defense secretary's additional warning that Congress will make a "grave error" if it goes beyond the cuts already made in weapons procurement and military research and development.

It is especially important that his remarks be heard and heeded in the Senate, where the meat-axe approach to defense budget-cutting is particularly fashionable.

One pending amendment, for example, would eliminate the $377 million earmarked for a nuclear-powered aircraft carrier. Another proposal would slash funds for development of a new manned bomber, and still another would drastically curtail purchases of the big C–5A transport plane.

It is intriguing that the most energetic proponents of such drastic moves are men like Sens. Fulbright, Gore, Proxmire, and McGovern—the same group that is spearheading the drive for curtailment of U.S. commitments abroad.

Their strategy apparently is to make future Vietnams impossible by rendering the United States militarily incapable of intervening in places far distant from our shores.

The world is far too complicated and dangerous a place for such slipshod, cart-before-the-horse approaches to defense policymaking.

This is especially true in light of Russia's ominous buildup of its own forces, both conventional and nuclear.

SOVIET NAVAL POWER

Mr. SPONG. Mr. President, the increasing strength of Soviet Russia's naval power has been of great concern to me. On several occasions during the 90th Congress, I placed articles and editorials on this subject in the CONGRESSIONAL RECORD. A timely and accurate assessment of the continuing emphasis by the Russians on naval power was presented in the lead editorial of the Washington Sunday Star of August 31. I commend the editorial to the Members of the Senate.

It has been evident since the Cuban missile crisis of 1962 that the Russians are determined to expand their maritime strength and conventional naval power until they reach a position of supremacy.

While here the air is often filled with rhetoric about the need for bolstering our declining merchant marine, the Russians—by action and deed—have shown a wiser understanding of the use of the sea than we have in recent years. Indeed, it would seem we are forgetting the necessity to go to sea.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE RISE OF SOVIET RUSSIA'S NAVAL POWER

While the United States Navy is retiring 76 ships and defense budgetparers are demanding further cuts in naval spending, the Soviet Union is well on its way to becoming the world's leading maritime power.

Russian squadrons are cruising the seven seas, breaking the Red ensign over troubled waters from the Caribbean to the Persian Gulf in a profound reversal of Moscow's relatively recent landlubber policies.

Although the Russians never have been a sailor people, the lure of the sea is nothing new for Muscovy. Peter the Great, who ruled from 1682 to 1725, fathered the Russian Navy. After working incognito in a Dutch shipyard to obtain personal knowledge of maritime matters, Peter through his Baltic conquests and the construction of St. Petersburgh (Leningrad) gave Russia her "window on the world."

Catherine the Great, whose sexual voraciousness matched her lust for power, consolidated Peter's work and—through judicious use of such 18th Century cutlasses-for-hire as John Paul Jones—contested mastery of the Caspian with the Ottoman Turks and won control of the Black Sea.

In an interesting parallel to the present situation, Russian fleets plied the Mediterranean for 40 years before their recall was forced in 1807 by the growing might of Napoleonic France.

Diversion of Russian energies to the conquest of the Eurasian land-mass, the superior technology of the Western maritime nations, and poor leadership combined in the 19th Century to force the czarist navy into a defensive posture. The ultimate humiliation came with the Japanese annihilation in 1904–05 of Russian fleets at Port Arthur and Tsushima, contributing to the atmosphere of despair which culminated in the October Revolution a dozen years later.

The navy fared little better under the Kremlin's Communist rulers. Suspect as a nest of aristocratic sympathies, the navy was savagely purged and starved of appropriations.

Stalin, an insular Georgian who thought in continental rather than global terms until his last years, created only a "fortress fleet" for coastal defense, subordinating the navy to army command during World War II.

In the last decade of Stalin's life, Russian strategy reverted to Peterist concepts. The Soviet Union extended its "window on the world" by annexing the Baltic states, and began laying the keels of a balanced fleet to match its new postwar power.

Under Khrushchev and the present Brezhnev-Kosygin duomvirate, the Kremlin pushed a program of naval construction that was at once recognition of the declining maritime strength of Britain and France and admission of the political and military need to challenge America on the high seas.

Although the need for a global fleet probably had been conceded by them, the single event underlining this imperative unquestionably was the Cuban missile crisis of 1962, when lack of conventional Soviet naval power

forced a humiliating defeat on the Russians which contributed to Khrushchev's downfall.

Since that day, Russian military spending, including naval allocations, has increased annually. This year the Russians are spending the equivalent of about $60 billion on defense, as compared to about $80 billion for the U.S. But when the costs of the Vietnam war are deducted—about $29 billion annually—it becomes clear that the Russians are spending more than we are on weaponry, although their gross national product is only half that of the U.S.

The Russian fleet now totals 1,575 vessels, as opposed to 894 American ships, excluding the 76 to be mothballed within the next three months. More importantly, Moscow's growing armada is more modern than ours: 58 percent of our navy's combat ships are 20 years or more old; in contrast, only 1 percent of Russia's navy is that old. Nor is the Russian edge limited only to numbers and newness; Soviet excellence in naval missilery, electronics, fire-control and hull-design is acknowledged by Western experts.

Although the U.S. Navy enjoys overwhelming superiority in aircraft carriers, the Russians outnumber us in submarines by 375 to 143. According to recent testimony by Admiral Hyman G. Rickover, the Navy's nuclear boss, the Russians are building one Polaris-type submarine per month and will overtake us in this aspect of the nuclear field by the end of next year.

While land-based intercontinental ballistic missiles may be the most vital element in any nation's arsenal, the Russians have recognized—if we have not—that naval superiority can be crucially important in the immense range of alternatives short of total nuclear war.

By their nature, missiles are both remote and invisible, having little day-to-day political impact around the world. But the presence in a neutralist port of a modern Russian fleet gives visual testimony to the politico-economic might of the Soviet Union, lends dignity to local Communist parties, encourages trade, facilitates intelligence gathering and overawes wavering governments.

Logic and the movements of the Red Fleet serve to identify the initial goal of Soviet naval strategists: Predominance in the Mediterranean, where 63 warships—half their long-range fleet—are cruising.

Through its pro-Arab, anti-Israel policies, the Kremlin has gained political leverage and concomitant military footholds along the southern shore of that sea, from Latakia in Syria to Mers-el-Kebir in Algeria. Soviet naval activity in the Mediterranean during the first half of 1967 was 400 percent greater than the comparable figure for all 1963; since the earlier year, Russian submarine activity in the Mediterranean has increased 2,000 percent.

With the end of British rule in Aden, the Russians have expanded their influence at the southern end of the Red Sea, solidified their position in Egypt and placed heavy pressure on the Turks for unrestricted use of the Dardanelles. In Gibraltar, Spain—supported directly by the Arabs and indirectly by the Soviet Union—is trying to expel Britain from the Mediterranean's western gate.

If and when the Suez Canal is reopened, it appears more than possible that the Russians will have compliant regimes at each of the Mediterranean's corks. This would provide moral support to the Communist parties of Italy and France (the biggest in the West) and open the way to that historic Russian goal, the Indies.

In short, the peoples of the world are going to be seeing more of Soviet naval squadrons in the near future. Ivan's wake is going to be foaming blue water from New Orleans to Tokyo, from Valparaiso to Cape Town.

We know too much to doubt Russia's military capabilities. We can only guess at the Kremlin's intentions. But the prognosis—in view of increased Russian defense spending, the crushing of domestic dissent and the demonstrated willingness to take military risks in Europe and Asia—cannot be sanguine.

Under the circumstances, those who seek to slash our defense budget—and particularly naval allocations—must be very sure they are trimming fat and not military muscle.

We do not quarrel with the retirement of over-age ships. But if this nation is to preserve its influence among the countries washed by the seven seas, this should be matched by a substantial building program to modernize both our navy and merchant fleet.

DEATH OF VERNON L. NICKELL, FORMER ILLINOIS SUPERINTENDENT OF PUBLIC INSTRUCTION

Mr. BAKER. Mr. President, the Glen Ellyn News and Wheaton Leader, of Glen Ellyn, Ill., recently published an editorial tribute to the late Vernon L. Nickell, former Illinois Superintendent of Public Instruction. On behalf of the minority leader, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WON'T LIVE LONG ENOUGH

If all of us living today outlived our normal life span for three generations, we still would not live long enough to feel the full impact which has been left with education by Vernon L. Nickell, former Illinois superintendent of public instruction, who was laid to rest Monday.

In Mr. Nickell we had a true son of Illinois rise above the ranks from a meager start in life to one of the greatest educators of our time. The accomplishments did not occur easily. Some were fraught with great controversy. Some of his adversaries, political and otherwise, attempted to crucify him personally. Not only did they fail in this end, but their efforts only made Mr. Nickell all the stronger in the educational picture.

Education has probably undergone as many or more changes since World War II than any other phase of our daily lives. Most of them have been for the better. As laymen, we feel that some of them have not been so beneficial. But most of the better ones in this state were either launched by or advanced by Mr. Nickell and the group of accomplished educators whom he assembled as his staff to carry out the work. The benefits to education for which he toiled have left their mark not only in his home city of Champaign or in this state, but also across the country. People across these United States, in education, will attest to that.

Many of the programs which Mr. Nickell engineered would not have come to pass, had it not been for legislative implementation. He had a faculty of presenting programs to the General Assembly. Their acceptance and implementation crossed party lines. Illinois has been the beneficiary.

Among those, to name but a few, whom Mr. Nickell placed on his staff, were several who rated as outstanding in their fields. When he first took office in 1943 he retained an outstanding DuPage county educator as his first assistant, Cary C. Byerly, superintendent of West Chicago elementary district 33. He served until his death in 1957 and was replaced by Dr. Eric Johnson, now administrative aide to the president of Illinois State university.

Another whom he retained was Ray Graham, for whom a rehabilitation center in DuPage county is named. Mr. Graham was rated tops in the country in special education, a multifold program which during Mr. Nickell's tenure rose to one of the greatest in the nation. Mr. Nickell's successors and those who succeed the late Mr. Graham will advance this important educational program well beyond its present status.

The tremendous growth of the junior college movement had its major promotion through the efforts of Mr. Nickell. More people than ever are getting the benefit of higher education than at any prior time. The state, through a formula, subsidizes public junior colleges to make it possible to provide education for many who otherwise could not afford it. The results are nothing short of phenomenal.

Driver education receives its biggest shot in the arm during Mr. Nickell's reign over the schools of Illinois. This program also receives financial help, again determined by formula. Who among us is to say that this program hasn't been one of the most far reaching of all in its application to our daily lives?

The program which Mr. Nickell launched that will probably have the strongest impact for the longest time to come is the school district reorganization program. Its results are so far reaching that they have spread to other states. When the program was first started, Illinois led the nation in the total number of districts. Today that number has been reduced to about one eighth of its former size.

It saw the introduction to the state of the community unit (12-grade) district, which in the non-growth and sparse areas has been particularly effective. An incentive to convert to this district was given in the form of a larger per capita grant for state aid from the Illinois Common School Fund.

Speaking not only from the sparsely populated districts but from the heavily urbanized ones as well, perhaps no single program that Mr. Nickell furthered had more impact than that of school transportation. This is also a partial state aid program by formula, and its impact is so vast that we could not hope to convey it in words.

Mr. Nickell maintained a small staff whose sole activity was concerned with physical education and athletics. Physical fitness was a big thing in his educational program as were several other fields for which full time staff people of exceptional calibre were retained. Some of them were music, art, vocational teaching and veterans' education, to name just a few.

School people all over the state made requests for Mr. Nickell's appearances at official functions and conferences involving school programs. He found it difficult to decline some of them, owing to the unbelievable press of his duties. Some of his close friends believe that his downfall in health which prompted him to decline to run for a fifth four year term came about in part from his incessant desire to serve every school district possible, be it a small country affair or one of the largest. The same can be said for the man he retained to be the legal counsel of his office, N. E. "Gene" Hutson of Monticello, who still serves the office. Hutson is regarded as one of the best school lawyers in the country.

With all our references to school districts, we almost overlooked the major hand he played in the development of the state's universities. By virtue of his office, Mr. Nickell was an ex officio trustee of the University of Illinois, as well as an ex officio member of numerous other boards concerned with education in Illinois. Their progress during this time is in no small measure attributed to ceaseless work under the guidance of Mr. Nickell.

We admired Mr. Nickell's outspoken patriotism as one of his greatest assets. We admired his great belief in the right of school districts, and/or their voters, to make their

own decisions without an ugly arm of compulsion under undue threat. We admired his admonition, oft repeated, to many county superintendents who might be inclined to promote segregation by gerrymandering school district boundaries. Generally they heeded his words. Mr. Nickell did not want to be armed with dictatorial authority to force actions which were properly those of the local jurisdiction.

Despite all his high stature in education which even capped his six-foot-five stoop shouldered physical frame and his ruddy Abraham Lincoln rugged build, he was still one of us who loved people and loved sports. In big time sports, the sun rose and set on the Chicago Cubs, the Chicago Bears and the Fightin' Illini. No one was too big or too small to be his friend. He was perhaps the busiest man around, but he was always a devoted family man. The book on his private desk which meant the most to him and was the most prominently displayed was the Holy Bible. He was just "one of us." Those of us who knew him well will always remember that.

Too many good things in education owe their origin or development to the efforts of Mr. Nickell. The benefits are too numerous to mention in this small space. Prior to his passing he was able to see the benefits of his handiwork. All of us now living will never see the benefit in full during our life spans.

FRUSTRATIONS OF THE WAR IN VIETNAM

Mr. PEARSON. Mr. President, Mr. Stan Rose, publisher of the Johnson County Scout, has accurately expressed in an editorial of August 14, 1969, that which is, I believe, the attitude and conscience of many Kansans regarding the war in Vietnam. He expresses with calmness the frustrations we all bear. He is critical, more in sadness than in anger, regarding the failure—as he sees it—of this administration to change our policies in Southeast Asia.

Mr. President, while I would differ with my neighbor and friend in that I believe that President Nixon, particularly in his May 14 speech, has in fact changed the Nation's policies and our direction in Vietnam, it is most significant that Mr. Rose, an able student of public affairs, believes our course in Vietnam to be a continuation of the past. It is also important that in voicing such an opinion he is, I believe, reflecting the persuasion of many of the people of my State. That which appears to be so has the force of reality, and it is one more sign that this administration and those of us in public life have a great responsibility not only to state policies clearly, but also a duty to outline the reasons for our judgments.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MEMO

(By Stan Rose)

A few years ago, I took part in a panel discussion on Vietnam at the Village Church and found myself strongly defending the position of the Administration against what I felt then to be a roomful of misguided doves. Congressman Larry Winn, another panelist, expressed similar views to mine in what turned out to be a minority report.

Since that time, the situation in Vietnam has changed very little—except that there are now many more American troops fighting there. But I find that my own views about Vietnam have changed a great deal.

I can no longer defend the policies of the Johnson administration with regard to Vietnam—and I believe that the policies of the Nixon administration in the pursuit of this war are basically the same as President Johnson's. I believe this despite reassuring promises by President Nixon to de-escalate, and interpretive remarks by Administration spokesmen and other "experts" that what he means is peace will come before the next Presidential election.

I believe the sad truth is we are no nearer a settlement of the war in Vietnam today than we were two years ago or four years ago, and that the longer we follow the Rusk-McNamara theory of fighting a "War of Containment" against Communism, the deeper we will find ourselves in the quicksand.

Frankly, the Rusk-McNamara theory of limited warfare to check Communism made sense to me in 1964 when I first heard it explained by Undersecretary of State U. Alexis Johnson at a Regional Foreign Policy Conference in Des Moines. Despite the obvious failure of this theory and its disastrous consequences, U. Alexis Johnson remains as one of the key men in the State Department today.

Year after year, the State Department and the Pentagon have stubbornly propped up their sagging theory by putting more men behind more guns in Vietnam but with never a thought of winning a military victory and getting out.

The song of Containment has ended, but the policy lingers on.

I believed before, and believe now, that our intentions were good when we went to the aid of the people of South Vietnam against aggression. Force, or the threat of force, had prevented aggressors from swallowing up South Korea, West Germany, Israel, and who knows what other countries. And we had supplied that force. I believe we had plenty of precedents for what we tried to do in Vietnam, and I believe in the integrity and dedication of the American leaders who set these precedents and of those who followed them—Truman, Eisenhower, Kennedy, Johnson, Nixon. And Rusk, McNamara and U. Alexis Johnson, too. But they miscalculated.

Just as the road to hell is paved with good intentions, so are the American-built roads in South Vietnam. And unless we detour in a hurry, our miscalculations will surely take us there. To hell, I mean.

We miscalculated when we expected the Viet Cong and the North Vietnamese to react with sober second thoughts as the Russians did during the Berlin airlift and the Cuban showdown. We miscalculated when we expected the people of South Vietnam to rally and fight for freedom as the South Koreans did. Or the Greeks. Or the Israelis. We miscalculated when we expected the American public to respond without dissent to another call to send its sons to fight for freedom and democracy—this time in a strange jungle land whose people had never known the meaning of either. We miscalculated when we failed to hear the rumblings of our young people who want no more wars of containment or liberation or whatever you call them—rumblings that have grown to volcanic proportions in a few short years.

The Viet Cong and the North Vietnamese haven't miscalculated. And neither has the Soviet Union, without whose help this war would not have been possible. They know the bind we are in. They know we have been dedicated to NOT winning the war in Vietnam and that it is too late for us to change that policy now because our country would surely be torn apart by internal strife.

They know that the life of a Viet Cong or a North Vietnamese soldier is the cheapest commodity they have. And so they play the waiting game. And while they wait, they goad us—on the battlefield and at the conference table—knowing that we will someday have to throw in the towel, and that when we do South Vietnam will be theirs for the taking.

I believe they have no intention of letting us off the hook—with honor.

Meanwhile, the days become weeks, the weeks become months, the longest war in American history grows longer, and the American casualty list continues to mount. And President Nixon, knowing he has a mandate from the American public to end the war somehow, talks in one breath of withdrawal and, in the next, of Vietnam as "one of our finest hours."

We Americans are a proud people and it may be consoling to our ego to hear our President speak of peace with honor, withdrawal with reciprocity, but before another year of this war goes by and before another batch of names is added to the American casualty list, I for one would rather see the President face up to the grim task of telling us the truth.

We have lost the war. We have lost it because we did not try to win it and wars don't end in ties.

The President can tell us he is pulling our troops out unconditionally—"let the chips fall where they may"—or he can tell us he is making a deal to "buy our way out" with an economic aid program for North Vietnam that would continue as long as it leaves South Vietnam alone. The price might be high but it might be well worth it this time. We have bought so many friends in the past, it might be advantageous just this once to buy an enemy.

Either way it won't shake up the American public nearly as much as a continuation of this pointless struggle. The parents of boys who lost their lives in that war may greet the news with a tinge of bitterness, but parents whose boys are still fighting over there or are on the list to go won't put up much of an argument. And neither will many other Americans.

ORGANIZED CRIME

Mr. HRUSKA. Mr. President, the August 22, 1969, issue of Time contains an interesting and informative article about organized crime. The problem discussed in this article should be of great interest to all Members of this body.

Organized crime has entered all facets of society. It has infiltrated the business world as well as its traditional activities in gambling, narcotics, and labor racketeering. An estimated membership of 3,000 to 5,000 individuals in 24 regional gangs control all major crime in the Nation. It is roughly estimated that the Mafia's profit is $30 billion a year; when measured in terms of profits, this makes the Mafia larger than United States Steel, Ford, American Telephone & Telegraph, General Motors, Standard Oil of New Jersey, General Electric, International Business Machines, Chrysler and Radio Corp. of America, combined. What a drain on our economy.

Time says:

The Nixon administration and several key States are striving to improve law-enforcement efforts.

I can attest to that fact. Attorney General Mitchell has undertaken to strike a meaningful blow at the crime czars who control the Mafia and all their illegal activities by establishing permanent field offices in major metropolitan areas. For example, a Federal-State-local effort is currently underway in New York City.

But the Attorney General cannot do the job alone. He needs the support of

Congress and of the people. Public apathy has too long been an ally of organized crime.

Time is to be commended for its efforts in bringing this problem to the public's attention. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CONGLOMERATE OF CRIME

Nobody will listen. Nobody will believe. You know what I mean? This Cosa Nostra, it's like a second government. It's too big—JOE VALACHI.

At the beginning of the decade, even J. Edgar Hoover denied its existence. Its structure was a mystery, and if it had a name, no one on the outside was sure of what it was. Yet, almost unnoticed, it exerted a profound impact on American life. It still does. Small wonder that Valachi, the thug-turned-informer, doubted that anybody would believe or care when he talked about an organization called La Cosa Nostra.

Today people do care. Organized crime is suddenly a high-priority item in Congress. The Nixon Administration and several key states are striving to improve law-enforcement efforts. The Justice Department is sending special anti-Mob "strike forces" into major cities, more money is being spent by police forces, and more men are being thrown into the battle. Hollywood makes movies about it (*The Brotherhood*), and readers have put it on the top of the bestseller list (Mario Puzo's novel *The Godfather* and Peter Maas's *The Valachi Papers*). Organized crime is no longer quite the mystery that it was. It is a vast, sprawling underground domain impossible to trace fully; but there is no longer any doubt that its most important part, its very nucleus, is La Cosa Nostra (LCN), otherwise known as the Mafia.*

Its reality borders on fantasy. Many Americans still find it difficult to fully believe that their nation harbors an evil entity capable of stealing billions while destroying the honor of pubic officials, the honesty of businessmen and sometimes the lives of ordinary citizens. The evidence that it does these thing, and more has become all too credible. The image persists of the colorful gambler who speaks quaint Runyonesque, or the romantic loner—Jay Gatsby, say—who has his own somehow justifiable morality, or of the paternalistic despot who challenges society by his own peculiar code.

THE MULTIPLIER EFFECT

There are bits of truth in all the impressions, but all fall short. The biggest and most important truth is that La Cosa Nostra and the many satellite elements that constitute organized crime are big and powerful enough to affect the quality of American life. LCN generates corruption on a frightening scale. It touches small firms as well as large, reaches into city halls and statehouses, taints facets of show business and labor relations, and periodically sheds blood. It has a multiplier effect on crime; narcotics, a mob monopoly, drives the addicted to burglaries and other felonies to finance the habit. Cosa Nostra's ability to flout the law makes preachment of law and order a joke to those who see organized crime in action most often: the urban poor and the black. Says Milton Rector, director of the National Council on Crime and Delinquency: "Almost every bit of crime we study has some link to organized crime."

Yet La Cosa Nostra itself, the Italian core of organized crime, consists of only 3,000 to 5,000 individuals scattered around the nation in 24 "families," or regional gangs, each headed by a boss and organized loosely along military lines. There is no national dictator or omnipotent unit giving precise direction on all operations. Rather, the families constitute a relatively loose confederation under a board of directors called the Commission. From this soft center the mob's web spreads to many thousands of allies and vassals representing most ethnic groups. "We got Jews, we got Polacks, we got Greeks, we got all kinds," Jackie Cerone, a member of the Chicago gang, once observed with both accuracy and pride.

In many respects, says Ralph Salerno, who was the New York City police department's chief Mafia expert until his retirement in 1967, the leadership has always been a "happy marriage of Italians and Jews." Salerno adds: "It's the three Ms—moxie, muscle and money. The Jews provide the moxie, the Italians provide the muscle, and they both provide the money." In the public mind, however, Cosa Nostra is identified with the Italians, and about 22 million Italian-Americans are being hurt in reputation by the depredations of a very few.

In money terms, the organization is the world's largest business. The best estimate of its revenue, a rough projection based on admittedly inexact information of federal agencies, is well over $30 billion a year. Even using a conservative figure, its annual profits are at least in the $7 billion-to-$10 billion range. Though he meant it as a boast, Meyer Lansky, the gang's leading financial wizard, was actually being overly modest when he chortled in 1966: "We're bigger than U.S. Steel." Measured in terms of profits, Cosa Nostra and affiliates are as big as U.S. Steel, the American Telephone and Telegraph Co., General Motors, Standard Oil of New Jersey, General Electric, Ford Motor Co., IBM, Chrysler and RCA put together.

HOW IT WORKS

Two years ago, the President's Commission on Law Enforcement and Administration of Justice simply threw up its hands at the prospect of estimating the crime conglomerate's full penetration. "The cumulative effect of the infiltration of legitimate business in America cannot be measured," it said. Robert Kennedy, who began the first big push against the Mafia when he became Attorney General, warned that "if we do not on a national-scale attack organized criminals with weapons and techniques as effective as their own, they will destroy us." No one now disputes its potential for destruction.

Despite its continuing evolution, organized crime follows certain basic patterns that vary little. It must buy or force freedom from the law and from accepted rules of commerce. It must milk gambling, the narcotics trade, industrial relations and usury. It must find outlets for its accumulated profits. These are its main forms of activity:

The political fix takes many forms, but the most important, from LCN's view, is obtaining the cooperation of the policeman and the politicians. East of the Mississippi, particularly, it is the rare big-city government that is completely free of the fix. In Newark corruption is rampant. One gangster recently confided to another that $12,000 a month flows to police superiors for protection—which sometimes goes beyond a shield for illicit activities. When he vacationed on the West Coast last spring, for example, Thomas Pecora, a boss of Teamsters Local 97 as well as a Mafia man, took along a Newark city detective as a bodyguard.

Newark Police Director Dominick Spina was recently indicted for failing to enforce gambling laws. He was acquitted. Mayor Hugh Addonizio has refused to give his personal financial records to a grand jury that asked for them. So pervasive is the aura of corruption, a governors committee reported, that it contributed heavily to the Newark riot of 1967, in which black resentment of police was a major factor.

In Illinois, La Cosa Nostra exerts major influence in a dozen Chicago wards and dictates the votes of as many as 15 state legislators. Known as the West Side Bloc, a newspaper euphemism to avoid libel suits, the Mob opposes anticrime bills in the state legislature, forces gangsters onto the payroll of Mayor Richard Daley's Chicago machine, and corrupts the city police department. Salvatore ("Momo") Giancana may be hiding in Mexico, but his stand-ins, Tony ("Big Tuna") Accardo and Paul ("The Waiter") DeLucia still pack influence. Example: When a Justice Department report charged 29 Chicago policemen with being grafters, Daley pooh-poohed the allegations, took no action. Some of the 29 were subsequently promoted.

Protection can also mean death for informers. Richard Cain, once chief investigator for the Cook County, Ill., sheriff's office, gave lie-detector tests to a quintet of bank robbery suspects. Cain, now in prison, was not after the guilty man but in search of the FBI informant among the five. The tipster, Guy Mendolia Jr., was subsequently murdered.

Three federal men arrived in Columbus last year to investigate gambling. They were soon arrested by local police, accused of being drunk in public. The G-men were acquitted and eight Columbus cops were indicted for taking $8,000 a month in bribes.

Ralph Salerno, co-author of an uncoming book on the Mob, *The Crime Confederation*, estimates that the votes of about 25 members of Congress can be delivered by mob pressure. New Jersey Congressman Cornelius Gallagher was an associate of Joe Zicarelli, a Cosa Nostra power in New Jersey. Zicarelli's command over Gallagher was strong enough, in fact, to bring Gallagher, whom Zicarelli calls "my friend the Congressman," off the floor of the House of Representatives to accept Zicarelli's telephone calls. Although Gallagher has denied the allegation with varying degrees of indignation, he has never bothered to sue Life for its disclosures about him. He has since been reelected, and remains a member of the House Government Operations Committee, which watches the federal agencies that watch the Mob.

Even the judiciary is not beyond reach, and the Mob has a special set of instructions for judges on the payroll. An FBI "bug" placed in the First Ward Democratic organization on La Salle Street, a favorite gathering place for Chicago gangsters, overheard the following conversation between Illinois Circuit Court Judge Pasqual Sorrentino and Pat Marcy, a friend of the Chicago LCN family. What should he do, Sorrentino asked, if federal agents questioned him about his associations with gangsters? Marcy's answer: "Stand on your dignity. Don't answer those questions. Tell them they're trying to embarrass you. Stay on the offensive. Remember, you're a judge." The trouble is, of course, that Sorrentino and some of his colleagues, on federal as well as state benches, have forgotten just that fact.

Nowhere has organized crime subverted more than a tiny minority of public officials. But a minority can be enough both to undermine law enforcement and to bend regulations, purchasing procedures and legislation to a shape pleasing to the mob.

Gambling is far and away the Mob's biggest illicit income producer, more than taking the place that bootleg liquor held during Prohibition. No one can more than guess how much money is bet illegally in the U.S. each year, but a conservative estimate is that about $20 billion is put down on horse racing, lotteries and sports events. Perhaps a third is pure profit for LCN and its affiliates.

In the slums, the bets are usually on "the numbers." The gambler picks the number

* "Mafia," literally, means swank, or dolled up, but it probably derives from a Sicilian term meaning beauty or pride. In the context of crime, Mafia applies to the older, strictly Sicilian element of the Mob, "La Cosa Nostra," or Our Thing, is a broader term that means the modern American-born organization.

that he thinks will come up in some agreed-upon tabulation—the total dollars bet at a race track, for example—and puts down as little as 25¢ or as much as $1. In some places $10 bets are allowed. The bet taker himself, called the policy writer, is too small—and too vulnerable—to be a formal member of La Cosa Nostra. He works instead under contract as a "sharecropper."

Bookmaking is next up the ladder from the numbers, and the bookmaker, who usually employs several solicitors, is a man of substance. When FBI agents seized Gil Beckley, the king of layoff men (a banker to smaller bookies), in Miami in January 1966, his records showed that on that day alone he had handled $250,000 in bets, for a profit, by his own reckoning, of $129,000. He is now appealing a ten-year prison sentence in the case.

An operator like Beckley is not necessarily a full member of LCN. Beckley has a kind of associate status, in which favors and profits flow back and forth. As in certain other areas, LCN is content to get a cut while leaving active management to a relative outsider. Another big layoff man, Sam DiPiazzo, once told of an attempt by Giancana's Chicago family to extort 50% of his six-figure take. As DiPiazzo related the story, he was forced to go before a committee in Chicago, where he haggled the bite down to a mere $35 a day. His big bargaining point was that he cooperated with "the Little Man," Louisiana Family Boss Carlos Marcello.

General affluence and increasing public interest in sports such as football and basketball hike the stakes and make the potential for corrupting athletes great. Even if he does not succeed in fixing a game, the Cosa Nostra agent finds information about a team's morale or physical condition priceless in helping him to set odds. On just such an information hunt, a scout for Chicago Handicapper Burton Wolcoff wangled his way into the clubhouse of the Los Angeles Dodgers a few years back. Learning that Sandy Koufax, who was scheduled to pitch that day, was having even more arm trouble than usual, the agent flashed the news to Wolcoff, who put down $30,000 against the Dodgers. Koufax gave up five runs in early innings and the Dodgers lost.

The National Football League has gone to considerable lengths to detect the fix, relying, ironically, on Gil Beckley. Apparently the league operated on the theory that it takes one to know one. "I want the games square," Beckley told league officials when he announced his proposition. "If I know that something's wrong, I'll give you the name of the club. But I won't give you names of the players." Tips from Beckley have touched off a number of secret investigations by the league.

Until the mid-'60s, one of Cosa Nostra's most profitable gambling operations was at one of the few places in the U.S. where most kinds of gambling are legal: Las Vegas. The Mob's technique there, known as "skimming," was as simple as larceny and as easy as shaking the money tree: a part of the cash profits from six LCN-controlled casinos was simply diverted before the figures were placed in the ledger books. How much cash was spirited away in this manner, eluding both state and federal taxes, no one can say precisely. After the Government became aware of mob influence and forced the gangsters out of most of casinos in 1966 and 1967—LCN still has interests in two big casinos—revenue reported for tax purposes jumped by more than $50 million a year.

Loan-sharking or usury nets several billions—it is impossible to say how many—in revenue for the Mob. Dollar for dollar, usury is LCN's best investment; though the gross is lower than it is in gambling, profit is higher. Interest rates commonly run at 20% per week, or, in the Mob's words, "six for five"—borrow $5 on Monday and pay back $6 by Saturday noon, the normal deadline. Borrowers are frequently gamblers who have lost heavily or hope to make a big strike, but they also include factory workers, businessmen on the verge of bankruptcy, or anyone else who needs cash but cannot meet a bank's credit check.

Many of the Cosa Nostra's legitimate business fronts were acquired when the owner could not pay his debt. Some public officials were acquired in the same manner. Over his head in various business deals, James Marcus, the former Water Commissioner of New York City, took a loan at 104% annual interest. When he was unable to pay, the gangsters found him a willing victim for other schemes, including graft on city projects. In the case of Marcus, as with many other public officials, the loan was almost certainly a come-on for what the Mob really wanted: a good friend in a high place. Marcus, Mobster Anthony ("Tony Ducks") Corallo, and Contractor Henry Fried were convicted in the kickback scheme.

Narcotics traffic, chiefly in heroin, is less lucrative than gambling, but still profitable enough, bringing in more than $350 million in revenue and $25 million in profits. Because of the risks involved in peddling drugs directly, Cosa Nostra once again contracts the retail trade to its sharecroppers, saving for itself the less dangerous and infinitely more profitable role of importer and wholesaler. The sums involved are substantial. By the time opium from Turkey, the chief supplier for the U.S., is processed into heroin and shipped to New York, it is worth about $225,000 per kilogram. The price to society is beyond measure.

So far, there is no evidence that the Mafia has tried to penetrate the marijuana market. The source of supply in Mexico is too close, and the competition from travelers passing over the border too intense. One unforeseen byproduct of the Federal Government's crackdown on the marijuana trade, however, may be to create an LCN monopoly. If the "independents" are driven out, the mobsters might find pot as profitable as heroin. Just that happened in bookmaking, when police put many freelance operators out of business.

Labor racketeering has no price tag, but obviously nets the Mob many millions. It takes several forms. One of the simplest is extortion. The gangsters might thus inform a small businessman, who has perhaps only a dozen employees, that from that minute on his enterprise is unionized. Though the employees may never know that they belong to a "union"—and never receive any of the benefits of being in a union—the employer nevertheless pays the "union organizers" the workers' initiation fees and monthly dues. In another variation, the bogus union settles for "sweetheart" contracts that are grossly unfair to the workers it is supposed to represent. The difference between what a legitimate union might win for the workers and what the Mob union actually obtains is split between the mobsters and the company owners. In one such contract, writes Donald Cressey in his definitive work, *Theft of the Nation*, the president of a paper local won his union only one paid holiday a year: Passover. His membership was exclusively Puerto Rican.

In other ways as well, union racketeering can be as profitable to a company as it is to the Mob. Once the gangsters have taken over a union—they find their easiest prey in unskilled and semi-skilled occupations—they can guarantee both labor peace and a competitive edge over other companies in wages and benefits. There is, of course, a fee, but that is often lower for the businessman than the real costs of strikes or higher wages.

Business infiltration is the organization's fastest-growing source of revenue. Its interests extend to an estimated 5,000 business concerns. Indeed, Cosa Nostra's penetration of the above-ground world of finance and commerce is probably the greatest threat that it poses to the nation today. A business can be acquired in any number of ways, from foreclosure on a usurious loan to outright purchase. LCN, after all, has more venture capital than any other nongovernmental organization in the world. New York's Carlo Gambino and his adopted family own large chunks of real estate in the New York area valued at $300 million. Until recently, they also ran a labor consulting service. Marcello of New Orleans, another real estate millionaire, has been buying up land in the path of the Dixie Freeway and hopes to make a bundle in federal highway funds.

Once brought under the Mob's umbrella, a business almost always ceases to operate legitimately. If it is a restaurant—favorite targets—or a nightclub, it buys coal or oil from one LCN affiliate, rents linen from another, ships garbage out through still another. Its entertainers, parking-lot attendants and even its hat check girls must always be approved by the Mob—and sometimes they must kick back part of what they take in. When the gangsters were big in Las Vegas, they sometimes used skimmed cash to supplement the fees paid to featured performers. The under-the-table funds went untaxed and left the compliant performer with an obligation. This was repayed by appearances elsewhere at the Mob's request.

Unfortunately, the gangs' business methods do not stop with such relatively innocuous, if illegal, tactics. The giant Atlantic & Pacific grocery can testify to that. Taking control of a company that manufactured detergent, the powerful New York-New Jersey gangster brothers, Gerardo and the late Gene Catena, tried to put the product on A. & P. shelves. When the A. & P. officials rejected the inferior Brand X, marketed by the Catenas' Best Sales Company, the brothers tried traditional means of persuasion. Four A. & P. employees died violently. Six stores were firebombed. Finally, two union locals threatened to strike, rejecting out of hand a contract that seemed more than generous.

Dumfounded by tactics not taught at the Harvard Business School, A. & P. officials seemingly never connected Catena detergent with strikes and terror. The government did, however, and impaneled a grand jury to investigate the Catena brothers' marketing procedures. Brand X was apparently not worth the bother of federal heat. The Catenas got out of detergents, the unions signed their contracts, and the A. & P. was left at peace.

Generally, the Mob favors businesses in the service and retail fields, particularly things like coin-operated machines, liquor stores and laundries. These offer, among other advantages, cash turnovers susceptible to skimming. With these companies the mobsters can rake off funds without anyone, particularly anyone in the Internal Revenue Service, being the wiser. When FBI agents searched the house belonging to the son of Buffalo Boss Stefano Magaddino last December, they found in a suitcase $521,020 in skimmed cash, most of it from Magaddino's 15 companies in the Buffalo area. It may not have been worth all of Magaddino's trouble. Not only has the Government confiscated his money, but the other mobsters are infuriated because Magaddino had told them that he had no funds to help them meet common expenses. This month, in fact, LCN's top hierarchy took the highly unusual step of sending a team to investigate Magaddino's finances. Mrs. Magaddino, who had never looked into the suitcase, was also upset. "Son of a bitch!" she muttered when the FBI carted the money away. "He said we have no money for Florida this year. $500,000!"

Jukeboxes, funeral parlors, small garment firms and other marginal enterprises that have long attracted gangsters have little effect on the general economy. Big-time construction is another matter, and by playing

both the union and management sides, LCN begins to exercise major impact. The Crime and Delinquency Council's Milton Rector says air-freight trucking operations have been so deeply penetrated that gangsters could bring New York's Kennedy Airport "to its knees at any time."

As the boodle piles up, repositories bigger than Magaddino's suitcase must be found. Many millions go to foreign banks. Switzerland, with its numbered bank accounts, is the favorite. Funds from these reservoirs often come back in the form of "loans" for investment purposes. Asked to produce collateral for a jukebox import deal, Philadelphia Boss Angelo ("Mr. A.") Bruno quickly came up with a certified check backed by a Swiss account. The amount: $50 million.

WHAT KIND OF MAN?

Cosa Nostra's business sophistication should not be surprising, since some of the bright young men in the Mob are as astute and innovative as their peers in any other field. What kind of man joins La Cosa Nostra today? To be in the organization itself—as distinct from its many affiliates—he must, first of all, be Italian or of Italian descent. Until 1952, he had to be a certified killer as well. That requirement has been dropped, and the recruiters look for a young man who has, besides the necessary venality, some protective coloring. The older men are not always happy about the change. "They shouldn't let nobody in this unless he's croaked a couple of people," New Jersey's Angelo ("Gyp") DeCarlo was once heard to mutter. "Today you got a thousand guys in here that never broke an egg."

There have been other, though less important changes induced by both shifting life styles and the desire to escape notice. Years ago, anyone could tell a mobster by his loud dress and, more particularly, his large wide-brimmed, white hat. Now, the tendency is to dress like a businessman, in conservative Brooks Brothers gray.

One custom that had to be dropped was the kiss of greeting between members. "Charlie Lucky [also known as Salvatore Luciana or Lucky Luciano] put a stop to this and changed it to a handshake," Joe Valachi told Author Peter Maas. " 'After all,' Charlie said, 'we would stick out kissing each other in restaurants and places like that.' "

Ostentatious living has gone out as well, despite the fact that even the lowliest members are often millionaires. The Government provides one good reason. If a man spends much more than he shows on his income tax return, the IRS can nail him for tax fraud. Few of the bosses thus claim or openly spend much more than would a moderately successful businessman. The ancient, somewhat puritanical code of the Mafia, which dislikes display, provides another reason for simple style. The late New York boss Vito Genovese, for example, used to drive a two-year-old Ford, spent little more than $100 for his suits, and lived in a modest house in Atlantic Highlands, N.J. When his children and grandchildren visited him, Genovese, very much the kindly paterfamilias, would cook them up a huge pot of spaghetti.

Another legacy from the Sicilian Mafia is Cosa Nostra's almost mystical concept of respect. Something like the Oriental notion of "face," respect means more to a Cosa Nostra mobster than money. If he does not have the regard of his fellow members, he is nothing, even in his own eyes. An equally high value is placed on loyalty. It is not always honored, to be sure, but it nevertheless remains a powerful binding force within the organization. Indeed, the very human characteristics of respect and loyalty, together with the organization's dynastic structure, offer some clues to its remarkable durability. Son follows father, underboss follows boss, and the line continues over the decades.

Another element seems to be a sense of unity against a world viewed as hostile. The chaotic history of Sicily remains an unconscious memory. There, amid poverty and foreign intrusion, survival and prosperity depended on one's own immediate group and one's own rules. Does the younger generation have any qualms about what it is doing? It would seem not. *The Godfather,* the Dartmouth-educated son of a New York boss gives his bride what is probably the typical rationale. Members of Cosa Nostra, he reasons, are no worse than any other Americans. "In my history course at Dartmouth, we did some background on all the Presidents, and they had fathers and grandfathers who were lucky they didn't get hanged."

Perhaps. They were not, however, likely to employ the sadistic methods that Cosa Nostra still finds useful. Despite the more businesslike image of the younger gang leaders, many mobsters are still animals in fedoras. If Sam Giancana moves, as he has, with Frank Sinatra on one level, his henchmen move on another. One of the most chilling conversations that the FBI has overheard involved two of Giancana's hoods telling a third, "Jackie," about the murder of one of their colleagues, a 350-pounder by the name of William Jackson.

James Torello: Jackson was hung up on that meat hook. He was so heavy he bent it. He was on that thing three days before he croaked.

Fiore Buccieri (giggling): Jackie, you shoulda seen the guy. Like an elephant, he was, and when Jimmy hit him with that electric prod . . .

Torello (excitedly): He was floppin' around on that hook, Jackie. We tossed water on him to give the prod a better charge, and he's screamin' . . .

Despite Cosa Nostra's obvious frightening strengths, new problems and challenges are coming at it from several sides. In the slums, for instance, its control of gambling and vice is being contested, sometimes successfully, by the blacks, Puerto Ricans and Mexican-Americans who want a share of the action. In Buffalo, the blacks at first worked a bargain with Magaddino by which they would control the numbers racket, giving him only a 10% tribute. Later, when he ran into trouble with the authorities, they stopped the 10% entirely. That was nothing compared to the trouble that Ruggiero Boiardo had in Newark. There Negroes not only took over the lottery but also shook down Boiardo's numbers men and occasionally took shots at them.

There are, in addition, internal disputes, like the messy slaying of New York Boss Albert Anastasia in 1957. Even though he has never been east of Flatbush, a Cosa Nostra man still looks upon himself as a Silician or a Neapolitan, distrusting the other. Nor is the Commission itself what it once was. Two places, vacated by death, have not been filled. Two of the commissioners, Philadelphia's Angelo Bruno and New York's Joe Colombo, command little respect; Detroit's Joe Zerilli rarely attends meetings. A former commissioner, New York's Joe Bonanno, was kicked out in 1964 and his family reassigned when he attempted to kill off some of the other bosses.

THE LAW'S DELAY

Where is the law? Why, despite some troubles, does Cosa Nostra survive and thrive? Beyond its own inherent strength and tradition is its ability to corrupt civil officials. Probably no other group in history has made such a fine art of corruption. Without the fix, Cosa Nostra would not last out the year. Nor are local cops the only ones who yield to temptation. Three days after a report on skimming in Las Vegas was sent to the U.S. Attorney General's office in 1963, a complete copy was in the hands of the criminals cited in the report. The conduit for that leak has never been found.

Even in the absence of official dishonesty, law enforcement has often proved inept. Most city and state police agencies are still not equipped to deal effectively with clever, well-financed conspiracies that extend across city and state lines. The FBI is better trained, of course, but its special agents hardly constitute a national police force, and were never intended to do so. Until the beginning of the decade, federal authorities merely nodded while the mobsters nibbled away at the country. Besides, coordination among law-enforcement agencies at all levels is frequently weak or totally absent. Even when pressure is applied vigorously, resulting in arrests and convictions, LCN can quickly fill personnel gaps.

Not that prosecution is easy under the best of circumstances. The gangsters' well-paid legal corps takes full advantage of the Bill of Rights. The Mob's muscle often takes care of potential witnesses. It takes a brave citizen to call the police. Also, most of the evidence gathered by the FBI, until recently, was not admissible in court.

Much is changing. Though more vigilant observation might have detected it long before, a major revelation occurred in 1957, when New York state police happened upon a meeting of the Commission and its lieutenants at the estate of Joseph Barbara in upstate Apalachin. The authorities were able to find out who the mobsters were and, more important, that they were together. In 1962, Joe Valachi, the Cosa Nostra soldier-turned-informer, confirmed and explained what the FBI had been hearing from its bugs for months. Though he looked at the Mob from the bottom up, Valachi's remarkable memory nonetheless provided invaluable insights into its organization. From January 1961 to December 1968, the Government indicted 290 members of Cosa Nostra and obtained 147 convictions, with many cases still pending. Some of the bosses themselves have been jailed, while many have found their activities severely curtailed because of continuous scrutiny.

STRENGTHENING HAND

Most of the surveillance has come from electronic bugs and telephone taps, which have supplied something like 80% of the information the Government has on the Mob. While bugging is still the subject of considerable controversy—and can be a serious danger to civil liberties if misused—a law passed by Congress last year at least clarifies the Government's powers and gives the Justice Department broader jurisdiction. For the time being, electronic snooping seems to be a necessary, if risky weapon.

Federal funds are now available in increasing amounts to help city and state agencies prepare for the challenge. Two major bills now pending in Congress could have significant results. One would strengthen the hand of prosecutors and grand juries in mounting investigations and make involvement in organized crime generally—regardless of the specific violation—a federal offense. The second measure would invoke civil procedures, such as antitrust action, to attack organized crime behind its screen of bogus legitimacy.

Beyond new statutes and energetic reinforcement, the nation needs another, stronger weapon: public indignation. There is not nearly enough of that in the U.S. No other Western, industrial country in modern times has suffered criminal abuses on such a scale. America's porous, pluralistic and permissive society offers extraordinary opportunities, chances to hide and to advance, for the enterprising and imaginative criminal. But, most fundamentally, U.S. society helps the criminal by toleration (occasionally even admiration) and by providing a ready market for his services. Illicit gambling thrives because of the popular demand for it. Politicians of questionable integrity remain in office because the electorate allows it. Entrepreneurs who half-knowingly accept dirty money with the rationale that business is business are as corrupt as grafting politicians.

TOLERATING THE MOB

In large measure, the modern Mob lacks the traditional justification for crime—the

bitter spur of poverty. It also lacks the occasional, near-heroic dimension of defying law and the established order for the sake of rebellion. It is by and large a middle-class sort of Mob, more or less tolerated by the affluent. Among the public there is often a certain psychological hypocrisy. Rage is great over conspicuous criminal acts, but there is less anger over the far more harmful depredations that are the specialty of organized crime. Until there is a popular revolt, La Cosa Nostra will probably endure.

UNITED BY OATH AND BLOOD

Centuries before La Cosa Nostra was heard of in the U.S., the Mafia operated—even as it does today—as a brigand government in much of Sicily. Though many Italian immigrants had come to the U.S. to avoid just such oppression as the Mafia offers, a few among them formed a new Mafia in the new country. In the crowded "Little Italys" of the late 19th and early 20th centuries, the thugs found easy prey among people who had been taught to dread the terrorists' Black Hand.

Prohibition offered the transplanted *Mafiosi* the chance they could not have made for themselves. Only they had the organization that could capitalize on the potential of bootlegging. Only they lived among people who already operated home stills that could quickly be converted into commercial distilleries. With fantastic profits, little crooks became big crooks, and the peculiar society of petty outlaws became the all-powerful Cosa Nostra.

There was enough intraorganizational feuding to fill a graveyard. Often the battle lines were drawn between Sicilians and Neapolitans—a distinction that causes ill feeling even today. But Sicilians from one area also fought Sicilians from another area, going so far as to take Neapolitans as allies. A particularly bloody period in 1930–31 called the Castellammarese War (the town of Castellammare del Golfo was home to one of the factions) killed about 60 gangsters. Thus the factions agreed to unite behind the Mob's modern founding father, Salvatore Maranzano.

A Castellammarese who borrowed his ideas from Julius Caesar's military command, Maranzano laid down the patterns that still, with minor modifications, hold today. To stop the killing, said Maranzano, the gangs that then existed would henceforth be recognized as families, each with its own territorial limits. Heading each family would be a boss, or *Capo*. Under him would be an underboss, or *Sottocapo*, and beneath the underboss would be any number of lieutenants, or *Caporegimes*, leading squads of soldiers, or "button men." One advantage of the scheme was the insulation it provided the men at the top. In the ordinary course of events, they would never put themselves within easy reach of the law.

The organization's code of conduct was partly Maranzano and partly Mafia *omertà*, a combination of such qualities as manliness, honor and willingness to keep secrets. Its requirements have never changed. The penalty for breaching the code: death. Except for the Chicago branch, which has always disdained the ornate, members are bound by an elaborate ceremony of medieval hocuspocus. Flanked by the boss and his lieutenants, the initiate and his sponsor may stand in front of a table on which are placed a gun and, on occasion, a knife. The boss picks up the gun and intones in the Sicilian dialect: *"Niatri representam La Cosa Nostra. Sta famigghia è La Cosa Nostra* [We represent La Cosa Nostra. This family is Our Thing]." The sponsor then pricks his trigger finger and the trigger finger of the new member, holding both together to symbolize the mixing of blood. After swearing to hold the family above his religion, his country, and his wife and children, the inductee finishes the ritual. A picture of a saint or a religious card is placed in his cupped hands and ignited. As the paper burns, the inductee, together with his sponsor, proclaims: "If I ever violate this oath, may I burn as this paper."

Brilliant as Maranzano's plan was, it had one major flaw: Maranzano himself. Like his hero Caesar, Maranzano suffered from overweening ambition. Above the family bosses, there was, under his scheme, to be a Boss of All Bosses, a *Capo di Tutti Capi*, by the name of Salvatore Maranzano. When several of the family bosses found out that he was plotting to kill them, they worked up an assassination scheme. Five months after he took power, *Il Capo di Tutti Capi* was murdered. The same day, Sept. 10, 1931, 40 leaders allied with him were slain across the country.

With Maranzano's death, a kind of peace did settle over Cosa Nostra. There have been skirmishes and murders aplenty since then, but never anything like the Castellammarese War. In place of the *Capo di Tutti Capi*, the mobsters formed a Commission made up of nine to twelve family bosses to guide the organization and settle disputes. While its powers have never been precisely spelled out, the Commission seems to be roughly analogous to the governing body of a loose confederation. It must approve each family's choice of boss, and it can, if it wants to, remove a boss—usually by asassination.

Often, the Commission's chief function seems to be preservation of the balance of power, making sure that no one boss gains too much power. In Cosa Nostra's terms, as in nations', that is guns. Theoretically, at least, the 24 families have not been allowed to increase their numbers since the '30s. They vary greatly in size now, as they did then, from Carlo Gambrino's army of 1,000 in New York to James Lanza's tiny, ineffectual squad of twelve in San Francisco. Currently, several families are open to recruits, offering new opportunities for growth and power. United by oath and blood, Maranzano's organization may have as long a life as Caesar's.

MILITARY SPENDING

Mr. FANNIN. Mr. President, while Congress was in adjournment, one of the country's fine military reporters took a good look at a group which would weaken the Nation's defense in the name of peace.

I believe the article, written by Jerry Greene of the New York Daily News, is one of interest to all Members of Congress. It has a definite bearing on the conduct of the present business before the Senate.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PENTAGON'S GREATEST PERIL IS IN CONGRESS

(By Jerry Greene)

WASHINGTON, August 16.—The potency of a little-known new peace built around 82 members of Congress is going to force President Nixon to interrupt his vacation for reentry into the Senate brawl over $20 billion in military spending.

The urgency of the situation won't permit the President to wait. He is getting the word this weekend that White House pressure is sorely needed now by establishment senators in defense against a carefully planned attack on the traditional committee system of moving legislation.

Backers of the military procurement authorization bill, now held over for final action after the congressional recess, believe that only presidential intervention behind the scenes can stave off a situation at the pentagon which could be ruinous to Nixon's own plans for reduction and reorganization of national defenses. The Nixon program won't be ready until January.

The White House and establishment senators had, until this week, woefully underestimated the power and skill of the new Senate-House lobby now driving to lop great gobs of money off the Pentagon budget—and add the sums to social programs.

The lobby bears the improbable name of Members of Congress for Peace Through Law. Rep. F. Bradford Morse (R-Mass.) is the chairman; Sen. George S. McGovern (D-S.D.) is vice chairman. Morse tells us he has 23 senators and the remainder of his outfit are members of the House. The group has an office with three staff members in a Capitol Hill apartment and Morse said he has raised the $35,000 per year expense fund through letters of solicitation to "a selected list."

Former Sen. Joseph S. Clark (D-Pa.) started this Peace Through Law combine as a luncheon gathering; Morse took over this year and got real energetic. He named five subcommittees, and these began preparing reports to rally legislative support for assorted objectives. We asked Morse what he was really after.

"Just looking for a better world," he said. "It's that simple."

It isn't that simple, of course. The combine is zeroing in on the operations of standing committees of Congress—and the established processes—with deadly effect.

The effectiveness can be gauged by the bitter lament of Sen. John C. Stennis (D-Miss.), chairman of the Armed Services Committee and of its preparedness subcommittee, in debate this week: "It is tragic to me to see all the work that has been done by this subcommittee slashed to pieces . . ."

COMMITTEE SEEKS $3 BILLION DEFENSE CUT

What happened was that Morse named Sen. Mark O. Hatfield (R-Ore.) chairman of the Peace Through Law committee on military spending. The Hatfield committee spent a fast two months studying national defense and announced that $3 billion should be cut from the $20 billion authorization.

The Hatfield rump committee named nine targets in its report—Nixon's Safeguard ABM was only one of them—and these are the focal points in the drive to smash down the Stennis committee recommendations and force spending cuts, through amendments. Pending before the Senate at recess was an amendment to strike $377 million for a new nuclear-powered aircraft carrier.

There isn't much question that the $80 billion Pentagon budget needs a lot of water drained out of it. Nixon already had slashed first estimates; the House will knock off another $5 billion through its Appropriations Committee. More billions will fall in Nixon's initial administration plan for fiscal 1971.

REVOLT OF THE ADMIRALS IS UPDATED

But this cutting will be done by experts and not in the slapdash emotional approach being used by the Morse-Hatfield lobby, which has shown scant evidence of thoughtful study based on the requirements of foreign policy. A thick report put out by the Hatfield committee last month was packed with unsubstantiated claims and ridiculous arguments tossed into the ash can during the absurd "revolt of the admirals" probed by the House 20 years ago. Only the names and the dates were changed, no doubt to protect the innocent.

Stennis and his committee, with years of experience and in full knowledge of the substantial changes the Nixon administration plans, are watching their efforts to retain balanced defenses go down the drain before a skillful operation. If the Morse-Hatfield drive is successful, Nixon will inherit a lopsided mess.

This is why presidential intervention is being requested and why it will be forthcoming, behind the scenes during the con-

gressional recess and openly afterward if this seems necessary.

EXPLOSIVE PRECEDENT IN THE MAKING

For the Congress, the emergence of this bipartisan lobby within the ranks to challenge old-line committees and traditional processes is an event of significance not to be ignored. If it can happen to the military budget, it can happen to any other appropriation. The burdensome Agriculture Department spending bill is a juicy target.

This is lobbying carried to its highest level. During the battle over the ABM there were 103 organizations around the country involved in lobbying against approval. But none had the prestige, and the weight, of the Peace Through Law organization inside Congress itself. And here the dissidents found voice where it could be counted when the roll was called.

The phenomenon is receiving closest study in the highest political quarters, as well it might. It's a slick gimmick.

FINANCING THE MAIL

Mr. MONDALE. Mr. President, the Winona, Minn., Daily News recently published a most timely editorial entitled "Financing the Mail." I believe that too much attention is being given to the issue of whether to convert the Post Office Department to a corporation. Not enough attention is being paid to the question of what services should be supported by general revenues rather than by postal fees.

The editorial includes some thoughtful and challenging suggestions about postal finance which I think every Senator should carefully consider.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FINANCING THE MAIL

President Nixon's administration has proposed that the aged and plagued postal system be taken out of the cabinet and that a new government-owned, corporation-type postal service be established.

The nation's mail system is in a quagmire of poorer service to mail users, greatly increased costs, and staggering deficit financing. The way it is now organized, solutions to its problems seem virtually impossible.

It may be that the administration's program is the best approach to reorganization of the system itself, but even the current proposals fail to take in to consideration one of the most important matters which is ingrained into the whole problem, and that is:

How should the public service reponsibility of the Post Office Department be defined?

There is a simple and reasonable answer to this question that seems to have escaped all those in authority. This simple and reasonable definition of public service costs is the key to the entire problem of postal financing, and if it were accepted in the revamping of the postal system it would go a long way toward simplifying the mind-boggling complexities now being evaluated.

The following costs should be labeled public service costs and charged to all citizens through regular taxation. None of these costs should be paid for through postal fees.

1. The cost of the rural free delivery system, since this is of prime benefit to the receiver of the mail.

2. The cost of door-to-door delivery of mail in towns and cities where this service is maintained, for the same reason.

3. The cost of building, maintaining and leasing post office buildings.

4. The cost of handling government franked mail.

5. The difference between actual cost and charges at special rates for the handling of the mail of religious and charitable institutions which qualify for special rates.

6. The cost of functions unrelated to normal post office responsibilities such as the cost of handling and selling duck stamps.

It seems reasonable that users of the mail should pay for the following in the form of postage and that charges for each class of mail should be based on the actual cost to the post office of handling each class:

1. The cost of handling and sorting mail from the time it enters the original post office until it leaves the post office in the destination community.

2. The cost of transportation of mail from the original post office to the destination post office.

The cost of postal management should be split between taxation and postal fees.

If postal finances were handled on this basis there would never be any need for talking in terms of a postal deficit. The public would pay for its benefit in having a federal postal system by paying the taxes necessary to pay for the parts of the postal system which are to its advantage. Mail users would pay the actual cost necessary to pay for the parts of the postal system that are to their advantage, and by making necessary rate adjustments from time to time, the postal system would forever operate on a break-even basis.

It would moreover be a much fairer system than that in use now which arbitrarily allocates cost-sharing among the various classes of mail without regard to what the costs are for each class.

Let the receiver of mail pay through taxation for the postal costs which are to his advantage and let the user pay actual processing costs for the services which benefit him.

Whether or not a corporation-type organization provides the management for the postal system, the public's interest in it cannot be divorced and it seems logical that the portion of costs which are purely public in nature should be financed by taxation.—W. F. W.

DRAFT REFORM

Mr. PEARSON. Mr. President, our present means of selecting men for involuntary military service are both outdated and inequitable. The disruption of plans made by young men in today's world is a widespread result of the draft, with its practice of taking older men first and its 7-year period of eligibility. A related effect is the disparity among decisions of local draft boards across the country, decisions which may result in totally different futures for young men in similar circumstances.

Proposals in the Senate for reform of the present draft system have been complimented by those made by President Nixon. I am a cosponsor of proposed legislation introduced by the Senator from Pennsylvania (Mr. SCHWEIKER). The bill and the proposals of President Nixon on May 13 are in agreement on these points:

First. The present 7-year period of eligibility would be reduced to 1 year.

Second. The youngest eligible men would be called first, thus eliminating the present lengthy period of waiting and anxiety as a young man approaches the age of 26. These two proposals would modernize the draft system and make it more compatible with the present educational and social responsibilities faced by our young men.

Third. Selection would be made through a random system on a national basis rather than by local draft boards alone.

These areas of agreement imply the possibility of action on draft reform during this session of Congress. The President himself has recently noted the urgency surrounding this issue, and I wish to express my own view that draft reform deserves the highest priority even in the present rush of congressional business.

I believe we must ask whether reform of the draft system, which affects not only careers, but lives and the national security, does not have all the urgency of tax reform or welfare reform.

The draft call for October is 29,000 men. I believe it is the responsibility of Congress, along with its other duties, to insure that the selection of young men such as these is made with all possible equity and concern for the need of the individuals involved.

It has been argued that we must await the end of the war in Vietnam before going ahead with draft reform. This argument ignores the basic reason for reform, which is to make the system fair. Whether the war in Vietnam continues or not, this responsibility should be met by the Congress.

It has also been argued that proposals for a volunteer army might be weakened if the draft reform movement succeeds. Mr. President, there is no need to fear that fundamental reorganization of our military manpower system will be inhibited by reform of the Selective Service System itself. The latter System is one of involuntary service and it affects not only the young men of the present, but our national security and our commitments around the world. The young men of today deserve to see this System reformed. It is their lives and their dreams which are at stake and there can be no argument which denies them the right to the most equitable possible selection for military service.

Therefore, I urge that draft reform be brought to the attention of the Senate at the earliest possible date. The need for information and education on this issue and for its full and calm consideration by Congress requires that we move now to begin the legislative process that will lead to full and responsible draft reform this year.

WAGERING TAX AMENDMENTS

Mr. HRUSKA. Mr. President, at the recent annual convention of the American Bar Association in Dallas, Tex., the house of delegates endorsed S. 1624, the wagering tax amendments, and urged its speedy enactment. I introduced S. 1624 early in this session of Congress, and Representative POFF introduced a companion bill, H.R. 322, in the House of Representatives.

S. 1624 is designed to cure the defects in the wagering tax law created by two recent Supreme Court decisions. These two decisions, *Marchetti* v. *United States*, 390 U.S. 39 (1968), and *Grosso* v. *United States*, 390 U.S. 62 (1968), created seri-

ous problems in the administration's fight against organized crime. One of the most significant of these problems is that the Internal Revenue Service no longer has any criminal jurisdiction to investigate organized crime gambling enterprises. The IRS special agents are well schooled in the techniques used by the Mafia and this talent must be available to Attorney General Mitchell in his all-out effort against the syndicate.

President Nixon has referred to S. 1624 as "the most significant piece of crime legislation" now pending before Congress.

I thank the ABA for this endorsement and urge speedy enactment of the bill. Let us make available the total resources and facilities of the Federal Government against this evil organization.

I ask unanimous consent that the ABA resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Be it resolved that the American Bar Association approves in principle pending legislation represented by S. 1624 and H.R. 322, 91st Congress, cited as "Wagering Tax Amendments of 1969", and any legislation of similar purpose, designed to reinstate the federal excise tax of 10 per cent on wagers (Subsection 4401–2 of the Internal Revenue Code of 1954) and an appropriate occupational tax on persons engaged in gambling transactions (Subsection 4411–14 of the Internal Revenue Code of 1954); and

Be it further resolved, that the Section of Criminal Law and any other appropriate section or committee of the Association is authorized to urge the substance of the foregoing resolution upon the proper committees of Congress.

ADDRESS BY GEORGE J. REED, CHAIRMAN, U.S. BOARD OF PAROLE

Mr. HATFIELD. Mr. President, amid today's often repressive cries of "law and order" it is indeed refreshing to hear a thorough and well reasoned statement of the benefits of individual rehabilitation and procedural efficiency resulting from the coordinate efforts of the U.S. Board of Parole and the U.S. attorneys.

On July 30, 1969, George J. Reed, Chairman of the U.S. Board of Parole and past director of the Lane County Juvenile Department of Eugene, Oreg., presented a speech before the U.S. Attorneys' Conference. I am sure that this speech will be cf great interest to my fellow Senators. I therefore ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE COMMON INTERESTS OF THE U.S. ATTORNEY AND THE U.S. BOARD OF PAROLE BY GEORGE J. REED, CHAIRMAN UNITED STATES BOARD OF PAROLE

The United States Board of Parole joins with you as United States Attorneys in our mutual responsibility and commitment to better control crime in 1969. Crime has become an increasingly serious problem on the home front. Today, we are witnessing criminal activity which, in its impact, is not limited to mere disruptions to the public's peace and dignity, but organized criminal activity which is corroding the very moral fiber of our Nation and causing major disruptions to our social and economic life. The United States Board of Parole not only joins you in its commitment to better control crime, but in its desire to make an affirmative contribution toward improving the efficiency and effectiveness of America's Criminal Justice System.

During the past ninety days, since returning as Chairman of the Board, we are in the process of reviewing our Board procedures and Board rules to the end that an improved screening procedure on all applicants for parole will be followed prior to the Board entering a decision. Current parole research on a National level—and especially through the National Uniform Parole Reporting System will greatly aid us in improving the Parole Board's "batting average" success over that of recent years in parole decision making. Further, we are in the process of developing a Parole Hearing Examiner System. This will provide for the Board's Parole Hearing Examiners, who conduct the *initial institutional hearing* on less serious cases. This procedure will provide the Board Members sufficient time on all cases to *"review, confer* and *deliberate"* prior to entering a final Board order. We reaffirm our belief that the proper protection of society is our first responsibility, and that secondly, the rehabilitation of a given inmate is our goal in Parole. Because the Board's discretion is not reviewable by the courts, we are also developing in our new rules an appeals or review procedure where an inmate under certain special conditions may receive further review of previous Board Division Decisions by having a hearing before the entire Board sitting En Banc—as a full review body.

The United States Board of Parole recognizes its interrelationship upon each segment of the correctional process. This interdependence extends from the point of the offender's arrest, and if charged and convicted—through the presentence report of the U.S. Probation Officer, and if committed—through his institutional programing. If eventually paroled, supervision in the community is afforded by the Federal Probation Officer.

The Board is particularly mindful of, and appreciates, the role of the United States Attorney in effectively representing the Board before the Federal courts when the Parole Board's jurisdiction is questioned.

The nature of the offense is one of the important elements in the Board's criteria in making a parole decision. Information as to the nature and scope of the offense is supplied by your office. The Board would be extremely limited if its information regarding the offense was limited to the legal description of the crime. The legal description of the crime is designed and restricted to satisfy the substantive elements of the offense. These legal facts, do not, necessarily, describe the offender's total conduct or the extent to which he may have been involved in other criminal activities. Information regarding the crime, the offender's criminal activities and other facts and considerations enables the Board to make a determination as to the degree of the offender's culpability, the extent to which he should be held accountable and the degree to which he may, in your opinion, represent a present or future danger to the public. The same information serves the Board in its endeavor to gain a better understanding of the offender, his motivation, his social values, his controls and his potential for good or evil. The office of the United States Attorney is privy to all the facts of the pre-prosecution investigation and, in addition, is a witness to all disclosures made during the trial, when had. This information is exceedingly valuable to the efficient performance of the United States Board of Parole. The Board requests your thinking and recommendation on Form 792 in every case that comes under the jurisdiction of the Board.

Now that I have established the Board's commitment and interrelationship with the United States Attorneys, I would like to proceed and tell you about the function of the United States Board of Parole and describe its areas of responsibility.

Parole is not to be confused with clemency—a grant of a Pardon, reprieve or commutation by the Chief Executive of the United States—nor should parole be viewed as leniency but rather as an integral part of the administration of criminal justice. Parole is to be distinguished from probation, in that parole follows an institutional commitment and occurs as the result of a discretionary act by the releasing authority, namely, the Parole Board. Probation is the exercise of court's discretion by suspending the execution of sentence which has been imposed, or suspending the imposition of sentence and allowing the convicted individual to remain in the community under the supervision of a Probation Officer and subject to certain prescribed conditions of conduct.

Parole is a process of selectively releasing an offender from an institution prior to the completion of his maximum sentence subject to conditions specified by the releasing authority. It is a method whereby the public can be protected and the offender can be provided with continuing treatment and supervision by the field officers in the community.[1] Parole is a helping service rendered to the individual parolee, his family and community. Parole—as other segments of the correctional process—has the primary responsibility of providing the public with immediate protection, and the long-range protection of the community through reclamation of the offender. When these responsibilities have been discharged, both the offender and society benefit.

PAROLE'S HISTORICAL BACKGROUND

Parole did not develop from any particular source or experiment. Its origin, evolution and development are to be found in a variety of independent events and undertakings going back to the 18th Century. Among these are included the use of conditional pardon; apprenticeship by indenture; the exile and banishment of criminals from England—their transportation to America and Australia; the English and Irish experiences with their respective systems of "Ticket of Leave," and the diligent labors of American Prison Reformers during the Nineteenth Century.[2]

During the last seventy years, parole, by virtue of its development and universal acceptance in the United States, has become an integral and indispensable part of our system of criminal justice. In its early years, parole was closely identified with the reformatory movement in America and its development has been a natural adjunct to the philosophy of individualized justice and a positive motivation for the inmate to change his basic anti-social attitudes in the rehabilitative process.

THE FEDERAL PAROLE SYSTEM

The Federal Parole System was created in 1910 with the passage of an Act authorizing the parole of prisoners sentenced to a term of one year or more. The prisoner was eligible for parole upon expiration of one-third of his sentence and was eligible whether he was serving his Federal sentence in a state or Federal facility. The releasing provisions of the Act were administered by institutional parole boards which consisted of the warden and physician of the facility and the Superintendent of Prisons from the Department of Justice.

In 1930, Congress created an independent central Federal Board of Parole consisting of

[1] Parole in Principle and Practice, A Manual and Report, National Conference on Parole, National Probation and Parole Association, p. 65 (1957).

[2] Manual for Parole Officers, State of New York, Executive Department, Division of Parole p. 1 (1953)

three full-time members appointed by the Attorney General. The Board was based in Washington, D.C. and was authorized, by statute, to make final decisions relative to parole and revocation. Over the years a number of changes in the Board's structure followed and in 1950 the Federal Youth Corrections Act was enacted and companion legislation created the Youth Correction Division within the Board. The size of the Parole Board was increased to eight full-time Members, with three Members serving on the Youth Correction Division while the other five Members serve on the Adult Division of the Board. Thus, the United States Board of Parole now consists of eight full-time Members who are appointed by the President to staggered six-year terms. The Members, since 1950, have been appointed by the President subject to Senatorial confirmation. The Attorney General assigns the confirmed Members to the Adult Board and the Youth Division and designates the Chairman.

The Youth Division is an integral part within the United States Board of Parole. Its specific responsibility is to act as a body of specialists, working within the framework of the United States Board of Parole, joining with the United States District Courts, the Federal Bureau of Prisons and the United States Probation Service in providing a corrective service for the unique problems of youth who come within the purview of the Federal Juvenile Delinquency Act and the Youth Corrections Act.

PAROLE ELIGIBILITY

Life and general law sentences

Eligibility for parole is governed by the section of the United States Code under which the defendant is sentenced. A prisoner sentenced to a Life Term is eligible for parole after serving fifteen years. Under the general law, the maximum term is set by statute. The individual sentenced pursuant thereto is eligible for parole after serving one-third of the statutory term. If he applies for parole, he appears before the Board for his parole hearing.

Indeterminate adult sentences

The Federal Criminal Code's indeterminate adult sentences are codified under Section 4208(a)(1) and (a)(2). Under Section 4208 (a)(1), the sentencing court sets the minimum term but not to exceed one-third of the maximum term set by statute. Under the provisions of Section 4208(a)(2) the prisoner is eligible for parole consideration as of the date of his first hearing before the Board. This hearing is conducted after psychological testing and classification and usually occurs within sixty to ninety days after his institutional admission. Usually, at this time, the Board establishes a date of parole eligibility when the inmate may appear, at a later date, for parole consideration.

Youth Corrections Act commitments

Commitments under the Youth Corrections Act are indeterminate commitments. The maximum term is set by the Court pursuant to provisions of the Act. The youth offender is eligible for parole consideration as of the date of his first appearance before the Board. This initial appearance occurs after special institutional study and classification, usually within sixty to ninety days after institutional admission.

Federal Juvenile Delinquency Act commitments

The juvenile offender may be committed to a definite term but not to exceed his majority; or he may receive a minority commitment. The juvenile offender, whether committed for a term or for his minority, is eligible for parole on the date of his first appearance before the Board. As in the case of the youth offender, the juvenile appears after classification, usually within sixty to ninety days after institutional admission.

FUNCTIONS OF THE UNITED STATES BOARD OF PAROLE

The United States Board of Parole, by statute, is the final authority in the exercise of its informed discretion in matters of parole consideration.

Parole consideration

The United States Board of Parole is the releasing authority for all Federal offenders who have been incarcerated for violating the laws of the United States. These offenders are usually housed in institutions administered by the Federal Bureau of Prisons. The Board, or its Hearing Examiners, conducts parole hearings at the Federal institutions for all parole eligibles who are serving a sentence of a year and a day or more, and who are housed in Federal institutions.

The Board's long standing policy forbids parolees from acting as "informers" without prior Board approval, and then only for a good cause, because it is impossible for the Board to determine when a parolee is involved in illegal activity for a good cause or is merely continuing a pattern of law violation. In special cases where the National security is involved, or for other very good reasons, the Board may approve in advance such activity on the part of a parolee. There is one further point which should be made very clear at this time. While we urge your recommendations regarding the granting or denying of parole, the *Board cannot,* and *will not,* be bound to act favorably regarding parole by any commitment made by a third party. However, any inmate who cooperates with the Government to the end that justice is improved, may be assured that this will be one of the many important factors weighed by the Board in the consideration of granting or denying parole.

Revocation hearings

The caliber of the Parole Board's performance is often measured by the degree to which it exercises the "wisdom of Solomon, the courage of David, and the patience of Job." This is especially true in conducting revocation hearings. Parole, until recent years, had been considered a matter of *grace,* and not a *right.* Recent court decisions on parole have somewhat changed this concept.

Due process in a Federal parole or mandatory release revocation hearing, as defined by the *Hyser* v. *Reed* case, requires that fair notice as to the alleged violation be given along with a grant of a full opportunity to appear and be heard. Under Federal law, the alleged violator has the right to appear before the Board for his revocation hearing. Due process requires that he be allowed to make that appearance effective. It requires that certain fundamental rules of fairness be observed. Fair treatment forbids the disregard of these rules, and is not satisfied, though the result be just, if the procedure or substantive considerations were unfair or lacking. Due process requires an examination in depth of all merits and reasonable alternatives in each case. In addition to the responsibility of meeting the due process requirements, a revocation hearing places the Parole Board in the role of a catalyst to give impetus and direction to the individual to resume or renew his relationship with institutional programming or community parole services, to the end, that a more effective use might be made of this relationship and its available resources.

A line of Federal landmark decisions, regarding parole and mandatory release revocation proceedings, have crystallized, the above-general principles into the following specifics:

The Court of Appeals for the District of Columbia in construing a provision of the D.C. Code which is identical with the Federal statute held that the language granting the alleged violator the right to appear, "shall be given the opportunity to appear before the Board," meant an effective appearance which necessarily meant the right to be represented by retained counsel (*Fleming* v. *Tate,* 81 U.S. App. D.C. 205 156 F.2nd 848 (1946)). The Board of Parole has the duty to *advise* the alleged violator that he has the right to be represented by retained counsel at his revocation hearing. (*Moore* v. *Reid,* 100 U.S. App. D.C. 373, 246, F.2nd 654 (1957)), (*Glenn* v. *Reed,* 110 U.S. App. D.C. 85, 289 F.2nd 462 (April 7, 1961)); an alleged violator is not limited to the remedy of a habeas corpus proceeding in the jurisdiction of the prisoner's confinement, to determine his legal rights, but can petition for a declaratory judgment or a mandatory injunction as provided by the Administrative Procedure Act for a determination of his legal standing. (*Robbins* v. *Reed,* 106 U.S. App. D.C. 51, 269 F.2nd (1959)); the alleged violator must be granted a hearing within a reasonable time after the warrant has been executed. (*United States* v. *Kenton,* 287 F.2nd 534, 535–536 (C.A. 2 (1961)), Cert. denied, 368 U.S. 846 (1961).

The alleged violator is entitled to have voluntary witnesses enter an appearance and testify on his behalf. (*Reed* v. *Butterworth,* 111 U.S. App. D.C. 365, 297 F. 2nd 776 (1961)). The landmark decision, *Hyser* v. *Reed* addressed itself to a multiplicity of questions. The case held that the alleged violator was not entitled to confront and cross-examine the Board's informants; that he was not entitled to examine confidential reports; that he was not entitled to appointed counsel, nor was he entitled to compulsory process to obtain witnesses. This case broke new ground in that it held that an alleged violator is entitled to have an expeditious hearing at or near the place of violation while the information is likely to be fresh, and the sources (witnesses) are available. (*Hyser* v. *Reed,* 115 U.S. App. D.C. 254, 318 F. 2nd 225 (en banc)), Cert. denied sub non. *Jamison* v. *Chappell,* 375 U.S. 957 (1963).

Local revocation hearings

Pursuant to the *Hyser* v. *Reed* doctrine in 1963, the United States Board of Parole modified its rules, and in the absence of a local conviction, grants local revocation hearings at the election of the alleged violator. Over the course of the last six fiscal years, the following number of *local revocation hearings instead of revocation hearings at the institution, have been conducted at or near the place of the alleged violation:*

1964	6
1965	31
1966	23
1967	38
1968	83
1969	

Labor-Management Reporting and Disclosure Act of 1959

As a result of the McClellan hearings on labor racketeering, the Labor-Management Reporting and Disclosure Act of 1959 was enacted to establish certain standards for labor unions and organizations of employers dealing with labor unions. One of the provisions of the Act establishes a *prohibition,* against individuals who have been convicted of *certain specific crimes,* from holding office for a period of five years after conviction, and if committed, for five years after release from confinement. The Act grants an opportunity to the disqualified individual to apply for an exemption order from its prohibitory features. The United States Board of Parole was designated, by statue, to process such applications, to conduct hearings to determine if the union officials holding such office would be in conflict with the best interest of the public, and to render a final judgment on the merits of each case. During the life of the 1959 Labor-Management Reporting and Disclosure Act, the Board of Parole has considered fifteen applications, and has granted three Certificates of Exemption.

CONCLUSION

In conclusion, the United States Board of Parole today feels that we have a greater responsibility than ever before, to improve our procedures, rules and techniques if we are to make our maximum contribution to reducing crime in America in 1969. To this end, we pledge you our best efforts and full cooperation.

Thank you.

SYSTEMS TECHNOLOGY APPLIED TO SOCIAL AND COMMUNITY PROBLEMS

Mr. NELSON. Mr. President, the Committee on Labor and Public Welfare has issued a report entitled "Systems Technology Applied to Community and Social Problems." That report, prepared by the Science Policy Research Division of the Legislative Reference Service in the Library of Congress, points to the use of systems analysis and computers to help solve some of the grave problems confronting our society today.

It is important to note that the Nation's massive space effort and defense system is developing tools and techniques that could offer important and significant contributions toward the solution of some of the volatile domestic problems of this country. Government officials at all levels are aware of this potential and have shown interest in using the systems approach to help provide a better environment and greater services to all people.

The Special Subcommittee on the Utilization of Scientific Manpower, which I chaired throughout 1966 and 1967, made a full examination of the potential of systems analysis to solve nondefense problems. From the hearings and from a response to detailed questionnaires sent to State and local government officials, the committee was able to learn how much the systems technology approach was already being used and to what effect.

There was no question that the use of the new techniques in any way substituted for political commitment in devoting the resources to meet the domestic needs. In a forward to the report, the Senator from Texas (Mr. YARBOROUGH), chairman of the Labor and Public Welfare Committee, emphasized the need for a more balanced approach. He noted:

> Three years experience with Program Budgeting (PPBS) in Washington and extensive efforts to apply systems technology to domestic social programs has convinced most observers that the systems analysts were accurate when they assigned a more modest role to themselves. We now recognize that the key elements in domestic dilemmas are political, having to do with choice of direction and commitment of resources. And we know that the hard information, crucial to the effective functioning of systems techniques, is simply not available in relation to many of our domestic problems.
>
> However, in those areas where vast amounts of detailed facts must be considered the full use of systems techniques should be made.

The committee report makes an analysis of Federal, State, and local issues where the innovative systems technology was used on such problems as environmental pollution, transportation planning, housing redevelopment, law enforcement, and health services. A review of past public legislation reflecting encouragement of research, development and utilization of new equipment, and new processes is presented. The activities of congressional committees and subcommittees in their examination of the benefits and limitations of systems technology are discussed, as well as the programs and projects of executive branch departments and agencies. An analysis of a series of hearings of the Senate Special Subcommittee on the Utilization of Scientific Manpower is featured with a study of the questionnaires sent in 1966 and 1968 to the Governors of all 50 States, the mayors of 22 large cities, and officials of certain regional development commissions. Examples of the use of systems, tools, and techiques sent in by State and local officials are included. Finally, questions are offered which may warrant further discussion and action by the Congress.

I wish to commend Robert L. Chartrand, specialist in information sciences for the Legislative Reference Service, who was the principal author and director of the study, and Mrs. Louise Becker, his research assistant, for their effort in preparing this report. It should serve as a reference work for anyone attempting to understand the role of systems technology in solving social problems.

I ask unanimous consent to have printed in the RECORD "Chapter 1, Summary and Conclusions," of the Senate report.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

I. SUMMARY AND CONCLUSIONS

A. SUMMARY

The contemporary scene is filled with discussion and examples of the application of systems technology to various problem areas—environmental pollution control, transportation planning, housing redevelopment, health and welfare services, law enforcement and administration of justice, manpower and employment planning, and educational programs. In order to cope with these problems, new tools and techniques are being created and adapted; e.g., automatic data processing, simulation and modeling, critical path scheduling, and revamped planning-programing-budgeting methodology.

The U.S. Congress has perceived the seriousness of these interlocking social and community problems and the imperative need for effective policies and programs originating within the Federal Government. Congressional concern has led to an array of public laws to provide direct funding support, grants-in-aid, and technical assistance to State and local governments. In addition, legislation has supported private sector research and development which could lead to the creation of better devices and man-machine techniques for combatting societal problems.

The potential of systems technology for solving these nondefense, nonspace public problems was examined by the Senate Committee on Labor and Public Welfare. In 1965, the Special Subcommittee on the Utilization of Scientific Manpower had been created, under the chairmanship of Senator Gaylord Nelson, of Wisconsin. In order to acquire pertinent factual and interpretive information on the utility of systems technology in a new role, the special subcommittee held four series of hearings. In addition, questionnaires were sent to the 50 States, 22 large cities, and selected regional development groups to survey the extent to which systems analysis and ADP were being employed.

The principal objective of the special subcommittee, as expressed in formal statements of purpose, news releases, discussions in the Congressional Record, and commentary relevant to key legislation being considered—i.e., S. 430 and S. 467—was that an overall strategy must be conceived. This would allow a marshaling of all necessary national resources to meet the nondefense, nonspace problems affecting the people and institutions of the United States. Systems tools and techniques in particular should be utilized to the fullest extent.

Four critical requirements for future action were identified

First, pertinent information must be acquired regarding those social and community problems where systems methodology and automatic data processing had proven useful, or where it was believed that such techniques and devices would have a high potential as corrective mechanisms. This type of information is fragmentary at best, and has never been collected and arranged so that the researcher and planner might use it. Cognizance also has been taken of the need for regular reporting of such program and project activity, with criteria and standards for the inclusion and formulating of the essential elements of information.

The second vital requirement is a careful review of the state of the art, to be performed in the light of civil sector requirements, both present and future. Experience has shown that many promising techniques, computer programs, and equipments cannot be produced within a reasonable price range, endure the conditions under which they might have to function, nor met the exigencies of some of the problem situations which prevail today. The time and costs required to create or convert technological components responsive to the special needs of the Nation must be measured carefully. Consideration also must be given to simply upgrading existing manual systems through better organization and revised operational procedures. The findings of this survey of equipment and techniques will be of high importance to those responsible for devising corrective programs. An advisory role by private sector representatives, as an evaluation of this sort is performed, would seem both proper and of substantive value.

The third requirement is for a widespread, sustained program of orientation and education for State and city officials, regional functionaries, Federal program managers, and selected leaders from the industrial and academic world. Not only must their technical literacy be improved, but a deeper understanding of the changing environment—with its impact on government and the people—must be instilled. Also, the utilization by State and local government of private resources—as well as the more apparent forms of Federal assistance—must be examined and encouraged. The responsibility for carrying out such educational endeavors does not reside in one place, but will require a well-thought-out, coordinated program on a nationwide basis.

The fourth and final requirement involves legislative action both at the Federal and State levels which can lead to strengthened research and development programs and the initiation of experimental ("pilot") projects designed to apply innovative man-machine techniques and various types of devices (analog measurement, computational, communications) to a selected problem. In many cases, public laws have encouraged the development and use of technology but with no actual provision for funding nor the rendering of technical assistance which might be critical to the continuance or success of a given undertaking. It is recognized that jurisdictional conflicts

may develop as plans emerge or that a promising project may be impaired due to a synchronous budgeting cycles.

Executive branch activity in promoting use of systems technology

The Federal Government has played a role in promoting the use of systems technology in connection with meeting the problems of our times—pollution, urban deterioration, transportation chaos, etc. This Department of Housing and Urban Development provides support to State-local or private sector projects in such diverse areas as the use of computers in housing design and construction, and employing systems analysis in water resource management planning. The Department of Health, Education, and Welfare, in its recent study "Toward a Social Report," emphasizes the need for "social indicators" so that programs for change may be measured for effectiveness. Developmental efforts range from air pollution control measures to planning for the utilization of computer technology in education. Information exchange also has been stressed by HEW; e.g., the MEDLARS (Medical Literature Analysis and Retrieval System) network. The Office of Economic Opportunity also has organized the collection, storage, retrieval, and utilization of Federal assistance information through a computer-oriented information center, and provides key information to its own and other executive branch decisionmakers. Heavy reliance on external consulting groups in the early days of the organization allowed OEO to perceive many social and community problems in a way which allowed counteractions to be mounted quickly.

The Department of Transportation has cooperated with HUD in the preparation of the study on "Tomorrow's Transportation: New Systems for the Future." DOT then took over direction of the nationwide effort. The establishment of national transportation objectives, based on cost-performance planning and drawing heavily on systems technology in their implementation, has caused DOT to consult regularly with all governmental echelons as well as the carriers and labor. The Department of Commerce long has had a charter to collect, maintain, and process demographic, economic, business, scientific, and environmental information. The Economic Development Administration pursues its function of long-range economic development and programing for areas and regions of persistent underemployment. The National Bureau of Standards (through the Institute for Applied Technology) has been among the first to employ computers and systems analysis in manpower planning. The Office of State Technical Services has undertaken to encourage State and local private and public groups to apply science and technology to resources preservation, business welfare, information exchange, and industrial development. Other executive branch organizations include the Bureau of the Budget, the National Science Foundation, the Department of the Interior, and the National Aeronautics and Space Administration.

Congressional committee activity regarding the role of systems technology

Within the Congress committees and subcommittees have worked to delineate the issues in a given problem, prepare a course of investigation, schedule hearings through which to solicit advice from recognized experts in the field, and consider proposed legislation on the subject. The pressures of time and public demands for action are often a deterrent to thorough study.

During the past decade, the full potential of systems analysis, mathematical modeling, critical path scheduling, and computer technology has become better understood by congressional elements. Perhaps most importantly, electronic computers and systems methodology have been demystified and the continuing control by the human being of all systems' decisions reaffirmed.

Two broad areas concerning the role of systems technology have received attention: the planning-programing-budgeting process, and specific problem-oriented system developmental activities. In the former case, the Joint Economic Committee (Subcommittee on Economy in Government) held a series of hearings on "The Planning-Programming-Budgeting System: Progress and Potentials." The PPBS approach was also studied by the Senate Special Subcommittee on the Utilization of Scientific Manpower and the Senate Committee on Government Operations (Subcommittee on National Security and International Operations). The latter group has issued seven committee prints dealing with various aspects of PPBS, ranging from "PPBS and Foreign Affairs" to "Budget Bureau Guidelines of 1968."

Extensive hearings on the "Federal Role in Urban Affairs" were held by the Subcommittee on Executive Reorganization of the Senate Committee on Government Operations. Another pertinent action was the series of hearings on "Creative Federalism" covered by the Subcommittee on Intergovernmental Relations. The application of management science to social problems preoccupied the Subcommittee on Government Research during its hearings, which included one special seminar, on the Full Opportunity and Social Accounting Act (S. 843, 90th Cong., second sess.).

The Senate Select Committee on Small Business, concerned about the impact of technology on the Nation's economy, commissioned the preparation of two special studies by the Science Policy Research Division of the Legislative Reference Service (Library of Congress): "Policy Planning for Technology Transfer" and "Automatic Data Processing and the Small Businessman."

The Joint Economic Committee, aside from its scrutiny of the ways in which PPBS is impacting on Federal authorization-appropriations procedures, has been actively looking at employment and manpower problems in the cities, and through the Subcommittee on Urban Affairs has held hearings on "Urban America: Goals and Problems." The Subcommittee on Economic Progress published a compendium of papers on "Federal Programs for the Development of Human Resources" in 1968.

Environmental pollution has received concentrated attention by the Subcommittee on Science, Research, and Development of the House Committee on Science and Astronautics. In addition to urging establishment of "systems analysis and management capability" within the Federal Government in order to effect pollution abatement, the subcommittee also has devoted itself to technology assessment, the purpose being to "enable decisions for the public good." In July 1968, a unique "Joint House-Senate Colloquium To Discuss National Policy for the Environment" was sponsored jointly by the House Committee on Science and Astronautics and the Senate Committee on Interior and Insular Affairs.

Another House group concerned about the role of the Federal Government in planning and implementing programs such as sewage treatment, transportation network planning, and pollution control has been the Subcommittee on Research and Technical Programs of the House Committee on Government Oprations. In particular, this subcommittee has voiced concern about the small sums being set aside for research and development in these critical areas.

In some instances, hearings were held related to specific legislation; e.g., the hearings conducted by the Senate Special Subcommittee on the Utilization of Scientific Manpower to consider the grants-in-aid approach contained in the Scientific Manpower Utilization Act (S. 430, 90th Cong., first sess.) and the establishment of a National Commission on Public Management (proposed in S. 467 and H.R. 20, 90th Cong., first sess.). The commission device allows the creation of a group which can focus exclusively on a specified problem area.

The Advisory Commission on Intergovernmental Relations has prepared such reports as "Urban and Rural America: Policies for Future Growth." A more recently established body, the National Commission on Urban Problems, has explored in depth the problems of the cities, and has utilized numerous university, industrial, and governmental agency consultants in preparing its final report, "Building the American City." Presidential action has created such groups as the President's Committee on Urban Housing, and Federal-private steps have placed in operation the Intergovernmental Task Force on Information Systems.

The effect of public laws in encouraging the use of systems technology

Legislation passed by recent Congresses in an effort to improve the standard of living throughout the Nation reflects the determination to see that all possible use is made of innovative tools and techniques. Sometimes the terminology will encourage the application of existing advances in technology (e.g., in housing construction); the establishment of information-handling systems using automatic data processing; or the research, development, and testing of "new and advanced technologies." Often the wording is oblique, or only intended to urge an action group to employ better planning methods or more sophisticated equipment. More recently, however, the encouragement is increasingly direct, and may specify that certain action ensue; for example, the duties of the Board of the newly founded Federal Judicial Center include studying and determining "ways in which automatic data processing and systems procedures may be applied to the administration of the courts of the United States."

An analysis of significant legislation featuring provisions for the encouragement of the use of advanced technology was prepared at the direction of the special subcommittee, and comprises one section of this report. Among the public laws resulting from action by recent Congresses, especially the 89th and 90th bodies, featured in this study are the following:

Demonstration Cities and Metropolitan Development Act (Public Law 89–754).

Housing and Urban Development Act (Public Law 90–448).

Water Quality Act (Public Law 89–234).

Clean Water Restoration Act (Public Law 89–753).

Solid Waste Disposal Act (Public Law 89–272).

Air Quality Act (Public Law 90–148).

Highway Safety Act (Public Law 89–564).

Urban Mass Transportation Act (Public Law 88–365).

Law Enforcement Assistance Act (Public Law 89–197).

Omnibus Crime Control and Safe Streets Act (Public Law 90–351).

Elementary and Secondary Education Act (Public Law 89–10).

Manpower Development and Training Act (Public Law 87–415).

Economic opportunity amendments (Public Law 90–222).

In addition, special attention was given to that legislation which created new agencies responsible for dealing with the varied social and community problems.

Private sector activity in exploring the potential of systems technology

Corporate underwriting of R. & D. projects which show promise of developing new devices and man-machine interactive processes has been on the upswing, and numerous

universities have encouraged interdisciplinary studies and experiments with similar objectives in mind. One proven form of presenting new approaches and discussing alternative technical plans has been the conference, symposium, or seminar. The proliferation of these meetings is testimony to the desire for dialog between involved university, industrial, and government managers, planners, researchers, and implementers. The scope is reflected in the written products; in some instances a special volume such as "Science, Engineering, and the City" may be written as the result of a symposium on the interaction of technology with urban problems. A second form of record may be the publication of proceedings, as was done in the case of the "Conference on Science, Technology, and State Government," jointly sponsored by the National Science Foundation and the Southern Interstate Nuclear Board. A symposium may concentrate on a particular social ill (e.g., the IBM Scientific Symposium on Water and Air Resource Management). Yet another type of written expression may be a book, such as "The Year 2000," which gives evidence of the ongoing work of the Commission of the Year 2000 and also indicates the nature of continuing studies by the Hudson Institute.

As the plethora of public and private forums, writings, proposals, and action mechanisms is surveyed, a question which naturally arises is this: *Should there be a single point of coordination, either in a private entity or situated in a chosen governmental agency, so that a master plan of meetings, topics, and speakers might be created, thus utilizing more effectively the talents and time of the Nation's key personnel?*

In the past, most of the expertise has been applied to the problems of defense and space. President John F. Kennedy was well aware of this imbalance, and in his 1963 Economic Report reminded the Nation that: "* * * in the course of meeting specific challenges so brilliantly, we have paid a price by sharply limiting the scarce scientific and engineering resources available to the civilian sector of the economy."

For all of the exploratory and evaluative efforts exerted thus far by governmental and private sector groups to determine the benefits and limitations from applying systems technology to social and community problems, there still remains an acknowledged need for further, intensive study of the Nation's needs, its institutions and laws, the shifting patterns of living, and the role of systems technology in this ever-changing environment.

B. CONCLUSIONS

The extensive information comprising the basis for this report has been analyzed at the direction of the Senate Special Subcommittee on the Utilization of Scientific Manpower. The incentives for determining how, where, and when to substitute innovative tools and techniques for traditional forms of program planning, management, and operation are very real. The following conclusions suggest themselves as a result of the analysis and data compiled in the report.

1. The essential elements and interacting components of social and community problems must be monitored by some responsible public institution.

2. A comprehensive survey of activities featuring the use of systems tools and techniques must be conducted, and the results formatted and disseminated so that there is widespread cognizance of their nature and implications.

3. The state of the art of operations research, systems analysis, automatic data processing, and related techniques and equipment is swiftly advancing and must be reviewed regularly in the light of established programs and projected needs.

4. Information exchange mechanisms need to be developed. These should be capable of providing, both on a regularly and ad hoc basis, salient narrative and statistical data on project findings, technical proposals placed before Federal and State agencies, literature citations, and equipment and software development and applications.

5. A master plan, under joint Federal-State sponsorship, for the orientation and education of key personnel regarding the potential of systems technology should be prepared. Participants in the training would include selected Federal Government personnel, State and local officials, and private sector representatives involved in urban planning and program performance.

6. A special evaluative capability at the Federal level to prepare, on a continuing basis, cost-benefit comparisons for proposed technological change is required. This would allow planners to be appraised in advance of the implications of their budgetary and program recommendations.

7. The Congress should consider authorizing and directing Federal departments and agencies to develop systems analysis and ADP capabilities specifically tailored to the requirements of the States and localities.

8. The Congress should determine the usefulness of a formal requirement that State and local governments utilize systems technology in implementing various programs—i.e., housing, highways, pollution control—where Federal funding is involved.

9. The Congress should explore the advantages and disadvantages of granting tax incentives for the electronics and communications industries and "think" groups who develop systems methodologies for the needs of State and local governments.

10. Federal agencies should make available to the States and municipalities their expertise and findings regarding systems technology and its applications to social and community problems, either by deliberate dissemination procedures or through a policy of active cooperation.

BRUGES NATO SEMINAR PIONEERS NIXON'S THIRD DIMENSION CONCEPT

Mr. MUNDT. Mr. President, last week at the College of Europe, in Bruges, Belgium, the free world's first seminar on public administration was inaugurated under the aegis of NATO with a modest supporting grant from the Ford Foundation. Thirty-four participants from 11 of the NATO countries were on hand for the opening of this significant new institute to better equip the middle-level administrators of these NATO countries to do more effectively the governmental tasks which they are assigned to do regularly.

Growing out of the recommendations made by the NATO Parliamentarians Committee on Education, Information, and Cultural Affairs which it is my honor to head as chairman—recommendations, I should add, which were made by our committee on 4 successive years and which were four times approved by the Plenary Sessions of our annual NATO Parliamentarian Conference—this initial Institute on Public Administration for NATO participants was finally funded in time to hold its initial sessions this summer. Joint action by the NATO Council, the Scientific Committee of NATO, and the Ford Foundation—to all of whom we are deeply grateful—made possible the appropriate funding of this year's NATO Summer Institute which it is expected will be repeated annually hereafter.

As chairman of the NATO Committee on Education, Information, and Cultural Affairs, it was my pleasure last Thursday to address the opening luncheon of this institute along with Rector Henri Brugmans, of the College of Europe, who is the administrator of the institute. Our American Ambassador to NATO, Robert Ellsworth, and Mr. Kasim Gulek of Turkey, President of the North Atlantic Assembly, also addressed the opening luncheon.

I ask unanimous consent that the text of my address to the NATO Public Affairs Institute be printed at this point in my remarks.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

LEGISLATORS AND ADMINISTRATORS: PARTNERS IN DEMOCRATIC GOVERNMENT

(Remarks made by Senator KARL E. MUNDT, Chairman, Committee on Education, Cultural Affairs and Information, North Atlantic Assembly, to the Seminar on Public Administration, College of Europe, Bruges, Belgium, Aug. 28, 1969)

Members and Friends of the First Seminar on Public Administration:

This occasion is a most happy one. A hope has become a reality. While it would perhaps seem to represent the culmination of only four years of intensive study, planning, and implementation, it actually embodies ideas much older.

Many of us long associated with democratic governments and ideals have appreciated the importance of the international exchange of ideas and the value of working and cooperating together as exemplified by this seminar, and many of us have actively, valiantly, and patiently sought for the seminar's establishment.

I would be remiss if on this occasion I did not recognize the seminar's loyal supporters. These include the former and present officers of the North Atlantic Assembly's Committee on Education, Cultural Affairs and Information, Lady Elliot, Heinz Pohler, and Jacob Aano, along with many other faithful committee members; our good North Atlantic Assembly Secretary-General Phillipe Deshormes, Mike Palmer, his Director of Committees and Studies, Rector Brugmans of the College of Europe and his able staff, and my own assistant, Dr. O. W. Farber. Finally, and indispensably, has been the help, financial and otherwise, of Mr. Brosio, Secretary-General of NATO, and NATO Science Committee, and the Ford Foundation. To all these, this seminar is greatly indebted, as well as to our new friends, including U.S. Permanent Representative to NATO Robert Ellsworth and Professor Andre Molitor, who have assisted in the initiation of this project.

Why have we been so concerned about initiating this seminar? Three reasons deserve special mention:

(1) The seminar recognizes that the training of public servants is crucial to the development and maintenance of a democratic society. Indeed, the success or failure of government can depend upon the ability of political and administrative institutions to meet complex and urgent contemporary problems.

(2) NATO governments as leaders in the democratic way of life need to prove by example that democracies can effectively and efficiently meet modern problems at the same time protecting and preserving individual rights.

(3) NATO needs to demonstrate that while it will ever be a protective shield militarily, it also recognizes, as indicated by the NATO symbol itself, the importance of cultural development and bonds, that it has an obligation not only to the Atlantic community but to the world community as well.

This seminar, bringing together a great array of talent from all over the NATO shield will provide for a mutual exchange of ideas to improve government, and this cannot but promote international good will and understanding, as well as national competence. This seminar is a building block for peace as we seek all avenues in the drive to make our world a happier and safer place for all peoples.

In my own case this basic philosophy of bringing peoples together was expressed in the Smith-Mundt Act of 1948. Last year we celebrated the twentieth anniversary of this Act. In the twenty-year period, over 23,650 men and women prominent in foreign, public, professional and cultural life had been brought to the United States. We have much to learn from each other.

No one country has a corner on wisdom, no single population segment has an exclusive mandate to promote human welfare, no one profession has all-embracing overwhelming competence.

If there is one single lesson to be learned from the lunar landing it is the importance of cooperative effort in the attainment of a single, carefully determined goal.

The goals we seek in government are rarely simple and undisputed. To land men on the Moon in the Sea of Tranquility is clear cut and clean cut. To promote improved housing, transportation, or education requires explanation and definition.

Dr. Einstein once remarked that "Politics is more difficult than physics." He understated the problem. A famous sociologist declared, "It is easier to smash an atom than a prejudice."

There was a time, not too long ago, when men were wont to say, "That is as impossible as flying." But the impossible has happened. So too, perhaps some day we will be able to determine goals, evaluate alternatives, and implement decisions by primarily rational means.

At least this seminar is another example of what can be done. It is the result of goal determination and cooperative effort. I would hope that we may here now show how you can learn from each other, update your abilities, broaden your perspectives, and strengthen your faith in the democratic way of life.

As I have said, this seminar represents the genesis of an idea and illustrates the partnership of legislators and administrators, the subject of my remarks.

Back in 1965 at the annual meeting of the Committee on Cultural Affairs & Information of the NATO Parliamentarians, as the committee was then called, a resolution was passed recommending the creation of a study commission to give immediate attention to the feasibility of establishing an educational centre for the training of civil servants, economic and social administrators of *any* and *all nations* with particular attention to middle level administration and administrators, democratic administrative techniques and values, the creation of a moderate sized centre staffed by a faculty of high reputation and the close cooperation of NATO and OEC governments in this endeavor.

From the very beginning the Committee has been concerned with not only NATO governments and NATO administrators but with those of underdeveloped countries. It is our feeling that NATO's outreach should be expanded.

From this resolution of 1965 the idea of this seminar has been explored, refined, planned and now implemented. It has involved the expert testimony of directors of training in various NATO governments as well as the work of members of the parliament of the NATO governments as represented on the Committee on Education, Cultural Affairs and Information, some of whom are present here this noon.

In the meeting of our Committee on November 21, 1967, the Honorable Harlan Cleveland, United States Ambassador to NATO, testified on behalf of the establishment of this seminar. In the course of his testimony Ambassador Cleveland stressed that this is the day and age in which it is very difficult to establish exact categories and draw dividing lines. He pointed out that there is a blurring of the distinction between that which is public and that which is private, suggesting that much of our industry now works with and for government and, by the same token, in governments like ours the individual agencies are in some sense also like practicing businesses.

Ambassador Cleveland also pointed out that there is a blurring in the line between that which is domestic and that which is foreign. It is increasingly difficult to tell with respect to a particular activity whether we are dealing with an international or a domestic problem. I think that this is one of the things that you men here in this seminar are going to discover—that many of your decisions seemingly wholly domestic are really international in character.

I would like to suggest a third blurring of lines—between legislative and administrative functions. I do not for a moment suggest that the responsibilities of legislator and administrator should be merged. But I am suggesting that the legislator needs to be increasingly aware of the problems and limitations of the administrator, just as the administrator needs to be increasingly aware of the problems and limitations of the legislator.

I would point out that together the legislator and the administrator are confronted by the common requirements of a democratic society—to serve people, to enable people to live happily and productively. This means providing conditions where housing is adequate, food supply is sufficient, education is universal, and security prevails. It means creating an environment where individual initiative and private endeavor can flourish. It means sustaining the rule of law embodying justice.

The need for a working partnership of legislators and administrators to achieve democratic goals has never been greater.

Why is this true?

Because never in the history of the world have the *rapidity* and *scope* of change been so great.

We have been confronted by a *political* revolution resulting in ever increasing demands on government and greater popular participation by every population segment including youth and minority groups.

We have been engulfed by *economic* trends that have caused great migrations from farm to city, the rise of great urban centers, and the increase in leisure time.

We have had to contend with *psychological* and *social* change resulting in demands for equality and security.

We have been overwhelmed by a *technological* revolution that has carried man to the moon and brought into reality the prospect of such diverse possibilities as robot servants and weather control. To have status, research must be computerized, although to some of us old hands, a recent observation seems in point: "To err is human, to really foul things up requires a computer." (Bill Vaughan, Kansas City Star)

Fortunately to face these awesome developments have been some improvements in administrative techniques and understanding. We have made progress in scientific management. We do understand more about human relations. We do know more about budgeting.

This, in part, is what this seminar is about. It recognizes that:

(1) government cannot be neatly divided like a piece of pie. What you do as administrators affects what policy makers do and can do.

(2) every domestic decision can potentially affect international relations, for nations and peoples watch each other. On how well democratic nations produce effectively and meet problems will depend the direction which uncommitted nations will take. And,

(3) the complexity of the modern world demands that technical and professional assistance provided by the administrator be reliable and trustworthy. The policy maker needs the very best in help whether the problem be urban or rural, international or domestic, lunar or subterranean.

This, then, is the final thrust of my remarks. The fate of democratic government will depend on how well individually and collectively democratic governments can face the myriad complex problems of this twentieth century world.

How satisfactorily can we adjust the problems of minority groups?

How adequately can we provide need and satisfactory housing?

How sufficiently can food supplies be produced and distributed?

How well clothed will the population be?

Will liberty be retained and privacy secured?

How well does our opportunity system serve the economic requirements of our people?

Will peace, both domestic and international, be promoted and maintained?

These are our mutual challenges which create a new interdependence of legislator and administrator. We need new understanding of each others problems.

I come from the Great Plains area of the United States. The Dakotah Indians of South Dakota have a saying, "I will not criticize my neighbor until I have walked a mile in his moccasins." In the United States we have a program whereby a limited number of administrators spend a year in congressional offices. This is a step in the right direction. We need to see problems from the other fellow's point of view. Thus far there is no program whereby congressional staff members may serve in administrative offices. Perhaps this is a program which ought to be explored.

I am convinced that democratic governments can outproduce and outperform totalitarian states. We can do this while maintaining an open society with decisions openly made, responsible administrative system available to all, and a people secure in person and property. We can do this because we are concerned with both ends and means, with goals and organization, and we appreciate the importance of the legislator and administrator team.

Previously I referred to the "genesis" of this seminar. We need to look ahead. Building on this seminar, I would hope we might plan many other seminars. Perhaps we should select specific functional areas as subjects. Perhaps we should think in terms of year around programs. Certainly, we should think in terms of participants from all over the world. Eventually we need to think in terms of a permanent educational centre. The possibilities are limited only by our own vision. In this planning process, the evaluation and aid of this seminar's participants will be of crucial importance.

When Neil Armstrong stepped from the Eagle, he said, "That's one small step for a man, one giant leap for mankind." I would like to think that here in Bruges, in this project, with its recognition of the importance of administration on the one hand, and the need for NATO outreach on the other, we have taken, perhaps not a giant leap, but a real stride forward in the promotion of democratic ideals and institutions, and in the development of the mutual understandings so basic to enduring International Peace.

Mr. MUNDT. Mr. President, for the further information of Congress and the

country, I ask unanimous consent that the address by Rector Brugmans, of the College of Europe, be printed at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

OPENING REMARKS FOR THE ATLANTIC SEMINAR ON PUBLIC ADMINISTRATION BY RECTOR H. BRUGMANS

This morning, we inaugurate a new type of international seminar—the first, we hope, of a long and fruitful series of encounters between civil servants of the Atlantic nations.

In my capacity as Rector of this College I wish to say a few words at this occasion. Words of satisfaction and of gratitude towards all those who helped in organizing the course. But above all, let me grasp this opportunity to make it clear what we hope to achieve, why we consider this seminar essential, and how we intend to improve its techniques in years to come. In fact, an experiment such as this, always has the charm of anything new and original. But at the same time, it has to be considered a starting point for further analysis, so as to make these study seminars a standing feature in the Western world.

In particular, we count on the participants who are invited to have a general assembly at the end of the course and present us with their criticism, or, rather, with their constructive suggestions.

Nor is such an invitation to those I hesitate to call "students", the consequence of recent University revolts, in the U.S., in France and elsewhere. Since a good many years already, we in Bruges, have been faithful to such principles as: "Consult the Consumers" and "the Customer is King". In fact, this method has yielded excellent results during the seminars we have organized since seven years now, on behalf of a dozen European railway-companies, that want their "coming men" to be regularly recycled. Therefore, do tell us what you have appreciated especially in the program, which topics you would like us to develop more amply in the future and, by contrast, where, in your opinion, the emphasis might have been less considerable. In short, we invite you to have a "maneuver-analysis" before you leave this place.

Now that I have mentioned our railway-courses, which are comparable to yours in many respects, let me try to define a bit more precisely the benefit they have produced and which, we hope, this course will produce as well, be it in an altogether different field.

These benefits are three-fold.

First of all, scientific progress has been so rapid in recent years, that a civil servant, overburdened as he is with his day-to-day responsibilities, can hardly be expected to follow all new developments as they emerge. However, administrative science is not an abstract field of study, apart from administration itself. Quite the opposite: it aims at improving techniques and methods, as well as what one might call the "philosophy" of Administration. In certain countries, daring experiments have been achieved, but they have been ignored elsewhere. As intellectuals, we have to refresh and enlarge what we think we know—and we have to do some international pooling. In other words: we all have a great deal to learn about what happened in the Universities since we left ours—and we have to learn from each other.

Secondly, faithful newspaper-readers though we all are, let us confess that we sometimes feel confused, overwhelmed and bewildered by the world in which we live. Never before did so many events take place and never the techniques of information have been more massive. But never before, the citizen as a citizen had so much reason to feel frustrated. We therefore introduced in our program a few discussions on such general subjects as "the European idea"; "the Atlantic sub-system" and "disarmament". Let me underline here that the word "discussion" reflects our aims better than "lectures".

Finally, the railway-course has yielded splendid results as far as the creation of a professional "esprit de corps" and the cohesion among colleagues is concerned. Never shall I forget how little some administrators who were supposed to serve the same company, did know in fact about the work that was done in the same building, sometimes even next door. Moreover, colleagues who dealt with the same problems but in different countries had to come to Bruges in order to meet and exchange their experiences. Consequently, a little telephone-call might be sufficient now, in order to solve service-matters, which previously would have required official letters, written in different languages and therefore full of potential misunderstandings. Surely, I do believe in the exactitude of science, but I also realize the unique value of human contacts. This is why we have adopted the community-principle for this course as for others. Living under the same roof and having a relaxed style of personal intercourse is one of the most important features in our enterprise. Let me, at the start, express the hope that all participants will constantly mix together, without forming those national or linguistic groups that are perhaps difficult to avoid during the first two or three days, but should disappear as quickly as possible. In Bruges, there is no inviting power—not even Belgium—and there are no "foreigners" nor "aliens". There are only colleagues.

At this point I might have sat down after having thanked those institutions and personalities who made the planning and setting-up of this course a pleasure. But, being a historian and hardly familiar with administrative science, I wish to abuse my privilege as a chairman in making a few general remarks. In fact, I have tried to learn from the preparatory discussions we had and from the papers which were circulated.

In Europe, contrary to what the situation is in the U.S., administrative science has never been as popular as it should. To some it seems to evoke immediately the association with administrative "law", and many lawyers tell the world that this was the dullest section of their juridical studies.

Moreover, in this part of the world, and again in contrast to the American scene, "administration" is frequently considered to be equivalent to bureaucracy, slowness of execution and excessive formalism. A gallup-poll on the subject would probably show, that numerous Europeans have hardly evolved beyond this point made by Balzac, about four generations ago, in his novel *The Peasants*, where he describes the civil services in the following words: "Administration is a gentleman who resembles your obedient servant when he worked for the land registry office"—which means that all civil servants are equally ineffective—"a dignified man in a worn-out redingote who reads a newspaper behind a desk".

This image is of course primitive and obsolete. A more subtle and more dangerous vision can be found in more sophisticated contemporary public opinion, which still sticks to the fiction that "the Government decides, the Parliament controls and the Civil Service executes".

This concept might have been correct in the Nineteenth Century, when the State was still a relatively small body, and no doubt we all admire the ideal image of the impartial administrator, who tries to apply as honestly, nay, as competently as possible, the instructions given from above with which he politically may disagree. Today however, professional virtue is no longer enough. The problem is no longer one of *loyalty*, but of *continuity*. In a democracy, where the Government is bound to change, the Civil Service is likely to become the lasting element in the State, the guardian of what used to be called "the public good". Yet, such a notion of so-called 'objectivity", embodied by the specialized bureaucracy, would lay the axe at the very roof of democracy. It would, in fact, pave the road for technocracy, and its supporters are likely to fall to the temptation of dictatorial government, which they would feel to be *their* government, much more than the unstable "partitocracy" they despise.

There, surely, lies one of the key-questions of administrative science, of political science in general and even of political practice in our time. Can solutions be found?

In any case, we will find none in looking backward, regretting the "good old days" when the problems debated in Parliament were relatively simple and the Civil Service could believe that it did not have to interfere in politics. Surely, our seminar has not adopted such an archaic approach. It realizes that modern Administration is and has to be *creative* in its own rights, and that the problems involved cannot be solved by putting a brake on an evolution which, in itself, is both inevitable and potentially beneficial. In our view, the help of modern science should be used to the utmost.

For example, when the "System Analysis" presented here tries to find out what the real issues are in such or such a case, and which approaches are imaginable, this means that the Civil Service becomes active in fields which formerly were considered the exclusive hunting-grounds of politicians. Also the "Planning-Programming-Budgeting System", if anything, goes far beyond the purely executive tasks of a faithful but neutral instrument in the hands of whatever Government a country has at a given moment.

However, does this mean that we are bound to face a world as predicted by Saint-Simon, who prophecied that "the administration of things" would replace the "government of men"?

Well, no! What struck me, as a layman, in reading some literature on the subject, is precisely the civic consciousness of the authors, who consider the factor of political *choice*—choice, that is, on the ground of values and priorities, which means: of convictions—is an indispensible ingredient of modern public life. Science, far from abolishing politics, makes it more enlightened, and Administration, far from making a statesman its mouthpiece, gives him the best possible tools. Only second rate politicians will abdicate before Science or Administration, and try to hide their mediocrities behind the authority of professors, civil servants and so-called experts.

At this point, let me hide behind the authority of Professors David Novick and E. S. Quade. This is what the former says in his paper on "Long-Range Planning through Program-Budgeting": "The goal is not to make the decision analytically, but to do what is possible to aid the judgment of the manager in whom the responsibilities for decision resides". And a few lines further: "He (the analyst) does not attempt to replace the decisionmaker rather his role is to provide information that will let the decisionmaker focus on the real issues and will sharpen the decisionmaker's judgment". Or, in the words of the latter: "The final program recommendation will thus remain in part a matter of faith and judgment". And, to quote another classical formulation from his same report: "What may be novel though, is that this sort of analysis is an attempt to look at the entire problem systematically, with emphasis on explicitness, on qualification and on the recognition of uncertainty".

No "brave new world" could be built on a conception which is both so ambitious and so humble! Political freedom in and through uncertainty, is safe here, since administrative science is not "exact" in the mathe-

matical, or rather Nineteenth Century-sense of the word.

However, what administrative science can and should eliminate, or at least actively combat, is unilateral lobbying and demagoguery, that shameful illness of politics. To illustrate what I mean, I may perhaps refer to a decision-making process which I was able to observe from close-by, long ago, in 1939, when I was a Socialdemocratic member of Parliament.

The issue then was, whether the Netherlands should build heavy or light material to reinforce its navy, in view of the Japanese threat against the East-Indies. At that moment, Socialist ministers had just recently joined the Cabinet—for the first time in the political history of the nation. Although very young in politics, I had to give my highly incompetent advice, since I happened to be a member of the navy committee. What were the strongest pressures to which we were submitted?

They came from three sides.

On the one hand, the majority of the naval establishment strongly supported the battleship-approach. However, a small group of younger officers, placed at the beginning of their career, seemed to prefer the individual command of a submarine, an M.T.B. or an M.G.B., rather than serve in the huge machine of a dreadnought. Nonetheless, the Ministry and the Admiralty supported the heavy material-view.

On the other hand, the Labour Party had an instinctive dislike of this proposal. A few years ago, the German S.P.D. had been bitterly criticized for having accepted the project of building the cruiser "Deutschland": it had even suffered a split at that occasion. Whether or not this was rational, our rank-and-file felt that, although national defense had become inevitable in the face of Hitler, Indonesia was another, a "colonial" matter, and, the "heavier" the project was, the more "militaristic".

Nor was this all. Different industries had calculated which scheme was likely to favour them most and I even found out, much to my surprise, that certain sections of the Labour-movement supported "their" Capitalists—in fact, the big depression of the early thirties was barely over and the fear of unemployment still very vivid indeed.

All this was understandable enough, either from the material or from the psychological point of view, and a politician could of course not ignore such pressures. However, a scientific approach to the question, a cold analysis of ends and means, would have brought in an entirely different reasoning, alien to the actual debate as it went on. That method would have concentrated on the only really decisive question: did we, in 1939, still have the opportunity to build battleships?

In fact, envisaging the problem as it was, merely as a controversy on the technicalities and practicabilities of defense, the only speculation that effectively mattered was, when the war with Japan could be expected. Those who opted for heavy material tacitly implied that peace, if not "for our time", then at least for several years, was a reasonable submission. They took for granted that there would be time enough for the construction of dreadnoughts, for the re-equipment of Surabaya as a naval basis and for the training of specialized officers-crews. A very daring hypothesis indeed, which was hardly ever mentioned by anybody!

To sum up: the political discussion in which I found myself involved was a highly confused one. It lacked objectivity, since all the positions advocated were equally biased, partial and even irresponsible. If "System Analysis" had existed, thirty years ago, I don't pretend it would have made the whole debate without substance, but there would have been less group-egoism, less amateurishness and a great deal more rational thinking.

With this souvenir in mind, I feel seminars like ours can and will greatly contribute to the intellectual purification of our democracies. For that reason, I do not simply consider the subject to be studied here as intellectually fascinating, but as essential for the moral and mental health of our Western life in freedom. Analysis, planning, programming, budgeting: all this is done in order to provoke and conduct organized change. And what else is democracy but just this: a way of adapting ourselves to changing conditions, through the methods of civilized reformism?

With your permission, I would like to make another general observation.

It concerns coordination in modern politics and the Civil Service. Prof. Novick refers to this problem at different occasions. It is surely fundamental, and again let me take an example.

With the European Community, all six governments involved are in favour of integration, at least "en principe". But it is well known that the different ministries pursue a different policy, even at the national level. Not only have national interests, aspirations, and prejudices to be harmonized, but it is no secret that in one of the countries at least, the Department of Agriculture is more progressive than the Foreign Office, the Ministry of Economic Affairs having again a line of its own.

Nor is this necessarily bad. In any case it is probably inevitable. But it seems only too obvious that such rivalries and tensions within one State further complicate the already so complicated task of those who want a United Europe to be brought about. The solution, it seems to me, is an objectivation of aims, such or such a national government *really* pursues, which means that the main targets have to be identified, after which secondary matters can be recognized as what they are: important, but not decisive. The enemy here is not only confusion, but political self-contradiction and finally paralysis.

The topic of coordination in contemporary public life might be a fascinating one for other courses in years to come.

Finally, let me express our gratitude and appreciation to those who took this initiative and made their contribution in order to have it succeed.

First of all, Senator Karl Mundt, who, with the help of his personal assistant Prof. Farier, from the University of South Dakota, first brought forward the concept—a very simple concept, like all sound ones—that, since the Atlantic nations have to face more or less the same problems, they better pool their intellectual resources in the field of Administration. Then, the Atlantic Assembly, where he expressed his thoughts and found such strong support that a resolution was unanimously passed, in order that this month-course should be prepared in Bruges. Thirdly, the Scientific Committee of that Assembly, and in particular its Chairman, Stortingman Jakob Aano. Furthermore, the Alliance itself, which decided to contribute its moral as well as its financial help. Its generosity is so much the more remarkable, since Military Affairs are not involved. Here I could not possibly by-pass Prof. Randers' role, since he supported the scheme with great competence and enthusiasm in his capacity as Assistant Secretary General for Scientific Affairs. Next on the list: the Ford Foundation which, as usual, wanted to be at the cradle of this baby, as a good and generous fairy. Last but not least, the national government of the N.A.T.O.-countries, without whose blessing and practical aid it would of course have been impossible to send so many civil servants here for not less than four weeks. Obviously, Senator Mundt's idea met with general sympathy, since it corresponded to a recognized need.

But institutions become active and fruitful only if and when their leading representatives grasp the point and put their energy into the preparation. Five names emerge here, apart from those already mentioned.

Philippe Deshormes, Secretary-General of the Atlantic Assembly, who did a great deal of persuasion-work and asked two of his collaborators, Messrs. Palmer and Knight, not only to follow the efforts made, but to participate in the thinking and organization. Prof. André Molitor, our scientific advisor, who was with us from the very beginning, when the first exchange of ideas took place, a bit more than a year ago, in this very room. Dr. Ed. Poullet, the Director of Studies, who teaches at Louvain-University, but, at the same time did so much to introduce P.P.B.S. into the practice of Belgian Administration. And all concerned will agree that nothing would have been achieved if we had not been lucky enough to mobilize the secretarial energy of M. Chabert on a full-time basis.

Without the comprehension and devotion of all these institutions and individuals, the scheme would have remained a bright idea—and the world is full of them, only a relatively small proportion being put into practice.

So we are thankful and confident. But at the same time somewhat nervous. What starts today is an adventure, and its inspiration is too noble, the sympathy met is too widespread, then that we could allow ourselves to fail. The field, I think, is well-prepared. But the operation has still to be carried out, which means that, in spite of all planning, programming and budgeting, there is always room for surprise, even disagreeable surprise. Plans, we know, are made in order to be changed in the course of action. But who could even change a plan that had not been made in advance?

In the name of the College of Europe, which is proud to welcome you here today, I simply say, as if to the sailors starting on a voyage of discovery: "Good luck to all of you, and here we go!"

Mr. MUNDT. Mr. President, on the occasion of the meeting of the North Atlantic Council held in Washington last April, President Richard Nixon delivered a memorable address devoted to the past accomplishments and the future potential of NATO. Unfortunately, President Nixon's address was not widely reported in the American press although it received considerable favorable publicity in other NATO countries.

During Mr. Nixon's address as he looked to the future, our President suggested that the time was here when NATO must begin initiating and emphasizing new cooperative projects and policies in order to fulfill its maximum service to both itself and the rest of the free world. President Nixon alluded to these new activities as the "third dimension" which must become a part of the NATO program.

Nixon said it was no longer enough for NATO to serve as a protective military shield against possible Communist aggression and as an organization to provide better economic and political cooperation and conditions for the members of the North American alliance but that as we look forward to the second 20 years we should also involve NATO in helping to meet the challenges involved in improving our social environments, the opportunities and happiness levels of our respective people, and in solving the problems related to better living conditions, better health, better education, better housing, et cetera, throughout our

NATO community and throughout the free world.

President Nixon put the whole new concept succinctly when he said here in Washington last April:

I believe we should build an alliance strong enough to deter those who might threaten war; close enough to provide for continuous and far-reaching consultation; trusting enough to accept a diversity of views; realistic enough to deal with the world as it is; flexible enough to explore new channels of constructive cooperation.

All of these objectives President Nixon grouped together as a part of the new "third dimension" to be attained by NATO.

Mr. President, the new Institute of Public Affairs at Bruges, Belgium, is four-square with the new challenges Mr. Nixon made to NATO last April. We now have in operation a mechanism by which public administrators of the NATO countries can learn from each other, can educate each other, and can inspire and challenge each other to advance toward higher levels of human understanding and of better living.

Moreover, and very importantly, our NATO Committee on Education, Information and Cultural Affairs from the very start 4 years ago has recommended the expansion of the Public Affairs Seminar or Institute to include participation at NATO's expense of public administrators invited from several of the underdeveloped or developing countries of the world especially those of Africa and Asia. We hope next year at the second annual NATO Public Affairs Institute to initiate this expanded circle of participation so that NATO can reach out beyond its own periphery to help other countries to evolve improved and more efficient administrative and governmental practices and policies.

We who have worked in NATO for many years welcome the enlightened new challenges proposed by President Nixon and firmly believe that the new program inaugurated by NATO at the College of Europe in Bruges, Belgium, is a forerunner and a demonstration of a more productive future for NATO as it truly measures up to its potentials in dealing with the "third dimension" of its expanded areas of opportunity.

Mr. President, I ask unanimous consent to have printed in the RECORD the address delivered by President Nixon to the North Atlantic Council in Washington on the occasion of its 20th anniversary meeting.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

PRESIDENT NIXON'S ADDRESS TO THE COMMEMORATIVE SESSION OF THE NORTH ATLANTIC COUNCIL

WASHINGTON, April 10.—As we gather here today, we celebrate a momentous anniversary. We celebrate one of the great successes of the postwar world. Twenty years ago, a few dedicated men gathered here in Washington to cement an Atlantic partnership between the older nations of Europe and their offspring here in the New World—and in this room, the North Atlantic Treaty was signed. Some of the men who gathered then are here again today—and if they would stand, I think we all, with hindsight, would like to salute their foresight.

At this anniversary, we especially honor the memory of one of NATO's great champions: the general who commanded the armies that liberated Europe; the first Supreme Commander of the Forces of NATO; the American President who did so much to keep NATO strong and to give life to its principles—Dwight David Eisenhower.

His life demonstrated that there is a moral force in the world which can move men and nations. There is a spiritual force, lodged in very roots of man's being.

As for NATO, it is precisely because it has always been more than a military alliance that its strength has been greater than the strength of arms. This alliance represents a moral force whch, if we marshal it, will ennoble our efforts. Dwight Eisenhower was a great humanist, and also a great realist. If he were with us today, he would have recognized that together, as men of the old world and of the new world, we must find ways of living in the real world.

As we know too well, that real world includes men driven by suspicion, men who would take advantage of their neighbors, men who confuse the pursuit of happiness with the pursuit of power.

It also is peopled with men of good will, men of peace and hope and vision.

No nation, and no community of nations, is made up entirely of one or the other. No part of the world has a monopoly on wisdom or virtue.

Those who think simply in terms of "good" nations and "bad" nations—of a world of staunch allies and sworn enemies—live in a world of their own. Imprisoned by stereotypes, they do not live in the real world.

On the other hand, those who believe that all it takes to submerge national self-interest is a little better communication; those who think that all that stands in the way of international brotherhood is stubborn leadership—they, too, live in a world of their own. Misled by wishful thinking, they do not live in the real world.

Two decades ago, the men who founded NATO faced the truth of their times; as a result, the western world prospers in freedom. We must follow their example by once again facing the truth—not of earlier times, but of our own.

Living in the real world of today means recognizing the sometimes differing interests of the western nations, while never losing sight of our great common purposes.

Living in the real world of today means understanding and unfreezing our old concepts of east versus west, while never losing sight of great ideological differences.

We can afford neither to blind our eyes with hatred, nor to distort our vision with rose-colored glasses. The real world is too much with us to permit either stereotyped reacting or wishful thinking to lay waste our powers.

Let us, then, count ourselves among the hopeful realists. In this same spirit of hopeful realism, let us look at NATO today.

We find it strong but challenged. We find disputes about its structure, political divisions among its members, reluctance to meet prescribed force quotas. Many people on both sides of the Atlantic find NATO anachronistic, something quaint and familiar and a bit old-fashioned.

As the alliance begins its third decade, therefore, there are certain fundamentals to be reaffirmed:

First: NATO is needed; and the American commitment to NATO will remain in force and remain strong. We in America continue to consider Europe's security as our own.

Second: having succeeded in its original purpose, the alliance must adapt to the conditions of success. With less of the original cement of fear, we must force new bonds to maintain our unity.

Third: when NATO was founded, the mere fact of cooperation among the western nations was of tremendous significance, both symbolically and substantively. Now the symbol is not enough; we need substance. The alliance today will be judged by the content of its cooperation, not merely by its form.

Fourth: The allies have learned to concert their military forces; now, in the light of the vast military, economic and political changes of two decades, we must devise better means of harmonizing our policies.

Fifth: By its nature, ours is more than a military alliance; and the time has come to turn a part of our attention to those nonmilitary areas in which we all could benefit from increased collaboration.

What does all this mean for the future of the Western alliance? To deal with the real world, we cannot respond to changing conditions merely by changing our words. We have to adapt our actions.

It is not enough to talk of flexible response, if at the same time we reduce our flexibility by cutting back on conventional forces.

It is not enough to talk of relaxing tension, unless we keep in mind that twenty years of tension were not caused by superficial misunderstandings. A change of mood is useful if it reflects some change of mind about political purpose.

It is not enough to talk of European security in the abstract; we must know the elements of insecurity and how to remove them. Conferences are useful if they deal with concrete issues, which means they must be carefully prepared.

It is not enough to talk of detente, unless at the same time we anticipate the need for giving it the genuine political content that would prevent detente from becoming delusion. To take one example, a number of America's Western partners have actively supported the idea of strategic arms control talks with the Soviet Union. I agree; when such talks are held, we shall work diligently for their success.

Within our alliance, however, we must recognize that this would imply a military relationship far different from the one that existed when NATO was founded. In plain words, the West does not have the massive nuclear predominance today that it once had, and any sort of broad-based arms agreement with the Soviets would codify the present balance.

How would progress toward arms control affect the nature of consultation within our alliance?

Up to now, our discussions have mainly had to do with tactics—ways and means of carrying out the provisions of a treaty drawn a generation ago. We have discussed clauses in proposed treaties; in the negotiations to come, we must go beyond these to the processes which these future treaties will set in motion. We must shake off our preoccupation with formal structure to bring into focus a common world view.

Of course there is a diversity of policies and interests among the Western nations; of course these differences must be respected. But in shaping the strategies of peace, these differences need not block the way—not if we break through to a new and deeper form of political consultation.

To be specific, the forthcoming arms talks will be a test of the ability of the Western nations to shape a common strategy. The United States fully intends to undertake deep and genuine consultation with its allies both before and during any negotiations directly affecting their interests. That is a pledge I shall honor—and I expect to consult at length on the implications of anything that might affect the pattern of East-West relations.

In passing that test together, this alliance will give new meaning to the principle of mutual consultation. To seize the moment that this opportunity presents, we would do well to create new machinery for Western political consultation, as well as to make

greater use of the machinery we already have:

First, I suggest that Deputy Foreign Ministers meet periodically for a high-level review of major, long-range problems before the alliance.

Second, I suggest creation of a special political planning group, not to duplicate the work now being done by the council or by the senior political advisors, but to address itself specifically and continually to the longer-range problems we face. This would by no means preclude efforts to develop a fuller European cooperation. On the contrary, we in the United States would welcome that cooperation. What ties us to Europe is not weakness or division among our partners, but community of interest with them.

Third, I strongly urge that we recreate a committee on the challenges of modern society, responsible to the Deputy Ministers, to explore ways in which the experience and resources of the Western nations could most effectively be marshalled toward improving the quality of life of our peoples. That new goal is provided for in article II of our treaty, but it has never been the center of our concerns. Let me put my proposal in the context of our times:

On my recent trip to Europe, I met with world leaders and private citizens alike. I was struck by the fact that our discussions were not limited to military or political matters. More often than not, our talks turned to those matters deeply relevant to our societies: The legitimate unrest of young people, the frustration of the gap between generations, the need for a new sense of idealism and purpose in coping with an automating world.

These were not subjects apart from the concerns of NATO; indeed, they went to the very heart of the real world we live in. We are not allies because we are bound by treaty; we bind ourselves by treaty because we are allied in meeting common purposes and common concerns.

For 20 years, our nations have provided for the military defense of Western Europe. For 20 years, we have held political consultations.

Now the alliance of the west needs a third dimension. It needs not only a strong military dimension to provide for the common defense; not only a more profound political dimension, to shape a strategy of peace; but it also needs a social dimension, to deal with our concern for the quality of life in this final third of the twentieth century.

This concern is manifested many ways: culturally and technologically, through the humanities and the sciences.

The western nations share common ideals, and a common heritage. We are all advanced societies, sharing the benefits and the gathering torments of a rapidly advancing industrial technology. The industrial nations share no challenge more urgent that that of bringing 20th-century man and his environment to terms with one another—of making the world fit for man, and helping man learn how to remain in harmony with his rapidly changing world.

We in the United States have much to learn from the experiences of our Atlantic allies in their handling of internal matters: the care of infant children in West Germany; the "New Towns" policy of Great Britain; the development of depressed areas programs in Italy; the great skill of the Dutch in dealing with high-density areas; the effectiveness of urban planning by local governments in Norway; and the experience of the French in metropolitan planning.

Having forged a working partnership, we all have a unique opportunity to pool our skills, our intellects and our inventiveness in finding new ways to use technology to enhance our environments, and not to destroy them.

The world of this committee would not be competitive with any being carried on by other international agencies. Neither would it be our purpose to limit this cooperation and the benefits that flow from it to our own countries. Quite the opposite; our purpose would be to share both ideas and benefits, recognizing that these problems have no national or regional boundaries. This could become the most positive dimension of the alliance, opening creative new channels to all the rest of the world.

When I visited the North Atlantic Council in Brussels, I posed the question: "In today's world, what kind of an alliance shall we strive to build?"

Today, I have sketched out some of the approaches that I believe the Alliance should take.

I believe we must build an Alliance strong enough to deter those who might threaten war; close enough to provide for continuous and far-reaching consultation; trusting enough to accept a diversity of views; realistic enough to deal with the world as it is; flexible enough to explore new channels of constructive cooperation.

Addressing the North Atlantic Council ten years ago in this same room, President Eisenhower spoke of the need for unity. There is not much strength in one finger of a hand, he said. But, when five fingers are balled into a fist, you have a very considerable instrument of defense.

We need such an instrument of defense; the United States will bear its fair share in keeping NATO strong.

All of us are also ready, as conditions change, to turn that fist into a hand of friendship.

NATO means more than arms, troop levels, consultative bodies, treaty commitments. All of these are necessary. But what makes them relevant to the future is what the Alliance stands for. To discover what this western Alliance means today, we have to reach back not across two decades but through the centuries, to the very roots of the western experience. When we do, we find that we touch a set of elemental ideals, eloquent in their simplicity, majestic in their humanity; ideals of decency, and justice, and liberty, and respect for the rights of our fellow men. Simple, yes; and to us they seem obvious. But our forebears struggled for centuries to win them, and in our own lifetimes we have had to fight to defend them.

These ideals are what NATO was created to protect. It is to these, on this proud anniversary, that we are privileged to consecrate the Alliance anew. These ideals—and the firmness of our dedication to them—give NATO's concept its nobility, and NATO's backbone its steel.

DEATH OF MRS. MINNIE B. KENNEDY

Mr. THURMOND. Mr. President, South Carolina recently lost one of its most distinguished citizens—Mrs. Minnie B. Kennedy, who died in Aiken, S.C., August 9.

One of the first to urge adult education in South Carolina, she founded adult night classes in Aiken County in 1913 and continued as director of adult education until 1967. Her teaching career spanned 50 years and she was chairman of the Aiken County Board of Education for 24 years. In 1963, she was honored at a banquet by then Gov. Donald Russell and citizens from throughout Aiken County for having served 72 years as an educator. The Minnie B. Kennedy Junior High School in Aiken is named in her honor.

Mrs. Kennedy dreamed of countless boys and girls and men and women being educated, and she transferred that dream into a reality. She had the extraordinary ability to make people believe in themselves and work toward their betterment. For the sterling qualities which she exhibited, she was loved by those she served. This love by others is perhaps the highest tribute to her.

Mrs. Kennedy is survived by a brother, a son, and a daughter. Her brother, Senator Edgar Brown, of Barnwell, is chairman of the finance committee of the State senate and president pro tempore of that body and is one of the most prominent political leaders in South Carolina. Her son, Dr. Finley A. Kennedy, a resident of Aiken, is one of the most distinguished medical doctors in South Carolina, and her daughter, Mrs. W. C. Wolfe, Jr., is an outstanding citizen of Orangeburg. In 1950, she was named South Carolina Mother of the Year.

Mr. President, she was a woman of high ideals and lofty character who will be greatly missed by the people of South Carolina, and I ask unanimous consent that the following articles be printed in the RECORD at the conclusion of my remarks: "Minnie Brown Kennedy," the Aiken Standard & Review, Aiken, S.C., August 13, 1969; "Aiken Educator, Minnie Kennedy Dies," the Aiken Standard & Review, Aiken, S.C., August 11, 1969; "The 1950 State Mother, Mrs. Kennedy, Dies," the State, Columbia, S.C., August 9, 1969; "Mrs. Kennedy Is Honored With Tribute," the State, Columbia, S.C., September 27, 1963; "Mrs. E. P. Kennedy," the Augusta Chronicle, Augusta, Ga., August 10, 1969.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Aiken (S.C.) Standard & Review, Aug. 13, 1969]

MINNIE BROWN KENNEDY

Death last week claimed one of Aiken's most important citizens.

Mrs. Minnie Brown Kennedy was known to thousands of Aikenites and all who knew her held her in highest esteem and respect.

As an educator, she exercised an unexcelled influence over the lives of hundreds of young men and women, many of whom today occupy places of prominence in Aiken and over the country.

We mourn her departure from our midst. Her death is a community-wide loss. To the members of her family we extend our sympathies.

[From the Aiken (S.C.) Standard & Review, Aug. 11, 1969]

AIKEN EDUCATOR MINNIE KENNEDY DIES; RITES HELD

Mrs. Minnie Brown Kennedy, 93, widow of Edward P. Kennedy of Laurens Street, N.W. died in Aiken County Hospital Friday after a long illness.

Funeral services were held Saturday at 3 p.m. in St. John's United Methodist Church. The Rev. M. B. Hudnall officiated. He was assisted by the Rev. L. Porter Anderson. Burial was in Bethany Cemetery.

Survivors include a daughter, Mrs. W. C. Wolfe of Orangeburg. A second daughter, Mrs. M. H. McKnight of North Augusta, died in 1968; a son, Dr. Finley A. Kennedy of Aiken; a brother, Sen. Edgar Brown of Barnwell; three granddaughters, Mrs. Lenoard Yaun of Aiken, Mrs. Don Pennington of Nashville, Tenn., Mrs. Gary P. Hunter of Tacoma, Wash.; two grandsons, W. C. Wolfe III of Orangeburg and Mason H. McKnight of North Augusta.

A native of Aiken County, Mrs. Kennedy was a daughter of the late A. A. and Eliza-

beth Howard Brown. She was a member of St. John's Church.

In 1963 Mrs. Kennedy was honored at a banquet by South Carolina's Gov. Donald Russell and citizens of Aiken County for having served 72 years as an educator. At the time she was 87. She had started teaching at age 15, after having successfully stood a teachers examination.

Mrs. Kennedy was one of the first to urge adult education in South Carolina, and founded adult night classes in Aiken County in 1913. She continued as director of adult education until 1967.

A member of the Aiken County Board of Education for 27 years, she was board chairman for 24 years until her retirement in March 1963.

Her teaching career spanned 50 years, and she served in schools at Gloverville, Eureka, and China Springs. Aiken's Minnie B. Kennedy Junior High School is named for her.

Mrs. Kennedy was named South Carolina's Mother of the Year in 1950.

[From the Columbia (S.C.) State, Aug. 9, 1969]

THE 1950 STATE MOTHER MRS. KENNEDY DIES

AIKEN.—Mrs. Minnie Brown Kennedy, state Mother of the Year in 1950 and sister of Sen. Edgar Brown of Barnwell, died Friday in the Aiken County hospital.

An educator in Aiken County since the turn of the century, Mrs. Kennedy started teaching when she was 15 years old after successfully completing a teacher's examination.

In 1963, she was honored at a banquet by former Gov. Donald S. Russell and citizens from throughout Aiken County for having served 72 years as an educator. Her actual teaching career covered 50 years. Aiken's Minnie B. Kennedy Junior High School was named for her.

Mrs. Kennedy was one of the first educators in the state to urge adult education and founded adult night classes in Aiken County in 1913. She continued as director of adult education in the county until 1967.

A member of the Aiken County board of education for 27 years, she served as chairman for 20 years until her retirement in 1963.

A native of Aiken County, she was a daughter of the late A. A. and Elizabeth Howard Brown.

Funeral services will be Saturday at 3 p.m. in St. Johns United Methodist Church.

Surviving are a daughter, Mrs. W. C. Wolfe Jr. of Orangeburg; a son, Dr. Finley A. Kennedy of Aiken; and a brother, Sen. Brown.

George Funeral Home is in charge.

[From the Columbia (S.C.) State, Sept. 27, 1969]

MRS. KENNEDY IS HONORED WITH TRIBUTE

(By Ernestine B. Law)

AIKEN.—Mrs. Minnie B. Kennedy was described by Gov. Donald Russell as "a woman who gave reality to a dream" when more than 350 persons gathered here Thursday night to pay tribute to an educator who has given more than 50 years of her life in service to Aiken County.

"No idea, no movement, no ideal can succeed unless there is behind it a driving force," Gov. Russell said. "Mrs. Kennedy translated into reality a dream in order that countless boys and girls and men and women might be educated. . . . I pay deserving tribute to one who has served so faithfully, so consistently and so long for such a worthwhile cause in South Carolina."

State officials, fellow teachers, former pupils and scores of townspeople joined to express appreciation to a woman who has served as a classroom teacher, founder of Aiken County's adult education center, and chairman of the County Board of Education for 20 years.

There was no speech making, but all who arose to pay tribute to Mrs. Kennedy, the sister of State Sen. Edgar Brown of Barnwell, expressed the same feeling of sincere appreciation to a woman who spent her life in unselfish service for the young and old as expressed by the Rev. Max Christopher, who gave the invocation.

A life-long friend, Mrs. Annie B. King, publisher of the Aiken Standard and Review, presented Mrs. Kennedy a gift of sterling silver goblets on behalf of her friends—"sterling to simulate the pure qualities of your life and goblets to signify the overflowing of our love."

C. P. Marsh of the County Board of Education, presented Mrs. Kennedy a photograph of the Minnie B. Kennedy Junior High School which was built here last year and named in her honor.

[From the Augusta (Ga.) Chronicle, Aug. 10, 1969]

MRS. E. P. KENNEDY

The death of Mrs. E. P. Kennedy of Aiken will possibly be sincerely mourned by more persons who were direct beneficiaries of her influence than could any other lady of her time in this area.

She was the mother and the sister of prominent people, yet the degree to which she was well and lovingly known did not depend on that circumstance. In her 93 years of life she had compiled her own individual record of service in an educational career which was distinctly outstanding. That career of 72 years included 50 years of teaching and 27 years on the Aiken County Board of Education, of which she was chairman for 20 years. She founded adult night classes in Aiken in 1913 and was director of adult education until 1967. Her achievement was recognized, in other ways, by the 1950 title of South Carolina Mother of the Year, and by the naming for her of Aiken's Minnie B. Kennedy Junior High School.

But no career of such impressiveness is possible without extraordinary qualities, and it is those qualities for which she will long be remembered. They were indicated in 1963 at a banquet in her honor when then-Gov. Donald Russell said she was "the kind of person who translates dreams into reality."

Gentle and quiet-spoken, Mrs. Kennedy had that ability to believe in people in such a way as to make them believe in themselves. Hundreds who had to drop out of school during the Depression were able later to get better jobs because she encouraged them to undertake adult study courses that led to high school diplomas or to job skills.

As civic leader Audley H. Ward said at the 1963 banquet, "It is a glorious achievement to have served thousands of people . . . to be so loved by the people you have served."

THE PESTICIDE PERIL—XLIV

Mr. NELSON. Mr. President, shortly after Congress adjourned in August, the U.S. Department of Agriculture announced that the use of certain pesticides would be restricted in the agency's Federal-State pesticide control programs.

It is encouraging that the Department is finally taking steps to put its own pesticide house in order. The Department has long been disappointingly lax in providing the national leadership in sensible pesticide use that Congress charged it with several decades ago.

The Agency's decision to delay action on pest control programs at airports is most unfortunate. There is ample evidence to support the setting of sanctions on airport pesticide programs as well as to move toward improving the restrictions on the use of persistent, toxic pesticides by the general public.

With volumes of scientific evidence on pesticide contamination already available, it is extremely difficult to justify further study and review. The Secretary of Agriculture should not withhold his Department's plan any longer to stop the use of DDT in aquatic areas and for aerial dusting. He should also release a specific timetable canceling the registration for all the uses of DDT except those absolutely necessary for the protection of human health.

Despite the recognized need to develop additional alternatives to DDT and other hard pesticides, the Department has failed to mount an all-out research effort in this area. A spokesman for the Agricultural Research Service has admitted to me that the Department's program for improved means of nonchemical pest control is presently underfunded by at least $4 million. These funds could be used this year by the Department but were not included in the budget submitted to Congress. The research areas being shortchanged include biological control, hormonal techniques, natural plant resistance, and cultural control.

I ask unanimous consent that a Department news release outlining the Agency's action to be printed in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

USDA CUTS BACK USE OF PERSISTENT PESTICIDES IN CONTROL PROGRAMS

WASHINGTON, August 15, 1969.—Acting Secretary of Agriculture J. Phil Campbell today announced that some persistent pesticides will be replaced by less persistent pesticides for certain uses in the Department's cooperative Federal-State pest control programs.

"These changes in the uses of persistent pesticides are in line with the Department of Agriculture's continuing concern for the quality of our environment, consistent with our responsibilities for the protection of crops and livestock, people and their homes from harmful, destructive pests," Acting Secretary Campbell said.

This action is being taken following an intensive use-by-use review of these programs in conjunction with a 30-day suspension of USDA pest control operations announced last month. The Federal Committee on Pest Control has reviewed and concurred in the program reductions in the use of persistent pesticides proposed by the Department. It's members have suggested a number of modifications in program plans, all of which were accepted by the Department of Agriculture.

Acting Secretary Campbell said that the July 9 suspension of Department pest control operations at military and civilian airports has been continued for another 30 days to allow time for complete interdepartmental review of these programs.

The private use of pesticides is not affected by either the original suspension order or any subsequent curtailment of certain uses in Federal control activities.

In regard to the Federal-State programs, the pesticides dieldrin and heptachlor will be replaced with chlordane in the Japanese beetle and European chafer control projects. In addition, the uses of dieldrin and DDT will be reduced in the White-fringed beetle program. For most uses, chlordane, a less toxic, less persistent, and narrower spectrum pesticide, will be substituted. Chlordane is generally considered to be less hazardous to wildlife than dieldrin or heptachlor.

Where regulatory action is required to protect interstate shipment of nursery stock, the use of dieldrin under carefully supervised programs will be permitted.

The Department will use toxaphene for range caterpillar control in New Mexico, if the caterpillar infestation develops there. Suspension of the use of endrin treated tree seeds by the Forest Service is being continued, pending further study.

"In examining our programs on a case-by-case basis, we have retained the uses of persistent pesticides only in those instances where there are no effective, less persistent alternatives," Mr. Campbell stated. "We must continue to use those chemicals which can provide effective as well as safe protection not only for important crops but also for home lawns and gardens."

Federal-State pest control programs are designed to prevent the spread of destructive pests from one area of the Nation into other non-infested areas. The Japanese beetle is presently found in 22 States east of the Mississippi River, with its westward advance halted at St. Louis, Mo. If allowed to spread, it could do extensive damage all across the country.

White-fringed beetle is found in Alabama, Florida, Georgia, Louisiana, Mississippi, Arkansas, North Carolina, and Virginia. If unchecked, this beetle could become established as far north as Philadelphia, Pennsylvania, and as far west as Oakland, Calif. This extremely destructive pest attacks all major field and garden crops.

Discovered in the United States in 1940, European chafer now infests one and a quarter million acres in six States: Connecticut, Massachusetts, New York, New Jersey, Ohio, and Pennsylvania. It damages lawns, gardens, golf courses in urban areas, and all grasses and small grain crops.

PREROGATIVES ESTABLISHED IN RELATION TO THE SOVEREIGNTY OF THE NATION-STATE ON HUMAN RIGHTS COVENANTS

Mr. PROXMIRE. Mr. President, from the very beginning of the inclusion of human rights concepts into the Charter of the United Nations, the United States has been diligently concerned with respect to the area of domestic versus international implementation of human rights covenants.

In April 1945, the United Nations Conference on International Organization was held in San Francisco. During the course of the conference the problem and concept of human rights was discussed extensively by the delegates. There was a great deal of interest among the nations present at San Francisco over human rights, but few came as well prepared as the United States to translate that interest into legal provisions in the charter. There developed a general concern among many governments—particularly the United States—over the degree to which the United Nations could exert these prerogatives in relation to the sovereignty of the nation-state. This concern lead to the insertion in the charter of a "domestic jurisdiction" clause—article 2, paragraph 7—denying the organization authority to "intervene in matters which are essentially within the domestic jurisdiction of any state." Therefore, there existed at this time a very keen awareness and understanding of the limits to which the United Nations could impose itself on the nation-state.

The Universal Declaration of Human Rights was adopted by the U.N. General Assembly on December 10, 1948. The United States voted in the affirmative along with 47 other countries.

The atrocities of the Second World War invoked our national conscience and undoubtedly played a key role in the adoption of the Universal Declaration. But our memories, unfortunately, are all too short. In the past 20 years, opponents of ratification have thrown up strawman arguments against the Human Rights Conventions and these have carried the day.

Mr. President, it is time to clear the air. Let us ratify the Human Rights Conventions against Genocide, and for Political Rights of Women and Forced Labor without further delay. Atrocities still exist in the world today, and perhaps will continue to exist as long as there is credence to the theory of the dark side of man, but let us at least as a nation stir ourselves toward a greater standard of achievement.

THE EVERGLADES

Mr. NELSON. Mr. President, the national concern for the future of Everglades National Park is developing rapidly. I think it is increasingly clear that more and more Americans are realizing the grave dangers threatening this unique national resource, and are determined that adequate steps be taken to protect it before it is too late.

In recent weeks, some especially good articles have been done on the Everglades situation by national publications and columnists. These well-researched, well-written pieces are especially informative on the history and current status of the Everglades issue, and I ask unanimous consent that they be reprinted in the RECORD at this point.

The articles are by Robert Cahn, in the Christian Science Monitor; by Rowland Evans, Jr., and Robert Novak; by John D. MacDonald, in Life magazine; in the Living Wilderness, published by the Wilderness Society; in Look magazine; and in Time magazine.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, Aug. 12, 1969]

UDALL TEAM TO SCOUT EFFECT OF MIAMI JETPORT ON EVERGLADES

(By Robert Cahn)

WASHINGTON.—Pressure exerted by national conservation groups on Florida growth developments that threaten Everglades National Park appears to be having its first major effect.

As a result, one of the biggest Everglades problems—that of a major international airport planned near the park—may be heading toward a solution.

It is too early to count any chickens. But at least the Dade County (Miami area) Port Authority has pulled back temporarily.

ASSURANCE SOUGHT

The occasion for guarded optimism is the announcement by the Dade County Board of Commissioners, which also functions as the port authority, that the Overview consulting firm headed by former Interior Secretary Stewart L. Udall has been hired to prepare "a balanced plan of development which will mitigate or eliminate possible adverse effects" of the proposed airport.

And, more importantly, the commission has adopted a formal resolution not to expand the present training airport under construction until there has been assurance "that such facility would not irreversibly harm the Everglades National Park" or the adjoining state conservation area.

Even if the airport problem could be worked out, possibly by the selection of another site, the survival of the park would still be threatened by lack of a guarantee of a sustained water supply, water pollution, poaching of alligators, and encroachment from development of private lands within the park boundary and outside the northwest boundary of the park.

FLIGHT-TRAINING RELIEF

The airport problem presents the most immediate threat, however. It comes from the action of the Dade County Port Authority in building a jet-training airport on a 39-square mile area just north of the park, without holding public hearings or making adequate studies of environmental effects on the park.

The first runway is scheduled for fall completion, and the jetport is planned to relieve the Miami International Airport of jet-training flights which now make up 35 percent of the airport's operation.

On April, a combination of national conservation organizations and other groups representing 3 million citizens formed an ad hoc coalition to fight the "jetport" and the announced intention of Dade County and Collier County officials to build on the site a massive international airport larger than the New York Kennedy complex.

"CONCERN" NOTED

The announcement by the Dade County commissioners is its biggest action in answer to these criticisms.

The press release issued in Miami noted that the recent action of the commissioners in authorizing the jetport "has caused concern that the jetport and possible development around it might have adverse effects upon the Everglades National Park." The release added that under the terms of the contract, the Udall group would study all issues in overall context with no strings or restrictions attached.

"We are not seeking a paper plan, but a balanced action program that can win acceptance by the citizens of Florida and the nation as a whole," the commission statement said. "The commission wants to make sure that the future transportation network will not impair the ecology of the park or the environment of the region."

FIRM'S FIRST CONTRACT

This is the first contract signed by the new Udall-led company. The former Interior Secretary, who became a leading national conservation figure, realizes his own reputation, and that of the company, will be at stake in the Everglades study.

In an interview here, Mr. Udall said he personally would direct the project and indicated that he does not intend to produce only a "paper" plan that could be buried on someone's desk.

"Part of our job will be to arrive at a solution and then try to get it implemented," Mr. Udall said. "We will work on the politics of the situation and on trying to obtain public understanding of the problem and the proposed solutions."

As a first phase, Mr. Udall has hired Dr. Frank Craighead, one of the leading authorities on Everglades ecology, to head a 90-day study on the problems. Working with Dr. Craighead will be two young men who worked in 1968 as White House Fellows at the Department of the Interior and the Department of Transportation, John McGinty and Gerhard L. Snyder.

After this study has been made, Overview will then bring in a task force of outstanding national experts to propose solutions to the problem.

ANOTHER SITE SUGGESTED

Although Mr. Udall would not discuss his present ideas for solving the problem, many conservationists hold that the only possible

acceptable solution is to find another site for the proposed large airport.

It is possible that ways can be found to mitigate the environmental harm from the jet-training airport, especially if it is not expanded. But the environmental effects of a major international airport on the site north of the park, with its transportation network, influx of satellite industry, and development of new towns, might mean the eventual ruin of the park.

In another recent Everglades development, the United States Department of Transportation (DOT) is being criticized for giving another $163,000 for the jetport while the department is supposed to be conducting a study with the Department of the Interior on the jetport's potential harmful environmental effects. Under the Johnson administration, DOT gave $500,000 toward jetport construction. The Volpe administration earlier this year approved a $200,000 grant for research on high-speed ground transport between the proposed new airport and the nearby metropolitan areas of Miami and Tampa.

SPENDING FREEZE URGED

The latest DOT grant is for landing lights on the jetport runway.

Sen. Gaylord Nelson (D) of Wisconsin advocates a moratorium on all federal spending on the airport.

"It is incredible that the Department of Transportation has released $163,000 in new lighting for the airport," Senator Nelson said. "Not only does this grant make a farce of the DOT-Interior study, but it further confirms the urgent need for the President's Environmental Quality Council to bring the Departments of Interior and Transportation and the Army Corps of Engineers to work out a solution to the jetport and for a water supply which will ensure that the Everglades National Park will not be destroyed."

COUNCIL LEADERSHIP ASKED

Senator Nelson has proposed to the Senate public-works subcommittee that Corps of Engineers appropriations for central and southern flood-control-district projects be suspended until a formal agreement can be made to guarantee the park's future water supply.

In a letter to Dr. Lee A. DuBridge, presidential science adviser and executive secretary of the Cabinet-level Environmental Quality Council, Senator Nelson urged that the council take the leadership in settling Everglades problems.

"I was pleased to see that in the May 29 press conference announcing the establishment of the council you took note of the President's deep interest in the preservation of the Everglades," the Senator said in his letter. "You also noted that through the council necessary action could be taken at the top levels of the government to resolve the tough environmental problems that come up. Everglades is just such a problem. It is a test of whether or not we are really committed in this country to protecting our environment."

IS NIXON A CONSERVATIONIST? WATCH DECISION ON NEW JETPORT

(By Rowland Evans Jr. and Robert Novak)

WASHINGTON.—President Nixon will soon give the first clear sign of his future course on politically explosive conservationist questions when he decides whether to protect the irreplaceable Everglades National Park in southern Florida from a huge new jetport.

The reason the President himself has to decide is a sharp backstage disagreement inside the administration. The Interior Department, surprisingly conservationist under Secretary Walter Hickel, not only opposes the jetport but is insisting privately that federal law prevents the Transportation Department from approving it. Secretary John Volpe's Transportation Department, favoring the jetport, vigorously disagrees. Thus, if the jetport is to be blocked, it will be up to Nixon.

Immediately at stake is a priceless national resource. Sen. Gaylord Nelson of Wisconsin, a leading conservationist, charged during a Senate Interior Committee hearing that construction of the jetport would be "a disaster and the end of the Everglades as a unique wilderness."

But beyond the Everglades, the White House decision will be an unmistakable sign of its direction in the increasingly political issue of environmental control. While pleased by Hickel's new interest in these issues, conservationists in and out of Congress are watching the Everglades case as it reveals presidential policy.

The Interior Department joined the issue inside the administration on May 29 when it wrote a privately circulated legal opinion, contending that Section 4F of the Transportation Act bars Volpe from approving any project endangering a national park unless he can prove the project is essential and there is no alternative site. In the case of the Florida jetport, say Interior Department officials, no such proof has been offered.

But at the Transportation Department, 15 blocks away, the law is read differently. Volpe's lawyers say he has no legal authority to deny federal sanction to the jetport or refuse navigational guidance for it.

Thus, it is clear that the Transportation Department will not impede jetport development unless there is White House intervention. "If we get President Nixon on our side," an Interior Department official told us, "we might be able to stop this jetport. If we don't, we haven't got a chance."

Backing up the Transportation Department are major airlines who see the jetport as essential to ease overcrowded conditions at Miami Airport, 36 miles away. The jetport's first runway will open next month as a training facility for Miami-based pilots and crews with 150,000 annual training flights planned for the single runway.

If this were the extent of the jetport, conservationists would not be so apprehensive. But Interior Department officials are convinced that Dade County (Miami) envisions the biggest jetport in the world—the major airline terminus of the Southeast, capable of handling new jumbo jets and futuristic supersonic transports. The construction that would proliferate around such an airport would doom Everglades Park, polluting its waters and destroying its unique ecology.

Actually, a decision in favor of the jetport was made at the Transportation Department long before the Republicans took over. During the Johnson administration, the Federal Aviation Administration (FAA)—part of the Transportation Department—granted $500,000 to the Dade County Port Authority to start the jetport.

Moreover, the Transportation Department's lame duck Democratic officials last December approved—but did not announce—an additional $200,000 grant for research on high-speed ground transport from Miami and Tampa. Word leaked out only when Dade County officials announced a $200,000 contract for the study to TRW Inc., the giant construction firm.

But the Transportation Department under Volpe shows no basic disagreement with those decisions. It has just approved another $163,000 grant for landing lights on the existing single runway—thereby antagonizing Sens. Nelson and Henry M. Jackson of Washington, the Interior Committee chairman, who had criticized the earlier $700,000 in grants made without studying their impact on the environment.

Nor are conservationists reassured by the fact the new Federal Aviation administrator, John H. Shaffer, was a TRW vice president when the company won the jetport study contract. Shaffer told us he had "no great responsibility" for the project at TRW but declined to say whether he would disqualify himself on conflict-of-interest grounds in future FAA decisions about the jetport.

But Shaffer did sign the most recent $163,000 grant, and the Transportation Department clearly means to forge ahead with the jetport. With the airlines and powerful Florida interests eagerly awaiting a multimillion dollar transportation complex, the conservationists must pin their last hopes on Nixon.

[From Life magazine]

THE EVERGLADES

(By John D. MacDonald)

In the beginning you do not see very much or hear very much, and you do not understand.

Then one afternoon there was no movement of the air. There was heat, sweat and a silence so vast that when I heard a mosquito near my ear, it was exactly like a night sound of long ago in Mexico, hearing a truck in its lowest gear whining down the mountains miles away. A thunderstorm moved toward me and toward the west. By the time it began to stir the air in hot gusty puffs, it was a startling indigo wall across the world, a constant rumbling, and I stood in strange golden yellow light waiting for it.

Cooler air then, and good wind, with each gust making its own shape as it came across the saw-grass pastures. At pink lightning banging down, and then the oncoming roar from far away of the smashing, drenching rain. When it ended, I could hear the same roar, receding, hurrying west. Incredible smell of a well-washed twilight, and 10 trillion frogs and toads and peepers welling into a deafening rain-chorus. Birds in that straight, no-nonsense flight pattern of heading for the rookery. Fragile insects flying. (How did they escape the smashing rain?) Some blooms closing, and leaves folding, and other blooms, spicier, opening on the hammocks and uplands where the tree frogs are.

Then I began to understand that it is not memorable fragments, but a complex unity, all of it a savage and symmetrical pattern of interwoven, interdependent lives, from gator to gnat, from bald cypress to microdot of green algae, from giant metallic dragonfly to spider-shaped invisibility of the redbug. It is a complexity which took eons to style and plan itself for this special place, climate, condition, through unending trial and error.

Now we are on the brink of destroying that complex unity. Experts in such matters—biologists, hydrologists, geologists—have all come to the same alarming conclusion: if we proceed with the plans to establish a commercial jetport squarely across the last natural watershed in south central Florida, we will kill what is left of the Everglades, kill the Everglades National Park, upset the water tables and the water supply in all south Florida, cripple the shrimp industry, stunt commercial and sports fishing, invite salt intrusion and possibly even alter the very climate of the Florida peninsula.

The jetport tract, all 39 square miles of it, is 45 miles west of Miami, about 55 miles east of Naples on the gulf, roughly a third of it in Dade County, the rest across the line to the west in Collier County. In late September of 1968, less than a week after the first parcels of land were acquired by condemnation proceedings, the Dade County Port Authority at Miami let a contract for a two-mile east-west jet training runway with taxi strips and aprons. The strip is completed. It is the first phase of the plan to build the world's largest jetport—big enough to enclose Los Angeles Airport, Dulles, Kennedy, San Francisco and a cluster of several smaller fields as well. Federal funding for this monster project could exceed half a billion dollars.

The commercial-political-financial establishments of Dade, Collier and Monroe counties are sweaty with the excitement of a new boom, huge profits, explosive growth. Every bit of this silent wilderness land around

the jetport site is privately owned, and much of it has already changed hands in heavy-risk commitments. One Miami real estate agent has assembled a package almost as big as the proposed jetport itself for a single corporate buyer. Collier County leaders have stated in Naples that they intend to make the jetport area the largest industrial center in Florida, and boosters are already talking about such projects as cutting a deep-water canal from the gulf to the jetport to barge in the jet fuel and construction materials, and getting the authorized extension of Interstate 75 from Tampa to Miami officially realigned to bisect the jetport, with a thousand-foot right-of-way from the gulf to the Atlantic.

The Everglades National Park is already in such fragile condition that only by the most careful planning could it be nurtured back to health and stability. So why save a sick park when it stands in the way of progress?

If it were merely that it is a unique 1.4 million-acre wonderland, visited by over a million people a year, merely an eerie, silent environment for gator, wood ibis and tree snail, one might be able to make some kind of a feeble case for the proposed jetport location. But over the last 40 years the U.S. Army Corps of Engineers has demonstrated for all of us what the death of the Everglades might mean.

The Engineers came clanking into the central Florida area in the late 1920s and built the Herbert Hoover Dike to tame Lake Okeechobee, arbitrarily lowered the water level of the lake by five feet, and later dug arrow-straight canals to help the gentle meandering rivers carry the fresh sweet rainwater more hastily into the sea.

Rainfall is the secret of the Everglades, of the park, of all south Florida. It averages 63 inches a year, falling mostly during the subtropical rainy season from gigantic thunderstorms grumbling and banging and drenching their crisscross pattern through the great river of saw grass, then trickling and seeping its way down the long gentle slope from the central lakes and rivers, through the saw-grass prairies with their island hammocks of cypress, live oak and palmetto, down to the semicircle of mangrove coast bordering Florida Bay and the gulf from Biscayne Bay to the Ten Thousand Islands. This slow movement effectively extends the nourishment of the rainy season into the dry season, and the only source of fresh water for south Florida is the rainfall.

The Engineers kept "improving" things, shuttling the life-giving water into the sea when there was more water than the drained and filled cane lands, pasture lands, vegetable lands south of the dike system needed. But there are cycles of wet years and dry years, and during the dry years, the rain-deprived Glades began to parch and burn, because the Corps of Engineers had stolen its margin of safety.

The worst disaster came during the Second World War. By 1945 the Everglades was burning night and day, and the people on both coasts were choking in acrid smoke, watching water wells turn brackish, canals dry up, salt intruding into the soil at the rate of 1,000 feet a day as tides came up the canals; watching cattle die, and groves die, and tomatoes and sugarcane die. They demanded that somebody do something.

So a Water Control District System was established in Dade County, and by 1947 the Corps of Engineers began establishing a Flood Control District. A vast system of canals, dikes and gates was constructed in Florida's eastern watershed so that water could be diverted from the Everglades Park during dry spells, and excess water dumped on the park during wet spells. So now the park, as Art Marshall, a biologist with the Bureau of Sports Fisheries, puts it, "gets instant drought or instant flood."

The effect on the park has not been happy. Thanks to man's management and the work of the Army Corps of Engineers, the other level has fluctuated from one bad extreme to the water and decimated the park's plant life and wildlife.

When the Glades die, not only is there destructive salt instrusion (from the ocean waters backing up into the park), but the exquisitely productive balance of the brackish estuaries in the mangrove hem of the wide skirt of the park is also upset. According to a University of Florida study, this skirt is "one of the richest breeding grounds for marine life on the continent."

Despite the obvious lessons of the immediate past, the Corps not long ago got around to "improving" the lovely meandering Kissimmee River flowing into Lake Okeechobee from the north. They straightened it, diked its marshy banks, turned it into a sandy-banked drainage ditch. Now heavy rains that took weeks to crest down into the lake can come racing down in a matter of days or hours, as if the Engineers sought to justify the flood control system by arranging for a higher incidence of floods. This enables them to shunt even more runoff water into the Glades and park when least needed, and run even more off into the Atlantic Ocean.

Now that the Corps of Engineers has turned the water supply system into the eastern watershed into a menace instead of a blessing, the only hope left for the Everglades Park is the western watershed, which up until now has retained a reasonably natural seepage-flow from Big Cypress Swamp north of the western end of the park. It has been survival insurance, to some limited extent.

The jumbo jetport will go right in the path of this ancient flow, and even if great care is taken within the jetport areas to keep that flow moving as naturally as possible, the urban growth and industrialization around the jetport would make such concern futile.

It is the entire complex that will finish off the park, mostly by dramatically altering the volume and the characteristics of the essential water flow. That southward flow will be used water, treated and released. It will leave so much nitrogen-compound nutrient from animal and human waste in the water that, according to Frank Nix, longtime hydrologist at the park, the explosive growth of undesirable algae would crowd out the natural algae, fundamental to the life support system of the Glades and the park.

In addition to water pollution, there will be soil pollution—the inevitable fallout from the unburned components of jet fuel, inefficiently consumed at low altitudes, and unburned fuel jettisoned in emergency situations.

Nor is jet noise compatible with that strange and unique flavor of the Everglades, with a silence so brooding and intense that the sudden slap-splash of a feeding fish is as startling as an explosion. What such noise might do to the reproduction rate of the wild birds, already diminished thanks to the ingestion of DDT in the food chain, is not yet known, but one could hardly expect it to be beneficial.

The Everglades and the national park cannot survive this final insult. The ramifications of the death of an entire ecological system have always been more grave, more far-reaching, more deadly to man himself than anyone realized until the process of decay was too far along to be reversed.

Conservation efforts, concerned with water tables and marine productivity as well as with the existence of one of the great national parks of the world, are met with the customary amused, patronizing derision typical of all such opposition.

William Burrows, writing in a big national travel magazine's recent special gee-whiz issue about air travel, makes the condescending observation that the proposed jetport in the Everglades "makes almost everyone happy except conservationists. The latter are afraid that planes winging over the swamps may collide with wood storks and dump excess fuel on alligators, turkeys, wild hogs, and other animals."

Alan Stewart, director of the Port Authority, lumps all the bird life in the park into one species called "yellow-bellied sapsuckers" and calls the conservationists "butterfly chasers." Stewart says that cities always rise up around airports. "If the conservationists want to stop industrial and commercial development," he says, "they are going to have to save their pennies and buy up the land."

On the 23rd of last April, 19 national conservation organizations, including Audubon, Sierra, National Wildlife Federation and the Natural Area Council, demanded a construction halt at the jetport. A letter was sent to Department of Transportation Secretary Volpe urging that he stop the construction by cutting off federal funding.

At this point, the Senate Committee on Interior and Insular Affairs scheduled hearings on the potential environmental problems of the jetport. During these hearings, Transportation Secretary Volpe and Interior Secretary Hickel authorized a special study under Dr. Luna Leopold, senior scientist of the U.S. Geological Survey, directing a team of scientists to examine in detail the threat of harm to the park. The study team used a three-stage approach to the problem—possible damage by the jet training port alone, possible damage by the training port plus the passenger jetport, and possible damage by the jetport plus the urbanization-industrialization of the surrounding privately owned lands, where the surveyors are now so busily aligning their transit bubbles and driving their county stakes.

The report, which has now been completed and will soon be officially submitted to Volpe and Hickel, indicates that the present jet training port will cause progressive damage to the park, and if the passenger jetport is built, the destruction will be irreversible.

Meanwhile, the Dade County Board of Commissioners has hired former Interior Secretary Stewart Udall to prepare a plan for mitigating or eliminating adverse effects of the proposed jetport and to consider alternate sites. Conservationists hope that Udall's proposals will point to the same conclusion as Dr. Leopold's report—that the only solution for the jetport is not to build it at the present site.

This time the decision can be made before death occurs. The equation is simple, clear and elegant. Is this the place where, finally, we stop brutalizing our environment in the name of that sort of progress which makes things quite different—but never any better, and usually worse than we could have believed?

[From the Living Wilderness]

JETPORT AND THE EVERGLADES—LIFE OR RUNAWAY?

The Florida Dade County Port Authority's search for an airport site, as it first came to the attention of Miami newspaper readers in 1967, seemed to contemplate one of modest proportions—or so it would seem in the light of subsequent developments. The airport was said to be needed by commercial airlines for training jet pilots. However, the plan burgeoned in subsequent months. It grew into a project for a mammoth airport, intended to relieve congestion at Miami International Airport, to accommodate commercial operations, including supersonic transport.

One of the sites considered was Conservation Area 3A, just north of the Tamiami Trail (U.S. Route 41)—the northern boundary of the Everglades National Park. The Conservation Area site was eventually dropped from consideration when the Central and Southern Florida Flood Control District (FCD) objected that situating an airport here was incompatible with the water conservation purpose of the area.

The site for the jetport eventually settled

upon an area 6 miles north of the Everglades National Park's 40-Mile Bend Ranger Station. The eastern boundary would be nearly common with the west boundary of Conservation Area 3A, and would lie almost midway between the two coasts, approximately 50 miles from Miami via the Tamiami Trail.

Not only has construction for a 39-square mile airport actually started, but a 10,000-foot airstrip approaches completion as this is written. It is scheduled to begin use in September 1969 as a jet training strip.

Reactions against the entire proposal have begun to take on force. The Superintendent of Everglades National Park had warned the Port Authority in March 1967 that intrusion and noise from overflights and close-by operation of jet aircraft could cause wildlife dislocations, abandonment of habitat, and consequent alteration of the Park for visitor use; intrusion and noise would be inimical to the wilderness of the Park that Congress specifically sought to perpetuate in the Act of 1934 which authorized the Park. The Park was established in 1947.

Continued efforts by the Park Superintendent, in communications with both the Dade County Port Authority and the Federal Aviation Agency, brought no satisfactory results.

Access to the airport brings up additional problems. Initially the Tamiami Trail was considered as an access route. Enlarging the Trail to four lanes had already been contemplated. However, a new access route appeared on a sketch map early in 1968. This new route, currently referred to as a transportation corridor, was expanded in the plans into a 1,000-foot right-of-way which would include extension of Interstate 75 from its present terminus in Tampa. Included in the route, currently referred to as a transportation system, power lines, pipe lines, and possibly water transportation facilities. The alignment of the transportation corridor would run one mile north of the Tamiami Trail, parallel with it, but converging with the Trail at 50-mile Bend.

There have been other variations of the planned access corridor, including one which would have bisected the jetport, after traversing the lower end of Conservation Area 3A, subdividing it with an additional pool. This plan was reconsidered—at least for the present—after strong objections, led by FCD's Chairman, Robert W. Padrick.

THE PROBLEMS

Apart from concern for the Everglades National Park, which is crucial, the jetport is controversial as a threat to the quality of the environment and natural beauty, and for its anticipated impact upon the ecology of the area. No apparent regional planning has been undertaken; no apparent effort to study the impact of the jetport and resulting urbanization on the environment, and on the present and resulting socio-economic structure, has been made.

The problem is complicated because of the lack of quantitative data with regard to certain specific questions. Nearly every aspect involves certain and undoubted environmental disturbance, whose consequences are generally predictable, but whose magnitude is not known. It is not possible to translate qualitative data, often speculative, into quantitative data with the precision required by the planners of highways and airports. Thus it is not possible to evaluate accommodations which may be made or considered for resolution of the problems.

Noise will affect the quality of the visitor's experience in the Conservation Areas, and even more so in the Park, which is expected to come in large part under the 1964 Wilderness Law. An ambient level of 20–40 decibels (db) may be tolerable; normal street levels of 50–90 db are incompatible with a wilderness experience. Noise from overflights (estimated at 250,000 training operations annually in late 1970, even before conventional flights begin), and noise emanating from the jetport, would obviously be even more unacceptable. A jet takeoff rates 150 db at close range, and about 117 db on the apron. By 1980, it is projected, there will be 900,000 operations; between one and two planes will land or take off every minute of every day of the year.

Few studies of the reactions of wildlife to noise have been made in the Park. Thus, it is not known to what extent jet noise will affect or disrupt animal habitats or reproduction processes. In 1968, public protests forced Miami International Airport to prohibit local training flights between 10 p.m. and 7 a.m. Of the new site, Federal Aviation Agency's Miami area manager said, "Nobody will be close enough to complain—except possibly, alligators." However one might interpret the reaction of alligators, it is certain that Park visitors will be vividly aware of the noise pollution, and the negation of a wilderness experience.

Water encompasses a large number of concerns: flow, quantity, and quality, among others.

Lower peninsular Florida is drained primarily by two drainageways: The Big Cypress Swamp and The Everglades. Big Cypress drains almost as a sheet with hardly any clearly defined watercourses, whereas The Everglades has its primary water course in the Shark River. The Everglades, above Tamiami Trial, is essentially fully controlled and managed within the conservation areas of the Central and Southern Florida Flood Control Project. These conservation areas, which lie directly under the take-off paths for aircraft using the proposed jetport, are shallow water storage basins from which Everglades National Park receives a vital part of its water needs.

Under agreement with the Corps of Engineers, management of the conservation areas rests with the State's Central and Southern Florida Flood Control District (FCD), and includes recreational uses. The Florida State Game and Fresh Water Fish Commission, by agreement with the FCD, manages fish, game, and related wildlife in Conservation Areas 2 and 3. Everglades National Park requires an annual minimum flow of 315,000 acre-feet from the project, of which 260,000 acre-feet is to be released at varying rates approximating natural flows and natural flow-time through the lower end of the FCD-managed Conservation Area 3A for flow into the Shark River.

West of Conservation Area 3A, directly under the landing paths of aircraft that will use the jetport, is the Big Cypress Swamp, a sparsely developed area which covers most of Collier County. The Big Cypress is the Park's second major overland flow source of water. Developers with national sales campaigns have subdivisions under construction in some of the swamp's westerly area. Drainage is generally south, and flow enters the Gulf of Mexico, roughly from Naples on the north to Lostmans River in Everglades National Park on the south. Minimum annual water requirements for the Park from Big Cypress Swamp have been estimated at 157,000 acre-feet. Thus, more than one-third of the Park's surface water supply comes from Big Cypress Swamp.

Natural drainage patterns and flow-volume-time relationships can be altered by colossal construction projects, such as the jetport and the interstate highway, and the resulting urbanization and industrial section of the surrounding lands. Because of the physical character of the land, which is covered by water most of the year, the total volume of water is not likely to be changed appreciably, if at all, by construction. As the surface area is not increased, evaporation would not increase, except that in dry periods, when the water table has dropped below land surface, borrow pits and canals (necessary for construction in this swampy area) will expose the water table and evaporation could be extensive. The estimated evapotranspiration losses in parts of the Central and Southern Flood Control project area is as high as 80 per cent of the rainfall. Drainage canals increase the velocity of runoff without necessarily altering the volume of water. The essential factor in the maintenance of swamp and everglades is the exceedingly low velocity of the runoff. Moving the water faster enables the land to be drained more quickly, altering immediately the environment of the Big Cypress. Also, by moving this water faster, water arrives at the Park and at the estuaries earlier in time and in relatively greater volume, but the duration of water cover is shorter. This results in longer dry periods between the shorter wet periods. The consequence is also to alter environments.

With a projected population of as much as 1,500,000 people who will live and work in the satellite communities that will follow jetport and transportation developments, an additional 150 square miles are likely to be drained for urban and industrial uses. Culverts at regular intervals in the highways and under the runways, and a network of collecting canals designed to redistribute the water by overbank spilling, can simulate the natural flow except for the factor of time.

Designs that collect all the water at one or two places are not likely to meet natural conditions. Nearly all the water collected would have to be discharged across Park boundaries. The National Park Service would undoubtedly resist the pressure to issue permits for construction of ditches, canals, or other works in the Federally-owned area of the Park or the area over which it has unquestioned jurisdiction, but it may be another matter in those areas over which the United States jurisdiction is imperfect; further, the United States does not own sufficient land here to prevent entry. Peculiarities of the laws affecting Everglades National Park split the Park's jurisdiction in the most threatened area, and further provisions make it possible to put pressure on the Service to grant easements for canals draining the land adjacent to the Park.

Drainage works, by lowering the water table, drain the organic soils so that they dry, oxidize, burn, or are otherwise raised into the air as dust. Dust is a climatological influence; dust particles are nuclei around which suspended water droplets collect as fog and may on occasion affect airport use. Smoke from peat soil fires could have similar effects. To control dust and prevent fire, it may be necessary to plant and irrigate cover grasses or crops. Water for this purpose would most likely come from the Central and Southern Florida Flood Project, or directly from the ground water. In either case, both airport and subdivisions then become competitors with the Park for project water, and even for the ground water, because the shallow surface water and shallow aquifer are fractions of the same water body. Transpiration may be altered by the choice of cover crops. If a dust palliative is laid, crop water may be saved, but runoff will be greatly accelerated.

Pollution is most frequently associated with water; there is a tendency to overlook other media which carry pollution, such as air. Particulate matter, vapors, and odors are obnoxious pollutants whose sources would include exhaust and other wastes from aircraft landing or taking off, from automobiles and trucks on the new highways, from industrial and commercial processes developed in connection with the airport, and from services to the new residential/industrial communities. Air pollution may change the vegetation and restrict the range of wildlife. Noise pollution has already been discussed.

Water pollution poses a critical threat to the Park's survival. Aircraft, when landing, taxiing, and taking off, are relatively inefficient in their combustion of fuels, and the exhausts will carry great amounts of unburned hydrocarbons, oxides of nitrogen,

carbon monoxide, aldehydes, and so on. As the landings and takeoffs will be over the Big Cypress Swamp area west of the airport, and over the conservation area east of it, unburned jet fuel and other wastes will fall from the air and be deposited on the waters. As subdivisions develop, they will produce sewage which, even after treatment in plants of advanced designs, may still yield effluents greatly enriched in nitrates and phenols. These effluents will be added to the waters of the region. The airport and the industrial plants will also produce sewage and other wastes which will require sophisticated treatment to render the water relatively safe. As land surfaces are drained for subdivisions, substantial portions of this land will become lawns. Some land may become farms. Fertilizers are needed to nourish the thin peat-marl soils, and rapid water removal caused by the area's development will carry the highly enriched runoff into the Park. The developed areas and their environs will be subjected to massive insect control programs, adding insecticides to the air and ultimately to the water. Water control programs frequently require noxious weed controls and this will introduce herbicides into this water.

Assuming that the water meets minimum water quality standards for Type 1 waters in the State of Florida, it may nevertheless be unsatisfactory in the Park because it will be different from water in which the Park biota exist. For example, levels of dissolved oxygen, nitrogen, phenols, and other constituents which separately are deemed to be satisfactory for fish, may nevertheless be lethal to fish because of their damaging effects on the more delicate food web on which the fish depend.

While the water in the conservation areas is less likely to be contaminated with industrial wastes, it is likely to carry a large amount of jet exhaust wastes, as well as fertilizers, pesticides, and herbicides from the adjacent agricultural areas, which drain to the conservation areas.

If the water is found to be unacceptable for Park purposes, one may say it should be collected and discharged, wasted, directly to the Gulf of Mexico. Discharge to the conservation areas would be unacceptable since the water from these areas ultimately flows into the Park. In any event, water will be contaminated and the biological environment receiving this water will be altered.

If the contaminated water is rejected, the Park will not receive its vitally needed supply. The alternatives, therefore, may be either to accept the polluted waters and the consequent alteration of the ecosystems, or deny the Park water and, through dehydration, create another form of ecological alteration. If one presumes that the bypassed water will be collected and discharged to the Gulf of Mexico, a deficiency in the Park's water will result which would require that an additional 157,000 acre-feet per year be withdrawn from the flood control project to maintain the present ecosystem unaltered.

It is difficult to state in quantitative terms the magnitude of pollution that will be experienced or the level which can be tolerated. It is apparent that changes will occur. It has already been observed that biological changes occur with the replacement of one type of algae for another as a response to enriched waters. The resulting exchange is at variance with resident ecosystems.

Pesticide levels found in tissue of certain small fish examined from the Park are already alarmingly high. As pesticides are now being found in the Southern Florida air, one can expect the jet fuel fallout will effect an increase in DDT precipitation from the air, resulting in increased water pollution to the Park.

PLANNING REQUIREMENTS

Section 4(f) of the Transportation Act, as amended in 1968, prohibits the Secretary of Transportation from approving any transportation project, such as the proposed Miami Jetport, which requires the use of publicly owned land from parks, recreation areas, or wildlife and waterfowl refuges of National or State significance unless:

(1) there is no feasible alternative, *and*

(2) the project includes all possible planning to minimize harm to the park, recreation area, or wildlife and waterfowl area.

The proposed Miami Jetport necessarily requires navigation easements over Conservation Area No. 3A (which is a State recreation area and refuge), and over Everglades National Park. It is, therefore, subject to the prohibitions of Section 4(f) of the Transportation Act, easements being—by legal definition—a use in, or over, the lands of another.

Although the jetport sponsors have carried on consultations with park, recreation, and wildlife agencies and interest, the feasibility of alternatives *has never been determined*, and the project *definitely has not included* all possible planning to minimize harm to the Park.

The Department of Transportation, in what is apparently a violation of the Transportation Act, has already approved the construction of the training runway, and has provided a large grant for a study of high-speed ground transportation to operate principally between Miami and the jetport.

The applicability of Section 4(f) to the jetport project has been brought to the attention of the Department of Transportation by the Bureau of Outdoor Recreation, the Department of the Interior's coordinating agency for Section 4(f) matters. To date, however, no satisfactory resolution of the problems has been achieved.

Interior agencies have been working closely on this problem. In addition to the Bureau of Outdoor Recreation and the National Park Service, whose interests are apparent, the Bureau of Sport Fisheries and Wildlife is concerned with the bird and game fish populations. Over 21 rare and endangered species of wildlife use this area as habitat for at least part of the year. The Bureau of Commercial Fisheries has an interest in the shrimp and commercial fisheries whose habitat includes estuaries dependent upon the quality and timely arrival of fresh water inflow from Big Cypress Swamp and Shark River.

In addition to these, agencies within the U.S. Public Health Service have expressed interest. The Central and Southern Florida Flood Control Project is being constructed by the Corps of Engineers and managed by the Central and Southern Florida Flood Control District, a State agency. The Department of Housing and Urban Development, although not immediately involved, could well have an interest if the rapid and massive development, as predicted, occurs.

The Bureau of Indian Affairs has an interest in the welfare of the Miccosukee Tribe, which occupies a strip of land along the Tamiami Trail in the Everglades National Park. The plight of the Miccosukee, as a consequence of the jetport and the access corridor, is especially tragic. They have, for the most part, been living in isolation on their native hammocks, although a number live along the Tamiami Trail in Everglades National Park, and have only recently organized under a Tribal Constitution. They will suffer displacement and drastic attrition of their pursuits. The airport is overrunning their Green Corn Hammock, where the traditional Green Corn ritual has been held for the purification of body and soul. Morally or legally, the rights of the Miccosukee to peaceful tenure are being trampled. The transportation corridor will eliminate the little bit of income they have derived from tourists on the Tamiami Trail. In general, the major developments in the area will disrupt their socio-economic life and may very well obliterate the group as an entity.

Emphatically, we must recognize that, for all the efforts at amelioration or accommodation that might be made, the proposed jetport may very well be incompatible with the preservation of the Everglades National Park, or with the preservation of the regional ecological environment which affects the survival of the Park. Feasible alternative sites for the jetport do exist. It follows that developing a jetport at an alternate site may well be the only acceptable solution.

[From Look magazine]

THE ASSAULT ON THE EVERGLADES: IS THERE STILL TIME TO STOP IT?

The ultimate fate of the Everglades National Park may not be apparent for years, even decades, but it is being decided right now. Preservationists are wrestling with developers over crucial questions of water management and land development. If the preservationists win, the Park may survive in a near-natural state, while the virulent growth of south Florida will be controlled. If the developers prevail, the Park will eventually die. The fight for this unique wild land at the southeastern extremity of America is of more than incidental importance to a prodigal nation growing poor in wilderness.

On the preservationists' map, the whole interior of south Florida is a shallow basin, barely above sea level. Through this basin during the wet season flows a river 50 miles across and only inches deep, seeping south and west through saw grass, cypress and mangrove, all the way from Lake Okeechobee to Florida Bay and the Gulf of Mexico. In its meanderings, the water accumulates a rich suspension of minute plant and animal life, essential to life in the Everglades National Park.

The developers—chambers of commerce, land speculators, agri-businessmen and the like—plot their moves on a different map of the same south Florida. Their map resembles the New York City subway system more than anything in nature, with surveyor-straight canals radiating from Lake Okeechobee. By diverting the natural flow of groundwater, short-cutting it to the sea, the canals make land speculators into alchemists, able to transmute river bottom into dry land and dry land into pure gold.

The natural profusion of life, disorderly, varied, self-sufficient, gives way to endless rows of pampered citrus trees, converging toward the flat horizon in unnatural regimental formation, less like living things than plastic plants set out by an obsessed geometrician; or to endless rows of cookie-cutter houses, each offering its owner a piece of paradise. Obviously, the same surface water that is the Everglades' lifeblood is nothing more than red ink to the developers, and the stage is set for the present conflict.

Actually, the Everglades began to lose out on the question of water rights as far back as the 1880's, when an enterprising visionary named Hamilton Disston saw farmland where there was endless swamp, and built the first drainage canals from Lake Okeechobee to the sea.

Canal building on a massive scale did not begin until much later, until the population of south Florida had grown to the point where the lake's occasional floods meant great loss of human life and property, and drainage canals were authorized as flood-control devices. By 1948, the year after a million and a half acres of south Florida had been secured for preservation as a national park, the natural flow of water to the Everglades was put in the hand of the Central and Southern Florida Flood Control Project.

From the start, the project was promised by the U.S. Army Corps of Engineers as protection to "assist in restoring and maintaining natural conditions within the National Park." The National Park Service accepted this and similar language from the Corps of Engineers and others as adequate assurance that the Park would get from the Project the same flow of water it used to get from nature.

The test came in 1962, when a levee across the Park's northern boundary was completed during the worst drought in Florida history. In order to assure water for irrigation in the agricultural areas north of the Park, the flow of water to the Everglades was stopped. In 1963, as the drought continued, the Everglades National Park received not one drop of water from the Project's levees. In 1964, another dry year, the Park was granted less than two percent of its minimum annual requirement.

The result was that the agricultural interests north of the Park survived the drought, while much of the life in the Park did not. Millions of animals died as the water table sank lower and lower, exposing the bottoms of ponds and waterways to harden and crack in the Florida sun. The Park Service dug wells to give some relief and collected uncounted thousands of animal corpses. Animals that survived failed to breed normally, or turned cannibal and ate their own offspring. In the estuarine fringes of the Park, salt water advanced inland, unimpeded by the pressure of fresh-water flow, altering the delicate chemistry of spawning grounds and rookeries.

The drought ended, and was followed by several seasons of abundant rainfall. Life revived in the Park, but only tentatively, as though its man-made agony had deprived life in the Everglades of its natural drive for abundance; as though life itself were anticipating the next dry spell, when man will again covet the Park's water.

Two things are certain for the future: there will be, sooner or later, another drought; and south Florida, gluttonous for growth, ambitious for eminence among the megalopolises of the world, will make ever greater demands on the area's limited water resources. In view of these certainties, can the Everglades National Park survive?

Those who speak most forcefully for the Park's future—including the Sierra Club, the Audubon Society, the National Park Service, and many members of Congress—insist that there must be a formal agreement among the Park Service, the Flood Control District and the Corps of Engineers, establishing minimum water rights and schedules for the Park. According to their formula, the Park would share both water scarcity and water abundance with existing development in the area; but the Park would be protected against claims on its water supply by future development. In short, the Park would no longer be at the mercy of progress, south-Florida-style.

Neither the Corps of Engineers nor the Flood Control District has so far been willing to endorse such a formula. The Corps claims it lacks jurisdiction over the operation of the project, on which it has already spent $170 million of the taxpayers' money, even though the Chief of Engineers' original plan included this power. Until a formal agreement is reached, the water table in the Everglades National Park will fluctuate according to the dictates of the Flood Control District authorities, whose interests may lie elsewhere.

Even while the question of the *quantity* of water for the Park remains unsettled, the *quality* of that water is threatened by the new Miami jetport, already under construction near the Park's northern border. The airport will eventually be five times as large as New York's Kennedy, with two six-mile runways to handle the biggest planes. The jetport's promoters confidently promise that a large city will grow up around the airport. Until now none of the many agencies involved seems to have given adequate thought to the pollution that the airport and its surrounding development will release into water headed for the Park.

In fact, statements by responsible county and airline officials seem to appropriate the National Park wilderness as a "sound screen" and a "buffer" for airport thunder.

The initial runway, a federally financed pilot-training facility, is nearly completed. At this late date, the county has responded to pressure from supporters of the Park, at least to the extent of commissioning an independent study of the effects of the airport on the environment, and possible alternative sites. Whatever the results of that study, there is no assurance that the county will be willing to abandon years of ambitious planning, even if that is the only thing that will save the Park.

[From Time magazine, Aug. 22, 1969]

JETS VERSUS EVERGLADES

A national park is an outdoor gallery of nature's wonders, complexities and harmonies. But unlike a museum, a park is not independent of its surroundings. Nowhere is this more apparent than in the Florida Everglades National Park, an aquatic wilderness of 1.4 million acres and one of America's last refuges of solitude. Precisely because it is linked to intricate webs of life around it, the park may now be doomed by the rising water needs of Florida's farms and cities, plus the construction of a mammoth jetport a few miles away. The result has made the Everglades a battleground between conservationists and developers—and a testing ground for U.S. environmental policies.

America's only subtropical national park is a multitude of habitats—inland pine sloughs vast saw grass savannahs, hardwood hammocks and coastal mangroves with myriad island and canals. It is a refuge of 22 endangered species, including the bald eagle, osprey, snowy egret, Florida panther and alligator. Each year, more than a million visitors peer from trails and catwalks at the antics of exotic herons, bitterns and roseate spoonbills. They are mystified by the anhinga, a prehistoric bird that must spread and dry its wings after diving for fish, or drown from lack of natural-body-oil protection. On rare occasions, they glimpse the manatee—a huge sea cow that sailors once imagined to be a mermaid.

The fate of the Everglades is absolutely dependent on water. Each year, 153.5 billion gallons flow through the swamps as a strange kind of river, less than a foot deep and up to 50 miles wide. Changes in the water's quality, quantity and seasonal rhythms endanger the park's incredibly diverse plants and wildlife. And yet, for the past two decades, nearby flood-control projects have steadily dehydrated the glades by diverting water to crop land, commercial and industrial use. The Everglades, explains Park Superintendent Jack Raftery, "is a demonstration that no natural region can be divorced from its surroundings."

Since 1949, the Army Corps of Engineers has created 1,400 miles of canals in the Everglades area. The canals regularly divert billions of gallons of water into the Atlantic after irrigating crops just northeast of the park in Dade and Broward Counties. No reasonable conservationist would sacrifice those crops. But the Interior Department claims that during recent droughts, the water balance was needly struck in favor of agriculture, while thousands of fish, birds and animals died in the park. After long bureaucratic squabbling, the Army Corps of Engineers has agreed in principle to supply the Everglades with sufficient water, regardless of other future demands. But the agreement has not yet been carried out.

CRIPPLING BLOW

As if dehydration were not enough, the park ecosystem is now threatened by plans for an airport six miles from its northern border. Conservationists fear the effects of jet noise, exhaust fallout, fuel and oil spills. They also shudder at the prospect of helter-skelter development around the airport resulting in pollution from sewage, insecticides and fertilizer runoff.

The plan of the Dade County Port Authority does indeed loom as the crippling blow. Paying private landowners an average price of only $180 an acre, the Port Authority last year quietly began to acquire 39 square miles on the edge of Big Cypress Swamp, which supplies 38% of the park's water. As originally stated, the purpose was to build a "training" jetport for five airlines, whose landing fees will finance a $10 million bond issue for the first runway, which Eastern Air Lines will open next month. Able to handle the new super jet due in 1970, the field will divert up to 200,000 training flights a year from congested Miami International Airport.

Superintendent Raftery thinks that the park can accommodate a training field, but not a commercial airport and a projected community of 1,000,000 people. By now, though, Dade County envisages more runways soon and by 1980, the nation's biggest commercial airport, covering more land than the entire city of Miami. Equally enthusiastic, the U.S. Transportation Department has granted $700,000 to develop the first runway, and to look into high-speed ground transportation, such as a monorail train and air-cushion vehicles running between the jetport and Miami.

The Port Authority has proposed a 750-ft.-wide corridor from Miami to Naples, and highway planners are "dotting in" roads that would further upset the park's water cycle. When completed, the jetport itself would displace some 200 Mikasuki Indians, who were guaranteed a small area in which to continue their tribal ways and colorful rituals. Superintendent Raftery and an Interior lawyer also contend that a clause in the Transportation Act required a study of alternatives as well as proposals to prevent or minimize environmental damages. Raftery argues that Transportation ignored the clause. Instead, he says, the agency encouraged a project that may well cause "unalterable and irreparable damage."

To repair its image, the Dade County Port Authority recently hired former Interior Secretary Stewart L. Udall and his new environmental-consulting firm, Overview Group, to study the impact of an airport and seek alternatives. Udall says that he refused to take the job until the Port Authority promised to freeze jetport construction after the first runway, and showed itself sincerely open-minded on optional sites for a commercial terminal. "We are not going to justify a decision already made," said Udall. "We're hoping to establish planning parameters for the entire southern Florida environment." But Port Director Alan C. Stewart, an affable former flight controller, seems as closed-minded as ever. His job is "fostering aviation, not festering it." Aviation employs 70,000 people around Miami; the new airport would eventually create 60,000 new jobs and three times that in related employment. "I'm more interested in people than alligators," says Stewart. "This is the ideal place as far as aviation is concerned."

BASIC POLICY

Some officials feel that the jetport may violate the Federal Airport Act, which allows federal grants only to airports used by the public. The training jetport, at least, is no such thing. In addition, the soon-to-be-released results of a joint study by Interior and Transportation officials will show that ecological damage from an airport would be devastating. Senator Henry Jackson, Chairman of the Senate Interior Committee, will also soon release a report on the Everglades. It will recommend that Congress pass new legislation toward a national land-use policy, refusing federal grants to states that do not develop their own zoning and development guidelines to protect the environment. Jack-

son also feels that buffer zones should be considered to protect national parks.

Alternate airport sites are being studied on state property in Broward County to the north and Homestead Air Force Base to the southeast. But any solution will involve complicated tradeoffs. Furthermore, the division between federal agencies now appears so deep that final action will have to be taken by President Nixon. The Everglades decision may well set his Administration's basic policy toward environmental abuses. As Senator Gaylord Nelson, the Wisconsin Democrat, wrote in a recent letter to the White House: "It is a test of whether or not we are really committed in this country to protecting our environment."

DREW PEARSON: A GIANT OF THE FOURTH ESTATE

Mr. PROXMIRE. Mr. President, one of the giants of journalism has passed from the scene. Drew Pearson, in my book, was one of the great journalists of his time. And he shall be missed.

Drew Pearson was a great journalist because he had unshakeable courage, persistence and a Quaker conscience—to use Chalmers Roberts' phrase—that did not permit him to wink at the peccadilloes of those in high places or to shrink from the tedious, unpleasant chore of exposing deep-seated corruption, dishonesty and immorality.

The textbooks tell us that in a democracy a free press is indispensable if the system is to be responsive to the popular will. Without the cleansing light of public exposure, our Nation ends up with a closed, often corrupt, system responsive only to the needs and demands of those who run it.

Because it is easier for the news media to cover this complex Capital by rewriting hand-outs than by probing beneath the official story as Drew Pearson always did, the gap between textbook theory and actual practice is wide. Drew Pearson devoted his career to bridging that gap.

I agree with Chalmers Roberts, who said in an article in the Washington Post yesterday:

> For 38 years (Drew Pearson) did more than any man to keep the national capital honest.

Drew Pearson, in a crusade, was a rough adversary. His critics complained that he threw too many wild punches. But exposing dishonesty and corruption is a rough and tumble business and Marquis of Queensberry rules are really not appropriate. As Drew Pearson's defenders would say:

> In a contest with a skunk, one does not observe the manners of the drawing room.

The editorial in this morning's Washington Post stated it very well:

> He was robust, free-swinging, sometimes very wild. But he was also strong in a muscular, purposeful, principled way, with the courage to be his own man always, and never mind what people said or thought of him.

I ask unanimous consent that the Washington Post article by Chalmers Roberts and the editorial be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CRUSADING COLUMNIST DREW PEARSON DIES AT 71—AN APPRECIATION: MUCKRAKER WITH A QUAKER CONSCIENCE

(By Chalmers M. Roberts)

Drew Pearson was a muckracker with a Quaker conscience. In print he sounded fierce; in life he was gentle, even courtly. For 38 years he did more than any man to keep the national capital honest.

It was in 1931 amidst the Great Depression and the hapless Hoover administration that Mr. Pearson teamed with fellow reporter Robert S. Allen to write the book from which his subsequent columns took their name: The Washington Merry-Go-Round. The partnership lasted until Allen went off to World War II.

The pair of brash young men shook up the town. It then was the age of journalistic giants, or so it seemed to youngsters then breaking in: Mark Sullivan, David Lawrence, Raymond Clapper, Arthur Krock, Paul Mallon writing from Washington and Walter Lippmann, Dorothy Thompson, Heywood Broun and Westbrook Pegler writing from New York.

Pearson survived them all, in life or in print, save only Lawrence who is still at it. In the intervening years he manhandled Presidents and members of Congress, bureaucrats high and low. Some were forever disgraced by the Pearson expose; others cried "foul" and on occasion Mr. Pearson apologized.

He could be sloppy with his facts and at times he was. But he had more guts than many a worried editor who ran to his lawyers and then cut the Pearson column or who gave in to political pressures to censor it.

Drew Pearson gloried in his feuds. To him "liar" from Franklin D. Roosevelt and "s.o.b." from Harry Truman were akin to encomiums. He relished denunciations from the protected floor of Senate and House.

Leo Rosten in a 1937 study of "The Washington Correspondents" traced the "Merry-Go-Round" success to a public appetite for the "inside" news that had been whetted by the stream of successful Broadway gossip columns. The Pearson and Allen book, wrote Rosten, "marked the beginning of a new era in news styles from the capital."

The very brashness of the column's approach offended the Establishment of the time, both political and press. Indeed, the sense of offense never wore off and to such can be attributed the failure to award Mr. Pearson the Pulitzer Prize for his expose of Sen. Thomas Dodd. It still is the dominant ethic that even as "gentlemen don't read other people's mail" they also don't make use of purloined documents.

Mr. Pearson did in the Dodd case and maybe in others, too. He was the recipient of endless tips from the disgruntled as well as from the righteously indignant. There were plenty of high level "leaks" as well. Whatever the source, Mr. Pearson could smell a story if there was even a whiff in the air. And nobody could be more dogged in pursuit.

Puncturing the balloons of the great and the famous was only the muckraking part of the Pearson story. The Quaker conscience simply would not let a Joseph McCarthy get away with it. The story of the American press in the McCarthy period is not one to be particularly proud of but Mr. Pearson never flagged in his pursuit of the senator.

The Quaker conscience also led Mr. Pearson into all sorts of ventures in hopes of improving the state of the world. There were "Friendship Trains" and "Freedom Balloons" and interviews with Nikita Khrushchev. He had a soft spot in his heart for Yugoslavia, where he had gone as a young man. He was, in short, dabbling in East-West detente long before it became fashionable and the epithet of "Communist" was hurled at him for his pains.

Drew Pearson early became a Washington institution. He loved it but he was never stuck up about it. And he had a glorious sense of humor which must have kept him going through some dark hours. He joked about the manure on his farm because he knew that a lot of people felt that was his verbal stock in trade.

Long ago after his column was transferred from Cissy Patterson's old Times Herald to The Washington Post it came to rest on one of the comic pages. Last December The Post decided to move the column to the page opposite the editorial page where so many others appear.

It was not a happy decision because the Pearson column was too long to fit the available space. It went back to the comic page after Mr. Pearson wrote this letter to The Post:

"I know that a columnist is not supposed to have anything to say about the location of his column in the paper. But having been relegated to Siberia some 25 years ago, I've come to like Siberia. If I had a vote I would vote against leaving my old position of semi-exile."

In a profession in which both practitioners and reputations come and go, very few men, in or out of any such "exile," have had the kind of effect Drew Pearson had on so many millions of readers for so long.

DREW PEARSON

In the practice of his profession, Drew Pearson had the conscience of a Quaker and the touch of a stevedore. He was robust, free-swinging, sometimes very wild. But he was also strong in a muscular, purposeful, principled way, with the courage to be his own man always, and never mind what people said or thought of him. Rough and tough in public, in private he had the air of a gentleman farmer, which he was, and the manner of a gentle man, which he also was. Shy, self-effacing, detached, he was a moralist who was proud to be a muckraker in the strict dictionary sense—one who searches out and exposes publicly real or apparent misconduct of prominent individuals. Somewhere in these unlikely combinations lies the key to his extraordinary career as the most successful, in many ways the most effective, and certainly the most controversial journalist of his time.

He was controversial because his technique was scatter-shot, so that while he was often brilliantly or brutally on target, he sometimes hit the wrong target or missed altogether; it almost seemed as if this was conscious strategy, this readiness to risk being wrong now and again as the necessary price for being, more often, right. It was uniquely his own style and while his profession never had the grace or the guts to give him the big awards, tribute was paid in other ways; when Mr. Pearson printed the stories that others were too fastidious to be the first to print, the others suddenly had no compunction about printing them. It was also a style that exposed him to any number of lawsuits and any number of epithets and no end of criticism that he was careless with the facts; but it had the singular merit that when it paid off, it paid off big. And it also paid off, more often than not, on the side of good, which was something he saw in simple, moral terms; he was for honesty and against corruption, for the disadvantaged against the self-interest of the power elite, for peace and against war.

It is not necessary to chronicle here all his triumphs any more than it is necessary to catalogue the occasions where his fierce convictions and unique techniques may have combined to put him in the wrong. The simple truth is that he was more effective in his way than any man in his profession over the nearly 40 years that he was practicing it, and that at the time of his death at the age of 71, when other men might have begun to ease off a bit, he was still on top, with nearly twice the readership of his closest competitor. So his success was immense, and so was his impact on his profession and on the Capital. Most of the time he had the

right targets and the right causes, and he brought to his crusades a powerful, innovative and relentless force.

HOW MANY GUNS, HOW MUCH BUTTER?

Mr. PROXMIRE. Mr. President, not too long ago it was commonplace to hear that this Nation could afford both guns and butter—that we could provide for our defense, meet our world commitments and take care of pressing national problems. Now it has become fashionable to take the opposite view—we can have either guns or butter, but not both.

As a recent editorial that appeared in the Milwaukee Journal makes clear, each of these positions is a bit too simplistic. The question is not "Guns or butter?" but "How many guns, how much butter?" It is a question of emphasis.

All of us who are fortunate enough to represent our States in the U.S. Senate have to decide how much time we should spend on committee matters, constituent problems, trips to the State, Senate rollcalls, and so forth. We cannot spend as much time on each activity as we would like because there just are not enough hours in the day.

The same is true of our national and international problems. It would be reassuring to be able to spend so much on national defense that we could sleep secure in the knowledge that we could never be threatened by any adversary at any time or any place. How much would this cost? $150 billion a year? $300 billion a year? Even more? That is a question we will never be able to answer because we will never have sufficient resources at our disposal.

So here again we must decide how we should spend, in money, on the many problems, national and international, that confront the Nation. The Journal editorial comes down on the side of domestic problems, in these words:

> The emphasis in this effort clearly should be on domestic matters, not defense. The United States can pour billions more into defense but it will never have national security, in the full meaning of that phrase, until the problems of the American people themselves are approached with renewed commitment and a higher sense of urgency by the Federal government.

That is what the debate we have been having over the last few weeks over defense spending is all about. Can we afford even the wasteful military expenditure or do we need to place national needs higher on our list of priorities? I believe that the Journal editorial contributes to that debate. Consequently I ask unanimous consent that it be printed in the RECORD at this point:

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NATIONAL PRIORITIES

The long discussed federal "peace dividend," dismissed with such poetic brutality Monday by presidential adviser Daniel P. Moynihan ("it tends to become evanescent like the morning clouds"), has reappeared again.

Other administration officials insisted Tuesday that Moynihan had exaggerated and that there will, after all, be some room in the budget after Vietnam for new domestic programs. The crucial question, of course, is how much.

The war is costing close to $30 billion a year. Taking into account the likely restoration of military programs that have been cut or reduced, price increases and the costs of civilian reconstruction in Vietnam, economists figure that only about half of the $30 billion is apt to be "saved." And most of this could be offset by expiration of the 10% federal surtax and restoration of certain major funds cut by congress.

There is still an annual "kitty" of almost $13 billion arising from larger tax receipts generated by a steadily growing economy. But at least half of this will be absorbed by increased costs of existing government services—social security, medicare, etc. This leaves about $6 billion, presuming, of course, that the surtax is allowed to expire and the economy remains strong. But the Pentagon already is staking claims for additional funds for new weapons systems, for new air and sea lift facilities, for strategic forces and a host of allegedly essential items. An anti-ballistic-missile system (ABM) that will cost at least an estimated $11 billion, and development of a system of multiple independently targetable re-entry vehicles (MIRV) that will eventually cost at least $17 billion, are already underway. Yet domestic problems—pollution, transportation, adequate housing—have grown to almost intolerable proportions. It will require huge increases in federal funding to tackle them adequately.

In the final analysis, the question of a "peace dividend," how much it will be and where it should be spent, is a political one. And it turns basically on the establishment of national priorities, which, as Moynihan emphasized, the Nixon administration is now trying to organize.

The emphasis in this effort clearly should be on domestic matters, not defense. The United States can pour billions more into defense but it will never have national security, in the full meaning of that phrase, until the problems of the American people themselves are approached with renewed commitment and a higher sense of urgency by the federal government.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which the clerk will state.

The ASSISTANT LEGISLATIVE CLERK. Calendar No. 281, S. 2546, a bill to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and to authorize the construction of test facilities of Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selective Reserve of each Reserve component of the Armed Forces, and for other purposes.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, under the previous order, the able Senator from Mississippi, Mr. STENNIS, was to be recognized for 1 hour immediately following the conclusion of morning business.

I ask unanimous consent that, prior to the recognition of the Senator from Mississippi, there be a brief quorum call.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, notwithstanding the previous order giving recognition to the Senator from Mississippi, the able Senator from Arkansas, Mr. FULBRIGHT, be permitted to proceed for 3 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

THE REVISED TAX LAW AND TAX-EXEMPT SECURITIES—AMENDMENT TO H.R. 13270

AMENDMENT NO. 141

Mr. FULBRIGHT. Mr. President, the tax reform bill (H.R. 13270) is now pending before the Finance Committee and hearings are scheduled during the period September 4 through October 3. I submit for reference to the Finance Committee an amendment to H.R. 13270, and ask unanimous consent that the amendment be printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment submitted by Mr. FULBRIGHT was referred to the Committee on Finance, as follows:

Under "Limitation on Tax Preferences; Exclusion of Interest on Outstanding Governmental Obligations," on page 167, line 1, strike out "obligations" and insert "obligations issued on or after July 12, 1969".

On page 175 strike out subparagraph (B) beginning on line 21 and ending on line 2, page 176.

On page 176, line 3, redesignate subparagraph "(C)" as "(B)".

On page 176, line 20, redesignate subparagraph "(D)" as "(C)".

On page 175, lines 18 and 19, strike out "as modified in subparagraphs (B), (C), and (D)," and insert "as modified in subparagraphs (B) and (C),".

Mr. FULBRIGHT. Mr. President, the purpose of my amendment is to correct an inequity in the bill. This inequity arises under provisions of the bill designed to limit to 50 percent that portion of income which may be excluded from taxation as a result of various legal exemptions and special deductions. This is a worthy purpose, and I support it. However, H.R. 13270, as presently worded, treats unfairly those taxpayers who have

purchased State and local bonds in the expectation that income from these bonds would be tax exempt.

Although the revised tax law would be prospective as it affects future income, it would be retroactive as it affects the value and marketability of capital assets represented by the tax-exempt bonds. To change public policy regarding taxation of income from securities purchased after the change may be wise and fair. But to change the rules affecting income from securities purchased prior to the change is certainly not fair, and in my opinion is not wise.

I have no desire to perpetuate rules which provide an unlimited tax shelter for our most wealthy citizens. But the transition to new rules and new public policy should not break faith with anyone who has relied upon and followed the law no matter what may have been the motives of the individuals involved.

My amendment would apply provisions of the bill, which limit the use of tax preferences, only to income from State and local bonds issued on or after July 12, 1969. This date would make such provisions consistent with another section of the bill dealing with tax-exempt interest. This other section provides that income from bonds issued prior to July 12, 1969, need not be taken into consideration when allocating itemized nonbusiness deductions between taxable and tax-free income. I believe that treatment of this interest income should be prospective entirely, and my amendment would have this result.

Mr. President, I submit this amendment to indicate my minimum reservation with respect to the proposed indirect taxation of income from State and local bonds. I am aware of the constitutional question inherent in this proposal. I hope that the constitutional issue is thoroughly illuminated in the hearings. After further consideration I may be persuaded that a more comprehensive amendment is needed, but at this time I submit this one for the consideration of the committee.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time for the quorum call not be taken out of the time allotted to the Senator from Mississippi.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HUGHES in the chair). Without objection, it is so ordered.

Mr. STENNIS. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Senator from Mississippi is recognized for a period not to exceed 1 hour.

Mr. STENNIS. Mr. President, I ask unanimous consent that I may yield 3 minutes to the Senator from South Carolina (Mr. THURMOND), without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

AIKEN, S.C., PONY LEAGUE ALL-STAR TEAM

Mr. THURMOND. Mr. President, it is my honor to be a resident of Aiken, S.C., a resort city with industrial satellites, which has distinguished itself in many ways over the years, but most recently by producing the Aiken Pony League All-Stars.

These young men recently competed in the Pony League World Series championships played at Washington, Pa., and, as in past competitions, conducted themselves in a way which reflects great credit upon themselves, their coaches, their parents, and others who have participated in this excellent program.

On their arrival back in Aiken on August 26, the town rolled out the red carpet in the form of the city fire trucks and gave these youngsters the kind of welcome they so richly deserved. The band played, and the city fathers and the average citizens who make the town go were present to extend their heart and hand to these athletes.

Their coach, Aiken attorney Henderson Johnson, a self-made man himself, told how well the boys had conducted themselves while at the championship, representing South Carolina and the Southeast.

Members of the team included Willie Bell, Barry Johnson, Paul Rideout, Charlie Smith, Phil Luton, Pete Sampson, Paul Martin, Jack Curry, Cam Perkins, Jerome Bell, Jeff Roberts, Steve Dufour, Bo Neeley, Chip Livingston, Richard Chesser, and Tom Hurley. Their manager was Earl Tate.

Mr. President, we in Aiken and South Carolina are proud of this group. They exemplify everything that is good about America. They accepted adult coaching and leadership, they made personal sacrifices to achieve outstanding performance, they conducted themselves with honor on and off the ball field, and they set an example we grownups could well emulate.

Editor Samuel Cothran of the local newspaper, the Aiken Standard and Review, published an editorial on his front page on August 26, 1969. It was an excellent editorial, and certainly expressed the feelings of the people of the Aiken community. I ask unanimous consent that the editorial, entitled "Welcome Home, Champs," be printed in the RECORD at the conclusion of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WELCOME HOME, CHAMPS

Aiken's Pony League All-Star team will return home this afternoon to a tumultuous welcome by hometown supporters, and we can hardly imagine a greeting that would be warm enough for them.

They represented Aiken—and the remainder of South Carolina—in splendid fashion in their bid for the Pony League World Series championship played at Washington, Pa. As a team, they're champions. As individuals, they have exemplified the very best of American young manhood.

Vastly more important than their wonderful showing in the series is the contribution they have made to Aiken's spirit. They never did let up. They kept trying constantly. They were never satisfied merely to be in uniform. They started every game with the determination to do their best.

They are first-rate youngsters.

The contribution we believe they have made to Aiken's spirit is incalculable. They have demonstrated their determination to be far better than mediocre.

Yes, they are indeed first-rate youngsters, and they have shown Aikenites they won't settle for anything less than their best. That's something for all of us to ponder.

Welcome home, champs.

ORDER OF BUSINESS

The PRESIDING OFFICER. The Senator from Mississipp has the floor.

Mr. ALLEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. STENNIS. Mr. President, the pending bill is the military authorization bill and the question now pending before the Senate is the amendment proposed by the Senator from Wisconsin (Mr. PROXMIRE) which would strike from the bill the authorization funds for the C–5A aircraft, run B, 23 units.

Mr. President, before I address myself to that particular amendment, I think it is fitting today, as the Senate returns from the recess, that I should discuss the probable effect of the pending amendments to the military authorization bill on our future national defense policy. That is what I shall do primarily in this hour.

Senators need not believe that these amendments are merely moves by their authors to delay for a short time the development of modern weapons, or that to support the amendments is merely to save some money. As a practical matter, the amendments that relate to modern future weapons cut the bone and muscle out of our 1975 military capability.

That is the issue which is really before the Senate with reference to these weaponry amendments. Mr. President, boil it down, say what you will, it goes to the very bone and muscle of our 1975 military capability.

Under my special responsibility to the

Senate and to the people, I do not hesitate to say, although I regret to say, that if these weaponry amendments are passed and the error not corrected, the safety of the American people will be placed in jeopardy. For instance, if we take the F–15 fighter plane out, we shall have an obsolete Air Force in 1975 or before. Take the F–14 fighter out of the bill, and we shall have no effective modern naval air arm by 1975, or before; further, we shall have no affirmative naval power by 1975 except strategic nuclear forces and attack submarines. Take proposed new tanks out of the bill and by 1975 we shall have an Army robbed of its modern tank power which is necessary to destroy the enemy Army or cut off their supplies from the rear.

Thus, in military strength we will be a second rate nation by 1975 and this fact shall become well known long before that time. I shall develop these facts on a weapon-by-weapon basis in my remarks today, and more in detail in other remarks on the amendments as they come before the Senate, as will other Members of the Senate.

I wish to make clear that I do not challenge the motives of the authors of the amendments; I do seriously challenge their judgment.

The collective impact of these amendments is primarily an attack on our ability to defend ourselves. I am not happy about some of our commitments and want them changed to some degree, but I know the line of defense of my country lies somewhere beyond our shorelines. I know it is the height of folly to start cutting off future modern weapons in this deadly age when modernity of weapons is the first letter in the alphabet of effective defenses.

Mr. President, I remember that when the Korean war started I sat in the chair which is now behind me. I remember that empty, sickening feeling that we all had when we learned the news that the Mig fighters being used against us in Korea would outfight, outclimb, outspeed, and outdo our very best Air Force fighters.

All those clauses in the amendments about the General Accounting Office—and I speak with great deference with regard to that Office and its very able Comptroller General and the staff—making determinations about the value of alternatives and accurate judgments on the weapons of the future, their cost reliability, are absurd. The General Accounting Office does not have the facilities or personnel to make superior judgments in this field even though they are a very superior organization in their own field.

Further, it is a fact of life that we have binding moral commitments with many nations that we cannot ignore or neglect. To do so would be to repudiate our word solemnly given. I strongly favor renegotiating many of those agreements but I do not favor running out on our promises as to a single one.

However, entirely apart from our formal commitments—and I emphasize this point—let us look at the hard facts and realities that confront us as a major nation.

Let us look to the south at that vast Latin American area of the world, here in our hemisphere.

Certainly, the protection for this area is our obligation as well as our own defense. They are our neighbors, at our very doorstep. Commitments or not, we are not going to let any foreign power set up shop there in any way that is detrimental to our own welfare. To be certain we can continue to perform this mission, the most modern weapons are necessary. It is necessary that it be known that we have them.

Look to the Mediterranean area. Our formidable modern naval fleet there is a stabilizing influence not only for Western Europe but also for the entire Middle East. No other nation in the free world has a naval fleet that can do that job. The extent of our land-based troops in Western Europe may be a proper subject of debate, but only a few would dispute the necessity of the continued presence of our naval fleet in the Mediterranean, with added forces readily available. That fleet is not a fleet unless it is up front in modern weaponry and has at least some of the most up to date that technology can provide.

Of course, this requires attack carriers and all that goes to make up a carrier fleet. This is not a contest between naval air power and ground air power. The political facts of life are different as to these kinds of power.

I recall visiting French Morocco when we were building four vast airbases there in 1953, and I was told then by an American citizen with no official connections that we would not be able to use them. In my alarm I asked why, and he replied because French Morocco would get its independence and require us to get out, and our agreement with France would become null and void. That is exactly what happened only 3 years after we finished the bases.

I remember a trip to Tripoli where we had a valuable airbase. We have all read this week that the Government there has fallen, which may mean we will not be allowed to stay.

I was on the subcommittee handling military construction that voted hundreds of millions of dollars over many years for construction of airbases in France; we are all aware of the fact that we are no longer permitted to use those bases.

I might say, in that case, that Congress was 2 or 3 years ahead of the executive branch in stopping construction funds for those bases in France because it felt that the United States would not be allowed to continue to use them. It is on the sea, and on the sea alone, that we are assured of the right to operate.

Consider the vast Pacific area with the exposure of Hawaii, one of the States of the Union. Certainly, we have more than a passing obligation to the Philippines, to Indonesia, and to the other free nations of the area. We should have modifications of our obligations to Japan, but we certainly cannot ignore the solemn promises that we made to that country, when we insisted that they write into their basic law a great limitation on their own military strength.

Of course, we are still in actual war in South Vietnam, an unpopular war, but few advocate that we turn and leave, except on honorable terms.

I emphasize that the foregoing facts of life are based not only on treaties, but are based on commonsense and the preservation of the American people, as well as upholding our honor as a nation. To do these things requires formidable military power with modern weapons. All this costs a great deal of money. Certainly it does. We must hold this cost down in every way possible, and that is exactly what the Committee on Armed Services proposes actively to do. I will not be a party to dismantling our military power, nor to letting it grow weak and ineffective.

At this point, I should like to comment on the recent announcement by Secretary Laird regarding expenditure reductions in this fiscal year which might total as much as $3 billion. A very pertinent question, Mr. President, is whether the items in this bill will be affected by the proposed expenditures.

I asked him that direct question and Secretary Laird has written on this matter in a letter which emphasizes the following points, and I know this is of interest to Senators and those who read the RECORD, as well as to the press:

First, that the funds requested in this bill for procurement and research and development are tied to the long-range readiness of our forces and accordingly are in the highest priority within the Department of Defense budget.

Second, that contrary to supporting any further cuts in the bill, the Department of Defense considers these committee cuts sufficiently serious that they have made a reclama to the House Committee on Armed Services for the restoration of $968.8 million. The letter states:

> This reclama was submitted with full consideration of possible expenditure reductions which might be levied on the Department of Defense for fiscal year 1970 and thus is further evidence of the priority of these programs.

Mr. President, let there be no doubt—no question—about the $3 billion reduction, that he will turn around and take some of the items out of the procurement program.

Third, the decisions made to date with reference to the first $1.5 billion of the expenditure reductions do not contemplate reductions in procurement and R.D.T. & E. beyond those recommended by the Senate Committee on Armed Services.

It is not anticipated that the remaining $1.5 billion in cuts would come from procurement although the Secretary cannot give an iron-clad assurance in view of the overall uncertainty of the Defense budget which, as you know, Mr. President, totals some $77 billion of which only about $20 billion is authorized for procurement and research and development.

I have no doubt that the Secretary must leave himself some leeway there. He does not know how much money will be finally appropriated, in the first place, by Congress. Congress has received his double assurance of what he is planning to do, the way he looks upon this bill, and the necessity for these modern weapons that I am talking about. I have quoted the substance of his letter, the whole of which I shall place in the RECORD, if the Senate permits, at the end of my remarks.

Mr. President, I would observe to the Senate that the largest immediate saving in expenditures occur from reductions in personnel and operations and maintenance. Even aside from the high priority of the procurement items, the long lead nature of the funding would permit only a slight reduction in expenditures for fiscal year 1970 even if the programs were drastically reduced.

I made that point the first day we debated this bill. I have made it several times since. I keep repeating it because it is hard for a Senator who is not on the committee to grasp the fact, especially after hearing these large figures about costly weapons systems, that 60 cents out of every military dollar, after all, goes for personnel and operations and maintenance. It goes to the operation of the bases, the buying of food, necessities, medicines, operations of all kinds in military matters. That is where a great part of these billions of dollars we want to save goes; and I think we are going to save. We are making fine headway, splendid headway, in this very budget, and I think that will continue. It can well get to the point where complaints will be heard here about these reductions. Let us just be a little patient now and get the whole picture and see where the money is spent and try to let each one, at least, try to bear a share of the reduction.

I have said that after the shooting war is over we can reduce our military personnel to about what it was before the beginning of the buildup for the war in Vietnam. If we do that, we have a chance to save $10 billion right there. It cannot be all done in 1 year, because those reductions cannot be made in 1 year. But that is where a great change can be brought about.

PERSONAL SUPPORT OF PENDING REDUCTIONS

Mr. President, I will momentarily divert to state that I am in complete support of Secretary Laird's recent announcement that expenditures for this fiscal year may be reduced as much as $3 billion. I would add that in terms of the revised defense appropriations bill of $77.5 million, which is in the form of new obligational authority, the $3 billion reduction will probably cause a reduction in obligational authority of between $5 and $6 billion before its final enactment.

As the Senate knows, these cuts will involve reductions of more than 100,000 military personnel and 50,000 civilians. The Navy has already announced that 72,000 military personnel will be reduced during this current fiscal year. I am of the firm belief that the Armed Forces as quickly as feasible should return, as I have said, at least to the pre-Vietnam strength of 2.8 million as compared to the present strength of 3.6 million.

That is no idle dream. I have conferred with men like General Wheeler, Chairman of the Joint Chiefs of Staff. He gave us a very frank and complete answer. He said yes, he thought reductions could be brought to that level, in time.

As I have said, about 60 percent of our Defense appropriation dollar is spent on military personnel and operations and maintenance.

In substance, I believe we must have the weapons of the highest quality with whatever personnel are needed to man and support them. At the same time, I think that reductions can be made safely in the size of the Armed Forces.

BILL NOT EXCESSIVE

I again remind the Senate, Mr. President, that it would be difficult to characterize this procurement bill as excessive. The $20 billion recommended by the bill is slightly over $3 billion less than that recommended in the Clifford hardware budget and almost $2 billion less than recommended in the revised Nixon budget. In the opinion of the committee, it represents the minimum necessary to maintain a sound weapons procurement program. For the Navy and the Air Force the number of aircraft being procured is the smallest number in any year at any time since the end of World War II. This is an impressive fact.

For the past several weeks the Senate has been debating the justification for authorizing funds for our most important weapon systems. Amendments have been introduced which would eliminate or substantially retard vital programs, such as the C–5A, MBT–70, AMSA, and the nuclear carrier. It is my understanding that additional amendments may be proposed to reduce or cancel the F–14 and F–15 programs.

Mr. President, it should be clearly understood by all that these programs are the most important new weapon systems currently being developed. They are to protect our national security interests in the early and mid-1970's. Their existence goes to the very heart of our capability of fighting either a conventional or nuclear war in the future.

What the Senate is doing today is attempting to analyze the justification for each individual weapon system in isolation. No one is examining the impact that these individual actions will have on our overall defense posture if these amendments are adopted. I believe it is critically important that we discuss and understand why these various weapon systems are needed. We must have in being the weapons necessary to protect and defend, at all events and in any war, the people of our country. As a part of our defense plan, we have commitments with over 40 friendly allied nations around the world. These commitments were not entered into lightly. As a matter of fact, the U.S. Senate, in pursuance of its treaty-approval responsibilities, consented to these mutual defense arrangements. Therefore, the major issue that should be faced up to by the Senate is whether the United States in the mid-1970's should have the capability of carrying out its treaty obligations with these 40-plus nations. I believe it exceedingly unwise if we take actions on this floor which will by indirect action abrogate or substantially reduce our military capability to carry out our treaty responsibilities. If the Senate believes that we have overcommitted ourselves, then we must intensively review this issue. It should be examined thoroughly. Extensive hearings and deliberation would be required before the Senate should reach a decision as to whether the United States should or should not seek to modify its treaty commitments.

If the Congress eliminates the fund authorizations for these major weapon systems programs, we are radically and dramatically reducing the capability of our military establishment to defend our people and carry out our national policy.

In the 1950's it was the national defense policy of our Nation to rely on massive nuclear retaliation. In pursuance of this policy, we built large numbers of B–47 and B–52 bombers, Minuteman and Polaris ICBM's in order to carry out this policy of massive nuclear retaliation.

Subsequently, we began to realize that the United States should have more than one response to aggression in the world. The results of a nuclear holocaust were too devastating to imagine. It was, therefore, decided that the United States should have sufficient conventional military forces to cope with aggression without necessarily being forced to resort to nuclear weapons. They would only be used as a last resort. I feel this policy is and has been a very wise one. We certainly should have more than one alternative. So far the new administration, to my knowledge, has not changed the national policy of the past 8 or more years.

I said here in the debate on the antiballistic missile that I thought the great chances were that we would not have a nuclear war, unless by accident. I say again chances are we will not have a nuclear war, except by accident. Of course, no one can be certain, and we have to prepare for it. I think that, under the possibility of such a holocaust, we must do what is necessary to protect ourselves otherwise by so-called conventional weapons. If we have no way of protecting ourselves except by starting a nuclear war, then we will be at the mercy of the consequences of such a war.

Mr. President, we must believe that what we have outlined in this bill is not just a whim or a wish. This military equipment request starts out as a recommendation, and it has to have the recommendation of the Joint Chiefs of Staff. Those chiefs and their staffs are the men most intimately knowledgeable on the subject, expressly chosen for the purpose of analyzing the needs, based on our self-defense needs and on our national policies. Using their expert judgment, they translate the requirements into specific individual weapon systems. In addition, they determine how many of each type of weapon system is required in order to carry out this responsibility. I want to stress that most of these new weapon systems will not be operational until the early or mid-1970's. It takes several years to develop and introduce a new weapon system into the inventory. It has been proven over and over again that we cannot buy time with money.

It is hard for us to realize that it takes 5 or 6 or 7 years to really produce and get into full operation these involved weapons. I want to emphasize here, as part of the picture, the very serious lack of preparedness on the part of this Nation before World War I, World War II,

and the Korean war. All the Members, I am sure, remember this all too well. I certainly do not want to see any repetition of a lack of preparedness on any future D-Day.

Fortunately, time was on our side. In the future no one can predict that we will have the time necessary to produce the necessary weapon systems to protect our national security interests. We must have them on hand. I think we had a remarkable demonstration of this relative to the small nations last year, when Israel and Egypt had that short-lived clash. Yet, the actions proposed by several distinguished Members of this body will have the direct effect of canceling or delaying the delivery of new, needed weapon systems. It will force our Military Establishment to rely on existing weapon systems many of which will most assuredly be obsolete by the early or mid-1970's.

I cannot believe that the U.S. Senate would be willing for our Nation to be second best to the Russians in the years ahead. Yet, this is the key and inescapable issue that we are confronted with. We are not willing to be second best.

Is the Congress willing for the U.S. military forces to continue to operate in the early and mid-1970's with obsolescent equipment? This is the real issue involved in these weapons amendments. We must recognize it and face up to it, and vote on these key issues, up or down.

I would like to provide my distinguished colleagues with a few brief illustrations. I expect to say a great deal more about each one later. Take for example the F–14, the new Navy air superiority aircraft or the F–15, the new air superiority weapon system for the Air Force.

The F–14, for the Navy, Mr. President, is a replacement. It is a replacement for much older planes, because we remember the fate of the Navy version of the TFX. That was one that did not work out; all those years of time were taken up, until we started last year in laying the groundwork for this F–14.

That would be the Navy's top fighter plane used on the carriers. As I have stated, the F–15 pertains to the Air Force. These weapon systems for which funds are authorized this year will not be operational until the 1973–75 time frame. The real issue before the Senate is this: Is the U.S. Senate willing for the Navy and the Air Force to rely on the existing F–4 air superiority aircraft in the mid-1970's and beyond? The F–4 is and has been an excellent aircraft, used by both the Navy and the Air Force, and highly successful.

However, every Member should know that it was developed on technology available in 1954–55. Every knowledgeable expert recognizes that today it is only equal at best to the Soviet Mig–21 aircraft—of which the Soviet Union has thousands. Mr. President, this is not just someone's wish. We have the unmistakable history of the high success of the F–4, and it will still serve some useful purposes. But to subscribe to the idea of this plane, having a 1954–55 technology only, being our front line of naval power in 1974 and 1975, is for us to close our eyes to advancements in technology and the facts of history.

Of much more importance is the fact the Soviet Union has flown several more modern types of fighters than the Mig–21; namely, the Foxbat, the Flagon, the Fiddler, and the Flogger. I have put these in here by name, for those who might be interested.

Everyone recognizes that the Soviet Union has made dramatic progress in aircraft technology. I am not trying to frighten anyone about what the Soviets can do, but I remember when I got off the plane on my only trip to Moscow, at midnight, and walked around the plane; the first thing I saw was this transcontinental jet passenger liner just ready to take off, and we were a long way then from having any that far advanced here in the United States, if Senators are impressed by that argument. As for me, it does not take just the drama of a sputnik. I was permanently impressed by that sight.

I do not believe anyone will question the fact that by 1975 Russia will have an impressive array of sophisticated fighter aircraft far more capable than the Mig–21. Every informed expert agrees that by 1975 the F–4 most assuredly will be an inferior aircraft. I have not heard any dissent from that. Not any. It will be incapable of successful air-to-air combat with the Soviet Union or any other Soviet bloc nation which the Soviet Union provides with these modern aircraft. I would like to assure my distinguished colleagues in the Senate that if they are willing for our pilots to fly inferior F–4 aircraft in 1975—incapable of successful air-to-air combat against the Soviet aircraft—then we should not authorize the F–14 or F–15 aircraft. I know that is not their feeling and that is why I urge their wholehearted support for these vital programs.

I emphasize again that big empty sickness and guilty feeling that those of us who were here in 1950 and early 1951 felt when the Korean war, initiated by that small nation, showed us those superior Soviet planes that put our pilots and our forces at such disadvantage.

Mr. President, this brings us to the real issue. We must face these issues today. It will be far too late in 1975, or for that matter in 1972 or 1973, to "beat our breasts" and loudly proclaim that no one knew the drastic consequences of the actions that may be taken today, by taking these modern instruments out of this bill. I want to repeat that we cannot buy time with money. It takes up to 8 years to develop and produce a new highly sophisticated weapon system. There are no shortcuts. I would like, therefore, for the members of the Senate to ask themselves and to search their own consciences as to whether they are willing to accept these risks. There ought to be some soul searching and conscience searching here, by men who know they know what they are talking about, before the ax of delay, much less of extension, is laid on the necks of these weapons.

Certain well-intentioned people have stated there will be no conventional war with the Soviet Union. I also earnestly hope there will be no conventional war with the Soviet Union, or any other nation for that matter. However, my earnest belief and hope does not provide me with the luxury of eliminating or substantially reducing our Military Establishment. The world that we live in today confronts us with far more hard-hitting realities. We cannot base our national security on well-intentioned and earnest beliefs or opinions. Well-intentioned people have been proven wrong in the past, and in some things we cannot afford to take chances.

Some people will say that cutting out "this" particular weapon system or "that" particular weapon system will not lessen or reduce our existing or future capability to carry out our national policy interests. I must disagree completely. I have already mentioned the F–14 and F–15 aircraft programs as being absolutely essential to replace the F–4 fighter aircraft.

Mr. President, I do not want my distinguished colleagues to feel that I am overemphasizing or overstating the drastic consequences of the actions that will follow if the Senate approves the amendments to this bill. I would like to review very briefly some other major weapon systems which are the subject of amendments.

MBT–70 TANK

I come now to the MBT–70 tank. Mr. President, this matter is not currently before the Senate. I do not know whether it will be before the Senate again. I am sure the authors of the amendment are going to abide by the agreement, but I do not know. I think it will probably go to conference in this bill, and will be before us again also in the appropriation bill.

The key fighting element of our ground forces on a battlefield is its tanks. It is not rifles, trucks, armored personnel carriers, Sheridan vehicles, and so forth. Make no mistake, the most powerful weapon on a battlefield is a modern lethal tank. This is a matter of history as proven by the ground forces of the United States, Germany, and Russia during World War II. It is an inescapable fact. Here again, the Soviets have already introduced a new series of tanks—the T–62—so that by 1975 they will be able to outperform our M–60 tank face to face on a battlefield. The key issue therefore is: Should the United States rely on the M–60 indefinitely by canceling the MBT–70, which is to be operational by the 1974–75 time frame? I say most definitely not. In addition, the Soviets will have far greater quantities of tanks than will the United States. If we cancel funds for the MBT–70, it will be the inevitable result. If we do not develop a new tank, the only recourse is to rely on the existing M–60 tank now in use.

I have said before that I am not happy about the progress made by the Army and the Department of Defense in trying to deal with the complex problem of producing the very fine high quality tank that will be available by 1975. I want them to move faster and do a better job. And I believe they can.

If this provision remains in the bill, our committee will certainly push on the

matter. And I think that Secretary Laird will do likewise.

Some people have stated that we do not need a new tank because we will never have a conventional war with the Soviet Union. Once again, I most earnestly hope they are right. However, I cannot in good conscience base our national security on such a premise. History has proven too often that strong nations do not go to war because aggressor nations are afraid to challenge them.

If the Senate decides that canceling the MBT–70 tank program is wise, what justification is there to modernize other areas of Army equipment used on the battlefield? This reasoning will ultimately lead us to the conclusion that a second class or inferior military force in Europe or anywhere else is sufficient because there never will be a conventional war.

The people in Europe also felt that they were headed for a long period of peaceful detente with the Soviet Union prior to the invasion of Czechoslovakia by Russia. However, that agreement went up in smoke.

Mr. President, I will return to the discussion of the tank later in the debate. I want now to cover briefly the pending amendment which deals with the C–5A.

C–5A—DELETION OF $533 MILLION

Preliminarily, I make the following points on this C–5A amendment.

First. I hold no brief for the C–5A total package procurement contract with its repricing formula and other complexities. This contract, among other things, leaves some of the obligations of the Government and the company in a state of uncertainty.

I do not think that it is a good contract for the Government. And I do not think it is a good contract for the contractor. I was tried out on too large a scale without its workability having been tested with smaller contracts.

Moneywise, it cost more than was calculated. But it is not a matter of excess profits. All agree that the contractor has not made money out of it.

The Air Force says the contractor lost money, but the contractor does not claim that he lost as much as the Air Force claims he did. That is because they do not figure some of those clauses correctly.

I do not like the contract. I would not have approved it. I think that time has proven it is bad. However, that is not really the question before us. That contract was made years ago.

Second. I have heard no criticism of the aircraft with relation to its performance or its need in meeting the requirement. I see a Senator present in the Chamber who is far better qualified to speak on the matter than I am.

I have earnestly sought since January for one word of substantial criticism of this aircraft.

The Senator from Wisconsin does not happen to be present now. However, the inquiry of the Senator from Wisconsin about this matter has been good. The Senator has worked hard on this.

I felt in terms of military preparedness that we had long since passed that stage. The question is whether we are going to have this aircraft. I thought that we would have it if it was right. And I have not found anyone who would come forward with any substantial criticism of it.

It is true that the wing cracked. It nearly always happens in testing. I understand that they have attempted to see where it would crack. This crack occurred well over the expected limits. That matter has to be taken care of by the company.

I know that the Senator from Arizona and perhaps others have flown the C–5A. I will let them speak for themselves.

I was pleased with what they said about the plane. I expressly asked the Senator from Arizona to see the plane. I also asked the Senator from Colorado to see the plane. The Senator from Colorado said that he was glad to do so. However, something came up and he could not go.

I attended an air show at Dulles. It was the first time I have ever been to a big air show. I went out there to go through the C–5A. All I could see was the outside. However, other Senators will speak here who know what is inside the plane and what is in the motor.

It is true that in terms of cost it will be cheaper to operate, even including its production cost, by 25 percent than its nearest counterpart, the C–141.

Fourth. It will carry all of the heavy equipment for an Army division. It will not carry it all in one load. There will have to be many loads. However, all of the equipment of an Army division can be carried in this aircraft. No other aircraft can accomplish this mission since the C–141, our largest present operational jet transport, can carry only about 65 percent of infantry division vehicle types and 71 percent of armored division vehicle types. Other essential items such as tanks, bridge launchers, and helicopters cannot be transported by air until the C–5A becomes operational.

For the benefit of those who are interested, the C–5A is about ready to come off the assembly line. The prototypes we have seen represent the first five. However, those that are going into use are about ready to come off the assembly line.

The C–5A therefore provides the total for maximum mobility which is an essential element of all our military planning and strategy.

Fifth. With respect to the fourth squadron which would be the 23 aircraft deleted by this amendment, the Secretary of Defense without reservation urges this additional squadron as essential to meet our mobility requirement. As an example, if we have only three squadrons of C–5A's—they are the three we will have if we do not put any more in the bill—18 days would be required to move the equipment of an armored division from Fort Leonard Wood to Germany. Four squadrons could do the job in 12 days.

I am just illustrating now the enormous capacity of these machines.

Sixth. If the fourth squadron of C–5A are not built the Air Force will be forced at excessive cost to extend the use of the present cargo planes which are nearing the end of their useful lives. This will be the effect, as I see it, of the amendment if the program should be canceled, if these 23 planes are not included.

EFFECT OF AMENDMENT IF PROGRAM IS CANCELED

Mr. President, the amendment can only have two possible interpretations—either it is intended to cause a cancellation of the C–5A program or, on the other hand, only a delay.

Let me first indicate the likely results if this amendment causes a cancellation of the present program. First, Government funds will be exhausted before the first of the year, and the contractor will then be confronted with whether he will continue the program under his own financing even though he is legally liable to deliver the 58 aircraft under run A. If the contractor should default on run A, the Air Force indicates it is possible that the number of planes to be received will be somewhere between 10 and 20 rather than 58. In the meantime, well over $2 billion in Government funds will have been expended on this program for which we will have little to show.

I am not waiving any rights we might have against the contractor, but my point is that we would not have the planes coming off the line. We would spend all this money, some of it unfortunately, but we would perhaps have just between 10 and 20 planes.

EFFECT OF AMENDMENT IF PROGRAM IS DELAYED

Mr. President, if the amendment is intended to delay the program and money is appropriated next year to continue with the fourth squadron, there will be two very bad results. First, the additional cost of run B would be on the order of from $400 to $550 million due to the disruption of the production program and other factors involved in a new start in the production system. Secondly, there would be a production gap between run A and run B of approximately 18 months.

The issue, therefore, is whether the Senate wishes either to kill the C–5A program or to delay it. I ask what possible benefit can accrue from either of these actions.

Mr. President, some misinformation has come to the Senator from Wisconsin, and I think now is a good time to take up that matter.

I say to the Senator from Wisconsin that I have before me a copy of the RECORD of August 13, 1969, page 23763. That is the last day the Senate was in session before the recess. The Senator from Wisconsin very honestly made this statement, on page 23763.

> I recently asked Philip N. Whittaker, the Assistant Secretary of the Air Force, Installations and Logistics, to brief me on the military requirement for the 23 additional aircraft or for the 120 aircraft.

That was a question of whether these 23 planes shall be added and shall we go all the way then up to the 120.

> Mr. Whittaker replied that the military requirement is based on classified information. I can well understand the Air Force's reluctance to discuss the military requirement publicly. I have learned that the most recent study by the Office of Systems Analysis into the C–5A program concludes that the 23 follow-on aircraft cannot be justified on either military or economic grounds.

Mr. President, if it cannot be justified on either military or economic grounds, it should not be allowed. It should be stricken from the bill. I checked back on this. The Senator from Wisconsin did not say that Mr. Whittaker said this, but there is a possible inference that the idea came from Mr. Whittaker or that he told the Senator that. I checked back to be certain, and Mr. Whittaker said he did not make such a statement. I have here a letter on that point, and this is not a disclosure of anything.

I have asked the Secretary of Defense about this matter, and the Senator from Wisconsin has asked about it, very properly. In his letter of September 2, addressed to the Senator from Wisconsin, with a copy to me—and he so indicated in the letter—Secretary Laird said this:

Furthermore, I asked the Assistant Secretary of Defense for Systems Analysis to conduct a review of the C–5A, and this searching evaluation raises doubts about the need for the fifth and sixth squadrons.

There is nothing in the bill about the fifth and sixth squadrons. The only thing in this bill is the fourth squadron, 23 planes. So the Secretary said that it raised some doubt about the need for the fifth and sixth squadrons.

However, after a critical examination of this issue, he firmly recommends—

He is talking about the gentleman from Systems Analysis—

and supports a fourth squadron.

That is the one that is in the bill.

The FY 1970 budget includes only the fourth squadron.

That is the end of the quotation from the letter.

MR. PROXMIRE. Mr. President, will the Senator yield?

Mr. STENNIS. Yes, I think I should yield to the Senator at this point, and I was going to offer to do so. I do wish to make one further point, if I may.

I checked into this matter to the best of my ability, and I take the letter of the Secretary of Defense at full face value. I cannot find anything on this subject in any of the reports of this Systems Analysis group that conflicts with what the Secretary has said. Instead, it confirms what he said, just as he stated in the letter.

So I do not have any doubt about what the facts are as to the fourth squadron. That is all that is in the bill. The fifth squadron, as I have pointed out over and over, is a matter for future determination.

First, it is a matter between the Secretary of Defense and his staff to make a decision and to make a recommendation to us. Then it will be up to us to consider that recommendation and to make one on the floor of the Senate.

I yield to the Senator from Wisconsin.

Mr. PROXMIRE. I say to the distinguished Senator from Mississippi that I still stand by what I said on August 13. I said:

The most recent study by the Office of Systems Analysis into the C5A program concludes that the 23 follow-on aircraft cannot be justified on either military or economic grounds.

I discussed this with the Secretary of Defense this morning by telephone. He sent Colonel Furlong and a William Barody to my office with the memorandums about which I am talking.

He disclosed to me that these memorandums are classified. I requested that I not be given the classified information, because I do not believe in getting it unless it is absolutely essential, but that his representatives give me an oral description.

They said that there are two studies, one dated November 7, 1968, and one dated in June of 1969. The June 1969 study was a major memorandum and the November 1968 study was a more informal study. Both of these studies—and I reiterate "both of these studies"—indicated that further purchases of the C–5A could not be justified. The studies showed that.

However, I think I can reconcile my position with that statement and the letter from the Secretary of Defense that concluded that what the study showed they should not accept because they felt the first study, which indicated the number of hours the C–5A would have to fly would be 15 hours a day, was unrealistic.

With respect to the second study, they felt all assumptions made were extremely optimistic and would require prepositioning of supplies, which was unlikely in their view, and availability of other aircraft, which was unlikely in their view.

But they said that on a strict cost basis, both studies showed it would be uneconomical to purchase the C–5A.

One other qualification is involved. Colonel Furlong said that it could be and would be economically feasible to purchase the C–5A if you did not discount the cost of the C–5A. But, of course, every kind of investment has to be discounted. The Defense Department discounts investments at 10 percent, which is the proper rate. Failure to discount an investment gives a false result, because such failure assumes that a dollar invested today will not yield a return and of course we know every investment must yield a return or it will not be made. The proper return in private industry is 12 percent. That means the future benefits from an investment in private industry must be discounted at a 12-percent rate. The higher the discount the lesser the present value of the future benefit. So the 10-percent discount when used by Defense would quite fully state the value of the future benefits that would come from the investment in the C–5A, and on this basis the study shows the C–5A is not cost effective. It will not be worth what it costs.

Mr. President, if you discount the cost of the C–5A, Defense says it cannot be economically justified in this study, but they reject this study.

I hope that clarifies the situation for the Senator. To repeat, the studies show that from an economic cost standpoint, it would be unwise to buy further C–5A's. However, the studies have been rejected on the grounds that they were made on unrealistic assumptions. In other words, they didn't like the conclusion their own Defense studies came to.

Mr. STENNIS. I wish to ask the Senator by whom the studies were rejected.

Mr. PROXMIRE. They were rejected by the Secretary of Defense, to begin with, and I presume by the people who advise him.

Mr. STENNIS. Does not his letter say that he asks the Assistant Secretary of Defense for Systems Analysis to review all this matter and that after this critical examination he firmly recommends and supports the fourth squadron?

Mr. PROXMIRE. That is correct. The Assistant Secretary of Defense also rejected these studies. He felt the assumptions were not sufficiently realistic to justify purchasing the C–5A although the study itself indicates that this purchase could not be economically justified. To me this is shorthand for saying the facts don't justify this purchase but we are going to make it anyway.

The PRESIDING OFFICER (Mr. GURNEY in the chair). The time of the Senator from Mississippi has expired.

Mr. STENNIS. Mr. President, I ask unanimous consent that I may be recognized for an additional 15 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. STENNIS. I wish to make this observation to the Senator and to the Senate. Here is the Secretary's letter. It relates what he did. He says that he and the Secretary recommend this fourth squadron. I am handicapped a little here about some classified information. I looked at this analysis with my own eyes and I read from it. It stated just what the Secretary said it stated with respect to the fourth squadron. I confine my remarks to the fourth squadron. I wish the Senator would look at it. I say this with all friendliness. One has to look at some of this classified material, whether he uses it or not, in order to have a rounded picture of this matter. I do not like it myself. I am afraid I will forget sometimes what is classified. There is no holdback on the facts in this matter.

Mr. PROXMIRE. The classified information contained in this study is not necessary to know what the conclusion is. I asked them to give me the conclusion. There was no question. Both Mr. Baroody, who worked for the Secretary of Defense, and Colonel Furlong, who worked on the matter, agreed that the study showed the purchase of the C–5A was not feasible. I asked, "Are you talking about the fourth squadron, 23 additional planes?" He said, "Yes." He said he was talking about that—that or any other further C–5A purchase.

He has a right to accept or reject these reports. He is not an automaton; but the report showed that on the basis of the report it was not an economic buy.

Mr. STENNIS. Did the Senator read the report?

Mr. PROXMIRE. I accepted the word of two people in the Department. I did not read it. Sometimes being in possession of classified information can bring nothing but grief.

Mr. STENNIS. Is the Senator talking about the June 11 study?

Mr. PROXMIRE. They said both the November 1968 study and the June 1969 study came to the same conclusion for different reasons. The first one because of the hours involved. It was a question that if you could use these planes 15 hours a day, three squadrons would be enough. There was not a question, if one accepts that assumption, that three squadrons would be enough..

Mr. STENNIS. I saw the memorandum about the use of the planes. That was a comment by one individual and we want comments by many individuals. I have my own staff give me the pros and cons about matters I am not familiar with.

The November item was a statement by one person only. I am told by people who know that that was based on an unrealistic number of hours per day that these planes could be used. I believe in burning the midnight oil. Those who know say that that was unrealistic. It could not be worked out. There has to be a certain number in the shop, and so forth; and that was not a practical conclusion.

Mr. PROXMIRE. The second study, was much more substantial, did not relate to the number of hours per plane, but related to the availability of other equipment.

This is the heart of the amendment. I think the Senator has struck at the heart of the matter. All of this indicates why the amendment should be agreed to. The amendment would provide we would hold up further production on the C–5A until we have a satisfactory study by the GAO to give us the information we should have. That is the least the Senate should have under the circumstances.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I am very interested in this colloquy because I read the comments in the Washington Post of August 31 about the C–5A limitations, and so forth.

The surprising thing to me, when I hear top secret papers discussed here, is that most of that information was contained in the Washington Post article. The question comes to my mind as to who leaks these things to the Washington Post. The distinguished Senator from Wisconsin refuses to read top secret information, but on the other hand, everyone who subscribes to the Washington Post can read it.

Mr. PROXMIRE. I do not refuse to read top secret information under any circumstances. However, when it is not essential and I do not have to see it and when the conclusion will serve the purpose, I try to avoid it because as few people as possible should have access to that information.

Mr. GOLDWATER. I agree. But somebody in the Pentagon makes it easy for the Washington Post to get what it wants, and I have a good idea who it is.

One of the points in the June paper is:

According to those in a position to know, Systems Analysis was directed this spring to assume that the fourth squadron was already a part of the Pentagon's inventory.

The comment is that it is simply not true. The Secretary of Defense directed Systems Analysis to make a complete review of the C–5A program. The conclusion from this critical review was that four C–5A squadrons were adequate to meet our deployment objectives but raised doubts about the need for the fifth and sixth squadrons.

We are not talking about five or six. That is up to the Secretary of Defense to talk about next year. In order to keep the record clear, we need four squadrons. I intend to address myself to that at length when the floor is available. We need the fourth squadron to back up what the distinguished chairman has been talking about. When we get into trying to justify plane hours and use, we can run the gamut. All we need is a slide rule and bad eyes. Only 70 percent of aircraft are available at any one time to fly. To get the figures that the three squadrons get at, we would have to assume 100 percent of the MAC fleet was available to fly all the time, 15 hours a day. Well, there is no airline or air force in the world that can reach those figures. So the figures have to be arrived at realistically, I think. When we do, we find that the three squadrons will not support the MAC requirement.

Mr. PROXMIRE. I do not rely on that number of hours which we can get if there is need for it. The GAO tells us that commercial airlines do fly substantial more than 15 hours per day.

Mr. GOLDWATER. No. I can tell the Senator that they do not. They wish they could.

Mr. PROXMIRE. This is a peculiar kind of need. This is a need for an emergency deployment for a period of 10 days to 2 weeks, all of a sudden, when we go on a crash basis. It is not as if we have to have something for 2 or 3 or 4 years continuously. It is for an immediate response to some kind of emergency situation. This is the only time when we need really the C–5's that urgently. The rest of the period we can rely on other forms of transportation. We are sending 97 percent of our supplies to Vietnam by ship, as the Senator from Arizona knows. Thus, it is not during a prolonged period when we need this. We do not have to worry about keeping 75 or 85 percent of our planes in operation for a long period of time. Only in terms of a sudden response do we need the C–5A.

Mr. GOLDWATER. I could not disagree more with the Senator from Wisconsin. We would be foolish to buy equipment just for a certain type of use. This will be a year-round, year-after-year, use. It will be used to replace in part shipping. I intend to introduce some rather startling figures into the record to show that it can beat some shipping, beat trucking, and beat some railroading. It is not just what it will do in a sudden crisis, say in Korea, or South Vietnam, or some other place where I might remind the Senator from Wisconsin we have 17 commitments to go to war. Until we know what we intend to do about those 17 commitments, we cannot chop down this authorization bill the way we seem to be going.

Mr. PROXMIRE. After 3 or 4 weeks, the ships become five, six, seven times less expensive than the airlift.

Mr. GOLDWATER. I agree with that. To be able to write off equipment that fast is the way to do it. I only wish in private business that we could write it off that fast because that would bring the cost down. But I do not look upon this airplane as one we should buy to fill a contingency need, to fill a need just as the 141's came in and replaced the 119's, and the 124's replaced the C–47's. This will replace the 133's. The 130's have been transferred to TAC.

Mr. PROXMIRE. The Air Force documentation to support the C–5A says, No. 1, that C–114's will carry 65 percent of the equipment needed by a division by airlift, and only 35 percent will be carried by the C–5A, that the period of time when they will need it and it would be urgent—would be brief—that they can use it over a longer period but it is far more expensive than to use ships. I would be delighted for the Senator from Arizona to show the lower costs of an airlift over shipping.

Mr. GOLDWATER. The fourth squadron with C–5A's plus what we have in 141's will replace, in my opinion, enough aircraft and crews to almost pay for the project itself.

Mr. STENNIS. Mr. President, I thank the Senator. I do not want to cut off this colloquy, but I really do not want to hold the floor much longer.

Mr. President, how much of my allotted time do I have remaining?

The PRESIDING OFFICER. Seven more minutes remain to the Senator from Mississippi.

Mr. STENNIS. One more word here with reference to the point the Senator from Wisconsin and I were discussing. I am satisfied from my reading of the document that is classified—and we are talking about the same document because it all happened today—that the analysis systems people recommend the full squadron that is in the bill. There is no question about it, just as Secretary Laird says here in his letter.

For the information of the Senate, even though the letter is addressed to the Senator from Wisconsin, if it is agreeable to him, I ask unanimous consent to have it printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF DEFENSE,
Washington, D.C., September 2, 1969.

Hon. WILLIAM W. PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR BILL: Thank you for your letter of September 2nd concerning two documents relating to the C–5A prepared in the Office of the Assistant Secretary of Defense for Systems Analysis. I hope I can clarify any misunderstanding concerning the work of the Office of the Assistant Secretary of Defense for Systems Analysis and the Assistant Secretary's recommendations to me in connection with the C–5A program.

The job of the Systems Analysis staff is to make critical appraisals of defense programs.

In their review and evaluation they examine both sides of an issue, but especially the critical side, since others will emphasize the positive aspects of an issue. This is an essential function of significant assistance to me. But, critical studies are not the only basis on which decisions are made. They are part of the wide variety of information I need to draw conclusions and make judgments on defense programs. However, if internal, critical studies prepared by the Systems Analysis staff continue to be given public expression and used as the source for attacking DoD programs, their valuable contribution to the defense decision-making process will be significantly reduced.

Furthermore, I asked the Assistant Secretary of Defense for System Analysis to conduct a review of the C–5A, and this searching evaluation raised doubts about the need for the fifth and sixth squadrons. However, after a critical examination of this issue, he firmly recommends and supports a fourth squadron. The FY 1970 budget includes only the fourth squadron.

With respect to providing unclassified versions of the Major Program Memorandum and other internal working papers, these usually lengthy documents are prepared only in classified form for the internal use of the Department of Defense components involved in the decision-making process. The reason this particular MPM is classified is that it contains defense contingency planning details.

Since Senator Stennis has expressed an interest in this subject, I am sending him a copy of this letter.

Sincerely,

MEL LAIRD.

Mr. PROXMIRE. Mr. President, will the Senator from Mississippi yield at that point for an observation?

Mr. STENNIS. I yield.

Mr. PROXMIRE. I also note that the two representatives of the Defense Department indicated that, conclusions in the article in the Washington Post on the C–5A written by Bernard Nossiter last Sunday were correct and accurate. There is no question about that. Of course, the conclusions of that article were that the C–5A fourth squadron is not economically justified. In several ways they indicated that was the case. If the Senator from Mississippi (Mr. STENNIS) feels that the actual report itself—I am not sure he is making that point—said that we should go ahead with the fourth squadron, then I cannot see any other alternative than to secure from the Secretary of Defense that report and have it made available to all Members of the Senate; and perhaps we can have another secret session nd close the doors and discuss the report, including the classifie.l information in the report, if that is the position of the Senator.

If, on the other hand, he concludes, whatever the report shows, that the Assistant Secretary of Defense, the Secretary of Defense, and others feel that the C–5A should be purchased, but the report does not recommend it, then I do not see any necessity for having this report made available further.

Mr. STENNIS. Well, I have said about all that I can say about it. I have talked to the Secretary. The Senator from Arizona was present at that conversation. I asked him to be there. He was here on the floor. I asked him to go out there with me.

Mr. President, I rest the matter here about the Secretary's recommendation. It is based on the conclusions of the report as to the capability of the planes along with others, that they would do the job. That was a major conclusion on their part.

CARRIER—DELETION OF $377 MILLION

Mr. President, let me address the amendment deleting all funds for the aircraft carrier. For more than two decades the attack carrier has been the foundation of conventional U.S. seapower. They provide the sea-based tactical air-power which we have considered for many years to be essential to our national security.

We cannot overlook the fact that overseas land bases of the Air Force have declined from 105 in 1967 to 35 in 1968 and even many of the existing bases could be denied to us due to rapidly changing political conditions.

One issue we may as well face is the question of whether we desire to have tactical aviation in the Mediterranean and in some parts of the Western Pacific. If so, it must be carrier based.

The carrier in the bill will replace an Essex class which today cannot accommodate certain new aircraft, including the F–4 Phantom II, A–6 Intruder, E–2 Hawkeye.

This amendment can only have one of two meanings. First, that no further carrier should be built with the result that carrier force will disappear through age and obsolescence. The other possible interpretation is that a delay is intended.

A delay carries the following consequences:

First, $132.9 million in lead funds for this carrier have already been obligated. Approximately $40 million have already been expended. Termination costs of the lead contractor would be about $45 million.

Second, the additional construction cost of 1 year has been estimated by the Navy to be $100 million.

The leadtime items for this carrier are right now in the process of being acquired, and we are up to the point of the laying of the keel at this point, if that term applies.

Third, a little understood feature of this amendment is that no funds authorized or appropriated in this or any other act may be used for the production of CVAN–69, and thus the amendment would prohibit the expenditure of any further fiscal year 1969 funds, even though these funds have been obligated. The amendment, in short, would require a termination of these contracts for long leadtime items.

Nuclear propulsion is Admiral Rickover's business, and I have asked Admiral Rickover to give me his assessment of what such termination would mean to the nuclear carrier program from the standpoint of our ability to obtain the nuclear propulsion components. Admiral Rickover tells me that the impact would be far greater than meets the eye. There is an enormous backlog of demand from private utilities that are buying nuclear reactors for electric power generation, and Admiral Rickover assures me that the part of the heavy industry which is devoted to producing nuclear reactors for naval propulsion would be snapped up by private industry the instant it became available. If we then, after studying the requirement for nuclear carriers, decided that we must go forward with the modernization of this vital element in the Navy force structure, there would be long delays while industry made room in its production lines for the required propulsion components.

Much—indeed, most—of the fiscal year 1968 and 1969 funds which have been put into long leadtime items would be wasted since a program restored with fiscal year 1971 or later year funds might very well have to be placed with different contractors. The partially fabricated parts could be stored, but probably could not be used by different contractors, and it would mean starting all over again.

This is the kind of disruption, Mr. President, that is caused by on-again off-again, stop-and-go indecision in funding and producing weapons. The Navy has estimated that the time delay in completing CVAN–69 for introduction into the fleet would be a minimum of 1 year, probably longer, in addition to the added cost occasioned by the disruption in production plans and the waste of fiscal year 1968 and 1969 funds in the amount of approximately $100 million.

I ask, Mr. President, is it in the national interest to accept either of the alternatives posed by this amendment? The answer is an emphatic "No."

This is one of the three carriers of the so-called *Nimitz* class, modern in every way. They are all replacements, and they will all, of course, be able to take care of all the weaponry and all the planes that we have of the most modern kind, and those of the foreseeable future. I do not think it makes any difference whether we are talking about 12 carriers or 15 carriers. That is not the issue. I am talking about attack carriers now. The issue is whether we need the carrier type—the ultramodern, nuclear-powered, ultimate type carrier that can meet all situations and take care of all planes now or in the foreseeable future.

I do not believe any Member of the Senate questions the seriousness of the Soviet threat. I do not believe they question the tremendous and rapid Soviet progress in improving its military capability. Russia is making rapid strides in producing both attack and Polaris-type nuclear submarines. They have made rapid strides in producing new air superiority fighter aircraft. They are building new cruisers. They are deploying rapidly substantial numbers of new intercontinental ballistic missiles. They are continuing to modernize their ground forces. Yet in the light of these recognized facts of Soviet military progress, we continue to say that the Soviet Union wants peace. I earnestly hope it does. However, the hard, cold evidence is that they are building a gigantic military machine. The only question that no one can answer is—what are the Soviet's intentions relative to using that gigantic military machine? We must be prepared for all eventualities. It is our responsibility, knowing the details about the Soviet threat and its vast military capa-

bilities, that we cannot in a moment of emotion or economic stress ignore these vital facts. I want to say most respectfully that if these amendments are acted upon affirmatively by the Senate, that they are tantamount to a partial unilateral disarmament. It is my purpose today that all the members fully appreciate the significance of what is involved in the proposed amendments—that we must face up to the key facts and issues I have discussed and not permit ourselves to examine one or another weapon system in isolation and ignore the key role it plays in our overall defense picture.

Mr. President, I have held the floor a long while. There will be other discussions. This is a bill being discussed not by just the chairman of the committee. Other Senators who are highly qualified will debate different items further. I am going to discuss them somewhat, too.

CONCLUSION

I want to mention one additional factor, and then I will be glad to yield the floor or yield for questions. As every Member of the Senate knows, this country relies on the young men of America to carry out our military responsibilities. I do not want this Senate to be in the position of saying to these young men who are drafted from our homes or are otherwise in the service, that "This Government is imposing on you, at the risk of your lives, the obligation of meeting our military obligations, but at the same time you may have weapons that are insufficient in number and inferior in quality."

I know no Senator wants to do that. No Senator wants to do that. I believe, with all the sincerity of my knowledge and purpose, that these amendments bring us right up to that line. I am certain they do. We do not know in what field or in what year or when or why we may have a conflict, but we do know that we must be prepared, and we are the only ones, under our system of government, that can provide that preparedness.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Colorado.

Mr. DOMINICK. I congratulate the Senator from Mississippi on an extremely fine presentation of a complex and difficult bill. It seems to me—and I am sure it does to the Senator from Mississippi, from his comments—that a great number of people believe that a great portion of military spending is wasted money. What we are dealing with is not wasted money or expenditures; we are dealing with the security of the country. When we are dealing with that, it seems to me, as the Senator from Mississippi has just finished saying, we had better have the best weaponry we can have in order to maintain that security.

In addition, if the Senator from Mississippi will allow me, I have in my hand an article written by Kenneth Crawford in Newsweek for August 25 and a very fine editorial from the Washington Evening Star of August 25 on that subject, which I ask unanimous consent to have incorporated in the RECORD at this point.

The PRESIDING OFFICER. Is there objection?

Mr. STENNIS. No.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

THE 7-MONTH ITCH

(By Kenneth Crawford)

After seven months in authority, the 91st Congress and President Nixon are resting. It would be ungracious and even a little unfair to ask: resting from what?

Mr. Nixon, having made two trips abroad, started withdrawal of troops from Vietnam, enunciated the Guam doctrine of sanitized involvement in world affairs and announced a policy called "the New Federalism," which includes innovative substitution of training-work-family support for the present welfare system and Federal revenue-sharing with the states, has justified his California semi-vacation.

Congress, too, has done something, though not as much, to earn its three-week respite. The Senate, after much angry debate, has refused by a two-vote margin to turn down the President's request for deployment of an anti-ballistic-missile defense system. The House has passed an admirable tax reform and relief bill but one that would reduce government income too substantially. Both branches have extended the temporary 10 per cent surtax, but the Senate has refused to go along with the House on other anti-inflation measures.

Yet the first seven months were less notable for any of these achievements than for "the revolt against the Pentagon." This was the phenomenon that toned the period. The sound and fury of it were deafening. It was the itch politicians and the media spent their energies scratching. It was what the ABM debate in the Senate was about. Its shibboleth, "restore civilian control of the military," was so pervasive that nobody bothered to ask how something that had never been lost could be restored. It was as faddish as miniskirts and mutton-chop sideburns.

POLITICAL PAYDIRT

Denunciation of the "military-industrial complex" looked like political paydirt, and members of Congress, especially those sitting in shaky seats, hastened to dig it. Disillusionment with Vietnam, the high cost of sophisticated military hardware and the inflation resulting in part from paying the bills for it made the digging easy. Opponents of ABM in the Senate came so close to winning and were so universally applauded for the effort that they almost all became overnight military experts. They were soon proposing to cut authorizations for an aircraft carrier, for a new tank, for experimentation and various other purposes out of the Pentagon's plans for future contingencies.

Congress, of course, has the power and the duty to control and police the military. It has always done so with more or less vigor. Its military-affairs committees are not without expertise. Harry Truman made the reputation that ultimately landed him in the Presidency by overseeing military contracts during the second world war. Sen. Henry Jackson was probably more responsible than anyone else for the ABM victory. Should the wheel turn toward public approval of this and other defensive devices, as it could, Jackson might become the Democrats' best bet for a 1972 Presidential comeback.

NEAR-HYSTERIA

Sense of proportion has been lost in the current near-hysteria. It has happened before. On the eve of the second world war, the House came within a vote of suspending the draft. After that war, public demand to "bring the boys home" was so insistent that the armed forces were all but disbanded. Secretary of Defense Louis Johnson was a hero one day for presiding over their dissolution and a scapegoat the next for the nation's lack of preparedness to fight the war in Korea. Conditions can change attitudes with the speed of light.

The Senate-based campaign against the Pentagon would be excessive in easier times and is especially so with the world as tense as it is now. The recent resumption of enemy attacks in Vietnam and immovability of Communist negotiators in Paris seem to be the answer to Averell Harriman's theory that what we need to do is set a pacific example in order to stop the fighting. The Soviets are outbuilding us in strategic weapons and catching up in naval power, displayed in the Mediterranean and even in the Caribbean. Potentially contagious crises persist in the Middle East and along the Sino-Soviet frontiers and Moscow is delaying arms-control talks.

But we are advised not to be timid about reducing armaments. After all, China is a distant threat and the new Soviet leaders are reasonable fellows. Those who give this advice would do well to read testimony by Anatoly Kuznetsov, the recently defected Soviet author, on the stability of the present Soviet leadership.

HERE WE GO AGAIN

As the pressure mounts this year for ever-deeper slashes in defense spending, it may be worth recalling that the United States has been led down this primrose path before.

When Woodrow Wilson scrapped his campaign slogans and took this country into World War I our armed forces, after long years of fiscal starvation, were of the skeleton variety. With war once declared, of course, a tremendous buildup began, and when the Kaiser finally threw in the sponge the United States had acquired a very respectable military establishment.

But it was speedily junked, since World War I had been "the war to end wars," and most of our people were naive enough to believe it.

Some 20 years later, as we were being drawn irresistibly into World War II, the price of unpreparedness had to be paid once again. Franklin Roosevelt had seen what was coming, and had made some tentative moves to prepare for it. But he soon backed off in the face of the know-nothings in Congress and the unwillingness of the American people to pay the price of being ready. Thus, when Pearl Harbor blasted us out of our slumber, we repeated the same frantic—and needlessly expensive—drive to build an army, navy and air force upon which our national life depended.

One would think that we might have learned something from this second unhappy experience. But not at all. After the enemy had been crushed in 1945 there was a great rush to "bring the boys home" and to dismantle with reckless haste what then was the world's most powerful military machine.

Five years later we paid the price of this sort of rashness all over again. On the eve of the Korean war our defense budget had been cut to around $12 billion. We were lulled by the cozy assurances that it was the fat, not the muscle, which was being pared out of the budget. And of course we were unready when the North Koreans struck; for the third time in living memory billions of dollars were wasted on hasty military spending to compensate for our earlier neglect.

Are we going to stumble blindly down the same old path all over again in 1969? It looks like it. The wise men on Capitol Hill, who have led us astray so often in former years, are sharpening their knives. When they return in September they will be hacking away at defense spending. The watchword is "economy at any price." The Nixon administration, and Defense Secretary Laird in particular, seem to be beating a strategic retreat.

Laird now proposes an additional $3-billion cut in the defense budget for fiscal year 1970. He says he would rather make his own

cuts at this time than to be forced to make deeper cuts later by Congress, deeper cuts which he says would result in a "chaotic" situation. But the Defense Secretary, in announcing his intention, warned not once but three times that even his own cuts will impair our military readiness "and reduce our capability to meet our current defense commitments." This at a time when the Soviet Union is spending substantially more money on its military establishment and significantly increasing its worldwide military power.

To put this matter in some perspective, our defense budget, even after the Laird cuts, would be $77 billion. That is a great deal of money. But it is not enough in a dangerous world if it means that the United States in terms of military power is going to become a second-best nation, unable to meet its commitments and incapable of insuring its own security.

Secretary Laird and President Nixon must have an informed opinion as to whether or not this is so. If they think it is so, then it seems to us that instead of retreating they should take their case over the head of Congress to the American people. They will find plenty of ammunition in the dismal record of the past 50 years.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. THURMOND. Mr. President, the distinguished Senator from Mississippi and chairman of the Senate Armed Services Committee, Mr. STENNIS, has just made an excellent defense of the 1970 fiscal year military authorization bill, as reported to the Senate by his committee.

As a member of that committee, it pleases me to hear the chairman "tell it like it is." This business of cutting one program and then another must be viewed as a whole, and the only conclusion which can be reached is that this country will be a second-rate power in the mid-1970's and 1980's if we drop programs like the nuclear aircraft carrier, the C–5A, the MBT–70, the F–14, and the F–15. As the Senator from Mississippi stated, this bill has already been cut $3 billion, and to cut further would seriously impair our ability to fulfill the commitments which the Senate has endorsed in approving treaties and agreements with over 40 nations.

Mr. President, the Armed Services Committee chairman has also said something that needed to be said badly. That is, and I wish to quote directly from his excellent statement:

> If these amendments are acted upon affirmatively by the Senate, they are tantamount to a partial unilateral disarmament.

It is my feeling the Members of the Senate do not realize how serious this matter has become. The distinguished Senator from Mississippi has rendered a vital service to the Senate and his country by the delivery of his thorough and persuasive remarks here today.

Mr. STENNIS. I thank the Senator very kindly for his very warm words and his strong words in support of the bill.

Mr. President, I ask unanimous consent to insert at this point the letter of August 30 from Secretary Laird on the reduction in defense expenditures.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF DEFENSE,
Washington, D.C., August 30, 1969.

Hon. JOHN C. STENNIS,
Chairman, Committee on Armed Services, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: On August 21, 1969, I announced that it was necessary for the Department of Defense to proceed with the identification and implementation of further FY 1970 expenditure reductions of up to $3 billion. As we discussed prior to my announcement, the necessity for initiating actions now is based on three factors:

1. Congressional action in imposing a limitation on Federal expenditures for the Fiscal Year which ends June 30, 1970. This expenditure limitation, which was passed by the Congress, was agreed to by the President.

2. The anticipated budget cuts by the Congress, and

3. The economic needs in our country, especially the inflationary pressures that currently exist and which the President is determined to bring under control.

I emphasized, however, that these reductions were to be effected with the least possible impact upon our readiness and our present and long range requirements.

Funds requested in the FY 1970 procurement and RDT&E authorization are directly tied to the long range readiness of our forces. They relate to the major equipments for the Armed Forces and the RDT&E necessary to support modernization and improvement of major Defense weapons. Accordingly, they are in the category of the highest priority programs within the Department of Defense budget.

The programs covered by the $20,060 million authorizations approved by the Senate Armed Services Committee represent valid and high priority equipment and research requirements of the Department of Defense and are fully supported by the Department. Additionally, in its review of the Senate Armed Services Committee action, the Department of Defense has made a reclama to the House Armed Services Committee for the restoration of $968.8 million. This reclama was submitted with full consideration of possible expenditure reductions which might be levied on the Department of Defense for FY 1970, and, thus, is further evidence of the priority of these programs.

Decisions made to date to reach the first $1.5 billion of expenditure reductions do not contemplate reductions in procurement and RDT&E beyond those specifically recommended by the Senate Armed Services Committee. It must be recognized, however, that final decisions on the Defense budget must await Congressional action. Therefore, I cannot assure that further reductions to the budget will not be necessary in the future in order to meet the constraints of expenditure limitations imposed upon the Department of Defense.

Sincerely,

MEL LAIRD.

Mr. HATFIELD. Mr. President, since July 7 the Senate has been considering the defense authorization bill, which seeks authority for the expenditure of about $20 billion for the procurement of various weapons systems and other items requested by the Department of Defense.

This $20 billion represents about one-fourth of the Department of Defense budget, but includes those items which would comprise a major portion of future defense budgets: missiles, the ABM system, naval vessels, submarines, combat vehicles, strategic bombers, tactical fighters, various other aircraft, and so on, in addition to funds for research and development.

The fundamental question raised by this bill is what portion of our resources should we devote to national defense. Our task is to decide how large our defense budget shall be, both for the fiscal year 1970 and those that follow.

At present the official budget of our Government indicates that 41 percent of all governmental outlays are directed to defense expenditures. No function of the Government absorbs portions of the budget that in any way approximates the funds spent for this purpose.

However, in actuality, expenditures for defense account for a far greater portion of tax revenues than is indicated by the figure of 41 percent. Money utilized by the Government can be separated into two categories—those funds which the Government actually owns, having collected them through taxes—individual and corporate income taxes, excise taxes, and so forth—and those funds which the Government administers as a trustee, such as social security payments, unemployment compensation, civil service retirement contributions, and other trust funds. The unified budget concept, used since January 1968, includes expenditures of all these funds as Government outlays, dividing them according to various functions. But if our desire is to determine what portion of funds actually owned by the Government is spent for defense—which is the question at hand—then calculations must change, excluding those funds the Government administers as a trustee. By so doing, we discover that defense spending amounts to about 53 percent of all dollars owned by our Government.

Yet even this figure only includes the costs of fighting present wars and providing a preparedness for the future. It does not include Government revenues that are currently spent to pay the continuing costs of past wars. Veterans payments, for instance, amount to more than 5 percent present expenditures of Government revenues. Further, the payment of interest on the national debt, which is directly related to the costs of past wars, accounts for about 10.5 percent of these funds.

Therefore, more than two-thirds of all Government revenues are spent paying for past wars, present conflicts, and our future military preparedness. In other words, out of every $100 of tax money paid to the Federal Government, approximately $67 is exhausted by these means; that leaves on the same basis $4.04 for education, $2.50 for all programs of international assistance, $1.84 for community housing and development, $1.26 for the preservation and utilization of our natural resources, $8.63 for health—including $6.70 for medicare and medicaid—$5.97 for commerce and transportation, $3.45 for agriculture, $2.63 for our exploration of space, and $1 for other social services.

Out of all the money paid out by the Government, certain expenditures are fixed, and cannot be readily reduced or eliminated. Veterans payments, Federal Government salaries, various educational funds, money for our national parks, and many others are all examples. There remains a portion of Government outlays that can be readily controlled and al-

tered. Last March, the Joint Economic Committee reported that 80 percent of these "relatively controllable Federal outlays" are spent on national defense.

The truth is that our Government is dominated by defense spending. This is the consuming factor controlling our Government's financial resources. It is the primary agent which shapes our national budget. Government spending is largely defense spending. The impact of all funds spent for other purposes is insignificant when compared to the pervasive influence of the billions we devote for military purposes.

Where is the fundamental responsibility for determining the level of defense spending? How does our Constitution allocate these powers? Let me quote from article I, section 8 of the Constitution:

> The Congress shall have the power to . . . provide for the common defense. . . . To raise and support armies. . . . To provide and maintain a navy. . . .
>
> * * * * *
>
> To provide for organizing, arming, and disciplining the militia.

No other function of Congress is mentioned as often or given as much emphasis as its responsibility to approve and control the provisions for our defense and the functioning of the country's militia.

In its wisdom, the Constitution recognizes that the responsibility for military expenditures must rest fundamentally with Congress, and thus with the people.

In recent years, however, that wisdom has been neglected. After Congress' declaration of war at the outset of World War II, it was necessary and proper for the military to assume direction of the massive war effort. The responsibility to plan strategy, provide for our armaments, and determine our defense policy were all military responsibilities executed by the Chief Executive and our Nation's military leadership. But the momentum and the power of the military established during the war continued after peace, and Congress failed to successfully reassert its proper peacetime constitutional responsibility. Spurred by the ideology of the cold war, the military, supported by the executive branch, continued to essentially control the determination of our defense policy and the accompanying armaments and manpower requirements. The Congress, in general agreement with the view of the world presented by our military leaders, began to merely ratify their budgets and policies with little or no comprehensive questioning.

Fundamentally, we have reached the point today where the basic determination of the defense policies and expenditures of our country are no longer exercized by Congress.

Let me emphasize strongly that criticism cannot be focused on any particular committee of Congress for this situation. Rather, the criticism must be directed to Congress as a whole.

It is not our military establishment that should be held responsible for the present level of defense spending—rather, it is we—Congress—that must assume this obligation. If there is any guilt for excessive or unwise military spending, that guilt is ours.

I get a little weary hearing about the military-industrial complex in discussions that seem to pervade our country today. This oversimplification is that somehow the military and industrial forces of this country have united in some sinister conspiracy against the Nation.

I believe that if we are going to talk about any complex, we should talk about the military-industrial-educational-political complex. They are all hand in hand. But today I want to emphasize that it is a question of the constitutional responsibility of Congress.

If we are to reassert our constitutional responsibility for truly determining and controlling defense policy and spending, a whole new attitude must be fostered.

We must realize that Congress—not the Pentagon—must decide what kind of defense budget our country requires.

Congress—not the Pentagon—must decide what are the fundamental threats to our national security.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. HATFIELD. I yield.

Mr. MURPHY. The Senator earlier referred by percentages to the funds that are spent by the Government. He stated that it seemed that the percentage for military expenditures, past, present, and future, was very high. Would the Senator suggest, that, by the same yardstick, we in Congress should say that this percentage and no more shall be spent? Would that be implied by the Senator's logic?

Mr. HATFIELD. No, I would not imply that we set any kind of inflexible, firm percentages on a $100 base, or any other base one might wish to use, as a judgment or measurement.

I am saying today that these funds and these expenditures have not been given the same kind of careful scrutiny by Congress as are given the expenditures by other agencies dealing with other programs or with national resources.

We have required a certain benefit-cost ratio for a dam or a reclamation project, and we have held to that. The Bureau of Reclamation has not been able to come back to a succeeding Congress and say, "We are sorry, but we underestimated by 200 percent the amount required for this project."

Time after time, we have seen with respect to military projects, that the amount would become a myth by the time of production. I say that we should require the same care when it comes to expenditures of the taxpayers' dollars.

Mr. MURPHY. Is it not true that a great many of the examples took place within the last 6 or 7 years and did not happen under the present administration?

The lessons we are talking about now and the problems with which we are faced are problems which came into being because of the so-called cost-effectiveness programs which were instituted before. I think it is quite important that that be understood.

Mr. HATFIELD. I would not disagree with the Senator on that point.

Mr. MURPHY. I suggest, as a new member of the Armed Services Committee, that I was most gratified in my experience this year. I found the committee, under the championship of the Senator from Mississippi (Mr. STENNIS), to be made up of many Senators who are highly knowledgeable in the area. I refer to the Senator from Arizona (Mr. GOLDWATER) and to many other Senators who have long experience. The Senator from Maine (Mrs. SMITH) has been on the committee for many years and is as knowledgeable, I am sure, as any other Senator.

I was amazed at the care and the caution used in the committee approach. I liken this to my experience on the committee having to do with social welfare, the so-called Poverty Committee, where we could not get information. I did not find that to be true on the Armed Services Committee. I found that the witnesses came in with direct answers, and where there were mistakes, they agreed that mistakes had been made. Sometimes the mistakes were the result of bad practices that were allowed to creep in.

I speak only for the purpose of assuring the Senator from Oregon that there were not any slipshod meetings and that in everything that went on in the meetings, Senators were very careful and cautious. We went over the matter item by item very carefully and had long discussions.

There had to be reasons for the inclusion of items in the bill. The entire purpose of the debate and the basis of the debate, which is on the authorization for military procurement for the year 1970, has gotten far afield in our discussion.

I think the discussion is healthy; it is proper and good. At the same time, we must not lose sight of the fact that this is the pending business and that the manner in which the procurement is approached may be the subject of extensive future debates. I can see that many improvements can be made. However, great care and caution were exercised.

We are living in peculiar times, of course, because of the expanded military engagement in Vietnam which no one really wanted or foresaw. As the Senator knows, I have been complaining for at least 3 years about the manner in which this engagement has been carried on. I have said that we should have had this matter wrapped up and should have been out of there 2 or 2½ years ago.

The members of the committee are greatly concerned, as is the Senator from Oregon. These matters are not just handled in the dark of the evening. There are many long and careful and deliberative meetings with good answers being furnished by the military. I am not so much worried about the situation as are other Senators.

The Senator from Oregon says that he is not worried about the so-called military-industrial complex. It is something that one does not wrap up in a quick term like that.

I have watched the matter develop for

20 years. I know something about the benefits that flow from such programs. Benefits also flow from the space program.

Someone might say, "We have placed a man on the moon. So what?" Many fallout benefits for mankind will come about through our space program.

I wanted the Senator from Oregon to know that we on the committee have worked quite hard. I am sure the Senator has noticed that while the amount contained in most other appropriations has increased, the military expenditures have not increased very much over the last several years. As a matter of fact, I think that we were able this year to cut the amount by $3 billion. So we are making some headway.

I did not want the picture to seem as dark as the distinguished Senator from Oregon is painting it.

Mr. HATFIELD. Mr. President, I thank the Senator from California. First of all, I express my appreciation for his statement. I would remind him that my comments thus far were to place the whole subject in context, using the period since World War II. In fact, I began the context within which I am placing the subject at the beginning of World War II. In my comments today, I make some direct references to the outstanding work of the Armed Services Committee, of which the Senator from California is a member.

I commend the actions of the committee. I am not faulting the committee or the members of the committee. In fact, the Senator's comment about being a freshman member of the committee reminds me of a conversation I had in the Chamber earlier today with the Senator from Arizona (Mr. GOLDWATER), who remarked about the tremendous change in the whole approach of the Armed Services Committee between the time when he served on the committee earlier, and the approach today. There is a new awareness and determination, I think, on the part of all Senators to become more involved in questioning and understanding our military budget. We no longer merely will ratify requests that evidently have developed during an earlier war because of the exigencies and demands of the war. There is a desire to shift that kind of pattern. It has been evident that the committee has been doing that in this session.

I am not implying a lack of work or a lack of determination to understand the program and defend it on the part of the committee.

The committee has done this and has made far greater cuts than those proposed in the military spending committee report, which I shall discuss later in my comments.

Mr. MURPHY. Mr. President, it may not be possible for me to remain in the Chamber, but I would like to have a copy of the military spending report. May I ask the basis of the report? Is it an adjunct to the Armed Services Committee, or is it a suggested pattern for the Armed Services Committee?

Mr. HATFIELD. Mr. President, I shall develop that whole pattern and the cause and the reason for this committee action in approximately two more pages of my remarks.

Mr. MURPHY. The action of which committee?

Mr. HATFIELD. The military spending committee that I am talking about.

Mr. MURPHY. What committee is that?

Mr. HATFIELD. Mr. President, again, I shall give the background description of that matter very briefly.

Mr. MURPHY. Is that an official committee of Congress?

Mr. HATFIELD. It is an ad hoc committee.

Mr. MURPHY. It is not an official committee?

Mr. HATFIELD. It is not.

Mr. MURPHY. I just did not understand the Senator. I thought sometimes that I could not discover where the Armed Services Committee finished and where the Foreign Affairs Committee began during some of the discussion and some of the filibuster that have taken place. I was wondering if a new committee had come into being that I had not been told about.

Mr. HATFIELD. I would refer that problem to the chairman of the Armed Services Committee and the chairman of the Foreign Relations Committee to adjudicate.

Mr. MURPHY. I do not want it adjudicated. I would like to have explained to me where the dividing line is. I think that lately there has been some overlapping.

Mr. HATFIELD. I am sure there has been, because the chief instrument of foreign affairs and foreign policy, as determined by the Nation, is implemented through our military organization; consequently, there is a relationship between foreign affairs and defense.

Mr. MURPHY. I thought a good part of our foreign affairs was handled through foreign aid.

Mr. HATFIELD. There is another instrument.

Mr. MURPHY. I shall be here when that one starts, also.

I thank the Senator.

Mr. HATFIELD. I shall be happy to give the Senator a copy of my speech.

Mr. President, Congress, not the Pentagon, must judge the condition in our world and determine defense policies that are an appropriate response.

Congress, not the Pentagon, must decide whether we shall have the capacity to simultaneously wage two and a half, or three and a half, or one and a half or no war in different parts of the world.

Congress, not the Pentagon, must decide the size of our militia and where they should be placed throughout the world.

And Congress, not the Pentagon, must determine the need for new weapons—new tanks, bombers, aircraft carriers, fighters, missiles, submarines, and other arms.

The Chief Executive, of course, has a role in the shaping of these policies. And the advice and counsel of our military leadership is essential for balanced judgments in these matters. But the Constitution gives fundamental responsibility for determining our defense posture to Congress. The military is then charged with the responsibility to carry out this policy and fulfill its requirements in the most effective and efficient manner possible. I have every confidence that they welcome and will always dutifully fulfill this pledge.

Congressional responsibility for national defense is a massive and arduous task. Its implementation will require innovative thinking and new structures to facilitate our knowledge and judgment. It is abundantly clear that Congress must embark on a new course by determining that it is they—all the Members of Congress—who must decide what our defense policy should be, what is required to fulfill it, and how much this will cost.

Faced with these imperatives of congressional responsibility, several Members of Congress have been searching for new ways to improve their understanding of defense policy and spending. Last spring, a small group of Senators and Representatives met together to form the Military Spending Committee of a group known as the Members of Congress for Peace Through Law. This informal organization is a grouping of about 80 Senators and Representatives who have met together for several years discussing issues of mutual concern. As a member of the MCPL, I had consented to serve as chairman of our military spending committee.

Our committee, composed of Senators MCGOVERN, MATHIAS, EAGLETON, and GOODELL, and 10 Representatives in addition to myself, decided that our first step should be to improve our knowledge of those specific areas of the defense budget which seemed open to the greatest question. In viewing the entire budget, we came to the conclusion that several specific items seemed to be lacking in justification. By submitting certain of these items to careful scrutiny, we believed that some contribution could be made to Congress' consideration of defense spending. Limited by time and resources, however, we could only focus our attention on a few areas; we readily admitted that our review would not be as comprehensive as we would like.

During the course of the study, we consulted with various experts in matters of defense spending, including the following: Mr. William Kaufman, former consultant to the Department of Defense during Secretary McNamara's tenure and now at MIT and Brookings Institution; Mr. Charles Schultz, former Director of the Bureau of the Budget; Mr. George Rathjens, formerly with the Institute for Defense Analysis and now at MIT; Mr. Robert Benson, formerly in the Department of Defense and author of "How the Pentagon Can Save $9 Billion," which appeared in the Washington Monthly; and Mr. Henry Myers, formerly with the Arms Control and Disarmament Agency of the Government and now on the staff of the Members of Congress for Peace Through Law.

The procedure the committee adopted, however, was for particular members to assume responsibility for in-depth knowledge about individual items in the defense budget. In the course of several meetings, we shared our findings about various items we were studying and came to general agreement in each case about the course of action we recommended.

Through this procedure we drafted a report which, after various revisions, was adopted. This report on military spending was then submitted to the full membership of Members of Congress for Peace Through Law and copies were then sent to each Member of Congress for his consideration. On July 9, the report was released to the public at a press conference.

These were the items which our committee chose to study: the proposed advanced manned strategic aircraft—AMSA—our continental air defense program, the anti-ballistic-missile system, the Navy's attack aircraft carriers, the proposed F–14 aircraft, the chemical and biological warfare program, the new main battle tank, the level of our military manpower, the manned orbiting laboratory—MOL—the MIRV program for our strategic missiles, and procurement procedures.

Since a deferral of the MIRV program, unlike other items studied, was being pursued as an arms control issue, the committee decided to deal with this separately and gave its support to those efforts in the House and Senate aimed at forestalling MIRV testing and procurement until the progress of the forthcoming SALT talks can be assessed. Also, the committee agreed upon the recommendation to terminate the manned orbiting laboratory program, but the Defense Department announced that it was taking precisely this action shortly before our report was prepared in final form. Thus, these two items were not discussed in the report.

In general, the recommendations made by the committee are of a very modest nature. Our recommendations consistently point to the need for further study and review of the programs in question before authorizing the full amount of the requested funds. In most cases we did not advocate the total termination of any programs, but rather called for reducing or deferring certain expenditures until their justification could be carefully analyzed.

The modest nature of our proposals is best demonstrated by the instances of agreement between certain recommendations of the committee and actions subsequently taken by either the Department of Defense or the Senate Armed Services Committee.

In addition to the Pentagon's termination of the MOL program, the Department of Defense also accepted amendments dealing with chemical and biological warfare that were even more specific and stringent than the recommendations of the report. Further, the chairman of the Armed Services Committee has stated that following the Vietnam conflict, we can reduce our military manpower by 1 million men, for a savings of $10 billion. This is only slightly less than the report's recommendation for a reduction of 1.2 million men. Secretary Laird has already announced manpower reductions which are steps in this direction.

If all the recommendations of the Report on Military Spending were implemented, it would result in a saving of about $3 billion from the fiscal year 1970 budget. Of course, the committee does not believe that is any kind of a ceiling for possible cuts from defense spending. Most members, in fact, are convinced that far more substantial cuts can be justified, and fully support proposed reductions in the areas not mentioned in the report that have been made by the Senate Armed Services Committee and Secretary Laird.

Though our committee's proposed cuts represent only a modest fraction of this year's defense budget, over a period of 5 years, these cuts alone could result in a total saving of between $15 and $30 billion.

In each of the areas considered by our committee, we found that questions concerning the justification of these expenditures had not been answered to our satisfaction. Let me briefly summarize the areas covered by the report in order to illustrate the considerations which have caused us to oppose the requested level of funding.

The bill before us includes authorization of $90.2 million for the advanced manned strategic bomber. The total costs of these bombers could run anywhere between $8 and $23 billion, depending upon the eventual unit costs of each plane and the number that are procured. Our committee remains unconvinced of the need for this weapons system. Underlying the proposal is the assumption that we need a triple deterrent—bombers, land-based missiles, and sea-based missiles—to preserve our security against any possible nuclear strike. We believe this assumption should not go unexamined. There are serious doubts that in this age of missiles, bombers remain a necessary component of our strategic forces.

Even if one does conclude that bombers have some useful strategic role, questions remain about the need for a new bomber such as the AMSA. We have a present force of B–52's and B–58's, and are acquiring FB–111's. This current force is able to deliver enormous megatons of bombs upon targets in the Soviet Union even against their extensive air defense system. Why is it that these planes, when equipped with such technological innovations as SRAMS—short range attack missiles—and SCADS—subsonic cruise armed decoy—cannot effectively perform any strategic mission of bombers against even greatly improved defenses?

The Senator from South Dakota, Mr. McGOVERN, along with the Senator from New York, Mr. GOODELL, and the Senator from Wisconsin, Mr. PROXMIRE, and myself, are offering an amendment which would limit the funds authorized for the AMSA to $20 million. In his August 13 speech on the floor, Senator McGOVERN outlined in great detail the questions and considerations which would justify withholding the full amount of the requested authorization. We are not proposing the immediate termination of the AMSA program; we are simply suggesting that full approval of requested funds would begin the commitment to an expenditure of several billion dollars for a system which is likely to be strategically unnecessary and not required for the defense of our country.

On August 11 the Senator from Arizona, Mr. GOLDWATER, had printed in the RECORD papers he had prepared which raised criticisms of our committee's report. I appreciate the Senator's interest and of course welcome the exchange of knowledge and judgment in these matters. Regarding the AMSA program, Senator GOLDWATER submitted a paper that dealt in significant detail with our report's findings and recommendations. Rather than replying to all of these specific criticisms in these remarks, I ask unanimous consent that following my remarks, the entire "Report on Military Spending" be printed in the RECORD, that the criticisms submitted by Senator GOLDWATER appear after each appropriate section of the report, and that the reply to that criticism prepared by our committee then appear.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HATFIELD. Mr. President, the funds requested by the Department of Defense for continental air defense also seemed lacking in sufficient justification. The Armed Services Committee, as I stated, took action which closely paralleled our report's recommendation in this area; in fact, in some ways the committee's actions even went beyond our general suggestions. Funds for Sam–D missiles were eliminated; authorization for the AWAC's radar was reduced from $60 million to $15 million; and funds for the CONUS air defense interceptor were reduced from $18.5 million to $2.5 million. More importantly, the Armed Services Committee directed the Secretary of Defense to study, review, and analyze the bomber defense system to determine whether it was possible to phase down existing portions of these facilities. The committee suggested this might be possible "if the present and future threat is as limited as portrayed by the National Intelligence Estimate." In our judgment, this action by the Armed Services Committee is not only highly commendable, deserving the full support of the Congress, but sets a pattern for action that would be highly advisable with several other of the programs that are being questioned.

I shall now turn to the matter of aircraft carriers. In this case, I want to draw careful attention to the issues that have been raised and reply to criticism presented both in the paper submitted by Senator GOLDWATER and in other various speeches, publications, and discussions during the past weeks.

Our study revealed many unanswered questions concerning these impressive but costly ships. What, for example, is the basis for the number of carrier task forces the Navy claims is essential? What are the situations in which it is more cost-effective to use sea-based rather than land-based tactical aircraft? Does the vulnerability of carriers mean that they will not play a significant role in conflicts with adversaries who have access to sophisticated weapons? Why is it that the United States is the only nation which continues to construct carriers? Why does the Soviet Union not possess even one aircraft carrier, other than that which carries helicopters, in spite of

expensive efforts to increase its seapower? In view of these unresolved issues my colleagues and I believe that, pending a thorough review, it is prudent to defer construction of the proposed nuclear carrier CVAN–69.

This is the intent of an amendment offered by the Senator from New Jersey (Mr. CASE) and the Senator from Minnesota (Mr. MONDALE), who have taken admirable leadership in analyzing the role and usefulness of aircraft carriers.

This recommendation is a very modest one. Our report does not claim that there is no need for carriers, nor even that the size of the fleet should be reduced. We do say that there was sufficient doubt about the utility of carriers to justify an in-depth study of the question, postponing further carrier construction until its completion.

The critics assert that many of our carriers are excessively aged and that regardless of the number of ships, replacements are needed. It is asserted that many potential targets are out of range of land-based aircraft and that in many cases carrier aircraft will be required to supplement those based on land. The critics argue that carrier-based air attacks are essentially as cost effective as those launched from land bases. Finally, the critics of our study assert that carriers are not unduly vulnerable to enemy action.

I would first note that we have not seen calculations showing carrier-based attacks in Vietnam to be essentially as cost-effective as those launched from land bases. We have not seen calculations which compare the relative effectiveness of carriers in fulfilling a surge role as compared to that in a static situation such as off the coast of Vietnam. The outcome of such calculations of course has a significant bearing on the number of carriers we operate. If carriers are to be used primairly in the surge role, fewer will be required than if we plan to use them in lieu of land bases.

In regard to targets being out of range of land-based aircraft, we ask what these targets might be? The critics of our study point out that carriers assumed important roles in World War II, Korea, Vietnam, and Cuba. I have already raised questions about the cost-effectiveness of Vietnam carrier-based operations. As far as World War II is concerned, I believe we have seen the last great sea battle, where attack carriers played a significant role. While there may be amphibious operations in the future, I doubt that these justify a continued carrier construction program. Those who expect World War II-like combined operations should be specific. They should give some indication of the role for carriers and the number required in a given scenario; they should indicate whether these need be modern carriers; and whether they believe the carriers would be invulnerable in the situations they envision.

The proponents of carriers argue that Soviet cruise missiles have a range of only 400 miles and because the carrier aircraft have a range of 600 miles that these missiles need not be a particular cause of concern. If this is the case the Navy should be able to present the evidence that it is so. That is, the Navy should have data which shows that it is possible to keep sufficient surveillance over 50,000 square miles of ocean to keep surface ships or submarines from getting within cruise missile range of the carrier.

The carrier proponents imply that carriers are able to recover quickly from the bomb, torpedo, or missile damage. They say that in Vietnam 300 aircraft were destroyed and 2,800 damaged while on the ground. But several carrier aircraft have been lost in accidents and carrier fires off of Vietnam. Since there were many more aircraft operating from the land bases than from carriers, is it not more relevant to present these losses in terms of percentages of operating aircraft? The carrier proponents suggest that shortly after the Enterprise and Forestall fires these carriers would have been able to resume operations. But the fact is that in both cases the ships were withdrawn for extensive repairs. The Washington Post, reporting on the Enterprise fire, stated that quick and heroic action saved the world's largest ship—January 16, 1969.

With regard to vulnerability I think it may be useful to point out the concern expressed by the Armed Services Committee about the possibility that the Polaris submarine might become vulnerable to Soviet attack submarines. Presenting the rationale for the Safeguard ABM system, the committee said:

> Obviously we cannot assume that our Polaris system will be the first weapon in history to remain invulnerable.

If the committee can be this concerned about the vulnerability of submarines, it would seem that they should be much more concerned about the vulnerability of attack carriers.

Aircraft carrier proponents emphasize that we can expect to be denied access to airfields and therefore we will have to rely upon carriers. It is claimed that of 126 overseas bases not on U.S. owned territory 81 were abandoned in the period between 1954 and 1967—and that most of these were given up as the result of foreign political action. I would like a list of these bases, the use to which they had been put and the specific reason for our having left them.

In addition I for one am not so sure that we should have the capability to become involved in unlimited military interventions throughout the world. We can, after all, maintain our influence, and a healthier influence at that, by demonstrating greater concern for the economic well-being of the nations we feel strongly about. It does not make much sense to talk about our coming to the aid of nations who are not willing to make airfields available to us.

In raising questions concerning the role of attack carriers we asked the contingencies which might be expected in the next 10 to 15 years requiring their use. A determination of the size of the carrier force requires assumptions about the future. If the Navy has made assumptions we should know what they are. Only then can we make a meaningful judgment concerning the proportion of our resources which should be devoted to carrier construction and operations. We have fixed resources and these should be allocated in a way which, in our judgment, most enhances our net well being.

I will make brief comments on the other items covered in our report. These include the F–14, main battle tank, the chemical and biological warfare program, military manpower levels, and procurement costs. With regard to the F–14 we are talking about an aircraft which will cost at least $8 million each. The eventual cost of just procuring the desired number of F–14's might total between $5 billion and $10 billion.

The first question we raised concerned whether the F–14/Phoenix system contributed substantially to our military posture.

Second, we asked whether the F–14/Phoenix was the most economical means of achieving the desired improvement in our capabilities. There seems to be considerable dispute over this point. Navy analysists assert:

> The weapon system will shoot down long-range multiple-raid targets, aircraft and missiles, and can engage enemy escort fighters in close-in combat.

It is also suggested that the F–14 will have "adequate range to escort attack aircraft to their maximum mission ranges." But there are those who dispute our ability to design an aircraft which performs so many missions. I will mention but one statement from an acknowledged authority on tactical airpower. He is Gen. G. P. Disosway, formerly head of the U.S. Air Force Tactical Air Command, who said:

> If you could build an airplane which would do everything it would be wonderful. You just cannot do it in this modern day.

And yet it seems that we are attempting to build an aircraft which is supposed to do very much, if not everything.

Who is right on this issue? Are we to believe those who assert that the F–14 will perform according to its present specifications? Or are we to take the word of those who claim its performance objectives will not be met without a substantial increase in cost? I do not profess to know the answer to this question. But I do strongly believe that considerably more information should be furnished us before we provide funds for this costly program.

I am submitting for the RECORD a more detailed answer to the criticisms expressed in Senator GOLDWATER'S presentation.

Our report recommended that authorization of additional funds for the MBT–70 should be postponed pending review of the assumptions upon which the development and procurement decisions were based. The review of the assumptions upon which these were founded was also to include an examination of the cost-effectiveness of the MBT–70 in light of currently projected costs.

On August 8, the thrust of this amendment was accepted without a vote. It was agreed that the Senate Armed Services Committee would ask the General Accounting Office to study two questions. The first concerned the reason why research and development costs had risen considerably, and the second was to de-

termine whether there were feasible alternatives to the development of the MBT–70. We are presently awaiting the outcome of this study.

Senator EAGLETON, the leading cosponsor of this amendment will later discuss the comments submitted by the Senator from Arizona.

The Senate passed by a 91-to-0 vote a highly significant amendment affecting the chemical and biological warfare program. I will not go into our committee's consideration of this issue in any detail.

The amendment is very specific and will bring this program before the public view. Public scrutiny will certainly help to insure that whatever chemical and biological warfare activities we fund are indeed essential to the national security.

With regard to manpower, our study recommended that following termination of the Vietnam war, force levels be cut back by 800,000. This is the number of men involved in that conflict. In addition it was recommended that force levels be reduced by 200,000 in fiscal year 1970 and by an additional 200,000 in fiscal year 1971. The total reduction of 1,200,000 would represent a return to the statutory ceiling limiting the force size which had been set at 2.3 million in 1950.

This recommendation was based on our belief that our commitments could be fulfilled with fewer men in uniform.

As I stated, our recommendation is comparable to statements of the distinguished Chairman of the Armed Services Committee, who has said that a million men should be released from the Armed Forces following the end of the Vietnam war.

Senators COOK and BAYH will offer an amendment proposing that manpower levels be reduced by an amount equal to the reduction in personnel serving in Vietnam. I and many other Senators intend to fully support this measure.

The Subcommittee on Economy in Government of the Joint Economic Committee, presided over by Senator PROXMIRE, has in the past year conducted an in-depth study of military procurement policies and practices. Our committee on military spending believes that the recommendations of Senator PROXMIRE'S committee can serve as guidelines for positive reform in military procurement procedures. We included these recommendations in our report.

On August 7, the Senator from Pennsylvania, Mr. SCHWEIKER, and several other Senators proposed an amendment which contained a requirement for the Department of Defense to make quarterly reports through the Comptroller General to the Congress on all major weapons systems contracts. This amendment passed by a vote of 47 to 46. This action, as well as other amendments proposed by Senator PROXMIRE, are hopeful steps to insure that procurement procedures will not be the guardian of excessive increases in contract costs at the expense of the taxpayer.

Recently, the administration has stated that there will be little or no substantial peace dividend after the Vietnam war. In 1965, before the major costs of this war, our defense budget was approximately $50 billion. From 1961 to 1965 the defense expenditures remained fairly consistently in this range: 1961—$47.4 billion; 1962—$51.1 billion; 1963—$52.3 billion; 1964—$53.6 billion; 1965—$49.6 billion. By 1968, the defense spending had risen to over $80 billion, primarily as a result of the war. This expenditure of an additional $30 billion—1 out of every 5 tax dollars—has had a devastating effect on our Nation; it has severely weakened our economy, retarded our educational progress, accelerated the deterioration of our cities, frustrated attempts to protect the quality of our environment, and belied the promises to improve the plight of our country's impoverished and destitute citizens.

At the National Governors' Conference last Monday evening, President Nixon addressed himself to the future availability of our resources. He said:

> It is painfully clear that many hard choices will have to be made. . . . There should be no illusion that what some call the "peace and growth dividend" will automatically solve our national problems or release us from the need to establish priorities.

Those words must be taken with utter seriousness by Congress as well as by the administration.

Establishing those priorities must begin by halting the devastation caused to our country by an $80 billion defense budget.

If defense spending remains at the same level, it will have the same disastrous effect on our Nation, regardless of whether the Vietnam war ends or not. Of course there will be no peace dividend if peace in Vietnam is not followed by a reduction of defense expenditures. But if the Congress continues to uncritically ratify pending and future Department of Defense requests, we will likely be deprived of any savings resulting from an end to the war.

The costs of our country's national needs have steadily risen in the past 5 years; it will take billions to make our cities truly livable; an estimated $12–$15 billion will be required in the years ahead to safeguard our air from serious pollution; cleaning our streams, lakes, bays, and rivers will cost more than $25 billion. Yet the resources to meet these needs have been severely reduced by our involvement in Vietnam.

The only plausible choice for the welfare and security of our country is for future defense expenditures to be reduced by sums that approximate the cost of the war. A post-Vietnam defense budget should reflect the fact that expenditures required for Vietnam are no longer necessary. It seems perfectly plausible that such a budget can be reduced by about $20–$25 billion, still accounting for continuing inflation.

But to effect such a budget, it is essential to begin now with a comprehensive review of those weapons systems of potentially great cost and questionable justification. From this point, our critique must turn to the projected contingencies and situations which would require the utilization of our military capability. It is these assumptions which are at the basis of our conventional, general purpose military capability and our manpower level. If our future foreign policy is truly to avoid any more Vietnams, then we should question expenditures which are designed to maintain an interventionist defense posture.

Our committee on military spending intends to examine these issues in the future. We do not have definitive answers to these extremely complex matters; yet we believe that congressional responsibility must focus on the determination of those defense policies which are the bedrock of the future structure of our defense budget.

Let me add that some have criticized current efforts to reduce defense spending on the grounds that we must first review our commitments throughout the world before hampering our ability to keep them. We agree with the urgent need to assess the role we have assumed in the world, calculating its effect on defense spending. But prior to this process, it is entirely possible to make the reductions advocated by pending amendments without in any way hindering our ability to keep our commitments. This is partially why the present recommendations are of a modest character. It should be obvious, for instance, that deferring the construction of the new nuclear attack carrier will in no way inhibit our ability to fulfill the SEATO or NATO commitment in the future.

Defense capabilities are directly related to the capacity of one's adversary. We are all well aware of the Soviets' aggressive efforts to improve their military capability. None of us is advocating any irresponsible course of unilateral disarmament. The steps we propose—as well as those taken by the Armed Services Committee and Secretary Laird—are done out of the conviction that our strategic deterrent must remain secure and our preparedness must match the role and responsibility we choose to assume in our relations with other nations.

A responsible assessment of the Soviet threat must not be done in a vacuum, however. It must always be taken in perspective with our own capabilities.

Secretary Laird, for instance, in announcing his intention to cut $3 billion from the defense budget, stated that the Soviet navy now has 125 naval vessels deployed in the high seas. What was left unsaid was that we have about 313 vessels currently deployed at sea.

The budget submitted to Congress for fiscal year 1970 indicates that since 1961, excluding forces added for Vietnam, our military strength has been augmented by increases of 185 percent in the number of nuclear weapons in the strategic alert force, 140 percent in the total payload capability of all our fighter and attack aircraft, 66 percent in combat-ready divisions, 326 percent in our fleet of nuclear powered ships, and 900 percent in the ability of our helicopters to deploy land forces.

Our defense posture has remained steadfastly superior; our military security is not in jeopardy. But the sinew of our Nation is.

A recent Gallup poll indicated that 52 percent of the population now believe that military spending is too excessive.

The people of our Nation are understanding our plight. They desire new policies. If our democratic system is to prove viable, it must implement the popular will. That requires the Congress to aggressively implement its constitutional responsibility for the policies of our country's defense and the consequent expenditures.

In March, 1950, the late Senator from Ohio, Robert A. Taft, speaking of increased military appropriations, stated:

I do not know how long this program is going to continue. My impression is that we shall have new weapons and new kinds of airplanes, and that we are embarked on expenditures of this kind for ten, fifteen, or twenty years, as one of the generals stated; and if that is so, I think it means an end of progress and the end of the freedom of the people of the United States. . . . We simply cannot keep the country in readiness to fight an all-out war unless we are willing to turn our country into a garrison state and abandon all the ideals of freedom upon which this nation has been erected. It is impossible to have such a thing in this world as absolute security. I think we should appoint a commission to survey military policy of the United States, to sit down with the military authorities and find out what we are trying to do and to determine what is the proper scope of military activity in the United States.

Nearly 20 years have passed since those very prophetic words of Senator Taft. I think Senator Taft's warnings and predictions seem all too true. The destiny of our Nation hinges on our ability to provide for the common defense in a manner allowing us to promote the general welfare, insure domestic tranquillity, secure the blessings of liberty to ourselves and our posterity, establish justice, and form a more perfect Union.

Senator PROXMIRE. Mr. President, will the Senator from Oregon yield?

Mr. HATFIELD. I yield.

Mr. PROXMIRE. I congratulate the Senator on an outstanding, thoughtful, perceptive, and helpful speech. The Senator has been the leader in the Peace Through Law studies, which I think should impress the Senate and the country deeply.

The remarkable thing about his speech and about the recommendations made by the Peace Through Law group is their moderation and thoughtfulness.

I ask the Senator if he would not agree with the observation that the charge that the amendments that have been submitted would make the United States a second-rate power just cannot stand scrutiny; that they would in no way reduce the fundamental military power of the United States. Is that the conviction of the Senator from Oregon?

Mr. HATFIELD. I would say definitely that the intention and purpose of the committee, and of the individuals of the committee, as well as the words that have been put together to phrase our thoughts and express our views, had one thing in mind: to build a stronger America, recognizing as President Eisenhower observed, that the true security of the Nation is founded upon its moral and economic strength as well as its military weapons. It is our concern that there are weakening influences in this country today; there are needs which are going unmet; and that this weakens the Nation, because the Nation is really its people. Therefore, we strove in this effort to strengthen our economy by our objectives, without any intention to weaken oursleves militarily or to create a second-rate power militarily or not to protect our people from outside attack. But we were deeply concerned with the internal needs, and with the need to strengthen our people from within, as well as to protect them from without.

Mr. PROXMIRE. Is it not also true that if these amendments were adopted and if further reductions were made in the military appropriation bill that will come before the Senate, so that if a total cut of $10 billion were made, it would still leave us with a military budget of $70 billion, and that that, even recognizing that we have a great commitment in that budget for Vietnam, would in no way put us in the situation in which we found ourselves after World War I, when we virtually dismantled our military force, or after World War II, when we cut it back to an $11 or $12 billion operation? We still would have the most formidable military force on the face of the earth, based upon anything I have seen or observed. Would that be the conclusion of the Senator from Oregon?

Mr. HATFIELD. That would be the view we shared within the committee. We considered the kind of cut which we justified—$3 or $3.5 billion—to be very conservative. We were interested to note that Secretary Laird's proposal of $3 billion does not seem to conflict with the proposals made by the committee; so, if we put them together, there could be a cut of $6.5 billion.

Others who have talked about increasing the cuts to $10 billion, including those in the defense agencies or others related to it, have indicated their first priority of maintaining America's strength in the world, including our military strength, and not to do anything that would impinge upon our ability to maintain a military leadership role.

Mr. PROXMIRE. The recommendations by Robert Benson, who was a former Department of Defense comptroller, that we cut military appropriations by $9 billion, and the finding of the Congressional Quarterly, based upon interviews with Pentagon experts, that we could cut $10.8 billion from the military budget, recognizing that we still have the Vietnam obligation, were based on opinions of military experts rather than those of persons having no military experience, or persons hostile to our military efforts.

So the Senator's suggestion, it seems to me, is a very modest scalpel applied to the military operation, rather than a sledgehammer or anything that would really decrease our overall military strength in any significant way.

I congratulate the Senator from Oregon on the quality of his efforts.

Mr. HATFIELD. I thank the Senator from Wisconsin.

Mr. EAGLETON. Mr. President, will the Senator from Oregon yield?

Mr. HATFIELD. I yield.

Mr. EAGLETON. I, too, wish to join the Senator from Wisconsin (Mr. PROXMIRE) in complimenting the Senator from Oregon on what I think is a typically judicious, restrained, and measured presentation of this highly complicated, detailed, and complex matter. Having worked with him as a member of the Committee of Members of Congress for Peace Through Law, I am privy to some of the work and the background that went into the preparation of that report.

I, too, wish to emphasize that which he has emphasized in his remarks, namely, the moderate—and I underscore the word "moderate"—nature of the recommendations.

In my view, and I think in the view of others, based on close scrutiny, it was not a bomb-throwing report. It certainly did not call for unilateral disarmament, but rather, it cautiously approached a limited number of areas in which savings could be made.

I ask the Senator from Oregon: Do my words reflect his view of the really cautious approach that was exercised by this committee?

Mr. HATFIELD. That was the way in which we presented our study. As the Senator from Missouri knows, he having served in a distinguished role on this committee, we sat down to begin our discussions as to how we were going to move on the whole subject of analyzing military spending. At that time we perhaps had a far bigger figure at least tucked away in the backs of our minds. Then, as we got into the day-to-day activity of collecting data and discussing the problems and the issue, and getting the statistics together, and when we came out at the end of our report with about $3 billion, we were a little surprised that the figure was so small. All of the study and development of the report represented what we wanted to do: to prepare a report which was authentic, accurate enough to be defended thoroughly, and moderate enough not to scare people into thinking that we were a group of left-wing radicals which was going to dismantle the military or attack the Military Establishment in some way. We wished to establish a responsible and completely justified posture from the data and the recommendations, and from all of our procedures involved in the report.

This military spending report is the result of our work. I think it surprised everyone. At the press conference, the press kept repeating that the total figure did not seem very significant, after all the time and effort spent; but we emphasized that it was a moderate, conservative figure. I think that is the character of the report. As the Senator from Missouri stated, it is not a bomb threat or a radical kind of report, attempting to demolish the adversary, particularly when the adversary is our own Military Establishment. That is not the proposal at all.

Mr. EAGLETON. I was not in the Chamber at the outset of the Senator's prepared speech, and so have not had a chance to review the earlier portions of it, but did he state early in his remarks, or has he extemporaneously explained, the nature or manner in which this report was prepared; that is, by individual

Members of the House of Representatives and individual Senators each assuming a certain topic, a certain project, a certain item, and that the Member or Senator and his staff, as thoroughly as possible, prepared materials on that one item, and that then the material was correlated into one final report?

The point I am trying to make, and I think it is important, is that I, for example, as a member of that committee, and I think the Senator from Oregon as chairman thereof, did not look upon the MCPL report as the Magna Charta or the last word or the penultimate document on military preparedness.

Perhaps, as in the case of any report prepared under such collective circumstances, it will prove to have some typographical errors and some statistical inaccuracies, and for those we are apologetic. If there are a few errors in it, as I trust there are, we shall be glad to have them pointed out to us and the record set straight; but in a preparation of a report of this kind, I trust the Senator from Oregon knows better than anyone that it would be impossible to have it so completely polished as to be absolutely perfect. Does the Senator agree?

Mr. HATFIELD. Yes, but I would state further that the figures used were from authoritative sources. We had full cooperation from the various divisions of the Pentagon and our military organizations, who furnished statistics and data to us. There was no intent to manufacture data or statistics to prove a point that we wanted to prove before reaching conclusions. We went about it in such a way as to develop data and statistics from authoritative sources and from what expertise we could obtain in each field.

The Senator from Missouri headed the study of the MBT–70. He knows from his own experience the number of hours he spent and the kind of sources he tapped to get the data and material. He knows that we had the fullest cooperation from our military people as well as from other agencies of the Government; and that our effort was to supplement the activity of the Armed Services Committee, not to compete with it. We certainly did not try to prove that it had not been alert to its responsibilities, or to impinge upon its legal status as a standing committee. We were purely an ad hoc committee that submitted an independent report on what we felt would be helpful to all Members of Congress.

Mr. EAGLETON. This will be my final question, if I may ask it, since the Senator from Oregon has brought up the MBT–70, though not to rerun that matter, which took several hours on one day. Would the Senator from Oregon be interested in hearing my rebuttal on that one item, as an illustrative example, in brief form, to the rebuttal, as placed in the RECORD on August 11, of the distinguished Senator from Arizona (Mr. GOLDWATER)? I observe that the Senator from Arizona is present, and thus will have an ample opportunity to re-rebut, if that be necessary.

Would the Senator deem that to be appropriate, so far as tying up the loose ends with respect to this one item is concerned, for example?

As stated, the Senator from Arizona entered a rebuttal of the MCPL report on August 11. I limit myself to that one portion of his rebuttal with respect to the MB–70 tanks, because my staff and I authored that portion of the MCPL report.

The rebuttal of the Senator from Arizona stated:

> The issue that is raised really is whether we should have any tanks at all.

I responded to that by saying that the way the Senator from Arizona has put it, it is not the central issue. The tank may remain a useful weapon for some time to come, but in view of changes in modern warfare, the real question is whether we need a new supertank at a greatly increased cost. I believe that was made perfectly clear in the almost 4 hours of debate.

The rebuttal plays with semantics when it cryptically states:

> They (the Russians) are now re-equiping their armored units with the T–62, a tank of much later design than our present M60A1.

I think the record unquestionably shows that the T–62 is not superior to the M–60A1. In fact, ask most tankers which tank they would rather have.

As to the figures given in the report, they are only as good as the figures available. The $43.3 million figure was supplied by the Pentagon in an interview and the $24.5 million was supplied by the Armed Services Committee. I might add that the $25.4 or $24.5 is not a line item, but rather is a part of a broad lump category labeled "production-based support."

The rebuttal of the Senator from Arizona is correct in citing the figure of $277 million for U.S. research and development costs alone. That was a misprint, and I apologize.

I think, however, that the last paragraph of the rebuttal summarizes the problems in rationally evaluating and discussing the procurement of weapons systems. It states:

> There is every prospect that if no monkey wrenches are thrown in the works, that the United States will succeed in putting in the field, for use by its troops anywhere in the world, a tank that is far superior to any tank ever seen before.

That is fine—but it does not answer the main question. Is the MBT–70 really needed and can the cost be justified?

To me, that is the so-called $64 question. I do not think, with all due respect, that the rebuttal of the Senator from Arizona answers that question to my satisfaction.

Mr. CASE. Mr. President, I second everything that has been said by the Senator. Beyond commending the Senator from Oregon for his leadership in this effort, I point out, again seconding what has been said, that the moderate tone of the report and of the presentations, I think, greatly strengthens their persuasiveness and lead. If I might say so, to a much more useful debate than often occurs on matters of this kind.

In this connection, the responses of the Senator from Mississippi, the chairman of the committee, and the Senator from Arizona, an active member on our side of the aisle in opposition to some of the suggestions we have been making, but not to all of them, have been in the same vein, and the quiet and considerate effort that has been made by all who have participated actively in this debate will, in my judgment, lead to the right decisions being made on the Senate floor for our country as a whole.

It is a privilege for the Senator from New Jersey to be associated with those who, like the Senator from Oregon, are proponents of all or the major portion of the amendments and with those who, like the Senator from Arizona, are in opposition.

Mr. HART. Mr. President, will the Senator yield?

Mr. HATFIELD. I yield the floor.

Mr. GOLDWATER obtained the floor.

Mr. HART. Mr. President, I would like the Senator from Oregon to yield to me for a moment.

The PRESIDING OFFICER. The Senator from Arizona has the floor.

Mr. GOLDWATER. Mr. President, I yield to the Senator from Michigan for a question.

Mr. HART. Mr. President, I thank the Senator from Arizona for yielding. I shall be brief.

I commend the able Senator from Oregon for what I think is a thoughtful discussion, and, in my book, a carefully balanced one. I feel that the organization of the ad hoc committee of the Members of the Senate and House operating under the title of "Members of Congress for Peace Through Law" is a constructive and a wise effort.

I hope that our studies and recommendations presented in this case in the form of amendments will be adopted. Certainly, we were sincere in our efforts.

The one thing that I feel the Senator from Oregon has been most helpful in doing is to remind us again that in doing this we are doing what the Constitution charges us with doing. We are not blindly attacking the Pentagon. The military is an honorable career. I hope that it is always regarded by all of us as an honorable career.

The duty of Members of Congress includes responding to section 8 of article I of the Constitution. We are clearly told in this section that we have the obligation of raising money. We have the obligation to pay the debts. And we have the obligation to provide for the common defense and general welfare of the United States. We have the obligation to pay the bills for what we undertake to do on behalf of the United States. That is our job. And in reviewing in detail the requests of the Pentagon and in seeking to balance what they claim is essential for the national defense against the equally developed claim that we respond to the general welfare of the United States, we are doing what we should do.

That is true whether we support the expenditure of every nickel of the authorized request or whether we find ourselves in support of only half the amendments as we seek to reduce the amount. We share a common obligation. And though we are divided on a particular proposal, we are acting in response to the charge laid on us by the Constitution. For the first time in the brief time I have been a Member of the Senate, I think we are doing a more effective job. We are responding more fully to our duty.

I want to conclude not just because

the Senator from Arizona was the one who yielded the time to me, but because I believe it, by saying that the Armed Services Committee of the Senate should find all of us in its debt. The efforts made by the members of that committee to insure that we do have available the information on which prudent judgments can be made have been excellent. I only regret that it may sound out of the mouths of those of us who offer amendments to revise downward the recommendations of that committee that we are critical. We are not. We are appreciative. We, at least in some part, have an awareness that we never had before of the enormous difficulty that is presented to that committee as it seeks to balance the competing claims for our wealth. I do not want to be identified as one who is other than appreciative of the efforts of the Armed Services Committee.

I thank the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I thank the Senator from Michigan for his kind remarks.

Before I begin what I rose to address myself to, I should like to congratulate the Senator from Oregon for a well prepared and well presented speech. I look forward to the replies to my criticisms, and I, in turn, will go over those together with several things in the paper he has presented today and will supply additional ones. I hope we do not end in a long debate by long distance by doing this, but I think the Senator has provided some good food for thought.

Mr. HATFIELD. Mr. President, will the Senator from Arizona yield for a final remark?

Mr. GOLDWATER. I yield.

Mr. HATFIELD. In closing, I submit as exhibit 1 the Military Spending Report of the Members of Congress for Peace Through Law; the rebuttal submitted by the distinguished Senator from Arizona; and comments on the rebuttal prepared by MCPL members.

EXHIBIT 1

REPORT ON MILITARY SPENDING

(By the Members of Congress for Peace Through Law, Committee on Military Spending, July 2, 1969)

PREFACE

Intensified public and Congressional concern over the level and impact of defense expenditures, which account for 80 percent of relatively controllable federal outlays, has become manifest in recent months. In conferences and committee hearings, Members of Congress and private citizens have questioned the dominance of defense spending in relation to our national priorities. There is widespread consensus on the need for more comprehensive scrutiny of the defense budget by both Congress and the executive branch. Various proposals which merit thorough consideration have been advanced to facilitate such review of military expenditures.

As members of the Military Spending Committee of Members of Congress for Peace Through Law, we have cooperated during the past two months in a study of various aspects of defense expenditures. It is our conviction that such a bipartisan cooperative effort can substantially improve Congressional knowledge and judgment in this area.

Our examination of the utility and necessity of requested defense funding has been based upon a high regard for fiscal responsibility and upon a deep interest in the proper allocation of our nation's resources. We have concluded that significant reductions can be made without in any way jeopardizing our national security. While we may not be in complete agreement on all points in the discussion, we are unanimous in our recommendations for adjustments in defense programs and for cuts in the FY 1970 DOD budget.

The budget reductions advocated in this report total approximately $3 billion for FY 1970. Implicit in these cuts are five year cumulative savings of from $15 to $30 billion, exclusive of savings from troop reductions, and up to $100 billion if the Vietnam war is terminated and the recommended troop reductions are implemented.

Our recommended cuts represent a very small fraction of the $80 billion defense budget. These modest recommendations reflect the limited nature of the study which included only topics the committee believed it could examine with competency in the available time. We do not suggest that these are the only cuts which can be made. The committee recognizes that other studies on military spending have been conducted, and recommends that those findings be given careful consideration. We believe that many additional proposed expenditures should be carefully scrutinized. More extensive study is likely to demonstrate that substantially greater cuts are consistent with the national security.

It should be emphasized that we have urged retrenchment of research and development in only very few cases. The principal cause of excessive spending is not the effort to maintain our technological superiority. It is the United States tendency, impelled by military and industrial pressures, toward excessive and improvident policies for procurement, deployment and force levels. In fact, since defense spending to procure and deploy unneeded weapons today reduces the amount of federal money available for basic research and scientific education, our excessive defense budget may well pose a threat to our future technological position and thus to our national security.

In judging an expenditure unnecessary, we have concluded that some or all of the following considerations hold true in each case: (1) it is directed against a very remote and unlikely contingency; (2) it is for a system which is unlikely to perform according to specifications; (3) there are less costly means of achieving the same end; and (4) the utility of the system is insufficient—in light of present strategic and international conditions—to justify the cost.

While the cuts recommended here are justified primarily in this manner, it is also vital to recognize that implicit in our recommendations is a more general criticism of our high level of military spending. An overly ambitious view of our global responsibilities has contributed to the present imbalance in our federal budget. Continuing study of military spending should include realistic assessment of our role in the world community.

To demonstrate the feasibility of substantially greater reductions will require a much larger effort. Such an expanded inquiry would investigate other questionable but more complex areas of defense spending and would consider changes in the assumptions underlying our present general purpose force levels (e.g., troops, tactical aircraft, aircraft carriers, transport, etc.). These levels imply a requirement that the United States be able to wage simultaneous major wars in Asia and Europe and a minor war elsewhere. Since the major part of DOD expenditures is for support of conventional forces, greater budget cuts could be achieved by changing the primary assumptions upon which force levels are based.

This study, then, is only an introductory effort. We believe that the recommended adjustment should be made to the current DoD budget for FY 1970. It is also our conviction that continuing study of military spending is essential. Toward these ends, we invite the consideration and support of other Members of Congress.

Senator Mark O Hatfield, Chairman, MCPL Military Spending Committee.
Senator Thomas F. Eagleton.
Senator Charles E. Goodell.
Senator Charles McC. Mathias, Jr.
Senator George McGovern.
Congressman Brock Adams.
Congressman George E. Brown, Jr.
Congressman Jeffrey Cohelan.
Congressman John Conyers, Jr.
Congressman Donald M. Fraser.
Congressman Gilbert Gude.
Congressman Richard D. McCarthy.
Congressman Abner J. Mikva.
Congressman F. Bradford Morse.
Congressman Henry S. Reuss.

[From the CONGRESSIONAL RECORD, Aug. 11, 1969]

MILITARY SPENDING

Mr. GOLDWATER. Mr. President, on July 2, 1969, a report entitled "Report on Military Spending," prepared by Members of Congress for Peace through Law Committee on Military Spending, was put into the hands of the Members of the Senate. Because a number of our most distinguished Members are also members of this committee, I approached the Senator from Oregon (Mr. HATFIELD), who is the chairman of this particular committee, telling him that I had found in the publication statements that I considered to be inaccurate. I suggested that at some time when we could obtain the floor, I would go through them, item by item, and he could respond as he desired. With recess only 2 days away, and, having failed rather miserably to obtain the floor during the protracted and prolonged discussion on the ABM, the tank, and other matters, and, wanting to get these corrections in the RECORD before the recess, I am taking this means of introducing them, together with this introductory statement.

I would want to make it abundantly clear at the outset that I find no fault with any group assembling themselves for the purpose of studying expenditures in the military field, or any field, and I sincerely hope that when we get into the vast and seemingly uncontrolled expenditures of Health, Education and Welfare, Agriculture, and other bureaus, committees will be formed to investigate that spending thoroughly.

The areas of this report that I feel to be inconsistent with facts are in the fields of AMSA, the F–14 program, the main battle tank M–70, on which we have already concluded action on the floor, continental air defense, attack aircraft carriers, and, of course, Safeguard ABM which we have already disposed of. There are other rather minor areas, but because we will not be going into these during the discussion of the bill now before us, I will do away with any comments on them.

I ask unanimous consent that the papers which I have had prepared answering these discrepancies be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

(NOTE.—Following the sections on AMSA (Section I) Continental Air Defense (Section II), Attack Aircraft Carriers (Section IV), the F–14 (Section V), and the Main Battle Tank (Section VI) we have inserted the appropriate section from Senator Goldwater's August 11, 1969 submission. Our comments on Senator Goldwater's paper follow the AMSA and F–14 sections. The body of the speech addresses the criticism of our aircraft carrier paper. Following Section IX we have inserted the concluding paragraphs of Senator Goldwater's submission. Senator Eagleton's response to Senator Goldwater's submission on the MBT–70 appears in the remarks made during the colloque following Senator Hatfield's speech.)

[Continuation of the "Report on Military Spending"]

MANNED ORBITING LABORATORY

Study of the Manned Orbiting Laboratory had been included as part of this project until June 10, 1969, when the Department of Defense announced termination of the MOL program. According to Deputy Secretary of Defense, David Packard, "The primary factors in the decision to cancel the MOL project included (1) the continuing urgency of reducing federal defense spending and (2) advances in automated techniques for unmanned satellite systems."

ADVANCED MANNED STRATEGIC AIRCRAFT (AMSA)

Summary

AMSA is the proposed strategic bomber replacement for the B–52, which has been out of production since 1962, and for the new FB–111, which is regarded by Air Force spokesman as only an interim solution to the bomber problem. It is expected to have a top speed of Mach 2.5 and a range of 6,100 nautical miles with one refueling. It would weigh 370,000 to 380,000 pounds and would carry a payload of approximately 50,000 pounds including both bombs and nuclear-tipped air-to-ground missiles. It would be capable of supersonic flight at both high and low altitudes. Of the three mission profiles formulated as a common base for contract design submission, the one most remote from the capabilities of the B–52 and of those once planned for the B–70 has the bomb run beginning at 1666 nautical miles from target at 200 feet and a speed of Mach 0.85.

The number planned for order is 263, at per unit costs estimated by the Air Force at between $20 and $30 million, plus a total of $2 billion for research and development. Senator Proxmire has received estimates as high as $80 million per plane, so the possible cost range runs from $8 to $23 billion for the total program. To date about $140 million has been spent. Former DoD Secretary Clifford recommended a fiscal 1970 increase of about $56 million over fiscal 1969 to advance the long lead time avionics and propulsion systems, and Secretary Laird added another $23 million to shorten the competitive design phase and begin full scale engineering development, aimed at advancing the initial operational capability by one year, to 1977. Thus the total now planned for 1970 is $100.2 million.

Recommendations

Because of the lack of a demonstrated need for a new manned bomber, funding for AMSA should be reduced to $20 million in fiscal 1970, a level approximating amounts spent in prior years. This would result in savings of $80 million in fiscal 1970. If deployment is not subsequently undertaken, savings of $2 to $3 billion would be realized in fiscal 1971 through 1975. Essentially this recommendation means that development of AMSA should proceed slowly while the alternatives outlined in this paper are being examined.

Rationale and discussion

A. The Case for AMSA

The Air Force has been pressing for a new strategic aircraft throughout the 1960's, particularly since Secretary McNamara's decision against production of the B–70, a high altitude Mach 3 bomber upon which $1.5 billion in development funds were spent prior to its abandonment. Basic arguments advanced in support of maintaining a substantial bomber forces are: (1) the U.S. arsenal must contain a "mixed force" consisting of both bombers and missiles in order to insure against missile unreliability or improvements in Soviet missile defense systems; (2) bombers are more flexible than missiles; (3) bomber forces require the enemy to mix his defense efforts, thereby complicating his damage limitation problem and requiring him to divert resources from ABM programs; and (4) bombers have a useful role in conventional warfare situations whereas missiles do not, as exemplified by the use of B–52s in Vietnam. It is then asserted that a new bomber, AMSA, is required because the B–52 fleet is aging and because it is likely to become increasingly vulnerable to bomber defenses.

B. The Case Against a New Bomber

1. The strategic role of bombers is for the most part being fulfilled by other weapons which are more cost-effective.

Prior to development of long range ballistic missiles a progression of bombers—the B–36, the B–47 and finally the B–52—had the burden of deterring attack upon the United States. The country had to have a bomber force large enough and with a high enough probability of penetration to assure any attacker that he would be destroyed in return.

The deployment of large numbers of intercontinental and sea based ballistic missiles has automatically placed bombers in a secondary strategic role. For most purposes the debate over the relative merits of manned aircraft versus unmanned missiles has been clearly won by the latter. Their deployment in hardened silos and under the sea gives them an extremely high capability of surviving a first strike and remaining available for retaliation. Their speed allows a quick reaction and, particularly with the development of penetration aids, makes effective defense an enormously complex problem. Obviously no sane adversary would decide to strike the United States, inviting quick and complete destruction in return from our missiles, simply because we could not obliterate him with bombers as well.

The cost-effectiveness case was summed up in a 1966 analysis presented by then Defense Secretary McNamara, which compared missiles with bombers for purposes of insuring the country's assured destruction capability. He pointed out that even if there were any meaningful interference with our missile forces, increases in their numbers would be less costly than acquiring additional B–52s with gravity bombs, up to the point where the expected missile attrition rate exceeds 50 percent of those deployed. Moreover, this study was based on a relatively low-cost bomber alternative. Missile effectiveness would have had to fall below 30 percent before the FB–111/SRAM aircraft would have been economically justified for insurance purposes. Since AMSA's costs are expected to exceed those of either the B–52 or the FB–111 the ratio of missile effectiveness would presumably have to be lower still before the new aircraft would be worthwhile. On the other side of the equation, it is significant that Secretary McNamara's calculation was based on single-warhead ICBMs and SLBN's; MIRV-equipped missiles, if their deployment on both sides cannot be prevented by arms control agreements designed to avoid the need for any new insurance forces, would no doubt further increase the cost-effectiveness of missiles over bombers.

There is no indication that our missile force will ever become so unreliable that insurance with bombers will emerge as an attractive alternative. Neither has there been any suggestion that bombers might once again be called upon to carry the main burden of deterrence. Hence, the case for any bomber must rest on the question of whether the proposed expenditure is warranted by AMSA's utility in a secondary role, carrying out missions which missiles cannot fulfill.

2. The so-called flexibility of bombers is largely illusory.

It is suggested that in the context of real or threatened nuclear conflict bombers can do essentially three things that missiles cannot.

First, they can be airborne and still out of range of enemy defenses prior to an actual decision to attack or counterattack. Whereas the choice with missiles is to fire or not to fire, the bomber offers a range of options; it can go part way and hold, or go part way and turn around.

It is, however, quite difficult to imagine a setting in which this ability would be particularly useful. One probable role of bombers, for example, would have them in the air as a "show of force" in order to warn an enemy without attacking him. Yet it seems doubtful that bombers, slower and less capable than missiles of actually getting through to their targets, can frighten an enemy more than the mere existence of massive ICBM and SLBM forces capable of striking targets within minutes. For purposes of both deterrence and retaliation, the important ability is not to be in the air but to reach an assigned target.

Second, it is suggested that bombers can be retargeted after launch. If a need for retargeting were to arise, however, the question of relative speed would be of decisive importance. At some point in a strategic mission a bomber must be committed. After that point it can no longer receive retargeting orders; it is out of communication. Because of its much greater speed, an ICBM or SLBM could be retargeted before launch but, in terms of time, after the latest point at which a bomber's mission could be changed, and could still reach the new target before the bomber. The existing U.S. missile force contains substantial reserves for this purpose.

Third, the bomber can carry out missions of armed reconnaissance. It is suggested that this capability would be useful for the purpose of damage limitation, after a nuclear exchange in which hard targets were attacked first and weapons were reserved for later attacks upon population and industry. Bombers would cruise over enemy territory seeking to destroy remaining missiles before they could be launched.

The occurrence of such a scenario is extremely improbable, because if the Soviet Union believed after such an exchange that the United States could attack its remaining forces on the ground it would probably launch those forces before they could be hit. The concept of limited nuclear war has few adherents, and the development of hard target capability helps assure that nuclear war, if it comes, will be total. Moreover, it is questionable whether a bomber would be able to determine which Soviet missile silos were empty and, even if it could, whether this would be the most cost-effective means of attacking withheld missiles.

In most cases, therefore, the flexibility of bombers has little practical meaning. To a large degree it is a counterpart of a characteristic in which bombers compare unfavorably with missiles—the fact that they are slower, which means that the decision to launch must be made sooner.

As outlined more fully below, it must also be noted that if capabilities along these lines are desirable, they are already possessed in substantial measure by existing aircraft.

3. Existing aircraft require the enemy to mix his defenses as much as would be the case if AMSA were added.

One should not assume that the choice is between AMSA and no substantial strategic bomber force, as is implied in many arguments advanced in support of the program. On the contrary, it is entirely possible to accept the continuing utility of intercontinental strategic bombers while still rejecting AMSA as too costly in terms of its contributions to the capabilities of the U.S. bomber force. AMSA has, in fact, been described as a combination of the payload and range capabilities of the B–52 and the speed and versatility of the FB–111.

Our four squadrons of FB–111s will have an estimated speed of Mach 2.2 and a range capable of reaching at least 70 percent of the Strategic Air Command's targets. According to testimony by Secretary McNamara, its

range exceeds that of the B–52C–Fs, which is 6000 miles. It is equipped to fly at low levels at high speeds, thus possessing the basic new capabilities represented as most important in AMSA. The 255 B–52Gs and Hs currently in service, meanwhile, have ranges in excess of 10,000 nautical miles, can fly at altitudes in the 60,000 foot range, and can deliver large payloads. The combination of the two can do most of what AMSA would do.

The number of FB–111s to be purchased, reduced from the 14 combat squadrons planned in 1968, could not strike simultaneously at all targets the aircraft is capable of reaching. Nor is it suggested that all B–52s would reach their targets. But the goal of requiring the enemy to mix his defenses does not require large numbers. Since they will not know the targets to be hit by the FB–111, they will have to at least defend all those it is capable of reaching.

Any nation bent on neutralizing our strategic air forces must therefore develop air defenses capable of countering AMSA regardless of whether or not it is built.

4. Changing mission and penetration aids further enhance utility of existing strategic bombers.

Because existing and future air defenses are likely to be concentrated around target areas, missile launching or "stand-off" activity, as opposed to gravity bombing, is emerging as a primary mission of strategic aircraft. The Hound Dog missile carried by B–52Gs and Hs, with a 600 mile range, a Mach 2.0 cruising speed and a four-megaton warhead, exemplifies this phenomenon. The small, lightweight SRAM (short-range attack missile) is expected to follow, although it is currently experiencing development difficulties SRAM could be fired some 100 miles from target beyond enemy bomber defenses, and its small size and low weight would allow saturation with large numbers. It can be carried by both the B–52 and the FB–111. This role reduces the need for the low level-high speed flight capabilities of AMSA, and makes the alternative of relying on B–52s and FB–111s even more attractive. Their adequacy is enhanced still further by the development of the Subsonic Cruise Armed Decoy (SCAD), a nuclear-armed pilotless aircraft carrying a radar reflective mechanism to make it look like a large bomber on enemy radar screens. Along with other electronic countermeasures, it can substantially increase the ability of existing aircraft to penetrate Soviet defenses.

5. Conventional warfare roles of bombers do not require elaborate, high performance aircraft.

One aspect of the flexibility attributed to AMSA is the fact that it can react to threats which do not call for a nuclear response. The operation of B–52s in Vietnam is cited as clear evidence that the day of conventional bombing is not over.

It is first clear, however, that bombing targets such as those in Vietnam, without sophisticated air defenses, does not require the costly high performance capabilities which AMSA would have. American forces have dropped a total of 1 million tons of bombs during the Vietnam conflict without losing a single B–52 as a result of enemy action. It has obviously performed no less effectively than would a much more advanced aircraft. Even its forerunners long since retired would probably have been as qualified for such missions.

On the other hand, conventional bombing against sophisticated adversaries will require aircraft of much higher performance than a plane designed primarily for strategic missions can achieve. Whatever feasibility strategic bombers have against advanced defenses is due to the tremendous nuclear destructive power they can carry. With conventional bombs the probable loss rates would be intolerable because the damage done to targets would be slight in comparison to the costs. In the future we can expect that the performance of aircraft designed primarily for long-distance missions will continue to compare unfavorably with the capabilities of defensive interceptors and surface to air missiles, requiring that whatever conventional bombing is done be carried out by tactical aircraft.

6. The B–52 age problem can be solved through steps much more simple and much less expensive than AMSA.

A recent issue of Aerospace Technology quotes DOD officials as saying that the B–52 age question is not so much when the airplane will wear out as it is whether it will remain operationally suitable and capable of operating in the right speed and altitude regimes—a subject to which the bulk of this paper has been addressed.

There have also been expressions of concern about the physical age of the existing fleet. The last was produced at Boeing's Wichita plant in October of 1962, and the Air Force does not believe that the G and H models presently in the force will last beyond the late 1970's.

The huge investment proposed for AMSA is, however, obviously not justified if it is to be made solely for the purpose of having physically newer aircraft. It would be worthwhile, instead, to consider further modifications of B–52's to extend their operational lifetime, a process that could be carried out at a tiny fraction of AMSA's cost. Depending on their scope, continuing modifications of the B–52 could extend its life well into and perhaps beyond the operational time frame envisioned for the new aircraft. Another approach, also less costly than AMSA, would be to reopen B–52 production lines. The 1962 purchase involved costs of about $10 million per aircraft, and current-dollar estimates would still be substantially under the Air Force's most optimistic projections for AMSA.

[From the CONGRESSIONAL RECORD, Aug. 11, 1969]

COMMENTS ON DISCUSSION OF AMSA IN THE REPORT ON MILITARY SPENDING

SUMMARY

"The number planned for order is 263, at per unit costs estimated by the Air Force at between $20 and $30 million, plus a total of $2 billion for research and development. Senator Proxmire has received estimates as high as $80 million per plane. . . ."

The number planned for order is not 263. We have made no commitment, nor do we now have any plans to buy a specific force size of AMSA airplanes. How many aircraft will actually be procured will be based on future information regarding the threat, costs, etc. The Air Force estimates the production, airplanes (including initial spares, tech data, and support equipment) will cost about $25M to $30M when bought in quantities in excess of 200 airplanes. Sen. Proxmire's figure of $80M unit cost is not substantiated by any estimates made by DOD or knowledgeable civilian companies.

RECOMMENDATIONS

"Because of the lack of a demonstrated need for a new manned bomber, funding for AMSA should be reduced to $20 million in fiscal 1970, a level approximating amounts spent in prior years. . . ."

For obvious reasons, the demonstration of need must consist of evaluation of the enemy threat and U.S. capabilities and judgments arising therefrom rather than a tangible demonstration. To the extent that such an approach permits, the DOD has demonstrated the need to undertake the development of a new bomber. To conclude that there is no need now to start development of an advanced bomber, one would have to believe the following: (1) The Soviets will cease to improve their air defenses, thereby making our present penetration aids sufficient, (2) The Soviets will not degrade through offensive or defensive action our missile capability. (3) We will not want to use a bomber in conventional conflicts where the enemy has deployed air defenses. (4) It will be economical to prolong the operational and structural life of the B–52 into the 1980's.

All indications today oppose acceptance of the foregoing points. The most significant area of uncertainty is not in the need to start development, but in the number of bombers that may eventually be needed. Fortunately, this latter decision need not and should not be made now.

A level of expenditure of $20M per year will not reduce the development lead time of this system. If we maintain this expenditure level until the need becomes reality (i.e., a discovered ineffectiveness in our strategic forces) we will still be about 8 years away from having the system in operationally significant numbers. In that case we would have two alternatives: (1) Attempt to adapt "off-the-shelf" systems to fill the gap or (2) Accept the added risk that our reduced effectiveness will continue to deter.

RATIONALE AND DISCUSSION

A. The case for AMSA

"The Air Force has been pressing for a new strategic aircraft throughout the 1960's, particularly since Secretary McNamara's decision against production of the B–70. . . ."

The Air Force has actually been examining replacements for the B–52 since 1956. WS–125A (the nuclear powered bomber) and WS–110A (later the B–70) were active then. In 1959, an argument voiced against WS–125A was that its low level speed of Mach 0.9 would not be militarily useful in the 1970s. Likewise, one of the reasons for cancelling the B–70 was its alleged inability to penetrate effectively at Mach 3.0 at high altitude. In spite of this, it is now argued by bomber opponents that the B–52 which flies at Mach 0.55 at low altitude and Mach 0.8 at high altitude will be adequate for the foreseeable future.

We believe modernization of our forces is essential if strategic forces are to portray a credible deterrent to an enemy who continues to devote a large portion of his total resources in both offensive and defensive weapons systems.

Initiation of the development of the AMSA at this time will place us in a better position to modernize our aging bomber forces in order to maintain our deterrent posture.

If the AMSA were started in FY 1970 the *earliest* date that we would have operationally significant numbers in the inventory would be FY 1977. At that time the newest B–52 would be 14 years old.

B. The case against a new bomber

"The strategic role of bombers is for the most part being fulfilled by other weapons which are more cost effective."

It is important to maintain a deterrent posture with a mixture of all three elements of our strategic force—bombers, land based missiles and sea based missiles.

In general, we are not trading off bombers versus missiles to arrive at a single system for our strategic deterrent. To do so is a high risk approach allowing an enemy to focus his resources against that system.

The forces are considered to complement each other in providing us with both an effective deterrent force and a war fighting capability across a broad range of possible conflict situations.

While the pre-launch survivability of missiles appears to be high today, the absence of a bomber in our forces would allow the enemy to concentrate his efforts on attaining good missile accuracy and effective Anti Submarine Warfare (ASW). There is no reason to think that he isn't working hard on these

items at present. If successful, and without bombers, the U.S. deterrence would be severely weakened.

To say without qualification that AMSA costs are higher than B–52 and FB–111 costs is misleading. On a single aircraft basis the proposed AMSA is calculated to be several times more effective than the B–52 and would be even more effective relative to the FB–111. In other words, a much smaller AMSA force could do the same job as a larger force of B–52's and/or FB–111's. AMSA development and investment costs would be amortized about 8–10 years after deployment of the first wing. Beyond that, the operating and maintenance (O&M) costs of the smaller equal effectiveness ASMA force would be less.

The statement that MIRV increases the relative cost-effectiveness of missiles over bombers is valid only if the enemy does not also employ MIRV. If the enemy is given credit for a reasonable accurate MIRV he can substantially reduce the pre-launch survivability of U.S. land based missiles or cause increased expenditures to harden them, thereby reducing their cost-effectiveness.

Bombers and missiles are not considered nor proposed as alternative to one another. While it is true that we should not allow our missiles to become unreliable, neither should we permit our bombers to become so. If the enemy is even partially successfull in his efforts to offensively or defensively counter our missiles, it would very well be more cost-effective for us to place more reliance on bombers. Just because the reverse is true today is not adequate reason for stating it will always be so. In view of this, the case for the bomber rests on the fact that because of the great differences between missiles and bombers, the two types of systems complement each other. It should be noted that if the enemy believed bombers were not effective he would not be significantly improving his air defenses.

"The so-called flexibility of bombers is largely illusory."

The rationale expressed presupposes that the enemy has a counter to bombers and no counter to missiles. We should not base our future deterrence on such an assumption. We should insure, to the best of our ability, that he cannot effectively counter either weapon system. In attempting to evaluate the best way to convey our intentions to an enemy during a time of crisis there are probably as many opinions as there are "experts". Certainly, however, visible preparation for combat has proven to be effective. In past crises we have, at various times, called up reserves, deployed naval, air and ground forces, generated our bombers, and in the Cuban crisis, placed a significant number of bombers in the air. Why did we do these things if the "show of force" concept is not valid?

With satellite communications a bomber weapon can be retargeted or withheld up to the point of weapon release which may not be only seconds away from detonation.

It is implied that we need only a capability to hit soft targets, i.e., urban-industrial complexes. This is synonomous with the "deterrent only" concept which ignores the question of war outcome if deterrence should fail. This concept, if adhered to, simultaneously increases the risk of the failure of our deterrent by prejudging that the enemy leader will never accept the loss of a certain percent of his population in order to attain his goal of world domination.

The conclusion that bomber flexibility has "little practical meaning", is based on a narrow understanding of what is meant by flexibility. By way of illustration, the B–29 in its lifetime was used for delivering high explosives, nuclear weapons, fire bombs, aerial mines, and psychological warfare materials. It attacked cities, industry, troops, airfields and bridges. It was used for weather and protographic reconnaissance Such utility, while not readily amenable to cost-effectiveness analyses, is real none-the-less, and is not possessed by ballistic missile. The manned aircraft still remains the most versatile system yet devised for delivering munitions. The fact that the aircraft has long range and carries large payloads does not negate this truism.

"Existing aircraft require the enemy to mix his defenses as much as would be the case if AMSE were added."

To mention in the same sentence the FB–111 speed of Mach 2.2 and range to reach 70% of the targets leaves the impression that it can do both simultaneously. The fact is that the supersonic range of the FB–111 is much less than the AMSA supersonic range and would not complicate the enemies defense problem against supersonic penetration nearly as much. What is not mentioned is that it is entirely within the enemy capability to reduce FB–111 target coverage by a factor of 4 or to force the FB–111 to slow down to B–52 speeds to maintain 70% coverage.

Although the data given for the B–52G&H is essentially correct, it fails to mention that the B–52 maximum low-level speed is less than ⅔ that of the AMSA's low-level cruise speed and that the B–52 radar signature is on the order of 100 times that estimated for the AMSA.

The technique used here is to argue that the combination of good points of two different systems results in the same effectiveness as a single system having all the same attributes. This is fallacious for the simple reason that the FB–111 and the B–52 both have certain shortcomings which AMSA would not have and which can be exploited by the enemy to degrade individual effectiveness of the FB–111 and B–52. The high speed of the FB–111 does not reduce the vulnerability of the slower, larger radar signature B–52 nor does the long range and large payload of the B–52 permit the FB–111 to attack deep targets at high speed while carrying adequate penetration aids against advanced defenses.

The conclusion is false for the reasons stated above, AMSA does, in fact, combine the best features of the FB–111 and B–52, but equally important, it avoids the shortcomings of both. Such a system obviously imposes a greater strain on defenses than the FB–111/B–52 combination.

"Changing mission and penetration aids further enhance utility of existing strategic bombers."

It is agreed that new penetration aids will enhance the effectiveness of existing bombers. However, as defenses improve, a greater portion of the effective payload must be devoted to such aids. The AMSA with its higher speed would be exposed to the defenses for a shorter time; for a given level of protection its EMC requirements are less than the B–52 because of smaller radar signature; its lower penetration altitude reduces detectability by ground radars; and its greater payload capability means more targets killed per aircraft for any given level of defense.

The latest model B–52 "H" model, represents about the maximum growth attainable within the constraints of the basic B–52 design. While we would be able to use new weapons or penetration aids on the aircraft against an improving threat, we have reached the point where a sounder investment is to acquire a new bomber rather than to keep modifying the old. Additionally, certain improvements such as to provide for B–52 self-sufficiency for wide dispersal to improve pre-launch survivability involve large costs and excessive fleet downtime.

"Conventional warfare roles of bombers do not require elaborate, high performance aircraft."

It is incorrectly assumed that aircraft designed for the strategic mission should not or could not have high performance and are, therefore, not effective in conventional conflict. Using current technology, there is no basis for this "assumption. The proposed AMSA would have high performance and this performance would pay off in lower attrition than the B–52 in all types of conflicts The argument contained herein contradicts in fact, a point made earlier about the value of the FB–111's speed. This combination of speed and very low altitude capability makes the F–111 our best conventional fighter bomber.

The assertion made regarding losses and effectiveness in conventional conflicts is refuted by careful analysis. First, with 10 times the payload of our fighter-bombers the AMSA would, with all other things being equal, have to fly only one-tenth as many sorties for a given level of damage. However, other things are not equal—in fact they tend to favor the high performance bomber. An advanced bomber can bomb more accurately and does not have to dive down the defensive gun barrels. A single large bomber is adequate for most targets and gains the element of surprise that multiple smaller aircraft do not have. The bomber's capability for better night and poor weather navigation and bombing is more readily attainable since it can carry the better avionics required. The AMSA could fly supersonically to deep interdiction targets with its large payload—something our current fighters cannot do. SAMs and interceptors equipped with nonnuclear armament can be countered with the combination of supersonic speed and ECM and SCRAM. The relative eqffectiveness of larger bombers can be further improved by the ability to carry larger conventional munitions. The greatest advantage would be a stand-off capability that permits the bomber to avoid defenses in the target area while accurately delivering large conventional warheads as Walleye and Condor there is a weapon size limitation imposed by the size of the aircraft itself.

In short, studies, plus our experience in Southeast Asia, have demonstrated that large, high performance bombers can provide cost effective augmentation of our general purpose forces in nonnuclear conflicts.

"The B–52 age problem can be solved through steps much more simple and much less expensive than AMSA."

It is true that the B–52 structure can be reinforced or replaced as it wears out. To say that this is more economical than acquiring a new aircraft is conjecture. First, we still cannot predict, as well as we would like, how aircraft structure will respond to usage. The problem here is that by the time we detect a structural fatigue it may be too late to acquire a replacement aircraft on a timely basis. Therefore, to avoid catastrophic failure we replace or "beef up" the affected structure. The problem is compounded by the fact that the uncertainties in forecasting the type and extent of wear out are accompanied by large uncertainties in the magnitude of the costs that may be required to keep old systems viable. We do know, however, that as age increases so does the risk of incurring large modification costs.

Second, regardless of B–52 structural life, the fact that AMSA carries a larger offensive payload and would suffer less attrition than the B–52 means that considerably fewer AMSAs can do the same job as the B–52s. It is expected that after about 8 to 10 years of operating this smaller size, but equally effective, AMSA force the savings in O&M costs will equal the development and production costs of the new bomber.

The question of reopening the B–52 production line is academic in the face of the above economical replacement argument for a newer, more efficient bomber. Nevertheless, today's production costs of the B–52 would not necessarily be substantially less than the

AMSA taking advantage of technology advances since the B–52 was developed. The reasons for this are as follows: (a) B–52 production tooling is non-existent, (b) new production would start at the top of the learning curve, (c) B–52 and AMSA avionics weighs are similar, so avionics production costs would also be similar, (d) the eight engines on the B–52 would cost approximately the same as the four engines on AMSA. If the B–52 were equipped with four of the larger C–5 type engines, the engine costs would favor the AMSA, (e) airframe costs are based on empty airframe weight and since the B–52 airframe weight is approximately twice that of AMSA and since both are made of essentially the same materials. AMSA airframe costs should be no higher than B–52 airframe costs. In view of the foregoing it can be concluded that new B–52s could not be produced substantially cheaper than a new, smaller bomber, as is alleged in the report.

RESPONSE TO SENATOR GOLDWATER'S COMMENTS ON AMSA SECTION—MCPL MILITARY SPENDING REPORT

(1) The paper prepared for Senator Goldwater disputes the figure of 263 aircraft for planning purposes. This was supplied by DOD in response to a request by the Library of Congress. Obviously the number can always be reduced or increased—or the entire program can be cancelled—at any stage of development. It is, however, quite difficult to understand why the figure 263 is used in making program cost estimates if it is not in some way indicative of Air Force intentions.

(2) The Goldwater paper lists four assumptions which it says must be accepted to conclude that we need not start now on an advanced bomber, as follows: First, that the Soviets will cease to improve their air defenses, thereby making our present penetration aids sufficient; second, that the Soviets will not degrade through offensive or defensive action our missile capability; third, that we will not want to use a bomber in conventional conflicts where the enemy has deployed air defenses; and fourth, that it will be economical to prolong the operational and structural life of the B–52 into the 1980's.

This approach implies that the burden of proof is upon those who oppose the expenditure. It should instead rest on the proponents, and in any case the list of assumptions must be much longer.

In relation to the first point, proponents of AMSA should offer at least some evidence that the Soviet Union is moving in directions which threaten to end the ability of existing bombers to penetrate defenses. This should include steps to counter low level flight, of which both the B–52s and Hs and the FB–11 are capable; to distinguish between real aircraft and nuclear-tipped decoy missiles such as SCAD with radar reflective devices; and to effectively counter stand-off missiles such as HoundDog and SRAM, along with other penetration aids which might be developed. They should show as well that such defense would be capable of eliminating some 3,000 tactical aircraft capable of and equipped to fly nuclear missions against a large proportion of the Soviet population, in some cases with abandonment of the aircraft but not loss of the pilot. In addition, they should show that the capabilities of AMSA would be so superior to those of existing bombers that they would render useless defenses which are effective against the B–52 and the FB–111.

If all of these contentions were made out it would, of course, still be necessary to show that deterrence requires bombers notwithstanding the existence of enormous destructive capacity in submarine and land based ballistic missiles. Quite obviously no country will be the less deterred if we can destroy him two ways—with ICBMs and SLBMs—simply because we cannot destroy him with bombers as well.

On the second assumption, proponents should show some perceivable danger that the Soviet Union does threaten to simultaneously eliminate or seriously degrade our ICBM and SLBM capability. Beyond this, they must show that these systems could be overcome notwithstanding internal improvements in their protection and in their offensive capabilities. To forego acceleration of the AMSA program certainly does not mean freezing the state of the art in other areas.

To build AMSA on such grounds requires us to believe, for example, that the Safeguard antiballistic missile system in which the Administration has expressed such confidence will fail miserably. To require a belief that our Polaris submarines will be neutralized at the same time. It requires us to believe that the Soviets will develop an ABM system which can intercept not only large numbers of individual warheads but much larger numbers of smaller warheads on MRVs or MIRVs, at the same time distinguishing between warheads and chaff. It requires an assumption that they can overcome other missile technology not yet developed or disclosed. It requires a belief that they would have such confidence in these systems that they would be willing to risk nuclear annihilation on their perfect performance. Finally, it requires a belief that the manned bomber is the best available method of insuring against these eventualities, and that existing manned bombers are inadequate.

The third point, intimating that we will want to use bombers in conventional warfare situations where the enemy has deployed air defenses, raises an extremely disputable presumption. Against air defenses sophisticated enough to make the B–52 and the FB–111 ineffective it *is* doubtful whether we want to use UMSA—designed primarily for long-range strategic missions—notwithstanding its improved capabilities. While AMSA would have advantages not presently in existence in the bomber force, it is doubtful that it could penetrate defenses and elude interceptors better than the thousands of tactical aircraft built and maintained for those purposes. On the other hand, the costly high performance abilities contemplated for AMSA would be largely wasted in conventional wars against enemies which do not have significant defenses. The Vietnamese experience exemplifies the relationship which is likely to continue—not a single B–52 has been lost as a result of hostile action, so it has certainly been adequate over South Vietnam; it has not been used over North Vietnam, presumably because losses would be too high as opposed to those taken by tactical aircraft presumably will also have to be improved, it seems quite probable that similar choices would be made.

Quite clearly the value of AMSA in conventional war is a "fall out" benefit. It cannot stand on these grounds alone if the need is not established in terms of the ability needed to wage nuclear war.

On the fourth point—the economy of prolonging the operational and structural life of the B–52—it should, of course, first be established that with a missile deterrent we nevertheless need a bomber deterrent. If so, there is substantial evidence that the life of the B–52 G and H models could be extended well into the AMSA operational time frame, depending in part upon the treatment they receive during that time, at less cost than building and maintaining AMSA. But existing B–52s are not the only alternative to AMSA in any case. One route would be to produce new B–52s, with structural improvements to enhance their ability to withstand the duress of low altitude operation.

(3) The paper prepared for Senator Goldwater suggests that the low level speed of Mach 0.9 of the WS–125 (the nuclear powered bomber) was one reason for halting its development, and that the high level Mach 3.0 high altitude speed of the B–70 would have been inadequate for penetration. It follows from this, according to the paper, that reliance on the B–52—with Mach 0.55 at low altitude and Mach 0.8 at high altitude—is questionable.

This assertion ignores the development of penetration aids, including SRAM and SCAD, as well as the use of external missile forces to create air corridors. Stand-off missile launching allows our bombers, whatever their capabilities, to remain out of range of terminal defenses. The principal defensive problem created by low level flight is detection, and the avoidance of enemy radars—unless a reliable look-down capability is developed—does not require high speed.

(4) The paper asserts that "it is important to maintain a deterrent posture with a mixture of all three elements of our strategic force—bombers, land based missiles and sea based missiles."

The need to do this, it is said, is based upon the fact that ". . . the absence of a bomber in our forces would allow the enemy to concentrate his efforts on attaining good missile accuracy and effective Anti Submarine Warfare (ASW)." In other words, bombers require the enemy to mix his defenses.

But the B–52, the FB–111 and such tactical aircraft as the F–111, the F–4 and the Navy A–6 and A–7, do have the capability to penetrate existing Soviet air defenses. If the Soviets do, indeed, seek to eliminate the United States deterrent they will have to counter the basic abilities of AMSA regardless of whether or not it is built.

It is also important to recognize that while we are stimulating a diversion of Soviet funds from ASW, ABM and counterforce capabilities, we are also spending large sums of our own in the process. Requiring the enemy to mix his defenses requires that we mix our offense, diverting technical and financial resources that might otherwise be spent to counter potential Soviet ASW, ABM and counterforce developments.

(5) The paper argues that AMSA's costs are not necessarily less than those of the B–52 and the FB–111 because a much smaller force could do the same job as a larger force of B–52s and FB–111s. This would be a valid assertion if we were without a bomber force and were deciding whether to purchase AMSA or something else. However, the costs of the B–52 and of at least four squadrons of the FB–111 have already been incurred.

(6) The original MCPL paper cited a 1966 study by Secretary of Defense McNamara indicating that for purposes of insuring missile forces the acquisition of additional missiles would be more cost-effective than bombers up to missile attrition rates of 50 percent for B–52 G and H forces and 30 percent for the FB–111/SRAM. It suggested that the development of MIRVs and the high cost of AMSA would further increase the cost effectiveness of missiles over bombers for insurance purposes.

The response suggests that this would be the case only if the enemy does not also employ MIRV, presumably for the purpose of attacking hardened missile sites. It suggests that if the enemy "is even partially successful in his efforts to offensively or defensively counter our missiles, it would very well be more cost-effective for us to place more reliance on bombers. Just because the reverse is true today is not adequate reason for stating it will always be so."

Neglected in this analysis is the fact that bombers are much more vulnerable on the ground than are missiles. Soviet MIRV deployment, particularly aboard Polaris-type submarines, could threaten bombers more

than missiles, perhaps requiring that they be airborne at all times at enormous cost and consequently low cost effectiveness. It is also possible to imagine strategies through which the Soviet Union could neutralize air alert and airborne bombers, such as by stimulating a false emergency which would result in their launch and then waiting until they were back on land and unable to immediately get back in the air before launching a serious attack.

(7) The paper prepared for Senator Goldwater asserts that "if the enemy believed bombers were not effective he would not be significantly improving his air defenses." By the same token, if the enemy believed bombers were necessary in a missile area, it seems likely that he would have a significant bomber force of his own. The Soviet Union has roughly 155 intercontinental bombers, both types of which are distinctly inferior to the American B–52. The essential question is, of course, not whether bombers are effective, but whether they are necessary in terms of our policies relating to nuclear war.

(8) On the flexibility of bombers, the Goldwater paper asserts that "visible preparation for combat has proven to be effective." It argues that we have placed bombers in the air at various times in the past, and asks, "Why did we do these things if the 'show of force' concept is not valid." Presumably we did these things because they were available and someone thought they might have some effect on Soviet actions. It is impossible to say that they did have an effect—that placing strategic bombers in the air during the Cuban missile crisis, for example, did anything to cause the Soviet Union to back down that could not be accomplished by their certain knowledge that if warranted President Kennedy could have sent hundreds of nuclear weapons to Soviet targets within a matter of minutes.

(9) The paper asserts that with satellite communication "a bomber weapon can be retargeted or withheld up to the point of weapon release which may not be only seconds away from detonation." This is cited as an example of the bomber's flexibility.

Through satellites missiles can be retargeted or withheld up to the point of launch, only minutes away from their detonation, and they would probably still be able to beat redirected bombers to most new targets. Moreover, in the context of nuclear war, with American bombers flying over Soviet airspace, it seems unlikely that an ability to be recalled or retargeted would be of much value. In all probability Soviet offensive weapons would have already been launched, as developed more fully below.

(10) The paper argues that the MCPL study implies "that we need only a capability to hit soft targets, i.e., urban-industrial complexes. This is synonymous with the 'deterrent only' concept which ignores the question of war outcome if deterrence should fail."

The scenario suggested is that there might be a nuclear exchange in which, after a Soviet attack against our retaliatory forces, our bombers would cruise over Soviet territory seeking out missiles withheld for a second round attack against our cities. It is first questionable whether the bomber's powers of observation would be great enough to locate withheld weapons. Even if they could, however, such a capability on our part would certainly assure, if it is not already assured, that any nuclear exchange will be fought to completion. If the Soviet Union knew that we were capable of eliminating the threat of their second round attack—thereby leaving them without a deterrent—there is no reason to expect that they would obligingly continue to hold their anti-city weapons until our bombers could locate and destroy them.

(11) The response contests the assertion in the MCPL paper that existing aircraft require the enemy to mix his defenses as much as would be the case if AMSA were added, notwithstanding the description of AMSA as a combination of the high speed, low-level flight capabilities of the FB–111 and the range and payload capabilities of the B–52. It is said that this conclusion is inaccurate because the AMSA, while combining the best features of both, would not have the weaknesses of either. These weaknesses, it is said, could be exploited to degrade individual effectiveness.

It is important in this context to recognize the specific character of the enemy's defensive problem if he is determined to neutralize the American bomber force. He must be able to detect and intercept at both high and low altitudes, at both supersonic and subsonic speeds. He will not need all of these capabilities to counter either the FB–111 or the B–52. He will need them all if he expects to counter them both. AMSA might, as the Goldwater paper suggests, put a "greater strain" on defenses in terms of their extent, but it would not require significantly greater technological capability. The B–52/FB–111 combination is, of course, made still more potent by penetration aids.

(12) The response argues that AMSA would be useful in conventional war situations, and lists a number of areas where it apparently compares favorably with fighter-bombers for such roles. This initially suggests the question why we construct and maintain fighter-bombers at all if AMSA could perform their missions better. The reason is that while a high performance aircraft has attributes, it also has liabilities. If it can carry ten times the payload of a fighter-bomber, for example, it would probably have only about one-tenth the targeting flexibility. While a single bomber in place of numerous smaller aircraft may have a better chance of escaping detection, it also poses a much less complicated defensive problem once detection is made. The loss upon interception is, of course, much greater. It is also interesting to note that the Goldwater paper describes the "stand-off capability that permits bombers to avoid defenses in the target area" as their "greatest advantage" in this area, while dismissing without any meaningful analysis the idea that stand-off capability in the nuclear role contrbutes greatly to the adequacy of existing bombers.

(13) The paper asserts the expectation that "after about 8 to 10 years of operating, this smaller size, but equally effective, AMSA force the savings in O&M costs will equal the development and production costs of the new bomber." This misleads to the conclusion that we can have AMSA for nothing more than we would otherwise spend on strategic bombers, because it neglects the O&M costs of AMSA itself, expected to equal production costs for each 10-year period of operation. In light of past experiences with vast cost overruns on defense contracts, it must also be noted that such firm cost calculations are extremely dubious at best.

(14) Finally, the Goldwater paper argues that should production lines be opened for new B–52s, the costs would not be substantially less than those for production of AMSA. But this cost comparison is based upon a set of assumptions which may be quite invalid. It contemplates incorporation of technological advances developed since B–52 production lines were closed in 1962—a costly option which may or may not be necessary in whole or in part. It argues that the experience gained in production of B–52s before would not affect the learning curve. It suggests that the cost of avionics is determined by weight rather than by factors such as complexity and sophistication. Moreover, it neglects the figure of at least $2 billion which must go into further research and development before AMSA could be produced.

[Continuation of the "Report on Military Spending"]

CONTINENTAL AIR DEFENSE

Summary

The current air defense system consists of the SAGE–BUIC command and control system (radars, computers, communications, ect.). Nike-Hercules and Bomarc surface-to-air missiles, and over 700 interceptor aircraft. R&D work is now going forward on AWACS (an improved, air-borne radar and control system), upgrading of the interceptor force, and SAM-D, a new surface-to-air missile. Funds requested for FY 1970 total approximately $2.2 billion.

Recommendations

Based on the modest extent of the Soviet threat and the fact that virtually the same level of protection can be provided with a less elaborate system, it is recommended that funding be cut for the current system by 10 to 20 percent. If possible, R&D should be stretched out for follow-on "improvements" to the system. This would yield savings of from $200 to $400 million in FY 1970 and perhaps $0.5 to $2 billion over the next five year period.

Rationale and discussion

A. The Soviet Bomber Threat Is a Modest One

There are about 150 Soviet intercontinental heavy bombers compared to 646 for the United States. The Soviet heavy bombers (the *Bison* and the *Bear*) were first deployed in 1956, and they are substantially inferior to the U.S. B–52 forces. The B–52's are faster, their maximum unrefuelled range is 12,500 miles as opposed to the 6000–8000 mile range of Soviet bombers, and the possible B–52 bomb load is 75,000 pounds as opposed to 20,000–40,000 pounds for the Soviet bombers.

The Soviets also have about 750 medium bombers (the *Badger* and the *Blinder*), but they can reach the U.S. only with very extensive refueling or in one-way Kamikaze-type attacks.

According to testimony by Dr. John Foster, Director of Defense Research and Engineering, before the House Armed Services Committee on April 30, 1969, "there is no evidence of any follow-on heavy bomber development" by the Soviets and the Soviet SST "is very unlikely to be converted to a supersonic bomber."

B. The Limited Strategic Role of Bombers in an Age of Missiles Does Not Justify an Elaborate and Expensive Air Defense System

In a strategic nuclear war, there are two main targets: offensive and defensive forces, and cities.

Because of the timing problem, the role of bombers as a counter-force weapon is extremely limited. It would take Soviet bombers some 8 hours to reach U.S. missile sites, and by that time most of the targets would be empty silos. It is true that some missiles might be withheld from an initial U.S. retaliatory salvo, but the Soviet bombers would not be a serious threat to them since it would be very difficult for the Soviets to distinguish expediently between empty and loaded silos.

Soviet bombers might also strike at U.S. bomber bases and Polaris submarine stations to prevent them from being used to prepare a second round of nuclear strikes. After an all-out nuclear exchange, however, this "second round" capability has only marginal strategic importance.

Bombers have a somewhat greater role as a counter-population weapon. In a first strike, for example, the Soviets might concentrate their missiles on U.S. missile silos and airfields, leaving to bombers the task of striking cities. In this type of attack, how-

ever, the Soviets would certainly target some of their missiles at U.S. air defense radar sites, ground control structures and surface-to-air missile sites in order to clear the way for their bombers.

Thus there is an element of futility in trying to protect cities against bomber attack when the bomber defense system is vulnerable to missiles.

More importantly, however, the defense of cities against the fairly remote contingency of a bomber attack has little significance in strategic terms, as long as we are unable to protect them against the more likely contingency of a missile attack.

As former Secretary of Defense Clifford said, on page 58 of the 1969 posture statement: "No air defense system can provide a significant 'Damage Limiting' capability against the Soviet Union unless accompanied by a strong, effective ABM defense."

A further testimony to the general ineffectiveness of bomber defense in the missile age is the high confidence of the Strategic Air Command that a substantial fraction of its present bombers will penetrate to targets in the Soviet Union in spite of the enormous sums spent by the Soviets on defense against bomber attack.

C. The same level of protection can be maintained with a "thinner" air defense system

The present U.S. air defense system would be very ineffective if faced with a large-scale Soviet attack. Again quoting from the April 30, 1969 testimony of Pentagon Research Director Dr. John Foster:

"Our current air defense system permits an intercept only a few hundred miles from the North American Defense perimeter. More important, we have essentially no capability against low-altitude attackers. Finally, the ground control structure is vulnerable to destruction by ballistic missiles or submarine-launched cruise missiles."

Nevertheless, the system does limit the effectiveness of Soviet bombers by forcing them to come in at low altitude (which reduces their range) and to use stand-off missiles (which decreases their bomb payload). The system also serves to protect the U.S. from attacks by so-called *n*th countries, such as Cuba, or from harassment tactics by any unfriendly country.

However, many Pentagon Officials will acknowledge that a thinner, scaled-down, air defense system would force the Soviets to use the same tactics, and would also provide adequate protection against *n*th country attacks and harassment.

Thus, the system could retain approximately the same level of effectiveness (or ineffectiveness) if these components were thinned out:

1. The radar and tracking stations of the Distant Early Warning (DEW) Line around the Arctic Circle.

2. The Semi-Automatic Ground Environment (SAGE) command and control system, consisting of radars and computers at 13 primary locations in the U.S. Eleven of these locations are being combined with Back-Up Interceptor Control (BUIC) stations, which are somewhat simpler versions of SAGE. BUIC was begun in 1965 as a back-up or "redundancy" system on the theory that the SAGE centers would probably be knocked out by missiles in a Soviet attack. Why the BUIC stations would not also be knocked out remains unclear.

3. Nike Hercules, Hawk, and Bomarc surface-to-air missiles. The first two are terminal defense missiles. There are approximately 100 Nike Hercules sites, mostly around cities, and a few Hawk sites in southern Florida, installed at the time of the Cuban missile crisis. The Bomarc is a longer-range area defense missile. There are 188 of them deployed in six squadrons, mostly in the northeastern states.

4. Forty-one interceptor squadrons, consisting of 771 F–89, F–101, F–102, F–104, and F–106 aircraft. All of these interceptors are supersonic except for the 20 to 30 F–89's.

The Department of Defense has begun to phase down some elements of the air defense system on its own, closing a number of radar sites and nearly 50 Nike Hercules sites in the last few years. However, imposing a 10–20 percent cut on air defense funding would force an even harder look at the system.

D. The Planned Improvements in the Air Defense System Will Not be Needed Unless the Soviet Union Substantially Expands Its Bomber Force or Begins Work on a Follow-On Supersonic Bomber

The following improvements in the air defense system are in what DoD calls the "Advanced Development" state (work on hardware development for use in experimental tests aimed at determining military usefulness, specific applications, and costs):

1. Airborne Warning and Control System (AWACS). This is an improved radar and control system which will be installed in large cargo planes and will not be vulnerable to missile attack, unlike the current ground radars. In theory, it will also be able to pick up bombers coming in at low altitudes, which our current radars cannot do.

2. Upgrading of manned interceptors. This will involve installing a new "look-down" fire control system and a new missile system on the present F–106 interceptors, giving them a capability against low-altitude bombers. The Air Force is pushing instead for the F–12, a new high-speed (and high cost) manned interceptor.

3. SAM–D. This is a new surface-to-air missile to replace Nike Hercules and Hawk.

The Soviets have made no effort to expand their modest heavy bomber force in the last decade, and show no sign of doing so in the future, despite the widely recognized weaknesses in our air defense system. The Soviets evidently do not attach great importance to the bomber component of their nuclear striking force.

The rough, *de facto* stability which has emerged in this area might well continue for some time if each side is willing to accept it. If the balance is significantly disturbed, however, a costly upward spiral could be touched off that in the end would leave each side poorer, but no more secure.

The improvements we plan in our air defense system could well call forth the very threat they are designed to protect against; i.e., a new Soviet bomber. After all, one of the arguments used to justify a new manned bomber in this country (the AMSA) is that it will be required if the Soviets significantly improve their air defenses. It is only reasonable to suppose that the Russians will react in the same way to an improvement of our air defenses.

A case can be made for continued research and development work on air defense improvements as a hedge against the possibility of a new Soviet bomber or a large expansion of their present force. However, this R & D work should be directed toward cutting down lead times, and no steps should be taken toward production or deployment as long as the Soviet bomber threat remains at its current low level. The lead time on these air defense improvements is less than that on a new Soviet bomber, so the risk in delaying production and deployment is not great.

E. Substantial Savings Are Possible

1. *Fiscal year 1970.* Estimates of the annual cost of maintaining the current air defense system vary. The official DoD estimate is $1.34 billion per year, but Pentagon sources have put the annual cost as high as $2.2 billion. A 10 percent cut would save $134 million, using the low estimate.

The FY 1970 budget request for R & D funds for air defense improvements is (total obligational authority):

a. AWACS—$60 million

b. Interceptor improvement—$18.5 million

c. SAM–D—$75 million

It may be possible to make small cuts in these programs for FY 1970 is the approach recommended in Section D (above) is adopted.

2. *Five year savings.* Thinning down the current air defense system could save anywhere from $670 million to $2.2 billion over a five year period, depending on which cost estimates are used and how large a cut is decided upon. Very large future expenditures would of course be avoided if the planned improvements to the air defense system are ultimately not deployed.

[From the CONGRESSIONAL RECORD, Aug. 11, 1969]

CONTINENTAL AIR DEFENSE

1. Our Air Defense system does include more than 700 interceptor aircraft. The precise number is more than this but the report fails to point out that only less than half are in the regular force and the remainder in the Air National Guard. Likewise, the report omits the fact that the current program is being phased down and at the end of FY 1975 the total interceptor force will consist only of substantially less aircraft.

2. The report also fails to give any consideration to the fact that much of our air defense system, including ground environment, has already been phased down to amortize the cost of the proposed modernization, and that additional thinning out is programed.

3. The actual inventory of Soviet heavy bombers is greater than the 150 stated in the report. However, since it is thought that a number of these will be used as tankers, the number used in a strike role would be about 150.

4. The Hatfield paper overstates both the numbers and the capabilities of U.S. heavy bombers. At the end of FY 1968 there were less than 500 heavy bombers (B–52s) in the active inventory. In addition, we have about less than 100 B–58 *medium* bombers. The 646 bombers referred to in the Hatfield paper apparently include aircraft in storage.

5. As for capabilities. *Only the B–52H can even approach* the performance capabilities indicated by the report and then only after one in-flight refueling. There is just no way that even the B–52H can go 12,500 miles unrefueled with a bomb load of 75,000 pounds. *Less than one-fourth* of our bomber force are B–52*H* aircraft.

6. The report recommends a reduction of 10% to 20% in the funding for the current air defense system and a "thinner" system. The money involved here is primarily for operation and maintenance, military pay, etc., and will be in the "big" appropriation bill, not the authorization bill. The report recommends "small cuts" in the R&D requests for AWACS, interceptor improvement and SAM–D. The Committee on Armed Services went much further—reducing AWACS from $60 million to $15 million; interceptor improvement from $18.5 million to $2.5 million; and eliminating the $75 million request for SAM–D althogether.

7. Thus it does not appear that there will be an issue on Continental Air Defense between the Armed Services Committee and the Hatfield group. This paper does not point out, however, the factual errors in this section of the Hatfield report.

[Continuation of the "Report on Military Spending"]

ABM DEPLOYMENT*

Summary

The Administration has put forth the argument that if Soviet strategic capabilities continue to increase at the present rate, the United States deterrent may, by 1975, become vulnerable to a pre-emptive attack. In response to this possibility it is proposed that the Safeguard ABM system be primarily deployed for the purpose of protecting land-based intercontinental ballistic missiles and strategic bombers.

The purpose of the initial deployment is to provide limited protection to two Minuteman wings (350 missiles) and to obtain operational experience with the system. Later deployment will be for these purposes: to provide protection for additional Minuteman wings; to increase the survivability of the retaliatory bomber force; and to provide protection of heavily populated areas from unsophisticated attacks.

The ABM funding request for FY 1970 includes $490.6 million for Sentinel/Safeguard deployment, $400.9 million for Sentinel/Safeguard research and development, and $144 million for research and development related to other ABM systems. The total request for deployment, research and development is $1,035 million. The eventual cost will probably exceed $10 billion.

Recommendations

On the ground that there is no need to initiate ABM deployment at this time, the committee recommends deletion from the FY 1970 budget all authorization funds for Sentinel/Safeguard deployment and that a total of $350 million be authorized for the total ABM Research and Development program.

If Safeguard is not deployed, nearly $700 million can be cut from the proposed FY 1970 budget. The decision not to deploy Safeguard implies a five year savings of more than $10 billion.

Rationale and discussion

Arguments for Safeguard are not convincing:

A. The Administration has not presented plausible evidence to support the conclusion that the Soviets intend, or would be able, to take steps to bring into question the viability of the U.S. deterrent by 1975.

B. Should the Soviets attempt to develop a meaningful threat to the U.S. deterrent, the evidence will become clear in time to permit ample countermeasures to be taken before the threat materializes.

C. If the Soviet threat does emerge it is far from clear that Safeguard is the optimum response. Experts have testified before Congressional Committees that more effective ABM systems than Safeguard may be designed for the purpose of protecting fixed land-based missiles. Furthermore, before deciding to deploy an ABM system, it would be necessary to compare its utility with other alternative methods for maintaining the credibility of our deterrent. There is little public evidence to indicate that such comparisons have been made.

D. There is doubt that Safeguard or any ABM system would perform according to its design specifications.

E. Even if Safeguard did perform in accordance with its specifications, it would be too easily overwhelmed by attacks designed to defeat it.

*This presentation summarizes the extensive literature on ABM, particularly as it applies to the Safeguard system. Recommended readings are the very comprehensive discussions of Jeremy Stone in the May, 1969, *Ripon Forum*, and the articles in "ABM—An Evaluation of the Decision to Deploy an Anti-Ballistic Missile System," edited by Chayes and Wiesner, Harper and Row, 1969.

ATTACK AIRCRAFT CARRIERS

Summary

The United States Navy operates 15 attack carriers. At present, one is nuclear and 14 are conventionally powered. Construction on a second nuclear carrier (CVAN–68) began in 1968, for planned accession to the fleet in 1972. A third nuclear carrier (CVAN–69) is to be completed with funds from the FY 1970 budget. A fourth nuclear carrier, CVAN–70, has been authorized and is expected to join the fleet in 1976. As each nuclear carrier enters the fleet, a conventionally powered vessel will be transferred to the anti-submarine warfare forces or retired.

The capital cost of a nuclear carrier, its escort vessels, logistic support and aircraft for fleet defense totals about $1.3 billion. Since only 1 out of 3 attack carriers and its support is on station at any one time, the total investment for each carrier on station is almost $4 billion.

Recommendations

Congress should withhold authorization of $377 million for construction of the nuclear attack carrier, CVAN–69. Construction should be delayed for 12 months pending Congressional review of (1) the role of carriers in plausible contingencies including the number required and their relative effectiveness, (2) the vulnerability of carriers to hostile action, (3) the one-for-one replacement policy, and (4) foreign policy implications of the carrier force.

Rationale and discussion

A. The Costs are Far Exceeding Planned Estimates

The current size of the U.S. Attack Carrier fleet is 15 ships: 8 *Forrestal* class carriers, 3 *Midway* class carriers, 3 *Hancock* class carriers, and 1 nuclear-powered carrier, the *Enterprise*.

The last conventional carrier, the *John F. Kennedy*, entered the fleet in September, 1968.

In the Spring of 1968, construction began on the nuclear-powered CVAN–68 (*Nimitz*), with a projected completion date of FY 1972 and an estimated cost of $536 million. As now proposed, the funding for CVAN–69 is to be completed with a $377 million appropriation from the FY 1970 budget, bringing the total cost to an estimated $510 million, including $133 million already assigned and partly spent from earlier budgets for long lead-time items. (The difference in costs between CVAN–68 and CVAN–69 reflects the fact that the latter is being built on the same contract and design plans as the former.)

It is understood, however, that Navy official estimates of the cost of CVAN–69 have since been raised to $540 million and that unofficial estimates are for an amount over $600 million. Sources in the Pentagon indicate that a final cost of over $700 million is not unlikely. A part of the long lead-time procurement for CVAN–69 has been accomplished, but the keel has not been laid.

CVAN–69 is scheduled to enter the fleet in FY 1974. CVAN–70 has been authorized and is programmed for FY 1971 funds; it would join the fleet in FY 1976. Current procurement costs of the rest of a carrier task force, without which a carrier is never deployed, are estimated as follows:

Escorts:	*Millions*
6 DXG (conventionally powered guided missile destroyers)	$405
Logistics ships	400

The investment cost of a nuclear attack carrier task force, therefore, in current dollars and assuming no cost overruns is:

CVAN (million)	$510
6 DXG (million)	405
Logistics (million)	400
Total (billion)	1.315

To this amount should be added the cost of the approximately 23% of a carrier's aircraft, usually earmarked for task force defense and thus not available for tactical missions. The average Naval Airwing of 75 A6's, A7's, and F4's costs $175 million (conservative estimate). Hence $175 × 23% = $36+ million.

$1.315 billion + $36 million = $1.351 billion.

This figure, $1.351 billion, is the present investment cost of a nuclear attack aircraft carrier task force with its defensive aircraft.

However, since an aircraft carrier is on-station only ⅓ of the time, to get one carrier on-station 12 months of the year, three task forces have to be purchased. The multiplier is 3.0 for ships and 2.39 for aircraft.

$1.315 billion X 3=$3.945 billion.

$36 million X 2.39=$86 million.

$3.945 billion + $.086 billion=$4.031 billion.

Thus, the investment cost in hardware reaches $4.031 billion to keep an aircraft carrier on-station 12 months per year. This does not include the construction costs of carrier bases. (The Naval base at Rota cost $120 million to build, and is operated about half for carriers and half for submarines.)

This does not include any operating costs for carrier task forces.

This does not include the purchase of any aircraft, bombs, or ammunition that would be required to perform the tactical air mission assigned to the carrier.

This figure, $4.031 billion, does not include any of the rent we pay annually to foreign nations for naval basing rights.

In short, it costs over $4 billion to put a floating, mobile airfield in the Mediterranean or the Pacific, without taking into consideration costs of tactical aircraft, bases, or operations.

B. Number of Carriers Set in 1921

The Pentagon has never defended adequately the size of the carrier force to the Congress. The present number of carrier task forces is 15. Since 1921, except during war time, the Navy has had 15 capital ships. Before World War II, these capital ships were battleships; after the war, they were carriers. As late as 1964, the long-range plans of the Pentagon called for a cutback to 12 or 13 ships after 1970.

The Navy currently operates carriers at 5 stations. Since there are 2 non-deployed carriers for every one deployed, a total of 15 carriers are required by present policy and doctrine. But neither the need for 5 stations nor the 33% time on-station factor have been adequately defended before the Congress.

Thus, there are straight-forward efficiency questions to be raised about present carrier operations. Polaris forces have a significantly larger time on-station factor. The on-station time of a carrier task force is 33%; of its crew, 33%; of the airplanes and aircrews, 43%.

One-year operating costs of a task force are estimated as follows:

	Millions
CVAN	$ 43
Escorts (conventional)	35
Logistics	36
Total	114

$114 million × 3 = $342 million.

Add to this the operating costs of 23% of the air wing times 2.39, and the per task force operating costs of bases and rent for foreign bases. The sum of all the above is the annual operating cost of keeping a flight deck on-station for 12 months. (The total was not available for this study.)

C. Scenarios for Carrier Use Are Unconvincing

Carrier aircraft typically provide tactical air support to troops, or tactical bombing in areas where operations were not expected or areas inaccessible from permanent land

bases. Additionally, carriers are claimed to be independent of bases in foreign countries, and to be less vulnerable to attack by enemy forces. Carriers also have value in showing the flag around the world.

It is generally conceded that carriers have a role only in limited war. In large scale conflicts (and even in certain lesser conflicts), with technically sophisticated adversaries, carriers will be exceedingly vulnerable to attack. In determining the number and type of carriers required, a number of important questions arise: How many limited wars might be fought in the next 20 years which will require American tactical aircraft before airfields can be prepared for use by military aircraft? How many wars will be fought in areas where airfields cannot be made available within range of targets? How many situations will there be where the opponents will not use or have available sufficient anti-carrier weapons to make the use of carriers too risky? Such considerations undermine the case for maintaining current carrier policies. There are few countries the U.S. plans to defend which will not provide basing rights. Since carriers exist, they are and will be used. But the need for 15 carriers has not been justified.

D. Several Alternatives Exist

What are the alternatives to the purchase of $4 billion dollars worth of equipment to provide one floating airfield? There are several which are less expensive.

1. *Present U.S. bases.* Though of limited use for tactical air operations, fixed bases can be operated at a fraction of carrier operating costs, and should be used whenever possible.

2. *Foreign bases, airports, and inactive U.S. bases.* The Air Force is developing kits which could be pre-positioned in major theaters and would turn available runways into military airfields. Cost of three air bases—needed to accommodate one wing of aircraft—total $245 million capital investiment and $39.5 million annual operating expenses.

3. *New base construction.* This was done in South Vietnam at a fraction of the cost of carrier construction. The cost of operating aircraft from carriers, moreover, is significantly greater than from land. In sum, the size of our carrier forces should be determined by the areas in which we might become involved where there are no adequate air bases and none can be constructed.

E. Carriers Are Extremely Vulnerable

The statement has already been made that carriers would have to be deployed only when the carrier air defenses were sure to have air superiority. It has also been mentioned that 23% of a carrier's air wing would have to be held back for defense. Carriers are very difficult to defend.

Threats to carriers are many: from submarines, ship-to-ship missiles, enemy aircraft, air- and land-based missiles, and accidents. To counter these threats are the anti-submarine warfare (ASW) capability in the carrier task force, the carrier's aircraft (and their airborne missiles), ship-mounted missiles, electronic warfare devices, accident prevention procedures, and the carriers' mobility.

But despite this impressive (and expensive) defensive capability, the vulnerability of carriers is generally felt by Pentagon planners to be great. ASW is a difficult proposition. The Navy apparently has no defense against the Russian STYX anti-ship missile (there is even an apocryphal story that the U.S. Navy resisted the development of a similar missile for the U.S. because it would show how vulnerable the carriers were). Also, since a carrier is a floating fuel and ammunition dump, the smallest accidents can lead to very great losses as was the case with the *Enterprise* fire and other tragedies.

F. Replacement Policy Should Be Reviewed

The size of the carrier fleet (15) has been maintained through the adherence to a schedule of construction and deployment that calls for a new carrier to be built to replace each carrier removed from the fleet.

This procedure requires closest scrutiny in the light of the facts that (1) the cost of new nuclear powered CVANs is twice as great as the cost of new conventionally powered CVAs, (2) the capability of new CVANs and CVAs is significantly greater than that of the carriers which they are replacing (hence, with each new carrier the total carrier capability increases), and (3) the continuation of the present replacement policy assumes that the threat which the U.S. is trying to meet with such a force is increasing. On the contrary, however, the U.S. is much more secure in terms of available worldwide land bases than was the case in 1950.

G. Foreign Policy Implications

In the late 1940's and early 1950's, the Pentagon emphasized the role of carriers in strategic bombing. Now the rationale focuses on tactical utility. A major issue, then, is the cost and effectiveness of land as compared to sea-based tactical aviation. The emphasis on the tactical role of carriers, moreover, suggests important foreign policy implications inherent in our willingness to continue deploying them in the present quantities. The current carrier complement implies that we expect to fight in unanticipated localities. It implies a willingness to go anywhere to assert military pressure in the stance of "world policemen". Whether or not we wish to continue in this direction is a matter for Congress to decide, and should not be the indirect result of Pentagon decisions to deploy.

[From the CONGRESSIONAL RECORD, Aug. 11, 1969]

ATTACK AIRCRAFT CARRIERS

The Committee chooses to attack United States aircraft carriers by questioning their number, role effectiveness, and vulnerability. Then they propose to withhold the authorization for a new nuclear attack carrier.

This carrier is needed now, no matter what particular number may be accepted as a proper amount. We are now operating five carriers that are over twenty three years old. Three carriers of the Essex Class are twenty-five years old and fought in World War II. In the present fleet, even with this new carrier, five of our carriers will be 30 or more years old by 1975.

These oldest carriers (of the three ESSEX Class) cannot be further modified to fit them to carry modern aircraft. They are hard run veterans of World War II that have served their time. They cannot be made to grow any more. They are already experiencing twice the landing accident rate found in our new and larger dock carriers such as the Forrestal Class.

Unless it is our intention to condemn our pilots to go into combat with less than modern aircraft, flying from inadequate carrier bases, we must continue the replacement program of which this ship is one.

The Committee in attacking these carriers comes up with some figures which are not recognizable by responsible and knowledgeable people. For instance, it says that the Navy keeps only five of its 15 attack carriers on station, that the other ten are non-deployed, and then constructs figures indicating that for each carrier on station it costs $4 billion as an investment.

In the first place, for the duration of the Vietnam war the Navy has been operating sixteen carriers in the attack role. Next, as a general rule, only one carrier in each ocean is annually laid up for overhaul. One in the Pacific and one in the Atlantic. The others are available for operations. For most of the Vietnam operation the Navy has maintained five carriers in the Western Pacific alone. In addition, there are the carriers operating in the Mediterranean, the Atlantic, the Carribean, and the Hawaiian and Eastern Pacific areas.

This fantasy of idle, unemployed status for two-thirds of the ships involved in carrier task forces must certainly be an eye opener to the men on them, and their families, as they spend their long days and nights at sea in the Navy as it really is.

Of course this whole approach of one deployed task force with two not available for operations is in complete disregard with the facts of the actual record in operations. For instance, in World War II, 85 per cent of the time of all carriers was spent in the forward operating area. Some ships spent as long as two years without ever returning to ports in the United States.

The Committee makes an assertion that ever since 1921 the Navy has had a magic figure of 15 capital ships, except during war. And that before World War II the prescribed number of capital ships was filled with battleships, and since then by carriers. No one in the business knows what the Committee has reference to here. Just before the Korean War the active carriers had fallen to only seven. The number permitted by recommendation of the Secretary of Defense for inclusion in the budget has seldom been as many as the Navy has recommended as necessary to support declared national policy.

The Committee once again proceeds to beat the old dead horse of carrier vulnerability as a justification for reducing their number and, holding up the authorization for this carrier. This argument is so threadbare that it can only be made by those who do not know the history of the carrier in war. No attack carrier built during World War II or since has been lost to enemy action or any other cause. They have been in the most violent and sustained combat, air, submarine and kamikaze. The carriers built since World War II are even tougher, and harder to sink. The accidental fire and explosions on the Enterprise show how tough they are. A number of bombs and rockets exploded on her deck. She could have resumed air operations as soon as the debris was pushed off the after-end of the flight deck.

The record of land bases indicates that they are more vulnerable than carriers. 300 aircraft have been lost, and 2800 damaged while on the ground in Southeast Asia. In the early part of the Korean War all our land bases on the Korean Peninsula were captured by the enemy.

At the end of the Korean War the U.S. had 126 major land bases overseas and not on U.S.-owned territory. By 1967 we have abandoned the use of 81 of these installations built and maintained at such great cost, almost all because of foreign political action. Carriers are not vulnerable to changes in the political winds.

The Committee asks, in attacking the need for carriers, how many wars might be fought in the next 20 years which will require American tactical aircraft before land bases can be prepared. It is a good question for the man with the crystal ball. On the record to date, the probabilities are great that this will be true of most wars. It was true in World War II, it was true in Korea, it was true in Vietnam. Even in the Cuban missile crisis there were not enough U.S. land bases in range to base the required tactical aircraft.

The Committee asks how many wars will be fought in areas where airfields cannot be made available within range of targets. Again a question for the man with the crystal ball. And again, on the record, and the plain facts of geography, the probabilities are great that this will be true of most wars. And it is a simple fact that almost any target in the world is in range of aircraft from attack carriers. At the present time most of the world is not in range of U.S. land based tactical air from bases under our control. Political action around the world has reduced, and promises to reduce even more, the land bases we can use.

Even if land bases are made available swiftly, in most cases it is a matter of months before necessary full, maintenance, aircraft control, air defense facilities can be

made ready for sustained operations. And as in the past, these preparations would depend upon naval convoys and carrier aircraft while being made ready.

The Committee asks how many situations will there be where the opponents may have sufficient anti-carrier weapons to make the use of carriers too risky. Again who can say the answer to that and know he is right. In a way it is a nonsense question. If there are such anti-carrier weapons, they would be even more effective against U.S. sea-going forces without carriers. Reducing carriers would make our use of the seas to support the land bases the Committee imagines as available a far more costly undertaking, and perhaps make it impossible.

Perhaps the Committee is referring to the Soviet Styx ship launched missile. The carrier is the most effective counter weapon to the Styx since it is the only U.S. naval weapon which outranges it. Consideration of the Styx shows the carrier as an absolute necessity to defend all U.S. sea-going traffic, and at the least risk to our forces.

[Continuation of the "Report on Military Spending"]

THE NAVY F–14 PROGRAM

Summary

The F–14 is a new multi-mission carrier-based fighter currently under development for the Navy by Grumman. It is to replace the Navy's present F–4 Phantoms as a general air superiority fighter/escort in the mid-1970's. Carrying the Phoenix missile, it is to perform the fleet air defense mission of the now defunct F–111B against Soviet bombers and cruise missiles. It is also to have an air to ground attack capability.

The A model of the F–14, using engines, avionics and Phoenix developed for the F–111B is planned to be operational in 1973. The B model, using advanced technology engines, is planned to be operational in 1975. The C model, using advanced avionics, is planned to be operational in the late 1970's.

The F–14, as presently conceived, is an enormously complex and expensive weapons system. The Navy presently estimates the "unit flyaway cost" of the plane at less than $8 million. A conservative estimate of the total "systems cost" of the F–14 over a ten year period would be $15 billion.

Recommendation

Congress should not authorize $275 million in procurement funds requested for the F–14A in the FY 1970 budget pending Congressional review of attack aircraft carriers, and the requirement for a new carrier based aircraft and the Phoenix missile system.

Rationale and discussion

A. Current Status of Program

1. *From F–111 B to F–14.* In 1968, Congress decreed the demise of the Navy F–111B and authorized instead development of a new multi-mission Navy fighter, the F–14. The principal mission of the F–111B was to be fleet air defense (FAD). It was to carry six long-range air-to-air Phoenix missiles and sophisticated avionics. Loitering at some distance from the fleet, the F–111B was to counter supersonic enemy bombers armed with long-range air-to-surface missiles, and hopefully, to defend against surface-launched cruise missiles as well. The F–111B program encountered numerous delays and rapid cost increases. Weight and size problems arose in connection with heavy components such as engines, sophisticated avionics and the Phoenix, as well as with the airframe, which was designed also to meet Air Force requirements for the F–111A. There were also difficulties in mating engine to air frame.

The F–14 is the outgrowth of an "unsolicited Grumman proposal" of the last 1967, together with an extensive Navy Fighter Study of early 1968, a pending Navy proposal for a new mid-1970's fighter (VFAX) and the demise of the F–111B. The F–14 is to have several possible missions. It is to replace the Navy's F–4 Phantoms as a mid-1970's and 80's air superiority fighter and escort—a role which seems to have superseded the fleet air defense role in importance since 1968 Navy testimony before Congressional committees; it is to perform the fleet air defense mission of the F–111B; and it is to have an air-to-ground attack capability.

2. *The F–14 A.* Grumman received the contract for development of the first version of the F–14, the F–14 A, in February, 1969. The F–14 A is to be a swing-wing, supersonic aircraft using the F–111 B's engines and AWG–9 avionics (airborne missile control system, including radars and computers). The avionics are to be redesigned for tandem seating, and for fire control of the existing Sparrow and Sidewinder air-to-air missiles as well as the Phoenix (still in development). The F–14 A airframe will use titanium for weight saving, and will be optimized, to the extent other missions permit, for maneuverability in "dogfight" situations. The F–14 A is to have the capability of carrying one or more weapons systems in varying mixes—internal cannon, Phoenix, Sparrow, Sidewinder, conventional air-to-ground ordnance—depending on which threats materialize and which missions seem most important in any given situation.

Present plans reportedly call for procurement of fewer than 100 F–14 A's, for test, evaluation, training, and deployment. The target date for initial deployment with the fleet is mid-1973.

3. *The F–14 B and C.* Both the F–14 B and C are to use the airframe developed for the F–14 A. Both are to use advanced technology engines (higher thrust and lower weight than F–111/F–14 A engines) which are under joint development with the Air Force for possible use in AMSA and a proposed F–15 fighter. Target date for operational "B" engines is sometime in 1975. F–14 A's are to be retrofitted with "B" engines, supposedly at minimum cost since the F–14 A airframe has been designed with the new engines in mind. The late 1970's F–14 C is to incorporate advanced avionics.

4. *Costs.* At present, unit "flyaway costs" of the F–14 are being estimated by Navy officials at something under $8 million. This estimate assumes a production run of some 460 aircraft in the A and B versions of the F–14, and the absence of unexpected technical problems and delays. Other estimates within the Administration are reportedly $2 to $3 million higher. The cost of procuring the Phoenix missile (currently estimated at some $219,000 per missile) as well as the cost of other missiles and ordnance, and probably, part of the cost of the avionics for the Phoenix (current cost for each Phoenix avionics unit: about $2 million) are not included in the "flyaway cost."

If the F–14 program goes according to plan, the Navy plans to replace most of its F–4's (Phantoms) with the plane, which means that the eventual "buy" of the F–14 could go as high as 1000. Estimates of the ten-year "systems" cost for the F–14 (R & D, procurement, spare parts, support, training, and maintenance) are classified, but are reportedly below unofficial estimates ranging from $20 billion to over $30 billion.

B. The Argument for a New Carrier Based Aircraft: Mid–70's Role

Because an essential role of the plane is air defense for carriers, the case for the F–14 begins with the case for carrier task forces. The Navy contends that carriers can play a vital role in a sustained conventional war with the Soviet Union or Communist China, in limited wars such as the Korean War or the current conflict in Vietnam, in show-of-force or deterrence situations in various areas of tension and confrontation, and perhaps even in tactical nuclear engagements. It is assumed that carrier forces can be effectively defended in these situations now, but that by the mid–1970's, present carrier-based airborne weapon systems and aircraft will be outclassed in both fleet defense and in fighter and attack roles by sophisticated Soviet capabilities.

C. Critique of Argument: The Soviet Contingency Is Unlikely

1. A full-scale, sustained conventional war with the Soviet Union seems an unlikely contingency today and for the foreseeable future.

2. If, however, we assume that such a contingency is possible, that it will not rapidly escalate to nuclear war or will not be stopped short of the brink after a few days; if we also assume that the Soviet Union will have the full range of sophisticated capabilities predicted for the 1970's—a large fleet of sophisticated attack submarines, a large force of long-range and medium-range supersonic bombers armed with stand-off missiles, a fleet of surface vessels armed with cruise missiles and following the U.S. fleet around—then carrier task forces appear exceedingly vulnerable with or without the F–14. Even if the fleet is provided with the widest range of defense capabilities, it is probable that a full-scale Soviet attack on a carrier task force would be successful and not prohibitively costly.

3. If, on the other hand, we assume a full-scale encounter with the Soviet Union but *less* than the full range of Soviet capabilities that have been predicted for the 70's, the need for the F–14 is still open to doubt. In particular, some critics have questioned the need for a new fighter to meet a future Soviet bomber threat.

Chairman Mahon of the House Appropriations Committee commented thus during the 1968 hearings:

"The bomber threat against the fleet, as you know, has been predicted by Navy officials for some time. It has not, of course, developed to date."

In a late 1968 report on the U.S. tactical air power program by the Senate Armed Services Preparedness Investigating Subcommittee, the following points on the bomber threat are made:

"The F–111 B was designed primarily for fleet air defense against Soviet supersonic bombers. But that threat is either limited or does not exist; and therefore, we believe the Navy should re-examine the prime requirements for the VFX–1 (F–14 A) as to its most important role, in the light of the most predictable threat to the fleet. We are concerned about the assignment of four missions to this single aircraft with potential degradation in its capacity to perform the primary mission."

D. Present Capabilities Suffice for Show of Force and Deterrence Contingencies

1. For show-of-force and deterrence in tension spots—the roles carrier task forces may be best suited for in the future—the Navy's existing defensive capabilities and aircraft can probably do the job. The alternative to building any new Navy fighter is to rely on the presently deployed advanced Phantom F–4 J's for the missions assigned to the F–14, and to produce more as necessary (the production line is scheduled now to close in 1972) with very substantial savings. Also, there are electronic counter-measures and point defense systems presently deployed or planned for the fleet for additional deterrence of potential threats to the fleet.

2. The Navy argues that maximum deterrent effect should be sought through a mix of several of the most advanced defensive capabilities—airborne, surface-based missile defense, and electronic counter measures. But it is probable, that as far as the Soviet Union is concerned, deterrence will be achieved as much by Soviet reluctance to

directly engage U.S. armed forces, as by the deployment of the most advanced fleet air defense capabilities. The possibility of escalation to nuclear war is what counts most.

3. For show-of-force roles which do not directly involve the Soviet Union, it is also questionable whether the F–14 is necessary. The F–4 Phantom has been described as the "best fighter in the free world today." The F–4 J model is equipped with Sparrow and Sidewinder air-to-air missiles. Its range and the capabilities of its avionics are not as great as those planned for the F–14. But in dogfights in the exceptionally hostile air environment over North Vietnam, the Phantoms have proved a match for high performance Soviet MIG–21's.

F. Other Contingencies Also Are Problematical

Other contingencies in which it is contended that new advanced carrier-based aircraft may be essential include a full-scale conventional war with Red China; initial "surge operations" at the outbreak of a limited war; prolonged operations during a limited war; skirmishes off the coasts of small hostile countries; and show of force situations against Soviet allies, given aircraft more advanced than the MIG–21.

The contingency of a full-scaled conventional war with Red China seems almost as improbable as the comparable Soviet contingency. And even against Red China, carrier task forces—with or without the F–14—might be vulnerable, particularly when sailing near any part of the Asian land mass under Red Chinese control.

In most foreseeable sustained limited war operations, land-based aircraft can or should be relied upon. In limited war operations which might require carrier based aircraft and in "surge operations" and skirmishes, the argument for the F–14 rests on the assumption that prospective new Soviet missiles, aircraft, and other capabilities may be made available in quantity to smaller hostile countries. But this possibility, comparable to the Red China contingency, does not justify proceeding now with the F–14 program in all its present complexity and expense.

G. The F–14 Program Can Be Delayed for 1 Year While It Is Reviewed by Congress

On the basis of the discussion above, any risks incurred by a delay of one year in the F–14 program appear fully acceptable.

APPENDIX

A. Questions Concerning the F–14 Program with Phoenix Missile as Now Envisioned

1. *Why a multi-mission plane?*

By building the F–14 as presently designed the Navy may be spending large sums for the latest in engines, avionics, weaponry and airframe all in one plane that will perform its two principal missions—fleet air defense and air superiority—satisfactorily but at the expense of the highest possible performance of either one. For example, in order to get a better all-around air superiority fighter, the F–14's fleet air defense capabilities will be less than those of the F–111 B. It will not be able to loiter for as great a period of time or as far from the fleet as the F–111 B; nor will it carry as many as six Phoenix missiles. Nevertheless, for a reduced fleet air defense capability, deployment of the Phoenix is still being planned.

The Phoenix missile is an enormously complicated and expensive weapons system which is still under development. Even though equipped with the latest in devices to ensure that it will reach its targets, there is the possibility that the technology of effective counter-measures may render it obsolete shortly after deployment. Moreover, each Phoenix weighs approximately 1,000 pounds. Even though the F–14 need not carry a full compliment of Phoenix, or any at all in the performance of certain missions, the airframe has to be designed to carry it and gains in weight thereby. Similarly, the sophisticated avionics for the Phoenix and other weapons systems adds weight.

The Navy argues that the F–14 airframe has been designed for high maneuverability in "dogfight" situations when the plane is not carrying the Phoenix, and that the capabilities of the Sparrow and Sidewinder are significantly increased by the F–14's avionics. It also argues that for an acceptable increase in costs and in degradation of the "dogfighter" capability, it gets a plane capable of meeting a wide spectrum of possible threats.

Taking into account the most likely contingencies for the fleet and alternative defense systems, however, the argument for a multi-mission fighter—particularly one designed to carry the Phoenix for fleet air defense—loses much of its force.

Navy pilots have reportedly expressed reservations about the complexity and weight of the weapons systems and avionics planned for the F–14. If, after Congressional review, a decision to go ahead with the F–14 is made, consideration should be given to building a smaller, less costly fighter. Such an aircraft could be less laden with heavy avionics—giving a premium to high maneuverability for "dogfights" and other air superiority missions.

As for the Phoenix, if it is decided that the system is sufficiently reliable, and that plausible threats justify costs for deployment, consideration should be given to adapting an existing aircraft to carry the system. Navy officials say they have studied this alternative, particularly in connection with the A–6, and that substantial modifications of the aircraft and costs would be involved, as well as problems of compatibility in performance of the aircraft and the missile. These conclusions should be re-examined if the case for dropping the Phoenix capability from the F–14 is accepted.

2. *Why build any F–14 A's? Why not wait for the F–14 B?*

Some critics of the F–14 program, both within and outside the Administration argue strongly that the F–14 A will be only marginally superior to the fleet's present Phantoms because it will use the heavy engines, avionics, and Phoenix missile from the F–111 B. They suggest that the F–14 airframe development should be stretched out until the advanced technology "B" engines become available eighteen months to two years from now for development with the airframe, and that plans to procure any F–14's with present engines should be cancelled. The higher-thrust and lighter-weight engines being developed for the F–14 B appear to promise significantly higher performance for this model even if it carries the Phoenix and presently planned avionics.

Navy officials argue that the F–14 A is needed as a hedge against possible threats and any slippage in "B" engine development and that a two year stretch-out in the program will be costly and entail delays in necessary R. & D. for the whole F–14 program.

The desirability of proceeding with development and procurement of the F–14 A as presently planned should be explored in the Congressional review recommended in this paper. This review itself will entail some stretch-out in the A program, and might entail a postponement in the present target date of mid-1973 for deployment of F–14 A's. But the F–14 B, the model the Navy is most anxious to acquire as the air superiority fighter of the future, will become operational in 1975.

B. Possible Savings

The FY 1970 budget request for the F–14 breaks down as follows in total obligational authority: $275 million for procurement of six test and evaluation models of the F–14 A and long lead-time items and spare parts; $175 million in R. & D. for work on the F–14 A; $50 million in R. & D. for the Navy's share of development costs of the "B" engine and for F–14 C avionics; $18 million in R. & D. for the Phoenix.

Estimated savings on the F–14 A: $275 million in FY 1970 if the proposal in this paper is adopted; perhaps $1 to $2 billion over the next five years if the decision is taken not to procure any A models of the F–14. However, if an increased number of F–14 B's are procured to fill in for the "A" models, these savings might in the long term amount only to those realized on the "A" engine and miscellaneous development costs peculiar to the F–14 A.

Estimated savings from dropping the Phoenix system from the F–14 and perhaps some electronics for a less complex and less costly F–14: No reliable estimate available. The savings should be substantial.

Estimated savings if the whole F–14 program is cancelled, at the very least, perhaps $10 billion if account is taken that additional Phantom's or other aircraft would be procured instead.

[From the CONGRESSIONAL RECORD, Aug 11, 1969]

F–14 PROGRAM

(Extract from the "Report on Military Spending" by the "Members of Congress for Peace Through Law/Committee on Military Spending")

[Annotated]

Summary

The F–14 is a new multi-mission carrier-based fighter currently under development for the Navy by Grumman. It is to replace the Navy's present F–4 Phantom as a general air superiority fighter/escort in the mid-1970's. Carrying the Phoenix missile, it is to perform the fleet air defense mission of the now defunct F–111B against Soviet bombers and cruise missiles. It is also to have an air to ground attack capability.

The A model of the F–14, using engines, avionics and Phoenix developed for the F–111B, is planned to be operational in 1973. The B model, using advanced technology engines, is planned to be operational in 1975. The C model, using advanced avionics, is planned to be operational in the late 1970's.

Comment

The F–14 will provide air superiority for the fleet and for friendly land forces. It is designed, of course, for fleet air defense carrying 6 Phoenix missiles and for air-to-surface attack carrying conventional ordnance, both without degradation of fighter performance. This is accomplished by palletizing Phoenix and other ordnance equipment which is carried only when desired. The F–14A and F–14B will have an air-to-ground capability with accuracies comparable to the A–7E.

When the F–14 is performing in either the fleet air defense or the air-to-surface attack configuration, it can return to its primary air superiority role immediately upon release of ordnance not required.

The F–14 will fill the fleet air defense need for which the F–111B was designed. It will replace the F–4 as an air superiority fighter and in escort roles.

A low risk development program was conceived for the F–14 to provide improved air-to-air capabilities in the earliest time frame. Improved versions of the existing Phoenix/AWG–9 missile control system and TF–30-P412 engines will be installed in the F–14A, to be operational in April 1973. The F–14A will meet the fleet air defense need and provide fighter performance considerably superior to the F–4 Phantom. An advanced technology engine under development in a Joint Navy/Air Force program will have 40% more thrust and weigh 25% less than the TF–30-P412. This advanced engine will be incorporated in the F–14 for operational use in December 1973. Designated F–14B, it will have maneuverability and weapon system

performance superior to the threat expected through the 1970's.

Summary

The F–14 as presently conceived, is an enormously complex and expensive weapons system. The Navy presently estimates the "unit flyaway cost" of the plane at less than $8 million. A conservative estimate of the total "system cost" of the F–14 over a ten year period would be $15 billion.

Comment

The F–14 will be a versatile and effective weapons system designed specifically to counter the projected threat. The most recent F–14 price-out, using carefully detailed component costs, places unit flyaway cost at $8.06M. Escalation at 4% per annum, compounded, had been applied in arriving at the F–14 price-out.

Total "system costs" are not valid unless the aircraft, the quantities and the support costs are specified. Navy estimates of the cost of production and support of 716 F–14A/B aircraft is $7,634M (escalated dollars).

Recommendation

Congress should not authorize $275 million in procurement funds requested for the F–14A in the FY 1970 budget pending Congressional review of attack aircraft carriers and the requirement for a new carrier based aircraft and the Phoenix Missile System.

Comment

The recommendation with respect to the F–14 program does not constitute a savings. The effect of the recommendation would be deferral of the cost of replacing existing aircraft.

A new fighter is required. The replacement of the F–4 for fleet air defense has already been deferred too long.

The Phoenix missile is essential for shooting down or diverting missile carrying aircraft before they reach missile launch range. The Phoenix missile system is also essential in the antimissile role.

False economies can be realized from disapproving programed systems and their associated funding. The Defense Department requests money for military equipment only because the equipment is judged essential to protect the U.S. and to deter aggression as directed by the President.

The recommendation states that the F–14 program should be deferred pending Congressional review of the attack carrier construction program. Should a decision be made not to construct a new carrier, it is unlikely that the carriers already in the force would be discarded. Of the carriers in the force today, 12 are scheduled to have F–14s in their air wings. The rationale supporting the F–14 on capability grounds applies, of course, to these 12 carriers as well as to new carriers.

Congress should authorize $175M in RDT&E funds and $275M in procurement funds requested for the F–14A in the FY 1970 budget so that the Navy can proceed with the orderly fighter development program it now has, devoid of overruns caused by deferrals, stretchouts, more study, schedule changes and all other delays.

RATIONALE AND DISCUSSION

A. Current status of program

1. *From F–111B to F–14.* In 1968, Congress decreed the demise of the Navy F–111B and authorized development of a new multi-mission Navy fighter, the F–14. The principal mission of the F–111B was to be fleet air defense (FAD). It was to carry six long-range air-to-air Phoenix missiles and sophisticated avionics. Loitering at some distances from the fleet, the F–111B was to counter supersonic enemy bombers armed with long-range air-to-surface missiles, and hopefully, to defend against surface-launched cruise missile as well. The F–111B program encountered numerous delays and rapid cost increases. Weight and size problems arose in connection with heavy components such as engines, sophisticated avionics and the Phoenix, as well as with the airframe, which was designed also to meet Air Force requirements for the F–111A. There were also difficulties in making engine to air frame.

The F–14 is the outgrowth of an "unsolicited Grumman proposal" of late 1967, together with an extensive Navy Fighter Study of early 1968, a pending Navy proposal for a new mid-1970's fighter (VFAX) and the demise of the F–111B. The F–14 is to have several possible missions. It is to replace the Navy's F–4 Phantoms as a mid-1970's and 80's air superiority fighter and escort—a role which seems to have superseded the fleet air defense role in importance since 1968 Navy testimony before Congressional committees; it is to perform the fleet air defense mission of the F–111B; and it is to have an air-to-ground attack capability.

Comment

The F–111B was to be a fleet air defense (FAD) interceptor carrying 6 long-range Phoenix missiles. It was to have been a partial replacement of the F–4 inventory. To complete the F–4 replacement, a new fighter was required for the air superiority and escort role. In 1968, the Congress canceled further funding of the F–111B and authorized development of a new Navy fighter, the F–14. Increasing weight and size spelled the demise of the F–111B. The engines and the fire control system (AWG–9/PHOENIX) have been reduced in weight during the development cycle. The F–14A version of the AWG–9 will weigh 580 pounds less than the original F–111B AWG–9 specification weight (a reduction of 29%).

The F–14 is the result of a Navy competition among five contractors. From inception, the F–14 was designed as an air superiority fighter around four Sparrow missiles and a 20 mm gun. The F–14 is an optimized combination of speed, acceleration, maneuverability and radius of action; it includes a weapons control system with multiple weapon options.

The F–14 will have three missions: air superiority, task force/area defense, and air-to-surface attack. It will replace the F–4 in the air superiority and escort role in the mid-1970's. Possessing a carefully designed overload capability to carry six long-range Phoenix missiles, it will provide far better fleet and area defense than the F–111B would have provided. The versatile AWG–9 in the F–14 also will generate solutions to provide a very accurate air-to-surface attack capability.

Recommendation

2. *The F–14A.* Grumman received the contract for development of the first version of the F–14, the F–14A, in February 1969. The F–14A is to be a swing wing, supersonic aircraft using the F–11B's engines and AWG–9 avionics (airborne missile control system, including radars and computers). The avionics are to be redesigned for tandem seating, and for fire control of the existing Sparrow and Sidewinder air-to-air missiles as well as the Phoenix (still in development). The F–14A airframe will use titanium for weight saving, and will be optimized, to the extent other missions permit, for maneuverability in "dogfight" situations. The F–14A is to have the capability of carrying one or more weapons systems in varying mixes—internal cannon, Phoenix, Sparrow, Sidewinder, conventional air-to-ground ordnance—depending on which threats materialize and which missions seem most important in any given situation.

Present plans reportedly call for procurement of fewer than 100 F–14A's, for test, evaluation, training, and deployment. The target date for initial deployment with the fleet is mid-1973.

Comment

The F–14A is a low risk development utilizing the already proven TF–30–P412 engine and AWG–9 weapons control system.

The AWG–9 has been reconfigured for compatibility with the F–14 airframe. It will include provisions for Sparrow, an advanced short range missile (Agile), Sidewinder and a 20mm gun. Although Phoenix has not yet been used operationally, 19 of 26 planned R&D missiles have been fired with unprecedented success. These include hits by one missile fired at a range of 78 miles, two missiles fired simultaneously at two targets with 10 miles separation and one missile fired in the active mode for the close-in situation.

The F–14A airframe uses 22% titanium for weight saving; it is optimized for maneuverability in "dogfight" situations. The F–14A will have the capability of carrying one or more weapons systems in varying mixes—internal 20mm cannon, Phoenix, Sparrow, Sidewinder, Agile, and conventional air-to-ground ordnance.

Not more than sixty-seven F–14As will be procured. Initial deployment with the fleet will take place in April 1973.

Recommendation

3. *The F–14B and C.* Both the F–14B and C are to use the airframe developed for the F–14A. Both are to use advanced technology engines (higher thrust and lower weight than F–111/F–14A engines) which are under joint development with the Air Force for possible use in AMSA and a proposed F–15 fighter. Target date for operational "B" engines is sometime in 1975. F–14A's are to be retrofitted with "B" engines, supposedly at minimum cost since the F–14A airframe has been designed with the new engines in mind. The late 1970's F–14C is to incorporate advanced avionics.

Comment

The F–14B, in addition to using the F–14A airframe unchanged, will have the high thrust version of the advanced technology engine under joint development with the Air Force for the F–14/F–15. The same engine duct will be used for both the F–14A and F–14B. The F–14B is expected to be operational in December 1973.

Recommendation

4. *Costs.* At present, unit "flyaway costs" of the F–14 are being estimated by Navy officials at something under $8 million. This estimate assumes a production run of some 460 aircraft in the A and B versions of the F–14, and the absence of unexpected technical problems and delays. Other estimates within the Administration are reportedly $2 to $3 million higher. The cost of procuring the PHOENIX missile (currently estimated at some $219,000 per missile) as well as the cost of other missiles and ordnance, and probably, part of the cost of the avionics for the PHOENIX (current cost for each PHOENIX avionics unit: about $2.0 million) are not included in the "flyaway cost."

If the F–14 program goes according to plan, the Navy plans to replace most of its F–4s (Phantoms) with the plane, which means that the eventual "buy" of the F–14 ten-year "systems" cost for the F–14 (R&D, procurement, spare parts, support, training, and maintenance) are classified, but are reportedly below unofficial estimates ranging from $20 billion to over $30 billion.

Comment

Present F–14 unit flyaway cost based upon a recent piece-by-piece priceout is $8.06M. The $8.06M takes into account inflationary factors estimated at 4% per year compounded. This estimate is based upon production of 716 aircraft and includes production costs of both the F–14A and F–14B. Other cost estimates must have used pricing techniques based upon incorrect weights,

erroneous titanium content for the F–14, as well as a "dollars per pound" approach to electronics costs. The results are seriously in error.

The Phoenix Missile Control System (AN/AWG–9) *is* included in flyaway costs. Expendable weapons are not in flyaway costs.

The current cost for each Phoenix avionics unit is about $1.3M vice the $2M stated. Also, it is important to note that 91% of planned Phoenix RDT&E funding has already been expended.

It is not possible to comment on the estimate of ten year systems cost without knowing how and on what basis the computation was made.

B. The argument for a new carrier-based aircraft: Mid-70's role

Because an essential role of the plane is air defense for carriers, the case for the F–14 begins with the case for carrier task forces. The Navy contends that carriers can play a vital role in a sustained conventional war with the Soviet Union or Communist China, in limited wars such as the Korean War or the current conflict in Vietnam, in show-of-force or deterrence situations in various areas of tension and confrontation, and perhaps even in tactical nuclear engagements. It is assumed that carrier forces can be effectively defended in these situations now, but that by the mid-1970's, present carrier-based airborne weapon systems and aircraft will be outclassed in both fleet defense and in fighter and attack roles by sophisticated Soviet capabilities.

Comment

Aircraft carriers can and do perform essential functions for the United States. Defense Department planning includes aircraft carriers in roles ranging from a show-of-force through all levels of conventional warfare to nuclear war, if that is ever needed. The effectiveness of carriers in many diverse roles is a matter of record. For this effectiveness to continue, carriers must be equipped with aircraft adequate to the tasks.

The projected threat that will confront the U.S. in the 1970–80's currently includes four new Soviet fighter aircraft each with performance greater than that of the F–4J. A new U.S. fighter to meet this threat is already very late.

The F–14 is designed and will have growth potential to provide adequate carrier fighter capability through the 1970–80 time period. The F–14 Phoenix system in addition to its fighter capabilities, will provide a significant capability to counter the Soviet cruise missile threat.

C. Critique of argument: The Soviet contingency is unlikely

1. A full-scale, sustained conventional war with the Soviet Union seems an unlikely contingency today and for the foreseeable future.

Comment

A full-scale conventional war with the Soviets may seem improbable to many people. But this belief, to be valid, rests on continuing U.S. strength.

Recommendation

2. If, however, we assume that such a contingency is possible, that it will not rapidly escalate to nuclear war or will not be stopped short of the brink after a few days; if we also assume that the Soviet Union will have the full range of sophisticated capabilities predicted for the 1970's—a large fleet of sophisticated attack submarines, a large force of long-range and medium-range supersonic bombers armed with stand-off missiles, a fleet of surface vessels armed with cruise missiles and following the U.S. fleet around—then carrier task forces appear exceedingly vulnerable with or without the F–14. Even if the fleet is provided with the widest range of defense capabilities, it is probable that a full-scale Soviet attack on a carrier task force would be successful and not prohibitively costly.

Comment

The attack carrier is and has been a tough target. No attack carrier built during or after World War II has been lost to enemy action or to any cause. Some of these carriers, still in service, fought through the air and kamikaze attacks of World War II. The newer attack carriers have extensive protection above and below the waterline. Armored flight decks, honey-comb internal structure, and many protective features have made our attack carriers the toughest ships on the seas.

The result of a Soviet attack on a carrier task force is primarily a function of the combat capability of the task force. The inherent capabilities of the long-range, multi-shot F–14/Phoenix system is superior by an order of magnitude to the F–4J/SPARROW system. The F–14 Phoenix system augmented by the new technology surface-to-air missile systems will seriously attrite any Soviet attack.

Recommendation

3. If, on the other hand, we assume a full-scale encounter with the Soviet Union but *less* than the full range of Soviet capabilities that have been predicted for the 70's, the need for the F–14 is still open to doubt. In particular, some critics have questioned the need for a new fighter to meet a future Soviet bomber threat.

Chairman Mahon of the House Appropriations Committee commented thus during the 1968 hearings:

"The bomber threat against the fleet, as you know, has been predicted by Navy officials for some time. It has not, of course, developed to date."

In a late 1968 report on the U.S. tactical air power program by the Senate Armed Services Preparedness Investigating Subcommittee, the following points on the bomber threat are made:

"The F–111B was designed primarily for fleet air defense against Soviet supersonic bombers. But that threat is either limited or does not exist; and therefore, we believe the Navy should re-examine the prime requirements for the VFX–1 (F–14A) as to its most important role, in the light of the most predictable threat to the fleet. We are concerned about the assignment of four missions to this single aircraft with potential degradation in its capacity to perform the primary mission."

Comment

From time to time, missile carrying Soviet bombers fly over or near units of the U.S. fleet. Although detected early and intercepted, these overflights make clear this threat does exist. New Foxbat, Fiddler and Flagon fighters have long-range escort capabilities with advanced avionics and missiles, adding to the threat.

The F–14, designed for air superiority, is the weapon system that can shoot down long-range multiple-raid targets, aircraft and missiles, and can engage enemy escort fighters in close-in combat. Computer technology and weight reducing microminiaturization of avionics, properly balanced with airframe and engine design, have removed performance degradation in this multi-mission fighter. In the F–14, one percent of the aircraft's weight makes it possible to use Phoenix, Sparrow, Sidewinder, Agile, a gun and air-to-surface weapons. A significant amount of that weight is in removable pallets not carried in the "dogfight" configuration.

D. Present capabilities suffice for show of force and deterrence contingencies

1. For show-of-force and deterrence in tension spots—the roles carrier task forces may be best suited for in the future—the Navy's existing defensive capabilities and aircraft can probably do the job. The alternative to building any new Navy fighter is to rely on the presently deployed advanced Phantom F–4 J's for the missions assigned to the F–14, and to produce more as necessary (the production line is scheduled now to close in 1972) with very substantial savings. Also, there are electronic countermeasures and point defense systems presently deployed or planned for the fleet for additional deterrence of potential threats to the fleet.

Comment

The mobility of sea-based tactical air makes it a valuable instrument of U.S. policy. Navy mobile striking power can be effectively applied at all levels of warfare—from deterrence to nuclear attack. A strong Navy in control at sea will deter the enemy. The F–14 is essential to effective deterrence.

The F–4 designed in 1954 became operational in 1961. Since that date the Soviets have built and flown 8 new fighters. The F–4 cannot be improved further without major redesign amounting to a new airplane and costing many millions of dollars. It still would be inferior to operational Soviet fighter aircraft.

Credible deterrence requires balanced offensive and defensive capabilities.

Recommendation

2. The Navy argues that maximum, deterrent effect should be sought through a mix of several of the most advanced defensive capabilities—airborne, surface-based missile defense, and electronic countermeasures. But it is probable, that as far as the Soviet Union is concerned, deterrence will be achieved as much by Soviet reluctance to directly engage U.S. armed forces, as by the deployment of the most advanced fleet air defense capabilities. The possibility of escalation to nuclear war is what counts most.

Comment

Continuing reluctance of the Soviet Union to engage U.S. armed forces rests on respect for U.S. military power.

Escalation to nuclear war becomes far more probable if effective general purpose forces are not maintained. Naval forces are essential to effective general purpose forces. Since no one in the U.S. wants to use nuclear weapons, the choice really is stay strong militarily or let the initiative and course of history pass to the Communists.

Recommendation

3. For show-of-force roles which do not directly involve the Soviet Union, it is also questionable whether the F–14 is necessary. The F–4 Phantom has been described as the "best fighter in the free world today." The F–4 J model is equipped with Sparrow and Sidewinder air-to-air missiles. Its range and the capabilities of its avionics are not as great as those planned for the F–14. But in dogfights in the exceptionally hostile air environment over North Vietnam, the Phantoms have proved a match for high performance Soviet MIG–21's.

Comment

The F–4 is our best U.S. fighter employed in Southeast Asia. Its performance in aerial combat has been marginal. Designed as an interceptor, and equipped with an avionics/weapons system to destroy high altitude bombers, the F–4 has been used as an air superiority fighter. It was not designed for this role.

The ratio of MIG–21s downed by F–4s to F–4s downed by MIG–21s diminished from April 1966 to August 1967. Since August 1967 the F–4 has a 1:1 kill ratio against the older MIG–21's. In a confrontation with late model MIG–21s and particularly with the newer USSR fighters, the F–4J would be totally inadequate.

F. Other contingencies also are problematical

(1) Other contingencies in which it is contended that new advanced carrier-based air-

craft may be essential include a full-scale conventional war with Red China; initial "surge operations" at the outbreak of a limited war; prolonged operations during a limited war; skirmishes off the coasts of small hostile countries; and show of force situations against Soviet allies, given aircraft more advanced than the Mig–21.

Comment

Regardless of the intensity of conflict or how alliances or military aid programs may work out, having the air combat superior F–14 will make U.S. posture more viable.

(2) The contingency of a full-scaled conventional war with Red China seems almost as improbable as the comparable Soviet contingency. And even against Red China, carrier task forces—with or without the F–14—might be vulnerable, particularly when sailing near any part of the Asian land mass under Red Chinese control.

Comment

That *any* full-scale war continues to remain improbable is due mainly to this nation's deterrent capabilities. If we unilaterally reduce our military effectiveness, the options and prospects of our adversaries increase while ours diminish.

Our carrier task forces are not now vulnerable to Red China forces. The F–14 with a 500 mile escort radius of action would significantly add to our ability to deal with a Red China confrontation.

(3) In most foreseeable sustained limited war operations, land-based aircraft can or should be relied upon. In limited war operations which might require carrier based aircraft and in "surge operations" and skirmishes, the argument for the F–14 rests on the assumption that prospective new Soviet missiles, aircraft, and other capabilities may be made available in quantity to smaller hostile countries. But this possibility, comparable to the Red China contingency, does not justify proceeding now with the F–14 program in all its present complexity and expense.

Assuming a limited war, (U.S. and USSR not in direct conflict) 85% of the land area of the world and 95% of its population are within 600 miles of sea-based tactical air. This 85% portion contains 56.5 million square miles. A single carrier task force could respond to a contingency in any one of the 56.5 million square miles. In addition, the carrier covers 100% of the sea area. There is no way to estimate the number of air bases required to equal the carrier's capability, even if local governments would allow air bases to be constructed and maintained during peacetime. Carrier task forces can be gathered and applied promptly. Land bases take time to construct and get into effective operation. Carrier task forces buy time for this process and frequently provide the umbrella which makes it possible.

Experience indicates that it requires the best weapon systems to counter the enemy even in "limited war operations."

That the Soviets operate an active program to provide arms assistance to potentially hostile countries further justifies proceeding with the F–14 program as presently conceived.

G. The F–14 program can be delayed for 1 year while it is reviewed by Congress

On the basis of the discussion above, any risks incurred by a delay of one year in the F–14 program appear fully acceptable.

Comment

Delaying one year would increase costs in the F–14 program by $100M, besides delaying the availability of an advanced fighter capable of countering Soviet fighters now entering operational service. Foregoing the F–14A to await the F–14B, would increase costs $340M. Fleet introduction of an advanced fighter would be delayed two years.

The F–14 design and construction are far along. First flight will take place in 17 months. The requested FY–70 funds are necessary to produce the aircraft required for an efficient, economical program.

Recommendation

APPENDIX

A. Questions concerning the F–14 program with Phoenix missile as now envisioned

1. *Why a multi-mission plane?*

(a) By building the F–14 as presently designed the Navy may be spending large sums for the latest in engines, avionics, weaponry and airframe all in one plane that will perform its two principal missions—fleet air defense and air superiority—satisfactorily but at the expense of the highest possible performance of either one. For example, in order to get a better all-around air superiority fighter, the F–14's fleet air defense capabilities will be less than those of the F–111B. It will not be able to loiter for as great a period of time or as far from the fleet as the F–111B; nor will it carry as many as six Phoenix missiles. Nevertheless, for a reduced fleet air defense capability, deployment of the Phoenix is still being planned.

Comment

The F–14 is designed as an air superiority fighter. The engines and airframe have been selected for optimum maneuvering performance. The versatile AWG–9 weapons control system will control Phoenix, Sparrow, Sidewinder or Agile air-to-air missiles, generate sighting data for the 20mm gun, and provide air-to-surface weapons delivery solutions. Such a wide variety of ordnance makes it possible to readily adapt the F–14 to air superiority, to fleet air defense or to air-to-surface missions.

The F–14A at combat weight (gun and four Sparrows) will have a thrust-to-weight ratio of .84. The F–14 with the advanced technology engines will have a thrust-to-weight ratio of 1.16. Acceleration from .8M to 1.8M will take 1.27 minutes. Aircraft weight penalties are avoided by palletizing equipment for fleet air defense and air-to-surface missions. The added weight is carried only on these missions. Phoenix and air-to-surface ordnance are carried as an overload. An insignificant penalty in maneuvering performance (.5 to 1.0g) is accepted while the ordnance is aboard the aircraft. However, the full F–14 maneuvering performance returns when the missiles or ordnance are fired. This design approach enables an F–14 loaded with 6 Phoenix to remain on combat air patrol longer than the F–111B; yet it does not carry the airframe weight penalty that was in the F–111B design.

(b) The Phoenix missile is an enormously complicated and expensive weapons system which is still under development. Even though equipped with the latest in devices to ensure that it will reach its targets, there is the possibility that the technology of effective counter-measures may render it obsolete shortly after deployment. Moreover, each Phoenix weighs approximately 1000 pounds. Even though the F–14 need not carry a full complement of Phoenix, or any at all in the performance of certain missions, the airframe has to be designed to carry it and gains in weight thereby. Similarly, the sophisticated avionics for the Phoenix and other weapons systems adds weight.

Comment

The Phoenix missile is designed to operate in an electronic countermeasures (ECM) environment. Its multiple guidance phases and multiple control frequencies make it effective against all predicted ECM techniques. The maneuvering performance of the F–14 with six Phoenix is degraded by 0.5 g. Full maneuvering performance, however, is regained as the missiles are fired at their targets.

Recommendation

(c) The Navy argues that the F–14 airframe has been designed for high maneuverability in "dogfight" situations when the plane is not carrying the Phoenix, and that the capabilities of the Sparrow and Sidewinder are significantly increased by the F–14's avionics. It also argues that for an acceptable increase in costs and in degradation of the "dogfighter" capability, it gets a plane capable of meeting a wide spectrum of possible threats.

Comment

The capability to control Sparrow and Sidewinder is being added to the AWG–9 missile control system. The digital computer in the system significantly improves the prospect of successful attacks by clearly defining the missile envelope and providing accurate "in-range" data to the pilot.

Recommendation

(d) Taking into account the most likely contingencies for the fleet and alternative defense systems, however, the argument for a multi-mission fighter—particularly one designed to carry the Phoenix for fleet air defense—loses much of its force.

Comment

Surface-to-surface and air-to-surface missile threats already exist. They will certainly become more advanced. Advanced Soviet fighters will be equipped with missiles capable of ranges greater than U.S. missiles with the exception of Phoenix. We must be able to counter the total threat, *not* the easier contingencies chosen mainly to avoid coming to grips with very unpleasant realities. Over the past ten years, Soviet weapons progress has been startling.

Recommendation

(e) Navy pilots have reportedly expressed reservations about the complexity and weight of the weapons systems and avionics planned for the F–14. If, after Congressional review, a decision to go ahead with the F–14 is made, consideration should be given to building a smaller, less costly fighter. Such an aircraft could be less laden with heavy avionics—giving a premium to high maneuverability for "dogfights" and other air superiority missions.

Comment

Analysis of a smaller, less costly fighter proved that in order to achieve desired design parameters, either the thrust required would be beyond the level attainable or the gross weight of the aircraft would far exceed that of the F–14A. This lightweight fighter would be capable of air maneuvering combat only. It would not have adequate range to escort attack aircraft to their maximum mission ranges, provide fleet air defense in all-weather conditions or to deliver air-to-surface ordnance.

Recommendation

(f) As for the Phoenix, if it is decided that the system is sufficiently reliable, and that plausible threats justify costs for deployment, consideration should be given to adapting an existing aircraft to carry the system. Navy officials say they have studied this alternative, particularly in connection with the A–6 and that substantial modifications of the aircraft and costs would be involved, as well as problems of compatibility in performance of the aircraft and the missile. These conclusions should be re-examined if the case for dropping the Phoenix capability from the F–14 is accepted.

Comment

The alternative of adapting the AWG–9 weapon control system to the A–6 airframe was re-examined. Total procurement costs, both recurring and nonrecurring, for a minimal 232 aircraft buy would be $1.7B, of which the recurring costs including support would amount to $1.5B. The resulting average fly-

away cost would approximately equal the F–14A cost. In comparison to the F–14A, the A–6, a subsonic system, could not meet the deck launched intercept mission requirements, would be less effective when on CAP station, and could not be used in the strike escort role against high performance enemy fighters.

Recommendation

2. *Why build any F–14's? Why not wait for the F–14B?*

Some critics of the F–14 program, both within and outside the Administration argue strongly that the F–14A will be only marginally superior to the fleet's present Phantom's because it will use the heavy engines, avionics, and Phoenix missile from the F–111B. They suggest that the F–14 airframe development should be stretched out until the advanced technology "B" engines become available eighteen months to two years from now for development with the airframe, and that plans to procure any F–14's with present engines should be cancelled. The higher-thrust and lighter-weight engines being developed for the F–14B appear to promise significantly higher performance for this model even if it carries the Phoenix and presently planned avionics.

Navy officials argue that the F–14A is needed as a hedge against possible threats and any slippage in "B" engine development and that a two year stretch-out in the program will be costly and entail delays in necessary R & D for the whole F–14 program.

The desirability of proceeding with development and procurement of the F–14A as presently planned should be explored in the Congressional review recommended in this paper. This review itself will entail some stretch-out in the A program, and might entail a postponement in the present target date of mid-1973 for deployment of F–14A's. But the F–14B, the model the Navy is most anxious to acquire as the air superiority fighter of the future, will become operational in 1975.

Comment

Threat analysis dictates introducing a better fighter capability at the earliest possible date. The F–14 is scheduled for operations in early 1973 and is substantially better than the F–4. A decision to stop the F–14A and wait for the F–14B would delay the operational introduction of a superior fighter at least two years.

Proceeding with a Navy fighter development by means of evolution from the F–14A to the F–14B reduces the risk and provides distinct and substantial savings in cost and time. It also provides increased flexibility to satisfy other military objectives.

Stopping the F–14A program and proceeding only with the F–14B will result in additional program costs of $340M. These cost increases do not include TF–30–P412 engine termination. They do reflect sustaining adequate manpower over a longer development period, adding flight testing, changing GFE requirements and timing, and adjusting for inflation due to the time lag.

The development process must be slowed when the number of major items to be developed is increased. In this case at least two years are lost at a time when greater fighter capability is urgently needed.

Analysis of the threat in the mid-1970's reveals that present fighters cannot successfully counter the threat. A low risk orderly development program was initiated to introduce in the earliest time frame an advanced fighter capable of countering the threat. Studies determined the optimum time and cost schedules for this program. Any stretch-out will increase total program costs and delay introduction of an advanced fighter.

Recommendation

B. Possible savings

The FY 1970 budget requests for the F–14 breaks down as follows in total obligational authority: $275 million for procurement of six test and evaluation models of the F–14A and long lead-time items and spare parts; $175 million in R&D for work on the F–14A; $50 million in R&D for the Navy's share of development costs of the "B" engine and for F–14C avionics; $18 million in R&D for the Phoenix.

Estimated savings on the F–14A: $275 million in FY 1970 if the proposal in this paper is adopted; perhaps $1 to $2 billion over the next five years if the decision is taken not to procure any A models of the F–14. However if an increased number of F–14B's are procured to fill in for the "A" models, these savings might in the long term amount only to those realized on the "A" engine and miscellaneous development costs peculiar to the F–14A.

Estimated savings from dropping the Phoenix system from the F–14 and perhaps some electronics for a less complex and less costly F–14: No reliable estimate available. The savings should be substantial.

Estimated savings if the whole F–14 program is cancelled, at the very least, perhaps $10 billion if account is taken that additional Phantom's or other aircraft would be procured instead.

Comment

False economies would be realized by cancellation of the F–14A program. In addition, a new fighter such as the suggested light weight fighter could not be operational prior to 1975. Cancellation of the F–14A would negate any opportunity to develop a fighter capable of countering advanced Soviet fighters.

A stretchout will increase overall program costs because of inflation, contract renegotiation, additional flight tests and purchase of F–4s to maintain force levels. Stopping the F–14A program and proceeding with the F–14B will result in additional program costs of $340M. Delaying the F–14A for one year will result in additional program costs of $100M.

Should Phoenix be cancelled, the long-range intercept capability required to counter multiple target raids against surface forces, U.S. forward objective areas and Continental U.S. will be delayed until a replacement system can be designed and developed. In addition, the capability to counter advanced Soviet fighters equipped with long-range missiles will be degraded. Ninety-one percent of the development funds for the AWG–9/Phoenix missile system have been spent.

[Continuation of the "Report on Military Spending"]

COMMENTS ON THE CRITIQUE OF SENATOR GOLDWATER—F–14

Our report questioned whether the benefits expected from the F–14 warranted the development and procurement costs. In effect this aircraft, if it performed according to specifications, would increase the range of contingencies in which our aircraft carriers would be viable. There are then two questions which must be answered to provide us with the basis to decide whether this aircraft should be funded.

First, if we have the F–14/Phoenix system, what additional contingencies can we cope with which cannot be successfully met with present systems? Second, is the F–14/Phoenix system the most economical way of achieving this increment in our capabilities?

The F–14 has been questioned in both contexts.

At the extremes of contingencies we envision, there is considerable agreement. In show of force situations the present systems should suffice. In a nuclear war the F–14/Phoenix is not likely to do more than perhaps allow planes bearing additional megatonnage to deposit additional overkill upon the Soviet Union. In a conventional war with the Soviet Union, there may be some situations in which the carriers are more survivable with the F–14 than is now the case. The critique submitted by Senator Goldwater said that it would be possible to "seriously attrite any Soviet attack." But what does "seriously attrite" mean? To us it suggests that from an attacking force of 100 $2 million aircraft, five might be able to deliver their weapons. This is 95% attrition. But 5% get through. Thus a $1.3 billion task force manned by some 7000 or more sailors might be destroyed at a cost of $400 million and 200 men. We would not say that the F–14 helped significantly even if more of the attacking force were destroyed than would have been the case the F–4s defending the carrier.

But for contingencies between the extremes, it is not really clear where and at what point in the next decades we will require the F–14. In short, we raised the question as to the increment in capability provided by the F–14/Phoenix system. We have not received an answer.

There remains the question of whether the F–14/Phoenix is the most economical means of increasing our strength. We should be aware that we are replacing the $4 million F–4 with the $8–$12 million F–14. While it may be that the F–14 will perform better than the F–4, we are not convinced that the increased performance justifies the very much greater cost.

Moreover, there is some doubt concerning whether the F–14 is the optimum aircraft for the Navy's purpose.

In 1968 Preparedness Subcommittee Hearings on tactical airpower, General G. P. Disosway, then commander of the Tactical Air Command, testified that, "if you could build an airplane which would do everything it would be wonderful. You just cannot do it in this modern day."

Former Assistant Secretary of Defense Alain Enthoven made similar statements. He said, "you cannot build a plane that is all things to all men," and later on that, "you design differently for an air defense interceptor to shoot down bombers that are flying straight and level than you do for a maneuvering air superiority fighter."

Yet in the paper submitted by Senator Goldwater, we are told that the F–14 is "the weapon system that can shoot down long range multiple-raid targets, aircraft and missiles, and can engage enemy escort fighters in close-in combat . . ." It is also suggested that the F–14 will have "adequate range to escort attack aircraft to their maximum mission ranges."

Who is right? General Disosway and Dr. Enthoven, who are skeptical about multi-mission aircraft, or the Navy analysts who assert the F–14 will perform its multi-mission role in accordance with the plane's specifications? We do not really profess to know. But it is very clear that there exists substantial disagreement and we believe we should be provided with much more information before we vote funds for this program where aircraft procurement costs alone might be $5 to $10 billion.

We would like to make one final comment on the F–14. We are told that the best fighter in our inventory is the F–4 which was designed in 1954 and which became operational in 1961. Since 1961, the Soviets are supposed to have flown 8 fighters. The implication is that the Soviets are far ahead of us in fighter capability. But we would suggest that the situation is not as bad as this information might imply. In the first place, we are not told how many of these Soviet aircraft are operational. We are not told that there are experts who do not agree with the dire assessment of the Soviet threat. Dr. Enthoven testified that the F–4 would continue to perform effectively against enemy fighters in the near future and that Communist aircraft are by and large seriously limited in range. Furthermore, the age of the F–4 does not tell the

whole story. Admiral Connolly testified that we are not flying the same F–4 today that we had ten years ago. He said that we improved its speed and we improved its altitude and weapons carrying capability and acceleration. He also noted that the day of the F–4 is "far from over."

Again, we are not saying that the Soviets will not develop very much improved aircraft. But we do believe that the threat may be exaggerated and that we should examine it carefully before we approve massive expenditures based upon its existence. This was the thrust of the recommendation in our report on military spending.

CHEMICAL AND BIOLOGICAL WARFARE

Summary

The United States maintains an extensive chemical and biological warfare capability and a high level of research in these areas. The Department of Defense claims that its capabilities are designed to "deter all use of chemical and biological weapons by the threat of retaliation in kind."

The FY 1969 budget was reported to be $330 million.

Recommendations

The need for a chemical and biological weapons program of the present magnitude is not adequately justified by the DOD. In response to Congressional criticism, the Administration has ordered a policy review. Until there is further resolution of policy, a cut of 10% in the budget is recommended, based on the assumption of better management, better use of personnel and elimination of unnecessary stockpiles. In FY 1970, no more than $297 million should be authorized for chemical and biological warfare programs including procurement of chemical and biological agents, disseminating systems, and protective equipment; RDT&E; and Operation and Maintenance. In addition, pending the policy review and presentation of its results to Congress, there should be a moratorium on military construction for chemical and biological warfare centers.

Rationale and discussion

The United States maintains a defensive capability in chemical and biological warfare and an offensive capability which is described as limited. These capabilities are designed to "deter all use of chemical and biological weapons by the threat of retaliation in kind." Although information is scanty, it is estimated that the U.S. has thousands of tons (more than one billion lethal doses of nerve gas) in its inventory and has a large number of biological agents in pilot culture form so that large-scale production could be started at Pine Bluff Arsenal if the need should arise.

Most of the experience with gas warfare comes from World War I where the Germans gained a major temporary advantage from the use of gas. Had they exploited this advantage, they might have changed the course of the war. Post World War I thinking by the U.S. Chemical Service Corps was largely based on the World War I experience.

World War II chemical warfare strategy was based on this same experience. The Geneva Protocol prohibiting first-use of chemical and biological weapons, the attitude of the top governmental leaders in the West, and a dislike of the weapon by many U.S. military were all factors leading the West not to use gas. Hitler apparently wanted to use gas in the end, but the Germans were not in the military position to do so, and their top officers opposed its use. U.S. Army Air Force officials opposed use of our gas on the Japanese, because it was believed that fire bomb raids were just as effective. Also many subscribed to the principles of the Geneva Protocol, although it had not been ratified by the United States. In any case, whatever role gas had as a strategic weapon in the U.S. arsenal was eliminated with the development of the atomic bomb.

Some advocates of chemical weapons for tactical situations assert that with the development of so-called incapacitating chemicals, wars might be waged in more humane fashion. At present, there is little evidence for this position. In Vietnam, for example, tear gas is injected into tunnels and the occupants shot as they emerge. It is also dispersed from the air prior to bombing attacks.

While some might argue that unilateral employment of chemical weapons might be advantageous to the United States, it is unrealistic to expect that such a situation would continue over a long term. U.S. use is certain to be reciprocated. There could be no assurance, moreover, that what might begin with the use of relatively non-lethal chemicals might escalate to the use of more and more toxic substances. The real question, therefore, is whether the United States would prefer use of chemicals by all combatants or by none.

The case for maintaining a program to develop biological weapons is even weaker than for chemical ones. The dangers of biological warfare agents have led to a universal revulsion against them. Health experts agree that use of lethal biological agents such as brucellosis or tuleremia could endanger all mankind. Many scientists claim, moreover, that there is no such thing as a non-lethal biological agent. While healthy soldiers might be incapacitated, many of the old, young, and infirm might die. The biological agents might spread beyond the target area, mutate, and infect the attacker with a variety of the disease that would be resistant to the vaccines effective against the original agent.

The international outcry at the time that the U.N. was accused of using biological warfare in Korea by itself (aside from the moral and ethical issues) indicates that the U.S. should, as a minimum, adopt a policy of no first use of these weapons.

THE MAIN BATTLE TANK

Summary

The Main Battle Tank (MBT–70) was conceived in 1963 as a joint project of the United States and the Federal Republic of Germany. It is designed to operate in the environment of tactical nuclear warfare in Europe. The MBT–70 will, at least temporarily, be superior to Soviet tanks. Development of the MBT–70 has been marked by increasing delays and escalating costs.

Recommendations

Congress and the Bureau of the Budget should review both the assumptions upon which the development and procurement decisions were based and cost-effectiveness in light of currently projected costs. Authorization of additional funds for the MBT–70 should be postponed pending completion of the review and acceptance of its results by Congress.

Rationale and discussion

A. Delays and Underestimated Costs Require Reconsideration of Cost-Effectiveness

Concurrent with the decision to proceed with the MBT–70 project, an agreement was reached between the U.S. and Germany to split evenly the research and development cost, which was then estimated at $86 million.

The tank was to roll off the production line in December, 1969—a target date which has been extended by over four years—and, according to a recent GAO report, has now been deferred until 1974.

The R & D cost estimates have been steadily revised upward: to $138 million in August, 1965, and to $303 million in July, 1968. Under the latest agreement, the U.S. and Germany split evenly the first $138 million, with the cost above that to be prorated on the quantity of tanks purchased by each country.

In the most recent Development Concept Paper on the project by the Department of Defense, the R & D cost to the U.S. alone was projected at $277 million—an increase of $184 million, or 528% over the original estimate of our part of the cost.

The total cost of the production engineering phase of development, which is just beginning, is estimated at $188 million. The MBT–70 appropriation for FY 1969 and the FY 1970 request:

[In millions of dollars]

Fiscal year 1969:	
Research and development	36.8
Production engineering	14.6
Total	51.4
Fiscal year 1970:	
Research and development	43.3
Production engineering	24.5
Total	67.8

The final per-unit cost of the MBT–70 will be between $520,000 and $750,000. The Army intends to procure a number, which while unknown, will probably range in the thousands. The predecessor to the MBT–70, the M60–A1, costs $220,000 per unit.

If everything worked out, this increased price would provide a more maneuverable and less vulnerable tank with more firepower—including a nuclear capability—that could operate in an area with nuclear or biological contamination. However, it does not provide any more protection from radiation than the M60–A1, and other problems have arisen.

But to argue only the technical points of the MBT–70 is to ignore the central issue which should be discussed by Congress—the soundness of the rationale behind the MBT–70.

B. Tactical Nuclear Strategy in Europe Is in Question

Is it realistic to assume that we or the Europeans will fight a limited land war in Europe, using tactical nuclear weapons? If so, is the MBT–70 the most effective and least costly way to meet such a contingency?

The original considerations of feasibility were based on figures far below the current (and estimated future) costs. The strategic projections were made in 1963 to extend only through 1969. Will these projections still be valid in 1974, when the tank would finally be available? Will it be useful when it is to be deployed or will it be obsolete, a victim of technology or of a new strategy?

The MBT–70 is based on the assumptions of six years ago. They should be re-examined. And the cost increases and delay in production date should be investigated.

[From the CONGRESSIONAL RECORD, Aug. 11, 1960]

COMMENTS ON HATFIELD COMMITTEE REPORT

THE MAIN BATTLE TANK–70

The Committee says the central issue concerning the MBT–70 is that by the mid–70s its tactical rationale may be made obsolete by nuclear weapons. It will be "a victim of technology or of a new strategy."

If this is the central issue, then the issue that is really raised is whether we should have any tanks at all. If the most up-to-date tank we can make by the mid-70s is thought to be obsolete and not "useful" by that time, then certainly the present tanks, a product improvement of the 1950 tank design will be even more obsolete and less "useful". If this central issue is correct, any tank of any kind is a waste of money, and the Committee on Peace through Law should really be proposing that we save all kinds of money by scrapping all our tanks, and doing away with

the two tank divisions we now have in Europe and the two in strategic reserve.

Perhaps the most apt answer to this argument is provided by the Russians themselves. They are now re-equipping their armored units with the T–62, a tank of much later design than our present M60A1. They clearly expect to have a use for tanks on future battlefields, nuclear or not.

As to usefulness in tactical nuclear warfare, the tank is the weapon most likely to stay in fighting condition. The MBT–70 is being designed with such warfare in mind, and will be more fitted for it than the obsolescent M–60 which this proposal would perpetuate as our main battle tank. Men equipped with the MBT–70 will be far better off in nuclear warfare than men equipped with our old tank or no tank at all.

The Committee does not accurately state the facts and figures on the MBT–70. For instance, the Committee says the joint German-U.S. agreement estimated the costs as of research and development as $86 million. This is wrong in two ways.

First, the money was $80 million—not $86 million. Next, the estimate was only for initiating research and development. The two countries recognized, since there was no joint agreement on the concept of the tank, nor on any of the details of its subsystems, nor on its principal and secondary armaments, that the actual experienced development costs would be greater than the initial amount. The agreement specifically provided for more accurate greater costs as the design moved forward.

Even in quoting the President's budget the Committee is inaccurate. They say the FY 1970 R&D figure was $43.3 million. The true figure is $44.9. They say the Production Engineering costs are $24.5 million, the true figure is $25.4.

The Committee says that "The tank was to roll off the production line in December 1969." This is not so. The agreement called for a tank "ready for production" in 1970. This means all required development completed, a Technical Data Package completed and ready for publication to industry for bidding and contact negotiation, and subsequent tooling up of plants for production of the initial tank in mid-1972 or possibly later. Thus the target production date has not been extended by over four years. The extension, accurately stated, is around two years.

The Committee uses a figure of $277 million for the R&D cost to the U.S. alone. These figures are completely unrecognizable, and are far from the actual figures.

It is also not accurate that the sole concept of its design is based on tactical nuclear warfare in Europe. The MBT–70 is intended to operate anywhere in the world that the U.S. may engage in combat.

It is true that in 1963, before the German and American combat users of the tank had even started to discuss how they would use the tank in combat, and what each would want it to do, Mr. McNamara was forecasting production in December 1969. The hard nitty-gritty of agreeing in two languages on the specific details of the tank was not resolved until September 1965. These details were the basis of the "in-house" estimate of $138 million development costs. Later bids by potential contractors for the various components indicated that this money estimate was low, and the development time forecast by Mr. McNamara much too short.

After agreement on design conceptions, all to be radically new components, not product improvements, in September 1965, the first prototype was delivered in July 1967. Since then testing has proceeded in an orderly fashion, resolving development problems for mechanisms and functions never before put together. There is every prospect that if no monkey wrenches are thrown in the works, that the United States will succeed in putting in the field, for use by its troops anywhere in the world, a tank that is far superior to any tank ever seen before.

[Continuation of the "Report on Military Spending"]

MILITARY MANPOWER

Summary

There are currently 3.5 million men in the U.S. armed forces. Total costs of retaining that force level approximate $35 billion annually—$21 billion in pay and allowances and $14 billion in related operation and maintenance expenditures. The Vietnam buildup added 800,000 men to the 1964 manpower level. The statutory ceiling limiting the force size is set at 2.3 million, but it has been suspended since 1950.

Recommendations

Allowing termination of the Vietnam war, the armed forces should be reduced by 800,000 men—the number involved in that conflict. In addition, force levels should be cut back by 200,000 in FY 1970 and 200,000 in FY 1971. The total reduction of 1,200,000 will represent a return to the statutory ceiling and a total force 15% below pre-Vietnam levels.

Rationale and discussion

A. Need for Congressional Review

The U.S. now maintains the largest standing armed forces in the world. The U.S. leads all other major powers in the percentage of its young men in the military service. Nearly half of the $80 billion defense budget is allocated to manpower costs. The Constitution (Article I, Section 8) gives to Congress the full responsibility for raising and supporting an army. Yet no comprehensive review has been attempted since a special subcommittee on the use of military manpower held hearings during the 86th Congress.

B. Criteria for Force Levels

The topic of manpower may be broken into three rough areas. The first considers what total amount of force is necessary for insuring our national security. The second concerns deployment. Granting current foreign policy assumptions, how is manpower best deployed? Finally, there is the question of possible improvements in the efficiency of manpower management.

C. Interacting Commitments and Deployment

There is some overlap in the first two categories. But one fact is clear: force levels are a function of foreign policy—or at least *should* be. Whether foreign policy has been determined on occasion by existing force levels is a legitimate question. Has the establishment of 432 military bases around the world been the consequence of carefully thought-out, overall objectives—or have the objectives developed from forces already present? The answer is probably something of both; lesser commitments have a way of solidifying into full commitments once forces are deployed. The greater the existing force levels, the greater their imprint on policy.

Implicit in our current defense posture is the assumption that the U.S. should be prepared to fight two major and one minor war concurrently. Europe and East Asia constitute major contingencies, with residual forces consigned to a minor contingency in this hemisphere. How sound is this "tri-bellum contingency"?

D. Needs Overestimated in Europe and Asia

Since we cannot escape involvement in an area so vital to our security, it is clear that a continued U.S. commitment to Western Europe will be necessary in the foreseeable future. Nevertheless, it is likely that a re-examination of our force levels there would disclose opportunities for substantial reductions.

The American commitment has been aimed largely at insuring that any Warsaw Pact offensive will result in the engagement of American troops and confrontation with the United States. Current manpower levels, however, are in excess of the amount required for retaining European confidence in the strength of our commitment. The 320,000 American troops now in Europe could be reduced by at least 100,000—plus an appropriate cut in CONUS support troops, possibly 40,000—with the U.S. forces sure to be engaged by any invader. It has been suggested, for example, that the 215,000 U.S. military personnel stationed in Germany could safely be cut in half. Additional manpower could be provided if the need arose. Although strategic mobility is not a complete substitute for forward deployment, air-lift and sea-lift capabilities planned for 1970 are ten times what they were in 1960. Our European allies devote on the average only about 5% of their GNP to defense; we spend twice that. The time has come for the structuring of a European defense to match a changed Europe, a restructuring that calls not for a reassessment of commitments, but for a reevaluation of necessary force levels.

What of our relationship with the nations of East Asia? Foreign Minister Thanat Khoman of Thailand had this commentary a few weeks ago:

"Another lesson that we seem to have learned from the war in Vietnam is the fact that World Powers are not very effective in dealing with what the Communists call 'revolutionary wars'.

"In other words, when it comes to fighting 'revolutionary war' or Communist activities either in Thailand or in any other country in Southeast Asia, we shall have to rely primarily on our resources, especially on our own manpower. We may expect assistance in terms of military equipments but in terms of manpower, the nations of this area will have to depend largely upon themselves. This I think is the lesson that we have gathered from recent events and we shall not forget it."

South Korea, with 55,000 American troops stationed there, has land forces capable of providing a strong deterrent against even a maximum Chinese/North Korean attack. The South Koreans today have 15% more firepower per man than their would-be opponents, and they maintain more men under arms than the total U.N. forces in 1951. One of our divisions there could be removed.

With a decreased need for the presence of American military personnel in the area, moving away from a full Asian contingency would make sense. It would seem reasonable to plan for the most likely, rather than the worst imaginable, contingency. Such a toning-down would enable a cutback in manpower of around eight divisions, and could yield a savings of roughly $4 billion. Even a more conservative reduction of six divisions, if accompanied by a corresponding cut of six airwings, could have somewhere around $5 billion.[1] A reassessment of the three war contingency might also lessen the likelihood of U.S. involvement in disputes far removed from our national interests, particularly if the U.S. and our East Asian allies work together to transfer responsibility for regional security to indigenous military forces.

E. Statutory Ceilings Suspended Since 1950

Existing statutory ceilings limit the size of the U.S. armed forces—yet they have been

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[1] It should be emphasized that manpower budgetary matters depend on a large combination of variables. Cost per division, for example, beyond including merely salary and allowances, involves questions of equipment, clothing, training, dependents support troops, etc.—which in turn rest on everything from the division's composition to its geographic location.

continuously suspended since 1950, when the limit was 2.3 million. The world was a far less stable place when the Congress decided on a ceiling at that level, yet American military personnel now number 3.5 million. But a truer picture of our current posture is gained by considering the manpower involved in the fighting or support of the Vietnam war, exclusive of the approximately 800,000 men. This leaves a baseline at the figure of 2.7 million men, roughly the size of the military establishment prior to the large-scale commitment of American forces to Vietnam. If the reasoning of this paper is accepted, 400,000 troops could be cut and the 1950 ceiling could be returned to, assuming also that withdrawal of our forces from Vietnam is accompanied by the equal reduction in our total force levels.

F. Possible Savings

Only the roughest sort of estimate is possible, and we have assumed the absolute minimum. The figure given by the Office of the Comptroller, DoD, for the average military personnel cost per active duty military personnel in FY 1970, is $5,947. This includes only salary and allowances and none of the related costs of operation and maintenance. By this figure, cutting 200,000 troops in 1970 would result in a savings of $1.2 billion for that fiscal year; a reduction of 200,000 troops in FY 1971 would yield a total savings of $2.4 billion. The same amount would be saved each year thereafter. While the net annual cost of the Vietnam war is around $20 billion, the amount saved with the elimination of 800,000 military personnel after Vietnam would be $9.5 billion.

Thus, following the end of the war, the total annual savings resulting from a reduction of manpower from 3.5 to 2.3 million would be at least $11.9 billion. It should be emphasized, however, that with all related costs figured in, the total savings would likely be at least two times as great.

G. Supplementary Recommendations

Apart from reductions in personnel, the following should be seriously considered as steps toward increased efficiency in manpower management:

1. An integrated manpower management program should be created. Manpower management by the separate services is horribly inefficient, even though much of their manpower does the same thing and their managerial techniques are the same.

2. Manpower costs should be charged to a fixed operating budget of the unit to which they are assigned. Idle troops would then cut into budget allocations; efficient deployment would be encouraged.

3. Project PRIME and the Hubbell Report should be implemented. Project PRIME is a streamlined accounting system for the Defense Department. It should be fully adopted. The Hubbell Report is a proposal to simplify the military pay system. It would bring military salaries in line with civilian salaries for the same jobs. By increasing enlistments the adoption of the Report would lower costs, reduce training needs and slow down turnover.

4. A five-year defense plan should be made the basis of detailed plans for manpower requirements; training, recruiting, inductions and promotions should be programmed on this basis.

5. More single-manager training programs should be created; e.g., all communications technicians who work on the same equipment should be trained by one service, just as journalism training is done by the Army for all the services, etc.

6. Basic training should be abbreviated by the Army, especially for enlisted men who will never serve in combat.

7. Assignment changes should be reduced by 25%. Candidates for generalized, higher ranking administrative positions should be screened early in their careers; others should advance within their field of specialty.

8. Work units should be required to absorb the impact of leave and other absences, rather than including a cushion to compensate for absent personnel.

9. Standardized manpower and personnel information systems (including cost information) should be developed—just as they were for supplies ten years ago.

We recognize the technical nature of the above suggestions, but hope that some consideration can be given them by experts both inside and outside of the Pentagon.

PROCUREMENT

Summary

In FY 1968, more than one-half of the DoD budget was spent on defense procurement. The policies and practices of procurement have been studied in depth by the Subcommittee on Economy in Government of the Joint Economic Committee of the Congress. The Report of the Subcommittee, titled *The Economics of Military Procurement* and published in May of 1969, gives a comprehensive analysis of this issue and presents detailed recommendations. We believe that these recommendations can serve as guidelines for positive reform in military procurement procedures. The Subcommittee's recommendations, as printed on pages 29–31 of their May 1969 report, are as follows:

Recommendations

A. Military Industrial Indicators

1. The GAO should conduct a comprehensive study of profitability in defense contracting. The study should include historical trends of "going-in" and actual profits considered both as a percentage of costs and as a return on investment. Profitability should be determined by type of contract, category of procurement, and size of contractor. Information for the study should be collected pursuant to the statutory authority already vested in the GAO. The GAO should also devise a method to periodically update and report the results of its profits study to Congress.

2. Total-package and other large contracts amounting to hundreds of millions of dollars and extending over several years should be broken down into smaller, more manageable segments. It should be possible to break contracts into segments short enough in duration for periodic evaluation of accomplishment, representing parts of the total program with definable objectives, and yet large enough to include acknowledged functions such as engineering and manufacturing, and work sequences such as design phases and fabrication lots.

3. GAO should develop a weapons acquisition status report, to be made to Congress on a periodic basis, and to include the following information:

a. Original cost estimates, underruns and overruns on work completed as of effective date of report, current estimated cost at completion, total actual cost, including underruns or overruns, scheduled and actual deliveries and other major accomplishment milestones such as major design reviews, first article configuration inspection, roll out and flight of first airplane, launching of ship, and so forth, for all programs in excess of $10 million. Estimated and actual unit costs should be included. Where there are cost variances, whether they be underrun or overrun, GAO should separate them into their components such as labor, labor rates, overhead rates, material and subcontract costs, and general and administrative expense.

b. So-called "progress payments," made by the Government on firm-fixed and fixed-price incentive contracts in excess of $1 million, compared to work segments satisfactorily completed, rather than simply costs incurred.

c. Technical performance standards which would compare actual performance of weapons systems and other hardware to contract specifications.

d. Impact on costs, schedules, and technical performance of authorized contract changes from contract base line described in a, b, and c above. GAO should be prepared to furnish backup data to support impact on a change-by-change basis.

4. GAO should develop a military procurement cost index to show the prices of military end products paid by the Department of Defense, and the cost of labor, materials, and capital used to produce the military end products.

5. GAO should study the feasibility of incorporating into its audit and review of contractor performance the should-cost method of estimating contractor costs on the basis of industrial engineering and financial management principles. The feasibility study should, if possible, be completed by the end of the current calendar year.

6. GAO should compile a defense-industrial personnel exchange directory to record the number and places of employment of retired or former military and civilian Defense Department personnel currently employed by defense contractors, and the number and positions held by former defense contractor employees currently employed by the Defense Department.

The directory should include the names of all retired military or former military personnel with at least 10 years of military service, of the rank of Army, Air Force, or Marine colonel or Navy captain or above, former civilian personnel who occupied supergrade positions (GS–16 and above) in the Department of Defense, and former defense contractor employees who occupy supergrade positions (GS–16 and above) in the Department of Defense.

B. Department of Defense Activities

7. The Defense Department should collect complete data on subcontracting including total amount of subcontracts awarded, competitive and negotiated awards, subcontract profits, type of work subcontracted out, the relationship between the prime contractor and the subcontractors, the amount of business done by the subcontractor for the prime contractor, and compliance with the Truth-in-Negotiations Act. GAO should have access to this information and should make it available to Congress on an on-going basis.

8. The Defense Department should require contractors to maintain books and records on firm-fixed-price contracts showing the costs of manufacturing all components in accordance with uniform accounting standards.

9. The subcommittee once again makes its longstanding and unheeded recommendation that DoD make greater use of true competitive bidding in military procurement, and that the tendency to award contracts by noncompetitive negotiation be reversed.

C. Legislative Action

10. Legislative action should be taken to make the submission of cost and pricing data mandatory under the Truth-in-Negotiations Act for all contracts awarded other than through formally advertised price competition procedures, and in all sole source procurements whether formally advertised or not.

11. Legislative action should be taken to establish uniform guidelines for all Federal agencies on the use of patents obtained for inventions made under Government contracts.

[From the CONGRESSIONAL RECORD, Aug. 11, 1969]

Mr. GOLDWATER. In conclusion, Mr. President, I want to reiterate that I think the interest shown by this group of Senators

and Members of the House indicates a long overdue awakening to the responsibilities of Members of both bodies toward all budgets. The preparation of the military authorization bill involves long and very detailed hearings and I can assure my fellow Members that none of these items are lightly glossed-over, and that the bill that has eventually reached the floor represents the policy thinking of the President, the policy and procurement thinking of the Secretary of Defense, and the concurrence in both of these by the Committee on Armed Services. If any Member desires to discuss any of these findings of mine with me, I will be more than happy to get together with him.

Mr. GOLDWATER. Mr. President, I take this opportunity merely to say that I think it is time that this body paid some attention to the money we spend. I think back 17 or 18 years ago, when I first became interested in politics. The very reason I did so was that I felt that the governing bodies were not paying attention to the money they spent.

When I received the report this morning that more than $400 million was spent last year to produce films for the Federal Government—which is far more than Hollywood spends, I think—I felt that we should be very inquisitive about military spending. Also, I look forward to the days, when we get into the domestic issues, of having groups interest themselves so that we might be equally critical and produce equally good results.

To inject a little levity into this discussion—if money can be called a laughing matter—the other day I read a history of the production of aircraft for World War I. This may shock my fellow Senators, but the appropriation was $225 million for aircraft—to buy 22,500 airplanes. Then they went ahead, knowing they had to have spares, and appropriated $440-odd million for 45,000 engines. The cost of war has gone up.

Mr. President, I shall address myself this evening—and I will try to be as brief as I can—to what we are talking about in this particular amendment. At the outset, I should like to describe the C–5A aircraft. I do not think that enough Senators fully realize what we are talking about. We talk about a tank, yes. We talk about an aircraft carrier. We have seen them. We talk about a fighter plane. Many of us have been in them and have seen others. But we are talking about the biggest airplane ever built.

For example, it is 220 feet across the wingspread. Across the vertical stabilizers it is almost 69 feet. Its performance is remarkable. It has a high cruising speed of 470 knots, which is over 550 miles an hour. It has a long-range cruising speed of 440 knots.

Mr. President, I ask unanimous consent that the material I do not read be printed at this point in the RECORD, so that the RECORD will be complete.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

INTRODUCING THE LOCKHEED U.S. AIR FORCE C–5A

As part of its continuing program of airlift development activities, Lockheed-Georgia Company has devoted many years to design studies evolving a conceptual heavy logistics transport.

In 1964 and 1965, under United States Air Force contract, the Company refined and further defined its design concepts in cooperation with the military . . . an effort which resulted in an October, 1965, contract award for procurement of the total system. The unique total package concept assigns responsibility for engineering, design, development, testing, aircraft production, spares and total system performance to the prime contractor.

Designated the C–5A by the U.S. Air Force, the airplane described herein is now being developed. Contributing big, new capacity, large-system economy, and bold performance to U.S. airlift capability, it may well revolutionize the concept of flexible response and rapid deployment of U.S. military forces around the world.

The Lockheed-Georgia Company, a division of The Lockheed Aircraft Corporation, is proud to be the industry member of the team which is developing the United States Air Force C–5A.

GENERAL CHARACTERISTICS

Although of exceptional size and capacity . . . as well as markedly advanced technically . . . the USAF C–5A is basically a conventional airplane.

It has a moderately swept high wing and is powered by four GE front fan engines which are pylon mounted beneath the wing. The fuselage is enormous, yet aerodynamically sleek.

The overall appearance of the airplane is distinguished by a towering T-Tail. A unique landing gear features an unusual 28-wheel arrangement for exceptionally high flotation characteristics permitting the C–5A to use substandard airfields.

Full-width cargo openings, fore and aft; compatibility with mechanized loading systems; and a gear capable of kneeling the airplane to provide truck bed height loading at either end are loadability features. Another of the distinguishing features of the C–5A is its visor nose which opens upward to permit front end loading. Simultaneous loading and unloading, drive on and off via integral ramps, and of course aerial delivery capability are also incorporated.

The airframe is designed to be fatigue resistant and fail safe. Reliability levels formerly looked upon as ambitious goals are guaranteed. Maintainability and maintenance design features will produce not only sharply reduced maintenance costs but markedly increased operational availability, also guaranteed.

These and other features of the C–5A are described on the following pages.

Performance

High cruise speed: 470 knots.
Long range cruise speed: 440 knots.
Aerial delivery drop speed: 130–150 knots.
Rate of climb at sea level, standard day at basic mission [1] weight: 2,100 ft/min.
Take-off distance over 50 feet at basic mission [1] weight: 7,500 ft.
Landing distance over 50 feet with 100,000 lb payload at midpoint of 2500 nm radius mission, sea level, 89.5° F, wet grass runway: 4,000 ft.
Designed payload: 2.5 g, 220,000 lb; 2.25 g, 265,000 lb.
Range with 220,000 lb payload: 3,050 nm.
Range with 112,600 lb payload: 5,500 nm.
Ferry range: 7,200 nm.

Weights

Flight design gross weight—2.5 g: 728,000 lb.
Flight design gross weight—2.25 g: 764,500 lb.
Basic mission weight: 712,000 lb.

[1] Basic Mission 100,000 lb payload, 5,500 nm.

Maximum landing weight (9 fps sink rate): 635,850 lb.
Operating weight: 323,904 lb.

Cargo compartment

Length excluding ramps: 121.1 ft.
Length including ramps: 144.6 ft.
Height: 13.5 ft.
Width: 19.0 ft.
Total volume including ramps: 34,734 cu ft.
Palletized volume including ramps (36 463L pallets): 19,020 cu ft.
Forward loading opening: height, 13.5 ft; width, 19.0 ft.
Aft loading opening: height, 9.5 ft (with the ramp lowered to the ground, aft cargo opening will accommodate vehicles or other loads up to 12.5 feet high); width, 19.0 ft.
Loading opening height above ground (forward or aft): 54 inches.
Loading opening height above ground (level-kneeled) 73 inches.

Personnel capacity

Crew: 6.
Alternate crew: 6.
Courier seating: 8.
Troops—upper troop compartment: 75.

Fuel System

Capacity (JP–4): 49,000 U.S. gallons (318,500 lb).
Single point refueling rate: 2,400 U.S. gallons/min (15,600 lb/min).
Jettison rate: 1,380 U.S. gallons/min (8,970 lb/min).

Landing gear

Number of wheels: 28 (4 nose and 6 each on 4 main gear bogies).
Tires, nose and main: 49 x 17–20, Type VII, 26 ply rating.
Main landing gear tread: outer tires, 35.9 ft; main struts, 25.9 ft.
Wheel base: 72.8 ft.

FLEXIBILITY AND CAPACITY IN A CARGO AND TROOP TRANSPORT

There has never been an airplane with the load-carrying capacity of the C–5A.

The loadable floor area of the new airlift giant is more than three times greater than that of the C–141A cargo compartment . . . its volume over 4½ times greater.

The C–5A is quickly loadable, fully compatible with 463L loading systems, has airdrop capability, and possesses amazingly good short-field landing characteristics.

It carries exceptionally large loads:

It accommodates thirty-six standard pallets or sixteen ¾-ton trucks at the same time.

Its cargo hold is so wide, jeeps load three abreast, armored personnel carriers side-by-side.

Of over 600 items identified as C–5A potential cargo, the airplane accommodates 99.7 percent.

It accepts any of the 120 vehicles set forth in the military Force A inventory.

Had the C–5 been available during the height of the Berlin Airlift, ten of them could have done the job 300 British-American transports were hard-pressed to accomplish. More recent comparisons: substituting C–5 for present equipment would have strengthened and shortened the Korean buildup, Exercise Big Slam, Operation Big Lift, and many problems of Vietnam logistics. Force buildups that now take a month or more with existing sea and airlift could be achieved in a week with the fleet of 100 C–5's. The speed and capacity of this new skygiant will allow the U.S. to place formidable land forces anywhere in the world, complete with tanks, equipment and supplies—within 24 hours.

Capacity

The cavernous cargo compartment of the C–5A has a floor 121.1 ft. long and 19 ft. wide, offering 2300 sq. ft. of fixed cargo space.

Its overall interior height is 13.5 ft., with floor width clearance extending upward 9.5 ft. Above this, the sides taper to a 13 ft. wide ceiling.

Two full-width ramps totalling 23.7 ft. in length add another 400 sq. ft. of loadable space to the cargo area. The total volume is 34,734 cu. ft. including both ramps.

Two sets of rails and rollers, compatible with other 463L materials handling equipment, accommodate standard 88 x 108 in. pallets two abreast. The system is capable of loading at a rate of up to 100 ft. per minute. Center rails and all rollers invert for storage to form a smooth flat floor for vehicular loads.

The cargo floor will support uniformly distributed loads of 300 lbs. per sq. ft. except the center which will support 400 psf—and it will support a load of 2600 lbs. per linear ft. over the entire length. Heavy vehicles can be freely maneuvered during loading; and for flight, there are no zoning restrictions for axle loads less than 14,000 lbs., and axle loads up to 25,000 lbs. need no shoring for up to 97 ft. of floor length.

Lockheed's loading simulator studies conducted at Ft. Benning plus extensive computerized loading program studies verify both versatility and efficiency in carrying Air Force and Army equipment in the C–5A.

While the number of pallets and vehicles which can be loaded into the C–5A is impressive by today's airlift standards, so is the size and weight of single C–5A payloads.

The airplane was designed for, and is ideally suited to the transportation of large, bulky, outsize loads. It readily accepts mobile bridge launchers, missiles, helicopters, aircraft salvage cranes, trucks, and tanks.

Here are some typical combination loads never before air-transportable in a single sortie:

TYPICAL CARGO LOADS

	Unit weight (pounds)	Total weigh (pounds
Load I–2.5 g:		
1 D–8 tractor		41,820
1 warehouse trailer		7,000
1 M–35 truck w/trailer		23,115
3 2-ton forklifts	6,600	19,800
3 Larc V	20,000	60,000
1 refrigerator stake truck		41,913
1 M–43 ambulance w/trailer		12,360
58 drivers, troops, support personnel	240	13,920
Total payload		219,928
Load II–2.25 g:		
1 M–48 bridge launcher		128,420
4 M–151 ¼-ton trucks w/trailers	4,143	16,572
2 M–170 ambulances	3,763	7,526
2 UH–1D helicopters	4,500	9,000
2 M–54 5-ton trucks w/trailers	35,345	70,690
2 M–37 ¾-ton trucks w/trailers	10,040	20,080
52 drivers, troops, support personnel	240	12,480
Total payload		264,768

Note: Vehicles ¾ fueled, trucks and trailers loaded to cross country weight.

TROOP TRANSPORT

The C–5A is a troop carrier as well as a cargo airlifter.

A passenger compartment which accommodates 75 persons is located in the upper aft end of the fuselage above the cargo compartment. Access is provided via folding stowable stairway from the cargo floor. Seating consists of multiple rows of reclinable aft facing seats separated by a middle aisle. The seats (along with the galley and lavatory facilities which serve the area) can be removed to convert the weight of this equipment into additional payload.

In addition to this convertible passenger compartment, there are fifteen reclining seats and six bunks permanently installed in an area just aft of the flight deck. This area is for the relief crew, troops and couriers; it is more fully described under "Flight Deck."

EASY LOADABILITY

Loadmasters can undertake large scale logistics problems utilizing convenient built-in loading aids with assurance that on and off loading assignments will go smoothly even when time is short and loads are large. Designed-in work-together features to facilitate loadability include among others:

A simple rigid symmetrical visor nose which opens to expose the full width and height of the cargo compartment.

Full-width aft opening giving clear access to cargo hold for straight-through drive-in loading and off-loading.

Cargo floor which "kneels" to various working levels including truck-bed height.

Integral 463L rail and roller systems.

Multi-position full-width ramps integral with the aircraft at fore and aft loading doors.

High intensity cargo-area lighting from overhead ample floor-level curb lights to provide good illumination of tie-down fittings beneath vehicles

An integral weight and balance system which utilizes sensors on all gears to compute weight and center of gravity for all loading configurations.

The practical working heights and the full-width ramps greatly speed loading operations and turnaround time without need for elaborate terminal loading facilities or special loading apparatus.

KNEELING AND CARGO FLOOR POSITIONING

On-the-ground kneeling of the multiple landing gear brings the cargo floor to practical loading and unloading levels. The nose gear and main gear bogies can be kneeled separately for combinations of forward or aft loading and unloading, straight-through loading and unloading, or simultaneous loading at one end while unloading at the other.

For nose loading and unloading, the airplane is stabilized by placing the nose and main landing gear in the kneeling position. Both the nose and main landing gear oleos are locked out, removing all motion from the airplane except tire deflection. The cargo floor is 54 inches above the ground, and the forward ramp angle is 11 degrees.

Alternately, the rear opening can be positioned so that the floor is 54 inches off the ground and the aft ramp angle is 6.5 degrees.

This system of independently kneeling bogies which adjusts the cargo floor to appropriate loading heights can also level the deck laterally. If the airplane is sitting on ground which slopes to one side, leveling is achieved by adjusting the stopping position of the main gear yoke stopping collars on that side.

The operation of the flexible landing gear on the ground has another advantage: The gear can be extended to the higher takeoff position and then one bogie partially retracted to allow main gear wheel, tire or strut changing without jacking the airplane. A tire can be changed in less than 15 minutes.

When kneeled, the airplane is stabilized through the use of adjustable struts built into the aft underside of the fuselage.

FORWARD LOADING

The forward cargo door operates like a visor: it is hinged on both sides near the top of the fuselage and opens upward.

A fail-safe hydraulically operated rack and pinion mechanism on its centerline actuates it and provides additional support when it is open. It can be fully opened in about 20 seconds with power supplied from one of the airplane's engines or APU's.

Rising high out of the way, it is not susceptible to damage during ground loading operations. The raised visor nose clears the cockpit windshield allowing the airplane to be taxied when the visor nose is open.

The ramp itself consists of three sections. Each is 19 ft. wide, the same width as the fixed cargo floor. The center section is stowed vertically with the integral toe plates hinged down at the top. The remaining main section of the ramp offers a loadable area 10.1 ft. long and 19 ft. wide; it holds two standard 88 x 108-inch pallets.

For drive-on vehicular loading, the ramp, when completely unfolded and lowered to the ground, forms an 11-degree incline.

AFT LOADING

The afterbody of the C–5A has been designed to produce minimum aerodynamic drag, and at the same time, provide ramp and door operation combinations which allow large openings required for aerial delivery and 19-ft. wide ground loading. Pictures of the fully operational C–5A mockup show both features.

There are three aft doors. The center door opens upward and then slides aft on tracks. It is operable in flight for airdrop missions, and provides an opening 13 ft. wide and 9.5 ft. high. The two side doors remain closed during the airdrop maneuver as seen in illustration 6 below right.

For ground loading operations, all three doors are opened; the center door swings up, the two smaller side doors swing outward. Fully opened, they expose the full 19-ft. cargo compartment cross section. There is a 12.5 ft. clearance above the aft ramp enabling the loading and unloading of virtually all Army vehicles through either end of the airplane.

The non-tapered aft ramp is full-width, 19 ft., and is 13.5 ft. long; this entire area is loadable. An additional aft closure inside the cargo compartment stows vertically and serves as a pressure door.

Through a unique interconnected internal mechanism, this pressure door can be hinged at the top of the fuselage and rotated upward where it is out of the way for straight-in loading or for aerial delivery when only the ramp is utilized.

The unique design offers a third position; hinged down from the ramp, it becomes an extension and lowers to the ground for bulk and vehicular loading.

AIRDROP

As fast as C–5A off-loading is on the ground there's an even quicker way of delivering as much as 200,000 pounds of payload—and it can be done in seconds.

The C–5A has provisions for incorporating Aerial Delivery System (ADS) kits whose components are mostly of the quick-attach type thus ensuring quick convertibility of the airplane.

One type of ADS kit provides for the delivery of fully equipped paratroopers, it includes anchor lines, safety fences, jump signal system, deflector doors and actuation mechanism and a winch system for retrieving static lines.

Another ADS kit contains the winches, cables, ADS rails and rollers, and parachute extraction system for airdropping cargo on platforms. Platform lengths of 8, 12, 16, 20, 24 or 28 ft. can be loaded and an arming device can be sequenced to permit release of parts of the load in up to four separate passes. Four 50,000 lb. loads can be delivered in sequence.

FLIGHT DECK AND CREW COMPARTMENTS

Located on a fixed deck above the forward section of the cargo compartment are the C–5A flight station, relief crew area, and troop/courier accommodations. Access to the triple-sectioned area is provided from the cargo floor below via a stair ladder on the left side of the airplane just aft of the navigator's station.

Each compartment is acoustically treated and areas for relief crew sleeping (six bunks), relief crew seating (seven reclining seats) and passengers (eight seats) are isolated one

from the other. Galley and lavatory provisions serve the area and there are three separate baggage-storage and closet areas. Oxygen regulators, reading lights, windows and safety equipment are provided. Avionics, electrical and environmental service centers are also located on this deck; each is easily accessible for servicing.

The flight deck of the C–5A provides work stations for the pilot, copilot, navigator, engineer and observer. The configuration is similar to the C–141 with good visibility, vertical scale instruments showing propulsion and air data, white lighting throughout, and larger radar scopes.

All flight and navigational instrumentation provided on the pilot's panel is duplicated on the copilot's panel, while the center instrument panel contains the vertical scale propulsion instrumentation; the pilot's mapping, station keeping, terrain following and weather radar video presentation; the landing gear control unit, and other miscellaneous instrumentation. The copilot's side console contains an identical radar set. Flight director instruments are integrated with the flight control subsystem to provide pilot monitored automatic all-weather landing capability. A permanent observer's seat is installed on lateral tracks behind the center console.

The flight engineer faces outboard on the right side of the airplane. In addition to controlling environmental, electrical, hydraulics, fuel and APU subsystems at his station, he has use of the Malfunction Detection, Analysis and Recording Subsystem (MADAR). The subsystem is integrated into the flight engineer's panel and is used for inflight and ground trouble-shooting and systems operational analysis. A further description can be found on page 39.

The navigator faces outboard on the left side of the airplane. The primary controls for the guidance system are located here; they include the inertial doppler, multimode radar, Loran, attitude and heading reference unit and the bearing distance heading indicator. An energy management analog computer is provided to continuously compute fuel-range data. Particular attention has been given to multi-mode radar due to the importance of the C–5A's role in low-level, all-weather flying. All navigator station displays have been positioned for ease of reading and control. Mounting provisions for a periscopic sextant are installed on the airplane's centerline convenient to the navigator's station.

C–5A POWERPLANTS

Four of the world's most powerful turbofan engines, the General Electric TF–39–GE–1, power the big C–5A.

They are pylon-mounted front fan engines rated at 41,100 lbs. thrust each. Weighing about 7,150 lbs., each engine has a thrust-to-weight ratio of 5.6. The by-pass ratio is approximately eight to one. The large TF–39 is installed in a short-fan-duct nacelle with an intake diameter over 8½ ft.; the engine pod is nearly 27 ft. long.

Total airflow through the engine is approximately 1,500 lbs./sec. By far the bulk of this exhausts through the fan, and the remainder through the primary gas generator.

The engine features low specific fuel consumption compared to turbofans such as the TF–33, made possible by several advanced state of the art achievements, among them, a turbine inlet temperature 200-degrees higher than production engines of the middle 60's.

Thrust reversers

The TF–39 thrust reverser is the cascade type. Mounted in the fan cowl, it reverses only the fan exhaust; thrust of the primary stream is not reversed.

Up to 57% of the total thrust is effectively reversed.

The thrust reverser has good cruise performance, excellent reversing effectiveness, good reliability and maintainability, requires a minimum of actuaton power, and permits easy access to engine accessories.

Associated with the high by-pass ratio of the engines are several features which practically eliminate the likelihood of reverser-induced ingestion stalls on the runway. High reverse thrust forces are obtained by reversing only the fan exhaust stream. This air has an exhaust temperature of about 160-degrees F which is much cooler than the primary exhaust and thus eliminates most of the temperature distortion ingestion problems.

Not only is the temperature of this fan exhaust stream low, but the absolute pressure is relatively low—about 40% above ambient—so the extent of the pressure or velocity distortion incurred is minimized. Also, the reverser diverts these low-temperature, low-pressure fan gasses uniformly around the nacelle rather than sideways towards adjacent engines.

The thrust reversers are designed to operate down to a reverser cut-off speed of about 30 kts. For maximum effort emergency descents, the two inboard engines may be reversed in flight.

Auxiliary power units

On the C–5A, two auxiliary power units supply electric, hydraulic and pneumatic power, and air conditioning on the ground. They are located, one each, in right and left main gear pods, aft of the struts. Either or both may be used for engine starts. The APU's are started by hydraulic accumulators.

PRIMARY AND SECONDARY CONTROLS

Lockheed's USAF C–5A has flight controls in conventional arrangement but incorporates added features which increase performance and reliability.

A split elevator arrangement atop the T-tail features four surfaces: the rudder is in two sections; and the outboard ailerons are one-piece with additional roll control provided by spoilers on top of the wing forward of the flaps.

All of these are driven by dual irreversible servos supplied by three separate hydraulic systems.

The pilot directly controls the rudder, aileron and inboard elevator servos and his system is interconnected to the copilot's system to control the roll control spoilers and the outboard elevators. The interconnections can be sheared in the event of a mechanical jam to permit continued operation of either input system. Fail operable augmentation enhances the handling qualities. Safe control of all three axes is maintained even after loss of two hydraulic systems.

A stallimiter in the elevator system serves to limit the angle of attack to a point less than stall. The system in no way restricts airplane operational capability, but will prevent unnecessary deep stalls.

Trailing edge flaps and leading edge slats provide high lift for C–5 takeoffs and landings.

Single-slotted Fowler-type trailing edge flaps are located six on each side of the wing for a total of twelve flaps comprising a surface area of 915 square feet. They deflect 40 degrees for landing and to an intermediate position for takeoff.

Each trailing edge flap is positioned by two single-stage ball screwjacks. A single torque tube, driven by a differential gearbox and incorporating dual hydraulic motors, interconnects the screwjacks and an automatic flap asymmetry brake.

The leading edge slats—seven on each side—utilize a similar concept for actuation.

The spoiler system consists of nine spoiler panels on each side, five of which operate with the ailerons to provide exceptional roll control. All 18 are used on the runway to shorten ground roll and can be deployed automatically or manually to the spoil position on touchdown or for rejected takeoff.

For longitudinal or pitch trim, the horizontal stabilizer is positioned by an irreversible screwjack actuator driven by two separate hydraulic motors. There is a manual backup control which uses a lever and cable system. An automatic trim provision automatically positions the stabilizer during flap extension or retraction.

HYDRAULICS

The C–5A hydraulic power system is arranged to provide greater reliability than has ever before been achieved in an airplane. Eight engine-driven hydraulic pumps power four independent systems to operate flight controls, landing gear, brakes, and other hydraulic functions. They open and close the visor nose and aft doors, they raise and lower front and rear ramps.

Some new concepts in hydraulic units also add to reliability and maintainability. For example, power transfer packages provide operation of any hydraulic system from another system without transfer of fluid between systems. And Lockheed's new valve cartridge concept permits valve changes by crewmen without the requirement of disconnecting and removing valve housings.

Each primary control power package is supplied from at least two power sources at 3000 psi. In the event one source fails, pressure is available from the others. An APU-driven pump and an electric hydraulic pump add to emergency and self-sustaining capability.

The cleanest-ever hydraulic system is assured by filter design and location.

Pump discharge fluid from each pump is filtered with no-by-pass filters. Return fluid, before entering the reservoir, is filtered with a dual filter with 5 micron filtration at low flow rates and 15 micron filtration during the momentary high flow rates. Single point reservoir fill provisions are arranged so that fluid can be added to the system only after passing through the filter.

LANDING GEAR

The U.S. Air Force C–5A landing gear is designed for maximum flotation and minimum support field degradation, and has 28 widely spaced wheels.

Lockheed studies confirmed that for the highest flotation at the least overall weight, a bogie with six wheels in a tricycle pattern was better than any of some 700 other designs evaluated, and that the optimum number of main landing gear wheels is twenty-four.

The result is a main landing gear with four six-wheel bogies and a steerable nose gear with four wheels—28 wheels in all. The four nose wheels are the same size as the main gear wheels; each carries a 49 x 17–20 type VII tire with a 26 ply rating.

Support area fields

To fulfill its mission of strategic deployment, the C–5A is required to operate from terminals with existing concrete runways and into and out of support area airfields whose airstrips are, at best, hastily prepared and unpaved. Support area fields are characterized as having a load bearing capability of CBR4 soil overlaid with M–8 matting—or a gross CBR rating of 9 to 10.

In studies identifying the C–5A flotation performance level, computed flotation values were compared with those demonstrated in operational service and flight tests by the well-known C–130. Using the two airplanes and their CBR's as standards of comparison, studies indicate the C–5A flotation capability is almost as good as that of the C–130B. When operating on unsurfaced airfields, the C–5A main gear tire pressure is less than that of the C–130 and about half that of the C–141 and C–135.

The airplane is capable of sustained operation of 130 passes (takoffs and landings) onto a support area field. The design features responsible for such high flotation are the

wide-track spacing and basic gear geometry previously described.

Landing on prepared surfaces

As unprepared surface landing was studied so too were the effects of landing the C–5 airplane on existing runways. Favorable flotation characteristics were revealed considering airports with both flexible and rigid runways:

Asphalt

On Zone of Interior flexible pavement runways, the C–5A closely matches the landing flotation performance of the DC–7B and is slightly better than the KC–135. It can successfully utilize fields classified for medium and heavy loads. At flight gross weight, the USAF C–5A requires an inter-city International Civil Aviation Organization Class 5 runway; at maximum gross weight, it requires an intercity express ICAO Class 4 runway.

Concrete

In studies of C–5A rigid pavement landing requirements, investigation necessarily considered wheel spacing, tire pressure and wheel loading.

These inter-relationships were compared with existing computations figured on airplanes flying today.

The findings were these:

The U.S. Air Force C–5A requires less concrete thickness than the 707, DC–8 or 727. The C–5A weight is distributed over a wide geometric footprint area. Its low tire pressure presents broad tire footprints at 28 different points. Thus, normal landings of this massive carrier are shown to be less critical to runway deterioration than a smaller aircraft whose weight, although lighter, is confined to closely spaced wheels with high tire pressures.

Struts

Support area landing, takeoff and taxi operations are assured by a double-acting strut incorporating a secondary absorption chamber which acts only on shocks which exceed 1.25 G's. This system absorbs bumps as high as six inches as it reduces peak impact loads and significantly decreases limit loads in back-up structure. It imposes significantly less wing bending loads during taxiing on rough ground. Double-acting struts also reduce runway damage.

Each strut can be raised or lowered independently; wheel-well doors can be rigged individually; thus, wheel changes and strut repacking can be accomplished without using wing jacks. Also, the bogie pattern of the C–5A is such that it is unnecessary to remove one wheel in order to remove another.

Retraction and kneeling

The nose gear retracts aft and up. It is placed in the kneel position by retracting to the proper degree against a bumper.

Kneeling is accomplished by pneumatically driven screwjacks.

Bogies of the main gear are retracted by first rotating 90 degrees around the strut centerline, then inward under the cargo floor.

Doors are mechanically linked to the landing gear.

Tire pressure

Lockheed's tire pressure control system, electrically controlled from the flight station, permits the pilot to deflate the 24 main gear tires to a pre-determined pressure setting. He can select the optimum tire pressure for the desired level of flotation to match his landing weight and field conditions. Automatic shut-off valves for each tire prevent under-inflation below a safe minimum.

On the ground, an on-board air supply is provided should re-inflation of the tires be necessary. The system also provides a readily available source of compressed air for strut and accumulator servicing eliminating the need for an air-compressor ground cart away from established bases.

Brakes

The U.S. Air Force C–5A has a multiple-disc brake system with fully modulated skid control system. Twenty-four sets of multiple discs—one for each main gear wheel—provide support airfield stopping power. The brakes are mounted on the axles. Brakes on all bogies are supplied by one hydraulic system with back-up provided by another independent system. Brakes can be supplied by either of the two systems selected by the pilot.

The skid control system provides optimum braking . . . does it smoothly, and reduces dynamic loads on the nose gear and its back-up structure.

Three additional C–5A landing gear features contribute to ease of landing, taxiing and ground maneuvering:

For cross-wind takeoffs and landings, all the wheels may be positioned up to 20 degrees to the right or left of center.

On the ground, the four-wheel nose gear is steerable 60 degrees to the right or left of center.

During taxi, the rear main gears are castered to prevent scrubbing and to allow the aircraft to turn around on a runway that is only 150 feet wide.

ELECTRICAL SYSTEMS

Primary electric power on the C–5A is furnished by a four-generator constant speed drive parallel system. C–5A engine-driven generators are rated at 60 kva with ample cooling provided to deliver 80 kva continuously. Size of the generators assures operation of the airplane's systems even with two generators and critical requirements can be met with ony one generator.

For ground power, a 60 kva generator identical to the engine-mounted units is mounted on the right auxiliary power unit. External a-c power may be supplied through a standard receptacle.

The secondary d-c system is energized through two 200-ampere convection-cooled non-regulated transformer-rectifiers with a nominal output voltage of 27 volts.

Two 5-ampere/hour batteries provide power to open the inlet doors of the APU's and power to position fuel and hydraulic valves for APU starting. Ignition is provided by small generators driven by APU's themselves.

In the remote event of a complete power loss, an emergency a-c/d-c generator driven by a hydraulic motor furnishes a minimum of power to operate essential flight instruments, comm/nav and other equipment.

The entire C–5A electric system is monitored from a panel at the flight engineer's station. For simplicity and ease of operation, the system is presented on the panel in schematic form.

ENVIRONMENTAL SYSTEMS

The C–5 is pressurized and air conditioned. Engine bleed air drives two separate and individually controlled refrigeration turbines, one for the flight deck and one for the cargo area. The crew compartment unit has separate controls for secondary mixing of air for extra crew compartment temperature requirements. In an emergency, the cargo unit can supply the crew compartment.

With an 8,000 ft. cabin pressure at 40,000 ft. altitude, the system is designed to circulate 20 cu. ft. of air per man per minute for the flight station and relief crew area and 12 cfm for the troop area. For ground cooling, dual auxiliary power units cool the flight station and the rest area to 70° and the troop compartment to 80° on a 103° day.

The nacelles are anti-iced with engine bleed air as are the wing leading edges outboard of the inner naceles. The windshield is defogged and anti-iced by electric heat. Spray applied rain repellent fluid and windshield wipers accomplish rain removal.

The basic oxygen supply installation includes a 25-liter liquid oxygen converter to supply flight and relief crew needs, while a 75-liter liquid oxygen converter supplies personnel in the aft troop seating area. Should personnel be carried in the cargo compartment, each seat pallet would carry its own self-contained emergency gaseous oxygen supply.

AVIONICS

The C–5A includes avionics which will allow it to operate with precision over sea and land areas without ground-based nav aids; fly in formation under instrument conditions at 2,000 ft. separations; make adverse weather landing approaches at support area fields without benefit of ILS or GCA; and airdrop cargo in adverse weather within 100 meters of the computed air release point. Some of the guidance, control and comm/nav equipment planned for the C–5A are described:

Doppler-Inertial Navigation.—This equipment includes a 1.0 nm/hr. inertial platform, an improved K_e band doppler radar, and two digital computers. This equipment operates in a doppler-damped-inertial, free inertial or doppler mode with the capability to update present positions with inputs from LORAN, multi-mode radar, or visual fixes. In addition to navigation, the digital computers provide computed air release point or CARP computations, radar cursor drive, vertical navigation, LORAN coordinate conversion, and built-in test.

Multi-Mode Radar.—Consisting of two radars, this system operates one on X-band and one on K_u band, with each providing a back-up capability to the other for all modes. The K_u band radar provides the high-resolution ground mapping and radar approach to landing modes, with the X-band as backup. The primary functions of terrain following/terrain avoidance, contour mapping, weather contour, beacon operation, and back-up station keeping are provided by the X-band radar, with the K_u band serving as backup.

Radar Equipment.—The multi-mode radar allows all-weather terrain avoidance/terrain following flights at altitudes of 300 to 1500 feet. For airdrop, the radar operates in conjunction with with the inertial-doppler navigation equipment to provide the capability to position the aircraft at the CARP to within 100 meters CEP; it can also be used for radar approach to landings on runways with no ground-based aids under weather conditions of 500 ft. ceilings and one mile visibility or 200 ft. ceilings and ½ mile visibility with a beacon reflector on the ground.

Station Keeping equipment provides scanning and range tracking capability. As many as 36 aircraft flying in formation are scanned by the system which displays the positions of the other aircraft in the formation on the radar PPI indicator. Any selected aircraft in the formation may be identified on the PPI indicator.

The tracking capability allows the station keeping equipment to display the slant range to an individually selected aircraft on a range indicator.

Many units of solid state comm/nav equipment developed for common military and commercial application are provided on the C–5A. The HF, single side-band equipment contains a power amplifier to provide one kilowatt of transmitted power. Crash analysis data is recorded and ejected with a transmitter in the event of mishap. Accurate roll and pitch data and directional gyro and magnetic compass headings are furnished to the aircraft instruments by dual Attitude and Heading Reference Units.

Communication: Dual VHF, intercom (AIC–25); dual UHF, P.A. (AIC–13); dual HF (SSB), VHF–FM.

Navigation: Loran, dual ADF; rendezvous radar beacon, dual VOR/LOC; SIF (APX–64), dual glideslope; marker beacon, dual Tacan.

AND: Crash position indicator recorder, dual heading reference.

FUEL SYSTEM

The C–5A utilizes a simple and reliable fuel system. All of the fuel is contained in the wing in 12 integral tanks with a total fuel capacity of 49,000 U.S. gallons. A single common manifold extending all the way across the wing is used for refuel, crossfeed, jettison, and defuel operations.

Dual electric boost pumps in each tank furnish fuel under pressure to the engines. Engine feed is automatic; gravity feed is possible. Boost pumps are electrically operated centrifugal plug-in units, and are readily installed or removed through small access openings in the bottom wing skin without draining the tanks.

The C–5A is fueled through four receptacles, two in each main gear fairing forward of the wheels, each capable of receiving 600 gallons per minute or a combined maximum rate of 2,400 gpm at 50 psig. Refueling may also be done through conventional over-the-wing filler caps. In flight, the airplane can receive fuel from a tanker through a receptacle in the forward fuselage.

Jettisoning, if desirable, is accomplished through two dump masts in the wing trailing edge.

The C–5A fuel system is presented in schematic form on a management panel at the flight engineer's station. Here, all operations including fueling and defueling are controlled by the engineer.

MALFUNCTION DETECTION, ANALYSIS AND RECORDING SUBSYSTEM

The Malfunction Detection, Analysis and Recording Subsystem (MADAR) answers an urgent need for better and faster system-trouble diagnosis while in flight or on the ground by monitoring the performance of selected aircraft subsystems—including itself. If failure or marginal operation occurs, the subsystem senses, locates, and identifies the malfunction much more quickly than manual methods. And it goes one important step further: It tells what line replaceable unit (LRU) should be replaced and how it is accomplished. MADAR operates by scanning and analyzing over 800 test points, most of these automatically. Others are monitored upon demand at the discretion of the operator. For a diagnostic check, the flight engineer calls for a live wave form on a scope. At the same time, the MADAR furnishes comparative wave forms from its random access memory bank and projects them onto the screen adjacent to the live wave form. The flight engineer compares the forms and by progressive selection, pinpoints the malfunction down to the part number of the faulty unit. The operator can call up the tech order data and maintenance instructions pertaining to that unit from within the subsystem's memory bank. Screen-projected information can advise the operator what corrective action should be taken, what part or component may require replacement, the location of the item, and whether he should radio ahead for a replacement to be waiting. MADAR is destined to reduce troubleshooting and maintenance and contribute to overall C–5A mission capability.

MAINTAINABILITY

All the service and maintenance functions on the C–5A have been carefully considered in the aircraft design so they may be executed in the easiest manner in order to contribute to operational availability and overall cost effectiveness.

Some of the features are derived from MAC's suggestions already incorporated into the C–141. Others are new, including the mentioned time-saving Malfunction Detection, Analysis and Recording Subsystem which locates potential trouble spots and identifies replaceable parts quickly, and newly designed quick-attach clamps for installation of hydraulic power transfers, hydraulic pumps, constant speed drives, generators and hydraulic motors. Further, conventional hydraulic system components such as reservoirs, check valves, accumulators and flow regulators have been compacted in the C–5A hydraulic system. The cartridge-pack concept consolidates filters, regulators, and valves into much less space, reducing tubing runs, connections, and attendant leakage potential. Improved, more compact service center arrangements are possible. Interchangeability is increased. Extensive use of cartridge packs in the C–5A results in maintenance man-hour reductions.

Hydraulic systems are connected in such a way that one system's fluid is not transferred to another during power transfers. Reversible power transfer packages are employed, and power transfer is accomplished through mechanical interconnection. Servicing provisions do not require the opening of a reservoir, and all systems may be serviced from a central location. Although hydraulic ground test connections are provided on the C–5A, the APU is capable of supplying hydraulic power to any system through reversible power transfer packages. All hydraulic filters contain a condition indicator as do pump case drain return lines. These indicators give reliable information concerning condition of a filter or hydraulic pump.

Cable servos are used in all primary systems. Servo packages are modular and mounted on brackets with face seals for interchangeability without breaking hydraulic fittings.

Landing gear design features have been mentioned in the section devoted to C–5A systems, but wherein they contribute to easier servicing and maintainability, their advantages bear further description. A single bogie of the main C–5A landing gear, having the ability to retract or partially retract while on the ground, reduces time/costs in gear maintenance. Jacking the aircraft is unnecessary to change a tire, change a strut, or change the brakes.

The huge airlifter's empennage approaches six stories in height, but access ladders within the vertical stabilizer make it easy to reach the attach points for the rudder actuators, the interior and top of the horizontal stabilizer, and other items on the rear beam of the vertical stabilizer. And interior lighting is installed.

These features facilitate maintenance and help reduce AGE needs—particularly valuable at remote area bases.

Components in the C–5A environmental, hydraulic, avionics and electrical systems have been concentrated into service centers located inside the aircraft for both ground and inflight accessibility. They are strategically located in areas near the functional application of the respective systems. Typical of these systems is the environmental system service center which is located at the aft end of the troop/courier compartment and forward of the front wing spar. It has walk-in access; components are grouped together. Most troubleshooting is confined to this one area instead of throughout the aircraft.

Similarly, most avionics equipment units, almost all of which are solid state, are mounted in easily accessible racks on the left side of the relief crew compartment.

Auxiliary power units are associated with ground servicing, and the C–5A has two. One drives a 60/80 kva generator; the other drives a 100 HP hydraulic pump. The pump and generator are identical to those units installed on the engines.

Rapid turn-around at MAC bases or forward support areas can be accomplished in an extremely short span of time considering the size of the aircraft and its massive payload. At established bases off- and on-loading plus servicing takes only 50 to 60 minutes.

Unloading and loading require 39 minutes with two 40K loaders at each end. Oxygen servicing requires 10 minutes, the gallery can be serviced in 14 minutes, the lavatory in 5 minutes, and the normal fueling rate of 1200 gallons-per-minute permits a 40-minute refueling time for a ten-hour mission. Engine oiling adds 9 minutes. All servicing operations take place simultaneously; only fueling and oxygen servicing are isolated, so the limiting factors are their combined service times, a total of 50 minutes turn-around.

Rapid support area turn-around times depend upon docks and loaders available at the site and vary from 19½ minutes to a minimum of about five minutes under varying conditions.

The use of self-sealing, plug-in fuel pumps and replaceable valve actuators help speed and simplify fuel system maintenance. Service or replacement does not require tank draining. Whenever fueling and servicing jobs are performed on the C–5A, and under whatever conditions, they are facilitated by simultaneous servicing operations at strategically located points in and about the aircraft.

Servicing different systems does not conflict one with the other, nor does servicing interfere with loading and unloading operations which occur concurrently, fore and aft.

SYSTEM PERFORMANCE AND MISSION PROFILES

The level of performance achieved by the U.S. Air Force C–5A emphasizes flexibility to meet various MAC mission demands.

It easily transports 100,000 lb. for 5,500 nm.—the basic mission—operating at the 2.5g load factor, taking off at 712,000 lb. gross weight in 7,500 feet.

The C–5A can deliver 220,000 lb. to a point 2,700 nm. distant flying at 440 kt., and can transport 200,000 lb. the same distance cruising at 460 kt.

At the 2.25g load factor, 265,000 lb. payloads are transported 2,500 nm. at 460 kt.

The speed at which the C–5A cruises is a factor dependent on mission requirements. In general, it can be optimized for fuel economy at the long range cruise speed of 440 kt., but when MAC missions demand expedient delivery of cargo, cruise speeds to 470 kt. can be selected. Speed/altitude, payload/range, and other performance data charts follow this section.

Emphasizing flexibility again, several typical mission profiles are presented illustrating combinations of large payloads carried at high speeds; a 100,000 lb. payload re-supply mission into a support area field and return to home base without refueling; and other mission possibilities.

A WORD ABOUT COST EFFECTIVENESS

The Military Airlift Command faces the tremendous challenge of quick movement of troops, weapons, military equipment and supplies anywhere in the world. This airlift capability, a prime requirement of national security, is being obtained at the least possible cost with the C–5A.

Ever mindful of cost effectiveness, like the military, Lockheed devotes much consideration to economic studies. Although not a program requirement of the C–5A contract, one of the main concepts behind the development of the C–5 is cost effectiveness. Aside from the inherent economies of operating a very large aircraft system, this new airlifter incorporates economy-inspired efficiency designed to provide maximum military worth. For example, easy loadability saves time; excellent maintainability reduces lost productive time and cost; and high reliability greatly reduces aborted missions. Thus the C–5 is highly productive and produces a lower ton-mile cost than ever before attained in military airlift.

Operating Costs.—The direct operating costs of the C–5A bring new economy to military airlift operations. Whereas the airplane can be expected to cost more to operate per aircraft mile than smaller cargo transports, it can do more work . . . three times as much as the C–141, for example. The C–5A direct operating cost is just 2.1 cents per ton-mile—a 50% improvement over present military cargo jets—and a record bargain for airlift costs.

$$\text{Cost effectiveness} = \frac{(UE) \times U \times V_b \times P \times C_p}{\text{Cost}}$$ [1]

[1] Several elaborate cost-effectiveness formulas have been developed. In this instance UE is unit equippage—the number of airplanes for six squadrons; U is utilization rate, the hours flown per day; V_b equals block speed, the time between two given points at optimum cruise plus 15 minutes. P is average payload; C_p is a payload correction factor for terminal effectiveness imposed by the landing runway length. Cost is interpreted as the system acquisition cost plus 10 years total operating expenses for the system.

Mr. GOLDWATER. Mr. President, for example, in performance, the C–5A can take off over a 50-foot obstacle with a basic mission weight in a run of 7,500 feet. It can land in a distance over 50 feet with a 100,000-pound payload in the middle of a 2,500 nautical mile radius mission at 4,000 feet.

I was in the aircraft when it landed and stopped in less than 1,500 feet. Its range with a 220,000-pound payload is 3,050 miles, and with a 112,600-pound payload it is 5,500 miles. Its ferry range is 7,200 nautical miles.

Its weight has never been approached before, although we do have in the Boeing 747—basically a passenger plane, but one which can be used for cargo—weights approaching this.

The flight design gross weight at 2.5 gravity is 728,000 pounds. The flight design gross weight goes up to 764,500 pounds. The maximum landing weight is 635,850 pounds.

The cargo compartment will total 34,750 cubic feet, and the palletized volume, including ramps carrying 36,463 pallets, will total 19,020 cubic feet.

It carries a crew of six and an alternate crew of six, and will seat eight couriers and 75 troops in the upper compartment.

Incidentally, if we wanted to carry 1,000 troops in this aircraft, it could be done. For the lay person, who knows what a Cadillac looks like, 50 can be put in this airplane. I have not calculated the number of Volkswagens, but according to the way that car is selling, we could not get that many to try it. The plane could carry six Greyhound buses at one time.

It has a fuel capacity of JP–4 fuel of 49,000 U.S. gallons. That is roughly close to five railroad tank cars.

I am informed by my learned friend, the Senator from Pennsylvania (Mr. SCOTT), that 88 Volkswagens could be placed in this aircraft. I thank the Senator. They look like they would be very friendly in the plane.

It has a single point refueling rate of 2,400 U.S. gallons a minute.

The landing gear is an interesting mechanism. There are 28 tires, and they cost $250 apiece. I might comment that the Air Force has effected a reduction from $500 to $250 to obtain this tire. There are four nosewheels and six each on the main gear bogies, as they are called.

I will cite just two loads, because many Senators have served in the infantry, and will recognize what I am talking about.

Load 1, which totals 219,928 pounds, will carry a D–8 tractor, a warehouse trailer, one M–35 truck with trailer, three 2-ton forklifts, three Larc V's, one refrigerator stake truck, one M–43 ambulance with trailer, 58 drivers, troops, and support personnel.

Another load, which I use as an indication of what this airplane can do, will include one M–48 bridge launcher, four M–151 one-quarter-ton trucks with trailers, two M–170 ambulances, two UH–1D helicopters, two M–54 5-ton trucks with trailers, two M–37 three-quarter-ton trucks with trailers, and 52 drivers, troops, and support personnel.

I cite these figures merely so that Senators may have an opportunity to read them in the RECORD in the coming days and know a little better what we are talking about and also understand a little better the costs of this airplane, in the period it was conceived, in the period since the so-called overruns.

At the suggestion of the chairman of the Committee on Armed Services, the Senator from Mississippi (Mr. STENNIS), I went to the Georgia plant of the Lockheed Aircraft Co., at Marietta, and flew the C–5A. Out of that experience and material furnished by the Defense Department, I should like to relate to Senators a few things about the airplane, to give some balance to all the talk about the contract.

I wish to emphasize what the chairman has emphasized time and time again. It is the airplane itself and the need for it that are really at issue today.

Of course, my first flight was very limited. I was not permitted to take off or land the airplane because it was the property of the Department of the Air Force, but I am looking forward to following up on that checkout this fall.

Following the pretrial flight, I was allowed to take the controls and let down into the landing pattern. As I said, I am looking forward to checking out the aircraft, because I have flown practically every airplane we have in our inventory—all the big ones—and I have never seen one this big—it is nearly as large as a football field—handle so easily. I was impressed by it. It has slow characteristics, a feature which is important in judging the worth of an airplane such as this. I was impressed with the ease with which it handled.

I might say, without speaking in a negative way about any other aircraft, that it is typical of the Lockheed Co., and I think I have flown every plane they have produced since the Lockheed brothers started making them.

Of course, the fact that the C–5A has excellent performance, as with any new airplane, has always been a bitter pill for critics to swallow. They had to find something to criticize. One of the things was the decrease in sink upon landing, and another was on reducing from 205 knots to 180 knots. The Air Force explanation of these points is clear. All the changes made, including these two, were made to produce a more balanced design at a reduced cost of the aircraft.

We were talking about performance, at which we could only guess. We were talking about an airplane which no designer in the country said could not be accomplished. There remained designers who questioned the ease with which it could be done and particularly the cost. None of the changes, including these two, permit any lowering of the basic requirements of the aircraft. As of today, it is meeting and in most cases is exceeding, requirements which have been upgraded to some extent by insistence on the part of the company that they upgrade where they can. Some of the upgradings have been very expensive.

If memory serves me correctly, the Lockheed Co. made close to 100 modifications of the aircraft, and the Air Force has made a half dozen. The sink return still allows it to operate at the equivalent of FAA standards. The two changes mentioned plus several even more minor changes were allowed by the Air Force, and, in turn, the Air Force made changes. Increases in the amount of testing have been provided by the contractor.

I wish to comment on one fact. Recently there was an article in the press that there was a failure in the static test on the C–5A. I will have to admit this.

The wing of the C–5 static ground test article experienced a crack in the right wing at 125 percent of design load on July 13, 1969. This specimen is a full-scale fabrication of the C–5 structure produced for ground test of flight loads. The flight condition being simulated was a pullout maneuver with 220,000 pounds of cargo. The test loads, when the damage occurred, were 3.1 times level flight loads or the equivalent of 1.25 times the maximum maneuver load expected in normal operations of the aircraft.

I might add that I know of no other modern jet aircraft which has been able to perform static tests on wings as well as this aircraft, with 125 percent of the design load. It is designed for a 2.5 g maximum and it could be far in excess of that.

Subsequent component testing by the contractor, under Air Force surveillance, shows that the failure occurred in the lower portion of the rear wingspan just outboard of the fuselage. Analysis of this failure and the verifiaction of a "fix" have not yet been completed. Current evidence indicates that a solution to the problem will not require extensive redesign and that a relatively simple strengthening of the structure will be satisfactory.

The continuing analysis disclosed that the problem is localized.

Flight test is continuing, and this event is not expected to delay completion of the flight test program.

My good friend from Wisconsin (Mr. PROXMIRE) and I got into a discussion a little earlier on some of the characteristics of this airplane. I shall discuss that matter briefly now.

The amazing thing about this airplane is the cost per ton-mile at which it can operate. For the C–5, while the cost per flying hour is $1,046, the cost per ton-mile is $2.09. We can look at the C–124, a propeller-driven heavy airplane, which has a cost per flying hour of $503.

Mr. President, I ask unanimous consent to have printed in the RECORD a table entitled "Airlift Service Industrial Fund—Direct Operating Cost Plus Military Pay."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

AIRLIFT SERVICE INDUSTRIAL FUND—DIRECT OPERATING COST PLUS MILITARY PAY

Type aircraft	Cost per flying hour	Cost per ton-mile (cents)
C–124	$503	19.7
C–133	649	9.4
C–141	531	5.3
C–5	1,046	2.9
C–9	405	

Mr. GOLDWATER. Mr. President, the table which I have had printed in the RECORD also includes the C–133, the C–141, the C–5 and the C–9.

In connection with the C–5 the figure of 2.9 cents per ton-mile is a remarkable figure. For example, railroads carrying generally bulk commodities show a figure of 1.31 cents, trucks carrying generally high value commodities show a figure of 6.60 cents per ton-mile. Domestic water carriers show less than one-half a cent per ton-mile. International water carriers—and this is ocean freight by cargo—for dry bulk is .07 cents. For all international water carriers the average is 1.10 cents per ton-mile. Comparing the aircraft with the water carrier, I think the cost factors will more than overbalance the difference between 2.9 cents and 1.10 cents. With respect to domestic air carriers, the tonnage cost is 19.51 cents a mile.

These estimates are supplied by the Department of Transportation on the basis of preliminary 1968 information. They include revenue.

I shall comment on one more item before I move from that point. What will the MAC fleet, the Military Airlift Command Fleet, look like when the four squadrons of C–5A's are finally incorporated in it? It will replace three squadrons of C–133 aircraft, which equal 38 aircraft; it will replace three squadrons of C–124 aircraft, or 48 aircraft.

Some of these may eventually go to reserve or the National Guard and would be a MAC backup similar to the situation we have today. The elimination of these aircraft will result in MAC being completely jets. The MAC C–130 aircraft have been transferred to TAC.

C–5A—REQUIREMENT, MISSION, AND CHARACTERISTICS

Our national interest dictates that the United States have the capacity to support the rapid deployment of U.S. forces. The capability to provide this support with a rapid response of limited but effective U.S. forces followed, if necessary, by a more massive buildup, greatly reduces the risk of smaller incidents developing into major conflicts. The capability for rapid deployment gives the Department of Defense the added flexibility in planning for peacetime deployment and basing never had before.

The rapid deployment of effective forces requires a capability: First, to airlift all the necessary Army equipment including weapons and vehicles; second, to airlift the troops with their equipment; third, to organize the force arrival into effective increments; and fourth, to provide sustaining support.

The design of the C–5A was optimized to accomplish this. It will transport all items of weapons and equipment of an Army division concurrently with the personnel associated with the equipment. Thus, unit integrity is maintained.

To avoid possible confusion with respect to the mission of the aircraft, it should be pointed out that the C–5 is not a personnel transport; rather, it carries only the personnel associated with the equipment transported.

No other aircraft can accomplish this mission. The C–141, our largest operational jet transport, has established an outstanding operational record. However, it can carry only about 65 percent of infantry division vehicle types and 71 percent of armored division vehicle types. Such essential items as tanks, bridge launchers, armored personnel carriers, and helicopters cannot be carried in the C–141.

The C–5A gross weight is approximately twice that of the C–141. It has about three times greater payload/range capability. Its cargo compartment has over 4½ times the volume of the C–141. Yet, the C–5A can operate from more primitive airfields.

Many unique features have been designed into the C–5. These include full width openings, fore and aft, which provide a drive-through capability; high flotation landing gear which permits operation on relatively unprepared airfields; a kneeling landing gear to lower the cargo floor to truck-bed height to facilitate bare base loading and unloading; a complete aerial delivery system; a heavily stressed cargo floor for free maneuvering of heavy vehicles; self-contained avionics and navigational systems which permit adverse weather landings without ground-based aids; the ability to deflate the tires while in flight so that they can land on soft ground or grass and land in a distance of less than 1,500 feet; and a number of other special features which are available in no other aircraft.

AIRCRAFT'S PERFORMANCE

Manufacture of the first five C–5A's, which are development test aircraft, has been completed. These five have flown over 428 hours during a total of more than 135 flights. One of the aircraft is now being tested by the Air Force at Edwards Air Force Base in California, which is our test center. The initial test results have been encouraging. Normal development problems have been encountered. However, the Air Force's best estimate, based on preliminary data accumulated to date, is that the airplane will meet all performance guarantees.

OPERATIONAL AIRCRAFT

The first operational C–5A is scheduled for delivery to the Air Force in December of this year. I must say here that there may be a delay in this delivery, a delay for which, I understand, the company will pay something like $12,000 a day in penalties. The first squadron should achieve its initial operational capability next summer, probably July or August of 1970. As I indicated earlier, this is a slip—a slip of about 6 months.

COSTS EXPERIENCED

For planning purposes, the current program calls for the procurement of 120 aircraft for six squadrons. Fifty-eight aircraft are on contract. Five R.D.T. & E. aircraft and 53 production aircraft constitute run A. The run A production aircraft were approved in the 1967, 1968, and 1969 budgets in quantities of eight, 18, and 27, respectively.

An option was exercised prior to its expiration date in January 1969 to procure an additional 57 aircraft, known as run B. Twenty-three of these are in the fiscal year 1970 budget now before Congress. These aircraft will complete the fourth squadron. There is no need to debate now whether five or six squadrons are needed. A decision on further quantities of aircraft will be made in the formulation of the fiscal year 1971 budget. It should be emphasized that this option is basically for contractual planning purposes. The Government is not committed to procure any of these additional aircraft. Congress must first approve.

The Government's contractual liability, as governed by statute, is limited to the 58 aircraft on contract, plus $72 million which was in the fiscal year 1969 budget for long lead items for aircraft in the fiscal year 1970 budget.

Through fiscal year 1969 the Congress has appropriated about $2.5 billion in R.D.T. & E. and procurement funds for the C–5. Of this amount about $1.9 billion has been expended. The fiscal year 1970 budget requests funding for the C–5 as follows:

[In millions of dollars]

R.D.T. & E.	34.2
Procurement	742.8
Weapons system (above line)	(533.0)
Spares (below line)	(209.8)
Over target	225.0
Total	1,002.0

The aircraft procurement amount is for the production of 23 aircraft at an average gross flyaway cost of $23.522 million.

The over target amount needs special explanation. Congress requires the Air Force to fully fund procurement for the target amount for each fiscal year's procurement. Thus, each fiscal year's buy must be adjusted to cover the difference between target and estimated ceiling. For instance, the eight aircraft in the fiscal year 1967 buy will cost more than the target and consequently more than was budgeted in fiscal year 1967. Likewise, the 18 for fiscal year 1968 and the 27 for fiscal year 1969 will cost more than targeted and budgeted. For the fiscal year 1967 through 1969 programs, the Air Force has tentatively identified a funding deficiency of $649.1 million which the Secretary of Defense has included in his report to the Congress on overruns. Since expenditures and aircraft deliveries from a given year program extend over 2 to 3 years, it is estimated that the Air Force needs $225 million of this deficiency amount in fiscal year 1970 to apply to the buys in earlier year budgets.

The amounts required later will be reassessed in the light of actual experience and appropriate amounts will be requested in the fiscal year 1971 and fiscal year 1972 budgets.

Addressing this large amount at one time highlights a major problem with this type of contract. As was discussed with the House Armed Services Committee, the concept underlying the contract for the C–5A is good. The mechanics of its administration, however, need revision. Building a fence around the en-

tire program is good, but a very careful appraisal is needed of exactly where the Air Force stands, they say at least once a year. I will say, having once been a businessman, and having looked at this contract, that I would feel happier with an auditor giving me a report after each day's work was finished. In one sense the Air Force is now dealing with a 4-year accumulation of problems, whereas the Air Force should have been able to deal with them year by year.

COST ESTIMATES

The first cost estimate made for the C–5 was $3,116 million. This was made in October 1964. This estimate was based on parametric studies to determine the cost of a theoretical aircraft that could carry a payload of 100,000 pounds for 5,500 NM. It was estimated that such an aircraft together with its fuel and payload would gross 645,000 pounds, some 83,000 pounds less than the aircraft that was later actually contracted. It should be emphasized that this estimate was a rough standard which the Air Force had hoped would be accurate to within 10 to 15 percent. The basic purpose of the estimate was to evaluate the economics of the C–5 and to serve as a reference against which to evaluate contractor proposals and to measure program accomplishment.

I have to remind Senators that this estimate was made in constant 1964 dollars. At that time the Air Force was accustomed to doing business on a year-to-year basis and could not anticipate the drastic effect that inflation, as reflected by subsequently rapidly rising costs, would have on the program over a period of nearly 10 years. In retrospect, the Air Force cost analysts, most certainly, should have incorporated a large factor to compensate for inflation. However, had the Air Force predicted the drastic inflation that has actually taken place, there is a likelihood it would not have been accepted at the time.

The second cost estimate was made in April 1965. Again, it was based on parametric studies and was to be used as a rough standard to evaluate contractor proposals. This estimate was $3.102 billion—about the same as the earlier estimate, and contractor proposals were reasonably close to these estimates.

In the Air Force's cost tracking procedures, there were indications in 1966 and 1967 that Lockheed would be over target and in the Air Force's preparation of the fiscal year 1969 budget in the fall of 1967 the background estimate was raised to some $3.3 billion and Air Force representatives indicated in congressional testimony last year that the contractor's costs would increase by $250 million.

Just after the hearings last year, there were reports from the field indicating a much larger overrun. Since the Air Force was dealing in estimates, their validity was questioned and further study was directed. In June of last year this study indicated that the program might cost some $3.8 billion. Again, the estimates were questioned and an intensive study was directed culminating in an October estimate of cost to the Government of $4,348 million. It is this estimate that the Air Force is currently carrying. It should be pointed out, however, that it is also questioned. Lockheed, the manufacturer, for instance, does not agree with it—and it should be noted that these are estimates of costs that will not be fully incurred before 1973–74.

When this estimate was accepted as reasonable, the Air Force then went back to examine the original background estimate to determine where the Air Force had been wrong. It rationalized the difference between the original estimate and the $4,348 cost to the Government estimate as follows:

[In millions of dollars]

Original estimate	3,116
Inflation (conversion of 1964 constant dollars to current dollars)	500
Technical difficulties	382
Adjustment for a larger aircraft	350
Total estimated cost to Government	4,348

It must be noted that the $4,348 million is an estimate of "cost to the Government." Later, it will be pointed out that on the basis of estimates, it is expected Lockheed will lose about $285 million. This makes a total estimate to produce of some $4.6 billion.

This then is the current "background" estimate. The background figures, which began at $3.1 billion, were raised to $3.3 billion for the 1969 budget, and are now $4.6 billion.

These estimates include development and aircraft production only. They do not include spares, either initial or replenishment. There are two reasons for this. First, the target costs of the contract cover only development and aircraft production. Second, spares consist of two types, initial and replenishment, and in reality, are operating costs. They are reflected in varying amounts, depending on the number of years of operation covered and the utilization rates of the aircraft. So, to clearly separate and identify acquisition costs, the Air Force covers only development and aircraft production in the basic estimates. This is the way the Air Force has customarily discussed estimates with the committees of Congress; however, it may be appropriate to include initial spares.

OVERRUNS

A $2 billion overrun is frequently quoted. It is important for the Congress to understand what is involved. There are a number of ways to reflect the increases in this program.

First. $1,050 million; this is the difference between the original background estimate of $3,116 million and the current background estimate of $4,621 million described above.

Second. $1,363 million; this is the difference between the original contract target estimate of $2,985 and current estimated ceiling of $4,348.

Third. $618 million; this is the difference between the estimated adjusted target of $3,730 million, made in accordance with contract provisions, and the current estimated ceiling of $4,348 million which is the cost to the Government. This is the estimated overrun as normally defined.

Fourth. $2 billion overrun; this is roughly the difference between one background estimate, with some spares added, $3.4 billion, and a later estimate, $5.3 billion, with spares and other items added, which were not included in the original estimate and not fully validated as requirements. Such a comparison, thus, involves apples and oranges.

CONTRACTING—TOTAL PACKAGE PROCUREMENT (TPP)

Total package procurement used on the C–5A program, simply stated, was an attempt to secure firm contractual commitments for performance, schedule and cost for R. & D. and production of the maximum feasible portion of a total weapon system program in a truly competitive environment. In the past the Air Force had traditionally completed the research and development phase, about 20 percent of total system acquisition costs, and then negotiated the production requirements for aircraft and associated data and equipment at a later date as best it could with the single contractor who had done the development work. This virtually eliminated effective competition for 80 percent of the total acquisition costs involved.

In view of the risks inherent in making commitments for operational hardware before it has been developed, as well as forecasting market conditions through 7 to 9 years into the future, a contractual framework carefully tailored to these risks was required.

A number of special provisions were incorporated into the contract to reduce unreasonable risks to both the Government and to the contractor. First, a special provision assigns to Lockheed responsibility for total system integration and performance. Second, was the use of a fixed price incentive type contract. The C–5 contract provides for sharing between the Government and the contractor in the event the actual costs are either less or greater than the target cost proposed by the contractor. In the event the contractor exceeds the target cost the Government will pay these costs up to a maximum of 130 percent of the established target cost. This 130-percent maximum liability is called the ceiling. Beyond that the contractor must pay all costs to complete his contract performance. For each dollar of cost over the target which the Government pays up to ceiling, the contractor—Lockheed—must give up a portion of this profit. Thus, the contractor is motivated not to exceed target cost. This is commonly called a profit-sharing arrangement.

A provision was included for an equitable adjustment of contract prices for changes in law which might increase labor costs, such as changes in social security rates or other changes in Federal statutes covering work conditions and fringe benefits.

Another provision provided an adjustment of contract price, either up or down, in the event there was an abnormal fluctuation in labor, material, equipment, and subcontractor costs over the projection included in the contract.

One of the largest items included in this overrun is the never before experienced high rate of turnover in the main factory and factories producing subcontracts for Lockheed. I inquired about that. I have never before heard of a turn-

over rate anything like that. Of course, to hire a man to fill a job who does not show up on Monday morning means that the job has to be filled, and that requires much cost and training.

A major provision of the contract is the repricing associated with a later option. Again, because of the uncertainties involved, this provision was designed to reduce catastrophic losses to manageable proportions or, on the other hand, if costs were substantially below target, to reduce excessive profits by providing a refund to the Government.

This repricing formula was in the proposed contract to which all the competitors bid. It provides that if the actual cost of the 53 production aircraft in run A exceeds the 130-percent ceiling, an upward price adjustment would be made for the next production run; that is, run B.

The Air Force estimate is that both Lockheed and General Electric will exceed the contract ceiling for R.D.T. & E. plus run A. Thus, the repricing formula would be employed in both cases to reset the production prices for run B.

Considerable misunderstanding and controversy have developed concerning this feature of the contract. It has been alleged that it permits the contractor to reap large profits on run B by running up the costs on run A. Also, that the formula provides a reverse incentive. These subjects are quite complex and do raise questions that cannot be clearly answered at this time.

The Air Force estimates that Lockheed will be in a loss position of $671 million at the end of R. & D. plus run A in June 1971. This would appear to be a catastrophic loss—and the formula was designed to prevent this. Application of the formula to run B reduces the estimated loss to $285 million.

It should be pointed out that Lockheed does not agree with these estimates. They consider the Air Force's estimates too high, and it is hoped they are right. There are also contract interpretations which will affect Lockheed's outcome, as well as the cost to the Government.

"Reverse incentive" means that for every additional dollar that Lockheed spends once it is over ceiling on run A there could be more than a dollar increase in ceiling in run B. By the Air Force's calculations this could happen in the event 91 or more aircraft are bought, which is the 33d aircraft and on of run B. The 33d aircraft would be part of a fiscal year 1971 buy of 20 aircraft which would constitute the fifth squadron.

A thorough reexamination of this situation will certainly be made prior to the procurement of a fifth squadron. If the decision is made to produce the fifth squadron and the possibility of a reverse incentive exists, an appropriate modification of the contract will be made prior to executing the order.

Even if the additional squadrons are not procured, a contract modification may be made, depending on the findings of a study directed by the Secretary of the Air Force.

SOURCE SELECTION

The source selection process was probably the most comprehensive ever conducted. The entire process was summarized in a 30-page memorandum from Secretary Zuckert to Secretary McNamara dated September 23, 1965. This memorandum has been made available to the Armed Services Committees of both the Senate and the House, as well as to the Subcommittees for Appropriations of both the Senate and the House. The memorandum states that the source selection board, comprised of two Air Force major generals and two brigadier generals and charged with conducting a complete evaluation, unanimously recommended that Boeing be selected. The memorandum pointed out that the Air Force Chief of Staff, the commander of the Air Force Systems Command, the commander of the Military Airlift Command, and the Air Council by a three-fourths majority recommended Lockheed. It stated that the commander of the Air Force Logistics Command recommended Boeing. The committee has been provided a copy of the memorandum from the Chief of Staff of the Air Force to the Secretary of the Air Force recommending Lockheed.

The Air Force files on source selection have been made available to the GAO.

REPORTS TO CONGRESS

In the minds of many, public reports have created the impression that the Congress and the public have not been informed on a timely basis of the C–5 situation.

As was previously indicated, Air Force representatives told the Congress last year of an increase of roughly $250 million. At that time the later increases had not been identified. These were identified and agreed to by OSD in the formulation of the fiscal 1970 budget—not completed until last December or early January. On January 13, Secretary of Defense's classified statement, containing a comprehensive discussion of the situation described in this paper, was delivered to the appropriate committees of the Congress. An unclassified version of this statement in somewhat less detail was also provided to the committees and to the press.

THE ECONOMICS OF THE C–5

Earlier, the requirement for the C–5 aircraft was addressed. The Air Force believes it is difficult to question the need for its truly tremendous capability to move quickly a significant military force anywhere in the world. It also opens a new era in air cargo.

Let me comment here on the Air Force position of wondering why there is any question of the need for this item. I have heard one answer, coming from those who oppose the requirement of the fourth squadron, to the effect that it would take the Army 30 days to get ready. All I have to say to that is that under Secretary of Defense Laird that is not going to happen. I remember what happened at the outset of the Korean war, when our troops just were not prepared for combat, and many units waited months and months before they were sent overseas because they were not equipped with such simple things as shoes, backpacks, rifles, and so forth. Under the present Secretary of Defense, the Armed Forces, in whatever strength they may be, will be adequately prepared for the missions they are called upon to perform.

The C–5A does these things more economically, even at its increased costs, than can be done in any other way. One measure of its economics is "10-year cost per ton-mile," that is, procurement plus 10-year operating divided by ton-mile capability. This is estimated at 12 cents per ton-mile versus 16 cents for the C–141, its nearest competitor. Another measure is estimated direct operating cost as we compute it for the Airlift Industrial Fund. The C–5 costs are 2.9 cents per ton-mile versus 5.3 cents for the C–141. The C–130 is 9.7 cents per ton-mile, and the C–124 is 19.7 cents.

SUMMARY

In summary, the Air Force is in a very difficult situation with the C–5 program. To some extent an impression has been created that the large overruns of the contractor are simply being accepted, and that Lockheed will emerge from the contract with large profits. Nothing could be further from the truth. If the Air Force's estimates are correct, and the contract is terminated at the end of run A, Lockheed would have what could be judged a catastrophic loss—a situation which the overall contract was designed to prevent. Even if the added quantities of aircraft for run B are approved and placed on contract, Lockheed will still be in a large loss position—if the Air Force estimates which Lockheed disputes, are correct.

From the Government's point of view, the Air Force has an extremely tight contract, exerting unprecedented pressure on the contractor. As it now stands, it will unquestionably permit the Government to procure the C–5 at less cost, than under any other type contract.

The extremely complex contract has contributed to confusion and misunderstanding to those not intimately familiar with it.

The Air Force must obviously have to insure a better understanding of the situation. It will ascertain what, if any, changes are necessary. The first step is to complete the review which the Secretary of Installations and Logistics is conducting at the direction of the Secretary of the Air Force and Secretary of Defense.

In the meantime, it is clear that the program is going to cost more than originally estimated, regardless of the semantics of "overruns" and agreement as to what constitutes an overrun. Exactly how much the added costs will be, no one can be sure. It is clear that they are upward of a billion dollars, probably on the order of a billion and a half, with a large part attributable to inflation. The aircraft itself is proving to ba excellent, fully capable of performing its mission, and worth its cost.

In my humble opinion—and this statement comes from a conservative—it is very worthwhile in its cost.

Before closing, I wish to comment again on something that I think many of my friends in the Senate, who in their own minds look to the budget as a source of cuts, seem to overlook. I have pleaded on numerous occasions with the chairman of the Policy Committee to reopen our studies on the commitments we have

made to more than 44 countries around the world, 17 of which, with no fiddle-faddle language, say we are going to war.

Until we in Congress know what is meant by that, and whether we are going to live up to our treaty commitments, I do not know how we can really exercise, to the extent that many Senators would like to exercise, the constitutional charge of providing for the defense of our country.

We do not know, for example, whether we will have future wars in which an aircraft carrier might be required. We do not know whether we will have ground wars in which a tank will be needed.

Parenthetically, many friends of mine who are in the military say that if we ever develop the Cheyenne helicopter, it will become our tank and antitank. I hope that we can work out the bugs involved in the project.

I feel so strongly on this matter that on a visit to the President in California I stated that, in my opinion, until he made it clear to the people of the country, preferably by appearing on television some night, just how he felt about the commitments prior Presidents had entered our country into and what our position might be on the maintenance of the duty we have assumed, there is no way in the world in which we can sit here and sensibly cut the budget by tens of billions of dollars.

I personally think that the committee, most of whose members have an excellent knowledge of the military and foreign policy entanglement, did an outstanding job under the Senator from Mississippi (Mr. STENNIS), the chairman of the committee, in reducing the amount as much as it has.

Much as I appreciate the sincerity of Senators who have formed the committee to have peace through law and reduce expenditures, until we know where we might be next month, next year, or 10 years from now relative to these 17 commitments to go to war, I do not want my grandchildren to say about their grandfather that he very foolishly cut something out of the budget that he might have thought needed cutting, but which time proved was not correct.

Mr. President, with reference to the colloquy engaged in by the Senator from Mississippi (Mr. STENNIS), the Senator from Wisconsin (Mr. PROXMIRE), and me relative to what the position of the Systems Analysis Group in the Pentagon really is, I ask unanimous consent that there be printed at this point in the RECORD the letter written by the Senator from Wisconsin on September 2 to Hon. Melvin Laird, Secretary of Defense, and Mr. Laird's reply on the same date addressed, "Dear BILL."

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
JOINT ECONOMIC COMMITTEE,
Washington, D.C., September 2, 1969.

Hon. MELVIN LAIRD,
Secretary of Defense,
The Pentagon,
Washington, D.C.

DEAR MR. SECRETARY: After repeated verbal requests from my office first, to Dr. Selin and later to various DOD Legislative Liaison representatives, I am putting in writing my request for the two documents concerning the C–5A which I requested in mid-August. Dr. Selin indicated to my staff at the first request that he was fully aware of what the documents were. There is no real problem about their identity.

First, I want a copy of the economic memorandum dated November, 1968 which examines the economic justification for the C–5A plane.

The second document is the strategic study entitled "Major Program Memorandum for Strategic Mobility Forces," dated June, 1969.

Both were prepared by and are in the Office of Systems Analysis of the Secretary of Defense.

I have told the Senate Leadership that I would not agree to a time limitation or vote on my amendment until 24 hours after I received these documents.

To expedite matters I hope that a nonclassified version of them can be delivered by courier today.

With best wishes,
Sincerely,

WILLIAM PROXMIRE,
U.S. Senator.

THE SECRETARY OF DEFENSE,
Washington, D.C., September 2, 1969.

Hon. WILLIAM W. PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR BILL: Thank you for your letter of September 2nd concerning two documents relating to the C–5A prepared in the Office of the Assistant Secretary of Defense for Systems Analysis. I hope I can clarify any misunderstanding concerning the work of the Office of the Assistant Secretary of Defense for Systems Analysis and the Assistant Secretary's recommendations to me in connection with the C–5A program.

The job of the Systems Analysis staff is to make critical appraisals of defense programs. In their review and evaluation they examine both sides of an issue, but especially the critical side, since others will emphasize the positive aspects of an issue. This is an essential function of significant assistance to me. But, critical studies are not the only basis on which decisions are made. They are part of the wide variety of information I need to draw conclusions and make judgments on defense programs. However, if internal, critical studies prepared by the Systems Analysis staff continue to be given public expression and used as the source for attacking DoD programs, their valuable contribution to the defense decision-making process will be significantly reduced.

Furthermore, I asked the Assistant Secretary of Defense for Systems Analysis to conduct a review of the C–5A, and this searching evaluation raised doubts about the need for the fifth and sixth squadrons. However, after a critical examination of this issue, he firmly recommends and supports a fourth squadron. The FY 1970 budget includes only the fourth squadron.

With respect to providing unclassified versions of the Major Program Memorandum and other internal working papers, these usually lengthy documents are prepared only in classified form for the internal use of the Department of Defense components involved in the decision making process. The reason this particular MPM is classified is that it contains details of our war plans.

Since Senator Stennis has expressed an interest in this subject, I am sending him a copy of this letter.

Sincerely,

MELVIN R. LAIRD.

Mr. GOLDWATER. Mr. President, I am sorry that the Senator from Wisconsin has retired from the Chamber. However, I point out that the Secretary said in his letter:

However, after a critical examination of this issue, he firmly recommends and supports a fourth squadron.

The "he" to whom he referred was Mr. Selin, who, I understand, occupies a high place in the formulation of papers emanating from Systems Analysis.

It is clear that not only the Secretary of Defense and the Secretary of Air, but also the Systems Analysis Group, have approved the fourth squadron. That is why I have spoken today in support of the chairman in asking that the Senate overwhelmingly reject the amendment.

Mr. President, I ask unanimous consent that a very perceptive and strangely timed article written by Holmes Alexander a day or two ago be printed at this point in the RECORD. I say what I do because the title is, "The Interlocking Directorate Against the Military."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE INTERLOCKING DIRECTORATE AGAINST THE MILITARY

WASHINGTON, D.C.—You see the U.S. military getting kicked around, and then you look to see who's wearing the boots.

One pair fits Arthur Waskow. He was recently arrested for trespass and nuisance at the Pentagon. He was an organizer last January of the Counter Inaugural, was a founder last year of the New (Eugene McCarthy) Party which became the New Left, was in the infamous Pentagon March a couple of years back. He is mixed up with the pornographic Free Press and is sympathetic with race riots, but against other sorts of warfare. He expresses his governmental philosophy in a book titled "Creative Disorder." He is resident fellow at the Institute for Policy Studies here.

This Institute for Policy Studies is quite a catch-all. A co-director is Marcus Raskin. He was indicted, along with Yale Chaplain Coffin and Dr. Benjamin Spock, for conspiring to violate the draft laws. He belongs to the New Party, the New Left, has got connections with Black Power and Students for a Democratic Society. He was a staff member under President Kennedy on the National Security Council. Raskin and Waskow had their names voluntarily in the magazine Black Panther, last January 25, as signers of a petition to do something nice for Eldridge Cleaver.

Another co-director of the Institute for Policy Studies is Richard Barnet. Like Raskin he was a Kennedy administration insider and was assigned to the U.S. Arms Control and Disarmament Agency. You find that the Institute, a foundation, goes in big for U.S. disarmament. This has been going on for several years, and the seminars are briefing sessions for young assistants of Senators and Representatives. Often what a Senator or Representative says in a speech has been said before in these briefing sessions.

In the spring of 1969 the Institute's announced subject for the seminars was "military spending." Pretty soon Senator Proxmire and Representative Moorhead are getting headlines for denouncing Pentagon expenditures. Richard Kaufman of Senator Proxmire's Joint Economic staff attended the seminars. So did Pete Stockton of Representative Moorhead's staff.

One of these headlines, a three-column spread in the Washington Post for June 29, read "Six Davids Who Have Rocked Goliath." The first proper name used in the story is A. Ernest Fitzgerald, who is praised for exposing Pentagon cost-jumps. Fitzgerald, who works for the Air Force, addressed an Institute seminar in March on "cost control and contractor inefficiency." The Post reporter who praised him in the story addressed an Institute seminar in April on "political influence of the defense industry."

You soon get dizzied trying to follow the veinwork of names-and-actions, cause-and-effect throughout this body of anti-military work. It produces tomes of the David-and-Goliath propaganda, where the attackers are represented as nice kids with slingshots and the Defense Establishment as a monster. You don't have any trouble finding that there exists an interlocking directorate of intellectuals who oppose law-and-order, national defense, the two-party system and the majority rule of our American pale faces. The directorate is interlocking in another way. Some of the Institute's board members, trustees and officer corps are respectable and irreproachable citizens.

You remember what Burke said, and you don't try to indict the whole interlocking directorate. You don't know that a single Communist is involved, but you don't doubt that there are demonic chortlings in the Kremlin when the U.S. military gets booted around.

We're in an age when the in-thing to do is to agitate for the "rights of the accused." Seldom has there been heard so much accusation of the U.S. military. A good defense, I think, would be a strong offense against the accusers. It ought to be the in-thing to defend the Defense Establishment which, while not faultless, is for us and not against us.

If this assault should succeed, we could wake up some day by the dawn's early light and find that the Flag is not "there" any longer.

Mr. GOLDWATER. Mr. President, I think that Senators, in reading the article, will recognize some of the strange things that have occurred on the floor of the Senate.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. STENNIS. Mr. President, the Senator from Arizona has made a fine contribution to the debate. There is no other Senator who is more qualified to speak on the particular subject of this amendment than he.

I am not flattering the Senator one bit when I say that he really knows his subject. We all know that he says what he thinks, regardless of where the chips may fall.

I have been delighted during the consideration of the bill to receive his aid many times.

With respect to this plane and because I was concerned about it in the beginning, I asked the Senator from Arizona to go to Georgia, to go through the plane and get the feel of it, and to see what he thought about it. I asked him to go where the plane was manufactured and to probe into the matter.

The Senator came back and told me that he not only did those things, but that he also flew the plane.

Before the amendment comes to a vote, at a time when we can have a better attendance than we can have at this late hour, I hope the Senator from Arizona will again address the Senate on this subject.

He has made a very fine contribution indeed, and we are not talking about this type of contract. It was on trial. I do not think it worked out well. However, we need the plane. It is a good plane, and I think we will get it.

Mr. GOLDWATER. Mr. President, I thank the Senator for his kind remarks.

At this late hour of the day, I might point out something that I do not think I have ever told the Senator from Mississippi before.

When I was being implored by members of the Republican Party to run for the Senate again, I told the leadership on the Republican side that I would do so if I were promised that I would be returned to the Armed Services Committee—not entirely because I have had 37 years' background in this subject, but more, I should say, because it would give me the pleasure and honor of serving with a man whom I consider to be a wonderful gentleman.

Mr. STENNIS. Mr. President, I thank the Senator.

I am very glad that I requested the Senator from Arizona when he returned to the Senate to apply for membership on the committee and that he was assigned a place on the committee.

Mr. GOLDWATER. Mr. President, I yield the floor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. DANIEL J. RONAN, late a Representative from the State of Illinois, and transmitted the resolutions of the House thereon.

The message announced that the House had agreed to the amendments of the Senate to the bill (H.R. 11235) to amend the Older Americans Act of 1965, and for other purposes.

ORDER FOR ADJOURNMENT

Mr. KENNEDY. Mr. President, I move that when the Senate adjourns tonight, it adjourn until noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. PROXMIRE. Mr. President, unfortunately, I did not have a chance to hear all the remarks of the distinguished Senator from Arizona. The Senator is extremely able and is especially competent in this area of defense.

The details which the Senator from Arizona had printed in the RECORD regarding the relative cost, the ton-mile cost of operating the C–5A as compared with operating a ship, are very interesting. I want to study them in detail and reply to them.

I am positive that I can show that the difference in cost between operating the C–5A—if we include the cost, which we have to include, of buying it and building it, together with the operating cost—is about 6 to 1. In other words, it is far cheaper, under most circumstances, to operate with a ship than with the airlift. It is necessary to have the airlift under some circumstances. I concede that. But I think I can document the far lower cost of other means of transportation.

Mr. President, I wish to make a few remarks about my amendment to the pending bill. I shall explain the amendment and give some key arguments in its support. I hope to go into greater detail tomorrow on some points and arguments I shall make today.

DOES NOT AFFECT FIRST 58 PLANES

First, the amendment deletes $533 million, a little more than a half billion dollars, which is authorized to build the fourth wing of 23 planes of the C–5A airplane. It does not affect the first 58 C–5A planes. These are authorized and funded.

The distinguished Senator from Mississippi, the chairman of the committee, argued that it is possible that Lockheed may default, that we may end, not with 58 planes, but with eight or 10. If this is a consideration, I am appalled, because Lockheed Corp. is a responsible firm. It is a firm which I think keeps its commitments. It is a firm which has a number of other multibillion dollar defense contracts. If it defaults on this contract, it seems to me that it will be plain blackmail. It made a firm commitment to produce these planes; and if the way in which they get their way, if the way in which they get Congress to continue to buy planes we do not need and should not have is to say, "If you don't buy these additional planes, we're going to default," then it seems to me that we should have the courage to stand up on our hind legs and say we will not yield to that kind of blackmail, because that is exactly what it is.

These are planes in what is called run A, the 58 which we are assured of getting.

DELETES FUNDS FOR RUN B

The second run, or run B, would consist of an additional 62 planes. The first 23 planes are authorized in this bill. My amendment is to delete the funds in the bill for those planes.

I should mention in passing that the ultimate cost of these 23 planes is very much more than $533 million, but only that amount is provided in the bill at this time.

GAO STUDY

Second, the amendment calls for the General Accounting Office to conduct a study and investigation in order to determine certain facts. The amendment calls for a report from the Comptroller General in 90 days.

I want to make it quite clear that the judgment as to whether these planes should be procured—that is, the additional 23 planes—is up to Congress to make. The determinations of fact and the information requested under my amendment are all matters which would bear on a final judgment, but let me make it clear that the judgment is up

to Congress. My amendment does not put any ultimate decision in the hands of the Comptroller General.

CALL FOR FACTS

He is asked for the facts. He is asked whether the C–5A is an economic replacement for the C–141, whether the purchase of the fourth squadron would add significantly to the deployment capability of the military forces and by how much, what effect it would have on the legal position of the Government in terms of contract losses and termination costs, and issues of that kind.

The amendment should be adopted for a number of reasons.

CONTRACT A FISCAL DISASTER

The contract for this plane is one of the greatest fiscal disasters in the history of military contracting.

It is a contract in which the targeted costs have been vastly exceeded.

It is a contract in which the ceiling costs have been vastly exceeded.

It is a contract in which the cost of the 120 planes has risen from $3.4 billion to a total, including all spares, replenishment spares, and so forth, of $5.3 billion. The cost overrun is now almost $2 billion.

Mr. President, we should recognize what $2 billion is. That is three times as much as the Federal Government spends on law enforcement, on justice, on the court system in America. That is twice as much as we spend in an entire year on low- and moderate-income housing. It is almost as much as Congress would provide for elementary and secondary education in this country.

Under the contract, the costs of the plane over and above the target cost up to the ceiling cost were to be divided on the basis of 70 cents to be paid by the Government and 30 cents to be paid by the contractor. Costs exceeding the ceiling costs were to be borne entirely by the contractor. On the surface, this appeared to provide an incentive for the contractor to keep the costs down.

THE GOLDEN HANDSHAKE

But that assumption is wrong. The contract contains a repricing formula. This repricing formula goes into effect when the planes of run B are authorized.

In other words, when we act on what is in this authorization bill, then the repricing formula, escalating the cost of the plane, goes into effect. It triggers the repricing formula.

The bill authorizes 23 planes of run B. The bill makes it possible for Lockheed to recoup much of the overrun or cost growth which it would otherwise absorb.

A most amazing feature of the "repricing formula" or "reverse incentive provision" or "the golden handshake"—the terms which have been applied to this provision—is that the higher the costs and the larger the excesses on run A, the more the company can receive for the planes of run B.

I repeat: If we pass this bill or reject the amendment I have offered, the "golden handshake" or the "repricing formula" will begin to operate.

DELAYED DELIVERY OF 58 PLANES

The amendment would not stop production. Fifty-eight planes will be produced. Only five of them have been delivered. The remaining 53 planes of run A will be delivered at the rate of one per month, then two per month, and finally three per month over the next 2 to 2½ years.

The contract delivery dates have already experienced a 6-month slippage. The final engine testing is 13 months behind schedule.

FOR FIRST TIME CONGRESS CAN ACT BEFORE IT IS TOO LATE

For the first time in my memory, Congress can do something about an overrun before it is too late. If we fail to act, we have only ourselves to blame. This is one overrun which is not yet a "fait accompli."

The burden of proof on the proponents of this amendment is this: What advantages do we gain by adding 23 planes to the 58 which are already underway? What value in airlift capability, time in movement, reduction in costs, and rapid deployment do we gain by adding these 23 planes? We have three wings underway now. Do we need the fourth wing? Do we need the fifth and sixth wings?

PENTAGON STUDIES CONCLUDE FOURTH WING IS COST INEFFECTIVE

That is one of the most important questions.

There are reports that two studies of the Office of Systems Analysis of the Department of Defense indicate that the planes beyond the first 58 are not cost effective. I mentioned this fact in my speech of August 13. Since that time I have tried to obtain the documents by asking the Pentagon for them. I asked for an unclassified version of them.

As we brought out on the floor of the Senate a little earlier today, I was briefed by representatives of the Pentagon this morning. They told me that the studies show that the additional purchases of C–5A are not cost effective, are not economical.

However, as the Senator from Mississippi (Mr. STENNIS) brought out, the letter which he received from the Secretary of Defense stated that the Assistant Secretary in charge of systems analysis said that he was still firmly in support of the fourth squadron; and also, of course, the Secretary of Defense is in support of the fourth squadron. But the only objective study that has been made, the only study that has been made available to anybody, indicates that we should not buy the fourth squadron and should not purchase any more C–5A's.

All I am saying in my amendment is that before we go ahead with purchasing this squadron, we should at least have a study by the GAO to find out what they say as to the cost effectiveness.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. GOLDWATER. I am sorry the Senator was not in the Chamber earlier. I placed in the RECORD a copy of his letter of yesterday to the Secretary and a copy of the Secretary's answer to the Senator from Wisconsin. This may not seem cricket——

Mr. PROXMIRE. I understood that the Senator from Mississippi was going to do that, and I am delighted that the Senator from Arizona did so. It should be in the RECORD.

Mr. GOLDWATER. The gentleman to whom the Senator has referred is, I believe, Dr. Selin.

Mr. PROXMIRE. The Senator is correct. He is the Acting Assistant Secretary of Defense.

Mr. GOLDWATER. He is the head of this particular cost analysis division. The Secretary of Defense emphatically stated that his conclusion is—that is, as of yesterday—that we need the fourth squadron.

Mr. PROXMIRE. That is correct. I would agree with that statement, and I would expect nothing else. After all, he is in the chain of command. The Defense Department has to be monolithic in this. It cannot split and divide all over the place. Once the Secretary of Defense and the other top officials have made this decision, I would expect them all to agree to it.

I say that the two studies, on the basis of testimony I got from Colonel Furlong, who came to my office today directly from the Secretary of Defense's office, show that the C–5A is not cost effective.

Mr. GOLDWATER. I happen to think it is. That is beside the point. The only study the Senator refers to was made by the gentlemen who now say we need the four squadrons. I may be wrong, but I think I am right. I think one must take into consideration what the military advisers ask for. With respect to cost effectiveness, perhaps the whole airplane is wrong but it is the only thing we have in this field. It is something the Chiefs have asked for and it has been sent down here by the President in his message. I do not mean we should bow down and say "Amen." I am not convinced we need squadrons 5 and 6. We must wait to see what this squadron will produce. However, it has been requested by the military and we must pay attention to what they want. I do not think we can ignore the thinking of the military group that has said we need four squadrons.

Mr. PROXMIRE. We should not ignore that. We should give it a great deal of weight. I think my amendment accomplishes that purpose. My amendment would provide a study. In view of the fact that we are already 6 months late and only five test planes have been produced, and in view of the fact that authority has been given to buy lead items for the 23 planes, and we have bought some of them, it seems to me that a delay of a year would not delay the production at all, because they were almost that much behind—13 months behind—on engine testing.

Mr. GOLDWATER. We are talking about 1975. Some Senators want to cut out the money so that we would have no carriers, bombers, or fighters. I am as critical as anyone about waste in Government.

When the Senator was out of the Chamber I addressed the Senate and stated that I hope we can get the matter of our treaties opened up so we can go to the people and say, "Here it is. We have committed you to defend 17 countries all over the world"—not in treaties such as we have with the Philippines or Japan, but under which we might have to go to war.

Once we know this, we can then say what we are going to do. Are we going to adhere to these treaties or not? I think this has a great bearing on what many of us fear.

I am not charging the Senator with being an isolationist. However, I feel that once we get this started and the American people start thinking we can become an isolated country, and once we convince Russia that we are no longer interested in No. 1, world war III may start.

Mr. PROXMIRE. I thank the Senator for moving into the area that we will have to discuss. We have never been told where we are going to use them, whether it be in Thailand, Korea, or Europe. Where are we going to use them? Presumably some of this information is classified, but we should get some indication as to why we need this increased capability.

Mr. GOLDWATER. I think the exercises we have engaged in several times over the past years, such as moving the Air National Guard troops in Germany with the old C–124, have proved the value of this. I do not think we ever are going to find ourselves in the position we were in in Korea, where we were not prepared to go to war by air or by sea. We did not have the equipment.

I apologize to the Senator for taking so much of his time.

Mr. PROXMIRE. I thank the Senator for his contribution. It has been helpful.

Mr. GOLDWATER. I do not want to see us make the mistakes we have made. I do not believe we can think about this matter intelligently until the leader of our country sits down with us and tells all of us and the American people how he feels about going to war if Russia attacks any of the Western powers.

Mr. PROXMIRE. The Senator is correct. We need to be told, and we have not been told, as long as I have been here, why we need these weapons. We need them, of course. Anyone who says we do not need them is unrealistic. However, we should have more information in view of the enormous sums we are being asked to spend. Are we envisioning the possibility of using these weapons in a Thailand situation or a Korean situation? What treaties are involved? The burden of proof should be on those who advocate that we spend these sums of money. Five billion dollars for one cargo-type plane which is needed only in a rigid deployment situation is a fantastic amount of money.

Mr. GOLDWATER. Yes, and $183,000 for one missile is a great amount of money. The cost of everything is going up, and we are faced with that problem here.

Mr. PROXMIRE. I thank the Senator very much.

Mr. President, Mr. Bernard Nossiter, the extremely able correspondent of the Washington Post, reported in last Sunday's edition that the two documents did indeed conclude that the fourth wing was not cost effective.

PENTAGON BRIEFING AGREES CONCLUSIONS CORRECT

In a briefing by the Pentagon today, as I stated earlier, they said Mr. Nossiter's conclusions were correct. I asked them that specifically. They stated that both documents came to the conclusion that the fourth wing was not cost effective.

I think one of the major arguments for my amendment is to make a determination on this matter. Let us get the facts; we are asked to vote in the dark. There are now claims and counterclaims.

With billions at stake, it is not too much to ask that we put off this decision until we are certain of the facts. There is no need for haste.

Finally, we should know what this plane is to be used for. What places will it fly to? Where is it to be used? Why? What will it get us into? Will it get us into more trouble than it prevents?

That is the heart of the matter.

MILWAUKEE SENTINEL SUPPORTS CALLING A HALT TO C–5A SPENDING

Mr. NELSON. Mr. President, waste in the Federal Government is not a liberal issue or a conservative issue. It is a nonpartisan issue, and the issue that concerns us now as we consider Senator PROXMIRE's amendment to withhold funding for additional C–5A military transport planes until we can be sure that the planes are needed.

An editorial published recently in the Milwaukee Sentinel made it clear that the question of cutting funds for the C–5A is above politics. The Milwaukee Sentinel made a concise and impressive plea for Senator PROXMIRE's amendment. As the editorial points out:

There has already been a cost overrun of $2 billion. That's enough to run the state of Wisconsin for about two years!

So that Senators on both sides of the aisle may have an opportunity to read the Sentinel editorial before we come to a final vote on the purchase of additional C–5A's, I ask unanimous consent to have printed in the RECORD at this point the editorial entitled "Probe the C–5A," published in the Milwaukee Sentinel of September 1, 1969.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PROBE THE C–5A

A first order of business when congress reconvenes Wednesday will be an amendment offered by Sen. Proxmire (D-Wis.) which would prohibit the purchase of any C–5A's, a military transport plane, beyond the 58 currently under construction pending a full scale investigation.

Proxmire has presented a detailed and persuasive case against the C–54. He charges that "the purchase of the C–5A by the air force from the Lockheed Corp. already represents one of the greatest fiscal disasters in the history of federal procurement."

Pointing out that only five of these planes have been produced, Proxmire says that there already has been a cost overrun of $2 billion. That's enough to run the state of Wisconsin for about two years!

Proxmire's amendment would have the comptroller general of the United States study the projected cost of the C–5A program and report his findings to congress. He also would have the comptroller general investigate whether the 53 additional aircraft would add significantly to the deployment capability of the military forces.

While it seems in order for the comptroller general to study the costs of the program, it is doubtful that he ought to—or could—get into the question of its military value. That is a judgment which should be left to the defense experts to make.

Nevertheless, there appears to be good reason to question the military value of the C–5A program. It involves the rapid deployment strategy envisioned by former Defense Secretary Robert McNamara. Proxmire contends that the 58 transports now under production will provide a sufficient rapid deployment capability. After an initial deployment by air, ships could transport the followup troops. And ships, Proxmire points out, would be far more economically efficient than the C–5As.

All in all, Proxmire's call for a halt to further C–5A production pending an investigation appears to have great merit. The senate should adopt it.

TAX REFORM, NOT SOCIAL OVERTURN

Mr. JAVITS. Mr. President, the House-passed tax reform bill represents a herculean effort by the House in an area where reform is long overdue; but it also represents a challenge to us in the Senate to bring to bear our combined intelligence to insure that this bill in its final form does not do more harm than good.

For we cannot view this tax reform only as revenue legislation—no matter how much we would wish to simplify the Internal Revenue Code and close tax loopholes. There are fundamental questions of social and economic policy inherent in every paragraph of the House-passed tax reform bill.

My remarks today will be confined to philanthropic and educational activities, but I will have more to say in the near future about other aspects of the tax reform bill in the Senate this month, including, among others: entrepreneurship and investment incentives; changes in capital gains treatment; the proposed tax status of municipals; real estate depreciation; and the failure of the bill to grant tax benefits to the handicapped.

Turning to philanthropic activities, I believe that the growing role of Government and its vastly increased range and expenditures dictate that private philanthropy needs to be increased proportionately, not decreased if the diversity and plurality that has marked our past progress is to be preserved and advanced. This is the social good which should be our goal. This is not to say that certain changes in the tax laws relating to philanthropic giving are not to be welcomed and that better cooperation between State and Federal authorities in regulating the activities of foundations is not needed. They are, but the House-passed bill has gone, in respect of philanthropy, beyond reform—to harm.

The quite proper concern is due to the fact that some individuals have been able to use the present unlimited charitable tax-deduction provision to avoid the payment altogether of taxes and that some foundations have abused their tax-exempt status. But this has led to provisions in the House-passed bill which threaten to create a veritable social overturn in the United States, by blocking the major flow of funds for educational and other philanthropic uses upon which a large share of the country's private educational, hospital, children's, handicapped, aged, and other services are heavily dependent.

I have now conferred with many philanthropic leaders and with some of the leading foundations based in New

York City, and am convinced that the proposed tax changes as they relate to philanthropic contributions would dangerously decrease the amount of private funds available for purposes of education and philanthropy. I am also convinced that the proposed 7½-percent tax on the investment income of private foundations will also decrease the contributions to worthwhile charitable and educational programs without commensurate gain. I will now spell out in greater detail my objections to some of the House-proposed changes in the tax code as they relate to philanthropic and educational contributions.

We must make every effort to preserve the flexibility and the capacity to innovate which philanthropic institutions have demonstrated in the past. These private institutions have demonstrated a capacity to respond more readily than governments to a wide variety of social needs. Moreover, by their very nature, the private foundations are able to engage in experimental activities of considerable social value which public agencies cannot very well pursue. They can then become yardsticks as well as pilot plants for such operations. Tax reform should not be enacted in such form as to destroy these characteristics. I feel very strongly that in our efforts to prevent improper practices we should not impose such burdens on the foundations as will inhibit philanthropic activities which are such a source of innovation, pluralism, freedom, and creativity in American society.

As the report of the House Ways and Means Committee indicates, H.R. 13270 seeks to tighten the permissible activities of private foundations to prevent self-dealing between the foundations and their substantial contributors; to require in a limited time the distribution of income for charitable purposes; to prevent capital gains appreciation from being used also as a tax deduction when inherent in a philanthropic gift; to prevent foundations from engaging in or near to political activity; to limit foundations' holdings in private businesses, to assure that their activities are restricted as provided for in the tax laws; and to be sure that foundations' investments are not jeopardized by financial speculation. I support many of these initiatives, but am strongly opposed to others. In addition, the bill would impose a tax of 7½ percent on the investment income of private foundations.

Statutory provisions regulating foundations to prevent any prejudicial involvement in political activities is appropriate, but broad inhibitions which would prevent such activity in the public interest as is essential and ancillary to their purposes, is carrying a good thing too far. For example, to prevent a philanthropic organization from giving to a congressional committee the benefit of its expertise as, for example, in a child day care center, or in conducting a recreation center for the aged or a workshop for the handicapped on the ground that it will have some "influence on the decision of any governmental body" is depriving the public of an essential benefit of the activities of private philanthropy. When the bill's proposals weaken the social mission of foundations and threaten highly valuable philanthropic activities they must be opposed.

The problem, as I see it, is to sharpen our understanding of the abuses we are trying to correct without at the same time radically cutting large philanthropic gifts to educational and philanthropic organizations. To the extent that the bill proposes such increased supervision of private foundations as will prevent manipulations and self-dealing which defeat the purposes of tax exemptions, then it represents progress. Private foundations should not be allowed to operate solely as vehicles for tax avoidance. But let us remember that to the extent the abuse is tax exemption for organizations which are charitable only in name but not in fact or deed, there are many provisions already in the bill to eliminate these abuses. These include provisions against self-dealing by foundations, and restrictions on business activities of charitable organizations, and requirements for distribution of income.

The bill would eliminate the unlimited charitable deduction, impose new tax consequences on charitable contributions of appreciated property, and make it more difficult to assign income to a charity by use of a charitable trust. The bill attempts to offset the adverse effects of these changes on philanthropy by raising the limitation on charitable deductions from 30 to 50 percent of a taxpayer's adjusted gross income.

The motivation for these changes is certainly not revenue since the net effect of these charitable deduction provisions is $5,000,000 in the first year, $10,000,000 in the second year, and rising to $20,000,000 in 1972 and later years when the elimination of the unlimited charitable deduction becomes fully effective. It is clear that from the standpoint of the educational institutions and public charities, the increase to 50 percent of the charitable deduction limitation would not result in the very large contributions being made today—many of which are under the unlimited charitable deduction provision.

The questions would be, then, whether smaller contributions would fill in the gap. In the universal opinion of the institutions directly affected, they would not and could not do so for a number of years. Hence it is the institutions that would suffer, and inevitably private institutions would be crowded out and more Government institutions would have to take their place.

The situation is further aggravated by the way the bill deals with contributions of appreciated property. It must be recognized that these contributions represent a major source of income to private educational institutions and colleges and that if such gifts were eliminated—and the tax reform bill as written threatens to do just this—increased Federal funds would be needed to support these institutions or the functions they perform.

There have been a number of suggestions as to how this provision could be revised. Indeed, it could be tackled by allowing the appreciation, in whole or in part, as a deduction provided it did not amount to a windfall profit—benefiting the giver more than if he had sold the capital asset. In addition, there is much moral force in the idea of eliminating appreciation in gifts of property to charitable and educational institutions—as distinct from foundations—in computing the "minimum income tax," or the "limited tax reference" or the "allocation of deductions" provision.

My second major point of opposition is to the proposed 7½-percent tax on the investment income of private foundations. This proposed tax would, in theory, contribute to the objective of better supervising their activities and preventing the misuse of the tax exemption privileges of the foundations. It should be emphasized, however, that foundations were intended to contribute not to the public treasury, but to worthwhile charitable and educational programs. The proposed tax levied on the foundations would in fact be subtracting the amount of funds that may be made available for charitable purposes. For example, if the income of a foundation which supports the Salvation Army is taxed by 7½ percent, it would reduce grants to the Salvation Army by 7½ percent. The Federal Government would be that much richer, the Salvation Army that much poorer. Thus, this provision would effectively declare that the Federal Government believes it can do the Salvation Army's job better than the Salvation Army can. I seriously doubt whether this is the case and do not believe that the Nixon administration feels that this is the case. It does not accord with the philosophy, which I support, of decentralization of the activities of the Federal Government. We should strive, in this tax reform measure to be consistent with the various other proposals we are presently considering that would return some of the power and functions that have accrued to the Federal Government over the past 40 years to the States, the municipalities, and to private organizations.

As indicated earlier in this statement, I believe that the Federal Government and particularly the States must better supervise the activities of foundations. I would urge that, rather than taxing the foundations 7½ percent to finance such increased supervisory activities that are required, the Senate Finance Committee thoroughly consider the many alternatives to such a tax. It should be emphasized that since the passage of the first Internal Revenue Act in 1913, the Government has recognized the special place that private foundations hold in our society and has granted them tax-exempt status. This proposed tax violates this philosophy and helps undermine the foundations which have played an important role in the formation of this Nation as we know it now.

In addition to these major provisions in H.R. 13270 relating to the tax treatment of philanthropy and foundations—to which I object—the bill also provides that a private foundation must distribute all its income currently—but not less than 5 percent of its investment assets—and imposes graduated sanctions in the event of a failure to make timely distributions. These recommended changes also merit careful consideration to insure that they will promote the end we desire.

In each case, we should apply the following tests to any tax reform proposals relating to philanthropy: First, whether proper activities of worthwhile private

foundations will benefit from the changes in the tax law; second, whether such changes would enhance the prospect of the appropriate supervision of these institutions; third, whether abuses of the tax exempt status of the foundations will be curtailed without harm to worthwhile institutions; and, fourth, whether philanthropy urgently conducive to the public interest will continue to be encouraged.

Let us reform the tax laws in this area in such a way that when we look back on our work, we will not be forced to conclude—yes, the operation was a success, but the patient—the foundations and private philanthropy—died.

H.R. 13111, MAKING APPROPRIATIONS FOR THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES, FOR THE FISCAL YEAR ENDING JUNE 30, 1970—AMENDMENT

AMENDMENT NO. 142

Mr. ALLEN. Mr. President, I submit for appropriate reference, an amendment intended to be proposed to H.R. 13111, making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 142), submitted by Mr. ALLEN, was referred to the Committee on Appropriations.

Mr. ALLEN. Mr. President, before I discuss the provisions of the amendment, I think it important to mention circumstances which point up the need for it.

I have spent the better part of the last 3 weeks visiting with and talking to thousands of citizens of Alabama. I return to the Senate deeply concerned by what I have seen and heard.

For one thing, public support of education is seriously jeopardized by continued Federal interference in the administration of local public schools, and I am convinced something must be done to put a stop to it.

Consider the following developments: Reports continue from throughout the Nation indicating that the people are rejecting school budgets and bond issues and increased school taxes at an unprecedented rate. I am not surprised. And if this evidence of public alienation poses a threat to public education in some sections of the Nation, it is a danger beyond compare in the southern region of the United States.

Just a few weeks ago, close to 200 elected public school officials from 10 Southern States met in Atlanta, Ga., to develop plans to save their local schools from ruinous interference by Federal courts and the U.S. Department of Health, Education, and Welfare.

Mr. President, when that many elected public officials get together to discuss any problem, it is an important event and one which deserves careful consideration.

Along the same lines, in Mobile County, Ala., the leadership of that community of close to 300,000 citizens rose as one to oppose meat cleaver school plans sought to be imposed by crude education butchers from the Department of Health, Education, and Welfare. The overwhelming sentiment of the people of a community of this size simply cannot be swept under the rug. It has meaning—it is significant. Similar crises abound throughout Alabama.

Then too, just last week in Louisiana 300 black teenagers hit the streets to insist on the right to attend their own high school which boasted a proud tradition of academic excellence, an exceptional band, an outstanding football team and athletic program; and from Alabama, black parents and teachers write and call me pleading for help in preserving their community schools in which they take immense pride.

It should be unmistakably clear that a vast majority of the people of this Nation stand solidly for freedom of choice in matters affecting the welfare of their children and that arbitrary busing of pupils willy-nilly across cities and counties has been consistently rejected in other sections of the Nation as educationally unsound and as a use of governmental force repugnant to the Constitution.

These are but a few of many signs of public frustration, discontent, and uneasiness that indicate public alienation and loss of public support of education. These signs can be disregarded only at the peril of public school education.

Letters pour into my office telling of neighborhood schools ordered closed by Federal authorities or converted to uses other than those for which constructed with the result that young children are being forced to spend arduous hours on bus trips from their homes to strange and distant schools.

In one instance, a neighborhood grammar school on Dauphin Island, Ala., was ordered closed and the little children compelled by Federal bureaucrats to ride boats across open and dangerous waters to a school on the mainland.

Mr. President, for the first time in the history of our Nation, we are told by Federal authorities that parents have no voice, no choice and control over where their children shall be sent to school. Parents are being forced to send their young children in some cases to areas that are seething snake pits of federally financed discontent and into communities into which many adults would fear to go.

The cause of this mess is no mystery. Unreasonable and impractical policies of the Department of Health, Education, and Welfare is one cause and willful violations of law by the Department coupled with the unbearable arrogance of Federal bureaucrats and education extremists is another cause.

Just a week or two ago, the U.S. Commissioner of Education and Assistant Secretary of Health, Education, and Welfare, Dr. James E. Allen, Jr., speaking to the American Federation of Teachers in New Orleans, used the occasion joyously to proclaim a "revolution" in education and spoke of his "impatience with the spirit of timidity and lack of understanding" that is so often the reaction of revolutions.

Mr. President, the people of Alabama and the people of this Nation are fed up with federally financed revolutions. I am convinced that they have had about as much as they can take of HEW planned and financed inconvenience, discomfort, turmoil, disruption, and upheaval in their local schools and communities.

People of good will are simply sickened and revolted by irresponsible revolutionaries in education who speak out of one side of their mouth about "the quest for parent and students participation" in schools and then turn around and order neighborhood schools closed without any consideration for the wishes of parents or the welfare of children concerned and completely contrary to the best judgment of local teachers and local school administrators. What sort of student and parent participation is this?

Mr. President, neither parents, nor teachers, nor school superintendents and trustees, nor members of city and county boards of education are voluntary participants in these irresponsible actions ordered by the Department of Health, Education, and Welfare and Federal courts.

They are not parties to the shocking, calloused indifference to the safety of children and the unconscionable indifference of Federal hirelings to the agonized concern of anguished mothers and fathers nor to the hideous waste of hundreds of millions of dollars of local investment in educational plant and facilities paid for from the taxes of financially hard-pressed and prudent people.

Mr. President, something must be done to halt this irresponsible and dangerous trend reflected in the actions of Federal bureaucrats, drunk with power. They have forced the people against the wall. The people have little recourse. It is dangerous to push the people too far. They are tired of being pushed, walked over, and bullied.

This administration must take action to bring a halt to this federally financed nightmare in public education. This Congress must reassert the public policy of this Nation for local control of education and against Federal interference, domination, and control. This is what I now propose:

The proposed amendment would add to the Labor, and Health, Education, and Welfare appropriation bill, H.R. 13111, the following, or section 410:

> It is hereby declared to be the sense of Congress that the freedom of choice of parents to choose the public primary and secondary schools to which they shall send their children (subject to age, academic and residence requirements) is an inviolate right, the protection and maintenance of which is part of the public policy of the United States.

If this concept is adopted and put into effect we can have a workable solution to some of our school problems.

The public schools in Alabama and the South cannot survive under present policies of HEW and of this administration.

DEATH OF REPRESENTATIVE DANIEL J. RONAN, OF ILLINOIS—ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H. Res. 525.

The PRESIDING OFFICER laid before the Senate a resolution of the House of Representatives (H. Res. 525), which was read as follows:

Resolved, That the House has heard with profound sorrow of the death of the Honorable Daniel J. Ronan, a Representative from the State of Illinois.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. BYRD of West Virginia. Mr. President, I submit a resolution on behalf of myself and the able Senators from Illinois (Mr. DIRKSEN and Mr. PERCY) and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The resolution (S. Res. 252) was read, considered by unanimous consent, and unanimously agreed to, as follows:

S. RES. 252

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Honorable Daniel J. Ronan, late a Representative from the State of Illinois.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

The PRESIDING OFFICER. Under the third resolving clause of the resolution (S. Res. 252), the Senate now stands adjourned, under the previous order, until 12 o'clock noon tomorrow.

Thereupon (at 6 o'clock and 29 minutes p.m.) the Senate adjourned until tomorrow, Thursday, September 4, 1969, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate August 21, 1969, under authority of the order of August 11, 1969:

ASSOCIATE JUSTICE OF THE U.S. SUPREME COURT

Clement F. Haynsworth, Jr., of South Carolina, to be an Associate Justice of the Supreme Court of the United States vice Abe Fortas, resigned.

Executive nominations received August 29, 1969, under authority of the order of the Senate of August 13, 1969:

DIPLOMATIC AND FOREIGN SERVICE

Douglas MacArthur II, of the District of Columbia, a Foreign Service officer of the class of Career Ambassador, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Iran.

Graham A. Martin, of North Carolina, a Foreign Service officer of the class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Italy.

Vincent de Roulet, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Jamaica.

Robinson McIlvaine, of Pennsylvania, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kenya.

John Patrick Walsh, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Kuwait.

William C. Trueheart, of Florida, a Foreign Service officer of class one, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Nigeria.

AGENCY FOR INTERNATIONAL DEVELOPMENT

Joel Bernstein, of Illinois, to be an Assistant Administrator of the Agency for International Development.

Ernest Stern, of the District of Columbia, to be an Assistant Administrator of the Agency for International Development, vice Paul G. Clark, resigned.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Robert H. B. Wade, of Maryland, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency.

U.S. ATTORNEY

Harry D. Steward, of California, to be U.S. attorney for the southern district of California for the term of 4 years, vice Edwin L. Miller, Jr.

Bart M. Schouweiler, of Nevada, to be U.S. attorney for the district of Nevada for the term of 4 years, vice Joseph L. Ward, resigned.

Warren H. Coolidge, of North Carolina, to be U.S. atttorney for the eastern district of North Carolina for the term of 4 years, vice Robert H. Cowen.

Richard A. Pyle, of Oklahoma, to be U.S. attorney for the eastern district of Oklahoma for the term of 4 years, vice R. Bruce Green, resigned.

Robert McShane Carney, of the Virgin Islands, to be U.S. attorney for the district of the Virgin Islands for the term of 4 years, vice Almeric L. Christian.

U.S. MARSHAL

Lee R. Owen, of Arkansas, to be U.S. marshal for the western district of Arkansas for the term of 4 years, vice Dan M. Douglas.

Rex Walters, of Idaho, to be U.S. marshal for the district of Idaho for the term of 4 years, vice Anton Skoro.

George R. Tallent, of Tennessee, to be U.S. marshal for the western district of Tennessee for the term of 4 years, vice Cato Ellis.

J. Keith Gary, of Texas, to be U.S. marshal for the eastern district of Texas for the term of 4 years, vice Tully Reynolds.

Sam H. Roberts, of Texas, to be U.S. marshal for the western district of Texas for the term of 4 years, vice Jesse L. Dobbs.

William A. Quick, Jr., of Virginia, to be U.S. marshal for the western district of Virginia for the term of 4 years, vice Charles N. Bordwine.

COMMODITY CREDIT CORPORATION

Thomas K. Cowden, of Michigan, to be a member of the Board of Directors of the Commodity Credit Corporation.

NATIONAL LIBRARY OF MEDICINE

William O. Baker, of New Jersey, to be a member of the Board of Regents, National Library of Medicine, Public Health Service, for a term of 4 years from August 3, 1969, vice Dr. William B. Bean, term expired.

NATIONAL MEDIATION BOARD

George S. Ives, of Maryland, to be a member of the National Mediation Board for the term expiring July 1, 1972, vice Howard G. Gamser.

RAILROAD RETIREMENT BOARD

Neil P. Speirs, of New York, to be a member of the Railroad Retirement Board for the term of 5 years from August 29, 1969, vice Arlon E. Lyon, term expiring.

ASSISTANT COMPTROLLER GENERAL

Robert F. Keller, of Maryland, to be Assistant Comptroller General of the United States for a term of 15 years, vice Frank H. Weitzel, term expired.

RENEGOTIATION BOARD

Daniel Eldred Rinehart, of Maryland, to be a member of the Renegotiation Board, vice William M. Burkhalter, resigned.

IN THE NAVY

Having designated Rear Adm. Isaac C. Kidd, Jr., U.S. Navy, for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, I nominate him for appointment to the grade of vice admiral while so serving.

Vice Adm. Bernard F. Roeder, U.S. Navy, for appointment to the grade of vice admiral on the retired list in accordance with the provisions of title 10, United States Code, section 5233.

Vice Adm. Vernon L. Lowrance, U.S. Navy, for appointment to the grade of vice admiral, when retired, pursuant to the provisions of title 10, United States Code, section 5233.

The following-named officers of the Navy for permanent promotion to the grade of rear admiral:

MEDICAL CORPS

John H. Cheffey
Ralph E. Faucett

CHAPLAIN CORPS

Francis L. Garrett

IN THE ARMY

I nominate the U.S. Army Reserve officers named herein for promotion as Reserve commissioned officers of the Army, under provisions of title 10, United States Code, sections 593(a) and 3384:

To be major general

Brig. Gen. Raymond E. Mason, Jr., SSAN [redacted].

To be brigadier general

Col. Cullen U. Gulko, SSAN [redacted], Transportation Corps.

Col. George F. Hamner, SSAN [redacted], Corps of Engineers.

Col. Russell T. LeBlanc, SSAN [redacted], Corps of Engineers.

Col. Sterling R. Ryser, SSAN [redacted], Military Intelligence.

Col. Frederick W. Wunderlich, SSAN [redacted], Corps of Engineers.

I nominate the Army National Guard of the United States officers named herein for promotion as Reserve commissioned officers of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3385:

To be major general

Brig. Gen. Daniel K. Edwards, SSAN [redacted].

To be brigadier general

Col. William M. Buck, SSAN [redacted], infantry.

Col. Joseph R. Chappell, Jr., SSAN [redacted], field artillery.

Col. Austin C. Chidester, Jr., SSAN [redacted], air defense artillery.

Col. George H. Dale, SSAN [redacted], Signal Corps.

Col. James R. Duren, Jr., SSAN [redacted], infantry.

Col. Joseph B. Flatt, SSAN [redacted], infantry.

Brig. Gen. Robert R. Goetzman, SSAN [redacted], Adjutant General's Corps.

Col. James W. Henderson, SSAN [redacted], air defense artillery.

Col. Vernon B. McMillen, SSAN [redacted], infantry.

Col. William R. Sharp, SSAN [redacted], armor.

Col. John F. S. Sims, SSAN [redacted], Transportation Corps.

Col. Clarence A. Wilson, SSAN [redacted], infantry.

I nominate the Army National Guard of the United States officers named herein for appointment as Reserve commissioned officers of the Army under the provisions of title 10, United States Code, sections 593(a) and 3392:

To be brigadier general

Col. Robert L. McCrady, SSAN xxx-xx-xxxx infantry.

Col. Wilfred C. Menard, Jr., SSAN xxx-xx-x... field artillery.

Col. Carl F. Schupp II, SSAN xxx-xx-xxxx, field artillery.

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law.

LINE

First lieutenant to captain

Abbott, John G., Jr. xxx-xx-xxxx.
Abney, Floyd J., xxx-xx-xxxx.
Abrahamson, Raymond L. xxx-xx-xxxx.
Ackerman, Robert W., xxx-xx-xxxx.
Adair, Samuel Y., Jr. xxx-xx-xxxx.
Adams, Alfred P., xxx-xx-xxxx.
Adams, George E., xxx-xx-xxxx.
Adams, John P., xxx-xx-xxxx.
Adams, John W., xxx-xx-xxxx.
Adams, Kenneth P. xxx-xx-xxxx.
Adams, Nixon A., xxx-xx-xxxx.
Adams, Oscar R., xxx-xx-xxxx.
Adinolfi, Jerry D., Jr. xxx-xx-xxxx.
Adolph, John E., xxx-xx-xxxx.
Ahearn, Terrence J. xxx-xx-xxxx.
Ahl, Kennth L., II. xxx-xx-xxxx.
Akers, James C., xxx-xx-xxxx.
Alberchinski, Carl D., xxx-xx-xxxx.
Albertson, Jack D., xxx-xx-xxxx.
Albright, Edwin R., Jr., xxx-xx-xxxx.
Albritton, Edward C. xxx-xx-xxxx.
Alducin, Donald G., xxx-xx-xxxx.
Alexander, Lynn B., xxx-xx-xxxx.
Alfaro, Eugene A., xxx-xx-xxxx.
Alfonso, Louis A., xxx-xx-xxxx.
Allbee, Thomas D., xxx-xx-xxxx.
Allburn, James N., xxx-xx-xxxx.
Alleger, Arthur, II. xxx-xx-xxxx.
Allen, Donald G., xxx-xx-xxxx.
Allen, George W., xxx-xx-xxxx.
Allen, Harry R., Jr., xxx-xx-xxxx.
Allen, Lytle E., III xxx-xx-xxxx.
Allen, Norman S., xxx-xx-xxxx.
Allen, Raymond L. xxx-xx-xxxx.
Allen, Robert J., xxx-xx-xxxx.
Allen, Thomas R., xxx-xx-xxxx.
Allen, Ulysses S., xxx-xx-xxxx.
Allen, William B., xxx-xx-xxxx.
Alley, Clinton, D. xxx-xx-xxxx.
Allison, Billy G., xxx-xx-xxxx.
Allison, Roger L., xxx-xx-xxxx.
Allman, John M., III xxx-xx-xxxx.
Allocca, Thomas R., xxx-xx-xxxx.
Almeda, Charles E., xxx-xx-xxxx.
Almy, David B., xxx-xx-xxxx.
Alston, Edward D., Jr. xxx-xx-xxxx.
Alto, David G., xxx-xx-xxxx.
Alvarez, Alberto, xxx-xx-xxxx.
Alverson, Ricard V., xxx-xx-xxxx.
Aman, Edwin D., xxx-xx-xxxx.
Ammering, Theodore E., xxx-xx-xxxx.
Anderberg, Michael R., xxx-xx-xxxx.
Anderson, Alan C. xxx-xx-xxxx.
Anderson, Dale L., xxx-xx-xxxx.
Anderson, Dale D., xxx-xx-xxxx.
Anderson, Gordon G., xxx-xx-xxxx.
Anderson, Harry K., Jr., xxx-xx-xxxx.
Anderson, James T. xxx-xx-xxxx.
Anderson, James M., xxx-xx-xxxx.
Anderson, Jerry C. xxx-xx-xxxx.
Anderson, Jerris C. xxx-xx-xxxx.
Anderson, John R., xxx-xx-xxxx.
Anderson, John W. xxx-xx-xxxx.
Anderson, Leslie B., III xxx-xx-xxxx.
Anderson, Marshall D. xxx-xx-xxxx.
Anderson, Marty D., xxx-xx-xxxx.
Anderson, Paul V., xxx-xx-xxxx.
Anderson, Terry D., xxx-xx-xxxx.
Anderson, Woodrow A., xxx-xx-xxxx.
Andrews, Anthony C., xxx-xx-xxxx.
Andrews, C. Peter, xxx-xx-xxxx.
Andrews, George R., xxx-xx-xxxx.
Anduss, Larry P., xxx-xx-xxxx.
Anway, Mark D., xxx-xx-xxxx.
Ardern, William E., xxx-xx-xxxx.
Arellano, Cayetano A., Jr. xxx-xx-xxxx.
Arent, William L. xxx-xx-xxxx.
Arganbright, Michael J. xxx-xx-xxxx.
Ariail, Frederick P., xxx-xx-xxxx.
Armbruster, Louis F. xxx-xx-xxxx.
Armour, Leon, xxx-xx-xxxx.
Armour, Paul J. xxx-xx-xxxx.
Armstrong, Dexter A., Jr. xxx-xx-xxxx.
Armstrong, John E. xxx-xx-xxxx.
Armstrong, Lewis C., xxx-xx-xxxx.
Arnaud, Alfred A., Jr. xxx-xx-xxxx.
Arnett, Larry W. xxx-xx-xxxx.
Arnold, Charles P., Jr. xxx-xx-xxxx.
Arnold, Francis W., xxx-xx-xxxx.
Arnold, Lloyd H., xxx-xx-xxxx.
Arvik, Jon H., xxx-xx-xxxx.
Ashbaker, Phillip N. xxx-xx-xxxx.
Ashley, Raymond W., xxx-xx-xxxx.
Ashworth, Charles W., xxx-xx-xxxx.
Aspelin, Erkki B. W., xxx-xx-xxxx.
Aston, Gary M., xxx-xx-xxxx.
Astwood, Edwin V., xxx-xx-xxxx.
Atack, Rodney M., xxx-xx-xxxx.
Atha, Lewis E., xxx-xx-xxxx.
Atkins, Gary C., xxx-xx-xxxx.
Atkins, Jerome A., xxx-xx-xxxx.
Atkinson, Robert W., Jr. xxx-xx-xxxx.
Atwell, Edward A., xxx-xx-xxxx.
Aultman, Fred C., xxx-xx-xxxx.
Austin, Donald O. xxx-xx-xxxx.
Austin, Noel F., xxx-xx-xxxx.
Auvil, Robert E., xxx-xx-xxxx.
Avenell, Jerry J., xxx-xx-xxxx.
Ayer, Frederick L., xxx-xx-xxxx.
Ayers, William C., xxx-xx-xxxx.
Baas, Melvin T., xxx-xx-xxxx.
Babbidge, Michael J. xxx-xx-xxxx.
Bablo, Charles A., xxx-xx-xxxx.
Bachman, Laurence D. xxx-xx-xxxx.
Back, George V., xxx-xx-xxxx.
Bacue, Ralph H. xxx-xx-xxxx.
Baddley, Henry M., Jr. xxx-xx-xxxx.
Baergen, Edward xxx-xx-xxxx.
Bailey, Carl D., xxx-xx-xxxx.
Bailey, Henri L., xxx-xx-xxxx.
Bainton, Ronald W. xxx-xx-xxxx.
Bair, Thomas E. xxx-xx-xxxx.
Baird, James, xxx-xx-xxxx.
Bakenhus, Frederick A., xxx-xx-xxxx.
Baker, Dalton W., xxx-xx-xxxx.
Baker, Emmett J., Jr. xxx-xx-xxxx.
Baker, Garry L., xxx-xx-xxxx.
Baker, Herbert H., xxx-xx-xxxx.
Baker, James H., xxx-xx-xxxx.
Baker, James C., xxx-xx-xxxx.
Baker, Kenneth E. xxx-xx-xxxx.
Baker, Noel J., xxx-xx-xxxx.
Baker, Patton H. xxx-xx-xxxx.
Baker, Phillip J. xxx-xx-xxxx.
Baker, Ronald F. xxx-xx-xxxx.
Baker, Wayne R., xxx-xx-xxxx.
Balan, Douglas G. xxx-xx-xxxx.
Baldauf, Robert E. xxx-xx-xxxx.
Ball, William J. xxx-xx-xxxx.
Ballard, Jerry M., xxx-xx-xxxx.
Ballard, Malcolm J., Jr. xxx-xx-xxxx.
Ballee, William J., xxx-xx-xxxx.
Balstad, Richard W. xxx-xx-xxxx.
Bandy, Finis W., xxx-xx-xxxx.
Bara, Leonard J. xxx-xx-xxxx.
Barber, Ronald R. xxx-xx-xxxx.
Barber, Russell E., xxx-xx-xxxx.
Barbieri, Richard E. xxx-xx-xxxx.
Barclay, Ralph D., xxx-xx-xxxx.
Bare, Richard J. xxx-xx-xxxx.
Barfoot, Norman G. xxx-xx-xxxx.
Barkstrom, Richard Y. xxx-xx-xxxx.
Barlock, Lawrence A. xxx-xx-xxxx.
Barlow, Charles F., xxx-xx-xxxx.
Barnes, George L., xxx-xx-xxxx.
Barnett, Donald G. xxx-xx-xxxx.
Barnett, Truman L. xxx-xx-xxxx.
Barnhart, Joe W., Jr. xxx-xx-xxxx.
Barnum, James R. xxx-xx-xxxx.
Baron, Bruce, xxx-xx-xxxx.
Barr, Allen E., xxx-xx-xxxx.
Barr, George M., xxx-xx-xxxx.
Barre, Edward L., xxx-xx-xxxx.
Barrere, Howard A., xxx-xx-xxxx.
Barrett, Francis L. xxx-xx-xxxx.
Barron, Barney F. xxx-xx-xxxx.
Barry, Duncan A., xxx-xx-xxxx.
Barry, William A., xxx-xx-xxxx.
Barth, Ronald G. xxx-xx-xxxx.
Bartlett, Byron xxx-xx-xxxx.
Barto, Emerson S. xxx-xx-xxxx.
Barton, Robert J. xxx-xx-xxxx.
Baskett, Richard M. xxx-xx-xxxx.
Basque, Patricia E. xxx-xx-xxxx.
Bastian, Thomas W. xxx-xx-xxxx.
Bastien, Peter M. xxx-xx-xxxx.
Bastien, Stanley N. xxx-xx-xxxx.
Bateman, John P. xxx-xx-xxxx.
Bates, Daniel G., xxx-xx-xxxx.
Bates, Larrie C., xxx-xx-xxxx.
Batten, Edward R. xxx-xx-xxxx.
Battin, John J. W. xxx-xx-xxxx.
Bauer, Darrol L., xxx-xx-xxxx.
Bauer, Frederick C. xxx-xx-xxxx.
Baughman, John S. xxx-xx-xxxx.
Baughman, Richard W. xxx-xx-xxxx.
Baumgartner, Richard C. xxx-xx-xxxx.
Bay, Philip E., Jr. xxx-xx-xxxx.
Bayer, Robert E., xxx-xx-xxxx.
Beakley, John M., xxx-xx-xxxx.
Beamer, Donald E. xxx-xx-xxxx.
Beamer, Samuel C. xxx-xx-xxxx.
Bear, Sherman W. xxx-xx-xxxx.
Bearce, Neil R., Jr. xxx-xx-xxxx.
Beasley, Dennis C., xxx-xx-xxxx.
Beasley, Lawrence G. xxx-xx-xxxx.
Beatty, James M., Jr. xxx-xx-xxxx.
Beauchemin, Alfred E., III xxx-xx-xxxx.
Beaver, Robert E., xxx-xx-xxxx.
Beck, Alan W., xxx-xx-xxxx.
Becker, Donald T., xxx-xx-xxxx.
Becker, George H., xxx-xx-xxxx.
Becker, Lawrence D., xxx-xx-xxxx.
Becnel, Marion D., xxx-xx-xxxx.
Beebe, Dennis E., xxx-xx-xxxx.
Beebe, Henry M., xxx-xx-xxxx.
Beets, Byron E., xxx-xx-xxxx.
Bell, James E., xxx-xx-xxxx.
Bell, Lawrence L., xxx-xx-xxxx.
Bell, Oral L., xxx-xx-xxxx.
Bell, Raymond L., Jr. xxx-xx-xxxx.
Bell, Robert L., xxx-xx-xxxx.
Bellingham, David E. xxx-xx-xxxx.
Bellotte, John E. xxx-xx-xxxx.
Belzer, George W., III xxx-xx-xxxx.
Bendere, George H., xxx-xx-xxxx.
Benecchi, Edward, Jr. xxx-xx-xxxx.
Benedict, Horace E., xxx-xx-xxxx.
Benfield, Eric B., xxx-xx-xxxx.
Benjamin, Warren E. xxx-xx-xxxx.
Bennett, Charles M., IV xxx-xx-xxxx.
Bennett, Jacob M. xxx-xx-xxxx.
Bennett, James D. xxx-xx-xxxx.
Bennett, John D. xxx-xx-xxxx.
Bennett, Logan J., Jr. xxx-xx-xxxx.
Bennett, Thomas A. xxx-xx-xxxx.
Benson, Linn D., xxx-xx-xxxx.
Benson, Rodney E., xxx-xx-xxxx.
Benson, Verne H., xxx-xx-xxxx.
Benthin, Thomas C. xxx-xx-xxxx.
Bentley, James M., xxx-xx-xxxx.
Benton, Ronald L. xxx-xx-xxxx.
Berdine, Ralph E., xxx-xx-xxxx.
Berg, Phillip M., xxx-xx-xxxx.
Bergandi, Louis J., Jr. xxx-xx-xxxx.
Beringer, William F. xxx-xx-xxxx.
Berk, Dean H., xxx-xx-xxxx.
Berls, Robert E., Jr., xxx-xx-xxxx.
Bermingham, Paul B. xxx-xx-xxxx.
Bernard, Jimmie W. xxx-xx-xxxx.
Bernier, Johnnie O. xxx-xx-xxxx.
Bernier, Robert J., Jr. xxx-xx-xxxx.
Bernstein, Ivan H. xxx-xx-xxxx.
Bernstein, Peter D. xxx-xx-xxxx.
Bernth, Terry J. xxx-xx-xxxx.
Berrean, John D. xxx-xx-xxxx.
Berry, Keith, xxx-xx-xxxx.
Berry, Larry D., xxx-xx-xxxx.
Berry, Robert H., xxx-xx-xxxx.
Bertino, William L. xxx-xx-xxxx.
Bertoli, Richard xxx-xx-xxxx.
Beson, Gary N., xxx-xx-xxxx.
Best, James R., xxx-xx-xxxx.
Best, Robert S., xxx-xx-xxxx.
Betancourt, Ernest B., Jr. xxx-xx-xxxx.
Bethea, Jackie C. xxx-xx-xxxx.
Bethel, Harold E., xxx-xx-xxxx.
Betts, John A. xxx-xx-xxxx.
Betts, Richard A., xxx-xx-xxxx.

Beverung, William C., Jr., xxx-xx-xxxx
Beyer, Thomas J., xxx-xx-xxxx
Beyerle, John A., xxx-xx-xxxx
Bianco, Arthur J., xxx-xx-xxxx
Bickford, John D., xxx-xx-xxxx
Bielinski, Barry T., xxx-xx-xxxx
Bigelow, Frederick D. C., xxx-xx-xxxx
Bigley, Michael F., xxx-xx-xxxx
Biles, James C., Jr., xxx-xx-xxxx
Billingsley, John A., xxx-xx-xxxx
Billotte, Robert A., xxx-xx-xxxx
Biltz, James E., xxx-xx-xxxx
Bingham, Charles D., xxx-xx-xxxx
Birch, George E., xxx-xx-xxxx
Birchard, Carl E., xxx-xx-xxxx
Bird, Alvin D., xxx-xx-xxxx
Birdsong, Marcus D., xxx-xx-xxxx
Birgerson, Alexander O., Jr., xxx-xx-xxxx
Birkhead, Roy F., xxx-xx-xxxx
Birkner, John H., xxx-xx-xxxx
Birnbaum, Melvin, xxx-xx-xxxx
Birnie, Ian, xxx-xx-xxxx
Biscardi, James, Jr., xxx-xx-xxxx
Bischoff, Stuart C., xxx-xx-xxxx
Bishop, Russell D., xxx-xx-xxxx
Bishop, William M., xxx-xx-xxxx
Bjers, Thomas D., xxx-xx-xxxx
Black, Charles F., xxx-xx-xxxx
Black, Frank A., xxx-xx-xxxx
Black, Thomas A., xxx-xx-xxxx
Blackburn, Allan W., xxx-xx-xxxx
Blackledge, Michael A., xxx-xx-xxxx
Blackwell, Gary L., xxx-xx-xxxx
Blackwood, Jimmie, xxx-xx-xxxx
Blair, Robert J., xxx-xx-xxxx
Blake, George John, xxx-xx-xxxx
Blake, Neil F., xxx-xx-xxxx
Blake, Ronald W., xxx-xx-xxxx
Blanchard, John M., xxx-xx-xxxx
Blanchfield, Robert J., xxx-xx-xxxx
Blankenship, Kenneth L., xxx-xx-xxxx
Blansett, Bennie B., Jr., xxx-xx-xxxx
Blauth, Robert J., xxx-xx-xxxx
Blaydes, Bernard B., xxx-xx-xxxx
Blazek, Miroslav F., xxx-xx-xxxx
Blessing, Don H., xxx-xx-xxxx
Bliden, Victor J., xxx-xx-xxxx
Blincow, Bruce R., xxx-xx-xxxx
Blinn, Robert D., Jr., xxx-xx-xxxx
Blondet, William E., xxx-xx-xxxx
Bloom, Michael I., xxx-xx-xxxx
Blose, John N., xxx-xx-xxxx
Blount, Jack R., Jr., xxx-xx-xxxx
Blume, Frederic K., xxx-xx-xxxx
Blumstein, Richard B., xxx-xx-xxxx
Boardman, Edward C., xxx-xx-xxxx
Bobak, John W., xxx-xx-xxxx
Bobb, Carroll C., xxx-xx-xxxx
Bochnik, Walter J., xxx-xx-xxxx
Bock, Michael D., xxx-xx-xxxx
Bocklage, Joseph T., xxx-xx-xxxx
Bocklage, Norman W., xxx-xx-xxxx
Bodine, Paul L., xxx-xx-xxxx
Boehmer, George E., xxx-xx-xxxx
Boerner, Roger B., xxx-xx-xxxx
Bogaert, James R., xxx-xx-xxxx
Bogner, Harry W., xxx-xx-xxxx
Bohner, Harry R., xxx-xx-xxxx
Boleski, Stanley, Jr., xxx-xx-xxxx
Bolinger, Roy E. J., xxx-xx-xxxx
Bolton, Ben W., xxx-xx-xxxx
Bolton, Walter B., xxx-xx-xxxx
Bolton, Wayne E., xxx-xx-xxxx
Bomhoff, Herbert M., xxx-xx-xxxx
Bonniwell, Frank E., Jr., xxx-xx-xxxx
Bonse, Gilbert, xxx-xx-xxxx
Boomstra, Ronald J., xxx-xx-xxxx
Booth, Kenneth C., Jr., xxx-xx-xxxx
Borchardt, Gary I., xxx-xx-xxxx
Borchert, John A., xxx-xx-xxxx
Borgo, Peter A., xxx-xx-xxxx
Boring, Robert L., xxx-xx-xxxx
Borinski, George E., Jr., xxx-xx-xxxx
Borland, Melroy, xxx-xx-xxxx
Borling, John L., xxx-xx-xxxx
Borner, Frank D., xxx-xx-xxxx
Boselly, Shirley E., III, xxx-xx-xxxx
Bosse, Frederick C., xxx-xx-xxxx
Boswell, Edward T., xxx-xx-xxxx
Bottjer, Daryl L., xxx-xx-xxxx
Boubelik, David K., xxx-xx-xxxx
Bouchard, John S., xxx-xx-xxxx
Boucher, Paul A., xxx-xx-xxxx
Boudreaux, Elie J., III, xxx-xx-xxxx
Boudreaux, Merlen, xxx-xx-xxxx
Bourassa, Clarence E., xxx-xx-xxxx
Bourke, Theodore R., xxx-xx-xxxx
Bousek, Ronald R., xxx-xx-xxxx
Bousquet, Alfred, Jr., xxx-xx-xxxx
Bousquet, Thomas R., xxx-xx-xxxx
Bowen, Robert E., xxx-xx-xxxx
Bowen, Ronald A., xxx-xx-xxxx
Bowers, Billy H., xxx-xx-xxxx
Bowers, Joseph H., xxx-xx-xxxx
Bowers, Michael J., xxx-xx-xxxx
Bowling, Isaac M., xxx-xx-xxxx
Bowman, James D., xxx-xx-xxxx
Bowman, Laddie F., xxx-xx-xxxx
Bowman, Steven E., xxx-xx-xxxx
Bowmaster, Robert W., xxx-xx-xxxx
Boyanton, Earl B., Jr., xxx-xx-xxxx
Boyd, Alfred A., Jr., xxx-xx-xxxx
Boyd, James A., Jr., xxx-xx-xxxx
Boyer, Daniel D., Jr., xxx-xx-xxxx
Boyle, Anthony D., xxx-xx-xxxx
Boyle, Francis J., xxx-xx-xxxx
Boyle, Michael J., xxx-xx-xxxx
Boyle, Peter J., Jr., xxx-xx-xxxx
Bozarth, Thomas L., xxx-xx-xxxx
Braatz, Robert W., xxx-xx-xxxx
Bradley, Rayburn E., xxx-xx-xxxx
Bradley, Wayne D., xxx-xx-xxxx
Bradshaw, James A., xxx-xx-xxxx
Brady, William R., xxx-xx-xxxx
Brahney, James H., xxx-xx-xxxx
Bramlett, Harry R., xxx-xx-xxxx
Branch, Patrick K., xxx-xx-xxxx
Branch, Paul R., xxx-xx-xxxx
Brand, Troy C., xxx-xx-xxxx
Brandt, Herman P., II, xxx-xx-xxxx
Brandt, Paul A., III, xxx-xx-xxxx
Branine, Raymond G., xxx-xx-xxxx
Brannam, Clarence B., xxx-xx-xxxx
Branscome, James A., xxx-xx-xxxx
Branscum, Harold W., xxx-xx-xxxx
Braun, Robert G., xxx-xx-xxxx
Breckenridge, Robert A., xxx-xx-xxxx
Bredvik, Gordon D., xxx-xx-xxxx
Breininger, Robert L., xxx-xx-xxxx
Brenci, Robert L., xxx-xx-xxxx
Brennan, John L., III, xxx-xx-xxxx
Brennan, William J., Jr., xxx-xx-xxxx
Brethouwer, Richard L., xxx-xx-xxxx
Brever, William A., xxx-xx-xxxx
Brewer, Larry K., xxx-xx-xxxx
Brickner, Thomas E., xxx-xx-xxxx
Bridges, Daniel W., Jr., xxx-xx-xxxx
Brinson, Everett, xxx-xx-xxxx
Brinson, Glenn W., xxx-xx-xxxx
Brisbois, John O., Jr., xxx-xx-xxxx
Britt, Paul S., xxx-xx-xxxx
Britt, Ronald P., xxx-xx-xxxx
Britton, Delford G., xxx-xx-xxxx
Britz, William C., xxx-xx-xxxx
Brock, Gerald L., xxx-xx-xxxx
Brock, Harvey T., Jr., xxx-xx-xxxx
Brockman, Leslie R., xxx-xx-xxxx
Broerman, Ramon K., xxx-xx-xxxx
Broestler, Robert H., xxx-xx-xxxx
Bromiley, William R., xxx-xx-xxxx
Bronnenberg, Gerald E., xxx-xx-xxxx
Bronson, Eugene C., Jr., xxx-xx-xxxx
Brook, Robert E., xxx-xx-xxxx
Brooks, James R., xxx-xx-xxxx
Brooks, John F., xxx-xx-xxxx
Brooks, Joseph P., Sr., xxx-xx-xxxx
Brooks, Manuel P., xxx-xx-xxxx
Brosveen, Douglas A., xxx-xx-xxxx
Brothers, Charles A., xxx-xx-xxxx
Brothers, Walter L., xxx-xx-xxxx
Brower, Barry S., xxx-xx-xxxx
Brower, George, xxx-xx-xxxx
Brown, Anthony K., xxx-xx-xxxx
Brown, Charles R., Jr., xxx-xx-xxxx
Brown, Donald S., Jr., xxx-xx-xxxx
Brown, Ernest H., xxx-xx-xxxx
Brown, Gerald R., xxx-xx-xxxx
Brown, Harold J., xxx-xx-xxxx
Brown, James D., xxx-xx-xxxx
Brown, Jerald A., xxx-xx-xxxx
Brown, Jerry V., xxx-xx-xxxx
Brown, John O., xxx-xx-xxxx
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Barnes, Robert P., xxx-xx-xxxx
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BIOMEDICAL SCIENCES CORPS

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Executive nominations received September 2, 1969, under the authority of the order of the Senate of August 13, 1969:

UNITED NATIONS REPRESENTATIVES

The following-named persons to be representatives of the United States of America to the 24th session of the General Assembly of the United Nations:

Charles W. Yost, of New York.
William B. Buffum, of New York.
Dante B. Fascell, U.S. Representative from the State of Florida.
J. Irving Whalley, U.S. Representative from the State of Pennsylvania.
Shirley Temple Black, of California.

The following-named persons to be alternate representatives of the United States of America to the 24th session of the General Assembly of the United Nations:

Christopher H. Phillips, of New York.
Glenn A. Olds, of New York.
Rita E. Hauser, of New York.
William T. Coleman, of Pennsylvania.
Joseph E. Johnson, of New Jersey.

IN THE MARINE CORPS

The following-named (staff noncommissioned officers) for temporary appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Blake, Robert L.	Lafreniere, Aurel E.
Brown, Jerome S.	Lewins, Donald C.
Burke, Bernard C.	Lorenz, Roger L.
Caliri, Edward C.	McCloskey, Joseph P.
Carr, Francis J.	McWatters, David G.
Carter, Wallace M.	Miller, Daniel E.
Clemons, Ronald E.	Redwine, Gerald D.
Collins, Stephen A.	Rineberg, Harold S.
Crockett, Vincent Q.	Robinson, Dorsey, Jr.
Decosta, Richard A.	Scanlon, Eileen R.
Dotson, Charles J.	Thomas, James M.
Ellithorpe, William R.	Varner, Robert L.
Hall, William G., Jr.	Williamson, Leslie M.
Hart, Frank R.	Witkoski, Gerald L.
Keith, Terry L.	Yoerk, Richard L.

Executive nominations received by the Senate September 3, 1969:

SECURITIES AND EXCHANGE COMMISSION

A. Sidney Herlong, of Florida, to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1971, vice Francis M. Wheat.

EXTENSIONS OF REMARKS

NIXON SHAPES COURT IN BEST TRADITION

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. CHAMBERLAIN. Mr. Speaker, President Nixon's selection of Clement F. Haynsworth, Jr., chief judge of the Fourth Judicial Circuit of the U.S. Court of Appeals, to fill the remaining vacancy on the bench of the U.S. Supreme Court has prompted a thoughtful editorial appearing in the Jackson Citizen Patriot of Jackson, Mich., on August 21, 1969. I commend it to the attention of my colleagues:

NIXON SHAPES COURT IN BEST TRADITION

With his second appointment to the United States Supreme Court bench President Nixon is making far more waves than he did when he selected Warren E. Burger to succeed the retiring and controversial Chief Justice Earl Warren.

The Burger appointment won almost universal acceptance, if not acclaim, because of his unquestioned qualifications as a professional jurist and the lack of controversy in his record. Moreover, the appointment took place while the President still was enjoying his honeymoon with Congress. Also his choice was regarded as an act of exercising a President's prerogative of shaping the court to his own political philosophies—if, in the eyes of his enemies, he doesn't over do it.

Now that the bloom has gone off the new administration and the political sabers are rattling and the switchblade knives are clicking, Mr. Nixon is taking some flack for his appointment of Judge Clement F. Haynsworth Jr. to succeed the ill-fated Abe Fortas. The most noise is coming from liberals and racial groups who feel that the appointee may not come close to following the Warren Court's line on civil and individual rights cases.

Judge Haynsworth's record on the federal bench is difficult to characterize as either conservative or liberal, especially in the civil rights field. The consensus, even among his critics, is that it comes out somewhere slightly to the right of center. It might be said that he is the balance wheel type.

All things considered, that isn't a bad position for a man chosen to sit on the highest court in the land. Moreover, it is in keeping with the President's own inclinations.

The main objections of the President's critics seem to be that he did not emulate Presidents Franklin D. Roosevelt, Lyndon Johnson and John F. Kennedy by tapping a candidate of extremely liberal views.

That, however, would not have been in keeping with political traditions which were followed by FDR, JFK and LBJ. The liberal Democrats shaped the court to their philosophies and in so doing upset conservatives, even as liberals are being upset today by Mr. Nixon.

The President is playing the same game, but in a low key. He is by no means going as far to the right as his predecessors did to the left.

Another point that the critics should keep in mind is that no President can be absolutely certain that his appointees to the court will perform in keeping with their prior records.

Justice Hugo Black, dean of the court and one of its most outspoken liberals on civil and individual rights cases, was a former dues-paying member of the Ku Klux Klan, a fact which President Roosevelt learned to his great dismay only after he had paid his political debt to Dixie by naming Black to the court.

Earl Warren, President Eisenhower's most controversial appointee to the court, as chief justice went almost diametrically against the philosophies he had expressed on civil and individual rights as governor of California.

At bottom in weighing the rightness of this situation is the basic concept of the role of the Supreme Court as the impartial interpreter of law. This function has been overshadowed by political custom and practice since the very beginning of the Republic.

The ideals put in word by the authors of the Constitution envisioned the appointment to the court of men renowned for their qualifications as jurists, rather than for their political leanings or philosophies. Otherwise, the Founding Fathers would not have provided lifetime terms for them.

This concept, however, should not rule out the right of the President to make appointments in keeping with the will of the people as expressed through the ballot box in presidential elections.

This means, for example, that President Nixon would be thwarting the will of the people, as expressed in his election last year, if he named another Abe Fortas to replace Abe Fortas.

The game becomes sticky when presidents use this rationalization to range far afield in their choices for the court.

Competence, rather than far offcenter philosophy, should be the controlling factor in the choice of Supreme Court Justices. President Nixon appears to have followed that reasoning in his choice of Haynsworth.

SS "HOPE"

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Wednesday, September 3, 1969

Mr. BOGGS. Mr. President, during the adjournment of Congress, which ended today, the hospital ship SS *Hope* sailed from Wilmington, Del., on its eighth mission of mercy.

The *Hope* left August 29 for a 10-month training and treatment mission to Tunisia. This voyage marks the first Mediterranean visit for the *Hope*, although in the past 10 years the ship has called in many ports in Asia, Latin America, and tropical Africa.

The ship's first voyage was in 1960, when it visited Indonesia and South Vietnam. Since then it has called in Peru, Ecuador, Guinea, Nicaragua, Colombia, and Ceylon.

Although the SS *Hope* is most widely known for its training of medical personnel and treatment of the less-fortunate in countries around the world, Project Hope this year has undertaken a new responsibility. It now operates two training programs—one in the Mexican-American community of Laredo, Tex., and another on the Navajo Indian reservation at Ganado, Ariz. Thus, while the ship's personnel is performing vital duties in North Africa this year, others involved in Project Hope will be providing important training here in the United States.

I know all Senators join with me in wishing the SS *Hope* a good and profitable tour in Tunisia and in congratulating the Project on the establishment of the domestic training programs.

CURRENT PROBLEMS OF AGRICULTURE

HON. BILL D. BURLISON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. BURLISON of Missouri. Mr. Speaker, Missouri's outstanding senior Senator, the Honorable STUART SYMINGTON, has just recently visited and spoken in my district. This distinguished American is considered one of our country's foremost statesmen because of unique and far-reaching experience; that is, the only Senator who is a member of both the Foreign Relations and Armed Services Committees, and our Nation's first Secretary of the Air Force.

Not so well known is Senator SYMINGTON'S expertise in the field of agriculture. This is unfortunate in view of the many years of dedication that he has given to the farmer and his problems. This is the subject of the Senator's recent address before the Missouri Cotton Producer's Association in Portageville, Mo. It is my wish to share these remarks with my colleagues in the Congress. The speech follows:

CURRENT PROBLEMS OF AGRICULTURE

It is indeed a pleasure to meet here today with the leaders of agriculture in Southeast Missouri.

Even though much of my time in this session of the Congress has been devoted to various problems such as taxation, tax reform, and national security, I have become increasingly concerned about the problems of this the most important industry in our State: the production, processing and distribution of food and fiber.

It is trite, but it is true, that without a healthy farm economy, we cannot have real national security.

For cotton, soybean and grain producers, the cost-price squeeze has intensified rather than eased over the past year.

As recently as 1966, there was growing concern about the ability to satisfy world food needs. We were concerned about the capacity of American farmers to provide ample foods and fibers to satisfy domestic and foreign markets. But today, only 3 years later, we have idled almost 60 million acres of productive cropland and are currently producing sufficient wheat and soybeans which will add significantly to existing stocks.

It should be stressed that, despite these millions of unused acres, we will be producing enough cotton and feed grains to fully supply domestic and foreign markets.

You all are well acquainted with the developments that brought about this major change; but because of their continuing influence, I would like to review them briefly.

The adoption of improved varieties of food

grains, combined with better weather and increased use of fertilizers and insecticides in less developed countries such as India, Pakistan and the Philippines have increased substantially the production of food grains in those countries; that development in turn decreasing the need for Public Law 480 shipments of wheat, rice and grain sorghums.

Increased production of both cotton and man-made fibers abroad has decreased the demand for United States cotton exports; and increased use of manmade fibers at home has caused a reduction in the utilization of cotton. This has occurred to the extent that less than 8.5 million bales were used by domestic mills in the year ending July 31.

Although livestock production has been expanding at a rapid rate, both at home and abroad, urea is being substituted for high protein cottonseed and soybean meals at an increasing rate in cattle feeding.

This development, together with increased United States production of soybeans, and increased production of sunflower seed, especially in the Soviet Union, will result this year in the largest carryover of soybeans on record; and current prospects are for an even larger carryover in 1970.

Increased technical and financial capabilities of large scale manufacturing firms assure a continued expansion of synthetic products that can only compete for agriculture's markets. A recent study in the United States Department of Agriculture concluded that synthetics and substitutes have taken 10 percent of the fats and oils market for soaps, 15 percent of the market for glycerine, 12 percent of the leather market for shoe uppers, 6 percent of the oilseed meal market, 9 percent of the citrus market; and although smaller percentages of the markets for wool, sugar, starch and fluid milk, these substitutes have taken 19 percent of the cotton market.

With an excess capacity problem in agriculture and widespread hunger and malnutrition among our poor, it is not surprising that many people believe the farm problem could be solved by increasing the spending power of those with the lowest incomes. Those of us who helped expand the Food Stamp program in recent years believe we must continue to expand and improve our food stamp, school feeding and nutrition education programs, until they are available to all the hungry in our land.

It is noteworthy, however, to realize that even if the underprivileged were given an additional $3.5 billion for food expenditures, equivalent to all farm program payments in recent years, food consumption would be increased only 2 percent; and actually, consumption of food grains would probably decline, because low-income people usually reduce their cereal consumption, and increase their use of livestock products as their purchasing power goes up.

Farmers of the United States have the capacity to produce 10 to 12 percent more farm products than can be marketed at the present time; but only a small part of this excess capacity can be utilized profitably by means of expanded food stamp and school feeding programs.

Analysts in the Economic Research Service conclude food expenditures would have to increase about $25 billion to expand demand for farm products sufficiently to replace, through the market, the $3.5 billion farmers now receive in direct payments.

In view of this continuing problem of excess capacity in agriculture, it is encouraging to note that 17 farm and commodity organizations have joined together in recommending an extension of the basic features of the Agricultural Act of 1965. The more unity which can be developed among the people of agriculture, the greater our chance for sound legislation.

I share the concern of a great American, Senator Allen Ellender, Chairman of the Senate Committee on Agriculture and Forestry, that the new Administration may attempt to substitute a massive long-range cropland retirement program for the annual commodity adjustment programs.

Iowa State University and others have made studies which indicate lower annual costs could be attained with moderate long-term land retirement programs. Senator Ellender, who has done so very much for American farmers over the years, has wisely asked Secretary Hardin to evaluate these and other similar studies for his Committee.

Secretary Hardin concluded that the actual cost of long-term cropland retirement would be far higher than the studies reported and that the production of the major crops—wheat, feed grains, soybeans and cotton—would be greater than in recent years even though 70 million acres were retired. Gross and net farm incomes would fall below the levels of recent years unless more than 70 million acres were retired.

Just as farmers are caught in a cost price squeeze, and therefore are proposing amendments which would increase farm income, Secretary Hardin and the Bureau of the Budget are caught in a budget squeeze, and therefore will propose amendments designed to reduce government costs.

The great need is for policies and programs which will increase farm income without increasing government costs, for improvements which will reduce costs without reducing farm income.

In recent years, proposals to limit payments to a mximum of 5, 10, 20 or 25 thousand dollars to an individual producer have received increasing approval in the House of Representatives. Right now, as your outstanding Congressman Bill Burlison well knows, the agricultural appropriation bill passed by the House on May 27 and by the Senate on July 27, has not yet gone to conference because of the demand in the House for payment limitations.

Secretary Hardin and others who have studied these proposals conclude that the supply adjustment goals of the annual programs could be achieved even though large farm program payments were limited, but they also warn these limitations could result in increased surpluses; and therefore increased government storage costs.

Any payment limitation would affect more cotton growers than wheat or feed grain producers; but out of 449,376 cotton growers who received payments in 1968, only some 5,000 would be affected by the $20,000 limitation voted by the House this year.

If a payment limitation were at the lowest level ever proposed, only 8 percent of the cotton producers, namely 34,000, would be affected; and this would probably result in record production and record surpluses of cotton in storage.

Note also that a $5,000 payment limitation would affect only 3 percent of the wheat producers and but 2 percent of the feed grain producers.

As you all know, I do not believe in the principle of limiting payments to individual farm operators, who help all of agriculture by limiting their production. We do not put a ceiling on the benefits to a great corporation like General Motors from the standpoint of protection through tariffs, or to the big oil companies from oil import quotas. Nor to the large magazines from mail subsidies.

Despite problems of payments limitation and its obvious unfairness, some of the most knowledgeable of our farm leaders believe a continuation of existing programs, even though subjected to a payment limitation, would be far better than no program at all. This may be a choice which will have to be made at some time in the future.

According to our best estimates, if the Congress is unable to agree on an extension of current commodity programs, farm income will drop by approximately 5 billion dollars—3.5 billion dollars in payments along with up to 1.5 billion dollars in lower farm income due to overproduction and lower prices.

We have many other domestic economic problems and situations abroad which are both costly and tragic.

So let us all work together to develop the best possible farm programs; for cotton, for food and feed grains, for the wise utilization of our abundance in feeding and clothing the hungry and naked. In that way we will have more prosperous agriculture, and a more secure America, and a better world in which to live.

HAS CRIME'S TIDE CRESTED?

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, September 3, 1969

Mr. THURMOND. Mr. President, the Federal Bureau of Investigation recently released a report on major crime in the United States during 1969.

Although this report reveals that the serious crime rate went up 16 percent and the rate of police solutions to major crime has decreased steadily, an August 14, 1969, editorial in the Greenville News, Greenville, S.C., points out that "there is a ray of hope shining through the dull statistics on increasing law violations."

Reasons for this hope are twofold. First, the United States has a tough Attorney General, John Mitchell; and, this editorial says:

His every action and word since taking office has been directed toward hard-nosed action against criminals who have been terrorizing decent American citizens.

Second, the Supreme Court is changing, and Greenville News Editor Wayne Freeman says:

There is hope the restrictive decisions of past years may be modified, and that Congress will enact laws to protect ordinary people from criminals.

The editorial itself concludes with a ray of hope, saying that 1969 may become the year in which the high tide of crime begins to recede.

Mr. President, I ask unanimous consent that this excellent editorial, entitled "Has Crime's Tide Crested?" be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HAS CRIME'S TIDE CRESTED?

The Federal Bureau of Investigation's report on major crime in the United States during 1969, released yesterday, is a sobering document. Yet there is a ray of hope shinning through the dull statistics of increasing law violations.

The central fact in the report is that the serious crime rate jumjed 16 per cent. In 1968 there were 2,235 serious crimes per 100,000 population.

The violent crime rate went up 18 per cent to 295 victims per 100,000 population. The

property crime rate was up 16 per cent to 1,940 victims per 100,000.

The surge of lawlessness, continuing to outstrip the population growth, was felt throughout the nation. Suburban crime went up 17 per cent, big city crime jumped 18 per cent, rural crime rose 11 per cent. By regions the percentages of increase were 22 for the Northeast, 16 for the South, 18 for the West and 13 for the North Central states.

Crime definitely has done its part to fulfill the old slogan for the current decade—the Soaring Sixties: the volume of crime has risen 122 per cent, outstripping population growth 11 to one. The risk of becoming a victim has nearly doubled.

Meanwhile, the rate of police solutions to major crime has decreased steadily, declining seven per cent in 1968 for a 32 per cent drop since 1960.

Summing up, the dry, hard statistics reveal the continuing alarming deterioration in "domestic tranquility," one of the main constitutional purposes of government in the United States.

While the 1968 crime figures are totally dismal, there is some hope when they are placed alongside preliminary statistics for the first three months of 1969. Those figures show a general leveling (not yet a decrease, by any means) in serious crimes throughout the United States.

The early 1969 figures are too tenuous and the three-month span is too brief to justify any real hope that a new trend is in the making. Yet it is the first bright ray in many a year. Maybe, just maybe, this country has reached a turning point.

It must be remembered that the Johnson administration still was in power throughout 1968. Ramsay Clark, the non-enforcer of criminal law, presided over the Justice Department. In fact the 1960s have been dominated by the Johnson-Kennedy administrations during which sociology almost replaced criminology in federal law enforcement circles.

The decade also has been the era of the Warren Supreme Court which emphasized the "rights" of the accused over the rights of crime's victims and society in general. The decline in police solutions probably can be laid at the door of the Escobedo-Miranda type decisions stripping officers of many powers to investigate, arrest and prosecute.

Things have changed now. The tough John Mitchell sits as attorney general. His every action and word since taking office has been directed toward hard-nosed action against criminals who have been terrorizing decent American citizens. By example alone, Mr. Mitchell, firmly backed by President Nixon, has stiffened the spines of law enforcement men all over the country.

The Supreme Court is changing, too. Warren is no longer the chief. There is hope the restrictive decisions of past years may be modified, and that Congress will enact laws to protect ordinary people from criminals.

A changed atmosphere may be the reason for the slight shift in the crime curve early in 1969. Criminals themselves may be getting the message and easing off.

At any rate the sad figures of 1968 are proof of the fact that the softhearted approach to crime and criminals is no answer to the problem.

The country has had enough overemphasis of the "constitutional rights" of criminals. The time has come for courts and Congress to join the administration to emphasize the constitutional right of non-criminals to domestic tranquillity.

If this nation has learned that the anguish of crime's victims is more repugnant to the Constitution than offending the sensibilities of criminals, 1969 may become the year in which the high tide of crime begins to recede.

THE REPUBLIC REPULSED

HON. W. C. (DAN) DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. DANIEL of Virginia. Mr. Speaker, crime is a matter of grave concern, affecting the lives of everyone. In spite of efforts of our dedicated law enforcement officers, patriotic organizations, civic groups, and individual citizens, the crime rate continues to go up, however. The FBI reports a 10-percent increase in serious crimes for the first half of this year over 1968. And, what makes it all the more appalling is the fact that crime in 1968 was up 19 percent over the previous year and nearly double that of 1960. The estimated annual cost of crime is put at $31 billion.

There has been much clamor for anti-crime programs on a national basis. The glare of nationwide publicity on such programs is helpful, of course, but nothing alters the fact that every crime is local. It is in the local community, in our own neighborhoods, that crime can and must be curbed.

It is in the local community that the basic tool in the fight against crime must be honed and whetted—that basic tool is respect for the law. Regardless of the many excuses made for law violations, the fact remains crystal clear that the crime that is rampant today is the product of disrespect for the laws.

Many court decisions have encouraged this disrespect for law and for our law enforcement officers. This must be reversed.

Mr. Speaker, during the congressional recess it was my privilege to attend the American Legion's national convention in Atlanta, Ga. At this convention there was presented an unvarnished but comprehensive summary of the situation as it is today by the Honorable Robert K. Konkle, superintendent of the Indiana State Police. His topic was: "The Republic Repulsed." I include these brief excerpts of Superintendent Konkle's remarks in the RECORD at this point:

EXCERPTS FROM "THE REPUBLIC REPULSED"

I tell you this day the Republic has been repulsed. Our laws have been rendered ineffective, our Christian heritage assailed, our educational system corrupted, our patriotism diluted by ridicule and all segments of our society must share some of the blame . . .

It is my opinion that some members of the judicial system have condoned the rape of liberty for the gratification of the individual. That the scales of justice have been tipped by the decisions adjudicating the law in a manner which they would like to see it—instead of what it is.

I firmly believe that society has rights and that individual liberty is secondary to the whole, where there has been due process.

I would remind all that no individual freedom can last except in an orderly society. Can we hope to be freer or more secure in the pursuit of happiness by limiting police powers because of a supposed fear of abuse—while at the same time we are in a greater danger from those criminals that have increased crime nine times faster than the growth of our population—and still others who commit fraud, violence and murder in the name of individual liberty or their sociological beliefs?

We will lose this Republic by the weight of numbers. The numbers of crimes that go unsolved. The numbers of thefts, rapes, robberies and frauds untried because we have not provided enough trained police to investigate and apprehend—enough prosecutors to try the cases—enough courts to hear them and, most serious of all, enough citizens who will serve as witnesses or jurors and take up the responsibility of citizenship.

There is no order in a society that permits one citizen to perpetrate crimes against another in the guise of liberty. Nor does law exist where threats, intimidation and assault by person against person is condoned.

The world today changes in seconds instead of centuries. A society that does not progress to insure equality of protection for all its citizens in each facet of its growth condemns itself to destruction.

In order to insure that degree of security each of us would garner unto himself and his posterity, those charged to enforce the laws must be so equipped as to capably meet all assaults upon America.

America is under the greatest attack today that she has known in a century. Greater from within, perhaps, than from without.

We are fast becoming an armed camp. The leftist radicals and militants joining on the one side and the radicals of the right on the other. We know that these groups have been arming themselves for some time. For what? To take over when government fails.

You, the citizen, and we, the police, are in the middle—and you want out!

Things are going to get much worse before they get much better unless there is a fast and firm action taken to change thinking today.

This thin blue line—this thin blue line of policemen is all that holds this country together and they are wavering from the assault on the one side and the lack of support on the other. If this line ever breaks this country will be so irretrievably lost that no army will ever restore the freedoms that we now have.

The leftists now say they intend to overthrow our government. They have resorted to violence. They are arming and they are moving from the college campuses to the high schools and grade schools.

There is now an assault to break the ranks of labor via the "work-in" program. Labor says they won't make it. But author Phillip A. Luce says that the United Auto Workers funds have, for years, been used to finance SDS activities.

We know that the use of drugs, sex, alcohol and guilt are being used to enlist the youth of this Nation to their cause. If you question this let me tell you that drug offenses have gone up 400 per cent over the last year and that more illegal liquor is being drunk today than during prohibition.

They hook young girls on dope and then prostitute them to get money to fund their campaigns.

Other groups are blackmailing cities for money. They say "give or we march, burn and destroy!"

Governmental programs and funds have been used to finance individuals and whatever causes they are interested in.

They charge police with brutality and, yet, policemen are constantly being assaulted. They are attempting in every way they know how to destroy the police image. They have to in order to achieve their purpose because the police represent law and they cannot operate within the law.

You are not afraid to walk down the street because of police brutality. But why do they want you to think this way? It is communist propaganda to destroy America.

We have college professors who are teaching un-Americanism in our colleges. We know some who have aided and abetted the leftists by furnishing them advice on how to circumvent the law. They have also furnished money and transportation.

We see some of the same faces showing up at one demonstration after another and yet we hear the riots are spontaneous. We can prove they are not.

We find the bank accounts of student leaders swelled by large cash deposits which cannot be traced.

We have found caches of arms and explosives in large quantities.

Now we have SDS members graduating from college and teaching these theories to our first graders. Recently, in a New York community, parents discovered teachers in their high school teaching 20th Century revolution tactics and making students submit term papers on how to sabotage the community!

We have governmental officials and university administrators who are appeasing dissenters and political leaders lending support to radicals.

The irresponsible, responsible people of government make such statements as "Elect my candidate and there won't be any police brutality. There won't be any police!"

DAY OF SHAME

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Wednesday, September 3, 1969

Mr. FANNIN. Mr. President, the AFL–CIO News of August 30 contains a statement of its clear and unequivocal support of Czechoslovakians who for a year have found their country under the iron-heeled domination of the Soviet Red Army.

It is clear that a great majority of Americans are sympathetic to the problems which beset these valiant people. I invite attention to the fact that the largest organization in the United States, reported to represent millions of American workers, is on record opposing the vicious oppression of the totalitarian regime in Czechoslovakia.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"DAY OF SHAME" MARKS CZECHOSLOVAK INVASION

The AFL-CIO has reiterated its "clear, unequivocal support" for the heroic struggle of Czechoslovakians to free themselves from the year-old Soviet occupation.

A message of labor's support was delivered by Henry Kirsch of the AFL–CIO Dept. of International Affairs to a protest meeting calling attention to the anniversary of the August 1968 invasion by the Red Army and other Warsaw Pact troops.

The meeting to mark the "day of shame" was sponsored by Czechoslovak democratic organizations in the United States. On hand were more than 200 persons, including prominent Americans from many fields.

Kirsch expressed "pride" at being designated to represent the AFL-CIO at the meeting and proclaim its backing of suffering Czechoslovak people in their quest for freedom and independence.

He spelled out the federation's views as expressed in a statement adopted by the AFL–CIO Executive Council at its recent meeting.

The statement challenged Soviet rulers to show the sincerity of their indicated desires for rapprochement with the West by withdrawing troops from Czechoslovakia and restoring the status quo that existed prior to the invasion.

The protest meeting adopted a proclamation appealing to all governments and citizens of free nations to "insist on an immediate withdrawal of the Soviet invaders from Czechoslovak territory."

It asked the United Nations to secure "the restoration of fundamental human rights" for Czechoslovakia and all other Soviet satellites.

A DEPARTMENT OF EXPLORATION

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. DADDARIO. Mr. Speaker, the science editor of Saturday Review, John Lear, has recently suggested a skillful and unique rationale for the formation of a new Department of Exploration.

The idea was expressed in an editorial contained in Saturday Review on August 23, 1969. While a large number of bills have been introduced looking toward some reorganization of the Cabinet structure involving many of the same agencies referred to, I am unaware of any which take this precise approach. I am certain that Members will find the editorial worthy of their attention:

A DEPARTMENT OF EXPLORATION

Now that the moon's far hemisphere is in reach of earthly explorers, it is appropriate to recall the time when the land mass between the Mississippi River and the Pacific Ocean seemed almost as inaccessible as the near hemisphere of the moon. It is also appropriate to identify the man who sent his secretary, Meriwether Lewis, and a retired Indian fighter, William Clark, on an expedition to pierce that great western wilderness of the North American continent. This remarkable person was the idealist who wrote the Declaration of Independence and the Virginia statute for religious freedom: Thomas Jefferson.

Jefferson was the only practicing scientist ever to occupy the White House. Herbert Hoover? A practicing technologist. One of the many scientific documents left behind by Jefferson was his detailed letter of instructions for the Lewis and Clark expedition. Verbatim excerpts from it are in Paul Russell Cutright's new University of Illinois Press book, *Lewis and Clark: Pioneering Naturalists.*

President Richard M. Nixon's recent guarantee that explorers from earth would discover life on another planet by the year 2000 places him rather apart from Jefferson's scientific method. But even if the truth were otherwise, time would hardly allow Mr. Nixon to plan a manned trip to Mars as meticulous as Jefferson planned Lewis and Clark's reconnaissance of the Louisiana Purchase. Nevertheless, Mr. Nixon could adapt the Jeffersonian philosophy to prevent disastrous backfire from the anticlimatic euphoria that has followed the voyage of *Apollo 11.*

We obviously aren't going to Mars on the optimistic timetable proposed by Vice President Spiro Agnew. Congress won't authorize payment of the bill, and the White House knows it—a fact the September report from Mr. Nixon's advisory panel on space exploration will certainly reflect. If the President is not to lose the initiative he seized so vigorously by telephoning the moon on the night of the *Apollo 11* landing, he must find an alternative that fits the American tradition.

Mr. Nixon could inspire all the peoples of the planet by creating within his Cabinet a new Department of Exploration. A declaration of intent to inaugurate such a civilian agency would capture the intellectual stimulus and visceral excitement of the initial lunar landing and thrust them onward.

Wherever unknowns wait, wherever mysteries remain uncovered or unexplained—in the space beyond earth's atmosphere, within the atmosphere, on and under the surface of the seas, in the crust of the planet, in the mantle under the crust, in the core beneath the mantle, in the immensity of the stars, and in the microscopic smallness of the atom—there the Department of Exploration would be instructed to venture.

Such a forthright commitment to the future, such a statement of belief in the necessity for change, would constitute a rebirth of the original American experiment. Psychologically it would be electric. And it would not be a superficial political trick. The new department would serve a major practical purpose. It would provide a compelling focus for reorganization of scientific capabilities within the federal government.

Pressure for some kind of reassembly of the present-day government structure is now so strong that a new department, under whatever name, seems inevitable within the next few years. Many scientists favor a reorganization, but many fear that an all-inclusive Department of Science would encompass too much; it could not be functional in terms of mission. A Department of Exploration would be highly functional, yet ample enough to take in all the disciplines required by human ecology.

A logical nucleus for a Department of Exploration already exists in the Environmental Science Services Administration. ESSA combined the Weather Bureau, the Coast and Geodetic Survey, and the Central Radio Propagation Laboratory of the Bureau of Standards. Earlier this year [*SR,* Feb. 1], former President Lyndon B. Johnson's Commission on Marine Science, Engineering, and Resources proposed creation of a National Oceanic and Atmospheric Agency (NOAA) to explore the sea and the atmosphere as a continuum. Along with ESSA, NOAA would have taken in the Coast Guard, two bureaus of fisheries and wildlife, the National Sea Grant Program of the National Science Foundation, the [Great] Lake Survey of the U.S. Army Engineers, and the National Oceanographic Data Center. A truly functional Department of Exploration also would include the National Center for Atmospheric Research, the High Altitude Laboratory, the National Aeronautics and Space Administration, the weather modification capabilities of NSF, the Antarctic exporation responsibilities of NSF and the U.S. Navy, the non-military aspects of the national laboratories of the Atomic Energy Commission, and the planetary crustal probings of the U.S. Geological Survey.

Regular public accounting of the vast amounts of tax money now going into science would be facilitated through the apparatus of a Department of Exploration. Fair assignment of priorities to the exploration of extraterrestrial space, the atmosphere, the oceans, and the earth's interior would be simplified. Transfer of technological advances from one area of study to another would be speeded. And the pursuit of peace through direction of science toward fulfillment of man's felt needs would be encouraged in myriad ways.

BURGLARY REVISED

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, September 3, 1969

Mr. THURMOND. Mr. President, the common law definition of burglary—that the offense be a forced entry into a dwelling during the nighttime—has been enlarged by the FBI to include the unlawful entry of any structure at any hour with the intention of committing a felony.

A reason for this, according to an editorial in the State, Columbia, S.C., is that burglars are more and more favoring daylight hours for their crimes, finding unattended apartments and homes easy prey. Daylight burglaries have, in fact, increased 247 percent since 1960.

This editorial warns the public that burglary is one of the safest forms of crime. "The smart operator," it says, "faces little risk of detection and finds little to block his entry into homes. As a result, only one in five burglaries was solved during 1968." It states further that citizens would be wise to ponder these facts and check their residences and not make the crimes easier for the criminals.

Mr. President, I ask unanimous consent that this outstanding editorial entitled "Burglary Revised," published in the State, Columbia, S.C., August 23, 1969, be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BURGLARY REVISED

An essential element in the crime of burglary, under the common law definition, is that the offense occur at a dwelling and during the night-time.

This restrictive definition, however, has proved inadequate to describe the activities of modern burglars and the FBI has enlarged it to include the unlawful entry of any structure at any hour with the intention of committing a felony.

FBI statistics on crime indicate that the second-story artists more and more are favoring daylight hours for the pursuit of their profession. They find unattended apartments and homes easy prey. Daytime burglaries were up 21 per cent in 1968 alone and have increased 247 per cent since 1960. They now account for over half of the burglaries committed in residences. On the other hand, sunshine burglaries make up only six per cent of those occuring in non-residences.

Burglary is also a rather seasonal profession. The peak periods are in July and August (vacation time) and during the weeks around Christmas.

For the record, the average dollar loss per burglary is $298. The burglar is more apt to be male (96 per cent) and white (over 60 per cent).

FBI reports unhappily indicate that, from the standpoint of the criminal, burglary is one of the safest forms of crime. The smart operator faces little risk of detection and finds little to block his entry into homes. As a result, only one in five burglaries was solved during 1968.

Citizens would be wise to ponder these facts and check their residences. In addition, police can advise them on a number of ways to make their homes look occupied while they are away, particularly for extended periods.

Why make the pickings easier for these stealthy operators? You should at least make them work and worry before they make off with your valued possessions.

AGRICULTURE, AMERICA'S NO. 1 ASSET

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. LEGGETT. Mr. Speaker, in our desire to respond to the pressing needs of dealing with our urban problems, we dare not neglect American agriculture which ranks near the top of American successes. Today, one farmworker produces enough agricultural products for himself and 44 other Americans. One hour of farm labor produces more than six times as much food as it did in 1919–21. The value of farm exports since World War II exceeds $100 billion, making the United States the largest exporter of foodstuffs of any country in the world.

But it is one of the ironies of success that the revolutionary triumph of American agriculture has accentuated the problems facing the industry, such as sustaining reasonable prices for commodities by correlating supply and demand, structural unemployment, unfortunate competition between large and small operators, and a host of other problems which plague agriculture. Failure to deal with these problems would not only be unfair to the American agriculture-related workers who number 5.1 million, but it would also endanger the economic well-being of the country. Congress certainly must not risk national prosperity by neglecting the largest national industry—American agriculture.

Mr. Speaker, for the information of my colleagues, I insert into the RECORD at this point three articles in a series printed in the Willows Daily Journal which accurately illustrate the importance of agriculture in the United States:

FARMING IS VITAL TO THE ECONOMY

In this era of domestic unrest, the nation is focusing its attention upon the problems of big cities—upon poverty, slums and racism, and the rioting they breed.

These are properly matters for concern. Yet, unfortunately they have diverted attention from the snowballing problems besetting farmers. And to neglect the plight of the farmer means, in the long run, to undermine the economy: Agricultural prosperity is essential to national prosperity, as history records. Over a period of years agricultural depression stifles the nation's prosperity.

Isn't it time for the American public and its representatives in Congress to reassess the importance of agriculture to the nation as a whole?

Numerous facts about U.S. agriculture were brought out in a report by the Committee of Agriculture of the House of Representatives in May. In this and subsequent editorials they are summarized. They clarify agricultural's crucial role in the economy.

Farming is not only the nation's largest industry but the most progressive. Its pace of mechanization and progress in recent years has had no equal.

In size, U.S. agriculture employs 5.1 million workers—more than the employment in transportation, public utilities, the steel industry and the auto industry combined.

Its total assets of $298 billion equal about two-thirds of the value of current assets of all U.S. corporations, or about one-half the market value of all corporation stocks traded on the New York Stock Exchange.

The value of agriculture's production assets represents about $46,000 for each farm employee.

In modernization and efficiency no other segment of the economy comes close to agriculture's progress in the past half century.

One hour of farm labor produces more than six times as much food and other crops as it did in 1919–21. Per-acre crop production and output per breeding animal have doubled.

During the 1960's the output per man-hour by American farm workers soared at the rate of 6 per cent per year—double the rate of increase by non-agricultural workers.

One farm worker now produces food, fiber and other farm commodities for himself and 44 other Americans.

In addition the United States is the breadbasket of the world, being the world's largest exporter of farm products.

Of the nation's 300 million harvested acres 71 million acres are harvested for export. This represents about the same acreage as the total acreage devoted to crops in Iowa, Kansas, Nebraska and North Dakota.

In 1968 alone, $6.3 billion in farm products were exported, not only feeding millions of people overseas but producing a favorable trade balance for the United States. The value of U.S. farm exports since World War II exceeds $100 billion.

Is not this, then, a dominant segment of the American economy whose problems not only should, but must, concern the American public and its representatives in office?

FARMING A VITAL SEGMENT OF UNITED STATES

The farmer is among the nation's most important citizens—not only as a producer and exporter of food but also as a customer, taxpayer and creator of jobs.

This is brought out in facts about U.S. agriculture published in a May, 1969 report by the House Committee on Agriculture. They show beyond a shadow of doubt that the farmer's financial well-being is vital to the economic well-being of the nation.

As a good customer, the farmer spends more than $36 billion a year for goods and services to produce crops and livestock.

He spends an additional $12 billion a year for the same products that city people buy—food, clothing, drugs, furniture, appliances and others.

To boil down some of his major purchases, each year the farmer buys:

Over $4.9 billion in new farm tractors and other motor vehicles, machinery and equipment;

$3.9 billion for fuel, lubricants, and maintenance of machinery and motor vehicles, using more petroleum than any other single industry;

$2.1 billion for fertilizer and lime;

Products containing 320 million pounds of rubber—about 7 per cent of the total used in the United States, or enough to put tires on nearly 7 million autos;

32 billion kilowatt-hours of electricity—more than two and one-half per cent of the nation's total, or more than is consumed annually by Baltimore, Chicago, Boston, Detroit, Houston and Washington, D.C. combined.

Six and one-half million tons of steel in the form of farm machinery, trucks, cars, fencing and building materials. This is one-third as much steel as the entire automotive industry uses.

It is easy to see, then, that the failure of farming income to rise in proportion to that of other segments of the economy will, in

the long run, cut into the sales of many U.S. industries.

Too few Americans—and especially legislators from the big cities—seem to realize that 3 of every 10 jobs in private employment are related to agriculture: that 8 million persons have jobs storing, transporting, processing and merchandising the products of agriculture; that 6 million persons have jobs providing the supplies farmers use.

Greater recognition should also be given to the fact that a tremendous burden of taxation at the national, state and local levels is borne by the farmer.

Last year U.S. farmers paid:

$2 billion in farm-property taxes;

One-third of a billion dollars in personal property taxes on farms;

$1.5 billion in federal and state income taxes;

$318 million in net taxes on motor fuels;

$180 million in motor vehicle license fees and taxes;

$350 million in sales taxes.

Doesn't the above all add up to the fact that the farmer is not only essential as producer of the food you eat and the clothes you wear, but also that he is an essential link in the U.S. economy's chain of prosperity? And a chain, after all, in the long run can be no stronger than its weakest link.

FARMS TURN OUT MANY PRODUCTS

Needless to say, the products of farm and ranch are essential to the well-being of Americans. These products are not limited to all-important food; they also include the necessities for clothing, shelter and a myriad of other products.

Concerning food, each American last year consumed these and other foods from U.S. farms and ranches:

183 pounds of beef, veal, pork, lamb and mutton;

45 pounds of chicken and turkey;

188 pounds of fruit or fresh-fruit equivalents;

238 pounds of vegetables or fresh-vegetable equivalents;

576 pounds of dairy products;

112 pounds of potatoes and 6 pounds of sweet potatoes or their fresh equivalents.

The American consumer can choose from as many as 6,000 different foods when he goes to the market—fresh, canned, frozen, concentrated, dehydrated, ready-mixed, ready to serve or in heat-and-serve form.

In no other nation do the consumers enjoy a fraction of the variety of choice; nor do they spend a lesser portion of their disposable income on food.

For clothing, too, American consumers are indebted to the products of U.S. farmers. In 1968 Americans used:

4.4 billion pounds of cotton, or nearly 22 pounds per person. That's the eqivalent of about 24 house dresses, or 35 dress shirts, for every man, woman and child in the nation.

480 million pounds of apparel and carpet wool, more than 2 pounds per person.

Furthermore, research has given these natural fibers new qualities. Specially treated cotton resists everything from wrinkles to fire, and wool can be treated to prevent shrinking when it is washed and to retain pleats in skirts and creases in trousers.

Perhaps too few consumers realize the importance of farmers in producing wood for homes and a myriad of other products. Three of every four forest owners are farmers, and they and other small woodland owners control 59 per cent of the nation's commercial forests. Timber is a crop, even though it takes one acre of healthy forest 20 years to grow enough lumber for a five-room frame house.

Many other products, too, are derived from the wood which farmers produce:

The average consumer uses about 512 pounds of paper per year. This requires a net annual wood growth from about three-fourths of an acre of commercial forest.

A single large New York newspaper uses the equivalent of net annual growth from 6,000 acres of commercial forest for its Sunday issue alone, or the net annual growth from 500,000 acres each year.

Other uses products from farmer-grown wood are foreseen. They include nitrocellulose, derived mainly from woodpulp and a major ingredient of some solid fuel propellants of rockets. The day of the wood-burning rocket may, then, soon arrive.

(What does the American consumer pay for his food and what does the farmer receive?)

TREATMENT OF PRISONERS OF WAR BY NORTH VIETNAM

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, September 3, 1969

Mr. THURMOND. Mr. President, our country and our brave servicemen held prisoners by North Vietnam have taken a courageous step. For the first time, our men who have been released by Hanoi are allowed to tell it like it is. The world should now be convinced more than ever before that North Vietnam has been barbarous in the treatment of American prisoners.

Mr. President, Lieut. Robert Franchot Frishman, who was released by Hanoi, has given the world the facts about the brutal treatment of our servicemen. Lieutenant Frishman said:

I feel I am speaking not only for myself but for my buddies back in camp. I think it is time to get out the facts.

He added that his fellow prisoners still in captivity wanted the truth told about their treatment even if this would result in retaliatory beatings by their captors.

Mr. President, now that the world knows the truth about Hanoi's inhuman treatment of Americans, maximum U.S. and world pressure should be put on the Communists in Paris to release U.S. prisoners. This bold step should convince the Communists that we do not view the POW problem with passiveness. Our fighting men and our country believe that truth is more important than retaliation. If the Communists dare retaliation, then they should suffer severe consequences by necessary U.S. action.

Our men who are still held captive deserve the praise and commendation of our Nation for their courage and faith. We must not break this faith. Hanoi should be condemned by every nation for its brutality and for violating the Geneva Convention.

Mr. President, I am hopeful the administration will use every means available to secure the release of our brave fighting men. This new policy should be pursued with relentless effort. World opinion should be enlisted in behalf of civilized treatment of prisoners of war.

The Washington Post of September 3, 1969, published a story on the press conference given by Lieutenant Frishman and Postal Clerk 3C Douglas B. Hegdahl about the brutal treatment of our servicemen. I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FREED PRISONERS OF WAR TELL OF HANOI BRUTALITY, TORTURE

(By George C. Wilson)

Two American Navy men recently released from prison by Hanoi told of brutal treatment and torture of American prisoners as the Nixon administration yesterday tried a new tack to build up moral pressure against North Vietnam.

Lt. Robert Franchot Frishman, 28, and Postal Clerk 3C Douglas B. Hegdahl, 23, held the first press conference of its kind in the auditorium of the Bethesda Naval Hospital, where they have been recuperating from their ordeal.

Frishman, in a prepared statement he read in a steady voice to assembled reporters, said, "I feel I am speaking not only for myself but for my buddies back in the camp. I think it is time to get out the facts."

He added that his fellow prisoners still in captivity wanted the truth told about their treatment even if this would result in retaliatory beatings by their captors.

Hanoi has released only nine American prisoners since the Vietnam War began. The U.S. government policy until yesterday was to play down the experiences of the men released—apparently for fear of retaliation against those still held captive.

But administration officials in explaining yesterday's press conference said continued silence might be interpreted by Hanoi as government passiveness on the prisoner issue. They added that diplomatic efforts have failed to induce the North Vietnamese to treat their American prisoners better.

Frishman and Hegdahl were two of three men released Aug. 5. The third is Air Force Capt. Wesley L. Rumble, 26, of Oroville, Calif., who is recuperating at Travis Air Force Base.

Frishman has been spokesman for the three men since their release. He said upon landing in Vientiane, Laos, from Hanoi aboard an International Control Commission plane that "I do not want to jeopardize other prisoners still there. My treatment has been adequate."

His remarks yesterday about the treatment of Americans stood in sharp contrast to those earlier ones as he said the North Vietnamese pulled out fingernails, hung men from the ceiling, locked them in solitary confinement in stifling rooms and provided minimal food and medical care.

Taken prisoner after his F-4 fighter was shot down by a Communist surface-to-air missile Oct. 24, 1967, Frishman said the first thing his captors did was throw him into the back of a truck and parade him before anti-aircraft crews.

He said he was tied up and dragged, even though his right arm was broken from bailing out of the plane. The North Vietnamese questioned him about military tactics right after his capture, he said.

Unlike the North Koreans who kept beating and questioning the Pueblo crew until they signed confessions, Frishman said North Vietnamese interrogations eased after the initial ones about military matters.

The longest part of his captivity, he said, was spent in solitary confinement. Except for an occasional chance to sweep leaves, he said he spent his days eating two meals of little more than pumpkin soup and sitting in his 10-foot by 11-foot room trying to keep his mind active.

The room was closed off, he said, and had brick walls and a tin roof. The heat beating down on the roof turned his room "into an oven" so "you stayed in a heat rash all day."

"I still have a right arm," Frishman said in holding up a twisted limb without an elbow, "and I am grateful for that. It took

six months to heal" because of inadequate medical care.

He described the misery of waking up morning after morning to find that his arm had bled during the night and was stuck fast to the blanket. This meant pulling off the scab to get his arm free, starting the bleeding all over again.

Lt. Cdr. Richard A. Stratton, also an American prisoner and still held by Hanoi, had it even worse, Frishman said. The North Vietnamese kept insisting that he tell visiting delegations that his treatment in captivity had been humane.

"This," Frishman said bitterly, "after he had had his fingernails removed and been thrown into a dark room." Pentagon records show that Stratton was captured Jan. 5, 1967.

Frishman praised Stratton for hitting Hanoi "right between the eyes" by deliberately acting, so stupified and brainwashed in a propaganda film that Western audiences could see through it.

"I feel I'm Stratton's best chance of getting the truth out," Frishman said. He added that Stratton had told him before he left that "if he gets tortured some more" because of Frishman's revelations, "at least he will know why."

"The higher-ups" in North Vietnam, Frishman said, "may not know" about the inhumane treatment—"I mean the generals." He said whenever generals visited the prison camp conditions improved.

Hegdahl said he was picked up by a North Vietnamese fisherman after falling off the USS Canberra on April 6, 1967. He said he does not know to this day how he fell overboard.

He, like Frishman was jailed in a camp in Hanoi. Hegdahl said he spent "seven months and 10 days" in solitary confinement. The daily routine, he said, was arise at 5 a.m.; dump the waste bucket in the room; listen to "Hanoi Hannah" on the North Vietnamese radio a good part of the morning; eat the first meal at 10 a.m. and the last one at 4 p.m. The captors gave him three cigarettes a day. There was nothing to do except lie in bed or sit in a chair and try to think of something, he said.

The prison compound, Frishman said, had several one-story buildings with a barbed wire fence around it. Guards patroled the perimeter.

Frishman said he knew he was going to be released when his captors called him over to what the Americans called "The Big House," evidently the administration building in the prison compound. There, he said, the North Vietnamese had spread out delicious foods for him to eat.

The North Vietnamese tried to restore some of the 50 pounds he had lost in captivity, Frishman said, before releasing him. Asked why he was chosen for release, Frishman said he figured because he was wounded and required care.

Hegdahl theorized that his release stemmed from the fact that "I'm only a seaman."

About the only real morale booster came when American bombs hitting Hanoi caused the buildings in the compound to shake, Frishman said. With blistering heat in the summer and chilling cold in the winter, plus his wounds, "I had a hell of a time."

The Pentagon estimates that there are about 1,325 Americans who are missing or imprisoned by the North Vietnamese and Vietcong.

RETALIATORY ACTION

Richard G. Capen Jr., public affairs officer dealing with prisoner problems for the Defense Department, was asked about the possibility that the press conference might subject the Americans still in captivity to retaliatory action by Hanoi. He said he is hopeful instead that Hanoi will be encouraged to treat its prisoners humanely in accord with the Geneva Convention.

Capen said the two Navy men had a "very strong desire to speak out, and we did not interfere." As for risks, he said Americans in captivity are already heavily exposed to them.

PROMISING REORGANIZATION OF OEO

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. BROWN of Ohio. Mr. Speaker, President Nixon's recent restructuring of the Office of Economic Opportunity promises to make that agency more effective and more innovative as well. It creates a stronger vehicle for development of effective new techniques for removing people from poverty. Secondly, it streamlines the agency's management and separates its functions so as to make it more responsive to local and regional needs. By tightening the lines of administration and by separating sometimes conflicting functions, I think the President has indicated he intends to make more creative use of the OEO—both as innovator and as operator of programs.

I think its new Director, Donald Rumsfeld, ought to be commended for his imaginative work in planning the agency's future. He has worked hard to analyze its strengths and weaknesses and to shape a new direction in the program that would best serve the interests of the poor.

Innovation is the mission of a new program development arm. And its pragmatic approach looks most promising. This would begin with the isolation of needs, and proceed to the design of experimental programs, then to the operation of worthwhile pilot projects, and finally the elevation of successful experiments to full-scale operations.

Too often in the past, programs have tended to interfere with research, and advocacy has tended to thwart objective evaluation. Now experimentation will have the independence it deserves. The fact that OEO develops a successful innovation does not necessarily mean it will operate the full-scale program itself. There are several possibilities. It might be appropriate for private industry or another Government agency to run the new program. That would depend on who could do it best.

On the management side, some 20 to 30 officials were reporting to the Director under the old organizational structure. This has been reduced sharply to a more manageable number. Regional directors, rather than reporting to the Director, will report to an Assistant Director for Operations. The Office of Operations will provide greater support to the regional offices. More money will be spent to provide management support—including training and technical assistance—to local community action agencies and other OEO-funded agencies. There will be more careful scrutiny of grant applications and a closer monitoring of grants that have been made. All these should improve the ability of local agencies to better control antipoverty funds they receive.

It seems clear that the administration has devised a purposeful and relevant new thrust for the Federal poverty program.

WASHINGTON WORKSHOPS: A LESSON IN COMMUNICATION

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. ADAMS. Mr. Speaker, I recently had the opportunity of meeting and talking with some 150 high school students from all across the country. They are here to study firsthand the U.S. Congress and they are participating in an imaginative program called the Washington workshops.

This summer the Washington Workshops Foundation, a private nonprofit educational organization, sponsored congressional seminars for nearly 1,000 students from every part of the country and from every socioeconomic background. Many of the students participated in the workshops with scholarship assistance from local businesses, community civic organizations, and the Washington Workshops Foundation.

The Washington workshops were established in 1968 to offer the Nation's young people the chance to study and see their Government in action, and to communicate with the elected leaders with whom their future has been entrusted. I can confirm that these purposes are indeed being fulfilled by the Washington workshops.

These young people, who soon will be the students and leaders on our college campuses, have a lot of questions to ask concerning the direction in which this country is going—the country which they will inherit to lead not too many years hence. Their questions, like the students who pose them, are aware and concerned. They challenge myths and they demand honesty. They are filled with frustration, but hope as well. They will not be answered by easy excuses or tired resolve.

But America's young people also want to listen, to learn. More than 50 Congressmen and Senators of every political persuasion met with the Washington workshops students. The students disagreed with many of their elected representatives, but they did not walk out. They conversed and attempted to communicate why they thought differently about the country and its problems and priorities.

The Washington workshops offer a tremendous opportunity, then, for the Nation's young people—and its leaders—to converse, to talk with one another about where our country is going and—more important—where it should go. This is an opportunity for which I and my colleagues in this House are grateful. The Washington workshops is offering something that is vitally important and needed today—a living lesson in communication.

SPECIAL PAY BENEFITS FOR OPTOMETRY OFFICERS OF THE UNIFORMED SERVICES

HON. JAMES A. BYRNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. BYRNE of Pennsylvania. Mr. Speaker, I have introduced today legislation that would authorize additional pay benefits of $100 per month to optometry officers on active duty in the uniformed services.

Optometrists are drafted into the services, Army, Navy, and Air Force, under the doctor's draft provisions of the Military Selective Service Act, as are medical doctors, osteopaths, dentists, and veterinarians.

Optometry students are deferred under rulings of the President, the National Security Council, and the Selective Service System to complete their professional education, as are medical doctors, osteopaths, dentists, and veterinarians.

Optometrists are recognized for their military coding definition as having doctorate degrees, as are these other four professions of the health care team.

Optometrists receive constructive service credit for their years of professional education above the normal 4-year college baccalaureate as do the others.

However, the optometry officer does not receive any special pay benefits as do all the aforementioned four health care representatives in the services.

The some 600 optometry officers on active duty in the uniformed services are furnishing the majority of the vision care to literally millions of eligibles, from the serviceman to his dependents.

This bill would be an incentive to optometry officers to make a career out of the service and raise the retention rate that has reached a critical alltime low. Considering the fact that almost 50 percent of the military personnel are wearing some type of visual aid, it is urgent that recruitment and retention of optometry officers be increased.

Mr. Speaker, in order to provide justifiable inducements to optometrists, I introduce this legislation which would give a measure of equality with the other health professions and, I am certain, increase the retention rate.

I, along with other of my colleagues, was concerned over the need for this legislation in the 90th Congress and introduced an identical bill (H.R. 10543) to the one I am introducing today.

I would like to include in the RECORD at this point a resolution endorsing this legislation, passed by the House of Delegates of the American Optometric Association at their 72d annual meeting in Philadelphia earlier this month:

RESOLUTION 3A

Whereas, our servicemen and servicewomen, and their dependents, require and deserve the highest quality vision care; and

Whereas, modern technological advances have placed increasingly greater demands on human vision; and

Whereas, the alarmingly low retention rate of optometry officers in the Armed Forces is causing a critical shortage of career optometry officer leaders; and this low retention rate is excessively costly to the Government in man-hours and money; and

Whereas, optometry is the only health care profession whose students are deferred and whose graduates are subject to call into the Service under the Doctor's Draft Law and who do not receive incentive pay consideration; now therefore be it

Resolved, that the American Optometric Association supports and urges early adoption of legislation by the Congress which would provide incentive pay benefits for optometry officers on active duty in the uniformed services.

Adopted by the 72nd House of Delegates on July 12, 1969.

SALUTE TO SINGAPORE

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. POWELL. Mr. Speaker, August 9 marked the end of another year of independence for a tiny Asian island—27 miles wide and 14 miles long—which has the admirable distinction of being the fourth largest port in the world. I am speaking of Singapore and, with all due respect and regard, I rise to salute our fast-growing friend and to commemorate this, their fourth anniversary of independence.

Singapore's economy can easily be described: success. Characterized by all-around growth, the economy can boast a 7.7-percent increase in gross domestic expenditure for 1968 over 1967, an increase in total investment by 17 percent last year, and the addition of 47 more manufacturing firms during 1968. Needless to say, a great deal of attention is placed on the shipping industry. As early as 1964, Singapore wisely foresaw what an important role she could play in this industry, and greatly expanded her role in shipping, as the current earnings of $34 million per year would indicate. Moreover, plans are in the works to equip facilities to repair large oceangoing vessels. By the 1970's their largest shipyard will be able to build vessels up to 70,000 tons, as well as naval patrol boats and oceangoing freighters.

Much of the credit for such an encouraging outlook rightly belongs to the Prime Minister of Singapore, Lee Kuan Yew. Blessed with a persuasive personality in perfect combination with a nimble mind, he skillfully avoids demagoguery. From the beginning of his administration, one can see how he has deftly handled a number of problems—from taxes fairly levied to fill a depleted treasury and money properly spent with emphasis on the welfare of the citizenry—Singapore incidentally claims one of the highest standards of living in Asia—to the recent Economic Expansion Act, which provides incentives for even more investment and exports—and his reputation both at home and abroad is easily explained.

Furthermore, considering the rise of American investment in Singapore and the active cooperation between that nation and Indonesia, surely it can be said that Singapore is working for the good of all. As a respected member of the world community and a thriving nation of ambitious and proud people, Singapore we salute you.

THE 30TH ANNIVERSARY OF THE INVASION OF POLAND

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. ANNUNZIO. Mr. Speaker, September 1, 1969, marked the 30th anniversary of the invasion of Poland by Nazi Germany. On that tragic day in 1939 Hitler's military might was thrown against Poland's western frontier, and 16 days later the Soviets became accomplices of the Germans when they invaded Poland from the east.

The tragedy stunned the rest of the world—a world slumbering in optimism and appeasement—and World War II, the holocaust which followed for the next 5 years, might have at least been diminished in destructiveness had the world foreseen the ineffectiveness of appeasing aggressors.

Unaided and unprepared, the Polish people fought courageously against the invaders but succumbed in a matter of days both from the enormity of Hitler's military machine on the west and the pressure of the Soviet forces on the east.

The Polish people were among those who suffered the most from the inhumanity of World War II—not only did they lose approximately 6 million of their population, but they have continued to pay in their loss of freedom and individual rights under the postwar Soviet regime. Warsaw and other major Polish cities were almost 70 percent destroyed and more than one-fourth of the homes in Poland were demolished.

Following the end of the war, after the German troops were expelled, the only foreign troops left in Poland were those from the Soviet Union. The Soviets, therefore, had little difficulty in establishing a Communist-dominated government by relying on the coercive presence of their military forces.

The brutal techniques of coercion used by the Soviet Union to subdue the Polish population were similar to those used to subordinate other East European nations—mass killings, deportations, and severe deprivations. The indomitable Polish spirit, however, has not been crushed. It has remained steadfast and has demonstrated itself time and again, as evidenced in particular by the Poznan uprising in 1956.

What the ultimate destiny of Poland will be, however, no one can tell, for communism still maintains a firm and steady grip over the country. Therefore, on this anniversary of the invasion of Poland and the beginning of World War II, our hearts go out to the Polish people.

Mr. Speaker, I know I speak not only for myself but for many of my colleagues when I express the hope that the Polish people may one day be fully rewarded for the heroism and patriotism they have demonstrated since that fateful day—September 1, 1939.

As the Representative for the Seventh Congressional District of Illinois, where hundreds of thousands of Polish-Americans reside, I speak with pride and appreciation for the outstanding contribution they have made to the growth and development of our great country.

And today, as we in the House of Representatives observe this significant anniversary, we look forward to the day when the fearless, hard-working, and courageous Poles shall once again join the community of free nations and shall enjoy fully the fruits of democracy, liberty, and self-determination which they so richly deserve.

TOM ABERNETHY DAY

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. MONTGOMERY. Mr. Speaker, on Saturday, August 23, the people of the First Congressional District of Mississippi and really the people of the entire State paid tribute to one of our most outstanding colleagues, THOMAS GERSTLE ABERNETHY. On this day in Eupora, Miss., TOM ABERNETHY was honored with his own special day in recognition of his 27 years of service in the U.S. House of Representatives. I was very pleased that many, many of his colleagues sent TOM letters and telegrams of congratulations. These messages were deeply appreciated by TOM, his wife Alice, and their children. The letters and telegrams will be bound for safekeeping. Since I know many of you will be interested in the proceedings on TOM ABERNETHY Day, I would like to include the following article taken from the Tupelo Daily Journal, Tupelo, Miss., of August 25, 1969:

TOM ABERNETHY DAY

(By Mary Jo Latham)

EUPORA, MISS.—A 27-year-old Congressman who recited a poem about "riding away to Washington" when he was six years old was honored here Saturday by residents of his hometown and the First Congressional District.

Rep. Thomas G. Abernethy (D., Miss.) was praised by speakers including Okolona Mayor Dwight F. Blissard and Eupora Mayor Phillip Harrison, Congressional colleagues and President Richard M. Nixon who sent congratulations from "one who had the pleasure of serving with you in the Congress over many years."

About 1,200 persons jammed a tree-lined grove about a mile south of this small Webster County town—where banners across the main streets proclaimed their welcome to Eupora's native son.

Mr. Abernethy sat with his family—wife Alice, daughter Gail and her husband Arthur Doty, and Mr. and Mrs. Thomas G. Abernethy, III and others—on the bunting-draped platform and listened to the speeches.

Then it was his turn. In a husky voice, the long-time lawmaker said, "I don't deserve all that's been said about me here today. I mean it."

"I don't deserve the glory of this day. And I mean it. But I tell you, I appreciate it and I'm going to remember it when I've forgotten all else."

He recalled his boyhood in Eupora when "I came across the stage riding a stick horse and recited: 'I'm riding away to Washington, As fast as may be; If you've a message for the President, Just send it along with me'."

"That may have had something to do with my decision to run for Congress," Mr. Abernethy said.

He spoke also of the changes in rural life during his 27 years in Washington and added, "I'm not claiming credit for those changes, but I am claiming credit for having participated in them."

Mr. Abernethy was introduced by his sixth grade teacher, Miss Mary Billy Miles, who said she saw then he was "a man of loyalty to friends and principle, a man with courage to express those views in a very difficult situation."

The speakers—representing more than 200 years of public service—included Senator John C. Stennis who praised the Congressman's "vigor—he stays on the job and works" and added, "When a person goes to the Congress, he either grows or he swells. Tom Abernethy has not swollen—he has grown year by year."

Senator James O. Eastland singled out Mr. Abernethy as "one of the most effective members in the Congress. For the past twenty years, he has authored or had a hand in passing every single farm program. I think Tom Abernethy is necessary for Mississippi's future."

United States 5th Circuit Court Judge J. P. Coleman, a former governor, recalled the four years he worked "as a hired hand" for Mr. Abernethy and said, "The one descriptive word (for the Congressman) would be service."

House colleagues including Representatives Charles Griffin, G. V. (Sonny) Montgomery and Jamie Whitten also praised Mr. Abernethy for his work along with State Agriculture Commissioner Jim Buck Ross and Hollis R. Williams of the U.S. Department of Agriculture.

Mr. Whitten commented Mr. Abernethy's family—"are not only a credit to him, they are a help to him"—and added "They say a man's works live on after him. Surely its nice to say thank you while he's here to enjoy it."

Mr. Williams spoke of the Congressman's work in soil and water conservation, flood prevention and flood control and quoted a letter from Agriculture Secretary Clifford Hardin praising Mr. Abernethy for contributing "significantly to the re-vitalization of rural America."

Mr. Ross praised his interest in agriculture and agricultural research. "He has championed every bill that has come up on research."

Gov. John Bell Williams and Rep. William Colmer were unable to attend because of commitments on the hurricane-ravaged Gulf Coast but sent telegrams of congratulations.

EXCELLENT ADDRESS ON TAX REFORMS BY EDWIN S. COHEN, TREASURY'S ASSISTANT SECRETARY FOR TAX POLICY

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. CORMAN. Mr. Speaker, since the first of the year, the members of the Ways and Means Committee gave unstintingly of their time and effort in developing the tax reform bill of 1969. House approval of the final measure was overwhelming, and I think that each of us who worked on the bill took some personal satisfaction from the decisiveness of the vote.

But it should be remembered, Mr. Speaker, that through the long days of testimony, debate, research, and drafting, the committee members enjoyed the selfless and expert assistance of two extraordinary men.

One was Laurence N. Woodworth, chief of staff to the Joint Committee on Internal Revenue Taxation. His amazing knowledge of tax issues kept us clear of many pitfalls and allowed us to see clearly and quickly the probable consequences of the many proposals before us.

The other was Edwin S. Cohen, Assistant Secretary of the Treasury for Tax Policy. He was unflaggingly helpful and cooperative, and his informed dedication to genuine tax reform was an inspiration to the committee.

On August 9, Mr. Cohen spoke to the members of the American Bar Association's section of taxation during its annual meeting in Dallas. Mr. Speaker, Mr. Cohen's penetrating analysis of the tax reform bill is excellent. I believe it would be of interest to my colleagues in the House, and I insert his remarks in the RECORD at this point:

REMARKS BY THE HONORABLE EDWIN S. COHEN, ASSISTANT SECRETARY FOR TAX POLICY, AT THE SECTION OF TAXATION LUNCHEON, AMERICAN BAR ASSOCIATION ANNUAL LUNCHEON, AMERICAN BAR ASSOCIATION ANNUAL MEETING, SHERATON-DALLAS HOTEL, DALLAS, TEX., SATURDAY, AUGUST 9, 1969

It gives me great pleasure to appear before the Section of Taxation today to report to you about the activities of the Treasury Department for the past few months in the development of the Tax Reform Act of 1969, which passed the House of Representatives two days ago.

I do so with a nostalgic recollection that a dozen years ago in this city I appeared before this Section for the first time as a committee chairman to urge adoption of legislative recommendations for changes in the corporate income tax field. I hope that by the time we meet again next August, I can report to you that at least some of those recommendations, and others that you have developed and adopted for the improvement of the law, have either become law, or are well on their way to enactment.

I took office on March 11. John Nolan joined us as my Deputy on April 1 and Meade Whitaker as Tax Legislative Counsel on July 1. As you well know from their years of work in this Section, they are most able and dedicated men, and their intelligence and devotion to the task made it possible for the Treasury to respond when the long awaited hour of tax reform was finally at hand.

We presented the Administration's initial, or interim, proposals for tax reform to the Committee on Ways and Means in public session on April 22–24. We stated then that we would formulate additional proposals in specific areas as soon as time permitted. We have been engaged ever since in the development of additional proposals while appearing in almost daily executive sessions of the Committee.

These additional views have been presented to the Committee informally as it took up for consideration the many topics that were dealt with in the public hearings earlier this year, but they have not yet taken shape as official Administration positions. We do hope that in our public appearance

on the bill before the Senate Finance Committee we shall be able to express the Treasury's position on each of the significant areas dealt with in the bill.

As you know, the staff of the Treasury and the Joint Committee on Internal Revenue Taxation both appear before the Committee on Ways and Means in its executive sessions. Dr. Laurence N. Woodworth, the distinguished Chief of Staff of the Joint Committee, and I, together with our colleagues on both staffs, spent many long hours together in reviewing the many problem areas under consideration by the Committee and endeavoring to produce a recommendation to the Committee on which we could jointly agree. The opportunity to work with Dr. Woodworth in these matters was one of the most enjoyable and pleasant experiences of my career at the Bar. I am confident that those of you who know Dr. Woodworth will appreciate why this was so. I am happy to report that time after time we were able, after discussion, to reconcile our views so as to collaborate in a final recommendation to the Committee.

The almost daily sessions before the Committee were always interesting, and the questions asked by the Committee members were penetrating and significant. Both the chairman, Mr. Mills, and the ranking Republican member, Mr. Byrnes, constantly displayed a mastery of the intricacies of the tax law. Their wealth of experience in the field is a major source of strength to the Committee—and even more important—to the country. The debates were vigorous, and it was particularly gratifying to see that the subject of tax reform was approached in an essentially nonpartisan atmosphere. I cannot recall a single vote which was taken on party lines. While there was necessarily division of opinion on many specific important issues, the effort to achieve tax reform was clearly a bi-partisan one, and I believe it will continue to be so in the Senate.

I think the Tax Reform Bill provides major improvements in the tax structure. The Low Income Allowance, which we proposed in April, will at a cost of only $625 million—less than one percent of the individual income tax revenue—remove from the tax rolls virtually all persons who are below the poverty level standards set by the Department of Health, Education and Welfare. This means that some five million income tax returns, which would presently require payment of a tax, will be made wholly untaxable, and some 7 million additional returns in the low income group will bear a reduced rate.

There is one aspect of this proposal which may not have received adequate public attention. In raising to $1,700 the amount of income which a single person must have before he is subject to federal income tax, we will have given a particularly significant aid to students working their way through college, for they now bear a tax of $117 at that level. Since their parents may also retain the $600 personal exemption for the student, a total of $2,300 of income for a working student can be freed of taxation.

Under the bill as passed a further liberalization of the low income allowance in 1971 will enlarge its benefits further up the scale in the low income groups.

The enlargement of the stardard deduction in three stages to raise it from 10 percent to 15 percent and to raise the standard deduction ceiling from $1,000 to $2,000 will provide a major simplification for some 12 million tax returns that now itemize personal deductions. Henceforth all those returns can be filed on the simplified form. At present almost 32 million of the 76 million returns itemize deductions. Thus we are reducing by more than one-third the number of returns that itemize personal deductions.

The bill gives head of household treatment to all single persons over 35 and to widows and widowers of any age. While the principal complaints of single persons under existing law have been with those of individuals who maintain their own household, the difficulty of identifying a household in the case of single persons resulted in the decision to give this benefit to all single persons over 35, particularly since the additional revenue difference was relatively small. Moreover, widows and widowers maintaining households with minor children or with children in college will be allowed to use the joint return rates of tax without regard to the two-year limitation in existing law.

Another innovation in the bill is the topping off of the rates on earned income at the 50 percent level. Many of the devices for conversion of ordinary income into capital gain, and for deferment of income, have been nurtured out of the natural desire of persons who have reached high earned income levels to avoid the burden of very high rates. This they have attempted through participation in ventures that produce current deductions and subsequent capital gains, or in artificial transactions that defer the receipt of income. For example, a man whose earnings reach the 70 percent level is in essence risking only 30 percent of his own money and 70 percent in tax money when he enters into these ventures. By reducing the maximum rate on earned income to 50 percent, such a person will be risking his own money to the same extent that he is risking the tax money, thus significantly reducing the present tendency toward artificial transactions. The successful executive or professional man will be more inclined to concentrate his efforts in the fields in which he is qualified and devote less of his attention to intricate means of minimizing the effect of high tax rates. We think the 50 percent top marginal rate on earned income represents a substantial improvement in the law, particularly when coupled with the many provisions which eliminate or curb existing tax avoidance techniques.

Since the effect of the low income allowance and the increased standard deduction will reduce taxes in the low and middle income brackets, the bill as reported by the Committee provided rate reduction in the brackets starting at $4,000 for single persons and $8,000 for married persons, topping off at a rate of 65 percent instead of the present 70 percent.

The bill removes the 25 percent ceiling rate on long-term capital gains, thus permitting the tax on capital gains to rise to a maximum of 32½ percent (one-half of 65 percent), since one-half of such gains will be taken into income, as under present law. However, under the new rate schedule the effective tax rate on long-term capital gains will not exceed the present 25 percent for a married person until taxable income exceeds $76,000.

It is interesting to note the difference that the tax rate structure in the new bill would have on stock option plans or other programs for producing capital gains rather than earned income. At present an executive can pay tax at a rate up to 70 percent on compensation, but pays only 25 percent on capital gains under some of the stock option plans or restricted stock plans. That represents a spread of 45 points between 25 percent and 70 percent. Under the bill he would pay up to 32½ percent on capital gains but no more than 50 percent on earned income, a spread of only 17½ points. Such changes might have a material impact on executive compensation arrangements.

By Committee amendment after the bill was reported, a further rate reduction in the lower and middle income brackets was given in order to provide a minimum of 5 percent reduction to all taxpayers in the lower and middle income brackets, whether the taxpayer itemizes his deduction or uses the standard deduction. The result is to give a reduction of more than 5 percent to those using the standard deduction and to produce a $2.4 billion loss in revenue in what was, broadly speaking, a reasonably balanced package from a revenue standpoint when the bill was first reported. This revenue loss will have to be considered carefully in the light of the budgetary needs for 1971 and subsequent years.

Another factor that deserves some consideration is the reallocation of the tax burden between corporations and individuals. The largest revenue increase comes from the repeal of the investment credit and other changes which bear more heavily upon corporations. More than $5 billion of the additional revenue raised by the bill will come from corporations and only about $1.3 billion from individuals, almost entirely in the high income brackets. All of the tax reductions are being given in the individual sector and no rate reduction is provided for corporations. Many economists may feel this involves too great an allocation of benefits to consumption and not enough to investment in productive equipment and capacity. Some corporate rate reduction might be useful in the long run, particularly in permitting our American businesses to compete overseas through export operations.

In our public presentation in April, we recommended that the ability of some high bracket individuals to escape completely the sharing of the burden of government be restricted by imposing a limit on Tax Preferences and by requiring allocations of their nonbusiness deductions between their taxable income and their nontaxable income. The Limit on Tax Preferences (or LTP) recognized the fact that the income tax contains preferences designed to stimulate investment in paricular fields deemed especially important as a matter of national policy; but at the same time it recognized that once these preferences are written into the law, they may be used separately or in combination by some individuals so as to avoid completely year after year any obligation to share the tax burden of maintaining the operations of the Federal Government.

The Limit on Tax Preferences seeks to overcome this dilemma, without destroying the preferences, by limiting the use of these provisions in any year to one-half of the taxpayers' income calculated without regard to the preferences. A reasonable balance thus is struck between the advantages to the nation in stimulating investments of certain types and the need for insuring a fair distribution of the Federal tax burden.

The Bill adopts this approach, but in a decision near the end of its deliberations the Committee deleted from the list of preferences percentage depletion in excess of cost and intangible drilling expenses. Certainly one of the important reasons for this deletion was the fact that the Committee had previously voted to reduce percentage depletion on oil and gas from 27½ percent to 20 percent, as well as certain other changes with respect to minerals, and thought it best not to take further restrictive action at this time. Whatever the merit of the other actions taken with respect to minerals, the deletion of percentage depletion and intangible drilling expense from the list of preferences will make it possible for certain individuals engaging in extensive oil operations to continue to eliminate all income tax, despite the continuing receipt of net economic income, through the incentives given in the law to the mineral industry. Even if the Bill as finally enacted reduces the percentage depletion below 27½ percent, these persons will still be able to eliminate income tax entirely if they increase somewhat their expenditures on drilling, whether on discovery wells or development wells, and even though the drilling produces successful wells.

I listened patiently to the complaints of many that the Limit on Tax Preferences, if it encompassed depletion and intangibles,

would substantially mark the end of drilling operations by independent oil operators. I have asked each of these persons to suggest some reasonable alternative that would not seriously affect the industry, but would give to other taxpayers a reasonable assurance that everyone who is prospering from his business shares in the Federal income tax burden to some reasonable extent. We would welcome any suggestions or thoughts that would provide a reasonable solution to the problem. We are not necessarily wedded to any particular formula, but we remain inclined to believe that the Limit on Tax Preferences, with percentage depletion and intangible drilling cost included among the list of preferences, is a reasonable approach.

Aside from the Limit on Tax Preferences and the allocation of production proposals, we have been searching in these last few months for a logical national policy related to taxation of income from natural resources. The natural resources income tax problem is as complex as any in the Internal Revenue Code, and it is not solved, in my judgment at least, by slicing 27½ percent to some lower number.

One of the principal arguments in favor of percentage depletion after the cost of investment has been fully recovered is that it is needed as an incentive in development of our natural resources. If this is true, and I am inclined to think it is true, then we might perhaps insist that the incentive be given only to the extent that the untaxed depletion amounts are plowed back into the development of our natural resources—by further exploration and development of oil and gas wells or of any other natural resources (including timber) or research or development of methods of discovery, recovery or utilization of natural resources from their unprocessed form. Under this concept, qualifying plow-back expenditures would be limited to domestic resources except, under certain conditions, with respect to minerals that are scarce or nonexistent in the United States.

As part of this suggestion intangible drilling costs of successful wells would be deductible with respect to exploration wells but would be required to be capitalized with respect to development wells and amortized as deductions over some specific period no longer than ten years, in addition to the allowance for percentage depletion. Moreover, geological and geophysical expenditures, now required to be capitalized and in effect now lost as deductions, would be allowed.

I emphasize that this is merely one possibility which we have under consideration. In our considerations we would like to insure that that nation gets its money's worth from the tax incentives given, here as well as elsewhere in the tax law.

The Treasury also has put much effort in the past few months in the development of an appropriate tax policy with respect to real estate, beyond the inclusion of excess accelerated depreciation in our Limit on Tax Preferences and allocations of deductions. The Bill passed by the House embodies, in general, most of the conclusions to which we came.

Our study of the real estate problem convinced us that double declining balance depreciation produces an excessive allowance for real estate construction generally, and that the allowance should be no greater than 150 percent declining balance. Nevertheless, with respect to housing, the goal of 26 million housing units within the next decade, set by the Housing Act of 1968, requires some incentives to fill this national need. Important provisions in the Housing Act of 1968 relating to the construction of low and middle income multi-family housing, were built upon the existing income tax incentives, including double declining balance depreciation.

We concluded, therefore, that the double declining balance depreciation should be allowed to remain in the present tax structure with respect to new housing construction, at least until Congress has an opportunity to review the housing program at some future date.

With respect to real estate in the hands of second and subsequent owners, the Bill confines depreciation to straight line. At the same time in order to stimulate the rehabilitation of used housing, it allows five-year amortization of expenditures for the rehabilitation of low-cost rental housing. We believe that these provisions in combination make it less attractive to acquire and hold old housing for the depreciation benefits and more attractive to rehabilitate them into modern desirable housing units.

While further changes in the real estate provisions may still be in order, we believe that the present provisions of the Bill in this regard move in the direction of sound policy.

There has been much interest in the changes that are proposed with respect to contributions to charitable and educational organizations, particularly with respect to contributions of appreciated property. The fact that charitable contributions are deductible on income tax returns has provided a major incentive for private support of public charities and educational organizations in the United States. The Treasury Department earnestly supports the continuation of that policy. At the same time it is clear that some abuses and excesses in the charitable contribution field have developed in which the loss in revenue to the Treasury and the inequity resulting in the tax structure outweigh, in our judgment, the advantages derived by the recipient organizations.

We felt, for example, that the time had come to cut down on the unlimited charitable contribution deduction which relieved a number of wealthy individuals from all income tax obligations. We thought that the privilege of deducting the full market value of property which has appreciated in value but which, if sold, would produce ordinary income, was excessive; but we were inclined to retain the rule with respect to property that, if sold, would produce capital gains. Excessive use of contributions of appreciated property as a means of tax minimization is controlled adequately through inclusion of such transactions in the limit on Tax Preferences and the Allocation of Deductions. I am pleased that the Committee has, in general, followed this course of action with respect to contributions to public organizations and also to private foundations which funnel the amounts to public use.

At the same time that the bill moves to close off some abuses in the contribution area, the bill adopts the Treasury recommendation to increase the allowable charitable contribution from 30 percent to 50 percent of the donor's adjusted gross income, although it does not permit this additional 20 percent to be given in the form of appreciated property.

Taking all of the changes into account, we estimate that there will be a revenue increase to the Treasury in the contribution area, including the effect of the Limit on Tax Preferences and the Allocation of Deductions, in the neighborhood of $100 million. On the other hand, we estimate that because of adoption of a rule we recommended to require private foundations to distribute to public charity not less than five percent per annum of the value of their assets, there will be an increase in funds flowing out of private foundations into public charitable and educational organizations on the order of $200 million. Accordingly, we believe that there will be a net increase in funds flowing into public charitable and educational organizations.

It is interesting to note that, according to our best estimates, some $15 billion a year flows by contributions of various kinds into public charitable and educational organizations, including transfers from corporations and from bequests, as well as from lifetime giving. Our statistical data taken from 1966 income tax returns show that some $9 billion of contributions were deducted on individual income tax returns. Of that amount about $8.3 billion, or about 92 percent, was contributed in cash. Only about 8 percent, or some $760 million, was contributed in the form of appreciated property. By permitting the continuation of deductions of the full value of appreciated capital assets given to public charitable and educational organizations, we believe there will be no significant reductions in contributions from individuals; and the pressure applied to private foundations to cause a reasonable return on their investments to flow into public channels will actually increase the funds available to our public charitable and educational institutions.

There are, of course, many other provisions in this 368-page bill. I have touched only on a few significant areas. As Secretary Kennedy wrote to Chairman Mills, "We believe that the bill is a milestone in tax legislation and will be long remembered as a major advance in achieving an equitable tax structure."

Of course, the bill will have substantial analysis and consideration before the Senate Finance Committee. Again let me say that we earnestly solicit your comments, criticisms and suggestions for improvement of the bill. The Section of Taxation has been a great help in the past in assisting the Treasury and the Congressional staffs, and I look forward to hearing the views of the members on the Reform Bill.

DEMANDS ACTION ON POW AND MIA

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. CHAPPELL. Mr. Speaker, in the Fourth District of Florida which I represent, the people are deeply concerned over the plight of the prisoners of war and the soldiers missing in action, as a result of the war in Vietnam. I share this concern and feel congressional demands on the administration to take action in these men's behalf are in order.

In the State of Florida, some 81 families sit waiting for word so they will know if a loved one is even still alive. Many of these families believe their men are prisoners of war, but failure of the North Vietnamese to release names of prisoners as provided by the Geneva Convention, offers no assurance for this belief. Knowledge of the ill treatment of these prisoners by marching many through the streets, neglecting them medically, refusing Red Cross inspection, and allowing no mail exchanges, has become an intolerable burden for these families to live with and a totally abysmal situation for members of our armed services.

There is intense and rising emotion about this matter in my district, both on the part of those families with members who are prisoners or missing in action, and on the part of many others

who recognize the inhumanity of such treatment.

I urge the administration to consider these men in their negotiation with the North Vietnamese. Nationwide, there are over 1,300 men now listed as prisoners of war or as missing in action. A complete list of their names and a plan for their release must be an integral part of the war settlement.

A SALUTE TO TRINIDAD AND TOBAGO

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. POWELL. Mr. Speaker, August 31 marked the seventh anniversary of Trinidad and Tobago's independence. As we in the United States add our congratulations to the people of these thriving West Indian islands, we are struck by the remarkable progress which they have made in the short period since independence was attained in 1962.

Great strides have been made in both the political and economic spheres. The joint government of the two islands has demonstrated a determination to assert its autonomy and to evolve as the unified and responsive political instrument of all its citizens. Under the able leadership of Prime Minister Eric Williams, a one-time Washington resident and Howard University professor, the cabinet and legislature have provided the major impetus for the continuing economic and social development of Trinidad and Tobago.

The economy of the two islands is thriving as never before. Trinidad's standard of living, now the highest in the West Indies, has been increasing at a fairly steady rate since independence. The production of crude oil, which is the backbone of Trinidad and Tobago's economy, reached a new peak of 67 million barrels in 1968.

Acknowledging the inherent uncertainty in petroleum-based economies as to the extent of potential oil reserves, the islands' far-sighted government has already taken steps to diversify the economy. Wisely distributing its "eggs" among many "baskets," Trinidad and Tobago are actively encouraging new investment in manufacturing, food processing, commercial fishing, as well as in urban renewal and other construction projects. Tourism is also on the rise in these beautiful islands, encouraging considerable foreign investment in resort facilities.

While the islands' political institutions and commercial enterprises have become increasingly sophisticated since independence, these progressive steps toward modernization have not been made at the expense of the unique culture indigenous to Trinidad and Tobago. The 1 million inhabitants of these islands are descendants of a rich variety of racial and ethnic backgrounds whose society has developed as a distinctive and harmonious blend of other cultures. Indeed, a citizen of the country—or his ancestor—may have come from Ireland, Portugal, Lebanon, China, India, Pakistan, East or West Africa, France, Spain, or England, and a full 10 percent of the population hails from other Caribbean lands.

The citizenship of Trinidad and Tobago represents an unusual fusion of diverse peoples whose distinctive cultural traits are not obliterated, but rather are enhanced, in the peaceful integration process. Kenneth Ablack, public relations officer to the Prime Minister, aptly characterized his unusual homeland when he said:

> We are, in fact, what I would describe as an inter-racial—not a multi-racial—society, with a unique, distinct ability to live together.

Harmony arising from diversity is, then, the cornerstone of Trinidad and Tobago's social and economic success since independence. Democracy has proven itself in this unique island community as the type of government most conducive to citizen participation and cooperation. These dedicated citizens have achieved unity through the solid political foundations of representative government and through the common determination to see their nation prosper economically. Dr. William expressed this spirit of cooperation best when he wrote in March 1967, that—

> As a sovereign nation we have succeeded in building a truly democratic society in which our population, drawn from many racial strips and religious persuasions, enjoys equal opportunity and freedom consistent with the widest interpretation of human rights and human dignity. We see our role in the world as that of setting an example of freedom and interracialism.

As we salute the past achievements and future aspirations of those extraordinary island republics, we add our hope that the atmosphere of peace and prosperity will continue to prevail in Trinidad and Tobago and that it will serve as an outstanding example to all other nations of how interracial harmony can be attained through true participatory democracy.

ABOLITION OF FISHERY POSTS INDICATIVE OF LOWLY POSITION OF FISHERIES IN U.S. GOVERNMENT

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. PELLY. Mr. Speaker, a Presidential directive to the departments of the executive branch has ordered a reduction of budgets and expenditures by 10 percent. I am firmly in favor of cutting Government expenses, but not at the risk of losing valuable services.

The loss of three of the four U.S. foreign fishery attaché posts would save money, it is true, but it also would eliminate a valuable service to the American fishing industry, and it indicates the lowly position of fisheries in our Government.

The Tokyo post particularly is important to the fishery resources of the Pacific Ocean and the fishing industry of the United States.

The Tokyo post renders aid on such matters as International Commissions; a wide variety of fisheries, all of which are of great importance to the U.S. fishing industry; the prevention of gear damage resulting from different or competing fisheries on the same grounds; the procurement of oyster seed for oyster industry on the U.S. west coast; fishery advice and aid to Asiatic countries such as Vietnam and South Korea; and fishery intelligence regarding fisheries in the Pacific Ocean and the fishing activities of the Pacific Ocean.

I strongly urge the President to reconsider any cutback or elimination of these offices.

Meanwhile, I call to the attention of my colleagues a resolution from the Pacific Marine Fisheries Commission recommending a department and Cabinet post for marine fisheries. Such a department and Cabinet post would place more proper attention to the U.S. Government on the vital needs of our sadly sagging fishing industry.

I insert the aforementioned resolution at this point of the RECORD. And, likewise, I insert a letter I have written to Under Secretary of State Elliot Richardson requesting that these attaché posts be maintained.

The resolution and letter follow:

RESOLUTION NO. 21, ADOPTED AT ANNUAL MEETING, COEUR D'ALENE, IDAHO, NOVEMBER 22, 1968

Recommending a department and cabinet post for marine fisheries—Whereas, the management of our fishery resources is vital to the future of the United States, and

Whereas, the United States and the world's populations are increasing at a startling rate and will need this food to an increasing degree, and

Whereas, the fishery is a major and vital industry supplying employment and recreation to a significant segment of our population, and

Whereas, there are many agencies concerned with fishery policies, and

Whereas, the United States should regain its position as a leader in the world's fishery,

Now, therefore, be it resolved, that the Pacific Marine Fisheries Commission urge the Congress and the President of the United States move to regain the United States' position as a leader in the world's fishery by creating a new department and cabinet post for marine fisheries to deal with those matters which are beyond state jurisdiction.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 3, 1969.

Hon. ELLIOT RICHARDSON,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: It has come to my attention that the Department of State has under consideration a reduction in overseas personnel that would eliminate three of the four fishery attache positions now in operation. While my constituents in the Northwest are particularly concerned about the Tokyo post, may I also object in the strongest terms to the elimination of any of these posts.

The fishing industry has its grievous problems not the least of which is the influx of imported products in ever-increasing number. One of the important functions of these attaches has been to keep in touch with industry interests in the country or countries

to which they are assigned and to relay information to both government and private interests in this country. In this way we have been made aware of moves made by fishing interests in other countries which might threaten the livelihood of our own industry.

Our Tokyo attache has kept the West Coast informed of new fisheries contemplated by the Japanese, and of moves by South Korea, Taiwan, and Russia in certain areas now fished by Americans and Canadians.

The Mexico City attache has kept our shrimp industry informed about trends in the area of Central America. I might add that had the Lima position not been abolished last year, it would have been of great value in the recent difficulties with Chile, Ecuador, and Peru.

Our Abidjan, Ivory Coast attache has perhaps a greater responsibility than any of the others, although his area is not presently the most prominent one. The fishery problems along the Ivory Coast have grown increasingly complex as more tuna and shrimp interests have been moving into the Gulf of Guinea. Russia and Japan have already signaled their intentions to enter these waters on a full-scale basis. In light of these developments it is imperative that we establish and maintain firm and long-lasting friendships with both the governments along the Ivory Coast and those involved in fishing off the Coast.

The Fishery attache program, which was scheduled to involve eight posts by 1970, was cut by one-third last year. Now it is threatened by a 75 percent cut if all three posts are abandoned. It is my understanding that the President called for a ten percent cut in overseas assignments. Even one man taken from this skeletal program means a 25 percent cut.

Certainly with several hundred agricultural attaches, a dozen or more labor, commercial, and science attaches, we can afford the $200,000 or so it costs to maintain the four fishery attaches and their families for the benefit of the many thousands of men and women involved in the fishing industry of the United States.

As I am sure you are aware, Mr. Secretary, 70% of the fish consumed today is imported and our domestic industry is threatened with destruction. In this connection either we impose economic sanction or negotiate with fish producing nations so that reasonable solutions can be worked out to share fairly in the growth of American consumption of fish products. In this respect a fishery attache can serve a very useful purpose.

I would be glad to discuss this matter with you, and I urge your full consideration of the effect the contemplated move would have on this centuries-old industry before any decision is made.

Sincerely,

THOMAS M. PELLY,
Representative in Congress.

ROTC—WELLSPRING OF LEADERSHIP

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. NICHOLS. Mr. Speaker, the August issue of the VFW magazine contains a very excellent article entitled "ROTC—Wellspring of Leadership." This excellent article was written by Gen. William C. Westmoreland, Army Chief of Staff.

As one who is vitally interested in seeing this program continued on our college campuses, I was pleased to note General Westmoreland's strong support for ROTC. I know that many of our colleagues also share an interest in this important matter and I recommend to them the following very fine article by General Westmoreland:

ROTC—WELLSPRING OF LEADERSHIP—CITIZEN-SOLDIER CONCEPT STRENGTHENS AMERICA

(By Gen. William C. Westmoreland)

One of our nation's outstanding soldiers recently assumed the duties of Deputy Commander of the Military Assistance Command, Vietnam. He is Gen. William B. Rosson, former Commander, First Field Force, Vietnam, and holder of the Distinguished Service Cross—our nation's second highest award for valor. Gen. Rosson is a graduate of the University of Oregon.

In Paris, another distinguished soldier was recently assigned by President Nixon to be military advisor at the Paris peace talks. He is Lt. Gen. Fred C. Weyand, former Commander of Second Field Force, Vietnam, and also a holder of the DSC.

This soldier-diplomat is a graduate of the University of California.

In the Pentagon, two other eminent soldiers occupy two of the highest positions on the Army staff. One is the Assistant Vice Chief of Staff, Army Lt. Gen. William DePuy, twice winner of the DSC, former Commander of the 1st Infantry Division, and a graduate of the University of South Dakota. The other is the Chief, Office of Reserve Components. He is Lt. Gen. William R. Peers, three times recipient of the Distinguished Service Medal, former Commander of First Field Force, Vietnam, and a graduate of UCLA.

These officers—as well as 148 other general officers currently on active duty and serving in various positions of national trust and great responsibility—are all ROTC graduates. They are products of a college pre-commissioning system which throughout the years has produced officers of the caliber of Nobel Peace Prize winner Gen. George C. Marshall and former Army Chief of Staff, Gen. George Decker. They have left their mark on the pages of history. Such men have contributed much to the progress of this nation—not only in the area of national defense, but in the diplomatic arena of international affairs.

Where did these soldier-statesmen get their start? First, they came from average American homes throughout our nation and matriculated through normal primary and secondary school systems in their home areas.

The next step was an adventure in independence and decisionmaking as college students. In college they met new challenges as they were introduced to the environment of group living and associations with other young people from varying backgrounds. This was the start of a liberal education that would prepare them for a life of leadership.

During their college years each of them was favorably influenced by the Professor of Military Science and members of his staff, or they probably would not have completed ROTC. Their wise decision to become ROTC cadets set them on their way to heights of personal achievement in the service of their nation. Earlier they had recognized the value and satisfaction to be gained from careers in public service. They saw the advantage of competing for a commission as an Army officer, while concurrently completing the requirements for a baccalaureate degree.

This year more than 16,400 young men like them will raise their hands and recite the oath of allegiance to the United States—an oath which will start them on one of the most developmental phases of their lives. Perhaps among that number is another George C. Marshall. We can be certain there will be many who will make their mark in history. We know the vast majority will serve with great distinction. Most of them will return to civilian life better equipped to accept the reins of civilian leadership in their own communities.

There is good reason for the success of the ROTC program throughout the years. Looking at the past, we can see that the concept of ROTC is fundamental to our national philosophy. ROTC traces its lineage to the establishment of military training at colleges and universities such as Norwich University in 1819 and Virginia Military Institute in 1839. Later, the Land Grant Act of 1862 provided for military training at state universities in return for land concessions from the federal government.

ROTC legislation enacted in 1916 was conceived as an outgrowth of the philosophy of Maj. Gen. Leonard Wood when he was Army Chief of Staff. General Wood's policy regarding military force structure was one of "reasonable preparedness" to include having the largest possible trained reserve force. Accordingly, a system was created to produce in times of peace a large number of educated reserve officers—officers who could lead troops in times of emergency.

This basic concept of the citizen-soldier has characterized the U.S. Army since the Minutemen of Lexington and Concord took their hunting muskets from over their fireplaces to fight for freedom. The very foundation of our national strength—our Constitution—codified this principle. The Constitution states that "The Congress shall have the power . . . to raise and support armies . . . to provide and maintain a navy . . . to provide for calling forth the militia . . . to execute the laws of the union, suppress insurrections and repel invasions . . ."

With the lessons of European history well in mind, our founding fathers wanted to preclude the establishment of a large permanent military force during times of peace. They wrote the Constitution to embody three principles which have characterized America's armed forces to this day.

First, the concept of "raising armies" envisioned citizen forces which could be mobilized in time of emergency to respond to threats to national security.

Second, the principle of maintaining forces in readiness called for naval forces inbeing that were essential to the protection of the young republic.

Third, the idea of a standing militia conceived of civilian soldiers who were prepared to respond to internal as well as external emergencies.

Superimposed on this conceptual system of military preparedness were sufficient checks and balances within the legislative and executive branches of government to assure civilian control of the citizens' army. The provisions of the Constitution are as valid today as they were in the beginning and they provide our nation with sufficient flexibility to meet any commitments in national security matters.

The machinery established by the Constitution places control of the military in the hands of civilian leadership which, in turn, is responsive to the electorate. The tradition of civilian control of the exercise of military force is a cornerstone of our concept of defense. It is ingrained in the American way of life, and even those who may be called professional soldiers welcome and cherish this tradition; they would have it no other way.

To maintain a healthy military establishment, the Army seeks to preserve a balance between the citizen-soldier and the professional soldier. The objective is to have a continuous movement of citizens in and out of its ranks in order that it may truly represent and identify with the people it serves.

To do this, the Army must draw first upon the complete spectrum of the American population. It must represent every geographical, economic, ethnic and cultural facet of our

society. The leadership of the Army must also represent the cross section of America—drawing upon the diverse disciplines of the American university systems to supply educated and humanizing leadership required to cope with today's challenges.

The Army turns quite naturally for its educated, potential leaders to the wellspring of the nation's knowledge, the American university system. Operating in an on-campus environment, the ROTC program produces officers possessing a variety of civilian intellectual backgrounds—men with technological, political, economic and sociological skills. These skills are typical of the men needed by the armed forces to carry out the complex missions assigned to them.

The days when wars were fought by military strategy and tactics alone have long since passed. Rather, both the maintenance of peace and security and the waging of war require the skillful blending of all the aspects of national power—political, socio-economic, psychological and military. Leaders today must have an awareness and appreciation of all of these factors, if they are to accomplish the tasks given them.

There is only one source for men with this potential. This is the college campus of America. Here can be found the products of a liberal education—men who have had their vision expanded in the humanizing environment of free academic inquiry to assimilate competently and efficiently a myriad of interrelated matters and place them into perspective.

The Army today is complex, not just because of the demands of advanced technology but because the Army is consistently involved in highly complex situations. Officers charged with leadership of troops and management of national resources are required to cope simultaneously with life and death situations. The nature of these challenges warrants the efforts of our best educated youth. Furthermore, the parents of young Americans expect their sons to be led by the best, an expectation which must be met.

The ROTC program has undergone considerable change since its inception because progressive change is a necessary ingredient of any successful program. The first ingredient is a well educated group of professional people to direct the program. Young officers are assigned to ROTC duty each year. All have baccalaureate degrees. Many have or are pursuing advanced degrees.

Not too long departed from the college campus themselves, these young officers reflect the emphasis placed on education by the Army—an Army which boasts 90-plus% of officers with baccalaureate degrees and over 20% with master's or higher degrees. The youth, ability and integrity of these officers enable them to identify with the students they help teach. They are respected by the cadets who see in them the personification of American youth with all its confidence and vigor.

They are forthright, enthusiastic, personable and decisive. They have their eyes on the future and can be counted on to give straight, honest answers. They think for themselves as progressive American young men. They are available to the ROTC cadets for valuable advice and counsel. These officers also contribute to the academic community. Together with their families, they enter into civic, religious and academic activities. These articulate, dependable and compassionate professionals are a most magnificent group. They are dedicated to the development of the young men who learn in their classrooms—to their development as good American citizens.

Still another ingredient of the vigorous ROTC on-campus program is a flexible approach to academic matters. ROTC curriculum need not be stereotyped. To keep pace with the changing academic scene, revisions have been made. The Army's current curriculum concepts will bring an additional measure of flexibility to the program. This curriculum recognizes that the mission of the ROTC is to obtain college graduates who have the potential to become quality officers.

Greater emphasis will be placed on specific academic subjects within a core curriculum. Some students in selected disciplines may be required to carry Army-taught professional subjects as an overload. It is certainly not unreasonable to expect students to do this if the reward is proportionate to the amount of work involved. In the ROTC program, it is a commission, the gold bar of the second lieutenant.

The Financial Assistance Program now in its fourth year will graduate the first group of four-year scholarship winners this year. This extremely successful program has drawn the finest high school students to our college and university campuses. These young men are selected on a "whole man" system which evaluates their organizational ability and athletic prowess, together with their scholastic aptitude. It has produced exemplary young college graduates for the officer corps.

The majority of scholarship winners will receive Regular Army commissions and will embark on rewarding and satisfying careers as professional Army officers. As they advance through the junior grades, they will receive additional schooling, both military and civilian. The majority will receive advanced academic degrees. These young men represent the finest qualities of American youth. Their entry on active duty strengthens our junior officer ranks and offers great hope for quality leadership of our Army of the future.

The Reserve Officers' Training Corps has been the saving force in our past. It is the continued hope of the future. Requirements for high-caliber leadership do not diminish with time. The advanced technology and sophistication of our modern-day Army demand that the Officers Corps be continually enriched by men who are worthy of the many challenges of the future.

ROTC has stood the test of time and it has grown to the point where it is the major source of commissioned officers for our active Army. As we march toward the 21st Century, we look to this viable program to continue to provide the leadership—both military and civilian—that our great country has always surfaced from the mainstream of its civilian society.

PAKISTAN INDEPENDENCE DAY

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. POWELL. Mr. Speaker, soon after the last war, in July 1947, Great Britain granted India's independence. The Pakistani people constituted their own state and proclaimed their own independence on August 14 of that year.

The Islamic Republic of Pakistan is among the largest postwar states, with an area about 365,000 square miles and population nearly 120 million. Pakistani leaders have shown maturity and agility in guiding the destiny of their country. And they have been rather successful in their effort to reconcile certain unruly tribal groups in the country. The country's economy has been fairly well balanced, partly thanks to the financial aid of the United States. U.S. aid has been significant in bolstering up Pakistan's defenses. At the same time, Pakistan has shown diplomatic adroitness in obtaining aid also from the Soviet Union.

Recently there have been drastic changes in the government of the country, and for the present it is ruled by a military group, which seems to have considerable public support. The country's long-time leader, Ayub Khan, has retired, but his successors appear to be capable of coping with Pakistan's domestic and foreign problems.

We wish the Pakistanis peace and prosperity in this their 22d year of independence.

THE UNIVERSITY OF TENNESSEE TO OBSERVE ITS 175TH ANNIVERSARY

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. DUNCAN. Mr. Speaker, a very important anniversary will be celebrated next week in Tennessee. The University of Tennessee will observe its 175th year, and its 100th year as a land-grant institution, on September 10.

In 175 years the University of Tennessee has grown into the 22d largest institution of higher education in the Nation and the third in the Southeast. The theme of this anniversary observance is "Distinguished Past—Dynamic Future," and at this point I include in the RECORD a very interesting summary statement on UT's development by President A. D. Holt:

ANNIVERSARY YEAR

September 10, 1969 marks the beginning of an auspicious year for The University of Tennessee. On that date the institution will launch the observance of its 175th anniversary. For double measure, the 100th anniversary of the University's designation as Tennessee's Federal Land-Grant Institution will also be celebrated.

In the academic world, these two anniversaries place The University of Tennessee in a unique position. It is the 28th oldest institution of higher education among the 2,300 colleges and universities in America. Moreover, it is one of only 68 Federal Land-Grant Institutions of the nation, and one of only 30 holding both that responsibility and the position of the official State University.

But, more important, these anniversaries signify the intimate relationship of The University of Tennessee to the history of the Volunteer State. Created two years before Tennessee attained statehood, the University has contributed to the progress of the state from frontier days to the present era of space exploration. On the one hand, the institution has offered Tennessee youth educational opportunities for fruitful and satisfying careers; on the other, it has provided professional and vocational specialists as well as the research and public service programs required for a forward-moving state.

"Distinguished Past—Dynamic Future" is the theme of the University's 175th anniversary. This phrase reflects a well-earned pride in the institution's history and a dedicated confidence in its goals ahead. Following are some of the University's distinctive achievements which give substance to the anniversary theme:

1. UT has grown into the 22nd largest institution of higher education in the nation, and the 3rd largest in the Southeast.

2. The broad development of UT's pro-

grams of study to encompass 20 colleges and schools and 308 degree programs, from the bachelor's to the postdoctoral level, has placed the institution among the nation's leaders. In the broadening of its instructional programs, UT has become an outstanding graduate study and research center.

3. UT has an eminent faculty, including scholars who are internationally recognized in their specialized fields. The University was one of the institutions selected to receive a national "Centers of Excellence" grant.

4. UT's library, containing more than a million books, ranks with the top 50 of the nation.

5. The phenomenal growth of UT's physical plant has won national attention because of its attractiveness and diversity, and has helped advance the prestige of the University as well as its capability to serve growing enrollments and the educational objectives of faculty and students.

6. UT's student body has earned special praise because of its high character and responsible deportment during the recent period when a number of college campuses were struck by disruptive behavior of students.

7. The prominence of UT's alumni, who hold positions of high responsibility and leadership in all fields of endeavor, has reflected great credit upon the institution. UT now has approximately 130,000 alumni throughout the state, nation, and world.

8. UT's athletic teams in all collegiate sports have been highly successful and have focused favorable national attention upon the institution.

Even with its impressive past, the University must continue to move forward in response to the rising needs of the state. A striking example will be the establishment of the UT at Chattanooga campus, created by a merger with the University of Chattanooga.

The challenges and opportunities that are already unfolding will offer the University a promising and dynamic future. As a new state-wide organization of higher education, with academic campuses and other centers in all regions of Tennessee, the institution possesses the resources to build and maintain pre-eminence in its programs of instruction, research and public service. In this manner UT will contribute more richly to the advancement and dynamic future of the State of Tennessee.

To stay in the forefront of rapidly changing times, UT must continue to offer the best possible undergraduate, graduate, research and public service programs. Its Knoxville campus, which has operations throughout the state, must offer strong undergraduate courses, and should give increased attention to graduate, professional, research and public service activities for both the rural and urban populations of the state. Its Medical Units campus at Memphis must continue its development as one of the nation's leading medical centers—in teaching and research. Its campus at Martin must continue expanding in the undergraduate fields, and also in some graduate studies, to serve the people of the region. Its new campus at Chattanooga must develop as an outstanding metropolitan institution in both undergraduate and graduate programs. And its programs at the Nashville Center, the Memphis Center, the Kingsport Center, the Space Institute, the Oak Ridge Graduate School of Biomedical Sciences, and the state-wide operations of the Government-Industry-Law Center must continue their progress for the full realization of their great potentialities.

As The University of Tennessee observes its 175th year—its 100th as a Land-Grant Institution—the past will be recognized but the future will be emphasized. A special University committee chaired by Vice President Edward J. Boling is coordinating a series of events to commemorate these anniversaries, which officially begin with a Founder's Day program at Knoxville on September 10, 1969—the birthday of UT's earliest predecessor.

THIRTIETH ANNIVERSARY POLISH ENSLAVEMENT

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. MADDEN. Mr. Speaker, this week, and particularly September 1, marks the 30th anniversary of the invasion of the then free nation, Poland, which sparked the start of World War II. At that time the world little realized what the immediate future held for millions of people in their own free democracies then enjoying self-government, prosperity, and peace.

Stalin and his Communist forces at that time, aided and abetted by Hitler and his Nazi stormtroopers, proceeded on their ambitious program to not only wipe out freedom in Poland, but to eventually enslave all the nations of Europe, and with the aid of the Japanese war machine, their ultimate goal was to conquer the world and inflict atheistic communism on all mankind. Although the freedom-loving Polish people fought valiantly they were so vastly outnumbered victory was impossible, and millions of patriots and lovers of self-government were massacred or transferred to Siberian slave labor camps and robbed of their liberty and national freedom which they so valiantly won during and after World War I.

It is very fitting and proper that our Nation and all free nations throughout the world be reminded of the methods and barbarity used by the Communist dictators during those dark days of aggression.

The people of America have not forgotten, and should never forget, the great contribution Polish patriots and Polish leaders contributed back in our Revolutionary time in order to bring about American independence and establish our own free republic. Future Polish generations not only descendants from the pioneers of our Revolutionary period, but millions of Poles in their homeland and those who emigrated to our shores, have always fought and supported our land, during our intervening troubles, since the days of George Washington. We should never forget that, although Poland and other lands are under the dominations of Communist slavery, the spirit of human freedom never dies, and that tyranny and enslavement cannot exist permanently.

War-like rumblings and bitterness now existing between the two world Communist giants—the Soviets and the Chinese—no doubt will soon be engaged in mortal combat. That day may arrive sooner than many world leaders now predict. No doubt the system of government under tyranny now inflicted by the Soviet Communists must eventually capitulate. When that time comes Poland and other enslaved nations will again restore freedom and self-government within their borders.

It is up to our own Nation and other free nations to keep the world alerted and the younger generation informed as to the methods used by the Communist tyrants in enslaving free peoples in the past. The battle for freedom for all humanity must not cease and present and future generations should continue to fight tyranny and slavery in order to preserve the future for all humanity, including the nation of Poland whose anniversary of attack 30 years ago should be brought to the minds of the youth all over the globe in order to protect liberty and humanity in the future.

Mr. Speaker, I include with my remarks a letter from the Palo Alto Times, Palo Alto, Calif., August 12, 1969, which was submitted to me by Julius Epstein of 2120 Ash Street, Palo Alto, Calif. Mr. Epstein was one of the active supporters of and contributed great service to the success of the special congressional committee that was authorized in the 82d Congress to investigate and expose the real truth regarding the Katyn Forest Massacre, which was part and parcel of the Soviet Communist attacks in the winter of 1939–40 to enslave Poland.

The special congressional committee not only held hearings in the United States but also in London and on the European Continent, the testimony of which was publicized throughout the globe. The massacre of almost 15,000 Polish intelligentsia was committed by Stalin and his fellow murderers in order to prevent future leaders from reestablishing Polish independence and self-government.

The letter referred to follows:

MEMORIALIZE KATYN MURDERS

EDITOR OF THE TIMES:

April and May 1970 will mark the 30th anniversary of one of the greatest crimes in modern military history: The Katyn Forest Massacre of more than 4,000 Polish officers, prisoners of war in Soviet camps.

The more than 4,000 Polish officers found in the mass graves at Katyn, USSR, constitute only a part of the more than 15,000 Polish officers murdered by Stalin and his NKVD. At Katyn, only those Polish officers were massacred who came from the Soviet POW camp at Kozielsk. The remaining 11,000 were killed in the vicinity of their camps, Starobielsk, Ostashkov as well as in the White Sea where they had been put on barges which were sunk by the NKVD.

The American Congress spent almost two years investigating the Katyn Massacre and—to a certain degree—the murder of the remaining 11,000 Polish officers whose bodies have not yet been found. Their mass graves are only known to God and the Kremlin.

The Select House Committee to Investigate the Katyn Forest Massacre (Chairman: Ray J. Madden of Indiana) which held hearings in 1951 and 1952 in the U.S. as well as in Europe proved beyond any doubt that Stalin and his NKVD had murdered 15,000 Polish officers who had been prisoners of war in Soviet camps.

The 30th anniversary of the Katyn Massacre should be commemorated by the American people.

I, therefore, submit the following suggestions:

1. A national gift from the American people to the Polish people in form of a monument to be erected in Warsaw with the sole inscription "In memory of the 4,243 Polish patriots murdered at Katyn, USSR."

2. An international Katyn conference to be sponsored by one of our universities. Among the guests to be invited to address

the conference should be General Anders and the seven former members of the American Select House Committee to Investigate the Katyn Forest Massacre.

3. A Katyn exhibition which should display the documents and literature proving the Soviet crime, photographs of the open mass graves at Katyn, the seven volumes issued by the congressional committee which investigated the massacre.

4. The issuance of an American Katyn Memorial stamp.

Palo Alto.

JULIUS EPSTEIN.

A SALUTE TO SENEGAL

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. POWELL. Mr. Speaker, on August 20, a former French colony in West Africa—Senegal—celebrated the ninth anniversary of her independence. During the past 9 years, Senegal has made commendable efforts for growth and progress, and it is with pleasure that I salute her on this independence day.

The French landed at what is now the town of St. Louis in 1633, and found a fertile, mildly tropical land. The indigenous population was predominantly Moslem, and still is, despite the determined efforts of Catholic missionaries. As there was a good harbor, the French decided to claim St. Louis. Through conquest or persuasion, the French expanded and claimed more territory, creating the area now known as Senegal.

Senegal, in fact, was one of the more fortunate colonies, and received many benefits from the long French stay. The French policy of assimilating colonial peoples into the French culture was carried out to the greatest extent in the colony of Senegal. The results were numerous: high quality education for many Senegalese, the introduction of the peanut plant—now the most important crop in the economy—the introduction of a monetary system, and so forth. In certain sections of the colony, the Senegalese held partial citizenship status, which gave them rights not normally available to colonial peoples. A limited form of political representation was granted, allowing Senegalese delegates to participate in France's National Assembly. The French system of education was the inspiration for the University of Dakar, now the finest university in West Africa. The long French presence also encouraged the development of a relatively large, knowledgeable urban population, and was instrumental in the creation of the good port facilities at Dakar.

Thus when Senegal became independent, she started from a level to which other newly independent nations were and still are aspiring. In a land somewhat lacking in natural resources, Senegal has been fortunate to have an abundance of human resources. She has used those resources to implement many programs in education and agriculture. One of the most interesting programs that Senegal has tried has been the "animation rurale" program. Under this plan, young people from the rural areas, after training and education, go back to their villages and set up educational and agricultural programs—a Senegalese form of the Peace Corps.

Senegal has tried to encourage foreign investment, and develop her industry. Her fishing industry is especially promising for future growth. In agriculture, Senegal is introducing new methods of cultivation, and new crops, such as rice. The introduction of new crops is of great importance, for peanuts are now Senegal's main source of revenue. The crop diversification program should go a long way toward lessening Senegal's dependence on the peanut.

One other way that Senegal has been extremely fortunate has been in the quality and caliber of her leaders. Foremost of these is, of course, the President, Leopold Sedar Senghor. Senghor is an astute politician and leader, but he is perhaps better known for his intellectual achievements, as the author of the concepts of "Negritude" and "African Socialism." He has also been instrumental in keeping Senegal peaceful, stable, and forward moving. Senegal indeed has a leader that she can be very proud of. I am happy to extend my best wishes and congratulations to Senegal and her people, and wish them much success in the years ahead.

COTTON FARMERS LOSE MARKETS TO TEXTILE IMPORTS

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. NICHOLS. Mr. Speaker, those of us from cotton-producing States continue to be concerned about the seemingly ever-increasing cotton imports which are coming into this country from Japan and other foreign markets.

These imports are hurting our domestic mills, but equally as important, they are hurting the American farmer. In the last crop year alone, imports accounted for almost equivalent of 1 million bales of cotton.

But the effect of these imports goes even further, since it means that less agriproducts such as tractors, insecticides, fertilizer, and farm machinery will be purchased.

In the early months of this administration, the cotton industry was encouraged by the action of the Honorable Maurice Stans, the Secretary of Commerce. There is much evidence to indicate his concern through his recent visit to Japan in which he pointed out the necessity for effecting voluntary quota restriction by the Japanese Government. The industry is watching closely in hopes that the Japanese delegation, scheduled to visit our country later this month will explore this request in much detail. The American textile industry, the cotton producers throughout the Cotton Belt from Virginia to California, and the U.S. Congress are going to be insistent that these reductions be effected. Should they not be forthcoming on a voluntary basis, I have the definite feeling that legislation will be backed in both Houses to correct the import situation which has long since gotten out of hand.

The August issue of the Progressive Farmer magazine carried a very timely article by Dr. Eugene Butler, their editor in chief, which I believe my colleagues will find of interest. It points up in a very cogent way the loss of markets from these foreign textile imports.

The article follows:

COTTON FARMERS LOSE MARKETS TO TEXTILE IMPORTS

(By Eugene Butler)

Most folks know that manmade fibers are giving cotton fits in the marketplace. But many growers do not realize that cotton grown in other countries and imported into this country as textiles is also capturing many of our domestic markets.

Our imports of cotton as textiles have grown from 225,000 bales in 1956 to 970,000 bales in 1968. And there is every indication that this upward trend will continue in the future. So strong is the competition from manmade fibers and cotton textile imports that U.S. textile mills are expected this season to use 750,000 bales less cotton than last. And this is happening at a time when consumption of textile fibers is increasing. There was an 8% increase last season.

An import quota system has been in effect for cotton textiles since 1961, but it obviously needs to be strengthened. There are no quotas on wool textile imports, which have also been increasing rapidly. Both cotton and wool producers are seriously affected by textile imports made from manmade fibers, and these, with no quota restraints, have been rising the fastest of all in recent years.

It is this situation that led President Nixon on March 4 to state that while he favors freer trade, it is necessary to work out voluntary restraints on textile imports.

Cotton is an important export crop. And cotton's export marekt is of vital importance to U.S. growers. They would be extremely foolish if by limiting cotton textile imports, they destroyed even more valuable markets abroad. These markets could be destroyed if, in selling abroad, we refused to accept the competition of reasonable imports in the form of cotton textiles. But it is simply not reasonable to let these imports absorb all the increase in our domestic consumption and even force the consumption of our own cotton by our own textile industry into a decline. Yet this is what is happening.

In spite of cotton's well documented case, there is strong opposition to curbing cotton as well as other textile imports. The U.S.-Japan Trade Council, for example, claims that there is no economic excuse for them. It insists that the domestic textile and apparel industries do not need voluntary import quotas of textile imports because their sales and profits as well as employment, are at high levels.

Apparently the Council has overlooked the effect of increasing textile imports on the fortunes of U.S. cotton and wool producers. They, too, have a vital interest.

Imports of raw cotton have been held quite low by quotas since 1939. But cotton produced in other countries that enters this country as textiles can capture markets from U.S. cotton just as effectively as imports of raw cotton.

According to Dr. M. K. Horne of the National Cotton Council, 10 countries have been responsible for more than three-fourths of our cotton textile imports during the past three years. Depending on how you figure, says Dr. Horne, these countries obtained only 13½% to 23½% of their cotton from the United States. This means that every time we export 135,000 to 235,000 bales to these

10 countries, they send back into the United States cotton textile products that take a million bales off our markets. Obviously, this is a bad deal for U.S. cotton producers.

We sell lots of cotton to Japan, and she in turn exports to the United States a large volume of cotton textiles. Do voluntary cotton textile quotas cause Japan to buy less cotton from us? There is little evidence that our import policies, as long as they are reasonable, will have much to do with Japan's cotton purchases. Japanese textile people will continue buying their cotton where they can get the best deal as to price, financing, etc. Next to the United States, Mexico supplies Japan more cotton than any other country. Yet Mexico buys little cotton textiles, if any, from Japan. And according to Dr. Horne, the other countries from whom Japan buys cotton have incomparably stricter import controls than the United States. And, as Dr. Horne points out: "If our textile imports really did affect Japan's cotton purchases, she would be buying more cotton from us now in view of the fact that we buy more of her cotton cloth than the world's 20 next largest cotton-growing countries combined."

At the end of World War II, much of the world, including Japan, was economically prostrate. To help these troubled nations get on their feet, the United States led the world in the liberalization of its trade policies. Our trade policies, our economic aid, and our military expenditures had much to do with Japan's marvelous recovery. From a trade deficit of $500 million as recently as 1961, her favorable trade balance has grown to $2½ billion. While Japan deserves much credit for the energy and ingenuity that has made it a dynamic power in world trade, it owes much to the United States. Much of her strength stems from the fact that she has had little military expense since the war. At tremendous cost to ourselves, we have defended her interests in that part of the world. And, as Dr. Horne emphasizes, these military efforts of ours are one prime reason today for the inflation that has weakened our trade position and invited imports from every corner of the world.

Whether textile import quotas, or for that matter quotas on any import, are good or evil depends on their reasonableness. If they unduly shut off competition by stifling international trade, they are undoubtedly bad. But a cotton textile quota that not only gives imports a fair share of our present textile market but provides for an expanding share of a larger future market—is the essence of fair dealing and common sense. In view of the critical market position of U.S. cotton, it is simply not reasonable to let textile imports absorb the increase in our domestic market.

CANADIAN THANK YOU TO AMERICA

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. PELLY. Mr. Speaker, in these days of world dissension it is rewarding and gratifying to find a letter as I read in the Seattle Post-Intelligencer during the congressional recess. This letter was written by Patricia Young of Vancouver, British Columbia, and it states the message far better than I. Mr. Speaker, I insert the letter at this point in the RECORD:

CANADIAN THANK YOU

Permit me, a Canadian, to express a long overdue "Thank You America"—not only for putting a man on the moon, but for almost two hundred years of contributing to the betterment of mankind. For the airplane, radio, cotton gin, phonograph, elevator, movie machine, typewriter, polio vaccine, safety razor, ballpoint pen and zipper!

No other land in all the world has, in so brief a history, contributed so much and asked so little—only that we live together in peace and freedom.

From the days of Washington and Lincoln, you have demonstrated the creativity, invention and progress of free men living in a free society—where ideas and aspirations may be promoted to the extent of man's willingness to work and build a "better mousetrap" with commensurate rewards.

Thank you for upholding the principles and rights of freedom and liberty; for the American Constitution and Bill of Rights and for protecting those rights even when it results in the burning of your flag and the murder of your President.

Thank you for those who helped defend freedom on foreign soil in two world wars—a debt we have been able to pay in small measure by way of some 10,000 Canadian volunteers who stand and fight with you in Vietnam; for the Foreign Aid you give even when your hand is bitten and your motives impugned; for keeping your dignity in the face of insults from nations still wet behind the ears; for your patience with those who seek to steal the world and enslave its people; for keeping your cool even when the Trojan horse mounts the steps of the White House to insolently spew forth its treason.

Thank you for keeping alive the concept of individual liberty and faith in God in a world wallowing in humanistic collectivism.

For these reasons and so much more, I say: "Thank you America and God Bless you."

PATRICIA YOUNG,
Vancouver, B.C.

A TRIBUTE TO F. PARKER WILBER

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. HAWKINS. Mr. Speaker, right at the heart of the inner city in downtown Los Angeles is the largest vocational training institution in America, Los Angeles Trade-Technical College. After 37 years of dedicated service to occupationally centered programs, the college president, F. Parker Wilber is retiring.

I wish at this time to salute him for his great record and to call attention to the necessity for increased quality vocational education.

As President Wilber says:

We are only now just scratching the surface in meeting the needs of vocational education both nationally and here at Trade-Tech.

Under his leadership the college now offers 90 separate fields of training. He has established advisory committees in every training field and today over 1,000 leaders from labor, business, and industry sit on these committees advising the college for the benefit of the students and the community.

Whereas Trade-Tech is a free public junior college, this cooperation from the private sector has resulted in nearly $2 million worth of equipment being donated.

Mr. Wilber has led the college into the era of rapid technological change. The citizens of Los Angeles have given Trade-Tech the challenge of meeting the expanding needs of the community. Business and industry require an increasing supply of intelligent, generally educated, and vocationally able citizens for the Nation's continued development. Leaders at Trade-Tech contend that automation has created more jobs thus far than have been either lost or dislocated. However, the worker in the present and future will not only have to be generally educated but more flexible and mobile.

The Trade-Tech president has literally preached to the Los Angeles community about vocational training. We should acknowledge the absolute necessity for skilled manpower and that excellence in vocational training is as educationally significant as any academic achievement. We are obligated to get this message across to parents and students if we are facing reality in an educational program.

Finally, we could not salute the president of this great institution without mentioning his concerned leadership in minority problems. More than 50 percent of the 15,000 students are Negro and nearly 15 percent are Mexican-American. Most students on campus come from either an economic or educationally disadvantaged background. Thousands of them have gone on to fine jobs and a full participation in the many benefits of our society. This is a great achievement in these times of crisis in our troubled inner cities.

The community and Nation owe a debt of gratitude to these pioneers like F. Parker Wilber for their dedication to vocational education as it relates to the vital needs of our young people.

APOLLO 11 ASTRONAUTS RELATE THEIR PERSONAL STORIES OF EPIC FLIGHT TO MOON

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. EVINS of Tennessee. Mr. Speaker, as the astronauts prepare for their landing in Washington, it is fitting and appropriate to call attention to their personal narratives of the historic landing on the moon, as published in the current issue of Life magazine.

Neil A. Armstrong, the command pilot, recalls that throughout the journey he and his fellow astronauts—Edwin R. Aldrin, Jr. and Michael Collins—were acutely aware that this Nation's scientific reputation was at stake to a marked degree as the world watched this epic flight.

Astronaut Aldrin describes the sensation of adjusting to the moon's gravity and Astronaut Collins tells of his reactions as he orbited around the moon in the command module awaiting the return of Armstrong and Aldrin in the lunar module.

Because of the interest of my colleagues and the American people in this historic flight, I place herewith in the RECORD the personal accounts of the flight by the astronauts:

THE MOON HAD BEEN AWAITING US A LONG TIME

(By Neil A. Armstrong)

Our goal, when we were assigned to this flight last January, seemed almost impossible. There were a lot of unknowns, unproved ideas, unproved hardware. The LM had never flown. There were many things about the lunar surface we did not know. It remained to be shown that it was possible for the ground to communicate simultaneously with two vehicles up there. I honestly suspected, at the time, that it was unlikely that Apollo 11 would make the first lunar landing flight. There was just too much to learn—too many chances for problems.

Then came the flights of Apollo 9 and 10, which were so magnificently successful. It began to seem that we really would get a crack at a landing. From that point on, preparations became relentless.

We were not concerned with safety, specifically, in these preparations. We were concerned with mission success, with the accomplishment of what we set out to do. I felt a successful lunar landing might inspire men around the world to believe that impossible goals really are possible, that there really is hope for solutions to humanity's problems.

This nation was depending on the NASA-industry team to do the job, and that team was staking its reputation on Apollo 11. A lot of necks had been put voluntarily on the chopping block, and as more and more attention was focused on the flight it became perfectly evident that any failure would bring a certain tarnish to the U.S. image.

We were very conscious of the symbolism of our exploration, and we wanted the small things which go along with a flight to reflect our very serious approach to the business of flying the lunar mission.

The patch we designed was not intended to imitate the great seal of the U.S. It was meant simply to symbolize the peaceful American attempt at a lunar landing. We wanted the names we chose for communication to have both dignity and symbolism—and of course clarity in radio transmissions. The name Eagle was adopted after the patch design had been selected, and was intended to reflect both the theme of the patch and also a degree of national pride in the overall enterprise. The name Columbia is also a national symbol, and a link with the century-old Jules Verne book which turned out to be in some ways an accurate prediction of Apollo 11. But most of all it was a reflection to us of the aura of adventure, exploration and seriousness with which Columbus took his assignment.

After all the preflight preparation, there was actually somewhat less pressure on me during the flight itself. I no longer had a choice, an option, as to how I might best spend my time in training. There was one job to do and, just as with most jobs, once you're involved in it you feel more at ease.

The day of the lunar landing was a long one and there was a lot to do every minute. We got up at 5:30 that morning and touched down about 3:20 p.m. Houston time. Our ignition for powered descent was smooth and right on time. It occurred over the right spot on the lunar surface, the western edge of Mt. Marilyn. We were then flying face down at 50,000 feet and the sighting of Mt. Marilyn plus other position checks indicated that we were going to land relatively close to the carefully selected touchdown area. We weren't going to land on the wrong side of the moon or anything like that. Our landing radar next told us we were at 37,000 feet, just where we expected to be. At about 30,000 feet we began to have computer problems. When the computer is in trouble, it flashes an alarm light and a number. We had simulated a wide variety of alarms before the flight. For the most predictable we had memorized certain procedures. For the more complex ones we had scribbled little notes to ourselves on cards which we attached to the instrument panel. The inflight alarms we got, however, were not the types of alarms that had come up in any of our simulations. They seem to have come from overloading the computer, overworking it, and Mission Control really earned its money right then. They analyzed the problem and the cause and advised us promptly that we could safely override the alarms and continue our descent.

From about 30,000 feet down to 5,000 feet we were totally absorbed in analyzing and dealing with this problem, and checking our instruments. Our attention was thus diverted from the windows and from identification of landmarks outside. The first chance we had to spend some time looking out was from below 3,000 feet. With the close horizon that is characteristic of the moon, it was difficult at that height to see very far ahead. The only landmark we could see was a very large, very impressive crater which has since been identified as West Crater, though we did not recognize it at the time.

At first we considered landing just short of it. That location seemed clearly to be where our automatic guidance system was taking us. By the time we were down around 1,000 feet, however, it was quite obvious that Eagle was attempting to land in a most undesirable area. I had an excellent view of the crater and the boulder field out of the left window. There were boulders big as Volkswagens strewn all around.

The rocks seemed to be coming up at us awfully fast, although of course the clock runs about triple speed in a situation like that. My attention now was directed almost completely out the window, and Buzz was informing me of the important computer and instrument readings. At about 400 feet it became clear that I would have to take over a hybrid mode of manual control—that is, a manual attitude control with a partially automatic throttle. In this mode I was controlling the attitude and horizontal velocity of Eagle, and my commands, in conjunction with computer commands, were operating the throttle. We reduced our descent rate from 10 feet per second to about three.

It would have been interesting to land in that boulder field because I'm sure some of the ejecta coming out of such a large crater would have been lunar bedrock and, as such, fascinating to the scientists. I was tempted, but my better judgement took over. We pitched forward to a level attitude, feet straight down, to skim over the tops of the boulders, and we scanned the surface to the west for a better touchdown area. We looked at several, and I changed my mind a couple of times. One would look pretty good, and then when we got a little closer it would look less attractive. The one we chose was only a couple of hundred feet square, about the size of a big house lot. It was ringed on one side by some fairly good-sized craters and on the other with a field of small rocks, but it still looked as if we could live with it. I put Eagle down there.

I am told that my heartbeat increased noticeably during the lunar descent, but I would really be disturbed with myself if it hadn't.

Eagle flew very much like the simulators and like the lunar-landing training vehicle which I had flown more than 30 times at Ellington Air Force Base near the space center. I had made from 50 to 60 landings in the trainer, and the final trajectory which I flew to the landing was very much like those I had flown in practice. That of course gave me a good deal of confidence—a comfortable familiarity.

During the final seconds of descent, our engine kicked up a substantial amount of lunar dust which blew out radially and almost parallel to the surface, at very high velocities. Normally on earth if you kick up dust it hangs in the air and settles back to the ground very slowly. But since there is no atmosphere on the moon, dust sails away in a flat, low trajectory, leaving a clear space behind it. The dust we kicked up probably still hadn't settled on the lunar surface by the time we landed, but it was a long way away from us and going fast. It was possible to see through it—I could make out rocks and craters—but its sheer motion was distracting. It made it difficult to pick out the translational velocities for a smooth touchdown. It was much like landing in a very fast-moving ground fog.

I was quite concerned about the fuel level at this final stage of descent. The gauges were registering close to empty and we actually were quite close to a mandatory abort in which we would have fired the ascent engine and returned—hopefully—to orbit. But by far our safest and most desirable situation was to go ahead and land. We certainly did not want an unnecessary abort. Despite the low gauge levels, I probably had something like 40 seconds' worth of fuel left at landing. It's always nice when you read "empty" to have a gallon left.

Buzz and I had about 12 minutes of very busy post-touchdown work, and then we could relax enough to have a sense of relief, of elation.

It took us somewhat longer to emerge from Eagle than we had anticipated but the delay was not, as my wife and perhaps some others have half-jokingly suggested, to give me time to think about what to say when I actually stepped out onto the moon. I had thought about that a little before the flight, mainly because so many people had made such a big point of it. I had also thought about it a little on the way to the moon, but not much. It wasn't until after landing that I made up my mind what to say: "That's one small step for a man, one giant leap for mankind." Beyond those words I don't recall any particular emotion or feeling other than a little caution, a desire to be sure it was safe to put my weight on that surface outside Eagle's footpad.

From inside Eagle the sky was black, but it looked like daylight out on the surface and the surface looked tan. There is a very peculiar lighting effect on the lunar surface which seems to make the colors change. I don't understand this completely. If you look downsun, down along your own shadow, or into sun, the moon is tan. If you look cross-sun it is darker, and if you look straight down at the surface, particularly in the shadows, it looks very, very dark. When you pick up material in your hands it is also dark, gray or black. The material is of a generally fine texture, almost like flour, but some coarser particles are like sand. Then there are, of course, scattered rocks and rock chips of all sizes.

My only real problem on the surface was that there were so many places that I would like to have investigated, to find out just what was beyond the next hill, so to speak. I thought I would be able to see the rim of West Crater behind the LM, but the abrupt curvature of the moon's horizon prevented it. I was able to walk out to an 80-foot crater that we had seen and photographed during the final phase of descent.

All the things we left on the moon are pretty well known by now. We were particu-

larly pleased to deposit the patch of Apollo 1 in memory of our friends and fellow astronauts Gus Grissom, Ed White and Roger Chaffee, and the medals that were struck in commemoration of Gagarin and Komarov. I believe that those gentlemen and their associates share our own dreams and hopes for a better world.

I was encouraged in this belief by a telegram of congratulations which was waiting for us in the Lunar Receiving Laboratory when we returned. It began "Dear Colleagues," and it was signed by all the cosmonauts who have flown.

In addition to the things we left on the moon we also carried and brought back some American flags, some first-day covers of the lunar landing, and for ourselves some small flags and medallions which are essentially miniature replicas of our patch. Most important for the rest of the world, we brought back those rock boxes.

In retrospect touchdown was for me the single most striking point of achievement in the flight. Lift-off was the next most striking. I thought quite a bit about that single ascent engine and how much depended upon it. When the moment came it was perfection. It gave us not only a very pleasant ride but it also afforded us a beautiful, fleeting, final view of Tranquility Base as we lifted up and away from it.

My overwhelming impression of the moon as I walked on it and photographed it was that Buzz and I were taking pictures of a steady-state process, a process in which some rocks are being worn down continually on the surface and other new ones are being thrown out on top by new events occurring either near or far away. So that, in other words, no matter when man first reached this spot—a thousand years ago or 100,000 years ago or even a million years from now—it would look generally the same. It would always present the same aspect. The only difference would be that at each period in time man would be seeing slightly different rocks, slightly different surfaces, all influenced by the same processes. From what I saw I believe that most of the processes are external (*i.e.*, things like meteorite impact), but there are materials involved which indicate that there may have been internal processes on the moon at some time.

The most dramatic recollections I have now are the sights themselves, those magnificent visual images. They go far beyond any other visual experiences I've had in my life. Of all the spectacular views we had, the most impressive to me was on the way toward the moon, when we flew through its shadow. We were still thousands of miles away but close enough so that the moon almost filled our circular window. It was eclipsing the sun, from our position, and the corona of the sun was visible around the rim of the moon as a gigantic lens-shaped or saucer-shaped light stretching out to several lunar diameters. It was magnificent, but the moon itself was even more so. We were in its shadow so there was no part of it illuminated by the sun. It was illuminated only by the earth, by earthshine. It made the moon appear blue-gray and the entire scene looked decidedly three-dimensional.

I was really aware, visually aware, that the moon was in fact a sphere, not a disk. It seemed almost as if it were showing us its roundness, its similarity in shape to our earth, in a sort of welcome. I was sure then that it would be a hospitable host. It had been awaiting its first visitors for a long time.

LUNAR DUST SMELLED JUST LIKE GUNPOWDER

(By Edwin E. Aldrin, Jr.)

I am curious to find out just how long those footprints will linger on the surface of the moon. It was a very good surface for footprints. The light, rather powdery material turned out to have considerable cohesion and it compacted easily.

The moon was a very natural and very pleasant environment in which to work. It had many of the advantages of zero gravity in that all movements required a very low application of force, but it was in a sense less *lonesome* than zero-G, where you always have to pay attention to securing attachment points to give you some means of leverage, where you have no sense of up or down and there is no such thing as having any balance. In one-sixth gravity, on the moon, you have a distinct feeling of being *somewhere* and you have a constant, though at many times ill-defined, sense of direction and force. My recommendation to future crews would be to set aside the first of 15 or 20 minutes of their extravehicular activity just to work out, in their own individual ways, the best method of moving and to establish for themselves a confidence level of motion. Our best simulations on earth, the water tank and the one-sixth-G aircraft, are both somewhat misleading. The resistive forces in water are too high to permit any rapid movement, and the experiences in the aircraft are too brief. Trying to remember back to simulations might lead to as many wrong conclusions as right ones, on the moon.

One very interesting thing was that the horizontal reference on the moon is not at all well defined. That is, it's difficult to know when you are leaning forward or backward and to what degree. This fact, coupled with the rather limited field of vision from our helmets, made local features on the moon appear to change slope depending on which way you were looking and how you were standing. The back pack weighs just over 20 pounds on the lunar surface (on earth it weighs 124 pounds), but even that weight tends to pull you backward and you must consciously lean forward just a little to compensate for it. I believe someone has described the posture as "tired ape"—almost erect but slumped forward a little. It was difficult sometimes to know when you were standing erect. I found that determining my position, establishing the center of my own gravity, required leaning from one side to the other to test it.

It feels as if you can lean farther in any direction, without losing your balance, than you can on earth. Neither of us ever fell during our activities. We felt that it would be fairly easy to get down to our knees and then get up again. It was also quite possible to lean over, with just a small amount of support. We dropped one film pack from a camera and fortunately it dropped in close vicinity of the bottom of the ladder, near a footpad. Neil was able to support himself quite easily with one hand on the landing gear strut and lean down and pick it up.

The actual traction under our feet and recovery from imbalance were inferior to that which we had simulated in the one-sixth-gravity aircraft. The surface on the cushioned rubber floor of the airplane was quite stable and traction was easy. On the moon it was more difficult. The depth to which our feet penetrated in this odd, powdery-looking surface varied considerably. In many places we sank only a fraction of an inch, but the rims of some small depression craters seemed to have a deeper soft layer. Our boots actually went in three or four inches. This created a tendency for slipping sideways when the boot finally hit something hard, and we tried to move around as much as possible on level areas, avoiding the little depressions. We also tried to avoid stepping on rocks which looked as if they might move. It was easy to dislodge rocks on the order of six to eight inches; they did not seem to be firmly rooted. I recall one rather large rock, quite flat, which felt slippery. It had dust particles clinging to it, and those plus the particles which clung to the sole of my boots created this slipping tendency.

Never at any time did Neil and I find working there fatiguing; we never felt the need to stop and rest. Naturally we wanted to understand fully the effort required to get back up the ladder into the LM, so before we committed ourselves to lunar work I practiced that slight jump up the last long step. I was a little hesitant at first to apply a lot of force, but after a couple of tries I found that it was in fact quite easy. Near the end it was easy to apply enough force to go several steps up the ladder with one jump.

Technically the most difficult task I performed on the surface was driving those core samplers into the ground to get little tubes of lunar material for study. For such a soft, powdery surface, there is significant and surprising resistance just a few inches down. In no way did this suggest a hard force like a buried rock. It was just a gradual hardening of the subsurface which developed about five or six inches down. Now another surprising thing is that this resistance is not accompanied by a strong supporting force on the sides. I would meet resistance trying to push the core sampler down into the ground, into the subsurface, but that same material would not support the tube on the sides. It kept tipping back and forth from one side to another. Neil and I noticed the same thing when we tried to put the flagstaff in.

What this meant, quite simply, was that I had to hold onto the top of the core tube extension continually while I was hitting it with the hammer to drive it down into the ground. I actually missed once or twice. It wasn't a question of visibility. In bringing the hammer down I tended to disturb my own body position and my balance, as I was leaning over and using the core tube partly to support myself. When a striking motion with one hand disturbed my balance, it made me simultaneously move the core tube. And the hammer missed the top of the extension handle.

One explanation for the strange degree of resistance in lunar material may be that, having already been compressed by the lack of any atmosphere, it has been continually pounded by meteorites. This pounding probably has compacted that lower material much further, to a point where any additional compacting—like that of forcing a cutting tool and tube through it—requires significant applications of force. The material when I finally drew it out appeared to me to have a moist consistency in the way it adhered to the core tube.

It was a unique, almost mystical environment up here. Neil and I are both fairly reticent people, and we don't go in for free exchanges of sentiment. Even during our long training we didn't have many free exchanges. In contrast to that there was a moment on the moon, a brief moment, in which we sort of looked at each other and slapped each other on the shoulder—that was about the only space available—and said, "We made it. Good show," or something like that. I don't believe any pair of people have ever been more removed physically from the rest of the world than we were, nor at the same time so closely bound to it by all people back here who maintained liaison with us and who were so closely involved in helping us get there and back.

We didn't know the President was going to telephone us on the moon until about 10 seconds before it happened. At that point the ground told us to move over in the vicinity of the flag. Then we heard the President. Being able to salute that flag was one of the more humble yet proud experiences I've ever had. To be able to look at that American flag and know how much so many people had put of themselves and their work into getting it where it was. We sensed—we really did—this almost mystical unification of all the people in the world at that moment.

Before the flight Neil and I had discussed the timing of our EVA, and we had the op-

tion—with ground concurrence—of doing it either after a brief sleep period or before. We agreed that splitting up a sleep period was not the most attractive way to program ourselves, and going out early meant a long period without rest. Since we were not tired at that point, we decided to sleep after our EVA. Our success in that was less than optimum. In a word, we slept badly. I had the more advantageous location, on the floor of the LM. Neil worked out a position leaning back against the aft part of the cabin, essentially lying on the ascent engine cover. In order to keep his feet up, he rigged up a strap around a vertical bar so it formed a hammock for his feet. Then he found that the earth was peering at him through the telescope. The telescope was in such a position that it had the earth in its field of view and it was like a big blue eyeball staring right at him.

The thing which really kept us awake, however, was the temperature. It was very chilly in there. After about three hours it became unbearable. We had the liquid cooling system in operation in our suits, of course, and we tried to get comfortable by turning the water circulation down to minimum. That didn't help much. We turned the temperature control on our oxygen system down to minimum. That didn't have much effect either. We could have raised the window shades and let the light in to warm us, but that would have destroyed any remaining possibility of sleeping.

The light was sometimes annoying because when it struck our helmets from a side angle it would enter the face plate and make a glare which reflected all over it. Then when we entered a shadow, we would see reflections of our own faces in the front of the helmet and they obscured anything else that was to be seen. Once my face went into shadow it took maybe 20 seconds before my pupils dilated out again and I could see details.

As we deployed our experiments on the surface we had to jettison things like lanyards, retaining fasteners, etc., and some of these we tossed away. The objects would go away with a slow, very, very lazy motion. If anyone tried to throw a baseball back and forth in that atmosphere he would have difficulty at first acclimatizing himself to that slow, lazy trajectory, but I believe he could adapt to it quite readily.

It was surprising to me how much at home I felt in Eagle because of all the simulations we had done back at home. The view of the moon from the surface and the EVA itself have much less reality to me now than have those familiar operations inside Eagle. When we looked out the windows for the first time it just looked comfortable. As if you could almost go out in your shirtsleeves and get a suntan out there. I remember thinking, "Gee, if I didn't know where I was, I could believe that somebody had created this environment somewhere out in the West and given us another simulation to work in."

Inside our suits and helmets we could smell nothing on the surface, but when we got back into Eagle and got our helmets off we could. Odor is very subjective, but to me there was a distinct smell to the lunar material, pungent like gunpowder or spent cap-pistol caps. We carted a fair amount of lunar dust back inside the vehicle with us, either on our suits and boots or on the conveyor system we used to get boxes and equipment back inside. We noticed the odor right away.

Then the particles started finding little homes for themselves in the flooring or the suits, rubbing up against things. Once we lifted off again and were in zero gravity we expected to see these particles emerge and float around. We didn't exactly expect a dust storm, but we certainly expected a considerable amount of it floating up from the floor and out of nooks and crannies. Surprisingly, it never did. We were able to go ahead and take off our helmets and gloves without worrying about getting dust in our eyes.

It is difficult for me now to articulate my thoughts about the significance of this flight. On the surface it was three people on a voyage, but it was much more than that. It was more than a team of people and government and industry working together.

Man was destined to land on the moon sooner or later. The challenge has been there ever since man first looked at the moon, and it was inevitable that he would accept the challenge. The symbolism of the flight—of what we were looking for, of what I was interested in—seemed to transcend modern times. I searched for some words, or some symbol, to be representative of man's expanding search. I talked it over with my pastor, the Rev. Dean Woodruff of Webster Presbyterian Church, and we tried to work out on paper something which would have universal appeal. We were never quite able to do it, and I was a little disappointed in this.

I was able to serve myself communion on the moon. At a service at home two weeks before flight time, Dean Woodruff had celebrated a special communion for our flight. After the service, he gave me a miniature wine chalice which I had stowed in the LM with a small amount of bread and wine. Just after Mike had passed over us one revolution after our landing, when we knew we were going to be on the moon for a while, I unstowed these elements and put them on a little table I had in front of the abort guidance-system computer. During my requested air-to-ground silence I then read some passages from the Bible and celebrated communion.

I would like to have observed just how the wine poured in that environment, but it wasn't important how it got in the cup. It was important only to get it there. I offered some private prayers, but I find now that thoughts, feelings, come into my memory instead of words. I was not so selfish as to include my family in those prayers at the moment, nor so spacious as to include the fate of the world. I was thinking more about our particular task, and the challenge and the opportunity that had been given us. I asked people to offer thanks in their own way, and it is my hope that people will keep this whole event in their minds and see beyond minor details and technical achievements to a deeper meaning behind it all: challenge, a quest, the human need to do these things and the need to recognize that we are all one mankind, under God.

I Rattled Around in My Mini-Cathedral

(By Michael Collins)

Trying to cram eight days and nearly 500,000 miles into a couple of columns of print is a formidable job. I saw many things which human eyes are rarely privileged to see. But of all these it was the most wonderful thing to see Eagle coming up from the surface of the moon. I really got excited then because for the first time it was clear that they had done it. They had landed on the moon and got off again.

It was a nice, clear, crisp lunar day, if there is such a thing. The moon didn't look sinister or forbidding, as it can at very low sun angles. But that day, with a high sun angle, it was a happy place. It also was a happy situation, because here was the LM, getting larger and larger, brighter and shinier, and right smack dab where it should have been. All the tricky parts of the rendezvous were over, and now all we had to do was dock and get home.

The computer, of course, had been telling me that everything was going well, but that's a rather impersonal message. It's not any substitute for being able to look out the window and really see Eagle fixed in the reticle pattern as if riding on railroad tracks.

The docking process begins when the two vehicles touch and the probe slides into the drogue. They're held together then by three tiny capture latches, and it's almost like tiny little paper clips holding together two vehicles, one of which weighs 30,000 pounds and the other 5,000. It's a tenuous grasp, To make the combination rigid you fire a little gas bottle that activates a plunger which literally sucks the two vehicles together. At this point the 12 captures latches fire mechanically and you are held together very strongly. That's the hard dock.

Just as I fired the charge on the gas bottle we got a quite abnormal oscillation in the yaw axis. We had 8 or 10 rather dubious seconds then, when I really thought we were outside the boundaries for a successful retract and that I was going to have to release the LM and go back and dock all over again. I could have done it, as there was plenty of fuel. I've heard that I said, "All hell broke loose." I don't remember saying that, but if it's on the transcript of communications, then I guess I did say it.

At any rate I instantly took action to correct the angle and so did Neil in Eagle. Together we returned the two vehicles to an in-line position. All this time the automatic retract cycle was in fact taking place, and we heard a loud bang, which is characteristic of those 12 big latches slamming home. And lo and behold we were docked, and it was all over.

The first thing I had to do then was get the tunnel cleared to remove the hatch and the probe and the drogue and to stow them. Then I floated up into the tunnel to greet them. I could see them both, those beady little eyes, up there in the LM, and it's terrible but I can't remember now which one of them was first to get back into Columbia with me. I met them both in the tunnel and we shook hands, hard, and that was it. I was glad to see them and they allowed as how they were happy to be back. They passed the rock boxes through to me and I handled them as if they were absolutely jam-packed with rare jewels, which in a sense they were.

The flight in general was just beautiful. I was a little surprised by the initial ride on Saturn V. It was rough for the first 15 seconds or so. I suppose Saturns are like people, in a way, no two are exactly the same. Ours seemed very *busy*. It was like a nervous lady driving her car down a narrow alleyway, unable to decide whether she's too far to the left or too far to the right, but she knows she's one and maybe the other. So she keeps jerking the wheel back and forth. I expect that when I examine the data I'll find that my heightened awareness of these tense moments has made me exaggerate outrageously. But that's the way it felt. After about 15 seconds it quieted down and the second stage was absolutely as smooth as glass. It had a sort of ethereal quality. You couldn't believe you had those big engines burning behind you.

Any flight like this is an extremely long, fragile daisy chain of events. The malfunction of any one of thousands of pieces of hardware on the way could ruin the remainder of the mission. Despite the fact that I had great confidence in each individual item of equipment, I was a little pessimistic about our chances to carry the whole thing off. I figured that any chain as long and as tenuous as this had to have a weak link. Believe me, I spent a lot of time before the flight worrying about that link. Could I be it? Could my training have neglected some vital bit of information? Or had I been properly exposed but simply forgetful?

By launch day I was convinced that I had taken all steps within reason to prepare myself, and I hoped that the thousands of others responsible for equipment preparation had done the same. Obviously they had, for the performance of the whole "stack" was nothing short of perfection.

People keep asking me if I was lonely up

there in Columbia while Neil and Buzz were on the moon. I wasn't. I've been flying airplanes by myself for about 17 years, and the idea of being in a flying vehicle alone was in no way alarming. In fact, sometimes I prefer to be by myself.

I knew there were a number of things that could go wrong with the LM and some of them would require a good deal of rescue work on my part, but I really wasn't apprehensive about it. In Columbia I had a happy home. Its construction is almost like that of a miniature cathedral, the bell tower being the tunnel which goes up into the LM. We had to prepare for a possible extravehicular transfer to get the other two back, in case we were unable to dock properly. So I had removed the center couch and folded it up and stowed it underneath the left couch. This created a center aisle that gave me more volume than I needed, and I rattled around in my mini-cathedral, bumping into the nave and transept when I wasn't careful.

I never caught a glimpse of Eagle on the surface of the moon, but I could sometimes hear them. The LM on the surface of the moon is always pointed toward some point on earth and Neil and Buzz could always talk to the ground. But I was whizzing around and around, and out of each two-hour revolution I was on the backside where I couldn't talk to anybody anywhere for over 40 minutes. Then as soon as I came within sight of the earth, I could talk to the earth. But I still wasn't in sight of the LM because it was over the horizon. So on any one pass on the front side I had roughly an hour and 15 minutes that I could talk to the world, but only six or seven minutes when I could talk directly to the LM. Every time I'd come around after a silent period I'd be just like everybody down on the ground, asking, "What did they say? What did they say?"

The quarantine period was a little burdensome. We were really glad to hear that the mice stayed healthy and didn't pick up any moon bugs. I was standing by inside the quarantine area ready to give mouth-to-mouth resuscitation or anything else to keep them alive. I had always hoped that after the first landing they would decide quarantine isn't necessary, but I understand that it will continue at least for the first three or four landings.

From 60 miles up the moon changes color as the sun angle changes. As you go around you have dawn and then midday, dusk and darkness, and the cycle repeats each revolution. When you come over the area by dawn and by dusk, when the sun is slanting off the lunar surface at a very shallow angle, it is truly a gray world. The grays go from absolute pure black through charcoal gray to slate into light gray. That's what the crew of Apollo 8 reported. Apollo 10 thought it was brown. As you report the lunar noon, midday, with the sun at a high angle, brown it is. It changes from gray to brown and then back to gray again, so we were able to avoid contradicting either crew.

On my only previous space flight, Gemini 10, I was so busy that I couldn't even stop to register the amazing fact of being outside, floating around on the end of a tether. My attention was 100% riveted to the task to be done. This time, during the quieter moments of the flight, I really could do some thinking about it. I thought a lot about my family but beyond that I thought about the planet Earth and what a magnificent place to live it is, and how tranquil it looks from a great distance. I thought about how nice it would be to get back to planet Earth, and to see blue water for a change instead of this utterly sterile, vacuum world that I was going around and around. You know, there are planets and there are planets. I've only seen two of them, but there's absolutely no comparison between them. The moon is a fascinating place and I'm sure that, geologically, it's a little gem. But give me the earth anytime.

I hope that one of the by-products of the space program will be to use our technology to preserve and protect our planet, to let the people know what a wonderful place they have—one they must stop befouling. We're extremely lucky just to have the air to breathe and the ocean to cup in our hands and pour over our heads. It is both a tragedy and a hideous crime to allow filth and pollution to contaminate the waters, so that pouring them over your head is no longer a pleasure.

I prefer people to machinery but there are times when cold, inanimate objects deserve the affection, regard and esteem usually reserved for flesh and blood. July 24 was such a time, and Columbia such a machine. She had taken us across a hostile black void to an alien planet, then back again, serenely depositing us almost affectionately on the bluest of blue waters. It didn't seem just to leave her scorched carcass unceremoniously, gutted and unattended, without somehow trying to mark her, to set her apart.

That night on the *Hornet* I clambered back on board and, ballpoint in hand, stood navigation station, staring at the blank expanse of gray bulkhead. I couldn't think of words eloquent enough to describe my emotions but finally I wrote: "Spacecraft 107, alias Apollo 11, alias Columbia. The best ship to come down the line. God bless her."

JAMAICAN INDEPENDENCE: A TRIBUTE

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. POWELL. Mr. Speaker, thoughts of Jamaica usually bring to mind an idyllic setting, a tropical paradise replete with shimmering sand, the calm turquoise of the Caribbean occasionally punctuated by the distant beat of a Calypso band. Jamaica is this and more, for it takes more than the stuff that the travel agent's dreams are made of to make a nation, and looking beyond the scenery to the record of the past 7 years as an independent nation, it is more than fitting that we pause to commemorate Jamaica's independence day of August 6.

It is not uncommon for the majority of the developing nations to be plagued by a variety of economic ills. Jamaica has handled these problems wisely, providing incentives for the establishment of industry and the encouragement of foreign investment. Looking at the gross domestic product for the past year, the 9-percent increase over that of 1967 is a heartening indication of growth in this picturesque isle. In the last year alone, 16 manufacturing plants opened, many of them American based, plus a cable and wire plant that will produce for both the local market and for export. Further evidence of Jamaica's vigorous and expanding economy finds the value of exports on the rise by 13 percent, a step largely attributable to the over 30 percent increase in the level of investment of the previous year. Moreover, the 12 percent increase in the production of alumina in 1968, with total earnings from bauxite and alumina exports rising by 16 percent, prove Jamaica to be a member of the world market not to be taken lightly. Needless to say, the images conjured up by the name of Jamaica more than explain the some 350,000 visitors to the island in 1968, a 16-percent increase over 1967.

Nor has Jamaica focused only on her own 4,420 square miles. Within a month of her independence from Great Britain, she joined the Pan American Health Organization as her first contribution to inter-American cooperation. And the government of Prime Minister Hugh Shearer is to be commended for its recent decision to establish a new population nutrition unit as part of the Caribbean Food and Nutrition Institute at Kingston, where the worldwide Malaria Eradication Training Center is also located. In addition, her entry into the Organization of American States just last month holds promise to provide the organization with fresh ideas and tone, as well as the Oxford English accent.

As Jamaica enters her eighth year of independence, allow me to offer my congratulations on her record thus far; and to Prime Minister Shearer and Ambassador Edgarton Richardson, I extend my warmest wishes for continuing progress and peace.

ILLINOIS TAXPAYERS WOULD BENEFIT FROM FEDERAL-STATE TAX INCOME SHARING

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. COLLIER. Mr. Speaker, earlier this year a subcommittee of the Committee on Appropriations held extensive hearings on the subject of funds for the Departments of Labor and Health, Education, and Welfare and related agencies. The published hearings include a large number of tables which show how much money is allocated to each of the States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific for the fiscal years 1968, 1969, and 1970.

An analysis of these tables convincingly demonstrates that the people of Illinois are being shortchanged. During calendar 1967, which included the first 6 months of fiscal 1968, the total personal income for Illinois was $40,850 million, which was 6.5 percent of the $625,068 million total for all 50 States plus the District of Columbia.

The analysis which I have had prepared eliminated all of the abovementioned outlying possessions, thus leaving only the 50 States and the District of Columbia. Also eliminated were programs from which some States were not allocated funds. In almost every instance, the State of Illinois received considerably less than 6 percent, the

amount being less than 2 percent in a number of cases. From a couple of programs, the amount exceeded 7 percent—otherwise there was no program from which Illinois got as much as 6 percent.

It is obvious that my State would be better off if these programs were returned to the State and local levels. Accompanying such a shift should be a comparable reduction in Federal taxes. It would be up to the individual States to increase their own taxes where necessary. Certainly an Illinois taxpayer would be better off paying a dollar to the State of Illinois than a dollar and a half to the National Government.

Perhaps some of my colleagues will want to prepare similar tabulations for their own States in order to determine whether they, too, are being shortchanged.

The appropriations bill for Labor-Health, Education, and Welfare and related agencies, as passed by this body, provided a total of $17,573,600,000, an increase of $922,600,000 over the amount reported by the Committee on Appropriations. I voted against the increase and against the bill on final passage, as I felt that the $16,651 million provided by the committee should have been cut rather than increased.

If the other body raises the total even further, I hope that the House of Representatives will refuse to agree to such increases. The people of Illinois are being shortchanged enough already.

The analysis to which I referred follows:

Programs	Fiscal year	United States	Illinois	Illinois, percent
Manpower development qnd training activities other than job opportunities in the business sector and concentrated employment program	1968	$288,956,536	$12,076,644	4.2
Manpower development and training activities—Institutional training allotment	1969	172,771,000	9,311,000	5.4
Manpower development and training activities—On-the-job training allotment	1969	36,377,000	1,115,000	3.1
Manpower development and training activities—Institutional training obligations	1969	146,762,235	8,501,149	5.8
Comprehensive manpower program planning activities	1970	5,321,300	135,000	2.5
Manpower development and training activities—State agency program services, employment security agencies	1970	42,521,000	3,085,000	7.3
Manpower development and training activities—State Agency program services, vocational education agencies	1970	7,890,000	367,000	4.7
Grants for construction of community mental health centers	1968	29,395,182	1,406,652	4.8
Ibid	1969	29,393,482	1,403,169	4.8
Ibid	1970	28,609,987	1,364,988	4.8
Grants for comprehensive State health planning	1968	4,519,000	174,400	3.9
Ibid	1969	6,946,900	270,100	3.9
Ibid	1970	7,700,600	299,900	3.9
Grants for comprehensive public health services	1968	58,495,600	2,547,200	4.4
Ibid	1969	63,709,800	2,719,800	4.3
Ibid	1970	87,230,400	3,887,900	4.5
Construction and modernization of hospitals and related health facilities:				
Modernization	1968	69,469,866	2,133,226	3.1
Ibid	1969	51,359,105	2,358,136	4.6
Ibid	1970	16,139,387	673,794	4.2
Hospitals and public health centers	1968	110,590,377	4,228,588	3.8
Ibid	1969	115,589,179	4,064,975	3.5
Ibid	1970	32,125,797	1,072,802	3.3
Long-term care facilities	1968	53,034,050	2,257,569	4.3
Ibid	1969	64,669,252	2,257,952	3.5
Ibid	1970	67,713,838	2,346,123	3.5
Rehabilitation facilities	1968	9,746,376	264,379	2.7
Ibid	1969	9,226,131	314,434	3.4
Ibid	1970	9,648,196	326,971	3.4
Diagnostic or treatment centers	1969	18,447,414	628,691	3.4
Ibid	1970	19,296,391	653,941	3.4
Assistance for educationally deprived children:				
Grants to State and local educational agencies	1968	1,141,175,120	47,565,775	4.2
Ibid	1969	1,078,550,359	44,407,826	4.1
Ibid	1970	1,178,226,377	46,736,723	4.0
Administration	1968	13,680,672	474,998	3.5
Ibid	1969	13,106,481	444,130	3.4
Ibid	1970	14,018,393	467,367	3.3
Elementary and secondary education:				
Supplementary educational centers and services	1968	178,078,330	9,382,000	5.3
Ibid	1969	159,929,720	8,223,590	5.1
Ibid	1970	112,901,210	5,650,541	5.0
School library resources	1968	96,852,597	5,337,276	5.5
Ibid	1969	48,780,049	2,681,475	5.5
Ibid	1970	40,975,610	2,252,460	5.5
National Defense Education Act—Guidance, counseling, and testing	1968	24,107,774	1,283,562	5.3
Ibid	1969	16,702,500	894,406	5.4
Ibid	1970	11,748,000	622,243	5.3
National Defense Education Act—Grants to States for equipment and minor remodeling	1968	74,020,160	3,039,031	4.1
Ibid	1969	73,905,800	3,067,510	4.2
National Defense Education Act—State administration of grants for equipment and minor remodeling	1968	1,968,000	102,071	5.2
Ibid	1969	1,965,000	99,990	5.1
Instructional assistance in the arts and humanities	1968	429,565	17,611	4.1
Ibid	1969	430,000	17,847	4.2
Strengthening State departments of education	1968	24,673,996	1,013,556	4.2
Ibid	1969	27,697,250	1,056,099	3.8
Ibid	1970	27,697,250	1,056,099	3.8
Education professions development—Elementary, secondary and other education personnel, grants to States for recruitment and training	1969	14,550,000	619,473	4.3
Ibid	1970	14,550,000	619,473	4.3
Land-grant colleges and universities	1968	14,244,154	439,618	3.1
Ibid	1969	14,297,254	435,726	3.0
Higher education—Undergraduate instructional equipment and other resources, television equipment	1968	$1,482,770	$66,341	4.5
Ibid	1969	1,488,045	64,956	4.4
Higher education—Undergraduate instructional equipment and other resources, other equipment	1968	12,870,459	574,954	4.5
Ibid	1969	12,896,388	562,951	4.4
Public community colleges and public technical institutes	1969	81,981,163	3,299,943	4.0
Ibid	1970	42,368,186	1,706,263	4.0
Other undergraduate institutions	1968	209,779,387	10,439,144	5.0
Ibid	1969	131,734,637	6,640,145	5.0
Ibid	1970	86,120,837	4,340,960	5.0
Higher education, construction, State Administration	1968	2,436,151	102,040	4.2
Ibid	1969	2,869,607	102,040	3.6
Ibid	1970	2,869,607	102,040	3.6
Higher education, construction, State planning	1968	3,345,950	142,272	4.3
Ibid	1969	2,646,767	112,980	4.3
Ibid	1970	2,940,850	125,534	4.2
Higher education, educational opportunity grants	1968	135,483,920	6,429,725	4.7
Ibid	1969	53,719,337	2,662,193	5.0
Ibid	1970	70,994,472	3,518,305	5.0
Higher education—National Defense Education Act, direct loans, contributions to loan funds	1968	177,426,076	9,041,649	5.1
Ibid	1969	188,923,517	9,619,251	5.1
Ibid	1970	153,923,199	7,628,040	5.0
Higher education, insured loans, advances for reserve funds	1969	12,194,240	642,626	5.3
College work-study programs	1968	133,038,599	5,129,105	3.9
Ibid	1969	142,590,000	6,321,681	4.4
Ibid	1970	149,410,800	6,624,079	4.4
Vocational education, basic grants, grants to States	1968	194,547,894	8,266,810	4.2
Ibid	1969	194,421,828	8,170,538	4.2
Ibid	1970	232,963,667	9,870,472	4.2
Vocational education, grants to States, George-Barden and Supplemental Acts	1968	48,163,149	2,130,336	4.4
Ibid	1969	48,175,714	2,130,336	4.4
Vocational education, consumer and homemaking education	1970	14,699,885	622,822	4.2
Vocational education, cooperative education	1970	13,580,000	374,227	2.8
Vocational education, innovation	1970	12,610,000	324,227	2.6
Public library services	1968	34,385,280	1,746,355	5.1
Ibid	1969	34,385,280	1,746,355	5.1
Ibid	1970	17,129,644	776,280	4.5
Interlibrary cooperation	1968	2,030,781	47,539	2.3
Ibid	1969	2,198,752	48,925	2.2
Ibid	1970	2,198,752	48,925	2.2
State institutional library services	1968	1,824,000	38,000	2.1
Ibid	1969	2,014,959	39,509	2.0
Ibid	1970	2,014,959	39,509	2.0
Library services for physically handicapped	1968	1,120,985	23,750	2.1
Ibid	1969	1,288,805	25,776	2.0
Ibid	1970	1,288,805	25,776	2.4
Construction of public libraries	1968	27,053,171	656,395	2.4
Ibid	1969	8,955,950	354,115	4.0
Ibid	1970	8,955,950	354,115	4.0
University community service program	1968	9,612,799	359,848	3.7
Ibid	1969	9,338,934	333,347	3.6
Ibid	1970	9,338,934	333,347	3.6
Adult basic education	1968	29,978,200	1,221,492	4.1
Ibid	1969	35,280,000	1,460,494	4.1
Ibid	1970	39,200,000	1,633,780	4.2
Education for the handicapped—Preschool and school programs	1968	13,834,951	687,167	5.0
Ibid	1969	28,398,058	1,488,885	5.2
Ibid	1970	28,398,058	1,488,885	5.2
Research and training in vocational education	1970	1,025,000	32,100	3.1
Grants to States for medical assistance	1968	1,817,929,895	83,557,694	4.6
Ibid	1969	2,336,319,000	94,293,000	4.0
Ibid	1970	2,800,391,000	107,479,000	3.8
Old-age assistance	1968	1,135,647,141	21,617,753	1.9
Ibid	1969	1,202,735,000	22,724,000	1.9
Ibid	1970	1,438,262,000	34,322,000	2.4
Aid to the blind	1968	51,610,001	1,052,550	2.0
Ibid	1969	53,884,000	1,105,000	2.1
Ibid	1970	60,333,000	1,156,000	1.9
Aid to the permanently and totally disabled	1968	365,798,845	17,812,381	4.9
Ibid	1969	433,366,000	21,854,000	5.0
Ibid	1970	521,994,000	25,596,000	4.9
Aid to families with dependent children	1968	1,387,994,020	73,576,152	5.3
Ibid	1969	1,720,204,000	78,065,000	4.5

Programs	Fiscal year	United States	Illinois	Illinois, percent
Ibid	1970	$1,911,138,000	$84,209,000	4.4
Social services and administration	1968	457,879,992	16,677,320	3.6
Ibid	1969	584,646,000	28,464,000	4.9
Ibid	1970	713,268,000	39,862,000	5.6
Federal allotments—Basic support program—Sec. 2, Vocational Rehabilitation Act	1968	387,910,347	13,575,961	3.5
Ibid	1960	485,006,890	16,911,199	3.5
Ibid	1970	485,010,634	16,773,529	3.5
Federal grants—basic support program—Sec. 2, Vocational Rehabilitation Act	1968	283,381,491	12,500,000	4.4
Ibid	1969	342,417,000	14,500,000	4.2
Ibid	1970	461,364,628	16,649,201	3.6
Grants and allotments for innovation of vocational rehabilitation services	1969	3,110,991	157,554	5.1
Ibid	1970	3,111,378	157,153	5.1
Construction of community facilities for the mentally retarded	1968	11,764,991	512,877	4.4
Ibid	1969	$11,761,738	$513,046	4.4
Ibid	1970	7,890,135	303,324	3.8
Grants for research and training programs—Secs. 4 and 7, Vocational Rehabilitation Act—Training and Traineeships	1968	30,762,900	2,177,700	7.1
Ibid	1969	29,559,900	2,134,900	7.2
Maternal and child health services—Formula funds	1968	38,719,921	1,346,031	3.5
Ibid	1969	38,458,810	1,317,776	3.4
Ibid	1970	38,516,526	1,326,856	3.4
Crippled children's services—Formula funds	1968	39,793,092	1,316,697	3.3
Ibid	1969	44,455,334	1,504,926	3.4
Ibid	1970	45,219,738	1,518,568	3.4
Child welfare services	1968	44,779,117	1,850,707	4.1
Ibid	1969	44,758,741	1,867,121	4.2
Ibid	1970	44,711,904	1,856,374	4.2

INTRODUCTION OF COMPREHENSIVE NARCOTIC ADDICTION AND DRUG ABUSE CARE AND CONTROL ACT OF 1969

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. CORMAN. Mr. Speaker, I have introduced today, for appropriate reference, a comprehensive bill to deal with many aspects of the Nation's rapidly growing drug problem.

With one important exception, my bill is identical with S. 2608, introduced on July 14 by the distinguished Senator from Texas, Mr. YARBOROUGH. My honorable colleague from California, Mr. CHARLES WILSON, introduced the Yarborough bill in the House, unaltered, on July 15, and reintroduced it, with 22 cosponsors on July 28. My bill differs from theirs only by specific reference to the classification or regulation of marihuana.

Not long ago, drugtaking was confined to hospitals and to the back alleys of our most neglected slums. Even then, of course, addiction was a complex disease, a pathology not simply biological, but also psychological and social. We understood it then even less than we do today, but that ignorance was somewhat excusable: The problem then was marginal, almost exotic.

Lamentably, this is no longer the case. Today we are well on our way to becoming a nation of drugtakers.

The use of addictive drugs such as heroin, cocaine, and opium, has spread rapidly. Addiction now claims about 100,000 victims, as compared with about 60,000 several years ago. But the really dramatic advance has been on new fronts: This decade has seen the rise of household drugs and drugs of rebellion. Though unscientific, these categories are useful, for they reflect a distinction commonly made by the society at large.

The household drugs are generally taken by worried or harassed citizens of middle age who consider themselves normal in all respects. According to Dr. Stanley Yolles, director of the National Institute of Mental Health, sedatives and tranquilizers, usually with an amphetamine or barbituate base, are used in excess by 200,000 to 400,000 Americans. In a few years, these figures will surely be an underestimate; the abuse of depressant and stimulant drugs is rapidly becoming part of our frenetic way of life.

Simultaneously, many of those unhappy with that way of life, typically the young and well-educated, have adopted the hallucinogenic drugs as a badge of rebellion. Our figures on these drugs are very unreliable, but conservative estimates suggest that at least 5 million persons have taken marihuana once or more. Among these are between 20 and 40 percent of our college students. About 5 percent have experimented with LSD or its more potent cousins.

On the horizon hover whole families of even more extraordinary substances. Scientists now rather casually mention the possibility of drugs which will enhance or obliterate memory, which will induce blissful contentment, unquestioning acquiescence, or anxious awareness. We may one day have the chemical knowledge to alter an individual's genes. The moral, social, and legal problems suggested by these possibilities stagger the imagination, but almost no one is thinking seriously about them. Too many scientists still think their responsibility ends at the laboratory bench; too many of us in public life refuse even to consider a problem until it reaches catastrophic proportions.

Today's delay of course sets the stage for tomorrow's panic. Even now, we have our fair share of hysteria. Parents are asking for draconian drug legislation and, simultaneously, pleading with the police to go easy on the drug infractions of their own children. Superficially strident and demanding, the public mood is actually very confused and contradictory. And no wonder: Our laws are archaic and inconsistent, and our knowledge of the use and abuses of drugs remains pathetically thin. We are all arguing in a factual vacuum, a procedure guaranteed to produce shrill and meaningless echoes.

My bill deals with research, treatment and education. Designed to gather knowledge and to disseminate it rapidly throughout the country, it would provide an early warning system for drugs and a rescue operation for those who foolishly ignored the warnings in the past.

This bill does not aim at altering our drug laws, which is a necessary, but separate, task. My bill is hardly a substitute for the writing of new and consistent penal statutes in the drug area. But neither are criminal statutes a substitute for the bill I am introducing today. For at least three broad reasons, penalties alone will never eradicate the drug menace:

First, drug abuse is already rampant in the face of rather stringent State and Federal sanctions; the deterrent power of law is clearly less than absolute in this area.

Second, for many drugs we have insufficient knowledge to write an intelligent penal statute. If it does not match the crime, the law will meet with contempt, not respect; it will be evaded, not obeyed.

Third, and most important, no criminal law can help the thousands of citizens whose lives have already been cruelly transformed by drugs.

My bill attacks those aspects of the drug abuse phenomenon which are immune to legal sanctions.

It would amend the Community Mental Health Centers Act to allow eligibility for Federal funding of operation and maintenance costs as well as construction and staffing expenses.

The bill would authorize the Secretary of Health, Education, and Welfare to make grants, at the recommendation of the National Advisory Mental Health Council, for research, personnel training, educational materials, and evaluation surveys relevant to the drug abuse problem. Section 302(a) of the Public Health Service Act would be amended to allow studies of depressant and stimulant drugs, as well as narcotics.

The bill would establish regional research centers for the study of drug abuse, one of which would become a National Addiction and Drug Abuse Center.

Finally, my bill would give the Secretary of HEW, in consultation with a new and expert committee, the authority to designate substances as depressant or stimulant drugs and to control the medical and scientific uses of narcotics and depressant or stimulant drugs. I regard this as a very important provision; its adoption would indicate that we understand the fundamental nature of the drug menace threatening this country. The drug problem, largely and increasingly, is a public health problem. It should therefore largely fall under the jurisdiction of the Department of Health, Education, and Welfare.

The Yarborough-Wilson bill, on which mine is modeled, would remove mari-

huana regulation from the Internal Revenue Code and include the drug under the definition of depressant for stimulant substances in the Food, Drug and Cosmetics Act, thus making marihuana subject to the penalties and controls imposed on such substances. As noted, I have deleted this provision in introducing my bill. My reason is simple: nowhere else in the legislation is there specific reference to a particular drug or to the complex issue of penalties. Whatever its merits, the marihuana provision would unnecessarily complicate the bill.

I do not doubt that we shall soon deal with the regulation of marihuana, for the Supreme Court has recently voided key provisions of the extant Federal legislation on that subject. But this issue promises a long and heated debate. There is no reason to carry it out within the context of a bill designed for other purposes.

The drug problem has many facets. Only if they are kept clearly distinct will they submit to rational analysis.

I now submit the full text of my bill for my colleagues' information:

H.R. 13561

A bill to provide for a comprehensive and coordinated attack on the narcotic addiction and drug abuse problem, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Comprehensive Narcotic Addiction and Drug Abuse Care and Control Act of 1969."

DECLARATION OF FINDINGS AND PURPOSES

SEC. 2 (a) The Congress finds that—

(1) Narcotic addiction and drug abuse are major health and social problems afflicting a significant proportion of the public, and much more needs to be done by public and private agencies to develop effective prevention and control.

(2) Narcotic addiction and drug abuse treatment and control programs should whenever possible: (A) be community based, (B) provide a comprehensive range of services, including emergency treatment, under proper medical auspices on a coordinated basis, and (C) be integrated with and involve the active participation of a wide range of public and nongovernmental agencies.

(3) There is an urgent need to educate young people and the public in general on the abuse of drugs and that insufficient manpower currently are available to undertake such educational programs.

(4) There is a serious shortage of professional and other personnel trained to work more effectively in relation to the prevention and treatment of narcotic addiction and drug abuse.

(5) Current knowledge regarding the causes, prevention, and treatment of narcotic addiction and drug abuse are inadequate.

(b) In order to preserve and protect the health and welfare of the American people in meeting these needs, it is the purpose of this Act to authorize the Secretary of Helath, Education, and Welfare to establish a program of grants and contracts for the construction, staffing, operation, and maintenance of facilities for the prevention and treatment of narcotic addiction and drug abuse, for the development of narcotic addiction and drug abuse education programs, for the training of professional and other personnel, for the conduct of appropriate study, research, and experimentation, and for the creation of appropriate demonstration projects relating to narcotic addiction and drug abuse.

TITLE I—CONSTRUCTION, STAFFING, AND OPERATION OF TREATMENT FACILITIES

Sec. 101. (a) Sections 242 (a), 243 (a) and 251 (a) of the Community Mental Health Centers Act are each amended by striking out "of compensation of professional and technical personnel for the initial operation" and inserting in lieu thereof in each such section "of operation, staffing, and maintenance".

(b) Section 242 (b) of the Community Mental Health Centers Act is amended to read as follows:

"(b) Grants under subsection (a) for the costs of operation, staffing, and maintenance of a facility may be made only for the first eight years that such facility is in operation and the amount of any such grant shall not exceed 90 per centum of such costs for the first two years of the grant and 75 per centum of such costs for each of the next six years."

(c) Section 243 (c) of the Community Mental Health Centers Act is amended to read as follows:

"(c) Grants made under subsection (a) for the costs of operation, staffing, and maintenance may not exceed the percentages of such costs, and may be made only for the period, prescribed for grants for such costs under section 242."

(d) Section 251(b) of the Community Mental Health Centers Act is amended by striking out "in excess of 66⅔ per centum" and inserting in lieu thereof "in excess of 90 per centum".

(e) Section 251(c) of the Community Mental Health Centers Act is amended to read as follows:

"(c) Grants under subsection (a) for the costs of operation, staffing, and maintenance of a facility may be made only for the first eight years that such facility is in operation and the amount of any such grant shall not exceed 90 per centum of such costs for the first two years of the grant and 75 per centum of such costs for each of the next six years."

(f) Section 261(a) of the Community Mental Health Centers Act is amended to read as follows:

"(a) There are authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1970; $20,000,000 for the fiscal year ending June 30, 1971; $40,000,000 for the fiscal year ending June 3, 1972; $50,000,000 for the fiscal year ending June 30, 1973; and $75,000,000 for the fiscal year ending June 30, 1974; for construction, operating, staffing, and maintenance grants under parts C or D. Sums so appropriated for any fiscal year shall remain available for obligation until the close of the next fiscal year."

(g) Section 261 of the Community Mental Health Centers Act is amended by striking out subsection (f) and inserting in lieu thereof the following:

"(b) There are also authorized to be appropriated for the fiscal year ending June 30, 1971, and each of the next eleven fiscal years such sums as may be necessary to continue to make grants for staffing with respect to any project under part C or D for which a staffing, operation and maintenance grant was made from appropriations under subsection (a) of this section for the fiscal years ending June 30, 1970, through 1975.

"(c) For purposes of parts C and D, the term 'staffing' means salaries, fringe benefits, and travel allowances for professional, technical, and support personnel needed to provide services to administer, evaluate, operate, and maintain the facilities and program of a treatment center.

"(d) For purposes of parts C and D, the term 'operation and maintenance' means upkeep and repairs, supplies utilities, rent, equipment cleaning, food and drugs, and similar items of cost incurred by a treatment facility."

TITLE II—TRAINING AND EVALUATION, AND DRUG ABUSE EDUCATION

SEC. 201. (a) Section 252 of the Community Mental Health Centers Act is amended to read as follows:

"TRAINING AND EVALUATION

"SEC. 252. (a) For the purpose of assisting in overcoming the critical shortage of scientific and professional personnel trained to deal with drug abuse and addiction, the Secretary is authorized to make grants to States and political subdivisions thereof and to public or nonprofit private agencies and organizations, and to enter into contracts with other private agencies and organizations, for—

"(1) the development of specialized training programs or materials relating to the provision of health services for the prevention and treatment of drug abuse;

"(2) the development of inservice or short-term refresher courses with respect to the provision of such services;

"(3) training personnel to operate, supervise, and administer such services;

"(4) the conduct of a program of research and study relating to (A) personnel practices and current and projected personnel needs in the field of drug abuse (including prevention, control, treatment, and rehabilitation), (B) the availability and adequacy of the educational and training resources of individuals in, or preparing to enter, such field, and (C) the availability and adequacy of specialized training for persons such as physicians and other health professionals who have occasion to deal with drug addicts, including the extent to which such persons make the best use of their professional qualifications when dealing with such persons; and

"(5) the conduct of surveys and field trials to evaluate the adequacy of the programs for the prevention and treatment of narcotic addiction within the several States with a view to determining ways and means of improving, extending, and expanding such programs.

"(b) Training grants under this section may be made only upon recommendation of the National Advisory Mental Health Council. Such grants may be paid in advance or by way of reimbursement as may be determined by the Secretary, and shall be made on such conditions as the Secretary finds necessary.

"(c) As used in this section, the term 'professional personnel' shall include, but not be limited to, persons in the field of medicine, psychiatry, nursing, social work, psychology, education, and vocational rehabilitation.

"(d) There are authorized to be appropriated for carrying out the provisions of this section $2,000,000 for the fiscal year ending June 30, 1970; $3,000,000 for the fiscal year ending June 30, 1971; $5,000,000 for the fiscal year ending June 30, 1972; $6,000,000 for the fiscal year ending June 30, 1973; and $6,000,000 for the fiscal year ending June 30, 1974."

SEC. 202. The Community Mental Health Centers Act is amended by redesignating sections 253 and 254 as sections 255 and 256, respectively, and by inserting after section 252 the following new sections:

"FELLOWSHIP GRANTS

"SEC. 253. (a) The Secretary is authorized to make fellowship grants to professional personnel for training in relation to drug addiction and other drug-abuse-related problems. Each applicant for a fellowship shall

present a plan for his training which includes appropriate information regarding the participation of the institutions or agencies who will be providing the training.

"(b) Training grants under this section may be made only upon recommendation of the National Advisory Mental Health Council. Such grants may be paid in advance or by way of reimbursement as may be determined by the Secretary, and shall be made on such conditions as the Secretary finds necessary.

"(c) As used in this section, the term 'professional personnel' shall include, but not be limited to, persons in the fields of medicine, psychiatry, nursing, social work, psychology, education and vocational rehabilitation.

"(d) The term 'fellowship' grant shall include such stipends and allowances (including travel and subsistence expenses) as the Secretary may deem necessary.

"(e) Training and fellowship awards under this section shall be made at such levels as may be required to facilitate the recruitment of the necessary professional manpower to this high priority area.

"(f) There are authorized to be appropriated for carrying out the purpose of this section $400,000 for the fiscal year ending June 30, 1970; $600,000 for the fiscal year ending June 30, 1971; and $1,000,000 for each of the next three fiscal years.

"DRUG ABUSE EDUCATION

"SEC. 254. (a) The Secretary is authorized to makke grants to States and political subdivisions thereof and to public or nonprofit private agencies and organizations, and to enter into contracts with other private agencies and organizations, for—

"(1) the collection, preparation, and dissemination of educational materials dealing with the use and abuse of drugs and the prevention of drug abuse, and

"(2) the development and evaluation of programs of drug abuse educations directed at the general public, school-age children, and special high-risk groups.

"(b) The Secretary, acting through the National Institute of Mental Health, shall (1) serve as a focal point for the collection and dissemination of information related to drug abuse; (2) collect, prepare, and disseminate materials (including films and other educational devices) dealing with the abuse of drugs and the prevention of drug abuse; (3) provide for the preparation, production, and conduct of programs of public education (including those using films and other educational devices); (4) train professional and other persons to organize and participate in programs of public education in relation to drug abuse; (5) coordinate activities carried on by such departments, agencies, and instrumentalities of the Federal Government as he shall designate with respect to health education aspects of drug abuse; (6) provide technical assistance to State and local health and educational agencies with respect to the establishment and implementation of programs and procedures for public education on drug abuse; and (7) undertake other activities essential to a national program for drug abuse education.

"(c) The Secretary, acting through the National Institute of Mental Health, is authorized to develop and conduct workshops, institutes, and other activities for the training of professional and other personnel to work in the area of drug abuse education.

"(d) Grants under this section may be made only upon recommendation of the National Advisory Mental Health Council.

'(e) There are authorized to be appropriated for carrying out the purposes of this section $2,000,000 for the fiscal year ending June 30, 1970; $4,000,000 for the fiscal year ending June 30, 1971; $6,000,000 for the fiscal year ending June 30, 1972; and $8,000,000 for each of the next two fiscal years."

TITLE III—AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT FOR RESEARCH AND STUDIES RELATING TO DRUG USE, ABUSE, AND ADDICTION

SEC. 301. (a) Section 302(a) of the Public Health Service Act (42 U.S.C. 242(a)) is amended—

(1) by inserting "depressant or stimulant drugs and" before "narcotics" in the first sentence;

(2) by striking out "the use and misuse of narcotic drugs," in the first sentence and inserting in lieu thereof "(1) the use and misuse of depressant or stimulant drugs and narcotic drugs, and (2)"; and

(3) by striking out "at his discretion" in the second sentence.

(b) Section 302 of the Public Health Service Act is further amended by adding at the end thereof the following new subsection:

"(c) The Secretary is authorized to establish a program of grants to be administered by the National Institute of Mental Health to—

"(1) support and conduct programs of research into all phases of drug use and abuse, including the origins, causes, incidence, and prevention of drug use and abuse, the abuse potential of drugs, and the therapeutic and rehabilitation agents and techniques;

"(2) make grants to State or local agencies and other public or nonprofit agencies and institutions, and to enter into contracts with any other agencies or institutions, for the conduct of investigations, experiments, demonstrations, studies, and research projects with respect to the development of improved methods of diagnosing drug addiction and abuse and of care, treatment, and rehabilitation of drug addicts and drug abusers;

"(3) make grants to State agencies responsible for administration of State institutions for care, or care and treatment, of drug addicts or abusers for developing and establishing improved methods of operation and administration of such institutions;

"(4) conduct surveys evaluating the adequacy of programs for the prevention and treatment of drug abuse and for necessary planning studies;

"(5) develop field trials and demonstration programs for the prevention and treatment of drug abuse;

"(6) establish a National Registry of Narcotic Addicts to facilitate research in drug addiction; and

"(7) make project grants to State or local agencies and other public or nonprofit agencies or institutions for the establishment, construction, staffing, operation, and maintenance of regional centers for research in drug abuse and related problems, one of which centers shall be established as a National Addiction and Drug Abuse Research Center as part of the National Institute of Mental Health, and shall be located in close proximity to the central research facilities of such Institute so as to avoid duplication of basic science laboratories and to allow for exchange of scientific information in collaboration between researchers in these closely related areas.

Any information contained in the National Registry of Narcotic Addicts, established under paragraph (6), shall be used only for statistical and research purposes and no name or identifying characteristics of any person who is listed in the Registry shall be divulged without the approval of the Secretary and the consent of the person concerned except to personnel who operate the Registry. The Secretary may authorize persons engaged in research under this subsection on the use and effect of drugs to protect the privacy of individuals who are the subject of such research by withholding from all persons not connected with the conduct of such research the names or other identifying characteristics of such individuals. Persons so authorized to protect the privacy of such individuals may not be compelled in any Federal, State, civil, criminal, administrative, legislative, or other proceeding to identify such individuals.

"(d) The following amounts are authorized to be appropriated:

"(1) For carrying out the purpose of section 302(c) (1) through (6), $3,000,000 for the fiscal year ending June 30, 1971; $10,000,000 for the fiscal year ending June 30, 1972; $10,000,000 for the fiscal year ending June 30, 1973; and $10,000,000 for the fiscal year ending June 30, 1974.

"(2) $15,000,000 for the establishment of the National Addiction and Drug Abuse Research Center. Sums appropriated under the preceding sentence shall remain available until expended. For carrying out the other purposes of section 302(c)(7), $3,000,000 for the fiscal year ending June 30, 1970; $10,000,000 for the fiscal year ending June 30, 1971; $25,000,000 for the fiscal year ending June 30, 1972; $20,000,000 for the fiscal year ending June 30, 1973; and $20,000,000 for the fiscal year ending June 3, 1974."

TITLE IV—CONTROL OF DANGEROUS SUBSTANCES

SEC. 401. (a) The Congress finds and declares that the importation, manufacture, distribution, possession, and use of narcotic drugs and depressant and stimulant drugs for nonmedical and nonscientific purposes have a substantial and detrimental effect on the health and general welfare of the American people, that the medical and scientific use of such drugs are important elements of the practice of medicine and of scientific research, and that adequate provision must be made to insure the availability of controlled drugs for such legitimate purposes.

(b) The Congress further finds that there is a need for a single comprehensive code which makes the necessary distinctions among narcotic drugs and depressant and stimulant drugs with respect to the degree of control required and between their medical and scientific use as against their abuse for nonmedical and nonscientific purposes. It is therefore the purpose of this title to provide for the establishment of such a code, by utilizing the medical and scientific expertise of the Secretary of Health, Education, and Welfare, and the particular competence and expertise of persons versed in the fields of mental health and pharmacology.

SEC. 402 .(a) In order to aid the States and communities, the medical and scientific professions, law enforcement authorities, and other concerned groups and individuals in coping with the problems of drug abuse, while at the same time encouraging ready access to certain substances for scientific, therapeutic, industrial, or other legitimate purposes, the Secretary shall—

(1) carry out the studies and investigations pertaining to narcotics and depressant and stimulant drugs as directed by section 302(a) of the Public Health Service Act;

(2) determine which substances should be subject to control because of their ability to produce physical or psychological dependence which could lead to abuse:

(3) place these substances in such classes and categories as he shall find necessary, ranked according to the extent of their ability to produce physical or psychological dependence and their relative capabilities for abuse;

(4) promulgate a list of all such substances classified or categorized as directed by paragraph (3); and

(5) amend such list from time to time by adding, deleting, or changing the classification or categorization of a substance as he shall find necessary in the light of new scientific knowledge.

(b) No substance may be included on such list unless it is a narcotic drug (as defined in section 4731 of the Internal Revenue Code) or is a depressant or stimulant drug (as defined in section 201 of the Federal Food, Drug and Cosmetic Act) that is not exempted under section 511(f) of that Act.

(c) The initial list promulgated by the Secretary shall not take effect until after such list has been published in the Federal Register, and not less than thirty days shall have passed thereafter. If within such thirty-day period any person adversely affected by such listing shall require opportunity for a hearing, the Secretary shall provide for such hearing, in conformity with the procedures prescribed in section 701 of the Federal Food, Drug, and Cosmetic Act, with judicial review available in conformity with such section. After such list shall have become final, any change in the category of any substance may be carried out by the Secretary only after similar notice, opportunity for a hearing, and opportunity for judicial review in conformity with such section 701.

SEC. 403. Before making any of the determinations required by section 402, the Secretary shall consider the advice of the Advisory Committee on Narcotics and Dangerous Drugs, established by section 503 of this Act, and shall consult with the Attorney General.

REGISTRATION OF RESEARCH ESTABLISHMENTS

SEC. 404. Title V of the Public Health Service Act is amended by adding at the end thereof the following new section:

"REGISTRATION OF RESEARCH ESTABLISHMENTS

"SEC. 513. (a) No person may conduct any research project with any narcotic drug (as defined in section 4731 of the Internal Revenue Code of 1954) or with marihuana (as defined in section 4761 of the Internal Revenue Code of 1954) unless such research is conducted by an establishment currently registered by the Secretary under this section. Registration under this section shall be for one year periods, and shall be renewable for like periods.

"(b) (1) No establishment may be registered under this section except pursuant to application which shall set forth—

"(A) the name of the applicant;

"(B) his principal place of business;

"(C) the number or other identification of any applicable Federal, State, or local license or registration, relating to narcotic drugs or marihuana, currently held by the applicant including the number or other identification of any such Federal license or registration previously held by the applicant;

"(D) procedures for accountability for drugs used in research projects of the applicant and the methods to be used and the safeguards to be instituted against diversion of the drugs used in such projects to nonmedical or nonscientific uses; and

"(E) any other information required by the Secretary by regulations.

The Secretary may not register an establishment under this section unless he determines that the applicant has established adequate procedures to provide for accountability for drugs used in research projects of the applicant and adequate methods to safeguard against diversion of such drugs to nonmedical or nonscientific uses, in accordance with regulations issued by the Secretary, with the concurrence of the Attorney General. Such regulations shall permit the conduct of double-blind studies.

"(2) Each applicant registered under this section shall, before any drugs are administered to human beings under a research project of the applicant, submit to the Secretary, in such form and containing such information as the Secretary may require, a research protocol, describing the research to be conducted, listing the investigators (each of whom must be registered under section 4722 or 4753 of the Internal Revenue Code, as applicable) and their qualifications to engage in such research, and otherwise conforming to the requirements of section 505(i) of the Federal Food, Drug, and Cosmetic Act. No such research protocol may provide for the dispensing or administration of drugs to human beings except by persons licensed to dispense or administer such drugs under applicable State laws.

"(c) (1) The Secretary may revoke or suspend the registration of any establishment granted under this section if he finds (A) that the application for such registration contains any untrue statement of material fact, (B) that research projects in such establishment are not being conducted in accordance with approved procedures or methods relating to accountability for drugs or safeguards against diversion of drugs used in such project to nonmedical or nonscientific uses, or (C) research projects involving the dispensing or administration of drugs to human beings are being conducted by persons not licensed under applicable State law to dispense or administer drugs.

"(2) Regulations of the Secretary shall provide for notice and opportunity for a hearing before revocation or suspension of registration under this section, except that, upon a finding of imminent hazard to the public health, such registration may be suspended or revoked prior to such hearing, but opportunity for a hearing shall be granted immediately in such cases."

AMENDMENTS RELATING TO DRUG RESEARCH IN REGULATED ESTABLISHMENTS

SEC. 405. (a) Section 4704(b) of the Internal Revenue Code of 1954 is amended by striking out the period at the end thereof and inserting in lieu thereof "; or", and by inserting immediately below paragraph (2) the following new paragraph:

"(3) RESEARCH.—To the dispensing or administration of narcotic drugs in the course of a research project conducted by an establishment currently registered under section 513 of the Public Health Service Act, if records of the drugs so dispensed or administered are kept as required by this subpart."

(b) Section 4705(c) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"(5) RESEARCH.—To the dispensing or administration of narcotic drugs to any person in the course of a research project conducted by an establishment currently registered issued under section 513 of the Public Health Service Act. Such registrant shall keep a record of all such drugs dispensed or administered, showing the amount dispensed or administered, the date, and the name and address of the person to whom such drugs are dispensed or administered, except such as may be dispensed or administered to a patient upon whom a physician, dentist, veterinary surgeon, or other practitioner shall personally attend; and such record shall be kept for a period of two years from the date of dispensing or administering such drugs, subject to inspection, as provided in section 4773."

(c) Section 4721(5) of the Internal Revenue Code of 1954 is amended by striking out "research, instruction, or analysis" and inserting in lieu thereof "instruction or analysis, or for the purpose of research by an establishment currently registered under section 513 of the Public Health Service Act,".

(d) Section 4742(b) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"(6) RESEARCH PROJECTS.—To a transfer of marihuana to or by a person in the conduct of a research project conducted by an establishment currently registered under section 513 of the Public Health Service Act. Such registrant shall keep a record of all such marihuana used in such project, showing the amount used and the name and address of the person using such marihuana, and such record shall be kept for a period of two years from the date of such use, and be subject to inspection as provided in section 4773."

(e) Section 4751(4) of the Internal Revenue Code of 1954 is amended by striking out "research, instruction, or analysis" and inserting in lieu thereof "instruction or analysis, or for the purpose of research by an establishment currently registered under section 513 of the Public Health Service Act".

TITLE V—MISCELLANEOUS

TRANSFERS OF AUTHORITY

SEC. 501. The functions, powers and duties of the Attorney General under Reorganization Plan Number 1 of 1968 to designate a drug as a depressant or stimulant drug under section 201(v) of the Federal Food, Drug, and Cosmetic Act, to make a finding that a drug or other substance is an opiate under section 4731 of the Internal Revenue Code of 1954, to determine the medical, scientific, and other legitimate needs of the United States for the purpose of establishing manufacturing quotas for narcotic drugs under section 509 of the Narcotics Manufacturing Act of 1960, and to determine the amounts of narcotic drugs that should be imported or exported under sections 2 and 6 of tne Act of February 9, 1909 (21 U.S.C. 173, 182) are transferred to the Secretary.

AMENDMENTS RELATING TO TRANSFERS OF AUTHORITY

SEC. 502. (a) The Internal Revenue Code of 1954 is amended as follows:

(1) Section 4702(a)(1) is amended by striking out "The Secretary or his delegate" where it appears after sub-paragraph (B) and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(2) Sections 4702(a)(3) and 4702(a)(5) are each amended by striking out "The Secretary or his delegate" where it appears in those sections and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(3) Section 4705(c)(2)(C) is amended by striking out "The Secretary or his delegate" and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(4) Sections 4731(g)(1) and 4731(g)(2) are each amended by striking out "The Secretary or his delegate (after considering the technical advice of the Secretary of Health, Education, and Welfare or his delegate, on the subject)" and inserting in lieu thereof in each such section "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(b) Section 2(b) of the Narcotic Drugs Import and Export Act is amended by striking out "the board" and inserting in lieu thereof "the Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(c) Section 10(a) of the Opium Poppy Control Act of 1942 (21 U.S.C. 188) is amended by striking out "The Secretary of the Treasury" and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(d) The Narcotics Manufacturing Act of 1960 is amended as follows:

(1) The second sentence of section 5(b) (21 U.S.C. 503) is amended by striking out "The Secretary or his delegate" and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(2) The second sentence of section 5(d) is amended by striking out "The Secretary

or his delegate" and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(3) Section 6 (21 U.S.C. 504) is amended by striking out "The Secretary or his delegate" the first and third time it appears and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(4) Section 7(b) (21 U.S.C. 505(b)) is amended by striking out "if the Secretary or his delegate" and inserting in lieu thereof "if the Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(5) Paragraph (1) of Section 8(a) (21 U.S.C. 506(a)) is amended by striking out "which will produce" and inserting in lieu thereof "which the Secretary of Health, Education, and Welfare, after consultation with the Attorney General, determines will produce".

(6) Section 11(a) (21 U.S.C. 509) is amended by striking out "the Secretary or his delegate" and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(7) Section 11(b) is amended by striking out "the Secretary or his delegate" the first time it appears in that section and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

ADVISORY COMMITTEE

SEC. 503. The Secretary of Health, Education, and Welfare shall appoint a committee of experts to advise him with respect to any of the determinations pertaining to drugs which he is required to make under amendments made by this Act. This committee shall be known as the Advisory Committee on Narcotics and Dangerous Drugs. It shall be composed of not less than twelve persons of diverse professional backgrounds, including the fields of pharmacology, psychiatry, psychology and other behavioral sciences, manufacturing, and distribution, who, in the opinion of the Secretary, qualify as experts on the subject of narcotic drugs or depressant or stimulant drugs.

SAFEGUARD ABM

HON. MARTIN B. McKNEALLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. McKNEALLY. Mr. Speaker, we have just recently witnessed the great debate and vote in the other body on the deployment of the Safeguard ABM system, but the issue has not yet been finally resolved. It will soon be placed before this body for consideration and vote. I, therefore, commend to my colleagues an excellent article on the subject which appeared in the August issue of the American Legion magazine, as follows:

HOW IMPORTANT IS MISSILE DEFENSE?

(NOTE.—A look at this year's big national debate on an anti-ballistic-missile system that has seen two Presidents clash with Congress over its need.)

(By R. B. Pitkin and Gerald L. Steibel)

As these words are written, a remarkable debate is coming to a head in Congress. The argument is: Should we have a system of missiles that can destroy enemy missiles in flight if they should be launched against us?

Such missiles are called ABMs in the current news jargon. That stands for "anti-ballistic missiles." They are also called BMDs (for ballistic missile defense). Whatever you call them, their function is not attack, but defense against enemy missiles.

A lot of laymen thought we had such missiles standing by a long time ago. But we do not. You may recall that Congress did approve a "thin" system of ABMs to ring some of our cities during President Johnson's last years in office. They were supposed to protect us from "Chinese" destructive missiles. However, not one of them exists or is apt to. There were at least two major problems with Johnson's "Sentinel" system, and what has been debated this year is President Nixon's "Safeguard" system, which should overcome the two main weaknesses of the older proposal. Yet, while Johnson's proposal was approved for one year, as we write these words not enough votes have been assured in the Senate to OK funds for 1969–70 to get going on Nixon's. Unless the Senate vote is delayed, you may know its outcome by the time you read this. If the vote is "no," then for at least another year we will be making no progress toward putting some clothes on our nakedness in the face of a missile attack against us. If it's "yes," then for at least the next year we'll be making headway.

A lot of the debate about ABMs is based on guesses about what the Soviets will do or can do. In fact, the most rational arguments against our having any ABMs stand almost entirely on such guesses. If the guesses are right, the arguments are reasonable up to a point (if you think it is reasonable for us to gamble our lives on guesses about the Soviets).

Other arguments against ABMs are not so respectable. One is that they won't work and can't be made to work. That is simply untrue. The Soviets tested one against a missile in flight in 1962, showed one off at a parade in Moscow in 1964 and since 1966 have been installing a whole system of them.

ABMs, as proposed by the Nixon Administration, are related to three possible levels of missile warfare—a small attack on us, a large attack on us or no attack on us.

The first level deals with what happens if a lone missile or two or three were fired at us. This could conceivably happen if one of those "fail safe" things occurred. Say an overeager Russian officer fires one or two at us in some crisis before his superiors can stop him. Or a small country get its hands on a few, as Cuba almost did, and sends one at us out of sheer recklessness.

What happens then? The way we are set up now we have 1,054 intercontinental ballastic missiles (ICBMS) in hardened land-based silos, and more than 650 submarine-based Polaris missiles—all weapons of destruction against people and cities. We can let loose destruction at the source of a lone missile and hope our counterblow gets through, but we can't knock that incoming missile down. Even if the hot line got to us in seconds and somehow persuaded us that a lone missile wasn't the start of the Big War, we'd still have to take that missile. If it were well aimed, we'd lose at least a whole city. We have nothing to destroy it in flight. Only an ABM can do that.

The second level is the other extreme. Another nation launches an all-out nuclear war against us. If we have by then (and it takes time) a good system of ABMs, what good would they be? Nobody has challenged the 1967 testimony of former Defense Secretary Robert McNamara that they might save from 80 million to 110 million lives—depending on how much we want to spend—if the projected loss of life without them is 120 million. This, of course, is a guess, but the only fault that has been found with it is that ABMs couldn't provide an "impenetrable shield," as McNamara put it, and save us from any damage at all. In fact, the rather loosely bandied claim that ABMs "won't work" is really based on the common knowledge that they couldn't make us immune to *all* damage. In honesty to our people it should be fairly stated that "won't work" could mean saving 80 million or more lives in the most intolerable of situations. Mr. McNamara, it should be noted, was not arguing for ABMs, but against them, based on his belief in 1967 that we should increase our offensive strength to discourage an all-out nuclear attack.

But he changed his position later, as did President Johnson and McNamara's immediate successor, Clark Clifford. And for good reason. By late 1967, the Russians had moved rapidly to cancel out the peacemaking power of our weapons as they were—and still are.

This brings us to the third level of nuclear possibilities, the level of so preparing ourselves that we need not fear an attack by anyone but a madman. (Though the ABMs might take care of the madman, too.) Our actual policy has long been based on having enough nuclear missile strength so that even if we were hit by surprise, we'd have enough undamaged missiles left to strike our attacker a mortal blow. That being so, he wouldn't dare strike the first blow, and there would never be a nuclear war.

Some years ago we halted the expansion of our land-based missiles at their present 1,054. Any more, it was adjudged, would just provide "overkill"—that is, the ability to do far more destruction to an attacker than would ever be needed to stay his hand.

If we genuinely do have "overkill" power, then, of course, it is senseless to keep on adding to our attack power. And (except for defense against an irrational attack) we have little need for ABMs because nobody is ever going to launch any missiles against us, or try to blackmail us with threats of having superior power. But do we still have assured "overkill" power?

Not everything that alarmed President Johnson, and then President Nixon, into seeking ABMs in a hurry, from 1967 on, is necessarily known. Dr. Edward Teller, the hydrogen-bomb expert, recently urged Congress to get an ABM program going on a year-to-year basis at least. He noted that time was running out to get a defense against launched missiles under way (it could take years), and he said in effect that Congress cannot safely keep postponing all action, in view of what is and is not known.

What is known? Chiefly that the Soviets have taken three major steps to offset the peacekeeping power of our attack missiles. Each step either gives them more offensive power, or tends to neutralize the threat of our weapons to deter them, or both.

First, they are greatly expanding the number and power of their missiles of attack. The London Institute for Strategic Studies estimates that the Soviets now have about 200 more land-based missiles than we do, and are on the way to installing about 2,500 of them in all (more than double ours in number). Some opponents of our ABM have tended to kiss this off as more "overkill"—that is, no matter how many they might build, the Russians still wouldn't dare launch them and couldn't threaten us with them. What our fewer missiles could do in retaliation is still enough to scare them out of starting anything.

If the number of the projected Soviet missiles seems like foolish "overkill," the enormous power of some of their individual warheads can easily be portrayed in the same way. Both the Soviet Union and the United States have been depending chiefly on one megaton warheads, which is 50 times the power of those we used in WW2 and more than enough to wipe out a city. Yet the Soviets are building from 400 to 500 SS–9 triple warheads, with from five to 25 megatons each—and Soviet warheads of 50 and 100 megatons appear to be on the way.

It is extremely costly for the Soviets to set up such great numbers of tremendously

powerful missile-borne warheads, so it is dangerous for us to base our policy on a belief that they are just being stupid in creating so much more strength than they could possibly ever need. The expense they are going to argues that they have a clear purpose in mind.

Nixon's Secretary of Defense, Melvin Laird, gave the Senate Foreign Relations Committee his view of the meaning of all this. The numbers and the power of the Soviet missiles make no sense if undefended American cities are their targets. They are just waste power for any such mission. But they make sense if they are to be used in a first strike to annihilate our retaliatory missiles in their silos.

The great power of the SS–9s makes good sense if it is to be aimed at our Minutemen and our few Titans. Both sides bury their attack missiles in concrete-hardened clusters, in underground sites, where it almost takes a direct hit to knock them out of action. But as you step up the power of a warhead, you can be farther and farther off target from a direct hit and still destroy your foe's missiles in their silos—or wreck a whole cluster with one hit.

Laird's point was clear enough. If the Russians are building a flight of special weapons of enormous power to annihilate our strikeback power within the first few minutes of an attack, their respect for our missiles approaches zero as their confidence in wrecking them on the ground approaches 100. Meanwhile, in the absence of any American ABM system, only Russian error could keep all their SS–9s from getting through. Thus they are the sole judges of their chances of success, and our own power to deter them by owning undefended missiles becomes ever more imaginary.

Senate Foreign Relations Chairman J. William Fulbright (Ark.) said that he was sure the Soviets still feared our missiles enough to stay their hand, and he told Laird that Laird was just trying to scare Congress to death with his description of the SS–9s so that it would vote money for ABMs. This hardly seems fair to either Laird or the American people. If the Soviets are building superbombs capable of wrecking our retaliatory missiles on a previously impossible scale, it's Laird's duty as Defense Secretary to tell Congress and the people, and not hold back because the news is unpleasant.

Just what those SS-9s could do to wreck our missiles on the ground is, of course, guesswork. Nuclear physicist Ralph Lapp, who is a consultant to Nuclear Science Service in Washington, has been campaigning mightily against our setting up an ABM system. He contends that from half to three-fourths of our Minutemen would survive any blow that the Soviets could level at us by the mid-1970s, and about half of them would be able to hit back effectively. He means without any ABMs. That's enough to deter an attack on us, he suggests. Even if he's right, which is doubtful, his guess doesn't extend beyond seven or eight years from now. That's about when we could have a full ABM system operational if we start now. And that's when the Soviets could have over 400 SS-9s, at their present rate of installation.

Lapp's opposition to ABMs as a scientist is often hard to follow. Writing in the New York Times Magazine he took the position of a spokesman for the American people, which he simply is not. He professed that the people were up in arms against the ABM, though a Harris Poll that week showed 47% for ABMs, 26% against and 27% not sure.

The people were bound to be against the ABM, he said, because they were "wearied of the war in Vietnam, dismayed and disturbed by the North Korean capture of the intelligence ship *Pueblo* and resentful of the continued diversion of dollars from the domestic front to defense."

Since it wasn't really the people, but Lapp, who was talking, this is an excellent insight into the mind of one of several distinguished scientists who have diluted opposition to ABMs with emotional, irrelevant, nonscientific reasons. The *Pueblo*, the Vietnam war, hatred of the military or a desire to divert the funds to other causes hardly have a place in a discussion of whether we now need ABMs if we are to continue to maintain a stance that will prevent nuclear war.

If Lapp thinks most of our missiles would survive anything the Soviets could throw at them for some years hence without any more protection than earth and concrete, what do our responsible officials believe? Defense Department research chief John Foster contends that only a tenth—or about 100—of our land-based missiles would survive a Soviet attack by the SS-9s. Ordinary people have no way of judging who is right, or why there is that wide a gap between the thinking of two highly qualified men.

Foster has the responsibility, and, in the end, so does President Nixon, who plainly goes with Foster.

If Foster is right, the Soviets can expect us to launch 100 missiles if they attack first. Laird fears that 425 SS-9s might destroy all but 50 or so of our Minutemen in one strike. But in any case it is not up to Laird, Foster or Lapp, it is only up to the Soviets to decide at what stage they can destroy enough of our stuff on the ground if we leave it all defenseless.

They are building to destroy our strikeback power. Whether it takes 100 or 1,000 SS–9s, so long as they don't have to risk guessing how many we can knock down, the initiative is theirs. At some point, without any worry about our defenses so long as we lack ABMs, they can decide they have enough to cut our retaliatory launchings back to some figure like 100 or 70 or you name it.

Whatever they decide, it would be a "safe" figure for them in view of the second thing the Soviets have been pushing ahead since 1966—their own ABM system. It's now seven years since the Soviets test-fired their first ABM against a missile in flight and we've never launched one and have none in operation. In view of McNamara's estimate that we could whittle away as much as 90% of the damage of a full-scale attack on us with our own ABMs, it would be tempting fate to suppose that the Soviet ABM system could not whittle 100 or so American missiles down to only a few while still in flight.

This offers us an uncomfortable equation—the possibility that by the mid-1970s the Soviet Union could launch 2,000 or more missiles against us with the expectation that they'd all get through, while no more than a handful of ours might be expected to weather destruction on the ground here or interception by the Soviets in flight.

Meanwhile, the Soviets are proceeding with steps, some of which are ominous, to save themselves as much as possible from the effects of any American missiles that might get through. They are training their people in civil defense, almost from the cradle to the grave. It begins in the lower grades and never stops. They are developing energetic and elaborate steps, in fine detail, to save their population from the effects of an attack. The subways in many of their larger cities have been designed to serve as deep shelters, too.

While all of this further reduces the potential effectiveness of any American retaliation to a Soviet attack on us, Princeton's Prof. Eugene Wigner finds another Soviet civil defense program to be "frightening." They have "elaborate plans for the evacuation of their cities . . . in the minutest detail," he reports. Professor Wigner, holder of four of the highest honors that can go to an American scientist, ranks near the top of American experts on Soviet civil defense. Among such experts, plans to evacuate cities are menacing. It's generally conceded that there's no time to evacuate a city once enemy missiles are on the way. Only a nation that plans to strike the first blow—hence knows the day, hour and minute—can have the time to profit from detailed plans to empty their cities. But "evacuation is . . . now at the center of the Soviet program," Professor Wigner reports.

What we have said to this point goes to the guts of why first Johnson, then Nixon, wanted us to get started pronto on an ABM system.

The rapid growth of Soviet attack power, and the Russian steps to neutralize the peacemaking power of our own missiles so alarmed both of them that they laid their prestige and their influence with Congress on the line to front for ABMs—but fast.

Both were shrewd enough politically to know that they would be subjected to the very attacks in Congress, in the press and on TV that have in fact resulted. But they pushed ahead anyway.

If the reader wonders why they knew that they'd meet intense resistance to a proposal better to safeguard the nation, the opposition to ABMs has not even pretended to be subtle about it.

At the bottom level of resistance we have seen "protest demonstrators" toting placards saying "Down With ABM," while ABM has become a prime dirty word to American Communists, be they of the Chinese, Cuban, or Soviet school. This is the enemy talking, of course, and needs no further elaboration.

A more important level of resistance is found right in Congress among those who openly say that they'd like to appropriate more of the Defense budget for more popular programs here at home. They particularly like to equate Defense spending with such things as the anti-poverty program, as if national defense and welfare-like programs were interchangeable. Irrelevant as it is, this is a potent political argument. If all other things were equal, a politican would rather show his constituents how he appropriated money to satisfy their immediate desires, rather than for hardware for their future safety that will work best if it is never used.

President Johnson had enough respect for the raw political appeal of this kind of opposition to emphasize that he only wanted a "thin" ABM system (i.e.: to play down the cost). Since he proposed to protect cities, a "thin" system couldn't easily be explained as a worthwhile one against the Soviet power to attack cities. So he said he wanted it to protect us from "Chinese" missiles. They might be ready in small numbers about the time we could have ABM's operational if we'd gone ahead with them last year.

Nobody was deceived by this. Americans and Soviets alike understood that he was after the beginnings of something to knock down Soviet missiles, and nobody supposed that, once his Sentinels had been installed, those in control would inquire into the nationality of an approaching missile before knocking it down.

Since Johnson's language made his proposal politically palatable, and the majority of Congress was of his party, his Sentinel program was approved.

It ran into trouble when hardly any city wanted it, each one being morally certain that having ABMs around it would make it Target #1 in a Soviet attack. Only two Sentinel sites were started, one near Pittsburgh and one near Boston. (Both have been, in effect, ploughed under.) Meanwhile, there was no answer to the objection that to defend each city adequately against Soviet attack would require a perfectly enormous setup of ABMs, and the *real* concern was over the great Soviet menace and not the limited Chinese one.

When President Nixon took office, he proposed the more sensible and forthright Safeguard system. Let's defend our land-based

missiles and our command centers with ABMs, not our cities, he proposed. This is feasible, though it is still offered as a "thin system. There. There are less than 20 sites to protect. No city becomes more of a prime target, thereby. If we protect our attack missiles the Soviets will have lost their assurance that SS–9s or warheads of any power can get through in time to stop us from retaliating against an attack. Hence we'd have moved back toward the peacemaking balance of power that has been our true policy all along.

Another kind of opposition to our having defensive missiles helps explain the mystery of the intense opposition to Nixon's plan, when it overcomes the major objections to Johnson's. This is the widespread, well-publicized, emotional and irrational opposition which has chosen to make the defeat of the ABM a convenient club for various political, personal and ideological grievances. Even some Senators have minced no words in opposing the ABM as a way of "punishing" the military, or the so-called "military-industrial complex."

This is highly attractive reasoning to some extremely vocal minorities. Draft-card burners, Vietnam war protestors, the various "militants" for this and that who are mad at The Establishment readily follow such leadership. A club to beat The Establishment with is what they want. We have already seen so outstanding a nuclear expert as Lapp making the *Pueblo* incident a reason to oppose the ABM, and a recent two-page ad by a major book publisher in the New York Times summoned opposition to ABMs in huge black letters on the basis that we never had to use the bomb shelters that some people built some years back.

What these approaches lack in good reasoning they more than make up for in emotional wallop and in their appeal to headline writers. They have gotten far more publicity than the detailed, painstaking exposition of the hard military facts by defense experts.

Whenever public debate is based on irrelevant hostility, it can frustrate all attempts at intelligent discussion. Consider this dilemma of Professor Wigner in a debate with Cornell's Prof. Hans Bethe about ABMs. Professor Wigner is the Princeton scientist whom we have already quoted on Soviet civil defense and city evacuation plans. Bethe is almost as distinguished. Both men are Nobel Prize winners in the sciences.

A year and more ago, Bethe was bringing his scientific reputation to bear against President Johnson's Sentinel ABM system. This year he was opposing Nixon's Safeguard system, While Professor Wigner was arguing for the Nixon proposal as an urgent national necessity.

The two men met in a panel debate on ABMs before The American Physical Society last April 29. Professor Wigner pointed out that when the Johnson system was being considered by Congress, Professor Bethe had testified against it, and had volunteered, instead, the very system Nixon switched to. Said Professor Wigner: "At the end of his Congressional testimony, Professor Bethe said, 'A completely different concept of ABM [from Johnson's city defenses] is to deploy it around Minutemen silos and at command and control centers. This application has gone in and out of Defense Department planning. I am in favor of such a scheme.'"

Professor Wigner wanted to know why, when Nixon adopted the plan that Professor Bethe had recommended, Professor Bethe then came out against it.

The ABM actually offers us one of several weapons choices in a rapidly changing shift in the international balance of nuclear power toward Soviet—and soon Chinese—might. It has almost nothing to do with most of the best publicized public debate about it. When the Soviet power increase had become obvious by 1967, McNamara wanted us to increase our retaliatory power to offset it. His argument, as interpreted by D. G. Brennan in a recent issue of Foreign Affairs, was highly complex in its details, since it involved comparative costs and their effect on both sides. But it added up to something like this:

If we install defenses, the Soviets will increase their attack power even more to offset them. Then both sides will be put to pushing their attack power even farther than if we put balance destructive power against destructive power, without any defenses. As Brennan put it, McNamara wanted us to do whatever was necessary to maintain an ability after suffering the first blow to destroy 50 million Russians, because *that* would forever stay their hand from hitting us first.

Perhaps the Johnson Administration realized finally that we could never be sure of our striking power, in the face of Soviet developments, and we'd have to have defenses of our own if they were to continue to respect our posture. At any rate, it switched from seeking more destructive power to an urgent request for ABMs. Of course there were other factors, perhaps the chief of which was the overwhelming evidence that the Soviets were escalating both the offensive and defensive aspects of nuclear power as fast as they could, without our doing anything new to force them into an arms race.

This touches on an interesting part of this year's American debate over ABMs. One of the sternest warnings of the opponents of our ABMs is that they would "escalate the arms race"—it would provoke the Soviets if we should set up weapons to knock theirs down.

This drove Washington's Sen. Henry Jackson to distraction because, on the record, they have been racing as hard as they can without any new provocation from us. In a speech this March 20, he listed what he called "five myths" about our "aggressive provocation" and the "peaceful intentions" of the Soviets. His comments on "Myth Number Three" are worth quoting in full:

Myth Number Three is the idea that it is the United States that is responsible for heating up the arms buildup.

The evidence decisively refutes this notion.

The Soviets acted first to test-fire an ABM against an incoming nuclear-armed missile (in 1962) and they are the only nation to have done this.

The Soviets acted first to develop and test a 60-megaton bomb—and they are the only nation to possess anything like that size bomb.

The Soviets acted first to develop and deploy a fractional orbital bombardment system (FOBS), a first-strike oriented weapon—and they are the only nation to have developed or deployed such a system.

The Soviets acted first to deploy an ABM setup and they have been testing, improving and updating the system ever since. Today, they have over 60 anti-ballistic missiles deployed on launch pads. We, on the other hand, have not yet deployed an ABM setup of any shape or form.

The current campaigners against the ABM say that when the United States acts to deploy an ABM *we* are "escalating the arms race." I have never heard one of those people say that because the Soviets were first to deploy an ABM, they were the ones that escalated the arms race.

Fortunately, the American people, if they get the facts, are able to recognize this obvious double standard—crudely biased against their own country.

In this connection, it is interesting to note that Soviet Premier Kosygin has explicitly rejected the proposition that deployment of a defensive missile system heats up the arms race or is "destabilizing."

At a London press conference on February 9, 1967, Premier Kosygin was asked:

"Do you not share the opinion that the development of the Soviet anti-missile system is a new step in the arms race?"

Premier Kosygin replied: "Which weapons should be regarded as a tension-factor—offensive or defensive weapons? I think that a defense system which prevents attack is not a cause of the arms race but represents a factor preventing the death of people."

No weapons system, of course, is or will be perfect. Our offensive weapons aren't perfect, and our defensive arrangements won't be either. But that doesn't mean we refuse to deploy them when we believe they can perform a useful and important task well enough to make a substantial contribution to the overall deterrent.

I commend President Nixon for his determination to proceed with the phased deployment of a thin ABM system, and I believe all Americans should now support their President in his statesmenlike decision. It would make no sense to leave this country altogether "naked" to enemy missile attack. And it is important to steady and fortify our President's hand in this very unsteady world. I am a Democrat. But I am proud that over the years I have supported my President—whether he was a Democrat or a Republican—in the critical decisions to safeguard the national defense and to protect the future of individual liberty.

It is interesting to note that even Soviet Premier Kosygin sees what many of us ought to see, too. He also told one reporter in London, "Maybe an antimissile system is more expensive than an offensive system, but it is designed not to kill people but to preserve human lives." Professor Wigner, in his debate with Bethe, said, "I quite agree with Kosygin and do not consider the defense of the people to be objectionable, or, as it is often put when our own defense measures are considered, provocative."

If both sides could some day develop even a fairly "impenetrable shield," there is at least a faint promise of an eventual end to the matching of destructive power with more destructive power, "overkill" with "overkill."

The Soviets ignored the approaches of President Johnson to discuss nuclear arms control so long as they erected defenses and we did not. Congress had hardly approved the now-dead Sentinel plan when the Russians offered to sit down and discuss the whole subject. Without pretending to read their minds, or trust them farther than you can spit, it is entirely possible that they recognized that if the other side has ABMs you can never risk an attack on him. Whether his ABMs would work well or not, you'd never know without taking too great a risk. In this view, and it makes sense, the Soviets may have long seen that the basic condition for seriously discussing nuclear arms reduction is that both sides have defenses. But if *they* had defenses and *we* didn't it would be preposterous for them to bargain with us, because they'd have the upper hand beyond all bargaining. At least they made a prompt offer to talk the moment the Senate OK'd Johnson's ABM plan.

ROTC—WELLSPRING OF LEADERSHIP

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. HAGAN. Mr. Speaker, at a time in our Nation's history when the ROTC program is being seriously attacked on our college campuses as anti-intellectual, it is refreshing to share with my colleagues a recent article by Gen. William C. Westmoreland, presenting a rational evaluation of the program.

General Westmoreland believes that

ROTC provides the balance sought between the professional and the citizen soldier. Of the latter, it is only in the environment of the American university system that the young cadet integrates his military training with that of economics, politics, sociology, et cetera. Thus, the removal of the system would not promote, as some dissidents proclaim, but only sever existing dialog between the military-civilian communities.

The article was called to my attention by the executive director of the Association of Military Colleges and Schools of the United States as it appeared in the August 1969 issue of the Veterans of Foreign Wars magazine. I might also add that four schools in my State are members of this association. They are Georgia Military College, Gordon Military College, North Georgia College, and Riverside Military Academy. Both the VFW and AMCS are stalwarts in the support of the ROTC programs. I commend General Westmoreland's comments to the attention of my colleagues.

The article follows:

ROTC—WELLSPRING OF LEADERSHIP—CITIZEN-SOLDIER CONCEPT STRENGTHENS AMERICA

(By Gen. William C. Westmoreland)

One of our Nation's outstanding soldiers recently assumed the duties of Deputy Commander of the Military Assistance Command, Vietnam. He is Gen. William B. Rosson, former Commander, First Field Force, Vietnam, and holder of the Distinguished Service Cross—our nation's second highest award for valor. Gen. Rosson is a graduate of the University of Oregon.

In Paris, another distinguished soldier was recently assigned by President Nixon to be military advisor at the Paris peace talks. He is Lt. Gen. Fred C. Weyand, former Commander of Second Field Force, Vietnam, and also a holder of the DSC.

This soldier-diplomat is a graduate of the University of California.

In the Pentagon, two other eminent soldiers occupy two of the highest positions on the Army staff. One is the Assistant Vice Chief of Staff, Army Lt. Gen. William DePuy, twice winner of the DSC, former Commander of the 1st Infantry Division, and a graduate of the University of South Dakota. The other is the Chief, Office of Reserve Components. He is Lt. Gen. William R. Peers, three times recipient of the Distinguished Service Medal, former Commander of First Field Force, Vietnam, and a graduate of UCLA.

These officers—as well as 148 other general officers currently on active duty and serving in various positions of national trust and great responsibility—are all ROTC graduates. They are products of a college pre-commissioning system which throughout the years has produced officers of the caliber of Nobel Peace Prize winner Gen. George C. Marshall, and former Army Chief of Staff, Gen. George Decker. They have left their mark on the pages of history. Such men have contributed much to the progress of this nation—not only in the area of national defense, but in the diplomatic arena of international affairs.

Where did these soldier-statesmen get their start? First, they came from average American homes throughout our nation and matriculated through normal primary and secondary school systems in their home areas.

The next step was an adventure in independence and decisionmaking as college students. In college they met new challenges as they were introduced to the environment of group living and associations with other young people from varying backgrounds. This was the start of a liberal education that would prepare them for a life of leadership.

During their college years each of them was favorably influenced by the Professor of Military Science and members of his staff, or they probably would not have completed ROTC. Their wise decision to become ROTC cadets set them on their way to heights of personal achievement in the service of their nation. Earlier they had recognized the value and satisfaction to be gained from careers in public service. They saw the advantage of competing for a commission as an Army officer, while concurrently completing the requirements for a baccalaureate degree.

This year more than 16,400 young men like them will raise their hands and recite the oath of allegiance to the United States—an oath which will start them on one of the most developmental phases of their lives. Perhaps among that number is another George C. Marshall. We can be certain there will be many who will make their mark in history. We know the vast majority will serve with great distinction. Most of them will return to civilian life better equipped to accept the reins of civilian leadership in their own communities.

ROTC program throughout the years. Look-

There is good reason for the success of the ing at the past, we can see that the concept of ROTC is fundamental to our national philosophy. ROTC traces its lineage to the establishment of military training at colleges and universities such as Norwich University in 1819 and Virginia Military Institute in 1839. Later, the Land Grant Act of 1862 provided for military training at state universities in return for land concessions from the federal government.

ROTC legislation enacted in 1916 was conceived as an outgrowth of the philosophy of Maj. Gen. Leonard Wood when he was Army Chief of Staff. General Wood's policy regarding military force structure was one of "reasonable preparedness" to include having the largest possible trained reserve force. Accordingly, a system was created to produce in times of peace a large number of educated reserve officers—officers who could lead troops in times of emergency.

This basic concept of the citizen—soldier has characterized the U.S. Army since the Minutemen of Lexington and Concord took their hunting muskets from over their fireplaces to fight for freedom. The very foundation of our national strength—our Constitution—codified this principle. The Constitution states that "The Congress shall have the power . . . to raise and support armies . . . to provide and maintain a navy . . . to provide for calling forth the militia . . . to execute the laws of the union, suppress insurrections and repel invasions . . ."

With the lessons of European history well in mind, our founding fathers wanted to preclude the establishment of a large permanent military force during times of peace. They wrote the Constitution to embody three principles which have characterized America's armed forces to this day.

First, the concept of "raising armies" envisioned citizen forces which could be mobilized in time of emergency to respond to threats to national security.

Second, the principle of maintaining forces in readiness called for naval forces in being that were essential to the protection of the young republic.

Third, the idea of a standing militia conceived of civilian soldiers who were prepared to respond to internal as well as external emergencies.

Superimposed on the conceptual system of military preparedness where sufficient checks and balances within the legislative and executive branches of government to assure civilian control of the citizens' army. The provisions of the Constitution are as valid today as they were in the beginning and they provide our nation with sufficient flexibility to meet any commitments in national security matters.

The machinery established by the Constitution places control of the military in the hands of civilian leadership which, in turn, is responsive to the electorate. The tradition of civilian control of the exercise of military force is a cornerstone of our concept of defense. It is ingrained in the American way of life, and even those who may be called professional soldiers welcome and cherish this tradition; they would have it no other way.

To maintain a healthy military establishment, the Army seeks to preserve a balance between the citizen soldier and the professional soldier. The objective is to have a continuous movement of citizens in and out of its ranks in order that it may truly represent and identify with the people it serves.

To do this, the Army must draw first upon the complete spectrum of the American population. It must represent every geographical, economic, ethnic and cultural facet of our society. The leadership of the Army must also represent the cross section of America—drawing upon the diverse disciplines of the American university systems to supply educated and humanizing leadership required to cope with today's challenges.

The Army turns quite naturally for its educated, potential leaders to the wellspring of the nation's knowledge, the American university system. Operating in an oncampus environment, the ROTC program produces officers posessing a variety of civilian intellectual backgrounds—men with technological, political, economic and sociological skills. These skills are typical of the men needed by the armed forces to carry out the complex missions assigned to them.

The days when wars were fought by military strategy and tactics alone have long since passed. Rather, both the maintenance of peace and security and the waging of war require the skillful blending of all the aspects of national power—political, socio-economic, psychological and military. Leaders today must have an awareness and appreciation of all of these factors, if they are to accomplish the tasks given them.

There is only one source for men with this potential. This is the college campus of America. Here can be found the products of a liberal education—men who have had their vision expanded in the humanizing environment of free academic inquiry to assimilate competently and efficiently a myriad of interrelated matters and place them into perspective.

The Army today is complex, not just because of the demands of advanced technology but because the Army is consistently involved in highly complex situations. Officers charged with leadership of troops and management of national resources are required to cope simultaneously with life and death situations. The nature of these challenges warrants the efforts of our best educated youth. Furthermore, the parents of young Americans expect their sons to be led by the best, an expectation which must be met.

The ROTC program has undergone considerable change since its inception because progressive change is a necessary ingredient of any successful program. The first ingredient is a well educated group of professional people to direct the program. Young officers are assigned to ROTC duty each year. All have baccalaureate degrees. Many have or are pursuing advanced degrees.

Not too long departed from the college campus themselves, these young officers reflect the emphasis placed on education by the Army—an Army which boasts 90% plus officers with baccalaureate degrees, and over 20% with master's or higher degrees. The youth, ability and integrity of these officers enable them to identify with the students they help teach. They are respected by the cadets who see in them the personification of American youth with all its confidence and vigor.

They are forthright, enthusiastic, personable and decisive. They have their eyes on the future and can be counted on to give straight, honest answers. They think for themselves as progressive American young men. They are available to the ROTC cadets for valuable advice and counsel. These officers also contribute to the academic community. Together with their families, they enter into civic, religious and academic activities. These articulate, dependable and compassionate professionals are a most magnificent group. They are dedicated to the development of the young men who learn in their classrooms—to their development as good American citizens.

Still another ingredient of the vigorous ROTC on-campus program is a flexible approach to academic matters. ROTC curriculum need not be stereotyped. To keep pace with the changing academic scene, revisions have been made. The Army's current curriculum concepts will bring an additional measure of flexibility to the program. This curriculum recognizes that the mission of the ROTC is to obtain college graduates who have the potential to become quality officers.

Greater emphasis will be placed on specific academic subjects within a core curriculum. Some students in selected disciplines may be required to carry Army-taught professional subjects as an overload. It is certainly not unreasonable to expect students to do this if the reward is proportionate to the amount of work involved. In the ROTC program, it is a commission, the gold bar of the second lieutenant.

The Financial Assistance Program now in its fourth year will graduate the first group of four-year scholarship winners this year. This extremely successful program has drawn the finest high school students to our college and university campuses. These young men are selected on a "whole man" system which evaluates their organizational ability and athletic prowess, together with their scholastic aptitude. It has produced exemplary young college graduates for the officer corps.

The majority of scholarship winners will receive Regular Army commissions and will embark on rewarding and satisfying careers as professional Army officers. As they advance through the junior grades, they will receive additional schooling, both military and civilian. The majority will receive advanced academic degrees. These young men represent the finest qualities of American youth. Their entry on active duty strengthens our junior officer ranks and offers great hope for quality leadership of our Army of the future.

The Reserve Officers' Training Corps has been the saving force in our past. It is the continued hope of the future. Requirements for high-caliber leadership do not diminish with time. The advanced technology and sophistication of our modern-day Army demand that the Officer Corps be continually enriched by men who are worthy of the many challenges of the future.

ROTC has stood the test of time and it has grown to the point where it is the major source of commissioned officers for our active Army. As we march toward the 21st Century, we look to this viable program to continue to provide the leadership—both military and civilian—that our great country has always surfaced from the mainstream of its civilian society.

ANTITRUST, A NATIONAL POLICY

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. COLLINS. Mr. Speaker, one of the most brilliant messages of the year was delivered by Mr. James J. Ling, chairman of the board of Ling-Temco-Vought, Inc. on August 12, 1969, to the American Bar Association. Mr. Ling's message was timely and of vital importance to everyone in this country.

Ling-Temco-Vought is the largest business operating in the State of Texas. It has been successful through wise planning, strong executive leadership, excellent labor participation, and an intellectual research and development program.

The importance of multi-industry companies is of keen concern to all of us in Congress. It means jobs and prosperity in most every congressional district. I believe that you will find the message of James J. Ling factual and sound in its perceptive analysis.

The message follows:

ANTITRUST, A NATIONAL POLICY

(An address by James J. Ling)

Ladies and Gentlemen, distinguished members of the American Bar Association, I am pleased and honored to be here with you.

Today I will not defend nor praise the so-called conglomerates, or, more accurately, the multi-industry companies. Regardless of its corporate structure, a company is neither good nor bad. *Management* is either good or bad.

Management must be judged over the long term, or as I am prone to say at times, "Let the track record speak for itself."

I will touch briefly on LTV's management philosophy and our unusual corporate structure. I would then move on to the subject of antitrust.

One thing about our company that this audience particularly might like to know is that our legal Department, back in 1962 or '63, the early days of LTV, had a legal staff of six people—three attorneys and three secretaries. Now we have a legal Department of 32 people, including law clerks, messengers, and everyone. But 14 of them are attorneys. As you know, that is the equivalent of a good-sized law firm. But we don't try to do all of our legal work in-house. We, in fact, employ several "out-house" law firms.

PUBLIC OWNERSHIP—THE DIFFERENCE

Now, I would like to spend only a moment or two focusing your attention on one attribute that, in my opinion, makes LTV altogether a different type of company from most other business enterprises—the attribute of public ownership—not only of the parent-operating company, but of each major subsidiary.

Each LTV company is a separate publicly owned business. Each company is its own profit center; each is its own credit center and its own motivational center. Each company retains the same essential characteristics that it would have if LTV did not own one share of its stock.

We believe public ownership of the multi-industry company is entirely pro-competitive. The only characteristic that the LTV companies have in common is the same majority owner.

We of the parent-operating company are there to provide a little additional management expertise, if and when needed, and, most of all, some additional entrepreneurial motivation—and accountability and responsibility.

Of course, we are not infallible.

Before commencing my antitrust remarks, I would say also, however, that the experiences that we have had with the Department of Justice in the past indicated that they, too, are far from being infallible.

ANTITRUST EXPERIENCES

My viewpoint—I'm sure—will be clear to you if I review some of those experiences:

In August, 1961, when Ling-Temco and Chance Vought were merged, the Justice Department—which had been aware for seven months of the proposed merger—filed an antitrust suit which attempted to block consolidation of these two relatively small companies. The Justice Department's implication was that we would be unfair competition to the Lockheeds, McDonnells, Douglases, General Dynamics, Boeings, etc., of that day—all giants in size compared to LTV. This unbelievable lawsuit was won by LTV within four months of the initial date of filing.

In late 1965, when we proposed to acquire The Okonite Company from the Kennecott Copper Corporation (which, incidentally, had to sell Okonite because of another antitrust problem), the Justice Department filed suit to block our acquisition. Again, the unbelievable allegation was that LTV's ownership of Okonite would result in unfair competition to the Westinghouses, General Electrics, General Cables, Anacondas, and other major wire-and-cable firms in this country.

Bear in mind that Okonite had a total of 2 per cent of the wire-and-cable business in the country.

At first, the Justice Department alleged that LTV had no experience in the operation of a wire-and-cable business and would become an albatross around the neck of this fine old company—and drag it down to the bottom of the sea—thus eliminating a viable corporation from the American business scene.

That argument was so ridiculous not only to the impartial observer but to the Judge that the attorney representing the Justice Department changed his argument along the following lines:

He stated that he could visualize electronics black boxes and airframe fuselages all packed with wires and cables provided by Okonite. He charged that because of LTV's position in the aerospace industry, some reciprocity might develop with the other airframe manufacturers. This argument was unimpressive for many different reasons—but one in particular was that Okonite did not (and still does not) manufacture wire and cable for these particular purposes.

Of course, we won both the Okonite and the Chance Vought lawsuits—thanks to the checks and balances of the judicial system.

In the third—and current—case, I would like to point out that we did obtain—before we took any action—three legal opinions to the effect that LTV's acquisition of Jones & Laughlin would in no way violate existing antitrust laws. In the opinion of our internal legal counsel, one of the top firms here in Dallas, and one of the nation's leading law firms specializing in antitrust matters in Washington, D.C.—their unanimous opinion was that there would be no violation of any antitrust law.

OMINOUS OVERTURES

Now, there is no way that we could possibly relish the experience of serving as the guinea pig in this experiment with the antitrust law. In my view, this case represents an unwarranted legal vivisection that has hurt thousands of individual stockholders and has ominous overtones for the future of our capitalistic system.

LTV shareholders have lost at least $100 million in market values since the announcement of this novel lawsuit.

We anticipate that LTV itself will not realize tens of millions in potential earnings because of our preoccupation with this lawsuit and because of our direct, out-of-pocket expenses incurred in defending the suit, which are not inconsiderable.

Who should we hold responsible?

Assume that the Justice Department loses this suit, as is entirely predictable. What will be the reparation for damages done to scores of individuals and to a growing American corporation?

The Justice Department is completely im-

mune from assuming the responsibility for its lawsuits.

There is no way to bring an experimental lawsuit against the Justice Department.

This is a very strange lawsuit, in my opinion. The Justice Department under the previous administration made no move in six months to prevent our acquisition of Jones & Laughlin. That fact plus the public remarks of the officials of the Justice Department at that time clearly indicate that such a conglomerate acquisition was deemed not to be a violation of existing antitrust legislation. This also was the attitude expressed in two government studies—the Neal Report produced under the Johnson administration as well as the Stigler Report produced by the Nixon administration—both of which, in my estimation, are quite outspoken in defense of the conglomerates. (I will comment on the specific of those two reports a little later.) Being a person with a reasonably logical and practical mind. I would like to ask a few questions: What happened within the Justice Department in its first 60 days under the new Administration to change all of this? What new studies were developed? Who were the new expert witnesses called during this time period? Did Justice send any investigative teams to LTV or J&L during this period of time? Or contact the management of either company? Or request any additional materials? What prompted this lawsuit for which Donald Turner, former Assistant Attorney General, stated publicly, as reported by *Fortune* magazine, there was no basis?

ANTI-CONGLOMERATE CRUSADE

The lawsuit is, in my view, the product of an anti-conglomerate campaign which snowballed into a crusade without anyone soberly thinking through the reasoning behind the running hysteria. So far as I know there was never a shred of evidence of any wrong-doing by any of the so-called conglomerates that could not be corrected by existing laws, so you know that the campaign arose out of considerations based more on heat than on light. And now it has become a political football, with little evidence that anyone has much regard for facts. It is my hope, incidentally, that the current investigations in Washington will correct this one-sided view and bring some sense of balance and reason to bear on a subject that is of such far-reaching importance.

Since it has become a political football, the anti-conglomerate crusade has received a lot of attention from the popular press. Because of the vague and highly generalized nature of the charges directed against multi-industry companies, it has been almost impossible to respond effectively to this type of campaign.

On this subject, it is interesting and encouraging to see the pendulum swinging as more and more editorial writers grasp the implications, or threats, to free enterprise inherent in this campaign, and more and more economists are now making careful and necessary studies of the available economic data (and are coming up with reasoned, factual views). I would recommend your reading of editorials in the two most recent editions of *Fortune*, as well as in *Barron's*. They are very intriguing.

Let me cite some of the most responsible evidence that so far has not been widely heard. I will start with testimony given one month ago to the Subcommittee on Monopoly and Antitrust of the Select Committee on Small Business of the United States Senate by Neil H. Jacoby, Professor of Business Economics and Policy, University of California at Los Angeles.

NINE ERRORS

In order to save time, I will paraphrase Professor Jacoby's list of nine errors in the popular arguments of the day in regard to what he termed corporate mergers and giantism and concentration and conglomeration, and their alleged threats to competition:

1. In terms of assets, the merger wave has peaked. Since the number of companies that disappeared through merger, 4,500, is only a minute fraction of the 240,000 new businesses incorporated, there is no solid evidence that a radical restructuring of the economy is underway—or that it needs to be arrested by the government.

2. Growth through acquisition accounted for only 19 percent of total asset growth of the 200 largest corporations over a 20-year period, and, thus, cannot be considered a major influence in the economy.

3. Figures that show greatly increased concentration of manufacturing assets are statistical illusions and prove nothing about the effectiveness of competition.

4. Instead of over awing, eradicating or deterring entry of small businesses into the economy, the growth of large companies apparently has encouraged the formation of new corporations to reach new highs.

On this point it was Professor Jacoby's conclusion that, and I quote: "By acquiring small firms, large corporations create a buoyant market for capital assets, and thereby create incentive to form new enterprises. A ban on business mergers would depress the rate of business formations."

Returning to my paraphrasing of Professor Jacoby's nine points:

5. Instead of administering and institutionalizing high prices for their products, large corporations increased their prices at a rate less than inflation. The biggest price increases occurred in goods and services—primarily in services—*not* produced by large manufacturing corporations.

6. The actual evidence indicates that the larger a corporation grows, the more disciplined by market competition a corporation becomes—instead of the other way around. International competition and competition from substitute materials or products provide market disciplines for the large corporations that small corporations do not experience.

7. Large conglomerate corporations do *not* lack economic or social justification, at least in theory. (And those who claim contrariwise argue on theoretical grounds.) Substantial economic and social gains *can* be realized from the organization or expansion of multi-industry corporations. Conglomeration can produce benefits to the firm and to consumers by reducing the risk/reward ratio for the enterprise through diversification. It can reduce the costs of capital, achieve economies of scale in employing specialized management talent, and transfer corporate assets from less to more effective control.

Once again I quote:

"The net effects of conglomerate mergers are probably to enhance competition."

Now let me complete the last two of Professor Jacoby's nine points:

8. There can be effective competition even in concentrated industries. (Professor Jacoby devoted considerable time to this. But I will let that observation stand alone here and now, adding only that I agree with his logic.)

9. It would be against the public interest to break up large corporations, so it should be against public policy to do so. (I'm sure most of you in the room agree, as I do, with this point, and I won't attempt to expand it.)

MORE STUDY NEEDED

In essence, the chief thrust of Professor Jacoby's testimony is that there is another side to the conglomerate controversy—and to any idea that new, more restrictive antitrust legislation or a stricter enforcement policy is needed. At the very least, there should should be much more extensive hearings and debate than are presently indicated before any efforts are taken to enact such legislation or crack down on conglomerate acquisitions and mergers.

To some extent this belief was shared by the Task Force on Productivity and Competition appointed by President Nixon. The pertinent paragraph of the Stigler Report said, and I quote:

"We seriously doubt that the Antitrust Division should embark upon an active program of challenging conglomerate enterprises on the basis of nebulous fears about size and economic power. These fears should be either confirmed or dissipated, and an important contribution would be made to this resolution by an early conference on the subject. If there is a genuine securities market problem, probably new legislation is necessary. If there is a real political threat in giant mergers, then the critical dimension should be estimated. If there is no threat, the fears entertained by critics of the conglomerate enterprises should be allayed. Vigorous action on the basis of our present knowledge is not defensible."

The Task Force on Antitrust Policy appointed by President Johnson also agrees. The Neal Report said, and I quote:

"Although the number of conglomerate mergers has increased sharply in recent years, there is only a moderate tendency toward increase in the overall concentration of manufacturing assets in American industry. Nor does the present merger movement threaten to reduce the aggregate number and proportion of smaller firms. Remedial measures based on size alone would constitute a radical innovation in our antitrust policy and no rationale is available for determining the appropriate upper limit on the size to which a single firm may grow."

This Task Force also recommended further study of many portions of public antitrust policy.

The essential agreement of the two task forces and by antitrust experts in general serves as background for the major point of my talk today.

A NATIONAL POLICY

I would like to use this podium today to call for a much different approach to establishing antitrust enforcement policy and to changing the antitrust law.

I realize that, first of all, the public interest must be served, so there must be rules and regulations by which all enterprises must conduct themselves. But I also believe that the rules and regulations should reflect precisely the national policy—and that national policy should evolve from full and careful consideration of the best interests of the nation as a whole. I would improve rather than repeal. And I am convinced that no minority should be allowed to make antitrust policy or law. I believe we are all unanimous in the conviction that political or campaign reciprocity should not influence legislation or result in damaging lawsuits.

Frankly, I do not believe that such a thing as a national antitrust policy exists—or has ever existed. Our antitrust legislation is a patchwork of special interest, special situation acts that have never drawn much lasting attention from the Congress. It seems to me that much antitrust policy is written by the courts on a case-by-case basis.

At the heart of the entire antitrust matter, it seems to me, reside the questions: Are antitrust law and enforcement policy intended to protect the consumer? To preserve the status quo? To ensure the right of the small businessman to make a profit? Please note: I did not refer to his right to compete, although that is what some people believe antitrust is all about. Others are just as sure that the purpose of antitrust is, ultimately, protection of the consumer. I'm pretty sure the consumer has never had his own say.

Consumer protection can be construed as the ultimate aim of the antitrust law, for

when we say we want to preserve competition, if the hearer wants to infer that this means protection of the consumer, it is a logical inference.

The ultimate projection of our concept of protecting competition is that we do so on the consumer's behalf. Otherwise, what is our purpose in protecting competition? Should we have a national policy of protecting competition just for the sake of competition?

I believe that not only has this question never been fully debated, it has never even been posed effectively.

It is time now, in my opinion, to make antitrust a national issue, and long overdue.

Congress passed the Sherman Antitrust Act in 1890 in an era when rather sensational journalism was supporting and abetting the Populist cause, and bigness in business had sinister implications for the public in a way that does not exist today.

Look for a moment at how the times have changed since 1890 when the original antitrust law went into the books. Technologically, we have substituted the electric light for the coal-oil lamp, the airplane for the riverboat, the automobile for the horse-and-buggy, radio for primitive telegraphs, television for the circus, antibiotics for cod-liver oil, heart transplants for the early grave—it would take far more time than I have been allotted here to list even a small percentage of the technological changes and improvements—and I haven't even mentioned space achievements or the recent voyage to the moon.

Very few concepts have had as little critical analysis and undergone fewer changes in the past 80 years than antitrust, even though today's world was largely unpredictable in 1890. All of the patches that have been added to the antitrust quilt during that period have been cut from the same bolt of cloth—a vague, semi-emotional feeling that bigness is bad or dangerous or the associated ill-formed concept that economic concentration is bad or dangerous. I cannot believe the Populist philosophy can really exist in the full light of today's totally different atmosphere and environment.

FAR DIFFERENT ENVIRONMENT

These feelings and indefensible concepts must be examined in the light of today's requirements: international trade, foreign competition, big labor, and big—very big—government.

In view of the fact that there has never been a real major study of antitrust, I would like to advocate that such a study be made now.

I am recommending that the American Bar Association establish a broad, comprehensive study on which a rational, responsible national antitrust policy can be based. Funding of the studies would be jointly shared by the interested parties. To undertake this study a Hoover Commission type of blue-ribbon task force of distinguished attorneys, economists, scholars and businessmen should be appointed. Let Congress appoint representatives to the National Antitrust Commission, and let the administration also name members. Certainly, the courts should be represented. Let the Commission hear all of the testimony—whether or not it agrees with their predispositions toward antitrust law. Let its investigation continue until every last speaker who wants to be heard on this vital subject has had his say. Let them continue until they have developed a body of statistical evidence that really represents a unified, universal picture of antitrust policy in all of its implications.

This over-all picture should include the findings of the eight or nine Congressional and governmental investigations now being conducted in one stage or another and involving antitrust policy in one way or another. I anticipate that these investigations will be constructive and will develop favorable as well as unfavorable data and conclusions—which should be incorporated into the National Antitrust Commission's findings.

RATIONAL AND RESPONSIBLE

Then let legislation be enacted in a rational, responsible environment, legislation that reflects the national antitrust philosophy.

By taking the position that I have outlined to you today and by asking certain questions that pertain to this lawsuit, I might very well incur the wrath of certain political appointees as well as of certain civil servants employed in the various governmental agencies. In a speech given almost one year ago in Chicago, when a similar question was raised, I stated that I strongly believed that I must take such a position, and—if we truly have become a police state and live in fear of agency reprisal and harassment for making our views known—then I feel even more obligated to make my position publicly known. I have no other acceptable alternative.

Thank you for giving me this opportunity to share my points of view.

THE 30TH ANNIVERSARY OF HITLER-STALIN PACT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. DERWINSKI. Mr. Speaker, since history often repeats itself, I believe it is pertinent that we note that this period marks the 30th anniversary of the infamous Stalin-Hitler pact. This historic period is subject to vivid analysis in the August edition of ELTA, the information service of the Supreme Committee for Liberation of Lithuania.

It is my hope that the lessons of history will not be lost upon the statesmen of the present generation.

The analysis follows:

THE 30TH ANNIVERSARY OF HITLER-STALIN PACT

"To take a more sober view is to recognize that it is impossible to keep foreign areas seized as a result of aggression and that they should be returned to those to whom they belong."—Andrei A. Gromyko, Soviet Foreign Minister, in a speech at the Supreme Soviet, July 10, 1969

August and September of this year mark the thirtieth anniversary of the signing of treaties and secret protocols between the Soviet Union and Nazi Germany with the purpose of dividing Europe between themselves. Lithuania, Latvia and Estonia were among the main victims of this infamous deal. The alliance between the two totalitarian regimes virtually unleashed the Second World War, and the Soviet overlordship in East-Central Europe today is one of the lasting fruits of the Stalin-Hitler embrace in 1939.

Since Europe and the world still bear the scars of the Soviet-Nazi Pact, the infamous anniversary deserves scrutiny and contemplation. The topic is of particular relevance to the younger generation and the statesmen as well as citizens of the new states. There is a lesson and a warning in the very fact that one of the partners of the criminal deal, the Soviet imperialism, is active today very much in the same manner as it was thirty years ago.

The recent invasion of Czechoslovakia, as well as the Soviet-proposed European Security Conference, have brought anew the issue of captive East-Central Europe to the forefront of international politics. The worsening of the Sino-Soviet rift, the rising clamor of the oppressed nationalities in the Soviet Empire, and the ferment in the satellite states of East-Central Europe—all these have made the Soviet hold on the captive European countries more precarious than it has been for a long time. Moscow's choice so far has been to sit on bayonets, but how long can it do so with Peking's shadow deepening in the Far East?

Thus the trend of the events points to some sort of negotiations about Eastern and Central Europe. If such negotiations are held, it is imperative that the Western Powers treat the Soviet entrenchment in the East-Central European region for what it really is—a result of the Stalin-Hitler Pact and of application of brute force. The neo-Stalinist oligarchy in Moscow hopes that it would be able to buy Western guarantees of the present status quo in Europe for some vague promises of disarmament and cooperation and goodwill. It is extremely improbable that the West would choose to become an accessory to the Hitler-Stalin Pact by granting the Kremlin its wishes. On the contrary, what is called for is a genuine effort to begin to dismantle the structure of oppression erected by the treaty between the two totalitarian aggressors.

If and when this effort is launched, the Baltic States, the early victims of the Stalin-Hitler Pact, deserve special consideration.

NAZI-SOVIET PACT—HOW IT HAPPENED

After the Munich settlement of 1938 Europe became divided into three camps: France and Great Britain with their allies; the Axis powers; and the Soviet Union. Impressed by Hitler's successful expansion, the Soviet leaders considered the time as favorable for their own westward thrust.

Western democracies refuse Soviets special rights in Baltic

The Soviets first attempted to obtain special rights of intervention in Finland, Estonia, Latvia, Lithuania, Poland, Rumania, Turkey, Greece and Bulgaria. They pressed this point during the negotiations between the USSR and Great Britain & France in the summer of 1939. It was against this demand that the negotiations, aimed at a conclusion of an Anglo-French-Soviet mutual assistance pact, had foundered.

The Soviet territorial and political designs at that time were described as follows by two noted American historians:

"There was more than sufficient reason for believing that the Soviet Government had territorial ambitions with regard to the entire frontier region lost to it in 1917 and the succeeding years. London and Paris were well aware of Soviet claims and hopes and therefore found themselves in an awkward if not impossible position when confronted with the Soviet note of June 2, 1939. Apart from their unwillingness to aid and abet the expansion of Communist power, they felt strongly that after posing as the defenders of small states against aggression, they could hardly themselves take part in forcing upon the Baltic States arrangements which they definitely did not want and would not accept . . . they would never, so they said, accept a definition of indirect aggression that would permit the Soviets to march into the Baltic States at their pleasure." (William L. Langer and S. Everett Gleason. The Challenge to Isolation, 1937–1940, New York, Harper, 1952, pp. 117, 119).

Soviets and Nazis divide Europe

The next move was made in Moscow, on August 23, 1939. It was on that day that Molotov and Ribbentrop, the foreign ministers of the USSR and Germany, signed the Soviet-German Non-Aggression Pact. A secret additional Protocol was attached to the Pact, by virtue of which "the northern boundary of Lithuania shall represent the boundary of the spheres of influence of Germany and the USSR." On September 28, 1939, after the military collapse of Poland, this Secret Protocol was amended to the effect that "the

territory of the Lithuanian State falls into the sphere of influence of the USSR." (The texts of these documents are reproduced in this issue of our Bulletin.)

What followed was the conclusion of the Soviet-imposed pacts of mutual assistance between Estonia, Latvia and Lithuania and the Soviet Union. Upon establishment of Soviet military garrisons on the territory of the Baltic States, the Soviets submitted ultimata to Lithuania, Latvia and Estonia, on June 15–17, 1940, and promptly invaded these states. Soviet-style mock elections to the so called "People's Diets," under the supervision of the Red Army, completed the imperialist conquest. All these events were but a gradual implementation of the Secret Protocol.

Soviets retain spoils of treaty

After the end of hostilities of the World War II, the victorious Western Powers declared as null and void all the territorial changes made after 1937. Thus Germany was deprived of all the benefits of the Stalin-Hitler secret deals. The Nazi partner and signatory of these sinister documents was hanged by the Nürnberg Tribunal. In flagrant contrast, however, the Soviet Union continues to keep almost all the territories, including the Baltic States, appropriated by virtue of Soviet-Nazi Pact.

". . . Today, from Estonia to Bulgaria, and from Bohemia to the Ukraine, the attitude of elites and peoples to the Soviet Union is simple: they hate the rulers, despise the officials and pity the Russian people. . . . The Soviet Union has no policies, no culture, no morality to offer the Central Europeans. . . . The fact remains that the only answer of the Soviet rulers to the problems of the modern world are more missiles, more armored divisions, more security policemen, and more censors.

"The barbarians still have plenty of all four. Yet the 20th century has seen the collapse of too many empires to permit much confidence in the durability of the Muscovite one. Its best hope lies not in the support of its subjects, who are less and less deceived by its lies, nor even in its military strength, but in the weakness, indifference, and hysteria of the nations of Western Europe. Yet if these have the will, they still have the means to prevent their own enslavement or destruction."—Hugh Seton-Watson in *Encounter* (July 1969).

SECRETARY OF DEFENSE, HON. MEL LAIRD SPEAKS TO ANNUAL CONVENTION OF THE VETERANS OF FOREIGN WARS OF THE UNITED STATES

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. TEAGUE of Texas. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include the text of the speech given by Secretary of Defense, the Honorable Mel Laird, to the annual convention of the Veterans of Foreign Wars of the United States in Philadelphia, Pa.:

ADDRESS BY THE HONORABLE MELVIN R. LAIRD

Only a few days ago your National Commander, Richard Homan, and I met in Los Angeles. We were both there to attend the banquet honoring the three men who planted our flag on the moon.

Placing our flag at the farthest outpost so far reached by man was an appropriate recognition of a great national triumph. This symbolic act was urged by the Veterans of Foreign Wars and required by the Roudebush Amendment. Our nation's success in reaching the moon within the decade of the 1960's was achieved because we were determined to do it. American ingenuity, American persistence, American courage, American brains, American teamwork, and the American taxpayer were the ingredients that brought the success of the Apollo XI mission.

The three astronauts who went to the moon have reminded us frequently that credit for this incredible achievement should also be given to countless others whose combined efforts made the project an unqualified success.

As I followed the moon flight on television, I couldn't help thinking of the heavy criticism of the so-called military-industrial-labor complex which we have been hearing. The achievement of Apollo XI should make it clear that the military-industrial-labor team is a tremendous asset to our nation and a fundamental source of our national strength. The Defense Department has been deeply involved in all stages of the program that culminated in the moon landing with particular responsibility for construction of facilities, for the recovery of men and vehicles, and for range operations. In support of the Apollo XI mission, the Department contributed 7,000 people, 54 aircraft, and 9 ships. Of the 54 astronauts now active, 47 have served in our country's armed forces, and a sizable majority of them—34, to be exact—are still on active duty. The military-industrial-labor team helped to remove the veil of uncertainty that covered so much that we had to know before we could send men to the moon. It produced the vehicles and the instruments and other equipment. I hope that our critics will note that, without the military-industrial-labor team, there would have been no Mercury, no Gemini, no Apollo.

The space program should also remind us of the importance of the individual—a fact sometimes forgotten in vast organizations. It is not just those at the top who are important. We know the names of only a few of the tens of thousands who made a direct contribution to the successful outcome of the Apollo mission—names like Armstrong, Collins, Aldrin, and Colonel Frank Borman, who is with us here this evening to receive your special award. These pioneers deserve all the tributes they are being paid, but they would still be earthbound if they had not been supported by a vast number of other individuals doing their jobs and doing them well. And so, when we honored the three astronauts at Los Angeles and when you honor Frank Borman here tonight, a salute is given to all their teammates in their historic journeys.

It is the importance of people—the importance of the individual—that is the theme of my remarks to you this evening. I intend to use this forum to announce a new set of human goals which I will promulgate to all elements of the Defense Community.

When I speak to the Veterans of Foreign Wars on this subject, I know I have a receptive and responsive audience. As a member of VFW Post 1866, Marshfield, Wisconsin, I feel very much at home at this Convention. As a member of the House of Representatives, I served with three former National Commanders, Pat Kearney, Jimmie Van Zandt, and Richard L. Roudebush, who would never let me forget the Veterans of Foreign Wars even if I wanted to.

Since its beginnings in 1899, this organization has been as dedicated to the well-being of the individual as it has to the security of the nation. These twin objectives point to urgent tasks for the present and the future.

The record of VFW in supporting every needed step to provide for national security is a proud one. In my present office, I am well aware of what you have done, particularly in the debate over President Nixon's proposal for the Safeguard Antiballistic Missile System. Let me assure you that the President and all who have direct responsibility for keeping the nation secure are grateful for that support. As Secretary of Defense, I am also aware of the continuing need for the VFW to make its voice heard on the national security issues ahead of us so that our country will remain strong and free.

VFW has an equally proud record in its service to people. In every step that the nation has taken to provide equitable treatment to its veterans and to Service personnel, VFW has given leadership and support.

This organization cannot rest on the laurels of past accomplishment, and I know you do not intend to slow down any of your activities. There is a new generation of veterans. Already, 3 million men who served in the armed forces during the war in Vietnam have returned to civilian life. It is vitally important that those who have fought in perhaps our most difficult war not be forgotten. They will add strength and vigor to veterans' organizations—these young men who have fought for us with bravery and devotion, perhaps sometimes wondering whether their countrymen cared about the cause for which they were called on to risk their lives. No war is easy for those who are in it, but it takes a special brand of determination and more than ordinary morale for fighting men to carry on when some influential and articulate voices at home belittle their efforts and the cause for which they have seen their comrades die.

For as long as our nation sends men to Vietnam, we must let these men know that they have the nation's support, esteem and gratitude. As they return to civilian life, we must see that they receive whatever help they need to enable them to live in dignity and to match in civilian life the contribution they made to their country while in Service.

For this purpose President Nixon has appointed a Committee on the Vietnam Veteran. I am privileged to serve on this Committee which is headed by Don Johnson, the able new Administrator of the Veterans Administration. When we offer our recommendations for improvement in veterans benefits, I am confident they will deserve and receive the enthusiastic support of the VFW.

When I became Secretary of Defense in January, I found my "in-basket" full of urgent problems—Vietnam . . . Korea . . . cost overruns and delays in procurement . . . ROTC . . . shortages and obsolescence of equipment not directly related to the war in Vietnam . . . the development of new weapons and equipment . . . deterioration in our relations with some of our military allies . . . arms limitation talks . . . dissatisfaction with the selective service system. I stop at this point because I've run out of breath, not because I've run out of problems.

Of all the problems facing the Department of Defense, the most difficult may be the maintenance of a strong defense posture in the future. It is a challenge which I willingly accept. After World War II, the nation allowed its military strength to recede below the level of adequacy. This Secretary of Defense does not intend to preside over a re-run of that experience. The size and the quality of the armed forces, however, are not determined by the President or the Secretary of Defense alone. The nation's security will be assured only if an informed and concerned majority of the American people demand an adequate defense posture.

And this points to another task for the VFW and similar organizations for the future.

After Vietnam, there will be pressures—even now apparent—against the maintenance of sufficient military strength.

Even now there are irresponsible attacks on the military profession. An active campaign is being waged against the ROTC. Young men are being urged by some to resist the draft. Distorted analyses of defense costs appear in print and in speeches. These are indications of the pressures that may make it more difficult to recruit qualified personnel for the armed forces and to secure the funds needed for national security.

We in the Department of Defense have spent a lot of time in self-examination and self-criticism in the past few months in an effort to detect and remedy any shortcoming within the Department that may hinder the recruitment and retention of able people.

Let me tell you about some of the important conclusions we have come to. Our studies show that improvement is needed particularly in the handling of junior officers and enlisted personnel. Most of the young men we receive are well educated and highly motivated, full of ambition, full of energy. We must see that the treatment they receive does not frustrate their ambitions or waste their energies. We must show them that loyalty and respect among military ranks are a mutual, not a one-sided, relationship—extending downward as well as upward. We must cultivate and train these young men for leadership. We must provide them with adequate compensation and personalized career development. Above all, we must make them feel that they are important people doing important jobs.

The weaknesses which we found in the Department of Defense are neither new nor uncommon. They are characteristic of mammoth organizations—in business, in labor unions, even in our schools. One of the justified complaints of students in large universities is that they get lost in the crowd, forgotten and ignored.

In big organizations it is easy for the individual to become a cog in an impersonal machine. It is easy to become so bemused by the organization chart or the computer or the weapons system or the cost effectiveness calculus that one forgets about the human beings by whom and for whom these things are produced and used. It is easy to slip into an inflexible bureaucratic routine without ever pausing to see the deadening impact of this routine on initiative; innovation, and leadership. It is easy to centralize the power to make decisions and the power to spur action at the top of a large organization and, in the process, to stifle the bright ideas and the restless energy of the people down the line.

The most important conclusion which we have reached is that we must give new emphasis to the importance of the individual. People are our most important asset. We know that, and we must give practical application to this truth throughout the Department of Defense.

The first step is to articulate clear and specific objectives. As I indicated in my opening comments, I am taking advantage of this forum to announce today a set of human goals which it will be the policy of the Department of Defense to pursue.

Our nation was founded on the principle that the individual had infinite dignity and worth. The Department of Defense, which exists to keep the nation secure and at peace, must always be guided by this principle. In all that we do, we must show respect for the serviceman and civilian employee as a person, recognizing his individual needs, aspirations, and capabilities.

The defense of the nation requires a well-trained force, military and civilian, regular and reserve. To provide such a force we must increase the attractiveness of a career in Defense so that the serviceman and the civilian employee will feel the highest pride in himself and his work, in the uniform and the military profession.

The attainment of these goals requires that we strive—

To attract to the defense service people with ability, dedication, and capacity for growth;

To provide opportunity for every one, military and civilian, to rise to as high a level of responsibility as his talent and diligence will take him;

To make military and civilian service in the Department of Defense a model of equal opportunity for all regardless of race or creed or national origin, and to hold those who do business with the Department to full compliance with the policy of equal employment opportunity;

To help each serviceman at the end of his service in his adjustment to civilian life; and

To contribute to the improvement of our society, including its disadvantaged members, by greater utilization of our human and physical resources while maintaining full effectiveness in the performance of our primary mission.

There is much that we are doing at the present time to give life to these objectives from top to bottom in the Department of Defense.

In the six months during which I have served as Secretary of Defense, I have seen to it that military leaders are neither ignored nor bypassed in any matter on which their views should be received. It is simply foolhardy not to make maximum use of the great talent, wisdom, and experience available through the Joint Chiefs of Staff and within the Services. Civilian control has not been diminished. The advice of the military, though not always followed, is always given a full and respectful hearing.

I have begun also to decentralize authority within the Department. The Services are assuming greater responsibility, because the Office of the Secretary of Defense no longer makes the decisions that can be left to the Army, Navy, or Air Force Secretaries. This will strengthen civilian control.

One of my major concerns has been the 1300 servicemen missing in action or held prisoner in Southeast Asia. I have pressed for compliance with the Geneva Convention on the part of North Vietnam and the Vietcong. This Administration has called for the names of those being held as prisoners, for the immediate release of the sick and injured, neutral inspection of prison facilities, and the free flow of mail between prisoners and their families. I salute the brave wives of these men—four of whom are here tonight—and their children and parents who live in uncertainty. We must and will continue our determined efforts on behalf of these men and their families.

I have established a new agency—the Domestic Action Council—headed by Assistant Secretary of Defense Roger Kelley to give direction and urgency to our efforts to assist in solving domestic problems. A wide range of activities is going forward in this field including the use of military facilities for educatonal and recreational programs for disadvantaged young people. This summer we have given employment to 48,000 youngsters, most of them from poor families.

Under a program called Project Transition, with the cooperation of government agencies, industry, and labor, we are endeavoring to give outgoing servicemen help they need to make a smooth transition to civilian life, including job training in civilian occupations.

I have touched only a few of the high spots in a program inspired by our recognition of the importance of people. We are doing much. We shall do more as time goes by.

To make this program fully effective, however, we have to intensify our effort and surmount many obstacles. I'd like to mention just a few of the problems we face because you in this audience can help us in coping with some of them.

In the new pay legislation which we will submit to Congress in the near future, we intend to remove the financial hardship that many military families now suffer. President Nixon in his "New Federalism" speech proposed that federal payments be made to families whose income is below certain levels. Many people do not realize that the military compensation of at least 50,000 servicemen with dependents falls below these levels although many of their families undoubtedly receive income from other sources, particularly from working wives. Nevertheless, too many military families suffer financial hardship, some of whom are even forced to go on welfare in order to survive. We are now conducting a study to find out how many they are and to understand fully the causes of this deplorable situation. As long as this situation exists, we cannot claim to have attained our objective of according people the respect due the individual human personality.

The Defense Department has made substantial progress toward eliminating discrimination in housing available to military personnel. Yet housing conditions around some military bases make a mockery of the national goal announced 20 years ago of making it possible for every American family to have a decent home in a suitable environment. This problem is one of our highest priority concerns.

The Department of Defense does a lot to provide protection to the 10,000,000 consumers for whom it has a responsibility—servicemen and their dependents. We have just completed the task of strengthening the protection given to prevent bilking and defrauding of servicemen. We have within the past two weeks moved to upgrade our credit unions which enable servicemen of all ranks to borrow on favorable terms.

But, in this field too, we have outstanding problems. For example, we are now at work seeking to reduce the discriminatory premiums some automobile insurance companies are levying on servicemen.

I want to assure that officer and NCO Clubs throughout the world are run exclusively for the best interests of their members. Recent information that I have received and that we are developing indicates that this may not always have been the case. I intend to see that any past abuses are ended and that corrective action is taken wherever indicated.

I said earlier that you of the VFW can help us in our efforts to give deserved recognition and respect to those in military service. Many of the obstacles we face—some of which I have cited—arise from practices in the civilian sector and can be removed by action of private individuals and organizations. Your influence in your home community might be invaluable in rectifying such injustices. Some obstacles can be removed only by legislative action. Here, again, you can help.

President Nixon said in his commencement address at the Air Force Academy in June, "Every man in uniform is a citizen first and a serviceman second. We must resist any attempt to isolate the defenders from the defended."

In the last analysis the Department of Defense can succeed in making a military career rewarding and respected only if it has the cooperation of the general citizenry of the country. For, those in military service will be as proud of their profession as they should be only if their fellow citizens give them respect and gratitude.

They richly deserve this respect and gratitude. I know the great majority of our citizens accord it to them—but sometimes the voice of this majority becomes only a whisper. You can help to amplify that whisper so that it comes through loud and clear. This is the least any of us can do for those on whom we must rely to keep the peace and preserve our freedom and security.

NATIONAL GALLERY OF ART CALENDAR OF EVENTS—SEPTEMBER 1969

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to place in the CONGRESSIONAL RECORD the calendar of events for the month of September 1969 of the National Gallery of Art.

The National Gallery has again scheduled an exciting number of events and exhibits for the citizens of Washington, D.C., and visitors to our Nation's Capital.

The calendar follows:

NATIONAL GALLERY OF ART—CALENDAR OF EVENTS, SEPTEMBER 1969

Sunday evening concerts: Weekly concerts in the East Garden Court resume September 28, at 8 p.m. with music performed by the National Gallery Orchestra under the direction of Richard Bales.

Labor Day film: *Moulin Rouge*, the award-winning film based on the life of the nineteenth-century French artist Henri de Toulouse-Lautrec and starring José Ferrer, will be shown in the Lecture Hall at 2 p.m. on Labor Day. Running time is two hours.

Christmas catalogue: The 1969 catalogue of National Gallery Christmas cards may be requested from the Publications Office by mail or telephone (737–4215, ext. 217).

John Constable: An exhibition of 66 paintings by Britain's foremost landscape artist, selected from the collection of Mr. and Mrs. Paul Mellon. Studies of sky and clouds, portraits, and a group of landscapes including *Hadleigh Castle*. Fully illustrated catalogue with introduction by John Walker and notes by Ross Watson, 10" x 7½", 64 pages, 66 black-and-white illustrations, $2.50 postpaid.

Recent publication: *Blake and Tradition* by Kathleen Raine, eleventh in the Bollingen Series of The A. W. Mellon Lectures in the Fine Arts, distributed by Princeton University Press. Vol. I, 428 pages with 123 illustrations; vol. II, 370 pages with 71 illustrations. $22.50 postpaid.

Recorded tours: *Acoustiguide*. A 45-minute tour of 20 National Gallery masterpieces selected and described by John Walker, Director Emeritus. Portable tape units rent for 25¢ for one person, 35¢ for two. Available in English, French, Spanish, and German.

LecTour. A discussion of works of art in 28 galleries. Talks in each room, which may be taken in any order, last approximately 15 minutes. The small radio receivers rent for 25¢.

Gallery hours: Weekdays 10 a.m. to 5 p.m. Sundays 12 noon to 10 p.m. Admission is free to the building and to all scheduled programs.

Cafeteria hours: Weekdays, 10 a.m. to 4 p.m., luncheon service 11 a.m. to 2:30 p.m. Sundays, dinner service 2 p.m. to 7 p.m.

GERMAN EXPRESSIONIST WATERCOLORS

Central Gallery, September 18–October 19: Renewal of existence through freshness of vision was an aim of the German Expressionists, and perhaps why they produced so many of their pictures in the spontaneous medium of watercolor. The Gallery's fall exhibition schedule opens September 18th with a showing of 72 such masterpieces on paper from the Haubrich Collection of the Wallraf-Richartz Museum in Cologne. For the American preview, through October 19th, the Galley has added a section of important German watercolors lent by collectors in the United States.

The exhibition illustrates the three major groupings of German Expressionists, originating with *Die Brücke* (The Bridge) in 1904/05 when the students Heckel, Schmidt-Rottluff, and Kirchner formed an anti-academic studio with Nolde in Dresden. A few years later, Klee, Marc, Feininger, and others gathered around the Russian Kandinsky in Munich to evolve the increasingly abstract images of *Der Blaue Reiter* (The Blue Rider) movement. At the close of World War I and in the chaotic period that followed, a new generation emerged to reject both the emotional intensity of The Bridge and the intellectualism of The Blue Rider. Led by Otto Dix and George Grosz, *Die Neue Sachlichkeit* (The New Objectivity) rejected painterly effects to produce shocking satirical judgments on contemporary conditions.

Horst Keller, Director of the Wallraf-Richartz Museum, selected the Cologne part of the exhibition and compiled the catalogue for the International Exhibitions Foundation. Dr. Keller is one of six authorities on twentieth-century German painting who will give Sunday afternoon lectures at the National Gallery on topics related to the exhibition, from September 7th through October 12th. See weekly listings for details.

MONDAY, SEPTEMBER 1, THROUGH SUNDAY, SEPTEMBER 7

Labor Day film: *Moulin Rouge*, Lecture Hall, Monday 2.

Painting of the week: Bonnard. *Standing Nude* (Lent by Mrs. Constance Mellon Byers) Gallery 76. Tues. through Sat. 12 & 2; Sun. 3:30 & 6.

Tour: *Introduction to the Collection*. Rotunda, Mon. through Sat. 11, 1 & 3; Sun. 2:30 & 5.

Sunday lecture: *German Expressionism and Modernism. Guest Speaker:* Donald E. Gordon, Chairman, Department of Fine Arts, University of Pittsburgh, Lecture Hall 4.

MONDAY, SEPTEMBER 8, THROUGH SUNDAY, SEPTEMBER 14

Painting of the week: Rubens. *Marchesa Brigida Spinola Doria* (Samuel H. Kress Collection), Gallery 41A. Tues. through Sat. 12 & 2; Sun. 3:30 & 6.

Tour of the week: *German Painting*. Rotunda. Tues. through Sat. 1; Sun. 2:30.

Tour: *Introduction to the Collection*. Rotunda. Mon. through Sat. 11 & 3; Sun. 5.

Sunday lecture: *German Expressionist Watercolors. Guest Speaker:* Horst Keller, Director, Wallraf-Richartz Museum, Cologne, Germany. Lecture Hall 4.

MONDAY, SEPTEMBER 15, THROUGH SUNDAY, SEPTEMBER 21

Painting of the week: Murillo. *A Girl and Her Duenna* (Widener Collection), Gallery 51. Tues. through Sat. 12 & 2; Sun. 3:30 & 6.

Tour of the week: *Expressionist Tendencies in Art*. Rotunda. Tues. through Sat. 1; Sun. 2:30.

Tour: *Introduction to the Collection*. Rotunda. Mon. through Sat. 11 & 3; Sun. 5.

Sunday lecture: *Expressionism and German Architecture. Guest Speaker:* Barbara Miller Lane, Professor of History, Bryn Mawr College, Bryn Mawr, Pennsylvania. Lecture Hall 4.

MONDAY, SEPTEMBER 22, THROUGH SUNDAY, SEPTEMBER 28

Painting of the week: Andrea del Sarto. *Charity* (Samuel H. Kress Collection), Gallery 13. Tues. through Sat. 12 & 2; Sun. 3:30 & 6.

Tour of the week: *The Exhibition of German Expressionist Watercolors*. Central Gallery. Tues. through Sat. 1; Sun. 2:30.

Tour: *Introduction to the Collection*. Rotunda. Mon. through Sat. 11 & 3; Sun. 5.

Sunday lecture: *The Watercolor Medium and the Expressionist Message. Guest Speaker:* Julia S. Phelps, Lecturer on German Art, German Department, Harvard University, Cambridge, Lecture Hall 4.

Sunday concert: National Gallery Orchestra, Richard Bales, *Conductor*, East Garden Court 8.

CRISIS IN WORLD STRATEGY: THE RISE OF SOVIET RUSSIA'S NAVAL POWER

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. RARICK. Mr. Speaker, in past speeches on crises in world strategy, I have dealt with various elements in the changing world power structure picture.

Until 1967, Soviet Russia was primarily a land power. Since then Soviet naval strength has expanded greatly, especially in types of vessels in which the U.S. Navy is weak, and is rapidly attaining the military potential that will enable it to challenge the naval forces of the United States.

An informative editorial in the August 31, 1969, Sunday Star of Washington, summarizes the history of the evolution of Soviet sea power.

Because of its relevance to current problems of world politics, I make it part of my remarks, as follows:

THE RISE OF SOVIET RUSSIA'S NAVAL POWER

While the United States Navy is retiring 76 ships and defense budgetparers are demanding further cuts in naval spending, the Soviet Union is well on its way to becoming the world's leading maritime power.

Russian squadrons are cruising the seven seas, breaking the Red ensign over troubled waters from the Caribbean to the Persian Gulf in a profound reversal of Moscow's relatively recent landlubber policies.

Although the Russians never have been a sailor people, the lure of the sea is nothing new for Muscovy. Peter the Great, who ruled from 1682 to 1725, fathered the Russian Navy. After working incognito in a Dutch shipyard to obtain personal knowledge of maritime matters, Peter through his Baltic conquests and the construction of St. Petersburg (Leningrad) gave Russia her "window on the world."

Catherine the Great, whose sexual voraciousness matched her lust for power, consolidated Peter's work and—through judicious use of such 18th Century cutlasses-for-hire as John Paul Jones—contested mastery of the Caspian with the Ottoman Turks and won control of the Black Sea.

In an interesting parallel to the present situation, Russian fleets plied the Mediterranean for 40 years before their recall was forced in 1807 by the growing might of Napoleonic France.

Diversion of Russian energies to the conquest of the Eurasian land-mass, the superior technology of the Western maritime nations, and poor leadership combined in the 19th Century to force the czarist navy into a defensive posture. The ultimate humiliation came with the Japanese annihiliation in 1904–05 of Russian fleets at Port Arthur and Tsushima, contributing to the atmosphere of despair which culminated in the October Revolution a dozen years later.

The navy fared little better under the Kremlin's Communist rulers. Suspect as a nest of aristocratic sympathies, the navy was savagely purged and starved of appropriations.

Stalin, an insular Georgian who thought in continental rather than global terms until his last years, created only a "fortress fleet"

for coastal defense, subordinating the navy to army command during World War II.

In the last decade of Stalin's life, Russian strategy reverted to Peterist concepts. The Soviet Union extended its "window on the world" by annexing the Baltic states, and began laying the keels of a balanced fleet to match its new postwar power.

Under Khrushchev and the present Brezhnev-Kosygin duomvirate, the Kremlin pushed a program of naval construction that was at once recognition of the declining maritime strength of Britain and France and admission of the political and military need to challenge America on the high seas.

Although the need for a global fleet probably had been conceded by them, the single event underlining this imperative unquestionably was the Cuban missile crisis of 1962, when lack of conventional Soviet naval power forced a humiliating defeat on the Russians which contributed to Khrushchev's downfall.

Since that day, Russian military spending, including naval allocations, has increased annually. This year the Russians are spending the equivalent of about $60 billion on defense, as compared to about $80 billion for the U.S. But when the costs of the Vietnam war are deducted—about $29 billion annually—it becomes clear that the Russians are spending more than we are on weaponry, although their gross national product is only half that of the U.S.

The Russian fleet now totals 1,575 vessels, as opposed to 894 American ships, excluding the 76 to be mothballed within the next three months. More importantly, Moscow's growing armada is more modern than ours: 58 percent of our navy's combat ships are 20 years or more old; in contrast, only 1 percent of Russia's navy is that old. Nor is the Russian edge limited only to numbers and newness: Soviet excellence in naval missilery, electronics, fire-control and hull-design is acknowledged by Western experts.

Although the U.S. Navy enjoys overwhelming superiority in aircraft carriers, the Russians outnumber us in submarines by 375 to 143. According to recent testimony by Admiral Hyman G. Rickover, the Navy's nuclear boss, the Russians are building one Polaris-type submarine per month and will overtake us in this aspect of the nuclear field by the end of next year.

While land-based intercontinental ballistic missiles may be the most vital element in any nation's arsenal, the Russians have recognized—if we have not—that naval superiority can be crucially important in the immense range of alternatives short of total nuclear war.

By their nature, missiles are both remote and invisible, having little day-to-day political impact around the world. But the presence in a neutralist port of a modern Russian fleet gives visual testimony to the politico-economic might of the Soviet Union, lends dignity to local Communist parties, encourages trade, facilitates intelligence gathering and overawes wavering governments.

Logic and the movements of the Red Fleet serve to identify the initial goal of Soviet naval strategists: Predominance in the Mediterranean where 63 warships—half their long-range fleet—are cruising.

Through its pro-Arab, anti-Israel policies, the Kremlin has gained political leverage and concomitant military footholds along the southern shore of that sea, from Latakia in Syria to Mers-el-Kebir in Algeria. Soviet naval activity in the Mediterranean during the first half of 1967 was 400 percent greater than the comparable figure for all 1963; since the earlier year, Russian submarine activity in the Mediterranean has increased 2,000 percent.

With the end of British rule in Aden, the Russians have expanded their influence at the southern end of the Red Sea, solidified their position in Egypt and placed heavy pressure on the Turks for unrestricted use of the Dardarnelles. In Gibraltar, Spain—supported directly by the Arabs and indirectly by the Soviet Union—is trying to expel Britain from the Mediterranean's western gate.

If and when the Suez Canal is reopened, it appears more than possible that the Russians will have compliant regimes at each of the Mediterranean's corks. This would provide moral support to the Communist parties of Italy and France (the biggest in the West) and open the way to that historic Russian goal, the Indies.

In short, the peoples of the world are going to be seeing more of Soviet naval squadrons in the near future. Ivan's wake is going to be foaming blue water from New Orleans to Tokyo, from Valparaiso to Cape Town.

We know too much to doubt Russia's military capabilities. We can only guess at the Kremlin's intentions. But the prognosis—in view of increased Russian defense spending, the crushing of domestic dissent and the demonstrated willingness to take military risks in Europe and Asia—cannot be sanguine.

Under the circumstances, those who seek to slash our defense budget—and particularly naval allocations—must be very sure they are trimming fat and not military muscle.

We do not quarrel with the retirement of over-age ships. But if this nation is to preserve its influence among the countries washed by the seven seas, this should be matched by a substantial building program to modernize both our navy and merchant fleet.

REMARKS OF THE HONORABLE THOMAS EAGLETON

HON. BILL D. BURLISON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. BURLISON of Missouri. Mr. Speaker, my State's junior Senator, the Honorable THOMAS EAGLETON has just recently made a whirlwind factfinding tour of my district. This outstanding young man is widely recognized in his home State because of his exemplary record in local and State government. Now, as a first-term Member of the Congress, he is rapidly gaining a similar respect. I would like, at this time, to share the thought-provoking remarks of Senator EAGLETON delivered in my district, as follows:

SPEECH AT THE POPLAR BLUFF KIWANIS CLUB, AUGUST 14, 1969, POPLAR BLUFF, MO.

(By Senator THOMAS F. EAGLETON)

The hottest issue before the Senate and the issue which most directly affects every American is the Tax Reform Bill of 1969.

The essential provisions of the present income tax system were enacted over fifty years ago. Since that time, numerous incentives and preferences have been made a part of the tax code to meet the need—whether apparent or real—of some limited segments of the economy.

Increasingly in recent years, taxpayers with substantial incomes have found ways of gaining tax advantages from these provisions and in many cases, have managed to pile one advantage on top of another.

The scope of such "legal tax evasion" precludes mere patchwork remedies. A comprehensive reform is essential.

Ours is a system which relies primarily on the individual to compute and pay his own tax. The voluntary payment system will continue to be effective only for as long as the American taxpayer feels that everyone else is in the same boat—that all must help bear this burden.

Inevitably, it will fail if the ordinary taxpayer finds that he is paying a disproportionate share, or if he sees well-placed individuals and corporations with large incomes evading all taxes.

In 1967 there were 155 individuals with adjusted gross incomes of $200,000 or more who paid no income tax. Twenty-one of these were millionaires with a combined income of more than $60 million. There were 626 millionaires who did pay income tax at an average rate of 56 percent of their taxable income—the same rate which normally applies to a single person with a taxable income of $32,000 and who is not in a position to utilize the same advantages as a millionaire.

We are all familiar with the many other loopholes and devices so favored by wealthy individuals and corporations with special preferences.

There is the real-estate operator who earns millions and pays taxes at the same rate as the father who earns $10,000 per year. There are the hobby farmers who can make a tax profit by farming at a loss, while they compete with real farmers who not only have to struggle for a slim profit but pay their full share of the taxes as well. And there are the oil and mining companies which have enjoyed depletion and extraction allowances for so long that the rates at which these allowances are fixed become, in their view, immutable and beyond question.

Tax incentives or tax breaks have a legitimate place in a pluralistic society when they serve the public interest. But when incentives become loopholes . . . when tax breaks become shelters . . . and when the public interest gives way to private interests, it is time for a judicious but thorough house cleaning.

The bill passed by the House and now pending before the Senate represents a determined effort to make our tax structure more equitable at all levels. Thus, it provides not only tax reform but also tax relief for the middle income classes who now bear such a heavy share of the tax burden.

The House bill provides considerable relief for these middle-income taxpayers. It is estimated that 58 per cent of individual taxpayers in 1969 will use the standard deduction which is now limited to a maximum of $1000. Over the next three years those taxpayers will be able to take advantage of an increased standard deduction on a graduated basis until it reaches $2000—or double the present amount—in 1972.

Forty-two per cent of individuals paying taxes in 1969 will itemize their deductions. For these individuals, the bill provides an average tax reduction of 5 per cent in two installments occurring in 1971 and 1972.

Single persons over 35 who have been denied the advantages given to married persons will now begin to get a break similar to that of married persons filing a joint return.

The Senate Finance Committee has pledged—as a condition of the temporary continuation of the surtax—to complete its deliberations on this bill by October 31 and report it to the Senate floor for debate and vote. The Senate will have an ample opportunity to give careful consideration to the many complex details contained in this 368-page bill.

I, for one, will want to carefully review those provisions dealing with the income of private foundations and with the interest on municipal bonds, both of which have been tax-free in the past. The freedom of private foundations to gamble on new ideas in science and education, or the ability of municipalities to sell tax-free bonds at reduced rates, means that we are less dependent on Washington to finance social progress and innovation.

The momentum for change in our tax laws is running strong. The Democratic

leadership in Congress has set the end of the year as its target for completion of action on this legislation. I am confident that we can achieve this target if the Administration is sufficiently aware and sufficiently concerned about the legitimate grievances underlying the current "taxpayers' revolt" . . . and if the President is willing to use his prestige and resources in support of this movement.

SPEECH AT THE CIVIC CLUB DINNER, KENNETT, MO., AUGUST 15, 1969

(By Senator THOMAS F. EAGLETON)

For more than a month, the United States Senate has been engaged in an historic debate over a bill to authorize the appropriation of approximately $20 billion for the procurement of military equipment.

Public attention has been largely focused on just one aspect of the bill—the narrowly defeated amendment to eliminate funds for the Safeguard ABM system.

But there is an issue which many have overlooked amidst all the sound and fury and publicity stemming from the ABM debate: for the first time in decades Congress has taken a serious and detailed review of the Pentagon's request for funds. This development may in the long run be of even greater significance than the ABM authorization.

Year after year the generals and admirals have marched up to Capitol Hill to relate new and often exggerated threats and to recommend new and ever more costly weapons systems to meet them—claiming that each is absolutely necessary for national security. And Congress, virtually without exception, has voted as much as the Pentagon has asked, or more.

The reluctance of Congress to challenge Pentagon fund requests is understandable. First, the funds are almost always sought in the name of national security, and who wants to be against national security?

Second, the whole subject of weapons systems, military equipment and defense authorizations is incredibly complicated, often having its roots in abstruse technological concepts.

For example, the Armed Services Subcommittee which deals with military research and development projects was called upon this year to deal with requests for the authorization of thousands of research and development projects with costs totaling $8.2 billion. In an attempt to reduce this figure to manageable proportions, the Subcommittee extracted from the list all the projects costing $2 million or more—and found that there were more than 2,000 of these.

The three Senators on this Subcommittee have exactly one staff member to aid them in their work. Obviously, no full-fledged review is going to result from this system.

For this reason I think it is important to note that the Senate, after it rejected the anti-ABM amendment, approved several amendments to provide detailed information in the future about military projects and their costs. The Government Accounting Office, which is an arm of the Congress, will be obliged to make regular reports to Congress concerning the overall cost of military research and procurement and will provide detailed cost studies of some specific projects.

As an example, a compromise was reached on a bipartisan amendment offered by Senator Mark Hatfield of Oregon, and myself which will require a GAO study of the constantly escalating costs of the Army's Main Battle Tank project. The research and development costs of this system, conceived in 1963, have risen 528 per cent in just 6 years, while the tank's projected operation date has slipped back from 1969, its originally estimated operational date, to 1974 or 1975.

In short, Congress has begun to exercise its responsibility to put military programs under the same looking glass and to give them the same scrutiny that it has heretofore given such programs as aid to education or job training for the unemployed. If nothing else, the Senate debate of the last month has awakened Congress to the need for the kind of information that will enable it to conduct such a review and, ultimately, to make allocations of national resources on a more intelligent basis.

SPEECH AT THE YOUTH COMMUNITY BETTERMENT DINNER, AUGUST 15, 1969, DEXTER, MO.

(By Senator THOMAS F. EAGLETON)

The purpose of this dinner tonight—to build a new teen center for Dexter—is the kind of project with which I am most happy to be associated. I think this teen center is important not only for what it will be but also as a symbol of what local communities can do—themselves—to become better places to live.

The kind of forward-looking attitude represented by this project is essential to the survival of the nation's smaller cities. And I think the survival—and not just that the expansion, the growth—of cities such as Dexter is necessary for the future of America.

That brings me to the substance of my message tonight, which is really two-fold. The first point I would make only reinforces what you, by your presence here tonight, have shown you already know: If you truly want to help make our society a better place in which to live, you will be most effective if you start close to home. It is a point I would press home to the youths who will be using the teen center. The second point is that, while Washington cannot do everything, it can, without becoming heavy-handed, do some things, particularly in rural job development, the keystone to a vital small-town America.

Anyone who watches television knows the litany of national problems that need solving: Vietnam . . . the arms race and what it takes out of every paycheck . . . crime . . . pollution that is choking our cities and killing our lakes and streams . . . urban decay . . . rural decline . . . racial tension . . . hunger.

Because these are nation-wide problems, there is a natural tendency to look for—or wait for—national solutions. It's Washington we see on television all the time. It's Washington that has most of our tax money. It's Washington that makes the big decisions. So leave it to Washington.

There are two things wrong with this approach.

First, having been in Washington for a few months, I am pretty sure that neither the Congress nor the White House—under any Administration—is going to come up with all the answers. There is a lot we in Washington can do, and we can do it a lot better.

But the fact remains that there is not much that can be built from the top down—especially societies.

Secondly, when you leave it to Washington in your own mind, you destroy your initiative. You can grumble, or write your Senator. But as long as you assume the most of the public decisions that affect you have to be made by somebody else, someplace else, you are going to be very ineffective, very frustrated, and, ultimately, very disappointed citizens.

Let me suggest to you tonight that a great many of the most momentous public decisions, so far as your own lives are concerned, are going to be made—or neglected—right here in Stoddard County . . . in the next county court election . . . in the next school board election . . . in the meetings of the Soil and Water Conservation District . . . by the success or failure of the Bootheel Economic Development Council.

You'll never see these decisions reported on national television.

But they are the decisions that will determine to a very large extent what kind of a community you call home.

They will determine whether Dexter grows or shrivels off the map; whether you attract new industry and new jobs, or see your tax base slowly dry up.

It is up to you to decide whether progress will mean taking advantage of the natural beauty all around you, or mean instead choking, concentric rings of motels and hotdog stands; whether you give your teachers first-rate salaries for a first-rate school system, or see more families move away in search of opportunity for their children.

The movement away from small town America is caused primarily by the dwindling number of jobs and economic opportunities in many of our smaller cities. As I have said, it is a problem that must be tackled mostly on the local level, but I think Washington can play an important role, too.

This is why I have co-sponsored a bill, introduced by Senator Jim Pearson of Kansas and Senator Fred Harris of Oklahoma, whose aim is to attract new, job-creating industries to rural communities through a program of tax incentives.

I am sure you are all familiar with this legislation, called the Rural Job Development Act of 1969. It is drawing bipartisan support (Senator Pearson is a Republican and Senator Harris, of course, is chairman of the Democratic National Committee). The National Rural Electrification Association has endorsed it. President Nixon has spoken with favor of rural tax incentives.

The Act would create Rural Job Development Areas, which would be restricted to counties that have no cities larger than 50,000 population and in which at least 15 per cent of the families have incomes of under $3,000 a year, or where employment has declined at more than 5 per cent a year during the last five years.

I think it is a sound, proper approach, particularly at a time when many industries are discovering that doing business in the cities is almost prohibitively costly and are in a 'look-around' mood.

People will go—or stay—where the jobs are. Both the quality and the quantity of economic and social opportunities in rural America must be expanded so that those who wish to stay there will be able to do so.

The Rural Job Development Act as now written provides a 15 per cent tax credit on machinery and equipment, a 7 per cent credit on land and buildings. It also contains accelerated depreciation features and deductions for training workers.

Some have argued that the tax incentives are too generous as written. They could be pared down some. But I think industries locating in new communities under the terms of the Act would generate enough jobs—and therefore enough income tax—to offset the loss of tax revenue from the incentives.

In my view, the price paid for rural economic development is an investment in future earnings and future productivity and in the future of our rural communities. I think that this is a price well worth paying.

But in the long range, America desperately needs a reassertion of local self-government . . . of local attention to local needs . . . of local outrage at local injustices . . . of local vision as to what our local communities can and must become.

I am not talking about a step backwards to the good old days when nothing much happened at the county court house and when things were quiet "down on the farm."

I am talking about building the American Society we want in these final decades of the Twentieth Century from the grassroots up. The right answers for you ultimately have to be determined by you—right here.

LETTERS FROM A VIETNAM SOLDIER WHO IS GONE

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. DUNCAN. Mr. Speaker, of all the heroes of the Vietnam—or any other war—none can compete with a young man from Knoxville who recently gave his life. I say "gave" for indeed he did without reservation. This young man was above his fellow man in his understanding of life and war and on the eve of the ambush which took his life he wrote to his parents:

I was happier, stronger, smarter, richer, and more satisfied with life, because I knew what life was and what it wasn't.

He wrote two letters on the fateful eve—one to be mailed to his parents, the second to be sent only if he should be killed. Both letters were delivered.

Don Whitehead carried these letters in his column in the Knoxville, Tenn., News-Sentinel, and I insert his article today in the CONGRESSIONAL RECORD so that all who read these pages can glimpse into the thoughts and heart of one young American—a truly great American.

The article follows:

DON WHITEHEAD REPORTS ON LETTERS FROM A VIETNAM SOLDIER WHO IS GONE

In a lonely outpost in Vietnam, a young Knoxville soldier barely old enough to vote sat alone in his command post thinking of home, his parents, the meaning of the war on that alien soil, and why he was here. The date was June 4, 1969.

The youth wore the bars of a first lieutenant.

He had volunteered for Army service in 1967 when he was 19. There had been those months of training at Benning and Bragg and Bliss. Basic training. Officer training. And hours of studying the Vietnamese language.

In April of this year he had arrived in Vietnam. He had been assigned as an adviser to a South Vietnamese unit. Now he was at a place called Suar Cat. Out there in the jungle beyond the defense perimeter of the village were the Viet Cong and no one knew when they might strike.

ASSIGNMENT DEMANDING

The young soldier, dark-haired and handsome, wrote two letters as he sat in his command post. The first was a long letter to his parents telling of his experiences and his work with the South Vietnamese troops.

"I walked about 8964.3 miles today through some pretty thick jungle," he wrote. "We're at Suar Cat now, and away from the flat, open fields . . . Back there when we went on patrols we could stop to pick up pineapples, mangoes, breadfruit, bananas, etc. Here there is nothing but vines and trees and all kinds of tangled up green and brown stuff. Boyo-boyo.

"Tonight maybe I'll go on an ambush patrol—we're supposed to particiapte in three night operations a week, minimum. Right now, since I'm the only officer on the team I go on every operation . . .

"You know, the quiet moments are becoming filled with thoughts of home. Of bright lights and the sounds of a modern city. Of stores with rows and rows of shelves packed with bright, clean new products. Of one last chess game and one last hug-and-kiss. Of quiet nights and quiet stars.

"Still, though, those moments are pretty infrequent because of the way I keep busy here . . . We'll be going on operations much more now. And my additional duties as team leader are numerous. I'm the planner, the diplomat, the supervisor, the liaison man, the subtle leader, the combat soldier. I must advise men who have been fighting for 5 or 10 years or more. I can't make mistakes. One mistake would blow it all . . . It's a demanding job.

"But I like it. That's the groovy part. I'm doing something. I'm working at something that I like and that requires my intelligence and ability and imagination and ingenuity. I go to sleep tired at night and wake up early ready to get to work. I'm confident that I'll be able to handle whatever comes up. I'm calm. I'm so calm I amaze myself. I see so many things I can do here . . . It's a challenge and I dig it. It blows my mind a little sometimes. But I dig it . . ."

FOR POSTHUMOUS DELIVERY

The second letter was different. It took longer to write because it was a letter not to be mailed unless the young soldier was killed in action. It was an outpouring from the heart. And the youth wrote in his bold script . . .

"Dear Folks:

"By the time you receive this I know that you will have heard the sad news. And it is sad, but only because everyone will misunderstand it. So I have written to try to clear things up. You see, I don't want anyone to think I would be silly enough to die for nothing. I always was one for getting in the last word, and that's what I plan to do now.

I'm not asking you to rationalize that Vietnam was a good cause for this reason or that reason. I'm asking something harder than that. I'm asking that you take my word that I did nothing in vain, because no one knows more about that than I do. Don't ever ask, 'Why me?' because I'll tell you why right now. To get from point to point, all a man has to do is to take one step at a time, but if he never takes the first step he'll never get there. To preserve freedom it takes a group effort. Groups are made of individuals who take that first step. As long as there are enough people who care enough about freedom to have the courage to take that first step to fight for freedom, freedom will never be lost.

"Yes, there are some disappointments. There are many things I wanted to do, and it's too bad I can't do them. I hate that, in a way, but I have the consolation of knowing that I did what I thought was right and I did it all the way. I didn't hold back. I stood up to be counted, and, for as long as I fought, I fought well. That's all anyone can do.

"Very few people appreciate or are even aware of what a soldier is or does. That's O.K. I never wanted glamour, I just wanted to be a good soldier. As a soldier, I could walk down any street and hold my head high and know that I was at least equal to and probably better than any man I saw, because I backed up my thoughts and words by doing something about them. I was doing my part. Paying my own way. Sort of like paying the mortgage on a house. To stay free you just have to fight once in a while, because someone always wants to take away whatever you've got. I don't mind it, and I'm proud to have done the things I have. It doesn't matter now what the outcome of Vietnam will be (as far as my efforts are concerned) because I fought in good faith and felt that I was working for an ideal. And although the physical effects of my work may be destroyed, something will remain. No one can erase my efforts. If only one person benefits from my action, I will have been a success. I didn't mind the hardships—I asked for them. And, as far as dying is concerned, I preferred to die doing what I know to be my duty than to grow old despising myself because I lacked the courage to answer the call. I think that the way to measure a man is by the total weight of his lifelong good intentions and efforts against that of his bad ones. If good comes out on top, then somewhere along the line that man was a success. I'm sure I can pass that test—I want nothing else, except the last word.

"You see, when I used to tell civilian friends that I was a soldier they always assumed that I was a draftee. When I corrected their misconceptions, they always assumed that I was stupid. But I have the last word now, and I shall correct them once and for all. Joining the Army to fight in Vietnam (that is why I joined, and from the start I knew I'd go there—I volunteered for it) was the smartest thing I ever did. It emancipated me from a dream world and put me into action. That one decision made me a man (like baptism of desire). I decided to back up my lifelong ideals. After I got in the Army, I learned things that made me a better man, but April 17, 1967, was the day I became one.

"And so it is, in my final analysis, that I was right, and they were wrong. I die a free man, a strong man, a proud man. That's all there ever was to be. I fought for these things, never for a foolish idea such as 'eternal peace.' So I won all the marbles. I'm a winner. The ones who were afraid, or greedy, or too stupid to see the truth are the losers—even if they're still 'alive.' I lived more in 21 years than they'll live in 100. I was happier, stronger, smarter, richer, and more satisfied with life, because I knew what life was and what it wasn't. And I know what life was for—so I lived it to the fullest in my own way. Because that's the only way.

NOT SORRY FOR ANYTHING

"The whole point is that I am not one bit sorry for anything. Don't you be either. I'm happy because I have everything I ever wanted. I just thought things would be better if you knew this. And, I wanted to tell you that of everything I ever had, I am proudest of my family. I love each one of you very much, and I think you are the most wonderful people in the world. I know that each of you will always live life as you see it, and never forsake your dreams."

The next day—on June 5—the Viet Cong ambushed the young lieutenant's patrol. He fell, mortally wounded.

And thus ended a true profile in courage.

NATIONAL AIR EXPOSITION AT DULLES AIRPORT OVERWHELMING SUCCESS

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. PELLY. Mr. Speaker, the Second National Air Exposition, held at Dulles Airport August 15, 16, and 17, drew an estimated half million people who witnessed the most successful undertaking of this type ever staged in the United States.

But, the overwhelming success of the exposition did not come easily, and recognition must go to the Departments of Defense, Transportation, Commerce, the White House, and the National Aeronautics and Space Administration whose cooperation and assistance made the entire operation possible.

Beyond the assistance of these Government departments and agencies, Mr. Speaker, is the one-man ability of National Aviation Club Vice President George Thomas who was general chairman of the air exposition. Mr. Thomas

also is manager of the Seattle Chamber of Commerce's Washington, D.C., office, a post he has held for the past 22 years.

Mr. Thomas' organizational talent was clearly demonstrated by the success of the show. However, the carefully pieced-together exposition did not achieve that success without many hours of hard and diligent attention to deeply diverse details.

The honorary committee, consisting of a membership of eight Senators and five Representatives and chaired by the gentleman from South Carolina (Mr. RIVERS), also deserves commendation for their work in making the air exposition such a success.

In the competition of aviation throughout the world, Americans can be proud of their air exposition and thankful to men like George Thomas and the National Aviation Club for their untiring efforts.

POOR FEAR REPRISALS IN KNOX

HON. LLOYD MEEDS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. MEEDS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From the Whitesburg, Letcher County (Ky.) Mountain Eagle, July 10, 1969]

POOR FEAR REPRISALS IN KNOX

(By Mary Walton)

BARBOURVILLE.—A small woman in her mid-50's, and black, Dovie Thompson once supported her children and diabetic husband by cooking, cleaning and doing laundry for people in town.

Now, in the morning, she gathers small leaves in her front yard, which she copperplates at the Knox County Economic Opportunity Council workshop, transforming them into delicate, handpainted pins, earrings and necklaces to be sold at the Knox County Anti-Poverty Arts and Crafts Store.

A few days ago Mrs. Thompson stood at her work table, polishing the metallic leaves to a soft lustre. Around her, other workers were upholstering furniture and making "hillbilly" rag dolls for the store.

"The Governor's giving us a hard time," she said. "Were getting along real well if he'll just let us stay." As she spoke of better times when she and her husband used to own a garage, a tear rolled down her cheek. "If they take the program away," she said, "I don't know what I'll do."

Sooner or later employees and trainees of the Knox County Economic Opportunity Council (KCEOC) usually get around to talking about what's worrying them these days—the survival of the KCEOC under the Nunn Administration.

In an area known as Stinking Creek, Burchell Sizemore, a former welfare recipient now employed by KCEOC as a "center coordinator," drove a visitor over bone-jarring mountain roads past houses without electricity and running water, pointing out those which had undergone recent repairs in a federal home improvement project. He echoed Mrs. Thompson's concern. "If they take the program out, they might just as well take the people with it."

At the Messer Community Center—formerly a one-room school which community people have remodeled and expanded—where Head Start classes were in session, a group of well behaved five-year-olds played with blocks and delved into trunks of dress-up clothes. In the next room cooks were preparing a lunch of beef stew, peas, sliced peaches and milk for 30 children, some of whom might have little else to eat that day. "If they could visit up the hollows," Mrs. Helen Hobbs, the lead teacher, said quietly, "I think they'd change their minds."

An aide offered the opinion that recent opposition to the Knox County anti-poverty agency came from "the people in town that's got plenty of money . . . these people that don't need it."

Some of the people in town—county Republican leaders like County Judge William Sears and Cecil Wilson, editor of the *Barbourville Advocate*—say the Knox County Economic Opportunity Council, a federally-financed community action agency, is in serious trouble over a mule.

Governor Louie B. Nunn, they say, was needlessly provoked and embarrassed by the poor people's gift to the Republican governors at their recent conference in Lexington—shares in a mule named "Hope." Earlier, each of the governors had received a share in a $70,000 race horse from the Kentucky Thoroughbred Breeders Association.

The gesture was a protest and attempt to develop a job. You have to do the two things simultaneously.

Working is also an integral part of the Emergency Food Program, perhaps the only one in the country which requires able individuals to work for food stamp vouchers issued when a family is without other resources.

Recipients are not resentful about working, said Mrs. Sharon Davis, supervisor of the Emergency Food and Medical Services Program, because "to them it means so much more than when it's being given to them. As long as they say, 'I'm working,' it's not a handout."

In addition, KCEOC conducts early childhood training for 200 children and adult education classes for 217 people. Three former students now attend college full-time.

Altogether, the agency estimates that 4,000–5,000 people are involved in one or another of its activities.

But, says West, "A program's not worth a dime if it's not used for community organization."

The backbone of the Economic Opportunity Council, say the staff, is the Association of Local Action Groups, or LAGs, of which there are 13 scattered over Knox County.

Open to anyone who wishes to join, LAGs have gotten roads, street lights, mail and telephone service, and road signs for their communities. They've also raised money to build and repair LAG centers and construct the Arts and Crafts Store.

LAGs have the responsibility for selecting CEP trainees and homes to be repaired under the Home Improvement Program. Finally, the Association of LAGs sets goals for the KCEOC—most recently "more jobs"—and elects nine of the 27-member board of directors.

West looks forward to a non-profit Knox County Community Development Corporation—incorporated last May—in which poor people will own at least 60 percent of the stock. With stock sales and profits from existing businesses, the Corporation could finance new ones, providing experienced management and technical information.

In his office in the Barbourville Municipal Building, down the hall from the Mayor's office and the Chamber of Commerce, West recently asked the reason for jeopardizing these ambitious antipoverty activities with what some people regarded as no more than a prank.

Presenting the mule, West answered, was important because "poor people in Kentucky have never had a success in terms of being listened to, and the mule tended to dramatize that kind of thing."

"Unless somebody'd done something about it," West said, "those Area Development Districts would eventually control all federal funds that come in here. I got a feeling that now it's going to be much more difficult for that Board to have any kind of solid control without at least having the involvement of poor people and their ideas put in there." Poor people currently involved in Knox County's self-help projects are among its most fervent supporters. Perhaps because, as Dovie Thompson said at the workshop, they "feel better."

"A lot of people in this community had lost their dignity. They feel proud, they feel like they're needed."

"That's how I feel."

THIRTY YEARS AFTER THE INVASION OF POLAND, PEACE IS NO CLOSER THAN IT WAS ON SEPTEMBER 1, 1939

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. PUCINSKI. Mr. Speaker, Monday marked the 30th anniversary of the beginning of World War II.

It is ironic that as we observe this 30th anniversary of the invasion of Poland we find that the world is no closer to peace today than it was three decades ago when Nazi troops triggered World War II.

It is an even further height of irony that during these three decades, the Soviet Union, through its hypocrisy, deceit, chicanery, subversion, and aggression has forced the United States to expend more than $2 trillion in defense expenditures to preserve the balance of deterrents against major war.

And even as we mark the 30th anniversary of World War II—it could not have been started without Soviet infamy—we find the Soviet Union today continuing to create vast turmoil throughout the world.

One has a right to ask as we observe this 30th anniversary at what point is the free world going to finally realize that there can be no compromise with Soviet treachery?

The $2 trillion that the United States has had to spend on defense armament in these three decades is only part of the tragic story. We have no estimate on the total number of lives that have been lost in these three decades of conflict inspired by the Soviet Union.

Nor can anyone estimate the volume of privation that continues throughout the world because the evil forces of communism have blocked an orderly process toward resolving most of these social problems.

Hitler could not and would not have started World War II by plunging his forces into Poland on the morning of September 1, 1939, if he did not have in his pocket the infamous Ribbentrop-

Molotov agreement which divided Europe between the Soviets and the Nazis.

On this 30th anniversary of the beginning of World War II, the Soviet Union cannot escape its full share of the blame for this holocaust that took so many lives.

It was the height of Soviet deceit the other day to hear Communist leaders proclaim the Ribbentrop-Molotov agreement as a great diplomatic victory which gave Russia 2 additional years to arm against the Nazis.

This is the kind of rot that we have got used to hearing from Moscow and gives us a clue as to the degree of intellectual honesty that continues to exist in the Kremlin.

The Ribbentrop-Molotov agreement was the key to launching World War II and no matter how desperately the Communists try to cleanse themselves of their full share of responsibility, the fact remains that the conspiracy hatched by the Ribbentrop-Molotov agreement continues to this day.

The Soviet Union is today the principal supplier of arms to North Vietnam and continues to pressure Hanoi into continuing the war in Vietnam.

The Soviet Union has rearmed all the Arab States and is coercing them into continuing their aggression against Israel.

The Soviet Union has rearmed North Korea in violation of every one of the truce agreement terms negotiated in Korea 15 years ago.

The Soviet fleet continues to harass the American fleet in the Mediterranean.

The Soviet Union has proclaimed publicly that it will crush any resistance to communism in the captive nations of Europe.

Finally, the Soviet Union is now starting its intrigues and subversion in Africa.

Mr. Speaker, on this tragic 30th anniversary of World War II, it would be my hope that all of our citizens, as well as the people who love freedom throughout the world, would realize that there can be no lasting peace and that indeed World War II itself was a tragic effort so long as the treachery and deceit and subversion of the Soviet Union's international conspiracy is permitted to continue to flourish.

Those who during these 30 tragic years have sought to persuade us that there is some hope of coexistence with the Communists ought to look at the tragic record of these three decades.

The Soviet Union has succeeded in keeping the whole world in turmoil for three decades and there is no reason to believe nor is there an iota of evidence that the Kremlin has reached that point in time when it wants to abandon its international conspiracy and live at peace with the world.

We can never absolve the Nazis for the horrors of World War II but we should also never forget that the Nazis and the Communists were coequal partners in this monstrous attack on world peace and the Communists must continue to assume their full share of blame for this tragedy.

EDITORIAL DIALOG ON PRESIDENT NIXON'S BOLD WELFARE REFORM PROPOSAL

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. SHRIVER. Mr. Speaker, during the coming weeks and months Congress and the American people will have an opportunity to debate, digest, and evaluate the bold proposals which President Nixon has made to achieve much-needed reform of our Nation's welfare system. There are few who would disagree with the President's conclusion:

America's welfare system is a failure that grows worse every day.

The recommendations of the Nixon administration to effect welfare reform have stimulated editorial comments, both pro and con. Under leave to extend my remarks in the RECORD, I include the following editorials which are representative of the dialog now being conducted on the welfare proposals in the Kansas Fourth Congressional District:

[From the Wichita (Kans.) Eagle]

BOLD PROPOSAL TO REFORM WELFARE WOULD ERASE MANY FLAWS

President Nixon's proposal for sweeping reforms in the welfare system is a bold approach to a problem that certainly needs solving.

The $4-billion additional it is expected to cost is a lot of money, but presumably the work training programs provided will rehabilitate some welfare recipients and the cost will go down.

The program isn't likely to go through Congress without change, but if it is passed in a reasonable facsimile of its present form, it will do much to erase the many shortcomings of a system that has grown unsystematically over the years.

Its primary advantages would be that it would provide national welfare minimum payments, promote family stability, expand job training and day-care, provide work incentives and help the working poor.

All of these areas have been cited as flaws in the present welfare system.

Another provision is a sharing of a percentage of federal revenue with the states.

This has long been a suggestion of many Americans who believe the federal government, with its sophisticated tax collection apparatus, should share with the states which must confront increasingly complex problems.

The chairman of the House Ways and Means Committee, a man who has firm control of the nation's purse strings, has said this part of the President's program may have tough sledding.

Undoubtedly other parts will also get close scrutiny in a Democratically controlled Congress.

Nevertheless, the program is a start in an area that both Republicans and Democrats know needs overhauling.

It will simply have to be hammered out in a compromise between Congress and the Administration.

[From the Hutchinson (Kans.) News]

NIXON BREAKS SILENCE

What a shock it is.

President Nixon delivered his broadside on the crisis in public welfare, and the sound was his, all right, but the words were right out of that reconstructed and revolutionary Democrat, Daniel P. Moynihan.

One could hardly be more surprised were Ev Dirksen suddenly to sing soprano.

As James Reston noted on this page Monday, Nixon has now repudiated his own party's record on social policy. He has stated an unusually progressive welfare policy in conservative language, and in so doing, Reston adds, he "proposes more welfare, more people on public assistance, which will take more federal funds, than any other president in the history of the Republic."

The President aims to switch and fight. Interesting as this is for its political by-play, it is even more interesting for the President's determination to come to grips with what he calls a "colossal failure" in our welfare system.

What most of us have heard about welfare programs the past few years has come from two sources: 1—those expressing outrage of tax-supported illegitimacy, immorality and loafing by welfare recipients; 2—the more militant recipients themselves, demanding their rights."

Moynihan set out to report the full story of the system a half-dozen years ago. Before Nixon's election, he blasted "the horror of welfare reality," and called for changes on much the same line as those the President has now urged.

The new effort is controversial. Some have found racism in Nixon's approach. Big city officials are little help for their poverty programs. Many have concern over how Southern states will spend federal welfare money handed them without strings.

But for now, it is heartening that the President has broken the long official silence on our welfare system. All political shades, from liberal to conservative, will welcome that.

[From the McPherson (Kans.) Sentinel]

WANTS WELFARE PEOPLE TO ACCEPT OFFERED JOBS

President Nixon's proposed changes in our welfare program are a little too complicated and too general for most of us to understand fully, but two points are very clear: 1. Give states more authority in managing welfare problems and transfer federal funds to them to pay for the work. 2. Stop welfare payments to any man or woman who refuses to accept any job offered by welfare authorities.

No. 1 answers many a complaint about the federal government invading the rights of states. The proposal might be the start in giving these powers back to the states and could save tax money.

No. 2 hits at the heart of the worst welfare abuses in stopping welfare payments to any person who refuses to take a job when offered one. Under the present plan, too many on welfare have found it easier to starve on relief than to work when given the chance. This is one of the biggest reasons that the number of people drawing welfare checks has doubled in the past 10 years.

The goal is sound. May there be a way found to dig up the extra $4 billion or so a year the new plan may cost.

[From the Halstead (Kans.) Independent]

MORE FEDERAL POWER

Officials of the federal government as well as some state officials seem intent on changing the Republic into a total welfare state.

The latest proposal of President Nixon if enacted in its entirety would make this the greatest welfare nation in the world. Welfare of any kind is a bad situation. To those who have worked hard all of their lives, they have little generosity to give those people a living just because they are lazy.

This nation was founded on hard work and thrift. For the past 35 years the federal government through its officials have tried to change all this. Doles have been created for farmers, aid to dependent children and welfare for the poor.

Already the welfare system has set up such an empire that those living off of it have no desire to do anything else. Many families went on welfare in the WPA days. When better times came a big part chose to remain on welfare. Now there are several generations that know nothing but welfare.

Intent of the welfare program is noble. Its only problem is that the program as proposed expands it rather than cuts it down. Welfare or a welfare state as proposed by our president is contrary to the growth and basic ideals of this nation.

Should this Federalism spread in the welfare program as proposed by President Nixon it would be the biggest blow ever struck against the Republic. With a "Federal Welfare" program firmly established do gooders would attempt to spread this new theory to other walks of life. Soon the nation would be enmeshed in total "Federal Control" which would be far more restrictive than even in communistic countries.

Whenever a nation taxes its people as heavily as this nation is now doing the federal power over the individual becomes enormous.

Is there no stopping the trend before the republic is destroyed?

[From the Hutchinson (Kans.) Record]

NIXON'S WELFARE PLANS

We have listened with interest * * * welfare reform and must admit that we have mixed feelings about them. There are some points in the program which we believe should have been tried long ago. But there are other points that left us cold. This is to be expected. No program that embraces such wide areas as the massive welfare system could please everyone on all points.

We agree with the President on the overall failure of the welfare programs of the past. They have proven their own ineffectiveness. The welfare rolls grow, with no end in sight. We agree, too, with the concept of trying to keep a father in the house. Children need the guidance and the influence of a father.

We agree with the job training provisions of the President's proposal. We prefer seeing our taxes used to provide career training that would eventually place welfare recipients on private company payrolls. This would make taxpayers of them, and possibly eliminate the dole and other forms of handouts that degrade human beings.

We will be quick to complain if the President should default on his proposal "that all employable persons who choose to accept these payments be required to register for work or job training, provided suitable jobs are available either locally or if transportation is provided." Though this is a compromise proposal, it is at least a beginning on the right road.

We are skeptical of the other proposals. Such points as the basic income for all families is quite similar to the guaranteed annual income to which we are opposed. But for the moment, we take the positive view and emphasize the parts of the plan we can support. We will be watching, along with millions of other Americans in the coming months as the plan is brought before the Congress. If the welfare program works, we will all be the beneficiaries. If it fails, we will have to seek other solutions. But at least we will have tried. That in itself is progress.

ON MRS. NIXON OUT ON HER OWN

HON. CHARLOTTE T. REID

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mrs. REID of Illinois. Mr. Speaker, during our recent recess the Nation was treated to a unique television program, unique because it involved for the first time as First Lady, Mrs. Richard Nixon, known fondly to a generation of Americans as "Pat."

On August 12, columnist Royce Brier of the San Francisco Chronicle had an interesting commentary on this wonderful lady. I include it in the RECORD because I know others in the Congress and across the country will want to read Mr. Brier's remarks also:

ON MRS. NIXON OUT ON HER OWN

(By Royce Brier)

Modern communications lift the woman known colloquially as the "First Lady" into the public light in a way impossible in the last century. This was disclosed on television Sunday evening in a half-hour narration by Mrs. Richard Nixon of her trip around the world.

Further, the program gave evidence of the profound effect a President's wife can have on her husband's national standing.

Washington and Lincoln were perhaps exceptions. They were so preeminent their wives hardly touched their careers. Martha Washington, still largely unknown, was a colonial dame who kept her place. Mary Lincoln was a protean figure whose husband turned out to be of such immense stature that she has become a passing oddity.

In our time we have known three extraordinary wives, Jacqueline Kennedy, Ladybird Johnson and Eleanor Roosevelt. We appear to have been glamorized into unreality in our view of the then Mrs. Kennedy. Mrs. Johnson had such eminent good sense as in some measure to counterpoise her husband's sagging fortunes. Mrs. Roosevelt was probably the most remarkable of the White House wives, because she was seldom there.

For six months Mrs. Nixon's image (that word!) resisted efforts of the news media to make her interesting.

Everybody acquainted with her knows her as a woman of fine character and high intelligence. But she has been seen as a passive figure, in public appearances always calmly beside her husband, yet only an adjunct of the Presidential presence.

What she has lacked publicly is animation, but this is a tricky apparition. It may be interpreted as inability to project personality, which is passivity, or as true modesty. These are widely differing traits, though they often wear the same guise. We know that from our everyday experience, people who seem aloof at first glance, but are not aloof when known.

This television program should alter some impressions many Americans have had for the year Mrs. Nixon has been in the public eye.

First, it was skillfully paced and proportioned, in a half-hour instead of an hour. We had foreknowledge Mrs. Nixon would be impeccable in action and attitude, but we did not know how she would transcend this social value. And that she did.

She displayed a moving feeling for humble human beings, people who have lost in life, or never had a chance, retarded children, orphaned children, desperately wounded American soldiers. The faces of these people as she bent over them and took their hands glowed with a light which forestalled any cynical efforts to see her visits as inspired by self-interest. She was other than studious of how she would appear.

Then when she talked, explaining her approach to differing scenes in differing places, you perceived she was not aloof at all, but a warm hearted concerned woman in a part of the world where all does not come up roses.

This is of course but one person's viewpoint, but it must be said as a duty in interpreting events. As further interpretation, it is submited here that, whatever the political profit of the Presidential journey, the human profit is incalculable, due chiefly to Mrs. Nixon's own concept of, and response to, the task put before her.

WE ARE LOSING

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. SCOTT. Mr. Speaker, a constituent forwarded to me an editorial from the Richmond News Leader, a daily newspaper serving my congressional district, and stated that it was well worth reading.

In my opinion the editorial, entitled "We Are Losing," which discusses our declining military position in relation to the Soviet Union, is worth consideration by the entire Congress. Therefore, I am inserting it at this point in the RECORD:

WE ARE LOSING

If the United States Navy were to lose ten per cent of its ships and personnel in battle and if the enemy were then recognized as the world's dominant sea power, the American people would be stunned. Yet last week's announcement of such an impending loss stirred hardly a ripple on our somnolent summer scene. The Navy, we learn, is to be decimated as a result of a $3 billion Defense Department budget cut imposed by Congress; the fleet will shortly be reduced from 900 to 800 ships on active duty and Navy personnel will be axed by 72,000 men, down to 700,000. In the confusion of our time, many befuddled liberals now regard the so-called military-industrial complex, once hailed as the arsenal and guardian of free men everywhere, as a greater menace than the Communists.

This Naval disaster dramatizes and confirms a revolution in world sea-power wherein the United States has drifted from unchallenged supremacy to second place behind the Soviet Union.

During the past eight years our government has concentrated its attention and resources on the war in Vietnam—a war that it refuses to win and that the Communists find profitable to continue. While we have thus been bogged down, the Russians have raced ahead for the big payoff in naval and nuclear superiority.

Already the United States and its NATO allies are being challenged by Russian naval might in the Mediterranean. With more than 60 ships there, Soviet strength is greater than the United States Sixth Fleet. Meanwhile, Communist influence and Russian naval support bases have been extended from Syria and Egypt in the Middle East all across North Africa to Algeria, in a vast pincer designed to strangle Western Europe.

RUSSIANS HOLD

Admiral H. G. Rickover, the father of our nuclear submarine fleet, recently warned that the Soviets now have by far the largest submarine force in the world—about 375 submarines, all built since World War II. We have 143, including 61 diesel submarines, most of which are of World War II vintage. Thus the Russians now have a net advantage of about 230 submarines and will launch 28 new undersea units this year. By comparison, the United States will launch only one or two new subs. Admiral Rickover estimates that by the end of 1970, the Soviet Union will gain a numerical lead over the United States in *nuclear* submarines. *Next year!*

Russian superiority is not confined to submarines. The Soviets have armed their destroyers and other surface vessels with surface-to-surface atomic missiles having a range of 100 miles or more. We have no surface vessels carrying atomic missiles.

Admiral Rickover goes on:

"In the single year of 1968, the Soviets put to sea a new type ballistic missile nuclear-powered submarine as well as several new types of nuclear attack submarines—a feat far exceeding anything we have ever done. It is estimated that by 1974 they will have added about 70 nuclear-powered submarines to their fleet, whereas we will add about 26—thus further increasing their superiority."

UNITED STATES MORE VULNERABLE

The submarine has become the blue-chip weapon of the atomic age. Its mission is no longer restricted to sinking surface ships. The Polaris-type submarine, with its long-range, nuclear-tipped missiles, brings the principal cities and military installations of the enemy homeland into its crosshairs. Clearly, in warfare's new dimension, geography has made the United States much more vulnerable than the Soviet Union, largely shielded from the open seas by other nations; the American people are concentrated in major cities along the Atlantic, Gulf and Pacific coasts—now all but defenseless against instant destruction from submarine-launched hydrogen bombs.

Apparently very little thought has been given the fact that the wide oceans, which once isolated us from foreign foes, have become broad avenues of peril. Small wonder that our Central Intelligence Agency is so concerned about Kremlin plans to have fleets of missile submarines prowling permanently all along U.S. coasts—enemy units always on the move, units that cannot be tracked by radar or by sight. Small wonder the Pentagon is concerned that the Russians are expanding their Cuban naval installations in order to provision their missile submarines stationed off our shores.

LOOKING DOWN A GUN

We shall soon be looking down a Communist gun barrel. The 15–20 minute warning period that the Pentagon once counted on with any missile fired from the Soviet Union will be so greatly reduced by the presence of nearby enemy submarines that no response may be possible before all our retaliatory missiles and our cities are destroyed in a surprise sub-based missile attack. In such an eventuality, only our own missile submarines could respond. But the Soviets may gamble that their extensive anti-ballistic missile (ABM) defenses would neutralize this potential punishment. Our military leaders, who have recognized this unthinkable threat, have spoken only in guarded terms for fear of panicking the public.

Instead of reducing the Navy, the Nixon Administration and the Congress should forthwith embark on a crash program to construct not fewer than 75 nuclear submarines equipped with Poseidon missiles. We should also concentrate on developing more effective anti-submarine warfare techniques. For, if this is to be the arena where Russia plans to win World War III, we dare not be unprepared.

The stakes could not be higher. The Soviet Union is bidding for nothing less than world control through either blackmail, subversion or military conquest. Our own goal is more modest: It is simply national survival.

COMPENSATION FOR WIDOW OF A MILITARY RETIREE

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. GUBSER. Mr. Speaker, as many of you know, I have introduced H.R. 6226 which would provide for the widow of a military retiree to receive an annuity just as the widow of a civil service employee does. My bill would correct a long-standing injustice which has been done to servicemen and military retirees.

Recently an interesting article was published in the Long Beach Independent & Press-Telegram which was written by Alma Kirkland. I believe it properly describes the human aspects of the great injustice which has been done to servicemen and their surviving spouses. I recommend that all persons interested in justice read the following article:

IN NAVY CIRCLES WIDOWS LIVE LONELY, STARK LIVES

(By Alma Kirkland)

The loss of a husband is personal tragedy . . . the loss of an income is often the forerunner of poverty.

"It has been referred to as 'genteel poverty' where the retired service wife is concerned," said Mrs. Dorothy Anne Fickes (Lt. Cmdr. Ted, ret.), president of Officers' Wives and Widows Club.

"It is commonly assumed that the widows of retired servicemen automatically receive their husbands pension—and this includes many service people themselves," declared Dorothy Anne.

Not true!

According to the Fleet Reserve Association, the military retiree is the only federal employee that does not have an equitable survivor annuity plan, unless they die of a service-connected physical defect.

"I'm a nurse. You can't tell me that a man serving in World War One and World War Two doesn't have battle scars . . . even if they don't show. Heart attacks and strokes don't just happen overnight," said Dorothy Anne.

She is spreading the word about the Widow's Equity Bill—H.R. 6226 which Congressman Charles S. Gubser is presenting to the 91st Congress.

This bill, sponsored by the F.R.A. will provide benefits to widows in the manner of Civil Service.

"It is not aid. The husbands will pay into it like any other annuity plan," Dorothy Anne emphasized.

"This bill is perfect for the wives who unknowingly face this lonely future," she said . . . but, "it will not effect all the thousands of women who are presently in this situation."

Dorothy, thankfully, has her husband beside her, but her friend, Mrs. Hervey Z. Throop, who resides in Medford, N.J. is not so lucky.

Mrs. Throop writes: "I know those already widowed are not included in the bill but have hopes it will be changed as time goes on. I would appreciate help, in fact I need it and, no doubt others do, too."

The 75-year-old widow continues: "At the present time I am packing blueberries, which means work from 7 a.m. to 7 or 8 p.m. I like the work, but I get very tired."

Another friend, Mrs. Mary Redfield Anderson, has been twice widowed. Her first husband was a casualty in World War One.

"In those days things were different. didn't receive any insurance or benefits,' says Mary.

Left with a son to rear, Mary worked as a bookkeeper. She later married CWO August Anderson, USCG, a veteran of the Spanish American War and World War One.

He retired at age 64 and they lived comfortably until his death five years ago.

"I do get a pension of $70 a month (my rent is $80) because of a special bill passed by congress for widows of men who had served in the Spanish American War.

"There was no insurance when he died because he had cashed it in to pay for our home. I have had to sell the house in order to live.

"Every month I go to the bank and draw out enough money for food and expenses. I am down to the last $1500 and I don't know what I'll do when that is gone," she sighed.

Mary, who will be 75 in August, baby sits when her health will allow it. She is diabetic and struggles with high blood-pressure which caused a recent stroke.

"My son said, 'Mom, you know when you can't make it on your own you always have a home with us.' But I don't want that! He has all he can do to make ends meet now," said the spunky widow.

Alternatives?

"Welfare? Don't know anything about that. I suppose if nothing changes I'll have to find out—but, it's going to be an awful hurt to my pride," she said, her voice trailing sadly.

Mary is one of thousands.

Dorothy Anne believes they can be helped.

"There is a Society of Military Widows in Coronado. All widows who won't be helped by this new legislation should join. Their united strength cannot be ignored," she declared.

If you are a military widow who needs help, or one more fortunate who wants to fight for additional legislation write: Society of Military Widows, Mrs. Ellen Heissel, 3226 Kingsley St., San Diego.

THE 30TH ANNIVERSARY OF THE NAZI INVASION OF POLAND

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. FEIGHAN. Mr. Speaker, September 1 marked the 30th anniversary of the Nazi invasion of Poland. It is fitting that we carefully remember those events of 30 years ago and their consequences for an overpowered but gallant people.

Poland has long suffered from being the beacon of democratic tradition in a totalitarian environment. Invaded from west and east, Poland has repeatedly felt the loss of territory, people, and even existence as a state.

The Nazis carried out an unprovoked lightning attack on Poland in 1939. Poland, however, was not without friends and the most devastating war of mankind flamed across four continents. Poland paid a heavy price for its deter-

mination to honor its heritage and remain free. Collusion between Nazi Germany and the Soviet Union allowed both powers to divide up large sections of Poland without respect to national identity. Over 10 million Poles were uprooted from their homes or were casualties of that war.

The history of Poland has often been tragic. The spirit of the Polish people, however, has remained steadfast. Their contributions to science, art, education, and religion have gone beyond the boundaries of one nation. While all mankind is immeasurably richer from their gifts, the people of the United States are especially grateful to our citizens of Polish ancestry. During the Revolutionary War, during the World Wars, in the expansion of our frontier, and the development of our industry, Polish Americans have made significant contributions. Today the 10 million Americans of Polish ancestry continue to add strength and patriotism to our society.

Mr. Speaker, it is not enough simply to take note of this anniversary and the contributions of Polish peoples to our country. Indeed, we must translate these lessons of history into policies recommitting us to the fundamental freedoms of man.

ACQUISITION AND CONTROL OF LAND FOR THE MINNESOTA EXPERIMENTAL CITY

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. FRASER. Mr. Speaker, the concept of a brand new city presents many opportunities in terms of land acquisition and control.

If the proposed new city were substantially removed from an area under current development, the land could be acquired at modest prices through eminent domain. Similarly modest prices would be entailed if surplus lands already in the public domain were acquired. Either type of acquisition would preclude the tremendous rise in land cost associated with speculators who obtain property at acreage rates and sell them at frontal footage rates.

With the public ownership of all of the land in the experimental city, the increases in land value caused by development could be used to pay for a substantial amount of public expenditures for schools, roads, sewers, and so forth. In addition, experimentation could be undertaken on various forms of ownership and taxation.

Following is a discussion of land acquisition and public ownership, extracted from volume II of the Minnesota Experimental City Progress Report, dated May 1969:

LAND ACQUISITION

Isolated plots of land in northern Minnesota can presently be purchased for between $50 and $100 per acre. Assuming the $100 per acre price, 100 square miles could be obtained for slightly over $6 million, a relatively low figure. However, once the intentions of the City's sponsors became apparent, land prices could be expected to skyrocket. To avoid this, two options are open. The City could obtain land either by eminent domain or from surplus government lands.

There is currently no law permitting eminent domain for new cities, either at the federal or state level. The City's best chance is for passage of such a law at the state level since federal legislation for this purpose appears unlikely in the near future.

The laws governing the disposition of federal lands are clear. These lands are first open to any public agency that chooses to bid for them. They must be sold at a fair market price except when used for school or park purposes. The advantage of buying from the federal government is that the monopoly threat private land holders might exercise would not be a factor. Though red tape would undoubtedly create delays, restrictions presently inhibiting the use of federal lands for new cities could probably be overcome.

LAND OWNERSHIP

Public land ownership in new cities is generally advocated on three grounds:

1. It allows the public to benefit from land value increments.

2. It facilitates regulation and control of land use.

3. It is more equitable, as special groups would not directly benefit from such public improvements as new roads.

There are numerous recent examples of developers retaining ownership of vast developed tracts of land. Stanford University Industrial Park is among the more successful ventures of this type. Through retained ownership, the developer is able, over time, to capture the land value increments generated by development.

In a new city with 250,000 population, the infrastructure cost for roads, schools, sewers, etc. might run as high $3 billion. Capturing the land value increment might, in time, pay between fifty percent and one hundred percent of the infrastructure cost.

The prospect of land value increases serves as an attraction for industries, businesses, and residents alike. To the extent that the Experimental City encounters difficulty in establishing an economic base, withdrawing speculative incentives could thwart the City's development. To overcome this, subsidies may have to be offered industries, diminishing the advantages of retained land ownership.

To determine the magnitude of the incentive exerted by the possibility of speculative gain, an analysis by industry could be performed. Clearly some industries would be found to benefit from a controlled price situation, others to suffer.

It would be naive to assume that land controls would be easy to enforce under a system of public land ownership. Long term leases would probably be required to provide sufficient stability to attract most land users. During the lease period, governmental controls may not be any more effective than under private land ownership. At the time of lease expiration, considerable political pressure could be anticipated from vested interests trying to influence the disposition of the land. In this sense, the government's freedom might be restricted, requiring the appropriate governmental agency to demonstrate impartial treatment to all leaseholders.

Public ownership could reduce the prospect of windfall gains to selected owners, and this is a strong point in its favor. If it could be demonstrated that public ownership would not seriously hamper the City's development through reducing speculative incentives and the participation of land speculators, this type of experiment should be encouraged.

The present land tax system is an alternative to public ownership. This system has the advantage of allowing speculation without rigid controls while permitting the public to benefit from development. Its disadvantage lies in penalizing those who improve their property while those who do not, who leave their land vacant, are able to prosper through speculation. If the land tax system were altered to exempt new buildings, its worst feature would be curbed, but so would revenues.

Since the requirements for land vary by industry, several forms of land ownership or taxing probably should prevail throughout the City. This assumes the Experimental City is not treated as a national facility, in which case the character of land ownership would be predetermined. Areas might be set aside in the City where experimental forms of ownership, of taxation, and of land use controls would be permitted.

COMMISSIONING OF U.S.S. "SPADEFISH"

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. WHITEHURST. Mr. Speaker, on August 14, 1969, I had the honor of delivering the address on the occasion of the commissioning of the U.S.S. *Spadefish*, SSN-668, at the Newport News Shipbuilding & Drydock Co., in Newport News, Va.

I took this opportunity to call attention to the Soviet naval challenge to this country and the need for us to maintain a strong nuclear attack force if we are to maintain our traditional mastery of the seas.

Mr. Speaker, I feel that these remarks may be of some interest to my colleagues, and I therefore insert them in the RECORD:

REMARKS OF CONGRESSMAN G. WILLIAM WHITEHURST

We are assembled here today to commission a significant addition to our nation's naval strength, the nuclear attack submarine USS *Spadefish*, SSN 668. This is both a joyous occasion and a solemn one. It is a time for celebration and for reflection.

The captain of the *Spadefish* and the ship's company may be reflecting at this moment that it was almost 200 years ago, in these very waters, that America won her independence. Naval power made possible the victory at Yorktown. In 1781 George Washington stressed the need for what he termed "constant Naval superiority."

The American Revolution might have failed without our intrepid sailors. Yet only four years later, in 1785, the demands for economy and the denunciations of our "military-industrial establishment" were such that the last ship of the Continental Navy was sold. An outcry was heard against the Navy that was so vociferous that an anti-military propaganda campaign forced the George Washington Administration to end naval appropriations.

Then, in the mid-1790's, America realized that a nation without a credible naval deterrent would suffer an ignominious fate. The pirates of North Africa insulted the American flag. We managed to find the appropriations for completion of three new frigates, the *Constellation*, the *Constitution*, and the *United States*.

But construction was halted on three other frigates the Navy required, the *President*, the *Congress*, and the *Chesapeake*, the latter at the Gosport shipyard that later became the Norfolk Naval Shipyard at Portsmouth. Construction was resumed only when we got into a quasi-war with France.

These six historic frigates, built despite the pressures of those who said we did not need such heavily-gunned and sturdy vessels, enabled us to cope with the French, the Corsairs of the Barbary Coast and then the British in the War of 1812. The *Constellation* proved to be the mainstay for the valiant defense of Norfolk. The *Constitution*, better known as "Old Ironsides," remains in commission today. It is the oldest ship on the Navy list, just as *Spadefish* is the newest. The *Constitution* is a symbol not only of courage and patriotism but of another time in our history when men of vision insisted on making provision for our Navy.

The Commanding Officer of the Soviet Navy, Admiral Gorshkov, has thrown down a challenge, in word and deed. He has stated that "the flag of the Soviet Navy now proudly flies over all the seas of the world. Sooner or later the United States will have to understand it no longer has mastery of the sea."

The actions of the Soviet Navy include submarine exercises off our coasts in recent weeks, both off our Atlantic coast and in the Gulf of Mexico. Our answer to such provocative instrusions is the commissioning of *Spadefish*. The *Spadefish* carries not only the latest anti-submarine warfare weapons system but the kind of reply that the Russians understand.

President Nixon has just visited Romania. Like our astronauts who landed on the moon "in peace for all mankind," our President seeks nothing more than understanding, coexistence, and peace with all nations.

I am sure that every member of the *Spadefish*'s company, their families, and every person here today shares the peaceful commitment of our President. He speaks for the American people. We are not an aggressive or predatory people who threaten or subjugate others. But we are a proud people. We are a dedicated people. And we are conscious that there are in this world hostile forces that desire our destruction and would not hesitate to strike if we showed fear, weakness, and timidity.

Our answer, while offering the hand of peace, is to commission the *Spadefish*. It is a killer submarine, superquiet, deep-diving, and swift. Its existence is an eloquent warning to those who would destroy us. Let them know that the American eagle has not turned chicken.

Indeed, the anti-defense hysteria in this country has produced an entirely new breed of bird. The doves have not been content to merely pick at our defense establishment, exploiting the controversy over Viet Nam. They have recruited a new breed of bird, an amphibious ostrich, who would stick his head under the sea while hostile submarine commanders gaze through their periscopes at the tempting target of the amphibious ostrich's posterior—big, fat, and exposed.

Let me make one thing clear. I am a member of the Committee on Armed Services and must make a personal confession. I must confess that I am an anti-war agitator. But the way that I feel we should agitate against war is to build a defense so superior that it will deter aggression. The way to prevent war is to prepare for it. The way to encourage war is to unilaterally disarm, to ignore the enemy's buildup, and to disparage all those who would equip us to deal with a determined enemy.

The commissioning of the *Spadefish* is a great triumph for the peace movement, a blow against militarism, and a guarantee against war. The courageous men who will man this ship are the most effective peace advocates I can imagine.

Yet, there are many squawks echoing in Washington. The amphibious ostrich becomes infuriated and flaps into an impotent rage with its vestigial wings if anyone dares mention that the Soviet Union has embarked on the largest submarine building program that the world has ever known.

The Russians now have about 375 submarines, all built since World War Two, as compared to our 144, including diesels, most of which are of World War Two vintage. It is estimated that by 1974 the Soviets will add about 70 new submarines to their fleet, while the United States will add only 24.

In the last year alone, the Russians put to sea several new types of nuclear attack submarines and a new-type ballistic missile submarine. We have completed only one new design submarine in a decade.

No fewer than 105 of the Russian submarines are equipped to fire missiles. We have less than half this number.

If you point all this out, the anti-defense ostrich will lay an amphibious egg. But the yolk will be on him—and us—if we don't activate a powerful new anti-submarine warfare program to overtake and surpass the Russian submarine threat.

Skilled ASW men may differ over technical requirements for ASW aircraft carriers, turbo-prop planes, sonar buoys, new and better destroyers, and submarines like the *Spadefish* to fight the underwater threat. But there are no differences on the urgency of the need to perfect our antisubmarine defenses.

Admiral Caldwell has this year testified before the Congress with a request mindful of and deferential to the prevailing Congressional mood. He made a very modest and practical request for a 10% increase in the Navy's ASW budget. He saw this as essential to mount even a minimum response to the new Soviet challenge.

As a Member of Congress, I am more free to speak out than the admiral and other distinguished naval officers. The admiral and his colleagues know what is happening in the Soviet submarine yards. They are deeply troubled by the specter of Russian submarine power. But they must be practical and frugal when they ask the angry taxpayers for money at a time when the anti-war vogue is such that Naval ROTC units are being driven from our universities.

I may be accused of being out of vogue because I don't want to put our Navy into the new miniskirts—or the slave chains the girls are wearing around their waists. But I am less interested in fashion than in fact. I say, "damn the ostriches, full speed ahead" on a realistic ASW program.

Let me explain to you why I have become such an agitator on this ASW question. I see it as the most sincere form of anti-war expression, the only real guarantee for peace. I am a "peace-nik" in this sense because I represent a constituency of citizens who go down to the sea in ships—citizens who are painfully aware of the horrors of war, and are cosmopolitan and sophisticated enough to know that war must be prevented.

It was only a year ago when we became aware that the Soviet Navy in 1968 had reached a submarine strength that our authorities did not believe they could attain until 1975. Moscow has been running seven years ahead of our best estimates, ahead of our computer projections. There are no amphibious ostriches to be found in the Soviet Union!

Moscow's 105 missile submarines represent a great threat not only to our men at sea but to our cities at home. Next year, 1970, will not see us catching up. Indeed, the Russians will move even further ahead in certain naval categories.

We must be concerned not only with existing Soviet submarine strength but with the fantastic production base that has been established. There are also the qualitative improvements. Their submarines are quieter, faster, and better than we imagined.

Fifty-eight per cent of the Soviet Navy is less than 10 years old. This contrasts with our ships which average 18 years of age. All of the Soviet Navy has been built since the end of World War II. We are still using some elderly ships, destroyers as well as submarines, that should be retired forthwith.

The Russians next year will be even further ahead of us in submarine strength. The sad truth is that we are being left behind. There is no excuse for this.

ASW is the essence of defense. It is linked to the safety and protection of our nation with the traditional assignment of defending our ships and shores. We cannot compromise with the anti-defense crowd on ASW. Indeed, the time has come for a counter-attack. Those who would defend our nation cannot go on the defensive.

Russia now has a submarine building yard so vast that it could include more yards than our country even possesses. The Russians can build 20 nuclear submarines a year. This includes 12 of the Polaris type.

In 1966 we had 300 students in naval architecture and marine engineering. The Russians had 7,000. That is the contrast in the emerging technical base.

Admiral Rickover has said that "Numerical superiority, however, does not tell the whole story. Weapons systems, speed, depth, detection devices, quietness of operation, and crew performance all make a significant contribution to the effectiveness of a submarine force. From what we have been able to learn during the past year, the Soviets have attained equality in a number of these characteristics and superiority in some."

Now that Moscow is reaching a point of parity with us, and is moving ahead in submarine power, are they trimming sails? They certainly are not. They are expediting the pace of submarine construction.

Congress has just learned that the Russians now have the world's fastest submarine. Emboldened by their growing power, the Russians are operating farther away from their bases, in larger numbers, and for longer periods of time. New types of submarines and improved mother ships are emerging.

Russian submarines are no longer strangers to our coastal waters. Nor is the Soviet Navy showing timidity. There was nothing timid about the naval movements in Cuban waters and the Gulf of Mexico this summer. Nor are the threats to the U.S. 6th Fleet in the Mediterranean indicating a meek posture.

Soviet submarine progress has been achieved in days when too many Americans do not want to hear about it. They have hypnotized themselves with some grandiose delusion that if we stop all defense spending our foreign enemies will fall in love with us, while at home, poverty and racial antagonisms will disappear from our cities.

I feel the time has come to take one compelling aspect of our defense and concentrate on it with an appeal to reason. That aspect is ASW.

Let me propose a bold response to a bold threat. When we discovered that the Russians had surpassed us with the first Soviet Sputnik, back in 1957, we embarked on a crash program and have now closed the gap and passed them. Let us do the same with ASW.

We must do more than wish you officers and men of *Spadefish* a perfunctory Godspeed and smooth sailing. We have absolute confidence in your qualities and capabilities. Your ship is the finest ever constructed by our shipbuilding industry. We are proud of our nuclear navy—what it lacks in quantity it more than makes up in quality. Your patriotism, courage, and devotion inspire us all.

Yet we must keep faith not only with you but with the brave men of the first *Spadefish*, which served with such extraordinary heroism against the Japanese in World War II. We can achieve this sacred trust not only by voicing our heartfelt sentiments today but by pledging that what Americans can do on the moon, we can do on the seas and under the seas. We will be second to none.

Agencies were transformed, commands activated, and the public enlisted when we had to meet the Soviet Sputnik challenge in the skies. The same can and *must* be done now for ASW and for our entire naval power.

Let the *Spadefish* serve as the symbol of a new commitment . . . a commitment to a Navy that will not have to beg and beseech for handouts . . . a Navy whose research and development receive top priority . . . a Navy that will not permit the trident to be wrested from our grasp.

SEAPOWER REQUIREMENTS FOR A BALANCED MERCHANT MARINE

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. GARMATZ. Mr. Speaker, on September 1 the Federal Maritime Commission will lose its very able and knowledgeable Chairman, Adm. John Harllee. His many years of experience in the maritime field have given him a background which enables him to speak with authority on our merchant marine and its needs. Therefore, I consider it a privilege to bring to your attention his remarks to the executive committee of the Navy League last month on this subject.

Since the economy of our country is closely related to our merchant marine, I know his views will be of great interest to every Member. They follow:

REMARKS BY REAR ADM. JOHN HARLLEE

Ever since I entered the Naval Academy 39 years ago, I have been a great admirer of the Navy League and its patriotic fight for maintaining our national strength at sea. My life since that time has been devoted to the seas, first in the Navy and then at the Federal Maritime Commission, with a year and a half in the political and business worlds in between. With this background it is not a cliché for me to say that it is a special honor and pleasure for me to appear before the leaders of the Navy League today.

Although I have attended the Naval War College, am familiar with the doctrine of Mahan and am a latter day disciple of Rear Admiral George H. Miller, I am sure that it is not necessary for me to impress upon this group the importance of oceanic power in all of its aspects. I know we all agree without further discussion that our nation cannot have adequate strength for peace and prosperity or for anything else we stand for without primacy on the seas. Though the public does not seem to fully comprehend its import we all recognize also the truth of Admiral Miller's statement before the Sea Power Subcommittee of the House Armed Services Committee, "history records that the nations which build the ships carried the cargo and collected the revenues have generally been powerful and well-off in an economic sense."

There is no question whatsoever that it is essential that we do a great deal more about the Navy, oceanography, our fishing fleet, our sea power infrastructure ashore and oceanic education. Nevertheless, I believe that the element of our oceanic strength which needs the most consideration and support of all is the merchant marine. That is why I believe that President James M. Hannan was so wise in making the subject of his first President's Message "The Maritime Industry—Mainstay of American Prosperity." The quote he used from Theodore Roosevelt as the lead for his message could not have been more appropriate:

"To the spread of our trade in peace and the defense of our flag a great and prosperous merchant marine is indispensable."

The purpose of my talk today will be to suggest what the Navy League can do to strengthen the American merchant marine.

Nor will I dwell on how critical the situation is, for you are familiar with what has happened. However, I will briefly recapitulate that the American flag merchant marine is only carrying about 6 percent of our cargo by tonnage and only about 28 percent by value; that roughly 80 percent of our ships are obsolescent; that the once two thousand ships in our reserve fleet have dwindled to a few dozen ships with any real usefulness; and that for many years our maritime industry has been driven by what might be called internecine strife and seriously weakened by public apathy. I might say at this point that being a member of the Navy League Resolutions Committee afforded me a genuine sense of pride and I believe that the program formulated by the Committee if vigorously implemented will go a long way to capitalize on our opportunity at sea and solve our maritime problems.

I will go into a little detail on one danger. I know that you have heard a great deal about the Russian threat on the seas. You know the serious problems our Sixth Fleet has in the Mediterranean. You were undoubtedly startled at the presence of Soviet warships off the coast of Florida during the Apollo 11 shot and their visit to Cuba, the scene of President Kennedy's great seapower triumph at the time of the missile confrontation. What our public must learn, however, is the ominous threat developing in the form of the Soviet merchant marine. I subscribe to President Hannan's statement that

"We are beginning to grasp the fact that the Russian Merchant Marine is spearheading the Soviet drive for world supremacy," but unfortunately we are only beginning to grasp it.

Today the United States is engaged in a 65 billion dollar export-import commerce and it is obvious why the Soviet Union wants "in" on world trade and why they are not being a bit bashful about it.

The Russian merchant marine is very aggressive. When ships carrying supplies to Viet Nam were returning empty to Europe, the Russians penetrated the overproduced Australian wool market. By cutting freight rates 15 to 25% they diverted wool cargoes into the holds of their vessels to the detriment of the carriers which regularly served the Australian-European run.

The Soviets are penetrating the trade between Japan and the Western world. They have carried cargoes on commercial runs between Japan and Canada.

On July 7, 1969, a high ranking Russian government delegation called at my office on an unofficial "friendly" mission.

These friendly Russians sang a siren's song for me and my staff. They said that they would seek no advantage, that there would be mutual benefit. They pointed out how unfortuntae it is that the trade between our two great countries has not developed. They said that the purpose of this visit was to have a "pleasurable exchange of opinion".

All of this friendly chitchat by this illustrious Soviet delegation bore one single central theme: The Russian merchant marine wants in on our 65 billion dollar export-import commerce and wants to share in its profitability.

I told the Soviet delegation that what they proposed was not in my purview but must be decided by the President and the Congress with the most careful consideration for our national interest. I mention this visit to you only to highlight the dynamic maritime determination and aggressiveness of the Russians.

Having thus set the stage, I would like to outline a few bright spots in the picture before delineating a program. The most optimistic note of all is the lead the American steamship lines have taken in containerization. This is a veritable revolution which reduces transportation costs on the order of 30 to 50 percent. A number of American flag lines can lay legitimate claim to being pioneers in this effort but the earliest large scale successful operation was performed by Sea-Land in the Puerto Rican trade. Sea-Land and its containers have now spread to almost all our principal trade routes. Sea-Land has amazed shipping circles by making a profit without operating or construction subsidy. Matson, Seatrain, American Export-Isbrandtsen, United States Lines, Grace, Moore-McCormack, and others have been quick to follow suit with containers. You may not believe it when I tell you that very highly placed persons in Japan actually expressed to me a fear of Sea-Land as a competitor in the Pacific trade routes. In the trade from the United Kingdom to the United States, Container Marine Lines, a subsidiary of American Export-Isbrandtsen Lines, has been a ferocious competitor.

The American merchant marine under the auspices of the U.S. Government, built and operated the first and until recently the only nuclear powered merchant ship, although unfortunately, this lead has not been followed up despite Admiral "Dutch" Will's commendable crusade for nuclear propulsion. We must remember that the Bible says, "Where there is no vision the people perish."

Another cheerful note is the matter of the action and the talk of men like Joseph Kahn, Chairman of Seatrain, who predicts that by 1971 American flagships will be carrying fifty percent of our cargo. His company has purchased the old Brooklyn Naval Shipyard and plans to build big modern ships particularly with an eye to carriage of some of the fifty billion barrels of oil off the northern coast of Alaska. Humble Oil and Atlantic Richfield will operate Kahn and Pak's S. S. Manhattan this summer in a fascinating experiment which will test the feasibility of the Northwest Passage for giant tankers.

Maritime labor is destined to make a major contribution to the revitalization of the U.S. Maritime industry. Experts in the shipping field have claimed that labor has been a critical factor in inhibiting the required maritime progress. However, the June 15, 1969 settlement of major maritime labor disputes after a very short strike affords a new note of encouragement on the labor front. The great American maritime unions, the National Maritime Union and the Seafarers International Union and their associated organizations have consistently rendered substantial support to our merchant marine by convincing many members of Congress and segments of the public as to its importance.

Both Paul Hall and Joe Curran have been foremost in presenting progressive and detailed well considered maritime programs to the Congress and to the public. I was glad to see that both had representatives on the oceanic doctrine panel at our last annual convention. This impressive evidence of The Navy League serving as a catalyst to encourage cooperation among the divisive elements of our maritime community is most gratifying. Incidentally, on this subject General Duchein's speech "The Mess in the Merchant Marine" given to the Commonwealth Club of San Francisco, remains a masterpiece.

Finally, there is reason to believe that President Nixon and his Administration will focus attention on our maritime needs. President Johnson must be credited with paving the way with the Marine Resources and Engineering Development Act of 1966 and the Sea Grant College Program. The Nixon Administration will find everready allies in Senator Magnuson and his Commerce Committee and Congressman Garmatz and his House Merchant Marine and Fisheries Committee and, of course, the Navy League can never forget that great fighter for sea power, Mendel Rivers. Chairman Rivers' Sea Power Subcommittee promises to provide substan-

tial support to the maritime program, in addition to his backing of the largest naval ship construction program in our history.

The climate in the Congress for favorable action to improve our maritime posture is more favorable than for many years. I personally know that there is tremendous potential bipartisan support for reasserting our heritage on the seas. For example, both the House Merchant Marine and Fisheries Committee and the House Appropriations Committee wanted to increase more than ten fold the ship construction subsidy recommended by the Bureau of the Budget. Congressman Maillard, a Rear Admiral in the Naval Reserve and the ranking minority member of the House Merchant Marine and Fisheries Committee, can be counted on for strong and understanding support of all forms of sea power.

President Nixon has assigned a top level group of his advisors to work out a maritime program. That group is headed by the Undersecretary of Commerce, Rocco Siciliano, the Maritime Administrator, Andrew E. Gibson, and Robert Carl, Special Assistant to the Undersecretary of the Navy. Fortunately, these men have strong maritime backgrounds. They have reported to the Senate Appropriations Committee that their recommendations will be available about the end of September.

A week ago the President announced that he will appoint Helen Delich Bentley as Chairman of the Federal Maritime Commission. She is Maritime Editor of the Baltimore Sun and has written for Navy magazine. She has a reputation as a fighter for the American merchant marine.

Although I have been in touch with Mr. Gibson and other members of the National Administration on certain maritime problems, it would not be appropriate for me to forecast exactly what this group will recommend. Nevertheless I believe that the program will be a well considered one and will, after executed, represent a plus for our merchant marine. However, the question still remains to be seen as to whether the tremendous effort necessary to regain a preeminent position on the oceans will be made and everything depends upon the answer to this question. As commendable as these efforts will be, I am convinced that we of the Navy League must mount an ever-increasing campaign to insure that the program will be big enough.

President Kennedy believed that we should expend a large part of our resources on the exploration of space in the interest of all mankind, and the entire world thrilled with the success of these efforts when naval aviator Neil Armstrong and Buzz Aldren landed on the moon. The Senate has just demonstrated that it is willing to expend ¾ billions of dollars on the ABM system if the defense of our nation requires it. A week ago President Nixon also demonstrated that if human needs require it for the overall good of our country, he was willing to recommend the spending of as much as four billion dollars in the form of relief and welfare. This makes me think that this Administration can be convinced that it should approve of the relatively small investment in the maritime industry essential to the security and prosperity of the United States. Furthermore, this investment, unlike the ones in the space race and in defense—necessary as they are—will bring major returns in balance of payments, jobs, and trade advantages. For example, if our merchant marine carried the 30 percent of the cargo which is President Nixon's goal, most of our balance of payments deficit would be eliminated. The expansion of our world trade from 34 billion dollars to 65 billion dollars over the past 8 years provides great economic opportunities which can be fully realized only with our own merchant ships.

I am convinced that the Resolutions formulated at the last annual convention of the League provide the necessary outline for a program of action on our part which would accomplish what President Hannan desires.

Five of the resolutions in our 1969 Declaration of Objectives and Resolutions pertain to our maritime program. The *first* is *"National Oceanic Policy."* Unquestionably this is our maritime matrix. We must press hard to gain a policy pronouncement by the President of the United States. In this regard President Nixon's letter to Mr. Hannan is reassuring, but this is not enough. We should continue every effort to encourage this vital action. The closest pronouncements we have to a maritime policy are the preambles to the shipping statutes, the last of which was written in the Merchant Marine Act of 1936. The policy was good then, but it is inadequate to meet the overwhelming needs of the present day, both from an economic viewpoint and from that of national defense, particularly in view of the phenomenal growth of Soviet competition.

Our *second* Resolution is *"National Oceanic Strategy"*. From the doctrine that is now developing, it is evident that we are moving to a maritime strategy as a nation. What I am referring to is both the instrument of economic purpose and the provision for defense. Our strategy must encompass the total resources of the country on the oceans to give us flexibility a Commander-in Chief requires. I envisage that the National Security Council, the Department of Defense, and the Department of Commerce (which contains the Maritime Administration) will be brought closer together in the planning and implementation of this national oceanic strategy.

In order to accelerate the implementation of an oceanic strategy as called for by this Resolution I suggest strictly individually and personally a separate maritime department or agency which will give first consideration to maritime matters. The head of this organization would have access to the President, preferably as a cabinet member. As you know, a number of bills to this effect have been introduced in Congress. Former National Navy League President Frank Gard Jameson made an excellent case for this in his comments on the Merchant Marine Act of 1936, delivered to the Desk and Derrick Club of Los Angeles on April 15, 1969.

As you know, the President has appointed an Advisory Council on Executive Reorganization to consider what to do about the proliferation of some 150 departments and agencies in the Federal Government. It is essential that Navy League make its views known to this committee. Its Chairman is Roy L. Ash, President of Litton Industries and one of the members is a former Secretary of the Navy, John B. Connally of Texas.

The *third* of our Resolutions is the one on the *"Long Range Ship Construction Program."* This program is in motion. Both the Secretary of the Navy and the Chairman of the House Armed Services Committee have called for the largest naval ship construction programs in the nation's history and the League has pledged its fullest support for the ship construction program.

I can't emphasize too much that the heart of our whole maritime problem is the complete inadequacy of ships both in being and being built. I have already discussed the upcoming maritime program, the most important feature of which should be an increase in ship construction. In a few years we will have less than 300 really serviceable ships, against the 1400 modern ones the Soviet Union has now. The Russian merchant marine is backed by a building program of a million tons a year. We are building only about 21 to 24 ships a year for our merchant marine (about a third of which are subsidized) whereas we should be building, as General Duchein has stated, a hundred merchant ships a year for the next decade.

I must say I am impressed with the progressiveness of the American shipbuilders. They are moving forward aggressively with determination to meet the market. As Mr. Jack Gilbride, President of Todd Shipyards pointed out in his oceanic doctrine panel presentation:

"What is needed at the present time is a clear simple declaration of national intent. Once our Federal Government says that it intends to recapture its power at sea—and translates this *policy* into a wise and sensible long range, stable shipbuilding program, the American yards will be able to respond effectively and build the ships this nation needs."

The *fourth* of our Resolutions is *Oceanic Education*. Obviously, the success of our entire long range maritime program rests on oceanic education, at all levels from grade school through college. Education must provide the firm foundation in the quest for an American maritime renaissance.

Some of you may recall that I proposed the establishment of an L. Mendel Rivers Center of Maritime Studies in South Carolina as one method of broadening oceanic education. I hope that other members of the Navy League will work toward the establishment of similar institutes throughout the country.

All of us in the maritime community have watched developments at *Webb Institute Center of Maritime Studies* on Long Island, headed by Rear Admiral Bill Brockett, and are pleased that the studies produced there are beginning to gain national attention.

The *fifth* and final of our Resolutions is *National Oceanic Research*. We can and must build the finest ships in the world, the swiftest and most modern our technology can produce—to do so will require a resolute maritime research and development program incomparably greater than our present program. True, the Maritime Administration's Research and Development budget has been doubled this year. This is a healthy trend. The budget soared from $7 million to $15 million. That sounds pretty impressive, but compare this to the $25 billion spent on space research, or the billions ultimately to be spent on the proposed ABM System. This shows what a tiny portion of our research effort has been directed towards the oceans and the magnitude of efforts elsewhere.

The new Maritime Administrator recently held a "Conference on Maritime Research and Development" at Woods Hole. He brought together a hundred leaders of the maritime to lay out the program the maritime industry requires in the next 10 years to develop the superior modern merchant fleet our nation needs. This conference was of unusual length—three weeks—and augurs well for the future.

In closing let me say that I sincerely believe there are new and brighter days ahead for the Navy and for the American merchant marine.

All in all, I am certain that the concentration of effort now being brought to bear on our seapower programs will give us a balanced seapower program and will give the U.S. maritime industry the encouragement it needs to steam ahead.

The oceans of the worlds beckon us. We must supply the necessary courage, the wisdom and the vision.

I am certain that the Navy League under your leadership will do its full share and that we just will not wind-up with too-little, too-late on the high seas!

JOHN W. CARPENTER

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. TEAGUE of Texas. Mr. Speaker, when I first entered public life, one of

the first men I got to know was the late John Carpenter of Dallas, Tex. It is indeed a rare privilege for a young man entering public life to meet such a man as was John Carpenter. I do not believe that many men exist today who one could liken to John Carpenter. He was a great American, a family man and devoted to doing anything which he felt would better the lot of his fellow man.

It is indeed fitting that Dallas elected to name their freeway after this truly wonderful man and I wish to include an article by Mr. Sam Acheson which appeared in the Dallas Morning News for September 1 in the RECORD:

FREEWAY NAMED FOR JOHN CARPENTER

(By Sam Acheson)

John W. Carpenter, the noted Dallas leader for whom Carpenter Freeway was named, died 10 years ago in his 78th year. He was the first native Texan to head the vast $1.5-billion Texas utility empire set up by J. F. Strickland and associates.

As a utility executive, Carpenter was highly successful. In this he followed ably in the footsteps of his predecessors—Strickland himself, W. B. Head and C. E. Calder, to mention only those who held the top command in turn before him.

But the impact of Carpenter's life extended far beyond the three electric power companies. He proved to be one of those business and industrial leaders whose aims and ambitions for their home communities are not bounded by purely local horizons.

Carpenter was born Aug. 31, 1881, on a Navarro County cotton farm, the third of 10 children born to John Wirt and Ellen Carpenter. His training beyond local schools included a term at Denton's State Normal (now North Texas State University), a course in a Fort Worth business college and correspondence school instruction.

At 19, Carpenter got his first job in town digging holes for light poles for the Corsicana Gas and Electric Company. The company was owned by Frank N. Drane, a leading businessman and investor of Corsicana, who soon became impressed with Carpenter's character and abilities.

Within five years the young man advanced to general superintendent, then applied for an on-the-job training program offered by the General Electric Company at Schenectady.

"Carpenter is one of the best men I've ever had work for me." Drane wrote in support of Carpenter's applicati on. "He is faithful as a dog, industrious as sunshine and almost as constant as gravity—always even tempered, thoughtful and watchful (of others' interests)."

In 1907 Carpenter returned to Texas to serve as president of the Corsicana Gas and Electric Co., as well as two other Drane properties, the Corsicana Street Railway and the Athens Power & Light Co.

In 1913 Carpenter was married to Miss Flossie Belle Gardner, member of a prominent East Texas family at Palestine.

J. F. Strickland called Carpenter to Dallas in 1918 to become vice-president and general manager of the Dallas Power & Light Co. The next year he transferred to the same post with Texas Power & Light.

Carpenter became president of TP&L in 1927 and, following the death of W. B. Head in 1937, the chief figure in management of the three utility firms, including the Texas Electric Service Company serving Fort Worth and West Texas.

Typical of Carpenter's broad outlook was his espousal in 1930 of the Trinity Improvement Association, the first instance of major cooperataion between the former rivals of Dallas and Fort Worth.

He also had a key part in the creation of the Big Bend National Park. In this same period he was a leader in securing the establishment of Texas Tech at Lubbock. He backed other important developments over the state, including the establishment of the Lone Star Steel Co. at Daingerfield.

Carpenter also worked the advancement of Baylor, Southern Methodist and the University of Dallas. He gave 160 acres to the magnificent campus of the latter at Irving overlooking the City of Dallas. Texas Tech and SMU conferred honorary degrees upon Carpenter and the University of Dallas named its science building, Carpenter Hall, for him.

Carpenter had a wide range of interests in Dallas' civic and cultural affairs extending from support of the Boy Scouts of America to the Dallas Grand Opera Association. He served as a Southwestern chairman of the National Conference of Christians and Jews. He was a life-long member of the Presbyterian Church.

In the early 1950s at the peak of the long and bitter squabble between Dallas and Fort Worth over a midway airport, Carpenter was elected president of the Dallas Chamber of Commerce. He electrified that body by calling for an end to the airport fight with the two cities to get together to build a joint air terminal of the first magnitude.

"It does not seem reasonable to me," said Carpenter, "that two cities only 30 miles apart with a combined population of a million should continue to fight each other."

He predicted that Dallas' Love Field would become inadequate within five years and that the population of Dallas-Fort Worth would reach 2,000,000 by 1971.

Although work on the present regional airport to serve Dallas, Fort Worth and other neighboring communities was not begun before his death, it promises to be testimony in large part to the broad vision and constructive counsel of John W. Carpenter.

Earlier in his business career, Carpenter had organized the Texas Security Mutual Insurance Co. It became, in turn, the Gulf States Life Insurance Co., then the present Southland Insurance Company, of which he was board chairman at the time of his death.

Carpenter died at his Dallas County ranch of Las Colinas on June 16, 1959. He was survived by his wife and two children, Ben H. Carpenter, and a daughter, Mrs. Dan Williams, both of Dallas. Another son, John W. Carpenter, Jr. had lost his life in a traffic accident while a student at Austin during the 1930s.

THE URBAN LEAGUE'S NEW THRUST TOWARD ECONOMIC SECURITY AND AN OPEN SOCIETY

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. HAWKINS. Mr. Speaker, in a brilliant speech before the National Urban League during its annual conference in Washington, D.C., on July 28, 1969, Whitney M. Young, Jr., executive secretary, outlined the league's goals and commitments in a new thrust toward the achievement of economic security for the millions of the Nation's poor.

Comparing the unprecedented achievement of the moon landing, made possible by a demonstration of technical and physical capability plus the expenditure of vast sums of public money, with the apparent withdrawal of the present administration from the urban-racial problems of the Nation, Mr. Young called for the same national commitment to solve the abundant and acute problems and to close the gap between promise and performance.

The National Urban League's economic security program is a reasonable, feasible way of meeting some long-existing problems and deserves the fullest consideration by those of us who will chart America's path in the years ahead.

Text of the speech follows:

KEYNOTE ADDRESS OF WHITNEY M. YOUNG, JR.

Last week two men stepped out of their space capsule and walked on the moon. The world thrilled to their deed. Pride swelled the hearts of Americans as our flag was planted on the craterpocked moonscape.

It was a moment of supreme triumph, a moment that demonstrated the wonders of modern technology.

But above all, it was a moment that demonstrated to all mankind what is possible when America places its resources behind a national commitment to achieve a specific goal.

For it was only in 1961—8 short years ago—that President John F. Kennedy said: "the nation should commit itself to achieving the goal, before this decade is out, of landing a man on the moon and safely returning him to earth."

The commitment was made, and the nation rallied behind it. Some $35-billion was spent as America prepared for an achievement unprecedented in the history of mankind.

Through the miracle of technology the people of the world watched the moon landing.

Behind the ghetto streetscapes; in peeling, rundown old tenements; on television sets purchased at outrageous installment interest rates—they watched.

In humble shacks in the rural backwaters of Hancock County, Georgia, or the Mississippi Delta country—they watched.

In souless, sterile high-rise public housing projects—they watched.

Hungry children, unemployed men, welfare mothers—all watched as history unfolded before their eyes.

Two Americans walked on the moon, and important as this may be in our scientific advancement, its immediate contribution to the betterment of mankind escaped those who suffer. It did not feed one hungry child in Mound Bayou; it did not employ one man in the slums of Chicago; it did not free one mother from the strictures of a family-destroying welfare system in Watts.

For the nearly thirty million poor Americans—white and black—the moon walk has no effect except, perhaps, to taunt a child with dreams of accomplishment the system places beyond his reach, or to flaunt affluence and power in the face of the already disillusioned poor, trapped in the prison of poverty and despair.

How truly different for all of us it would have been if this nation had followed the urgings of the National Urban League in 1963, and had committed itself to the creation of a national society in which poverty would have been eliminated and all people would have enjoyed decent homes, decent schools, and meaningful work at decent wages.

It does not slight the brave men who journeyed where man has never journeyed before to say that this goal is more relevant. It does not slight the brilliance of American technology to say that it would have been better directed toward improving life here on earth. And it does not slight the holders of power in America to say that once again

that they have proven their ability to achieve what they set their minds to.

But for a young nation, born to provide freedom and a heaven for the tired and the poor, one can justifiably question this current value system and order of priority. It is high time that a new national commitment and new priorities were set, for without these, we will have won the moon while losing the peace, the security, the democratic promise of America.

In his inaugural address, President Nixon said: "Those who have been left out, we will try to bring in; those left behind we will help to catch up."

He declared that "No man can be fully free while his neighbor is not. To go forward at all, is to go forward together."

But in the words of Thoreau, "The language of friendship is not words—but meanings."

And we wait—impatiently—for the Administration to redeem its solemn pledge, and to move this country forward together.

It looks like a long wait.

Instead of the massive national commitment that is needed, evidence is mounting that indicates massive national withdrawal from the urban-racial problems that should be at the top of the list of priorities. We seem to be moving backwards to an age of indifference and repression.

The administration has encouraged diehard segregationists by loosening guidelines that would have insured southern desegregation of schools this fall. "More time", they ask. How much time do law-breaking districts need for an administration that campaigned for law and order? These districts have already had 15 years! And now the Administration is prepared to offer yet still more time.

The Justice Department tried to kill extension of the 1965 Voting Rights Act by offering a substitute that would have spread already limited resources and weakened enforcement.

The government is still handing out fat contracts to some businesses that illegally discriminate against black workers.

Is *this* moving forward together?

The Administration has allowed rigid conservatives to veto good appointments. Dr. John Knowles lost the top health post because of his interest in health insurance for the poor. And when Clifford Alexander fought too hard against employers who illegally discriminate, he was forced to resign.

The poverty program has been "reorganized" and has lapsed into an awful silence that indicates it is going to a quiet death at the very moment when we need it most.

Thousands of youngsters in the Job Corps have seen their hopes crumble and promises made to them broken through the callous penny-pinching policies that closed Job Corps Camps.

Instead of facing the problem of crime by upgrading police forces and eliminating injustices that breed crime, the Administration has proposed "preventive detention" measures that would allow judges to pervert civil liberties by locking up an accused person solely on the suspicion that he *might* commit a crime in the future.

Is *this* the way to move forward together? Or is it a step backward to the time when racial concentration camps were established for Japanese-Americans during World War Two?

The Administration has done nothing to counter—in fact, it encourages the whole mood of backlash leading to elections of unqualified candidates who campaign under the tattered banner of "law and order" with its subtle appeals to racism.

The hate and suspicion such candidates breed provide no basis for "moving forward together."

A war-strained economy has become inflationary, and the burden of controlling it has fallen on those least able to pay. The economy has been slowed down, jobs made scarcer, housing restricted by tight money.

And all the while, the monster of the war machine is fed its billions.

We can afford bombs—but not housing.

We can afford to subsidize huge farm corporations, but not the welfare poor.

We in the Urban League asked for a Domestic Marshall Plan; instead, we are offered a Domestic anti-missile plan.

The war is costing more than $2-billion per month. This means the whole war on poverty costs as much as one month's fighting in Vietnam. All housing programs—including the still-born Model Cities program—cost the same as about a month of the war. The war cost for ten weeks equals what was spent on all educational programs last year. The money spent this year on the food stamp program and school lunches amounts to the cost of a week of war, and thousands still go hungry because, we are told, money is unavailable.

Is *this* any way to go forward together?

By its own spending actions the government makes a mockery of its claim that it can't afford vital and long overdue social programs. If war-inspired inflation is a problem, let's have wage and price controls such as all countries have when they are at war. Let's have meaningful tax reforms that closes the loop-holes available to the rich, instead of a surtax that affects all, or intimidating measures directed at foundations, further limiting money available for humane purposes. But let's not ask the poor, who have waited so long and so patiently, to wait still further—for the war's end, or for completion of costly and questionable military hardware purchases before they get their fair share of America.

Black Americans still want to catch up and go forward; but we also want assurances that the Administration will honor our just claims, and not refer them to Senator Thurmond's tender mercies.

The President—it seems—has two choices. He can continue policies that say to black people "I owe you nothing." Or he can say "I will prove by my future actions that you have misjudged me."

To choose the latter means abandoning a a strategy that actually escalates racial tension and conflict. History is a harsh judge, and it will judge harshly those who choose political expedience over moral leadership in a nation torn by confusion and doubt.

Black people, Mexican-Americans, Puerto-Ricans, the white poor, idealistic and dedicated students—these can no longer be put off by vague phrases and general statements that aren't backed up by swift action. As John F. Kennedy once said, "responsibility is not discharged by simply the announcement of virtuous ends."

The gap between promise and performance has led to anger and frustration, and is responsible for some direct action methods in recent months that many Americans blindly condemn. These solid, middle-class citizens become outraged at sit-ins, confrontations, and disruptions of public meetings.

Some of these methods, while not a part of the Urban League program, cannot be separated from the real outrages that cause them. Challenges to the convenience of some people cannot be equated against the real inequities that lead to demonstrations.

For what is the loss of convenience compared with the lives that are lost and the young people destroyed by the workings of institutions that do violence to the hopes, dreams, and very futures of poor people? Children literally starve in some southern counties; children are schooled for failure in big cities; whole families are doomed to poverty and dependency by callous welfare regulations and people still have the gall to complain about being "inconvenienced."

And we never cease to hear the sweet voices of reason condemn this justified anger of the dispossessed. Now we are told that the students and the poor are encouraging backlash. Once again, the victim is condemned for crying out in pain. Once again, the bleeding man is condemned for his wounds.

Well, Dr. Martin Luther King heard that, too; and Ed Pratt heard it. He was told that a march on Selma would encourage backlash, that boycotting segregated buses in Montgomery would encourage the Klan.

When we worked to organize the 1963 March on Washington, we were told that we would encourage backlashers. In those all-too-far-off days when whites and blacks joined arms and sang "We shall Overcome", we were warned that the majority of Americans would be provoked.

The ghetto poor today know and understand what is happening. They may have been denied formal educations, but they have learned in the schools of the streets, and in the classrooms of poverty, just how this society is organized and run. They know that federal subsidies to private corporations and the rich run to over $44-billion, while subsidies to the poor, who need it most, are less than a quarter of that.

They know that power has been used to defeat the powerless—and they now demand a share of the power in our society. They've been told they are poor because their family structure is wrong, their IQ's inferior, their skills non-existent. But they are aware of the divorce and abortion rates of the white middle-class; they know rigged IQ tests are not relevant—and they are painfully aware that discrimination keeps them from acquiring skills.

They have dealt with too many mediocre bureaucrats to be awed by the supposed superiority of white people in white collars. They have worked in too many private homes—and seen the cheating and dishonesty that characterize their supposedly moral superiors.

Black people, and other minorities who suffer poverty in disproportionate numbers, know that the root causes of this poverty lie not within themselves, but within the institutions of society that seek not justice, but perpetuation of their own power.

The poor will submit no longer. They will accept a fate decreed by frightened men no longer.

For black people pride has been substituted for fear, determination for apathy, and dignity for subservience. We now know that freedom is not for free—or cannot be bought in bargain basements. America must face up to its responsibility or be exposed in the annals of history for what it really is.

The Urban League's role in these troubled times is to stand by our society's forgotten victims, and to help create the community structures and organizations which will bring power to the powerless and responsibility to those now being asked to be responsible. This requires that all citizens must have a stake in society and must be given authority with which to exercise that responsibility.

And so the Urban League has set as its ultimate goal the achievement of equal results for black citizens and other minorities. When among black people as a group the same proportion of people succeed and fail as in other groups, equality will become a reality.

Our traditional programs, though now directed toward institutional change, have been retained—and even expanded. Our commitment to legal, non-violent strategies remains unchanged, our belief in interracial cooperation redoubled—in principle and in practice. But the main thrust of our activities must be to sink roots deep in the ghetto—and to work with its citizens to change the systems that have perpetuated the inequities.

We have found that the best use of our limited resources lies in finding out what the community itself wants and needs, and

then assisting it to change the institutions that have the power to deliver those services.

So we've organized tenants groups, and helped the tenants of housing projects to confront housing authorities and win changes in the regulations governing them.

In city after city Leagues are "new-thrusting" in voter registration drives that will bring power by the ballot—not destruction by the bullet.

We have helped to organize black businessmen to secure a base from which they can serve the entire urban community and take their rightful place in the local business establishments, changing those institutions by their very presence.

We have challenged the educational establishment and placed black people in positions of influence. Our street academies are well-known. They have taken young people whom the schools said could not be educated, young people who had been claimed by the life of the streets, and given them basic and prep school educations. Now street academy graduates are in Harvard, Princeton, and in other top colleges all over the country.

But we don't seek to create a parallel school system. The true purpose of the street academies is to teach the mind-destroying institutions our successful concepts so that the public schools themselves can be relevant to ghetto youngsters.

We have gone into the rural ghettos of Georgia and Alabama, working with the poorest of America's poor. Our new office in Sparta, Georgia, in the midst of Hancock County, where per capita income is a mere $790, is concrete evidence of our determination to make Hancock County into a showcase of rural development.

We have gone into the colleges and recruited bright, energetic, committed, black student leaders to work with the Urban League during the summer. Sixty of these dedicated young people are here today.

The end of the summer will not be the end of their role in the Urban League; it will be the beginning of a new relationship in which they will have an important involvement in their local Urban Leagues and with the black ghetto. They constitute a leadership cadre of great importance to our movement and to the nation.

The Urban League is also assisting the federation of street gangs—Youth Organizations United—channeling their justified anger to constructive paths.

For we believe in the talents and abilities of these young men and women. We know that they can compete on equal terms with any other group of young people in the country. And we believe they have a unique capability to reach out to their brothers and sisters in the ghetto and help to change the system that oppresses them.

Their energies are wasted when used just in rapping other blacks. Their potential for change is wasted when they accept the paternalistic racism of a university that agrees to even the most frivolous and outrageous of demands. These are hollow condescending victories—symbolic, but without substance.

We want to recruit black youth who will realistically challenge the system. We hope they will see equality not as separatism but as the achievement of equal results in open competition. We want them to see that building Ghetto Power means building unity among black people, while at the same time recognizing the diversity of healthy society needs.

The Urban League's New Thrust is catalyst, organizer, behind-the-scenes enabler. It won't capture the headlines and get the same attention as shouting "hate whitey" slogans, or denouncing black youth before white audiences. But ours is an essential role. Of necessity it is a role that often places us out of the spotlight. Our job is to aid and support our brothers. Without each other we will not succeed.

And black people know this. Other minorities know it. Poor people know it.

In the past 12 months 600,000 people came to Urban League offices around the country. They came for jobs and we placed 60,000 in new jobs and upgraded positions last year. They came for training—and we placed more than 15,000 in on-the-job training positions.

They came for help with welfare authorities, landlords, storekeepers; they came to get assistance in dealing with the whole apparatus of institutions that dominate their lives. And they got that help—and more.

We are a grass-roots community organization primarily serving the poor. Four out of five people who applied to us for training positions last year were living in poverty; one out of five was on welfare. They got jobs paying more than $2.50 an hour—jobs with a future.

When you figure the new wages earned by people placed in jobs by the Urban League, the total comes to $400-million. That money that goes directly to the black community.

That's real green power.

And out of this conference will come a new National Urban League Housing Foundation—a plan for decent low-cost housing, controlled and operated by the community itself.

And out of this conference also will come a plan for ending poverty in America.

We propose an economic security program that will erase poverty from our land and bring new resources and dignity to millions of low and middle income families. The core of our plan is a step-by-step attack on the economic injustices that keep different groups of people poor.

Our economic security program includes:

Expanding social security coverage—and raising social security benefits above the poverty line. By so doing five and a half million elderly people can escape from the prison of poverty.

Expanding the minimum wage and unemployment benefits to end the poverty of the working poor. Three out of four poor people belong to families in which the head of the family worked all or part of the time. There is no justification for people to have to work long and hard, only to bring home paychecks that are below the official poverty line.

A family Allowance Program through which every child in America would get a check for $40 per month—*as a matter of right.* These payments would be taxable, so that middle and upper-income families would be paying much of the allowance back in taxes. Such a family allowance program would help end the poverty that curses the childhood of fifteen million American children.

More than sixty countries have some form of family allowance programs. Experience has shown that such payments do not encourage people to have more children . . . and do result in families spending more for medical care and the necessities of life for their kids.

Guaranteed jobs for all who are able to work. This society has neglected its public services. Schools, hospitals, parks, and other basic public services are starved for adequate funds and manpower. A new effort must be made to improve these services through the creation of five million jobs, jobs that are needed, jobs with a future, jobs that pay decent salaries, jobs that will employ unskilled men and women and provide them with the dignity and skills that meaningful work can give a person.

For those who have not been covered by other elements of this economic security program, we propose a negative income tax form of guaranteed income.

Three out of four poor people are not covered by the welfare system—which is inadequate in any case. Low and moderate income families—both black and white—are getting no assistance whatsoever.

The Urban League believes that its Economic Security Program is a reasonable, feasible way of bringing about a more equal society, a society in which people are not divided by fights along racial lines for the crumbs from the table of an affluent society.

We will also place before the Labor Dept. a request that our OJT program be expanded to include those Job Corps and Neighborhood Youth Corps trainees dropped with the closing of the Job Corps Camps.

Three out of ten poor people are black. But seven out of ten are white. Our program will end poverty for *all.*

And through family allowances, millions of moderate-income white families will be better able to feed and house and clothe their children, too. Their frustrations and bitterness at a society that denies them economic security is channeled into antagonism toward black people, whose movement for justice is more vocal and visible.

But when they support second-rate politicians whose only rallying cry is the subtle racism of "law and order" appeals; when they oppose good black or liberal candidates for mayor; or when they oppose school bond issues, they are also harming themselves.

Backlash is a strange phenomenon. In the struggle to keep the black man down, many white people are damaging their own interests and their own kids. When they fight integrated schools and housing they can only help to create cities that wallow in fear and misery.

These people need help. It's not enough to sneer and say they are bigots. Bridges have to be built to those elements of white society who seek refuge in self-destructive racism.

Our economic security program will go a long way toward constructing the foundations of those bridges. But the basic work must be done through a national effort to educate the public to the evils and dangers of the racism that threatens to destroy us.

To continue on the path of repression is to set up a cycle of protest and increased repression that can only fan the flames of anger and eventually lead to the kind of police state that will enslave all Americans, black people and backlashers alike.

But the burden of the national effort to cure racism must be shouldered by the enlightened white community. It is not for the victims of racism to lead the total society away from racism. The problem lies not with the Negro community's pathology, but with the white, and it is white society that will have to develop the leadership and the moral stamina to cure the cancer that's eating away at its democratic ideals.

It will have to do this, too, if it wants to retain the respect of its young people, who see through the hypocrisy that dominates a society that so freely proclaims high ideals while allowing slums to fester and children to starve.

More than half of young people recently surveyed by Fortune Magazine, students and non-students alike, agreed strongly or partially with the following statement:

"American society is characterized by injustice—insensitivity—lack of candor and inhumanity."

What a judgment on the society their elders created.

Five years ago we were proudly told of the high idealism of the younger generation. They were flocking to join VISTA and the Peace Corps. Today, they are challenging their school administrators and the upholders of the status quo.

What happened? Their idealism is still strong, but their belief in their ability to change this society, to end racism, to make the system humane and responsive to human needs, has been shattered.

A new crusade to end racism can harness the energies of this, the brightest and most idealistic generation of young people in our history.

And a national commitment to build an Open Society can harness the energies of all Americans—young and old—rich and poor—black and white—into a grand coalition to reunite our country under the banner of justice and progress.

The 1960's was the decade of space exploration, and we saw the frontiers of space crumble before man's will to search the heavens. The 1970's must be the decade in which barriers to equality will crumble in the face of our determination to create a truly Open Society.

The great adventure of space exploration must be succeeded by the great adventure of regaining the American dream of equality and justice for all. The will and the resources that made the moon-landing possible must now be poured into the great national adventure of ending poverty and inequality.

The world now knows that America is a technological giant; the world must now be shown that it is not a moral midget.

We of the Urban League dedicate ourselves to this goal of building an Open Society and we call on all Americans to join us.

We call on all Americans to escape the fear and uncertainty that has shackled the American spirit in recent years.

We call on all Americans to escape the pre-occupation with a materialism that has cheapened American life and made it shoddy for all its wealth.

We call on all Americans to rediscover the best in the American spirit—the energy, the competence, the sense of high purpose that can revitalize our country.

We call on all elements in our society, and most especially the government, whose duty it is to lead and to chart new paths and new goals, to join with us in building an Open Society.

The Urban League enters the seventies with a passion for justice, a belief in equality, and an intensity that will ensure our success. We are committed to fashioning a better way, a newer world. In the words of the great black poet, Margaret Walker Alexander:

"For my people standing staring, trying to fashion a better way from confusion, from hypocrisy and misunderstanding . . . trying to fashion a world that will hold all the people—all the faces—all the Adams and Eves and their countless generations;

"Let a new earth rise. Let another world be born. Let a people loving freedom come to growth. Let a beauty full of healing and a strength of final clenching be the pulsing in our spirits and our blood. Let the martial songs be written . . . let the dirges disappear. Let a race of men now rise and take control."

ULSTER CATHOLICS SPEAK OUT ON PREJUDICE

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. THOMPSON of New Jersey. Mr. Speaker, as we all know, we in this country have been fighting the evils of racial prejudice for a very long time. But prejudice and its evils are not confined to racism. If we need a reminder of the fact, I direct the attention of my colleagues to an article which appeared in the August 27 issue of the Trentonian, a respected newspaper published in my district. The article is by Mr. Cyril J. O'Brien who reports upon his experiences on a recent visit to Northern Ireland. My Speaker, in all truth, the article speaks for itself, as follows:

ULSTER CATHOLICS SPEAK OUT ON PREJUDICE

(By Cyril J. O'Brien)

DERRY.—"We are treated worse than the black man in some parts of the United States."

The young man who said that was about 22, dressed in a soiled tweed coat he had slept in for two nights, and he carried an axe handle. He would not give his name because "he's been in jail too many times already" for civil defiance.

But because I was an American the rebel barricade was let down and the young sentry and a compatriot named Francis Oakley let us across the rampart of steel-rimmed beer barrels, scaffolding and debris.

Inside was Bogside, the Catholic ghetto of this ancient-walled city. Although the majority population, they had been bound to their inferior housing for half a century by prejudice, job inequality, and gerrymandered voting districts.

Now they were tired of successive city administrations which spurned their appeals, and maintained a special sectarian auxiliary police force called "B-Specials" to uphold the establishment.

In their soft Irish voices the young men explained what they wanted told across the sea: how employers ask the school you attended to scratch Catholic applicants; how an archaic property-based voting system disenfranchises the poor—Protestants and Catholics alike.

They gathered around in a relaxed manner holding their cudgels like walking sticks, or pocketing the egg-sized cobble stones they were using against the police.

For two days now they had been holding off the Royal Ulster Constabulary which they considered sectarian and anything but an impartial law enforcement body.

IRISH BRAWL

It had all started Monday Aug. 12 when over 10,000 members of the Orange Apprentice Boys organization came here from all over Ireland and parts of Scotland to march around the Derry Walls. They sang provocative anti-Catholic songs, and then walked the Bogside ghetto. The onlookers started to pelt them. The police attacked the Bogsiders and chased them back to their ghetto. The Apprentice Boys and a swarm of bigots labeled here as "Paisleyites" supported the police.

However, the people at Bogside stopped the police at the fringe of their ghetto, pelting them back with stones, and petrol bombs, made by an outdoor "Factory" manned by young girls, boys and older women.

The battle for the Bogside was on its second day when the "rebels" let me through their barricade.

A block away from our flanking position came the sounds of falling rocks, the scramble of feet, as police charged another time, Then there was the hail like patter of the rocks (which literally looked like pepper in the sky from our position) against the shields of the constabulary. These tactics went on all throughout the day.

REBEL HEADQUARTERS

Headquarters for the rebels is a nine-story apartment building which now houses the leaders, civil rights supporters and such protagonists as pretty brown-hair Bernadette Devlin, youngest member of the British (Westminister) Parliament. From its roof flies the Tricolor of the Republic of Ireland, and Bogside "fusileers" use it as a base from where to heave their Molotov cocktails. They flew the American flag from the same staff yesterday.

Today, all of the Apprentice Boys have gone home while Derrymen fight it out alone—among themselves. Paisleyites (named for the North Ireland anti-Catholic extremist Rev. Ian Paisley) support the police and have been blamed for burning a Catholic owned factory. The rebels were getting new support from foreign students in Belfast and a handful who came up from universities in Southern Ireland.

"Tell them back in the states," said Oakley, "that all we want is one vote for one man . . . and a house for every family—Catholic or Protestant."

"Is that too much to ask?" asked a bland youth who was wearing the steel helmet he wrested from a member of the constabulary.

"Here, I want you to meet Herbert" Oakley joined in again.

LOST ONE EYE

Herbert Francis McCauley, 24, with his shaggy red hair and his tweed coat turned up at the collar looked like a prototype of an IRA member of 1916 and the later troubles with the Black and Tans.

"He lost his eye to the police," Oakley said.

"They kicked it out . . . in the Victoria barracks (police), the young man said, brushing his hand across a false eye that looked too small for its red rimmed socket.

Another flurry of stones and most of the crowd around me moved to the small alley off William St. where the battle line had been drawn.

"See we use rocks . . . not guns." one youngster explained and demonstrated by a running throw in the direction of the police.

WOULD USE GUNS

Another had no such aversion to firearms: "If we had guns it would be all over now . . ."

"Mind now," Oakley said. "We are fighting for our homes, our women and children. Last night they (Paisleyites) burned a shirt factory—where we make our living—and they marched on the Catholic Church. We had to break out of the bogside to stop them by forming a line.

"There's the flag we are fighting for," Oakley said, pointing to the insurgent tricolor, the Union Jack is hoisted above bridges and Orange halls by loyalists to confront the Catholics as much as a symbol of patriotism.

Oakley, McCauley, and the others who came around told how they welcomed the arrival of British troops as a victory. It shows the world they felt the North Government was no longer able to maintain control.

"It can only work to our good," said McCauley."

NEVER BE THE SAME

Dorman Malachy told how things will never be the same in Northern Ireland now that the events of Derry and the deaths in Ulster have focused world attention on their corner of the island.

Earlier John Hume, civil rights leader and member of the North (Stormont) Government, had expressed the same conviction to me. Like the late Dr. Martin Luther King, Hume is an advocate of non-violent demonstrations.

Hume and other civil rights leaders have made strong complaints of Orange nightriders who raid homes of Catholic ghettos with petrol bombs and who in the pattern of Ku Klux Klan—nail threatening letters on Catholic doors.

Yet, Hume believes the major problem here may be economic. The bulk of some 1,800 young workers released when a big company failed two years ago have yet to be placed. Religious prejudice simply worsens a serious situation.

Of course the matter of a united Ireland is always in the minds of the Catholic majority here in Derry and in most of Northern

Ireland, Hume explained. The south Irish consider Ireland one nation, culturally, historically. They ask Americans how they'd put up with having New England severed and annexed by Canada.

Hume feels a United Ireland will not happen, however, until it is economically feasible which might not be for some time.

Back at the barricades, however, there seemed much less hope of unity. A rosy-cheeked Ulster constabulary man, pulled up the plastic visor on his steel helmet, He and his colleagues seemed remarkably restrained in light of accusations that they attacked Irish homes in the Bogside.

Asked how it felt getting the brunt of attacks from both sides of the Derry confrontation, the constabulary man said "Not from two sides, one side. We've got one enemy—and he's in there," pointing to the Bogside.

SALUTE TO COL. HERBERT E. BLOCK, OUTSTANDING MEDICAL OFFICER

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. WRIGHT. Mr. Speaker, on September 1, 1969, a truly outstanding medical officer, whose service dates from Pearl Harbor Day, retired from the U.S. Air Force at Carswell Air Force Base in my district. He is Col. Herbert E. Block, who for more than 5 years has served with great distinction as commander of the U.S. Air Force Hospital at Carswell.

Many of his fellow medical officers and others within the military know of this man's superlative performance as a medical officer, hospital commander, and orthopedic surgeon.

Few, however, are aware that in addition to his burdensome regular duties, Colonel Block has devoted countless hours of voluntary work out of sheer compassion for his fellow man.

Through his selfless efforts, the Carswell hospital has become recognized as one of the Nation's best medical facilities, either in or out of the military. Almost legend are the many hours he has spent almost daily, seeking to salvage broken bodies and to restore them to usefulness.

There are hundreds of families in the Fort Worth area who owe Dr. Block an outstanding debt. These are the wives, mothers and fathers, and children of our Vietnam wounded of all branches of the service who have found in Colonel Block a man of mercy and help. Working with my office and acting on his own, he has enabled more than 100 Vietnam casualties to be brought close to home and their loved ones, regardless of their branch of service and often within days of having been wounded on the battlefield. Members of the Army and Navy who otherwise would have suffered long convalescent periods hundreds and thousands of miles away from their loved ones, through this one man's actions, found the peace and nearness to home they so urgently needed. The Carswell Hospital always found room for these men, and their country was able to show them fuller appreciation as a result of Dr. Block.

It pleases me, therefore, on the occasion of his retirement to make known these facts. I am doubly proud that Dr. Block has chosen to remain in our area and continue his great medical work for the benefit of our community.

LAIRD IN LION'S LAIR

HON. WATKINS M. ABBITT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. ABBITT. Mr. Speaker, the Secretary of Defense recently announced plans to cut $4.1 billion from the defense spending program, but those who would downgrade our military to a point of impotency immediately set up a howl for even deeper cuts. But, as the Defense Secretary has pointed out, those who are demanding further large cuts are urging a very dangerous course. An essential military strength must be maintained in the interest of national security. A succinct comment describing the Defense Secretary's position is made in an editorial appearing in the August 28, 1969, issue of the Danville, Va., newspaper, the Register. This editorial comment should prove of interest to most of my colleagues and I include it at this point in the RECORD:

LAIRD IN LION'S LAIR

It would have seemed that Secretary of Defense Melvin R. Laird had better judgment. Acually, he did. Yet political considerations may have altered the course in the cause of expediency.

As House Republican Leader while the Democrats were in control of the White House, he was a well-trained seeing-eye dog when it came to spending and other matters around the Pentagon. He was an expert . . . and few colleagues, regardless of party affiliations, dared question that fact or the man.

Because of Laird's knowledge of the Pentagon and his standing on Capital Hill, President Nixon turned to this fellow Republican as his choice for Secretary of Defense. Laird didn't want to make the change, pleading his value in Congress (and well aware of the fate of previous secretaries such as Robert S. McNamara).

Reluctantly, he accepted the appointment . . . and the choice was well received in Congress.

It wasn't long until it became apparent that Laird had stepped into a Lion's lair—not because of anything he did or didn't do, but because of a growing campaign against the military of which he is the symbol.

Bitter opponents of Vietnam policy started a propaganda campaign against what they termed the "military-industrial complex," intimating that the nation was being driven to bankruptcy and disaster by a conspiracy between the makers of munitions and the Pentagon. At one and the same time, they insisted that the Pentagon was a pawn of moneyed interests yet a monster controlling Congress.

Cut spending, they demanded.

When he was a member of Congress, Laird had worked for reduction in military spending . . . but never because of such an absurd accusation. Because of his stand while in Congress, Laird was placed under tremendous pressure.

So, last week, Secretary Laird announced he has cut $4.1-billion from the defense spending program inherited from the Johnson Administration.

Instead of satisfying the critics, this seemed to have whetted their appetites. They yelled for more.

The liberal Democratic Study Group hurriedly published instructions on how to probe into and attack military spending.

Attention was focused on military research, especially that part which, on the surface, seems to have little bearing on defense. Laird countered that it "provides our military strength for the future." Yet it is difficult for most people to relate such subjects as sleep and dreams to combat.

On the day before Congress started its recess, Democratic Leader Mike Mansfield slipped through the Senate a measure which could cut millions from military research projects not related directly to military functions or operations.

Actually the attack on unusual military research is designed to convince the public that the Pentagon is throwing away their tax dollars . . . thus build pressure that would result in demands that could cut into essential military spending . . . even the war effort.

Laird told the American Legion national convention in Atlanta this week that congressional critics and their supporters are "urging a very dangerous course" in demanding further large cuts. He was cheered.

With Congress in recess, the critics are busy and are getting a lot of press coverage. One could gain the impression that the majority of Congress is determined to slash military budgets. This is far from the case—as later voting on appropriations will show.

Among those who have rallied to the defense of essential military spending is Rep. W. C. 'Dan' Daniel of Virginia's Fifth District. In a letter to Secretary Laird this week, he stated:

"We can not—and must not—gamble with our nation's security. In this nuclear age, our military strength must be second to none, for there simply will be no time for crash programs to rebuild this strength should the need arise.

"So long as we keep the commitments we have throughout the world we must maintain the capability of honoring these commitments. As long as our adversaries maintain their aggressive intentions and strengthen their capabilities, we must be prepared to meet and overcome this aggression. Such a program of preparedness has my full support.

"Of course a constant vigil must be maintained against waste and unnecessary expenditures in our defense effort, but essential programs and systems must be developed and retained to assure that our defense posture is equal to or superior to that of potential adversaries."

Laird probably erred in announcing the military cuts at the time the critics had peaked their attack. It seemed that he was yielding to them. It certainly didn't silence them.

Yet, we have confidence that Laird will not yield to the danger point and will heed such advice as that offered by Congressman Daniel.

THE SOVIET INVASION OF CZECHOSLOVAKIA: THE FIRST ANNIVERSARY

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. FRIEDEL. Mr. Speaker, a year ago last month the Warsaw Pact forces, led by the Soviet Union, invaded Czechoslovakia and destroyed what had promised to be an evolutionary movement toward a more genuine form of social democracy.

We all had come to believe that perhaps the Czechoslovaks had discovered a unique formula by which they could give expression to their own inner feelings of democracy while at the same time satisfying the security requirements of their powerful neighbor, the Soviet Union.

But in this expectation, both we and the Czechoslovaks had deceived ourselves, for in the Czech experiment the Soviets had come face to face with the phenomenon of the idea of freedom asserting itself within the Communist environment. The Soviets could not tolerate this, because it presented an irreconcilable contradiction; namely, the spirit of freedom in conflict with the principle of political tyranny. If extended throughout the East European bloc, it would threaten the foundations of their totalitarian system.

What the Soviets could not accept was the basic right of nations to determine for themselves their own destiny; they could not accept the most elementary of human rights, the right of the individual to exist according to his own preferences. And so they invaded Czechslovakia; they violated these basic human rights; they violated, too, the United Nations Charter, which had held the promise of all mankind that the rights of all would be preserved.

The Soviets tried to justify their action by a clever resort to Communist sophistry: They proclaimed the Brezhnev doctrine by which they claimed for themselves the right to interfere and destroy the natural right of man to self-determination in the interests of what they called, "Socialist unity."

But this really has not worked; the Russians were kidding themselves. For the invasion of the land of a "fraternal ally" which presented no security threat to the Soviet Union has shaken the whole Communist world and has reduced enormously the prestige and respect that many of Russia's allies and friends had once held for the Soviet Union. One only has to examine the gross overstatements in Soviet declarations commemorating the first anniversary of the invasion to see that the Russians are really protesting too much. They have a guilty conscience about this, and this sense of guilt has spread to the Soviet intellectual community with the result that it has become more and more alienated from the regime.

Why should Communists with a conscience react this way? The answer, I believe, lies in the nature of the crime; namely, the violation, the destruction of a human right. The Soviets have had to live with this sense of guilt for a year, and this is only the beginning. But it will take many years for the people of Czechoslovakia to reconcile themselves to what the Soviets had done, and if reconciliation comes, it will come, not willingly, but by the sullen realization of a people faced with the choice of survival as a nation.

We, here in America, and the Czechoslovaks in their homeland, can mourn the loss of a hope, a dream, a great expectation of a better life that occurred in the wake of the onrushing Soviet tanks a year ago; but the people of Czechoslovakia, though losing their freedom have preserved their integrity and their dignity as a nation: it is the Soviets who must face the moral condemnation of mankind, including the silent condemnation of their "fraternal allies" within the Communist world.

COMMEMORATION OF APOLLO 11 FLIGHT BY OHIOANS

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. BROWN of Ohio. Mr. Speaker, the great State of Ohio, which gave "light and flight" to the world, was justifiably proud of the part its illustrious son, Neil Armstrong of Wapakoneta, Ohio, played in the historic Apollo 11 moon mission. Two of his prideful fellow Buckeyes have written poems commemorating the historic flight of Armstrong and his fellow Astronauts, Edwin E. Aldrin, of Montclair, N.J., and Michael Collins, of Houston, Tex.

As Wapakoneta hails and welcomes Neil Armstrong this weekend, I am pleased to insert these poems in the CONGRESSIONAL RECORD. They are written by Hartley F. Dailey, of Springfield, Ohio, and Thomas E. Kelley, of Wilberforce, Ohio. Mr. Dailey has also composed a touching tribute to Astronauts Virgil Grissom, Edward White and Roger Chaffee, which is also fitting to insert at this time:

MOONFIRE

How did they feel, those daring, valiant men?
Setting their feet where none had stood before,
Facing that lonely, empty, frozen world,
Knowing themselves alone, and looking up
To where old Earth rolled calmly overhead?

Didn't they feel the fear, the awful dread?
Didn't they feel the chill of things unknown,
Peering at them from down behind the rim
Of that age-old horizon, undisturbed
Until this time, by feet of earthly men?

These were the first-born, stepping bravely out
For the first time, from out of that mighty womb
Men call the Earth, which holds all earthly things
Safe in her cloying folds, nor lets them go,
Except in gravest danger and travail;
Then pleads with all her tears for their return.

Now they have shown the way, where we may go,
As those first creatures crept out from the sea
Onto some sandy beach, to make their home
In an unfriendly, hostile element.
Hail! Armstrong, Aldrin, Collins, Heroes all!
The Ultimate Adventure was your goal,
But you have brought the stars to all mankind.

HARLEY F. DAILEY.

OHIO'S PLACE ON THE MOON

The "Home of Air Travel"
Is a rightful name;
One that certainly Ohio
Can very easily claim.

From Wright Brothers at Kitty Hawk
To Armstrong on the moon;
All in sixty-six short years
Is really very soon.

From a barren N.C. hillside
To a mystic powder dust;
Billions and billions of dollars
Thousands of pounds of thrust,

Man's first flight-twelve seconds
Only one hundred twenty feet;
One third of the Apollo Saturn Rocket
That caused unknown planets to meet,

Glenn started the walks
For greater outer space;
Another famous Ohio son
Who helped set the pace.

A camera was there
For you and me to see;
The beginning of a new era
A new history to be,

The marvel of the century
With proof put there;
A joint effort of millions
For all "mankind" to share,

Pits and craters of all sizes
How did they get there?
Silent for years and years
Suddenly for us to share,

All of this programmed
Accomplished with relative ease;
Could we get these great minds
To help conquer man's disease?

We heard the President
A victory to extoll;
My! what a call he made
200,000 miles, and no toll,

"That's one small step for man,
One giant leap for mankind"
We'll share with civilization
From the moon what we find,

"Tranquillity base here—
The Eagle has landed"
Armstrong and Aldrin were walking
Collins flying the Commanded,

So man has conquered
Another mystic unknown;
A marvel for the entire world
The proof has now been shown,

"Fly me to the moon"
Once only a song fable;
Has now suddenly become
A waiting reservation table,

A popular word "fantastic"
A world gripped in prayer;
Man has conquered land and sea
He's now on the way in the air,

So if outer space may become crowded
Please of me have no fear;
For while you're on your way to Mars
I'll still be sittin' right here.

THOMAS E. KELLEY.

BRIGHT ANGELS

(A tribute to Astronauts Grissom, White and Chaffee, who died in a most tragic fire at Cape Kennedy, Jan. 27, 1967)

Now they are gone, the young, the brave, the true;
How can the world be still so fair today?
How can the mocking Sun so bravely shine?
Should not he hide his firey countenance
Behind the nimbus of the smoky pall
Raised by the altar of their sacrifice?
Greater their deeds than those of them who die,
Ringed by the lances of the enemy,
On some grim field of battle, far away.
They did not seek to kill, that some might live,
But like Prometheus they sought to bring,
Down from the sky a gift that all might share.
Such gifts are not bought lightly, some must die;
It fell their lot to pay the dearest price
Levied by Fate on all who greatly dare.

Will not the spirits of the Mighty Dead
Linger in outer space, a guardian band,
To guide their future comrades as they go
Across those endless, airless, sunless miles,
To some far planet of a distant sun
Where men may someday live in peace and love,
And grow to heights of glory yet undreamed?

HARLEY F. DAILEY.

NEW ENGLAND ELECTRIC POWER

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. HATHAWAY. Mr. Speaker, the shortage of electric power in New England continues to threaten this vast area of the Northeastern United States with extensive power failures. During the month of August there were severe voltage reductions by the power companies of New England.

As this situation worsens, the private utilities of New England continue to argue against one reasonable solution to the problem, the Dickey-Lincoln School hydroelectric power project to be located in northern Maine.

When the Dickey project was authorized by Congress in 1965, the private utilities of New England immediately boasted of grandiose plans which would supply all the electric power Maine and New England would ever need. These plans have never materialized, and New England's power requirements are going unmet.

The seriousness of the crisis prompted the Governor of Maine to make a public statement last week. I commend this statement to the attention of my colleagues in the House:

STATEMENT BY GOV. KENNETH M. CURTIS

It is with a feeling of grave concern that I have learned from the Maine Public Utilities Commission that on three recent occasions New England has come dangerously close to suffering a serious power shortage.

On August 4th, August 18th and August 25th there have been voltage reductions by the power companies of New England, ranging from 5% to 2%.

As Governor, it is my duty to publicly register my concern.

What is truly alarming in this situation is that in these instances, New England did not have sufficient generating capacity to maintain the required reserves. These reserves are normally 15%. They had been reduced to about 3% when the voltage reductions were ordered.

It is also clear that the shortage is based solely on failure to meet the supply of power to current users. It is equally clear that the pressing need of a power reserve for developing new industries in New England is not being met.

The private power industry has recognized this storage by creating MEPCO to transmit power from the Maritime Provinces of Canada to the New England States. Even so, this 345 KV line which is scheduled to go into effect in the fall of 1970 will not begin to meet New England's power needs. This dependence on Canadian power supply is a stop gap but not a solution.

The present situation is a graphic illustration that the planned generating capacity for New England's power needs by the dominating private utilities has been underestimated and inadequate. Expensive publicity campaigns have told us time and time again that the Big Eleven powerloop would take care of all of New England's power needs. We were told that there was no need to build the Dickey-Lincoln dam . . . that Dickey-Lincoln's power was not necessary.

What disturbs me most is the questionable estimates of future needs for electrical power that the private power industry has reported. Based on the fact that their plans for power supply today are inadequate, how can we have confidence that the power for future consumption will be ready when it is needed?

And here we are in a situation where three times in one month, New England has come close to suffering a "brown-out" of electricity, if not worse.

This startling fact of New England's shortage of power capacity calls for thorough examination of our problems and more adequate plans in both the private and public sectors.

To meet this power shortage I recommend four approaches.

First, if New England is going to have to suffer through power shortages, then the importance of building the Dickey-Lincoln project becomes more evident. And its importance is not confined to northern New England, but to all of New England. I feel it behooves those New England Congressional members who have opposed Dickey-Lincoln, perhaps out of a reasoning that it could not benefit their area, should now look to the fact that their districts may suffer power failures unless the added capacity of a Dickey-Lincoln dam is provided. This is not to mention the all-important price yardstick that a public power project would provide.

Secondly, the state Legislature should create a Maine Power Authority to enable the state to supplement the private power industry as necessary to help meet the demands of new industry and an increasing population.

Third, the private power companies should review their projections and plans for future electricity power needs.

And, finally, our plans for meeting needs for New England consumers of electricity should be more carefully coordinated throughout the New England states through both public and private cooperation.

A continued lack of power capability will certainly inhibit the economic well-being of New England. If adequate service cannot be maintained, then we stand to lose out in the competition for industry. It is a grave and an unnecessary situation that private utility management has allowed to develop.

I hope that Congress, which has before it an appropriation to continue the planning of the Dickey-Lincoln dam, will consider these new facts when its deliberations are made.

CHEMICAL AND BIOLOGICAL WARFARE

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. COHELAN. Mr. Speaker, the dangerous testing of chemical-biological weapons and the handling of deadly gases has been a source of concern to the people of this Nation. The efforts of many Members of Congress have been responsible for bringing the dimensions of this problem before the Nation. As the extent of the CBW became known, I joined with other colleagues in introducing a resolution to attempt to get the United States to sign the Geneva Protocol of 1925, which outlaws the use of such weapons.

One of my constituents, Mr. Robert Carter Holmes, sent me a thoughtful paper on the problem of chemical and biological warfare. I would like to include this paper in the RECORD:

CHEMICAL AND BIOLOGICAL WARFARE: A HUMAN AND ENVIRONMENTAL THREAT

I. THE DANGERS OF CBW

All sane people regard the prospect of nuclear warfare with horror. Beyond the incredible misery unleashed by use of nuclear weapons, their long-term effects on human genetics and natural ecology are immeasurable and catastrophic. The ill-effects extend to testing as well. The Japanese are nationally aware of the fate of several Japanese fishermen who were exposed to radiation emitted by American open-air tests in the Pacific. More recently, Dr. Sternglass released the results of his study of the genetic effects of tests conducted in the United States during the 1950's. He reports that radiation carried downwind from the test site caused a dramatic halt in the decline of the infant mortality rates in the affected states. While government scientists were predictably quick to disparage his interpretations of data, Sternglass' conclusions once again give rise to serious questions about the potentially tragic effects of nuclear testing. Their implications for the survivability of infants born in the aftermath of widespread nuclear war make questionable whether humanity as a species could live to re-build the world it had destroyed.

While doubts about the wisdom of nuclear warfare are widespread, only recently has public attention begun to focus on another equally dangerous field of military endeavor, the chemical and biological warfare program. As the *New York Times* said editorially on July 9, "Dean Swift himself could not do justice to a world which over the centuries and with great skill has eliminated diseases one by one for the sake of humanity, and then systematically bred the germs of those diseases as a possible weapon of war." It is often said that no nation could "win" an atomic war. Given the unpredictability of epidemics, natural or man-induced, and the immeasurable long-term consequences for the environment of chemical and bacteriological contamination, the same is true of chemical-biological weapons. The military and its advocates take great pains to present CBW as a virtuous alternative to nuclear annihilation. They argue that disabling gases and viruses are humane compared to the weapons which destroyed Hiroshima and Nagasaki. Nothing could be farther from the truth. The names of the military's biological weapons are names that have struck terror in the hearts of men for centuries: anthrax, plague, brucellosis, cholera. And chemical-biological weapons can be easily produced in any well-equipped medical or biochemical laboratory at relatively low-cost, making every nation a potential military Goliath.[1]

A recent United Nations report documents "the frightful dangers of chemical and biological warfare [and] the folly of their contemplated use as well as their total unpredictability."[2] It discusses too "their possible destruction of the environment even where they do not immediately wipe out a whole population, including those who initiate their use." Even if chemical and biological weapons are never used in warfare, the research, development, testing, production and storage of such agents as VX (a nerve-gas capable of killing a man in droplet dosage) and Anthrax pose an immense

Footnotes at end of article.

threat to the health and safety of man and his environment. An expert in atmospheric microbiology writes:

"The topic [of biological warfare] is shrouded in official secrecy, but the little information already released [in 1961] suggests that, if deliberate dissemination of pathogens (or toxins) were ever attempted, contamination of the air might be one of the dangers to be anticipated." [3]

Dr. Gregory's warning holds true of both actual warfare usage and preparatory field tests alike. England provides an ominous example of the possible environmental effects of the testing of virulent biological agents. The British CBW service conducted experiments with the deadly disease Anthrax on Gruinard Island, off Scotland, in 1941. Anthrax is transmitted mainly through the skin (percutaneously) and by inhalation, and can be conveyed to humans by infected animals; it is described as "one of the most stable agents" and is "normally fatal".[4] The sheep population of Gruinard was annihilated by the tests, and today—28 years later—the island remains uninhabitable. Officials at Porton, the center of British research in chemical and biological warfare, say it will remain uninhabitable for at least 100 years to come.[5]

Gruinard Island is not the only example of the threat posed by chemical-biological warfare programs to human health and natural ecology. In 1968, a U.S. Coast Guard station on Peale Island in the Wake Atoll was evacuated after fifty persons fell mysteriously sick in one day. An Army chemical officer dispatched from Hawaii to determine the cause attributed the illnesses to leakage of a poison gas called chloropicrin from containers dumped near Wake Island after World War II.[6]

A far greater danger to the lives of millions of people came to light in North Europe during this writing. On August 11, the San Francisco *Chronicle* reported that six fishermen on a Danish trawler operating in much-used fishing grounds of the Baltic Sea developed symptoms of mustard gas poisoning. Twenty thousand tons of German chemical warfare materiel were dumped into the Baltic under British orders at the end of World War II. Gas "apparently leaked from rusting containers", contaminating the fish and nets which the fishermen handled. West German, Swedish and Danish experts launched an emergency investigation to determine the extent of seabed and water contamination, and the normally crowded resorts of Sweden's Baltic coast were quarantined. Thousands of tons of recently-netted fish destined for human consumption have been declared contaminated. Among the agents resting on the bottom of the Baltic is *Tabun*, an extremely lethal nerve gas sometimes called 'Madness Gas'.

The threat of contamination from chemical and biological warfare activities exists in the United States as well. Seymour Hersh documents several cases of such contamination near the Rocky Mountain Arsenal, a main center for CW storage. Serious pollution resulted from ill-planned disposal of arsenal waste material in open-air reservoirs during the 1950's. After the ruin of local farmland by irrigation with polluted water, and the death of large numbers of wildfowl, the Army with delay and denial hastily dug a mile-deep underground lake for waste disposal. This action in turn caused a sharp rise in the frequency of earthquakes in the vicinity of Denver, Colorado.

The best-known illustration of the danger of CBW activities came from the Dugway Proving Grounds in March, 1968. Ranchers in Skull Valley, which is 40 miles west of Dugway, discovered a large number of dead sheep one morning. By the end of the month some 6400 sheep had died. Countering the speculation of reporters, Dugway and Army officials immediately denied that any tests of toxic agents had been conducted at the site during the year. Eventually the Army admitted responsibility for the death of the sheep. The agent in question, according to Hersh, was VX, "a persistent chemical with a heavy consistency [and which] evaporates slowly".[7] The incident came during a routine test whose purpose was to determine the behavior of VX aerosol in wind. The test-plane released the gas at the scheduled moment but the doors of its spray-tanks failed to close as the plane roared skyward. Lethal gas drifted toward Interstate Highway 40, "a heavily travelled route which serves as the main link between the Midwest and Northern California". An unexpected change in wind direction carried the gas instead to Skull Valley.

Chemical and biological warfare activities—including research, development, testing, production and storage—present a tremendous and incalculable danger to human life and natural environment. What the *New York Times* called "the solemn lunacy of stockpiling lethal bacteria and poisonous gases in the name of national defense" is a direct threat to every human being.

While military and civilian supporters often argue that chemical-biological warfare programs are oriented to defense against a potential CBW aggressor, the distinction between defensive and offensive work in this field is tenuous at best. Too, the programs are defended on the grounds that their by-products, presumably like those of the space and nuclear programs, promise many peaceful benefits. In this connection, it is useful to remember that the profession of the military is not public health but *warfare*, and that any peaceful by-products are, by the nature of the profession, just that: by-products of death-oriented work. As Dr. Gregory stated, "The published studies on air-sampling equipment and epidemiology that come from official defense laboratories are small compensation for this threat by man to his own health and agriculture." [8]

Public health and ecology are not military specialties. On May 8, congressman Richard D. McCarthy (D-N.Y.) revealed to the press that the Army was planning to transport "obsolete" chemical agents from the Rocky Mountain Arsenal in Colorado and the Edgewood Arsenal in Maryland to the Naval Ammunition Depot at Earle, New Jersey. The agents were to be carried across country, through heavily populated areas, in approximately 1100 railroad cars over a three-month period; they would then be transferred to four Liberty ships and carried to a spot 250 miles into the Atlantic where they would be sunk. The operation was scheduled to begin on May 16 and continue into August. The San Francisco *Chronicle* reported on May 9 that the Transportation Department "had granted the Army the necessary permit". General James A. Hebbeler, chief of Chemical-Biological-Radiological and Nuclear Operations, told a House Foreign Affairs subcommittee that similar operations had been carried out in the past involving a total of twelve Liberty ships. He assured Congress that "stringent safety precautions" would be taken.

On May 15, the *Chronicle* reported that Assistant Secretary of the Interior Leslie L. Glasgow testified before the same subcommittee that the Army did not inform his Department of the disposal plan until two days after Representative McCarthy's public statement. He said he opposed the plan "in principle" but gave it his "qualified endorsement as the least objectionable way of doing a necessary job". Representative McCarthy told the same subcommittee that the chief engineer at Edgewood Arsenal disputed the Army's official contention that ocean disposal was the best method. The engineer said that the agents—which were never publicly identified, but some of which were apparently loaded in cluster bombs—could be destroyed in one year by use of caustic soda. Charles L. Poor, Acting Assistant Army Secretary for Research and Development, said the Army would not have to resort to disposal at sea in the future because, in UPI's words, "it will no longer amass huge quantities of them and [sic!] because newer agents are easier to decontaminate where they are . . ."

Congressional uproar forced the Army to submit its plan to the National Academy of Sciences for "independent" review. The scheme was eventually dropped at the recommendation of NAS and the agents were to be defused by other means which would not require transcontinental shipping.

UPI did not say what "newer agents" Secretary Poor had in mind. But it was clear that one public embarrassment was not going to deter the Pentagon from pursuing its CBW program at full-speed. Even in the heat of the controversy over the ocean disposal plan, Representative McCarthy learned that the Army was testing what the *Chronicle* called "a lethal strain of encephalitis" at the Dugway Proving Grounds, site of the tests which killed 6400 sheep a year before. The proper name of the disease was Venezuelan Equine Encephalitis(VEE), which is "a virus disease that can cause crippling damage to the human central nervous system".[9]

Poor's statement illustrates the duplicity of the Pentagon's dealings with Congress and the public in the question of CBW. Both contentions cannot be simultaneously true: either the Army will *not* amass quantities of CB agents, or those agents it *will* amass will be more easily decontaminated. A letter sent by Brigadier General Hebbeler in response to a letter I wrote condemning the sea disposal plan contains similarly contradictory implications. He wrote:

"Marine biologists and oceanographers were consulted. They determined that at the depth of the planned disposal there would be no effect on the ecology. At the great depth, 7200 feet, where it is proposed to place this material, there is virtually no significant fish life and the water is very quiet, almost unmoving. It takes some forty years for a sample of water at that great depth to rise to the surface."

The letter continued with the unlikely copulative "Moreover (sic: i.e. 'if that doesn't convince you . . .'),

"if any leakage should occur, hydrolysis would quickly make the agent harmless. The agents involved would be decomposed if consumed and there would be no accumulation of poison in the body. Thus if a fish is accidentally exposed to these agents it would not be harmful if consumed by man or other fish."

Some questions which immediately come to mind reading this letter are: if hydrolysis can decontaminate the agents (whose toxicity, according to Hebbeler, "has been highly exaggerated") with such ease and efficiency, why could this process not have been used instead of ocean disposal? Why does Hebbeler argue first that the agents will not contaminate fish because fish do not live in the depths proposed (i.e. if they did they might be contaminated?) but then deny that the agents would be capable of harming anything anyhow (i.e. regardless of their depth)? If, indeed, the agents are not susceptible to such hydrolitic decontamination—as the need to use caustic soda would indicate—then why it is not just as dangerous if they leak and rise to the surface 40 years hence rather than one or two years hence? This argument sounds very much like carelessly deferring the potential disaster to a future generation, a sort of argument often heard from the Pentagon.

General Hebbeler also said in his letter, "Every effort has been made to avoid having the trains go through major metropolitan areas. Trains will not stop in any towns or cities." Yet ABC News on May 8 showed that

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these efforts would not prevent the nerve-gas trains to pass within yards of schools, hospitals and crowded residential areas. The Army continued for months to deny, in the face of overwhelming evidence, that chemical warfare tests were responsible for the Skull Valley incident. How long would the Army have denied responsibility for the massive tragedy which might well have occurred had the planned disposal of lethal chemical agents been conducted as scheduled?

II. FUNDING THE CBW PROGRAM

A major difficulty facing opponents of the chemical and biological warfare program is the failure of the Pentagon to make available a comprehensive and itemized budget. When Senator McIntyre's Research Committee tried to learn exactly how much of the proposed appropriation was to be spent on CB research and development, they faced the formidable task of sifting hundreds of individual items from the immense Pentagon budget; military budget writers had not seen fit to group them together in one category. The result can be misleading indeed, and even congressmen have little recourse.

McIntyre's subcommittee, after long investigation and "considerable checking with the military", found that the Pentagon planned to spend $88 million on CBW research and development, "of which $16 million was for 'offensive uses' ".[10] The subcommittee decided to eliminate the $16 million marked 'offensive' but recommended authorization of the remaining $72 million, which it assumed to be for strictly defensive work. Senator McIntyre reasoned, "We must do all we can to protect our people and our troops against biological and chemical agents, but measured against this nation's traditional opposition to the offensive use of such agents we could not justify the research and development expenditures for that purpose." The program, according to McIntyre, would have faced even heavier cuts on the floor had the subcommittee not first demonstrated that it had reviewed the CBW budget carefully with blue pencil in hand. The assumption seemed to be that the program was, indeed, primarily defensive and, with the exception of specifically offensive R&D, should be continued.

The subcommittee's findings, however, do not square with statements made earlier in the year by the Pentagon's chief of CBR and Nuclear Operations, General Hebbeler. Testifying before an unofficial group of concerned congressmen and senators, he acknowledged that the military planned to spend no less than $350 million on chemical and biological warfare during fiscal 1969. Approximately half of this amount—some $175 million—was said to be earmrked for research and development, and the other half for "production".[11] Thus the Pentagon itself, through its top CBW official, admitted to a CBW research and development expenditure twice that determined by Senator McIntyre's subcommittee. But the obvious question arising from Hebbeler's informal testimony is why the Pentagon requires another $175 million for "production." Production of what? Representative McCarthy provided part of the answer on July 15 when he disclosed that the Army was allegedly planning a new "chemical cluster weapon for toxic payloads." He said that D.O.D. had advertised for contractors' bids on February 2, and that production was to begin soon at Newport, Indiana.[12] Seymour Hersh, in his recent book *Chemical and Biological Warfare, America's Hidden Arsenal*, identifies the Newport Chemical Plant as "the military's manufacturing plant for the nerve gas VX", built in late 1959 or early 1960 with a capital investment of $13.5 million and operated (as of 1962, the last year such figures were released) at an annual cost of $3.5 million.[13] While the near total secrecy surrounding the entire program makes judgment difficult, it is a fair guess that a good portion of the $175 million tagged 'production' supports the manufacture of offensive chemical and biological weapons.

But experience strongly suggests that Pentagon officials, with their vested interest in securing Congressional fund authorization, tend greatly to underestimate the costs of their own operations. Hersh wrote in the June, 1969, issue of *Ramparts* that the true expenditure planned for CBW programs in fiscal 1969 is twice what General Hebbeler admitted. He refers to a newsletter published for the defense industry by the Defense Marketing Service which put the 1969 budget of the Edgewood Arsenal alone at $421.5 million, "of which $57.3 million is earmarked for research, $266.4 million for procurement, $9.6 million for operating costs and $1.9 million for stock funds". The question, again, is 'procurement of what'? Hersh quotes the same semi-official source as saying that the budget of Fort Detrick (Md.), which is the main center of biological warfare work, is $29.8 million, and that "more than $75 million" was to be spent on four other CW and BW bases. If these figures are accurate, the CBW budget for fiscal 1969 amounts to no less than $526.3 million—considerably more than General Hebbeler admitted.

The figures cited by Hersh are for the Army's CBW program. But the Air Force and Navy also conduct research, development and testing in this area. One Navy research center alone, the Naval Biological Laboratory in Oakland, California, which is operated by the School of Public Health of the University of California, Berkeley, reportedly had a budget of $1,636,472 in fiscal 1969.[14] Hersh quotes an unnamed "Senate source with access to classified CBW spending totals" as saying that "$650 million a year on CBW is a conservative figure." [15]

How much of this total—whether we accept Hebbeler's $350 million or Hersh's higher estimates—goes for research and development of chemical-biological warfare agents and delivery systems cannot be estimated without more specific information, information which the Pentagon is careful to keep from public and Congressional view. But it should be clear, whatever total is accepted, that CBW work—including production of offensive agents at such plants as Newport—costs considerably more than what Senator McIntyre found. It follows that elimination of a mere $16 million from the CBW budget, as recommended by the Senator's subcommittee, will not go very far toward effective limitation. An investigation which looks into R&D but ignores procurement and production, moreover, is unlikely to yield a sound estimate of the military's expenditure on offensive programs. Without such knowledge it is impossible to eliminate offensive programs from the budget.

III. THE DEFENSIVE-OFFENSIVE PROBLEM

The cuts made by Senator McIntyre's subcommittee were designed to eliminate "offensive uses". But the distinction between 'offensive' and 'defensive' is very difficult to make in the field of chemical-biological warfare. Elinor Langer discusses this problem in a paper given at a conference in London. "With a few exceptions, such as development of detection and protective equipment, little CBW research can be accurately described as defensive . . ." She continues, "Because of the nature of chemical and biological weapons, research even in seemingly 'pure' areas, such as the development of vaccines, has at least equal implications for offensive and defensive use." A U.S. Army CBW manual itself says, "CB defense is a prerequisite to an attack capability". Adequate testing even of a simple gas-mask requires the ability to simulate the sort of attack against which it is to provide protection. A good example of the difficulty of making clear distinctions in this area was provided by the Army itself when, on July 16, it announced the suspension of open-air testing of poison gas at Fort McClellan, Alabama, and Edgewood Arsenal in Maryland. The tests conducted at Edgewood were admittedly offensive; but those done at Fort McClellan were termed defensive since they were part of a training program in the detection and deactivation of nerve agents. These training exercises, however, required the use of "small amounts of sarin nerve gas, mustard gas and a particularly deadly form of nerve gas known simply as VX".[17] Here, the defensive-offensive distinction is based solely on the intention behind the tests; there is no difference between the lethal gas used in a test of defensive equipment and the same gas used in offensive operations. In fact, defensive tests of this sort *require* an offensive capability, including means of delivering and dispersing the lethal agents. In either case the agents are just as lethal.

One expert in the field summarized the problem in this way: "One of the characteristic features of biological weapons", wrote Czech academician Malek, "is that it is difficult to distinguish work done purely for defensive ends from that which is mainly offensive. Furthermore, if defense is to be effective and prepared in time it must be based on knowledge that can easily be transferred to offensive uses. That is why military establishments working on the development of these weapons do it mostly under the label of defense". [18] The difference, in other words, is between two kinds of *intentions* rather than two kinds of *abilities*. If a nation is to be capable of defending its troops against sophisticated chemical and biological weapons then it must perforce have the ability to simulate the conditions under which such defense would be appropriate. The tests done at Fort McClellan could be duplicated in Vietnam: the terrain, subjects and intentions would be different; the lethal effects would be the same.

Beyond the probability that the 'offensive uses' fund was vastly larger than McIntyre *et al* concluded, the foregoing would suggest the difficulty of isolating any such category from the rest of the CBW budget. It is difficult to argue against defense; it is relatively easy, though, to conduct offensive programs under a defensive guise. The need to develop adequate defense can be invoked to justify (or prostituted to camouflage) a wide range of offensive capabilities. Too, it can add fuel to a new dimension of the arms race and serve as an ideological substitute to serious international efforts for disarmament.

Is adequate defense against chemical and biological weapons possible? Any argument for the necessity to develop defensive equipment must begin with an affirmative answer to this question. But many non-government students of CBW and its related sciences have grave doubts.

The difficulty of finding antidotes to the wide variety of actual and potential chemical and bacteriological agents can be easily understood when it is realized that a primary object in development of such agents is precisely that they resist treatment. Should virile biologicals bred to resist antibiotics be released in a heavily populated environment by surprise attack, effective mass treatment would be for all practical purposes impossible. Even if sensitive air-samplers should detect the presence of infectious microbes the delay between alert and mass treatment would assure large numbers of deaths. Advance immunization against all the known epidemiological agents, impractical as it would be, would still provide no protection against *mutant* forms which a potential enemy presumably would be prepared to use offensively to off-set defensive immunization. Similar barriers stand in the way of effective defense against chemical agents. To cite but one example, a dosage of 0.054 milligrams of the phosphate compound Sarin (a widely

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stored chemical agent), applied to 0.4 cm^2 of skin, is capable of killing 50% of the target population (data from tests on guinea pigs). [The expression for this dosage, LD_{50}, means lethal dose capable of killing half the target population.] In another test, Sarin was applied to a sample of guinea pigs in an effort to test the effect of washing in soap as an antidote. All of the animals tested which were washed twice within 10 or more minutes of application of Sarin died despite the washings. Of those washed within 5 minutes, 30% survived; of those washed within 2 minutes, 80%.[20] This is but one example of the lethality of such agents and the difficulty of securing adequate treatment in time should they be used in warfare (or dispersed accidentally).[21]

If the military is serious about its desire to defend the United States against chemical and biological attack, it is curious indeed that not a single effort has been made (to my knowledge) even to educate the population to basic measures which might be taken in the event such an attack should occur. If CBW broke out tonight the civilian population (and probably the military as well) would have absolutely no defense against it. This does not argue well for the "defensive" aspect of the military's CBW program.

IV. CBW AS A DETERRENT: THE ENDLESS SPIRAL

"Clearly, failure to maintain an effective chemical warfare deterrent would endanger national security."—Secretary of Defense, Melvin Laird, Washington, July 9, 1969.

On Friday, August 8, Senator McIntyre introduced an amendment to the military procurement bill which would place a series of restrictions on the chemical-biological warfare program. The intent of the amendment, which was approved by the Senate 91–0, is clearly to prevent the Pentagon to develop and produce offensive CB weapons and delivery systems. On Saturday, Secretary of Defense Melvin Laird expressed his approval of the proposed amendment, an action which the *New York Times* called "acknowledging the inevitable." But Secretary Laird's comments in endorsing McIntyre's bill cast doubt on both Laird's intentions and the likelihood that the amendment will achieve the desired result. He said, "I believe this revised amendment will allow us to maintain our chemical warfare deterrent and our biological research program, both of which are essential to the national security." Laird has previously made clear on several occasions that he holds the CBW program vital to America's security; he has shown little interest in reducing or phasing out the program. It is instructive that, in his endorsement, the Secretary tried to defend the maintenance of the very program whose abolition (as an offensive-capability "deterrent") he seemed to support.

Laird's argument for CBW rests on the notion, so familiar in its application to nuclear weaponry and most recently the Safeguard ABM system, that to avoid a holocaust it is necessary to maintain a "credible deterrent." This "argument-from-deterrence" can be and has been used to justify any and all military procurement programs on the grounds that if we don't have the ability to destroy them, then they will destroy us. The balance of terror, implies Laird, is now extended to the chemical-biological arena. "The history of the use of lethal chemical warfare agents has demonstrated on three notable occasions in this century that the only time military forces have used these weapons is when the opposing forces had no immediate capability to deter or to retaliate. This was true early in World War I, later in Ethiopia and more recently in Yemen. Clearly, failure to maintain an effective chemical warfare deterrent would endanger national security."[22]

These comments were made ostensibly in support of a bill which imposes six major restrictions on the CBW program. It [1] requires bi-annual reports detailing what CBW funds are used for; [2] forbids the development of "delivery systems specifically designed to disseminate lethal chemical agents, disease-producing biological micro-organisms or biological toxins"; [3] requires notice to Congress and the nation concerned whenever such weapons are stored overseas; [4] requires notice to the relevant legislative and administrative bodies of any plans to transport such agents within the United States; [5] forbids the placement outside the United States of CBW agents unless the Secretary of State deems it consistent with international law; and [6] forbids open-air testing of lethal agents unless declared by the Surgeon-General to pose no hazard to public health.[23]

In standard Pentagon usage the term 'deterrent' signifies the capability to launch an independent attack-in-kind upon an actual or would-be aggressor. Whether used for a pre-emptive 'first strike' or a retaliatory response to an adversary's attack, a deterrent presumes the technological ability to launch an offensive attack. That Laird used the term in its ordinary sense is confirmed by his reference to those unfortunate countries which lacked the ability "to deter *or to retaliate*" (my emphasis). It is strange indeed, then, that the Secretary used this argument to support a bill which specifically forbids the development of an essential ingredient of a deterrent (i.e. offensive) capability, a delivery system. Could it be that Laird knows something the Senate does not?

Laird acknowledged that "the deterrent aspects of biological research are not as sharply defined [as those of chemical warfare]", but added that 'a continued biological research program . . . is vital on two other major counts. First, we must strengthen our protective capabilities in such areas as vaccines and therapy. Secondly, we must minimize the dangers of technological surprise." In this connection, it is useful to recall the statement of the Czech academician quoted earlier (cf. page 10): "It is difficult to distinguish work done purely for defensive ends from that which is mainly offensive . . . If defense is to be effective and prepared in time it must be based on knowledge that can easily be transferred to offensive uses. That is why military establishments working on the development of these weapons do it mostly under the label of defense."

As on previous occasions it is difficult to judge exactly what Laird has in mind. The amendment was revised in consultation with Dr. John Foster, chief or research and engineering at the Pentagon. Foster and Laird can be counted upon to do all in their power to maintain the CBW program. Ultimately, the failure of Congress to eliminate the funds necessary to development of offensive chemical and biological weapons and delivery systems, despite restrictive amendments, will leave the Pentagon free to circumvent the sense of the McIntyre effort. Elimination of a mere $16 million from a program admitted by the Pentagon itself to cost at least $350 million will do little to counter this distinct possibility.

The chemical and biological warfare program in all its aspects—research and development, testing, production, storage and shipping—is a grave threat to the health and safety of all Americans. Its proliferation throughout the world is a serious danger to all mankind. As J. B. Neilands said, "It is up to the U.S., as a super power notoriously delinquent in the field, to take the initiative in working out effective international control measures which would halt the spread of CBW weapons."[24] The United States should immediately ratify the Geneva Protocol of 1925, which bans the first-use of CB weapons in warfare. It should then press for quick international agreement to forbid the production and stockpiling of lethal chemical and biological agents. A strong sense-of-Congress resolution to this effect would set the stage for such negotiations. But more effective than this would be a thorough Congressional investigation of the entire CBW program, followed by elimination from the Pentagon's budget of all funds which could be used to develop and maintain a "deterrent" (offensive) capability in this field. The traditional duplicity of the Pentagon on this question, and the recent statements of Secretary Laird, suggest that a very sharp watch will be required to assure that the Pentagon does not do in the name of "defense" what the McIntyre amendment—and all sane world opinion—forbid it to do in the name of "offense".

FOOTNOTES

[1] Cf. Seymour Hersh, *Chemical and Biological Warfare, America's Hidden Arsenal*, Anchor Books, 1969, chapter 10.
[2] *New York Times* editorial, 9 July 1969.
[3] P. H. Gregory, *The Microbiology of the Atmosphere*, London, 1961, p. 198.
[4] Steven Rose, ed., *CBW—Chemical and Biological Warfare*, Beacon Press, 1969, Table 5.
[5] TV documentary "A Plague on Your Children", KQED–TV, 21 July 1969.
[6] *NYT*, 4 July 1969.
[7] S. Hersh, "On Uncovering the Great Nerve Gas Coverup", *Ramparts*, June 1969.
[8] Gregory, *loc. cit.*
[9] Hersh, *Ramparts* article.
[10] *NYT*, 4 July 1969.
[11] *ibid.*, 5 March 1969.
[12] *ibid.*, 16 July 1969.
[13] Hersh, *Chemical and Biological Warfare*, pp. 87–8.
[14] *ibid.*, p. 194. Cf. also "The Uses of U.C. Berkeley Research," Radical Student Union report, Berkeley.
[15] *Ramparts*, June 1969.
[16] Rose, ed., *op. cit.*, p. 120.
[17] *NYT*, 17 July 1969.
[18] Rose, ed., *op cit.*, pp. 55–6.
[19] Van Wazer, ed., *Phosphorus and Its Compounds*, New York, 1961, p. 1926.
[20] *ibid.*, p. 1927.
[21] Rose, ed., *op. cit.*, pp. 30–31, and pp. 53–7.
[22] San Francisco *Chronicle*, 10 August 1969.
[23] *NYT*, 10 August 1969.
[24] J. B. Neilands, "The Need to Eliminate the Doomsday Bug," American Medical News, July 7, 1969. Dr. Neilands is professor of biochemistry at UC Berkeley, and chairman of the Scientists' Committee on Chemical and Biological Warfare.

A REMARKABLE ACCOMPLISHMENT FOR ANY PRESIDENT

HON. H. ALLEN SMITH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. SMITH of California. Mr. Speaker, from time to time this year we have heard the demands of the experts and the pundits for a faster pace from this administration. They have decried the lack of feverish activity characteristic of recent past administrations and have pointed accusingly at all they think is wrong.

Unfortunately, many of those living and working in the Nation's Capital listen to the voices of the soothsayers and unaccountably mistake them for the voice of the people.

Only when they get out to where most Americans really live—California, Michigan, Iowa, the other great States—do they find that the voice of the people really sounds quite different and is saying different things.

Getting back to one's State or district reminds us not to pay too much atten-

tion to what we hear and read in Washington.

Mr. Speaker, the Gallup poll shows—and has shown all year—that Americans do not share the views of the so-called opinionmakers who seize every opportunity to criticize and belittle the President. Mr. Gallup's findings are indeed interesting. His last poll, taken in mid-August, shows that 62 percent of the American people approve of the job the President is doing and only 20 percent disapprove.

For the first 7 months of his administration, the President has averaged 63 percent approval, a remarkable accomplishment for any President.

I insert the results of the Gallup poll for the last 7 months in the RECORD:

[From the Washington (D.C.) Post, Aug. 28, 1969]

THE GALLUP POLL: NIXON HOLDS APPROVAL OF 62 PERCENT, POINT UNDER 7-MONTH AVERAGE

(By George Gallup)

PRINCETON, N.J., August 27.—President Nixon wins a vote of confidence from 62 per cent of American adults in the latest nationwide survey conducted Aug. 15 through 18.

The latest percentage is 3 points lower than the figure recorded in the previous survey, which was taken shortly following the spectacular moon landing July 20, but is virtually the same as the President's average rating of 63 per cent for his seven months in office.

In the latest survey a total of 1532 adults in more than 300 carefully-selected areas were asked:

Do you approve or disapprove of the way Nixon is handling his job as President?

Here are the latest results and the trend since President Nixon took office:

NIXON POPULARITY

[In percent]

	Approve	Disapprove	No opinion
Aug. 15–18	62	20	18
July 26–28	65	17	18
July 11–14	58	22	20
June 20–23	63	16	21
May 23–26	65	12	23
May 16–20	65	12	23
May 2–5	64	14	22
Apr. 11–14	61	11	28
Mar. 28–31	63	10	27
Mar. 14–17	65	9	26
Feb. 21–24	61	6	33
Jan. 23–29	59	5	36
Average	63	13	24

All persons who answered the first question were then asked *why* they approve (or disapprove). Following are the reasons given by those who *approve:*

Reasons for approving

[In percent]

General comments ("he's doing his best")	17
His approach to problems	14
Trying hard to end Vietnam war	13
Has handled problems well to date	8
Welfare proposals	5
Building good relations with other nations	3
Economic policies	3
Miscellaneous replies	7
No opinion, no answer	8
Total	[1] 78

[1] Total adds to more than 62 percent who approve since some persons gave more than one reason.

Those who gave reasons relating to Nixon's approach to problems frequently used these adjectives or phrases: "calm," "businesslike," "cautious," "firm," "deliberate," "seeks advice from others."

Reasons given by those who disapprove of Nixon's performance fall into the following categories:

Reasons for disapproving

[In percent]

Vietnam policies	4
Has not kept campaign promises (Vietnam, surtax)	4
General comments ("don't like anything he does")	4
Economic policies	3
Miscellaneous	8
No opinion, no answer	1
Total	[1] 24

[1] Total adds to more than 20 percent who disapprove since some persons gave more than one reason.

NIXON, WELFARE, AND POLITICS

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. ESCH. Mr. Speaker, Mr. Roscoe Drummond is one of the Nation's most widely read and widely respected columnists and political analysts.

Recently, he discussed the impact of the President's new domestic programs in the field of welfare and revenue sharing.

I think Mr. Drummond's column is worthy of being a part of the permanent RECORD. It follows:

[From the Christian Science Monitor, Aug. 20, 1969]

NIXON, WELFARE, AND POLITICS

(By Roscoe Drummond)

WASHINGTON.—The impact of the Nixon welfare revolution on national policy and presidential politics will be immense.

It shows that the administration is moving much further and much faster on the domestic front than either its critics or its supporters believed likely.

It shows that President Nixon has made the crucial political decision to draw together a durable Republican majority from the political center rather than from the Wallace conservatives.

It is clear that the President has decided that he cannot wait as long as he hoped, before beginning to deal with pressing domestic issues. He put it bluntly in his watershed speech on welfare: "We face an urban crisis, a social crisis—and at the same time, a crisis of confidence in the capacity of government to do its job."

He is starting to take on all three sooner than he planned. He is not waiting for the end of the financial burden of the Vietnam war and he is not waiting until he has gotten inflation under control. The heavy cost of the new welfare and antipoverty and revenue-sharing measures will not begin for another year, but what is important is that the administration is taking first steps and is embracing the "abolition of poverty" as a national commitment.

Obviously such significant steps will evoke differences of opinion in detail and substantial criticism from those on the right who feel the President is plunging into socialism and those on the left who feel he is doing too little.

I am inclined to think that the administration is moving in the direction which will tend to unify the nation by correcting past failures and by demonstrating that it does not intend to neglect the nation's acute social problems by pretending nothing much can be done about them.

The federal government rarely acts until the national consensus has been reached. Time was when talk about ending extreme poverty was far-out—like believing that you could go to the moon was proof that you were some kind of a nut.

Not now. Today President Nixon and his opponent in last year's election, Hubert Humphrey, the leaders of the labor unions and the executives American Manufacturers Association are agreed that widespread poverty in the United States in the midst of widespread plenty is intolerable because it is no longer necessary.

Nixon has now laid out a program to Congress which rests on that premise.

My judgment is that it will turn out to be both good policy and good politics.

The political dividends are likely to be very considerable.

The federal revenue sharings start will mark the beginning of decentralization of Big Government which the American people has long sought. This has been traditional Republican doctrine; but two years ago Democratic liberals began to talk in favor of it until President Johnson spoke against it. Now Nixon is making it a reality.

At the same time the wage supplements will go a long way toward dissolving the pervasive resentment of the working poor against seeing so many on relief getting more from the government without working than they earn by working.

The whole antipoverty-relief revolution which Nixon is undertaking, termed by the usually anti-Nixon New York Times as "original and constructive," is a blend of conservative and liberal concepts. It is conservative in that it aims to take people off relief rolls and get them on payrolls, provides a strong incentive to work and begin the flow of political initiative, money and responsibility to states and cities.

It is traditionally liberal in that the administration is prepared to accept large federal spending to achieve an urgent social goal.

The President most likely sees his new program as neither liberal nor conservative—but as practical and necessary.

TAKES TOO MUCH FOR GRANTED

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. GAYDOS. Mr. Speaker, there are many areas of unrest in this Nation today which are disturbing to a great many Americans. Considerable doubt has been raised in the minds of some people whether this Nation is entering a period of decay and on the verge of crumbling.

But, Mr. Speaker, there is a great majority of Americans who have an unwavering faith in their country. They are men who believe in the principles upon which this Nation was founded. They are men who decry the irrational acts of some which dominate today's news headlines.

I invite the attention of my colleagues to one such man, Tony Kastan, of 403 Chicago Avenue, Elizabeth, Pa. Mr. Kastan is a member of the Blaine Hill Sportsmen Association in Elizabeth and recently expressed his opinions in a letter which was published in an edition of the Daily News, McKeesport, Pa. I include herewith a copy of his letter for printing in the Extensions of Remarks:

TAKES TOO MUCH FOR GRANTED

Quite often it seems human nature dictates that we take too much for granted in life. By contrast, many people in oppressed countries would welcome permission and gladly accept the right to practice religious freedom—but cannot. In our democratic state a countless number is afforded this opportunity—and will not. Rebellious students should be quelled in their defiant uprisings—and are not.

Well, remember how the insidious and relentless probings of termites usually result in structural collapse? Unfortunately, we also have in this great country a different type of digger which surpasses by far the common variety. And conceivably, our general pattern of living could one day be altered—and that should never be! For the benefit of all, don't let it ever happen in America!

TONY KASTAN.

NEW YORK STATE YOUNG DEMOCRATS ADOPT PLATFORM

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. BINGHAM. Mr. Speaker, I recently received a copy of the platform adopted by the New York State Young Democrats at their annual convention, held in Cooperstown, N.Y., on June 28.

This platform deals extensively with national, as well as State issues and is, on the whole, a most impressive document. It contains a number of original and provocative ideas and deserves to be widely read, even by those who might sharply disagree with sections of it.

Under unanimous consent, I include it herewith:

THE 1969 PLATFORM OF THE NEW YORK STATE YOUNG DEMOCRATS

PREAMBLE

It is the nature of democracy that it must daily meet threats to its own existence. Today, more than ever before, we face a major challenge to the existence of American democracy.

The promise of full equality for all Americans made by our Founding Fathers almost 200 years ago has not yet been fulfilled. The promise of freedom for all Americans made over 100 years ago has not yet been realized. To the young people of this country belongs the responsibility for living up to those obligations.

If our democratic society does not work for all Americans, it works for none of us. Poverty, hunger, discrimination, unemployment, poor housing, inflation—these are among the conditions which a truly democratic society cannot tolerate.

Change does not come easily to any society, particularly a society which is basically affluent. During the last few years, the forces of change have met with increasing resistance and misunderstanding. Despite the increasing fear, violence and hatred in our society, the need for change remains.

As Young Democrats, we want to see democracy work for every member of our society. We seek the power and the responsibility to participate in making the decisions which will shape our destiny. Our appeal is not for a voice but for a voice that will be heeded. We are in a revolt against the established order, the status quo. History is on our side, and in one way or another we will achieve a large measure of success in our endeavors. What is important is that our goals be achieved in the most responsible and effective manner possible.

We stand committed to the task of helping to build a Democratic Party which encourages the full and active participation of young people within all levels of its organization. We dedicate ourselves to working within the political process to create a Democratic Party which will inspire all Americans and provide the leadership which is needed if this nation is to achieve the democracy to which our Founding Fathers dedicated themselves 200 years ago.

1. Domestic welfare

A. Jobs

1. We favor the increased cooperation of government and business to create on-the-job training for those who lack the skills necessary to get a decent job.

2. We favor the elimination of all racial barriers in labor unions to the training and hiring of members of minority groups.

3. We favor the concept of government being the employer of last resort. We recommend that the State and Federal governments establish programs that will guarantee that every member of our society has a gainful job.

B. Education

1. We propose that legislation be enacted which would re-establish low interest loans for New York State residents attending schools of higher learning.

2. We propose that the State make scholarship funds available to students who wish to attend schools of higher learning outside of New York State.

3. We further propose that the State make increased scholarship funds available for all students who seek higher education.

4. We recommend that the State Board of Regents undertake a study to determine the feasibility of making higher education available to all those who desire it.

5. We suggest that each college and university in New York study the possibility of lessening the emphasis on academic performance in high school as the major standard for admittance to colleges. At the same time, recognizing that poor academic training results in poor high school marks, we suggest that all educational units in the State do everything possible to upgrade education on the high school level.

6. We believe that colleges throughout New York State should implement plans which would guarantee that students will have a major voice in the policymaking of the institutions which they attend.

C. Welfare

1. We favor the elimination of the abuses of the welfare system as soon as possible so that welfare assistance is given to those in need, as intended.

2. We favor the establishment of national standards for welfare programs at a minimal level of those in New York State.

3. We propose that the Federal government assume a major share of the cost of welfare programs.

4. We believe that all practices which result in making of welfare recipients second-class citizens must be eliminated.

5. We favor the establishment of more day-care centers to enable mothers on welfare to be free to get jobs.

6. We favor a change in the standards for Aid to Dependent Children so that both parents may reside with the family unit.

D. Housing

1. We propose that income limits for continued occupancy in public housing be abolished and that tenants be permitted to remain in public housing no matter what their incomes, provided that they pay increased rent commensurate with their income.

2. We also propose that rents for all public housing projects in the State be determined on an ability-to-pay basis.

3. We believe that New York State must make a firm commitment to the rehabilitation or elimination of its more than 6 million substandard dwelling units.

4. We favor increased incentives for the private sector to build low- and middle-income housing.

5. We favor the increased use of scatter housing and the gradual dispersal of concentrations of people from urban to suburban areas.

6. We deplore the fact that there are housing units in New York State without running water. We recommend that New York State make financial assistance available to provide indoor plumbing in such residences.

7. We urge the legislature to establish a program of low interest mortgages for purchasers of co-operative apartments.

E. Health

1. We condemn the recent cutbacks in state funds for welfare and Medicaid, and propose that the State adopt an adequate program of health and hospital care for needy citizens of all ages.

2. We propose the relaxation of the State's abortion laws.

3. We propose the establishment of a far-reaching state program of half-way houses for narcotics addicts seeking to rejoin the mainstream of society.

4. We propose an increased state program for the voluntary treatment of narcotics addicts, and that such addicts be treated not as criminals but as people who are sick.

F. Poverty

1. We declare our unequivocal support for the war on hunger throughout this nation.

2. We favor making food stamps available to those in need at no cost.

3. We declare our unequivocal support for the striking grape workers of California and for all workers who seek a decent wage and the right to organize for their own welfare. Further, as Young Democrats, we will participate and urge others to join us in the boycott of table grapes.

4. We propose that the State undertake programs which encourage the private sector to assist in making the promise of democracy and our free enterprise system a reality for the poor and the members of minority groups.

2. Peace

1. We favor a unilateral cease-fire on the part of the United States in Vietnam.

2. We favor the increased withdrawal of American military forces from Vietnam to be completed no later than by the end of 1970.

3. We urge all New York State elected officials to oppose the deployment of the presently-proposed Anti-Ballistic Missile System. We are not in favor of the research and development of the system and are adamantly opposed to deployment at any time. This opposition stems from the following observations:

(1) *National priorities.*—We feel that at this time in the United States, our society has placed demands upon its government that are in conflict with the A.B.M. Domestic crises, such as urban decay, racial conflict, inflation, etc. force us to place

our internal problems in the highest priority.

(2) *Escalation of the arms race.*—We feel that deployment of an A.B.M. system at this time would upset the currently precarious "balance-of-terror". With our present capability of near world destruction, serious question must be raised in regard to any increase in that capability. We, therefore, urge a concerted effort for international arms agreements with our adversaries, prior to deployment of such a system.

(3) *Cost benefit.*—In the recent Senate Foreign Affairs Committee hearings formidable questions were raised in regard to the system's capabilities. In light of the questionable reliability of such a system, the costs appear even more appalling. Nine billion dollars at this time is the estimated appropriated cost of the A.B.M. system. We ask: Are there alternative defense systems available at a lower cost? We think there are!

(4) *Obsolescence.*—What may be the most tragic end result is that after gross federal expenditures at the sacrifice of all citizens, the system may be obsolete within a few years of its deployment.

In summary, these observations demonstrate a reliable position for total re-examination of the deployment of an Anti-Ballistic Missile System.

4. We favor the speedy initiation of disarmament talks between the United States and the Soviet Union.

5. We believe that the United States must encourage direct negotiations between Israel and the Arab nations to secure lasting peace in the Middle East.

6. We support the inclusion of Red China as a member of the United Nations.

3. Voting and elections

1. The New York State Young Democrats resolve that the voting age in New York State should be lowered to eighteen (18) years. We call upon all of New York's elected officials to give this piece of legislation the highest priority. We further resolve not to support any candidates who will not pledge themselves to this goal.

We call for this legislation because of what can be termed a "crisis of legitimacy" facing our political system. In order for a political system, such as ours, to make demands upon segments of its population, it must allow for full participation in that system. This is not the case for our citizens between the ages of 18 and 21. They are called upon to make the extreme sacrifice for their country and yet are denied participation in its government. This situation is a contradiction to the concept of democracy.

We further believe that those citizens between the ages of 18 and 21 are qualified to vote. We believe that their educational training prepares them adequately for full participation.

We further believe that a lowering of the voting age to 18 years would act to decrease the present high level of alienation among the young. The high level of activism in today's youth must be encouraged. It must, however, be encouraged for participation within the democratic framework. The 18-year vote is essential for convincing youth to work within the system.

2. We state our intention to join in a statewide, non-partisan effort to gain the support of members of the New York State Legislature to lower the voting age.

3. We urge the New York State Legislature to amend the primary law to require the direct election of ALL delegates to the national political conventions, and to require that all delegates pledged to a particular presidential candidate be paired and identified with that candidate on the primary ballot.

4. We urge the passage of legislation to permit the casting of absentee ballots in primary elections.

4. Gun control

1. We propose the adoption of more stringent gun control laws on the state and national levels, including the enforced registration of all guns and the licensing of all gun owners.

5. The draft

1. We propose the immediate adoption of a lottery system for selective service in which all 19-year-olds would participate.

2. We favor the adoption of national standards for the selective service system.

3. There should be a general amnesty for all men who have fled the country, or who are now serving prison sentences, because of the present draft laws.

6. Penal system

1. We favor the adoption of a total program of rehabilitation in our State's penal institutions including work release programs and other similar efforts within the confines of our prisons which seek to prepare prisoners for re-entry into society rather than to punish them for past mistakes.

2. We support efforts to correct the homosexuality and lesbianism which result from periods of long incarceration, through overnight conjugal visits with one's spouse.

7. Student dissent

1. We oppose all legislation which seeks to punish students who exercise their freedom of speech and their right to petition for redress of their grievances.

8. Migrant labor

1. We propose that state sanitary regulations be expanded to cover all facilities occupied by farm workers, whether or not they are used as such on a year-round basis.

2. We further propose that the protection of disability insurance, unemployment insurance, and the State Labor Relations Act be extended to farm workers.

9. Wiretapping and eavesdropping

1. We favor a total abolition of wiretapping and eavesdropping on any level as an invasion of rights against unreasonable search and seizure guaranteed by our Constitution.

10. The American Indian

1. The present state of the American Indian is disgraceful both in the United States in general and in New York State in particular. The New York State Young Democrats feel that a more intense investigation should be instituted by the Bureau of Indian Affairs and the proper state and national legislative committees to bring the standard of living of Indians up to the national average.

11. Transportation

1. We propose that less emphasis be placed on new highway programs, and that the State and Federal governments undertake massive rapid and mass transportation programs to alleviate the crowding of our cities and highways. New major highways that are built should be toll roads, commensurate with the nature of the traffic.

12. Taxes

1. We urge the Congress and the State Legislature to enact legislation to close tax loopholes which enable the rich to pay less taxes than the middle class.

13. Education (addenda)

a. We urge the New York State Legislature to restore mandated free tuition at the City University of New York, and establish a free tuition policy throughout the State University system. It is also imperative that the rapid rise in dormitory rates in the State University system be halted, and efforts be made to relieve financially hard-pressed students of the burden of these dormitory costs.

b. We favor a high school level course in Election Law for the purpose of preparing a voter for the complete exercise of his constitutional right to vote.

14. Narcotics (addendum)

a. We propose that general practitioners be allowed to prescribe narcotics to addicts under their care under strict federal, state and local control. We feel that a family physician, on a one-to-one relationship, will be able to effect a meaningful relationship with the addict.

15. Environment

1. We are clearly destroying our environment which sustains life. We believe that it is the function of the people to maintain a balanced ecology.

16. Consumer affairs

1. We propose the creation of a State Department of Consumer Affairs in order to represent the interests of the largest, yet least organized group in the State.

17. Youth in party organization

1. Whereas: The Democratic Party has experienced a depletion in the numbers of youths active within the organization; and

Whereas: We believe that our Party needs the enthusiasm, dedication, and determination of young people in order to revitalize our Party;

We believe that:

(1) Our Party leaders should make available at least twenty percent of their county committeemanships to young people between the ages of twenty-one and thirty;

(2) Our Party leaders should develop new positions of leadership for young people so that their views and aspirations can be made part of Party policy on local, county, state and national levels; and

(3) Our Party leaders should develop young candidates who will actively support positions vital to the young community.

18. New York City mayoralty election

1. We, the New York State Young Democrats, cannot in conscience endorse the candidacy of Mario Procaccino, Democratic candidate for Mayor of the City of New York.

2. In this matter, we feel that the individual must follow the dictates of his own political philosophy.

CONCLUSION

To all of the above programs and principles, we pledge our support and our dedicated efforts.

INDIAN IDENTITY AND SELF-DETERMINATION

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. KASTENMEIER. Mr. Speaker, I would like to call to the attention of my colleagues an editorial which appeared in the August 29, 1969, Washington Post on the Right to be Indians, which calls for the preservation of Indian identity and endorses the principle of self-determination by our Indian citizens.

Too often in the past the Federal Government has done what it has thought best for the hopes and aspirations of the Indians. This paternalistic policy has resulted in maintaining Indians at a sub-

sistence level while attempting to destroy their distinctive cultures as a preparation for rapid assimilation, a goal most Indians rejected.

Any Indian program for social and economic development, however, must be specifically tailored to Indian needs and cultures. Furthermore, the best hope for Indian progress lies in the emergence of Indian involvement. The Indian people must be given the opportunity to use their own leadership, to realize when they need help and to ask for it when they want it and on their own terms. This is the type of commitment the Indian people want and deserve.

Mr. Speaker, the Washington Post editorial follows:

THE RIGHT TO BE INDIANS

American Indians want the right to be Indians, to preserve their tribal identities and tribal lands, to make their own mistakes, to have a say about their destiny. That, in essence, is the message that emerged from the meeting in Denver of 40 Indian leaders from all parts of the nation to see whether a common program could be worked out to improve the status of the nation's oldest and poorest minority. The fact that they met together at all was remarkable. Indians do not view themselves as a single group, so jealous are they of their particular tribal, linguistic, cultural and territorial backgrounds. The significance of the Denver meeting is that they decided to look at their problems together and be heard as a group. If it works, the meeting may prove to be of historic importance in the long effort of America to solve its "indian problem."

The message of Denver itself is not an unfamiliar one, from American Indians or other ethnic groups. But few white Americans have listened in the past when Indians spoke—a reflection of a general national feeling that assimilation and absorption into the contemporary American "mainstream" is the ultimate answer for this country's first inhabitants. The Indians made it clear that they are not buying this answer. They want the option to remain on their lands and work out ways of improving their economic and social condition within the tribal framework. Some will leave as many thousands have done. But they do not want to be compelled to go and there is no good reason why they should be.

The group declared that the strength of America lies in its "plural society made up of different races and ethnic groups." In effect, they were saying that their cause is not too startlingly different from the cause of black Americans, Mexican Americans, Puerto Ricans and other ethnic minorities that have been voicing their desires to maintain group identification. Spurred by the Community Action Program, the political arm of our national anti-poverty effort, this has become a respectable and accepted goal for urban dwellers. Why not for Indians too?

By coincidence, the Denver group assembled while administration officials concerned with Indian matters were meeting at State Line, Nev., with some selected Indian representatives. Both meetings revealed the existence of deep distrust of the administration's intentions, part of it the historic distrust of the white man and part a fear that the Republican administration will go back to the old program of "termination," of forcing Indians off their lands. The sounds being made by administration spokesmen are not reassuring in this regard. Interior Secretary Hickel has suggested that the Indians must "cut the cord" of dependence on the reservation sooner or later and other officials have suggested that it may be desirable to transfer specific Indian programs to the states.

The Indian effort to improve their lot needs to be encouraged. With Indian participation at every level, ways should be found to better the existence of the nation's 600,000 Indians, to improve their health, their education, their economic conditions—both on and off the reservation, and without destroying their identity as Indians.

PROPOSED CONSTRUCTION CUTBACKS ENDANGER PROGRESS AND SAFETY

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. EDMONDSON. Mr. Speaker, I was both alarmed and astounded to read in today's newspapers a report that Vice President AGNEW has informed the Nation's Governors that the Nixon administration is considering a cutback of possibly 75 percent in Federal construction expenditures for the announced purpose of "fighting inflation."

It is almost unbelievable that the man who was recently reported advocating a space flight to Mars is proposing drastic reductions in U.S. programs for flood control, water supply, highway construction, hospitals, schools, and other essential domestic requirements.

In testimony before the House Committee on Public Works today, Federal Highway Administrator Frank Turner told committee members of the serious need for replacement of thousands of highway bridges in the United States—which must be replaced by new structures in the interest of public safety at the earliest date possible.

The committee was told that the Department of Transportation had no official word of any impending cutback in highway funding along the lines discussed in Colorado by the Vice President—but highways would probably share the fate of other Federal programs.

In my personal view, it would be an inexcusable tragedy to delay our bridge modernization program—and the cost would be measured in thousands of lives. The same can be said for delays in needed flood control projects, needed hospitals, needed airport safety improvements—and a host of other Federal programs. Certainly it is no time to cut back on aids to school construction at either the elementary, secondary, or college level.

Let us hope and pray that the Vice President was either reported inaccurately, or launching a trial ballon which will speedily be deflated.

For the record, I believe it appropriate to submit the last expression of the Congress on the subject of executive impounding of highway funds:

PROHIBITION OF IMPOUNDMENT OF APPORTIONMENTS AND DIVERSION OF FUNDS

SEC. 15. Section 101 of title 23, United States Code, is amended by adding at the end thereof the following new subsections:

"(c) It is the sense of Congress that under existing law no part of any sums authorized to be appropriated for expenditure upon any Federal-aid system which has been apportioned pursuant to the provisions of this title shall be impounded or withheld from obligation, for purposes and projects as provided in this title, by any officer or employee of any department, agency, or instrumentality of the executive branch of the Federal Government, except such specific sums as may be determined by the Secretary of the Treasury, after consultation with the Secretary of Transportation, are necessary to be withheld from obligation for specific periods of time to assure that sufficient amounts will be available in the highway trust fund to defray the expenditures which will be required to be made from such fund.

"(d) It is the sense of Congress that funds authorized to be appropriated from the Highway Trust Fund may be used to pay only those administrative expenses of the Federal Highway Administration (including the Bureau of Public Roads) which are incurred under this title and are attributable to Federal-aid highways. No funds authorized to be appropriated from the Highway Trust Fund shall be used to pay the administrative expenses of any other Federal department, agency, office, or instrumentality, or any other agency, instrumentality, or entity established by Federal law, executive order, or otherwise by the Federal Government, either by transfer of funds, reassignment of personnel or activities, contract, or otherwise, unless the expenditures are to meet obligations incurred under this title, which are attributable to Federal-aid highways and are—

"(1) contracted for in accordance with the Act of March 4, 1915, as amended (31 U.S.C. 686) and (A) relate to work or services of a type not usually performed by the Federal Highway Administration or (B) relate to the furnishing of materials, supplies, or equipment; or

"(2) Are specifically identified in the budget and included in an appropriation Act."

The paragraphs above cited are a clear and unmistakable statement of the law as reflected in Public Law 90–495, enacted August 23, 1968. Surely an administration dedicated to "law and order" is not preparing to ignore this clear statement of the law.

The conference report which accompanied this measure reinforces the statute as to congressional intent. The report stated:

The conference substitute amends section 101 of title 23 which contains the general declaration of policy applicable to that title declaring it to be the sense of Congress that funds apportioned shall not be impounded or withheld from obligation, and further declaring it to be the sense of Congress that funds authorized to be appropriated from the highway trust fund may be used to pay only the administrative expenses of the Federal Highway Administration (including the Bureau of Public Roads) incurred under title 23 and attributable to Federal-aid highways. No funds authorized to be appropriated from the highway trust fund are to be used to pay the administrative expenses of any other Federal department, agency, office, or instrumentality or entity established by Federal law, Executive order, or otherwise by transfer of funds, reassignment of personnel or activities, contract, or otherwise, unless they are to meet obligations incurred under title 23 which are attributable to Federal-aid highways and are contracted for in accordance with the Economy Act and related either to work or service of a type not usually performed by the Federal Highway Administration or to the furnishing of materials, supplies, or equipment or specifically identified in the

budget and included in an appropriation act.

Surely, Mr. Speaker, the administration will obey the law on highway funds. Let us also hope that a careful review of the entire cutback proposal will lead to its early, sensible modification.

LIFE MAGAZINE EDITORIAL CRITICAL OF NIXON DRUG APPROACH

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, the September 5 issue of Life magazine contains a critical editorial comment on President Nixon's approach to the narcotic addiction and drug abuse problem. The proposed administration drug law takes a simplistic and unworkable "law enforcement" approach to the issue. As sponsor of the proposed Comprehensive Narcotic Addiction and Drug Abuse Care and Control Act of 1969, I have been quite concerned with the problem and have called for a more sensitive and realistic approach in this area. The Life editorial calls for congressional changes in the Nixon proposal. My bill, H.R. 13136, already contains the changes called for by Life magazine.

I include into the RECORD the text of the editorial and recommend my colleagues' careful perusal of it. I again call for swift congressional action on drug control, research and treatment legislation. As I have stated before, time is of the essence in this area and lives are at stake.

The editorial follows:

THE NIXON DRUG LAW: A CRUCIAL FAULT

Drug abuse and marijuana, once largely confined to the shadowy underworld of junkie row, are now very much in the open. In Chicago, helping the acid-head next door is Topic A at suburban PTAs. In Los Angeles, dinner-party hostesses have been known to lay out reefers alongside the bread and butter plates. At the phenomenal Woodstock music festival of a fortnight ago (LIFE, Aug. 29), the police simply had to look the other way, since the number of kids openly puffing marijuana was in the tens of thousands.

While all kinds of "soft" drugs are being marketed to middle-class children like so many new detergents for suburban housewives, most hard narcotics tragedies still occur in the poor urban ghettos—and the number of these is soaring. Deaths attributed to heroin abuse in New York City alone totaled over 700 last year, and the body count this summer is running 58% higher than in 1968.

How to deal with what President Nixon has called this "rising sickness in our land" is the subject of a recent White House message to Congress proposing a new set of federal drug laws. The President rightly criticized the "common over-simplification" which treats narcotics addiction and drug abuse as "a law enforcement problem alone." But the bill he sent to Congress takes the simplistic "law enforcement" approach. Congress should amend Nixon's proposals to give the nation's drug laws both more enlightenment and greater effectiveness.

There is one most welcome feature in the Administration bill: it includes the powerful hallucinogen LSD in the basic criminal drug law. But Nixon's proposals put LSD and hard narcotics like heroin in the same class with infinitely less harmful marijuana. The possession of any of them would be a felony, and prison terms for marijuana and narcotics offenses remain unchanged.

The failure to distinguish between marijuana and hard narcotics is the crucial fault in Nixon's bill. The American Medical Association, though vigorously opposed to legalization of marijuana, has condemned the present federal laws dealing with it as "harsh and unrealistic." Nixon's proposals would not soften them. A youngster caught smoking marijuana not only could be given two to 10 years in prison, but would have the permanent stigma of a felony conviction. A student who gives a reefer to his roommate could get the mandatory minimum sentence of five years for "distributing" the drug. Because such a law obviously could not be enforced against the "several million" college-age youngsters who the President concedes are at least occasionally turning on, the proposed bill is unrealistic.

Marijuana should not be legalized. Legalization would increase consumption at a time when research into long-term effects has barely begun, and it could change the nature of the marijuana problem from the "spree" smoking generally encountered in the U.S. to widespread, habitual use. That marijuana is far less harmful than other drugs is no reason to inflict it on our society. It is, however, a compelling reason for our laws to distinguish clearly between marijuana and hard narcotics.

Some Administration officials insist that harsh marijuana penalties will not be invoked against youthful experimenters. They maintain that the provisions are nonetheless vital to deter potential drug abusers and to punish professional pushers who regularly escape detection on more serious narcotics trafficking charges. But in fact, the evidence is that marijuana penalties neither deter amateurs nor root out professionals: since the penalties were raised in 1956, juvenile drug arrests have risen more than 800%, and hardly a dent has been made in the volume of professional narcotics traffic.

Bad drug laws, like bad acid trips, can have terrible side effects. By branding many youngsters as felonious criminals, the present laws make it difficult for teenage dropouts from society ever to drop back in; they discourage young drugtakers who need medical help from seeking it; and they give parents and educators an untenable choice between tolerating defiance of the law or turning in their children for retribution they believe to be harmful and unjust.

Perhaps most unfortunate of all, the marijuana penalties the Administration wants to continue are so unrealistic that they undermine respect for the rest of our narcotics laws. (Even the courts are often reluctant to impose marijuana penalties that seem grossly out of proportion to the nature of the offense. This may help explain why less than 1% of those arrested on "soft" drug charges are ever convicted.)

Congress should reduce the possession of marijuana from a felony to a misdemeanor. (Some medical and legal authorities feel it should be treated the same way as the violation of a local ordinance—that is, by a fine with no criminal charge.) Though marijuana has no proven physiological ill effects, it temporarily distorts perception, judgment of distance and visual focus, and the user is often under the illusion that his sensibilities are unusually sharp when in fact they have been dulled. For these reasons, lower penalties for marijuana use should probably be supplemented by penalties for driving an automobile under the influence of marijuana.

The Administration proposal provides one loophole that judges are sure to exploit in marijuana cases: a first-time offender for possession of any drug may be released on probation rather than receive a felony conviction. But a more intelligent and flexible proposal would separate marijuana from hard drugs and give judges the discretion to treat them with the difference they deserve.

MIDDLE EAST FLARES AGAIN

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. DERWINSKI. Mr. Speaker, with the potential for full-scale war in the Middle East once again developing, it is imperative that the situation there be understood in all of its complications.

The Chicago Daily News in an editorial Tuesday, August 26, comments in a very analytical and effective manner on the latest Middle East developments.

The article follows:

MIDDLE EAST FLARES AGAIN

Step by perilous step, the Middle East appears to be marching to the brink of full-fledged war. Iraq's barbarous execution of 15 more men identified as "spies for the United States and Israel" is another in a series of inflammatory acts increasing tensions close to the breaking point.

The truth is hard to find in the Middle East, and if found there is no assurance it will be accepted. The Arabs refuse to believe that the Israeli account of the burning of a mosque in Jerusalem is true. The Israeli government says it has a confession from an Australian Christian, but Arab leaders call for a "holy war" against Israel in retaliation for the desecration of their holy place.

The Israelis see in Iraq's spy executions another turn of the screws on Jews remaining in the Arab lands. Though only two of the 15 men executed were Jews. Iraq's charge that they were all linked with Israel—and somehow with the United States—fits in with the rising passions of the area. Israel reports that Iraqi Jews are being systematically oppressed, and some reprisal against Iraq is expected.

Raids and counter-raids all along Israel's borders have become so frequent that United Nations Sec.-Gen. U Thant weeks ago said a state of "open warfare" existed. His reference was primarily to the Suez area, where troops and planes of the United Arab Republic face those of Israel. But increased activity on the borders of Syria and Lebanon and now the twist of events in the old quarter of Jerusalem and in Iraq add fuel to the flames.

The United Nations has proved singularly ineffective in coping with the Middle East turmoil, and there is little hope that it can do more now, particularly when Russia continues to arm the Arab states and encourages the UAR's President Nasser in his frequent boasts that he will destroy Israel.

Outside the Arab states, the one nation that could do most to reverse the march toward war is Russia, by stemming the flow of armament and forcing the issue to the peace table. But it suits Russia's purpose to pose as the great friend of the Arabs, and encourage Nasser in his impossible dream.

It is hard to believe that Russia would welcome a new outbreak of full-scale war in the Middle East. But until the Arabs themselves realize that they are playing the pawn in Russia's game, the risk of further escalation remains.

SENATE—*Thursday, September 4, 1969*

The Senate met at 12 o'clock noon and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Ever living God, the God of our fathers, the God of our children, and our God, draw near to us as we draw near to Thee. Mysteries surround us which we cannot fathom. Problems grip us day by day which unassisted we cannot solve. Yet silent hopes lie buried in our souls too deep for utterance. God help us with a wisdom beyond ourselves.

Make us daring enough to follow the Master. To advance Thy kingdom we would go the second mile and turn the other cheek. Teach us to do good in return for evil; to bless those by whom we are persecuted. And if our enemy hungers, may we feed him. If he thirsts, may we give him drink. To those who have wronged us may we grant forgiveness. Grant that we may have Thy love in our hearts and Thy spirit in our actions. Light the pathway of our lives that we may know and do Thy will, and, in so doing, make this Nation a blessing to all mankind.

In the name of Him who showed us the way, the truth, and the life. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, September 3, 1969, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session, the President pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Henry J. Tasca, of Pennsylvania, a Foreign Service officer of the class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary to Greece, which was referred to the Committee on Foreign Relations.

LIMITATION ON STATEMENTS DURING TRANSACTION ON ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THAILAND

Mr. YOUNG of Ohio. Mr. President, during his recent visit to Thailand President Nixon, evidently impressed by the royal family and the militarists who rule that nation, became very expansive in his statements. In reassuring them that the United States will honor its obligations under the SEATO Treaty the President said:

> We have been together in the past, we are together at the present, and the United States will stand proudly with Thailand against those who might threaten it from abroad or within.

Mr. President, the SEATO Treaty very definitely does not commit the United States to act as a policeman to protect Thailand or the military dictators ruling that nation.

Section 1 of article IV of the SEATO Treaty requires each signatory, in the event of an armed attack against any of the parties to the treaty, "To meet the common danger in accordance with its constitutional processes." However, section 2 of article IV deals with threats "other than by armed attack." It provides in that event only that the parties to the treaty "shall consult immediately in order to agree on the measures which should be taken for the common defense."

It is crystal clear that insofar as internal insurrection is concerned, there is no obligation in the treaty for the United States to send our GI's or Air Force to protect Thailand or any other Asiatic country. Have not we Americans suffered enough as a result of our involvement by Presidents Johnson and Nixon in an internal insurrection in South Vietnam which has become the most unpopular, undeclared war in the history of our Republic? Also, the most costly in blood and treasure.

Even former Secretary of State John Foster Dulles, the chief architect of SEATO, did not see in it any obligation for the United States to act singlehandedly to save Thailand from subversion. In the hearings on the treaty before the Senate Foreign Relations Committee the late Senator Theodore Green asked if the treaty would commit the United States to help quell a revolution in any nation in Southeast Asia. Secretary Dulles replied:

> No. If there is a revolutionary movement in Vietnam or Thailand, we (SEATO nations) would consult together as to what to do about it, because if there were a subversive movement that was in fact propagated by communism, it would be a very grave threat to us. But we have no undertaking to put it down; all we have is an undertaking to consult together as to what to do about it.

It is unfortunate that this sensible limitation which former Secretary of State Dulles placed on his own treaty was ignored by President Johnson and now by President Nixon. Immense U.S. airbases were built in Thailand, and in addition a huge naval base. Approximately 50,000 American servicemen, mostly Air Force officers and men, were stationed there in advance of any threat of external aggression whatever and without approval of Congress. The right of the administration to do this under SEATO or any other treaty or agreement was—and still is—highly dubious.

It is apparent that in assuring the Thai Government that the United States would come to its aid "against those who might threaten it from abroad or within" President Nixon intends to continue this policy of U.S. aggression in Southeast Asia against those forces seeking national liberation and, in fact, to expand it. President Nixon should not and he must not be permitted to make a commitment of this magnitude in the absence of a formal treaty, ratified by a two-thirds vote in the Senate of the United States as provided in the Constitution of our Nation. There is no such treaty in existence or even under consideration.

May the Almighty help the United States if every President assumes the power to commit our Armed Forces in an invasion or to armed combat, particularly in countries such as Vietnam, Laos, and Thailand which are of no importance whatever to the defense of the United States.

President Johnson, without authority from Congress, ordered 31,000 marines to invade the Dominican Republic. This was an act of overt aggression. He intervened with combat troops and our air and naval power in a civil war in South Vietnam in 1963. We Americans are still fighting a terrible undeclared, unpopular, immoral major war 6 years later. It seems an unwinnable war despite the fact that we have hurled more high explosives and napalm bombs over Vietnam than the total tonnage of high explosives hurled on Germany and its allies in World War II.

Of all the strange entanglements and alliances the United States has constructed in the years since World War II, none is stranger or more entangled than the alliance with Thailand. In return for bases from which American bombers attack Vietnam, the United States has entered into a varied and far-reaching series of undertakings with the military regime in Bangkok—some of them secret and not revealed even to members of the Senate Committee on Foreign Relations.

The Thai Government, faced with an insurgency in the northeastern part of the country, has already accepted large units of American Armed Forces ostensibly to advise its own military leaders. This is starkly reminiscent of the policy which eventually led to our tragic involvement in the Vietnam quagmire. We have given Thai forces aircrafts and heavy weapons. In addition, hundreds of millions of taxpayers' dollars have been given to Thailand in economic assistance—much of which has found its way into secret Swiss bank accounts of Thai officials. The Thais are clearly among the best allies in Southeast Asia that American money can buy.

It is time to question what arrangements the United States actually has

with the Thai Government, whose links to the American treasury are very sturdy indeed. Citizens have a right to know what Thailand does with the money it receives from American taxpayers.

We know there is in existence a secret agreement between the United States and Thailand which the Pentagon calls a military contingency plan—a plan which the Secretary of Defense refuses to submit to the Senate Committee on Foreign Relations for close inspection and detailed review. As the distinguished senior Senator from Idaho (Mr. CHURCH) said in this Chamber on August 12, 1969:

> Rumor has it that the plans not only contemplate the use of American troops, but an arrangement that would actually place them under Thai command. If this is true, not only Congress, but the American people have a right to know it—and know it now . . . We cannot allow the Pentagon to disregard that Resolution, which said very clearly that it is the sense of the Senate that a national commitment by the United States results only from affirmative action taken by the executive and legislative branches of the United States Government by means of a treaty, statute or concurrent resolution of both Houses of Congress specifically providing for such commitment.

Mr. President, President Nixon's recent statement in Thailand and the highly questionable use of Executive power to change the nature of our military commitments abroad are matters of grave concern to every American. Thailand is the most prosperous little nation in Southeast Asia. It is 10,000 miles distant from the United States. It is of no importance whatsoever to the defense of our Nation. Thailand is a military dictatorship. If there are forces from within that little country, and there seem to be such forces, which might in the future threaten to overturn the military dictatorship in Bangkok and even dethrone the young king and the beautiful queen who are mere puppets in the hands of the military leaders of Thailand, then surely the United States would have no right, and certainly no obligation whatever, to intervene in any civil insurrection in that faraway country. The United States has no mandate from Almighty God to police Southeast Asia. Does any Senator claim otherwise?

President Nixon and the Congress would do well to reconsider our situation in Thailand before our militarists cause us to blunder into another war similar to our tragic involvement in Vietnam.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ALLEN in the chair). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DREW PEARSON

Mr. YOUNG of Ohio. Mr. President, in the death of Drew Pearson the Nation has lost one of its greatest journalists. In my humble opinion he was a truly great American and he certainly rendered real and needful public service to our country.

Drew was a fine friend to me. Throughout the years I held him in high esteem and affection. I am proud he regarded me as his friend. I have said on occasions in the past that Drew Pearson, had he chosen public life, would have gone right to the top in this Nation just as he attained the topmost pinnacle as a news reporter, commentator, and columnist.

He was a man of deep conviction. He followed his conscience with great courage. When he felt that he was right Drew Pearson never shied away from a battle nor from any conflict no matter how great were the odds against him. He was a rough adversary. At the same time he remained a gentle, compassionate man. While fighting injustice and evil, he never allowed himself to become callous. While attacking the corrupt, the incompetent, and the pompous he continued to feel tremendous sympathy for them as human beings.

The Nation will miss Drew Pearson. Americans will miss his unshakable courage and persistence in exposing corruption, dishonesty, and immorality. We need more journalists like Drew. Drew Pearson was always willing to write the truth as he saw it, no matter how unpopular his report might be. He was willing to risk being wrong on occasion as the necessary price for being more often right.

Let us hope that the extraordinary career of this most effective—and certainly the most controversial—journalist of his time will be an inspiration and example to the coming generation of newsmen.

SUFFICIENCY OF ARMS AND ARMAMENTS

Mr. YOUNG of Ohio. Mr. President, President Nixon some time back announced that the goal of his administration regarding the defense of the United States was to have a "sufficiency of arms and armaments." There is reason for us to wonder just what our President meant. Furthermore, Deputy Defense Secretary David Packard did not add much light to this when recently he was asked: "How much is a sufficiency in the way of armaments?" Deputy Secretary Packard shrugged his shoulders and said: "It means that it is a good word to use in a speech. Beyond that it doesn't mean a ——— ——— thing."

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RUSSIAN NAVY NO DANGEROUS MILITARY THREAT, SAYS MILWAUKEE JOURNAL

Mr. PROXMIRE. Mr. President, the Milwaukee Journal has just editorialized on the Soviet Union's naval strength. Of course, we have all been concerned about growing Russian naval power in the Mediterranean. But, as the Milwaukee Journal makes clear, "in numbers and effectiveness they represent no dangerous military threat."

This point is particularly important to us here in the Congress. It should place us on guard against demands for any sharp increases in funding based on the Russian naval threat.

The Journal goes on to say:

> It is less on the military than on the diplomatic and political level that the Russian fleet and its recent behavior are a problem.

While Members of the Senate may disagree strongly with this conclusion, I think the reasoning which the Milwaukee Journal advances is most interesting and most useful. It points out that, whether we have a large number of ships to counteract Russian submarines or a relatively modest number, the confrontation of these two great nuclear powers is equally effective with a relatively small force as with a large one. For example, the editorial states:

> Today in the Mediterranean it would be almost impossible for the United States to repeat the 1958 Lebanon landing without risking a great power confrontation and nuclear war. The Russians can accomplish this with 20 ships there, as well as 60. Numbers don't count—just presence. Conversely, America could not overcome this handicap by doubling its Mediterranean force or by setting any ship to ship ratio.

By setting the Russian navy in perspective, the Milwaukee Journal has performed a public service.

I ask unanimous consent that the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RUSSIA'S FLEET

> Some military circles show growing concern over the increasing strength and widening deployment of the Soviet fleet. There is a buildup of Russian naval vessels in the Mediterranean. The Pentagon reports that Russia has 125 naval vessels deployed around the world, more than ever before.
>
> Russia has a modern navy, most of it built

after World War II. It has the world's largest submarine fleet. But in numbers and effectiveness they represent no dangerous military threat. Russian geography and scarceness of warm water ports with access to open ocean severely restrict Russian operations. The ships can easily be bottled up. Russia has no permanent overseas bases.

Russia lags behind the American navy in training and experience. Soviet naval commanders have much to learn in open ocean operation and replenishment. American naval firepower still greatly exceeds Russian capabilities. American carriers give the navy tremendous striking range. The Russians, with no true carriers, are much more limited.

It is less on the military than on the diplomatic and political level that the Russian fleet and its recent behavior are a bother. The ships extend Russian presence. Soviet naval vessels in an area cramp American style and the choice of options.

Today in the Mediterranean it would be almost impossible for the United States to repeat the 1958 Lebanon landing without risking a great power confrontation and nuclear war. The Russians can accomplish this with 20 ships there, as well as 60. Numbers don't count—just presence. Conversely, America could not overcome this handicap by doubling its Mediterranean force or by setting any ship to ship ratio.

The simple fact is that the Russians have learned how to use their navy as a diplomatic tool as America has for the last 75 years. We must maintain adequate naval strength, but greatly expanding the navy will not solve the problem. The Russian fleet is something we have to learn to live with.

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 10105) to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1970, 1971, and 1972, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 12677) to authorize the Commissioner of the District of Columbia to lease to the Jewish Historical Society of Greater Washington the former synagogue of the Adas Israel Congregation and real property of the District of Columbia for the purpose of establishing a Jewish Historical Museum, and it was signed by the President pro tempore.

HOUSE BILL REFERRED

The bill (H.R. 10105) to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1970, 1971, and 1972, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF INDIAN CLAIMS COMMISSION

A letter from the Chairman, Indian Claims Commission, transmitting, pursuant to law, a report on proceedings concluded with respect to Docket No. 79–A of the Iowa Tribe (with an accompanying report); to the Committee on Appropriations.

PROPOSED LEGISLATION AUTHORIZING THE DISPOSAL OF SHELLAC FROM THE NATIONAL STOCKPILE

A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of shellac from the national stockpile (with accompanying papers); to the Committee on Armed Services.

REPORT ON SELF-HELP HOUSING

A letter from the Secretary of Housing and Urban Development, transmitting, pursuant to law, a report on self-help housing, dated June 1969 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON DEPARTMENT OF DEFENSE PROCUREMENT FROM SMALL AND OTHER BUSINESS FIRMS

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department procurement from small and other business firms for July 1968–May 1969 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF THE ATTORNEY GENERAL

A letter from the Attorney General, transmitting, pursuant to law, a report on voluntary agreements and programs, dated August 9, 1969 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF NATIONAL TRANSPORTATION SAFETY BOARD

A letter from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, a report of the Board for 1968 (with an accompanying report); to the Committee on Commerce.

REPORT COVERING PERSONAL PROPERTY DONATED TO PUBLIC HEALTH AND EDUCATIONAL INSTITUTIONS AND CIVIL DEFENSE ORGANIZATIONS

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report covering personal property donated to public health and educational institutions and civil defense organizations and real property disposed of to public health and educational institutions for the period January 1, through June 30, 1969 (with an accompanying report); to the Committee on Government Operations.

REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the opportunity for the Geological Survey to increase revenues through changes in its map-pricing practices, Department of the Interior, Bureau of the Budget, dated September 3, 1969; to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the Overseas Dependents School System in the European Area, Department of Defense, dated September 4, 1969 (with an accompanying report); to the Committee on Government Operations.

REPORT ON STUDIES OF MARINE VOLCANIC ROCKS

A letter from the Secretary of the Interior, reporting, pursuant to law, that studies were made of marine volcanic rocks in the Noranda mining area in Quebec, Canada; to the Committee on Interior and Insular Affairs.

REPORT OF LOAN APPLICATION FROM THE PIONEER WATER COMPANY OF PORTERVILLE, CALIF.

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, the receipt of an application for a loan in the amount of $467,000 from the Pioneer Water Co. of Porterville, Calif.; to the Committee on Interior and Insular Affairs.

PROPOSED LEGISLATION RELATING TO THE ACQUISITION OF PROPERTY FOR INDEPENDENCE NATIONAL HISTORICAL PARK

A letter from the Secretary of the Interior transmitting a draft of proposed legislation to amend the act of June 28, 1948, as amended, relating to the acquisition of property for the Independence National Historical Park (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT OF THE ATOMIC ENERGY COMMISSION ON SETTLEMENT OF CLAIMS OF EMPLOYEES

A letter from the General Manager, Atomic Energy Commission, transmitting, pursuant to law, a report of the Commission on settlements of claims of employees for damages to, or loss of, personal property incident to their service, for the period July 1, 1968 through June 30, 1969 (with an accompanying report); to the Committee on the Judiciary.

PROPOSED AMENDMENT OF THE MILITARY PERSONNEL AND CIVILIAN EMPLOYEES' CLAIMS ACT OF 1964

A letter from the Acting Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to amend the Military Personnel and Civilian Employees' Claims Act of 1964, as amended, with respect to the settlement of claims against the United States by civilian officers and employees for damage to or loss of, personal property incident to their services; to the Committee on the Judiciary.

ADMISSION INTO THE UNITED STATES OF CERTAIN DEFECTOR ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions for ordering such suspension (with accomaliens (with accompanying papers); to the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT OF THE NATIONAL COUNCIL ON VOCATIONAL EDUCATION

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report of the National Council on Vocational Education, dated July 15, 1969 (with an accompanying report); to the Committee on Labor and Public Welfare.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLINGS:

S. 2862. A bill to amend the Internal Revenue Code of 1954 to permit the deduction without limitations of medical expenses paid for certain dependents suffering from physical or mental impairment or defect; to the Committee on Finance.

(The remarks of Mr. HOLLINGS when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. BENNETT:

S. 2863. A bill for the relief of Annette Romney; to the Committee on the Judiciary.

S. 2862—INTRODUCTION OF A BILL RELATING TO AMENDMENT OF INTERNAL REVENUE CODE RELATING TO DEDUCTION OF CERTAIN MEDICAL EXPENSES

Mr. HOLLINGS. Mr. President, one of the saddest things in life is to be the parent of a child with a lingering, possibly terminal illness. America's medical community has made great strides in the past few decades, but the fact remains that millions of children are born each year who must struggle just to stay alive. The plight of their parents is sad indeed. They suffer not only the heartbreak of sick children, but an intolerable financial burden as medical costs soar.

The expense of treating a serious illness strikes rich and poor alike. It knows no social boundaries. An American wage earner can be suddenly confronted by mounting thousands of dollars worth of doctor, hospital, and drug bills. Such expenses literally can push a family into poverty, regardless of education of job skills. Some families are completely wiped out by the tremendous financial strain of this long-term illness.

The average American can borrow just so much, and then his credit resources are gone. He can sell his car and mortgage his home. He and his wife can take extra jobs. But in many, many cases, this still is not enough.

Here are some of the statistics, Mr. President. For example, 25,000 children are born each year with congenital heart disease. Seven thousand will die in their first year of life, and many of the others require almost constant medical care. By 1970, the Children's Bureau estimates there will be 450,000 young people under the age of 20 with epilepsy, 406,000 with cerebral palsy, 900,000 with loss of hearing, 2,500,000 with orthopedic impairments, nearly 3,000,000 with mental retardation, more than 3,000,000 with speech disorders, nearly 5,500,000 with emotional disturbances, and 12,000,000 with eye conditions requiring special care. The problem is tremendous, and the medical bill is staggering.

We all know that everything in this country is costing more each year. It does not make any difference if you are talking about groceries, rent, utilities, clothing, or the price of a movie. Inflation is hitting the American citizen where it hurts the most—in his pocketbook. Hit hardest by these increases are the families who must deprive themselves to pay continuing medical bills. This is really difficult when money is so tight and interest so high.

The price of living in the past 5 years has increased 18.4 percent. At the same time, the cost of medical care in this country has skyrocketed by 42.3 percent, or more than 7 percent each year.

Today, I am proposing that we take a step in helping these families. I am introducing a bill to amend the Internal Revenue Code of 1954. My amendment would permit unlimited deductions of medical expenses paid by parents or guardians for the care of such children. This would ease the tax burden of these families. In addition, it would show the concern of Congress for those Americans who must shoulder the burden of high-priced health care for their sick children. For these reasons Mr. President, I ask unanimous consent that this bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2862) to amend the Internal Revenue Code of 1954 to permit the deduction without limitations of medical expenses paid for certain dependents suffering from physical or mental impairment or defect, introduced by Mr. HOLLINGS, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2862

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 213(a) of the Internal Revenue Code of 1954 (relating to deduction of medical, etc., expenses) is amended—

(1) by inserting ", other than a dependent to whom paragraph (3) applies," after section 152)" in paragraph (1);

(2) by striking out "and" at the end of paragraph (1);

(3) by striking out "dependents." in paragraph (2) and inserting in lieu thereof "dependents, other than a dependent to whom paragraph (3) applies, and"; and

(4) by adding after paragraph (2) the following new paragraph:

"(3) the expenses paid during the taxable year for medical care of a dependent described in subsection (e)(5)."

(b) Section 213(b) of such Code (relating to limitation with respect to medicine and drugs) is amended by adding at the end thereof the following new sentence: "The preceding sentence shall not apply to amounts paid for the care of a dependent to whom subsection (a)(3) applies."

(c) Section 213(e) of such Code (relating to definitions) is amended by adding at the end thereof the following new paragraph:

"(5) Subsection (a)(3) shall apply only to a dependent who—

"(A) has not attained the age of 19 before the close of the taxable year and is suffering from a physical or mental impairment or defect which—

"(i) has been in existence for more than 3 months, and

"(ii) results in a substantial loss, or loss of use in a normal manner, of any substantial portion of the musculoskeletal system, or results in a substantial loss of vision, hearing, or speech; or

"(B) has attained the age of 19 before the close of the taxable year and is suffering from a physical or mental impairment or defect described in subparagraph (A) which commenced prior to attaining such age."

SEC. 2. The amendments made by this Act shall apply to taxable years beginning on or after the date of the enactment of this Act.

ADDITIONAL COSPONSORS OF BILLS

S. 2461

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from West Virginia (Mr. RANDOLPH), I ask unanimous consent that, at the next printing, the names of the Senator from Tennessee (Mr. BAKER), the Senator from Indiana (Mr. BAYH), the Senator from Utah (Mr. BENNETT), the Senator from Nevada (Mr. BIBLE), the Senator from Delaware (Mr. BOGGS), the Senator from West Virginia (Mr. BYRD), the Senator from Idaho (Mr. CHURCH), the Senator from Kentucky (Mr. COOPER), the Senator from California (Mr. CRANSTON), the Senator from Nebraska (Mr. CURTIS), the Senator from Illinois (Mr. DIRKSEN), the Senator from Connecticut (Mr. DODD), the Senator from Kansas (Mr. DOLE), the Senator from Missouri (Mr. EAGLETON), the Senator from Mississippi (Mr. EASTLAND), the Senator from North Carolina (Mr. ERVIN), the Senator from Arizona (Mr. FANNIN), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from New York (Mr. GOODELL), the Senator from Tennessee (Mr. GORE), the Senator from Alaska (Mr. GRAVEL), the Senator from Michigan (Mr. GRIFFIN), the Senator from Michigan (Mr. (HART), the Senator from Oregon (Mr. HATFIELD), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Hawaii (Mr. INOUYE), the Senator from New York (Mr. JAVITS), the Senator from Idaho (Mr. JORDAN), the Senator from Washington (Mr. MAGNUSON), the Senator from Iowa (Mr. MILLER), the Senator from New Mexico (Mr. MONTOYA), the Senator from Utah (Mr. MOSS), the Senator from South Dakota (Mr. MUNDT), the Senator from California (Mr. MURPHY), the Senator from Maine (Mr. MUSKIE), the Senator from Wisconsin (Mr. NELSON), the Senator from Oregon (Mr. PACKWOOD), the Senator from Rhode Island (Mr. PELL), the Senator from Pennsylvania (Mr. SCHWEIKER), the senior Senator from Pennsylvania (Mr. SCOTT), the Senator from Alaska (Mr. STEVENS), the Senator from Georgia (Mr. TALMADGE), the Senator from South Carolina (Mr. THURMOND), the Senator from Maryland (Mr. TYDINGS), the Senator from Texas (Mr. YARBOROUGH), the Senator from North Dakota (Mr. YOUNG), and the Senator from Ohio (Mr. YOUNG), be added as cosponsors of S. 2461, to amend the Randolph-Sheppard Act for the blind so as to make certain improvements therein, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2718

Mr. BENNETT. Mr. President, I ask unanimous consent that, at the next

printing, the name of the Senator from Indiana (Mr. HARTKE) and the Senator from Tennessee (Mr. BAKER) be added as cosponsors of S. 2718, to modify ammunition recordkeeping requirements.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF RESOLUTION

S. RES. 179

Mr. MUSKIE. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from New York (Mr. JAVITS) and the Senator from Kentucky (Mr. COOPER) be added as cosponors of Senate Resolution 179, in support of the United Nations conference on the environment to be held in 1972.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROMOTION OF EQUAL EMPLOYMENT OPPORTUNITIES FOR AMERICAN WORKERS—AMENDMENT

AMENDMENT NO. 143

Mr. PROUTY submitted an amendment, in the nature of a substitute, intended to be proposed by him, to the bill (S. 2453) to further promote equal employment opportunities for American workers, which was referred to the Committee on Labor and Public Welfare and ordered to be printed.

REFORM OF INCOME TAX LAWS—AMENDMENTS

AMENDMENTS NOS. 144 AND 145

Mr. FANNIN. Mr. President, I submit for appropriate reference two amendments, intended to be proposed by me, to the bill (H.R. 13270) to reform the income tax laws.

One amendment would provide a deduction up to $600 to disabled taxpayers for transportation to and from work as well as an additional $600 exemption for the taxpayer or spouse who is disabled.

The other amendment would require labor unions to abide by the same "no politics" rule as that proposed in the tax reform measure for other tax-exempt organizations.

The substance of these amendments was previously introduced as S. 1483 and S. 2796. I am now resubmitting the proposals as amendments to the tax bill which is now the subject of hearings before the Finance Committee.

Mr. President, let me observe that in our efforts to enable disabled individuals to seek remunerative employment, we have overlooked the practical objections to such employment. For most of them, it costs so much to work—not to live—but to work, that they simply cannot afford the luxury of a job. When you consider the costs of maintaining disabled people in Government-supported facilities, it is clear that we pursue a false economy in denying these people a deduction for transportation expenses as well as an additional exemption to help provide for their own aid.

Mr. President, the other amendment would require unions to cease political activity with funds obtained by dues or assessments. This measure, according to indications I have had from rank-and-file union members, will be popular with the members and opposed by the leaders. The reason is that it allows a man who genuinely wants his union to engage in political activity to be completely free and uncoerced in seeing that his political wishes are carried out. Additionally, it removed the preferential treatment accorded to unions which are able to require individuals to be members in order to work and then require payment of dues or assessments which are used for political purposes.

The amendment simply requires that unions operate under the same rules as those applied to chambers of commerce, charitable foundations, churches or fraternal organizations. Nothing could be more in line with what union spokesmen say they want in the area of tax reform.

The PRESIDING OFFICER. The amendments will be received, printed, and appropriately referred.

The amendments (Nos. 144 and 145) submitted by Mr. FANNIN, were referred to the Committee on Finance.

NOTICE OF HEARINGS ON S. 2483, THE INTERGOVERNMENTAL REVENUE ACT OF 1969

Mr. MUSKIE. Mr. President, I wish to announce that the Subcommittee on Intergovernmental Relations, Committee on Government Operations, will hold hearings on S. 2483, the Intergovernmental Revenue Act, on September 23, 24, and 25.

The central objective of the Intergovernmental Revenue Act is to help to redress the fiscal balance of our Federal system. It would accomplish this by supplementing the tax base of States and localities through a system of Federal general support payments; and, by encouraging States and localities to adopt stronger tax systems of their own through establishing Federal tax credits for State and local income and estate taxes.

S. 2483 combines the features of revenue sharing and tax credits and is based on the studies and recommendations of the Advisory Commission on Intergovernmental Relations.

The hearings on September 23, 24, and 25 will be in room 1318, New Senate Office Building, beginning at 10 a.m.

Any Senator or other person wishing to testify should notify the subcommittee, room 357, Old Senate Office Building, extension 4718, in order that he might be scheduled as a witness.

NOTICE OF HEARINGS ON FOUR INTERGOVERNMENTAL BILLS

Mr. MUSKIE. Mr. President, I wish to announce that the Subcommittee on Intergovernmental Relations, Committee on Government Operations, will hold hearings on September 9, 10, 12, and 17 with respect to the following proposed legislation:

Senate Joint Resolution 117, to authorize appropriations for an Office of Intergovernmental Relations in the Executive Office of the President;

S. 60, the Program Information Act, which would create a catalog for Federal assistance programs, provide for monthly revision of the catalog, provide information on the simplification of application forms and procedures, and transfer the Federal Information Exchange from the Office of Economic Opportunity to the Bureau of the Budget;

S. 2035, the Grant Consolidation Act of 1969, which would provide for consolidating Federal assistance programs in the same or closely related functional areas under a procedure similar to the Executive Reorganization Act; and

S. 2479, the Intergovernmental Cooperation Act of 1969, which would authorize procedures for improving the financial management of Federal assistance programs, facilitate the consolidation of such programs, provide temporary authority to expedite processing of project applications drawing upon more than one Federal assistance program strengthen further congressional review of Federal grants-in-aid and extend and amend the law relating to intergovernmental cooperation.

S. 2035 is the Grant Consolidation Act which was introduced by the senior Senator from South Dakota (Mr. MUNDT) on behalf of the administration.

S. 2479 contains three titles—financial management, grant consolidation, and joint funding simplifications—which were considered at length in subcommittee hearings last year. In their present form, they incorporate many of the suggested changes and recommendations advanced by the Advisory Commission on Intergovernmental Relations, major associations representing public officials, and others.

Hearings on September 9, 10, and 12 will be held in room 3302, New Senate Office Building; and on the 17th they will be held in room 6226. On September 9 the session will begin at 9:30 a.m. The following days they will begin at 10 a.m.

Any Senator or other person wishing to testify or present a written statement, with respect to the above legislation should notify the subcommittee in room 357, Old Senate Office Building, extension 4718.

NOTICE OF HEARING ON NOMINATION OF CLEMENT F. HAYNSWORTH, JR.

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, September 9, 1969, at 11 a.m., in room 2228, New Senate Office Building, on the following nomination:

Clement F. Haynsworth, Jr., of South Carolina, to be an Associate Justice of the Supreme Court of the United States, vice Abe Fortas, resigned.

Any persons desiring to offer testimony in regard to this nomination shall, not later than 24 hours prior to such hearing, file in writing with the committee a request to be heard and a statement of their proposed testimony.

THE BIG MAN WITH THE SOFT VOICE

Mr. MANSFIELD. Mr. President, I have just learned, not unexpectedly, of the retirement of one of Montana's, and the Northwest's, most outstanding newsmen, Walter Nelson, editorial page editor of the Montana Standard, in Butte, Mont.

Walter Nelson is a long-time friend who has had an active role in the Montana press since 1927, and started work as a reporter for the Butte Miner.

Through the years Walter Nelson has developed a familiarity with many aspects of the news business—reporting, editorial writing, and in the managerial capacity. Walter, often referred to as "the big man with the soft voice," is a man who has contributed so much, not only to the news media, but to the community which he has served. Although Walter is retiring as an active newsman, I am delighted to know that he and his wife, Margaret, are planning to continue to make their home in Butte.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks a news story, an editorial, and Walter Nelson's farewell editorial, published in the Montana Standard of September 1, 1969.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

WALTER L. NELSON ENDS 42-YEAR NEWS CAREER

Walter L. Nelson, one of Montana's best known newsmen, has retired effective today.

Nelson began work as a reporter for the Butte Miner in 1927 and has served in nearly all newsroom capacities in those 42 years. He became editor of The Montana Standard in 1961. In recent years, Nelson has been editorial page editor.

Soon after he joined the Butte Miner, Nelson went to the Anaconda Standard in Anaconda. He became its city editor in 1928 and editor there in 1930. He was made city editor of The Montana Standard in 1938 and the next year became city editor of The Montana Standard-Butte Daily Post. He was news editor several years before he became city editor again in June 1959.

The Anaconda native graduated from journalism school at the University of Montana in 1927. He is a graduate of Anaconda schools and its public high school.

Nelson long has been active on behalf of Montana Tech, and for establishment of the new vocational school here. He is a member of Tech's advisory board and of the votech executive board. The Montana Tech Alumni Association made him its first honorary member in 1968. Efforts in behalf of conservation brought him the Montana Wildlife Federation Award in 1967.

The newsman also was active in professional groups, such as the Montana Press Association, Associated Press Managing Editors and Sigma Delta Chi, a journalistic society. He is listed in Who's Who in the West.

Nelson and his wife, the former Margaret Kiely, will continue to make their home in Butte.

TAKE CARE, WALTER

Walter Nelson, former editor of The Montana Standard and its editorial page editor in recent years, officially steps down today from the jobs he loved, and the paper he guided.

To know Walter is a privilege that many in Butte and Anaconda have. But it especially is a privilege for the new, the untried, the relative newcomers to this business of newspapering who were encouraged by the man who brought them into the business.

Walter's a big man with a soft voice, a thoughtful man who keeps his cool when others around him may be losing theirs, a man who has a calming influence in a nearly always hectic newsroom, a man of subtle humor whose twinkling eyes tell you, here's a friend.

As an editorial writer, Walter sees through complicated matters and controversial issues, zeroes in, and sweeps aside the irrelevancies to shed light and reason on the heart of the matter.

In the past few years, Walter began writing his editorials in long hand, sometimes while he sat in a waiting room before an appointment, on small pieces of copy paper. There were few false starts, the penciled lines put down with thought and clarity, building the case, and then making the point. "There, that ought to take care of that," he would say, and it usually did.

On occasion Walter has had his differences with various Standard publishers, but only in matters of news judgment or policy would he rise from his wood-framed office chair, extend his long frame and, as Lyndon Johnson used to say, "reason together." He was a pretty good reasoner, too, often bringing his boss around to the editor's way of thinking.

Leaving an active role in producing a newspaper will not be easy for this man whose working life has centered on ink and newsprint. But he has done so graciously. Walter has eased out of his office on the second floor of The Standard Building the last few weeks, stopping by or calling daily to inquire if everything was going all right.

"How are you today?" "How are you getting along?" "Take care, don't worry; I'll be in touch."

And we hope he will, too. On one side of his old office is a large desk, a chair, and a supply of small pieces of copy paper, and a couple of sharpened pencils, just in case the expert's hand is needed.

AN EDITOR BIDS HIS READERS FAREWELL

This is our retirement editorial and perhaps the most difficult one to write.

We have spent a lifetime in the service of the readers of The Montana and Anaconda Standards as a newspaperman. One cannot sever the adhesive attachments without some distress. But in the pain of parting there is fused a permanency with the past that has its reward.

A native of Anaconda, where we began our career, we did not stray far from it, nor lose interest in its welfare. Of Butte, where we have enthused and groaned these many years, there is deep affection that comes from experiencing personally its troubles and its satisfactions. Butte may have ugly scars but you really don't see them. Do you love a woman less if her petticoat shows?

All newspapers, large or small, are judged by their contributions to the communities which they call home. So it is with those charged with the responsibility of running newspapers. To squarely face and successfully meet the varied challenges communities present, a newspaper must to a substantial degree reflect those communities. That we had as a goal—a paper reflecting its area and engaged energetically in projects for its benefit.

But to be effective, a paper must be respected. It is respected if it is not influenced, if it adheres to the cardinal criteria of the profession—fairness, accuracy, integrity, responsibility, leadership. This respect we sought earnestly and sincerely believe we attained.

We leave others to compile community contributions if they be evident. It is sufficient to note conditions in local government have changed by the will of a more enlightened electorate.

We share the strong pride of many in Butte in this community. We are offended when it is abused and resent unwarranted criticism. Butte has been called unusual and it will remain so because it is a mining city with the lively past of a mining camp. Its people have been called different because they are demonstrative about their community's welfare. We, disciples of earnest effort and energetic enthusiasm on Butte's behalf, see much virtue in the difference.

Since our obligations are to our readers and our community—our efforts, our attainments have been in their service. Our reward has been in the readers' acceptance in possessive terms: "Our editor" or "my editor".

To many readers, The Standard is a very personal thing. In essence it belongs to them. They refer to it with a personal pronoun "my paper" or "our paper." That is as it should be and in our long career we tried to make it so.

A great trust, of which we are constantly aware, has been placed by the American people in their papers and by the people of this community, with confidence, we hope, in this paper. To gain that trust we have assiduously tried to inform our readers and to offer leadership; we have denounced secrecy in public affairs wherever it appeared; we exposed the shortcomings of government; we have brought community controversy onto the open table; we have attempted to be fair in our criticism and sound in our judgments.

Along the way we have made enemies and we hope some friends. To the reader we would leave this thought: To present our views openly and subject to reply was our responsibility to him or to her. This responsibility, demanded in our profession, will be carried out by those who follow in our footsteps.

Much, we believe, was accomplished in reform improvements and development in various fields and phases of our community in our editorial stewardship. Yet, there remains more which we in retiring leave in eager and able hands.

To the readers in Anaconda, we wish to assure them of our sustained interest in their welfare and contentment.

To the readers of Butte, my future efforts, as those in the past 30 or more years will be unstintingly expended on your behalf—a labor of love indeed.

To the Standard's readers elsewhere in the Magicland my sincere interest will not be abated.

To all, a reluctant farewell.

WALTER L. NELSON.

VISIT BY SENATOR GOLDWATER TO FORMER SENATOR HAYDEN

Mr. GOLDWATER. Mr President, during the August adjournment it was my extreme pleasure to call on our former colleague, Senator Hayden, who served in Congress longer than any other man in history.

Carl is in good health, with an active mind, devoting quite a few hours every day to working in the offices of the Charles Trumbull Hayden Library, named after his illustrious father. There he is putting together, in proper form and order, all of the papers that he accumulated during his many years of long, valuable, and faithful service.

He asked me to express his warm regards to all of those with whom he served over the years, and to tell all of you that he has enjoyed, so much, the many letters and cards he has received.

During the course of our conversation he agreed to allow the Arizona Historical

Foundation, of which I am president, to begin the publication of some 2,500 personal records that he put together of the families who came to the territory of Arizona before 1870.

These will, of course, be dedicated to Senator Hayden, and will be one small recognition of the great contributions he has made to our State.

JURISDICTION OF COMMITTEE ON FINANCE—TAX AMENDMENT ON S. 2754

Mr. LONG. Mr. President, on August 1, the Committee on Post Office and Civil Service reported S. 2754, a bill relating to civil service retirement. I am very much concerned about the bill because it includes a tax provision which is unfair against many taxpayers.

First, I think it should be recognized that the Committee on Finance has jurisdiction in tax matters. Nevertheless, section 207 of the bill provides that the amount, not to exceed $3,000 each year, which is received by a civil service annuitant would be excluded as gross income under the Federal income tax laws. This provision of the bill clearly relates to tax matters and just as clearly violates the jurisdiction of the Finance Committee to pass on all tax matters. I realize that the Committee on Post Office and Civil Service was attempting to aid civil service retirement annuitants, but in catering to its special constituency that committee is unable to view the broad picture of taxation in proper focus and they create a new preference in the tax law at the very time the Committee on Finance is considering a tax reform bill to take tax preferences out of the law.

Second, this action by the Committee on Senate Post Office and Civil Service is unconstitutional. The Constitution clearly provides that all matters relating to revenue must originate in the House of Representatives. This provision of the bill clearly did not originate in the House of Representatives, and I am confident the House will so advise the Senate if it should be retained in the retirement bill.

RETIREMENT INCOME CREDIT

The income tax laws now contain what is known as the retirement income credit. This provision was added to the income tax laws because a person who receives social security and railroad retirement benefits do not have to pay tax on the amounts which they receive. The retirement income credit was designed to put all taxpayers receiving retirement incomes on a substantially equal basis with those taxpayers receiving social security and railroad retirement benefits. Under present law, a civil service annuitant receives the retirement income credit on those amounts of his annuity which are included in taxable income.

Mr. President, I would like to go into the development of the retirement income credit so that I may demonstrate how the present provision in the post office and civil service bill unfairly discriminates against many taxpayers. As I mentioned, social security payments are not subject to tax. It was later concluded by Congress that the income tax laws should be amended so that all taxpayers with retirement income would be treated approximately equal to that preferential treatment being given to social security payments. At the time that the retirement income provision was under consideration some thought was given to providing an outright exclusion from income equal to the maximum amount which a person could receive from the Social Security Administration. However, this would have benefited high-bracket taxpayers much more than it would have benefited low-bracket ones. This was so because the exclusion would have been applied at the taxpayer's highest bracket. Thus, a person in a 70-percent bracket would get a much higher tax benefit than a person in the lowest bracket, for example, 14 percent. Also, an outright exclusion would have added to the tax advantage already being received by taxpayers who were then drawing tax-free social security and railroad retirement.

Instead of adopting the exclusion formula, the tax credit approach was enacted. This generally works so that a credit is given which equals the maximum amount of social security benefits that a person may receive but with the credit being computed at the lowest bracket rate. The net result is that all taxpayers with retirement income, other than social security and railroad retirement, will receive the same amount of maximum tax credit regardless of the tax bracket which they are in. Under present law, the maximum tax credit is 15 percent of $1,524. Until the last increase in social security payments, the maximum amount an individual could receive annually from social security was $1,524. Presently, the maximum amount which an individual can receive from the Social Security Administration is $2,616 annually, although I understand that the maximum average that retired persons are presently receiving is around $1,800 because of the transition period since the increase and the fact that the formula is computed on the highest wages paid to a person during a period of time. The retirement income tax credit should probably be increased so that the amount used in the formula to compute the maximum retirement tax credit would again correspond to the maximum amount which a person can now receive from the Social Security Administration.

TAX PROVISION OF S. 2754

The bill which was reported by the Committee on Post Office and Civil Service contained, as I mentioned, a provision that the first $3,000 which a civil service annuitant received each year would be excluded from gross income for purposes of the Federal income laws. Under the present tax laws, this would give the civil service annuitant a tax advantage over persons with retirement income—other than social security or railroad retirement—in a similar bracket.

By excluding the first $3,000 each year under present law, a single person who was over the age of 65 would be able to receive the first $4,667 of taxable income tax free. A single person, who was over age 65, but with a different type of retirement income—other than social security or railroad retirement—under present tax law would be able to receive $3,124, tax free. Thus, the civil service retiree would have a tax saving of $420 while the person with another type of retirement income would have an income tax saving of $228.60. At the lowest tax bracket, there would be an advantage to the civil service retiree of $191.40.

However, at the upper tax bracket there is an entirely different story. Because the tax provision of the Post Office and Civil Service Committee bill excludes a stated amount from income tax, those persons in the higher brackets would receive a substantially greater benefit. Under present tax law, the top bracket rate is 70 percent—excluding the surtax—thus, the tax saving on excluding $3,000 would be $2,100. However, a person with another type of retirement income—not including social security or railroad retirement—would still have only the same tax saving of $228.60. Therefore, at the highest tax bracket rate of 70 percent, there would be a difference of $1,871.40 between the income taxes that two similarly situated retirees would pay, except for the fact that the civil service retiree would receive a different tax treatment. I do not know what the views of the members of the committee would be on this question. However, I do think that the tax expertise of my brothers on this committee should be utilized to the fullest extent. As of now, this expertise has been completely bypassed.

TAX REFORM BILL

The Post Office and Civil Service Committee bill also ignores the tax rate reductions, the low income allowances and the liberalization of the standard deduction, all contained in the Tax Reform Act of 1969 and all calculated to reduce the tax and tax reporting burdens of persons in the low- and middle-income levels. Among those who would receive substantial tax reductions under the tax reform bill are persons who are retired and living off lower fixed incomes—such as the civil service annuitant.

CONCLUSION

Mr. President, there should be no doubt in any Senator's mind that income tax matters should be left to the Finance Committee. Although, of course, the Post Office and Civil Service Committee has a provincial interest in the tax treatment of civil service retirees, the Finance Committee is charged with the responsibility of seeing to it that all similarly situated taxpayers—including those receiving retirement payments—are treated equally and fairly to the maximum extent we can achieve that sort of equity. The Committee on Post Office and Civil Service does not have such a responsibility. For that reason, and for the other reasons I have indicated, I urge the chairman of the Committee on Post Office and Civil Service to withdraw this tax provision from the bill and refer it to the Finance Committee, where it should be considered. Simply stated, tax questions should be left to the tax committee.

THE AUGUST SOLSTICE

Mr. McGEE. Mr. President, with Richard Wilson I can wistfully say, "Ah, for those rare days of August!"

Our summer recess, he happily reported in yesterday's Evening Star, "proved that the Government can be suspended for a while without doing any particular harm."

Mr. Wilson implies that Senators were off on far-flung junkets, perhaps, but this Senator, at least, was home in Wyoming, investigating the Bridger Wilderness and the DuNoir area of the proposed Washakie Wilderness, challenging trout in lake and stream, and visiting with some mightly fine people out there in what we often call, half jokingly and half seriously, "the real world."

I am happy to report this because it is exactly the type of break I had in mind for years, while I was beseeching Senators and the leadership for just such a summer recess, in the realization that the good old days when Congress would adjourn sine die in midsummer were gone and that legislating for this vast Nation in our age of great complexities is, in fact, a full-time job.

To Columnist Wilson, this was a nostalgic August that caused him to wonder yesterday if it could possibly be that when Washington quiets down so does the country. At any rate, I agree with him that "the August solstice deserves to become a national custom for its own sake to give the country a breathing spell and the controversialists a rest."

Mr. President, I ask unanimous consent that Richard Wilson's column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, Sept. 3, 1969]

WASHINGTON TREATS NATION TO A BREATHING SPELL

(By Richard Wilson)

Now it has been proved that the government can be suspended for a while without doing any particular harm.

A month-long interregnum in the exercise of power is coming to an end. Congress and the President will be back in Washington and the daily clamor of political conflict will begin again.

This was a nostalgic August for those who can remember when it was normal for Congress to go home in late summer for the remainder of the year, the President relaxed and the country was perhaps better for it.

This year the mood of the country seemed to respond. There were relatively few riots. The troublesome young floated happily by the hundreds of thousands on a cloud of pot smoke above a sea of mud at the Woodstock Rock Festival.

Could it possibly be that when Washington quiets down so does the country? Is there anything to the surmise that the constant roar of conflict in Washington renders the country edgy, contentious and even riotous? When Washington lowers its voice does the country respond in kind?

It would be comforting to think that this was true. If so there may be a lesson or two. The major instrumentalities of power—White House, Congress, Pentagon—might make a regular thing of observing a period of quiet from time to time.

The information media representatives, who swarm this city by the thousands, might ponder whether or not their frenetic activity is a primary contributing cause of national unrest and disorder, rather than the other way around.

Profound studies and deep soul searching have shed little light on the cause and effect relationship of aggressive press and TV coverage of incidents reflecting national discontent. Is the discontent as great as a score of demonstrators on TV can make it appear to be? Are the issues as explosive as enterprising press coverage can make them appear to be? Do these two types of "committed" journalism combine to fan into flames scattered embers of discontent which would otherwise die out?

Or, as the committed journalists believe, is the American society so rotten, so unjust, so misdirected, so badly motivated that the glare of publicity must magnify every incident which happens to illustrate their particular bias and prejudice?

The August solstice induces such questions because it provided a period during which officials who could be used to exploit or illustrate controversy (it is called "developing" the story) where absent from the haunts where reporters usually find them. Consequently, there was little controversy.

It became necessary to dwell upon certain discrepancies between the Pentagon and the State Department on a lowered rate of infiltration into South Vietnam. The potential of a nuclear attack by Russia on China—which hardly anyone expects to happen—was given awed credence as if it were a live possibility.

All this gets away from the main point herein that the August solstice deserves to become a national custom for its own sake to give the country a breathing spell and the controversialists a rest.

Reality is now returning as the President shuts up the Western White House, the senators return from their far-flung junkets, and the Supreme Court resumes its deliberation of our essential liberties.

There will be no lack of problems and controversies now. The Senate has got to face up to the problem of tax reform. Both houses of Congress must fight their way through welfare reform. The national crisis in housing cannot much longer be ignored. The kids are going back to college among dire predictions of new disorders. Racial turmoil rumbles here and there. President Nixon has got to make up his mind when to bring back more troops from Vietnam. The Nixon managers must buckle down and work out their first federal budget without enough funds to do what they wish to do, and no hope for a big windfall when the Vietnam war tapers off.

Ah, for those rare days of August!

DREW PEARSON—WORKER FOR PEACE AND COUNSELOR OF YOUTH

Mr. RANDOLPH. Mr. President, just a few days ago the death of Drew Pearson took from the United States a strong and consistent voice in the review of public affairs. For 37 years, mostly in the role of critic, he influenced the thinking of millions of Americans.

His image as a crusader was well known. Less known was Drew Pearson the man, an individual of considerable compassion and one alert to the hopes of humanity for a better life in a world of peace and understanding.

In his private activities, Drew Pearson contributed substantially to the quest for commonsense in solving the seemingly insurmountable problems that face mankind.

Mr. President, it is this very human side of Drew Pearson that I remember today.

My own associations with him go back many years, and I was able to observe his work on behalf of a better world. In 1945, while a Member of the House of Representatives, I introduced a bill to establish a Department of Peace. During testimony before the House Committee on Foreign Affairs I called on the words of Drew Pearson who understood and supported the need for a Government department dedicated to world peace.

At that time, he wrote:

Maybe because the weapons of war have reached such a state of perfection, maybe because we have reached the all-time low in international discouragement, we will wake up and revolutionize our tactics. . . . Maybe we will wake up to the futility of old-fashioned diplomacy and the hopelessness of big armies and put our faith in friendship. . . . In other words, everything else having failed, we might finally come around to practicing the Sermon on the Mount. . . . Why not, for instance, really begin working at the job of getting along with other nations and people? Why not, for instance, establish a Department of Peace? . . . If, for instance, we spent a small fraction of the amount we spent for war on good neighborliness, it couldn't hurt, and it might help. . . . A drowning man will grasp at anything to save himself. Since we now admit that civilization is in danger of going under, perhaps we'll grasp at such a revolutionary thing as trying to work at the Sermon on the Mount and peace.

These thoughts, expressed nearly a quarter of a century ago, are especially pertinent today as we consider further huge military expenditures, the antiballistic missile, deployment of American troops throughout many parts of the world and the constant quest for peace among peoples who we must recognize as neighbors on a shrinking globe.

Drew Pearson passionately believed in the need for peace and understanding among all people.

During this same period in the 1940's, R. M. Davis, of Morgantown, W. Va., another supporter of the Department of Peace, conducted an essay contest on this topic in the high schools of his area. Every year he brought the winners to Washington for a visit and a dinner. On several occasions I invited Drew Pearson to attend these events, and he never failed to accept the opportunity to discuss with these young people a subject in which they both believed.

That his beliefs extended down to the personal level is evident in his own commitment to the young people of this Nation. For years he was active in the Big Brothers of America and once served as president of this organization for fatherless boys in the Washington area.

In this role he spent countless hours encouraging boys and guiding them toward the path to a happy and successful life. The last time I heard Drew Pearson's voice it was on a radio broadcast of his recorded appeal for support of the Big Brothers only a few days before his death.

Still another manifestation of his great concern for people was the Freedom Train which he organized following World War II to collect food to alleviate

the hardships of a war-weary European population. Memorials to this humanitarian effort soon appeared in this country in the form of railroad cars from a train sent to the United States in gratitude for the generosity of the American people as mobilized and directed by Drew Pearson. I am pleased that one of these little European railroad cars was placed in a park not far from the West Virginia State capitol in Charleston.

I was with Drew Pearson on July 9 when, with a number of Senators, he attended a luncheon at the Capitol for the 100 young men attending the National Youth Science Camp in West Virginia. He was quick to accept my invitation, not to speak but to mingle and talk informally with these talented boys from all parts of the country and to offer his encouragement to them for the years ahead.

He also brought his personal style of evangelism to youth to West Virginia many times, talking to students on our college and university campuses. I am confident that Drew Pearson drew strength and encouragement himself from his exchanges with the young people of the United States.

And, Mr. President, I remember that regularly each year Drew Pearson departed from his regular style and wrote his column in the form of a letter to his grandson. These columns contained the warnings and the hopes of a grandfather and were the most personal and moving essays he produced during a long career.

Drew Pearson, then, was as much a concerned human being as he was an analyst of government. The two roles, in fact are not incompatible, for a responsible and responsive government is really reflective of the personal relationships between people. Drew Pearson understood this basic fact.

MONOMOY: A DAY ON THE ISLAND

Mr. BROOKE. Mr. President, the spring edition of the Living Wilderness, published by the Wilderness Society contains an excellent article entitled "Monomoy: A Day on the Island," written by Lucille and Robert Harrigan. This couple relates a recent visit to the beautiful and inspiring barrier island which cuts between Nantucket Sound and the Atlantic Ocean. The Harrigans have described more adequately than anything I have read before the enjoyment that can be derived from just a casual stroll on the secluded beaches of Monomoy.

This island is truly a wild place, untouched and undisturbed by the ravages of man. Therefore, at a time when Americans are confronted with the destruction of our estuaries and shorelines by industrial development and pollution, it is imperative that natural monuments such as Monomoy be preserved for all to enjoy.

In each of the last 2 years, the Senate has approved legislation designating Monomoy Island as a wilderness area, and each time similar action has been withheld by the House. At present, approval is necessary by the House Committee on Interior and Insular Affairs. I am hopeful that it will soon be forthcoming, so that Monomoy Island will be protected for all time.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A DAY ON THE ISLAND MONOMOY

(By Lucille and Robert Harrigan)

We arrived on the Cape on August 12, only to find that Cape Cod in August is always like Cape Cod in August—bumper to bumper traffic in the towns and elbow to elbow traffic in the gift shoppes. By mid-afternoon it was hopeless to even try to get a campsite at the Roland Nickerson State Park and we joined a flock of station wagons and campers making frantic circles about the public and private campgrounds looking for a place to roost. We finally situated ourselves in a very-well-run outdoorsman's ghetto—and we gained entry only because the owner felt he ought to do right by a couple with a name "as Irish as Paddy's pig."

Rupert Cutler, of The Wilderness Society, has made arrangements with Robert McNeese, town Selectman and friend of The Wilderness Society, for us to be ferried by boat from Chatham to the far end of Monomoy. We planned to leave our fiberglass white-water canoe on the northern tip so we could paddle the half mile or so to the mainland at the end of our hike.

At 7:00 a.m. on the following morning we met our boatman at Horne's Landing. He turned out to be a most charming fellow and the proud possessor of a bought-yesterday fiberglass runabout, 14 feet long and equipped with a massive 95 horsepower Evinrude. Once we had deposited our canoe at the north end of the island, our boatman began a test cruise of his craft. Out in the open water of the Sound the waves were over three feet high, and the throttle was open wide. The distaff side of the Harrigan family chose to stand, pretending she was water-skiing down Hells Canyon. The other Harrigan, being very long of bone, chose to perch as best he could on an orange crate.

As we came crashing down into the trough of one of the big ones, the inevitable happened. A splintering crash! "My God! There goes the bottom!"

The lesser Harrigan, having heard that cry on many a white-water river, calmly seized a couple of boat cushions and prepared to leap over the side. Fortunately, it was not the bottom of our boat, but merely the bottom of the long-suffering orange crate which had collapsed under the impact of one large Harrigan. With some vigorous assistance he was finally extracted from his embarrassing predicament and we proceed to south Monomoy, a bit more cautiously.

(Watching your boat cruise away after depositing you on a deserted island makes you feel a little like Napoleon when his launch left him at St. Helena.)

Our first impression of Monomoy was created by thousands of gulls, mewing and awking, shadowing the skies with their wings. Though we carefully skirted the main roosting areas, some frantic parent would give the alarm and set off a portion of the huge flock in angry circles. Lucille, already unnerved by her boat ride, kept thinking of that grisly Hitchcock epic called "The Birds." But the gulls soon calmed down and we became completely a part of Monomoy.

This is the seashore one has dreamt about after reading *Robinson Crusoe*—not another man in sight—yet perhaps a trace of man to relieve the sense of aloneness. There were rabbit runs and deer track to follow. Now and then we found a new beach plant to sketch and key out at home. And always there were the birds, some familiar friends and some before known to us only as illustrations in Peterson. We were not trying to identify everything, for we are not ornithologists, or botanists, or lepidopterists, but merely two people aware of and intensely interested in their world. And so the music of the gulls' cries was more important than knowing every species that circled the skies. The whistle of the ducks' wings was more important than their names.

We found a willow tree, perhaps the only plant deserving the title of tree on Monomoy. It was surrounded by a thicket of bayberry and beach plum (which abound on the island), whose branches reached out to scratch arms and legs. We approached separately and circuitously, in order to surprise a deer which might be resting there, but all that we saw was where deer had rested and pressed down the vegetation. We tasted the pondwater and were surprised to find it fresh. We ran our fingers over weathered shells which the gulls had dropped long ago and wondered at how black mussels bleach purple in the sun.

As you travel northward, beyond the sturdy, squat lighthouse, the dunes grow higher, over 40 feet. (This is equivalent to seven Bob Harrigan lengths as he applied himself to the slope, carefully marking the place where his feet rested, and placing the top of his head there on the next step down.) We walked through the tall grass on the crest to catch the breezes blowing westward from the sea. Sometime in the forenoon (we had breakfast on cheese and pickled eggs at 6:00) we stopped for lunch and a swim, remarking to ourselves how few places there are in these United States where one can bathe in the sea without a swim suit.

About mid-island we came upon a most unexpected patch of salt-spray rose. The blossoms were shocking pink or white and perhaps three inches in diameter, the rose hips as large and red and round as apples. Shortly after the rose garden we made our way to the western shore, where we surprised a clam digger. He had also found "skinny dipping" off Monomoy irresistible. (He had managed to preserve his modesty since he saw us long before we saw very much of him.) We stopped to chat and he offered his clam rake so that we could try our luck. Our best efforts yielded only a few tiny cherrystones—good to eat, but hardly worth prying open with our small key chain knife.

There was still one third of the island to go. We crossed the fraction of a mile that separated the east from the western beaches and began to hike steadily. Up to then we had spent more time listening, tasting, tracking, sketching, and wandering than in making time.

We arrived at the northern tip of Monomoy at perhaps four or five p.m. (We had long since forgotten about our watches.) A young family had beached a motorboat and set up a telescope to watch the roosting gulls.

We launched our canoe and began the half-mile paddle back to Horne's Landing The wind and tide were in our favor and our boat had a bone in her teeth all the way home. Our craft is decked but we took in water when the swells hit our stern quarter. However, we were so exhilarated that we would have tried to paddle to Cherbourg in a hurricane.

A *New York Times* editorial on January 7, 1967, said of Monomoy: "It belongs to the yellow-legs, plovers, sanderlings and other shorebirds, to the Canada geese and the black ducks, to the warblers and the terns." At first we agreed. But at the end of a day on Monomoy we realized that the island also belongs to man. We have a right to enjoy Monomoy as long as we are aware that we are merely one part of the continuum of living things—as long as we do not infringe upon the rights of its other users. They depend upon the island for life itself. But there is no doubt in our minds that man must also have wild places if he is to achieve his full stature of humanity.

TAX REFORM HEARINGS— COMMITTEE ON FINANCE

Mr. LONG. Mr. President, today the Committee on Finance began the consideration of the Tax Reform Act of 1969. Our first action was to hear the recommendations of the Secretary of the Treasury.

So that other Senators might know of the many changes he suggests in the House bill, and of the many provisions of the House bill supported by the administration, I ask unanimous consent to have printed in the RECORD a summary of the statements made by the Secretary of the Treasury, the Honorable David M. Kennedy, and by his Assistant Secretary for Tax Policy, the Honorable Edwin S. Cohen.

I might report that many members of the committee expressed surprise that the Treasury Department would recommend a reduction of $1.7 billion in the amount of tax benefits going to the poor in order to finance a $1.6 billion tax reduction for corporations.

There being no objection, the summaries were ordered to be printed in the RECORD, as follows:

SUMMARY OF TESTIMONY OF SECRETARY KENNEDY ON TAX REFORM ACT OF 1969

Strongly urge enactment of tax reform bill, but suggest number of changes. Three principal changes recommended are:

First, the long-run revenue loss of the bill should be cut approximately in half, from $2.4 billion annually to $1.3 billion, in view of other possible spending and tax priorities.

Second, the tax reduction provided by the bill should be restructured in the following manner: The "phaseout" of the low income allowance should be restored at a rate of $1 for $4 of income. The 10 percent standard deduction should be increased only to 12 percent with a $1,400 ceiling, rather than 15 percent with a $2,000 ceiling. The liberalized taxation of single persons should be accomplished through a revised rate schedule rather than by allowing head-of-household rates to single persons over age 35.

Third, suggest the bill is biased against investment in favor of consumption which could impede economic growth in the years ahead. Suggest this be corrected by reducing corporate tax rate by one percentage point in 1971 (to 47 percent) and by an additional percentage point in 1972 (to 46 percent).

In addition, in the case of capital gains suggest retention of 6-month holding period (instead of increasing it to one year) and retention of alternative 25 percent tax rate on capital gains except where gains are large relative to the taxpayer's ordinary income.

Other major recommendations: First, administration accepts the changes in domestic percentage depletion provided by the bill, but percentage depletion should be included as a tax preference for the limit on tax preferences, and intangible drilling costs should be included as a tax preference for investors (i.e., they would not be included for individuals who receive 60 percent or more of their income from oil and gas operations).

Second, administration expresses concern about the heavy reliance on investment restrictions to encourage financial institutions to invest in residential construction. Suggest instead that this goal be accomplished by providing a special tax deduction for commercial banks, mutual savings banks and savings and loan associations. This deduction would equal 5 percent of gross interest income from residential and similar loans but could not reduce the institution's taxable income to less than 60 percent of its taxable income, including, for this purpose, the full amount of dividend income and also tax-exempt interest.

Third, the 7½ percent tax on foundations' income should be replaced by a 2 percent "supervisory tax". This would restrict the tax to provide funds for the audit activities of the Internal Revenue Service in this area.

Fourth, it is suggested that the appreciation on charitable donations not be considered for purposes of the limit on tax preferences and the allocation of deductions rule.

Fifth, the deduction for State gasoline taxes should be repealed, since it is essentially a user charge.

Sixth, it is suggested that tax-exempt interest on State and local bonds should not be included in the limit on tax preferences because of constitutional problems and the possibility of adverse effects on the municipal bond markets. It also is suggested that the 10-year phase-in contained in the bill for this type of interest under the allocation of deductions rule shoud be eliminated.

Seventh, it is suggested that persons who are not subject to tax because of the low-income allowance should not be required to file tax returns in order to simplify compliance by these persons.

SUMMARY OF TESTIMONY OF ASSISTANT SECRETARY COHEN ON TAX REFORM ACT OF 1969

1. IN GENERAL (P. 15)

Suggest revised program of tax relief to decrease the revenue loss, to distribute differently tax relief among individuals and to reduce the shift in emphasis from investment to consumption. Program reduces long term revenue loss from $2.4 billion annually to $1.3 billion.

2. TAX RELEIF FOR INDIVIDUALS (P. 19)

Rate reductions. (p. 19).—Recommend rate reduction in bill for individuals be retained because it does not discriminate among various types of individual taxpayers.

Low Income Allowance. (p. 20).—To reduce the revenue loss from the low income allowance from $2 billion to $920 million, it is suggested that the allowance be phased out. The bill provides a phaseout of the allowance *only* for 1970. Under suggestion, low income for *all* years would be phassed out at a rate of $1 for each $4 of income above the poverty level.

Standard Deduction. (p. 21).—Suggest standard deduction be increased only to 12 percent with a ceiling of $1,400, rather than to 15 percent with a ceiling of $2,000. This reduces revenue loss from standard deduction from $1.4 billion to $770 million.

Single Persons (p. 22).—Suggest new rate schedule for *all* single persons rather than extending head of household treatment to single persons age 35 and over. Under suggestion tax on a single person would be approximately 20 percent more than tax on a married couple with the same income. Head of household rates would be about half way between the single person rate and the married couple rate, but only available to those supporting dependents.

Also suggests split income treatment for surviving spouse with dependents be available only for two years after the death of the spouse, as under present law, rather than being available without limitation.

These suggestions reduce the revenue loss from these provisions from $650 million to $445 million.

Reporting by Low Income Taxpayers (p. 25).—Suggest that individuals exempt from tax because of the low income allowance not be required to file income tax returns.

Earned Income Tax Rate Limitation (p. 26).—Strongly support the 50 percent maximum tax rate limitation on earned income provided by the bill. This reduces incentives to develop schemes to convert ordinary income into capital gains and to defer income.

Gasoline Tax Deductions (p. 27).—Suggest deduction presently allowed for State gasoline taxes be eliminated as these are user charges. This results in a revenue gain of $390 million.

3. TAX RELIEF FOR CORPORATIONS (P. 27)

Suggests corporate tax rate be reduced by one percentage point for 1971 (to 47 percent) and by an additional percentage point for 1972 (to 46 percent). This produces a revenue loss of $800 million in 1971 and $1.6 billion in 1972 and subsequent years.

4. PRIVATE FOUNDATIONS (P. 28)

Generally supports the provisions of the bill which regulate certain activities of foundations. However, it suggests the 7½ percent tax be replaced with an annual "supervision tax" of 2 percent of investment income (designed to meet the administrative costs of the audit program).

Suggests two special exemptions in bill from the prohibitions on foundation control of businesses be eliminated.

Bill provides exemption from the income distribution rules for foundations whose governing instruments require income to be accumulated and which cannot change the instruments. Suggests similar exemption be provided for provision relating to the disposition of business holdings.

5. OTHER EXEMPT ORGANIZATIONS (P. 33)

Supports provisions dealing with other exempt organizations (Extension of the unrelated business income tax, the Clay Brown provision, a tax on the investment income of social clubs in certain cases and the codification of Treasury Regulations treating advertising income as unrelated business income).

6. CHARITABLE CONTRIBUTIONS (P. 35)

Supports general increase in individual limitation on the charitable contribution deduction from 30 to 50 percent and retention of the 30 percent limit for gifts of appreciated property. But suggests that the 30 percent limit be applied only to the appreciation (rather than the entire amount of the contribution).

Suggests the rules which in certain cases limit the deduction to the cost of appreciated property or require the appreciation to be included in income not apply to tangible personal property, such as works of art. Personal property produced by the efforts of the donor (such as paintings or collections of papers) still would be subject to the appreciated property rules.

Believes gradual elimination of the unlimited charitable deduction is a reasonable solution and supports this provision.

Suggests that a deduction should be allowed for any long term income interest to charity in a trust if the income interest is in the form of a guaranteed annuity or a unitrust.

To provide time for the amendment of wills suggest that the estate tax provisions regarding charitable deductions apply only to persons dying after 1970. In addition, suggest these new rules not apply to trusts previously created which cannot be amended.

7. FARM LOSSES (P. 39)

In general support the excess deductions account approach. Suggest, however, that the excess deduction account rules be made applicable to any taxpayer whose nonfarm adjusted gross income exceeds $25,000 (instead of $50,000) and whose farm losses exceed $15,000 (instead of $25,000).

Also support hobby loss provision which disallows deductions of losses from an activity not carried on with reasonable expectation of profit. But suggest that term "profit" be defined to include any reasonably anticipated long-term increase in the value of property, as well as any immediate economic profit.

8. INTEREST (P. 42)

Suggests the limitation on the deduction of investment interest expense be removed. Believe limitation discriminates against taxpayers who only have earned income. Will continue to explore possible alternatives.

9. MOVING EXPENSES (P. 44)

Support liberalization of treatment of employee moving expenses but suggest increase from 20 to 50 miles in the required distance of a move should be eliminated.

10. LIMIT ON TAX PREFERENCES AND ALLOCATION OF DEDUCTIONS (P. 44)

Generally, support limit on tax preferences and the allocation of deductions rule. However, suggest following modifications:

(1) Suggest tax-exempt interest on State and local bonds should not be a preference item for LTP purposes because of constitutional considerations and the possible adverse effect on municipal bond markets. On other hand, suggest that all tax-exempt interest (past as well as future issues) be treated as a preference for allocation purposes without any 10-year phasein rule.

(2) Suggests excess of percentage depletion over cost depletion be treated as a tax preference item for LTP purposes. Also suggest intangible drilling expenses be considered a tax preference item for LTP purposes where less than 60 percent of gross income is from the sale of oil or gas. (Further suggests that intangible drilling costs be recaptured on the sale of a well).

(3) Suggests that appreciation in charitable gifts be removed as a tax preference item for LTP and allocation of deductions purposes (because inclusion may have an unduly restrictive effect on charitable contributions).

(4) Suggest addition of three tax preference items for LTP and allocation of deductions purposes: (a) excess of accelerated depreciation over straight line on equipment and other personal property in certain lease situations; (b) excess of interest, taxes and rent over receipts from unimproved real property during the construction of improvements; and (3) rapid amortization for low cost housing rehabilitation expenditures.

11. INCOME AVERAGING (P. 50)

Supports liberalization of the income averaging provisions.

12. RESTRICTED PROPERTY (P. 50)

Support treatment of restricted property.

13. DEFERRED COMPENSATION (P. 51)

Suggest elimination of provisions providing a minimum tax on deferred compensation payments. Suggests entire deferred compensation area should be dealt with, rather than just this one aspect. Is studying broad area and will make subsequent recommendations.

14. ACCUMULATION TRUSTS (P. 53)

Support limitations provided for distributions of accumulated income from trusts. Suggest, however, that changes should apply only to income accumulated by trusts in years beginning after April 22, 1969, rather than after 1963.

15. MULTIPLE CORPORATIONS (P. 54)

Support limitations on the multiple use of surtax exemptions (and certain other benefits) by controlled groups of corporations. Although the 8-year transition period is not opposed, suggests that a 5-year transition rule would be more appropriate.

Also suggests that the two special transition rules (relating to a gradual increase in dividends received deduction and the deductibility of certain pre-consolidation net operating losses in consolidated return situations) be eliminated.

16. CORPORATE SECURITIES (P. 55)

Support provisions limiting deduction of interest on "debt" issued in connection with corporate acquisitions as an appropriate limitation on the substitution of an interest deduction for nondeductible dividends.

Also supports other provisions regarding corporate securities except limitation on availability of installment sale treatment to situations where the payment of the principal, or the principal and interest together, on a bond are spread relatively evenly over installment period.

17. STOCK DIVIDENDS (P. 56)

Support rules which provide stock dividends, and other corporate adjustments having the effect of a stock dividend, are to be considered taxable dividends.

18. FOREIGN TAX CREDIT (P. 58)

Support recapture of tax benefit obtained by a taxpayer who deducts foreign losses from domestic income because he claims the per country limitation on foreign tax credit. Also suggest this rule apply where taxpayer has foreign loss under the overall limitation.

Suggests replacement of separate foreign tax credit limitation on foreign mineral income with two separate limitations. First, excess foreign tax credits to the extent attributable to the U.S. percentage depletion deduction could not offset U.S. tax on other foreign income. A similar limitation would apply to the extent the foreign tax exceeded 60 percent of the foreign mineral income from a country. Suggests these limitations are more appropriate approaches to the problems which arise in this area.

19. FINANCIAL INSTITUTIONS (P. 64)

Suggests that the bad debt deduction allowed mutual savings banks and savings and loan associations be based only on actual loss experience (as is provided for commercial banks) rather than on a special formula which allows a larger deduction and thus prejudices commercial banks. But suggests that a special additional deduction be allowed commercial banks, savings and loan associations, and mutual savings banks to encourage investments in residential real property loans, student loans, and certain other loans. The special deduction would be 5 percent of the gross interest income from these loans. The deduction could not reduce taxable income to less than 60 percent of taxable income (including, for this purpose only, tax-exempt interest and 100 percent of dividends). A 5-year transition rule would be provided for these changes in case of mutual savings banks and savings and loan institutions to minimize possible adverse effects on the housing markets.

20. FOREIGN BANK DEPOSITS (P. 67)

Agrees with extension from 1972 to 1975 of expiration date for special rules of present law relating to interest paid on U.S. bank deposits to foreign persons in view of balance of payments considerations. Suggests that, in order to achieve parallel treatment, interest paid by U.S. branches of foreign banks be treated in the same manner as interest paid by U.S. banks commencing with the calendar year after enactment, rather than in 1973 as provided under present law.

21. REGULATED UTILITIES (P. 69)

Supports revised treatment of accelerated depreciation by regulated utilities as a means of preventing a $1.5 billion annual revenue loss. Suggests change in the rule which determines whether accelerated depreciation and "flow through" may continue to be claimed by reference to the taxpayer's latest return filed prior to July 22, 1969; i.e., this should be allowed if as of that date the utility established by book entries or certain other means that it was adopting accelerated depreciation and "flow through".

22. EFFECT OF ACCELERATED DEPRECIATION ON CORPORATE DIVIDENDS (P. 72)

Supports requirement that corporate earnings and profits be computed by use of straight line depreciation (even if accelerated depreciation is otherwise used by the corporation) as a means of limiting tax-free corporate distributions which are achieved by the use of accelerated depreciation.

23. NATURAL RESOURCES (P. 73)

Supports treatment of mineral production payments and extension of recapture rules to all hard mineral exploration costs. Does not oppose changes in percentage depletion rates.

Opposes extension of percentage depletion cutoff point for oil shale, since it would double the effective depletion allowance for oil shale and would be a breach of the principle the depletion is allowed only on mining, and not manufacturing, income.

Suggests that percentage depletion not be eliminated for foreign oil and gas wells on the basis that the elimination is unlikely to significantly increase U.S. revenues and likely will increase the foreign tax burden on U.S. businesses.

24. CAPITAL GAINS AND LOSSES OF INDIVIDUALS (P. 75)

Suggests that the 6-month capital gains holding period be retained (rather than extended to 1 year) and, in general, that the 25 percent alternative capital gains tax also be retained (rather than eliminated). Suggests the bill's changes in these regards impose too great a burden on capital investment.

To limit the use of the 25 percent alternative tax by taxpayers as a means of reducing their overall effective tax rate well below that of persons with comparable or smaller incomes, it is suggested that use of the alternative tax by individuals be limited to long term gains not in excess of the higher of (a) $140,000 for married persons ($85,000 for a single person), if the taxpayer's other tax preferences are $10,000 or less, or (b) four times the taxpayer's other taxable income, if his other preferences are $10,000 or less. If a taxpayer's other preferences exceed $10,000, the alternative tax would be available for capital gains in an amount up to four times his taxable income (after application of LTP and allocation of deductions) minus the amount of his other preferences. A 5-year carryover would be provided for the unused amount of the limitation on the use of the alternative tax.

Supports other revisions of capital gains and losses.

25. CAPITAL GAINS RETURNS FOR CORPORATIONS (P. 80)

Supports increase in corporate capital gains tax from 25 percent to 30 percent, but suggests the 25 percent rate continue to apply to the first $50,000 of a corporation's capital gains (subject to the multiple corporations restrictions).

26. REAL ESTATE (P. 80)

Supports changes in tax treatment of real estate depreciation as being consistent with national housing objectives. Suggest, however, that the special incentives for housing (the continued allowance of the most rapid means of depreciation) be restricted to housing constructed in the U.S. and possessions.

27. COOPERATIVES (P. 81)

Support requirement that cooperatives pay patronage dividends in cash over a period of no more than 15 years to insure that cooperatives make significant current payments. Suggest elimination of requirement that an additional 30 percent (over the present 20 percent) of patronage allocations be paid currently to patrons because of complexity and administrative problems.

28. SUBCHAPTER S CORPORATIONS (P. 82)

Suggest elimination of limitations provided for contributions to retirement plans for persons who are significant shareholders of subchapter S corporations. Does not believe this limitation should be adopted in the absence of the adoption of the liberalizing changes on the use of subchapter S corporations which it recommended to the House.

29. TAXATION OF STATE AND LOCAL BONDS (P. 84)

Suggests elimination of the provision that provides an interest subsidy to State and local governments which elect to issue taxable bonds on the grounds that it will soon recommend a different proposal in this area.

Supports denial of tax-exempt status of so-called "arbitrage bonds" but suggests further statutory definition of the term "arbitrage obligations".

30. INCOME TAX SURCHARGE (P. 85)

Strongly supports extension of income tax surcharge at a 5 percent rate for the first half of 1970 as essential to the control of present inflationary pressures.

31. AUTOMOBILE AND COMMUNICATIONS SERVICES EXCISE TAXES (P. 86)

Supports 1-year postponement of scheduled rate reductions of automobile and communications services excise taxes as a substantial contribution to controlling present inflationary pressures.

32. TERMINATION OF INVESTMENT CREDIT (P. 86)

Does not recommend any changes in the repeal of investment credit in manner provided.

33. RAPID DEPRECIATION FOR POLLUTION CONTROL FACILITIES AND RAILROAD CARS (P. 86)

Suggests necessity for, and effectiveness of, the antipollution provision is doubtful and, as a minimum, suggests the following changes: first, the fast writeoff should be limited to the part of the cost of the facility that otherwise could be depreciated over its first 15 years of life; and, second, the fast writeoff should be available only for antipollution facilities installed on existing plants.

Suggests elimination of fast writeoff for railroad cars. Believes this provision would provide substantial tax advantages to a small number of profitable railroads and would be of no financial assistance to the more depressed railroads.

WASTE OF FUNDS BY OEO

Mr. GOLDWATER. Mr. President, if one had listened to the debate in the Senate or read them in the RECORD for the past nearly 2 months, he would be led to believe that the only culprit in the general area of wasting Federal money is the Pentagon. I have said often durin this debate that I hope those determined to cut the military funds will be equally attentive to waste far in excess of that found in the military. I refer to the waste and useless spending of money in the general domestic fields.

As an example, I refer to an editorial broadcast by one of Arizona's television stations, KOOL, by its manager, Mr. Homer Lane, stating that last year the Federal Government spent $400 million on motion picture films, which is more than all the major Hollywood studios spend on feature films. The fact that this particular editorial points out waste in the operation of VISTA does not indicate a general distrust or dislike of that agency by me. I have watched its work and I have spoken of my admiration for it, but I think it is in the best interests of the country that the waste of tax money by the OEO in any area or by any Federal agency should be pointed out.

I respectfully and humbly suggest that the able Senator from Wisconsin, Mr. PROXMIRE, include in his investigations of Federal waste the example brought out by the editorial which I ask unanimous consent be printed in the RECORD.

There being no objection, the broadcast was ordered to be printed in the RECORD, as follows:

WASTE OF FUNDS BY OEO

In an editorial presented last month, we pointed out that the Federal Government spends some 400 million dollars a year on motion picture films, more than all the major Hollywood studies spend on feature films. We also pointed out that a good deal of this was wasted money.

Here's a prime example of that waste. In 1967, the Office of Economic Opportunity commissioned Sun Dial Productions of New York City to produce a 16 mm color film for use as a recruiting device for VISTA, Volunteers in Service to America. More than two thirds of the film was shot in Allenville, telling the story of Allenville's struggle for a decent water supply, and how two young men entered into VISTA service to aid the cause. The remainder of the film was shot in Stanfield, Arizona. The cost of producing the thirty minute film was forty thousand dollars.

If that money had been applied towards correcting the problem, instead of exploiting it for propaganda purposes, Allenville could have had a new water system two years ago; generous Arizonans would not have had to donate more than twenty-seven thousand dollars to match federal funds for a system, and the government could have saved about ten thousand dollars. Even worse, the film itself was not altogether truthful. However, the VISTA people in Washington are proud of the film and feel the tax payers money was well invested. They point out that it has been seen by more than two hundred thousand people.

We might point out that the thirty minute film we presented on this and the CBS Television stations in Tucson and Yuma did not cost the taxpayers a cent. It told the truth and was available to the television sets of the more than a million people who live in the coverage areas of the three Arizona stations that carried the film.

The Tuesday, July 15 edition of Daily Variety, show business newspaper, said that Paramount Pictures has obtained a contract with the Office of Economic Opportunity to make a series of films designed to tell the story of O.E.O.'s food and medical service.

In announcing the contract, Lester Goldsmith, Vice President and General Manager of Special Projects for Paramount, said that statistics show various government agencies spend 400 million dollars annually on films and pointed out that that is more than all the major studios spend to make feature films. He also said that the profit on such films ran from ten to forty per cent.

We believe that it is criminal for government agencies, such as the O.E.O., to spend this kind of money for public relations or whatever else they call it, when funds are so badly needed to solve the problems of hunger, poverty, drug abuse and crime that plague our country today.

The free press, radio, television, and newspapers, will keep the public informed on what the O.E.O. and other agencies are doing, and the press will do it from an objective point of view, and not from the agency public relations point of view.

The press—radio, television, and newspapers—are people businesses. The people in the press are human beings, subject to all the frailties of humans. We make mistakes from time to time, but over-all, it is this free press, this freedom of communications by the nation's radio stations, television stations, networks, and newspapers that keep the public informed, and, in turn, free.

It would cost the government billions, not millions, to buy the information services provided free of charge by the nation's broadcast and newspaper industries.

We don't need multimillion dollar film productions to tell us the story of what the government is doing.

THE NATURE OF THE RUSSIAN PEOPLE

Mr. FULBRIGHT. Mr. President, Mr. James Ramsey, president of International Affairs Associates, has written a most perceptive article about the nature of the Russian people, which was published sometime ago in the Foreign Service Journal.

In view of the great interest and concern which our people have in this matter, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE RUSSIAN NATURE—PART I

(By James A. Ramsey)

Among the major peoples of the earth, the Russians have always been insufficiently understood by the rulers and public of other countries. Despite the flood of contemporary literature on all things Soviet, the relative ignorance about the Russian as a human being is unfortunately as profound today as it was a century ago. Yet if we are to live at peace with him, we must learn to understand his nature, which, like that of humanity elsewhere, is both virtuous and unchaste, is rich in imagination and vision but short on the organizational talents so essential to twentieth century life.

The prime cause of inadequate knowledge of the world's largest nation, it would seem, has been the traditional geographic and political isolation of much of its citizenry. This detachment from the dynamics of international life has contributed strongly to the development in the Russian people themselves of behavior patterns which are frequently considered by the outside world as unacceptable departures from commonly recognized standards. If one could believe some of their neighbors, all Russians are barbarians and there are many groups elsewhere who hold similarly low opinions of a nationality whom they regard as uncultured heathens from the marshes of civilization.

Disdaining others for being disagreeably different, however, is not a useful approach in attempting to assess the true nature of a people. If the Russian seems difficult to live with today, it is largely because in the past he has too often been treated with contempt and arrogance by both foreign conquerors and internal tyrants. These historical tribulations have shaped his character in many odd ways. They have contributed strongly to the development of a dual type of personality consisting of a genuinely human spirit with a frustrating overlay of complexes and devious mannerisms.

It is not accidental that those who try to probe the Russian soul have persistently noted one of its ingredients to be in inbred suspicion towards other persons' principles and motivations. Mistrust comes easily to a community which has so often been forced to defend itself against its neighbors and even against more distant powers like the British and French. One of the items in a 1960 exhibit of prints in Moscow's Bolshoi Theatre was an old engraving of French soldiers executing some Muscovites during the War of 1812. During the time it was displayed, I observed many individuals looking closely and intensely at this picture, as if they were reviewing their national past and thinking of more recent parallels. Such cruelties obviously mean more to Russians than the historical curiosity they represent to the

citizens of other countries. Centuries of contact with all kinds of enemies, including internal ones, have made of the Russians a people able to detect hidden meanings and intentions with great skill. Their difficulty, however, is that they cannot always distinguish between the real and the imagined and, as a result, often find motivations which do not exist, or at least did not until they aroused them by their own actions and attitudes.

Nature itself has been a strong fashioner of the Russian's personality. The arduous climate of much of the land complicates the simple tasks of life and endows his existence with greater somberness and melancholy than is found among other European peoples. The Russian winter with its enveloping qualities fosters habits both of submissiveness to an overwhelming force and tenacity in the struggle for survival. The limitless spaces of his habitat also cast their spell, giving the Russian outlook on life an infinite, unrestrained quality which has perhaps been best described by the scholar N. Berdyaev: "It might be said that the Russian people fell a victim to the immensity of its territory. Form does not come to it easily. The gift of form is not great among the Russians." [1]

In foreign eyes most inhabitants of the Soviet Union appear to be afflicted with a grim sense of national or personal inadequacy. Some live with it gracefully, others bear it like a cross, and the more emotional brandish it like a sword to thwart all superior challengers. This feeling of inferiority is of ancient vintage and is rooted in a general awareness that in some fields of human endeavor the USSR lags behind other countries, especially those of the West. It explains many seemingly strange aspects of the Russian's behavior, such as endless assertions to outsiders that he has everything, usually better, and the claims to a long string of inventive accomplishments.

A sense of inferiority towards the West has created a certain chauvinistic exclusiveness. Many visitors to the USSR complain that commentaries on its life by foreigners which do not contain unqualified praise are interpreted by the Russians as hostile needling. This attitude, though annoying, is not incomprehensible. Soviet citizens, most of whom are only too eager to criticize one another, cannot stand being told about their deficiencies by outsiders. The Russian may very well be aware that the things he is saying about his way of life cannot be accurate, but this does not prevent his defensive mechanism from insisting that they be said.

The compulsion he feels to conceal so many real or imagined defects often leads the Russian in his contacts with foreigners to engage in excessive boasting about the superiority of everything Soviet. It is this facet of the national character which is so provoking to the visitor who finds everywhere at hand realities that contradict the exalted pictures sketched for him by his guides. The writer Il'yá Ehrenbúrg, in his autobiography, "People, Years, Life," has given us a wonderful, though somewhat dated, example of these inconsistencies so characteristic of the Soviet scene. "During the construction of the Moscow-Donbáss road," he writes, "there was a meeting. A digger, in sheepskin cap with weather-beaten face, was speaking: 'Yes. We are 100 times happier than the accursed capitalists. They stuff themselves, stuff themselves and die off. They themselves do not know what they are living for. . . . But we know what we are living for: We are building Communism. The whole world is looking at us . . .' I went with him to the dining hall. At the entrance they collected caps which were returned when the workers handed back their spoons after eating. The caps were lying in a heap on the ground. Each worker had to search a long time to find his own. I attempted to explain to the manager that this was not only insulting but stupid—people were wasting time to no good purpose. He looked at me with empty eyes: 'I answer for the spoons, not you.' " [2]

A remarkable character trait of the Russian people is the desire, one might almost say greediness, for knowledge on the part of the individual. His curiosity is a boundless thing which leads him into all kinds of exotic situations and places—an advantage for the development of his vast country, but at times unfortunate for the personal security of those who learn more than they are entitled to know. To the Russian, any opportunity to procure authentic information is as valuable as money in other societies. Questions asked of foreigners are searching and penetrating. They reveal both a genuine desire to be informed and a process of serious thinking, especially on fundamentals. If the interpretive and analytical abilities of the Russians were as well developed as their curiosity, they would indeed be the world's most formidable people.

It is perhaps in the field of application of knowledge that the contemporary Russian displays his greatest weakness. In areas of human endeavor where problems are not subject to exact mathematical solution, he is at a disadvantage. Here he thinks in terms of extremes or of contradictions. Marxism with its Hegelian theses and antitheses, is not, on close observation, entirely foreign to the Russian psyche. It fits in with a moralistic outlook on life which asserts that what is not good must be bad, that he who is not a friend must be an enemy. Probably it is not so much the fundamental theoretical principles of Marxism which Russians would reject, if they had a choice, as it is the cruelties which have been connected with Communist practice in the USSR in the past.

Sharp contrasts in the Russian personality have been a subject of perennial comment by foreign observers. The Englishman Richardson noted in 1784 in his "Anecdotes of the Russian Empire":

"The terms and phrases of endearment among the Russians are as extravagant as they are gross and violent in their abuse . . . they will express the most ardent affection in the most ardent language, they will express the most furious rage in the most vindictive terms."

One of the best descriptions of the irregularity of the Russian character has been provided by the French scholar Antaloe Leroy-Beaulieu who wrote at the end of the nineteenth century:

"If the affinities between man and climate easily turn to fancifulness, there is, between the Russian temperament and Russian nature as manifested in the opposition of the seasons, a likeness not easily to be denied. Both are immoderate, both easily rush from one extreme to another. . . . The Russian soul easily passes from torpor to buoyancy from meekness to wrath, from submission to revolt; in all things it appears naturally to incline to extremes. By turns submissive and irritable, apathetic and impetuous, jovial and morose, indifferent and passionate, the Russian perhaps more than any other people runs all the gamut of cold and heat, of calm and tempest. The Russian is prone to sudden infatuation, to unbridled whims, to impulses and transports of passion for things either serious or futile—an opinion, a writer, a singer, a dancer, a fad of fashion. This disposition makes itself felt as well in public as in private, in national as in individual life, all the more that it is indirectly favored by the political regime which, forbidding one day a thing it tolerates the next, seems to encourage today what it will proscribe tomorrow." [3]

In more recent times Feodor Shaliapin, himself a Russian has commented:

". . . When I think of the characters I have created on the Russian stage, I am conscious not so much of the characters themselves as of an all pervading sense of the Russian temperament that is all extremes . . . Russian mentality knows no moderation. Its soul-conflicts and emotions are of extreme violence, and for that reason Russian life is made up of contradictions and contrasts. . . ." [4]

The capability of the Russian for abrupt changes in conduct continues to be a puzzle to those who are accustomed to more consistent forms of behavior. The Revolution of 1917 demonstrated with what rapidity the traditional order could be replaced by one with many completely opposite sets of values. Historically, this volatility has been a handicap in various ways, undermining the cause of social and economic progress and leading to unnecessary violence in relations between the state and the citizenry. Yet it also shows an adaptability to changing conditions which has been of value to the Russian during the many troubled periods of his national existence.

A quality Russians like to ascribe to themselves is one called *shirókaya natúra*, a term denoting an expansive good nature and lack of pettiness. A popular though exaggerated example of this type of personality is the land-owner Nozdrëv, one of the roustabout characters in Gogol's "Dead Souls," who is on intimate terms with strangers after a few minutes of acquaintance and ready to carouse with them through the night. Nozdrëv is one of the more popular characters whenever Gogol's famous work is presented on the stage, especially in the wonderfully realistic performance by the Moscow Art Theatre. His earthiness and bravado invariably strike a responsive chord among the audience.

Good-natured intemperateness and understanding friendship are traits which characterize all Russians in varying degrees, although they are often disguised or negated by the limitations of a life containing heavy spiritual impedimenta. In his personal relations with individuals he knows and values, the Russian displays great affection. He gives help unstintingly to those close to him who experience difficulties in life and is genuinely solicitous of friends who are in trouble. He tends in fact to be overindulgent towards the weakness of others, especially children. In a wider sense the Russian is not given to hatred or lasting grudges, although he can be vindictive as the occasion demands.

Other features of the national personality which appear to stem from the disposition to take a broad view of things are gregariousness and general sociability. Close contact with people is everywhere one of the essentials of life. As the Russian ethnographer de Pauly wrote over a century ago of the Russian male: ". . . the hardest punishment one can impose on him is solitude." [5]

One of the aspects of human relations on which the Russian prides himself with considerable justification is his boundless hospitality. True to the principles of *shirokaya natura*, he knows no limits to the art of entertainment and exuberant camaraderie. It is a matter of honor among the Russians to see that guests are properly accommodated, and the latter are expected to reciprocate by demonstrating how much of everything they can absorb. This is not an easy task in view of the abundance of food and drink offered and the insistence with which the recipients are called upon to partake of them. Hospitality in the USSR has, however, some of the aspects of a fetish and its practitioners on occasion go to unnecessary and ostentatious lengths in performing their rites. Lavish expenditure of meagre resources and exertions which occasion obvious inconveniences to the host are not always fully appreciated by other peoples who have a less emotional view of life's social obligations. It

Footnotes at end of article.

is nevertheless true that the Russian takes a very genuine pride in the knowledge that he has left nothing undone for the satisfaction of his guests.

While the attributes of *shirokaya natura* may be considered in general positive traits, they also have their disadvantageous side. As Russian history has shown, they lead to excesses of conduct, especially in the realms of religion and politics. The lack of attention to detail and the imprecision in work habits engendered by an expansive outlook on life represent serious handicaps to technical progress and adversely affect the realization of goals Soviet rulers have set in many fields. This is particularly true in the type of industrialized society the Communists have created. The strong element of compulsion in worker-state relationships since 1917 no doubt reflects the great difficulties the planners have had in coping with the centrifugal forces of *shirokaya natura*.

Another of the human qualities the Communists have found troublesome is an inclination on the part of the Russian towards good-natured indolence. Russian classical literature contains many descriptions of this national characteristic, the most notable of them being that of Oblomov, the hero of Goncharóv's work of the same name. Oblomov's ideal was a life of rest and inactivity. He shunned labor as punishment or at least an unfortunate occurrence. Food was his first concern and after meals there was in his household a sort of "all-consuming unconquerable sleep."

Although Oblomov is a distortion, he was not created entirely out of whole cloth. There is in many Russians an apathy which finds expression in the frequently-heard word *nichevó* or "It doesn't matter." When used in this sense (it has others ranging from annoyance to consolation), *nichevó* amounts almost to the password of a cult whose adherents subscribe to the principle of a minimum effort in any undertaking.

Nichevó-ism has been a tough nut to crack. While Communist education attempts to breed a purposeful type of citizen, the average Russian is, if left to himself, much addicted to the pleasures of an inactive existence. The pursuits of fishing, card playing, aimless sauntering and endless conversations which serve no greater purpose than exercising, or, as he calls it, "scratching," the tongue continue to be important components of his makeup.

One aspect of this predisposition to lethargy is that the Russian is not generally materialistic and acquisitive. He looks on his works as a means to live, to satisfy his professional or personal needs, whatever they may be, and not as a means of gathering wealth. Although he is not uninterested in material things, he has a basic lack of respect for them and displays less drive to acquire worldly goods than the average Westerner. Possibly this lack of pride in tangible assets stems in part from the historical handicaps to acquisition of property by much of the population. Those who have never had much to possess have difficulty appreciating the values of ownership.

Given his outlook on material wealth, it is hardly surprising that the average citizen does not have a clear idea of property relationships as they are understood in the West. Personal ownership with all its stubborn rights and privileges clearly defined by law is not a meaningful term in the USSR. The possession and use of an object, rather than legal title to it, has always been more important to the Russian. This concept naturally blurs the distinction between what is his and what belongs to others and is a great source of friction in a society where so much falls into the impersonal classification of state or publicly owned goods. The Russian often feels little compunction about appropriating items in the latter category for his own use. Thefts of socialist property constitute, for example, one of the most common types of crimes in the USSR.

The Russian's attitude towards money is typical of his lack of concern for property. Money is to him not an important commodity. When he has it, he dispenses it freely, improvidently, and even ostentatiously. If he does not have it, he goes into debt easily and worries about the consequences when they are presented to him. Money means so little to a Russian that he can take seriously the Communist proposal for its eventual abolition as an unnecessary evil in society.

A similar lack of reality is reflected in Russian concepts of space and time. These have a vague, almost visionary character, arising perhaps from the endlessness of the country and the ease with which it engulfs the individual. Foreigners traveling in Russia have for well over a century concentrated their annoyance over popular indefiniteness and absence of purpose on the use of the word *seichás*, the literal meaning of which is immediately, but which in practice describes a time period anywhere from a few minutes to infinity. On my first train ride in the Soviet Union, I was pointedly reminded of the frustrations of these earlier voyagers when I awoke in the morning on the route from Leningrád to Moscow and asked the porter where we were. *"Seichás,"* he answered with great assurance, "we will be in Kalinin," but it was not until another hour and a half passed that we entered the outskirts of that city. A Russian acquaintance to whom I once told this story commented: "You foreigners need not be so literal. After all, the word itself derives from *sei*, an old Slavonic term for 'this' and *chas*, meaning 'hour'. You should therefore be satisfied if your requests are met within the allotted sixty minutes."

In keeping with this inexactness, realities in the Russian's mind often tend to be obscured by the vision of what he desires to see or have or what his life will be like, say, twenty years from now. Establishment of plans appears not infrequently to be subjectively equated with their fulfillment. The ordinary Russian does not seem to be fully conscious of the fact that the fruits of his labor represent wealth only when they are gathered and processed into a usable form. The landowner Manilov of Gogol's "Dead Souls" is a contrived but not untrue literary example of the type of dreamy sentimentalist with which the Communists have had so much trouble.

The substance of Manilov's character has been best portrayed in a passage of the book describing his parting with Chichikov, the buyer of titles of ownership to deceased serfs. After watching the latter's carriage disappear over the horizon, Manilov returns to his house where, as Gogol describes it, "his thoughts passed imperceptibly to other subjects, and it is hard to know where they landed at last. He mused on the joy of life spent in friendship, thought how nice it would be to live with his friend on some river bank, then a bridge began to rise across the river, and then a huge house with such a high belvedere that one could even see Moscow from it, and then he dreamed of drinking tea there in the evenings in the open air and discussing agreeable subjects. Then he dreamed that he and Chichikov drove in fine carriages to some party, where they charmed every one by the agreeableness of their behavior, and that the Tsar, hearing of their great friendship, made them both generals, and from there he passed into the Lord knows what visions, such that he could not clearly make them out himself."

The qualities of Manilovism continue to be evident today. In early 1963 the Soviet press carried a story about the *avtolët*, a strange looking vehicle which runs several inches off the ground on a cushion of pressurized air. Although this invention was admitted to be still in the experimental stage, it was confidently described as a machine which "will find application in swampy areas, in peat processing, under conditions where there is a complete lack of roads, in the fight against agricultural pests, and on the large water surfaces of the country as fast passenger expresses, hospital and rescue ships."[6]

While the Russian with his visionary exuberance is often capable of a brilliant, highly imaginative performance, in the long tedious business of making a successful living he is less gifted. He brings to his undertakings a limitless amount of enthusiasm which quickly begins to abate as the difficulties of the task proliferate. At a certain point his natural inclination is to abandon the effort and turn to something else. The many unfinished construction projects in the USSR where only the foundations or the shell of the building are standing bear witness to this lack of constancy. Such an attitude has its effect on the most areas of endeavor in the USSR, including the administrative field, where, after the initial drive has slackened, the Russian often does nothing or as little as he needs in order not to become conspicuous as a loafer or shirker. He is, in addition, given to *stránstvovaniya* or aimless wanderings in a search for more fruitful opportunities and a better life. One of the lasting impressions a foreigner takes away with him from the Soviet Union is of a people continually on the move. This restlessness has troubled many rulers of the Russians. The Communists may well envy those Western countries where industrial skills are handed on from generation to generation in the same community and in many cases even in the same family.

Restless moods in the national personality are, however, tempered by patience, a Russian characteristic with a strong fatalistic tinge. Historically, popular submissiveness has favored the imposition of tyrannical rule and no doubt has had much to do with the long-term nature of such phenomena as Stalinism. The forbearance of the average citizen in the face of unbelievable hardship is both admirable and infuriating. His capacity to endure not only great trials but also demeaning treatment and indignities is hard to describe. The Russian's answer to provocation is generally not open defiance but withdrawal into the depths of his inner self.

This submissiveness notwithstanding, the attitude of the Russians towards authority seems to be an inherently hostile one. Possibly from a feeling that the state does not always represent them, they tend to defy it when they believe they can do so. Foreigners have frequently noted a disrespectful treatment of uniformed policemen on the part of the citizenry. I once watched a woman flower vendor accused of some minor infraction of rules by a police sergeant successfully defend her position throughout fifteen minutes of noisy and intemperate argument. Scenes like this are not uncommon, although the outcome is usually more favorable on the side of the law.

The Russian's disrespect for authority is reflected most clearly in the instability of his politics. The displays of ideological loyalty constantly required by the government mirror the general lack of belief in any fundamental law on the part of the population. The German historian von Haxthausen noted this trait in an 1856 commentary on the Russians:

"He demands from his superior strictness and decision, but he will not be governed by fixed laws or constitutions."[7]

An innate dislike for confinement and subordination emphasizes the Russian's basic though often disguised individualism. He has a strong ego which expresses itself in both positive and negative ways. If given

Footnotes at end of article.

creative freedom, he can show unusual talent, although this sometimes degenerates into an irresponsible distortion of the concept of liberty. A noticeable lack of restraint and self-discipline has had some unfortunate results for him. Nationally as well as individually, this shortcoming has put him at a disadvantage in dealing with more calculating and literal-minded peoples.

THE RUSSIAN NATURE—PART II

(By James A. Ramsey)

Any discussion of the Russian nature inevitably becomes involved in political considerations. Some students of the problem assert that the character traits we have been describing, particularly the relatives lack of self-control, make autocracy inevitable. N. Berdyaev, for example, insists that the Russian outlook predisposes to totalitarian views:

"Totalitarianism was always a Russian way, for the Russian cannot bear the idea of the division of life and civilization in separate spheres, and the affirmation of the autonomy of these spheres. . . . All this is linked with the fact that the Russian idea (and all great nations have their idea) does not aim at the creation of a civilization in the Western sense, differentiated, but affirms the total transfiguration of life." [8]

It is true that the Russian likes his ideologies to be all-inclusive ones into which the facts of life fit without difficulty and where truth is indivisible. Yet it would be incorrect to infer from this that he is addicted only to autocratic forms of government. The Russian has so far in his long history had little opportunity to demonstrate his capability for self-government and it may be that he will eventually make a positive contribution in this respect.

There are in fact certain traits rooted in the Russian character which should be helpful in furthering the current trend towards more representative government. One of these is his ability to disagree with himself. As Dostoevsky and Soviet politics have so well demonstrated, self-accusation is an integral part of the national life. In the USSR confession and public repentance by transgressors are expected and usually forthcoming. No citizen is considered immune from the obligation to admit the faults others see in him and to promise improvement of his conduct. Sometimes, however, this assumes extreme forms, as the long period of Stalinist rule with its continual denigrations of senior officials has so amply documented.

Those who, like Berdyaev, have attempted to analyze the Russian spirit have noted a strong element of Messianism in it. Dostoevsky's 1880 address "On the Unveiling of the Pushkin Memorial" is often quoted, especially when he proclaims that "Our destiny is universality, won not by the sword, but by the strength of brotherhood and in fraternal aspiration to reunite mankind . . . Universality is the aspiration of the Russian spirit." In like manner, Dostoevsky recorded in his Diary in January 1877:

"Every great people believes and must believe if it intends to live long, that in it alone resides salvation of the world; that it lives in order to stand at the head of the nations, to affiliate and unite all of them; and to lead them in a concordant choir towards the final goal preordained for them."

A less favorable view of the Russian sense of destiny in world affairs is found in the observations of the Danish traveler, Georg Brandes, who wrote in 1888:

When a Russian has got hold of a thought, a fundamental idea, a principle, a purpose, without regard to its origin, whether it originated with himself or was borrowed from European culture, he does not rest until he has followed it out to the last results. Therefore the Russians are the most arbitrary oppressors in the world and the most reckless liberators. . . . They are radicals in everything, in faith and infidelity, in love and hate, in submission and rebellion.[9]

While the statements of both Dostoevsky and Brandes are too strongly worded, each contains a basic truth. Russians do have a sense of mission, whether it is the medieval concept of Moscow as the Third Rome or the World War II obligation of saving European civilization from Fascism. They lay claim to a broad, all-encompassing spirit and a striving towards a just order in which equality and fraternity are effectively realized through the abolition of all racial, class and property privileges. They offer great sympathy to those living in misery in other countries and profess genuine solidarity with peoples who are threatened by superior force. They are constantly concerned with the task of refashioning a world which has inherited so many iniquities from the past. As the English psychiatrist Henry Dicks has observed: "Nothing is so persistent in the Russian as a sense of moral outrage (izdeváte'stvo)—that ubiquitous feeling of guilt and shame at injustice and a sensitiveness about whom to trust not to hurt one." [10]

The Russian's ideal of regulating all human behavior for the common good is hard to reconcile with the historically documented periods of complete lack of emotional restraint where his actions exceed all established conventions. Being impetuous by nature, he often takes action without thinking of obstacles, limitations or consequences. The spirit of his unrestrained enthusiasm has been noted by Madame de Stael who wrote that ". . . with the Russians all is colossal rather than proportioned, bold rather than contemplative, and if the goal is not reached, it is because it has been surpassed." In the contemporary political sphere, precipitateness of character is obvious from the headlong manner in which the Communists have approached the refashioning of Russian society. It is odd that this impetuosity not infrequently goes hand in hand with a ridiculous obsession about following to the letter the rules prescribed by those in charge.

The presence of certain negative quirks in his character does not invalidate the fact that the Russian is basically a peaceable individual, with a large amount of simple and outgoing sincerity, known in his language as *prostotá*. In his natural state he is socially uninhibited. The Russian seems to feel that any approach from another person is deserving of some kind of response, even a discourteous one. Russians often allow themselves to be involved willingly in discussions from which the only conceivable result can be agreement to participate in undertakings not necessarily furthering their own interests.

The approachability of the average citizen gives rise to a great deal of general social busybodiness in the USSR, especially on the part of older women who like to assume the role of self-appointed arbiters of the community's social mores. The norms for approved behavior are consequently often determined by rather subjective standards, epitomized by the word *nekul'turno*, a term similar in its conclusiveness and breadth of application to the British, "It's not done, you know." *Nekul'turny* conduct has a wide range from loud talk in public places to more serious misdemeanors bordering on criminal activities, and is subject to infinite manipulation by those who define its content.

It is not surprising under the circumstances that conventionalism is a prominent characteristic of present-day Russian life. Home furnishings and items of personal use are still often made according to bourgeois nineteenth century tastes. A ubiquitous symbol of Empire-style conformism is a large orange lampshade which has the appearance of an oversized jellyfish hung up to dry. This monstrosity was produced by the millions until the state decreed its demise in favor of a more modern version in 1959, and there are few Russian families which do not seem to have one.

For all of its restrictive caveats, Soviet Victornianism has an ambivalent quality. Although distinctions and prerogatives are keenly felt, there is little snobbishness in the USSR based on social origin, schooling or race consciousness. Most Russians, being not far removed from the land, tend to have a healthy natural attitude towards the conventions and restrictions of society. They are unusually discreet in matters involving intimate relations between people.

The simplicity of the Russian is well shown in his attitude towards sex, which is regarded as a fundamental part of life but not a subject for scientific investigation or popularization. He has an unsophisticated libido and does not understand the romanticization of sex in the West. The Russian people have in fact never possessed a folklore or literature which, as in some other parts of the world, over-idealizes the human body. The USSR has not known sexual promiscuity in cultural life, art, movies and photography. I think it safe to say that even were these phenomena permitted by the government they would probably not find much public interest.

Although Russian attitudes have sometimes been described by foreigners as Puritan, they have essentially little in common with that Anglo-Saxon phenomenon. Puritanism as a way of life is foreign to the Russians and its asceticism is lacking in their nature. A very un-Puritan-like ribaldry is noticeable on occasion. I recall a popular performance of Hans Christian Andersen's "The Emperor's Clothes" put on in Moscow by a troupe of young actors in which one of the ditties was labeled: *Ty Sukin Syn—Ty Umnitsa!* (You — of a ——— —you clever fellow!).

One of the facets of the Russian nature seems to be devotion to heroic struggles where good always triumphs in the end. His spiritual bouts with evil perhaps help to explain an odd capacity for making simple things arduous and complicated. The Russian tends to cast his bargain with life in a morose fashion and elements of struggle are more conspicuous in his behavior than is the case with other peoples. In carrying out his assigned duties, he sees all manner of difficulties to be overcome and obstacles to be surmounted before a given task can be completed. The results attained by his efforts, like good nineteenth century melodrama, not infrequently have an epic quality, come after allegedly unusual hardships, and some times are achieved despite what appears to be the most embittered and crafty opposition, whether of nature or the wily representatives of a decaying world order.

One often wonders how the Russians have survived the cataclysmic experiences of their history. Unquestionably the stoic attributes of their character and an incredible tenacity have meant the difference between survival and extinction as a nation. When the Russian is fighting for his existence, his stubbornness and perseverance know no limits. Again, Leroy Beaulieu has provided an excellent commentary:

Contrary to a vulgar prejudice, the Russian under his rugged shell is generally affectionate, gentle, even tender; but let him encounter an obstacle, let him engage in a struggle with an adversary, the latent ruggedness and harshness at once take the upper hand. In the unceasing struggle against a ruthless nature, he has learned to respect the laws of war, which he applies as he endures them—with inflexibility.[11]

Despite a good deal of pessimistic moodiness in his character, the Russian is also at heart an incurable optimist. He has a habit of hoping for the best when things are at their worst. A strong conviction that life is

Footnotes at end of article.

somehow worth living for the better day it must bring helps to sustain him through the greatest of crises and most determined assaults on his liberty and national existence. The successful emergence of the Russian nation in 1945 from its most formidable historical trial has confirmed this general belief in the possibility of progress towards an easier future.

External enemies have frequently ignored or underestimated these heroic qualities with results fatal to themselves. The lackadaisical and disorganized appearance of much of Soviet life with its frequent purposeless maneuvering prompts unrealistic value judgments of the people's true nature. The Russian under attack is much more resourceful than when he is left to his own devices. His talents of improvisation are high as a result of long experience in coping with the inadequacies of daily life. He also has a strong attachment to his land, its culture, and his language, important ingredients for the spirit of resistance in times of national crisis.

It has often been asserted that the Russians have no sense of humor, but I have found this statement to be inaccurate. Humor in the Soviet Union is an important leaven to the seriousness of life. Popular wit tends to be coarse, with a wealth of jokes of very skillful and imaginative construction. The more sophisticated and socially acceptable variety of humor has a streak of guarded cynicism and tries to be subtle enough not to irritate those in positions of authority without an appreciation of the ridiculous in life. A favorite of recent vintage is one of the mythical Armenian Radio series where a listener writes: "Dear Armenian Radio. I would like to know whether there is life on Mars," to which the Radio replies: "No. There is no life on Mars either."

There are legions of Armenian Radio jokes, both new ones designed especially for this device and others of older vintage refurbished to take advantage of a convenient framework. They run the full scale of storytelling, from the political to the obscene. One of the former which appeals to Russians has to do with the fundamental question of world peace: "Listener: Will there be a new war? Radio: No. There will not be a new war. But there will be such a terrible fight for peace that nothing will remain intact."

Jokes on nationalities seem often to have Georgians as their butt: "Listener: How does one define 'Friendship of the Peoples'? Radio: 'Friendship of the Peoples' is when Russians, Armenians, Ukrainians and the other nationalities of the USSR get together to beat up the Georgians." Or again: "Listener: Is it possible to build Communism in Armenia? Radio: Yes. It is possible, but let the Georgians try it first."

The pattern of life in the future is always a good topic: "Listener: Will there be love under Communism? Radio: No. There will not be because there will be no money." Sometimes the Armenian Radio itself is the scapegoat: "Listener: Why has the Armenian Radio not answered my letter? Radio: Because the Jew who handles all our correspondence is on leave."

A frequent indirect approach to humor reflects the Russian's adeptness at camouflaging his intentions or the true state of his affairs. The masterly touch of Catherine II's village-building minister Potemkin during the Empress' eighteenth century visit to the Crimea has had many worthy though less lavish emulations throughout Russian history. A recent parallel was provided during Khruschëv's 1959 trip to the Soviet Far East when he told in one of his speeches how a woman he met by chance had recounted to him that the local shops had been well stocked with consumer goods and food in anticipation of his arrival.[12] It goes without saying that potential as well as actual enemies have difficulty in arriving at a correct assessment of the strengths and weaknesses of a people possessing such expertise in disguising the realities of their existence.

The true nature of the national personality is concealed in other ways as well. The Russians are a race with excellent natural imitative abilities, good at adapting other peoples' customs to themselves. Their borrowings from other societies have always been important in the development of their country. One need only recall the significance to eighteenth century Russia of the Western journeys of Peter the Great and his creation of a new nobility and state along the European model. The subsequent slavish mimicry of Western customs and social snobbery by the upper classes led to their estrangement from the masses and no doubt has had much to do with the violent nature of the revolutionary reaction in the present century.

At the same time they have been busy copying others, the Russian people have produced some unusual and unique accomplishments in various fields. Artistic achievement are exemplified by the unsurpassed precision of the ballet and the original works of a large number of composers. Nineteenth century Russian literary figures brought forth some marvels of sophisticated and socially perceptive writing, and the tradition they established continues on into the present. In the development of mathematics and other sciences, Russians have played a leading role. Their mastery of artillery and its related art of missilery is known and envied.

No description of the Russian nature would be complete without at least a few words on the fairer sex. The Russian woman has always impressed me with her strength of character. She is more steady, more capable of concentrated work and less addicted to visionary schemes than the Russian male. It is consequently not surprising that her wide participation in public life is of considerable value to the state. In its modern history Russia has had in fact four empresses and a substantial number of strong-minded female figures in the lower ranks of society, including revolutionaries like Perovskaya, Zasulich and Figner. The country's literature has provided good examples of heroines in the dominating figures of Tolstoi's Anna Karenina and the recklessly defiant Vasílisa Egórovna Murav'ëva of Pushkin's "The Captain's Daughter" who publicly cursed the rebel Pugachëv for his murder of her husband and was herself killed for such rashness.

Soviet men are like those of other nations in that they may not always do what their women wish, but they do pay them a certain deference and feminine persistence frequently carries the day. Boris Pasternák has brought this out in the chapter of "Doctor Zhivago" where the family's decision to undertake the fateful trip to Siberia was made essentially by the Doctor's wife against his better judgment. A central figure in many Russian families is the *bábushka* or grandmother, a personage surrounded by a great deal of respect and solicitous care. Deference to elderly women is strongly rooted among the Russians, although it is not always graciously expressed. It is interesting to note that one of the oft-repeated accusations against Stalin is that he was rude to Lenin's widow, Krúpskaya.

Although Russian women are shown a certain respect by their men, they have never been idolized as in the West. Chivalry did not exist among the Russians whose women were in *terem* until the time of Peter the Great. Since the Revolution they have tended to be treated more as not quite equal co-workers than as romantic objects. They have always done work which in the West would be considered both demeaning and physically too strenuous. Every visitor to the Soviet Union is immediately struck by the back-breaking tasks performed, and skillfully too, by female laborers.

Probably as a result of the relative lack of attention paid to them for their feminine qualities, Russian women seem to care less about their appearance than their Western sisters. The capricious embellishments of Paris and other European centers are notably absent in Moscow, although increasing contacts with the West are bringing some changes in this respect. The somewhat uncharitable observation of an eighteenth century British traveler is unfortunately still rather appropriate:

As the growth of the Russian ladies is not confined by any bandages, stays, or other compresses, the proportion of the parts usually far exceeds the line which the general taste of Europe has prescribed for the contour of a fine shape.[13]

The picture we have sketched of the Russian personality silhouettes an individual undergoing considerable emotional stress as he attempts to adjust to the conditions of a world for which he is not quite ready. Clearly he has as yet been unable to reconcile the fraternalistic ideals he professes with the realities of a life where privilege and discrimination are major ingredients. The traumatic experiences of a turbulent and bloody history complicate the task he has set himself of catching up with the more developed parts of the earth in an historically short period of time. His strong impulse to achieve equality is, however, helpful to him in this respect since it provides a spur to greater efforts than those more satisfied peoples are willing to make. Russian space successes and a well developed athletic prowess characterize the surprising results attainable by a people whose national performance in many other respects is below these standards of achievement.

Some observers of the USSR assert that the Russian is unchangeable and will always be a problem. While looking into the future is difficult, I prefer to believe that as the Russian emerges from his isolation and becomes a more fully accepted member of the international community, his attitudes and behavior will become more responsible. Personally I have found most Russians willing to listen and see other points of view if approached properly. There has been a slow recognition in the USSR that, despite ideological differences, certain minimum rules of social intercourse and a decent tolerance of others are generally helpful both in the process of ruling a nation and in conducting relations with foreign states.

National or individual characteristics are not immutable and over the course of modern history some peoples have changed their personality to a surprising extent within a relatively short space of time. Americans have outgrown their past so quickly that they have forgotten they themselves once behaved in rude and uncivil fashion towards the more settled and cosmopolitan societies of Europe. The commentary of James Bryce in his "American Commonwealth," written in 1888, on the changes he had observed over the years in popular attitudes in the United States is not without interest:

The least agreeable feature to the visitors of former years, an incessant vaunting of their own country and disparagement of others, has disappeared and the tinge of self-assertion which the sense of equality used to give is now but faintly noticeable.[14]

FOOTNOTES

[1] Berdyaev, Nicolas: *The Origin of Russian Communism*. N.Y. 1937, p. 3.

[2] Ehrenburg, Ilya: *Lyudi, gody, zhizn'* in *Novy mir*, No. 11, 1961, p. 154.

[3] Leroy-Beaulieu, Anatole: *The Empire of the Tsars and the Russians*, N.Y. 1893, v. 1, pp. 189–190.

[4] Shaliapin, Feodor: *Man and Mask: Forty Years in the Life of a Singer*, London 1932, pp. 7, 11.

[5] de Pauly, T: *Description Ethnographique des Peuples de la Russie*, St. Petersburg 1862, p. 29.

[6] *Pravda*, 18 February 1963.
[7] v. Haxthausen, August Freiherr: *The Russian Empire*, London 1856, v. 2, p. 223.
[8] Berdyaev, Nicolas: *Russia and the New World Era* in *The Russian Review*, Spring 1948, p. 5.
[9] Brandes, Georg: *Impressions of Russia*, London 1888, p. 22.
[10] Dicks, Henry V.: *Some Notes on the Russian National Character* in *The Transformation of Russian Society, Cyril Black* ed. Harvard University Press 1960, p. 638.
[11] Leroy-Beaulieu: op. cit. v. 1, p. 164.
[12] *Pravda*, 8 October 1959.
[13] Tooke, William: *View of the Russian Empire During the Reign of Catherine the Second and to the Close of the 18th Century*, London 1800, v. 2, p. 3.
[14] Bryce, James: *The American Commonwealth*, N.Y. edition of 1911, v. 2, p. 821.

BRAVERY IN VIETNAM

Mr. MURPHY. Mr. President, it is difficult to find words which can adequately describe the great debt the Nation owes to the fighting men who serve our country so bravely in the distant conflict in Vietnam. An equally difficult task confronts us in attempting even to begin to express our gratitude to those who stand and wait for the safe return of their loved ones to this country. I personally share in the profound grief felt by those families who one day learn that they have waited in vain; that a son, a brother, a husband, or a father has made the supreme sacrifice for his country. No tribute, no honor, no recognition, can dry the tears of loved ones or fill the void left by the hero's passing.

Mr. President, we are all aware that there are large elements of our society that oppose this war for a variety of reasons. Indeed, a shrill cacophony of protest is heard in the streets and in the halls of academe. In Congress, on this very day, we hear Senators advocating the type of unilateral reduction of military might that almost proved to be our undoing in the years before Korea. But I find that the bereaved families, who have lost so very much in this struggle remain steadfast in their pride in our Nation and are consoled in some measure by the knowledge that their dear relative died upholding the highest principles of man. It is a special kind of bravery, Mr. President, that overcomes the temptation of bitterness in a moment of great personal loss.

Mr. and Mrs. Ralph Foster, of San Francisco, are two of the many who have displayed this bravery. At my short meeting with these fine people, when the President of the United States presented them with the Medal of Honor that their son, Paul, earned at the moment of his death, I was deeply moved by their courage.

I ask unanimous consent to have printed in the RECORD the text of Sergeant Paul Foster's citation and the fine letter his parents thoughtfully sent to me. I also ask unanimous consent that the beautiful poetic tribute composed by Mrs. Billie Farris for the Fosters be printed in the RECORD. We all can take pride in Sergeant Foster's heroism and the special gallantry of his parents as well.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

SAN FRANCISCO, CALIF.,
July 27, 1969.

Senator GEORGE L. MURPHY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MURPHY: We met in the Rose Garden of The White House on Friday June 20 1969 at ceremonies in which President Nixon presented the Medal of Honor, awarded to our son Sergeant Paul H. Foster, U.S. Marine Corps and to two other Marines.

The occasion was sad but it was momentous; the presentation of the Nation's highest award for gallantry, to three young men, it's own. This reminds us of the valor of the Nations many sons.

The young men knew what they were doing, and were true to their faith and duties. We mourn their loss, but have deep pride in their memory.

We are most grateful to the Marine Corps and to all others for the care, thoughtfulness and assistance given us at this time and in the past when they were of much comfort to us.

Since the award and the presentation is made in the name of the Congress, we think it meet and fitting that you convey our deepest gratitude to the Congress and to the people for the honors accorded and ask that you kindly do so.

With our kindest regards, we are
Most sincerely yours,
RALPH W. FOSTER and Mrs. FOSTER.

N.B. Among those who cared for us during our stay in Washington was Mrs. Billie Farris of the Division of Information Headquarters Marine Corps Washington D.C. We received a letter from her the other day and with it a poem by Mrs. Farris. A copy is enclosed.

We think it fills in the picture as it was and we believe you will think so too.

R. W. F.

As I stood my post in Heaven, I looked down towards the earth.
There in a rose garden, amid those I love, were the parents of my birth.
My father's face was filled with pride; my mother's taut with grief,
As they stood so tall, side by side, with my former commander-in-chief.
All was in order in a place that now I could not tread, for I was now in Heaven, and they were honoring the dead.
My parents stood with dignity to the honors given their son;
I ached in my love for them and asked Him what could be done.
As His blessing was given and I bowed my head in grace,
I found myself in the garden kissing my mother's face.
Unknown to them I held their hands and stood with them in pride.
From them I learned love and respect and for them, I had died.
I said to them as I bid farewell and kissed their tears away:
"I'm going now, back to my Lord, and shall meet you there someday."

BILLIE FARRIS.

CITATION

(Medal of Honor presentation by Richard Nixon, President of the United States of America, posthumously to Sgt. Paul H. Foster, U.S. Marine Corps Reserve, at the White House, Washington, D.C., on Friday, June 20, 1969, at 11:45 hours)

The President of the United States in the name of The Congress takes pride in presenting the Medal of Honor posthumously to Sergeant Paul H. Foster, United States Marine Corps Reserve, for service as set forth in the following citation:

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as an Artillery Liaison Operations Chief with the Second Battalion, Fourth Marines, Third Marine Division, near Con Thien in the Republic of Vietnam. In the early morning hours of 14 October 1967, the Second Battalion was occupying a defensive position which protected a bridge on the road leading from Con Thien to Cam Lo. Suddenly, the marines' position came under a heavy volume of mortar and artillery fire, followed by an aggressive enemy ground assault. In the ensuing engagement, the hostile force penetrated the perimeter and brought a heavy concentration of small arms, automatic weapons, and rocket fire to bear on the Battalion Command Post. Although his position in the Fire Support Coordination Center was dangerously exposed to enemy fire and he was wounded when an enemy hand grenade exploded near his position, Sergeant Foster resolutely continued to direct accurate mortar and artillery fire on the advancing North Vietnamese troops. As the attack continued, a hand grenade landed in the midst of Sergeant Foster and his five companions. Realizing the danger, he shouted a warning, threw his armored vest over the grenade, and unhesitatingly placed his own body over the armored vest. When the grenade exploded, Sergeant Foster absorbed the entire blast with his own body and was mortally wounded. His heroic actions undoubtedly saved his comrades from further injury or possible death. Sergeant Foster's courage, extraordinary heroism, and unfaltering devotion to duty reflected great credit upon himself and the Marine Corps and upheld the highest traditions of the United States Naval Service. He gallantly gave his life for his country.

THE ROLE OF THE AIRCRAFT CARRIER

Mr. EAGLETON. Mr. President, in an article published in the Sunday Minneapolis Tribune, the Senator from Minnesota (Mr. MONDALE) makes a cogent and often humorous case for examining the role of aircraft carriers in the context of modern military realities.

During the debate on the defense authorization bill, the justifications for many tried and true weapons systems have come under fire. "It's always been that way" is no longer good enough to justify the expenditures of hundreds of millions of dollars.

Certainly, some justification can be found for the continuance of any weapons system or its improvement, but Congress must ask at what cost. Edward L. Katzenbach, Jr., points out in an interesting and amusing article on "The Horse Cavalry in the Twentieth Century: A Study in Policy Response":

> However low and slow it flew, the plane would not be a substitute for a still lower and still slower man on a horse. And the plane could not penetrate forests and neither within limits, could tanks. So there was, and indeed there still is, a gap between what the horse can do and what the plane and the tank can do. But admitting the gap, there still remained *the most vexing problem of all, to wit whether that gap was worth filling and if so how.*

In our technological and highly changeable world, it is important to constantly reevaluate the premises of the past in terms of present realities.

The Senator from Minnesota (Mr. MONDALE) and the Senator from New Jersey (Mr. CASE) are asking important questions regarding the role of the air-

craft carrier and the rationale for continuing to maintain 15.

I ask unanimous consent that Senator MONDALE'S article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ATTACK CARRIER HAS HAD ITS DAY, CLAIMS MONDALE

(By WALTER F. MONDALE)

In the first quarter of this century, there raged a great debate in military circles over the question of whether automatic fire and mechanization made the horse cavalry obsolete. Even though it was obvious to everyone but cavalrymen that this institution had outlived its usefulness before World War I, it took another 30 years before the advocates of modern technology were able to put the cavalry to rest once and for all.

That the horse cavalry was able to survive the technological innovations of this century as long as it did may seem strange to many of us. But military history, as one commentator noted, ". . . is studded with institutions which have managed to dodge the challenge of the obvious." A clear example of this phenomenon from naval history is the battleship's durability in remaining at the center of naval planning. It was not until World War II that naval planners recognized what had long been obvious to most military observers: that modern airpower had ended the battleship's role as the keystone of the fleet.

The most recent example of the tenacity of military institutions can be found in the military authorization bill, now before the Senate. That bill contains the Navy's requested authorization for a new nuclear attack carrier, a request based upon an assumption which has gone unchallenged and generally unexamined since the end of World War II: that the U.S. Navy must maintain at least 15 attack carriers in its fleet.

This 15-carrier force level, according to one observer, ". . . appears to be close to an 'eternal verity' in U.S. military planning." Yet the number 15 does not arise from any current assessment of needs, costs, or capabilities. Rather, it is a legacy of the past. That the advocates of a 15-carrier force level, like earlier defenders of the battleship and the horse cavalry, are following a path of tradition rather than reason becomes increasingly clear, by examining the carrier's role in the context of modern military realities.

After World War II, the attack carrier (and indeed the entire Navy) became a force in search of a mission. There were no other surface fleets to engage, and the very existence of the Navy was threatened by new long-range aircraft capable of delivering nuclear payloads. The Navy responded by seeking justification for the attack carrier in strategic nuclear warfare.

With the advent of land- and sea-based missiles in the early 1960s, the carrier no longer had any role as part of our nuclear retaliation forces. Faced with the loss of its *strategic* retaliatory role, the Navy began to emphasize the carrier's potential *tactical* role in providing air support for ground troops, maintaining air superiority, and destroying supply lines.

The argument that 15 attack carriers are needed to provide sea-based tactical air power throughout the world is not a persuasive one. Where land-based air power is not immediately available or where political constraints limit the use of land bases, the carrier may well serve as a complement to our overseas bases. But where the carrier clearly *competes with*, rather than complements, land-based air power, the role of the carrier must be justified on the basis of its effectiveness and its efficiency.

Carrier task forces are assigned to the two major "trouble areas" of the world—nine in the Western Pacific and six in the Mediterranean. But it is quite clear that our capacity for land-based tactical air power is more than adequate in these areas, as well as in most other parts of the globe where peace or United States interests may be threatened.

The United States maintains some 138 squadrons of tactical fighters and bombers in active forces at home and abroad, including 23 wings and 3,350 aircraft.

Furthermore, our capacity for creating new land bases as needs arise is almost limitless. There are at least 1,000 overseas civilian air fields which the Air Force, within three days' time, can convert to a fully equipped tactical air base using the "pre-positioned kits" of the Bare Base support program.

More important than overlap alone, however, is the vastly greater cost of carrier-based air power. The enormous initial expense of a single aircraft carrier is multiplied by its complete dependence upon an accompanying task force for defense and for logistical support.

But a carrier task force, according to the Navy, cannot remain "on station" for more than four months out of 12 without great strain on the crew. For this reason, continual deployment of a nuclear carrier task force in one area actually requires three task forces in rotation, increasing the investment cost of one carrier base to the staggering figure of $4.2 billion.

Needless to say, a land base is a far cheaper operation. A base in the Pacific can be built for $53 million; the Bare Base support program can convert an existing civilian runway for about $36 million.

The reliance upon carrier rather than land-based air power is made even more questionable by the high degree of vulnerability of the carrier in light of modern weaponry. Carriers are particularly vulnerable to attacks by submarines, aircraft, and ship-to-ship and air-to-ship missiles.

In response to these arguments about the efficacy of sea-based air power, the Navy points out that since 60 percent of the world is covered by water, the carrier can be used in many more places than land bases. The military historian will recognize the disturbing similarity between this argument and that advanced in 1922 by a major in the cavalry who, observing the absence of roads on much of the earth's surface, wrote: "To base our transportation needs solely upon conditions existent in the comparatively tiny portion of the earth's surface containing roads . . . is putting too many eggs in the same basket."

The Navy also argues that despite widespread land-based power, carriers are needed to maintain a "balanced force." This claim also was made by the cavalry as late as 1940.

Recognizing the limitations on the usefulness of carriers, the Soviet Union has never built an attack carrier and has no plans to do so. And yet, as the U.S. Navy is quick to point out, the Soviets already have an impressive and well-balanced surface fleet. It is, therefore, particularly difficult to understand why the Soviets have no plans to build an attack carrier if it is such an essential and vital ship. It is clear that we could afford to reduce our carrier force level without any danger to national security.

But the Navy is moving in precisely the opposite direction. The carriers which have joined the fleet since the mid-1950's are almost double the size of the older carriers, are equipped with the most modern aircraft and, therefore, have far greater capability for tactical air than the oldest carriers which they replace.

There may be a limited role for attack carriers in modern warfare. They might be useful in providing a base for launching tactical air strikes in the initial stages of a conflict, where there are no available land bases.

Once land bases become operational, however, there seems to be little justification for the continued reliance upon the aircraft carrier.

In addition to the problems of efficiency and effectiveness, the use of the aircraft carrier has serious foreign-policy implications. For example, it is official naval doctrine that one of the main advantages of carrier air power is that it can be employed unilaterally, without involving third parties and without relying upon treaties, agreements or overflight rights.

The Senate has an obligation to debate whether it is in our national interest to maintain 15 carrier task forces "poised for unilateral action." Such a debate may be necessary to assure that foreign policy determines the need for military expenditures—rather than the other way around.

In recent congressional testimony, the chief of naval operations stated that "the carrier will be necessary in the future if the United States is to have the flexibility and the selectivity of operations in areas *without first having to make some political arrangement to do so.*"

In light of such testimony, it is important for Congress to be involved in determining those situations in which the United States should be prepared to intervene in conflicts unilaterally and "without first having to make some political arrangements to do so."

The time when we could afford the luxury of such "eternal verities" as a fleet of 15 carriers has long since passed. I fear our children will observe in the future that our blind adherence to 15 attack carriers was as absurd as was our failure to recognize the demise of the horse cavalry.

"THE MAN NOBODY SAW"

Mr. BROOKE. Mr. President, perhaps one of the finest, though certainly more indirect, achievements of the Civil Disorders Commission, has been the creation of a short, simple, but intensely accurate drama on the life of blacks in a white society. Written by Elizabeth Blake, the play is entitled "The Man Nobody Saw." It takes place in a makeshift courtroom. The audience is judge and jury. The actors switch identities right on stage, with no change of visible costumes or props. The entire presentation takes no more than 20 or 25 minutes.

But the situations are real. The events have occurred thousands and even millions of times since America was born. And the people are real people—ourselves, our friends and neighbors, and those people whom we fear. Yet for once in a single presentation both the chasm and the bridge are undeniably clear.

The significance of this drama was fully perceived by the Washington Post staff writer, Mr. Ben W. Gilbert, whose review appeared in the Washington Post of July 8. Since reading the review, I have had an opportunity also to read the play which prompted it. I ask unanimous consent that the review be printed in the RECORD. I highly commend to the attention of Senators "The Man Nobody Saw."

There being no objection, the review was ordered to be printed in the RECORD, as follows:

A DRAMA EXPLORES MEANING OF RACISM

(By Ben W. Gilbert)

The young black lawyer turns to the two white courtroom witnesses, a man and a woman, and angrily charges that they are guilty of the violent crimes for which his

black client, Nathan Richardson, is on trial. It is the opening scene of "The Man Nobody Saw" at the Smithsonian Auditorium.

The lawyer's charge appears too stark, too shocking to reach many persons in the audience yet. The two white actors who will play a succession of roles no doubt will turn out to be mean, horribly racist persons whose outrageous behavior will confirm the lawyer's charge and thereby establish the innocence of the defendant who is both black and poor. And then, the audience will be asked to decide what should be done with the white characters.

But no, it turns out that the whites portrayed are generally well-intentioned, ordinary persons—insensitive, perhaps, but not hateful. They fail to realize the impact of their casual, occasionally prejudicial, but seldom overtly hostile actions on the young Negro family, Richardson, his wife who is a domestic, and their two children.

Is this failure of whites to understand, this lack of sensitivity and empathy, racism? The unasked question becomes the central problem of the play and a key element of the audience discussion to follow. The Kerner commission whose report inspired the play said that white society is "deeply implicated" in the ghetto, but is not aware of the part it plays. Tom Wicker of the New York Times in an introduction to the riot report said that "until the fact of white racism is admitted, it cannot conceivably be expunged." The design of the play is to produce that awareness.

A white widow's husband, an accountant, was a hospital trustee who saw that the institution ran on a "sound fiscal basis," a policy that deprived Richardson's mother who died in childbirth of prenatal care. The widow does volunteer work at the adoption center where there is nothing to do for black children including Richardson.

A white father favors bussing black children to the school his youngsters attend, but does not show up for the crucial vote because his wife is opposed. So Richardson loses an educational chance. Richardson is turned away at the union hall because he lacks qualifications to be a journeyman and there are no openings for apprentices. An employer refuses to give him a job requiring little training because he lacks experience.

The whites in the audience began to feel sorry for the Richardsons. They are making such an enormous effort, but get absolutely nowhere. Some notion of what it means to be both black and poor reaches the audience. It is not long before the white spectator senses that he too is on trial. It is becoming evident that he shares responsibility for the plight of the Richardsons. Does that make him a racist? That's a tough question and the audience is becoming uneasy.

The play moves rapidly to a predictable climax. A banker has just refused to grant Richardson a mortgage loan to enable him to became a partner in a small dry cleaning plant. He goes berserk after learning that his younger child has succumbed to rat bites in the family's frightful hovel.

Mrs. Richardson, who is one of the victims of her husband's rage, reacts to the shattering of his hopes for independence and says how hard it is to see her husband "made meaner and smaller" each day. But, she won't press charges against him, although the authorities want her to, because she is glad to find he can still fight back.

Discussion leaders ask audience groupings to write on index cards what they think the play means to them. Outrage and frustration are typical answers. The Richardsons are trapped by the system. Acknowledgement of guilt is slow to appear, but it is there. A few whites in the audience of 450 find it all too painful and depart.

The leaders probe gently. What can be done about it? Clear-cut answers do not emerge, but that is not surprising. Nevertheless, there is evident identification of the problem and the system that produced it, thereby providing a better understanding of what is meant by the charges of white racism.

Although the charges against Richardson are serious—"arson, assault, attacking his wife, felonious stealing and other acts of an incendiary nature," a thread of compassion ties the audience to him and focuses discussion on his plight, rather than his offense, an acknowledgment of what the Kerner commission has called the "destructive environment unknown to most white Americans" that segregation and poverty (and white racism) have created in the Nation's ghettos.

In a discussion guide prepared for the evening, Whitney Young, executive director of the National Urban League, defines white racism as "the effect of white institutions on the life of the ghetto . . . the things that more or less well-meaning white people do, unknowingly and unthinkingly, that cripple lives in the black community."

"White racism," Young says, "doesn't mean that Americans in any large numbers want to lynch Negroes or send blacks back to Africa, but it does mean that the vast majority of white Americans . . . make basic assumptions of their own superiority . . . to justify actions injurious to black citizens."

Although the play by Elizabeth Blake, a production of the Plays for Living division of the Family Service Association of America, was prepared primarily for white audiences, the group at the Smithsonian literally was mixed.

The sponsors, of course, hoped that the audience took away more than an emotional jolt and would want to see the play shown to other community groups. There was some evidence of members of the audience being affected. For instance, one black woman, a Federal employe, reported that a white woman coworker came to her the next day to discuss the meaning of the play.

"You know," the black woman reported, "I felt that she saw me for the first time."

HUMAN RIGHTS CONVENTIONS—ISSUE OF BASIC CIVIL RIGHTS

Mr. PROXMIRE. Mr. President, in April 1945, the United Nations Conference on International Organization was held in San Francisco. During the course of the Conference the problem and concept of human rights was discussed extensively by the delegates. One of the basic problems related to the difference between the traditional concept of individual political or civil rights and the inclusion of economic and social rights. Many of the nations felt that political and civil rights meant little without the incorporation of the recently defined and recognized economic, social, and cultural rights—such as the right to work, the right to social security, to education, to health, and an adequate standard of living, and to full participation in the life of the country.

The American representatives, on the other hand, did not feel that such rights were "rights" in the same sense that the natural rights—that is, the right to life and liberty—were rights. They felt that "governments are in a position only to promote, not guarantee economic, social, and educational rights" and that it would take a great deal more than legislation to guarantee such rights. The United States realized that given the economic state of the world, particularly in the underdeveloped nations, it would be totally unrealistic, and perhaps even fatal to the intent of the entire human rights endeavor, to guarantee to every human being the rights provided for in the declaration. The facilities essential to provide these "rights" were not present and they would not materialize simply through the process of legislation. The second factor causing opposition at this time was the realization that the U.S. Senate, which would eventually have to ratify the proposed conventions, might balk at the inclusion of economic and social rights. Mrs. Roosevelt summed up the U.S. position by saying:

> In giving our approval to the declaration today, it is of primary importance that we keep clearly in mind the basic character of this document. It is not a treaty; it is not an international agreement. It is not and does not purport to be a statement of law or of legal obligation. It is a declaration of basic principles of human rights and freedoms, to be stamped with the approval of the General Assembly . . . and to serve as a common standard of achievement for all peoples of all nations.

The issue of what type of rights should be included in the covenant was an area of conflict. The Americans felt that social and economic rights were of an entirely different nature than political or civil rights. Eleanor Roosevelt states in her autobiography:

> It seemed to our delegation that it was better to try to get what we could at the time. The civil and political rights were already part of the law of many countries and were not so difficult to phrase in legal terms that would be generally accepted . . .

Mr. President, I make this point to emphasize the fact that by ratifying the Human Rights Conventions on Genocide, Political Rights of Women, and Forced Labor, we are not holding out an unattainable carrot stick to the peoples of the world. Mrs. Roosevelt and others had the foresight to ward against this. We are only declaring a national commitment to a standard of achievement to guarantee the most basic human decencies to our people.

CRUSADING PUBLISHER WINS IMPROVEMENTS FOR UTAH COMMUNITY

Mr. BENNETT. Mr. President, a tribute which I believe deserves wide attention was recently paid to a Utah woman publisher whose weekly newspaper, the Millard County Progress, has won numerous awards while setting an example of excellence in crusading community journalism.

The tribute to Jane Wilson, Fillmore, is contained in the Salt Lake Tribune of August 26, 1969.

As the Tribune notes, Mrs. Wilson has become "a living legend, crusading for 44 years for community improvement and in general improving life for the citizens of the area."

The excellence in quality and policy of the newspaper earned for Mrs. Wilson the highest award of her colleagues when the Utah State Press Association selected her as Master Publisher of the Year, 1965. The Progress was also given the Utah State University's Community Service Award in 1966 and again in 1968.

Mrs. Wilson does everything but run

the press. She is widely known in journalistic circles for her skill and ability to compose a story directly on the Linotype, eliminating the step of typing it on copy paper first.

Under the steady prodding of the Progress, work has been done in Mrs. Wilson's community to update the power system and water system, and to upgrade the library and the hospital. In addition, the newspaper has done much to attract growing industrial opportunities.

I ask unanimous consent to have printed in the RECORD a more complete account of the paper's achievements.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COMMUNITY IMPROVEMENT'S JOB KEY

(By Hazel S. Parkinson)

FILLMORE.—Everyone in Millard County knows Jane Wilson.

She has become a living legend crusading for 44 years for community improvement and improving life in general of the citizens of the area.

Crusading has been by personal participation and involvement and via the weekly newspaper, The Millard County Progress, of which she is co-owner and publisher.

Her husband, the late E. Vance Wilson, an attorney, purchased the newspaper in 1925 and, for the most part, she has run it.

A few years ago she took in her son as partner and editor.

She's done everything to put out the paper except run the presses. This is understandable as she is a petite woman. Modestly she says she can compose a story directly on the linotype eliminating the step of typing it on copy paper first. She still does most of the linotype work.

Her quiet dignity commands respect. Her influence has been felt at home and abroad. Former Fillmore area residents are counted in the paper's 1,700 subscribers. Papers are sent all over the world including servicemen in Vietnam.

A California man has been a regular subscriber and he hasn't resided in Fillmore for 40 years.

Excellence in quality and policy of the paper earned for her the highest award of her colleagues when the Utah State Press Assn. selected her as "Master Publisher of the Year, 1965."

The Progress was given the Utah State University's Community Service Award in 1966 and 1968.

"We have always stood for community improvement, beautification and clean up," she said.

"We've worked to update the power system, water system, upgrade the library, blood bank and hospital project," she noted. "And we have given applause to private businesses and they have bettered their services to the people."

She set examples for others to follow by furnishing and equipping a room at the hospital, and by requesting, at the time of her husband's death, that in lieu of flowers donations be given to the hospital.

Jane has been a stalwart on the board of the Fillmore Industrial Foundation. This organization seeks to attract industry to the town. A men's sportswear manufacturing plant now operates in Fillmore as a direct result of the FIF's work.

"The Progress did its part," she noted, "by running FIF progress reports and new articles for 40 consecutive weeks.

"Basically we are a local news, newspaper though editorially we comment on national issues such as gun laws, sex education in the schools and the moon landing."

After the death of her husband she assumed management of their 700-acre farm, and for many years has been secretary of the local irrigation company.

THE BIG THICKET IS IN DANGER

Mr. YARBOROUGH. Mr. President, on August 24, 1969, the Sunday magazine of the Dallas Times Herald published an excellent article on the Big Thicket, written by Mr. Orrin H. Bonney. The article describes in an informative manner the beauty of this natural wonderland and its role in American history.

Mr. Bonney also emphasizes that this rich and beautiful wilderness is in danger of being destroyed unless immediate action is taken to preserve it. As the author so correctly states:

Everything in Big Thicket seems to have a story, drama, or a mystery. Unfortunately, this land that breeds such interesting legends, is in itself on the verge of becoming a legend. Big Thicket, once a known three million acres, but now considered about 300,000, is fast disappearing. Most of its wilderness was raped decades ago when timber harvests cleaned out the virgin forests, leaving denuded chaos and disintegrating sawmill towns behind. Fortunately, Big Thicket eventually recuperates, if given a chance.

Today, however, the last 300,000 acres of Big Thicket are under renewed attack. The entire acreage is privately owned, most of it by five lumber companies. Lumbermen, pipeline companies, and real estate promoters are racing to carve up the Big Thicket at the dismaying rate of fifty acres a day.

To save this area, I introduced, on January 15, 1969, a bill, S. 4, which would establish a 100,000-acre Big Thicket National Park. This bill is being supported by civic and conservation organizations all over the Nation. We must act now if we are to save this fabulous area for ourselves and future generations.

Mr. President, I ask unanimous consent that the article entitled "The Thick of the Thicket—Texas, Land of Mystery," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE THICK OF THE THICKET—TEXAS, LAND OF MYSTERY

(By Orrin H. Bonney)

Two hundred miles southeast of Dallas (primarily in Harden, Polk and Tyler counties) lies the legendary Big Thicket—a fast disappearing area which has been called a jungle in the temperate zone, an outlaw haven, a state of mind, and the biological crossroads of North America.

To those on the outside of this land of vague and elastic boundaries drift enough tantalizing mixtures of ghost stories, truth, and tall tales to make the outsider wonder. Even the curiosity-rousing names of Big Thicket—Throwed Away Road, Devils Pocket, Bad Luck Creek, Kaiser Burnout, Ghost Road, Hanging Tree, Jawhawker Baygall—make you want to know the lusty story behind each descriptive tag.

Big Thicket is one of the few places in the United States where this legend type of story can still generate. Hedged off from the view of the general public by briars, vines, forest growth, Big Thicket still is the lair of the mysterious. Why, there's no telling what a man or a good hound dog might come across, human, beast, or otherwise, if he wandered deep enough into those woods. Even today, strangers are warned, "Just don't wander off the roads. There's no telling what you might get into."

In the former oil boom town of Saratoga, surrounded by Big Thicket, lives Lance Rosier—its sage as long as anyone can remember. He's a slight, gnome-like man with a kindly wrinkled face. A trip into the woods with him, with the help of his friendly blue eyes, unfolds a fascinating drama of the blooming, crawling, swimming, and flying world of Nature.

It was a dark and gloomy evening when Lance took me out to the "Ghost Road" which runs "straight as a rifle barr'l" from Saratoga to Bragg. Fog was rolling in, mixed with drizzles of rain. We turned off the pavement three miles north of Saratoga, our car splashing down a sandy road which ran canyon-like through towering walls of loblolly pines thicketed with sweetgum sprouts, yaupon, and palmettos.

"Stop a minute," Lance said, and we got out to examine some tracks, still fresh and sharp in the wet sand of the road. I thought they were deer, but Lance pronounced them to be rooters or half-wild hogs.

"Two weeks ago, just north of here, one of the forest rangers saw a bear and cub cross the road," Lance said. "So there's still bear. I've seen panther, too."

Down the road two gleaming eyes flashed in the car lights for a moment, then disappeared. I went back and turned out the car lights, and night covered us. With mist drifting by and the eerie hoot of an owl occasionally breaking the deathly silence, the feeling was overpowering. Just to break the hush I asked Lance how come this road was so straight.

"It used to be a log and oil-hauling branch of the Sante Fe until they tore it up in 1935. Then the fox runners, the bear and cat hunters, the deer chasers used it because the stretch carried them into the densest part of the Big Thicket. About that time the stories about the Lights began to grow."

I'd heard a bit about the Lights. For years, ghostly lights had been reported dancing through the forest along the Ghost Road—variously described as red, white, blue, green, and combinations; as hot and cold; as floating, darting, leaping, and quiet. "Going out to look for the light" has always been a good excuse for young couples. Archer Fullingim, editor of The Kountze News, tells about the time in 1960 when he decided to see what he would come up with if he publicized the Ghost Road and its Light in his newspaper.

"Almost everyone in the country who could read, and even a few outsiders, went out to see the ghosts, and the stories grew. During this period the Light went wild—it chased cars, it floated over the hoods and cut out engines; it burned hands and scorched car tops. Several people reported their cars ran over it, and one fellow said it jumped on top of his car and made thumping noises."

People of all ages and intellects came to see. They shot at it, chased it, tested it with litmus paper and Geiger counters. One opportunity-minded preacher climbed on his car top and harangued the ready-made congregation about the Light as an evil omen of impending doom.

All sorts of explanations were offered by the philosopher-scientist-students of the Light ranging from reflecting car lights or low grade swamp gas to ghostly ectoplasm.

"There's ghost stories," Lance said, "which are more story than fact though they might have had a start in some fact.

"One story is about Spanish soldiers who hid gold in the thicket and died before they could come back, with their ghosts still hunting for it.

"Another tale is about a man firepanning (hunting with an iron pan on the end of an iron pole filled with burning pine knots) at night, who took a few too many drinks and laid down on the railroad track. Well, the train came along and cut off his head and no one ever found it, and his ghost is still

wandering up and down where the track used to be, carrying his spectral fire pan, still hunting for his head."

Even the discovery of oil at Saratoga seems legendary, credit going to a local critter known as the piney-woods rooter, or hog. Fletcher Cotton, noticing that his hogs kept coming home with slick and glossy oil mud caked on their sides, followed them and discovered their hog wallow was a sulphur-smelling slough of oily bubbles. He drove a two-inch pipe into the pond, waited, and when he saw oil rising in the pipe he knew it was near time to start signing leases.

Saratoga got its name when the more enterprising Thicketeers got a whiff of the sulphur springs that Old Man Cotton's hogs had discovered. They borrowed the name of the famous New York health spa, built a bath house over the "medicinal" springs and waited for visitors to take the "cure." Never much of a success, the Thicket was creeping in again when the oil field gushered in about 1903 and flushed the springs out.

When the oil boom ricocheted through Big Thicket, a whole way of life was upset. Tent towns and lawlessness mushroomed, fostering incredible circumstances upon which fable are built. For instance, the story of the weekly roundup in the once wild boom town of Batson sounds unbelievable today, more so if you drive through the quiet little crossroads hamlet that is Batson now.

During the boom days Batson supported itself by a system of regular weekly fines instead of collecting taxes. Every Monday the justice of the peace rounded up all the gamblers and shady ladies into his court in the two-storied Crosby House, the local hotel, where they would pay their fines and return to business immediately. The day came, however, when Batson settled down, gave up its lawless ways, and the roundup became a thing of the past.

Pioneers of Big Thicket were a tough breed whose way of life, over a hundred years old now, bears remembering, especially in the light of today's modern living. Just about the only trace of bygone days is a cluster of gravestones in a forest. Here and there you will find a cabin, built of such fine timbers over a century ago that it is still intact.

Clyde Gray, antiquitist of the Big Thicket, has moved several of these old structures to his "Heritage Gardens Museum" just west of Woodville, where five years ago he decided lore of the Big Thicket ought to be preserved as well as its unique ecology. He started collecting items of interest, their stories, and today when you step into his place you enter another world—of fact, not legend!

When we visited him, Gray was sitting behind an ancient cash register on which he was ringing up his modest admission charge. We walked out his back door into the past—the restored "street" of the typical piney woods "vallage" of one hundred years ago.

"That's the Robert Tolar cabin," he pointed out, "moved here intact from the Big Thicket. For 95 years, since 1865 until 1960, three meals a day, every day, were cooked in its open fireplace on mounds of coals. Once, 135 people were fed. Two of the Tolar daughters, now 95 and 86 years old, lived all of their lives there until 1960."

The building rests on its original wood blocks of cypress and heart pine—never touched by termites or rot. The doors are on wooden hinges, with wooden hinge-pins ingeniously turning on bacon-rind washers.

"Across the 'street' is the Z. C. Collier store, the original building used at Town Bluff until the late 1920s. When Texas became part of the United States in 1846, settlers trekked into Texas with ox teams to take up the free land. Many of them crossed the Neches River on a ferry maintained by the Collier family at Town Bluff. That same family built this store on the west bank in 1853.

"On the fringes of the Thicket, land was cleared and plantations grew sugar cane, tobacco, and cotton, which they traded to the Colliers for supplies. Few people today know there were at one time three cigar factories in Woodville.

"That store was the supermarket of the 1800s, a clutter of everything—from sewing thread to coffins. Those cotton bales like you see there usually settled year-long credit accounts and left a little cash before they were shipped down the Neches in flatboats.

"The Colliers also had a post office in the store. We have some original P.O. boxes—and the interesting safe, which has no lock. The Government required every post office to have a safe, but failed to mention anything about a lock, so this one had none, and yet was quite secure in the Big Thicket country of a century ago."

One of Big Thicket's leading industries for many years was moonshining, and Clyde Gray has a good working example of an old-time whisky still. Big Thicket moonshine, they say, tasted not like bourbon but like Drambuie.

Former Liquor Board man Woody Mints of Houston says, "Before World War II, we were finding 25 stills a month in the Big Thicket country. The illicit industry came to a wailing stop with wartime sugar shortages and rationing. But even nowadays we turn up twelve to fourteen stills a year.

"But the stills have always been hard to find—with no buildings or permanent location. As soon as one batch is finished they move the operation to another place."

It's hard to pin a Big Thicket story down to facts and even to location. One of the best known stories to come out of Big Thicket is about the Kaiser Burnout. Any old-timer can tell you his version and show you the exact spot but—legend or history—you won't find it in your history books.

According to Lance Rosier, the burnout area, once known as Panthers Den, was a canebrake thicket in the "tight eye" or thickest part of the woods. (Tight eye, Lance says, because you can only get through it by shutting your eyes tight and plunging through.)

During the Civil War, draft dodgers from the Confederacy went into hiding here to escape going to war. These Jayhawkers, as they were called, lived off the country; they collected honey and left it for barter at a designated spot now known as Honey Island. In 1863 the showdown came when Captain Jim Kaiser, sent from Galveston to either capture the deserters or shoot them, cornered about 75 of them in the Panther Den area. Some say Kaiser courted a girl whose brother was one of the deserters. She told Kaiser where the men were. Anyway, one day when the wind was right, Kaiser started a horseshoe-shaped forest fire, hoping it would sweep out and encircle the band and that he could catch them as they crashed through the break. All but two of the Jayhawkers escaped and are the great-grandfathers of many present-day Thicketeers. But the fire fury scorched the land so thoroughly that for sixty years nothing would grow. Finally, in 1930, a lumber company plow turned the sterile earth under and planted the area in neat rows of pine trees which you can see today.

The latest mystery to come out of Big Thicket is The Hanging Tree. Early in 1967 Cecil Cassity's sawmill at Batson was handling a load of beech trees from the bottomlands of Bad Luck Creek near Segno. One extra-big log was just about to be cut into slabs when someone shouted to the sawer to "hold it." Rolling the former giant of the forest aside the men saw carvings. Cassity went to tell Lance Rosier about the tree and to offer it for the Big Thicket Association museum at Saratoga.

The carving showed a hatted man, hanging by his neck from a rope thrown over the limb of a tree. Under him was a boar hog and to his left the dates 1809-38, possibly the dates of birth and death. Could some hog thief have stolen his last hog and this tree marked his ignominious end?

Some legends of the Big Thicket may go back to the Indians for their origins, or to the Spanish padres who tried to translate Christian symbolism into something the natives could understand in their world of nature. In 1690, the Franciscans established Mission San Francisco de los Tejas, the earliest East Texas mission (now restored, near present day Weches).

The greatest news to come out of Big Thicket has been that the almost legendary ivory-billed woodpecker, once thought to be extinct, has been found there. The largest woodpecker in the world, larger than the crow, this magnificent, flaming crested bird (the females have black crests), with large white wing patches visible when the bird is at rest, was believed to be extinct. It is one of Lance Rosier's secrets where they are in the Big Thicket. This bird needs the dead or dying logs of wild virgin areas for nesting purposes, and for grubs and other insects on which it feeds. "I leave them alone," Lance said, "because once the word gets around where they are, the poachers move in. When a species is near extinction, one bird becomes a trophy."

Editor Fullingim once ran a story describing the ivory-billed woodpecker, saying that it was extinct elsewhere in the nation except possibly in the Big Thicket. About a month later a swamper shuffled into his office carrying a dead woodpecker.

"Ain't this the bird you said was extinct?" he asked. Fullingim dug out his copy and read the detailed description to the hunter who checked off each point on the dead bird.

"Hit's hit all right," the native said. "I killed hit because I knew you wouldn't believe me unless I brought it to you."

The full horror of the deed must have showed in Fullingim's face for the hunter quickly said, "Oh, they's more where I got him. But I ain't gonna tell you or anybody else where. If I got all them extinct woodpeckers, I'll be the most important man in the world, even if nobody knows hit but me, and that's the way I want hit."

Big Thicket has many things to interest many people. Besides regular Nature, it has the flamboyant, the rare, the record-sized, and the oddball such as insect-eating plants. Lance told me about these carnivorous plants, and that Big Thicket has four of the five types found. At the edge of a large bog of pitcher plants he picked one and slit open the stalk to show me the hundreds of insects, moths and ants, being digested by the plant at the bottom of the hollow stalk.

Everything in Big Thicket seems to have a story, drama, or a mystery. Unfortunately, this land that breeds such interesting legends, is in itself on the verge of becoming a legend. Big Thicket, once a known three million acres, but now considered about 300,000, is fast disappearing. Most of its wilderness was raped decades ago when timber harvests cleaned out the virgin forests, leaving denuded chaos and disintegrating sawmill towns behind. Fortunately, Big Thicket eventually recuperates, if given a chance.

Today, however, the last 300,000 acres of Big Thicket are under renewed attack. The entire acreage is privately owned, most of it by five lumber companies. Lumbermen, pipeline companies, and real estate promoters are racing to carve up Big Thicket at the dismaying rate of fifty acres a day.

But an ever increasing number of Texans—keenly aware of their state's lack of public land, its dwindling natural areas, its mere 106 miles of trails—are becoming seriously concerned over Big Thicket. They know it is now or never if significant parts of Big Thicket are to be saved. Conservationists throughout the state are supporting a U.S. Senate bill for 100,000 acres for a Big Thicket National Park.

PRESIDENT NIXON'S DRAFT PLANS

Mr. SCHWEIKER. Mr. President, in this morning's Philadelphia Inquirer, I noticed a UPI dispatch indicating that President Nixon is considering issuing an Executive order directing the Selective Service System to put into effect a random selection method, implementing the "youngest first" and "1-year eligibility" principles.

These principles were endorsed by the President in his May 13, 1969, message to Congress on draft reform, and I am pleased to learn that these meritorious proposals will be implemented.

As the sponsor of the Draft Reform Act of 1969, which includes these proposals as well as proposals for a national manpower pool, computerized selection methods, mandatory national standards for exemptions and deferments, and a 6-year term for the Selective Service Director, I am deeply concerned about the immediate need to reform the grossly inequitable and arbitrary draft system as currently practiced by the Selective Service. I commend President Nixon for taking the leadership initiative in beginning to make these reforms.

The President's action will be particularly important at this time as our young people return to their campuses. There has been considerable speculation in the press, and among legislators, that the unrest which caused the disruption of so many institutions has not abated, and there is great concern over what will happen this fall.

One of the factors which causes some of this student unrest is the continuation of archaic governmental practices and procedures, which convinces young people that their Government is no longer relevant to modern problems. Perhaps the most archaic system in Government, and the one which is most directly related to these young people, is the draft system. Therefore, the President's action in making this system more equitable will go a long way toward showing young and old alike that we are concerned with improving our institutions, and that unfair systems can and will be changed.

Although I am pleased with the President's steps, I am distressed that the apparent motivation for utilizing the Executive order mechanism is the dim prospects for congressional action. Of all the many important measures which we have before us, and in committees, I think draft reform ranks high in priority, both because of its impact on every community in America, every family, and every young man, and because of the symbolic importance it has obtained among our restless youth.

I do not call for an immediate abolition of our draft system, or for any drastic measures involving our military manpower. Measures such as these demand careful investigation and review.

I do, however, believe that we must at least take the minimum steps to insure that the administrative system through which we implement our draft and military manpower policies be revised to eliminate many of its rusty and inequitable procedures.

Fortunately, we have the benefit of the exhaustive study conducted in 1967 by the Marshall Commission, officially known as the National Advisory Commission on Selective Service, whose 200-page report contained many outstanding recommendations for the mechanical improvements I am talking about. This report provides a solid base for congressional review of our draft system, which should help speed congressional consideration of proposed changes.

Mr. President, we in Congress have been talking about living up to our responsibilities, and not abdicating them to the executive branch, in a number of broad areas, both domestic and foreign. I think the area of draft reform, which involves both domestic and military policies, calls for equal congressional responsibility, and I hope we can consider widespread reform of our draft system at the earliest time.

Mr. President, I ask unanimous consent that the UPI article on President Nixon's draft plans be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NIXON TO BEGIN RANDOM DRAFT SELECTION SOON

WASHINGTON, September 3.—President Nixon, giving up hope that Congress will create a drift lottery this year, has decided to establish a random selection system of his own, it was learned Wednesday.

It was not known when Mr. Nixon will issue an executive order directing the Selective Service System to implement a random selection method. But the order is expected soon, as Mr. Nixon indicated in remarks to the nation's governors at Colorado Springs Monday.

CHANCES DIM

The President proposed last spring that Congress rewrite the Selective Service law to provide for lottery selection. And although many members of Congress are critical of the present draft law, House and Senate leaders have indicated chances are dim that draft legislation can be considered this year.

So, sources said, Mr. Nixon has decided to act on his own and create a lottery system by reversing the order of call and drafting 19-year-olds first—action he is authorized to take as Chief Executive.

To a draft-eligible youth, Mr. Nixon's plan would mean only one year of uncertainty instead of two, three, four or even five years under the current system when the oldest, the 25-year-olds, are taken first.

UNCERTAINTY REDUCED

Here is the way it would work:

—The Selective Service System would begin drafting the youngest men first—probably those in their 19th year. Assuming this was the "prime age group," local draft boards would be instructed to fill their monthly quotas with the oldest 19-year olds available.

—To make sure that men with birthdays at any particular time of the month did not enjoy an advantage or suffer a disadvantage, draft calls would be issued at different times of the month.

—In the first year of transition, those above 20 and not yet 26 would be placed in the first year pool with the 19-year-olds.

—If a man got past his 19th year, he could assume that he would never be drafted unless a national emergency required that the prime age group be expanded in order to fill larger draft calls.

—College deferments would be provided but when a man graduated he would be placed in the prime age group and would have to take his chances of being drafted with the 19-year-olds.

Thus, the years of uncertainty that many men now face from the time they become 19 until they pass 25 would be voided and a youth could make more definite plans for his future.

STUDENT LOAN FUND ACTION VITAL

Mr. YARBOROUGH. Mr. President, in an editorial published on August 17, 1969, the Washington Post pointed out the necessity for prompt and final congressional action to restore private loan funds for students. A further story, which appeared in the Post on August 21, 1969, describes the impact that high interest rates are having on the student loan program.

Tens of thousands of prospective college and business school applicants are in need of loans from commercial lending institutions, and are unlikely to receive them unless Congress acts. I am sure every Member of Congress spoke to dozens of parents, school officials, and hopeful students about this situation during the August adjournment.

In setting up the guaranteed student loan program, Congress in effect assigned to private business a large share of the student financial aid load. Put another way, we assigned a large body of students to private business for financing their education. We cannot now turn our backs on these boys and girls when the lending institutions say: "The interest rate is too low to make a sufficient profit on your loan."

The Washington Post points out that 920,000 students will seek to borrow about $800 million under this program. Congress has the responsibility to assure that these students do obtain loans. We must do that by completing action on S. 2721. I ask unanimous consent that the editorial entitled "A Question of Responsibility," appearing in the Washington Post August 17, 1969, and the article, entitled "Loan Fund Crisis Hits Thousands of Students," appearing in the Washington Post August 21, 1969, be printed in the RECORD. I urge that they be read by every Member of Congress.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

A QUESTION OF RESPONSIBILITY

As a consequence of inflation, college tuition has risen substantially in the past year, and the price of borrowing money to pay for tuition has skyrocketed. A college student must pay anywhere from 8 to 10 per cent interest these days, if he wishes to borrow money from a bank. Even then, the bank probably won't lend him anything unless the government will underwrite the loan; and the government cannot underwrite student loans now for more than 7 per cent.

To remedy this situation, the Senate, just before it recessed, passed a bill introduced by Senator Javits authorizing the government to pay an incentive allowance of up to 3 per cent of guaranteed student loans that exceed the present statutory interest ceiling of 7 per cent. The House, however, went home without action on a companion measure. It is agreed that the bill will be brought up in the House under suspension of the rules on Sept. 15 when Congress reconvenes and with a proviso that it be retro-

active to Aug. 15. This means that the banks, if they want to, can bail Congress out of its delinquency—can make loans during the crucial months ahead with reasonable confidence that they will be reimbursed. The President has asked them to proceed on the assumption that Congress will complete its work when it returns from its holiday. One hopes they will do so.

About 920,000 students, in vocational training institutions as well as in colleges, will seek to borrow something like $800 million this fall under the guaranteed loan program. Most of these, having negotiated loans earlier, will be preferred customers and will no doubt get the funds they need. But some 200,000 students, most of them just entering college, will be up against it unless the banks respond sympathetically to their need.

On the part of the House, amends are in order. To have left this matter up in the air so near the beginning of the academic year is bizarre—even by House standards. Congressmen have lectured college students interminably on the subject of responsibility and have legislated incontinently to punish irresponsibility. When they come back to Washington, they might try supplementing their precepts by setting the students a more impressive example of responsible conduct.

LOAN FUND CRISIS HITS THOUSANDS OF STUDENTS

(By Linda Mathews)

LOS ANGELES.—Tim McClenaghan, a 19-year-old honor student, is learning about inflation firsthand. And if Tim seems a little young to be dabbling in high finance, there are hundreds of thousands of students, some even younger, in the same predicament.

They are the college students who were confident Uncle Sam would help them finance the coming year's schooling, and have discovered that regardless of their grades or financial need, the federal money is simply not available in many cases.

Anti-inflationary devices have created a shortage of federal funds.

And the recent rise in the prime interest rate to 8½ per cent has dried up the supply of government-insured bank loans.

Caught in the squeeze are the students and their parents, many of whom have been urging Congress to boost outlays for student aid programs. But with only six weeks remaining before the fall term begins there is almost no possibility of action.

The crisis comes as a shock to most families primarily because the government in the past five years has been uncommonly generous, appropriating upward of $400 million a year in grants, work-study scholarships and low-interest national defense student loans.

BURDEN SHIFTED

When taxpayers began to balk three years ago at government spending, Congress voted to shift some of this burden to private banks, which made federally insured loans available.

As a result, about a sixth of the nation's 6.2 million college and university students last year received financial aid, and even more were eligible.

This year, in the words of a California university administrator, "the merry-go-round stopped."

"I applied for every kind of scholarship and loan that's available," says Tim McClenaghan, whose mother—a divorcee—supports Tim and two younger children on the $6,000 she earns each year as a grocery checker. "And I didn't get anything."

The reason for Tim's plight is that UCLA, like other major universities, is required to help the neediest students, many of them poverty level youngsters recruited under the educational opportunity program.

Now these students are on campus, just as federal financing has leveled off, and the deans are discovering money problems.

Money available for the three major student aid programs amounts to only 61 per cent of the requests from eduactional institutions, according to the U.S. Office of Education.

The estimated $503 million available in the coming academic year falls far short of the $814 million requested and the $682 million approved by regional panels.

This difference has created panic on campuses, and means no money for Tim McClenaghan.

PERCENT IS UNPROFITABLE

Bank loans, though more expensive than the defense student loans (which are paid at 3 per cent interest), allow a student to borrow up to $1,500 a year at 7 per cent interest, with payment beginning nine months after graduation.

For students whose adjusted family income (after deductions but before taxes) is below $15,000, the government subsidizes interest payments while the student is in college.

But with tight money prevailing during the past two years, 7 per cent interest has been unprofitable for banks.

When the prime lending rate soared to 8½ per cent in June—1½ per cent above the maximum the government was willing to pay—the bankers warned that they would be forced to curtail or end their participation.

In the past two months bankers have come to realize how much money they are losing on each loan, which is not just the difference between the 7 and 8½ per cent rates. Few borrowers get the loans at the prime rate, most instead paying upwards of 10 per cent.

In the face of these losses, the bankers have told Congress that if changes are not made, about a third of the freshmen—or 220,000 students—applying for new loans for fall will be turned away.

The administration bill—delayed for months while presidental advisers haggled—would let the Secretary of Health, Education and Welfare peg the interest rate above the present 7 per cent ceiling whenever commercial rates are high.

Although the bill, "The Insured Student Loan Emergency Amendments of 1969," was rushed through the House Education and Labor Committee, action on the House floor has been delayed by a controversy over a rider that would withhold funds from dissidents. Now a final vote cannot come until the House reconvenes in September. In the meantime, the White House is urging the banks to continue the student loans with the expectation that Congress will act when it returns.

UTAH'S JOHN MOONEY TAKES HELM OF NATIONAL FOOTBALL WRITERS ASSOCIATION

Mr. BENNETT. Mr. President, honor came to Utah and the Intermountain West recently when the veteran sports editor of the Salt Lake Tribune, John Mooney, was sworn in as the 26th president of the National Football Writers Association of America.

The association lists 1,102 members on its rolls, making it the largest organization of sportswriters in the Nation.

As evidenced by the burgeoning game attendance and wide public attention given to key games and players, football has really come of age in the United States. It has been men such as John Mooney, equipped with talented pens and keen insight, who have helped millions of Americans to vicariously live the great moments of the sport.

It should be noted that John is the first intermountain sports writer in the 28-year history of the National Football Writers Association to become president of the prestigious group.

Typically, John spreads the credit for his selection around to the newspaper he has served well for 30 years, and to the coaches, athletic directors, publicists, and players whom he has worked with during that time.

We in Utah are particularly proud of John and the recognition he has brought to his State. I am confident he will do an excellent job as head of the association during the centennial year of college football.

I ask unanimous consent to have printed in the RECORD two articles regarding the selection of John Mooney as president of the National Football Writers Association. One is a news article published in the Salt Lake Tribune; the other is a column written by the new president, also published in the Tribune.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

MOONEY TO TAKE FOOTBALL REINS

CHICAGO.—John Mooney, veteran sports editor of The Salt Lake Tribune, Friday will become the 26th president of the National Football Writers Association of America.

Mooney succeeds Dave Campbell of the Waco News-Tribune as head of the largest organization of sports writers in the nation. Dick Herbert of the Raleigh (N.C.) News-Observer moves up to Mooney's first vice presidential chair.

EARLY AWARD

In preliminary ceremonies Thursday, Mooney was presented the gavel from outgoing president Campbell. The ceremonies were held during a special luncheon.

The Football Writers Association was founded in 1941 when Wilfrid Smith of the Chicago Tribune was named president in the course of the annual All-Star week in Chicago.

SECOND PRESIDENT

Charles Johnson of the Minneapolis Star-Tribune was the second to head the grid writers. He was followed by Francis Powers, former New York writer who headed the Shrine East-West game; then Bill Leiser, of the San Francisco Chronicle, Raymond Johnson of the Nashville Tennessean, Hal Middlesworth of the Detroit Free Press and H. G. Salsinger of the Detroit News.

G. W. (Sec.) Taylor of the Des Moines register followed as president, and was succeeded by Bill Rives of the Dallas Morning News, Rube Samuelsen of the Pasadena Star News, Tom Siler of the Knoxville News Sentinel and Chet Smith of the Pittsburgh Press.

OTHER CHIEFS

Then came Leo Ficher of the Chicago American, Flem Hall of the Fort Worth Star-Telegram, Paul Zimmerman of the Los Angeles Times, Furman Bisher of the Atlanta Journal and Murray Olderman of the Newspaper Enterprise Assn.

In recent years, the football writers have been headed by Jerry Liska, Associated Press in Chicago; Bert McGrane of the Des Moines Register, Blackie Sherrod of the Dallas Times-Herald, Jack Murphy of the San Diego Union, Freddie Russell of the Nashville Banner, Arnie Burdick of the Syracuse Herald-Journal, Maury White of the Des Moines Register, and Campbell.

Mooney will serve during the Centennial celebration of college football.

GREAT HONOR

In accepting the gavel, the new president said, "I think this honor is shared by all of us in the Rocky Mountain area, and espe-

cially the newest, best-balanced of the major conferences, the Western Athletic Conference.

"That a representative of the Rockies should be chosen to represent college football during its centennial year is a great honor for me, for The Salt Lake Tribune, and for the coaches and players who have made football respected nationally in our time."

MANY PEOPLE MADE IT POSSIBLE FOR OLD JOHN TO TAKE GAVEL

(By John Mooney)

CHICAGO.—The National Football Writers Assn. lists 1,102 members on its rolls, making it the largest organization of sportswriters in the country.

Since it was organized in 1941, this organization had but 25 presidents until Old John became the 26th Friday morning.

There never had been a president selected from that vast area between Des Moines and San Francisco-Los Angeles, until the gavel passed to me Friday morning.

A guy would be guilty of lying if he claimed he wouldn't be proud of this honor. But more than mere personal pride, there's the pride of one's newspaper in being classed ahead of many of the other prestige newspapers in the country.

Some great newspapers have never been honored by having a president of this largest sportswriting group on the staff.

And a man must be proud for his area, for the quality and caliber of football which gives prestige to those who report the Rocky Mountain and Western Athletic Conference games.

THE HARD WORK

During the last 30 years, I would hesitate to estimate how many hundreds of thousands of dollars The Tribune has spent in helping me gain some national stature, such as it may be.

And the coaches, athletic directors, publicists and players, who have been just great in their consideration and cooperation over these 30 formative years.

And when it comes to team effort, no sportswriter can minimize the understanding and self-sacrifice on the part of his wife and children.

Birthdays and anniversaries must of necessity come second to the game of the day which has to be reported.

The men above me, the publishers and editors, have been patient and generous in bypassing human frailties. Naturally, every day hasn't been blue bird weather in the office. But when things got down to the nitty-gritty, my bosses have gone right out on the limb with me.

And Al Warden, the former scribe at Ogden, who was one of the writers here for the old Esquire All-American High School Game, when the Football Writers organized, can't be missed. It was Al who introduced me to many of the leaders who eventually named me president.

DICK ROMNEY HONORED

There is one friend I can never thank, but I hope he gets the word about his selection as the Football Writers' recipient of the plaque for his contribution to college football.

It has been in the plans for two years that when I became president, E. L. (Dick) Romney would be honored, so that his installation could be done up right.

Bud Jack and Buss Williams, the respective athletic directors at Utah and Utah State, planned to have the award presented at halftime during the 1969 Ute-Aggie game in Salt Lake City.

Dick, of course, died last spring, before he could receive the honor. But the writers respected Dick to the extent that Friday they presented their first award posthumously to Dick Romney, and I hope the Utes and Aggies carry though with their plans.

I think Dick would have been here with other friends from Utah to see Old John take the gavel Friday, without realizing that he was slated to receive an honor, too.

ALASKA IN TRANSITION

Mr. GRAVEL. Mr. President, on September 10 the State of Alaska will offer for lease about 430,000 acres of land in the Arctic. This sale will trigger development of an enormous oil field which will be of great benefit to the people of the United States.

There are many problems connected with this development: questions that deal with such topics as employment, the poverty of Alaska villages, and the environment.

Recently, the Anchorage Daily News published a series of articles written by one of its reporters, Tom Brown, which deal with the Arctic oil developments and particularly concentrates on the environmental problems involved.

Without question, this is the finest piece of journalism to emerge thus far in connection with the oil discoveries. Mr. Brown devoted many months to the preparation of this series, and the Daily News published it prominently, giving it the importance in Alaska that it deserves.

The series of articles represents an artful blend of information and opinion. Its message is clear: the oil developments must be exploited for the benefit of our Nation, but in permitting this development Government must set rational standards for the companies to follow and enforce those standards.

The industry and Government can work together in the North to tap a source of needed fuel and to do so without destroying one of the earth's last great wilderness areas.

I commend Mr. Brown's articles to the Senate as a concise, brilliant assessment of the problems and the opportunities and ask unanimous consent that the entire series be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

MAN AND PLANET EARTH

On page one today, The Daily News is starting the first of a series of articles entitled The '69 Oil Rush.

Product of six weeks of research, reporting, interviews by staff writer Tom Brown, it is an attempt to put the North Slope oil discovery in a context broader than greed, a context that pivots around one overwhelming question:

Will the people of this state, bedazzled by the dollars in store, sit by while the environment is compromised or destroyed?

Orderly development calls for intelligence, for careful planning, for guidelines clearly understood by industry, lest the rape of the planet continue to produce the same bitter harvest we have reaped elsewhere in the United States.

We can think of no better way to introduce this series, on the Opinion Page, than to reprint the observations of Norman Cousins, editor of the Saturday Review, which appeared in that magazine April 23 of this year. Here is Mr. Cousins:

The English historian-critic A. L. Rowse has identified one of the most persistent and costly tragedies in history: People involved in a great crisis or upheaval seldom understand what is happening to them. So it was in the fifth century B.C., when the Athenians neither comprehended that they were living in a golden age nor that it would pass rapidly into a period of fierce disintegration. So, too, in the last phases of the Byzantine Empire, when people directed their thoughts and energies to everyday matters rather than to the groundswells that were to break apart their civilization.

What is it that people today fail to understand about what is happening to them? What is happening is that they are using up their planet at a fearsome rate and may soon pass the point where their total habitat can sustain human life. Man's world is slipping away from him. His habits, his thoughts, his actions, run counter to the essentials of his existence. He has created national governments for the purpose of giving him maximum protection, but he has no way of protecting himself against the governments. In the act of contending with one another, the governments have become instruments of race suicide and world holocaust.

Whatever man's successes in intermediate organization, he has failed to create an organization of the whole. His finest energies have gone into interim projects. The need to apply his intelligence to the operation of human society itself has yet to lay a claim on his awareness or his reason. After at least 200,000 years of evolution, man's instincts and tropisms are still strongly tribal.

Most of what man does is irrelevant to his main problems: his ingenuity has been applied to everything except the need to make his planet safe for human habitation. He has cut into his natural environment with large slashes. His sources of food are being sealed over by the tar and cement of his cities and highways. Next to destructive force, he produces nothing in greater volume than his garbage. He has made his sky an open sewer and his rivers and lakes a poisonous brew. He has pumped his foul wastes into the seas and has stared balefully at billions of floating dead fish.

Instead of fortifying his plants against insects with rich loam and compost, he has attacked them indiscriminately with chemicals, violating the chain of life and killing off the birds that are far more essential to his own spirit than many of his commodities. By going against nature, he has warred against beauty of line, movement, and sound. He has been mucking up his own planet, but has the arrogance to go searching for life elsewhere in the universe.

What has been happening to people that they don't understand is that they have made a geographical entity out of their world without a philosophy for ennobling it, a plan for conserving it, or an organization for sustaining it. Men crave to do good, to act reasonably and think decently. Lut goodness and decency and wisdom must have a world purpose in our time if life and thought are to have any meaning at all.

If the job is to be done, it will have to be done by people. The people must lead and shape their governments. The people must create a way of governing the governments.

Hence our proposal to a foundation, or to a man about to start a foundation: Make available the funds for creating a private body under some such name as the Commission on the World's Future. Bring together men of the stature, outlook, knowledge, and moral imagination of Lester Pearson, Sarvepalli Radhakrishnan, Zafrullah Kahn, Andrei Sakharov, Harrison Brown. Pay them each a salary comparable to what men heading the large corporations command. Tell them to regard themselves as members of the human race first and as nationals second. Ask them to consider the problem of the whole above and distinct from the problems of the parts. Ask them to tell people what is happening to their world. Give them the job of preparing a much more important annual docu-

ment than the reports on the state of the nation issued by the individual heads of governments. Their report would be on the State of Mankind.

Ask them to help create ideas to which people can respond in making their world congenial for human life. True, they will have only words at their disposal. If they are the right words, they will be enough.

[From the Anchorage Daily News]

THE '69 OIL RUSH: ALASKA'S CHALLENGE—OIL AND WILDERNESS

(By Tom Brown)

(NOTE.—Daily News Staff Writer Tom Brown has spent the past six weeks researching and writing this special series, "The 1969 Oil Rush."

(He has read hundreds of pages of background material, interviewed dozens of persons—including oil men, state and federal officials, biologists, conservationists. He has traveled to Fairbanks, Juneau and the site of the fantastic oil discovery, the North Slope. In all, he collected more than 30,000 words of notes along the way.

(Today is the first in a series of articles entitled "The '69 Oil Rush"—part of Alaska in Transition.)

Alaska is facing its first environmental crisis.

Two of its most valuable resources—oil and wilderness—are in conflict.

The arena is the North Slope, the remote Arctic desert that runs across the top of the state between the frigid Beaufort Sea and the majestic Brooks Range.

The problem is how to allow development of Alaska's immense oil riches, in which the oil industry, the state and the nation all have such a tremendous stake, while keeping damage to wilderness areas at a minimum.

The flat tundra, locked in the iron grip of winter for nearly nine months of the year, visited briefly by a cool, bright summer, has been called one of the last major areas of untouched wilderness in the United States. Monotonously flat, it is nonetheless credited, by those who know it, with a subtle, fragile beauty. It is home to hundreds of thousands of caribou, the marauding packs of wolves these gentle animals attract, the rare and beautiful barren-ground grizzly and uncounted millions of migratory birds.

Beneath this unusual landscape lies the oil: billions of barrels of it, a treasure of incalculable value to the oil companies and, through their taxes, of potentially enormous benefit to the state and its residents.

Daily the oil companies continue building roads and airports, drilling exploratory wells and financing extensive seismic exploration. Daily this activity is transforming the North Slope. And daily the description of it as an untouched wilderness becomes increasingly obsolete.

This is the core of the current crisis.

It is a crisis that goes to the root of fundamental American beliefs about free enterprise and government and raises basic questions about the relationship between man and his environment.

It is a crisis because so much is at stake.

On the one hand there is the oil. Virtually all authorities—government, industry and otherwise—agree that the income from it will transform Alaska from a pauper state into one of the wealthiest; it will turn enormous profits for a number of major oil companies, whose health is important to the national well-being; and, on a larger scale, it will allow the United States to close the gap between the amount of oil it produces and the amount it uses, a development with profound implications for American foreign policy.

On the other hand, there is the wilderness. It is scarcer already than oil and conservationists (and a few oilmen as well) believe that in the long run it may prove more valuable. Alaska is America's last big piece of it and the North Slope constitutes a considerable part of what wilderness Alaska has left.

But as important as the impact of oil development on the North Slope is, the precedents for oil operations set there may be of still greater significance.

It has been argued that what happens to the Slope is of little consequence because it is a remote, inhospitable region, largely uninhabited and of little practical value to most of the state's people.

But about half of Alaska's land mass and vast offshore areas are underlain with geological formations that the oil industry considers most promising. It is reasonable to expect that some of these areas will be productive—and some of them are of vastly greater immediate importance to the quality of life in Alaska than the North Slope. Bristol Bay and the Gulf of Alaska are two good examples.

The manner in which the oil companies are allowed to develop the Prudhoe Bay fields could have a decisive influence on how oil discoveries in the rest of the state are managed. Biologists fear that any but the highest possible development standards could have catastrophic effects on other valuable resources—fish, waterfowl and big game as well as the wilderness value of the land.

It seems obvious that the immense quantities of oil under the tundra must be gotten out. At this nation's current stage of technological development, oil is a vital resource.

It seems equally obvious that in getting it out, Alaska must avoid the environmental disasters that have gone hand-in-hand with industrial development in so much of the country.

How to do this raises a great number of complicated questions:

Is it technically possible to remove the oil without ruining the North Slope's wilderness values? If not, how much damage can be considered acceptable?

If the tundra is damaged now, can it be repaired? What affect will oil development have on the wildfowl, the grizzlies, the caribou and the wolves on land, the fish in the streams and the seals, walrus, whales and polar bears offshore?

Perhaps most important, what is the oil industry's responsibility in developing the North Slope oil discovery? What is government's responsibility? What is the public responsibility?

Six weeks of research and dozens of interviews have provided no more than provisional answers to many of these questions and scores of others. But they are questions that are being asked and debated in the oil industry, in government and among conservationists; they are questions that are of vital importance to the future of the state; they are questions which should be raised, refined and debated in the public forum.

That is the object of this series of articles.

But in order to understand the urgency of the problem Alaska now faces it is necessary first to understand the fundamental importance of both oil and wilderness.

That is where this story begins.

NEWS THAT ROCKED THE STATE

(By Tom Brown)

The announcement that was to have such dramatic impact on Alaska came just a little more than a year ago, on June 25, 1968.

Atlantic Richfield Co. (ARCO) disclosed that its Sag River State No. 1 well had "encountered oil in the same triassic formation" as its Prudhoe Bay State No. 1 well, which had hit oil in February.

"We believe this is a significant oil and gas discovery, the extent of which must await further testing and exploratory drilling," said ARCO Board Chairman Robert O. Anderson.

That the announcement was a classic case of oil industry caution was demonstrated less than a month later, on July 18, when a leading industry consulting firm, DeGolyer and MacNaughton of Dallas declared:

"In our opinion, this important discovery could develop into a field with recoverable reserves of some five to 10 billion barrels of oil, which would rate as one of the largest petroleum accumulations known to the world today."

That gave the public its first solid indication of the magnitude of the find, but the oil rush already was well under way.

The success of the Sag River well, located about seven miles southeast of the Prudhoe Bay wildcat, confirmed to the industry's satisfaction that there was a mammoth pool of oil to be tapped on the North Slope and the scramble among other companies to find out what was on their own leases in the area was on.

The ARCO payoff was a long time coming.

The Alaskan Arctic has long been considered a most promising area for oil prospecting.

Early explorers reported the presence of numerous surface oil seeps on the North Slope, and the Native residents had known about them for centuries.

In more recent times, geologists discovered a series of classic anticlines—the dome-like rock formations that often serve as oil traps—beneath the tundra.

And in the 1940's and '50s, the Navy drilled 37 exploratory wells and 45 core tests in Naval Petroleum Reserve No. 4, a vast area situated roughly between Barrow and the Prudhoe fields.

But the Navy effort, while promising, was unsuccessful in terms of commercial finds. After the Navy suspended operations in the mid-50s, public interest in the Slope flagged and it was largely forgotten by most Alaskans.

Not by the oil companies, however.

Their interest in the Slope, though tempered by the extraordinary cost of Arctic operations, remained lively. Surface geology and seismic exploration parties roamed the tundra and a few wildcat wells were drilled, mostly by BP and Sinclair.

But the discovery role was to be Atlantic Richfield's—and it was sheer mischance that this rapidly expanding and crude-hungry company, formed in 1966 through a merger of Richfield's west coast operations and Atlantic Refining's ones on the east coast, did not find oil a year earlier.

Shortly after the merger, the decision was made to drill a wildcat on North Slope leases Richfield had acquired in a state lease sale. There were two proposed locations, the one at Prudhoe Bay and another further inland near the Sagavanirktok River. ARCO opted for the latter and called it Susie Unit No. 1.

The company poured $4.5 million down that disappointing dry hole. But it decided to go ahead with the Prudhoe Bay well, then call it quits if that didn't prove out.

Early in 1968, the Prudhoe well flared "a substantial flow of gas" at 8,500 feet.

The tension and excitement mounted until a month later when ARCO reported that it had cased in the well at a depth of 8,708 feet through a 470-foot sand body, the lower 70 feet of which "is believed oil saturated on the basis of core examination."

Early in March the firm announced it would drill the Sag River wildcat. Many interpreted this as certain evidence that Atlantic Richfield had what appeared to be a major find. This was confirmed a week later when it was disclosed that the Prudhoe well had flowed oil at a rate of 1,152 barrels a day in initial tests.

The find, confirmed later by the Sag River well, electrified the industry. Though there has been no official modification of the 5–10 billion barrel estimate of DeGolyer and MacNaughton, most oil men today estimate privately that the field contains at least 20–40

billion barrels of recoverable oil and perhaps more.

Every major company with lease holdings on the slope has rushed to explore them and the number of wells has increased from two a year ago to more than 30 either drilled or drilling.

At least 1,500 men are now working on the Slope, where last year there were only a few score. Industry investment has reached a half-billion dollars and will total several billion before the returns begin to flow in.

All in all, the last year has been perhaps the most exciting in the history of oil exploration in North America—and one that has had profound implications for the people of Alaska and their wilderness environment.

A Bonanza That Boggles the Mind!

(By Tom Brown)

While the oil companies scrambled to get operational on the North Slope, going to fantastic lengths to obtain geological information, most of Alaska watched with bemused wonderment.

It took a long time—too long, some politicians, conservationists and others concerned with the scope and pace of oil development believe—for the importance of what was happening to sink in.

The realization that perennial dreams of an oil bonanza had become reality had particular difficulty penetrating the highest councils of state government.

Throughout the contentious first session of the Sixth Legislature this year, Gov. Keith H. Miller stubbornly refused to raise the official estimate that the state would receive only $11 million from the oil lease sale schedued for September because that was all it had gotten from similar sales in the past. To do otherwise, the governor said, would be "irresponsible."

With the lease sale only a matter of weeks away, Miller still has not raised the estimate.

Thornton F. Bradshaw, president of Atlantic Richfield (ARCO), meanwhile, told Sen. Lowell Thomas Jr. in an interview for a documentary film that the state would realize a minimum of $1 billion from the sale.

Other oilmen privately predicted the total would be in the $1.3-$1.5 billion range.

That was before Thomas E. Kelly, commissioner of natural resources, announced that the state would offer only about a third of its 1.2 million acres of North Slope land. Even so, the state still is virtually certain to receive several hundred million dollars.

It is a mind-boggling sum for a state:

whose annual budget, including general fund expenditures and federal assistance programs, will total $200 million for the current fiscal year;

which has traditionally had to seek every dollar of federal assistance it could scrounge and whose economy for years was dependent on federal agencies for six of every 10 dollars spent;

whose first inhabitants, the Natives, constituting 20 per cent of the population, live for the most part in the most abject poverty;

which urgently needs the most basic facilities—schools, hospitals, roads and sewers;

and whose population is only 275,000 and is unlikely to be much more than twice that by the end of the century, even under the impact of the oil boom.

And the initial income from the September lease sale will be only the beginning.

When the Prudhoe fields begin producing in 1972, the industry expects the proposed 800-mile pipeline from the Slope to Valdez to carry oil out at an initial rate of more than 500,000 barrels a day.

This will be worth more than $50 million a year in royalties and severance taxes to the state.

When the flow is increased to the pipeline's designed capacity of two million barrels a day, the state's income will rise to more than $200 million a year. The figure could be higher if the severance tax is raised, as many legislators would like.

In addition, it is becoming increasingly clear that the industry foresees at least as much oil going out by tanker through the Northwest Passage across the top of Canada as goes out by the pipeline.

Figures made public by BP Oil Corp. in connection with its merger with Standard Oil of Ohio, taken at face value, indicate that BP plans to be taking at least 2.5 million barrels a day out of the Slope on its own by the late 1970s. There are indications that Atlantic Richfield is thinking in similar terms.

Thus, by 1975–'80 the state can expect to be receiving a rock-bottom minimum of $200 million a year and perhaps two to three times that amount.

The impact of this cash inflow on the state will be truly incredible in scope—so big that the dimensions of it are not at all clear at this time.

In addition, North Slope oil certainly will have an impact on the entire American economy.

But perhaps more important will be its effect on the U.S. oil deficit.

Imagine It's 1980

(By Tom Brown)

It is 1980.

The United States needs more than 18 million barrels of crude oil a day to keep the wheels of its millions of motor vehicles turning, lubricate the gears of industry, keep fleets of commercial and military jets aloft and provide the by-products that help pave its roads and provide it with paint, detergents, synthetic rubber, plastics, antiseptics, cosmetics, drugs, anesthetics, fertilizers and nylon.

But the country produces only about half those 18 million barrels.

The rest must be imported. Some can be had from friendly countries: Venezuela and Canada for instance.

But most of the gap—35–40 percent of the country's petroleum needs—must be filled by crude from Middle Eastern regimes.

The Middle East is still extremely unstable, Israel and the Arab countries are still at each others throats, the Soviet Union's interest in causing trouble in the area has grown in proportion with America's increased dependence on Middle East petroleum and U.S. policy in this area, critical for many reasons besides its rich oil fields, is hamstrung by the oil gap.

This little scenario, of the type that troubles the sleep of State Department policy planners, could have become reality had it not been for North Slope oil, which will begin reaching the market just as the U.S. otherwise would have begun to feel a real pinch from diminishing reserves and increasing consumption.

"There is a tremendous lack of appreciation of the international forces affecting the development of oil in Alaska," says Dave Hickok, senior staff officer of the Federal Field Committee for Development Planning in Alaska.

And an examination of oil production and consumption trends quickly shows why these forces are so potent:

Oil production outside Alaska is expected to increase slowly from 9.1 million barrels a day last year to 9.5 million in 1980. Consumption, meanwhile, will jump from a daily 12.9 million barrels to 18.2 million.

Without the North Slope, this would have meant an increase in the crude oil deficit from 3.8 million barrels a day to 8.7 million.

Precisely how much of this 8.7 million barrels a day the North Slope will provide is uncertain. Not enough is known yet about how much oil is on the Slope.

But on the basis of preliminary information it seems likely that Alaska oil will be able to satisfy most of the nation's oil shortage.

To begin with, the U.S. is virtually certain to continue importing some oil for political reasons. Imports from Canada and Venezuela seem assured and the U.S. is likely to continue taking at least a nominal amount of oil from the Middle East.

If a gap of 5 million barrels a day or so remains between Lower 48 production and dependable imports, the North Slope probably will be able to fill it.

The oil industry is planning to have the proposed North Slope-Valdez pipeline running at its 2 million barrel per day designed capacity by the mid-70s. Canadian firms are making a feasibility study of another 48-inch pipeline, which would have a similar capacity, from the Slope through Canada, and if the Manhattan project is a success, it probably would be possible to ship another 2 million barrels a day out through the Northwest Passage.

"North Slope oil is U.S. oil in the U.S. market and is capable of closing the gap between what the country needs and what it produces," says one respected local oil company official. ". . . It may make the U.S. no longer dependent on foreign oil.

"For a variety of reasons, the U.S. might continue to import some oil from abroad. But it would not have to make these imports and this would offer a number of advantages.

"For instance, we wouldn't be under the gun in the Middle East. We wouldn't be the victim of pressures and conflicts . . . So it is extremely desirable to have the capability of closing the gap.

"That is what Alaska could do . . . close the gap for the time being—postpone the gap and allow us time to go into synthetics—tar sands, shale oils and so forth."

The enormous value of such a breathing spell was pointed out by Walter Levy, a top U.S. oil consultant, who noted in an interview with Fortune magazine that, "a world power which depends on potentially reluctant or hostile countries for food and fuel that must travel over highly vulnerable sea routes is by definition no world power."

Most conservationists, though by no means all, concede the importance of oil to both the state and nation, but insist that Alaska's wilderness environment must not be ruined in getting it out.

The wilderness, they say, is too valuable for that.

Wilderness: An Enduring Message

(By Tom Brown)

"Man always kills the thing he loves, and so we the pioneers have killed our wilderness. Some say we had to. Be that as it may, I am glad I shall never be young without wild country to be young in. Of what avail are 40 freedoms without a blank spot on the map?"

—Aldo Leopold

That lyric passage expresses as well as any the emotional involvement many Americans feel with the nation's rapidly vanishing wilderness.

Nor does science consider it unusual even in this urban, technological age that they should feel this compelling attraction.

After all, anthropologists point out, it was not in an urban environment that man's essential nature was forged, but in wilderness: on the vast, rolling savannahs of Africa, where early man competed, with all the other animals, for survival. It was there, on those limitless plains, that man, with the aid of his superior brain—and, perhaps, his rapacious instincts—began the slow climb that was to bring him supremacy over all other living things and give him the power to alter the basic workings of nature. It was here, too, that the ego that led him, finally, to see himself as above nature rather than part of it, began to develop.

Throughout it all, the emotional pull of man's wilderness heritage has remained strong: how else to describe the immense popularity of hunting, fishing, hiking, camping out—even the weekend exodus from the big cities for a picnic in the country?

"Those who contemplate the beauty of the earth find reserves of strength that will endure as long as life lasts," the late Rachel Carson wrote. "There is symbolic as well as actual beauty in the migration of the birds, the ebb and flow of the tides, the folded bud ready for the spring."

"There is something infinitely healing in the repeated refrains of nature—the assurance that dawn comes after night, and spring after winter."

America, a nation carved from an untouched continent, has had an enduring romance with nature; an involvement so intense that Supreme Court Justice William O. Douglas fears that, "If we do not preserve the remaining samples of primitive America, we will sacrifice traditional American values, the values of frontier America.

"Not every citizen goes to the wilderness—and they did not even 300 years ago," he wrote. "But so long as there is the presence of wilderness and the option of going to see it, a certain number of citizens do go there and bring back a message for their fellows. As long as that continues we will retain a historic connection with the past of our nation—and our race."

Still, it is only in recent years that concern for wilderness areas has become a popular cause, primarily because it has been only in recent years that the scope of the current worldwide environmental crisis has been recognized, even by scientists.

In the last few decades, man has been cutting the forests, paving the farmland, pouring industrial and auto exhaust fumes into the air and dumping sewage and other wastes into the lakes, rivers and oceans at such a rate that a considerable number of scientists now predict worldwide disaster unless the trend is reversed.

"The most obvious symptom of the approaching catastrophe is the rate of our chemical and physical alteration of the air, water and land with waste products," Ian McTaggart Cowan wrote recently in "Arctic," the journal of the Arctic Institute of North America.

"I refer," he said, "not only to sewage and industrial wastes in our rivers, lakes and inshore marine waters, to noxious gases, aerosol biocides and fission products cast into the air; but also to the cacophony, rapidly increasing in variety and volume as it invades the remaining silent places; to the sprawling chaos that reach out from many of our cities; to the shack towns where the poor and unfortunate live in filth and distress; to the needless invasion of scarce farmlands by expanding cities; to the defilement and desecration of the landscape by strip mines, automobile graveyards and industrial and military junk; and to so many other activities that reflect a callous disinterest in maintaining a sensitive and effective relationship between man and the living world."

Consider that to the detriment of his air alone American man each day:

Pours into the atmosphere 180,000 tons of carbon monoxide, 33,000 tons of hydrocarbons and 17,500 tons of nitrogen oxide from the exhausts of 90 million motor vehicles.

Belches from the chimneys of his factories, homes and coal- and oil-fired power plants 100,000 tons of sulfur dioxide.

Burns 800 million pounds of trash, garbage, leaves and so forth in incinerators, pouring more tons of pollutants into the atmosphere.

Causes some $12 billion a year in air pollution damage to clothing, metals, buildings, crops, paints and fabrics in the U.S. alone.

Equally depressing statistics could be recited on the damage being done the nation's waters.

"To fly over Lake Erie and look down into the cloudy mess of murderous pollution is like reading the flyleaf of a book on the end of civilization," former Interior Secretary Steward Udall once remarked.

But perhaps the most compelling statistic of all, to the conservationists, is this one:

The land and water area of the 50 states, including Alaska, totals 2.3 billion acres. Of this, about 10 per cent remains in its natural state.

Most of that 10 per cent is right here in Alaska—in places like the North Slope.

DO WE CARE ABOUT ALASKA

(By Tom Brown)

Alaskans generally have been as apathetic about their surroundings as millions of other Americans Outside.

The evidence is everywhere:

In the discarded washing machines and refrigerators and tons of other rubbish that litters yards and alleys in Anchorage and Fairbanks; in the roadside junkyards and rundown businesses that line the Seward Highway from downtown to Rabbit Creek; in the hulks of countless hundreds of abandoned autos that blight Alaska's scenic countryside; in the budding smog problem in Anchorage and the ice fog in Fairbanks (the latter aggravated by the city government itself); in the beer cans and broken bottles along the roads and in the inevitable, inescapable, omnipresent oil drums.

The list goes on and on.

When conservationists expressed concern about what was happening to Alaska's wilderness, they got a blunt response from the developers:

So what? Only a small piece of wilderness is being changed. Alaska is all wilderness. There will always be enough.

Indeed, Alaska is largely wilderness still and its sheer bulk often makes it seem unconquerable.

It sprawls across 586,000 square miles—20 per cent of the area of the rest of the U.S. There are still two square miles of land for each of its 275,000 inhabitants.

It still is possible in theory to walk 500 miles in a straight line in this state without encountering a single fence, road, airstrip—or man.

But America was vaster still to the colonists, yet they developed—and often desecrated—half a continent in 300 years, much of it with only the crude instruments of the pre-electric age. Surely, conservationists ask, we cannot continue to believe that modern America, with the most sophisticated technology in the history of the human race, a booming population that may increase by half by the end of the century and an ever shrinking supply of open space is incapable of desolating Alaska?

Robert Weedin, game biologist for the state Fish and Game Department, thinks not and gave this warning in a speech at a Sierra Club meeting in San Francisco in March:

"I am convinced that the discovery of oil has telescoped the margin of time for wilderness preservation in Alaska into a very few years.

"Consider that there is no other private industry with similar ability to amass huge amounts of capital, and move men and equipment to remote parts of the earth.

"Consider that there is no other industry that changes the appearance of the landscape over such large areas merely in the process of looking for a resource.

"Consider the extreme rapidity with which surface transportation systems can follow oil discovery, as exemplified today in the North American Arctic.

"Consider that these roads and railroads quickly make other resource extraction and use economically feasible.

"Consider that the geology is favorable for commercial oil deposits under about half of Alaska, including most of the treeless areas from the Alaska Peninsula north and east to the Canadian border.

"Consider the desire of American oil companies to find reserves in North America that can be tapped when foreign sources are cut off.

"Consider, finally, that in the space of a few months oil explorations have destroyed the wilderness character of an area in northern Alaska bigger than the state of Massachusetts.

"I, for one, do not give our huge defacto wilderness long to survive."

State Rep. Wendell P. Kay points out that what happens in the state as its oil resources are developed will have an important influence not only on the remaining wilderness areas, but on the cities as well, because, "Alaska is going to experience a great increase in population and one thing that isn't generally realized is that while it is true that Alaska is vast, the economically habitable area is not very large.

"It would be relatively easy for overcrowded conditions to develop. This is especially true in places like Juneau, and even here in Anchorage, where we're pretty much confined to the basin."

"The big problem is that you can't go backward in conservation," observes Gerald Ganapole of Alaska Exploration Corp., a consulting geologist. "Once something has been destroyed, it's gone."

Or, as author Wallace Stegner put it:

"It is not given man to make a wilderness. But he can make a desert. And has."

PROGRESS, CONSERVATION—OR BOTH?

(By Tom Brown)

Winter hits the North Slope like a closed fist in October and soon the whole vast, limitless plain is white in the wan twilight, with patches of black lake ice showing where the cold winds scour off the snow.

For months it is dark: the sun never edges above the horizon and day at most is a pink stain where earth meets sky.

It is flat, the flattest place ever. There are no landmarks in the conventional sense: no trees, no bushes even, no hills, no rise in the land of more than a couple of feet for as far as the eye can see, not even any snowdrifts, for there is nothing for snow to drift against.

It is cold, 65 below sometimes, and when the wind blows hard the whiteout is so bad you can barely make out your own fingertips. The Brooks Range lies 150 miles to the south, a jagged jumble of forbidding mountains of incredible variety—spiky teeth, smooth humps, protruding knobs and cathedral spires—incredible variety and stunning beauty.

Fewer than 200 persons inhabit the whole vast expanse of the Brooks Range, with its densely packed peaks, gem-like lakes, towering waterfalls and tranquil valleys. Truly, this mountain range is the largest virgin wilderness in the United States and perhaps the world.

In the winter the Brooks Range is a brooding land of blue black shadows, wan twilight at midday and sparkling snow under the frigid winter moon.

This whole enormous expanse of land, from the peaks of the Brooks Range north down the Slope to the Beaufort Sea and far out into the Arctic Ocean—all of it is stunned into absolute silence by the icy blast of winter.

The thousand-foot waterfalls in the Brooks Range are locked solid in mid-fall, the shallow lakes on the Slope are frozen to their bottoms, the grasses and lichens and six-inch high shrubs sleep beneath the snow, and, except when the north wind howls, it is quiet beyond belief.

Yet even in this frozen wilderness life continues. Improbably, a dozen species of birds, including the hardy ptarmigan, spend the winter in the Brooks Range.

And in the mountains and on the Slope, hundreds of thousands of caribou (a rock-bottom minimum of 360,000; perhaps three

times that many), gray and all but invisible in the gloom, snuffle for food in the snow, shadowed, as always, by enormous wolves.

The dall sheep stay in the high crags (half of the world's population of them live there) but stick pretty much to the north slopes, where the winds keep the snow shallow.

And the polar bears, those tireless Arctic hunters, still prowl the coast.

There is hardly any spring and summer comes suddenly late in May.

Light returns to the north and with it relative warmth. The ice goes out in the rivers in one of nature's most awesome spectacles.

"Water began to flow everywhere," wrote Diamond Jenness, a young archeologist stranded near Prudhoe Bay in 1913. "New birds appeared . . .The rivers broke out all along the coast; their roar could be heard 20 miles away and their dark waters, newly exposed to the light, reflected the somberness of the sky above. Spring had reached us at last."

In the mountains the frozen waterfalls crash down and the water moves there, too.

The caribou, most of which have spent the winter on the southern slopes of the Brooks Range, move back through the mountains to the North Slope.

The ice goes out on the Slope lakes in June, and the lakes glitter in the high summer sun. The top few inches of tundra melts in the sun and billions of mosquitos appear, but the ever-frozen permafrost beneath keeps the surface water from sinking in. The ground is wet and spongy and for man travel is difficult.

Beneath the tundra, down 8,000 feet and more, lies the oil.

This is the North Slope—the hottest oil exploration area in the world and a wilderness whose preservation is of increasing concern to conservationists.

Biologists know the North Slope and Brooks Range to be an extremely important area for many species of animals and birds; caribou, the rare and beautiful barren ground grizzly, wolf, wolverine, and dall sheep on land; countless millions of migratory waterfowl which molt in the thousands of lakes; and enormous bowhead whales, seals, walrus and polar bears offshore.

Historically, the Slope also has been one of the most important U.S. homes of the Eskimos for thousands of years. Indeed, about 3,000 Eskimos live at Barrow, Anaktuvuk Pass, Kaktovik, Wainwright, Point Hope and a handful of tiny settlements.

None currently live in the Prudhoe Bay oil exploration area, though at least two families lived there until recently and Native hunters still pass through from time to time.

There are about 500 white men at Barrow and another 1,500 or more working in the oil fields.

"The beauty of the Arctic is not what you see, for instance, in mountain country," says freelance writer Jane Pender, who has lived and worked at Barrow. "It is not dramatic or striking. It is very subtle . . .

"There is a general impression that the North Slope is a wasteland," Mrs. Pender says. "But in fact it is perhaps the last place in the world that's relatively untouched."

"It is the last area in the world where one would expect that a major industrial development could cause concern," Robert Cantwell wrote of the Brooks Range in Sports Illustrated earlier this year. "All that space—wild, virginal. But the facts are inescapable. If there were ever a place where progress and conservation come into direct confrontation, it is the Brooks Range. For the first time in history the alternatives are absolute. There is an untouched wilderness on one hand and an enormous natural resource on the other. Industry has never before had such a clear opportunity to develop the resource and still preserve the wilderness. There are two causes to be served. Perhaps, with unusual thought and care, both can be served."

Perhaps. But unusual thought and care frequently have been lacking in the past—as an examination of what happened in Naval Petroleum Reserve No. 4 demonstrates.

PET 4: TRAIL OF TRASH AND EMPTY OIL DRUMS

(By Tom Brown)

Man first came to the Alaskan Arctic at least 6,000 and perhaps as long as 15,000 years ago.

He was the Eskimo and he migrated from Asia across the Bering Strait, then fanned out across the North American Arctic, eventually as far as Greenland.

His culture, though better adapted to the harsh Arctic climate than any other, was primitive technologically: the Eskimo's implements were simple—knives, fish hooks, harpoons, bows and arrows of stone and bone and, when he could find it, wood. His transportation was the dog sled.

Throughout this tremendous span of time, the Eskimo lived, with the animals of sea and land, in harmony with his cold land of snow and ice.

"Throughout these 60 centuries," Dave Hickok, senior staff officer of the Federal Field Committee for Development Planning in Alaska, has noted, "man has been an integral part of the Arctic ecosytem—living and taking from, dying and giving to the environmental mass."

With his nomadic, hunting society and primitive tools, it was beyond the Eskimo's capacity to harm his environment (which helps explain why conservation has only recently begun to become a concern of the Eskimo).

"The Eskimos have been wandering across the Arctic for centuries," freelance writer Jane Pender (whose work regularly appears in the Daily News) notes, "and they've never left a mark—nothing."

All this began to change somewhat less than 100 years ago.

First the whalers came. They came in large numbers, but stayed on the coast and offshore islands. They had relatively little influence on the Arctic, though their depredations were responsible for starting the decline in whale populations and though their establishment of camps at places like Barrow and Beechey Point first began concentrating Eskimos in villages.

But the big change did not come until about 25 years ago.

It was World War II and the government decided to dispatch crews to explore the vast Naval Petroleum Reserve No. 4 for more oil should the country need it.

In the early 1940s the contractors arrived and built the Barrow Naval Station.

What happened then is a classic example of modern, technological man's blundering in an alien environment about which he knew nothing.

An oil exploration base was built inland at Umiat and the Arctic was invaded, for the first time, by heavy tracked equipment to pull the drillers' supplies.

". . . the Arctic contractors . . . left a trail of trash and empty oil drums with scars on the prairie that haven't begun healing yet all across the Pet 4 Naval Reserve," one man familiar with the operation wrote a friend recently. "They were scared people. Afraid of the land, here for the money and never intending to see it again in most cases.

"It was true of the Coast and Geodetic Survey crews that followed. Some of their camps were abandoned as if ahead of our invading army. When they left Pilt Point, the dishes were left on the table! . ."

"At Umiat," says Mrs. Pender, "there are piles of junk and oil barrels that almost look like skyscrapers from the air . . .

"They did some oil exploration at Wainwright where they used heavy equipment in the summer. Now instead of cat trails, you have vast gullies. Essentially the land just disappears."

Unsightly junk heaps. Caterpillar tracks with the cleat marks still distinguishable; scars that won't heal in our lifetimes—and maybe never. Badly eroded, subsided land that has drained lakes and changed the character of large areas.

This has been the price of carelessness and ignorance.

Much was learned from the Pet 4 experience about the techniques of operating in the Arctic. But the lessons apparently were not learned well enough.

For in the winter of 1968–69 the state repeated the mistakes in constructing its ice road to the North Slope.

HICKEL HIGHWAY: ROAD TURNED TO WATER

(By Tom Brown)

The grandiosely named Walter J. Hickel Highway, the state's ice road to the North Slope, may have passed as a road last winter.

Today it is a canal half the length of Alaska.

"From an environmental point of view the Hickel Highway is the biggest screwup in the history of mankind in the Arctic," one University of Alaska professor said.

"It goes through the worst possible area where the most ice-rich soils there are in Alaska are located.

"If an oil company had done it instead of the state of Alaska, that oil company wouldn't be operating in the state today.

"It's an environmental outrage."

The judgment is harsh—but scarcely exaggerated.

The Hickel Highway today is a water-filled ditch nearly 400 miles long. Like other similar caterpillar trails across the tundra, it is unlikely to heal within the lifetime of any human now living. And it passes through some of the most scenic territory in the Brooks Range, including the John River Valley.

Not only is the winter road an environmental disaster, it was not even a commercial success.

Frigid weather, with temperatures down to —70, delayed construction crews (who had gotten a late start anyway) so much that the road was open only about a month, from March 12–April 14.

During that time, a total of 7,464 tons of freight moved over it and only about 80 per cent of that went to the oil fields.

It took the big trucks about a week to make the run and the cost per ton of freight delivered to Sagwon, which is well short of the main Prudhoe Bay exploration area, was in the neighborhood of $240 a ton—about the same as air freight.

Three Hercules transports could have carried the same amount of cargo in the month the highway was open—and all a Hercules requires is a 5,000-foot runway at the other end.

The winter road concept was the brainchild of the trucking companies which, quite naturally, wanted to get a piece of the North Slope freight action. They lobbied strongly for it with Gov. Walter J. Hickel, now Secretary of the Interior.

There was ample precedent—several such winter trails had been plowed through remote areas in Alaska and Canada during construction of the DEW Line.

And at the time, a winter-haul road seemed a good idea to most people. There were those who should have known better, of course, but little opposition to the project was expressed in public.

On paper it looked swell.

The truckers would be able to provide lower-cost transportation than the airlines could, it was said. And they would be able to haul a much greater amount of freight.

There was talk, too, of the truckers paying the state a toll for using the road to help offset the cost. And even the cost didn't seem bad—S and B Construction Co. of Anchorage had bid $127,750 for the job.

Things did not work out so well, though.

The truckers did not provide lower-cost transportation.

They did not haul very much freight.

They did not pay tolls.

And the road did not cost $127,750. The state rejected S and B's bid (and all the others) and decided to do the job itself. The rationale was that it would take a private contractor 10 days or so to get geared up for the job whereas the state could begin immediately and time was precious.

So the trail wound up costing about $350,000. And it still wasn't finished until March 12.

But most disastrously, the state Department of Highways ignored past Arctic experience, which dictated that to operate most effectively and with the least damage to the environment the tundra should not be disturbed.

Many winter roads had been built before in the Arctic, largely without damage to the environment.

But these were built by heaping snow on the tundra, compacting it and using that for the road.

The state, on the contrary, used bulldozers to scrape off the snow and gouge a road into the tundra.

As a result, even while the road was in operation much time was spent clearing fresh and wind-blown snow out of the roadway trench, cutting down on the amount of freight that could be moved. This would have been largely unnecessary had the snow berm method of construction been used.

When breakup came, the Hickel Highway did not last as long as a snow berm road would have.

And when breakup was over it inevitably turned into a water-filled ditch as the exposed permafront melted and slumped and water from surrounding areas drained into the roadway.

After succeeding Hickel as governor, Keith H. Miller named the winter road for his predecessor and asked the Legislature for a new appropriation to reconstruct the road this winter. The Legislature gave him $433,000.

One conservation-minded state employe, who asked not to be identified, complained that the Hickel Highway was a perfect example of what can happen when a project is undertaken with only development in mind and no attention is paid to other values an area might have.

"So the taxpayers have paid whatever it cost in money and damage to the environment," he said. "To my way of thinking that is a pretty fair subsidy to the truckers, especially considering that most of it could have gone up in Hercs.

"After all the Hercs brought a lot of the trucks back (when they were caught at the far end of the road by the spring breakup). Presumably they could have carried their cargo too . .

"If they go over the same track again this year I don't really care. But what I'm afraid of is that they'll say it wasn't the best route and do exactly the same thing somewhere else.

"About that time I'd like to put out some land mines."

He'd better start checking the surplus arms suppliers.

Asked if the Hickel Highway would follow the same route this winter if it is reconstructed, a Highway Department spokesman said:

"We're not sure. We were considering some route realignments in some areas."

FACTS OF LIFE IN THE ARCTIC

(By Tom Brown)

The damage done in Naval Petroleum Reserve No. 4 and by the Hickel Highway demonstrates what scientists have long known—that the Arctic environment is fragile and vulnerable.

This fact of life must be taken into consideration if man is to work effectively in the Arctic.

"Permafrost is not sacred," says Dr. Hal Peyton of the University of Alaska, one of the state's leading authorities on permafrost. "But you sure as hell have to pay attention to what you're doing if you start tampering with it."

Still, there apparently remains in the minds of many persons some doubt about the need for caution in working on the tundra.

Earlier this year, in a lengthy letter to The Daily News, Rep. John Sweet, a Republican employed by Atlantic Richfield as a geologist, said the "fragile environment" concept as applied to the tundra had "taken on an air of credibility" and asked for the "scientific basis for this description."

Pete Martin, a member of the Alaska Conservation Society and the Alaska chapter of the Sierra Club, in a reply (which didn't appear in The Daily News because of space considerations) referred to the book "Animals of the North" by William Pruit Jr. for a description, in layman's terms, of what makes the tundra so vulnerable to assault by man.

"Almost every boy, especially if he lives in a rural environment in the temperate zone, has dreams of life in the Great North Woods . . . the taiga . . . a land teeming with moose, caribou, and grizzlies, a place where the misfit human being can make a quick fortune trapping mink, marten, white fox, or other valuable fur," Pruit wrote.

"Nothing could be further from the truth. The taiga is, in fact, quite poor in terms of meat production per acre. Not only is it poor, but the ability of the plants and animals to withstand exploitation is very low.

"The ultimate factor on which all life, both plant and animal, depends is the sun, which is the source of all energy in two forms—heat and light. The tropics receive more of this energy than do the temperate latitudes and considerably more than the poles. The result is that the tropics can support the greatest concentration of life in a given area and the poles the least . . .

"The sun's energy works in a number of ways, but one of the most important is in creating vegetable life—a leaf or stem or flower or fruit. Then along comes the plant-eating animal and converts part of this sunshine energy into meat. Eventually a meat-eating animal eats the plant-eating animal and gets his share of the original sunshine. This transfer of the sun's energy is known as a food chain. The many interlocking food chains in nature become a food web.

"In the tropics there are vast numbers of different kinds of animals and the food web is incredibly complex. Further north, the webs become progressively less complex until in the Far North they consist of two or three kinds of plant-eating animals, one or two meat-eaters, and one or two scavengers.

"The entire system is known technically as an ecosystem. Once one is accustomed to looking at the world in terms of ecosystems it is easier to see how all living things are inextricably tied together. We can also see why the northern ecosystems are less productive than those of the tropical or temperate zones. Less energy input, less plant output; less plant input, less animal output.

"Such ecosystems are termed fragile by comparison with the deciduous forest ecosystems, for example, which are relatively tough. The idea of fragility is difficult to envisage if one's outlook is restricted to the stiffening cold of a taiga winter night or the crashing, squealing, and thundering of great ice blocks tossed in the spring breakup of a taiga river. Nonetheless, it is fragile, precisely because of the overwhelmingly powerful environment . . . Northern ecosystems are easily upset by relatively slight disturbances.

"After I began to understand the mechanism of the taiga ecosystem it also became evident that most of modern man's activities in the taiga depended on rationales rooted in the error of attempting to extrapolate temperate zone traditions and techniques to the subarctic.

"We saw the pitiful results of applying the archaic homestead laws to interior Alaska and the chain-linked disasters that followed unrestrained prospecting and exploitation of minerals in the Canadian taiga. These rationales actually have their start in lack of knowledge of plain old-fashioned natural history . . ."

The engineering problems this delicate environment presents are formidable. The most formidable of all is permafrost.

ALASKA'S TWOFOLD CHALLENGE

(By Joe Josephson)

We Alaskans face a test which our fellow Americans elsewhere have usually failed. Our challenge is to develop here a prosperous business climate—one that extends economic opportunity to those Alaskans who have been long shut out—and to retain, at the same time, the environmental blessings of the Great Land.

If we develop industrially, but neglect the environment, we breach the trust in which we hold Alaska for future generations. On the other hand, if we preserve the environment, but leave Alaska's natural wealth untapped, we fail in a different way.

Such a policy would deny our nation the minerals we need to assure prosperity and national security.

It would deny the state the wealth that can help support vital programs for the development of human resources.

It would reflect a smug determination by relatively prosperous Alaskans that those who live in poverty, in the precise areas where development may occur most dramatically, can be excluded legitimately from sharing in a potentially dynamic economy.

But, only a few years ago, Alaska politicians were given to campaign on the shibboleth of "economic development." That phrase was a byword of the 1966 gubernatorial campaign. There was then a naive, optimistic assumption that development would bring resident Alaskans every manner of benefit—a premise that events since 1966 have challenged.

We Alaskans can be forgiven if we take a more skeptical look, henceforth, at glowing predictions about "development." We know:

That legislation to help assure local hire in extractive industries is languishing in the Senate Committee on Labor and Management, in spite of support from some of us on the committee;

That more than 10 years after statehood, we have only the bare beginning of a state park program.

That unless our Native peoples get the jobs they deserve, development could mean for them just faster disruption of their way of life, without corresponding benefit;

That many of the states where extractive industries dominate the economy have backward policies in labor and social legislation;

That we face increasing problems of pollution, junk control, and crowding of outdoor recreational and camping facilities.

Nor is a look at what "economic development" has meant for New York, Cleveland, Chicago, or Detroit, reassuring. What Walter Lippman wrote as long ago as 1925 seems especially timely now:

"In spite of the frantic efforts of every . . . town to make itself a bright metropolis, in spite of the mania for size and the delusions of grandeur which are known as progress, there is still an attachment to village life . . . strong enough to justify the fear that strange and dangerous things will come out of Babylon. The cities exist, but they are still felt to be alien, and in this uncertainty as to what the cities might yield up, men turn to the old scenes from which the leaders they always trusted have come."

Now, more than 40 years later, we sense the same misgivings about our cities; we make much of the small town origins of our astronauts; we debate the merit of candidates for President who come, significantly, from Whittier, Calif., and Wallace, S.D.

In addition, President Nixon has wisely directed the nation's attention to the question of population growth. Experts say that there will be 300 million Americans in 20 years, twice that number in another century. By the year 2200, the planet will carry five hundred billion men, women and children—more than one hundred times the number in the human family today.

What kind of Alaska will we have then? The issue is more than just a matter of adequate nutrition or poverty. On the contrary the more affluent is a society, the heavier are its demands for parks, recreation, and contact with nature. For example, America's 122 million citizens utilized only three million visitor days at the national parks, in 1930. Two years ago, 200 million Americans were using 140 million visitor days.

These are the considerations which suggest to me, and my colleague, Chancy Croft, that Alaska needs a Department of Ecology. Creation of the Department of Ecology will assure that even as our state executives plan and plot "development," as they must, another voice will be heard to speak for other values, equally dear—a policy voice "marching to the sound of a different drum."

It may be suggested that the Department of Fish and Game can play this role. At best, the department's interests do not extend to aesthetics, recreation, air pollution, and other matters of ecological concern. At worst, the department has even expressed, under this administration, hostility towards conservationism in spite of the state constitution's mandate that "fish, forests, wildlife, grasslands, and all other replenishable resources . . . shall be utilized, developed and maintained on the sustained yield principle . . ." when department employes were told to surrender their office in conservation groups, because of an alleged "conflict of interest"!!

Unless we are determined to assimilate the legitimate concern for the environment in the formation of state policy, we are doomed to repeat the errors of the past and to neglect our trust to tomorrow. There is still time, if Alaskans act now.

TUNDRA PROBLEM IN A WORLD—PERMAFROST

(By Tom Brown)

The central fact of engineering life in the Arctic is permafrost. It is the cause of almost every serious engineering problem.

About 20 per cent of the world's land masses, and 85 per cent of Alaska, are underlaid with it.

The U.S. Geological Survey defines permafrost as "rock or soil material . . . that has remained zero degrees Centigrade (32 degrees Fahrenheit) continuously for two or more years."

Since the formation of permafrost is dependent on a mean annual ground-surface temperature of 32 degrees, the most severe permafrost conditions are found on the North Slope, where the mean annual temperature is lowest. At Barrow, for instance, the permafrost is as much as 1,300 feet deep.

Normally, only a foot or so of surface soil thaws on the North Slope. The permafrost beneath remains, by definition and in fact, frozen solid. In this state it is quite stable.

But disturbing the layer of soil and vegetation that insulates the permafrost from warm summer air and solar radiation can quickly cause trouble.

A new Geological Survey professional paper, "Permafrost and Related Engineering Problems in Alaska," notes that the equilibrium of permafrost frequently "is very sensitive."

"The simple passage of a tracked vehicle that destroys the vegetation mat is enough to upset the delicate balance and to cause the top of the permafrost layer to thaw," the authors report. "This thawing can cause differential settlement of the surface of the ground, drainage problems, and severe frost action.

"Once the equilibrium is upset, the whole process can feed on itself and be practically impossible to reverse. However, if a structure is founded on permafrost that remains frozen, the frozen ground provides rocklike bearing strength."

So the key is to keep permafrost frozen, thus avoiding the worst effects of thawing and at the same time taking advantages of its fine qualities as a foundation material.

The penalty for failing to heed this dictum can be costly indeed. It can lead to surface subsidence, slumping and erosion of the type that occurred in Naval Petroleum Reserve No. 4 and which is occurring now along the route of the Walter J. Hickel Highway.

This type of environmental damage seems a high price to pay for getting a job done quickly.

In this regard, the Geological Survey report notes that, "In most areas where roads or buildings are constructed on permafrost, the procedures that cost the least in the long run are those that disturb the natural environment the least, and, therefore, are conservation oriented.

"Generally, the initial capital investment is greater when correct procedures are used; however, maintenance cost is considerably less. If improper procedures are used, expensive maintenance cost far exceeds the additional expense of the initial investment, and in some cases, structures are damaged to the extent that they become unusable after just a few months or years.

"The financial losses caused by such problems as impassable roads, unusable airstrips, or damaged machinery in buildings which have settled differentially can be extremely high."

Thus, it is obvious that the best engineering practices are also the best practices from a conservation standpoint. This has been generally recognized by the oil industry, which is both extremely cost and public relations conscious.

Unfortunately, considerable damage has been done to the tundra in the initial exploration rush. Repairing it will be costly and may prove physically impossible.

The problem of surface subsidence is so serious, in fact, that Joseph H. FitzGerald, head of community relations for Atlantic Richfield, considers it the most important ecological problem the oil industry faces.

If the industry can develop techniques for repairing tundra damage before the subsidence problem becomes irreversible, it will be able to leave the North Slope in reasonably good condition, he believes.

If not, past experience indicates the results will not be very attractive.

HOMELY SUBJECT, BUT THE OBJECT OF CONTROVERSY

(By Tom Brown)

It is difficult to imagine a substance as homely as gravel becoming the object of controversy.

Yet it has happened. And the concern is not a trivial one.

The argument is about the gravel lining the beds and banks of North Slope rivers.

Marine biologists know that gravel is important to most anadromous (migratory) fish, such as salmon. They lay their eggs in it. The presence of gravel also is important to the water quality of a river: removal of it can cause disastrous silting.

On the North Slope, gravel also is enormously important to the oil industry.

Gravel is the only material generally available on the Slope that provides effective insulation over permafrost for constructing roads, supply storage areas, pads for drilling rigs, airports and the like. It is essential to industry operations and importing it from elsewhere in the necessary quantities would be prohibitively expensive.

Most of the millions of cubic yards of gravel the oil companies have used on the Slope have come from rivers, particularly the Sagavanirktok, or Sag as it is commonly called, though some has been taken from offshore islands in the Beaufort Sea.

Conservationists argue that the oil companies are taking gravel from the rivers without regard to the effect it might have on fish.

"All the gravel in the northern area is state property and the oil companies have been using it free," says Gerald Ganapole, of Alaska Exploration Corp., a consulting geologist interested in conservation matters. "They have been completely indiscriminate in some cases and may or may not be hurting the rivers."

That is the crux of the matter. No one knows for sure whether gravel removal does much harm to a fast-flowing stream like the Sag, nor does anyone know for sure the number and variety of fish that use these waters.

"There is nothing that says fish are especially bothered as long as the whole stream isn't tampered with all at once," say Dr. Hal Peyton, University of Alaska permafrost expert. ". . . The gravel operations don't load the whole river with silt all at once.

"Silt in the rivers is a small amount. They don't borrow from open streams. They go to a bar and mine the bar. There is very little contamination that I've seen.

"The other thing is that the people who are worried about the fish can't tell us anything about the fish. They don't know what species are there, whether they are anadromous or where their spawning areas are."

Bryan Sage, BP Oil Corp. biologist, suggests that, "Perhaps the gravel problem is being inflated out of proportion. Let's face it, there's billions of tons of it there."

Sage also says that the ability of the river to replenish its bottom gravel "far exceeds the efforts to remove it" and points out that in its delta area, where most gravel is taken, the river usually changes course substantially every spring.

Dr. Charles Behlke of the University of Alaska concedes that damage to the rivers and other resources on the slope is possible, indeed almost inevitable, but contends that since these other resources are not being utilized and probably won't be anytime soon it doesn't really matter.

Fish and Game Department biologists readily admit that not much is known about the Sag and the other North Slope streams. But some of them maintain privately that this is a legitimate reason for restricting the taking of gravel, at least for the time being, an argument supported by the conservationists.

The conservationists also maintain that it is attitudes like * * * use later, that has led to indiscriminate destruction of so much of the American landscape.

"Conservation groups generally are not anti-oil company, anti-lumbering or anti anything else," Ganapole says. "But they are against development before planning."

Clearly, the gravel problem is one that requires more study.

WHAT TO DO WITH WASTE

(By Tom Brown)

Behind almost every prefabricated work camp on the North Slope is a lagoon. Into it flows kitchen and bath water—and raw sewage from toilets.

The lagoons are frozen during the bitter Arctic winter. But in the summer, one oilman recently understated it, "They're a bit more of a problem."

That is sewage disposal on the North Slope.

It is a highly unsatisfactory situation, as the oil companies and state and federal government agencies are well aware.

And the problem of sewage disposal is another example of the type of challenge that must be answered effectively if development of Alaska is to proceed without undue disruption of the environment.

As has been noted, below a depth of a foot or so, the permafrost never thaws, so sewage will not sink in.

Nor can the slope's rivers and streams be used for disposing of sewage, for a variety of reasons:

"It's kind of archaic in this day and age to use good water for carrying waste products away," says Dr. R. Sage Murphy, director of the Institute of Water Resources at the University of Alaska.

As Murphy and others explain, though the upper layer of tundra becomes boggy in the summer, fresh water, paradoxically, is scarce and shouldn't be wasted. The North Slope gets only six or seven inches of rain a year and about 80 per cent of that runs off during the spring breakup.

Conservation organizations would strongly oppose any attempt to dump sewage into North Slope rivers.

So other methods of waste disposal have proved necessary.

During the initial exploration boom, the industry relied on lagoons, which worked reasonably well when there were relatively few men on the Slope but which now are becoming a potential health hazard.

"On the drill sites, they plan to cover them with gravel to insulate them and keep them frozen," says Warren McFall of the Federal Water Pollution Control Administration (FWPCA) in Anchorage.

"We're concerned that this may cause health problems. Apparently certain organisms can survive at low temperatures for a long period of time. There is concern among microbiologists that they might be uncovered in the future and cause problems."

This view is supported by Dr. James Anderegg of the Department of Health and Welfare's Environmental Health Branch in Juneau who notes that if germs are frozen they become cold germs but remain germs nonetheless.

"The cold forgives an awful lot of environmental sins—trespasses against nature that we couldn't get away with in the lower '48," he says, adding:

"The state definitely does not consider pits for sewage to be acceptable."

The lagoon method of disposal also presents a serious water pollution threat.

What to do?

"We are looking forward to more elaborate methods," McFall says. "We would like to see the destruction of wastes—the removal of solids from liquid and their incineration.

"Incineration is the key, I feel. We are looking into the available technology to see if there are devices that would handle this."

Murphy also believes incineration will prove the best way of disposing of sewage under the peculiar working conditions in Arctic Alaska and has designed a portable unit that could be moved from site to site by truck as camp locations were changed.

The oil companies have been doing research on incineration units and the big new base camp being constructed by Atlantic Richfield at Prubhoe Bay will incorporate one.

"We can incinerate sewage and I assume it'll become quite an advanced technique," says Joseph H. FitzGerald, head of community relations for Atlantic Richfield here.

There is no doubt that incineration units will cost more than the simple lagoon method of disposal. But the need for more advanced techniques of sewage disposal is urgent. In any case federal and state agencies are working on operational guidelines for the Slope that probably will outlaw lagoons.

Further, McFall observed, "in view of public sentiment, it might be an investment the oil companies would be willing to make" on their own.

"Pollution control must be considered as a cost of doing business," says Ray Morris, North Slope coordinator for the FWPCA. "We as individuals pay to have our garbage hauled away. It's only fair that a certain percentage of business income should go for pollution control."

TRASH WON'T VANISH

(By Tom Brown)

A conservation publication intimated recently that if all the discarded oil drums in the Arctic were laid end to end with the bottoms knocked out, there would be no need to import pipe for the proposed Trans Alaska Pipeline System.

The suggestion was facetious, of course, but it highlighted one of the vexing problems in orderly development of Alaska's resources—getting rid of trash and garbage.

What makes the problem so critical in the Arctic is the nature of the land: it is flat as a billiard table and nearly as featureless.

It is impossible to hide ugly things there, as man always has done in more temperate regions. A single oil drum looks enormous and is visible for miles. A garbage dump cannot be disguished as anything else.

As the number of men on the Slope increases daily, so does the garbage problem.

The oil companies have, for the most part, cut down drastically on the number of oil drums they haul to the Slope. Instead, they import their fuel oil in bulk and pump it into large rubber storage tanks.

But there remains the problem of what to do with the thousands of oil drums already on the Slope.

Geoffrey Larminie, head of BP Oil Corp's Alaska operations, notes that in the past the oil companies have not hauled drums and other trash back to Fairbanks on the return flights of their supply planes because "there is a great deal of difference in cost between the flight up loaded and the flight back empty."

"And at any rate, hauling it back doesn't really solve anything," he says. "Then you've just got garbage in Fairbanks instead of garbage on the Slope."

For the moment, BP is consolidating its drums and other trash at drill sites for disposal later. Larminie says that to date no decision has been made on the method of getting rid of it.

Joseph H. FitzGerald, director of community relations for Atlantic Richfield here, believes that the eventual solution will be to incinerate everything that is combustible and ship the rest out.

"Eventually most of it will have to be sent out," he says. "If substantial shipping traffic develops that probably will be the way it will be done."

He suggests, for instance, that oil drums could be flattened, much as old auto bodies are compressed into cubes, and shipped out on the decks of tankers.

One contractor doing road construction work for the oil companies is filling drums and burying them as part of road foundations.

And ARCO and BP used thousands of drums to help stabilize a gravel spit at Prudhoe Bay which they have constructed as a dock for unloading supplies brought in by barge.

Other garbage already is being burned in pits bulldozed in the tundra for this purpose.

Conservationists remain concerned about the garbage problem on the Slope because of man's record of leaving his trash strewn all over the Arctic.

Horrible examples have been set by the military and civilian government agencies at Barrow, in Naval Petroleum Reserve No. 4 and on Amchitka Island in the Aleutians, site of a dozen underground nuclear tests scheduled to begin this fall.

The Barrow area is littered with all manner of junk.

Pet 4 has towering pyramids of unsightly trash, particularly in the Umiat area.

And when the military left Amchitka after World War II, it left everything behind—thousands of Quonset huts; the carcasses of wrecked airplanes; countless tons of trash that was bulldozed off a cliff and now litter its face and the sea below.

But the damage is more serious than just unsightliness, undesirable as that alone may be—much more serious.

One man who has spent much of his life in the Arctic gave this description of what is happening in Pet 4:

"The oil drums left by the Arctic explorers are rusting through now.

"Some were full, some had only a few cups full of fuel, but as each rusts through it is like a time bomb that kills what is in its . . . area.

"Even now, 25 years later, many men who long ago left the Arctic still kill wildlife by the partially empty fuel drums they left behind. If conditions are right, they may wipe out an acre or two or, with luck, a whole small lake."

WATER POLLUTION—WILL IT BE STOPPED IN ALASKA?

(By Tom Brown)

Of all the environmental challenges oil development presents Alaska, none is so critical as the threat of widespread water pollution.

It is more serious even than the alteration of the land and the accompanying likelihood of destruction of wilderness areas.

Alaska's waters, for the most part, still are as pristine as nature made them. And there are few common pollutants as disastrous in their effects as crude oil.

The threat is many-pronged and involves:

Offshore drilling in the Beaufort Sea.

Supertankers operating in the hazardous conditions of the Northwest Passage.

The Trans Alaska Pipeline System (TAPS), which will run 800 miles from the Slope to Valdez, crossing such major rivers as the Yukon and the Copper.

The tanker terminal at Valdez.

The prospect that new oil fields may be discovered in the Bristol Bay and Gulf of Alaska areas.

One disturbing element is that so little is known about some of these operations.

No one knows, for instance, how to drill in the Beaufort Sea, where heavy pack ice is a continual hazard (and where the state is offering a few tracts in the September 11 lease sale). And if the ice should sweep away a drilling platform, leaving a well running out of control, how would it be shut down before a disaster of Santa Barbara proportions—or worse—occurred?

Equally unknown is whether tankers will be able to operate safely through the Northwest Passage across the top of Canada to the U.S. East Coast. Humble Oil and Refining hopes to find out with its $40 million experiment with the supertanker Manhattan, which it has outfitted with an ice-breaking bow and heavy belts of protective steel plate along the sides.

But even if the Manhattan successfully completes her trial run this summer, there is considerable question whether the voyage will be practical in the winter, when the ice is thicker and howling gales drive the ice toward shore areas with incredible violence.

And if a 250,000-ton tanker were lost off the North Slope it almost certainly would be a disaster of unprecedented magnitude.

The pipeline is less likely to cause trouble.

Pipeline technology is highly advanced and pipelines elsewhere have a good safety record, with few major spills.

Still, operating conditions in Alaska are much different than in most other areas and present some unique problems. A break certainly is not out of the question.

And, as state Rep. Chancy Croft, D-Anchorage, points out, it took only 300,000 gallons of oil, or about 7,140 barrels, to turn Santa Barbara into a disaster area earlier this year. When the TAPS pipeline is operating at its designed capacity of about two million barrels a day, that much oil could escape from it in five minutes.

The operation of tankers at Valdez also poses a problem. The supertankers that will put into Valdez to take Alaska's oil out will be loaded with "dirty" ballast—oil-contaminated sea water.

Plans call for elaborate ballast treatment facilities but experience has shown that even with such facilities some pollution is almost inevitable.

Finally, the prospect that more oil may be found in such areas as Bristol Bay and the Gulf of Alaska has conservationists and Fish and Game Department personnel worried.

These areas are of immense importance, not only because of their value to fish and marine mammals, but because of their commercial worth as well. Bristol Bay, of course, has one of the world's richest salmon runs. Prince William Sound, off the Gulf of Alaska, also has an important commercial fishery. Both Bristol Bay and Prince William Sound are home to the sea otter, just recovering from near-extinction at the turn of the century. And Bristol Bay is of great importance to some kinds of migratory waterfowl.

Considering all these serious operational problems—the permafrost, the difficulty of disposing of sewage and other wastes, the threat of water pollution—how have the oil companies done so far? Have they conducted their operations without undue damage to the environment?

The answer is not an altogether happy one.

ONE CHUNK OF WILDERNESS THAT'S LOST

(By Tom Brown)

The wilderness value of a vast area of the North Slope has been destroyed.

The damage began to be done less than 100 years ago when the white man first invaded the Arctic. Before that, the Natives had lived there for thousands of years without harming the environment.

Most of the damage has been done within the last 18 months—since the discovery of oil at Prudhoe Bay.

If it can be agreed, with Webster, that a wilderness is "a tract of land or a region . . . uncultivated and uninhabited by human beings" or "an empty or pathless area or region," then the wilderness qualities of much of the Slope are gone forever.

No amount of apologizing by oilmen can change this; nor can the rationalizations of politicians and businessmen eager for economic development.

With wilderness in ever shorter supply, conservationists judge it a serious loss.

The damage is so extensive that it is difficult to get an accurate estimate of the amount of land affected. But Bob Weedin, biologist for the Fish and Game Department at Fairbanks, has estimated that the wilderness value of an area the size of Massachusetts has been lost.

Within this area, the oil companies have mined rivers and offshore island for gravel.

They have spread the gravel five feet thick over the tundra to build at least seven air strips 5,000 feet long by 150 wide, pads for drilling rigs at about 30 sites, and scores of miles of roads.

They have built enormous gravel pads near the shore of the Beaufort Sea to receive freight from barges this summer.

They have bulldozed pits and lagoons for sewage and drilling mud and garbage.

In some cases they have littered the tundra with oil drums and other trash.

But they have, generally, restricted cross-tundra travel by their employes and those of their contractors during the critical summer months.

This has not been true of the seismic exploration companies and the damage they have done merely looking for possible oil deposits probably has exceeded that done by the oil companies in actually drilling for it.

One man intimately familiar with the North Slope gave this description of a seismic crew's operation at a lake where a pair of swans had nested every year for the last 25:

"The caterpillars plowed out a landing field. The Nodwells (Canadian-built tracked vehicles) pulled the camp trailers up and the oil drums marked the landing. Several cargo airplanes full of freight, mostly oil drums, came in.

"The seismic work was done, strings of holes blown in the prairie, the trash dumped, the oil drained from machines upon the ice, the snow drifted over it and the camp pulled away to another lake a few miles, on where it repeated the operation.

"Summer came, the oil and trash floated on the lake, the oil drums, some 80 strong, floated about until some washed ashore and others sank.

"The oil slicks killed the birds that dared to land and the swans left. They didn't return and the nest is empty. This is repeated . . . many hundreds of times."

And the seismic crews have, on numerous occasions, driven their tracked vehicles across the tundra after the spring breakup, leaving deep scars.

The land in the main exploration area already is useless for some of the animals that had made it their home: the wolverine, wolf and barren ground grizzly, none of which can long tolerate the pressure of human activity. The caribou still wander around the oil rigs and runways and no one knows whether their migration patterns will be affected. Pollution threatens some lakes and streams. And physically, the land will never be the same.

"Things don't deteriorate here," one old Arctic hand said. "A cardboard box can lay for a hundred years.

"The matches sailors lit their pipes with and chips of their ax work were still there at the base of the pole erected on Cross Island in 1886 when I visited there in 1946!"

Oil drums left in Pet 4 during the Navy drilling programs are only now, 25 years later, beginning to rust through.

There is nothing to disturb the roads and airports and they probably will be visible 1,000 years hence.

Man has a sorry record in the Arctic.

But merely condemning oil companies and seismic exploration firms will not do.

Some alteration of the land is inevitable if the oil is to be gotten out.

Many of the mistakes were made in ignorance of their consequences because of the relative lack of knowledge about the Arctic—not in malice.

The state was woefully derelict in not quickly providing badly needed guidelines for the industry.

And the oil companies have demonstrated a genuine interest in doing urgently needed basic research on the Arctic, in developing new techniques which would limit or avoid damage to the environment and in repairing the worst of the damage they have done already.

BRIGHT SIDE TO SLOPE ACTIVITY

(By Tom Brown)

The sincerity of the oil industry's interest in disturbing the environment as little as possible is beyond question.

This is particularly true at the top management level.

It is confirmed by virtually every public official and government employe who has had extensive contact with the industry; by programs the industry has initiated without government prompting; by interviews with oil company officials; and by personal observations on the North Slope.

This is the most hopeful aspect of the rapid North Shore development program, which in less competent and concerned hands certainly would be an environmental disaster.

It is true that much damage has been done—far too much, in the opinion of many conservationists—but it is evident that the industry intends to do what it can to limit destruction in the future and to attempt to repair some of the mistakes of the past.

"The company is well aware of the need for extremely careful conservation measures, not only with regard to protecting the tundra from undue damage, but including the wildfowl, animals and fish," says W. G. Shain of New York, corporate head of public relations for Atlantic Richfield (ARCO). ". . . We'll be working like hell to prevent damage on the Slope, and to undo some of the damage of the last 100 years—not just the last year."

One very good reason for this concern, says Joseph H. FitzGerald, ARCO's chief of community relations for Alaska, is that, "Any big industry has to have an identification with the public interest . . . The gains which the oil industry gets by doing things properly are very great. They allow business to go its own way. If industry is at loggerheads with the public interest, it may find its activities restricted."

To detail all the conservation-oriented programs undertaken by the industry would exceed the scope of this article and probably would be impossible anyway since, as Shain noted, "one of the things you are not going to do about conservation is tell everybody what you are going to do about it" until the programs are under way.

But a look at a few of the projects in progress now gives a good indication of industry thinking:

The Trans Alaska Pipeline System (TAPS) has a party of distinguished scholars in the field studying the ecology of the route for the 800-mile pipeline from the North Slope to Valdez through Dietrich Pass. The team includes Bryan Sage, BP Oil Corp. biologist; Dr. William Mitchell, University of Alaska, botanist; Dr. Peter Elliott, University of Lethbridge, Alberta, mammalogist; and Drs. Peter McCart and Vernon Pepper, Regina University, Saskatchewan, fresh water biologists. They will study not only the larger mammals and fish along the route, but all living things, including various kinds of grasses that might be used to revegetate areas disturbed by pipeline construction. As far as is known, this is the first study of its type in the history of petroleum pipeline construction.

Atlantic Richfield has been conducting a cleanup of its North Slope lease holdings to remove unsightly refuse, much of which it was not responsible for putting there in the first place. In this operation, freight pallets are placed on the tundra by helicopter, then workmen on foot combed the ground, one square mile at a time, picking up such trash as oil drums, tin cans and other junk. The refuse is moved to the pallets and lifted out by helicopter to be disposed of.

ARCO also is experimenting with a "garden patch." An area of badly damaged tundra has been seeded with 39 varieties of grasses in an attempt to find species that would be useful in revegetating disturbed areas. Parts of the area were treated with fertilizer to see if this would speed the normally slow growth of vegetation in the Arctic. The results of this experiment will not be known until later this year.

And the firm is investigating the use of plastic to insulate the permafrost so less gravel would be needed from North Slope rivers for roads, drilling pads and the like. A test section of road, incorporating sensitive

temperature measuring devices, has been built to check the effectiveness of plastic insulation with varying thicknesses of gravel.

Humble Oil and Refining and other firms have repeatedly flown University of Alaska professors outside to brief their employes on operating in the Arctic. Humble is making a six-hour training film based on these seminars.

But perhaps more important than any single, specific program initiated so far is the basic research on the Arctic the industry is doing itself or farming out to such institutions as the University of Alaska.

At last count there were at least 15 industry-sponsored studies being conducted by UA personnel, almost all of them with at least implied value for conservation purposes because, as both industry and conservationists continually point out, one of the main problems in developing the oil fields is a lack of basic data about the Arctic environment.

In addition, many problems are being tackled by the formidable research staffs of the oil companies themselves.

Dr. Hal Peyton of the UA observes that the industry has learned, through experience that "remaining competitive—that is, its very existence—is dependent on the success of its research and development efforts . . .

"I don't know of research on this level of sophistication being done anywhere else in the country."

Much of that research is being devoted to a new exploration of the fabled Northwest Passage.

A Gamble To Open a New Trade Route

(By Tom Brown)

For nearly 400 years men have dreamed of a Northwest Passage for merchant ships linking East and West.

Dozens of adventurers set out to find one and sail it for king or country or fame. Many lost their lives and none succeeded until 1905 when Danish explorer Roald Amundsen and his seven-man crew completed a three-year transit of the passage across the top of Canada in their tiny wooden sloop.

Since then, a handful of other surface ships and many U.S. nuclear submarines have traversed the Northwest Passage.

But never has it fulfilled man's dreams of a shorter, commercially profitable trade route. Never, at least, until now.

Humble Oil and Refining Co. has spent the last several months—and $40 million by the estimates—converting the 115,000-ton tanker Manhattan, the largest U.S.-flag merchant ship, into the world's biggest and most powerful icebreaker.

This summer the 1,005-foot ship is scheduled to leave the East Coast, sail north of Canada and attempt to batter its way through the heavy pack ice into Prudhoe Bay.

If the experiment is successful, Humble officials say, they would construct at least six 250,000-ton tankers of their own by 1975 to carry North Slope oil to prime East Coast markets. Other oil companies might build another 30 of these icebreaking supertankers.

The question remains whether even a ship as big and powerful as the Manhattan can make the trip.

Humble officials and scientists obviously believe it can or they would never have made such a heavy investment in the project.

Others are skeptical.

But whatever the outcome of the experiment, it has aroused the most intense interest among oilmen, government officials and conservationists.

It is, to begin with, a gamble involving considerable technological achievement, imagination and daring.

When Humble decided to explore the Northwest Passage it first had to find a suitable ship. The Manhattan was chosen because her 43,000 horsepower power plant is nearly "1½ times larger than those on ships twice her size." And plowing through pack ice 6-18 feet thick and pressure ridges that might be as much as 100 feet thick would require all the available power.

Then the seven-year-old ship was cut into four pieces at the Sun Shipbuilding & Dry Dock Co. at Chester, Pa. Sun kept the stern section. The original bow was put into storage until another conventional hull could be built for it. The forward section of the hull, including the No. 1 oil tank, was sent to Newport News Shipbuilding & Dry Dock Co. in Virginia and the midsection went to the Alabama Ship Building & Dry Dock Co. at Mobile.

While the three hull sections were being fitted with heavy, protective belts of steel plate (which increased the Manhattan's beam 16 feet to 148 feet), the Bath Iron Works in Maine built a new icebreaking bow, which added 65 feet to the vessel's length.

The new bow is designed to attack the ice at a sharp 18 degree angle, rather than the 30 degree angle of traditional icebreaker bows. The thinking is that with the Manhattan's great weight and power behind it, this prow will cut through thick ice much faster than a conventional one.

In addition, the bow is 16 feet wider than the rest of the hull. So it is cleaner, more friction-free passage for the hull than would otherwise be the case.

With an additional 9,000 tons of steel in strategic places, the Manhattan is much stronger than she was previously. She also is much more sensitive.

Hundreds of tiny pressure gauges have been installed along the hull to tell scientists and engineers what forces were at work on the ship in varying ice conditions.

Closed circuit television will monitor ice flow around the ship.

Two helicopters kept aboard will scout the route ahead of the Manhattan, gather ice cores for analysis aboard ship and collect information with infrared film and laser beams.

All the data gathered in this manner will be stored in small onboard computers for analysis and study later.

Even if the Manhattan can't break through the thickest ice encountered and is unable to complete its journey, Humble officials believe she might collect all the data necessary to build the much bigger 250,000-ton tankers that could succeed where she failed.

"Our primary purpose is to obtain the additional information necessary to design ice-worthy new tankers for year-round operations," says Capt. Roger A. Steward of Reading, Mass., skipper of the Manhattan. "We're counting on tonnage and horsepower to smash through the ice ridges."

But even if the Manhattan project is successful, many questions about tanker operations in the Arctic will remain.

What an Oil Spill Can Do

(By Tom Brown)

The prospect of a 250,000-ton tanker being crushed by the ice and spilling its million-barrel cargo of crude oil in the Beaufort Sea off the North Slope has become a nightmare for wildlife experts and conservationists.

They recall the Torrey Canyon disaster off the southern coast of England and the runaway well that blackened Santa Barbara beaches earlier this year and say an even worse catastrophe is possible off Alaska's Arctic coast.

Ray Morris, North Slope coordinator for the Federal Water Pollution Control Administration (FWPCA), notes that tankers "have one of the best safety records in shipping. But when they do have trouble it's almost a national disaster."

And operating conditions in the Beaufort Sea will be far more hazardous than any tankers have ever had to cope with before.

To begin with, there is the pack ice itself, a formidable threat to any ship yet constructed. It generally varies from about six to 18 feet in thickness, but huge pressure ridges, formed as the ice is moved and compressed by wind and current, can be as much as 100 feet thick.

Humble Oil and Refining officials and scientists working on the Manhattan project believe a 250,000-ton supertanker, properly constructed with an icebreaking bow and protective steel belts along the sides, could be depended upon to smash its way through this ice, and hope to prove it this summer.

But even if adequate ships can be constructed, there are other problems that will complicate their use.

One is the shallowness of the water off the North Slope. The continental shelf runs far out into the sea there and any tanker terminal would have to be located about 30 miles offshore.

That far offshore, it would be fully exposed to the violent Arctic storms that may howl for days on end in the winter and compress the pack ice against the shore with incredible force. There is some fear that even a properly constructed supertanker could be pinched in the ice during one of these storms and crushed like an egg.

For the same reasons, there is considerable apprehension that any attempt at offshore drilling from platforms would end in disaster.

And any major spill of oil almost certainly would have detrimental affects on an area which is extremely important to:

Bowhead whales, many of which migrate into the Beaufort Sea in the spring and spend the summer there, feeding on the abundant supply of microscopic plant and animal life.

Polar bears, which prowl the coast and ice pack year-round in search of seals, which constitute about 95 per cent of their diet.

The seals—ring, bearded and harbor—which feed on the crustaceans found in the Arctic waters.

The various plankton and crustaceans, which form the beginning of the short, vulnerable Arctic marine food chain that ends with the whales and polar bears.

"I shudder to think what would happen if you lost a 250,000-ton tanker," says Jim Brooks of the U.S. Fish and Wildlife Service, an expert on the polar bear. "It would gum up the coast of Alaska and Canada so bad that sea birds, marine mammals and vertebrates in the beach zone would be disastrously affected.

"It would be a real catastrophe—worse than what we saw with the Torrey Canyon. The oil would be confined by the ice and couldn't spread" and dissipate.

Polar bears would be in trouble because, "An oily polar bear is going to be a cold polar bear. The oil will destroy the insulation of his pelt and he probably won't survive." A spill could be expected to have similar ill effects on other life forms.

So one of the big questions is whether major oil spills can be avoided.

Brooks is not optimistic.

". . . the possibility of oil spills is something that should cause everyone involved to build in every safeguard and precaution before hand," he says. "It's probable, however, that accidents are going to happen no matter what precautions are taken.

"In fact there's no question about it."

Dr. Charles Behlke of the University of Alaska, an aggressive booster of North Slope oil development, takes this view:

"Because this is a new development, we are going to have to face the possibility that something is going to go wrong. We're going to have to expect a catastrophe."

But in the long run, "with the appropriate controls, offshore pollution is not going to be a problem."

And he is confident that the required technology can be developed.

"If tankers such as the Manhattan can push their way through the ice, they should

be able to withstand the winter storms," he says. "Structures can be built that would make it possible to have ice protection the year round.

"There isn't a damn thing up there that can't be solved."

CAUTION AT VALDEZ

(By Tom Brown)

The problems of tanker operations at Valdez, terminus of the proposed Trans Alaska Pipeline System, lack the science fiction atmosphere of those associated with the Beaufort Sea.

Valdez is an ice-free port—the most northerly one in Alaska—eliminating one major problem.

Its estuary is sufficiently deep to accommodate supertankers with no trouble, so the big ships would not be exposed to the fury of storms while loading.

And the storms at Valdez, while sometimes rough, seldom display the unbridled ferocity of those in the Arctic.

But the problems, while more mundane, are potentially as significant for the quality of Alaska's environment.

One of the troubles with a tanker is that it can't go empty to the terminal where it takes on its cargo of oil. It would ride too far out of the water and be unstable. So its tanks are filled with sea water ballast.

But a tanker's cargo tanks are never completely emptied when it is unloaded. Consequently, the ballast water becomes "dirty"—contaminated with crude oil from the last cargo.

The ballast must, of course, be disposed of before a new cargo of oil can be put aboard, and this frequently is where trouble starts.

It has not been uncommon in the past for tanker captains to dump dirty ballast in areas where they thought they could get away with it. It has happened in Cook Inlet.

A supertanker of the type the oil companies plan to bring into Valdez would be carrying hundreds of thousands of barrels of water contaminated by as much as a few thousand barrels of oil.

Pumping that amount of oily ballast into the Valdez estuary could have disastrous effects on the ecology of the area. For that very reason, deliberate dumping of ballast in the harbor is highly unlikely.

But unintentional spills of dirty ballast have been common in the past.

Intentional and unintentional dumping of dirty ballast has, in fact, been the major source of oil pollution in Alaska to date.

To cope with this problem, TAPS plans to install elaborate ballast and bilge water treatment facilities ashore.

"All oily ballast water arriving in tankers at the southern terminal will be pumped ashore and passed through separators to extract the oil, thereby ensuring that ballast will not contaminate waters adjacent to the terminal," TAPS has told the Interior Department.

After this treatment, the enormous volumes of ballast brough in by the tankers would be clean enough to pump into the harbor.

But it is possible that even such treated ballast could cause problems.

"It is a delicate estuary," says Dr. R. Sage Murphy, director of the Institute of Water Resources at the University of Alaska. "The tankers will be pumping ballast out.

"And even if it is clean ballast, it came from somewhere else. It may upset the Valdez estuary biologically."

A marine ecology study of the Valdez estuary, financed by TAPS, may indicate whether this possibility deserves more study.

In addition to the shore treatment facilities, TAPS has told the Interior Department that it plans to utilize the latest engineering and construction techniques to ensure that oil is not lost during ballast unloading and crude oil loading operations.

The same will be true of the storage tanks at Valdez, another potential source of disastrous pollution. Initially, TAPS plans to have a storage capacity of five million barrels of oil in 11 tanks. This may eventually be raised to 20 million barrels in 46 tanks.

TAPS has submitted to the Interior Department the rough outlines of the contingency plans it will use in case an oil spill does occur.

"I don't think the problems at Valdez are as dangerous as in the Arctic," says Dr. David R. Klein, head of the Cooperative Wildlife Research Unit at the University of Alaska, "but there will be a tremendous amount of oil going through there and there will be a tremendous number of tankers and, as a result, a tremendous potential danger.

"Prince William Sound is a very important area for salmon. Cordova has an important clam fishery that definitely would be detrimentally affected by an oil spill.

"And there are sea otters in the area. They are particularly vulnerable to oil spills."

"You start to look at the problems of getting oil out of Alaska," says Ray Morris, North Slope coordinator for the Federal Water Pollution Control Administration, "and the Valdez terminal will be one area where industry is going to have to use all due caution to ward off the possibility of accidental spills."

ABOUT 15 SQUARE MILES OF PIPE

(By Tom Brown)

The Trans Alaska Pipeline System (TAPS) is more than a proposal for an 800-mile, $900 million pipeline: for many persons it has become the very symbol of oil development in Alaska, for better or worse.

As a result, opinion about it has polarized.

Businessmen tend to look on the pipeline as a panacea: a source of hundreds of jobs, the funnel through which millions of dollars will pour into business and governmental coffers, increasing profits and possibly lowering taxes. They have shown little concern about the potential problems associated with constructing the pipeline. They want approval of the right-of-way for it now—right now—so work can start.

Thus, John Kelsey of Valdez, chairman of the state Chamber of Commerce recently urged Interior Secretary Walter J. Hickel to grant speedy approval of the pipeline right-of-way and called on Alaskans to make their views known to the secretary by telegram.

"Now is the time for Alaskans to stand up and be counted," he said.

"It's highly important that the permit be granted. It's reached the time when if they can't get started it will delay the project for one year . . .

"We're talking about tremendous amounts of money."

If there are "good reasons" for the delay, Kelsey said, Hickel should make them known.

Conservationists, on the other hand, frequently view the pipeline as an ogre: a mammoth construction project that will despoil thousands of acres of virgin wilderness, change the ecology of vast areas, pollute Alaska's rivers and harbors and interrupt the migration patterns in the state's vast caribou herds. Some of them would prefer it if the pipeline were not built at all. Many want the Interior Department to delay approving the right-of-way until all questions regarding construction of the pipeline have been answered to their satisfaction.

Both sides are ignoring important points.

The Chamber of Commerce types are ignoring the fact that TAPS still has not provided the Bureau of Land Management with a precise description of the pipeline route. It would be the height of irresponsibility (and perhaps illegal) for the federal government to grant the entire pipeline right-of-way without knowing exactly where it is going to be.

There are important environmental considerations involved in constructing the pipeline and it is up to TAPS to provide adequate answers about how it intends to handle them. Many of the government's questions have been answered and TAPS is in the process of making an environmental survey of the route to acquire more information. But to date, informed sources say, TAPS has not answered all the environmental questions satisfactorily.

These sources also say that the pipeline consortium has not adequately answered all the government's questions on engineering problems involved in building the pipeline.

Yet another reason for the delay in granting the right-of-way—not as important as the above considerations, but impossible to ignore—is the inertia of governmental bureaucracy.

"President Nixon made such a fetish of environmental concern during the campaign that he certainly is not going to allow something like this to be approved until a lot of questions are answered," one experienced observer of the Washington scene said. This, coupled with the President's propensity for caution, particularly in controversial areas, is likely to mean a lengthy delay in approval of the right-of-way application, this observer believes.

Conservationists, on the other hand, sometimes are guilty of dismissing the economic importance of the pipeline of the state, when they should be aware that the pipeline is at the moment the only reliable method of getting the oil to market. The feasibility of using tankers—the only other practical method of moving oil in North Slope quantities—remains to be proved. So it is unlikely that the immense economic benefits the state stands to gain from its oil will begin to flow in until oil flows through the pipeline.

Of the two methods of moving the oil, the pipeline is almost certain to prove the cleaner and less ecologically harmful.

Furthermore, as an ecological consideration the pipeline is really a sideshow when compared with the less debated but much more significant central problem of oil development in the Arctic: the large-scale invasion by man, for the first time, of an ecologically important and exceptionally vulnerable area.

"The pipeline is 800 miles by 100 feet—or about 15.2 square miles that will actually be affected," says Dr. R. Sage Murphy of the University of Alaska. "That's not much in Alaska.

"One of the things that irks me is that we've got thousands of people worrying about messing up the ecology of the North Slope when we don't have equivalent concern about a 200-house subdivision on the outskirts of Fairbanks—and the builders are messing up the ecology as much as, or possibly more than, the oil companies."

THE 79 QUESTIONS

(By Tom Brown)

On June 10, the Interior Department sent the Trans Alaska Pipeline System (TAPS) a list of 79 questions concerning the 800-mile Prudhoe Bay-Valdes pipeline.

In a covering letter to R. E. Dulaney, TAPS chairman, Interior Under Secretary Russell Train said the list was "designed to indicate the kind of questions to which satisfactory answers will be required before permits can be given for the use of public lands."

More such questions, he indicated, would be forthcoming in the future.

"The Secretary (Walter J. Hickel) has expressed the view that the oil development in Alaska must be consistent with 'wise conservation,'" Train wrote. "We continue to

affirm this viewpoint. Our direction and emphasis will be guided by the President's charge that the oil resources of Alaska be explored and developed 'without destruction and minimum disturbance.'

"The enclosed and future sets of questions, as well as discussions originating from them, will reflect this commitment. With the conviction that proper environmental and social safeguards are co-ordinate, and not competitive, with industrial development, it would be helpful to us, in our anticipation of industry's timetables, to have your initial reply within four weeks."

The reply, a copy of which has been obtained by The Daily News, came much sooner than that, on June 19.

In a covering letter to Train, Dulaney noted that, "As you may appreciate, we have pressed our project personnel to respond quickly, consistent with the timetable of the project and with that expressed in our recently filed right-of-way application."

"As you have indicated," he wrote, "we anticipate that further dialog will be generated from this initial exchange.

"We also concur that our project should be constructed consistent with wise conservation and reiterate our earlier observation that good pipeline design dictates design and construction procedures that will cause a minimum disturbance to the natural environment. Since we start from a common position, it is to be expected that the details of our proposed development will be consistent with sound conservation principles."

Attached to the covering letter was a 20-page document outlining the planning and research that TAPS has gone to so far in preparing for construction of the pipeline.

Included were answers to such questions as these:

When will the location survey of the pipeline over the public lands between Fairbanks and Prudhoe Bay be completed? Between Fairbanks and the southern terminus?

When is permission desired to begin construction of the pipeline? When is construction presently planned to begin?

When will the design specifications, including safety regulations and leak detection devices, be completed?

When will the following land description sites be filed with the BLM: pipeline stockpiles, construction crew camps, secondary access road locations to crew camps, gravel sources, timber sources, permanent maintenance crew dwellings, airports, drinking water sources, communication stations?

What timetable has been developed for pipeline construction?

Have you completed a study of the environment, especially permafrost, as it relates to all types of engineering modifications . . .?

For each engineering modification planned, can you provide the following information regarding whether passive (no melting of permafrost) or active (melting of permafrost) techniques are planned? If active techniques are to be used, describe the anticipated thawing, the mechanical effects of thawing on engineering modifications, the effect of thawing on the natural environment, and plans to accommodate these changes.

Have allowances been made for the seismic hazards present in Interior and Southern Alaska in site selection, design, and building of structures?

In view of the fact that the major source of oil pollution to date in Alaska has been slop oil discharged with tanker ballast, what are your plans for ballast and bilge treatment facilities at pipeline terminus areas?

What type of pipeline leak detection will be provided? What degree of accuracy can be obtained on leak detection?

Generally, how is it intended to cross rivers? Specifically the Yukon?

What systems will be included to control the drainage of oil from a broken pipeline once the flow under pressure has been stopped?

Describe your pipeline construction and operation surveillance program. Will this include inspection of construction activities to insure proper environmental protection procedures and a continuous leak detection and oil spill reporting system?

What are the plans for oil storage at origin and at terminus of the pipeline?

Describe and locate the segments of the pipeline which will be buried. Exposed.

How will disturbed Arctic tundra be revegetated?

And many, many more.

THE 79 ANSWERS

(By Tom Brown)

The Trans Alaska Pipeline System (TAPS) will be the most costly privately financed construction project in history.

It will also be one of the most challenging.

Beginning next spring, hundreds of men will be working night and day to lay 800 miles of 48-inch Japanese-made pipe between Prudhoe Bay and Valdez. They hope to complete the bulk of the construction work next year.

Before the first oil begins to flow through the pipeline—hopefully in 1972—more than $900 million will have been invested in it.

The logistics of such an operation clearly are incredible. So are the effects construction of the pipeline might have on ecologically delicate areas along the way.

Government concern over how Alaska's environment might be affected was reflected by Interior Secretary Walter J. Hickel earlier this year when he announced formation of a departmental task force on Alaska's oil problems.

"The Arctic environment, particularly the tundra, does not have the resiliency to withstand unplanned development," Hickel said. "It has very limited capacity to recover from environmental damage.

"Construction projects, such as large pipelines, if improperly planned and constructed, can disrupt completely the migratory cycle of major animal populations, such as the caribou."

The result was 79 questions for TAPS from various government agencies.

The 79 answers from TAPS, though hardly the last word on the subject, gave an indication of the amount of environmental planning the firm has made in preparing for construction of the pipeline. Covering all the answers—or even all the most important answers—would be impossible here. But a sampling of answers dealing with ecological questions will give the flavor of company thinking.

TAPS said that so far it has commissioned these studies:

A seismic study of pipeline and terminal facilities by Dames & Moore, a geological consulting firm.

A prototype pipe test facility at Barrow consisting of 1,100 feet of 10-inch pipe "laid under varying conditions to determine stresses developed due to freezing soil and ice formation."

A geological investigation of the proposed Yukon River crossing, which has been completed.

A research program conducted by the University of Alaska to determine the best methods of revegetating damaged tundra.

A geological and permafrost study along the pipeline route.

An ecological survey of the route.

A marine ecology study at Valdez.

A geological survey of the terminal site at Valdez.

TAPS said that only the most modern engineering techniques would be used and that these would make the chances of a major spill occurring negligible.

But should such a spill occur, TAPS said, it would be prepared to control it quickly by "providing block valves at major water crossings to shut off drainage" and "having crews and equipment available to localize, contain and dispose of spill and to clean up the area."

More specifically, the company said that the flow of crude oil to a break would be controlled and reduced by:

"Gravity drainage to tankage at any pump station whenever this is feasible. This, of course, depends on the location of the break and the elevation profile of the line between the break and the pump stations on either side of the break."

"Isolation of the broken section—first, by immediate closure of remotely controlled block gates at the existing pump stations; second, by immediately proceeding to the break area and closing the main line block gate on the upstream or uphill side of the break . . ."

"Equipment and repair crews will move in immediately to prevent spread of the oil by using dikes and dams. The break will be sealed off using clamps and sleeves designed for this purpose. The oil will be recovered or disposed of and all damages corrected."

During construction, "Control of waste, both human and industrial, produced at the various camps and stations will ensure that only treated effluent will be discharged into natural waterways," TAPS said.

The firm's reply to the Interior Department questions also reaffirmed that, "Currently, it is anticipated that approximately 95 per cent of the pipeline will be buried and the above-ground portions will be in relatively short sections. Consequenty no significant barriers to migration routes of mammals is anticipated. However, where necessary, ramps or underpasses will be provided to ensure adequate passageways for migrating mammals."

One area of particular concern to biologists has been the manner in which the pipeline would be put across rivers—particularly the Yukon. A winter break there under the ice, it was felt, could do incalculable damage to the river and its fishery.

TAPS told the Interior Department that, "All river crossings including the Yukon are presently planned as underwater crossings. Where danger of scour exists, the pipeline will be weighted with concrete and placed in a ditch excavated in the bedrock where possible or well below the active river bottom. The proposed Yukon crossing will be placed in bedrock."

"Initial investigation indicates that major rivers can be crossed during the winter time with little or no injury to fish and water birds," TAPS said. "Construction will be scheduled to cause the least amount of disturbance in this area consistent with the character of the stream crossed."

TAPS also answered many other environmental questions, and, in considerable detail, queries on technical aspects of the pipeline construction.

Even after the pipeline right-of-way permit is granted, TAPS operations will be governed by a set of Interior Department stipulations, or regulations.

MILLER DEFENDS HICKEL HIGHWAY

JUNEAU.—Gov. Keith Miller said at a news conference Tuesday that he had flown over the remains of the Hickel Highway—the ice road to the North Slope—and said "from the air, it didn't appear to be as disastrous as some newspaper articles have indicated."

The Anchorage Daily News said recently—in Tom Brown's series, "The '69 Oil Rush"—that the road, which was used for about a month before it melted, was now nothing more than a canal.

The Daily News series also questioned the methods used in carving the road, saying they were unlike methods used for other winter roads.

Miller said, "I don't believe this is true. I believe any trail is done in about the same manner as this one."

The governor noted that the legislature had provided money for the road to be opened again this year, and said it would follow "basically the same route, with some probable exceptions."

He said, "The Highway Department tells us there are better routes."

PIPELINE STIPULATIONS

(By Tom Brown)

The Bureau of Land Management here has submitted to the Interior Department in Washington a lengthy list of proposed stipulations for construction of the Trans Alaska Pipeline System.

TAPS would have to agree in advance to abide by them before it could begin work on the pipeline.

What final form the stipulations will be given by the Interior Department remains to be seen. But the proposals submitted by the BLM call for strict regulation of TAPS activities to protect the environment along the 800-mile pipeline route from the North Slope to Valdez.

The proposed stipulations fill dozens of pages and represent thousands of hours of work by experts from virtually every federal agency in Alaska.

Perhaps the key recommendation was that "an advance right of construction permit should not be granted until a formal application showing the exact route of the pipeline is submitted." No such application has been forthcoming.

In support of this position, the BLM noted that, "Considerable resource damages have already been incurred due to past exploratory work. The Bureau must be staffed and prepared to supervise this construction to prevent indiscriminate development of trails, access roads, heliports, pipe storage areas and crossing of streams."

Some of the other key provisions, as they appeared in a preliminary draft of the stipulations sent to Washington:

TAPS should be required to submit "a contingency plan for oil spill control, disposal and cleanup . . . The contingency plan shall include separate, specific oil spill cleanup techniques for (a) terrestrial, (b) lake, (c) stream, and (d) estuary and tideland spills. The plan must be acceptable to and approved by (the BLM) . . . prior to pumping oil through the pipeline."

Wastes to be collected and disposed of should "include human waste, trash, garbage, tissue, various liquid, equipment and miscellaneous solid wastes."

TAPS would be required to recognize the right of the BLM "to close to pipeline and road construction certain areas for periods of time within the permit areas to protest wildfowl nesting activities, concentration of migrating fish and wildlife and crucial feeding, spawning and rearing areas. Closure to construction may also be ordered within the permit area . . . for reasons connected with hunting and fishing and protection of fish and wildlife resources."

"The design of all pipeline and auxiliary facilities shall be reviewed and approved prior to any construction."

The pipeline would have to be constructed "in such a manner as to minimize permafrost degradation. This stipulation shall apply to all pipeline construction, whether buried or installed above grade."

"Construction vehicles shall not be driven outside the boundaries of the right-of-way and access roads at any time" except when approved by the BLM.

TAPS "shall not disturb the surface vegetative cover on the tundra north of the Brooks Range summit. Scraping, blading, ripping and other disturbances by mechanical equipment shall not be allowed except when absolutely necessary to construct a trench for pipe burial and drilling of holes for piling."

The permitee (TAPS) shall seed, plant and fertilize all lands requiring revegetation with a mixture containing adaptable grass species."

TAPS also would be required to comply with any new regulations or stipulations that should be developed as work progresses. The BLM noted that this would be necessary because "preliminary design of the pipeline, routing, etc., leave many questions unanswered. In addition, the abundance and distribution of fish, wildlife, forest and range resources as well as their reaction to problems imposed by oil development and pipeline operations are poorly understood."

In explaining the necessity for some of the proposed stipulations, the BLM dealt with the type of environmental damage uncontrolled pipeline construction could do—and in some cases already has done. For instance:

"Numerous heliports have been constructed indiscriminately during the preliminary route exploration phase, resulting in many barren scars along the route. Considerable erosion damage can result if construction of heliports and access roads to them are not controlled. Apparently the permittee was not aware of the fact that a special land use permit was required."

The BLM also cautioned that:

"It is a common practice for equipment operators and maintenance mechanics to drain oil and fuels from equipment directly onto ground surface as well as to throw away used oil and fuel filters in a similar manner. Water contamination results from such practices and should be prevented."

"Pollution of a stream system by various construction activities or by pipeline breaks or leaks could destroy important spawning grounds hundreds of miles downstream."

"Pollution of the natural waters along the pipeline route cannot be tolerated. Here we have an opportunity to protect waters that are in a pristine condition. We must not find ourselves in a situation where we will be required to perform expensive watershed and pollution porjects to return the stream to natural quality. Many lessons have been learned in the problems of water pollution in our society. We must make the effort not to repeat the same mistakes."

"Those sections (of the pipeline) constructed above ground could be an effective barrier to caribou and other big game movements . . . There is no evidence to support the supposition that caribou will pass under an elevated pipe or, for that matter, over a ramp."

"Selection of the Dietrich-Antigan River route in preference to Anatuvuk Pass will not solve caribou problems from the point of avoiding major migration routes. Anaktuvuk Pass is rated as a major migration route simply because people live there and more work has been done in that area. The Dietrich, head of the Chandalar, and Sagavanirtok Rivers are reported in federel aid reports as having major concentrations or movements of caribou. Trails now existing in this area show very heavy use."

"The damage of siltation and oil spillage is potentially much greater than loss of habitat or disturbance through construction."

"In many cases irreparable damage occurs where vehicles or equipment are driven across the tundra and permafrost. Past traffic across the tundra and permafrost is still very evident. The natural resources losses in this case amount to more than the cost of the pipeline, due to the loss of soil productivity, vegetable cover, wildlife forage, stream siltation, water pollution and soil loss."

"Surface disturbance of the tundra and permafrost must be held to a minimum because rehabilitation methods are not known at the present time. Observations of past tundra and permafrost disturbances revealed that the scars have never healed and permafrost degradation is slowly continuing. Many of the disturbed areas have become erosion channels; subsidence has occurred; lakes, ponds and bogs have formed."

WHAT'LL THE BOOM DO TO WILDLIFE?

(By Tom Brown)

One of the major unanswered questions about Alaska's booming oil development is what affect it will have on wildlife.

If this nation's past experience is any guide, Alaskans should be prepared for the worst. Rare indeed have been the cases when industry and wildlife have been able to coexist.

As America has industrialized, the animal species that have truly flourished have been those that are easily domesticated and thus of use to man and those, like the pigeon and seagull, which can survive more easily with man than without him.

As for the others—they're mostly gone now, hounded into near-extinction or zoos.

It is a sorry record, full of the kind of mistakes Alaska surely will want to avoid, since its animal populations certainly are among its most valuable resources.

At present there is no way of accurately forecasting what affect man's invasion of the Arctic—including the development of the oil fields, the construction of the pipeline and the possible use of icebreaking tankers—will have on wildlife. Much more research will be necessary before such forecasts can be made.

But some broad generalizations can be made, based on past experience, existing knowledge about Alaskan animal species and recent research by wildlife experts.

Most wildlife specialists appear least concerned about the caribou. It is the most plentiful large animal in the Arctic and seems reasonably adaptable to the presence of man. Oil development in caribous summering grounds and above-ground stretches of the Trans Alaska Pipeline System may cause some caribou populations to change their migration patterns somewhat.

Hunting pressure is certain to increase.

But the general feeling is that with the proper controls on oil company activities and hunting, the caribou should be able to withstand the pressure of human activity reasonably well for the foreseeable future.

There is considerably more concern about other species of animals—the barren-ground grizzly and polar bears, wolverine, wolf and dall sheep to name a few.

"We can't tell for sure what effect man will have on the caribou and the barren-ground grizzly," says David M. Hickok of the Federal Field Committee for Development Planning in Alaska. "A whole oil field in the summering range of the caribou is probably going to cause them to move elsewhere or to become a nuisance because of their curiosity.

"I personally don't think there is any question that the barren-ground grizzly is going to go. He just isn't compatible. He is extremely curious and is going to be nosing around garbage dumps. He also presents a certain menace.

"So he is going to get shot. There may be 'no guns in camp' but he is going to get shot.

"The wolves will be a similar problem.

"And there will be greater access to the dall sheep populations."

Bob Weeden, biologist for the state Fish and Game Department at Fairbanks, believes that in addition to any habitat changes oil exploration causes, one of the main problems will be the simple presence of a large number of people on the Slope.

"When we get a fair number of people up there, we can expect an increase in hunting pressure," he says. "This hasn't happened yet because the workers up there are pretty up-

tight now for time and don't have much leisure.

"This will change as the nature of the camps changes. Guides are already gearing up to take (oil company) VIPs hunting.

"We can expect more pressure on trophy animals—wolves, wolverines, grizzlies and polar bears."

Weeden sees no particular problem with increased hunting pressure if the Fish and Game Department can make inventories of the various game species and adjust hunting regulations accordingly.

"For instance," he says, "there is now no closed season for caribou north of the Yukon . . . And I hope we don't have sophisticated trophy hunting going on on the same land with Native subsistence hunting. We would have to enforce two types of regulations then—allowing the Natives to take all they can just to survive, while limiting the oil company employees.

"That would be a real mess."

Weeden says there has been "evidence of some thoughtless, purposeless baiting of bears" and rumors of illegal activity, such as seismic crews taking animals from helicopters, about which the state would like to know more.

Dr. David R. Klein, director of the Cooperative Wildlife Research Unit at the University of Alaska, also believes there should be "considerable concern for the barren-ground grizzly.

He points out that, "The productivity of the Arctic in large animals is low because of the short growing season and the limited fertility of the land."

It takes a large area to support one grizzly, hence, "the allowable harvest of grizzlies would be fairly low."

"Disturbances could also cause mountain sheep to leave the area and, since they are very much animals of tradition, it might take a long time to get them back into the area," Klein says.

Jim Brooks of Anchorage, U.S. Fish and Wildlife polar bear expert says that so far, "The oil activity hasn't had great impact on the polar bear.

"But with a lot more people up there, the prospect of more pressure has to be accepted. It's a matter of imposing appropriate regulations."

It is also a matter of extensive government-supported research to determine if industry and wildlife can be made compatible. What happened on the Kenai Moose Range offers a partial answer to that question.

WATER POLLUTION? ANSWER IS "NYET"!

A recent issue of the American Society of Civil Engineers' Sanitary Engineering Division newsletter carried this item:

"A court in Western Siberia banished two oil-well operators to prison for allowing oil to pollute a local river. F. Zakirov, an engineer, was sentenced to three years and I. Kozlovsky, a foreman, to two years for criminal negligence. The USSR is intensifying its efforts to prevent water pollution."

OUR STATE WILL CHANGE

(By Tom Brown)

The development of Alaska's oil resources unquestionably will change the face of the state.

To get the oil out without altering the land and the quality of the water is beyond man's current technological capabilities.

Even in strictly controlled areas like the Kenai Moose Range, oil industry operations have caused great environmental change. Much greater changes have occurred on the North Slope, where to date the only regulation has been the industry's good will—and good sense.

And much more change is inevitable.

So the issue Alaska must face—and face now—is not whether there will be change, but rather what type of change it will be, what sort is desirable, how much of it is necessary if industry is to operate efficiently, how much is permissible if scenic and wilderness values are to be preserved and in what areas it will be allowed to occur.

Or, as David M. Hickok, senior staff officer of the Federal Field Committee for Development Planning in Alaska, put it, "The whole strategic happening is the issue—the total intrusion of man into the Arctic."

The most commonly discussed problems—the difficulties of perma-frost engineering, damage to the tundra, waste disposal, water pollution, increased pressure on wildlife—and less commonly discussed problems—such as development of a national policy on the Arctic and revision of land use laws—certainly these are important considered singly. But all essentially are problems, not issues.

Considered together they form the issue—and is an issue of crucial importance to the quality of life in Alaska.

Very little attention has been paid to this issue so far. But consideration of it should become a first priority of government, state and federal.

The urgency of this task should be clear to every Alaskan who is concerned with the surroundings in which he lives—and those in which his children will live.

"I know of no major mistake made Outside that hasn't been repeated here," says Joseph H. FitzGerald, whose tenure as head of the Federal Field Committee gave him an unusually broad insight into the state's problems.

The penalty for these mistakes is beginning to be paid Outside: in pollution of virtually every major body of water, poisoned air, scenic areas blighted by industrial waste, rotting central cities, teeming slums and sprawling ticky-tacky suburbs.

So far Alaska's small population and vast bulk have prevented these problems from reaching the crisis level that has occurred elsewhere. But it is only a reprieve, not a pardon.

Opinions on how to handle Alaska's environmental confrontation vary widely:

From Dr. Charles Behlke of the University of Alaska who says, "I have pretty definite feelings about industrial development. If you look at New York state or California, they have a lot of heavy industry crowded in around the major cities. This makes a mess of the environment . . . It would be wonderful if you could separate this heavy industry from where you live.

"In Alaska we have this advantage: the heavy industry is at Prudhoe Bay where it's not going to bother anyone. It's an ideal situation. You couldn't ask for anything better. The oil companies are definitely going to make a mess of the tundra—there's no way out of it. And there is no question that there is going to be some water pollution. The character of the North Slope is going to change, but I don't think it is going to be on a scale that will ruin the entire Slope.

"And I don't think we should get too excited about an area that we didn't give two hoots in hell about two years ago."

To Bob Weeden, Fish and Game Department biologist, who says, "It gripes me that in the past the oil people have destroyed a place for wilderness value just in the process of trying to find out if oil is there. If oil is, indeed, there they can make an attempt to justify the destruction economically. But if it's not, then what? You've ruined the land, but haven't gained anything . . .

"I have the hope that the central part of the North Slope will be the last bad example of oil development . . . America has only one Arctic. It's in Alaska and it's north of the Brooks Range.

"It seems to me that we should be taking pretty good care of it."

From disparate views such as these, Alaska must, somehow, formulate a policy with which to confront its environmental crisis.

Industry, government and the people each have responsibilities to fulfill.

LESSON OF THE MOOSE RANGE

(By Tom Brown)

When oilmen talk about conservation they almost always mention the Kenai National Moose Range.

Most of them are proud about what happened there and with good reason: The Moose Range offers the strongest evidence to date in Alaska that the oil industry can be compatible with wildlife.

"First we heard this argument—should anyone be allowed to go into the Moose Range," says Joseph H. FitzGerald, now head of community relations for Atlantic Richfield. ". . . Now everybody is completely happy with it . . .

"The moose was extremely happy. The moose population jumped from 4,000 to 5,600 in a few years."

Now it is up to about 7,500.

What was done in the 1.7 million acre Moose Range was relatively simple: It was zoned.

The zoning established the Andrew Simon Natural Area, a virtually trackless wilderness known for its scenic beauty and wildlife, which was to be preserved; the Chickaloon Flats Waterfowl Area on the north shore of the peninsula, for waterfowl management and public hunting; the Central Public Use Area in the Skilak Lake-Kenai River area near the road system; and the Intensive Resource Use Area, which constitutes about half the area of the Moose Range.

The latter was the only area in which the petroleum industry was allowed to operate, and even there it was subject to strict regulation to minimize environmental damage and was made to restore disturbed areas to their original condition, as nearly as possible, after exploratory and drilling work had been completed.

The oil industry, of course, discovered the Swanson River oil field in the Intensive Resource Use Area, the first producing field in Alaska.

And, under the watchful eye of the federal Bureau of Sport Fisheries and Wildlife, which administers the range, the oil industry abided by strict development regulations. The result was one of the neatest oil fields to be found anywhere.

An unanticipated side effect of the development was an increase in the number of moose, which used the new roads for easier movement and thrived on the new browse that sprang up in the disturbed areas.

But despite the success of the program, change in the character of the Moose Range was, of course, inevitable. One Bureau of Sport Fisheries and Wildlife publication noted:

"Operations are carefully controlled to minimize destructive effects and the oil companies have exhibited a high degree of cooperation.

"Experience has demonstrated, however, that the effects include some long-term scarring of the envionment, initial stream pollution from silt and debris, a potential for pollution of fish and waterfowl waters, added fire hazards, and human occupancy foreign to natural habitat.

"The net result is a significant change in the enviroment which time and restorative efforts will partially lessen with great care and constant vigilance . . ."

Dr. David R. Klein, head of the Co-operative Wildlife Research Unit at the University of Alaska, agrees that "oil has been developed fairly compatibly on the Moose Range . . .

"The oil people have been very co-operative . . .

"But the reason it worked is because of the very stringent restrictions on their activity

and the fact that we had people to enforce the restrictions and crack down on violations.

"The moral is that oil development can be fairly compatible, but it requires strict regulations."

Some conservationists fear that in some cases not even strict regulation will be enough.

"On the Kenai Moose Range . . . the oil industry seems to be compatible with the moose, but I'm not sure," says Gerald Ganopole, a consulting geologist who is concerned about conservation. "When you reach a certain stage of development, the value of the land for its original purposes disappears. The land is lost through a process of degradation . . . "

And there remains the question of how much of the Moose Range experience is transferrable to the North Slope.

The basic principles of strict regulation of industry activity to minimize environmental damage might well remain applicable.

But the ecological conditions of the North Slope are much different than those of the moose range.

The moose range presents no permafrost problems; the Slope does.

The moose range has a much higher annual mean temperature, hence revegetation occurs much more rapidly.

The major large animal in the Moose Range is the moose, which has proved compatible with man; on the Slope it is the caribou and how compatible it will prove remains to be seen.

The Slope also has important populations of animals that never have proved compatible with man:

The wolf, wolverine and grizzly.

A New Policy Is Essential

(By Tom Brown)

What Alaska urgently needs is a coherent way of looking at industrial development and its relationship to the state's unique environment.

Until now, Alaska, like most other states, has considered the problems associated with development on an individual basis as they arose.

In the past, that may have been an adequate policy: The state was big, the population was small and most new industrial facilities were not big enough to have much noticeable affect on nature. So the state could consider each case on its merits without having to worry about anything so complicated as a sophisticated policy on land use and resource development.

Those days are over.

The price of unplanned development is everywhere evident in the Lower 48 and it has been exorbitant indeed; polluted air, poisoned water, scenic beauty blighted by the detritus of modern industry, ticky-tacky suburbs, rotting cities and festering slums.

Many social scientists see a direct relationship between these conditions and some of the most critical problems facing American society, including riots and alienated youth.

The only way to ensure that these conditions do not develop in Alaska is to do something positive to prevent their occurrence. To assume, as Alaska has in the past, that its immense size and abundance of resources will protect it from the ills of the outside world is no longer adequate.

A first priority for Alaska must be the development of a comprehensive policy for planned development: One that takes into consideration not only the needs of efficient industrial operation, but also the maintenance of a decent environment, one not only fit for human habitation but one which retains its ability to lift and ennoble the human spirit.

This will be a complex endeavor and to make it a success, industry, government and the people will have to fulfill their responsibilities.

Industry constantly repeats the dictum that its first responsibility is to stockholders. This, obviously, is true. But industry also has grave responsibilities that extend far beyond merely guaranteeing the stockholder a sufficient return on his investment. In the case of Alaska, the most obvious requirement is that the oil industry take care of the land while getting the oil out.

The North Slope, it must be remembered, is public land. It is part of the common heritage and belongs to all the people—not to the oil companies and their stockholders. The oil companies have leased the land, and with it the right to extract the oil beneath it. But there is nothing in the lease agreements that confers on the oil companies the right to ruin the surface of the land for other purposes.

Thus, it is the responsibility of the industry to move with caution and discretion in developing the North Slope oil discovery in order to protect the public interest as well as its own.

There are encouraging signs that the more responsible elements of the industry plan to operate in this manner. One example is Atlantic Richfield Co.'s use of huge Sikorsky Skycrane helicopters to move drilling rigs from one site to another. The cost of moving a rig in this fashion is several times that of hauling it across the tundra with tracked vehicles. But a helicopter does no damage to the land and tracked vehicles do.

But much remains to be done and overwhelming evidence of this can be found in the company initials, arrows and other Arctic grafitti that geophysical company crews, with an utter lack of the most elementary responsibility, have carved indelibly into the tundra with bulldozers.

An integral part of industry's responsibility to protect the common heritage is its duty to pursue technological innovations that will make ecological damage during oil operations the exception rather than the rule. It is encouraging to note that the oil industry has long been one of the most technologically advanced. Its research departments are tussling with the unique problems presented by the Arctic and it is to be hoped that a technology compatible with Alaska conditions will be developed and deployed soon.

The oil industry also should be expected to co-operate to the fullest extent with government, by sharing its technological expertise, in developing a land and resource use and management policy that will protect both the public and private interest.

Government must become the watchdog of the public interest, a role in which it has failed miserably so far.

If there is a villain in this piece, it is the federal government, which ruled Alaska through what former Sen. Ernest Gruening accurately described as 90 years of colonialism, without ever formulating a national policy on the Arctic. There still is no such policy.

But in the more than one year since the scope of the North Slope discovery became evident, the state government also has been negligent in providing the sort of leadership that the situation demands.

What is required now is a co-operative effort between the state and federal governments to assert leadership and promote development of an Arctic policy that will provide guidelines for over-all development in Alaska and meet the needs of both industry and the public interest.

The public, for its part, must demand responsible action from both government and industry. A necessary first step here is that the public must ask for the information it needs to decide what is necessary.

David M. Hickok, senior staff officer of the Federal Field Committee for Development Planning in Alaska, deplores the "lack of information available to the public on the plans and operational programs of both industry and government on resource use and environmental management or preservation.

"Both industry and government are deliberately preventing the operation of a public forum until after the important decisions are made," he charges.

This is a strong accusation. But unfortunately there is no reason to believe that it is not true.

Both industry and government have been secretive to the point of absurdity on almost every aspect of the North Slope oil development.

As a result, industry has operated as it pleased while the state looked on (when it looked at all) with approval despite the obvious need for regulation in a number of areas. As a consequence, much unnecessary damage has been done to the fragile environment of the Slope, and the public has been told precious little about it.

It is up to the public to demand a change in this policy if its interests on the North Slope are to be protected.

Even when the required co-operation—and will—to devise a workable Arctic policy develop, it will be a complex undertaking to formulate it, one that will require the best efforts of the best brains in government, industry and among the public.

But there are some obvious first steps.

Arctic Policy: Five Proposals

(By Tom Brown)

The American Arctic is opening up faster than almost anyone dreamed possible as little as two years ago.

So far the pace and methods of development have been determined almost solely by the oil companies. Generally the industry has displayed intelligence and foresight in its North Slope operations. Environmental damage has been much less than might have been expected.

But unfortunately, it has been far greater than it should have been.

Examples of wholly unnecessary damage abound.

Seismic crews, allowed to roam the tundra at will, littered the landscape with oil drums, powder boxes and heaps of trash.

In haste, bulldozers were driven for miles across the tundra, leaving it pitifully scarred in many areas.

Some of the early roads were improperly constructed and now are becoming eroding, water-filled trenches.

That these things happened initially is not surprising. The rapidity of the North Slope development put virtually everyone off balance. And in the scramble to obtain geological data of potentially incalculable value in September's lease sale, oil companies cut corners that, from an environmental standpoint, shouldn't have been cut.

But that such unnecessary damage is still occuring today is a direct result of the failure of government to provide regulations for industry activity and the personnel to enforce them.

The Federal Government, while spending millions of dollars on pure research in Antarctica, made no similar investment, which could have been of immediate practical value, in Alaska. Thus there was no established body of knowledge on operating in the Arctic that could be drawn upon.

The state government, on the other hand, still has not come up with regulations for the North Slope, though it certainly could have done so in the year that has elapsed since the oil rush began in earnest. (Some proposed regulations are on the drawing board but remain, apparently, a long way from enactment.)

Says Gerald Ganopole, a consulting geologist and conservationist:

"The only thing the state has done to date is advance development—and by development I mean it in the worst possible way:

Poorly controlled, poorly planned, quick methods of getting resources into private hands to the detriment of advanced study of areas that could potentially merit preservation, conservation or even benefit the entire country."

Oilmen also are unhappy with the situation.

"One of the biggest problems is the lack of guidelines by the state," said one oilman who asked not to be identified. "We're all groping around in the darkness.

"It's a terrible situation . . . It must have been obvious a couple of years ago what was going to happen if oil was found . . .

"Now they've waked up too late in the day. They're trying to put right something that should have been done a couple of years ago . . . It's one of the most extraordinarily complicated situations I've ever seen."

W. G. Shain, corporate head of public relations for Atlantic Richfield, says, "The industry wants everyone to be bound by the same rules. ARCO operates by the highest standards. But we don't want to see others making a profit by not operating by the highest standards . . . We don't like to operate the right way then have somebody else get caught operating the wrong way."

Thus, it is obvious from a practical business standpoint, as well as for the protection of the environment, that a comprehensive policy is needed on the use of the land and resources of the Arctic.

Therefore, The Daily News recommends:

The establishment of a national policy on the Arctic, endorsed by the President and co-ordinated by the National Science Foundation. Much of the groundwork necessary to devise such a policy already has been done by the Federal Field Committee for Development Planning in Alaska. Under this policy, the foundation would be responsible for co-ordinating all scientific research in the Arctic, avoiding wasteful duplication and hastening the development of an adequate body of knowledge about operating in the Arctic.

Establishment of a Division of Ecology within the state Department of Natural Resources. This division would include experts from the various environmental sciences and could advise the commissioner of natural resources, Thomas E. Kelly, on environmental problems associated with various industries and how they could best be avoided. An alternative, suggested earlier this summer by state Sen. Joe Josephson and Rep. Chancy Croft, both D–Anchorage, would be the establishment of a separate Department of Ecology.

Posting and enforcement of strict state regulations concerning the use of vehicles on the tundra, the taking of gravel from streams, sanitation, water pollution, garbage and trash disposal and permafrost degradation. It is true that much research remains to be done before the final answers to most of these problems are found. But it is equally true that the information necessary for drafting a set of interim regulations, which could be revised as warranted, is available within the various state and federal government agencies and from experts at the University of Alaska, the Arctic Research Laboratory and similar institutions—and the oil companies themselves. If a supplemental appropriation were needed to finance enforcement of these regulations, Gov. Miller surely could get it from the legislature, many of whose members are deeply concerned about what happens on the Slope.

A swift and sure crackdown on the operations of geophysical company crews doing seismic work for oil companies. These firms operate on small profit margins and consequently cut costs wherever possible. One way of doing this is to leave all manner of trash littering lakes and tundra and this is precisely what has been done. This apparently has not been illegal in the past, but it should be made so. Forcing the seismic crews to clean up after themselves will almost certainy mean higher costs passed on to the oil companies. But garbage disposal must be considered—as indeed it is by most major industries today—a cost of doing business.

Preservation of the integrity of the Arctic National Wildlife Range. Established in 1960, this refuge, an Interior Department publication notes, represents the only opportunity to preserve an undisturbed portion of Arctic environment large enough to be biologically self-sufficient. It is one of the most magnificent wildlife and wilderness areas in North America . . . Among the wildlife are the grizzly, black and polar bears, caribou, Dall sheep, moose, wolverines and other fur animals, waterfowl and upland nesting birds. Management is directed to maintaining natural conditions. This refuge is expected to yield rich results from studies of biological features of an undisturbed Arctic environment . . . "Unfortunately, there are geological structures in the Arctic Wildlife Range that oilmen are particularly interested in because they may be directly related to the oil-bearing structures nearby at Prudhoe Bay. Thus it is probable that tremendous pressure will develop to have the Wildlife Range released for oil development. The Daily News believes this would be contrary to the public interest.

There are many other sound proposals being advanced almost daily which also should be given full consideration. But The Daily News considers quick action on the above five to be critical for the orderly development of the state.

Also critical will be the attitude of the next session of the legislature toward oil development and its related environmental probems.

OIL AND THE LEGISLATURE

(By Tom Brown)

When the legislature reconvenes in January, Alaska will have in the bank its hundreds of millions of dollars from the September oil lease sale—the first hard income from the biggest boom of them all.

The legislators will have to work in the following weeks under the influence of the euphoria that this immense new wealth is bound to generate as well as the bitter political split that hogtied the legislature during its session this year and the political ambitions of an election year. What the lawmakers do under these less than ideal conditions may have a critical influence on the quality of life in Alaska for years to come.

Nowhere is this more true than in conservation.

Conservation requires foresight. An area ruined by unwise development policies cannot be remade. And the momentum of the North Slope development is such that the next session of the legislature may offer the last chance to ensure that irreparable damage is not done to some remote, but ecologically important, areas of the state.

At the moment, the chances appear reasonably good that the legislature will address itself to Alaska's pressing ecological problem.

I think it's one of the most important probems we face—if not the most important—because of the enormous development," says Rep. Wendell P. Kay, D-Anchorage. "The possibility exists of serious damage not only to the soil—not only through erosion, gullying, unsightly debris and so on but to both water and air in some areas.

"We already know the spillage problem. There is also a serious danger in dumping waste into our waters, not only from oil platforms, but from chemical plants, refineries, pulp mills, and other industrial operations.

"Alaska is almost the last refuge for those of us who like pure air, water and an unmarked natural environment. We have got to keep a real hard eye on the construction of the pipeline and other industry to make sure that irreversible damage is not done to the beauty of Alaska."

Those sentiments are seconded by another influential Democrat, Sen. John Rader of Anchorage, who notes that, "The wilderness, game and some development combine to make Alaska a desirable place to live and are terribly, terribly important to us. A great number of people are here for this reason. It is really priceless to a number of us."

Kay and Rader are joined in their concern by Sen. Joe P. Josephson and Rep. Chancy Croft, both Anchorage Democrats, who recently suggested establishment of a cabinet-level, state Department of Ecology to protect the environment; Rep. Gene Guess, D-Anchorage, chairman of the influential legislative council; Sens. Lowell Thomas Jr. of Anchorage and Jay Hammond of Naknek, both Republicans; Reps. Tom Fink, R-Anchorage, and Mike Bradner, D-Fairbanks, and other legislators.

Most of these lawmakers are disenchanted, to a greater or lesser extent, with the state's performance in environmental control.

"I would assume that this administration is not any more far-sighted on conservation than the administrations of other states were in a development situation," Josephson says. "As much as we might like to, there's no reason to expect this administration to benefit from the experiences and mistakes of other states.

"I think it would be fair to say that the administration generally has shown that it can be beguiled by special interests . . .

"The enlightened elements of the oil industry are nonplused by the state's inaction as well," he said.

"The trouble is that the state government has said so little about the problems of the North Slope that I can't tell you if they are ignorant, unconcerned or are withholding information for other reasons," Rader says. "There is no reason why we don't get a full discussion from the state departments of the situation.

"Because there is such a blackout, it almost leads you to believe they are not doing anything about it."

Josephson, Croft and Bradner expressed their concern last April, while the legislature was still in session, by asking Gov. Keith H. Miller 13 questions about North Slope oil development problems. They received no reply for nearly three months and finally received it only after Josephson and Croft wrote a followup letter in which they suggested formation of a Department of Ecology.

Hammond earlier this year suggested establishment of an Environmental Quality Control Commission which would serve largely the same function as a Department of Ecology.

Kay favors appropriating "a substantial amount of money every year for studying the environment and making sure it isn't damaged."

Rader believes that, "What we need is reguation for a steady, long-term flow of benefit . . . We should limit development to a usable, consumable amount . . . (that) the state can reasonably and intelligently spend, instead of glutting ourselves for five or 10 years, then starving . . . So it seems to me that our whole thrust is to slow development because the natural momentum up there is so exuberant that some of the benefits may pass us by."

Also on some of the legislators' minds is the possibility that the oil industry might try to "buy" the legislature or otherwise attempt to unduly influence the kind of legislation it passes.

"There are a lot of ways they can control it without any sinister plot," Croft maintains.

But there is general agreement that so far the oil industry has dealt with the legislature with circumspection and has usually

been less vociferous in its lobbying than many other interests.

And Kay believes that, "aside from the unfortunate mechanical problems of our present setup, the prospects are very good that a considerable majority of the legislature is going to be very concerned about conservation and will be seeking the right solutions to the problems."

More cautiously, Rader believes that, "It depends completely on how concerned the public is. If the people discuss it as a critical but manageable problem, the legislature will address itself to it.

"The danger is that they might not."

THE ULTIMATE CONFRONTATION

(By Tom Brown)

As a reporter I find Alaska today about the most exciting place I have ever worked.

For, as one writer put it, Alaska has arrived at its "ultimate confrontation."

On the one hand it possesses the richest pool of oil ever found in North America and on the other perhaps the world's most magnificent wilderness.

These two resources, both of near incalculable value to the people of Alaska, are in conflict. How the conflict is resolved will determine the quality of life in Alaska for decades to come.

Any solution rubber-stamping quick, shoddy development of the North Slope oil fields will mean sure disaster for the wilderness that makes Alaska unique.

But if it is unlikely that industry and wilderness ever can be made wholly compatible, it is equally true that they need not be wholly irreconcilable. A national program of development, incorporating stringent environmental controls, could ensure that Alaska will reap its just financial rewards from its land while conserving a wilderness that literally is priceless because it is irreplaceable.

I believe Alaska will choose the latter course.

It has long seemed to me that the remarkable attraction Alaska holds for many of its residents lies in its pristine beauty. I know that that was one of the key reasons I came back after five years, outside and in Europe. Though I hardly qualify as an outdoorsman, wilderness has seemed necessary for my peace of mind for as long as I can remember.

For it has not been in the bustle of Seattle where I grew up that I have been most at ease; nor in the cozy pubs and magic streets of London; nor in the alien canyons of Manhattan, where tranquility is as rare as a smogless day; nor looking out from Sacre Coeur over Paris, the masterwork of urban man; nor in the summer days on the dock in Sausalito, sipping a drink in the gentle sun while across the bay San Francisco marched chalk-like up the hills into the fog.

Memorable as many of those places were, in none of them did I feel so at peace as in a stormy day on the Oregon coast where the great wind-driven breakers drove straight in from the far Pacific onto the sharp beach and the rain rattled like hail on the tent; or hiking in the Olympics, breaking suddenly out of the sodden shade of the rain forest into the spring sun, standing dead still on the trail as a band of elk emerged from a gully and headed on up the steep slopes; or at a little cabin on a big lonely lake in Finland in late October, when there was a thin film of ice along the shore and we came steaming from the sauna into the cold night air to dive from the end of the dock into the black waters, swim numbly back and drink beer inside in the candlelight, feeling wholly alive. It was in these places that I have felt most at home—these places and, most of all, in Alaska: the long flights in small planes over wilderness still untracked by man; hiking in the Chugach in June; watching the Eskimos at Barrow coming in over the ice on snowmachines, towing sleds heavy with thick slabs of red-white whale meat, a tiny tableau against the blue-white ice under the immense dome of the Arctic sky.

It seems to me that the opportunity to experience these kinds of things, which elsewhere grow ever more rare with each passing day, is what separates living in Alaska from existing in lesser places.

Apparently I have a lot of company and evidence was provided by the results of a survey made by Dr. David R. Klein, head of the Co-operative Wildlife Research Unit at the University of Alaska, which appeared in the August issue of Alaska Sportsman magazine.

Klein sent questionnaires to random samplings of residents in Juneau, Fairbanks and Anchorage, asking what they liked best and disliked most about the state, and reported:

"It is quite evident . . . that the Alaskans sampled, whether they planned to continue to live in Alaska or not, looked upon the low population density and the scenic beauty and wilderness aspect of Alaska as her greatest attractions. These were closely followed in preference by the opportunities for outdoor recreation.

"All of these characteristics are more or less dependent one upon the other . . .

"Somewhat surprisingly the characteristics listed in the questionnaire which are related to earning a living, the high wages and special opportunities for employment or business opportunities, were not checked as frequently as those relating to the natural environment in spite of the fact that earning a living is an obvious requisite for life in Alaska . . .

"In spite of possible biases in the distribution and return of questionnaires which may have altered the results a few per cent one way or another it is clear from the results that what Alaskans value most are the natural features of Alaska: the mountains, lakes, streams, forests and wildlife," Klein wrote, "The absence of human congestion, traffic, pollution and other population problems which have become a part of life in much of the Lower 48 is also an important attraction."

More than 80 per cent of all respondents listed sparse population as the state's main attraction; nearly as many listed the scenic beauty and wilderness; and more than 60 per cent listed the opportunities for outdoor recreation.

I find these figures most encouraging and believe they indicate that Alaskans will vigorously oppose the sort of carelessness and ignorance that have transformed vast areas of this nation into virtually uninhabitable industrial wastelands and vigorously support the kind of responsible regulations that can serve the causes of both industry and conservation.

But overconfidence would be a mistake for, as Klein noted, one of the historic paradoxes of human nature is at work here, as it has been in other places in the past:

"The developing oil, fisheries and timber industries will place tremendous stresses on the natural resources, and conflicts of interest between these industries and scenic, wildlife, wilderness and recreation values are already competing.

"It is bitter irony that Alaskans, motivated by the pioneer spirit to conquer a new frontier, appear to be destroying what they value most."

And high officials in state government are still hypnotized by the questionable hypothesis that almost any sort of industrial development is good, as Thomas E. Kelly, commissioner of natural resources, made clear when he told me in reference to the North Slope, that, "To say it's tundra today and should be tundra forever when tundra has no economic value doesn't make sense."

Fortunately, there are men with more moderate views in important positions, too.

"If anything, I think we ought to err on the side of conservation rather than the other way around," state Sen. Lowell Thomas Jr. told me. "We don't have to develop the state overnight.

"Why not do it a little more slowly so we don't ruin the tundra and wreck the scenic beauty of the state. The resources are going to be there forever."

If we fail to heed this perfectly reasonable proposal we certainly shall receive—and justly deserve—the approbrium of history.

LOW-COST FARM PRODUCTION METHODS

Mr. DOLE. Mr. President, the small profit margin on which today's farmer operates necessitates the employment of the most sophisticated low cost production methods yet devised.

One ingenious farmer who has demonstrated that the cost-price squeeze does not necessarily spell the economic doom of agriculture is Mr. Lyle Seymour, of Bird City, Kans. Lyle, whom I am privileged to know personally, has devised a unique but efficient method of growing bumper corn crops in an area where rainfall is short and soil moisture is supplemented through irrigation. His technique has drawn such widespread attention that it has become the subject of a feature article of the July–August 1969 issue of Irrigation Age written by John Mette.

Both the Seymours are very active in American Legion affairs. Dora has taken a leading role in auxiliary activities at both the State and National levels and Lyle is now the State commander.

Mr. President, I ask unanimous consent that the article concerning Mr. and Mrs. Seymour be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LOW-COST FARM PRODUCTION

"THIS BANKER sent a farmer out here with his books. This fellow is a new irrigator. He had just irrigated for a year—maybe two years. The banker had him stop by to compare costs, because I presume all banks have an interest in this sort of thing. So we just brought out our books and this gentleman sat right over there and he worked for an hour. He would ask us questions occasionally. And we'd answer them. And he had our depreciation sheets and the whole bit. He was figuring more or less everything. Finally he came out and he says, 'I come up with a difference of $59 per acre on costs.' It was almost $60 difference between what it cost him to make a corn crop and what it cost us. And that was rather an eye opener for us, too, because we had been figuring on $40 an acre—40 dollars difference between what it now costs us to grow corn and what it used to cost us to grow it."

THERE IS something you should know about Lyle Seymour, his wife Dora and their son-in-law John. They are unusual corn growers. So unusual, in fact, that more traditional growers are very apt to observe how they go about making a crop and end up genuinely thinking this whole clan has slipped a cog—or two. Alas, the Kansas sun is having its effect on the Seymours.

Their farming approach is, indeed, unique. But no grower can argue with the results they are getting.

We have come to visit these folks, this late spring day. Just yesterday, the heavens sprung a leak over Bird City, Kan., and the earth is saturated with moisture. Some crops are barely seeded. Some are up and doing well. Some ground is prepared, unseeded and waiting. And some seeded ground has washed out and will have to be replanted again be-

fore wishes for a prosperous season can even begin to materialize.

To get here, we have "scientifically" maneuvered rain saturated farm roads. And the experience has been unnerving. These roads are built high, to resist snow drifts in winter. And although most of them are pretty well packed, by persistent farm-to-town-to-farm traffic, they have their slick spots.

Just moments ago, on our way to the Seymour farm, we slipped from one of these roads and high centered on the precipice—unnervingly close to plunging on downward into the too deep and too muddy bar ditch below. A very friendly and very accommodating tractor had dislodged us from our precarious position.

The Seymours are at home. Packing. Lyle Seymour has just been named Kansas State Commander of the American Legion. He and his wife are moving to Topeka for a year, to be more conveniently situated for the coming year's business and social schedule. Son-in-law John, whom we've missed seeing today, will capably tend the farm.

Dora Seymour accepts our muddy feet, with graciousness, and the warmth of the environment—home and home folk—help blot out the realization that we will, when we leave, have to once again face that muddy road.

Our visiting numbers are three. Dean Topliff of Goodland, Kan., an area supervisor for Garst & Thomas Hybrid Corn Company; Irrigation Age's Director of Photography, Nelda Thomas; and I. On Dean Topliff's lead, we have anxiously sought company with these people—to talk corn and the unusual practices they employ to make a crop.

For 11 consecutive years—counting good years and bad—they've averaged 132 bushel corn on up to 500 acres. They are optimum—not maximum—growers. Thus they demonstrate quite a bit more than average concern about what it costs to make bigger yields—yields that, when all the bills are finally paid, may have more braggin' potential than actual cash-in-the-pocket assurance.

The last six of their 11 consecutive corn years, the Seymours have met and bested farming's challenges using "minimum tillage" practices. How minimum? Very minimum. In the fall they pick their corn. Then they don't touch the stalks—not even to graze them off—until weather permits them to begin shredding. They come in with a double-knifed stalk shredder, when the stalks are dry, and literally pulverize the residues. Stalks are of a fine dust consistency after the shredder gets through dealing with them.

Then they plant. And when the corn is 10 to 12 inches high they will cultivate and, finally, they will "ditch". Normally, that's it. Four times across the field, plus harvesting.

We talked with the Seymours about their unusual habits:

IA. Prior to six seasons ago, when you decided to work toward reduced tillage, what were your typical corn growing practices?

L. SEYMOUR. We usually plowed the whole thing and it would take nine or 10 total operations. If we didn't prewater, we would go in and try to find enough moisture to plant in. We even built shovels to get the loose dirt out of the ground so we could try to get down to moisture to plant our corn in. If we went another way, if we plowed and prewatered and then farmed the furrows down and didn't get a rain, then we had our furrows full of dry dirt. If we got off and got to planting down in the furrow, then we still planted in dry dirt.

IA. What finally coaxed you into trying another route—something less traditional?

L. SEYMOUR. We had 20 acres down here that we had prewatered for milo. We just let that sit there and it got a lot of weeds on it. A that time we were using 24B unit planters and they had discs attached to the front of them—18-inch furrowing discs, I believe. We went down there to plant, running these discs with a little old frog right between them to knock off what the discs would miss. And we found that made the nicest little place to plant. We flattened them off about 14 inches wide and, of course, that left a row of weeds down the shoulders. But we sure had a beautiful place to plant that milo. So the next year we decided we would try this same approach down here, just on this quarter—out in the middle of the section. We were just cutting the (corn) stalks and planting.

IA. You planted corn just like you planted the milo?

L. SEYMOUR. Yes, just like a milo ground we prewatered. Only this corn ground wasn't prewatered. The ridges were made just like a water furrow. And that worked pretty well. That same year we had 80 acres up west that we previously had in corn that we wanted to put in milo. Well, we had been through this corn-milo thing with volunteer in the milo, you know.

IA. Then when did you go this minimum tillage route all the way?

L. SEYMOUR. The following year.

IA. Could you tell any difference in your corn, planting it this way as opposed to your old method of tillage?

L. SEYMOUR. Yes, we could that first year. We had a six bushel difference.

IA. In favor of the old method?

L. SEYMOUR. No, in favor of the reduced tillage.

TOPLIFF. Now correct me if I'm wrong, Lyle, but I recall you saying one time about some water coming down. You had a big rain and it ran out across the road into the edge of your field.

L. SEYMOUR. You know that hill you were coming down, west of here?

IA. We'll never forget it.

L. SEYMOUR. Our neighbor farmed that, planting feed in that, and he had it summer fallowed all summer and winter. It was laying over there in the southwest corner of that quarter, just south of the road up there. That was the year that we had about six inches of rain in a week. About three or four years ago. It just flooded everywhere and it washed down through the field. But, you know, there was never any water ran off of our fields. We had the stalks ready and that was all that was there. It (water) caught up there in that trash someplace.

TOPLIFF. The water ran off this summer fallowed field, into your cornstalks, and it just soaked into the ground. As I recall, it was about the only field in this country that water didn't run off.

L. SEYMOUR. Yes, as far as I know.

IA. Is all of your corn up now?

L. SEYMOUR. Every bit of it. No problems.

IA. Has it been this way since you started this minimum tillage?

L. SEYMOUR. One man can do all of this with no problems. We aren't working late into the evening or going out early in the morning.

Corn is the Seymours' predominant crop, but they also farm wheat. In the past, they have also grown milo and some soybeans. Altogether, there are eight quarters—four of which are irrigated.

1A. What kind of corn yields have you made?

D. SEYMOUR. Our 11 year average is 132 or 133 bushels. Now this is some years real good and some years not very good.

1A. Let's talk about your soil structure under minimum tillage practices. What have you noticed about the tilth of your soil, comparing your old approach to this minimum approach?

L. SEYMOUR. The soil is getting fantastic. Would you believe it? No, you wouldn't believe it.

1A. We like to think we're the kind of people who keep our minds open to the possibility anything is believable in farming.

L. SEYMOUR. We can go out here in the spring, after we have cut stalks, and we can just start digging down in one of those ridges. John has done this many springs while we were planting. He would dig pretty deep and he said he didn't know how much further he could dig just with his hand. It was just as mellow as it could be. Fishworms . . . they were just all over. Of course they are good for the soil.

D. SEYMOUR. They (many other farmers) think Lyle Seymour is crazy. But we don't care.

L. SEYMOUR. It does look kind of bad (the way we farm). And we do have some problems.

IA. What kind of problems?

L. SEYMOUR. Oh, we will plug up occassionally, planting in trash. We weren't bothered that way much this year. Oh, in a few places we were. I wouldn't say it is a battle, but it is sometimes something to contend with.

IA. Then the possibility of plugging up is something a fellow should be alert to at all times?

L. SEYMOUR. Yes. We will be running down through the field and we may have been planting for two days and never plug up once. But there is that stalk we missed. We didn't get it picked up and shredded. And all of a sudden we have a big trash problem.

We would later—in June—talk with John Hooper (The Seymours' son-in-law) and he would say: "I think our approach to minimum tillage requires what I choose to call a little finesse. We just can't get out in the field and disc up our mistakes. If we're going to do that we might as well go to plowing. It does require that we have a little patience, when we are first learning what we are doing. And it requires that we do things right because we never have an opportunity to tear up our mistakes. If we're going to say this is the way we're going to farm, then every operation has to be done reasonably well. We can't just say, we'll go out and cut those stalks on this windy day or this cold day. They won't cut up well on this kind of day. And if they don't cut up, we won't be able to get through them with the planter . . . or if we could, we might not be able to get through them with the cultivator. Everything just depends upon the operation preceding it."

IA. So how you handle the stalks is very important.

D. SEYMOUR. That's his first secret, getting the stalks cut clear to the ground.

L. SEYMOUR. Yes. I have found a stalk shredder that will do it. And that's a John Deere 707. It has double knives and we just sit that down on top of the ridges until we are just cutting dirt. We put our tailgate on it too. And the anti-windrow device. And it does a beautiful job. But it takes a lot of horsepower. We are using a John Deere 720 (tractor) now. And another thing, don't go to the field if it is damp. That is one nice thing about this type of farming. We can do all of our farming from 11 o'clock to 5 o'clock.

IA. Then it is very important that a farmer use a shredder that will really pulverize the stalks.

L. SEYMOUR. Powder them.

D. SEYMOUR. Farmers will come over here, look at our stalks and say, "We can't cut our stalks that way."

L. SEYMOUR. You are not going to cut them that way without the right equipment. And you can't go nine miles an hour. It is more like three miles an hour. That is about all the faster that our tractor will pull it and that is about as fast as we want to run.

TOPLIFF. With a 4020, we run about four miles an hour.

L. SEYMOUR. You don't want to get anymore speed than that. We cut a few (stalks) once in awhile at four miles an hour, but unless they are just power dry, that is too fast. I don't mean horsepower-wise. You just don't want to grind them up that fast. You really want to powder them. Not just shred them and make a hay field, but powder them.

IA. Do these powdered stalks seems to decompose rapidly enough?

L. SEYMOUR. Oh, goodness gracious yes.

IA. Do you think you are drawing nitrogen from the air for their decomposition process?

L. SEYMOUR. I don't really know. No, I would suppose it is just because of what is in the stalks with adequate moisture. For this country, you will about have to get a little dirt on them. In other fords, when we plant, that is the first time we start getting any decomposition (of newly powdered stalks). There isn't a heck of a lot of residue left when we get done with the cutter.

IA. Actually, then, you throw just what little dirt you take off the ridge over the top of the residues because they are down in the furrow.

L. SEYMOUR. All this residue will end up down in the bottom of the furrow. Fact is, looking across the ridges, you wouldn't ever think it has been a corn field because all you see is bare ridges. You don't see this trash down in the furrow after it settles down . . . after we get two or three damp evenings to settle it.

IA. You never graze your stalks?

L. SEYMOUR. We don't and the reason is because, again, if we get a nice week in December I may want to be out there cutting stalks and if there is a bunch of livestock out there, I won't be doing it.

D. SEYMOUR. And cattle ruin our ridges.

L. SEYMOUR. Yes, they walk them down. Compaction. I don't know whether we could get enough out of the grazing to make up for that.

IA. We find this interesting, that you are a farmer more concerned about the "timing" of your main crop practices and of your soil condition than the additional income you would derive from grazing.

L. SEYMOUR. We have to handle our stalks according to the weather. Either that or we have to have one heck of a lot of horsepower. I don't know what it would take to go out here and pound up stalks that were damp and expect to do a good job.

IA. Then you shred as you can, anytime after harvest that you get a chance?

L. SEYMOUR. Yes, whenever it is dry.

D. SEYMOUR. Well, for instance, we had this whole quarter done by January.

L. SEYMOUR. In the forepart of December, actually. When weather is permitting, we can get about 40 acres a day—30 to 40 acres with the shredder, which is comparable to a good, big plow.

TOPLIFF. You'd have to have a big plow, alright, to turn over 30 to 40 acres a day.

IA. What is the maximum acreage that one man could handle if he went this minimum tillage route?

L. SEYMOUR. Well, again, that would be relative. It depends upon how hard somebody wants to work. I don't like to work very hard. I would think about three quarters, readily. We got into a jackpot one year, and this is one of our problems. We got a wet spell like this year. We got all the rain and this ground wouldn't dry out. We tried to cultivate. We'd drive the tractor out there on the field and the first three times we went out it would just pull the front wheels off into the rows and they just kept going right on down, clear to the front axle. Well, we'd back out and wait. And the weeds were growing real well. On bare farm ground, other farmers were just farming the heck out of it. But we couldn't get into the field. Well, finally one day it happened. We got the front wheels off and we got stuck. We went to get the other tractor and when we got back, water had seeped up around the tires. This was two weeks after it last rained.

TOPLIFF. Well, there is no run-off and darn little evaporation.

L. SEYMOUR. And the dang trash is just like a mulch you know. It just holds water. And in some years this is a bad point. One year we made a set of leaf lifters—just a piece of bent half-inch pipe—and I made standards and stuck them on a tool bar. You can buy those kind of things now. We just went down the side of the row and picked the leaves up and then we put a nozzle right underneath that and we just 2-4D'd the heck out of those weeds. Well, it took us about two days I guess. It got dry enough so that we could run with the bare tractor and just the tool bar and the sprayer on.

One day late in June, when the last of The Seymour's corn was being cultivated and ditched, we went back to look at the crop and check its progress. We talked with son-in-law John Hooper about weeds and minimum tillage:

IA. The further you get into minimum tillage, do you feel you have an increasing weed problem?

HOOPER. No, I don't think so. The only problem here is just my lack of experience in learning how to set a cultivator. Now you see a bunch of weeds there. This is an area that we had leveled last year and we couldn't make any ridges in it last year so that is really not representative.

IA. I can look over the fields and see that it isn't.

HOOPER. We do have some weed problems and I don't think they are caused by minimum tillage. I don't think they are. I think any problems we do have are not problems with the method, but rather our execution of it.

IA. You've told me you use a conventional cultivator, when the corn is 10 to 12 inches high. Do you use other means of cultivation to cope with weeds?

HOOPER. This year we ran some little half sweeps alongside the planter runner—six inches off to the side—to take care of a problem we've had. You see, alongside of this ridge the sweep will cut over some of these weeds and we've been trying to kill them by either cutting them off or covering them up with soil. But we've either cut over them or didn't get enough dirt on them to kill them. So we've used the little half sweeps and they seem to work nicely.

IA. I see that in some rows there seems to be more noticeable trash than in others. Why is this?

HOOPER. This does need some explanation. Because of all this trash, we just simply ignored the centers of all the rows but the tractor rows. The tractor rows compact easier and so in them I do run a little tiny sweep down the center. The non-tractor rows just ball up with trash if we try to run anything in the center. So we just leave those centers alone and we try to clean up 10 inches either side of the row, leaving half the center clean and half of it not clean. And then we just go ditch it out.

IA. Do you have volunteer corn problems?

HOOPER. We don't even worry about volunteer. Because of the discs we use at planting time and at ditching, all of the volunteer is thrown out into the center of the row. We won't even have any volunteer up close to the row.

IA. How about water penetration. Does water penetrate faster in the tractor rows or the non-tractor rows?

HOOPER. The water will go through the non-tractor rows much slower than it will through the tractor rows. And this tells us something about compaction.

IA. I notice some trash accumulation, here and there. Is that where you've failed to get the stalks pulverized as you like them to be?

HOOPER. Well, yes and no. We have an anti-windrow device on our cutter and I think the center row gets a little more trash into it. And then, too, we don't drive anything on it (the center row) and so it never gets packed down in there. If for instance we didn't get any rain in the spring—which happens sometimes—it wouldn't rot at all I don't believe. All the trash gets dirt on top of it, but where the tractor wheels compress it down, I think that causes it to deteriorate more rapidly.

IA. Then you are aware that you have some problems, but you're working on them.

HOOPER. Yes, we still have our problems. We should have some of our rows cleaner and because we don't we're being hurt, yield-wise. We do need to do more work on our weed control. I know that people report varied results with Atrazine, but I wonder if it probably isn't the best answer?

IA. Let's talk about sail tilth. Prior to your depth introduction into minimum tillage, as you practice it now, how much emphasis did you place on soil compaction?

L. SEYMOUR. Well, we didn't think about it a great lot. Although, we started thinking about it last year we plowed fully. We had a five acre plot down here . . . gosh how long has it been? A long time ago. We cleaned the volunteer off before we planted it. We couldn't get water in that cotton pickin' ground. We had a heck of a time trying to get enough water in there just to keep the crop alive. So I guess that is the first time we ever started thinking about compaction—what happens to ground when we pull something through when the ground is too wet, for example.

TOPLIFF. And the more times you go over it, the more compaction you get. The more we work soil, the tighter it gets.

L. SEYMOUR. Yes, sir. What was it . . . I wish I could remember the figures they were saying up here at that meeting the other day. Kansas State boy. They had some pretty good figures compiled on compaction—figures that I wasn't at all versed on. I believe twice over you take out 30 percent of the ability of water to penetrate soil . . . and it keeps climbing.

TOPLIFF. It goes up to about 87 or 90 percent reduction of soil intake rates. I saw these figures and I can't remember them either.

IA. What have you noticed about water usage, comparing this minimum tillage approach to those practices you followed before? Do you save water?

L. SEYMOUR. Oh gracious yes. We are pumping just about half of what we used to pump. We never pump over 18 inches of water per acre a year now. Before we would put on nearly three feet—two feet during the growing season and the rest prewater.

IA. What is your average rainfall here?

L. SEYMOUR. Seventeen inches, but of course we haven't been getting that for several years.

IA. Then you don't prewater at all any more?

L. SEYMOUR. We don't.

D. SEYMOUR. If we do we can't get into the fields.

L. SEYMOUR. That's right. We did prewater 40 acres last year, but that was land where we were short of water last year due to some shut-off problems we had on our gas line. One of the best blessings of all this is, I don't care when we go to plant we have a beautiful garden-type seedbed to plant in. It is always moist. Fact is, it is sometimes a little too moist.

IA. A little too wet?

L. SEYMOUR. Yes, a little too wet. But we never have to worry about getting moisture to put our seeds in. It's there. We take about two or two and one-half inches off the top of the ridge, just slicing the ridges in two, and get a space about 16 inches wide to plant in. It's the most lovely, mulched up mellow soil you ever saw. There is no other way we could farm it to get it like that. Oh, the soil just gets to be something.

IA. Let's look back once more to your preplant practices. You don't fall or spring irrigate at all.

L. SEYMOUR. Not for years we haven't. We try to water one more time around in the fall before we pick.

TOPLIFF. That gets plenty of moisture into the root zone.

L. SEYMOUR. We found out that if we pre-irrigate it is always too wet to plant. So we are going to try to keep the moisture level down a little.

TOPLIFF. Do you feel that this extra watering in the fall allows you to get freezing-and-thawing through the winter and helps mellow the ground too?

L. SEYMOUR. Yes.

TOPLIFF. Pulling the water off too soon in the fall can be more of a detriment than anything.

L. SEYMOUR. Yes. Besides that, we are already set-up and its already out there and I don't know as it makes much difference what time we put this water in the ground, actually.

TOPLIFF. To me, it has been rather interesting that you have had very little maturity problems here. Your corn always matures up well. We find that the fellows who have trouble maturing corn are generally guys who pull their water off too early. That practice delays the maturity of corn.

L. SEYMOUR. I have read about that. Good point.

TOPLIFF. Actually, to me you seem to accomplish two things in one. You get moisture into the ground that will stay there through the winter and you get good maturity on the corn.

IA. Your farmyard is void of machinery. I've never seen an operation of any size with less machinery sitting around.

L. SEYMOUR. An economist sat down with us and we started listing the machinery that "we don't own". And my gracious we went up to $30,000.

IA. For as little as you apparently use a tractor, it should last you 10 years.

L. SEYMOUR. We actually cannot afford to own a tractor. We wish we had a place we could lease one when we wanted it. That 320 did everything last year. It has farmed two years and has a half year of stalk cutting on it and we just turned over 1050 hours. That was two and one-half years of farming, including our wheat summer fallow.

IA. How about reviewing your fertility program on a step by step basis?

L. SEYMOUR. All our fertilizer goes on either when we plant or sidedress when we cultivate the corn at 10 to 12 inches high. Because we are lazy, we use liquid. We use little feedpoints, placing the liquid on either side of the to-be-planted (or planted) row, up on the side of the ridge.

IA. Do you use soil testing?

L. SEYMOUR. Yes. We were—in the past—using about 40 to 50 pounds of phosphorus, 20 pounds of potash and 125 pounds of nitrogen. Actual units of nutrients. Last year our soil samples came back and the fertilizer man said we were in bad trouble . . . "because we didn't need much fertilizer". And this year is more or less the same.

IA. When your soil tests come back and your fertilizer man says you are in the position that you don't need additional fertilizer, do you think your soil environment is enhancing the efficiency of the fertilizing you do—or have—applied?

L. SEYMOUR. I think that must be so. I don't know whether you have read it or not, a report on what plain old garden-type fishworms do to the soil? Did you read that report?

IA. Yes, I've read some of those reports.

L. SEYMOUR. We have fishworms out here by the billions. I mean, literally.

D. SEYMOUR. We have never had them before (before reduced tillage).

L. SEYMOUR. Fact is, after we water—two days afterwards—we go back and look where we watered. They (earthworms) will have worked this area just like they do out here in the garden after a rain. They just work that (area) all up, right up the rows. It is amazing. We do some ditch watering—carrying water from field to field. We may have to quit those ditches because the fishworms are getting into them until they fall apart.

D. SEYMOUR. They just catacomb them and we never used to have that.

IA. You told us a bit ago that you are watering differently now than you used to. Will you elaborate on this?

L. SEYMOUR. We started out four years ago watering every other row, each time around. We still feel like it helps on the water situation and we are keeping the top part of the root zone watered more often. We are not driving water as deep.

IA. Can you give us a specific example?

L. SEYMOUR. Alright. For instance, it used to take us 12 days to go around this particular quarter. So that meant wherever we started it was going to be 12 days before we got back there with water—if everything went fine. If we got into trouble, it was 13 or 14 days. Well, now we get around the field in six days and then we start again, watering the rows we skipped before. So we are not putting water on as deep and we keep that top two or three feet in better moisture shape and we don't drive the fertilizer down. We are putting our fertilizer up on the side of the ridge and our water is down in the furrow and I don't believe we ever get a leaching situation.

TOPLIFF. Well, if it leaches it leaches into the root system of the plants.

L. SEYMOUR. Because water moves toward it.

TOPLIFF. Which is where you want it.

L. SEYMOUR. Yes. Make the roots work a little less.

TOPLIFF. I thoroughly agree with your method of irrigation. Number one is that you are only reducing your ground temperature half as much, watering every other row as you do. And reduced ground temperature, due to temperature of your well water, is important—in my opinion. I think ground temperature out here is one of the reasons why we are not raising as high of yields with irrigation well water as they do out of the dam projects up in Nebraska.

L. SEYMOUR. Right.

TOPLIFF. Because the (well) water is colder—54 degrees. I can't get any figures on ground temperatures and what relative effect they have on the growth of a corn plant, but I am sure that it has some effect. The other thing (favoring skip row irrigation) is that I am sure the corn plant takes 60 percent of its water out of the top foot of the soil.

L. SEYMOUR. Oh, I think so.

TOPLIFF. A minimum 60 percent. And consequently a lot of us do not water often enough. I believe it is not how much water we put on, but rather it is how often we get around.

IA. Would there be a possibility that you are getting more efficient use of plant food with this approach—watering every other row, more often?

L. SEYMOUR. When we used to water every row and we put on six inches or thereabouts, we had a 50 percent soil capacity when we were watering. We were putting that down about six or seven feet. If we had been farming such that we put our fertilizer down the center of the row and we put our water on top of that, we know part of that plant food is going to have to go as deep as the water goes.

TOPLIFF. Half the depth.

L. SEYMOUR. Well, half then.

TOPLIFF. This is what they are kind of proving, that the nitrogen travels half the distance of the water. But if it takes it down three feet and your water is down six feet, it is quite a long ways from the basic ends of the root system. Which is still the point you are trying to bring out.

L. SEYMOUR. Yes. I think the way we are watering and where we are putting the fertilizer . . . I can't see why we should get much downward travel of the fertilizer to start with because, basically, the fertilizer is above where the irrigation water is.

IA. I was thinking, while you were saying where you place your fertilizer and where your water is and the fact you light water more often, that you do indeed tend to keep your fertility in the area of the plant's maximum roots. According to your soil tests your plant nutrient demands are not as great as they used to be. Water is the carrier of nutrients to the plants. Do you think that by this fertilizer placement-watering method, coupled with improved soil tilth owed to minimum tillage, you are making your fertility work more efficiently and perhaps you are releasing nutrients previously tied up in the soil?

L. SEYMOUR. I think this must be so.

IA. When you first tried this minimum tillage concept, Lyle, did you relate your intentions to nature's own cycles?

L. SEYMOUR. No. It gets back to that basic thing that we were trying to find a way to plant a crop without having to worry about where we were planting it. In other words, moisture conditions at planting time was the whole basic start of it.

IA. Having enough moisture available to plant your crop?

L. SEYMOUR. Yes. That was the thing that actually started us on it, wanting to have a good moist seed bed to plant in. We had this problem in dry years with plowing and so we would have to prewater it.

IA. I am not trying to put words in your mouth, but I am sitting here and listening and thinking. In this minimum tillage approach you are getting back, very close, to the natural cycle of things. Survival of the fittest . . . and corn is certainly one of the ancient crops that has survived. Watching out for its kind. Perpetuating the cycle. In many ways, I sometimes think that man has come in and fouled up the works (the natural cycle) to such a degree that we have got away from some of the basics we can't afford to neglect.

L. SEYMOUR. I'll buy that. You know, there are a couple of good thoughts there. We try to make things complicated. We are not happy unless things can be complicated. Right? I mean that is human nature. If it is simple it is not good enough. For instance, we went out to ditch here two or three years ago and it was a dry spring and we knew we were going to have problems. So we redid our thinking on the whole ditching process—putting rolling cultivators out in front, a different type sweep and all this on a different bar. We got just about 20 yards and we were all plugged up the first time. We cleaned it out, adjusted it and tried again. We got just a few feet. Plugged again. Backed out of the field, came down to the yard and put our old frog on the middle of the disc and went back to the field and went to work. We were trying to make it better. I think you are right. Maybe we have got a long way away from what it takes to grow a plant.

D. SEYMOUR. Sure, the Indians just dug a hole and put the corn seed in the ground.

IA. Don't forget the fish. Lyle, your greatly reduced tillage approach really cuts down on field operations and, thus, minimizes chance of compaction. How often do you remake your planting ridges?

L. SEYMOUR. These ridges haven't had a machine on them for . . . well, this will be the start of the seventh year on some of them that they haven't had a wheel track of any kind pass over them.

IA. Not any equipment down the ridge where the corn is planted?

L. SEYMOUR. Yes, this planting area is 16 inches wide and hasn't had a tool on it other than a planter for seven years. And we just try to keep it that way. In fact, we don't drive a truck in the field.

D. SEYMOUR. He makes them put the trucks at the ends and the middles of the field. They might ruin his ridges.

L. SEYMOUR. If we let trucks into the field, one set of duals has got to go down a ridge. If we let them break the ridges down, we have to spend one year's hard work and we don't like to work. If the ridges are broken down just a little, we can't cut the stalks with that front pull. If we can't pick up those stalks and get them pulverized, then we are in trouble. So the trucks stay out of the field. Even at that, two people is all that ever harvests our crop—combines it, dries it and puts it away.

On the way back to the main highway I got to thinking how thin the division is between a man's dreams and the realities he can build from them, if only he'll try. The Lyle Seymours proved that point to themselves, several seasons ago . . . and went a long way, this day, proving it to me. In fact, they did such a good job—in their matter-of-fact manner—that whether the roads had dried out any or not just didn't carry that much importance anymore.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of calendar No. 281, S. 2546.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each reserve component of the Armed Forces, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate proceeded to the consideration of the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GRAVEL in the chair). Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM TOMORROW TO 11 A.M. ON MONDAY, SEPTEMBER 8, 1969—ORDER FOR RECOGNITION OF SENATOR SYMINGTON ON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business on tomorrow, it stand in adjournment until 11 o'clock Monday morning next.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that immediately after the prayer and the disposition of the Journal on Monday, there be a period for the transaction of routine morning business, not to exceed 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Immediately thereafter, I ask unanimous consent that the distinguished Senator from Missouri (Mr. SYMINGTON), be recognized for not to exceed 40 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that beginning at 12 o'clock noon on Monday, September 8, 1969, during the further consideration of S. 2546, there be a time limitation of 3 hours on the pending Proxmire amendment, the time to be equally divided between the distinguished Senator from Mississippi (Mr. STENNIS), the manager of the bill, and the distinguished Senator from Wisconsin (Mr. PROXMIRE), whose amendment is now pending. I repeat, if agreed to, this order would provide that the time from 12 o'clock noon to 3 p.m., would be equally divided with a vote contemplated on the amendment at 3 p.m.

Mr. President, I further ask unanimous consent that any amendments to the Proxmire amendment now pending also be considered on a time-limitation basis as follows: 1 hour for each such amendment, the time to be equally divided between the manager of the bill and the proponent of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCOTT. And there will be no vote until 3 o'clock.

Mr. MANSFIELD. In other words, there will be no vote until at least 3 o'clock Monday and there is every likelihood of a vote at that time. There will be other votes, in addition, on Monday, according to what we can now ascertain. I hope all Senators will be forewarned. They have had ample time and I hope they will be in the Chamber to fulfill their responsibility.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. STENNIS. As I understand, all of this matter has been agreed to already.

Mr. MANSFIELD. The Senator is correct.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PROXMIRE. Mr. President, I understood the distinguished majority leader to say that, if an amendment is offered to my amendment, the manager of the bill will be in charge of the time in opposition to the amendment. Could that provision be reconsidered and modified to provide that, if I accept the amendment, then the manager of the bill will be in charge; but if I oppose the amendment, as the author of the original amendment, I be in charge of the time in opposition?

Mr. MANSFIELD. Yes; if the Senator is opposed he should be in control of the time in opposition. That is the understanding.

The PRESIDING OFFICER. The Chair has that understanding.

Mr. STENNIS. Mr. President, will the Senator yield to me?

Mr. MANSFIELD. I yield.

Mr. STENNIS. Mr. President, I wish to ask the Senator from Wisconsin if he intended to say if he opposes the amendment.

Mr. MANSFIELD. The Senator is correct.

Mr. PROXMIRE. The Senator is correct.

Mr. STENNIS. Mr. President, if the Senator will yield to me I wish to make a further point.

Mr. MANSFIELD. I yield.

Mr. STENNIS. Mr. President, first I wish to thank the Senator from Wisconsin for his consideration in connection with the matter of getting to a vote on this important matter. I want to thank him for his interest, as far as he is concerned, in getting to other votes.

I understood that the majority leader, with reference to possibly other votes on Monday, was referring to other Proxmire amendments beyond the one pending now. Is that correct?

Mr. MANSFIELD. The Senator is correct.

Mr. STENNIS. I wish to thank the Senator in that regard. I also wish to thank the Senator from Wisconsin for his attitude in desiring to get all these amendments voted upon as soon as is reasonably possible, so that this bill can move along.

Mr. President, I wish to urge all authors of amendments, whatever they may be, to see if we cannot close ranks now on time. There has been a fine debate on this bill but I believe, with great respect to them, that the time has come now for us to stay here and get down to the heart of this matter and reach agreements as quickly as possible for a reasonable time limitation so that we can dispose of the matter.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. MANSFIELD. Mr. President, I wish to join wholeheartedly in the suggestion just made by the distinguished Senator from Mississippi. The Senate faces a great deal of business which must be attended to. We have spent a considerable amount of time on the pending legislation. The NASA authorization must be considered following this bill. That measure will provoke some debate. Practically all the appropriation bills are yet to be considered and some of them

will cause considerable debate. Then, there is the nomination of a Supreme Court Justice that will be before the Senate sometime this month or next. And there are a great many other matters that must be disposed of. So it appears to me that we have a schedule that could well take us into the Christmas holiday season.

If we do not reach some agreement on time limitations after reasonable debate—and certainly there has been reasonable debate on this legislation—we will go into next year with some legislation which should have been disposed of this year.

I agree with the Senator.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. STENNIS. Mr. President, I am glad to yield to the distinguished Senator from Pennsylvania, the acting minority leader.

Mr. SCOTT. Mr. President, I listened with some foreboding to the "jingle bell" sound of the majority leader's prediction, but I certainly do join in what he said and what the distinguished Senator from Mississippi said about the importance of bringing consideration of this bill to an early end. We have been debating the pending bill since long before the recess.

Some of our fears are becoming justified that if we recessed before we finished this matter it might serve to extend it further. It is my hope also that Senators will regard seriously the admonitions here expressed with respect to the importance of being available and prepared for a number of votes next week.

I wish to address this question to the distinguished majority leader. I assume it is not expected that there will be any votes tomorrow, nor will we be diverting from this bill to consider other major legislation. Am I correct on that?

Mr. MANSFIELD. The acting minority leader is correct. If there is any noncontroversial legislation, which is not objected to by either side, we would try to clear that from the calendar.

It is hoped that those Senators who are not able to speak during the time limitation on Monday will take advantage of the session tomorrow to make their views known, pro and con.

I do disagree most respectfully with the distinguished acting minority leader concerning his comment about the recess. I think this recess has proved its value, even though some Members have not returned. I know that the younger Members and some of the others who are older appreciate the respite, and those who had the opportunity enjoyed being with their families.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SCOTT. Mr. President, I would not want to be so insincere as to indicate I was not grateful for the recess. I was hopeful that we could have finished the bill by staying in session a day or two longer. Now, we may be a week or two longer on the bill. The distinguished majority leader and I have the same objective: to get the bill disposed of as quickly as possible.

The PRESIDING OFFICER. The Chair would like to have a clarification from the Senator from Montana. Would the 1-hour limitation apply to motions on the possible amendments, excluding a motion to table?

Mr. MANSFIELD. Yes; indeed.

The unanimous-consent agreement later reduced to writing is as follows:

Ordered, That effective on Monday September 8, 1969, at 12 o'clock noon, further debate on the pending amendment (No. 108) by the Senator from Wisconsin (Mr. PROXMIRE) be limited to 3 hours to be equally divided and controlled by the Senator from Wisconsin (Mr. PROXMIRE) and the Senator from Mississippi (Mr. STENNIS). *Ordered Further,* That debate on any amendment to amendment No. 108 or motion, except a motion to table, shall be limited to 1 hour to be equally divided and controlled by the mover of the amendment and the Senator from Wisconsin (Mr. PROXMIRE). *Provided,* however, That in the event the Senator from Wisconsin (Mr. PROXMIRE) favors such amendment or motion, the time in opposition shall be controlled by the Senator from Mississippi (Mr. STENNIS).

Mr. STENNIS. Mr. President, I wish to add the following point. With regard to those who wish to reduce the amount of money expended by the Department of Defense as to all programs existing now, we are continuing to pass continuing resolutions for authorizations and appropriations automatically at the same level as last year. So those who wish to reduce the money being spent, the quicker this bill becomes law, the better. Until then, it is going on at the old rate of last year.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. SCOTT. Mr. President, I would like to make another observation. I believe some 60 Senators at one time or another have signed one resolution or another to bring the boys home from Vietnam, according to the different terminal dates in the resolutions.

If they are that anxious—and I accept the fact that they are—to find a way to bring the soldiers home they should seriously consider the importance of the amendment now being discussed because if they want to bring the boys home there must be vehicles in which to bring them home, and the C–5A is the largest available vehicle. Therefore, if they want to bring the Armed Forces back the means had better be provided and this proposal would contribute to the accomplishment of that purpose.

Mr. STENNIS. I thank the Senator. I have the names of quite a few Senators who wish to speak, some on this amendment and some on other amendments. There is no controlled time today or tomorrow, but there will be enough time for everyone to wait until Monday to speak. I would be glad to cooperate with them, even though the time is not controlled, in lining up speakers and seeing that Senators are recognized near the time they wish to speak.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. STENNIS. I am happy to yield to the Senator from Wisconsin, or I could yield the floor.

Mr. PROXMIRE. No, that is not necessary. While no one can speak for Senators offering amendments to the bill, I have had a chance to speak with a number of Senators who are doing so.

I am convinced that they, also, are very anxious to cooperate and bring the bill to a conclusion and vote. I think that, beginning next Monday, we should have a series of votes with every hope that within a relatively short time after next Monday we can bring the bill to final passage.

Mr. STENNIS. The Senator's remarks are quite encouraging, indeed. I certainly appreciate them, as I know many others in this body do.

Mr. President, I yield the floor.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FANNIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENT NIXON'S NOMINATION OF JUDGE CLEMENT F. HAYNSWORTH TO BE ASSOCIATE JUSTICE OF THE SUPREME COURT

Mr. FANNIN. Mr. President, on the day when the White House announced President Nixon's nomination of Judge Clement F. Haynsworth for the post of Associate Justice of the Supreme Court, I said:

> Once again the President has nominated a man of proven ability and qualifications to sit on the bench of the Nation's highest tribunal. Judge Haynsworth's record as an attorney and a jurist fulfill the President's stated desire to see men serve on the Court who are concerned with interpreting rather than making law. In nominating Judge Haynsworth, I feel the President has selected a man of character and integrity and I feel sure the Senate will agree.

Mr. President, I am still of the same opinion, even though there have been some scurrilous attacks and halfhearted innuendoes cast forth in an irresponsible manner. I am sure, Mr. President, that Judge Haynsworth will be able to properly respond to the Judiciary Committee in the hearings which are presently set for September 9. My concern is simply that the reputation of a distinguished jurist, and more importantly the integrity of the Court, not be tarnished by those who, without thought, are scatter gunning their charges and thus besmirching the Court.

First, I would remind those vociferous critics of the enjoinder voiced last year by some of my colleagues on the Judiciary Committee to the effect that we should not take a man's ethnic background or geographical origination, or friends and associates into account, but consider, rather, if he is a distinguished lawyer with the intellectual capacity to effectively serve on the Supreme Court.

It is my opinion, and one which is obviously shared by the President, that Judge Haynsworth is such a man.

It is my understanding that the ABA, the NAACP, the AFL–CIO, and other similar organizations have voiced their public intention to oppose the President's nomination. That is certainly their prerogative. However, it should be noted that former attorneys for all these organizations have been proposed, and incidentally confirmed, for seats on the Supreme Court. Opposition to those appointments, where it developed, was not primarily concerned with their supposed ideological alinement, or the views of their former clients. It is at least unbecoming of these organizations to apply a different standard of conduct to their own actions—actions which they do not tolerate in others.

Mr. President, it is notable that the AFL–CIO has given credence to a charge put forth by a pair of Washington columnists involving an alleged conflict of interest on the part of Judge Haynsworth.

It is perhaps understandable why they should be concerned since a member union has been before Judge Haynsworth and the Fourth Circuit Court several times. But it is difficult to understand why such charges are credited by those in possession of the facts, particularly when the charges originated with a columnist who was formerly an aide, the press secretary, of one of the principals involved.

Mr. President, I think it is important that some of the facts that bear on these so-called conflict-of-interest charges be brought to wider attention. I ask unanimous consent that an article from the AFL–CIO News, August 30, be printed in the RECORD at the end of my remarks, followed by an article from Human Events, September 6, as exhibits 1 and 2. A reading of both of the articles should acquaint one with the major points seemingly at issue here.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mr. FANNIN. Mr. President, the allegation has been raised that Judge Haynsworth violated canon 26 of the Code of Judicial Ethics.

I think these facts should be noted:

First. Judge Haynsworth became a one-seventh partner in the company in question—Carolina Vend-A-Matic—while still an attorney—some 7 years before coming on the Federal bench.

Second. He disposed of his directorships in publicly held companies well in advance of the issuance of canon 26. Furthermore, he disposed of this noncontrolling, one-seventh stock partnership, to use the words of the canon, "disposing of them without serious losses," namely when the entire company was sold to another company. He took the stock in the new publicly held company and then sold it at the prevailing market price.

Third. The company in which the judge was a one-seventh partner was not before his court; the company which was before the court—Darlington Manufacturing Co.—did not do business with the company in which the judge held an interest. The closest connection was that Vend-A-Matic—the company in which Judge Haynsworth held a one-seventh interest—was doing less than 3 percent of its gross business with two plants in which there was some portions of common ownership with the Darlington Manufacturing Co. That seems to me to be a pretty far removed interest which was completely cleared by the then Chief Judge Simon Sobeloff—who is well known for his liberal views—and the then Attorney General Robert F. Kennedy, now deceased, who was even better known.

Fourth. Finally, all the comment about Judge Haynsworth and his supposed conflict of interest with the Darlington interests, completely ignores the fact that Darlington finally lost the case before the Fourth Circuit Court at the time Judge Haynsworth was chief judge, and furthermore that he voted with the majority against Darlington in that decision.

Once again, Mr. President, I commend President Nixon for what I believe to be a fine choice and I am sure his judgment will be vindicated by the Senate.

EXHIBIT 1

[From the AFL–CIO News, Aug. 30, 1969]

HIGH COURT NOMINEE HIT BY CHARGES

A serious conflict of interest charge added new fuel to the controversy over Pres. Nixon's nomination of Appeals Court Judge Clement F. Haynsworth, Jr., to fill a Supreme Court vacancy.

Haynsworth confirmed a newspaper report that he was a major stockholder in a vending machine firm doing substantial business with the Deering Milliken textile chain at the time he cast a tie-breaking vote upholding Deering Milliken in a landmark labor case.

During part of the time the case was before the court, Haynsworth was an officer of the firm, which was then bidding for additional Deering Milliken contracts.

"But I did not recognize then or now, any impropriety," Haynsworth told reporters.

The 3–2 decision in which Haynsworth participated upheld the right of Deering Milliken to shut down its Darlington, S.C., textile mill after workers had voted for union representation.

A unanimous Supreme Court ruling later reversed the key part of the decision, thus enabling some 500 fired workers and the Textile Workers Union of America to pursue claims for back pay and jobs at other Deering Milliken mills.

Even before the conflict of interest issue surfaced, the nomination of Haynsworth had come under fire from the AFL–CIO and civil rights groups.

The conservative South Carolina jurist had been frequently reversed by the Supreme Court on decisions upholding management in labor relations cases and allowing a foot-dragging approach to school desegregation and civil rights enforcement.

It was the White House which first publicized the issue of Haynsworth's involvement in the Deering Milliken case by releasing excerpts from correspondence that seemed to indicate that Haynsworth had been completely absolved of impropriety and that the Textile Workers had apologized for questioning his impartiality.

TWUA Pres. William Pollock then released the entire file of correspondence of late 1963 and 1964 to correct what he termed "misleading characterizations" of the case by White House Press Sec. Ronald Zeigler.

The correspondence revealed that in December 1963, after the Darlington decision, the TWUA had received a call informing them that Haynsworth was first vice president of the Carolina Vend-A-Matic Co., and that Deering Milliken had cancelled contracts with other vending machine firms and was throwing its business to Haynsworth's firm.

The union's attorney reported the allegation to the chief judge of the 4th Circuit Court of Appeals, asking an investigation and noting that the union had no way of obtaining the full facts in the case

The investigation disclosed that Carolina Vend-A-Matic had obtained one additional Deering Milliken contract while the case was before the court—doubling its business with the textile chain to about $100,000 a year—through legitimate competitive bidding. It had also failed to obtain two other contracts at other Deering Milliken plants

Therefore the union concluded that there was no deliberate attempt to reward Haynsworth's firm and the union attorney expressed regret for any trouble caused

But, Pollock stressed, the episode did not go into the conflict of interest principle as to whether Haynsworth should have disqualified himself because of his close connection with a company doing business with a party to the case

He said the TWUA did not pursue that aspect at the time because the more serious charge had been proven false. "It was evident that the judges were not pleased with the union; and the union would inevitably be a litigant before those judges for years to come."

Federal law leaves it up to a judge to decide whether to disqualify himself—and Pollock observed that Arthur J. Goldberg, then on the Supreme Court, had disqualified himself when the case came before the high court for review because he had represented th TWUA some years earlier when he was in private practice.

Pollock noted that a New York Times story on Aug. 19 reported that Haynsworth declined to answer when asked by a reporter whether he had owned shares in the Vend-A-Matic firm at the time of the Darlington decision.

"We believe that the country and the United States Senate are entitled to an answer," Pollock said.

A story by William J. Eaton of the Washington bureau of the Chicago Daily News, provided the answer based on a check of Securities & Exchange Commission records.

It showed that the Carolina company, started by Haynsworth and other businessmen in 1950 with an "authorized capital" of $30,000, had been acquired by the Automatic Retailers of America, Inc., in April of 1964, more than six months after the Deering Milliken decision. At the time, records disclosed Haynsworth received 14,173 shares of ARA stock in exchange for his interest in the Carolina firm.

Haynsworth then sold the stock for about $450,000.

Syndicated columnists Frank Mankiewicz and Tom Braden, commenting on the failure of Haynsworth to disqualify himself in the case and his silence on his business ties during its consideration, termed the judge's action "a clear violation of the canons of ethics" of the American Bar Association.

They quoted Canon 26, which reads: "A judge should abstain from making personal investments in enterprises which are apt to be involved in litigation in the court, and after his accession to the bench, he should not retain such investments previously made longer than a period sufficient to enable him to dispose of them without serious loss."

Haynsworth, they noted, retained his directorship and heavy stock holdings in the vending firm for more than seven years after becoming a judge.

They noted that it was conflict of interest allegations which led to the resignation of Justice Abe Fortas—creating the Supreme Court vacancy for which Haynsworth was nominated.

In a television interview on a network news program, AFL–CIO Associate General

Counsel Thomas E. Harris gave this summary of Haynsworth's labor decisions:

"He has sat on five labor cases that went to the Supreme Court. In all five, he voted against the union. All five cases were reversed by the Supreme Court and only one Supreme Court judge in one case voted the way that Judge Haynsworth did in these cases."

Earlier, NAACP Executive Dir. Roy Wilkins charged that Haynsworth "voted for racial segregation" in four cases involving schools.

A statement by I. W. Abel, president of the Steelworkers and of the AFL–CIO Industrial Union Dept., called for Senate rejection of the nomination.

"Nomination to the nation's highest court," Abel said, "should be the climax of a distinguished legal career during which the nominee has served justice by protecting and advancing the rights of those seeking justice."

Pres. Paul Jennings of the Electrical, Radio & Machine Workers, termed Haynsworth "a poor choice" whose record is one of opposition to "civil rights progress and the rights of working people."

The Senate Judiciary Committee will hold hearings on the nomination. Mississippi Sen. James O. Eastland, chairman of the committee, has already praised the appointment.

EXHIBIT 2

[From Human Events, Sept. 6, 1969]

HAYNSWORTH AND VEND-A-MATIC

Stung by President Nixon's firm decision to weed out the Warrens and the Fortases from the Supreme Court and replace them with conservatives and "strict constructionists," the liberal apparatus has decided to try to torpedo the nomination of Clement F. Haynsworth Jr., chief judge of the U.S. Court of Appeals for the Fourth Circuit, to fill the Fortas vacancy.

Americans for Democratic Action Vice-Chairman Joseph Rauh, who insists Haynsworth is a "hard-core segregationist" (a statement denied by even the *New Republic*), is spearheading a liberal assault on the South Carolinian, while AFL–CIO chieftain George Meany has been rounding up "labor" senators to oppose the Haynsworth nomination.

Rauh and Meany are frantically appealing to such lawmakers as Senators Joseph Tydings (D.-Md.) and Philip Hart (D.-Mich.)—both members of the powerful Judiciary Committee which will consider Haynsworth's nomination—to oppose the judge on ideological grounds, though in the past Tydings and Hart have decried efforts to block liberal justices because of their philosophical persuasions.

Since ideology and "strict constructionist" rulings are weak issues on which to hang Haynsworth, his opponents are now hurling, with more heat than light, a deadlier charge: "conflict of interest."

Syndicated columnists Frank Mankiewicz and Tom Braden, who represent the Kennedy wing of the Democratic party, leveled a heavy broadside at the judge last week for his former connection with Carolina Vend-A-Matic. The headline over their column in the Washington *Post*, the Capital's morning newspaper, read: "Haynsworth Was in Clear Violation of Canons of Ethics for Ten Years." The clear intent of the column was to try to fan Haynsworth's business dealings into another Fortas affair.

Boiled down to essentials, the Mankiewicz-Braden claim is this: Haynsworth helped form the Carolina Vend-A-Matic firm in 1950, took 15 per cent of the stock, was made first vice president and served as a member of the board of directors. Appointed to the Court of Appeals in 1957 by Ike, he kept his stock until April 1964.

In February 1963 Judge Haynsworth's court began considering an unfair labor practice charge against the Darlington Manufacturing Co., a subsidiary of Deering-Milliken, a large Southern company owning several textile mills. Deering-Milliken used Carolina Vend-A-Matic machines in three of its plants. Hence, when Haynsworth, in November 1963, wrote the 3-to-2 decision of the court siding with Darlington, he had, Mankiewicz and Braden smugly asserted, violated the conflict-of-interest code laid down by the American Bar Association—Canon 26 of the Code of Judicial Ethics. Canon 26 states: "A judge should abstain from making personal investments in enterprises which are apt to be involved in litigation in the court and after his accession to the bench, he should not retain such investments previously made longer than a period sufficient to enable him to dispose of them without serious losses."

Contrary to Mankiewicz-Braden, an analysis of the Haynsworth deal does not disclose any violation of Canon 26. The Canon should be read carefully. "A *judge* should abstain from making personal investments in enterprises which are apt to be involved in litigation in the court. . ." (emphasis added). Haynsworth hardly violated this, since he had made his investment seven years before he became a judge.

Furthermore, no one claims that Carolina Vend-A-Matic was involved in any litigation either before or after Haynsworth's accession to the court. Certainly it was not involved in the Darlington case, since Darlington didn't even use Vend-A-Matic machines.

In addition, there has been no convincing evidence that Haynsworth acted unethically by holding on to his part of Vend-A-Matic; many judges, including those on the Supreme Court, continue to have important financial holdings. Since selling a minority (one-seventh) interest in a company that is not publicly traded is often extremely difficult, Haynsworth waited to sell his stock when the entire company was sold.

Contrary to the impression conveyed by Mankiewicz and Braden, moreover, Vend-A-Matic's worth was not significantly tied to its dealings with Deering-Milliken.

While the vending machine company was grossing over $3 million a year, for instance, Deering-Milliken, with some 40 plants, mostly in South Carolina, had placed Vend-A-Matic food and beverage machines in only two plants by early 1963, one which was installed at the Marietta, S.C., plant in 1952, the other at Jonesville in 1958. Together they grossed only $50,000 yearly, with the profit margin estimated at not more than 10 per cent. In August 1963 Deering-Milliken, on the basis of a competitive bid, awarded Carolina Vend-A-Matic another contract worth $50,000 a year, but turned down two other Vend-A-Matic bids.

Hence, when Haynsworth ruled in Darlington's favor in November 1963, Deering-Milliken plants provided Vend-A-Matic between only 2 to 3 per cent of its gross sales—and Darlington was not one of those plants. Thus Haynsworth hardly appears to have been guilty of a massive conflict of interest.

Some observers point out, however, that since Vend-A-Matic did receive revenue from Deering-Milliken enterprises, Haynsworth, in order to remove even the faintest suspicion of bias on his part, might have been wiser to have stayed off the case. In retrospect, this would have been the more prudent course, but that does not mean he was in violation of any judicial code of ethics.

Indeed, Haynsworth's conduct on the court has been a model of judicial rectitude. When he went on the bench in 1957, for instance, he voluntarily—and six years in advance of ethical standards put forth by the prestigious U.S. Judicial Conference—resigned directorships in all publicly owned corporations (Vend-A-Matic was not publicly owned) on the grounds that holding such directorships might produce a conflict of interest.

Going further than most judges, he has also made it a rule to disqualify himself from any case in which his family law firm is involved. Many judges only disqualify themselves from cases on which they personally worked.

He has also been quick to adhere to standards issued by fellow judges. When the U.S. Judicial Conference, comprised of appellate court judges, passed a resolution in September 1963 against the holding of corporate office by federal judges, Haynsworth resigned his directorship in Vend-A-Matic.

The Darlington case, in fact, helped to underscore his integrity. On Dec. 17, 1963, Patricia Eames, an attorney for the Textile Workers Union, with which Darlington had had its dispute, addressed a letter to Simon E. Sobeloff, then the chief judge of the Fourth Circuit Court of Appeals. According to the letter, the message of an anonymous caller charged that Deering-Milliken, before the Darlington decision had been handed down by Haynsworth, had, in effect, offered to give Vend-A-Matic all the vending machine business in Deering-Milliken plants in exchange for Haynsworth's vote. At that time Deering-Milliken plants were using 10 different vending companies.

As requested by the letter, Judge Sobeloff immediately undertook an investigation of the matter. On Feb. 6, 1964, the union's attorney advised Judge Sobeloff as follows: "My letter to you caused trouble. I am genuinely sorry for that. Since we now know that the allegation made to our union was inaccurate, we know that the trouble was unnecessary."

On Feb. 18, 1964, Judge Sobeloff, at the request of Judge Haynsworth and with the concurrence of the entire court, transmitted his file concerning the matter to Atty. Gen. Robert Kennedy. In the letter of transmittal Judge Sobeloff stated that the attorney for the union "has acknowledged that the assertions and insinuations about Judge Haynsworth made to her by some anonymous person in a telephone call are without foundation, but I wish to add on behalf of the members of the court that our independent investigation has convinced us that there is no warrant whatever for these assertions and insinuations and we express our complete confidence in Judge Haynsworth."

On Feb. 28, 1964, Kennedy wrote to Judge Sobeloff, stating: "Your thorough and complete investigation reflects that the charges were without foundation. I share your expression of complete confidence in Judge Haynsworth."

Thus, unless there are some new and startling revelations in the weeks ahead, the liberals, hard as they might try, will find it exceedingly difficult to knock Haynsworth out of his job on a "conflict-of-interest" charge.

BRENNAN CASE A PARALLEL

While Mankiewicz and Braden were roasting Haynsworth last week for his supposed violation of Canon 26 and his failure to relinquish important investments while on the court, Capitol Hill observers were wondering where the dynamic duo were earlier this year when it was revealed that Supreme Court Justice William Brennan Jr. owned a 1.4 per cent interest as a limited partner in Concord Village, a garden apartment complex in Arlington, Va.

Brennan's partners included Abe Fortas; Fortas' wife, tax lawyer Carolyn Agger; Chief Judge David L. Bazelon of the U.S. Circuit Court of Appeals in Washington; Judge J. Skelly Wright, also of the Circuit Court and former Justice Arthur J. Goldberg. If Haynsworth violated any legal Canon for holding on to his stock after he came on the court, then why no hue and cry about Brennan, et al., for having, after they were on the bench, entered into a financial arrangement that also could become involved in future "litigation"?

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. FANNIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE C–5A

Mr. MURPHY. Mr. President, I rise at this point to make some remarks pertaining to the aircraft, the C–5A, which has been under discussion in this Chamber for some time. I am sorry that the distinguished Senator from Mississippi, the chairman of the committee, is not present, because I should like personally to thank him and to have him hear my remarks about the admirable and most capable way in which, in my opinion, he has managed this important defense procurement bill.

Before I proceed with specific remarks, I should like to compliment the chairman for his tireless efforts, both in the committee and here in the Chamber. I have never seen more dedicated attention. He has never lost sight of his main objective—the security and safety of our country—in spite of what seems to be an endless, continuous effort to fill this procurement bill with gaps and holes and weaken it in other ways, by well-intentioned colleagues who seem to find the necessity to continue to fund a strong national military posture a frustrating experience.

I assure the Senate that I, too, am frustrated at times by the costs, the military pressures, and the needs brought to bear by conditions in the world and by the unfortunate insistence on the imposition of their will by the Communist governments, which create most of these needs. I join the Senator from Mississippi in the conviction that we must never be forced to deal from weakness in this great country of ours, particularly when dealing with the Communists. We can never hope to convince them with words alone—particularly those who would desire, as they have said on many occasions, to overcome force by force if necessary. We should never so dilute our power as to be in doubt of our capability to provide protection for our citizens all over the world.

The chairman of the Committee on Armed Services has spent long hours in this Chamber, during the debate on this bill, without taking time out for meals or rest; and this devotion to his responsibility, I think, is worthy of our complete respect.

Mr. President, I believe it will be recognized that in my lifetime I have had the opportunity to become more familiar than most people with publicity or promotive campaigns and the pitfalls that are associated with them. In Hollywood, in the old days, sometimes it was the practice of some of the less ethical to distort and exaggerate and to tell part truths or untruths to promote a motion picture, or a performer or television program or to create an image which they hoped somehow or other would attract attention to some picture or performer, and thereby, as we used to say, "Get them some publicity" or "Get them some exposure," regardless of how it was achieved.

I have thought and said over the years that many of those badly conceived publicity campaigns were shoddy and unworthy; yet, nonetheless, from time to time they were effective in creating an illusion that helped promote whatever it was one was trying to sell. It was part of a condition that I refer to quite often as "contrived confusion." There is much of that in these days in which we live. As an "insider," I remained skeptical of some Hollywood publicity campaigns and came to be suspicious of the image they created.

Now I find that here in Washington, some 6 years later and 3,000 miles away, I have witnessed what I consider a typical publicity campaign, against an aircraft called the C–5A, that would rival anything that the Hollywood press agents ever put on in the old days, and I must say I have been just as skeptical about this campaign, and, I believe, with good reason.

All of us in the Senate have a proper interest in the C–5A, but I have had a special interest as a member of the Armed Services Committee. Of course, the airplane is built in Georgia, at a division of Lockheed—the Lockheed-Georgia Co.—which is the largest employer in the southeastern part of the United States. But the home headquarters for Lockheed Corp. is in my State—the Lockheed Corp. in Burbank, Calif.

So I have an additional interest in Lockheed and have become acquainted with Lockheed's officials, with many of their employees, and with their union officials. I am more than normally aware of their many fine projects of the past. I can remember, back in the old days, when they came up with something called the P–38, when it was badly needed, the U–2, which was highly publicized, and later on the Polaris and Poseidon missiles, and the P–3 antisubmarine airplane, the Agena space vehicles, the fabulous SR–71, the world's fastest and highest flying airplane, and many others in the long and honorable history of this fine company.

This company enjoys an outstanding performance record and has earned respect for its integrity throughout the Government and throughout industry. Because I knew something about Lockheed and the reputation for integrity of both their people and their products, I was more than normally skeptical about the things that were being said about them and about their product, the C–5A, things which by innuendo and implication seemed to allege that there was some sort of dishonesty afoot, that there was at least bad performance, that somebody had been deceiving the Government, that there had been some sly activities. Fortunately, my committee membership gave me access to information that would provide a complete and balanced story. I was able, I think, to put together all the pieces and at long last to get a fairly true, dependable, and factual picture.

First we were led to believe that there was to be an overrun, an overcharge, or a financial mistake of $2 billion. This turned out to be a slight exaggeration by several hundred million dollars at least. But the comparisons were made including spare parts and other items not included in one figure, but included in another. It was some new type of bookkeeping which I do not understand and which I would rather not understand because I do not think it serves good purpose.

This business of comparing apples with oranges is a time-worn technique. And it is a dangerous one. But, as I said the day before we adjourned, it seems to work in our Nation's Capital. And a great deal of confusion was caused. A great uproar was stirred up about the C–5A. It became known throughout the Nation almost immediately.

We were told by a Washington newspaper that the C–5A contract contained a "special agreement for Lockheed," with all the innuendo and implication that goes with that kind of a charge. This, of course, turned out to be totally untrue. Instead, the repricing clause referred to was a clause which had been offered identically to all three competitors—Boeing, Douglas, and Lockheed—at the time they were competing for the C–5A award.

But even yet, we hear that there was something that is referred to as the "golden handshake," a phrase invented by one of the newspapers and especially designed to perpetuate a false image, some sort of special term, some written agreement, and again some sly means of bringing out a contract that is not in the best interests of our country.

After the same publication printed a story about one congressional hearing on the C–5, Lockheed issued a public statement calling attention to the "startling difference between that report and the actual transcript of the hearings." But unfortunately the statement which would have clarified the condition as needed by Lockheed representatives did not get printed.

Next we heard that there was something called "a reverse incentive" in the contract which, somehow or other, would encourage Lockheed needlessly to run the initial costs up so that they could profit more later. One reporter even made a detailed analysis showing how this would work. The only trouble was that it did not seem to work. The reverse incentive turned out to be theoretical only and

not very practical in practice or in fact the way it really happened.

Then we were told that the contractor was building the C–5 in a plant owned by the Government, and, therefore, had no risk capital at stake. This turned out to be only about 40 percent true, for the figures show the contractor already had invested 60 percent of the dollars needed to establish the plant in Georgia, and had indeed offered to buy the rest of it.

The next charge was that Lockheed had been somehow excused from meeting all the exacting specifications for the airplane. But no one bothered to add that these changes were made as a part of a trade-off, with the Air Force receiving some changes they wanted in return. And, in any event, we learn now, the changes were minor and the basic high performance requirements for the airplane were not lowered or changed at all.

And so it has gone, one charge after another. Each one forcing endless examinations and endless explanations of a very complicated subject.

But the innuendos and images created on those front pages of Washington newspapers linger on, continuing to do damage and disservice to the past fine reputation of Lockheed. Tens of thousands of those people live and work in my State, and in their behalf I hope in the future the distortions and part truths and untruths will be avoided in the publicity about the C–5A or any future projects that happen to come under the aegis of the military and the Defense Department.

A publicity campaign is one thing, but a campaign directed against the C–5A is something else, dealing as it does with a matter of substantial importance to our defense posture, and dealing as it does with the reputations and livelihoods of tens of thousands of people, inside and outside of Government.

For these reasons, I also will hope that in the future we can avoid excessive language and excessive claims as we discuss these matters of great importance to our Nation.

Mr. President, I think it is unfortunate that the present administration is saddled by the mistakes of the past and that this Congress may be forced to look into matters that should have been taken care of by former Congresses. However, that is the way it is, and that is the way I suppose that it has to be.

I want to join with the distinguished chairman of the Committee on Armed Services in his praise for Secretary of Defense Laird. Secretary Laird is one of our old friends and associates—he comes to his present post from the Congress where he was a leader in cost reduction in defense programs. He was not silent. His voice was heard many times over the years in objection to programs that he thought were too costly or unnecessary. He certainly should be contrasted with the evasive man who headed the Defense Department for most of the past 8 years. He is responsive to our questions and has shown great willingness to work with the Congress. He has shown great willingness to work with Congress. He has shown certainly great concern for cutting costs and cutting the procurement of unnecessary items not merely since he became Secretary of Defense, but also in his own history in Congress preceding that.

Therefore, I must point out that the C–5A contracts were let during the McNamara years by the men who dreamed up a so-called total package procurement technique which has so far proved to work a hardship on manufacturers, and certainly on the hard-working, overburdened taxpayers. I might add at this point that they did a pretty good job of confusing the Congress as well. And the matter of overruns should not come as a surprise to this Congress this year and at this time. There have been warnings and evidence of it last year and certainly even in the years before then.

It should be further noted that these were policies dictated by the civilians in the top Defense Department jobs and not by the military or Air Force officers who are so often publicly scolded these days. Nor are the originators and those in charge of building the C–5A responsible for this type of contract. I hope that we will keep this in mind along with the outstanding performance figures that the Senator from Mississippi has already had placed in the RECORD with regard to this particular aircraft.

Mr. President, we should also not forget that under the leadership of Philip N. Whittaker, who is presently Assistant Secretary of the Air Force for Installation and Logistics, a full and complete review of this program has been made for Air Force Secretary Seamans. This review is to be supplemented by a report from an outside independent advisory council of public spirited by disinterested citizens. The Defense Department will make more reviews and reports, and certainly the Committee on Armed Services and other Members of the Senate will be most alert to costs on the C–5A and will have full information available to them when these in depth and carefully planned studies have been completed.

We all regret cost overruns on this plane. Had we been able to deal on a fair or more clearly understood basis with the Department of Defense over the past 8 years, this might never have happened. But that is not the question before us. The question, as I see it, is, do we need this aircraft? Is it a good aircraft? How can we make certain that the cost of the aircraft is completely controlled and properly scrutinized by the members of the committee? I, for one, believe that it is an important component of our overall defense posture and I have heard nothing different from anyone in this Chamber. So it is possible to submit that the amendment offered by the distinguished Senator from Wisconsin—commendable as his efforts to economize may be—would have the effect of eliminating fiscal 1970 funding for 23 aircraft; and, as the chairman of the committee has pointed out, these 23 aircraft are needed to perform an important mission in our airlift capability and should be funded this year. These 23 aircraft would provide for a total of only 81 planes as opposed to the 120 planes needed as a minimum requirement to permit the phasing out of the obsolete and inefficient C–124's and C–133's in an acceptable time period. Certainly, we do not need an airline expert to tell us of the economies possible by these new aircraft through reduced operating costs per-ton mile. This point has been effectively made on several occasions in the Chamber, so I will not belabor it.

The attendant publicity to which I have referred notwithstanding, the C–5A program for the past several months has been the subject of a detailed and penetrating scrutiny—one of the most thorough reviews of any single program ever conducted by Congress.

Every facet of the program has been looked at and studied in depth. The question as to how many aircraft are required—do we need three squadrons, or four, or six?—has been one subject for review. The costs and performance of the airplane have been examined. And finally, of course, the contract itself, with its now well-known "reverse incentive," has been carefully reviewed. I would like to discuss the substance of each of these elements in more detail to explain why I have concluded that funds for the fourth squadron of C–5As should be included in the fiscal year 1970 budget.

Congress has already approved funds for three squadrons, and a limited amount of money in the fiscal year 1969 budget for long leadtime items required for the fiscal year 1970 buy. The Air Force has consistently stated that at least six squadrons were required to accomplish its mission in support of JCS contingency plans. Secretary Seamans has recently stated that he is reserving a decision on the fifth and sixth squadrons pending the outcome of current negotiations with Lockheed. However, both he and Secretary of Defense Laird have recently reaffirmed that a definite requirement exists for six squadrons.

Requirements to support our national defense objectives and our international commitments can be quantified to only a limited degree of precision. The very nature of the threat we may face can take such varied forms that planning for the forces needed to counter any unforeseeable threat in the future must of necessity be a function of judgment which gives due consideration to what we call an enlightened estimation of possible developments, or what I call simply a good, safe, honest, educated guess. Perhaps six squadrons of C–5As are more than needed. Perhaps we only need five, or possibly four. This judgment can be made in due course. However, available information quite strongly indicates that three would not be adequate. We must have four, quite possibly should have five, and very well might have an absolute need for six.

I am, of course, concerned over the estimated cost growth for the entire 120 aircraft program. Whether the increase is $2 billion, or $1.3 billion as has been suggested—this is still an awful lot of money. However, the basic program initially involved a great amount of money, and I think we must consider this cost

growth in the framework of the overall Defense programs. Unfortunately, Department of Defense weapons historically cost more in the end than was predicted in the beginning. I do not want to create the impression that I condone this. I most certainly do not. Quite to the contrary, I agree that we must insist on improvements and safeguards in the techniques of pricing new weapon systems in the future that will produce more realistic cost estimates and improved visibility in identifying unforeseen cost growth.

I also think that the distinguished Senator from Pennsylvania has offered an excellent amendment which will make it impossible for overruns to come as a surprise in the future. What it envisions is a close scrutiny and a careful check and a month-by-month audit, to find out exactly how these contracts are progressing.

I would just point out that the percentage increase in cost of this program compares very favorably with that encountered on many other programs, and that, even with this cost increase, the C–5A is still a good buy. Based on the latest cost estimates, the 10-year operating cost per ton-mile capability is 12 cents compared with 16 cents per ton-mile for the C–141. The disparity in costs per ton-mile is even greater when we compare the C–5 with the aging, slow, costly to maintain C–124's and C–133's—the only other aircraft that possess a capability to carry much of the outsize cargo of an Army division.

I do not quote these figures to in any way downgrade the performance of the C–124 or the C–133. They served their purpose and they did an excellent job. However, we have now advanced in the state of the art and we can do a better job with new equipment.

I do not want to take up the Senate's time reciting a lot of statistics concerning the C–5A's performance. Suffice it to say C–5A's performance is excellent. This is well known to the Senate. It was designed to satisfy a requirement to rapidly deploy fully equipped Army troops anywhere in the world without the need for intermediate servicing stops or sophisticated airport facilities at the destination. The airplanes in the flight test fleet have completed over 600 flying hours to date and all preliminary data indicates it will meet or exceed all of the significant mission related performance guarantees in the contract.

Now, as to the contract itself. No one is denying that the contract contains undesirable features and ambiguities that are subject to interpretation. Certainly the reverse incentive possibility could work to the detriment of the Government. However, the Air Force has stated it is their intention to revise the contract and remove the reverse incentive possibility. Since this reverse incentive does not take effect until beyond the fourth squadron, Congress will have adequate time to assure itself that any disadvantage of this feature has been eliminated before authorizing funds beyond the fourth squadron. I would like to reemphasize that this reverse incentive aspect of the contract which is so repugnant to all of us does not effect the 23 aircraft to be procured with fiscal year 1970 funds.

The C–5A represents a major step forward in improving our capability for global military deployment in support of our national interests while reducing our dependence on overseas bases. It insures that Army units being deployed will be accompanied by all of their heavy equipment and arrive in minimum time as a fully effective force. Approval of the fourth squadron will insure a continued orderly progression toward obtaining a minimum essential strategic airlift capability without committing to the fifth and sixth squadrons until the validity of the requirement for these two squadrons can be examined in more detail.

As much as I dislike to disagree with my good friend, the Senator from Wisconsin, I regret that I must oppose his amendment, and I must do all I can to urge Senators to join me in this opposition and accept the proposal contained in the authorization military procurement bill for 1970.

I yield the floor.

Mr. PROXMIRE. Mr. President, there are overwhelming reasons why the amendment I propose to cut out $533 million for 23 planes of run B of the C–5A airplane should be agreed to. The reasons fall in two principal categories.

First, the contract for the plane is one of the greatest fiscal disasters in the history of military procurement. Second, given the strategic position of the military, studies by the Department of Defense itself question the need for the additional planes. Both the facts about the excessive costs of the plane and the data that question the need for additional planes were developed by the Department of Defense itself.

The study by the Office of Systems Analysis was not done by an outside force. It was done within the Office of the Secretary. Both of those studies conclude, on the basis of the testimony in my office yesterday by representatives of the Department of Defense, that the fourth squadron was not cost effective.

We brought out yesterday the fact that the Secretary of Defense rejected that finding, as did the Assistant Secretary of Defense in charge of systems analysis.

THE FUNDAMENTAL QUESTION

But the basic question and the overriding issue is what are these planes needed for in the first place? Why do we have to have these additional planes? Fifty-eight are already authorized. What are the rapid deployment military objectives which they are designed to meet?

This is classified information. We are not told. We are told only that, and I quote from the latest general review of the C–5A referred to as the Whittaker study—

> The actual number of aircraft required to achieve rapid deployment objectives is dependent on the number of Army divisions, tactical air units, and support elements to be deployed; the destination of deployment; the time allowed for deployment; and the other modes of mobility available within the required time.

We are told by page 2 of attachment 3 of the Whittaker report that the need for the plane is based on the total airlift requirements needed to deploy our general purpose forces in contingencies which might arise between 1970 and 1985. But we are told, "The details for arriving at the total force level are classified."

But if we are to act intelligently, we should know the answers to these questions.

How many Army divisions are we talking about? I repeat: How many Army divisions are we talking about? To know whether we are going to need the additional squadrons we should know that.

How many tactical air units and support elements are to be deployed? We should know that in addition to the number of divisions.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. GOLDWATER. To keep the record clear, the Tactical Air Command provides its own airlift with the C–130. They will depend on this for their primary deployment.

Mr. PROXMIRE. The Whittaker study, which is what I just quoted from, originally was made at the request of the Secretary of Defense to determine his course on the C–5A. The Whittaker study stated:

> The actual number of aircraft required to achieve rapid deployment objectives is dependent on the number of Army divisions, tactical air units, and support elements to be deployed; the destination of deployment; the time allowed for deployment; and the other modes of mobility available within the required time.

As I understand the point made by the Senator from Arizona, it is that the Tactical Air Command provides its own airlift and would not depend on the C–5A.

Mr. GOLDWATER. They have the C–130.

Mr. PROXMIRE. I understand that. But I understand that a number of these tactical air units would affect the other equipment that might be needed. I am sure the Senator is correct. The Senator is an expert in this area. The C–5A would not carry equipment for the tactical air units.

Mr. GOLDWATER. The Tactical Air Command is a highly mobile command that with the C–130 can and does provide its own airlift. In the event of the movement of the Air National Guard units we would probably have to resort to the C–5 or C–141.

I just wanted to make that record clear. I am not criticizing the Senator, because the study he is referring to could very well have been started at a time when TAC was dependent upon other units to a great extent.

Mr. PROXMIRE. My problem is that I am relying on the need as set forth by Mr. Whittaker, who is the expert appointed by the Secretary of Defense to study the C–5A and who has devoted so much of his time in the past year to studying the need for the C–5A and to determine whether the plane is needed or necessary and the extent to which it is needed.

If we are to act intelligently, we should know the answers to these questions:

We certainly should know what the destination of the units are. There is

nothing in the record to show where rapid deployment is to take place. How can we make a judgment if we do not know where the cargo is to be carried? There is no record and no knowledge of it.

How many Army divisions are we talking about? How many tactical air units and support elements are to be deployed?

What is the destination of these units? Where are we preparing to send or land such units? What are the consequences of doing that?

How much time do we need for deployment if we are to deploy huge numbers of divisions and the armored equipment to go with them? We have no record on that.

OTHER MODES?

What about the other modes of mobility? There are existing huge cargo planes. These are both military and commercial. We have huge ocean shipping tonnage available.

I discussed this point yesterday with the Senator from Arizona (Mr. GOLDWATER), that 65 percent of the equipment necessary for a division can be and presumably would be shipped by the C–141's. That is, 65 percent of the equipment could be airlifted. The other 35 percent would be shipped by the C–5A.

However, in addition, Mr. Whittaker told us in our office, that 40 of the C–5A planes—and we are going to have 58—are all needed in order to move the equipment that cannot be airlifted by other modes by the C–141's or other aircraft that would be available. Therefore, we come down to the point that we can determine by plain arithmetic whether we should buy additional C–5A squadrons.

The question is: Is this the most efficient, cheapest, and most economical way to move this cargo? The C–141 is also a jet plane which can travel at great speed.

The question is one that can be reduced to a problem for the Office of Systems Analysis to solve for us. They have tried to do that. They came up with the answer that we should not buy C–5A's. That was their conclusion. It was rejected by the Secretary of Defense. It was also rejected by the Assistant Secretary in charge of Systems Analysis. But that was the conclusion.

These are vital questions. They remain unanswered. We are asked to vote billions of dollars on the basis of classified information. Yet, we know that Defense Department economic and strategic analyses fail to support the Air Force's repeated request for the additional planes.

QUESTIONS—A NEW THAILAND?—A NEW VIETNAM?

Let me ask just a few more questions:

Are these planes to be used to deploy forces quickly to Thailand? Is that part of the classified information?

Are they to be used in another Vietnam? We have just been told by the President there are to be no more Vietnams. And, in any case, we did not need planes in Vietnam whose only justification was that they could move certain types of materials in 10 days or less.

Why would we need the plane for an outbreak in Korea? Do we not now have the heavy equipment on the spot in South Korea needed to defend there? If not, why not?

Do we need it in Europe? Surely we have the heavy armored equipment in place on the Continent of Europe which this plane could carry.

I emphasize that this is not a troop transport. It is not designed to be a troop transport. It can fly a few people to man the equipment but the purpose is to transport equipment and not to transport troops. Much of this equipment is already prepositioned.

Could the plane be used in Berlin? I give way to no man in my support for Berlin. But it is the Allied presence in Berlin which has saved that city. It would be foolish and futile to transport large numbers of tanks, cranes, cannons, and other huge weapons to that beleaguered and surrounded city if the Russians did attack. The Russians do not attack because they know that means war—nuclear war. But surely it would be military folly to send the vast amounts of equipment and armor, and the men this plane can carry into Berlin. And so far as airlifting supplies to Berlin, we obviously have that capacity based on our successes in the past.

Where is it to be used? Surely not the Congo.

Incidentally, that was one of the possible destinations the report suggested. It is hard for me to envision that we would have to move heavy equipment into the Congo.

WILL IT GET US IN TROUBLE OR OUT OF TROUBLE

Is it possible that this plane will get us into far more trouble than it will prevent? Will it involve us in new Vietnams before we have time to consider whether such action is truly in our national interest?

Will fast military deployment usurp the prerogatives of the President and the Congress and, on the grounds that since we have a certain capability we should use it, involve us in strife, civil wars, border contretemps, and antagonisms, where on second thought we would be better advised not to act?

We need to know what these planes are to be used for. How many Army divisions are needed to meet our "rapid deployment objectives?" What is their destination? How much time is allowed for deployment? What other modes are there?

These questions are at the heart of the matter. Congress should debate them. The military should defend them. The public should challenge them. The country must resolve them before we authorize more planes.

My amendment would give us that information. It would provide merely for delay until Congress could get that information. It would not delay, however, for 1 single day, production of the C–5A, because it is going to take more than 2 years to complete run A. That is already authorized. On the basis of present information, it will take at least 3 years to complete the C–5A. These items for the second run are available and funds for them are available at the present time.

Why, then, do we have to rush into this matter when we are not going to have it in production until 1971 or later on this run, especially when this additional information has not been provided and Congress has a right to get it?

WHAT IS THE NATIONAL POLICY?

The Air Force study calls these planes a major instrument of national policy.

This Senator asks, "What national policy?" Where are they to be used? In what circumstances are the troops and weapons they carry to be deployed?

That is the issue. And it is not enough to tell us that the answers are classified, that the Joint Chiefs of Staff know best, or that since we are already building them they must be necessary.

It has been said that this plane is the freight train of the skies. That is a beautiful phrase. It conjures up train whistles in the night, the nostalgia of a bygone day, and the excitement of trains roaring through villages and hamlets with cargo destined for the well-being of men and women everywhere.

But where is this freight train of the sky going? What is its destination? What cargo does it carry where? And at what cost? How many divisions, tactical air units, and huge weapons are involved?

These are the issues. That is the heart of the matter.

Now, let me return to the amendment itself, and a discussion of the general issues, before talking in detail.

THE AMENDMENT—WHAT IT DOES

Let us first make it clear what we are proposing.

The C–5A is a huge cargo-carrying plane which is being built by Lockheed Aircraft Co. The contract calls for a total of 120 planes.

Of the 120 planes, 58 of them are to be produced in what is called run A. This is the first part of the contract.

Another 62 may be produced under run B, the second part of the contract, if authorized by the Congress.

At this time only five planes, the five research and development planes called for under run A have been produced. The remaining 53 planes of run A will be produced at the rate of one to three per month over the next 2 to 2½ years.

The planes in run B have not been built. Except for a few long leadtime items, they have not even been started. In any case, it is up to Congress to decide whether they should be built. Our decision should not be usurped by any argument that the Air Force or the company has proceeded without authority.

This bill authorizes $533 million to be spent for the first 23 planes of run B. My amendment knocks out those funds. That is what the argument is all about.

My amendment would not affect or stop run A. The first 58 planes to be delivered between now and 1972 are not in question. They will be produced. They have been authorized and funded. Some of them are in the early stages of production. But there have already been delays. The production of the airframes has been delayed 6 months. The final

qualifications tests for the engines have been delayed from the scheduled date of September 30, 1968, until the end of October 1969, or by 13 months.

The one thing that can be said about this contract is that there is no hurry. In view of the delays by the airframe contractor—Lockheed—in the qualifications tests of the engine, the fact that only five of the first 58 planes have been produced, and that the other 53 are not due for another 2 to 2½ years, the Senate should not be rushed into precipitate action. We have plenty of time.

There is no reason to authorize planes number 59 to 81, or the first 23 of run B, until we have taken a really good look at the facts. If the Congress will do that, in my judgment the planes will never be authorized.

There is no reason for the Senate to be swept off its feet. My amendment would delete the $533 million in funds for the first 23 planes of run B at least until a series of questions about its costs, its need, and its airworthiness have been answered.

THE EXCESSIVE COSTS

The estimated costs for the C–5A airplanes have risen from $3.4 billion to at least $5.3 billion. The total of 120 planes, if built, will cost at least $43 million each.

This is an overrun of almost $2 billion.

There are those who contest the amount of the overrun, principally the Air Force. I will show that the estimated costs of the planes by the Air Force when the planes were ordered, as compared with the latest cost estimate, have increased by almost $2 billion. These are all Air Force figures.

But while there may be arguments about the size of the increase, there is no question about the actual cost of the planes.

When General Crow and General Jeffreys were before the House Appropriation Committee, they were asked how much the first 58 planes would cost.

Their reply was that the cost would be about $2.5 billion.

When former Secretary Charles, the father of the ill-fated C–5A contract, held a press conference on May 5, he published figures that the total cost of the 120 planes, including their replenishment spares, would be $5.3 billion.

The figures by Generals Crow and Jeffreys, for the first 58 planes, and the $5.3 billion figure by Secretary Charles for the total, are almost precisely the figures revealed last November and again in January when the hearings before my Subcommittee on Economy in Government first exposed the huge C–5A overrun.

Thus, Senators should know that the 120 planes will cost at least $5.3 billion. I say at least because the Air Force has produced no new cost estimates since the October 1968 figures, almost a year ago.

When Mr. Whittaker was in my office he conceded that there is a further cost growth. In other words, there is going to be a further overrun.

So we are still working with figures over 10 months old in a field where costs have risen by giant leaps.

The contract is a fiscal disaster because it contains provisions which are unique in the history of military or civilian procurement.

Because of a scandalous "repricing formula," if run B is authorized, as the bill before us would do, the higher the costs rise, the more the contractor stands to gain. There is a patent reverse incentive.

If the costs of the first 58 planes exceed the original estimates, the contractor is rewarded. The additional planes will cost more, not less. The contract gives incentives for excessive costs and inefficiencies.

It is a contract in which the reverse incentive provisions become effective if any part of the second run of planes beyond the original 58 is authorized.

This is the "golden handshake" in which millions are at stake. My amendment would at least prevent the worst abuses in the contract from going into effect.

In the past, we have been able to do very little or nothing about huge cost overruns. Aircraft, missiles, carriers, and tanks have all suffered from them.

But in most cases we found this out after the fact. Nothing could be done. It was all a fait accompli.

But this case is different. We can do something about it. We can do something now. We can save billions of dollars. We can save those dollars without affecting, by studies made in the Pentagon itself, our fundamental military capability.

If we fail to stop this request and authorize or trigger 23 or more planes of run B, we will have only ourselves to blame.

Senators will act with their eyes open. They will have voted hundreds of millions of dollars under a contract which is fiscally unsound and for at least 23, and probably 62, additional planes which are not needed.

THE ECONOMIC ISSUES

Now let me return to the question of costs and overruns. This subject is more important than the dry-as-dust facts would indicate. It is important because the actual investment costs of this plane must enter into any calculation of whether it is cost effective.

Whether the plane is economically justified in various situations, certainly depends on the costs of the plane. That is why the costs and the overruns, while at times boring and uninteresting, are of vital importance.

There has been an almost $2 billion overrun on the C–5A. The Air Force has been reluctant and even unwilling to admit this. They have cited figures much smaller. They have alleged that the increase is only $1.4 billion.

They are the figures put out by former Secretary Charles in a desperate attempt to justify the faulty contract. Their figures are both misleading and wrong. Secretary Charles used as his base a 1964 estimate based on a technical development plan for a different plane than the final C–5A. In addition, the initial figures do not include the costs of the replenishment spares. But they must be included if any proper comparison is to be made.

The correct figures must be based on the April 1965 Air Force independent cost estimate—ICE. That study was prepared at the time the three contractors—Lockheed, Boeing, and McDonnell-Douglas—were preparing their proposals.

That estimate is based on the plane that was contracted for in October 1965.

That estimate included a figure for replenishment spares.

In the statement made by former Air Force Assistant Secretary Charles on May 2, 1969, on the costs of the plane, he repeated the cost errors he had made time and time before. First he used the October 1964 Air Force estimates. This was for a plane which was never produced.

Second, he failed to include $307 million in replenishment spares in the figure of $3.116 billion. The spare parts figure was, however, given in the original estimates. Because it suited his purposes, he deleted the replenishment spares. He concludes, therefore, that the increase has been from $3.116 billion to $4.34 billion, or only $1.2 billion. He compounds his error by leaving out the $855 million in replenishment spare parts in the October 1968 figures. That raises the total to $5.2 billion.

The only proper method of judging the cost overrun is to compare the April 1965 estimate, the Air Force estimate prepared on the plane that was contracted for at the time the contract was let, with the official October 1968 Air Force figures.

When those figures are compared with the actual Air Force figures of October 1968, the increase in costs is from an original April 1965 independent cost estimate of $3.371 to $5.330 billion, or an increase of $1.959 billion.

I ask unanimous consent that a table I have prepared giving the original estimates and the latest official estimates—both of them official Air Force figures—for the plane, be printed in the RECORD. The figures include the original and latest figures for research and development, run A, run B, and the AFLC investment—replenishment spares and other equipment. These figures include the estimates for both the Lockheed portion of the contract, airframes, and the General Electric portion of the contract, engines. However, Lockheed is responsible for the entire plane.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 1.—C–5A PROGRAM GROWTH

[In millions of dollars]

	Original[1] estimate	October 1968 estimate[2]	Difference
R. & D. (5 aircraft):			
Lockheed	514.1	607.0	92.9
GE	242.7	285.9	43.2
Add	220.2	109.8 [3] (—110.4)	
Total	977.0	1,002.7	25.7
Run A (53 aircraft):			
Lockheed	892.4	1,157.4	265.0
GE	216.0	[4] 236.7	20.7
Add	101.6	157.0	55.4
Total	[5] 1,210.0	1,551.1	341.1
Total R. & D. + run A	2,187.0	2,553.8	366.8

TABLE 1.—C–5 A PROGRAM GROWTH

[In millions of dollars]

	Original[1] estimate	October 1968 estimate[2]	Difference
Run B (62 aircraft):			
Lockheed	538.8		
Add (5)[6]	61.0		
Total Lockheed	599.8	1,404.3	804.5
GE	172.9		
Add (5)[6]	12.5		
Total GE	185.4	[4] 230.3	44.9
Total add	105.8	173.7	67.9
Total run B	891.0	1,808.3	917.3
AFLC investment	293.0	968.0	675.0
Total program	3,371.0	5,330.1	1,959.1

[1] Total figures based upon April 1965 independent cost estimate except as shown in footnote 5. Contractor amounts are contract values as of October 1965. Add is the residual between ICE and contract values.

[2] Total figures are obtained from October 1968 C–5A cost trace summary. Estimated contractor prices to be paid by the Government ASD cost team estimate of October 1968 which indicates anticipated Air Force price at that time, except as noted in footnote 4. Add figures are a residual between cost trace and contractor prices.

[3] Since the add figures are a residual between program cost estimates and estimated contractor cost to the Government they can be expected to decrease as the program progresses.

[4] Figures for GE current estimated price to the Government has been made to reconcile to $467,000,000 as shown on the C–5A program cost estimate October 1968 funding requirements versus August 1968 PCR for production run A, run B, and 5 run C. This amount is $76,400,000 under what is shown as the price to the Government at that time. As near as can be determined, the difference is the result of not including the 69 spare engines which were one of the production options (i.e., 69/564×$631,000,000) as shown on p. 1–5 of the Whittaker report.

[5] Run A totals have been reduced from the independent cost estimate figure by $23,000,000—the average cost of 1 aircraft and 1 set of engines since the ICE run A was for 54 aircraft rather than the present 53 aircraft.

[6] $61,000,000 and $12,500,000 have been added to the contract amounts to add in the last 5 aircraft which brings the total up to 120 craft. They were shown as run C at the time of the independent cost estimate.

Mr. PROXMIRE. These Air Force figures, both based on the actual plane built, both including replenishment spares, give the actual estimated costs for the plane at the time this plane was bought and the latest official Air Force estimates. These latter estimates are the October 1968 estimates and include the costs for replenishment spares as did the independent cost estimate of April 1965.

RUN B TRIGGERS REPRICING FORMULA

One of the worst features of the C–5A contract is the repricing formula. When run B is started, the repricing formula takes effect.

The effect of this formula, as I have said, is to make it possible for Lockheed to recoup on run B a great deal of the extra costs which they would otherwise have to absorb themselves.

If only run A is built, the cost above the contract target cost and below the ceiling cost is split 70–30 between the Government and Lockheed.

The costs above the ceiling are costs which Lockheed is responsible for.

However, when run B begins, many of these costs are recouped by the company. That is why the option for run B is referred to as the "golden handshake." Lockheed can vastly cut its losses on run A if run B goes into effect.

I have been able to work out the results of this for the entire 120 planes. The results are quite spectacular. The result is to make the unit cost of each plane in run B almost as expensive as the planes in run A. Because of the repricing formula this almost unheard of effect will occur.

It is unique in both this industry and in any other industry that the unit costs do not decrease very greatly as each additional unit is produced. After all, you normally amortize your initial costs as you go along; the subsequent units of production are produced, usually, for a far lower per unit cost.

In this case, the unit costs of run A, not counting R. & D. and spare parts, is $29.3 million per plane for the 53 planes in run A and $29.2 million per plane for the 62 planes in run B.

To put it another way, while the original cost of run A, was $22.8 million per plane, and only $14.4 million per plane for run B, the normal situation in which the unit costs dropped as a larger number of units was produced, because of the repricing formula, the final unit costs on both runs are almost identical.

I ask unanimous consent that a table giving the details be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 2.—UNIT COSTS DERIVED FROM PROGRAM ESTIMATE

	Original estimate	October 1968 estimate	Original unit cost	October 1968 unit cost
R. & D. (5)	977	1,002.7		
Run A (53)	1,210	1,551.1	22.8	29.3
Run B (62)	891	1,808.3	14.4	29.2
Spares (AFLC)	293	968.0		
Total, including (120) R. & D.	3,371	5,330.1	28.1	43.4

Mr. PROXMIRE. This table also shows that the unit cost for all the planes will have risen from $28.1 million—this includes, of course, at this point, research and development and evaluation—to $43.4 million per plane.

LOCKHEED'S UNIT COSTS ACTUALLY INCREASE

While Lockheed Aircraft is the prime contractor and responsible for the plane, the engines are produced by General Electric while Lockheed is responsible for the airframe and the remaining aspects of the plane.

When Lockheed's costs per unit are calculated on the basis of the original cost and the October 1968 official Air Force estimate of cost, an even more amazing thing occurs.

Under the provisions of this contract, the unit costs of the plane for which Lockheed is responsible, excluding spare parts, will actually increase for the second run of 62 planes as compared with the unit costs for the 53 planes in run A.

That is a phenomenon almost unheard of in manufacturing history.

Because of the repricing formula, the unit costs of that portion of the 62 planes in run B for which Lockheed is responsible, will increase from $18.7 million per plane in run A to $22.7 million in run B.

This is unheard of.

The original estimates were that under this portion of the contract, run A planes would cost $16.8 million and run B planes would cost $9.7 million. But given the latest Air Force figures for cost, the Lockheed portion of the plane will actually cost more per unit in the second run than in the first run.

I ask unnaimous consent that table 3, giving the details of the situation be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 3.—UNIT COSTS (LOCKHEED ONLY)

[Excluding spares]

	Original contract	October 1968 estimated cost to Government	Original unit cost	October 1968 estimated unit cost
R. & D. (5)	514.1	607.0		
Run A (53)	892.4	1,157.4	16.8	18.7
Run B (62)	[1] 599.8	1,404.3	9.7	22.7
Total, including R. & D. (120)	2,006.3	3,168.7	16.7	26.4

[1] Includes $61,000,000 for run C–5 aircraft.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the Senator from California.

Mr. MURPHY. I do not know the figures, but I recall hearing the Senator state that this is an unheard of overrun. I really cannot say, but it seems to me that the figures on the TFX were far greater than those in this instance, unless I am mistaken. Does the Senator have those figures, by chance?

Mr. PROXMIRE. What I am talking about is not the proportional overrun. There have been much bigger per-contract overruns. There was the submersible rescue unit, for example, which went from the original estimate of $3 million per unit up to $80 million per unit. That is something else that is in this bill, incidentally.

What I am talking about is that this is the first time, to my knowledge, that we had a contract where, as they produce more of the planes, the cost goes up instead of down. Normally, the more you produce, the less the cost is, because you can write off so much of your overhead, and so forth. Here it is going the other way.

Mr. MURPHY. That used to be considered to be good business practice.

Mr. PROXMIRE. That is always the case.

Mr. MURPHY. It is not always the case now.

Mr. PROXMIRE. It is always the case if you have a proper allocation of costs.

Mr. MURPHY. They no longer have fixed costs. That has gone out of the business. Now all of the labor contracts, for example, have escalation clauses that rise anywhere from 12 to 30 percent a year, some of them higher than that. So that would have an effect at anytime during the long leadtime, which I am told is one of the causes for this overrun. At the outset, their estimates, of course, were guesstimates. There was nothing to gage their estimates by, this being an entirely new type of aircraft; and when they finally got into the construction, they found that many of the areas in the aerospace industry where they thought they could get help quickly had been filled up; they were full of

orders, and they had to wait longer. The longer they waited, the more the costs rose. I am not defending overruns, but——

Mr. PROXMIRE. However, may I say to the Senator from California that estimates as to labor cost increases, and so forth, were taken into account in the original figure. They knew there would be increases, and they allowed for them. That item is in the original estimate. They did not assume they would be able to pay wages at the same level throughout the term of the contract.

Mr. MURPHY. Have there not been new wage negotiations since the original contract?

Mr. PROXMIRE. There may have been; but, as I understand, the wage costs were not far off target. There was not a significant difference because of that factor.

Mr. MURPHY. I wish I could tell how they could gage it that far in advance. They vary a good deal.

Mr. PROXMIRE. They do vary, but we have had this kind of change for many years. It is not something that started in the last few months. It is something that has been going on for a long time.

Mr. MURPHY. I was wondering about another matter. The TFX, as I understand it, certainly did not become lower in cost per unit as the production increased.

Mr. PROXMIRE. I think the Senator is correct. That was a serious blunder. However, it was a mistake of a different kind. Here we have a contract in which there is an incentive for the contractor to increase his cost and to pour as much of his cost into run A as possible. The higher the cost, the greater the price he will receive on run B. It is a bad incentive.

Mr. MURPHY. That is to be eliminated from the contract under the plan contained in the pending bill.

Mr. PROXMIRE. It is going to take a lot of hard-nosed bargaining on the part of the Government to eliminate that. It is in the interest of Lockheed to retain that provision.

One of the purposes of my amendment is to greatly strengthen the hand of the Government if we go ahead with securing additional planes. This is an amendment to negotiate from strength.

Mr. MURPHY. There are two things that concern me that we must consider. The first is whether we negotiated a bad contract in the beginning and whether the people who are responsible should take the responsibility. The second concern is with the posture of the military, which has said it needs the plane.

We sat for many years and talked about an aircraft that should not be designated. However, we finally found that it is the only one we have to talk about. We have no other plane.

I cannot understand why my colleagues have been so silent over the years on so many of these things. I cannot put this together.

Mr. PROXMIRE. If we agree to my amendment and if the GAO report indicates that it is not cost effective to proceed and if we form the judgment that we should not proceed with the fourth squadron, we will have the 23 C–5A's and 13 or 14 squadrons of the 141's. It would be double the airlift we had 3 or 4 years ago. We would be in a much stronger position.

The overwhelming amount of transportation will still be by shipping. It is much cheaper. The rapid deployment will be by aircraft.

Mr. MURPHY. This is the first time I have ever heard the Senator from Wisconsin talking about taking a step backward. There is still movement needed in the field of the merchant marine, which we also do not have. The conditions affect each other.

I am not going to leave the military consideration of national security up to some of the bookkeepers.

I agree that there may be mistakes in the contract. As I stated in my remarks, I find it hard to understand that a company that has been enjoying a very good reputation should be subjected to harassment. I do not understand it. The management has not changed. The engineering capabilities are excellent, as they have built an outstanding aircraft.

Mr. PROXMIRE. I have never accused Lockheed of rascality at all. I stated it was a bad contract. If I were in their position, I would be arguing to maintain the contract. At the same time, I think we ought to recognize that the contract is a very bad one and we ought to act in the interest of the Federal Government.

If we need the 23 planes, we should get them and reject the amendment.

It is my conviction on the basis of testimony that we do not need them. We have sufficient systems analysis studies to show that we do not need them.

Mr. MURPHY. That is not the testimony that we had in the Armed Services Committee. This item would not be included in the bill if that were the case. The testimony was to the effect that we did need them and that if we did not do this quickly we would suffer.

Mr. PROXMIRE. I have a lot of faith in the Armed Services Committee. I think it is a great committee. I agree that they did spend a lot of time and did listen to a great deal of testimony. However, I think it is a serious mistake for Senators to accept the recommendations of any committee carte blanche when the recommendations amount to billions and billions of dollars.

It is our responsibility to challenge and debate the issues on the floor and on appropriate occasion to disagree with the committee.

I think that too rarely in the past have we done this. I think that is why what we are trying to do today and will be trying to do in the next few days is very helpful in achieving not only a better fiscal posture and perhaps easing the burden on the taxpayers, but also, and I think far more importantly, it will strengthen and better the military.

Mr. MURPHY. There is not any question concerning the burden on the taxpayers. I have talked about this matter for 15 years, ever since I saw the situation in which we found ourselves with regard to the military.

The thing that has amazed me is what I consider to be the damage that has been done to our military posture in the past several years because we have not had the equipment. There has been a lot of research and development, but we have not had replacements. We have not done a good job of supplying the equipment to our fighting people.

As I said 3 weeks ago, before our recess, if the diplomats had done their job in the past as well as the military had, we would not have the problems we have today. In my lifetime I have watched this Nation win three big wars and lose them at the bargaining table later.

Mr. PROXMIRE. I agree with the Senator. We can certainly make a great improvement in the way we have handled our equipment in the past. But I do not think the answer is to continue to appropriate billions and billions of additional dollars without much greater discrimination on our part and a willingness to determine whether we are convinced that a weapons system is right. We should challenge it if we do not think it is the best way in which to spend the money. Congress has not done this. If we do this, I think we will have a stronger military force and a sounder economy and a sounder country.

Is not the Senator concerned about the fact that the shortage of equipment to which he refers comes after we have had very substantial appropriations for the military force?

Mr. MURPHY. I am, indeed.

Mr. PROXMIRE. And why is that?

Mr. MURPHY. I do not yet know.

Mr. PROXMIRE. I think the Secretary of Defense has made mistakes in the past. I do not think that this Secretary has been in office long enough to do so. However, I think that past Secretaries and past Congresses have done so. I think that we are all to blame. That is why we should examine this budget as we have examined civilian budgets which were far smaller.

Mr. MURPHY. We are engaged in the longest war in our history. We have lost a lot of aircraft. However, that is beside the point.

My concern is that in worrying about problems that may have been created by this contract or this particular new concept of an aircraft, there are no guidelines to go by. We may make the Air Force shorthanded and not have the capabiilties we should have simply because we are guided by mistakes that have been made in the past.

The main thing is that they have a good aircraft. It is an excellent aircraft. And that is different from the case of the TFX which I mentioned before. I am not convinced yet that that plane is a good aircraft. I think the cost per unit has gone up much higher than in the case of the C–5A.

I thank my distinguished colleague.

Mr. PROXMIRE. I thank the Senator from California.

COSTS OF 23 PLANES

The $533 million for the 23 planes of the second run of the C–5A airplane contained in this bill is just a downpayment on these planes. They are this year's payment.

Based on the October 1968 Air Force

estimates, these additional 23 planes will ultimately cost $756 million. And this figure does not include the spares. If one prices the spares on the basis of an equal amount per plane for all 120 planes, the spares for these 23 planes will cost about $185 million or 19 percent of the $968 million now estimated by the Air Force for the spare parts. Because of the vastly complicated nature of the contract, this is admittedly an estimate, but it is a most reasonable estimate. In fact the experts tell me that because of the repricing formula, it is most likely an underestimate.

Therefore, we are talking about a cost of $756 million for these 23 planes plus spare parts costing about $185 million. The total comes to $941 million for these 23 planes. That is the amount to which we are committing ourselves if this amendment is adopted.

The original Air Force estimate for the first 23 aircraft of run B amounted to $402 million, not including spares. This took into account the so-called learning curve which ordinarily would provide a lower cost per unit as the number of units increased.

The difference between the original estimate of $402 million and the latest estimate of $756 million is a growth or overrun of $354 million.

As is shown clearly in table 1, which I have already submitted for the RECORD, the estimated overrun to the Government for research and development and run A, is $367 million.

When we commit ourselves to an additional 23 planes in run B, by approving the "downpayment" on those planes in this bill, we commit ourselves to an additional overrun which will amount to at least $354 million. This figure is low because I have not included the spares in it. The spare costs have risen from $293 to $968 million for the full 120 planes. The additional spare costs for 23 planes is, therefore, at least $129 million. This means a total additional cost for these 23 planes over their original estimate of approximately $483 million. I repeat, the overrun on the 23 planes now at stake is itself $483 million.

What are the termination charges if we buy only 58 planes? The Senator from Mississipi, in a speech on August 13, estimated that if we buy only 58 planes, if we adopt my amendment, the termination charges would be slightly more than $100 million. Of these, $70 million he said was for long leadtime items and $30 million in charges due under the contract for termination.

(At this point Mr. MURPHY assumed the chair.)

In fact, many of the long leadtime items in the $70 million can be used for the first 58 planes or for spares for the first 58 planes. These items would not be lost if the contract were terminated. Much of the $70 million in long leadtime items could be used.

But let us assume the termination costs, including long leadtime items, were $100 million. The overrun on the 23 planes is at least $354 million plus spare parts of $129 million, or $483 million.

We do not lose the $100 million. We would save at least the overrun on the 23 planes and their spare parts, or from three and one-half to almost five times the $100 million.

Senators should not be rushed into voting for the added 23 planes on grounds that the Government will lose. The Government will save many times more on the additional overrun which will not be incurred if this amendment is adopted.

TWENTY-THREE PLANES NOT NEEDED

Yesterday, I was briefed in my office on the two Office of Systems studies of the C–5A. The first study was made last November 7. It was an economic study. It concluded that the additional wing of the C–5A's and run B were not needed. It stated that by using the existing 58 planes more intensively; namely, at the rate of 15 hours per day during the first few days of an emergency—than was originally proposed, the remaining planes would not be needed. It is only during the first few days of an emergency in any case where this plane can do anything that other forms of air and sea lift cannot do.

I might say in passing that this does not seem unreasonable. Commercial aircraft do perform routinely at that rate. In addition, the C–5A's principal function is to perform in the first few days of an emergency. If we buy this plane and it is then used only 5 hours or so a day during the emergency period it was designed especially to meet, I would be greatly alarmed. This plane ought to be more ready than other planes. So, the first study said it was unneeded.

The second study was performed in June 1969. It was entitled "Major Program Memorandum for Strategic Mobility Forces." It, too, concluded that the fourth wing of the C–5A was not needed. In fact, the officials of the Defense Department representing the Secretary of Defense informed me in my office yesterday that when the funds for the second run of the plane and for the 23 planes for the fourth squadron were discounted at 10 percent, the plane was "cost ineffective."

"Discounting" is the term used—in the case of the Defense Department it is routinely 10 percent—to indicate the costs of the funds going to the project based on those funds' alternative uses. If they were invested elsewhere, put out at interest, and so forth, they would obviously earn amounts which must be calculated in the cost of any project. This is done routinely. Most departments use a higher figure of 12 and sometimes 15 percent. In the case of public works, it is a lower figure.

The fact is that the "Major Program Memorandum" clearly showed that with discounting the fourth wing was not economic. Both studies themselves opposed the fourth wing of 23 planes as well as the planes in run B.

The letter which I received from the Secretary of Defense, and which the Senator from Mississippi placed in the RECORD yesterday, must be read very carefully on this point.

It states that—

> After a critical examination of this issue, he (the Assistant Secretary of Defense for Systems Analysis) firmly recommends and supports a fourth squadron.

I say this must be read carefully. The studies of the Office of System Analysis opposed the fourth and additional squadrons.

The Assistant Secretary, who did author the studies, finally recommended a fourth squadron. But the studies opposed them and concluded that with intensive use or when discounting was applied, these planes were not cost effective.

When the Senator from Mississippi stated that he had seen the June study and that it recommended the fourth squadron, I have every reason to believe he was referring not to the conclusion of the study itself but to the recommendation of the Assistant Secretary,

What happened, in my judgment, was that the Assistant Secretary was a "good soldier."

Mr. Nossiter's article in last Sunday's Post on this subject was correct. I pointedly asked the Secretary of Defense's representatives if it was correct and read passages to them. They agreed that it was correct in its statement as to the results of the two studies.

NEGOTIATE FROM STRENGTH

Let me make one further argument why we should not approve the $553 million downpayment in this bill for the 23 planes of run B of the C–5A aircraft.

The Whittaker report on the C–5A makes a number of specific recommendations for the future. Among these is No. 6, which is found on page 36. It states, under the heading of "Reform Portions of the Contract":

> Before any further exercise of options, we should promptly negotiate revisions to the contracts to eliminate ambiguities, resolve differences of interpretation, and remove the reverse incentive specter.

This is the point the distinguished Presiding Officer, the Senator from California (Mr. MURPHY), made earlier when he said we should eliminate the reverse incentive. I think we agree that that is a bad provision.

I repeat that they recommend that the Air Force "remove the reverse incentive specter."

But how is that to be accomplished? Under the contract, the start of run B triggers the reverse incentive. All the things wrong with the contract come into effect.

If the Senate approves this money and run B begins, what negotiating strength has the Air Force got? How can they bargain with the company?

I do not think we need run B. The systems analysis studies indicate we do not need run B. The Whittaker report indicates that the reverse incentive specter must be removed. Yet the action the committee is asking us to take would put these provisions into effect.

The Air Force, which has not exactly shown any degree of backbone, in negotiations with Lockheed in any case, would have no weapons at all with which to bargain over these disputed clauses.

They would bargain from weakness. Both hands would be tied behind their back. They would go to Lockheed hat in hand.

NO SECURITY AT STAKE

Yesterday, the Senator from Mississippi claimed that he feared for the se-

curity of the country if some of these amendments were passed. That is an interesting argument.

Frankly, I doubt that very much.

When the Defense Department finally canceled the MOL contract, not a single Senator rose to state that the security of our country was at stake. That was a duplicating effort, extremely costly, and entirely unneeded. The group of Senators I have been working with attacked it many months ago. Now the Defense Department has canceled it. We were right.

But no one claims the security of the country is at stake now.

The same is true of the Cheyenne helicopter. It, too, was on our list. It, too, was canceled. But no one has said stopping that contract has harmed the security of the country. Yet that project was approved by the Defense Department. It was authorized by Congress. Senators argued for it in committee and on the floor. But now it has been canceled. It should have been canceled. The security of the country is not at stake.

I say that if the Secretary of Defense had followed the conclusions of his systems analysis studies of the C–5A, and had canceled the planes for the fourth squadron, no one would have complained. Of course, Lockheed would have complained, but I do not think Senators would have. No one would have said our security was jeopardized. And, if that happens tomorrow, no serious claim to that effect will be made.

The fact is that with 58 C–5A's we have as many planes as we need for the missions that are to be done. What those missions are and whether they should be carried out is, of course, an equally important question. But let us not be rushed into approving this plane on grounds of national security.

The same general arguments made by the Senator from Georgia (Mr. RUSSELL) against the fast-deployment ships a year ago apply equally well to the C–5A.

Before we rush into this $533 million downpayment on 23 planes which will cost almost $1 billion, let us at least establish the crucial facts.

I call for that in my amendment. It would take only a short time to determine. Now there is great controversy over them.

We have time. The first planes are still two to two and a half years from delivery. Termination costs would be far less than the overrun charges on these 23 planes.

Let us look before we leap. Billions of dollars are at stake. In fact, far more is at stake in this one amendment than the entire public works cutback proposed by the President.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the distinguished Senator from Arizona.

Mr. GOLDWATER. Mr. President, it has been interesting listening to the comments of my friend from Wisconsin. I might offer a couple of remarks in answer to part of his argument, a part that is of deep concern to me.

The Senator asked several times where these aircraft would be deployed. I cannot answer that. However, I can say what I have said time and time again. We have 56 treaties involving the North Atlantic Treaty, the Rio Treaty, the Southeast Asia Treaty, the Anzus Treaty, the Republic of Korea Treaty, the Republic of China Treaty, the Philippine Treaty, and the Japanese Treaty.

While not all of these treaties call for explicit war action, some of them do. The others are doubtful. We would use anything from military assistance to what we could do under our constitutional processes. But 15 of these treaties and possibly 17 of these treaties definitely commit this Nation to war. Therefore, in answer to the Senator's question as to where we would go I would mention these treaties and the NATO countries, without question, unless we say we are not going to live up to the terms of our treaties.

This concerns me as it does the Senator from Wisconsin. As I said yesterday, I think that we are owed and the American people are owed a declaration of what we are going to do about the observance of these treaties. Only at that time can we find an answer to the Senator's question.

Mr. PROXMIRE. Will the Senator yield so I may reply on that point?

Mr. GOLDWATER. I yield.

Mr. PROXMIRE. I think this is an excellent point and I am sure it is in the minds of Senators who support the committee and oppose the amendment. However, after all, should we not have details in this regard? With regard to the fact that there are 15 to 17 treaties that may involve our commitment to defense, we should see how the C–5A fourth squadron would contribute to that situation. It is my contention that in case after case we have prepositioned our equipment now. I understand we have 300,000 troops and equipment in Europe, we have equipment and troops in South Korea and other parts of Asia. If there is a place where we need a fourth squadron of C–5A's to make rapid deployment we should know where it is and we should have some idea with respect to what it is to be used for. My position is that there is no such place. We have all these treaties but that does not prove there is a specific instance in which we can use the C–5A.

Mr. GOLDWATER. I might reply to the Senator with respect to that portion of his answer. If we became involved in the satisfaction of any treaty with the NATO countries today we would not have adequate forces in NATO to handle it. We do not have adequate equipment. We have prestocked equipment and moved much of it to South Vietnam.

The Senator asked where we might use these aircraft. There is a possibility in any of the 56 countries in the treaties I mentioned. We cannot answer the question until we know the intentions of this country relative to our treaties.

I wish to add one other point. I recall a little disturbance that happened in Lebanon a number of years ago when we had to move personnel and equipment rapidly by air and sea. We have twice moved Air National Guard equipment into Europe to answer what might have turned into a crisis. Nowhere on earth except in South Vietnam do we have enough equipment or personnel to carry out the mission.

I think the answer to the question is found in what I have said time and time again on the floor of the Senate: What are our intentions?

Mr. PROXMIRE. Is there any documentation to show we need more than three squadrons plus the other cargo planes and ships we now have? Why do we need a fourth squadron? This has not been documented or established anywhere that I have seen.

Mr. GOLDWATER. I think a very good case has been made by the Air Force and the Army. I cannot offer testimony on that today. However, in all probability tomorrow the Army requirements on the C–5A will be made known. The Air Force, I think, made a good case for six squadrons but I am not going to say we need a sixth squadron until this Secretary of Defense has a year to get his feet on the ground and tell us whether it should be five or six squadrons. The reasons for reducing to three squadrons have not borne up.

The discussion yesterday brings out the fact that the figure of 15 hours a day cannot be applied. More than 70 percent of them cannot be kept in flying condition. We could not do that because we have procedural training and operational training. You cannot fly 15 hours a day, nobody can.

Some of the best squadrons in the Air Force might hit 82 percent of readiness but 100 percent of readiness cannot be maintained. No airline can do it, no commercial fleet can do it, no taxi fleet can do it, and no automobile company can do it.

When we talk about figures, this cost analysis group in the Pentagon are the leading experts. Dr. Selin came around and said yesterday he recommends a fourth squadron.

Mr. PROXMIRE. The Senator knows the answer to that.

Mr. GOLDWATER. No, because he is not of this administration. He is a hand-me-down from the past—pardon the expression—God-awful administration we had in the Pentagon. I do not think his best interests lie with this administration, if my judgment means anything, and I do not know that it does. I think he would have stood pat on the original position of three squadrons until he was convinced of the need for four.

If the Senator wants to proceed on the earlier outline in his paper about flying 15 hours a day, I do not buy that. I defy him to defend it.

Mr. PROXMIRE. The Senator does not argue he would expect people in the Defense Department not to accept the discipline of their office. Anyone in the Department of Defense in a subordinate position to the Secretary of Defense should follow the policies of the Secretary or get out. If this were a big enough issue to the Assistant Secretary, I am sure the Assistant Secretary would do that. I am sure if the Senator from Arizona had become President in 1965, which many millions of Americans thought he should have been, he would have expected that kind of loyalty from

people under him. He would not have tolerated people in the executive branch disagreeing with him. If he had, he would have had chaos.

Mr. GOLDWATER. I cannot agree with that. If a man works under me and does not believe what I am advocating, he should tell me that.

Mr. PROXMIRE. That is true. Privately. But publicly as long he he is your subordinate he will say, "Whatever you say, I will go along with in public, but privately you are wrong."

It seems to me that is what the study showed. The study showed the fourth C–5A squadron was not cost effective. But when the Secretary rejected that study one would expect subordinates in the Department of Defense to accept the decisions of the Secretary of Defense. What would you expect?

Mr. GOLDWATER. I think the gentleman's name is Fitzgerald.

Mr. PROXMIRE. There are exceptions.

Mr. GOLDWATER. I see. This gentleman should not be an exception, but Fitzgerald, who laid out the entire affair, that is all right.

Mr. PROXMIRE. What Fitzgerald did was to answer questions, however, posed by a congressional committee.

Mr. GOLDWATER. I have to believe that Dr. Selin is an honest man, although I have not always agreed with him. He is educated and intelligent. I think he came to an honest decision that an intelligent man would have come to. I accept that. I do not accept somebody twisting his arm. I have even recommended he not be kept. I think it would kill the Washington Post, and one of their reporters, to plug up a big leak in the dike. I am all for it, but I have to believe that he has come to a very sound conclusion. In fact, I think after tomorrow, when I present the Army figures, the Senator will have to agree that the case is solid for the four squadrons. We will worry about the rest next year.

Mr. PROXMIRE. I certainly appreciate that, and I shall be looking forward to seeing how the case is made. Everything I have seen so far indicates that the cost effectiveness of the C–5A fourth squadron is negative. If there is another study that concludes this is a good investment, I should like to see it. The Secretary and the Assistant Secretary have taken their position. I think it is proper for the Senate to go behind the decision and challenge them.

I think the Senator makes a strong case against the November 7, 1968, study I do not agree with the Senator but he makes a strong case. But there was another study in June 1969 which concluded the same thing, that the fourth squadron is a bad investment. That was not based on intensive use of aircraft but on the availability of other equipment. On that basis, the Office of Systems Analysis concludes that we could not economically justify the fourth squadron.

Mr. GOLDWATER. I might say this, it may be difficult for any person to argue on the basis of the cost effectiveness of any weapons system. I think this idea of cost effectiveness, as developed by the genius of the Ford Motor Co. helped to create the disaster he created over there.

Who can say that a cannon is cost effective? Who can say that a ship is cost effective?

I am not arguing for waste, but I do not think we can apply the sound reasoning of cost effectiveness to military equipment as we apply it in business. There might be some fallout from it. I think the example of the space program, as to the billions of dollars we have spent on it, and those who said that money has been wasted, I can cite one instance of a spinoff, or fallout, whatever we wish to call it, that in my humble opinion has fully justified the expenditure of those billions of dollars. It has nothing to do with getting to the moon.

Thus, I do not join in this great enthusiasm for cost effectiveness. I do not think we can effectively say that this weapon is good because it costs so much, because we do not have anything to relate it to other than our ability to protect ourselves and to defend our people.

Mr. PROXMIRE. I would agree with the distinguished Senator that we cannot apply cost effectiveness and accept whatever the cost effectiveness formula comes up with. We have to discriminate. There are some cases when we cannot apply it. It is a military decision and all one can do is to tell what the economic results will be. My argument is that the Whittaker studies show that 40 C–5A's, not the 58, but 40, will be enough to handle all of the big equipment that cannot be carried in other transports.

Once we recognize that, then, it seems to me, it is logical to apply cost effectiveness to determine whether we should go ahead with the C–141's or some other form of airlift instead of the C–5A's.

If the other form of airlift is more cost effective, it makes sense to continue with it. If the C–5A is, then we should go ahead and spend money on it. So long as there is no military weakness involved in proceeding with the cost effectiveness formula, I am convinced that we should follow it. And in this case there is no military argument against moving on cost performance. There is no argument against it. But the Senator is absolutely right. Security must come first.

Mr. GOLDWATER. Cost effectiveness as applied in the past 7 years prior to this year in procurement of weapons has resulted in this Nation's coming very close to reaching the point of not being able to maintain its position in the world. We heard the arguments on cost effectiveness and we saw weapons systems knocked out in the inventory. We have not had a carry-on fighter or a carry-on bomber.

I say frankly to the Senator, as I have sat here day after day for 2 long months, that if anything comes out of this whole debate, to me it is the complete absurdity, stupidity, and ineffectiveness with which the Department of Defense was run under Robert S. McNamara.

I am grateful to the Senator, and I am grateful to other Senators who have helped say, "GOLDWATER has been right all the time." [Laughter.] I like to hear it from people in whom I have so much confidence. I have expressed all this many times before. I am happy, now, to see that "old GOLDIE was right." [More laughter.] It took a long time.

One more point, if the Senator will allow me: In discussing page 3 of the Whittaker report, as to the number of aircraft needed, I think the language is rather broad. It does not spell out the C–5A. It says the actual number of aircraft required to achieve rapid deployment, that the number of aircraft is dependent upon the number of Army divisions, tactical air and support elements to be deployed, and so forth. It does not say anything as to the number of C–5A's. It says "number of aircraft." This, of course, includes the C–141's and the C–130's in the tactical air force itself, plus the C–5's of the Air Force.

Mr. PROXMIRE. The Senator is correct. That is a very useful and proper correction. I appreciate it.

Mr. GOLDWATER. I thank the Senator very much for allowing me to make my observations. I hope they have not been offensive. I just meant them to be honest.

Mr. PROXMIRE. The Senator from Arizona is never offensive. He is a gentleman as well as a forceful and capable Senator.

Mr. President, I yield the floor.

Mr. DOMINICK. Mr. President, I am not going to take long. Let me say to the Senator from Indiana (Mr. HARTKE) that I just want to make some observations on the bill and on the amendments with which we are faced.

I did not have the opportunity to be here during the whole of the time that the Senator from Wisconsin talked on the C–5A. Unfortunately, I had to leave the floor during part of the colloquy between the Senator from Wisconsin and the Senator from Arizona; but one of the things that interested me on the C–5A was the point the Senator from Wisconsin made as to where these freight trains of the air are going.

I would suggest, Mr. President (Mr. GOLDWATER in the chair), that there are a great number of us who feel it is time we get some of our troops out of Western Europe.

I have said this over and over again. As a matter of fact, I believe I was the first Republican who joined in the resolution of the Senator from Montana (Mr. MANSFIELD) for this purpose. We have been there for a quarter of a century now and have fulfilled our NATO obligations. Our allies, in fact, have never met their obligations under their agreement to do so. They have withdrawn some of their own forces in major proportions from time to time. We have a dollar problem, an extraordinary problem with our balance of payments, and after 25 years the most prosperous area in the world outside of the United States should, I believe, be able now, to take up more of the brunt of its own defense.

It seemed to me that one of the best ways to do this was to say that we were going to go along with our NATO allies on their defense capability and continue our commitments under NATO, but do it on the basis that we would retain in the United States a large portion of our forces dedicated to those commitments.

Obviously, we cannot deploy as quick-

ly by ship as we can with the C–5A. We cannot deploy by any other method in large quantities as fast as we can by a so-called freight car of the air. It strikes me that, even though we may have pre-positioned some of our stocks and supplies in that area, when we move a large number of troops back in, in case of an imminent threat from the Soviets, or whoever else it might be, then the C–5A will be invaluable, not only to ourselves but also to our allies.

Thus, it is on that basis, among others—and others being that it seems to me time we brought the transport capability of our Air Force up to the level it should be with our modern technology—that I favor retaining the committee version of the C–5A backed up by memorandums and the letter from the Secretary of Defense which was referred to extensively yesterday by the Senator from Mississippi (Mr. STENNIS) in his colloquy with the Senator from Wisconsin (Mr. PROXMIRE). It has been backed up by the planners over a long period of time.

I must say that I go along with the Senator from Wisconsin on one thing. I do not like the contract. I wish it had not been in this form. I wish we had not started on the project of this size, but we did—and we did it, I might say, under the previous Secretary of Defense, Mr. McNamara, as the distinguished Senator from Arizona (Mr. GOLDWATER) has been pointing out—if we do have problems, this is where the blame and the responsibility for that problem should lie.

In addition to the C–5A, we are going to have some other——

Mr. PROXMIRE. Mr. President, will the Senator yield on that point?

Mr. DOMINICK. Yes; I am happy to yield.

Mr. PROXMIRE. I recognize the distinguished Senator from Colorado as a leader on withdrawing troops from Europe. As far as I know, he was the first one to make a speech on the floor of the Senate in favor of withdrawing our troops from Europe. I subscribed to it. I think he was the original author of the resolution on that subject. He has taken a position of leadership in this matter, and I have spoken several times on the desirability of doing that. If we are going to withdraw our troops from Europe, we should consider how we shall support NATO.

I think one alternative, as the Senator from Colorado has said, would be to place ourselves in the position of sending troops back to Europe very, very quickly if they are needed. Another, however, would be to confine our support to a nuclear umbrella, naval support, air support, and with reserve support, within a somewhat longer period of time. The C–5A is not a troop transport. It would move equipment, not troops. We could remove most of our troops but pre-position our heavy equipment.

Very realistically, we must recognize what kind of war it would be. It would be with Russia. I do not know with what other enemy it would be. In that event, the use of conventional troops would be rather limited. They would be used for a short period of time. Under those circumstances, it might be more logical and more sensible to rely on confining our support to Europe in the other areas which I have described.

However, I think the Senator makes an excellent point. I know many people feel that way. They feel that if we withdraw our troops from Europe, we should be prepared to move them back rapidly. If that is the case for the C–5A, which is not a troop carrier it should be spelled out. This is the first time I have heard it mentioned in detail by a Member of the Senate. The Senator from Colorado is a member of the committee. He is very competent in the area of national defense. We have not had an analysis to show whether we need four squadrons rather than three squadrons to do the European job. We ought to have it, on the basis that, if we are going to move our troops out, it would be helpful.

Finally, are we going to evacuate Europe? There has been no disposition on the part of the executive branch—there was not one on the part of the previous administration, and I do not know of one on the part of this administration—to move in that direction. There seems to be no plan—no long-range or short-range plan—to withdraw our troops from Europe.

Mr. DOMINICK. I thank the Senator. I do not know that I would go as far as his last sentence, but that certainly has not been the major support for the C–5A by the Pentagon in our hearings. I think, however, they have to think in terms of its contingencies and its possibilities.

Prior to the Czechoslovakian situation, when the Russians moved with great strength into Czechoslovakia, I know there had been talks and agreements with the Germans, the English, possibly other allies, and ourselves, with respect to withdrawal of some of our troops back to England and possibly back to the United States. That was in the mill for discussion at the time of the Czechoslovakian invasion, which "tightened" everybody up for fear it might spread into East Germany and West Germany and result in having the problem there. As a result, no action was taken at that time.

My feeling is—and this is a purely personal feeling—that no matter whether we do it now or next year, we are talking in terms of the C–5A for 1971, 1972, or 1973—in that area—as we get them into operational capacity. Therefore, we have to plan on something that will occur in that time interval.

On some other points, having been a member of the committee for a considerable period of time now, and having watched with delight and admiration the Senator from Mississippi analyze the various proposals and bring them up before the committee for further study, I am satisfied with the bill as it was presented.

I think we have room for further study and probably a more careful analysis on some of the research, development, test, and evaluation programs going on. I think we may have some room for analysis on what commitments are going to be made by the civilian authorities and what the military is going to require in the future to try to put our military procurement in line with it. But one of the things that has disturbed me in this whole debate is the constant emphasis—and the Senator from Wisconsin and I had a colloquy on this prior to the recess—the constant emphasis or feeling that goes out through the media that this is a military problem.

It is not a military problem. Every single one of the decisions which have resulted in the problems we have had in military procurement has been made by the civilians. Some have resulted from the commitments and treaties which have been approved by the Foreign Relations Committee. Some from decisions by the civilian officials of the Department of Defense. Not the military, but the Department of Defense says this is what we need. And over and over again the military gets the blame, when all they are trying to do is say, "This is what we are going to need if you give us this responsibilty to fulfill."

Whether it was under President Johnson or under Secretary McNamara or Secretary Rusk, or whoever it is in our administration, the commitments fundamentally are civilian commitments for which the military have to have the necessary tools so they can fulfill their mission.

What is the purpose of the military as a whole? Really and fundamentally, to have a strong military, the purpose of which is to give enough negotiating room so that the leaders of our country can avoid getting embroiled in a war. There is no purpose in our military just going to war. This country does not do that. Its purpose is to have enough strength and enough muscle to give us some negotiating room in the diplomatic field.

We see efforts to stop the F–14 plane. There is a move to say we are not going to have the F–14; that we are not going to start the F–14, or the Main Battle Tank, or some of the others. They say, "No, we are not going forward with them." We have all these amendments saying, "No; Congress is not going to authorize them." This does not make sense to me at all.

The F–14 is a necessary outgrowth, in order to take care of the F–111B, the old TFX for the carrier, which everybody on the Joint Chiefs of Staff said was no good, but which was forced down the throat of everybody in this country.

After spending a great deal of money trying to make it work on a carrier, so we could have the idea of commonality as between the Air Force and the Navy, the committee finally came to the conclusion at last—and I participated in it—that it should kill that program entirely, because the F–111B could not be used on aircraft carriers. The Navy never wanted it. It could not work. It was too heavy. It was the wrong machine. It cost a great amount of money—all because of a former Secretary of Defense.

We need the F–14. We have the F–4. It is a good plane, was designed in 1954, was operational, as far as the Navy is concerned, in 1961. Since that time, the Soviet Union has put in the air eight new

types of fighters. In the Vietnam war, where the F–4 has been used as an air superiority aircraft, the kill ratio between the F–4 and the Mig–21 has been 1 to 1. Why? Because the aircraft was not designed to be an air-to-air superiority fighter. It was designed to be an interceptor aircraft. Now it is used as an air-to-air fighter, and it is the best thing we have. The Mig–21, the earlier version that we met in North Vietnam, was almost as good as the F–4; and the later version of the Mig–21, the Foxbat and the rest they developed, are infinitely better than the F–4. So we come up with the F–14.

Someone has said it is a specialty, nonsolicited contract, put in by Grumman. The fact is that Grumman put in a nonsolicited proposal on this aircraft, but there were five companies which were evaluated before a contract was entered into with Grumman. The F–14 will supply air superiority for the fleet and for friendly land forces.

When the F–14 is performing in either the fleet air defense or the air-to-surface attack configuration, it can return to its primary air superiority role immediately upon release of ordnance not required for that particular mission. So it will fill the fleet air defense need for which the F–111B was designed. It will replace the F–4 as an air superiority fighter and in escort roles.

It seems to me that if we go forward with this, we shall have something worthwhile. Ihave heard the argument made, "You should not do this, because if we do not authorize the new nuclear carrier, you are not going to be able to use the F–14."

The fact of the matter is that even if we do not authorize the new nuclear carrier—and I think we are going to; I am certainly in favor of it—we still will have 12 of our existing carriers which will need replacement of their planes, and they are all of a size suitable for the F–14. So it seems to me sound and practical to go forward with the F–14 at this time, instead of further study, further stretchout, further evaluation, and further expense, and then to find ourselves back in the same position as we were from 1961 to 1969, when we did nothing but study, evaluate, and discard, spend billions of dollars of the taxpayers' money, and wind up with no better defense at all. It seems to me to be ridiculous to repeat that whole performance the way we were doing it before.

Mr. President, the F–14A is a low-risk development. That is what we are talking about in this bill. It utilizes already-proven engines and an already-proven weapons control system. The weapons control system has been reconfigured for compatibility with the F–14 airframe.

Although Phoenix has not yet been used operationally, 19 of 26 planned R. & D. missiles have been fired with unprecedented success. These include hits by one missile fired at a range of 78 miles, two missiles fired simultaneously at two targets with 10 miles' separation and one missile fired in the active mode for the close-in situation.

I believe the F–14 is going to prove to be a multipurpose airplane which will be of enormous significance as we go on facing the 1970's and the threats that may then exist.

As I said earlier, it is my own belief that a nuclear carrier, as authorized in this bill, is of substantial use in our present-day worldwide support capacity. I do not think there are any of us who want the United States to be a world policeman. Certainly I do not. I do not think this administration does, and I do not think anyone else in the country wants us to be a world policeman. Nevertheless, we have to assume the role of leadership in the free world, and we have to be able to provide support for our allies in the event that they are threatened or attacked.

There are a number of ways we can do this. We can do it by the C–5A bringing men and equipment very rapidly to their aid, if they need it; or we can do it in conjunction or alternatively with our fleet and our carrier forces. It would seem to me only practical to go forward and bring our carrier forces, if we are going to use them at all, into the nuclear world, so that we will have fewer problems with our propulsion systems, so that we will have longer range, and so that we will have greater speed. Granted it is expensive; it does seem to me if we are going to deal in modern-day terms with modern technology, we might as well start using it, instead of saying that, cost effectively, it would be better to use a buggy rather than an automobile, or a canoe rather than a nuclear carrier.

So I hopefully support the committee position on that matter as well. As a matter of fact, since I am on the floor, and taking these positions on a number of items that are going to come up, because I will be forced to be away and will not be able to make as many statements as I would like to in the process of the debate, I should like to say right now, Mr. President, that I anticipate I would support the committee throughout against these amendments, because I feel that, fundamentally, the proposed amendments represent a state of mind in which people are attacking the military, who have been asked by the people of this country to provide a defense for them.

If you are going to have a military at all that is going to provide a defense, you had better give them the equipment with which they can do it. If you do not do that, you cannot ask them to provide the defense. It seems very simple to me to analyze the issue on that basis.

This does not mean we have to do everything they want, or do it all at once. But it does mean we ought to go forward with the production of usable weaponry and modern technology, and do it, rather than simply study it for the next 5 years before we get going on any production models.

It is for that reason, among others, that I am happy to support the committee, happy to support the Senator from Arizona in his discussion of the C–5A, and happy to support the committee against the other amendments involving the weaponry systems which will be brought up for consideration.

I yield the floor.

PRESIDENT NIXON HAS FORGOTTEN THE FORGOTTEN AMERICANS

Mr. HARTKE. Mr. President, I was startled at the Finance Committee hearings on the tax reform bill of 1969 when Secretary of the Treasury David Kennedy recommended reducing by half the relief provided in this bill to the middle and lower tax bracket taxpayer. The ordinary taxpayer believes reform means tax relief and Congress must demonstrate to the average taxpayer that these many months of talk about tax reform will have meaning and consequence for him. Only by providing tax relief can those who favor tax reform create a constituency for further tax reform.

Shockingly, not only does the administration suggest reducing tax relief for the average citizen, but the administration claims it is necessary to reduce tax relief for the average citizen in order to grant additional tax benefits to corporations.

In substance, the administration proposal would decrease the tax relief provided in the bill to the average taxpayer by $1.7 billion while increasing tax benefits to corporations by $1.6 billion.

In other words, what they are going to do is increase, over the House passed bill, the taxes for the ordinary taxpayer, the individual, by $1.7 billion, and at the same time they will decrease the amount of taxes which corporations would have to pay, under the House passed bill, by $1.6 billion. Apparently President Nixon believes that his forgotten American is a president of a corporation.

I think perhaps we can define the forgotten American. The forgotten American can be defined as the American who pays the National, State, and local taxes. The forgotten American works every working day. He pays his bills, and he does not riot. He educates his children, and he bears the major portion of the burden of paying the tax bills of America.

I think the forgotten American is in a mood of becoming the leader in a tax revolt. He looked upon the tax reform bill of the House of Representatives as somewhat of an answer to his cries for tax reform, and he thought it was a major victory for the forgotten American. He believed that the House of Representatives passed bill was a meaningful tax reform bill.

He really believed that the tax reform package, as passed by the House of Representatives, meant tax relief.

He believed that tax reform meant a reality of equity.

He believed that tax reform meant that those who are not paying any taxes and those who do not pay their fair share of taxes should pay their fair share.

He believes that balance in a tax bill does not mean to hold onto the old inequitable imbalances.

He believes that a brighter life for the ordinary taxpayer means that the present discrimination against the ordinary taxpayer should be ended.

To a great extent, the tax reform bill which was passed in the House did provide real tax relief for the ordinary taxpaying individual.

The key sentence in Secretary Ken-

nedy's testimony reveals the absurd proposal that the forgotten American is apparently, as I said before, a corporation president. Secretary Kennedy states:

> The long-run revenue loss in the bill of approximately $2.4 billion should be scaled down by about half.

This is the Nixon administration's indirect way of reducing the tax relief to the average citizen by 50 percent. In other words, the tax on the forgotten American will be increased by 50 percent over the House-passed bill.

Later, Secretary Kennedy states:

> The administration strongly recommends that the tax rate on corporate profits be reduced by 1 point in 1971, and an additional point in 1972.

These two proposals almost balance each other out. While the individual taxpayer will be required under the proposal of the administration, in relation to the House-passed bill, to pay out an additional $1.7 billion, the corporations will pay out $1.6 billion less. The effect upon the revenue to Uncle Sam is about the same.

The only imbalance in the bill is the increasing burden on the average taxpayer. I shall vigorously oppose any tax increase for the individual by a reduction in tax relief to the average taxpayer as presently provided in the bill pending before the Senate Finance Committee.

Unfortunately, it appears that under our present tax code we are destroying incentive and are in fact destroying or threatening to destroy the very existence of our middle-class Americans.

As Lord Bacon said—the power to tax is the power to destroy. Certainly it should not be an active part of our national policy to destroy the great American middle class.

Tax relief to the lower- and middle-income taxpayer will do more to achieve social goals and to contribute to the health of our economy than any Government program or measure. Tax relief, therefore, is not only just, but it is also economically sound. While the Government must, of course, be concerned about the effect on revenue that any tax change would cause, the simple fact remains that there is no effective change in revenue under the policy which the Secretary of the Treasury submitted this morning.

The most unfair, inequitable, and absurd provision of our present tax code is the $600 personal exemption; $600 in no way reflects the present cost of raising a child. And, of course, present inflation compounds the lunacy of this present limited exemption.

As the Senator from Tennessee (Mr. GORE) stated in the hearings this morning, before World War II a couple had an exemption of $2,000. Surely we can recognize that the cost of living has increased since 1940.

I have proposed repeatedly in the past raising the personal exemption from $600 to $1,000. This proposal, I know, has great support both in the Senate and in the House. And I plan to submit the proposal as an amendment to the tax reform bill. I previously introduced the proposal in the Senate as Senate bill 1735 on April 1, 1969.

I think every parent knows that the feeding of a child has certainly increased more than $400 for each child since 1940.

The administration uses several rationales for today's bizarre proposal. One is that the tax reform bill should be balanced. That is, that it should take in as much money as it disburses. The administration in its technical concern for a balanced bill reveals a lack of concern for the forgotten American. In balancing the bill, it perpetuates and continues the existing imbalance in our tax code. An imbalance which with inflation and the surtax, so ruthlessly advocated by the administration, is crushing the average taxpayer. In this context, I believe tax relief is a legitimate and necessary national priority. I believe it is in the prerogative of Congress to determine that tax relief, even if it causes an imbalanced bill in 1971 or 1972, to be necessary and desirable.

It should be clearly understood that a balanced tax bill is not necessary to combat inflation. Up to 1971, the tax reform bill will produce more revenue than it loses. This bill causes a revenue loss only in 1971 and 1972, not before.

Does the administration mean to tell us that its anti-inflationary monetary and fiscal policies will not have been effective by 1971 and 1972? If the administration has such little faith in its own policy, then I suggest Congress has an obligation to change it.

Whatever imbalance results from this bill can be easily handled by the national automatic increases in our revenue due to an expanding economy. Even the Nixon administration admits that it anticipates an expanding economy with real rather than inflationary growth.

Finally, the administration claims this action is necessary because of the threatened decreased productivity of American industry in 1972 and in years beyond. But, as national policy, relief for corporations should not be achieved at the expense of the average taxpayer. It should not be forgotten that it is the Nixon administration that has constantly urged repeal of the investment tax credit which is one of the few tax provisions devised to encourage increased productivity in American industry and devised to make our Nation competitive with foreign manufacturers.

I, myself, believe that measures are necessary to increase the productivity of American industry so that we do not have a stagnate economy as we did in the 1950's.

While I have recommended suspension of the investment tax credit instead of repeal so that it will be available when needed, I recognize that the investment tax credit is not the only way to enhance productivity. When the investment tax credit was considered in 1962, I proposed a reinvestment depreciation allowance bill. At today's hearing Secretary Kennedy admitted that this proposal deserved "serious consideration."

In sum, there are various ways to increase industrial productivity but we should not try to achieve this goal by sacrificing the average taxpayer. I shall oppose any additional tax burdens to the taxpayer of middle or lower income tax brackets. I can only hope that President Nixon, when he returns from California, will remember his forgotten Americans.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR HARTKE TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on tomorrow, when the pending business is laid before the Senate as the unfinished business, the able Senator from Indiana (Mr. HARTKE) be recognized for not to exceed 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. Until what time tomorrow will the Senate adjourn?

The PRESIDING OFFICER. The Senate will adjourn until 12 o'clock noon tomorrow.

Mr. STENNIS. I thank the Chair. I will not be able to be in the Chamber until approximately 12:30 p.m.

Mr. President, I want especially to thank the Senator from Wisconsin for the way he worked toward getting a vote on the C–5A amendment. We were disappointed that we could not get a vote on it today. But he did work on it, and he worked out the agreement we had this morning for the vote on the C–5A on Monday, and also his other three amendments. We have agreed generally upon a limitation of debate, although not formally, when his other amendments are taken up, there will be a limitation of time; and that will also move this bill forward very well.

I also wish to thank him for announcing that he is interested in the bill moving forward also as to the other amendments of which he is not the author. The Senator from Wisconsin has taken interest in virtually all the amendments that have been defeated. I

feel that the authors of the other amendments—although I have not yet had a chance to talk with them—will be willing for the bill to move forward and the amendment be voted on. I hope we can dispose of this bill next week, beyond all doubt.

I mentioned today that so far as the rate of spending is concerned, the longer the bill lingers here or anywhere else and fails to reach the President, the more money will be spent at the same rate at least as last year, because we have continuing resolutions that not only authorize all the going programs but also automatically appropriate the money at the same time, at the same rate as last year, without any examination; and I do not believe that is a good way for Congress to run a railroad. I urge that we pass this bill next week.

Many questions and points are involved in the amendments that have been filed. The information, however, is available. I visited Secretary Laird before I left for the recess and discussed several matters with him that concerned me. He told me then about his plan for reductions in funds that he was going to make outside this procurement bill. Frankly, I told him that if he had in mind any reductions in the procurement bill, I wanted to know about them, before we continued this debate.

He assured me that he did not have any such reductions in mind. I also told him I was calling on him for additional material; that I had examined the filed amendments fully as to all the points involved in them; that I had read the arguments made in favor of the amendments, and that we had to have the material ready, on the basic points involved, on my return here before the recess was over. He very readily agreed to furnish the information and material, and when I returned to Washington a week in advance of our reconvening date, the material had been sent to the committee except for one or two items. I called his office requesting these items and they promptly responded. The Department sent the additional material over. I mention this because it is available now for any Senator who is interested, on one side or the other, especially with respect to the amendments that have been filed.

We will proceed next week, I hope, with everyone who wishes to get the information, and we can move right along with the bill. I expressed myself yesterday with reference to how much I thought these proposed amendments cut into the very bone and muscle of our military capability. I believe that, as the debate goes on, this bill will become more and more evident to more and more Members of the Senate and to the young people of the Nation and that all weaponry amendments will be decisively defeated. This conclusion in my speech of yesterday was a conclusion based on my careful analysis of all the amendments while in my home State during the recess.

I have been in touch with Senators this week that I thought wanted to speak. I even called some Senators who are opposed to my position, to talk to them about getting ready. I believe everyone is going to be ready to move next week, that the bill will move along, and that we will dispose of it before the week is over.

I thank the Presiding Officer (Mr. GOLDWATER in the chair) and Members of the Senate.

Mr. President, I yield the floor.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 10 minutes p.m.) the Senate adjourned until tomorrow, Friday, September 5, 1969, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate September 4, 1969:

DIPLOMATIC AND FOREIGN SERVICE

Henry J. Tasca, of Pennsylvania, a Foreign Service Officer of the Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Greece.

HOUSE OF REPRESENTATIVES—*Thursday, September 4, 1969*

The House met at 12 o'clock noon.

Rev. Haskell R. Deal, Wesley Methodist Church, Washington, D.C., offered the following prayer:

Eternal and almighty God, we Thy servants begin our day by seeking Thy blessing. Grant unto us wisdom and guidance in all that we do. We thank Thee for this great land of ours, with its abundance of all good things. In these days of great challenge, great problems, and great anxieties, give us insight, courage, strength, and patience. Empower us to meet the responsibilities of our Nation, and her relations to the world. Grant to us a due sense of pride, of responsibility, brotherhood, and a desire to live in peace with all men.

Give us clear minds and pure motives, as we face the real issues and obligations of our great Government. Enable us to direct our undertakings with wisdom and to seek the fulfillment of the best we know, through Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 12677. An act to authorize the Commissioner of the District of Columbia to lease to the Jewish Historical Society of Greater Washington the former synagogue of the Adas Israel Congregation and real property of the District of Columbia for the purpose of establishing a Jewish Historical Museum.

The message also announced that the Senate had passed the following resolution:

S. RES. 252

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Honorable Daniel J. Ronan, late a Representative from the State of Illinois.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 855. An act to provide for the establishment of the Buffalo National River in the State of Arkansas, and for other purposes;

S. 2056. An act to amend title 11 of the District of Columbia Code to permit unmarried judges of the courts of the District of Columbia who have no dependent children to terminate their payments for survivors annuity and to receive a refund of amounts paid for such annuity;

S. 2502. An act to authorize suits in the courts of the District of Columbia for collection of taxes owed to States, territories, or possessions, or political subdivisions thereof, when the reciprocal right is accorded to the District of Columbia, and for other purposes; and

S.J. Res. 121. Joint resolution to authorize appropriations for expenses of the National Council on Indian Opportunity.

THE LATE HON. EDWARD A. KELLY

(Mr. MURPHY of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY of Illinois. Mr. Speaker, it is with sadness that I rise today to pay my respects to the memory of the Honorable Edward A. Kelly, who represented the Third District of Illinois in the U.S. House of Representatives from 1931 to 1943 and again from 1945 to 1947.

Mr. Kelly, who died after a long illness, was born and educated in the city of Chicago. During the First World War, he served as a sergeant in Battery D of the 322d Field Artillery, with 9 months' service overseas. After his return from the service, he became active in the real estate and insurance brokerage business in the Chicago area. As a young man, Mr. Kelly also played professional baseball. After leaving the Congress in 1947, Mr. Kelly returned to his real estate practice. He also served as a member of the planning committee of Chicago and was active in community and civic affairs in the city of Chicago.

Mr. Speaker, Mrs. Murphy and I extend our heartfelt sympathy to his widow, Rosemary, on her tragic loss and ask that

she extend our condolences to the rest of the family in their bereavement.

GENERAL LEAVE

Mr. MURPHY of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the life, character and service of the late Honorable Edward A. Kelly.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

THE LATE HONORABLE DONALD COGLEY BRUCE, FORMER MEMBER OF HOUSE OF REPRESENTATIVES FROM INDIANA

(Mr. BRAY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BRAY. Mr. Speaker, with a sense of personal sadness I received the news this week of the sudden death of our former colleague and member of the Indiana delegation, Donald Cogley Bruce.

A man of intense energy and great vitality, it is difficult to comprehend his death at such an early age.

Donald Bruce was respected by all who knew him, but particularly by his constitutents in the Hoosier State, many of whom are now situated within the boundaries of my congressional district. He served them well, and I speak for these people when I pay respect to the memory of this articulate spokesman for the conservative philosophy of government and his work in behalf of those who share these principles.

Don Bruce was one of the most outspoken defenders of Americanism in the Congress during his years in the House of Representatives. He served but two terms, and although he could have been assured victory for a third term he felt his cause could best be served by moving on to the Senate race in 1964. This opportunity was to be denied him by the State convention, but the action did not dampen the dedication of the man to his beliefs and he continued to work tirelessly.

To his wife and children I offer my sincere condolences and my hopes that their grief will be tempered by their deep faith in God.

Mr. ROUDEBUSH. Mr. Speaker, will the gentleman yield?

Mr. BRAY. I yield to the gentleman.

Mr. ROUDEBUSH. Mr. Speaker, the Indiana congressional delegation has been deeply saddened by the death of former Indiana Congressman Donald C. Bruce, of Round Hill, Va.

In 1960, Don and I ran together for Congress in Indiana and were both elected as freshmen Congressmen in the 87th Congress.

We served together for two terms until Don gave up his seat to seek the nomination for U.S. Senator from Indiana in 1964.

Don's two terms in Congress were distinguished by his untiring and devoted service on the House Un-American Activities Committee and the Education and Labor Committee.

Representing Indiana's most populous area, the city of Indianapolis and its surrounding suburbs, Don performed his duties well and was a popular and energetic Member of the House.

Don was gifted with a great oratorical ability and his presence was constantly in demand in his own district, as well as throughout the State and Nation.

Even as a freshman Congressman, Don made a large number of important speeches before the House.

Don was blessed with a wonderful family and his charming wife, Hope, was a great help in his many activities.

Don Bruce carved out an outstanding career in radio, politics, and public speaking, and he will be greatly missed by our State, particularly by those of us who labor in the same causes that attracted Don's allegiance and loyalty.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. BRAY. I yield to the gentleman.

Mr. FEIGHAN. Mr. Speaker, it was with great sadness that I learned of the passing of our dear departed former colleague, Donald Bruce.

He was a dedicated man and his judgment was always respected even by those who may have differed with him in some instances. I extend my sincere sympathy to his wife and family.

(Mr. FEIGHAN asked and was given permission to revise and extend his remarks.)

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. BRAY. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Speaker, I wish today to pay my final respects to a former colleague and close personal friend—Don Bruce, who expired of a heart attack on August 31 at the age of 48.

Don Bruce was elected to Congress in 1960 to represent Indiana's 11th Congressional District. He served two terms and was assigned to the House Education and Labor Committee and the Un-American Activities Committee.

Both in and out of Congress, Don Bruce was a dedicated and dynamic spokesman for the conservative philosophy and, on leaving Congress in 1964, he helped form the American Conservative Union. Later, he formed his own management and political consulting firm in Round Hill, Va., where he lived with his family.

When I came to Congress in 1963, I frequently counseled with Don and exchanged ideas with him on how best to advance the conservative philosophy.

Don Bruce was an eloquent and articulate public speaker. His extensive background and 19 years experience in radio and TV broadcasting made him one of the most dramatic speakers in the House of Representatives at that time. He had the unique ability and rare talent to move his audiences and to stir their emotions and his in-depth projections inspired those who were privileged to hear him speak.

With his passing, the Nation has lost one of its most articulate legislative talents. However, he has left behind a wealth of outspoken views on the conservative philosophy of government.

No doubt there are many, like myself, who will long remember the inspiring thoughts and noble deeds of this great man who loved America and its people so very much.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. BRAY. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, I appreciate the gentleman from Indiana (Mr. BRAY), yielding to me in order that I may join him in expressing condolences to Mrs. Donald Bruce and members of the family. The news of the death of a friend always comes with the impact of the first chill blasts of a winter storm. When the news concerns not only a friend, but a contemporary and a former Member of this body it strikes an even more telling blow. I was inexpressibly shocked and saddened to receive word of the passing of former U.S. Representative Donald Bruce. I had that special affection for him that we somehow reserve for those with whom we encountered the same familiar experiences in life, for we entered this body together in 1961.

He served his country honorably and with distinction both in peace and war. Gifted with rare eloquence and an extremely articulate and persuasive talent for public speaking he was heard on many platforms. His speech was always carefully reasoned and well documented. Even those who sometimes differed with him on various issues respected his sincerity and intelligence. We will miss his friendship which had continued despite the fact that he left our ranks here in the House of Representatives. He was a distinguished American and we are diminished by our loss of a friend who both loved and served his country. Mrs. Anderson joins me in expressing our deepest sympathy to Hope and the other members of the Bruce family. We pray that God will sustain them in this very difficult time.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. BRAY. I yield to the gentleman from Michigan, our minority leader.

Mr. GERALD R. FORD. Mr. Speaker, today we pay tribute to a former Member of this House who was first and foremost a gentleman, an ardent American, and a most sincere and full-time patriot.

With the death of Donald C. Bruce, there has departed from us a man who did not believe there were varying degrees of Americanism. For Don Bruce, a man was either completely devoted to the principles of Americanism or he was not. As for Don himself, no one loved America more and he was not ashamed to say so.

It was because of his outspoken and unabashed Americanism that Don Bruce was given Americanism citations by the Indiana Departments of the American Legion and the Veterans of Foreign Wars and was presented with the Distinguished Service Award of the Daughters of the American Revolution.

Don also made great contributions in community service before departing Indianapolis for the Halls of Congress. Besides being named an outstanding young man of the year by the Indianapolis Junior Chamber of Commerce, Don was active in policymaking roles with the YMCA, the Salvation Army, the Boy Scouts of America, and the Multiple Sclerosis Society of America.

Those who knew Don Bruce only as a fiery-eyed fighter against communism knew him but little. He was a kind person, a humanitarian, a gentleman, and a man of culture.

Mr. Speaker, Don Bruce's death is an untimely loss. I join my colleagues in extending my condolences to Mrs. Bruce and the members of the family.

Mr. LANDGREBE. Mr. Speaker, I am proud to join my colleagues today in paying tribute to the late Donald Bruce, a great Hoosier Congressman, a great fighter against communism, and a great American.

During his long career as a news commentator in Indianapolis, Don Bruce became very concerned about the menace of world communism to our way of life. Being a man of action, he decided to do what he could about this menace, and so, while still a newscaster, he toured Indiana exposing the evils of communism—at a time when few people were doing so.

As he toured the State, he developed a great following, many of whom asked him to run for Congress. In 1958, he decided to take on the impossible task of trying to unseat a Republican incumbent in Indiana's 11th District. He was narrowly defeated in the Indiana primary by the incumbent, who then lost in the 1958 Democratic landslide.

In 1960, Don Bruce tried again and this time was successful in both the primary and general elections. Immediately upon coming to Washington, he requested and got positions on the House Committees on Un-American Activities and Education and Labor.

In the space of two short terms, Don Bruce became well known as an outspoken leader of conservative causes in the House of Representatives, greatly respected on both sides of the aisle.

In 1964, he did not run for reelection for the House, but submitted his name instead as a candidate for the Republican senatorial nomination. At the Indiana State Convention, he was narrowly beaten on the third ballot.

Don Bruce then became the first president of the newly formed Conservative Union, a group dedicated to electing conservative Members of Congress, regardless of their party affiliation.

I join my colleagues in extending heartfelt sympathies and condolences to Don Bruce's widow and family in their hour of grief.

GENERAL LEAVE TO EXTEND

Mr. BRAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the life, character, and service of our departed friend, Donald C. Bruce.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

KOCH URGES THAT THE DEATH OF HO CHI MINH BE MARKED WITH A MUTUAL CEASE-FIRE AND A COMMITMENT BY THE UNITED STATES TO WITHDRAW ALL OF ITS TROOPS NOW

(Mr. KOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KOCH. Mr. Speaker, yesterday Ho Chi Minh, the leader of a country with which we are now engaged in war, died. There will be those in our country who will take great satisfaction in his death and will think in terms of expanding the war with the thought that his people will lose heart because of the loss of his leadership. We would be better advised from the point of view of world peace and our own national interest to use this occasion to extend the hand of friendship to the Vietnamese people, north and south, at a time when they will be most introspective in thinking of the extraordinary feats of one of their national leaders. To many of them, Ho Chi Minh is George Washington, Abraham Lincoln, and John Kennedy. Whatever we may think of him and knowing that he was a tough and dedicated Communist we must recognize that he was above all a patriot in his own country. It is now, when the North Vietnamese are most vulnerable, that we can and should use the opportunity to say to the North Vietnamese, "Let this death of Ho Chi Minh end the war and end it now with an immediate cease-fire." Let us state that we will now undertake through immediate withdrawals the return of the only foreign troops in North and South Vietnam, namely the Allied troops and primarily American soldiers.

Death is a tragedy for the individual family and more than 37,000 families in our own country have suffered that tragedy as a result of the deaths of our fine young men on the battlefield. For the North Vietnamese, Ho Chi Minh's death is a national tragedy.

Let us now undertake to see to it that the greatest tragedy of all; namely, the continuing war is brought to an end.

TAX REFORM BILL

(Mr. VANIK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VANIK. Mr. Speaker, today, I was shocked and stunned to learn that President Nixon's administration opposes the provisions of the House-passed tax reform bill which in the words of Treasury Secretary David Kennedy provide too much relief to the average taxpayer and too little for the corporate sector of our economy.

In this incredible position, the administration underestimates the determination of the average taxpayer who shoulders most of the tax burden for more equitable treatment.

The administration's trade-off deal to reduce corporation taxes by 2 percent wipes out practically all Treasury advantage in the repeal of the investment credit. This deal gives business and industry a tax break in excess of $1.6 billion.

The administration's recommendation provides tax reform by taking relief away from the average taxpayer and hands it over to corporations.

The Ways and Means Committee of the House and the House of Representatives have gone a long way toward making our system of taxation more just. We must not permit our work to go down the drain by this kind of dealing and manipulation.

TRIBUTE TO MR. ERNEST S. PETINAUD

(Mr. BURKE of Massachusetts asked and was given permission to address the House for 1 minute.)

Mr. BURKE of Massachusetts. Mr. Speaker, I should like to bring to the attention of the Members of the House of Representatives another great honor that has been bestowed on Mr. Ernest S. Petinaud—"Ernie" as he is affectionately known by all of us in the House.

On August 18, 1969, at the Imperial Council Convention annual sessions at Baltimore, Md., Ernie was recommended by the Honorable John H. Hester, imperial potentate of the Ancient Egyptian Arabic Order Nobles Mystic Shrine of North and South America and its Jurisdictions, Inc., and presented to the imperial council for the degree of honorary past imperial potentate. This outstanding honor will be conferred on Ernie at the next Imperial Council Convention and sessions at the Oasis of Boston, the Desert of the Great State of Massachusetts to be held August 16 through 21, 1970.

Ernie is a great and noble man who is truly deserving of this great award. We in the House recognize the sterling character of this man and I know that if the Members ever establish a hall of fame in the Capitol of the United States, Ernest Petinaud will be among the top 10.

FIVE PRESIDENTS HAVE REFUSED TO SPEND APPROPRIATED FUNDS

(Mr. MICHEL asked and was given permission to address the House for 1 minute.)

Mr. MICHEL. Mr. Speaker, when some of our colleagues rose recently to attack the President's decision not to spend a billion dollars because of its inflationary effect, they must have known their self-righteous indignation did not quite ring true.

For the fact is that the preceding five Presidents before Mr. Nixon refused at one time or another to spend appropriated funds.

The precedent was set by President Roosevelt and carried on by each of his successors—Presidents Truman, Eisenhower, Kennedy, and Johnson.

Mr. Speaker, I am sorry that there are some who find it expedient to play politics not only with the education of our

children but also with the very real perils of inflation.

The inflationary rate is actually causing us to lose ground in meeting the educational needs of the country.

The shrinking purchasing power of the dollar is a very real thing, and we are not going to solve the problem by merely supplementing local and State tax dollars for education with Federal dollars.

The Federal Government has got to take the lead in setting the tone to get our fiscal house in order, and we should all be grateful that President Nixon has chosen to take the long-range statesmanlike approach to the problems of our times rather than the route of political expediency.

SYRIAN HIJACKING CHARGE UNANSWERED

(Mr. TAFT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. TAFT. Mr. Speaker, the Secretary of State on August 30 issued the strongest possible statement condemning the hijacking of a TWA aircraft and its passengers to Syria. Labeling the act as "piracy," Secretary Rogers called especially for the immediate release of detained passengers, two of whom are still being held illegally in Syria today. As the Secretary pointed out, Syria is a United Nations member, and its condonement of this criminal act in the slightest degree can only have the most serious implications for international air travel.

Almost a week has now passed without any satisfactory reply or action. We cannot and must not allow this situation to continue. United Nations and other international, and United States, sanctions must and should be sought unless there is an immediate satisfactory response through release of the detainees and appropriate criminal prosecution of the individuals responsible.

TO LIMIT DAYLIGHT SAVINGS TIME TO 3 SUMMER MONTHS

(Mr. SEBELIUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SEBELIUS. Mr. Speaker, today I am introducing a bill that would limit daylight savings time to the 3 summer months of the year—in effect from Memorial Day to Labor Day.

Under the present Uniform Time Act, daylight savings time is observed from the last Sunday in April to the last Sunday in October. As a result, many of our farmers, businessmen and schoolchildren in rural and smalltown America are forced to awake, work and travel in darkness.

The effect of this legislation would be to limit the extra hour of recreation time daylight savings time permits to the summer months.

Mr. Speaker, I am introducing this legislation after receiving a surprising amount of mail from the people in my district. I know many of my colleagues also receive similar complaints regarding daylight savings time. Traveling throughout my district during the recent congressional recess, I am sure I heard the same constituent concerns as my colleagues, but in addition to the concern over our pressing international and domestic problems, many citizens also asked a simple question, "Congressman, why can't we get this time thing straightened out?"

The farmer asked me why he had to begin and end his working day in darkness; the concerned mother asked why her youngster had to walk or ride to school without daylight; and the small businessman wanted to know why the Uniform Time Act "arranged" the time so that when he opened his business it was dark outside.

It seems to me this issue is very simple. Why keep this extra hour of recreation time during the fall and spring when it forces people to get up, travel, and work in darkness?

That is the question citizens in Kansas are asking me and that is the question and problem I am hopeful this bill will answer.

PERMISSION FOR SUBCOMMITTEE ON HOUSING, COMMITTEE ON BANKING AND CURRENCY, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Housing of the Committee on Banking and Currency may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

REQUESTING THE PRESIDENT OF THE UNITED STATES TO ISSUE A PROCLAMATION CALLING FOR A "DAY OF BREAD" AND "HARVEST FESTIVAL"

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the joint resolution (H.J. Res. 851) to request the President of the United States to issue a proclamation calling for a "Day of Bread" and "Harvest Festival," and ask for immediate consideration of the joint resolution.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. GROSS. Mr. Speaker, reserving the right to object—and I shall not object—I do so merely to establish the record.

Neither this resolution nor those to follow will call for any expenditure from the Federal Treasury?

Mr. ROGERS of Colorado. The gentleman is correct. I have amendments to offer to take out the "annual" provision.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 851

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That as a token of man's gratitude for the bounty of nature and the annual harvest of farm and field, and in recognition of bread as a symbol of all foods, that Tuesday, the 28th day of October, 1969, be designated as a "Day of Bread" as a part of international observances, and that the last week of October within which it falls be designated as a period of "Harvest Festival," and in succeeding years the first Tuesday following the first Sunday of October each year be designated as a "Day of Bread," and the week itself a period of "Harvest Festival"; and the President is requested to issue annually a proclamation calling on the people of the United States to join with those of other Nations to observe this "Day of Bread" and "Harvest Festival" with appropriate ceremonies and activities.

AMENDMENTS OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer three amendments.

The Clerk read as follows:

Amendments offered by Mr. ROGERS of Colorado: On page 1, line 9, after the word "Festival" delete the comma and insert in lieu thereof a semicolon.

On pages 1 and 2, delete everything commencing with the word "and' on page 1, line 9, down through and including the phrase "Harvest Festival;" on line 2, page 2.

On page 2, line 3, strike the word "annually".

The amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL FAMILY HEALTH WEEK

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from consideration of the Senate joint resolution (S.J. Res. 46) to authorize the President to designate the period beginning November 16, 1969, and ending November 22, 1969, as "National Family Health Week" and ask for immediate consideration of the joint resolution.

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 46

Whereas good health is a blessing prized above all others by every citizen;

Whereas the well-being of the Nation depends upon the maintenance of good health among all segments and elements of our population;

Whereas the family physician performs a critical service to the Nation in the maintenance of health and the prevention of disease;

Whereas the Nation's family doctors have a unique responsibility in the American health care system, since they are the individual's primary source of contact with the medical profession;

Whereas the dedication and skill of family physicians have served as the foundation of medical progress in this Nation;

Whereas the family doctor's role as a physician and counselor to the whole person and the entire family embraces the widest scope of basic medical necessity, including advice on subjects ranging from personal health to family planning to emotional well-being; and

Whereas the American Academy of General Practice, national professional association of family physicians is conducting a continuing effort to educate the public in the progress of our health care system and supports measures for its improvement: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Members of the Ninety-first Congress request the President of the United States officially to proclaim the week of November 16 to 22 as National Family Health Week as a means of focusing national attention during the year upon the accomplishments of the American health care system and the central role played by the family physician in the maintenance of superior medical care for Americans of all ages and from all walks of life.

AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado: On pages 1 and 2, strike out all "whereas" clauses.

The amendment was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL VON STEUBEN MEMORIAL DAY

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the joint resolution (H.J. Res. 250) authorizing the President of the United States of America to proclaim September 17, 1969, General von Steuben Memorial Day for the observance and commemoration of the birth of Gen. Friedrich Wilhelm von Steuben and ask for immediate consideration of the joint resolution.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 250

Whereas it is sought to pay homage and respect to the memory and achievements of General Friedrich Wilhelm von Steuben, who came to our shores on December 1, 1777, to offer his heart and his hand to assist in our struggle for independence, and his heroic deeds are emblazoned in the history of our country; and

Whereas the hero, born in Magdeburg, Prussia, on September 17, 1730, did join with Washington at Valley Forge and devote himself with great resolve and effect to the bolstering up and reorganization of our soldiers, and distinguished himself at Monmouth and Yorktown; and

Whereas the said Major General von Steuben was instrumental in promulgating the drill regulations and regulations for order and discipline of the troops of the United States which were adopted by Congress on March 29, 1779, and in addition he is historically credited with the fundamental idea of the establishment of the United States Military Academy at West Point: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States of America is authorized and requested to issue a proclamation designating the 17th of September 1969 as General von Steuben Memorial Day, calling upon officials of the Government to display the flag of the United States on all governmental buildings, and inviting the people of the United States to observe the day with appropriate ceremonies and activities to commemorate the birth and services to the United States of General von Steuben.

Mr. FEIGHAN. Mr. Speaker, I rise to urge support of my bill, House Joint Resolution 250, to proclaim September 17, 1969, General von Steuben Day for the observance and commemoration of the birth of Gen. Friedrich Wilhelm von Steuben.

General von Steuben came to our shores December 1, 1777, to assist in our struggle for independence. He distinguished himself both in battle and in the training of troops. In addition, he is historically credited with the fundamental idea of the establishment of the U.S. Military Academy at West Point.

Throughout our Nation's history, German Americans have been deeply rooted in the spirit of America in the tradition of Von Steuben. Their contributions to the United States have been outstanding, both in terms of quality and quantity.

The Steuben Society of America is particularly devoted to keeping alive the memory and lofty principles of General von Steuben. Those principles—duty, justice, tolerance, and charity—are as basic to the survival of American democracy today as they were to the winning of our Revolutionary War nearly two centuries ago.

Each and every person, by virtue of membership in the Steuben Society has assumed responsibility for nurturing the good seeds of dedicated and stanch citizenship planted by past generations. It is only fitting that we join with the Steuben Society and all other German Americans in officially recognizing General von Steuben. I ask my colleagues to support House Joint Resolution 250 to commemorate the birth and services to the United States of a man whose foremost concern was for the welfare, the happiness, the growth, and the safety of our Nation.

AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado: On pages 1 and 2 strike out all "whereas" clauses.

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the matters relating to the resolutions just passed.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

CALL OF THE HOUSE

Mr. BELL of California. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 156]

Adair	Fraser	Passman
Anderson, Tenn.	Garmatz	Patman
Andrews, Ala.	Gibbons	Pollock
Andrews, N. Dak.	Goodling	Powell
Baring	Green, Oreg.	Quillen
Berry	Green, Pa.	Rees
Blaggi	Gubser	Reid, N.Y.
Blanton	Hansen, Wash.	Reifel
Boggs	Hays	Riegle
Brademas	Hébert	Rivers
Brock	Heckler, Mass.	Rooney, N.Y.
Brotzman	Holifield	Rooney, Pa.
Broyhill, N.C.	Hosmer	Saylor
Byrne, Pa.	Howard	Scherle
Cahill	Hungate	Scheuer
Carey	Joelson	Snyder
Celler	Johnson, Pa.	Steiger, Ariz.
Clark	Jonas	Steiger, Wis.
Clawson, Del	Kirwan	Stubblefield
Clay	Kyl	Sullivan
Cleveland	Landgrebe	Teague, Tex.
Corbett	Lipscomb	Thompson, Ga.
Corman	Long, La.	Tiernan
Culver	Lowenstein	Tunney
Dawson	Lujan	Udall
Dingell	Lukens	White
Dulski	McEwen	Wilson, Charles H.
Edwards, La.	MacGregor	Wold
Esch	Mailliard	Wolff
Evans, Colo.	Melcher	Wyman
Findley	Mills	Young
Flynt	Morton	
Foley	Myers	
Ford, William D.	Obey	
	O'Konski	
	Olsen	
	Ottinger	

The SPEAKER. On this rollcall 329 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CHILD PROTECTION ACT OF 1969

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7621) to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7621, with Mr. GALLAGHER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 30 minutes and the gentleman from Illinois (Mr. SPRINGER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, the bill before us today is an expansion of the Federal Hazardous Substances Act, which was passed in 1960, and today's bill will be known as the Child Protection Act of 1969.

We thought earlier that we were affording protection and complete coverage, but we found out since that time that this is not true. The National Commission on Product Safety has come up with three categories of articles and toys that are dangerous and which cause injuries and death to children in this country. I congratulate the Commission as well as the subcommittee for bringing this bill to the floor.

This is a bill which I think is very important to the Nation and to nearly every household in the land, especially those who have children. I congratulate the subcommittee chairman, Mr. Moss, and the ranking minority member, Mr. KEITH, as well as all of the members of the full committee.

Mr. Chairman, despite the passage of the Child Protection Act of 1966, of the nearly 56 million children under 15 years of age in this land, 15,000 of them met accidental death last year. Many of those deaths can be attributed to the kinds of things we are trying to ban here. More than half of the number of children who died as a result of accidents in 1966, the latest year for which I have figures, were preschool children. Of the 20 million nonfatal accidents in the United States, 10 million of them affected children under the age of 16.

Now, Mr. Chairman, the number of children dying from accidents is higher than the combined number of deaths from cancer, contagious diseases, heart disease, and gastroenteritis for this age group. These striking figures point out the urgency of passing this additional legislation to protect our children against hazards which are found in various toys and other articles intended for use by youngsters. Too many unreasonably hazardous articles for children are for sale in the marketplace today. We are hopeful that this legislation today will help to correct or eliminate many of these hazards. I am sure that each Member of the House who has children would not want to wake up some morning and find that their children are one of these statistics. May your children not become one. We are hopeful this bill, which in my opinion is a good one, will pass.

The committee thought it was a good one, and it came out of the subcommittee unanimously. It came to the full committee, and it came out of the full committee unanimously. We report it to the House in that way, and we urge that it be passed.

There are some explanations that I should give about the bill, probably. This will be very brief. I am sure that they will be understood by everyone. These are the amendments that have been made to the original act.

Section 1 provides a short title called the "Child Protection Act of 1969."

Section 2 amends the act by adding children's toys and articles which present electrical, mechanical, or thermal hazards.

Section 2(b) amends the Hazardous Substances Act to establish procedures by which items which have mechanical, thermal, or electrical hazards may be designated as banned hazards and thus kept off the market.

Section 2(c) defines electrical, mechanical, and thermal hazards.

Section 3 is a clarification to establish that combustible items with a flash point of 80 to 150 degrees will be subject to regulation.

Section 4 requires the repurchase of banned hazardous substances by the sellers and prescribes the procedures by which these repurchases are made.

Section 5 provides that the effective date shall be on the 16th date after enactment.

Now, Mr. Chairman, I think this explains the bill fairly well. As I said, there was no opposition from any witnesses who appeared before the committee. All who appeared before the subcommittee were for the bill. No one opposed it. I urge that it be adopted.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. Mr. Chairman, I rise in support of H.R. 7621, to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards.

This legislation, recommended by the National Commission on Product Safety in its interim report of February 26, 1969, would close a gap in the existing law which presently defines a hazardous substance as one which is toxic, corrosive, an irritant, a strong sensitizer, flammable, radioactive, or which generates pressure through heat or other means. This bill before us would enlarge that definition to include electrical, mechanical, and thermal hazards as to children's toys and articles.

Hearings conducted by the National Commission on Product Safety in New York and Boston in 1968 revealed shocking testimony of children's toys and articles that present hazards. Some of the toys contain sharp projections which might puncture the eye or the throat, extremely hard or sharp surfaces which could cause cuts or puncture wounds and abrasions. Others have heated surfaces which could give a child a burn while others still may give a child an electric shock. There were other toys identified whose parts could easily be inhaled in the course of use.

I was particularly concerned over testimony that was received by the Commission regarding baby cribs, and particularly the "Kiddie Koop," which is designed with a netted lid or top to keep a child from climbing out. At least two known infant deaths were reported to the Commission, and many more were suspected as a result of the lid falling on the neck of the infant. It was further estimated in testimony before the Commission that more than 200 infants strangle in their cribs as their bodies become caught in the too widely spaced slats. Information about these preventable disasters and the progress being made by the Commission was brought to my attention last year, and I had hoped that private industry would have been more cooperative with the National Commission on Product Safety in its work. Evidently, this was not the case, and the manufacturers of the "Kiddie Koop" declined to testify at Commission hearings, although they were invited to do so.

I firmly believe that gaps in the existing law must be closed, and earlier this year I introduced H.R. 7509 to amend the Hazardous Substances Act and to accomplish primarily what is achieved in the legislation before us today.

The need, Mr. Chairman, for this legislation is great. Of the nearly 56 million U.S. children under 15 years of age, more than 15,000 die each year from accidents, a rate of 28 per 100,000 population. More than half of the number of children who died as a result of accidents in 1966 were preschool children. Of the 20 million nonfatal accidents that occur in and around the home, 10 million affect children under the age of 16.

Hundreds of thermal, mechanical, and electrical hazards are present in the vast array of toys and other articles intended for use by children, and these hazards produce thousands of injuries and deaths annually.

I am confident that this body will overwhelmingly approve this legislation to reduce such injuries and deaths in the future.

Mr. SPRINGER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the need to protect children from hazardous substances and toys which are dangerous has been recognized by Congress for some years. In 1966 the Hazardous Substances Act was amended so that toys which contained anything which was determined to

be such a substance could be rendered unmarketable. At the same time, things to be used around the household which were found to be too dangerous in the course of ordinary use were also so designated. It seemed to us at the time that the necessary authorities had been created to protect the users of such items from unwarranted and unnecessary danger. It now appears that the authority granted was not broad enough.

The 90th Congress created a Product Safety Commission with an assignment to explore the entire practical and legal problems concerned with the safety of consumer products. It was this Commission that looked into the situation surrounding the sale and use of children's toys and discovered that certain hazards do exist and are not covered by present law.

The list of examples of potentially dangerous toys cited in the committee report is enough to convince anyone that somewhat more protection by way of legislation is needed. We know that it is impossible to completely protect all or perhaps any consumer from every conceivable danger. Children particularly are attracted to it. The improvised toys created out of the imagination of children can be at times the most dangerous toys imaginable. Sticks and stones and rusty nails can become playthings in the activities and the games of children. That is no reason, however, that we should fail to protect these same children from unnecessary hazards in toys that are manufactured and distributed in the market.

The fact that a toy is on the market is undoubtedly some assurance to the adult buying that toy that it is reasonably safe for the purposes for which it is intended. It was found, however, that certain toys which generate heat can be very dangerous not only to the child using the toy but to the entire surroundings. Dangers to children or anyone else handling devices whether toys or otherwise which can produce lethal electric shock hardly need exposition here. Mechanical hazards are rather harder to explain and to visualize and certainly harder to regulate. In many instances the answer is in proper and prompt labeling rather than banning, but both must be considered. There are examples of mechanical devices which can shatter, cut or puncture far more easily than should be the case with anything properly put in the hands of children for play.

This bill would grant authority to the Secretary of Health, Education, and Welfare to sort out those items and those substances which present an undue hazard and ban them from the market or require proper cautionary labeling as the particular case may require. The bill does provide for administrative safeguards against hasty and unnecessary action and provides a right to those who would produce, import or distribute toys to present a case to have a hearing and if necessary judicial review. To many people the inclusion of such provisions which are not only proper but traditional in our form of government amount to weakening the protections provided by the law. Nothing could be further from the truth.

In the bill before us today if it appears to the Secretary that an article or device presents an imminent hazard to public health, he can ban its sale immediately. There will still be opportunity for hearings and all of the other protections that the persons affected by them should have a right to expect, but in such a case, while the argument goes on, the product is not on the market. If it is very questionable that the danger exists or is great enough to justify banning the product, the administrative process is followed to determine the proper course of action.

Another feature of this bill which should have a dampening effect on those who would knowingly sell dangerous products is the requirement for repurchase. It starts at the top and extends down to the ultimate purchaser. The buyer of the article may return it to his retailer who must repurchase it. The retailer then may do the same with his distributor, who may in turn make his appropriate claim on the manufacturer.

Since this bill does not create a new program but merely expands one already in being, there is no separate and express authorization of appropriations to be included. The Department of Health, Education, and Welfare estimates, however, that over a 3-year period the administration of this act will cost approximately $4½ million.

This bill is a logical addition to the Hazardous Substances Act and approaches the problem in a positive and evenhanded manner. I recommend it to my colleagues in the House.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Missouri.

Mr. HALL. I take it that the full committee and the subcommittee which held the hearings on this legislation, feel that protection against chemical substances is adequately handled in the original Federal Hazardous Substances Act; is that correct?

Mr. SPRINGER. The gentleman from Missouri has stated it correctly.

Mr. HALL. This is important. It is also important that the Members realize that that legislation was well enough done in its original concept and implementation, so that no further amendment was necessary. In my opinion the production of toys for children with paint where chemical absorption and so forth is important and conducive at least to plumbism (lead poisoning). If we are adequately protected, we need no further amendment, and adding thermal, mechanical, and electrical is most worth while, and I commend the committee.

I thank the gentleman for yielding.

Mr. SPRINGER. I thank the gentleman from Missouri for his contribution.

Mr. KEITH. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Massachusetts.

Mr. KEITH. Mr. Chairman, the Child Protection Act of 1969 is both a necessary and desirable piece of legislation, and I hope and trust that the House will adopt it overwhelmingly.

This legislation was not hastily arrived at. In hearings last year, the Commission on Product Safety documented dozens of cases of strangulation, asphyxiation, electrical shocks, punctures, cuts, and burns—all caused by hazardous toys.

Among the hundreds of cases of dangerous toys, the Commission found such things as—

Archery sets with rubber-tipped arrows. The tips are easily removable and the arrow then becomes extremely dangerous;

Toy stoves, irons, and so forth, that heat up to extraordinary temperatures and can easily burn a child, 600 degrees;

Dolls whose face and hair are highly flammable;

Compressed air guns that could damage a child's hearing if shot off near his ear;

Jequirity beads used in children's necklaces and dolls eyes that could be fatal if swallowed;

Baby teethers filled with contaminated water;

Baby rattles containing sharp stones;

Chemical sets that can be used to produce hazardous mixtures;

Toy space rockets with sharp metal fins;

Cap guns that can shoot projectiles up to 80 miles per hour;

Toy bunnies held together with projecting sharp spikes;

Blowguns in which the projectile can be swallowed if the child blows in instead of out;

Floating baby pool seats that can turn over if the child rocks excessively;

Teddy bears with eyes that are really heads of tacks that can be removed;

Dolls whose parts are held on with pins; and

Toy garden tools with sharp metal edges.

This is not to say that most toy manufacturers are negligent. Quite the contrary: the vast majority of toymakers are responsible and safety-conscious manufacturers whose products are safe and reliable. It is only a few manufacturers and importers, whose products do not measure up to the standards followed by the rest of the industry, who are the suppliers of the dangerous products.

So the vast majority of toy manufacturers concurred in the Commission's recommendations, which are embodied in the bill before us today. It calls for the Food and Drug Administration to survey toys and other children's items on the market to determine if they pose "thermal, electrical, or mechanical hazards through reasonable, foreseeable handling or use."

The FDA must adhere to the rulemaking procedures of the Food, Drug, and Cosmetic Act. However, there is provision in the act for immediate banning of the sale of a substance which poses an imminent danger to health, subject to later administrative and judicial review.

The bill also provides that in the case of a banned item, the manufacturer would have to repurchase the items from the retailers. This protects the retail store owner from being stuck with unsellable stock, and places the loss where it properly belongs—on the manufacturer of the dangerous toy.

This legislation will, to be sure, cost money—nearly half a million dollars the first year, rising to $1.3 million in 1972.

But it is a small price to pay for the protection of our children. I believe that the subcommittee and the full committee have done a good job with this bill—I strongly urge its passage.

Mr. HORTON. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from New York.

Mr. HORTON. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, a baby strangles to death on a lidded crib cover, a little girl suffers third-degree burns from a play oven, a boy punctures his eye when a top falls off of his toy. These tragedies could have been and must be averted.

We have before us today a bill that could prevent some of these accidents. It is the Child Protection Act of 1969. I cosponsored a similar bill in February to protect children from toys and other products intended for their use which might constitute an electrical, mechanical or thermal hazard.

I also testified before the Subcommittee on Commerce and Finance of the House Interstate and Foreign Commerce Committee in favor of the Child Protection Act in May of this year.

Mr. Chairman, it is inexcusable that more than 15,000 children die in the United States each year from accidents. Over 50 percent of these are preschool children.

The Senate realized the importance of this Child Protection Act and passed it, June 30. It is now time for this body to act.

Dangerous and deadly toys flood the market each year. This situation cannot be allowed to exist.

Certainly, toy manufacturers are not intentionally negligent, but children do not always use toys as they are intended.

The National Commission on Product Safety has recommended an amendment to strengthen the Child Protection Act of 1966. The bill before us today authorizes the Secretary of Health, Education, and Welfare to ban hazardous substances and remove them from the interstate market.

It attacks a number of hazards such as sharp or protruding edges, fragmentation, explosion, strangulation, suffocation, asphyxiation, electrical shock, and heated surfaces.

It also requires the repurchase of banned hazardous substances by manufacturers, distributors, or dealers.

Mr. Chairman, I urge my colleagues to vote for the Child Protection Act of 1969.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. BARRETT).

(By unanimous consent, Mr. BARRETT was allowed to speak out of order.)

THE SITUATION IN NORTHERN IRELAND

Mr. BARRETT. Mr. Chairman, the situation in Northern Ireland, which has resulted in much bloodshed and destroyed much property, has saddened many a face and heart here at home. It is most unfortunate that the grand folk of the Old Sod have found it necessary to turn to the streets, particularly since such actions have never settled anything. The situation is another smoldering ember from which a flame can ignite people of differing religious beliefs in many countries.

It is my fervent hope, and I am certain that of my colleagues, that cooler heads will prevail to settle the internal problems of Northern Ireland. We not only hope and ask for peace and tranquility between religious groups in Northern Ireland, but the establishment of love and affection for all the peoples throughout the world.

We also hope that Great Britain will interpose in Northern Ireland to see that all peoples have equal rights and the right for each to serve God in his own individual way.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. MIKVA).

Mr. MIKVA. Mr. Chairman, I thank the chairman of the committee for yielding this time to me.

I am concerned about some of the language that was added to subsection (s) of paragraph 7 which says that an article may be determined to present a mechanical hazard because the article—or any part or accessory thereof—may be aspirated or ingested.

Mr. Chairman, I would just like to clarify a point about the language which is being added to the act. It is my understanding that no toy shall be considered hazardous simply because it is small. It is possible to get that from the language because anything that is small might be aspirated or ingested.

From reading the committee's report on the bill it is my understanding that the committee did not intend that something should be determined to be hazardous just because it is small.

Am I correct on that?

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. MIKVA. I yield to the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I can assure the gentleman that that was not the intent of the committee, because the article or toy must "present an unreasonable risk of personal injury or illness," so that the size alone does not necessarily constitute a hazard.

Mr. MIKVA. I thank the gentleman. In other words, I assume, then, that what was referred to here as small relates to a toy with tiny parts which might break off, and therefore could become an unreasonable risk.

Mr. STAGGERS. I believe the language in the bill is the right language, and I believe it is self explanatory, and I again assure the gentleman that size is not a controlling factor.

Mr. MIKVA. I thank the gentleman.

Mr. ROGERS of Florida. Mr. Chairman, if the gentleman from Illinois will yield further, I think probably the thing that the committee did have in mind, as I recall the discussion, was the fact that in bubble gum machines sometimes they had very small items that would qualify under the unreasonable risk. In that respect size might become important in connection with a dangerous or hazardous risk. I think we should not leave the impression that size has absolutely nothing to do with it, because size might be one of the factors that would go to determine whether it was reasonable or not reasonable, and I believe that would be the feeling of the committee.

Mr. STAGGERS. If the gentleman will yield further, the language says "which presents an unreasonable risk," and that would have to be within the discretion of the Department. Small or large, the design or manufacture of an item must present an unreasonable risk of personal injury.

Mr. ROGERS of Florida. I think that that is true, but I also think that smallness could be one of the factors.

Mr. STAGGERS. It could be.

Mr. ROGERS of Florida. Of unreasonableness.

Mr. STAGGERS. That is correct.

Mr. Chairman, I now yield such time as he may consume to the gentleman from Louisiana (Mr. WAGGONNER).

Mr. WAGGONNER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I understand perfectly well what the committee is attempting to do here, and of course something needs to be done because there are hazardous substances and materials utilized in the manufacture of these toys.

On page 9 of the bill, subparagraph 2, we talk about the distributor of any such article or substance repurchasing from a buyer of an article under certain conditions.

I want to make it perfectly clear for the RECORD just exactly what we are talking about. We are talking about a distributor, because in our scheme of manufacturing in the United States sometimes a distributor can be a manufacturer, but it is not necessarily always so.

Am I correct in assuming that where an article is manufactured in the United States and is distributed by some broker, for example, if the distributor or the dealer then repurchases an unsatisfactory item, this dealer can in turn go back to the distributor, and the distributor who then repurchases can demand a refund from the manufacturer?

Mr. STAGGERS. That is correct.

Mr. WAGGONNER. Am I correct as well, Mr. Chairman, in assuming that under the language as contained in the legislation a distributor or dealer who markets a foreign product has no comeback on the foreign manufacturer because, of course, we cannot legislate in that direction, but runs that risk himself?

Mr. STAGGERS. That is correct; he takes this risk when it is brought in and it would have to be either a dealer or a distributor or whoever imports the product.

Mr. WAGGONNER. I thank the gentleman.

Mr. RYAN. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I am very glad to yield to the gentleman from New York.

Mr. RYAN. Mr. Chairman, I commend the distinguished chairman and the Committee on Interstate and Foreign Commerce for bringing this legislation to the floor to protect children from certain hazardous toys and articles.

I have been very much concerned about the problem of lead poisoning among children which is particularly prevalent where children living in dilapidated housing eat bits of old lead based paint which peels and chips off.

I have introduced three bills intended to combat lead poisoning.

H.R. 9191, which is also H.R. 13256 with 18 cosponsors, has been referred to the Interstate and Foreign Commerce Committee. I have discussed it with the chairman and had hoped that its provisions could be included as an amendment to the pending Child Protection Act of 1969. However, I am advised by the Parliamentarian that it is not germane to the pending bill. Therefore, I will not offer it as an amendment, but I urge the committee to hold prompt hearings.

H.R. 9191, the Lead Based Paint Poisoning Elimination Act of 1969, would establish a fund in the Department of Health, Education, and Welfare from which the Secretary could make grants to local governments so that they could develop programs to identify and treat individuals afflicted by lead poisoning. These grants would not exceed 75 percent of the cost of the development and execution of the approved program during a 3-year period.

The local programs would be aimed at tackling the problem in one of several ways:

It would be educational and explain the dangers and prevalence of lead poisoning to parents, educators, and local health officials.

It would include a community testing program to detect the presence of lead poisoning and insure immediate medical treatment for those affected.

There would be a followup program to prevent those who have had lead poisoning from being reexposed.

The program would also have to involve residents of the areas who would be trained, educated, and given the necessary information so that they could be employed, to the maximum extent possible, in the program.

Largely ignored in the past, only recently has the nature and effects of lead poisoning, one of the most widespread diseases afflicting children in our urban centers today, become known.

Recognizing the danger of lead-based paint, many localities have outlawed its use on the interior surfaces of housing. But where old coats of lead-based paint remain, it peels and falls off. In the dilapidated housing in our inner cities, children easily get their hands on the pieces of paint and plaster that have fallen from the walls and ceilings and eat it—this is how they get lead poisoning.

Children living in substandard city slums are exposed daily to this health hazard. It has been estimated that between 25,000 and 30,000 New York City children a year suffer from lead poisoning. Recent studies in Cleveland, Chicago, and Baltimore show that 5 to 10 percent of the children tested had lead levels serious enough to qualify them as poisoned.

The New York Times of September 1, 1969, carried an article about a survey done in the Brownsville section of Brooklyn by Brooklyn College and the Neighborhood Youth Corps. Evidence of lead poisoning was found in some 45 percent of the families interviewed. Of the 400 families reached in this door-to-door survey, 182 cases of lead poisoning were found; 94 had to be hospitalized.

To make the problem worse, lead poisoning cases are seldom reported. For example, in New York, cases of the disease are reported only after it has reached its most critical stages.

When it has gotten this far, lead poisoning produces cerebral palsy, epilepsy, permanent mental retardation, and death. Between 1954 and 1964, 128 children died of lead poisoning in New York; in the last 10 years 138 have died in Chicago. In May a 2-year-old girl died in Newark.

Because available funds are so scarce in our cities, it is difficult for them to cope with this problem. For this reason, Federal assistance is necessary if the causes and effects of lead-based paint poisoning are to be eliminated. Congress must take the lead in arresting this disease and ending these unnecessary deaths.

I introduced three bills—H.R. 9191, H.R. 9192, and H.R. 11699—in March, and then again in July with 18 of my colleagues, which would deal with this problem. These three bills attempt to alleviate, and hopefully terminate this lead poisoning epidemic in our cities' children.

I have already explained H.R. 9191—H.R. 13256 with cosponsors—which is before the Committee on Interstate and Foreign Commerce.

H.R. 9192—H.R. 13254 with cosponsors—is aimed at the problem of slum housing itself, and the necessity to end the cause of lead poisoning. It authorizes the Secretary of Housing and Urban Development to make grants to local governments which would allow them to generate programs designed to detect the presence of lead-based paints. It would require that owners and landlords remove the paint and refinish the walls and ceilings with non-lead-based paint.

H.R. 11699—H.R. 13255 with cosponsors—attempts to combat the growth of this disease. It would require that local governments submit to the Secretary of Housing and Urban Development an effective plan for eliminating the causes of lead-based paint before they could receive any Federal funds for housing code enforcement or rehabilitation.

This poisoning of our children must not be allowed to continue. Lead poisoning is not a disease with questionable cause and a nonexistent cure. We know how a child gets lead poisoning, and we know how to cure an afflicted child.

I urge the Congress to take action necessary to combat and eliminate lead poisoning.

Mr. STAGGERS. This subject is covered at least in part under other legislation. But I want to say this to the gentleman that I think he certainly has shown great foresight and vision in mentioning it.

I am not able to say to the gentleman when we are going to have hearings on this subject. We recognize the importance of a continuing interest in this, and further legislation may be desirable.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I am happy to yield to the gentleman.

Mr. MOSS. Mr. Chairman, I think the answer would be that the gentleman is talking about a substance already covered under the Hazardous Substances Act. The committee is now awaiting a report from the special Commission on Consumers' Products Safety, where many recommendations will be made and I think it would be wiser to await that report and then act upon the recommendations contained in it, at a time when we can do a more adequate job rather than doing it on a piecemeal basis in dealing with it at this point.

Mr. RYAN. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman.

Mr. RYAN. Mr. Chairman, may I say both to the distinguished chairman of the subcommittee and the distinguished chairman of tne full committee that I appreciate their interest.

I certainly hope attention will be given by the committee to my bill which would set up a program for testing and then for treatment of lead poisoning among children and make it possible for Federal assistance to be made available to the local communities in order to carry out such a program. That is the intent of this legislation, and I hope action can be taken on it.

Mr. Chairman, I thank the distinguished gentleman for yielding.

Mr. STAGGERS. In response to the gentleman, I would just like to say to the gentleman from New York that in the present law, and this is in the second section, subsection (g), it reads as follows:

> The term "toxic" shall apply to any substance (other than a radioactive substance) which has the capacity to produce personal injury or illness to man through ingestion, inhalation, or absorption through any body surface.

So this is covered but in the light of the gentleman's presentation here today, the committee would be glad to take a further look at the bill now pending before the committee.

Mr. RYAN. I thank the Chairman. Although lead-based paint may be labeled as toxic, there is no Federal program to detect and treat lead poisoning, which is the purpose of my bill.

Mr. BURKE of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. Mr. Chairman, I rise in support of H.R. 7621, the Child Protection Act of 1969. At this time I would also like to commend the distinguished chairman of the House Interstate and Foreign Commerce Committee, the Honorable HARLEY O. STAGGERS, and the members of the committee for their outstanding work on this legislation, which would amend the Federal Hazardous Substances Act to bring within the purview of the act several new categories of dangerous toys.

The present law defines a hazardous

substance and to this definition the bill adds and defines electrical, mechanical, and thermal hazards as they exist in children's toys now on the market.

I am particularly interested in this legislation in as much as it will attempt to correct a serious problem that exists in our Nation—the problem of hazards caused by lead poisoning. Deaths of youngsters, severe brain damage and mental retardation have resulted from lead poisoning. These tragic effects of lead poisoning for so many children demand immediate attention. I am confident, Mr. Chairman, that continuing investigation will be pointed toward these areas for the detection and elimination of hazardous substances in children's toys and articles.

Mr. STAGGERS. I thank the gentleman for his comments. Under earlier legislation we set up a National Commission on Product Safety. The Commission has been holding hearings, and they will come up with further recommendations. Recently the Commission's time was extended. They are looking into many safety questions. The bill today is in part a result of the Commission's work. I am sure they will be in operation for some time yet, and certainly they will be listening to any suggestions of any of the Members.

Mr. BURKE of Massachusetts. I wish to thank the chairman.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Ohio.

Mr. FEIGHAN. Mr. Chairman, I support H.R. 7621, the Child Protection Act of 1969, to protect children from toys and other articles which structurally present electrical, mechanical, or thermal hazards.

As toys become more sophisticated to meet the needs and interests of the modern child, their construction is of a more technical nature. Hazards such as sharp or protruding edges, excessive heat and accessibility of electrical connections are hidden within the toy's framework and obviously not evident to the purchaser. In many instances, toy manufacturers have not exercised care by incorporating devices which would insure protection of the young consumer against these dangers. Their concern has been with innovation, paying little attention to safety in the introduction of new products. The result has been a devastatingly high rate of toy-related injuries in the under 15 age group. Clearly, some positive steps must be taken to reverse this trend.

Under the enforcement of the 1966 amendments to the Federal Hazardous Substances Act, the Child Protection Act of 1966, toys which are or contain hazardous substances, defined as toxic, corrosive, an irritant, a strong sensitizer, flammable, or radioactive, have been banned. Only recently, however, through work of the National Commission on Product Safety and the Food and Drug Administration, the dangers presented by electrical, thermal, and mechanical hazards have been discovered. Such seemingly innocent playthings as a Little Lady oven, Tyke bike, Roly Poly doll, stuffed toy rabbit, and Kiddie Koop among many others present lethal dangers if not properly handled. While an aware adult would undoubtedly discern the inherent hazards, one cannot expect a preschool child for whom these toys are designed to exercise care when playing with them. In the same vein, it has been demonstrated that warning labels are not sufficient guards against potential dangers.

Strong preventive measures must be taken to end these needless accidents. I urge my colleagues to support the Child Protection Act.

Mr. SPRINGER. Mr. Chairman, I yield to the distinguished gentleman from Nebraska (Mr. CUNNINGHAM) such time as he may consume.

Mr. CUNNINGHAM. Mr. Chairman, I strongly support this legislation. As a member of the Interstate and Foreign Commerce Committee, I introduced a companion bill or an identical bill to Chairman STAGGERS' bill which is now before us. I have long been interested in safety, having served professionally in that field for 6 years some time ago, and having six children of my own, I know the importance of protecting children from the harm and death that has come from unsafe toys and other items. So I feel confident that this bill will have overwhelming support from the House, and I am hopeful that it will soon be enacted into law.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

Mr. STAGGERS. Mr. Chairman, I yield to the gentleman from Michigan (Mr. O'HARA) such time as he may consume.

Mr. O'HARA. Mr. Chairman, I wish to inquire of the distinguished committee chairman, the gentleman from West Virginia, about a part of the committee amendment which might be construed to seriously hinder the enforcement of the provisions of this bill.

I would like to call the attention of the chairman to the language on page 5, starting on line 19, dealing with toys presenting an "imminent hazard." Apparently a hearing will be necessary to remove a "hazardous substance" from the marketplace but, according to the bill, as I understand it, a toy can be removed from the marketplace without a prior hearing if it presents an "imminent hazard." Is that correct?

Mr. STAGGERS. Let me answer it this way, if I may. If the gentleman will go back to the report, he will see where this fits into the original act, and I might just quote from the law, where it says:

> (B) . . . In the case of any toy or other article intended for use by children which is a hazardous substance described in clause (B) of subparagraph (1) of this paragraph, if the Secretary finds that its distribution presents an imminent hazard to the public health, he may by order published in the Federal Register give notice of such finding, and thereupon it shall be deemed to be a 'banned hazardous substance' pending the completion of proceedings relating to the issuance of regulations pursuant to such clause.

If the Secretary finds the substance presents an imminent hazard to the public health, he may by order published in the Federal Register give notice of such finding, and the substance shall be deemed to be banned as a hazardous substance, and then there will be hearings; but it is banned from the market. It says right there the substance shall be deemed to be a banned, hazardous substance, and it is banned right then. There may be hearings afterward to see whether the substance shall be put back on the market or banned forever, but those hearings will be held after it is banned. This language is already in the law, and we have included it in this bill to cover electrical, thermal, and mechanical hazards.

I know it has been misrepresented to this House that we have weakened this bill, but the Department need not and should not go through any formal proceeding under this bill whenever an imminent hazard exists. The Secretary should ban it right then. He has the authority. Hearings can follow.

Mr. O'HARA. Mr. Chairman, I appreciate the gentleman's statement. I would like to inquire further. It has been suggested by some who oppose this change the committee made—and I am not one of them—that in order to establish an "imminent hazard," the administration would have to demonstrate that the substance had killed or maimed people, or something of that nature. Could the chairman give us a clearer idea of what findings would be necessary to establish an imminent hazard permitting removal of a toy from the marketplace before hearings had been held?

Mr. STAGGERS. All the Secretary has to do is be sure in his own mind, that it presents an imminent hazard; he has the power given to him in the law, and he can ban it right then.

Mr. O'HARA. In other words, if it seems clear to the Secretary that this toy is a hazard, that is enough?

Mr. STAGGERS. That is correct.

Mr. O'HARA. Mr. Chairman, I thank the chairman of the committee. I think the change made by the committee is constructive and ought to help rather than hinder proper enforcement of this act.

Mr. STAGGERS. I do not know where the suggestion ever came from that it would hinder the enforcement. I certainly back the subcommittee in what they have done.

There are so many things I could give examples of. One was the Zulu dart in Philadelphia, in which 11 children using the dart sucked parts into their lungs. The damage by those darts could have been prevented. As I said a moment ago, there are 15,000 deaths which occur needlessly in the United States each year. We have all kinds of examples.

Mr. O'HARA. The term "imminent hazard" would clearly include an item such as the Zulu dart, would it not?

Mr. STAGGERS. Yes. All the Secretary has to have is an indication that it might be hazardous and he has the power then to enforce it.

Mr. O'HARA. Mr. Chairman, I thank the gentleman. I see no reason why the administrators of this act, if it is amended as the committee has suggested and I hope it will be—cannot give prompt and effective and strong enforcement under

the committee's language. I fully support the committee's amendment.

Mr. STAGGERS. Mr. Chairman, I thank the gentleman from Michigan. That is the intent of the committee action, I assure the gentleman.

Mr. Chairman, I yield such time as he may consume to the chairman of the subcommittee (Mr. Moss).

Mr. MOSS. Mr. Chairman, recently, a nationally syndicated column charged that the House bill would impose "impossible bureaucratic procedures" requiring the Government "to go through a prolonged process of notice, hearings, and bureaucratic maneuvering before a dangerous toy could be banned from the market." The article implies that these procedures could delay for years action against toy manufacturers who, in the meantime, could continue to market hazardous toys. It also accuses a committee staff member and a Washington attorney of conspiracy to bring about these provisions, and I quote from the article:

The Senate bill to protect children from dangerous toys—games that blind, toy ovens that produce 660-degree temperatures, rattles that come apart exposing sharp daggers—has run into a road block in the House.

The toy manufacturers, careless about hazardous toy designs if they cut costs and who have been getting away with it, abandoned their New York lawyer and looked around for a Washington attorney with influence in Congress. Like many big-money clients before them, they sought out the prestigious, politically potent law firm of Clark Clifford.

Clifford's law partner, Thomas D. Finney, Jr., who managed Sen. Eugene McCarthy's presidential campaign last year, accepted the case. He slipped around to see members of the House Commerce Committee about pulling the stinger out of the Senate bill.

Finney succeeded, with the help of committee aide Bill Dixon, in encumbering the bill with impossible bureaucratic procedures. The language Finney has tacked onto the bill would require the government to go through a prolonged process of notice hearings and bureaucratic maneuvering before a dangerous toy could be banned from the market.

Finney could use these procedures to delay for years action against toy companies that manufacture hazardous playthings. In the meantime, children could continue to be injured.

The no-nonsense Senate bill was the work of Sen. Frank Moss (D-Utah) who acted upon evidence produced by the National Commission on Product Safety.

Toys that should be a source of fun, he found, often cause injury and death. Every year 500,000 children are injured from swings; 200,000 from slides, 50,000 from seesaws. Toxic, corrosive, flammable goods abound on the toy counters.

A blowgun caused serious injuries when the darts were inadvertently inhaled and embedded in the lungs. One "sonic blaster" emitted such a blast that it endangered children's eardrums. Manufacturers are making more hazardous bicycles with highrise handlebars. There are S-hooked swings, skateboards and lead-painted toys.

Some baby teethers contain water contaminated with coliform bacteria. Chemistry sets were found with inadequate or nonexisting caution labels. Highly flammable cloth was wrapped around the metal hoops of a toy tunnel. In a plastic doll manufactured for toddlers, a hair ribbon can be easily pulled out exposing a dangerous pin-like protrusion.

With the aid of the influential Finney, however, the toy industry appears to have sabotaged the needed reforms.

I would like to state for the RECORD that these charges are totally untrue. This bill applies existing provisions of the Federal Hazardous Substances Act to toys which present an electrical, mechanical, or thermal hazard. A toy or other article intended for use by children which presents hazards defined in the bill is automatically subject to the act and cannot be marketed unless labeled in conformity with its requirments. If the Secretary finds that, notwithstanding such labeling, the hazard to the public health remains, the toy is then banned from the marketplace. In making that determination, the Secretary is required to afford interested parties an opportunity for a hearing and to make his determination based on the evidence at such hearing. But as a safeguard, the bill authorizes the Secretary to remove any toy or article from the market immediately pending his final determination as to whether it will be banned permanently from the market.

Thus, there are no bureaucratic procedures which could tie the administrator's hands or prevent his removing a hazardous toy from the market immediately. Moreover, since a hearing cannot be used for delay, there is no incentive for the manufacturer to request such hearing unless there are honest questions of fact to be resolved.

Mr. HALPERN. Mr. Chairman, the consideration of H.R. 7621—the Child Protection Act of 1969—presents us with an ideal opportunity to exercise our functions as legislators. We have on the one hand an intolerable and perilous situation that needs urgently to be remedied; we have on the other hand precisely the remedy needed.

According to the figures of the National Commission on Product Safety, each year more than 15,000 American children under 15 die from accidents caused by dangerous or lethal toys or other products intended for children. This shocking mortality rate—which is 28 per 100,000 population—exceeds the rate of death in this age group from cancer, contagious disease, heart disease, and gastroenteritis combined.

Most of the injuries caused by toys and other children's products seem to involve electrical, mechanical, and thermal hazards; such products as toy ovens, grills, or irons, certain types of archery or dart sets, bikes or rocket ships, are examples of products that can cause injury or death to young children. Even some dolls and stuffed toy rabbits have been found to have sharp pins or points concealed about them.

Shockingly, none of these toys are covered under the Federal Substances Act and are thus still allowed to be marketed in this unsafe condition. Passage of the Child Protection Act would materially change the unfortunate situation which I have described. The bill would amend the Federal Hazardous Substances Act to protect children from toys and other children's articles which are hazardous due to the presence of electrical, mechanical, or thermal hazards upon a specific regulatory determination by the Secretary that an article is hazardous. It would thus follow the lead of the Child Protection Act of 1966 which amended the Hazardous Substances Act to ban toys made of or containing irritants, strong sensitizers, toxic, corrosive, flammable, or radioactive substances.

We—and the people we represent—have recently become aware that a gap exists in the Hazardous Substances Act, in the protection of our children from dangerous products—and we have learned to our sorrow how serious a gap it is. Let us close this gap, let us in future years be able to erase the cruel statistic of 15,000 children's deaths, let us pass the Child Protection Act of 1969.

Mr. BOLAND. Mr. Chairman, in 1966 the Congress went a long way in gaining the confidence and approval of American parents concerned about the safety of their children when we passed the Child Protection Act of that year. That measure amended the Federal Hazardous Substances Act to protect children by banning toys or other articles that are made of—or that contain—hazardous substances. This year, we in the Congress can once again do a service to American parents, their children, and to the Nation as a whole: We can pass the Child Protection Act of 1969.

This bill—H.R. 7621, recommended by the National Commission on Product Safety—would amend the Hazardous Substances Act to protect children from toys and other children's products which are dangerous due to the presence of electrical, mechanical, or thermal hazards. It would thus expand the definition of a hazardous substance, which now means any irritant, strong sensitizer or toxic, corrosive, flammable, or radioactive substance.

In 1968, the Product Safety Commission held extensive hearings and discovered that a number of articles presently on the market constitute serious hazards to children. Such things as sharp or protruding edges, excessive heat, and accessibility of electrical connections were found on numerous toys and articles designed for use by children. Various toy ovens, corn poppers, grills, and irons were examined and were found either to present the possibility of electrical shock or to heat up to temperatures of as high as 800 degrees. Certain toy rockets were determined by the Commission to have dangerous protruding points and fins, while a type of bike revealed potentially perilous surfaces once the handlebar grips were easily removed. Some dolls, it was found, have sharp pins connecting their hair ribbons to their heads; certain archery and dart sets have sharp metal points under the easily removed rubber tips; even the ears of a stuffed toy rabbit were easily taken off to show razor-sharp metal tips, while straight pins only loosely connected its eyes to its head. In sum, the examination conducted by the Product Safety Commission convinced its members—and the public—that a large number of truly dangerous articles for children are still on the market and not covered by any Federal law.

Toys such as the ones that I have here

described can expose children to cuts or burns, strangulation, suffocation, asphyxiation, or electric shock. Every year in the United States 15,000 children under the age of 15 die from accidents. This rate of death—28 per 100,000 population—exceeds the rate for deaths in this age group from cancer, contagious diseases, heart disease, and gastroenteritis combined. And, according to the Product Safety Commission, most of the injuries caused by toys and other such articles result from electrical, mechanical, and thermal hazards. This scandalous situation must be allowed to continue no longer; such intolerably dangerous products must no longer be allowed to be available to unsuspecting parents and innocent children.

Passage of the Child Protection Act of 1969 would have a number of highly beneficial results: First, it would surely lower the shocking rates of death and injury among children from toy-related accidents. Second, enactment of this piece of legislation would serve notice on product manufacturers in all areas that the Congress is determined that all American citizens will be protected in the marketplace from potentially damaging articles. Finally, the passing of this measure would almost certainly contribute to a resurgence of confidence in the Government's intentions in the field of consumer legislation. Only good can come from the passing of H.R. 7621; not to do so would be to compound a scandal already too long in existence.

Mr. MATSUNAGA. Mr. Chairman, I rise in suport of H.R. 7621, the Child Protection Act of 1969.

The evidence is overwhelming that sophistication has touched upon all aspects of our daily lives. In the home, modern appliances and gadgets of every conceivable type and for almost every known purpose are available to us today. Even our very young and our not-so-very young have come within the ambit of this sophistication. In this age of Apollo, toy manufacturers have assumed that unless their products are copies of grownup versions in every important detail, their toys would not find a ready market. The result has been that toys and other children's articles are made with little regard for, and too often purchased in ignorance of, safety factors.

It is clear, therefore, that something has to be done, and soon in view of the approaching yearend holiday season, to protect the Nation's children from toys and other articles which are dangerous because of the presence of electrical, mechanical, and thermal hazards.

The legislation we are now considering is designed to meet this need. H.R. 7621 would enlarge the definition of a hazard in the Federal Hazardous Substances Act to include electrical, mechanical, and thermal hazards as to children's toys and articles.

If enacted, this legislation would ban from the marketplace toys and other children's articles which have sharp or protruding edges, accessible electrical connections, or produce excessive heat. The National Commission on Product Safety has found that the toys possessing these characteristics exposed children to burns, cuts, strangulation, suffocation, asphyxiation, and electric shock. Of the nearly 56 million children under 15 years of age in this country, more than 15,000 of them die each year from accidents. And it has been found that electrical, mechanical, and thermal hazards predominate in the records of toy-related injuries.

While it is true that the National Commission on Product Safety recommended this legislation, it is nevertheless to the great credit of the distinguished chairman of our Interstate and Foreign Commerce Committee, the gentleman from West Virginia (Mr. STAGGERS) and the able members of his committee that this legislation was acted upon favorably and with such obvious dispatch.

Mr. Chairman, the legislation deserves our support. I urge a unanimous vote in favor of passage.

Mr. DONOHUE. Mr. Chairman, as a sponsor of similar legislation, H.R. 8277, I most earnestly hope and urge that the House will speedily and overwhelmingly approve this bill before us, H.R. 7621, which expands existing legislation in order to further protect children from toys and other articles that are dangerous due to the presence of electrical, mecnanical, or thermal hazards.

As most Members are aware, the provisions of this measure have been recommended by the National Commission on Product Safety; they are also recommended by the administration, and they have significant congressional support as indicated by the great number of bills that have been submitted on this subject by Members of both the House and the Senate.

In substance, the effect of this bill is to require manufacturers to take into account, when designing and producting toys and articles for child use, the safety of the article in normal use and when it is subjected to reasonably foreseeable damage or abuse. This requirement recognizes and accepts the idea and recommendation of the representatives of the Committee on Accident Prevention of the American Academy of Pediatrics that the greatest need, for protection against child injury from using toys and other articles, is the projection, in original manufacture, of engineering standards for safety, built-in safety, fail-safe products, and fail-safe design.

Unquestionably, authoritative experience and testimony tends to clearly and impressively show that this is the best practical and comprehensive way to insure, as much as we reasonably can, that children are protected from substantial injury or illness from the use of toys and other articles commonly associated with their daily life activity.

Mr. Chairman, there is no doubt, from the expert testimony presented here, that there is urgent need for this child protection legislation; the requirements being placed upon manufacturers and the investigating and regulating duties and costs imposed upon the Federal agencies involved are entirely reasonable and unquestionably the legislation is in the national interest. Let us, therefore, recognize the urgency and reasonableness of this legislative proposal on behalf of the Nation's children and adopt it without extended delay.

Mr. BIAGGI. Mr. Chairman, there is nothing more tragic than the needless injury to a child caused from hazardous elements in his own personal toys. Yet manufacturers continue to mass produce toys that are potential killers and innocent parents eagerly purchase them for the ones they love most.

Dangers in children's toys have sparked a wave of concern throughout our Nation. Letters pour into the Department of Consumer Affairs, the U.S. Public Health Service, toy manufacturers, and into each of our offices stating incidents of injury and begging for help in controlling this monstrous situation.

We only have to list some of the harsh facts to realize the graveness that prevails. Seventeen million children a year are reported injured in some way by using unsafe toys. Fifteen thousand children have already been killed and of these more than 50 percent had not yet reached their fifth birthday.

It is very possible that right at this very moment a toy which is making a little girl laugh will be that which takes her life. A lovable doll easily has a flammable face, sharp pins holding on its hair and some spiked mechanism turning its head. A young boy's delight, a self-propelled space rocket, is often made with protruding fins and jagged points which readily pierce the skin. A collapsible tunnel, a toy tent, a playhouse can easily turn into an inferno caused by the combustibility of the unheated fabric.

I am sure that no manufacturer deliberately makes a product to intentionally hurt or kill the person we wants to use it. But children and parents are often unaware of a toy's intended use and its potential dangers. Indeed, in our advanced technological society we should feel free to purchase the many appealing toys without being compelled to dissect and test their safeness. America's products on the open market must have the confidence of the consumer.

Manufacturers can easily eliminate hazards in toys by redesigning them. The toys will still be just as creative, just as sophisticated, just as alluring and just as cherished by children using them. It is quite apparent that simple precautions can save a life or stop a physical impairment without costing this imaginative industry any dollars.

Safety is not solely the responsibility of the manufacturer, it is the responsibility of every citizen.

Protection for consumers was first sought in 1960 with passage of the Federal Hazardous Labeling Act making it mandatory to fully label products. Amendments in 1966 strengthened this act by providing the authority to ban certain toys and products from the market.

Despite the steps already taken current laws do not adequately protect children. Many injuries are caused by electric shock, sharp edges, asphyxiation, overheating, and suffocation. The bill presently before the House, the Child Protection Act of 1969 will complete the gap

left unfinished by the 1966 law. When passed, toys and other articles intended for use by children will be banned if they have electrical and mechanical devices and flammable elements that in any way cause injury to a child. The Child Protection Act of 1969 offers our Nation the necessary legislative protection. Harmful toys will be kept out of the arms of small children.

We in the U.S. Congress must act now in providing better protection. Time is not on our side, for every moment we wait the bell tolls for the lives of innocent children. I urge my colleagues in the U.S. Congress to pass this bill.

Mr. EILBERG. Mr. Chairman, I rise today to indicate my support for the bill now under consideration despite the fact that I am not in agreement with some of the changes which the committee made in the bill which I introduced and the bill which already has passed the other body.

By far the most significant difference in the bill which the Senate passed and the one which we are now considering relates to the procedure to be utilized by the Secretary of the Department of Health, Education, and Welfare in banning a hazardous toy or other article intended for use by children. The major purpose of the Child Protection Act of 1969 as sponsored by myself and others, was to amend the Federal Hazardous Substances Act relating to banned hazardous substances to permit the Secretary by regulation to eliminate from interstate commerce an yoys of products to be used by children which have electrical, thermal, or mechanical hazards. In my view, the bill which we now are considering is superior to the one passed by the Senate earlier this year and the one which I cosponsored in one respect only: its definitions of thermal, electrical, and mechanical hazards are preferable because of their relative simplicity.

The Child Protection Act of 1969, as passed by the Senate, provides for an informal rulemaking determination by the Secretary pursuant to 5 U.S.C. 554, while the bill we are now considering requires a formal proceeding pursuant to section 701 of the Food, Drug, and Cosmetic Act. I firmly believe that the version passed by the Senate and the language which I included in the bill which I sponsored is vastly preferable to this procedure. The procedure which is contained in H.R. 7621 might in fact severely impair the effectiveness of the statute. I base this conclusion on the fact that the procedure contained in the House bill for getting a hazardous toy off the shelves would require a lengthy trial-type proceeding with respect to the banning of every toy which the Secretary decided was hazardous. In view of the acknowledged lack of personnel and funds available to the Food and Drug Administration, which under both bills would enforce the statute, the administrative burden of such elongated proceedings would be substantial. Under a similar procedure now found in the Federal Hazardous Substances Act—but not now applicable to toys—only one hazardous household product, a floor wax has been banned from the marketplace since 1966. A second product—carbon tetrachloride—has been involved in a morass of administrative proceedings for over a year.

I believe the procedures set forth in my bill, and incidently in H.R. 7621 as originally sponsored by the distinguished chairman of the committee, are much more desirable in view of the structure of the toy industry. We all can appreciate the fact that a substantial portion of all toys sold are sold during a short 2- or 3-month period immediately prior to the Christmas holidays. The lengthy administrative procedure which is required by H.R. 7621 as reported by the committee would make it impossible, in many situations, to remove toys from the marketplace before they had passed into the hands of consumers.

I recognize full well that H.R. 7621 as it is now written does provide that the Secretary may ban a toy pending completion of administrative hearings if he finds an "imminent hazard," the use of this provision may well be limited by administrative fear of court reversal in all but the most severely hazardous situations. I believe that in the case of children, the burden of proof should not be so heavy on administrative officials charged with their protection. For these reasons, I urge the committee to reconsider its position as to the procedures it has outlined for banning hazardous toys from the marketplace.

I will not go into an exhaustive list of the toys which just cursory examination by the Commission on Product Safety found to be hazardous to the lives and limbs of our children. They are all there in the record of the hearings and the committee report. Also, I will not go into the ineffective manner in which the toy industry has regulated itself. This too is contained in the hearings record. One thing which is not contained in the hearings record in either body is testimony by anyone supporting the change which the committee has made in the procedure which the Secretary can employ in taking these hazardous toys off the shelves. I find this implausible at best. Where did this bill come from with its new procedure? There is no record of it ever having been discussed.

Our children will not be protected from hazardous toys by the old way of taking these toys out of the marketplace just as they will not be protected by the old doctrines and comforting presumptions. Caveat emptor will not protect the children of this Nation from injurious toys. Neither will these children be protected by the Underwriter's Laboratory seal, the Good Housekeeping Seal or the approval of the Parent's magazine. I am not under the illusion that we can protect the consumer public through legislation alone. We must do two things additionally. We must pass laws which prod the enforcement agencies who are charged with the implementation of the legislation into realizing that they must enforce the law. In this respect, I believe we should avoid wherever possible the long drawn out rulemaking procedures which are included in H.R. 7621. Second, we must create an atmosphere where these enforcement agencies are not timid about asking for additional power. This also would not be enhanced by the bill we are now considering. However, because I believe so strongly that something has to be done to take hazardous toys off the market, I will support this bill in the hope that the conference committee will act to make this Child Protection Act of 1969 more protective of the lives and limbs of our children.

Mr. TIERNAN. Mr. Chairman, the need for this legislation becomes readily apparent when one considers the fact that of the nearly 56 million U.S. children under 15 years of age, more than 15,000 die each year from accidents, a rate of 28 per 100,000 population. This figure is higher than the combined number of deaths from cancer, contagious diseases, and heart disease for this age group. More than half of the number of children who died as a result of accidents in 1967 were preschool children.

Of the 20 million nonfatal accidents that occur in and around the home, 10 million affect children under the age of 16. Stationary outdoor recreational equipment used by younger children is estimated to cause an exceedingly high injury toll: 500,000 from swings; 200,000 from slides; 50,000 from seesaws.

Injuries involving children's mobile equipment are estimated to total 1,300,000 each year, with 1 million of these attributable to bicycles and resulting in 120,000 fractures and 60,000 concussions and another 100,000 related to tricycles.

There is a definite need for additional legislation to protect our children against hazards found in various toys and other articles intended for use by youngsters. Too many unreasonably hazardous articles for children are for sale in the marketplace today. Hardly any industry standards exist to deal with their design and manufacture. Passage of H.R. 7621 would go a long way toward providing a safer environment for our children.

I urge my colleagues to join with me in support of the Child Protection Act of 1969.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

Mr. STAGGERS. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, all time has expired.

Pursuant to the rule, the Clerk will now read the committee amendment in the nature of a substitute printed in the bill as an original bill for the purpose of amendment.

The Clerk read as follows:

H.R. 7621

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. This Act may be cited as the "Child Protection Act of 1969".

SEC. 2. (a) Section 2(f)1 of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(1)) is amended by adding at the end thereof the following:

"(D) Any toy or other article intended for use by children which presents an electrical, mechanical, or thermal hazard."

(b) Section 2(q) of such Act (15 U.S.C. 1261(q)) is amended as follows:

(1) Clause (A) of subparagraph (1) is amended by inserting "as defined in clause

(A), (B), or (C) of subparagraph 1 of paragraph (f) or in subparagraph 2 of such paragraph" immediately after "which is a hazardous substance"; and by inserting "such" after "bears or contains".

(2) Subparagraph (1) is amended by striking out "or (B)" and inserting in lieu thereof the following: "(B) any toy or other article intended for use by children which is a hazardous substance as defined in clause (D) of subparagraph 1 of paragraph (f) of this section, and which the Secretary by regulation classifies as a 'banned hazardous substance' on the basis of a finding that, notwithstanding such cautionary labeling as is or may be required under this Act for that toy or article, the degree or nature of the hazard involved is such that the objective of the protection of the public health and safety can be adequately served only by keeping such toy or article out of the channels of interstate commerce; or (C)".

(3) Subparagraph (2) is amended—

(A) by inserting "or (C)" immediately after "clause (B)";

(B) by striking out ": *Provided*, That" and inserting in lieu thereof a period and the following: "In the case of any toy or other article intended for use by children which is a hazardous substance described in clause (B) of subparagraph (1) of this paragraph if the Secretary finds that its distribution presents an imminent hazard to the public health, he may by order published in the Federal Register give notice of such finding, and thereupon it shall be deemed to be a 'banned hazardous substance' pending the completion of proceedings relating to the issuance of regulations pursuant to such clause. In the case of any hazardous substance described in clause (C) of subparagraph (1) of this paragraph,"; and

(C) by striking out "issuance of such regulations" and inserting in lieu thereof "issuance of regulations pursuant to such clause".

(c) Section 2 of such Act is amended by adding at the end thereof the following:

"(r) An article may be determined to present an electrical hazard if, in normal use or when subjected to reasonably foreseeable damage or abuse, its design or manufacture may cause personal injury or illness by electric shock.

"(s) An article may be determined to present a mechanical hazard if, in normal use or when subjected to reasonably foreseeable damage or abuse, its design or manufacture presents an unreasonable risk of personal injury or illness (1) from fracture, fragmentation, or disassembly of the article, (2) from popullsion of the article (or any part or accessory thereof), (3) from points or other protrusions, surfaces, edges, openings, or closures, (4) from moving parts, (5) from lack or insufficiency of controls to reduce or step motion, (6) as a result of self-adhering characteristics of the article, (7) because the article (or any part or accessory thereof) may be aspirated or ingested, (8) because of instability, or (9) because of any other aspect of the article's design or manufacture.

"(t) An article may be determined to present a thermal hazard if, in normal use or when subjected to reasonably foreseeable damage or abuse, its design or manufacture presents an unreasonable risk of personal injury or illness because of heat as from heated parts, substances, or surfaces."

SEC. 3. (a) Subparagraph 1(A) of section 2(f) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(1)(A)) is amended by inserting "or combustible" after "flammable".

(b) Section 2(l) of such Act (15 U.S.C. 1261(l)) is amended—

(1) by striking out "and the term" and inserting in lieu thereof "the term";

(2) by inserting before the semicolon the following: ", and the term 'combustible' shall apply to any substance which has a flash point above eighty degrees Fahrenheit to and including one hundred and fifty degrees, as determined by the Tagliabue Open Cup Tester";

(3) by inserting "or combustibility" after "flammability"; and

(4) by inserting ", 'combustible'," after "the terms 'flammable' ".

(c) Section 2(p)(1)(E) of such Act (15 U.S.C. 1261(p)(1)(E)) is amended by inserting " 'Combustible,' " after " 'Flammable,' ".

SEC. 4. (a) The Federal Hazardous Substances Act is amended by redesignating sections 15, 16, 17, and 18 as sections 16, 17, 18, and 19, respectively, and by inserting after section 14 the following new section:

"REPURCHASE OF BANNED HAZARDOUS SUBSTANCES

"SEC. 15. (a) In the case of any article or substance sold by its manufacturer, distributor, or dealer which is a banned hazardous substance (whether or not it was such at the time of its sale), such article or substance shall, in accordance with regulations of the Secretary, be repurchased as follows:

"(1) The manufacturer of any such article or substance shall repurchase it from the person to whom he sold it, and shall—

"(A) refund that person the purchase price paid for such article or substance,

"(B) if that person has repurchased such article or substance pursuant to paragraph (2) or (3), reimburse him for any amounts paid in accordance with that paragraph for the return of such article or substance in connection with its repurchase,

"(C) if the manufacturer requires the return of such article or substance in connection with his repurchase of it in accordance with this paragraph, reimburse that person for any reasonable and necessary expenses incurred in returning it to the manufacturer.

"(2) The distributor of any such article or substance shall repurchase it from the person to whom he sold it, and shall—

"(A) refund that person the purchase price paid for such article or substance,

"(B) if that person has repurchased such article or substance pursuant to paragraph (3), reimburse him for any amounts paid in accordance with that paragraph for the return of such article or substance in connection with its repurchase,

"(C) if the distributor requires the return of such article or substance in connection with his repurchase of it in accordance with this paragraph, reimburse that person for any reasonable and necessary expenses incurred in returning it to the distributor.

"(3) In the case of any such article or substance sold at retail by a dealer, if the person who purchased it from the dealer returns it to him, the dealer shall refund the purchaser the purchase price paid for it and reimburse him for any reasonable and necessary transportation charges incurred in its return.

"(b) For the purposes of this section, (1) the term 'manufacturer' includes an importer for resale, and (2) a dealer who sells at wholesale an article or substance shall with respect to that sale be considered the distributor of that article or substance."

(b)(1) Subsection (a) of the section of such Act redesignated as section 18 is amended by striking out "section 18" and inserting in lieu thereof "section 19".

(2) The section of such Act redesignated as section 19 is amended by striking out "section 16(b)" and inserting in lieu thereof "section 17(b)".

SEC. 5. The amendments made by this Act shall take effect on the sixtieth day following the date of the enactment of this Act.

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendment be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The CHAIRMAN. Are there any amendments to be offered? If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having assumed the chair, Mr. GALLAGHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7621) to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes, pursuant to House Resolution 516, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SPRINGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 327, nays 0, not voting 104, as follows:

[Roll No. 157]

YEAS—327

Abbitt	Bow	Carter
Abernethy	Brasco	Casey
Adams	Bray	Cederberg
Addabbo	Brinkley	Chamberlain
Albert	Brooks	Chappell
Anderson, Calif.	Broomfield	Clancy
	Brotzman	Clark
Anderson, Ill.	Brown, Calif.	Clay
Annunzio	Brown, Mich.	Cohelan
Arends	Brown, Ohio	Collier
Ashbrook	Broyhill, Va.	Collins
Ashley	Buchanan	Colmer
Aspinall	Burke, Fla.	Conable
Barrett	Burke, Mass.	Conte
Beall, Md.	Burleson, Tex.	Conyers
Belcher	Burlison, Mo.	Coughlin
Bell, Calif.	Burton, Calif.	Cowger
Bennett	Burton, Utah	Cramer
Betts	Bush	Cunningham
Bevill	Button	Daddario
Biester	Byrne, Pa.	Daniel, Va.
Bingham	Byrnes, Wis.	Daniels, N.J.
Blackburn	Cabell	Davis, Wis.
Boland	Caffery	de la Garza
Bolling	Camp	Delaney

Dellenback	Kee	Rarick
Denney	Keith	Reid, Ill.
Dennis	King	Reid, N.Y.
Dent	Kleppe	Reuss
Derwinski	Kluczynski	Rhodes
Devine	Koch	Riegle
Dickinson	Kuykendall	Roberts
Donohue	Kyros	Robison
Dorn	Landrum	Rodino
Dowdy	Langen	Rogers, Colo.
Downing	Latta	Rogers, Fla.
Duncan	Lennon	Rosenthal
Dwyer	Lloyd	Rostenkowski
Eckhardt	Long, Md.	Roth
Edmondson	McCarthy	Roudebush
Edwards, Ala.	McClory	Roybal
Edwards, Calif.	McCloskey	Ruppe
Eilberg	McClure	Ruth
Eshleman	McCulloch	Ryan
Evins, Tenn.	McDade	St Germain
Fallon	McDonald, Mich.	St. Onge
Farbstein	McFall	Sandman
Fascell	McKneally	Satterfield
Feighan	McMillan	Schadeberg
Fish	Macdonald, Mass.	Scheuer
Fisher	Madden	Schneebeli
Flood	Mahon	Schwengel
Flowers	Mann	Scott
Ford, Gerald R.	Marsh	Sebelius
Ford, William D.	Martin	Shipley
Foreman	Mathias	Shriver
Fountain	Matsunaga	Sikes
Fraser	May	Sisk
Frelinghuysen	Mayne	Skubitz
Frey	Meeds	Slack
Friedel	Meskill	Smith, Calif.
Fulton, Pa.	Mikva	Smith, Iowa
Fulton, Tenn.	Miller, Calif.	Smith, N.Y.
Fuqua	Miller, Ohio	Springer
Galifianakis	Minish	Stafford
Gallagher	Mink	Staggers
Gaydos	Minshall	Stanton
Gettys	Mize	Stephens
Giaimo	Mizell	Stokes
Gibbons	Mollohan	Stratton
Goldwater	Monagan	Stuckey
Gonzalez	Montgomery	Sullivan
Gray	Moorhead	Symington
Griffin	Morgan	Taft
Griffiths	Morse	Talcott
Gross	Mosher	Taylor
Grover	Moss	Teague, Calif.
Gude	Murphy, Ill.	Thompson, N.J.
Hagan	Murphy, N.Y.	Thomson, Wis.
Haley	Natcher	Ullman
Hall	Nedzi	Utt
Halpern	Nelsen	Van Deerlin
Hamilton	Nichols	Vander Jagt
Hammer-schmidt	Nix	Vanik
Hanna	O'Hara	Vigorito
Hansen, Idaho	O'Neal, Ga.	Waggonner
Harsha	O'Neill, Mass.	Waldie
Harvey	Ottinger	Wampler
Hastings	Patten	Watkins
Hathaway	Pelly	Watson
Hawkins	Pepper	Watts
Hechler, W. Va.	Perkins	Weicker
Helstoski	Pettis	Whalen
Henderson	Philbin	Whalley
Hicks	Pickle	Whitehurst
Hogan	Pike	Whitten
Horton	Pirnie	Widnall
Hull	Poage	Wiggins
Hunt	Podell	Williams
Hutchinson	Poff	Winn
Ichord	Preyer, N.C.	Wright
Jarman	Price, Ill.	Wyatt
Johnson, Calif.	Price, Tex.	Wydler
Jones, Ala.	Pryor, Ark.	Wylie
Jones, N.C.	Pucinski	Wyman
Jones, Tenn.	Purcell	Yates
Karth	Quie	Yatron
Kastenmeier	Railsback	Zablocki
Kazen	Randall	Zion
		Zwach

NAYS—0

NOT VOTING—104

Adair	Broyhill, N.C.	Dulski
Alexander	Cahill	Edwards, La.
Anderson, Tenn.	Carey	Erlenborn
Andrews, Ala.	Celler	Esch
Andrews, N. Dak.	Chisholm	Evans, Colo.
Ayres	Clausen, Don H.	Findley
Baring	Clawson, Del	Flynt
Berry	Cleveland	Foley
Biaggi	Corbett	Garmatz
Blanton	Corman	Gilbert
Blatnik	Culver	Goodling
Boggs	Davis, Ga.	Green, Oreg.
Brademas	Dawson	Green, Pa.
Brock	Diggs	Gubser
	Dingell	Hanley
Hays	McEwen	Hansen, Wash.
Hébert	MacGregor	Rooney, Pa.
Heckler, Mass.	Mailliard	Saylor
Holifield	Melcher	Scherle
Hosmer	Michel	Snyder
Howard	Mills	Steed
Hungate	Morton	Steiger, Ariz.
Jacobs	Myers	Steiger, Wis.
Joelson	Obey	Stubblefield
Johnson, Pa.	O'Konski	Teague, Tex.
Jonas	Olsen	Thompson, Ga.
Kirwan	Passman	Tiernan
Kyl	Patman	Tunney
Landgrebe	Pollock	Udall
Leggett	Powell	White
Lipscomb	Quillen	Wilson, Bob
Long, La.	Rees	Wilson, Charles H.
Lowenstein	Reifel	Wold
Lujan	Rivers	Wolff
Lukens	Rooney, N.Y.	Young

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Mailliard.
Mr. Kirwan with Mr. Brock.
Mr. Garmatz with Mr. Berry.
Mr. Melcher with Mr. Johnson of Pennsylvania.
Mr. Teague of Texas with Mr. Morton.
Mr. Andrews of Alabama with Mr. Saylor.
Mr. Wolff with Mr. Corbett.
Mr. Boggs with Mr. Bob Wilson.
Mr. Mills with Mr. Cleveland.
Mr. Dulski with Mr. Ayres.
Mr. Patman with Mr. Lipscomb.
Mr. Rooney of New York with Mr. Hosmer.
Mr. Gilbert with Mr. O'Konski.
Mr. Green of Pennsylvania with Mr. Reifel.
Mr. Hays with Mr. Snyder.
Mr. Holifield with Mr. Jonas.
Mr. Biaggi with Mr. Erlenborn.
Mr. Blatnik with Mr. Gubser.
Mr. Carey with Mr. Quillen.
Mr. Celler with Mr. Cahill.
Mr. Davis of Georgia with Mr. MacGregor.
Mr. Dingell with Mr. Kyl.
Mr. Long of Louisiana with Mr. Adair.
Mr. Howard with Mr. Del Clawson.
Mr. Alexander with Mr. Findley.
Mr. Culver with Mr. Goodling.
Mr. Edwards of Louisiana with Mr. Don H. Clausen.
Mr. Rivers with Mr. Michel.
Mr. Rooney of Pennsylvania with Mr. Pollock.
Mr. Steed with Mr. Scherle.
Mr. Young with Mr. Broyhill of North Carolina.
Mr. Tiernan with Mr. Andrews of North Dakota.
Mr. Udall with Mr. Esch.
Mr. Joelson with Mr. McEwen.
Mr. Anderson of Tennessee with Mr. Lujan.
Mr. Evans of Colorado with Mrs. Heckler of Massachusetts.
Mr. Brademas with Mr. Landgrebe.
Mr. Leggett with Mr. Myers.
Mr. Hungate with Mr. Steiger of Wisconsin.
Mr. Baring with Mr. Wold.
Mr. Tunney with Mr. Lukens.
Mr. Olsen with Mr. Thompson of Georgia.
Mr. Foley with Mr. Steiger of Arizona.
Mrs. Green of Oregon with Mr. Dawson.
Mr. Obey with Mr. Diggs.
Mr. Flynt with Mrs. Hansen of Washington.
Mr. Stubblefield with Mr. Hanley.
Mr. Corman with Mr. Blanton.
Mr. White with Mr. Jacobs.
Mr. Passman of Louisiana with Mr. Rees.
Mr. Lowenstein with Mr. Charles H. Wilson.
Mrs. Chisholm with Mr. Powell.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to the provisions of House Resolution 516, the Committee on Interstate and Foreign Commerce is discharged from the further consideration of the bill S. 1689.

The Clerk read the title of the Senate bill.

The Clerk read the Senate bill, as follows:

S. 1689

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Toy Safety Act of 1969."

SEC. 2. (a) Section 2(f)(1) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(1)) is amended by adding at the end thereof the following new clause:

"(D) Any toy or other article intended for use by children which the Secretary finds pursuant to the provisions of section 2(q)(1) of this Act meets the requirements of clause (A)(iii) of such section."

(b) The matter preceding the semicolon in clause (A) of section 2(q)(1) of the Federal Hazardous Substances Act (15 U.S.C. 1261(q)(1)) is amended to read as follows: "(A) any toy, or other article intended for use by children, which, pursuant to a determination made by the Secretary in accordance with section 553, title 5, United States Code, (i) is a hazardous substance, or (ii) bears or contains a hazardous substance in such manner as to be susceptible of access by a child to whom such toy or other article is entrusted, or (iii) is otherwise hazardous because it presents electrical, mechanical, or thermal hazards".

(c) Section 2 of such Act is amended by adding at the end thereof the following:

"(r) The term 'electrical' means of or pertaining to the flow of an electrical charge or to electrons in motion; an article may be determined to present an 'electrical hazard' if, in normal use or when subjected to reasonably foreseeable damage or abuse, its design or manufacture may cause personal injury or illness by electric shock resulting from current leakage, inadequate insulation, accessibility of live parts, or other conditions.

"(s) The term 'mechanical' means of or pertaining to the design, construction or structure of a substance; an article may be determined to present a 'mechanical hazard' if in normal use or when subjected to reasonable foreseeable damage or abuse, its design or manufacture presents an unreasonable risk of personal injury or illness by strangulation, suffocation, asphyxiation, fragmentation, explosion, puncture, or other mechanical means.

"(t) The term 'thermal' means of or pertaining to the transfer or manifestation of heat energy; an article may be determined to present a 'thermal hazard' if it has surfaces or parts normally touched, hand held, or grasped which exceed a temperature of 113° Fahrenheit (or 140° Fahrenheit in the case of surfaces other than metal), or if it has surfaces or parts exceeding 140° Fahrenheit (in normal use or when subjected to reasonably foreseeable damage or abuse) which may be touched accidentally, causing personal injury or illness. However, articles which have parts or surfaces exceeding a temperature of 140° Fahrenheit which may be touched accidentally and are not normally touched, hand held, or grasped shall not be found to present a 'thermal hazard' if the following three conditions are met: (i) the article requires such surfaces or parts in order to perform the normal function or purpose of the article; and (ii) the article bears labeling giving directions and warnings for safe use, and (iii) because of such labeling and warnings or other factors the article is likely to be used only by children who will comprehend the warning and use the toy safely. Temperature tests shall be made

at an ambient (room) temperature of 77° Fahrenheit (25° C.)."

SEC. 3. (a) Subparagraph 1(A) of section 2(f) of such Act (15 U.S.C. 1261(f)(1)(A)) is amended by inserting "or combustible" after "flammable".

(b) Section 2(l) of such Act (15 U.S.C. 1261(l) is amended (1) by striking out "and" before "the term 'flammable' "; (2) by inserting the following before the semicolon: ", and the term 'combustible' shall apply to any substance which has a flash point above eighty degrees Fahrenheit to and including one hundred fifty degrees as determined by the Tagliabue Open Cup Tester;" (3) by inserting "or combustibility" after "flammability"; and (4) by inserting " 'combustible'," after " 'flammable',".

(c) Section 2(p)(1)(E) of such Act (15 U.S.C. 1261(p)(1)(E)) is amended by inserting " 'Combustible,' " after " 'Flammable,' ".

SEC. 4. Section 2(q) of such Act (15 U.S.C. 1261(q)) is amended by adding at the end thereof the following:

"(3) If any substance or article is determined to be a banned hazardous substance after the sale of such substance or article by a manufacturer or a distributor to a distributor or a dealer and prior to the sale of such substance or article by such dealer or distributor, the distributor shall immediately repurchase such substance or article at the price paid by such dealer, plus the transportation charges involved, and the manufacture shall immediately repurchase from the distributor (or from the dealer if there is no distributor) such substance or article unsold or repurchased at the price paid, plus all transportation charges involved."

EFFECTIVE DATE

SEC. 5. This Act shall become effective sixty days after the date of its enactment.

AMENDMENT OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STAGGERS: Strike out all after the enacting clause of S. 1689 and insert in lieu thereof the text of H.R. 7621, as passed, as follows:

"SECTION 1. This act may be cited as the 'Child Protection Act of 1969'.

"SEC. 2. (a) Section 2(f)(1) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(1)) is amended by adding at the end thereof the following:

" '(D) Any toy or other article intended for use by children which presents an electrical, mechanical, or thermal hazard.'

"(b) Section 2(q) of such Act (15 U.S.C. 1261(q)) is amended as follows:

"(1) Clause (A) of subparagraph (1) is amended by inserting 'as defined in clause (A), (B), or (C) of subparagraph 1 of paragraph (f) or in subparagraph 2 of such paragraph' immediately after 'which is a hazardous substance'; and by inserting 'such' after 'bears or contains'.

"(2) Subparagraph (1) is amended by striking out 'or (B)' and inserting in lieu thereof the following: '(B) any toy or other article intended for use by children which is a hazardous substance as defined in clause (D) of subparagraph 1 of paragraph (f) of this section, and which the Secretary by regulation classifies as a 'banned hazardous substance' on the basis of a finding that, notwithstanding such cautionary labeling as is or may be required under this Act for that toy or article, the degree or nature of the hazard involved is such that the objective of the protection of the public health and safety can be adequately served only by keeping such toy or article out of the channels of interstate commerce; or (C)'.

"(3) Subparagraph (2) is amended—

"(A) by inserting 'or (C)' immediately after 'clause (B)';

"(B) by striking out ': Provided, That' and inserting in lieu thereof a period and the following: 'In the case of any toy or other article intended for use by children which is a hazardous substance described in clause (B) of subparagraph (1) of this paragraph, if the Secretary finds that its distribution presents an imminent hazard to the public health, he may by order published in the Federal Register give notice of such finding, and thereupon it shall be deemed to be a 'banned hazardous substance' pending the completion of proceedings relating to the issuance of regulations pursuant to such clause. In the case of any hazardous substance described in clause (C) of subparagraph (1) of this paragraph,'; and

"(C) by striking out 'issuance of such regulations' and inserting in lieu thereof 'issuance of regulations pursuant to such clause'.

"(c) Section 2 of such Act is amended by adding at the end thereof the following:

" '(r) An article may be determined to present an electrical hazard if, in normal use or when subjected to reasonably foreseeably damage or abuse, its design or manufacture may cause personal injury or illness by electric shock.

" '(s) An article may be determined to present a mechanical hazard if, in normal use or when subjected to reasonably foreseeable damage or abuse, its design or manufacture presents an unreasonable risk of personal injury or illness (1) from fracture, fragmentation, or disassembly of the article, (2) from propulsion of the article (or any part or accessory thereof), (3) from points or other protrusions, surfaces, edges, openings, or closures, (4) from moving parts, (5) from lack or insufficiency of controls to reduce or stop motion, (6) as a result of self-adhering characteristics of the article, (7) because the article (or any part or accessory thereof) may be aspirated or ingested, (8) because of instability, or (9) because of any other aspect of the article's design or manufacture.

" '(t) An article may be determined to present a thermal hazard if, in normal use or when subjected to reasonably foreseeable damage or abuse, its design or manufacture presents an unreasonable risk of personal injury or illness because of heat as from heated parts, substances, or surfaces.'

"SEC. 3. (a) Subparagraph 1(A) of section 2(f) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(1)(A)) is amended by inserting 'or combustible' after 'flammable'.

"(b) Section 2(l) of such Act (15 U.S.C. 1261(l)) is amended—

"(1) by striking out 'and the term' and inserting in lieu thereof 'the term';

"(2) by inserting before the semicolon the following: ', and the term "combustible" shall apply to any substance which has a flash point above eighty degrees Fahrenheit to and including one hundred and fifty degrees, as determined by the Tagliabue Open Cup Tester';

"(3) by inserting 'or combustibility' after 'flammability'; and

"(4) by inserting ', "combustible",' after 'the terms "flammable" '.

"(c) Section 2(p)(1)(E) of such Act (15 U.S.C. 1261(p)(E)) is amended by inserting ' "Combustible",' after ' "Flammable",'.

"SEC. 4. (a) The Federal Hazardous Substances Act is amended by redesignating sections 15, 16, 17, and 18 as sections 16, 17, 18, and 19, respectively, and by inserting after section 14 the following new section:

" 'REPURCHASE OF BANNED HAZARDOUS SUBSTANCES

" 'SEC. 15. (a) In the case of any article or substance sold by its manufacturer, distributor, or dealer which is a banned hazardous substance (whether or not it was such at the time of its sale), such article or substance shall, in accordance with regulations of the Secretary, be repurchased as follows:

" '(1) The manufacturer of any such article or substance shall repurchase it from the person to whom he sold it, and shall—

" '(A) refund that person the purchase price paid for such article or substance,

" '(B) if that person has repurchased such article or substance pursuant to paragraph (2) or (3), reimburse him for any amounts paid in accordance with that paragraph for the return of such article or substance in connection with its repurchase.

" '(C) if the manufacturer requires the return of such article or substance in connection with his repurchase of it in accordance with this paragraph, reimburse that person for any reasonable and necessary expenses incurred in returning it to the manufacturer.

" '(2) The distributor of any such article or substance shall repurchase it from the person to whom he sold it, and shall—

" '(A) refund that person the purchase price paid for such article or substance,

" '(B) if that person has repurchased such article or substance pursuant to paragraph (3), reimburse him for any amounts paid in accordance with that paragraph for the return of such article or substance in connection with its repurchase.

" '(C) if the distributor requires the return of such article or substance in connection with his repurchase of it in accordance with this paragraph, reimburse that person for any reasonable and necessary expenses incurred in returning it to the distributor.

" '(3) In the case of any such article or substance sold at retail by a dealer, if the person who purchased it from the dealer returns it to him, the dealer shall refund the purchaser the purchase price paid for it and reimburse him for any reasonable and necessary transportation charges incurred in its return.

" '(b) For the purposes of this section, (1) the term "manufacturer" includes an importer for resale, and (2) a dealer who sells at wholesale an article or substance shall with respect to that sale be considered the distributor of that article or substance.'

"(b)(1) Subsection (a) of the section of such Act redesignated as section 18 is amended by striking out 'section 18' and inserting in lieu thereof 'section 19'.

"(2) The section of such Act redesignated as section 19 is amended by striking out 'section 16(b)' and inserting in lieu thereof 'section 17(b)'.

"SEC. 5. The amendments made by this Act shall take effect on the sixtieth day following the date of the enactment of this Act."

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 7621) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

EXTENDING SECTION 104 OF THE CLEAN AIR ACT

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12085) to amend the Clean Air Act to extend the program of research relating to fuel and vehicles.

The SPEAKER pro tempore. The

question is on the motion offered by the gentleman from West Virginia.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 12085, with Mr. GALLAGHER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 30 minutes and the gentleman from Illinois (Mr. SPRINGER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, this bill was reported unanimously by the committee and we recommend its passage by the House. The bill would extend for 1 year, with limitations, the authority for appropriations contained in section 104 of the Clean Air Act. The other body has already passed a bill on this subject. We believe this bill should be passed before the appropriation bill for the Department of Health, Education, and Welfare is finally passed by the Congress so that the programs authorized under this bill can be contained in that appropriation act.

Section 104 of the Clean Air Act, which expired June 30, 1969, authorized appropriations specifically earmarked for research into air pollution problems involving fuels and motor vehicles.

As amended by the committee, the bill extends this authority for 1 year, so that the authorization will expire at the same time as the authorization for all other programs under that act—June 30, 1970. The bill authorizes $18.7 million in appropriations for section 104 programs for fiscal 1970. This is the same amount the agency had for this purpose in 1969.

We do not expect that passage of the bills will involve any increase in appropriations since there is already authority under other provisions of law for appropriations in excess of those contained in the HEW appropriations bill as passed by the House. Passage of this bill will permit earmarking of funds in the regular HEW appropriation bill for this program, which will not be possible unless this bill is passed.

There is no question but that this bill increases the authorization for total appropriation for fiscal year 1970. The current total appropriation authorization is $134,300,000. This bill will add an additional $18.7 million to that authorization, for a total of $153 million; however, we do not anticipate any increase in the appropriation requests as heretofore submitted by the administration nor do we expect a supplemental appropriation for any of these sums to be requested. As I mentioned earlier, we anticipate that some of the funds contained in the regular appropriation bill will be specifically earmarked for the section 104 programs authorized by this bill, authorizing appropriations for programs under section 104 of the Clean Air Act.

Mr. Chairman, the principal reason for this bill is twofold—first, section 104 represents a clear commitment on the part of the Federal Government to conduct research in joint Government-industry programs into air pollution problems involving the combustion of fuels and the operation of motor vehicles. Second, section 104 contains two authorities with respect to research which are not contained in other provisions of the Clean Air Act: First, authority for funds to remain available until expended which aids orderly planning for research programs; and, second, clear authority for Federal payment of construction costs of industrial-type facilities on private property, which can then be disposed of to the owner of the property. This authority is quite similar to authority of the Department of Defense in this research area.

Mr. Chairman, as I mentioned, hearings were held on this bill, and all witnesses were in favor of the bill. I know of no opposition to the legislation, and the committee was unanimous in recommending its passage to the House.

Mr. SPRINGER. Mr. Chairman, the 90th Congress passed the most comprehensive air pollution control act thus far. We called it the Air Quality Act, and it was a sweeping amendment to the Clean Air Act. Included therein was a provision for extensive research on fuels and motor vehicles.

It was the feeling at that time that the ultimate answer to our largest contributor to air pollution—the automobile—lay in extensive research. Since that time the committee has discovered that priority has been given to research on sulfur oxides in order to complete and issue the criteria necessary for suppression of most of the industrial pollution. The committee in the hearings and in the report expresses its opinion that more should be done to find the answers to automotive pollution since it probably accounts for 60 percent of the entire problem.

It is the expressed contention of the Department of Health, Education, and Welfare to expend $18.7 million for this purpose during fiscal year 1970. Since the authorization for this particular activity extended only through 1969, it is now necessary that it be extended if the authorities therein are to be used. The other programs included in the Air Quality Act will run out at the end of fiscal year 1970, and for that reason a 1-year extension only is included in this bill. In this way all of the programs will expire at the same time, and it will give the committee and the Congress an opportunity to again evaluate the research effort which is being made. We are hopeful that a more encouraging report can be made when this legislation again comes before us.

I recommend this bill to my colleagues in the House.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Oklahoma (Mr. JARMAN), the chairman of the subcommittee.

Mr. JARMAN. Mr. Chairman, it is my pleasure to speak in favor of passage of H.R. 12085, the purpose of which is to extend for 1 year—fiscal 1970—the authority contained in section 104 of the Clean Air Act, as amended. This section authorizes research and development by the Department of Health, Education, and Welfare on the prevention and control of air pollution resulting from the combustion of fuels and the operation of motor vehicles.

In adopting the Air Quality Act of 1967, the Congress set up an intergovernmental system for dealing with the problems of air pollution on a regional basis. State and local governments were given a major share of responsibility in making this system work, by dealing with air pollution arising from industrial, commercial, and other stationary sources located in virtually every urban community in this Nation, as well as in many small towns and rural areas.

The activities of State and local agencies in preventing and controlling these stationary sources of air pollution depend in large part on the availability of practical and economic techniques. Similarly, the national program of regulatory action to control motor vehicle pollution depends on progress in developing appropriate control techniques.

It is essential that the Department of Health, Education, and Welfare continue the research and development activities authorized by the Air Quality Act, especially those activities under section 104 relating to air pollution problems caused by the combustion of fossil fuels to produce electric heat and power and from the operation of motor vehicles. These sources account for more than two-thirds of the Nation's yearly air pollution.

Section 104 also reflects the need for extensive involvement of the private sector in the search for solutions to these problems. For example, the effort to develop and demonstrate techniques for sulfur oxides pollution control under section 104 is a coordinated Government-industry program which involves the National Air Pollution Control Administration, several other Federal agencies, and more than 40 organizations in the private sector. Also, under section 104, the National Air Pollution Control Administration is conducting research and development on motor vehicle pollution control. This effort includes continued attempts to develop improved emissions control from the internal combustion engine as well as initial work on the development of alternative propulsion systems for motor vehicles.

Section 104 provides two unique authorities not explicitly provided in the rest of the Air Quality Act. The first such feature is that funds made available under this section can remain available until expended. This flexibility is very useful in planning and scheduling large-scale research and development projects.

The second unique feature of section 104 is that it clarifies the legal implications of supporting projects which involve construction and testing of air pollution control equipment on private property. In many instances, industrial or utility power plants are the best possible sites for making realistic evaluations of economic and technological feasibility of new processes in air pollution control.

Favorable action on H.R. 12085 would reaffirm the Federal Government's commitment to providing leadership in the Nation's efforts to develop ways to overcome the growing threat of air pollution.

The Federal Government cannot and should not be expected to take all the responsibility, but it must continue to lead the attack. Enactment of H.R. 12085 will show that the Federal commitment to clean air remains as strong as ever.

Mr. STAGGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. VANIK).

Mr. VANIK. Mr. Chairman, I am in full agreement with this legislation. However, I would like to direct the attention of the Committee to what I believe is a necessary approach to the critical air pollution problem confronting urban areas in which heavy, basic industries are located. In these communities, air pollution imposes incredible damage on human life and property.

Mr. Chairman, I have always felt that the industrial air pollution problem is something that could be best solved on an industry-by-industry basis rather than by leaving the entire complex burden of regulation on local communities. A steel mill or petro-chemical industry operates in almost the same manner wherever it is located. The pollution problems are the same in the same industrial operation. The methods of control or nuisance abatement are the same. Industry-wide standards of abatement or control could be uniformly adopted on Federal recommendations for a specific industry. Polluting industries would not be able to compete on inferior, low-cost abatement procedures tolerated by some communities indifferent to the problem. Such competition is unfair and detrimental to the public interest.

I feel that insofar as industrial pollution is concerned the time has come for this Congress to set on a course of an industry-by-industry approach so that industries and communities are not competing with each other on the basis of what they fail to do with respect to controlling the air pollution problem.

So, Mr. Chairman, I would hope that the present program will be amplified and extended so that we may approach this problem on an industry-by-industry basis and so that we can clean up the air, especially in our urban areas where so much industrial air pollution occurs to the detriment of the public health.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. BELL).

Mr. BELL of California. Mr. Chairman, residents of California's 28th District, which I represent, know well the problems created by unclean air, and they understand the immediate urgency for finding new methods to curb the growing threat of air pollution.

I believe that leadership in providing such research must come from the Federal Government.

The Los Angeles air quality control region includes seven counties.

Pollutant emissions from Los Angeles County alone, however, account for over 60 percent of the total regional emissions.

The largest single source of air pollution in Los Angeles is from transportation.

In fact, more than 80 percent of pollution in Los Angeles results from the use of motor vehicles.

Nationally, motor vehicle exhausts account for 60 percent of the air pollution problem.

Yet, as the committee has pointed out in its report, little over 3 percent of the national air pollution control administration's budget has been spent on research in this area.

I believe the agency must clearly reevaluate its budgetary priorities.

And I am confident that my constituents would share the committee's observation that the small proportion of the agency's budget devoted to motor vehicle emissions has been less than the urgency of the problem would indicate.

We have the highest population density in the Los Angeles air quality control region.

Approximately one-half of the freeway system and one-half of the total surface transportation facilities of the region will soon be located in Los Angeles County.

These factors clearly indicate that well over half of the total pollution from mobile sources occurs in the Los Angeles Basin.

In recent years there has been some progress in reducing pollution from motor vehicles.

But the industry has not yet developed an emission-free vehicle.

We must not neglect the possibility that some alternate propulsion system to the present internal combustion engine may be necessary to keep the pollution problem under control.

Existing techniques for the control of pollution from automobiles are clearly inadequate for Los Angeles.

I believe that clean air will be restored to our urban centers only through the development of new techniques.

Extension of section 104 affirms our desire to secure better methods of control, and I urge my colleagues to join me in support for H.R. 12085.

Mr. FARBSTEIN. Mr. Chairman, would the gentleman yield?

Mr. BELL of California. I yield to the gentleman from New York.

Mr. FARBSTEIN. Mr. Chairman, I thank the gentleman for yielding, and I hope that the gentleman will be here when the bill is read for amendment, because I propose offering an amendment to prohibit the manufacturing of internal emission engines after 1978 unless they comply with the California law which says that the State will bar automobiles unless they have standards of emission that equals that adopted by the State for the purchase of automobiles and I hope that the gentleman will be here.

Mr. BELL of California. I will certainly be here, and will be happy to listen to the gentleman's statement.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. ROGERS).

Mr. ROGERS of Florida. Mr. Chairman, I thank the gentleman for yielding, and I rise in support of this legislation to amend the Clean Air Act to extend the program of research relating to fuels and vehicles for 1 year.

This legislation would enable the National Air Pollution Control Administration to continue for another fiscal year, the fiscal year ending June 30, 1970, its research and development activity in the prevention and control of air pollution resulting from the combustion of fuels.

Section 104 differs from the other provisions of the Clean Air Act in that funds made available under this section can remain available until expended, thereby providing flexibility which is extremely useful in the planning and scheduling of large scale research and development and demonstration projects. Too, this section clarifies the legal implication of supporting projects involving construction and testing of pollution control equipment on private property such as the use of industrial or utility powerplants.

Enactment of H.R. 12085 will not result in any increase in the National Air Pollution Control Administration's proposed budget for the present fiscal year. Funds have already been requested in the budget under section 309 of the Air Quality Act, but separate appropriation under section 104 is desirable for the aforementioned reasons and H.R. 12085 would make this possible.

We are far from victory in our efforts to clean up the air around us, but we must not relent and this legislation will permit us to continue in our quest for cleaner air for all.

I believe it is essential for us to pass the legislation, because we want to have the kind of research work done that is required.

Mr. Chairman, along the line of the use of funds, I believe it may be interesting to the Members to know that the committee did go into specifics on that, and expressed great concern, which I share, as to the allocation of the research funds in relation to the problem of air pollution. For instance, it is estimated that 60 percent of the air pollution problems of the country come from automobile emissions—60 percent—and yet do you know the amount of the research funds which are being allocated to solve the 60 percent? About 3.4 percent of the $88,733,000 appropriated to the agency for air pollution.

We have taken this up in the committee hearings with the agency and expressed the concern of the committee on the disproportionate allotment of the research funds in relation to the actual problem which exists.

I am sure that the committee will follow this up so that the Department of Health, Education, and Welfare will begin to allocate its funds more in proportion with the problem that actually exists. If not, I believe we are going to have to take some steps to change it ourselves. But I do think this will come about, and I would certainly hope so, because our major problem is this vehicle emission. We hope they are getting into effective research now in trying to bring about an emission-free propulsion system for vehicles.

Mr. BELL of California. Mr. Chairman, would the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from California.

Mr. BELL of California. Mr. Chairman, I thank the gentleman for yielding. I want to add one thought to the gentleman's concept, and that is that there is a great deal of urgency in the Los Angeles

County area, very, very strong urgency. So I would urge that the committee move with all haste in this direction.

Mr. ROGERS of Florida. I would concur with the statement of the gentleman from California. I think the committee has made it clear that we expect action from the Department on this, and as rapidly as possible.

Mr. BELL of California. The gentleman may or may not know that the State legislature in California almost passed legislation that would accomplish that which the gentleman from New York (Mr. FARBSTEIN) suggested during his presentation.

Mr. ROGERS of Florida. I understand that, and I presume that the California Legislature in its judgment did not take that action because they thought it was better to try to meet the problem through research, and to encourage achieving a solution to the problem rather than to see everybody start walking.

I am not sure that the public would want to make that choice.

Mr. BELL of California. Does the gentleman believe that the automobile industry is doing all it can to develop new forms of emission prevention and abatement?

Mr. ROGERS of Florida. I will not say that I know personally they are doing everything they can, but from the information the committee has, I do think emphasis is being placed on this problem by the automobile companies and by the Government as well. I think this will accelerate the finding of some new type of such engines.

Mr. BELL of California. I certainly hope the gentleman is correct because it is going to be a real problem.

Mr. ROGERS of Florida. I think we have to have action and I agree with the gentleman.

Let me say also that we expressed concern in the committee on the problems of exhaust—of diesel exhaust from buses and large trucks. Now we have been told that we can expect the 1970 models of these diesel vehicles to have emission control devices on them. The committee intends to follow that up because I think this is a very severe problem that has not been dealt with—many people have been talking about automobiles or motors for private passenger travel rather than talking of buses and big trucks which I think is just as much a problem and contributes to the overall problem.

So we are trying to emphasize these things.

Mr. BELL of California. I thank the gentleman.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I am glad to yield to the gentleman.

Mr. HALL. Mr. Chairman, I appreciate the gentleman's yielding.

I wonder if the gentleman's subcommittee in its wisdom has prompted the administrative agencies and those expending the research and development funds, towards the problem of noxious gases in closed spaces emitted by inconsiderate fellow human beings?

Have you done anything with reference to human emission by some in closed spaces? To me this is a more serious problem than others, to have a human venting cigarette and cigar and pipe smoke in a confied or closed space, where those who may be allergic or supersensitive to smoke so far as his eyelids or mucous membranes are concerned.

I dare say, as a man who has been skilled in the past in lung surgery or black lung disease and white lung disease and problems of silicosis and pneumoconiosis and anthracosis—and all of these other examples of air vented contamination in closed spaces by unthinking people, many of whom all light up at the same time their wish-fulfillment of expectant death, immediately when the smoking light goes on in an airplane, whereas they are perhaps unthinking—but their nonparticipating fellow passengers cannot escape—not even by going into the often scrubbed and many times air-cleansed bathrooms aboard such conveyances—and this applies even in private cars, buses, and other closed spaces.

I wonder if the committee has done anything to see if we can increase the scrub rate or decrease that kind of contamination emitted by human ventration in closed spaces—and if not, I strongly recommend it.

Mr. ROGERS of Florida. I appreciate the gentleman's remarks and concur in saying that something needs to be done.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HALPERN. Mr. Chairman, I wish to voice my strong support of H.R. 12085, the bill we are considering today.

This bill specifically deals with section 104 of the Air Quality Act of 1967, a section directing the Secretary of Health, Education, and Welfare to conduct research and development programs to improve methods and techniques currently in use for the abatement and control of air pollution generated by the combustion of fossil fuels. It directs the Secretary to conduct a similar program relating to automotive emission control.

A special feature of this bill is that allocated funds can remain available until used, without being tied to the specific fiscal year in which they were appropriated. This means that research and development programs can be executed properly without undue haste or errors, that they can be initiated at the most advantageous time. Therefore, the National Air Pollution Control Administration, the responsible HEW agency, can select the best possible contractors or grantees for a given undertaking.

Under the Air Quality Act of 1967, funds authorized for fiscal year 1968 totalled $35 million, and for 1969, $90 million, with the funds authorized for section 104 projects to remain available until expended. However, these appropriations will expire at the end of fiscal year 1969 unless an amendment to the act is passed to preserve them.

Following the enactment of the Air Quality Act in November of 1967, the National Air Pollution Control Administration developed techniques to prevent and control sulfur oxides pollution, a major pollutant resulting largely from the combustion of fossil fuels.

In the area of automotive air pollution control, the agency conducts a program to improve control devices for abating emissions from the internal combustion engine, and has embarked on a program of developing alternative propulsion systems for automobiles.

To continue these programs and initiate new ones, the agency must be assured of continuing use of its fund beyond the arbitrary deadline of the 1969 fiscal year. An extension of the section 104 provisions of the Air Quality Act of 1967 thus is mandatory at this time. I therefore sincerely urge all my colleagues to endorse H.R. 12085 now to provide for this essential continuity.

Mr. BOLAND. Mr. Chairman, I want to express my support for this legislation—H.R. 12085—seeking to amend the Air Quality Act of 1967 and to extend the program of research on fuels and vehicles. Progress is being made in this field. Momentum for abatement actions is building up. New technology is becoming available. Therefore, we cannot afford any lapse in technical effort simply because of a quirk in the existing law. The bill which we are considering is necessary to remedy a time deadline arbitrarily imposed on an important research clause in the act.

When we unanimously passed the Air Quality Act in November, 1967, we established a system for dealing with air pollution problems on a regional basis, charging State and local governments with major responsibility for the implementation of the various provisions contained in the act. To do so, however, the States depend on information—information made available by the Federal Government—on up-to-date feasible and economical technology for the prevention and control of air pollution stemming from stationary sources such as factories and powerplants, and from motor vehicle engines. In the long run, we may very well need the development of automotive propulsion systems other than the present internal combustion engine.

Today, more than two-thirds of all pollution emitted into the Nation's air is generated by combustion of fossil fuels and by the operation of ever-increasing numbers of motor vehicles. It is critical that Federal research, development, and demonstration activities in this field be allowed to continue without lapse. Under section 104 of the Air Quality Act of 1967, the National Air Pollution Control Administration of the Department of Health, Education, and Welfare is carrying out numerous projects to develop efficient techniques for combatting sulfur oxide pollution, a major pollution problem arising from the combustion of fossil fuels. It also continues to improve methods for controlling emissions from the present automobile engines and has begun work on the development of alternate means of propulsion for motor vehicles.

The provisions of section 104 make research and development funds available until used for these purposes beyond the fiscal year in which they were appropriated. This allows for much needed flexibility in planning and execution of projects which frequently must exceed the artificial limits of a fiscal year. However, this special feature expires at the end of fiscal 1969 unless extended by the Con-

gress. The amendment before us today would accomplish extension to the end of fiscal year 1970, corresponding to the date when the entire act will be considered for continuation.

Another feature of section 104 clarifies the legality of supporting the construction and installation of control technology on private property for testing purposes. Quite logically, an industrial plant using fossil fuels is the best site for an evaluation of new pollution control equipment designed to combat fumes from stationary sources of pollution.

I am convinced that passage of H.R. 12085 is needed now to assure the continuation of NAPCA research and development projects now underway, and to provide for the inception of additional, equally important efforts that will stimulate industry to install air pollution control equipment in their plants and to accelerate the development of low-pollution engines for automobiles. I urge the bill's passage.

Mr. DONOHUE. Mr. Chairman, this bill before us, H.R. 12085, is designed to amend the existing Clean Air Act, in order to extend the program of research control of air pollution resulting from the combustion of fuels and motor vehicles.

Mr. Chairman, it has been authoritatively established that the motor vehicle represents the major single source of air pollution in this country, that this air pollution is a significant contributor to dangerous disease and costs the American economy at least $12 billion a year. The Federal Government, through the Department of Health, Education, and Welfare, has the primary responsibility for regulatory action to deal with the national problem of motor vehicle air pollution. It is certainly obvious that this Nation has an urgent need to find new and improved methods and means of dealing with this particular fuel combustion and motor vehicle air pollution problem. The basic purpose of this measure before us is to approve the continuing availability, until expended, of authorized funds to project prudent planning and scheduling of long and large-scale research and development and demonstration projects that will enable the Federal Government to take the lead in effectively controlling and preventing the continuing and ever-increasing, very dangerous pollution of the air from combustion fuels and motor vehicles. Mr. Chairman, by any standards, I think it must be clearly judged that this is a wise and urgent legislative measure in the national interest, and I hope that the House will overwhelmingly accept it without extended delay.

Mr. BIAGGI. Mr. Chairman, the Air Quality Act of 1967 includes an unusual section which provides a realistic basis for improved research and development activities in automotive air pollution control. Recognizing that present control technologies are inadequate, section 104 directs the Secretary of Health, Education, and Welfare to conduct research and development activities into new and improved methods and low-cost techniques for the prevention and control of air pollution resulting from the combustion and evaporation of fuels, and from the use of the present automobile internal combustion engine. To accomplish these ends, funds under this section can remain available until used. Thus, the provision of the 1969 amendments removes the need for a research development or demonstration project to be completed within any one fiscal year. It also permits the National Air Pollution Control Administration, the Health, Education, and Welfare agency charged with the implementation of the Air Quality Act, to select the best possible contractors and grantees, and to start projects at the most advantageous time. A further advantage provided by these amendments is the ability to place control experiments on private property if necessary for testing.

As a result of the enactment of the Air Quality Act of 1967, the National Air Pollution Control Administration has embarked on an extensive 5-year plan for research and development on automotive pollution control. This plan attempts to define specific goals and ways and means to attain them, and includes the work of NAPCA research and development projects as well as those of other Federal agencies.

Since passage of the act, NAPCA has started numerous research and development activities related to motor vehicle pollution control. Projects include new control systems to curb carbon monoxide and hydrocarbon emissions from internal combustion engines, and for the control of nitrogen oxide emission; techniques to reduce emissions of particulates, especially lead; investigations of alternate fuels for use in internal combustion engines, and of odors emanating from diesel engines used by trucks and buses. The use of unconventional engines such as the turbine and steam and electric-powered engines, for use in private cars also is being scrutinized.

This is a good beginning. But it is only a start. The funds authorized for fiscal year 1968 totaled $35 million, and for 1969 $90 million, with those funds appropriated for section 104 remaining available until expended. However, as of now, authorizations for research and development activities under section 104 will expire at the end of fiscal year 1969.

Mr. Chairman, in the words of the first progress report by the Secretary of Health, Education, and Welfare to the Congress pursuant to the Air Quality Act of 1967:

> In terms of the total quantity of pollutants, the automobile represents the most important single source of air pollution in the United States today.

The Federal research and development program in automotive air pollution control has, by HEW definition, three primary objectives:

> 1. To stimulate optimum activity by the private sector in developing control technology; 2. to fill the research gap areas that are not receiving attention elsewhere; and 3. to develop the technical base for establishing future Federal emission standards.

I feel that it is essential that these objectives be met as soon as possible. I feel that it is essential that NAPCA be provided on a continuous basis with adequate tools by the Congress to proceed with the implementation of its plans; that sufficient funds be made available under section 104 of the act to provide for uninterrupted, accelerated research, development, and demonstration activities that will result in concrete and useful findings of benefit to the whole Nation.

I believe that NAPCA's plans of investigating alternate modes of propulsion for automobiles while devising better control systems for existing internal combustion engines is commendable. A limit will no doubt be reached beyond which further emission reductions will not be feasible technically or economically, and we must be prepared for this eventuality.

Dr. Lee DuBridge, Presidential science adviser, addressed himself to this topic on August 26 when he said that, although the Nation would have to "depend on the gasoline engine and its improvement for the next 10 or 20 years," it "should not be neglecting the possibility that some new unconventional type of automotive propulsion device may be needed to keep the pollution problem within limits in the 1990's and the year 2000."

Congress has approved the Air Quality Act of 1967 unanimously. Let us now make sure that we provide for its proper and timely implementation, by providing the fiscal means to carry out its intent.

Mr. TIERNAN. Mr. Chairman, there is perhaps no other area that we deal with here in the Congress that is more vital yet receives less attention than the problem of controlling our environment.

In adopting the Air Quality Act, the Congress set up an intergovernmental system for dealing with air pollution problems on a regional basis. State and local governments have a major share of the responsibility for making this system work. They have a particular responsibility for dealing with air pollution problems arising from the many industrial commercial and other stationary source located in virtually every urban community in the Nation and in many small towns and rural areas.

It is essential that the research and development activities authorized in section 104 be continued, particularly those activities relating to the air pollution problems arising from the combustion of fossil fuels to produce electric power and heat, from the operation of motor vehicles, and also emissions from aircraft engines. Together, fuel combustion sources and motor vehicles account for more than two-thirds of all discharges of pollutants into the Nation's air resource each year.

The problems of environmental pollution, unless dealt with quickly and effectively, will plague mankind ad infinitum. The steps contained in H.R. 12085 are but the bare minimum. I urge my colleagues to support this vital legislation.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of H.R. 12085, which would amend the Clean Air Act to extend the program of research relating to fuel and vehicles.

The legislation before the House would extend through June 30, 1970, the authority in section 104 of the Clean Air Act providing for research and develop-

ment in preventing and controlling air pollution from fuel combustion and motor vehicles. The sum of $18.7 million, all within the National Air Pollution Control Administration's overall budgetary request for fiscal year 1970, would be authorized under this proposal. The legislation is intended to do nothing more than to channel the funds involved into the best of two existing air pollution control and prevention programs.

Our Committee on Interstate and Foreign Commerce has discovered the disturbing fact that the amount spent on research into motor vehicle exhausts has been a little over 3 percent of the National Air Pollution Control Administration's budget, to deal with the source of 60 percent of the air pollution problem. Clearly, a reallocation of fiscal emphasis is urgently needed. This bill would put our money into the biggest battle against air pollution, and it is a battle that must be won.

With continued leadership by the Federal Government, proper planning and regulatory action by State and local governments, and support from the private sector, I am convinced that the fight against air pollution will eventually be won. In the meantime, greater effort must be exerted to control or eliminate the emissions from motor vehicles. H.R. 12085 will make this increased effort possible.

Mr. Chairman, I urge unanimous passage of the bill we are considering.

Mr. STAGGERS. Mr. Chairman, I have no further requests for time.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 104(c) of the Clean Air Act (42 U.S.C. 1857 1) is amended by striking out "for the fiscal year ending June 30, 1969" and inserting in lieu thereof "for each of the fiscal years ending June 30, 1969, and June 30, 1970".

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Strike out all after the enacting clause and insert:

"That the first sentence of section 104(c) of the Clean Air Act (42 U.S.C. 1857b–1(c)) is amended by striking out 'and', and by striking out the period at the end thereof and inserting in lieu thereof ', and for the fiscal year ending June 30, 1970, $18,700,000.'"

AMENDMENT TO THE COMMITTEE AMENDMENT OFFERED BY MR. FARBSTEIN

Mr. FARBSTEIN. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. FARBSTEIN: On page 2, after line 2, insert:

"SEC. 2. Title II of the Clean Air Act is amended by renumbering section 212 as section 213 and by adding immediately after section 211 the following new section:

"'INTERNAL COMBUSTION ENGINE BAN

"'SEC. 212. (a) Notwithstanding any other provision of law, except as otherwise provided in subsection (c) of this section, it is hereby prohibited to manufacture for sale, to sell, or to offer for sale, or to introduce or deliver for introduction into commerce or to import into the United States for sale or resale, any new motor vehicle powered by one or more internal combustion engines and any new internal combustion engine manufactured for use in a motor vehicle if such vehicle or engine is manufactured after January 1, 1978.

"'(b) Violations of this section shall be subject to injunction and the penalties provided in sections 204 and 205 of this Act in the same manner and to the same extent as is provided therein for violations of paragraphs (1), (2), and (3) of section 203(a) of this Act.

"'(c) This section shall not apply to any new motor vehicle powered by one or more internal combustion engines or to any new internal combustion engine manufactured for use in a new motor vehicle which vehicle or engine produces a level of exhaust emissions of not more than .5 gram per mile of reactive hydrocarbons, 11 grams per mile of carbon monoxide, and .75 gram per mile of oxides of nitrogen.'"

Mr. FARBSTEIN (during the reading). Mr. Chairman, I ask unanimous consent that the further reading of the amendment be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Chairman, I offer an amendment to H.R. 12085 to prohibit the manufacture and sale of cars powered by internal combustion engines after January 1, 1978. This ban would not apply to engines which meet the equivalent of the pollution emission standard for automobiles purchased by the State of California which are 0.5 gram per mile of reactive hydrocarbons, 11 grams per mile of carbon monoxide, and 0.75 gram per mile of oxides of nitrogen. The Federal standards for the 1970 models, which are the most stringent to date, are 23 grams per mile of carbon monoxide and 2.2 grams per mile of hydrocarbons.

I offer this amendment because I represent the city which the Public Health Service has ranked as the most polluted in the country. I represent a city which has suffered from inversions in the air, periods when the winds failed to blow away the carbon monoxide, the lead particles, the hydrocarbons, and the other deadly pollutants which were produced by the internal combustion engine automobile with the result that many died.

I come from a city where 2 million autos daily crowd into the city spouting forth dirt and heavy smoke which corrodes every material with which it comes into touch.

I offer this amendment because I want to do something about this situation.

Until now, most of the effort to combat auto-caused air pollution has come through utilization of emission control devices attached to the crankcase or tailpipe. The use of such devices has brought a noticeable reduction in emission levels of certain auto pollutants. However, these devices can only partially reduce the level of pollution emission. As the Air Pollution Control Administration projection of the level of auto pollution suggests, the increasing number of cars will begin to offset the decrease in pollution brought about by exhaust emissions control devices after 1980.

POLLUTION LEVEL FROM AUTOMOBILES BASED ON 1970–71 AIR POLLUTION CONTROL ADMINISTRATION

HYDROCARBONS

[In millions of tons per year]

	1968	1972	1975	1980	1990
Urban	7.0	6.0	5.0	4.5	7.0
Total emissions, nationwide	12.0	10.0	8.5	7.0	10.0

CARBON MONOXIDE

Urban	47.5	40.0	32.5	27.5	43.0
Total emissions, nationwide	68.0	55.0	45.0	37.5	58.0

OXIDES OF NITROGEN[1]

Urban	3.0	4.0	4.5	6.0	10.5
Total emissions, nationwide	6.5	8.5	9.5	12.0	19.5

[1] There are no current emissions standards.

The primary source of pollution is the internal combustion engine. Since it cannot uniformly burn all of the gasoline it consumes, it inherently must produce a certain level of pollutant emission. Control devices can modify its output, but they cannot prevent it. Other types of propulsion systems are capable of being emission free. They can operate with little or no release of deadly pollutants into the atmosphere.

The need to seek alternatives to the internal combustion engines, which do not have to pollute, was recognized by the President and his Environmental Quality Council last week when they viewed alternatives to the internal combustion engine and heard a warning from Dr. Lee A. DuBridge, the Presidential science adviser, that if we do not ban the internal combustion engine sometime in the future, we would no longer be able to breathe anything but noxious air.

In spite of this, the auto industry has resisted all efforts to reduce air pollution by developing an alternative to the internal combustion engine—just as it resisted efforts to place safety belts and other safety equipment in the American car and just as it resisted efforts to install pollutant reduction equipment.

This is dramatically demonstrated by the recent Justice Department suit against the big three auto companies, charging them with combination and conspiracy to develop and manufacture motor vehicle air pollutant equipment. Two years of Los Angeles Federal grand jury hearings has brought out auto company activity going back to 1953, one year after the link between the auto and air pollution was first established. The auto companies agreed at that time to install pollution abatement equipment only if all companies agreed to install such equipment at the same time. And on at least three subsequent occasions, the companies met and agreed to attempt to delay installation of pollution abatement equipment. In 1961, they agreed to delay the installation of the positive crankcase until the 1963 model. In late 1962 and early 1963, they agreed to delay the adoption of an improvement to the crankcase ventilating device, and in early 1964, the introduction of a new

exhaust emission control measure until the 1967 model year. In 1964 the auto companies agreed to tell the State of California the technology would not exist to install tail emission devices until the 1967 model year although they had the technological know-how and devices to do so.

What we are hearing today is the same thing. Dr. Fred Bowditch, director of GM's emission control engineering, told a panel of the California State Assembly, which was then considering the Senate-passed bill to ban the internal combustion engine by 1976, that—

The know-how isn't there to do the job by 1976. (Los Angeles Times, August 1, 1969.)

I do not believe Dr. Bowditch was under oath for at a press conference given by GM at its research laboratory, after the California bill had been safely killed, he answered a reporter's query of "What would you have done if the panel had passed the bill?" with the statement:

We would have complied, and of course, General Motors would have remained in the business of producing automobiles. (San Fernando Valley News, August 7, 1969.)

Apparently the big three just do not want to tell the American public the truth. Hearings by the Senate Commerce Committee have revealed that low-cost, low-emission vehicles can be produced today but that none of the big three is actively moving toward this goal because they are satisfied with the market status quo. Only American Motors, which is not satisfied with its share of the current market, is moving to explore alternative methods of propulsion. I am inserting at this point the summary of the report by the Senate Commerce Committee which evaluated one alternative engine—the Rankine propulsion system.

[From "The Search for a Low-Emission Vehicle," Report prepared for the Committee on Commerce, U.S. Senate, 1969]

THE RANKINE PROPULSION SYSTEM

Introduction

In the Rankine or vapor cycle propulsion system,[51] the ignition of the fuel takes place without explosion outside the engine in the burner.[52] The heat produced by the burning of the fuel in the burner is used to heat up a working fluid—water or some other neutral fluid. When the fluid is heated, it converts to vapor. This conversion takes place in a monotube steam generator. The vaporized fluid becomes the power source for the engine. It is conducted to the engine, where it is used to drive the pistons or turbines which turn the shaft and drive the wheels. Valves control the entry and exit of the vaporized fluid. Instead of an explosion within the piston chamber, as occurs in the internal combustion engine, there is simply the entry and exit of a vaporized fluid. In a closed Rankine cycle system, the exhausted vapor is captured, run through a condenser resembling a radiator, cooled, and returned to its liquid state where it is ready to be heated again in the generator.

A Rankine propulsion system does not utilize a transmission. The car can accelerate from a dead stop without a transmission because the engine delivers high torque at low speeds. Its high-torque qualities may, however, require a simple system to gear down the drive train in order to prevent wheel spin.[53]

When the vehicle is at a standstill, the vapor source to the engine is cut off, and the engine does not run. The vehicle is put in motion by simply opening a valve. Acceleration is very good. An engine with an engine rating of 168 horsepower will accelerate from 0 to 60 miles per hour in 9.5 seconds. An ICE with a rating of 250 horsepower propelling the same load takes 10 seconds to accelerate from 0 to 60 miles per hour.[54] Smaller horsepowered Rankine engines accelerate at rates equivalent to larger horsepowered ICE's because the Rankine engine loses less power between the engine and the wheels since there is no complicated transmission.

Braking for a Rankine-powered vehicle can be accomplished by conventional means, or else the engine, by means of reverse torque, can brake the car. Reverse torque can be employed in emergency situations only or in each braking maneuver.[55]

The Rankine propulsion system is adaptable to present automobiles. The burner, generator, and condenser can fit within the existing space under the front hood. [56] The engine can be placed in the present transmission casing or further back under the car near the differential. Existing auxiliaries can be run off power provided by a small Rankine turbine engine which operates even when the main engine does not; thus heat or air conditioning can be provided at all times.[57]

Emission characteristics

Unlike an ICE, combustion of fuel in the burner of a Rankine cycle system is almost complete. This means that under normal operating conditions, without attempts at emission control, a steamcar produces almost no pollution. In emissions tests conducted on the 8-year-old Williams Steamcar the following results were obtained:[58]

Hydrocarbons	20 p.p.m.
Carbon monoxide	0.05 percent
Nitrogen oxides (no lead)	40 p.p.m.
Lead	None.

Compare these results with the uncontrolled ICE:[59]

Hydrocarbons	900 p.p.m.
Carbon monoxides	3.5 percent
Nitrogen oxides	1,500 p.p.m.
Lead	(?)

The low-emission characteristics of the external combustion engine (ECE) are built in. This is an important feature. There are no emission controls to maintain or repair. Deterioration is virtually nonexistent. As long as the engine functions, it will function with low-emission characteristics. Compared to the controlled ICE, then, the Rankine systems emission characteristics are far superior.[60]

Noise characteristics

The Rankine system not only helps eliminate air pollution, it also greatly alleviates noise pollution. A Rankine vehicle cuts perceived vehicular noise by a factor of 4 at peakloads which is equivalent to multiplying the distance between sound and person by 10.[61] Trucks and buses gearing up and gearing down are the greatest generators of surface vehicle noise. By operating under steampower, the need for a transmission in trucks and buses is eliminated; and their roar can be reduced to a tolerable whirring sound. Again, noise pollution control like air pollution control is a built-in quality of the steam engine. No practical amount of muffling of the ICE can replicate the inherent, relative silence of the ECE.

Fuel requirements

The Rankine vehicle operates on a variety of fuels.[62] It can burn gasoline from the pump of any service station, or it can operate equally as well, perhaps, better, on low-grade white kerosene. The steamcar does not require leaded gasoline with high octane ratings. Rankine fuel, then, is less refined, less costly, and less polluting than ICE fuel.

Fuel consumption tests on existing steam vehicles and consumption projections for future Rankine vehicles indicate that such vehicles get, or will get, better fuel mileage than their ICE counterparts.[63] The Williams steamcar averaged 20 miles per gallon on kerosene in a conventional gasoline mileage test.[64] Comparable ICE vehicles get only 15 miles per gallon. Representatives of General Motors testified that the steam engine consumed 0.70 pounds of fuel per horsepower hour compared to the ICE's consumption rate of 0.50.[65] Further examination of those figures revealed, however, that the loss of horsepower in the drive train was not represented in the ICE figures.[66] It is fair to conclude that steam engine mileage will be as good as the ICE mileage—probably better—and that it will consume less expensive fuels which do not have lead and other additives that add to air pollution.[67]

Cost

Vintage steamcars were quite expensive compared to their ICE competitor, but this was primarily due to low-volume, nonassembly line, production.[68] Dr. Robert Ayres maintains that a steam-powered vehicle would cost less to produce on the same scale, and the same amount to produce on a smaller scale, than a comparable present ICE vehicle.[69] Dr. Morse estimates that the steam engine will cost 1.5 times as much as the present ICE; and General Motors Co. boosts that to three times as much.[70] It is possible that the GM figures take into account only the comparative engine costs, not total drive train costs.[71] The Battelle research report properly concluded: [72]

"It is impossible to fix a specific cost figure based on current data because no figures are available which reflect volume-production quantity. The best available evidence indicates that the specific cost will be less than that of a comparable diesel engine and about equal to that of an equivalent V–8 engine with automatic transmission. The additional cost of a transmission will be eliminated with steam power."

Maintenance and reliability

Testimony relating to the maintenance and reliability characteristics of the Rankine propulsion system was conflicting. Ford Motor Co. in the hearings considered the Rankine engine to be more complex than the present ICE.[73] On the other hand, Professor Gouse thought that the Rankine engine was simpler, particularly when compared with an ICE with emission control:

"If you look under the hood of a new car, the number of valves and devices added for exhaust emission control are not negligible, and the next year or two may bring more." [74]

A recent study has compared the reliability and maintenance characteristics of the ICE and Rankine systems. The following tables illustrate the better maintenance and reliability of the Rankine system:[75]

Other characteristics

1. Safety

In his testimony, Mr. Hafstad of General Motors stated that the high-pressure steam used to propel steam engines created a considerable safety hazard.[76] In older steamcars the danger of boiler explosions may have been real.[77] Today, however, steampower is certainly safe.[78] Mr. Williams discussed this point as follows:[79]

"Let me state exactly what is likely to happen and what might happen if a steamcar is involved in a collision. The modern monotube boiler is totally different from the kind alluded to by Detroit. It is composed of a long length of high-strength steel tubing—of 3/8- to 1/2-inch diameter—coiled tightly in a spiral and helical shape. It is nothing like a storage boiler used in factories and homes. The monotube steam generator has only a

Footnotes at end of article.

very small amount of steam in it at one time. In a collision, the strong coil would be deformed or distorted—nothing more.

"Suppose it ruptures—what happens? First, a small piece of tubing, three-eighths of an inch in diameter, breaks. The result is that the very small amount of steam contained within the coil is dissipated in a matter of seconds, doing virtually no damage.

"There is no large vessel to disintegrate like a huge grenade. In short, the danger of scalding is very slight, and the likelihood of serious danger is not remotely comparable to what happens when 20 or so gallons of high-octane fuel are ignited in a pileup. Here you have an explosion."

There is no danger of boiler explosion in modern monotube steam boilers that would be used in today's steamcar.[80]

2. Possibility of Freezeup

The problem of freezeup does not present serious obstacles.[81] Traditional antifreezes may not work in systems which operate at 1,000° F.—but other antifreezes probably can be developed. Ford Motor Co. assumes that such freezing is a solvable engineering problem.[82]

Mr. Pritchard, in his testimony, suggested alternative solutions to the freezing problem.[83] First, the water tank could be constructed with sloping sides so that freezeups would do no damage and the burner could thaw out the frozen water supply rather quickly. Second, a small pilot light within the burner could keep the water source from freezing—a solution employed in several contemporary steamcars.

Another solution to the freezing problem is to use a working fluid with a low freezing point. Freon, for example, is being tested by some steamcar builders.[84] When freon is used in the closed-cycle Rankine system, the problem of freezeup is virtually eliminated.[85]

3. Water Consumption

In older steamcars, water consumption was a problem. The steam cycle was not completely closed; therefore, steam escaped from the vehicle and caused appreciable water loss. Today a hermetically sealed closed-cycle Rankine engine consumes at most 1 gallon of working fluid per 1,000 miles.[86] Water consumption is no longer a problem.

4. Lubrication and Its Effects on Boiler and Condenser Life

Lubrication of the steam engine can be accomplished in a variety of ways. In some systems the lubricant is placed directly in the working fluid. Some testimony in the hearings suggested that impurities in the water and the presence of lubricants would have a detrimental effect on boiler and condenser life.[87] On the basis of experiences with the Williams steamcar there does not seem to be a problem; high-velocity flow through the boiler tube prevents scale from accumulating.[88]

Thermo Electron uses solid fluorocarbon lubricants in the working fluid system. By placing this type of lubricant in the system, the seals between the cylinder and the crankcase can be eliminated. This allows a simpler piston setup. There is no need for a crosshead piston and a unit similar to the single-power piston in the ICE is possible.[89]

5. Startup Time

Older steam automobiles with large water supply in their boilers took as long as 30 minutes to start. Slow startup, then, is associated with steamcars. Today, with the modern steam engine and its monotube boiler, initial startup time should take less than 20 seconds.[90] After the initial startup and for about a 3-hour period after shutdown, the startup would be instantaneous. Today, startup time is not appreciably longer than for an ICE.

Footnotes at end of article.

Recent developments

Appendix A contains correspondence from individuals or business enterprises working on the development of low-emission vehicles. Appendix B contains information from secondary sources on low-emission vehicle development. This section will not attempt to discuss all recent developments in this area but will merely highlight some of the major activities. For complete details on important new developments in the low-emission field the reader should consult the appendices.

California has recently given impetus to the development of Rankine cycle propulsion systems.[91] By resolution the California Legislature has asked the California Highway Patrol to test Rankine cycle patrol vehicles in six different geographical regions of the State.[92]

The California Highway Patrol demonstration project initially was to be funded by General Motors Corp., which had agreed to pay a selected vendor $20,000 toward the cost of developing an engine, and up to $100,000 for outfitting six operational patrol vehicles.[93] Because of problems of proprietary disclosure of information and hardware,[94] the Rankine engine manufacturers rejected the General Motors offer. After several false starts,[95] the California Highway Patrol has accepted letters of understanding from two firms which will each furnish a highway patrol vehicle to the patrol for testing within the next 6 months.[96] Thermodynamics Systems, Inc., has been given a late model Oldsmobile by the California Highway Patrol; it will convert the vehicle to steam and return it to the patrol for testing.[97] No specific details about Thermodynamics' powerplant are presently available.

Lear Motors Corp. of Reno, Nev., will provide the California Highway Patrol with a test vehicle by August 1, 1969. William Lear has purchased a 1969 Dodge Polara, the vehicle presently used by the patrol, and is converting that vehicle to steam.[98] Lear reports that the Rankine system he is installing will fit within the present space under the front hood. The engine will have a horsepower rating of at least 300 and will meet all necessary acceleration and speed requirements of the patrol. Lear reports significant advances related to the auxiliary system:[99]

"I have enclosed for your interest a diagrammatic representation of our basic power system. You will see that an auxiliary package is in operation whenever the system is used. This auxiliary unit provides support for the system proper and, in addition, powers the various services required by the vehicle, such as the air conditioner, power steering pump, alternator, et cetera. Under this arrangement, even though the vehicle were parked with the motor not running, full accessory usage is guaranteed. This has direct application to our highway patrol vehicle where there is a heavy demand for auxiliary power (rotating lights, power supplies, transceivers, etc.) under static conditions. In a passenger automobile, the car could be heated or cooled under 'parked' conditions."

California is also undertaking a Rankine engine demonstration project financed by the Department of Transportation.[100] This project involves the installation and testing of Rankine systems in buses in the San Francisco area. The objective of the project is "to demonstrate the complete operational feasibility and superiority and public understanding and acceptance of an external combustion engine-based propulsion system for urban mass transit bus use." [101] Lear Motor Corp. has announced it plans to bid on the engine contract for this project.

The Department of Transportation has recently announced the award of a second steam bus demonstration contract.[102] The city of Dallas will soon have buses powered by Rankine engines using freon as the working fluid. The Department of Transportation selected the freon engine for testing in the Dallas project because it appears to reduce difficulties with freezing, lubricating, and starting.[103] The engine will be furnished by Kinetics Corp. of Sarasota, Fla.; engineering work on the project will be done by Vought Aeronautics Division of Ling-Temco-Vought aerospace industry.

The most publicized activity in recent months in the field of Rankine propulsion system development is Lear Motor Corp.'s announced plans to enter a steam-powered racer in the 1969 Indianapolis 500. There are several interesting accounts of Mr. Lear's plans. (See app. B.) Assuming that race officials allow the steam racer to compete,[104] it will be interesting to watch its performance when competing with traditional power plants. Mr. Lear is not alone in his steam racer plans; Mr. W. D. Thompson of San Diego, Calif., also has announced plans to enter a steam racer in a future Indianapolis 500.[105]

In summary, there has been considerable activity in the Rankine cycle field in recent months. This activity has already produced results which reinforce the optimism of Rankine cycle proponents. On the basis of current developments and existing technological capability,[106] there is but one inescapable conclusion.

CONCLUSION

The Rankine Cycle Propulsion System Is a Satisfactory Alternative to the Present Internal Combusion Engine in Terms of Performance and a Far Superior Engine in Terms of Emissions.

This conclusion is based upon the above discussion. The Rankine vehicle is more economical to operate because it gets better gasoline mileage using less expensive fuels,[107] and because it has better maintenance and reliability potential.[108] Its acceleration, auxiliary operation, and braking characteristics are superior to those of the ICE. Alleged "problems" in applying Rankine cycle systems to automotive use have been or are being solved. The Rankine cycle engine is as safe as the ICE; [109] it consumes no more water; [110] freezeup can be avoided; [111] and startup time is satisfactory.[112] In terms of the all-important exhaust emission characteristics, the Rankine cycle system is far superior to the ICE,[113] and if the ICE becomes more competitive in this area, it will become less competitive in terms of gas mileage, maintenance, and reliability.[114] These assertions have been confirmed in a recent report, entitled "Critical Comparison of Low-Emission Otto and Rankine Engine for Automotive Use," delivered at the International Automotive Engineering Congress in Detroit, Mich., on January 13, 1969.[115] The authors of this report conclude: [116]

"The Rankine engine has the potential of being better than the Otto cycle engine in maintainability and reliability, fuel economy, and exhaust emissions. Also, the Rankine engine should be at least comparable in initial cost and safety in case of accident * * *.

"It is, therefore, recommended that the automotive industry seriously consider the Rankine engine as the future powerplant and that the chemical and petrochemical companies concentrate on the development of the 'ideal' fluid."

Opponents of change may dispute the conclusion reached in this report. But their previous attacks on the feasibility of the Rankine cycle engines are no longer viable; they will have to find new criticisms. For example, Chrysler Corp. can no longer say that the problem of cold weather operation is "a real impediment to the successful application of steampower to automotive vehicles." (See Chrysler letter, Feb. 18, 1969, app. A). It presents no such impediment.[117] Ford Motor Co., in face of the evidence, can no longer argue that complexity is a disadvantage for the Rankine vehicle.[118] Finally, Gen-

eral Motors should reevaluate its emission-reduction economics charts.[119] In terms of cost, General Motors lumps Stirling, gas turbine, and steam engines in the same category and concludes they are twice as expensive as controlled ICE's. This is simply not the case: All other cost estimates place controlled ICE's and Rankine systems in comparable categories. General Motors probably neglected to include in its comparisons the substantial cost of the ICE transmission—a transmission not required in the Rankine cycle system.[120]

Opponents of the Rankine system will be hard put to find new criticisms. Although Lear Motor Corp. has been in operation only 6 months, it has put together a research, development, and production program that will place a racing vehicle in the Indianapolis 500 and will deliver an operational highway patrol vehicle to the State of California.[121] Progress in other areas has been as rapid.[122] This progress has taken place without a massive infusion of research and development money; existing technology has been applied. Any critic of the Rankine system will have to confront the fact that Rankine system development is in an embryonic state; the potential for improvement far outstrips any potential for improvement of the ICE upon which immense amounts of capital have already been expended without producing startling improvements in emission or other characteristics.[123]

Finally, it should be pointed out that the Rankine propulsion system that is being developed today is not new in the sense that it has just come within our technological reach. Without the myopic persistence of the automobile industry in devoting most of its research funds to the ICE, a reliable, low-polluting Rankine cycle engine could probably have been developed 20 years ago.

OBSTACLES TO RANKINE CYCLE DEVELOPMENT

(1) Inertia of automobile industry

The auto industry is committed to emission control of the ICE rather than development of a low-emission external combustion system.[124] At the hearings General Motors stated that "we continue to believe that clean air quality objectives can be achieved most quickly and at a lower price through further development of the internal combustion engine." [125] In a recent letter to the Senate Commerce Committee General Motors stated: [126]

"To summarize, we are actively investigating a number of energy conversion methods, including steam engines, which offer potential for satisfying automotive power requirements. However, present technology indicates that the gasoline engine still offers the best compromise as to cost, durability, reliability, economy, performance, efficiency, and the control of pollutants."

To substantiate the above claims General Motors has prepared several charts showing pollution-reduction economics.[127] In every case their charts purport to show that in the 1970's the internal combustion engine will match the pollution performances of the alternative powerplants at an expenditure of at least a third less.[128]

Ford Motor Co. stresses that it is "aggressively pursuing all avenues leading to the ultimate goal of clean air." [129] The main thrust of the Ford emission control program has been the development of control systems for the internal combustion engine. Ford has been a leader in a reported $7 million automobile and petroleum interindustry emission control program (IIEC) based on a systems approach concept for solving the common problem of emissions.[130] Ford announced:

"We have not met all our emission objectives as yet, but we are quite gratified with the results achieved to date. The second vital phase of the engineering problem—proving the durability of these hardware systems—is also underway but the major efforts in this area lies ahead." [131]

Ford also reports engineering and research work with alternate power sources, particularly the gas turbine, which is powering Ford trucks carrying cargo from Michigan to plants in Ohio [132]

Without disparaging their efforts at ICE emission control, it would seem that neither Ford nor General Motors plans to work toward the development of what appears to be a more promising Rankine cycle propulsion system. A response from Chrysler Corp. indicates they are of like mind.[133]

None of the "Big Three" automobile manufacturers are working toward developing a Rankine cycle vehicle. Only American Motors Corp. reports an interest in Rankine propulsion development: [134]

"We are pursuing a program to develop the application of steam as a result of a suggestion by a highly regarded potential supplier of this type of equipment. We have only begun to consider this latter alternative but are presently optimistic about its mechanical possibilities.

"As you might imagine, American Motors is highly interested in developing a low-emission, mass-produced automobile. Not only would this have advantages from a social point of view, but we look upon it as a rare opportunity for our company."

The present juxtaposition of the approach to Rankine cycle development by the "Big Three" and American Motors is interesting. In the hearings, Ford Motor Co. said that "* * * it is often assumed that our industry would resist any radical change in automotive power systems because of our tremendous investment in existing production facilities. On the contrary, one of the reasons we are continually examining new power sources is that we must periodically update our designs, plants, and equipment *to meet the ever-changing demands of our customers.*" [135] The Big Three must not see a customer demand for a low-emission, reliable Rankine cycle vehicle; American Motors, without a large stake in the existing market, at this time does see such a demand.

Senator Muskie's concern that "the momentum of the status quo may run counter to the public interest" is well founded.[136] There is no assurance that the present course set by the major automobile manufacturers will lead to the development of a low-emission, reliable internal combustion engine.[137] Their present course does seem to assure, however, that low-emission Rankine cycle propulsion units will not be developed by one of the major automobile manufacturers.

Ironically, Government, as the protector of the public interest, also may very well be pursuing a course contrary to the public's long-range interest. For example, in fiscal year 1967 the Department of Health, Education, and Welfare spent $3.2 million on automobile emission research.[138] Only $115,000 was spent for researching ICE alternatives; the rest went to refining the ICE.[139]

The inertia of the automobile industry toward the development of the Rankine cycle propulsion system is perfectly understandable. The auto industry has large sums committed to the present internal combustion engine in terms of development man-hours and production capabilities.

There are several other reasons why the auto industry is dragging its feet in the development of a Rankine propulsion system. As Ford Motor Co. has stated, the automobile industry changes its designs, plants, and equipment "to meet the ever-changing demand of our customers." [140] There is as yet no customer demand for a Rankine propulsion system the public is simply not aware of the advantages of the Rankine system as a power source for general-use vehicles. Not until a vehicle powered by a Rankine system is developed and widely publicized will there be even a limited customer demand for the Rankine-powered vehicle.

Not only is there no customer demand for a Rankine cycle vehicle, there is not even a general customer demand for a low-emission vehicle. When purchasing an automobile the individual consumer does not use emission control as one of his influencing criteria.[141] Although he may be opposed to air pollution in general, he does not normally shop for a low-polluting vehicle himself. In fact, he may shop for the highest allowable polluting vehicle because present pollution control devices interfere with the efficient operation of the engine and require constant adjustment. Because there is no consumer demand, the automobile industry's present posture toward Rankine systems specifically, and pollution control in general (especially before Federal emission standards), is understandable even though it may not be commendable.

Of course, there is presently customer demand for some of the benefits that the Rankine vehicle would offer. For example, the customer presently looks for good gas mileage and low-noise qualities. In addition the Rankine system has better maintenance and reliability characteristics than its elaborately controlled ICE counterpart. Finally, automobile manufacturers do not have to wait for customer demand before they act. How often have they created new customer demands through saturation advertising? As auto critic Ralph Nader once said: "Who wanted fins?"

(2) The petroleum industry

The petroleum industry is engaged in a joint auto-gas industry study of ICE emission control and will spend an estimated $19 to $25 million for research between 1967 and 1969.[142] It is probable that the petroleum industry and automobile industry are firmly wedded to each other in their approach to the problems of vehicular air pollution.

However, on January 30, 1968, the Wall Street Journal reported that "the automobile industry, in an apparent effort to simplify its own efforts to reduce auto-caused air pollution is now trying to shift part of the blame for dirty air to gasoline * * *. The oil industry, needless to say, is not pleased by the indictment of its products. 'They're just looking for someone to join them on the hot seat,' complains a research executive for one major oil company." The present rift between the automobile industry and petroleum industry may cause the petroleum industry to review its assumed present negative posture toward Rankine cycle systems.

In such a review the oil industry would have to balance the costs of producing "clean" gas against the costs of converting to lower grade fuels. It has been reported that the cost of "clean" gasoline would result in extra costs of 1 cent to 2.3 cents per gallon and an added investment of $1 to $3 billion.[143] There are no available cost estimates on the conversion of refineries from high-octane petroleum to kerosene, but such conversion would necessitate phaseout of existing refinery facilities and cause disruptions which no established industry favors. In addition to refining changes there would be per mile consumption changes downward and some changes associated with auto servicing and supply operations. Certainly the Rankine vehicle is preferable from the oil industry's standpoint to electric vehicles, but on balance the recent rift between the auto and petroleum industry is not likely to cause the petroleum industry to divorce itself from the automobile industry and come out in favor of a Rankine cycle system. Profitwise there is probably "nothing in it for them."

Footnotes at end of article.

(3) Costs of introducing Rankine propulsion system in face of industry inertia

Because the major automobile manufacturers apparently are not going to develop and market the Rankine propulsion system, such development and marketing will have to be undertaken independently. The obstacles to such an independent undertaking are enormous.

The price of direct entry into the passenger vehicle market has been estimated to be $300 to $400 million.[144] This price includes the money necessary to set up nationwide dealerships and nationwide service facilities as well as a cost increment because of anticipated subcontracting problems. In addition, it includes money necessary to sustain a fairly high rate of production in order to produce the vehicle at minimum cost so that it is economically competitive with its ICE counterpart. The extremely high price of entry will undoubtedly prevent any independent steam automobile manufacturer from directly entering the automotive market.

Such large capital expenditure is all the more unlikely, given the risks of such an undertaking. Assuming the innovator meets with initial success, such success is likely to be short lived. The automobile industry is capable of responding to any innovative competitive threat by producing a Rankine vehicle of their own.

"The steam innovator is faced with some very difficult problems. His vehicle is general purpose and will probably require a fairly substantial dealer organization for initial success. A fairly high rate of production will probably be required for minimum cost. The possibilities of subcontracting for large quantities of components he will need are limited. Thus his capital and organizational requirements are heavier than for the electric car innovator. If he overcomes these difficulties and markets an attractive product, success is likely to be short lived. The automobile industry could readily adapt its production and service complex to steam-power if forced by serious competitive threat. Unless the steam innovator is much better, or luckier than most, he will be eliminated. What innovator will challenge the automobile industry in an area where the advantages accruing to him are small and the disadvantages overwhelming? [145]

Any development and marketing of a Rankine propulsion system will take place only when an entrepreneur overcomes the anticipated costs of direct entry. He must figure a way to reduce the cost of establishing nationwide dealerships and service centers and to reduce the cost of manufacturing his own nonpropulsion system automotive component parts. Ideally, he must also figure a way to market a price competitive product at a low initial production rate.

One way to accomplish these goals is to contract with an existing automobile manufacturer to provide Rankine propulsion units for some of its vehicles. By marketing Rankine propulsion system units through an organization with existing dealer and service networks, initial capitalization costs in those areas would be considerably reduced. A new propulsion system would require some service investments, but these could be developed in conjunction with existing facilities. The cost of nonpropulsion unit parts would be eliminated because the automobile manufacturer would supply those parts. The remaining problem of manufacturing a price-competitive product during initial production could be overcome if the Rankine system manufacturer and auto company were willing to accept temporarily an after-tax profit margin lower than the existing one. Any such effort could be countered, however, by a coresponding profit reduction by industry members not producing Rankine-powered vehicles.

Another way to reduce entry costs is to sell Rankine vehicles in specialized markets until production is raised to a level where a company can offer vehicles generally at competitive prices. Such markets exist where vehicles such as buses, taxis, or trucks are used in fleet operations within a limited geographic area. Such fleet sales would not require extensive dealer networks. The servicing costs would be minimal because fleet operations usually have their own central servicing facilities. Unless the Rankine vehicle producer worked in concert with an existing automobile company, the costs associated with nonpropulsion automotive part procurement and low-volume production would still have to be sustained. Too, such an approach would not lead immediately to widespread development and marketing, but as an initial approach to Rankine development it may be the only practicable method available.

A final speculative approach, used alone or in conjunction with one of the others, might be to try to create a consumer demand for Rankine cycle vehicles by building prototype cars and publicizing their advantages. Once a customer demand has been created, then the automobile industry might respond by developing an innovative propulsion system. Ford Motor Co. suggests that customer demand guides innovative development. A successful race car, for example, built at a cost far below the $300 million direct-entry cost, might generate consumer demand for Rankine-powered cars, and Detroit might respond to this demand.

FOOTNOTES

[51] This report does not attempt to discuss in specific detail the various kinds of external combustion engines. The main focus in the hearings was upon the Rankine cycle engine. The report will primarily discuss that propulsion system.

There are two systems, however, which should briefly be discussed. General Motors testified that the Stirling engine was perhaps the best external combustion alternative to the internal combustion engine. Hearings at p. 44. The Stirling engine uses hydrogen or helium as the working fluid, and because of very high temperatures and pressures requires rather exotic and expensive alloys. It has excellent emission qualities, is more efficient than the steam engine (about 35 percent thermal efficiency), but is not economically competitive except in large vehicles such as trucks or buses. Hearings at p. 13.

A Stirling engine has been used in an external engine-battery hybrid propulsion system. Id. at pp. 44–45. The low-emission engine is used to charge the electric batteries which serve as the power source for the drive train. Such hybrid systems could employ controlled internal combustion engines and might lead to reduction of air pollution. See hearings at pp. 242–244 for a discussion of these hybrid systems and their potential pollution advantages. See also, app. B for a recent article on GM's hybrid car ("GM Builds No-Smog Car").

[52] For a glossary of terms relating to external combustion engines see hearings at pp. 12–13.

[53] Professor Gouse testified that such gearing could serve to control acceleration, but such control might not meet with consumer acceptance. Hearings at p. 74.

[54] App. B (Critical Comparison Report):

TABLE 1.—PERFORMANCE OF AUTOMOBILES WITH VARIOUS 150-HP. POWER SYSTEMS

[Weight of auto plus load, 3,500 lbs.; tire pressure=28 p.s.i.; tire diameter=2 ft.; standard air conditions; frontal area=22.4 ft.; CD=0.4; coefficient of friction between tires and road=0.6]

	Otto [a] cycle (engine rating=250 hp.) [b]	Vapor [c] reciprocator (engine rating=168 hp.) [d]	Vapor [e] turbine (engine rating=150 hp.) [f]
Top speed	117 m.p.h.	121 m.p.h.	117 m.p.h.
0 to 60 m.p.h. acceleration	10 seconds	9.5 seconds	10 seconds.[g]
30 to 60 m.p.h. acceleration	5½	5 seconds	6½.
Grade at 60 m.p.h.	20 percent	22½ percent	20 percent.

[a] Transmission efficiency taken as 90 percent.

[b] 150 hp. corresponds to maximum torque condition, assumed to occur at 60 percent of maximum power. Engine assume to operate at constant 3000 r.p.m. during all calculated maneuvers.

[c] Transmission efficiency taken as 98 percent.

[d] 150 hp. corresponds to normal maximum power at maximum engine r.p.m. (6,000 r.p.m.) Engine operates with fixed gear ratio; rotates at 3,000 r.p.m. at 60 m.p.h. Cutoff held wide open during acceleration to 60 m.p.h.; at 60 m.p.h. the engine develops 168 hp., and reaches 150 hp. at 7.5 seconds (50 m.p.h.). Engine could be designed never to exceed 150 hp. at slight penalty to acceleration time.

[e] Transmission efficiency taken as 98 percent for acceleration; 90 percent for other conditions.

[f] 150 hp. corresponds to normal peak power at 30,000 r.p.m. turbine speed. Fixed gear ratio assumed during acceleration from 0 to 60 m.p.h. (30,000 r.p.m.); turbine operates at 30,000 r.p.m. at all power levels once having reached 30,000 r.p.m.

[g] Traction limited. Turbine supplies more torque at start than traction can transfer.

[55] The ability of the Rankine engine to perform the braking maneuver may have some important pollution control effects. Investigations are currently underway to determine the amount of asbestos pollution caused by vehicles whose brake linings are composed of asbestos. (See supra note 10.) If asbestos from automobile brakes is found to be a serious health hazard, the Rankine vehicle could significantly reduce this danger by utilizing the engine in each braking maneuver, thus reducing wear on brakes—wear which throws small asbestos particles into the air.

[56] See app. A (Lear letter).

Testimony in the hearings as to the size and weight of a steam engine was somewhat conflicting. Dr. Robert Ayres stated at the hearings that "a closed-cycle steam engine weighs approximately 4 pounds per horsepower compared to the ICE's 3 pounds" (hearings at p. 4). "General Motors Co. suggested that the steam engine would weigh three times as much as the ICE" (id. at p. 48). "Ford Motor Co., in a chart comparing engine installations, indicated that the ECE and ICE would be of comparable size and pictured the engines occupying the same space within the vehicle" (id. at p. 30).

[57] See app. A (Lear letter). See also discussion in text accompanying note 99 infra.

[58] Hearings at 113. These results are well below the projected 1975 emission goals. The suggested national goals for 1975 are: Hydrocarbons, 50 p.p.m.; carbon monoxide, 0.5%; nitrogen oxide, 250 p.p.m.

[59] "Automobile and Air Pollution Report (II)," supra note 3 at p. 23.

[60] See App. A (Smith and Peterson letter) where current Rankine engine emission statistics are presented:

Total grams per mile of hydrocarbons, carbon monoxide, and oxides of nitrogen

	Grams
California standards, 1970	27.2
California standards, 1972	25.9
California low emission vehicle, AB 356	12.25
1967 Smith and Peterson test	4.8
1968 Smith and Peterson capability	2.8

[61] Hearings at pp. 8 and 99.

[62] Hearings at p. 99. Of course, an engine will probably be designed to run on one par-

ticular type of fuel and be most efficient with that fuel.

[63] See app. B. "Critical Comparison of Otto and Rankine Cycle Engines," at p. 14.

[64] Hearings at p. 115. The test was the seven-mode California cycle test.

[65] Id. at p. 48.

[66] Id. at p. 55.

[67] See app. B ("Leaded Gasoline Presents Hazards to Health").

[68] Id. at p. 8.

[69] Id.

[70] Id. at p. 48.

[71] See the graphs submitted by General Motors (app. A) which still show a differential in price of about 2 to 1 even when exhaust reactors are added to the ICE. Again, it is possible that the figures do not include transmission cost comparisons.

[72] See research report for HEW (National Center for Air Pollution Control), "Study of Low-Pollution Potential Power Sources for Urban Vehicles," Battelle Memorial Institute (March 15, 1968) at 61–62.

See also app. B, "Critical Comparison Report."

TABLE 3.—RELATIVE COST COMPARISON OF OTTO AND RANKINE SYSTEM

	Otto cycle	Steam reciprocator	Steam turbine	Organic reciprocator	Organic turbine
Engine [1]	$0.42	$0.40	$0.20	$0.40	$0.16
Heat addition		.20	.18	.18	.18
Heat rejection	.04	.10	.10	.10	.10
Transmission	.35	.15	.40	.15	.38
Accessories [2]	.13	.13	.11	.10	.10
Emission control	.06				
Total	1.00	.98	.99	.93	.93

[1] Engine cost includes fuel-injection system and ignition system.
[2] Accessories exclude air conditioning, power steering, power brakes, power seats, power windows.

[73] Hearings at p. 29. But see id, at p. 165, where the Ford data is challenged. Ford has been severely taken to task for its complexity ratings which testimony disclosed were based on guesses. See also id. at p. 163. A survey conducted in July by Industrial Research found that of the more than 400 scientists and engineers, 87 percent disagreed with Ford's claim that steam engines are more complex. See Ideas, "Information on Developments in Electricity and Steam." November 1968, at p. 15.

[74] Hearings at p .82.

[75] See app. B, "Critical Comparison," at pp. 12 and 15:

"The Rankine engine has the potential of having these major advantages over the Otto cycle engine for automobile use: *maintenance* and *reliability*, fuel, economy, low emissions." [Emphasis added.]

TABLE 4.—RELIABILITY COMPARISON OF OTTO AND RANKINE ENGINES

	(V–8) Otto cycle	Steam reciprocator (4 cycle)	Organic reciprocator (4 cycle)	Steam turbine	Organic turbine
Main bearings	5	5	5	2	2.
Connecting rod and wristpin bearings.	16	8	8	0	0.
Camshaft and rocker arm and pump bearings.	22	13	13	2	2.
Set of rings or equivalent	8	4	4	0	0.
Valves	2 per cycle, cam operated.	1 per cycle mechanically operated, 1 sleeve seal.	Same as steam reciprocator.	Variable nozzle reciprocator.	Variable nozzle.
Controls	Throttle control on carburetor (plus automatic control on carburetor, coolant temperature).	Valve cutoff, fuel flow pump speed (plus automatic temperature and pressure control).	do	do	Do.
Seals	2 major oil seals	1 major fluid seal	do	Same as steam reciprocator.	Same as steam reciprocator.
Transmissions	Multigear, hydraulically controlled system.	Simple gears	Simple gears	Multigear, hydraulically controlled system.	Do.
Peak metal temperature	1,200° F. plus	1,000° F	700° F	1,000° F	700° F.
Minimum internal steady-state temperature.	180° F	212° F	150° F	212° F	150° F.

TABLE 5.—PARTS NEEDING ADJUSTMENTS OR SERVICING

	Otto cycle	Steam reciprocator	Organic reciprocator	Steam turbine	Organic turbine
Prime mover	Valve life	Cutoff valve	Gate valve	Cut off valve	Gate valve.
	Valve surfaces				
	Bearings				
Heat addition	Ignition system	Fuel flow control	Same as steam	Fuel flow control	Same as steam.
	Carburetor	Valves	Reciprocator	Fluid flow valve	Turbine.
	Carbon cleanout	Igniter	do	Igniter	Do.
	Fuel pump and filter.	Safety valve	do	Safety valve	Do.
Heat rejection	Fan belt	Fan motor	Fan motor	Fan motor	Fan motor.
	Clean radiator	Clean condenser	Clean condenser	Clean condenser	Clean condenser.
	Coolant				
	Water pump				
Transmission	Fluid			Fluid	Fluid.
	Bands			Bands	Bands.
Auxiliaries	Voltage	Voltage	Voltage		
	Lube system	Deaerator	Deaerator	Deareator	Deaerator.
	Filter	Lube system			
	Oil	Oil			
	Pump	Pump			
	Belt drive	Condensate and boiler feed pump.	Condensate and boiler feed pump.	Condensate and boiler feed pump.	Condensate and boiler feed pump.

[76] Hearings at p. 46.

[77] There have been no cases of vintage steamcar explosions reported, however.

[78] See app. A (Lear letter), where it is reported that the latent energy in the generator at any time is equivalent to a few ounces of gasoline only.

[79] Hearings at p. 112.

[80] See app. A (Lear letter).

[81] For a general discussion see Dr. Ayres testimony hearings at p. 9. But see app. A (Chrysler letter) where this problem is put forth as a main obstacle to Rankine cycle development.

[82] Hearings at p. 28.

[83] Id. at p. 153.

[84] See, e.g., Product Engineering, Nov. 4, 1968, where Wallace L. Minto's freon "steam" engine is discussed (app. B).

[85] Freon has a freezing point of −68° F., hearings at p. 9, Minto's freon engine will be used in the Dallas steam bus demonstration project funded in part by the DOT. See discussion in text accompanying notes 102 and 103 infra.

[86] Id. at p. 9.

[87] Id. at p. 46.

[88] Id. at p. 79.

[89] See diagram id. at p. 129.

[90] Mr. Minto claims a 3–6 second startup time for his Freon "steam" engine. Product Engineering, Nov. 4, 1968, at p. 56 (app. B).

[91] In the first place California has passed emission standards that will severely test the emission control potential of the internal combustion engine. (AB 357 (1968)). Secondly, the California Highway Patrol will undertake a testing program of Rankine cycle patrol vehicles. See text infra. Third, the California Assembly will supervise a steam bus demonstration project financed in part by the U.S. Department of Transportation. See text infra. Finally, California by legislative mandate will purchase low-emission vehicles for State use. (AB 356 (1968)). See text infra under "Recommendations."

[92] See app. B for copy of California Assembly Resolution No. 111 (1968).

[93] See Ideas, October 1968, p. 5.

[94] See Ideas, February 1969, p. 33 (corroborated by phone conversation with William P. Lear, Feb. 19, 1969).

[95] Initial bidding did not produce satisfactory results and a new request for proposal was distributed to Rankine cycle propulsion system manufacturers. There were four respondents to the second request: Lear Motor Corp.; Thermodynamics Systems, Inc.; Paxve, Inc.; and Berry W. Foster. (See app. B for complete information on the California Highway Patrol's request for proposal.)

[96] Phone conversation with Inspector David S. Luethje, California Highway Patrol, Feb. 25, 1969.

[97] Id.

[98] Id.

[99] See app. A (Lear letter).

[100] The demonstration project is supported under the Department of Transportation's program of research, development, and demonstrations of the Urban Mass Transportation Administration which is aimed at improving mass transportation in all cities across the Nation through the application of new technology. The total cost of the program for 3 years is estimated at $610,000 of which the Federal share will be $450,000. The initial Federal grant is for $244,250 to aid in the purchase, installation, and testing of the engine. The State of California, AC Transit, and San Francisco MUNI will contribute the remaining funds. (See app. B (California steambus proposal.))

[101] Id.

[102] The Dallas project will cost $464,684 of which the Federal grant from the Urban Mass Transportation Administration will be $309,789. The city of Dallas will pay $114,895 of the project's cost with the balance to be provided by LTV Aeronautics Division in services.

This project was not formally presented to the Department of Transportation in the way the California project was, but the Department is to be commended for allocating funds to both these necessary demonstration projects.

[103] See app. B ("Product Engineering—Minto") for a description of Minto's activities in developing engines using Freon.

[104] Any attempt to keep the Rankine vehicle out of competition will be viewed by critics as another automotive industry attempt to stifle progress and perpetuate the status quo. Such an exclusion may, in fact, prompt a congressional inquiry.

[105] See app. A (W. D. Thompson letter).

[106] See app. B, "Critical Comparison Report."

[107] See discussion in text accompanying footnotes 62–67 supra.

[108] See discussion in text accompanying footnotes 73–75 supra.

[109] See discussion in text accompanying footnotes 76–80 supra.

[110] See discussion in text accompanying footnote 86 supra.

[111] See discussion in text accompanying footnotes 81–85 supra.

[112] See discussion in text accompanying footnote 90 supra.

[113] See discussion in text accompanying footnotes 58–60 supra.

[114] See supra, footnote 38.

[115] See app. B ("Critical Comparison Report").

[116] Id.

[117] See discussion in text accompanying footnotes 81–85 supra.

[118] See footnote 73 supra.

[119] See app. A (General Motors letter).

[120] See footnote 71 supra.

[121] See footnote 98 supra.

[122] Thermodynics Systems, Inc., and Kinetics Corp. are among those about to provide operational equipment within a very short time.

[123] Ford Motor Co. will spend a reported $7 million for one emission control research program designed to improve the ICE. A comparable expenditure in the Rankine field would have far greater pollution control impact. (See footnote 130 infra.)

[124] Hearings at pp. 24, 33, and 48.

[125] Hearings at p. 53.

[126] App. A (General Motors letter).

[127] App. A (General Motors letter).

[128] See discussion accompanying footnotes 70 and 71 supra.

[129] App. A (Ford letter).

[130] See hearings at p. 27; see also App. A (Ford letter).

[131] See app. A (Ford letter).

[132] See app. A (Ford letter) and app. B ("Turbine Era Dawns," Automotive News, Feb. 10, 1969, p. 8).

[133] See app. A (Chrysler letter).

[134] See app. A (American Motors letter).

[135] Hearings at p. 25.

[136] Hearings at p. 33:

"Senator MUSKIE. You [Mr. Misch, Ford Motor Co.] make the point, which is very legitimate, that the internal combustion engine has benefited from the contributions of thousands of engineers, scientists, and manufacturing experts over many years. In addition, there is a commitment to the internal combustion engine in terms of investment, and consumer acceptance, and consumer familiarity.

"Doesn't all this, however, add to the momentum of the status quo in a way that may run counter to the public interest?

"Mr. MISCH. Well, it would only run counter to the public interest if we pursued the internal combustion engine and failed to arrive at the satisfactory final position with regard to pollutants."

[137] See discussion in test accompanying footnotes 33–35 supra.

[138] "The Automobile and Air Pollution: A Program for Progress (Part II)," U.S. Department of Commerce (December 1967) at p. 25.

[139] Id.

[140] Hearings at p. 25.

[141] Very few individuals are aware enough or public spirited enough to choose an automobile merely on its pollution qualities. The steam vehicle will have to be competitive in every other way if it is ever to gain wide public acceptance. But competition does not require limitation. The steam vehicle may offer an unusual opportunity to adopt innovative and safer, but still competitive, design characteristics that complement the novel propulsion system. (See e.g., app. A (Lear letter).)

[142] "Automobile and Air Pollution Report (II)," footnote 138 supra at p. 28.

[143] Ideas, February 1969, p. 35. The figures were based on an American Petroleum Institute report.

[144] Hearings at p. 10.

[145] Hearings at pp. 65–66.

It took congressional action to make the auto safer. It took congressional action to get antipollution devices installed in the auto. It will take congressional action to make the air breathable again by doing something about the major source of air pollution—the internal combustion engine.

It is generally recognized that the automobile represents the most important single source of air pollution in the United States. It currently is responsible for 60 percent of all air pollution in the country and in many urban areas for well over 90 percent. This air pollution is a cause of pulmonary emphysema, chronic bronchitis, lung cancer, genetic mutation, degeneration of pulmonary functions, increased sensitivity of various allergic conditions, accelerations of preexisting heart disease, numerous other kinds of respiratory and circulatory diseases, cancer, and even the common cold.

Even aside from the lethal and safety hazards, the dollar loss resulting from air pollution is staggering. It is estimated at $11 billion a year or $600 per family.

The amendment would not take effect for 9 years. I feel certain that within that period, the industry can come up with a motor which will greatly reduce, if not totally eliminate, pollution emission.

I believe that passage or even a respectable number of votes for it will demonstrate to the automobile producers that the Congress is serious in its desire to do something about automobile-caused air pollution.

The amendment I am today offering, I originally introduced as H.R. 13225. It would prohibit the manufacture, sale, or transporting into commerce of any new motor vehicle powered by an internal combustion engine manufactured after January 1, 1978 unless the vehicular engine produces a level of exhaust emission of not more than 0.5 gram per mile of reactive hydrocarbons, 11 grams per mile of carbon monoxide, and 0.75 gram per mile of oxides of nitrogen.

Mr. BELL of California. Mr. Chairman, will the gentleman yield?

Mr. FARBSTEIN. I yield to the gentleman from California.

Mr. BELL of California. I wish to commend the gentleman for offering his amendment. As the gentleman has stated, and I certainly agree, sometimes we need some kind of hard action in a matter of this kind to move the automobile industry.

Mr. FARBSTEIN. I agree fully with the gentleman from California. That is basically the purpose of my introducing this amendment.

Mr. HECHLER of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. FARBSTEIN. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Chairman, is it not true that a period of only 8 years elapsed between 1961 when President Kennedy announced the goal of landing on the moon and the time when we achieved it in 1969? The gentleman from New York is giving 1 additional year beyond the 8, he is giving 9 years for the industry to meet this goal. I wonder if the gentleman feels, if we set a goal like this, it might possibly be the kind of challenge American industry could meet?

Mr. FARBSTEIN. Very frankly I think American industry can meet this prior to that date, but my purpose in using that date was to remove from the industry any suggestion that we are pressing industry to the wall and not giving industry an opportunity to do something about air pollution.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. FARBSTEIN. I yield to the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I would like to answer the gentleman from West Virginia and say that the Federal Government is not spending $50 billion, or anything near that, to correct this very large danger we have here today, but the Federal Government did spend $50 billion to put a man on the moon, and it took 9 years. If we were to spend that kind of money, we could buy every car in the United States and clean it up and run it on some superfuel. We do not have that much money to spend.

Mr. FARBSTEIN. Mr. Chairman, I would like to tell the chairman of the committee, apropos of what the chairman just said, it seems to me those who are earning not millions but billions of dollars on the production and sale of automobiles are the ones who should assume the responsibility for clearing up the pollution by manufacturing engines that will not produce the pollution or the smog that is harmful to people.

I do not believe the onus should be on the Federal Government to spend $50 billion, although, of course, I favor the legislation before us today. I do believe the automobile companies should do this, and very frankly, I believe they can do it. They have the technology today. As a matter of fact, different types of fuels can be used by existing engines which greatly reduce pollution. I understand in Florida, for example, a large firm uses natural gas to run its trucks. There are electrical cars, steam cars, and other cars using other fuels. They can be produced

without contributing further to the smog problem.

Mr. STAGGERS. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York.

The amendment offered by the gentleman is unnecessary. Existing law says the Department may ban new motor vehicles from sale unless they meet the emissions standards set by the Secretary. This requires that the Secretary take into account several factors which were written into the original law. This can be done at any time.

This amendment would instead have the Congress set emission standards, and we are not equipped to do that. This is the kind of a job we created the air pollution agency to handle, and we expect them to do the job with the authority we have given them, which in our opinion is adequate.

Mr. Chairman, I sympathize with the goal of trying to make this subject to the standards set in California, but there are other cities, such as the home town of the gentleman from New York, which have problems. Many different means are used to meet the problem. There are different problems and different air quality standards set in New York from those set in Los Angeles, and those set in Pittsburgh, and in Chicago. Unfortunately, proportionately little money is being put into the research programs on automotive pollution. I know a great deal more will have to be done, but we are relying on experts. The Congress is not expert. We cannot say these are going to be the standards. We have left this to the Secretary, who with his team of experts sets the standards, and these standards must be met or the cars cannot be sold in interstate commerce. It is just that simple; that is the law today.

Pollution is an immediate problem for the large cities, we recognize this. The gentleman from Florida made the statement that not enough money is being put into this, and we are telling the agency and the Secretary that Congress feels more money should be put into it, that the standards should be made tougher. They have the authority now. But with respect to the gentleman's amendment, it certainly is not necessary at all.

Mr. HARVEY. Mr. Chairman, I rise in opposition to the amendment.

I wish to join in what the distinguished chairman of the committee has already said. Obviously that authority is already vested.

Also I wish to reply to the gentleman from New York, who has said, I believe, and I quote: "They have the technology today" to do this sort of thing. Dr. Lee DuBridge, who is the President's science adviser, spoke on this very problem just a few days ago and he said that the development of a new automobile engine is a big job, and then he went on to say, and I quote:

> We must depend upon the gasoline engine and its improvements during the next 10 or 20 years.

He went on after that to discuss the problems of air pollution from the automobile, and to point out that progress has been made in this regard.

After hearing some of the talk here in the House, one would get the impression that progress is not going forward. But it is.

Let me point out what Dr. DuBridge said, for example, on progress on the control of hydrocarbons. He said that the control thus far achieved—and I quote again—"has gone from 900 parts per million of hydrocarbons before 1965 to less than 275 parts per million of hydrocarbons today," and that with the introduction of the 1970 models in the auto industry that figure will be reduced to less than 120 parts per million of hydrocarbons.

This, Mr. Chairman, represents a reduction of more than 80 percent being achieved by the industry today. I would say to the House that in my judgment this represents real and substantial progress in attempting to comply with the requirement to meet a very serious and recognized health condition.

In the field of carbon monoxide he went on to point out that more than a 65-percent reduction had already been made in that field. This again I say is substantial evidence of progress in this particular field.

We do not say that more progress cannot be made, but we say they are going ahead just as fast as they possibly can in recognition of a very serious problem.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. HARVEY. I am glad to yield to the gentleman from West Virginia.

Mr. STAGGERS. As the gentleman stated they are making great progress, and have plans for research in the future.

The great and overwhelming amount of this material which is being put in the air now is put there by used cars which are not equipped with the equipment to prevent this from going into the atmosphere. Those are the older cars. The newer ones are meeting the standards as set by the Secretary.

I am sure the cars in California are meeting the standards set by that State. In fact, California is the only State in the Union, out of the 50, that we exempted from the motor vehicles law. We said that the problem is so serious in California they should be permitted to do their own job out there. It is up to the States to do it, because we exempted the State of California, as to going ahead and making higher standards.

The fact is that it is the older cars which are now on the roads which are doing most of the polluting of the air.

Mr. HARVEY. I thank the gentleman.

I want to say to the gentleman from New York that in my judgment to blindly set a date such as 1978 when cars with internal combustion engines can no longer be produced except under these conditions is ridiculous.

The gentleman from West Virginia pointed out that we could go to the moon in less time than that. That may be true, but as Dr. DuBridge pointed out the problem has not yet been solved, the technology does not yet exist to do these things. Nor are we spending the sums of money, as the chairman pointed out, to do these things.

But we are making substantial progress.

I would point out to my colleagues that, yes, I do speak as one who represents a district in which the automobile industry is very important. There are more than 25,000 workers in one city alone in my district who work directly for one company in the auto industry. I would point out to the Members that in this Nation of ours one out of every seven workers' jobs is traceable to the auto industry in some way or another; one out of every seven workers.

I would point out to you that there are more than a million directly employed by the industry itself, not to mention the dealers, the suppliers, and all of their employees. I point out to you that the net sales of autos last year came to over $19 billion and that out of our balance of payments more than $1 billion came from the sale of autos alone. So I say to you that the industry has significance. You can knock it all you want to and say that it is not doing a good enough job in getting rid of air pollution. But this industry means an awful lot to an awful lot of people in America, and I would consider that very carefully before we tamper with writing standards that would affect it on the floor of this House.

Thus far we in our committee, although we have held lengthy hearings on the entire matter, have never seen fit to write in standards neither in auto safety, toy safety, or air pollution devices. We do not claim to have that sort of expertise and, as a result, we have instead given the authority in all cases to the Secretary, or someone in the administration. Never have we written such standards. This is precisely what this amendment would do, and that is why I ask it be defeated.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BROWN of California. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BELL of California. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I will be happy to yield to the gentleman from California.

Mr. BELL of California. Mr. Chairman, I recognize that the gentleman from Michigan spoke very ably on this subject, but I wish to point out that sometimes necessity is the mother of invention.

The gentleman spoke to some extent about the Space Committee and our space efforts. I might point out that we discovered in that committee at various times, as the gentleman from California knows, that by setting a time and a place where we could obtain certain results in the way of space efforts we could accomplish a great deal. When we did set these times and places the people involved said that they could not meet the goals, but when all was said and done they made an all-out effort and did meet our time limitation.

The point of the gentleman's amendment is to establish a time limit and therefore mandate this all-out effort. I believe that we in the House would be surprised at the amount of achievement that the auto industry could obtain in this field.

Mr. BROWN of California. Mr. Chairman, I want to thank the gentleman from California (Mr. BELL), very much for those comments, because I know he is both intimately acquainted with the space industry as well as the petroleum industry, which is, of course, an important part of the automobile industry, and his remarks have particular significance because of that.

Mr. Chairman, I am not at all impressed with the remarks of the gentlemen who have spoken with regard to the fact that the present laws are adequate and that progress has been good in this field and that it is only the old cars that are polluting the atmosphere and so forth. In my opinion, with all due respect to the good judgment and intent of the speakers, they are in every case completely wrong.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I am glad to yield to the chairman of the committee.

Mr. STAGGERS. In California do you not have the authority to set up standards of your own?

Mr. BROWN of California. Yes, we do.

Mr. STAGGERS. Then, is your automotive pollution problem the fault of the California legislature or this Congress?

Mr. BROWN of California. I am not sure I understand your question.

Mr. STAGGERS. If you have the problem, then if you have the authority to do something about it would it be the fault of the California Legislature or this Congress?

Mr. BROWN of California. Insofar as the State of California has the right to set a standard, it is certainly no fault of this Congress that they have not set more stringent standards.

Mr. HARVEY. Mr. Chairman, will the gentleman yield to me?

Mr. BROWN of California. Yes. I yield to the gentleman.

Mr. HARVEY. Has the State of California done anything with regard to setting standards for used cars? It is my understanding they have not.

Mr. BROWN of California. Only in a very limited way, with regard to certain blow-by devices, but they have not applied the same stringent standards there as they have to new cars.

Mr. HARVEY. They have not. If I understood the gentleman from California who spoke earlier, he pointed out that 18 percent of the pollution today is coming from used cars and that the State has done nothing about it.

Mr. BROWN of California. With regard to this term of 18 percent of pollution coming from used cars, this whole concept has to be modified in the light of the definition of pollution.

Essentially, what we are talking about in terms of present standards with reference to pollution apply to hydrocarbons and no standards have been set to the best of my knowledge—and I stand corrected if that statement is not true—with respect to the more serious problem of nitrogen oxides and lead, for example, both of which are critical ingredients in the poisonous smog which exists in Los Angeles and in other parts of California as well as other parts of the United States.

We have not actually begun to grapple with the most serious aspects of the pollution problem. We are talking about it only from the standpoint of the emission of hydrocarbons. We have made some progress in that field but we have made little or no progress in controlling these other more serious elements of pollution. This is what I refer to with regard to the remarks that it is only the old cars that are polluting the air. It is the old cars as well as the new cars which are contributing to this pollution situation.

Mr. HARVEY. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Michigan.

Mr. HARVEY. I did not say it was only the old cars that were doing the polluting. I pointed out the fact that they had reduced hydrocarbon pollution by 80 percent and carbon monoxide by 65 percent. But, certainly, there is still pollution coming from new cars. However, there is more pollution coming from old cars.

Mr. BROWN of California. The gentleman from Michigan is correct insofar as he has gone here. What I am trying to do here is to point out the fact that hydrocarbon pollution is probably the least serious element of the total pollution problem. Insofar as the emissions from internal combustion engines is concerned I think we are speaking basically of only hydrocarbons and not the pollution from other elements, when we say progress is being made.

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent, Mr. BROWN of California was allowed to proceed for 5 additional minutes.)

Mr. BROWN of California. Now, Mr. Chairman, I have been deeply concerned about this problem for, roughly, 15 years. It was at least 15 years ago that I became involved in efforts to control pollution in Los Angeles. As a local government official at that time I was told then that it could be done with the effort we were then devoting to research, and that progress was good. However, what has happened? Essentially nothing. Smog today in Los Angeles is worse than it was 15 years ago. There is no question about that. Yet, all the time we have been told that the automobile industry is doing everything possible to correct the situation.

Then, Mr. Chairman, as a member of the State legislature I conducted hearings 10 years ago—hearings on the problem of smog and more particularly lead and its contamination of the atmosphere. We had before that committee the best possible witnesses that the petroleum industry could produce at that time. The reaction I had after the hearing was that not only was my concern with regard to lead in the atmosphere unnecessary, but actually the more lead put into the atmosphere the healthier it was for the people of the area. The experts have the statistics to prove it. Of course, it does not take a very intelligent person to know that lead is a cumulative poison and that the more there is in the atmosphere the worse it is for the people.

I think industries which are concerned with the production of lead—and it is a very big industry, at least one quarter of a billion dollars a year—will state that it is unnecessary to control the emission of lead and, in effect, that the more you ingest the better it is for you. However, I am not sold on the proposition that progress is being made because in my opinion the exact opposite is true.

The gentleman from Michigan has made reference to what we have done with regard to a lunar landing in recent years. I can understand the simple logic of the gentleman from New York in offering this amendment and in placing the time for the correction of this problem into a period roughly equal to what it took us to reach the moon.

The cost of this lunar operation was not $50 billion, but was essentially $25 billion from the time that the goal was set until the time it was achieved. It has been pointed out how large and important the automobile industry is, and this is very true. The very size of that industry makes it possible for the industry at the expenditure of perhaps $10 per unit sold, for example, to have a fund of $100 million a year for research. Yet they have not begun to do this.

At much less than the cost of the new model changeover each year, which runs to something like $4 or $5 billion a year, they could have produced a completely redesigned automobile which would not pollute the atmosphere. At the price of 1 cent per gallon of gasoline sold they could have a fund of a quarter of a billion dollars per year for researching into how to eliminate pollution.

Have we seen the automobile industry or the petroleum industry offer to do these things? Absolutely not.

What we have seen—and I have pointed it out in the letter to the Attorney General, and I made reference to it yesterday in the RECORD—is that the automobile companies and the manufacturers' association are now the subject of an antitrust suit because they have failed to take any action with regard to the question of emission controls and pollution. They have actually conspired over the last 10 years, according to the complaint of the Justice Department, to avoid doing anything about controlling this problem.

Hence I believe that the only practical thing to do is that which was suggested by the amendment offered by the gentleman from New York—which I frankly consider to be too moderate—and that we should, if anything, cut off completely the manufacture of automobiles with internal combustion engines, probably within 3 years. Given that stimulus, and given the vast resources which these companies possess, I have no doubt but what that they could find a solution to

this problem. I have no doubt but what they could find a solution. And the argument that we should not tamper with the automobile industry because one person out of every six in this country is engaged in the business just does not appeal to me. What if one person in every six were engaged in the sale of heroin in this country? Would you argue that we should do nothing about heroin either? I doubt that very seriously. And yet, in view of the adverse impact of automobile air pollution upon this country, there is no question whatsoever but what the automobile industry and the petroleum industry and the poisons which they are emitting into the atmosphere are having a far worse effect upon the health of our country than heroin is. And that will continue to be the result of these emissions as they continue to concentrate in the atmosphere, because we refuse to control an $80 billion-per-year industry in this country.

I say that the time has come for this Congress to do something about this. Again I compliment the gentleman from New York for his amendment.

Mr. PUCINSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I was very much impressed by the argument of the gentleman from California, and the other arguments in support of this amendment. During the recess I had occasion to do some flying around Chicago, and one does not really appreciate the immense dimensions of our air pollution until one gets above the ground and until you can take a look at these large industrial centers.

In doing this flying it struck me very forcibly that people are breathing this filth. When we look through these reports and look through the testimony we are overwhelmed at all sorts of statistics about what great progress is being made when the fact of the matter is, as the gentleman just stated a moment ago, that in Los Angeles the pollution and smog are worse today than they were 15 years ago.

Until we can get a total commitment to deal with this problem of air pollution, unless we have a national total commitment that we are going to destroy air pollution, it will destroy us, and you know it and I know it.

We talk about our space program. On the day that these great Americans walked upon the surface of the moon, all of us here in this Chamber talked about it. At that time I said that it demonstrates what a nation can do, and it demonstrates what mankind can do if he has a total commitment.

This amendment gives the auto industry 8 years, but it does give us a total commitment to do something about the largest contributor toward air pollution.

I ask the Members to come to my district and stand near O'Hare Field, and you will see the real ravages of air pollution. Every day you can see 2,500 landings and takeoffs from O'Hare Field—with each one of these jet aircraft emitting a long stream of black kerosene smoke over my whole district.

Gentlemen, we have an opportunity today to make a significant move. I know it is not a popular one necessarily. I know there are those who are going to argue very effectively against it, but this resolution will serve notice that there is a total commitment by this Congress to do something significant about air pollution. I would hope that this amendment would be adopted.

I know it is a severe measure. I know there will be great outcries of anguish against it. But the fact of the matter is that the time has come when this legislative body has to start engaging in total commitments. We are talking here about air pollution. I believe if we will follow that doctrine of total commitment that we can do something about this problem. Otherwise, we will be back here next year or the year after that and we are going to be overwhelmed by more statistics about all the things that need to be done.

The fact of the matter is that you have people in the rural areas and in the urban areas such as mine who are continuing to breathe this filth in ever-increasing numbers. It seems to me this is a logical approach. The Congress always has the opportunity to work its will. If after 3 or 4 or 5 years we do see that there is real significant progress being made, the Congress can always repeal this amendment. What the Congress does—it can undo with the same expedition.

But I say to you, this amendment today would serve notice on the manufacturers that they have 8 years—and that is all—8 years in which to do something about this problem or they will be out of business. It is going to take that kind of severe action by the legislative branch of the Government to get this job done.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from West Virginia, the chairman of this committee, for whom I have great respect and who I think is doing a magnificent job on this committee.

Mr. STAGGERS. I thank the gentleman for yielding and for his comments.

Does the gentleman agree that the Secretary now has the right to ban any new motor vehicles if they do not meet certain standards?

Mr. PUCINSKI. Yes, I do, Mr. Chairman, but I want to tell you that one thing that has been my greatest single disappointment in my 10 years of service in this legislative body is the extent to which special interests and vested interests affect every move of this Government.

So while the Secretary does have powers, and there is no question about it, the fact of the matter is that these people come in here screaming about an $80 billion industry and every time that somebody wants to move in a positive way and a forward direction, he gets boxed in and locked in by the special interests.

Mr. STAGGERS. The gentleman from Illinois says then that the Secretary does have the power, but yet you are still not going to let him set the standards—because the Congress is not expert and cannot set the standards. We in Congress have no agency and no body of experts—no one. So they have to set the standards and they do have that right at the present time.

I say, for that reason, it is good to bring this to the attention of the Congress and to an agency, but you are duplicating the Secretary's powers that he does have today and he would only have to carry them out.

Mr. PUCINSKI. In reply to the very eloquent statement made by the chairman, the gentleman from West Virginia (Mr. STAGGERS), of course, this Congress is not equipped to cross every "t" and dot every "i" and we have to delegate to the administrators of these bills the promulgation of rules and regulations and standards.

But I must tell you in all honesty and sincerity that I have lost faith and I have lost confidence in some of these administrators. This is a Government of three coequal branches and I consider this legislative body a coequal branch of our Government. So I stand here on my own two feet today and I feel capable and I hope that every other Member of this Chamber can stand here and feel capable of making a decision as a legislator to say that after 8 years there shall be no more manufacturing of engines that lead to the sort of filth that is killing our cities. I think I am capable of making that decision. I do not ask the Congress to cross every "t" or dot every "i," but basically on a fundamental policy decision, I do not intend to abdicate my responsibility to some bureaucrat down range who makes these decisions that are totally unresponsive to the needs of the people in our districts. I will make that decision and that is why I support this amendment.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from New York, the author of the amendment.

Mr. FARBSTEIN. I just want to state that we are not setting the standards. The standards that I put in my amendment are the standards set by the State of California in the purchase of their vehicles. That is all that I do.

We would not be putting them out of business—all we would say to the producers of automobiles is, "You manufacture engines that will not emit any more hydrocarbons or whatever it is that causes air pollution greater than the standards set by the State of California in their purchase of automobiles."

That is all I seek to do by my amendment.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman.

Mr. WAGGONNER. The gentleman talks eloquently about total commitment and the problem of getting rid of pollution. Is the gentleman ready to say that we will not allow the cities to utilize coal or fuel oil for heating pur-

poses because there is pollution that comes from their use?

The CHAIRMAN. The time of the gentleman from Illinois has expired.

(On request of Mr. WAGGONNER, and by unanimous consent, Mr. PUCINSKI was allowed to proceed for 2 additional minutes.)

Mr. WAGGONNER. If the gentleman will yield further, is the gentleman willing to take that position?

Mr. PUCINSKI. Yes. In fact, in Chicago the Commonwealth Edison Co. right now is undertaking a multimillion-dollar conversion from coal to other means of providing fuel to generate electricity for that very reason. I support every one of those moves. I support every single move. In fact, I am perfectly willing to make sure our own garbage disposal plants are forced to use whatever methods are possible to eliminate pollution.

Mr. WAGGONNER. Has the gentleman checked with Consolidated Edison to see how long it would take for them to convert the total heating requirements in the city of Chicago, where he lives, so that no longer will fuel oil or any other fuel which causes pollution be used? Would it not be wise to know before we start drawing deadlines?

Mr. PUCINSKI. The fact is that the Edison Co. is now—not 1 year from now, not 2 years from now, not 5 years from now—now—in the process of conversion, because they realize the problem of pollution. So all the gentleman here says is that we are serving notice. Now, in 5 years, 3 years, or 2 years, if we can find that these statistics are meaningful, if indeed there is an appreciable decrease in pollutants, I will be the first one to stand here and argue for the repeal of this amendment.

Mr. WAGGONNER. Before the gentleman argues this, rather than using the word "if," would it not be better to know?

Mr. PUCINSKI. The fact is my friend knows that we have talked about pollution, and we passed the original act that held out hope for mankind. Look at the progress that has been made.

Mr. WAGGONNER. This is a statement that the Congress always makes. We hold up some new token legislation as a program that will produce an ideal situation. The gentleman from California (Mr. BROWN) who preceded the gentleman from Illinois, talked as you do about getting rid of pollution. Upon finishing his eloquent remarks, he walked over to the rail where he lit up a cigar that has now polluted this Chamber, and there is more smoke in here than there was to begin with. In the interest of getting rid of pollution, I would suggest that the gentleman pay attention and look at the smoke that his cigar is giving off now. Yes, the situation can be improved but total accomplishment is a dream. We must as we move forward be practical. This amendment is not practical.

Mr. SPRINGER. Mr. Chairman, I move to strike the last word. I would like to address my remarks to the very able gentleman from Illinois (Mr. PUCINSKI). The greatest source of pollutants, as I understand, in your congressional district, is the airplane. The largest airport in the world is located either in your district or at the edge of it. Is that correct?

Mr. PUCINSKI. That is correct.

Mr. SPRINGER. That is the greatest source of pollutants that you have.

Mr. PUCINSKI. Yes, sir.

Mr. SPRINGER. All you have to do is to have a resolution in legal form passed by the Cook County Board of Commissioners saying that no airplane can land in Cook County until the engines of those airplanes reach a certain rate of emission. That will solve your problem entirely. So it is within the ability of the board of commissioners of Cook County to resolve the question entirely, may I say, to the gentleman's satisfaction.

Mr. PUCINSKI. Mr. Chairman, will my colleague yield?

Mr. SPRINGER. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I am sure the gentleman realizes that this is an unacceptable alternative. No one has seriously suggested we close down O'Hare. But I will tell you what one alternative is, and I am trying to pursue it. I am suggesting to the city of Chicago that it file an injunction suit against the airlines to bar them from polluting the air with their engine emissions. I want to get this matter into court. The court will then set a cutoff period, after which these airplanes will have to comply with our air pollution standards or be barred from further operation. I do not know how many years it would be, but the court would set a reasonable date when they have to retrofit their aircraft with nonpolluting engines. Pratt Whitney has developed an engine that does not pollute the air. The only thing is that the airlines have been dragging their feet on retrofitting their aircraft with these new engines.

The tax reform bill that we passed before the recess—and which is now before the Senate Finance Committee, would give the airlines an incentive to make the change because it provides a faster writeoff through depreciation of antipollution engines. Perhaps that will do the trick. I do not know. But I am trying to get this whole matter into the courts, where the courts will set the date for an end to air pollution by aircraft, as this Congress is now being asked to set a date for an end to pollution by automobiles. I am sure the court will set a reasonable date when it realizes the extent of pollution presently caused by the airlines.

There is no reason why the airlines should not be compelled to observe the same antipollution regulations that we impose on all other industry. I believe we should seek the same kind of injunctive relief as the city of Newark is seeking through an injunction against the airlines.

I want to make it clear I am not trying to prohibit aircraft operation. I merely want to seek a court order which would set a reasonable date to compel the airlines to install pollution-free engines in their planes. The tax reform bill permits them to recapture their investment through an accelerated depreciation in 5 years instead of the usual 15 years. With this kind of an incentive, there is no reason why the airlines should not be compelled to retrofit in a reasonable time.

Mr. SPRINGER. I am suggesting that the gentleman has an easy alternative that can be done in 30 days.

Mr. KOCH. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York (Mr. FARBSTEIN). I concur with the statements made by the gentleman from California (Mr. BROWN) and others who have spoken in favor of this amendment.

I want to point out some additional facts to the Member. It is not possible to close down the Chicago airport because there have already been cases on that, and it has been decided that is a Federal responsibility and no locality can impose its will with respect to aviation standards. That is why we cannot do that in New York and that is why it cannot be done any place else. We have tried it in New York. So it is the obligation of this Congress if we are to get air pollution standards affecting the aviation industry.

What distresses me most is to have a scientist like Dr. DuBridge saying it will be 21 years before we can have a nonpolluting automobile engine. That simply is not acceptable.

I know industry will never do anything in the area of public safety unless is has the carrot and the stick—the carrot, which is the money to do the research and the stick, which is the law, the law to compel them to do it.

The automobile industry did not move in the area of safety until Ralph Nader spoke up and this Congress ultimately passed laws on the subject. The industry did not do it because of the goodness of its heart; indeed industry fought the safety standards every step of the way.

Similarly, the tobacco industry, when the bill regulating its commercials was before this House not very long ago, fought every step of the way, and we unfortunately yielded to them. It is only because of the action of the other body that the cigarette industry has given up the fight with respect to radio and television advertising. Remember how they said it would be terrible? Now they have done it voluntarily—again under pressure.

Similarly, the automobile industry yielded and has met the deadline on safety, and again they did it under pressure.

This country loses hundreds of millions of dollars every year because of air pollution. It costs more and more money. More important it also costs in human health. There are people whose lives are shorter today, not just because of pollution caused by the automobile industry, but by pollution generally, by the electric companies, and by cigarette smoking, and by all the other things we hear about, and the industries fight every attempt to safeguard the health of the public.

Do we just say to our citizens they are unimportant? Professor DuBridge says, not that they are unimportant, but he says we should wait 21 years before we abolish the condition. The President of the United States, in one of his most uninspired speeches, concurred.

I think if we had the commitment and

provided the resources, and if we set a date of 3 years or 8 years or whatever the number of years, the automobile industry, if it were under the gun of law, would find the way to do it.

I say if we are going to have a better America and have cleaner cities, we will have to make them more habitable. Some of the scientists have said that some of our cities will be uninhabitable by 1990. We cannot wait until 1990 to remove the causes of air pollution. We can do something meaningful now with the passage of this amendment.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. KOCH. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. Mr. Chairman, I know the gentleman from New York is concerned. I presume he is also concerned, as are others who have talked about this, with the automobile deaths at the rate of 50,000 to 55,000 per year, plus all the injuries, and so on, but I have not seen any amendments to say we are going to ban the automobile. This is the approach the gentleman is using. Rather than ban the auto, the Congress has been trying to do something about safety.

Mr. KOCH. Mr. Chairman, if I may respond to that, those people who cause deaths by automobiles are punished for negligence civilly or with criminal action. There is a law against drunken driving. There does not happen to be a law against pollution which is severe enough to do the job.

Mr. ROGERS of Florida. If there is a drunken driver, of course, he is punished, but we do not simply go about it by abolishing the vehicle, because it contributes too much to our society.

Mr. KOCH. The gentleman is absolutely correct, and we are not suggesting we get rid of the automobile but we are suggesting the automobile should be measurably improved.

Mr. ROGERS of Florida. Mr. Chairman, if the gentleman will permit me, the gentleman is saying there should be no automobiles by a certain date. The gentleman is saying they are banned. I do not think the gentleman really wants to take that approach.

Mr. KOCH. Mr. Chairman, I accept what the gentleman is saying in the spirit in which he says it, but the gentleman is in error in interpreting what I am saying. I am not saying that there should not be any automobile, but I am saying there should not be any internal-or external-combustion engines which do not meet non-air-pollution standards. I am saying if the art is not presently available to make the engine nonpolluting that we give the industry a time limit in which to do this. Frankly, I believe the technology is presently available. We have gone to the moon in less than 10 years, and many people thought we could not do it. We did it because we had the commitment and provided the funds. I guarantee if we say Detroit must do this in this time schedule, the manufacturers will find the way and do it.

Mr. WATSON. Mr. Chairman, I move to strike the requisite number of words.

(By unanimous consent, Mr. WATSON was allowed to speak out of order.)

RESPONSE TO PREVIOUS REMARKS

Mr. WATSON. Mr. Chairman, I take this time and I have made this request to speak out of order immediately after the gentleman who just spoke in the well because earlier, I understand, he was the one who took a moment under the 1-minute rule to praise Ho Chi Minh or to compare him with Washington and Lincoln and other great leaders of the past in this Nation.

Now, let me say this, my friends: I would fight for any man's right to take any position that he wishes and to say or speak in behalf of anyone he wishes. That is his right.

Mr. KOCH. Mr. Chairman, will the gentleman yield on that point, please?

Mr. WATSON. I will be happy to yield later on, if I have the time, or the gentleman can get additional time.

But I believe it would be unpardonable for the day to pass without someone saying a word in response to that Member who saw fit to praise Ho Chi Minh, the one who has been largely responsible for killing more than 40,000 young Americans. Regardless of what one may think or our involvement there, those young men did not ask to go to Vietnam. They are over there because their Government asked them to go. They lost their lives for the same reason.

Mr. KOCH. Will the gentleman yield?

Mr. WATSON. I believe it would be a crying shame for someone not to speak up in behalf of their memory.

Mr. KOCH. On a point of personal privilege. You are misstating my position.

Mr. WATSON. Mr. Chairman——

The CHAIRMAN. The gentleman from South Carolina has been recognized.

Mr. WATSON. I said that anyone could take any position he or she wishes in this body, speaking in behalf of a Communist or against a Communist, for one who kills Americans or against one who kills Americans.

In my honest judgment, Mr. Chairman—and I have been here some 7 years now—I have never heard of any Member who would not stand up for our fighting men. Why does that Member only call for America to stop fighting and withdraw from South Vietnam? Why does not he likewise ask for the North Vietnamese to withdraw and leave South Vietnam alone?

I would say this: regardless of the politics or the personal feelings involved in this matter, anyone who would even intimate praise of this ruthless dictator does a disservice to America, a dishonor to the memory of the 40,000 young Americans who gave their lives in behalf of this country, and in my judgment, Mr. Chairman, I cannot imagine any congressional district in the whole of the United States where a majority of the constituents of that district would take the position of that Representative or believe that he would be fit to be a Member of this body.

(Mr. BURTON of California asked and was given permission to addresss the Committee for 1 minute.)

Mr. BURTON of California. Mr. Chairman, I would like to first state that I am personally honored to share membership in this distinguished body with a man of the caliber, integrity, and thoughtful concern for his fellow man as the gentleman from New York (Mr. KOCH).

Second, there exists in this House, as I am sure each of us is quite aware, a great diversity of political opinion. It is part of the greatness of this Nation that within that diversity each Member of this House serves the Nation and its people according to his own lights, in his own individual way, and guided by what conscience dictates to be an honorable and proper course. To impune the character or loyalty of a Member of this House serves neither the need for free and open discussion nor the honor of this House.

As it so happens, the gentleman from New York (Mr. KOCH) and I have quite similar voting records and most often see matters eye to eye.

With reference to his remarks about Ho Chi Minh—I would hope that they would have been heard in full and in context or be read in full and in context. They are, I believe, an honest reflection of the view of the North Vietnamese with which few experts in this field of Southeast Asian affairs would disagree.

This is a nation with which we are in a state of virtual war and our Nation's leaders must be aware of the dangers which exist during this very delicate period of the transition of power in North Vietnam and equally aware of the consequences of a miscalculation of our intentions.

The cause of peace can best be served by caution in this transition. It will best be served by refraining from any action which might threaten North Vietnam into unthoughtful and precipitous course during this most delicate period.

Mr. KOCH. Mr. Chairman, on a point of personal privilege I would request an opportunity to respond.

Mr. WATSON. Mr. Chairman, if I have any time remaining I will be happy to yield to the gentleman.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

A point of personal privilege cannot be raised in the Committee of the Whole. If the gentleman wishes to respond, he may offer a pro forma amendment, and he can be heard.

Mr. KOCH. Mr. Chairman, I do so.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. KOCH. Mr. Chairman, I know the gentleman made the statement because he was not here when I made my statement.

Mr. WAGGONNER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. WAGGONNER. Before the gentleman can proceed out of order he must request unanimous consent to proceed out of order, which he has not done.

The CHAIRMAN. The gentleman is correct. The gentleman must request to speak out of order.

Mr. KOCH. Mr. Chairman, I request permission to speak out of order so as to have the opportunity to respond to the personal attack upon me a few minutes ago.

The CHAIRMAN. The gentleman from New York makes a unanimous-consent request. Is there objection to the request of the gentleman from New York?

Mr. WAGGONNER. Mr. Chairman, I have no objection. I simply wanted to follow the rules of the House.

(By unanimous consent, Mr. KOCH was allowed to speak out of order.)

Mr. KOCH. Mr. Chairman, I believe that the speaker who just spoke——

Mr. CHAMBERLAIN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Mr. CHAMBERLAIN (during the counting). Mr. Chairman, I withdraw my point of order.

Mr. WAGGONNER. Mr. Chairman, a parliamentary inquiry.

Would it not be necessary under the rules of the House for the gentleman to ask unanimous consent to withdraw his point of order?

The CHAIRMAN. The point of order can be withdrawn without the consent of the Committee of the Whole unanimously.

The gentleman from New York is recognized.

Mr. KOCH. Mr. Chairman, once again I believe that the speaker who attacked me in what I thought was an unfair way, did so without malice and without knowledge of the facts, because he was not present, I believe, at the time I made my original statement early this afternoon when the House assembled and I would like to have him hear it and then have him respond if he thinks it fits the category that he alleged when he made his statement attacking me. My statement made earlier today was this:

KOCH URGES THAT THE DEATH OF HO CHI MINH BE MARKED WITH A MUTUAL CEASE-FIRE AND A COMMITMENT BY THE UNITED STATES TO WITHDRAW ALL OF ITS TROOPS NOW

Mr. KOCH. Mr. Speaker, yesterday Ho Chi Minh, the leader of a country with which we are now engaged in war, died. There will be those in our country who will take great satisfaction in his death and will think in terms of expanding the war with the thought that his people will lose heart because of the loss of his leadership. We would be better advised from the point of view of world peace and our own national interest to use this occasion to extend the hand of friendship to the Vietnamese people, North and South, at a time when they will be most introspective in thinking of the extraordinary feats of one of their national leaders. To many of them, Ho Chi Minh is George Washington, Abraham Lincoln and John Kennedy. Whatever we may think of him and knowing that he was a tough and dedicated communist we must recognize that he was above all a patriot in his own country. It is now, when the North Vietnamese are most vulnerable, that we can and should use the opportunity to say to the North Vietnamese, "Let this death of Ho Chi Minh end the war and end it now with an immediate ceasefire." Let us state that we will now undertake through immediate withdrawals the return of the only foreign troops in North and South Vietnam, namely the Allied troops and primarily American soldiers.

Death is a tragedy for the individual family and more than 37,000 families in our own country have suffered that tragedy as a result of the deaths of our fine young men on the battlefield. For the North Vietnamese, Ho Chi Minh's death is a national tragedy.

Let us now undertake to see to it that the greatest tragedy of all, namely the continuing war is brought to an end.

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. KOCH. I will be delighted to yield to the gentleman from New York.

Mr. ROSENTHAL. Would the gentleman read to us the first few sections from today's New York Times editorial?

Mr. KOCH. Yes. The editorial which I have here is as follows——

Mr. WATSON. Mr. Chairman, will the gentleman yield?

Mr. KOCH. I will yield to you in a moment.

The CHAIRMAN. The gentleman from New York (Mr. KOCH) has the floor. The time belongs to the gentleman from New York.

Mr. KOCH. I thank the Chairman.

This is an editorial from the New York Times today from which I read:

HO CHI MINH

Ho Chi Minh was a formidable foe who might have been a friend if this country had he been more consistently faithful to some of its noblest principles which he admired.

As a young Vietnamese patriot working in Paris at the close of World War I, Ho was fired with enthusiasm by President Wilson's Fourteen Points. But his attempt to petition the Versailles Conference on behalf of Vietnamese independence was spurned. Ho turned to Communism as a means—not an end—to achieve his lifelong goal of freedom and unity for his homeland.

During World War II, Ho was on excellent terms with American O.S.S. agents with whom he collaborated against the Japanese occupation of Vietnam. A respecter of many things American, the diminutive guerrilla leader had hoped for American support for Vietnamese independence after the Japanese defeat. He modeled part of his new Constitution on the United States Constitution. But after the war and the death of Franklin D. Roosevelt, who had favored freedom for the Vietnamese, this country acquiesced in the uncompromising return of French colonial power to Indochina.

After Mao's victory in China, Washington actively supported France's futile war against Ho's Vietminh in the mistaken belief that Communism—not nationalism—was the dominant force in the Vietnamese revolution. Then the United States moved to frustrate the Geneva compromise that terminated the French-Vietnamese conflict, helping to bar the election that even President Eisenhower acknowledged would probably have been won handily by "Uncle Ho."

There is no question that behind his benign appearance, Ho Chi Minh was a tough and dedicated Communist, trained in Moscow and seasoned by years of conspiratorial service as a Kremlin agent in Asia. The evidence is strong that he did not hesitate to dispose of non-Communist nationalist rivals during his climb to power. He ran a repressive, authoritarian state that was responsible for thousands of executions during a zealous land reform drive in the early fifties.

But like Yugoslavia's Marshal Tito, Ho was a patriot first. He skillfully maneuvered between his two giant Communist allies, avoiding dominance by either. There is every reason to believe he would have resisted any attempt at Chinese or Russian intervention in Vietnamese affairs just as vigorously as he resisted the French and Americans. He repeatedly demonstrated an undogmatic capacity for compromise in the interest of Vietnamese independence only to be thwarted by uncomprehending Western intransigence.

The impact of Ho's death on efforts to end the Vietnam war may depend as much on this country as it does on the temper of his successors. As long as two years ago, an American correspondent who had visited Hanoi reported his conviction that Ho already had transferred effective power to Premier Phom Van Dong, his faithful disciple for more than thirty years. It is unlikely that there will be any immediate dramatic change in Hanoi's basic policies.

But the inevitable struggle for dominance among Ho's loyal but disparate followers poses new challenges to American diplomacy. A divided and uncertain new government will be hesitant about taking fresh initiatives for peace and may be tempted to fall back on a policy of dogmatic intransigence, especially if confronted by an allied attempt to exploit any temporary disarray.

If there is to be further progress toward peace, it is essential that the United Staes now offer every possible encouragement to those men in Hanoi who may still be disposed to accept the kind of compromise settlement that Ho Chi Minh was so often denied.

Mr. WATSON. Mr. Chairman, will the gentleman yield?

Mr. KOCH. I yield to the gentleman from South Carolina.

Mr. WATSON. Since you have referred to Ho Chi Minh as a patriot, I would like to read you something that we have just taken off the wires by columnist Bernard Levin which he wrote. He said this:

The plain truth is that Ho Chi Minh was a ruthless and bloody tyrant. His first action on completing the conquest of North Vietnam was to slaughter in cold blood some 50,000 men and women who might have opposed his rule.

That is the patriot of which you were speaking a moment ago. You take some satisfaction and others dissatisfaction in this. I only fail to see how you can take any satisfaction from this.

Mr. WAGGONNER. Mr. Chairman, a point of order.

The CHAIRMAN. Regular order.

Mr. WAGGONNER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman from Louisiana will state his point of order.

Mr. WAGGONNER. The gentleman in the well, Mr. KOCH of New York, asked unanimous consent of the Chair to insert the editorial in the RECORD. Under the rules of the House while we are in the Committee of the Whole it is not correct procedure that this editorial be inserted in the RECORD but that he read it. However, is it not necessary that that request be made after we are out of the Committee of the Whole and back in the House?

The CHAIRMAN. The gentleman is correct. Unanimous consent must be obtained in the House to insert it.

Mr. KOCH. Rather than take the time to read the editorial, I shall ask unanimous consent to insert it when we are back in the House.

Mr. OTTINGER. Mr. Chairman, I demand that the words of the gentleman from South Carolina be taken down.

The CHAIRMAN. The request comes too late. Further debate has continued beyond that point and the gentleman's demand is not in order.

The time of the gentleman from New York has expired.

Mr. STAGGERS. Mr. Chairman, I would like to see if we can agree upon a time limit on this amendment. We have gotten far afield. I see that we have

quite a few who do want to speak and I do not want to cut off debate. However, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

Mr. HAYS. Mr. Chairman, reserving the right to object, I just came on the floor. I just got out of Walter Reed Hospital. I wish I had stayed there, because the minute I came on the floor I heard somebody praising the bloody murderer, Ho Chi Minh. Somebody said he murdered 50,000 of his own countrymen. They put the figure low. The reason we got in the Vietnamese war is because we brought more than 1 million North Vietnamese out of North Vietnam so they would not be killed. And, if we bugged out in South Vietnam now, they will be slaughtered, principally because of their religious beliefs.

I want to tell you it makes me ill to hear him praised on the floor of the House, and it must make the boys who are fighting out there sicker.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

PARLIAMENTARY INQUIRY

Mr. SPRINGER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. SPRINGER. Mr. Chairman, I want to be sure I understood the motion made by the distinguished chairman. Is this for this amendment and all amendments?

The CHAIRMAN. The gentleman is correct.

The Chair recognizes the gentleman from New York (Mr. OTTINGER).

Mr. OTTINGER. Mr. Chairman, I rise in support of the amendment. The people of this country, and particularly in the metropolitan areas, run great danger of being strangled today from the air pollution that we are throwing into our atmosphere. It amounts now to some 133 million tons of particulate pollution per year. That is almost double our annual production of iron and steel in this country.

A large majority of that pollution is produced by the internal combustion engine.

Scientists with whom I have consulted concerning the electric car and the steamcar say that these means of propelling vehicles are within just a very few years of becoming both economically and technologically feasible. Last year I was privileged to offer an amendment to the Clean Air Act that would have promoted production of such vehicles.

The automobile companies in this country, on the other hand, have such a tremendous commitment to the existing mode of propulsion that they show no real inclination to do the research and to put forth the effort necessary to effect a transition.

This amendment would put them on notice that the Congress is really serious about doing something about a condition which is threatening the health of the people of this country.

I praise my colleague from New York (Mr. FARBSTEIN) for offering this amendment and urge its adoption.

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. ROGERS).

Mr. ROGERS of Florida. Mr. Chairman, I oppose very strongly the amendment, and I think that anyone who takes the time to read the amendment will oppose it. Everybody wants to try to stop pollution, but the committee has gone into this problem very carefully, and has reported a very effective bill to the House.

In effect, what the gentleman would do, although he says he would ban automobiles in 1978, he is simply turning over to the State of California the setting of standards. Right now we have set up in the bill the fact that the Secretary of Health, Education, and Welfare must set standards. If we set specific standards in a bill this then becomes the goal. I do not believe we want to do that, because I believe we want to do better, and we ought not to say that the standards proposed in this amendment are all that Congress wants to accomplish. We may want to do better than .75 grams per mile of oxides of nitrogen, which is specifically set forth in the amendment, or .11 grams per mile of carbon monoxide, or .5 grams per mile of reactive hydrocarbon. That is simply setting up California's present standards. We had better be looking toward the future, and not set pollution controls on a standard of the past.

Mr. Chairman, I hope this amendment will be soundly defeated, as it should be.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. RIEGLE).

Mr. RIEGLE. Mr. Chairman, I rise in opposition to the amendment, and I wish to associate myself with the earlier remarks of my colleague from Michigan (Mr. HARVEY).

I understand the concern of those who wish to reduce air pollution, and I share that concern. Certainly it is a pressing national issue.

I hope that we are going to be able to control this problem, and that industry, generally, will beat the suggested timetable proposed in this amendment.

But as the Chairman suggests, the Secretary of Health, Education, and Welfare has the power now to establish whatever emission standards he determines to be in the national interest.

This amendment does nothing to add to the body of expert knowledge now available to the Secretary of Health, Education, and Welfare. Further, beneath the Federal level, State and local authorities have the right to establish emission standards at whatever level they deem appropriate in their particular environments.

It is a well-intentioned amendment, but it is blind in its impact in that it presumes events 8 years into the future. Such a move is really a poor substitute for careful administrative decisions by the experts on this problem.

So I urge the defeat of this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. BURTON).

Mr. BURTON of California. Mr. Chairman, I ask unanimous consent to proceed out of the regular order.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. HALL. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The Chair recognizes the gentleman from Ohio (Mr. MILLER).

Mr. MILLER of Ohio. Mr. Chairman, I take this time because I am not positive that we know exactly what we are doing. I understand that in the beginning the amendment was not read, so I ask unanimous consent at this time that the amendment be read.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio (Mr. MILLER)?

PARLIAMENTARY INQUIRIES

Mr. WAGGONNER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. WAGGONNER. Mr. Chairman, will the gentleman state his unanimous-consent request again please?

Mr. MILLER of Ohio. I understand that the amendment in the beginning was not read. I am not positive that I understand exactly what the amendment consists of from some of the remarks that have been made on the floor and I believe we should have the amendment read.

Mr. PUCINSKI. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. PUCINSKI. Mr. Chairman, am I to understand that if the amendment is read, it will come out of the total time allotted before debate closes, and if the answer is "Yes", then I will have to object and we can have the amendment read after we have consumed the time agreed to for debate.

The CHAIRMAN. The time will not come out of the time limitation.

Mr. PUCINSKI. I thank the Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio (Mr. MILLER)?

There was no objection.

The CHAIRMAN. The Clerk will read the amendment.

The Clerk read the amendment.

The CHAIRMAN. The gentleman from Ohio has 1 minute remaining.

Mr. MILLER of Ohio. Mr. Chairman, earlier today the gentleman from Illinois made a comment about the air pollution around O'Hare Field at Chicago. Now I would like to ask the author, will this amendment have anything to do with the control of jet engines?

Mr. FARBSTEIN. No, it does not concern such vehicles or jet engines in airplanes. The purpose of the amendment is concerning automobiles only.

Mr. MILLER of Ohio. Strictly automobiles? Are there plans for any limitations of time as to when jet engines would be restricted?

Mr. FARBSTEIN. Let us be successful with this amendment and if we are successful with this amendment, then we can start to operate on the others.

Mr. MILLER of Ohio. The subject of jet engines seemed to take up a lot of our time this afternoon and that is why I wanted to make it clear whether we are talking of automobile engines or jet airplane engines.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Ohio. I yield to the gentleman.

Mr. PUCINSKI. Mr. Chairman, in my discussion I referred to airplane engine pollution in the context of the total problem of pollution and I was not suggesting in any way that that would be affected by this amendment.

Mr. MILLER of Ohio. I thank the gentleman.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois.

Mr. PUCINSKI. Mr. Chairman, since reason gained dominance over instinct, man has become the most destructive of all living creatures.

This whole problem of pollution is a manmade problem. The problem of fumes being emitted by automobiles, is not a new problem. But there is no question that the automobile today is the most serious of all polluters in this country, simply because there are more of those particular vehicles in the country than any other polluter.

We can always repeal this amendment. I call my colleagues' attention to section C of the amendment that was just read. It does not bar the production or manufacture of engines. It does not mean, as has been suggested here, that in 8 years there will be no more automobiles in the country. Not at all. All this amendment does is to say to the automobile manufacturers and the engine manufacturers that this House has voted a total commitment to deal with this problem, and we are giving them 8 years in which to do it. We are giving them 8 years to bring down the amount of pollution that they emit to meet the acceptable standards.

I honestly do not see how any well-meaning Member can vote against this amendment. It is a necessary amendment. It does not put them out of business tomorrow. This House can always repeal the amendment if indeed they meet this target before the 8 years. So I hope the amendment is agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. FARBSTEIN).

Mr. FARBSTEIN. Mr. Chairman, for almost 75 years the automobile producers have been refining the internal combustion engine, and what have we gotten after 75 years? A vast increase in the level of air pollution, particularly in our largest urban areas has been the result; and with it disease and death. As far as I am concerned one life is worth more than the entire automobile industry. Unless we force them to make the necessary changes in their automobiles—for which the technology now exists—nothing is going to be done in the next 75 years.

We hear pious statements to the effect that they are making advances in curing the situation. Seventy-five years is certainly long enough to wait. We see what the result has been. Are we going to wait for the situation to reach the severity of a Tokyo? This may surprise you. They have oxygen tents on street corners in Tokyo. Otherwise automobile operators could not keep on driving.

In Los Angeles they tell teachers not to permit the children to exercise outside on certain days when there is smog, and over 90 percent of that smog is produced by internal combustion engines. We have the technology and the means to manufacture automobiles which do not emit, or at least greatly decrease the level of pollutants in the air.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. FEIGHAN).

Mr. FEIGHAN. Mr. Chairman, I support H.R. 12085, which is of major significance in our commitment to improve the condition of air in our cities. The bill would extend the provisions of the existing act, paving the way for further research and development in the control of pollution resulting from the combustion of fuels.

Although technical advances have been made in this area, if, as is likely, motor vehicle registrations continue to increase, the blight caused by fuel combustion will become uncontrollable. At this time, driving an automobile 25 miles at a moderate speed uses up more breathable air than 7,000,000 people will use in the same period of time. One meteorologist has gone so far as to predict that by the year 2025, the air will be so polluted that we will all die of asphyxiation. While one may readily look askance at the degree of these kinds of predictions, there is an alarm sounded. We are called to action now to avoid an even more serious problem in the future.

As brought out in the committee hearings, the automobile industry has no economic incentives to conduct the necessary research in the area of emission-free automobiles. Consequently, persons outside the industry must be encouraged through adequate financial support to carry on the sorely needed business of making the air breathable. In the past, there simply have not been sufficient moneys appropriated for research in this specific cause of pollution, even though it is the source of 60 percent of the problem.

All levels of government are involved in the control of air pollution, but the Federal Government must take the lead. Extending the program of research through H.R. 12085 will give State and local governments added tools to aid in following through with their enforcement programs.

The well-being of our Nation depends on our continuing commitment to clean air for our cities. Therefore, I urge my colleagues to support this most worthy legislation.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia (Mr. STAGGERS).

Mr. STAGGERS. Mr. Chairman and Members of the House, I rise again to oppose this amendment. I say that the amendment is completely unnecessary. It is covered by the law now. I sympathize with these gentlemen who are trying to bring this matter to the forefront, but we have other problems besides the automobile. In Chicago we have talked about the airplane and the pollutants in the air resulting from the airplane, but a major problem in that city is sulfur oxides that come from the steel industry to a great extent.

In New York City their municipal incinerators are the greatest contaminators of the city. In Houston, Tex., the chemicals emitted by industry in that city are the greatest cause of danger. So we have different problems all over the country. We do not have only one thing that we must attack. We must go about it in an overall effort, and that is why we are trying to extend the time for research under this bill.

I say the amendment is completely unnecessary. I know the gentleman from New York is sincere in what he is trying to do. He has always been a great Member of the Congress, and has always tried to be helpful.

I am sure if the gentleman understood and knew the law as it is now written, he would understand the amendment is completely unnecessary to this legislation.

(Mr. DON H. CLAUSEN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. DON H. CLAUSEN. Mr. Chairman, I take this time to express my support for extending section 104 of the Clean Air Act which would provide for 1 additional year of research and development in the prevention and control of air pollution.

As my colleagues are well aware, we, in California, have experienced unique problems with regard to smog and air pollution in general. As a result, our State has taken the initiative to develop and implement what I believe is a very unique and far-reaching clean air program that Governor Reagan and Senator MURPHY, in particular, have worked very hard to advance.

The California plan is basically designed to help alleviate the serious smog problem in the Los Angeles Basin and to prevent future air pollution problems in other areas of the State.

One of my primary concerns with this legislation has been to insure that nothing in it will limit or inhibit California's on-going efforts in this regard and I have been assured by several of my colleagues on the Interstate and Foreign Commerce Committee that nothing in this bill will adversely affect the California clean air program.

But, as we all recognize, pollution is a very serious and compelling national problem and there is much that remains to be learned about its actual causes, effects, and methods of prevention and control. In the final analysis, this knowledge can only be gained through further extensive research and development.

Certainly, favorable action on this legislation would have the effect of reaffirming and reinforcing the Federal Government's commitment toward a

fully successful effort to restore clean air to the Nations' cities and towns.

The Federal Government, however, cannot and should not be expected to assume total responsibility for combating air pollution. In this regard, it is section 104 of the Clean Air Act which most clearly spells out the need for comprehensive involvement of the private sector in the never-ending search for solutions to these problems.

(Mr. PICKLE asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PICKLE. Mr. Chairman, I rise in strong support of this bill. The research and development in the area of improved methods to control the air pollution resulting from combustible fuels is as important as any matter our Government is acting on today.

The amendment which the gentleman from New York has offered to prevent the manufacture of any combustible engines within 10 years time is startling to say the least. I think we all recognize that it is offered more for sensational reasons rather than for serious hopes of passage. At the same time, I do recognize that the intent probably is to bring attention to the very serious problem facing the people of the world with respect to the pollution of air, not only in the automobile industry but in all phases of air pollution.

If the Congress had not taken important first steps in this matter, the amendment offered might have more meaning. The Congress, however, has through the Clean Air Act and the Air Quality Act laid out the guidelines for the initial steps that must be taken. Every Member ought to read title I of the Air Pollution Prevention and Control Act, section 104 (A) and (B). Here is listed the very strong, clear directive to the Secretary of Health, Education, and Welfare that positive and immediate steps should be taken to find a better solution to this problem. This is being done and good progress is being made. To pass such an amendment as offered by the gentleman from New York would be to take a drastic and almost unthinkable step.

At the same time, we all should admit that air pollution is as serious as any problem facing us in the world. A ride during the summertime through the streets of any major city in America is an open invitation for discomfort, if not nausea. If we do not do something about this problem, the prospects are horrifying. I personally think that present conditions could be harmful to the health of this Nation. It has far outstripped the point of unpleasantness. It has become a health menace. Although only a few of the very largest cities in our country are threatened at this point, principally Los Angeles, New York, and perhaps Chicago, it is obvious to all what will happen if corrective steps are not taken. In other parts of the world, the problem is even more severe. Recently, it was my privilege to visit the city of Toyko, Japan, and the smog of air pollution hangs over that city of 11 million people like an ominous blanket, cutting off vision and making breathing difficult. I am advised that city has not yet really come to grips with the air pollution problem caused primarily by industry, but automobile pollution, of course, is a contributing factor. The cities of this country will face the same fate if we do not go forward in bold and aggressive steps.

I am confident that we have made a proper beginning, and I am confident that Government and industry together can come up with better answers. But the offender is not just the automobile industry; it is a broad-spread matter and our Government should approach it from that standpoint.

Mr. PRICE of Texas. Mr. Chairman, in view of the interest expressed by the President and my colleagues here in the concept of eliminating air pollution created by carbon monoxide fumes due to automobile engines, I want to call the House's attention to an electric car designed by the EMV Corp. of Littlefield, Tex. The principals in the corporation have furnished me with a booklet which fully describes and pictures the electric car which they hope will revolutionize the auto industry.

I only wish my colleagues could see each of the impressive photos of this remarkable automobile, which is now in its final testing stages. A second prototype model will be produced in Amarillo, Tex., during the next several months and subsequent to that several production models will be built.

I include several pages from the corporation's explanatory material in the RECORD at this point for my colleagues' benefit:

A REVOLUTION IN TRANSPORTATION

A dream has become a reality which will give birth to a revolution in the automobile transportation industry. Production is being planned for the first practical electric car ever built. Top cruising speed of the Electricar is 50 m.p.h. for best economy on battery usage. The car can be driven approximately 120 miles before a recharge. At present, it takes eight hours to recharge the system, however, a 15 to 20 minute recharge method is currently in development. The recharger can be plugged into any normal 110-volt electrical outlet. The battery system could go as long as a week without recharging, depending on its use, however, it should be recharged every night to prolong its life. A full-cycle recharge, which requires eight hours, takes approximately 8¢ worth of electricity. The Electricar has a set of eight six-volt industrial batteries, wired in series, placed directly behind the seat. The batteries need a total of one or two gallons of water at intervals in a year's time. The batteries will last 3 to 3½ years. Normally, the wet acid batteries can be bought anywhere for $18 to $20 each. The heating system assures quick warmth for the batteries in cold weather, providing maximum efficiency. To get the car to 50 m.p.h., 28 amperes are required.

The car has three forward speeds and a reverse. The electrical control unit is adaptable to any electric motor on which various rates of speed might be desired, and controls both AC and DC current. The electrical controls and batteries can be replaced in a few minutes by a quick snap-out exchange. The overall design of the Electricar is so simple that any garage can repair the mechanical brakes, repack the wheel bearings, or refill the transmission. The average annual cost of operation is approximately $12 to $20 for recharging the batteries, a few cents for grease and transmission oil when needed, and approximately one gallon of water per year to properly service the battery. The cost of the five-horsepower electric motor is approximately $125. The motor should have a life of 25 to 30 years, and simple rewinding of the motor will be the most expensive upkeep required. Without the batteries, the total weight of the car is 700 pounds.

Air pollution from automobiles would be completely eliminated. The prototype has performed very successfully in various types of driving tests, including climbing 700 feet in a distance of 1.1 miles. The estimated selling price of the Electricar is $2,000. Other possible uses of the product include sand buggies, golf carts, delivery vans, taxis, lawn mowers, mail trucks, and airport vehicles. The body of the car is made in one piece of fiberglass. An entire new body for the car costs only approximately $250. The body can be patched like a fiberglass boat or other such structure very inexpensively. The front seat of the car very comfortably seats three people. The average automobile has 15,000 movable parts, the Electricar has less than 500, including the ball bearings and the wheels. The current model weighs 2,000 pounds, however, the production model will be reduced in weight to approximately 1,400 pounds.

THE ELECTRICAR

Width: 64 inches.
Height: 3 feet 10 inches.
Overall length: 14½ feet.
Wheelbase: 96 inches.
Trackage: 53 inches.
Weight: 2,000 pounds.
Electric motor: 5 horsepower.
Equipped with eight six-volt batteries, weighing 70 pounds each.
Solid state control system.

EMV CORP.

The EMV Corp. (Electrically Motivated Vehicle Corp.) is the designer and developer of the Electricar. The Corporation was chartered by the State of Texas in September of 1967. The Corporation has 34 stockholders from Littlefield, Tulia, Dumas, Gainesville and Amarillo, all located in Texas. Five thousand shares of stock have been issued at $10 per share.

Principal officers of the Corporation are D. L. (Cotton) Whatley, President; Glen Cowsar, Vice President; and Jim Finch, EMV Secretary-Treasurer. These officers all currently live in Amarillo, Texas.

A contract has been signed between the EMV Corporation and the Littlefield Industrial Corporation calling for Littlefield, Texas, to become headquarters for the development of the Electricar.

A second prototype model will be produced in Amarillo during the next four to five months. Subsequent to that, several production models are planned, and will be built in Littlefield.

Further information about the development of the car can be secured from any of the principal officers mentioned above, or from Mr. Jack Wicker, President of the Security State Bank, Littlefield, Texas, and also a member of the Littlefield Industrial Corporation. Also, information may be obtained from Mayor J. E. Chisholm, of Littlefield.

The CHAIRMAN. All time has expired.

The question is on the amendment to the committee amendment offered by the gentleman from New York (Mr. FARBSTEIN).

The question was taken; and on a division (demanded by Mr. FARBSTEIN) there were—ayes 22, noes 99.

So the amendment to the committee amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GALLAGHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 12085) to amend the Clean Air Act to extend the program of research relating to fuel and vehicles, pursuant to House Resolution 518, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. SPRINGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 332, nays 0, not voting 99, as follows:

[Roll No. 158]

YEAS—332

Abbitt	Cabell	Edmondson
Addabbo	Caffery	Edwards, Ala.
Albert	Cahill	Edwards, Calif.
Alexander	Camp	Eilberg
Anderson, Calif.	Carter	Erlenborn
	Casey	Esch
Anderson, Ill.	Cederberg	Eshleman
Annunzio	Chamberlain	Evins, Tenn.
Arends	Chappell	Fallon
Ashbrook	Chisholm	Farbstein
Aspinall	Clark	Fascell
Barrett	Clausen, Don H.	Feighan
Beall, Md.		Fish
Belcher	Clay	Flood
Bell, Calif.	Cohelan	Flowers
Bennett	Collier	Ford, Gerald R.
Betts	Collins	Ford, William D.
Bevill	Colmer	
Biester	Conable	Foreman
Bingham	Conte	Fountain
Blackburn	Conyers	Fraser
Blatnik	Coughlin	Frelinghuysen
Boland	Cowger	Frey
Bolling	Cramer	Friedel
Bow	Cunningham	Fulton, Pa.
Brasco	Daddario	Fulton, Tenn.
Bray	Daniel, Va.	Fuqua
Brinkley	Daniels, N.J.	Galifianakis
Brooks	Davis, Wis.	Gallagher
Broomfield	de la Garza	Gaydos
Brotzman	Delaney	Gettys
Brown, Calif.	Dellenback	Giaimo
Brown, Mich.	Denney	Gibbons
Brown, Ohio	Dennis	Gilbert
Broyhill, Va.	Dent	Goldwater
Buchanan	Derwinski	Gonzalez
Burke, Fla.	Devine	Gray
Burke, Mass.	Dickinson	Griffin
Burleson, Tex.	Donohue	Griffiths
Burlison, Mo.	Dorn	Gross
Burton, Calif.	Dowdy	Grover
Bush	Downing	Gude
Button	Duncan	Hagan
Byrne, Pa.	Dwyer	Haley
Byrnes, Wis.	Eckhardt	Hall
Halpern	Michel	St Germain
Hamilton	Mikva	St. Onge
Hammer-schmidt	Miller, Calif.	Sandman
	Miller, Ohio	Satterfield
Hanley	Minish	Schadeberg
Hanna	Mink	Scheuer
Hansen, Idaho	Minshall	Schneebeli
Harsha	Mize	Schwengel
Harvey	Mizell	Scott
Hastings	Mollohan	Sebelius
Hathaway	Monagan	Shipley
Hawkins	Montgomery	Shriver
Hays	Moorhead	Sikes
Hechler, W. Va.	Morgan	Sisk
Helstoski	Morse	Skubitz
Henderson	Mosher	Slack
Hicks	Moss	Smith, Calif.
Hogan	Murphy, Ill.	Smith, Iowa
Hull	Murphy, N.Y.	Smith, N.Y.
Hunt	Natcher	Springer
Hutchinson	Nedzi	Stafford
Ichord	Nelsen	Staggers
Jacobs	Nichols	Stanton
Jarman	Nix	Steed
Johnson, Calif.	O'Hara	Stephens
Jones, Ala.	O'Neal, Ga.	Stokes
Jones, N.C.	O'Neill, Mass.	Stratton
Jones, Tenn.	Ottinger	Stuckey
Karth	Patman	Sullivan
Kastenmeier	Patten	Symington
Kazen	Pelly	Taft
Kee	Pepper	Talcott
Keith	Perkins	Taylor
Kleppe	Pettis	Teague, Calif.
Koch	Philbin	Thompson, N.J.
Kuykendall	Pickle	Thomson, Wis.
Kyros	Pike	Utt
Landrum	Pirnie	Van Deerlin
Langen	Poage	Vander Jagt
Latta	Podell	Vanik
Leggett	Poff	Vigorito
Lennon	Preyer, N.C.	Waggonner
Lloyd	Price, Ill.	Waldie
Long, Md.	Price, Tex.	Wampler
Lujan	Pryor, Ark.	Watkins
McCarthy	Pucinski	Watson
McClory	Purcell	Watts
McCloskey	Quie	Weicker
McClure	Railsback	Whalen
McDade	Randall	Whalley
McDonald, Mich.	Rarick	Whitehurst
	Reid, Ill.	Whitten
McFall	Reid, N.Y.	Widnall
McKneally	Reuss	Wiggins
McMillan	Rhodes	Williams
Macdonald, Mass.	Riegle	Wilson, Bob
	Roberts	Winn
Madden	Robison	Wright
Mahon	Rodino	Wyatt
Mann	Rogers, Colo.	Wydler
Marsh	Rogers, Fla.	Wylie
Martin	Rosenthal	Wyman
Mathias	Roth	Yates
Matsunaga	Roudebush	Yatron
May	Roybal	Zablocki
Mayne	Ruppe	Zion
Meeds	Ruth	Zwach
Meskill	Ryan	

NAYS—0

NOT VOTING—99

Abernethy	Findley	Mills
Adair	Fisher	Morton
Adams	Flynt	Myers
Anderson, Tenn.	Foley	Obey
	Garmatz	O'Konski
Andrews, Ala.	Goodling	Olsen
Andrews, N. Dak.	Green, Oreg.	Passman
	Green, Pa.	Pollock
Ashley	Gubser	Powell
Ayres	Hansen, Wash.	Quillen
Baring	Hébert	Rees
Berry	Heckler, Mass.	Reifel
Biaggi	Holifield	Rivers
Blanton	Horton	Rooney, N.Y.
Boggs	Hosmer	Rooney, Pa.
Brademas	Howard	Rostenkowski
Brock	Hungate	Saylor
Broyhill, N.C.	Joelson	Scherle
Burton, Utah	Johnson, Pa.	Snyder
Carey	Jonas	Steiger, Ariz.
Celler	King	Steiger, Wis.
Clancy	Kirwan	Stubblefield
Clawson, Del	Kluczynski	Teague, Tex.
Cleveland	Kyl	Thompson, Ga.
Corbett	Landgrebe	Tiernan
Corman	Lipscomb	Tunney
Culver	Long, La.	Udall
Davis, Ga.	Lowenstein	Ullman
Dawson	Lukens	White
Diggs	McCulloch	Wilson, Charles H.
Dingell	McEwen	
Dulski	MacGregor	Wold
Edwards, La.	Mailliard	Wolff
Evans, Colo.	Melcher	Young

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Mailliard.
Mr. Kirwan with Mr. Brock.
Mr. Garmatz with Mr. Berry.
Mr. Melcher with Mr. Johnson of Pennsylvania.
Mr. Teague of Texas with Mr. Morton.
Mr. Andrews of Alabama with Mr. Saylor.
Mr. Abernethy with Mr. Ayres.
Mr. Wolff with Mr. Corbett.
Mr. Biaggi with Mr. Wold.
Mr. Boggs with Mr. Lukens.
Mr. Mills with Mr. Cleveland.
Mr. Dulski with Mr. Snyder.
Mr. Rooney of New York with Mr. Hosmer.
Mr. Green of Pennsylvania with Mr. Reifel.
Mr. Holifield with Mr. Jonas.
Mr. Baring with Mr. Gubser.
Mr. Carey with Mr. Quillen.
Mr. Celler with Mr. Thompson of Georgia.
Mr. Davis of Georgia with Mr. MacGregor.
Mr. Dingell with Mr. Kyl.
Mr. Long of Louisiana with Mr. Adair.
Mr. Howard with Mr. Del Clawson.
Mrs. Green of Oregon with Mr. Findley.
Mr. Culver with Mr. Goodling.
Mr. Edwards of Louisiana with Mr. Steiger of Arizona.
Mr. Rivers with Mr. O'Konski.
Mr. Rooney of Pennsylvania with Mr. Pollack.
Mr. Tunney with Mr. Scherle.
Mr. Young with Mr. Broyhill of North Carolina.
Mr. Tiernan with Mr. Andrews of North Dakota.
Mr. Udall with Mr. McCulloch.
Mr. Joelson with Mr. McEwen.
Mr. Anderson of Tennessee with Mr. Horton.
Mr. Evans of Colorado with Mrs. Heckler.
Mr. Brademas with Mr. Landgrebe.
Mr. Hungate with Mr. Steiger of Wisconsin.
Mr. Foley with Mr. Burton of Utah.
Mr. Passman with Mr. Lipscomb.
Mr. Stubblefield with Mr. Clancy.
Mr. Flynt with Mr. Myers.
Mr. Lowenstein with Mr. Dawson.
Mr. White with Mr. King.
Mr. Obey with Mr. Diggs.
Mr. Ullman with Mr. Rees.
Mr. Rostenkowski with Mrs. Hansen of Washington.
Mr. Fisher with Mr. Blanton.
Mr. Ashley with Mr. Adams.
Mr. Charles H. Wilson with Mr. Corman.
Mr. Kluczynski with Mr. Olsen.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. FRIEDEL. Mr. Speaker, pursuant to House Resolution 518, I call up from the Speaker's table for immediate consideration the bill S. 2276.

The Clerk read the title of the Senate bill.

The Clerk read the Senate bill, as follows:

S. 2276

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 104(c) of the Clean Air Act is amended by striking out "the fiscal year ending June 30, 1969" and inserting in lieu thereof "each of the fiscal years ending June 30, 1969, and June 30, 1970".

AMENDMENT OFFERED BY MR. FRIEDEL

Mr. FRIEDEL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FRIEDEL: Strike out all after the enacting clause of S. 2276 and insert in lieu thereof the provisions of H.R. 12085 as passed, as follows:

"That the first sentence of section 104(c) of the Clean Air Act (42 U.S.C. 1857b–1(c)) is amended by striking out 'and', and by striking out the period at the end thereof and inserting in lieu thereof ', and for the fiscal year ending June 30, 1970, $18,700,000.' "

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, may I ask the gentleman from Maryland what is the nature of this legislation?

Mr. FRIEDEL. Mr. Speaker, we have just passed a House bill, and we are seeking to substitute in the Senate bill the language passed by the House. It is a similar bill.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

The SPEAKER. The question is on the amendment offered by the gentleman from Maryland.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 12085) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

ADJUSTING SALARIES OF VICE PRESIDENT AND CERTAIN OFFICERS OF CONGRESS

Mr. DANIELS of New Jersey. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 7206) to adjust the salaries of the Vice President of the United States and certain officers of the Congress, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 10, strike out "$55,000" and insert "$49,500".

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

THE PERSONAL ATTACK ON THE HONORABLE EDWARD I. KOCH

(Mr. OTTINGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OTTINGER. Mr. Speaker, during the debate on the bill which we have just passed the gentleman from South Carolina, (Mr. WATSON), entered into a lashing attack upon my colleague from New York (Mr. KOCH). In that attack he misrepresented the words of Mr. KOCH. He imputed to Mr. KOCH ideas, sentiments, and words that he did not express and I am sure would not support.

I asked that his words be taken down, and made a point of order to that effect, which unfortunately was not made in time.

This kind of a personal attack with great vindictiveness, falsely representing what a fellow colleague actually did have to say, I feel is quite improper. I feel badly that this body did not have the opportunity to censure the gentleman.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. OTTINGER. I am glad to yield.

Mr. GERALD R. FORD. As I remember what the gentleman from New York just said, it was that the gentleman from South Carolina had misrepresented the gentleman from New York (Mr. KOCH).

Mr. OTTINGER. That is correct.

Mr. GERALD R. FORD. And imputed to him——

Mr. OTTINGER. Imputed to him ideas.

Mr. GERALD R. FORD. Imputed improper motives or something to that effect.

Mr. OTTINGER. Yes.

Mr. GERALD R. FORD. Now, that is a matter of judgment. The judgment of the gentleman from New York (Mr. OTTINGER) is no better than the judgment of anybody else.

Mr. OTTINGER. This is a matter of fact. I decline to yield further.

Mr. GERALD R. FORD. It is a matter of judgment.

Mr. OTTINGER. The gentleman either said what he did or he did not.

Mr. GERALD R. FORD. The gentleman from New York was not on his feet early enough to have it decided by the House.

Mr. OTTINGER. I quite agree and regret it.

Mr. GERALD R. FORD. He is now after the fact.

Mr. OTTINGER. Regular order, Mr. Speaker.

Mr. GERALD R. FORD. It is a question of judgment whether the gentleman from South Carolina did or did not. It is the judgment on our side and a good many on your side he did not.

Mr. OTTINGER. Mr. Speaker, the question of what the gentleman from New York said is a matter of fact.

The gentleman from South Carolina said that the gentleman from New York praised Ho Chi Minh, when in fact he did not; that he equated him with the great leaders of this country, which in fact he did not. It seems to me that is a completely improper act of vindictiveness and one which deserved to receive the censure of this body.

LEGISLATIVE PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the program for the remainder of this week and the agenda for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the distinguished gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader, we have finished the business for the week and will ask to go over until Monday upon the announcement of the program.

The business for next week is as follows:

Monday is District Day. There are no district bills.

On Monday we will consider H.R. 11039, to amend further the Peace Corps Act, under an open rule with 1 hour of debate.

For Tuesday we have scheduled:

House Joint Resolution 247, relating to the administration of the National Park System, under an open rule with 1 hour of debate;

H.R. 471, to hold in trust certain Lands for the Pueblo de Taos Indians in New Mexico, under an open rule with 1 hour of debate; and

House Resolution 491, providing for the consideration of House Joint Resolution 681. This is, of course, the rule which will make in order the consideration of a proposed constitutional amendment which will be taken up on Wednesday.

For Wednesday and the balance of the week, we have a joint meeting on Wednesday when the Congress will have as its guests the Apollo 11 astronauts. Also on Wednesday, House Joint Resolution 681, proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President, under an open rule with 6 hours of debate. I expect consideration of that resolution to continue into Friday and even possibly the following week.

This announcement is made subject to the general and usual reservations that conference reports may be brought up at any time and that any further program may be announced later.

Mr. GERALD R. FORD. Mr. Speaker, I would like to ask two questions of the distinguished majority leader. Will the joint meeting be at the usual hour of 12 to 12:30 on Wednesday?

Mr. ALBERT. We expect it to be at about 12:30. That cannot be answered definitely to the precise minute, but we do expect it to be at about 12:30.

Mr. GERALD R. FORD. In the gentleman's remarks concerning the electoral college reform legislation the gentleman indicated that we would start consideration of it on Wednesday.

Mr. ALBERT. We hope to adopt the rule on Tuesday.

Mr. GERALD R. FORD. And start general debate on Wednesday and go through Friday. Then the gentleman said that it may go over into the following week.

Mr. ALBERT. If we do not dispose of it by a certain time on Friday. The rea-

son for that is Friday at sundown is the commencement of a high Jewish holiday, and we will have to put the legislation over if we are not through with it by that time in order to enable Members of that faith to observe this important religious occasion.

Mr. GERALD R. FORD. Mr. Speaker, I appreciate that clarification.

ADJOURNMENT OVER TO MONDAY, SEPTEMBER 8

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH THE CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday of next week, September 10.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PRESIDENT NIXON'S WELFARE PROPOSALS

(Mr. NIX asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. NIX. Mr. Speaker, I categorically reject President Nixon's welfare proposals. One of the great illusions of reform is quite often its delusion of progress.

We tend to accept the myth—all of us—that any change or reform in existing laws is, ipso facto, a giant leap forward merely because an efficient public relations machine of the person making the claim says so.

In reality, the so-called giant leap forward is nothing more than a tiny, reluctant step sideways.

America was recently subjected to this legislative terpsichore when our distinguished President on August 8 sent to Congress his proposals for welfare reform. Once again, the Nation was being asked to do the "Nixon foxtrot"—one step forward, two steps backward, then three steps sideways and take a 15-minute break.

The critical problems of our country demand more energy and imagination than a few steps. We must commit ourselves to galloping sprints. In his welfare proposals, President Nixon once again reveals that he not only lacks a sense of urgency but the bold commitment to rid our Nation of poverty and hunger. The same old, tired Nixon formula for change—two parts hesitation, three parts reluctance, and four parts conservatism—dominate the package program he sent to Congress.

Probably the most outstanding feature of the President's welfare proposals is the doubling of families who are eligible to receive welfare assistance. Thus, the total number of people receiving such assistance would double from 10,000,000 to 22,400,000. All families with children whose incomes are under a certain level—$3,920 for a family of four; $5,700 for a family of seven—would be covered. These families would include both those headed by a dependent female or an unemployed father and those headed by an employed male whose earnings were below $3,920.

But, in increasing the number of families to receive welfare assistance, the President's proposals would do two things: First, lower the payments to families below the national average, and second, redistribute inadequate welfare payments to a larger number of people. Let me illustrate that last point.

At the present time, the national average for monthly payments per family is $171.35 per month or $2,056.20 per year.

Under Mr. Nixon's proposal, that average would be reduced to $1,600 per family, the minimum a family could receive in payments.

Second, those States, particularly in the North, which have already made sincere and determined efforts to treat welfare recipients as human beings would be penalized and more than half of the appropriations for Mr. Nixon's welfare proposals would be allocated to the Southern States which have consistently refused to appropriate sufficient funds for welfare families.

Again, an example. New Jersey pays an average family on ALDC—Aid to Familes with Dependent Children—$263 per month or $3,166 a year. That is the highest in the Nation. The lowest average monthly payment to an AFDC is, as you would expect, in Mississippi where a family receives $38.75 per month or $465 per year, just about one-third of the President's proposed minimum.

Consequently, under President Nixon's welfare proposals, States such as New Jersey, New York, Pennsylvania, California, and Illinois which have been in the forefront of a national effort to humanize welfare recipiency would be penalized and States such as Mississippi, Alabama, South Carolina, and Arkansas which have maintained an outmoded welfare system of payments would actually be rewarded for their horse-and-buggy approach.

I would like to point out at this time that last year, my distinguished colleague from New York City, Representative WILLIAM FITTS RYAN, introduced a guaranteed annual income bill for all Americans, H.R. 17331. Under Congressman RYAN's proposals, a family of four would be guaranteed an annual minimum income of $2,004 and through a series of incentive payments based upon earned income, the family would be removed from the welfare rolls once their income reached $4,000. Under Mr. Nixon's proposals, the family would be ineligible for welfare assistance when their total income reached $2,960. I cite Congressman RYAN's proposals as an example of the kind of enlightened approach necessary if we are to break the welfare cycle.

A third shortcoming of the President's proposals is that it actually takes food out of the mouths of families by cutting out food stamps as supplementary income for these families.

According to the National Council on Hunger and Malnutrition which analyzed the statistics of food stamps for welfare recipients, the new welfare proposals would reduce the food purchasing income for some 87 percent of the 6,478,000 welfare poor. According to the Council, the current combination of welfare payments and food stamps provide more net income to the majority of relief recipients than they could expect to receive under Mr. Nixon's new proposals. The exceptions, of course, are those six Southern States, Puerto Rico, and the Virgin Islands where the relief payments are so low that even Mr. Nixon's proposals would result in greater benefits to the poor.

Why the President would call for what he termed "an orderly substitution of food stamps by the direct monetary payments" is not only unexplainably confusing, it's hypocritically inconsistent.

To begin with, it was only on June 6 that the President sent a message to Congress on food stamps that sought to guarantee participation of all counties in the food-stamp program. Yet, having made that commitment to the food-stamp program, the President would then turn around and start phasing out the food-stamp program for those who need it most, the people on welfare and other poverty-stricken families.

As it stands now, the food-stamp program only reaches 22 percent of the poor who receive food in counties which have either the food-stamp program or direct distribution programs.

So, if the President cannot seem to make up his mind how he feels about the food-stamp program, I would hope that he at least would attempt a semblance of consistency in its operation as a critical adjunct of the welfare program. Mr. Nixon's miserly $1,600 for a family of four is shamefully inadequate. To omit food stamps in this already shortchanged welfare reorganization plan merely worsens the plight of the poor. As the Rev. Ralph D. Abernathy, president of the Southern Christian Leadership Conference said in his criticism of the Nixon proposals:

> The cost of food alone for a family of four, according to a recent government report, is $1,200 a year—and that's eating pig ears and neck bones.

Finally, one of the most tyrannical and oppressive components of the Nixon welfare reform proposals is the requirement that so-called able-bodied welfare recipients accept what is called "suitable jobs" or take job training in order to remain eligible for welfare payments.

According to New York City's Human Resources Administrator, Mitchell I. Ginsberg, that requirement would be "impossible to administer." More importantly, he continued, "it's unnecessary."

America's economy with its built-in racism and barriers against black people in both jobs and job-training programs has historically denied black mothers and fathers the right to earn a decent living. As a result, many of them have been forced on welfare, not because they were lazy or ill-trained, but simply because they were black. Despite this incontrovertible fact, President Nixon now proposes that these same people who attempted to work and have been prevented from doing so, must now suffer the burden of proof of explaining their unemployment. What a sickening irony.

Furthermore, who determines what a "suitable job" is? To many Southern State employment interviewers or job counselors, a "suitable job" for any black man is shining shoes, no matter what the level of his education is. To many Northern job counselors, a "suitable job" for a black woman is domestic or waitress even if she is a Phi Beta Kappa and holds a master's degree. What good does it do to set up elaborate job-training programs in certain skilled trades and then, because of industry barriers and union regulations, prevent well-trained persons from working?

No, let President Nixon conclusively demonstrate that he is committed to a strong and uncompromising enforcement of existing antidiscrimination laws at all levels and then, and only then will I accept the provision that a person should take job training if he or she is untrained.

Note that I said "should." People should be urged and encouraged to undertake job-training, but they should not be under legal duress to do so. It is ironic that many whites complain about laws that would force them to accept blacks as equals. I ask what is the difference between that position and a law that would force a man to take a job or participate in a training program in order to feed his family?

Some experts and leaders have hailed President Nixon's welfare proposals as a start in the right direction and that they are an improvement. In the sense that emancipation was an improvement over slavery, they are right. But emancipation did not guarantee the black man his educational, political, and economic freedom. And for years, many blacks in both the South and the North lived in wretched conditions, similar to their situations as slaves.

Reform without the built-in guarantees of the enforcement of antidiscrimination laws, equal and objective treatment of jobseekers, whether they are white or black, and a more equitable system of apportioning Federal funds to those States with higher payments is no reform at all. Bolder and more imaginative steps are necessary if the Federal Government is ever going to eventually destroy the debilitating cycle of welfareism.

President Nixon's so-called welfare reform proposals fall far short of that goal. As an expression concerning football would say it, "he hasn't even put the ball into play yet."

RUNAWAY INFLATION

(Mr. ULLMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ULLMAN. Mr. Speaker, I am an optimist when it comes to the strength and stability of the American economy. I have been reluctant in the past to join those who have predicted a dark future for this country because of current national economic policies. But for the first time since I came to Congress in 1957, I am beginning to see real danger. I believe that our present policies have set us on a collision course with serious economic crisis, and that the time is short for setting a new course toward economic stability.

Mr. Speaker, despite assurances from the administration, we are losing the fight against inflation. Prices continue to climb skyward. Interest rates are already out of control.

It is now obvious that the recession-oriented policies of the administration can only lead to economic disaster. The tight monetary approach has so far given us only record-high interest rates. Freezes on Federal office building and highway construction, apparently to be announced shortly by the administration, smack of desperate, rather than coordinated policy.

The administration must conduct an immediate reevaluation of its economic policies if we are to restore stability to an economy that is more and more visibly deteriorating.

I urge that President Nixon declare a new national policy to fight inflation that will incorporate clear spending and investment priorities, and establish guidelines for wage and price increases.

Establishment of national investment priorities would allow us to strip away unnecessary spending and direct our resources where the need is critical. The housing industry, for example, is on the verge of collapse. But it is getting no real help from the administration, only policies that lead to more exorbitant money and mortgage costs.

Priorities are necessary, with or without a Vietnam war. Despite contradictory reports from the administration, it appears that no significant amount of Federal funds will be freed after Vietnam to help pay for needed domestic programs.

We need wage and price guidelines to make clear the limits of acceptability for future increases. The formation of a labor-management advisory committee under President Kennedy is one successful approach to arriving at such guidelines.

A new anti-inflation policy must be backed up by firm leadership from the President. He should call leaders of the business and labor communities to the White House and make clear his intention to stick by this new policy until inflation is controlled and stability achieved.

This administration can no longer afford to remain neutral in the face of spiralling prices and wages. Three months ago, I strongly urged Secretary of the Treasury Kennedy by letter to implement a system of priorities and guidelines. But the response, despite a growing crisis, has been completely negative.

If the administration does not act quickly to gain control of a runaway economy, the ultimate solution may well have to be formal price and wage controls, perhaps coupled with devaluation. This would be disastrous to the long-term objectives of this country and the free world.

COLLEGE LOAN CRISIS CAN AND MUST BE AVERTED

(Mr. FULTON of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FULTON of Tennessee. Mr. Speaker, in just a few short days millions of American students will be entering or returning to college and university campuses. For many it will the beginning of their higher education, for others it will be to continue or complete college careers.

But for an estimated 150,000 to 200,000 otherwise eligible and academically qualified students this fall threatens to be a fall of frustration and promise denied because circumstances beyond their control have evaporated college loan funds upon which they had depended to finance their higher education.

The Congress has attempted but has not been permitted to alleviate this crisis in the financing of higher education. There is currently legislation reported by the House Committee on Education and Labor which could open the gates of higher education to these 150,000 to 200,000 students. It is the Insured Student Loan Emergency Amendments of 1969. It has been reported but not permitted to come before the House and its Members.

The cause of the education financing problem is the current high interest rate and shortage of funds. Under the Higher Education Act of 1965, as amended, the Federal Government can guarantee college loans through commercial banks at an interest rate not to exceed 7 percent. The prime rate now stands at 8½ percent. In addition some banks have been reluctant to lend and service loans to students who have not or whose families have not previously been customers. There is very little profit in this type of loan because of its long life and its cost of servicing.

As long ago as June of this year, when the prime rate went to 8½ percent it became apparent that unless the interest rate dropped, a dim prospect, the threat of an emergency in college loan financing later in the fall was threatened.

A few weeks later, Chairman PERKINS' Education and Labor Committee reported the insured student loan emergency amendments to "assure the continued flow of money from banks and other lenders to students under the guaranteed student loan program by providing a limited device for increasing

the rate of return to lenders during times of money stringency."

In the bill is a provision for a "market adjustment allowance" of up to 3 percent annually to be paid each bank or other lending institution on the average unpaid balance of principal—not including interest added to the principal—of all loans in the lender's student loan portfolio.

The bill also provides that a new rate be set each quarter to contend with fluctuations in the interest rate. The program would expire in 1971 with the rest of the Higher Education Act.

Mr. Speaker, on four occasions prior to the August recess, Chairman PERKINS asked for unanimous consent to bring this bill to the floor to avert partisan debate on ungermane issues and give the House an opportunity to vote it up or down. On each occasion objection was raised.

Then again yesterday, the first legislative day following the recess, Chairman PERKINS again asked unanimous consent to bring up the bill and again there was an objection on the grounds that this would be rushing the bill through the House.

Chairman PERKINS has requested unanimous consent because he does not want the issue of campus disorder and the emotionalism thereto related to enter into this debate. And he is absolutely correct.

There is no doubt a need for debate on the campus disorder issue in the House but it has no place in relationship to this bill. Those who feel to the contrary err, I believe, by confusing the rights of thousands of needy, conscientious and deserving young students who wish to better themselves and their environment with the irresponsible desires of the hippie hooligans and hoodlums, many of whom are not even enrolled as students, who would infect our campuses promoting disorder.

It might be well to remember also that in the other body, legislation very similar to the bill from Chairman PERKINS' committee, passed on August 12 by a rollcall vote of 92 to 1. During debate the issue of campus disorder was recognized as irrelevant. Discussion barely touched on the matter and no amendments relating to it were offered.

Mr. Speaker, during the recent recess I found this problem of the college loan crisis one of the most frequently mentioned by students and their parents. When I would explain why the bill had been delayed in the House invariably the frustrated reply would be on the order of:

> But I'm not interested in rioting on campus, I'm just interested in getting on campus and back to school.

It appears now that the next opportunity to bring this bill to the floor will be under the suspension calendar on September 15, a very late date indeed because even then the variances in the House and Senate bills still must be worked out.

It would be my hope, Mr. Speaker, that those who wish to debate the matter of campus unrest will not persist in their desire to talk about an unrelated issue at the expense of 150,000 to 200,000 young Americans to whom education is dearer than irrelevant rhetoric.

GUARANTEED LOANS FOR STUDENTS

(Mr. FEIGHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FEIGHAN. Mr. Speaker, I rise to urge the earliest possible consideration of H.R. 13194 to amend the Higher Education Act of 1965. The bill authorizes Federal incentive payments to lenders with respect to insured student loans when necessary, in order to assure that students will have access to such loans for financing their education.

The Act currently guarantees that the Federal Government will pay through graduation the interest rate up to 7 percent on loans to students whose parents earn less than $15,000. At the inception of the program, the Government guaranteed 6 percent, but the prime rate was then set at 4½. This clearly gave lenders an incentive to participate in the student loan program. As of June 9, 1969, the prime rate has been set at 8½ percent.

Since banks are able to command a higher rate on commercial loans than the present 7-percent maximum insured by the Government, present economic motive clearly discriminates against students. In addition, because of administrative difficulties involved in effecting these loans, lenders have a greater incentive to hold available funds for preferred customers.

Denying these young people the funds they so desperately need for the continuation of their education is indefensible. With costs of higher education rising rapidly throughout the country, families find the financing of schooling for their college-age youngsters a burden increasingly more difficult to bear.

It is gratifying to me to note, however, that some lenders are taking the lead in processing these loans despite the lack of economic incentive. The Second Federal Savings and Loan Association of Cleveland, for example, has allocated all funds invested in insured certificates of deposit to make loans to students at the 7-percent rate. Unfortunately, though, most banks are awaiting action by Congress to raise the rate, leaving the students in financial limbo.

We are already tardy in the passage of this sorely needed legislation. The fall semesters of most institutions being this week or next; tuition bills will arrive only too soon thereafter. If positive action is not taken immediately, nearly 200,000 students who are counting on loans will be forced to terminate their academic careers until funds are available. I urge united support of H.R. 13194 in behalf of the young people of our country.

THE PLIGHT OF THE NATION'S MERCHANT MARINE

(Mr. LENNON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. LENNON. Mr. Speaker, on August 20, the Star-News of Wilmington, N.C., published an editorial, "Time for a Change," which calls for a new policy for the revitalization of our merchant marine—a position with which I am in total agreement.

As a member of the Merchant Marine and Fisheries Committee and as a member of the Sea Power Subcommittee of the Armed Services Committee, I have been alerted to the perils of our merchant marine for some time, and with other House Members, I have been trying to do something about it.

During the campaign, President Nixon made several promises about starting new programs to revive our lagging merchant marine. New ships must be built; for 58 percent of our Navy's ships are over 20 years old, which is about the average age of our merchant marine ships. While we face an immediate problem in connection with the unsatisfactory numbers and conditions of the ships in our merchant marine, we must also look to new ideas in shipping for our long-range answers. While we are concentrating on building new ships in our shipyards now, let us not forget the research and development that we must undertake in order for our merchant marine to be competitive with merchant fleets of the world.

We have many interests at heart when we talk about the merchant marine. Our country is directly interested by import or export in one-fifth of the world's ocean borne commerce. Merchant shipping is the only type of transport that can meet the great demand for vast amounts of petroleum, metal ores, and chemicals, grains, manufactured goods, and other key materials in world trade. We are shipping 2 million tons of military supplies a month. We vitally need shipping for our commercial and our security interests. A rejuvenated maritime fleet would reduce the gold outflow. President Nixon has set a goal of transporting 30 percent of our imports and exports in U.S.-flag ships. This is an excellent goal, but it cannot be accomplished overnight.

We presently carry only 6 percent of our own commerce in U.S. bottoms. A revitalized merchant service is essential to our Nation's growth and development. Sir Walter Raleigh's statement that the country which controls the sea lanes controls the world's trade—hence controls the world is no less true today than it was in his time.

As our reserve fleet of commercial shipping is sold and turned into scrap, it becomes even more important for us to start again on a new shipbuilding program. That is the theme of the editorial, with which I am in full accord—and have been for many years.

Mr. Speaker, under unanimous consent I insert the editorial, "Time for a Change," from the Star-News of Wilmington, N.C., in full at this point in the RECORD:

TIME FOR A CHANGE

The two ships in the decommissioned Brunswick River Basin of the Maritime Administration give mute testimony to the plight of the nation's Merchant Marine.

The ships are waiting to tow to a scrapping yard and the U.S. Department of Commerce has closed the MA facilities which were part of the locally called "layup basin."

In a recent address to a national group, A. E. Gibson, U.S. maritime administrator, pointed to the dwindling number of ships in the merchant fleet, intimating that the United States was fast losing its eminence as a world sea power.

"Our merchant fleet is rapidly becoming too old, too small and too unproductive to serve our vital defense and economic needs," he told the group in Kansas City, Mo. "In addition," he continued, "too few merchant ships have been built in the past to reverse this situation."

Gibson blamed the lack of assurance provided shipyards for long-term construction programs on which to base the investment necessary to increase their productivity. He also cited the lack of a secure future for shipyard workers under the present siutation.

All this is about to change. President Nixon has directed the Maritime Administration to form a program designed to aid all segments of the maritime industry, Gibson said.

"We believe the loss of approximately two-thirds of our entire merchant marine fleet in the next four years—a loss of 500 to 600 ships—calls for drastic action, and we intend to take it," he declared.

A key to the program will be to stimulate the modernization of American shipyards. Others will be simplification and standardization of ship design and parts. Mass production techniques—ordering successful designs in quantity—will also be employed to provide the most in the way of ships for the least in the way of cash.

The end result—a modern, efficient fleet of merchant vessels—may be well worth the added efforts. Assuredly, it is a program sorely needed if the United States wants to keep up with the rest of the world in the field of commerce.

PRESIDENT NIXON HAS PRECEDENT FOR REFUSAL TO SPEND APPROPRIATED FUNDS

(Mr. CONABLE asked and was given permission to address the House for 1 minute.)

Mr. CONABLE. Mr. Speaker, my distinguished colleague, Mr. MICHEL, who spoke earlier, pointed out that President Nixon is in good company if he decides not to spend all the funds this Congress may appropriate.

Harry Truman once said, speaking of the Presidency, "The buck stops here." The ultimate responsibility for administration of the Government and the final forum for safeguarding the people's interests is the Presidency. Even as a Senator, Mr. Truman recognized that it was not only the right, but also the duty, of the President to refuse to spend appropriated funds just because they are there. In June 1944, Mr. Truman told his colleagues that—

> When the Congress appropriates funds it gives the executive branch an authority to incur obligations. Certainly none of us hold that we give a mandate to expend the funds appropriated. We expect the funds to be used only where needed and not in excess of the amount appropriated, to carry out some phase of law.

Mr. Truman carried out this philosophy as President. For instance, when Congress appropriated funds for a 58-group Air Force, Mr. Truman went right ahead and limited that Air Force to 48 groups.

So you see, Mr. Speaker, President Nixon has well established precedent for his decision not to spend an extra billion dollars some would have him spend. Most of us here will acknowledge that one of the administration's toughest battles must be the control of inflation. That is why we are determined to have a balanced budget. That is why we voted to extend the unpopular surtax. Our friends who now would undo this by voting to spend money we do not have say that the President is turning his back on the children of America. This is pure politics—we all support a quality education for our children. It is true that the children of America are America's future, and they deserve a better inheritance than a bankrupt currency and a load of accumulated debt which will reduce their capacity to move against the problems of the future, including the advancement of education. It may be politically expedient to talk about spending money we do not have for aid to education. Perhaps it would be wiser to divert some of this nonexistent money into the education of some adults in the basic principles of economics and the dangers of continuing to spend beyond our income. We see all around us the harmful results of ignoring these basic principles of economics over the past several years.

THE BUDGET, INFLATION, AND CONGRESS

(Mr. ERLENBORN asked and was given permission to address the House for 1 minute.)

Mr. ERLENBORN. Mr. Speaker, the President recently informed some of the spenders in this Congress that they cannot have their cake and eat it, too; that they cannot put a ceiling on the budget and at the same time increase appropriations for their pet projects.

He told them that he will not spend money, even if it is appropriated, that unbalances the budget.

In this particular case he was, of course, referring to an action by this body that would increase Federal aid to education funds by nearly $1 billion.

The President's words brought cries of anguish from some of my distinguished colleagues. They charged the President was flouting the will of Congress and turning his back on the little children.

And they implied that he could not do this to them.

Perhaps he cannot, Mr. Speaker, but in my judgment he is going to. And if he does he will be in good Democratic company.

Mr. Speaker, I have not looked into every case of Presidents not spending appropriated funds, but I do have some information about one President who refused to.

His name was Franklin Delano Roosevelt. And he did it in more than one instance. For instance, he refused to spend appropriated funds for the National Youth Administration. Was he turning his back on the youth of America?

He refused to spend appropriations for the Civilian Conservation Corps. Was he turning his back on the young men of America?

He refused to spend funds allocated for the Surplus Marketing Agency which at that time involved the school lunch program. Was he turning his back on the children of America?

Of course not.

Mr. Speaker, it is the duty of the President to act under the Constitution for the good of the Nation. Sometimes, in his judgment it may be more important to take action to end inflation than it is to unbalance the budget by spending funds that have been appropriated for political purposes.

I thank God, we have a President in the White House who is willing to make the hard decisions and the sound decisions, even at the risk of being criticized by those who should know better.

LET THE STUDENTS KNOW

(Mr. MIZE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MIZE. Mr. Speaker, at the start of a new school year on college campuses this fall, I feel that it is important for the administration of each institution to have a firm understanding with each student about his on-campus conduct while he is a member of the student body. In this regard, I was pleased to see the policy statement issued by the dean of students of Mount St. Scholastica College of Atchison, Kans., an institution for which I am privileged to be the chairman of the board of trustees.

Each student at Mount St. Scholastica will be given a copy of this statement and will have it explained to him before classes start. Hopefully this will ward off any disruptive action there, but in the event there are any transgressions, the offenders will know exactly what to expect. I understand this same policy statement is being issued to the students at St. Benedict's College, also in Atchison.

I would recommend it to other colleges and universities. A certain amount of unrest and agitation can be expected as long as present day tensions are what they are, but every college administration owes it to the majority of students who enroll for the purpose of furthering their education, to see that they have the opportunity to attend classes and study with as little interference as possible.

The Mount St. Scholastica policy statement follows:

MOUNT ST. SCHOLASTICA COLLEGE,
Atchison, Kans.

All students of MSSC are hereby informed that any and all students actively involved in student demonstrations that result in destruction of property; forcible entry or occupation of campus offices or facilities, aiding or abetting such entry; physical or verbal abuse to any member of the college community; refusal to respond to instructions to restore order; or any other action that results in the violation of the rights of others and disruption of normal college operation will be subject to immediate suspension. Such students will be required to leave the Mount campus within a time period indicated by the Dean of Students or her representative under threat of civil arrest for trespassing.

Should students suspended under this procedure choose to request a hearing from the Student Review Board, they may do so after

making petition in writing to the Dean of Students and subsequently being informed in writing of the place and time of such a hearing.

Sister RITA MCPHEE,
Dean of Students.

THE NEW FEDERALISM

(Mr. ANDERSON of Illinois asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ANDERSON of Illinois. Mr. Speaker, on August 8 of this year, President Nixon unveiled his "New Federalism" approach to domestic problems. Since that time, much has been said and written about the administration's proposals to reform welfare, manpower training, and poverty programs, and to institute a system of Federal revenue sharing with State and local governments.

Most commentators agree that the "New Federalism" represents a bold new departure in domestic policy. People of all political persuasions are in general agreement that our existing welfare system has been a colossal failure, that manpower training services are in drastic need of overhaul, and that State and local governments are in dire need of revitalization. The "New Federalism" addresses itself to these problems by first recognizing, in President Nixon's words, that—

A third of a century of centralizing power and responsibility in Washington has produced a bureaucratic monstrosity, cumbersome, unresponsive and ineffective. A third of a century of social experiment has left us a legacy of entrenched programs that have outlived their time or outgrown their purposes. A third of a century of unprecedented growth and change has strained our institutions and raised serious questions about whether they are still adequate to the times.

The new left and old right are in agreement that the time has come to return government to the people and that this will mean a shifting of resources and powers back to the governments closest to the people. Noting that too many powers and revenues have been concentrated in Washington over the years, President Nixon has promised that—

We intend to reverse this tide, and to turn back to the states a greater measure of responsibility—not as a way of avoiding problems, but as a better way of solving problems. Along with this should go a share of federal revenues.

Mr. Speaker, this past month has given us all a chance to digest the President's proposals and to take the pulse of our constituents. I have been greatly encouraged by the overwhelming public response in favor of the President's "New Federalism." Congressional mail and personal chats reflect a high public enthusiasm for the new approach. A nationwide Gallup poll taken a week after the President's speech indicates that the proposals have the strong and bipartisan support of 65 percent of the American people with only 20 percent voicing disapproval.

Yesterday at Colorado Springs the State Governors gave their endorsement to the President's revenue sharing proposals, and a UPI survey of the Governors reveals that all but one of the assembled Governors give high marks to the President's welfare reforms.

A cross section of national newspapers shows editorial opinion running strongly in favor of the proposed changes.

Mr. Speaker, I think it is fair to say that President Nixon has the Nation behind him and his plans to set a new course for America. The "New Federalism" heralds a new day for America and I am hopeful that we in the Congress can lend our full support for its implementation.

At this point in the RECORD I wish to include excerpts from the President's address to the Governors' Conference, and certain articles and editorials pertaining to the "New Federalism":

EXCERPTS FROM PRESIDENT NIXON'S SPEECH

COLORADO SPRINGS, Sept. 1.—Following are excerpts from the address by President Nixon tonight at the National Governors' Conference:

The central race in the world today is neither an arms race nor a space race. It is the race between man and change. The central question is whether we are to be the masters of events or the pawn of events.

If we are to win this race, then our first need is to make government itself governable.

When the new Administration took office last January, we confronted a set of hard and unpleasant facts.

I cite these not in a partisan way; they are not the fault of any one Administration or any one party. Rather, they are part of our common experience as a people, the result of an accumulating failure of government over the years to come to grips with a future that soon overtook it.

We confronted a legacy of Federal deficits that has added $58-billion to the burden of public debt in the past 10 years.

We confronted an inflationary spiral that had gone out of control, that has raised consumer prices 18 percent in the last five years, 26 percent in the last 10 years, and that threatened to destroy the dollar unless we acted promptly and forcibly to curb it.

A FISCAL VICE

We confronted the fact that state and local governments were being crushed in a fiscal vise, squeezed by rising costs, rising demands for services and exhaustion of revenue sources.

We confronted the fact that in the past five years the Federal Government alone spent more than a quarter of a trillion dollars on social programs—more than $250 billion. Yet far from solving our problems, these expenditures had reaped a harvest of dissatisfaction, frustration and bitter division.

Never in human history has so much been spent by so many for such a negative result. The cost of the lesson has been high, but we have learned that it is not only what we spend that matters; it is the way we spend it.

Beyond this, we confronted a collapse of confidence in government itself, a mounting distrust of all authority that stemmed in large measure from the increasing inability of government to deliver its services or to keep its promises.

As Prof. Peter Drucker has written, "There is mounting evidence that government is big rather than strong; that it is fat and flabby rather than powerful; that it costs a great deal but does not achieve much.

"There is mounting evidence also that the citizen less and less believes in government and is increasingly disenchanted with it. Indeed, government is sick—and just at the time when we need a strong, healthy and vigorous government."

The problem has not been a lack of good intentions and not merely a lack of money. Methods inherited from the thirties proved out of date in the sixties; structures put together in the thirties broke down under the load of the sixties.

GOVERNMENT UNRESPONSIVE

Overly centralized, over-bureaucratized, the Federal Government became unresponsive as well as inefficient.

In the space of only 10 years, state and local expenditures rose by two and a half times—from $44-billion in 1958 to $108-billion in 1968.

States alone have had to seek more than 200 tax rate increases in the past eight years.

We have to devise a new way to make our revenue system meet the needs of the seventies—to put the money where the problems are and to get a dollar's worth of return for a dollar spent.

Our new strategy for the seventies begins with the reform of the Government:

¶Overhauling its structure.

¶Pruning out those programs that have failed or that have outlived their time.

¶Ensuring that its delivery systems actually deliver the intended service to the intended beneficiaries.

¶Gearing its programs to the concept of social investment.

¶Focusing its activities not only on tomorrow, but on the day after tomorrow.

This must be a cooperative venture among governments at all levels, because it centers on what I have called the "new federalism"—in which power, funds and authority are channeled increasingly to those governments closest to the people.

The essence of the new federalism is to help regain control of our national destiny by returning a greater share of control to state and local authorities.

This in turn requires constant attention to raising the quality of government at all levels.

The new strategy for the seventies also requires a strategy for peace—and I pledge to you tonight that we will have an effective strategy for peace.

This means maintaining defense forces strong enough to keep the peace—while not allowing wasteful expenditures to drain away resources we need for progress.

It means limiting our commitments abroad to those we can prudently and realistically keep. It means helping other free nations maintain their own security but not rushing in to do for them what they can and should do for themselves.

It does not mean laying down our leadership. It does not mean abandoning our allies. It does mean forging a new structure of world stability in which the burdens as well as the benefits are fairly shared—a structure that does not rely on the strength of one nation but that draws strength from all nations.

An effective strategy for peace makes possible an effective strategy for meeting our domestic needs. To place this new domestic strategy in concrete terms, let me cite a few examples of changes we in the new Administration have made or proposed since taking office.

We have proposed the first major reform of welfare in the history of welfare. . . .

We have proposed the first major restructuring of food programs for the needy in the history of the food programs. . . .

We have declared the first five years of a child's life to be a period of special and specific Federal concern. . . .

We have proposed the first major reform of the income tax system in nearly two decades, to remove millions of the poor from the tax rolls entirely, to close loopholes that have allowed many of the rich to escape taxation and to make the entire structure more balanced and more equitable.

We have proposed the most fundamental reform of the unemployment insurance system in the history of unemployment insurance.

We have proposed the first reform in the fiscal structure of federalism since the nineteen thirties. In proposing to begin the sharing of Federal tax revenues with the states—to be spent as the states see fit—we are putting our money where our principles are.

We have proposed, for the first time in history, a comprehensive and effective delegation of Federal programs to state and local management.

TWO COUNCILS CREATED

We have begun the first over-all reform of the organization of the Federal Government since the Hoover Commission. . . .

For the first time, machinery has been created to raise the problems of the cities and the problems of the environment to the level of formal, interdepartmental, Cabinet-level concern with the creation of the Urban Affairs Council and the Council on Environmental Quality.

There is another reform I have asked and to which I attach special priority as a matter of high principle: reform of the draft.

Until peacetime conditions make a shift to an all-volunteer armed force possible—while the draft remains necessary—it is imperative that we make it as nearly fair as possible, and that we reduce to a minimum the unnecessarily long period of uncertainty that now hangs over the lives of millions of our young people. . . .

If we are to make our choices effective, we need the machinery to translate wish into reality. . . .

It already is painfully clear that many hard choices will have to be made. Dreams of unlimited billions of dollars being released once the war in Vietnam ends are just that—dreams. True, there will be additional money—but the claims on it already are enormous. There should be no illusion that what some call the "peace and growth dividend" will automatically solve our national problems or release us from the need to establish priorities. . . .

In order to find the money for new programs, we will have to trim it out of old ones.

WON'T GO IT ALONE

One of the key points I want to make tonight is . . . Washington will no longer try to go it alone; Washington will no longer dictate without consulting.

This poses a new challenge to the states—not only to devise programs; not only to employ resources, but to choose the things for which they should be employed. . . .

The new federalism also recognizes the role of people—of individuals doing, caring, sharing.

As only one dimension of the new tasks we face, the best estimates are that America's population will increase by 100 million between now and the year 2000.

That means that thirty years from now, there will be half again as many people as there are today. It means that in this short span of time we have to build the equivalent of 50 cities the size of Philadelphia.

Or, to put it another way, the Committee on Urban Growth Policy recommended that we should begin planning now for 100 new cities averaging 100,000 in population, and 10 new cities averaging a million each. Yet even if we did this, it would accommodate only 20 per cent of the added population we have to plan for by the year 2000.

[From the Washington Post, Aug. 31, 1969]

SIXTY-FIVE PERCENT BACK NIXON PLAN ON WELFARE

(By George Gallup)

PRINCETON, N.J., August 30.—President Nixon's welfare reforms win bipartisan support from the American people at this time.

In a nationwide TV address Aug. 8, Mr. Nixon set forth his new domestic program, designed to reform the welfare system, to institute revenue sharing with state and local governments and to improve manpower training programs.

A nationwide Gallup survey conducted a week after the President's address shows favorable opinions outweighing unfavorable reaction by more than 3 to 1 among those aware of the proposed reforms.

To gauge initial public reaction to the Nixon welfare proposals, these questions were asked of a representative national sample of 1,532 adults between Aug. 15 and 18:

Have you heard or read about President Nixon's new welfare proposals?

All those who answered "Yes" (75 per cent) were then asked:

In general would you say you have a favorable or unfavorable opinion of them?

	Percent
Favorable	65
Unfavorable	20
No opinion	15

Little difference in opinion is found on the basis of the age of respondents, region of country, income level or political affiliation.

Public opposition to the proposals stems mainly from the belief that the new system does not go far enough toward meeting the increased needs of the poor.

Earlier Gallup surveys have shown widespread public support for tax revenue sharing and federally funded day care centers, two key proposals advanced by President Nixon in his address.

A January, 1967, survey found 70 per cent of Americans in favor of having a percentage of federal income taxes returned to state and local government for use as they see fit. * * *.

[From the Washington (D.C.) Sunday Star, Aug. 31, 1969]

POLL SHOWS MOST GOVERNORS BACK NIXON'S WELFARE PLAN

COLORADO SPRINGS, COLO. (UPI).—Almost all the nation's governors, with one notable exception, give high marks to President Nixon's proposal for welfare overhaul, a UPI survey showed yesterday.

Only Gov. Lester Maddox of Georgia indicated flat opposition. "It is much worse than our present system," Maddox said. "It will add millions of Americans to the welfare rolls."

The governors are gathering in Colorado Springs for an annual conference on state problems, ranging from a drying up of state tax sources to the comparatively new phenomena of disorders on the campus. Several states face chronic financial crises.

President Nixon will arrive at the meeting tomorrow afternoon and deliver a speech tomorrow night while governors are attending a formal ball. Vice President Spiro T. Agnew is expected to arrive today and stay until the meeting ends Wednesday.

The UPI poll sought the views of the governors as they left their state capitals on:

Welfare overhaul and Nixon's proposed revenue sharing with the states.

The chances of a constitutional amendment for direct election of the president.

The outlook on the troubled campuses.

A single theme showed through the replies: A large majority of the governors want more welfare help and revenue sharing than Nixon offered.

The governors indicated little confidence but a lot of hope that the worst of the campus disorders were over. An overwhelming number refused to predict how the constitutional amendment would fare in their legislatures. However, enough small states indicated the answer would be "no," to point to serious trouble for the proposal for the popular election of the president.

Forty-five replies were received. Three state offices referred to previous statements made by the governors on the questions. Only two preferred to make no comment until after the 4-day governors' conference which will deal with many of the questions asked.

The exception clearly proved the rule of support for Nixon's welfare and revenue sharing programs.

Of the comments on welfare, 43 governors favored the proposed overhaul entirely or with some suggested changes. One of the five dissenters was Maddox who predicted 22 million people would be on welfare by 1971. (The administration estimates the welfare rolls would increase from 10 million to 22.4 million under the proposed changes, largely because aid would be extended to the working poor.)

Gov. Mills E. Godwin Jr. of Virginia favored "the objective of getting people off the relief rolls and onto payrolls and the work and training aspects of the President's proposals." However, he was troubled that "it appears the program would drastically increase the number of people on welfare in Virginia."

Maddox was opposed to revenue sharing with the cryptic comment that the Nixon plan added up to "peanuts." He said the federal government should "relinquish some of its taxing powers to the state. That would be far better than tax sharing."

The great bulk of the governors said they had no clear indication whether campus disorders would increase or decrease with the fall school terms.

Only 13 of the 50 governors would hazard a prediction on how their legislatures would vote on a constitutional amendment for the direct election of the president. Eight said the amendment would be rejected by their states; five believe it would be approved.

The Associated Press reported that Democratic governors generally count Edward M. Kennedy out of contention for the 1972 presidential nomination—but they aren't ready to take sides or forecast a successor for the Massachusetts senator as the party's frontrunner for a challenge to Nixon.

[From the Washington Post, Aug. 10, 1969]

MR. NIXON ON THE "NEW FEDERALISM"

We will know more about the "New Federalism," which Mr. Nixon expounded on Friday night, after he has sent his messages to Congress next week on the principal subjects involved: welfare reform, manpower training and federal revenue sharing with the states. But on the basis of Mr. Nixon's address and its attendant explanation by his aides, it is already clear that welfare reform is to be the centerpiece of his new policy and that Mr. Nixon has moved on this issue in a big, dramatic way.

The innovations he has recommended include not just the establishment of a standard minimum federal payment of $65 per month to the blind, aged and disabled among welfare recipients, but also—and infinitely more important—the abolition of the destructive, discredited AFDC category altogether. That is the burgeoning, costly program which began as a widow's aid measure with the passage of the Social Security Act in 1935, and which has developed since the war into a wholly unsatisfactory way of granting aid to the (largely black and largely urban) poor. Its terms put a premium on family disintegration and discourage work, and the payments it provides to women with dependent children fluctuate wildly from state to state. Mr. Nixon proposes to replace AFDC with a "family assistance plan" based on direct federal payments to families with children—whether they do or do not have other income and regardless of whether they are male- or female-headed—if their annual income falls below a certain amount. He would gear this program to job-training

and/or work requirements and supplementation of aid by the states. Because the plan encompasses the working poor, it would roughly double the number of persons in the country currently receiving welfare payments from the federal government.

It is hard to think of an issue that has attracted a more improbable constituency of interests and passions (most of them in conflict) than has our federal welfare program. Mr. Nixon is evidently aware of the crosspressures that have been generated. There are the academic planners who have promulgated a variety of negative tax and guaranteed income plans; there are the state legislators, desperate over the financial burden the AFDC caseload has imposed on state treasuries; there are the newly organized and militant welfare mothers themselves, escalating their demands; and above all there is that fellow of whom we have heard so much of late—the Middle American—who has been given to believe that his taxes are going down the drain to look after a bunch of lazy, promiscuous citizens who, unlike himself, won't work. On this last score, the inclusion of the working poor in the plan represents a highly desirable step toward defusing the social tensions that our welfare system has produced and toward making it more equitable as well. But even with this innovation and with his effort at neutralizing criticism via a bit of rhetorical flimflammery (the name of the program was in hot contention up until its actual unveiling), Mr. Nixon must expect that he will take a lot of heat on his proposal from individuals and groups on all sides.

The degree to which the job training and work requirements are wise, enforceable, and actually meant to be enforced will be one focus of controversy. The amount of money requested is bound to be another. And there will be debate over many other matters—the operation of the system, its incentive or lack of incentive to stingy states to supplement federal payment, the total advantage to the welfare recipient himself. Doubtless these are all aspects of the plan that merit scrutiny. But for the moment it is important to receive Mr. Nixon's proposal for what it is: a recommendation to Congress for a sweeping and on the whole beneficent change in the way we regard our poor and in the way we deal with them. "I propose that the federal government build a foundation under the income of every American family with dependent children that cannot care for itself," Mr. Nixon said, "wherever in America that family may live." That is the critical part of what Mr. Nixon said, the sentence on which the new policy toward the poor turns.

It was just about eight months ago that Mr. Nixon's task force on welfare turned in what was then considered a pretty far-out, not to say flaming-liberal report, recommending that he consider a federal payments floor, national standards of eligibility, and other incremental gains in the existing system. A number of those who worked on the report (which declared a plan of this general nature beyond political feasibility) and a number who did not, came into government and pursued the matter there. Their twists and turns of thought led them to abandon the notion of improving an unworkable system and to fight within the administration for their conclusions. Reportedly, the position finally reached was not widely popular within the administration, and there is said to have been more than plenty of warning to the President that he was moving in an unpopular, impractical and financially insupportable direction. Mr. Nixon subscribed in the end to the minority view, and in our opinion he has chosen well.

[From the Hartford Courant, Aug. 10, 1969]

MR. NIXON'S BOLD SOCIAL PROGRAM

President Nixon bit off a large mouthful Friday evening when, in little more than half an hour, he endeavoured to explain to a largely unprepared nation a new social program involving fundamental and even revolutionary changes of both concept and execution. Inevitably, in disclosing his program which is admittedly both "controversial and expensive", he left many questions unanswered. He and his advisors have evidently considered thoughtfully and at length our present patchwork machinery for dealing with the whole spectrum of welfare and its allied problems. In the coming months, they will be called on to share their thinking with the public in detail. But in the meantime, no one can complain that the Nixon administration has not sought to deal boldly and imaginatively with some of the most pressing of today's social problems.

The President made three specific proposals. One of them would return the federal job training programs to the states and communities with the virtual abolition of the controversial Office of Economic Opportunity which would become an experimental hothouse for new ideas in the social field. As he said—and many others have said it before him—OEO "has suffered from a confusion of roles, and from a massive attempt to do everything at once." How Mr. Nixon plans to transfer the worthwhile job training programs to local control, he did not say except to promise that they would not be dumped on unprepared communities.

For a second of his proposals, Mr. Nixon came up with the textbook phrase, the New Federalism. This is the transfer directly and without strings of a stated but increasing part of the Federal Government's income tax receipts to the states, with part of it earmarked for local communities. Almost before the President had stopped speaking, such influential members of Congress as the chairman of the House Ways and Means Committee, Wilbur Mills, were voicing opposition to unrestricted grants of federal funds. The once clear-cut distinction between federal and states' rights and responsibilities has long been eroded but enough probably remains to ensure a real battle.

But the Nixon proposal that led the newspaper stories and made the headlines yesterday morning—and probably raised the most eyebrows—involves the welfare system. Mr. Nixon would scrap the whole Aid to Families of Dependent Children (AFDC) program which is far and away the most important part of our national welfare structure. Under AFDC, poor families, without an employable father, receive joint federal and state grants ranging from about $262 in Connecticut, which is near the top, down to $39 in Mississippi. It would be replaced by a basic federal grant, which the states could add to, of $1600 a year for a family of four without other income, with the important provision that most of any income earned by the family could be retained. Equally important, unemployed fathers and mothers would have to accept jobs or job training when available, and day care centers would be provided for mothers who were training or working.

The President was not understating the case when he charged the present AFDC system with breaking up homes, penalizing work and robbing recipients of dignity. The Kerner Commission on civil disorders charged that its failures "alienate the taxpayers who support it, the social workers who administer it and the poor who depend on it." It has long cried for overhaul if not complete replacement. It has burdened the states grievously: some $38 million of Connecticut's last biennial deficit was due to state welfare, much of it because of the state's share of AFDC payments.

The replacement of AFDC would be net gain for the states and the recipients. But the practical problems of replacing it with Mr. Nixon's program are obvious. For all its efforts, Connecticut has only a handful of acceptable day care centers; Mr. Nixon calls for thousands, perhaps hundreds of thousands. He calls for payment of the benefits through Social Security; those concerned will need assurance that this does not cripple the casework approach. There are many, many other questions to be answered before that part of Mr. Nixon's social proposals wins general acceptance.

[From the Salt Lake Tribune, Aug. 10, 1969]

NIXON'S BOLD DEPARTURES

President Nixon's long awaited welfare program has taken pie out of the sky and put it on the pantry shelf. But Congress will determine the size of the servings, who gets them and when.

Whether Congress enacts any or all of the Nixon program this year or next, the fact that a President has proposed fixed basic income for the poor and sharing of federal income with the states shows how far these once visionary concepts have come. Their enactment, perhaps in modified form, now appears only a question of time.

Of the President's two major proposals, the revamping of the nation's welfare system is the most urgent and realistic. Everybody, the poor, the taxpayer, the sociologist and the bureaucrats who administer it can point to serious weaknesses in the present crazy quilt federal-state-local system of welfare. Not only has it served its clients and its funders badly, but many of the ills of national life can be traced to the unequal way it distributes aid to the needy. Its replacement by a more equitable, if more expensive, system is long overdue. President Nixon's program of fixed minimum income coupled with work and job training requirements is addressed to that need.

His plan for revenue sharing with the states simple on the surface, involves fundamental questions of federal-state authority and faces opposition from some key congressional leaders who will not easily be convinced of its wisdom. Win or lose on revenue sharing the President has posed the question, brought it out of the political science textbooks and laid it before Congress and the people. It can no longer be ignored as possible nourishment for financially anemic local government.

Specifics of the Nixon program will be spelled out in special messages to Congress this week and it is doubtful that any action will come before next year. In the interlude between proposal and possible adoption, the forces that generate false hopes and rising expectations will be at work. This is the danger of laying out a plan which has to be brought into being by others.

Those persons likely to benefit from the President's proposals—and in one way or another that could include most everybody—must realize that fixed basic income for the poor, more federal aid for local government and all the other changes Mr. Nixon spoke of are nothing but his hopes given voice. They won't materialize tomorrow.

Viewed as a turn toward more sensible, more compassionate and more imaginative ways to meet the challenge of rising welfare and local government needs, the Nixon program is one of promise. But it will be some time before it will buy anything at the grocery store.

[From the Cleveland Plain Dealer, Aug. 14, 1969]

REFORM IS NIXON'S WELFARE GOAL

President Nixon's $4 billion plan to overhaul the nation's welfare system has come under criticism in and out of Congress.

The crossfire between supporters of the President's theories and those who oppose it should not obscure the basis of the proposal.

That is to attack the causes of poverty and try, ultimately, to ease the taxpayers'

burden of welfare payments rather than to perpetuate a state of dependency on the part of millions of citizens.

Statistics are dramatic but sobering.

Relief roles are rising by almost 10% per year under a welter of local, county, state and national programs. Most of the increase is in the category of Aid to Families with Dependent Children. In 1958 there were 2.8 million AFDC recipients; in 1968 6.1 million. Over the same period, costs rose from $815 million to $2.5 billion per year. In all, government figures claim that 41% of nonwhites and 12% of whites in the nation qualify under the Social Security Administration's definition of poverty.

This is not to say that the President's sketched-out program is completely feasible or anywhere near complete.

But with almost one American in every 20 on some sort of welfare roll, the problem presses for a solution, not for more stopgap measures designed merely to sustain the poor.

The target has to be reform. Those who point up the plan's alleged shortcomings are doing their duty as long as they mix compassion for the needy with an awareness of the nation's capacity to support them. But the long-range goal has to be elimination of slums and ignorance and lack of employment opportunity and that's the Nixon approach which taxpayers can endorse.

[From the Los Angeles Times, Aug. 12, 1969]

NEEDED WELFARE CHANGES

President Nixon laid out a bold new blueprint in his televised address on welfare and other domestic matters.

It was much more than just the presentation of a package for aid to the underprivileged. It was, in fact, a call for revising the thrust of government, modernizing its operations and reversing the trend toward centralization.

"After a third of a century of power flowing from the people and the states to Washington, it is time for a new federalism in which power, funds and responsibility will flow from Washington to the states and the people," he said.

Mr. Nixon recognized that we are facing an urban crisis, a social crisis and a crisis of confidence in government. Nowhere, he said, has the failure of government been more apparent than in its efforts to help the poor.

In messages going to the Congress this week, the Administration will spell out its proposals in greater detail. Further refinement obviously will be made before actual legislation is drafted next month.

But the President has set forth the broad general outline of his approach. We find that approach imaginative, innovative—and a refreshing change from the past. The emphasis is on increasing the incentive of state and local governments and the people themselves.

The principal item in the Administration package is a complete replacement of present welfare procedures in order to end "unfairness in a system that has become unfair to the welfare recipient, unfair to the working poor and unfair to the taxpayer."

In essence the program Mr. Nixon advocates would be based on equality of treatment for all recipients, a work requirement and a work incentive designed so that working fathers would not be penalized because of their earnings. At present, a family with dependent children stands to gain more on welfare if the father is unemployed or deserts.

Thus the Administration is proposing an income maintenance program to aid the working poor, with benefits so scaled that it would always pay to work. That is vastly different from a guaranteed annual income which Mr. Nixon rightly observed undermines the incentive to work and establishes a right without a responsibility.

The President also proposes complete overhaul of manpower training services in order to eliminate "a terrible tangle of waste and confusion." The third phase of his program is revamping the Office of Economic Opportunity to make it a laboratory for development of new ideas for helping people. And the fourth is a start on sharing of federal tax revenues with state and local government.

Costs will be high, and where the money is to come from has not been determined, but the question recurs: Can we afford not to meet those costs in this day and age? Can we afford not to take steps to correct a situation which is bringing state and local governments to the brink of financial disaster?

We think not.

[From the Kansas City Star, Aug. 12, 1969]

TACKLING THE GENUINE CRISIS OF THE NATION'S WELFARE SYSTEM

President Nixon's first major domestic policy address to the American people—calling for sweeping changes in welfare, job training and the Office of Economic Opportunity, and the initiation of a federal tax-sharing plan with the states and cities—was both timely and important. Final details of all the proposals are as yet unclear. But the President, in his speech Friday night and in the messages being sent this week to the Congress, has constructively drawn the outlines and provided a forum for debate.

First, Mr. Nixon proposed that the present welfare program, particularly Aid to Families with Dependent Children, be replaced by the family security plan. As Mr. Nixon accurately pointed out, A. F. D. C. has proved a colossal failure. It is a hodgepodge of federal, state and local laws and regulations, difficult if not impossible to administer justly. Spiraling case loads and increasing costs are driving already financially pressed states and cities to the brink of bankruptcy.

Yet the system does not meet the human, social or financial needs of the poor. It breaks up homes, penalizes work, promotes dependency, dulls personal dignity and is grossly unequal from state to state. Almost everyone—the recipients, the working poor, who help pay the cost but receive none of the benefits, and the taxpayer—is angry and disillusioned with the welfare system and believe it's time for a change. The President has recognized this.

Aid to the elderly, disabled and blind would continue to be administered by the states, but with the addition of a minimum federal payment below which no recipient's grant would fall.

But more important is replacing A. F. D. C.

The President proposes that Congress institute a family security plan that would provide the working poor as well as the nonworking poor, regardless of the presence of the father in the home, with a federally financed guaranteed annual income. A nonworking family of four, for instance, would receive $1,600 a year. More important, there would be incentives to work and increased job training with a $80-a-month incentive—and in many cases a requirement—to participate.

Under the family security plan, eligibility would be based on financial need, not on the arbitrary and artificial set of criteria of the present system. The President's proposal would set a single minimum standard for welfare across the country, bringing payments in the 20 lowest paying and most poverty-ridden states up to the national average and providing some financial relief for states and cities paying above that average. The federal minimum would be merely a foundation upon which the states would be expected to build.

The President left many unanswered questions. Foremost among them is the relationship between the federal establishment, which would be providing a larger share of the money, and the state and local authorities, which have been responsible for many of the inefficient and unfair welfare practices. This relationship will need to be carefully detailed in the ultimate legislation.

Mr. Nixon was less specific in his job training proposal. We have reservations about turning it over to the states. Like the present welfare system, it might turn into 50 divergent and ineffective systems. That would depend on its implementation.

Supporters of OEO can take heart in the President's proposal to make the antipoverty agency a laboratory for the innovation and testing of new programs to aid the disadvantaged. That was the intent of the original legislation and should lay to rest any suggestion that OEO is to be abolished.

The President's comments on returning a share of federal income tax revenues to the states and cities were vague and, in a sense, the outline for what would be only a pilot project. Yet the proposal could set up the machinery for a much larger future program and for a major change in American government.

Generally, the President's proposals, particularly those on welfare, move in the right direction, or so it seems to us. They attempt to deal with domestic problems of the highest priority. The package is complex and controversial, with elements drawn from many sources in both political parties. The mood of the country being what it is, the 91st Congress has some extremely important work to do this year and next.

[From the Houston Chronicle, Aug. 14, 1969]

BREAKING THE WELFARE CYCLE

There was plenty of straight talk and plain good sense in the welfare message President Nixon sent to Congress. It is a call for a basic reform of the federal welfare system. How much it will cost is not known. It may be more than Mr. Nixon estimates—$4 billion.

But the effort should be supported by the American people because it is the most hopeful chance on the political horizon for improving the existing welfare apparatus.

"The present welfare system," Mr. Nixon told Congress, "has failed us. It has fostered family breakup, has provided very little help in many states, and has even deepened dependency by all too often making it more attractive to go on welfare than to go to work."

Mr. Nixon proposes a new approach "that will make it more attractive to go to work than to go on welfare, and will establish a nationwide minimum payment to dependent families with children."

The basic income which the program envisions—to be paid by the federal government—would give those families who cannot care for themselves enough to live on, at least for the necessities. Existing welfare payments vary greatly from state to state—from a high of $263 a month down to $39 a month.

Mr. Nixon proposes that dependent families who receive welfare payments be encouraged to go to work to earn more money. He would do this by allowing, say, a family of four to earn up to $60 a month before their benefits would be reduced.

Further, he proposes to extend welfare payments available to the "working poor"—those who now are working but who in some cases are earning less than nonworkers on welfare receive.

The most glaring inequity in the present welfare system, the President maintains, is this exclusion of families who are working to pull themselves out of poverty.

His plan also would eliminate one of the most detrimental features of the existing system—the policy of forcing the father out of the house. In more than half the states, families headed by unemployed men don't qualify for public assistance, and in no state does a family headed by a father working

full time receive help. But if the father leaves, as many do, the families become eligible for assistance.

Mr. Nixon's plan would require all able-bodied persons who accept welfare payments to register for work or job training and to accept that work or training when it is available. Day care centers will have to be provided to permit mothers of school-age children to accept training or work. The idea is to smash the cycle of poverty which entraps many poor families.

Benefits for the aged, the blind, and the disabled—which currently vary from $40 to $145 a month among the 50 states—also would be supported by a federal minimum of $65.

In sum, Mr. Nixon's proposal is a heartening new approach to a problem which has been growing for three decades. We are glad to see Mr. Nixon's recognition of the dismal failure of the existing system—a system which has seen welfare costs double since 1960 and the number of welfare recipients rise from 5.8 million to more than 9 million during a time of low unemployment. His new approach is both humane and practical.

[From the Idaho Statesman, Aug. 12, 1969]

A Bold Approach to Welfare, Poverty Ills

President Nixon has proposed dramatic changes in the nation's approach to welfare and poverty. His reform package is strong medicine but the shortcomings of present efforts call for drastic remedies.

His plan is certain to receive an extensive going over in Congress. But the basic concepts should win approval as a promising alternative to an unpopular system.

President Nixon described the present welfare system as a failure. It displeases both those on welfare, and taxpayers who pay the bills. In numbers assisted and costs it is growing alarmingly—with no prospect for stemming the tide.

Initially the cost of the Nixon plan would be far higher because it would give more assistance to more people. In the long run it should also help more people free themselves from dependence on government aid.

The plan involves far more than welfare reform. About $2.5 billion a year would be spent to give supplemental income to low-income families not now eligible for welfare. For a family of four with a father earning only $2,000 a year, there would be a $960 a year supplement.

This "family assistance" plan is a more ambitious anti-poverty program than the nation has yet undertaken.

While the concept is similar to the "guaranteed income" idea Mr. Nixon said it is not the same. The difference, he said, is that under a guaranteed income there would be no work requirement.

Under his proposals, employable recipients would lose their benefits if they refuse to accept training or employment. There would be an exception for mothers with pre-school children, who would not be required to work until the children reached school age.

They would find it easier to work before that time through the creation of an extensive system of day care centers. The centers could offer health and nutrition benefits to children.

The Nixon plan would put a "floor" of $1,600 per year under the assistance to a family of four. One state pays only $39 per month and others, mostly in the South, fall below the $1,600 figure. Idaho wouldn't be affected since a family of four receives more than $1,600 now under the aid to dependent children program.

Administration of the "family assistance" program would be federalized, under the Social Security administration.

Perhaps to offset the questions that such a step will raise, the President proposed to hand the federal job training programs to the states. Presently there is too little coordination to the numerous federal programs, and these are not coordinated with state-administered efforts.

To help more people on welfare find jobs will require an expansion of job-training, as well as better coordination. This the President also proposes.

The President chose to offer a bold and far-reaching plan, rather than patchwork changes. His plan offers the benefits seen in the guaranteed income concept, while emphasizing incentives and opportunities employment.

It would extend assistance to thousands of low-income families in which the head of the family works. The family would be able to live better and the children should have a better opportunity.

Greater assistance would be provided to people on welfare in states where payment levels are too low. The concept of a minimum level would be fairer to the people involved, and might help ease the problem of migration of poor from the South to the northern cities.

The concept of welfare dependency as a temporary situation for people able to work would be strengthened. A work requirement could be enforced only by making job training available, and helping people to find jobs.

Present welfare and poverty problems stem from a combination of many factors, some beyond the reach of changes in any system. The Nixon plan is no panacea. But it appears to be far more promising than the present unpopular and discredited system.

[From the Akron Beacon Journal, Aug. 11, 1969]

Nixon's Plan of Incentives Could Mend Welfare Flaws

President Nixon's new approach to the problem of assisting poor people makes a lot of sense.

"For the first time," he proposed, "the Government would recognize that it has no less of an obligation to the working poor than to the nonworking poor; and for the first time, benefits would be scaled in such a way that it would always pay to work."

This would cost more money—at least at the start. Not only would the government be giving financial help to some families not now eligible for it, but standards of assistance would be considerably raised in 20 states.

The long range benefits, as seen by the President, would be great. The plan, he said, "aims at getting everyone able to work off welfare rolls and onto payrolls.

"It aims at ending the unfairness in a system that has become unfair to the welfare recipient, unfair to the working poor and unfair to the taxpayer."

Those are goals that everyone can applaud. The question is: Will the specifics of the plan bring about the desired results?

Only time and experience will bring the answers. But experience has shown all kinds of flaws in the present jerry-built welfare system. Drastic changes are certainly called for.

Mr. Nixon spotlighted one of the worst defects when he pointed out that:

"The present system often makes it possible to receive more money on welfare than on a low-paying job. This creates an incentive not to work; it is also unfair to the working poor. It is morally wrong for a family that is working to try to make ends meet to receive less than the family across the street on welfare."

So his plan would call for some help to the working poor and financial incentives to non-workers to get jobs, if they possibly can. To help them qualify for employment, there would be more job training. To enable mothers to take jobs, there would be a major expansion of day-care centers.

Along with the overhaul of the welfare program, Mr. Nixon suggested that the Office of Economic Opportunity concentrate on what he called "its innovative role." In other words, instead of being another welfare agency, the OEO would develop new programs which would eventually be "spun off" to existing agencies. Details are awaited.

The President ventured into new ground when he proposed that the federal government share a small portion—$1 billion a year to start—of its revenue with the states.

This has been urged increasingly of late as state and local governments have come under heavy financial pressure but this is the first time a President has endorsed the idea.

Revenue-sharing may be an inevitable development but we find something contradictory in the President's description of it as "a step toward the new federalism . . . a gesture of faith in America's states and localities and in the principles of democratic self-government."

What the federal government disperses it must inevitably control in some measure and that seems to us to mean more centralization of power.

At any rate, revenue-sharing will get extensive debate before it is finally wrapped up with a lot of strings and delivered. Meanwhile, the proposal for overhauling welfare must be debated, too. We hope that a sensible plan, mainly following the President's guidelines, will emerge.

[From the Buffalo Evening News, Aug. 11, 1969]

New Hope on Welfare

With his sweeping welfare proposals, President Nixon has acted with refreshing boldness to reshape and revitalize a 35-year-old patchwork system that today satisfies no one.

Broadly speaking, the Nixon proposals thrust to the heart of the welfare mess. By realistically combining a compassionate national income floor with work incentives and requirements, the plan could help end the cycle of dependency for the poor themselves and reduce the resentments generated among the taxpayers.

The recommended national family assistance plan would for the first time insure that no family of four anywhere in America need live on less than $1600 a year, or $133 a month. This would help to correct the patently unjust state-by-state efforts, where monthly payments to such families range from New Jersey's $269 to Mississippi's $39.

An especially appealing part of the Nixon package is its great emphasis on work incentives. The proposals would not only encourage welfare recipients to gain needed training and become productive workers through a system of financial inducements, child-care centers and training programs; they would for the first time, nationally, give family assistance supplements to poor families already working.

Thus, the incentives would always make it "pay to work" as well as encourage families to stay together—contrary to two of the most grievous drawbacks of the existing system.

Congress, however, should read very carefully the countless details still to come, with respect to the proposals on manpower training and on the requirement that mothers of children above pre-school age must accept suitable jobs or training if able to. While this should be encouraged, an ironclad requirement that all head-of-household mothers of children still only six or seven or eight years of age must work, strikes us as excessively authoritarian.

And the President's very concept of a work requirement as a condition for getting income aid, while appropriate as a prod to adult malingerers, still offers no better answer than ever to the old question: What about the children of those who could work

but won't? And yet the work mandate, which separates his proposal from a fully guaranteed annual-income plan, could prove a key element in winning acceptance in Congress for this revolutionary restructuring.

The fourth part of the Nixon package would establish for the first time a long-overdue system of federal revenue sharing with the states. If the sharing formula treats fairly those states that have done most to help themselves, it seems eminently acceptable.

While the President's proposals are innovative in concept, and the funding ($4.5 billion the first year) seems substantial, the impact on New York State is disappointingly modest. Thus, the estimated New York share of $161 million means that a state with some 9 per cent of the national population—and one of the biggest welfare problems of any—gets less than 4 per cent of this outlay.

One obvious flaw which tends to produce this effect is the plan's apparent failure to give any heed at all to regional differences in living costs. Thus while Mr. Nixon rightly deplores the gross disparity in present welfare payments and declares that no child is "worth" more in one state than another, his very equating of federal dollar payments will make a child "worth" more in a state where it is cheaper to live than in one like New York where a dollar does not stretch as far. In fighting for equity for states like ours, it will certainly behoove our congressional delegation to insist on a cost-of-living differential that will equate federal payments in terms of REAL income and not just dollar signs.

[From the Columbia (S.C.) State, Aug. 11, 1969]

SOMETHING DIFFERENT

Listening to President Nixon's "New Federalism" address on domestic matters, one marveled at how carefully he steered between the extreme positions of liberalism and conservatism. In the speech there is something that will appeal to almost everybody.

Predictably, however, we will hear cries from various quarters that it is too much or that it is not enough.

Already the professional "something-for-nothing" pressure groups are claiming Mr. Nixon's national welfare floor of $1,600 for a family of four is totally inadequate and that a guaranteed annual income in the neighborhood of $5,500 is the only acceptable solution.

And we expect that those fundamentally opposed to welfare payments for any but the most destitute will rise up in opposition to any plan that sets national norms for welfare.

Mr. Nixon's comments about returning power to the states and the localities were simply a sugar coating as far as his family assistance program is concerned. The idea of a federal income guarantee does not distribute power; it concentrates it. But his proposals to assign manpower training to the state and local governments and his tax-sharing plan do indeed tend to remove power and decision-making from Washington.

Furthermore, his executive decision to limit the money-wasting Office of Economic Opportunity to experimental job programs should please conservatives who see OEO as a symbol of anti-poverty inefficiency.

For some weeks, as this new welfare scheme leaked out, Washington pundits have been calling it a victory for Administration liberals, notably Secretary of Health, Education and Welfare Robert Finch and urban affairs expert Daniel P. Moynihan. Indeed their imprint can be seen in these proposals but the plan must be short of their expectations.

In this Administration, it is becoming increasingly clear, you win some and you lose some. Mr. Nixon is proving adroit at balancing positions and continues to avoid ideological rigidity by maintaining flexibility. There is much in this plan that is offensive to orthodox Republicanism.

This newspaper over the years has supported the good, old fashioned philosophy that man is improved when he works for his bread and debased when he lives off of welfare doles. Our initial reaction, therefore, to the idea of an income floor was negative.

But second thoughts rushed in, prompted by the balance Mr. Nixon so carefully wove into his proposals. Basic philosophies sometimes have to bend to realities.

There are several realities that cannot be ignored. The first reality is that the present welfare system is a first-class mess. Dole rolls are lengthening rapidly even in this period of high productivity and prosperity. The system encourages the breakup of poverty level homes and discourages work by welfare recipients. Its unevenness contributes to the serious problems of the metropolitan states. And its funds too often flow directly down the drain and its costs stagger governments.

At least Mr. Nixon has put forth a new approach, one that closely couples work incentives and job training to welfare payments. And, unlike the present system, it allows the man of the house to stay at home, keep his family together, and try to work his way out of the poverty cycle.

Another reality is that the economy of the poorer states, like South Carolina, will almost surely benefit from an income floor. The lower levels of humanity will be lifted up, relieving somewhat the social and economic drag.

Still, the $4 billion extra cost of the Nixon plan is worrisome and details have not yet been spelled out. Judgment must be reserved until Congress begins debate on these proposals. Stiff congressional opposition is assured and the Nixon plan will have to pass a stern test.

It is sufficient at this early stage simply to give the President an "A" for effort. Right or wrong, he has shown the courage to try something different.

[From the Nashville Banner, Aug. 14, 1969]

NIXON PLAN WOULD RETURN STATES' RESPONSIBILITY

The emphasis these days is on being as candid as one possibly can be; to "tell it like it is," as the saying goes. President Nixon obviously concurs with that sentiment because in his statement Wednesday on proposed federal revenue sharing with the states he told it bluntly. His words were strikingly clear, and powerful in their intent. They require no elaboration.

"In the last five years the federal government enacted scores of new federal programs: it added tens of thousands of new employes to the federal payrolls; it spent tens of billions of dollars in new funds to heal the grave social ills of rural and urban America . . . Yet despite the enormous federal commitment in new men, new ideas and new dollars from Washington, it was during this very period in our history that the problems of the cities deepened rapidly into crisis."

The crises that confront all of America's state governments are the products of highly complex social, political and economic ills. As John A. Volpe, Secretary of Transportation, pointed out on this page yesterday, the nation's cities are faced with strangulation unless the federal government begins to chanel tax revenues back to state and local governments so that they, in turn, can come to grips with the problems that directly confront them.

Mr. Nixon's analysis of the dire situation faced by state and local government is refreshingly perceptive. The President visualizes his revenue sharing proposition as providing "encouragement and the necessary resources for local and state officials to exercise leadership in solving their own problems." It is exactly the opposite—concentration in Washington of the nation's fiscal resources—that for so long has deprived the states of an active role in the fight against contemporary urban and suburban maladies. With responsibility for solving these ills shifted to state and local officials, the general public will be permitted an increasingly decisive part in the administration of local agencies. The President's proposal, in short, seeks to return government to the people.

Briefly, the revenue sharing package would:

Restore, by 1975, up to $5 billion to the states. The size of the total funds to be shared would be a fixed percentage of personal taxable income annually in each state. For fiscal 1971 it would be one third of one per cent; and it would rise each year to a regular constant figure.

Provide funds among the 50 states from allocations based on each state's share of the national population. As an incentive to expand its own tax resources, a state whose revenue effort is above the national average would get a bonus above its basic per capita portion of revenue sharing.

Establish a set formula for the amount states must share with local government units. A local government's share would be based on its proportion of total local government revenue raised in the state.

Mr. Nixon's proposal is the third segment of his "new federalism" program which he launched last week in recommending sweeping overhaul of the welfare structure. By narrowing the gap between the people and the institutions dealing with their problems, the chief executive has made good on his promise to restore strength and vigor to local government.

Whether or not the Congress shares the President's confidence in the ability of the people to govern themselves wisely and share in the control of their own destinies, remains to be seen.

APPALLING NEWS THAT GOVERNMENT OF IRAN HAS DECIDED TO RE-LEGALIZE OPIUM PRODUCTION

(Mr. PEPPER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PEPPER. Mr. Speaker, I am addressing myself today to an editorial that appeared in last Sunday's edition of the Evening Star concerning the appalling and disturbing news that the Government of Iran has decided to re-legalize opium production.

Such a decision by a government with strong ties to the United States is most regrettable. As a direct consequence, illicit heroin traffic in the United States will most assuredly increase and, with it, increasing instances of crime. The resumption of opium production cultivation in Iran will also seriously impede the effort of this country and other friendly nations to minimize the illicit trade in opiates.

Mr. Speaker, at this point in the RECORD, I insert the Sunday Star editorial entitled "The Misery Trade," after which I will conclude with a few further observations:

THE MISERY TRADE

Turkey's decision to halt legal production of opium is as welcome as Iran's move earlier this year to restart poppy cultivation after a 13-year ban is regrettable.

The Iranians, who had managed to reduce their number of opium addicts from more than 1.5 million to 400,000, are going back

into business because prohibition resulted in an annual revenue loss of $6 million, a yearly outflow of $13 million in gold (the medium of exchange in this nefarious trade) and the flooding of the country with smuggled Turkish and Afghan opium.

But the mass of Eastern Mediterranean opium—from which "hard" drugs such as heroin and morphine are derived—is not intended for the local market. Its final destination, after refining in France and trans-shipment through Italy, is where the opulent users are: Right here in the United States.

The latest figures, furnished by the U.S. Bureau of Customs, are frightening. In the fiscal year ending June 30, more heroin was seized in New York City alone than in the entire nation the previous year.

The smuggling of hashish, a concentrated form of marijuana, was up 325 percent. The amount of confiscated cocaine—an alkaloid derivative of the coca leaf—more than doubled during the year.

Earlier this year, John E. Ingersoll, director of the Justice Department's new Bureau of Narcotics and Dangerous Drugs, reported that drug-abuse arrests had increased 774 percent over the past eight years.

These are not statistics of little consequence, nor are they likely to be unrelated to last year's 16 percent increase in U.S. crime.

The 1961 United Nations narcotics convention permits Turkey, Iran, India, Laos, North Vietnam, Burma and Yugoslavia to export opium for medical use. But illegal production invariably has accompanied regulated growing. With synthetic substitutes rapidly replacing opium derivatives in modern medicine, there clearly is reason for revision of the convention in the direction of more restrictions.

Turkish growers and Premier Suleyman Demirel's government will be partially compensated for the lost revenues of the legal opium trade by $12.5 million in U.S. financial and technical assistance over the next five years. Since American society is the big loser from smuggled opium, this arrangement makes sense.

Iran said earlier this year that its decision to re-legalize opium production was "provisional." Now that Turkey has banned production, Iran ought to reconsider its position.

Mr. Speaker, Iran has been experiencing economic and social problems resulting from its ban on opium production. Smuggled opium from neighboring countries, such as Afghanistan and Turkey, who did not follow Iran's example, caused the increase of opium addiction and a heavy drain on the gold supply. The ban since its institution in 1955, has meant an annual revenue loss of $6 million which has not been adequately compensated for by foreign assistance programs. All these factors have inhibited the country's development. And in the opinion of Iranian officials, the present situation negates the objectives of the opium ban.

To alleviate their situation Iran relegalized the cultivation of opium. Placing the production under strict governmental control, the government will only allow for the cultivation of enough opium to meet the needs of Iran. Exportation and illegal distribution is guarded against and offenders face severe punishment.

However, contrary to the Iranian intent, production means overproduction. The overestimate of the need of the country in order to meet the need of the country is the usual result of such programs. This is compounded by the uncontrollable possibilities to sow more than is allowed and to sell their surplus on the black market.

And the excessive amount of poppy harvested leads, in spite of governmental control, to divergent and illicit disposal. In fact, prior to the 1955 ban, the production of opium in Iran was not economically worthwhile unless part of the harvest was exported and exported into the black market.

Another factor that indicates that an illicit traffic of Iranian opium would develop is the accessibility and lower price than that of Southeast Asian and the higher quality—it has a 12- to 14-percent morphine content as compared with the normal 10 percent.

While recognizing Iran's right to resume opium poppy cultivation, and understanding of the circumstances that led them to this course of action, and respectful of their genuine attempt to control production, it must be stated that the advisability of this course of action is dubious. Resumption of opium cultivation will not be of benefit to Iran nor to other nations of the world which have problems of drug abuse. It will serve only to aggravate the problem it is intended to solve.

So, in view of Turkey's decision to halt the production of opium and in accordance with Iran's resolve to eliminate the "misery trade," the United States should request Iran to resume its policy of nonproduction with the same compensation arrangements of technical and financial assistance extended to Turkey.

APPOINTMENT OF MISS NANCY HANKS AS CHAIRMAN OF THE NATIONAL COUNCIL OF THE ARTS

(Mr. MAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAYNE. Mr. Speaker, I desire to join those observers who have already commented with favor on President Nixon's appointment of Miss Nancy Hanks as Chairman of the National Council of the Arts. Her outstanding record as president of the Associated Council of the Arts certainly qualifies her for this highly important Government post.

The meagerly funded programs coming under the aegis of the Council have already suffered a slowdown due to the prolonged vacancy in the chairmanship.

Thus, President Nixon's appointment can be hailed not only for the quality of Miss Hanks' expertise, but with a sense of relief that the work of the National Council can now proceed.

All over the country, cultural projects which have been awaiting a little financial help from the National Council can hopefully breathe a small sigh of relief that perhaps action is now on the way.

Not all of the petitioners will gain their grants, of course, but those that do will at least be able to move some steps forward.

I am aware of the requirements for budgetary restraint, and my voting record in this Chamber clearly shows that I generally support economy measures.

But I have a strong belief that this Nation should not forsake its cultural talent. Those here who do not see it that way are probably bored by now at being told how handsomely other countries support their arts and native culture.

But it is true, and I feel we should have some strong governmental recognition of any of our art forms deemed worthy by the Council on the Arts.

Since this is such a sensitive matter, I am more than pleased that the President has selected such an eminent person as Miss Hanks to head this program. I trust her judgment, and I know that she will perform admirably in her role as arbiter of the Government's relationship to culture in this highly creative land of ours.

A DEDICATION TO THE FIRST LADY OF BEAUTIFICATION

(Mr. DON H. CLAUSEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DON H. CLAUSEN. Mr. Speaker, during the August recess I had the great honor and privilege as the Representative in Congress of the First Congressional—Redwood Empire—District of California, to host the dedication of a beautiful grove of majestic redwood trees in the Redwood National Park to our "First Lady of Beautification"—Mrs. Lyndon B. Johnson.

As reported in the national news media, this historic and momentous event was presided over by President Nixon, who was accompanied to the north coast area of California by his wife and family, President and Mrs. Johnson, their daughters and their husbands, and a host of prominent Federal and State officials.

Certainly, this was a great moment in history and a proud day for the people in Redwood Country, Humboldt County, and all Americans, as President Nixon and former President Johnson stood together to place in perpetuity the site originally selected by the National Park Service to officially dedicate the Redwood National Park. This specific grove was the site of the dedication ceremony and address delivered by Mrs. Johnson in November of 1968.

From the time Air Force 1 landed at the Eureka-Arcata Airport until, several hours later, it rose and disappeared from view on its return trip to San Clemente, I was constantly reminded that here was a living example of President Nixon following through on his innaugural theme of bringing this Nation together again."

This "family gathering" in the redwoods was more than just a gathering of first families—it was also a "family gathering" of Federal, State, and local officials; of prominent and respected conservationists; of leaders in business and the redwood industry; and of people from all stations and walks of life who want more than anything else to witness Americans going "forward together" once again.

Surely, togetherness was the theme on this momentous occasion as President Nixon opened his remarks by saying:

We are here today to dedicate this magnificent Redwood Grove to Mrs. Johnson under her name—the Lady Bird Johnson Grove. But also we're here, it happens by coincidence, on another day. It happens that President Johnson and I have several things in common: We both were born in small towns; we both served in the House; we both served in the Senate of the U.S.; we both served as Vice President; we both served as President of the United States. And, we both are very fortunate in the fact that we married above ourselves in Mrs. Johnson and Mrs. Nixon.

In response to the President's remarks, former President Johnson delivered what many have described as "his greatest speech." From my vantage point, it was obvious that Mr. Johnson was relaxed and delighted with the spirit of cooperation and oneness that pervaded the entire proceedings.

In recognizing the deeds of a great former First Lady and paving the Nation's respects to his predecessor, President Nixon set an example for the Nation that, in my judgment, each and every American should examine closely if, in fact, we are truly going to get America "back on the right track." Certainly, this was a generous and refreshing gesture on the part of President Nixon and, in many ways, it reflected the "bigness of the man" who is now endeavoring to heal the Nation's wounds and solve its perplexing and awsome problems both at home and abroad.

I only wish that all Americans could have personally witnessed this open display of bipartisanship, the informality, and the obvious demonstration of good will that, once again, made all of those present very proud to be Americans and privileged to be in attendance.

Mr. Speaker, I place in the RECORD at this point, two local news accounts that I think best summarize this history-making event that appeared in the Humboldt Times-Standard and the Arcata Union, both of which are local Humboldt County newspapers, following the dedication of the Lady Bird Johnson Redwood Grove:

[From the Arcata (Calif.) Union, Aug. 29, 1969]

"TREES FOR ALL THE TOMORROWS"—DEDICATION TO THE 1ST LADY OF BEAUTIFICATION

"One of my most unforgettable memories of past years in walking through the redwoods last November . . ."

So began a letter by Mrs. Lyndon Johnson to President Richard Nixon on July 30. And out of that letter a month later the eyes of the world focused momentarily on a small grove of redwoods north of Orick. For on August 27, 1969, the President of the United States, his wife, Pat, President Lyndon Johnson and his wife, Lady Bird, converged on Redwood Country and the significance of their visit insures that the big trees that surround us will never be taken for granted again. The Lady Bird Redwood Grove was dedicated.

Yet, although the event acted to turn both the people and the press of the county upside down, the event was a common occurrence to the national mass media. At the dedication site, a few hundred yards east of Bald Hills Road, members of the larger California networks quietly and methodically set up their audio and video equipment, while all around them members of the local press tried to cover their excitement with nonchalance. It really didn't work.

Then a trickle of people began to arrive, the vanguard of more than 500 invited guests, including the children of Orick and the Humboldt County a Cappela choir. By 1:30 the crowd has congregated about the rustic podium. People talked in excited but muted tones, and they patiently waited.

". . . Seeing the lovely shafts of light filtering through the trees so far above. Feeling the majesty and silence of that forest, and watching a salmon rise in one of those swift streams. . . ."

And they waited. They heard snatches of transmitted messages: "The plane has been airborne for an hour now . . ." And each person in his mind saw Air Force One winging northward. "They've landed at Arcata . . ." And everyone heard the cheers of 10,000 voices as the presidential party stepped from its silver jet and walked to the green Marine Helicopters. "They're driving through Orick . . ." And everyone saw the waving residents as the caravan drove northward on Highway 101. "They're here." And the crowd grew silent, expectant. First come the White House Press Corps, hastily trying to set up its equipment before the President arrived. One could hear voices speaking with German and French accents as the newsman jostled for position.

Then almost suddenly, the party appeared. The two presidents and their wives led the contingent. Most everyone's eyes were on them, but it seemed that everyone also tried to search out the other members of the party—Governor Ronald Reagan, the Rev. Billy Graham, Mr. and Mrs. David Eisenhower, Major and Mrs. Charles Robb, Mr. and Mrs. Pat Nugent, and Secretary of the Interior Walter Hickel. But in their searching they also saw Sen. George Murphy and Congressmen Don Clausen and Hale Boggs.

President Nixon looked as the crowd expected: neatly dressed in blue, taking casual steps, but his face rather flushed. Mrs. Nixon wore an off-white plaid suit, with her almost perpetual smile. Lady Bird was dressed in a two-piece yellow suit with a yellow and blue silk scarf. Mr. Johnson, wearing a grey suit looked greyer than ever, while Gov. Reagan looked more tanned than ever.

Secretary Hickel in introducing the honored guests said that being there in that capacity was a personal honor. In giving the invocation the Rev. Billy Graham equated the grove to a "great cathedral under the sky." Gov. Reagan said the dedication of the Lady Bird Redwood Grove was a step "in saving the spirit of America." Congressman Don Clausen regarded Mrs. Johnson as the "First Lady of Beautification."

But the program belonged to President Nixon and Mrs. Johnson. The President, in his brief presentation alluded to President Theodore Roosevelt whose love for the outdoors helped create the National Park System. "Roosevelt always received strength from going to the outdoors," he said, adding, however, that he "didn't go that far. I don't even own a surf board."

He said that a great grove such as the one being dedicated today offered a solitude "to a president—to any—so he he may get away from his everyday tasks."

Mrs. Johnson stated simply in acknowledging the honor that "today was a day to treasure always. . . . " that these trees would be here for all the tomorrows.

Concurring, President Johnson regarded the ceremony as "A day to always cherish, and always remember." He said that we all have a stake in this grove, "and the same love and feeling that is going into these trees belong to our children and our grandchildren." Concluding, he turned to President Nixon and said. "I am sure what we want to insure more than anything in this world is peace throughout this world."

The President then signed the proclamation that dedicated the grove to Lady Bird Johnson and then led the crowd in two choruses of "Happy Birthday" to President Johnson, who on that day turned 61. And then they were gone, almost as quickly as they arrived. The ceremony lasted about an hour. The grove was almost deserted by 5 p.m.

Yet, in retrospect, it was the little things that may stick in people's minds also. The group of people that waited patiently from 1 p.m. until the President's arrival at 3:30, the children who sat in front of the podium, scarcely taking their eyes off the history that was being made . . .

There were the secret service men, whose unsmiling faces and all-seeing eyes, stood about in the crowd, never relaxing even during the invocation and the lighter moments of the ceremony. Then there were the multitudes of silent phones hidden in the underbrush, but constantly being monitored; and the military aide who throughout the event brought notes scrawled on scraps of white paper to the President who quickly scanned them and stuck them in his pocket.

But what seemed most rewarding was that when the two presidents and their wives gazed out into the crowd, it seemed as though they were smiling and waving right at you, and you were suddenly not just a face in a sea of faces.

When it was over, people watched the presidential party leave down the sawdust-covered path. And when it was out of sight they turned their eyes to the towering trees above them.

". . . all our problems seemed to fall into perspective and I think everyone of us walked out more serene and happier."—Lady Bird Johnson, July 30, 1969.

[From the Humboldt Times-Standard, Aug. 28, 1969]

FRIENDLY GREETING—AIRPORT MOBBED

(By John A. Read)

"It was worth taking a half day off without pay," said one.

"It was worth waiting a week for," said another.

"Nixon's my man," said a third.

That, generally, was the feeling of a good portion of the estimated 10,000-plus spectators who journeyed yesterday to visit the airport in McKinleyville at its most historic time: the combined visit of President and Mrs. Nixon, former President and Mrs. Johnson, Governor Ronald Reagan, and other dignitaries who came to dedicate the Lady Bird Johnson Memorial Grove.

Some were disappointed, because the sound system failed to bring President Nixon's and Johnson's speeches to them as they waited in the back rows. Even more probably were not able to see much of President Nixon and his party, because Mr. Nixon stood only on a baggage carrier a few feet above the crowd.

I WAS THERE

But for those who were able to view the tanned President from close range and for those who could have physically reached out and touched the smiling wrinkles in former President Johnsons brow, if it wasn't for the concern of flocks of secret service men, Wednesday will be a day they will always remember. Wednesday's pictures will be shown to children and grandchildren, and those who took them will remark, "I was there."

There were many reasons why the people came, and in truth, there was something for everybody at the well-planned event. Some came early, so early in fact that they slept overnight in nearby campers. They wanted to be the front liners on the chance that Mr. Nixon and the Presidential party might stop and shake their hands. Some were not disappointed.

Some came because they had never seen a president. One lady of 68, and another of

73, looked forward to the visit, as they had never had the opportunity to see the country's leader. "It's fine," one of them said.

Some were there because they couldn't resist the occasion of two presidents, plus a host of other dignitaries, in one place at the same time. As some of them commented, "I don't believe it has ever happened before." All agreed the visit would bring great publicity to Humboldt County.

But the Presidential party was not always the object of the greatest interest to some of the spectators. Some cared less about the President, preferring to see such sights as Air Force One, the Presidential plane, and Marine One, the Presidential helicopter. As one man put it, "I'd rather shoot 49 feet of film of Air Force One, and one foot of the President." Still others came only to see the Rev. Billy Graham. Of him, one woman commented that he "looked older than on television."

Apparently, most of those who came were from the local area, including Eureka, Arcata, McKinleyville, Hoopa, Fortuna, Rio Dell, and other towns in the county. Some were out-of-county but vacationing here, like the couple who discovered that the lure of two presidents was greater than the prospect of good fishing on the Klamath. This particular couple has been vacationing in the redwoods for 40 years, but apparently prefers living in San Francisco.

The ones who came early, came prepared. They brought picnic lunches and chairs and were ready to stay all day if possible. Those who stayed on until President Nixon returned from the dedication did end up staying until 5:30, making it a toss-up as to who was more tired: the crowd observing, or the literal crowd controlling the crowd—the Humboldt Sheriff's deputies, the California Highway Patrol, the Secret Service, and the numerous other police departments which sent men to aid in the visit.

Those who didn't come early found they had to park a considerable distance from the airport terminal, as a thousand people had gathered by 11:30 Wednesday morning. That number quickly increased to nearly 5,000 by 1:30 p.m. and doubled again by the time Air Force One taxied down the runway close to 3 o'clock.

IT'S COMING

Shouts of "It's coming!" greeted the modified Boeing 707 which is the plush Presidential jet, and a cheer went up from the weary, though patient crowd. There had been some activity to watch prior to the arrival of Mr. and Mrs. Nixon, and Mr. and Mrs. Johnson, such as Air West jets landing and taking off, the scurrying of the Presidential helicopters as they were brought out of the hangars, placed in position, and given one last dusting for appearance's sake, and even a car fire. But it was still a welcome sight when first the Air California chartered press plane, then the big blue and white bird bearing the Presidential seal, and the American flag on its tail, touched the pavement near the brown, grassy fields of the Eureka-Arcata airport.

The reception was overwhelming from a public relations standpoint. The well-engineered airport rally went off beautifully, supported by both those who politically support the President looked on quietly without demonstration, and those who actively worked to make the rally a success. Some 1,000 signs painted by the Teen Age Republicans were distributed prior to the President's arrival, on which were inscribed everything from "Ho, Don!" (Congressman Don Clausen) to "Groove with Nixon."

DISSENTERS OUTNUMBERED

Some dissenters were present, but these were considerably outnumbered by those who actively cheered President Nixon. The dissenters included the Humboldt Peace Center, which accused the dedication of the grove as a token, "disgusting in the face of the death of thousands of American soldiers and Vietnamese soldiers and civilians," and another sign-holder who publicly proclaimed the message that "If you've seen one president, you've seen them all."

But by and large, these had no effect on the Nixon arrival, and his subsequent ebullient statements to the crowd. After shaking hands across the fence in his usual accustomed manner, going back to greet one enthusiastic youngster who cried, "I've been here since six o'clock!" Nixon told the huge audience that he was here for a special occasion:

"I'm going to the redwoods to dedicate a park and I think it is most significant that in the whole history of this country, there has perhaps been no first lady who in the field of beautification, of dedication to the preservation of the natural beauty of our country, has done more than Lady Bird Johnson—Mrs. Johnson.

THINGS IN COMMON

"We are here to dedicate this magnificent redwood to Mrs. Johnson under her name—the Lady Bird Johnson Park. But also we're here, it happens by coincidence, on another day. It happens that President Johnson and I have several things in common: We both were born in small towns; we both served in the House; we both served in the Senate of the United States; we both served as Vice President; we both served as President of the United States."

Here, the President paused, and added, "And we both are very fortunate in the fact that we married above ourselves in Mrs. Johnson and Mrs. Nixon.

"And also today, I know that all of you will want to join us in wishing President Johnson a happy birthday. This is his 61st birthday."

At this the crowd began to sing "Happy Birthday" to Mr. Johnson, who was standing on a baggage cart along with his wife, Mr. Nixon, and Pat Nixon, the President's wife. Then the well-known Texan stepped to the microphone and said:

"We are naturally appreciative when the President and First Lady of the United States recognize and honor the work of what I believe to be a great woman. That's the best birthday present I could have. Thank you very much."

TO THE GROVE

Then the Presidential party, and the huge accompanying press corps, left for the Lady Bird Johnson Grove for the dedication ceremony by helicopter, and the hundred or so secret police, officers, deputies, and officials waited out the flight to the dedication site, the dedication itself, and the return trip to the airport.

When Mr. Nixon left the first time, many of the crowd abandoned the posts they had occupied since mid-morning, even though the Humboldt Mariachi Band was still playing. Then began a highway patrolman's nightmare: What was perhaps the biggest traffic jam this county has ever seen, as about three-fourths of the over 10,000 persons attempted to return from whence they had come. CHP officers found the traffic so bad they opened two lanes south on Central Avenue, thoroughly confusing some motorists who tried to drive as usual.

The traffic problem continued until well after Mr. Nixon had arrived back at the airport via Marine One. The President did not stop to speak to the one or two thousand persons who had waited out the interim period between the arrival and departure of Mr. Nixon, but went directly to his big jet, stopping only long enough to greet a Times-Standard reporter who personally presented the President with a copy of Wednesday's newspaper welcoming the Presidential party in bold, red letters.

PARTY WAS OVER

At approximately 5:30 p.m., the Presidential jet taxied down the 6,000 foot runway as the plane headed for the Western White House and an eventual planned trip to Mexico. The party was over, but the astonishment and disbelief of the spectators lingered on. Had they really seen two presidents, a governor, Billy Graham, and everything else?

Congressman Don Clausen, the man responsible in the first place for suggesting the visit, could assure that it had happened. He was ecstatic all day, but philosophized, "You do what you think is right, and sometimes it gets results."

Those "results" will be felt in Humboldt County for years to come. Most agreed with the statement of one woman interviewed earlier in the day: "I was praying that something like this would happen to Humboldt County," she said.

But the classic statement came from a member of one of the law agencies, who was reflecting the tensio: felt by the extensive security forces charged with the responsibility of keeping the President safe. As Air Force One cleared the Eureka-Arcata airport safely for the last time, one deputy commented, "That's the prettiest sight I've seen all day!"

TRIBUTE TO THE HONORABLE CHARLES S. JOELSON, A MAN OF CONVICTION, COURAGE, AND COMPASSION

The SPEAKER. Under a previous order of the House the gentleman from New Jersey (Mr. RODINO) is recognized for 60 minutes.

(Mr. RODINO asked and was given permission to revise and extend his remarks.)

Mr. RODINO. Mr. Speaker, I have requested this time to pay tribute to a cherished friend and an invaluable member of the New Jersey congressional delegation, the Honorable CHARLES JOELSON, who is retiring from the House this week to become a judge of the Superior Court of New Jersey.

CHUCK's long and distinguished career has eminently qualified him for this post. Graduating Phi Beta Kappa from Cornell University and receiving an LL.B. from Cornell Law School, CHUCK entered into the field of public service in 1949 as the youngest city counsel in the history of the city of Paterson. In 1955 he was appointed deputy attorney general of New Jersey in charge of the Passaic County prosecutor's office, and in 1957 was promoted to chief of the criminal investigation section for the entire State.

I had first known of CHUCK through his uncle, a former mayor of Newark, but it was in 1960, when he first came to the House, that our close association began. And it is not easy now to bid him farewell. For in these 9 years he has earned the respect and admiration of all of us who have had the good fortune of working with him, and he has carved a permanent place for himself in the hearts of all who have been offered hope because of his deep devotion to the disadvantaged and the young.

"CHUCK" JOELSON is certainly one of the most progressive and innovative legislators to serve in the House. As a member of the Committee on Education and Labor in 1960, he was assigned to a special subcommittee on unemployment,

which was responsible for recommending the landmark Manpower Development and Training Act. Since 1962 he has served on the Committee on Appropriations, and it was altogether fitting that, in the closing days of his tenure, he mounted a formidable and successful campaign to restore to the Labor-HEW appropriations bill much needed funds for educational programs. For it is this area which is closest to his heart, and, as he so eloquently stated during that debate:

If I am remembered . . . I would like to be remembered as an advocate of educational opportunities for our youth . . . I think it is good Government. I think it is good politics. I think that is what the people want. It is our way of expressing faith in our young people, our way of acknowledging their potential, and helping them to realize it is to supply the money that I am urging.

Mr. Speaker, as he leaves the political arena, "CHUCK" JOELSON certainly will be remembered—for his deep convictions and his courage and compassion, for his diligence and his creativity, and for his quick, dry wit, which so often hit so true. His counsel and his advice will be sorely missed, but I know that he will bring to his new office the integrity, the sound judgment and unique talent that have characterized his service in the House.

I have been greatly privileged to hold CHUCK as a close personal friend, a man for whom I have the highest esteem. As he leaves now to take up the challenge of the bench, I wish him much happiness and fulfillment in the years ahead.

(Mr. McCORMACK (at the request of Mr. RODINO) was given permission to extend his remarks at this point in the RECORD.)

Mr. McCORMACK. Mr. Speaker, Representative CHARLES JOELSON, of New Jersey's Eighth District is retiring this month from the House of Representatives to take up a new position as judge of the Superior Court of New Jersey.

He leaves behind him a commendable and significant record of achievement and anticipates I am sure, an equally distinguished career on the bench.

Although not obligated to sacrifice himself for others, CHARLES has done precisely that during his long and varied public career. He is a fine American and a dedicated public servant, who has courage, honor, the will to fight evil, and the strength of character to support causes in which he believes.

He has always been a strong defender of the Democratic Party, the Congress, and indeed all of our free, democratic institutions. His ability and wisdom will be missed in the House.

In the 9 years that it has been my privilege and pleasure to know Representative JOELSON, he has never lost his sense of proportion when dealing with vital legislation. Instead, he has maintained a steady, sure, and constructive outlook. This ability to remain calm under fire has made him the respected leader that he is.

As he undertakes the heavy responsibilities of judicial office, he takes with him the respect, admiration, and best wishes of those with whom he has served in Congress as well as of the citizens of his State.

Mr. JOELSON's eloquence is also exemplary of his outstanding character and the quality of his mind. He speaks in a manner that is plain, strong, and concise. Rejecting ornament, avoiding florid illustration, he is effective in the plainness of his propositions, in the refinement of his logic, and in the earnestness and energy of his manner. These are qualities which have enabled him during his tenure in the House to speak often, and always to command attention.

Mr. JOELSON's entire public career has been marked by dedication and constructive insight. Indeed, his clearness, sagacity, and boldness in dealing with State problems led the people of his District to select him as their Representative in Congress.

As a hard-working and valuable member of the Appropriations Committee, Representative JOELSON has made an outstanding contribution to the work of the Congress. He has tackled every assignment with enthusiasm and creativity. He has been mindful of details and conscientious in his preparation.

His demeanor as a Representative is appreciated and venerated by us all. No man is more respectful of others, no man carries himself with greater decorum, no man has greater dignity. Because these superior attributes are greatly needed in our courts today, CHARLES JOELSON will make a fine judge.

CHARLES JOELSON manifests a warm humanity, a capacity for friendship, a deep compassion, and a feeling of brotherhood—qualities of the highest value in a good judge.

CHARLES JOELSON's moral and social conscience, his dedicated service will be missed in the House. There will always be, however, a bridge of friendship and mutual respect existing between us and our colleague from New Jersey.

The people of New Jersey, furthermore, can rest assured that in him they have found a man who will dedicate all his energy and intellect on their behalf as a member of the judiciary.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. RODINO. I yield to the gentleman from California.

(Mr. COHELAN asked and was given permission to revise and extend his remarks.)

Mr. COHELAN. Mr. Speaker, Congressman CHARLES JOELSEN, who leaves us today to take his new position as judge of the superior court in Paterson, N.J., has given this body guidance, knowledge, and leadership that it can ill afford to lose.

Both as a personal friend and working colleague, I have found Congressman JOELSEN of inestimable help in the areas of education and labor, and as a fellow member of the Appropriations Committee.

His intelligence, his wide understanding of both national and international problems, and his conscientious attention to the duties of a Congressman have made him truly one of the outstanding Members of the House.

Congressman JOELSEN recently capped his 9-year career in the House with a brilliant display of leadership during the floor debate of H.R. 13111, the Labor-HEW appropriation bill for 1970. Due to the efforts of Congressman JOELSEN, $894 million was added to this bill to further the educational needs of our country. This is just an example of Congressman JOELSEN's understanding of the needs of our times that I have long admired.

To say that I shall miss Mr. JOELSEN, both as a friend and colleague, is an understatement.

Mrs. Cohelan and I wish him all the best in his new endeavor. The Superior Court in New Jersey is gaining a distinguished public servant and the House of Representatives is losing one of its ablest Members.

Mr. HELSTOSKI. Mr. Speaker, our distinguished colleague, CHARLES S. "CHUCK" JOELSON, is leaving Washington and the hallowed Halls of Congress to take his place on the bench of the Superior Court of New Jersey. I do not want this occasion to go unnoticed, and join with the New Jersey delegation to pay tribute to him at this time.

He first came to the Congress in January 1961, having been elected as the Representative of the Eighth Congressional District on November 8, 1960. He served continually since that time, having been reelected to the 88th, 89th, 90th, and the present 91st Congress.

When I first came to Congress, in 1965, I found "CHUCK" JOELSON to be invariably straightforward and understanding, sensitive and courageous. He displayed complete and unwavering devotion to the public interest. His leadership has been distinguished by his insistence upon, and his own adherence to, the highest standards of intellectual and moral excellence. Since our districts adjoin each other, many of the problems are similar in nature, and it was a great pleasure to me to be able to solve many of them through a mutually cooperative effort.

I have found that one of "CHUCK'S" great charms is his ability to disagree with you in such a pleasant and amicable fashion that eventual compromise of a position is possible. He could summarize an incomprehensible heavy legislative bill with one line of wit—succinct and to the point.

"CHUCK" JOELSON is known to us—his colleagues—as he is known to his constituents, as a man of integrity, responsibility, and energy. I know him further as a friend, counselor and an inspiration.

Congressman JOELSON's constituents know him as one who has always looked upon their problems and interests as his own problems and interests. They know he is never satisfied until every possible effort is made to solve these problems, honorably looking out for those whom he represents.

It is noteworthy that a man who has had such a distinguished career of public service and who could look to many more years of service in this House of Representatives, is leaving this responsible life for one of comparable responsibility of a superior court bench.

As we must greatly regret "CHUCK'S"

departure from the House of Representatives, I believe that the Superior Court of New Jersey is gaining a man with broad experience and understanding. He will be an asset to the judicial system of New Jersey.

We shall miss his friendly voice in the coming years. I wish him every success in his new assignment.

Mr. DANIELS of New Jersey. Mr. Speaker, it is with a mixture of joy and sadness that I join my colleagues to honor CHARLES JOELSON today. I am happy because he takes on a new role in which he will bring to the judiciary of New Jersey a responsible and progressive outlook tempered by many years as an outstanding legislator. I am sad, however, because those same qualities, enhanced by a remarkable wit and grace, will be lost to us in the House.

My colleague from New Jersey has served the people from his district well. And they have returned him to his seat every term since the 87th Congress with an outstanding plurality of their faith and trust.

It was my privilege to serve with him for many years on the Education and Labor Committee. There he actively established himself as an outstanding advocate of progressive educational programs.

While many in the Nation heeded the romantic lure of space exploration, "CHUCK" JOELSON was struck by the despair and agony of the cities. He deemed the victory over ignorance, poverty, and hunger to be of far greater importance than the flight to outer space. He has spurned the easy escape from the challenges to life on earth. He seeks the answers to the problems that face modern America, not in space, but in the streets, recalling our attention down to earth, back to home. He has told us:

There is more challenge in each square block of city slum than all the galaxy.

But more important than all the prose and poetry, my colleague has set for us an example in deeds. Thus, when he need have done nothing more, he took it upon himself to sponsor a package of vital amendments to restore cuts made in our educational programs. The victory of the Joelson amendments is indeed a fitting capstone to a brilliant legislative career.

Mr. PATTEN. Mr. Speaker, I know the Governor always reflects upon his appointments and hopes to put on the bench a man who will bring credit to him by rendering honest, able service to the people. Governor Hughes, having served as a judge, has had a special interest in seeing that the public and the members of the bar respect his appointments. I have a strong feeling about these matters myself because as county clerk for 15 years I spent a lot of time working with many of our judges. We always had our problems and there had been one crisis after another.

Many of our judges have participated in the partisan political life and it is difficult for people to realize that when they become judges they leave behind their previous role. I have watched Democrats and Republicans on the bench for over 40 years and it is a pleasure to say that all of the judges that I knew rose to the highest level in their conduct while on the bench and dispensed justice without regard to their background.

I am sure that our distinguished colleague, CHARLES JOELSON, will rise to the highest standards of our profession when he steps up on that bench. Justice will prevail. He has the intellect, he has the learning, he has the compassion, and he has the health to render many years of service to the people of New Jersey.

We all love the law and public service and I predict our colleague will be a credit to us all.

Mr. HOWARD. Mr. Speaker, the late Speaker of the House, Mr. Sam Rayburn, once said that the House of Representatives is "the most critical jury in the world." A glib, articulate, personable man might conceivable palm himself off to his constituency—for a time—as something that he is not. But one simply does not deceive his colleagues.

The Members of the House of Representatives, who work closely with one another, day in and day out, have an almost unerring instinct for the quality of genuiness. We know when a man is sincere in what he says and does or when he is talking mainly for home consumption. We can discern with revealing clarity when he does his homework and knows what he is talking about.

It is rare, however, that one man can be so overwhelmingly liked and respected as is the case with our distinguished colleague from New Jersey, Representative CHARLES "CHUCK" JOELSON.

"CHUCK" JOELSON is leaving the Congress to become a Superior Court judge in New Jersey. The Congress is losing one of its most valuable Members.

The greatest compliment the membership of our national legislative body can pay to one of its Members is that when he talks the rest of us listen. And, as clearly evidenced when "CHUCK" JOELSON recently led the campaign to aid the educational process in this country by infusing the needed money into the program, we all listened. And when, the vote was taken, "CHUCK" JOELSON had won another victory—not for himself—but for the young people who will lead this country in the near future.

I have often sought guidance and advice from "CHUCK" JOELSON because he was always prepared to help others.

I have always admired "CHUCK" JOELSON's quick wit, as is often evidenced by his use of the 1 minute rule.

In closing, Mr. Speaker, I would like to say "thank you" to "CHUCK" JOELSON, not just on my own behalf, or on behalf of the House of Representatives, and not just on behalf of the residents of the Eighth Congressional District of New Jersey which "CHUCK" JOELSON represented so ably. Our entire Nation owes "CHUCK" JOELSON a "thank you" because we are a better country as a result of "CHUCK" JOELSON having served in public office.

I wish "CHUCK" JOELSON well in his new field of public service.

Mr. MATSUNAGA. Mr. Speaker, it is a great pleasure to join in this richly deserved tribute to the gentleman from New Jersey (Mr. JOELSON). From the very beginning of his service in the House, "CHUCK" JOELSON gained a reputation as one of the most effective and knowledgeable Members of this body.

When Congressman JOELSON was elected to the 87th Congress in 1960, he had already established a record of considerable achievement. Following his graduation from Cornell Law School, he entered the practice of law with his father, the late Judge Harry Joelson. He served with distinction as the youngest city counsel in the history of Paterson, and subsequently as deputy attorney general and as chief of the criminal investigation section for the State of New Jersey.

During his five terms in the House, "CHUCK" JOELSON has worked diligently for the people of his district and, indeed, for all the people of this Nation. His colleagues have been particularly impressed with the leadership he demonstrated in his initial assignment on the House Committee on Education and Labor and later as a member of the Appropriations Committee. He has been particularly effective in the enactment of constructive legislation in the area of manpower training and development during his service on the Education and Labor Committee.

We in the Island State feel particularly close to "CHUCK" JOELSON as part of his military service during World War II was in the Far Eastern Branch of the Office of Naval Intelligence, and he was stationed for some time at Pearl Harbor in Hawaii.

I am happy to extend fond aloha to our distinguished colleague as he leaves the House to take a place on the bench of the Superior Court of New Jersey. As he turns to new endeavors, he and his family have my best wishes for continued success and happiness.

Mr. CELLER. Mr. Speaker, I join with my colleagues in praise of the Honorable CHARLES S. JOELSON, who now leaves us to ascend the judicial bench of New Jersey. His congressional career, marked by distinction, good will, intelligence, commonsense, and wit, was, regrettably, all too short. We are, indeed, sorry to lose him, but I am sure he will bring to bear on his judicial office the same high qualities which made him a distinguished Congressman. We wish him well and, knowing him as I do, I can say with certainty the ties of friendship and shared interests with his former colleagues will not be severed.

Mr. ANNUNZIO. Mr. Speaker, it is a pleasure to join my distinguished colleague, the Honorable PETER W. RODINO, JR., from the 10th District of New Jersey, who has taken this special order in tribute to our mutual friend, the Honorable CHARLES S. JOELSON, of the New Jersey Eighth District, who is retiring from Congress to accept an appointment to the Supreme Court of New Jersey.

As lawmakers, we of the House of Representatives are of course delighted whenever a man of legal distinction assumes a seat on any one of the courts of the land. On these grounds, we hail the appointment of CHARLES JOELSON to the Superior Court of the State of New Jersey. Yet, as lawmakers, we also regret the loss to Congress of so distinguished a legislator, whose services in Washington have promoted the interests of jus-

tice throughout America over the past 9 years.

CHARLES JOELSON has not only ably represented the interests of his district during his tenure in the Congress, but those of his State and Nation as well. He has been a dedicated Government official and with wisdom and rare insight he has dealt with the major problems of the moment. As Members of the Congress, we have good reason to commend so outstanding a performance by a fellow Member, and to regret his departure from our midst.

Expert in matters both legal and economic, CHARLES JOELSON has become a highly valued member of the Appropriations Committee, on which he has served with distinction. And as a man informed on every issue of national importance, his personal force has had effect, repeatedly, in caucus, in committee, and on the floor.

By assuming a position on the New Jersey State Superior Court, he takes with him not only a knowledge of lawmaking, acquired throughout his years in Washington, but also of legal matters of every kind. Service in the Naval Intelligence, and the executive and legislative branches of Government on every level—city, county, State, and Federal—have thoroughly equipped him for judicial service of the highest caliber.

Having worked alongside CHARLES JOELSON during my tenure in the House, I have come to know him as a friend and to admire him as a colleague. He has the kind of interest and ability which renders him vital to the governmental process. As a friend, it has been the greatest pleasure to know him and work with him these past few years.

Mr. Speaker, all that the Honorable CHARLES S. JOELSON has accomplished here was beneficial to the interest of justice in America. What better background could be sought in the selection of a man for high judicial honors?

Congratulations, CHARLES JOELSON, on the occasion of your entrance to the judicial fraternity. My best wishes go with you for abundant good health and continuing success in your career of public service.

Mr. JOHNSON of California. Mr. Speaker, it is a privilege and a pleasure to join my colleagues in honoring one of our distinguished members, "CHUCK" JOELSON, who is leaving to take a place on the bench of the Superior Court of New Jersey.

"CHUCK," who has served the Eighth District of New Jersey, the State of New Jersey, and the Nation in a dedicated, outstanding manner since the 87th Congress, will be missed by all those who have been privileged to serve with him. As a member of the Appropriations Committee he has contributed a great deal of time and effort in the consideration of funds for the many programs participated in by the Federal Government.

He will long be remembered for his work in the Appropriations Committee and in the House of Representatives. However, we will all remember his outstanding leadership in the first session of the 91st Congress when the debate began on appropriations for the Department of Health, Education, and Welfare. He was effective in securing approval of full funding of educational assistance to the States.

Mrs. Johnson joins me in commending him for a job well done, and extending congratulations and best wishes on his judgeship appointment.

Mr. SHRIVER. Mr. Speaker, I want to join in this farewell tribute to our distinguished colleague from New Jersey, "CHUCK" JOELSON. He and I came to the Congress at the same time nearly 9 years ago. We have served on the Committee on Appropriations together. And for most of this year we have been cross-the-hall neighbors in the Rayburn House Office Building. It has been a pleasant and good experience to know "CHUCK" JOELSON and to work with him on many of the problems facing our great Nation. He is a fine American who has served his people and the Eighth District of New Jersey with honor and distinction. He has my sincere best wishes as he leaves the House of Representatives to serve his State and Nation in yet another capacity, that of judge of the Superior Court of New Jersey.

Mr. MINISH. Mr. Speaker, I should like to join with my colleagues in honoring "CHUCK" JOELSON, who will shortly be leaving the House of Representatives for a judgeship on the New Jersey Superior Court.

I have been pleased to count "CHUCK" among my friends, and it is with mixed emotions that I join in today's tribute to him. His wit and trenchant humor are well known in this Chamber, and will be sorely missed after his departure. His successful handling on the floor of the package amendment to the Office of Education appropriation bill will stand as a monument to him, and will be long remembered both by supporters and opponents of the measure.

"CHUCK" will soon don his black robes for his position on the bench of the Superior Court of the State of New Jersey. I know that he will bring to this job wisdom and fairness, characteristics he has in abundance, and I am therefore gratified that my State will have the benefit of his talents. But I regret that it must necessitate his leaving the House.

It was an honor to have been his friend and associate in the House of Representatives. I know that I shall miss him.

Mr. FALLON. Mr. Speaker, for 9 years, Congressman CHARLES S. JOELSON has distinguished himself in this body. His ability, integrity, and independence are well known to us all. He is now leaving the House of Representatives to take a seat on the New Jersey Superior Court. This is a great honor, one which he deserves and is eminently qualified.

I am sure that Congressman JOELSON will perform his duties on the bench with the same scrupulous concern for the public interest that he has for so long demonstrated in Congress. The House of Representatives is losing a man of consummate ability and unsullied character, a man for whom his colleagues have always entertained the most profound respect; a leader whose character has won admiration and engendered affection.

Our illustrious friend is well trained in the complexities of the law, having held many important judicial positions before being elected to Congress in 1960. At all times and in all his positions of trust, he has never let the citizens of New Jersey down. At all times, his efforts have been motivated by wisdom, virtue, and patriotism.

We will cherish the memory of CHARLES JOELSON as a friend and colleague in this House. We wish him success in his new appointment.

Mr. MAHON. Mr. Speaker, the last 7 years of the service of the gentleman from New Jersey, CHARLIE JOELSON, in these hallowed Halls of the House of Representatives have been as a member of the Committee on Appropriations. I should like to make a few observations on this occasion of his leaving the House—voluntarily as we know, I might add—to take up another position of high trust in the judicial branch of his home State.

Membership on the Committee on Appropriations affords a unique opportunity for firsthand exposure to the operations of our National Government. In his relatively few years here, CHARLIE has served on subcommittees dealing with the budgets of the legislative and judicial branches and with four of the major executive departments—State, Justice, Commerce, and Interior—plus a number of related independent agencies.

But his interests and his efforts have ranged beyond these boundaries. It was only a few weeks ago that CHARLIE JOELSON reached what is perhaps the visible zenith of his career as a national legislator—in appropriation matters, certainly—when he successfully, through the so-called Joelson amendment, spearheaded the effort here on the floor to increase education appropriations by nearly $900 million.

In this effort, as in some others, in committee and out of committee, for philosophical or other reason, we were on opposite sides of the question. We differed. We disagreed. But I must say that it has always been on a gentlemanly and friendly basis. This is readily understandable, because CHARLIE is a man of pleasant approach and affable disposition.

I have always found CHARLIE JOELSON to be a fair and reasonable man. He has understood at once the complexities and practices of the House and its committees; that these practices are a growth, not a scheme, born of long experience over changing time and circumstance. But he has had the courage of his beliefs and has spoken out for what he thought was right as he saw things.

Combined with a perceptive and incisive mind, these qualities of fairness of reasonableness, and of courage of conviction should go far in enabling him to render a high public service in the New Jersey judiciary.

Our form of government remains basically unchanged but the substance is under more or less subtle but continuous change as each new generation comes along, and this is well reflected here in this cherished citadel of freedom as new Members take the place of others. CHARLIE JOELSON has been a part of that continuous process; he has made his contribution. And at the ripe but young age of 53, he leaves to take on other duties of high public trust.

We wish him well.

Mr. ANDREWS of Alabama. Mr. Speaker, we will soon lose the services

of a most able colleague when CHARLES S. JOELSON leaves Congress for a seat on the Superior Court of New Jersey.

I have had the privilege of serving with "CHUCK" JOELSON on the Appropriations Committee, where he was a member of both the Subcommittee on State, Justice, Commerce and the Judiciary and the Interior Department Subcommittee.

"CHUCK" is a hard-working and dedicated public servant, and the impressive career that he made prior to coming to Congress is a tribute to his drive and initiative. In all things he has done well.

Following service with the U.S. Navy, he moved from private law practice to the job of city counsel of Paterson, N.J. In 6 years, he was deputy attorney general of New Jersey, in charge of the Passaic County prosecutors' office. In 2 years, he was chief of the criminal investigation section for the entire State.

In 3 more years, "CHUCK" was a Member of the U.S. House of Representatives, serving first on the House Committee on Education and Labor in the 87th Congress. "CHUCK" JOELSON let no grass grow under his feet.

"CHUCK'S" reputation as a man of action, ability, and dedication were clearly established long before he came to this great body. He continued to exercise these qualities as a member of the Appropriations Committee, and for this, he merited and received the respect of all who served with him.

His presence in Congress and especially on the Appropriations Committee will be greatly missed, and I certainly wish him every success in the future as he assumes his new judgeship on the Superior Court of the State he has represented so well.

Mr. CORMAN. Mr. Speaker, I am pleased to associate myself with my colleagues in paying tribute to Congressman JOELSON, as he leaves the House to take a place on the bench of the Superior Court of New Jersey.

"CHUCK" JOELSON and I were freshmen Congressmen in 1961. As new Members, we joined that special fraternity of eager, ambitious Congressmen who first must learn to walk before they can run. Of the incoming freshmen that year, I can proudly point to "CHUCK" JOELSON as one of the finest and one of the most able. During these past 9 years, we have had similar interests on many matters and have joined hands on many national issues. It has always been a privilege to discuss problems and possible solutions with him.

As the productive House career of Congressman JOELSON comes to a voluntary end, he leaves behind him an enviable record. He has won the respect of all of his colleagues for his fairness, his capabilities and for his diligence in carrying out his congressional responsibilities.

In the 87th Congress he served as a member of the House Committee on Education and Labor, and since 1963 has been a valuable member of the House Appropriations Committee.

"CHUCK" JOELSON represents the highest qualities we can wish for in the men and women who serve the Nation as Members of Congress. He has given long years of devoted service to his community, his State, and Nation. His concern for his fellow man, and his interest and hard work to make this Government serve the needs of all Americans, was expressed by his wise and courageous action a few weeks ago, which resulted in adding nearly a billion dollars to appropriations for educational programs. He was supported in this action by many of his colleagues whose concern about the special role of education in a democracy parallels his own.

"CHUCK" JOELSON leaves the House of Representatives with the respect, admiration, and affection of all who knew him. In elevating him to the superior court of the State, the people of New Jersey are securing the services of a gifted man of the highest caliber. He has my sincere good wishes for his future work, which can only be an extension of his remarkable career in this Chamber.

Mr. PODELL. Mr. Speaker, our most able and distinguished colleague, "CHUCK" JOELSON, is taking leave of this House to take a seat on the bench of the Superior Court of New Jersey. I am certain he will grace that court as well as he did his seat in the Congress. The gain of the judiciary of his home State is a loss for the people of this Nation. For no society can produce too many men like him.

Whenever the dispossessed of our land cried out, they struck a responsive chord in his breast. If justice had to be done, he was always ready to stand up and be counted on its behalf. If a cause that was right had to be represented, it never found his door or heart closed to it. To intellect and ability, he has always added compassion, sincerity, and a desire to set an example in his public life; others would do well to emulate.

Only a few weeks ago he led a fight on the floor of this House which succeeded in restoring absolutely essential funds for the benefit of education all across our land. Masterfully executed, this success is both a monument and prime example of the political and human philosophy of our colleague. It reflects his dedication, beliefs, and ability. Many others have sat here for far longer and accomplished far less.

"CHUCK" JOELSON will be missed because he always translated into legislative activity and through personal example all that is finest in our American dream. His actions personify it in an era when all too often in the public eye the exact opposite seems to be true. His work and career are in themselves a monument to what this body is supposed to stand for. Others among us have noted his example, and shall keep it in their mind's eye in times to come.

I know he will continue to set similar examples in the fruitful years to come.

Mr. ADDABBO. Mr. Speaker, it is a privilege to participate in this special tribute to our colleague from New Jersey, the Honorable CHARLES S. JOELSON, who will be leaving the House of Representatives to take a seat on the Superior Court of New Jersey.

"CHUCK" JOELSON began his political career at the early age of 33 becoming the youngest man ever appointed to the city counsel of Paterson, N.J. Prior to the appointment, "CHUCK" practiced law with his father, the late Judge Harry Joelson.

In 1955 "CHUCK" began his career as a law enforcement official—serving first as deputy attorney general of New Jersey in charge of the Passaic County prosecutor's office and later as chief of the criminal investigation section for the State of New Jersey.

While he was proud of his years as a prosecutor, "CHUCK" was a man with a big heart. First elected to the House in 1960, he has been a particularly effective spokesman for broader manpower training programs and as a former member of the House Education and Labor Committee he worked on the Manpower Training and Development Act of 1962.

For the past 7 years I have had the honor of serving with "CHUCK" on the House Appropriations Committee. His dedication and creativity have been great assets to our committee and to the Congress.

I wish "CHUCK" well in his new career. He has served his State and his country well and he will now join the select group of public leaders who have served in all three branches of government—executive, legislative, and now the judicial branch.

Mrs. MINK. Mr. Speaker, it is a pleasure to offer congratulations to a distinguished colleague, Representative CHARLES S. JOELSON, as he assumes the high honor and heavy responsibility of a place on the bench of the Superior Court of New Jersey.

It is a sorrow, however, to contemplate working in the House of Representatives without the wisdom, skill, and dedication of this esteemed legislator. The people of the Eighth Congressional District of the great State of New Jersey have been ably and unstintingly served by Representative JOELSON. The people of the United States have also been served well by a man whose vision and selfless effort have benefited the entire Nation.

As a member of the Appropriations Committee, Representative JOELSON was able to put his strength and his enthusiasm solidly behind measures he believed could enhance the quality of life in this country. His courageous efforts in behalf of education will long remain an outstanding example of the difference for good one man can make. All of us here today, and the millions of citizens we represent, owe Representative JOELSON of New Jersey, a lasting debt of gratitude for his devotion to the children of America. Without his hard work, much legislation in support of education might have languished without the appropriations sustenance needed to make it meaningful.

His own early record as a scholar tells us something of the motivation behind his lifelong interest in education. His career of service, as a naval intelligence officer, as an official in his home city of Paterson, as the holder of important posts with the State government of New Jersey, and, beginning with the 87th Congress and continuing until the present, as a Member of Congress, has demonstrated many times over the great abil-

ity and consistent humanity which will now serve the people of New Jersey from the bench of their superior court.

Knowing that his future endeavors will be continuingly excellent, I wish my respected colleague, Representative CHARLES S. JOELSON, great satisfaction in his new position.

Mr. HATHAWAY. Mr. Speaker, I am pleased to join with my colleagues in paying tribute to Congressman CHARLES S. JOELSON as he leaves the House of Representatives to take a place on the bench of the Superior Court of New Jersey.

As a Member of the House during the past 9 years, Mr. JOELSON has shown himself to be a dedicated and competent public servant. He has made important contributions to the work of this House, particularly as a member of the Appropriations Committee. I am sure he will continue to serve the Nation and the people of New Jersey well in his new capacity.

I am glad to have had the opportunity to serve with Mr. JOELSON, and I wish him well as he begins this new chapter in his public career.

Mr. BYRNE of Pennsylvania. Mr. Speaker, I feel a deep personal regret—a regret which I know is shared by all my colleagues of this House—when I realize that we are saying goodby to CHARLES S. JOELSON, the distinguished Representative of New Jersey's Eighth District.

I have had the honor and the pleasure of serving with "CHUCK" JOELSON in the past five Congresses, since he was elected in 1960. In all that time, one thing became certain: you could always find "CHUCK" JOELSON on the human side of the issue.

Though he served as a member of the Appropriations Committee, which necessarily deals in figures, "CHUCK" has always been interested in human beings; seeking new ways to help and never denying his diligent labor or his acute mind.

Now he will be departing from the Capitol scene to assume a judicial seat in his home State. I know his absence will be deeply felt within these walls. He has been a sincere, energetic, imaginative, and creative Representative of his district, serving all the American people.

I join my colleagues in wishing him well, with the reminder that the Third District of Pennsylvania is not far from Paterson—and the welcome mat is always present.

Mrs. HANSEN of Washington. Mr. Speaker, the markings of a fine judge are insight and fairness. The distinguished gentleman for New Jersey (Mr. JOELSON) has these and more. By investing him with the robe and responsibility of a judge of the superior court, the State of New Jersey will be acquiring a temperament that is rare and able.

Since 1961, it has been my pleasure to serve closely with Mr. JOELSON. I have witnessed his intelligent reasoning and keen understanding—enriched with a touch of humor—unveil the real meaningful aspects of Congress' business. We served together first on the Education and Labor Committee and moved simultaneously to Appropriations where we worked together on the Subcommittee for Interior and Related Agencies. I have witnessed his stewardship—faithful and good.

The distinguished gentleman had a solid background of education and experience in the law when he came to Congress and we benefited from his wisdom for nearly a decade. Now he is returning to his home State, New Jersey.

During the years ahead, justice in New Jersey will draw from this skill and knowledge. Congress will feel the loss. But the judiciary will be enriched.

Mr. EVINS of Tennessee. Mr. Speaker, permit me to join the gentleman from New Jersey (Mr. RODINO) and other colleagues in paying a brief but sincere tribute to our friend and colleague, CHARLES "CHUCK" JOELSON, who has been appointed to the Superior Court of New Jersey.

Representative JOELSON and I have served together on the Committee on Appropriations for many years, and certainly he is an able, dedicated, and effective legislator.

He possesses the qualities of sound judgment and prudence that qualify him eminently for a position in the judiciary of the State of New Jersey.

Apart from his abilities, CHARLES JOELSON is a genial, personable, considerate person, and we shall miss him. As he takes his leave from the Congress, I want to wish him the best of good luck and success as he assumes his new career and new responsibilities with the judiciary.

Mr. LONG of Maryland. Mr. Speaker, I join my colleagues in paying tribute to a Member of the House of Representatives, CHARLES S. JOELSON, who is leaving the House today to become a judge of the Superior Court of New Jersey.

During his five terms in the House of Representatives, CHARLES JOELSON has been outstanding as a representative of the Eighth District of the State of New Jersey. Since I became a member of the Appropriations Committee in the 89th Congress, I have observed the intelligence and leadership that he has brought to his legislative responsibilities. He has made many contributions to the work of the subcommittee on which he serves and to the work of the entire Appropriations Committee. His recent achievement was sponsoring the Joelson amendment, which restored nearly a billion dollars in funds for education programs in the Labor-HEW appropriation bill for fiscal year 1970. I was proud to cosponsor that amendment.

CHARLIE JOELSON'S departure will be a severe loss to the Appropriations Committee and to the House of Representatives. However, his earlier career in public legal service has prepared him to continue rendering service to the people of New Jersey. I wish CHARLIE JOELSON good fortune as he assumes his new responsibilities, and I congratulate the New Jersey bench on this addition to its membership.

Mr. ANDERSON of California. Mr. Speaker, as a first-year Congressman, one of the honors that has come to me has been to work with the distinguished Representative from New Jersey, the Honorable CHARLES S. JOELSON.

I was especially impressed with his untiring and successful efforts in behalf of the education bill which passed in this session of Congress. The added amendments and increases to the education bill were a tremendous gain and benefit to the schoolchildren of the United States and will stand as a lasting tribute to the vision and sagacity of this great statesman.

Congressman JOELSON'S dynamic leadership will be missed by the Members of the House of Representatives, and I join my colleagues today in wishing him well in his new responsibility as a Justice on the Superior Court of New Jersey.

Mr. HEBERT. Mr. Speaker, I want to wish my distinguished colleague "CHUCK" JOELSON all the best in his new job on the bench of the Superior Court of New Jersey.

What is the superior court's gain is the House's loss. I have known "CHUCK" since he came to the Congress more than 10 years ago, and he always was conscientious in his work and concerned for his constituency. Certainly, they will miss him, too.

It is always regretful to lose a Member of long standing with the knowledge and experience such as is possessed by "CHUCK" JOELSON, but on the other hand I know that he will be a credit and a welcome addition to our judicial system.

As he goes from the legislative to the judicial branch of our government, I know that "CHUCK" will continue to serve what he feels are the best interests of our country.

Mr. ALBERT. Mr. Speaker, I am very pleased to join with the gentleman from New Jersey in paying tribute to our friend and distinguished colleague, Representative CHARLES S. JOELSON, as he leaves us to take his place on the bench of the superior court of the State of New Jersey.

While we will miss his great ability and talent in the House, I think it would be difficult to find a person more qualified for such an important judicial post.

A Phi Beta Kappa graduate of Cornell, CHUCK JOELSON had a distinguished career in the law before he was elected to the 87th Congress. He held many important positions in his community, his county, and his State including that of deputy attorney general and director of criminal investigation for the State of New Jersey.

In his service in the House, our colleague from New Jersey has distinguished himself even more. He has made many important and valuable contributions to the work of this House through his many efforts as a member of the great Committee on Appropriations and undoubtedly he will be remembered for many years to come by educators and school people throughout the country for his outstanding leadership recently in winning passage for the "Joelson amendment" to the Department of Labor-Department of Health, Education, and Welfare appropriation bill. His hard work in restoring funds for vital educational programs contained in that bill resulted in perhaps the greatest legislative victory of this session.

All of us are going to miss CHUCK JOELSON'S friendly smile and his ready wit

in debate. As he leaves to assume his new position we all join in wishing for him and his family the very best.

Mr. FARBSTEIN. Mr. Speaker, it has been a privilege for me to serve four full terms and during this session with our distinguished colleague, CHUCK JOELSON, who is leaving the House and will don the judicial robes of the superior court bench of New Jersey. He inherits the judicial temperament from his father, the late Judge Harry Joelson, with whom he entered the practice of law after his admittance to the New Jersey Bar in 1940.

Scholar, linguist, naval intelligence officer, attorney, city counsel, county prosecutor, criminal investigator, legislator, and now judge—round and round the wheel of fortune spins and where it will stop nobody knows. With dedication to every assignment, CHUCK JOELSON has climbed the ladder rung by rung that leads ever upward to greater service to his fellow man.

A product of Paterson public schools and Montclair Academy, the gentleman from the Eighth District reflected great credit upon his schools and his teachers by winning election at Cornell University to Phi Beta Kappa, the national scholastic honorary society, in his junior year and graduating with a B.A. degree, followed by an LL.B. from Cornell Law School.

Enlisting in the U.S. Navy in January 1943, and serving as an ensign in the Far Eastern branch of the Office of Naval Intelligence, our colleague displayed an uncommon linguistic ability. He mastered the Japanese language, and was assigned to Japanese language duties in Pearl Harbor, Hawaii.

Appointed city counsel of Paterson in charge of all legal affairs of that municipality, CHUCK JOELSON in 1949 was the youngest city counsel in the city's history. In 1955, he was named deputy attorney general by the Governor of New Jersey, and in this capacity served 2 and a half years in charge of the Passaic County prosecutor's office. In 1957 he was promoted to chief of the criminal investigation section for the entire State of New Jersey.

With such an outstanding background in public service, it is not surprising that our colleague was elected for five successive terms to the House. As a member of the House Committee on Education and Labor, he was assigned to a special subcommittee which recommended the Manpower Training and Development Act, which was signed into law by President John F. Kennedy. He currently serves on the Committee on Appropriations.

I am proud of this outstanding Democratic statesman, and wish him continued good health, happiness, and success.

Mr. BLATNIK. Mr. Speaker, I am privileged this afternoon to make a few brief remarks about my good friend and colleague CHARLES S. JOELSON of Paterson, N.J., who will be leaving us soon to take his seat upon the superior court bench of New Jersey.

Knowing CHUCK as I do, I know that he will bring that same single-minded power of concentration, that same incisive intelligence to his new position that he brought to his duties in the House for the the past 8 years. I have come to admire that intelligence, idealism, and persistence, and I know that I shall miss them after he goes. This new honor—for a seat on the New Jersey Superior Court is indeed an honor—comes as no surprise to those of us who know CHUCK's abilities. He has distinguished himself as a committed member of the House Appropriations Committee, and most recently as the author of the now famous Joelson amendment, by means of which we were able to remedy severe cutbacks demanded by the administration in the Labor-HEW appropriations.

Perhaps a few words about that amendment, since it is fresh in our memories, will serve to illustrate the ability and determination of the man. All during the time of the consideration of the administration Labor-HEW budget request, all of us were besieged with letters urging our action to increase the requested appropriation so that vital domestic programs in manpower, library services, health services, vocational and higher education, could continue. But the House Appropriations Committee was subject to double pressures, since they were well aware of the administration's interest in holding down domestic spending. Congressman JOELSON, with the support of his Democratic colleagues on that committee and in the House, introduced substantial amendments to the appropriations bill, and worked energetically to assure passage of those amendments. In all honesty, we can attribute the continued viability of many of our domestic programs to his energy, his determination, his farsightedness, and his commitment to a better America.

So I congratulate the State of New Jersey in having appointed a superior court judge who has amply demonstrated his commitment to what he sees as right and necessary, and his energy and intelligence in arriving at those ideals. I finally congratulate CHUCK JOELSON, a distinguished Congressman, on his career thus far, and on a future which cannot be anything but bright.

Mr. REID of New York. Mr. Speaker, I join my colleagues today in offering my congratulations to Congressman CHARLES JOELSON, who has worked long and hard both on the Appropriations Committee and on the floor of the House to support forward-looking programs and to urge a relevant order of priorities for our Nation.

He has most recently proven his commitment by amending the Labor-HEW appropriations bill to provide an additional $1 billion for education. The entire academic community, as well as those less privileged who may with these funds receive the oppo tunity to be educated, will remain deeply indebted to him for this courageous and constructive action. I am glad that Mr. JOELSON's last effort in the House furthered the cause of education, and I heartily commend him for his leadership in this area, which is consistent with his past record of defending the rights of all.

This record speaks for itself. Although we in the House will miss him, the people of New Jersey will indeed be fortunate to have his wise counsel and fine judgment on the bench of the superior court of New Jersey.

Mr. BINGHAM. Mr. Speaker, I am happy to join in these well deserved tributes to our colleague, "CHUCK" JOELSON, but sad at the occasion.

Since coming to this House, I have invariably enjoyed my contacts with the delightful gentleman from New Jersey. On occasion we have worked together on projects of special mutual interest, and this was always a pleasure.

Like so many others I have savored the pithy comments, combining humor and commonsense, that characterized "CHUCK'S" participation in floor debate.

This year the success of the Joelson amendments to the education aid bill was a tribute to the gentleman's vision and determination, a fitting climax to his career in the House.

Mr. JOELSON'S departure should cause all of us in the House to look critically at ourselves, especially at our rigid traditions, and wonder why the House could not hold so talented a Member.

In any case, the gentleman—and few deserve the term so fully—will be sorely missed.

Mr. UDALL. Mr. Speaker, I am pleased to join with my many colleagues in paying tribute to the outstanding service of my good friend, CHARLES JOELSON.

Through five successive Congresses I have had innumerable occasions to work with CHUCK JOELSON, and I shall miss having his advice and counsel and friendly help on all kinds of things.

It pleases me, however, to know that my friend has been honored by the State of New Jersey to serve on its superior court. I know the court will be honored with his presence, and I wish him the greatest success and happiness in his new career.

Mr. BIAGGI. Mr. Speaker, Representative CHARLES JOELSON, the distinguished gentleman from New Jersey, will be leaving us shortly to assume a new career—that of judge on the bench of the superior court of this home State.

I know he must have mixed feelings about such a move. For 9 years CHARLES has sedulously and effectively represented the Eighth District of New Jersey. On the other hand, I am sure he is challenged by the opportunity to serve his State in judicial robes.

He returns to New Jersey as a public servant who is known for his loyalty to truth and to the honest conviction of his own mind. He has deceived no man; neither has he permitted his own heart to be deceived by false influences or faulty judgments.

He has never paused to consider how far any step which he was about to take would lead to his own personal advancement; he has never calculated what he might lose or what he might gain by his advocacy of, or his opposition to, any particular measure. His inquiry, rather, has always been: "Is it right? Is it in accordance with the Constitution of the land? Will it redound to the permanent welfare of the country?" When satisfied upon these points, his determination has been fixed; his purpose, immovable.

Our courts need the kind of personal integrity that is characteristic of Representative JOELSON. The genuine sincerity and devotion of his service in the House

will not be forgotten. Our loss will be sustained by the knowledge that Mr. JOELSON will continue to contribute his outstanding abilities to the service and cause of justice and the Nation.

I therefore wish our good friend and colleague, the best of prosperity and Godspeed in his new career.

Mr. DULSKI. Mr. Speaker, I could not let this occasion pass without extending my sincerest congratulations to our esteemed colleague, the gentleman from New Jersey (Mr. JOELSON), as he leaves to become a judge of the Superior Court of the State of New Jersey.

Governor Hughes has made a wise selection which has been duly confirmed by the State legislature. But the gain for the judiciary in his home State is a great loss for the Congress and the Nation.

In his nearly 9 years in the House, the gentleman from New Jersey has made an indelible mark, not only in his work on the Committee on Appropriations, but also in other fields of interest, particularly in education, labor, health, and welfare.

Indeed, it was just 2 months ago, during debate on the fiscal 1970 appropriations bill for labor and health, education, and welfare that he distinguished himself by leading the successful fight to increase the allocation of funds for education.

Our colleague realized the great impact that would result for our school systems across the Nation if the proposed cuts in funds were allowed to prevail. I was proud to march behind him in his most significant and effective drive to put the education allocations in proper perspective.

He has been a most effective member of the full committee, but it should be noted that he was not a member of the subcommittee which did the spadework on the labor-health, education, and welfare money bill.

Indeed, his own committee attention had been focused in previous weeks on another major appropriation bill which cleared the House just 10 days earlier, the bill providing fiscal 1970 funds for the Departments of State, Justice, Commerce, the judiciary, and related agencies.

In connection with that bill, the gentleman from New Jersey also played a conspicuous role. I refer to his floor amendment which was adopted by voice vote to increase funds for the Equal Employment Opportunity Commission.

The gentleman from New Jersey and I see eye to eye on several other matters. He and I both have been outspoken right along against the extent of special treatment given the oil industry through the oil depletion allowance. Finally, the House has approved a reduction and I hope sincerely that the Senate will back up our action in the weeks ahead.

He favors tax incentives for business, but not selective incentives as exist in the oil industry. He believes—and I agree—that industry needs reasonable tax help to encourage expansion and development, to develope new jobs and to train employees for today's employment demands.

Although a lifetime native of New Jersey, I am proud to observe that he came to upstate New York to gain his bachelor's degree and his law degree at Cornell University.

He has not had previous experience on the bench, but he has had plenty of experience in front of the bench, as a prosecutor in his home county, as a deputy State attorney general, and as the director of criminal investigation for the entire State of New Jersey for 2 years before he came to Congress.

CHARLES JOELSON has been a credit to the Congress and it has been an honor and a pleasure to have worked with him here throughout his congressional career.

I join with his many friends here on Capitol Hill and elsewhere in wishing him well in his new role as a member of the judiciary in his home State. I am certain that in his new work he will be a credit to the judicial profession as he has been to the nation as a distinguished and respected Member of the House of Representatives.

Mr. BROWN of Ohio. Mr. Speaker, I rise to join with my colleagues in this appropriate tribute to "CHUCK" JOELSON who was sworn in today to a seat on the superior court of New Jersey. Although we will miss Congressman JOELSON as one of our Members here, it pleases me, as I know it does many of the other Members of this body, that he leaves us to take another post that will be of service to the public. And, at a time when the judiciary sometimes finds itself as one of the public institutions of this great Nation of ours under attack, "CHUCK" JOELSON's appearance in the robes of a judge can only be counted by that institution as its good fortune. One of the fundamental foundations of our Nation is justice—equal and fair—and "CHUCK" JOELSON will be a part of that guarantee as written in the Constitution.

Although "CHUCK" JOELSON and I sat on different sides of the aisle, and our viewpoints and opinions often differed on the questions before this Chamber, I counted myself as a friend. I hope he felt the same. I will miss his sense of humor, which he could ably use to put a point across for his side of an argument, or which could help calm some of the frayed nerves of this body during a debate. Again, I think this facet of his personality, and even his doggerel poetry from which we benefited here, will help serve the ends of justice from behind the bench.

It was only a month ago that the House passed the Joelson amendment on the education bill to help insure the quality of education to which we have committed ourselves for our children. In his 9 years in Congress, and for the 4½ years I have known him, "CHUCK" JOELSON can list other accomplishments. The Joelson amendment for education, being recent and of major importance, and in which I was pleased to join with him, was in itself, however, a mark that stands as part of this tribute.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I am happy to join the gentleman from New Jersey and my other friends to honor our distinguished colleague, CHARLES S. JOELSON, who is leaving the House of Representatives to embark on yet another step in service to his district, his State, and the Nation. He will take a place on the bench of the Superior Court of New Jersey.

Since his election to the 87th Congress, CHUCK has served the people of Passaic County extraordinarily well. He has served the people of the Nation by striving to improve the quality of life for all Americans. He has proposed and supported legislation and appropriations for vital social programs. He has tried to correct the inequities in the tax structure, has worked to bring a good education to every child, and has fought for aid to the underprivileged.

He sees the potential of this great land and of each individual within it and has worked to realize that potential.

I know that CHUCK JOELSON will carry his vision and ideals with him to the bench, by enforcing and defending the Constitution and laws that make our country great.

Mr. Speaker, we will sadly miss CHUCK JOELSON in the Halls of Congress. I realize that through his dedication and knowledge, he will accomplish many good deeds as a judge of the New Jersey Superior Court.

GENERAL LEAVE

Mr. RODINO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks on the subject of this special order.

The SPEAKER pro tempore (Mr. MONTGOMERY). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PROPOSAL TO PLACE BORDER TOWNS OFF LIMITS TO SERVICEMEN

The SPEAKER pro tempore (Mr. MONTGOMERY). Under a previous order of the House, the gentleman from California (Mr. VAN DEERLIN) is recognized for 60 minutes.

Mr. VAN DEERLIN. Mr. Speaker, on August 28 it was revealed that the Department of Defense had sent to all military commands and areas adjacent to the Mexican border some strange instructions. They were told to prepare for putting off limits to servicemen all Mexican border communities such as Tijuana, in Baja California.

In addition to my own congressional district and that of the gentleman from California (Mr. TUNNEY), both of which border on Baja California, other Members representing districts in Arizona, New Mexico, and Texas have been concerned about the long-range effect of this order, not only on relations between the two countries, but the effect upon men who serve our country in uniform.

I talked about the matter late this morning with the Assistant General Counsel to the Secretary of Defense, Mr. Frank A. Bartimo. Mr. Bartimo was appointed chairman of the Pentagon's Drug Abuse Control Committee, in line with the overall Drug Abuse Commission appointed recently by the President.

I told Mr. Bartimo that in fairness to him and to the Defense Department I wanted to include his views and the Department's views with regard to this point, in today's RECORD. I asked him to

send me a fact sheet, which he has done, representing the Department's efforts to fight drug abuse.

I shall later ask unanimous consent to include it with my own remarks, and the remarks of colleagues, on this subject.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. VAN DEERLIN. I am happy to yield to my colleague from California.

Mr. COHELAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I wish to congratulate the gentleman for bringing this matter to the attention of the House. I am wondering if the gentleman induced from the Department of Defense any information about the influence of drugs, marihuana, amphetamines, and such, from Vietnam?

Mr. VAN DEERLIN. No. The action of the Department of Defense thus far, or the prospective action, concerns only these installations which are within the borders of the United States and adjacent to the Mexican border.

Is the gentleman aware of a problem in that connection?

Mr. COHELAN. I would call to the attention of the gentleman that, as a member of the Subcommittee on the Treasury, only about a month ago we were in San Francisco, Calif., where we reviewed some of the fleet post office activities there in relation to parcels that are coming in from Vietnam. It was a shock to the committee then, as it was 2 years ago, to find that many of our returning veterans are bringing in packages filled with what are known as reefers and pillows, with marihuana, various guns, and some ammunition—sometimes live ammunition—plastic materials and things of that kind, which of course is rather shocking. I mention this to stress the volume of drugs that may be coming into this country because it would seem, from what we were able to gather, that such materials are available in Vietnam, and apparently there is some use of them.

I would add to this, for the information of the gentleman, that only a year or two ago our committee received testimony from the Customs Department which did a spot check in the Port of New York and in the Port of San Francisco.

Of the total amount of packages that were coming in, 27 percent, as I recall, were illegal. It, of course, included very substantial quantities of drugs—and when I say drugs I really should withdraw that, I mean marijuana, and it of course came principally from Vietnam.

I would finally add that there are some rather awkward ways being used to bring this material in which is quite a surprise if you have not been aware of it before. The volume of material—the amounts of the material that were coming through is also surprising.

Mind you, we did have a 100-percent check in the period that I am talking about. But the rest of the time, it is done on a random sample test, by special investigators.

Mr. VAN DEERLIN. The same as it is done by customs officials at the international border.

Mr. COHELAN. Yes; the customs officials at the port. They are very, very clever at picking out an obvious illicit bundle. But this material is coming through in great volume and some of it is getting by the inspections.

I would hope that while the gentleman is investigating the delicacy of the problem as it relates to relations between the United States and Mexico and the effects it may have on his district and other border districts we would also have the defense department examine the problem vis-a-vis Vietnam.

Mr. VAN DEERLIN. In the context that the gentleman has mentioned this, I assume the gentleman's point is that drugs are easily available, or seem to be easily available to men stationed in Vietnam?

Mr. COHELAN. Of course, I am not making any case for drugs or the drug traffic in amphetamines or marihuana or whatever you want to call it—obviously. But I do think there should be better enforcement, and I mention it to the gentleman because both in his own area and in other areas where troops are established, this is going on. I think we should exercise better measures of control as best we can.

Mr. WALDIE. Mr. Speaker, will the gentleman yield?

Mr. VAN DEERLIN. I yield to the gentleman.

Mr. WALDIE. I join in extending my congratulation to my colleague, the gentleman from California, for bringing this matter to our attention.

I would like to ask the gentleman a series of questions that are somewhat predicated upon my belief that the action that you have brought to our attention was improper and to that degree the questions may be biased. I do not know. Can the gentleman tell me who is the drug abuse officer? Is this an officer—or who is this?

Mr. VAN DEERLIN. He is a civilian appointee and an assistant general counsel, Mr. Bartimo, from Massachusetts.

Mr. WALDIE. Is this a new office in that area?

Mr. VAN DEERLIN. Yes, it is. As I indicated, it was established in line with the President's Commission.

Mr. WALDIE. How long has this particular gentleman held this office and how long has this office been in existence—I suspect a very short time?

Mr. VAN DEERLIN. I should emphasize that this is in addition to his other duties. He was not brought in especially to police narcotics.

Mr. WALDIE. Then perhaps, to make the question more direct, how long has the gentleman been involved in or connected with the investigation into the drug traffic between Mexican cities and America, and particularly between Mexican cities and our American servicemen.

Mr. VAN DEERLIN. Unless this information is contained in this statement which runs to four or six pages, which I shall introduce and which I have not thoroughly digested myself because it arrived so recently, I do not know that I can tell you. But suffice to say that the order emanated from Washington, and the order was not in accordance with the recommendations of the command in the 11th Naval District of Southern California.

Mr. WALDIE. Can the gentleman tell me this, based upon the gravity of that sort of order, I presume there are statistics which would show that great numbers of American Navy personnel are being subjected to drug abuse through sources obtainable along the border in the cities of Mexico; is that a correct assumption?

Mr. VAN DEERLIN. May I say to my colleague, I can give him information as it relates to my area, it being the first area that is targeted for the implementation of this off-limits order.

Shore patrol records indicate that only about three-tenths of 1 percent of the servicemen who go to Tijuana are arrested there, on offenses of all kinds.

Last December the shore patrol counted 19,130 members of the Armed Forces who crossed the border. Of the 40 who were arrested in Tijuana, only two were charged with drug offenses.

From January to May of this year, an average of 22,000 servicemen a month have visited Tijuana, of whom about 70 per month have been arrested for all causes.

There is not yet a breakdown of the number of arrests in this more recent period for drug violations. According to the 11th District legal authorities, no servicemen attached to the district have been convicted of drug violations in Mexico since last March, when three were given short sentences on such an offense. Less than 1 percent of all military personnel in the San Diego area have ever been arrested by our own American authorities for drug violations.

Mr. WALDIE. I presume he would also have prepared statistics to indicate how many of San Diego naval personnel have been arrested or involved in drug usage in San Diego itself, compared to those arrested or involved in drug usage in Tijuana or those arrested or involved in drug usage in Los Angeles, compared with those arrested and involved in drug usage in Tijuana. I presume that those statistics, given the assumption that the man has made a complete and exhaustive inquiry into this problem, would be available. Are you aware of that?

Mr. VAN DEERLIN. No; I am not aware of those specific statistics. But the gentleman, like some of our other California colleagues, is aware of rather alarming statistics with relation to young people as a whole—estimates running from 15 to 25 percent who have either experimented with or are regular users of marihuana and dangerous drugs.

Mr. WALDIE. The reason I asked the question again is to point out what seems to me to be either sloppy and inefficient investigation or hypocrisy or an attempt to capitalize upon an issue that is a troublesome issue to the American public by making a dramatic gesture which has no reality or relevance to the solutions needed. I would suspect that naval personnel in San Diego are far more involved with drugs in the city of San Diego and the city of Los Angeles, just based upon the testimony that was given to the ad hoc committee upon which you, I, my colleague to my right, Congressman ROYBAL, Congressman TUNNEY, and Congressman HANNA served. If that is so, abuse of drugs in

American cities on the border by naval personnel exceeds that in the Mexican cities. Would it then be a logical assumption that the Navy would place Los Angeles or San Diego off limits to naval personnel?

Mr. VAN DEERLIN. This would seem to have abundant logic.

Mr. WALDIE. It would have about as much logic as placing Tijuana off limits to naval personnel, if the statistics are as you have cited.

Mr. VAN DEERLIN. And it would be even more enforceable.

Mr. WALDIE. It would be a lot more enforceable, and keep them out of American cities.

Mr. VAN DEERLIN. Yes; because the shore patrol is not permitted to roam the streets of Tijuana. Indeed, servicemen are not permitted to go across the border in uniform. They go in their civilian attire.

Mr. WALDIE. The other thing that troubles me is that if we can keep American naval personnel out of Tijuana or other American border cities because of the prevalence of drugs in that area—and a prevalence, by the way, which I fully accept as being in existence; the portion of the argument I do not accept thus far is that prevalence is being used or made available to American service personel to the degree the action taken would indicate. Apparently there is no evidence that that is the case—but if we are going to place those cities off limits to American service personnel, we ought to look at where the supply in those cities comes from, and it does not come from Mexico, since we have been able to ascertain that most of it comes from American manufacturers.

Mr. VAN DEERLIN. The so-called dangerous drugs are drugs which are prescription drugs on our side of the border.

Mr. WALDIE. Which is the drug-abuse problem. When they use the term "drug-abuse problem," they really talk about amphetamines and barbiturates, not marihuana or heroin. It is those drugs that are the primary problem; the amphetamines, the barbiturates. It is abundantly clear, at least from what testimony the attorney general of the State of California gave to the ad hoc committee and from what we have discussed here, that the American manufacturers are producing those pills in such quantity as to equal almost 100 pills annually for each man, woman, and child in America for medicinal needs. Those pills go into Mexico legally, but illegally come back across the border. If the Navy wants to make a dramatic gesture for public relations and for no other purpose, which seems to me to be an exercise in sophistry, they ought to make a move against the American manufacturers that permit this abuse to occur.

Mr. VAN DEERLIN. The gentleman will recall from testimony before our ad hoc committee that these large shipments of dangerous drugs go without any licensing procedures into Baja California, without any accurate record of the need, and that they come pouring back illicitly to where they started—inside the United States.

Mr. WALDIE. Mr. Speaker, just in closing, may I remark to the gentleman that the testimony of the Mexican authorities before this ad hoc committee was extremely convincing to me as far as their dedication to preventing these drugs from getting into the hands of illicit trade. I was extremely impressed by their dedication to that problem.

As the gentleman has revealed this problem in his area, it does seem to me we are dealing not with an irresponsible action on the part of naval personnel, but with an irresponsible action on the part of a political appointee—and I suspect the irresponsibility stems from his desire to make political capital of tragic circumstances.

Mr. Speaker, I appreciate the gentleman's taking this time to discuss this subject today.

Mr. VAN DEERLIN. Mr. Speaker, I am sure the gentleman will be interested to know that the San Diego Union on Saturday of last week carried an article quoting top Navy commanders in San Diego as being "boiling mad" over the instructions they had received. They charge that the gentleman in question in the Pentagon had flown in the face of their recommendation to take a precisely opposite action—to withhold any order for placing the border communities off limits.

Mr. WALDIE. Mr. Speaker, I am glad to hear that. It confirms my belief that the Navy is a far more trustworthy agency in this matter than are the political appointees who are seeking to capitalize on some pretty tragic situations.

Mr. ROYBAL. Mr. Speaker, will the gentleman yield?

Mr. VAN DEERLIN. I yield to the gentleman from California (Mr. ROYBAL).

Mr. ROYBAL. Mr. Speaker, I commend our colleague, the gentleman from California (Mr. VAN DEERLIN), for bringing this matter to the attention of the House. Also I associate myself with the remarks made by the gentleman from California (Mr. WALDIE) with regard to the dangerous drugs actually being manufactured in the United States and being taken to Mexico and then being brought back to the southwestern part of this country.

Testimony before the committee clearly indicated this was the case. For example, just a few weeks ago, 6 tons of dangerous drugs were confiscated along the border cities. Almost all of the 6 tons were traced to three large drug companies in the United States. It is also true that some of these drug companies actually have subsidiaries in Mexico.

But the truth of the matter is that most of this junk comes back to the United States, with the result that in my district and in other districts in the Los Angeles area one can clearly understand how it can be easier for students to get dangerous drugs than it is for them to get cigarettes.

This is corrupting the lives and the welfare of students in the city of Los Angeles.

What is being done about it? Surely the closing of the border to servicemen is not the answer, it is in fact ridiculous. This is not a logical step and one that will definitely not curtail the traffic of dangerous drugs along the border.

But what can be done, is to propose and to pass legislation that would make it mandatory that companies that manufacture drugs record all items they manufacture and export to Mexico or to any other country. There should be some kind of record or register so that officials can actually trace all of the dangerous drugs and narcotics being sent to Mexico and other countries.

It is also true the Mexican officials are very cooperative, as we heard in testimony before our committee. Mexican officials we were told are actually burning poppy fields and the marihuana fields in Mexico. Recent testimony by the chief of police of the city of Los Angeles—just a few days ago—indicated it is now harder to get marihuana in the city of Los Angeles and the State of California due to the action taken by Mexican officials.

So I join with the gentleman from California (Mr. VAN DEERLIN), in protesting this ridiculous order.

Mr. VAN DEERLIN. Is not the gentleman also a member of the subcommittee of the Foreign Affairs Committee which deals with Latin American affairs.

Mr. ROYBAL. Yes; I am a member of the Subcommittee on Latin American Affairs.

Mr. VAN DEERLIN. Is the gentleman concerned over the possible effect of an order like this on our relations with a neighbor nation, especially as we move toward a meeting of the two Presidents?

Mr. ROYBAL. I am very much concerned about it. I am surprised that whoever is responsible for this order did not take this into consideration.

If anything is to be done along the border it must be done I believe in concurrence with the Mexican Government. They are just as anxious to do something about this problem as we are, and I believe a little bit more concerned. If anything is going to be done with regard to the border it must be done with their concurrence.

It is my understanding in this particular instance there was no consideration given to Mexico or anyone else, that this was done by an individual apparently seeking headlines more than seeking results.

Mr. VAN DEERLIN. At least seeking some activity to make it look like something is being done.

I feel after talking with Mr. Bartimo, that there is no reason to doubt his sincerity. I happen to disagree passionately with him. I believe he has not considered all the factors being brought to light in this discussion.

Mr. ROYBAL. He has particularly not considered the effect it will have on our relationship with the Mexican Government, and this is most important.

Mr. VAN DEERLIN. Obviously.

Mr. LEGGETT. Mr. Speaker, will the gentleman yield?

Mr. VAN DEERLIN. I am glad to yield to the gentleman from California.

Mr. LEGGETT. I want to congratulate the gentleman from southern California on his taking the time by special order here today to comment on an executive order which I understand has been made, probably well-intentioned but which I believe rather misses the mark.

As the gentleman knows, I am on the Armed Services Committee of the House. We have not really concerned ourselves

with the effect of this particular order, but I believe we well might.

Mr. VAN DEERLIN. Like certain other orders, it came down around our heads at a time Congress was not in session.

Mr. LEGGETT. Yes. As I understand it, the net effect would be to place the whole country of Mexico off limits to only a portion of the citizenry of the United States, to wit the Navy Department; or is it the entire military?

Mr. VAN DEERLIN. Well, around El Paso it would be the soldiers from Ft. Bliss. In southern Arizona it would be Air Force personnel. In San Diego it is mainly Navy men.

Mr. LEGGETT. Undoubtedly the intention of this order is to control narcotics traffic, but I would say if the intent is to control narcotics traffic by limiting U.S. military personnel from crossing the border of a friendly nation, I as a member of the House Armed Services Committee sincerely resent the implication. The implication, of course, is that narcotics are being traded in and dealt with commercially rather freely by military personnel. I believe the gentleman has done some special research with respect to military involvement on the border in illegal narcotics activity; has he not?

Mr. VAN DEERLIN. This has already been made a part of the RECORD.

Mr. LEGGETT. I believe the evidence to date is relatively nil; is that not correct?

Mr. VAN DEERLIN. Certainly it is much less than the incidence in the population at large.

Mr. LEGGETT. It would seem to me if we are concerned about military activity in narocitics, they ought not take action in this respect obliquely, but they ought to file their charges and let us vindicate the members of our military.

If we are going to place foreign countries that some of our military might involve themselves with off limits, then let us place Mexico, Puerto Rico, Canada, and all of South America off limits, as well as Turkey, where I know they grow a lot of this grass and some of the other stuff. Also I know we have bases in Italy. Let us do a complete job on it. Then I say if we are using the border crossing at Tijuana and Juarez and some of these other areas rather prolifically in transporting narcotics, let us not just zero in on the military unless we can prove a case against them. Let us close the border to all Americans. We have plenty of executive authority to do that kind of thing. We have done it with regard to some countries.

Mr. VAN DEERLIN. I was hopeful, also, that the gentleman might address himself to the discriminatory and paternalistic nature of this impending order. Here we have taken men, many of them not by their own choice assuming the uniform of their country, and are telling them that they are somehow less worthy to be trusted beyond the borders of their country than some 16-, 17-, or 18-year-old kids who may go into Baja California. I wonder if this does not put a special smirch on military service, and if it is not in effect a declaration that they are second- or third-class citizens.

Mr. LEGGETT. The direct implication is that they can go to Vietnam, 38,000 of them, and can fight and die there for the principles of our Constitution, but when they come home they are second-class citizens of a type and do not enjoy the rights that regular people enjoy, and they have to be kind of kept in their kennel. I resent that implication. I think our service personnel are entitled to the presumption of being innocent which is supported by our Constitution. This kind of innuendo, unless they have facts to support it, to back it up, I would severely resent. I hope we can repeal the order and restore the status quo, which I understand the Navy Department wants to do.

Mr. VAN DEERLIN. I can certainly speak for the Navy command at the local level. I have explored that matter thoroughly with them. The action taken here in Washington ran 180 degrees counter to the recommendations and advice of the responsible naval officials in the 11th District.

Mr. LEGGETT. This is a very severe situation in the United States, speaking of narcotics, as we found out with respect to the 400,000 young people who, I think, had a so-called freakout in up-State New York a few weeks ago. I would hope that this matter would not be made a political issue, Republicans and Democrats alike, and people on both sides of the aisle can unite in an effort to take meaningful steps to control narcotics utilization, traffic, et cetera. However, to go out willy-nilly and do something like this, particularly aiming it at our military, without facts to support it or back it up, I do not think is a correct action.

Mr. VAN DEERLIN. I think you have summarized it very well. Everyone who spoke on this subject this afternoon and certainly those of us who are parents deeply hope that we will be able to address ourselves to the true causes of this national plight and, to the extent that we are able to do so as legislators, will take steps to remove those causes.

Mr. LEGGETT. I wish to commend the gentleman for his efforts.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. VAN DEERLIN. I am glad to yield to the gentleman from California.

Mr. DON H. CLAUSEN. I was late in arriving on the floor, and I wonder if the gentleman could enunciate to me the basic thrust of his comments, because, as the gentleman knows, for quite some time, I joined with the gentleman in the well in trying to get the Committee on Interstate and Foreign Commerce to come to your area for the purpose of permitting Congress itself to hold hearings on this question of drug traffic coming across the border in your area. As you know, the gentleman in the well told me he was somewhat disgruntled at the fact that, since he was a member of the committee, he himself could not get the committee to come out there.

Could the gentlemen tell me what took place that prompted the gentleman to make these comments?

Mr. VAN DEERLIN. About 10 days ago, I will say to the gentleman from California, the Department of Defense put all border area military commands on notice that they might shortly implement an order to place Mexican communities off limits to servicemen. The command in the local area, which has been cognizant of all aspects of this problem, feels that such a step would solve no problems, while creating additional problems. Yet its view was completely unheeded by the Department of Defense authorities responsible for announcing this order.

Mr. DON H. CLAUSEN. Was this a DOD directive?

Mr. VAN DEERLIN. Yes.

Mr. DON H. CLAUSEN. I see. I heard reference to the fact that it was an Executive order.

Mr. VAN DEERLIN. It was not an Executive order as such.

Mr. DON H. CLAUSEN. I just wanted to clarify this because I too have been working, frankly, with the Department of Justice and the Office of the Attorney General, as well as working with the gentleman in the well, to try and get some specific action because it has been just too long that no response has been given to this basic border problem.

Mr. VAN DEERLIN. And, here, now I join the gentleman in renewing our request to the chairman of our committee to move in on this. We have the jurisdiction and we can hit this traffic where it needs to be hit, which is on the American side of the border.

Mr. DON H. CLAUSEN. I could not agree more, but I gather that all of the recommendations were made in a rather negative sense with reference to the administration and the executive branch, when in actuality your efforts and mine have been to have the Congress take the initiative and do something about holding these hearings so we can develop the kind of record necessary, but up to this point for reasons probably better known to the gentleman in the well who is on the committee, we have not been successful in getting the kind of hearings to focus attention on this matter.

Mr. VAN DEERLIN. Let me reassure the gentleman that in my district, at least, which the gentleman knows is not a one-way political area, there has been no partisanship and reaction in response to this at all. There has been general resentment—expressed, for example, in the newspapers, which lean toward the gentleman's party rather than mine—which clearly reflects the views which have been expressed on the floor today with regard to this particular order.

Mr. DON H. CLAUSEN. I am glad to have the gentleman's response to that question because I am deeply concerned about this problem. There are a number of people who have come up into our congressional districts and as the gentleman knows we have the so-called awareness program which focuses attention on the drug problem. It is one of the biggest problems we have in America and I am for doing anything that will bring about a solution to this traffic which is not being checked.

Mr. VAN DEERLIN. I understand the gentleman's position.

Mr. HANNA. Mr. Speaker, the gentleman from California has again indicated to this House his vigilance in respect to the interest of the constituency he so ably represents and his readiness to speak forthrightly in defending those interests.

In this particular instant it is obvious that a large number of service personnel serving and living in the San Diego area will suffer inordinant restrictions on the ruling that the Pentagon has recently set down denying border access to Mexico for those stationed in the San Diego area.

I would bow to no man in this House as regards to my opposition of drugs. I have expressed my views on this subject, I have introduced legislation, and served on an ad hoc committee investigating it. However, in order to get immediate exposure to action on the problem the administration has in this instant fallen into a path of least resistance so often followed by other administrations. The quickest avenue of attack is not only the most nonproductive in this instant it is not even substantially meaningful. The servicemen are the most vulnerable to immediate action by the administration on any kind of program that seeks to curtail and restrain citizens. Already by dint of their service they have restricted rights as citizens. Further diminution should be predicated on a very strong showing of need and a positive expectation that the action taken will assure a substantial result in solving the problem stated to justify action.

In this case it would appear that the Defense Department has brought on line a ton of restriction without demonstrating an ounce of justification or even a grain of possible expectation in terms of diminishing the problem of drug importation. If in fact the border holds such dangerous potential for drug importation as requires it being closed to all servicemen, then certainly it ought to be closed to all juveniles. The only evidence we have seems to indicate that at the present time the juveniles are the greatest offenders in providing transportation for illicit dangerous drugs.

We would join in the hope expressed by Congressman VAN DEERLIN that the Pentagon will reexamine its hasty action and initiate full hearings and develop data both on justification and on their grounds for expectation that the drastic action taken will provide a substantial decrease in the dangerous drug traffic.

We venture to predict that if such patience is exercised factual presentations received from service personnel immediately in the area will convince the mind capable of reasonable assessment that other avenues of action should be explored before implementation of this very recent order—should be required.

Mr. VAN DEERLIN. Mr. Speaker, I ask unanimous consent to include this Defense Department document with the remarks that have been spoken on this subject this afternoon.

The SPEAKER pro tempore (Mr. MONTGOMERY). Is there objection to the request of the gentleman from California?

There was no objection.

(The document referred to follows:)

FACT SHEET—DEPARTMENT OF DEFENSE DRUG ABUSE CONTROL COMMITTEE, MAY 29, 1969

The Department of Defense is keenly aware of the problems associated with the use of marijuana and drug abuse in the armed forces and the nation. We are resolved that the man in uniform shall have an intelligent, informed understanding of the dangers of drug abuse. We are committed to strict enforcement of the proscriptions against the sale, use or possession of marijuana, narcotics and the dangerous drugs.

The problem in the armed forces, however, should be placed in its proper perspective. Recognizing that we have, of course, no control over pre-service experiences of our service personnel with marijuana and drugs, we do nonetheless realize that service enlistees and inductees are segments of the civilian community with respect to their habits, attitudes and associations. With this in mind, where detected, potential enlistees and inductees with a prior record of drug abuse are not being accepted into the armed forces. Some escape detection and upon induction, they, and all personnel of the services are required to undergo an educational program designed to give them a greater awareness of the dangers of drug abuse than that to which they have theretofore been exposed. In addition, military disciplinary enforcement procedures for drug abuse are, we believe, more certain than those to which the seviceman's counterpart in the civilian community may expect to experience.

Statistics available to us which are closely monitored indicate there is virtually no addiction to the so-called hard narcotics and a low rate of incidence to all drug abuse in the armed forces. Nevertheless our most recent statistics do indicate an increase in drug offenses since 1965. Although low, the rate of marijuana violations is higher than other drugs. For 1968, our statistics reflect that world-wide a fraction less than 5 military individuals per 1,000 were involved in investigations for marijuana violations. It is undoubtedly true that some offenses go completely undetected. While it is not possible to offer a supportable estimate of the number of offenses which are wholly unknown to military authorities we are confident that the suggestion that 50 percent of the troops in Vietnam, or any of our service people wherever stationed, use marijuana regularly is a gross exaggeration. Because of the unique environment of military life, which is characterized by close personal association and by strict supervision of those in the ranks by noncommissioned officers, doctors, and line officers, it is altogether unlikely that any great number of persistent drug or marijuana users could go undetected for any protracted period of time.

Evidencing his concern at the illegal or improper use of drugs by members of the armed forces, the Secretary of Dense, by Department of Defense Directive 1300.11, announced world-wide Department of Defense policies for the prevention and elimination of drug abuse by all service personnel. In general the directive initiated and made mandatory a comprehensive program of education and enforcement on drug abuse. Designated as overall responsible for the program is the Assistant Secretary of Defense (Manpower and Reserve Affairs). He is advised by the DoD Drug Abuse Control Committee composed of representatives from each branch of the services and headed by the Assistant General Counsel (M&RA). The committee maintains close coordination and liaison in its efforts with the Bureau of Narcotics and Dangerous Drugs, the Bureau of Customs, the FBI, the Post Office Department and the Department of Health, Education, and Welfare. All military services have specifically implemented the DoD Directive on drug abuse with detailed prohibitions and procedures.

Clearly marijuana presents the greatest problem from the standpoint of frequency or extent of use—and we are concerned when as few as one per thousand may be involved with its use. Drug abuse is a matter of serious concern. No military establishment, where security is always vitally critical and relies on the team concept, can risk having even one member of the team mentally unbalanced even for a moment through the voluntary use of any dangerous drug.

Since marijuana is a plant that will grow almost anywhere, particularly in certain areas of the world, such as the Republic of Vietnam, Mexico, and the Middle East, it is a readily marketable crop and brings a quick profit to those individuals peddling it. This is true even though under the laws of most nations, illegal possession, or sale of marijuana is a crime. In the Republic of Vietnam our Services are working closely with the local authorities and enforcement of the Vietnamese marijuana laws is increasing in effectiveness. Other cognizant agencies of our Government are also focusing on this problem and are cooperating with representatives of such nations to control and eliminate the illicit growth and traffic. An example of such cooperation was the recent action taken by the Republic of Vietnam authorities. On October 8, 1968, Prime Minister Tran Van Houng by Circular 195, directed that increased attention and strong measures be taken by the mayors, province chiefs and national police to punish marijuana violators with a view to eradicating completely the marijuana and opium traffic. It is expected that this action will result in increased police activity and increased cooperation between Vietnamese and our military enforcement personnel.

To further the Department of Defense's comprehensive educational program on drug abuse, distribution has been made of 133,000 copies of a basic reference handbook for commanders, "Drug Abuse: Game Without Winners," 3,500,000 copies of an informative drug abuse pamphlet "Drugs and You" distributed on a one-per-man basis to each serviceman, and some 140,000 copies of a drug abuse poster. These publications have now undergone a second printing. The handbook for commanders is on sale to the public at the Government Printing Office at fifty cents per copy. It has become a best seller and has been received very favorably. We have gotten many letters commanding the Department of Defense for this "excellent, interesting, and informative publication."

Widespread service publicity on the facts attending drug abuse and the consequences that can reasonably be expected to follow, is being maintained via service newspapers, unit publications, prepared films on the subject, and armed forces radio and TV panel discussion shows. For example, the *Army, Navy* and *Air Force Times* devoted the May 21, 1969 edition of its weekly supplement, Family, to an interview with the Chairman of the Department of Defense Drug Abuse Control Committee. The two page spread has been favorably received by our troops in the field. Several letters to the editor of the publication have requested permission to reproduce the article for distribution throughout the command. All of these requests have been honored. It is interesting to note that this publication has a subscription list of over one-half million with a readership of over three million.

The Navy produced color film, "Trip to Where" is receiving wide distribution and use. Two hundred eighty-six prints of the Navy film are being used by the Army in drug abuse orientation and training schools.

The Air Force's color film, "The Hang Up" has also been released and is in extensive use. A third film, exclusively dealing with marijuana, and wholly based on factual incidents occurring in the armed forces, has been written and is being produced through the joint efforts of the Office of Information for the Armed Forces and the DoD Drug Abuse Control Committee.

Requirements have been established that all persons entering the armed forces are to initially receive drug abuse orientation training, as well as supplemental refresher training and, prior to any departure for an overseas area, special drug abuse education directed towards the particular drug hazards in the area of overseas assignment. Further, the Department of Defense Directive 1300.11 has been recently amended to require that an entry be made in the appro-

priate personnel record of each military person indicating that he has received instruction and education in the area of narcotics, marijuana and other dangerous drugs.

Continued and increased involvement of the legal and medical professions, and the clergy, in the drug education program is being emphasized. In the enforcement area generally, investigators are receiving specialized and expanded training in drug identification. A pilot study conducted by the Army indicates training dogs to detect and locate marijuana by smell is feasible, and such a dog training program is being developed. X-ray fluoroscopes to "look" for narcotics and other contraband in parcels and packages are being used. Consideration is also being given to the utilization of narcotics and marijuana detection devices based on neutron activation analysis and bioluminescent micro-organisms. A Drug Intelligence Center is being organized to provide centralized direction and control of intelligence on drug abuse, as well as a cadre of highly trained investigators for deployment in high incidence areas on request.

We are of course concerned about the potential dangers of drug abuse among United States personnel in Vietnam. To combat these risks, positive steps are being taken. Monthly reports from each branch of the service from Vietnam and Thailand reflect on a name basis the facts and circumstances of every marijuana case investigated by the service investigative agencies. In this connection every known user or possessor of marijuana is immediately investigated by trained criminal investigators. Their reports are closely scrutinized and reviewed by the staffs of the military departments and by personnel in the Office of the Secretary of Defense. Actions by our in-country commanders include the following:

1. Special marijuana/narcotics investigation teams have been established at selected field offices to investigate and ferret out sources of supply and to apprehend offenders. Special teams are also available to instruct commanders and troops in identification and detection of marijuana.

2. Orientation classes are being conducted for all new arrivals to stress the moral, medical, social, and legal penalties associated with the possession or use of marijuana.

3. Command chaplains are using lesson plans that integrate information on marijuana in the character guidance program.

4. A continuing program of education, using all informational media available, stresses the harmful effects of marijuana and the penalties involved for conviction of marijuana violations. For example, recently, our narcotics expert in South Vietnam in cooperation with our Armed Forces Radio and Television people have made video tapes and radio spot announcements relating to narcotics and drug abuse. It is planned to use factual excerpts from military service incidents detailing instances of personal injury and dereliction of duty resulting from drug abuse. These spot announcements we believe will have an educational and deterrent effect.

5. Joint investigative squads of Vietnamese police and United States service agents are being used to investigate, define and eliminate the use of marijuana.

6. A new Criminal Investigation Division (CID) laboratory has been established in Vietnam. This laboratory has the capability of analyzing suspected substances for the presence of marijuana. Experts on the laboratory staff are available to testify at court-martial trials, thus increasing the certainty of conviction for offenders and enhancing the deterrent effects of prosecutions. Recently a break-through has come about in expert testimony in laboratory analysis proof at courts-martial trials. The so-called NARCOBAN Test Kit has been developed by a commercial organization. This is a relatively inexpensive kit which covers most narcotics, marijuana and dangerous drugs and can be used with a minimum of training by investigative personnel. More importantly, the tests are accurate and acceptable as proof in court of the particular narcotic, marijuana, or dangerous drug. This breakthrough should save many hours in expediting courts-martial trials and also result in savings of thousands of dollars. The military departments are in the process of purchasing these relatively inexpensive kits for use world-wide.

7. Through the cooperation of the Bureau of Narcotics and Dangerous Drugs, we have secured the use of a very senior trained narcotics agent for the Republic of Vietnam. He is assigned to the MACV staff and is working closely with our military personnel. Further, he will also assist the Republic of Vietnam in coping with problems in the narcotic, marijuana and dangerous drug field. His reports will assist us and give us an additional tool for coping with these problems in the Republic of Vietnam.

The above actions are a partial indication of the importance which the Department of Defense and the military departments attach to the prevention and elimination of drug abuse. Drug abuse may primarily be a danger to the user, but in the military services, the drug abuser is a potential danger to the security of every individual. As such the elimination of drug abuse is a matter of concern and involvement for each service individual, as well as for the command.

FRANK A. BARTIMO,
Chairman, DoD Drug Abuse Control Committee.

REFERENCES

DoD Directive 1300.11, February 2, 1968, "Illegal or Improper Use of Drugs by Members of the Armed Forces."

Drug Abuse: Game Without Winners—a Basic Handbook for Commanders, DoD Gen–33, DA Pam 360–530, NAVPERS 15234, AFP 34–2, NAVMC 2620, GC–173.

Drugs and You—DoD FS–51, DA Pam 360–602.

Navy color film, "Trip to Where," AFIF—177.

Air Force color film, "The Hang Up," AFIF—189.

AMBASSADOR C. BURKE ELBRICK

(Mr. FASCELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FASCELL. Mr. Speaker, I regret to inform the House that between 1:45 and 2 p.m. this afternoon, the Honorable Charles Burke Elbrick, U.S. Ambassador to Brazil, was forcibly abducted, and his whereabouts are presently unknown.

According to the report which the State Department received, Ambassador Elbrick was kidnaped while in transit between his residence and the U.S. Embassy in Rio de Janeiro. I am further advised that his abductors also took the Ambassador's chauffeur and car, but the latter was subsequently found abandoned.

Mr. Speaker, this latest act of terrorism violates the basic canons of international practice. As chairman of the Subcommittee on Inter-American Affairs, I have urged the State Department to make the strongest possible representation to the Brazilian Government to take every step to assure Ambassador Elbrick's safe return.

The personal safety of this distinguished public servant, a career Foreign Service officer, is uppermost in our minds, and I am certain that my colleagues in the House will join me in our most earnest hopes and wishes for his prompt and safe return.

While our hearts go out to the family of Ambassador Elbrick in the anxiety and grief which this event is causing them, we must not forget that the task of coping with such acts of terrorism continues to preoccupy many Latin American governments and deserves our careful consideration and assistance.

MICHIGAN'S MIGRANTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. O'HARA) is recognized for 15 minutes.

(Mr. O'HARA asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. O'HARA. Mr. Speaker—

No man of conscience could fail to be moved by the incredible tales of neglect and abuse in Michigan's treatment of migrant farm laborers.

This is the opening sentence in an editorial which was recently run by the Detroit Free Press at the conclusion of a 4-day series of articles on the incredible conditions facing agricultural workers in Michigan.

The Free Press editorial continues to recommend that the Congress "extend effectively the laws protecting workers—minimum wage, work condition regulations, social security coverage, the right to bargain collectively—to farmworkers."

As the sponsor, in both this Congress and the 90th Congress, of legislation to extend the protection and obligations of the National Labor Relations Act to agricultural workers, I welcome the support of the Free Press in this cause.

The articles, which appeared in the Free Press during the period August 17–20, tell a grim story of exploitation, neglect, and inhumanity. These articles, by staff writers Mary Ann Weston, Ed Icenogle, and Ralph Orr, speak for themselves. The story they tell, in the words of the Free Press editorial, "is too abhorrent and full of shame for a progressive State such as Michigan to condone."

I want to commend the Free Press for performing a valuable public service in the continuing quest for justice for the people who harvest the food we eat.

I include the articles and the editorial at this point in the RECORD:

[From the Detroit (Mich.) Free Press, Aug. 17, 1969]

LIFE, WORK ARE WRETCHED IN STATE'S FARM CAMPS

(By Mary Ann Weston)

About 50,000 migrant farm workers—men, women and children—flood into Michigan each summer to hoe sugar beets and beans and pick strawberries, pickles, cherries and tomatoes.

The migrant stream, a pitiful human caravan, rolls from state to state, following maturing crops, its members largely unnoticed, ignored, excluded by affluent, upwardly mobile America.

In Michigan, migrants live in camps where conditions are rustic at best, wretched at worst.

Ninety-two percent of 48 migrant camps recently surveyed had no running water in the houses; 42 percent had leaky roofs; 74 percent had no working refrigerators; 40

percent had no bathing facilities; all had privies instead of flush toilets.

Migrants are victimized by an economic and social system that keeps them in virtual peonage. They call themselves "campesinos," and it's a good word. For they are, in many ways, peasants.

Their work is brutalizing and back-breaking. In the sugar beet fields they hoe and pull weeds by hand. Among pickles they stoop all day long, pulling the sticky, prickly vegetables from the vines. Cherry pickers perch on ladders and grab the fruit from trees.

For all this, nearly half the state's agricultural workers earn $3,000 or less a year.

Migrants have little control over their destinies. "The migrants' existence is at the mercy of growers, large processing companies, social service departments, state agencies and benevolent organizations . . . (they are) American citizens who are always going to or returning from someplace, but really belonging no place . . ." said General McCants, housing relocation specialist for the United Migrants for Opportunity, Inc. (UMOI).

Two-thirds are Mexican-Americans—Chicanos—many from "El Valle"—the Rio Grande Valley of Texas. Others are blacks and white from the South. A few, who are not migrants in the true sense, come from nearby cities.

Most Migrants come from Texas in rusty pickups or crowded buses. Facing unemployment at home, they are lured by tales of work and good wages in the fields.

Good wages are elusive, however. The state-established piece rate for tart cherries, for example, is 70 cents for a lug, which weighs 27 pounds. According to the Rural Management Center at Michigan State University, it takes the average workers almost three-quarters of an hour to pick one lug.

Mostly, they're large, close-knit families, sometimes as many as 15 members. The father is the unquestioned head. If the older sons are married and have families of their own, they generally contribute their earnings to the common fund.

The younger children may be cared for by an old grandmother, or, if there is enough work, the kids join their parents in the fields. Child labor laws don't apply to most agricultural work.

The migrants come to Michigan in May or June, leave in August or September. In between, they move with the crops.

A family might move from a camp near Unionville, where they hoe sugar beets, to a camp near Keeler where they pick cherries and pickles, to a camp near Erie where they pick tomatoes.

There are, Dr. Daniel Sturt, director of the Rural Manpower Center, said, an infinite variety of movements within the larger migrant stream.

When they get to Michigan, migrants unload their belongings in camps, which might be anything from neat rows of freshly-painted wooden cabins to a shed that recently sheltered livestock.

A total of 1,822 camps were licensed by the State Health Department as of Aug. 1, 1969. Until 1965 any hovel could be called a camp. There was no state licensing at all.

Now, in licensed camps, you see things like this:

There's a camp in Tuscola County near Unionville with a licensed capacity of 135 and no running water. Water is brought in every few days in a big tank.

There is one spigot that drips into a mud puddle. There is no drain. Residents said the tank is rusty inside, making their water rusty. There are no showers.

State regulations require neither running water nor showers, although showers will be mandatory after 1971.

The camp is owned by the Michigan Sugar Beet Co. Its president, Ernest Flegenheimer, explained that three attempts were made to dig wells for the camp, but all three brought up salt water. He indicated the camp would not be used next year.

The camp consists of a cluster of green-painted wood cabins—you can not dignify them by calling them houses—and some outhouses in which the refuse reaches to within three feet of the toilet seats.

Inside a typical cabin there are stains on the board walls where rainwater came in. The shack, about 20 by 20 feet, is divided into two rooms by a plywood partition.

Successive families have decorated or defaced it, according to their whims. There are religious pictures and a crucifix and some homesick person scrawled, "Mercedes, la reina del valle" (Mercedes, queen of the valley).

Mercedes is one of the Rio Grande Valley towns that many migrants come from.

In one room is a rough open cupboard, an equally rough board table and wooden benches.

On a shelf attached to the wall are three gas burners for cooking. There is no oven. In the middle of the room is a wood-burning stove where provisions are stacked. A refrigerator is in the corner.

In the rest of the available space and in the second room there are beds—cots really, low iron bedsteads which were once painted white, with thin mattresses.

Ten people sleep in these two rooms.

At the camp owned by Walter Runge in Berrien County, four of the six shelters (leaning wooden shacks) were closed by the health department this spring. To get a license for the remaining two, the owner was ordered to dig a new privy, according to Robert R. Kaukola, a State Health Department official.

More than a month later the only indication of compliance was a three-foot deep hole, the beginning of a new pit.

The camp residents—two black families from Louisiana who came to pick strawberries—used the old privy.

The two families were jammed into the two usable shacks—weathered wooden structures covered with imitation asphalt siding.

The shacks each had one small window and one wooden door. With the door closed, it was dark and stifling.

Between these hovels and the four declared uninhabitable runs a ditch of stagnant, insect-breeding water. Flies swarm around rusty trash cans. The trek from the shacks to the privy is an obstacle course of mud puddles.

Sometimes it is a question of who has first priority on buildings, migrants or livestock. A Grand Traverse County farmer named Oliver Tompkins, for example, converted a cattle feeding shed next to his barn into a shelter for cherry pickers.

According to the State Health Department, three or four migrant families were living there when the so-called camp was inspected July 30. The inspectors reported manure-spattered plywood partitions separated the families.

There was no ceiling in the shed and the partitions did not reach to the roof. The floors were cement; there was little furniture. The place smelled of manure.

Health officers ordered the owner to vacate the shed and correct the violations. When he did not, they asked and got a warrant against him Aug. 4.

Grand Traverse County Assistant Prosecutor William P. Long said the case will probably come to trial sometime in September, after most of the harvest is over.

Near Erie, in Monroe County, the Antonio Ortega family of 15 spent several weeks in a small barn, which also housed stacks of bushel baskets used for picking tomatoes.

Insects and rats, said Ortega, claimed the baskets for home.

But the Ortegas were hardly in a position to move: They'd come north from Texas on a vague promise of work in the sugar beet fields, but when they arrived there was no work.

They stayed in the barn for almost a month before two men in the family were given a day's work tearing down an old barn.

Health department regulations will not require migrant camps to have shower or bathing facilities until 1971. In 1968 only a third of them did, according to the Annual Progress Report on the health department's Agricultural Labor Camp Licensing Program.

Sometimes even showers are a mixed blessing. In a camp near Capac, the showers are on a small hill at one end of the camp's two rows of dreary cabins. Water from the showers collected into a mosquito-breeding swamp in the middle of the camp.

Most migrants drift at one time or another to the rich fruit-growing regions of Western Michigan. There are 343 camps in Berrien County licensed to accommodate 10,133 migrants. In neighboring Van Buren County, there are 261 camps with a licensed capacity of 12,623.

During the cherry and pickle seasons, migrants pour into the camps, hoping for little luxuries like privies where the refuse pits have been treated with lime, cabins with adequate ventilation, or camps on high ground away from swampy, bug-infested areas.

But sometimes the migrants find camps like the Longshed Camp, a depressing collection of four weathered, unpainted wood cabins along a rutted road that is dusty or * * *.

The Berrien County camp, owned by Walter Schaenefeld, has a license that makes it legally habitable. It also has a frayed electrical cord in one of the cabins that spews sparks into the dry wood roof and an outhouse so infested with rats children from the camp are afraid to use it.

"This is awful," complained a Detroit mother, who with her husband and seven children, trekked to the area to pick fruit.

She leaned against one of two double beds in the cramped one-room cabin. The cabin was no more than 15 by 20 feet, but it held the two beds, a battered refrigerator, a gas burner, a dresser and nine people.

Like many migrant shacks, there was no running water. Water came from a hand pump across the road.

"We need a bathroom, running water," the woman said. "It's not fit for nobody."

Generally, migrants pay no direct rent for their shacks, though they often pay for equipment and other things, such as cooking gas, electricity, hoes, mattresses and mattress covers.

Most migrants are trapped in a cruel economic cycle which draws them north each year, buoyed by hopes and rumors that work is plentiful and the wages high and this year will be a good year.

There's a little work in Texas, they say. They hope to make enough up north to keep up payments on their homes and cars in Texas. Sometimes they do. Often, they return with only a few dollars in their pockets.

For example, pretty, dark-haired Adela Sanchez, 24, came with her family from Falfurrias, Tex., because they heard of better work in Michigan.

"We have an uncle who came last year. He was getting pretty good money, and we were not doing well in Texas," she said. So the family—all seven—came to a camp near Bach in Huron County.

But there was not as much work as they hoped. "Next year I don't know," said Miss Sanchez.

Six workers in the "Garcia" family (an assumed name) netted a total of $57.37 each for five weeks work in the sugar beet fields.

There are 14 in the family. The workers, whose earnings were recorded by a Civil Rights Commission staff member, labored from eight to 32 hours a week. There never was enough work to keep them busy full-time.

The six workers—mother, father and four oldest children—grossed $862.62. But food,

insurance and other things reduced their earnings to $344.22.

"I think this is about typical," said Santiago Rios, a field worker with the Civil Rights Commission's migrant project. He said none of the families on which he collected data made over $500.

Many families get advances from growers' groups to enable them to come from Texas to Michigan and these, too, must be repaid out of earnings.

Sugar beet workers are advanced a living allowance of $6 to $10 a week per adult and about half that for a child. The sum is so low many families seek government food stamps or surplus commodities to make ends meet.

Theoretically, migrants bargain with employers to get a fair price for their labor. In practice, however, they have little bargaining power.

Take the case of Jose, who would not tell hs last name because he feared retaliation.

Jose and his family spent last June and July in a camp near Capac called the Jewel Camp.

"They told us in Texas they would give us $27 an acre. Up here they said $15, and now we have to fight for $14 an acre," Jose said.

"The boss took us out to a farmer, who wanted to pay too little," he said. "It was a bad field. I said: 'No. We won't do it for that much.'

"So the fieldman brought us back and said he would take someone who was willing to work. We didn't get another job for two weeks."

Most migrants who work sugar beets think they work for one of the big processing firms. In fact, said Flegenheimer, whose Michigan Sugar Co. of Saginaw is the largest sugar beet processor, migrants are employed by individual farmers in whose fields they toil.

Michigan Sugar merely performs a service for the farmers by keeping track of the migrants' wages and paying them out of money the company pays farmers for their beet crops, according to Flegenheimer.

This means migrants seldom work for one employer long enough to be eligible for Social Security or workmen's compensation.

The farmers or Michigan Sugar, which owns many of the migrant camps, keep track of the workers' deductions and earnings. At the end of the beet season they get a check and a "settlement sheet" listing earnings and charges. That is the only time they get paid.

Pickle and cherry workers get paid every week or two. But sometimes employers use another gimmick to keep their workers in bondage.

They withhold what they call a bonus from migrants' wages a portion of the workers' regular earnings held until the end of the season to make sure he stays.

One migrant family, working near Traverse City learned of the death of a relative in Texas. They asked the grower for $1,000 the family had earned, so they could go back to Texas. The grower said no.

Another family, living in a Monroe County camp, got a call that the wife's mother was gravely ill in Texas. The call came to the farm owner. He told the caller the wife could not come to the telephone, would not be allowed to leave the camp and could not receive any more telephone calls.

[From the Detroit (Mich.) Free Press, Aug. 17, 1969]

A Father Saw His Baby Die

(By Ed Icenogle)

Raymond Caro's first-born son died this summer.

A doctor said the baby died of dehydration. Caro, a 20-year-old migrant farm worker, said the baby died because the hospital in Watervliet would not admit his son.

Raymond Caro watched his baby die, slowly. Panicked by the child's continuous vomiting and diarrhea, he had taken Raymond Jr. to the hospital.

He said a nurse there refused to admit the infant. She talked with a doctor over the phone, describing the baby as having no temperature or apparent vomiting and diarrhea, Caro said.

Caro, reticent like most Mexican-Americans when faced with bureaucracy, left the hospital.

That was Sunday evening.

By 5 a.m. Tuesday the baby was dead. The mother of the nine-month-old infant wandered away from their migrant camp, dazed and possibly in shock. She was found several days later at an Indiana relative's home.

Caro sent his wife back to her Texas family. Now he's working alone, trying to make some money and pay the $42 he still owes for the baby's $100 burial.

"The superintendent of the hospital apologized for the death of the baby and said it wouldn't happen again," said Caro, a handsome, sad young man whose quiet English is softened with Spanish accents.

The hospital administrator, Mrs. Aileen B. Miller, denied that Caro was given an apology or told "it wouldn't happen again."

"The nurse reported the temperature to the doctor," she said. "The baby didn't seem to be critically ill."

The only difference between the treatment of the Caro baby and the child of a local resident, Mrs. Miller said, was that the doctor probably would have previously seen the local baby and known its medical history.

A social worker who attended a meeting between Caro and Mrs. Miller said the baby's death is typical of the migrant in Michigan.

"I think it is significant. If a city councilman came in and was turned away, he would insist," said Anderson Hewitt, program coordinator of Michigan Migrant Ministry, a project founded by the Michigan Council of Churches.

"But the farm worker is reserved and meek," Hewitt said. "He won't press it. He won't say, 'You give me the service or I'll sit here until you do'."

Raymond Caro didn't press it. Hospital procedure required a doctor to admit the baby, but no doctor was there and apparently the nurse did not think the baby ill enough to call in a doctor.

Baffled by being turned away from the one place he knew could heal sickness, Caro took his son home and waited.

"But the thing that got to me the most was the man I worked for," Caro said. "He didn't even express a condolence."

Mexican-American migrant babies die at nearly double the rate of other Michigan infants. Four hundred migrant infants out of every 10,000 die before they are 12 months old.

For the state as a whole the figure is 220 out of 10,000.

[From the Detroit (Mich.) Free Press, Aug. 17, 1969]

A Dream Vanishes, a Battle Starts

(By Mary Ann Weston)

Jose Hernandez, 19, brought his wife and two little girls from Mission, Tex., to Breckenridge, Mich., in a broken down school bus. A labor contractor had told him he'd earn $130 a week weeding pickles.

After a month in a Michigan migrant camp Hernandez's shiny dream of hard work and good wages had rusted into a nightmare of enforced idleness, squalor and frustration.

In that time he netted exactly $5. He then decided to "do something for my people."

Hernandez, a good-looking young man with curly brown hair, took his wife, Yolanda, 17, and their daughters, 19 months and eight months, out of the camp and to the Detroit headquarters of the United Farm Workers Organizing Committee (UFWOC).

Hernandez now works for the union, trying to organize his fellow migrants.

The Hernandez family earns expenses, room (sometimes the gym of a Catholic school, sometimes the home of another organizer), board and little else.

For Jose Hernandez, that's a big gain.

There were about 40 people besides the Hernandezes on the rickety bus from Texas. Hernandez thought the contractor would give them money for food. He didn't know the money would have to be repaid.

Hernandez reluctantly took $10 to buy powdered milk for the babies. That's all they had to eat on the trip.

They rumbled into their "camp" near Breckenridge during a downpour. It was a sodden collection of tumble-down shacks in a weedy field.

"The grass was up to your neck. There was no heat. There were holes in the floor. The roof leaked," Hernandez said.

The Hernandez family and another one—eight people in all—crowded into one two-room shack.

It had no running water, no bathroom, no laundry. The refrigerator worked sporadically. Rain came in through the roof. The family shivered in the spring chill.

There was no work.

A baby in the camp got sick. Its mother asked the contractor to take her to a nurse or doctor. "Do you have money?" the contractor asked.

The mother shook her head. "Then you can't go," he said.

In their 29 days in the camp, the Hernandezes worked only three, and only one of those days was a full eight hours work.

"There was nothing to do," Hernandez said, "but lie around and complain, complain."

When Hernandez asked for his pay, the contractor gave him a check for $47 and told him to sign it over. Hernandez did. The contractor took the check and gave him $5.

Hernandez took his family from the camp to the union headquarters in Detroit.

"I'm fed up," he said. "I'm fighting. Not just for me, but for my people . . . I've been working on farms, getting pushed around. I don't want this to happen to my kids."

[From the Detroit (Mich.) Free Press, Aug. 17, 1969]

A Big Grower's Camps: Flies, Mosquitoes, Illness

(By Ed Icenogle)

Joe Hassle says he runs a "big, happy home."

His "home" is a 3,000-acre Van Buren County string of farms with 15 migrant labor camps and nearly 1,200 migrant workers and their families.

Joe Hassle is one of the biggest growers in Michigan. His camps are some of the worst.

People who work with him and against him, describe Hassle in many ways: Rich, powerful, eager—and other things not even remotely printable.

"I started with 80 acres," Hassle says in animated words and gestures. "Now it's over 3,000 acres. Last year we produced over a million pounds of cherries and 10 million pounds of beans.

"The only way to make it is to get bigger and cut corners."

But some of the migrant laborers who work there say that they are the corners he is cutting.

"We will never, never in our lives go back to the Hassle camp," said the wife of one worker. "We don't want anything to do with that farmer."

Four of her children were sick this summer, she said, because of living conditions in Hassles Krohn Camp.

Krohn Camp is a cluster of 35 wooden cabins, secreted from sight by trees and heavy undergrowth. It borders a swamp, and the mosquitoes are as thick as flies—which are as thick as the swamp mud.

"The flies would swarm the food," one

laborer said. "You put a piece of meat on the table and the flies would just swarm it.

"You couldn't even keep the mosquitoes off the face and mouth of the babies."

This migrant, who earned $126 for two months work, is convinced the conditions there caused the sickness that hospitalized his infant daughter for a month.

Social worker Don Folgueras, a summer worker for United Migrants for Opportunity, Inc. (a federally-funded program), suspected the Krohn Camp water supply was causing the sickness. He attempted to take a water sample, but Hassle saw him and ordered him out of the camp.

"I told him if he came back, I'd put my fist through his teeth," Hassle said. "He came back, so I did what I told him I'd do."

Folgueras, an Albion College student, said several days after the incident through still-swollen lips that he had returned to the camp to visit a family with sick children.

Hassle called him a "long-haired ——" and belted him.

The grower hit him twice in the face and then kicked him when he bent to pick up his eyeglasses, Folgueras recalled. Witnesses confirmed Folgueras' account.

"The boy wasn't doing nothing but trying to help," one migrant said.

"The second day," Hassle said, "I didn't give him a chance to say anything." The day before the incident, the youth had told Hassle he was from the "Health Department."

Although Folgueras did not strike back or defend himself, he was booked by Van Buren County Sheriff's deputies for trespassing and being a "disorderly person."

"Hassle is getting too big, too fast," said Robert R. Kaukola, a state Department of Public Health six-county coordinator of labor camp licensing. "If only Joe and others would just hire one or two people to maintain the camps . . . to see that the work's done."

However, Hassle said he doesn't have surplus money to put into migrant housing. He already spends $20,000 a year on it, he said.

"This is one of the top farms in the area," he said, "but we don't make a lot of money. We just keep going."

"We've worked hard, pushing hard, had some lucky breaks. I can't complain."

But several migrants have complaints.

"Hassle paid us only $1 for bigger-than-regular lugs," one said. "Last year it took two buckets to fill a lug with cherries. This year it took four buckets."

In six weeks at a Hassle camp, another worker reported earnings below the $150 minimum needed to credit his Social Security.

But Hassle insists "the migrant is happy."

"This is a big, happy home," he said. "They help us and we help them.

"Why, 95 percent of the farmers think more of their migrants than their own kids," he said.

[From the Detroit (Mich.) Free Press, Aug. 18, 1969]

POLITICS AND WEAK LAWS LET GROWER ABUSE HARVEST HELP

(By Ralph Orr)

There are four things the migrant worker should do to make top dollar in Michigan: pray for a bountiful harvest, work his tail off, put his wife and kids to work alongside him, sleep in the field at night.

Because of loopholes in both the state and federal minimum wage laws, which theoretically "cover" him, this is his best bet.

The pay floor legislation is typical of the few laws on the books that benefit migratory workers—full of fish hooks for the worker and escape hatches for the employer.

The State agencies that enforce the laws are understaffed, underfunded and thus generally lax in forcing growers to comply.

Some of the legislation, which was innocuous in the first place, was later amended to weaken violation penalties, delay its effective dates or otherwise emasculate it.

The minimum wage law is a case in point.

It was enacted in 1964 to cover all employers who hire four or more workers at any one time, including farm employers. It raised the minimum wage in three stages to $1.25 hourly, which became the state floor Jan. 1, 1967.

It applies only to workers between the ages of 18 and 65. Legally, the grower can pay the teen-ager or retiree whatever he chooses.

One year after the bill was signed, and before the 1965 harvest season, the law was amended to permit piecework rates for harvest workers and exclude them from coverage until the rates had been set.

"This is the way we always have paid them. It gives them more incentive," farm lobbyists insisted.

Setting of the rates was delegated to the Wage Deviation Board, an agency created by the act to do exactly what its name implies: establish deviations from the minimum.

But since the nine board members knew little about harvesting, the job of making labor studies was farmed out to the Rural Manpower Center of Michigan State University.

Its studies were not completed until June 15, 1967, when piecework rates for picking 22 fruits and vegetables became effective. This was 30 months after all other workers came under the minimum-wage umbrella for the first time.

The law specifies that the rate be based on the pickings of the "average, diligent" worker, but requires that he cannot receive less than $1.25 hourly.

The fact is, he often does receive less when the pickings are slim at the beginning or end of the harvest season. A teen-age girl picking pickles near Keeler early this month worked 1½ hours and earned 50 cents. The piecework rate is .019 a pound.

Another gimmick empowers the wage board to determine the value of lodging and other fringe benefits provided by the farmer. He then is allowed to deduct an amount equal to their value, up to a maximum of 25 percent, from the earnings of one wage earner per family.

The employer is allowed a credit of eight cents per hour for single worker occupancy of a living unit or four cents per hour for multiple worker occupancy. If the living quarters happen to have certain adornments, the farmer can deduct more.

If the migrant father lucks out and gets a cabin so commodious as to have pressure water (4c), toilet (2c), shower (10c), his employer could deduct 16 cents from his hourly wage, leaving the migrant $1.09 hourly.

(In a burst of compassion, the board once ruled that no housing credit would be allowed for "sheet metal shells" that become ovens in the Michigan sun.)

Thus, forced to import workers because few people in Michigan would work the low wages, the farmer can charge the worker "rent" for the often less-than-habitable quarters he provides to keep the migrant here until the harvest is over.

The only way to beat that deal is "to sleep in the fields," said State Sen. Sander Levin, D-Berkley, who has done his share of jousting with rural legislators.

The federal wage law, which applies principally to larger growers, is little better than Michigan's. The floor for farm laborers is $1.30. The federal law has the same loose provision that allows the farmer to deduct from wages the "reasonable cost" of lodging and other facilities.

Neither law has overtime provisions. And the worker cannot bargain for premium pay because he is protected by neither the National Labor Relations Act nor the State Labor Mediation Act.

Wages for hoeing and thinning sugar beets, a big Michigan crop, are set by the U.S. Department of Agriculture on a piecework basis under the Federal Sugar Act.

Until 1968, when a hearing was held in San Antonio, Tex., public hearings on Michigan beet scales were held in the winter—when the migrants were back in the South, and could not testify.

Carlos Chavira, a migrant who has been summering in Michigan beet fields for 16 years, had his best year in 1968 when he, his wife and three of his 11 children made $1,800 in two months and three days.

The migrant is not eligible for unemployment compensation.

Even the Social Security Act is weighted against him. It requires deduction of the Social Security tax (and payment of an equal amount by the farmer) only if the migrant earns $150 or more from the grower in a year, or if he works for the grower on 20 or more different days in a year.

Short harvest seasons for each crop virtually rule out coverage. Many farmers simply ignore the law, seldom even ask for the worker's Social Security number.

Harold Cole, manager of the Social Security branch office in Monroe, said the Social Security issue is moot in any case. "The average life expectancy of the migrant is 49 years," he said. "He seldom lives to collect the benefits."

Neither state nor federal statute prohibits their working on hazardous farm jobs or while school is in session.

Farming is the third most hazardous industry in the nation, yet workmen's compensation for the Michigan farm worker did not begin until 1967. The migrant is protected if he has worked for an employer 35 or more hours per week for five consecutive weeks. Here again, short crop seasons often rule out coverage.

He is covered only for medical or hospital costs if hurt on the job and cannot receive the weekly disability benefits other protected workers get. He can sue the grower if he loses a leg under a tractor, but the law gives the farmer so many defenses it is almost impossible for the worker to collect.

The legislature did enact a law to license and regulate farm labor camps in 1965, and in general the Health Department's labor camp unit has tried to enforce it.

But the act was gutted when it was amended later to reduce the penalty for violations from a high misdemeanor to a normal misdemeanor.

This took such actions out of circuit courts, where clogged dockets often delayed proceedings, and put them in local courts, where justice was more swift.

What it also did was put cronyism in the picture. In rural communities where everybody knows the judge, the few farmers brought to justice (only six were taken to court in 1968) sometimes get off with a $15 slap on the wrist for letting their camps become pigpens.

One grower was fined $5 by a rural jurist for a camp violation. "This is frustrating," said Norman Papsdorf, chief of the labor camp unit.

Most of the 50,000 migrant workers who are harvesting Michigan's fruit and vegetable crops this summer will reap their own grim harvest of misery and poverty.

Nomads who move from state to state and crop to crop, they have no money, no power and no voting rights.

"They are not even second-class citizens," said State Rep. James Bradley, D-Detroit.

"They are conscience-wringers who exist in a society not geared to people on the move," said Dr. Daniel Sturt, director of the Rural Manpower Center.

But if they prick the consciences of some Michigan citizens, it is not for long. They are here today, in Texas tomorrow.

"That's the trouble, they are the constituency of nobody," said State Sen. Roger Craig, D-Dearborn, one of those who believes Michigan owes more to the workers who cultivate and pick her $152-million fruit and vegetable harvest.

There are many reasons why the migrant is a nameless victim of exploitation.

The major one is the understandable fear of rural legislators and some of their suburban colleagues that progressive laws would add to the labor costs of the Michigan farmer and put him in an unfair competitive position with farmers growing the same crop in a less progressive state.

Farm Bureau lobbyists cultivated that fear. The result, for years, was total inaction.

From 1957 through 1964, the Legislature considered 16 migrant bills. None passed.

Since 1964, the year the minimum wage law passed, 12 "migrant labor laws" have been enacted. While the total sounds impressive, most of the laws are not. Besides the workmen's compensation and labor camp laws, this is the box score:

In 1966 the Legislature delayed the effective date of the workmen's comp provisions one year, until May 1, 1967, so insurance rates could be studied.

In 1965 the Legislature appropriated $15,000 to operate elementary school classes for migrants' children on an experimental basis. The funds never were used.

The Legislature in 1965 ordered the Department of Agriculture to adopt safety rules for certain vehicles used to convey migrants to and from work. A year later the lawmakers decided this should be done by the Department of Commerce.

In 1966, the Legislature approved establishment of at least two overnight rest camps for migrants. Although federal money for this project is available on a matching basis, the act never was funded.

Another 1966 law requires emigrant agents (crew leaders) to file weekly reports listing workers, wages, transportation arrangements and other terms of employment. Few such reports are filed by the crew leaders, some of whom cannot read English.

A 1966 appropriation bill approved reimbursements to counties providing hospital services to migrants or indigent people with less than one year's residency in Michigan. In 1967–68, the reimbursements totaled $106,330—an average of about $2 per worker.

The act also increased the allotment for urban and rural day care centers. In 1967–68, the Department of Social Services spent $32,244 to regulate and counsel day care centers operated by volunteer groups.

In 1967 the Legislature again weakened workmen's compensation coverage for some farm workers by requiring that they be employed at least 13 consecutive weeks in a year. Previously, the 13-week period did not have to be consecutive.

Last year the Legislature established a seven-member Commission on Agricultural Labor to "seek to improve living and working conditions" of farm workers. Gov. Milliken's appointees include four growers or processors, one state employe and only two men representing workers.

The migrant bills introduced this year would fill a bushel basket.

Only one passed. It required an employer to pay migrant workers at least every two weeks. This outlaws the withholding of "bonus" money until the final payday, which migrant leaders say is a way of keeping them in bondage.

The bill, which was not signed by Gov. Milliken until Aug. 5, also specifies that migrant workers and domestics be given an itemized statement of earnings and deductions. For most migrants, this was legislative lily-gilding: the minimum-wage act already required such statements.

This year's migrant bills were bottled up in the Senate by Republican-controlled committees. But there is little evience that simmittees. But there is little evidence that simtrolled House were pushed enthusiastically.

Harold Cole, the Monroe social security aide, believes only Congress can solve the migrant dilemma.

"There should be total federal jurisdiction over the migrants and all their problems, on the interstate commerce theory," he said. This would eliminate unfair competitive advantages between states, he contends.

Until then, it is likely that what one Michigan legislator calls the "boondocks philosophy" will prevail in Michigan and other farm states.

That philosophy was expressed several years ago at the Wage Deviation Board hearing on piecework rate for picking blueberries, which the board had set tentatively at 13.8 cents a pound. "Blueberries are as American as Thanksgiving Day, and paying somebody 14 cents a pound to pick them is a radical idea," one grower testified.

The board set the rate at nine cents a pound.

[From the Detroit (Mich.) Free Press, Aug. 18, 1969]

LEVIN URGES STATE ACTION ON MIGRANT LABOR PROBLEM

State Sen. Sander Levin, D-Berkley has urged Gov. Milliken to confront the migrant worker problem by calling a broad-based meeting to map action for the 1970 legislative session.

"The time is overdue for a concerted attack on the unsolved problems facing the migrant worker," Levin said in a letter to the governor.

Levin, Senate minority leader, said Sunday his concern was "deepened" by disclosures in the first of a Free Press series on the migrant dilemma.

He said the action meeting should involve the executive and legislative branches of the state government, both political parties, the public sector and migrants themselves.

Levin criticized Gov. Milliken's failure to include migrants in his new Task Force on Migrant Labor, headed by Dr. John Dempsey, the governor's special assistant for urban affairs.

"The task force does not include any representatives of migrant workers, or legislators or any of the private agencies vitally concerned with migrant worker problems," he wrote.

The task force, comprised of directors of seven state departments and commissions, is the third group to study the migrant problem.

A commission appointed in 1964 by former Gov. George Romney conducted a two-year study.

Levin was co-chairman of a joint Senate-House committee that investigated work camps and interviewed growers in 1965–66.

"We need the end of study committees and the beginning of faster action," Levin said. "The time for action is now."

[From the Detroit (Mich.) Free Press, Aug. 18, 1969]

THE MIGRANT LABOR CYCLE IS INEVITABLE AND ENDLESS

(By Ed Icenogle)

For tens of thousands of the poorest Americans, migrant farming is total life.

It is seldom voluntary. Few set out to be migrant farm workers, to stoop over dusty acres of pickles and strawberries, to climb rickety ladders and pick handfuls of cherries, to live in fire-trap rat holes. The migrants have no choice.

If migrant farm work is an inevitable choice for many of the rural poor, it is also a permanent one.

Once he is in the stream, the endless biological cycle engulfs the migrant for life. Each winter in the Rio Grande Valley, it means no job, little money and discrimination because of the workers' Spanish surnames. Each summer in the fields of Michigan, it means trying to scratch enough money from the earth to put the family through another winter.

Each generation's pattern is much like another's.

The migrant child is born into poverty, delivered by the vegetable-green stained hands of a midwife trained by birthing as many as nine or 10 children of her own. He cries in a world that deserves tears. Rats, mud, manure, insects; sickness, heat and young people quickly old.

His parents were forced from their meager sharecropping jobs by mechanization, by advancing suburbs, by new man-made lakes for 15-foot, 40-horsepower motorboats.

The child somehow lives. At the age of 8, he joins his parents in the fields. He grows into a classroom of beets and strawberries, not books and schools.

He meets, weds the black-haired, brown-eyed daughter of another migrant, and they bring forth children to continue the cycle.

[From the Detroit (Mich.) Free Press, Aug. 18, 1969]

LAWS PROTECTING MIGRANTS WEAK AND POORLY ENFORCED

The Michigan minimum-wage law allows a farmer to make cash deductions from migrants' earnings for lodging he provides, but only if the plumbing and other luxuries are "immediately contiguous to the family space."

The question asked by critics of the law is what is contiguity?

Tart-tongued Myra Wolfgang of Detroit, one of three employe representatives on the Wage Deviation Board and one who would like to plug the loopholes in the law, has an answer.

"Presumably, they could find a labor department inspector with two weak kidneys and the urge, and point him toward the privy. If he makes it, the privy is contiguous," she said.

The fact is that the Labor Department has only 12 claims adjusters to cover the entire state and none has time to measure the adjacency of outhouses to migrants' cabins.

Like other agencies enforcing the laws touching migrants, the Labor Department is underfunded and undermanned.

The Legislature has been just as reluctant to loosen the state Treasury's purse strings as it has been to adopt meaningful migrant labor legislation.

Another agency short on manpower and funds is the labor camp unit of the Department of Public Health, charged with sniffing out violations in the farmers' work camps.

Norman Papsdorf, chief of the unit, is operating on a $160,700 budget for 1969-70 to cover salaries and expenses for a staff of 16 that includes six full-time and six seasonal sanitarians.

Because the short growing seasons make it difficult for them to check the 2,500 camps, he also can hire local health authorities to make inspections at $15 each. Last year, when he issued 2,443 camp licenses, local inspectors checked 1,003 camps.

Said one legislator: "So out in the hinterlands, where everybody is kissin' cousins, the inspector can let the farmer off with a scolding if the outhouse is full and the place is crawling with flies."

But the Labor Department has no such auxiliary force.

"We have to act on a complaint basis," said a department aide. "We don't have the manpower for spot checks on the minimum wage or piecework payments."

In the last fiscal year, the 12 men made 30 investigations of claims by farm help.

None of the 12 speak Spanish, the language of many Mexican-American migrants. None of the department's literature is printed in Spanish. "Imagine the average campesino trying to read the minimum-wage law in English," said one inspector.

Because of the porous wage floor law and poor enforcement that inevitably is the re-

sult of low appropriations, the grower, as one wage board member said, "can pay the worker what he damned well pleases."

What usually happens is that the migrant gets a handful of bills and is told, "Here's your pay."

Almost universally, employers fail to give migrants itemized statements of wages and deductions.

Some illegally deduct a sum for "insurance" to cover workmen's compensation premiums. Almost without exception, they fail to post copies of the minimum-wage act as the law requires.

But the shorthanded Labor Department can do little about it.

"Why have the minimum wage law at all if there is not enough money to enforce it? If a grower ignores the law, he has a competitive advantage for being a non-conformer," said Dr. Daniel Sturt, head of the Rural Manpower Center.

[From the Detroit (Mich.) Free Press, Aug. 18, 1969]

SENATOR ZOLLAR KILLS BILLS AIDING MIGRANTS; HE'S A GROWER

(By Ralph Orr)

The huts in the migrant labor camp on I-94 east of Benton Harbor are 8-by-12-foot sheet-metal structures with peeling green paint and no insulation.

Heat waves shimmer over them in the summer sun. The garbage overflows the uncovered trash cans.

The camp is better than some, worse than others. It is owned by State Sen. Charles Zollar, R-Benton Harbor.

Zollar is not a big Berrien County land holder. County records show he owns 70- and 168-acre tracts. But his district—Berrien, Cass and part of St. Joseph counties—has farmers who hire large numbers of migrant laborers.

Berrien County alone has 343 labor camps with a capacity of 10,133 people, more than any other county in the state.

Charley Zollar is the chief Lansing spokesman for the farmers who own those camps, and for migrant employers elsewhere.

As chairman of the powerful Senate Appropriations Committee, he can torpedo legislation that would be costly to them as growers and taxpayers. And he has.

His committee was the graveyard this year of three migrant measures. They died when Appropriations failed to report them out.

Senate Bill 907 called for an $80,000 appropriation to establish two overnight rest camps for migrants in southwestern Michigan.

S-908 asked for state payment of non-residents' hospital expenses, under Title 19 of the Medicaid Act, if their home states refuse to reimburse Michigan counties.

S-909 would have waived residency requirements and required the state to reimburse counties for all welfare benefits paid migrant workers.

Zollar comes on strong when the Legislature considers welfare aid to non-residents, even though migrants sometimes are forced to get food stamps and often do not have the money to get back to Texas after the Michigan harvest is over.

When the U.S. Supreme Court last April struck down the one-year residency requirements for welfare benefits, Zollar trumpeted that it would bankrupt Michigan.

"It is a tragedy, indeed, that the federal government continues to shove things like this down the throats of taxpayers when they are trying to get out from under their oppressive burdens," he said.

(Zollar unabashedly added to their "oppressive burdens" in 1967, however, when he used his company plane to carry himself and other senators on six round trips to Mackinac Island for which he handed the state a $1,998 tab for mileage. One round trip coincided with a Republican rally.)

Affable in the Claghorn tradition, with a shock of white hair, partial to black string neckties, Zollar is not disliked even by liberal colleagues.

"He is a solid conservative, but not a nasty one," said Sen. Sander Levin, D-Berkeley, Senate minority leader.

"He is a fiscal conservative still trying to adjust to changing times," said Sen. Coleman Young, D-Detroit.

But they all agree that when there is farm legislation in the hopper, Charley Zollar tends the store.

He turned up at an Administrative Rules Committee hearing last March 4 when new, stricter labor camp regulations were being discussed.

He objected to one requiring separate, annual licensing of each labor camp, and to the procedures to be followed if a new camp operator takes over.

"Too vague," he said of a rule requiring a "first-aid facility" in each camp. (Travel-type first-aid kits will be acceptable.)

He questioned the requirement that refrigerators be provided to migrants. (The labor camp unit of the Department of Health conceded that "central refrigeration" would be acceptable.)

He fought workmen's compensation for farm workers and was successful in helping amend this legislation after it was passed. The amendment he supported weakened the law.

But he struck out on Senate Bill 17, which he introduced in 1967 along with 23 other senators.

It would have removed a section giving migrant workers medical and hospital coverage if injured on the job, and would have inserted a section giving them medical and burial benefits.

Said a Democratic senator: "What they were saying was, 'Amigo, we won't pay your hospital bill if you are run over by a tractor, but we'll pay your burial costs if you die.'"

Zollar, who grows strawberries and nursery stock, led the forces that amended the state minimum-wage law to provide for piecework rates for picking fruits and vegetables.

"Charley and his farmer constituents wanted the migrant paid for what he picked, not for the time he spent in the fields," said a colleague.

"He made his point. He is a very articulate exponent of the piecework theory, and keeps insisting that the plight of the migrant is overemphasized," said Sen. George S. Fitzgerald, D-Detroit.

Zollar isn't anti-everything.

In 1967, he defended the expenditure of $3,000 to $5,000 to renovate and refurnish a lounge for state senators.

Measuring 12 by 25 feet, it is bigger than the cabins he provides his migrants.

[From the Detroit (Mich.) Free Press, Aug. 19, 1969]

FLEDGLING MIGRANT UNION IS SEARCHING FOR ITS ALLIES

(By Ralph Orr)

A two-story brick building surrounded by soybean fields on U.S.-25 just south of Erie (in Monroe County just north of the Ohio line) is the Michigan headquarters of the AFL–CIO United Farm Workers Organizing Committee (UFWOC).

The building once housed a restaurant named El Patio, a name that struck a chord with the handful of Mexican-Amercans directing the fledging union's efforts to organize migrant workers.

The office furniture is Early Hand-Me-Down, scarred and wobbly. There is a telephone with two extensions, but no typewriter, because there is no money for such a luxury.

On one wall is a blown-up photo of Cesar Chavez, the contemporary Spartacus who has led the California table grape boycott and the fight to unionize vineyard workers.

Although there is little money, there is hope, and Chavez sparks it from far-off California.

Julian Herrara, named by Chavez to direct migrant organizing in Michigan, speaks of his appointment as though it were a papal commission. Harrara's assistant, Juan Melendez, speaks of their visit with Chavez a year ago as though it had been a papal audience.

"We are nothing but free slaves, like Cesar says, but, it will not always be this way," Herrara said.

And Melendez added: "the people will do it."

The two best hopes for the campesinos are government and organized labor.

Government has failed them. The Michigan Legislature's efforts, in the last analysis, have been half-hearted. It has been guilty of backing and filling, never facing up to the problem, and many of its members admit it.

Nationally, the federal government has failed in the most vital area by consistently refusing to give farm laborers the protection of the National Labor Relations Act (NLRA).

A simple amendment would require farm employers to bargain collectively with elected worker representatives, a right the NLRA gives to nearly every other American worker.

AFL–CIO leaders have called "unacceptable" the Nixon administration's alternate proposal.

It would create a special board to deal with farm labor and provide for a cooling-off period to delay strikes at harvest time.

"This would leave the workers powerless," a union spokesman said.

It is clear that leadership in this area must come from Congress.

Two bills were introduced in the Michigan Legislature this year to bring farm workers under the Michigan Labor Mediation Act, a carbon copy of the NLRA. Both languished in committee.

Barry Brown, director of the state Department of Labor, while acknowledging that the migrant problem is serious, said a Michigan statute to require collective bargaining would "create a competitive problem between states and work to the disadvantage of Michigan growers."

Legislators share that fear. They argue that higher labor costs for harvesting a bushel of Michigan apples, for example, would give Washington apple growers more of the market.

While the debate drags on, the migrants—living on starches and rummaging through the stacks of used clothing given by church groups and made available at El Patio—are still in what their leaders call peonage.

They are turning to the UFWOC, but not pell-mell, because many are afraid. But inexorably, the roster is growing.

"I am convinced that it is only a matter of time before these workers are organized," said State Sen. Roger Craig, D-Dearborn, after attending a UFWOC rally near Keeler.

Craig saw the fear, however. Heavy rains in June and July kept migrants out of the fields for days at a time. Many had to seek welfare or federal aid.

They are worrying about earning money to get back to the South, not about next year, and don't want to alienate the growers with union talk.

They are leery of job displacement through mechanization, too, a fear cultivated by growers and some state agencies.

There is vague talk of a strike in the Monroe County tomato fields when the harvest peaks there, and an accompanying one-day sympathy "camp-in" by migrants throughout the state.

But many wonder if the UFWOC is strong enough and its communications good enough.

A boost from the AFL–CIO would help, but Herrara has not seen the color of the union's

money, nor have any AFL–CIO or United Auto Workers Union officials been seen around El Patio.

The UFWOC's chief benefactor has been the Detroit Catholic Archdiocese, which has given more than $5,000 for rent, organizers' gasoline and other expenses.

None of the money went for salaries. Herrara, who works full-time in a Monroe stoker plant, takes occasional leaves to work for the UFWOC but receives no salary.

Melendez, on leave from a refinery job, has been more active, but lives out of his car when he is in the field and sometimes has no meal money.

He feels that both the AFL–CIO and the UAW are awaiting outcome of Chavez's talks with growers in California, where both organizations have made heavy financial commitments, before offering help elsewhere.

Melendez, who was once stopped on a country road by four angry farmers and was later threatened by a hammer-wielding pickle grower, believes 1970 will be the year.

"We are not going to wait for these labor relations acts," he said. "We want union recognition and a contract. If they refuse to bargain, we'll keep our people out of the fields."

He talks about a grand plan to organize the migrants in Texas this winter, so that they will be union-oriented, card-carrying members when they trek northward next spring.

"We'll be organized when we come back," he said. "We will be heard stronger and louder," he said.

"No longer can we come north depending on the generosity of the company or the rancher."

[From the Detroit (Mich.) Free Press, Aug. 19, 1969]

SENATOR TRIES MIGRANT LIFE

(By Mary Ann Weston)

State Sen. Roger Craig, D-Dearborn, spent three hot, punishing days laboring in the fields near Keeler, in Southwest Van Buren County, sharing the life of a migrant farm worker.

Craig, a member of the Senate Labor Committee and a candidate for governor, went unrecognized among the migrants. He tape-recorded a diary of his experiences.

"I have been hospitalized for feeling better," he said at the end of the first day's work.

Disguised in an Emiliano Zapata mustache, old shirt and overalls, Craig lived in a migrant camp owned by Ferris Pierson of Dowagiac, a grower who is a member of the governor's Commission on Agricultural Labor, Pierson did not know who he was.

Craig's shack was "a 10-by-12 foot unit with corrugated steel on the outside and lateral sheets of dry wall on the inside held together by bare two-by-fours."

The only furnishings were a two-burner stove and a bare mattress on the floor. Craig had to borrow a light bulb for the single socket.

The windows, he said, were "only framed holes with screens over them." There were holes in the screens.

The other shacks, he said, "are incredibly small and almost completely unfurnished, except for wall-to-wall migrants—men, women and children."

Many migrant camps have no showers. Craig's did. "(They) are right across from . . . indoor toilet stools over an outdoor privy site. The stench is unbearable . . . I can't imagine anyone showering there and coming out feeling clean," he said.

He said he saw no government inspection certificates in any of the cabins or lavatories.

"I have held many jobs in my lifetime, including ditch digging and jack hammer operations on construction," Craig said. "But no job I have ever held is as physically taxing as the 'stoop labor' involved in picking pickles."

He worked with a crew of about 50, mostly Mexican-Americans. The youngest was 9, the oldest in his 60s.

"The midsummer sun beats down on us as we gather the cucumber vines together, turn them over, first one way and then the other, for removing the pickles" he said.

"Vines from neighboring plants in other rows have to be separated . . . The vines are coarse and rough . . . some pickers use gloves. Most apparently prefer not to."

In the hot fields, the workers' only water came from a communal cup—a tin can. "It may be unsanitary, but under the blazing sun cool water is extremely refreshing," Craig said.

Toilet facilities were equally primitive, he reported. "Occasionally one of the migrants, man or woman, would walk into the apple orchard adjacent to the pickle fields and seek relief . . . One little boy today, rather than waste the time walking all the way to the woods (a good quarter mile), just turned his back on the majority of the crew and urinated in the field."

Craig and Ruben Alfaro, Midwest regional director of the Bishop's Committee for the Spanish Speaking, who worked with him, were promised $1 for each bushel of pickles. But 10 cents of each dollar was held back to be paid at the end of the season.

Alfaro explained the system this way: "The extra dime you are supposed to get automatically . . . is withheld (and) called a bonus. Of course you work for it. You do everything you are supposed to do for it but if you leave early . . . the grower or the contractor steals a dime out of every dollar you are supposed to make."

According to Craig's accounting, he earned $27.25. But he got only $26.70. He figured he averaged $1.08 an hour the first day, 90 cents an hour the second day and "a fantastic" $1.55 an hour the third day. (Craig and Alfaro turned their earnings over to the United Farm Workers Organizing Committee.)

Craig was not asked his Social Security number and did not get a statement of his earnings and deductions.

He made less than the state minimum wage of $1.25 an hour.

The minimum-wage law says a worker "of average ability and diligence" should get a piecework rate not less than the minimum hourly wage.

There's no protection for workers of less than average ability like Craig, or like the little girl who worked an hour and a half for 50 cents.

Children commonly worked alongside their parents.

One day after work, Craig noticed "dirty, tired little migrant children . . . returning to their shacks, while right next door at the luxurious ranch-style home of the grower, his children in complete baseball uniforms are playing catch, apparently getting ready for a game."

A migrant explained to Craig the economic advantage of a working family.

"He went to great lengths to explain to me that the man should never leave his family behind because they will cease to regard him as the father and will not turn their earnings over to him.

"He pointed out, the additional amounts of money I would have been able to make . . . if my family were there."

One day, a 9-year-old boy was overheard describing the astronauts to his father as real "hombres." The father said they should try picking pickles. Then, he said, they'd find out if they were real men or not.

The boy later told Craig that when he grew up, he wanted to own his own truck "so he won't have to do any work."

The grueling work left Craig "sore in places I didn't even know I had muscles." But there was a psychological hurt, too.

"There is in this process," he said, "a dehumanization . . . Not until the end of the full day of picking . . . was I ever asked for my name."

Then, "in order to get credit for the 19 half-bushels I picked, the trucker was required to ask. No other information has been asked or given."

[From the Detroit (Mich.) Free Press, Aug. 20, 1969]

FIND NEW PROBLEMS IN CITIES: MANY MIGRANTS DROP OUT

(By Ed Icenogle)

Jose Gutierrez followed the chain of crops in Michigan for years, living in shacks and working for 50 cents an hour rather than sitting idle and hungry in the Rio Grande Valley.

Gutierrez always chose work over welfare. So did his wife and their four children. The children, who every year left school early and returned late so that they could finish the harvest, have worked since they were old enough to drag a lug of pickles across the dusty fields to the collection trucks.

The crops were a chain, linked by their times of maturation and location. Jose followed a generation-old pattern, migrating from thinning sugar beets, to hoeing cucumbers, to picking cherries, pickles, tomatoes and finally apples.

But this year the chain was broken. Cherry harvesting, mechanized by a $20,000 giant which shakes the cherries from the trees, needed only a fraction of the migrant labor it once did.

So Gutierrez had a three-week lapse between hoeing and pickling pickles.

Those three weeks, he found, were the difference between getting by and going hungry.

The migrant stream, glutted with a surplus of workers swept Gutierrez into a stagnant pond of poverty.

Jose Gutierrez is no one person. He is thousands of migrants, undereducated, underemployed and unfamiliar with anything but the cruel chain of crops.

Of the 50,000 migrant workers who leave Texas every summer to follow that chain through Michigan, hundreds of families like the Gutierrezes are leaving their southern homes permanently behind.

An estimated 1,000 families, mostly Mexican-Americans from the Rio Grande Valley, but also a few Appalachian whites and Deep South blacks, are "settling out" of the migrant stream every year.

Rather than returning to the jobless winters with meager wages scrimped from the Michigan growing season, these settlers stay, hopeful of filling labor shortages in Detroit and other urban areas.

With fewer crops to work, many have no choice but to drop out of the migrant stream.

"There is a chain of crops, and movement from one crop to another, and one state to another," explained Grafton Trout, Michigan State professor of sociology, who is completing a three-year research study involving the transition of Mexican-Americans from migratory farm life to urban settlement.

"If any piece of this chain is broken, then the whole chain falls apart," Trout said.

Trout's research included 700 migrant families who settled outside of Detroit—mainly in Saginaw, Flint, Lansing, Grand Rapids, Kalamazoo and Adrian.

Of the migrant stream dropouts, Trout said, half locate in Detroit. Here they join a Latin-American community of 65,000.

The rest typically settle in rural areas where they have worked the crops, later mov-

ing to larger cities with better work and housing and a people of similar culture.

For most it is a big step to leave behind family and cultural ties in southern Texas. Their adjustment is slow and sometimes unsuccessful. Many have never lived in urban areas before.

The adjustment problems of the families, whether in Detroit or the outstate area are similar, state social service agencies indicate.

The primary area demanding adjustment is employment.

"How can you expect the nomadic migrant to function in industry?" asked Gerry McCants, housing relocation specialist for United Migrants for Opportunity Inc. (UMOI). "What does he know of relations with foremen, about deduction and Blue Cross-Blue Shield?

"There are other aspects . . . like, why should he go to work every day? In the fields, if he doesn't want to work, he just doesn't work. He doesn't understand why (in industry) he has to call in."

McCants, a 27-year-old doctoral student at Michigan State, is from Detroit. He was born and raised in the Inner City, but was "appalled" by the migrant camps when he first saw them. Now he is working in relocating migrant families with UMOL, a federally-funded program.

Even in Detroit it is difficult to find jobs for many of the settling-out migrants.

"First of all, we try to identify where to place an individual with no command of English," said Gustavo Gaynett, coordinator of Latin Americans for Economic Development, a community service agency opened this year by the Detroit Archdiocese.

"We usually manage to get some employment for him," Gaynett said, "but not the kind that lends itself to economic mobility."

Problems besides adjusting to the eight-to-five factory life face the Mexican-American father. According to McCants, most men need tutoring in money budgeting, savings, credit and basic skills.

The second major adjustment for settling migrants is housing. Since most Mexican-American families have at least three or four children, and often twice that many, suitable housing is limited.

"When you go to rent, the first thing they ask is 'How many kids you got?'," said Mrs. Mamie Gonzales, a Berrien Springs housewife. Her husband Arthur settled his family there in 1967, the last year the family worked in the fields. Now he has a job as a mechanic in a local garage.

"But what can you do when they ask that," she said. "God give them to us and we can't give them back."

McCants said many of the smaller urban areas have acute housing shortages, and although work is plentiful, there are few adequate places to live. Gaynett agrees: homes for the large families are difficult to find in Detroit, too.

In addition to work and housing, the Mexican-American family has a host of other adjustments to make. The wife, for instance, must learn meal planning, shopping, and community relations, McCants pointed out.

"Like, how is she even supposed to know what cleaning compounds to use on toilets, if she has used outdoor toilets all her life?" he said, "The things which make a home a home in the American dream are all new."

Youth, too, have adjustments to make. Schools are especially rigorous for Mexican-American students, since they are learning in a foreign environment, he said.

"If the parents dropped out of school at the eighth grade, how can they give support to the kids?" McCants said.

McCants urged bi-lingual school counselors, small groups, and enlarged Head Start programs for the children.

"What we need is a complete family uplift from poverty," he said. "A whole program, not a piecemeal attack."

In the face of those problems of poverty, one expert believes the settlers generally are having qualified success.

"In terms of occupational mobility and income, I would say that compared to the circumstances they left in Texas, they (Mexican-Americans) are extremely successful," Trout said. "That doesn't mean they are far above the poverty level, just that they're doing better than in Texas."

But, regardless of their success in social adjustment, the former migrants have become an increasing and lasting segment of Michigan's population.

"They are a permanent addition to Michigan," Trout said. "There is nothing to go back to in Texas."

[From the Detroit (Mich.) Free Press, Aug. 20, 1969]

AS WE SEE IT: SHAME OF MIGRANT LABOR IS TOO HORRIBLE TO IGNORE

No man of conscience could fail to be moved by the incredible tales of neglect and abuse in Michigan's treatment of migrant farm laborers. It is too abhorrent and full of shame for a progressive state such as Michigan to condone.

And yet the most distressing fact about the revelations in the Free Press series on migrant labor is that we have heard it all before. This newspaper has told this same grimy story before. Churchmen have protested before. Reformers have sought action before.

The conscience is stirred, the society is shamed—and the latest governor's study commission studies on.

Then the same dreary excuses come again. The same vested interests work their will in the Legislature. The same silent conspiracy in rural Michigan undercuts the state's efforts to enforce the law. And agriculture, here and elsewhere, goes on enjoying the special dispensation from society that permits such scandalous mistreatment of people to continue.

Does it have to be that way? Will the abuse of farm workers go on until mechanization reaches the last orchard and sheer economics does what consciences refuse to do?

Surely the sovereign state of Michigan can do better.

Gov. Milliken can do more than study the problem to death.

The Legislature can break out of the grip of the likes of Sen. Charles Zollar, himself a one-man vested interest, and go see for itself, as our reporters did and as Sen. Roger Craig did, just what society is condoning.

The Michigan delegation in Congress can be the equalizer, helping to rouse the conscience of the nation to extend effectively the laws protecting workers—minimum wage, work condition regulations, Social Security coverage, the right to bargain collectively—to farm workers. Farmers have had special problems that make them difficult to blanket in under federal protection, but machinery is changing all that.

The bureaucracies, federal and state, can be given the power they need to assure that every grower who claims the right to employ people must provide them with certain minimum standards essential for human dignity. The farmer has always argued that his specail problems and special needs make it impractical, but we feel confident he will find a way if the governments stop temporizing.

All this is not to say that the Legislature or the Congress can make grower and migrant march hand in hand into some bright, shiny new era. The result of reform may well be further mechanization of farm work and the elimination of farm jobs. If so, so be it.

Society then has a responsibility to see that these pitiful workers—like other misused persons who have been washed up on urban shores by the great population tides—have an opportunity to build a decent life, to get paid an honest wage for honest toil. Mere regulation of what they now do will not assure them a decent life and deliverance from hard labor.

That, however, is no excuse for the conditions we have permitted in the orchards and vegetable fields. We cannot, any longer, evade one problem by invoking another. The world is not nice and neat, and we must deal with it as we find it.

In the field of migrant labor, in Michigan, we find it so horrible that action can no longer be postponed.

MANDATORY OIL IMPORT CONTROL PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. CONTE) is recognized for 30 minutes.

(Mr. CONTE asked and was given permission to revise and extend his remarks, and to include extraneous matter.)

Mr. CONTE. Mr. Speaker, on April 1, 1969, I took the floor to present my views on the inequities of the mandatory oil import control program and to announce my intention to introduce legislation providing for its gradual elimination over a 10-year period.

Later, on May 1, 1969, I introduced H.R. 10799, which, I am proud to say, was cosponsored by 53 of my colleagues.

Since then, there have been a number of developments which provide further support for the growing demand to eliminate the quota system.

The most important development is that Assistant Attorney General Richard W. McLaren, Chief of the Antitrust Division at the Department of Justice, has recommended that the entire quota system be abolished. The recommendation was made to the Cabinet Task Force on oil import controls.

I consider the McLaren statement the first encouraging sign that the executive branch may finally be moving toward the position many of us have been urging it to take for years.

Mr. McLaren stated that the present system "imposes serious costs on the economy"—costs which "would not appear to be necessary for the attainment of any reasonable national security goal."

The so-called national security argument is the sole justification offered for the import control program. The theory is that import control is the only way to reduce dependence on foreign imports and assure sufficient supplies for emergency need.

On March 16, 1959, less than a week after the import program was created by Presidential proclamation, I was one of the first Members in either House to take the floor to condemn that action. I said then that no convincing case had been made for the "national security" need, and that the American people were entitled to "something more than a general conclusion hidden under the pious hoopskirt of national security."

Mr. Speaker, I take no pride in having predicted then that the spiraling costs of protected oil would put a great burden on the consumer and our economy in general. It took no brilliant economic analysis to predict the price increases.

And the grim figure now available—that the cost over 10 years has approached $50 billion—is not one for any of us to point to with pride.

As I pointed out in my April 1 speech, there is solid evidence that American resources alone are fully adequate to meet expanded needs in a time of crisis.

First, our domestic oil supplies are more than ample, with approximately 300 billion barrels located underground, good possibilities of future discoveries, and virtually unlimited potential from shale oil.

Second, it has been shown that domestic oil prices are grossly inflated and that substantial reductions could be made without endangering the health of the industry.

Third, the overall efficiency of the domestic oil industry would be substantially improved by the impact of free and open competition with foreign oil imports.

Mr. McLaren agreed with this, when he said that what is needed to meet such emergencies is "an industry conditioned by competition to react quickly to market changes."

Even if we accept that some government action is required to guarantee petroleum sources in a time of crisis, the plain fact is that the quota system has not worked. As the McLaren statement noted, after more than 8 years of the import control program, our available oil capacity "barely sufficed to cover our expanded demands" during the 6-day war in 1967.

Mr. Speaker, for my colleagues' information, I include at the close of my remarks the summary of Mr. McLaren's submission to the task force. Another recent development has provided additional evidence that, despite dire predictions from industry spokesmen. Our domestic oil industry can be expected to compete effectively with foreign oil, once quotas are removed.

A staff study, recently prepared for the Cabinet Task Force on Oil Import Controls, has concluded that "at current world prices," Alaskan north slope crude oil "could be sold competitively at any point in the continental United States, even if all U.S. oil import quotas were removed."

Moreover, Mr. Speaker, this prediction does not take into account the even greater savings that can be expected if a passable route for giant tankers can be found through the "Northwest Passage." Many of us, of course, are anxious for the success of the current voyage of the SS *Manhattan* to establish such a route.

The task force study concludes that, if the Northwest Passage is economically feasible, "north slope crude oil could be sold competitively" in northern Europe as well as Japan.

I want to remind my colleagues at this point that my bill, H.R. 10799, takes fully into account the need for a transition by providing for a gradual phasing out over a 10-year period.

While the national security argument has been further discredited, and new evidence of the oil industry's ability to prosper without quotas has been presented, there have also been new indications that the costs of the current program, both to the consumer and to the general economy, are even greater than many of us imagined.

In recent testimony before the Senate Antitrust and Monopoly Subcommittee, it was stated that the annual cost may now reach $7.2 billion a year, and that abolition of quotas could reduce gasoline prices by 5 cents a gallon and home heating oil prices by nearly 4 cents a gallon.

I want to take this opportunity, Mr. Speaker, to again commend the outstanding service being performed by the Senate subcommittee in its hearings on Government intervention in the petroleum industry. For the information of my colleagues, I also include at the close of my remarks an excellent account of this committee's latest hearings in the New Republic of August 30, 1969.

Just as serious as the cost factor in my own New England region is the ever-present threat of shortages in home heating oil that has prevailed over the past 10 years. The specter of a new and serious shortage has been raised again in recent alarming testimony before the Hart subcommittee. Mr. Arthur T. Soule, president of the Independent Fuel Terminal Operators Association, stated:

> We foresee in the coming winter a serious supply gap and shortages that may approach the crisis condition of 1967–68, when, despite claims to the contrary, there were physical shortages of oil at the cargo and wholesale levels in the Northeast during intervals over a two-month period.

Surely, no one here needs to be reminded that, for New England with its harsh winter climate, this is not a matter of mere comfort or convenience; it can be a matter of survival.

In closing, Mr. Speaker, I am hopeful that this new evidence of support for the abolition of our mandatory oil import control program will lead all of us to redouble our efforts to that end. I have today renewed my request that the Ways and Means Committee begin hearings on my bill promptly.

This body should not allow itself to be deluded into supporting a program whose only defense is the mere fact that it exists. It has been with us more than a decade now and time has only lent it an artificial stature. Age has not improved it. Unlike the bouquet of fine old wine, this program offers us only the stench of failure.

The referred to material follows:

VIEWS OF THE ANTITRUST DIVISION, DEPARTMENT OF JUSTICE, ON THE MANDATORY OIL IMPORT PROGRAM

SUMMARY

This Division is concerned with fostering competition in our economy. Since restraints on the operation of supply and demand, whether State-imposed on domestic production or Federally-imposed on imports, impair the competitive process, substantial justification for such restraints should be demonstrated. Accordingly, any program to assure petroleum supplies for national security needs should be carefully devised to minimize interference with the forces of competition. Any such program requires, initially, a clear determination of our national security requirements for oil. In this connection, the concept of national security requirements for oil may be variable. It is critical to provide oil in sufficient quantities to defend against aggression. It is desirable to insure continuing levels of domestic supply in the event imports are reduced because of war between foreign powers. However, in weighing the costs and benefits of various alternative plans as to oil imports in the light of the critical nature of the various national security needs, equal consideration must be given to the need for a strong and competitive industrial structure to provide the economy with adequate energy supplies efficiently and at low cost, both in normal and emergency periods.

The present import control system imposes serious costs on the economy. There are the obvious direct costs to consumers of oil which arise from shielding the dometsic industry from the impact of, and the consumer from the benefit of, much lower foreign crude prices. Part of these costs, moreover, stem largely from the sacrifice of competitive pressures, which in turn could stimulate cost efficiencies in domestic production and greater competitive vigor in our crude and product markets. These costs would not appear to be necessary to the attainment of any reasonable national security goal. Because of our pervasive need for oil, there is an additional impact arising from misallocations at every step in the economy stemming from the cost of oil and oil products.

The benefits of the import control program seem less clear. Its stated purpose is to prevent disruption of our domestic industry by protecting it from foreign oil and thus to preserve in being a healthy domestic industry to assure sufficient supplies for emergency need. As a result of such protection, and the benefit received by refiners from the cost advantage of such imports as are permitted to enter, the industry is supposed to be stimulated to develop such reserve productive capacity as may be needed for a national emergency.

The benefits achieved by this means in practice, however, do not seem to warrant the costs involved. In the two Middle East emergencies of 1956 and 1967 it was found that physical facilities developed and available (although apparently adequate on paper) were inadequate to deliver fully for our use the reserve productive capacity which had been built up. In 1967, after some eight years of mandatory import restrictions, the excess productive capacity available, given the production and transportation facilities then in existence, barely sufficed to cover our expanded demand during a comparatively short emergency period.

We believe that sufficient domestic oil reserves for use in an emergency can be most adequately assured by a two-fold approach: first, an industry conditioned by competition to react quickly to market changes; and second, a Government program specifically designed to assure the existence of sufficient reserves and physical facilities with which the industry can expand production quickly. A competitive industry would be able to convert efficiently from foreign sources of oil to domestic sources. The Government program would support the competitive industry by assuring continuing exploration and the availability for expansion of reserves and physical facilities, while avoiding the anti-competitive consequences of the present import quotas and state market demand production limitations. This combination would have significant advantages over the present system.

At present a complex of State and Federal incentives and regulations contributes substantially to cost-inefficiencies in domestic production and inadequate competitiveness in crude oil and product markets. State market demand production limitations, in particular, attempt to achieve equilibrium between demand and available supply, with the effect of keeping control of supply in the hands of existing producers and maintaining the present domestic price structures. The import control program preserves this *status quo*.

Improvement in competitive conditions by change in the present system of controls, or by their elimination, would in our view be

of significant benefit to the nation's interest in low-cost energy supplies, efficiently produced and distributed both in normal and in emergency periods. Imports entering more freely in competition with domestic production would lead domestic prices to decline toward world levels. Some immediate changes in the domestic industry would be entailed, particularly if import restrictions were not phased out carefully, though immediate reduction of our total existing resource base would probably be minor. There could well be some turnover in the composition of the industry at the production level and perhaps to a minor extent in refining. Expansion in the industry, both in terms of exploration and construction of physical facilities except for refineries, probably would lessen in the absence of government incentives. The industry, however would be tougher, healthier, and more competitive, better able to provide for our needs more efficiently and at lower cost; at the same time, domestic oil reserves, both known and presently unknown, would be conserved.

By contrast, the import control program is merely an indirect mechanism which, especially in light of the experiences of 1956 and 1967, may or may not achieve the stated security goal. Indeed, by limiting imports, it may even be self-defeating by encouraging faster use of our domestic oil.

The import quotas themselves do nothing to preserve this country's domestic oil reserves. The preservation of reserve productive capacity is maintained, if at all, by state regulatory action which is made possible by the existence of the import restrictions. The state regulations are aimed at objectives, such as conservation, which differ in some respects from the general national interest in maintenance of adequate security reserves of oil. It would appear more desirable to insure the existence of adequate reserves by methods under the direct control of the National Government. Whatever method of Federal control is used, whether subsidy or some other means revealing the cost of the oil security program, the program could be set apart from normal industry operations and designed to interfere with normal competitive activity to the least possible extent.

We believe strongly that the two-fold approach described above is the most desirable alternative. Perhaps the Government program of incentives for exploration and for construction of physical facilities could be financed in part by a low tariff on imported oil. In this case, the domestic price of oil would fall to a level equal to the world price plus the small duty; in addition, such a tariff might provide a modicum of temporary price support for the nonintegrated, independent domestic producers.

If, however, it is determined that some pervasive restraint must be imposed on imports in order to meet our security needs, the device of a protective tariff would be preferable to import quotas, though not without administrative difficulties. If specified ceilings on the amount of foreign oil imported were to be required, then allocation of available imports by auction rather than administrative distribution would give freer play to normal competitive forces. Either of these alternatives, providing for wholly neutral, nondiscriminatory treatment, would lead to less competitive distortion in the domestic industry than the present system.

Finally, if continuation of an import quota system without auction is decided upon, we would suggest several changes to dampen its anticompetitive impact. We would eliminate historical factors, for example, from the computation of individual quotas, and base the quota on the total volume of crude or products used by the participant in the most recent available period. The program would thus be open to both refiners and marketers in terms of their need for particular products. Of great importance would be amendment of the program to permit cash sale of quota oil. The present system of exchange, by requiring barter and prohibiting sales of imported oil, has no discernible purpose related to national security needs. If, at the very least, open price markets could be established for imported oil, this alone would have a beneficial effect on the competitiveness of the domestic industry.

JOUSTING WITH OIL

(By David Sanford)

Americans pay between five and seven billion dollars a year in excess costs for fuel oil and gasoline because of protectionist oil import quotas that keep cheap foreign oil off the market. The cost of fuel oil is inflated by about four cents per gallon; the cost of gasoline five cents. The car owner who buys 700 gallons of gas a year—which is about average—pays about $35 in overcharges. Families who heat their homes with oil lose $59. Senator Philip Hart, whose exhaustive hearings on the oil import quotas have gone unreported by *The New York Times*, ignored by TV, and buried in the rest of the press, wonders why no one is upset by something that costs us more than Nixon's ABM—at least $50 billion in the last decade.

The Administration itself is of two minds about oil import quotas. The Interior Department, which administers quotas, has released a staff study predictably taking the industry position against eliminating the quota system. In substance it says that doing away with quotas would make domestic oil uncompetitive with foreign oil, would therefore lead to a decline in domestic oil production and an oil emergency if supplies of foreign oil were ever cut off. But the opposite view is taken by Richard W. McLaren, Assistant Attorney General, who recommends that quotas be eliminated. This, says McLaren, would encourage the oil industry to operate efficiently and be "of significant benefit to the nation's interest in low-cost energy supplies." "The present system," McLaren argues, "imposes serious costs to the economy, higher prices to consumers," and is not necessary "to the attainment of any national security goal."

Everybody knows about the oil depletion allowance which makes the oilmen richer than they ought to be. The import quota program is another monumental boon to the oil industry, but it has had less attention.

The oil-import control program was imposed by Eisenhower in 1959, ostensibly to protect the national security. Imports were to be limited to just over 12 percent of domestic production in order to assure that there would always be enough US oil production to satisfy the country's need in the unlikely event that foreign oil were suddenly cut off. Under the program as enunciated by the President, the Interior Department was given the authority to assign quotas to specific businesses, primarily those with refineries in operation before 1959. Interior can take away a quota assignment and put companies dependent on foreign oil out of business. It can grant temporary emergency quotas when oil is short and issue quotas to firms operating in so-called "free port" subzones where oil may be imported. Because refineries most often are located near the sources of oil, import quotas are assigned most generously to companies in oil-producing states. Elsewhere, where refineries are few and far between as they are in New England, the Southeast and Great Lakes regions, quotas are niggardly or nonexistent. The system is irrational but it accomplishes its real objective—protecting the major oil companies from competitive intrusions by foreign oil.

The operation of the quota system is best understood in terms of the effects it has on its victims. Senator Hart's latest round of hearings focused on the plight of Hawaii, New England, and the petrochemical industry, which are extreme but not atypical examples of distress.

Hawaii, for example, is in the grip of the import quota system and the Standard Oil Company of California. Hawaii depends for energy exclusively on oil, which is not produced in the state, but must be imported. Standard Oil owns and operates Hawaii's only refinery. Seven oil companies, including Standard, sell gas and oil retail in Hawaii. All of them buy gasoline from Standard's Honolulu refinery, selling it themselves under their own brands. In fact, the companies are directly connected to the Standard refinery by pipeline. (Standard's "competitors"—principally Texaco, Shell, Union and Phillips—reciprocate in other parts of the world where they have oil and Standard doesn't.)

Standard's Hawaiian refinery gets all of its crude oil under assigned quotas from foreign sources, namely, Saudi Arabia, Iran and Indonesia, where Standard produces crude oil in operations that Standard *owns* in common with several other major oil companies. Oil extracted from the Persian Gulf area and Indonesia is the cheapest in the world. The true cost of crude oil refined in Honolulu is about two-thirds that of domestic crude oil refined in California, despite the high costs of transporting it from its source. But consumers in Hawaii pay about three-and-a-half cents more per gallon for gasoline than their counterparts in Los Angeles.

Standard imports oil to Hawaii under its assigned quotas and produces almost exactly as much gasoline as is sold in the state. It could meet all of Hawaii's needs for gasoline, and at reasonable prices. But there is no competition and Standard manipulates upward the price of gas. Between 20 and 37 percent of the gas refined in Honolulu is shipped to the West Coast—2,400 miles away—at the same time that one of Standard's major Hawaiian "competitors" brings in a portion of its gas *from* the West Coast.

Despite the fact that Hawaii's gas and oil comes from foreign sources, it is priced as if it *all* comes from California. Retail dealers in Honolulu are charged the list or "posted" price Standard sets in California (17.4 cents a gallon) plus a penny per gallon for transporting it across the Pacific. California dealers themselves pay considerably *less* than the posted price. Thus, to use 1967 as an example, Standard's price in Honolulu was 24 percent higher than its average price in Los Angeles. Honolulu dealers paid 3.5 cents more per gallon. Standard might claim that the pricing has something to do with shipping costs, but it clearly does not. Standard sends all of the oil from its Hawaiian refinery that is not sold in Hawaii to Seattle, where, despite transport costs, it is sold at an average of three cents a gallon less than to dealers in Hawaii.

At the retail level, estimates of over charges to customers vary from $13 to $23 million a year—$39 to $69 for every motor vehicle in Hawaii.

Hawaii is without hydroelectric energy, atomic energy. Oil is required to generate electricity, for transportation, industry. One way for Hawaii to escape the Standard Oil Company juggernaut would be to attract a second refinery to provide true competition. But Hawaii would require a foreign trade subzone designation, accompanied by quotas permitting importation of foreign crude oil.

Imposing quotas on Hawaii is meaningless, as William Summers Johnson, Honolulu's Finance Director, pointed out to the Hart Subcommittee: "The main criticism of the oil import quota system, as it applies to Hawaii, is not that it keeps foreign oil and oil products out of the state. On the contrary, substantially all of the oil products used in the state *are* from foreign sources anyway. . . . The fault to be found with the oil import quota program in Hawaii is that it only has the effect of imposing arbitrarily high prices for foreign oil. The program has the practical effect of restricting the business of importing foreign oil—and most particularly the products of foreign oil—to a relative few favored companies." It would serve Hawaii's interests, and the country's to abolish the

entire quota system. Consumers, politicians, and businessmen in New England want Occidental Petroleum Corporation to build an oil refinery, at Machiasport, Maine, to process oil imported from Libya and Venezuela and sell a portion of it to New England oil-heat users. It is something the region needs. The right to import oil freely could save $140 million a year in retail heating-oil purchases. But for New England to get it a much broader consensus is required. The federal government must either grant oil import quotas to Occidental for Machiasport or junk the Mandatory Oil Import Program altogether. The Machiasport matter has been pending at Interior for more than a year.

Eight million of New England's ten million people live in dwellings heated by light fuel oil supplied in the main by 3,800 independent dealers (many of them lately have been bought out by major oil companies). The Presidential order creating oil import quotas has had a drastic effect on the fuel-oil industry, resulting in shortages (in the past two winters oil supplies ran out), competitive advantage to natural gas (for which there are no quotas), and the need for temporary emergency import allocations.

New England, with five percent of the population, uses 21 percent of the country's heating oil—four billion gallons each year. Oil from the Caribbean area imported by Canada without quotas, costs, retail, three cents less than in the U.S. At current use rates each additional penny costs New England $40 million.

Since 1959 New England's only oil refinery has been closed; no new refineries have been built. Because oil and its derivatives are not readily and economically available, New England has no petrochemical industry, which uses oil as a raw material for synthetic fibers, plastics and other products. The plight of New England is ludicrous if only because Maine is the most convenient port for oil imported from Africa and the Middle East. In fact oil *is* brought in to Portland, Maine from these sources and piped 230 miles to Montreal where it is sold for three cents less per gallon than domestic oil in Maine. Maine legally cannot touch the oil. Maine must buy oil shipped by tanker from domestic producers on the Gulf Coast.

Hawaii, New England (and the Southeast) say they want to reduce oil and gas prices for the consumer but their fervid interest in the quota system has also at its base the desire to attract new industry—primarily petrochemical companies—which need access to oil.

The petrochemical industry is opposed to oil import quotas for reasons of self interest, and finds itself in the embarrassing position of favoring tariff restrictions on certain chemicals but opposing quotas for crude oil. Kenneth Hannan, the vice chairman of the board of Union Carbide, testified before the Hart subcommittee as the representative of nine companies (Celanese, Dow, DuPont, Kodak, Monsanto, National Distillers, Olin Mathieson, Publicker Industries and Union Carbide). "We believe," he said somewhat sheepishly, "the U.S. petrochemical industry is an unintended victim" of the oil import program, which he went on to say increases the cost of the chemical industry's raw materials and impedes competition with foreign chemical producers who have ready access to cheap foreign oil. Protected by the import quotas in the market for their traditional products, the oil companies have been entering the chemical business, competing with Dow et al. Standard Oil of New Jersey, for instance, has a chemical division a third the size of DuPont.

The chemical industry can get its raw materials from two sources—natural gas or petroleum. The price of natural gas currently is low enough to allow competition with foreign chemical companies. But the industry is growing twice as fast as the production of natural gas, and prices are going up. By 1975, the industry line goes, the chemical companies will no longer be competitive with foreign firms, unless, that is, they can get cheap foreign oil. The price of domestic crude oil is 60 percent higher than foreign crude. Eliminating restrictions would save the chemical companies an estimated $240 million a year in 1975. And it would allow the companies to set up plants outside the Gulf Coast area where they now proliferate because of the availability of raw materials. The companies' suggestion that they would build plants in the Great Lakes, New England and the Southeast, the natural sites for such installations, is at least in part a ploy to attract support from politicians in those areas, and thus pit them against the oil producing states of the West and Southwest.

The petrochemical industry is saying in substance that if quotas are lifted it will spread its wealth in the South, Northeast and Great Lakes. If quotas aren't lifted, Dow, for one, will take its napalm and emigrate. The threat is not even subtle. "We could," said Hannan, "turn our back on the domestic situation and move ahead with plans for overseas plants—built with *foreign* equipment, manned by *foreign* employees and supplied with *foreign* oil free of import restrictions—and plan to supply the US market with their output. I don't believe the industry wants to do that. Frankly, I do not believe that would be in the national interest, and it is hard to see why our government would wish to continue a policy that would encourage this result."

The performance of the petrochemical companies at the Hart hearings was amusing to watch, if only because they are the natural allies of the oil industry and themselves support protectionist policies favorable to their industry. David J. Steinberg, secretary and chief economist of a group called Committee for a National Trade Policy, Inc., told Senator Hart he thought it "somewhat disconcerting to find that many of these same chemical companies, opposing government interference in the oil market, favor government interference in the chemical market. They have fought tooth and nail to keep the 'American selling price' method of valuation on benzenoid chemicals. It is an extraordinary import restriction which Congress has by legislation accorded to no other industry."

It is highly unusual for corporate giants to take one another on in public before committees of Congress. The oil industry and the chemical companies normally would work out their differences in private on some golf course somewhere. For DuPont to criticize Standard Oil is as unthinkable as for General Motors to bitch openly about the prices of US Steel. But recently both have. In the case of the chemical companies it has finally dawned upon them that the oil industry has uniquely used the government. While other industries hoped government would simply stop bothering them, oil lobbied for itself a gold mine in oil depletion allowances and oil import quotas.

The petrochemical industry, faced with declining profits and bleak projections of future business, decided after a great deal of handwringing (especially at DuPont) to joust with Oil, joining the fight with Hawaii, New England and others who oppose quotas. It is a good fight since an indirect and possibly unintended result of a victory would be a reduction in the prices all of us pay for gas and oil. Consumers thus in this case may benefit from the squaring off of two ugly giants.

Senator Hart, so far, has heard 60 witnesses—economists with abstruse testimony the gist of which is that the import quota system is arbitrary, unfair, and should be abandoned in favor of free market competition; oil company executives, much of whose testimony Dr. John Blair, chief economist of Hart's subcommittee characterizes as "seemingly addressed not to the subcommittee but to the internal officials of their own corporations, inoffensive, conveying no knowledge"; and the statements of businesses and state and local governments of areas that lose out to protectionist import policy.

The issues as discussed in committee seem beyond comprehension to most laymen, and perhaps that is one reason most of us don't know and therefore don't care that we are getting the shaft from the oil industry and its captives in the government, whose oil policies serve neither the national security nor the interests of the people.

AIR PIRACY MUST CEASE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 20 minutes.

(Mr. FARBSTEIN asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. FARBSTEIN. Mr. Speaker, I am today introducing a resolution calling on the President to take whatever action is necessary, including economic sanctions, to protect civil aircraft of U.S. registry from illegal seizure. My resolution would also urge the President to work through the United Nations in an effort to seek ways and means of ending this irresponsible practice. These efforts should include, but should not be limited to, seeking broad adherence to the Tokyo Convention on Offenses and Certain Other Acts Committed on Board Aircraft. Article 11 of this convention provides that a contracting state in which a hijacked aircraft lands "shall permit its passengers and crew to continue their journey as soon as practicable, and shall return the aircraft and its crew to persons lawfully entitled to possession." Unfortunately, it does not include provisions for the apprehension, extradition, when applicable, and punishment of those who seize aircraft in violation of the law.

Last week a TWA aircraft was hijacked and diverted to Damascus, Syria. It was only by the grace of God that the plane did not crash. According to the pilot, if he had been forced to circle the airfield even one more time the aircraft would have consumed all of the fuel. Then upon landing, a bomb which had been used to force the pilot to divert his aircraft, exploded causing extensive damage to the aircraft. Fortunately, no one was seriously injured or killed by the explosion.

To compound the crime, the Syrian Government has refused to release two Israeli passengers and is detaining them illegally. This sort of procedure can only encourage future hijackings.

Mr. Speaker, this is only one incident. There have been many others. Today air travel is like a game of chance. You buy a ticket to Rome or Paris and land in Havana or Damascus or in some other unexpected location.

We must do something to solve this problem. If these hijackings continue, the entire future of international travel could be imperiled. Already the International Federation of Airplane Pilots Association is threatening a 24-hour strike because of the illegal detention of the two Israeli passengers aboard the TWA plane.

Those pilots are responsible for the lives and safety of their passengers. Without worldwide governmental support and effective legal sanctions against

air piracy they cannot protect either the passengers or the aircraft. But in the final analysis, the protection of passengers and crew is the responsibility of the governments of the world. All nations must agree to treat hijackers as criminals and to return them to the country of legal jurisdiction for prosecution. If they are citizens of that country to which the aircraft has been illegally diverted, they should be tried for the crime of piracy and treated accordingly. A report of action taken should then be made to the Secretary General of the United Nations.

Under no circumstances should hijackers be encouraged by the illegal detention of either plane or passengers by any country for any reason.

Mr. Speaker, it should be U.S. policy at the United Nations to urge all member states, who are themselves vulnerable to air piracy, to consider early ratification of the Tokyo Convention.

The United States should also propose a new convention, or a protocol to the Tokyo Convention, providing for the apprehension, extradition where applicable, and punishment of air pirates as a vital step toward solution of the problem of air piracy.

We must make some effort to end the illegal seizure or aircraft before a serious international crisis develops because a hijacked aircraft has crashed killing scores of innocent people.

The resolution follows:

H. RES. 529

Whereas unlawful seizure of civil aircraft places in jeopardy the lives and safety of the passengers and crew; and

Whereas as long as those guilty of air piracy are permitted to escape unpunished such acts are likely to continue; and

Whereas broad international adherence to the Tokyo Convention on Offenses and Certain other Acts Committed on Board Aircraft would constitute an important first step toward the solution of the aircraft piracy problem: Now, therefore, be it

Resolved, That the President of the United States take whatever action may be necessary, including the imposition of economic sanctions, in order to protect civil aircraft of United States registry from illegal seizure; and

Resolved further, That it is the sense of the House of Representatives that the President of the United States instruct the Permanent United States Representative to the United Nations to request a special session of the Security Council to seek ways of bringing air piracy to an end. These efforts should include, but should not be limited to, seeking broad international adherence to the Convention on Offenses and Certain other Acts Committed on Board Aircraft, and to the adoption of measures providing for the prompt and legal punishment of those guilty of illegal seizure of aircraft.

REUSS' MILWAUKEE STATE OF THE UNION HEARINGS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS), is recognized for 60 minutes.

Mr. REUSS. Mr. Speaker, during the recent recess I held a 3-day series of public hearings in Milwaukee covering the issues that so markedly divide our society today, the problems that separate rich from poor, young from old, black from white, and hawk from dove.

There were six hearings, one each on poverty and the welfare system, housing and relocation, consumer problems, taxes and tax reform, war and peace, and youth and the generation gap.

Testimony was taken both from scheduled witnesses and from any interested citizen who wished to express his views. Portions of each hearing were televised by a local station.

Reaction to these hearings has been most favorable, and I feel they served a valuable public function. Time and again witnesses expressed gratitude at being able to communicate directly with someone in government.

The hearings also provided me with first-hand information on the moods and attitudes of Milwaukee citizens, information that will aid me in my role as a legislator.

I feel that the views expressed in these hearings accurately reflect how many Americans feel about the great issues and challenges that face us as a Nation.

I commend the contents of these hearings to my colleagues. Portions of the hearing record follow:

POVERTY AND THE WELFARE SYSTEM, AUGUST 14

PANEL WITNESSES

Robert Lampman, University of Wisconsin, Poverty Institute

Joseph Baldwin, Milwaukee County Department of Public Welfare

Gary Evans, Social Policy and Action Committee, Southeast Wisconsin Chapter, National Association of Social Workers.

Monroe Swan, Director, Northside Concentrated Employment Program

Donald Sykes, Director, Community Relations, Milwaukee Social Development Commission

Ted Uribe, Chairman, Spanish Welfare Rights Organization

Lona Bhiele, Chairman, State Welfare Rights Organization.

Supervisor William O'Donnell, Chairman, Milwaukee County Welfare Board

Mr. LAMPMAN. The question of priority is, I'm sure, very much in people's minds these days. One claim for priority or greater attention is the matter of poverty.

The poverty problem, which was called to our national attention by President Johnson, has been moved somewhat toward resolution in recent years. We have been seeing a smaller number of people in poverty year by year, particularly in recent years, and I would think it terribly important that we continue steps to accelerate that rather good movement toward a smaller number of our population being found below the poverty income line.

At present there are about 11% of the Nation's population found below the line. Another way of thinking of the size of the problem that remains, is that the amount of money in total that separates the poor from the poverty income line is about $10 billion.

I would emphasize that the welfare system is only one of many ways we have for dealing with the poverty question. We also help people who are poor through other income maintenance. For example, social security and unemployment compensation do give some benefits to the very poor person. We also have, of course, the Veterans Administration and quite a number of other programs that do contribute income in one form or another to very poor persons.

Also, we're concerned with the poor in our educational systems and our health systems.

To return to the welfare system, there has been great agitation and great concern about the national welfare system which includes the federal government's participation, the state governments' participation, and the local governments' participation. Both the administrators on the one hand, and the funders, as well as the recipients of welfare, have been very critical in recent years concerning what has been a pretty static system over the period since 1935 when the social security act was passed.

The numbers of beneficiaries have been increasing in recent years, and the questions of whether our state and local governments can finance their share of the welfare system have been very primary questions.

I would like to call attention to the effort that President Nixon suggests we make in revising the welfare system on the one hand, and introducing a new system of payments to poor persons in the form of a family assistance system.

My own view is that this is a constructive step, that it deserves very careful consideration, and that it should be viewed for what it is: a great innovation, a great pioneering step into a new kind of income maintenance system for this country.

Mr. BALDWIN. On July 1, 1969, the Milwaukee County Board of Supervisors adopted the following resolution:

"Whereas, 15 to 30 percent of the nation's people have incomes below established poverty levels, and federal, state and local programs of public assistance have been unable to reduce these figures; and

"Whereas, these public assistance programs have developed unevenly as to coverage and benefits, primarily as a result of state and county limited taxing ability; now, therefore,

"Be it resolved, That

"1) The Federal government take over complete administration and financing of these public assistance programs;

"2) Nationwide minimum standards for public assistance eligibility related to the cost of living in various regions of the country, be adopted."

Milwaukee County, like most of its fellow counties in the United States has never been remiss in helping the poor. Up until 1935, the county cared for the Aged and Disabled through its County Home and its Poor Relief program, but then the problems became too great and the federal government had to enter the picture with Old Age and Survivors Insurance.

Milwaukee County has not been remiss in coming to the aid of families and children, but again the load is getting too great and help from the federal government is again called for. The population of Milwaukee County ranks it among the first 15 in size in the United States, thus permitting its classification as an urban center with all the accompanying social upheavals.

Problems now confronting County Supervisors are not of the Supervisors' making. These problems come from in-migration, from both inside and outside the State of Wisconsin, from automation which dries up the number of unskilled labor needs, from the rise in the number of broken and incomplete families and from continually rising inflation.

These problems cannot be solved by Milwaukee County or any other county. Although the county has tried to do so by carrying on its property tax rolls more than 40% of the cost of welfare and income maintenance programs, it has now reached the limit of its taxing powers and cannot continue to carry this proportion of the burden.

The Milwaukee County Supervisors have therefore proposed that the federal government take over completely both the financing and the administration of the public assistance programs: Old Age, Blind and Disabled Assistance, together with Aid to Families of Dependent Children, and General Assistance.

There might be some who would consider such a transfer as weakening the role of county government. To them let me call attention to the fact that in at least 30 of the 54 tax spending jurisdictions in the United States, the state or its counterpart has

already relieved local communities of the responsibility for public assistance programs. Fully aware of the fiscal problems of state government, Milwaukee's position for itself and for the remaining states where counties are still bearing the burden is "Let's go the whole way this time."

Round table discussions taking place at the National Association of Counties Conference recently held in Portland, Oregon emphasized the role of counties in performing social services. Actually, the ability to perform these social services would be enhanced by the removal of the burden of financing and administering large scale income maintenance programs. Among the social services with which American Counties are now involved are housing, foster and institutional care, training and rehabilitation, transportation, health and the control of environment.

There may be some who will say that vesting the responsibility for public assistance with the federal government would make the programs impersonal and irresponsive. After many years of work in this field, I have come to the conclusion that these programs should be administered on an impersonal basis. As it is now, leeway exists among the states, leeway among the counties within the states and leeway exists within each of the counties with respect to the amount of assistance that a Caseworker may authorize for a given family. This phenomenon is responsible for a continuous battle between Caseworker and client with respect to the amount and kind of assistance that can be authorized.

Milwaukee County's resolution proposes a uniform payment throughout the United States, adjusted regionally perhaps to reflect difference in the cost of living, but promptly and impersonally administered by federal officials, probably those of the Social Security Administration.

The amounts involved should be just high enough so that individuals in need could rely on their own efforts to make up any deficits which their situations may require.

Such a program would put the burden of supporting an income maintenance program on the level of government which has the tax base which could finance it, provides for the impersonal administering of assistance payments in regular, clearly understood amounts, thus requiring a greater reliance upon the individual's own efforts if a deficit exists and finally permits the local county government which is nearest to the people and their problems to concentrate on educational, social and health services designed to bring about total community improvement.

Mr. EVANS. The present welfare system produces second, third, and fourth generations of welfare families. In most cases the real causes of this cycle of poverty are built into the system. Public welfare has many aspects which strip individuals of their dignity and pride. This is rarely the fault of the welfare administrators or the welfare workers. It is usually the structure within which we have to operate that is to blame.

Welfare recipients are constantly reminded that they are different from and inferior to other parents and children. Eventually many come to believe this. This is especially damaging to the children who receive aid under the present welfare system. It is practically impossible for the children not to feel different from their classmates. Children of welfare recipients stand in separate lines when renting their school books. Instead of paying for lunch in the cafeteria, they have a pass with which to pay for lunch. Other school fees are paid in the same manner, separating those on welfare from those who are not on welfare. These kinds of degrading and embarrassing experiences are probably the reason only 3% of ADC families throughout the state are receiving school fees.

Mr. REUSS. ADC being Aid for Dependent Children, the program which I believe President Nixon said was going to disappear into an across the board welfare program.

Mr. EVANS. Right.

Clothing is another sore spot for the children whose parents are receiving welfare. In a nation that is becoming more and more clothes conscious, most children who are receiving welfare have little more than one change of clothing. This again separates them from the others in their school system.

Most of the incidents mentioned thus far are embarrassing and degrading. There are other aspects of the present welfare system that are more damaging. One of these is the lack of an adequate food budget.

According to a study by the Department of Agriculture in 1967, a family of 4 needed at least $100 a month as a minimum subsistence allowance.

In Wisconsin a family of 4 receives $78 a month. It must also be kept in mind the cost of living has increased over 14% since that study was conducted. The $78 has remained the same.

Some children are under-nourished to the point of suffering mental retardation as a result of this. Many others are working below their potential or experience more health problems than the rest of the population.

The present system is also very effective at destroying a youngster's incentive to work. For example, when a 16 year old boy, whose mother receives ADC, gets a job, he's allowed to keep only $50 a month. Anything over that amount is deducted from his mother's welfare grant. In order for the family to maintain their present level of functioning, the boy must contribute the amount over $50 to his mother. So regardless of how many hours a week he works, or what his hourly wage is, he receives approximately 31 cents an hour. This could hardly be incentive for him to continue working.

These are just some of the weaknesses that are built into our present welfare program.

Mr. SWAN. In speaking of poverty and our welfare system I think we all recognize that a good deal of time and energy has been put into the question of how to better the welfare system. I think the real problem is that too much thought, too much planning and too much program has been put into the system.

The system has always been directed at the symptoms of the problem. I think it is time now that we gave some thought to the causes rather than treating the symptoms.

I think consideration of a welfare system in some way could be compared to a system of war, or war program. I think that war is undesirable and that ways and means should be sought to eliminate a war or the causes that bring it about.

So I think when we think in terms of a welfare system, we should stop looking at the symptoms and start looking at the clauses, trying to bring about solutions to the causes.

We look at problems of our society, we look at our economic system, we look at the discrimination that exists in this country—all of which causes people to be in poverty, people to suffer from unemployment, people to be denied decent housing. This causes people to be alienated from society, to be prohibited from entering the mainstream of American society.

And of course poverty has produced our welfare system, a system that only solves and salves a symptom of a problem.

I think that's putting too much emphasis and energy in the wrong direction.

I say we should look at our economic system and see what our interests are. Whether we will continue to have a good deal too much interest about property maintenance, about efficiency production, or whether we will in turn give some consideration to the human element of our society.

Mr. SYKES. At the risk of sounding like an amateur sociologist, I would just like to make a brief point and that is that deprivation is relative and that we must be very conscious of it. That means to me that when I look at most changes in societies that have been a result of the way people have perceived their injustices and perceived their wrongs, I come to the conclusion that there are probably a number of reasons why people are poor. Two very simple classifications are the temporarily poor and others who may end up on welfare because the family is killed in an accident and they weren't properly insured. Due to accidents or death or something very often people are temporarily in poverty.

I think there is a large segment of this society that is systematically reduced to a state of poverty in a very systematic non-accidental way. Here I am not only talking about blacks and Latins and other minority groups, but many whites as well. Primarily in the minority groups there is a systematic force operating that reduces them to poverty. When I think about the welfare system and the new scheme proposed by our present administration in Washington, I am amazed because I get the feeling that everybody thinks that this is going to be a panacea to deal with the issue.

My feeling is that these welfare systems and any other maintenance system provides a base, maybe beneficial to people who are temporarily poor, but it will not deal with the issue of those people who have been restricted to a level of poverty. I think that it is not a panacea and very often what I see happening is the concentration on these kinds of program as we eliminate those programs that I think are designed to help people who have been systematically exploited from participating in the mainstream of American society.

Mr. URIBE. Man has the right to be clothed and educated. This is a modern truth in America in 1969. My group is an organization of Spanish speaking welfare recipients who are struggling to assert themselves as first class citizens. In our country the welfare recipients have the right to lead a more decent and civilized existence. The goal of my group is to label Spanish speaking welfare recipients, and to help deal with the apathy which often accompanies their condition.

Poor people, black people, Mexican-Americans, Puerto-Ricans, poor whites, people who are caught in a cycle of poor education, poor paying jobs, substandard housing find this condition transmitted from father to son.

There are many creative alternatives to give the poor a break. A definite legal requirement for civil service jobs, high skilled job training, high skill language training, for non-English speaking people, and asking the government and private industry to create new jobs are just a few. We need a reconsideration of priorities on national, state, county and city levels.

LONA BHIELE. I want to talk about the hypocrites in politics, the ones who are playing God over the poor people, people who go around cutting welfare, condemning mothers with children, pushing them to go to work instead of making stronger laws to bring back the deserting father. They are so happy sitting in the State Assembly making decisions. They are increasing their salaries and making decreases in our checks. Just recently, I think it was in the (State) Senate, they decided they couldn't live on $15 a day away from home. This included $7 a day for their room and restaurant meals. At one time they were paying $5, I believe, for one man to eat supper while the welfare recipient, depending on the size of the family, had to make do with about two dollars a day for a family of four or five.

Also, they say they are helping the taxpayers by cutting away our checks by doing away with Aid for Dependent Children.

This sounds funny but really some of the welfare recipients are trying to help the taxpayer in the long run realize that these so-called politicians are really trying to cheat

them out of their money. When they take families off of welfare and put them in another category, taxes go up no matter how pretty they make it sound by getting people off welfare and making them go to work.

Many, I'm speaking for mothers now because that's where I'm most familiar, would be able to go to work. I don't know how this garnishment law is going to effect us, but I can tell you right now we'll be facing garnishment if we do go to work for bills our husbands left us with. Other mothers have many emotional and physical problems which are not seen by the public, who may think the mother is perfectly healthy or the children are perfectly healthy. Many children are suffering from emotional problems, too.

Many mothers have tried to go to work and found that their children were getting emotionally upset and getting into problems with the law. You have many children in poor families who are in trouble with the school and this is due to a lack of a proper diet. Children can't concentrate if their tummies aren't full with an adequate breakfast. Some families usually eat a lot of starches.

Try to remember that the so-called lush benefits you're being told you are paying for welfare recipients aren't all going to welfare recipients, no matter what category they are in. Much of it is going to the top man, the administration, the legislators. I feel that they shouldn't have the power to vote for their own increases in salaries. This should be left up to the people. If President Nixon was really concerned about the poor, he wouldn't take an entourage of cooks and people to make a full course American meal over in Rumania.

Figure how much of that came out of your pocket. It wasn't a recipient going over to Rumania to put on the dog.

Mr. O'DONNELL. There is no national purpose or goal on much of the legislation that has passed both nationally and in the states. Most of the legislation, if it is passed, is begrudgingly passed and its done on a basis that the poor here and we'll take care of it but we begrudge it.

We should take the same attitude toward welfare that the Congress and the American public have taken toward the commitment to the space program. This is a national commitment of billions of dollars and everybody is very enthusiastic about spending it and reaching the goal. Maybe it is good and maybe it's bad, that's hard to know. But if we could apply the same thing to our problems with the poor and poverty in the cities, then maybe we could accomplish something. I think this is what is needed.

There is need for public relations to tell why people get on general assistance or ADC. What do you do with a single man or single woman that unfortunately has turned to an alcoholic? These people are still human beings and you have to take care of them.

I don't think that any of the legislation that has passed in the area of the poverty program and public welfare is actually passed with any enthusiasm at all.

I think it is passed begrudgingly. I think people feel this. If we can go out and make our national purpose and our national goals to eradicate some of these problems, I think we could reach it in a period of a year. But we are never going to reach it with half of our society begrudging these people bread and butter.

AUDIENCE TESTIMONY ON POVERTY AND THE WELFARE SYSTEM

Mrs. JAMES MILLS. This is just a reaction to the panel. I am here and to represent only myself. As an interested citizen, I think one of the things which concerns me most is that it seems to me that we're involved in being given double messages not only by the National government, but on all levels.

I think that it is accurate for the local and state governments to feel very bound in because of the financial situation. I think this is a real problem and it cannot be ignored.

On the other hand it seems terrible anxiety provoking to me to have Congress on the one hand, as it did several years ago, say that "We're going to eliminate poverty," as though it can be done like that. So people assume we have done this.

We talk about eliminating poverty but we don't provide anywhere near the funds that we all honestly know would be necessary to make a serious dent in the problem. On the other hand we don't talk about wanting war, but we spend countless billions for the material of war, and to maintain military establishments throughout the world which are now being shown to be completely useless in terms of our actual defense needs. We get this kind of double message all the time.

I am wondering if a child born in this country has any rights simply because he is born and is a citizen of this country, or if his future depends upon whims and the political winds.

CECIL BROWN, Jr.: I want to call the Congressman's attention to an area which I think tends to be overlooked. There is unfortunately a kind of philosophy that people are only poor because they want to be poor. I think this governs the approach of too many legislators in making appropriations around the poverty area and around the welfare area. Now there is a special segment of people that we try to work with in Jobs Now, a non-profit corporation I work for. We work with men and women who are released from the correction institutions in Milwaukee, the Milwaukee County Jail, and the Milwaukee House of Correction, trying to see that they get into educational training programs that will lead to better employment.

Some of the things that we've found, for example, are that a distressingly large number of them are under 25. This reflects the fact that the median age in this country is dropping rapidly. Also, a distressing fact has been uncovered. Approximately somewhere between 30 and 40 percent of black males, Spanish speaking males, Indian males that live in Milwaukee County have arrest and incarceration records.

We have too many employers, in fact the overwhelming majority of employers, who will not hire people who have arrest and incarceration records. And a relatively small segment, I would say from my experience less than fifty who have any kind of meaningful job, who will hire a man or a woman despite the fact that they have an arrest and incarceration record.

I was a little distressed to see that when our astronauts went to the moon that they left behind a million dollars worth of equipment there. I think about what a million dollars could do in a program like ours. We could operate for three years for a million dollars, work with 3,000 people, get half of them good jobs, the other half would have skills, and they would end up in five years time paying an equivalent of $3,000,000 in income taxes.

I am distressed over that because our system of values is such that we put emphasis on the wrong things. In the federal prison system, the cost of keeping someone behind bars for one year ranges somewhere between 4 and 5 thousand dollars. That same individual can be given an opportunity to earn a decent living instead of costing the taxpayers 5 thousand dollars a year.

It's this unwillingness, I guess on our part, to deal with causes, and I think the panel pointed out very well that we're dealing with the symptoms rather than the causes, that must be corrected.

STATEMENT OF INTERLEAGUE COUNCIL OF THE LEAGUES OF WOMEN VOTERS OF MILWAUKEE COUNTY

Mrs. FRANCIS L. PONDER. All of the members of the panel with their various viewpoints have given us much to think about.

The League of Women Voters has studied welfare services over the years and has the following support positions: Effective social welfare services through adequate financing, greater citizen participation, evaluation of programs and cooperative long range planning for family oriented services among the various levels of public and private services. We support equality of opportunity for education, employment, and housing.

We believe that the people must be able to communicate their wishes to their elected representatives and that these representatives must be responsive to the wishes of the governed. Hearings such as this are an effective means of bringing about real understanding.

HOUSING AND RELOCATION, AUGUST 14

PANEL WITNESSES

Lawrence Katz, Wisconsin State Director, Federal Housing Administration.

Richard W. E. Perrin, Director, City of Milwaukee, Redevelopment Authority.

Chuck Hill, Deputy Secretary, State of Wisconsin, Department of Local Affairs and Development.

Leonard S. Zubrensky, Expressway Commission, Milwaukee County.

Anna Hansen, Milwaukee Tenants Union—South.

Ted Siever, Inner City Development Project.

George Pazik, Northtown Planning and Development Council.

Helen Barnhill, Coordinator of Housing and Public Accommodation, Equal Rights Division, State of Wisconsin.

Mr. KATZ. In Milwaukee, there is no need for elaborate and detailed research to determine whether a housing shortage exists. It does. One need only drive through both the North and South Inner City to become aware of the need for housing replacement.

The causes of the housing shortage have been frequently enunciated by many, i.e., urban renewal; expressway construction; obsolescence of existing structures; increasing family formations and discrimination.

What is being done and what can be done to alleviate the current housing shortage in Milwaukee?

To properly respond to this question, it is necessary to observe the current housing trends in the Inner City. The oldest houses (50–60 years) exist in the southern half of the Negro ghetto and the northern portion of the Spanish-American ghetto on the south side. In the Northern Inner City, there has been rapid absorption of housing by Negro home buyers and renters on the north segment of this ghetto. This is due to panic selling by whites and the resulting availability of the properties they are yielding to black ownership and renters. In 1968, it appears there were approximately 2000 structures for sale and approximately 1500 purchasers for these 2000 units. FHA had, during this period of time, received applications at the rate of 100 per month for home ownership. This source of property is serving as a relocation resource. Some of these properties are occupied by those needing relocation. On the other hand, potential home owners not being forced to relocate choose to buy these properties and the units *they* are vacating are now available to those forced to relocate. Some of the 2000 units available during a year are in need of rehabilitation. Current rehabilitation efforts are being successfully carried out by both profit and nonprofit rehabilitators. This, of course, tends to preserve an existing inventory of housing units and does provide "instant housing". In addition, there is some new construction occurring in the Inner City and with the strong possibility of considerably more. With the release of Section 235 funds by Congress and the availability of mortgages with an interest rate as low as 1%, rehabilitators have requested and will

receive subsidy funds for the *rehabilitation* of 300 housing units under this program this year. This is in addition to the current efforts by the Northside Citizens Neighborhood Conservation Corporation in their rehabilitating approximately 100 units per year with a similar mortgage interest rate. In addition, this year is also seeing subsidies resulting in a 1% mortgage interest rate for an additional 150 existing housing units. During this month, this Agency will release Section 235 subsidy funds to the builders of 200 new homes in the Inner City. Most of these units will be on scattered sites—replacing homes that have been razed. 1969 will, therefore, see the availability of 750 individual homes available to low income buyers—550 being rehabilitated and existing units and 200 new.

It is interesting to note that in the 12-month period ending July 30, 350 home purchasers in both the North and South Inner City have been "welfare mothers" receiving ADC payments.

1969 has seen the completion of 519 housing units under Sections 236 and 221(d)(3) Rent Supplement. These units have been built on the northwest side, the southwest side and the central portion of the City of Milwaukee. 1970 will see the construction of 900 rental units consisting of one, two, three and four bedroom apartments and townhouses under these programs. They will be constructed in the central portion of the city under urban renewal land as well as locations outside of this area. It is further expected that, with the availability of additional Section 235 dollars, single family homes will be constructed and rehabilitated on scattered sites.

The interest that has been evidenced by sponsors in the sale of a parcel of land in the Kilbourntown No. 3 area by the City of Milwaukee evidences no lack of developers. There is definitely no shortage of sponsorship either profit or nonprofit motivated. On the other hand, there is a significant shortage of *building sites* for multifamily projects. Only one sponsor will be given the award of the parcel of land that will be sold by the City this month. At least five others—perfectly capable and able to build a multimillion dollar project will be disappointed. If we had five additional parcels of land, they would be happy to purchase and build. We would thus be able to see not merely 239 apartment units being constructed for the poor and the moderate income tenant but six times that number. *Only the shortage of land precludes this achievement.* Land in the city as well as outside of the city is necessary.

It is obvious that relocation efforts must be structured to a degree that will satisfactorily meet the demanding needs that have surfaced. The attempt to relocate people, as their needs are made known to a relocation staff is insufficient. Anticipated relocation needs must be foreseen *years in advance* and steps taken to insure the availability of housing so that the relocation is not the traumatic experience it is for the unfortunate resident who finds uprooting is his lot. It will be necessary that every housing unit, planned and under construction, must be known to the relocation staff. Knowledge of these units must be made available to the family needing them even if they are only blueprints at such time. Long range plans, then, must be made for the movement from the old into the new when the completion of the new occurs. Existing subsidized housing units must also be known to the relocation staff. Arrangements should be made between such staff and the owner of these projects for priority treatment of relocatees when vacancies occur.

If the relocation staff is unable to schedule the relocation because of the lack of availability of new construction until a later date, mobile homes should be available in the neighborhood for temporary housing. As example of this procedure can be the erection of several hundred units in the Kilbourntown No. 3 area to temporarily house those who will need relocation housing in the Midtown Conservation area across the street. They will use these mobile homes while awaiting construction of new units in the same Midtown area.

The relocation staff must also have at its disposal all of the new and rehabilitated housing units under Section 235 subsidy funding. They must be aware of allocation of funds to specific builders and then arrange for the occupancy of these units in the future by relocatees.

In addition to the construction and rehabilitation of massive quantities of housing under subsidized programs, the successful response to the relocation problem presently confronting this community is a well-structured, well-staffed relocation service.

Mr. PERRIN. For the period 1960 through 1968, public programs at all levels of government caused a total loss in the city's housing supply roughly equal to one-half of the housing gain accomplished by new construction.

At present the total vacancy rate for the city is less than one per cent in sales housing and 3.3 per cent in rental housing. For the metropolitan area, the rate is 1.2 per cent in sales and 3.7 per cent in rental housing. There is general agreement that the total vacany rate should be around 5 per cent to permit optimum mobility.

Except for the City of Milwaukee in which 1,557 public housing units were completed during these years, no public housing was built in any of the suburbs or, for that matter, in any of the four counties comprising the Milwaukee metropolitan area.

Against the stated background of housing loss, and notwithstanding the addition of some public housing for which the city alone can be credited, experience has made it abundantly clear that the major relocation housing resource, imperfect as it may be in some respects, has been and conceivably will remain to be the older existing supply as vacancies occur. Stated another way, and certainly without attempting to establish an absolute relationship between new housing construction and relocation needs generated by displacement activities, new housing, public or private, will play a comparatively minor role for direct relocation purposes except insofar as it increases the total supply which by a process of upgrading, turnover, and vacancy availability creates more housing opportunity. In some instances special efforts must be made to provide housing for particular needs such as exceptionally large or unusual families and for low income elderly. An example of this is the 100 unit scattered site public housing project to consist of 4-, 5-, and 6-bedroom units for certain families to be displaced in the Midtown Project and which is expected to be placed under construction in the current year. Additionally, proposals are being sought for 300 units of housing for elderly to be located on the south side of the city, with further units to be programmed subsequently in the 1,500 unit program reservation held by the Housing Authority.

It is also clear that unless new construction can be greatly stimulated at all levels, the current tight vacancy rate in the city as well as the entire metropolitan area will become even tighter. With this likelihood it becomes increasingly important that code enforcement, rehabilitation, and conservation programs must be stressed and extensive demolition be restrained until new construction activity can be more definitely anticipated.

Mr. HILL. The National Housing Act of 1949 committed our nation to a goal—"a decent, safe and sanitary home in a suitable living environment for *every American family*" (emphasis mine). If a similar goal for any major program, such as agriculture, space or defense were enunciated, and then examined twenty years later with similar results, it would approach a national scandal.

The irony of it all is that the Watts riot, and rebellions all over the country in 1967, forced us to assess what we had done in housing; and it was much too little. The Advisory Commission on Civil Disorders (the Kerner Commission) pointed out that in more than 20 years we had built only 600,000 units of housing for low-income families across the nation. We also managed, through federal, state and local government policy, to allow and even encourage racial and economic segregation through such devices as federally subsidized or guaranteed housing for middle class families not available to the poor or minorities, large lot zoning, restrictive building codes and federal loans and grants for public facilities in areas restricted to middle and upper class white families.

Needless to say, the greatest victims of our transportation policies and slum clearance policies have been the inner city residents, often poor, often black. In short, our commitment to meeting that 1949 stated goal of a decent, safe and sanitary home in a suitable living environment for every American family seems to have been abandoned.

The Kaiser Committee (*A Decent Home*) called for a ten year goal of 26 million more new and rehabilitated units of housing, six million of them for low-income families. The Douglas Commission (*Building the American City*) more modestly recommended 20 to 22.5 million new housing units with 5 million for low and moderate income families. As a person involved in housing and community development activities, I can predict with certainty that we will fall far short of these goals, unless drastic changes in our national priorities and our housing delivery program are made. I would like to highlight a few of the key impediments to filling this need for housing.

(1) Insufficient Funding: Present programs are so underfunded that last year's appropriation to provide housing for low-income families under the 1968 Housing and Urban Development Act was used up months before the end of the fiscal year. Even with the complicated requirements, development cost limitations and inexperience of nonprofit sponsors in securing housing under various sections of the 1968 housing act, there is, and will continue to be, a dearth of available funds unless they are increased two or three times the present appropriation levels.

(2) Lack of Technology: If sufficient funding were secured, we would still face problems of technology on how to produce good housing quickly—through the use of mass production techniques. Let's compare HUD's 1966 research budget of $1.4 million with Agriculture's $230 million or the Department of Transportation's $160 million. The National Aeronautics and Space Administration's (NASA) 1966 R&D budget of more than $5 billion, once again, says something about our commitment to housing America's population. Unless we pioneer in housing development as we did in space, we will not even come close to our ten year commitment. Only substantial increases in R&D money will allow us to construct housing the way other manufacturers produce goods.

(3) A Multiplicity and Inflexibility of Housing Programs: We have a laundry list of federally assisted housing programs for low and moderate income families. We have public housing, with its own variations—Section 23 leased housing, rent supplement programs, 221(d)(3), Section 235, 221(h) and so on. Standards and specifications are often different for these programs, depending upon the kind of low-income people who live in them. This, in turn, requires expertise at all levels (federal, state and local), not in designing or constructing housing or undertaking the normal activities of development, but in knowing the variety of federally assisted housing programs and their requirements. This lends to additional overhead

which, given a cost limitation on each federally assisted program, will not add to the brick and mortar improvements. The 1968 Housing and Urban Development Act does provide greater flexibility than before, but much needs to be done in improving our housing programs further.

(4) There are, of course, numerous social barriers to housing, and I mentioned them earlier. Something must be done to break down those areas that exclude the lower class and lower middle class population through restrictive building and zoning measures and so forth.

Of course it is easier to say what is wrong than to offer some positive recommendations. I would like to make some positive suggestions that I think can help us meet this commitment.

(1) Adequate Funding: Congress' mandate to local communities in producing housing, especially for low-income families is like telling your wife to buy a new wardrobe with ten dollars. You just can't do it without enough money. And it must be provided, directly or indirectly, by the federal government through subsidies, tax incentives or whatever works best.

(2) Research and Development—More money must go to private enterprise to develop new technologies in providing new housing. This budget should be increased tenfold, if we are serious about producing good housing quickly.

(3) Move toward a simplification and consolidation of federally assisted housing programs, using the ones that work best, eliminating costly and time-consuming procedures, and most important, *doing this with a view toward making housing of low and moderate income families a function of occupancy not construction.*

(4) Encourage states to use their powers to eliminate arbitrary local resistance to the provision of housing for low-income families through incentive grants. Unfortunately, with few exceptions states have been unwilling to use their powers to eliminate local barriers to progress unless the stakes were high. A good case in point is the federal highway act, which saw states constructing U.S. interstate highways cutting through and across local boundaries. Perhaps it is time to award large grants to states that develop an urban growth policy that includes, among other things:

(a) Adoption of performance codes for construction and ultimate jurisdiction in any appeals where more restrictive codes are alleged to be arbitrary or exclusionary.

(b) Adoption of a state land use plan which includes a requirement for distribution of residential land in local areas (on a percentage basis) that does not inhibit or exclude the access of low-income persons.

(c) Adoption of an open occupancy statute with no exemptions to assure access to housing regardless of race, color, creed or national origin.

(d) Adoption of regional development districts with designated growth centers.

(e) Creation of a state development corporation that can assemble land and construct housing and other community facilities for low and moderate income families.

If major incentives are given to states in the form of block grants to stimulate such development, they may be equal to the task.

I appreciate having the opportunity to appear before you, and will be happy to provide any assistance you may wish.

Mr. ZUBRENSKY (reading):

> 'I weep for you,' the Walrus said:
> 'I deeply sympathize.'
> With sobs and tears he sorted out
> Those of the largest size,
> Holding his pocket-handkerchief
> Before his streaming eyes.

The housing and relocation program in Milwaukee County has been the object of sobs and tears for many years.

I have never heard anyone be other than extremely sympathetic to the problem.

Somehow, America's expressway program has been like the stony-hearted step-mother of English literature who "listeneth to the sighs of orphans, and drinkest the tears of children."

Unfortunately, in many cities where expressways have been commenced, there had been a housing shortage to begin with. Certainly there has been in Milwaukee a shortage of housing suitable for displacees who generally are poor and disproportionately minority group members. Add in the large families and you have a fair picture of the housing problem in most urban areas in general, and Milwaukee in particular.

Keeping in mind that there are almost no homes being built in Milwaukee for less than $20,000.00; interest rates having gone as high as the moon; we have built 254 public housing units in Milwaukee, exclusive of housing for the elderly, since 1954, and we have displaced and will displace through 1970 approximately 8,166 families by freeways alone, it does not take an Einstein to conclude that we have neglected a segment of our population to a point where the word scandalous would be a gross understatement.

However, as Mort Sahl once said: "The future lies ahead" and rather than persist in the indictment of the past, we should chart the future and point out whatever shoals may exist.

1. Even in a city with an adequate amount of housing and a high vacancy rate (which is not the case in Milwaukee) the combination of racial discrimination and high rentals for available housing, may mean that unless subsidized housing is built, there will be no place to send the displacees. In such a situation, the statutory requirement of a feasible relocation plan should bar demolition without prior construction of low-cost replacement housing.

As a practical matter, insistence that relocatees be adequately housed as a condition of governmental displacement, would provide an incentive for subsidized housing which otherwise would not exist.

2. Since proper relocation could halt an expressway project for years, there is a conflict of interest between the site residents and all others. For this reason, Federal agency employees should make the determination as to whether adequate relocation housing exists rather than State, County or Local employees.

3. Because of the low political and legal visibility of site residents in general, their interests should be protected by a federally funded agency such as the Tenants Union which could fight for the rights of site residents, as they have not been able to do so for themselves.

ANNA HANSEN. For a long time now, the Homebuyers' Guild and other organizations and agencies have been trying to deal with the housing crisis in Milwaukee County that has been caused by the uprooting of families by urban renewal, expressways, and other governmental action. Yet, as residents and organizations have approached elected officials at all levels, the city, the county, the state, and federal, the buck has been passed. Even while residents of Milwaukee County are caught in this political meatgrinder, the uprooting goes on. Elected officials claim they are powerless to supply housing, yet plan new expressways and new urban renewal projects. Something has gone seriously wrong in the establishment of priorities and the interaction between levels of government.

On November 8, 1966, in a referendum, the voters of Milwaukee County voted 74 percent in favor of a central relocation agency and so far nothing has been done. The Federal Highway Act of 1968 requires adequate relocation for people displaced by highways and provides federal funds for this. State action is required to implement it, and this still hasn't been done. For two years resolutions for the County to take some responsibility in housing has been lying dormant in committees, and we're still waiting for something to be done. The Federal Housing Act of 1968 has many provisions to provide different kinds of housing. County Executive Doyne said right after his re-election that he would take action. We're still waiting for some action. The City presented a workable program to HUD that incorrectly stated that adequate relocation was available, in order to get more funds to displace more people. At this point, Aldermen and resident groups pointed out the housing crisis, and still, they're tearing down homes and nothing's being done. I think FHA under 235, the homes that are repossessed and rehabilitated are not eligible for people to buy, under the 235 program. Present welfare rent allotments are inadequate. Decent housing cannot be found for families at welfare department standards. The County has done little or nothing to provide low income housing.

While Milwaukee expressway construction, under the joint auspices of the State and the County, has been one of the prime sources of demolition, neither the State nor the County has been involved in any substantial relocation programs. The effort of the Health and Building Code is ineffectual due to a lack of staff, an inadequate system of fines and the lack of receivership process. City action in the past years has destroyed over 1,500 units, while opening only 24 new units for low-income, large families. Projected new housing for low-income families by the city is 1,600 units, none of which are yet under construction. There has been no new public housing on the South side for over 20 years. The city's scattered site program, if continued at its present rate, will not finish the first 100 units before 1971, and I think the average low-income person that is hit by some of these expressways and other things are just getting to the end of the limit. They know that there's no place for them to go, and I think it's just about time that the people that are representing these low-income families should start facing up to their responsibilities and start doing something about it instead of passing the buck.

Mr. SIEVER. I will give a little bit of background on why there's this kind of need for more housing. Since 1960 there was a net increase in Wisconsin of 170,000 family units. Yet during that same period of time only 124,000 new units were added to the State housing supply. So you have a gap there of 54,000 houses that needed to be built. One third of the unsound housing in 1960 was located in Wisconsin's 19 largest cities. In Milwaukee itself, for example, due to all forms of governmental actions in 1957, they've wiped out 8,800 dwelling units between 1960 and 1967. This was for all purposes, urban renewal, freeways, street widenings, parks, houses that weren't sound and had to be removed. This is primarily in the two inner-core areas, on the North side and the South side.

In human terms, I remember when the Milwaukee Tenants Union was down at the State Legislature, begging to pass the Conta bill, begging to pass the receivership bill, begging to take advantage of the 100 percent federal money that was available to relocatees, and one of the legislators from Milwaukee brought up the point (it was largely a group of rural legislators that we were talking to) that what this means to some of them is the same as if they wipe out five of the rural towns that were there. This is what's been wiped out.

Now for Milwaukeeans to better appreciate this, 8,800 dwelling units very conservatively means about 18,000 people. Let's imagine for a moment that the village of Shorewood disappeared tomorrow. That's what has happened since 1960 in the city of Milwaukee. Now I imagine if the city of Shorewood were to disappear tomorrow because of an earthquake or a flood, or it slid into Lake Michigan, that there would be all kinds of

programs that would be developed to rehouse the people. The federal government would find some money, the state would find some money, the county could find some money, and some of these people would be rehoused because they are articulate, white, middle-class.

Now the people that are getting hit in Milwaukee. It's not just black people. 72 percent of the poor in the city are white, and there're large, low-income white families that are being hit as well as black families that are being hit. Somehow nobody seems to respond to that.

Take that even further into a more individual case, one of the 18,000 people that have had their housing taken away in this period, with no adequate relocation. An example of one woman no husband, she works, she had six children. The expressway came by and it took all the houses around her house, and her house.

While they were knocking down the houses around her house they managed to knock off the porch of her house. And she started looking, for four months she looked. Now her house became unliveable. All the windows were broken, no heating system in the house, plumbing was freezing because of the vacant unit upstairs. The Expressway Commission wanted to keep collecting rent from her, by the way.

She decided, well, why should she pay that rent, because they're not going to give her any moving expenses, she's living in a house that is in violation of City Health Codes, the City Health Codes say that the landlord is not allowed to rent out a place that has health code violations, but they exempt the Expressway Commission. The Expressway Commission is the biggest slumlord in Milwaukee at this point. So she stopped paying rent. They brought in action both to evict her, and to collect their back rent, their $83 of rent. She finally found a place, she was being harassed so much by the Expressway Commission in having these suits brought about her, on the South side. This place itself had numerous code violations. She moved in there. Meanwhile, she had been missing work and her boss was getting a little bit upset. That place was so bad she finally moved up to another place, 320 East Ogden Street, which became rather famous as the building where the Tenants Union took over when the Expressway Commission said they weren't responsible for it anymore.

One day, shortly before she was going to go to an Expressway Commission meeting to testify about how the Expressway Commission had treated her, the Expressway Commission managed to get a trespassing order from the court and came and evicted her on one hour's notice with her six kids, all the clothing, the food that was in the house, the furniture, bundled them up into a moving van and took it away, put it in storage and then said later "well, it's going to cost you 300 bucks to get it out of storage."

With all this, she finally lost her job while she was out trying to find housing, and is now on welfare collecting money from the county. During the period of time she was moved out on this trespassing business, she had to put her children in the childrens' home because she had no adequate place for them. It costs the taxpayer $500 a month to have the kids in those Childrens Homes. She had to have 6 children in there for a period of about one month. She is now on welfare.

With the help of about 15 agencies all trying to deal with the lack of housing in this city, she finally found an adequate place and hopefully she'll be off welfare. If you begin to add up the cost to the taxpayer of this type of action, let's talk in hard economics, with all the high-priced legal talent that the Expressway got so they could get her out of the places, the cost of moving, the cost of welfare, the cost of having the children in the Childrens Home, it probably cost the taxpayers a good $4000. Possibly she might have to stay on welfare, unless she can find another job, and it's kind of hard for a mother without adequate day care to get a job. This is what happens to individuals, and this is happening now. Of those 8,000 dwelling units that have been wiped out, that's happened to 8,800 families.

Mr. PAZIK. It seems to be almost impossible to get into a discussion of our housing crisis without people looking for someone to blame. Looking for someone to blame always ends up causing all sorts of people to take defensive positions instead of truthful positions. This stops and stymies discussion, and this stymies our facing reality.

I think the public is to blame. I'm sort of cynical I suppose about the sudden interest of the freeway people now in relocation, now that they're just about finished tearing up the central city, now that they have just about finished putting poor families out of their houses. Now we are going to have a relocation problem. Now we're going to have a relocation problem for the people in the suburbs, the suburbs in the North, for example, people who have a great deal more mobility than the low-income families or the poor families in the central city. Too bad about them.

Where was the public outcry when their homes were being torn down? Congressman, you know that we had a great public outcry that our expressway system was going to destroy the beauty of the lakefront. I'm for beauty for the lakefront. But how come we weren't concerned about when we were putting people out of their houses? And instead of attempting to blame officials, as we often do in these discussions but haven't yet, and I hope we don't today, we forget to put the blame right back there on the public who elected officials, who keeps them in office, and continues to vote for them, and who the officials are trying to please. We can't operate this way any longer. We can't play the game of racial containment any longer either.

In Milwaukee, we very politely, as in other cities across the country, insist this is not the case, but somehow it ends up that way because somehow in Milwaukee 98 percent of our black population ends up in one area and Ted, how much of the brown population lives in the other? Somehow we've played this game of gentlemens' agreement and keep them where they are. We cannot successfully solve the housing crisis unless we do something.

The suburbs can't point a finger at the city of Milwaukee and say that it's not doing it's part. And the city points a finger at the suburbs and says you're not zoning properly. As Ted Siever pointed out, the city of Milwaukee doesn't build public housing in its own south side where they don't have a zoning problem. It's really not in the best faith to complain about River Hills not putting in more public housing for the poor. We have to deal with these facts and lay them on the table, that's where we're going to solve the problems.

Congressman, we have to get some of the government red tape out of these programs. Have you had an opportunity, Congressman, to really sit down and examine the type of horrible things that Richard Perrin's planners have to conform to in order to get some kind of money for urban renewal projects? It's absolutely stupid.

The other day we were with some people in town who were surveying HUD programs, and they told me, as they told other members of the panel that. It took one person working 5 and a half full days of staff time doing absolutely nothing else to prepare an application for an open space grant of $11,000. If the name of the game is to make it as difficult as possible, then that's a great game. But if the name of the game is to get something done, we ought to get the red tape out of government programs.

Congressman, when Congress passes a law, it maybe looks something like two or three pages. Hand it over to one of the agencies and it ends up in some handbook. And that's what it is. 80, 90 or 100 pages. You have to be a master just to master the handbook. Never mind being able to master homebuilding, never mind being able to master urban renewal either, you have to be a master of the handbook first.

If Congress would like to attack some of these things and set some priorities, some of the agencies in Washington would have to listen. This handbook gets all through being written, with all the rules and regulations and do's and don'ts and no–no's and yes–yesses, then it's handed down to Lawrence Katz, who tries with intelligence and imagination and determination to try to make it work as well as possible. He has to work with those limitations.

Why is this?

Congressman, you have personal knowledge of the fact that with the NCNCC program, which you helped found and which you've worked mightily with, that without your help there would be no NCNCC program, NCNCC of course being the Northside Citizens' Neighborhood Conservation Corporation, which is by reputation the first or second best 221 rehab. corporation in the country.

Congressman, you yourself found that there were regulations in the handbook that were not in Milwaukee. And you had to go to HUD in Washington to protest and object. Without your help and your presence on the NCNCC Board, these things would have never happened. These are some of the things that hold up progress.

Mr. REUSS. I can give you one very current example of your criticism of Washington for its delays and endless red tape. A year ago, in August, Congress passed the Housing Act of 1968 which, as several witnesses have said, was really a good measure. Included in that act was a provision designed to make rehabilitation and conservation possible wherever it was needed in the city, not just in so-called urban renewal areas, which are few and far between. And Mr. Perrin and the people in City Hall are ready to go as soon as they get their guideposts from Washington.

For a year now, I have been after the Department of HUD to issue those guideposts on new rehabilitation programs. They're supposed to be issued this month. I haven't yet seen them. But there you have a year of wasted time in which nine-tenths of central Milwaukee continued to deteriorate because the local people with the best will in the world simply haven't been put in possession of the pieces of paper to enable them to go ahead.

HELEN BARNHILL. Being the last member of the panel, it's probably true that most of what I could say has been said already. I was sitting here wondering about the 8 of us, and the numbers of other people whom I've listened to from time to time on housing There definitely is a national awareness of the housing problems. There is an awareness on the part of local government and everybody who should be informed. This has been pointed out.

I was thinking of myself, maybe, as a person who might be moved in the very near future, and I realize that anybody who is in that position might have to see at least 5 of the 8 of us before he could find someone who would begin trying to help him. And in this we're expecting the poor person who is being uprooted to be more of an expert than we are. I think we have to change our attitude toward new ideas, such as the mobile home park or the pre-fabricated units. These are bad words that we like to lash out at all the time, but I think temporary housing is a means toward an end. What good does it do, really, to take people out of housing and to tear it down, when they haven't been relocated properly?

What's happening is that they move into the periphery and double up. Why not use

a temporary kind of housing to prevent some of this overcrowding? It has been used in other cities, New York has done some, Chicago has done some, and I think we have to be creative. We just have to get away from the business of 'We can't do it'. Let's do it, and have somebody stop us. Our attitude has to change.

The new kind of housing that we read about in magazines can be permanent housing. There is nothing wrong with new ways of building things. We haven't stopped buying cars because they put them on an assembly line. So we shouldn't think in this way about housing.

I get concerned, too, when the question is raised, and it has been raised by this panel, that HUD requires that there be enough units to house the people who are going to be displaced. I think along with that there should be some insistence on those people, some insistence that the people being moved will get that housing, and that the housing that has been counted as available units is of the size that will accommodate these families. These are some of the discrepancies, I think, that we haven't really looked at.

It doesn't make any difference if you're moving a family who can pay $70 a month rent if you decide, yes, they're four units out somewhere and they have 2 bedrooms and there's ten in the family and the rent is $100 a month. The family can only pay $70 and the house is too small for them. So just the counting of units, with the numbers of people, just does not get us anywhere at all. I think we have to be concerned about the total uprating of one's life. Housing is certainly a part of this.

As Mr. Pazik pointed out, we have to get more concerned about job opportunity and all of these things that go along with the upgrading of one's life. Mr. Siever pointed out that because of a severe housing problem, one lady is no longer able to work, or she has to wait until she can get another job because of a housing situation. I don't suppose that if any of us had any suggestions that would really take care of the problems, there wouldn't have been a need for you to invite us to sit here and talk about it. But I'm hoping that this is one of the last times that we're going to be telling people what the problems are. We know. I think enough research has been done, and I'm not fighting research. I think research is necessary. But I think enough has been done now that we can begin to move toward providing housing. It doesn't do us any good anymore for someone to tell me that 3000 families were moved, the housing was torn down, and nothing has been built. We know that. Let's build housing.

Mr. REUSS. If you want to be pessimistic, you can certainly make a splendid indictment against the federal government and the Congress for its passing all sorts of grandiose housing laws and then badly underfunding them and inundating local officials with mountains of indigestible paperwork. You can certainly indict the State of Wisconsin for standing idly by while our cities deteriorate and for not taking action to provide land on which public and private people can build. You can certainly indict the suburbs for their selfish ways in not even beginning, with a few rare exceptions, to look at the metropolitan problem as a unitary problem and ask in what ways a serviceable community can be built. Just to complete the description, I would think that the city of Milwaukee could do a little better on reviewing some of its zoning ordinances and seeing if it can't cough up, all on its own, with a little more land, particularly in portions thereof and not represented by your presiding officer.

However, having said all this, there are these hopeful little breakthroughs. Larry Katz, in my judgment, is not talking through his hat when he says that he is pleased by what's happening in several areas on the outer city and the inner city too. The presence here of two very energetic and public-spirited representatives of the State shows that maybe this message that we're wrapping up here may go back to those who can do something about it at the State level, despite the recalcitrance of the present Legislature.

AUDIENCE TESTIMONY ON HOUSING AND RELOCATION, MRS. DAVID HILLS REPRESENTING MRS. THOMAS KOLSTER, PRESIDENT OF THE MILWAUKEE LEAGUE OF WOMEN VOTERS

In a study of the problems of relocation in 1966 the Milwaukee League of Women Voters found that compensation in Milwaukee varies depending upon the program for which the disclocation takes place and the very nature of the problem and the people involved results in considerable hardship for those losing their shelter and/or livelihood.

This study followed by concensus from the members lead to our present support position: We support measures to establish equitable compensation and adequate relocation services for businesses and residents displaced by Milwaukee's public purpose programs. We also support a practical well planned program of urban renewal for Milwaukee with emphasis on adequate financing and expediting administration.

This can be accomplished by (a) coordination of the social services now available to relocatees; (b) responsibility by the City for administration of all relocation workloads being center in the city's central planning agency (the Dept. of City Development); and (c) availability of adequate alternative location housing before acquisition and demolition begins for any new programs.

CONSUMER PROBLEMS, AUGUST 15

PANEL WITNESSES

Mrs. Adrienne Davis, Chairman, Wisconsin Consumer League.

Attorney Thomas Jacobson, Consumer Specialist.

Philip G. Rozga, Manager, Financial and Solicitations Division, Milwaukee Better Business Bureau.

Attorney James Hemmer, Consumer Specialist.

John Jackson, State of Wisconsin, Department of Agriculture, Consumer Division.

Attorney Floyd Harris, Consumer Specialist.

Father John Maurice, Director, Spanish Center of Milwaukee.

Mrs. DAVIS. First, I'd like to say that I feel that consumer problems are equally important as all of our other urban problems, housing, unemployment, etc.; and I say this because it has just been very recent that this fact has been recognized. The Kerner's Report by the Governor's Commission played a significant role in bringing this factor to the public's attention; that consumer fraud and exploitation were among the major causes of riots in our cities. It reflected the kind of marketing system confronting low-income consumers, shoddy merchandise, high cost credit, over-priced merchandise and many merchants that exploit their ignorance and their poverty. In general, these are just a few of the abuses and inequities that exist in our society . . . there are many more. As we all know many of these abuses are also used to exploit the more affluent consumers. However, studies have shown that the ugliest manifestations of these abuses have been found in poverty-stricken areas. Therefore, I feel that special attention must be given to the consumer problems of the poor.

There must be more consumer education programs. The schools, I believe, need to become more active in this role . . . in addition to government and community agencies. There are many families who lose their jobs because of garnishments. Overextension of credit leads to such economic reversals such as lawsuits and repossessions and financial stress—in general affects the family stability, school attendance and employability. What I am trying to illustrate here is that while many agencies are attempting to raise the family income and retrain persons so they can improve themselves much of this is being diverted by excessive finance charges, repossessions and garnishments. Consumer programs can assist in alleviating these situations. This will not be the panacea for all of our urban ills; however, when consumer education is coordinated with, and becomes a part of a concert of effort, it can greatly help families headed for but not yet involved in these situations.

In addition to consumer education more and more effective legislation is needed. I think it is a known fact that much of the deception and fraud that exists would not exist if the unscrupulous merchants were not aware of the fact that they could collect their debts through legal channels. Therefore, it is important to outlaw harsh collection practices. For example . . . the holder in due course—a procedure that allows a finance company or some lending institutions to purchase installment notes from a retailer without any responsibility to the consumer. In situations such as this the consumer has no recourse. If a finance company purchases a contract he should have some responsibility in seeing to it that the goods or services are properly furnished.

The use of deficiency judgments, which allows a retailer to repossess and also collect for his merchandise should also be outlawed. In a situation such as this, often the same items, automobiles especially, are often sold two or three times. I feel that this type of extortion is very detrimental to the consumer and should be eliminated. A law similar to that in California, which allows a creditor either to repossess or sue for the balance of his bill, should be enacted in Wisconsin. Judges and persons in authority in the legal area must begin to scrutinize cases carefully and as Judge Walsteadt stated "no longer allow the courts to act as collecting agencies for many of our unscrupulous retailers."

I feel that if the spiral of poverty is to be broken consumer problems are going to have to be studied and analyzed and more consumer oriented programs will have to be developed in order to make better use of the dollars currently available to low-income families. Not only is it going to be important to give equal employment opportunities to the black man and other minority groups but it is going to be necessary to guarantee him that his earnings are not stolen from him through the business practices of unethical merchants and outmoded laws.

Mr. JACOBSON. In Wisconsin I would say, based on the experience that I've had in the Attorney General's office as a Special Assistant for Consumer Affairs and working in a law practice that largely draws from the working clientele of this community, the state of the consumer in Wisconsin is very bad. We have to start out with the question in Wisconsin of where does the consumer go to have his problems taken care of?

The first problem that we have is that the department which regulates consumer protection at the State level, is a department which just doesn't sound like the place consumers would go. It's called the Department of Agriculture. I think the fact that we have a department which is called the Department of Agriculture is not the kind of thing that makes logical sense that if you're a consumer and you've got a consumer problem which deals with the market place.

I think we have to start right there to get the consumer protection activities in a logical place at the state level where the person that has consumer problems knows where to go. I take the position it is in the Attorney General's office where we ought to have an Assistant Attorney General that's an expert in consumer problems to be the person who takes care of the consumer at the state level.

Another comment I'd like to make briefly is the fact that our legal system is topsy-turvy in terms of priorities in this entire area of consumer problems. You've got a situation where the law largely only protects the creditors' interests and the debtors' interest are largely unprotected. I think an example of that is a recent case which I was fortunate enough to have a successful conclusion to, at the United States Supreme Court level. That was the Garnishment case. We had such a terrible situation in Wisconsin that we allowed working people to have their wages taken away from them before they even had a hearing as to whether they owed the money or not. There are some laws that are just as harmful as that kind of law.

Mr. REUSS. What was the Supreme Court decision on that garnishment matter?

Mr. JACOBSON. The decision indicated that you're entitled to a hearing, you're entitled to have the opportunity to defend yourself as to whether you owe the money or not before you can have your wages taken away. In other words, you have to have a judgment on the principal action, that is, the action wherein why you owe the money. Then you say if you owe it or not, and that has to be litigated. After that's resolved, if in fact you owe the money and you won't pay it, then you can have your wages taken to satisfy the judgment. So that's garnishment after judgment as the result of that decision. The legislature has been inactive on that particular reform. For 10 years there were bills that were introduced to have that law changed and nothing was done. It's time that the citizens and Wisconsin began to get concerned about these problems, to get informed about them, and to begin lobbying legislators and, as the Congressman is doing here, having citizens' hearings so that people can become educated about the kinds of problems and what they can do about them in society today.

Mr. ROZGA. The business community has expressed its vital interest in this area by the formation and support the Better Business Bureau not only in Milwaukee but in 145 major marketing areas in the U.S., Canada, Mexico, Venezuela, Israel and Puerto Rico.

While each Better Business Bureau is an autonomous organization, deriving its financial support from its own local business community, each provides the same services and shares the same dedication to eliminate misrepresentation and deception in the market place for the benefit of the general consuming public and legitimate business.

What later became known as the Better Business Bureau of Greater Milwaukee was established as the Vigilance Committee of the Milwaukee Advertising Club in 1913—one of the first of its kind in America. Voluntarily checking advertising and discussing questionable claims with those who publish them, demonstrates an early local interest in consumer problems. The present non-profit corporate structure, as an independent organization, affiliated with a national network of similar offices took place in 1939.

Today the Better Business Bureau of Greater Milwaukee is a significant factor in the Milwaukee marketing area. It is asked to give information or assistance to more than 500 people each working day.

The services to the general public are provided without charge and are made possible by the financial support we receive from over 1600 local reputable businesses. The work of the Milwaukee Better Business Bureau has gained a reputation of impartiality in the eyes of business, the public and government.

The Better Business Bureau work falls into three main categories. The first is maintaining truth and accuracy in advertising. This is carried out by checking advertised offers for accuracy of description, availability of merchandise or service, violations of Federal, State laws and advertising standards.

When particular advertising problems arise in an industry, the Bureau works with the industry to draw up standards to eliminate the causes of complaint. Such local standards are in effect for the advertising of appliances, automobile transmission repair, furs, home furnishings, home improvements, mattresses and springs, musical instruments, magazine selling, sewing machines, and tires. These voluntary standards raise the quality of advertising and selling in the industries involved and the believability of advertising generally.

The work of the Better Business Bureau would be much more difficult if it were not for the excellent cooperation we receive from the media. Many ads do not appear in local media because the publisher or broadcaster, after checking with the Better Business Bureau does not feel that carrying the offer would be in the best public interest. When Bureau shopping discloses that an advertisement was misleading, local media does not accept the advertising until the objectionable elements are eliminated.

The second major area of Bureau activity is the handling of complaints where there is evidence of misrepresentation or fraud. Actual instances which fit the classic definition of fraud are rather rare. Misrepresentation or misunderstanding business transactions are much more common.

The Better Business Bureau cannot handle every instance of customer dissatisfaction. In some cases, the facts do not warrant the adjustment which is requested by the complainant. It is our philosophy that when a purchase is made, the terms of the bargain obligate both parties. If the customer does not get what he paid for he has a legitimate complaint.

We realize that there are generally two sides to a story, so, to get all the facts we ask the complainant to give us a brief written outline of the problem. A copy of the complaint is sent to the company with a request for an explanation.

When the complaint is reasonable and the company is reputable, the area of disagreement is easily removed. Some companies make adjustments because they know that the way they handle the problem will be made a matter of record in our files and reported to those who inquire about the firm's reputation. Unfortunately there are some companies who choose to ignore the Better Business Bureau, accepted business principles, and public responsibility. This attitude is noted in Bureau files to warn others of possible problems in dealing with the firm. If the complaints involve violation of governmental regulations the proper authorities are notified. We work in close cooperation with various regulatory agencies. Within the last month we have had contact with the Milwaukee and suburban police departments, the Milwaukee County District Attorney, the Wisconsin Department of Agriculture, the Wisconsin Department of Justice, the Wisconsin Real Estate Examining Board, the Federal Trade Commission, and the Post Office Department.

The third function, and perhaps the most relevant to this hearing, is the Better Business Bureau's providing of factual information on a firm's reputation. Last year, our office had more than 100,000 contacts with the general public. Less than 10% of these were complaints, the balance were requests for reports on companies, offers, or solicitations.

The Better Business Bureau does not recommend or endorse any firm or organization. We provide factual information which the inquirer can use to help make intelligent purchasing decisions.

The type of information contained in a Bureau report generally includes: the date the company was founded, the name of the principal, the exact nature of the business, whether we have had complaints and whether they were adjusted. If the complaints are of a serious nature more detail concerning the problems are given. We frequently also provide general information regarding an industry or offer when previous experience indicates the need.

Using this information saves Milwaukee consumers millions of dollars and annually directs the money into legitimate business channels.

As an adjunct to informing the public on specific companies it is our responsibility to help educate the public on sound customer practices. This program is implemented through consumer education pamphlets, posters for employers bulletin boards, talks to groups ranging from high school students to senior citizens, and warnings which appear in various media.

It is the belief of the Better Business Bureau of Greater Milwaukee and of our association, based on millions of contacts with the consuming public, that the most effective form of consumer protection is actually consumer education. There appears to be no end to the laws which have been proposed in the name of consumer protection. However, there is also no end to the number of ways an uninformed consumer can waste his money on unwise expenditures. Only a wise consumer can make the proper decision in choosing among the countless alternatives for his limited funds.

John F. Kennedy, our late President, said this about the BBB: By serving the public as a clearinghouse of factual information about business practices affecting the consumer, the Better Business Bureaus throughout the country effectively express the business community's sense of responsibility for high ethical standards and integrity in trade practices and business-consumer relations.

The work of the Bureau in the past is only a foundation for the work of the future.

Mr. HEMMER. There has been talk about too much credit and too little talk, I think, about too little responsibility in the buyer. Instead of using the word responsibility, those who have criticized this extension of credit heretofore have used naivete on the part of the buyer, and lack of education on the part of the buyer as a rationale. Young though I may be, I still feel the best school is the one born of experience.

It seems to me that we can train our young people in this matter of credit in our schools. Most of them will do as they do, unfortunately, in most other things. They'll memorize for the test and then forget the next day exactly what they did learn, if anything. I feel that experience is a most important thing in the matter of learning how to use credit. Like it or not, I feel that part of the learning process in this business of wise use of credit is that the buyer buy too much, in other words that he not meet his responsibility to himself, primarily to his family.

I spoke of this last night and I said: "Which is it? Too much credit being issued by the seller or too little responsibility on the part of the buyer?" My wife's comment, and rightly so, was: "I think it's a little bit of each."

But we're living in an age when we use euphemisms, pretty words to say other things. Now what do we mean when we talk about consumers?

We're not really talking about consumers, we're talking about people. And when we talk about people, we're talking about these people in their ability to control their own actions. It's their personal responsibility to themselves, to their families, to the citizens that they abide with, to control their actions so as to conform to the standards. We're also talking here, interestingly enough, but I must say this, about a third party force here, a committee force, either on the federal level or, as Mr. Thomas Jacobson just referred, on the state level perhaps through the Agriculture Department or preferably through another more aptly named agency. It is force which is being imposed upon this whole bit of conduct, and I submit that we're either going to end up with people who abide by

rules which are superimposed on them, or as I would prefer it, if possible, would abide the common sense dictates of their own experiences with their own families.

There's a cliche going about which has to be knocked down, and that is simply this business of an overextension of credit. An overextension of credit as it's used demands one of two things, one of two extremes, or maybe my wife would have me put this in the middle again.

It seems to me that it demands absolute innocence on the part of the consumer when he makes the purchases, or absolute stupidity in not being able to understand what he is doing to himself, his family, and, by the way, his community. If we can't expect intelligent buying of our citizenry, how in the name of heaven can we expect an intelligent vote? And I really feel that involved in this discussion innocently enough, certainly not deliberately, is the suggestion that the average John Q. American doesn't know how to buy. I don't agree with this. I think he does. I would submit that those people who buy in an unintelligent way must reckon with the consequences.

I would agree that if those consequences are harsh and cruel, as a legal matter before the court, that these things ought to be tempered, obviously. But the consequences of naivete, that might not even smack of innocence, but of deliberate overbuying, exists as much as deliberate overselling.

Mr. REUSS. I would give you one tentative answer, Mr. Hemmer, to the question you posed of how you expect voters to vote intelligently in a democracy and yet how some people think buyers, consumers, need some help. The media, the newspapers and the television, do an excellent job of zeroing in on politicians. The voters really know quite a bit about us. On the the other hand, when it comes to commodities and selling practices, very little interest, very little information seems to me to be given to the public. Therefore, if we and the public are put in complete possession of the impartial facts by the newspapers and TV and radio, maybe we wouldn't need to be concerned about the consumer problem. I don't think, however, that we've reached that millenium yet.

Mr. JACKSON. I feel that education is a very, very important part that needs to be played in consumer affairs. As I said, education should start on consumer affairs in junior high school. If you start teaching your youngsters how to save and buy, how to control their money, by the time they get out of junior high school and out of high school, then you have a very responsible young individual.

I find that most of the people get caught up in a bind financially due to the fact that they've done quite a little buying simply because they didn't know how to purchase their merchandise. Most of the problems that the consumer confronts are really too small to take to court and he cannot really afford to go to court with these problems.

We don't in the Dept. of Agriculture, try to play the part of lawyers. When we have a case, we usually try to do a mediation job. If we find that there was a case of fraud, then we use our legal battery to counteract this sort of thing. If you don't deal with the consumer when he has his problem, he's not going to pursue it any further. I would think, too, that most of the people, merchants and consumers, are not really trying to beat anybody. You have people, merchants, who really want to be gyp merchants travelling from one state to another. They'll move out of Wisconsin and move over to anther state. People in Wisconsin say "that's not my problem." But what happened to the other fellow in the other state who runs to Wisconsin? This makes it their problem.

I think that we're talking here today about what the federal government can do for consumer complaints or consumer problems. If this is the case, I think the federal government should come up with some federal laws that are meaningful, that have enough teeth, to say that it will do a job for the consumer. Seemingly, each state has its own set of statutes that have to deal with merchants.

I further emphasize that you do have some honest merchants that are not trying to beat these people. They are not going to leave one state to the other. But your gyp merchants are running all over the country. And we are going to get our share of them. This means that we will have to deal with them.

The question is: "What is an intelligent consumer? What is a wise consumer?"

It seems to me that a wise consumer is one that can exercise good sound judgment, common sense. Now where do you acquire good judgment and common sense? I spent 7 years in college and I never saw them teaching it. I think I saw very few people who didn't have it, acquired it merely through the process of education. I don't think you can legislate it. I don't think you can teach common sense.

Congressman, you said that the newspapers don't devote enough lineage in their papers to consumer problems, and perhaps you are right.

I thing we can make an analogy with a pigeon drop. Does a month go by that you don't pick up a newspaper and read at least one case of a pigeon drop? This type of situation gets a lot of publicity if the cycle continues. Why? Because people are gullible.

A wise consumer knows he doesn't get anything for nothing. He's lucky if he gets what he pays for. He's not getting more than that and he may get less.

As a practicing Attorney I represent both creditors and consumer, but basically I represent creditors. Obviously, over a number of years, I have been involved in situations that have resulted in misunderstandings between the users of credit and the dispensers of credit. Sometimes this misunderstanding has given rise to stress between these two groups.

Generally speaking, I feel these two groups seldom come together as equals. Most often the seller of merchandise or the grantor of credit is more sophisticated in the ways of credit transactions.

But from my viewpoint, this apparent disparity is really the seller's edge to protect himself against the one unknown factor that exists in every credit extension which is whether the buyer really intends to honor his contract? Does he intend to pay? The only one who knows this is the consumer.

In very recent months federal and state legislation has been enacted and more soon probably will be enacted to correct certain supposed evils in current credit practices. Some of this legislation seems to have originated from those who rightly or wrongly seek to protect those people who are believed unable to protect themselves.

I am not suggesting that this is inherently wrong but I do maintain that in attempting to attack certain abuses of credit that have been committed by an extremely small number of merchants and loan companies, laws that have served good and salutory purposes over many generations have suddenly been denied the responsible merchants without any corresponding new relief given to them. In other words, you've got to correct the abuses committed by a very few. Effective collection remedies that were available to all creditors have been taken away with nothing to replace them.

I suggest that if legislators want to rid the credit world of certain credit abuses and practices, then the federal approach in accomplishing such an aim would be to legislate against these practices, not to deny all classes of creditors their effective collection remedies.

Rev. MAURICE. The problem of the gyp merchant easy finance and high pressure door to door salesman have long been documented in this state. It is obvious that even present legislation is not adequate to protect the consumer.

However I would like to speak to another aspect of the problem. The lack of alternatives. People who have been taken advantage of for a long time may well know the merchant or finance company is giving them a bad deal—but where else can they go? Who will extend credit? There is no bank in the neighborhood, the supermarkets are fast disappearing, the "reputable" stores no longer exist in the inner city.

It is easier to buy new merchandise on easy credit than to buy serviceable items at the Good Will or St. Vincent de Paul Stores. You do business with the merchant who welcomes you—even if you suspect he may be gouging you.

It seems to me that one of the real answers is self run cooperatives and expansion of Credit Unions to offer a real alternative. You can't do it through consumer education alone. Why tell a person the risks of high cost credit etc., if you don't offer him a place where he can do business.

What is needed are federal guarantees or direct funds to back up high risk loans made by community Credit Unions.

Second—a real thrust must be made to offer subsidies and expertise for the establishment of neighborhood consumer cooperatives. Consumer cooperatives in food, drugs, and appliances could easily be established if organizers were trained to do the initial organizing. Funds would be needed to help with initial capitalization.

These alternatives do work. El Centro Credit Union and the North Side Community Credit Union are proof positive. The rapid growth of the Thrift Coop on Milwaukee's south side, the first "direct charge consumer grocery coop in the U.S. is another positive proof that there are alternatives to the gyp merchant.

Coops and Credit Unions have one overwhelming advantage, they keep and develop economic power within the community of the people they serve. They become the practical training ground for economic responsibility and they directly involve the poor in planing for their own future.

AUDIENCE TESTIMONY ON CONSUMER PROBLEMS

Mrs. WILLIAM S. MEYER. Mr. Congressman, I have had the experience of going into a food store, and I found that there was frozen meat, particularly pork chops, in with the fish. How long these chops are frozen I don't know. I was afraid to take them home.

Also I have taken lunch meat that looks fresh, got it home, put it in the refrigerator soon as I get in, and couple days later I take it out and can't eat it because of how long its been around.

So I think if you package meat and put a stamp on which tells the price, poundage and date, I think they would help a lot of us pick out foods that are right for our family.

Mr. JACKSON. I am in perfect agreement with the young lady. I think that meat should be dated. All perishables should be dated so that the customer can realize what's going on. Stores do in fact date many things, but most mainly people don't know what the code date really means.

Mrs. FLORA SEEFELDT. Mr. Congressman, I guess my whole thing was when you were talking about how garnishment law works. I know five people who were garnisheed for things that weren't fair. One Christmas ago a family didn't get a check because the father was garnisheed. Later they found out that he wasn't the guy that was supposed to be garnisheed. He can sue but he has to pay the attorney and has to go through all those different things, and it didn't serve any purpose to go through all those channels. Still, his family has suffered because there is a law that says that they can garnishee somebody

by that name without even knowing who the person is.

I think that's one reason why it would be good to have it so that people cannot just be garnisheed without knowing who is who or whether I am really guilty of the crime they are accusing me of.

Mrs. MAURICE LERNER. Mr. Congressman, I happen to have the opportunity to be in the back of meat department of the A&P, and it was interesting to me that they had great big blocks of frozen meats that came in and these great big blocks of frozen meat were run through the grinder. This is their ground beef. Now I was always under the impression that you couldn't refreeze meat.

Mr. JACKSON. Was it labeled ground beef or did you have any suspicion that it was not beef?

Mrs. LERNER. I take it for granted it was beef. It still shouldn't be frozen, it seems to me, and sold as ground beef. From now on I do not buy ground beef in any chain store.

Mr. JACKSON. The state tells you you can have 25% fat in ground beef.

Mrs. LERNER. 25% fat?

Mr. JACKSON. Yes.

Mrs. LERNER. Wow.

TAXES AND TAX REFORM, AUGUST 15

PANEL WITNESSES

Professor Richard Trestrail, Marquette University

Joseph Petska, Milwaukee County Property Owners Association

Richard Glaman, Fiscal Liaison Department, City of Milwaukee

Donald Buzar, First Wisconsin Trust Company

James Behling, President, Milwaukee Citizens for Tax Reform

Dr. Arthur Becker, Professor of Economics, University of Wisconsin—Milwaukee

Professor TRESTRAIL. We are now in one of those infrequent periods in our history in which a reasonably wide-ranging revision of the federal income tax code is politically feasible. When the new code emerges from the Congressional battlefield, we will likely find that at least some modest tax reductions have been programmed for low and middle income taxpayers, some tax avoidance avenues eliminated or reduced in scope—and quite possibly some new tax avoidance avenues created.

Hopefully, the new code may on balance prove to be a significant improvement. It should better satisfy the sense of equity of most of the public, at least temporarily, and may also promote more efficient use of resources in the private sector. But the tax reform movement is primarily a political struggle to reapportion an overall tax burden which most of the public regards as excessive. Tax reform measures designed to both reduce taxes and also reduce the need for public expenditures would clearly be superior to most of the reform measures currently being proposed.

I would suggest that a tax reform measure which would be close to ideal would be one which would simultaneously encourage a socially desirable investment activity, reduce the need for public expenditures, and allow citizens to reduce their own tax bill by acting in a way which would also reduce their neighbor's tax bill. If such a measure would also tend to reduce the pressures for additional federal tax revenues for the purpose of revenue sharing with state and local governments, it would be even more desirable.

I propose that the Congress seriously consider a tax reform concept which would not only have the foregoing virtues, but would also serve to widen freedom of opportunity for our younger citizens, and to improve the overall quality of education in the United States. The concept concerned is an investment tax credit limited to investments in human capital. The specific concept is an investment tax credit for tuition payments made to accredited private schools for education and training courses which are also offered in publicly supported schools at taxpayer expense. I do not propose any specific level of credit nor any specific limitation on amount, but only that the Congress give serious consideration to the concept.

Mr. PETSKA. I should like to confine myself to the discussion of reforms in local taxes only, since that is the field in which we are working.

We do know, however, that reform on the state and national level are also very much needed.

If the tax on any level is inequitable, it is at fault and due for a change.

I have been called a liberal and also a conservative at the same time. Actually, I am just that.

There are times, when we must be liberal and at times conservative, although the meaning of these words is quite vague.

When we are liberal, we should also be liberal with our own money and not only with the other fellow's money.

On the other hand, when we are conservative, we should also be conservative with the other fellow's and not only our own.

Some of our local officials are very anxious for tax reforms on the local level and we are quite happy over that. However, they are accused of making hay for themselves. The fact of the matter is, that those who are dragging their feet have for the past many years been making hay at the property owners' expense, and did nothing for the property owners, and wish to continue doing just that while the sun shines on their form of unfair and oppressive tax structure.

The policies of the Milwaukee County Property Owners' Association are:

1. Economy in Government.
2. A better tax structure. (Do away with the single tax plan.)

These two policies have served as the ground work in our association for the past twelve years.

Generally speaking, we have made gains in spreading the knowledge of a need for a better tax plan.

In the matter of holding down the property tax, we have also been effective to some degree by applying the brakes.

Our tax plan has taken on a national trend. 170 cities in the country have since 1960 moved into the non-property tax for local government.

Mr. GLAMAN. I consider the topic of taxes and tax reform to be the most single pressing domestic issue in our country today. I say this because taxes represent resources and we cannot solve any of the problems, particularly the urban problems of this country without the resources.

Certainly the question of resources is far and away the most pressing problem facing the City of Milwaukee government today. Without resources we cannot eliminate our slums. Without resources we cannot provide the necessary housing to give everyone a decent home in a decent environment. Without resources, we cannot improve the quality of our educational system. Without resources we cannot hire enough law enforcement personnel to make it safe to walk the streets of our city. To put it bluntly, we cannot solve any of our urban problems without resources.

Mayor Maiser has been engaged in a crusade for resources for several years now, but he has been fighting an uphill fight. His demands for fiscal justice have been frequently portrayed as an attack upon our suburban neighbors and upon state government. Yet, his fight has been the same fight that is being conducted in almost every central city in the country today. For practically every central city is facing the same problems as Milwaukee. The problems of the central cities have been aggravated by the flight of the more affluent citizens to the suburbs. Under our existing laws, particularly those in the State of Wisconsin, the central city finds itself at a disadvantage compared to its surrounding suburbs. I am speaking particularly about the shared tax system in Wisconsin. Anyone who looks objectively at the shared tax system in Wisconsin cannot help but come to the conclusion that we need a revision of this system. I do not intend to go into the present inequities in our shared tax system at great length. I think most of you are familiar with these inequities; but let me cite just a few.

Probably the most definitive study ever done of the Milwaukee area is contained in a report to the Advisory Commission in Intergovernmental Relations. The report is entitled, "Metropolitan Fiscal Disparities." The section done on the disparities in the Milwaukee metropolitan area was by John Riew of Pennsylvania State University. I would like to quote a little from Professor Riew's report. "Milwaukee's revenue base is deteriorating and the urban fringe exhibits sharp differences between the industrial and the high and low income residential suburbs. Wisconsin localities derive 99.9% of their tax revenue from the property tax. This tax, high in cities and towns generally, rises abruptly inside the Milwaukee borders.

Wisconsin is known for sharing funds with local governments. Yet, this generosity is upside down from the standpoint of equalization. The rich industrial communities get $314 per capita, the high income suburbs get $161 and Milwaukee proper is low man with $88. It would be hard to devise a more perverse effect on local government financing and the direct result is inter-local balkanization and ferocious fiscal zoning.

In another place, Professor Riew notes that the suburbs spend considerably more per capita on most municipal services, but their high per capita valuation and high share of state revenues together outweigh the differences in expenditures and thus permit low local tax rates. He particularly singled out the City of Oak Creek, with its exceptionally high state shared utility tax which permits it to finance all its local services and a large part of the county tax levy out of its cash fund. Oak Creek does not have to levy a property tax for municipal purposes. The same report cited the great disparity in state school aids between those received by the City of Milwaukee and its surrounding suburbs. Again I quote from the same report.

Surprisingly, however, school aid places the central city in the least favored class. The per pupil aid received by the central city was even lower than the mean per pupil aid for the high income residential suburbs. The disadvantage of the central city is more striking in terms of per capita aid. The per capita aid for the central city was barely one-fourth the amount received by the low income residential suburbs and approximately one-third for the medium income residential income suburbs. Why is it, one may wonder, that the central city with the lowest per capita valuation fairs so poorly in school aid?"

One final quote from the report is, "Great fiscal disparities we have already noted exist among the municipalities of the Milwaukee metropolitan area. We now observe that the state's shared tax programs significantly aggravate the situation."

The report had some recommendations for state action. They were: (1) Improve distribution of tax money (2) Use ability to pay as the criterion for education aid (3) Coordinate state aid to localities, and (4) Give more aid for spill-over functions.

Under the last one, the report stated, "The central city needs a fairer deal from the state in shared taxes and aids. It needs more active state and federal help with those public functions whose benefits spill over city boundaries such as health and welfare, highway and education."

I could go on at great length to cite the inequities in the present state shared tax formula. However, I think this final example will suffice. The Wisconsin Electric Power Company is building a nuclear generating plant in the town of Two Creeks in Mani-

towoc County. This generating plant will cost in the neighborhood of $122 million. The Town of Two Creeks has a population of about 458 and is mostly farm land. It raised about $65,000 a year from local property taxes to pay for services provided by the town. Under the present state shared utility tax formula, the Town of Two Creeks would get about $2 million a year in state shared utility taxes. This amounts to more than $4,000 per person. The City of Milwaukee gets less than $8 per person, per year in state shared utility taxes. What is the Town of Two Creeks going to do with all this money? Send out checks every year instead of tax bills?

Now I would like to call to your attention another report. This report was done by Tempo. Tempo is the General Electric Company's Center for Advanced Studies at Santa Barbara, California. The report is entitled, "Options for Meeting the Revenue Needs of City Governments." It was published in January, 1967 for the National League of Cities. The report stated that the cities of this country were facing a revenue gap of $262 billion in the next ten years. This revenue gap is the difference between what city governments will be receiving in revenue from their normal tax sources and what they will need to continue their existing level of services.

In discussing funding sources, the report said that states show increasing potential over localities while the federal government has the greatest potential for raising revenues equitably and efficiently. It says that states with their broader tax bases can put together more acceptable tax packages than cities and because their revenue needs are rising less rapidly than those of the cities, state aid to cities could be increased by 50% in the next decade.

The report also finds "That in practice there has been little effort made by states to aid in solving problems unique to urban areas."

The Tempo report also has some comments about the local property tax. The report states that in actuality, there is no direct correspondence between property taxes paid and community services received. To the extent that revenues raised by increased property taxes are used to solve today's most pressing problems renewal of slums and improvement of the conditions and abilities of slum dwellers the net effect would be to impel out-movements of middle and upper income families and business enterprizes and in-movements of low income groups with little capital or skills and a wide range of problems.

The report also says that assuming no major increase in defense budget requirements, it is feasible over the next ten years to increase federal appropriations to city governments by $125 billion. This amount would be equal to 40% of the uncommitted estimated incremental federal tax revenues in this period. The Tempo report finds "That federal funding on this scale is absolutely essential for making real as opposed to token progress in solving urban problems."

The Tempo report also has a section on administering federal aid to cities. This section notes that tradition in this country assigns responsibility for the government of cities to the states. I would like to quote from a portion of this section.

"There are compelling reasons for not allowing the states to administer or even to decide how to allocate federal funds intended to aid localities. If given power to administer such funds as they see fit, it is naive to believe that the states would not divert some of the funds to other uses. Nor, is it enough that the states be given functional instructions in how to use these funds—that is, instructions on how much money is to be spent on community health programs, education, urban beautification and so on, but left complete freedom in allocating funds among the cities."

The report says that federal funds could be distributed by the states on a population basis, but says this procedure is defective because it makes no allowance for differences among cities in fiscal needs and capacities. As a result, the report says it would short change cities with relatively high per capita fiscal needs and relatively low fiscal capacities.

I think the Tempo report is significant at this time because of the obvious tendency of the present federal administration to channel federal funds through state governments. I think the mayors of the larger cities in the nation are justifiably fearful that their cities will be short changed if the federal money is administered through the states. I think the Congress should look very closely at President Nixon's revenue sharing proposal. I think safeguards should be built into the proposal to make sure that cities get their rightful share of this revenue.

In closing, I would like to say something that has been said many times, by many people recently. That is, that it is time this country gives as high a priority to the problems of our cities as it gives to reaching the moon or subsidizing agriculture.

Mr. BUZARD. I want to address my preliminary comments on a very narrow area which is covered by the reform bill of 1969 recently enacted by the House, and now before the Senate for consideration. I think certainly the House Ways and Means Committee and the House is to be complimented for the rather monumental tax reform that they have started. They have some excellent provisions but I'd like to be critical of two things.

I agree with what assistant Secretary Cohen called the bill when he called it the "Lawyers and Accountant Relief Act of 1969." It's very complex; but I don't know how it can be avoided.

Seriously, I would like to criticize what is being done to the charitable foundations and to charitable contributions by individuals. I think the Congress, the House, has over-reacted, perhaps dangerously, to some rather well publicized abuses by private foundations and the use of their funds. Perhaps they are overreacting to some of the publicity of very wealthy individuals who through giving money to charities avoid paying any taxes at all.

The existing laws provide an indirect subsidy to voluntary charities, to private charities, health and welfare and educational charities, such as United Fund, hospitals, colleges and universities, the fine arts, our music hall, conservation, and many other areas.

Now some of these services are so essential that if they are not covered by voluntary contributions, our tax dollars would have to cover instead. Others provide seed money for programs which if they prove to be attractive often are adopted by governmental units. Sometimes these private, voluntary, charitable organizations provide leadership in unpopular areas that serve a common good. By making it attractive from the tax standpoint to support these voluntary activities and to contribute to these charities, the charities are the ones who benefit.

Very often it's the wealthy individuals who are in a position to support them. The cost of collecting money is simple to understand. It's easier to get a $3,000 gift than 30 $100 gifts or 300 $10 gifts. It is often that the persons best able to give are the ones who are giving. There is a tax benefit but the benefit in the last analysis goes on to the charity. In removing this tax subsidy you are punishing the charity.

The Wall Street Journal, analyzing the bill, quoted from the House report that the tax on the income of private foundations was raised $75 to $100,000,000 a year. That may not seem like much but I think that $75 to $100 million comes out from voluntary support for worthwhile charities. They also are putting limitations on individuals' rights to give in the sense that appreciated property which has been a very special advantage to wealthy individuals is removed as a tax incentive charitable device, as are bargain sales and certain other devices.

I agree completely with the House that they should cure the abuses. The abuses of self dealing and the use of foundations, not for charitable purposes at all but for the private benefit of people who create them. Or to be punitive to foundations that don't distribute their income, but which are really engaged in business activities and have large business holdings. But on balance I think they have made a mistake, and are going to penalize a very important part of our whole national structure by what they have proposed.

I urge upon you and your Colleagues, when you have an opportunity, to consider amendments after the bill comes out of conference, to reconsider this.

Mr. REUSS. As you pointed out, I agree with you that the tax reform package put through the House is a great step forward, but only half a loaf in terms of what I would have liked to have seen. On foundations, I have to say that I don't think that foundations should quite go home completely tax free.

The House bill I believe put a tax of 7½ percent of their income. That doesn't really bother me perhaps as much as you would like to have it bother me, but I will now add that there were in the foundation package many provisions which I think are objectionable, including one which would impede the work of many very legitimate and bona fide foundations. That's the provision that says they may not engage in anything which effects economic or political or social affairs. That's just carrying things much too far. There have been some foundations that abused it, but I would hope, with you, that we can rationalize that and improve it before it finally gets through.

Mr. BEHLING. The tax bill has been described by Congressmen, the press and so forth as "the most far-reaching tax reform bill in decades," perhaps ever. The bill, it seems, would offer some substantial relief to the low income taxpayer. It does promise to close numerous loop-holes which wealthy individuals and corporations have exploited through the years.

However, there is one group that the bill slights. That is the largest tax-paying group of all, the middle income group.

When campaigning last summer and fall for the presidency, Richard Nixon talked of America's forgotten people. The silent majority, he said, "must at last be served." Mr. Nixon promised to serve that group, if elected. Of course every election has its own campaign rhetoric, but still there were the forgotten people. America's silent majority would receive some long over-due consideration in Washington.

If this summer's tax reform efforts are any example, it seems to me that President Nixon, as well as Republican and Democratic legislators, have again forgotten to remember America's forgotten people.

This isn't too surprising though is it?

It's easy for Washington to forget the middle income tax-payer, the man earning between $7000 and $25,000 a year.

Through our recent urban and educational turmoil the middle income people have generally remained law-abiding, perhaps afraid, certainly reluctant to make waves. Based on that good behavior history it was natural that Congress forgot to give real tax relief to the middle income taxpayer. After all, and unfortunately, our society rewards the loud squawker, not the quiet talker these days.

But what about those claims that the tax reform bill is in fact a bonanza for the middle income group?

Let's see what the bill really does.

It is written that the bill promises the middle income taxpayer a great reduction

over a period of a couple of years averaging somewhere around 5 percent. That same 5 percent reduction would also go to those in the 75 to 100,000 dollar bracket and somehow that doesn't seem quite equitable. Those in lower income areas will receive substantial rate reductions, between 60 and 12 percent for those earning between $1,700, the official poverty level, and $7,000 annually. This is fine. No arguments. Low income people should get substantial tax relief. And of course it's in from a political standpoint, push hard for the disadvantaged.

But other than that 5 percent rate reduction, what other relief does the bill really offer the middle income taxpayer, the guy who pays this nation's bills and doesn't complain perhaps loudly enough?

While others would cash in on the gold and the tax reform gold mine, the middle income tax-payer if you will allow the analogy, will be left with the shaft. But it's a tricky gold-plated shaft. This is the main point. The standard deduction according to the House bill would be raised from $1,000 to $2,000 annually. That sounds great until you remember that the majority of middle income taxpayers and a solid majority in our Milwaukee comm nity own their own homes. That means they have soaring property taxes and that means also that they are paying interest payments on their mortgages. That, in turn, means they itemize their deductions and those who itemize are affected not at all by any increase in a standard deduction.

In reality the standard deduction reform is an empty bucket to homeowners.

Our group, Citizens for Tax Reform, has been striving for four basic reforms. They include plugging loop-holes and increasing the standard deduction. And these reforms, for the most part, are included in the House bill and for those favors we're appreciative. But the other two goals have been ignored: Tax relief for parents in paying for their children's higher education, and most important, an increase in the per dependent exemption allowance. The six hundred dollar exemption allowance, the figure enacted shortly after World War II, has not been changed for more than 20 years. But through the years inflation has eroded the value of that $600, while the cost of living has doubled in the last 20 or so years. The taxpayer has been stuck with the same $600 a year for dependents.

The injustice is painfully obvious and the reform is just as obvious and I don't see quite why the House has over-looked it. Raise the per-dependent exemption to $1,200 and that's over a period of six years if necessary: $700 in 1971, $800 in 1972 and so forth to $1200 in 1976. Now wouldn't that be a nice birthday present on our 200th anniversary?

This reform would touch all the people but it would especially help medium and large size middle-income families.

In summary, the middle-income taxpayer, especially the home-owner, receives little significant relief from the proposed tax reform bill.

If the Federal government does not offer tax reforms giving significant relief to homeowners the financial crisis of our cities can become only more acute, and our urban quality of life will continue to deteriorate. Mr. Reuss, is Congress ready to accept that responsibility?

Mr. REUSS. I subscribe 100% to the criticism you make. Now if you think it's a little odd that I, as a Congressman, accept that criticism, if you'll reflect a minute on how the Congressional process works, I think you will see how it is possible.

You should bear in mind that two days before this so-called tax reform bill came to the floor, the Ways and Means Committee had not included in it any relief at all for the $8,000 to $15,000 a year income group. It was only when some of us dug in our heels and said that we're going to vote against this bill that the Ways and Means Committee belatedly put in the very, very modest reduction in the rate bracket.

The moral is that the work you and your tax reform associates have started on has got to continue. This is simply a first installment. I wish you would feel encouraged that your first time at bat has produced what everybody said was impossible and what has not been accomplished in a quarter of a century, namely the beginnings of tax reform.

But you and I can agree completely that this first go at it is hopelessly inadequate and must be merely the first installment on a reformation of our entire tax system.

So I accept your criticism. I don't think it's in any way intemperate, and you encourage me to continue my efforts to secure really meaningful tax reform. I think everything you've said is a valid criticism. About all I can add is that we might have had nothing. We do have something and that is at least a start.

Dr. BECKER. The overwhelming vote of the House of Representatives last week in passing the Tax Reform Act of 1969 reflects the mood of the American taxpayer. It is hoped that the Senate will be equally sensitive to taxpayers' wishes when the bill is considered by that body this fall.

I applaud the efforts at tax reform embodied in H.R. 13270. There are very few provisions with which I disagree. Indeed, the bill represents a remarkably large package assembled in a very short time. I would hope that other tax reform measures will be forthcoming later. It is to this next step that I wish to address myself today. Because of time restrictions, I shall be able to do little more than to list some suggestions that I feel are of considerable importance for a second round of federal tax reform.

A. Suggestions for reforming the individual income tax:

1. *The income tax base should be broadened to include most if not all government transfer payments as well as many fringe benefits.* The inclusion of government transfer payments involves social security, unemployment insurance, veterans', and health and welfare benefits. This will add about $30 billion to gross taxable income.

2. *Interest on all state and local bonds should be taxable.* The complete elimination of the exemption of such bonds would achieve uniform tax treatment and avoid complications and some probable unintended results.

3. *The additional exemptions allowed for the aged and blind should be eliminated.* With the present deduction allowed for medical expenses, the proposed increase in standard and minimum deductions, the lowering of tax rates, and considering the many other groups of handicapped taxpayers, these additional exemptions for the aged and blind are not justified. This would add more than $2 billion to gross taxable income.

4. *Allow the deduction of interest paid only,* (a) *on loans to finance business or investment, and* (b) *up to the amount of property and business income reported.* This provision would broaden the tax base and increase equity between renters and homeowners, cash and credit consumers, as well as low income and high income (who benefit most with the interest deduction) consumers.

5. *Restrict deductions for philanthropic contributions by:* (a) tightening upon the *very liberal variety of organizations for which contributions may be eligible for deductions,* and (b) allowing itemized deductions for contributions only *if in excess of 3% of adjusted gross income* (the average for middle bracket taxpayers) *with total deduction limited to perhaps 30% of adjusted gross income.*

6. *Limit the depreciation of all eligible income producing property to only a single depreciation life.* This will lower the rentals of older housing for low income families, take the profit out of slums, and stimulate private renewal. This restriction should apply to the corporation income tax as well.

7. *Allow the homeowner to have his property taxes withheld from his wages or salary.* This will help the homeowner avoid the financial hardship and inconvenience that he now faces in trying to pay his property tax when it falls due. The property tax is the only major tax which must be paid deliberately in one or at most twelve large payments. The burden and difficulties in paying his property tax is thus greater than that of paying his income tax, which is withheld from his wages or salary, even though his income tax obligation may be several times as large.

B. Suggestions for reforming the tax treatment of tax-exempt organizations.

1. *Tighten up on the definition of tax-exempt organizations.* Many of them give unfair competition to tax-paying organizations and by encouraging the growth of these tax-exempt organizations, the federal, state and local tax bases are further seriously eroded. This applies particularly to some charitable, fraternal and educational organizations. Many of those do not primarily serve the poor and tax-exempt status for them will not increase welfare burdens significantly.

2. *Business income not directly related to the primary purpose of exempt organizations, including churches, should be subject to corporation income tax rates.* This should apply as well on business property and firms owned by tax exempt organizations and leased-back to the former owners or leased to new owners.

C. *Capital gains should be taxed at death on the increased value of assets left by the deceased.* His capital gains tax liability should be based on the assumption that he sold his assets at the time of his death. This provision will eliminate the tax advantage of the estate whose capital gains are never realized compared with those whose capital gains are realized as the estate is built up.

D. Suggestions for reforming estate and gift taxes:

1. *Integrate gift taxes with estate taxes into a single tax on the (non-sale) transfer of property. An alternative is to include gifts along with other transfer payments in the individual income tax base.*

2. *Trust transfers of property should be taxable as is the case with outright transfers.*

3. *Increase the present estate tax rates moderately and distribute a percentage of the tax yield to those states that repeal their own inheritance, gift, and estate taxes.* The percentage should be large enough to return to states amounts that exceed, by perhaps 25 percent, the average yield of present state transfer taxes. Present state efforts at taxing estates, inheritances and gifts has lead to gross administrative difficulties and serious inequities, including that in which several states as well as the federal government may tax the same base several times over depending upon the nature of the estate and its geographical distribution.

The above suggestions are designed to resolve in a more satisfactory way many problems of the tax structure which are inequitable, unduly burdensome, promote slums and interfere with incentive to work and invest. Action to meet these problems is long overdue. I hope these suggestions will be helpful in directing such action.

Mr. REUSS. Let me pull together what's been said. I think the valuable thing about this panel is we've had a variety of different interests represented, Mr. Petska, whose first love is the home-owner, the real-estate taxpayer. I don't blame him for his concern there. Mr. Glamon, who represents the harassed central city which is trying to keep its

nose above water. Mr. Behling and Professor Becker who are interested in an equitable federal tax system, of which the first step is plugging-loopholes so that you can get the revenue where you must. Professor Trestrail and Mr. Buzard who testified about various specialized aspects of this.

I think we can all agree that we're going to need in this country a federal-state and local government system. We aren't going to change that system. We can also agree that government ought to do at various levels those things for its people which need to be done and that it ought to do it with economy and efficiency, not wasting one penny but doing the job that has to be done. I commend for instance Mr. Petska because he does not come here and say "Let the city of Milwaukee stop collecting trash." Sure you could save a few dollars by doing that, but that doesn't solve the problem of the people of Milwaukee who need those services.

So our problem is largely taking a look at the total federal, state and local tax and governmental systems and see how we can come to grips with some of these problems like saving the central city, saving the overburdened home-owners before he loses his home and gives up in despair, and saving the middle-income taxpayer who has had to bear too large a portion of the total.

Here again I would like to commend Mr. Behling for his statement that when a tax break was given, as it was in this Congressional bill, to the lowest income taxpayer, that didn't bother him in the least. Those people are not necessarily his clients, but he recognizes the justice of taking care of them. What he objects to is the fact that others, mainly in the $8,000 to $15,000 bracket, have not been adequately taken care of.

Putting all of these things together, and throwing in revenue-sharing by the federal government with state and local governments which President Nixon tentatively proposed recently, Where are we? Obviously, nowhere if all the federal government is going to do is to pass out money to the states, saying "All right, here is some money for you to distribute."

There is going to be no incentives for the states, including the State of Wisconsin, to improve the equity of the structure. The State of Wisconsin returns a very important income tax return to a wealthy suburb like River Hills, whereas a poor city or town doesn't come in for that. Equally, the State of Wisconsin, as the Tarr report shows, gives to its small communities which happen to have big public utilities like Cassville in Grant County, very large returns, whereas the rest of the state goes hungry.

Unless the State of Wisconsin and the other 49 states are going to reform themselves and their relations with their local governments, it seems to me we're never going to get the fair systems of taxation and expenditure policy that we all need.

Therefore I'll put to the panel this proposition. I would hope that in Federal revenue-sharing, which we are probably going to get in the years to come, revenue-sharing would be conducted in such a way as to induce the states to reform their relations with their local governments and to permit their local governments to survive and to take some of the burden off of the more regressive forms of taxation of which the local property tax is perhaps the worst. Conversely it would be a mistake simply to give states an oxygen tent, a crutch to enable them to continue the same old inequitable taxing and expenditure practices. Let's perhaps have some reaction to that proposition from members of the panel.

Mr. PETSKA. It makes sense, but I think that principally more reapportionments for state legislatures should come following the 1970 census.

Mr. GLAMAN. I think that while there will be substantially more revenue available once defense spending is cut; there probably won't be as much money available as many would like to see because a lot of people are trying to get their hands on that money.

If there is federal revenue sharing I think that, if it doesn't go through the state, I think that it certainly should be a requirement that a large proportion, and I'm thinking in terms of maybe 90% of it, should be required to pass to local government and pass it on on a basis that takes it in to consideration local tax effort.

Mr. REUSS. In addition to that, should not the states be required, as a condition of receiving these revenue sharing funds, at least to begin the reform of their internal structure with respect to governments in metropolitan areas and rural communities, too, so that our 19th century, very wasteful form of local government has at least a chance of being modernized.

Mr. BUZARD. Many of the inequities that are obvious come about by these artificial boundaries of municipalities, little tax havens that have been carved out that really are part of a major area. Even carving out the schools as separate tax districts or sewers or anything else really doesn't make much sense these days. Perhaps we ought to have one school district for the entire state or maybe a single school district for a region, but many of the tax problems are caused by artificial and today meaningless boundary lines which carry with them very different tax treatment.

Mr. REUSS. Very good point. Would you agree Mr. Buzard that maybe we ought to put governmental functions into two baskets. You have suggested that really all of the people of the metropolitan area, let's say Milwaukee, ought to support local schools on an approximately equal financial basis. Having said that, however, would you also agree that the detailed government of local schools in a vast metropolitan area like Milwaukee, ought not to be handled on a separate basis but could well be devolved upon neighborhoods, perhaps even to a greater extent than is the case today? You would have overall area-wide fiscal responsibility for paying the taxes, but decentralized governmental powers so that the neighbors, the parents, the teachers, the taxpayers, of the neighborhood or smaller area had a great deal to say about this system. I recognize that this is not the governmental allocation that we now have, but is it not something that we could work for?

Mr. BUZARD. Yes, I think so.

Mr. PETSKA. Mr. Reuss, how would this work? Accept this idea of federal grants for federal aid for all areas of local government or just for certain areas, like say welfare or the schools. I was wondering if we could limit that to certain areas only?

Mr. REUSS. An interesting point. There is certainly something to be said for federal responsibility for the two areas you mentioned: welfare and education. Take education. In Wisconsin, particularly at the higher education level, we educate at the taxpayer's expense at a great University, hundreds and hundreds of Ph-D's and graduate students, who then hightail it to California where they benefit the people of California for the rest of their lives. In welfare, we have to face facts. We of Wisconsin are paying the welfare, and to some extent the education costs, of children very frequently black children, who started life in Mississippi and who were very badly shortchanged there and who now as a straight, cold-blooded dollar and cents matter require extended costs. Therefore, it seems to be that you're on the right track, that it would make sense for the federal government to pay all or a very substantial part of the costs of welfare and education.

If this were done it might well be that we could then leave to the locality much greater freedom and flexibility and not load it up with hundreds of specific federal aid programs that drive Mr. Glamon's associates out of their minds at city hall. Is this what you are talking about?

Mr. PETSKA. There are many families today migrating from one state to another looking for a state where there is better picking by way of welfare. That has been proven many times right here in Milwaukee. And many times they may stay here and again they go right back where they came from.

Mr. REUSS. Whether that is so or not, whether there is this welfare shopping that you are talking about in any large sense, it certainly is true that some states are now shirking their welfare burden and other states thereby have an inordinately large welfare burden. Wisconsin happens to be in one of the latter categories. Federal responsibility would eliminate this interstate competition to see who can most short-change the welfare program to pass the burden off on somebody else. I think you've made this clear.

Mr. PETSKA. On the other hand if we cut our federal aids in all these areas I think we're moving away from states' rights too much. Don't you think so?

Mr. REUSS. I would favor the devolution down to the lowest possible level of government of every function which could best be performed there. I also have never been enchanted with the idea of five or six hundred separate federal programs on each little aspect of city life. For example, we've got two federal programs now which affect what the city of Milwaukee Health Department does about measles. That doesn't really make too much sense. We have a good federal program for rat control in our cities, but I would much prefer to see an overall block program which lets the city of Milwaukee find its own priorities on what it thinks is most important.

Philosophically I do not disagree at all with you. I do think that the one unit of government which has most shockingly evaded its responsibilities has been state government. I think either we're going to have to give up state governments, which I don't favor because valid and viable state governments have a function, or we're going to get our state governments to be more responsible.

Mr. PETSKA. State governments have a hand at withholding from the local communities certain rights and privileges which they should have because they are common to that particular community.

AUDIENCE TESTIMONY ON TAXES AND TAX REFORM

RICHARD MARKEY. Mr. Congressman, the evil system that robs the elderly of their happiness in their golden years by ignoring their needs for an escalating income taxes even as the cost of living surges upward. Are our senior citizens so easily forgotten? I would like to go on the record, Mr. Reuss, as supporting immediately legislation to prevent the further robbery of these fixed income citizens.

Mrs. FLORA SEEFELDT. Mr. Congressman, people who put their children in private schools find their taxes are not eliminated. They pay double to educate their children. Some people who wish to put their children in private schools really can't afford it.

We started out paying $129 a month on a house. Now, mind you, the house costs $13,000. We have to pay this for 30 years. Can you imagine what we are paying for that home. With the interest and all that? It amounts to a $30,000 home, really.

That's not my gripe as much as it is now that the taxes have gone up so we pay $145 a month for the house. Now other families are paying $150, when they started out paying $130. The Federal Government has just washed its hands from the whole thing and has gone on about its business. They don't care about us.

Mr. REUSS. I think Mrs. Seefeldt makes a very good point, certainly familiar to Mr. Petska and his group. In this system of gov-

ernment of Federal, State, and local government, one level acts as if he had no responsibility to the others. I'm a Congressman, therefore some say it isn't my concern what happens to city hall. As a result of this, people of modest income, including yourself, suffer.

Mr. PETSKA. A few years back I conducted a little research just to the number of tax exempt properties in Milwaukee. At that time 29% of the property in Milwaukee was tax exempt. That is before the day of urban renewal and the expressways. Today it must be somewhere around 40 percent. Therefore, only 60 percent of our property is being taxed by local government, one of the main reasons why taxes have been going up.

OTTO KATT. I want to speak on the retired people and their living. I was born and raised here. I raised five children. My wife died two years ago. I tried to sell my home. But could only sell it to the FHA appraisers for half what I paid for it in 1956. During that time my taxes have more than doubled and the value of the property depreciated to half although its in A–1 shape.

Social Security and a pension is what I have to live off of. I have lived all my life here and had a good trade. I was forced to retire. I belonged to several retired groups, and people of all ages have the same problem and nobody does anything for us. You can't go any place. Nobody will listen to you. What are they electing people for? What do we have our local and state government for if no one will listen to you? Who can you turn to? What can you do? I am 76 years old. I have schooled and educated 5 children. They all live in the city of Milwaukee and in the suburbs. They have their own families.

Instead of getting better everytime you go to the store you get less for your dollar. My country, what will it do for me? I almost tried to sell, I couldn't sell. What can I do in any case? Who can I turn to. Nobody.

Mr. REUSS. Mr. Katt, we'll all try to help you. Do you still live in the house at 4127 N. 24th Street?

Mr. KATT. Yes, I do.

Mr. REUSS. Is that a duplex or a single family.

Mr. KATT. That's a duplex. I bought it in 1956, in 12 years time the taxes have more than doubled. I paid $514 in 1956 and I have to pay $1,071 today.

Mr. REUSS. You deserve some help. And I know that my colleagues on the panel will want to help too.

WAR AND PEACE, AUGUST 16

PANEL WITNESSES

Les Aspin, Economist, Marquette University.

Robert Bee, Vice-President, First Wisconsin National Bank.

Dr. Carol Baumann, Director, Institute of World Affairs, University of Wisconsin—Milwaukee.

Arthur Heitzer, past President, Marquette University student body.

Mr. ASPIN. The real place to look, if we are going to change our foreign policy, to improve foreign policy, is not at the policy itself, but rather at the system by which the policy is devolved. I think that there is a new mood in the country today. It's a post Viet Nam mood. It's a mood in which people are very unhappy with the kind of methods by which our foreign policy decisions are being made today, decisions primarily by the executive branch.

I think that really the evidence for it is quite substantial. There's a total breakdown in bipartisan foreign policy. In the 1950's we always used to be able to rally the whole Congress behind the President on the grounds that we must stand together in the face of the enemy. But now we can't even get unity within the party, never mind across party lines. Secondly, I think there is a real suspicion these days of Presidential powers. This, no doubt, is an outgrowth of the fiasco of the Tonkin Gulf Resolution.

There is a real realization on the part of people that seemingly innocuous decisions have really very long range effects. Thirdly, I think that there is a desire on the part of citizens to become involved in foreign policy decisions. The mystique of the foreign service or the foreign policy expert is somehow tarnished in the way that the mystique of the military generals and officers expertise has been tarnished.

All of this adds up to a very new mood in the country. In fact, I think that really the cry for public or civilian control over foreign policy is potentially as strong or stronger than the present cry for civilian control over military expenditures.

What does this mean for conducting foreign policy?

It means its very, very difficult for President Nixon. He is faced with trying to alter our policies in some areas and he's got this new kind of situation politically at home. What has happened is that what we previously used to regard as policy has now got to be changed. We always tried to thread a line between total nuclear war and capitulation in the case of a foreign aggression against a small country. Our policy was that real danger to peace is not confrontation with the super powers but rather between a couple of small countries. And in that case we had to avoid nuclear war on the one hand, and capitulation on the other.

So we developed a policy of flexible response, meeting challenge with appropriate response.

Since Vietnam that has been changed. We have found that small wars can be found to be very, very unpopular politically. And so we are faced with three alternatives which are equally unpalatable. They are: nuclear war, capitulation or do nothing. And Vietnam type wars. Now what does the President do under those cases?

Something will have to be worked out, but in the short run the kind of logical solution is what was suggested by President Nixon in Guam. He said that we will be very selective about our committments, and that our decisions as to whether to intervene or not to intervene will be decided on a case by case basis and not by general policy. That means we will become perhaps less involved in Thailand or Korea and more involved in Indonesia. But when you try and conduct that kind of a policy against the kind of a mood of suspicion at home, you've got very difficult problems.

On the one hand you've got this policy of selective response, which I guess is what you'd call it. If the President is going to embark on it, or probably will embark on it, coupled with this new mood at home, what do we do then?

It's quite clear that we have a whole new series of institutions and procedures that have to be worked out whereby people can have their own input into foreign policy decisions. The President must have a political mandate to conduct foreign policy. What this means ultimately is that Congress must become more involved with foreign policy.

That raises a whole host of constitutional and practical problems. But it seems right now that's the only way that we're going to be able to conduct foreign policy without political backfire. I think that that's the thing that we ought to be worried about. That's the thing that Congress ought to be studying, that's the thing that academics should be studying, and that's the thing that we ought to be holding hearings on. That is, how can we get the people more involved in foreign policy decision?"

Mr. REUSS. I was interested, Mr. Aspin, in your listing of what you thought the alternatives were in a situation like Vietnam. As I jotted them down, you listed nuclear war, doing what we've done, and capitulation.

I'd like to quarrel in a friendly way a bit with that list. I don't really think that you've exhausted the alternatives. It seems to me that there is a non-military alternative which in most of these cases is the better alternative. It involves all sorts of economic, political and psychological measures, but doesn't involve the use of American troops. I wonder if in many cases that non-military alternatives while not perfect, may work, and are about the best thing we can do.

Mr. ASPIN. Certainly, when I listed those three alternatives, there are certainly lots of possible modifications. The one that you suggest is somewhere in between capitulation and committing U.S. forces. The problem is when you come up against the problem; if that doesn't work, then what do you do?

We were involved in Vietnam to that extent at one time. The policy was failing and the trouble was that we then escalated instead of deciding not to go to war. The trouble is that, once you make a slight investment, the tendency or momentum is always to throw good money after bad in foreign policy, and if you've got a commitment of economic and technical assistance and the country is still shaky and not holding up, there is a strong tendency to follow it up. That's the danger of it.

Mr. REUSS. It's said, you know, that the orientals are always afraid of losing face. It seems to me the Americans do pretty good in that area as well.

Mr. ASPIN. The orientals have nothing on the political government or politican. Saving face is very important.

Mr. BEE. I would like to develop the theme that trade and investment contribute to world peace in two ways: (1) by de-emphasizing nationalism, and (2) by increasing economic interdependence between nations. People, ideas, ways of doing things tend to travel with goods and, in the process, tend to break down specifically national approaches to life. At the same time, the growing volume of trade between nations tends to build a structure in which each nation becomes more dependent on its trading partners.

When speaking of trade and investment, I refer only to private operations. State trading frequently seeks to achieve non-economic goals, such as political subversion and military advantage and, as such, does little to enhance world peace. Private trading, on the other hand, seeks *mutual* gain. The dominant considerations are quality and price, and both exporter and importer feel better off once the transaction is consummated. Investment, in a broad sense, is a kind of extension of trade since the major purpose is to develop additional sales by operating in markets heretofore not exploited or by greater penetration of existing markets through lower cost production facilities. Thus, my proposition is that private enterprise, by trading and investing in circumstances where market forces are allowed to operate reasonably well, contributes effectively to world peace.

Private trade cuts against nationalism in many and varied ways. The movement of goods from one country to another can indeed have a very profound effect on the pattern of life of one society. This might seem obvious if we consider, for example, the relatively recent, widespread distribution of transistor radios throughout the world. Today, in countless villages of Asia and Africa, even those which do not yet have road connections with the outside world, a visitor would almost certainly find at least one transistor radio. As a result of this single acquisition, the villagers are vastly better informed about what is going on in the world than they were before the arrival of the radio. Today, most primitive villages also enjoy some refrigeration, have access to penicillin

and a jeep or two. It does not take too much imagination to visualize the enormous impact on the pattern of village life that has taken place from the mere introduction of a radio, a refrigerator, a jeep and some modern medicine. There is not only a substantial improvement in well being, but there is also a new awareness of the outside world and the beginning of some understanding of it. While this change in perspective is dramatic for the villager, it is even more dramatic for citizens of the major cities of Asia and Africa. In the cities virtually all of the products of our outside world are available and visible, and there are even examples of modern European or North American suburban life to be seen.

An awareness, and an elemental understanding, of the outside world certainly do not imply a rounded or intelligent opinion or that people of a developing society are no longer subject to emotional, nationalistic appeals. Certainly not. However, I am suggesting that *more* understanding, when heretofore there was virtually none, is a very healthy movement in the direction of peace.

It is true that wide differences between rich and poor can sometimes cause tension that could lead to hostility and war, and that trade can sometimes make people of a poor country more conscious of these differences. However, the differences are not caused by trade and, indeed, I believe that in most instances private trade and investment help to bridge the gap between rich and poor nations rather than make it worse.

While bringing modern products to the cities and villages of a poor, developing country produces a fairly clear and dramatic impact, trade and investment between developed countries has a very similar effect, although perhaps less dramatic. France, for example, with its expressways, motels, super markets, TV and cluster of new automobile-based suburban communities outside of Paris, has witnessed a vast change in the pattern of everyday life during the past 20 years. This change must be attributed largely to trade and investment since, in most cases, the product or the technology was introduced from abroad. In Japan, the 20 year contrast is even more striking. In two highly productive decades Japan has become a modern, automobile-based industrial society and, to the casual observer, downtown Tokyo differs very little from downtown Detroit or downtown Milan. The important point, however, is not that the average citizen of Tokyo, Paris and Frankfurt has a much different life today compared to his counterpart 20 years ago, but the new pattern of life in each city has become very similar to that in other major cities of the world. This movement toward standardization tends to break down national ways of doing things and supplant them by more universal approaches to life. By so doing, people of other nations become less "foreign". The sameness of man is emphasized and this, I believe, contributes to world peace.

This tendency toward a standardization of life pattern has, of course, encountered resistance. The standardization is viewed by some as a kind of unwanted Americanization of the world. General De Gaulle has articulated this theme with perhaps the greatest eloquence and success. But even in France, at the height of Gaullist power, free economic choices by French citizens were giving added momentum to this process of standardization and now, at the end of the Gaullist period, the arguments of the General appear more and more as an unwanted vestige of a nationalistic past. Thus, in a very real sense, the movement toward standardization of life demonstrated its strength, despite the nationalistic appeals of De Gaulle in France.

International investment has very much the same effect as trade when viewed in terms of the product reaching the consumer. In a real sense, investment is an added dimension of marketing and facilitates a more effective distribution of a particular product throughout the world. The major instrumentality of international investment is the multi-national corporation.

De Gaulle and others have tended to act as if the multi-national corporation is a uniquely American phenomenon. While it is true that about ⅔ of the major multi-national corporations have their headquarters in the U.S., a very significant number are European-based and owned (such as SKF, Unilever, Electrolux, Shell and Bata Shoes). Moreover, it misses the point to focus attention on the country of headquarters when discussing multi-national corporations. These organizations endeavor to apply modern management techniques to rationalize production and distribution on a global scale. In the process of building a global organization, national boundries become a relatively minor consideration and people are shifted from country to country on the basis of corporate need, not nationality. Differences in language, custom, accounting, personnel procedure and many other aspects of corporate life tend to be harmonized primarily on the basis of efficiency. In time, company loyalties develop which, in some important respects, tend to transcend national loyalties.

The trend toward multi-nationalization of corporations, whether based in America, Germany or Japan, is going forward at a rapid pace and in itself makes a significant contribution to world peace. Not only is the product standardized, but new methods and procedures are introduced, many of which contribute, I believe, toward breaking down national approaches. For example, a Frenchman working for IBM is most likely to be a very different man after five or more years exposure to IBM methods and personnel. This is also true of the American working for Volkswagen and the Brazilian working for British Petroleum.

Private international trade and investment, when allowed to develop and flourish, do more than augment prosperity and emphasize sameness of man. They both help build a structure of interdependence which, by its very nature, makes it physically more difficult for one nation to go to war against another. Supplies, fuel, parts and components of many kinds must be obtained from a multiplicity of sources abroad in order for the industry of one country to continue to function. This dependence becomes, in practice, a growing disincentive to war. The existence and expansion of multi-national corporation further strengthens the structure of interdependence of national economies. It is getting so that "American" economic interests are becoming very difficult to define. It is certainly no longer clear cut for us to retaliate against "foreign" corporations, and it is no longer realistic to assume that everything within our national borders is "American" and everything outside is "foreign". The difficulty of imposing national controls or regulations on multi-national corporations has become increasingly obvious. Indeed, the existence and growth of these global corporations will require national governments to work more closely together in order to achieve a minimum of control or regulation.

All of what we have said heretofore about trade and investment contributing to peace has referred primarily to the non-Soviet world, whereas the greater threats to world peace involve potential conflicts between the Soviet World and the Free World. The practical possibility in present circumstances for private trade and investment to make a contribution to peace in our relations with Soviet bloc countries is, of course, limited. Nevertheless, in principle, additional trade could make a contribution to narrowing East-West differences. East-West trade has increased rapidly during the 60s and it seems probable that this trade will grow more rapidly during the 70s. Further growth is bound to have a beneficial effect in bringing the two patterns of life closer together. Investment is more difficult, but even here it is possible to imagine circumstances under which a private Western firm might find an effective basis for collaboration with a Soviet State enterprise. The recent agreement with Fiat to build a new automobile plant in the Soviet Union may well provide a formula for new investment collaboration arrangements. In any case, the basic role of trade and investment as a peacemaker can in principle be extended to dealings with the Soviet bloc countries.

Given our human frailties, peace is an exceedingly difficult objective to achieve. However, private trade and investment in the non-Soviet world can make a very substantial contribution to improving the conditions of world peace. As trade expands with the Soviet bloc, and even some forms of investment become possible, attitudes can be expected to change so that, in time, the risk of misunderstanding and miscalculation would be substantially reduced. In summary, private trade and investment, because they bind men more closely together, strengthen the prospects for world peace and development.

Dr. BAUMANN. Our human concern for the issues of war and peace is not unique to this generation, nor to this country, nor to these hearings. But the current problems of war and peace are unique—for their solution may be vital to the continued existence of mankind itself. A statement such as this is neither alarmist nor over-dramatic—it is based on the dangers of the arms race and the possibilities of thermonuclear devastation and on the conflicts of interest and ideology between the great powers. Both of these realities contribute to the growing insecurity of our age—an age which has known and fears the horrors of war, and which longs for peace.

What can and should the United States do to prevent and avoid war, and to preserve and strengthen peace? This is the basic question of these hearings. It is not an easy one to answer.

The fact that a nuclear "balance of terror" has existed between the United States and the Soviet Union ever since the Soviet development of missile power in the mid-50's has been accepted by scholars and laymen alike. What is less generally understood is the delicate nature of that balance and its importance. It is delicate because it is particularly susceptible both to technological innovation and to human miscalculation. It is important because it is the last guarantee against a foolhardy attack by either side which may think it has that momentary margin of power necessary for victory. In a situation in which both sides possess the ability to retaliate, mutual destruction is the logical result of nuclear attack—and victory itself becomes an empty slogan.

It is this element of restraint contributed by the nuclear balance which has lent such significance to the recent Senate debate on the Safeguard Anti-Ballistic Missile system and its deployment by the United States. Unfortunately, in the opinion of many of us who are anxiously concerned about maintaining a nuclear balance and increasing its stability, the deployment of the ABM can only destabilize that balance, increase the suspicions and hostilities between East and West, and contribute to the dangerous escalation of the arms race.

To counter-act this step backward it is even more imperative than before for this country to enter the nuclear arms-control negotiations with the Soviet Union with renewed vigor, imaginative proposals, and good faith. Equally important is continued support for the further extension of the nuclear Non-Proliferation Treaty to non-signatory states and its early ratification by others. In the light of the frequent and sporadic non-nuclear fighting in the Middle East and Latin America (to say nothing at this point about South-East Asia), it would also be appro-

priate to review more stringently our policies of overseas weapons and armaments sales and to explore more actively the possibilities of a general non-nuclear arms-control and reduction agreement. Finally, to avoid even greater involvement in overseas military conflagrations, the United States should increasingly support the peace-keeping activities of the United Nations and its attempts to develop and strengthen its international police and para-military forces.

The second problem concerning the conflicting interests and ideologies between the great powers is not only equal in importance to that of the nuclear arms race but, in fact, precedes it. It is precisely because the states of the world do have differing and conflicting interests that they sometimes resort to arms in order to protect them. As Dr. Hans J. Morgenthau has written: "Men do not fight because they have arms. They have arms because they deem it necessary to fight." A recognition of this fact is essential to an understanding that disarmament or arms-control alone is not the final solution to the prevention of war in our time.

Therefore, along with attempts to de-escalate the arms race through any or all of the policies mentioned before, the United States must carefully determine what its *real* national interests are as opposed to the interests of its "world image." These interests—the interests of international trade and commerce, of the security of our state and the welfare of our people, of political and cultural contacts with foreign states and peoples, and of a peaceful international climate in which only they can flourish—these interests it must protect. But whether these limited and legitimate interests are so threatened everywhere by other states as to necessitate an American world-wide police force for their protection is a dubious contention at best. Rather, not our withdrawal from world-wide political and economic affairs, but our retrenchment from world-wide military encampments appears to be in the better self-enlightened interests of this country at this time.

Finally, in assessing the international issues of war and peace as they face contemporary U.S. foreign policy, it would be manifestly short-sighted to ignore the equally important domestic issues of war and peace as they challenge our policies here at home. The two are inextricably interwoven and interdependent. Only if we cease to squander billions of dollars on a virtually counter-productive and potentially self-destructive arms race, can we apply those resources imaginatively and fruitfully to improve the quality of urban life in these United States. Conversely, only if we learn to bridge the glaring gaps between black and white, rich and poor, young and old in our own country, can we hope to learn how to understand the problems of other nations and other cultures and perhaps take that first earthbound "giant step" toward bridging the gap between East and West, North and South.

Mr. HEITZER. What I would like to do is go into the types of struggles we see in Vietnam and relate this to what I expect may develop from the more serious conflicts in other parts of the world, especially in Latin America. There are, in many countries of Latin America, primitive stages of guerrilla movements not entirely unlike that in Vietnam developing. U.S. Green Berets are being used in about four or five of these countries. We have military missions in 19 Latin American countries.

I think that we are getting ourselves involved in a very dangerous situation just as we did in Vietnam, and I think its because the world is largely, especially in many underdeveloped countries, going to be going through a continuing stage of revolution, much like what we've seen in Vietnam.

I don't really know if the people of Latin America will be capable fighters or as determined as the Vietnamese are. I suspect that our policies may be dangerously similar to the ones we pursued there.

I think the trouble is that America is, at this point, wedded to a policy which is basically reactionary and counter-revolutionary. This is against, and very contrary to, our traditions and the ideals we've expressed. For instance, I'd just like to quote Congressman Abraham Lincoln before he was president in 1848. What he said, I think, was very relevant to today. He said: "Many people anywhere being inclined and having the power, have the right to rise up and shake off existing government and form a new one that suits them better. This is a most valuable and sacred right, and the right we hope and believe is to liberate the world."

Mr. REUSS. If I could interrupt you for just a moment, at that interesting historical point. Lincoln was speaking the truth back there in 1848 and for his pains, as you remember, he was defeated in the next election. Still, it was a good idea.

Mr. HEITZER. At that point the Mexican war was popular, just as the Vietnamese war was several years ago. Well, what happened is that we had invaded Mexico and Lincoln felt that was an unjust thing. As a a result of that invasion we ended up gaining a great deal of land from Mexico. But it was unjustified. And I think it is very fitting today, as we look at Vietnam as perhaps we do Latin America.

I'd like to quote another person, another American who is expressing current U.S. policy, Robert McNamara. He was testifying before the House and he deals with a lot of Latin American policy. He readily concedes from the beginning that there are grave injustices in Latin America and there is a great deal of social tension and social inequality, but his solution is somewhat different than what Lincoln said was justifiable.

I quote: Social tensions, unequal distribution of land, unstable economies, and the lack of broadly based political structures paved the prospects of continuing instability in many parts of Latin America. The objection to these and other associated problems if one is to be found, lies in the alliance of Progress to which we and our Latin American friends are devoting large resources. But the goals of the alliance can be achieved only within a framework of law and order. Our military assistance program for Latin America must continue to be directed to the support of internal security and civic action measures.

Very briefly what he said is this, yes, there may be injustices, but just as many people in this country are saying they can only be solved through the framework of law and order. But what law and order means in Latin America I think is worth looking at. For instance, one classic example of U.S. policy in Latin America and a key one was in regards to Brazil. In 1964, the democratically elected government, which was very socially reform minded and led by Goulart was overthrown by a right-wing military coup which took over the country. There was no mandate from the people and no elections were held.

In 1962, Brazil received $81,000,000 from AID. In 1963, it was cut in half to $38,000,000. That was when Goulart was still in power. In 1964 it was again halved to only $15,000,000. Then he was overthrown by a non-Democratic repressive bunch of generals. The following year, 1965, AID money shot up from $15,000,000 to $122,000,000. The year after that it increased by $229,000,000. Whoever was running the foreign aid policy in making those decisions thought it was beneficial to the U.S. to encourage that type of regime. There is a strong feeling on the part of the U.S. that it is necessary to stop revolutionary movements, and if you stop it by reluctant regimes—fine. If you stop it by right wing, non-elected regimes, then that's fine, too, and in the case of Brazil its much better than to have an elected regime that is interested in a socialist government. I think we have a very serious situation. You can ask: "Is it true that revolution is justified in Latin America? Is it true that the conditions are ripe according to what Lincoln said according to the American tradition?" I think, we should just take a look at our own Declaration of Independence, which said that there were three inalienable God-given rights: life, liberty, and the pursuit of happiness."

Mr. REUSS. Thank you, Mr. Heitzer and thank everyone of the witnesses for throwing the major issues on the table here. There seems to be a general agreement, and I certainly agree that there is going to be a lot of trouble in the world in the next generation. New countries in Africa, older countries in Latin America, countries in Asia, for example, are going to undergo turmoil, and a lot of it will be violent.

I think there's agreement among members of the panel that it's not either necessary or proper for the United States to get involved in all of these disputes. What should be a set of guidelines for the United States with respect to the use of power, and that means military power, throughout the world? I think we all would agree from our testimony that economics, trade investment, cultural exchange, political and psychological factors are tremendously important. Dr. Baumann and I would say they are the most important, and I think every member of the panel would agree that they are basic.

Over and beyond that, when you get into power, what should our national stance and posture be? When do we use our power?

If I may throw something on the table, I suggest that the United States ought not to be militarily involved beyond its borders except when three conditions concur. One, it has to be a vital interest to the United States that is affected. That, cited that way alone, perhaps begs the question, but certainly it means that in remote areas we can't attempt to right every wrong. Let's say, secondly, that the country to whose aid we are considering going must be, if we are going to consider it seriously, a country with at least a moderately progressive and humane government. It need not be a Wisconsin-style democracy but neither should it be such an unedifying dictatorship that we have to be cynical and ashamed in going to its rescue.

Thirdly, it seems to me it has to be a country which has sufficiently engaged the love and devotion of its people so that they are willing to fight for it. We can't forever be fighting other people's battles.

Mr. BEE. I think they are all good. But I would like to add one if I might, one that has come up recently in some of the remarks of President Nixon. I think this is a theme that has been articulated by our former Ambassador to Tokyo, Professor Reischauer. That is that even if these three conditions are satisfied, that we should exhibit a certain amount of restraint before moving, and in particular we should wait, in effect, to be encouraged and asked by some of the larger countries in that area. Reischauer always gives the example of Japan.

Japan, because of our quickness and our almost overeagerness of response in Vietnam kind of looks on this as an American show and yet it's an error, if you will, in their area of influence. It's an American show which they don't like.

I would argue that with more restraint, with more cool, the Japanese themselves might have seen their vital interests and then they would come to the United States and solicits our cooperation and our strength behind a much broader cause.

Mr. REUSS. I think that's a welcome fourth point which I will certainly add to my thinking. Let the fourth one read something like this: Go slow, take it easy and above all don't act unless your help is sought by the relevant important and hopefully democratic leading countries of the area. A fifth point: Before you do anything go to the United Nations and see if you can't get the U.N. to

act, and if the U.N. can't be induced to act, think four or five or six times about acting unilaterally.

Dr. BAUMANN. That was just exactly my point. But I do have two others. Coming back to your first point, Congressman Reuss, which I think is really the difficult one, what really is a vital interest?

You seem to indicate it has to be a country of some standing or a country with which we have had long and lasting relations or an important country. This is very true.

What bothers me is the phrase of Chamberlain prior to World War I about Czechoslovakia, a remote little country, with the people about whom we know nothing . . . and why should we get involved.

Those people whom we know nothing about might ultimately be very important to our own security.

Mr. REUSS. Chamberlain was, of course, wrong about Czechoslovakia, but not necessarily for the reasons that the Czechs are marvelous and democratically inclined people, which they are.

Dr. BAUMANN. The other point is the question which can arise. Say that extended involvement is entered into with a democratic government and then that government is overthrown by a military dictatorship. Under this dictatorship policies of fairly liberal reform are under taken. In other words, by force land is seized and redistributed, land reform takes place. What do we do?

Mr. REUSS. I would answer that by what I said before. You should have a local government which, while it may not be democratic, is at least reasonably progressive and humane.

AUDIENCE TESTIMONY ON WAR AND PEACE

Mrs. BABETTE ZUBLATSKY. Congressman Reuss, why did the Navy ask for $700 million for an air-craft carrier when this money could be used for poverty areas? They said building this carrier was for a 'long range program'. Carriers were once used so planes could refuel. Today they can fly half-way around the world without stopping. Couldn't this money be used for more far-reaching goals?

Mr. REUSS. This hearing was to enable me to ask citizens questions, but you have cornered me. I'll try to answer. Why did the Navy ask for it?

The Navy asked for the $700 million for new carriers because the military services always ask for everything they can think of. The other part of your question was would not the money or part of it be much better spent on the problems of our cities, on air and water pollution, on the quality of life. The answer to that question, in my judgment, is yes, it would be. We need, in my judgment, a strong defense. We have a strong defense, but I think each new weapon system that is proposed has to be scrutinized much more carefully by the Congress than we have scrutinized requests in the past.

Mr. HERBERT F. BLAESING. Do you get this Washington Observer? I think they've been sent you people, to all the Congressmen and the Senators. I'm quoting Washington Observer: First the Pueblo: With $100 million worth of scientific instruments aboard, three Russian jets ready to load it on and take it to Russia. Number one. Number two, from the Washington Observer Newsletter asking Congress what they are going to do about the Pueblo: Number three, the Scorpion—what do you know about it? "Torpedoed by a Russian sub," Washington Observer. And last but not least, you all heard about the airplane that was shot down by Korea: no survivors. For your information, there are ten survivors. Held there. Who knows what we will have to pay for them?

I'm a veteran of the Mexican border and World War I. Wars are fought to be won. If we're in Vietnam for some other reason, let's get out. In the Korean War if we'd have bombed four bridges over the Yalu River we'd have had the Russians, Chinese, and the Russian Communists out of our hair. If we'd have left General MacArthur there, we still would have had 'em out of our hair.

That's all I have to say.

Mr. ROBERT HICKS. The way this government's going, elected officers are insulated from the common people and it's extremely difficult to get to talk to them. This is the first time I've ever had a chance to look you in the eye.

I'm eligible for a pension. The monetary policies and the wars of the last 20 years have robbed me of that pension. Two hundred and fifty dollars a month a few years ago was a princely sum. It won't even buy housing today. The wars, plus Congress' lack, and I say responsibility, in paying for them when they occur, has robbed me and other people of their pensions.

An $18 war bond in 1944 would buy a pretty good suit, but that $25 war bond that I still have won't buy this suit I'm wearing.

I have been protesting to the State Department of this country for about 15 years. I don't trust them. It was a mistake that we're not fighting in Cuba, that we're fighting in Vietnam.

And I'd like to say something about limited wars. I happen to have a son in Vietnam. We're sweating out the last 30 days. Two friends of ours, one kid came home in a basket, couldn't even open the casket, the other one's crippled for life. Now that war is not limited for those boys. Your pro athletes on your football teams are everyone of them in the Reserves. They're not serving. That's not equal basis. Those are things that need fixing.

Mr. CARL SCHUSTER. I have had an unfortunate experience with my family in the last year that prompted me to come up here. I haven't heard much sympathy from anyone. I learned my patriotism at $11.25 a month in World War II. Patriotism. My wife gave birth to a son that was lost in Vietnam last year, so she knows pretty well what war means. I come from a family of six brothers who served in World War II. All honorably discharged. Okay. What has this cost me in addition to my son? I think many times no one realizes what the after effects are. My son was married, never saw his son either. I have spent considerable amount of money as far as funeral costs, in addition to the garments that they give the widow, which is the way it works. I might add, our country can go to the moon, and spend billions for everything, but I think if my daughter-in-law and my grandson were to exist on what the government pays them, they'd starve to death. She works certain hours more than what the law allows, it's reduced. Okay.

Part of the reason, more than anything, why I came here, was this. Now I'm going to read a letter, I probably should give it to someone else to read. But this is what it says. Mrs. Schuster wrote the Adjutant General, Kenneth G. Wickham. It says:

"This is in response to your letter to General Kenneth G. Wickham, the Adjutant General, requesting an American flag to display in honor of your son, who died in the service of our country. The Institute of Heraldry is a Class II activity under the jurisdiction of the Adjutant General. Under the provisions of Title 38 of the United States Code, a flag is furnished the next of kin of the deceased veteran. Your daughter-in-law received an American flag under this statute. The Code further provides that if a flag is given to the next-of-kin, no flag shall be given to any other person on account of the death of such veteran."

You wouldn't think that in the correspondence that the government had on the day that my son died that he ever had a father or mother, that he ever had a 27 year old sister, that he had another 21 year old brother, or that he had another 15 year old sister, or an 11 year old sister. "Now," the letter continues, "the Adjutant General receives a great number of requests from patriotic individuals who would like to receive an American flag. However, inasmuch as Congress appropriates funds only for the purpose of purchasing necessary flags for official use within the many government organizations, such requests must necessarily be denied. Although American flags are available commercially for a nominal sum, the Adjutant General cannot use federal funds to purchase them for unofficial purposes. Your reasons for wanting an American flag are fully understood, and I regret that your request must be denied."

Mr. REUSS. May I say, Mr. Schuster, that I'm going to see that you and Mrs. Schuster get an American flag which has flown over the Capitol of the United States, and I'll see that that flag is flown within the next few weeks. I'm very sorry about anybody getting a letter like that.

Mr. EDSON SAWER. Mr. Reuss, I'm not going to say very much about the war, what it means to our country. I think we all know how foolish it is when we have some 100 percent over-kill of the Russians, as the quotas now stand, and they have 10 percent over-kill of us. Either side could completely destroy our civilization as it exists.

I would like to spend my time dreaming a little bit. I would like to see the United States unilaterally, by 1971, say to the world, "we will cut our military expenditures 10 percent this year. Not only in manpower, not only in wealth, but across-the-board, 10 percent. We will use this 10 percent for the economic development of our world. We will send our best agriculturists, our best engineers, our best farmers, anyplace in the world where we are asked to go." Along with this, I would like to see the United States say, "we will have absolutely no strings to these people." Nehru, in his famous book, *Truths of World History*, said he knew what the political imperialism was, he'd lived under that, but he said he didn't know what economic imperialism really meant to a country. He had a sneaking idea that it was far more devastating to the economic welfare and development of the country where it was being carried on than political imperialism was.

He was speaking at that time mostly of American relations to South America and explained the role which our economic imperialism has had on the nations of South America. The two famous books written by the Paddock brothers, one of them *Starvation, 1970*. The other one, I believe the title or subtitle, *Who Must Starve?* These two brothers, one was in the State Department, one was an agriculturist, gave us a pretty good indication of the type of world that we will be facing within the next 10–15 years. If there was ever a place where a nation that had the courage to stick its neck out, to say to the rest of the world that we no longer are going to depend on guns but we're going to depend on good will, we will furnish our best agriculturists, our best engineers to help you develop your economic resources, there will be no strings. This is it. It seems to me that through these ideas, or ideas like these, that America will have a place in the world.

Mr. JOHN SNYDER. Mr. Aspin, in your opening comments, and Mr. Reuss, in your reply, suggested four solutions to Vietnamese type situations. It's curious, seems curious to me, that they all include some form of American intervention. All four solutions call for American intervention in South East Asian affairs. All solutions seem based on some desire to intervene in Vietnamese affairs.

Now it seems to me what you're looking for is an American solution to a Vietnamese problem. What is the vital American interest in a formerly minor Asian civil war. What is the vital U.S. interest?

Mr. Aspin, you said there are three solutions, one you mentioned is capitulation. To whom or to what do we capitulate; if we do

not sacrifice several thousand lives in Southeast Asia. To what? Some monolith?

I wonder if you could devote some time to answering those questions. Don't direct them just to me, direct them to the man who was just here, and the girl who came up before and asked you about the carriers. These are the questions that concern the people of America now, especially my generation, because we're not going to stand for it any more. We've had enough.

Mr. REUSS. I think you misunderstood at least what I said. I said that there was a fourth solution which didn't involve military intervention but involved the use of economic measures.

Mr. SNYDER. American economic aid. We've been giving aid to Vietnam for years. This is just exactly how our Vietnam war began. We do it in South America, Southeast Asia. We do it all over the world. President Nixon went to Thailand on his Southeast Asian tour, and he gave them the same damn pledge that we gave South Vietnam. Are the people in this country, my generation, going to be fighting in Thailand?

Mr. REUSS. You're talking about a military commitment which I suggested is what we should not make.

Mr. SNYDER. I'm suggesting that your economic commitment leads eventually to his military commitment.

Mr. ASPIN. Can I say a few words? The three alternatives that I was discussing whenever there are problems in this kind of situation are: Number one, it does nothing. Number two, it involves itself in some kind of military way which involves a small war. Thirdly, involves really nuclear war.

Mr. SNYDER. The word you used was capitulation.

Mr. ASPIN. Right. Okay. Capitulation or ducking the issue or something else. The point is the United States in any condition like that is making a decision which affects the outcome of the struggle. If it gets into it, it can influence it one way or the other. If it doesn't, if it ducks out of it, it also influences the decision.

Mr. SNYDER. Why should we want to influence the situation?

Mr. ASPIN. What I'm saying is that there is a reappraisal going on within the United States government at this time, and I think that this is right. If what we have had is that in trying to thread this line between nothing and a nuclear war, we have been invariably led to the conclusion that small wars are somehow a good thing. I think that's changing now. I think the attitude you express is widespread in the country. I don't think you're saying anything that millions of people in this country don't argue and don't feel including many Congressmen. Two years ago it was very different. Right now, it's a whole different world.

Mr. RALPH HABERMEHL. As of July, two members of our family are now in service, both under 21. So, we're concerned. One of the things that I like to ask is how come, under our present trade agreements, we are trading strategic war materials and copper with Russia. Of course we know, they're one of the biggest suppliers of North Vietnam, getting through Haiphong harbor unmolested. Is there any explanation for this?

Mr. REUSS. We are not trading strategic war materials with the Soviet Union. We have a very tight embargo on them. Some of our allies are trading.

Mr. KENNETH KAYE. What I would like to see happen in this country is for some of the best minds in our universities and in our government to use their talents to creatively seek peace, possibly through the Cabinet level set-up. I think that we need to not just react to situations as they occur. We need not to just fight when we have to, but we need to look ahead. Perhaps this can be done through the U.N. Perhaps the World Federalists have some ideas that can be explored and made a little more practical. But I think we need to devote at least some of our time and some of our energy and some of our money to thinking about peace ahead of time.

Mr. MIKE CULLEN. Congressman Reuss, panelists, I'd just like to say that it is a joy to stand before you and to say that it is a blow for freedom in a sense we strike today to open hearings like these to the public. Hearings like these have been needed for a long time, especially during the last four years. The country has gone through much suffering and much strain and much pain. In a sense the light of freedom, the light of the hope and the genius of America has almost been put out. The freedom that was born here 250 years ago for many who have come to its shores have looked for that light, that freedom, and have seen it missing. I feel that in the last four years we have been betrayed as a people, we have lost more than 43,000 sons in Vietnam. We have dropped more than 3 million tons of bombs on a nation that is mostly agrarian. I have traveled in the last year to 22 States, had the opportunity of speaking to the public, because, of course, of an action that most people would consider to be unpatriotic. (Note: Mike Cullen is a member of "The Milwaukee Fourteen", who burned Selective Service files.)

We have done what good men have tried to do within the law and failed, saw that nothing was changing, that the war was getting worse, that people continued to die in unacceptable numbers. I have traveled to more than 22 states in the last year. One thing that's come very clear to me is that the average American, so often doesn't read and he doesn't know his history. It's a tremendous kind of ignorance. There is a beautiful love here of the soil, a love of this land, this land of America, this land that was supposed to be and hopefully would be the hope of this world. Not because of our economic power, but because we are a nation of many peoples, of many races and many ethnic groups who are trying to find a path to one way of life, a path that would, in the sense of our Constitution, give men liberty and the pursuit of happiness and the right to freedom.

I would like to say something about the draft. If we are a nation, and we are given the power we have, given the fact that we've built the greatest military machine the world has ever had in its history. That we are to enter into conflicts, whether it be in Latin America or Asia or Africa, we're asking for a retaliation by another power which may be just as great as ours. I think that most of us recognize the smallness of this planet that we live on now. The greatest technological advances of the last couple of years, with our ventures to the moon, have enabled us to travel this little planet in 2½ hours. It would be just as easy and just as possible to annihilate every man, woman, and child on the planet. It doesn't matter what nation it would be from.

I feel that the draft is not just illegal, but it's almost silly for us to think we can solve the international problems, social problems, domestic problems, by military means in the future.

Also, I would say, for those who are moving in the direction of revolution and violence, that violence is a direct means to social change for anybody. It'll be used, I know, and I'm not so naive to not recognize that it won't be used in the next four or five years. But everytime violence is used, whether it's in small bush wars in Latin America or Africa or Asia, or in our streets here in the cities of this country, we're asking for annihilation, we're asking for the use of greater weapons. The many who worked with Martin Luther King know that new means have to be found to social change. New means have to be found to solve international problems. Perhaps they will come along the lines of an international way of developing some kind of mutual agreement between large nations in terms of their economy. Perhaps this is one way. This will be putting more power in the United Nations and they becoming a peace making team with the enforcement. I'm afraid that, given the fact of how the United Nations is structured, it's sort of impossible at this time for the United Nations to have any kind of power, any kind of influence in the world, where real conflict with two great nations is involved.

The draft system as such is illegal for me. It's become immoral. I cannot give, as a member of just not a faith; but a man who believes that, if I believe in freedom that much, I am not afraid to die on behalf of freedom. There's a genius in America that strikes me, as I said, as I crossed the nation. An American will fight for freedom and it would be very hard for freedom to be annihilated. If anybody enters our shores, it would be a response on behalf of the people to move, to defend the nation as best they know how. The draft system is coming up maybe now, though it ought to be changed, I would say an end to the draft.

Mr. CECIL BROWN, JR. I think it's interesting to note that while we had conversations about war and peace that almost all of the conversation has dealt with war. I suppose that's not too strange. They say that for every ten years that the world knows that there's war some place in the world for every nine and that there's only one year when there's not any war. I would like to suggest that this country is in a bag, and it's been in a bag since 1947, because no matter whether the Democrats or the Republicans are in control of the national administration, our foreign policy seems to be the same. Only the outside packaging changes. Ever since the end of World War II, we have found ourselves in the position of supporting conservative, and in some cases, ultra conservative governments, because we were more concerned with the ability within that area than we were with freedom. It has therefore been a policy of reaction, instead of a policy of positive creatism. The last example I think we can point to as any kind of creativeness was the Marshall Plan, and the Point Four Program, which died a rather strange death. Too often our foreign policy is determined by what Russia or Red China might do, is doing, will do, or could do. And so then we find ourselves in a confrontation trying to deal with the minds of people when they are hungry and we are talking about democracy. And we lose.

I'm often reminded of the statement that Pogo made: We have met the enemy, and they are us. I look at the foreign policy in South America and the Middle East and I am distressed almost to the point of tears. In the Middle East our foreign policy is controlled not by the State Department, but by the great oil companies. What's good for the great oil companies, that's supposed to be good for the United States of America. Look how long United Fruit determined the policy with Cuba.

The young man before mentioned the fact that we were so happy to provide Batista's regime with his mortars, machine guns, tanks, rifles, military experts. For what? Who was going to threaten Cuba? In Cuba, in the Dominican Republic, in many of the South American countries, we have a distorted view of what's going on there.

But I want to say something that I think has perhaps been overlooked. That 90 percent of the people in Cuba are black, like I am. That they were without land. They did not control the wealth. Some of them never knew what it was like to own a piece of soil. The same thing is true in the Dominican Republic. And too often the foreign policy of this country has been tied in with racism. This points out the last problem here.

I suggested when I started that we were too preoccupied with war and not with peace. We are in a strange position in this country, because at the same time we are in a state

of peace we are also in a state of war. We are fighting in Vietnam, where 30 percent of the combat troops are black, where 20 percent of the troops in Vietnam are black, where they are fighting for something they can't have at home, and they do not know why they are there. Therefore they are black mercenaries, and they ought not be there.

In this country we have an Administration that went into office with the slogan of law and order, when there can be no law unless there is justice, and there can be no order unless there is reason. And I don't hear very many people talking about justice and reason.

Mr. Gerald S. Glazer. If there is one institution in our society that is exploitative, unfair, and inconsistent with American ideals of freedom, that institution is compulsory military service, euphemistically known as the "draft." The draft can be abolished and replaced with voluntary service without endangering our national security; to do so would be to remedy a gross injustice to young American men.

The draft threatens every young man in this country like the sword of Damocles. He never knows when it will fall, or if indeed it will fall at all. If he is among the chosen and the called, he faces three choices: join the military, go to jail, or emigrate. It is a sad irony that the ancestors of many Americans came to this country during the 19th century primarily to escape forced service in European armies . . . they now take refuge from our compulsory militarism. Much of the alienation of today's youth from society and our form of government can be traced to the prospect of compulsory military service . . . particularly service in Vietnam. There would be far less turmoil on campus if it were not the refuge of men seeking to avoid the draft. Anti-draft sentiment among young Americans has driven thousands of them into the open arms of extremists on the left who exploit the dilemma of the young man who loathes the prospect of compulsory service.

The existence of the draft makes it possible to exploit servicemen in ways that would not be possible if service were voluntary. Soldiers are paid slave wages (less than $100 per *month* starting), serve 13 hours a day or more, live in dismal barracks, and have few rights. No other federal employees are paid or treated this way . . . perhaps because no other federal employees can be imprisoned for refusing a job! Without the threat of prison, it would not be possible to get anyone to accept employment on terms now offered by the U.S. military. Thus, the draft is no more than a form of temporary slavery.

The draft is also unfair in every sense. For example, women are exempt from service, although there are women's branches of each military service. Moreover, students get deferments, clergymen are exempt, some conscientious objectors get alternative service, and others are rejected for various mental and physical defects. The one who is ordered to report for induction is in a sad minority indeed. The only fair draft would be one in which all Americans are forced to serve: men, women, fathers, ministers, students, teachers, etc. Obviously the cost of making the draft fair in this sense is far greater than the cost of abolishing it.

The draft is not an efficient way of procurring an effective army. We now force men to serve for two years, after which we must train an entirely new group of recruits to take their place. There is little re-enlistment. Roughly half of all draftees at any one time are in training; thus we get only 50% active service from them. The draft is a dragnet that pulls in men that are often ill-suited to military life; some are discharged early, others fulfill their term without performing useful service. The selective service system is an expensive operation, especially if the cost of prosecuting and imprisoning draft-resisters is included.

Two reforms have been suggested for the draft: the lottery and alternative non-military service. The lottery method, boosted by Senator Kennedy primarily, still relies on compulsion to get the unlucky men into the army. The lottery would be a method of redistributing the burden of military service: from those unlucky in getting deferments (as now) to those unlucky with numbers (with the lottery). There would still be no incentive to improve the pay or working conditions of our citizens in uniform.

The other reform would give the draftee the option of performing some non-military chore which meets government approval, as is now permitted for concientious objectors. This is clearly unconstitutional, since the 13th amendment prohibits involuntary servitude. The courts now recognize that the right of Congress to raise armies is an exception to this principle, but there is certainly no legal basis for compelling Americans to engage in other forms of forced labor.

Like slavery, the draft cannot be reformed while it retains its compulsory aspect. Accordingly we must move to replace the draft with voluntary service. Of course, this replacement must be accompanied by certain reforms of military life, since few would join the present military unless forced to. I would propose the following significant changes:

1. *Pay.* Soldiers should receive no less than $100 per week at the outset, and twice that after re-enlistment.

2. *Representation.* Soldiers should be entitled to representation by an employee organization just as postmen and other federal employees. There should be legitimate channels for redress of grievances.

3. *Justice.* In peacetime conditions, serious military crimes should be tried by civilian federal judges and juries. Now commanders act as prosecutor, judge, and jury, and often decree excessive sentences.

I submit that if the military service of this country adopts the reforms cited it will be possible for us to provide for our defense without resort to compulsory conscription. We must take note of several objections that have been made in the past few years to the concept of purely voluntary military service. These objections are primarily the following:

1. *There will not be enough volunteers to meet defense needs.* Under the present system we have 3,000,000 volunteers in the U.S. armed forces. This figure includes officers, reenlistees, air-corpsmen, and others not drafted into service. Some of these may have been spurred to enlist by the draft, but benefits proposed above might spur even more. In any event, our defense needs could be met by a smaller force of better trained and more dedicated soldiers. The draft could always be re-instated later if emergency conditions required it.

2. *Voluntary service would be too expensive.* Although better pay is necessary for a voluntary army, the increased pay would be offset by lower training costs since there would be more re-enlistment. Moreover, the entire cost of maintaining the huge selective-service machinery would be eliminated as well as the cost of prosecuting and imprisoning draft resisters. (In 1969 10% of all federal criminal trials involved draft resistance.) Even if the cost of voluntary service would be higher anyways, it would be better to pay more than to rely on conscription to preserve low wages.

3. *A voluntary army would consist mainly of the poor.* The conscript army we have now consists mainly of the poor, since the rich young men go to college, graduate school, and into deferred occupations. The difference would be that a poor man entering voluntary service would have some money left when he completes his service, while now he is just as poor as when he was drafted.

4. *A professional army is undemocratic . . . may even threaten our freedoms.* This is the most specious argument of all! When we had voluntary service in this country—between the Civil War and World War I and again between the world wars—the military played a less important role in setting policy than it does now with conscription! Moreover, in countries, like India, Canada, Britain, and Sweden which have voluntary service there is less militarism than in countries like Syria, the Soviet Union, both Chinas, and Greece whch have compulsory service.

President Richard Nixon, the late Adlai Stevenson, Senator Barry Goldwater, Senator Nelson, and other prominent Americans have urged the establishment of voluntary military service. Congress should take their advice and end the draft this session.

YOUTH AND THE GENERATION GAP

PANEL WITNESSES

Gerald Behling, Director of Special Projects, Milwaukee Boys Club.

Reverend Gerald Cross, University of Wisconsin-Milwaukee Campus Minister.

Pat McCabe, President, Milwaukee Youth Committee.

Steve Driver, Northcott Neighborhood House.

Marge Kroger, University of Wisconsin-Milwaukee student.

Dave Michalski, Milwaukee Boys Club.

Paul Drevlin.

Mr. BEHLING. There is nothing wrong with our youth of today. They are the same as they were in my day, in my father's day and even in the ancient days of Socrates, who said of the youth of early Greece: "Our youth now loves luxury. They have bad manners, contempt for authority, and disrespect for their elders. Children nowadays are tyrants." I'm not trying to say that we have no problem, however, I am saying that we should look where the source of the problem lies.

The National Crime Commission in its 1967 report to the President, declared that a major factor in the rapid rise in crime, particularly among persons under 21, is the failure of parents to train and discipline children in the home. Proper discipline is one of the two basic requirements which a child needs from his parents in order to become a mature adult. The second is sufficient love and attention. Too often in today's world, we find love and attention replaced by indifference and discipline replaced by permissiveness. Permissiveness in the last several decades has changed from a willingness to tolerate a situation to a granting of full liberty to do as one pleases.

This change has come about due to a gradual transition in society as people have become less concerned about their fellow man. People rarely have time to sit down and listen to one another. Parents do not have time to listen to or to play with their children in a relaxed, fun-filled setting. An individual and especially a child has to have attention. He has to be recognized. He has to be respected and to feel that he is loved. This will enable him to find his identity and to become a special part of his world.

Mutual recognition, respect and love will establish excellent communication, which is essential to bridge the Generation Gap. Without a thorough understanding between parent and child, it becomes impossible for them to later communicate effectively with one another. Respect and love bring forth a willingness to mutually accept responsibility. However the degree to which one acknowledges this responsibility must be taught from childhood.

We as parents abdicated to the schools our role of teaching reading, 'riting, and 'rithmetic a long time ago, however the fourth "R," responsibility, continues to rest firmly on the shoulders of parents. If we as adults are willing to be accountable for our actions, to show full consideration for others and their property, to be willing to take on more

than our load and not complain; then we will find youth willing to do so, too.

However, society in its dehumanization process has left many of our youth insecure and lacking in an adequate self-image. These youth may become the school dropouts, the hippies, the delinquents, the mental health problems—or—maybe just a normal young adult in tomorrow's Generation Gap.

Rev. GERALD CROSS. Let's say the generation gap exists today and will continue to exist in the future society. I'd better use the term life-style gap rather than generation gap, because I believe that its more descriptive of what has actually taken place. I'd like to give a little bit of background of why I believe the life-style gap exists today, and why I think it will continue to exist and will not be overcome in the sense that we will learn to live with it.

There are several reasons for the life-style gap that are prevalent. One of them is that this has become a scientific and technological society. Where at one time young men were needed as an important part of our labor force, today there are fewer and fewer jobs open to our younger people. At one time hardly enough men, young or old, could be found to till the soil, cut trees for lumber needs, erect telegraph poles, lay railroad tracks, and so forth. What was needed was manpower and every willing man was accepted into America's working force.

Today we are a technological society. The kind of labor needed for today's industry needs skills that require years of training and education. Young people are not accepted into the working force. They must spend their time in schools to learn the skills needed to make a living in this scientific-technological era.

The consequences for this new society have brought on many complications in becoming an adult. For one thing, the adult world is much more difficult to identify with. Children, both boys and girls, have difficulty understanding what it means to be an adult person. Father's work is so technical that even other adults cannot understand it, let alone the children at home. Mother is out of the house and children have difficulty identifying a clear-cut role for Mother.

Therefore the role identification of what it means to be an adult is much more complicated than it once was. For another thing, the amount of time necessary to be accepted into the adult world is greatly increased. I have already said that once a young man could go immediately from grammar school to work and was quickly accepted into the adult world. A young girl would marry early and begin her family and her marriage. This took her into that adult world regardless of her age.

But today young people are not accepted into the adult world until they can make their way in it economically. And since more and more training is needed before this can happen, more and more time exists between youth and adulthood.

Therefore, the age of adolescence which was once approximately between the age of about 12 to 16 or 17, now stretches to the ages of about 22 or even 25. Young men in graduate school who are 25 years old or older who neither married nor gainfully employed are really considered adolescents by the working world.

Consequently with more time between youth and adulthood, we have another complication in terms of becoming an adult.

The final factor in all of this is the decreasing average age of our society. Over half of our nation is now under 25 years of age. In the past this was not true. We have more young people under 25 than ever before and their entry into adulthood is delayed much more than it was a 100 years ago.

The symbols for entry into adulthood are much more confused than in the past decades. Out of all this has come a youth subculture which has its own life-style, its own symbols, and its own moral code. Its life-style is that of freedom. The symbols are such things as music and automobiles. The moral code is one of individual responsibility.

Those who identify with this youth subculture are often put into conflict with the adult world and so we have what is popularly known as the generation gap.

These are the things that the older generation cannot understand and it is because of this lack of understanding that we have so much conflict in our society.

Miss MCCABE. First of all, I'd like to talk about the Youth Committee that I belong to. It's known as the Milwaukee Youth Committee, and there are some 50 active kids in the group from the inner-city and the suburbs. We have been able to work on different projects ranging from education, employment, race relations, to others. We've been able to work together and so I definitely feel that it is not right to say that all youth can't work together for a common cause.

There are many separatist movements going on right now among the blacks, among Puerto-Ricans, Mexi-Americans, but I think the only way to solve all the problems is to work together.

So far our committee has proved that this can be done. Our main purpose for forming the group was to give youth a voice in the community. That seems to be one of the hardest things to do because presently we are working with the center for civic initiative on establishing a community school which would give the student freedom to take a course of study that he would like. We've run into many problems with the youth opportunity board in trying to set up this school. They keep telling us we should worry about the organizational aspects of it. We're trying to get across to them that we are not worried about the organizational aspects such as fire regulations. We are worried about giving the kids an education that would really benefit them.

We've run into trouble with the Milwaukee school board. They won't give us any leeway in any of the projects that we undertake. We can't even have literature on this project distributed in the schools. For some reason, all these different big bodies just don't want to give youth a chance to really voice their beliefs.

What we're asking from them is simply to have the adults listen to us and also experiment with our ideas. You may find, I am sure, that our older panel members here would listen to our ideas and say, "Fine that's great. Good luck on your work." But what we really need is a commitment to try these ideas out, because we can't pull them off by ourselves. We can't worry about the fire regulations because we're not qualified to worry about that stuff. We need the adult help and we need them to back us in experimenting with our ideas.

Mr. REUSS. Pat, is the school proposal the main activity of your youth community?

Miss MCCABE. Right now, it is. We're also working toward a youth referendum on November 1. This is where we've had trouble with the school board. We're trying to have referendum voting on different issues that effect youth and effect the adults too. We want to find out what the youth of Milwaukee thinks so that we can better represent them. We're asking the school board to let us use the schools as polling places. Right now it's been under study for something like two or three weeks and we haven't heard much from them. But we're hoping that they'll listen. But it's just like running into a brick wall when you're trying to talk to them.

Mr. DRIVER. At Northcott we deal with kids from 5 to 18 and we have a beautiful relationship. However, I don't like to use the term generation gap. I just say that we do our own thing, that's all, and we can get a common interest together and can work with it. It just depends.

I think that our economic status has changed. We really don't deal with a whole lot of cares like our parents did. . . . The main thing is money. . . .

Well, we started dealing more or less with individuals, with people of different races and creeds and it's a gas being in between (like myself) I just reached 21 and now I'm getting older and I still want to be back with the fellas. Grown-ups never really try to take time out to understand us. It's just like . . . well the whole government doesn't seem relevant to us. It's built around much older people and the restrictions which they put on us.

I'd like to see a lot of things change but, the main thing is this: I wish the young people and their parents could get together and do their thing together. This way a whole lot of things will change in the country.

At Northcott we're starting a crash diet, you know, we control the kids very well. They need moral support.

Miss KROGER. I don't have a set of prepared comments to make, but I would like to make some sidelines to what other people have said here today. I think at the onset I should tell you that my framework is primarily political. I have worked for the past three years on a number and wide range of political groups from young Americans for Freedom and Young Republicans to SDS.

I have been able to observe both older and younger people, in what has been called the social consciousness or political activism realm of the campus.

So once again, most things I say have to be put in that context.

I recently saw a sign which might convey something about this generation, one of the sides of the so-called generation gap. It was on a rather unusual looking bus carrying about 5 or 6 students with long hair and beards. The sign said: Change America or lose it.

That sign is obviously an answer to the America love it or leave it signs, currently on many automobiles.

I think that that phrase in itself can characterize very accurately the generation of which I am a part. I am not saying that particular syndrome is peculiar to our generation, but I am saying that it is certainly more intense in this one. I think the reasons for that can be enumerated in three basic realms, some of which have political overtones but not all.

I think one of the basic problems is complete turn-off and alienation from the materialistic society in which we grew up. Many of our teachers throughout secondary education transmitted a kind of feeling of basic unawareness which, if you were aware of you just sort of accepted. Our generation isn't really in a position to do that, at least that's the way most of us feel.

At this time in our existence, the United States possesses the power to kill 2 to 3 times the population we now have. That's already on stockpile you know. Max Werner has come to call this concept over-kill. Many of us are concerned about a world where nations measure their success in atomic power, a world whose nations are concerned much more about prestige than about humane concerns. Most of us at one time or another have undergone the so-called disillusionment, not only during the McCarthy campaign, but in smaller endeavors.

So many times what Rev. Cross has called a life-style gap is nothing more than an embodiment of disillusion and complete alienation from another kind of society in which we grew up.

It may be because of political considerations which could have initiated the aliena-

tion feeling, or perhaps the social alienation came before the political awareness, the order isn't really very important.

I think that's one of the underlying problems that complacency and materialistic orientation brews. Of course it's very easy for us to be materialistic because most of us have it, most of us grew up with it. I am talking about the middle-class college generation. And you'll find most of the activists statistically come from very good homes. That in itself says something. I think about where we're moving as far as social life-style is concerned.

I think one of the other very big problems is the complexity of this society. The world has always been complex and there have never been any easy solutions. But when you confront the questions of deaths or peace particularly within the context of nuclear power, things become a lot more complicated now than when they were say 10 to 20 years ago. With all that sophistication in technology, we haven't accompanied sophistication in awareness and education.

The college sophomore of today is considerably more sophisticated than the college sophomore of 1940. He may not be any more mature, but he is considerably more aware, more intensely aware and increasingly more perceptive of the things going on around him. You can kid him a lot less. You really can't wave the flag at him as nearly as much. He isn't willing to accept many of the old answers.

So along with this increased sophistication and complexity, then, we have a society where absolutes and absolute truths are very difficult to identify. One of those absolute truths that become a little clouded in this kind of context is a word like democracy. We look for new interpretations for those words, new meanings, because the old ones haven't fit.

We're still having wars, famine, ⅔rds of our world population is still suffering from hunger while the United States spends 10 to 13 billion dollars to go to the moon. Those kinds of paradoxes remain unexplainable to us. And these are the kinds of questions we're raising. In the process of raising those questions maybe a life-style gap or a generation gap has emerged.

Mr. MICHALSKI. I am going to try to do one thing and that is not to run around the issue but to try to "tell it like it is." "Tell it like it is" seems to me to be a very important phrase. It stems from my generation, my friends and myself. We of today will run the world tomorrow. But if we are not trained properly, if we do not fully understand one another's differences, the world of tomorrow might be a very sad story. I am not saying that we all must have the same ideas, because difference of opinion is the spice of life. Rather, we must solve problems by finding a mutual understanding between all parties concerned.

Many people today say youth is wreckless and it has no sense of responsibility.

I say this is wrong.

We live in an accelerated world, and in order to fit into place we must accelerate also. Some people think we are moving too fast but I think they are wrong. We care about many things but, we tend to care about ourselves a little bit more.

I think we all know this is something we must grow out of, or else we won't fit into society. What I'm trying to say is if people would just look at each individual before passing judgment and if the minority who gave you the bad name would be spotted out and brought to justice, we would have a much better world now and a better world tomorrow.

As far as the generation gap goes, I have only one thing to say, it's a real problem, and it must be dealt with right away. This gap is caused by misunderstandings between young and old. These generations drift slowly apart, and the real solution for this problem is for these parties to get together and discover a way to understand each other. Only then will this gap be lessened.

If the world of tomorrow will have a better life for its young, it must be set up by the generations existing at this time. Only if the older and younger generations work together to find closeness and understanding will this generation exist.

The older generation today must take time to train the young now for future jobs. Then we will be able to say we understand our elders' point of view.

If prejudice and discrimination are destroyed and buried, then a new generation will start to spring forth. This new generation, if brought up in this life, will have no generation gap but complete understanding of one another. And this I think is the goal of all mankind.

Mr. DREVLIN. I think the difference between the youth of today and tomorrow is that we may be considered pioneers. In past years the older people were concerned about achieving a job. This was their main goal in life. Now we are in the land of plenty. I must say I'm not suffering any. I have just about everything I want, except an occupation, and I'm not really sure of what I want. I could attain various jobs. But any job has to satisfy me personally, not necessarily in dollar value. It's a personal thing, and sometimes it gets a little rough to do this because you may be considered a bum or drifter. Most people nowadays will change their jobs several times over when 40 years ago a person went into a vocation and stayed with that job for the rest of his life. I think that's the main difference between now and then.

AUDIENCE TESTIMONY ON YOUTH AND THE GENERATION GAP

KENNETH MILTON. It seems, first of all, in order to solve the generation gap, people have to listen. I heard stated earlier that in order to solve the gap people have to sit down and talk. If nobody listens, you don't solve anything. It seems that when adults tend to act superior over you, when a kid wants to sit down and talk with an adult, the adult has a tendency to shut off the youth figuring "Well, I've had more experience and I know what I'm talking about". "I want to talk but I won't listen." Something has to be done there.

People won't listen, and won't recognize you as a person. If they don't, there won't and can't be any mutual understanding. There has to be some giving and some taking. There can't be a one-sided thing or someone just takes and someone continually gives.

I've witnessed more than once that adults have a tendency to shut out youth because they feel superior.

I'm not saying that they aren't superior, but kids do have some ideas of their own that aren't continuously wrong. Adults do have this tendency to shut youth off and criticize what they say. Kids nowadays are becoming more aware of social problems and realizing that there are some things wrong, for instance, the United States government . . . and peoples' sense of values.

When you were younger, everything was fed to you, like "This is right because the United States is perfect" "it's God itself". That sort of thing. There are some things wrong with it, and you can't continually say that everything is right with it. There is a false sense of values. When you spend billions upon billions of dollars for a military program, and maybe spend $5 million to educate social workers, there does seem to be a false sense of values somewhere. Maybe that's why there happens to be so many demonstrations. Maybe they're not all full of baloney.

As far as the voting age goes, the argument is always brought up that if you're old enough to fight and die for your country you're old enough to vote. Certain other responsibilities should be given to the person who is old enough to be drafted, for instance, owning a house. If a person's old enough to die for his country, he should be old enough to vote for the person that might put him in Vietnam. The older people vote to put the people in office, and the younger kids go out and die. The kids themselves have no social responsibilities, because adults say "Well, they aren't responsible enough." The only time they're responsible is when they can carry an M–1 and walk through some marshes.

I just can't see that.

That again brings up the point of the generation gap. I don't understand why a person of 18 is old enough to die yet isn't old enough to accept social responsibilities and reap some of the benefits from society.

LOIS JONAS. I've been in Madison three times this year, every time the 18 year old voting age came up before a committee. I was there against it because I happen to live with a 20 year old son. The panel members are sitting there looking real sweet, but the way they talk at home is different from the way you talk here.

However, I do think that to be given the privilege of voting, one should be given the obligation to work on a campaign. Then, they would more appreciate what a privilege they have in being able to cast their vote. Don't you think that's a good idea, that everyone should go out and work on a campaign?

Miss KROGER. It's good experience, ma'am, for those who wish to take part in it, but I don't think we'd accomplish very much by instituting it as a mandatory practice for those who wish to exercise the franchise. I don't think that's very realistic.

Mrs. JONAS. Don't you think you learn anything?

Miss KROGER. It's one of the most important things to me that I've ever participated in, but that happens to be my bag. It's not everybody's bag to go out and knock on doors. I don't think you have to have that experience to be able to intelligently exercise the right to vote.

VALERIE MALHORTA. The reason I'm up here is I'm wondering why Congress hasn't done anything at all about the Kerner Commission report that came out last year. I think it raises one of the biggest issues affecting youth today, as well as everyone. I think I have an answer to why Congress hasn't done anything. I hope my answer is wrong.

I think the answer is that in effect, Congress and the Senate are not really representing the people, they're representing the big corporate owners, the businessmen and those in power. As long as people are fighting each other, as long as all oppressed people, white and black, and this includes the middle class with two and three cars and a suburban home, they're oppressed just as the poor down in midtown where I work as a social worker. I think the Congress and the corporate owners feel that as long as these people are fighting each other because some are white and some are black that they only solve the problem of these people getting wise to the fact that they're not really representing them, that they are the sect continuing to oppress them.

For example, we've been working at Midtown Social Services for about two months now to try and get (under a HUD grant, by the way) white and black and Puerto Rican and Indian youth working together at a common goal. Just two nights ago we had a dance, the second of two. The first was very successful in having these kids have a great time together and begin to sit down and work out common objectives.

At the dance the other night an adult said inflammatory things which caused the whole situation to polarize, the black kids against the white kids. A fight, almost a riot, broke out.

As a result of this, property was damaged, which of course turns the middle class off, and the police came after about 40 minutes. It's lucky no one was killed.

When the police did come, they arrested the black youths without consideration to what actually started the thing. The police reinforced the racism that caused the whole incident by making comments like "They all ought to be shot," etc., and all of the white people went home feeling very self-righteous, thinking "Well it was true what we thought all along, you just can't work together."

I hope what I think about Congress and the Senate isn't true. I hope they are doing nothing about the Kerner Report not because they want this to continue. I hope this is wrong, but unless you have any other reasons for it I'll have to continue to believe this.

Mr. REUSS. I don't think that your explanation is the whole explanation. I think that there is no excuse, let me be very clear, for Congress' failure to do much of anything about the Kerner Commission recommendations which are in the main excellent, and long-past-due. Just for the sake of accuracy, one would have to say that the landmark housing act of 1968, which was a good law, was passed largely as a result of the Kerner Commission recommendations, so that something was accomplished.

The basic reason why not more than that has been done in response to the Kerner Commission recommendations is in part another evidence of the lag in Congress behind public sentiment, what people really want in this country. I don't think, although I'll leave everyone to his own conclusions and his own psychoanalysis of Congress, it's quite as sinister necessarily as you suggest, but lag there is and the result is equally bad.

WILLIAM SARSFIELD. Congressman, first I'd like to thank you for being here. Talking about the generation gap, I think maybe it would be more accurate to describe it as kind of a political controversy. For example, all the panelists here are pretty close together. But there is a discrepancy in the ages. You're not a teenager yourself, but my feelings on things and your feelings on things aren't really that far apart. It's more of a political thing, and I can see how it came about with my own parents. They were both brought up modestly, and they had to work very hard. Through my whole life, I've always seen automobiles, television, radio, and it's just hard for me to imagine that neither one of my parents ever saw a radio until they were 17 years old.

What we've got to do is return to the old reasons for our country. 200 years ago a bunch of guys, Sam Adams, Thomas Jefferson, George Washington and some of the boys got together in a tavern one night and they said "Well look, these British are really harassing us, they're really crowding in on all of our rights". It was the same kind of harassment that is crowding in on a lot of people today.

So a lot of people came to America, and they said "We're going to do things the way we want to do it. We're going to worship in our own manner and we're not going to fight any wars because they don't make any sense." And that's the same thing a lot of the kids today are saying.

The kids are saying, "I've got my own beliefs and it's a free country." They're just trying to exercise these rights.

The Constitution guarantees that neither slavery nor involuntary servitude shall exist in the land. We're confronted with the draft. It says that all men are equal. All men are not equal, we know that. They're not treated equally. We have to go back to these guys that founded our country. They really had some great ideas. If you read the Constitution and the Bill of Rights and all the other amendments, there're really some groovy things in there. If we could just abide by what these people said everything would be a lot better.

As far as surviving, getting along, we've had a lot of talk about government appropriations spending so much money in this area, but just a little money over here. I think the best point was made by Steve when he said that if we'd all get together and work together, that would be the best protection we could have. Then we're not going to let anybody take freedom away from us. Until we get to the point where we can say "We've got a great thing going here," then we've got a lot to worry about.

JAMES E. MILLS. I am the services supervisor for the Division of Family Services, Department of Health and Social Services. My comments today are in no way related to any official policy or belief by any state agency or any other state body. They are my views as a citizen and a parent, and as a social worker.

We talk of a generation gap, and often it's talked about in very nebulous terms and very difficult-to-define terms. Too often very little attention, I think, is paid to what is really underlying causes. I think meetings such as this try to get away from the theoretical discussions and try to get down to some way of handling matters. There is very little attention paid to what really causes the feeling of alienation which occurs between youth and adults. I would like to direct a few comments today, to an aspect I feel is very definable, and very remediable if we, as adults, are concerned about seeking a meaningful reconciliation between the two different viewpoints with which we are faced today.

The remedy, however, must come from some very diligent and heart-searching exercise of the responsibilities that our society has delegated to the older generation, which I think we can find now is anyone over 21.

Let's take a look at what the rights of children are, and by children I mean everyone below 21, though I think that's a very inept term, but this is the way society treats anyone under 21.

What are the rights of children? In this respect, I'm not relating to what's often been referred to when you get in a discussion like this, like who gets the car, what to wear, what time to get home. Rather, what are basic rights in our whole system of government.

We've exposed our youth now, and I'm a product of this for over a generation, we've expanded education at all levels, the generation has grown up with mass media, which has brought every aspect of the world to their attention as a viewer or as a reader. We've exposed people to the ideals, good ideals as the last gentlemen has stated, things like constitutional right, liberty and the pursuit of happiness, equal rights, and we've turned around and we've also exposed them to ghettoes, to racial injustice, to hunger, to feather-bedding, the income tax evasion. Those are things which don't really square with the related ideal, and I think the confusion is understandable. People, and young people in turn, just as any person does, looks at their own experience. The question, whether stated or unstated, conscious or unconscious, is what rights do I have as a kid? I'd like to look at some of these rights, not the way the scholarly legal journals look at them, in terms of legal rights or a jurist, but what rights does a child really have.

He has the right to be beaten to death by a parent. Except in the most blatant of situations, there are no witnesses to the event. Many times a child has a right to go to a hospital several times before being mercifully murdered. Parents have the right to raise their children, and if sick enough and slick enough, beat them until death. Children also have the right to go to prison, for years in some cases, and there's no mistake about it, reform school, no matter what you call it, is a prison, and has all the negative things a prison has. I simply refer to the statements about the penal system earlier. They could go to prison for an offense which would not necessarily be an offense if the child were across the magic age of 21. Or if he were, it would only be a short jail sentence, or a fine. A child has the right to protection by the court or social agencies, but whether through indifference or ineptness or insufficient funding, resources, staff or insufficient public concern protection means little. We have an adult decision which gives children certain rights in the juvenile court. Why should the child have a right to an attorney when he feels he's innocent? Or to know who his accuser really is. Or a variety of other rights that were established by this ruling. Yet one hesitates to seriously look at how this ruling has affected the practice of law in juvenile courts across our country. Many courts have ignored this, or only grudgingly accepted the provisions set forth in the Gulf decision.

Other laws insure the rights of adopted parents and foster parents. After all, whatever rights a child may have are obviously secondary to the rights of adults to take children into their homes and the terms that they feel they want to make at the time that they want to make them.

Look at the field of education. A child has the right to a free education. But he does have to pay a few class fees and costs here and there to get into class. Or he can attend school, though a dress code embarrasses him so much that he'd rather forego his right to an education than be embarrassed in front of his peers. A child has a right to have his heritage ridiculed and ignored by teachers and his textbooks. He has the right to see rich kids go to better schools and see a state-federal government pay these schools more and more money so they can have better and better education while in the inner city and in the less prosperous areas children continue to get mediocre or less than mediocre education.

Then we all wonder why we can't compete equally.

He has the right to participate in expensive and expansive remedial reading programs, because the schools haven't taught him how to read in the first place. You see how much value government places on our schools, and you look and find that the school board which set policies for the school gets paid $600 a year and we support the Fourth of July Commission, which is half again as large and they get paid $1200 for their efforts. I think the question exists: "Does a child truly have a right to a free education comparable to the education of other children?"

Does a child have a right to adequate housing? We destroy a good part of our inner city in Milwaukee and build little else. We zone children out in the suburbs. Our real estate industry does little or nothing to promote the choice of the city as a place for people who are interested and concerned to move into and become a part of this community and lend their abilities to solving these problems.

Does a child have a right to an adequate income? Evidently not, for in the state of Wisconsin we currently are proposing an approximately 10 percent cut in the public assistance payments to Aid to Families with Dependent Children. This in the face of a hitherto unknown inflationary spiral. What better way to punish an adult for sins real or imagined than to ill-house and starve a poor child. If the present system is not bad enough, we now have proposed a new program which has within it both promise and the seeds of further violation of whatever rights a child may have, to even have his own family.

At this point it is unclear just how much latitude, and I might add, at what cost, a mother might have in deciding whether or not she should stay home and devote full time to trying to be two parents to her children.

The ironies involved in this situation are ironies which I am sure will not escape the eyes of our very knowledgeable and intelligent youth of today. For example, the very people who support this measure will, on the one hand, encourage what may very well prove to be some forcing of parents out of the home as a straight step forward. On the

other hand, there will be cries of juvenile delinquency as one of the main results of the parents not staying home and being parents to their children. Or for those to whom present public assistance is such an anathema and so un-American the supporting of state-owned, directly or indirectly, nurseries, at which the attendance of children may be required, or certainly somewhat less than voluntary. Doesn't that have a familiar ring of the former government of the largest nation of the world.

Secretary of HEW states his belief in the efficacy of this approach, and the willingness of men to work, when most of the adults in the ADC program are women whose status as underpaid and exploited members of the labor force has been continuously documented by agencies public and private.

To go on, I think quite extensively, in the area giving examples of how youth are encouraged to become citizens, encouraged to practice good citizenship, yet really have no rights of citizenship. I would postulate that the gap between generations in no small part is a reflection of the gap between our national ideals of what a citizen's rights are and our national attitudes and accomplishments in defining protecting these rights. We have the tools to reduce these inconsistencies if we were only to choose to use them.

I have great faith in youth, and would respond to those who state that youth will not or cannot understand the realities of political expediencies, the problems of implementing programs that would define the rights of citizenship for all people, including our children.

I would respond in the following way. Make a sincere effort to close the gap between the ideal and the reality. Make a sincere effort to put aside prejudices and time-worn responses to main problems. Utilize earnestly the legislative tools at hand, and involve meaningfully the human resources, adults and children, of the nation in this task. I believe that one would find not only surprise at the reaction and competency of youth, but also their willingness to contribute to the accomplishment of the goal which is so vital to continued national survival. I think the legislative branch has a particularly heavy responsibility in providing for leadership for the nation for the solution of American national problems.

GAILYA OSBORNE. I'm a member of the Youth Committee that Pat McCabe is chairman of, and I'd like to say a few things about it. The kids that we have on our committee are representative of the way most of the kids in Milwaukee feel. We don't have a lot of hippies on our committee, we don't have kids who are cutting up, burning places down, or anything like that. The majority of kids on our committee are just middle-class kids, and kids who live in ghetto neighborhoods. A lot of the concerns of our committee weren't mentioned by Pat. We have been writing letters to the state legislature about lowering the voting age to 18.

Now I feel this is a valid request because the 18 year olds are concerned about what's going on in his community. The kids now are more aware of what's happening.

I don't know if the woman who said that her son is 20 years old and she doesn't feel he should have the right to vote, is still here. I feel that the reason that he may be like that is that he hasn't been brought up in the environment to give him the chance to develop responsibility. She just hasn't brought her son up right. All the kids from 18 to 21 aren't necessarily in college, and even those who are aren't necessarily on the protest scene marching and full of long hair.

There are kids who are 18 and 21 and are straight, who aren't acid heads or pot heads or anything like that. They're just decent kids who want a chance to voice their concern about what's going on. About the Milwaukee Committee . . . We are trying to get to the public schools and arrange a meeting of citizens because as a representative board of youth in the Milwaukee area we have to be able to get youth throughout the area and we have to be able to publicize this through the schools, who obviously have the greatest contact with youth. The school board doesn't seem to want us to have any contact with them, but I feel I'm working for a responsible organization and it's worthwhile and it's something that kids should be interested in.

Mr. REUSS. Maybe the newspaper accounts and the public presentation of this will somehow reach the members of the school board and maybe they'll do something about it. Certainly they ought to give a hearing to your group, and tell you why they won't cooperate, if that's their decision.

Mr. BEHLING. I'd just like to comment on the statement that Mrs. Jonas has not brought up her son right. I'm sure there are hundreds of thousands of parents who are in the same bag, and I think that this is one of the problems that is creating our generation gap right now.

It's something that I hope I brought out earlier in my testimony, that parents are not close enough to their children and they have not taken the time to sit down and talk to them, to be with them, to play with them, as was mentioned, and to get to know their children so that later on there will be communication between parent and child. There would then be an opportunity for the child to come to his parents when he has a problem, and to want to talk to him or her. Judgment is something that's taught. As Mrs. Jonas said, her son did not have adequate judgment at this time to vote.

Well, he comes back: "At what age will I gain this judgment?"

I don't know. Unless you are taught to make proper judgments from your young years on, you're not ever going to be able to make proper judgments.

Therefore, I have to agree with the young lady here, and Pat McCabe, and with many others, that 18 can and undoubtedly is, a proper age for youth to be voting.

The Congressman has said there were many of his constituents for it in the past. Currently it seems there is a minority opinion in favor of this.

But I certainly believe that we can again regain a majority if we can only get youth to portray the image that is really there. Here I think is the comment that was made about the newspapers, and press and television, showing all the negative aspects of our youth.

It's not the good, it's not the young man or the young lady who is doing something for his or her community, it's not the youth committees that we now have that are functioning on a very productive basis and can do something for the adult community that gets publicized. It's all the negatives that we see. Therefore, again, it comes back to the parents. What are the parents, what is society doing, to make youth more productive to put them at a point where they're capable of judging.

Miss OSBORNE. I wanted to say something on the generation gap. I think that one of the causes of it is inflation, keeping up with the Jones', so the parents are out working like my parents. Both of them have always worked, and I hardly ever saw my father. So parents don't have time to sit down and talk with their children, although they'd like to. They are working just to keep their heads above water. It's difficult.

Inflation, and sending rockets to the moon. I know there are a lot of people employed in it, but these technicians employed on the space project don't necessarily need that employment. In the field of technology there are a lot of job openings. They could be employed in another program without sending all this money off to space.

Mrs. M. E. GELINE. Congressman Reuss, panel, I didn't have any intention of saying anything. I came to listen. I came to listen because youth is my love, youth is my interest.

I'm only a mother, with an interest in horticulture, and I often compare raising children to raising flowers or raising any horticulture material. That's the way I personally look at them. You plant the seed . . . it may be the best seed, but without care it will grow wild. You can seed a mediocre seed, but with good care it will turn into something very beautiful and very productive.

I consider myself a member of the lost generation, because my parents belonged to a generation that was very strict, and when we became parents, we decided to raise our children differently. That brought on permissiveness, the progressive system of schools, which I was a member of, and I grew up with it. My children grew up in that period.

Now that my children are grown, I cannot help but make comparisons with this attitude of the parents who are going to be different than their parents were. They were going to provide their children with the comforts that they didn't have. They were going to give their children conveniences they were deprived of. As a result, it created an overabundance of material things for the children, an overabundance of leisure time, and it was not constructive. It was like watering a rose with too much water until you drown it.

Now this generation which has been given too much, because the parents had so little, grew up without enough sense of values, without any or enough responsibility, without being able to make their own decisions, because everything was given to them much too freely and much too much.

As a result, they found themselves with a lot of idle time. True, they went to school, but who gave them tuition and who supplied the necessities while they were in school? It was all given to them. They found themselves with a lot of time, and suddenly they graduate and they begin rebelling.

What are they rebelling against is my question? They are rebelling against the comforts that their forefathers had built up for them. They are criticizing constantly. Everything is no good, and everything should be torn down, everything should be changed.

My question to you here is why are they criticizing? I would like to hear a constructive program that they have to offer to replace the present program that has been built up for them. Whatever I read, whatever I hear, they always disagree. They always oppose, but I would like to see youth engaged a little bit more in constructive plans rather than criticize.

It's very easy to criticize your mother and dad, but the generation gap has existed since time immemorial. At no time did one generation see eye to eye, because of the differences in ages. It is absolutely normal.

But we do look forward to the young people to take over where we leave off, and I would like to see a more constructive attitude on the part of the young people. Come up with suggestions, but don't just call your parents old fogies, old-fashioned. Give them respect for the wisdom they have acquired through the experience they've had, the work they've put in. Give them a little credit, give them the respect, but if you have a better program to offer, speak up.

It is your world to take over, by all means, but do enter the world prepared for the knowledge of what has happened prior to your entrance into the world. That is my opinion to the young people. Don't just criticize, prepare yourselves to take over, develop good judgment, see the right and wrong.

MARTY SCHWARTZ. One factor in the generation gap is that my parents' parents and those of many kids were not from this country originally, being refugees from Europe or other repressed countries. They came here

with almost nothing, they had to work hard, and they instilled this effort in their children. There was the Depression, and the Depression is one thing that we always get thrown back in our faces. "Well, you haven't lived through the Depression, you don't know what it's like", and they, my parents had to work very hard, my grandfather died during the Depression and my father had to quit school, after three years of college. He didn't get the job that he wanted, but he worked hard anyway to get where he was. They always try to drive this fact into us.

My parents were instilled with the idea that America is the best country. That's true to a certain extent.

Since we have experienced things like this, we've been given everything and so now we want to go on because we see other injustices like our parents did. We see poverty, racism in the society today, and we're trying to strike out against that. Sometimes our parents don't understand what we're trying to do.

We were given supposedly everything that they could possibly give us, and they just sometimes do not understand us.

SOVIET MINORITIES PROBLEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. RARICK), is recognized for 15 minutes.

Mr. RARICK. Mr. Speaker, many members of minority groups have been incited to unrest and discontent by the beckoning of utopian propaganda guided by the international Bolshevik movement.

Any such disaffected minorities should first examine the record of deception and persecution of the various ethnic groups inside Russia under Soviet Socialism.

The Caucasus region on the southern border of Russia is probably the most diversified ethnic area in the world. Many of these Asiatic peoples once occupied larger territories. But during the 18th and 19th centuries, the tsars conducted a series of military campaigns to bring the area under Russian domination. Other than among the ethnic groups in question, there was little opposition to the policy. The average Russian looked upon the objective as a "manifest destiny." In the imagination of 19th century Russian poets and novelists, the Caucasus region of Russia was a wild romantic setting where Russian gentility confronted exotic tribes. Here Byronic military officers advanced their careers in exploits against recalcitrant Asiatics. Elegant ladies of Russian nobility "took the waters" at exclusive Circassian spas. This literary theme reflected a larger political program For example, Pushkin treated the subject of the Caucasian nationalities as a historical necessity. In his poem "Caucasian Prisoner," he describes Russian General Yermolov, who commanded the military campaign to conquer the Caucasus, as "the scourge of the Caucasus—your way, like a black plague, destroyed and annihilated tribes." Nevertheless, Pushkin praises the conquest and bids the Caucasus "tremble, for Yermolov comes." In spite of Russian efforts, the Romanov dynasty fell in 1917 with the Caucasus still unsubdued.

Eager to win the favor of the non-Russian nationalities, the early Bolsheviks deplored czarist policies. In his Thesis on the National Question, Lenin charges that:

These 10,000,000 individuals, Kirghiz, Bashkirs, Chechens, Ossetians, Ingushi, were right up till recently, methodically dispossessed of their best lands by Russian colonists. Driven gradually into sterile deserts these people were devoted to certain death.

The first edition (1937) of the large Soviet Encyclopedia condemns the deportation policy of Nicholas II:

As a culmination the most vital elements of the population were deported to Turkey to the number of 20,000, and were in fact destined in their majority to dying out . . . The risings drew on themselves cruel executions and masses of victims, the annihilation of auls and the destruction of crops.

Such statements were part of the Bolshevik scheme of granting autonomy to nationalities persecuted by the czars in order to win their support.

After the consolidation of power, Soviet policy changed toward the non-Russian nationalities. It began to reflect the deep Bolshevik distrust of minority nationalism as expressed in a composition by Lenin:

The Ukraine is an independent republic. That is very good, but in party matters it sometimes—what is the politest way of saying it?—takes a roundabout course, and we have to get at them somehow, because the people there are sly, and I will not say deceive the Central Committee, but somehow or other edge away from us.[1]

In spite of the Bolshevik propaganda offensive, many minorities attempted to reassert their national identity. They had discovered that the real Bolshevik attitude toward nationalism was not so generous as implied in official rhetoric. They resented Bolshevik methods of nationalization, centralization, and political rule. The Bolsheviks now began to deal with minority nationalism as an obstacle to the expansion of the Soviet empire. But, by adopting more forceful methods of control, they insured the continuity of Tsarist policies.

During the 1930's and 1940's, the Soviets adopted Nicholas II's relocation method, but on a grander scale than that undertaken by the Tsars. Three major nationality groups were affected. Among them are the Volga Germans, who were introduced to the Caucasus as favored immigrants by Catherine the Great; the Kalmyks, inhabiting the steppe of southwest Astrakhan; and a group of Islamic nations of the Crimea and North Caucasus.

The Volga Germans were the first sizable nationality to suffer deporation during World War II. They had entered Russia in large numbers as a result of two decrees issued by Catherine the Great in 1762 and 1763 inviting foreign settlement in lands from which the Russians had recently driven the Khans. The Germans were extremely successful farmers. As free peasants in a country of serfs, they scattered throughout the area from the Ukraine to the Urals. They took part in the Pugachev Revolt of 1773 and in the revolution of 1905. Nicholas II tried to curb Volga German recalcitrance in the decree of 1916 against "German dominance," by ordering their expulsion from the Volga area beginning in April 1917.

The overthrow of the monarchy prevented the execution of the order. As part of a program to cultivate the region, the Bolsheviks created the Volga German Autonomous Soviet Socialist Republic in 1924. The production targets of the collectivization campaign of the early 1930's were so successfully met that the Volga Republic was treated as a showplace. During this period there was little tension between the government and the German population.

In spite of this record the Soviets evidently questioned the loyalty of the Volga Germans after the Nazi invasion of Soviet Russia. The decree for their deportation was issued August 21, 1941, exactly 5 weeks after the German advance:

According to trustworthy information received by military authorities, among the German population living in the Volga there are thousands and tens of thousands of diversionists and spies who on a signal being given from Germany are to carry out sabotage in the area inhabited by the Germans of the Volga.[2]

The ukase cited such vague destinations for the uprooted Germans as the Novosibirsk, Omsk, and Altai region. Of the roughly 480,000 Germans settled in the Ukraine, the Soviets evacuated about 200,000 while the Nazis deported the rest to Germany. The early relocation of this group was probably more a precaution against collaboration and irridentist claims than a punishment for uncommitted treason. Nevertheless, the Volga Germans have disappeared from all statistics of the ethnic composition of the U.S.S.R.

Once a precedent had been set, other minorities of "questionable allegiance" were exiled. The Kalmyks are Buddhists of the Lamaist rite who left Chinese Turkestan with 50,000 Kibitki—carts used as nomad tents—and arrived in the Volga region in 1630. The Tsars cultivated the Kalmyks as a tool for Russia's eastward expansion. The Kalmyk warriors, homeless, but still blindly obedient to their chiefs, were an instrument for keeping in check the rebellious peoples of the Urals. Peter the Great used them as border guards.

But the Kalmyks remained an alien and hostile element in European Russia. The Tsars' 19th century "Kalmyk policy" consisted of ousting them from economically viable areas and curtailing their fishing rights in the Caspian Sea and the Volga River. The source of their livelihood discontinued, the plight of the impoverished Kalmyks steadily worsened.

At first the Kalmyks benefited from Bolshevik rule. The Kalmyk Autonomous Province was created in 1920. During the interwar period literacy among the Kalmyks rose from 4 to 90 percent.[3] But the foundations of a Kalmyk culture were not laid by Moscow.

[1] V. I. Lenin. Sochineniia. Moscow, 1922, vol. 33, p. 267.

[2] Robert Conquest. The Soviet Deportation of Nationalities. New York, St. Martin's Press, 1960, p. 49.

[3] Walter Kolarz. Russia and Her Colonies. New York, Archon Books, 1953, p. 85.

This comfortable relationship ended when the Kalmyks resisted the harsh Soviet collectivization measures. In October 1929 Stalin reacted by ordering the expulsion of "kulaks and feudalists," a decree affecting about 20,000 Kalmyks disenchanted with Stalinization. The Kalmyks were relocated in desert areas. It is not known how many died of starvation while in exile.

The German occupation of Kalmykia during World War II gave what remained of this nation a chance to express its identity and resentment of Soviet policies. When the Germans were routed in 1943, the vanguard of the Kalmyks retreated with the German armies and formed an emigre organization in the West of about 13,000.[4] After the Red army had liberated the area, the deportation order was announced December 27, 1943. "The liquidation of the Kalmyks as an organized community was carried out informally." [5] Although many were sent to the Krasnoyarsk area of Siberia, the majority disappeared without trace. The Kalmyk A.S.S.R. was absorbed by the province of Astrakhan, the Kalmyk capital Elitsa assumed a Russified name Stepnovy, and the leading fishing settlement Lagan' became Kaspiiskoye. Lenin's reference to Kalmyk history as an "uninterrupted chain of suffering." [6] had assumed a prophetic quality.

Another Caucasian people whom the Soviets deported as a group are the Karachai. The Tsarist precedent for this measure occurred in the early 19th century when the Karachai were driven out of the Caucasus foothills by the advancing Cossacks. Confined to the rocky mountain area, they lived in the poverty of nomadic cattle breeding.

The Bolsheviks restored the Karachai to their native area in the plain. Prior to World War II the Soviets considered the resettlement of the Karachai a landmark in their Caucasus policy. According to Walter Kolarz's study of non-Russian nationalities:

> It was just that resettlement which in 1942 offered to the Karachai the opportunity of getting in touch with the German armies and rendering service to them.[7]

Upon liberation of the area at the end of 1943, the Soviets ordered the abolition of the Karachai Province and the evacuation of its population. The winter journey of the deportees in cattle trucks took a heavy toll among the migrant Karachai. During the several weeks of the journey, deaths of up to 50 percent were reported. These were concentrated among the elderly, but typhus victims were of all ages.[8]

Like the Karachai, the exodus of the Crimean Tatars takes precedent in czarist policy. Between 1784 and 1790, 300,000 Tatars had left the Crimean Peninsula out of a total of 1 million. Some of these were sent to Turkey. Others were settled in less strategic positions where the Russians could more easily control them.

While there was minor population displacement since 1800, the second large wave of Tatar emigration followed the Crimean War. From 1859 to 1863, legal deportation involved about 150,000 Crimean Tatars. Thousands more were exiled illegally during the same period. After 1875 Russian authorities recognized the great economic disadvantage caused by Tatars leaving the country and curtailed the issue of passports. But this measure did not prevent another 18,000 from leaving the Crimea. The emigration of the Tatars did not stop until after the October revolution.

The Crimean A.S.S.R. was established in October 1921. Tension developed in relations with Moscow during the 1920's when pan-Turkism fanned Crimean Tatar nationalism. Bela Kun, leader of the violent Hungarian Communist revolt of 1919, was named head of the Crimean Revolutionary Committee and dispatched to subdue the Crimea. The arrest of Veli Ibragimov in 1927, the main protagonist of nationalist tendencies, was followed by a purge of Crimean cultural ministries. During the late 1920's, 30,000 to 40,000 Crimean Tatars were exiled for "bourgeois nationalism" and opposition to collectivization.

The Crimea was relatively stable during the 1930's in spite of exhaustive purges. The German invasion of 1941 usurped Soviet control and let the Tatars express their nationalism. The Red Army fully liberated the area in April 1944. In June the order was given for the removal of the Tatar population for these reasons: First joining German volunteer detachments to combat Red Army units; second, organizing an anti-Soviet underground; third, popular sanctions of such treason.[9] Of the 250,000 Tatars in the Crimea when the war broke out, 100,000 died during the exodus to Kazakhstan, Uzbekistan, and Kirghizia.[10]

The Chechen and Ingushi tribes of the Caucasus have challenged the Russian Empire since the time of Peter the Great. The final conquest of the Chechens in 1840 was followed by the transfer of the population of 44 auls—mountain villages—to the plains, where they could be more easily controlled, or to Turkey. Another 34,000 left Russia in 1865.[11] But a Russian monograph on Chechenia published in 1894 concluded that the group could not be considered "fully pacified."

The Chechens reacted to the Bolshevik Revolution with a national-religious revival. Although the Soviets eliminated the leader of the religious movement, Imam Hadji, they could not cope with Chechen nationalism. During the 1920's, and 1930's, the Soviets used violent methods of suppressing the Islamic Chechens and Ingushi. During this period, the Tsarist fortress of Grozny, meaning "menacing," grew into an important oil city. Although it was the capital of the Chechen A.S.S.R., the influx of Russian oil workers inflated the population of the city on an "American scale." Because of the growing Russian population, the province was becoming more a Soviet colony than an autonomous republic.

During World War II, the Germans exploited Chechen oil and nationalism. The strategic-economic value of the city of Grozny in part motivated the Soviets to charge the Chechens and Ingushi with collaboration with the Germans. Their deportation was ordered in February 1944. An account of Soviet methods was related by Col. Grigori Burlutskii, a defector from the NKVD, the feared Soviet secret police. He participated in the evacuation of the Chechen village of Novosilskoye. According to Burlutskii, the Chechen population was ordered to assemble in village centers February 23, 1944, to celebrate Red Army day. The holiday mood of the crowd was rapidly changed when Major Khorin, the counterespionage officer, read the following announcement:

> It has been established that during the time of the German occupation of Soviet territory, the population of the Chechen-Ingushi Republic gave aid to the enemy, collaborated with them, formed bandit units and carried on hostilities against the Soviet army. In this way they damaged Soviet power and aided the enemies of Communism. For these reasons, the Communist Party and the Soviet government have decided that the entire population of the autonomous Republic of Chechen-Ingushi shall be banished forever to the far regions of the Soviet Union.[12]

Colonel Burlutskii was awarded an inscribed gold watch which expressed gratitude for "'the successful accomplishment of a mission." [13] General in the NKVD Ivan Serov won a "Hero of Soviet Union" medal for directing the deportations.

The scope of the population transfers, the thoroughness with which they were carried out, and the awards bestowed on their directors, indicate the importance to Stalin of the policy of deportation. The Soviets might have justified these measures in several ways. They mention the usual ideological charges of "bourgeois nationalism." The deportations could have been used to weaken resistance to Stalin's collectivization programs. Stalin might have relocated the Islamic minorities to sever an irredentist attraction from Turkey and Iran. Exile could have been one method of settling the underpopulated regions of Soviet Russia. Fear of "counterrevolution" might have been another motive; that is, fear of allowing other minority problems to develop like that of the Ukraine. The relocation of the largest minorities might have served as a warning to smaller minority groups to curb their own nationalism. Punishment for collaboration with enemy Germany can hardly be ruled out as another motive for relocation:

> It is, of course, perfectly true that the Germans raised units from among the Chechens, as they did for most of the minority nations of the U.S.S.R.—and, indeed, from the Russians themselves.[14]

The Soviet policy toward the displaced minorities was reconsidered during the mellowing of party authority that followed the death of Stalin. In his famous

[4] Calcutta Statesman, May 4, 1955, p. 53.
[5] Kolarz, *op. cit.*, p. 86.
[6] *Ibid.*, p. 86.
[7] Kolarz, *op. cit.*, p. 190.
[8] Conquest, *op. cit.*, p. 91.
[9] Kolarz, *op. cit.*, p. 80.
[10] The New York Times, May 3, 1969.
[11] Kolarz, *op. cit.*, p. 186.
[12] Charles Thayer. "MVD" "Man's Declaration of Independence," Life, July 5, 1954, p. 72.
[13] *Ibid.*, p. 72.
[14] Conquest, *op. cit.*, p. 122.

"secret speech" to the 20th Party Congress in 1956, First Secretary Khrushchev criticized the relocation program:

> Not only a Marxist-Leninist but also no man of common sense can grasp how it is possible to make whole nations responsible for inimical activity, including women, children, old people, Communists, and Komsomols, to use mass repression against them, and to expose them to misery and suffering for the hostile acts of individual persons or groups of persons.

Khrushchev singled out the Chechens, Ingushi, Balkars, Karachai, and Kalmyks as "suffering people." But he did not mention the Crimean Tatars or the Volga Germans as rehabilitated.

In February 1957, the Supreme Soviet of nationalities issued a decree to restore national autonomy to the displaced minorities. With certain restrictions, members of the restored exiled groups were allowed to return to their homeland. Although the offer appeared generous, it soon became apparent that the experiences of the deportees had not turned them into model Soviet citizens, and that control still had to be exercised by trustworthy Russians.

Yet several sizable nationalities, the Jews, Volga Germans, and Crimean Tatars, still have no national territory in the multinational Soviet state. The Jews, currently the object of political "anti-Zionism," do not press for territorial claims. Neither do the Volga Germans, who have assumed an inferior status since World War II.

The Crimean Tartars are another exception to the Soviet policy reversal. This group was not rehabilitated until September 1967 when they were formally absolved of Stalin's charges of collaboration with the Nazis. No publicity was permitted over this decision, which did not even appear in the national press. Tartar leaders estimate that 12,000 Tartars have been expelled or prevented from entering the Crimea since the decree of 1967.[15] The Soviet leadership continues to reject the appeals of the Tartars, "who are among the most active and organized pressure groups in the country and who push their demands by concerted actions." [16] The Crimean Tartar demonstration before the "world unity" congress of Communist Parties in Moscow in June 1969 is a recent attempt to force international attention on their exile.

The prospects for restoration of autonomy to any Soviet minority even to what existed in the early Bolshevik period do not appear promising. The status of the non-Russian nationalities has not yet worsened in spite of the partial re-Stalinization currently noted by Western analysts. Since Brezhnev and Kosygin have not yet reversed any decisions on the "nationalities question" made after Stalin, the minorities problem in Russia remains the Achilles heel to the Bolshevik tyranny in the Soviet Socialist Republics.

SIGNS OF PROGRESS IN VIETNAM

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, I am convinced from the headlines that a confused picture has been presented in the United States on the military situation in Vietnam, and that much misinformation prevails on the economic and political picture there. I have visited in Vietnam and, although the time spent there was brief, I explored as thoroughly as possible the problems and the successes of the allied military and civilian effort there. I talked at length with the entire top leadership of the U.S. effort and with a number of allied and South Vietnamese leaders. I came away with a strong feeling that the military situation and the nation-building progress are going far better than many people at home have realized. Militarily, our fighting forces, those of the Republic of Vietnam, and the free world forces have the situation in hand and are prepared to meet any new initiatives the enemy may attempt.

I am impressed by the manner in which modernization and training programs are progressing in the armed services of the Republic of Vietnam. I have visited their units and talked with their commanders. It should be obvious that they have assumed a stronger and more effective combat role in recent months. Now they are moving toward even broader acceptance of combat responsibility as they prepare to assume the role held by departing U.S. units.

People who saw Vietnam as I did 3 years ago have no difficulty in recognizing the tremendous amount of change which has taken place. At that time things were very rough. The Communists were in effective control of much of the terrain outside the cities. Travel was dangerous. The American forces were faced with great problems of troop and facilities buildup, and both the Vietnamese Government and its military forces were simply trying to survive.

All of this has changed for the better. Now nearly all but the jungle areas are in allied control. Areas like the Delta are completely transformed. I traveled deep into that area, where most of the people live and where the Communists had their way for so many years. At the time I was in Vietnam last, the rice crop harvest in the Delta was controlled by the Communists who were living on it while we shipped rice to Vietnam to feed the populace. Now the Communists have been pushed back, and the once tremendous flow of military supplies up the Mekong and through Cambodia has been very sharply cut back. All through South Vietnam I was impressed by the vitality of the people, the tremendous progress they have made in defending themselves and in building a more decent life. Everybody is working or fighting there. There is much more security for the people now, and one can see from the air the signs of progress. The highways are crowded, goods are moving, people are moving, they are building, and they are proud of the contribution that their own efforts have made.

The Communist regiments, which for a long time moved almost at will in the Saigon area, have been pushed back and many of their forces have had to be relocated near the DMZ as the result of shortage of supplies elsewhere. However, a glance at the headlines shows that there is still heavy fighting in progress. The war is not over. Although the enemy has been hurt and hurt badly, the cessation of the bombing made it easier for him to obtain supplies, and this has required a larger effort by allied ground, air, and naval forces. Even so, battles now are being fought far from the population centers. The enemy has been unable to achieve any significant military victory and is resorting largely to hit-and-run tactics in the field and to gangster-like terror attacks on innocent civilians in the cities. Intelligence sources have revealed that he is reconverting some of his units from combat field organizations to sapper units for resorting to guerrilla-type operations. These are obviously not the tactics of a military winner.

Military successes are making possible a strong pacification program which is essential to the survival of the Republic of Vietnam as a nation. It is my belief that pacification is going forward in a more positive manner than ever, and this despite the enemy's continuing efforts in the field. More and more hamlets are being brought under government security. Out of a population of 17 million people in South Vietnam, 15 million live within areas of government security. This security continues to gain ground despite enemy attacks, coercion, assassination, extortion, and terrorism aimed at destroying the confidence of the people in the government.

Nearly 1 million men and women are serving in the armed forces of the Republic of South Vietnam. That is the equivalent of having 18 million in the armed services in our own country. They serve not for 1 year or 2 years or 5 years but for whatever period of time is required to defend their nation, their families, and their homes against communism. During that time, losses suffered by the Vietnamese forces have been 1½ times the number of U.S. deaths. This is a fact often overlooked.

On the battlefield the enemy has been badly hurt. He has lost over one-half million killed since 1961. This is a very large number for a nation of 20 million people. The enemy is also losing politically. Some 22,000 of his fighting forces have defected to the South Vietnamese side. It is now extremely difficult for the Communists to get the voluntary cooperation of the villagers. In an effort to keep up the strength of their fighting forces they are press ganging the young people into their armies and in the areas of control which are left to them, they are forcing the people to pay taxes and to give up their rice. Nevertheless, the Communist is a stubborn enemy, and he continues to fight. However objective our efforts may be at the Paris peace talks, we have no recourse but to maintain pressure on the enemy in Vietnam until those talks bear fruit.

In the meantime the progress made by the South Vietnamese is most encouraging. Their units are gaining in strength and complements, and they are daily

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[15] New York Times, May 3, 1969.
[16] *Ibid.*

taking on greater responsibility in combat. With patience and understanding, it is conceivable that in time most of the burden of combat can be assumed by these forces. To precipitate a withdrawal of American units would give the Communists the encouragement they need to renew their own assault against South Vietnam.

In fact, much harm has been done by overemphasis on the withdrawal of U.S. forces in Vietnam. It is a natural thing for the families of servicemen to want their men returned from the fighting area, but it is equally important that they understand our responsibility not to abandon the obligations which we have accepted in that area. I do not feel that the administration is prepared to accept the inevitable results of too early withdrawal of American fighting units. Nothing has been resolved by the peace talks, and the only recourse left is to continue the military effort in Vietnam until a more realistic attitude is taken in the negotiations. Mr. Nixon has been quoted as stating that he will not be the first American President to lose a war. To abandon the struggle in Vietnam or to accept Communist terms is to lose the war.

We have made mistakes, of course, and there has been waste as in all wars. Nevertheless, there is a great deal of improvement in the picture in Vietnam and I am optimistic about the future, unless the United States decides the game is not worth the candle and turns its back on a valiant and thus far successful effort.

Let me say finally I have the highest praise for the U.S. servicemen who have fought this difficult war with great dedication and determination. On the ground, in the air, and afloat they have turned in an admirable performance and in the process have succeeded in stopping a determined and ruthless enemy.

OUR ORDER OF PRIORITIES SPELLS NATIONAL DISASTER

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, almost every American hopefully anticipates the extrication of our Nation from the morass that is the war in Vietnam. Should such an event occur, we eagerly await a reversal of national priorities, with urgent emphasis upon domestic requirements which can brook little further delay. It is not only universally recognized that such restructuring of national priorities is in order, but that it is imperative. Further delay in addressing massive efforts to these sores on our body politic is to court continental disaster of the most gigantic proportions. Our problems center around our cities. Vast sums are essential to any cure. Such funds can only be made available by more reasonable distribution of tax burdens, major internal institutional reforms, and a more equitable distribution of national income.

The previous administration showed some understanding of this equation, predicting a "peace dividend" from an end to the war and natural national economic growth. It also envisioned some meaningful scaling down of our military budget. Such projections ranged into the area of $16 billion annually 18 months after peace was restored. It was expected to grow to $19 billion annually after 30 months of peace. Most of this revenue was projected for the domestic sector of our economy. Also noted was that major crying needs for such capital were not particularly for new programs marking significant social departure. Rather, these funds would be rushed in to fill the yawning breach in American life caused by the impending collapse of our metropolitan areas.

So we allowed ourselves the luxury of a dream or two—a hope of some bold, heartening beginnings. Perhaps it had not all been for nothing. Until August 25, when fantasyland became harsh reality land. For on that balmy day, the administration calmly stepped forward, wiped away a crocodile tear or two, and informed America that such a peace dividend was a faint hope at best and a mirage at worst. Almost all the Nation's mayors of both parties greeted this announcement with dismay. Yet the powers that be reiterated that most leftover money resulting from any peace settlement would go for existing and ongoing military and nonmilitary programs. I guess that is the way the rainbow dissolves.

The administration offered no figures to substantiate such disagreement with its predecessor. It was conceded that military expenditures might well increase. An annual rise of 4 to 5 percent in our gross national product was also discounted.

For the average lower and middle income taxpayer praying for even minimal relief, there is an obvious hint that chances for a tax cut of a meaningful nature are infinitesimal. Future direction are now very discernible—more for the status quo; little for taxpayers; even less for already slashed domestic programs.

Most of all we must understand that this is a death knell for the cities of the United States. Metropolitan areas and dependent suburbs we spend so much on to defend will soon be extensive trash heaps, choked by pollution and autos, crammed with slums and vermin. Tax bases collapsing, sources of revenue exhausted, problems ignored by national leaders and the President, they will shortly strangle and expire.

A massive national effort, fueled by capital freed by a major cutback or an end to the war in Asia, could spark urban rebirth. Hopes, talents, and desires to accomplish a metropolitan renaissance exist. All merely await a spark of leadership, the hand of concern, and impetus provided by a realization that national priorities have been reversed. Alas, this is a forlorn hope. Such is not to be the case.

Parochial mentalities operating on partisan lines in the name of jingoism and yesterday's limited concepts have condemned our cities to death, and part of us with them. Apathy and change have prodded them up the steps of the scaffold. Violence and hate have placed the black hood over their faces. War and fear have knotted the hangman's rope and placed it around their necks. Political partisanship, pettiness and 19th century thinking will pull the lever releasing the trap under their feet. Fools will cheer. Knowledgeable persons will weep.

Silent applause from those who have always distrusted and misunderstood the urban idea will be neither prolonged nor deeply enjoyed. America perishes with the cities, choked by the same noose. Why? If several people are tied together and pushed into the water, their survival or fate will not be selective.

The President's refusal to accept the concept of a mass urban transit trust fund will harm suburbs and countryside as much as cities. Refusal to enforce existing laws on water and air pollution will strangle all that grows everywhere. Pollution respects no boundaries. Failure to conquer problems of waste disposal will inundate the land with putrefying, ugly garbage. Poor housing in cities pours more people into an already overstrained suburban belt. Violence in cities means fear and eventual disaster for suburbia. Lack of penetrating, meaningful tax reform means destruction of national confidence in that most basic of institutions—our tax system. Shortchanging our elderly and other minorities exposes basic hypocrisy in our society, causing so many to lose faith in both its meaning and promise.

Instead of reform, what will we receive? In the name of peace and defense, we shall genuflect ever deeper before Mars. More shiny toys for the military. More preference for oil companies which rob the public. More cross-Brooklyn expressways which threaten neighborhoods. More rich subsidized farmers. More auto pollution. More riots. More traffic jams. New aircraft carriers of the "sitting duck" class. More millionaires who pay no taxes. Higher supermarket prices. More fat and rotten chicken in hot dogs.

While buildings rot. And paint peels. And potholes grow deeper. And rats scurry. And waters darken. And air thickens. And lakes die. And rivers foul. And sirens wail. And trains run slower and collide more often. And taxpayers flee. And poverty spreads. And the elderly sink into deep despair. And drugs cost more. And hatred deepens. And violence gets bloodier. And tear gas plops. And sewers and drains smell worse. And airports clog up further. And the administration watches.

And the sky is blue over San Clemente—and along the DMZ—and everywhere. And every day in every way, prosperity is just around the corner—two chickens in every pot—and grass will grow in the streets of a hundred cities, just as Mr. Hoover said—and the Messiah will arrive; maybe tomorrow.

We must reorder national priorities or we are doomed. We must rebuild our cities or our society will pay a penalty that will make our descendants blanch in retrospect. We must provide for defense, but insure that our Republic em-

bodies what we are fervently attached to the defense of. If not then we shall become a military state, crouched and armed to the teeth—on a pile of refuse covering the rotting remains of what was once our America.

THE BEAR IS LEARNING TO SWIM

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, our involvement in Vietnam is costing this Nation upwards of $30 billion annually. Not only is this money that could go for desperately needed domestic requirements, it is also capital we could and should be spending on other vital areas of defense. While we are preoccupied in backyards of the world, such as Vietnam, the main tent and center ring is being occupied by our strongest potential opponent.

While America wastes her substance in Vietnam, she is also frittering away further time, efforts, and money on massive supercarriers, which I believe belong to the "sitting duck" class of ships. Massive floating islands, I feel that in case of conflict they would be pinpointed primary targets for the Soviet Union's massive and ever-growing fleet of ocean-going submarines. Meanwhile, we babble on here at home about new manned bombers, main battle tanks and fighting land wars. All of this seems to me to consist of nine-tenths nonsense and one-tenth wishful thinking.

Have we no eyes to see what is happening? Look at the oceans of the world. Read the steady stream of reports in our major media about growth of the Soviet merchant marine and the Soviet military fleet. Further, they utilize their merchant marine as a weapon, followed closely by naval units to strategically exploit trade openings and protect their merchant ships. All this spells menace to us. Yet although we speak of the threat, we do nothing to counter it.

The Soviet submarine fleet is the largest in the world, including significant numbers of nuclear powered submarines. Polaris-type Soviet submarines are now on at least semipermanent patrol off the ocean coasts of our Nation. Major Soviet shipyards in several areas of that nation are laying down new submarine keels as fast as possible. Soviet capital units ply the oceans of the world, showing their flag along the Persian Gulf, in western ports of India, all along the littoral of the Indian Ocean and even into the Caribbean Sea itself. The vacuum the British so foolishly are leaving east of Suez is one the Soviets are inexorably filling with naval power.

Their fleet in the Mediterranean is turning the eastern portion of that vital body of water into a Russian lake. The Aegean Sea is their favorite maneuver area, and recently their units actually outnumbered our own Sixth Fleet. Our major interest and involvement in Europe, already weakened by an Asian obsession is further endangered and weakened as Soviet naval power outflanks southern NATO members. Greece and Turkey are already well on their way to being strategically compromised. Soviet amphibious capabilities are constantly being enhanced as they wisely invest in swift strike forces and fast ships armed with surface to surface missiles. Our development in all of these areas is lagging or nonexistent.

For the cost of one of our major carriers of the "sitting duck" class we could obtain several submarines in the "hunter-killer" class which are so essential to balance steady growth of Soviet submarine capacity. Instead of remaining entangled in the morass of Asia's farthest backyard we must shake off such a sterile preoccupation. We must begin again to concentrate on "bread and butter" hardware in areas of strategy central to continued well-being and long-range interests of the United States.

The Southeast Asian littoral can easily be commanded from the sea. It is not vital to the defense of this Nation. Once the United States lessens its presence in such areas, as we inevitably will, that entire area of Asia will be free to become a cockpit for massive combat between the Soviet Union and Communist China. Our presence merely delays an inevitable confrontation between the two feuding Communist giants. Let us leave them there to their own devices. We shall meanwhile be free to bolster our own positions of strength, just us leave them there to their own deas the Soviets are doing now at our expense. Further, it is worthwhile to point out that Soviet naval growth is of particular concern because they are challenging the United States in an area where we are supposedly supreme.

There was no chance of world war in the very early years of this century until Hohenzollern Germany began building a high seas fleet that seemed to pose a major challenge to Great Britain's traditional oceanic hegemony. In order to head off a perilous state of mind which would ensure the inevitability of a conflict between the United States and the Soviets over command of the seas, we must immediately insure that no matter what they do afloat, they will not be able to begin to challenge us there. This seems to me, unenlightened though I am, to be elementary strategic and political thinking. Perhaps I only reveal my ignorance, but these are obvious facts as I observe and translate them.

THE 101ST AIRBORNE VETERANS OBSERVE 25TH ANNIVERSARY OF HOLLAND LIBERATION

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, a delegation representing the 101st Airborne Division will leave tomorrow for Europe to take part in the 25th anniversary ceremonies of the liberation of Holland by the 101st Airborne Division. I would like to take this occasion to pay tribute to the 101st for their many contributions to the national security of the United States and to the forces of freedom throughout the world.

I would also like to say how honored I was when Urban F. Lang, the president of the New England chapter of the veterans of the 101st, requested from me a U.S. flag which would be suitable for presentation to one of Holland's liberated towns. During the recent national convention of the 101st Airborne here in Washington Mr. Lang, a resident of Bethel, Conn., discussed with me the overall program and I was delighted to furnish him with an American flag which had flown over the U.S. Capitol. I enclose his subsequent letter explaining how the delegation will present the flag:

MY DEAR CONGRESSMAN MONAGAN: On behalf of the New England Chapter of the 101st Airborne Division Association and the 101st Airborne Division Association I wish to thank you for supplying our United States Flag which has flown over the United States Capitol.

The flag will be presented to one of the Corridor Towns in Holland in your name as part of the Twenty Fifth Anniversary Ceremonies of the Liberation of Holland by the 101st Airborne Division.

Our group will be leaving the Kennedy International Airport on September 5th, 1969 at 9:45 PM (21:45 hours) via KLM Royal Dutch Airlines to take part in the official ceremonies in Holland. The group will return to the United States on October 1st, 1969.

Sincerely yours,

URBAN F. LANG, *President,*
New England Chapter.

Back in the days of the Civil War, one regiment of the famous Iron Brigade had as its mascot a famous war eagle named Old Abe. A sergeant always carried this eagle into the fire and smoke of battle, and the eagle, perched on a shield between the national colors and the regimental colors, screamed above the roar of the guns, inspiring Union soldiers to ever greater heights of bravery and heroism. This eagle, a living symbol to the soldiers of the country they loved and defended, went through 36 battles, although wounded at Vicksburg and again at Corinth.

That same Screaming Eagle has been incorporated into the shoulder patch of the 101st Airborne, and has given them not only their nickname, but also a tradition of patriotism, heroism, and courage.

The 101st has lived up to the inspiration of its mascot. It became the first unit in the history of the Army to receive the Distinguished Unit Citation for an entire division. The 101st received a total of 13 unit citations. Two of its number were awarded the Distinguished Service Medal; four received Soldiers Medals; 20 of its soldiers received the Legion of Merit; 56 were awarded the Distinguished Service Cross; 456 Screaming Eagles received the Silver Star; and 9,488 soldiers received the Bronze Star Medals. Two of its most heroic members, Lt. Col. Robert G. Cole and Pfc. Joseph E. Mann, were awarded the Congressional Medal of Honor.

The 101st Airborne also received three foreign decorations: the French Croix de Guerre with Palm, the Belgian Fourragere, and the Netherlands Orange Lanyard.

The unit, which in 1956 became the

first nuclear-equipped airborne division in the world, was also credited with capturing two of the enemy's most notorious war criminals: Robert Ley, the Nazi Minister of Labor and a close advisor to Hitler; and Julius Streicher, the infamous perpetrator of racial hatred who ordered the deaths of thousands of innocent Jews.

The gallantry of the officers and the men of the 101st Airborne in all of their actions showed an excellence unsurpassed in any World War II operations in Europe. Today, we pay tribute to only one of their many important missions—the liberation of Holland. Today, we specially honor one segment of that division—those Screaming Eagles from the New England area. Yet we remember with pride that all of the men of the 101st Airborne showed remarkable courage and patriotism in all of their military operations.

Participating in the largest airborne operation of the war, the 101st dropped into Holland on September 17, 1944, to begin 73 days of continuous action. Through their persistence and bravery, the Screaming Eagles played a major role in securing and maintaining a vital supply and armor route for the British Second Army.

The liberation of Holland, in the eyes of the Screaming Eagles, was the story of a road—of the men who fought and died to get it and then to keep it open. The road ran 110 miles through Holland, from Belgium north to the Zuyder Zee. The 101st was in charge of 20 miles of that road, from Eindhoven through Zon and St. Oedenrode to Vechel and Uden.

The fighting was desperate. Twenty miles is more than a division is supposed to defend, especially when that road is a corridor inviting attack from both sides, a corridor that threatens to cut off a desperate enemy from his available resources of men and materiel. Against these odds, the only advantages on the side of the 101st were surprise, courage, and resourcefulness.

Upon landing, the battalions were assembled and operating in less than 1 hour. Only two of the 424 planes carrying paratroopers failed to arrive; only one of the four pathfinder planes failed to arrive. Between 1300 and 1330 hours, some 6,769 men jumped; casualties were less than 2 percent. The drop into Holland was one of the most successful landings ever made by this paratroop division.

The 101st took Vechel and held the Zon bridge. St. Oedenrode and Eindhoven fell after sharp fighting. Opheusden changed hands in a shifting struggle, but the enemy was finally forced to withdraw on October 9.

Pfc. Joseph E. Mann became one of the Division's two Congressional Medal of Honor winners in the battle at Best. The fight for Best raged 3 days. At stake was a key communications route through which the Germans could pour reinforcements. The enemy was deployed in strength at the Best Bridge. The town and the bridge finally fell to the 101st after one of the most bitter battles in the entire Netherlands campaign. It was here that Pfc. Mann, a symbol of the indomitable spirit of the Screaming Eagles, smothered a grenade with his already wounded body to save the lives of his fellow paratroopers.

The 101st Airborne has continued its heroic traditions in Vietnam. From Saigon to Quang Tri, in the jungles, in the rice paddies, on the mountains, the Screaming Eagles have shown the courage and skill for which they are renowned.

They have been the firemen of the Vietnam war, moving from hot spot to hot spot, whenever and wherever they are needed. A reserve action force capable of air mobile or parachute assault anywhere in the theater of operations, the 101st has rewritten the rule book of war in devising new tactics to deal with an elusive enemy who refuses to fight a conventional war. The 101st has adopted semiguerrilla tactics, combining American helicopters and firepower with techniques of stealth, flexibility, and mobility, in an attempt to beat the Communists at their own game.

The Screaming Eagles first dropped into Vietnam in 1965, in the biggest Pacific airlift of the war. Gen. Maxwell Taylor, their former commander, greeted them upon their arrival and told them:

If the time comes in a battle when the Vietcong are pressing you on all sides, remember what was said at Bastogne, when the division was surrounded by nine German division: "They got us surrounded, the poor bastards!"

The 101st has remembered the story well.

On January 29, 1967, the 101st returned to their home base after 372 days of continuous combat, an endurance record unthinkable in conventional warfare. Yet this feat was nothing out of the ordinary for the firemen of the Vietnam war.

The 101st has won a number of outstanding military victories, but just as important have been the decisive moral victories they have won while working with, and for, the Vietnamese people. Though difficult for an outfit on the move, the Screaming Eagles have worked to improve the communities which they are defending.

This seems to be the essence of the greatness of the Screaming Eagles. Wherever and whenever they have been called, they have more than risen to the occasion. They have fought their hardest to defend the liberty of threatened lands; they have worked their hardest to create better communities for the day when the hostilities end. I am proud to salute the 101st Airborne Division, and to honor them on their valor and heroism throughout history and throughout the world. I repeat to them the famous words of Gen. Dwight David Eisenhower, addressing the 101st during World War II:

I know you will meet every test of the future as you met it at Bastogne.

REGULATION OF SEXUALLY PROVOCATIVE MAIL

(Mr. ERLENBORN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ERLENBORN. Mr. Speaker, when the National District Attorneys Association met in July for its summer meeting, it adopted the following resolution:

RESOLUTION

Whereas, there is pending before the United States House of Representatives, certain legislation dealing with the regulation of the dissemination of sexually provocative advertisement by use of the United States Mails, and

Whereas, the National District Attorneys Association, having met at its regularly scheduled summer meeting of 1969, at Philadelphia, Pennsylvania, hereby finds that the indiscriminate dissemination of such advertisements constitutes an unwarranted invasion of the privacy and sanctity of the home.

Now therefore be it resolved that the National District Attorneys Association does recommend to the Congress of the United States that it enact appropriate legislation regulating such indiscriminate use of the mails, and

Be it further resolved, that this resolution be spread of record on the minutes of the National District Attorneys Association and that the Secretary be directed to forward copies thereof to those he deems appropriate.

In bringing this resolution to my attention, William V. Hopf, State's attorney for DuPage County, Ill., noted that it comports to H.R. 13241, H.R. 13459, H.R. 13477, H.R. 13478, and H.R. 13500, which 58 of our colleagues in the House and I have introduced to stem the flow of obscene and sex-oriented advertising through the mails.

Our present law on the mailing of such material simply is not getting the job done, as witness the 234,000 obscene mail complaints the Post Office Department has received during the last year.

Our proposals say that these peddlers must first ask permission of the prospective customer in a form letter which contains no pictures and no lurid language. Having gotten permission, the seller may send as much advertising as he pleases. Without permission, he risks a penitentiary sentence if he puts offensive material into the mail.

With this constitutional approach, we would help to turn the tide of unwanted pornography which is flooding our homes, we would help parents in protecting their children from exposure to pornography, and we would put the administrative burden where it belongs—on the purveyor of smut mail rather than on the Post Office Department or the Department of Justice.

The National District Attorneys Association has joined the President, the Postmaster General, and more than 200 Members of Congress in urging such legislation. The House Postal Operations Subcommittee has held hearings, and I hope it will soon be able to resume its consideration of this subject so that Congress may fulfill its will and obligation.

THE PROBLEM OF FEDERAL AID PROGRAM INFORMATION

(Mr. ROTH asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ROTH. Mr. Speaker, I have long been concerned with the information crisis that exists in Washington. This crisis still exists despite the innovative ideas of the new administration. Local and State officials still encounter a myriad of difficulties in trying to obtain meaningful, complete details about Federal-aid programs, and the information crisis is worsening daily. In April, the Office of Economic Opportunity published the inadequate Catalog of Federal Domestic Assistance. All across the country now, administrators are grappling with incomplete guidelines, incomplete funding information, and program requirements that are being modified constantly.

When I began research into the problem of Federal-aid program information almost 2 years ago, I found that no one, anywhere, knew how many Federal-aid programs existed or how much money we were spending on these programs. I found that no single repository of information existed anywhere in the Government. After 8 months of research, I introduced H.R. 338, the Program Information Act, which now enjoys bipartisan cosponsorship from 184 Congressmen and 11 Senators. This legislation would require the President to publish an annual catalog of all Federal-aid programs and to update the catalog monthly.

The Bureau of the Budget has now issued a report on H.R. 338, and, with some specific amendments, recommends passage of the legislation. The Senate Subcommittee on Intergovernmental Relations begins hearings next week on H.R. 338 (S. 60) and other legislation. Rather than reiterate the arguments I have previously set forth in favor of this bill, I would like to let some of our constituents do the talking. I sent out a questionnaire earlier this year to 10,000 city, State, and local officials, as well as to educators, private consultants, and civic associations, asking for their views on the accessibility of information from the Federal Government and the value of the Program Information Act. From the thousands of replies I received, I have chosen a small group of the most succinct and expressive comments, which I would like to share with my distinguished colleagues on a daily basis over the next 2 weeks.

From a midwestern college comes this comment:

A government-wide catalog would be tremendously useful. I now have ten or twelve books on my shelf, a full file drawer, and subscriptions to several commercial and free governmental publications in an attempt to keep up to date with developments in this field . . . I have no feeling of confidence that I have covered all the bases.

From a southern county official:

There is an urgent need for accurate detailed funding information for all federal programs . . . we waste thousands of dollars tracking down programs which are widely advertised but where little or no source of money exists.

From a city official in North Carolina:

With a complete, government-wide catalog, I could research our chances of acquiring assistance before trips, phone calls, letters to the regional office center and to Washington. I could have at hand in my office the data to guide our thinking to the grant program agency where we would be most likely to succeed.

From a western official in a housing program:

Most catalogs are focused on what the program provides for, with too little emphasis on the actual functional availability of funds. It is hard to determine what kind of programs are, in fact, being funded.

From a western college:

Your plan to have an updated monthly catalog of complete program descriptions covering all federal assistance programs sounds like the one greatest need we have at the present time.

Mr. Speaker, I will address this subject again on the next day of legislative business.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HOSMER (at the request of Mr. GERALD R. FORD), for September 3 through September 5, 1969, on account of official business with Joint Committee on Atomic Energy.

Mr. CORMAN, for Thursday, September 4, on account of official business.

Mr. MELCHER (at the request of Mr. KLUCZYNSKI), for Thursday, September 4, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BLACKBURN) and to revise and extend his remarks and include extraneous matter:)

Mr. CONTE, for 30 minutes, today.

Mr. O'HARA, for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. PATTEN) to revise and extend their remarks and include extraneous material:)

Mr. FARBSTEIN, for 20 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. REUSS, for 60 minutes, today.

Mr. RARICK, for 15 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. O'HARA to revise and extend his remarks made in the Committee of the Whole today.

Mr. Moss to revise and extend his remarks made in the Committee of the Whole today and to include extraneous matter.

Mr. PRICE of Texas to revise and extend his remarks made in the Committee of the Whole today and to include extraneous matter.

Mr. KOCH to include with remarks made in the Committee of the Whole an editorial from the New York Times of today.

Mr. BURTON of California 1 minute speech to follow the remarks of Mr. WATSON made in the Committee of the Whole while speaking out of order.

Mr. HANNA immediately following Mr. VAN DEERLIN'S special order today.

Mr. CUNNINGHAM to include extraneous matter with his remarks made today in the Committee of the Whole on H.R. 12085.

(The following Members (at the request of Mr. BLACKBURN) and to include extraneous matter:)

Mr. CONTE.

Mr. BUSH in two instances.

Mr. FINDLEY in three instances.

Mr. HALPERN.

Mr. DERWINSKI in three instances.

Mr. GROVER.

Mr. FULTON of Pennnsylvania in five instances.

Mr. CAMP.

Mr. UTT in two instances.

Mr. KLEPPE.

Mr. RUTH.

Mr. STEIGER of Wisconsin.

Mr. HORTON in two instances.

Mr. CARTER.

Mr. CUNNINGHAM in three instances.

Mr. BURKE of Florida in two instances.

Mr. WYMAN in two instances.

Mr. CRAMER.

Mr. PELLY.

Mr. BROOMFIELD.

Mr. ROUDEBUSH.

Mr. WINN.

Mr. RHODES in five instances.

Mrs. DWYER in five instances.

Mr. MCCLOSKEY.

Mr. KEITH.

(The following Members (at the request of Mr. PATTEN) and to include extraneous matter:)

Mr. ABBITT.

Mr. MURPHY of New York in two instances.

Mr. DADDARIO in five instances.

Mr. FRASER.

Mr. CORMAN.

Mr. ADDABBO.

Mr. JACOBS.

Mr. HOWARD.

Mr. ANDREWS of Alabama.

Mr. MONAGAN in four instances.

Mr. COHELAN in two instances.

Mr. HÉBERT.

Mr. GIAIMO in two instances.

Mr. PICKLE in three instances.

Mr. RARICK in three instances.

Mr. BROWN of California in two instances.

Mr. BIAGGI in six instances.

Mr. EDWARDS of California.

Mr. JONES of North Carolina in two instances.

Mr. TIERNAN in two instances.

Mr. KLUCZYNSKI in two instances.

Mrs. HANSEN of Washington in two instances.

Mr. GONZALEZ in two instances.

Mr. KARTH in four instances.

Mr. KEE in two instances.

Mr. BOLLING in two instances.

Mr. EVINS of Tennessee.
Mr. CHARLES H. WILSON.
Mr. DOWNING in three instances.
Mr. O'HARA in four instances.
Mr. PEPPER.
Mr. YATRON in two instances.
Mr. ULLMAN in 10 instances.
Mr. MOORHEAD in two instances.
Mr. ZABLOCKI in two instances.
Mr. HELSTOSKI in two instances.
Mr. FLOWERS in three instances.
Mr. EDMONDSON in two instances.
Mr. MARSH in two instances.
Mr. HANNA.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 855. An act to provide for the establishment of the Buffalo National River in the State of Arkansas, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2056. An act to amend title 11 of the District of Columbia Code to permit unmarried judges of the courts of the District of Columbia who have no dependent children to terminate their payments for survivors annuity and to receive a refund of amounts paid for such annuity; to the Committee on the District of Columbia.

S. 2502. An act to authorize suits in the courts of the District of Columbia for collection of taxes owed to States, territories, or possessions, or political subdivisions thereof, when the reciprocal right is accorded to the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

S.J. Res. 121. Joint resolution to authorize appropriations for expenses of the National Council on Indian Opportunity; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 11235. An act to amend the Older Americans Act of 1965, and for other purposes; and

H.R. 12677. An act to authorize the Commissioner of the District of Columbia to lease to the Jewish Historical Society of Greater Washington the former synagogue of the Adas Israel Congregation and real property of the District of Columbia for the purpose of establishing a Jewish Historical Museum.

BILL PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 12677. An act to authorize the Commissioner of the District of Columbia to lease to the Jewish Historical Society of Greater Washington the former synagogue of the Adas Israel Congregation and real property of the District of Columbia for the purpose of establishing a Jewish Historical Museum.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 18 minutes p.m.), under its previous order, the House adjourned until Monday, September 8, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1116. A letter from the Comptroller General of the United States, transmitting a report on the effectiveness and administrative efficiency of the Department of Labor's Neighborhood Youth Corps program on the Gila River Indian Reservation and the off-reservation area of Pinal County, Ariz., under title IB of the Economic Opportunity Act of 1964; to the Committee on Education and Labor.

1117. A letter from the Comptroller General of the United States, transmitting a report on the overseas dependents school system in the European area, Department of Defense; to the Committee on Government Operations.

1118. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to amend the act of June 28, 1948, as amended, relating to the acquisition of property for the Independence National Historical Park; to the Committee on Interior and Insular Affairs.

1119. A letter from the Assistant Secretary of the Interior, transmitting a copy of an application by the Central Oregon Irrigation District, Redmond, Oreg., for a loan under the Small Reclamation Projects Act, pursuant to the provisions of section 4(c) of that act; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 4869. A bill to further the economic advancement and general welfare of the Hopi Indian Tribe of the State of Arizona; with amendment (Rept. No. 91–470). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 9756. A bill to provide for the disposition of a judgment recovered by the Confederated Salish and Kootenai Tribes of Flathead Reservation, Mont., in paragraph 11, docket No. 50233, U.S. Court of Claims, and for other purposes; with amendments (Rept. No. 91–471). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 9477. A bill to provide for the disposition of judgment funds of the Confederated Tribes of the Umatilla Indian Reservation; with amendment (Rept. No. 91–472). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 850. A bill to designate the Desolation Wilderness, Eldorado National Forest, in the State of California; with amendment (Rept. No. 91–473). Referred to the Committee of the Whole House on the State of the Union.

Mr. SISK: Committee on Rules. House Resolution 526. Resolution providing for the consideration of H.R. 7737, a bill to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting (Rept. No. 91–474). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 527. Resolution providing for the consideration of H.R. 11039, a bill to amend further the Peace Corps Act (75 Stat. 612), as amended (Rept. No. 91–475). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 528. Resolution providing for the consideration of S. 574, an act to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments (Rept. No. 91–476). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 13602. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. BURKE of Florida:

H.R. 13603. A bill to authorize the U.S. Commissioner of Education to make grants to elementary and secondary schools and other educational institutions for the conduct of special educational programs and activities concerning the use of drugs and for other related educational purposes; to the Committee on Education and Labor.

By Mr. BYRNE of Pennsylvania:

H.R. 13604. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

H.R. 13605. A bill, to expand the definition of deductible moving expenses incurred by an employee; to the Committee on Ways and Means.

By Mr. CAHILL:

H.R. 13606. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 13607. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

By Mr. CONTE:

H.R. 13608. A bill to amend the Small Business Investment Act of 1958; to the Committee on Banking and Currency.

By Mr. CORMAN:

H.R. 13609. A bill to amend the Community Mental Health Centers Act to extend the program of assistance under that act for community mental health centers and facilities for the treatment of alcoholics and narcotic addicts, to establish programs for mental health of children, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CUNNINGHAM:

H.R. 13610. A bill providing for a moratorium on the discontinuance or reduction of railroad passenger train service, and for

other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. EDWARDS of Louisiana:

H.R. 13611. A bill to provide additional assistance for the reconstruction of areas in the States of Alabama, Florida, Louisiana, Mississippi, Virginia, and West Virginia which were damaged by Hurricane Camille of 1969; to the Committee on Public Works.

By Mr. FULTON of Pennsylvania:

H.R. 13612. A bill to amend the Interstate Commerce Act and the Federal Aviation Act of 1958 in order to exempt certain wages and salary of employees from withholding for tax purposes under the laws of States or subdivisions thereof other than the State or subdivision of the employee's residence; to the Committee on Interstate and Foreign Commerce.

By Mr. LATTA:

H.R. 13613. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. McDONALD of Michigan:

H.R. 13614. A bill to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MINSHALL:

H.R. 13615. A bill to amend the Federal Water Pollution Control Act, as amended, to provide adequate financial assistance and to increase the allotment to certain States of construction grant funds; to the Committee on Public Works.

By Mr. PERKINS (for himself, Mr. DENT, Mr. PUCINSKI, Mr. BRADEMAS, Mr. CAREY, Mr. HAWKINS, Mr. HATHAWAY, Mrs. MINK, Mr. SCHEUER, Mr. BURTON of California, Mr. CLAY, and Mr. REID of New York):

H.R. 13616. A bill to strengthen and improve programs of assistance for adult education, and for other purposes; to the Committee on Education and Labor.

By Mr. RUTH:

H.R. 13617. A bill to amend title II of the Social Security Act to increase from $1,680 to $4,800 the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. SEBELIUS:

H.R. 13618. A bill to amend the Uniform Time Act of 1966 in order to provide that daylight saving time shall be observed in the United States from the first Sunday following Memorial Day to the first Sunday following Labor Day; to the Committee on Interstate and Foreign Commerce.

By Mr. BEVILL:

H.R. 13619. A bill to provide additional assistance for the reconstruction of areas in the States of Alabama, Florida, Louisiana, Mississippi, Virginia, and West Virginia which were damaged by Hurricane Camille of 1969; to the Committee on Public Works.

By Mr. BIAGGI:

H.R. 13620. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

H.R. 13621. A bill to expedite delivery of special delivery mail, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BUTTON (for himself, Mr. BROOMFIELD, and Mr. EVANS of Colorado):

H.R. 13622. A bill to amend title I of the Housing Act of 1949 to extend, in certain pending cases, the period prior to approval of a neighborhood development program within a public improvement or facility must have been commenced in order to qualify as a local noncash grant-in-aid; to the Committee on Banking and Currency.

By Mr. DENT:

H.R. 13623. A bill to provide for the orderly expansion of trade in manufactured products; to the Committee on Ways and Means.

By Mr. DIGGS:

H.R. 13624. A bill to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FARBSTEIN:

H.R. 13625. A bill to establish a national program to provide income supplements to every family in need thereof; to the Committee on Ways and Means.

By Mr. FLOWERS:

H.R. 13626. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. FRIEDEL:

H.R. 13627. A bill to amend the River and Harbor Act of 1965 to increase the authorization for certain works in connection with the Chesapeake Bay Basin; to the Committee on Public Works.

By Mr. HALPERN:

H.R. 13628. A bill to provide fair treatment for franchises; to the Committee on the Judiciary.

By Mr. NELSEN:

H.R. 13629. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income insurance payments received for additional personal, living, or family expenses incurred as the result of the loss of use of a residence as a result of casualty; to the Committee on Ways and Means.

By Mr. PUCINSKI (for himself, Mr. PERKINS, Mr. AYRES, Mrs. GREEN of Oregon, Mr. QUIE, Mr. THOMPSON of New Jersey, Mr. ASHBROOK, Mr. DENT, Mr. BELL of California, Mr. DANIELS of New Jersey, Mr. DELLENBACK, Mr. BRADEMAS, Mr. ESCH, Mr. O'HARA, Mr. ESHLEMAN, Mr. HAWKINS, Mr. STEIGER of Wisconsin, Mr. HATHAWAY, Mr. RUTH, Mrs. MINK, Mr. SCHEUER, Mr. MEEDS, Mr. BURTON of California, Mr. STOKES, and Mr. CLAY):

H.R. 13630. A bill to extend certain expiring provisions of law relating to vocational education; to the Committee on Education and Labor.

By Mr. PURCELL (for himself, Mr. HORTON, Mr. LEGGETT, Mr. HUNGATE, Mr. TEAGUE of Texas, Mr. DORN, Mr. ABERNETHY, Mr. FISHER, Mr. TALCOTT, Mr. BIESTER, Mr. HANSEN of Idaho, Mr. WINN, Mr. SCHERLE, Mr. DADDARIO, Mr. MAHON, Mrs. REID of Illinois, Mr. ZABLOCKI, Mr. SMITH of Iowa, Mr. MICHEL, Mr. MONTGOMERY, Mr. BROWN of Ohio, Mr. GONZALEZ, Mr. TEAGUE of California, and Mrs. MAY):

H.R. 13631. A bill to encourage the development of novel varieties of sexually reproduced plants and making them available to the public, by making protection available to those who breed, develop or discover them, thereby promoting progress in the useful art of agriculture; to the Committee on Agriculture.

By Mr. STAGGERS:

H.R. 13632. A bill to provide additional assistance for the reconstruction of areas in the States of Alabama, Florida, Louisiana, Mississippi, Virginia, and West Virginia which were damaged by Hurricane Camille of 1969; to the Committee on Public Works.

By Mr. ABBITT:

H.R. 13633. A bill to provide additional assistance for the reconstruction of areas in the States of Alabama, Florida, Louisiana, Mississippi, Virginia, and West Virginia which were damaged by Hurricane Camille of 1969; to the Committee on Public Works.

By Mr. DADDARIO:

H.J. Res. 884. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.J. Res. 885. Joint resolution authorizing the President to proclaim the period April 20 through April 25, 1970, as "School Bus Safety Week"; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.J. Res. 886. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H. Res. 529. Resolution urging the President of the United States to take whatever action may be necessary to stop air piracy; to the Committee on Foreign Affairs.

By Mr. MURPHY of New York (for himself, Mr. PODELL, Mrs. SULLIVAN, Mr. HALPERN, Mr. EILBERG, Mr. KOCH, Mr. BUTTON, Mr. GROVER, Mr. NIX, Mr. MINISH, Mr. MCKNEALLY, Mr. BINGHAM, Mr. DULSKI, Mr. BURKE of Massachusetts, Mr. BRYNE of Pennsylvania, and Mr. FRIEDEL):

H. Res. 530. Resolution condemning discrimination, prejudice, and violence against the Catholic minority in Northern Ireland, and requesting the President of the United States to seek a meeting of the United Nations Security Council; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 13634. A bill for the relief of Luigi Caruso; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 13635. A bill for the relief of Vincenzo Sodano; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 13636. A bill for the relief of Miss Gita H. Elguin; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 13637. A bill for the relief of Lina Lillian Bonini; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 13638. A bill for the relief of Mee June Wong, Chee Wing Yuen, Suet Yi Yuen, Wai Kwong Yuen, Pui Yee Yuen, and Man Yee Yuen; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

226. By the SPEAKER: Petition of Irene Siddons et al., Spokane, Wash., relative to appointments to the U.S. Supreme Court; to the Committee on the Judiciary.

227. Also petition of Joanne Morris et al., Fort Lauderdale, Fla., relative to appointments to the U.S. Supreme Court; to the Committee on the Judiciary.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308(b), which provides as follows:

(b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

QUARTERLY REPORTS

The following reports for the first calendar quarter of 1969 were received too late to be included in the published reports for that quarter:

A. Ad Hoc Committee of the Construction Industry Advancement Funds, 1016 20th Street NW., Washington, D.C.

A. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $11,500. E. (9) $7,689.15.

A. American Civil Liberties Union, 156 Fifth Avenue, New York, N.Y.
D. (6) $5,433.06. E. (9) $5,433.06.

A. American Dental Association, 211 East Chicago Avenue, Chicago, Ill.
E. (9) $4,036.90.

A. American Humane Association, 5351 Rosyln Street, Englewood, Colo.
E. (9) $1,507.78.

A. American Institute of Merchant Shipping, 1120 Connecticut Avenue NW., Washington, D.C.
E. (9) $1,818.05.

A. American Insurance Association, 85 John Street, New York, N.Y.
D. (6) $12,415.38. E. (9) $12,415.38.

A. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $95,997.07. E. (9) $40,744.17.

A. Robert E. Ansheles, Suite 718, 1028 Connecticut Avenue, NW., Washington, D.C.
B. Consolidated International Trading Corp., 180 Madison Avenue, New York, N.Y.
D. (6) $462.50. E. (9) $106.50.

A. Associated Credit Bureaus, Inc., 6767 Southwest Freeway, Houston, Tex.
E. (9) $8,966.87.

A. A. V. Atkinson, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $4,399.84.

A. American Parents Committee Inc., 20 E Street NW., Washington, D.C., and a subcommittee Bipartisan Citizens Committee for Federal Air for public elementary and secondary education, 2104 Davenport Street NW., Washington, D.C.
D. (6) $2,160.24. E. (9) $826.57.

A. Robert C. Barnard, 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Robert C. Barnard, 1250 Connecticut Avenue NW., Washington, D.C.
B. Oil Shale Corporation.

A. Davis M. Batson, 611 Madison Office Building, Washington, D.C.
B. The Ethyl Corp., 611 Madison Office Building, 1155 15th Street NW., Washington, D.C.
D. (6) $600.

A. Donald S. Beattie, 400 First Street NW., Washington, D.C.

B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.
D. (6) $1,200.

A. Daniel S. Bedell, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile Aerospace & Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich.
D. (6) $1,770. E. (9) $408.87.

A. Helen W. Berthelot, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $4,763.95.

A. C. B. Blankenship, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $4,542.16.

A. Blumberg, Singer, Ross, Gottesman, Diamond & Gordon, 245 Park Avenue, New York, N.Y.
B. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.
D. (6) $6,250.

A. John F. Bonner, Room 100, Philip Murray Building, Washington, D.C.
B. Industrial Union of Marine & Shipbuilding Workers of America, 1126 16th Street NW., Washington, D.C.
E. (9) $174.93.

A. J. Wiley Bowers, Suite 325, Pioneer Building, Chattanooga, Tenn.
B. Tennessee Valley Public Power Association, Suite 325, Pioneer Building, Chattanooga, Tenn.

A. Col. A. A. Brackett, 1 Constitution Avenue, NE., Washington, D.C.
B. Reserve Officers Association of the United States, 1 Constitution Avenue NE., Washington, D.C.

A. W. S. Bromley, 605 Third Avenue, New York, N.Y.
B. American Pulpwood Association, 605 Third Avenue, New York, N.Y.

A. Charles H. Brown, 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Bulgarian Claims Committee, 88–04 63d Drive, Rego Park, N.Y.

A. Charles S. Burns, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $725. E. (9) $278.56.

A. Dan L. Butler, 400 Walker Building, Washington, D.C.
B. National Automatic Merchandising Association, 400 Walker Building, Washington, D.C.

A. Dan L. Butler, 400 Walker Building, Washington, D.C.
B. Outdoor Power Equipment Institute, Inc., 400 Walker Building, Washington, D.C.

A. John H. Callahan, 1126 16th Street NW., Washington, D.C.
B. International Union of Electrical, Radio & Machine Workers, 1126 16th Street NW., Washington, D.C.
D. (6) $875. E. (9) $240.

A. Donald L. Calvin, 11 Wall Street, New York, N.Y.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. Charles A. Campbell, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States.

A. Canal Zone Central Labor Union-Metal Trades Council, AFL–CIO, Post Office Box 471, Balboa Heights, C.Z.
D. (6) $1,067.61. E. (9) $1,047.98.

A. Col. John T. Carlton, 1 Constitution Avenue NE., Washington, D.C.
B. Reserve Officers Association of the United States, 1 Constitution Avenue NE., Washington, D.C.

A. Robert S. Carr, 1220 Pennsylvania Building, Washington, D.C.
B. Hiram Walker & Sons, Inc., 8232 Jefferson Avenue, Detroit, Mich.

A. Richard M. Carrigan, 1201 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $2,187.25. E. (9) $82.92.

A. Col. Joseph I. Chabot, 1 Constitution Avenue NE., Washington, D.C.
B. Reserve Officers Association of the United States, 1 Constitution Avenue NE., Washington, D.C.

A. Donald E. Channell, 1705 DeSales Street NW., Washington, D.C.
B. American Bar Association, 1705 DeSales Street NW., Washington, D.C.
D. (6) $500. E. (9) $30.

A. Hal M. Christensen, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. American Dental Association, 1750 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $2,250.

A. Albert T. Church, Jr., 1120 Connecticut Avenue NW., Washington, D.C.
B. American Institute of Merchant Shipping, 1120 Connecticut Avenue NW., Washington, D.C.
D. (6) $31.24. E. (9) $10.97.

A. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.
D. (6) $44,621.94.

A. Citizens for a Postal Corporation, Inc., Post Office Box 1807, Washington, D.C.

A. William F. Claire, 1835 K Street NW., Washington, D.C.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.
B. The Oil Shale Corp, 680 Fifth Avenue, New York, N.Y.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.
B. Synthetic Organic Chemical Manufacturers Association, 330 Madison Avenue, New York, N.Y.

A. Collier, Shannon & Rill, 1625 I Street NW., Washington, D.C.
B. National Footwear Manufacturers Association, Inc., 342 Madison Avenue, New York, N.Y.
D. (6) $750.

A. Paul G. Collins, 111 Westminster Street, Providence, R.I.
B. The Industrial National Bank of Rhode Island, 111 Westminster Street Providence, R.I.
D. (6) $68.75.

A. Committee for a Free Cotton Market, Inc., 1725 K Street NW., Washington, D.C.
E. (9) $70.59.

A. Paul B. Comstock, 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. Bernard J. Conway, 211 East Chicago Avenue, Chicago, Ill.
B. American Dental Association, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $1,906.26.

A. Harry N. Cook, Suite 200, 1130 17th Street NW., Washington, D.C.
B. The National Waterways Conference.

A. The Council for Exceptional Children, 1201 16th Street NW., Washington, D.C.
E. (9) $1,259.02.

A. Paul L. Courtney, 1725 K Street NW., Washington, D.C.
D. (6) $300.

A. Jay Cresswell, Box 8701, Orlando, Fla.
E. (9) $171.13.

A. Francis D. Cronin, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $475.

A. CUNA International, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $1,269.23. E. (9) $869.95.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.
B. American Importers Association, New York, N.Y.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.
B. American Textile Importers Association, New York, N.Y.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.
B. Japan Chemical Fibres Association, Tokyo, Japan.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.
B. Japan Woolen & Linen Textiles Exporters Association, 4 Chome, Bingomachi, Nigashiku, Osaka, Japan.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.
B. Unione Industriale Pratese, Prato, Italy.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.
B. Vorort des schweizerischen Handels- und Industrie-Vereins Borsenstrasse 26, Zurich, Switzerland.

A. Fred E. Davis, 916 16th Street NW., Washington, D.C.
B. NAM.

A. Donald S. Dawson, 723 Washington Building, Washington, D.C.
B. D.C. Transit System, Inc., Washington, D.C.
D. (6) $1,250.

A. Donald S. Dawson, 723 Washington Building, Washington, D.C.
B. Guild of Prescription Opticians, 1250 Connecticut Avenue NW., Washington, D.C.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C.
B. Air Transport Association, 1000 Connecticut Avenue NW., Washington, D.C.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.
D. (6) $3,375.

A. Dawson, Quinn, Riddle, Taylor & Davis, 723 Washington Building, Washington, D.C.
B. Indian Sugar Mills Association, Export Agency Division, Calcutta, India.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington D.C.
B. V. I. Gift & Fashion Shop Association, St. Thomas, V.I.

A. DeHart and Broide, Inc., 1150 Connecticut Avenue NW., Washington, D.C.
B. Record Industry Association of America, New York, N.Y., and Sales Promotion Companies.

A. James J. Delaney, Jr., 103 Lancaster Drive, Anchorage, Alaska.
B. Association of American Railroads, American Railroads Building, Washington, D.C.

A. Henry I. Dworshak, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $975.

A. Eastern Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $177.50. E. (9) $177.50.

A. Harmon L. Elder, 1900 L Street NW., Washington, D.C.
B. Wilson E. Hamilton & Associates, Inc., 1900 L Street NW., Washington, D.C.
D. (6) $250. E. (9) $37.45.

A. Alfred Edwall, 25 Louisiana Avenue NW., Washington, D.C.
B. International Brotherhood of Teamsters, 25 Louisiana Avenue, Washington, D.C.
D. (6) $2,772.06.

A. George V. Egge, Jr., 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Richard W. Emory, 1400 Mercantile Trust Building, Baltimore, Md.
B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.
E. (9) $535.86.

A. Employee Relocation Real Estate Advisory Council, Inc., 333 North Michigan Avenue, Chicago, Ill.
D. (6) $9,250. E. (9) $519.96.

A. Ethyl Corp., 611 Madison Office Building, Washington, D.C.
E. (9) $1,477.80.

A. Richard E. Faggioli, 1025 Connecticut Avenue NW., Washington, D.C.
B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.
E. (9) $55.70.

A. Bonner Fellers, 3535 Springland Lane NW., Washington, D.C.
B. The Taxpayer's Committee To End Foreign Aid, 3535 Springland Lane NW., Washington, D.C.

A. Mello G. Fish, 100 Indiana Avenue, NW., Washington, D.C.
B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $705.98. E. (9) $101.33.

A. Forest Farmers Association Cooperative, 1375 Peachtree Street NE., Atlanta, Ga.
D. (6) $139.66. E. (9) $139.66.

A. Owen V. Frisby, 821 15th Street NW., Washington, D.C.
B. The Chase Manhattan Bank, 1 Chase Manhattan Plaza, New York, N.Y.
D. (6) $375. E. (9) $750.35.

A. David C. Fullarton, 1000 Connecticut Avenue NW., Washington, D.C.
B. National Telephone Cooperative Association, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $653.34.

A. William C. Greer.
B. The Council for Exceptional Children, National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $500.

A. Mary Condon Gereau, 1201 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $2,700. E. (9) $58.77.

A. William T. Gibb, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. James M. Goldberg, 1616 H Street NW., Washington, D.C.
B. American Retail Federation.

A. Douglas R. Gordon, 1616 H Street NW., Washington, D.C.
B. American Retail Federation.

A. Frederick D. Goss III, 1000 Connecticut Avenue NW., Washington, D.C.
B. National Telephone Cooperative Association, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $252.02.

A. Fred J. Greiner, 910 17th Street NW., Washington, D.C.
B. Evaporated Milk Association, 910 17th Street NW., Washington, D.C.

A. Hoyt S. Haddock, 100 Indiana Avenue NW., Washington, D.C.
B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $600. E. (9) $162.

A. Franklin Hardinge, Jr., 1444 Wentworth Avenue, Pasadena, Calif.
B. California Savings & Loan League, 1444 Wentworth Avenue (Post Office Box R), Pasadena, Calif.
D. (6) $1,800.

A. Eugene J. Hardy, 918 16th Street NW., Washington, D.C.
B. NAM.

A. George J. Hecht, 52 Vanderbilt Avenue, New York, N.Y., and 20 E Street NW., Washington, D.C.
B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C., and the subcommittee, Bipartisan Citizens Committee for Federal Aid for Public Elementary and Secondary Education, 2107 Davenport Street NW., Washington, D.C.

A. C. O. Henderson, Post Office Box 381, Washington, D.C.
B. National Federation of Professional Organizations.
D. (6) $700. E. (9) $124.33.

A. Christopher O. Henderson, 1341 G Street NW., Washington, D.C.
B. Organization of Professional Employees of the U.S. Department of Agriculture, 1341 G Street NW., Washington, D.C.
E. (9) $25.

A. Mrs. Elizabeth S. Hendryson, 6303 Indian School Road NE., Albuquerque, N. Mex.

A. William Graham Hinkle, 2011 Eye Street NW., Washington, D.C.
B. Executives Consultants, Inc., 2011 I Street NW., Washington, D.C.
D. (6) $500. E. (9) $500.

A. William Graham Hinkle, 2011 I Street NW., Washington, D.C.
B. National Association of Self-Employed Individuals, Inc., 2011 I Street NW., Washington, D.C.
D. (6) $1,465.50. E. (9) $270.

A. M. F. Hicklin, 507 Bankers Trust Building, Des Moines, Iowa.
B. Iowa Railway Committee, 507 Bankers Trust Building, Des Moines, Iowa.

A. Home Manufacturers Association, 1701 18th Street NW., Washington, D.C.
E. (9) $40.

A. Harold K. Howe, 400 Walker Building, Washington, D.C.
B. National Automatic Merchandising Association, 400 Walker Building, Washington, D.C.

A. Harold K. Howe, 400 Walker Building, Washington, D.C.
B. Outdoor Power Equipment Institute, Inc., 400 Walker Building, Washington, D.C.

A. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C.
E. (9) $12,073.52.

A. Rear Adm. Alexander Jackson, Jr., 1 Constitution Avenue NE., Washington, D.C.
B. Reserve Officers Association of the United States, 1 Constitution Avenue NE., Washington, D.C.

A. Ralph K. James, Rear Adm., U.S. Navy (retired), 1000 Connecticut Avenue NW., Washington, D.C.
B. American Institute of Merchant Shipping.
D. (6) $440. E. (9) $4.08.

A. Philip F. Jehle, 300 National Press Building, Washington, D.C.
B. Smith Kline & French Laboratories, 1500 Spring Garden Street, Philadelphia, Pa.

A. H. Bradley Johnson, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $725.

A. Ned Johnston, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Elmer A. Jones, 1145 19th Street NW., Washington, D.C.
B. Lead-Zinc Producers Committee.
D. (6) $750. E. (9) $488.71.

A. Francis M. Judge, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States.

A. Gerald M. Katz, 1400 Mercantile Trust Building, Baltimore, Md.
B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.
E. (9) $535.86.

A. Kevin J. Kearney, 1025 Connecticut Avenue, Washington, D.C.
B. COMAC, 1025 Connecticut Avenue, Washington, D.C.
D. (6) $600. E. (9) $200.

A. Eugene Adams Keeney, 1616 H Street NW., Washington, D.C.
B. American Retail Federation.

A. Thomas John Kehoe & Associates, 1904 Rookwood Road, Silver Spring, Md.
E. (9) $400.

A. Edward F. Kenney, 225 South Meramec Street, St. Louis, Mo.
B. Mississippi Valley Association, 1130 17th Street NW., Washington, D.C.

A. Franklin E. Kepner, Berwick Bank Building, Berwick, Pa.
B. Associated Railroads of Pennsylvania, Transportation Center, Philadelphia, Pa.

A. John A. Killick, 1820 Massachusetts Avenue NW., Washington, D.C.
B. Eastern Meat Packers Association, Inc., 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $12.50.

A. John A. Killick, 1820 Massachusetts Avenue NW., Washington, D.C.
B. The National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $363.

A. Kenneth L. Kimble, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $637.88. E. (9) $27.75.

A. King, Miller, Anderson, Nash & Yerke, 1200 American Bank Building, Portland, Oreg.
B. Confederated Tribes of the Umatilla Indian Reservation, Post Office Box 520, Pendleton, Oreg.
E. (9) $661.31.

A. Keith R. Knoblock, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $475.

A. Robert J. Leigh, 1000 Connecticut Avenue NW., Washington, D.C.
B. National Telephone Cooperative Association, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $224.75.

A. G. E. Leighty, 400 First Street NW., Washington, D.C.

A. Donald Lerch, Jr. & Co., Inc., 1522 K Street NW., Washington, D.C.
B. Japan Chemical Fibres Association, 3, 3-Chome, Muromachi, Nihonbashi, Tokyo, Japan.
D. (6) $600.

A. Donald Lerch, Jr. & Co., Inc., 1522 K Street NW., Washington, D.C.
B. Shell Chemical Co., 110 West 31st Street, New York, N.Y.

A. Morris J. Levin, 910 17th Street NW., Washington, D.C.
B. Arden Publishing Co., Tucson, Ariz.
D. (6) $2,500.

A. Morris J. Levin, 910 17th Street NW., Washington, D.C.
B. Association of American Railroads, American Railroads Building, Washington, D.C.

A. Don F. Lobb, 1619 Massachusetts Avenue NW., Washington, D.C.
B. Southern Pine Industry Committee.

A. Paul H. Long, 1025 Connecticut Avenue NW., Washington, D.C.
B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.
E. (9) $27.58.

A. John M. Lumley, 1201 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $4,437. E. (9) $342.68.

A. James H. Lynch, 400 First Street NW., Washington, D.C.
B. American Federation of Government Employees, 400 First Street NW., Washington, D.C.
D. (6) $2,809.80. E. (9) $667.79.

A. John L. McConnell, 1660 L Street NW., Washington, D.C.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.
D. (6) $1,200. E. (9) $150.

A. Joseph J. McDonald, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $3,625. E. (9) $615.90.

A. Joseph A. McElwain, 40 East Broadway, Butte, Mont.
E. (9) $152.08.

A. Stanley J. McFarland, 1291 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $2,925. E. (9) $109.59.

A. Mrs. Barbara D. McGarry, 20 E Street NW., Washington, D.C.
B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C., and the subcommittee, Bipartisan Citizens Committee for Federal Air for Public Elementary and Secondary Education, 2107 Davenport Street NW., Washington, D.C.

A. Joseph B. McGrath, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D.. (6) $5,999.98. E. (9) $1,368.94.

A. John S. McLees, 1516 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States.

A. William H. McLin, 1201 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $2,700. E. (9) $69.33.

A. Ralph J. McNair, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $209.70. E. (9) $7.64.

A. Charles R. McNeill, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $1,300.

A. Don Mahon, 1028 Connecticut Avenue NW., Washington, D.C.
E. (9) $4,13804.

A. Ben J. Man, 100 Indiana Avenue NW., Washington, D.C.
B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
E. (9) $280.55.

A. Edwin E. Marsh, 600 Crandall Building, Salt Lake City, Utah.
B. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
D. (6) $3,674.07. E. (9) $308.72.

A. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.
E. (9) $535.86.

A. Robert A. Maslow, 1730 Eye Street NW., Washington, D.C.
E. (9) $1,500.

A. Paul J. Mason, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. Albert E. May, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Institute of Merchant Shipping, 1120 Connecticut Avenue NW., Washington, D.C.
D. (6) $479. E. (9) $22.44.

A. R. Otto Meletzke, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. Ellis E. Meredith, 2000 K Street NW., Washington, D.C.
B. American Apparel Manufacturers Association, Inc., 2000 K Street NW., Washington, D.C.
E. (9) $1,200.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Pacific Lighting Corp., 600 California Street, San Francisco, Calif.
D. (6) $45,000.

A. Clarence Mitchell, 422 First Street SE., Washington, D.C.
B. National Association for the Advancement of Colored People, 1790 Broadway, New York, N.Y.

A. Carlos Moore, 25 Louisiana Avenue NW., Washington, D.C.
B. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C.
D. (6) $4,998.

A. Jo V. Morgan, Jr., 815 15th Street NW., Washington, D.C.
B. American Humane Association, Post Office Box 1266, Denver, Colo.
D. (6) $1,500.

A. J. Walter Myers, Jr., 1375 Peachtree Street N.E., Atlanta, Ga.
B. Forest Farmers Association Cooperative, 1375 Peachtree Street NE., Atlanta, Ga.
D. (6) $51.50. E. (9) $8,816.

A. Micah H. Naftalin, 1510 H Street NW., Washington, D.C.
B. The Ethyl Corp. 611 Madison Office Building, Washington, D.C.
D. (6) $750.

A. National Associated Businessmen, 1000 Connecticut NW., Washington, D.C.
D. (6) $1,444.43. E. (9) $1,028.23.

A. National Association for the Advancement of Colored People, 1790 Broadway, New York, N.Y.

A. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $18,785.57. E. (9) $19,122.32.

A. National Association of Margarine Manufacturers, Munsey Building, Washington, D.C.

A. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill., and 1300 Connecticut Avenue, Washington, D.C.
E. (9) $12,811.31.

A. National Association of Social Workers, Inc., 2 Park Avenue, New York, N.Y., and 1346 Connecticut Avenue NW., Washington, D.C.

A. National Coal Association, Coal Building, Washington, D.C.

A. The National Committee for the Recording Arts, 9300 Wilshire Boulevard, Beverly Hills, Calif.
D. (6) $3,000. E. (9) $52,219.83.

A. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. National Cotton Compress & Cotton Warehouse Association, 1085 Shrine Building, Box 23, Memphis, Tenn.

A. National Education Association, 1201 16th Street NW., Washington, D.C.
E. (9) $23,295.94.

A. National Federation of Business and Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D.C.
D. (6) $27,354.50. E. (9) $2,948.18.

A. National Independent Dairies Association, 1735 K Street NW., Washington, D.C.
E. (9) $170.53.

A. The National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $2,062.50. E. (9) $1,990.

A. National Oil Jobbers Council, 1701 K NW., Washington, D.C.

A. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
E. (9) $1,745.20.

A. National Telephone Cooperative Association, 1000 Connecticut Avenue NW., Washington, D.C.
E. (9) $1,133.11.

A. National Tax Equality Association, Inc., 1000 Connecticut Avenue Building, Washington, D.C.
D. (6) $1,234.15. E. (9) $1,271.61.

A. National Turkey Federation, Mount Morris, Ill.

A. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
D. (6) $35,026. E. (9) $5,245.24.

A. Ivan A. Nestingen, 1000 Connecticut Avenue NW., Washington, D.C.
B. CUNA International, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $300. E. (9) $224.75.

A. Robert H. North, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.
E. (9) $35.85.

A. Leo O'Brien, 160 South Manning Boulevard, Albany, N.Y.
B. Home Rule Committee, Virgin Islands Legislature, St. Thomas, V.I.
D. (6) $1,875.

A. Leo O'Brien, 160 South Manning Boulevard, Albany, N.Y.
B. Home Rule Committee, Virgin Islands Legislature, St. Thomas, V.I.
D. (6) $1,875.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Investors Diversified Services, Inc., Investors Building, Minneapolis, Minn.
D. (6) $3,000. E. (9) $425.

A. Charles T. O'Neill, Jr., 815 Connecticut Avenue, NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, N.Y.
D. (6) $2,000. E. (9) $22.20.

A. Organization of Professional Employees of the U.S. Department of Agriculture, Post Office Box 381, Washington, D.C.
D. (6) $1,114. E. (9) $1,172.90.

A. J. Allen Overton, Jr., 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $1,200.

A. Perry S. Patterson, 800 World Center Building, Washington, D.C.
B. Automatic Phonograph Manufacturers.

A. Lynn C. Paulson, 1735 K Street NW., Washington, D.C.
B. National Independent Dairies Association, 1735 K Street NW., Washington, D.C.
E. (9) $569.46.

A. Joseph D. Phelan, 201 Massachusetts Avenue NE., Washington, D.C.
B. Colorado River Association, 417 South Hill Street, Los Angeles, Calif.
D. (6) $3,750. E. (9) $500.

A. J. Francis Pohlhaus, 422 First Street SE., Washington, D.C.
B. National Association for the Advancement of Colored People, 1790 Broadway, New York, N.Y.

A. Potomac Basin Federation, care of John R. Moulton, RFD 1, Charles Town, W. Va.
D. (6) $225. E. (9) $342.20.

A. Ramsay D. Potts, 910 17th Street NW., Washington, D.C.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
D. (6) $2,500. E. (9) $1,203.50.

A. Forrest J. Prettyman, 730 15th Street NW., Washington, D.C.
B. Association of Registered Bank Holding Companies, 730 15th Street NW., Washington, D.C.
D. (6) $218.75.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. The Department of Tourism and Trade Development, Hamilton, Bermuda.
D. (6) $1,666.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. Sea-Land Service, Inc., Post Office Box 1050, Elizabeth, N.J.
D. (6) $900. E. (9) $1,891.47.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. South Atlantic & Caribbean Line, Inc., 250 Park Avenue, New York, N.Y.
D. (6) $200.

A. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

A. Sidney C. Reagan, 6815 Prestonshire, Dallas, Tex.
B. Southwestern Peanut Shellers Association, 6815 Prestonshire, Dallas, Tex.
D. (6) $150.

A. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.
E. (9) $39,667.15.

A. Recreational Vehicle Institute, Inc., 2720 Des Plaines Avenue, Des Plaines, Ill.
E. (9) $1,422.86.

A. John T. Reggitts, Jr., 95 Boonton Avenue, Boonton, N.J.

A. Darrell G. Renstrom, 1201 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $2,691.76. E. (9) $30.78.

A. Reserve Officers Association of the United States, 1 Constitution Avenue NE., Washington, D.C.

A. Theron J. Rice, 1130 17th Street NW., Washington, D.C.
B. Continental Oil Co., 30 Rockefeller Plaza, New York, N.Y.

A. Siert F. Riepma, Munsey Building, Washington, D.C.
B. National Association of Margarine Manufacturers.

A. John Riley, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $628.12. E. (9) $59.37.

A. Donald L. Rogers, 730 15th Street NW., Washington, D.C.
B. Association of Registered Bank Holding Companies, 730 15th Street NW., Washington, D.C.
D. (6) $562.50.

A. Nathaniel H. Rogg, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $1,875. E. (9) $117.84.

A. John F. Rolph III, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $500.

A. Mrs. Edward F. Ryan, 110 Bridge Street, Manchester, Mass.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.
E. (9) $107.85.

A. Jacques T. Schlenger, 1400 Mercantile Trust Building, Baltimore, Md.
B. Maryland State Fair & Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.
E. (9) $535.86.

A. Stanley W. Schroeder, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $475.

A. Hilliard Schulberg, 1900 L Street NW., Washington, D.C.
B. Washington, D.C., Retail Liquor Dealers Association, Inc., 1900 L Street, Washington, D.C.

A. Hollis M. Seavey 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. Clayton A. Seeber, 1201 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $2,700. E. (9) $30.42.

A. John J. Sheehan, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $4,300. E. (9) $3,266.30.

A. Laurence P. Sherfy, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $825.

A. Single Persons Tax Reform, 1692A Green Street, San Francisco, Calif.
D. (6) $95.30. E. (9) $300.

A. Jonathan W. Sloat, 1632 K Street NW., Washington, D.C.
B. Grocery Manufacturers of America, Inc., 1133 Avenue of the Americas, New York, N.Y.

A. Marvin J. Sonosky, 1225 19th Street NW., Washington, D.C.

A. W. Byron Sorrell, 1140 Connecticut Avenue NW., Washington, D.C.
B. Recreational Vehicle Institute, 2720 Des Plaines Avenue, Des Plaines, Ill.
D. (6) $1,250. E. (9) $172.86.

A. Southern Pine Industry Committee, 520 National Bank of Commerce Building, New Orleans, La.
D. (6) $600. E. (9) $190.73.

A. Southwestern Peanut Shellers Association, 6815 Prestonshire, Dallas, Tex.
D. (6) $150. E. (9) $150.

A. John F. Speer, Jr., 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers and Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Lawrence Speiser, 1424 16th Street NW., Washington, D.C.
B. American Civil Liberties Union, 156 Fifth Avenue, New York, N.Y.

A. Mrs. Annalee Stewart, 120 Maryland Avenue NE., Washington, D.C.
B. Women's International League for Peace and Freedom, 120 Maryland Avenue NE., Washington, D.C.
D. (6) $57,869.07. E. (9) $10,975.41.

A. Francis W. Stover, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $5,000. E. (9) $389.45.

A. Ronnie J. Straw, 1000 Connecticut Avenue NW., Washington, D.C.
B. National Telephone Cooperative Association, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $300.

A. Philip W. Stroupe, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $475.

A. Richard L. Studley, 1400 20th Street NW., Washington, D.C.
B. Machinery Dealers National Association, 1400 20th Street NW., Washington, D.C.

A. G. Don Sullivan, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $475.

A. Frank L. Sundstrom, 1735 K Street NW., Washington, D.C.
B. The Tobacco Institute, Inc., 1735 K Street NW., Washington, D.C.

A. Sutherland, Asbill & Brennan, 1200 Farragut Building, Washington, D.C.
B. The Travelers Corp., One Tower Square, Hartford, Conn.

A. Monroe Sweetland, 1705 Murchison Drive, Burlingame, Calif.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $335. E. (9) $50.

A. The Taxpayers Committee To End Foreign Aid, 3535 Springland Lane NW., Washington, D.C.
D. (6) $500.

A. Evert S. Thomas, Jr., 1730 Rhode Island Avenue NW., Washington, D.C.
B. CUNA International, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $969.23. E. (9) $645.20.

A. Julia C. Thompson, 1030 15th Street NW., Washington, D.C.
B. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.
D. (6) $3,919.92.

A. E. Linwood Tipton, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. John H. Todd, 1085 Shrine Building, Memphis, Tenn.
B. National Cotton Compress & Cotton Warehouse Association, 1085 Shrine Building, Memphis, Tenn.

A. Richard S. Tribbe, 1000 16th Street NW., Washington, D.C.
B. Trans World Airlines, Inc., 10 Richards Road, Kansas City, Mo.

A. Joel B. True, 918 16th Street NW., Washington, D.C.
B. NAM.

A. Galen Douglas Trussell, 918 16th Street NW., Washington, D.C.
B. NAM.

A. W. Lloyd Tupling, 235 Massachusetts Avenue NE., Washington, D.C.
B. Trustees for Conservation, 251 Kearny Street, San Francisco, Calif.

A. The Universal Exchange, Post Office Box 8701, Orlando, Fla.
E. (9) $368.47.

A. Charles R. Van Horn, 17th and H Streets, NW., Washington, D.C.
B. Baltimore & Ohio Railroad Co., and Chesapeake & Ohio Railway Co., Charles and Baltimore Streets, Baltimore, Md.

A. John M. Vansant, Jr., 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Venable, Baetjer & Howard, 1400 Mercantile Trust Building, Baltimore, Md.
B. Maryland State Fair & Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.
E. (9) $535.86.

A. Veterans of World War I, USA, Inc., 40 G Street NE., Washington, D.C.

A. Clarence M. Weiner, 350 Fifth Avenue, New York, N.Y.
B. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.
D. (6) $8,750.

A. Edwin M. Wheeler, 1700 K Street NW., Washington, D.C.
B. National Plant Food Institute, 1700 K Street NW., Washington, D.C.
E. (9) $50.

A. Donald F. White, 1616 H Street NW., Washington, D.C.
B. American Retail Federation.

A. Douglas Whitlock II, 910 Washington Building, Washington, D.C.

B. Montgomery Ward & Co., Inc., Box 8339, Chicago, Ill.

A. Harding deC Williams, 918 16th Street NW., Washington, D.C.
B. NAM.

A. Milburn E. Wilson, Route 1, Fremont, Mich.
B. Gerber Products Co., 445 State Street, Fremont, Mich.
D. (6) $200.

A. Clay B. Wolfe, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D. C.
D. (6) $416.60.

A. Robert C. Zimmer, 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

QUARTERLY REPORTS

The following quarterly reports were submitted for the second calendar quarter 1969:

(NOTE.—The form used for registration is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_____ ◀

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (a) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (b) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(a) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(b) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(c) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, place an "X" in the box at the left, so that this Office will no longer expect to receive Reports. ☐

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (a) Short titles of statutes and bills; (b) House and Senate numbers of bills, where known; (c) citations of statutes, where known; (d) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (a) Description, (b) quantity distributed; (c) date of distribution, (d) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◀

AFFIDAVIT

[Omitted in printing]

PAGE 1◀

NOTE ON ITEM "D."—(a) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(c) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $_____Dues and assessments
2. $_____Gifts of money or anything of value
3. $_____Printed or duplicated matter received as a gift
4. $_____Receipts from sale of printed or duplicated matter
5. $_____Received for services (e.g., salary, fee, etc.)

6. $_____TOTAL for this Quarter (Add items "1" through "5")
7. $_____Received during previous Quarters of calendar year

8. $_____TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $_____TOTAL now owed to others on account of loans
10. $_____Borrowed from others during this Quarter
11. $_____Repaid to others during this Quarter

12. $_____"Expense money" and Reimbursements received this Quarter

Contributors of $500 or more
(from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": _____

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor*
	(*"Period"* from Jan. 1 through _____, 19____)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(a) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $_____Public relations and advertising services
2. $_____Wages, salaries, fees, commissions (other than item "1")
3. $_____Gifts or contributions made during Quarter
4. $_____Printed or duplicated matter, including distribution cost
5. $_____Office overhead (rent, supplies, utilities, etc.)
6. $_____Telephone and telegraph
7. $_____Travel, food, lodging, and entertainment
8. $_____All other expenditures

9. $_____TOTAL for this Quarter (Add "1" through "8")
10. $_____Expended during previous Quarters of calendar year

11. $_____TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $_____TOTAL now owed to person filing
13. $_____Lent to others during this Quarter
14. $_____Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7–11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7–15, 8–15, 9–15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

A. Ad Hoc Committee of the Construction Industry Advancement Funds, 1016 20th Street NW., Washington, D.C.

A. Clarence G. Adamy, 1725 I Street NW., Washington, D.C.
B. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $100.

A. S. Allan Adelman, 1660 L Street NW., Washington, D.C.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.
D. (6) $915.

A. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C.
D. (6) $6,238.67. E. (9) $6,238.67.

A. Air Traffic Control Association, Inc., Suite 409, ARBA Building, 525 School Street SW., Washington, D.C.

A. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $10,982.06. E. (9) $10,982.06.

A. Aircraft Owners & Pilots Association, Post Office Box 5800, Washington, D.C.

A. John R. Ale, 1701 K Street NW., Washington, D.C.
B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $215.30.

A. Mrs. Donna Allen, 3306 Ross Place NW., Washington, D.C.
B. National Committee To Abolish HUAC/HISC, 555 North Western Avenue, Los Angeles, Calif.
D. (6) $1,040. E. (9) $1,384.17.

A. Kenneth D. Allen, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $46.75. E. (9) $3.40.

A. Nicholas E. Allen & Merrill Armour, 444 Shoreham Building, Washington, D.C.
B. Music Operators of America, Inc., 228 North La Salle Street, Chicago, Ill.
D. (6) $1,687.50. E. (9) $157.54.

A. Amalgamated Transit Union, AFL-CIO, 5025 Wisconsin Avenue NW., Washington, D.C.
E. (9) $26.10.

A. Amalgamated Transit Union, National Capital Division 689, 100 Indiana Avenue NW., Washington, D.C.

A. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. American Cancer Society, 219 East 42d Street, New York, N.Y.
E. (9) $8,352.12.

A. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill., and 425 13th Street NW., Washington, D.C.
D. (6) $39,497. E. (9) $39,497.

A. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
E. (9) $44,941.59.

A. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $19,728.46. E. (9) $19,728.46.

A. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.

A. American Humane Association, 5351 Roslyn Street, Englewood, Colo.
E. (9) $1,500.

A. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.
D. (6) $1,650. E. (9) $1,650.

A. American Insurance Association, 85 John Street, New York, N.Y.
D. (6) $12,415.38. E. (9) $12,415.38.

A. American Israel Public Affairs Committee, 1341 G Street NW., Washington, D.C.
D. (6) $3,857.18. E. (9) $3,511.22.

A. American Justice Association, Defense Highway, Gambrills, Md.
D. (6) $2. E. (9) $2.

A. American Landowners Association, Box 294, Harpers Ferry, W. Va.
D. (6) $417. E. (9) $400.

A. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $8,624.24. E. (9) $34,236.52.

A. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $871.38. E. (9) $155.96.

A. American Maritime Association, 17 Battery Place, New York, N.Y., and 1612 K Street NW., Washington, D.C.
E. (9) $166.35.

A. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
E. (9) $23,413.63.

A. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.
E. (9) $730.

A. American Optometric Association, in care of J. C. Tumblin, O.D., 4836 Broadway NE., Knoxville, Tenn.
D. (6) $3,322.30. E. (9) $3,322.30

A. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y.

A. American Parents Committee Inc., 20 E Street NW., Washington, D.C., and 2104 Davenport Street NW., Washington, D.C.
D. (6) $1,829.61. E. $811.80.

A. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $3,658. E. (9) $9,661.

A. American Podiatry Association, 20 Chevy Chase Circle, Washington, D.C.
E. (9) $420.40.

A. American Pulpwood Association, 605 Third Avenue, New York, N.Y.

A. The American Short Line RR Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $945.72. E. (9) $945.72.

A. American Society of Travel Agents, Inc., 360 Lexington Avenue, New York, N.Y.
E. (9) $476.48.

A. American Stock Yards Association, 1712 Eye Street NW., Washington, D.C.
D. (6) $1,350. E. (9) $1,000.

A. American Taxpayers Association, 326 Pennsylvania Building, Washington, D.C.

A. American Textile Machinery Association, 224 Ellington Road, Longmeadow, Mass.
D. (6) $72.63.

A. American Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
D. (6) $13,318.79. E. (9) $13,318.79.

A. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

A. American Veterinary Medical Association, 1522 K Street NW., Washington, D.C.
E. (9) $60.

A. American Vocational Association, 1510 H Street NW., Washington, D.C.
E. (9) $750.

A. The American Waterways Operators, Inc., Suite 502, 1250 Connecticut Avenue, Washington, D.C.
D. (6) $3,636.85. E.(9) $3,636.85.

A. Cyrus T. Anderson, 400 First Street NW., Washington, D.C.
B. The National Football League, 410 Park Avenue, New York, N.Y.

A. Cyrus T. Anderson, 400 First Street NW., Washington, D.C.
B. Spiegel, Inc., 2511 West 23d Street, Chicago, Ill.

A. Edward T. Anderson, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,341.

A. Walter M. Anderson, Jr., Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $144. E. (9) $201.03.

A. William C. Anderson, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart, Chicago, Ill.
D. (6) $1,812.50. E. (9) $53.30.

A. Robert E. Ansheles, 1028 Connecticut Avenue NW., Washington, D.C.
B. Consolidated International Trading Corp., 180 Madison Avenue, New York, N.Y.
D. (6) $462.50. E. (9) $118.35.

A. George W. Apperson, 100 Indiana Avenue, NW., Washington, D.C.
B. Amalgamated Transit Union, National Capital Division 689, AFL–CIO, 100 Indiana Avenue, NW., Washington, D.C.

A. Carl F. Arnold, 1101 17th Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $3,468.75. E. (9) $1,467.84.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Fairchild Camera & Instrument Corp., 464 Ellis Street, Mountain View, Calif.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Floor Covering Committee Affiliated with the National Council of American Importers, 295 Fifth Avenue, New York, N.Y.

A. Associated Credit Bureaus, Inc., 6767 Southwest Freeway, Houston, Tex.
E. (9) $13,247.57.

A. Associated Dairymen, Inc., 1026 17th Street NW., Washington, D.C.
E. (9) $385.

A. The Associated General Contractors, Inc., 1957 E Street NW., Washington, D.C.

A. Associated Railroads of New Jersey, Pennsylvania Station, Newark, N.J.

A. Associated Third Class Mail Users, 1725 K Street NW., Washington, D.C.
D. (6) $200. E. (9) $200.

A. Association of American Physicians and Surgeons, Inc., 230 North Michigan Avenue, Chicago, Ill.
D. (6) $500. E. (9) $500.

A. Association of American Railroads, 406 American Railroads Building, Washington, D.C.
D. (6) $11,508.04. E. (9) $11,508.04.

A. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.
E. (9) $1,000.

A. Association of Mutual Fund Plan Sponsors, Inc., 50 E. 42d Street, New York, N.Y.

A. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.
E. (9) $285.

A. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.
D. (6) $400.

A. Atlanta Committee for Democratic Republican Independent Voter Education, 2540 Lakewood Avenue SW., Atlanta, Ga.
D. (6) $9,679.54. E. (9) $9,692.78.

A. Robert L. Augenblick, 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
D. (6) $50.

A. Richard W. Averill, 1026 17th Street NW., Washington, D.C.
B. American Optometric Association, care of J. C. Tumblin, O.D., 4836 Broadway NE., Knoxville, Tenn.
D. (6) $800. E. (9) $301.

A. Michael H. Bader, 1730 M Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Harry S. Baer, 1725 De Sales Street NW., Washington, D.C.
B. National Aerospace Services Association, 1725 De Sales Street NW., Washington, D.C.
E. (9) $2,970.

A. John C. Bagwell, 723 Investment Building, Washington, D.C.
B. Hawaiian Sugar Planters' Association, Honolulu, Hawaii.

A. Baker & McKenzie, 815 Connecticut Avenue NW., Washington, D.C.
B. Itek Corporation, 10 Maguire Road, Lexington, Mass.
D. (6) $30,000. E. (9) $30,527.09.

A. John F. Banzhaf III, 500 N Street SW., Washington, D.C.
B. Legislative Action on Smoking and Health, 2000 H Street NW., Washington, D.C.
D. (6) $4,768. E. (9) $909.59.

A. Ernest L. Barcella, Washington, D.C.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. Robert C. Barnard, 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

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A. Robert C. Barnard, 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Arthur R. Barnett, 1140 Connecticut Avenue NW., Washington, D.C.
B. National Association of Electric Companies, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $139.13. E. (9) $30.10.

A. David S. Barrows, 214 Century Building, Portland, Oreg.
B. Association of Oregon and California Land Grant Counties, Douglas County Courthouse, Roseburg, Oreg.
D. (6) $900. E. (9) $564.14.

A. Wesley Barthelmes, 2133 Wisconsin Avenue NW., Washington, D.C.
B. Insurance Company of North America, Life Insurance Company of North America, 1600 Arch Street, Philadelphia, Pa.
D. (6) $440. E. (9) $306.70.

A. Eugene T. Bartkowiak, 3829 W Street SE., Washington, D.C.
B. The National Association of Polish Americans, Inc., 3829 W Street SE., Washington, D.C.

A. James P. Bass, 1101 17th Street NW., Washington, D.C.
B. American Airlines, Inc., 1101 17th Street NW., Washington, D.C.

A. Ross Bass Associates, 1120 Connecticut Avenue NW., Washington, D.C.
B. Record Industry Association of America, 1 East 57th Street, New York, N.Y.
D. (6) $6,250.

A. Lucius D. Battle.
B. Communications Satellite Corp., 950 L'Enfant Plaza South SW., Washington, D.C.

A. Mrs. Dita Davis Beard, ITT Building, 1707 L Street NW., Washington, D.C.
B. International Telephone & Telegraph Corp., ITT Building, 1707 L Street, NW., Washington, D.C.
D. (6) $4,200. E. (9) $6,425.

A. Donald S. Beattie, 400 First Street NW., Washington, D.C.
D. (6) $1,200.

A. John H. Beidler, 1000 Wisconsin Avenue NW., Washington, D.C.
B. Committee for Community Affairs, 1000 Wisconsin Avenue NW., Washington, D.C.
D. (6) $3,125.01. E. (9) $446.35.

A. James F. Bell, 1100 Connecticut Avenue NW., Washington, D.C.
B. National Association of Supervisors of State Banks, 1101 17th Street NW., Washington, D.C.
D. (6) $937.50. E. (9) $77.83.

A. Ernest H. Benson, 400 First Street NW., Washington, D.C.
B. Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $6,000.

A. Reed A. Benson, 1028 Connecticut Avenue NW., Washington, D.C.
B. The John Birch Society, Inc., 395 Concord Avenue, Belmont, Mass.

A. Berlack, Israels & Liberman, 26 Broadway, New York, N.Y.
B. General Public Utilities Corp., 80 Pine Street, New York, N.Y.
D. (6) $5,000. E. (9) $26.65.

A. Andrew J. Biemiller, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, Federation of Trades and Labor Unions, 815 16th Street NW., Washington, D.C.
. (6) $6,240. E. (9) $508.50.

A. Sidney W. Bishop, 85 John Street, New York, N.Y.
B. American Insurance Association, 85 John Street, New York, N.Y.
D. (6) $2,656.25. E. (9) $59.84.

A. John H. Bivins, 1101 17th Street NW., Washington, D.C.
B. American Petroleum Institute, 1101 17th Street NW., Washington, D.C.
D. (6) $760.

A. Robert W. Blair.
B. New Process Co., Warren, Pa.
E. (9) $77.

A. William Rhea Blake, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

A. William Blum, Jr., 704 Federal Bar Building, 1815 H Street NW., Washington, D.C.
B. Committee for the Study of Revenue, Bond Financing, 55 Liberty Street, New York, N.Y.
D. (6) $1,633.33. E. (9) $649.06.

A. Blumberg, Singer, Ross, Gottesman, Diamond & Grodon, 245 Park Avenue, New York, N.Y.
B. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.
D. (6) $6,250.

A. Eugene F. Bogan, 1000 15th Street NW., Washington, D.C.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. John F. Bonner.
B. Industrial Union of Marine & Shipbuilding Workers of America, 1126 16th Street NW., Washington, D.C.
E. (9) $75.

A. Book Manufacturers Institute, Inc., 161 East 42d Street, New York, N.Y.

A. Lyle H. Boren, Seminole, Okla.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.
D. (6) $400.

A. Robert T. Borth, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $1,200. E. (9) $162.30.

A. G. Stewart Boswell, 1120 Connecticut Avenue NW., Washington, D.C.

B. American Textile Manufacturers Institute, 1501 Johnston Building, Charlotte, N.C.
D. (6) $325. E. (9) $33.44.

A. Charles G. Botsford, 1225 Connecticut Avenue NW., Washington, D.C.
B. Fairchild Hiller Corp., Germantown, Md.

A. J. Wiley Bowers, Suite 325, Pioneer Building, Chattanooga, Tenn.
B. Tennessee Valley Public Power Association, Suite 325, Pioneer Building, Chattanooga, Tenn.

A. Melvin J. Boyle, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, 1200 15th Street NW., Washington, D.C.
D. (6) $5,000.

A. Samuel E. Boyle, 428 South Avenue, Pittsburgh, Pa.
B. The Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
D. (6) $1,950. E. (9) $174.87.

A. Wayne W. Bradley, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,875. E. (9) $5,546.62.

A. Charles N. Brady, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Joseph E. Brady, Sheraton Gibson Hotel, Cincinnati, Ohio.
B. National Coordinating Committee of the Beverage Industry.

A. A. Marvin Braverman, 1001 Connecticut Avenue NW., Washington, D.C.
B. American Motors Corp., 14250 Plymouth Road, Detroit, Mich.
D. (6) $66,666.66.

A. Parke C. Brinkley, 1155 15th Street NW., Washington, D.C.
B. National Agricultural Chemicals Association.
D. (6) $20. E. (9) $2.85.

A. Wally Briscoe.
B. National Cable Television Association, Inc., 1634 I Street NW., Washington, D.C.
D. (6) $270. E. (9) $33.

A. Florence I. Broadwell, 1737 H Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $3,657.60. E. (9) $1,088.33.

A. David A. Brody, 1640 Rhode Island Avenue NW., Washington, D.C.
B. Anti-Defamation League of B'nai B'rith, 315 Lexington Avenue, New York, N.Y.
D. (6) $250.

A. Joseph P. Brosnan, 9160 Springhill Lane, Greenbelt, Md.
B. Air Force Sergeants Association, 1501 Pennsylvania Avenue SE., Washington, D.C.
D. (6) $100.

A. Brotherhood of Painters, Decorators & Paperhangers of America, 217 North Sixth Street, Lafayette, Ind.
E. (9) $1,825.

A. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $16,642.82. E. (9) $16,642.82.

A. Charles H. Brown, 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.
D. (6) $500.

A. J. D. Brown, 2600 Virginia Avenue NW., Washington, D.C.
B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.
D. (6) $300.

A. Brown, Lund & Levin, 1625 I Street NW., Washington, D.C.
B. Ebasco Industries Inc., 2 Rector Street, New York, N.Y.
D. (6) $882.50.

A. Brown, Lund & Levin, 1625 I Street NW., Washington, D.C.
B. General Public Utilities Corp., 80 Pine Street, New York, N.Y.
D. (6) $500.

A. Lyman L. Bryan, 2000 K Street NW., Washington, D.C.
B. American Institute of Certified Public Accountants, 666 Fifth Avenue, New York, N.Y.

A. Anne Bryant, 1025 Connecticut Avenue NW., Washington, D.C.
B. COMAC Co., 1025 Connecticut Avenue NW., Washington, D.C.; main office, 1500 North Wooward Avenue, Birmingham, Mich.
D. (6) $1,732.50. E. (9) $217.60.

A. George S. Buck, Jr., Post Office Box 12285, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $150. E. (9) $4.92.

A. Bulgarian Claims Committee, care of D. J. Casarella, 88-04 63d Drive, Rego Park, N.Y.
E. (9) $9.07.

A. George S. Bullen.
B. National Federation of Independent Business, 921 Washington Building, 15th Street and New York Avenue NW., Washington, D.C.

A. George J. Burger.
B. Burger Tire Consultant Service, 250 West 57th Street, New York, N.Y.

A. George J. Burger, 921 Washington Building, Washington, D.C.
B. National Federation of Independent Business, 921 Washington Building, Washington, D.C.

A. J. J. Burke, Jr., 40 East Broadway, Butte, Mont.
B. The Montana Power Co., Butte, Mont.
E. (9) $96.02.

A. Dr. Lowell A. Burkett, 1510 H Street NW., Washington, D.C.
B. American Vocational Association, 1510 H Street NW., Washington, D.C.

A. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $19,233.31. E. (9) $1,157.57.

A. George Burnham 4th, 1625 K Street NW., Washington, D.C.
B. United States Steel Corp., 525 William Penn Place, Pittsburgh, Pa.
D. (6) $498. E. (9) $312.

A. George B. Burnham, 120 C Street NE., Washington, D.C.
B. Numerous stockholders of the Burnham Chemical Co., 120 C Street NE., Washington, D.C.
D. (6) $685. E. (9) $685.

A. Charles S. Burns, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $725. E. (9) $203.09.

A. David Burpee, Fordhook Farms, Doylestown, Pa.

A. Herbert H. Butler, 438 Pennsylvania Building. Washington, D.C.
B. United States Independent Telephone Association, 438 Pennsylvania Building, Washington, D.C.
D. (6) $200. E. (9) $630.

A. Robert B. Byrnes, 1514 17th Street NW., Washington, D.C.
B. National Railroad Pension Forum, Inc., 328 Pennsylvania Avenue SE., Washington, D.C.

A. John H. Callahan, 1126 16th Street NW., Washington, D.C.
B. International Union of Electrical, Radio & Machine Workers, AFL-CIO-CLC, 1126 16th Street NW., Washington, D.C.
D. (6) $875. E. (9) $240.

A. Gordon L. Calvert, 425 13th Street NW., Washington, D.C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.
D. (6) $2,000. E. (9) $1,146.59.

A. Donald L. Calvin, 11 Wall Street, New York, N.Y.
B. New York Stock Exchange, 11 Wall Street, New York N.Y.

A. Carl C. Campbell, Ring Building, Washington, D.C.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $445.31.

A. Charles A. Campbell, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C.

A. Donald A. Capone, Kirlin, Campbell & Keating, Farragut Building, Washington, D.C.
B. Committee of European Shipowners, 30-32 St. Mary Avenue, London E.C. 3, England; CENSA/CES Joint Container Committee, 30-32 St. Mary Ave, London E.C.3, England.
D. (6) $5,625. E. (9) $519.19.

A. Philip Carlip.
B. National Marine Engineers Beneficial Association District 2, 650 Fourth Avenue, Brooklyn, N.Y.
D. (6) $1,000. E. (9) $114.50.

A. Philip Carlip.
B. Seafarers International Union, 675 Fourth Avenue, Brooklyn, N.Y.
D. (6) $2,500. E. (9) $1,230.

A. Braxton B. Carr, 1250 Connecticut Avenue, Washington, D.C.
B. The American Waterways Operators, Inc., 1250 Connecticut Avenue, Washington, D.C.
D. (6) $3,066.66. E. (9) $196.82.

A. Robert S. Carr, 1220 Pennsylvania Building, Washington, D.C.
B. Hiram Walker & Sons, Inc., 8232 Jefferson Avenue, Detroit, Mich.

A. Eugene C. Carusi, 1629 K Street NW., Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.
D. (6) $100.

A. Ralph E. Casey, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Institute of Merchant Shipping, 1120 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,187.50. E. (9) $391.19.

A. E. Michael Cassady, 1130 17th Street NW., Washington, D.C.
B. Mississippi Valley Association, 1130 17th Street NW., Washington, D.C.

A. Michael J. Cefalo, 4880 MacArthur Boulevard NW., Washington, D.C.
B. International Union of District 50, UMWA, 4880 MacArthur Boulevard NW., Washington, D.C.
D. (6) $3,270.04.

A. Donald E. Channell, 1705 DeSales Street NW., Washington, D.C.
B. American Bar Association, 1705 DeSales Street NW., Washington, D.C.
D. (6) $500. E. (9) $20.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.
B. Louis A. Cohn, care of Super City Department Store, 710 North Stone Avenue, Tucson, Ariz.
D. (6) $2,500. E. (9) $225.65.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.
B. International Association of Game, Fish & Conservation Commissioners, 5757 Blake Road, Minneapolis, Minn.
D. (6) $900. E. (9) $133.97.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.
B. The National Committee for the Recording Arts, 9300 Wilshire Boulevard, Beverly Hills, Calif.
E. (9) $726.25.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.
B. Newspaper Committee for a Free and Competitive Press, 33 North Dearborn Street, Chicago, Ill.
E. (9) $6.25.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.
B. Strohmeyer & Arpe Co., 260 West Broadway, New York, N.Y.
E. (9) $9.99.

A. James W. Chapman, 1625 I Street NW., Washington, D.C.
B. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $1,700.

A. Leslie Cheek III, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Insurance Association, 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,500. E. (9) $250.

A. A. H. Chesser, 400 First Street NW., Washington, D.C.
B. United Transportation Union.
E. (9) $250.

A. Hal M. Christensen, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. American Dental Association, 1750 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $2,250.

A. The Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
D. (6) $5,692.85. E. (9) $5,647.14.

A. Edwin Christianson.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.

A. Lowell T. Christison, 1026 17th Street NW., Washington, D.C.
B. American Optometric Association, in care of J. C. Tumblin, O.D., 4836 Broadway NE., Knoxville, Tenn.
D. (6) $345.24. E. (9) $219.54.

A. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.
D. (6) $31,698.41.

A. Citizens Committee on Natural Resources, 1346 Connecticut Avenue NW., Washington, D.C.
E. (9) $1,604.

A. Allen C. K. Clark, 1730 K Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Earl W. Clark.
B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $1,400. E. (9) $81.46.

A. James E. Clark, Jr., 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. Robert M. Clark, 1100 Connecticut Avenue NW., Washington, D.C.
B. The Atcheson, Topeka & Santa Fe Railway Co., 80 East Jackson Boulevard, Chicago, Ill.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.
B. Houston Chemical Co., 1 Gateway Center, Pittsburgh, Pa.; Ethyl Corp., 451 Florida, Baton Rouge, La.; and E. I. duPont de Nemours & Co., Inc., Wilmington, Del.
D. (6) $2,500. E. (9) $11.25.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.
B. The Oil Shale Corp., 630 Fifth Avenue, New York, N.Y.
E. (9) $504.

A. Cleary, Gottleib, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.
B. Washington International School, 3211 Volta Place NW., Washington, D.C.
E. (9) $9.30.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. The American Tobacco Co.
D. (6) $300. E. (9) $368.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. Brown & Williamson Tobacco Corp.
D. (6) $300. E. (9) $368.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. Liggett & Myers Inc.
D. (6) $300. E. (9) $368.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. Philip Morris, Inc.
D. (6) $300. E. (9) $368.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. R. J. Reynolds Tobacco Co.
D. (6) $300. E. (9) $368.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. The Tobacco Institute, Inc.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue NW., Washington, D.C.
B. Toy Manufacturers of America, 200 Fifth Avenue, New York, N.Y.
E. (9) $220.49.

A. David Cohen, 1000 Wisconsin Avenue NW., Washington, D.C.
B. Committee for Community Affairs, 1000 Wisconsin Avenue NW., Washington, D.C.
D. (6) $2,687.52. E. (9) $566.99.

A. Coles & Goertner, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Tanker Owners, Inc., 1 Chase Manhattan Plaza.

A. William J. Colley, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,875. E. (9) $897.02.

A. Collier, Shannon, Rill & Edwards, 1625 I Street NW., Washington, D.C.
B. National Broiler Council, 1155 15th Street NW., Washington, D.C.
D. (6) $100.

A. Collier, Shannon, Rill & Edwards, 1625 Eye Street NW., Washington, D.C.
B. National Footwear Manufacturers Association, Inc., 342 Madison Avenue, New York, N.Y.
D. (6) $1,500. E. (9) $660.

A. Collier, Shannon, Rill & Edwards, 1625 Eye Street NW., Washington, D.C.
B. Tool and Stainless Steel Industry Committee, care of Carpenter Technology Corp., Reading, Pa.
D. (6) $1,250. E. (9) $450.

A. Paul G. Collins.
B. The Industrial National Bank of Rhode Island, 111 Westminster Street, Providence, R.I.
D. (6) $850. E. (9) $2,079.

A. Colorado Railroad Association, 702 Majestic Building, Denver, Colo.
D. (6) $850. E. (9) $2,079.

A. Comac Co., 1025 Connecticut Avenue NW., Washington, D.C.; main office, 1500 North Woodward, Birmingham, Mich.
E. (9) $20,184.03.

A. Harrison Combs, Jr., 1427 Eye Street NW., Washington, D.C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.
D. (6) $3,446.

A. Committee for Automobile Excise Tax Repeal, Farragut Building, Washington, D.C.
E. (9) $211.07.

A. The Committee for Broadening Commercial Bank Participation in Public Financing, care of P. W. K. Sweet, 50 South LaSalle Street, Chicago, Ill.

A. Committee for Community Affairs, 1000 Wisconsin Avenue NW., Washington, D.C.
D. (6) $11,741.28. E. (9) $11,741.28.

A. Committee for a Free Cotton Market, Inc., 1725 K Street NW., Washington, D.C.
E. (9) $1,423.82.

A. The Committee To Maintain a Prudent Defense Policy, 1555 Connecticut Avenue, Washington, D.C.
D. (6) $7,470. E. (9) $4,065.73.

A. Committee on Metropolitan Washington Banking, care of C. Jackson Ritchie, Union Trust Building, Washington, D.C.
D. (6) $1,868.75. E. (9) $1,500.

A. Legislative Committee of the Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.
D. (6) $50. E. (9) $1,628.

A. Committee for Study of Revenue Bond Financing, 1000 Ring Building, Washington, D.C.
D. (6) $1,150. E. (9) $10,625.05.

A. Paul B. Comstock, 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. Raymond F. Conkling, 1001 Connecticut Avenue NW., Washington, D.C.
B. Texaco, Inc., 135 East 42d Street, New York, N.Y.
D. (6) $200. E. (9) $205.28.

A. Howard M. Conner, 1725 K Street NW., Washington, D.C.
B. Pacific Gas & Light Co., 245 Market Street, San Francisco, Calif.
D. (6) $1,748. E. (9) $1,624.21.

A. John D. Conner, 1625 K Street NW., Washington, D.C.
B. Book Manufacturers Institute, Inc., 161 East 42d Street, New York, N.Y.

A. Robert J. Conner, Jr., 1100 Connecticut Avenue NW., Washington, D.C.
B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.
D. (6) $325. E. (9) $190.

A. John A. Connor, 15 Bowden Avenue, Barrington, R.I.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Harry N. Cook, 1130 17th Street NW., Washington, D.C.
B. The National Waterways Conference.

A. Howard Lee Cook, Jr., 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,875. E. (9) $211.36.

A. Eileen D. Cooke, 200 C Street SE., Washington, D.C.
B. American Library Association, 50 East Huron Street, Chicago, Ill.
D. (6) $72.48.

A. Edward Cooper.
B. Motion Picture Association of America, Inc., 1600 Eye Street NW., Washington, D.C.

A. Joshua W. Cooper, 626 South Lee Street, Alexandria, Va.
B. Portsmouth-Kittery Armed Services Committee, Inc., Post Office Box 1123, Portsmouth, N.H.
D. (6) $61.56. E. (9) $983.51.

A. Mitchell J. Cooper, 1001 Connecticut Avenue, Washington, D.C.
B. Council of Forest Industries, 1477 West Pender Street, Vancouver, B.C., Canada.
D. (6) $3,000.

A. Mitchell J. Cooper, 1001 Connecticut Avenue, Washington, D.C.
B. Footwear Division, Rubber Manufacturers Association, 444 Madison Avenue, New York, N.Y.
D. (6) $6,000. E. (9) $21.25.

A. Darrell Coover, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $2,100. E. (9) $704.68.

A. Corcoran, Foley, Youngman & Rowe, 1511 K Street NW., Washington, D.C.
B. The Committee for Broadening Commercial Bank Participation in Public Financing, in care of P.W.K. Sweet, 50 South LaSalle Street, Chicago, Ill.

A. Corcoran, Foley, Youngman & Rowe, 1511 K Street NW., Washington, D.C.
B. Committee on Metropolitan Washington Banking, in care of C. Jackson Ritchie, Union Trust Co., 15th & H Streets NW., Washington, D.C.
D. (6) $1,500.

A. Owen M. Cornell, Jr., 1825 K Street NW., Washington, D.C.
B. Del Monte Corp., 215 Fremont Street, San Francisco, Calif.
D. (6) $166. E. (9) $16.

A. Emmet P. Corrigan, 922 24th Street NW., Washington, D.C.
B. United Association of Journeymen & Apprentices of the Plumbing and Pipe Fitting Industry of the United States & Canada, 901 Massachusetts Avenue NW., Washington, D.C.

A. Allan D. Cors, 1629 K Street, NW., Washington, D.C.
B. Corning Glass Works, Corning, N.Y.
D. (6) $125.

A. Council for a Livable World, 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $25,261.41. E. (9) $31,393.78.

A. Council of Mutual Savings Institutions, 60 East 42d Street, New York, N.Y.
E. (9) $165.24.

A. Council of Profit Sharing Industries, 29 North Wacker Drive, Chicago, Ill.

A. Council of State Chambers of Commerce, 1028 Connecticut Avenue, Washington, D.C.
D. (6) $653.89. E. (9) $653.89.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C.
B. American Corn Millers Federation, 1030 15th Street NW., Washington, D.C.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C.
B. Classroom Periodical Publishers Association, 38 West Fifth Street, Dayton, Ohio.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C.
B. Linen Supply Assocation of America, 975 Arthur Godfrey Road, Miami, Fla.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C.
B. National Association of Casualty and Surety Agents, 83 Maiden Lane, New York, N.Y.

A. Covington & Burling, 888 16th Street NW., Washington, D.C.
B. American Machine Tool Distributors' Association, 1500 Massachusetts Avenue NW., Washington, D.C.

A. Covington & Burling, 888 16th Street NW., Washington, D.C.
B. Electronic Industries Association, 2001 Eye Street NW., Washington, D.C.

A. Covington & Burling, 888 16th Street NW., Washington, D.C.
B. A. P. Moller, 8 Kongens Nytorv, Copenhagen, Denmark.

A. Covington & Burling, 888 16th Street NW., Washington, D.C.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Covington & Burling, 888 16th Street NW., Washington, D.C.
B. National Ready Mixed Concrete Association, 900 Spring Street, Silver Spring, Md.

A. Covington & Burling, 888 16th Street NW., Washington, D.C.
B. National Tool, Die & Precision Machining Association, 1411 K Street NW., Washington, D.C.

A. Covington & Burling, 888 16th Street NW., Washington, D.C.
B. Truck Mixed Manufacturers Bureau, 900 Spring Street, Silver Spring, Md.

A. Cox, Langford & Brown, 1521 New Hampshire Avenue NW., Washington, D.C.
B. The National Collegiate Athletic Association, Midland Building, Kansas City, Mo.

A. W. J. Crawford, Post Office Box 2180, Houston, Tex.
B. Humble Oil & Refining Co. (a Delaware corporation), Post Office Box 2180, Houston, Tex.

A. Francis D. Cronin, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $475.

A. H. C. Crotty, Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich.

A. J. A. Crowder, 1200 17th Street NW., Washington, D.C.
B. National Association of Wool Manufacturers, 1200 17th Street NW., Washington, D.C.
D. (6) $1,500.

A. Michael B. Crowson, 1132 Pennsylvania Building, Washington, D.C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. J. Steele Culberson.
B. National Fish Meal & Oil Association, 1225 Connecticut Avenue NW., Washington, D.C.
D. (6) $150. E. (9) $121.09.

A. CUNA International, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $1,430.77. E. (9) $991.50.

A. John T. Curran, 905 16th Street NW., Washington, D.C.
B. Laborers' International Union of North America, 905 16th Street NW., Washington, D.C.
D. (6) $6,000. E. (9) $2,570.29.

A. John R. Dalton, 1508 Merchants Bank Building, Indianapolis, Ind.
B. Associated Railways of Indiana, 1508 Merchants Bank Building, Indianapolis, Ind.

A. F. Gibson Darrison, Jr., 2000 L Street NW., Washington, D.C.
B. Penn Central Co., 230 Park Avenue, New York, N.Y.

A. John C. Datt, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,125. E. (9) $46.46.

A. John Davenport, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $165.

A. Aled P. Davies, 59 East Van Buren Street, Chicago, Ill.
B. American Meat Institute, 59 East Van Buren Street, Chicago, Ill.
D. (6) $1,000. E. (9) $181.33.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.
B. Inland Steel Co., 30 West Monroe Street, Chicago, Ill.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.
B. Northwest Industries, Inc., 400 West Madison Street, Chicago, Ill.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.
E. (9) $377.80.

A. Fred Davis, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers.

A. Donald S. Dawson, 723 Washington Building, Washington, D.C.
B. D.C. Transit System, Inc., Washington, D.C.
D. (6) $1,250.

A. Donald S. Dawson, 723 Washington Building, Washington, D.C.
B. Guild of Prescription Opticians, 1250 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,000.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C.
B. Air Transport Association, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $750.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C.
B. Indian Sugar Mills Association, Export Agency Division, Calcutta, India.
D. (6) $20,000. E. (9) $423.67.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C.
B. Ling-Temco-Vought, Inc., Dallas, Tex.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C.
B. V. I. Gift & Fashion Shop Association, St. Thomas, V.I.

A. Charles W. Day, 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $89. E. (9) $138.

A. Michael B. Deane, 611 National Press Building, Washington, D.C.
B. Meat Importers Council of America, Inc., 25 Broadway, New York, N.Y.

A. Tony T. Dechant.
B. The Farmers' Educational and Cooperative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.
D. (6) $1,875. E. (9) $66.70.

A. James J. Delaney, Jr., 1003 Lancaster Drive, Anchorage, Alaska.
B. Association of American Railroads, American Railroads Building, Washington, D.C.

A. Richard A. Dell, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $150.

A. Vincent A. Demo, 25 Broadway, New York, N.Y.
B. New York Committee of International Committee of Passenger Lines, 25 Broadway, New York, N.Y.
D. (6) $6,250.

A. Ray Demison, 815 16th Street N.W., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,556.50. E. (9) $512.84.

A. Max A. Denney, 1629 K Street NW., Washington, D.C.
B. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.
D. (6) $900.

A. Leslie E. Dennis, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $2,625. E. (9) $663.57.

A. Lloyd J. Derrickson, 888 17th Street NW., Washington, D.C.
B. National Association of Securities Dealers, Inc.

A. Russell C. Derrickson, 4000 Cathedral Avenue NW., Washington, D.C.
B. Responsive Environments Corp., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $300. E. (9) $50.

A. Claude J. Desautels & Associates, 1725 I Street NW., Washington, D.C.
B. American Society of Composers, 575 Madison Avenue, New York, N.Y.
D. (6) $6,000.

A. Claude J. Desautels, 1725 I Street NW., Washington, D.C.
B. Citizens Committee for Postal Reform, Inc., 1725 I Street NW., Washington, D.C.
D. (6) $1,492.38.

A. Claude J. Dasautels, 1725 I Street NW., Washington, D.C.
B. Joseph Napolitan Associates, Inc., 121 Chestnut Street, Springfield, Mass.
D. (6) $2,000.

A. C. H. DeVaney, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,750. E. (9) $45.55.

A. George S. Dietrich, 1741 DeSales Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Department of Water Resources, State of California, Post Office Box 388, Sacramento, Calif.
D. (6) $1,426.27. E. (9) $235.16.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Sacramento Municipal Utility District, Post Office Box 15830, Sacramento, Calif.
D. (6) $1,653.34. E. (9) $103.34.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.

B. Yuba County Water Agency, Marysville, Calif.
D. (6) $1,207.45. E. (9) $7.45.

A. Disabled American Veterans, 1221 Massachusetts Avenue NW., Washington, D.C.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.
D. (6) $14,500. E. (9) $4,604.04.

A. Discover America Travel Organizations, 1100 Connecticut Avenue NW., Washington, D.C.
D. (6) $134,867.96. E. (9) $682.50.

A. Robert H. Distelhorst, Jr., 812 Pennsylvania Building, Washington, D.C.
B. United States Savings and Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $600. E. (9) $9.60.

A. William H. Dodds, UAW, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), 8000 East Jefferson Avenue, Detroit, Mich.
D. (6) $954.50. E. (9) $123.10.

A. Paul R. M. Donelan, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

A. Harry J. Donohue, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $1,908. E. (9) $88.50.

A. C. L. Dorson, 501 13th Street NW., Washington, D.C.
B. Retirement Federation of Civil Service Employees of the U.S. Government, 1128 Warner Building, Washington, D.C.
D. (6) $2,318.21. E. (9) $167.

A. F. Raymond Downs, 1730 K Street NW., Washington, D.C.
B. The Procter & Gamble Manufacturing Co., 301 East Sixth Street, Cincinnati, Ohio.

A. Robert H. Doyle, 2029 K Street NW., Washington, D.C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $2,500.

A. Franklin B. Dryden.
B. The Tobacco Institute, Inc., 1735 K Street NW., Washington, D.C.

A. Evelyn Dubrow, 1710 Broadway, New York, N.Y.
B. International Ladies' Garment Workers' Union, 1710 Broadway, New York, N.Y.
D. (6) $2,845.44. E. (9) $297.15.

A. William Du Chessi, 1126 16th Street NW., Washington, D.C.
B. Textile Workers Union of America, AFL–CIO, 99 University Place, New York, N.Y.
D. (6) $975.15. E. (9) $100.

A. R. Michael Duncan, 1250 Connecticut Avenue, NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. William E. Dunn., 1957 E Street NW., Washington, D.C.
B. The Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. J. D. Durand, Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.
E. (9) $285.

A. Henry I. Dworshak, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $975.

A. Roy W. Easley, Association of Maximum Service Telecasters, Inc., 1735 DeSales Street NW., Washington, D.C.
D. (6) $6.90. E. (9) $3.40.

A. Macon T. Edwards, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

A. John Doyle Elliott, 5500 Quincy Street, Hyattsville, Md.
D. (6) $3,424.69. E. (9) $2,579.15.

A. John M. Elliott, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. D. A. Ellsworth, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $3,285.24. E. (9) $797.27.

A. Perry R. Ellsworth, 1025 Vermont Avenue NW., Washington, D.C.
B. Retail Jewelers of America, Inc., 1025 Vermont Avenue NW., Washington, D.C.
D. (6) $250. E. (9) $6.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.
B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.
D. (6) $2,100.

A. Ely and Duncan, 1200 Tower Building, Washington, D.C.
B. Coachella Valley County Water District, Coachella, Calif.
D. (6) $1,200.

A. Ely and Duncan, 1200 Tower Building, Washington, D.C.
B. Department of Water & Power of the City of Los Angeles, Calif, 111 North Hope Street, Los Angeles, Calif.
D. (6) $2,400.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.
B. East Bay Municipal Utility District, 2130 Adeline Street, Oakland, Calif.
D. (6) $1,200.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.
B. Imperial Irrigation District, El Centro, Calif.
D. (6) $2,100.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.
B. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.
D. (6) $3,000.

A. Richard W. Emory, Esq., 1400 Mercantile Trust Building, Baltimore, Md.
B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.

A. Employee Relocation Real Estate Advisory Council, Inc., 333 North Michigan Avenue, Chicago, Ill.
D. (6) $7,850. E. (9) $4,372.65.

A. James C. England, 1317 F Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $115.51.

A. Grover W. Ensley, 200 Park Avenue, New York, N.Y.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $772.80. E. (9) $76.80.

A. Richard E. Faggioli, 1025 Connecticut Avenue NW., Washington, D.C.
B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.

A. Clinton M. Fair, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,712.15. E. (9) $280.23.

A. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.
D. (6) $85,558.68. E. (9) $18,934.08.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C.
B. Council of Forest Industries of British Columbia, 1477 West Pender Street, Vancouver, B.C., Canada.
D. (6) $7,500. E. (9) $150.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C.
B. Joint Committee of Printing and Publishing Industries of Canada, 117 Eglinton Avenue East, Toronto, Canada.
D. (6) $2,250. E. (9) $41.50.

A. Francis S. Filbey, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.
D. (6) $3,739.77.

A. Firearms Lobby of America, 415 Second Street NE., Washington, D.C.
D. (6) $2,538.29. E. (9) $2,453.65.

A. William J. Flaherty, 1221 Massachusetts Avenue NW., Washington D.C.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.
D. (6) $4,500.

A. Roger Fleming, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,550. E. (9) $21.65.

A. Floyd O. Flom, 260 Madison Avenue, New York, N.Y.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y.

A. Gene Fondren, Post Office Box 192, Taylor, Tex.
B. Texas Railroads.
D. (6) $4,018. E. (9) $1,350.96.

A. Gordon Forbes, 207 Union Depot Building, St. Paul, Minn.
D. (6) $500. E. $969.83.

A. Frederick W. Ford.
B. National Cable Television Association, Inc., 1634 I Street NW., Washington, D.C.
D. (6) $834. E. (9) $36.

A. Forest Farmers Association Cooperative, 1375 Peachtree Street NE., Atlanta, Ga.
D. (6) $225.79. E. (9) $225.79.

A. James W. Foristel, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,950. E. (9) $422.13.

A. Ronald J. Foulis.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $60.

A. Ronald J. Foulis, 1140 Connecticut Avenue, Washington, D.C.
B. United States Independent Telephone Association, 425 13th Street NW., Washington, D.C.
D. (6) $50.

A. John G. Fox, 2000 L Street NW., Washington, D.C.
B. American Telephone & Telegraph Company, 195 Broadway, New York, N.Y.
D. (6) $204.12.

A. Morley E. Fox, 300 New Jersey Avenue SE., Washington, D.C.
B. Central Arizona Project Association, 1124 Arizona Title Building, Phoenix, Ariz.
D. (6) $65.10. E. (9) $32.62.

A. Walter L. Frankland, Jr., 1625 I Street NW., Washington, D.C.
B. Silver Users Association, 1625 I Street NW., Washington, D.C.
D. (6) $500. E. (9) $209.40.

A. Robert M. Frederick, 1616 H Street NW., Washington, D.C.
B. The National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $3,750.

A. James O. Freeman, 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 211 North LaSalle Street, Chicago, Ill.
D. (6) $1,625. E. (9) $47.25.

A. James H. French, 1625 K Street NW., Washington, D.C.
B. Book Manufacturers Institute, Inc., 161 East 42d Street, New York, N.Y.

A. Joseph Freni, Jr., 1629 K Street NW., Washington, D.C.
B. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.
D. (6) $750.

A. Bernice Friedlander, 950 25th Street NW., Washington, D.C.
B. LASH, Legislative Action on Smoking and Health, 2000 H Street NW., Washington, D.C.
D. (6) $4,768. E. (9) $909.59.

A. Philip P. Friedlander, Jr., 1343 L Street NW., Washington, D.C.
B. National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.
D. (6) $275. E. (9) $30.

A. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $63,907. E. (9) $13,725.

A. Owen V. Frisby, 821 15th Street NW., Washington, D.C.
B. The Chase Manhattan Bank (National Association), 1 Chase Manhattan Plaza, New York, N.Y.
D. (6) $375. E. (9) $882.

A. Frank W. Frisk, Jr., 2600 Virginia Avenue NW., Washington, D.C.
B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.
D. (6) $250.

A. David C. Fullarton, 1000 Connecticut Avenue NW., Washington, D.C.
B. National Telephone Cooperative Association, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $720.

A. Gadsby & Hannah, 1700 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $2,000. E. (9) $215.22.

A. Gadsby & Hannah, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Royal Crown Cola Co., Columbus, Ga.

A. Henry E. Gardiner, 1511 K Street NW., Washington, D.C.
B. The Anaconda Co., 25 Broadway, New York, N.Y.
D. (6) $350. E. (9) $199.50.

A. William B. Gardiner.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.
D. (6) $3,750. E. (9) $108.20.

A. Marion R. Garstang, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $200.

A. Gas Appliance Manufacturers Association, 2000 K Street NW., Washington, D.C.

A. Gas Supply Committee, 1725 DeSales Street NW., Washington, D.C.
D. (6) $300.

A. General Public Utilities Corp., 80 Pine Street, New York, N.Y.
E. (9) $5,534.80.

A. William T. Gibb, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $174.75. E. (9) $17.33.

A. Arthur P. Gildea, 2347 Vine Street, Cincinnati, Ohio.
B. International Union of United Brewery, Flour, Cereal, Soft Drink & Distillery Workers of America, 2347 Vine Street, Cincinnati, Ohio.
E. (9) $3,497.40.

A. Joseph S. Gill, 16 Broad Street, Columbus, Ohio.
B. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
D. (6) $1,375. E. (9) $51.

A. Dave Givens, 916 Nashville Trust Building, Nashville, Tenn.
B. Class I Railroads in Tennessee.

A. Glassie, Pewett, Beebe & Shanks, 1819 H Street NW., Washington, D.C.
B. Eastern Meat Packers Association, Inc., 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $5. E. (9) $6.36.

A. Glassie, Pewett, Beebe & Shanks, 1819 H Street NW., Washington, D.C.
B. The National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $300. E. (9) $31.21.

A. Glenn F. Glezen, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. James M. Goldberg, 1616 H Street NW., Washington, D.C.
B. American Retail Federation.

A. W. S. Gookin, 112 North Central Avenue, Phoenix, Ariz.

A. Douglas R. Gordon, 1616 H Street NW., Washington, D.C.
B. American Retail Federation.

A. Frederick D. Goss, 1000 Connecticut Avenue NW., Washington, D.C.
B. National Telephone Cooperative Association, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $278.36.

A. Edward Gottlieb & Associates, Ltd., 485 Madison Avenue, New York, N.Y.
B. Florists' Transworld Delivery Association, 900 West Lafayette Boulevard, Detroit, Mich.

A. Government Employees Council, AFL–CIO, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $11,718.79. E. (9) $5.075.32.

A. Donald E. Graham, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $5,349.96. E. (9) $163.80.

A. Grain and Feed Dealers National Association, 500 Folger Building, 725 15th Street NW., Washington, D.C.
E. (9) $186.

A. Cornelius R. Gray, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. George O. Gray, 1625 I Street NW., Washington, D.C.
E. (9) $3,881.61.

A. James A. Gray, 2139 Wisconsin Avenue NW., Washington, D.C.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Robert K. Gray, 1735 K Street NW., Washington, D.C.
B. Hill and Knowlton, Inc., 150 East 42d Street, New York, N.Y.

A. Mrs. Virginia M. Gray, 3501 Williamsburg Lane NW., Washington, D.C.
B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.
D. (6) $125. E. (9) $205.18.

A. Samuel A. Grayson, 611 Idaho Building, Boise, Idaho.
B. Union Pacific Railroad Co., 1416 Dodge Street, Omaha, Nebr.
E. (9) $1,637.75.

A. Clifford P. Greck, 432 Park Avenue South, New York, N.Y.
B. American Educational Publishers Institute, 432 Park Avenue South, New York, N.Y.
D. (6) $250.

A. Fred J. Greiner, 910 17th Street NW., Washington, D.C.
B. Evaporated Milk Association, 910 17th Street NW., Washington, D.C.

A. Ben H. Guill, 2000 K Street NW., Washington, D.C.
B. National Automobile Dealers Association and American Zinc.
D. (6) $4,100. E. (9) $1,850.

A. Jerome R. Gulan.
B. National Federation of Independent Business, 921 Washington Building, 15th Street and New York Avenue NW., Washington, D.C.

A. Hoyt S. Haddock.
B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $1,400.

A. Matthew Hale, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 815 Connecticut Avenue NW., and 90 Park Avenue, New York, N.Y.
D. (6) $500. E. (9) $100.

A. J. G. Hall, Detroit, Mich.
B. General Motors Corp., 3044 W. Grand Boulevard, Detroit, Mich.

A. Keith Halliday, 1725 K Street, NW., Washington, D.C.
B. Associated Third-Class Mail Users, 1725 K Street NW., Washington, D.C.
D. (6) $300.

A. Norman S. Halliday, 1140 Connecticut Avenue, Washington, D.C.
B. National Association of Electric Companies, 1140 Connecticut Avenue, Washington, D.C.
D. (6) $302.50. E. (9) $197.12.

A. Thomas A. Halsted, 1346 Connecticut Avenue, Washington, D.C.
B. Council for a Livable World, 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $5,000.06.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.
B. Ida Cason Callaway Foundation, Pine Mountain, Ga.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.
B. National School Supply & Equipment Association, 79 West Monroe Street, Chicago, Ill.
D. (6) $500. E. (9) $20.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.
B. Scientific Apparatus Makers Association, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $250. E. (9) $10.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.
B. United Student Aid Funds, Inc., 845 Third Avenue, New York, N.Y.

A. Harold F. Hammond, 1101 17th Street NW., Washington, D.C.
B. Transportation Association of America.
D. (6) $30. E. (9) $90.30.

A. Robert N. Hampton, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $5,250. E. (9) $144.54.

A. Edward F. Harding, 140 New Montgomery Street, San Francisco, Calif.
B. The Pacific Telephone & Telegraph Co., 140 New Montgomery Street, San Francisco, Calif.
D. (6) $476. E. (9) $557.

A. William E. Hardman, 1411 K Street NW., Washington, D.C.
B. National Tool, Die & Precision Machining Association, 1411 K Street NW., Washington, D.C.

A. Eugene J. Hardy, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers.

A. Mrs. Mildred B. Harman, 13th and E Streets NW., Washington, D.C.

B. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $825. E. (9) $441.54.

A. William B. Harman, Jr., 211 E. Chicago Avenue, Chicago, Ill.
B. American Life Convention, 211 E. Chicago Avenue, Chicago, Ill.
D. (6) $368. E. (9) $125.76.

A. L. James Harmanson, Jr., 1200 17th Street NW., Washington, D. C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.

A. Herbert E. Harris II, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,712.50.

A. F. Donald Hart, 605 Third Avenue, New York, N.Y.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Clifford J. Harvison, 1616 P Street NW., Washington, D.C.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. Lewis B. Hastings, 1619 Massachusetts Avenue NW., Washington, D.C.
B. Automobile Manufacturers Association, Inc., 320 New Center Building, Detroit, Mich.
D. (6) $500.

A. Walter A. Hasty, Jr., 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $140.33.

A. Paul M. Hawkins, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
E. (9) $4.

A. Kit H. Haynes, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,687.50. E. (9) $81.43.

A. Hays & Hays, Warner Building, Washington, D.C.
B. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.
D. (6) $300.

A. John C. Hazen, 1317 F Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 W. 31st Street, New York, N.Y.
E. (9) $37.30.

A. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $303.07. E. (9) $303.07.

A. Patrick B. Healey, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $300. E. (9) $195.62.

A. George J. Hecht, 52 Vanderbilt Avenue, New York N.Y. and 20 E Street NW., Washington, D.C.
B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C.

A. Kenneth G. Heisler, 1200 17th Street NW., Washington, D.C.
B. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C.
D. (6) $1,000.

A. C. O. Henderson, Post Office Box 381, Washington, D.C.
B. Professional Organizations.
D. (6) $700. E. (9) $200.

A. Christopher O. Henderson, 1341 G Street NW., Washington, D.C.
B. Organization of Professional Employees of the U.S. Department of Agriculture, 1341 G Street NW., Washington, D.C.
D. (6) $550. E. (9) $25.

A. Mrs. Elizabeth S. Hendryson, 6303 Indian School Road NE., Albuquerque, N. Mex.

A. Edmund P. Hennelly, 150 E. 42d Street, New, York, N.Y.
B. Mobil Oil Corp., 150 E. 42d Street, New York, N.Y.
D. (6) $1,125. E. (9) $666.08.

A. John K. Herbert, 575 Lexington Avenue, New York, N.Y.
B. Magazine Publishers Association, 575 Lexington Avenue, New York, N.Y.
D. (6) $2,298.81.

A. A. S. Herlong, Jr., 1920 L Street NW, Washington, D.C.
B. Association of Southeastern Railroad, 1920 L Street NW., Washington, D.C.
D. (6) $5,000. E. (9) $353.08.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.
B. National Football League, 1 Rockefeller Plaza, New York, N.Y.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.
B. Savage Arms, Westfield, Mass.; Redfield Gun Sight Co., Denver, Colo.; Browning Arms Co., Morgan, Utah.
D. (6) $5,000. E. (9) $114.59.

A. Hester & Stone, 432 Shoreham Building, Washington, D.C.
B. U.S. Brewers Association, 535 Fifth Avenue, New York, N.Y.
D. (6) $5,000. E. (9) $140.55.

A. George T. Higgins, 1100 Connecticut Avenue, Washington, D.C.
B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.
D. (6) $425. E. (9) $150.

A. John W. Hight, 1028 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.
D. (6) $200.

A. J. Eldred Hill, Jr., 720 Hotel Washington, Washington, D.C.
B. Unemployment Benefit Advisors, Inc.
D. (6) $2,000.

A. James J. Hill, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Wm. Graham Hinkle, 2011 I Street NW., Washington, D.C.
B. Executives Consultants, Inc., 2011 I Street NW., Washington, D.C.
D. (6) $500.

A. Wm. Graham Hinkle, 2011 I Street, NW., Washington, D.C.
B. National Association of Self-Employed Individuals, Inc., 2011 I Street NW., Washington, D.C.

A. Harry R. Hinton, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $2,100. E. (9) $796.27.

A. Mrs. Mae Hipsley, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $712.50. E. (9) $19.78.

A. Lawrence S. Hobart, 2600 Virginia Avenue NW., Washington, D.C.
B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.
D. (6) $290.

A. Claude E. Hobbs, 1000 Connecticut Avenue NW., Washington, D.C.
B. Westinghouse Electric Corp., 3 Gateway Center, Pittsburgh, Pa.
D. (6) $900. E. (9) $195.

A. Irvin H. Hoff, 1001 Connecticut Avenue, Washington, D.C.
B. U.S. Cane Sugar Refiners' Association, 1001 Connecticut Avenue, Washington, D.C.

A. Bryce P. Holcombe, 1925 K Street NW., Washington, D.C.
B. Brotherhood of Painters, Decorators & Paperhangers of America, AFL–CIO, 217–19 North Sixth Street, Lafayette, Ind.
D. (6) $1,825.

A. Lee B. Holmes, 666 11th Street NW., Washington, D.C.
B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.
E. (9) $465.

A. John W. Holton, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $1,500.

A. Frances Holway, Box 47, Rye, N.H.
B. Animal Welfare, 810 17th Street NW., Washington, D.C.
E. (9) $170.25.

A. Edwin M. Hood, 1730 K Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Joe L. Howell, 1225 Connecticut Avenue NW., Washington, D.C.
B. Allstate Enterprises, Inc., Allstate Plaza, Northbrook, Ill.

A. Joe L. Howell, 1225 Connecticut Avenue NW., Washington, D.C.
B. Allstate Insurance Co., Allstate Plaza, Northbrook, Ill.

A. Thomas B. House.
B. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.
D. (6) $100.

A. Charles L. Huber, 1221 Massachusetts Avenue NW., Washington, D.C.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.
D. (6) $6,250. E. (9) $4,495.84.

A. William J. Hull, 1660 L Street NW., Washington, D.C.
B. Ashland Oil & Refining Co., 1409 Winchester Avenue, Ashland, Ky.

A. William J. Hull, 1660 L Street NW., Washington, D.C.
B. Ohio Valley Improvement Association, Inc.

A. Robert R. Humphreys, 1000 Connecticut Avenue NW., Washington, D.C.

B. Air Transport Association, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $320. E. (9) $117.75.

A. James L. Huntley, 1741 DeSales Street NW., Washington, D.C.
B. Retail Clerks International Association, 1741 DeSales Street NW., Washington, D.C.
D. (6) $4,875. E. (9) $1,541.21.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
D. (6) $5.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
B. William R. Smith, Washington, D.C., and others.
E. (9) $324.

A. Clifford J. Hynning, 1555 Connecticut Avenue, Washington, D.C.
B. The Committee To Maintain a Prudent Defense Policy.

A. Frank N. Ikard, 1271 Avenue of the Americas, New York, N.Y.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

A. Bernard J. Imming, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14 Street NW., Washington, D.C.

A. Independent Natural Gas Association of America, 1660 L Street NW., Washington, D.C.
D. (6) $1,300.

A. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $5,133.25. E. (9) $5,133.25.

A. Harry A. Inman, 1200 17th Street NW., Washington, D.C.
B. The New York Botanical Garden, Bronx Park, New York, N.Y.
D. (6) $82.50. E. (9) $1.50.

A. Institute of Scrap Iron & Steel, Inc., 1729 H St. NW., Washington, D.C.
D. (6) $300. E. (9) $200.15.

A. International Association of Machinists, 1300 Connecticut Avenue NW., Washington, D.C.
E. (9) $7,004.50.

A. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C.
E. (9) $15,970.19.

A. International Economic Policy Association, 1625 Eye Street NW., Washington, D.C.
E. (9) $3,881.61.

A. International Union of District 50, 4880 MacArthur Boulevard NW., Washington, D.C.
E. (9) $3,270.04.

A. Investment Company Institute, 61 Broadway, New York, N.Y.
E. (9) $2,891.57.

A. Iron Ore Lessors Association, Inc., 1500 First National Bank Building, St. Paul, Minn.
D. (6) $9,851.35. E. (9) $10,918.15.

A. Chas. E. Jackson, 1200 18th St. NW., Washington, D.C.

A. Robert A. Jackson, 627 Allison St. NW., Washington, D.C.

A. Robert C. Jackson, 1120 Connecticut Avenue NW., Washington, D.C.

B. American Textile Manufacturers Institute, 1501 Johnston Building, Charlotte, N.C.
D. (6) $2,750. E. (9) $304.47.

A. Walter K. Jaenicke.
B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $700. E. (9) $150.

A. Robert L. James, 730 15th Street NW., Washington, D.C.
B. Bank of America N.T. and S.A., 300 Montgomery Street, San Francisco, Calif.
D. (6) $450. E. (9) $350.

A. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.
E. (9) $400.

A. Daniel Jaspan, Post Office Box 1924, Washington, D.C.
B. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $6,143.01. E. (9) $57.10.

A. Philip F. Jehle, 300 National Press Building, Washington, D.C.
B Smith, Kline & French Laboratories, 1500 Spring Garden Street, Philadelphia, Pa.

A. Chas. D. Jennings, 1712 Eye Street NW., Washington, D.C.
B. American Stock Yards Association, 1712 Eye Street NW., Washington, D.C.
D. (6) $400.

A. H. Bradley Johnson, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $725.

A. Hugo E. Johnson, 600 Bulkley Building, Cleveland, Ohio.
B. American Iron Ore Association, 600 Bulkley Building, Cleveland, Ohio.

A. Reuben L. Johnson.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union) 1575 Sherman Street, Denver, Colo.; 1012 14th Street, NW., Washington, D.C.
D. (6) $4,230.72. E. (9) $247.32.

A. Spencer A. Johnson, 1025 Vermont Avenue NW., Washington, D.C.
B. National Retail Furniture Association, 1150 Merchandise Mart, Chicago, Ill.
D. (6) $300.

A. Ned Johnston, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Charlie W. Jones, 815 Connecticut Avenue NW., Washington, D.C.
B. Signal Companies, Inc., 1010 Wilshire Boulevard, Los Angeles, Calif.

A. Elmer A. Jones, 1145 19th Street, NW., Washington, D.C.
B. Lead-Zinc Producers Committee.
D. (6) $750. E. (9) $501.39.

A. Geo. Bliss Jones, Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $145.50. E. (9) $204.90.

A. L. Dan Jones, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $53.80.

A. Oliver H. Jones, 1707 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $11,250. E. (9) $4,550.

A. Phillip E. Jones, 1156 15th Street NW, Washington, D.C.
B. United States Beet Sugar Association, 1156 15th Street NW, Washington, D.C.

A. Francis M. Judge, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the U.S.A.

A. Karelsen, Karelsen, Lawrence & Nathan, 230 Park Avenue, New York, N.Y.
E. (9) $7.20.

A. Gerald M. Katz, 1400 Mercantile Trust Building, Baltimore, Md.
B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.

A. Carlton R. Kear, Jr.
B. Retired Officers Association, 1625 Eye Street NW., Washington, D.C.
D. (6) $137.50.

A. William J. Keating, 500 Folger Building, 725 15th Street NW, Washington, D.C.
B. Grain and Feed Dealers National Association, 500 Folger Building, 725 15th Street, Washington, D.C.

A. Howard B. Keck, 1801 Avenue of the Stars, Los Angeles, Calif.
B. The Superior Oil Co., 1801 Avenue of the Stars, Los Angeles, Calif.
E. (9) $300.

A. W. M. Keck, Jr., 1801 Avenue of the Stars, Los Angeles, Calif.
B. The Superior Oil Co.
E. (9) $275.

A. Charles C. Keeble, Post Office Box 2180, Houston, Tex.
B. Humble Oil & Refining Co. (A Delaware Corp.), Post Office Box 2180, Houston, Tex.
E. (9) $37.48.

A. Eugene Adams Keeney, 1616 H Street NW, Washington, D.C.
B. American Retail Federation.

A. George J. Kelley, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Blue Cross Association, 840 North Lake Shore Drive, Chicago, Ill.

A. Daniel C. Kellick, 1317 F Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $29.25.

A. Harold V. Kelly, 720 Hotel Washington, Washington, D.C.
B. Unemployment Benefit Advisors, Inc.
D. (6) $1,000.

A. John T. Kelly, 1155 15th Street NW., Washington, D.C.
B. Pharmaceutical Manufacturers Association.

A. Stephen E. Kelly.
B. Magazine Publishers Association, 575 Lexington Avenue, New York, N.Y.
D. (6) $1,379.34.

A. I. L. Kenen, 1341 G Street NW., Washington, D.C.
B. American Israel Public Affairs Committee, 1341 G Street NW., Washington, D.C.
D. (6) $300.

A. Harold L. Kennedy, 420 Cafritz Building, Washington, D.C.
B. Marathon Oil Co., Findlay, Ohio.
E. (9) $98.20.

A. James J. Kennedy, Jr., 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $3,277.49. E. (9) $1,110.21.

A. Edward F. Kenney, 225 South Meramec, St. Louis, Mo.
B. Mississippi Valley Association, 1130 17th Street NW., Washington, D.C.

A. Kenyon & Kenyon, 59 Maiden Lane, New York, N.Y.
E. (9) $150.

A. Thomas P. Kerester, 1025 Connecticut Avenue NW., Washington, D.C.
B. Gulf Oil Corp., Pittsburgh, Pa.
D. (6) $750. E. (9) $150.

A. Kenneth L. Kimble, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $1,012.50. E. (9) $90.81.

A. Joseph T. King, 1028 Connecticut Avenue NW., Washington, D.C.
B. Associated Equipment Distributors & Sprinkler Irrigation Association.
E. (9) $1,1481.08.

A. T. Bert King, 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $825.

A. John M. Kinnaird, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $662.40.

A. Kirkland, Ellis, Hodson, Chaffetz, Masters & Rowe, 800 World Center Building, Washington, D.C.
B. Grocery Manufacturers of America, Inc., 1133 Avenue of the Americas, New York, N.Y.

A. Herbert C. Kirstein, 30 F Street, NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street, NW., Washington, D.C.
D. (6) $2,375. E. (9) $26.95.

A. Ernest A. Kistler, 901 Hamilton Street, Allentown, Pa.
B. Pennsylvania Power & Light Co., 901 Hamilton Street, Allentown, Pa.
D. (6) 114.13. E. (9) 169.60.

A. Ralph W. Kittle.
B. International Paper Co., 220 East 42d Street, New York, N.Y.

A. Robert E. Kline, Jr., 409 LaSalle Building, 1028 Connecticut Avenue NW., Washington, D.C.
B. Bowling Proprietors' Association of America, Inc., West Higgins Road, Hoffman Estates, Ill.
D. (6) $1,250. E. (9) $66.

A. James F. Kmetz, 1427 I Street NW., Washington, D.C.
B. United Mine Workers of America, 90 15th Street NW., Washington, D.C.
D. (6) $5,546.

A. George J. Knaly, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, 1200 15th Street NW., Washington, D.C.
D. (6) $4,999.98.

A. Keith R. Knoblock, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington D.C.
D. (6) $475.

A. John D. Knodell, Jr., 1025 Connecticut Avenue, NW., Washington, D.C.
B. Humble Oil & Refining Co. (A Delaware Corps), Post Office Box 2180, Houston, Tex.
E. (9) $918.93.

A. Robert M. Koch, 702 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 702 H Street, NW., Washington, D.C.
E. (9) $25.15.

A. Wm. L. Kohler, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200.

A. Horace R. Kornegay.
B. The Tobacco Institute, Inc., 1735 K Street, NW., Washington, D.C.

A. June Kysilke Kraeft, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $98.

A. Germaine Krettek, 200 C Street SE., Washington, D.C.
B. American Library Association, 50 E. Huron Street, Chicago, Ill.
D. (6) $578.70.

A. Herman C. Kruse, 245 Market Street, San Francisco, Calif.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $1,755. E. (9) $1,521.69.

A. Lloyd R. Kuhn.
B. Aerospace Industries Association of America, Inc., 1725 DeSales Street, NW., Washington, D.C.
D. (6) $5,472. E. (9) $752.77.

A. Labor Bureau of Middle West, 1155 15th Street, NW., Washington, D.C., and 11 S. LaSalle Street, Chicago, Ill.

A. Labor-Management Maritime Committee, 100 Indiana Avenue, NW., Washington, D.C.
D. (6) $9,873. E. (9) $7,601.

A. Laborers' International Union of North America, AFL–CIO, 905 16th Street, NW., Washington, D.C.
E. (9) $10,457.63.

A. A. M. Lampley, 400 First Street, NW., Washington, D.C.
B. United Transportation Union.
E. (9) $200.

A. Albert Lannon, 1341 G Street NW., Washington, D.C.
B. International Longshoremen's & Warehousemen's Union, 150 Golden Gate Avenue, San Francisco, Calif.
D. (6) $2,972.46. E. (9) $329.76.

A. Dillard B. Lasseter, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street, NW., Washington, D.C.
D. (6) $1,200. E. (9) $711.50.

A. George H. Lawrence, 1660 L Street, NW., Washington, D.C.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.
D. (6) $425. E. (9) $75.

A. Robert F. Lederer, 835 Southern Building, Washington, D.C.
B. American Association of Nurserymen, Inc., 835 Southern Building, Washington, D.C.
D. (6) $20. E. (9) $267.84.

A. Legislation for Animal Welfare, Inc., 3045 P Street, NW., Washington, D.C.
D. (6) $7.17. E. (9) $50.

A. Legislative Action on Smoking & Health, 2000 H Street NW., Washington, D.C.
D. (6) $4,768. E. (9) $909.59.

A. Robert J. Leigh, 1000 Connecticut Avenue NW., Washington, D.C.
B. National Telephone Cooperative Association, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $230.25.

A. G. E. Leighty, 400 First Street NW., Washington, D.C.

A. Nils A. Lennartson, 1140 Connecticut Avenue NW., Washington, D.C.
B. Railway Progress Institute, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $9,999.96.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Waterways Operators, Inc., 1250 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,000. E. (9) $80.29.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C.
B. Committee of Producers of Ferroalloys and Related Products.
D. (6) $750. E. (9) $105.

A. Marx Leva, 815 Connecticut Avenue NW., Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Morris J. Levin, 910 17th Street NW., Washington, D.C.
B. Arden Publishing Co., Tucson, Ariz.
D. (6) $2,500.

A. Morris J. Levin, 910 17th Street NW., Washington, D.C.
B. Association of American Railroads, American Railroads Building, Washington, D.C.
D. (6) $2,500.

A. Liberty Lobby, Inc., 130 Third Street SE., Washington, D.C.
D. (6) $21,380.83. E. (9) $25,540.65.

A. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $9,404.07. E. (9) $9,404.07.

A. Lester W. Lindow, 1735 DeSales Street NW., Washington, D.C.
D. (6) $12.50. E. (9) $60.75.

A. Charles B. Lipsen, 1741 DeSales Street NW., Washington, D.C.
B. Retail Clerks International Association, 1741 DeSales Street NW., Washington, D.C.
D. (6) $5,500. E. (9) $673.83.

A. Robert G. Litschert, 1140 Connecticut Avenue NW., Washingon, D.C.

B. National Association of Electric Companies, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $417.48. E. (9) $186.50.

A. Harold O. Lovre, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW, Washington, D.C.
D. (6) $1,600. E. (9) $430.90.

A. Paul H. Long, 1025 Connecticut Avenue NW., Washington, D.C.
B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.
E. (9) $64.35.

A. Otto Lowe, Cape Charles, Va.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $1,500.

A. Otto Lowe, Cape Charles, Va.
B. Norfolk & Western Railway Co., Roanoke, Va.
D. (6) $625.

A. Milton F. Lunch, 2029 K Street NW., Washington, D.C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $1,000.

A. John C. Lynn, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,000. E. (9) $11.68.

A. LeRoy E. Lyon, Jr., 11th and L Building, Sacramento, Calif.
B. California Railroad Association, 11th and L Building, Sacramento, Calif.

A. William C. McCamant, 1725 K Streeet NW., Washington, D.C.
D. (6) $300 or less.

A. John A. McCart, 100 Indiana Avenue NW., Washington, D.C.
B. Government Employes Council, AFL–CIO, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $2,020.50.

A. Bruce E. McCarthy, 1730 Rhode Island Avenue NW., Washington, D.C.
B. National Electrical Contractors Association, 1730 Rhode Island Avenue NW., Washington, D.C.

A. John F. McCarthy, 1700 K Street, Washington, D.C.
B. United Utilities, Inc., 2330 Johnson Drive, Shawnee Mission, Kans.

A. John L. McConnel, 1660 L Street NW., Washington, D.C.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.
D. (6) $1,200. E. (9) $325.

A. E. L. McCulloch, 814 Railway Labor Building, 400 First Street NW., Washington, D.C.
B. Brotherhood of Locomotive Engineeers, B. of L.E. Building, Cleveland, Ohio.
D. (6) $284.60. E. (9) $81.50.

A. Albert L. McDermott, 777 14th Street NW., Washington, D.C.
B. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.
D. (6) $150.

A. Angus H. McDonald.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union) 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.
D. (6) $3,984.51. E. (9) $250.86.

A. Joseph A. McElwain, 40 East Broadway, Butte, Mont.
E. (9) $170.18.

A. Mrs. Barbara D. McGarry, 20 E Street NW., Washington, D.C.
B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C.

A. Marshall C. McGrath.
B. International Paper Co., 220 East 42d Street, New York, N.Y.
D. (6) $463.33. E. (9) $175.68.

A. F. Howard McGuigan, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,712.50. E.(9) $432.32.

A. Clarence M. McIntosh, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $2,770.74. E. (9) $676.12.

A. William F. McKenna, 1200 17th Street NW., Washington, D.C.
B. National League of Insured Saving Associations, 1200 17th Street NW., Washington, D.C.
D. (6) $425. E. (9) $213.86.

A. Marvin L. McLain, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,608.35. E. (9) $62.18.

A. John S. McLees, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the U.S.A.

A. Ralph J. McNair, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $240.30. E. (9) $19.27.

A. Charles R. McNeill, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $1,300.

A. Robert L. McNeill, 815 Connecticut Avenue, Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $97.05. E. (9) $79.

A. Shane MacCarthy, 5223 River Road, Washington, D.C.
B. Printing Industries of America, 5223 River Road, Washington, D.C.
D. (6) $750. E. (9) $1,125.

A. Earl S. Mackey, 425 13th Street NW., Washington, D.C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $800.

A. H. E. Mahlman, 1026 17th Street NW., Washington, D.C.
B. American Optometric Association, c/o J. C. Tumblin, O.D., 4836 Broadway NE., Knoxville, Tenn.
D. (6) $700. E. (9) $38.30.

A. Robert L. Maier, 900 17th Street NW., Washington, D.C.
B. Kaiser Industries Corp., 900 17th Street NW., Washington, D.C.
D. (6) $112.

A. Carter Manasco, 6932 Chesterbrook Road, McLean, Va.
B. National Coal Association, Coal Building, 1130 17th Street NW., Washington, D.C.
D. (6) $6 000. E. (9) $152.88.

A. Mike Manatos, 1730 K Street NW., Washington, D.C.
B. The Procter & Gamble Manufacturing Co., 301 East 6th Street, Cincinnati, Ohio.
E. (9) $42.

A. Manufacturing Chemists, Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $5,000. E. (9) $3,000.

A. Mrs. Olya Margolin, 924 Dupont Circle Building, 1346 Connecticut Avenue NW., Washington, D.C.
B. National Council of Jewish Women, Inc., One West 47th Street, New York, N.Y.
D. (6) $3,250. E. (9) $164.38.

A. Rodney W. Markley, Jr., 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.

A. Edwin E. Marsh, 600 Crandall Building, Salt Lake City, Utah.
B. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
D. (6) $3,674.07. E. (9) $968.38.

A. Winston W. Marsh, 1343 L Street NW., Washington, D.C.
B. National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.
D. (6) $684. E. (9) $97.

A. J. Paull Marshall, 300 New Jersey Avenue SE., Washington, D.C.
B. Association of American Railroads, American Railroads Building, Washington, D.C.
D. (6) $239.38. E. (9) $225.

A. Thomas A. Martin, 1625 K Street NW., Washington, D.C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.
D. (6) $500. E. (9) $110.

A. Maryland State Fair & Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.
D. (6) $1,000.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.
D. (6) $200.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. West Mexico Vegetable Distributors Association, Post Office Box 848, Nogales, Ariz.
D. (6) $500.

A. Alfred Maskin, 1612 K Street NW., Washington, D.C.
B. American Maritime Association, 17 Battery Place, New York, N.Y.
D. (6) $100. E. (9) $44.29.

A. Robert A. Maslow, 1730 I Street NW.,
E. (9) $1,700.

A. Paul J. Mason, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $300. E. (9) $26.92.

A. Walter J. Mason, 815 16th Street NW., Washington, D.C.
B. Building and Construction Trades Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $5,499.91. E. (9) $1,419.48.

A. P. H. Mathews, 300 New Jersey Avenue SE., Washington, D.C.
D. (6) $1,611.70. E. (9) $1,202.91.

A. Charles D. Matthews, 1140 Connecticut Avenue, Washington, D.C.
B. National Association of Electric Cos., 1140 Connecticut Avenue, Washington, D.C.
D. (6) $363. E. (9) $269.95.

A. Charles E. Mattingly, 1608 K Street, Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $3,298.50 E. (9) $81.40.

A. C. V. and R. V. Maudlin, 1111 E Street NW., Washington, D.C.
B. Georgia Power Co., 270 Peachtree Street, Atlanta, Ga.

A. George G. Mead, 128 C Street NE., Washington, D.C.
B. The American Society of Radiologic Technologists, 645 N. Michigan Avenue, Chicago, Ill.
D. (6) $2,110. E. (9) $1,981.08.

A. George G. Mead, 128 C Street NE., Washington, D.C.
B. National Association of Theatre Owners, Inc., 1501 Broadway, New York, N.Y.
D. (6) $600. E. (9) $166.49.

A. James E. Meals, 1329 E Street NW., Washington, D.C.
B. Air Line Pilots Association, 1329 E Street NW., Washington, D.C.

A. Medical-Surgical Manufacturers Association, 342 Madison Avenue, New York, N.Y.
D. (6) $5,032.53. E. (9) $1,283.43.

A. Kenneth A. Meiklejohn, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,712.50.

A. R. Otto Meletzke, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. Ellis E. Meredith, 2000 K Street NW., Washington, D.C.
B. American Apparel Manufacturers Association, Inc., 2000 K Street NW., Washington, D.C.
E. (9) $1,200.

A. Lawrence C. Merthan, 1735 K Street NW., Washington, D.C.
B. Hill & Knowlton, Inc., 150 East 42d Street, New York, N.Y.

A. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.

A. George F. Meyer, Jr., 1625 I Street NW., Washington, D.C.
B. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $625.

A. Midland Cooperative Dairy Association, Shawano, Wis.

A. Capt. A. Stanley Miller, 1629 K Street NW., Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.
D. (6) $100.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Chamber of Commerce, Dallas, Tex.
D. (6) $1,950.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Gulf Intracoastal Canal Association, 2211 South Coast Building, Houston, Tex.
D. (6) $2,625.

A. Dale Miller, 377, Mayflower Hotel, Washington, D.C.
B. Texas Gulf Sulphur Co., Newgulf, Tex., and New York, N.Y.
D. (6) $2,250.

A. Edwin Reid Miller, 1815 Capitol Avenue, Omaha, Nebr.
B. Nebraska Railroads Legislative Committee, 1815 Capitol Avenue, Omaha, Nebr.
D. (6) $4,305. E. (9) $714.57.

A. Joe D. Miller, 535 North Dearborn Street, Chicago, Ill.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $875.

A. Lloyd S. Miller, 1700 K Street NW., Washington, D.C.
B. United Utilities, Inc., Post Office Box 11315, Plaza Station, Kansas City, Mo.
D. (6) $120.

A. Luman G. Miller, 912 Failing Building, Portland, Oreg.
B. Oregon Railroad Association, 912 Failing Building, Portland, Oreg.
E. (9) $854.72.

A. Robert H. Miller, 1000 16th Street NW., Washington, D.C.
B. Tenneco, Inc., Post Office Box 2511, Houston, Tex.

A. Jack Mills, 1735 K Street NW., Washington, D.C.
B. The Tobacco Institute, Inc.

A. Marion Daniel Minchew, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $206.25. E. (9) $8.62.

A. Mobile Housing Association of America, 39 South La Salle Street, Chicago, Ill.
E. (9) $2,499.99.

A. Willis C. Moffatt, Post Office Lock Box 829, Boise, Idaho.

A. Joseph E. Moody, 1000 16th Street NW., Washington, D.C.
D. (6) $500.

A. Carlos Moore, 25 Louisiana Avenue NW., Washington, D.C.
B. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C.
D. (6) $6,249.

A. Michael Monroney.
B. Communications Satellite Corp., 950 L'Enfant Plaza South SW., Washington, D.C.
D. (6) $1,750. E. (9) $584.

A. Jo V. Morgan, Jr., 815 15th Street NW., Washington, D.C.
B. American Humane Association, Post Office Box 1266, Denver, Colo.
D. (6) $1,500.

A. Morgan, Lewis & Bockius, 140 Connecticut Avenue, Washington, D.C.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.

A. Robert E. Morin, 1311 Delaware Avenue SW., Washington, D.C.
B. National Association of Mutual Insurance Agents, 520 Investment Building, Washington, D.C.

A. Morison, Murphy, Abrams & Haddock, Pennsylvania Building, Washington, D.C.
B. The Sperry & Hutchinson Co., 330 Madison Avenue, New York, N.Y.

A. James G. Morton, 1825 Connecticut Avenue NW., Washington, D.C.
B. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,500.

A. Lynn E. Mote, 1619 Massachusetts Avenue NW., Washington, D.C.
B. Automobile Manufacturers Association, Inc., 320 New Center Building, Detroit, Mich.
D. (6) $1,000.

A. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.
D. (6) $900. E. (9) $377.

A. T. H. Mullen, 4301 Columbia Pike, Arlington, Va.

A. John J. Murphy, 33 Wilelinor Drive, Edgewater, Md.
B. National Customs Service Association.

A. William E. Murray, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. J. Walter Myers, Jr., 1375 Peachtree Street NE., Atlanta, Ga.
B. Forest Farmers Association Cooperative, 1375 Peachtree Street NE., Atlanta, Ga.
D. (6) $103. E. (9) $122.79.

A. Kenneth D. Naden, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $9,499.98. E. (9) $532.03.

A. Micah H. Naftalin, 1510 H Street, NW., Washington, D.C.
B. The Ethyl Corp., 1155 15th Street NW., Washington, D.C.
D. (6) $750.

A. John J. Nangle, 2600 Virginia Avenue NW., Washington, D.C.
B. National Association of Independent Insurers, 30 West Monroe Street, Chicago, Ill.
E. (9) $775.

A. Augustus Nasmith, Pennsylvania Station, Newark, N.J.
B. Associated Railroads of New Jersey, Pennsylvania Station, Raymond Plaza, Newark, N.J.

A. National Agricultural Chemicals, 1155 15th Street NW., Washington, D.C.
D. (6) $22.85. E. (9) $22.85.

A. National Association of Credit Management, 44 East 23d Street, New York, N.Y.
E. (9) $76.

A. National Association of Electric Companies, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,617.61. E. (9) $7,920.91.

A. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $100. E. (9) $100.

A. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.
D. (6) $73,235.32. E. (9) $1,329.84.

A. National Association of Margarine Manufacturers, Munsey Building, Washington, D.C.

A. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $2,144.15. E. (9) $2,144.15.

A. The National Association of Polish Americans, Inc., 3829 W Street SE., Washington, D.C.

A. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $35,000. E. (9) $15,637.

A. National Association of Social Workers, Inc., 2 Park Avenue, New York, N.Y., and 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,500. E. (9) $1,500.

A. National Association of Theatre Owners, Inc., 1501 Broadway, New York, N.Y.
D. (6) $47,338.45. E. (9) $13,761.70.

A. National Automobile Dealers Association (NADA), 2000 K Street NW., Washington, D.C.
D. (6) $1,820.62. E. (9) $1,820.62.

A. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $400. E. (9) $225.

A. National Coal Association, Coal Building, Washington, D.C.

A. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
E. (9) $4,994.12.

A. National Committee To Abolish HUAC/HISC, 555 N. Western Avenue, Los Angeles, Calif.
D. (6) $1,579.99. E. (9) $1,579.99.

A. The National Committee for the Recording Arts, 9300 Wilshire Boulevard, Beverly Hills, Calif.
D. (6) $5,885.80. E. (9) $20,008.60.

A. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. National Cotton Compress & Cotton Warehouse Association, 1085 Shrine Building, Box 23, Memphis, Tenn.

A. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $7,442.59. E. (9) $7,442.59.

A. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $18,659.31. E. (9) $22,316.39.

A. National Council, Junior Order United American Mechanics, 3027 N. Broad Street, Philadelphia, Pa.
E. (9) $5.

A. National Council of Naval Air Stations Employee Organizations, 239 Beach Road, Alameda, Calif.
D. (6) $500. E. (9) $524.30.

A. National Council of Technical Service Industries, 888 17th Street NW., Washington, D.C.
D. (6) $942.36. E. (9) $937.16.

A. National Cystic Fibrosis Research Foundation, 202 East 44th Street, New York, N.Y.
E. (9) $1,500.

A. National Electrical Contractors Association, Inc., 1730 Rhode Island Avenue NW., Washington, D.C.

A. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y.

A. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $249,249.29. E. (9) $14,901.44.

A. National Federation of Independent Business, Inc., 920 Washington Building, Washington, D.C.
D. (6) $27,375.84. E. (9) $27,375.84.

A. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $2,947.12. E. (9) $3,743.74.

A. The National Grange, 1616 H Street NW., Washington, D.C.
E. (9) $9,350.

A. National Housing Conference, Inc., 1250 Connecticut Avenue NW., Washington, D.C.
D. (6) $9,220.84. E. (9) $19,759.75.

A. National Independent Dairies Association, 1735 K Street NW., Washington, D.C.
E. (9) $116.20.

A. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C.
D. (6) $10,593.30. E. (9) $2,341.07.

A. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.
D. (6) $1,395.15. E. (9) $1,395.15.

A. National Livestock Feeders Association, Inc., 309 Livestock Exchange Building, Omaha, Nebr.
D. (6) $7,367.16. E. (9) $7,367.16.

A. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $7,981.10. E. (9) $7,981.10.

A. National Oil Jobbers Council, 1701 K Street NW., Washington, D.C.

A. National Parking Association, 1101 17th Street NW., Washington, D.C.
E. (9) $826.54.

A. National Reclamation Association, 897 National Press Building, Washington, D.C.
D. (6) $4,102.35. E. (9) $3,648.12.

A. National Retail Furniture Association, 1150 Merchandise Mart, Chicago, Ill.
E. (9) $444.

A. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $5,686.

A. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $12,500. E. (9) $10,990.

A. National Telephone Cooperative Association, 1000 Connecticut Avenue NW., Washington, D.C.
E. (9) $1,518.58.

A. National Tire Dealers & Retreaders Association, 1343 L Street NW., Washington, D.C.
D. (6) $1,662.62. E. (9) $1,662.62.

A. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
E. (9) $5,152.34.

A. The Nation-Wide Committee on Import-Export Policy, 815 15th Street NW., Washington, D.C.
D. (6) $12,400. E. (9) $13,179.97.

A. Alan M. Nedry, 888 17th Street NW., Washington, D.C.
B. Southern California Edison Co., Post Office Box 351, Los Angeles, Calif.
D. (6) $2,500. E. (9) $2,685.42.

A. Alexander W. Neale, Jr., 1101 17th Street NW., Washington, D.C.
B. National Association of Supervisors of State Banks, 1101 17th Street NW., Washington, D.C.
D. (6) $4,125. E. (9) $62.11.

A. Allen Neece, Jr., 537 Washington Building, Washington, D.C.
B. National Association of Small Business Investment Companies, 537 Washington Building, Washington, D.C.
D. (6) $300.

A. Samuel E. Neel, 1200 18th Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $6,250. E. (9) $1,568.

A. Frances E. Neely, 245 Second Street NW., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,475.

A. George R. Nelson, 1300 Connecticut Avenue NW., Washington, D.C.
B. International Association of Machinists and Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,250. E. (9) $524.

A. Ivan A. Nestingen, 1000 Connecticut Avenue NW., Washington, D.C.
B. Cuna International, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $300. E. (9) $309.90.

A. Louis H. Nevins, 1300 Connecticut Avenue NW., Washington, D.C.
B. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill., and 1300 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,234. E. (9) $63.70.

A. Sarah H. Newman, 1029 Vermont Avenue NW., Washington, D.C.
B. National Consumers League, 1029 Vermont Avenue NW., Washington, D.C.
D. (6) $1,650.

A. Patrick J. Nilan, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks, Washington, D.C.
D. (6) $5,753.40. E. (9) $966.84.

A. James W. Nisbet, 280 Union Station Building, Chicago, Ill.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Stanley D. Noble, 29 North Wacker Drive, Chicago, Ill.
B. Council of Profit Sharing Industries, 29 North Wacker Drive, Chicago, Ill.

A. Robert W. Nolan, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.
D. (6) $100.

A. Charles M. Noone, 1225 Connecticut Avenue NW., Washington, D.C.

B. National Association of Small Business Investment Companies, 537 Washington Building, Washington, D.C.
D. (6) $1,500. E. (9) $547.20.

A. Robert H. North, 1105 Barr Building, Washington, D.C .
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.
E. (9) $69.05.

A. Graham T. Northup, 1707 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $6,250. E. (9) $15,962.

A. Ira H. Nunn, 1155 15th Street NW., Washington, D.C.
B. National Restaurant Association, 1155 15th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $3,125. E. (9) $250.

A. Seward P. Nyman, 20 Chevy Chase Circle, Washington, D.C.
B. American Podiatry Association, 20 Chevy Chase Circle, Washington, D.C.
D. (6) $650.

A. Raymond D. O'Connell, 400 Madison Avenue, New York, N.Y.
B. National Cable Television Association, Inc., 1634 Eye Street NW., Washington, D.C.
D. (6) $6,000. E. (9) $334.68.

A. Richard T. O'Connell, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $5,325. E. (9) $178.43.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. American Transit Association, 815 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,250. E. (9) $145.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Investors Diversified Services, Inc., Investors Building, Minneapolis, Minn.
D. (6) $3,000. E. (9) $556.50.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Upper Mississippi Towing Corp., 7703 Normandale Road, Minneapolis, Minn.
D. (6) $2,500. E. (9) $160.

A. John B. O'Day, 11 East Adams Street, Chicago, Ill.
B. Insurance Economics Society of America, 11 East Adams Street, Chicago, Ill.
D. (6) $7,192.11.

A. John A. O'Donnell, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc, 1616 P Street NW., Washington, D.C.
D. (6) $1,200.

A. Jane O'Grady, 1000 Wisconsin Avenue NW., Washington, D.C.
B. Committee for Community Affairs, 1000 Wisconsin Avenue NW., Washington, D.C.
D. (6) $2,187.51. E. (9) $175.38.

A. Richard C. O'Hare, 1120 Investment Building, Washington, D.C.
B. Harness Tracks of America, 333 North Michigan Avenue, Chicago, Ill.

A. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
E. (9) $1,426.

A. Alvin E. Oliver, 725 15th Street NW., Washington, D.C.
B. Grain & Feed Dealers National Association, 725 15th Street NW., Washington, D.C.

A. Robert Oliver, 400 First Street NW., Washington, D.C.
B. The Sperry & Hutchinson Co., 330 Madison Avenue, New York City.

A. Samuel Omasta, 702 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.
E. (9) $15.

A. Charles T. O'Neill, Jr., 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $2,000. E. (9) $8.60.

A. Jerry H. Opack, 815 Connecticut Avenue NW., Washington, D.C.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. Organization of Professional Employees of the U.S. Department of Agriculture, Post Office 381, Washington, D.C.
D. (6) $464.50. E (9) $1,170.27.

A. Franklin L. Orth, 1600 Rhode Island Avenue NW., Washington, D.C.
B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C.
D. (6) $625.

A. Kermit Overby, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $185.

A. J. Allen Overton, Jr., 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $1,200.

A. Walter Page, Box 128, Cazenovia, N.Y.

A. Norman Paige, 1132 Pennsylvania Building, Washington, D.C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. Lou Ann Palmer, 1133 20th Street NW., Washington, D.C.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $150. E. (9) $50.

A. Lew M. Paramore, Post Office Box 1310, Kansas City, Kan.
B. Mississippi Valley Association, 1130 17th Street NW., Washington, D.C.

A. J. D. Parel, 300 New Jersey Avenue SE., Washington, D.C.
B. Association of American Railroads, American Railroads Building, Washington, D.C.
D. (6) $178.50. E. (9) $180.80.

A. Judith E. Park, 1909 Q Street NW., Washington, D.C.
B. National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.
D. (6) $2,013.90. E. (9) $205.03.

A. Michael L. Parker, 1910 Russ Building, San Francisco, Calif.
B. Kaiser Foundation Health Plan, 300 Lakeside Drive, Oakland, Calif.
D. (6) $1,833.33. E. (9) $2,404.53.

A. Geo. F. Parrish, Post Office Box 7, Charleston, W. Va.
B. West Virginia Railroad Association.
D. (6) $6,000. E. (9) $138.55.

A. Parsons, Tennent, Hammond, Harding & Ziegelman, 600 Ford Building, Detroit, Mich.
B. Comac Co., 1500 N. Woodward Avenue, Birmingham, Mich.
D. (6) $3,606.50. E. (9) $1,088.03.

A. Robert D. Partridge, 2000 Florida Avenue, NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $143.20.

A. Perry S. Patterson, 800 World Center Building, Washington, D.C.
B. Automatic Phonograph Manufacturers.

A. Patton, Blow, Verrill, Brand & Boggs, 1200 17th Street NW., Washington, D.C.
B. Boating Industry Association, 333 N. Michigan Avenue, Chicago, Ill.
D. (6) Under $500.

A. Patton, Blow, Verrill, Brand & Boggs, 1200 17th Street NW., Washington, D.C.
B. The Reader's Digest Association, Inc., Pleasantville, N.Y.
D. (6) $500.

A. Lynn C. Paulson, 1735 K Street NW., Washington, D.C.
B. National Independent Dairies Association, 1735 K Street NW., Washington, D.C.
E. (9) $387.

A. Pennzoil United, Inc., 900 Southwest Tower, Houston, Texas.
E. (9) $1,762.47.

A. D. V. Pensabene, 1700 K Street NW., Washington, D.C.
B. Standard Oil Co. of California, 1700 K Street, Washington, D.C.
D. (6) $50. E. (9) $25.

A. J. Carter Perkins, 1700 K Street NW., Washington, D.C.
B. Shell Oil Co., 50 W. 50th Street, New York, N.Y.

A. A. J. Pessel, 1001 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,250. E. (9) $370.

A. A. Harold Peterson, 715 Cargill Building, Minneapolis, Minn.
B. National REA Telephone Association, 715 Cargill Building, Minneapolis, Minn.
D. (6) $2,500. E. (9) $1,865.31.

A. Michael Petresky, 400 First Street NW., Washington, D.C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $2,550.

A. Walter T. Phair, 900 17th Street NW., Washington, D.C.
B. Kaiser Industries Corp., 900 17th Street NW., Washington, D.C.
D. (6) $350. E. (9) $325.

A. Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washington, D.C.

A. John P. Philbin, 1100 Connecticut Avenue NW., Washington, D.C.
B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y.
E. (9) $209.32.

A. William G. Phillips, 1300 Connecticut Avenue NW., Washington, D.C.

B. Association of Schools of Public Health, Inc., Chapel Hill, N.C.
D. (6) $1,800. E. (9) $837.46.

A. Albert Pike, 277 Park Avenue, New York, N.Y.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. James F. Pinkney, 1616 P Street NW., Washington, D.C.
B. American Trucking Association, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $72.85.

A. T. E. Pinkston, 101 East High Street, Lexington, Ky.
E. (9) $511.40.

A. James H. Pipkin, 1001 Connecticut Avenue NW., Washington, D.C.
B. Texaco, Inc., 135 East 42d Street, New York, N.Y.
D. (6) $700. E. (9) $1,550.

A. Plains Cotton Growers, Inc., 1720 Avenue M, Lubbock, Tex.
D. (6) $23,580.97. E. (9) $1,350.

A. Joseph M. Pollard, 1001 Connecticut Avenue NW., Washington, D.C.
B. County of Los Angeles, State of California, 500 West Temple Street, Los Angeles, Calif.
E. (9) $1,500.

A. Frederick T. Poole, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $400. E. (9) $4.81.

A. Robert R. Poston, 908 Colorado Building, Washington, D.C.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $900. E. (9) $253.50.

A. Potomac Basin Federation, care of John Moulton RFD, Charles Town, W. Va.
D. (6) $25.

A. George G. Potts, 15 E. Cliff Street, Alexandria, Va.
B. National Association of Mutual Insurance Agents, 520 Investment Building, Washington, D.C.
E. (9) $660.

A. Ramsay D. Potts, 910 17th Street NW., Washington, D.C.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
D. (6) $2,470. E. (9) $1,226.87.

A. William J. Potts, Jr., 1730 M Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Richard M. Powell, 1210 Tower Building, Washington, D.C.
B. National Association of Refrigerated Warehouses, 1210 Tower Building, Washington, D.C.

A. William I. Powell, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $31.

A. Carlton H. Power, 1918 North Parkway, Post Office Box 12285, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $540. E. (9) $81.52.

A. William C. Prather, 221 North LaSalle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $450.

A. William H. Press, 1616 K Street NW., Washington, D.C.
B. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.
D. (6) $7,800.

A. Forrest J. Prettyman, 730 15th Street NW., Washington, D.C.
B. Association of Registered Bank Holding Companies, 730 15th Street NW., Washington, D.C.
D. (6) $218.75. E. (9) $17.80.

A. Jerry C. Pritchett, 59 Ivy Street SE., Washington, D.C.
B. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C.
D. (6) $3,660. E. (9) $3,660.

A. Earle W. Putnam, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Joseph E. Quin, 1616 H Street NW., Washington, D.C.
B. The National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $600.

A. William A. Quinlan, 1317 F Street NW., Washington, D.C.
D. (6) $610.01. E. (9) $231.80.

A. Luke C. Quinn, Jr., 1001 Connecticut Avenue NW., Washington, D.C.
B. American Cancer Society, New York, N.Y.; National Multiple Sclerosis Society, New York, N.Y.; National Cystic Fibrosis Research Foundation, New York, N.Y.; United Cerebral Palsy Associations, Inc., New York, N.Y.
D. (6) $9,049.98. E. (9) $9,635.75.

A. Thomas H. Quinn, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Committee for Study of Revenue Bond Financing, 1200 18th Street NW., Washington, D.C.
D. (6) $1,226.66. E. (9) $93.24.

A. Alex Radin, 2600 Virginia Avenue NW., Washington, D.C.
B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.
D. (6) $297.66.

A. Edward F. Ragland, 6917 Marbury Road, Bethesda, Md.
B. The Tobacco Institute, Inc., 1735 K Street NW., Washington, D.C.

A. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

A. Railway Progress Institute, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $50. E. (9) $50.

A. Alan T. Rains, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. William A. Raleigh, Jr., 1000 16th Street NW., Washington, D.C.
B. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
D. (6) $4,750.

A. Carl R. Ramsey, 239 Beach Road, Alameda, Calif.
B. National Council of Naval Air Stations Employee Organizations, 239 Beach Road, Alameda, Calif.

A. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.
E. (9) $21,202.93.

A. Recreational Vehicle Institute, Inc., 2720 Des Plaines Avenue, Des Plaines, Ill.
E. (9) $1,689.30.

A. Robert E. Redding, 1101 17th Street NW., Washington, D.C.
B. Transportation Association of America, 1101 17th Street NW., Washington, D.C.

A. E. Lewis Reid, 111 Sutter Street, San Francisco, Calif.
B. Valley Center Municipal Water District, Valley Center, Calif.
D. (6) $1,125. E. (9) $355.73.

A. Retired Officers Association, 1625 Eye Street NW., Washington, D.C.
D. (6) $2,462.50.

A. Retirement Federation of Civil Service Employees of the U.S. Government, 13th and E Streets NW., Washington, D.C.
D. (6) $9,070.55. E. (9) $11,389.40.

A. Jacob Reuben, 6–183, Washington Hilton, Connecticut Avenue at Columbia Road NW., Washington, D.C.
B. Vahlsing Management Consultants, Inc., Route 130, Robbinsville, N.J.

A. Vincent P. Reusing, 1026 17th Street NW., Washington, D.C.
B. American Optometric Association, care of J. C. Tumblin, O.D., 4836 Broadway NE., Knoxville, Tenn.
D. (6) $585.12. E. (9) $232.75.

A. James J. Reynolds, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Institute of Merchant Shipping, 1120 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,876. E. (9) $359.

A. William L. Reynolds, 1200 17th Street NW., Washington, D.C.
B. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C.
D. (6) $43.

A. Theron J. Rice, 1130 17th Street NW., Washington, D.C.
B. Continental Oil Co., 30 Rockefeller Plaza, New York, N.Y.

A. James W. Richards, 1000 16th Street NW., Washington, D.C.
B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $1,284.02. E. (9) $12.48.

A. Harry H. Richardson, 335 Austin Street, Bogalusa, La.
B. Louisiana Railroads.
D. (6) $26.75. E. (9) $79.90.

A. James W. Riddell, 723 Washington Building, Washington, D.C.
B. The Kellogg Co., Battle Creek, Mich.

A. Siert F. Riepma, Munsey Building, Washington D.C.
B. National Association of Margarine Manufacturers.

A. William Neale Roach, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200.

A. Paul H. Robbins, 2029 K Street NW., Washington, D.C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $1,000.

A. Roberts & Holland, 1301 Avenue of the Americas, New York, N.Y.
B. John D. Rockefeller, 3d, Room 5600, 30 Rockefeller Plaza, New York, N.Y.
E. (9) $250.39.

A. Stephen Philip Robin, 1000 Connecticut Avenue NW., Washington, D.C.
B. Kozai Club (Japan Steel Industry Trade Association), 3–16 Nihonbashi-Kayabacho, Chuo-ku, Tokyo, Japan.
D. (6) $100. E. (9) $585.

A. Charles A. Robinson, Jr., 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $185.

A. James A. Rock, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $168.75. E. (9) $5.18.

A. Donald L. Rogers, 730 15th Street NW., Washington, D.C.
B. Association of Registered Bank Holding Companies, 730 15th Street NW., Washington, D.C.
D. (6) $562.50.

A. Frank W. Rogers, 1700 K Street NW., Washington, D.C.
B. Western Oil & Gas Association, 609 South Grand Avenue, Los Angeles, Calif.
D. (6) $688.80.

A. Walter E. Rogers, 1660 L Street NW., Washington. D.C.
B. Independent Natural Gas Association of America, 1660 L Street NW., Washington, D.C.
D. (6) $1,000.

A. William E. Rollow, 815 15th Street NW., Washington, D.C.
B. National Capital Area Council of Sportsmen.

A. William E. Rollow, 815 15th Street NW., Washington, D.C.
B. The National Skeet Shooting Association.

A. John F. Rolph III, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $500.

A. Robert J. Routier, 1701 K Street NW., Washington, D.C.
B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.

A. Royall, Koegel & Wells, 200 Park Avenue, New York, N.Y., and 1730 K Street NW., Washington, D.C.
B. Great Salt Lake Minerals & Chemicals Corp., 579 Fifth Avenue, New York, N.Y.

A. John Forney Rudy, 902 Ring Building, Washington, D.C.
B. The Goodyear Tire & Rubber Co., Akron, Ohio.

A. Harland J. Rue.
B. New Process Co., Warren, Pa.
E. (9) $58.55.

A. Albert R. Russell, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $1,998.01. E. (9) $706.19.

A. J. T. Rutherford, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $507.50.

A. J. T. Rutherford & Associates, Inc., 1555 Connecticut Avenue NW., Washington, D.C.
B. The American College of Radiology, 20 North Wacker Drive, Chicago, Ill.
D. (6) $1,500. E. (9) $818.24.

A. William H. Ryan, Machinists Building, Washington, D.C.
B. International Association of Machinists & Aerospace Workers.
D. (6) $2,006.25. E. (9) $480.

A. Francis J. Ryley, 519 Title and Trust Building, Phoenix, Ariz.
B. Standard Oil Co. of California, San Francisco; Shell Oil Co., Mobil Oil Corp., Atlantic Richfield Co., Phillips Petroleum Co., Union Oil Co., Signal Oil & Gas Co., Gulf Oil Corp., all Los Angeles; Humble Oil & Refining Co., Midland, Tex.

A. Jacques T. Schlenger, 1400 Mercantile Trust Building, Baltimore, Md.
B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.

A. C. Herschel Schooley, 815 15th Street NW., Washington, D.C.
B. Independent Bankers Association of America, Sauk Centre, Minn.
D. (6) $4,250. E. (9) $2,913.66.

A. Stanley W. Schroeder, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $475.

A. Hilliard Schulberg, 1900 L Street NW., Washington, D.C.
B. Washington, D.C., Retail Liquor Dealers Association, Inc., 1900 L Street NW., Washington, D.C.
E. (9) $100.10.

A. John W. Scott, 1616 H Street NW., Washington, D.C.
B. The National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $5,000.

A. Durward Seals, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Hollis M. Seavey, 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. Ronald C. Seeley, 1357 Nicolet Place, Detroit, Mich.
E. (9) $467.39.

A. W. O. Senter, 1725 DeSales Street NW., Washington, D.C.
B. Gas Supply Committee, 1725 DeSales Street NW., Washington, D.C.

A. Leo Seybold, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,125. E. (9) $233.13.

A. Robert L. Shafer, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Chas. Pfizer & Co., Inc., 235 East 42d Street, New York, N.Y.
D. (6) $700. E. (9) $285.

A. Arnold F. Shaw, 503 D Street NW., Washington, D.C.
B. The National Committee for the Recording Arts, 9300 Wilshire Boulevard, Beverly Hills, Calif.

A. Kenneth D. Shaw, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $750.

A. Shaw, Pittman, Potts, Trowbridge & Madden, Barr Building, Washington, D.C.
B. Doubleday & Co., Inc., 277 Park Avenue, New York, N.Y.

A. Laurence P. Sherfy, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $825.

A. Ira Shesser, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Robert H. Shields, 1156 15th Street NW., Washington, D.C.
B. U.S. Beet Sugar Association, 1156 15th Street NW., Washington, D.C.
D. (6) Nominal. (Estimated allocation to activities defined in Federal Regulation of Lobbying Act.)

A. Max Shine, 1126 16th Street NW., Washington, D.C.
B. American Federation of Technical Engineers, 1126 16th Street NW., Washington, D.C.
D. (6) $992.50. E. (9) $20.

A. Robert L. Shortle, 1147 International Trade Mart Tower, New Orleans, La.
B. Mississippi Valley Association, 1130 17th Street NW., Washington, D.C.

A. Grant S. Shotwell, 1957 E Street NW., Washington, D.C.
B. The Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. Charles B. Shuman, Merchandise Mart Plaza, Chicago, Ill.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,000.

A. Sidley & Austin, 1625 I Street NW., Washington, D.C.
B. Associated Third-Class Mail Users, Inc., 1725 K Street NW., Washington, D.C.

A. Sidley & Austin, 1625 I Street NW., Washington, D.C.
B. Bankers National Life Insurance Co., 1 Sunset Avenue, Montclair, N.J.

A. Sidley & Austin, 1625 I Street NW., Washington, D.C.
B. Elba Eystems Corp., 5909 East 38th Avenue, Denver, Colo.

A. David Silver, 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
E. (9) $421.50.

A. Silver Users Association, 1625 I Street NW., Washington, D.C.
D. (6) $577.50. E. (9) $1,604.86.

A. Lana H. Sims, 1003 Security Federal Building, Columbia, S.C.
B. South Carolina Railroad Association, 1003 Security Federal Building, Columbia, S.C.
D. (6) $128.87. E. (9) $189.95.

A. Single Persons Tax Reform, 1692A Green Street, San Francisco, Calif.
D. (6) $1,252.09 E. (9) $630.75.

A. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.
D. (6) $8,835. E. (9) $3,000.

A. Carstens Slack, 1625 I Street NW., Washington, D.C.
B. Phillips Petroleum Co., Bartlesville, Okla.

A. Stephen Slipher, 812 Pennsylvania Building, Washington, D.C.
B. U.S. Savings Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $3,125. E. (9) $29.50.

A. Smathers, Merrigan & O'Keefe, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. American Institute of Merchant Shipping, 1120 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,600. E. (9) $115.05.

A. Donald E. Smiley, 1025 Connecticut Avenue NW., Washington, D.C.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $125.26.

A. Gordon L. Smith, 1145 19th Street NW., Washington, D.C.
B. Edward Gottlieb & Associates, Ltd., 485 Madison Avenue, New York, N.Y.
E. (9) $98.50.

A. Irvin A. Smith, 418 East Rosser Avenue, Bismarck, N. Dak.
E. (9) $324.44.

A. Robert B. Smith, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $150.

A. Robert Wm. Smith, 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $440. E. (9) $114.18.

A. Dr. Spencer M. Smith, Jr., 1709 North Glebe Road, Arlington, Va.
D. (6) $778.32. E. (9) $1,120.80.

A. Wallace M. Smith, 425 13th Street NW., Washington, D.C.
B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.
E. (9) $265.

A. Wayne H. Smithey, 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $1,260. E. (9) $1,252.

A. Lyle O. Snader, 300 New Jersey Avenue SE., Washington, D.C.
B. Association of American Railroads, American Railroads Building, Washington, D.C.
D. (6) $339.63. E. (9) $249.50.

A. Frank B. Snodgrass, 1726 M Street NW., Washington, D.C.
B. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $425. E. (9) $732.57.

A. Society for Animal Protective Legislation, Post Office Box 3719, Georgetown Station, Washington, D.C.
D. (6) $2,429.64. E. (9) $5,547.41.

A. Carl A. Soberblom, 1 East First Street, Reno, Nev.
B. Nevada Railroad Association, 1 East First Street, Reno, Nev.
D. (6) $125. E. (9) $422.88.

A. W. Byron Sorrell, 1140 Connecticut Avenue NW., Washington, D.C.
B. Mobile Housing Association of America, 39 South La Salle Street, Chicago, Ill.
D. (6) $2,025. E. (9) $474.99.

A. W. Byron Sorrell, 1140 Connecticut Avenue NW., Washington, D.C.
B. Recreational Vehicle Institute, 2720 Des Plaines Avenue, Des Plaines, Ill.
D. (6) $1,250. E. (9) $439.30.

A. William W. Spear, 1000 16th Street NW., Washington, D.C.
B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $1,100.40. E. (9) $4.76.

A. Frank J. Specht, 1725 DeSales Street NW., Washington, D.C.
B. Schenley Industries, Inc., 1290 Avenue of the Americas, New York, N.Y.

A. John F. Speer, Jr., 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers and Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Lawrence Speiser, 1424 16th Street NW., Washington, D.C.
B. American Civil Liberties Union, 156 Fifth Avenue, New York, N.Y.

A. Nicholas J. Spiezio, 1707 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $2,729. E. (9) $3,749.

A. Lynn Stalbaum, 1026 17th Street NW., Washington, D.C.
B. Associated Dairymen, Inc., 1026 17th Street NW., Washington, D.C.
D. (6) $300.

A. Melvin L. Stark, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Insurance Association, 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $3,000. E. (9) $350.

A. Mrs. Nell May F. Stephens, Post Office Box 6234, Northwest Station, Washington, D.C.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C.
B. American Claims in Cuba Committee, 1250 Connecticut Avenue NW., Washington, D.C.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C.
B. California Olive Association, Sheldon Building, San Francisco, Calif.; Green Olive Trade Association, Inc., 80 Wall Street, New York, N.Y.
D. (6) $500.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C.
B. International Telephone & Telegraph Corp., 320 Park Avenue, New York, N.Y.
D. (6) $100.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C.
B. Teachers Insurance & Annuity Association of America, 730 Third Avenue, New York, N.Y.
E. (9) $81.34.

A. Sterling F. Stoudenmire, Jr., 61 St. Joseph Street, Mobile, Ala.
B. Waterman Steamship Corp., 61 St. Joseph Street, Mobile, Ala.

A. Francis W. Stover, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $5,000. E. (9) $396.68.

A. William M. Stover, 1825 Connecticut Avenue NW., Washington, D.C.
B. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $3,984.84. E. (9) $164.75.

A. Ronnie J. Straw, 1000 Connecticut Avenue NW., Washington, D.C.
B. National Telephone Cooperative Association, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $290.

A. Herald E. Stringer, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $5,050.50. E. (9) $683.84.

A. Philip W. Stroupe, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $475.

A. Norman Strunk, 221 North LaSalle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $1,875.

A. Walter B. Stults, 537 Washington Building, Washington, D.C.
B. National Association of Small Business Investment Companies, 537 Washington Building, Washington, D.C.
D. (6) $600.

A. Barry Sullivan, 536 Washington Building, Washington, D.C.
B. National Association of River & Harbor Contractors, 536 Washington Building, Washington, D.C.
D. (6) $750. E. (9) $37.47.

A. G. Don Sullivan, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $475.

A. John T. Sun, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Frank L. Sundstrom, 1735 K Street NW., Washington, D.C.
B. The Tobacco Institute, Inc., 1735 K Street NW., Washington, D.C.

A. Sutherland, Asbill & Brennan, 1200 Farragut Building, Washington, D.C.
B. Retail Credit Co., Post Office Box 4081, Atlanta, Ga.
D. (6) $5,000. E. (9) $327.02.

A. Sutherland, Asbill & Brennan, 1200 Farragut Building, Washington, D.C.
B. The Travelers Corp., One Tower Square, Hartford, Conn.

A. C. Austin Sutherland, 1616 P Street NW., Washington, D.C.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. Irving W. Swanson, 1155 15th Street NW., Washington, D.C.
B Pharmaceutical Manufacturers Association.

A. John R. Sweeney, 1000 16th Street NW., Washington, D.C.
B. Bethlehem Steel Corp., 701 East Third Street, Bethlehem, Pa.

A. Charles P. Taft, 1028 Connecticut Avenue NW., Washington, D.C.

B. Legislative Committee, Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.
D. (6) $200.

A. Russell D. Tall, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.

A. Rev. Charles C. Talley, 100 Angus Court, Charlottesville, Va.
B. National Congress of Parents & Teachers, 700 North Rush Street, Chicago, Ill.

A. L. D. Tharp, Jr., 1660 L Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 1660 L Street NW., Washington, D.C.
D. (6) $300.

A. Evert S. Thomas, Jr., 1730 Rhode Island Avenue NW., Washington, D.C.
B. CUNA International, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $1,130.77. E. (9) $681.60.

A. Clark W. Thompson, 1000 16th Street NW., Washington, D.C.
B. Tenneco Inc., Post Office Box 2511, Houston, Tex.
E. (9) $23.50.

A. Wm. B. Thompson, Jr., 300 New Jersey Avenue SE., Washington, D.C.
B. Association of American Railroads, American Railroads Building, Washington, D.C.
D. (6) $138. E. (9) $104.

A. William H. Tinney, 2000 L Street NW., Washington, D.C.
B. Penn Central Co., 230 Park Avenue, New York, N.Y.

A. E. Linwood Tipton, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Mfrs. & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Tobacco Associates, Inc., 1101 17th Street NW., Washington, D.C.
E. (9) $1,226.

A. H. Willis Tobler, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $2,625. E. (9) $258.53.

A. John H. Todd, Box 23, 1085 Shrine Building, Memphis, Tenn.
B. National Cotton Compress & Cotton Warehouse Association, 1085 Shrine Building, Box 23, Memphis, Tenn.

A. David R. Toll, 1140 Connecticut Avenue, Washington, D.C.
B. National Association of Electric Companies, 1140 Connecticut Avenue, Washington, D.C.
D. (6) $626.06. E. (9) $1,075.38.

A. Dwight D. Townsend, 1012 14th Street NW., Washington, D.C.
B. Cooperative League of USA, 59 East Van Buren Street, Chicago, Ill.
D. (6) $1,750. E. (9) $2,445.

A. F. Gerald Toye, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $500. E. (9) $55.70.

A. John P. Tracey, 1705 DeSales Street NW., Washington, D.C.
B. American Bar Association, 1705 DeSales Street NW., Washington, D.C.
D. (6) $400. E. (9) $50.

A. Transportation Association of America, 1101 17th Street NW., Washington, D.C.
E. (9) $4.75.

A. Richard S. Tribbe, 1000 16th Street NW., Washington, D.C.
B. Trans World Airlines, Inc., 10 Richards Road, Kansas City, Mo.

A. Matt Triggs, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,218.75. E. (9) $49.81.

A. Bernard H. Trimble, 1730 Rhode Island Avenue NW., Washington, D.C.
B. National Electrical Contractors Association, 1730 Rhode Island Avenue NW., Washington, D.C.

A. Glenwood S. Troop, Jr., 812 Pennsylvania Building, Washington, D.C.
B. U.S. Savings and Loan League, 221 LaSalle Street, Chicago, Ill.
D. (6) $5,000. E. (9) $100.55.

A. Joel B. True, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers.

A. Galen Douglas Trussell, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers.

A. Nick Tullis, 607 Maple Terrace, Dallas, Tex.
B. Superior Oil Co., Houston, Tex., and Los Angeles, Calif.
D. (6) $100. E. (9) $100.

A. Richard F. Turney, 835 Southern Building, Washington, D.C.
B. American Association of Nurserymen, Inc., 835 Southern Building, Washington, D.C.
D. (6) $20. E. (9) $287.84.

A. John D. Tyson.
B. International Paper Co., 220 E. 42d Street, New York, N.Y.
D. (6) $369.60. E. (9) $147.20.

A. United Cerebral Palsy Associations, Inc., 66 E. 34th Sreet, New York, N.Y.
E. (9) $1,521.62.

A. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.
D. (6) $629,183.26. E. (9) $77,552.52.

A. U.S. Cane Sugar Refiners' Association, 1001 Connecticut Avenue, Washington, D.C.
E. (9) $215.65.

A. U.S. Savings and Loan League, 221 North LaSalle Street, Chicago, Ill.
E. (9) $27,783.37.

A. The Universal Exchange, P.O. Box 8701, Orlando, Fla.
E. (9) $358.47.

A. Valicenti, Leighton, Reid & Pine, and Richard L. Goldman, 70 Pine Street, New York, N.Y.
B. Association of Mutual Fund Plan Sponsors, Inc., 50 E. 42d Street, New York, N.Y.
E. (9) $417.46.

A. John A. Vance, 1725 K Street NW., Washington, D.C.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $4,080. E. (9) $4,459.75.

A. Theodore A. Vanderzyde, Machinists Building, Washington, D.C.
B. International Association of Machinists & Aerospace Workers.
D. (6) $2,006.25. E. (9) $480.

A. Charles R. Van Horn, 17th and H Streets NW., Washington, D.C.
B. Baltimore & Ohio Railroad Co., and Chesapeake & Ohio Railway Co., Charles and Baltimore Streets, Baltimore, Md.

A. Mrs. Lois W. Van Valkenburgh, 1673 Preston Road, Alexandria, Va.
B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.
D. (6) $152. E. (9) $18.15.

A. G. W. Vaughan, 233 Broadway, New York, N.Y.

A. Venable, Baetjer & Howard, 1400 Mercantile Trust Building, Baltimore, Md.
B. Maryland State Fair & Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.

A. Richard E. Vernor, 1701 K Street NW., Washington, D.C.
B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $288.08. E. (9) $30.20.

A. Veterans of World War I, U.S.A., Inc., 40 G Street NE., Washington, D.C.

A. L. T. Vice, 1700 K Street NW., Washington, D.C.
B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.
E. (9) $150.

A. Volume Footwear Retailers of America, Inc., 51 East 42d Street, New York, N.Y.
E. (9) $418.74.

A. E. R. Wagner, 888 17th Street NW., Washington, D.C.
B. National Council of Technical Service Industries, 888 17th Street NW., Washington, D.C.
D. (6) $215.38. E. (9) $92.30.

A. Richard B. Walbert, 888 17th Street NW., Washington, D.C.
B. National Association of Securities Dealers, Inc.

A. Harold S. Walker, Jr., 605 Third Avenue, New York, N.Y.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.
E. (9) $1,340.26.

A. Franklin Wallick, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, Solidarity House, 8000 East Jefferson Avenue, Detroit, Mich.
D. (6) $4,493.44. E. (9) $1,148.37.

A. Charles S. Walsh.
B. National Cable Television Assoc., Inc., 1634 I Street NW., Washington, D.C.
D. (6) $225. E. (9) $30.

A. Thomas G. Walters, 1909 Q Street NW., Washington, D.C.
B. National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.
D. (6) $2,884.80. E. (9) $3,586.16.

A. William A. Walton, 820 Quincy Street, Topeka, Kans.
B. Kansas Railroad Committee, 820 Quincy Street, Topeka, Kans.

A. Richard D. Warden, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,712.50. E. (9) $340.45

A. James A. Warren, 1101 17th Street NW., Washington, D.C.

B. REA Express, 219 East 42d Street, New York, N.Y.
D. (6) $600. E. (9) $200.

A. Washington Consulting Service, 1435 G Street NW., Washington, D.C.
B. American Occupational Therapy Association, 251 Park Avenue South, New York, N.Y.
D. (6) $350. E. (9) $285.

A. Washington Consulting Service, 1435 G Street NW., Washington, D.C.
B. Association of Schools of Allied Health Professions, 2011 I Street NW., Washington, D.C.
D. (6) $600. E. (9) $460.

A. Washington Consulting Service, 1435 G Street NW., Washington, D.C.
B. Rehabilitation Institute of Chicago, 401 East Ohio Street, Chicago, Ill.
D. (6) $900. E. (9) $800.

A. Charles A. Webb, 1025 Connecticut Avenue NW., Washington, D.C.
B. National Association of Motor Bus Owners, 1025 Connecticut Avenue NW., Washington, D.C.

A. E. Jerome Webster, Jr.
B. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.
D. (6) $100.

A. Clarence M. Weiner, 350 Fifth Avenue, New York, N.Y.
B. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.
D. (6) $8,750.

A. Dr. Frank J. Welch, 3724 Manor Road, Chevy Chase, Md.
B. The Tobacco Institute, Inc., 1735 K. Street NW., Washington, D.C.

A. Joseph E. Welch, 1630 Locust Street, Philadelphia, Pa.
B. Wellington Management Co., 1630 Locust Street, Philadelphia, Pa.

A. Wenchel, Schulman & Manning, 1625 K Street NW., Washington, D.C.
B. American Motors Corporation, 14250 Plymouth Road, Detroit, Mich.
D. (6) $66,666.67.

A. Robert L. Weneck, 9121 West 73d Street, Shawnee Mission, Kans.
B. Weneck International Marketers, Inc., 2 East Gregory, Kansas City, Mo.

A. Terrell M. Wertz, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $2,934. E. (9) $69.29.

A. West Mexico Vegetable Distributors Association, Post Office Box 848, Nogales, Ariz.
B. West Mexico Vegetable Distributors Association, Post Office Box 848, Nogales, Ariz.
E. (9) $500.

A. Edwin M. Wheeler, 1700 K Street NW., Washington, D.C.
B. National Plant Food Institute, 1700 K Street NW., Washington, D.C.
E. (9) $50.

A. John L. Wheeler, 815 Connecticut Avenue NW., Washington, D.C.
B. Sears, Roebuck and Co., 925 South Homan Avenue, Chicago, Ill.

A. Louis E. Whyte, 1660 L Street NW., Washington, D.C.
B. American Retail Association.

A. Douglas Whitlock II, 910 Washington Building, Washington, D.C.
B. Montgomery Ward & Co., Inc., Box 8339, Chicago, Ill.

A. Louis E. Whyte, 1660 L Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 1660 L Street NW., Washington, D.C.

A. William E. Wickert, Jr., 1000 16th Street NW., Washington, D.C.
B. Bethlehem Steel Corp., 701 East Third Street, Bethlehem, Pa.

A. Leonard M. Wickliffe, 11th and L Building, Sacramento, Calif.
B. California Railroad Association, 11th and L Building, Sacramento, Calif.
D. (6) $2,312.49. E. (9) $4,296.94.

A. Claude C. Wild, Jr., 1025 Connecticut Avenue NW., Washington, D.C.
B. Gulf Oil Corp., Pittsburgh, Pa.
D. (6) $1,000. E. (9) $250.

A. Billy Glen Wiley, 1000 16th Street NW., Washington, D.C.
B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $736. E. (9) $11.98.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. American Society of Travel Agents, Inc., 360 Lexington Avenue, New York, N.Y.
E. (9) $13.75.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Arapahoe Indian Tribe, Fort Washakie, Wyo.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont.
E. (9) $1.65.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Estate of Albert W. Small, care of Mrs. Albert W. Small, 5803 Green Tree Road, Bethesda, Md.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. The Hoopa Valley Tribe, Post Office Box 817, Hoopa, Calif.
E. (9) $6.75.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. National Congress of American Indians, 1346 Connecticut Avenue NW., Washington, D.C.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Quinaielt Tribe of Indians, Taholah, Wash.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. The Three Affiliated Tribes of the Fort Berthold Reservation, New Town, N. Dak.

A. John Willard, Box 1772 Helena, Mont.
B. Montana Railroad Association, Box 1172, Helena, Mont.
D. (6) $400. E. (9) $647.22.

A. Francis G. Williams.
B. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.
D. (6) $100.

A. Harding deC. Williams, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers.

A. John C. Williamson, 1300 Connecticut Avenue NW., Washington, D.C.
B. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill.; 1300 Connecticut Avenue NW., Washington, D.C.
D. (6) $5,000. E. (9) $167.40.

A. Kenneth Williamson, One Farragut Square South, Washington, D.C.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $2,262.61. E. (9) $1,018.11.

A. Earl Wilson, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $277.07. E. (9) $65.30.

A. E. Raymond Wilson, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,774.

A. Frank J. Wilson, 888 17th Street NW., Washington, D.C.
B. National Association of Securities Dealers, Inc.

A. Peter A. Wilson, 1555 Connecticut Avenue NW., Washington, D.C.
B. The Committee to Maintain a Prudent Defense Policy.
E. (9) $128.25.

A. W. E. Wilson, 623 Ockley Drive, Shreveport, La.
B. Pennzoil United, Inc., 900 Southwest Tower, Houston, Tex.
D. (6) $600. E. (9) $326.71.

A. R. J. Winchester, 900 Southwest Tower, Houston, Tex.
B. Pennzoil United, Inc., 900 Southwest Tower, Houston, Tex.
D. (6) $500. E. (9) $335.76.

A. Richard F. Witherall, 702 Majestic Building, Denver, Colo.
B. Colorado Railroad Association, 702 Majestic Building, Denver, Colo.
D. (6) $850. E. (9) $2,079.

A. Clay B. Wolfe, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.
D. (6) $416.60.

A. Nathan T. Wolkomir, 1737 H Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $5,020.80. E. (9) $1,409.41.

A. James Woodside, 1126 16th Street NW., Washington, D.C.
B. American Federation of Technical Engineers, 1126 16th Street NW., Washington, D.C.
D. (6) $240. E. (9) $20.

A. Albert Young Woodward, 815 Connecticut Avenue NW., Washington, D.C.
B. The Flying Tiger Line Inc., Los Angeles International Airport, Los Angeles, Calif.

A. Albert Young Woodward, 815 Connecticut Avenue NW., Washington, D.C.
B. The Signal Companies, Inc., 1010 Wilshire Boulevard, Los Angeles, Calif.

A. Perry W. Woofter, 1101 17th Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $1,671.87. E. (9) $488.92.

A. Frank K. Woolley, 230 N. Michigan Avenue, Chicago, Ill.
B. Association of American Physicians and Surgeons, Inc., 230 North Michigan Avenue, Chicago, Ill.

A. Jack Yelverton, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. John H. Yingling, 905 16th Street NW., Washington, D.C.
B. Association of Corporate Owners of One Bank, 905 16th Street NW., Washington, D.C.
D. (6) $500. E. (9) $43.

A. John H. Yingling, 905 16th Street NW., Washington, D.C.
B. First National City Bank, 399 Park Avenue, New York, N.Y.
D. (6) $100. E. (9) $35.

A. J. Banks Young, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $600. E. (9) $12.91.

A. Kenneth Young, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) 4,712.50. E. (9) $423.05.

A. Robert C. Zimmer, 1250 Connecticut Avenue NW., Washington, D.C.
B. E. I. du Pont de Nemours & Co., Ethyl Corp., Houston Chemical Co.

A. Robert C. Zimmer, 1250 Connecticut Avenue NW., Washington, D.C.
B. Washington International School.

A. Zimring, Gromfine & Sternstein, 1155 15th Street NW., Washington, D.C.

A. Albert H. Zinkand, 1701 Pennsylvania Avenue, Washington, D.C.
B. Getty Oil Co.

A. John L. Zorack, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $900. E. (9) 231.65.

REGISTRATIONS

The following registrations were submitted for the second calendar quarter 1969:

(NOTE.—The form used for registration is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_____ ◀

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:
(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)
(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".
(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:
(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.
(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:
1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).
(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).
(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report. ◀

AFFIDAVIT

[Omitted in printing]

PAGE 1 ◀

A. Aberman, Greene & Locker, 660 Madison Avenue, New York, N.Y.
B. Toy Manufacturers of America, Inc., 200 Fifth Avenue, New York, N.Y.

A. Joseph G. Alterman, 1501 Broadway, New York, N.Y.
B. National Association of Theater Owners, Inc., 1501 Broadway, New York, N.Y.

A. American Institute of Merchant Shipping, 1120 Connecticut Avenue NW., Washington, D.C.

A. American Unsubsidized Lines, 1824 R Street NW., Washington, D.C.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. American Trading & Production Co., One North Charles Street, Baltimore, Md.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Commissioner of Baseball, 680 Fifth Avenue, New York, N.Y.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Floor Covering Committee Affiliated with the National Council of American Importers, 295 Fifth Avenue, New York, N.Y.

A. Associated Dairymen, Inc., 1026 17th Street NW., Washington, D.C.

A. Association of Mutual Fund Plan Sponsors, Inc., 50 East 42d Street, New York, N.Y.

A. Baker & McKenzie, 815 Connecticut Avenue NW., Washington, D.C.
B. Wm. Wrigley Jr. Co., 410 N. Michigan Avenue, Chicago, Ill.

A. Robert C. Barnard, 1250 Connecticut Avenue NW., Washington, D.C.
B. Washington International School.

A. William S. Bergman, 201 Massachusetts Avenue NE., Washington, D.C.
B. American Collectors Association, 5011 Ewing Avenue South, Minneapolis, Minn.

A. William S. Bergman, 201 Massachusetts Avenue NE., Washington, D.C.
B. National Association of State Savings and Loan Supervisors, 201 Massachusetts Avenue NE., Washington, D.C.

A. Robert J. Bird, 918 16th Street NW., Washington, D.C.
B. The Peoples Life Insurance Co., Washington, D.C.

A. Joseph R. Brennan, 324 East Hunting Towers, Alexandria, Va.

A. Charles H. Brown, 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Charles H. Brown, 1201 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.

A. Bryant & Stratton Junior College, 150 Newbury Street, Boston, Mass.

A. Caplin & Drysdale, 1101 17th Street NW., Washington, D.C.
B. Council on Foundations, 393 Seventh Avenue, New York, N.Y.

A. C. Sargent Carleton, 3150 Spring Street, Fairfax, Va.,
B. National Audio-Visual Association, Inc., 3150 Spring Street, Fairfax, Va.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.
B. Louis A. Cohn, c/o Super City Department Store, 710 North Stone Avenue, Tucson, Ariz.

A. Joseph S. Clark, 2029 K Street NW., Washington, D.C.
B. United World Federalists, Inc., 2029 K Street NW., Washington, D.C.

A. Henry J. Clay, 521 Fifth Avenue, New York, N.Y.
B. Realty Committee on Taxation, 299 Madison Avenue, New York, N.Y.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.
B. Washington International School, 3211 Volta Place NW., Washington, D.C.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue NW., Washington, D.C.
B. General American Transportation Corp., 120 South Riverside Plaza, Chicago, Ill.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue NW., Washington, D.C.
B. Toy Manufacturers of America, 200 Fifth Avenue, New York, N.Y.

A. The Committee To Maintain a Prudent Defense Policy, 1555 Connecticut Avenue, Washington, D.C.

A. John A. Connor, 15 Bowden Avenue, Barrington, R.I.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Howard Lee Cook, Jr., 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C.
B. Industrial Diamond Association of America, Inc., 2017 Walnut Street, Philadelphia, Pa.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C.
B. Jewelers Vigilance Committee, Inc., 156 East 52d Street, New York, N.Y.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C.
B. National Association of Casualty and Surety Agents, 83 Maiden Lane, New York, N.Y.

A. Crowell, Collier & Macmillan, Inc., 1701 North Fort Myer Drive, Arlington, Va.

A. F. Bosley Crowther 3d, 605 Third Avenue, New York, N.Y.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Daly Foundation for World Peace, 80 Wall Street, New York, N.Y

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C.
B. Ling-Temco-Vought, Inc., Dallas, Tex.

A. DeHart and Broide, Inc., 1150 Connecticut Avenue NW., Washington, D.C.
B. Newspaper Committee for Cablevision, News Press & Gazette Co., St. Joseph, Mo.

A. Claude J. Desautels, 1028 Connecticut Avenue NW., Washington, D.C.
B. Citizens Committee for Postal Reform, Inc., 1028 Connecticut Avenue NW., Washington, D.C.

A. Claude J. Desautels, 1028 Connecticut Avenue NW., Washington, D.C.
B. Joseph Napolitan Associates, Inc., 121 Chestnut Street, Springfield, Mass.

A. Dow, Lohnes & Albertson, 1225 Connecticut Avenue NW., Washington, D.C.
B. Newspaper Committee for Cablevision, News Press & Gazette Co., St. Joseph, Mo.

A. Thomas J. Downey, 701 Central Trust, Jefferson City, Mo.
B. Missouri Railroad Committee.

A. R. Michael Duncan, 1250 Connecticut Avenue NW., Washington, D.C.
B. Oil Shale Corp.

A. Ely, Bartlett, Brown & Proctor, 225 Franklin Street, Boston, Mass.
B. Massachusetts Federal Savings Council, Inc., 11 Beacon Street, Boston, Mass.

A. The Falleder Group, Inc., 1576 Broadway, New York, N.Y.

A. Ronald J. Foulis, 1140 Connecticut Avenue, Washington, D.C.
B. U.S. Independent Telephone Association, 425 13th Street NW., Washington, D.C.

A. Raymond Garcia, 1000 Connecticut Avenue NW., Washington, D.C.
B. Emergency Committee for American Trade, 1000 Connecticut Avenue NW., Washington, D.C.

A. John F. Hall.
B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C.

A. Norman S. Halliday, 1629 K Street NW., Washington, D.C.
B. Magazine Publishers Association, Inc., 575 Lexington Avenue, New York, N.Y.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.
B. American Courier Corp., 2 Nevada Drive, Lake Success (NHP-PO), New York, N.Y.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.
B. Ida Cason Callaway Foundation, Pine Mountain, Ga.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.
B. Scientific Apparatus Makers Association 1140 Connecticut Avenue NW., Washington, D.C.

A. Walter A. Hasty, Jr., 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

A. A. S. Herlong, Jr.
B. Association of Southeastern Railroads, 1920 L Street NW., Washington, D.C.

A. Mrs. Mae Hipsley, One Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

A. Peter W. Hughes, 1225 Connecticut Avenue NW., Washington, D.C.
B. National Retired Teachers Association, American Association of Retired Persons, 1225 Connecticut Avenue NW., Washington, D.C.

A. John E. Hurley, 1101 New Hampshire Avenue NW., Washington, D.C.
B. Calcium Chloride Institute, 909 Ring Building, Washington, D.C.

A. Clifford J. Hynning, 1555 Connecticut Avenue, Washington, D.C.
B. The Committee To Maintain a Prudent Defense Policy.

A. Industrial Mutual Association of Flint, 901 East Second Avenue, Flint, Mich.

A. Joint Labor and Management Committee To Save Free TV, 1501 Broadway, New York, N.Y.

A. T. Lawrence Jones, 85 John Street, New York, N.Y.
B. American Insurance Association, 85 John Street, New York, N.Y.

A. Edwin L. Kahn, 1000 Federal Bar Building, 1815 H Street NW., Washington, D.C.
B. B'nai B'rith, 1640 Rhode Island Avenue NW., Washington, D.C.

A. Carlton R. Kear, Jr., 1625 Eye Street NW., Washington, D.C.
B. Retired Officers Association, 1625 Eye Street NW., Washington, D.C.

A. King, Miller, Anderson, Nash & Yerke, 1200 American Bank Building, Portland, Oreg.
B. Confederated Tribes of the Umatilla Indian Reservation, Post Office Box 520, Pendleton, Oreg.

A. Herbert C. Kirstein, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.

A. James J. LaPenta, Jr., 905 16th Street, NW., Washington, D.C.
B. Laborers' International Union of North America, 905 16th Street NW., Washington, D.C.

A. Charles W. Lee, 300 New Jersey Avenue SE., Washington, D.C.
B. Emergency Committee for Full Funding of Education Programs, 300 New Jersey Avenue SE., Washington, D.C.

A. Donald Lerch, Jr., & Co., Inc., 1522 K Street NW., Washington, D.C.
B. National Agricultural Chemicals Association, 1155 15th Street NW., Washington, D.C.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C.
B. CIT Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Marx Leva, 815 Connecticut Avenue NW., Washington, D.C.
B. CIT Financial Corp., 650 Madison Avenue, New York, N.Y.

A. James H. Lynch, 400 First Street NW., Washington, D.C.
B. American Federation of Government Employees, 400 First Street NW., Washington, D.C.

A. Mail Advertising Industry League, 100 Indiana Avenue NW., Washington, D.C.

A. Robert A. Maslow, 1730 Eye Street NW., Washington, D.C.
B. Business Executives Move for Vietnam Peace, 901 North Howard Street, Baltimore, Md.

A. George G. Mead, 128 C Street NE., Washington, D.C.
B. National Association of Theater Owners, Inc., 1501 Broadway, New York, N.Y.

A. Paul Menk, 1130 17th Street NW., Washington, D.C.
B. Travel Agents Emergency Committee.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Bank of New York.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Battelle Memorial Institute, 505 King Avenue, Columbus, Ohio.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. H. E. Butt Grocery Co., Highway 44, Corpus Christi, Tex.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Eastern Gas & Fuel Associates

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Lockheed Aircraft Corp., Burbank, Calif.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Texas Eastern Transmission Corp, Post Office Box 2521, Houston, Tex., and Transwestern Pipeline Co., Post Office Box 2521, Houston, Tex.

A. Albert P. Morano, 7 Mallard Drive, Greenwich, Conn.
B. Gerli Co., Greenwich, Conn., Cheney Division, Manchester, Conn.

A. Morgan, Lewis & Bockius, 1140 Connecticut Avenue, Washington, D.C.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.

A. National Association of Mutual Insurance Companies, 2611 East 46th Street, Indianapolis, Ind.

A. National Association of Theater Owners, Inc., 1501 Broadway, New York, N.Y.
A. National Association for Uniformed Services, 956 N. Monroe Street, Arlington, Va.

A. Robert B. Neville, 1155 15th Street NW., Washington, D.C.
B. National Restaurant Association, 1155 15th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago Ill.

A. Raymond D. O'Connell, 400 Madison Avenue, New York, N.Y.
B. National Cable Television Association, Inc., 1634 I Street NW., Washington, D.C.

A. Michael S. Olson, Post Office Box 2056, Raleigh, N.C.
B. Carolinas Association of Mutual Insurance Agents, Inc., Post Office Box 2056, Raleigh, N.C.

A. Judith E. Park, 1909 Q Street NW., Washington, D.C.
B. National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.

A. Parsons, Tennent, Hammond, Hardig & Ziegelman, 600 Ford Building, Detroit, Mich.
B. Comac Co., 1500 N. Woodward, Birmingham, Mich.

A. Patton, Blow, Verrill, Brand & Boggs, 1200 17th Street NW., Washington, D.C.
B. Boating Industry Association, 333 N. Michigan Avenue, Chicago, Ill.

A. Patton, Blow, Verrill, Brand & Boggs, 1200 17th Street NW., Washington, D.C.
B. The Reader's Digest Association, Inc., Pleasantville, N.Y.

A. Paul, Weiss, Goldberg, Rifkind, Wharton & Garrison, 345 Park Avenue, New York, N.Y.
B. Alaska Federation of Natives, 1689 C Street, Anchorage, Alaska.

A. Esther Peterson, 815 16th Street NW., Washington, D.C.
B. Amalgamated Clothing Workers of America, 15 Union Square, New York, N.Y.

A. William W. Rayner, 1701 North Fort Myer Drive, Arlington, Va.
B. Crowell, Collier and Macmillan, Inc., 866 Third Avenue, New York, N.Y.

A. E. Lewis Reid, 111 Sutter Street, San Francisco, Calif.
B. Valley Center Municipal Water District, Valley Center, Calif.

A. Jacob Reuben, Route 130, Robbinsville, N.J.
B. Vahlsing Management Consultants, Inc., Route 130, Robbinsville, N.J.

A. James W. Riddell, 723 Washington Building, Washington, D.C.
B. The Kellogg Co., Battle Creek, Mich.

A. Michael J. Romig, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Insurance Association, 1025 Connecticut Avenue NW., Washington, D.C.

A. J. T. Rutherford, 1555 Connecticut Avenue NW., Washington, D.C.
B. South Padre Investment Corp., Post Office Box 1086, South Padre Island, Tex.

A. Patricia A. Samuel, 120 Maryland Avenue NE., Washington, D.C.
B. Women's International League for Peace and Freedom, 2006 Walnut Street, Philadelphia, Pa.

A. Edwin R. Schneider, Jr., 1522 K Street NW., Washington, D.C.
B. Mail Advertisers Education Committee of the Major Mailers and Producers of the Mail Advertising Service Association International, Inc., 425 13th Street NW., Washington, D.C.

A. Hilliard Schulberg, 1900 L Street NW., Washington, D.C.
B. Washington, D.C., Retail Liquor Dealers Association, Inc., 1900 L Street NW., Washington, D.C.

A. Stanton P. Sender, 815 Connecticut Avenue NW., Washington, D.C.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. Joseph H. Sharlitt, 1522 K Street NW., Washington, D.C.
B. Mail Advertising Educational Committee of the Major Mailers and Producers of the Mail Advertising Service Association International, Inc., 425 13th Street NW., Washington, D.C.

A. Sharon, Pierson & Semmes, 1100 17th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.

A. Sharon, Pierson & Semmes, 1100 17th Street NW., Washington, D.C.
B. Rubber Manufacturers Association, 444 Madison Avenue, New York, N.Y.

A. Sidley & Austin, 1625 Eye Street NW., Washington, D.C.
B. Bankers National Life Insurance Co., 1 Sunset Avenue, Montclair, N.J.

A. Sidley & Austin, 1625 Eye Street NW., Washington, D.C.
B. Elba Systems Corp., 5909 E. 38th Avenue, Denver, Colo.

A. Smathers, Merrigan & O'Keefe, 1700 Pennsylvania Avenue NW., Washington, D.C.

B. American Institute of Merchant Shipping, 1120 Connecticut Avenue NW., Washington, D.C.

A. Maynard H. Smith, 184 Washington Avenue, Albany, N.Y.
B. National Committee for the Protection of Patriotic Americans, 184 Washington Avenue, Albany, N.Y.

A. Wallace M. Smith, 425 13th Street NW., Washington, D.C.
B. American Unsubsidized Lines, 1824 R Street NW., Washington, D.C.

A. Wallace M. Smith, 425 13th Street NW., Washington, D.C.
B. National Association of Mutual Insurance Cos., 2611 E. 46th Street, Indianapolis, Ind.

A. J. Taylor Soop, 400 First Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, 330 S. Wells Street, Chicago, Ill.

A. Lynn Stalbaum, 1026 17th Street NW., Washington, D.C.
B. Associated Dairymen, Inc., 1026 17th Street NW., Washington, D.C.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C.
B. American Claims in Cuba Committee, 1250 Connecticut Avenue NW., Washington, D.C.

A. John H. Studebaker, 3636 16th Street Washington, D.C.

A. Norman A. Sugarman, 1956 Union Commerce Building, Cleveland, Ohio.
B. Battelle Memorial Institute, 505 King Avenue, Columbus, Ohio.

A. Norman A. Sugarman, 1956 Union Commerce Building, Cleveland, Ohio.
B. Federal Cartridge Corp., 2700 Foshay Tower, Minneapolis, Minn.

A. Norman A. Sugarman, 1956 Union Commerce Building, Cleveland, Ohio.
B. Olin Foundation, Inc., 1 East 44th Street, New York, N.Y.

A. James F. Sullivan, 1225 Connecticut Avenue NW., Washington, D.C.
B. American Association of Retired Persons and National Retired Teachers Association.

A. Surrey, Karasik, Gould & Greene 1156 15th Street NW., Washington, D.C.
B. Prudential Lines, 1 Whitehall Street, New York, N.Y.

A. Sutherland, Asbill & Brennan, 1200 Farragut Building, Washington, D.C.
B. Carnegie Corp. of New York, 589 Fifth Avenue, New York, N.Y.

A. James R. Turnbull.
B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C.

A. Valicenti, Leighton, Reid & Pine and Richard L. Goldman, 70 Pine Street, New York, N.Y.
B. Association of Mutual Fund Plan Sponsors, Inc., 50 East 42d Street, New York, N.Y.

A. Vinson, Elkins, Searls & Connally, 2100 First City National Bank Building, Houston, Tex.
B. Texas Eastern Transmission Corp., Post Office Box 2521, Houston, Tex.; Transwestern Pipeline Co., Post Office Box 2521, Houston Tex.; Gulf Central Pipeline Co., 811 Dallas Avenue, Houston, Tex.

A. Charles S. Walsh.
B. National Cable Television Association, Inc., 1634 I Street NW., Washington, D.C.

A. The Wayne Smith Co., 201 Massachusetts Avenue NE., Washington, D.C.
B. Professional Air Traffic Controllers Organization, 1725 K Street NW., Washington, D.C.

A. Peter A. Wilson, 1555 Connecticut Avenue, Washington, D.C.
B. The Committee To Maintain a Prudent Defense Policy.

A. Robert C. Zimmer, 1250 Connecticut Avenue NW., Washington, D.C.
B. Washington International School.

EXTENSIONS OF REMARKS

NAUGATUCK—HOME OF CHAMPIONS

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. MONAGAN. Mr. Speaker, I am proud to tell you and my colleagues that the championship of the American Legion New England baseball competition was won by a team of youngsters representing Naugatuck, Conn., Post No. 17, American Legion.

The Naugatuck team went on to the finals at Hastings, Nebr., and while not winning the national championship made an excellent showing, not only in performance of field but also in sportsmanship. One point I would call significant in the achievement of the Naugatuck team is that it was drawn from a community of some 19,000 residents and competed with teams drawn from cities of more than a quarter of a million. I can tell you, Mr. Speaker, that the achievements of the team representing Naugatuck, Conn., Post No. 17 in the Legion competition are the pride of Naugatuck, the Fifth Congressional District, the State of Connecticut, and of all New England. I salute them for their splendid achievements and I include here an editorial which appeared in the August 29, 1969, Naugatuck Daily News and one which appeared in the August 27, 1969, Waterbury Republican, and a copy of a telegram which I had addressed to the team prior to the start of the finals in Hastings, Nebr.:

[From the Naugatuck (Conn.) Daily News, Aug. 29, 1969]

COMMUNITY PRIDE

Community pride is a wonderful thing.

And if the residents of Naugatuck are just a bit puffed up these days, it is a legitimate matter of community pride.

For it isn't every day in the week that a community the size of Naugatuck can command national attention, whether it be in the world of sports or elsewhere.

Our Post 17 Legion baseball team has made Naugatuck a name with which to be reckoned in New England sports circles.

And, as of this writing, we hope that the team is going to make the name Naugatuck something to be reckoned with in national sports circles.

But, win or lose, the Post 17 team has stirred up a degree of community pride that is not to be underestimated.

In a broad sense, what the Post 17 Legion team has done is a matter of concern for every loyal Naugatuck resident.

There are those who were faithful until the last inning of the New England tournament by making the trip to Keene, N.H. day after day to root for the local squad.

There are those who sat with ears glued to radio sets during the New England tourney, even as they wished that they might have been present in person.

There are those who made the determined and expensive effort to get out to Hastings for the national tournament.

All of these have one thing in common—pride in Naugatuck.

That's why we are suggesting that many of our fellow citizens can avail themselves of an opporunity to contribute in a substantial way to the final success of this endeavor.

They can do it by buying "booster tickets" for the Legion Post, or by sending a check to The NEWS office, c/o Frederick E. Hennick, Treas. to help pay off the additional and unexpected costs which have arisen in the course of this championship adventure.

It's a matter of community pride.

[From the Waterbury (Conn.) Republican, Aug. 27, 1969]

NAUGATUCK'S PRIDE

Not only Naugatuck, but the entire state can take special pride in the New England victory by the American Legion Post baseball team. Only one other city has ever had a team reach the national finals. West Hartford won in both 1959 and 1961.

The Naugatuck nine swept through the regionals for New England at Keene, N.H., with but a single loss. Coach Steve Mastrianna and everyone on the team deserve the gratitude of all in the borough. Incidentally Mastrianna, a Waterburian, volunteered as coach last year when an appeal was issued for help.

Unfortunately, the time span between the regionals and the nationals in Hastings, Neb., was such that the borough could not really give the team a proper reception. They arrived at 2:30 in the morning and had to leave at 10:30 to catch their first plane to Nebraska.

Win or lose in the national finals, on their return the borough would do well to have a "day" for the youths. They are off to do the "battle of Hastings" with the best wishes of the entire state. These wishes may not be "ringing in their ears" but they are sincere.

Coach STEVE MASTRIANNA,
Naugatuck, Conn. Post 17 American Legion Champions, National Legion Baseball Tournament Headquarters, Hastings, Nebr.:

Congratulations on your inspiring and sensational performance at Keene, New Hampshire leading to Region I American Legion Baseball Championship. I can assure you that all of the 5th Congressional District especially Naugatuck, and the State of Connecticut and New England, are joining with you in cheering you on to the attainment of your objective—the National Championship.

I send my best wishes and congratulations to the team, the coaching staff, the Post 17

sponsors and all of those wonderful Naugatuck and area fans who have, in the tradition of Borough sports competition, followed and cheered the great Post 17 team to victory.

Good luck.

Sincerely yours,

JOHN S. MONAGAN,
Member of Congress.

PRAYER IN THE SCHOOLS

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, September 4, 1969

Mr. THURMOND. Mr. President, the Supreme Court in recent years has struck ruthlessly at the hearts of many of the customs and traditions most Americans hold dear; but in my opinion, the Court could have done no greater disservice to our people than to interfere with their natural interest in a balanced education for their children. I am referring, Mr. President, to an education which would develop their souls and spirits, as well as their minds.

Concerned parents in this country want their children to realize that recognition of and respect for a Supreme Being are matters of such transcending importance that they are not to be relegated to only 1 day of the week. They want their children to see that people pause to consider their faith as they go about their work during the week, not just on Sunday at church.

Mr. President, this is what the Court has denied us and our children. The injury is compounded by the fact that the Constitution was stretched to new lengths to reach a decision which was highly unnecessary. I can only hope that the popular outrage evidenced by my mail from all over the country is also reaching others of us who are in a position to do something to correct this terrible mistake on the part of the Court.

Mr. President, the August 11, 1969, issue of U.S. News & World Report contains an excellent editorial by one of our finest political writers. It expresses well my feelings on this issue, as well as those of millions of other Americans.

Mr. President, I ask unanimous consent that the editorial entitled "Let Us Pray," written by David Lawrence, be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LET US PRAY

(By David Lawrence)

(The controversy continues as to whether nonsectarian and nondenominational prayers may be said in public schools just as they are during other activities of federal, State and local governments.)

The President of the United States on July 24 stood on the deck of the U.S.S. *Hornet* in mid-Pacific to greet the three astronauts who had just returned from a successful mission to the moon. Mr. Nixon spoke words of welcome and praise, and then made this request:

"And now, I think, incidentally, that all of us—the millions that are seeing us on television now and seeing you—would feel as I do that, in a sense our prayers have been answered, and I think it would be very appropriate if Chaplain Piirto, the Chaplain of this ship, were to offer a prayer of thanksgiving, and if he would step up now, Chaplain. Thank you."

The Chaplain, Lt. Comdr. John A. Piirto, said:

"Let us pray: Lord God, our Heavenly Father, our minds are staggered and our spirits exultant with the magnitude and precision of this entire Apollo 11 mission. We have spent the past week in communal anxiety and hope as our astronauts sped through the glories and dangers of the heavens. As we tried to understand and analyze the scope of this achievement for human life, our reason is overwhelmed with abounding gratitude and joy, even as we realize the increasing challenges of the future.

"This magnificent event illustrates anew what man can accomplish when purpose is firm and intent corporate. A man on the moon was promised in this decade and, though some were unconvinced, the reality is with us this morning in the persons of astronauts Armstrong, Aldrin and Collins. We applaud their splendid exploits, and we pour out our thanksgiving for their safe return to us, to their families, to all mankind.

"From our inmost beings we sing humble yet exuberant praise. May the great effort and commitment seen in this Project Apollo inspire our lives to move similarly in other areas of need. May we, the people, by our enthusiasm and devotion and insight move to new landings in brotherhood, human concern and mutual respect. May our country, afire with inventive leadership and backed by a committed followership, blaze new trails into all areas of human cares.

"See our enthusiasm and bless our joy with dedicated purpose for the many needs at hand. Link us in friendship with peoples throughout the world as we strive together to better the human condition.

"Grant us peace, beginning in our own hearts, and a mind attuned with good will towards our neighbors.

"All this we pray as our thanksgiving rings out to Thee in the name of our Lord. Amen."

Why, it will be asked, can such manifestations of belief in God be uttered at certain governmental functions and be denied at others? How much different, for instance, is the foregoing from the prayer—prescribed by the State of New York for the public schools—which the Supreme Court held in 1962 to be unconstitutional? It read as follows:

"Almighty God, we acknowledge our dependence upon Thee and we beg Thy blessing upon us, our parents, our teachers and our Country."

Congress, moreover, has by law specified the oath of office to be taken by federal judges, and, when Judge Warren E. Burger was sworn in recently as Chief Justice of the United States, he read the prescribed words of the oath, which ends: "So help me God."

The Senate and the House each has a Chaplain who opens the day's session with prayer. These are not just "ceremonial occasions" but routine procedures.

The High Court in 1963 acquiesced in the right of the Government to arrange for the holding of periods of prayer at military stations, and said:

"We are not of course presented with and therefore do not pass upon a situation such as military services, where the Government regulates the temporal and geographic environment of individuals to a point that, unless it permits voluntary religious services to be conducted with the use of government facilities, military personnel would be unable to engage in the practice of their faiths."

There is no rule or regulation which requires a military man to attend a service, and likewise those children whose parents did not wish them to participate could be allowed to leave the classroom during the few minutes devoted to prayers.

The time has come to clear the air. The millions of children in the public schools should have an opportunity to pray if they wish.

School officials could make provision for periods of voluntary prayer. As for what should be said in the prayers, it could be stipulated that they be nonsectarian and nondenominational.

Certainly the educators of the country should be able to come forth with plans to meet the objections raised by the Supreme Court and permit school children to pray to God, just as did the Chaplain on board the U.S.S. *Hornet*.

THE PRICE OF IGNORING POLLUTION

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. RYAN. Mr. Speaker, the landing of Apollo 11 on the moon and the successful return of astronauts Armstrong, Aldrin, and Collins to earth have been hailed throughout the world as evidence of the vitality and advanced state of American technology. There can be little doubt that this Nation's technological prowess has contributed greatly to the material well-being of the American population. However, lest we forget the other side of technology, we should remind ourselves of the growing social and economic costs imposed on our society by the failure to control those aspects of American technology that are polluting our air and water resources.

Medical costs to individual citizens and State and local governments are but the most obvious element of the cost of pollution. The despoliation of national recreational and ecological resources, while more subtle, is also proving to be expensive and difficult to reverse. Increasing waste and sewage problems in such major cities as New York pose yet another source of medical and environmental cost.

While the advance of pollution in the past few years is truly alarming, most environmental experts believe it is not too late to halt the destruction of our environment—if the Federal Government takes immediate steps to check pollution by industry and intiates comprehensive programs for reclaiming national resources already spoiled by pollution.

As Congress evaluates national priorities during the remainder of this session, it should be aware of the urgency of checking pollution. New weapons systems and military hardware, and adventurous plans to initiate a manned space flight to Mars cannot be allowed to take precedence over our problems on Earth. For what will it profit us to explore Mars if the result is the continued ignoring of the pollution of our own planet?

I am inserting in the RECORD two recent articles which explore the costs of escalating pollution and which outline the urgency of Federal action. One article, entitled "Museum Exhibit Shows Pollution Ruining World," is by Marquis Childs. The second, entitled "The Real Price of Pollution Hazards," by Elmer Roessner, explores the effects of unchecked pollution on public health.

As Marquis Childs says:

With a jolt this country has begun to wake up to a realization of how far down the road to devastation we have gone. The first steps are being taken to reverse this trend. But as an answer to "Can Man Survive?" they are only the most tentative footprints in the wasteland.

I urge my colleagues to heed the urgency of checking pollution as Congress considers where to direct Federal spending during the current fiscal year.

The articles follow:

[From the New York Daily Column, July 2, 1969]

MUSEUM EXHIBIT SHOWS POLLUTION RUINING WORLD

(By Marquis Childs)

One of the city's great museums is the American Museum of Natural History. For its hundredth anniversary the museum has an exhibit that would have startled the daylights out of the supremely confident establishment figures who provided the millions for one of the most comprehensive collections of man's past and present on this troubled planet.

It is called "Can Man Survive?" With films, sound tracks and blown-up photomontage the despoiling of the elements fundamental to life—air, earth and water—is shown in appalling detail.

Here is industry belching out vile fumes and dense smoke—133 million tons of aerial garbage a year, says the sound track. Waste poured into rivers big and small that are hardly more than sewers.

BEYOND FOOD SUPPLY

The consequences of the population explosion are shown in the dire proliferation of peoples far beyond the food supply in many parts of Asia and Latin America.

The films of Asians on the ragged edge of starvation are strong stuff, hardly conducive to sitting down to that full dinner with complacent disregard for one's fellow man. Teeming millions move before the camera looking like lemmings swayed by herd instinct.

In the latter part of the exhibit the sound track blares out the defiant words of the individualist challenging any restraints on the right to exploit air, earth or water falling under their domain.

"Why can't I do what I want to with my own land?" "Who's going to tell me how to run my plant?" "Why shouldn't we try to get ahead of the Russians?"

The overwhelming impact is of the destruction of the vital oxygen in the air and the fresh water essential to all animal and plant life.

UNDERMINING ELEMENTS

In a few decades technological man has begun to undermine the elements built up over millions of years as the first animate creatures crawled out of the slime. The answer to the question posed by the exhibit must be a hesitant maybe yes, maybe no.

The setting points up the drama of the challenge. The museum's great hall is dedicated to Theodore Roosevelt and his robust words are in imperishable bronze celebrating the strenuous life. In the hall of African mammals are trophies of his big-game hunts from that far-off time before much of African wild life was threatened with extinction.

In bronze, too, are the plaques to the donors, the men who early in the century built their large fortunes on America's resource base which at that point seemed inexhaustible.

With a jolt this country has begun to wake up to a realization of how far down the road to devastation we have gone. The first small steps are being taken to reverse the trend. But as an answer to "Can man survive?" they are only the most tentative footprints in the waste land.

The bureaucracies have been created in Washington to clean up the rivers and restore the balance in the polluted air of our cities. The Federal Water Pollution Control Adminstration is housed in the Department of Interior.

DRIVE FOR CLEANUP

Secretary Walter Hickel has testified that the administration could effectively spend $600 million a year in grants to build sewage disposal plants. This is almost $400 million more than the request in the budget for the coming fiscal year.

The estimate of leaders in the clean-up drive—Sen. Edmund Muskie of Maine in the forefront—is that between 1969 and 1973 it will take $10 billion to make a substantial advance.

At the rate of $124 million a year, which is the budgetary request, you can see how far we'll get in four years, as one of the workers in the vineyard put it.

Here in New York State the federal estimate is $1 billion. The state's own estimate is more than twice that amount.

THE REAL PRICE OF POLLUTION HAZARDS

(By Elmer Roessner)

You pay the price of environmental problems one way or another. If we do not act as a society to solve such environmental problems as air and water pollution, occupational and product hazards, contaminated food, etc., we will continue to pay a large bill in the form of medical costs, hospitals and other treatment facilities, warns Charles C. Johnson, Jr., administrator of the federal Consumer Protection and Environmental Health Service.

Businessmen, in fact, may pay doubly—both as employers and as individuals. For one reason, Johnson points out that the average worker currently loses seven work days yearly because of illness, some of which can be attributable to modern environmental hazards. Moreover, many thousands of productive people die prematurely or become disabled every year because of accidents, emphysema (a lung illness), cancer and other environmental increased causes of death.

The nation's medical bill is becoming enormous, not only because of environmental hazards, of course, but these are playing their part in pushing up health expenditures. We now spend about $53 billion a year to treat illness, and this expense has been rising by over 8 per cent a year since 1960, Johnson reports.

BUSINESS SUFFERS

Thus, businessmen suffer another loss there too. When medical costs take 7 to 8 percent of a moderate-income family's budget instead of the 5 to 6 percent that was typical a decade ago, there is less money available for other needs. A clothing or furniture store owner may not be more conscious of environmental hazards than other citizens, but he probably is even more affected.

Much of this spiraling expenditure and much of this sickness and loss of life is preventable, Johnson argues. The contributory relationships to specific diseases by various environmental hazards have been identified, he says.

The current health costs of air pollution alone are estimated at $4 billion per year. Absence from work because of illness and injury costs the nation $60 billion annually. Non-occupationally related accidents cause 104,000 deaths and 42.5 million injuries each year.

RESPIRATORY TROUBLES

Chronic respiratory disease, which in large measure can be associated with occupational conditions and air pollution, is the nation's second leading cause of disability," Johnson warns. Social Security disability payments to victims of this disease and their families total $90 million annually. Emphysema alone causes nearly 50,000 deaths per year.

Heart disease, attributable at least in part to the stresses of the modern environment, causes about 700,000 deaths annually. It is the leading cause of Social Security compensated disability, and costs the nation more than $25 billion each year.

Is much of this correctable? Johnson believes so. He feels that by applying nationally what is already known about controlling environmental hazards, much of the health damage he cites need not occur. The only question is, whether we spend the money to reduce some of these hazards or to treat people afterwards.

TEXAS HOUSEWIFE HONORED BY U.S. WEATHER BUREAU

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Thursday, September 4, 1969

Mr. YARBOROUGH. Mr. President, the Weather Bureau announced today that one of my constituents, Mrs. Veda C. Daugherty of Seymour, Tex., is to be given the John Campanius Holm Award.

This award will be given in recognition of Mrs. Daugherty's outstanding work as a volunteer weather observer. She is one of 25 people across the country to be so honored.

Mr. President, I ask unanimous consent that the text of the U.S. Weather Bureau announcement of Mrs. Daugherty's award be printed in the Extensions of Remarks.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF COMMERCE,
Washington, D.C., September 4, 1969.

WASHINGTON.—In all extremes of weather, Mrs. Veda C. Daugherty, a Texas housewife, has conscientiously recorded and reported the weather observations in Seymour. Today the Department of Commerce's Environmental Science Services Administration (ESSA) announced that Mrs. Daugherty is one of 25 volunteer weather observers selected nationwide to receive the Weather Bureau's John Campanius Holm Award.

John Campanius Holm Awards, created in 1959 by ESSA's Weather Bureau, are made annually to honor volunteer observers for outstanding accomplishments in the field of meteorological observations. The award is named for a Lutheran minister who is the first person known to have taken systematic weather observations in the American colonies. In 1644 and 1645, the Reverend Holm made records of the climate, without the use of instruments, near the present site of Wilmington, Del.

During more than 43 years of loyal service in her role as volunteer observer in the Baylor County community, Mrs. Daugherty furnished daily information to the local newspaper, electric company, radio station, and the general public in a friendly and cooperative manner.

The Weather Bureau has more than 12,000 volunteer observers throughout the United States who make and record daily weather

observations. The information they gather is then processed and published by the Environmental Data Service, another ESSA component, and is invaluable in recording the Nation's climate.

AMERICAN TAXATION

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. SCHADEBERG. Mr. Speaker, during debate on the Tax Reform Act of 1969, I stated that my support of the bill was based on the understanding that Congress would go farther in an attempt to reach a new and equitable tax basis.

In view of my statement, I was pleased to receive during the August recess a statement on American taxation from my good friend, Dr. Miller Upton, president of Beloit College, Beloit, Wis., which outlines a tax overhaul program that should be given, in my opinion, serious congressional consideration.

Dr. Upton, a noted authority in the field of economics, has a deep background in the field of tax reform. He was one of the few individuals who testified before the Ways and Means Committee in opposition to the so-called Kennedy tax reduction in 1963 on the grounds that serious inflation would be the result. During 1959–60, he was the chairman of Governor Nelson's blue ribbon tax committee in Wisconsin.

The position which he presents in his statement is one of radical proportions. However, the end result is ultimate in its simplicity and is what we need if we are to be faithful to the twin tax objectives of equity and efficiency.

Mr. Speaker, Dr. Upton's position is based on three principles: First, all taxes must ultimately be paid out of individual wealth; second, for a given society there should be only one taxing authority; and third, equity can be assured only if the tax system is used strictly for revenue-producing purposes and not perverted to other political and economic ends. By adhering to these principles, we would eliminate the situation which today places the American taxpayer in jeopardy: where taxation is based upon benefit received rather than ability to pay, where any reduction in taxes paid the Federal Government will be negated by the municipal governments simply increasing its taxes and where the present tax system is a crazy quilt pattern with built-in contradictions, discrminatory provisions, and arbitrary allowances.

It is with great pleasure that I place this statement in the CONGRESSIONAL RECORD as a means by which full and complete equity could be brought to the American people:

AMERICAN TAXATION—THE NEED FOR COMPLETE OVERHAUL, NOT ISOLATED REFORM

(By Miller Upton)

In my presentation to the House Ways and Means Committee on March 14, 1963, in opposition to the so-called Kennedy tax reduction on the grounds that it would inevitably lead to inflation rather than secular growth, I concluded with the following statement:

"As for our tax situation, we have reached the place where we must dispense with the use of patent medicines in the form of rate reductions and isolated amendments and resort to surgery in the form of a complete overhaul. Anything less than this will merely be temporizing and no worthwhile effect will be had on long-range economic development. Everyone who has given any serious consideration to the matter has had to admit that the present tax structure is a monstrous concoction without any governing rationale—a burdensome and ugly mass of unrelated accretions that have accumulated over time as an outgrowth of different political and emergency pressures. It can readily be shown to be inequitable, overly cumbersome, overly expensive to administer and a severe deterrent to economic vitality and growth and development.

"Although taxation is as old as human society, general reliance on the income tax is relatively new. Certainly it is new in this country. We have learned much from our experience over the past fifty years which we should draw upon in developing an entirely new tax structure. The present tax law should not be considered sacrosanct simply because it is the prevailing law. We should not allow ourselves to become enslaved by a monstrous creature which has been fashioned by the combining of separate and disparate acts designed to deal with immediate needs which vary with the passage of time.

"In the final analysis, tax reform is fundamentally simple if it originates from a real desire to deal with fiscal and economic realities and does not confuse the issue with political pressure. If the government would proceed in such reform on the known fact that all taxes, however called or however collected, must be paid out of individual income, a new structure could readily be developed which would be simple, direct, equitable, and efficient.

"Such fundamental reform should also reckon with the fact that in any society there should be only one taxing authority. The situation that prevails now with communities, states, and the Federal government vying with one another for the citizen's tax dollar is one of utter confusion and leaves the individual taxpayer a pawn that is pushed around rather callously by the separate governmental authorities, each passing the buck to the other. Either the Federal government should raise its revenue by an assessment on the individual states on the basis of each state's contribution to the national income, or it should become the central taxing authority and take care of the separate needs of the states. In keeping with the Federal character of our national governmental structure the assessment approach would be by all odds the better, but we seem to be drifting rather indifferently and dangerously toward the other.

"Certainly there would result from such a major overhaul a substantial amount of temporary disruption within the economy. Some businesses and business practices have come to be tied directly to the ramifications of the existing tax law. But to preserve a bad law to protect its economic spawn would be the height of irrationality. The economic disruption resulting from a complete tax overhaul would not last long, and the great benefits that would result to our society at large would be worth far more than the price of temporary inconvenience that would have to be paid."

I submit that this strong but not exaggerated statement is even more true today than it was six years ago and will become increasingly more accurate and demanding with the passing of each year. In view of the widespread and serious consideration being given to the tax structure at the present time it would seem that there has never been a more propitious time for facing realistically the need for complete overhaul and doing something about it. The need is too critical to lose the opportunity that exists now.

The point to be reckoned with is not that there is no need for the kinds of reform being given serious considerations by the Congress at the present time. To the contrary, the need for such reform for the sake of equity and efficiency is so intense and pervasive that isolated adjustments have the effect of mere tinkering rather than fundamental reform. True equity and efficiency can be achieved under existing circumstances only by a complete overhaul that starts from scratch. In the meantime we should stay with what we have, including the existing surtax, for the whole structure is so intertwined and confused it is impossible to determine or predict what the net effect of isolated tinkering will have upon the economy and the society in terms of tax incidence, tax incentives and revenue generation.

Any such complete overhaul should proceed with full adherence to three principles in particular. These are: (1) All taxes, however named or however imposed, must ultimately be paid out of individual wealth. (2) For a given society there should only be one taxing authority. And (3) equity can be assured only if the tax system is used strictly for revenue-producing purposes and not perverted to other political and economic ends.

In addition to these basic tax principles, any substantial overhaul must reckon with the basic equity value judgment to which our society seems to be increasingly committed that taxation should be based upon ability to pay rather than benefit received. What this means in particular is that the tax burden should be related to individual current income rather than accumulated wealth in any form. If accumulated personal wealth is to be tagged for social purposes. it should be done by inheritance taxation and not by by the current revenue producing system.

Both equity and efficiency, in other words, calls for a single, simple progressive tax on individual income. Only in this way can the incidence of the tax be readily determined and the revenue generation be readily and reasonably anticipated.

No tax system can be defended as either efficient or equitable if its incidence is unknown. That is why even the corporation income tax should be dispensed with in favor of the single progressive individual income tax. Reason supports the proposition that most corporation taxes are passed on to the individual by way of inclusion in its product price, but precise identification is impossible. And under those conditions of elastic demand for the product which may inhibit full recovery by way of the price, the tax becomes a tax on production and not income and therefore self-defeating.

Corporation income should be taxed the same as partnership income is now taxed, that is, identified with the individual owner and taxed as his personal income. Each corporation would certify to its per-share earnings for a given year and the individual stockholder would declare this as ordinary income. Although the point is disputed, such an approach could have by-product advantages for the economy in general in that it would provide a check on an individual management's decision to retain earnings for corporate purposes, and it would free the corporate form of business organization (one of man's greatest inventions) from irrational discriminatory treatment.

On the surface, excise taxes and use taxes of various sorts would seem to be the one justifiable exception to the single tax on

individual income. The incidence is clear and equity seems to be respected. But closer scrutiny brings to light the illusory nature of such thinking. Certainly the user of the toll road is not the sole beneficiary of such. Immoderation in general is a greater social evil than a particular item of consumption per se. And one man's luxury may well be another man's necessity. In fact, we are well acquainted with historical validation of the dictum that today's luxury *is* tomorrow's necessity. Excise taxes rely upon a morass of value judgments that make equity indeterminate and therefore should be no part of a straightforward revenue-producing system.

In support of the principle that for a given society there should be only one taxing authority, it would seem only proper in our country for this to be the individual state, since it is legally the sovereign power. But aside from the fact that the Federal constitution specifically grants the Federal government the right to tax directly and not rely solely on an assessment of the individual states, the dominant trend in our society over recent decades, particularly as regards taxation, has been toward centralization of governmental authority in general to the point that reliance upon a system of state assessment by the Federal government would be anachronistic. Furthermore, centralizing the taxing authority with the Federal government avoids the danger of duplicate taxation of a given individual's income by separate states and the possible development of "border taxes," such as sales taxes imposed by a state to raise revenue from the "foreign" tourist. Such reasoning constitutes a shift from the position I used to hold.

Clearly the Federal government is without authority to require the sovereign states to give up their taxing authority, but a system that would enable states and municipalities to raise their revenue needs by latching on to the Federal tax would have great appeal to these governmental units on the basis of economy, certainty and equity. Instead of participating in some inescapably involved sharing formula, each state and municipality would be authorized to establish a tax rate of its own to be added to the Federal rate and collected by the Federal government. For example, an individual citizen living in New York City might have his income subject to a Federal rate, or a New York State rate and a New York City rate, all applicable to the one income figure and all collected by the U.S. Internal Revenue Service. Funds thus collected by the Federal government on behalf of the State governments would be turned over to them, and they in turn would be responsible for making the distributions to their respective local governments. Each governmental authority would receive a copy of each of its citizen's tax reports for checking and control.

Under such a system there would be no need for local property taxes. Renters and property owners would be treated equally on the basis of ability to pay. But absentee property owners would be subject to local tax rates wherever they own property as well as where they reside.

Where our taxing authorities have been most negligent in the past is in violation of the principle that the tax system should be used strictly for revenue-producing purposes and not perverted to other political and economic ends. These ends should be sought directly and not via special tax allowances. Failure to be faithful to this principle is what has produced so much of our crazy quilt pattern with built-in contradictions, discriminatory provisions and arbitrary allowances. The raising or lowering of the tax burden in general for purposes of fiscal policy is not a case in point. It does not modify the internal aspects of the law.

The goal of equity as represented by ability to pay can only be approached by a progressive rate schedule applied to a uniform definition of income. Clearly it is impossible to promote general equity on an individualized basis, and the governmental authority should not be placed in the compromising position of trying to do so. It is enough that the tax be equitable; to expect it to compensate for all the existing inequities in life is totally unrealistic. A Christian Scientist can make a strong case for an educational allowance in place of a medical allowance. And the excessive medical payments of a hypochondriac clearly should not be subsidized by other citizens. Nor should profligate use of credit be rewarded by the interest thereon being allowed as an income deduction.

The size of one's family, furthermore, should be looked upon as one of life's personal decisions for which one accepts responsibility, and it should not be a tax consideration. Those who choose in favor of a small family on the grounds of economic responsibility should not be penalized in favor of those who prefer large families. If family welfare is involved it should be handled directly by a special private or governmental program designed to deal with the problem on the basis of its individual nature. The very allowance for dependents in income calculation requires a definition of the term that in the final analysis must be arbitrary. And the amount to allow for dependents so defined is bound to be arbitrary in the ultimate.

Each governmental authority should determine its level of service and then raise the needed revenues in the most direct, efficient and equitable fashion possible. It can only do this if it keeps its revenue system free of contamination from diverse political economic and social objectives. (Again, fiscal policy excepted.)

Once having provided for the calculation of an individual's tax liability in this straightforward fashion there should be opportunity for a tax credit based upon the individual having voluntarily taxed himself. Two principles are involved here. One is that private initiative and philanthropy is the cornerstone of a free society. The other is that government in a free society should only undertake those services which its individual citizens are either unable or unwilling to do on their own initiative. Contributions by private citizens to finance needed social services, therefore, constitute a form of voluntary tax and should be allowed as a credit against their individual tax liabilities up to a fixed limit.

One final matter remaining for consideration is the implication of this approach to the capital gains tax. Since total individual income each year will be subject to tax whether realized in cash or not, separate taxation of appreciation could constitute double taxation and therefore an inequity. To the extent that appreciation in an individual case is in excess of the accumulated earnings retained plus any factor of monetary inflation, taxation of this additional income can be justified. The most defensible approach would be to reckon it as a discounted value of future earnings and prorate it to current income over an arbitrary period of time into the future, such as ten years.

The aim of this paper, however, is not to submit in definitive form a total tax revenue structure. Such is beyond the capability of any one individual. Rather, the purpose is to try to establish in broad outline form the basic approach that must be taken to achieve the kind of complete overhaul that is called for at the present time. As long as we continue to temporize and tinker with what is obviously an inefficient, inequitable, overly cumbersome and outmoded tax structure we will merely be compounding our difficulties, aggravating our dissensions and prolonging our self-made suffering. Simple logic insists that our society will have to come eventually to some straightforward revenue system as described herein. Why not now?

THE VOTING RIGHTS ACT OF 1965

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, September 4, 1969

Mr. THURMOND. Mr. President, an editorial concerning the Voting Rights Act of 1965 was published in the Orlando Sentinel during the August congressional adjournment.

This objective review of the law by the editorial is one which everyone could benefit from reading, for it plucks the heart of the matter from the midst of the political pandemonium that presently abounds the issue. The editor calls the opponents of the new voting act to task by expressing his failure to comprehend how the "northern liberals" can resist the program promoted by the Nixon administration, unless their purpose is not what they maintain it to be, but rather is purely a vindictive effort to politically punish a geographic region of this country.

Mr. President, I ask unanimous consent that the editorial entitled "Voting Rights Not Regional Matter But One of Concern to Entire Nation" be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

VOTING RIGHTS NOT REGIONAL MATTER BUT ONE OF CONCERN TO ENTIRE NATION

The 1965 Voting Rights Act expires this year. Whether to extend the present act another five years or write a new one is one of the many chores before Congress.

New legislation recommended by President Nixon is the best and fairest answer, for the present act was designed by the Johnson Administration for the sole purpose of giving the federal government control over the election machinery of the Southern states for political manipulation.

We have to agree with Sen. Strom Thurmond when he says the 1965 act "was an example of punitive, special interest politics designed to impose federal controls only upon seven Southern states."

Under the 1965 act, state election laws were suspended, federal registrars were sent to register voters including illiterates, and new state laws or regulations were forbidden without the prior assent of the U.S. attorney general.

Under this act, a state is presumed guilty of discrimination if less than 50 per cent of the total voting age population was registered to vote, or voted, in the November 1964 election. This law makes the presumption that there is a reasonable relationship between the number of registered voters and the number who actually vote. It further presumes that the exclusion of illiterates from voting is also proof of discrimination.

Congress should allow this act to expire and write a new one such as the administration bill, S. 2507, designed to put the whole country on the same footing. In testimony before the Senate subcommittee on constitutional rights, Atty. Gen. John Mitchell said, "We have come to the firm conclusion that voting rights is no longer a regional issue. It is a national concern for every American which must be treated on a nationwide basis."

We can see no quarrel with this and we

don't understand how Northern liberals can continue to oppose broadening of the voting rights bill to include their own states as well as the South.

If their concern is with voting rights and not with punishing the South, then they should not object to federal observers and examiners in their own districts or the Nixon provision that provides for the investigation of voting frauds without regard to geographic location. Neither should they object to the new bill's plan to return to the states the power to pass election laws without first getting the permission of the attorney general.

After all, this is a power guaranteed by their state constitutions as well as the U.S. Constitution.

CLINTON RIVER CLEANUP

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. O'HARA. Mr. Speaker, sometimes we seem to believe that the gradual deterioration of our environment is inevitable.

We see the air getting murkier, our water dirtier, and urban sprawl devouring our precious open space.

But the people of Macomb County have refused to accept this premise.

Early this month, several thousand persons gathered on a drizzly Saturday morning to clear out a river nearly strangled by debris.

The waterway is the Clinton, which flows through Macomb County on the northern suburban fringe of Metropolitan Detroit.

Three decades ago the Clinton was a peaceful, lovely stream meandering through rural countryside, but development and man's carelessness, had turned it into a polluted, debris-jammed watercourse.

That was before Saturday, August 16, when the Sterling Heights Clinton River cleanup went into operation.

By the time darkness fell the next day, some 12,000 tons of debris was cleared from an 11-mile stretch of the Clinton where it flows through Sterling Heights.

Sterling Heights Councilman Al Martin, who headed the committee which meticulously planned the operation, estimated that the task was 80 percent completed that first weekend. Then he asked for volunteers to finish the job the following weekend. Several hundred returned that Saturday, and again the following day.

When they stopped work at sunset, Sunday, August 24, the Clinton was cleared in Sterling Heights, with a wide path almost the whole length of the stream within the city.

The Sterling Heights effort followed a similar operation earlier this year in the lower stretches of the river near where it flows into Lake St. Clair.

I think the project stands as a fine example of what determined citizens can do when they refuse to accept the inevitability of a river's death, and devote time and muscle to saving it.

Mr. Speaker, the story has been well told by the area news media, and I insert articles and editorials from the Macomb Daily, the Utica Sentinel, and the Detroit News in the RECORD:

[From the Daily Sentinel]

FROM OUR POINT OF VIEW

The initial effort in behalf of cleaning the Clinton River in Sterling Heights has been completed and although all the results are not in it must be deemed a success in most respects.

The job was a big one indeed. An estimated 12,000 tons of debris was cleared from the shoreline and the river bottom. If you stop for a moment and put a little mathematical (old math) science to the figure you come up with 24,000,000 pounds which is a big mess in anybody's book.

It was a little disheartening early Saturday morning as the rains persisted and for a while it appeared work would be severely limited. Those who were there and worked despite the rain deserve special credit for their efforts.

Two facts stand out vividly from last weekend's work.

Community pride is not a forgotten item.

The Clinton River was pretty clogged.

Observers from around the state and outside of Michigan couldn't help but be impressed with the attitude and work ability of those who headed the cleanup and those who toiled throughout the hours. The story of how a city helped itself will no doubt be told across the land.

In today's age we are drawn by many magnets. The fast pace, especially in suburban areas, leaves little time. The impotrance of one's job, recreational pursuits that take us to distant points and other such magnets draw heavily upon our time. With these in mind it is gratifying to know that so many people did care about their city.

There could have been more local representation. No doubt the weather played a major role in this respect. However, those who did respond gave Sterling Heights a highly rated reputation.

Those who came to our city from elsewhere also deserve a special recognition. Many of them will never use the river they helped to clean. It was a gesture of neighborliness which is too often forgotten.

The businesses and firms that lent time and equipment can never be praised enough. Their efforts, rounded off, would amount to about $100,000 if the work was done on a contract basis.

The Sterling Heights Rotary club, which initiated the project, is also due for a vote of thanks. Through the club and its members who headed the project, we are well on the way to enjoying a recreational facility that just a short time ago was a subject for derision.

But all in all, the real credit goes to those who came out to help. The willingness, desire and ability cannot be measured.

The residents of Sterling Heights and the surrounding area owe a debt of gratitude for this effort. We join with the area citizenry in commending the cleanup project.

There still remains some work to be done and if you missed last weekend's cleanup then we hope you'll be able to participate in the final stages which could not be accomplished last Saturday and Sunday.

We have seen what community effort can do. We have also seen that others care . . . now let's finish the job and we can do it with your help.

[From the Detroit News, Aug. 22, 1969]

A NEW DAY FOR THE CLINTON?

Not many of us can remember when the Clinton River was a thing of beauty, meandering peacefully across Oakland and Macomb counties to Lake St. Clair.

For too long the Clinton has been an open sewer and dumping ground for abandoned cars and other junk. No one cared; it was just a ditch, a malodorous one, one people did not even want to think about.

But an aroused group of citizens, first in the Mt. Clemens area and now upstream in Sterling Township, have taken matters in their own hands, starting the badly needed cleanup.

Tons and tons of junk and debris have been pulled out of the river and hauled away. The shoreline is being spruced up in these sections much to the envy of neighboring communities.

The shoreline and the river look so good that people are even beginning to talk about it in terms of camping, canoeing and picnicking! Hopefully the cleanup movement will spread along the full length of this God-given waterway so that it may be returned to its original beauty.

[From the Daily Sentinel, Aug. 18, 1969]

CLEANUP

(By Joe Cisneros)

The Clinton River in Sterling Heights has a new look today.

It was attacked over the weekend. And the results are impressive.

An estimated 12,000 tons of debris, mostly huge logs, were hauled from the 10-mile section of the Clinton which winds through the year-old city.

The swift waters of the Clinton may never be pure enough again to swim in, but a giant stride in that direction was taken as man and machine combined to achieve a majority of the goals of the Clinton River cleanup effort.

Hundreds of volunteers chipped in Saturday and Sunday to insure a successful project, even though periods of heavy rain fell Saturday.

Despite the dangers involved in the project, only minor injuries were reported. City police and trained first aid personnel stood by at headquarters to assist with injuries, which mostly were scrapes and bruises.

For the most part, heavy equipment was operated by persons in the construction field. This factor added to the safe operation of the huge cranes and other equipment, project planners believe.

"Under the circumstances, I think it was extremely successful," Al Martin said as the volunteers were preparing to stop work Sunday evening after 12 hours of work for the second consecutive day in less than ideal conditions.

Martin, a city councilman, headed the planning for the cleanup, which started as a project of the Sterling Heights Rotary Club, but later became the pet of the Clinton River Cleanup Committee.

"I'm awfully proud of the people. I can't say enough for everyone's effort," Martin continued. "I particularly admire the youngsters, the boys and girls from various youth organizations; and the women who worked up to their necks in water."

About three months in the planning, the ambitious project won national attention.

Crews from the National Broadcasting Company (NBC) and Look Magazine were among the news teams which converged on the scene over the weekend.

Both NBC and Look were interested in the project from the aspect of the community's determination to help rid the river of pollution, it was understood.

The river was divided into 12 sections for planning purposes, and the cleanup was completed at all but two of the sections when work was halted at 7 p.m. Sunday, according to Martin.

Work on these two sections was delayed because of the hard downpour on Saturday, which made it impossible for heavy equipment to move about in one area, and because of time lost due to difficulty in obtaining diesel fuel for the heavy equipment after the supply was used up Sunday afternoon, Martin said.

Left largely untouched because of the

sloppy conditions following Saturday's rain was section 12, near the easterly limits of the city.

Martin said it was his intention to suggest that the cleanup efforts be continued next weekend, to complete the estimated 20 per cent of the project left undone.

"We came so close to completing everything," he said.

It was a united effort.

An estimated 1,000 volunteers turned out Saturday before the rains hit. Some thought was given to cancelling the project then, but it wasn't to be that way.

"We came very close to cancelling after the rains came," Martin said. "I left it up to the section leaders, and wherever they could, they kept going. They felt the cause was so worthwhile that nothing could stop them."

The ranks of volunteers swelled to 1,000 or more on Sunday, too, after a slow start. In some instances, entire families turned out.

Volunteers signed up were from at least 25 different communities, many not even in Macomb County.

While individual efforts were tremendous, planners of the cleanup stressed that the results could never have been achieved without the heavy equipment that was pressed into service.

An estimated 200 pieces of heavy equipment, like cranes capable of lifting more than 25 tons, and bulldozers were made available by contractors, according to Richard Mancini, a cochairman of the heavy equipment committee.

"It was fantastic and beyond our fondest expectations," Mancini said of the cooperation extended by contractors in voluntary supplying equipment and manpower for the two day effort.

"The cooperation of area contractors was really great," added Mancini.

Mancini, himself, a contractor and a supplier of equipment, estimated it would have cost in the neighborhood of $100,000 to rent the equipment that was made available for the close to 24 hours of actual work on the river.

The amount of debris pulled from the river and from adjacent floodplains was estimated at 12,000 tons by Mancini.

One huge tree pulled from a completely submerged position on the bottom of the river was estimated to be 60 feet long and about 20 feet in width at the bottom where the roots hung like huge, ugly tentacles.

Some trees were so huge that a long flatbed trailer could haul only one away at a time. Men worked neck-deep in the water with gasoline-powered chainsaws to cut off sections of fallen trees so that they could be reduced to a size that could be managed by the cranes and other equipment.

Both men and machines groaned to accomplish the task.

Any volunteers who received a cut, scratch, or other injury which would require receiving a tetanus shot while working on the Clinton River cleanup over the weekend should contact their personal physician, Al Martin, who headed the project, urged today.

Persons requiring such treatment may be reimbursed for the costs involved by contacting the Clinton River Cleanup committee, if they wish, Martin said.

Feeding hungry workers was in itself a sizeable task. Women volunteers used a reported 500 pounds of ham and 700 loaves of bread to make some 5,000 sandwiches, a majority of which were consumed.

Women in private vehicles braved roads, hacked from thick underbrush in some cases, to get the food and drink to workers along the river. Their efforts were lauded by cleanup planners.

One of the score of women who delivered food and drinks like milk and orange juice was Mrs. Joseph Steinmetz of Sterling Heights.

"They were very glad to see us and very thirsty," Mrs. Steinmetz described the reaction of the workers when the food arrived. "The thirst, I think that was the biggest problem."

The tab for a sizeable portion of the food and beverages was picked up by the UAW. However, individual firms also donated. Like Sanders Restaurant in the Sterling Shopping Center, which dispatched its mobile canteen to dispense an estimated 4,000-5,000 cups of free coffee to volunteers at Dodge Park, No. 8, which served as campaign headquarters.

It was from the park complex that the several facets of the cleanup were coordinated.

With workers strung out along a 10-mile section, communications were an important part of the project.

The communications system was supplied and operated by the Radio Emergency Associates Citizens Team (REACT) of Sterling, Shelby and Utica. Along with a handful of citizen band operators, the REACT members supplied 30 mobile units, and 25 walkie-talkie units in addition to coordinating communications from the base station housed in a mobile home at the park.

"We are just a group of citizens who live in this area. We are here when people need us," said Mrs. Bill Young, the wife of the president of the REACT team, and one of the two women who maintained the base station for 12 hours each day. The other cheerful voice going out regularly from the base station belonged to Mrs. Robert Hicks, the wife of the vice-president of the REACT club.

"There was a job to be done and anyone who had a radio was put to work," said Young of the group's effort.

"It was our intention to involve the community on an overall basis, and this I think we've done," Martin said after the work was secured late Sunday.

A picnic will be held Aug. 30 at Dodge Park for the purpose of recognizing individual and group efforts during the planning for the cleanup and during the two days, Martin said. Certificates of appreciation will be issued, he said.

While the cleanup was successful in many ways, it was not a complete success financially, despite the fact that more than $6,000 in donations has rolled in.

"I would say that we are in debt a couple of thousand dollars, maybe more," Martin said.

Cannisters left in city business places will be collected at the end of the month, and some additional funds are expected from this source.

One of the goals of the committee was to turn over funds to the city for the maintenance of a canoe rental facility, now that the Clinton is navigable again.

This project apparently will not become a reality in the immediate future.

However, committee members expressed satisfaction with the overall efforts.

[From the Macomb Daily, Aug. 16, 1969]

MEN, MACHINERY ATTACK CLINTON RIVER

(By Cathie Misch)

STERLING HEIGHTS.—A mammoth work force of men and machinery tackled an 11-mile section of the debris-strewn, polluted Clinton River as the Sterling Heights' Clinton River Clean-Up plowed into its first day of action.

"So far it looks good," said Al Martin, Clean-Up Committee chairman, shortly after the work crews started their arduous task at 7 a.m. today. "We have deployed our section leaders and communications people from the Sterling Heights-Utica-Shelby REACT group. We definitely think we'll have 2,000 people out here today and are hoping for more."

Martin said persons wanting to help in this civic project should come to staging area at Dodge Park No. 8 located on Utica Road near 17 Mile Road.

The clean-up got a big boost in the final days of preparations as General Motors donated a check for $1,000; Standard Oil donated all gas and the Chateau Estates Mobile Home Park kicked in another $455.

The Chateau Estates donation came as matching funds. About half was donated by residents; the other half from the owners of the park.

With food donated by the UAW and most of the equipment rounded up by the Associated Underground Contractors, the committee saw itself in good shape at a final meeting Thursday night.

In addition, Ford Motor Car Co. donated $1,100 and the committee leased a Marsh screw amphibious vehicle from the Navy.

The experimental vehicle, developed by Chrysler, was used as the command vehicle for the operation.

Heavy equipment, recruitment tents, first aid stations and the like began moving into the ten-mile-long area Friday afternoon.

Representatives of State and national press—including NBC and Look Magazine—were on hand as the work got underway.

Work will continue tomorrow again beginning at 7 a.m. Workers assigned to specific sections will report to them without going to the staging area at Dodge Park No. 8.

Among the people who donated their time were four nuns who worked as baby-sitters at Stevenson High School. The gym there was obtained for that purpose through the cooperation of Utica Community Schools Supt. Phillip Runkel.

Again, the committee and the police urge everyone to follow safety rules and not to work at something with which they are unfamiliar.

Though the actual clean-up started shortly after daybreak today members of the forestry crew of the Huron Clinton Metropolitan Authority completed clearing of river frontage along the river Friday. The HCMA crew had been working along the river for two weeks.

Friday's effort by the Authority forestry crew found them working about 1¼ miles from the junction of the Clinton River along Riverland Drive between Van Dyke Highway and Clinton River Road.

James Smith, field landscape architect for the authority, has been in charge of the HCMA crews which used all kinds of heavy equipment to help cut and haul out logs from the Clinton River and drag them ½ mile or more to be piled up.

The area in which they have been working looked like one vast wilderness with only a narrow road scarred by brush and roots leading to the key spots for river clean-up.

Smith noted that this effort has been most worthwhile and hopes that sometime soon the Clinton River will become a new source of recreation for many Macomb County area residents.

No official figures on the exact number of participants will be available until early next week. However, prior to this morning, some 450 people had signed up and been assigned to the various clean-up sections. Another 150 employes of construction firms came to operate the heavy equipment.

[From the Macomb Daily, Aug. 15, 1969]

STERLING CLINTON CLEANUP FORCE BRACES FOR ACTION

(By Cathie Misch)

STERLING HEIGHTS.—Tomorrow we find out. Tomorrow we find out if all the speeches, the rhetoric, the tsk-tsking, hand-wringing and head shaking are all just gestures or we find out if people really do care.

Tomorrow is Sat. Aug. 16, 1969. At 7 a.m. the two-day clean-up of the Clinton River in Sterling Heights get underway.

Three months of planning will be for nothing if the people of Macomb County turn their backs on their filthy, unsightly backyard—the Clinton River.

Everybody has read about and seen pictures of America the polluted. They've seen their government creak along in its rusty

fashion, too slow to move; often too late when it does.

And that is part of the reason for this week-end's effort. To show the far-off bureaucrats that people do care and if they won't move the people will.

Clean-up chairman Al Martin has aimed for nation-wide publicity on this local effort. He and the members of the clean-up committee hope that communities throughout the nation will take encouragement from this effort and initiate their own local clean-ups.

All kinds of people have been involved so far, from top executives in business to their usually arch foes—top union leaders.

Factory workers, city officials, policemen, housewives and teenagers have put in hours and hours on their own time, at their own expense.

One of the biggest helping hands has come from the Boy Scouts. Typical is 15 year-old Russ Arrand of 43270 O'Hara Circle. He has helped out at the clean-up headquarters and elsewhere as he also works for his Eagle Badge.

Two Shelby Township sisters Annette, 15, and Laurie Rivaud, 17, have been working long hours at the headquarters typing and mailing and so forth.

The only paid employe of the committee Lois Tyson, a secretary, has worked many hours of overtime without compensation.

Chairman Al Martin himself has been working full-time taking time from his regular job as a salesman.

Each volunteer has fitted himself into the niche where his talents could best serve the real purpose of all this cleaning up the Clinton.

This weekend the same theme will be followed. You don't have to know anything about a river to help clean it. Just by helping pass out food, or taking names, or carrying a water bucket will be helping.

If you have a skill like knowing how to operate heavy equipment you are needed. If you like children you could help out by baby-sitting and you are needed.

The section of the river to be cleaned is in Sterling Heights but the river affects each and everyone in Macomb County whether directly or indirectly.

Someday if the hopes of many are fulfilled its banks will be suitable for hiking, picnicking and camping; it's waters for fishing and canoeing.

That the people of the county could have such a bonus so close at hand is entirely possible. But it means that we must start now.

It means that we must continue today and tomorrow here, throughout the county and throughout the nation.

[From the Daily Sentinel]

FROM OUR POINT OF VIEW

Only a few hours remain between now and the start of the Clinton River Cleanup in Sterling Heights. Presently the huge machine, made up of people, plans and equipment, is swinging into force as last minute details, assignments and coordinations are being completed.

There is, however, still time for you to join this huge effort. A number of area residents have already come forth to volunteer their services but there is a need for more.

Recently the nation was prodded to a sense of pride with the achievements of the astronauts in their lunar expedition. In a more localized way, we can also enjoy this sense of pride. In comparison, the Clinton Cleanup is as important to our vicinity as the space trip was to the nation as a whole.

Although we are the one's who will benefit in the future from this project it is receiving national and statewide acclaim. At least two national magazines will be covering the project as well as Detroit television and radio and several newspapers from outside the area. Officials from government and conservation will also be on hand this weekend. In addition, countless others will be watching the outcome.

The river cleanup earlier this year and this weekend's efforts will no doubt set a trend that other communities will follow. It offers a personal pride to know that our community is a pacesetter.

The feelings of some fellow residents is best expressed in the below "Letter to the Editor" which we received Thursday:

"To the EDITOR:

"For the first time in more years than I care to say we went for a much needed and deserved vacation. A week was all we felt we could take.

"We went up north to canoe on the Au Sable River and to walk over the nature trails, all of it unspoiled and clean. Coming back it struck me we could have the same thing here in Sterling Heights.

"Do you know, if all the good people of Sterling Heights come forward next Saturday and Sunday, Aug. 16 and 17, to help in the Clinton River Cleanup, we will have our own 'Au Sable River' and nature trails and picnic grounds.

"Our senior citizens and junior citizens and the smaller frys need and should have a 'close-to-home' spot to enjoy.

"Mrs. U.P."

This is the response of a Sterling Heights family that is interested in the community, its future and its citizens.

We'd like to feel that you think the same way and we hope that you'll have some part in the Clinton Cleanup this weekend.

[From the Macomb Daily]

HELP FOR THE CLINTON—POURING RAIN OR NO

Some 900 persons demonstrated over the weekend that they care about their environs.

They cared enough to brave a steady downpour which hampered work but not enthusiasm Saturday in cleaning up that portion of the Clinton River as it wends through Sterling Heights. Under more favorable conditions, they returned to the job Sunday.

During the two days, some 400 truckloads (about 12,000 tons) of debris were carted away.

Next Saturday, these interested citizens—ranging from oldsters to teens, officials and "just plain Joes"—will return to the scene to complete the job.

Commenting on the project, Ray Filipchuk, director of public services for Sterling Heights and one of the work coordinators, said:

"It was amazing, the cooperation of the people who had the equipment and volunteered . . . the people who came out, some of the things they did . . . it was amazing."

In this age of self-indulgence and lack of concern for the other guy, it is indeed "amazing" as well as heartwarming and encouraging that so many will turn out on a miserable day to participate voluntarily in a community project.

TEXAN HONORED BY U.S. WEATHER BUREAU

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Thursday, September 4, 1969

Mr. YARBOROUGH. Mr. President, the Weather Bureau announced today that one of my constituents, Mr. Edwin Ramey of Dimmitt, Tex., is to be given the John Campanius Holm Award.

This award will be given in recognition of Mr. Ramey's outstanding work as a volunteer weather observer. He is one of the 25 people across the country to be so honored.

I ask unanimous consent that the text of the U.S. Weather Bureau announcement of Mr. Ramey's award be printed in the Extensions of Remarks.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF COMMERCE

Washington, D.C., September 4, 1969.

WASHINGTON.—Edwin Ramey of Dimmitt, Texas, a volunteer weather observer for the Weather Bureau since 1923, has been selected to receive the John Campanius Holm Award, according to the Environmental Science Services Administration (ESSA) of the Department of Commerce.

John Campanius Holm Awards, created in 1959 by ESSA's Weather Bureau, are made annually to honor volunteer observers for outstanding accomplishments in the field of meteorological observations. The award is named for a Lutheran minister who is the first person known to have taken systematic weather observations in the American colonies. In 1644 and 1645, the Reverend Holm made records of the climate, without the use of instruments, near the present site of Wilmington, Del.

Ramey, a retired farmer and rancher, was cited for over 46 years of dedicated public service. His official record of weather observations is complete since the establishment of the station in April 1923. Even before that date, he was taking unofficial rainfall measurements as far back as 1911.

The Weather Bureau has more than 12,000 volunteer observers throughout the United States who make and record daily weather observations. The information they gather is processed and published by the Environmental Data Service, another ESSA component, and is invaluable in recording the climate of the Nation. Like many of these observers, Ramey serves without pay.

EDITORS URGE ATLANTIC UNION

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. FINDLEY. Mr. Speaker, the Packet and Times of Orillia, Ontario, and the Christian Science Monitor have recently carried editorials urging action on the Atlantic Union Resolution, House Concurrent Resolution 283, now pending before the House Foreign Affairs Committee.

Here are the texts of these excellent statements:

[From the Orilla (Ontario), Packet and Times, Aug. 14, 1969]

CAN CONGRESS VISUALIZE ATLANTIC UNION POTENTIAL

A resolution now pending in the United States Congress may have more bearing on prospects for war or peace, and indeed on the ultimate destiny of mankind than any other single piece of legislation of modern times. A resolution, supported by more than 70 members of both parties in the U.S. House of Representatives, asks that a commission be appointed to explore with other Atlantic nations, the long-range possibilities of federation. Simply this, and nothing more; yet this apparently routine piece of legislation contains the seeds which could grow into a federation of the great free nations, giving

freedom a single, supra-national entity which could ensure freedom's survival against any odds, and making large-scale international war virtually impossible.

For more than 30 years the great foreign correspondent and crusader Clarence Streit has campaigned for union of the great free nations of the Atlantic—the United States, Canada, Great Britain and Ireland, Norway, Sweden, Denmark, France and perhaps others—as the one sure means of ensuring the survival of those free institutions which they all share. Today, at long last, the idea of federal union of the Atlantic nations may now be approaching its time.

The idea has gained growing support in influential political circles on both sides of the Atlantic, in recent years. President Nixon has endorsed the resolution, just as did his opponents, Hubert Humphrey and Senator Eugene McCarthy. Robert Kennedy was an enthusiastic supporter, and so were President Eisenhower, Barry Goldwater, Nelson Rockefeller, and such European leaders as Maurice Schumann, French foreign minister, and the heads of government in every Atlantic capital.

The potential benefits of such a federal union of all the Atlantic free states would be profound indeed; world peace and a mighty voice for freedom, and the sharing and preservation of laws ensuring individual freedom, guaranteed by overwhelming force.

Yet despite the impressive bipartisan support for the current resolution before Congress, and its breath-catching potential benefits, its passage is by no means certain. Fiercely-held and ingrained suspicions of any yielding of U.S. national sovereignty still govern the attitudes of a great number of Congressmen, and to even explore a proposal which might make the U.S. merely a part of a huge Atlantic state made up of many federated nation-states would be too daring a venture for many parochial minds.

We in the free world beyond the borders of the U.S. can only hold our breath and hope that the tremendous prospects the resolution holds for all mankind may kindle the imaginations of every congressman, and so secure the endorsation of the mightiest democracy on earth.

[From the Christian Science Monitor]

EXPLORING ATLANTIC UNION—BIPARTISAN HOUSE RESOLUTION LIVENS IDEA OF GREATER INTERNATIONAL COMMUNITY

(By Erwin D. Canham)

"An idea whose time has come" is the powerful thought, paraphrased from Victor Hugo, often used by politicians to justify supporting something that has long lain dormant.

There is some evidence to believe that the idea of federal union of the Atlantic nations may be now approaching its time.

That is to say, nobody expects that federal union is an early likelihood. But what is more seriously considered than ever before is the resolution supported by a bipartisan group of 70 members of the United States House of Representatives to appoint a commission to explore with other Atlantic nations the long-range possibilities of federation.

The idea of federal union as an ultimate basis of international action and peace-keeping has been actively promoted for the last 30 years by one of the most dedicated crusaders alive, Clarence Streit. He published the book "Union Now" in 1939, after almost two decades as a distinguished foreign correspondent for the New York Times.

He has been supported by some of the most eminent public figures in the Western world. The resolution now pending in Congress was endorsed eloquently in 1968 by Richard Nixon. His 1968 opponent, Hubert Humphrey, and Senator Eugene McCarthy were long supporters of the idea.

The present chairmen of the Republican and Democratic National Committees are advocates of the exploration of Atlantic union. So was Robert F. Kennedy. So was President Eisenhower. So were Barry Goldwater and Nelson Rockefeller. So have been many outstanding European leaders, notably including Maurice Schumann, now French Foreign Minister. . . .

Actually, all that is proposed is to examine carefully whether the present allies of the Atlantic could co-operate any more closely to work out terms of economic and political peace. The proposed federation would correlate with the European Common Market, but not replace it.

Richard Nixon in 1966 had this to say: "It is fitting that the United States, the world's first truly federal government, should be a main force behind the effort to find a basis for a broad federation of free Atlantic nations. Although the accomplishment of the ultimate goal of the resolution may well be impossible to attain for many years, recent events of history and numerous scientific and technological advances of the past 20 years point the way in this direction."

The resolution itself commits the nation only to explore. As the sponsors point out, during the years since World War II, the U.S. Government has spent nearly a trillion dollars seeking national military solutions to problems which are scarcely military. Little time and energy has been spent in projecting other roads to peace.

When will responsible governments lift their gaze from armaments and static conceptions and consider new-old paths to peace?

RICHES FOUND IN POOR NATIONS

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. COHELAN. Mr. Speaker, as I have pointed out on a number of occasions, the work of the United Nations development program, headed by the able Paul Hoffman, has been attempting to accelerate the development of economically emerging nations. The process is slow and arduous, yet at times there are signs of visible progress. A recent article in the Washington Post describes how the survey function of the United Nations development program has led to discoveries of natural resources, hitherto unknown, that will contribute to the development of some foreign nations.

I recommend this article to the reader of the RECORD and include it at this point:

RICHES FOUND IN POOR NATIONS

(By Robert H. Estabrook)

UNITED NATIONS.—Dramatic new natural resource discoveries hold the promise of creating viable economies in some of the world's hitherto poorest countries, according to officials working with international development programs here.

The conspicuous example is Somalia, where revenues from uranium and other rare earths may bring wealth similar to that in oil-rich Libya.

A few years ago the 2.5 million people of Somalia, many of them nomads, had a per capita income of only $62. The principal known resources of this new country larger than France, on the northeast horn of Africa, were mediocre iron and gypsum deposits and meerschaum use for pipes.

But early in 1968 Prime Minister Mohamed Egal announced that a survey by the U.N. Development Program had found one of the world's largest known stores of uranium. It also found yttrium, a scarce metal used, among other purposes, for color television—and selling for $92 a pound.

Now the government has granted uranium extraction concessions to groups from the United States, West Germany and Italy, on terms that promise a handsome income. Paradoxically, the U.N. team had a Soviet director and was largely made up of Soviet geologists. The uranium will be used to fuel nuclear reactors and reportedly will meet the needs of Japan.

Along with Libya, which two decades ago was a seemingly hopelessly impoverished North African kingdom, oil has fabulously enriched such improbable countries as Abu Dhabi. On a per capita basis, the 46,000 inhabitants of this sheikhdom on the Trucial Coast of the Arabian Peninsula are among the wealthiest in the world.

But completely apart from the riches bestowed on a fortunate few by the oil companies, broader-based surveys conducted under the U.N. Development Program have brought new hope to many marginal economies.

Discoveries of managenese, phosphates and iron ore open practical sources of revenue for Upper Volta, which had a per capita income of only $44 in 1966.

High-quality iron ore found in Guinea (per capita income $93 in 1966) and Liberia ($154 in 1966) is said to test better than that in Sweden. In Togo (per capita income $72 in 1966), supplies of dolomite make possible building-stone exports.

El Salvador's (per capita income $245 in 1967) geothermal power potential based on new discoveries is said to rival that of New Zealand. Some persons compare the possibility of cheap electric power for Central America to that introduced by the Tennessee Valley Authority in the United States.

Similarly, a find of copper and molybdenum in Panama (1967 per capita income $477) is said to be extremely rich and hold vast promise as a new source of revenue. Important copper finds also have been made in Argentina (per capital income $699 in 1966), Iran ($243 in 1967), Botswana ($86 in 1966), Malaysia ($255 in 1967) and Ecuador ($199 in 1967).

In Tunisia (per capita income $172 in 1967) and Nicaragua ($316 in 1967) significant discoveries of lead and zinc have been made, and in Iran a new process has been perfected for using ores previously discovered. In Lesotho ($80 in 1966) a mechanized process has been devised for extracting diamonds. Nickel has been found in Botswana.

Some of the most important discoveries have been sources of underground water for irrigation and industry in previously dry areas.

Significant new water supplies have been located in Jordan (1967 per capita income $235), Lebanon ($294 in 1966), Syria ($204 in 1967), Cyprus ($664 in 1967) and Jamaica ($431 in 1967). Irrigation and hydroelectric power from dams also promises to stimulate food production and industry in Ceylon ($132 in 1967).

Turkey (per capita income $299 in 1967) is now believed to have twice the forestry resources previously estimated, and important new tree resources also have been found in Greece ($621 in 1966). On Taiwan ($221 in 1967), tidal land is being reclaimed for crops.

New fishery resources also promise to contribute to development.

Important stocks of food fish have been found in waters surrounding the Philippines (per capita income $233 in 1967), where locally-caught fish previously supplied only 15 per cent of the need.

Experts selected by the United Nations

conduct the surveys at the request of individual governments, which pay part of the expense of such "pre-investment" activities. The governments themselves determine how to exploit any new resources that may be discovered.

Some criticism has been leveled at the United States for pushing too hard on behalf of private enterprise in any concessions that may be granted. Others have pointed out that, in any event, the choice of public or private means or a combination of the two is up to the government concerned.

BAR AND CONTROL USE, TRANSPORT AND MANUFACTURE OF LETHAL, CHEMICAL AND BIOLOGICAL AGENTS IN MILITARY OPERATIONS

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks in the RECORD, I include therein a very interesting letter from Brig. Gen. James A. Hebbeler, the Director of Chemical and Biological Research and Nuclear Operations, which came in response to my request urging greater safeguards on toxic gas disposal by the Department of Defense.

The presence of toxic, dangerous explosives and explosive materials in the country and the world has understandably been of greatest concern to many people.

Some time ago the National Academy of Sciences made its recommendations on toxic gas disposal, which has been under study by the Department of Defense. The Army requested that an independent study be performed by the Academy, and the recommendation of the Academy is that wherever possible the gasses be detoxified, and that concerned Government agencies collaborate in developing detailed disposal plans.

It is interesting and reassuring to know that the hazards of the materials under study do not differ greatly from those of some commercial chemicals currently being shipped by rail across the country. Obviously, most urgent efforts should and must be made to establish safety precautions for all shipments and handling of this kind, similar to those which the Department of Defense has established for shipments of chemical material.

It is to be noted that under these plans fully trained, technical, escort units will accompany each train, fully equipped with protective gear to provide for any incident, and to alert the general public, if and when necessary, and accompanied by highly qualified doctors and medical aid men.

In addition, the progress of these trains will be monitored continuously, and contingency plans are available to deal with any situation. Further, the proposed travel routes have been selected after careful consultation with transportation experts which represent the safest routes available. These rules should be applied to all relevant transportation media.

It is to be noted that the method of disposal involved, include demilitarization of munitions, and burning or chemically neutralizing the agents, land burial, and sea burial.

It was determined after careful study that sea burial was the best method in terms of safety, contamination of environment, time and cost, and constitutes no significant hazard to the food chain of man or fish, and no hazard to man through sea or land contamination. These findings must be confirmed by all qualified sources.

Chemical neutralization was one of the disposal methods under consideration, and this involves treating the agents in a reactor with a series of decontaminants, designed to decompose the toxic agent into a nontoxic material. The procedure necessary to accomplish this is hazardous and takes a long time.

It is to make sure that the safest method of disposal is implemented that the Department of Defense has requested the National Academy of Sciences to make an independent review of movement and disposal plans. These must be vigorously pressed and followed up.

It seems, therefore, that we are on our way to ridding our Department of Defense and the Nation of hazardous materials. But we must not stop there. We must continue until we effectively outlaw and forbid the manufacture, storage or use by any nation of toxic, disease-bearing, or inhumane, lethal agents in any form or shape to be used for purposes of destruction, or to be manufactured, or kept available, for the purpose of intimidation, or the promotion of horror and fear among nations and peoples. It is to be hoped that the Soviet Union will agree to these international controls under appropriate inspection provisions thus assuring the whole world that these horrible agents will not be used to destroy life.

It should be observed that it is the policy of the United States not to utilize these lethal, chemical and biological agents, unless they are utilized in the first instance against this country.

Meanwhile, it is of urgent importance that this Government press for effective international restrictions and controls of these agents, predicated basically upon the abolishment of their use and suitable international inspection to make certain that they are not being manufactured, stored, or used in any way contrary to the agreements banning them from use.

Hon. PHILIP J. PHILBIN,
House of Representatives,
Washington, D.C.

DEAR MR. PHILBIN: A safety review of toxic materiel in depots and storage areas indicated that disposal of certain munitions and bulk agents would purge our stockpile of obsolete materiel.

The toxicity of this materiel has been highly exaggerated and the hazard does not differ greatly from that of some commercial chemicals currently being shipped by rail across country. The safety precautions established by the Department of Defense for shipments of chemical materiel are more stringent that those required for shipments of commercial chemicals.

The Department of Defense safety precautions exceed Department of Transportation requirements in terms of actions listed in this paragraph. When this plan is implemented, fully trained technical escort units will accompany each train and carry with them more than sufficient material, protective gear and equipment to cope with any incident. Armed guards will be interspersed along each train to provide physical protection to the cargo and keep the general public away in case of an incident. A highly qualified medical doctor and three medical aidmen will accompany each train. The progress of each train will be monitored continuously and contingency plans are available for any situation. The proposed railroad routes were selected after careful consultation with transportation experts and represent the safest routes available. Every effort has been made to avoid having the trains go through major metropolitan areas.

Three methods of disposal were considered. These included demilitarization of munitions and burning or chemically neutralizing the agents, land burial and sea burial. After careful study, it was determined that sea burial was the preferred method in terms of safety, contamination of environment, time and cost. It has been concluded that the sea burial constitutes no significant hazard to the food chain of man or fish and no hazard to man through sea or land surface contamination.

Chemical neutralization was one of the disposal methods under consideration. This is accomplished by treating the agents in a reactor with a series of decontaminants so that the toxic agent is decomposed into a nontoxic materiel; however, in the process large volumes of liquid waste are generated. Before this could be done demilitarization of the weapons involved must be accomplished. This procedure is hazardous and takes a long time.

There are only two facilities where this neutralization might be conducted. One facility is small and would require months or even years to accomplish the job. The other facility is in lay-away status and would require reactivation and construction of a furnace to burn the contaminated hardware. Estimates are this would take at least 59 months and cost about 17 million dollars.

To provide even further assurance that the safest method of disposal is implemented, the Department of Defense has asked the National Academy of Sciences to make an independent review of movement and disposal plans.

I trust this information will be helpful to you.

Sincerely,

JAMES A. HEBBELER,
Brigadier General, Director of CBW and Nuclear Operations OACSFOR.

THE LATE DREW PEARSON

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. EVINS of Tennessee. Mr. Speaker, as the recent recess of the Congress neared its conclusion, the Nation received the news of the passing of Drew Pearson, the famed crusader-columnist.

Drew Pearson had great intellectual capacity and great courage and while all of us did not always agree with him, he was admired, feared, and respected. Drew Pearson was one of the most colorful and versatile journalists of all time.

His column ranged from fierce attacks on corruption to chatty letters to his grandchildren. Pearson journalism had a great impact on Washington and our Federal Government.

He courageously challenged the President, the Senate, the House, the Federal Establishment throughout Government at various times and repeatedly—he was a journalistic watchdog.

Washington will not be the same without Drew Pearson—his column was widely read in Washington and throughout the Nation for the inside story. Drew Pearson's columns were in the tradition of the muckraking journalism—and Drew Pearson considered the descriptive label of muckraker as a high compliment.

I want to take this means to extend this expression of deepest sympathy to Mrs. Pearson and other members of the family in their loss and bereavement.

KOREAN INDEPENDENCE DAY

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. POWELL. Mr. Speaker, natives of Korea commonly refer to their country as Choson, meaning "land of the morning calm." But in view of Korea's turbulent past, Choson might be a misnomer. Because of the strategic location of the country and the tradition of competition between empires in the history of that part of Asia, the country has a unique heritage of strife. During the period of the three kingdoms of Korea, the peoples of these areas, the Mahan, Chinham, and Pyonhan, fought one another for 700 years. For the next 1,200 years Korea was overcome by the rival imperial powers China, Mongolia, and Japan. In spite of invasion and colonial status, Korean culture managed to survive in letters, Buddhist poetry, and native art. Under the great Yi dynasty Korea flourished intellectually as well as culturally. Fifty years before Gutenberg, in 1403 Koreans had Chinese characters printed in moveable type.

The nationalism of oppressed peoples that followed World War I had a strong impact on Koreans. A proclamation of independence from Japan was issued in March 1919. This was followed by demonstrations, which the Japanese suppressed with violence. Outside the country in Siberia, Manchuria, China, and the United States, emigre Korean patriots agitated for independence for their native land. A group of nationalists organized a provisional government in Shanghai. One of these was Syngman Rhee, formerly a student at Princeton when Woodrow Wilson was its president. An assassination was attempted in 1932 on the Japanese emperor. The Korean independence movement flourished until World War II ended Japanese imperialism in Korea.

The sovereignty of Korea was a vital issue during the war. In the Cairo declaraton of December 1943, China, Great Britain, and the United States promised Korea independence in "due course." The U.S.S.R. committed itself to this goal when it entered the war against Japan August 8, 1945. Korea was divided at the 38th parallel into United States and Soviet jurisdictions for the purposes of military operations in the surrender of Japan.

In the absence of the Japanese, however, Korea was a partial vacuum. Once again foreign and domestic forces competed for control of the First Korean Republic. Very rapidly, a Korea divided between the two superpowers of the postwar world became a battleground for the cold war. Elections in South Korea were held May 31, 1948, when Syngman Rhee became chairman. The Republic of Korea was inaugurated August 15, 1948, a date which is formally designated as Independence Day.

Two years later, forces of North Korea crossed the 38th parallel, marking the start of the Korean war. During the 3 years of war, more than 1 million were killed; 2,500,000 were left homeless; and cities, industrial installations, communication, and transportation facilities were devastated. Even after the end of hostilities in July 1953, domestic political turmoil continued. The position of Korea's head of state has changed hands often, and each occasion has been accompanied by violence and civil strife.

Conditions under the current president, Chung Hee Park, elected in 1963, have improved in many ways. Aggregate production has risen an average of 9 percent from 1956 to 1966. More and more Korean manufactures have become competitive on world markets. The standard of living has improved considerably. Relations with Japan have improved. Now that stability has been restored to domestic politics, Korea is pursuing an ambitious program of economic progress.

August 15 is a day of celebration in Korea for many reasons. Independence Day marks both the anniversary of the Japanese surrender in 1945 and the establishment of the Korean Republic in 1948. On this day are featured special nationwide events such as athletic games, fireworks, military parades, and so forth. According to the lunar calendar, Koreans are also celebrating the Moon Festival, a time of thanksgiving, feasts, and harvest celebration. During the day Koreans visit their ancestors' graves, offering food and wine from newly harvested rice. We rejoice with Koreans on this day of multiple celebration in the "land of the morning calm."

THE EVERGLADES JETPORT—THE NEXT CONSERVATION FIGHT

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. OTTINGER. Mr. Speaker, the proposed jetport in the Florida Everglades has excited much interest in recent months. Conservationists have been disturbed over this monstrous example of nonplanning for some time; now alarm is spreading among other concerned citizens as well.

The jetport proposed by the Dade County Port Authority would be located in close proximity to the Everglades National Park. Indeed, much of its value from their narrow point of view rests in this fact—most of the undesirable consequences associated with airports will be suffered, not by articulate and concerned citizens—with access to the ballot box—but by an uninhabited and defenseless natural area. That the area affected happens to be a national park is irrelevant to the port authority—that it will cause considerable damage to the park and inconvenience to its inhabitants and visitors is, a trifling and certainly tolerable inconvenience, not to be considered in the same context as the undoubted financial benefits which it will generate for the exploiters and developers that the authority so effectively represents.

Who pays this bill? Who assumes the hidden costs that cannot be disassociated from this unfortunate exercise in single-purpose development? The answer is the usual one: the public. I am not satisfied with that answer, and I do not think that very many of my colleagues will be either.

In the past few years, conservationists in this country have become increasingly militant and effective as a means of forcing public servants to consider factors other than short-range goals and immediate gratification of limited economic objectives. In my own State of New York, the fight of the Scenic Hudson Preservation Conference to preserve Storm King Mountain has received national prominence as a landmark case in this growing movement. The recent decision of Judge Murphy in the Hudson River Expressway case has reinforced this important trend, and has demonstrated to the exploiters that their guiding philosophy "movement in any direction must be progress," is as out of date as "manifest destiny."

My guess is that, unless the Port Authority or the Department of Transportation sees the light, the jetport controversy will become the next national fight for environmental protection. And I think that the citizenry has become sufficiently aware of the importance of environmental quality so that opponents of the jetport stand in very good position to win the battle. The handwriting is on the wall, for those who have the insight to see it.

The Wilderness Society has produced an excellent summary of the jetport controversy in the spring issue of its quarterly publication The Living Wilderness. The article should be read by every Member of this Congress: it points up the interdependent nature of the pollution and environmental degradation associated with the proposed jetport, and stresses that the Department of Transportation has clearly not followed its statutory responsibilities to determine whether in fact feasible alternatives may exist.

So that this article may receive wider distribution and serve to provide better information on this important controversy, I include it in the RECORD at this point:

JETPORT AND THE EVERGLADES—LIFE OR RUNWAY?

The Florida Dade County Port Authority's search for an airport site, as it first came to the attention of Miami newspaper readers in 1967, seemed to contemplate one of modest proportions—or so it would seem in the light of subsequent developments. The airport was said to be needed by commercial airlines for training jet pilots. However, the plan burgeoned in subsequent months. It grew into a project for a mammoth airport, intended to relieve congestion at Miami International Airport, to accommodate commercial operations, including supersonic transport.

One of the sites considered was Conservation Area 3A, just north of the Tamiami Trail (U.S. Route 41)—the northern boundary of the Everglades National Park. The Conservation Area site was eventually dropped from consideration when the Central and Southern Florida Flood Control District (FCD) objected that situating an airport here was incompatible with the water conservation purpose of the area.

The site for the jetport eventually settled upon an area 6 miles north of the Everglades National Park's 40-mile Bend Ranger Station. The eastern boundary would be nearly common with the west boundary of Conservation Area 3A, and would lie almost midway between the two coasts, approximately 50 miles from Miami via the Tamiami Trail.

Not only has construction for a 39-square mile airport actually started, but a 10,000-foot airstrip approaches completion as this is written. It is scheduled to begin use in September 1969 as a jet training strip.

Reactions against the entire proposal have begun to take on force. The Superintendent of Everglades National Park had warned the Port Authority in March 1967 that intrusion and noise from overflights and close-by operation of jet aircraft could cause wildlife dislocations, abandonment of habitat, and consequent alteration of the Park for visitor use; intrusion and noise would be inimical to the wilderness of the Park that Congress specifically sought to perpetuate in the Act of 1934 which authorized the Park. The Park was established in 1947.

Continued efforts by the Park Superintendent, in communications with both the Dade County Port Authority and the Federal Aviation Agency, brought no satisfactory results.

Access to the airport brings up additional problems. Initially the Tamiami Trial was considered as an access route. Enlarging the Trail to four lanes had already been contemplated. However, a new access route appeared on a sketch map early in 1968. This new route, currently referred to as a transportation corridor, was expanded in the plans into a 1,000-foot right-of-way which would include extension of Interstate 75 from its present terminus in Tampa. Included in the plans were a high speed ground transportation system, power lines, pipe lines, and possibly water transportation facilities. The alignment of the transportation corridor would run one mile north of the Tamiami Trail, parallel with it, but converging with the Trail at 50-Mile Bend.

There have been other variations of the planned access corridor, including one which would have bisected the jetport, after traversing the lower end of Conservation Area 3A, subdividing it with an additional pool. This plan was reconsidered—at least for the present—after strong objections, led by FCD's Chairman, Robert W. Padrick.

THE PROBLEMS

Apart from concern for the Everglades National Park, which is crucial, the jetport is controversial as a threat to the quality of the environment and natural beauty, and for its anticipated impact upon the ecology of the area. No apparent regional planning has been undertaken; no apparent effort to study the impact of the jetport and resulting urbanization on the environment, and on the present and resulting socio-economic structure, has been made.

The problem is complicated because of the lack of quantitative data with regard to certain specific questions. Nearly every aspect involves certain and undoubted environmental disturbance, whose consequences are generally predictable, but whose magnitude is not known. It is not possible to translate qualitative data, often speculative, into quantitative data with the precision required by the planners of highways and airports. Thus it is not possible to evaluate accommodations which may be made or considered for resolution of the problems.

Noise will affect the quality of the visitor's experience in the Conservation Areas, and even more so in the Park, which is expected to come in large part under the 1964 Wilderness Law. An ambient level of 20–40 decibels (db) may be tolerable; normal street levels of 50–90 db are incompatible with a wilderness experience. Noise from overflights (estimated at 250,000 training operations annually in late 1970, even before conventional flights begin), and noise emanating from the jetport, would obviously be even more unacceptable. A jet takeoff rates 150 db at close range, and about 117 db on the apron. By 1980, it is projected, there will be 900,000 operations; between one and two planes will land or take off every minute of every day of the year.

Few studies of the reactions of wildlife to noise have been made in the Park. Thus, it is not known to what extent jet noise will affect or disrupt animal habitats or reproduction processes. In 1968, public protests forced Miami International Airport to prohibit local training flights between 10 p.m. and 7 a.m. Of the new site, Federal Aviation Agency's Miami area manager said, "Nobody will be close enough to complain—except, possibly alligators." However one might interpret the reaction of alligators, it is certain that Park visitors will be vividly aware of the noise pollution, and the negation of a wilderness experience.

Water encompasses a large number of concerns: flow, quantity, and quality, among others.

Lower peninsular Florida is drained primarily by two drainageways. The Big Cypress Swamp and The Everglades. Big Cypress drains almost as a sheet with hardly any clearly defined watercourses, whereas The Everglades has its primary water course in the Shark River. The Everglades, above Tamiami Trail, is essentialy fully controlled and managed within the conservation areas of the Central and Southern Florida Flood Control Project. These conservation areas, which lie directly under the take-off paths for aircraft using the proposed jetport, are shallow water storage basins from which Everglades National Park receives a vital part of its water needs.

Under agreement with the Corps of Engineers, management of the conservation areas rests with the State's Central and Southern Florida Flood Control District (FCD), and includes recreational uses. The Florida State Game and Fresh Water Fish Commission, by agreement with the FCD, manages fish, game, and related wildlife in Conservation Areas 2 and 3. Everglades National Park requires an annual minimum flow of 315,000 acre-feet from the project, of which 260,000 acre-feet is to be released at varying rates approximating natural flows and natural flow-time through the lower end of the FCD-managed Conservation Area 3A for flow into the Shark River.

West of Conservation Area 3A, directly under the landing paths of aircraft that will use the jetport, is the Big Cypress Swamp, a sparsely developed area which covers most of Collier County. The Big Cypress is the Park's second major overland flow source of water. Developers with national sales campaigns have subdivisions under construction in some of the swamp's westerly area. Drainage is generally south, and flow enters the Gulf of Mexico, roughly from Naples on the north to Lostmans River in Everglades National Park on the south. Minimum annual water requirements for the Park from Big Cypress Swamp have been estimated at 157,000 acre-feet. Thus, more than one-third of the Park's surface water supply comes from Big Cypress Swamp.

Natural drainage patterns and flow-volume-time relationships can be altered by colossal construction projects, such as the jetport and the interstate highway, and the resulting urbanization and industrial section of the surrounding lands. Because of the physical character of the land, which is covered by water most of the year, the total volume of water is not likely to be changed appreciably, if at all, by construction. As the surface area is not increased, evaporation would not increase, except that in dry periods, when the water table has dropped below land surface, borrow pits and canals (necessary for construction in this swampy area) will expose the water table and evaporation could be extensive. The estimated evapotranspiration losses in parts of the Central and Southern Flood Control project area is as high as 80 per cent of the rainfall. Drainage canals increase the velocity of runoff without necessarily altering the volume of water. The essential factor in the maintenance of swamp and everglades is the exceedingly low velocity of the runoff. Moving the water faster enables the land to be drained more quickly, altering immediately the environment of the Big Cypress. Also, by moving this water faster, water arrives at the Park and at the estuaries earlier in time and in relatively greater volume, but the duration of water cover is shorter. This results in longer dry periods between the shorter wet periods. The consequence is also to alter environments.

With a projected population of as much as 1,500,000 people who will live and work in the satellite communities that will follow jetport and transportation developments, an additional 150 square miles are likely to be drained for urban and industrial uses. Culverts at regular intervals in the highways and under the runways, and a network of collecting canals designed to redistribute the water by overbanks spilling, can simulate the natural flow except for the factor of time.

Designs that collect all the water at one or two places are not likely to meet natural conditions. Nearly all the water collected would have to be discharged across Park boundaries. The National Park Service would undoubtedly resist the pressure to issue permits for construction of ditches, canals, or other works in the Federally-owned area of the Park or the area over which it has unquestioned jurisdiction, but it may be another matter in those areas over which the United States jurisdiction is imperfect; further, the United States does not own sufficient land here to prevent entry. Peculiarities of the laws affecting Everglades National Park split the Park's jurisdiction in the most threatened area, and further provisions make it possible to put pressure on the Service to grant easements for canals draining the land adjacent to the Park.

Drainage works, by lowering the water table, drain the organic soils so that they dry, oxidize, burn, or are otherwise raised into the air as dust. Dust is a climatological influence; dust particles are nuclei around which suspended water droplets collect as fog and may on occasion affect airport use. Smoke from peat soil fires could have similar effects. To control dust and prevent fire, it may be necessary to plant and irrigate cover grasses or crops. Water for this purpose would most likely come from the Central and Southern Florida Flood Project, or directly from the

ground water. In either case, both airport and subdivisions then become competitors with the Park for project water, and even for the ground water, because the shallow surface water and shallow aquifer are fractions of the same water body. Transpiration may be altered by the choice of cover crops. If a dust palliative is laid, crop water may be saved, but runoff will be greatly accelerated.

Pollution is most frequently associated with water; there is a tendency to overlook other media which carry pollution, such as air. Particulate matter, vapors, and odors are obnoxious pollutants whose sources would include exhaust and other wastes from aircraft landing or taking off, from automobiles and trucks on the new highways, from industrial and commercial processes developed in connection with the airport, and from services to the new residential/industrial communities. Air pollution may change the vegetation and restrict the range of wildlife. Noise pollution has already been discussed.

Water pollution poses a critical threat to the Park's survival. Aircraft, when landing, taxiing, and taking off, are relatively inefficient in their combustion of fuels, and the exhausts will carry great amounts of unburned hydrocarbons, oxides of nitrogen, carbon monoxide, aldehydes, and so on. As the landings and takeoffs will be over the Big Cypress Swamp area west of the airport, and over the conservation area east of it, unburned jet fuel and other wastes will fall from the air and be deposited on the waters. As subdivisions develop, they will produce sewage which, even after treatment in plants of advanced designs, may still yield effluents greatly enriches in nitrates and phenols. These effluents will be added to the waters of the region. The airport and the industrial plants will also produce sewage and other wastes which will require sophisticated treatment to render the water relatively safe. As land surfaces are drained for subdivisions, substantial portions of this land will become lawns. Some land may become farms. Fertilizers are needed to nourish the thin peat-marl soils, and rapid water removal caused by the area's development will carry the highly enriched runoff into the Park. The developed areas and their environs will be subjected to massive insect control programs, adding insecticides to the air and ultimately to the water. Water control programs frequently require noxious weed controls and this will introduce herbicides into this water.

Assuming that the water meets minimum water quality standards for Type 1 waters in the State of Florida, it may nevertheless be unsatisfactory in the Park because it will be different from water in which the Park biota exist. For example, levels of dissolved oxygen, nitrogen, phenols, and other constituents which separately are deemed to be satisfactory for fish, may nevertheless be lethal to fish because of their damaging effects on the more delicate food web on which the fish depend.

While the water in the conservation areas is less likely to be contaminated with industrial wastes, it is likely to carry a large amount of jet exhaust wastes, as well as fertilizers, pesticides, and herbicides from the adjacent agricultural areas, which drain to the conservation areas.

If the water is found to be unacceptable for Park purposes, one may say it should be collected and discharged, wasted, directly to the Gulf of Mexico. Discharge to the conservation areas would be unacceptable since the water from these areas ultimately flows into the Park. In any event, water will be contaminated and the biological environment receiving this water will be altered.

If the contaminated water is rejected, the Park will not receive its vitally needed supply. The alternatives, therefore, may be either accept the polluted waters and the consequent alteration of the ecosystems, or deny the Park water and, through dehydration, create another form of ecological alteration. If one presumes that the bypassed water will be collected and discharged to the Gulf of Mexico, a deficiency in the Park's water will result which would require that an additional 157,000 acre-feet per year be withdrawn from the flood control project to maintain the present ecosystem unaltered.

It is difficult to state in quantitative terms the magnitude of pollution that will be experienced or the level which can be tolerated. It is apparent that changes will occur. It has already been observed that biological changes occur with the replacement of one type of algae for another as a response to enriched waters. The resulting exchange is at variance with resident ecosystems.

Pesticide levels found in tissue of certain small fish examined from the Park are already alarmingly high. As pesticides are now being found in the Southern Florida air, one can expect the jet fuel fallout will effect an increase in DDT precipitation from the air, resulting in increased water pollution to the Park.

PLANNING REQUIREMENTS

Section 4(f) of the Transportation Act, as amended in 1968, prohibits the Secretary of Transportation from approving any transportation project, such as the proposed Miami Jetport, which requires the use of publicly owned land from parks, recreation areas, or wildlife and waterfowl refuges of National or State significance unless:

(1) there is no feasible alternative, *and*

(2) the project includes all possible planning to minimize harm to the park, recreation area, or wildlife and waterfowl area.

The proposed Miami Jetport necessarily requires navigation easements over Conservation Area No. 3A (which is a State recreation area and refuge), and over Everglades National Park. It is, therefore, subject to the promotions of Section 4(f) of the Transportation Act, easements being—by legal definition—a use in, or over, the lands of another.

Although the jetport sponsors have carried on consultations with park, recreation, and wildlife agencies and interests, the feasibility of alternatives *has never been determined*, and the project *definitely has not included* all possible planning to minimize harm to the Park.

The Department of Transportation, in what is apparently a violation of the Transportation Act, has already approved the construction of the training runway, and has provided a large grant for a study of high-speed ground transportation to operate principally between Miami and the jetport.

The applicability of Section 4(f) to the jetport project has been brought to the attention of the Department of Transportation by the Bureau of Outdoor Recreation, the Department of the Interior's coordinating agency for Section 4(f) matters. To date, however, no satisfactory resolution of the problem has been achieved.

Interior agencies have been working closely on this problem. In addition to the Bureau of Outdoor Recreation and the National Park Service, whose interests are apparent, the Bureau of Sport Fisheries and Wildlife is concerned with the bird and game fish populations. Over 21 rare and endangered species of wildlife use this area as habitat for at least part of the year. The Bureau of Commercial Fisheries has an interest in the shrimp and commercial fisheries whose habitat includes estuaries dependent upon the quality and timely arrival of fresh water inflow from Big Cypress Swamp and Shark River.

In addition to these, agencies within the U.S. Public Health Service have expressed interest. The Central and Southern Florida Flood Control Project is being constructed by the Corps of Engineers and managed by the Central and Southern Florida Flood Control District, a State agency. The Department of Housing and Urban Development, although not immediately involved, could well have an interest if the rapid and massive development, as predicted, occurs.

The Bureau of Indian Affairs has an interest in the welfare of the Miccosukee Tribe, which occupies a strip of land along the Tamiami Trail in the Everglades National Park. The plight of the Miccosukee, as a consequence of the jetport and the access corridor, is especially tragic. They have, for the most part, been living in isolation on their native hammocks, although a number live along the Tamiami Trail in Everglades National Park, and have only recently organized under a Tribal Constitution. They will suffer displacement and drastic attrition of their pursuits. The airport is overrunning their Green Corn Hammock, where the traditional Green Corn ritual has been held for the purification of body and soul. Morally or legally, the rights of the Miccosukee to peaceful tenure are being trampled. The transportation corridor will eliminate the little bit of income they have derived from tourists on the Tamiami Trail. In general, the major developments in the area will disrupt their socio-economic life and may very well obliterate the group as an entity.

Emphatically, we must recognize that, for all the efforts at amelioration or accommodation that might be made, the proposed jetport may very well be incompatible with the preservation of the Everglades National Park or with the preservation of the regional ecological environment which affects the survival of the Park. Feasible alternative sites for the jetport do exist. It follows that developing a jetport at an alternate site may well be the only acceptable solution.

HOW NOT TO PROTECT AMERICA

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. WYMAN. Mr. Speaker, history is proof of the senselessness of relying on treaties with Communist nations. The road that led to war in Korea and Vietnam is littered with broken Communist commitments.

Those who urge that a treaty on the subject of nuclear nonproliferation should take the place of U.S. military power in reserve, are like those who would patch the hull of a battleship with paper and sealing wax. Whether the necessity be MIRV or Safeguard, or whatever tomorrow may present, we must stay on top.

A chain is only as strong as its weakest link. America's defense is as weak as its most vulnerable aspect which for those shortsighted few who would substitute reliance on a nuclear defense treaty with the Soviet Union for the deterrence of retaliatory power, would mortgage the security and even the survival of our people.

Mr. Speaker, we should have treaties, of course, but let us not take them too seriously when they are with Communist nations. Let us always firmly resolve that we will back them up with the necessary military hardware just in case. In this connection, I commend the reading of the following remarks by the distinguished columnist, Henry J. Taylor, appearing in the Manchester, N.H., Union Leader on September 2, 1969:

FOOLISHNESS OF "TREATY-SECURITY"

(By Henry J. Taylor)

Color-blind Senate Foreign Relations Committee Chairman J. William Fullbright, consistently downplaying any Red threats, ties his campaign against the nuclear defense proposal to the need for a treaty with the Soviet Union.

If Senator Fullbright, Sen. Edward M. Kennedy, Sen. George McGovern, et al, were negotiating with the Soviet Union, we'd be lucky to be left with the Statute of Liberty. Moreover, the highly publicized treaty prospect is no more a substitute for our national defense than a tin can is a substitute for the U.S. Air Force.

The nuclear defense problem has three phases: short range, intermediate, and final. The game the Soviet is playing it is playing for keeps.

The Soviet antiballistic missile system, which the Soviet General Staff calls "Galosh," already has 90 known sites that are operative. We are told that the Soviet defense "is not workable," "is no good," etc. Yet, indisputably, the Soviet is far advanced in building 30 more sites. No good? The Kremlin thinks its system is good, and is striving day and night to complete it.

This means 120 Russian nuclear defense sites versus the two now, and 10 later, in the U.S. Plan.

In June, 1965, former Defense Secretary Robert S. McNamara junked 14 missile complexes with 113 Atlas and Titan launching sites in 12 states, declaring obsolete the missiles these were built to accommodate at a building cost of $856.9 million—because of surprising Soviet missile advances. Again, it was another of the surprises the Red world always seems to have in store for us.

Moreover, when the Soviet violated the atomic test-ban understanding so solemnly agreed to with us, Russia became the only nation to have successfully test-fired a nuclear-armed missile at an incoming missile.

Thus the U.S.S.R. leaped demonstratively (not merely on paper) far ahead of us in nuclear defense and may have already cancelled out the U.S. Minuteman missile which is our chief weapon of retaliation in defense of the United States and our most credible deterrent protecting the free world.

Yet, confronted by these realities, we're told to think in terms of a treaty! The Fulbright-Kennedy-McGovern, etc., fallibility opportunism, mindlessness, or worse, on this thesis is as appalling as it is dangerous.

Every dependent nation in the world that has relied on treaties instead of keeping its powder dry has come to disaster.

Treaties could not conceivably mean less than they do to the Soviet Union. If the Fulbright-Kennedy-McGovern cabal does not know that, it knows nothing. But, in any case, the nearly ageless record of treaties are honored more in the breaking than in the observance. Treaties cannot substitute for wisdom or for military power in pursuing national objectives and maintaining the peace.

Our treaty-adherence record is the best of any major power. But every major nation, including the United States, has broken its pledged word when its leaders felt the current national interest required it.

At Yalta, at Russia's behest, both the United States and Great Britain shattered previous treaties like clay pigeons built to be shot down. The Bay of Pigs debacle and backdown shattered our ancient Monroe Doctrine forever—an edict far more formidable than any treaty. Our Vietnam involvement shattered treaties left and right.

While our country may be hoping for a nuclear defense treaty with the U.S.S.R., the antiballistic missile proposal means we are not relying on it. The Fullbright-Kennedy-McGovern cabal could easily learn at least three reasons why:

(1) For years on end the greatest weakness in our foreign policy has been an overreliance on treaties. We should give little or no weight to the expectation of performance under a decisive treaty.

(2) The leaders of the countries will have changed by the time the treaty-reliance may be critical, and all such probabilities increase the longer the treaty remains in effect.

(3) We should never bet our lives and our whole country—the destiny of the United States and all 200 million people who live here—on brains that talk treaty-security to us. Opportunistic politicians who say they believe in things like that end up in the dregs of history—and their country down with them.

JOHN CARDINAL WRIGHT RECEIVES PITTSBURGH ANNUAL LABOR DAY AWARD

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, each year in the city of Pittsburgh the labor unions and the friends of labor gather for a Labor Day Mass to honor the accomplishments of our working people during the past year, as well as the previous years of U.S. history.

This year the Labor Day Mass was celebrated at St. Paul's Cathedral, Pittsburgh, on Monday, September 1, 1969. His Eminence John Cardinal Wright was honored with the St. Joseph's Award as the Man of the Year in western Pennsylvania giving outstanding service and leadership in the cause of labor and the working people.

This award was a unanimous decision and one of the most popular choices that have been made for this significant honor. John Cardinal Wright returned from Rome, where he is serving as prefect of the congregation for the clergy, to receive the silver statue of St. Joseph, the worker, which symbolizes this award.

In attendance, to join in this mass and to honor John Cardinal Wright were the representatives of churches of various faiths in Pittsburgh, the officials and members of the union organizations, and the many local public officials representing the government in the city, county, State, and Nation.

It has been an honor for me to be present as Pittsburgh U.S. Congressman each of the 10 years that the mass has been held to honor our unions, their officers and members, as well as the working men and women of our great Pittsburgh industrial center.

During his service as the bishop of Pittsburgh, John Cardinal Wright was an outstanding churchman and leader for all progressive programs and ecumenical causes. Cardinal Wright worked with our religious and civic communities, and public officials so that there now exists cooperation and joint leadership for united purposes and common civil goals.

I am submitting the excellent sermon delivered by John Cardinal Wright for the RECORD, so that his fine thinking can be made available to the Congress and the American people, in these serious days.

John Cardinal Wright chose as his theme the Biblical quotation:

Justice exalteth a nation; but sin maketh nations miserable. (Proverbs 14:34)

The sermon follows:

SERMON BY JOHN CARDINAL WRIGHT

"Justice exalteth a nation; but sin maketh nations miserable."—Proverbs, 14, 34.

Two thoughts are uppermost in my mind as I return this morning to this beloved pulpit.

The first is one of great gratitude that an award which I instituted ten years ago has this day been presented to me. Those who have preceded me among the recipients of the Saint Joseph the Worker trophy were always quick to point out that they were members of groups, co-workers with others, and that they very properly saw themselves as at most the representatives of these others in accepting the recognition that comes with this honor.

I must do the same, I above all. I could not possibly accept from Bishop Leonard the trophy I have placed on the altar except as the representative of the American bishops and priests in general, and some of them in particular, who during the last century and this have most especially espoused the cause of the working man and identified themselves with the cause of social justice.

The American bishops and priests whom I represent are many. Most of them are unknown, certainly unsung by the present generation. Some of them were buried in publicity, some were buried in obscure assignments. They took their stands in various periods of crisis within the Church on occasion, within the national community more often, within local communities most often of all. There were perhaps never as many as there should have been, but there were certanly more than we priests and bishops of the Hierarchy are usually given credit for. They were, as they still are, in overwhelming majority themselves the sons of working men and of working men's wives, but they were not chaplains, as men like them must never be chaplains, in class warfare or in intergroup hatreds of any kind.

Those of them who persevered in the struggle, whose work, in fact, bore fruit, who held apparent frustration and useless praise or lack of it in equal realistic regard, were primarily the sons of the Church, seeking to apply her teaching and therefore to follow their consciences. They were Americans, by birth or by naturalization, and so America was the immediate field of their efforts at reform or progress. But they were Catholics, with the letter "C" in both lower and upper case, and so their concern was with the human family everywhere, as is that of the Universal Church. The human family, the only race of which they admitted the existence, was not for them an abstraction; it meant every person, any person, each person, all persons, the person, wherever he may be, whatever be his background, whichever his color, his condition, his creed, his calling.

I would be unprepared to label these men of God who have served the cause of social justice, and therefore of working people. I have no idea whether they were liberals or conservatives, pragmatics or classicists. Some of them were pastoral-types; some of them were scholars. I only know for certain that they were Catholic, with a capital "C" and a lower case "c", and that like their counterparts in the tremendous social movements of world Protestantism and age-old Judaism people with truly catholic minds and hearts (I am using here the small "c" on the word catholic) they would reject imprisonment and defy classification within any of these largely meaningless and usually vituperative classifications so beloved by our contem-

porary shorthand journalism or hit and run reporting.

Most of them were men like Cardinal Gibbons and Archbishop Ireland, like Bishop Haas and the Spaldings, like Monsignor John Ryan and Father Ray McGowan, each of these being very cautious, which means, I suppose, "conservative" in what pertains to the Faith and each forward-looking in what pertains to social action and reform—which means, I suppose, "liberal". In fact, in all things they were merely trying to be decent, which means faithful in conscience to the teachings of the Church and faithful in service to the needs of God's people.

While I was here in Pittsburgh I often wondered whether a priest like, say, Pittsburgh's Father Jimmy Cox felt more at home during the march which he led on Washington, D.C., for social justice or during the pilgrimages which he led to Saint Anne de-Beaupre in Canada or to Lourdes in France and to Rome for the rekindling of the ancient Faith of himself and his people! When do you decide to classify him in some subcategory of Catholics, was it when you found him preaching the need for better wages or housing to lead the decent human life? Or was it when you found him reproducing the Holy Stairs and preaching the traditional doctrines of penance, prayer and basic Faith by which even the most human of decent lives is lifted to the level of the Divine?

And if you have this problem in classifying the Catholic clergy and bishops who bore their witness to social justice and human dignity, in season and out, with or without success, ending as they began, fully the servants of the people and yet faithfully bound to the altar, I must remind you that you will have the same problem classifying Protestant Christian or prophetic Hebrews who have used their ministry in behalf of the social gospel or the social witness of the Hebrew prophets—but have never forgotten what are the premises in faith of that witness, what is the secret of the hope that the world can be renewed and the conviction that the world continually needs renewal from outside itself. On this, Jew, Protestant and Catholic have been in agreement from the ten commandments, to the collective pastorals of the various Boards of Bishops or rabbinates, from the encyclicals of the Popes on social and moral questions to the most recent local declaration issued in agreement under ecumenical auspices.

Those secrets are simple. They are set forth in the text that I read to you this morning. The hope that society can be redeemed and renewed is in the word *justice*, of which God is the force and which is one of His attributes. The source of our confusion, our embarrassment, or all our moral and social evil is *sin*, of which Satan is the source and which constitutes his very essence.

And now that I have said to you thank you for including me among those who have tried to keep this message of Sacred Scripture alive in the battle for human progress, let me come to my second, most important and final point. Nothing substantial, permanent or truly positive can be accomplished about any of the problems which so bewilder us—the problems of war, the problems of infidelity (whether within the family unit by double timing, within the nation by treachery, within the Church by apostacy), the problems of maldistribution of the resources and the wealth of the world, the problem of hunger, the problem of unemployment, the problem of genocide, whether by gas chamber or by government programmed contraception, the problem of neglect, whether it reveals itself in illiteracy or delinquency or mere pollution of the air—nothing can be done about any of these problems until we stop using technical jargon and sweet talk—Al Smith used to call it using words to conceal meanings—and put proper labels on things where those labels are called for.

As one speaking in the biblical and religious traditions of the Judeo-Christian world, for example, I suggest that we begin this process with the return to our vocabularies of the word and above all to our convictions of the concept "sin". I suggest at if our nation is miserable, or largely so despite its affluence and its blessings; if our world is, in fact, miserable in the news reports despite its infinite resources and capacity for happiness; if our beloved city, to be quite specific, is miserable this weekend despite all the imaginative forces at work in its "renaissance" and all its financial power to build so ambitiously and so beautifully—if all this is true, and it is, then something essential is missing from among its assets and something vicious is present among its liabilities. The first of these is frequently mentioned, though with what degree of conviction I am never entirely sure. That something is *justice, the justice that exalts a nation, a church, a city, a family, a community*. That justice is clearly missing somewhere along the line, however loudly it may be invoked on every side.

But the vicious thing that is *present* and that *no one ever mentions*—or mentions *only reluctantly* and as if he were crudely introducing a discredited concept into an otherwise intelligent discussion—that something is the word *sin*.

The present miserable condition that surrounds us is visible all over the city, all over the nation, all over the world. Yet no one seems willing to brave the spirit of the times by pronouncing the word which sums it up and explains it. The reason for this reluctancy is that the misery is present within these very walls because it is present within our very hearts, deep in our hearts. It is the more difficult to eradicate precisely because we will not say the word and admit what it means and how alone it can be purged.

Whatever may be the secondary and complicating causes, the plain fact is that the city, the nation, the world, and, if you will, the Church is not made miserable by maladjustment, maldistribution, maladministration, misinformation—but by *sin*.

We must not be simplistic or rabble-rousing in this matter, charged with the emotions and vocabulary of a camp revival meeting. Nor, on the other hand, must we abjectly conform to the spirit of the moment and limit ourselves to its vocabulary and text book jargon. We need not become hermits, in pious flight from positive action; that, all by itself, would be no solution to the social question. Neither must we become religious fanatics, denouncing the values of the world or the wisdom of its programs; that could easily become heresy, another word we would do well to restore to our vocabulary and our convictions.

But we must restore something of the proportion presently so gravely violated when the word "sin" rarely appears in a public pronouncement, and then usually as a figure of speech, and never appears in a purportedly serious analysis of the true causes of our problems. The use of the words "sin" and "repentance" have seemed almost artificial, when used by public authorities at all, since the death of Woodrow Wilson—and increasingly, even pronouncements put out by religious agencies appear more concerned with the positive, creative support of sociological and political programs—a support in fact frequently needed and too often withheld—than with prophetic denunciation of the fact of sin or prophetic calls to effective repentance.

Instead even religious spokesmen offer such specific suggestions, they are such as any common sense group, speaking with the wisdom of the world, should come up with, while the prophetic denunciation of sin, specific and unashamed, together with the call to conversion, specifically to God and by the mercy and grace of God, are either muted, or omitted, or wrapped up in rhetoric seemingly designed to reduce the concept of sin and the nature of conversion to some sort of broad consensus in which God is allowed and His Church accepts only a constitutional voice, certainly when the problem is thought of as secular and political, and even when it is acknowledged to pertain to faith and morals.

The justice that exalts a nation is not the justice of a constitutional deity; it is the justice of the God of the Bible. The sin that makes a nation miserable is the sin denounced by Isaiah and the prophets, by Jesus, by the independent papacy. The sin, or the concept of sin arrived at by consensus, determined in the light of widespread habit, public policy or cultural *mores* at any given moment, may tranquilize a nation, undermine a nation, and, by definition, be acceptable to a nation. *But it may still be the sin that makes a nation miserable.*

Let me be more specific. During the last several years spokesmen for various church and ecumenical groups in America have put out sincere, eloquent and well-intentioned statements on social questions. Some of these have been concerned with peace and war. Some have been concerned with poverty and what to do about it. Some have been linked to intergroup disorders in the cities or starvation in rural areas. Some have been linked to special seasons, to Peace Day for example, or to Labor Day. I have had a hand in the writing of a few of these and so I know the earnestness, the desire to be of service, the careful thought that goes into the preparation of most of them.

Some of them discuss the symptoms of our miserable condition. They lament the violence which is the most obvious and most painful of the symptoms of our miserable condition which they record as would a clinical report. Some of them seek to explore more profound levels of the causes of these symptoms, the roots of our misery. Not a few even suggest specific remedies, particularly in terms of cash, allotment of monies, improved programming, new approaches to tired or discredited political, religious, community or private efforts to relieve the symptoms and to remove the only causes which are mentioned. These causes are invariably economic, political, social, cultural, geographical, or historical—but sin is stamped all over them. Yet *sin* is rarely if ever mentioned, let alone acknowledged.

If only because I am standing in a pulpit—but I would do the same if I were talking in Congress, at a Labor Union Convention, or at a roundtable on social problems—I feel bound to emphasize the fact of *sin*—to declare the presence of *sin* among us; to suggest that it is *sin* which makes a nation, a family, or a city, miserable; that *sin* is at the heart of all the problems to which we give such attention as we give the misery around us; that repentance from *sin* is essential to the correction of those problems; that unless *sin* is acknowledged and repented our social problems are, in fact, insoluble, our misery is indefinite, however much the sin may be buried in our subconscious, put out of our minds, or whatever else is meant by the phrase "swept under the rug".

Our Labor Day statements mention justice; they nowhere mention sin. They underline, in positive and intelligent fashion, the need to face up to the causes of social unrest and the need to confront the causes of poverty; the Church is specifically urged to attack those causes, largely in terms of the indispensable practical strategies admittedly needed to attack the problems which have economical, political or social consequences and complications. But even the enumeration of the causes which the Church is specifically called upon to confront does not mention that radical cause which the Church is primarily and uniquely instituted to con-

front, charged by Its Founder to confront, inspired by its saints to confront, called by Its God to confront: namely, the radical, all-pervading fact of sin that makes a nation miserable.

The Church is an institution that works in the world. As such it must cooperate with all other institutions honestly engaged in fighting whatever problems impede human progress, threaten human life, limit human freedom and pervert happiness here below, while destroying the possibility of these in the life of the world to come. But the supreme business of the Church is the prophetic, moral leadership proclamation that certain of the problems which so curtail life here below and threaten it hereafter are not merely economic, nor political, nor cultural, nor social, nor ill advised labor or education policies—*they are objectively sinful.* In the words of the otherwise often doubtful Dutch Catechism, sin is the refusal to love others or the Other, by which the Dutch Catechism, since it spells the "Other" with a capital "O", presumably means God; therefore, sin is the refusal to love others and to love God.

Christ worded it a little more simply. He declared sin to be the refusal to obey God's Law and He defined God's Law in terms of Love. He said that we are guilty of moral evil, by violating God's Law, if we refuse to love the Lord, our God, with our whole mind, our whole heart, our whole soul. Then He added, in effect: "By the same token, you commit the same sin if you refuse to love your neighbor the way you love yourselves" —if you refuse your neighbor the same opportunity to be, to grow, to be free, to work, to join up in the movements designed to protect basic rights—such as life, liberty and the opportunity for work—that your love for yourself prompts you to establish for yourself and guarantee for yourself."

It is as simple as that. When all the technical jargon, the history courses, the sociology studies, the research projects, the government reports and the convention resolutions have made their suggestions and played their part, it is still the Sacred Scripture that has the final say: *Justice exalts a nation; but sin make nations miserable.*

The Bible uses the word *sin*, on one or another form, about six hundred times: the Kerner Report does not mention it at all, which is probably defensible in a secular state but is no great help in a miserable society. What is even more lamentable, few other statements of the causes of our misery, except perhaps those of extreme fundamentalists who discredit their witness by religious fanaticism and social myopia, include *sin* either when they list the causes of our misery or attempt to program their solutions; there may be comfortable talk about "change of attitude" but little or no call for repentance, change of heart, in the strict biblical and traditional, theological sense.

I need hardly say that, except in terms of sin, the Bible never uses most of the words that are used to describe the processes, priorities, projects, interfaith programming, ecclesiastical and political budgeting which are the commonplaces of our political and even religious declarations on those matters and approaches to their solutions. It talks about *sin* as a *cause* and *love* as a *cure*, the cure that casts out the fears at the heart of our hatred, our basic *sin*.

I suppose that I am not, certainly in any narrow sense of traditional polemic, "a Bible Christian". My Protestant Christian brethren will understand that I would not believe in "Scripture alone" as the source of faith or morals. I believe that the Scriptures call for very careful interpretation and for divinely-inspired powers of discernment of their messages of which I do not feel capable, all by myself. Hence my grateful dependence on the authority of the Church and the word of its apostolic teaching.

Moreover, I have a deep veneration for the power of human intellect, for the ultimate reliability of common sense, for the wisdom of the ages, for all the things of which Dante saw Virgil and natural reason, as well as natural ethnic, to be the symbols. And so I know what the American hierarchy meant when, in connection with another moral problem currently disguised and distorted as merely a political worry, medical difficulty and sociological phenomonem, they dared to call the sin of contraception an "objective evil". I also know that even pagans, even atheists, the present moral mess that surrounds us would be called what it is: the proximate result of poverty, of unemployment and discrimination—but the ultimate result of hatred—which is an "objective evil"—which, again, means *sin*.

The misery we are worrying about all over the world at the moment—in Pittsburgh and elsewhere at home, in Northern Island, in the Middle East, in areas of Africa, in disputed zones of Europe—is given all manner of names and explanations. In fact, it is usually one or another form of *racism*—which means of *sin*—which means of *hatred*—which means of *fear*. Fear is not cast out by knowledge alone and hatred is not diminished by money or power alone—as many wealthy families well know and some powerful organizations. Fear is cast out by love—and that is what the Church is expected to preach and to give before it opens its mouth or its offices for anything else. *The Church exists to confront sin and communicate love.*

Let me linger for a moment on this concept of *sin*, because this is the heart of the matter and on this you will not hear much, I am afraid, in the discussion of our community tensions. On this point the Dutch Catechism, often too obscure and inaccurate on other matters, is remarkably useful. Discussing the failures of Christians and the nature of sin, it says that the great fault of men is not that some social mechanism is out of order, the way Marxists suppose, but that free will is misused in favor of objective evil. It says further that evil does not ultimately mean just imperfection or disorder that we can straighten out with mere human intelligence and human energy, but that it involves turning away from God, which situation cannot be corrected by man alone. It goes on to say that sin is not merely transgression of some abstract, lofty law, but involves a personal offense against love. Finally, and most importantly, it underscores that sin is not just an offense against man, as secularists and humanists are limited to saying, but it is also and supremely an offense against the Creator and Redeemer of the human race. It is a deliberate offense against Divine and human love, which cannot be repaired by human means, or human solutions to human problems.

Sin is harmful to man, but the point is that as a transgression of God's Law it always involves a refusal to love as God wishes us to love both Him and one another.

That refusal may not always be conscious and fully willed; it admits of degrees of guilt, according to cultural conditioning, fear of heart, confusion of mind, degrees of understanding or of ignorance—again as the American Bishops pointed out in discussing the objective evil that is contraception, and in suggesting the degrees of guilt which may be present in an individual caught up in all the pressures and propaganda, slogans and sneers of a contraceptive civilization, political atmosphere or economic cultural. But the corrosive objective evil is there, all the same, and so is objective sinfulness, just as it was present in the days of slavery in the United States when respectable men, still held in great renown, were, in fact, slaveholders, and as men may be acceptable today in social or diplomatic circles even though they represent nations whose whole economy is based on slavery in one or another form.

I do not pretend to say that George Washington, for example, or Thomas Jefferson, were subjectively sinners, but I do say that the situation of slavery to which they were apparently blind was objectively evil; it was, in fact, sinful, though they may have been kindly men and, for one reason or another, diminished in their guilt.

The same thing goes for racism, which is a form of spiritual slavery as there are forms of cultural imperialism long after political and economical imperialisms have ended their exploitation. Such racism is sinful and it calls for change of attitude, a change of heart, a radical conversion in the Scriptural sense. It is not enough to call it a "disorder", or a "lesser evil", or "a stage in the striving toward a greater ideal"—as some Christians say about life-prevention, abortion or the bombardment of non-combattant villages, or as other Christians say about the discriminations, segregations, exclusions and inequalities at the bottom of our present misery. *It is a sin.* That is *all* it is and it is *no less* than that.

The guilt of some involved in it, like that of some of those involved in other sins we have mentioned or could mention, may be understandable because of cultural conditioning; may be pardonable because of invincible ignorance; may be diminished because of panic, fear, confusion or instability—but the situation remains *objectively sinful.* The very first business of the Church, Catholic or Protestant, and of the Synagogue, is to put that fact in clear focus and unmistakable clarity when it is facing the causes of poverty and confronting the causes of our misery.

This is the mandate that God Almighty gave the Church and the Synagogues—to preach the fact and the nature of sin as the cause of our misery, the need and the nature of repentance as the beginning of the cure of our problems. To be sure, neither God, nor the prophets, nor Christ left it as that. God Almighty has also given the Church an agenda as to what it is to do about social problems beyond what is the obligation of the State, primary custodian of public order and the temporal common good. He has done this through His Sacred Scriptures, which tell us that a brother helped by a brother makes a strong city; that every field is to be plowed by its owner with a view to what he can make available to the needy; that not those who say "Lord, Lord" but those who keep the Law of God, which is a law of charity, are worthy of the Kingdom; and that the final judgment concerning whether we go to heaven or to hell will depend on what we did for those in prison, who need clothing, food, housing or the plain comfort of our company and moral support. This mandate the Church received from God Almighty before it received volunteer mandates or rebukes from Concerned Citizens, Action Groups or Political Commentators. But this mandate follows upon and depends upon the primary mandate God gave His Church to preach love not hate: to remind men and governments that it is justice which makes a nation powerful and it is sin which makes a nation—or a city—miserable.

The lesson for Labor Day 1969, especially to the Labor Unions whom we have tried to honor and encourage each year, is too obvious to need explicit declaration. So, let me sum up all I have tried to say by three brief quotes:

(1) Of the many sayings attributed to the late President John F. Kennedy one is particularly facile sounding and particularly false. It went to the general effect that there are no human problems which do not admit of human solutions. If this means our present social problems of poverty, violence, war and racism it is flat nonsense, however cheerful. Our only problems worth mentioning are due to sin, particularly hatred, though the sin may be the kind the Old Testament child of God prayed he might be for-

given: from my *unconscious* sins, O Lord, deliver me—from the sins against life, against the dignity of my neighbor, against the common good of which I am not even aware, but which nonetheless objectively ruin Thy divine order! Deliver me, as I beg you to do, from the sins which I admit and which I consciously confess—but do even this by Thy mercy and Thy grace, because I cannot do it alone.

(2) In fact, it is these objective evils, these objective sins of which so many of us are sometimes unconscious, because the world tells us that they are not so sinful after all, it is *these* which cause our misery. Pope Pius XII once said: "Perhaps the greatest sin in the world today is that men have begun to lose the sense of sin". This would take another sermon in terms of a few situations within the Church itself. I limit myself to the problems in our general community. We have more sense of what is bad politics, bad diplomacy, bad military tactics, bad medicine, bad technology, bad business procedures, bad union interests or bad public relations than we have the sense of what is objectively sinful. We would almost rather have a rogue in charge of our affairs, if he kept trouble away from the door, than a saint if he called us sinners to our faces and told us that we must have a change of heart before we can change the mess around us.

(3) My final quotation is from a perhaps surprising source. But it has to do both with the nature of sin and with the contemporary rejection of the whole idea of sin as the cause of our misery, as well as with its opposite as the only ground for our hope. I had never thought that I would quote James Joyce's novel *Ulysses* from this or any other pulpit. But here goes. Its principle character, a Dublin Jew, is quoted by Joyce as saying to the typical characters in his Dublin hangout: "It's no use", he says, "force, hatred, that's not a life for men and women; insult and hatred is no way of life; everybody knows that it is the very opposite of that, that is really life." "What is?", says Alf, one of the citizens. "It is love," says Bloom, "I mean the opposite of hatred." And they all laughed at him.

Please do not anyone laugh at which I have tried to say to you, a little obliquely but with great feeling, this Labor Day. I love you dearly, every last one of you. I know that many, that probably most, I sometimes think with a terrible sense of unworthiness, that *all* of you love me.

I beg you love one another and all God's children. Let us purge our hearts of hatred, which is sin, and thus purge our city of all the misery which hatred begets. Let us not merely love one another *sentimentally;* let us do the *works of love,* the first of which is justice. For it is: *Justice that exalts a nation; but sin that makes nations miserable.*

SALUTE TO MALAYSIA

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. POWELL. Mr. Speaker, I wish to call the attention of Congress to the 12th anniversary of independence of the Federation of Malaysia on last August 31. We wish Malaysia well out of admiration for her accomplishments in her first dozen years of self-government and out of a sympathetic recognition of similar problems faced by both our governments. Like the United States, she has had to balance the rights of far-flung states within a stronger federation; like the United States, she has been challenged to weld a diverse population of many national backgrounds into a united people; like the United States, she has not always succeeded in persuading racial harmony to prevail; like the United States in Korea and Vietnam, Malaysia suffered long years of armed conflict from the Communist threat within her borders.

But Malaysia has forthrightly faced her problems and is making progress. She has dealt firmly and successfully with Communists who attempt to exploit the social antagonisms of her people. Her educational policy permits instruction in any of several officially recognized national languages. Her rural development and industrialization programs have helped to bring the outlying states more fully into national participation and to be less vulnerable to threats of subversion. She has sought a better life for all her citizens by broadening the economic base as well as reestablishing a sense of national purpose and unity with progress. As Deputy Prime Minister Tun Abdul Razak has said:

> This prosperity must be widely shared and spread throughout the nation. This prosperity is for all.

Malaysia's recent past justifies her faith in economic growth as a means of endowing her people with a sense of hopefulness and accord. The wealth and wisdom of her past development has already made her an economic leader of Southeast Asia. She produces nearly one-half of the world's rubber, and her palm oil output has increased annually. Her rich tin mines provide employment for many of her people. Her successful rural development plan serves as a model for the rest of Asia. Her people have the third highest per capita income in Asia, and her GNP grew regularly at 6 percent during the first decade of freedom. Her Government has formulated plans for the promotion of cottage industries and for industrial expansion into production of bicycles, textiles, and tools. Plans are afoot to increase agricultural output. Experimental use of new strains of rice has been initiated to increase rice production sufficiently to feed the nation. The Government, World Bank, and private enterprise are cooperating in a program to open new lands to be given to farming families.

I wish Malaysia success in her attempts to lift her people beyond the traditional divisions of culture, nationality, and religion, while suppressing those who would divert them from these worthwhile goals. It is a noble goal for the future to view Malays, Chinese, Indians, and other national groups as more than ethnic units, but rather as united Malaysians.

KNOXVILLE NEWS-SENTINEL UNDERLINES DANGER OF TVA POWER INCREASES

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. EVINS of Tennessee. Mr. Speaker, the Knoxville News-Sentinel in a recent editorial deplored the recent announcement by the Tennessee Valley Authority that it is increasing power rates for the third time in 2 years.

This announcement has caused concern among TVA's strong supporters throughout the Tennessee Valley and the Nation and in this connection I place in the RECORD herewith a copy of the editorial, a news article by Mr. Powell Lindsay, Washington correspondent for the newspaper, and a letter from Mr. Dan Laws, city attorney of Elizabethton, Tenn., deploring the fact that the city of Elizabethton must continue to increase its consumer power rates because of TVA action in this regard.

The articles from the News-Sentinel and the letter from Mr. Laws follow:

EVINS CRITICIZES TVA RATE HIKE

(By Powell Lindsay)

WASHINGTON, Aug. 8.—A key Tennessee congressman has scolded TVA for upping its electric power rates.

Instead, said Rep. Joe L. Evins, Smithville Democrat, TVA ought to, "if at all possible, reduce rates rather than increase them."

Evins, ranking member of the House subcommittee which recommends funds for TVA, said it was difficult to understand why TVA couldn't make "some internal adjustment" to meet mounting costs and avoid a rate increase.

"The fact is that TVA is changing its image from one of economical power to one of escalating power costs," Evins said.

TVA, citing rising fuel and labor costs and high interest rates, recently announced its third rate increase within two years.

"As a longtime friend and supporter of TVA, this development disturbs me," Evins said. "I want TVA to maintain its image as the yardstick of economic public power.

"TVA would do well to review this entire matter and its decision to increase rates and, if at all possible, reduce rates rather than increase them," said the congressman.

TVA IMAGE IN PERIL

It's an interesting criticism that Rep. Joe L. Evins of Tennessee makes when he says that the Tennessee Valley Authority is "changing its image from one of economical power to one of escalating power costs." Evins, whose record and voice show long friendship with TVA and support of its programs, was referring to a recently announced third rate increase made by the authority in two years.

Internal adjustments should be made, Evins says, so that TVA can "maintain its image as the yardstick of economic public power." He would like the decision to raise rates reviewed with a purpose of reducing rather than increasing the charges.

We hope Evins is successful.

ELIZABETHTON, TENN.,
August 16, 1969.

Congressman JOE L. EVINS,
House of Representatives Office Building, Washington, D.C.

DEAR CONGRESSMAN EVINS: As the City Attorney of Elizabethton, Tennessee, and more particularly as an individual citizen, I was pleased to read the enclosed news item recently published in the *Knoxville News Sentinel.*

Our situation here in Elizabethton, Tennessee, a City of approximately 13,000 population, is one where the electric system has approximately $2,000,000.00 in deposits and are restricted by the T.V.A. Act from using these funds except in two instances, one for capital improvement and the other for rate reduction. Yet, our local rate continues to increase although we do have one of the lowest in the Country.

Thanking you for your kind attention to this matter and awaiting your advice in the premises, I am

Sincerely,

DAN M. LAWS, Jr.,
City Attorney.

RIVERSIDE PAYS TRIBUTE TO ITS FAMOUS LANDSCAPE ARCHITECT

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. COLLIER. Mr. Speaker, one of the most interesting cities in the United States is Riverside, Ill., the first planned model community in the Nation, which is located in my district.

Next Sunday, September 7, will be Olmsted Day in Riverside, in commemoration of the centennial of the Riverside plan that was drawn up by Frederick Law Olmsted. Olmsted was not only one of America's greatest landscape architects—he was the first to use the term "landscape architect," having coined it in 1858, when he and Calvert Vaux designed Central Park in New York City.

The Chicago Daily News of July 30 contained a very interesting and well-written article about Riverside and Mr. Olmsted, by M. W. Newman, which I am including in the RECORD as a part of my remarks:

RIVERSIDE: A MONUMENT IN GREEN: UNIQUE 100-YEAR-OLD SUBURB HONORING PLANNER OLMSTED, WHO GAVE IT VISTAS, TREES, AND CURVED STREETS

(By M. W. Newman)

Robert W. Heidrich, a Chicago lawyer, first saw suburban Riverside a dozen years ago. The gently curving streets surprised him. So did handsome Long Common in the middle of the village, the century-old elms and oaks, the gas lamps and the mellow, time-defying unity of the place.

"That is for us," Heidrich told his blond wife Lynn.

They bought a house along the winding Des Plaines River, where fox and pheasants ran. "But would you believe it," Heidrich now says, still a little surprised, "I never had heard of Frederick Law Olmsted at the time. And I'm not sure how many other people in Riverside knew or cared about him."

Now, surely, most of them must know—thanks to Heidrich and other earnest members of the Frederick Law Olmsted Society. For Riverside is celebrating its centennial this year, and Olmsted is the pioneer city planner and all-around man who laid out its 1,600 acres as America's first model suburb, just nine miles west of downtown Chicago. The Olmsted Society has been reminding Riverside about all this, in case anyone had forgotten.

Olmsted had the greenest thumb of his time. He designed great urban parks and communities from coast to coast—from Central Park in New York to Golden Gate Park in San Francisco.

A noted writer, a scientific farmer, a battler against slavery and corrupt politicians, he was a sort of American Renaissance man.

And he had a great deal to do with Chicago, even if history is only now catching up with him. Chicago owes its design for Jackson and Washington parks and Midway Plaisance to his genius. His landscaping for Chicago's great World's Fair, the 1893 Columbian Exposition, was a major factor in its success.

When the Riverside Improvement Co. brought Olmsted here to develop an ideal commuter suburb, the time was only four years after the Civil War. Chicago was a ramshackle, swollen tinderbox, still two years away from its devastating fire of 1871.

This still was the frontier. It was willing to try new ideas, and Olmsted had them. He was so far ahead of his time that Riverside to this day, gas lamps and all, still seems to be the most modern planned community. The reason is that it has not deviated from Olmsted's 1869 plan, which blended housing and greenery while lovingly respecting the natural terrain.

Living in Riverside, say the Heidrichs, is like living in a park—which is precisely what Olmsted had in mind. Those curving streets (there are only about three straight roads in the entire village of 9,750 persons) related beautifully to the river and the land. Rich foliage seems to be almost everywhere. Road levels are subtly depressed to emphasize Riverside's natural setting.

The contrast with today's raw new suburban developments is painful. Their unplanned jamup of ticky tacky on narrow lots, with skimpy landscaping, grubby shopping districts and dangerous highways, is exactly what Olmsted set out to avoid.

Almost anyone who lives in Riverside can look out of his front window, for example, and see great trees. They didn't just happen to grow there; Olmsted wisely insisted that their residents plant at least two trees in their front yards.

MONOTONY CHALLENGED

The Heidrichs, who now live at 165 Longcommon in Riverside, have a good many more than two trees. The pair they owe to Olmsted's foresight, they believe, are the chestnuts that flank their front walkway.

It was in Riverside that the handsomely bearded Olmsted decided to challenge the grid pattern of streets that makes most American cities so monotonous. The formula already had been fixed in New York, Chicago, San Francisco, and it never has changed in them.

We seem to be stuck with it interminably, even though it makes our cities look as though they emerged from one giant stamping mill, designed without regard for differences in terrain, grading, drainage, taste or convenience. The main reason for the grid was to simplify real estate descriptions and sales. So when Olmsted single-handed set out to change that system, he at the same time laid the foundations for humane and sensible city planning.

To this day, many model suburban and housing developments around the country owe their design to Olmsted's Riverside plan.

But only a few have such amenities as Long Common, Riverside's "Midway"—one of several commons artfully dispersed through the village. And when Bob Heidrich looked out of his window one day in 1966 and saw Long Common dotted with tot lot equipment abruptly installed by village officials, it started an uncommon adventure.

CHANGE BRINGS BATTLE

As far as Heidrich was concerned, this invasion of seesaws and toy animals was a misuse of the site and a cluttering of Olmsted's unified and sensitive setting of homes and greenery.

The fight over Long Common became a cause celebre in Riverside and was taken to court, where it still awaits a ruling. It also helped to get Heidrich insterested in Olmsted, in a way he never had anticipated.

"I already had become alarmed over the introduction of ugly electric lighting in downtown Riverside and things like that," he says. His civic dander was up, so when the fight over Long Common broke out, Heidrich started looking around for the original plan of the community.

The search for Riverside's heritage took him to the Library of Congress in Washington, where he was overwhelmed to find 30,000 Olmsted documents on file. And there, he recalls, he studied Olmsted's "beautiful plan" for Riverside. It was the second draft; the first, Heidrich learned, had been destroyed in the Chicago Fire of 1871.

Riverside was a woody tract along the Des Plaines River, an old portage site and Indian trailway, when Olmsted and his partner, Calvert Vaux, were called to design the village. They already were established as the designers of Central Park in New York, America's first great urban park, where Olmsted first showed how to separate foot and vehicular traffic.

Olmsted conceived of Riverside as essentially middle-class, but with homes for people of modest means and the newly married as well as for the settled affluent.

WRITER AND FIGHTER

Born in 1822, Olmsted came out of Hartford, Conn., to ramble the world in carriage and forecastle as a youth. He first made his name with documentary reporting in the 1850s on the slavery system in the Deep South.

This versatile man was a founder of the American Red Cross and the Nation magazine. But he achieved his historic role in life when he was employed as superintendent of New York's Central Park. Not only did he design the famous park as we know it today, but he fought the Boss Tweed political gang to preserve it from political interference.

He had to resign five times in that urban war, and his health was affected. It was a prophetic prolog to the plight of the nature-minded urbanist, seeking to make our cities natural and livable, with open landscaped spaces suited for the simple joys of breathing deeply and stretching one's legs.

Olmsted created Chicago's beautiful Jackson Park out of barrens and marshes and dunes. Jensen's masterworks include Columbus Park and Humboldt Park. Probably neither man would have been surprised to learn that City Hall today is sponsoring controversial plans to put schools and perhaps even housing in their parks. And Jackson Park, of course, has been the scene of angry citizen protests against tree-cutting and highway-widening.

It is all part of the fight over open land in the cities. Olmsted lived long enough (until 1903) to point out wryly that there would not be any Central Park left if all the buildings and sideshows proposed for it had been accepted.

Even Olmsted's Riverside, preserved as it is out of the city's turmoil, cannot ignore change. It is about filled up, and feeling population pressures. The proposed 1st Av. expressway and present 39th St. throughway are traffic problems.

Riverside already has lost one of its two greatest architectural treasures, the Babson House designed by Louis H. Sullivan. The village turned it down when it was offered as a gift, and a new subdivision now stands on the old Babson estate.

Its other world-renowned building, the palatial Coonley House designed by Frank Lloyd Wright, has been walled in two. Half of it is said to be up for sale.

And though the Riverside was designed by a man who exposed the evils of slavery, the files of the Leadership Council for Metropolitan Open Communities do not indicate the presence of any black householders in Riverside. "There was a rumor one family had moved in," a resident said, "but it wasn't true."

Sept. 7 has been designated as Olmsted Day in Riverside by the Olmsted Society, which is headed by Heidrich. It was organized last September by about a dozen couples, and 10 times that number now are members. A high point of Olmsted Day will be a house walk that will include the Coonley House.

The Olmsted Society now is seeking to

have Riverside designated as a national historic landmark. Olmsted, to be sure, really doesn't need monuments, for he created his own—the grounds of the Capitol in Washington, Niagara Falls park, the Stanford University campus in Palo Alto, Calif., flanked by a green belt.

All we really have to do, say his present-day admirers, is to hold on to what he gave us—and to build in the same spirit.

SOUTH HOLLAND, ILL.

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. DERWINSKI. Mr. Speaker, my home community of South Holland, Ill., celebrated its 75th anniversary with ceremonies concluding on Labor Day. This old, but thriving, community has one of the most unique backgrounds of any municipality in Illinois.

For that reason I was especially pleased to note an editorial in the South Holland Tribune, Sunday, August 31, which eloquently touched upon the history of our unique village of South Holland.

The editorial follows:

IT'S A GLORIOUS DAY IN SOUTH HOLLAND HISTORY

The Tribune is both proud and happy today to present to the people of South Holland a special section of this newspaper commemorating the 75th anniversary of the founding of the community. We have hopes that it will inform the younger element of the glorious past and remind the older residents of events in their lives that may have been long forgotten.

Much effort by many people have gone into compiling this historical document but we think special recognition is due to Mrs. Cynthia Jacobs who eagerly agreed to represent the Tribune in compiling the photographs and information needed to make this once-in-a-lifetime project a success. Her assistance was invaluable and we owe her a debt of gratitude, as well as those who provided her with the material.

Then there is our own Penny Bradshaw who took the raw material and, with the assistance of the Tribune's women's editor, Verneeta Gowens, wove it into a document that we believe, and we think you will agree, earns a place in the archives of the community.

Not to be forgotten are those who helped underwrite the cost of this most expensive product. Without the financial assistance of the advertisers, both in South Holland and its neighboring communities, the scope of the project would of necessity been more limited. It is important that they too, as business organizations, go down in the village history along with its pioneer citizens for they have played an equally important role in its growth. Without representation in the document their contributions, even their presence, might well be forgotten by posterity.

The South Holland of today is a far cry from the community of yesteryear which served as a haven for a few Dutch families who broke ground for their farms almost a century ago. Yet, the South Holland of today is stark evidence of the steadfastness and forsight of those founding families. A modern community judged by the most critical standards, South Holland remains, nevertheless, one of homes and churches with a springling of light industry that enhances rather than detracts from its physiognomy.

From a community purely Dutch in character, South Holland has grown into one more cosmopolitan in nature. Within its limits architecturally splendid churches representing almost all faiths are to be found. Founded as it was on religous principles it was natural that the community was to set Sunday as a day of rest and worship and it is a tribute to the founding generation that even those who have since adopted the community are happy to subscribe to this principle—with some minor alterations effected several years ago which included the privilege of selling medicines and drugs. Throughout all these 75 years not one drop of alcoholic liquors has been sold within the confines of the community and the residents, both old and new, appear not only satisfied but happy with that arrangement. South Holland is and perhaps always will be a "dry" town.

Growth and stability have not just happened. South Holland has had the advantage of fine government guided by capable and devoted leaders. Our memory travels back over three administrations—those of James Gouwens, Henry Van Der Giessen and the current president, Harold Gouwens—and we believe it can be said without fear of contradiction, that it was the efforts of these three individuals who, more than any other, that guided the village over the rough spots and formed a solid foundation for the almost meteoric but orderly growth that has been experienced. It is a well-planned community apparently safe for all times from heterogeneous expansion such as is experienced in many other communities with leadership of less foresight and dedication.

South Holland has an ample water supply, fine fire and police protection and refuse collection, a good sewage system and excellent streets, all of which combine to substantiate the excellence of its management. That South Hollanders are happy people is due in no small measure to the environment which has been created for them.

We would be derelict if we failed here to take note of the efforts of the Jubilee committee, headed by Tom Miller, which has spent so many hours planning the official observance and social phase of the community's Diamond Jubilee over this weekend. Beginning with an open house at the municipal center (which started yesterday) the holiday weekend will be replete with entertainment and action, details of which will be found elsewhere in this publication. We would urge all townsmen to participate for here is an opportunity to meet with their neighbors in an atmosphere of joviality and friendliness. Here is an opportunity to become acquainted with those public officials in whose hands the destiny of the community has been placed. Here is the chance to see the home town at play.

Finally, the entire Williams Press organization joins the Tribune in extending to the people of South Holland their most sincere congratulations on having achieved this milestone in history. It is our hope that we can relive some of the nostalgic events of today 25 years hence when the community observes its centennial. Meanwhile, we shall seek to keep its citizens informed in our columns of those events which will combine to provide the material from which the history of tomorrow will be written.

COMMUNIST WAR CRIMES IN VIETNAM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. RARICK. Mr. Speaker, the recent announcement by the Embassy of Vietnam that since 1962 more than 120,000 noncombatant men, women, and children have been murdered by the Communist Vietcong staggers the imagination of free men.

To think that as many people as now living in Pasadena, Calif., or Hammond, Ind., or Columbus, Ga., have been viciously murdered by the Vietcong is repugnant to civilized man.

We do not—and we must never—condone the activities of such terrorists. More important, we Americans must realize that we are at war, facing a merciless, godless threat in Vietnam—an enemy that is but a front for its international master and which will stop at nothing to impose its ideology of fear upon all unwitting human beings.

Tragically, there are malcontents within our own country who still refuse to acknowledge these atrocities by the Communists. Especially has this been the case with many so-called reformists and peaceniks including some of the news media.

In order to help set the record straight, I include a recent report from the Embassy of Vietnam, "Communists Kill, Kidnap 120,308 Civilians," following my remarks:

COMMUNISTS KILL, KIDNAP 120,308 CIVILIANS

SAIGON, July 24.—Since 1962, the Communist terrorists have killed and kidnaped 120,308 innocent civilians, an official report said today.

The highest toll was reported in 1968 during the Communist Mau Than Lunar New Year and June offensives, with 41,952 persons slain or captured.

Since early this year, the Communist terrorist activities have increased, causing 10,160 people killed or captured, 14,267 others wounded and 2,451 houses destroyed.

Besides, religious facilities such as churches and pagodas in Vinh Hoi, Quang Ngai, Ba Xuyen, Quang Tin, Long An and Ben Luc and social welfare facilities such as hospitals and schools were also damaged by the Communists, the report said.

NEARLY 200 YOUTHS ABDUCTED BY COMMUNISTS

SAIGON, July 25.—The Communists have captured nearly 200 South Vietnamese youths to send to the North, spokesmen at the National Press center said:

The victims included 138 youths from the I Corps Tactical Zone and 57 others from the III Corps Tactical Zone.

ANOTHER MASS GRAVE OF RED VICTIMS FOUND IN HUE

HUE, July 23.—During a search operation on July 20 the Nam Hoa sub-sector command found a mass grave of 40 victims who were killed by the Communists during their Nau Than (1968) New Year offensive. The grave was uncovered at Dinh Mon hamlet, Thuong Hoa village.

The remains of the victims were transported to the hamlet school so as to help possible identifications prior to the organization of a mass funeral by the local administration, it was reported.

SALUTE TO INDIA

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. POWELL. Mr. Speaker, on this 22d anniversary year of India's independence, we are proud to commemorate

that historic event and to pay tribute to her manifold achievements during the last two decades. We salute the people of India and their courageous leaders who have brought India to its present position of world eminence. Indeed, India's recent achievements in democratic government, social reform, and technological advance make that progressive nation a model for all newly independent countries to follow.

In the tradition of its great leaders, Gandhi and Nehru, India's Government has been unified and strengthened under the strong and progressive leadership of Mrs. Indira Gandhi. The truly representative form of government provided for in India's Constitution has resulted in ever-increasing national unity and in important legislative initiatives toward solving problems in both rural and urban India.

Although agriculture continues to be the predominant component of the Indian economy, comprising about half of the national income, the contribution of other fields to the economy has increased steadily since independence. The annual industrial expansion has averaged 10 percent, aggregating 150 percent during the period 1951 to 1965. Large modern steel mills, fertilizer plants, heavy machinery plants, oil refineries, and locomotive works have been constructed at an amazingly rapid rate. New plants are turning out a wide variety of consumer and producer goods, many never before manufactured in India.

India is steadily improving those aspects which hindered economic growth in the first decade after independence: the lack of development capital, low level of consumer income, inadequate transport facilities, limited power supplies, and the lack of both skilled technicians and experienced management. With time, all of these limitations are being surmounted as the entire economy matures and continues to grow at a rate that is envied by developed and underdeveloped nations alike.

Although India has made important beginnings in economic growth and social progress, it still faces many large, but not insurmountable, problems in its continuing advance toward modernization. The standard of living in India is still one of the lowest in the world. Poverty, illiteracy, overcrowding, and frequent famines still loom as compelling challenges to the ingenuity and stamina of the Indian people and particularly to their leaders. Overpopulation, that paramount obstacle to progress in nearly all of the developing areas of the world, is India's chief enemy and accounts for its most difficult political and social dilemmas.

India's outstanding record in the short time since independence, however, is an encouraging indication that such problems will eventually be surmounted. Given the forward-looking determination to better their way of life that the independent people of India have thus far demonstrated, that strong nation's future looks bright indeed. We congratulate India on the remarkable progress she has made in recent years, and we express our confidence that she will continue to grow in her role as leader of Asia and exemplifier of democracy at work in the developing regions of the world.

COL. GEORGE A. KRIM DIES

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. GUBSER. Mr. Speaker, one of the Army's experts on armored warfare, Col. George A. Krim, has passed away after an extended illness.

Colonel Krim contributed so much to the military service which was his life that I believe the newspaper articles marking his passing and also an article which appeared in Time magazine in 1943 should be placed in the CONGRESSIONAL RECORD as a permanent tribute to his memory and all that he contributed to the U.S. Army.

The two articles follow:

[From Time magazine, Aug. 2, 1943]

THE RISE OF SERGEANT KRIM

The old army noncoms who still wear chevrons in the vastly expanded U.S. Army of 1943 have something to brag about. One of them has set some kind of a record for promotion.

In April of last year, tall, serious George Krim was a master sergeant. He had 26 years of service behind him, and the respect that officers give to oldtimers who know all the answers. Today George Krim is a lieutenant colonel.

After returning from France in 1919, George Krim, with a new set of sergeant's chevrons on his sleeve, became a regular soldier and a tankman. Over two decades he built up a quiet reputation as an engine expert, an intrepid tester of tanks. When the Armored Forces was organized in 1941, Sergeant Krim was one of the few men who knew much about a branch in which the money-shy U.S. Army had long been weak. He became an instructor. After many months somebody discovered that George Krim deserved more from the Army. Result: forthright promotion to a captaincy, with more rank on the way. Colonel Krim's present assignment: secret tests of tanks.

[From the San Jose Mercury, July 14, 1969]

EARLY U.S. TANK EXPERT COL. GEORGE KRIM DIES

Col. George A. Krim, an Army tank expert when there were only a handful of such men in the service, died yesterday in a Palo Alto hospital after an extended illness. He was 74.

Colonel Krim, who may have held a record for promotion in the Army, rose from sergeant to lieutenant colonel from 1941 to 1943 because of his tank expertise.

A resident of 7150 Rainbow Dr., he had been a county resident since retiring from the Army on Feb. 28, 1953.

He entered the service on June 21, 1916 and served overseas with the Infantry in World War I.

He returned to the United States with a sergeant's rank. In the two decades following World War I's end, Krim assiduously studied engines and armored equipment.

Time Magazine on August 1943 took notice of his rapid Army promotion and wrote about Krim:

". . . Over two decades he built up a quiet reputation as an engine expert and intricate tester of tanks. When the armored section was organized in 1941 Sgt. Krim was one of the few men who knew much about the branch in which the money-shy United States Army had long been weak.

"He became an instructor and after many months somebody discovered George Krim deserved more from the Army. Result: forthright promotion to a captaincy, with more rank on the way. Thirteen months later he was a lieutenant colonel."

Krim was instrumental in the organization and administration of the engine division, tank department of the Armed Forces school at Fort Knox, Ky., in 1941.

During the second World War he was put in charge of a special secret tank training group which later went to England on a hush hush mission whose role was never made public.

Krim was the husband of Josie M. Krim of San Jose; father of Lucille A. Scarr of Texas and Maj. James B. Krim of Kentucky; brother of Lucille O. Krim, Cora Meyers, both of Kentucky, and grandfather of six.

Funeral services will be held at 2 p.m. Monday at the Willow Glen Chapel. Interment will be in the Veterans' plot at Oak Hill Cemetery.

BACK TO FEDERALISM

HON. MARTIN B. McKNEALLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. McKNEALLY. Mr. Speaker, I am pleased to include in the RECORD the following excellent editorial which appeared in a recent edition of the New York Daily News and is entitled "Back to Federalism":

BACK TO FEDERALISM

President Richard M. Nixon passed along to Congress last week the revenue-sharing proposal that will be the cornerstone of what he has dubbed the New Federalism.

The measure would funnel no-strings-attached federal money to the states, beginning with a modest $500 million during the next fiscal year and working up to $5 billion by the 1975 fiscal year.

Mr. Nixon hopes thereby to restore some substance to the federal system, now but a shadow of what the Founding Fathers established.

The President is bucking a tide that began with President Franklin D. Roosevelt's New Deal attack on the crisis conditions of the Great Depression.

What started as an emergency salvage operation has become, over the years, an end in itself as liberals saddled the country with their Big-Brother-knows-best ideas.

Now there are so many Washington-packaged aid, grant and loan schemes that even the self-anointed experts have lost track of their number. In the process, the machinery for administering these projects has become crusted with layers of bureaucratic barnacles.

The cost—in waste, duplication, red tape and buck-passing—is enormous.

As it clamped its fist on an ever-expanding range of activities, the federal government found it necessary to soak up more and more of the nation's wealth. Increasingly, states and cities have been strapped for revenue.

And because many programs were set up on a matching basis, localities anxious to grab a chunk of "free" federal money were lured into programs they could ill afford—and in some cases did not even need.

The whole business of centralizing authority was a mistake from the beginning. The U.S. is simply too vast, too complex and too diverse a nation to fit snugly into a strait jacket tailored by dreamy theorizers.

Revenue-sharing would be a giant step in the direction of dismantling the cumbersome apparatus that has grown up in Washington. It can't happen too soon to suit us.

CONGRESSMAN JOHN BRADEMAS AWARDED HONORARY DOCTORATE OF LAWS BY NOTRE DAME

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. O'HARA. Mr. Speaker, I quote:

He has been trusted by all those, on both sides of thirty, who want most to put intelligence and integrity to work in the service of the nation and of mankind.

That is the concluding sentence in the citation which was read when our distinguished and able colleague, the gentleman from Indiana, Mr. BRADEMAS, was awarded the honorary degree of Doctor of Laws by the University of Notre Dame on June 1 of this year.

On the same occasion, this great American university awarded honorary doctorates of law to such prominent government figures as Daniel P. Moynihan of the White House staff, Secretary of Labor Schultz, Senator EDMUND MUSKIE and former Ambassador Sol Linowitz. I insert the full list of honorary degrees conferred, and the text of the citation for the degree awarded our colleague from Indiana at this point in the RECORD:

DEGREES CONFERRED

The University of Notre Dame announces the conferring of *The Degree of Doctor of Laws, honoris causa, on:*

His Eminence George B. Cardinal Flahiff, Winnipeg, Manitoba, Canada.

Dr. Daniel P. Moynihan, Washington, D.C.

Honorable John Brademas, Washington, D.C.

Dr. Thomas P. Carney, Chicago, Illinois.

Monsignor Luc P. Gillon, Kinshasa XI, Republic of Congo.

Honorable Sol W. Linowitz, Washington, D.C.

Honorable Edmund S. Muskie, Washington, D.C.

Dr. Nathan M. Newark, Urbana, Illinois.

Honorable Stephen O'Connell, Gainesville, Florida.

Honorable George P. Shultz, Washington, D.C.

Judge Luther M. Swygert, Chicago, Illinois.

The Degree of Doctor of Science, honoris causa, on:

Dr. Henry Eyring, Salt Lake City, Utah.

UNIVERSITY OF NOTRE DAME

At The 124th Commencement the June Exercises The University of Notre Dame confers the degree of Doctor of Laws, *honoris causa* on a man who in 1958 was elected, at the age of thirty-one, to represent Indiana's Third Congressional District, the district in which the University of Notre Dame is located, in the United States House of Representatives. He has continued to serve in that capacity brilliantly since that time.

What manner of man is he? Plato suggests the type in speaking of the education and selection of Rulers in the *Republic,* "They must have the right sort of intelligence and ability; and also they must look upon the commonwealth as their special concern—the sort of concern that is felt for something so closely bound up with oneself that its interest and fortunes, or good or ill, are held to be identical with one's own".

What is his social philosophy? Whitehead, in his essay on "Universities and Their Functions", gives us a suitable statement of it: "In the modern complex organism, the adventure of life cannot be disjoined from intellectual adventure. It is a libel upon human nature to conceive that zest for life is the product of pedestrian purposes directed toward the narrow routine of material comforts. Mankind by its pioneering instinct, and in a hundred other ways, proclaims the falsehood of that lie".

What has he achieved? Much of the major federal educational legislation of recent years is attributable to is genius and his hard work. He has always been acutely aware of the fact that man's reach, his spirit, and his vision are by no means limited to his material needs and comforts. He has shown that the role of the leader is not only to reflect the will of the people, but also to inform and to form that will. He has been trusted by all those, on both sides of thirty, who want most to put intelligence and integrity to work in the service of the nation and of mankind. On The Honorable John Brademas, Washington, D.C.

IS DDT WORTH THE RISK?

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. PUCINSKI. Mr. Speaker, the Chicago Sun Times recently ran an editorial on DDT, and raised a very valid question as to whether further use of this chemical is worth the risk it provides for mankind.

The Sun Times editorial is a classic and I believe it deserves strong consideration for the Pulitizer Prize.

In simple and succinct terms, this editorial dramatizes better than anything else that has been written on this subject the dangers that lie ahead for civilization as it continues to disturb the chain of life.

Mr. Speaker, I do not know who wrote this editorial, but it would be my hope that this excellent piece of writing would be included in every textbook as an outstanding example of journalism at its very best.

The author has managed to grasp, with a few poignant strokes, the full range of dangers that lie ahead as man tinkers with his environment.

The Sun Times editorial follows:

IS DDT WORTH THE RISK?

A principal argument of opponents of the use of DDT is that the toxic substance interferes with the chain of life.

For those who doubt that such a danger is real, there is evidence in a recent issue of Natural History Magazine. In an article on grants for ecological studies, a Ford Foundation official related this tale:

DDT was used in a Borneo mosquito abatement project. The mosquitos died, as predicted. So, however, did a large number of predatory wasps, which had kept the caterpillar population under control. Thus freed of a natural enemy, the caterpillars thrived, dining with abandon on the roofs of native houses. The result: The roofs began to collapse.

Meanwhile, the DDT also was used to control houseflies. The flies died as predicted. So, too, did a small lizard that ate houseflies, and so, too, did cats who ate the dead lizards.

As a result, the rat population zoomed upward—and in order to control the danger of plague, fresh cats were parachuted in.

The moral: When man intervenes with nature, armed with a spray gun, he had best remember that he, as well as mosquitos, flies, lizards, caterpillars, cats and rats, is part of the chain of life.

And, the cat airlift notwithstanding, it may not always be possible to keep the chain intact with parachuted replacement parts.

OPPOSING THE VIETNAM WAR IS NOT ISOLATIONISM

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. FRASER. Mr. Speaker, an excellent article has been written by Barbara Stuhler, associate director of the Minnesota World Affairs Center. Miss Stuhler examines the charge of isolationism being leveled at congressional critics of the Vietnam war and other military excesses. Her analysis is very perceptive and constructive. I am sure all of my colleagues will find the following article of value:

THE AMERICAN SENATE AND NEO-ISOLATIONISM

(By Barbara Stuhler)

We hear a good deal of talk today about neo-isolationism in the United States. Many Americans, weary of international responsibility and worried about domestic tranquillity, are facing inward with their backs to the world. It is not surprising that this public sentiment finds expression in the United States Senate but the identity of neo-isolationist senators merits careful examination, not careless accusation. The charge of new isolationism in the American Senate was launched largely by columnists of conservative persuasion. Listen to Roscoe Drummond:

Is another wishful, head-in-the-sand group of Senators going to take the nation into new isolationism by pretending that the lesson of Vietnam is that little in the world concerns us or in supposing that (by) throwing off more of our responsibilities as a great power, we can live safely and cozily in our own little corner of the planet?

And William S. White echoes the same theme when he comments:

The new isolationists of the Senate are attacking more than the anti-ballistic-missile system and more even than the whole philosophy of adequate military preparation in a world where danger still manifestly lives.

They are challenging the very realities of the present in a headlong retreat to a past which even after all this time they still cannot understand. They are in fact turning the clock back by three decades to the late Thirties, when the old isolationists were all but disarming this country while Hitlerism was visibly rising in Europe.

Drummond and White point their fingers at the Fulbrights, Kennedys, McGoverns, Mansfields, and McCarthys as neo-isolationist spokesmen and advocates. To many Americans who equate isolationism with Republicanism, this has been a jarring accusation. After all, Henry Cabot Lodge and his cohorts, whom Woodrow Wilson labeled "a little band of willful men," prevented our joining the League of Nations. During the 1930's, the retreat to isolationism was sealed by the conclusion of Republican Senator Nye's well publicized investigating committee that we had been sucked into World War I by the machinations of the "merchants of death." (Today, we give these same alleged conspirators a more academic designation—we call

them the "military-industrial complex.") When World War II began in Europe, Republican Senators were among those most vocal and vehement in the protest against the abandonment of neutrality as the cardinal rule of foreign policy. Mindful of its rejection of the League of Nations after the first world war, America was determined not to be blamed after the second for the retreat from responsibility. We took the lead in organizing the United Nations and that charter was enthusiastically endorsed by the United States Senate with only two Senators voting against it and they were both Republicans—William Langer of North Dakota and Henrik Shipstead of Minnesota.

The historic isolationism of Republicans was partly partisan—when Europe heated up in the 'Teens and in the Thirties, Democrats occupied the White House. In large part, however, their isolationism was representative of the radical agrarian tradition that permeated middle and western America. The liberal Republicans and their third party offshoots who articulated this tradition first set forth the proposition before World War I that international affairs were an unworthy intrusion upon domestic priorities. In the minds of these men, we should have bent our energies to the task of building a more perfect society which could serve as an example to the world in peace and freedom and with an economic system that afforded fair play for all. The exploitation of the worker and the uncertain security of the farmer were eloquent signs of a sick society. We were, these isolationists argued, being diverted from domestic improvement by unnecessary involvement in the contagious corruption of Europe and its national struggles for power, prestige and profit. Furthermore, we were susceptible to these same ills if we let the munitions makers, the bankers and Wall Street have their way. They were manipulating America away from her original goodness into acquired sin, from her prime obligation of domestic reform into international meddling.

The rhetoric of the Sixties may not be quite so flamboyant but it has a striking similarity to that of the Thirties. The poverty of millions of Americans living in the world's most affluent society has shamed us and moved us to action. The injustice of discrimination in a nation which presumed to be the foremost spokesman for equal opportunity has led us to question nearly 200 years of hypocrisy. The frustrating war in Vietnam has angered Americans and, in their reaction, they have challenged the basic assumption of post-World War II foreign policy that we should police the world in order to prevent aggression, contain conflict and preserve the peace. They are alarmed at the momentum of the military-industrial complex which appears hard, if not impossible, to stop and they protest that the state of the economy is based on "guns not butter." And political leaders of today, like their antecedents, assert that peace can best be served by making America an example for the world.

But the similarities between these two eras do not stop with rhetoric. The United States is decreasing the amount of economic assistance to the poor nations of the world to the point where the interest payments we receive on our loans often exceeds the aid we give. In the 1930's, the big economic issue was the failure of the hard-pressed nations of Europe to pay their debts owed us for war and reconstruction. We were penny-pinchers then and it might be argued that we are penny-pinchers now. In the 1930's, tariffs went higher and higher as we struggled to protect American industry from foreign competition. In the 1960's, quotas and other new protective devices are being hailed as the way to halt the increasing number of imports coming into the United States. We had to learn from the experience of the Thirties that had we cancelled the war debts and lowered tariffs, the world economy would have had a chance at recovery. As it turned out, we intensified the depression by insisting that the war debts be paid and by escalating tariffs to an historic high. We made no effort to help build an international community; instead, we attempted to shut ourselves off from conflict by passing a series of neutrality acts. Today, many Americans argue that there shall be no more Vietnams, no more interventions, and the concept of collective security becomes rusty with the distrust of certain of our military alliances and with the disuse of the United Nations.

It is not surprising that the charge of neo-isolationism is leveled against men whose rhetoric parallels that of the Thirties in their assertion that we should take a lesser role in world affairs and expand our energies on our problems at home. Nor is it surprising that this rhetoric stems from political figures to whom one might legitimately ascribe the liberal label. As we have already noted, American radicals have been in the forefront of the isolationist tradition. The list of the foremost Senate isolationists of the 1930's looks like an honor roll of those who fought domestic injustice: Lundeen of Minnesota, LaFollette of Wisconsin, Wheeler of Montana, Johnson of California, Borah of Idaho, and Norris of Nebraska. In terms of their concerns for domestic affairs, it should be expected that Kennedy and McGovern and the rest would be the natural inheritors of this cause.

But the comparison fails in a number of crucial respects. Not all these men who emphasize domestic reform today and urge a greater restraint in world affairs wish to raise barriers to trade nor decrease aid nor ignore the United Nations nor disarm unilaterally. Indeed, among them, you will find the strongest advocates of American responsibility in world affairs but they do not equate that responsibility with support of American policy in Vietnam or the installation of an anti-ballistic-missile system or an unquestioning support of the defense establishment. This is not to say that they are right or wrong but only to suggest that the isolationist tag does not fit with great precision. A new isolationism *is* abroad in the land—it is quite clear that some Americans would be quite content to disassociate the United States from the headaches of world affairs. The question before us is who are the Senate isolationists? Are they the Kennedys who suggest that we open up lines of communication with the mainland of China? Are they the Fulbrights who protest that we do not make adequate use of international instruments to channel aid? Are they the Mike Mansfields who have devoted their careers to Asian Affairs? Are they the McGoverns who spent their energies in the executive and legislative branches to assuage hunger at home and abroad? Are they the McCarthys who call for more enlightened trade policies with Latin America? Let us turn from them for a moment and look at the Senators who have supported our actions in Vietnam, who have endorsed the Safeguard system and who have championed large military appropriations. Here we find, for the most part, conservative Republicans and southern Democrats. These are the Senators who have also most vigorously opposed freer trade and larger aid, and have been indifferent to the formation of an international community. There are exceptions, of course, but the fact remains that their main thrust has been national strength, self-sufficiency and unilateral action.

Part of the difficulty in sorting out the Senate isolationist lies in the differing interpretations of isolationism. To some it means a weakening of our capability to oppose aggression from whatever source. A corollary of this is that initiatives to moderate tensions between the communist nations and ourselves may prove to be the appeasement that invites aggression. Those who hold to this definition do so out of the experiences before the second World War when efforts to appease Hitler's appetite only nurtured his appetite for more. After the war, this conviction was reinforced when efforts to "get along" with the USSR resulted in Soviet territorial imperialism. To others, isolationism represents a lack of generosity to less fortunate nations, a lack of commitment to regional and international organization, a reluctance to initiate policies that may lead to the resolution or containment of conflict. Are those who advocate withdrawal from Vietnam appeasers? Are those who opposed the ABM weakening America's ability to counter aggression? Are those who assert that the military has grown too big and too powerful diminishing our national security? There is room for honest disagreement on these difficult issues but to conclude that men who hold these views are necessarily neo-isolationists does not fit their voices or their votes if you subscribe to the position that there is another dimension to internationalism which also requires commercial, cultural and organizational association with other nations.

Just as there are conservative and liberal Republicans, and conservative and liberal Democrats, so, too the case can be made for varying strains of isolationism and internationalism. One kind of isolationists is the "fortress America" variety. Enough said of this petrified man. Another is the kind who will insist on the primacy of domestic policy over foreign policy and who will ignore the hard realities of interdependence, of the fact that a great nation's domestic happiness will turn on the question of its security on the world scene. The internationalists run along a continuum, from those who would so structure the world that the only military force was in the possession of the United Nations to those who would continue to respect the need for a national military component while advocating a greater internationalism of other aspects of American foreign policy.

At the moment, it appears that the so-called neo-isolationism of the left is a reaction against the overzealous interpretation of great power responsibility, against an overheated response to aggression or revolution, and against an overeager sense of democracy's missionary spirit. Because liberal Senators urge restraint in foreign policy, it does not necessarily follow that they mean abdication. As yet, there is insufficient evidence to mark their protest as isolationism. What is evident is that they are trying to restore the balance between the Upper House and the Presidency in foreign policy decision-making. The prospect remains, of course, that some among these same Senators may overreact by rejecting future administration efforts to strengthen the instruments of American foreign policy. Then the charge of neo-isolationism which cannot now be validated may come true.

In one generation the United States has taken a giant step from an isolationist posture to an international one. In the process, we may have gone from one extreme to another and what we now may be searching for is a balance and perspective worthy of national maturity and wisdom. Isolationist impulses should not be condoned, but it can be a misleading condemnation to apply the label of neo-isolationism to certain Senators because they take positions opposing an arguable case of intervention (Vietnam) and a defense issue of debatable virtue (ABM), and because they become increasingly assertive in civilian review of military requests. It may be that out of the current Senate discussions, American foreign policy will find a greater strength and sensitivity befitting a democratic and nuclear nation. It may be that a harder look at foreign policy will increase our options and enable us to choose

more wisely in the fundamental task of building world order. Instead of castigating, we should be cheering those Senators who insist that there may be a better way of fulfilling our obligations to ourselves and to the world.

FREEDOM BECOMES ILLEGAL: A CROSSROADS IN EDUCATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. RARICK. Mr. Speaker, I have, many times, voiced my protest to the unprecedented denial of freedom of choice to our schoolchildren and warned of the inevitable destruction of the public school system as a result.

The public schools have now attempted to reopen for the 1969–70 term, but are faced with the anticipated chaos. Parents who have already paid for one set of school buildings are digging into their pockets to finance independent school systems. Other parents are organizing to raise funds to file lawsuits to protect their neighborhood schools—others are boycotting the entire system and there is an ever-mounting atmosphere of tension—potentially violent—which, if triggered, could set off an irreversible domino reaction beyond control. And further polarize the white and black communities.

While the social mechanics attempt to justify denial of freedom as necessary to achieve some nebulous racial balance, the scorecard shows that in many areas the schools have become more segregated by race as a result of denial of freedom than they were before. For example, in one school in Tangipahoa Parish the classrooms are running 25 Negro to 1 white. In another high school, the classes are running 32 Negro to 5 white.

Rather than providing quality education the new "Federal academies" are generating a new cause of school dropouts. And if our national leadership allows its "agencies of force" to continue to press the condition which engenders school dropouts there will be more and more individuals academically unprepared to accept the technological positions required in an advanced society. Simultaneously an ever-increasing reservoir of hard-core unemployed will develop—many having intellectual capabilities but embittered by the realization that they were denied their freedom to develop their potential as they wished.

Mothers and dads, as free agents, have become desperate to do what they feel is best for the safety and welfare of their children.

And there is no guilt in the actions of mothers and dads or the children. Their reaction is but an effect which has been provoked by the pressure applied by our Government agencies. There is no solution in name calling or further punishing the people. The problem was created in Washington—it is ours to recognize and solve.

It is simple enough to undo the wrongs inflicted in the name of governmental authority. We need only repeal the supposed authority. We dare not fail in our duty—lest we force our people to respond to tyranny as people have done throughout history.

Mr. Speaker, I insert several news clippings from the Baton Rouge Morning Advocate, this date, following my remarks:

OFFICIALS PROBING ANTIMIXING SUITS

NEW ORLEANS.—Justice Department officials were here Tuesday looking into state court suits seeking to block school boards from proceeding with desegregation commitments in various area parishes.

A department spokesman said a motion will be filed by Wednesday to seek removal of a Pointe Coupee Parish suit to federal court.

Similar motions for removal of cases in Ascension, Evangeline and Avoyelles parishes were granted last week.

In the cases, white parents said boards went beyond the law and adopted plans requiring racial balance and busing of pupils to achieve it.

The civil rights officials were also checking state suits in Iberia and Iberville parishes that might slow down desegregation.

In Iberville, a Negro parent brought suit to protest alleged sex discrimination in that school board's plan.

A white group also sued to block the board's plan of requiring racial balance.

The Iberville board last week delayed the opening of schools until Monday after trouble erupted in the first attempt to open schools early. The board decided on the delay to give the board's legal counsel more time to ask federal court for permission to use freedom of choice as an alternate to the plan ordered by the court.

Among the officials in Louisiana looking into the school cases were Asst. Atty. Gen. Jerris Leonard, head of the department's civil rights division; Frank Dunbaugh, Southern section chief; and two other division lawyers.

The Louisiana activity came after a request for action against nine school districts in Georgia Robert H. Finch, Secretary of Health, Education, and Welfare, asked Justice Department action against the districts. Finch accused the Georgia school districts of reneging on voluntary desegregation plans.

The department dispatched a team of civil rights division lawyers to Georgia to take court action against the districts, a department spokesman said Tuesday.

MANY START SCHOOL

Darkest picture on the school scene in the area where some schools have yet to open was Ascension Parish—whites threatened whites to keep the boycott so tight that enrollment on opening day Tuesday was almost zero.

However, on the lower reaches of the Acadian country, Evangeline Parish started classes Tuesday morning with about 25 per cent enrollment but by evening, schools were recessed until further notice after over 1,500 citizens descended upon the school board to demand the stop action. There were no pickets during the day and some buses made their rounds without picking up a pupil.

HALF AND HALF

In St. Mary Parish, it was good and bad. Schools in the Franklin area in the western part of the parish were about scuttled with a 90 per cent boycott in effect but in the Morgan City area in the eastern end attendance was reported at nearly 100 per cent.

Some schools will be opening Wednesday in some areas and others will open later. West Baton Rouge schools open Wednesday. Iberville Parish, which had troubles when it sought to open last week, will not resume classes until Sept. 8.

Public schools opened Tuesday in Lafayette Parish under full integration without incident.

The city of Lafayette where the schools contain the majority of Negro pupils will not be integrated until next fall.

City and parish-wide in Lafayette, 28,000 youngsters returned to classes. The enrollment total was an increase of 1,000 over last year. Nat Gisclair, assistant school superintendent, said the enrollment increase was smaller because a number of former public school pupils enrolled in the parochial system.

On the heels of school opening, a group called Freedom Inc. has called a meeting for Wednesday to discuss ways of establishing private schools.

WESTLAKE CLOSED

In Calcasieu Parish as schools went into their second week, trouble developed at Westlake High School Tuesday and the school board decided to close it for two days to restore discipline.

A three-member delegation including Principal John Letard told the board that the situation is ready to explode at any moment and asked for a transfer of 50 Negro pupils to Sulphur High and iron-clad discipline. The delegation charged that unruly Negro students, who formerly attended Mossville High, have completely demoralized discipline. Letard said 147 Negroes attend the formerly all-white school with a student body of 600.

Board President John Denison said the board has adequate policy to take care of the problem.

In East Baton Rouge Parish where freedom of choice prevails in the school system's desegregation route, more than 62,000 young people returned to classes Tuesday without any educational disruption. The enrollment includes more than 40,000 white pupils and more than 21,000 Negro students.

SCHOOLS PADLOCKED

In Ascension Parish where several schools were apparently padlocked during the night preceding the scheduled opening Tuesday, sentiment was strong against opening the schools under the court-ordered plan of speeded up integration.

Pickets were reported at all schools in Ascension where locks were found on the gates at Dutchtown and Galvez schools. W. C. Brunson, school superintendent, said some locks were found to have been jammed by keys inserted in them and twisted off and other locks could not be operated by the janitor's keys, indicating the possibility that these locks had been secured by persons not on the school staff.

Some teachers called in sick, others were reported nervous and frightened. "They have all been threatened," said Henry Glaze, assistant superintendent.

Bus drivers have refused to drive because they have been threatened too, the school official reported. "They have been getting calls at all hours of the night, threats to burn their houses down and put bombs on their buses."

Attendance at the St. Amant school was zero; Dutchtown Junior High, 6; East Ascension Junior High, 20; Galvez school, zero; Gonzales Elementary, 164 out of 1,740 enrolled; and East Ascension Senior High, 123 out of 1,350.

THREATENED

Maintenance workers, lunch-room personnel and parents who want to send their children to school have been threatened, officials said.

A curfew is still in effect in Gonzales. It was imposed last week after tension between whites and blacks swelled. Ascension Parish Sheriff Hickley M. Waguespack said the tension developed as a result of the new integration orders and threats circulated by boycotting whites.

St. Landry Parish, where the Negro population is heavy and where racial tension has been heightened by the new court-ordered plan, starts registration Wednesday.

Federal marshals are in Washington

Parish and in St. John the Baptist Parish. Marshals were called into St. John because of threats of violence. In Washington Parish, the marshals were ordered to watch over Negro teachers entering the formerly all-white Thomas High School which had to be closed a few days to let tempers cool. All the schools were back in operation Tuesday in Washington Parish.

Iberia Parish, which had racial troubles last week when schools opened, resumed operation Tuesday peacefully. George Crowson, principal of New Iberia Senior High, said 10 Negro pupils were suspended indefinitely as a result of the disruption when a group of Negroes beat up white pupils.

In other area parishes, Tansipahoa reported some white boycotts, and pupils at Woodland Elementary in Hammond were let out after a bomb was reported to have been planted in the school but it turned out to be a hoax; Pointe Coupee Parish reported some schools picketed and nearly a total white boycott in effect; West Feliciana resumed its second week of classes without any apparent trouble; Rapides reported a small number of pupils not attending classes—these are white pupils assigned to formerly all-Negro schools; and Avoyelles Parish reported there have not been any boycotts nor any racial disturbances although in some cases, the Negro students outnumber the white ones in classes.

Elsewhere in the state, Caddo Parish reported scattered picketing at four schools; Grant Parish postponed its school opening with the date for starting classes to set later this week; and Natchitoches Parish delayed its opening until Sept. 3.

In Richland Parish, 75 per cent of the pupils at the all-Negro school in Rayville stayed home in protest of the appointment of a white principal to the school.

EBR School Registration Increases

(By Bill McMahon)

The East Baton Rouge Parish school system enrolled 62,152 students the first full day of school Tuesday, 1,835 above the first-day figures of last year.

The totals reflect only those in grades 1–12 and not those in kindergarten and special education classes, Asst. Supt. Lorin Smiley said Tuesday.

Enrollment is expected to move toward the 65,000 mark as late registering, kindergarten and special education students are added to the first day totals, Smiley said.

The total recorded Tuesday is 165 below the increase of 2,000 projected, Smiley said.

Indicated by the figures gathered late Tuesday were 32,871 elementary students (20,776 whites and 12,095 Negroes) and 29,281 junior and senior high students (19,409 whites and 9,872 Negroes).

TRANSFERS DO NOT SHOW UP

Although possibilities of a large increase in the number of students was speculated upon because of tougher desegregation policies in surrounding parishes, the first day's enrollment did not indicate such happened.

School administrators had indicated that as many as 600 additional students might enroll in East Baton Rouge Parish public schools because area parishes had been ordered to dispense with freedom of choice as a method of desegregation, and in many cases go to a pairing and zoning method of integration.

East Baton Rouge Parish was not one of the parishes so ordered, and has maintained a freedom of choice method.

The local system also had no unusual problems resulting from school beginning.

The freedom of choice method used in the parish schools resulted in no substantial increase of integration, a comparison of this year's enrollment with last years shows.

SECONDARY RATIO HIGHER

Eleven of 80 schools with elementary classes had at least five per cent Negroes in majority white schools. The percentage was higher in the secondary schools, with 9 of 29 showing at least five per cent of blacks in majority white schools.

Two elementary schools with majority white enrollment last year became majority black since the first day of school last year. They were Banks (formerly 373 whites and 132 Negroes, and now with 198 whites and 310 Negroes) and Fairfields (formerly with 139 whites and 59 Negroes, and now 26 whites and 185 Negroes).

Eight elementary and six secondary white majority schools showed at least a 50 per cent increase in the number of Negro students.

The elementary schools, with last year's Negro enrollment listed first, followed by this year's Negro enrollment: Bakerfield 68, 134; Baker Heights 15, 37; Bernard Terrace 21, 59; Melrose 23, 36; Park Ridge 4, 10; Westdale 57, 87; Wyandotte 35, 53; Zachary Elementary, ? * * *.

Secondary schools with at least 50 per cent increase in the number of Negro students: Baker Junior, 16, 48; Baton Rouge High, 52, 106; Glen Oaks Junior 74, 121; Glen Oaks Senior 41, 63; Istrouma Junior 41, 90, and Lee Junior-Senior, 62, 139.

Iberville Board Hit By More Charges

PLAQUEMINE.—A group of white parents Tuesday accused the Iberville Parish School Board of meeting in secret at night and not telling the truth about integration.

The small group asked the board what John R. Ward, special counsel to board, meant when he said he would go back before U.S. dist. Judge E. Gordon Dest and ask for "supplementary relief."

Ward said he would seek the relief during a special meeting of the board last week when opening of schools was delayed until Sept. 8.

Registration in Iberville was marked by demonstrations by both whites and Negroes, a temporary classroom was destroyed by fire and police used teargas to quell a Negro demonstration after rocks were thrown at police.

Board member T. J. Sanchez, Ward 1, said Ward would ask for a plan based on freedom-of-choice since the board had experienced great difficulty in instituting the court-ordered integration plan approved by Judge West.

Carlyle Marix, Ward 2, siding with those in the audience, said that was not the way he understood the matter and did not want the people to be misled.

There were shouts of: "We want the truth."

Factions Ask Ascension Unit Backing

DONALDSONVILLE.—Opposing factions of parents from East Ascension faced the Ascension Parish School Board Tuesday night with requests for support.

And, in the session which ran on and on into the night, neither side was given assurance by the board.

Loy McCrory, a spokesman for the pickets and boycott supporters who were present at the meeting in large numbers, said the issue in East Ascension is not a racial one. "We had colored students at Dutchtown," he said, "and last year we had colored teachers and you didn't see any picket lines."

He claimed the pickets are peaceful, want no violence and are only seeking to have freedom of choice restored.

McCrory also asked minutes be read of the meeting at which the board accepted the plan of the Department of Health, Education and Welfare. "And we want to know," he added, "why one side of the parish has freedom of choice and one has the HEW plan."

The plan accepted by the federal court preserves freedom of choice in Donaldsonville for the current school session.

James Leche, who identified himself as one of those picketing schools, said if the schools function normally, the board can't go to court seeking relief from the HEW plan. Several board members agreed the fact that the schools are not able to operate normally may give them a point to argue in court.

WANTS SCHOOLS OPEN

Mrs. Bill Kivett, Gonzales, said she is one of many parents on the east side who are anxious to send their children to school. "Every one has the right to picket," Mrs. Kivett said, "but limit the number. I can't tell my child he can't go to school. Children are being deprived of their right to an education."

Of the six schools in East Ascension, only Gonzales Elementary and East Ascension Senior High School conducted classes on Tuesday. Gates were chained and padlocked at St. Amant and Galvez and low attendance closed the other schools.

No buses operated on the east side of the river and bus drivers claimed to have received threats.

Asked by those parents anxious to send their children to school whether buses would run and all schools be open, the board gave no reply.

McCrory told the board he and about 35 others represented a very large group of boycotting parents and had agreed to take "some answers" to them at a meeting Thursday night. It was unclear that any answers had been given to satisfy the group.

RAPS SECRET MEETINGS

Leche blamed the board's penchant for executive session caused much of the current trouble. He said he had been attending board meetings for years and everytime the subject of integration came up, "I was politely asked to leave."

"You are charged with providing an education for our children," Leche told the board, "then you should never go into a secret session."

"You haven't had any confidence in us, how can you expect for us to have confidence in you," he added. "If you'd been more honest with people you'd be in less hot water now."

C. T. Hodges, among those seeking to send their children to school, said he had a petition with 174 signatures asking schools be reopened immediately. The petition noted the group is in favor of freedom of choice but is also in favor of education and opposed to threats, picketing and harassments.

SHERIFF CITES THREATS

Asked for his opinion, Sheriff Hickley Waguespack said he believed a secret poll would show most parents in East Ascension would like to send their children to school. He said it is threats, fear of threats or violence that are keeping most children out of school, not integration. He said he had come to this conclusion after talking to large numbers of persons.

Alva John Wall asked the board to pass a resolution stating any teacher who discriminated against boycotting students on their return to school would be dismissed.

A lengthy discussion on what comprised discrimination brought out the fact boycotting parents want their children to be allowed to play football, participate in the band and not receive failing grades for the classes they've missed.

Board member Lawrence Noel said he would not want to sign a resolution which might give the appearance of school board support for the boycott. No action was taken on the request.

Schools Closed in Evangeline Parish

VILLE PLATTE.—The Evangeline Parish School Board, overwhelmed when more than 1,500 white citizens showed up for its meeting, voted to keep schools closed until further notice and joined the audience as co-plaintiffs in two suits.

The board moved from its office to Ville Platte High School's gymnasium to accommodate the crowd of citizens protesting federal court-ordered desegregation.

The group argued heatedly for adoption of

the four-point program drawn by an 18-man committee. It was finally adopted by the board.

The first of the four points called for the indefinite recess in schools.

The second point called for the board to join as co-plaintiffs in a suit against the Department of Health, Education and Welfare now in U.S. District Judge Richard Putnam's court at Shreveport seeking to restrain HEW from imposing its desegregation plan on the parish.

The third point called for the board to join as co-plaintiffs in a motion to have the suit filed by Paul Manuel et al against the board and HEW moved back to 13th Judicial District Court in Ville Platte.

The fourth asked that a speedy hearing be given in both cases.

After a long debate between members of the committee and the school board and its legal representative, John R. Ward, the board huddled and agreed to adopt the program.

There was only a sprinkling of white attendance as schools opened Tuesday morning. About 25 per cent of the expected enrollment, white and black, reported for classes. Some stayed only a short while and left.

Many school buses arrived empty after making their rounds in the parish. Five empty buses in a row showed up at Ville Platte Elementary.

There were no pickets at schools, but booths set up by the Concerned Citizens of Evangeline Parish were set up in each community of the parish to survey feasibility of a large central private school. The group reported "a tremendous turnout."

RAPIDES SCHOOL BOARD HALTS ENROLLMENTS ZONE CROSSINGS

ALEXANDRIA.—The Rapides Parish School Board moved Tuesday to crack down on students enrolled in schools outside their residential zone.

Board members reported there were numerous instances of students enrolled outside their regular zones and warned they would be notified by the principal they could not continue at the schools.

Allen Nichols, school superintendent, said: "I feel we've reached the point where we must have people obey the court order" or have mass shifts and further disruptions.

The problem is compounded by low registration in the schools this fall. Travis Funderburk, assistant superintendent, said first day enrollment was 1,300 fewer than anticipated and 700 fewer than registered last year.

He said the normal five percent growth apparently did not occur although there was considerable late registration and many students were enrolling this week.

He said the board still has a number of teachers unassigned and a number of vacancies.

DISPLACED TEACHERS

Most of the displaced teachers are black.

Funderburk warned that it seemed likely 22 teachers would be left after assignments. Their pay represents about $120,000 a year, he said.

He said the state allocations would not cover those salaries, which would then have to come out of the board's general fund.

A request from the Alexandria Academy for the board to furnish bus transportation from Alexandria to a private school in Pineville was approved. The private school occupies a public school building which was closed this year because of zoning changes under the court order.

Lafargue School, which was also closed this year for the same reason, was rented to the Office of Economic Opportunity for Head Start program headquarters.

Ward 1 members had asked that it be loaned to the OEO without charge but rural members balked and insisted that rents be collected.

An increase in the price of milk for children who get extra help was approved. The cost to the parish has gone up from .0718 to .074, board members were told and children who have been paying three cents now must pay four cents for a half-pint carton.

WHO'S RUNNING HEW?

The conflict between moderating statements from some high members of the Nixon administration and the relentless drive by the Department of Health, Education and Welfare for total control of the nation's schools and institutions furnishes an interesting study in governmental operations. From just whom is HEW taking its cues, anyway?

If HEW's actions and the available evidence mean anything, the agency is not yet fully under control of the Nixon administration. It's ideologues are acting on their own and on the basis of advice from civil rights doctrinaries, not with guidance from the courts, from Congress, or from any elected official in Washington. They are taking advantage of this situation.

The new administration has been reluctant to make a clean sweep of more fanatical members of HEW and of the civil rights compliance sections that exist in other agencies and take their guidance from HEW. To do so might be interpreted as an effort to turn back the clock, and might provoke from civil rights enthusiasts and from many liberals an even stronger attack than already has been launched by them against President Nixon. Keeping these people happy probably would be a hopeless task for any president, but President Nixon does not want to stir up any storms unnecessarily or lose any votes that can be saved. The HEW people feel safe in their jobs for the time being.

Agency control can be changed gradually as key posts become vacant and are filled with new men. But if those presently in control move swiftly enough, they may hope to present the administration and the nation with a fait accompli in the form of drastic changes that cannot be undone without the danger of making things even worse.

Some might wonder whether the administration itself may be playing a game with the public by walking softly while tipping HEW off to keep swinging the big stick. But the circumstances do not support this theory as well as they support the one we already have stated. The situation is becoming too embarrassing to the administration.

FORT BELVOIR SERVICES HONOR GENERAL WALKER

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. EDMONDSON. Mr. Speaker, services are being held today at Fort Belvoir for one of Oklahoma's finest soldiers, Maj. Gen. George H. Walker.

The Nation has lost one of its ablest engineers and officers in the tragic illness and death of this great and good American.

General Walker and his lovely wife Jo grew up together in Muskogee, Okla., where a sister and brother of the general still live. As a fellow townsman, I have followed General Walker's splendid career through the years with keen interest and growing pride.

The general served throughout his career in the Army Corps of Engineers, a career which ended with his retirement as commanding general of the U.S. Army Engineer Center at Fort Belvoir, Va.

He worked long and hard as a builder, and was one of the finest architects of watershed development this country has produced. His contributions in this area while serving as district engineer for the South Atlantic Division earned him the Distinguished Service Medal. His influence in watershed development also was strongly felt while he served as executive officer for civil works in the Office of the Chief of Engineers here in Washington.

I want to extend my deepest sympathy to the family of this great American. My wife and I sincerely share their grief in their great loss.

OUR MAGNIFICENT SCIENTIFIC PROJECTS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. FRASER. Mr. Speaker, in previous remarks on the recent space achievements, I expressed the hope that we would apply the same devotion and organizational know-how evident in the space program to the complex social problems facing this Nation.

Recently I received a letter from a constituent expressing similar views. The distinguished author of the letter, Dr. Frederic J. Kottke, professor and head, department of physical medicine and rehabilitation, University of Minnesota, asks whether Federal expenditures for magnificent scientific projects such as the moon shot and the supersonic transport (SST) can be justified in face of poverty, untreated disease, hunger, urban deterioration, and significant social unrest?

Dr. Kottke points out that Minnesota's pro rata share of the cost of these scientific projects would be substantial. If these funds could be diverted, or if comparable amounts were available, necessary educational and health programs could be adequately funded.

Dr. Kottke's final paragraph tersely summarizes the feelings of many Americans who recognize the importance of the SST and space programs, but who feel that other projects cry out for equal or higher priority in the list of tasks urgently requiring Federal moneys:

All of this adds up to the issue of relative value for activities of the federal government. I thrill to magnificent scientific efforts. There is no question but that with proper support scientists can do marvelous things. However, I think that the government's first obligation is to consider the relative value of the activities which are supported. Luxuries should not take precedence over necessities. The health and welfare of the people of the United States should be the first concern of government and should take first priority. It appears that we are not maintaining this perspective in the programs supported by the government.

COMMUNISM—STILL THE ANTITHESIS OF FREEDOM

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. WYMAN. Mr. Speaker, communism is still the mortal enemy of freedom everywhere. By definition, motivation, philosophy, strategy, and objective, communism strangles individual freedom as surely as cancer kills and replaces living cells within the human body.

It is the height of error to admit Communists to any form of coalition government, for they will work to destroy and replace that government with a Communist government. No Communist can be a genuine Communist and obey any oath or any religious tenet that might conflict with the Communist goal of world domination.

In this case, a recent editorial by the distinguished editorialist and publisher of U.S. News & World Report, the Honorable David Lawrence, is significant.

The editorial follows:

A DEFINITION OF COMMUNISM OFFERED

(By David Lawrence)

Almost every week people read in the news dispatches something about "communism" and its relationship to activities in the United States. But rarely has a comprehensive definition of the word been given based upon an official inquiry authorized by Congress.

Such investigations have been occurring for many years. Most of the witnesses testifying voluntarily and represent all walks of life—priests, ministers, college professors, schoolteachers, state and city officials, industrialists, farmers, officials of big labor unions, representatives of various industries, and patriotic societies and other organizations, including the American Civil Liberties Union and the American Legion.

It is not generally realized that one of the practices of the Communists is secretly to advise and inform the members of different types of organizations how to plan for demonstrations on public issues.

Year after year, as the House Committee on Internal Security and the Senate Internal Security subcommittee have carried on their investigations, evidence relating to Communist activities has been revealed.

One of the earliest explanations of what is meant by communism was issued by a House committee in an official report, and is worded just as if it were written today. It says;

"The following is a definition of communism, a worldwide political organization advocating:

"(1) Hatred of God and all forms of religion;

"(2) Destruction of private property and inheritance;

"(3) Absolute social and racial equality; promotion of class hatred;

"(4) Revolutionary propaganda through the Communist International, stirring up Communist activities in foreign countries in order to cause strikes, riots, sabotage, bloodshed, and civil war;

"(5) Destruction of all forms of representative or democratic governments, including civil liberties, such as freedom of speech, of the press, or assembly, and trial by jury;

"(6) The ultimate and final objective is by means of world revolution to establish the dictatorship of the so-called proletariat into one world Union of Soviet Socialist Republics with the capital at Moscow.

"Communism has also been defined as an organized effort to overthrow organized governments which operate contrary to the Communist plan now in effect in Russia. It aims at the socialization of government, private property, industry, labor, the home, education, and religion. Its objectives are the abolition of other governments, private ownership of property, inheritance, religion, and family relations."

The customary method of carrying on Communist activities is through infiltration of large organizations by a relatively few persons. They have available manuals of guidance and instruction which they give privately to influential leaders to help them organize demonstrations. Communism, of course, is never mentioned. The FBI has discovered many instances of this kind, including donations of funds by some wealthy Americans who are sympathetic to socialistic ideas.

The same techniques are apparent in Latin American countries. When an occasion like the visit of Gov. Nelson Rockefeller to South America arises, the Communist agents get busy and help to organize the demonstrations which will get publicity and arouse antagonism to the United States. Many of the agents are working for Red China or Cuba and are individuals of Spanish background or Europeans who speak Spanish.

In the United States, also, the conspirators are often not foreigners but Americans who are trained abroad or students in this country who have been converted to communism by agents of the Soviet or other Communist governments.

The general assumption has been that such plotters cannot be prosecuted unless it can be proved that they are being financed by a foreign government. The Constitution, however, does provide Congress with power to punish treason or efforts to overthrow the government of the United States by force.

When the average American reads about "communism," he still does not learn much about the techniques of treason and espionage that are being used to damage the American system of government and the established institutions of the country—including colleges, churches, labor organizations and other groups which play a conspicuous part in domestic controversies.

THE AMERICAN LAG IN SOLVING THE LANGUAGE PROBLEM

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. PUCINSKI. Mr. Speaker, for a long time I had been deeply concerned with the fact that the United States has done very little to encourage the rest of the world toward developing a common language for international business, cultural, educational, and diplomatic relations.

In many countries of the world there is a serious effort being made to establish Esperanto as a common language.

I have asked the Esperantic Studies Foundation, which has its headquarters at 6451 Barnaby Street NW., here in Washington, D.C., to prepare for me a report on this entire subject and I should like to call that report to the attention of my colleagues today.

I believe Esperanto does offer an exciting alternative.

I would like to recommend the following report prepared by the Esperantic Society for such discussion. There may be other ways of meeting the problem. One encouraging sign is the growth in the use of the English language throughout the world. There are now few places, if any, throughout the world where English is not being taught as a secondary language.

But it occurs to me that even with widespread use of English, we ought to consider greater emphasis on Esperanto to help bridge the gap with languages other than English and which are not having as wide an appeal as some of the English courses around the world.

This report documents the extent to which the United States has fallen behind most other countries, especially behind the Communist states, in the search for a common international language.

Research is needed on the language problem because of its complexity, and because of the potential benefits of an internationally agreed-on common second language. Yet this report shows that:

Almost no interlinguistics research is being done in the United States, while much work is going on in the Soviet Union;

The United States has many linguists, but only a handful of experts on planned international languages;

The Library of Congress and other American libraries have failed to collect the books and documents necessary to do research on this problem; and

Thousands of people are studying a planned international language in the schools and universities of the Communist bloc, while American students are almost never taught such a language, in spite of its probable educational benefits. Office of Education policy makes it difficult to correct this imbalance.

The report goes on to show how the Communist governments are testing, developing, and promoting one planned international language, through international meetings, broadcasts, and publications, while the United States does nearly nothing to test the feasibility of this language or to present American views to its speakers around the world.

The report concludes that the United States can and should give higher priority to solving the language problem, and suggests three concrete steps to help put America in the forefront of the search for an international language.

The Esperantic Study Foundation research report follows:

THE AMERICAN LAG IN SOLVING THE LANGUAGE PROBLEM

The language problem

The absence of a common language for international communication is by now a well recognized problem. Its effects range from the deception of tourists in foreign bazaars to fatal crashes in international passenger aviation.[1] An article published simultaneously in the July 29, 1969, issue of *Look* magazine and the July 26, 1969, issue of *Saturday Review*[2] blames translation errors in an official communication between Hanoi and Washington for a misunderstanding which delayed peace negotiations. Even among diplomats, and at the United Nations, the language problem is severe and costly, perhaps increasingly so, as recent articles have pointed out.[3] International agreement

Footnotes at end of article.

on a common second language, to be taught in all schools, would make the citizens of each nation better equipped to benefit from today's technology of supersonic transit and worldwide satellite communication.

The Communist lead in research

The United States lags behind the rest of the world, especially the Communist countries, in the search for a solution to the language problem. A combing of the index to *Dissertation Abstracts* for the years 1963–1968 reveals not a single doctoral dissertation in the United States in the field of interlinguistics, or international or universal languages, during that six-year period.

In contrast, the Soviet Union is actively researching this problem. The U.S.S.R. Academy of Sciences Institute of Linguistics in Moscow has an interlinguistics section. Dr. E. A. Bokarev, assistant director of the Institute, is currently engaged in a research project entitled "The Problem of an International Language". (The U.S.S.R. Academy of Sciences Council for Cybernetics also has a sub-section on Esperanto.) "Similar work is done at the Academies of Sciences in the Union-Republics", and "Soviet scientists are active in the council for language problems of socialist countries and in other international organizations", according to an official Soviet source.[4]

CHART A.—*Books in and about Esperanto in major library collections*

United States of America (1.4 percent)	1,000
Communist countries (28 percent)	21,000
Rest of world (70 percent)	52,000

The need for research

Is the language problem so simple that America can afford to let it "solve itself"? Many experts, including State Department officials, do not think so. In Appendix I, Pierre R. Graham, acting director of the Office of International Economic and Social Affairs, Department of State, writes that "the problems of world-wide communication admit of no simple, easy solution, but rather are matters of the utmost complexity."

While some experts believe that English is on its way to becoming the world language, others disagree. Dr. Richard Noss, scientific linguist with the School of Languages and Area Studies of the Foreign Service Institute of the Department of State, writes:

"If English is indeed the principal language of international communication, it is only the latest in a series of languages to hold this position. . . . If anything is clear from the history of international communication, it is that once a language has established itself as predominant in the world it will eventually fall from that perch. There is no reason to suppose, moreover, that this will not happen to English as well.

". . . If anything, increased reliance on the spoken language at the expense of printing and reproduction of written materials seems to be indicated by the most recent developments; this works in favor of all languages equally, including those with no present literature to speak of."[5]

The American lag in manpower

One reason for the research gap is the *shortage of trained experts on planned international languages in the United States.* According to Charles A. Zisa, assistant director for manpower of the Linguistic Documentation Program of the Center for Applied Linguistics, in Washington, *only four or five persons out of the five thousand linguists* in the Center's national file *indicate any degree of competence in any constructed language,* and only one of them claims fluency in Esperanto, the most widespread language of this type.

Footnotes at end of article.

CHART B.—*Size of largest public library collection in and about Esperanto*

United States of America: 400 (Library of Congress, Washington).

Communist countries: 11,500 (Bulgarian National Library, Sofia).

Rest of world: 14,000 (Austrian National Library, Vienna).

The two basic approaches to an international language are (1) the adoption of an ethnic ("natural") language for world use, and (2) the utilization of a planned (constructed, "artificial") international language. In any thorough search for a solution to the language problem, both of these approaches must be examined. Some experts, for example Prof. Mario Pei of Columbia University, believe that both approaches together offer a viable solution.[6] But American expertise is confined almost solely to one of these kinds of languages: ethnic ones. The Esperantic Studies Foundation is acting as a clearinghouse for students of constructed international languages, but the shortage of such scholars in the U.S. is critical.

The American lag in information resources

We have seen that few if any Americans are experts on the international language problem. One reason is simply that *our libraries do not collect the books we need to study this problem.* As is shown in Chart A, the U.S. has only about 1000 volumes in its (two) major library collections of books in and about Esperanto. Chart B shows that *our largest public collection, in the Library of Congress, has only one-thirtieth as many volumes as the largest public collection in the Communist bloc* or the largest one in the world.

(Most of the literature on the international language problem deals with Esperanto: 60% of the volumes in the international language collection (PM8000–8999) of the Library of Congress are in or about Esperanto. Thus Chart B is relevant to information on the language problem as a whole.)

The Library of Congress collection, in addition to being inadequate in size, *is also poorly selected.* A great emphasis has been placed on textbooks and dictionaries, almost to the exclusion of current scientific and literary works. Only seven volumes of fiction published in Esperanto since 1930 have found their way to the shelf of the Library of Congress, out of perhaps a thousand such works in existence. When it is considered that the acquisition policies of the Library of Congress influence the acquisitions of almost every library in the country, it becomes clear that *few Americans can have access to the documents necessary to study the evolution and development of Esperanto* from a simple project into a full-fledged international literary language. Yet this study is crucial to any understanding of the factors working for and against the adoption of any planned international language.

CHART C.—*Number of persons studying Esperanto in schools and colleges*

United States (3.0 percent)	550
Communist countries (50 percent)	8,000
Rest of world (47 percent)	7,500

TABLE 1.—*Some universities in Communist countries at which Esperanto has been taught between 1965 and 1969*

Bulgaria: Plovdiv Institute of Technology; Ruse Institute of Mechanization; Sofia, Kliment Ohridski State University, School of Philology; Svishtov Institute of Finance and Economics; Varna, Dimiter Blagoev Institute of Economics.

China (Continental): Hiamen University, Peking University.

Czechoslovakia: Bratislava, Komensky University, School of Philosophy.

Hungary: Budapest University, School of Law; Budapest Technical University; Budapest University of Science, School of Philosophy; Esztergom University; Pecs University; Szeged University.

Poland: Gdansk Academy of Medicine; Krakow, Jagiellonian University; Krakow School of Education; Torun, Copernicus University.

U.S.S.R.: Moscow, Lomonosov University.

Vietnam (North): Hanoi, Vietnamese School of Education.

Yugoslavia: Zagreb University.

The Communist lead in education

Another major explanation for our shortage of experts on planned language problems is that American schools and colleges rarely teach constructed international languages. Chart C shows how many persons are studying Esperanto; the only planned language now taught in any significant number of schools. It is clear from the Chart that *the United States falls far behind the rest of the world, especially the Communist countries, in the teaching of Esperanto.* With 6% of the world's population and an even greater portion of the world's students, the United States has only about 550 people studying a planned international language, 3.4% of the world's total.

One of the *possible beneficial educational by-products of teaching a constructed language* in the schools is suggested by the recent decree in which the government of Communist Lithuania adopted Esperanto as an elective foreign language in the seventh through eleventh grades. The decree called Esperanto "the easiest language in the world to learn" and said that the study of this kind of language is an excellent foundation for the future study of other foreign languages.[7] American schools where an international language has been tried have also commented on its benefits. See Appendixes IV and V.[8]

The United States Government, however, *has largely ignored the possible advantages of, and even discourages research on, international language programs* in school curricula. Inquiry at the Office of Education has produced replies to the effect that constructed international languages are probably considered outside the definition of "modern foreign language" as used in Title III and Title VI of the National Defense Education Act, or that a constructed language would be given low priority even if included in the definition. Thus our manpower shortage and our education lag reinforce each other in a vicious circle, and *current interpretation of the National Defense Education Act perpetuates the problem.*

CHART D.—*International youth meetings using Esperanto as official language, 1969*

United States of America, percent	9	(0)
Communist countries, percent	17	(65)
Rest of world, percent	9	(35)

During the 1968–1969 academic year, *only about 40 persons studied Esperanto at the college level in the United States,* and most of these did so in non-credit courses. In contrast with the American situation, Table 1 lists some of the universities and other institutions of higher education in the Communist countries at which Esperanto courses have been recently reported. If a similar number of American universities were to decide to introduce Esperanto courses in the next Academic year, they would find this decision difficult to implement, because of our shortage of experts who can teach the language.

In fact, the demand for college-level international language courses may be growing here. Several teachers of Esperanto in California schools went to Massachusetts during the 1969 summer session for a teacher training course in that language when no college

in their own state offered such a course. And *reports have been received from four American colleges* (Tufts University, the University of Arkansas, the University of Southern Florida, and North Adams [Mass.] State College) *stating that each of these institutions wishes to teach Esperanto in 1969–1970* if a qualified instructor can be found.

The American lag in policy

The United States Government has no official policy on the language problem. This fact is clear from Appendix I, in which Mr. Graham writes that the United States has not favored the promotion internationally of any particular language, natural or artificial. The thought has been that the educational systems of the various countries are so diverse, the problems of promoting any one language are so vast, and the need to overcome illiteracy even in national languages within a given country's borders is so urgent that the United States has not chosen to support any universal language program. Even the value of an international language is, quite legitimately, questioned: "Whether the use of a single word language, be it natural or artificial, would overcome the destruction of smaller cultures is a question worthy of study."

Like the United States Government, the Communist governments have not adopted an official policy on the solution of the international language problem. They have vascillated between advocating Russian and promoting a constructed language, and are now taking the view that more study is necessary. *But unlike the United States, the Communists are hedging their bets.* While the United States in practice puts all its eggs in the ethnic-language basket, the Communist governments in a variety of ways are active in the use, development, and encouragement of the major constructed international language, Esperanto. The following Charts give some examples.

Most international youth meetings in which Esperanto is the official language are hosted by Communist countries: see Chart D. In almost every Communist country there are strong and active organizations of Esperanto speakers who enjoy official aid in holding such meetings: see Chart E.

Most radio broadcasting in Esperanto is done from stations in Communist countries: Warsaw, Sofia, Zagreb, and Peking at present. See Chart F. In 1968 Radio Warsaw tripled its foreign broadcast hours in Esperanto. The Voice of America currently does no broadcasting in this language.

Although neither the United States nor the Communist countries produce an overwhelming share of the world's Esperanto magazines (see Chart G), *the Communists actively use Esperanto to advertize their way of life to Esperanto speakers* around the the world. Of the seven nationally sponsored foreign-information periodicals currently published in Esperanto, six come from Communist countries (see Chart H and Table 2).

Charts I and J show that as with international meetings, radio broadcasts, and periodical publications, *the United States also produces less than its share of books in and about Esperanto,* and *the Communist countries hold a sizable lead in the translation and publication of their literatures in this language.* The U.S. while publishing 6% of the world's translated books,[8] published none in Esperanto from 1964 through 1968.

In contrast with the diversified utilization of Esperanto by the Communist governments, *the United States Government currently uses Esperanto for only one minor purpose.* The U.S. Navy prints finders' instructions in Esperanto, together with seven other languages, on its bottle papers, which are thrown overboard by ship captains to trace ocean currents (see Appendix VI).

Footnotes at end of article.

CHART E.—*Membership in national Esperanto organizations*

United States of America (1.0 percent)	700
Communist countries (55 percent)	28,200
Rest of world (44 percent)	22,700

CHART F.—*Radio broadcasting in Esperanto*

[In percent]

United States of America (0 hours per week)	0
Communist countries (22.75 hours per week)	83.5
Rest of world (4.5 hours per week)	16.5

CHART G.—*Publication of periodicals in and about Esperanto*

United States of America (3 percent)	3
Communist countries (18 percent)	21
Rest of world (79 percent)	91

CONCLUSION

In almost every aspect the Communist countries have taken the initiative and the United States has lagged behind in the search for a common international language. Progress in this area not only would contribute to world understanding, but might well have important spill-over effects on education, information retrieval, the mass media, the publishing industry, international organizations, and other arenas. This area of communications research and planning is so new that *there is no reason why the United States can not take a leading position* and soon begin to make a major contribution to what ought to be a joint East-West effort. Rather than a large investment of resources, *what is needed is mainly a recognition that the language problem is critical, and that any widely used planned international language is a critical language* in the search for a solution.

This report would suggest that *the following immediate steps would help rectify the existing American lag and be in the national interest:*

A. Correction by the Library of Congress of its insufficient and unrepresentative acquisition practice in the international language field.

B. Review by the Office of Education of its apparent position that constructed international languages are not "modern foreign languages" or are low in priority for funding.

C. Reconsideration by the United States Information Agency of its policy of doing no broadcasting or publishing whatsoever in any widely used constructed international language.

Beyond these stopgap measures, much could be done to make the search for a common language an official national priority. The Esperantic Studies Foundation will be ready at any time to assist all interested governmental and private agencies in the development of plans to this end.

CHART H.—*National information periodicals in Esperanto published for foreign consumption*

United States of America (0 percent)	0
Communist countries (86 percent)	6
Rest of world (14 percent)	1

TABLE 2.—*National information periodicals in Esperanto published for foreign consumption*

[Country of origin, title, and frequency]

Communist

Bulgaria, *Bulgarino,* yearly.
Bulgaria, *Nuntempa Bulgario,* monthly.
Bulgaria, *Ripozoj,* bi-monthly.
China (Continental), *El Popola Cinio,* monthly.
Hungary, *Hungara Vivo,* quarterly.
U.S.S.R., *Por la Paco,* irregular.

Non-Communist

Germany (West), *Okcidentgermana Revuo,* bi-monthly.

CHART I.—*Publication of books in and about Esperanto, 1967–68*

United States of America (2 percent)	2
Communist countries (40 percent)	42
Rest of world (60 percent)	60

CHART J.—*Publication of books translated into Esperanto, 1964–68*

United States of America (0 percent)	0
Communist countries (65 percent)	144
Rest of world (35 percent)	79

APPENDIX

Statement of purpose

The rapid acceleration of international contacts through both travel and telecommunication gives new salience to the fields of language planning and "languages of wider communication." Esperanto, the only planned international language in global use in a wide range of contexts, has escaped the attention of most American researchers in linguistics, international relations, and education. While its relevance is recognized by scholars abroad (e.g. Rotterdam, London, Paris, Vienna, Stockholm, Moscow, Budapest, Peking and Rio de Janeiro), we believe that the field of Esperantic studies is under-researched in the U.S., considering the high level of American scholarship in related fields.

To help remedy this imbalance, an Esperantic Studies Foundation (ESF) has been established. ESF will function as a center for the stimulation and support of teaching and research on the language, literature, culture, history, psychology, and social and political relations of the Esperanto-speaking community. The term "Esperantic studies" was coined to describe this area, in analogy with Hispanic, Icelandic, Arabic, etc. studies. ESF will also be concerned with applications of the Esperanto experience over the past eighty years to both scholarship and policy in such fields as science, technology, commerce, mass media, diplomacy, and citizen interactions.

ESF regards Esperanto as a topic worthy of serious research, but does not otherwise take a position on its merits. The Board of Directors will consist of representatives of diverse disciplines and views who are interested in the objective, empirical, and experimental study of international language problems and of language planning and development in a broad perspective.

ESF is incorporated under the laws of the District of Columbia, and Federal tax-exempt status has been granted. Further communication on ESF should be directed to Dr. E. James Lieberman, 6451 Barnaby Street, N.W., Washington, D.C. 20015. List of research topics and bibliography are available.

Selected topics for research in Esperantic studies

1. Proposed studies of the linguistic characteristics of Esperanto (descriptive and analytical problems):

a. Grammar (oral and written varieties, algorithmic, computer-oriented, instruction-oriented, contrastive, etc.; lexical and semantic problems).

b. Phonology and script.

c. Linguistic stability and change in planned vs. unplanned languages.

d. Uniformity, diversity, standardization, and dialect formation in Esperanto.

2. Proposed social-behavioral studies (socio- and psycholinguistic problems):

a. Problems of language planning, choice, change, and standardization on the international vs. national level.

b. Linguistic problems of international language planning: contact, interference, etc.

c. Attitudinal problems of international language planning: attitudes toward international communication, world language, Esperanto, language innovation and planning, etc.

d. Cultural and attitudinal correlates of

international language use: effects on nationalism, group/ethnic consciousness and identity; linguistic competencies, limitations, habits, predilections, and taboos in international language vs. national-language communication; psychological and semantic aspects of communication in conferences and small groups; literary development in Esperanto vs. national and ethnic languages; cultural identity as expressed through Esperanto literature, and its implications.

e. The politics of international language planning: effects of domestic language situation, education policy, political regime, ideology, etc. on international language policy; policies of authoritarian regimes, small nations, etc. toward various means of international communication.

f. Social and political correlates of international language use or non-use: effects on integration, mobility, stratification, allocation, international relations, diplomacy, and communication patterns; effects of external linguistic pressures on small cultures and language groups.

g. Costs and benefits of international language use or non-use: effects of alternative international language planning strategies on technology, trade, development, scholarship, etc.

3. Proposed studies of the educational aspects of Esperanto:

a. Learnability of Esperanto vs. national languages, controlling for learners' nationality, age linguistic and cultural background, etc.

b. Dynamics of learnability: proficiency attainment curves in Esperanto vs. other languages.

c. Affective components of learnability of Esperanto vs. national languages as second tongue: motivation, confidence, identity, and sense of possession.

d. Esperanto as a propaedeutic: effects of studying Esperanto on performance in other foreign languages, English, etc., and on interests and attitudes.

BIOGRAPHICAL NOTES ON FOUNDERS

E. James Lieberman, born in Milwaukee in 1934, received B.A. and M.D. degrees from the University of California and trained in psychiatry and public health at Harvard. At present he is Chief of the Center for Child and Family Mental Health, National Institute of Mental Health. He has published articles on preventive psychiatry, family planning, sex education, nonviolence, and Esperanto. Having studied Latin and German in school, he first encountered Esperanto while hosteling through Europe in 1954, and studied the language on the ship home. He attended the 1957 Universal Esperanto Congress in Marseilles, and subsequently served as member and chairman of the Executive Board, Esperanto League for North America. His Esperantic publications include "L. L. Zamenhof—Dr. Esperanto", *New Eng. J. Med.* 261:963–65, 1959; "Esperanto, Interlingua, and the Emperor's New Clothes", *Intl. Lang. Rev.* 28, 1962; "Enkonduko" to *La Profeto*, by Kahlil Gibran (tr. R. Orloff Stone), 1962; "Do We Want a Monolingual World?", *N. Am. Esp. Rev.* 1965, No. 2.

Humphrey Tonkin, born in Truro, England, in 1939, was an undergraduate at Cambridge University and received his Ph.D. at Harvard as a Frank Knox Fellow in 1966. Now Assistant Professor of English at the University of Pennsylvania, he specializes in English Renaissance literature. Since learning Esperanto in 1955, he has lectured widely in and on the language, and contributed frequently to Esperanto periodicals. He is a former editor of the youth magazine *Kontakto*, is currently a contributing editor for the new edition of *Enciklopedio de Esperanto*, and is serving as General Secretary of the Tutmonda Esperantista Junulara Organizo. In the field of Esperantic studies, his publications in English include "Language Problems in International Relations: A Select Bibliography", *Intl. Lang. Rev.* 44–45, 1965–66; *A Research Bibliography on Esperanto and International Language Problems* (New York: JEN, 1967); "Code or Culture: The Case of Esperanto", *Era* 4, 1968; "Esperanto Literature Since the War", *PEN Bul. of Sel. Bks.* 19, 1968.

Jonathan Pool, born in Chicago in 1942, received his B.A. at Harvard and an M.A. at the University of Chicago, where he is a doctoral student in political science. After learning Esperanto in 1961, he helped found the Harvard-Radcliffe Esperanto Club, the Esperanto Education Center, and the University of Chicago International Language Society. He has spent a year in Norway, a summer in Ghana with Operation Crossroads Africa, and two years with the Peace Corps in Turkey, where he wrote a Turkish primer of Esperanto, *Esperanto Ögrenelim*. His language background also includes Latin and Russian. He is now a member of the Executive Committee of the Esperanto League for North America and Secretary of the Executive Board of the Organization of Esperanto-Speaking Young Americans, whose correspondence course he directs and whose newsletter he edits.

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Chart G: "Esperanto-Periodajoj". *Jarlibro de Universala Esperanto-Asocio*, 1969, part 1, pp. 497–507.

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Chart H: Same sources as Chart G.

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Table 2: Same sources as Chart H.

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BETTER PASSPORT SERVICE

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. GIAIMO. Mr. Speaker, on July 28, my colleague, the gentleman from Connecticut (Mr. WEICKER), and I introduced legislation designed "to provide more efficient and convenient passport service." I am highly pleased to report that this drive to provide such service for millions of American travelers has gained strong bipartisan support in the House.

The fact that 35 Representatives of both parties and of all areas of the country have either cosponsored this measure or introduced identical bills shows conclusively the seriousness and national scope of the passport problem.

I am also gratified by the highly favorable response to our bill outside of Congress. The many citizens who have suffered through interminable delays and other inconveniences in order to obtain passports are now urging immediate congressional action to remedy this disgraceful situation and to assure them the

prompt and efficient service which they pay for and have every right to expect.

Some critics of our proposal would have you believe that these delays and inconveniences are seasonal and that they occur a few weeks a year. This contention is not just untrue; it is irrelevant. The fact is that the American people are entitled to prompt and efficient passport service every day of the year. My colleagues and I are attempting to insure this.

For those in this body and elsewhere who refuse to admit that the passport situation in this country has reached crisis proportions, I am including at this point in the RECORD the text of the lead editorial in the September 3 edition of the Federal Times. This editorial describes clearly the problem as it exists and the means by which we can solve it. Action is obviously needed; it is up to us to act.

The editorial reads as follows:

PASSPORTS

American travelers finally may get a break if a bill introduced by two Connecticut congressmen becomes law.

Reps. Robert N. Giaimo, a Democrat; and Lowell P. Weicker Jr., a Republican; propose beefing-up the passport office by adding more offices and more staff.

At present there are passport offices in Washington and in 10 other major United States cities. Both the State Department and Congress must approve any new facilities or the addition of personnel.

The proposed legislation would allow the Passport Office to use some of the revenues it collects to improve the service it provides—admittedly a novel approach.

Expansion of the facilities would eliminate the need for extensive travel and inconvenience to complete a passport application. The congressmen point out it takes longer to get a passport than it does to fly to Europe.

Here is another instance of a federal agency lagging behind the times in meeting the needs of the people it was designed to serve.

The Passport Office should be so organized and so located that it would facilitate travel for those who want to go abroad for business or pleasure. As now operated, it frequently produces the opposite effect.

The Congressmen say: "Millions of Americans are paying for passport service and they have every right to expect such service to be prompt and efficient."

Makes sense to us!

THE 30TH ANNIVERSARY OF HITLER'S ATTACK ON POLAND

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. HELSTOSKI. Mr. Speaker, it is said that human memory is short. I therefore believe it fitting and proper to remind ourselves and our Nation that we are marking the 30th anniversary of a dark day in the annals of world history.

In 1933, Poland's neighbor, Germany, came under the domination of the brutal Adolf Hitler. From that date the armed might of Germany began to take shape, and on September 1, 1939, the world was shocked by Hitler's brutal and completely unjustified attack on Poland, an innocent and peace-loving republic.

Hitler and his Nazi hordes unleashed their power against Poland and invaded her fertile lands. Though a small nation, greatly outnumbered in men and fighting equipment, Poland earned the admiration of the entire world by her gallant stand against the most powerful military machine ever assembled up to that time, and fighting back as no other people have fought before, they gave ground slowly.

While the Polish Army, with its back to the wall, was striking back blow for blow against the vast Nazi military might, it was administered its death blow when the Russians invaded Poland, on September 17, 1939, from the rear and stabbed Poland in the back.

In spite of these two crushing forces, hitting from the front and rear, Polish patriots continued to fight back. The heroic and stubborn defense of Poland's capital city, Warsaw, will never be forgotten by the freedom-loving people of the world. But with the Nazi armies in front and the Russians in back, the collapse of the Polish defenders was a foregone conclusion.

With the fall of Warsaw, Poland again was partitioned by Russia and Germany. With the fall of Hitler and the Nazi armies, the millions of Poles and the Polish territory came under the domination of Russia, which is continued to this day.

We all know, for history shows it, that Poland was not giving up easily to the Russians. They fought where they could and as hard as they could. Those who escaped the dreaded Communist hordes joined up with the armies of other nations to fight for the liberation of their beloved country. The enemy knows that as long as there was an able Pole alive, he would fight on. The extermination of thousands of Polish soldiers at Katyn Forest showed the fear that the Russians had of the Polish soldier. Even to this day the spirit of these dead hovers over all of Poland and its patriotic people. The fact that so many were massacred at Katyn illustrated the great love that the Pole has for his country, and would not give in. There were no quislings in Poland. The country was not delivered to the enemy freely, but resisted the oncoming hordes of an insane military might.

The evidence of the fervor of a Pole for freedom was well seen in the escape of Lt. Franciszek Jarecki and Lt. Zdzislaw Jazwinski, who were trained for the Communist air force. Many of us well remember their escape in Russian MIG's to Denmark from behind the iron curtain. They finally were able to come to America and are—to my best knowledge—engaged in business ventures in this country.

These are but two examples of what the Poles would do if given the opportunity. What numbers escaped but are unknown to us?

At the time, the world little realized what would be the tragic effects of that attack. There are some who thought it was of no concern to us and could not affect us, seemingly safe and secure, thousands of miles from attack.

The attack on Poland brought about and directly caused World War II, the bloodiest holocaust ever recorded in human history, bringing tragedy and suffering on all the freedom-loving world, including the United States.

It would also be worthwhile to remember that without a promise of support from Stalin, Hitler would not have dared to launch his attack on Poland, that Hitler's nazism was the associate and accomplice of Stalin's communism.

At the very first opportunity, Stalin joined Hitler in dividing Poland between them and in the barbaric plot to torture and exterminate its people. Let us not forget the Nazi gas chambers, their inhuman incinerators and their dastardly inhuman plot to completely extinguish the Polish nation.

The end of World War II brought no liberation to Poland. Its people today, although given a limited amount of freedom, have not accepted total defeat and enslavement. The hope for total freedom is still in the hearts of the Polish people and this hope continues stronger than ever.

Let us on this day of September 1969, rededicate ourselves to vigilance and preparedness and pledge ourselves never to relax until the international conspiracy, hatched out simultaneously in Berlin and Moscow, has been completely wiped off the face of God's earth.

There can be no peace in the world without a free Poland, free and independent in company with other nations of east-central Europe.

Freedom is indivisible. It is not possible to enjoy freedom when basic human rights are violated in one country while its neighbors are free. There can be no freedom in the world when one nation rules over another. World peace depends upon international cooperation and on the voluntary commitments of all nations.

Thus, the people of Poland reject the role of a satellite of Russian communism and demand to be restored to their well-earned place among the people of the free world.

Justice and our own national security require that we do everything possible to wipe out the dark spot on the history of the world which appears under date of September 1, 1939.

TRIBUTE TO THE HONORABLE DANIEL RONAN

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. BIAGGI. Mr. Speaker, I wish at this time to pay tribute to our late colleague, the Honorable Daniel Ronan of Illinois.

Congressman Ronan was a dedicated public servant and an able worker, a loyal patriot, and a generous friend to all who knew him. His life was a testimony

to the faith which Americans have traditionally placed in the merits of the democratic process.

A native of Illinois, Congressman Ronan did graduate work at Loyola University, before serving with the Air Force in the Second World War.

Elected to the position of Illinois State Representative in 1948, and reelected to that office in 1950, he was elected as Chicago alderman in 1951, serving in that office until his election to the U.S. Congress in 1964.

Having majored in economics and political history in his undergraduate program at Loyola, Congressman Ronan's training and interests were admirably suited to his work in the House of Representatives, where he was highly regarded for his work on the Subcommittee on Transportation and Aeronautics, of the House Committee on Interstate and Foreign Commerce.

He was the kind of man who gave himself unsparingly to his work and yet always had an equal amount of devotion for his friends and colleagues. He not only represented his constituents conscientiously, but gave to all who knew and worked with him a sense of his humane and generous nature.

We are deprived by his death not only of his intellectual acuity, his thorough knowledge, and his confident ability, but also of his diligence, his patience, his warmhearted integrity.

He earned the affection and admiration of all of us; we mourn him and shall miss him.

THE DRUG CRISIS

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. BURKE of Florida. Mr. Speaker, the sinister threat that the increasing use of drugs poses to the well-being of our youth and our Nation is becoming increasingly apparent. The problem of dope addiction in our country is not new, but the problem of ever increasing dope users is new and today we are in the midst of a serious narcotics problem which is rapidly piercing the soul of our society.

During the last campaign, I suggested that the problem of the use of drugs had extended far beyond it being a strictly local problem, and for this reason I suggested there be greater Federal participation in an all-out war to stop the flow of narcotics into our country and into the hands of our youth.

At that time I suggested that the Federal Government increase the amount of custom agents and our border patrol as step 1 in this fight. As step 2 I suggested that International Commissions be formed to aid in the fight to eliminate the flow of drugs at the point of origin.

Statistics show that between 1960 and 1967 juvenile arrests involving the use of drugs rose by almost 800 percent and half of those now being arrested for misusing narcotics are under 21 years of age.

New York City alone has records of some 40,000 heroin addicts and the numbers are rising by 7,000 to 10,000 annually.

In early 1968 a Gallup Poll taken at 426 college campuses revealed that 6 percent of the students polled had used marihuana on one or more occasions and that 1 percent has used LSD.

Dr. Stanley Yolles, Director of the National Institute of Mental Health, testified before a House committee last Congress that 20 percent of the college youths polled in his survey admitted experience with marihuana.

How many actual drug addicts exist in our society cannot be accurately calculated, but President Nixon in a recent message to Congress indicated the number is in the hundreds of thousands.

There is no doubt that as the number of narcotic addicts increase, there will be more problems for our society in the areas of health, both mentally and physically; social mores; and most especially crime.

The cost of drugs comes high.

A person hooked on dope may require anywhere from $15 on up to hundreds of dollars per day depending on his sickness to purchase the narcotics needed for their systems.

In New York City alone where local and Federal officials have tried to curb the problem of drug abuse, the Food and Drug Administration estimates that the city's addicts must raise from $500,000 to $700,000 daily to support their habit.

The saddest part of all this is the fact that an entire generation of teenagers and college-age youths seemingly are finding it harder and harder to resist the temptation of drugs.

Statistics bear out that more and more young people, after once becoming addicted to dope, start a life of crime and become involved in first petty crimes and then crimes such as robbery, prostitution, and even murder in order to find money to buy dope and support their habit.

A Department of Health, Education, and Welfare study shows that several million American college students have at least experimented with marihuana, hashish, LSD, amphetamines, or barbiturates prompting President Nixon to say this week:

> It is doubtful that an American parent can send a son or daughter to college today without exposing the young man or woman to drug abuse.

Local and Federal officials have strived hard to combat the increasing tide of drug abuse, but have been understaffed and underfinanced in their flight. There are laws on the books which prohibit the importation, selling, and use of such drugs, but today we are living in an age where we are experiencing drug abuse which is becoming almost epidemic. Throughout the country, new programs and new action is needed if we are to overcome this scourge.

Even though vast amounts of raw dope may be discovered, and thousands of users arrested for selling or using narcotics, there are many more being led daily into the dark alleys and shadows where they purchase addictive drugs and eventually become slaves to it.

Last year I had recommended the creation of international commissions so that our neighboring countries and others could work directly with the United States to halt the flow of narcotics into our country.

I believe this would be an effective weapon in fighting the drug problem since it would point out that many syndicated crime lords are responsible for keeping the narcotics peddlers well supplied, and would also pinpoint the source as well as the distribution patterns of narcotics.

As an example, marihuana, one of the most popular drugs used by addicts, comes from the Cannabis Sativa plant. It is primarily grown in mild climates throughout the world, with the majority grown, however, in Mexico, Africa, India, and the Middle East.

According to the Federal Bureau of Narcotics and Dangerous Drugs, most of the dangerous drugs are grown in foreign countries, and are usually converted into a powder base in clandestine laboratories close to the growing area. The drug is refined, and once it is ready for use, it is then smuggled via various ingenious methods into the United States through neighboring borders or ports.

Since the vast amount of illicit narcotics are smuggled into our country, it is easy to see why international restraints are needed to halt its movement at the point of origin.

Since my return to Congress last January, I have had several discussions concerning these matters with a number of people in the executive branch, and was indeed happy therefore to note that President Nixon in his recent message to Congress endorsed the idea of creating international commissions.

The President has suggested legislation recently for a renewed attack on drug peddlers and users by proposing fines for the sale of hard core drugs of $25,000 for the first offense and $50,000 for the second. I strongly concur.

He would also make the use of LSD, which can and is easily manufactured at laboratories in our country, a crime calling for maximum penalties as in the case of other hard core drugs.

One of the worst type of criminals is the dope pusher and seller. I was happy with the President's proposal that sellers of these illegal drugs should face penalties of 20 years imprisonment, and that those who are convicted of having drugs in their possession to face prison terms from 2 to 10 years for first offenders and up to 20 years for second offenders.

As a further step in this war, I have advocated the bolstering of manpower for our border patrols, customs agents, the Justice Department, the Bureau of Dangerous Drugs and Narcotics, and State and local police forces. President Nixon supports more funding for this.

Several weeks ago I was happy to be able to announce that the administration had authorized $100,096 to the State of Florida and the Caribbean and South and Central American countries in an

effort to keep current on the actions of syndicated crime members and their efforts to move narcotics into our country.

A further grant of $174,176 was given to the State of Massachusetts to initiate a computerized communications program on syndicated criminals and their activities among the five largest States in the country, including Florida. This maneuver would give local police in the States readily available information on these criminal elements, and most especially, pinpoint the flow of drugs.

Notwithstanding the above, I still feel that more effort must be made to make the public fully aware of the dangers of drugs and to also increase programs to rehabilitate those who are unfortunately already chained to the habit of drug abuse.

As for rehabilitation, the President has proposed additional funding for suggested new ideas and concepts in the field of reforming addicts, and he also has recommended increasing existing funds for treatment centers to be established at the local and Federal levels.

Most of these suggested recommendations are matters which require prompt congressional action and the problem gets bigger as each day passes. This is but one of the many wars on the home front, which we Americans must face, and which we must conquer.

The wanton and illegal use of narcotics, especially by so many of our youth, is changing the face of America. Thus, we as a people must roll up our sleeves and say, "We have just begun the fight," and will not quit until the war is won.

For the above reasons and as a start, I am happy today to join with those of my colleagues who have previously introduced the Drug Abuse Education Act of 1969 by adding my name in support of this legislation, which would authorize the U.S. Commissioner of Education to make grants to elementary and secondary schools and other educational institutions for the conduct of special educational programs and activities concerning the use of drugs and for other related educational purposes.

It is essential that we stimulate every means possible to fully inform students, teachers and others involved in education at this level as to bring about the full awareness of the sinister implications and ramifications the growing use of and reliance on drugs poses to the United States.

The Drug Abuse Education Act of 1969 and other drug legislation must be strongly supported by all Members of the Congress, if we are to eliminate the drug problem which faces our Nation today.

BARRATT O'HARA

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. CELLER. Mr. Speaker, it is with great sadness that I note the passing of my friend and colleague, former Representative Barratt O'Hara. He served in the House for almost two decades with humanity and compassion. Not many know that Barratt was the last congressional veteran of the Spanish-American War.

His was a career ranging from soldier to editor to lawyer and statesman. His eagerness to take to the floor of the House, his love of debate, his willingness to test each new idea revealed the depth of his character and the color of his personality.

He will not be readily forgotten.

FEDERAL GRANTS SET FOR MISSISSIPPI GULF COAST DISASTER AREA UNDER NATIONAL DISASTER ACT

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. EVINS of Tennessee. Mr. Speaker, we are all concerned and distressed because of the devastating disaster left in the wake of Hurricane Camille on the gulf coast of Mississippi.

The loss of life and property were shocking and all of us are indeed sympathetic to the needs of the devastated areas.

However, it is my understanding that bills are being introduced to establish a national disaster policy to provide assistance in such situations. I would remind my colleagues that we have had a national disaster policy since September 30, 1950, when Congress passed the Disaster Relief Act, providing for assistance to States and local governments to cope with disasters. Subsequent acts provided for additional assistance.

Under the basic and subsequent acts the Government through the Office of Emergency Preparedness is authorized and directed to provide assistance for "natural disasters" and "acts of God."

Certainly, the gulf coast disaster falls within this category and grants are being made by the President through the OEP to these areas.

In the recent independent offices and Department of Housing and Urban Development appropriations bill, $45 million was added to available funds for Federal disaster grants. This bill has passed the House and is pending in the Senate.

When this bill is passed and signed by the President, these new funds will become available. I recently was called by Gov. John Bell Williams of Mississippi and I advised him of the status of this appropriation for national disaster relief.

I told Governor Williams further that should the Office of Emergency Planning request supplemental funds to meet additional needs, the committee will give consideration to the need and request.

In other words, Congress has assumed the responsibility for assisting areas devastated by natural disasters—Congress has declared this policy and intent—and further legislation in this regard is not needed to provide the disaster assistance being sought in the gulf coast area.

REGIONAL MEDICAL PROGRAMS—REPORT ON A PROJECT

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. CORMAN. Mr. Speaker, one of the most promising pieces of legislation to emerge from the 89th Congress was the regional medical programs. The basic objective, as you will recall, is to assure that the American people, wherever they may be, will benefit from the advances of medical science against the threats of heart disease, cancer and stroke and related diseases. In order to achieve this goal, each region is to develop a regional cooperative effort involving all of its health resources—manpower, institutions and organizations. These regional cooperative arrangements are concerned not only with the development and maintenance of high quality health care, but also with the wider availability of that quality of care to people in need.

In my own district, a regional medical program was established about 18 months ago. Even while it was being organized, it was evident that more knowledge about the availability of health care facilities in the northeast part of the San Fernando Valley was going to be necessary if the program was to be an effective and meaningful one. Thus, under the California regional medical programs, administered by the University of California at Los Angeles, and funded by the Department of Health, Education, and Welfare, the northeast San Fernando Valley project was developed. Its objective was to learn what health care resources are available, how they can be used more effectively, and what must be done to bring the best health care to the people of this particular part of my district.

Funds were awarded in October 1968, and in this short space of time, the project is well on its way to achieving its objectives. It has been, I am happy to say, refunded for the second year. And, I have no doubt that when its objectives have been reached, the findings will contribute greatly to the success of the total San Fernando regional medical program.

The report of the project's activities was recently given to me. I believe it may be of interest to the Members of the House and I herewith submit it for inclusion in the RECORD:

THE NORTHEAST SAN FERNANDO VALLEY PROJECT

Several communities in the northeast section of the San Fernando Valley comprise what is considered to be a "health ghetto." A federal grant of $120,000 has been awarded by the Regional Medical Programs to investigate what health resources are available; how they might be used more efficiently, and what must be added to bring the quality of health care delivery in the area to the level of that of a medical center community.

The six communities of the Northeast Valley include Pacoima, San Fernando, Sunland, Sun Valley, Sylmar and Tujunga. The grant is under Area IV of the California Regional Medical Programs, administered by UCLA and funded by the Division of Regional Medical Programs, HEW.

The population of the Northeast Valley is 250,000 or 20 percent of the total San Fernando Valley. Of all the Blacks who live in the San Fernando Valley, 93 percent live in the Northeast portions; 37 percent of the Valley's poorly educated live in these six communities and 25 percent of the unemployed are there. About 26 percent of the San Fernando Valley families with an annual income of $3,000 or less are in the northeast section.

The medical resources are six hospitals. They include San Fernando Veterans and Olive View which are Chronic Disease hospitals. There are 21 hospitals in the remaining portions of the San Fernando Valley. There are 41/100,000 physicians in the "health ghetto" as compared to 98/100,000 in the more prosperous sectors.

This data has been collected since the inception, eighteen months ago, of the Regional Medical Programs (RMP) in the San Fernando Valley; but even as the San Fernando RMP District Committee was being organized, its members realized that the northeast section of the Valley would require their first and immediate attention.

The lack of medical facilities became most apparent when directors of a newly created mental health clinic attempted to refer their patients (who had medical needs other than mental health) to appropriate community health facilities and found them non-existent.

The Director of the community mental health clinic, and at that time, Coordinator of the San Fernando Valley RMP District, catalyzed the District Committee to begin preparing an operational grant proposal to develop the health care resources of the Northeast Valley.

The funds for this were awarded in October 1968. Since then, a staff has been trained and an office organized to begin planning for a better system of health care delivery for the six communities. The first step will be to accurately assess the presently available resources. The administrators of each of the principal health facilities located in this section were contacted and appointments were made for staff visits to the facilities. On the basis of these visits and a health facility questionnaire, the facilities will be assessed.

A second step already begun, is the collection of "soft data" which is on-going. Members of the community were surveyed to determine health needs and utilization of available health facilities. The groups surveyed were selected on the basis of their being representative of the community; groups according to age, sex, ethnic and socioeconomic characteristics.

The preliminary results indicated that many residents of the Northeast Valley use health facilities only in extreme emergencies. The nearest general medicine services for indigent patients are at the USC, Los Angeles County Medical Center, located 22 miles away; a one hour drive by car, or a two hour bus ride costing $2.00. Some of these surveyed complained of having to wait long hours for medical care in hospitals. They said some hospital facilities often were unclean and there appeared to be an inadequate number of staff members; too often, they were required to pay fees at private hospitals before receiving services—fees which, in their opinion were too high.

The purpose of the survey was to trace the route the people take in seeking medical help, to identify the ecological systems of the communities, and to obtain ideas and information from those living in the community concerning health needs, and the effectiveness of existing health resources.

From the data collected from these surveys, those working in the Northeast Valley RMP project hope to form a basis for sound health planning, involving the members of the community in the planning of their own resources and facilities.

As stated by Philip Lee, M.D., Chancellor of the University of California Medical Center in San Francisco, even though health services are available in cities throughout the United States, many people who could use them—and pay for them—will not do so because they are unable to cope with the health care system.

This is precisely the problem that those involved in the Northeast San Fernando Valley project are trying to avoid by involving the people who will use the health care resources in the planning and implementation of their own system.

GHETTO FRAUD ON THE INSTALLMENT PLAN

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. HALPERN. Mr. Speaker, the exploitation of consumers is not often understood clearly, even though the organized consumer movement has grown more visible in recent years. I fear that Congress does not appreciate the gravity of the abuses involved and therefore, has not acted vigorously to eliminate them. Frankly, I am shocked by many of them.

I harbor the suspicion that the superficial terminology of consumer frauds engenders an inappropriate image of a latter-day medicine man and his "magic mineral water to cure all ills." What is not understood is that this comic image is relevant to contemporary selling frauds only in the similarity of the charlatan's pitch. The important difference, however, is in the size and consequence of the transactions involved.

Today's deceived purchaser does not merely get a $5 bottle of useless chemicals, but often several hundred dollars of furniture or major appliances. Moreover, he may find he loses not simply some loose change as in the days of old, but his means of making a livelihood.

Even more shocking, we find today charlatans, rather than being fearful of the local sheriff, are actually aided by our court system and society's law enforcement machinery. Unscrupulous merchants rely heavily on default judgments, improper service of process, repossession of property by marshals, and the threat of garnisheed salary by court order to compel a frightened consumer to pay for unwanted merchandise.

In the end, a poor consumer inveigled into debts far beyond his means, threatened with loss of job, unable to afford a lawyer and unaided by the courts or any Government agencies, can be driven to anger and frustration. The Kerner Report made his point very explicitly in describing some of the motivation for civil disturbances.

With these grave consequences in mind, I feel the problem of ghetto fraud takes on elements of urgency which cannot be ignored. It is imperative that we dispel the inaccurate image of the fraudulent medicine man by viewing modern abuses as they actually are. In the May 26 and June 2 issues of New York Magazine, a two-part series of articles appeared which thoroughly describe the range and depth of fraudulent sales practices in our poor neighborhoods. I strongly recommend that any of my colleagues who wish to understand the true nature of consumer fraud and an underlying element in our urban unrest, read these articles fully:

GHETTO FRAUD ON THE INSTALLMENT PLAN

(By Craig Karpel)

Warren, a grown man who lives with his mother, walked into the Harlem Consumer Education Council's basement office a few months ago. Director Florence Rice gave him a leaky ball-point pen and he wrote:

"Bought TV from door to door salesman—Philco 19'' lot of trouble with T.V. back cracked notify company to come have fix. Company claimed misplace T.V. sent repossed T.V. 1949 had to stick in hanger to get reception—two weeks after that broke down. Called to fix that removed T.V. still pay bill by garnishment—left job on account of garnishment which effect my marital relation as the garnishee took away from our expenditures food clothing and rent. Which for which my wife was forced to except welfare and I left to establish myself again T.V. paid $500 never received T.V."

Louis-Ferdinand Céline coined the conceit that life was nothing but death on the installment plan. For poor people in New York City, this comes close to being literally true.

Six years ago sociologist David Caplovitz of Columbia's Bureau of Applied Social Research published a book called *The Poor Pay More.* The book is a landmark in the literature of consumer problems, right out there with *The Jungle* and *Unsafe At Any Speed.* As a result, Caplovitz has become witness-in-residence at a host of committees and subcommittees where he talks about the lack of "scope" which keeps poor people from leaving their neighborhoods in search of better prices and terms, about the "deviant sub-economy" which springs up like weeds through the cracks in the cement of tenement courtyards, where nothing flourishes that isn't rank.

The Great White Way of the deviant subeconomy is the L-shaped strip of 54 furniture and appliance stores running from 116th Street and Third Avenue to 125th Street and Lexington. The strip is the home of literal *shlock.* Not figurative *shlock,* as in "that agency has nothing but *shlock* accounts." Literal *shlock:* doll furniture, one good long cut below "borax." "Borax" is junk, but it's better-quality junk. Birch? maple? dowels? glue? fabrics? veneers? Forget it—*shlock* is made of gumwood and flakeboard, knocked together with a few screws, upholstered in plastic "brocade" and varnished like a cheap coffin. The prices, however, are strictly W. & J. Sloane. *Shlock* stores do not talk about percentages of markup, like 50 per cent markup or 75 per cent markup—they talk about how many "numbers" they jack the price up over wholesale, and a "number" is 100 per cent. All *shlock* is marked up at least one number, and on a credit sale the markup can be three or four numbers.

So why buy *shlock?* Because the *shlock* emporia will give terms: "Easy credit." "Easy credit" means that as long as you are working and have wages that can be attached in the likely event that you miss one payment, you're okay. "Easy credit" means that if, as Shyleur Barrack, head of the Harlem civil branch of the Legal Aid Society once did, you go into a store and give a reference who say you now have two garnishees against your salary, the salesman will come back from the phone smiling and try to hustle you into $1,114.80 worth of furniture and appliances. "Easy credit" means that there is a store on 125th Street called Future Furniture

that has to have a sign in its window: "WE ACCEPT CASH."

But all the places on the strip offer "easy credit," and a store can't generate much traffic by telling poor people it's going to take them to the cleaners, so it runs an ad in the *Daily News* in which two credit managers (black and white, take your pick) offer: Economy apartment, $198. Sleeper, matching chair, 2 walnut finish step-tables plus decor, lamps, walnut finish bachelor chest, matching mirror, full size bed, with 1pc. Firestone comb. mattress, 16 pcs. dishware, 16 pcs. cutlery, 8 towels, 11 pc. salad set, 29 table access.

But once they've spent the money to get you into the store, they can't let you out with only a miserable $198 worth of *shlock*. That is only the bait end of bait-and-switch advertising. By the time the customer leaves, he should have put his Juan Hancock on the dotted line for at least $1,000. To cause this takes more than just an old-fashioned bait-and-switch. It requires nothing less than that balletic extravaganza of salesmanship known to the trade as the "turnover" or "tossover," code name "T.O." The salesman starts by showing the customer a pile of junk for $198. One store keeps its bait furniture piled in a dark corner, lit by a naked lightbulb. It is painted battleship gray, every stick of it, down to what used to be the chrome legs on the dinette table. If you wanted to give a salesman a heart attack, all you'd have to do is say, "Okay, I'll take it." "You don't want this stuff," he says. It'll fall apart in a couple of months. Besides, a person like you can afford something better. Let me show you something a little bit better." The salesman then takes the stiff upstairs in an elevator, but not before shaking him down for a $50 deposit for the privilege of "seeing the warehouse." The elevator gets "stuck" after the first trip up and doesn't get unstuck until the stiff has been signed up for a bill of goods. The idea of the T.O. is to show the stiff successively more expensive suites of furniture without letting him get discouraged about the price.

When he begins to look green around the gills for the first time around, the salesman turns him over to another salesman who is introduced as the "assistant manager." The A.M. immediately "sandbags"—knocks 50 per cent off—whatever the first salesman quoted. The stiff is so taken aback that he lets the A.M. build him up again. Just before he begins to feel weak again, the A.M. turns him over to the "manager," who slashes the A.M.'s prices "as a special favor for you." The manager will try to build him up to, say, $800 or $1,000. If the stiff says he "wants to think about it" and tries to leave, he finds that the elevator is on the fritz. The "owner" now appears, knocks off a hundred bucks or two, and this usually convinces the stiff to sign. At which point the elevator suddenly clicks back into action.

Now the fraud starts in earnest. When the furniture arrives, it's almost invariably damaged—delivery men routinely saw off legs on couches to get them in elevators and fit them back together with a special double-ended screw. The furniture turns out to be a junkier variety of *shlock* than what was ordered. The colors bear no relation to what was displayed in the "warehouse." The stereo doesn't work. The television looks used. Two chairs are missing. You were supposed to get a 9-by-12 rug with your order; the "rug" turns out to be a piece of linoleum. When the payment book arrives, the installments listed add up to much more than the amount that was agreed on.

Try to do something about it.

Say, for example, that the glass coffee table is cracked. You bring it back and the salesman tells you he'll be happy to give you your money back. He shows you that the contract simply says "three rooms furniture" for $943.17. It doesn't list the price of the table separately, and now he tells you the price was a dollar. "Would you like your dollar back?" he asks slyly. Or tell him the dinette table keeps collapsing and he says he'll send a man up, but nobody comes. Or say you want to send everything back because it isn't anything like what you ordered. If you're very lucky the salesman agrees and the store picks up your furniture, but when you go back to pick up your $50 deposit, he says the store is keeping it as a "service charge." And you let him bulldoze you because you don't know what else to do.

Some stores rise to printworthy extremes of doublethink when it comes to not returning deposits. Dorothy Mason, a counselor with the MEND consumer education project in East Harlem, tells about a guy who came to her recently because he couldn't get his deposit back:

"He had put down $150 at Eldorado Furniture and Appliances on Third Avenue. A salesman had convinced him to buy a washing machine and a 19-inch portable television for only $649. Two things happened to bring him to my office. First, the washing machine was delivered with a broken timer. He could not get any satisfaction from the store. Second, he found out that he could buy the same washer for $199 instead of the $299 he had paid.

"I went over to Eldorado with this man to discuss the matter with Samuelson, the boss. Samuelson said, 'Your man could have had it for $199 cash.' 'Then why did you ask $299? I asked him. Because the man is a bad risk,' he said, 'How bad a risk could he be,' I asked, 'if you've got 150 of his dollars?' Well, I thought of him charging this man on welfare $649 for merchandise on credit that he could have purchased for $360 with cash, and I smiled, because this was almost a daily experience on Third Avenue with complaints of poor consumers. Samuelson became very upset and threw me out for smiling."

"You wouldn't believe some of these places," says Steve Press, whose New York Institute for Consumer Education is setting up a cooperative furniture store in East Harlem. "They'll stamp NO DEPOSIT RETURNED on the contract. That would never stand up in court, but poor people are impressed and don't even bother asking for their money back."

There is a certain type of used-car dealer in New York that is especially anxious to deal with poor people. Tune in to WWRL:

"Friends, have you tried to buy a car lately? Have you been turned down? Well, call Headquarters at 538–4300 . . . You have a garnishee or a judgment against you, and no one will let you forget them? Well, call Headquarters at 538–4300 . . . Your desire to pay plus a small down payment is all you need."

"Used-car dealers really do a job on poor people," says former Commissioner of Consumer Affairs Gerard M. Weisberg, recently appointed a Criminal Court judge. "Some of those lots out on Bruckner Boulevard and Queens Boulevard—they don't deliver the car that was agreed on, they inflate prices to a point you wouldn't believe, they charge a fortune for so-called 'credit investigations.' And they refuse to refund deposits if the customer's credit doesn't check out, though they lure him out there with promises that nobody's refused. Recently we revoked the license of Motorama Wholesalers on Queens Boulevard. Motorama was taking people's money and refusing to deliver the cars. The deposits ranged up to $580.

"The Department is constantly going over these dealers' books, but it's tough to police them. You put one corporation out of business, the next thing you know there's another corporation employing the same salesmen, using the same shady tactics on the same lot."

The Consumer Fraud Unit set up by US Attorney Robert Morgenthau under the direction of Richard A. Givens has been looking into the used-car racket.

"Our investigations have disclosed a pattern of sales of certain used cars at many times their original cost," explains Givens, "followed by a cycle of repossession, repurchase of the car at a low price at auction and further resale at many times that price to new customers, who in turn are frequently sued by finance agencies and often claim to have received no notice of suit. The inquiry indicated that in certain cases some used-car dealers know in *advance* that there will be a complaint regarding *each and every* automobile sold and that many customers will give up the car and default because they feel it can't be made to work. We're looking into possible violations of federal law by these people."

You don't have to leave the comfort of your home to be bilked. Peddlers making the rounds of slums and projects run the oldest-established permanent floating crap game in town. Encyclopedia salesmen tell welfare mothers they are officials of the Board of Education, that the books they are pushing are required reading for their children. They sell people encyclopedias who already *have* encyclopedias. They sell $379.60 worth of books in English to people who only speak Spanish, to people who can't read at all, to people who are destitute. A peddler tells a woman she can have a set of pots and pans in her home for 10 days; if she doesn't like them, she can return them. When the utensils arrive, she signs a receipt for them. She decides to call the company and tell them to take the stuff back because it's junk. Then she realizes she has no idea what the company's name is or where it's located. The "receipt" she signed was actually a retail installment contract for $83.75. Soon she gets a payment book in the mail with a note saying she'll be sued if she misses one payment.

Richard A. Givens prosecuted a character named Rubin Sterngass recently for running a "chain referral" swindle, a mode of fleecing that is popular in the slums. A salesman would come to the house and offer quartz broilers and color television sets for nothing if the customer would refer acquaintances to Sterngass' company. The customer would sign up for a color TV at a credit price of $1,400; commissions were supposed to be paid to him for each "successful" referral—$50 for the first, $200 for the fourth, $400 for the eighth and $1,200 on the twelfth. Givens demonstrated the scheme had its faults by presenting a table of how many new customers would be necessary at each step if the merchandise were to be paid off by referral commissions:

Step	*New customers necessary*
1	8
2	64
3	512
4	4,096
5	32,768
6	264,144
7	2,113,152
8	16,905,216
9	135,241,728
10	1,071,933,824

Givens argued successfully that since every last human being on earth, plus everybody who had ever lived, plus a few generations yet unborn, would have to buy quartz broilers and color TVs on the eleventh go-around for the scheme to work, Sterngass ought to go to jail and think about other ways of doing business for a few years. The judge agreed.

At any given moment there is one super-fraud that sets the tone for all the other ghetto frauds in the city. Until last year the super-fraud was the "family food plan." Ray Narral, head of a legal services office of Mobilization for Youth, describes how the plan worked.

"Mr. and Mrs. Hernandez have two infant children and live in a New York City housing

project. A salesman knocked on their door and said he was offering a very good food and freezer program. 'If you join,' he told them, 'you will be able to save a great deal of money feeding your children.' All of the sales literature indicated that for $12.50 a week, the family would receive a complete order of food—prime meats, fresh vegetables, everything. The freezer, the salesman announced, was theirs to store the food in, completely free of charge. The sales pitch was so inviting that the couple signed up immediately. They later discovered that the papers they signed were a retail installment contract for the food in the amount of $375.00 and a contract for a freezer for $1,020.76. Payments on the food were $93.75 a month for four months and 35 installments of $28.35 for the freezer."

Two years ago, a Nassau County District Court was asked to void one of these freezer contracts. It handed down a decision that, under the "unconscionability" provisions of the Uniform Commercial Code, "the sale of the appliance at the price and terms indicated in this contract is shocking to the conscience." Attorney General Lefkowitz' Bureau of Consumer Frauds and Protection went to court against the "family food plan" operators, seeking orders restraining Serve Best Food Plan, Thrift Pak, and People's Food from "carrying on . . . their business in a persistently fraudulent manner." In 1968, the Bureau curbed the biggest food plan operator of all, Martin Schwartz of Ozone Park, whose five companies were raking in a very neat $10 million a year.

The current super-fraud is a "sweepstakes" craze that started somewhere in the Southwest and recently arrived in New York. It offers sewing machines and stereos "free" to holders of "winning numbers." Regardless of where in the U.S. the shuck is being operated, the "contest" materials are the same. A chain with seven stores in New York is now being investigated by the city's Department of Consumer Affairs. The swindle starts with this letter:

"Here is your opportunity to participate in our 'Stereo Sweepstakes'. It's fun! It's easy! Just remove the gold seal to find your serial number, and compare it with the enclosed list of lucky numbers. If you have a lucky number, it means extra savings to you! For example! If you have a number which appears in Group 3 (Grand Prize) you pay nothing for a beautiful 1969 General Electric Stereo Console."

The number under the seal on this letter is 67487. 67487 is listed on the enclosed list of lucky numbers, not once, but twice, so you won't miss it and be the only person who receives such a letter who doesn't "win." A Consumer Affairs investigator visited one of the stores with this letter. He was shown a G.E. stereo model C121. The salesman explained that the investigator had won this record player, worth $150, but that it couldn't be removed unless he signed an installment contract to buy a record a week for 39 weeks at $5 each. The investigator called the Dealer Equipment Section of G.E. and found that the C121 carries a list price of $99.95. The records which must be purchased under the plan are displayed around the store. They are the sort of off-brand, off-band cha-cha albums that one ordinarily finds remaindered for $1.19.

There is cash-and-carry cheating in poor neighborhoods, but most ghetto fraud hinges on the "easy credit" retail installment contract. It invariably has some features designed to protect the consumer, which seldom work, and others designed to nail him, which always work. Under the law there has to be a "Notice to Buyer." The first point must say: "Do not sign this agreement before you read it or if it contains any blank space." In fact, nobody ever reads one of these agreements. They ordinarily run to about 2,300 words in phrases like "time is of the essence hereof." (The Everything Card chit is a retail installment contract—ever read it?) The space for a descripition of the merchandise is hardly ever filled in completely at the time of the sale—usually only a few words are written in at the top, like "3 Rooms Furniture" or "one 23" Color TV." What harm in that? Just a second—point number two is: "You are entitled to a completely filled in copy of this agreement," and right above where you sign, it says: "Buyer acknowledges receipt of an executed copy of this Retail Installment Contract." But the moment your pen leaves the paper the salesman whips the contract away—including your copy—and the next time you see it, if you ever do, it says "Damaged Furniture—Accepted As Is" or "Used Television Set—Customer Will Repair" right in the blank space you were warned against. This is all assuming you read the "Notice to Buyer," of course. One reason you might not have read it is that you only read Spanish. The stores have *"muebleria"* and *"credito"* and *"se habla español"* plastered all over the outside, but there is no such thing as a contract printed in Spanish. The finance company's linguists are apparently too busy composing dunning letters to the *campesinos*.

The fine print on the back socks it to the buyer in terms only a lawyer can savor. The kicker is contained in the following hocuspocus: "The Buyer agrees not to assert against an assignee a claim or defense arising out of the sale under this contract provided that the assignee acquires this contract in good faith and for value and has no written notice of the facts giving rise to the claim or defense within 10 days after such assignee mails to the Buyer at his address shown above notice of the assignment of this contract." What this means in practice is described by Philip G. Schrag, attorney in charge of consumer litigation for the NAACP Legal Defense Fund.

"If Greedy Merchant gets Ernest Black to sign such a contract for a 'new color television' and the set turns out to be an old, battered black-and-white instrument, or *even if Merchant never delivers any set at all*, Merchant can sell Black's contract to Ghetto Finance, Inc., for a lump sum, and Black is out of luck. Ghetto has a right to payment in full from Black, and Black has no right to tell a court that he's been robbed."

The common-law justification for this is that Ghetto Finance supposedly knows nothing about Greedy Merchant's business practices, that it is a "holder in due course" of the installment paper. In practice, finance companies often work hand-in-glove with merchants to soak the poor.

Martin Schwartz' five food freezer companies at 105–32 Cross Bay Boulevard, Ozone Park, were selling their paper to Food Financiers, Inc., Associated Budgeting Corp., and National Budgeting Systems, Inc.—each of 105–32 Cross Bay Boulevard, Ozone Park. Attorney General Lefkowitz' injunction forbids Schwartz' salesmen from stating that Schwartz' finance companies are "unassociated" with Schwartz' freezer companies. Still, the finance companies are "holders in due course" of the freezer companies' contracts and are continuing to collect on hundreds of thousands of dollars' worth of paper they "acquired" before the injunction.

Tremont-Webster Furniture Corp. is at 412 East Tremont Avenue in the Bronx. When I visited this *shlock* shop, it was locked. There was a sign on the door that said "GO NEXT DOOR." Next door, 410 East Tremont Avenue, behind a more fiduciary storefront than Tremont-Webster's, is Argent Industrial Corp. It turns out that Argent buys Tremont-Webster's paper. No doubt it is a convenience for a holder in due course to have the store about whose affairs it knows nothing right next door. This kind of hanky-panky extends from rinky-dink outfits like Argent right up to the heavyweights. Credit Department Inc. ("That's right, Madam, no finance companies are involved in this transaction—you just sign a contract with the credit department . . .") has the distinction of suing more people in New York County Civil Court than any other finance company. Erase any image you may have of ghetto shylocks cowering behind boarded windows on burned-out, glass-littered streets. Credit Department is located in the heart of Dry Dock Country at 60th Street and Third Avenue. Credit Department does not know anything about the business practices of the operations it finances. Take Associated Home Foods of 41–01 Bell Boulevard, Bayside, which used to sell freezer plans to poor people at prices equal to those which the courts have found to be unconscionable. That's none of Credit Department's business—they bought Associated's paper, are holders in due course and are suing people for not paying. Besides, Credit Department isn't buying freezer contracts any more—they know it's "garbage paper" and they don't want to get their hands dirty. Credit Department lists a few of its clients on its door—not that it knows anything about their operations, you understand—and one of them is Vigilante Protective Systems. Vigilante is in the business of selling burglar alarm systems door-to-door and is located at—you guessed it—41–01 Bell Boulevard, Bayside.

Lately, the holder-in-due-course ploy has come under attack from consumer forces. Three states have outlawed it. A bill to end it, sponsored by Attorney General Lefkowitz, was killed in the legislature in 1968 but will be re-introduced this year. Witnesses at FTC hearings last November called for federal legislation to do away with the principle that allows finance companies to remain aloof from the dirty business practices of the companies whose paper they buy. The New York State Bar Association Committee on Federal Legislation is considering a report that would recommend that holder in due course be abolished. Richard Givens has a mail fraud indictment pending against a finance company and its officers for claiming that it was a holder in due course when in fact it had an interest in the sale of the merchandise.

Coburn Credit Company first made waves in the ghetto a decade ago when it began to carve out a commanding position in the market for furniture-and-appliance installment paper in the New York area. It rapidly gained a reputation among stores as the outfit that was willing to pay top dollar for "garbage" paper—trade can't for inflated installment contracts for purchases of low-grade goods by poor credit risks.

Today the company is listed on the American Stock Exchange as "Coburn Corporation of America." In addition to its $50 million New York metropolitan area sales finance operation, it now has small loan offices throughout the South, a mortgage operation in Louisiana and a division that runs revolving credit plans for department stores. Coburn has made skillful use of the holder-in-due-course principle to protect itself against possible charges that the merchants it finances engage in fraudulent or unconscionable practices. Under the law, for example, a finance company can't be held liable for fraud in the contract if the customer doesn't complain within 10 days after he receives notice that the contract has been sold. When Coburn buys a contract, it sends three sheets of paper to the customer. One is headed "Certificate of Life Insurance Protection" another, "American Fidelity Fire Insurance Company Insureds Memorandum of Insurance." These two are of little importance to the consumer. The third sheet, half the size of the others, has no heading. Three-quarters of the way down the page are three sentences. The first of these is 125 words long. It contains an urgent warning that if the consumer does not act quickly, he will forfeit all his rights. The second and third are seven and ten words long respec-

tively. They read, "Enclosed you will find your payment book. Payments are to be made as directed in this book."

Coburn has had brushes with the Bureau of Consumer Frauds, but according to Assistant Attorney General Barnett Levy, it has "cooperated" in giving money back to customers who claimed irregularities in the original contract.

I visited Coburn to discuss the sales finance business with President Irving L. Bernstein. His offices are in the Coburn Building, the largest structure in Rockville Centre, Long Island. One walks toward Bernstein's office past no end of teak, brass, marble, quarry title, bronze, royal purple couches, van der Rohe chairs and recessed lighting.

The finance company's substantial physical presence would come as a shock to its thousands of poor customers, many of whom tend to personalize institutions they never see: "I got a contract with the Coburn Company, and Mr. Coburn won't wait no longer to get paid."

I tried to get Bernstein to talk about the holder-in-due-course provision. How, I asked, did Coburn make sure that the outfits whose paper it was buying were on the up-and-up? Bernstein told me that these were technical matters that I, who was "not an expert in finance," would have difficulty understanding. He preferred to tell what a bunch of deadbeats people were who lived in certain neighborhoods. I asked whether fraudulent and deceptive practices on the part of merchants might not make poor people less than willing to pay their debts.

"Listen," said Bernstein, "I have a social conscience about these things. I grew up in one of these neighborhoods—Brownsville. These people are not exactly truthful when they give credit information. And there are entirely too many of them who have no intention of paying. It was different in my day. My mother used to steal deposit bottles rather than miss weekly payments."

I suppose Bernstein saw me wince because he asked, "Do you have a social conscience?" He talked about a social conscience as if it were painful, like an ulcer. Bernstein said we ought to cut the interview short, since an important announcement was forthcoming from Coburn and he would be in a better position to discuss the sales finance business the following week. On the way out I picked up a copy of the Coburn house organ.

"Early in December," it explained, "Coburn initiated its annual 'Adopt Needy Families' program . . . five of the neediest families were selected. To each of the families chosen, Coburn employees in Rockville Centre have contributed specified sums of money to make an otherwise bleak and destitute Christmas into a happy and hopeful one." Gelusil for the social conscience.

The next day Coburn released the news that it would "discontinue its $50 million retail installment finance business." Coburn had protected its sales finance investment with a dunning staff of 250 who engaged in what are charitably referred to in "easy credit" circles as "hard collection practices"; the staff was being let go, so $5.1 million in contracts was being written off as uncollectible. But at the end of the story it turned out that "about $30 million will be allowed to run off and the borrowers asked to convert their contracts to direct personal loans." "The company will continue to carry about $20 million in installment receivables, but will buy such contracts only on the condition that they be converted to loans.

In the trade, the procedure of converting sales finance contracts into direct personal loans is called "flipping." It is done by offering to lend the customer more than enough cash to pay off his contract. The trick is that the maximum interest for sales finance is about 18 per cent, while the legal rate for direct cash loans is 36 per cent. The other advantage of "flipping" was best expressed by Bernstein when I spoke to him later:

"When you have an installment finance operation, you're going to be concerned with the dealers; this way, you only worry about the willingness and the ability of the individual to pay."

If holder in due course is abolished in New York, finance companies will be liable for fraud in the original contract. Even now, if there is fraud "on the face of the contract"—if, for example, the interest rate charged is in excess of the legal rate, or the merchandise being purchased is not described—the finance company is liable. But from now on, Coburn will be lending people cash to *pay off* the original contract, so it won't be liable for anything. If other sales finance companies go Coburn's route, they will have found a way of getting around policing the dealers whose contracts they buy. Until this writing, Coburn didn't know, for example, that at least one link in the chain of stores that the Department of Consumer Affairs is investigating displays a sticker that reads, "COBURN AUTHORIZED DEALER." Now Coburn knows, but with the new policy, it won't have to care.

So whether or not holder in due course bites the dust, the customer is supposed to keep on paying. But what if the couch falls apart in three months, and the store you bought it from has gone out of business and the bills continue to come? What if the color TV explodes and the repairman tells you it was a used set to begin with and the store won't exchange it? You just can't see mailing in that money order for $26.96 every month for the next 34 months? What happens if you just *ignore* the bills?

Nothing happens until one day, a year or so after you've forgotten about the whole painful affairs, your boss asks you to come into his office. He looks annoyed and shows you a paper and says he's supposed to take $7 out of your paycheck each week and send it to the city marshal and it's a damned lot of paperwork and he'd just as soon fire you if it weren't illegal. Then he hands you the paper and says you'd better take care of it or he'll find some other reason to get rid of you. So you go to the address on the paper and the marshal tells you to pay him $10 every week or he'll send the paper back to your boss. You do it because you don't want to lose your job. The furniture, the television, were long since put out on the street as junk, but you have a wife and four children. The only problem is, you only make $70 a week and you've got to pay the marshal $10 out of that. The hopeless cycle of consumer abuses goes around and around.

GHETTO FRAUD ON THE INSTALLMENT PLAN—PART II

(By Craig Karpel)

"Easy credit" installment buying means high-pressure sales tactics, junk merchandise and a sales contract with blanks that are filled in by the store after the customer signs. Often unordered goods are delivered, appear on the bill and are not accepted for return. Used merchandise is sent instead of the new stipulated in the contract; if the customer returns the goods, his deposit is not refunded; and when the bills start coming in they are for more than the amount agreed upon in the contract.

The long arm of the law is not long enough to protect the customer; in fact, it extends to help the stores. Collection agencies, for example, are not held liable for the frauds in the original contracts they buy up from the stores. And long after the junk furniture falls apart, legal devices continue to work against the consumer: "Sewer service," improper venue, default judgment and garnishment are how poor people are made to pay even when, in fact, equity and law, they do not owe.

To sue on a piece of garbage paper, a summons and a copy of your complaint has to be served on the customer. In a study he is conducting for the Office of Economic Opportunity, sociologist David Caplovitz has found that only 53 per cent of all defendants in New York County Civil Court suits say they received a summons. The phrase "sewer service" suggests one possible final destination of the remaining 47 per cent.

Caplovitz says, "The reason sewer service flourishes in New York is that this is the only state in which service of process isn't handled by some court agency. Here anybody who is over 21 can serve papers."

The Civil Court allows $2.50 in costs for serving a summons. For proof that service has been accomplished, it accepts an affidavit from the process server. So a process server has a choice of walking around hostile neighborhoods, climbing rickety stairs, standing in fetid hallways and facing contentious poor people, on the one hand, and sitting in his office, filling out perjured affidavits of service on the other. Either 47 per cent of all process servers choose the latter, or all process servers choose the latter 47 percent of the time, or somewhere in between. Of the 53 per cent who are warned they're being sued, most of them are done in by improper venue. Under New York's rules of civil practice, any county civil court has jurisdiction on a case that arose anywhere in the state. So merchants and finance companies often sue, not in the county where they reside or in the county where the defendant resides, but in some other county which is likely to be inconvenient for ghetto consumers to get to. Under the rules, the consumer can have venue changed to the county where he resides. If he is being sued in a court that is inconvenient for him to get to, all he has to do is *go to the court that is inconvenient for him to get to* and ask for a change of venue. He would also be well advised to bring his lawyer with him, because getting a venue shifted is a rather tricky procedural maneuver.

Brand Jewelers is prominent among the plaintiffs of New York County Civil Court. It is a matter of some curiosity that a larger number of the lawsuits it brings ask for relief in the amount of $112.64. In checking through the files of summonses kept by the clerk of the court, it appears that this $112.64 represents the full cost of the watches it sells—$69.95 plus various service charges. Why do so many Brand customers fail to make even a single payment? Coincidentally, Caplovitz has interviewed a number of Brand's $112.64 debtors.

"They all tell the same story," he says. "A salesman comes to where they work—on payday, naturally—and signs them up for watches. But they never get Brand's address, and never receive a payment book. The first they hear from Brand is when their wages are garnished."

Brand's offices are at 44 Court Street, near Borough Hall, Brooklyn. It sells all over the city, yet it sues in Manhattan. I called Sol H. Erstein, Brand's lawyer, who lists his address (on summonses printed with Brand's name) as 44 Court Street, and whose name is written large on the door to Brand Jewelers. I was told that Erstein "was on vacation" and was referred to a lawyer named Sidelle, his partner. I asked Sidelle why Erstein, whose office is in Brooklyn, sues Brooklyn residents in Manhattan, although Brand is in Brooklyn. Sidelle explained that this was because Erstein has an office at 15 Park Row, convenient to the Manhattan courts. I observed that his office, 44 Court Street, was no less convenient to the Brooklyn courts.

"Look," said Sidelle, "anyone who wants to change the venue to where he lives can do it, but people hardly ever do."

The poor defendant gets either no summons, or one telling him he must report to another county. The result is almost invariably the same in either case: He doesn't show up. So a "judgment in default" is entered against him by the clerk of the court.

At this point, the defendant still can get his "day in court"—a phrase which, when a lawyer says it, comes out as an ancient common-law formula, not a cliché. If he knows enough to go to Legal Aid, the judgment can be opened on grounds of failure of service or improper venue. But in order to do this he has to know not only where to go, but that a judgment has in fact been entered against him. Until recently, all he had to do to find this out was go through the minute books of the civil courts of the five counties in the city. He could start with the Manhattan books, which listed 195,011 cases in 1968. But since September 1, 1968, the law requires that the lawyer for the plaintiff send a notice by certified mail to the defendant that a judgment is pending against him.

Even if you read English, you've got to be a lawyer to understand the gibberish and to know that it isn't inevitable for the judgment to be entered, that you can still do something about it. The plaintiff's lawyers aren't obliged to take great pains to inform the defendant of his rights. What's more, most of those certified-mail letters never reach the defendant because the addresses are from the original contract and are therefore two or three years old. If the merchant or finance company has a more recent address on file—the one from the last payment, say—it doesn't have to tell the clerk of the court. So the certified letter is returned to sender, who gives the judgment to a city marshal.

The marshal hits the debtor with an "income execution," otherwise known as a garnishment, which is an order to somebody's employer to take money out of his wages and send it to a marshal. This involves the employer in a great deal of paperwork on payday, and in the past most employers were disposed to fire an employee rather than go through the rigamarole. If they kept the man on, all of his salary could go to satisfy the judgment. Now New York has a garnishment law that is, compared with other states, a model of humaneness. Thirty dollars a week is exempted, and the maximum weekly takeout is 10 per cent of wages. An employer is not allowed to fire a man for having only one garnishment, but despite the law, employers often find a pretext to dismiss men whose wages have been garnished. If a man has been retained, his second garnishment is quickly translated into a pink slip. Although the law prohibits firing a man because of one garnishment, it doesn't say anything about *not hiring* a man because of *one* garnishment. Many so-called "hard-core unemployables" in New York are unemployable primarily because of a history of garnishment. So in order to stay on the good side of employers, poor workers go directly to the marshal and promise to give, each week, more than he could legally take.

Of course, when the poor consumer hears that his wages are being attached he can still, in theory, go to court. All he needs is a lawyer to represent him, but a lawyer has to have a powerful sense of noblesse oblige or a weak head to go to bat for a poor person, however blatantly defrauded, in New York's courts.

Ghetto merchants and finance companies have the complicated process of suing in Civil Court down to a science. Samuel Kroland, house collection attorney for Coburn Corporation, one of the largest finance companies in the New York area, has its IBM System/360 computer at his disposal. Furniture stores on 125th Street go to the redoubtable Sidney Katz, Esq., of 60 Wall Street. All of Katz' furniture cases are identical—all he has to do is remember which store's rubber stamp to use on the paper. Attorney Milton Kostroff has an office 60 by 66 feet from which he is reputed to process one-fourth of the garnishments in Brooklyn, and is supposed to boast of a 100 per cent default judgment rate. These lawyers use complaint and judgment forms with all the relevant information *printed* on them—all they've got to do is fill in the amounts and send them over to the court clerk to have them filed. From that point the lawyers' service bureaus they retain (there is one that dares call itself Gett-O Claims Investigating Service at 524 East 149th Street in the Bronx) take over. The most prominent of these is American Clerical Service of 5 Beekman Street. American employs women who work full time at long tables in the civil court clerk's offices, checking the minute books for summonses that have gone unanswered, stapling "notices of proposed judgment" to the summonses and complaints, pulling copies of "judgment in default" forms to be stamped "ENTERED" by the clerk. Then the "income execution" forms go to the marshal and the poor start paying more. It should be noted that some of the characteristic features of courts as we ordinarily think of them never become involved in this assembly line: most notably, judges. Judges don't like to have anything to do with this process. It's too . . . *mechanical*. Besides, judges are for making decisions, and all the decisions in these courts have already been made. All that's needed to administer justice in the clerk's office is a strong right arm and a rubber stamp.

"Whoever dreamed," asks Caplovitz, "that the courts of this city would be perverted into becoming a collection agency for unscrupulous merchants and finance companies that prey on the poor?"

A lawyer who tries to defend a poor client against a ghetto merchant or finance company benefits from none of the economies of scale that suing thousands of people generates. Each case is entirely different, procedurally and on the merits. Personal trips to court are necessary to copy the papers. The circumstances of each fraudulent or unconscionable sale must be pieced together through investigation. Poor defendants cooperate by ignorance and default. The exploiters never cooperate. Why should they? You say your client didn't get a copy of the contract in question? You want to take a look at it? Go before a judge and make a motion for pre-trial discovery. That should keep you busy.

The Civil Rights Committee of the Association of the Bar of the City of New York has recently demanded three reforms. The first is that service of process be a function of a public agency. The second is that suits be allowed only where the consumer lives, used to live or made the purchase. The third is that right to counsel for the poor be guaranteed in civil actions as it is in criminal cases. These proposals would require action by the legislature. But a venue bill such as the Bar Association proposes, sponsored by the Attorney General last year, never got anywhere. The legislature has shown no great concern for protecting the rights of poor consumers in the past, and there is no reason to believe that, without a welling-up of public concern, it will do anything to help in the near future. If there is going to be a change in the courts in the meantime, it is going to have to come from the courts themselves.

There is now only one attorney in New York who is bringing test cases to court designed to bring down the legal and procedural house of cards which shelters companies that cheat poor people. Phil Schrag is assistant counsel at the National Office for the Rights of the Indigent, which is part of Jack Greenberg's NAACP Legal Defense Fund.

"Lawsuits to secure the rights of consumers are phenomenally expensive," Schrag explains. "To win the landmark District of Columbia case in which two furniture contracts were voided because the prices were unconscionable, Legal Aid lawyers had to spend 210 man-hours. In one of our cases, we had to spend 72 man-hours just to defeat the finance company's motion to dismiss on the ground of improper service of process! A rich man would have to be nuts to pursue a case like that; a poor person simply can't pursue it at all.

"There are two ways to make it practical for poor consumers to go to court to secure their rights. One is by awarding punitive damages for fraud and unconscionability. Punitive damages are now available in New York where the seller engages in willful fraud as the very basis of his business. The problem is that many of the corporations which engage in consumer fraud are deliberately run on shoestring budgets while their owners reap large salaries. Hit the seller for punitive damages and you find the corporation has no assets. The courts have got to make it clear that punitive damages lie against the officers of a corporation, not just the corporate shell.

"We're bringing a case now which asks for punitive damages for inducing a poor couple to enter into a contract to buy a freezer for a total of $1,163.11—a price which a New York court has found to be unconscionable. If courts would award substantial punitive damages in this kind of situation and make them stick, lawyers would find it profitable to represent poor consumers on a contingent-fee basis, like accident cases.

"Our other case is a test of the availability of consumers' class actions in New York. Until recently, Coburn Corporation used contract forms that the plantiffs alleged had portions printed in smaller than 8-point type, contrary to Section 402 of the Personal Property Law. The plaintiffs had signed such a contract for wall-to-wall carpet in the amount of $756.92. This contract was sold to Coburn. The rug started coming apart, and when they tried to get the carpet company to service it they found it had gone out of business. So they refused to pay the balance of $266.11 and sued on behalf of themselves and every other consumer that has signed such a contract during the past three years for return of the credit service charges paid to Coburn. The court held that persons who signed these contracts do not constitute a 'class'; each had to sue separately to get relief. We're appealing the ruling.

"With class actions, one knowledgeable consumer could sue on behalf of thousands who are ignorant of their rights. If the courts won't allow class actions, how is the average poor person supposed to know his rights, let alone afford to defend them?"

Schrag may be successful in the end, but so far the lower courts have been notably inhospitable to his case. Felice K. Shea, staff attorney with the Legal Aid Society's Harlem civil branch, is not surprised.

"The lower courts," Mrs. Shea sighs, "have a small-business mentality. As far as they are concerned, the sanctity of contracts must be upheld at any cost in human suffering. The lower-court judges simply have a different way of thinking about the problems of poor consumers than the average well-meaning lay person would think they have."

"If there's one thing that stands between poor consumers and a real solution to their problems," Caplovitz says, prowling his office, furious, "it's the illusion that the consumer has a place to go."

This illusion has survived *The Poor Pay More*, whose surveys found that 64 per cent of poor people had no idea where to go with a consumer problem. Caplovitz found that the largest number who did have an idea where to go cited the Better Business Bureau.

The following exchange of letters gives a sense of how the Bureau operates.

On January 31, 1969, Sister Mary Kenny, Dean of Students at Sacred Heart Academy in Hempstead, sent a copy of a letter she had written to Attorney General Louis Lefkowitz to the Better Business Bureau. It complained that her students had been defrauded by New York. It offered a lengthy bill of particulars.

On February 17, 1969, Ward R. Williamson, Manager of the Service Department of the Bureau, sent Sister Kenny the following letter:

"This will acknowledge the receipt of your recent letter expressing dissatisfaction with your organization's dealings with ———.

"We appreciate your bringing this matter to our attention. Your letter will be made a matter of record in our files.

"This Bureau cannot intervene on your behalf as you request inasmuch as your letter indicates that you are sending copies of your letter to various governmental agencies."

On March 25, 1969, a letter was sent to the Bureau, as follows:

"I would appreciate it if you would let me know if you have any information or complaints on ———."

On April 18, 1969, Ward R. Williamson replied with a form letter:

"In response to your recent communication about the above ———:

"We have not received sufficient inquiries about this concern to justify preparation of a formal report. The company has been known to the Bureau since 12–17–60.

"The Bureau file shows no complaints.

"On behalf of the responsible business companies whose voluntary membership in the Bureau makes its services possible to the public without charge, we appreciate the opportunity to be of service to you."

On May 13, 1968, the Better Business Bureau of Metropolitan New York opened an office in Harlem. On November 18, 1968, the Better Business Bureau of Harlem opened its permanent offices in what used to be Fidel Castro's favorite New York hotel, the Theresa, at Seventh Avenue and 125th Street. I went there to speak with Miss Larrie O'Farrell, the public relations director.

"Everybody in Harlem is controlled," stage-whispered Miss O'Farrell. "The furniture stores are no exception."

"Who controls everybody in Harlem?" I asked expectantly, pen in hand.

"Who controls everybody in Harlem? I think we both know the answer."

"Oh, *them*," I said.

Miss O'Farrell went on to suggest that the reason the Better Business Bureau had not pursued the matter of *them* had something to do with not wanting bombs lobbed through its windows. In fact, Miss O'Farrell suggested that if I went too deeply into the matter of furniture stores, *they* might have me dodging bombs. I swallowed the lump in my throat and pressed on. I told Miss O'Farrell that, bombs or no, I was interested in seeing her files on some of the worst offenders. Miss O'Farrell buzzed for two files; both were fat with letters of complaint and memoranda of action taken. It was clear that the Bureau was fairly successful in settling complaints against both stores of damaged and defective merchandise, misleading advertising, and so on. Yet it seemed that neither store had actually changed its business practices as a result of Bureau action, but rather had seen fit to accommodate only purchasers who knew enough to complain, and where.

Enter at this point Woodrow Wirsig, president of the Better Business Bureau of Metropolitan New York. Miss O'Farrell told him I was interested in the problem of poor consumers being cheated by unscrupulous merchants.

"This is a very complex problem," explained Mr. Wirsig. "It is not just the businessman's fault; it is the consumer's fault, too." Wirsig flashed a glance at Larrie O'Farrell, scanning for corroboration. Finding none he continued:

"These people have to learn to moderate their wants. They are entirely too eager to believe they can afford things that they do not really need; they are entirely too . . ."

"Trusting?" offered Miss O'Farrell. A histrionic mood gelled in the room.

"Ye-e-s," said Woodrow Wirsig, raising an eyebrow, fixing a stare on Miss O'Farrell. "Too trusting."

There are other agencies where poor consumers who know enough to complain can go, but none really makes it.

The New York State attorney general runs a Bureau of Consumer Frauds and Protection in the City, but director Barnett Levy is budgeted only 10 lawyers to handle nearly 70 complaints a day. The lawyers can "mediate" by picking up the phone and trying to convince merchants not to defraud the people who complain, but they can only act against companies when there is a "pattern" of complaints against them. Then they can only seek an injunction forbidding the merchants from engaging in practices which are illegal in the first place. Levy was able to throttle 70 fraudulent operators in the city last year using this tactic, but if you're being used *this* year by one of these operators, all his lawyers can do is commiserate. The bureau has no power to put anybody in jail for fraud.

There are a number of "consumer education" storefronts in the city, funded by the Office of Economic Opportunity, to which poor people are invited to come for help. Most of the people who come are having trouble getting deposits returned or exchanging damaged and defective furniture and appliances. The storefront counselors have had some success, using the threat of a small claims court suit against recalcitrant merchants, but lately the stores have stiffened and refused to settle. They go to court and lose, on the theory that they can win by attrition: poor consumers don't actually want to sit around small claims court waiting for their cases to be called. The result is that not much use is being made of the counselors' services. One consumer education project I visited had rather meager files of recent clients. A counselor there confessed that only two, maybe three, cases come in a week. It's doubtful whether the counselor was getting as much money back for her clients as she herself was being paid out of public funds.

You can go to the Legal Aid Society or an OEO-funded "neighborhood law office" if you're being sued. There you sit in two-tone green enamel waiting rooms, part of the "caseload." The lawyers do not have the budget to open judgments and defend defrauded clients, so they call the store or the finance company and ask it to settle for, say, $50 more. It's often the store that owes money to the client, of course, but Legal Aid doesn't have the funds or manpower to bring suits on behalf of its clients. A "neighborhood lawyer," if he is able to crawl out from under the caseload avalanche, can consider suing a store or finance company, but the day after the summons goes out, the defendant's lawyer is invariably on the phone, suggesting that the poor client take a $50 settlement and forget about his suit. In the four years that Ray Narral was with Mobilization for Youth, he never had a client who could resist the temptation to settle with his persecutors.

The city's Department of Consumer Affairs was created in September, 1968 as little more than a fancy title for two old agencies, Markets and Licenses. The one addition was its Consumer Advisory Council, of which Phil Schrag is chairman. Schrag's council, the department staff and the city Corporation Counsel recently presented Bess Myerson Grant, the energetic new commissioner, with a bill that would give the department a unique and potent weapon against systematic fraudulent schemes. The Consumer Protection Act of 1969, now before the City Council, a number of whose most influential members, notably Majority Leader Thomas Cuite, Edward Sadowsky and Mario Merola, are regarded by the department as sensitive to consumer needs. It would give the department the power to bring lawsuits against fraudulent operators on behalf of all the victims who live in the city. If a company defrauded 10,000 New Yorkers of $20 each, the city could collect $200,000 from it and distribute it to the victims. If the City Council passes it, New York will be the most expensive place in the country to commit fraud, instead of one of the cheapest.

NIXON MOVING TO COUNTER CHALLENGE OF NEW ISOLATIONISTS

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. BROOMFIELD. Mr. Speaker, we all recall how the influence of isolationists in the late 1930's and early 1940's very nearly led this Nation down the road to disaster, disaster brought on by unpreparedness in a world that was already at war.

Now a new group of isolationists would lead us along a similar perilous course, at a time when the world tensions are as threatening as at any time in our Nation's history.

Columnist William S. White comments on this situation in an article carried in the Washington Post, Saturday, August 23, 1969. I insert that column in the RECORD:

NIXON IS MOVING TO COUNTER CHALLENGE OF NEW ISOLATIONISTS

(By William S. White)

The Nixon administration is at last mounting a carefully concerted defense system against the ever-rising challenge of liberal new isolationists in the Senate to the constitutional and traditional powers of the presidency in foreign and military high policy.

Not a moment too soon, the administration is bestirring itself to protect presidential right and prerogatives which are now under an attack, from left-wing forces in both the Democratic and Republican parties, of a severity not seen since Franklin D. Roosevelt's prewar era. This current state of affairs would be serious enough in any circumstances. It is profoundly and even desperately dangerous now, for it befalls while euphoria pervades a loud section of opinion among politicians and within public and press precisely at a time when this country's vital interests abroad are actually in rarely exceeded peril.

As to Vietnam, the simple if unpopular truth is that the war is going badly and the peace negotiations in Paris have reached a point just short of the farcical.

On and off the battlefield the Communists are reacting in increasingly hard-nosed arrogance, and the President's policy of gradual troop withdrawal has become a visible embarrassment and may indeed have to be suspended or even reversed in the long run.

As to the Middle East, the Soviet Union, far from assisting in American efforts to dampen the chronic Israeli-Arab crisis is in fact well along in a thrust of naked expansionism in Asia which already clearly threatens the anti-Communist position all over the basins of the Mediterranean and the Indian Ocean. That this is the way things are is widely recognized in both the Near and Far East, and it is an astonishing paradox that the American public, along with the neo-pacifist senators, seems hardly to have heard of it at all.

Yet it is a fact of life so ominous that it is discussed here with an ironic concurrence of view for once between spokesmen for Is-

rael on the one side and the more moderate of the Arab nations on the other. These two sets of ancient antagonists recognize that immense changes in the power balance in Asia are looming into plain sight—and also that whatever their own intramural enmities, Israel and the non-Communist Arab world have a world in common here to try to defend from Soviet encroachment.

A form of so-called "criticism" of the Pentagon and the military that has long since become outright vilification from the Senate new left has struck the most-wounding blow to military morale of this century.

Morale in all the intelligence agencies has concurrently been deeply shaken by the Green Beret affair, which is seen by some men who have ably served this country to suggest that soldiers doing their plain duty in "black" intelligence work can be indicted as murderers in order to please pacifist opinion here at home.

To combat all this, the administration is evolving a mosaic of rebuttal, tactful on the outside but fully resolute on the inside, whose seemingly unrelated pieces all bear one purpose in the end. The visible centerpiece here is the firm public refusal of Secretary of State William P. Rogers, speaking on the President's authority, to promise Senate critics that the White House will in any and every circumstance seek the prior consent of Congress for military measures necessary to the safety of the United States or to its honorable commitments. Rogers has promised all sorts of "consultation"—but with a vitally important qualification. It will be given only in "appropriate" circumstances.

A part of the mosaic, too, is the President's deliberately spotlighted efforts to draw closer to the man who was his Democratic predecessor, Lyndon B. Johnson. Mr. Nixon's invitation to the Johnsons to visit the California White House on Aug. 27—Mr. Johnson's birthday—is far more than a small comradely gesture. President Nixon, it may be stated authoritatively, intends to have a most-basic discussion of world issues with Mr. Johnson, with White House Assistant Henry Kissinger providing briefings in depth.

This is intended to read a lesson to the country that, while politics is politics and fun is fun, the transcendental problems before the nation are neither Republican nor Democratic and cannot be approached with small partisan and ideological motives without inadmissible peril to the whole body.

THE 30TH ANNIVERSARY OF THE NAZI INVASION OF POLAND

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. KARTH. Mr. Speaker, 30 years ago on September 1, 1939, the Nazi war machine invaded Poland, an act that culminated in World War II. This sombre date, therefore, ranks in significance to Poles worldwide as does December 7, 1941, to Americans.

I wish on this occasion to salute the valiant Polish people who responded so vigorously and courageously when their homeland was suddenly invaded. I wish also to salute the millions of Americans of Polish descent for the very significant role they play in the processes of democracy in America. While they have joined the so-called mainstream of American life, they have never lost their own unique heritage. Suffice to say that their love for freedom is seldom equalled and never exceeded.

Finally, I join with free Polish people everywhere in the solemn pledge to see at last a free Poland, unshackled from tyranny, and symbol of a just and open land.

DANGER SIGNS POINTING TO NATIONAL ENERGY CRISIS

HON. TOM STEED

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. STEED. Mr. Speaker, it has been a popular indoor sport here of late to make the American domestic oil industry a whipping boy for tax reformers. Recent action of the House in cutting the oil-depletion allowance is only a part of the overall attack that has added problems on an industry already hard pressed to fill its mission of providing the American people with an adequate domestic supply of petroleum energy, and at the same time maintaining the domestic reserves that can mean life and death to our Nation in time of emergency.

With all its supposed tax advantages, the cold truth is that our domestic oil reserve picture has been worsening for the last 15 years and no improvement is in sight. Instead, with the political punishment currently being meted out, the situation is bound to become alarmingly much worse.

Mr. Clyde La Motte is perhaps the most informed and authoritative writer on the subject of petroleum in America today. His most recent summary of the energy situation is so thoroughly informative I am having it reprinted here in the hope many of those who have been so misled by ill-informed and ill-guided propaganda may acquire a new grasp of the seriousness of our petroleum supply problem. The article, printed in the Daily Oklahoman, Oklahoma City, on Sunday, August 31, follows:

DANGER SIGNS POINTING TO NATIONAL ENERGY CRISIS

(By Clyde La Motte)

WASHINGTON.—The United States is facing an energy crisis, including possible shortages of electric power, natural gas and other sources of energy upon which millions of consumers depend.

The crisis is not the result of some sudden calamity or unforeseen development. Rather, it stems from energy demands for normal uses exceeding immediately available supplies.

Here are some of the danger signs:

There is a serious question as to whether there is enough electric power to go around. Brownouts have developed in New York City, in Washington, D.C., Miami, Fla., and elsewhere, indicating the fact that power supplies are being strained to the breaking point. (In Washington a recent brownout was not due to any explosion or mechanical failure but simply the fact that it was a hot day and the use of air conditioners created a dangerous drain on supply.)

All segments of the natural gas industry have been warning the Federal Power Commission that an extremely tight supply situation exists, with definite prospects of shortages as early as the approaching winter. This has prompted talk of rationing gas by restricting its use as a boiler fuel or for other "inferior" purposes. But such an approach raises questions as to where those restricted users would turn for a source of energy.

The spot market for coal has virtually disappeared, meaning that it is difficult to obtain coal without a long term contract. And even some contract users reportedly are in short supply, including the Tennessee Valley Authority which is said to have only a 10-day supply on hand with which to operate its electric power generators.

Rising costs and equipment shortages have delayed many atomic-powered generating plants planned by electric utility companies, thus adding to the problem of keeping up with the rapidly increasing demand for electric power.

Petroleum remains in ample supply, but even here there are problems affecting the continued development of adequate domestic supplies. Spare crude oil producing capacity has disappeared in all states except Louisiana and Texas and even there some question exists. Alaska North Slope oil may prove a godsend but delays are cropping up there which could delay the movement of substantial quantities of that oil to markets.

The irony of the looming energy crisis is that this nation has an enormous wealth of energy resources. Experts say there is plenty of natural gas to be found and that the North Slope and U.S. offshore areas as well as many inland regions contain vast deposits of untapped oil. The supply of coal is virtually inexhaustible and there is technology at hand to produce oil and gas from coal. Oil shale has a tremendous potential, and in the nuclear field progress is being made toward development of fast "breeders" which create more fuel than they consume, thus promising a cheap source of power for generating electricity.

Why, then, is there currently a supply problem, a problem which may well get much more severe in the near future?

One big factor is the nation's concern over environment and beautification.

People expect adequate energy supplies, but they also want clean air, unpolluted rivers and coastal zones, landscapes unmarred by huge electric power transmission lines, or view of the ocean uncluttered by offshore drilling rigs.

Charles F. Luce, chairman of the board of New York's Consolidated Edison Corp., spoke of this problem recently when he told a congressional committee that citizens complain whenever and wherever Con Ed seeks to build new generating plants.

"It doesn't seem to matter where the plant is located or what kind of fuel is used, there are objections," Luce said. This has resulted in delays in constructing badly needed facilities, he pointed out.

Many communities have objected to planned construction of nuclear power plants in their areas, while others have sought to block the building of coal-fired plants because of pollution problems.

Concern over environment may also delay by a year the construction of a big-inch crude oil pipeline across the peninsula of Alaska to move North Slope oil to market. The Interior Department has held off issuing a permit for the line until it completes a study of the possible impact this would have on the permafrost of the far north, on the migration of caribou, and on other aspects of the environment.

The Santa Barbara accident earlier this year, in which oil from an offshore well blowout damaged the beaches and killed some birds, created such a furor it has caused interior to delay offshore leasing generally and to propose new restrictive measures on offshore oil development and tanker operations.

Still another factor adding to the energy supply problem has been government's extreme sensitivity to prices and profits in the energy industries, especially petroleum.

For example, the Federal Power Commission has held a tight lid on prices paid to natural gas producers and rates of returns permitted gas transmission companies, apparently fearful of being charged with failure to protect the consumer. This policy has continued in spite of the increasing evidence that a gas shortage looms.

And Congress is now in the process of reducing the percentage depletion for oil and other extractive industries at the very time the domestic producing industry is losing ground. Other oil-related tax changes are also in the works, each of which will discourage rather than encourage additional oil development.

Some state regulatory commissions have also continued to emphasize price over supply. For instance, the Public Service Commission of New York is quick to intervene in almost every price or rate hike application filed with the Federal Power Commission, but has been silent on the question of supply even though New York and New England would be hardest hit in an energy crisis.

Similarly, the New York and New England congressional delegations have played a leading role in attacks made on the petroleum industry, especially in an effort to increase oil imports.

An increase in oil imports undoubtedly would increase the nation's oil supply but it would also weaken the domestic oil industry and have adverse effects on the supplies of natural gas and coal as well as on the development of synthetic fuels such as oil and gas from coal or from shale.

It may be that a growing awareness of the danger of the pending energy crisis may cause the pendulum to swing so that further development of the nation's vast resources will be encouraged, not discouraged. That, however, is not the outlook at the moment.

THE NEW FEDERALISM

HON. EARL B. RUTH

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. RUTH. Mr. Speaker, to an ever-increasing extent over the past several years, this Nation has seen an expansion of Federal powers which has deprived our States and localities of much authority and effectiveness in dealing with their own problems.

President Nixon's New Federalism is an important reversal of this trend and a major breakthrough in giving power and initiative back to State and local governments.

An editorial in the Birmingham News of Sunday, August 17, 1969, expresses confidence in this new policy, and hopes for its expansion in the future. I insert that editorial in the RECORD:

THE "NEW FEDERALISM"

Richard Nixon, as President, faces a bevy of issues as numerous, perilous and stinging as the serpents comprising Medusa's locks. And all the iss 's beg for presidential priority.

Contrary to the opinion of those who would assail the President for not changing the nation after seven months of office, he is facing issues, and by a process of cautious selectivity, moving to deal with them, as his last week's welfare message clearly revealed.

The President opened that message by telling Americans that one of his first priorities is that of repairing the "machinery of the government," putting it into shape for the '70s.

Certainly the technicalities of welfare reform are needed for this "repairing of the machinery." But underlying the President's message was a radical shift of philosophy, one that is urgently needed, and one that hopefully will underlie other reform measures. The President called it the "new federalism."

The founders of this nation constructed a highly flexible system. They anticipated sweeping shifts in the cultural fabric of the nation. But now the United States is a multicultured society whose states are not linked in the uniform pioneer psychology of the original 13. We are as diverse as Nebraska from New York, as Alabama from Maine. With increasing population, the '70s will see a continuation of this diversity.

President Nixon, in building his welfare program around the concept of the diversity of the states, is leading a quiet but real revolution against the bureaucratic hypothesis that every state functions and feels precisely as Washington thinks it functions and feels. The problem with the old welfare system was that it never realized this.

The new federalism, as presented in the welfare message, would transfer to states and localities what now are federal powers. And with the transfer of power would come federal money in the form of fiscal relief and revenue sharing.

State and local governments will thus be able to model such programs as job training—a major aspect of the Nixon welfare package—on the basis of immediate local need, rather than be governed by the impersonal, nationally uniform systems previously used.

President Nixon hopes the new federalism will accomplish a better sharing of responsibilities between federal government and state and local units, more effective rendering of services, and a system whereby choices can be made representing the varying needs of a diverse nation.

When revenue sharing would begin in the middle of 1971, the states would receive $500 million for that half-year. Five years later, the President hopes the amount going to the states would be $5 billion.

Closer to home, Alabama would receive a total of $28 million in the first full year, $16.1 million in revenue sharing, and $11.9 in welfare fiscal relief.

The new federalism, we hope, will be used as a basic philosophy in every area of federal-state relationships. It is indeed time to move to a healthy partnership of government in this nation, rather than a quarrelsome, absurdly sharp dichotomy.

TOBACCO IN THE NATIONAL ECONOMY

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. JONES of North Carolina. Mr. Speaker, for some time now there has been a great deal of talk concerning tobacco programs which have generated much more heat than knowledge. It is, therefore, necessary to place in proper perspective this important program and its relation to our national economy and to a great number of our farm families. The Members who have received mail on this subject will find the following statement helpful, I believe, in answering their constituencies and in better understanding the tobacco program and the impact of the tobacco trade on our national economy:

TOBACCO IN THE NATIONAL ECONOMY

Tobacco is a major agricultural commodity upon which hundreds of thousands of growers depend for most or a significant part of their livelihood. About 2 billion pounds of tobacco are produced annually on about one million acres on about 525,000 farms in the United States. Many of these farms have more than one family depending on the income from the sale of the tobacco produced on the farm. About 625,000 farm families share in the proceeds from the sale of tobacco. Thus, tobacco is one of the few crops still profitable for cultivation on small farms and represents the strongest bastion of the diminishing family farm. Approximately 450 man hours are required in the production and marketing of an acre of tobacco. Although tobacco requires only a relatively small percentage of the Nation's cropland, it is usually the fourth or fifth ranking crop in value, accounting for about 7½ percent of cash receipts from all crops grown in the United States. Farmers receive annually about $1.3 billion from the sale of tobacco.

The United States not only leads the world in tobacco production but in its exportation. Tobacco usually ranks fourth among our agricultural commodities exported. During the 1968 calendar year, 732 million pounds (farm-sales weight) of U.S. tobacco were exported—about nine-tenths in leaf form and one-tenth in manufactured products. The value of our tobacco exports in 1968 was $686 million. About 95 percent of U.S. tobacco exports are for dollar sales. Tobacco exports make a sizable contribution to our balance-of-payments position.

An export payment program designed to regain and expand foreign markets for U.S. tobacco was initiated during the second half of 1966. The expenditure for this program during the 1968 fiscal year approximated $28 million.

The U.S. also imports large quantities of tobacco. In 1968, our imports of leaf and manufactured tobacco totaled 277 million pounds (declared weight) with a value (not including duty) of $152 million. These imports are used for blending with U.S. leaf in the manufacture of cigarettes and cigars. The supplying countries are principally Turkey, Greece and Yugoslavia, for cigarette leaf, and the Philippine Republic, Dominican Republic, Colombia, Brazil and Paraguay for cigar leaf.

During 1968, the manufacturing industry in the U.S. produced 580 billion cigarettes, 8.2 billion cigars and cigarillos, 523 million small cigars, 66 million pounds of smoking tobacco, 65 million pounds of chewing tobacco and 27 million pounds of snuff. U.S. consumers spent an estimated $9.94 billion on tobacco products in 1968—of which about $4.4 billion were received by Federal, State and local Governments as excise tax revenue. Thus, taxes represent about 44 percent of consumer expenditures for tobacco products, and are three times the amount U.S. farmers receive from the tobacco they produce.

The demand for tobacco by many millions of people will continue even though confronted with health issues and other repressive influences. The tobacco industry will obviously strive to satisfy this demand and will obtain its requirements of tobacco either from domestic producers or from suppliers of foreign grown leaf.

For many years, the Department of Agriculture has administered programs to stabilize tobacco production and assure fair prices for growers. Marketing quotas are in effect for most types of tobacco grown in the U.S.

In most referendums, more than 90 percent of the growers voting have favored marketing quotas. It is generally agreed that because of the production control program, less tobacco is produced in the United States than would likely be the case if there were no Government programs.

When growers of a kind of tobacco have approved marketing quotas, price supports are mandatory under existing legislation. Under the price support program for tobacco, Commodity Credit Corporation loans are made available through producer associations. Tobacco handled and stored by producer associations represents collateral for the loans. Most loans are repaid with interest. The realized cost of the tobacco price support program during the 1968 fiscal year was $1.8 million, which represented about one-tenth of one percent of the cost of price support for all commodities. The costs, which the Government has sustained in the operation of the price support program for tobacco from 1933 to date, have been about one-fourth of one percent of the cost for all farm commodity price support and related operations.

The Department of Agriculture conducts major research on tobacco in cooperation with the Land Grant Colleges and other agencies. In fiscal year 1969, $5.6 million were programmed for tobacco research. Following the issuance of the Surgeon General's Report on "Smoking and Health" in 1964, the Department expanded and redirected its research in an effort to ascertain what, if any, element in tobacco or its smoke, may be injurious to health.

The following table shows the cash receipts from tobacco, percentages of all crops and all farm commodities, the number of tobacco farms and the number of farm families producing tobacco in the 16 leading tobacco producing States in 1967:

State	Cash receipts from tobacco, 1967 (million dollars)	Tobacco cash receipts as proportion of those from— All crops (percent)	Crops, livestock, and livestock products (percent)	Number of tobacco farms	Number of families associated with tobacco farms
North Carolina	535	65	42	132,200	186,000
Kentucky	343	78	42	150,500	169,000
South Carolina	107	38	25	23,600	33,000
Tennessee	83	34	14	96,800	97,000
Virginia	83	35	16	45,400	51,000
Georgia	101	22	10	25,700	31,000
Florida	32	4	3	7,100	8,500
Maryland	17	16	5	5,800	8,000
Connecticut	30	45	19	600	2,000
Pennsylvania	10	4	1	4,000	5,000
Ohio	16	3	1	11,800	12,000
Indiana	12	2	1	9,400	9,400
Massachusetts	11	16	7	300	800
Wisconsin	5	2	(1)	5,400	5,600
Missouri	3	1	(1)	1,500	1,700
West Virginia	3	14	3	4,400	4,400

[1] Less than half of 1 percent.

NOW IS THE TIME TO CUT ARMS FUNDS

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. ROUDEBUSH. Mr. Speaker, the dangers of military unpreparedness, in a world torn by tensions, seem to have been ignored or forgotten by many Americans today.

A realistic examination of conditions throughout the world, however, shows that threats to peace come from many sides, any one of which if we are unprepared could result in a "second Pearl Harbor," infinitely more threatening in this atomic age.

Columnist David Lawrence presented a warning which we cannot afford to ignore, in a recent column in the Washington Evening Star. I insert this column in the RECORD.

NOW IS NO TIME TO CUT OUT ARMS FUNDS

Anyone who watched Congress prior to World War II, when dangerous situations were arising and the United States failed to increase its defense forces, can only be deeply concerned over what is happening today.

Congressional pressure has forced the secretary of defense, Melvin Laird, to announce a reduction in the armed forces as well as in military expenditures. He frankly declared in a news conference yesterday that "it is clear our defense readiness will be weakened."

What has happened, of course, is that Congress has told the Defense Department that its appropriations will be diminished, and the big question is where and how the cuts shall be made. Laird expressed regrets that the curtailment which he reluctantly plans to make "will reduce our capability to meet current commitments."

This comes at a time, Laird stated, when Soviet military strength is increasing, and "it is important that the American public be informed about stepped-up Soviet activities in strategic offensive and defensive fields."

So much emphasis has been placed on the Vietnam war that many citizens forget that the defense apparatus of the United States is designed to protect this country against attack from any side, and that conflicts can arise in Asia or Europe or the Middle East which might involve us. North Korea, as the "Pueblo" incident recently emphasized, can be a source of trouble, and it is to be noted that more than 50,000 American troops are still stationed in South Korea.

Just about 28 years ago, when World War II had been raging in Europe for two years, the Congress was asked to extend the draft law which had been enacted in 1940. The struggle was close, and it was by a margin of only one vote in the House in August 1941 that the Selective Service System was maintained and the draft was continued in effect. Within the next four months, the Nazi regime had influenced the militaristic government in Japan to attack Pearl Harbor on Dec. 7, 1941.

This illustrates how suddenly the United States can be plunged into war and what preparedness can really mean.

Several areas of potential involvement of the United States exist today, and there is need not only for a large Army and Air Force but also for an adequate Navy. Yet the budget is forcing more than 100 naval vessels to be put out of commission, including the battleship New Jersey, recommissioned last year after a costly renovation. Moreover, the Air Force is to be required to limit its training program.

All this, it is admitted, involves risks. Attention has been focused mostly on Vietnam, and the recent announcement that American troops would be gradually withdrawn has given the impression that the United States can sharply cut down its defense forces. But Sen. John Stennis, D-Miss., chairman of the Armed Services Committee, does not see any "apparent end" to the conflict. He says that, while he favors a gradual troop withdrawal as a signal to the enemy that the United States is sincere in its desire to end the war, he is doubtful about the outcome. He adds:

"I am not too encouraged that a quick end is in sight, nor am I persuaded that we should rush out of Vietnam unilaterally in such a way to give the impression of defeat. Such an action will certainly invite trouble elsewhere in the world for us."

Meanwhile, the Russians are building up their armed services and seemingly are preparing for a large war. They are, to be sure, concerned about the hostile attitude of the Red Chinese and have deployed some rocket and nuclear forces on the border between the two countries. If the Russians and Red Chinese get into a war, this will affect Japan and the smaller countries of Asia.

There are signs of increasing trouble in the Middle East, too, and the Soviet navy in the Mediterranean has recently been substantially enlarged.

In the face of such danger signals, it is surprising that Congress is reducing the military budget just as if peace were in sight. Unfortunately, however, the situation around the world contains many threats of war, and it is hardly a time to cut America's military appropriations in any way that would, as officially stated, "impair our defense readiness."

ROAD TAX RELIEF PROPOSED

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. ULLMAN. Mr. Speaker, the following column, "Road Tax Relief Proposal," by one of my constituents, Mrs. Jo Hindman, involves a subject of great interest. I insert it in the RECORD at this point:

ROAD TAX RELIEF PROPOSED

(By Jo Hindman)

Now you have the chance to get better city and county roads at no extra cost. In fact, you can get new roads and improve the old ones with possibly your taxes reduced.

There is no catch. The program merely amounts to plugging a chronic leak which diverts about $2 billion dollars each year, preventing the tax sum from reaching the federal Highway Trust Fund.

The HTF is composed of the excise taxes you pay when buying motor vehicles, tires, tubes, gasoline, diesel fuel, lubricating oil and automotive accessories. The money is collected and sent from the states to Washington, D.C., but the leak diverts a part, $2 billion annually, into the General Fund for spending on everything but roads and highways.

Federal legislation is pending which provides that all the automotive tax money shall be channeled into the HTF to be spent on roads only, the purpose for which the tax was levied and collected.

Under the new law, if enacted: Motorists will get the roads they are paying for, but are not getting; workers will benefit from hundreds of thousands of job openings in road construction, in the building trades and allied industries; property owners will benefit from enhanced real estate values from improved streets and roads; the present state and local road tax burden could be eased and future road taxes forestalled.

Check the arithmetic: At present, the states tax their citizens to collect funds to match (buy back) the federal HTF money, quaintly called "federal aid highway assistance." The proposed law will do away with that buy-back-your-own-money gimmick.

Next, Section 215 of the pending legislation would salvage the $2 billion annual leak, return it to the givers to spend on state and local highways and roads, fifty-fifty. Beauty of the arrangement, according to an interested county commissioner, is that local government can construct its roads according to its own standards, unhampered by red tape spun by absentee bureaucrats.

The local payments would be made April 1 and Oct. 1 of each year. No state would receive less than $25 million annually and some would receive eight times that amount. A table showing the salvaged $2 billion, divided among the states and local governments is available upon request from 300 Ruskin Dr., Altoona, Pa. 16602, address of the citizen organization, Pennsylvania Home Rule Assn., long-time sponsor of the subject national home rule road program.

Not an appeal for federal aid; rather, a long overdue correction, program is embodied in two pending identical bills in Congress, HR 10697 and HR 11880. Introduced by Congressmen Irving Whalley (R) and John H. Dent (D), the bills insure support from both Democrats and Republicans.

Tax payers are insisting on tax relief. Also, the motorists among them are becoming aware that they are paying, in state and federal taxes, more than enough now to take care of all highway costs. The real culprit is the unfair distribution system, the malappropriation of funds earmarked for road spending only. The proposed legislation will remedy that.

When all of the true information reaches members of the Congress, by mail, wire, or through their friends back home, the national road program should have a good chance of being enacted. Let your elected representative in Congress hear from you.

WHEN YOU RIDE TOMORROW'S AIRPLANES, YOU WILL THANK DICK WHITCOMB

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. DOWNING. Mr. Speaker, the August 31, 1969, issue of Potomac, the Sunday magazine of the Washington Post, had a cover photograph of one of our Nation's leading aeronautical scientists, accompanied by a cut line which read, "When You Ride Tomorrow's Airplanes, You Will Say Thanks to Richard Whitcomb."

The magazine featured a splended article on Dr. Richard Whitcomb of Hampton, Va.

Regionally, we who reside in the First Congressional District of Virginia, and nationally, all of us who are concerned with man's quest as he attempts to find practical solutions to the many problems of flight, take significant pride in the accomplishments of Dick Whitcomb. We, therefore, feel greatly honored to see such a fine publication do him this honor.

Since most of us in the Congress were away from the Capital when the article appeared, I include it herewith in order that more of us might have an opportunity to get to know Dr. Whitcomb a little better and thereby gain a greater appreciation for what he has done and is continuing to do for all mankind.

The article follows:

WHEN YOU RIDE TOMMORROW'S AIRPLANES, YOU'LL THANK DICK WHITCOMB

(By Barbara Rowes)

Dick Whitcomb drives up from Hampton, Va. to Washington maybe once a month ("I stay at the Hamilton, 'cause it's nice and cheap' "), in his 7-year-old red Volvo, to do business with his bosses at the National Aeronautics and Space Administration headquarters.

Sometimes he comes to see a lawyer, because Dick Whitcomb is in the middle of a 10-year span of patent litigation with giant General Dynamics over the alleged use of his "inverted canoe" design in the Convair 990 transport fuselages (the case is presently before a federal district judge in Norfolk).

But the trips are rare because at age 48 Richard Travis Whitcomb is too busy doing what most every youngster who disappears for hours on end into the family basement to build model airplanes dreams of doing someday—changing the shapes and looks of American aviation to his own private design dreams.

Dick Whitcomb has been singularly successful at this singular vocation. He has made two aeronautical design discoveries which have helped push the American airframe industry towards supersonic superiority for generations to come.

He is one of those fortunate enthusiasts who has to be chased away from weeks on end of 16-hour days in his $8 million transonic wind tunnel at the NASA Langley Research Center, where he is in charge of 50 employes. He is one of the few U.S. aeronautical scientists who has nearly carte blanche on letting his design ideas take him where they want to go. ("We have to turn off the electricity to get him out of there," says one friend).

Although his friends think of him as a New Englander, Dick Whitcomb is a native of Evanston, Ill. He was influenced early by a grandfather who left farming to become a manufacturer of vending machines.

Whitcomb admired the old man's independence and drive—plus the fact he was acquainted with Thomas A. Edison. "I used to sit around," Dick Whitcomb recalls, "and hear stories about Edison. He sort of developed into my idol. But the days of independent inventors are just about past. With wind tunnels costing $8 million to build it's impossible to do anything completely on your own."

"I decided early in life, that I didn't want to work on someone else's problems. I could do that now and make twice my salary in industry. But here at NASA they pretty much consider me a creative person. So they leave me alone to create."

In 1943, on graduation with honors in mechanical engineering from Worcester (Mass.) Polytechnical Institute, Dick Whitcomb was intrigued by a *Fortune* magazine article extolling the research facilities at Langley Field. He soon found himself working on design of the B–29 bomber and other wartime planes at Langley. He has been there ever since.

He is a handsome man who enjoys that kind of intellectual solitude that outsiders sometimes mistake for loneliness.

In recent years, his increasing fame and the industry-wide respect he has gained for his intuitive genius in transonic studies have tended to draw him out socially, though he cheerfully admits he'll never be mistaken for a Rotary or Kiwanis enthusiast.

In 1954, according to his longtime friend and boss, Laurence Loftin (assistant director of the Center), Whitcomb, on intuition alone, applied a mathematical curiosity called "the area rule" in wind tunnel tests he was conducting—without ever having heard of the area rule.

As a result, he devised a fuselage configuration that enabled high-speed planes to pass through Mach 1 with a considerable increase of power. The design has become know as the "coke bottle" fuselage and is in use on all supersonic planes today.

"I had the idea," recalls Whitcomb, "as early as 1951. It was like a bulb lighting up but it wasn't out of the blue. I put the fundamental transonic theories of Adolph Buesman (one of the German scientists who came to America after World War II) to work and experimented by testing my streamlined models in the transonic wind tunnel at Langley. It was like "Archimedes shouting Eureka when Buesman said 'This is it!' But it was really only the beginning. In most cases I had to convince top management that my discovery was worth changes involving billions of dollars in aircraft design. For example, before the F–105 was approved, a vice president of Republic Aircraft came down to examine all available data. We spent the whole day together discussing the area rule concept's application. It's rough getting management to change anything that involves so much money. But this is all part of my job as a modern day inventor."

That discovery won him the 1954 Collier Trophy, the highest industry award. Over the years the Collier has gone to people like Glenn H. Curtiss and Orville Wright and Elmer Sperry and Glenn L. Martin and Howard Hughes and William P. Lear and astronaut teams.

This year, 15 years later, Whitcomb devised the "supercritical wing," a design which would enable present sub-sonic jets to reach nearly Mach 1, instead of the 85 per cent efficiency they now operate on. This means cutting nearly an hour out of the present 5-hour transcontinental flights should commercial liners adopt the new wing (unlikely until new models are born, his NASA co-workers say).

In most years, this second major discovery would put him in line for a nomination for a unique second Collier trophy. But this is the year man walked on the moon and few in the industry think it will happen—though many are sure Dick Whitcomb will receive one of the 50 or so annual nominations from his peers in the airframe industry.

Recalls Whitcomb: "The Collier Committee met me at the airport in Washington and set me up in the finest room—all expenses paid. The aviation industry's banquet, involving about two thousand people, was held at the Sheraton-Park Hotel, and I was a guest of honor along with ambassadors and ministers from foreign countries. It was the highest point in my life, except that I had forgotten my suspenders at home so I had to pin my shirt to my pants—and that's how I faced Vice President Nixon as he introduced me to the world."

Whitcomb also received the Exceptional Service award from the Air Force (its highest civilian award); a Distinguished Service Medal from the National Advisory Committee for Aeronautics (NACA was NASA's pre-Sputnik predecessor); some lines in Who's Who; and an honorary degree from Worces-

ter Tech which permits Dick Whitcomb to call himself "Doctor" at those interminable industry conventions where people who invent coke bottle fuselages find themselves. "It depends on who you're talking to," he says. "I don't use it with my friends."

He also remembers wryly that he received an increase in dinner invitations "from neighbors I had never even met and have never seen again."

Says Loftin: "Dick is not a mathematical theoretician in the accepted sense. He is much more intuitive, which is very unusual in scientists. And it has paid off handsomely. He has a new idea every day. I'd say he's one of the most fertile innovators in the business."

Adds Ed Cortright, the research center director: "One of the great differences about Dick is that he not only gets a bright idea but pursues it with a great persistence. In our business most publish an idea and let it disappear. Dick's working in transonics, which is an area where theories just break down. So you have to think of him as something of an artist. He injects some of the elements of art." (Loftin remembers that in the supercritical wing work, Whitcomb often spent days with a file and other instruments working on the wing edges along with the model makers.)

Sometimes, to an outsider, it seems that one of America's leading aeronautical scientists has paid considerable dues for his astounding success by defining his life in terms of his work.

"People are always saying that I ought to have 'more fun'." says Dick Whitcomb. "What they don't understand is that I am having fun. My work is my fun. Can't they understand that?"

He rises at 7 a.m. five mornings a week and reads the local newspaper as he traditionally breakfasts on orange juice and toast.

"I have sugar and cream in my coffee in the morning because I need the energy," he explains. "Later in the day I'll have two more cups of coffee black because I need it as a pick-me-up."

He has never, he says, missed a day of work because of illness or the unforeseen.

Dick Whitcomb does most of his work right in his office, which resembles a metallic wasteland. His desk is crowded with manufacturers' models of the F–105, F–111, F–4. He doesn't believe in decorating: "It's strictly for work."

"When I came to NACA, (fresh out of Worcester) I started proposing new ideas right off. My boss was very understanding; he listened. But he never found the time to get my ideas tested. Now I'm the head and the difference is that my ideas get tested."

There's also a difference in the amount of his paperwork, the number of his meetings and the bureaucratic tape which accompanies new ideas.

"My desk is filled with stuff that's accumulated over the last week. The most current stuff is on top, the rest I throw into drawers," he says.

His days vary according to the progress of his tests. When he has a model in the Langley wind tunnel, he stays with it for a 16-hour stretch, getting his hands dirty with the mechanics who often play sly practical jokes on him. (An example: a dead bird placed on his desk by a mechanic to depict a supercritical wing that didn't work).

After winning the Collier Trophy in 1954, he became deeply involved in a national effort to build a supersonic transport airplane which would travel 1,500 miles an hour. He also had a private research laboratory in which he worked nights and weekends, after putting in 8 to 10 hours in his office, in order to invent something outside of aerospace. But he was unable to sell the automobile industry a more efficient exhaust system for their engines. He would like to see application of aerodynamic principles used in the problem of car air-pollution—and Dick Whitcomb intends to get busy on this idea any day now.

He did develop a means of making sailboats go faster, though he's sold his own 20-foot "Battery Park" model boat.

Finally, this year, Whitcomb directed a committee of 13 scientists who developed the supercritical wing (in which the cross-sectional shape of the wing has been redesigned for smoother air flow and faster speeds).

"I modified the shape of the wing myself as we tested it," he says. "It's just plain easier this way. In fact my reputation for filing the wing's shape has become so notorious that the people at North American (which will build a test plane next year for it) have threatened to provide me with a 10-foot file to work on the real airplane also."

But the most astonishing reaction to the new invention came from a group of fourth graders who had read about Whitcomb in their *Weekly Reader*. They wrote so many letters that the NASA office finally had to compose a form letter which answered all their questions about the wing. One of the children even phoned Whitcomb directly.

Right now he's very busy wrapping up the business end of his wing. He spends hours in staff meetings preparing to face management with proof of the invention's worth. "There's a lot of detail work and persistence required to get these inventions on the planes. That's the business. No one meets me at the airports in Los Angeles or Washington. I have to regulate my schedules to commercial flights and management's convenience. There's nothing glamorous about the selling end of this business. But it's necessary to wrap things up."

In the last few months he's been very busy wrapping up the supercritical wing by proving that it affects every aspect of in-flight performance. But he was not too busy to interrupt the meetings and detail plans to throw his secretary Annie a 21st birthday party in the Officer's Club.

"He'd always promised me a champagne party, if I weren't married by the time I was 21. Well, I'm not married, and he didn't forget," she says.

Otherwise, his work comes first. "When I find a problem, I need the solution," says Dick Whitcomb, "I sense it's there and I have to get at it. Although I'll have other things to worry about, I always have this uneasy, irritating feeling. It's a nagging sense that I've got to solve the problem—no matter what."

He sits with his feet up on the desk and continually thinks of work asking "Why? Why?" Insights don't simply spring into his mind. He has to feed it first.

He can't quit work at 4:30 p.m. and relax by watching television or sailing. He is somewhat bitter that other people can put in eight hours and walk away from an office free of concern. He simply cannot turn off his mind through a clock.

"There's been a continual drive in me ever since I was a teenager to find a better way to do everything. A lot of very intelligent people are willing to adapt, but only to a certain extent. If a human mind can figure out a better way to do something, let's do it. I can't just sit around. I have to think."

Dr. Whitcomb dresses for his own comfort in sports jackets, gray pants and colored shirts. He is ignorant of current fashion because he says he wants to be. Appearance doesn't really interest him much.

He doesn't cook for himself anymore. He just got tired of cleaning up. He eats all of his meals out, or at the invitation of friends. At home he just stocks his refrigerator full of snacks.

As a bachelor in the upper reaches of the government pay scale (about $25,000 yearly as a GS–16) he would seem to have both the money and the five-week vacation benefits to travel. He has done so only 3 times: twice to Europe and once to Bermuda. In plain fact, says Dick Whitcomb, the long drawn-out patent suit has cut considerably into his take-home pay.

The first time he went to Europe, he took the conventional Cook's Tour and was appalled by the high tension lines and steel structures throughout Switzerland. The next time he returned to England and France to visit a girl studying over there, and spent much of his vacation touring the aeronautical research centers and examining the scientist Cavendish's laboratory in Cambridge.

"I take very few structured vacations," says Dick Whitcomb. "Actually I prefer weekend trips to Washington and New York, and I'm out on the West Coast a lot for business. I also try to visit my sister with her seven daughters at least once a year in Brockton, Mass. It's not that I don't do anything but work. It's just that I don't take the conventional vacation very much—although I am dying to visit India where the culture is different. I want to see something different. Europe has too many American signs."

Dick Whitcomb has become so busy, in fact, that he has had to lessen his community involvements in the local Peninsula Community Theater association for which he was vice president for business affairs, and the Peninsula Civic Opera Assn. where he was drafted onto the board. His friends are by and large, artists, musicians and from among top NASA management.

He also occasionally wonders why he didn't follow a long ago impulse to enter the field of rocketry in the footsteps of onetime Worcester Tech instructor Robert Goddard.

"Of course," he says, "it would be very romantic to abandon aviation and begin a doctorate in another field. But that's not terribly pragmatic. I can probably do more good by applying my knowledge right where I am."

Says Dr. Whitcomb: "I guess I think differently from most people because I live differently.

"My mind's always racing ahead with another project, searching for the new. Sometimes I get mad that I'm made this way. But most of the time my work is just really fun."

AMERICA: THE LAND OF THE SALESMAN

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. KEE. Mr. Speaker, I rise to share with the Members of the House, and to include in the CONGRESSIONAL RECORD for all to see, the most interesting, informative, and timely message that I have ever heard delivered during my entire career in public life.

I attended an executive institute class at Madison, Wis., during the week of August 18–22, which was conducted by Mr. Zig Ziglar, Vice President, Sales Training for Automotive Performance, Inc., of Dallas, Tex. The class was conducted primarily for the benefit of a large number of independent businessmen who are associated with Automotive Performance.

Mr. Speaker, Automotive Performance, Inc., is one of the fastest growing industries in the United States and I have every confidence that within a period of 5 years, Automotive Performance, Inc., will be one of the giants of American industry.

Mr. Ziglar, in addition to his duties as Vice President in charge of training for Automotive Performance, is also founder of The Zigmanship Institute, a nationally recognized sales training organization.

During this fascinating period of American history, with all of the grave problems which we are facing, it was most refreshing to hear the outstanding address, "America: The Land of the Salesman." In essence, Mr. Ziglar calls to our attention a message that should be read in every school—high school, college, or university—and to all citizens of the land we love who are interested in the future of America. The simple fact is that each and everyone—man or woman—regardless of race, creed, or color, has an opportunity from within to achieve a richly rewarding contribution to all others who are interested enough and have the initiative to work.

Mr. Speaker, Mr. Ziglar reveals the true and relatively unknown stature of the profession of salesmanship.

His unsurpassed speech records the contribution that the salesman has made, and continues to do more than his part to "make us the greatest land of them all." I fully agree with him when he states, "I am persuaded beyond any reasonable doubt that we are the greatest" land ever conceived by the mind of man "because we are the land of the salesman." In his remarks, Mr. Ziglar stresses the fact that Christopher Columbus, the man who discovered our land, was a salesman in the truest sense of the word. Because his remarks are so timely and so vital to the future of America, I include his address at this point in the RECORD.

AMERICA: THE LAND OF THE SALESMAN

America was discovered by a Salesman. Not by any stretch of imagination could you accuse Christopher Columbus of being a navigator. He was looking for India when he "discovered" America, thus making the most profitable "mistake" since the beginning of recorded history. But was he really a Salesman? The answer, by any standards of evaluation, has got to be an emphatic—Yes. First he toured the Courts of Europe making "call" after "call" telling his story to any "prospect" who would listen. He demonstrated many of the traits of the successful salesman when he kept "selling" after the prospect had said no. When he missed on one call he went to another prospect and told his story again. He got a lot of no's but he finally got the right answer and started on his trip ostensibly to India. Even then he still had his toughest "sales" job ahead of him. He had to sell for his "life" because the mutinous sailors wanted to throw him overboard. Finally the glad cry came: "land ho"—and the most profitable sales call in history was over.

America was colonized because of a Salesman. Sir Walter Raleigh toured the pubs of London "selling" this vast new uncharted wilderness. He "sold" fearful men—hope—and persuaded them to leave the relative security of England and go to the savage new undeveloped land.

Thomas Paine continued the "sales" job. He "sold" liberty—freedom—the dignity of man and the idea that man should be free.

George Washington was a Salesman. He sold those frontier farmers, and sophisticated plantation owners the idea of leaving their farms and loved ones to do battle with the British. He sold the idea that we could be a great nation—and he did it in the face of unbelievable odds. Consider what he had to do. He had to persuade those patriots that they should leave their homes—bring their own weapons and supplies with them so they could face the best trained—best equipped army in the world—supplied by the greatest Navy the world had ever seen. He could promise nothing—not even decent quarters or a tattered blanket to face the bitter cold. And he had to honestly admit that there would probably be no pay whether we won or lost. He also had to tell them that if we lost they would be hung as traitors. In addition to this the Colonies were anything but united, with many families divided as to which course to take. Yes sir, George Washington was a tremendous salesman with all of the virtues of the truly professional salesman of today. He was honest, dedicated, enthusiastic, sincere, knowledgeable and persistent because of his great belief in the product he was selling. Once the initial sales job was over Washington proved to be a master at the all important task of "post selling". He sold the American people the idea that they had within them the makings of a truly great nation. He also proved the Norwegian definition of the word "sell" which is "selge" or "to serve".

Horace Greeley was a Salesman. When things had started to slow down a bit and part of our great Western areas were under attack both from within and from the outside, he took pen in hand and did a "sales" job. Who can forget his ringing admonition to "go West young man"? And go West they did in ever increasing numbers until we had literally covered this great continent and discouraged our enemies from within as well as a couple of jealous powers who were casting covetous eyes in our direction.

We are the greatest land because we are a land of salesmen. You certainly can't say we're the greatest because of our size because until we added Alaska there were Brazil, China, Canada and Russia who were all bigger. We are not the greatest because of our population because India, Russia and China all have considerably more people than we have. Nor can you lay it on our superiority in natural resources because we have known for a long time of the extreme natural wealth of Brazil and just recently there have been discoveries of incalculable value in the frozen north of Canada. Even China and Soviet Russia surpass us in some natural areas in this department. You can't say we're the greatest because of our technological superiority because in many departments the Japanese are our masters, in others the Russians surpass us, in others the Germans best us and in still others the Swiss and the English are our masters. I'm persuaded beyond any reasonable doubt that we're the greatest because we're the land of the salesman.

So let's take a look at some heretofore unknown facts about this much maligned creature who has made us the greatest land of them all. To begin with, we will need to establish a few ground rules and identifications. Just because a man answers an ad in the paper and is hired and given a "brief" case he is not a "salesman". If he were then you could just as easily give a man a stethoscope and he would be a "Doctor", or give another a slide rule and he would be an "engineer", etc. Yet the average man on the streets persists in his belief that a "salesman" is "born", and that all you have to do to be a salesman is to dress neatly, smile, learn a couple of "smooth" lines and bang—you're a salesman. My answer here is pretty simple—I've traveled all over this continent and read newspapers in literally hundreds of cities. I've seen where women have given birth to boys—I've seen where they gave birth to girls—but I've never seen where one gave birth to a "salesman". Now I have seen where salesmen have died, so if they are not "born" but they do "die" then obviously they became Salesmen in the same manner one becomes a Doctor or a Lawyer or any other professional man. In this discussion I'm not talking about the "reject" from the other professions who drifted into selling because it was so "easy" (all you have to do is talk—and I'm a good talker). I'm talking about the guy or gal who chose to sell as a profession and then set about learning how to sell in the professional manner.

How does this Profession stack up with the other professions? Quite well—thank you. For instance, the average salesman has a life span of productive work that is nearly ten years longer than *any other* profession. Perhaps even more amazing is the fact that those last ten years could well be the most productive of them all and in many cases they are definitely the most profitable per hour worked. As the salesman gets older he gets more knowledgeable—and he has built his clients so that he now is truly in a "service" profession. Income-wise he stands at the top of the list. Slightly less than 3% of our population hit the $20,000.00 per year bracket. Of these 3% almost 80% of the 3% are directly or indirectly connected with sales. Again, I'm not talking about the job jumper who just picked up a brief case or the clerk at the dime store. I'm talking about the "trained" professional who stays in "training" all of his life as a Salesman.

Perhaps the most surprising statistic of them all is the fact that the professional salesman has one of the lowest—if not the lowest—divorce rate of any of the professions. Now this could be because we are "salesmen" and can "sell" the good wife on sticking around. But this doesn't alter the "fact", now does it? The professional salesman has one of the lowest rates of nervous breakdown and mental disturbances of any of the professions. Psychologists maintain that job satisfaction is one of the most important facts as far as mental health is concerned and here the salesman is truly the happiest guy around.

Nearly 75% of the owners of businesses and Presidents of Corporations in America today got their start as salesmen. One of the most interesting facts of life in America today is that the average professional salesman is directly or indirectly responsible for 27 people being gainfully employed.

And yet—A recent survey of 122 leading colleges and universities revealed that only about 2% of the graduating seniors were interested in going into the field of selling. Many claimed that it was either too "prostituting" or too "frustrating". Obviously we have not done a very good job of selling the profession of selling. We've sold goods and services but we've failed to sell what might well be the last frontier here in America. The result is clear. Many people in America today still think in terms of the old "Yankee Peddler". They think that selling is either "making people want something they don't really need" or "making them buy something they don't really want". They think of the salesman as being a "hail fellow, well met"—an extrovert with a large assortment of "off color" stories. Nothing could be further from the truth. Any major corporation in America today will quickly tell you that in a sales contest—with all other things being equal—that a group of 100 introverts will outsell a group of 100 extroverts 100 times out of 100. And the reason is two-fold. First, the extrovert—as a group—will rely on personality and charm to get the job done. Second, he is not as likely to be as interested in the "other" person. The first rule of selling is that people buy for "their" reasons and not "yours". They buy for what the product will do for them—not for what the product is. In these areas the introvert excels. He relies on training and knowledge and not personality. He is more likely to be "other people" centered. In short, he has

"empathy" and selling is really a transference of feelings. If the salesman can make you feel about his product—like he feels about his product—then you will want to own his product. The introvert is more likely to be better organized and a harder worker and less likely to rely on "charm" and "personality". The successful salesman is in reality an "assistant buyer". He sits on the prospect's side of the table and acts in the prospect's interest. He knows that anybody with a smooth line can "get" a customer, but that it takes more than a smooth line to keep him. And the successful salesman knows that to be successful he must "keep" his customers. He does this through service, by going the extra mile and helping his clients successfully buy.

So what's the problem? Well, the problem is *not* the profession. The problem is twofold. First, the salesman of yesteryear who was short on ethics and long on promises. Even this man was blown out of all proportions and depicted as a stumbling, bumbling ne'er do well in that absurd monstrosity, "Death Of A Salesman". The second problem is the fact that the profession of selling has not sold—the "Profession" of selling.

For an example, our country for the first 250 years of our existence as a Nation, we sold ourselves to the world and in the process, became the most respected Nation on earth. Since 1945, we quit selling as a Nation and started trying to buy friends around the world. You know what happened.

Fortunately we are on the way in the latter department—and in a big way. Through education and training. Through the numerous organizations around the country and through a more careful selection of personnel which keeps the obviously unsuited out of the profession we are upgrading our profession.

We've come a long way and most important, we are headed in the right direction. In the meantime—the next time you meet a professional salesman be nice to him—after all—he might be the one responsible for *you* having *your* job.

DEFENSE OF AMERICA'S MALIGNED MIDDLE CLASS

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. BOLLING. Mr. Speaker, during the last year or two, examinations of our domestic difficulties have inevitably focused upon the purported malfeasance of middle-class Americans. No one is without fault but a more balanced assessment is needed. I have found such a reassessment in an article by Martin L. Gross which appeared in the August 27, 1969, edition of the Worcester, Mass., Gazette. Mr. Gross' article is captioned "Defense of America's Maligned Middle Class."

It follows:

DEFENSE OF AMERICA'S MALIGNED MIDDLE CLASS

(By Martin L. Gross)

The middle class has borne the brunt of massive criticism for generations.

In the twenties, they were pilloried in Sinclair Lewis' "Main Street." In the following decades, the kid-next-door Andy Hardy movies and the family TV frolics of "Father Knows Best" became—among anti-middle class enthusiasts—classic examples of self-incrimination illustrating the "shallowness" of the bourgeoisie. In the 1950's, "The Man in the Grey Flannel Suit" and "The Organization Man" delineated the middle class's nonvirtue in the confines of the business world.

The attacks on the middle class are age-old, always entertaining and sometimes accurate, especially when the middle class caricature themselves through excess. I am reminded of my own disquieting suburban memories, including the chilling comment from an otherwise normal neighbor, who once boasted: "I am devoting my life to my lawn."

The excesses of some middle class citizens have been grist for authors in every tongue, providing raw material for satire through their rigidity, conformity and provincialism. Traditionally, the fashionably rich, the "creative" (and would-be creative) class and the revolutionaries have entered into an alliance against the middle class, seeking to undermine its strength. Critics should rightly expose any excess, but in America today that alliance has been so vigorous and successful in its game of "Down With The Middle Class" that the American ethic it defends may well be in danger.

WAR CRY

The new target is generally defined as "middle class values," and the anti-middle class war cry is the nebulous but ringing euphemism: "the quality of life." The inference is clear: "life quality" is destroyed by these "middle class values."

According to these detractors, America's middle class values encourage bigotry; enslave the female in the home; over-ennoble work; promote excessive nationalism; stimulate nerve-wracking competition; weaken the arts. They blame middle class values for the failure of the urban poor, for the generation gap. When pressed, critics even blame middle class values for such diverse ills as air pollution and ulcers.

The attack had been subtle for some time, but now that it is staunchly supported by segments of the mass media, it is making rapid headway among the vulnerable. Increasingly, America's giant middle class have become defensive about their way of life, including their homes, their families, the way they speak, earn their living and raise their families.

That insecurity had best be checked if our democratic culture is to survive. For every successful creative exception to the "middle class values," there are thousands of citizens who maintain family and democracy with it. The astronauts returning from the moon symbolized in their person and accomplishment, the power of the American middle class ethic.

The taxes of the hard-pressed middle class support both the rich and the poor, one through taxation loopholes, the other through taxation. The middle class maintains the central core of the American Protestant ethic, which freed man as an individual for the first time in history.

They sustain democracy, for the rich and the poor are historically prone to totalitarianism, one out of privilege and style, the other out of fear. To maintain their freedom, the American middle class ennoble egalitarianism, offering those below a chance to join them by absorbing their values of work, study and family. That upward mobility, which creates the ever-growing world middle class, is the key to democratic power.

WHAT ALTERNATIVE?

Those who would condemn the middle class as declasse, have not offered a viable alternative life style. Men of genius do not need the middle class ethic, but most people are not geniuses and deviate badly. The "quality" of life that some romantically seek as an alternative has thus far been a false dream expressed mainly in negative terms. If American middle class democratic life is drab and old-fashioned, what is modern? Is nihilism, despondency, drug addiction, poverty, disorder and jetset wealth the antidote of "quality" for the ostensible boredom of middle-class civilization?

"Middle class" is a socio-economic term and should not conjure up images of conformity. Within the freedom of democracy and sufficient money to survive, there is option to escape the rigidity of "Main Street" and "The Organization Man," the excesses of "Goodbye Columbus," or the nihilism of the false "quality" offered by detractors.

QUESTION OF GUILT

Increasingly one hears sensitive people deprecate themselves as "ordinary middle-class Americans," confessing the guilt placed there by sophists. Are they guilty of having defeated poverty for millions, maintained stability in a chaotic world; for having absorbed scores of ethnic groups into their collective midst, for having encouraged science and technology, for having educated themselves and their children, for having saved the world from totalitarianism?

The Soviet strains to emulate our middle class. The world blinks before its vast achievements, yet we increasingly snipe at it as if it were some psychologically infectious disease that can be cured by an injection of a mythical "quality." True quality is a classless term, and thus far, the stodgy Howard Johnson-Holiday Inn variety of middle-class America has shown that he understands more of its ingredients than do the detractors of the middle class.

AS PROMISED

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. BUSH. Mr. Speaker, last fall, when he was campaigning for the Presidency, Richard Nixon made it clear to the American people that, as President, he would appoint to the Supreme Court men who felt it was their duty to interpret the Constitution, not to rewrite it.

Such an attitude is inconceivable to some who find that the Constitution gets in the way of what they think is best. Now that the President is carrying out his commitment they are making clear their unhappiness with him.

However, the Dallas Morning News in the attached editorial recently put the matter into perspective:

[From the Dallas (Tex.) Morning News, Aug. 20, 1969]

AS PROMISED

The Nation's pundits, commentators and columnists have had a high old time the past six months using each statement or action by Richard Nixon as evidence that he is turning liberal. One day they say he's zigging to the left; the next day, they declare he's taking a sharp zag to the right.

But long after most of the Nixon speeches and minor appointments are forgotten, the effects of his two appointments to the Supreme Court will be affecting the life of this country. Indeed, his choices may change the course of the nation more than any other he makes during his administration.

In recent years the high court has often seemed to be more inclined to make new law of its own than to interpret existing law. Not only has it moved to usurp Congress' constitutional responsibility for making the laws that govern society, but its liberal members have praised this trend as "creative."

But to most Americans, the high court's legislating activities are not so much creative as unconstitutional, a flagrant attempt

to undermine the separation of powers between the branches of government.

A major principle of democratic government holds that the people are ruled by laws formulated by their elected representatives. The justices of the high court, appointed for life, are neither elected by the people nor responsive to the wishes of the majority.

That is why Richard Nixon found in 1968 that the public agreed with him when he said, "The question is whether a judge in the Supreme Court should consider it his function to interpret the law or to make the law . . . I believe we need a court which looks upon its function as being that of interpretation rather than of breaking through into new areas that are really the prerogative of the Congress."

Nixon promised the voters that, if elected, he would make appointments designed to lead the court back from the wilderness of ideological improvisation to its fundamental role of interpreting the law. In addition to choosing men qualified to act as judges, he said, he would consider two main factors in each appointment.

"First, since I believe in a strict interpretation of the Supreme Court's role, I would appoint a man of similar philosophical persuasion. Second, recent court decisions have tended to weaken the peace forces, as against the criminal forces, in this country. I would therefore want to select a man who was thoroughly experienced and versed in criminal law and its problems."

President Nixon has, in the two high court appointments, done exactly as he said he would do. He has chosen experienced federal judges, not ideologues or political cronies. On their records, both must be judged to be much closer to the strict-interpretation view than the anything-goes philosophy of the past court.

It is true that past records are not always a good indication of the course a justice will take, once he is on the court. President Roosevelt appointed the liberal Felix Frankfurter, who eventually became the leader of the conservatives on the bench, President Eisenhower named Earl Warren, chief of the creativity crowd.

Lacking a crystal ball, we cannot say that the new appointees will hew to the conservative philosophy throughout their terms on the Supreme Court.

But there can be no doubt that at this point, their records indicate that the President has kept his promise to the voters and the results should benefit both the court and the country.

SMALL BUSINESS COMMITTEE NEVER TOO BUSY TO HELP

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. KLUCZYNSKI. Mr. Speaker, it has been said that the committees of Congress are the working arms of our National Legislature. I am sure that all of us would agree with this characterization. Each of us in working as a member of individual committees each day learns much, acquires both broader interest and knowledge in depth in our individual areas of specialized interest.

I was highly pleased when you, Mr. Speaker, appointed me several Congresses ago as a member of the Select Committee on Small Business in addition to the assignment I had already received as a member of the Committee on Public Works. Since that time, my pride in being a member of the Small Business Committee has continued to grow. I have admired the vigorous and enlightened leadership of our chairman, JOE L. EVINS, and the interest and dedication of my colleagues on the committee. I have been particularly impressed by the willingness of the chairman, members, and the staff of the committee who always somehow find the time to deal with individual small businessmen's problems from throughout the Nation.

Recently, the National Association of Wholesalers bestowed a special award upon the committee recognizing this aspect of its work.

The Biddle survey, a prominent wholesalers' publication, on August 26 published an editorial aptly entitled "Never Too Busy," an excellent description of our distinguished chairman, the gentleman from Tennessee, Representative EVINS.

At the conclusion of these remarks I place the full text of this editorial in the RECORD:

NEVER TOO BUSY

(NOTE.—A committee of the House gets a tribute from distribution trades leaders.)

Writing in his journal, around the middle of the 19th century, Henry Thoreau, the American naturalist, once observed that nobody ever erects a statue to a committee. He was a strong advocate of individuality, of action by personal initiative rather than by conference. Yet in our complex society, with its intricate political structures, businessmen have been pretty well forced to put increasing dependence on group action.

One active business group, the National Association of Wholesalers, has recently tossed a bouquet into the lap of a committee: The Select Committee on Small Business of the House of Representatives. This committee is headed by Rep. Joe L. Evins of Tennessee.

The association gave it a Certificate of Appreciation for "distinguished service to the wholesale distribution industry." It cited the fact that the records of hearngs held by this Committee on Small Business "are often used by the Executive Departments and regulatory agencies as the starting point for *corrective or remedial* action." The NAW added that without such a forum as the House committee, there would have developed no remedy.

The wholesalers said that despite the committee's heavy schedule, it was "never too busy to give us its valuable attention." Congress and many of its committees are frequently in the line of flying brickbats; it is reassuring to learn of this recognition of group action for business which fulfills its purpose.

HOW VULNERABLE IS THE U.S.S.R.?

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. DERWINSKI. Mr. Speaker, recognizing the continued debate over foreign policy goals and actions of the Russian Communist dictators, I was pleased to note a review reproduced in the Ukrainian Bulletin, August 1969, of a book review of the Reverend Denis Dirscherl, S.J. of "The Vulnerable Russians," written by Dr. Lev. E. Dobriansky of Georgetown University.

In view of the timeliness of the book and the review, I insert the review into the RECORD at this point.

HOW VULNERABLE IS THE U.S.S.R.? (REVIEW OF "FLAWS IN RED RUSSIA'S ARMOR," BY REV. DENIS DIRSCHERL, S.J.[1])

It's time to zero in on the weakness of the Russian bear. That's the theme of *The Vulnerable Russians,* by Professor Lev Dobriansky, of Georgetown University. In an age of computerized analysis and mass-research facilities, books which do not make the headlines at once or do not have the backing of a publicity bonanza are often relegated to the dusty shelves of the publisher and the libraries.

The Vulnerable Russians warrants some special considerations. The volume merits attention not because it has any startling facts or new appraisals of the Russian scene but because of the peculiar concepts that the author develops in presenting his account of the Soviet grip on the political and economic fate of the various peoples and nationalities officially living under the banner of the hammer and sickle.

The notion of the "captive nations" provides the superstructure of this volume. The substance of the book is explained by way of this concept.

Professor Dobriansky originated the idea of Captive Nations Week in the late '50s and, each year in July, this week is commemorated in the United States as a result of an Act of Congress in 1959.

The response of the Soviets to this annual event is particularly enlightening and informative of the ideological makeup of the Soviet camp. In July, 1965, for instance, Michael Suslov, chief Party theoretician, commented on the observance of Captive Nations Week:

"Especially disgusting is the villainous demagogy of the imperialistic chieftains of the United States. Each year they organize the so-called Captive Nations Week, hypocritically pretending to be defenders of nations that have escaped from their yoke. These international gendarmes, stranglers of freedom and independence, would like again to enslave the free nations of Lithuania, Latvia and Estonia. But this will never happen."

This response, a typical Soviet approach, means to accuse others of what the Communists either are perpetrating themselves or planning to put into practice.

One of the major emphasis of the Captive Nations concept is to bring out into bold relief the gun barrel philosophy of the Soviet and its allied powers.

Unquestionably much of the Communist success in the past has been achieved because of this old philosophy. As Mao Tse-tung once said, "Every communist must grasp the truth that political power grows out of the barrel of a gun . . . in fact we can say that the whole world can be remolded only with the gun."

The bulk of Soviet and other Communist acquisitions and annexations have resulted from a three-pronged attack: by force through overwhelming military superiority, internal infiltration, and political blackmail.

Soviet imperialism started in the early 20's with the Outer Mongolia area. Poland was partitioned in 1939; Estonia, Latvia, Lithuania, and a portion of Finland followed in 1940; Bulgaria and Albania in 1944; Hungary, Yugoslavia, Sakhalin, and the Kurile Islands in 1945; Rumania in 1947; Czechoslovakia in 1948; East Germany in 1949, followed by North Korea, North Vietnam, and Cuba in the 50's.

Paradoxically, it is interesting to note that though the Soviets base their world outlook on Marx's philosophy, Marx himself held Rus-

[1] Father Denis Dirscherl, S.J., has an M.A. in Russian studies and is a veteran of the U.S. Air Force security service, where he began his study of the Russian language. He has written for a variety of local and national publications, both religious and secular.

sia in low esteem, chiefly in military and diplomatic matters. According to Marx, the only way to deal with Russia was the fearless way.

Writing for the *New York Tribune*, April 19, 1853, Marx says: "What had to happen? The ignorance, the laziness, the pusilanimity, the perpetual fickelness and the credulousness of Western Governments enabled Russia to achieve successively every one of her aims."

According to Marx, Russia's coveteous power-policies have a long tradition. "In the first place the policy of Russia is changeless, according to the admission of its official historian, the Muscovite Karamzin.

"Its methods, its tactics, its maneuvers may change, but the polar star of its policy—world domination—is a fixed star."

Marx called Russia "decidedly a conquering nation." Marx summarized Russia's spirit of aggrandizement under the categories of Imperialism, Pan-Slavism, and Oriental Despotism.

The nationality question also has a major function in the Captive Nations concept. Here it is important to recall that the words "Russia" and "Russian" have been bandied about in the past with little care for necessary distinctions and explanations. The Soviet Empire is made up of many different nationalities. These other nationalities play an important factor in the character of the Soviet Empire.

Professor Dobriansky elaborates on this fact. He says, "I repeat, Russia itself would be only a second or third-rate power. Economic parasitism and exploitation enable it to bluff diplomatically a great power status, and most amazing is the degree to which Free World powers have fallen for this."

Dobriansky then highlights the advantages which Soviet power has reaped from these countries that have been swept forcefully into the Soviet orbit and used as buffer zones to the West and as objects of exploitation.

Other crucial notions suggested or brought out in "The Vulnerable Russians" include the role of wordsmanship and propaganda, Russification, the emasculation of Marx and Marxism, and the general cold war apparatus that the Soviets have built since the Bolshevik take-over.

In his book, except for excessive repetition, Professor Dobriansky has done well in attacking the weakness of the Soviet power machine.

From time to time we need to recall that the opposition is not an almighty force in spite of the facade that the Soviets have often erected. All the concrete walls, war zones, barbed wire fences, guard towers, trenches, empty wastes, and no man's lands betray the rapacious nature of the Soviet Empire.

OWNERSHIP OF HANDGUNS

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. FINDLEY. Mr. Speaker, Prof. James W. Vining, of Western Illinois University, has recently written me regarding proposals to restrict or prohibit the ownership of handguns and other weapons. Drawing upon his own personal experience while living in a South American country which did not permit its citizens to possess weapons, Professor Vining tells of the potentially grave situation which awaits the nation which attempts to curb the symptoms of crime rather than its causes.

I include Professor Vinings' letter in the RECORD so that others may read and ponder his grim warning:

AUGUST 2, 1969.

Hon. PAUL FINDLEY,
U.S. House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE FINDLEY: Like most, I too seldom take advantage of the opportunity to express my opinion on crucial issues to my elected government officials. Recent news, however, prompts me to this action.

Dr. Milton S. Eisenhower, chairman of the National Committee on the Causes and Prevention of Violence, has reported to the President, as you know, that "ownership of handguns by individual citizens is so dangerous that is must be national policy to eliminate them." The suggestion of such a policy understandably causes alarm to millions of Americans who keep hand guns in their homes for protection of family and property. My wife, alone much of the time, feels a certain sense of security knowing that there is a gun in the house with which she could defend herself against would-be robbers or rapists.

Home defense, however, does not necessitate hand guns, as I am sure Dr. Eisenhower is quick to point out. Shotguns and rifles would suffice almost equally as well. What frightens me, however, is the possibility, no, probability, that the elimination of hand guns would be only the first step in the disarmament of the population. Does not the Constitution grant all citizens the right to bear arms? Though the Supreme Court might uphold the constitutionality of the elimination of hand guns, such elimination would obviously be a violation of constitutional intent.

I have had recent research experience in a South American country with a disarmed population: Guyana. Crime is rampant; honest people stand by defenseless and watch the criminals, who are armed, of course, steal their crops and cattle. Because I thought my personal safety would be in jeopardy, I violated Guyanese law by carrying a concealed weapon. It was lucky for me that I did, for with it I foiled a plot to rob (and possibly murder) me.

So when self-preservation is at stake, you see, the honest citizen may become a lawbreaker. Outlaw hand guns—and tens of thousands, perhaps hundreds of thousands, of honest citizens will become lawbreakers as they retain and secret their guns.

If there should be anything you can do to prevent such a development, I urge you to do so.

Sincerely yours,

JAMES W. VINING,
Professor, Western Illinois University.

DO NOT LET THEM BE FORGOTTEN

HON. JOHN N. HAPPY CAMP

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. CAMP. Mr. Speaker, I welcome this opportunity to awaken the interest of my colleagues to the plight of our servicemen who have either been captured by the North Vietnamese, and are now prisoners of war, or are simply listed as missing in action.

Human decency demands that something be done in behalf of these men and their families. This is not a partisan cause. This is not a subject that divides us into hawks or doves. Regardless of your beliefs regarding our involvement in Vietnam, no matter what your views on how to best terminate this conflict, we must all stand united in the support of these men and their families.

The parents, children, sweethearts, and friends of these brave men listed as either POW's or missing in action are enduring a veritable Gethsemane. Many of them have loved ones who have been missing for over 3 years, and their anxious hearts wait daily for some news—good or bad—but some news. This is the cruelest sort of punishment, and we must never cease in our efforts to relieve them of this heavy and wearisome burden.

Hanoi stubbornly refuses to even so much as publish a list of our men held as prisoners of war. Thus we are unable to determine with any degree of accuracy the exact number or the names of the prisoners being held. Also, our peace negotiators have been unable to learn anything concerning their physical or mental well-being. We do not know, but more important, the families and loved ones of these men do not know, which of those men listed as missing in action are now prisoners of war, or were killed in action. And, of course, no one knows the present condition of those who are prisoners. The ordeals of the *Pueblo* crew, however, raises the worst of fears in our minds.

I have in my office, as I am sure all of you have in yours, a picture of a handsome little boy, 2½ years old. He has never seen his daddy, who was shot down over North Vietnam. He does not know if he is a POW or if he was killed in action. This terrible doubt must be put to rest. The anxious vigil must be mercifully ended for those many thousands if all hope is truly gone. This oppressive fear of the unknown must be speedily removed in order for thousands of anxious hearts to beat afresh if hope still remains.

Words alone avail nothing. We must act. I propose that we, as Representatives of all the people of this Nation, embark on a massive communication to the Hanoi delegation in Paris, expressing our dissatisfaction and urgent concern on this matter. Hanoi has capitalized on the division of American public opinion on this war, stalling and delaying peace talks in the hope of winning at the peace table what she has failed to take by military action. It is clearly manifest, therefore, that Hanoi is very much responsive to American public opinion. We can utilize this to the advantage of the men now being held captive.

I urge each of you to immediately send a telegram or letter to the Hanoi delegation at Paris. Let the North Vietnamese know, let all the world know, that we are over 200 millions of people, as one voice, demanding humanitarian treatment of our servicemen captured in battle. We must also emphatically demand that the list of prisoners be published. Public opinion of all mankind the world over will sustain us. We ask only for what millions of people of all nations throughout history have agreed is a basic and fundamental right of all men. Let us make all the world see that if Hanoi sincerely believes that she is fighting for a cause that is just and right, she must prove it by waging that war in a manner that is just and right.

We have summoned these fine young men to battle; they responded willingly and marched bravely to the conflict pre-

pared to lay down their lives for this Nation, for you and me. If a merciful God has spared them, we must sustain them. We can do no other.

MAY WE CONTINUE TO LAND?

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. KLEPPE. Mr. Speaker, I invite the attention of my colleagues to these thoughtful and inspirational remarks by President Clair T. Blikre of the North Dakota School of Science, Wahpeton, N. Dak., at the International War Veterans' Alliance Banquet in Fargo, August 2, 1969:

Officers, Directors, Other Platform Guests, Fellow Veterans, Ladies and Gentlemen: It is indeed a real privilege to visit with you wonderful people tonight, for without question you are the *kind* of people who have proved your willingness to pay the *supreme sacrifice*. In addition, as exemplified by this Alliance and your Annual Meetings, you readily understand that "As a man thinketh in his heart, so he is, and that a common bondage perpetuates good-will and friendship!"

It is most obvious these days that "man's relationship to man" is the greatest problem facing man. Thus, this Annual Meeting, between the Veterans of two great countries, stands as a *symbol* of what can be achieved where there is a *will!*

As I visit you tonight, I am mindful that a few short months ago one of the greatest *military* men of all time passed from the scene, and while his military record will always stand as a symbol of greatness, his personal attributes will forever remain as a symbol of that for which America stands! Here was a man who exemplified, throughout his entire life, by his every act, that "As we aspire, so must we help to achieve."

On that day in which the newscasters recalled the heroic deeds of this General, my mind also focused on the great progress that has been made throughout the world and in particular in the U.S. (and Canada) between this man's early days at Abilene and until his final return!

On that day I also reflected about this country, and could have included Canada, too:

What a glorious country;

What an opportunity for man if he wills it;

How blessed we are;

Will man get hold of himself before it is too late and really understand that life is to be used, for good, not only for ourselves but for others; not only in a materialistic way, but in a truly SOCIAL, MORAL, and SPIRITUAL manner; and

Will we, finally, use the great scientific and technological advancement for a "better way of life" for all—or will we continue to misconstrue the "good life" with material wants only?

While we have witnessed much in our day, climaxed by Apollo 11 successfully landing on the moon from the Planet Earth, the future will:

Become ever—increasingly scientific, technical—It will be:

Characterized by speed—*computer* will play ever important role;

Crowded with people, who must have a *skill or trade* to secure a job;

Considerable *free* time.

Thus, the implications are clear: We must prepare ourselves for the world of work, but equally as important—"to do unto others as we would have them do unto us."

Well, what do we see today? We see a land of "unlimited potential" that: literally rebuilt Europe; installed mechanical hearts, and circled the moon; then landed.

A land SOME SAY, that sets its priorities on the military, on science and technology, but at the expense of human and social needs!

As we study the pages of history, we are mindful that most great civilizations of the past have succumbed to deterioration from within rather than to attack from without! The problems of the ghettoes, crime, and domestic unrest are so critical that they justify "going to war," not in the literal sense, but to direct our skill, resources, and energy, to mobilize and generate a "new will,"

To affirm in minds of all men the *equality* of races;

To provide for equality of opportunity;

To provide for educational opportunity; and,

To ultimately end poverty by providing: relevant education, applicable jobs, livable homes, individual respect—(worth, dignity as human beings), and care for those who cannot care for themselves.

Is this possible? Yes, have we not proved in this country that we can achieve about anything?

1. We must rise above the purely personal, local self-interests and be as equally concerned and involved with the problems of State and Nation.

2. We must be helpful partners, not barriers to reform.

3. The Nation must use its power for *creative* rather than destructive ends; however, it must also maintain its military strength so that it can continue to negotiate from *strength—not fear!*

4. The Nation must use its *material* wealth to ease the material needs of others.

5. We must re-new among the young and old, a real understanding and appreciation of the American way of life.

We become so enmeshed in our own lives, in our times of tribulation and struggle, that we are prone to forget the Price that has been paid to bring our country(ies) to its present state.

We are prone to forget that each generation has either had to resolve anew the abiding issue of our free society, or has had to reaffirm with *blood* and *national treasure* the depth of our commitment to the ideals we profess.

We have all inherited so much from those who went before us, but as we travel through the fortunes of life, we tend to take all this for granted. It is well for us to be aware of the price that was paid and to emphasize to each new generation the fundamentals upon which our country(ies) is founded.

Daniel Webster expressed it well when he said, "That past is at least secure."

But, is the past secure in the minds and hearts of all our people? To the extent that the memory of a great and glorious heritage becomes dim, so are our efforts to secure the blessings of freedom for our children crippled.

Our nation does, in fact, grant so much freedom to the individual and leaves so much to his own individual judgment and self-discipline that it depends more than other governments upon the willing allegiance of its citizens.

If our people ever lose their implicit faith in our country, its ideals and its goals, we shall no longer be able to act as a Nation; we shall have broken faith with the tens of thousands of Americans who have died to preserve our freedoms; and we shall know that the American people have lost their conviction in their great destiny. Thus, we must *understand* and *remember* the fundamentals and uphold this practice against all comers so that we do not betray our past or sacrifice the present!

You might ask—"Well, what are the elements of this "great and glorious heritage?" What is it that all should understand so *all* are truly protectors of the faith and defenders of the freedom, so that those who are here today or who come tomorrow will have that *solid foundation* to withstand the winds of strife?

In our Nation's history, there are tales of great men who surmounted great odds; of awesome battles won with terrific sacrifice. And, there are certain documents that tell the real story, that constitute the undisputed creed of our country; that should make us all proud, and commit our lives, as so many have also done before us—to defend, to uphold, and to help develop for those who follow. I am sure that Canada has a corollary for each document discussed.

Let us look at selected documents that we should all understand, and that we should use as our *inspiration*; namely:

1. *Mayflower Compact:*

A. Here was a unanimous and personal assent by all the individuals of the community to the Association by which they became a Nation;

B. The colonists pledged to enact *just* and equal laws and to obey these laws with all due submission and obedience;

C. Planted the first permanent independent settlement in the New World (Pilgrims):

D. Pointed way to equal rights and common duties.

2. *Declaration of Independence:* (drafted by Tom Jefferson at 33).

A. It marked our people's escape from a repressive power which would not allow us to govern ourselves;

B. It united colonists as they had never been united;

C. It knocked the fence-walkers off their fences and inspired average men to face uncommon dangers and hardships for the cause of liberty;

D. It remains single most influential document in the world for it signaled the concept that governments derive their powers from the consent of the governed, and that supposedly, the government is the servant of the people.

3. *Bill of Rights:* (Counterpart, the Ten Commandments)

A. Commanded that the government shall not infringe certain rights which belong to the people.

B. Laid down the rules on a vast range of matters of highest important and complexity.

C. *Laid down four basic Principles:*

(1) Representative government—people rule themselves by choosing their representatives.

(2) Dual form of government—*U.S. Citizen* and of a *state*—states make laws in harmony with Constitution.

(3) Guarantee liberty through limitations on powers of government.

(4) Independent judiciary closely linked to doctrines of limitations on and separation of governmental powers.

(5) Implied: "God governs in the affairs of men."

4. *Farewell Address of George Washington:*

A. Warned against all influences toward disunion.

B. Counseled to respect legitimate authority of the Union and for laws enacted.

C. Signaled need for *respect* for authority, *compliance* with laws, *acquiescence* for measures of Constitution.

D. Felt that nothing was secure if people failed to be sincerely *religious*. He believed that *God* ruled in affairs of men, and that prayer, joined with determined effort, is answered.

5. *Star-Spangled Banner:* (official National Anthem—Mar. 3, 1931).

A. Words inspired by valiant defense of our own shores.

B. Exalted flag which represents in plainest form those freedoms we deem God-given, the heritage of our people, the foundations of our institutions, and the motivations of our government.

C. Has no other character than we give it from generation to generation.

D. Signifies the spirit of a people set on defending their homes, their loved ones, and their freedom from the tyrant's hand.

6. *Abraham Lincoln's Second Inaugural Address:*

A. Gospel of true Americanism, given during last weeks of tragic Civil War.

B. Asked God for strength and courage for right to prevail, to finish work we are in, to bind up Nation's wounds, and secure a just and lasting peace.

C. Here was a man, who in the worst times which have ever afflicted this land, beset by *hate* and fear, bigotry and intolerance, terror and death, kept his head, a man who returned to the fundamentals, who turned to God:—so

Think of Lincoln, and take heart!

7. *Woodrow Wilson's document—"The Road Away from Revolution":*

A. Warned against selfishness and materialism.

B. Challenged our churches, political organizations, and men in all walks to cultivate a *spirit of service* and to *cooperate in understanding* and *meeting* the *needs of the people.*

C. "Our civilization cannot survive *materially* unless it is redeemed *spiritually.*"

8. *General MacArthur's address to his countrymen on occasion of Japanese surrender in Tokyo Bay, Sept. 2, 1945:*

A. "Today guns are silent; a great tragedy has ended, a great victory has been won—the Holy Mission has been completed."

B. He said, "We have had our last chance to achieve a lasting peace—we must *improve human character that will synchronize with our matchless advances in science, art, literature and all material and cultural developments.*—It must be the *spirit* if we are to save the flesh, for military alliances, balance of power, even League of Nations has failed."

The central thread prevailing throughout is that our "Republic and democracy does not constitute merely a mechanism of government, but rather the *Concept* 'that it is man's nature to be *free* and it is the purpose of government, which is organized only because of society's needs, to serve man's freedom!' "

"Keep the faith, and God willing, we shall not lose the future; but let us ever bear in mind that 'our government will endure only as long as the ideas of the men who founded it continue dominant.' "

But, has not each generation questioned the older? Thus, we who are pegged as the older generation must hear out our youth if we expect them to hear us! We must talk with them as well as to them. We need to *demonstrate* to our young *men* and *women* a steadfastness to those enduring and persisting ideals that have made our country great!

1. We need courage to say "No" and the fortitude to make it stick.

2. We must set by example and word that we do not have rights that supersede duties; that we must defend our country, not destroy it; and that we cannot, outside the framework of our government, be ourselves the arbiters of our laws; that ours is a government of *consent*, not *dissent*. Our young tend not so much to defy as to emulate their elders!

3. We need to understand that: "Men are men before they are lawyers or physicians or manufacturers; and if you make them capable and sensible men they will make themselves capable and sensible lawyers and physicians." (John Stuart Mill)

It is right to ask then, "What kind of citizens do we need to continue to build our great country(ies)?"

We must develop citizens who:

1. Understand and can live, cope with world of change;

2. Sense the emerging environment;

3. Understand, respect, and appreciate self and others;

4. Be a Great Citizen—with proper appearance, attitude, attendance, and application.

I am fully aware that each of you is a *concerned* and *involved citizen* of our respective countries! However, we must proceed as involved leaders, because an increasing number of quality leadership must prevail. These kinds of qualities will determine not only the destiny of man but the destiny of our great countries.

Surely, if man can reach the moon, he can conquer the material problems on planet Earth. Surely, man who can do all this can learn to live with man! It is merely a question of priorities! However, we must understand that it will be a difficult task, for man can control machines—they are cold, unemotional, and predictable for they do as they are prepared to do! Whereas man is emotional, has feelings, and is sometimes unpredictable!

And, so I commend you—the membership of the International War Veterans' Alliance, who fully understands that while we are not immune from strife and turmoil, we can assure our position by *alliance,* by partnership, by co-existence.

As I look out among this wonderful audience, I see in you, and in the vast majority in our countries like you, the kind of people so necessary in our day!

Thus, I see a day when we will walk out of the tunnels of tyranny into the bright lights of freedom for all—a day when all men will be judged on their ability and desire, when men will realize that it is time to re-kindle the allegiance and commitment of our people and a day when most men will fully realize that without people we can do nothing, but with people we can do everything!

The International War Veteran's Alliance is an outstanding example of what can be achieved! May we continue to set that kind of an example for all to follow, so that all understand that we build from a solid foundation, and that by hard work, service, and fellowship we can build for a better tomorrow—but, we *must* all understand that:

"It's not what you do when you are old,
Tomorrow, next week, or next year;
But it's what you accomplish or finish
Before night's shadows draw near.
"For nothing is gained on the morrow,
For work then no one draws pay;
So we should accomplish or finish
All that we can do every day."

A REAPPRAISAL OF THE MOST CONTROVERSIAL EDUCATIONAL DOCUMENT OF OUR TIME

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. RHODES. Mr. Speaker, the House of Representatives recently voted 293 to 120 to add $1.1 billion to the education budget requested by President Nixon. This action was taken on the grounds that the quality of our educational system is directly proportional to the amount of money we spend on it.

This assumption, which seems reasonable enough on the surface, has been the subject of a considerable body of scholarly criticism. It was first challenged in a study under the auspices of the Department of Health, Education, and Welfare, headed by James S. Coleman, a distinguished member of the faculty of Johns Hopkins University.

The Coleman report of 1966 concluded that there is little correlation between the imput of money and manpower into the schools and the output in terms of educational achievement. Needless to say, this novel conclusion has been extensively debated in academic circles since that time.

Christopher Jencks, of the Harvard Graduate School of Education faculty, has reassessed the soundness of the Coleman report in light of the developments and discussions of the last 3 years. He concluded in a recent issue of the New York Times Magazine:

Variations in schools' fiscal and human resources have very little effect on student achievement—probably even *less* than the Coleman report originally implied.

Mr. Jencks also states that his conclusions, and those of the Coleman report "deny that the achievement levels of large numbers of disadvantaged children can be appreciably enhanced by spending more money, hiring better teachers, buying new textbooks or making any of the other changes that reformers normally advocate."

This is a startling conclusion. While I am not in complete agreement with the points raised in the 737-page Coleman report or, for that matter, Mr. Jencks' article, I think that Congress cannot continue to appropriate virtually unlimited funds for education without at least an awareness of what a responsible body of educators have to say about the cause and effect relationship between money and educational quality. I commend Mr. Jencks' article to those interested in learning of some rather surprising yet responsible observations concerning our educational system, as follows:

A REAPPRAISAL OF THE MOST CONTROVERSIAL EDUCATIONAL DOCUMENT OF OUR TIME

(By Christopher Jencks)

Three years have passed since James Coleman and his colleagues issued their now famous report on "Equality of Educational Opportunity." Virtually unnoticed at the time of its publication, this 737-page monograph has since become the best-known and most controversial piece of educational research of our time.

Like a veritable Bible, the "Coleman Report" is cited today on almost every side of every major educational controversy, usually by people who have not read it and almost always by people who have not understood what the authors meant when they wrote it. It has been used to support arguments for increasing integration in the schools—and to buttress the position of those who would accept segregated schools with community control. It has been cited as evidence that what black children need is good teachers—and as proof that such increases in per pupil expenditure will not close the educational gap between black and white.

The report has also inspired a growing body of scholarly exegesis, interpretation and criticism, so that anyone who wants to know what the report "really" proves must now plow through not only the baffling charts and tables of the original document but dozens of subsequent critiques and reanalyses, most of which are available only in mimeographed

form to the cognoscenti. The time has clearly come for a reappraisal.

The Coleman Report was a political football from its very inception. Like much American social science, it was initiated in order to avoid confronting a difficult political problem. In the summer of 1964 Congress had decided to pass a civil-rights law which was expected to end *de jure* school segregation in the South by cutting off Federal funds from segregated systems. The question inevitably arose: what about *de facto* segregation in the North? The expedient answer was that the Commissioner of Education should investigate the problem and report back in two years.

After nearly a year of bureaucratic squabbling and indecision in the U.S. Office of Education, Commissioner Frank Keppel decided to conduct an "Equality of Educational Opportunity" survey. The survey, theoretically covering nearly a million pupils in 6,000 different schools across the nation, was carried out in the fall of 1965. Prime responsibility for planning and analyzing it fell on James Coleman, a distinguished sociologist from Johns Hopkins University with a long record of interest in both education and survey research.

Coleman expected the survey to demonstrate three rather conventional propositions:

1. Nonwhite pupils, North and South, usually attend different schools from white pupils.

2. Nonwhite schools usually have less adequate facilities, inferior curriculums and worse teachers, as well as less affluent and academically adept student bodies.

3. Because they attend those inferior schools, nonwhite pupils learn less than white pupils.

The survey confirmed the first proposition. Black and white pupils are seldom in the same schools, even in the North. Not only that, but the black pupils do learn much less than the white pupils, at least judging by standardized tests of verbal and nonverbal skill, reading comprehension, arithmetic skill and general information. The typical black first grader scores below about 85 per cent of white first graders. This relative disparity persists throughout elementary and secondary school, and thus the absolute difference between black and white children grows wider as they grow older. A 6-year-old who scores below 85 per cent of his classmates is about one year behind, while a 16-year-old is more than two years behind.

The survey did not support the second proposition, that black schools spend significantly less money per pupil than white ones, have substantially larger classes, get worse trained and less experienced teachers, operate in more antiquated and crowded facilities, rely on less adequate textbooks and equipment and so forth. On the contrary, the survey uncovered only one major measurable difference in these items between black and white schools: the black schools had more black teachers. This means that the black children's teachers also come from poorer homes and do worse on tests of academic ability. Black schools in the urban North also tended to have somewhat older buildings and smaller play areas. In other respects, however, black and white schools proved surprisingly similar. Later analyses, while largely confined to Northern urban elementary schools, have shown that schools which serve rich and poor children also have quite similar facilities, curriculums and teachers.

How could the conventional wisdom have been so wrong? The apparent answer is that claims of discrimination have usually been based on the obvious contrast between Northern ghetto schools and white schools in a few affluent nearby suburbs or in the city itself. In most (but not all) cities, the black schools get short-changed. What all such comparisons evidently ignore, however, is the fact that most white Americans live in smaller (and poorer) cities and towns, where the school facilities, curriculum and teachers evidently leave almost as much to be desired as they do in the big-city ghettos, where most blacks live.

More important, even, was the report's conclusion on the third proposition, the expected cause-and-effect relationship between inadequate school resources and low student achievement. In fact, neither black nor white children of a given family background did significantly better in schools with high expenditures, large libraries, accelerated curriculums and so forth. Coleman and his colleagues believed that pupils did slightly better in schools with experienced and articulate teachers, but even this difference was surprisingly small—and the evidence supporting their belief has subsequently proved to be rather shaky.

The report suggests—though it does not state in so many words—that black children clearly get less satisfactory schooling than white children in only one major respect. If a child happens to have a black skin, the odds are very strong that he or she will end up with classmates from impoverished homes and a plethora of learning and behavior problems. A child who attends such a school may be short-changed even if it has first-rate facilities and teachers. Most black sixth-graders, for example, attend schools in which the majority of their classmates are reading at the fourth- or fifth-grade level. This means that even if a black child has the ability to read at sixth-grade level, he will probably not be pushed to do so. The instruction in his classroom will be aimed not at him but at the laggard majority. Furthermore, there is reason to believe that children learn more from one another than from their teachers. If black children attend schools where this "informal curriculum" is based on a vocabulary half as large and on concepts far less abstract than in a white school, their chance of developing academic skills is reduced.

Coleman and his colleagues were extremely anxious to determine whether individual achievement was dependent on a school's social composition. After analyzing their data, they concluded that it was, but that a child was influenced by his classmates' social class background and aspirations rather than by their race. This implied that a poor black child would *not* benefit from attending school with poor white children, but that he *would* benefit from attending with middle-class children, black or white. Coleman and his colleagues also tentatively concluded that black children were more sensitive to peer influences than white children. This implied that a black child would benefit substantially from integration, while a white child would suffer very little. The apparent effects of integration were always small, however, relative to over-all differences in achievement between races, socio-economic groups and individuals.

If differences between schools do not account for most of the observed differences in achievement, what does? By far the most important factor measured in the survey was the ethnic and socio-economic background of the individual child. In addition, there is a strong association between children's achievement levels and their attitudes. Among black children in particular, there is a marked relationship between their achievement and their personal sense of control over their own destinies. Yet even when family background and attitudes are taken into account, more than half the variations in individual achievement remain completely unexplained. Whether this reflects unmeasured genetic differences in aptitude or unmeasured differences in environmental influence is a matter for speculation. One thing it did not seem to represent, however, was unmeasured effects of differences between school environments. The survey showed that the differences between the best and the worst pupils in the same school are invariably far larger than the differences between the best and the worst schools. Indeed, eliminating all school-to-school differences would only reduce the total variation in achievement by about 20 per cent. This does not definitely prove that schools have no role in generating inequality, since there could theoretically be systematic discrimination against certain kinds of pupils within most schools. Still, it is hard to believe that within-school differences play a large role in inequality when between-school differences play such a small role. Coleman and his colleagues therefore concluded that the major reasons for unequal academic achievement must lie outside the school.

This brief summary of the Coleman Report's major findings hardly does justice to the voluminous text, but it does suggest why the report became a major focus of political debate. The report was published at a time when America was vacillating between two different strategies for helping the disadvantaged. Some people advocated racial and socio-economic integration of the schools—and of the larger society. Others argued that integration was unattainable, undesirable or both; the only realistic strategy was to accept segregation and make black schools as good as white ones. The Coleman Report implied—though it did not say explicitly—that *neither* strategy would help achievement much. But insofar as anything was likely to work, the report seemed to indicate that integration was a better bet than what had come to be called "compensatory" education. Yet at the same time the finding that parental interest and pupil attitudes were strongly associated with achievement seemed to give oblique support to those who believed that parental participation and/or control over all-black schools might make a critical difference to student achievement.

The report's conclusions were inevitably subjected to stringent and sometimes extravagant criticism. The report had been prepared in great haste to meet the Congressional deadline, and the authors had had no time to examine many obvious objections to their tentative conclusions. Skeptics have been able to offer a variety of speculative reasons why the report's conclusions might be wrong, and those who have political reasons for wanting to discredit or ignore the report have naturally found such speculations very persuasive. For the past two years I have been part of a group of Harvard social scientists trying to determine whether any of the hypothetical objections to the report's conclusions are actually correct. My judgment is that the report's broad conclusions were sound, even though many of its specific methods and findings were wrong.

One common criticism of the survey has been that more than 10 per cent of the school districts in the original sample refused to cooperate, including such major cities as Chicago and Los Angeles. Some districts evidently feared that the Federal Government would use the survey to prove they were discriminating against minority groups. Other districts—especially those being sued for *de facto* segregation—feared that minority groups would get hold of the survey results and use them in court or in the press. Some districts also feared that simply asking questions about sensitive racial issues might stir up trouble in the schools. In addition, many schools in nominally cooperative districts failed to return data because it was too much bother or perhaps—a more serious matter—because they had something to hide. As a result, complete returns were

received from only about 60 per cent of the schools in the original sample.

There were clearly some small differences between participating and nonparticipating schools, and selective participation may well have led to a slight underestimate of the qualitative differences between black and white schools. But there is no reason to suppose that nonparticipation led to an underestimate of the relationship between school quality and student achievement. It hardly seems likely, for example, that the dynamics of education in Chicago and Los Angeles, which refused to participate, differ significantly from Detroit and San Francisco, which agreed to do so. On the contrary, the dynamics of education are probably much the same in one big city as in another. The problem of nonparticipation is therefore probably a nonproblem.

A second criticism of the survey has been that the information provided by the superintendents, principals, teachers and pupils in the sample schools may not have been accurate. This criticism arose largely because of doubt that black children's teachers and facilities could really be the equal of those given white children. Since the Office of Education made no site visits to check up on the accuracy of replies given by principals and teachers, no definite answer to this charge is possible. Data supplied by state departments of education suggest, however, that the principals' replies about facilities were probably fairly accurate. Direct interviewing of parents in two communities likewise showed that most (though not all) of the pupils' responses were reasonably accurate. And the replies of principals, teachers and students to similar questions show a fairly high level of internal consistency for most "objective" items. On the other hand, questions which involved subjective judgment of any kind did *not* elicit internally consistent answers. The results of such subjective "attitude" questions must therefore be treated with great caution.

A third criticism of the report has been that the authors should not have concentrated on the determinants of verbal ability to the exclusion of reading, mathematics and general information. Those who believe that black people are peculiarly "nonverbal" have even argued that the decision to stress verbal ability was fundamentally racist. Unfortunately, black children did as badly on the tests of other abilities as on the verbal tests. Furthermore, while some individual children did well on one test and badly on another, schools as a whole either did well on them all or badly on them all. A Northern urban elementary school's mean verbal score, for example, correlated almost perfectly with its mean reading and math scores. Under these circumstances it hardly matters which test we use to measure overall school achievement.

A fourth line of attack on the report has been more technical. The authors of the report employed a number of dubious statistical techniques and made a variety of mechanical errors in handling and labeling their data. But they also recognized that such errors were likely, given the extreme haste with which they worked, and they were generous in helping others reanalyze the data more meticulously. These analyses have shown that while the report's broadest conclusions were correct, many important details were wrong. In particular, and contrary to what some critics have argued, the net effect of the report's various errors was to *under*-estimate the importance of family background and *over*-estimate the importance of school in determining achievement.

A fifth criticism of the report has been that the authors made unwarranted causal inferences from their one-shot survey, which by its very nature could reveal only patterns of association rather than prove causation. Two examples illustrate the problem.

The report uncovered a strong association between teacher verbal ability and student achievement in secondary schools. Though they listed a number of qualifications, the authors concluded that able high school teachers probably boosted student achievement. Yet the report's data could equally well lead to the conclusion that school systems were assigning able students to schools with able teachers, or that they were assigning able teachers to schools with able pupils. Since we know from experience that both practices are widespread at the secondary level, it seems rash to assume that there need be any direct causal link between teacher ability and student achievement to explain the observed association between the two.

Fortunately, these problems are far less serious at the elementary level. Students are allocated to elementary schools largely on the basis of residence, race and social status, all of which were measured in the survey. With luck and ingenuity the effects of such allocation can be discounted and the effects of various school characteristics can then be estimated. Since there is little evidence that student transfers at the elementary school level are based on ability (as distinct from family background), the mean achievement of first graders entering a given elementary school can also be used to estimate the mean initial ability of sixth graders in the same school. With these precautions, causal inferences are considerably safer than at the secondary level; and when these precautions are taken, it turns out that facilities, curriculum and teacher characteristics are even less important than Coleman and his colleagues supposed. A student's peers may, however, have a modest effect on his achievement.

Another instance of ambiguous causation was the association between attitudes and achievement. The survey showed, for example, that students who did well on achievement tests were more likely to say that their parents expected them to go to college. The authors concluded that parental expectations probably had an important influence on children's achievement. Yet it would be equally reasonable to conclude that children's achievement had an important influence on their parents' expectations. Most parents know that if their child cannot read competently, he is unlikely to attend college, and the child is likely to be aware of this attitude and report it when asked. This same difficulty arises with all the report's inferences about the effects of attitudes on achievement.

What, then, is the present consensus about the policy implications of Coleman's survey? The answer is that no consensus exists, even among experts. My own judgments are as follows:

(1) The resources—both fiscal and human—devoted to black and white children's schooling are not dramatically different, except perhaps in certain parts of the South. Nor do we devote substantially greater resources to educating middle-class children than to educating lower-class children.

(2) Variations in schools' fiscal and human resources have very little effect on student achievement—probably even less than the Coleman Report originally implied.

(3) The report's assertion that peers have a consistent effect on achievement may or may not be correct. My guess, based on available data, is that peers do have an effect, but that it is relatively small.

None of this denies that unusually dedicated and talented individuals can create schools in which initially disadvantaged children learn a remarkable amount. But it does deny that the achievement levels of large numbers of disadvantaged children can be appreciably enhanced by spending more money, hiring better teachers, buying new textbooks or making any of the other changes that reformers normally advocate.

If improved student achievement is our goal, the Coleman Report's implication is obvious: we must alter the whole social system rather than just tinker with the schools. There is plenty of evidence that major changes in a child's social and cultural environment will affect his intellectual development, often dramatically. Bruno Bettelheim and others have chronicled the impact of the Israeli kibbutz on hitherto deprived North African and Yemenite Jews. Here in America we know that children raised on Long Island do far better, even in first grade, than those raised in Appalachia. Similarly, children raised in Jewish homes do better than those raised in Christian homes, even in the same city. And the World War II draftees who grew up in the America of 1917–1941 did far better on standard tests than the World War I draftees who grew up in the America of 1900–1917. Intellectual skills are, therefore, not just a function of genetic differences. But neither are they a function of school differences. If the Coleman survey convinces us of that basic truth, it will have served its purpose.

Does this mean that we should simply let inferior schools rot? I think not. Good schools can make a difference—if we know what kind of a difference we want them to make.

Underlying the comments of most people who discuss the Coleman Report is the assumption that academic achievement is the most important objective of schooling, and that if school reform does not affect achievement, it is worthless. Yet despite much popular rhetoric, there is little evidence that academic competence is critically important to adults in most walks of life.

If you ask employers why they won't hire dropouts, for example, or why they promote certain kinds of people and not others, they seldom complain that dropouts can't read. Instead, they complain that dropouts don't get to work on time, can't be counted on to do a careful job, don't get along with others in the plant or office, can't be trusted to keep their hands out of the till and so on. Nor do the available survey data suggest that the adult success of people from disadvantaged backgrounds depends primarily on their intellectual skills. If you compare black men who do well on the Armed Forces Qualifications Test to those who do badly, for example, you find that a black man who scores as high as the average white still earns only about two-thirds what the average white earns. Not only that, he hardly earns more than the average black. Even for whites, the mental abilities measured by the A.F.Q.T. account for less than a tenth of the variation in earnings.

With these observations in mind, go visit a slum school and ask yourself what the school is actually doing. You will usually find that it seems to share the employers' priorities. It devotes very little time to academic skills. Instead, the teachers spend their days in a vain effort to teach the children to behave in what they (and probably most employers) regard as the proper way. The teachers' ideas about proper behavior are silly in some respects. Nonetheless, they are probably right in feeling that what their children need first and foremost is not academic skill but such "middle-class" virtues as self-discipline and self-respect. It is the school's failure to develop these personal characteristics, not its failure to teach history or physics or verbal skill, that lies behind the present upheavals in the schools. And it is this failure to which reformers should be addressing themselves.

From this perspective the best index of a school's success or failure may not be reading scores but the number of rocks thrown through its windows in an average month.

The Coleman survey does not speak to this question.

CUBAN-AMERICAN SOLIDARITY

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. PEPPER. Mr. Speaker, the spirit of liberty which actuates our Independence Day ceremonies each year is shared by many nations and peoples of the world. An example of this common desire for freedom and national independence was evidenced in the splendid address by Dr. Jose Ramon Gutierrez on the recent Independence Day ceremonies of the Cuban-American Solidarity group in Miami.

Dr. Gutierrez is an outstanding Cuban-American and has a message which I think will be of interest to our colleagues. I insert his eloquent Fourth of July address in the RECORD, as follows:

ADDRESS BY DR. JOSE RAMON GUTIERREZ

Ladies and Gentlemen: In the course of civilization there are dates so outstanding and historically symbolic that they move us to recall them with deep emotion and reverence, even when not all belong directly to our own country's heritage.

The first of all, the greatest of all for those of us who follow Our Lord, Jesus Christ, is the Fest of the Nativity, which for us marks the beginning of our Christian civilization.

In the course of time, specially for us of the Americas, there are two other great dates: October 12th 1492 marks the discovery of our lands by Christopher Columbus, an event which gave our Western Christian civilization the glory of this New Continent; and the 4th of July, 1776, when this civilization began to evolve the American fruits of independence and liberty, offering examples of a new political life and the prodigy of this great nation.

Solidaridad Cubano-Americana and all who have been so kind as to join us for this great occasion—to honor this Fourth of July, 1776 and its valuable reminders for—as we all know—the most deeply venerated date in the history of the United States of America is "Independence Day" by which the Nation each year pays homage to the Declaration of Independence adopted by the Congress of the thirteen English colonies established in this country, which thus freed themselves from Great Britain and became the United States of America.

The Declaration of Independence is not only an inspiring political document drawn up by that great young lawyer Thomas Jefferson, only 33 years old, and unanimously approved by said Congress, but also the vigorous expression of the yearning for liberty felt by men most representative of the ideals and convictions of the said Colonies. And as Jefferson himself declared with sincere modesty "I did not consider it as any part of my charge to invent new ideas altogether, and to offer sentiments which had never been expressed before."

There is no doubt that the ideological seeds of the Declaration of Independence are to be found in the natural rights and social contract which were launched by European philosophers, but we must recognize also that it was men preponderantly born in America, who created and established, by their own initiatives a definitive political philosophy and marked the principles which led thirteen English colonies to constitute a union of states as a Federal Republic.

For this they began to gather at the Continental Congress and worked towards their objective determined to succeed. At the same time they had a great feeling of responsibility in the eyes of History and before all nations of the world.

The 2nd of July, 1776, they approved a resolution establishing that:

". . . The United Colonies are, and of right ought to be, free and independent states . . . and that all political connection between them and the State of Great Britain is, and ought to be totally dissolved."

This resolution entailed, of itself, a definite Declaration of Independence; its transcendency demanded an explanation fully justifying it to the world.

They were going to face the most powerful nation in the world, which exercised its power at that time by the force of its Army and its Fleet. Hence the document stating such a daring decision had to be equal to its enormous responsibility.

In a meeting such as ours, tonight, destined to honor the decision expressed by such a Declaration, on its anniversary day, allow us to quote from its initial words and some of their outstanding pronouncements, in a deserved homage to those who created and approved it:

"When, in the course of human events, it becomes necessary for a people to dissolve the political bonds which have connected them with another, and to assume, among the powers of the earth, the separate and equal station . . . a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation."

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness . . . when a long train of abuses and usurpations pursuing invariably the same object evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such governments, and provide new guards for their future security."

After a long and detailed account of the abuses and usurpations by Great Britain, the North American patriots ended their famous document with an Invocation to the Supreme Judge of all Beings and stated:

"That these United Colonies are, and of right ought to be free and independent states . . . absolved from all allegiance to the British crown, and all political connection between them and the state of Great Britain . . . And for the support of this Declaration, with firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes and our sacred honor."

Thus—193 years ago—the political creed which created this great nation, a creed which spread as a noble affirmation of political relief to countries of the Old World as well as the American Continent, was made known;

In England, as expected, the Declaration was severely criticized, but Thomas Paine ardently defended it in London, as he had done in the United States of America. In France De Condorcet praised it saying that it was a brief and sublime exposition of rights "as sacred as they are forgotten"; while Lafayette placed a copy in a prominent place in his home, leaving beside it an empty space to be filled with a similar declaration of rights to be pronounced in his own country.

The Declaration of the Rights of Man which Emmanuel Sieyés drew up and which figured in the preamble to the French Constitution in 1791 gathered together the principles of the North American Declaration of Independence which, fifteen years before, had been recognized and pronounced "urbi et orbi" on the sovereignty of the people, the equality of men and their inalienable right to the enjoyment of liberty.

The great Simón Bolívar, inspired by those documents, launched his great work as Liberator; Antonio Nariño, the great Columbian patriot, thought the best service he could contribute for the liberation of his country was to translate and distribute in Bogotá in 1795 the Declaration of the Rights of Man, which as we all know found one of its sources of inspiration in the American Declaration of Independence.

Our Cuban Apostle of Liberation, our own great José Martí, more than a century after the date we are today commemorating, in an article published in 1884 in "La Nación" the Buenos Aires, Argentina daily, proclaimed: "The Declaration of Independence was the genuine expression of the great spirit which animates the heroes and the spokesmen of Freedom".

For us Cubans—and, of course, for Cuban American Solidarity (Solidaridad Cubano-Americana) the Declaration of Independence is a document much venerated, the stone upon which the Liberty of our America was built; the initial thrust to make it, and may it always be, the Continent of Freedom.

It has been well known to Cuban patriots who since the beginning of the last century nurtured the same ideals of Independence.

It suffices to go back to the Cuban Act of Independence signed by sixteen patriots headed by Carlos Manuel de Cespedes on October 6th 1868 at the "El Rosario" estate, Manzanillo, Oriente Province, in which their agreement is made manifest starting the first Cuban war against Spain—coinciding with the ideology and the form of expression of the American Declaration of Independence, as you may well judge from the following brief and definitive statements:

"In open revolt against the tyranny of Spain we wish to inform the world of the reasons which determine our resolution . . . Spain rules us with blood and iron . . . So we have no other recourse save to take up arms in defence of our rights and to save our honor . . . We appeal to God, who guides our conscience and to the verdicts of all civilized nations. We aim at national sovereignty and universal suffrage. We want to enjoy that freedom for whose enjoyment God made man . . . We want to abolish slavery . . . We desire freedom of assembly, freedom of the press and freedom of conscience . . . respect for the inalienable rights of man . . . shaking off forever the yoke of Spanish rule and constituting ourselves a free and independent nation".

Patriotic documents of similar design follow the initial Cuban Act of Independence and are: the Manifiesto signed by Carlos Manuel de Céspedes as head of the revolutionary action which began on October 10th 1868, the Montecristi Manifiesto signed by José Martí and Máximo Gómez on March 25th 1895, explaining the causes and purposes guiding Cubans in both 1868 and 1895 in military action and exponents of the same

prime mover, the same ideals as the Declaration of Independence of the United States of America.

Such was not a chance coincidence nor due entirely to the geographical proximity of Cuba and the United States. It was the result of political thinking by the best men of both countries. In the course of time their histories made them peoples united by a common bond in yearning for liberty.

What is now transitionally taking place in our country, today enslaved by Russian imperialism and—already evident in America—does not refute our statement: for Cuba is not, nor can she ever be represented by this treacherous, noxious and ignorant mob rule in power today. Cuba besides the well-beloved land of our birth is tradition, religious faith and the patriotic zeal of a noble people now living in subjection but—whether in Cuba or in exile—a people undefeated and awaiting the propitious moment to deliver to our homeland new courage and our own lives, in a holocaust for the freedom and the reconstruction of our Nation.

In an annual act of homage to an event of such great historical importance Cuban-American Solidarity renews our recognition of the people and the authorities of the United States of America, their humanitarian and generous assistance shown all Cubans obliged to flee our distressed country; the reaffirming of our hope for the liberation of Cuba, stimulating Cuban faith in it and thus revitalizing devotion to work for our return; the proclamation of our indestructible ties binding peoples who have marched side by side a long time in their search for the establishment of common ideals, the attainment and enjoyment of liberty, a democratic system of government and respect for the full dignity of man, declaring that Divine Providence is creating in the pages of history circumstances in the lives of men and peoples confirming "the just laws of destiny."

In consequence with these postulates, we are heartened by the fact that Cubans and Americans alike once suffered and shook off the barbarous rigors of colonialism; that on the 11th of April, 1898, the U.S. House of Representatives and the Senate, in support of our War of Independence declared in full solemnity that "Cuba is and by right shall be free and independent"; that on October 3rd 1962 the Congress of this great Country, by a Joint Resolution, proclaimed the decision of the United States "to work for the organization of the American States and Cubans who love freedom in support of the aspirations and self-determination of the Cuban people"; and the now President of the United States, Mr. Richard M. Nixon, has already declared that Cuba is today a conglomerate of poverty, a police state which denies the people their basic rights with Castro converting one of the most prosperous nations of the Hemisphere into a center of economic destruction, having practically delivered his country entirely to foreign communism and made it the focus for outside aggressions, exporting revolution to the Hemisphere. President Nixon has declared that the United States will not accept as permanent the existence of Cuba as a Caribbean colony of Soviet imperialism.

Such renewed statements, recognizing Cuba's basic right of self-determination, are not vain words but firm conviction rooted in the consciences of free men, free people who are determining the future of mankind and they should be an adequate postulate with which to confirm our optimism.

The case of Cuba, urgently in need of a transcendent solution, is a procession which follows its most recent steps towards favorable and prompt decisions.

Following the men of the American Declaration of Independence and the Cuban Act of Independence, we trust in Divine Providence, in that Supreme Being who guides our conscience and sets the course for our lives . . . To those doubting our optimism, to those who deny our Faith or oppose the resurgence of liberty in our Country, we must always answer with the closing words of the National Anthem of the United States of America: Then conquer we must, when our cause it is just and this be our motto "In God Is Our Trust".

WATER POLLUTION ENFORCEMENT MOVE EMPHASIZES NEED FOR SUPPLEMENTARY FINANCING OF SEWAGE TREATMENT WORKS CALLED FOR IN MY BILL

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. CRAMER. Mr. Speaker, the Secretary of Interior has announced vigorous action against large-scale alleged polluters of interstate waters in Kansas, Oklahoma, Ohio, and the Lake Erie Basin.

I believe that this emphasizes once again the need for Congress to take vigorous action to provide supplementary methods of financing the construction of treatment works as set forth in my bills H.R. 12913, H.R. 13358, H.R. 13374, and H.R. 13562, which would make additional funds available if the appropriation for treatment work construction grants does not equal the full authorization and would further encourage the States to contribute to the construction of treatment works. For fiscal year 1970 my bill would make available the difference between appropriation for grants and $1 billion to be used as an additional contract authority for the construction of treatment works. This would make the full $1 billion available for the combined contract and grant program. The enactment of this financing provision into law would certainly help to alleviate some of the conditions leading to the type of pollution against which the Secretary of Interior is acting. The following is the text of Secretary Hickel's communication:

INTERIOR SECRETARY HICKEL MOVES AGAINST SPECIFIC VIOLATORS OF WATER QUALITY STANDARDS

Secretary of the Interior Walter J. Hickel today declared the Government intends to "prosecute those who pollute," as he ordered hearings on charges against a municipality, four steel companies and a mining firm accused of polluting inter-state waters in Kansas, Oklahoma, Ohio and the Lake Erie Basin.

"The people of America have made it abundantly clear that they will no longer tolerate pollution of their environment," the Secretary said.

"This administration believes this is a reasonable demand, and we have a mandate to satisfy it quickly and thoroughly. We will do this through court action if necessary, and through tough, new legislation which we will seek from Congress."

Secretary Hickel directed the Federal Water Pollution Control Administration to schedule hearings September 23 in Joplin, Mo., October 7–8 in Cleveland, Ohio, and October 9 in Toledo, Ohio, to consider evidence gathered by Department of the Interior's Task Force on Pollution Enforcement, which was created by the Secretary in July.

The Joplin hearing will review charges against Eagle-Picher Industries, Inc., a Baxter Springs, Kansas, mining firm that it is violating water quality standards for the Spring River in Kansas and Oklahoma.

The Cleveland and Toledo hearings will review charges of violations by the City of Toledo and Interlake Steel Company, on the Maumee River, and Republic Steel Corp., United States Steel Corp., and Jones and Laughlin Steel Company on the Cuyahoga River.

Both the Maumee and Cuyahoga are tributaries of Lake Erie, "one of the nation's most important bodies of water," Secretary Hickel said, "but one doomed to become a 'dead sea' if immediate and massive steps are not taken to clean it up."

"These will be the first in a series of actions to be taken against firms and municipalities charged with violating applicable water quality standards," the Secretary added.

"This is just a beginning. We intend to continue the identification of polluters all over the nation, followed by the enforcement of schedules for prompt cleanup and pollution elimination."

"Particular attention will be paid in the immediate future," Secretary Hickel said, "to identifying other sources of pollution around the perimeter of Lake Erie."

The Secretary noted that the upcoming hearings will be conducted on an informal, voluntary basis. However, if those found violating water quality standards have not taken steps within 180 days after the hearings to eliminate pollution, the Secretary is empowered to go directly to the Attorney General for the filing of court actions by the U.S. Justice Department.

In a report to Secretary Hickel, Carl L. Klein, Interior's Assistant Secretary for Water Quality and Research, and David D. Dominick, Commissioner of the Federal Water Pollution Control Administration, produced monitoring data from the Spring River and a tributary Willow Creek, indicating that interstate pollution is occurring as the result of the discharge of excessive concentrations of zinc and iron from Eagle-Picher's Paxson and Swalley mines.

"These pollutants pose a serious threat to the continued domestic uses and the aquatic life of both the river and creek," the Secretary said.

In Cleveland, investigations by the Interior task force indicate excessive discharges of pollutants into the Cuyahoga River by Republic Steel Corp., United States Steel Corp., and Jones and Laughlin Steel Company, with these discharges constituting a violation of the water quality standards for Lake Erie.

The task force also found that inadequately treated wastes discharged by the city of Toledo and Interlake Steel in the Maumee River contribute to Lake Erie pollution.

The September 23 Kansas-Oklahoma hearing will begin at 9:30 a.m. at the Holiday Inn, 2600 Range Line, Joplin. It will be conducted by the FWPCA's chief enforcement officer, Assistant Commissioner Murray Stein.

The Cleveland hearings will be held at the Sheraton-Cleveland Hotel, with Republic Steel officials to testify at 9:30 a.m., October 7; United States Steel at 1:30 p.m. the same day, and Jones-Laughlin at 9:30 a.m., October 8.

Stein will meet with officials of the city of Toledo at 9:30 a.m., October 9, and at 1:30 p.m. with Interlake Steel representatives, with both of those hearings scheduled at Toledo's Commodore Perry Motor Inn, 505 Jefferson Avenue.

CHARLES PALMER, A QUIET LEADER

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. BROWN of California. Mr. Speaker, because I know young people like Charlie Palmer, I have great faith in the future of our country.

Last week, Charles Palmer was elected the new president of the National Students Association, a position he will hold at the same time as he enters the Yale Law School. Lawrence Freinberg of the Washington Post was present at the El Paso NSA convention, and I insert his profile of Charlie into the RECORD at this point:

NEW NSA CHIEF SEEN AS FACTIONAL BROKER

(By Lawrence Freinberg)

EL PASO, TEX., August 31.—"I couldn't personally commit violence against any person," said Charles Palmer, the newly elected 22-year-old president of the National Student Association.

"But I will not come out with a blanket statement on what kind of tactics are acceptable for students to use and what are not."

"Actually, for white students," he continued, "I think the tactics that are going to work out best are those which do not alienate people but that does not mean that we'll lie down and play dead. Frankly, even if the leaders advocated lying down, I think students wouldn't allow it."

With these somewhat ambiguous statements and a call for moderates to stay united with the student left, Palmer was swept into NSA's presidency at the group's tempestuous 22d annual convention last week.

Palmer was surprised by his victory. But in retrospect it seemed to be the only logical outcome of the decisions the convention made.

For the NSA meeting, like many of the universities which its delegates attend, was disrupted by a small militant minority—about 30 black students who seized the platform to stop the presidential election.

ARE ACCOMMODATED

NSA responded by accommodation, voting the blacks $50,000 to set up a new student organization of their own. And Palmer, essentially, was a candidate of the accommodation. Neither a left wing militant nor black himself, he "worked well" with both groups.

One friend who knew Palmer well at the University of California at Berkeley, explained, "He was a pragmatist in a radical environment—sort of a broker between the activist and the rest of us."

As student body president at Berkeley, Palmer was not at first involved with the controversial People's Park or in the protest against the withdrawal of academic credit from a course taught by Eldridge Cleaver. But when the causes were beginning to pick up wide backing Palmer stepped into support them.

"Students felt strongly about these issues," he explained. "I felt that if student government was to mean anything, it had to take a leadership role."

Since 1967, when it repudiated its ties with the Central Intelligence Agency, the NSA has been in somewhat the same position. Composed of student government organizations, it has led in none of the movements—anti-militarism, student power, drugs and black power—which have changed the nation's campuses in the past few years.

But the organization, which now has 420 member colleges, has been a crucial means of spreading change. As one of its leaders noted last week, "we've been sort of a transmission belt, carrying things from universities where things happen to places where they haven't yet."

At last week's convention most of the 11,000 delegates, alternates and student observers sounded conservative or at least nonviolently liberal before the disruption by the black militants.

Most of the 200 colleges they represented are small schools or middle-rank state universities. And few have been centers of major protest.

In fact, the only school sending delegates which had been at the center of campus ferment was the University of Wisconsin.

CAME BY HIMSELF

Palmer came by himself, without a delegation from Berkeley. There were no delegates from Harvard, which dropped out of NSA in the spring. Others missing from the convention were Cornell, Howard, San Francisco State, and City College of New York.

On Monday night before the disruption delegates seemed set to choose as NSA president Clinton E. Deveaux, a liberal Negro from New York City who is a conscientious objector to the draft but an articulate opponent of campus violence.

But after the disruption, along with fear and uncertainty, there was also considerable rethinking, and Palmer won the election by a wide margin.

"What happened Monday was an educational experience for many students," Palmer said afterward. "A lot of them were forced to stop and think. I don't believe we were operating under coercion. That's Ronald Reagan's logic. We couldn't react like the university presidents did."

Palmer also takes a tolerant attitude toward the Students For A Democratic Society. Although he is critical of their Marxism and their belief in violence, he said he would "refuse to denounce them."

"They might take a position that is right, and I might support them," Palmer explained.

"Some of my best friends are in SDS," he said, but then he quickly added, "I have friends in fraternities, too."

I have been acquainted with the Palmer family for many years; until they moved a few years ago, Charlie's parents, John and Selma Palmer, were outstanding residents of the El Sereno area of the 29th Congressional District, and I worked closely with them on numerous occasions.

Two summers ago, Charlie was a congressional intern in my Washington office, and I came to know him as a warm, extraordinarily talented, and dedicated young man.

Charlie Palmer is a quiet leader. As student body president at the University of California this past year, Charlie was faced with an almost incredible series of entanglements. Yet, not only was he able to bring a calming influence into the turmoil, but, in addition, Charlie was a major factor in uniting and coalescing the divers factions at the Berkeley campus in a force moving for positive change.

Now, as Charlie Palmer moves on to law school at Yale, and as he assumes the NSA leadership, I would like to offer my good wishes and congratulations to this outstanding young leader. It is because of young men such as Charlie Palmer that I retain optimism for our future.

BARRATT O'HARA, A COURAGEOUS LEADER

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. MURPHY of New York. Mr. Speaker, my former colleague, Barratt O'Hara, was a brave and brilliant man. In his earlier career—as a writer, soldier, lawyer, film executive and radio commentator—Barratt O'Hara displayed the same courage and intelligence that he later brought to Capitol Hill. I had the privilege to know him and to serve with him. Under the leave to extend my remarks in the RECORD. I can think of no eulogy more fitting than this glowing tribute to Barratt O'Hara which recently appeared in the Washington Post:

EX-CONGRESSMAN O'HARA DIES AT 87

Former Rep. Barratt O'Hara (D-Ill.), dean of the House of Representatives until he lost his bid in June, 1968, died yesterday at Georgetown University Hospital.

Mr. O'Hara, first elected to Congress at the age of 66 in 1948, was turned down last year by Illinois Democratic slatemakers despite his plea for "just one more term." Instead, the party backed Rep. Abner J. Mikva in the Second Congressional District primary. Mr. O'Hara, who had beaten Rep. Mikva in 1966 for the nomination, lost the primary by 13,000 votes.

He was a champion of liberal causes and the emergence of new African nations. He was chairman of the House Foreign Affairs subcommittee on Africa at the time of his defeat.

A small man with a full mane of white hair, he padded quietly around the Capitol grounds to the nearby Congressional Hotel, where he lived alone, until he was admitted to Georgetown Hospital on July 13 suffering from congestive heart failure. The immediate cause of death has not yet been determined.

He was the last congressional veteran of the Spanish-American War and he always spoke of it on the anniversary of the sinking of the *Maine* that set off the war.

In 1895, at 13, Mr. O'Hara went to Nicaragua with his father and accompanied an expedition marking the route of a proposed canal. A Panama route was chosen later.

At 15 he ran away from home to enlist in the 33d Michigan Brigade, which followed Teddy Roosevelt's Rough Riders as the second American force into Cuba. He became chief scout for the brigade and was awarded the Order of Military Merit by Cuba.

He attended the University of Missouri, became sports editor of the St. Louis Chronicle at 20, then moved to Chicago where he was sports editor of the American and later Sunday editor of the Examiner.

He went to law school, edited and published "Chicago Magazine", wrote a history of boxing "From Figg to Johnson" and at 30 became the youngest lieutenant governor in Illinois history. In this job he attracted attention with his investigation of substandard wages being paid women. A brief stint as president of a Hollywood movie company followed, then Army service in World War I, and finally law practice.

"I always wanted to be a lawyer," said Mr. O'Hara later. "There just were some detours."

As defense attorney, he tried nearly 300 homicide cases and won acquittals for more than 90 per cent of his clients. None was executed.

PRAISED BY DARROW

He was a man of great physical and moral courage. The legendary trial lawyer, Clarence Darrow, was quoted as saying, "I am envious of only one thing in the world—I wish I had Barratt O'Hara's courage."

During the depression, Mr. O'Hara did a daily radio commentary trying to help people. Once he announced that if a woman about to be evicted would meet him at a certain place he would try to help, and 20,000 people showed up, equally in need of help.

Elected to the House in 1948, he was defeated for reelection, but came back in 1952 and stayed, through the 89th Congress. Unlike many older members who prefer to sit back and listen and then vote no, Mr. O'Hara had a zest for debate and new ideas.

Once, when past 80, he leaped up so fast to answer a young speaker that he tripped over a colleague's feet and gashed his head. He was back next day with a bandage.

Mr. O'Hara was very proud of the fact that for years he had not missed a roll-call vote. His record was broken when he left town for a day when he understood there were to be no roll calls.

There was a roll call, but somehow his name appeared as being present. Rather than keep his record that way, Mr. O'Hara missed the next roll call on purpose. He missed more in 1965 when he was a member of the United States delegation to the United Nations General Assembly.

Mr. O'Hara is survived by three sons, Barratt Jr., and Lorence, both of Chicago, and Howard, of Guam, and three grandchildren. His wife, Florence, died in 1948.

A. M. CAUSEY, SPANISH WAR VETERAN NEARS 99

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. CARTER. Mr. Speaker, today I include in the RECORD for perusal by the Members the account of remembrances of A. M. Causey, one of the oldest Spanish-American War veterans in Kentucky and in the United States.

Mr. Causey, who will be 99 years old this fall, presently lives in Bowling Green, Ky. He has contributed many years to public service; and a record of such service to one's country is greatly admired and serves as an example to be followed by all. Mr. Causey's life truly portrays the spirit which has preserved our country.

The article follows:

OLDEST SPANISH WAR VETERAN NEARING 99—MEMORIAL DAY BRINGS MEMORIES TO A. M. CAUSEY OF WAR 71 YEARS AGO

(By Larry Wilkerson)

A. M. Causey sat in the kitchen of his Tenth Street home today and talked about the pleasant May weather outside as he prepared to attend Memorial Day ceremonies at the Davis-Hoffman Cemetery to honor the nation's war dead.

As he talked, his voice trailed off, he slowly bowed his head, and behind the dimming eyes, the memory of the sight and sound and smell of war in a foreign land raced through his mind like a movie seen long ago and nearly forgotten.

Causey, born Oct. 5, 1870 while wounds of a war that had split his country in half were slowly healing, is the oldest living veteran of the Spanish-American War, and the affairs of the world around him mean just as much to him now as they did over 70 years ago when he went to war.

Though his hearing is bad and a hip fracture several years ago prompts him to use a wheel chair in the house, Causey's mind is as alert as ever, and his opinions are as sharp as his tongue can be when he voices them.

He recalls the spring of 1898 vividly. In February of that year, tension was growing taut between the United States and Spain over disagreements in Cuba. On Feb. 15, the battleship Maine was blown up while on a goodwill tour to Cuba. American losses were 264 men and two officers. The explosion helped light the fuse that would explode in April, when the war was declared and President McKinley called for 400,000 volunteers to go to Cuba.

A. M. Causey was one of more than a million patriots who volunteered.

"When McKinley called, 458,157 men were put in uniform, every one of them volunteers," Causey recollects, "it was the only 100 percent volunteer army in all history."

As a member of the Third Kentucky Volunteer Infantry, Causey disembarked at Matanzas, Cuba, to begin living through nearly 13 months of that singular plague that has followed mankind since time began—war.

As an infantryman, Causey's job was to fight. He keeps no flags or medals or decorations or other mementos of the Spanish-American encounter on display in his home.

"I commanded a high position as a private," he chucked.

When the war ended, Causey returned to Bowling Green to attend the Business University and then managed the Western Union Office here for over 50 years. He retired, and went to work as proprietor of the Federal Collection Agency, which he ran until he turned 95 in 1965.

Though A. M. Causey had made his mark as a soldier and a businessman, he never sat down to rest.

His son, Dr. Kenneth Causey, recalls a tennis match with his dad on Causey's 75th birthday.

As he has aged, he has grown, perhaps, more active. Now closer to 99 than 98, Causey attends Sunday School every Sunday, Rotary every Wednesday and Senior Citizens every Thursday.

"In April of this year, I had 41 years perfect attendance at Rotary," Causey notes, the pride in his voice undisguised.

Regular attendance at meetings and a refusal to sit down and be still, however, aren't what makes Causey something of a legend in his own time.

Causey reads anything he can find to read. "I read all the time," he admits. On his kitchen table are copies of the Daily News, the Courier-Journal, Reader's Digest, National Geographic and Human Events, a Washington publication.

He frequently voices his opinions on current events in the letters to the editor columns of newspapers and, if he feels strongly about something, he'll write to the man responsible, as he did to Charles De Gaulle of France when De Gaulle ordered the withdrawal of NATO forces from France two years ago.

"I got a letter from him and a copy of a speech," Causey said.

Causey says he is "very dissatisfied" with America today.

"About two per cent of this country's young people are causing all the trouble today," he said, "and they should be punished for violating any laws that we have."

However, Causey says he thinks the trouble on campus and the "youth rebellion" are "at a peak."

"Law and order will eventually come back," he said.

Causey has his opinions on the Vietnam war and is not ambiguous in voicing them: "I think there's been no real effort to win that war. War should have been declared. The harbor of Haiphong should have been blockaded and Communist supplies stopped . . . if that had been done, the war would have been over in a few months."

If he were to be labeled by one of the two popular descriptions of those who express an opinion on Vietnam, Causey would be a hawk, who remembers declared wars and all-out fighting and victory.

"In World Wars I and II, the civilian population was given little consideration . . . no instruction has been given to destroy the cities of North Vietnam."

Commenting on the country's leadership since Vietnam has been a major issue, Causey said of former president Lyndon Johnson, "He was an honest man—but he was badly advised by Communist sympathizers in the state and other departments."

The life-long Republican, whose father voted for Abraham Lincoln, has quick praise for President Richard Nixon: "He's making the grandest president we've ever had, up to now," points out Causey, who has lived under the administrations of 18 presidents.

In spite of campus unrest, and undeclared war that still drags on, the generation gap, high taxes and inflation, Causey is not giving up on America.

"We've got the grandest country on the face of the earth," he said.

Causey was asked if he felt the country was worth fighting for as much as it ever was.

"Yes," he said, as the clock chimed, reminding him of his planned trip to the memorial services, "I really do."

The veteran paused and frowned slightly, as if he had almost forgotten what he was going to say.

"Freedom," he remembered, as the final chime rang out.

SECOND CONGRESSIONAL DISTRICT OF NEW YORK OPINION POLL

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. GROVER. Mr. Speaker, this year, as in the past, I have undertaken to poll my constituents on a number of issues vital to our great country on the national and international level. The questions, necessarily, were limited in number, and for the greatest accuracy in tabulation this year, the poll was electronically computed. I am pleased to report to the House the results of this questionnaire in which over 16,000 residents of New York's Second Congressional District expressed their opinion. Thousands of those responding wrote excellent letters with interesting comments and suggestions on the questionnaire and its issues, and on a wide variety of other matters of mutual concern.

Generally, my constituents applaud this effort to communicate with them. Some criticize it constructively, and only a few thought it of little value. In my experience, Mr. Speaker, perhaps the most important byproduct of such an opinion poll is its prompting a dialog and exchange of views between me, as the Representative, and thousands of citizens whom I represent. I am sure the question card also gave rise to serious and perhaps controversial discussion of its critical issues in many more than the 16,000 homes which returned a card to

me for tabulation. This is a healthy happening for our democratic process.

I shall not at this point, Mr. Speaker, try to interpret the overtones or meanings of the varying percentages in the results of the poll, but will rather leave it in its objectively computerized form for the further comment and interest of my alert and enlightened constituency.

The results are as follows:

OPINION POLL FROM SECOND CONGRESSIONAL DISTRICT OF NEW YORK

1. Do you favor legislation limiting the number and type of questions to be asked in taking the 1970 census?

Yes	59.6
No	26.3
Undecided	10.0
No Response	4.1

2. Do you favor lowering the voting age to 18?

Yes	31.4
No	62.8
Undecided	2.0
No Response	3.8

3. Do you favor renewal of the 10 percent tax surcharge—viewing the economy as it is today?

Yes	35.0
No	54.6
Undecided	5.9
No Response	4.5

4. Do you believe the Federal Government should guarantee an annual income to heads of families, whether or not they are working?

Yes	11.9
No	79.5
Undecided	4.7
No Response	3.9

5. Do you support the proposal to convert the Post Office Department into a government-owned corporation?

Yes	57.3
No	21.4
Undecided	16.4
No Response	4.9

6. Do you favor expulsion of students who violently disrupt the academic life of colleges and universities?

Yes	88.8
No	6.0
Undecided	1.5
No Response	3.7

7. Regarding the method by which we elect our President and Vice President should the electoral college system be (A) abolished in favor of a direct popular vote, (B) modified, (C) kept the way it is?

A	64.9
B	21.1
C	9.5
No Response	4.5

8. Should the Paris Peace Conference not produce meaningful peace negotiations, would you favor (A) resuming and intensifying full scale air attacks on North Vietnam, (B) increasing the U.S. commitment to insure military victory in South Vietnam, (C) gradually decreasing U.S. troops and shifting responsibility to South Vietnamese forces, (D) immediate withdrawal, (E) none of the foregoing answers reflect my views, (F) undecided.

A	18.4
B	7.4
C	51.4
D	13.5
E	3.2
F	3.3
No Response	2.7

9. Regarding America's missile defense, should the Congress (A) authorize President Nixon's "Safeguard" plan to build Anti-Ballistic Missiles (ABM) protecting offensive missile sites and command centers, (B) authorize a "thin" ABM system to protect certain cities and missile sites, (C) authorize a "thick" ABM system protecting all vital targets, (D) oppose deployment of any ABM system, (E) undecided?

A	37.9
B	6.7
C	14.7
D	19.9
E	17.2
No Response	3.5

10. Which one of the following factors do you consider to be contributing the most to the increase in crime, and is most seriously hampering adequate crime control (A) widespread use of drugs and narcotics, (B) flood of pornographic material, violence and obscenity in the entertainment media, (C) failure of the courts to deal promptly and toughly with criminals, (D) ready availability of firearms to everybody, (E) inadequacy or inefficiency of police forces, (F) none of the foregoing answers reflects my views.

A	13.2
B	3.6
C	64.4
D	3.0
E	3.0
F	9.3
No response	3.4

WHAT IT TAKES TO RUN THE WESTERN WHITE HOUSE

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. NICHOLS. Mr. Speaker, some of my constituents have written to me expressing their disapproval of the use of the western White House by President Nixon. Certainly no one would begrudge the President a vacation, especially with the tremendous burden he has on him. However, I believe that some of the criticism might be warranted, particularly since the President asked for and Congress passed a continuation of the 10 percent surtax. Taxpayers find it difficult to understand why the Government needed more money to operate, then find the President spending several thousand dollars a day to operate the executive branch of Government on the west coast.

Even though the cost of operating the White House here in Washington has been reduced for the summer, there are still many duplicated costs. Among these are the tremendous costs involved in setting up duplicate communications systems in California, and the constant travel between Washington and California by Government officials.

At a time when Americans are being asked to pull in their belts, it seems that the President might take the lead in reducing costs instead of increasing them. I would hope that President Nixon might give this matter serious consideration before making another wholesale move in the future.

My constituents have called to my attention the following article concerning the costs of the western White House which appeared in the September 1 issue of U.S. News & World Report:

WHAT IT TAKES TO RUN THE WESTERN WHITE HOUSE

SAN CLEMENTE, CALIF.—Something new in presidential operations is in full swing here—a working White House 2,500 miles from the nation's capital, involving transcontinental movement of a substantial part of the top echelon of the U.S. Government.

Almost all Presidents have had vacation retreats—such as Lyndon Johnson's LBJ Ranch in Texas, John Kennedy's compound on Cape Cod, Dwight Eisenhower's villa at Palm Desert, Harry Truman's bungalow at the Key West naval station, Franklin Roosevelt's cottage at Warm Springs. These were essentially rest-and-recreation quarters. But the Western White House here at San Clemente is different—a business headquarters with all the personnel and panoply a Chief Executive requires.

President Nixon's August stay at the Western White House on the shore of the Pacific is geared to a plan that necessitates the presence of some of his Cabinet members and much of the White House staff. Besides those housed in this area, many other officials and aides are flying in and out, using a "jet shuttle" service of Government planes as well as regular commercial airliners.

PROBLEM IN LOGISTICS

The White House routine here in California, as in Washington, includes Cabinet sessions, meetings of the National Security Council, the Council for Urban Affairs and other key groups in the executive branch. Day-to-day activities call for personal appearances by batteries of experts in every field of government. It is a massive problem in logistics.

At a time of almost explosive discontent among voters about tax burdens and government spending generally, people are asking about costs of the West Coast White House which the President plans to use six to eight weeks a year—what it all means to taxpayers.

Ronald Ziegler, White House press secretary, says that "the total cost would be difficult to figure" because so many budgets are affected. Among agencies from which support funds are drawn are the White House itself, the State, Defense and Treasury Departments, the General Services Administration, the Department of Transportation, the Department of Justice and the National Park Service.

In the past, according to Administration sources, the "rule of thumb" was that a presidential vacation cost the taxpayers about $10,000 a day, including per diem expenses and transportation for aides but not such items as the extra buildings being used at San Clemente and the communications facilities installed here.

EVEN THE "HOT LINE"

One Government source said that "the total cost of operating the Western White House will run into the millions." He cited communications expenses, which are "running into the hundreds of thousands of dollars." Some 900 telephone circuits have been installed in the complex of executive offices newly erected on the grounds of the Coast Guard station that adjoins Mr. Nixon's $340,000 mansion. The "hot line" to Moscow was one of the facilities installed.

The office complex itself is to cost the Government about $130,000 a year. It will be partially staffed even when Mr. Nixon is not in residence.

According to Mr. Ziegler, about 100 persons are on hand on a full-time basis. Another official said, however, that "at least 300" are involved "in one way or another" in supporting the summer White House. This figure includes not only office aides but air-

craft pilots and maintenance men, chauffeurs for the fleet of White House cars driven to the West Coast, and 75 Secret Service men.

Per diem allowance for most of those performing routine work is $12 a day plus housing. In this area, even at "special rates," hotel rooms come to upward of $25 a day.

EXPENSIVE FOR AIDES

Houses have been leased by a number of Mr. Nixon's top associates, including Secretary of State William Rogers, Attorney General John Mitchell, and Henry Kissinger, the President's special assistant for national security affairs.

Mr. Ziegler says that "a great portion of the cost" of leasing the houses is being paid by the officials themselves. A "slight adjustment" has been approved by the President for those who are here for the full month's stay.

A San Clemente real estate man says that Secretary Rogers is paying $1,000 for a one-month lease on a three-bedroom home. Other houses leased by Government executives rent for from $800 to $1,500 a month—the latter being the rate for dwellings comparable to the ocean-front home, with swimming pool, occupied by Dr. Kissinger.

A comment from the real estate man:

"We've got places for $500 a month. They are cute little houses, but the Government people don't like that kind. I guess they need plenty of room for entertaining."

Air transportation back and forth across the continent is a big item of expense. Some officials use the White House "courier planes"—Lockheed Jetstars—which make at least three round trips a week between Washington and San Clemente. Operating costs—exclusive of crew salaries and maintenance—are $7,500 a week for these planes. When any of the three White House Boeing 707 jet transports are used the round-trip tab to the Government is $8,000 per plane.

Many presidential visitors use commercial air service. For example, in mid-August, six newly appointed U.S. ambassadors and five members of the Advisory Council on Executive Organization flew by commercial jetliners from various points for meetings with Mr. Nixon. First-class air travel is customary in such cases.

Wives of Cabinet officers are to accompany their husbands to San Clemente for a post-Labor Day visit.

Budgets of news media, as well as the Government, feel the effects of the Western White House operation. For instance, cost of the chartered airplane used by 55 newsmen and photographers for the round trip, coast to coast, is $25,000. Side trips will add $20,000 to the charter bill. Newsmen report that their expenses aside from transportation average $500 a week per individual.

In Washington, some agencies are complaining about funds being drained from their coffers by the President's stay in California.

An example given by one Government official was the state dinner in Los Angeles at which the President honored the moon-voyaging astronauts. Most of the expense of that dinner—estimated at $75,000—was assigned to the National Aeronautics and Space Administration. In addition, NASA underwrote bills totaling about $25,000 for air-ferrying legislators and space-agency officials from Washington and Houston to Los Angeles for the dinner.

"If that event had been held in Washington," said one disgruntled bureaucrat, "it would have cost only a fraction of what the taxpayers are having to pay."

Foreign diplomats invited to Los Angeles for the salute to the astronauts paid their own way—and some were reported to be resentful at having to spend as much as $1,500 each for air fare, hotel bills and incidentals.

The State Department defrayed expenses for the 250-plate dinner given at the St. Francis Hotel in San Francisco on August 21 by the President and Mrs. Nixon for South Korean President Park Chung Hee.

"That one would have cost a lot less in Washington, too," a Government official commented. "For one thing, such dinners at the Washington White House are attended by only about 100 guests, not 250."

Besides his salary of $200,000 a year, an expense allowance of $50,000 and a travel allowance of $40,000, Mr. Nixon has at his disposal a special-projects fund of 1.5 million dollars.

But officials say that the West Coast activities are putting no strain on White House funds because so many of the costs are "farmed out" to other areas of the Government.

MORE EFFICIENT THIS WAY

The rationale for the Western White House was described by Mr. Ziegler:

"By this particular setup, we have been able to co-ordinate everything, keep everything together, and we feel that the whole operation will be more efficient and effective this way."

Other members of the White House staff point out that the San Clemente enterprise did not involve any such expensive improvement as the fully equipped jet runway which was built on the LBJ Ranch.

One Government official observed that, while the costs of running the Western White House are high, "it's cheaper for the taxpayers to pay for a President's working vacation than for round-the-world presidential diplomacy." This official estimated the tab for Mr. Nixon's recent global trip at between 5 million and 10 million dollars.

Historically, Presidents have been eager to get away from Washington. Mr. Nixon now has three change-of-scene possibilities—Camp David, his winter home at Key Biscayne and San Clemente, which he, himself, has designated the "Western White House."

THE SOVIET OCCUPATION OF CZECHOSLOVAKIA

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. JOELSON. Mr. Speaker, all of my colleagues will recall the events of August 21, 1968, when Czechoslovakia was occupied by forces of the Soviet Union. Americans of Slovak and Czech descent feel that the first anniversary of this occupation should not go by unrecorded. I, therefore, insert in the CONGRESSIONAL RECORD a story published in the Morning Call of Paterson, N.J., on August 2, 1969, expressing the feelings of those who want their kin in Czechoslovakia to lead tranquil, happy, and useful lives. The article, written by Tony Suchon, follows:

CZECHS RALLY IN NEW YORK

(By Tony Suchon)

NEW YORK.—Czechs and Slovaks from Passaic and Bergen counties plan to demonstrate unity with the freedom-fighters of their native land.

On the first anniversary of the Soviet occupation of Czechoslovakia, Aug. 21, they will join others from the metropolitan area in a rally at the Soviet Union offices in New York.

Throughout Czechoslovakia that day in a "Day of Shame", underground leaders plan a mass boycott of public services to honor their countrymen killed opposing the occupation.

John C. Sciranka, press director of the Slovak Catholic Federation of America, said last night the New York rally is not aimed at provoking the Russians.

"We want to let the world know that American Czechs and Slovaks haven't forgotten the people in their homeland," he said.

"There is a certain tension among the people that the Russians may surprise them with the use of force," he said, "and the Aug. 21 memorial is drawing much interest from both sides."

Sciranka said some of the leaders fear that veteran Stalinists may try to start a clash between the troops and the underground on that day.

According to reports from inside Czechoslovakia and from Americans who have visited, the "liberal" communism supported by former Communist party secretary Alexander Dubcek is a reality, Sciranka said.

Dubcek's plans to bring "socialism with a human face" to the country were thought to be smashed with the occupation.

But Sciranka said all those who return from Czechoslovakia have nothing but praise for Dubcek and the reforms he started.

Dubcek stepped down from his job last April to become chairman of the Czech Parliament. He said he decided to give his post to Gustav Husak, a more conservative Communist, as an appeasement to party leaders.

Sciranka said Dubcek intends to continue his struggle for political and economic reforms in Czechoslovakia even though his action program cost him his post.

Despite the occupation, Sciranka said the predominantly Catholic population of Czechoslovakia is free to worship. Many have gone to Rome where Pope Paul VI has assured them of his interest in their nation and its struggle.

THE PRESIDENT'S PROGRAM FOR THE OEO

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. McCLOSKEY. Mr. Speaker, I would like to comment on the President's message of August 11 in which he discussed the reorganization and reorientation of OEO under its new Director, our ex-colleague, Don Rumsfeld.

I believe the President's program for OEO is precisely on target.

It makes sense to use the OEO as the special research and development arm of the Government's social action programs. It likewise makes sense to divide the management responsibilities, separating the thinkers and innovators from the program managers.

The cycle in this incubator agency will flow from a research stage to a testing stage, where the merit of an idea or concept can be discovered without developing a full program. If ideas prove to be worthwhile, they can be put into a program that can be perfected, and, at the proper time, could be transferred to another Government agency or private group. This will keep the research element where it will be most effective in developing new ways to help the Nation's poor.

It is particularly impressive that the President and Director Rumsfeld have concluded that the OEO should concentrate on the causes rather than the symptoms of the inequality of economic

opportunity, that bold experimentation will be continued, creative risks taken and the agency's management streamlined to set up a variety of demonstration projects, carefully test their effectiveness, and systematically assess the results.

Those charged with conceiving and testing an experimental social concept will not be hampered by having to operate a conglomerate of new and old programs at the same time.

The Office of Operations will provide greater field and technical support to Community Action Agencies, and we should see a greatly improved field operation as a result. And I am delighted to learn that grants by the OEO have been getting and will continue to get a more careful review before this new organization commits its tax dollars.

Altogether the reorganization seems to be entirely a positive move. As the President has suggested, the OEO must martial the most creative minds in the country. In Don Rumsfeld he has already succeeded in obtaining one of the most creative Members of Congress, and I think under his leadership we can look forward to participation with OEO of every segment of American private enterprise and government. All of the specific changes in OEO, announced by the President, were constructive; all of them lend hope that we can indeed solve some of the most pressing problems which have ever faced any nation.

ORANGE COUNTY, CALIF.

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. UTT. Mr. Speaker, I would like to include in the RECORD a series of four brief articles which appeared in the Santa Ana, Calif., Register, commencing August 4.

Orange County, Calif., has been the subject of many attacks by the liberal press, and surely we in Orange County are entitled to a rebuttal. This rebuttal will be found in the following series of articles, written by Archie Shamblin:

OC No Longer a Standout: Conservatism Sweeps United States

(By Archie Shamblin)

(Editor's Note.—Election victories by "conservative" candidates from California to New York has sparked a national interest in conservatism. In Orange County, where conservatism has been almost a way of life for many years, things are the same—yet are changing. The following is the first in a series of four articles examining conservatism in Orange County.)

A historically conservative Orange County can look on the symptoms of growing conservatism across the United States with a certain amount of satisfaction and, perhaps, a bit of amusement.

For years this county has beer subjected to ridicule from the national communications media for its "covered wagon" politics.

Orange Countians were depicted as "John Birchers" and "reactionary nuts" because of their politically conservative attitudes.

But a funny thing happened on the way to the polls.

Conservatives are thumping liberals from California to New York and everyone is talking about the "conservative wave" sweeping the nation.

The so-called "experts" sagely classify these voting patterns as a surge in conservative attitudes caused by the instability of the times.

When Orange Countians were voting conservative in years gone by, the experts weren't so generous.

A typical reference to Orange County was the comment several years ago by a syndicated columnist who called it, "The land of smudge pots and John Birchers."

And, just before last fall's election, Fortune magazine ran an extensive article on the county, calling it a "stronghold of far-out conservative thought and action—the place one immediately thinks of on hearing the phrase 'Nut Country'."

The magazine said, "Orange County is said to be where little old men in tennis shoes fulminate against the Supreme Court, the United Nations and the disappearance of God from the public schools."

To cap off their observations, the magazine repeated the tired prediction about conservatism folding its tent and stealing away:

"The strength of conservatism in Orange County is gradually being diluted by the forces of growth and change."

A month after that article appeared, U.S. Rep. James Utt of Tustin, Orange County's most conservative legislator, pulled three times as many votes as his nearest competitor to win his ninth trip to Washington.

And county Republican voters—most of whom are considered conservative—cast more than twice as many votes as did the Democrats.

The margin of GOP ballots over the Democrats was the greatest ever.

The swinging of the pendulum across the nation toward conservatism provides the majority to say "I told you so" to the critics of the past who have been predicting for years that progress would move the county away from conservatism.

Not only has the county moved even more solidly into the conservative camp, but now it appears voters across the nation are finding out what residents here have been espousing for years.

It is beginning to look like Orange County was ahead of its time, instead of living in the past.

This parallels the thoughts on conservatism—expressed by one of Orange County's best known conservatives, Walter Knott, owner of Knott's Berry Farm.

"We think the conservative is the most progressive person of any along the political spectrum," Knott said. "He believes in the idea that people can govern themselves, which was a progressive experiment when this country was formed and is still a progressive experiment.

"A conservative believes there is much good in the past that must be conserved, and that he must use this good to lay a foundation for a solid future.

"A conservative believes the best government is the least government and that what can be done at the local level should be done there.

"And I think the nation is coming around to our way of thinking," he said.

But the nation, if it really is moving toward conservatism, is moving slowly and only after many years of plodding in the other direction.

Orange County, over the years, has stuck out like a sore thumb in its adherence to the principles of conservatism.

The reasons for this almost dogmatic resistance to the flow of national politics and in the face of a constant stream of ridicule are not clear.

Years ago, when the county was basically rural in nature, it was said that residents here were conservative because they were resisting change.

But the county exploded in riotous growth in the 1950s and for years has been the fastest growing county in the nation.

Now there are about 1.4 million persons in the county, a major metropolitan area.

In political attitudes, however, the story is the same—conservatism prevails.

A current edition of Newsweek magazine contains an article written by internationally known political writer Stewart Alsop who talks about "the Orange County Bug" sweeping the nation.

Alsop, a noted liberal, simplifies "the Bug" into terms of "white racism."

That analysis, of course, displays a total ignorance of the complexities of Orange County conservatism.

Home Ownership Called Key to OC Conservation

"People come to Orange County and buy a home. They then have a little piece of America and begin to think a lot differently about their government."

This assessment of conservatism in Orange County, provided by Walter Knott, is one of myriad answers to the question of why this area has long been one of the most politically conservative in the nation.

Knott, owner and operator of Knott's Berry Farm here since 1920, and a leader in conservative politics, offers the high rate of home ownership as part of the answer.

"When the great population increase hit Orange County 10 to 15 years ago, so many people moved in who had traditionally voted liberal and Democrat that for a time, the registration changed until there were more registered Democrats than Republicans.

"As these people bought homes and became landowners (capitalists), they became more conservative and changed their registration," he said.

Knott listed several other factors including the presence of newspapers with editorial policies leaning away from liberal politics.

"Orange County has had newspapers whose editorial policy has been conservative. Even though most of them would not endorse candidates or openly take political sides, they did endorse conservative economics year in and year out."

Politicians polled on the question, both Democrat and Republican, generally went along with Knott's answers.

U.S. Rep. Richard Hanna, one of only two Democrat legislators from Orange County at present, had three reasons for conservatism in the county.

"Perhaps some of the reasons for Orange County's over-all voting conservatively would include (1) registration figures, (2) the large base of private home ownership and, (3) perhaps most importantly, the conservatively oriented mass media."

Hanna, whose home base is the northern and western parts of Orange County, added that the western portion of the county "has demonstrated moderation in its voting habits."

Assemblyman Robert Badham feels the economics of Orange County is the prime factor in the voting patterns of its residents.

"The suburban aspect of the growth of Orange County gives rise to light industrial, research and development, and a highly sophisticated defense industry.

"This lends itself to habitation by people of greater than average wealth and income who generally tend to vote more conservatively to conserve their resources.

"And I believe the great natural beauty of the coastline here attracts persons who can afford the high cost of living along the water front. These people, also, vote more conservatively.

"All in all, I would say because of young, affluent, suburbanite executives and the older agriculturists that the county will con-

tinue in more conservative patterns" Badham said.

Sen. John Schmitz, former college political science teacher and a member of the John Birch Society, lists conservative newspapers, the type of people attracted to Orange County, and a favorable environment for the continuing strength of conservatism here.

He said the "consistently pro-freedom editorial position" of The Register and other newspapers in Orange County is "the primary explanation."

Schmitz, who has been elected twice to the state Senate despite public pronouncements on his membership in the Birch Society, also attributes conservatism here to the type of person who would move to Orange County.

"A majority of all residents move to Orange County from elsewhere in the nation to work, not to retire or go on welfare.

"The population is young and ambitious. The type of person that would leave his native state and come here seeking a better way of life during his productive years is the type of person who will be least interested in government as the father-image and nursemaid, and most attracted to laissez-faire concepts."

Schmitz said conservatism in this county has now reached the point where it has picked up its own momentum and will continue to grow.

Sen. Schmitz also touches on a factor that hasn't been explored to any extent by the oldline Orange County conservatives.

While the county has not shifted away from conservatism, it has changed somewhat in the type of conservatism that is now most popular here.

The days of the fiery Communist-hunting conservative are fading, to be replaced by a newer, younger conservative who is more fearful of Social Security than communism.

The new conservative lays the problems of today not as the tomb of Joseph Stalin, but at the fireside of Franklin Roosevelt.

He is a staunch opponent of Communist collectivism, but he sees that threat as remote. More pressing in his mind is the threat of indoctrination of the young in the tax-supported system and court decisions that "coddle criminals."

And, most important, he sees the spread of government power into the home, his job and the future of his children, as a threat to his basic freedoms.

Orange County Conservatism Shows Split Personality

Orange County conservatism has developed a case of split personality over the last two or three years.

Old-line conservatives are still the official leaders of the Republican party in the county.

They control the purse strings, run the county machinery and generally decide who is going where on the political highway.

But the new conservatives are reaching ever deeper into the fountainhead of political power and promise eventually to be the face this county turns to the world.

The philosophies of the "old" and the "new" are parallel in many ways, just as an offspring resembles his parent. But there are some major—and growing—differences between the two.

The older conservative in Orange County views international events as a battle between communism and capitalism. At home, the struggle is against taxes, socialists and immorality.

Young conservatives have more complex views, and they let the world know about them in fresh, strident voices.

Dana Rohrabacher, head of the county Young Americans for Freedom, is typical of the new conservative.

Young Americans for Freedom (YAF) was formed several years ago and had a tradition of being the kiddie corps for the John Birch Society.

Not anymore. At least, not in Orange County.

Rohrabacher launched the Orange County group in January with 20 members. He now claims more than 300 members with the number going up every day.

"We are conservatives, but not the traditional conservative," Rohrabacher said. "Our thing isn't Communists, although we are diametrically opposed to communism.

"Our thing is a free market, free people and a free country. We don't come on strong against ideas or philosophies. It's easy to be against everything.

"We take the positive approach, stressing what we favor. Instead of censuring opposing philosophies, we hit them with a better idea."

That "better idea" is liberty and freedom—especially economic freedom. The YAF members here wear a medallion around their necks bearing the words, "Sons of Liberty."

"We are for a free market, the rights of private property and freedom from force, threats of force and coercion of any kind," Rohrabacher said.

"But most of all, we favor the freedom of the individual. Anything the individual wants to do should be allowed as long as he isn't hurting someone else."

Rohrabacher said his organization fills a large void among younger people who don't like the standard conservative's tendency to dictate morals and the standard liberal's desire to bring government into every facet of their lives.

"We had a young man come into the organization recently who was an avowed Democrat. He was a guitar player and had found out that his freedom to make a living in music was regulated by the unions and the coercive force of union leaders.

"Needless to say, he was ripe for an organization that stood for his right to play his guitar whenever and wherever he wanted for whatever amount of money he was worth."

Rohrabacher, who said his group considers itself "libertarian," is also against a number of things.

"We are against taxation of any kind. We are against the draft because it is not in the tradition of our country to force an individual into circumstances he does not want. And we are against public schools because they use force to get students to attend and they use force to get their financing."

Rohrabacher said the state should sell the University of California system and the state college system and use the money for low interest loans to students who can't afford to pay tuition to private schools.

"You can bet that would bring an end to campus violence," he said. "Private owners of colleges don't have to put up with what taxpayers do."

Rohrabacher said the biggest problem of his sprouting young organization is getting operating funds.

"The old established conservative organizations control the funds so we are on our own. Right now we are trying to get out of our small office in Seal Beach and get a larger place in the central part of the county to take care of our growth. It's going to take money to do this."

Rohrabacher and his group probably speak the language of most of Orange County's young conservatives.

And, with the average age in the county dropping from 31.7 to 25.5 since 1950, the number of persons in the "young conservative" bracket probably is larger than those who still subscribe to the old line.

The bulk of the conservatives, however, are those whose political activity begins and ends in the voting booth. And most of these probably fit somewhere between the old and the new conservative.

Typical of this conservative is the young Garden Grove man who was interviewed on his political philosophy.

"You might call my philosophy a selfish one," the 30-year-old office worker said.

"I feel I have certain capabilities that will make me and my family well off some day. The biggest roadblock I can see is the federal government. It takes my money and passes laws that makes it useless for a young man to work hard and excel. It wants to equalize me. I don't want to be equal. I want to be better."

And another young man from Santa Ana said he is conservative simply because he wants to be left alone.

"It's a matter of personal freedom with me," he said. "Government nowadays pokes its long nose into my life and it just plain irritates hell out of me.

"So I do what I can to support conservative candidates who stand for a little less government and a little more individual."

Conservatives Vent Wrath on State, Federal Agencies

There are those who suggest the Indians who occupied the territory of Orange County before the Spaniards probably were conservatives.

Jesting or not, it is true that the county has been counted in the conservative camp for as long as most people can remember.

Criticism of "big government" and "creeping socialism" has been way of life for a great many native Orange Countians.

Strangely, however, the wrath of the conservative here has been directed almost exclusively at state and national governmental agencies while local government seems to be nearly immune to the criticism.

City and county governments have grown and prospered as well in this county as in other areas.

There has been scattered opposition to this growth, but conservatives never have mounted a solid front against local government as they have against the federal government.

Taxing and spending, the absolute gauge on growth of government, goes on in city halls, school districts and the county seat here with unstinted monotony.

However, comparative figures show Orange County cities, and the county government, spend less than governments in other counties.

Among the cities here, Garden Grove spending habits would seem most to represent a conservative government. It spent $60.61 per capita on city government in the 1967–68 fiscal year.

Santa Ana spent $87.45 and Anaheim $109.88. The state average for that year was $111.01 for the 20 largest cities.

The county government, during the same year, spent $104 for each citizen in the county. San Bernardino spent $101 and Los Angeles $142.

The spending levels of local government in Orange County were among the lowest in the state, but if there were a scale to compare political attitudes with actual spending, conservatives here would be made to look like all talk and no action.

Walter Knott, one of Orange County's leading conservatives, said he has no explanation for this curious pattern in the county.

"I would suspect that most of our politically active conservatives concentrate their energies on electing candidates to state and national offices," he said.

Knott also said that conservatives are strongly in favor of local government over regional or national government and may tend to forgive some extravagances in the name of local control.

There are some situations locally, however, where conservative philosophy has been a dominating factor.

Students for Democratic Society have found the ground in Orange County none too fertile. They have established chapters at the

two four-year colleges in the county, but have been rejected at most of the junior colleges.

And the prime target of conservatives—federal aid—met with almost immovable resistance here until the last few years when the dam was broken by the so-called war on poverty.

Now the conservatives are focused on the "law and order" theme which apparently is the prime factor in the swing toward conservatism around the country.

It is a natural rallying point for conservatives who are strong on constitutional law and who find their opponents in the fracas to be their familiar old foe—the liberals.

But this time the conservatives have an issue the nonpolitical public can be caught up in and it appears considerable political hay is being made.

Not only are conservative candidates finding a receptive public, but liberals are suffering from a growing stigma that may prove disastrous.

And the conservatives have been capitalizing on the swing in sentiment brought about by the "law and order" theme to sell other aspects of their philosophy previously ignored by much of the public.

In the same breath they are talking to the public about such old standbys as the "welfare state" and "liberal courts" that "coddle and encourage" the lazy and the criminal.

The success of this new crusade by conservatives is vouched for by recent elections in Los Angeles, New York and other metropolitan areas where the more conservative candidates have knocked off formidable opponents.

Whether this new conservative strength is part of a major change in the country or just a passing whim remains to be seen.

But Orange County conservatives can take heart that their revered ideology may take hold outside the county.

ROCKY MARCIANO

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. CONTE. Mr. Speaker, I want to take a moment to pay tribute to one of the greatest sportsmen who ever lived. Rocky Marciano, the undefeated heavyweight champion of the world, is dead and the sports world is greatly diminished by his passing.

They held a funeral service in Brockton, Mass., today and many were there, the famous and the unknown. Celebrities from all walks of life came because they had gotten to know Marciano after he became that most unique of sports heroes, the heavyweight champion. And they found after meeting him that he was more than just a sports hero. He was warm and likable and it was good to be with him.

The others came because they knew Rocky way back in the days when his name was Marchegiano. They knew the family and they knew the young kid who, without ever learning to be a stylist, fought his way on sheer guts, raw power, and stamina into the single top position in the boxing world.

I was very fortunate in counting Rocky as one of my good friends. When the news of his death came I thought immediately of a day, just a couple of years ago, when Rocky was at my home in Pittsfield for dinner following his appearance at a communion breakfast. My late mother, who loved to cook big meals, was made a Marciano fan for life because Rocky ate everything on the table.

Rocky flew out to Pittsfield that day to address the breakfast because he had promised a friend he would. Later, he hopped in a small plane and flew back to Boston to take part in a testimonial for another friend. That was the way he was. Friendships meant a lot to Rocky Marciano.

"The Brockton Strongman" was a magnificent fighter, a warm and modest man, and a great example for our youth. I join with the millions throughout the world who mourn the death of such a fine man.

MORE SPEED ON AUTO POLLUTION

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. KOCH. Mr. Speaker, this week we will be extending for 1 year the authority of section 104 of the Clean Air Act which relates to research and development in the prevention of air pollution resulting from the combustion of fuels. It is this program that has the responsibility for finding the formula which will relieve our cities of that strangulating pollution caused by auto emissions.

The work done under this section, as well as the total Clean Air Act, will be very important in providing a healthy environment for the decades to come and for succeeding generations. I support this program and I support the intentions of H.R. 12085 which will give this administration greater flexibility in conducting its research programs.

But, I think that this opportunity should be used by the Congress to stress the urgency of the auto pollution problem and the need for dramatic change, indeed even if necessary, the abolition of the air polluting internal combustion engine. Today, the automobile is responsible for dumping more than 90 million tons of pollutants into the atmosphere each year, more than twice as much as any other single pollutant. The automobile accounts for 91 percent of all carbon monoxide, 63 percent of the unburned hydrocarbons, and 48 percent of the oxides of nitrogen emitted from all sources.

Los Angeles County, most notorious for its pollution problems, in January 1967 found 25 million pounds of contaminents in its atmosphere, 85 percent of which was caused by auto emissions. And in 1 year doctors in that city advised 10,000 persons to move away because their lives would otherwise be jeopardized by the exhaust emissions of the 3.5 million automobiles.

One cannot overrate the problem that exists and the forecasts for the next decade. The President last week in one of his most unimaginative statements to date set 1990 as the target date for a low pollution vehicle. We cannot wait until 1990. Indeed there are experts in this field who predict that by 1990 pollution in some cities will be so heavy that they will be uninhabitable.

I urge the National Pollution Control Administration to act now and with far greater speed and commitment than has been evidenced in pursuing its program for finding better internal combustion control devices and in the development of unconventional engines and that it not approach the problem as though it had until 1990.

Surely, if our country can engineer its way to the moon and back, we should be able to devise ways to measurably reduce auto pollution.

Detroit has been very reluctant to pursue the development of other than gasoline engines—such as steam or electrically driven systems. But, it is in these unconventional engines that the greatest hope for pollution free, or low pollution vehicles, lies. And while understandably there are some who wonder how steam engines compare in providing the power of conventional gasoline powered vehicles, prototype tests actually show that these unconventional engines can deliver twice the power of conventional engines.

Detroit has also been reluctant to pursue the development of more customary automotive air pollution control devices. While spending over a billion dollars for model changes, this industry spends but a mere million dollars for pollution control. And, now there is a civil case filed by the Justice Department against the Automobile Manufacturers Association and its principal members for a 15-year conspiracy to suppress research, development and application of automotive air pollution control devices.

Today I am joining with 18 other Congressmen in sending a letter to Attorney General John Mitchell urging that a full trial be pursued in this matter so that the facts on pollution might be made public and further so that if the auto industry is indeed guilty of such reprehensible collusion, running contrary to the public's good health, it should be held responsible just like any other law violator.

A LANDMARK IN SCHOOL RACIAL INTEGRATION: BERKELEY, CALIF.

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. COHELAN. Mr. Speaker, as the 1969–70 school year begins, we are reminded of both the successes and the failures in implementing school integration.

I have noted in the news media in the past few weeks that many of the school districts in this country, both North and South, have delayed or refused to implement court-ordered integration plans. These districts continually raise the ob-

jection that not enough time has been allowed to carry out these plans for racially balanced schools.

For the information of my colleagues, I wish to insert in the RECORD a study written by Mike M. Milstein and Dean E. Hoch. Mr. Milstein is assistant professor of education at the State University of New York at Buffalo, and Mr. Hoch is a doctoral student in the School of Education at the University of California at Berkeley.

This study clearly shows that integration can, and does, provide quality education for all students and can be gained with a degree of cooperation and educational statesmanship.

The Berkeley experience should be an example to all the many who have blocked the opportunity for many of our young citizens to enjoy the education which is rightfully theirs.

At this point I would like to have this study placed in the RECORD:

A LANDMARK IN SCHOOL RACIAL INTEGRATION: BERKELEY, CALIF.

(By Mike M. Milstein and Dean E. Hoch*)

This is a rare success story, but it reports no miracles. Vision, planning, hard work, and educational statesmanship were the essential ingredients.

After an agonizing period of educational decision making, a new era has begun in Berkeley, California. With the integration of its elementary schools in the fall of 1968, Berkeley became the first city with a population of 100,000 or more to integrate its public schools fully from kindergarten through high school. The U.S. Commissioner of Education wired Neil V. Sullivan, superintendent of the Berkeley Public Schools (who has since become Commissioner of Education in Massachusetts), saying, "You have struck a blow for justice that will have an impact far beyond the limits of Berkeley." Other school districts across the country have experimented with integration, but never before has a major community assured *that all schools will approximate the racial composition of the total school student body.*

In the short span of one decade the Berkeley district has changed from one which could be characterized as tranquil and nonprogressive to one which is capturing educational headlines because of its exciting innovativeness. Between 1958 and 1968 the district was shaken by the battle waged between pro- and anti-integration community groups. It has emerged from this conflict as a leader among school districts pursuing integration.

Tremendous pressure has been mobilized to achieve integration across the nation. Such demands have often been challenged by school boards and community leaders who have not been particularly sympathetic. Such was the case in Berkeley. Certainly the Berkeley school integration story holds meaning for other communities struggling to establish peaceful school integration. The extensive integration program in Berkeley is the product of much the same kind of controversy, debate, and study being carried on by both citizens and educators in many other districts today.

NAACP DEMAND, SCHOOL RESPONSE

As with most major public policy modifications, school integration is the result of specific demands for action. This happened in Berkeley in January, 1958, when the National Association for the Advancement of Colored People, Berkeley branch, told the Berkeley Board of Education that ". . . the racially separated schools in the Negro community run the risk, because of peculiar problems of cultural or educational unreadiness, of being considered inferior." The NAACP petitioned the board for action in the predominantly Negro schools, which, it said, were characterized by a "high degree of transiency, cultural unreadiness, latent prejudice, teacher inadequacies, and disciplinary problems." [1]

This first thrust for change, culminating in the NAACP demand, led to a board-appointed study committee of 14 lay persons which became known, after its chairman, as the Staats Committee. The board charged the Staats Committee with studying in-service programs dealing with minority groups and with exploring possible avenues of cooperation in racial relations among school, home, and community. In October, 1959, the Staats Committee reported that school segregation closely followed housing patterns; curriculum was uniform in the schools, but grouping patterns tended to segregate Negroes academically *within* the schools; the curriculum did not cover minority contributions adequately; the level of performance of minority groups in the elementary grades was not as high as it should have been; and, finally, these matters were not being discussed freely. The committee recommended that inter-school projects, including exchange visits, should be initiated, counselors should not arbitrarily place lower socioeconomic children in "job orientation" tracks, and school-community relations should be improved.[2] Although the committee did not recommend racial integration, it should be remembered that this first agonizing look at the problem opened the door to further and more ambitious proposals. However small this achievement may now look, it was much more than the neighboring Oakland School system was doing. At that time Oakland did not even admit it had a segregation problem.

CHANGING OF THE GUARD

The incumbent superintendent, hoping to end his career in relative tranquility and sensing the vastly changing environment surrounding his school system, announced his retirement at the time work of the Staats Committee was getting under way. The first notion of the board, composed of four "conservatives" and one "liberal," was to choose a successor from top aides within the district. Members of the central staff expressed concern that these candidates were members of the incumbent superintendent's "establishment" and resistant to *any* change. The need to retain staff cooperation led the board to seek an outside compromise candidate.

Demands by minority group representatives—first the NAACP and later the Congress for Racial Equality—and the appointment of an outsider as superintendent (C. H. Wennerberg, who was lured away from a white middle-class Southern California school district) were followed by a regular school board election. Reflecting the changing political climate of the community, a second liberal was elected. Soon after, one of the three conservatives resigned. Unable to agree on an appointment, the split board left the choice of a replacement to the community at the next regular election. Another liberal (a Negro) was elected; for the first time, liberals held a majority on the board.

With the changing of the guard, school officials began to modify procedures to reflect community demands. Personnel policy was re-examined so that hiring and placing of personnel would be decided strictly on merit. As a result, the number of Negro professional personnel in the district rose by three percent (from 7.3 percent of the total in 1960 and 10.3 percent in 1963).[3] But until a new director of personnel was appointed there was little effort to place Negro teachers in other than ghetto schools. Voluntary groups of teachers formed to discuss the Staats Report, seek alternatives, and make the curriculum more relevant to minority groups. Several educational enrichment programs were initiated and community relations efforts became more sophisticated and effective. The board and the administration began to adopt the philosophy that an informed citizenry is essential if there is to be sympathetic understanding of educational problems.

In short, approaches to "the problem" were multiple—aimed at school-community relations, personnel policy, in-service training, educational programs, counseling, and other pertinent areas. In the relatively short period of four years, the school system was opening up and accepting the challenge of meeting the needs of the changing school population. Both the community and the school system were actively working toward providing a better education for *all* students.

CORE AND INTEGRATION

On May 1, 1962, the Berkeley chapter of CORE, stating that "segregated education in any form—black, white, or yellow—is educationally undesirable," challenged the board to "formulate and put into operation a program for elimination of de facto segregation." [4] The board responded by appointing a racially mixed study group which became known as the Hadsell Committee after its chairman, John Hadsell. A year and a half later this committee presented its findings and recommendations. Where the Staats Committee worked around the edges of the segregation issue, the Hadsell Committee met it head on, stating that "recognition of basic human rights and dignity is the solution to the problems of discrimination." [5]

The committee found that all of Berkeley's 14 elementary schools were de facto segregated, and that only one of three junior highs and the single high school approximated the racial composition of the district's total student body. Even in the one racially balanced junior high, most Negro students were segregated in the lower academic tracks and in the high school, largely due to previous segregation, Caucasian and Negro students practiced self-segregation. Linking segregated education and achievement, the committee noted that intelligence scores among minority group students were underestimations of their true intelligence.[6] The committee found achievement differentials to be greater than ability differentials. Most important, children of equal ability were not learning language skills as well in largely Negro-populated schools as they were in predominantly Caucasian schools.

The Hadsell Committee's recommendations went well beyond those of the Staats Committee. The committee recommended 1) elementary school integration, either through redistricting, limited open enrollment, or through the "sister school concept" of Caucasian and Negro elementary schools working together; and 2) integration of the junior high schools through redistricting or limited open enrollment.[7] The report was widely distributed and discussed at PTA and other civic group meetings. Two public hearings, one drawing more than 2,000 people, were held. Finding wide community support, the board asked the administration to study the report and develop alternative means of achieving integration.

OPERATIONALIZING THE OBJECTIVE

An increasingly vocal minority group leadership and a changing school board were solid indications that environmental conditions surrounding the system were changing. How was this new environmental posture to be fed back into the system itself? How were the backers of integration to gain or-

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ganizational commitment to an innovation of such magnitude? First Wennerberg, and later Sullivan, employed a variety of means to achieve the ambitious objective of complete school racial integration:

Task Groups. The first effort was to form district-wide task groups to come up with proposals for implementing integration plans. Involved teachers and administrators who provided needed detailed planning felt themselves a part of the process. Membership on the task groups was broad enough to include negative critics of integration so that a necessary sounding board might be provided *before* innovations were implemented.

One of the task groups came up with the Ramsey Plan (named after the teacher who originally developed it) to achieve integration in the junior highs. Before integration only one junior high school approximated the racial composition of the total school population (54 percent Caucasian, 37.3 percent Negro, and 8.7 percent Oriental and "other").[8] The other two were largely de facto segregated. The Ramsey Plan as adopted and instituted by the board led to the housing of all seventh- and eighth-graders in two junior highs. All ninth-graders were housed at the third junior high. Attendance boundaries were altered to achieve a racial balance in the two seventh- and eighth-grade schools. Teachers were asked where they would prefer to teach and, in almost all cases, were given their first choice. Counselors were transferred with their counselees to lend a degree continuity to student programs.

The board accepted the Ramsey Plan but completely rejected another task group recommendation for elementary integration. This proposal, based on the Princeton Plan, would have necessitated the busing of approximately 50 percent of the district's primary and elementary pupils. The board felt that this was more than the community was ready or willing to accept. In our opinion this was a politically astute move, for it allowed the community to become accustomed to integration in a smaller but still meaningful dose, preparing parents for an effective and complete integration only four years later.

Finances. Backing up its commitment with dollars, the board allocated $200,000 in the first fiscal year of the integration plan for projects which "compensate for gaps in experiences and skills which some children bring to school."[9] Further monies were received from state programs earmarked for compensatory education and from the federally funded Elementary and Secondary Education Act of 1965.

Inter-group. With the help of university advisors, a district-wide group of teachers, labeled Inter-group, was organized to hold workshops, carry on group discussions, and study such things as Negro life, Negro history, and minority coverage in textbooks. Much learning takes place within the group, but more important, the feedback into the schools where open debate has become a reality has been an important factor in staff acceptance of integration and compensatory education programs. Inter-group, which has now become a permanent department called the Office of Human Relations, has grown from 15 voluntary school personnel in 1960 to 300 active participants this year. Spreading the value of the group beyond the school staff, it is now admitting members of the community.

Gaining Staff Commitment. At the classroom level, it is necessary to make teachers feel that the community supports the change. Parents were urged to come to the schools to discuss the issues. Community meetings were consciously pursued and parents were urged to play teaching roles in pre-school programs and as teacher aides. The result has been that many formerly critical parents are now supportive, and teachers feel they are not "fighting a losing battle."

Those administrators who were obstructionists or who refused to participate in the process had to be side-stepped or removed. As they were isolated and identified they were transferred to positions where they would be rendered harmless, encouraged to retire, or helped to find positions in other systems. An immediate result has been a boost in morale for staff members who are committed to racial integration in the schools.

To orient other administrators and minimize indirect methods of communications, several university personnel were employed to lead a group of administrators in sensitivity training (T-grouping). Some members of this group emerged as key participants who were "able to get things done" in the school district. Settling problems instead of imbedding them in an area as touchy as racial relations is critical.

MEETING COMMUNITY RESISTANCE

After the Board of Education voted to put the Ramsey Plan into effect in the fall of 1964, the opponents of integration organized as the Parents Association for Neighborhood Schools (PANS) and demanded removal of the board members who favored the plan. Supporters of integration formed the Berkeley Friends of Better Schools to counteract PANS. A moment of truth had been reached. The ensuing recall election was to indicate whether the schools would be allowed to move ahead with integration.

The result was an overwhelming vote of confidence for school integration. Incumbents who stayed to face the recall election retained their seats on the board by three-to-two victory margins. This election, which saw one of the largest voter turnouts in any Berkeley School Board election, was taken as the final signal for the board to move ahead with its integration plans. There were other positive indications of acceptance of integration in the schools. These included a reduced rate of teacher turnover, an increased student enrollment, and the passage of a tax election at a time when similar tax elections were failing across the nation.

ENTER SUPERINTENDENT SULLIVAN

In the fall of 1963, as final plans were being drawn up to institute the long-awaited integration program, Superintendent Wennerberg, deciding to concentrate on full-time graduate studies, tendered his resignation effective at the end of the school year. Wennerberg was an in-fighter, bloodied in battle. With his resignation, a new superintendent would be able to take advantage of the gains without having to contend with all of the accompanying animosities that developed in the war on segregation. The board set out to replace Wennerberg with a man who was known to be sympathetic to racial integration in the schools.

In the midst of the recall election, Neil Sullivan accepted the superintendency. His professional experience included chief educational administrator roles in suburban New York and New Hampshire communities. He was John F. Kennedy's hand-picked head of the "Free Schools" of Prince Edward County, Virginia. His commitment to integration and his aim to make Berkeley schools "worthy of imitation" buoyed the hopes of Board of Education supporters.

At Sullivan's request, the board established a 138-member School Master Plan Committee, two-thirds of whom were lay citizens, to study and make recommendations concerning the educational program. The committee presented a comprehensive report which urged immediate "racial and socioeconomic integration of students in Berkeley schools."[10] With this report as a guideline, the district was off and running towards the completion of its integration program.

The first major step was a pilot test run under the district's ESEA Title I program. In the spring of 1966, 250 students from the predominantly Negro South and West Berkeley elementary schools were bused to the predominantly Caucasian schools in the northeastern part of the city. The operation, which proved effective despite alarmist forebodings by critics, was well received by participating students and families of both races. Racial barriers were reduced as students became acquainted with each other, but most important, Sullivan contends that "the pilot integration program involving the busing of 250 Negro children to predominantly Caucasian schools . . . demonstrated that integration causes the achievement of Negro pupils to rise without causing any corresponding decline in the achievement of white pupils."[11]

These positive indicators, combined with extensive pressure from the Negro community and many teachers, convinced the board that the time to complete its integration program had arrived. Therefore, it unanimously adopted a resolution to have the administration present plans which would permit desegregation of all elementary schools by September, 1968. Sullivan, in turn, encouraged his administrators and teachers to submit ideas on how to best integrate the schools.

Two task groups were formed. One concentrated on the instructional component of integration to assure that increased achievement would be possible, while the other developed the organizational structure necessary for implementation of the desegregation plans. A lay Citizen Advisory and Review Committee was also formed to review the superintendent's recommendations.

Desegregation proposals were reviewed for feasibility in terms of the following criteria: (1) provision of racial balance in all elementary schools based upon actual school-wide racial enrollment percentages; (2) minimum school plant conversion costs; (3) equitable participation of children from all parts of the city in any necessary busing; (4) a minimum number of school changes in a child's career; and (5) acceptability to the community.[12]

From the proposals presented, the board selected a K–3, 4–6 plan. The plan requires all grades K–3 children to attend schools in predominantly white neighborhoods and all grades 4–6 children to attend schools in predominantly Negro neighborhoods. This two-way busing, unique for an urban area of this size, is almost identical with the original staff-proposed elementary integration plan of 1964. It requires the transportation of 3,400 students but provides a fair racial, socioeconomic, and achievement balance.

This momentous decision has made Berkeley (a community with a significant Negro minority) the first United States city of 100,000 or more population to achieve *total school desegregation.*

Sullivan has said, "We are not simply moving children's bodies. Every classroom will be integrated, racially and socioeconomically. Quality education will be maintained . . . Equally important, we will be changing attitudes, thereby preventing the growth of prejudice in the young."[13]

INTEGRATION ISSUES

Two major concerns articulated by integration opponents dealt with the safety of busing and the effects of integration on the quality of education in the schools. The concern over busing was reduced when the administration went to the community with evidence that pointed out that "the safest time in a child's school day is while riding in a school bus."[14]

The issue of quality education was, and is, a very real concern. Many feel that although integration might cause the achievement of Negro pupils to rise, it could well

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produce conditions detrimental to white student achievement. The few studies carried out in this area indicate that minority students tend to achieve at higher levels when racial mixing takes place, and even more important, that Caucasian student-achievement does not suffer. The administration publicized the much discussed Coleman Report, which concluded that ". . . if a white pupil from a home that is strongly and effectively supportive of eduction is put in a school where most pupils do not come from such homes, his achievement will be little different than if he were in a school composed of others like himself. But if a minority pupil from a home without much educational strength is put with schoolmates with strong educational backgrounds, his achievement is likely to increase." [15]

The administration claims that student achievement will not be endangered in Berkeley. In support of this objective, lower pupil-teacher ratios, special education programs, and an excellent elementary library program have been established. Many teacher aides and volunteer lay assistants have been employed. As a check on achievement, the board has asked the University of California to evaluate the results of its integration activities. Baseline data gathered before school closed in June, 1968, compared with data to be gathered at later dates will permit analysis of changes in individual student achievement, behavior, and attitudes.

IN CLOSING

The Berkeley integration success story is complex. Clearly, concomitant circumstances such as the civil rights movement and the growing liberalism of the Berkeley community have had an impact. The board, which has undergone a drastic reorganization, and the leadership catalyst supplied by Wennerberg and Sullivan were invaluable components. Together, the vast web of interrelationships involving many internal and external forces acted upon the schools to make them susceptible to change.

One can find comparable processes at work in other urban communities as demands for a more equitable distribution of students and resources increase. These communities are beginning to turn away board members who are unwilling or unable to meet the challenge. The same may happen to administrators who refuse to move with the times.

Whether one is talking about Berkeley, Buffalo, or Boston, the problem is there and must be dealt with. A new element, the changing racial composition of the schools, is knocking at the doors. Responses to the problem must transcend education to include other problem areas such as housing and employment, but the schools may well be an excellent place to begin. Realistically, school boards and educational administrators no longer have the luxury of deferring the problem.

FOOTNOTES

*Mr. Milstein (907, SUNY Buffalo Chapter) is assistant professor of education, State University of New York at Buffalo. Mr. Hoch (2283, University of California, Berkeley, Chapter) is a doctoral student in the School of Education, University of California, Berkeley.

[1] Report to the Board of Education by an Advisory Committee of Citizens, "Interracial Problems and Their Effect on Education in the Public Schools of Berkeley, California." October 19, 1959, pp. 18–19.

[2] *Ibid.*, pp. 12–17.

[3] *Ibid.*, p. 10.

[4] CORE, "Presentation to the Berkeley Board of Education on De Facto Segregated Schools," May 1, 1962, p. 4.

[5] Report of a Citizens Committee, "De Facto Segregation in the Berkeley Public Schools," Fall, 1963, p. 1.

[6] *Ibid.*, p. 57.

[7] *Ibid.*, p. 31.

[8] *Ibid.*, p. 5.

[9] Superintendent's Report, "Desegregation of the Berkeley Schools" (Appendix to the Reports), May, 1964, p. 39.

[10] Report of the Berkeley School Master Plan Committee. Board of Education: Berkeley, California, October, 1967, Vol. 1, p. ii-6.

[11] Berkeley Unified School District, news release, January 17, 1968. (Article concerning Board of Education decision on desegregation.)

[12] "Integrated Quality Education, a Study of Educational Parks and Other Alternatives for Urban Needs," ESEA Act 1965, Title III, Berkeley Unified School District (July, 1968), p. 12.

[13] Berkeley Unified School District, news release, January 17, 1968.

[14] Report of the Superintendent to the Berkeley Board of Education, "Integration, a Plan for Berkeley," October 3, 1967, p. 25. (From a report by the State Department of Education to the California State Board of Education.)

[15] James S. Coleman *et al., Equality of Educational Opportunity.* Washington, D.C.: U.S. Government Printing Office, 1966, p. 22.

INFORMATION, THE TAX LAW, AND THE LEGISLATIVE PROCESS

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. DADDARIO. Mr. Speaker, the legislation recently passed by the House to revise the tax law has caused considerable discussion because of possible effects on advice and information for the Congress. I am concerned that we not lose the valuable inputs which have come to us from professional technical societies.

Mr. Thomas C. Jorling, who is presently on the staff of the Senate Public Works Committee, has written a well researched article for the April 1969 issue of the Oregon Law Review. I commend it to the attention of the House and Senate as we continue to examine the possible effects of this legislation. I insert the article, "Information, the Tax Law, and the Legislative Process," in the RECORD at this point:

INFORMATION, THE TAX LAW, AND THE LEGISLATIVE PROCESS

(By Thomas C. Jorling*)

INTRODUCTION

It is essential that legislators have access to the most complete and efficient flow of relevant information possible.[1] This article represents a limited analysis of the flow of information from the citizenry, personal and corporate, in the legislative process. From the standpoint of the potential conveyor of such information, one crucial factor in the conveyance is the expense involved, and one factor directly influencing expense is the applicability of the federal income tax law. Consequently, the discussion herein will be limited to the effect of the federal income tax law on the flow of certain information in the legislative process.

THE PROBLEM

As indicated by a recent Internal Revenue Service letter to the Sierra Club,[2] the current tax law grants no special tax treatment to certain nonprofit citizens, or citizen groups, who advocate, oppose, or otherwise participate in the legislative process in a meaningful way; in fact, it can be argued that the tax law affirmatively limits such participation.[3] This conclusion is based on the following analysis of the interrelationships and effects of various sections of the Internal Revenue Code of 1954.

Section 170(c)(2) of the Code defines (for purposes relevant to this discussion) a charitable contribution entitling a donating individual or corporation to a deduction, as a contribution or gift to a corporation, trust, community chest, fund or foundation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, for the prevention of cruelty to children or animals, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation.[4]

Section 501(c) of the code provides that certain forms of organization are exempt from taxation; for purposes of this article, subsections 501(c)(3) and 501(c)(4) are important. Subsection 501(c)(3) is closely related to section 170(c)(2) in both its language and operation.[5] For the class of organizations for which section 170(c)(2) allows a donor to take a deduction in the amount of his gift, section 501(c)(3) grants exempt status. Thus, if an individual or a corporation makes a gift to an organization meeting the standards of section 501(c)(3), such individual or corporation is entitled to a deduction under section 170(c)(2). Prior to the recent Internal Revenue Service action this represented the Sierra Club's status; the Club was exempt under section 501(c)(3) and a donor could take a deduction under section 170(c)(2). The effect of the Internal Revenue Service action was to remove the Club's section 501(c)(3) status, and, therefore, deny a deduction to those making donations. It should be pointed out that this action did not necessarily remove the exempt status of the Club as it can still qualify for such status under section 501(c)(4), which provides an exemption for organizations not organized for profit but operated exclusively for the promotion of social welfare. However, it should be emphasized, section 501(c)(4) status alone does not enable a donor to take a charitable deduction for a contribution to such organizations.

The Sierra Club represents only one of a large number of nonprofit organizations extant in this country which generally have as their central objective the conservation of some aspect of the natural environment.[6] These organizations cover a broad spectrum of interests ranging from very specific to very broad, all sharing a common fundamental interest in conservation and the environment of man. When we examined this in the context of the income tax law's influence on the legislative process, however, it is important to look beyond organizations of this type and determine if, and what, other organizations are similarly affected by the law and thereby possibly precluded from meaningful participation in the legislative process.

Organizations such as the American Academy for the Advancement of Science, the Ecological Society of America, the American Zoological Society, the American Academy for Political and Social Science, and many other scientific, academic, or professional organizations, whose members constitute some of the most knowledgeable people in our society in areas which relate directly to the commonweal, should actively participate in the legislative process.[7] The information and the opinions of these types of organizations, and their members, should be made available in the same fashion as is the information and opinions of other groups in our society.[8] This would represent politics in a truly noble form. Our future can tolerate nothing less.

This leads, then, to a second consideration: the comparison of the involvement

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in legislative activities by nonprofit organizations concerned generally with science, the arts and letters, and the environment of man with similar involvement by organizations of private enterprise. In 1962 Congress amended Internal Revenue Code of 1954, section 162 (regarding trade or business expenses) to allow an income tax deduction for any expense by an individual or corporation which is incurred in carrying on any trade or business in direct connection with legislation or proposed legislation of direct interest to the taxpayer and any expense in direct connection with communication of information between the taxpayer and an organization of which he is a member with respect to legislation or proposed legislation of direct interest to the taxpayer; the amendment further provided that the taxpayer may deduct that portion of dues paid to any organization which can be attributed to lobbying activities of interest to the taxpayer's trade or business carried on by such organization.[9] Regulations promulgated pursuant to this amended section establish a test to determine whether legislation or proposed legislation will, or may reasonably be expected to, directly affect the trade or business of the taxpayer. Whether the legislative effect will be beneficial or detrimental to the trade or business is immaterial.[10] In addition to the direct interest limitation, section 162(e)(2) further limits the section 162(a) expense deduction to exclude any expenses for participation in, or intervention in, any political campaign on behalf of a candidate for public office, or any expense resulting from any attempt to influence the general public, or segment thereof, with respect to legislative matters, elections, or referendums. Even with such limitations, section 162(e) provides, as intended, a clear tax stimulus for private industrial organizations to expend funds in support of, or in opposition to, legislation affecting their trade or business, and to take a deduction for such expenses.[11]

Furthermore, it appears that a group of like-minded private enterprise organizations could establish a nonprofit corporation to conduct lobbying activities in support of their interests, make deductible contributions to it, cause the corporation to achieve exempt status under section 501(c)(6) as a Business League, and thereby further concentrate their lobbying power.

A hypothetical legislative proposal will serve to illustrate the relative lobbying strengths which can be brought to bear in support of divergent interests. Assume there is proposed legislation to support the research and development of a certain instrument of technology which will have undetermined effects on some aspect of man's habitation—for instance, a supersonic transport. In support of this proposal the aviation industry, including manufacturers, carriers, and related businesses, could wield great influence in support of such proposals and deduct all expenses which could meet the broad direct interest test of Treas. Reg. sec. 1.162-20(c)(2)(ii)(*b*)(*1*)(*i*). On the other hand, if there were some feeling among certain scientific, academic, or general public interest groups or individuals that certain aspects of the technology to be supported by legislation represented a possible threat to the public welfare, such groups would be hard put to marshal support and advance their cause in the legislative process. Any substantial effort to influence the legislation could cause an interested nonprofit organization to lose its section 501(c)(3) status and possibly jeopardize its very existence through consequent loss of contributions. Thus, most groups would refrain from becoming involved in the legislative process, no matter how deep the conviction.[12] Consequently, the present tax law contributes to a great disparity of power between opposing interests relating to legislation. Whether the instrument is a supersonic transport, a superhighway, a sea-level canal, an electronic device, pollution, or a dam, the result is the same. Even more compelling is the fact that the legislature has acted with incomplete evidence before it. In view of the exponential rate of scientific and technological growth, it is essential that this deficiency be remedied as soon as possible.

Other examples abound. There is being advanced a proposal to create a new national park in the northern reaches of the Cascade Mountains in the State of Washington. This area is at present a National Forest. Under the mining laws applicable to the National Forests, the Kennecott Copper Company has acquired mineral rights for certain lands included within the proposed park.[13] Such rights could, of course, be affected by the establishment of a National Park. In support of its position opposing the proposed National Park, the Company and, indeed, the copper industry in general can spend great sums of money in attempting to influence congressional disposition of proposed legislation and, at the same time, be afforded a tax deduction for such expenditures under section 162(e). On the other hand, a citizen or organization advocating the park for the sake of general social or conservation interests could not take a deduction for expenses incurred in attempting to influence the form of legislation. More importantly, an organization representing many interested and concerned individuals could not act significantly to influence legislation and maintain its section 501(c)(3) status. Thus, concerned individuals who form many nonprofit interest groups are effectively precluded, or at least greatly restricted, from engaging in the legislative process. The result often is that these citizens and organizations are not involved in the legislative process to the extent they should be, or to the exent required by Congress if it is to make balanced and well-informed judgments.

When the disparate financial capacity typically existing between industrial corporations and interested citizens and citizens groups is added to this inequitable tax situation, the disparity in lobbying strength becomes even greater. Although the disparity in financial capacity will remain, the inequity in the tax law should be remedied.

A PROPOSAL

With this background, it is now possible to take the further step of offering recommendations. Underlying these recommendations is the belief that citizens, corporate and personal, who sponsor the advancement of science, social welfare, and other nonprofit causes should be accorded equal treatment with citizens who are engaged in trade or business under the tax law which effectively regulates involvement in the legislative process. It is essential that those who believe that a technological development might in some manner be harmful to the social welfare should have equal opportunity under the tax law to voice their concerns to the legislature. This is not to say all conservation, scientific, or other similar groups are without bias on all issues. What it does say is that they should have equal ability under the law to present their views. Nor is this meant to suggest that nonprofit organizations should be able to retain section 501(c)(3) status, lobby, and, without restriction, advocate to the general public their views on legislation. Such a situation would tilt the scale of lobbying power in favor of the nonprofit interest. What is desired is simply the achievement of balance in the flow of information reaching the legislature.

Consequently, in addition to making applicable, ipso facto, the limitations of the Federal Regulation of Lobbying Act, the suggested amendment to the Internal Revenue Code advocated below would also adopt the limitation of section 162(e)(2) and thus deny section 501(c)(3) status to any nonprofit organization which participates in any campaign for political office or which attempts to influence the general public with respect to legislative matters.

Specifically, it is recommended that section 501(c)(3)[14] be amended by deleting the clause beginning "no part of the net earnings" to the end of the subsection and substituting therefor the following:

". . ., including appearances before, submission of statements to, or sending communications to, the committees, or individual members, of Congress or of any legislative body of a State, a possession of the United States, or a political subdivision of any of the foregoing with respect to legislation or proposed legislation of direct interest to the organization; no part of the net earnings of which inures to the benefit of any private shareholder or individual; no part of the activities of which is participating in, or intervening in, any political campaign on behalf of any candidate for public office, or in connection with any attempt to influence the general public or segments thereof, with respect to legislative matters, elections, or referendums."

Section 170(c)(2)(D)[15] should be amended by deleting the present paragraph (D) and substituting therefor limitations similar to those found in section 162(e)(2). Thus, section 170(c)(2)(D) would read as follows:

". . . no part of the activities of which is participating in, or intervening in, any political campaign on behalf of any candidate for public office or in connection with any attempt to influence the general public or segments thereof, with respect to legislative matters, elections, or referendums."

This amendment would place nonprofit organizations and trade or business organizations on an equal footing before the federal income tax law. However, there remain apparent distinctions and, of course, the practical effect of the proposed amendment to be considered.

The provision allowing business to deduct expenses for conducting activities supporting or opposing legislation of "direct interest"[16] is not immediately appropriate to limit many nonprofit organizations. The question will arise: What is of direct interest to the Ecological Society of America, the American Institute of Biological Sciences, the Conservation Foundation, the Sierra Club, etc.? It is clear the criteria used to determine direct interest for a trade or business are not suitable for a determination of direct interest to such groups. Consequently, a new set of criteria will necessarily have to be established to define the appropriate nexus between any given legislation and the nonprofit organization's purpose.

Nonprofit groups are presently required to file their corporate articles and other materials in support of an application for a declaration of section 501(c)(3) status. Precedent to a declaration of such status under the proposed section 501(c)(3), the applying organization could be required to state the nature of the legislative activity in which they intend to engage to enable the IRS to make a determination of consistency between the nonprofit purpose and legislative interest. In addition, any nonprofit group desiring to engage in permitted lobbying activity in legislative matters outside of those stated in the initial application for section 501(c)(3) status could be required by regulation to file an application for a permissive ruling setting forth the relationship of the purposes of the nonprofit group to the broadened legislative interest.

The relationship between purpose and legislative interest should not be narrowly interpreted. To do so would seriously undercut the benefit to Congress that this proposed amendment would bring, namely, better information on the effects of proposed legisla-

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tion. The message of the environmental crisis is clear. Technological development and environmental modification projects have, in addition to those readily apparent, many, and generally not evaluated, effects. A superhighway is more than a conduit of wheeled vehicles; it is an alteration of a substantial portion of the landscape. Similarly, many technological projects have wide ramifications on which Congress must have a wide spectrum of information if it is to act wisely and prudently.

It should be obvious that the amendment proposed would not operate to overturn the IRS ruling on the Sierra Club.[17] In fact, under the proposed amendment there would have been no issue; the Sierra Club could not obtain revised section 501(c)(3) status and still advocate to the general public, as it did, a legislative position. Therefore, some nonprofit organizations (and the Sierra Club might well be one), deciding that the proposed limitations are too restrictive, will not choose to apply for revised section 501(c)(3) status, and will choose, in the alternative, section 501(c)(4) status, which carries no limitations regarding legislative activity. Such an organization could not, of course, be dependent on eleemosynary intent contingent on a section 170 charitable deduction.

On the other hand, it is submitted that closer analysis of the legislative process clearly indicates the advantage of the legislative activity which would be permitted under the proposed amendment. In most instances, the die is cast on legislation long before it reaches the floor of either chamber, and often, even before it reaches committee hearing. Massive periodic letter writing at the public call of an interest group appears to have little real effect on the course of legislation. Conversely, the ultimate disposition of legislation is affected by the activities of professional liaison-lobbyists who have identified with, and maintain good and productive relationships with, key senators, congressmen, and staff personnel. In so doing, a professional lobbyist can acquire and furnish crucial information throughout the legislative process. It should be apparent that the interaction here described is dependent on a relationship of trust which only exists when the lobbyist is able to furnish useful and valid information. It is to be expected that scientific and other groups would furnish such information.

The effectiveness of this type of activity is not limited to the personal approach. Press coverage of the activities of Capitol Hill are as sensitive as they are extensive. Consequently, positions advocated by a nonprofit organization on specific legislation would reach the gamut of the communications media with the same, and possibly more effective, result as directly approaching the general public.

Another important consideration in weighing the merits of the proposed section 501(c)(3) status is the relationship of the educational purpose of most nonprofit organizations to permitted lobbying activity. It would not appear to take an inordinate amount of skill to combine legitimate educational activity having the effect of supporting a legislative position while avoiding the prohibition against attempts to influence the general public with respect to legislative matters.

In addition, for those who think that public exhortation on legislation is essential, it would appear that organizational alternatives are available. Thus, a small organization could be created and receive section 501(c)(4) status and have as its purpose the motivation of the general public regarding legislation. Caution would be required, especially regarding linkages with section 501(c)(3) organizations, but it is submitted that with the advice of counsel a legally supportable entity could be established which could usefully complement other nonprofit organizations without jeopardizing their section 501(c)(3) status.

CONCLUSION

It is the position of this writer that with intelligent management a nonprofit organization could more effectively furnish relevant information to Congress and accomplish legislative objectives by taking advantage of activities permitted under the proposed section 501(c)(3) amendment than it could by any other method, including solicitation of the general public. More importantly, Congress will have added effective channels of important information which now only trickles in from invited testimony. It is submitted that a desirable balance in the flow of information to the Congress will be achieved within the suggested framework.

FOOTNOTES

*Member, District of Columbia Bar. B.S. (1962), University of Notre Dame; L.L.B. (1966), Boston College; M.S. (1969), Washington State University. The writer is a member of the American Academy for the Advancement of Science and the Ecological Society of America, but is not a member of any conservation organization. He is currently Minority Counsel to the United States Senate Committee on Public Works. He has also served as Assistant to the General Counsel, Smithsonian Institute, and in the Solicitor's Office of the United States Department of the Interior. The views expressed in this article are not necessarily those of the Senate Committee, the Smithsonian Institute, or the Department of the Interior.

[1] The population of the United States is over 200 million; given a similar rate of growth, the population will be 330 million by the year 2000. The population of the world is now in excess of 3 billion and given a similar rate of growth it will exceed 6 billion by the year 2000. NATIONAL ACADEMY OF SCIENCE, THE GROWTH OF WORLD POPULATION 1 (Pub. No. 1091, 1963). The rapid expansion of scientific research is such that more than 85 per cent of the scientists that have ever actively engaged in scientific research are active at the present time—with the result that scientific knowledge is doubling every ten years. *Panel on Science and Technology, Proceedings Before the Committee on Science and Astronautics,* 90th Cong., 1st Sess. 14 (Jan. 24, 1967). In 1950 there were fifteen computers operating in the United States; in 1966 the number reached 35,000; the projections for 1975 anticipate the number will exceed 85,000. McCarthy, Information, 215 SCIENTIFIC AMERICAN 65, 67 (Sept. 1966). The rate of social and technological change, for which these statistics merely represent an index, must be controlled and given direction for the benefit rather than exploitation, of mankind. Progress should provide for the broadening of human qualities, rather than their confinement.

[2] The Internal Revenue Service letter is reported at 7 CCH 1967 STAND. FED. TAX REP. par 63.67, at 71, 381. This letter gave notice to the Sierra Club that the IRS proposed to revoke its earlier ruling granting the Club exempt status under INT. REV. CODE of 1954, sec. 501(c)(3). The letter and the circumstances (and advisability) of this action have been the subject of recent law review notes which should be consulted for the facts and background of the Sierra Club case. *See* Note, *The Sierra Club, Political Activity, and Tax Exempt Charitable Status,* 55 GEO. L. J. 1128 (1967) and 55 CALIF. L. REV. 618 (1967).

[3] For a comprehensive discussion of the operation of the federal income tax law on tax exempt organizations, see STAFF OF HOUSE COMM. ON SCIENCE AND ASTRONAUTICS, 88th CONG., 2D SESS., SCIENTIFIC-TECHNICAL ADVICE FOR CONGRESS—NEEDS AND SOURCES 63 (Comm. Print 1964).

[4] Immediately a question arises as to the meaning of the "substantial" qualification. However, it is the position of this writer, as will become apparent below, that the remedies necessary to improve the law cannot be obtained by mere redefinition or modification of the word "substantial." *But see* 55 GEO. L. J., *supra* note 2, which discusses the history and case law of the "substantial" qualification and advocates redefinition.

[5] Sec. 501(c)(3) provides that exempt status may be granted to the following organizations: "Corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation, and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office."

[6] *See generally* THE CONSERVATION DIRECTORY (1967), compiled by the National Wildlife Federation, 1412 N. W. 16th St., Washington, D.C. 20036, which contains a list of some 142 conservation organizations. This should in no way be interpreted as a classification of tax status; it is intended only as an index of the number of organizations concerned with conservation.

It may be helpful at this point to review the mechanics of how the tax law affects nonprofit organizations of the type discussed here. In most cases, the organizations are marginally capitalized and depend for their continued existence on contributions. One of the most important factors stimulating contributions is the ability of a contributor to take federal income tax deductions for such contributions. It is, therefore, necessary that the recipient organization meet the standards of a section 501(c)(3) organization. Such organizations are, therefore, extremely careful to avoid involvement in legislative affairs, for, without the section 501(c)(3) status (giving donors a deduction), it is possible that many of the organizations would fold.

[7] It is immediately conceded that the reticence of scientists and scientific organizations to become involved in legislative matters is not solely attributable to the income tax law. The aloofness and detachment from society of many scientists are major factors; and this detachment in the face of public support for the major portion of scientific research is somewhat incongruous. Amendment of the tax law is not a panacea, but it should serve as at least a portion of the span between the "two cultures": the scientific and general public communities. Another factor in the lack of participation in the legislative process may be the exercise of undue caution in interpretation of the tax law. This possibility is acknowledged in a recent letter that Congressman Emilio Q. Daddario (D-Conn.), Chairman of the House of Representatives Subcommittee on Science, Research, and Development, sent to the editor of SCIENCE in which he concluded: "I believe we should have a diversity of opinions in formulating science policy, and urge the participation of scientists everywhere. I can appreciate the hesitancy of organizations committing actions which would endanger their tax exempt status, but I believe that needless caution is a luxury we cannot afford in view of the issues facing society today." 160 SCIENCE 251 (1968).

[8] It is acknowledged that this will require compliance with the Federal Regulation of Lobbying Act, 60 Stat. 839 (1946), 2 U.S.C. sec. 261–270 (1964). Although there is often a stigma, at least in many people's minds, associated with "lobbying," lobbying is a most effective way of conveying information

to the legislature. It should be noted that the Lobbying Act was designed to apply "chiefly to three distinct classes of so-called lobbyists:

First: Those who do not visit the Capital but initiated propaganda. . . .

Second: The second class of lobbyists are those who are employed to come to the Capital under the false impression that they exert some powerful influence over Members of Congress . . .

Third: There is a third class of entirely honest and respectable representatives of business, professional, and philanthropic organizations who come to Washington openly and frankly to express their views for or against legislation, many of whom serve a useful and prefectly legitimate purpose in expressing the views and interpretations of their employers with respect to legislation which concerns them. They will likewise be required to register and state their compensation and the sources of their employment." S. Rep. No. 1400, 79th Cong., 2d Sess. 27 (1946).

There should certainly be no stigma attached to this last category. Interested citizens should engage enthusiastically in such legislative procedures.

[9] Pub. L. No. 87-834, sec. 3, 76 Stat. 960 (1962). As used in the Internal Revenue Code, "trade or business" is a term of art used to describe activities which occupy the time, attention, and labor of man in pursuit of profit. 4A J. Merten, Federal Income Taxation sec. 25.08 (rev. ed. 1966).

[10] Treas. Reg. sec. 1.162-20(c) (2) (ii) (b) (1) (i).

[11] The Senate Committee on Finance report accompanying the 1962 Internal Revenue Amendment Bill is enlightening on the purpose of the amendment granting a deduction to expenses incurred in lobbying. "It also is desirable that taxpayers who have information bearing on the impact of present laws, or proposed legislation, on their trade or business not be discouraged in making the information available to the Members of Congress or legislators in other levels of Government. The presentation of such information to the legislators is necessary to a proper evaluation on their part of the impact of present or proposed legislation." U.S. Code Cong & Ad. News 3325 (1962). It is submitted that the same logic applies to information issuing from nonprofit corporations, or other concerned citizens, particularly those qualified to judge the impact or potential impact, of present or proposed legislation on the well-being of man.

[12] Patterson, *The Art of the Impossible*, 96 Daedalus 1031 (1967).

[13] For a discussion of the Kennecott Copper Company and related matters see Comment, *The Wilderness Act and Mining: Some Proposals for Conservation*, 47 Or. L. Rev. 447 (1968).

[14] Quoted in note 5 *supra*.

[15] This section now provides that, to be a charitable contribution, a contribution or gift must be to an organization "no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation."

[16] *See* Treas. Reg. sec. 1.162-20(c) (2) (b) (ii).

[17] *See* note 2 *supra*.

THE UNITED STATES: A THIRD-RATE MARITIME POWER?

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. FEIGHAN. Mr. Speaker, time is running out.

A continuing concern of mine has been the constant deterioration of our merchant marine fleet. This fleet, sometimes referred to as our fourth arm of defense, is in dire need of rejuvenation through an expanded shipbuilding program. Without such a program, the United States may suddenly come to realize that, as a maritime power, it is at best third rate.

The Labor-Management Maritime Committee, composed of major steamship lines representing some 70 percent of all ships in the liner trade, has published a brochure which effectively describes our national maritime dilemma. This brochure, published on December 6, 1968, is even more timely today than when it was originally written, and I would like to bring it to the attention of all my colleagues.

The brochure follows:

SUPPORT AN EXPANDED MERCHANT SHIPBUILDING PROGRAM

(NOTE.—This brochure sets forth in brief the rapidly widening construction gap between U.S. and foreign shipbuilding and the reasons therefore. A stalemate in U.S. merchant shipbuilding continues to persist. It not only impedes the promotion of our foreign commerce but endangers the national security by weakening our overall sea-power capability. Unless an effective merchant shipbuilding program is provided soon, the United States will sink to a third rate maritime power, or worse.)

(Time is fast running out. The time for corrective action is now.)

OUR NATIONAL MARITIME DILEMMA

Any organism that fails to perpetuate itself becomes extinct.

A merchant marine without a ship replacement program must die. Much of the U.S. merchant fleet is dying.

Many elements of the American Merchant Marine have made inadequate provision for new ship construction.

The replacement program of the berth line carriers is a notable exception.

Committing some $2.5 billion of private capital to the replacement of approximately 300 vessels, or their capacity equivalent, the berth line carriers have been building the finest and fastest new liner ships in the world.

However, this program now has a schedule lag equivalent to approximately 100 existing ships due substantially to Government neglect.

For a decade or more, the Government has failed to provide U.S. shipyards with adequate cost differential subsidy under the 1936 Act to keep pace with replacement schedules. For fiscal year 1969 it has even threatened to impound funds to reduce the level of merchant ship construction. Presently $101.6 million is being so reserved.

Simultaneously, it has prohibited berth operators from building their ships abroad even at no Government cost and denied legislative modifications to allow use of such ships in subsidized services.

Continued impounding of funds tends toward a vacuum in merchant shipbuilding. At any rate, few ships can be built under existing policies of maritime budgetary privation.

The horns of the dilemma are obvious; needed ships cannot be built in U.S. yards. Ships cannot be built in foreign yards. Needed ships cannot be built.

THE CONSTRUCTION GAP IN MERCHANT SHIPBUILDING

A rapidly mounting construction gap is developing between the United States and foreign maritime nations in merchant shipbuilding.

With each passing year, the time lost may be irretrievable, endangering both our commercial ocean transport capability and our national security.

During 1967 certain maritime nations built their merchant ships in both domestic and foreign shipyards, thus gaining substantial advantage.

Nation	In domestic yards	In foreign yards
Denmark	8	15
West Germany	59	14
Norway	19	94
Sweden	22	10
United Kingdom	31	31
U.S.S.R.	19	60

During the same year, of those nations building all their own merchant ships in domestic yards, all exceeded the U.S.

Nation	In domestic yards	In foreign yards
Italy	18	0
Japan	168	0
Spain	28	0
United States	12	0

In 1967 the United States built no merchant ships for other countries, nor has she since; not so with other maritime nations.

Nation	For herself	For other nations
Denmark	8	9
Finland	4	34
France	18	8
West Germany	59	26
Japan	168	171
Netherlands	8	15
Norway	19	14
Poland	8	18
Spain	28	11
Sweden	22	31
United Kingdom	31	31
U.S.S.R.	19	4
United States	12	0

Thus the construction gap widens and the pattern persists.

In sum, the United States—

Builds practically no merchant ships in foreign yards. [For U.S. flag operation]

Builds no merchant ships in U.S. yards for foreign markets.

Builds meagerly for itself for the foreign commerce (about 10 to 12 yearly).

Under continued fund impounding practices, will build few in 1969.

Aside from losing out in the race for world commerce, our merchant marine is already inadequate for the nation's defense.

The problem we face:

The nation has never had an adequate merchant fleet *in being* at the outset of any major conflict. It has relied on massive, and even wasteful, emergency or crash shipbuilding programs to bridge the gap.

In our previous conflicts, our shipyards were free from attack, enabling them to perform the job.

Future conflicts, with massive potentials in atomic rocketry, give no assurance of shipyard survival.

In such case, they will be fought with the aid of ships in being, already dispersed at sea.

Under current trends, our potential adversaries will have them; we will not.

THE LONG-TERM CHARTER BONANZA

The low road to fleet replacement

Outmoded fleets are now the unhappy possession of many U.S. carriers in the foreign commerce.

For some two decades many carriers have provided inadequate lay-aside for ship replacement.

Extensive distribution of profits for other purposes has created a sense of relatively high prosperity.

The awesome specter of rapid fleet deterioration now calls for sober re-assessment.

Some carriers facing this dilemma also operate foreign ships in substantial proportion to their total fleet.

The choice of some now seems to be: (1) go completely foreign, or (2) have Uncle Sam underwrite their total fleet replacement.

Under the latter alternative, they now seek to receive, like the prodigal son, both the robe and the fatted calf. Their proposals call for just that and assume the following pattern:

The Secretary of Commerce would be called upon to enter into 20-year bareboat charters of the ships to be constructed.

These charters would be at a rate sufficient to cover the cost of designing, building and financing new merchant fleets, spreading the Government cost over a 20-year period.

Long-term bareboat charters would pledge the faith and credit of the United States to pay out the entire construction costs—thus guaranteeing bank loans and advances.

Construction of some 100 merchant ships is proposed over a five year period, fifty of which would be liners.

The Secretary of Commerce would recharter the ships back to the same operators for daily operation in the foreign commerce.

The ships would be treated in all respects as ships owned and operated by private operators.

Instead of paying a fixed rate of sub-charter hire to equate Government output, the operators would only agree to share with Government any profit they could make.

Thus, the commitment of the Government (i.e., the taxpayer) would be a firm and fixed obligation for 20 years—uninterrupted and unequivocable.

The commitment of the operators would be only to share profits if any are realized; thus conditional, indefinite and unguaranteed.

They advance the following formula for profit sharing:

70% of net voyage profits up to one-third of annual bareboat hire, plus

50% of net voyage profits in excess of one-third of annual bareboat hire up to two-thirds plus

30% of net voyage profits in excess of two-thirds of bareboat hire, but not more than 100% of annual bareboat hire.

Sub-charters may be of one or more years' duration with no commitment to sub-charter for the duration of the 20-year bareboat charters. Government would take all the risks of future vessel employment.

In addition, the Government is asked to reserve all Government cargoes, both aid and military, for the sub-charter carriers.

To sweeten the pie, the Government is asked to set rates on all such cargo at a level to *guarantee a profit* to the sub-charter lines.

With bank loans assured under 20-year Government charters, operators would need to advance little or no funds whatsoever.

The plan of the charter advocates says to the Government, "Give us the ships free; give us a monopoly on all Government cargo; set rates to guarantee us a profit, you take all the risks, and we will let you share in such profits as occur but only on a limited basis."

Many have wished Christmas could be year round. The charter advocates have found a way.

A PROPER MANDATE TO BUILD MERCHANT SHIPS

United States shipyards build the finest ships in the world.

This has been traditionally true and will continue so if they get the business.

Substantial construction of ships in U.S. shipyards is, therefore, a proper mandate and should be vigorously pursued.

Unfortunately, the so-called non-subsidized lines, operating in the foreign commerce, build few new merchant ships in the United States. They build no new ships in the U.S. for the liner or dry bulk trade.

Their current ship construction program consists substantially of tankers or ships which will engage in the domestic commerce. Under law, ships for the domestic commerce cannot be built with construction subsidy. Under existing administrative policy, tankers are not built with construction subsidy.

Any comparison to new merchant ship construction under the 1936 Merchant Marine Act is, therefore, meaningless.

The new construction in the U.S. for the foreign commerce has been principally by contract-supported lines having broad government obligations to maintain berth services on essential trade routes.

Under this program *U.S. shipyards* (not the operators) have been subsidized for the difference between American and foreign shipyard costs.

While under law *shipyard* construction subsidy may be authorized for ships to be used in the foreign commerce, non-contract lines have not normally availed themselves of it.

This has been due in part to other factors:

Failure of government to approve liner applications for operating differential support.

Failure to appropriate funds to make this possible.

Failure to modify the 1936 Act to make its operating provisions available to dry bulk carriers.

Failure of such lines finally to elect such course.

The 1936 Merchant Marine Act should be amended to broaden its application to the needs of dry bulk carriers.

Appropriations for shipyard differential subsidy under the 1936 Act are urgent if the U.S. merchant marine is to keep pace with world merchant fleet expansion. Some 30 to 40 new ships a year is a minimum to keep pace with international maritime developments.

Qualified shipowners in the foreign commerce are entitled to purchase ships at world market prices. Logically, this can be accomplished in two ways—(a) in U.S. yards with shipyards receiving cost differential support, or (b) in foreign yards at no cost to the U.S. Government.

Nonetheless, in the current situation:

1. U.S. shipyards may not receive cost differential support sufficient to accomplish our maritime goals.

2. Subsidized operators may not build ships foreign, even at no cost to the government and return them to subsidized trade route operation.

These negative practices place a dog in each manger. The result is a stalemate. In any case, shipyards are given pre-eminence over ships. This philosophy, allowed to run its proper course, will destroy our merchant marine.

Maximum construction in U.S. shipyards is the ideal goal. It should be effectively assured by proper application of the 1936 Merchant Marine Act and the adoption of a positive maritime program.

Failure to do so must not create an altar upon which the merchant marine is to be sacrificed.

It must some day be realized that shipyards exist for the sake of ships, not vice versa. It is the end product that moves the commerce of the United States and transports our military needs.

The Labor-Management Maritime Committee favors maximum utilization of U.S. shipyards in re-building the American Merchant Marine. However, realization of such an objective mandates that Government provide cost differential funds to U.S. shipyards sufficient to accomplish the job. Continued budgetary privation must not be allowed to defeat the purposes of the 1936 Merchant Marine Act or render our national maritime policy ineffective.

There are no easy or magic short-cuts to merchant ship replacement. Currently offered alternate schemes for constructing and financing, when analyzed, tend to Federalize the merchant marine or leave the Government holding the bag. We should either underwrite the 1936 Act by making adequate funds available to do the job or amend it to allow foreign shipbuilding for subsidized trade route services. We favor the former. However, continued Government indifference will make the latter course imperative. The current drift and indecision must not persist.

SOVIETS ATTEMPTING TO OVERCOME AMERICAN SUPREMACY IN AIRCRAFT PRODUCTION

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. PELLY. Mr. Speaker, it is clear by recent activities of the Soviet Union that the Russians have begun an all-out effort to take U.S. dollars away from our economy, along with our supremacy in the field of aircraft manufacturing, by selling their own airplanes to the world's airlines.

The high quality of the product produced by American industry and labor can stand the competition, Mr. Speaker, despite the Russians' use of what has been labeled, "flexible" sales tactics.

But, my major concern is the supersonic transport, which Russia now has flown at a speed faster than that of sound. What we are facing is the loss of sales of aircraft to the Russians if our own SST is not allowed to be continued in its orderly development program.

Anyone who thinks the Soviets are not a threat, Mr. Speaker, is not facing the facts.

The Russians are known to be negotiating with the Japanese to purchase the Russian SST in exchange for the U.S.S.R.'s granting the Japanese air routes over Siberia from Tokyo to Moscow. In addition, the Russian airline Aeroflot is advertising in the United States for travelers headed for Tokyo from New York to take the Aeroflot route from New York to Moscow and then to Tokyo.

The point is that the Russians are lining up air routes for their SST, and they are entering the competitive market of aircraft sales. What this would mean to our balance of payments is monumental, both in sales of overseas airlines that ordinarily would have purchased U.S.-built airplanes or in sales that would have stayed in America but have gone to Russia instead.

The picture of what is happening is plain, Mr. Speaker, and I urge President Nixon to give the go-ahead to the U.S. SST project as a protection to our superiority in this, one of the last remaining industries where the American name is still on top; to our balance of payments; and to the American workingman in practically every State who will bene-

fit from the construction of the supersonic transport.

Meanwhile, Mr. Speaker, Robert L. Twiss, associate editor, Seattle Times, has recently written two feature articles on just this problem, and I include the articles at this point in the RECORD:

RUSS SST ON VIEW: LIMITED USE IN 1972 APPEARS TO BE GOAL

(By Robert L. Twiss)

The Russians appear to be aiming at limited operation of their TU–144 supersonic transport in 1972, Maynard L. Pennell, vice president of The Boeing Co., said yesterday in reporting on his recent inspection of the Soviet Union's SST in Moscow.

Russia, five years ahead of the United States in SST development but with a smaller, slower plane than the proposed American transport, is "most anxious" to take the lead in the SST race by selling TU–144s to the non-Communist world, Pennell said.

Pennell and four other American aviation experts viewed the TU–144 prototype at Moscow's Sheremetyevo Airport July 30. Pennell, who formerly headed Boeing's SST program, is one of the West's most knowledgeable aeronautical experts to see the Russian SST.

Now vice president of product development for Boeing's Commercial Airplane Group, Pennell said the TU–144 "is a satisfactory prototype of a supersonic transport." The workmanship, he added, "is satisfactory for a prototype airplane."

Pennell and other members of a group headed by Najeeb E. Halaby, president of Pan American World Airways, spent 90 minutes studying the TU–144. The visit was a reciprocal arrangement completed at the Paris Air Show, where the Russians were escorted through the Boeing 747 in return for display of their SST in Moscow.

While the Russians apparently are aiming at limited TU–144 operation in 1972, "I don't believe they are prepared to announce this until they get farther into their test program," Pennell said. "The Russian SST flew for the first time last New Year's Eve.

"They are probably five years ahead of us but with an airplane with less potential (than the Boeing SST)," Pennell said. The Boeing SST program is awaiting a Nixon-administration decision on whether to proceed with construction of two prototypes of the 1,800-mile-an-hour, fixed-delta-wing airliner.

The Russian plane will fly about 1,500 miles an hour.

The important feature of the Russian program is that the Soviet Union actually is flying an SST, Pennell said, pointing out this could pave the way for even more advanced planes. The visiting Americans "learned indirectly" the Soviet Union has four more prototype SSTs under construction, he added.

Pennell forecast a vigorous Russian attempt to market the TU–144 in the non-Communist world.

"I believe they are most anxious to do this and will utilize the full powers of their government with respect to favorable financing terms and even the use of this airplane (in exchange) for traffic rights over Russia," he explained.

"They have the world's largest land mass to bargain with, and it happens to be the most direct route between Western Europe and the Far East. I expect they will take full advantage of this and attempt to sell their products.

"I believe they want very much to get a lead on Western nations."

Pennell said the TU–144 "probably is somewhat less sophisticated than the Concorde today." The Concorde is a 1,400-mile-an-hour SST under development by the British and French and is expected to enter service in 1973.

Pennell called attention to "small but important differences" in wing aerodynamics in the two European SSTs. He suggested the TU–144 "may not be as good as the Concorde in low speed or supersonic flight."

The Russian plane weighs about 330,000 pounds, lighter than the Concorde and about the same weight as a Boeing 707 intercontinental subsonic airliner.

By United States standards, the TU–144 economics "probably will be quite poor," Pennell said. But he stressed that the Russians have different standards because of their economic system.

"I suspect as long as it's safe it will be well-patronized," he said. He explained he has no reservations about the TU–144's safety that do not apply to any airplane as new as this.

Pennell said the Russians told him they could not provide firm performance data on the SST until late in 1971. The plane has reached a top speed of between Mach 1.35 and Mach 1.4 at 45,000 feet (about 900 miles an hour), he said, compiling 22 minutes of supersonic flight time.

"But that's 20 minutes longer than we have," he stressed.

Pennell said the Russians told him the lighter TU–144 would be "somewhat better" than the Concorde for sonic boom.

"The Russians don't believe the sonic boom would be a serious constraint on operations over Siberia," Pennell said.

The TU–144 shows "some evidence" of use of titanium in key areas, Pennel said. Some electronic advances, such as inertial navigation, also are in the plane, he added.

Pennell said his view is that penetration of the non-Communist market by the TU–144 is a "possibility, and in my opinion, not necessarily a high probability. But, because it is a possibility, it is important."

If Britain and France decide not to proceed with the Concorde and the Russians prove the TU–144 to be a good airplane, "then it might have sales appeal outside the Communist world," Pennell added.

He noted the Russians have had difficulty in marketing commercial transports outside Communist lands, since they are "unwilling or seem unable within their system" to provide the technical information necessary for airlines to evaluate an airplane.

The TU–144 is designed to carry 120 passengers in all-tourist class. Pennell thinks the plane may not have as much range as the Concorde, and thus may fly a few more passengers shorter distances than the Western European plane.

Pennell stressed he saw the TU–144 "only 90 minutes" and was not permitted a detailed examination of the delta-wing airliner. Thus the agreement at the Paris Air Show meant "they didn't get much; we didn't get much."

"My impression is that the Russians are building an airplane very similar in basic characteristics to the Concorde," Pennell concluded.

SOVIET UNION OFFERS ARABS GOOD DEAL ON JET AIRPLANES

The Russians have stepped up their vigorous drive to sell commercial airliners to the Arab world.

As a result, substantial orders for the Soviet TU–154 medium-range trijet transport may be placed by United Arab Airlines and many other members of the 13-line Arab Air Carriers' Association, Ahmed Tewfik El-Bakry said during a Seattle visit.

El-Bakry, chairman of the board of United Arab Airlines, was here to study The Boeing Co.'s Model 727–200 long-body trijet, one of the contenders for the Cairo-based carrier's order for medium-range jets.

There are four competitors for the United Arab purchase, three from the West and the TU–154, El-Bakry said. The Western planes being studied, in addition to the 727–200, are the French Supercaravelle and British Trident.

"The Russians are very flexible and willing to consider our needs," El-Bakry said. "This is not the case in the United States."

A major consideration is long-term financing, El Bakry said.

"The Russians have offered 10 times more than extremely favorable terms, and they could deliver TU–154s in less than a year," he said.

United Arab will need three medium-range jets at first to begin replacing its fleet of seven British-built Comet 4C jets. But traffic growth and Comet-replacement needs indicate the line will require about 10 medium-range airliners by 1974, the chairman said.

El-Bakry said more than just the United Arab Airlines order is at stake in the competition.

"I think at least 10 of our confederation, the Arab Air Carriers' Association, will buy the plane we select," El-Bakry said. "Small Arab nations will continue to operate airlines as a matter of national pride.

"And they need more modern equipment to remain competitive," he added.

El-Bakry left no doubt of his admiration for American-built aircraft, indicating his personal favorite for a United Arab Airlines medium-range airliner is the 727–200.

The Russian transports were described as "satisfactory."

But the long-term, low-interest-rate financing arrangements offered by the Soviet Union, together with training programs in Russia for Arab technicians and maintenance of a spare-parts pool in Cairo, were cited as a major plus for the Russian sales drive.

"The Russians, for example, keep spare parts in Cairo at their own expense, not ours," El-Bakry said. "The support they offer airlines flying their aircraft is outstanding."

One reason El-Bakry likes the 727–200 is the fact United Arab already is a 707 operator. So are three other members of the Arab Air Carriers' Association—Saudi Arabian Airlines, Kuwait Airways and Middle East Airlines.

"We are looking for fleet standardization, but I must be encouraged (to buy) by the maker in training, spare parts support and so on," El-Bakry said.

The airline chairman chided Boeing for what he termed lack of interest in small carriers' problems.

"They think only of Pan American, of Air France and of the other large airlines," El-Bakry said. "Boeing must think of small airlines, too."

El-Bakry said he hopes to make a decision on a medium-range transport type by year end, noting his Comet fleet is aging and replacement must begin soon.

United Arab Airlines already operates two Russian-transport types—the AN–24B for internal routes and the IL–18 for flights from Cairo to Moscow, Prague and East Berlin. The Comets and 707s round out its fleet.

The carrier is continuing its expansion program, planning to fly to Turkey and to Madrid in 1972. Transatlantic flights to the United States are a long-term goal, El-Bakry said.

"But the (traffic) figures aren't telling us we can begin transatlantic service yet," he said. "It is difficult to predict just when traffic will justify North Atlantic service by United Arab Airlines."

United Arab expects to carry about 400,000 passengers this year, compared with about 340,000 last year, the chairman noted. Its busiest route is Cairo-London, with flights six days a week and daily service to begin in January.

El-Bakry said the "unrest" in the Middle East has had an impact on tourist travel to the United Arab Republic. Few Americans but many Europeans are vacationing in the republic, he said.

"Life is normal in Cairo, and tourism will boom once the unrest is settled," El-Bakry said.

CURING DOCTOR SHORTAGE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. DERWINSKI. Mr. Speaker, since legislation is pending before the appropriate committees to stimulate the training of physicians to cure the shortage that exists in this country, I am pleased to direct the attention of the Members to an editorial in the Chicago Heights Star, Thursday, August 28, commenting on the steps being taken by the Illinois Board of Higher Education.

As a cosponsor of the bill to amend the Public Health Service Act to provide grants to develop training in family medicine, I recognize that emphasis must be placed at the proper education levels to meet the shortage of doctors. The editorial follows:

CURING DOCTOR SHORTAGE

The Illinois board of higher education set out recently to find a cure for the chronic shortage of physicians, a malady growing to epidemic proportions in this state as well as in the rest of the nation.

The University of Illinois college of medicine, at the Chicago medical center campus, has revealed details of a plan to proceed with negotiations to affiliate with six additional Chicago area hospitals. It is gratifying to note that two of the six—Lutheran General and MacNeal Memorial—are located in suburban areas. Another encouraging factor is that affiliation agreements with additional hospitals will be sought and are currently in the planning stages.

Negotiations by the college of medicine implement a request by the state board of higher education that the college expand its program of medical education by use of existing clinical facilities throughout the state.

The plans will allow the development of a more flexible and diverse educational program for the college's students.

Also planned is a massive program for the expansion of professional education in medicine at three levels: the medical school curriculum, internship-residency training, and continuing education for physicians. And the college will undergo an extensive reorganization and expansion. Now the second largest U.S. medical school in terms of enrollment, the college plans to provide more physicians for the state through a multi-campus, multi-community approach.

According to the plan, the college's enrollment will grow to some 1,900 students by 1983, more than twice its enrollment of 779 for the 1968–1969 academic year.

To facilitate this growth, the college will set up a number of clinical schools to provide training at hospitals in Chicago and down-state cities. Other schools to train first-year medical students in the basic sciencies will be created at the university's Chicago medical center, at the Urbana-Champaign campus and later at Chicago Circle campus.

The college also has launched a program for increasing the number of members of disadvantaged minority groups in the school. Recruitment of qualified prospects and special counseling for applicants, before and after entering medical school are included in the program.

This recruitment program for minority-group students will begin with the aid of a $42,000 grant from the privately endowed National Fund for Medical Education.

Much greater revenues—primarily from taxpayers and not from private foundations—undoubtedly will be needed to implement the university's total medical education program. But the venture should more than pay for itself in terms of greater health, and we feel that a solution to the doctor shortage is an eminently worthwhile—and necessary—expenditure of public funds.

LETTER TO CONSTITUENTS ON VIETNAM VETERANS

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to place in the CONGRESSIONAL RECORD the following letter which I am sending as a service to my congressional district:

TO MY GOOD FRIENDS: I am writing to let you know procedures for our Pennsylvania Vietnam Veterans, and their families, to apply for Penna Vietnam bonus.

Veterans and their families can obtain applications for the Vietnam bonus by writing to Vietnam Bonus Bureau, Harrisburg, Pennsylvania 17120.

Also applications can be obtained by writing to me as your Congressman, as a service to our District, or by writing to our Allegheny County State Legislators or State Senators. These state officials will, likewise, be glad to assist you with this service.

Also applications can be obtained from our local veterans organizations, the Red Cross, the Pennsylvania Director of Veteran's Affairs at 224 County Court House, Pittsburgh 15219, or write to the Adjutant General's Office, New Federal Office Building, 1000 Liberty Avenue, Pittsburgh 15222.

The amount of the Pennsylvania Vietnam bonus for servicemen and veterans varies with the amount of service. The payment will be $25 for each month in Vietnam. The maximum amount being $750. The deceased veteran's next of kin will be paid $1000 in cash upon verification of records.

On the back of this sheet I am giving you the specific requirements for our present US servicemen and women, and for discharged veterans, as well as the families of deceased Vietnam veterans.

Should you have any difficulty or delay in obtaining the Pennsylvania Vietnam bonus, write to me giving the facts and I will be glad to consult with your Allegheny County State Legislator and State Senator in order that we can work as a team, regardless of party or politics to expedite your application.

It is a pleasure to be able to have my office give this service for our deserving U.S. Vietnam servicemen, U.S. Vietnam veterans and their families.

REQUIREMENTS FOR VIETNAM SERVICE BONUS

1. Earned *Vietnam* Service Medal.
2. Been resident of Pennsylvania at time of entering military service.
3. If now a veteran—requires honorable discharge and photocopy of DD–214 (Report of Separation).

(NOTE.—If you have earned Vietnam medal, and have not received it—write to CO of your old outfit.)

Deceased U.S. Vietnam Veteran

Beneficiary must prove:

1. Relationship to veteran by submitting copy of birth certificate or marriage certificate.
2. Show veteran entitled to Vietnam Medal.
3. Furnish copy of casualty report from US Department of Defense.

Directions

With application, you will receive an addressed envelope for purpose of mailing your bonus application to Harrisburg. Stamp and send by ordinary mail.

If undue delay, write me and I will be glad to follow up for you.

Sincerely,

JIM FULTON.

ROCKY MARCIANO

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, I would like to take this opportunity to join my colleagues in expressing my profound sorrow at the death of a beloved friend and a great boxing champion, Rocky Marciano.

I first met Rocky 25 years ago, before the beginning of his pugilistic career, through a mutual friend, and member of the Massachusetts Legislature, John Asiaf. Thereafter I was to see Rocky on numerous occasions, for he often came to watch the Massachusetts State Legislature in action. He made his entry into the boxing world in 1947 and began a career that was to last for 9 glorious years.

This man compiled the most fantastic record of 49 victories out of his 49 boxing encounters, and managed to remain the undefeated world heavyweight boxing champion for 4 of those years before his voluntary retirement in 1956. The brilliance of his unblemished record dazzled the professional boxers and spectators alike. Although purists of the sport and critics deplored the lack of polish and refinement in his technique, they conceded that he possessed fantastic physical stamina and verve and an overwhelming desire to win. To the average sports fan Rocky symbolized the essence of boxing; that is, to hit your opponent as hard and as often as you can, hit him more than he can hit you, and keep going until you have earned a victory.

This primitive motif seemed to be the driving force behind his triumphs in the arena. He endured dreadful batterings and survived brutal bashings which would have caused admission of defeat by a less determined and courageous man. An outstanding example of this tremendous will to win was his victory over Jersey Joe Walcott in September 1952. Rocky had a very difficult time with Jersey Joe, who gave him quite a thrashing, but despite all the agony and the blood of 13 gruelling rounds, Rocky found the way to win. Indeed it was a fight well worth the effort, for this earned him the coveted title of world heavyweight champion. And what a winner he was.

Rocky worked hard and long for his successes, and he invested every ounce of energy and enthusiasm into his training sessions. He was an honest man who was

liked by those he had defeated, and admired by the public he entertained. He exuded an aura of sincerity, wholesomeness, and respectability, and wherever he appeared the crowds would greet him with warmth and adulation. The world knew and loved Rocky as a fighter of the first order, whose superior powers in the ring placed him with the giants in the history of American sports; but it was my privilege to know this man personally as a gentle soul with a good and kind heart.

Mr. Speaker, these words are inadequate expressions of the respect and affection which I felt for a valiant boxer and a very dear friend, Rocky Marciano.

Mrs. O'Neill joins me in extending my deepest sympathy to Mrs. Lena Marchegiano in her hour of loss and grief.

U.S. FOREIGN POLICY ON GREECE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. EDWARDS of California. Mr. Speaker, the official U.S. foreign policy concerning Greece is no longer a workable one.

Our State Department stand has been to deplore the lack of democracy in Greece under its present military dictatorship and to put diplomatic pressure on the military junta to end its reign of terror. But in one of those classic cases of "on the one hand and then on the other hand," the State Department and the Pentagon have said Greece is fulfilling its North Atlantic Treaty obligations and therefore the United States cannot get too tough with the junta.

This dual policy has led to a series of strange events involving the Voice of America, the State Department, and the U.S. Information Service, including apparent censorship of the opinions not only of Members of Congress, but also a representative of the Secretary of State. A policy of talking out of both sides of the American mouth has produced its usual results. The people of Greece, confused at best about the U.S. policy, are turning against this country. The military junta brags about our "support" and applauds our naming of an ambassador to that nation.

And that junta continues its destruction of the Greek Armed Forces, the only so-called reason for our continued military support of the dictatorship.

The Christian Science Monitor on Friday, August 29, 1969, documented the sad condition of the Greek Army.

I will insert the Monitor article in full at the end of my statement, but I would like to quote some of its conclusions at this time.

> The Greek Army no longer exists as a stable, organized force-in-being . . . In three successive waves the colonels' regime has jailed, placed under house arrest or exiled to remote villages large numbers of the nation's most influential military leaders . . . The Army is divided and humiliated and its effectiveness as an instrument of the Greek nation is broken.

These are harsh words, but the Monitor staff correspondent, Saville R. Davis, documents them with facts, figures, and names.

So, the United States through its confused foreign policy has in effect supported a government which is tearing down the NATO shield.

Our convoluted policy has led us into even deeper confusion, confusion which involves apparent censorship of the opinions and statements of Members of this House and of the U.S. Senate by the Voice of America.

On Sunday, August 17, 1969, Paul Grimes of the Philadelphia Bulletin, in a story entitled "Greek News Censored on Voice of America," reported on this situation. I will summarize his story, but I will have it be reprinted in full at the end of this statement.

> The Voice of America is deliberately subduing its service to Greece and permitting the State Department to censor its newscast so as not to upset the dictatorial military regime there.

Mr. Grimes reported.

He added that Greece is blackmailing the State Department by threatening Voice of America transmitters on Greek soil.

Mr. Grimes continued:

> One news item that the State Department is known to have censored was broadcast August 7. It concerned a letter dated July 30 that 47 members of the U.S. House of Representatives and three Senators sent to Secretary of State William P. Rogers.

As a signer of that letter, and as president of the U.S. Committee for Democracy in Greece, I was concerned about these charges. I asked the State Department, the Voice of America, and the U.S. Information Service to report on these allegations. Specifically I asked for transcripts of the original news scripts and for the changes made in them.

I am still waiting for a reply. I have been told by USIA the transcripts are available, but will not be released to me until senior officers, now out of the country, review the answers to be given me. A target date of September 8 has been set by USIA for release of this information. The reason for the delay, USIA has said, is to give me the "full picture" of what happened.

Without the transcripts, and the other information, I cannot say for sure whether censorship of those broadcasts took place. I can say for sure, however, that censorship is being imposed by USIA on the information I requested. I would suspect there might be reason for that censorship.

I would like a full explanation of that censorship, yet I can understand it when faced with the basic flows in the U.S. foreign policy toward Greece.

We have not made our opposition to the military dictatorship in Greece known. We must do so.

I ask the State Department to make clear its disapproval of the Greek Government.

I also ask that the Voice of America broadcast in full the letter to Secretary Rogers, signed by 50 Members of Congress, which was apparently censored by the Voice of America, and the State Department's reply, including both of its "on the other hands." Finally, I ask that the Voice report the Christian Science Monitor story on the destruction of the Greek Army.

Let us make clear where we stand.

The material referred to above follows:

[From the Christian Science Monitor, Aug. 29, 1969]

BLOW TO NATO—GREEK ARMED FORCES DISINTEGRATING?

(By Saville R. Davis)

ATHENS.—The main reason for American support of the present Greek Government has been removed. The United States depended on the integrity of the Greek armed forces to support the Western military position here and to act as a bridge to the Turkish Army on the east flank of the NATO defense area.

The Greek Army no longer exists as a stable, organized force-in-being.

This is conceded by friends and opponents of the "colonels' government" that now controls Greece.

In three successive waves the colonels' regime has jailed, placed under house arrest, or exiled to remote villages large numbers of the nation's most-influential military leaders. Names and facts are listed below.

The remainder of the armed forces have been subjected to a systematic campaign which, the regime says, is necessary to protect the government against a coup. Critics call it a reign of organized terror, designed to eliminate opposition.

In either event, the Army is divided and humiliated and its effectiveness as an instrument of the Greek nation is broken. Higher officers who remain are not allowed to command. Lower officers who hold power are faced with a passive resistance they cannot overcome.

This is the picture gained from well-informed sources both tolerant of the regime and opposing it. If this picture is oversimplified, the main argument still holds: The battle for allegiance of the armed forces has torn and dismembered them.

It was the former stability of the Greek armed forces which made that country a valuable military ally of the United States.

It cannot be said that in trying to purge the Army, the Navy, and the Air Force the Greek regime has been carrying out its announced policy of "saving the country from falling into the hands of the Communists."

Most of the arrested military leaders had fought directly against the Communists when they attempted to seize power by force in 1946–49. They were the bulwark of Greece against Communist subversion.

One of them said, "Their offense against the present government was that they were broadly nonpolitical, but pledged to the Western institutions of freedom that were born in their land, and they detest the enslavement of a free and proud people by the present rule of dictatorship and martial law."

Some of them supported King Constantine in his abortive effort to overthrow the dictatorship.

FACT SHEET ON ARRESTS

A fact sheet on the arrest and detention of the military leaders follows:

In later February of last year the first group of retired officers was exiled. In July and August, when the government was campaigning for a referendum coming in September, a second major group of officers was arrested. This year, after celebrating the second anniversary of the colonels' coup in April, a third group was taken.

Methods: arrests were normally between two and three o'clock in the morning. Police cars surrounded the residences and in some cases searchlights illuminated the houses.

The officers were removed in most cases without explanation other than the charge of being "dangerous to public order and security." They spent different amounts of time in the central security detention cells, sometimes under primitive conditions.

Most of them were then escorted to an Aegean island, in some cases to remote mountain villages. There they were asked to report to the local gendarmerie at specified intervals.

Villagers were warned by the gendarmerie not to approach the officers. Adequate medical help was denied in at least two cases of serious illness.

Some of the third group were charged with trying to alienate officers on active duty from the junta and were brought under formal judicial inquiry which is still in progress. Others were not charged, trials not scheduled, and in most cases the original period of detention extended.

IMPRISONED WITH CRIMINALS

Some of the officers are now in various prisons together with common criminals. They are not allowed to communicate with relatives or their lawyers.

Army officers not detained or arrested and still in active service have been subjected to surveillance by varied and intensive methods. These include the placing of informers in the lower ranks who report to the security forces on the statements and activities of their officers. They also include mail censorship and telephone tapping.

The result is said to be extensive and deep-lying demoralization, with no one able to be confident of who would support or oppose his position in the event of a showdown.

The ruling group is generally described as a small minority of men within the Army, coming largely from small village backgrounds, trained in intelligence and conspiratorial methods, and much tougher in their methods of seizing and holding power than at first was realized.

As the months passed under arbitrary rule and martial law, these methods became harder rather than easing. Because the "colonels" were a small minority seeking to eliminate the old leadership of the armed forces and to control the rest by a campaign of systematic and deliberate "terror tactics," they appear to have alienated large sections of the armed forces as well as to have controlled others.

TACTICS DEFENDED BY SOME

Friends of the regime argue that these tactics were necessary in order to compel hostile elements in the armed forces to obey the new government. Critics say these tactics are the prelude to the final destruction of freedom in Greece and that the regime does not dare to relax its use of terror tactics.

Arguing either way, it appears that the armed forces have themselves become a battleground in the struggle for power and that they are no longer the stable force that the United States counted upon.

Following is an incomplete list of arrested or exiled officers. The wartime record and experience of these officers, their outstanding training both in Greece and in the United States and their anti-Communist position is spread on the public record.

First group, February 1967:

Brig. Gen. Dimitrios Zafiropoulos, who had been second in command of an infantry division, who escaped in the Middle East during World War II and was severely wounded in action, had commanded the raiding forces and been assistant military attaché in London.

Brig. Gen. Andreas Hoerschelman, commanding general of the 20th Armored Division, who escaped from Greece during the German occupation, fought the Communists in 1946–49, served in NATO headquarters, and was top of his class in the Greek Military Academy.

Col. Demitrios Opropoulos, also top of his class, served in the Washington NATO staff, had an excellent combat record, and was promoted for bravery on the battlefield.

Col. Constantine Tzanetis, a highly respected senior artillery officer during the combat against the Communist guerrillas who became commanding officer of divisional artillery.

SECOND GROUP IN JULY

Col. Nicholas Zervoyannis, commanding officer of parachute school and the Greek officer with the largest number of parachute jumps, who escaped in the Middle East during the German occupation and fought against the Communists. Also navy commander Vardis Vardinoyannis.

Second group, July-August, 1968:

Lt. Gen. Antonakos, Air Force chief of staff who escaped in the Middle East during the German occupation, a fierce anti-Communist. Lt. Gen. K. Kolias, commanding general of the First Field Army and commanding officer of the raiding forces, who fought against the Communists.

Lt. Gen. George Peridis, a Ft. Leavenworth graduate who was twice promoted in the battlefield for bravery, was commanding general of the 3rd Army Corps, participated in the non-Communist guerrilla units during the German occupation, and fought the Communists in 1946–49. (General Peridis became seriously ill in exile, was hospitalized in Athens under guard, his hospitalization was discontinued before the conclusion of treatment, and he was sent into exile in May of this year.)

Rear Admiral Spanidis, representative of Greece at the SHAPE NATO headquarters, a submarine commander in World War II who escaped in the Middle East during the German occupation.

Brig. Gen. George Koumanakos, a Ft. Leavenworth graduate. (The cases of these last two officers were recently detailed in the American press in the Evans-Novak column.)

Gen. Kon. Koniotakis, who also represented Greece at the SHAPE NATO headquarters and had escaped in the Middle East under the German occupation.

EXILES ANNOUNCED

Col. Periklis Papathanasiou, a raiding forces combat officer who also escaped in the Middle East. Maj. John Demestichas, a field Army staff officer who fought against the Communists. Air Force Col. Tsasakos, who served with NATO, Navy Capt. Konofaos, who also served with NATO and escaped in the Middle East during World War II. Brig. Gen. Ch. Tsepapadakis, who was an instructor at the National War College and fought against the Communists. Maj. Bpissias, a brilliant young combat officer and an instructor at the Army War College.

Third group, May 1969: An official announcement which listed only 10 of the following said they were to be exiled for "activities directed against public orders." Two weeks later the junta said that a judicial inquiry was under way to determine responsibility for a movement against the regime.

Vice Admiral Avgeris, Navy chief of staff and chairman of the joint chiefs of staff, Lt. Gen. John Genimatas, commandant of the Army War College, director of a special group which developed the new organization of the modern Greek Army, Army corps commander, Army chief of staff who fought in Korea as well as against the Communists.

Lt. Gen. George Tsichlis, commanding general of an infantry division which had fought against the Communists. Vice Admiral Egolfopoulos, Navy chief of staff who served in NATO, who escaped in the Middle East and is one of the most talented and respected senior naval officers in Greece.

Maj. Gen. Vardoulakis, an officer with a brilliant war record, commander of an infantry division, participated during World War II in special wartime raiding forces missions from the Middle East against the Germans in the mainland of Greece and in the islands of the Aegean and fought against the Communists.

Brig. Gen. Const. Papageorgpou, commanding general of the military district of Athens, who fought both the Germans and Communists. Brig. Gen. Nicholas Demestichas, chief of staff of an Army corps who had fought the Communists.

Lt. Gen. Christos Papadatos, commanding officer of the military academy and commanding general of the Athens region. Brig. Gen. Dem. Papadopoulos, chief of staff of the Athens region, second in command of an infantry division.

RECORDS FULL OF HONORS

Navy Capt. Georg. Psalidas, who escaped in the Middle East. Brig. Gen. P. Panourias, commanding general of an armored division and Ft. Levenworth graduate, who escaped in the Middle East, fought the Communists, and was wounded in action.

Colonel Kalamakis, chief of staff of an Army corps who served with NATO headquarters, fought in Korea and against the Communists. Colonel Kalamakis was decorated by the United States as a member of the 7th Cavalry in combat action against the North Korean and Chinese Communists. Brig. Gen. Balkos, a Ft. Levenworth graduate, instructor at the War College, and a distinguished senior staff officer.

Col. Perivoliotis, regimental commander who fought the Communists. Brig. Gen. Bouras Anast, who served as assistant commander of an infantry division and with the Washington NATO mission, escaped in the Middle East, and fought the Communists.

Lt. Col. John Souravlas, who had escaped in the Middle East and been a raiding forces combat officer. Lt. Col. Drosoyannis, who was also a raiding forces combat officer and fought the Communists.

Col. George Tavernikis, a regimental commander who fought the Communists. Finally, the following combat officers who fought against the Communists: Air Force Colonels Diakoumakos, Pierakos, and Papageorgiou, three distinguished Air Force commanders and staff officers, who escaped as young pilots in the Middle East during the German occupation.

MORE ARRESTED SINCE MAY

Army Col. Pipanikolaou, Lt. Colonels Chrisostalis, Bouras Anast, Vlachos, Somarakakis, and Zajharopoulos. Majors Zervas, Maragakis, Moros, Yannopoulos, and Moustakzis, Captains Mathioudakis, Grivas, Zarkadas Alex. In addition Maj. B. Koqrkafas, an outstanding raiding forces officer, arrested in May, 1969, is feared missing since the time of his arrest.

Since May, 1969, among those arrested are Colonels Blouttsos, Mitsovoleas, Tzanetis, Maj. Gen. Em. Kehagias, an infantry division commander, and Lt. Gen. Sof. Tzanetis.

Gen. Tzanetis was arrested while vacationing in the Island of Rhodes. He escaped from Greece during the German occupation, he commanded an infantry unit in Italy in World War II, he was commanding general of the Army War College, he was vice chief of the National Defense General staff.

There are at least four young officers on active duty who during 1968 have been arrested in their units, court martialed, and are now serving sentences in various prisons. These are Lt. Charalamboulos (serving a 10-year sentence in the Koridalos Prison), Captain Zervopoulos (15 years in Egina Prison), Maj. Agelos Pnevmatikos (10 years in Korfu) and his brother Capt. Konst. Spnevmatikos (4 years in Kopidalos). There is positive evidence that these officers were subjected to severe tortures during the time of the investigations.

There are some hundreds of other distinguished officers of all ranks, who have been retired and removed from any position where their talents and their devotion to the mission of a modern soldier-officer in a free society, could be utilized for the defense of Greece and NATO.

Many of the United States-trained officers have been purged, arrested, or exiled. The purge continues.

The Greek press gave names of about 300 officers in January and February, 1969, and 463 in July, 1969, who were promoted. A large investment of the Greek people and of the United States is lost. War experience, professional training, and devotion to the ideals of the free world could eventually vanish.

These "terror tactics" are being witnessed by the population with apprehension and anxiety. Friends and opponents of the dictatorship are disturbed to see the prestige of the Army questioned by the people.

In talking with many people, one quickly realizes that the uniform of the Greek officer, once a symbol of pride, has become a source of embarrassment and even an object of scorn.

This is a disturbing fact to all concerned since in today's world, tanks, ships, planes, and men in uniform are known to be worthless if not supported by the will of the people. This popular support is lacking today in Greece.

Combined with this is a very rapidly growing "anti-Americanism" which stems from the conviction of most people in Greece that the dictatorship exists in power only because of American toleration and support.

[From the Philadelphia Sunday Bulletin, Aug. 17, 1969]

TRANSMITTERS AT STAKE—GREEK NEWS CENSORED ON VOICE OF AMERICA

(By Paul Grimes)

WASHINGTON.—The Voice of America is deliberately subduing its service to Greece and permitting the State Department to censor its newscasts so as not to upset the dictatorial military regime there.

At stake are nearly $35 million in radio transmitting facilities that the U.S. Government maintains or is constructing in Greece. Washington appears determined to keep them, even if this means compromising with a regime that it acknowledges is highly undemocratic.

SERVICE IS VULNERABLE

The Voice of America is the broadcasting arm of the U.S. Information Agency, the government body that is charged with carrying America's message abroad. Its commentaries and some other programs are admittedly tailored to suit U.S. policy, but its newscasts are ostensibly objective.

Richard G. Cushing, acting director of the Voice, conceded in an interview here last week that because "we have a lot of expensive real estate in Greece," the service is "vulnerable."

"The Greeks are very sensitive to anything we say about Greece," Cushing said. "We have to get along with the regime.

"We don't want to be thrown off Greek soil. We have this problem. Yet we don't want to compromise our broadcasts."

RELAY STATIONS

The most important real estate involved is a $28.7 million transmitter complex that is under construction at Kavalla in northern Greece. It will include ten 250-kilowatt and one 50-kilowatt transmitters for short wave and one 150-kilowatt for medium wave.

The transmitters will relay broadcasts that originate in Washington. They will be beamed primarily to central Europe, the Balkans and South Asia.

"The signal into India," Cushing said, "has not been good."

When the Kavalla complex is completed in about two and a half years, the United States plans to give Greece a $1.5 million, 150-kilowatt relay transmitter that it now uses at Thessalonike, also in the north. The Voice plans to retain, however, a $4.5 million transmitter on the Greek island of Rhodes in the Aegean Sea. The 300-kilowatt Rhodes installation relays broadcasts primarily to the Arab countries of the Middle East.

CENSORED ITEM

One news item that the State Department is known to have censored was broadcast Aug. 7. It concerned a letter dated July 30 that 47 members of the U.S. House of Representatives and three senators sent to Secretary of State William P. Rogers.

The signers included Rep. Joshua Eilberg, a Democrat from Northeast Philadelphia.

The letter expressed "deep concern" over actions and policies of Greece's military junta. It said the United States was losing friends abroad because it appeared to support the regime.

"Our policy of occasional, tepid expressions of 'hope' that the junta will return to democracy," the letter said, "stands in rather hollow contrast to the repeated instances of high-ranking American military figures being pictured and quoted in the controlled Athens press lavishing generous comments on the junta.

"In the short term, and in the long term, we are in danger of reaping the whirlwind of anti-Americanism, especially when the junta falls, as it inevitably must."

The letter urged that Secretary Rogers consider measures to show clear diplomatic, moral and political disapproval of the Greek regime and to curtail U.S. military aid.

GREEK STABILITY

Replying in Rogers' behalf, William B. Macomber, Jr., assistant secretary of state for congressional relations, stated that the present "internal order" in Greece "does not coincide with the best interests of Greece, whose stability, in the long run, we believe, depends upon the free play of democratic forces."

But Macomber also noted that Greece, "even under the junta, has fulfilled its treaty obligations" to the North Atlantic Treaty Organization.

"This, then," Macomber wrote, "is the dilemma—how to deal with an ally with whose internal order we disagree yet who is a loyal NATO partner."

In discussing the way the exchange was distorted in Voice of America Greek-language newscasts, officials here insisted that Greek membership in NATO was considerably more important than radio transmitters. They also made it clear, however, that the Athens regime doesn't seem about to withdraw from NATO, but that, if ruffled, it might very well seize the Voice facilities.

Thus, the transmitters appeared to be their greatest immediate concern.

STIFF STAND

The Aug. 7 newscast was pegged to Macomber's reply but also embraced the congressman's letter. It included nothing that was in the original letter, however—only a note that the congressmen had urged a "stiff stand" against the regime.

The newscast said Macomber's reply had been "welcomed" by Rep. Don Edwards (D-Calif), one of the most outspoken congressional critics of U.S. policy toward Greece. The script, as it was originally prepared in the Voice newsroom, included the following two sentences marked "opt," for optional:

"Congressman Edwards also said that widespread purges of the Greek armed forces have weakened the effectiveness of the Greek contribution to NATO. And he charged that Greek officials have refused entry to Greece to some American citizens with no advance warning and no explained reasons."

Before being broadcast, according to authoritative sources, the script was sent to the Greek desk at the State Department. It was returned to the Voice with the advice that the two sentences should be deleted. The Voice concurred.

DIRECTOR'S APPROVAL

The deletion is understood to have been approved personally by Henry Loomis, acting director of the USIA in the absence of Director Frank J. Shakespeare, Jr., who is in Vietnam. Loomis, who rejoined the agency in April, had resigned as Voice director four years earlier after complaining that his superiors were forcing the Voice to censor news.

The Voice has had several brushes with the Greek junta since it seized power in April, 1967. At first, according to Cushing, "they wanted to censor everything we said in the Greek language."

Rather than submit, Cushing said, he and John Chancellor, then the Voice director, decided "we would prefer to go off the air, which we did."

GREEKS EMBARRASSED

"But then," Cushing said, "the Greek regime went to the (U.S.) Embassy and said, 'Look, this is embarrassing. Go back on the air, be careful and we won't censor it.' So they backed down and we went back on the air.

"We have been careful in our output. We don't put anything out that hasn't been pretty well checked."

LEE HAMILTON

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. JACOBS. Mr. Speaker, I insert the following to illustrate the cause for the Indiana delegation's pride in LEE HAMILTON. The ability to express the essential with brevity is a rare talent indeed. His remarks follow:

REMARKS DELIVERED BY THE HONORABLE LEE HAMILTON ON SATURDAY, AUGUST 30, 1969, FRENCH LICK, IND.

Let me begin with some statistics. In 1965 the Democratic Party in Indiana had two Democratic Senators. We had won three straight senatorial races (1958, 1962, 1964). We had a Democratic governor and had won two straight contests for governor. The last race by the largest margin ever given an Indiana candidate. We had six of eleven U.S. Congressmen, 78 of 100 representatives in the General Assembly and 35 of 50 state senators. Every state office, except for a few judges, was filled by Democrats.

In 1965 Indiana was solidly Democratic.

In 1969, the figures are not quite so interesting. We still have two U.S. Democratic senators. There is a Republican governor, a Republican in every state office (except for a few judges).

Republicans have seven of eleven U.S. Congressmen; 73 of 100 seats in the Indiana House; and 33 of the 50 seats in the Indiana Senate.

You know the story of the woman who wrote her Congressman saying: "I'm so disgusted, let's give the country back to the Indians." The Congressman wrote back saying he was not sure that was the best thing to do but it was better than giving it back to the Republicans.

In Indiana we have given the government back to the Republicans.

So I come to French Lick with one question on my mind:

Are the Democrats of Indiana ready to begin in 1970 the climb back to power?

The answer to that question lies in this room. Because you will determine the will and the spirit and the vitality of the Democrat party in Indiana in 1970 and 1972.

Each of us instinctively wants to answer that question affirmatively.

But let me inject a note of caution.

The Democrats will begin to climb back to power to the extent we are able to understand the changes taking place in American politics today, and to articulate and capture the root feelings of the American people.

You and I must understand that politics in America has become unglued. The rules of the game have changed.

We can no longer automatically assure that the Democrat party is the dominant party. In the six presidential elections since World War II we have won a clear majority only once, in 1964. Truman and Kennedy were minority winners.

The Democratic Coalition, which gave us electoral victories many years, can no longer be counted on. The South is no longer automatically Democratic—Franklin D. Roosevelt used to get 75 to 80% of the vote of the deep South. Hubert Humphrey got 29%.

The working man, as he becomes increasingly middle class in status and concerns, does not vote Democratic automatically. Young people (and 60% of our population will be under 30 next year) and minority groups are asking—not should I be a Democrat or Republican—but the more probing question: will the system work? Will it meet the challenges of the 70's? And, they will not accept the glib cliches of politicians who want to solve the problem of the 70's with remedies that only partly worked for the problems of the 40's and 50's.

The suburbs have perhaps become the key to winning elections and when people move to the suburbs their thinking and their politics change. In short, the American politics is changing. Our efforts, as always, must be directed toward the common man. But, the common man of 1969 is not the same as the common man of the 30's. He earns more money, is better educated, expects more, and has different interests and concerns than his father and mother.

And we will begin our climb back to power as we grasp the implications of these changes. Let me venture to my fellow politicans in this room what some of those root feelings are:

The people are deeply concerned—and in some cases, even furious—about the relentless increase in taxes: local, state and federal. They neither understand nor accept those increases, and they think we can do better in collecting and spending the revenues of government.

They want tax relief and tax equity—a reasonable assurance that Americans in similar circumstances pay approximately the same tax.

They want a saner sense of priorities. Enough money for national security, but not for monstrous military expenditures.

Adequate funds to stop the fouling of our natural environment and to improve the quality of education and health care, but not swollen expenditures for programs with marginal results.

They perceive the global responsibilities of a world power, but they reject the idea that this nation is the policeman of the world, the gendarme to guard every gate.

They want from all of us in public life less rhetoric and more candor, fewer promises and more performance, less talking and more listening.

And, as much as anything, they want a piece of the action, a sense of participation, a feeling they are not shut out from the decision making processes in the political party and government.

These feelings and demands of the people are difficult to satisfy fully. But those of us in politics have the obligation to try. No one can really say if the Democrats will begin the climb back to power in 1970. But the formula for success in 1969 is what it has been since 1789: listen hard to what people say, and do our level best to respond with concern and reason and compassion.

ANNIVERSARY OF INVASION OF POLAND

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. DERWINSKI. Mr. Speaker, I remind the Members that the Polish Government-in-exile continues to function in London and the voices of its officials are far more representative of the people of Poland than the mutterings of the Moscow-controlled puppets in Warsaw.

Therefore, I insert into the RECORD the address of His Excellency August Zaleski, President of the Polish Republic in exile, on September 1, commemorating the 30th anniversary of the German invasion of Poland.

The text of President Zaleski's statement which follows is of unusual significance emphasizing as it properly does, this historic anniversary which started World War II:

MESSAGE OF THE PRESIDENT OF THE REPUBLIC OF POLAND TO THE POLISH NATION

It is thirty years since Poland fell victim to the treacherous aggression of Nazi Germany and Soviet Russia.

As a result of this onslaught the whole world was enveloped by the flames of the Second World War.

It was not the first time that Poland, which in the course of the thousand years of her history has always represented the ideals of human freedom, justice and love of one's neighbour, as well as respect for international treaties, became the object of aggression on the part of two adjacent imperialist powers. Poland, the most easterly outpost of Western civilisation, a country of civic freedom and hundreds of years of parliamentary democracy, the cradle of some of the greatest minds in the field of national and international law, a state of religious and cultural tolerance which in the Union of Lublin in the year 1569 gave birth to a free association of nations in a single Commonwealth—this Poland has always been an obstacle to the wilful egoism of the two neighbouring powers.

In the defence of these lofty ideals Polish Soldiers fought on all battlefields of the last war, on land, at sea and in the air. The September campaign, Narvik, the campaign in France, the Battle of Britain, Tobruk, Monte Cassino, Ancona, Bologna, Falaise, Arnheim, the Warsaw Rising—these were the stages of the Polish struggle for freedom.

After the war, however, in spite of these enormous sacrifices the Polish people were abandoned to the demands of unbridled Russian imperialism. And the world, since 1945, has not attained the desired peace.

The Polish people, undeterred by this experience, have not given up hope that in the end good will triumph over evil, and law over injustice and armed might.

We, Poles dispersed over all the corners of the free world, have the duty, put upon us by the captive nation, to show the world the nature of this conflict between law and justice on the one hand, and naked might and despotism on the other.

We are fully aware that the road to the victory of law and justice is hard and may extend into the indefinite future, but we shall never lose hope that by the Grace of God good will ventually triumph over evil.

COMMUNIST AGGRESSION

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. MARSH. Mr. Speaker, recently a perceptive article on the nature of Communist aggression appeared in the Washington Post. In his column, John P. Roche points out that although the Communist bloc may not be monolithic, nevertheless, it is still actively pursuing its imperialistic aims.

[From the Washington Post, Sept. 1, 1969]

"POLYCENTRISM" OF COMMUNIST WORLD DOES NOT LESSEN IMPERIALISTIC TAINT

(By John P. Roche)

Every columnist gets his quota of nut mail. Usually it can be identified before opening: no return address, strange, crabbed handwriting, odd forms of saluation (e.g., "Roche, Commie Columnist") and a recent favorite, several colors of ink. One writes this off as par for the course and chucks the missives in the wastebasket.

Far more distressing are the communications from obviously sincere and serious people, generally typed with return address, which regularly accuse me of singlehandedly carrying on the cold war with the Soviet Union, of having a vested interest in conflict, of flatly refusing to realize that communism has changed. For most critics, the key word is "polycentrism."

"Don't you realize, with all your college degrees," one letter asked, "that communism is no longer monolithic?"

To improve my education, correspondents include elaborate reading lists, suggesting that before I again venture into print I read Han J. Morgenthau, Arthur Schlesinger, Jr., and a half dozen other pundits.

All serious suggestions for self-improvement are welcome, but in fact I have read carefully just about everything published on the subject of "polycentrism." Most of it is not only true but banal: obviously the Communist world is fragmented today. There are at least four competing popes (Moscow, Peking, Belgrade, Hanoi) and perhaps a fifth in Havana if one takes Castro's ideological pretensions seriously. (I don't—he is in the tradition of romantic fascism rather than communism, and he has created the most militarized state in the Western Hemisphere.)

So much for the fact of polycentrism. However, the real problem is on another level. In operational terms, from the viewpoint of American policymakers, what difference does it make whether Communism is monolithic or polycentric? For persistently asking this question, Secretary of State Dean Rusk was written off as an archaic boob. But Rusk was right.

Suppose, for example, the North Koreans again invaded South Korea. How would it affect the situation on the ground if we knew that Pyongyang was in business for itself, rather than acting on instructions from Moscow (or Peking)? Nobody knows to this day precisely how the last Korean invasion was triggered, nor whether the seizure of the Pueblo was a local job or Soviet-inspired.

More to the point is the existing situation in Vietnam. I have been arguing for a decade that Ho Chi Minh is an independent Communist commander, that Hanoi is a "polycenter". It is quite clear that Ho's lifelong dream has been to reconstitute former French Indochina as a Communist state, including North and South Vietnam plus Laos and Cambodia. To attain this goal, he has been willing to disregard Moscow (for example, in ignoring the 1962 accord neutralizing Laos) and snub Peking (by barring Mao's little red book from mass circulation).

The crucial question then is how does aggression from a Communist polycenter differ from monolithic aggression? In other words, it is the character of the polycentrist regime—not the fact that it is independent—which is decisive. After all, in the 1930's we had polycentric fascism; Adolf Hitler never established a monolith. Some Fascist regimes were inert (Spain and Rumania, for example); others (Germany and Italy) were aggressive. When Benito Mussolini invaded Albania and Greece, it was no solace to know that Fascism was polycentric, particularly if you happened to be Albanian or Greek.

The meaningful criterion, then, for distinguishing among Communist states is whether they are internationally quiescent, as is the case with Yugoslavia, Poland, and Rumania, or imperialist, as is true of Hanoi, Peking, and—as the Czech episode once more demonstrates—Moscow. In short, we must remember that Communist imperialism is no less imperialistic for being polycentric.

THE FARMER IN THE TILL

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. FINDLEY. Mr. Speaker, the August issue of the Atlantic Monthly carried an excellent review of the outlook for farm legislation written by Dr. John A. Schnittker and captioned, "The Farmer in the Till."

Dr. Schnittker drew on his experience as Under Secretary of Agriculture and identified the forces which have gathered in support of a limitation on individual farm payments. He is presently on the faculty of Kansas State University. Here is the text of his article:

THE FARMER IN THE TILL

(By John A. Schnittker)

John F. Kennedy is reported to have remarked that he didn't want to hear about agriculture from anyone except John Kenneth Galbraith, and didn't want to hear about it from him either. As President Lyndon Johnson nursed an incurable longing for the rustic pleasures of the LBJ Ranch, but he avoided farm-policy questions when he could. Public officials are alternately wary and weary of agricultural policy. There is ample reason for both attitudes. Farm voters are notoriously hard to please, and farm-policy debates are seldom stimulating. Yet the need for agricultural policy will not go away simply because frustrated politicians wish it. Advanced technology on the farm assures plenty of food for consumers. It also requires stable prices, and there are far too many farmers to arrange such a result without federal help.

Official lethargy on this score was shattered late in May this year when the House of Representatives, reacting against million-dollar payments to big farms, overwhelmingly approved a ceiling of $20,000 on direct subsidy payments to any farm. This revolt against the old order in farm policy was a replay of a surprising House action in 1968, an action later reversed by the Senate.

Congressional advocates of a farm-payment ceiling have some good things going for them. Farm-program costs, at $4 to $5 billion a year, are high and moving higher. In a careful survey made late in 1968, 85 percent of the farmers favored limiting farm benefits. City people are nearly unanimous in objecting to the big budget drain for farm programs when other priority needs beg for funds. Most important, advocates of farm-program reform in the House of Representatives and the Poor People's Lobby have skillfully contrasted giant federal payments to a few farms with the hand-to-mouth budget granted federal food programs by Southern-dominated Agriculture Committees in both houses of Congress, despite evidence of widespread malnutrition. Congressman Paul Findley (R., Ill.) has reported to the House that the cotton and wheat areas with the largest number of big farm payments were doing least about hunger and malnutrition. Finally, a study prepared last year at the request of President Johnson has destroyed the claim of the agricultural establishment in both political parties that surpluses and economic chaos would inevitably accompany a ceiling on farm benefits. Budget savings of $250 million per year are now anticipated by those who favor payment reform, and the savings could be doubled if the payment ceiling were set at $10,000 instead of the $20,000 that was proposed.

Those members of the Congress who opposed the ceiling on farm benefits claimed that such a plan could not be administered, that it was unworkable and unfair, and that it would not save money. Fortunately for the public, none of this is believed any more, at least not in the House of Representatives.

PARITY, PARITY, PARITY

It helps to know some of the words and symbols, if one is to understand the need for change in farm programs. Parity, price supports, and direct payments are the key words.

Parity has been the battle cry of farmers since the 1920s. Public discussion of farm policy, however, has been clouded by three parity doctrines. Parity in the abstract is hard to argue with; it is essentially a fairness doctrine. The effort to find out what is fair for farmers, however, has spawned two competing statistical measures of farm parity.

Parity prices originated a generation ago out of what seemed to be a sensible notion: that farm-product prices should increase in step with the general price level; this would maintain the farmer's purchasing power. Conceived before the new technology revolutionized farming, the parity-price system has failed to account for recent rapid gains in productivity. If farmers were guaranteed 100 percent parity prices in 1969 (instead of the present 65 to 70 percent of parity), wheat, corn, and cotton prices would increase by about 50 percent. Crop surpluses would be inevitable, and the Agriculture Department budget would soon rival the Defense budget. Clearly, the parity-price doctrine is obsolete, although not quite dead.

Parity income is a more recent standard. Simply put, the parity-income doctrine says that a good farmer investing his capital in an operation large enough to employ him more or less fully should be able to earn as much farming as he would earn operating any other small business. A recent Department of Agriculture study showed that a half million of the biggest farmers producing two thirds of our farm products are meeting this standard, at least on the average if not on every farm every year. Net incomes on the largest farms, thanks partly to big payments, are generally far above parity; rapid land-price escalation as farms are enlarged is a clear sign of this. In contrast, the smallest and poorest two million farms could not earn parity incomes on the farm even if market prices were doubled or tripled.

PRICE SUPPORTS AND PAYMENTS

Farm prices left to themselves are notoriously unstable. Price support programs, begun in 1933, grew out of that fact and out of the general economic depression. The new programs were supposed to raise prices by reducing crop production and by removing surpluses from the market. But neither the farm programs nor pump-priming expenditures in the rest of the economy brought real recovery in the 1930s. World War II did that, pushing farm prices so high that price ceilings and consumer food subsidies were applied. After the war, the farm bloc in Congress succeeded for a time in maintaining the high wartime prices under peacetime conditions, even though agricultural prices around the world were declining as Europe recovered and began producing again. The results were predictable. By the late 1950s high market-price guarantees and half-hearted production control were creating huge surpluses. More than that, farmers were gearing their expectations to high prices and buying their land at inflated values. Thus they were generating their own cost increases to justify future demands for even higher prices. By 1960, every grain- and butter-storage structure in the United States was filled. The annual cost of simply owning and storing the $9 billion farm surplus reached $1 billion in 1961. "How to let go of the bear's tail" became the principal preoccupation of reform-minded farm officials and economists.

The answer was a system of direct payments to farmers in place of high price supports. In the early 1960s, payments became the key instrument of farm-policy reform, cushioning the impact of an abrupt shift from high to lower price guarantees for wheat and cotton, and providing farmers the cash incentives required to reduce acreages and limit farm output. Big farmers, who had profited handsomely from high market-price guarantees in the 1950s, became identified in the 1960s as the recipients of huge government checks. The stage was set for the present struggle to reduce the size of those checks.

Recent developments in farming have also helped to focus public attention on farm-program benefits. When farm programs were introduced in 1933, there were 7 million farms in the United States. A few were huge holdings, but most were small, one-family enterprises. Benefits were geared to production, and so farm aid was spread fairly evenly. By 1968, more than half of those farms had disappeared. Today there are 3 million farms, but 2 million of them are small, part-time, residential, or hobby farms. One million top farmers produce nearly all of the farm products marketed, and they get most of the money spent on farm programs. A new study just published by the Joint Economic Committee of Congress, for example, shows that the largest 5 percent of sugarcane and cotton growers get 63 and 41 percent respectively of all the direct benefits from those programs. The largest one percent of cotton growers in California and Mississippi get 25 percent of all the direct federal benefits in those states. Under such circumstances, public concern is certainly understandable.

Clearly, the large payments are not going to the traditional American farm, still typically a one-family enterprise. Instead they help ensure financial security for such well-heeled enterprises as the J. G. Boswell Company of King's County, California, which collected direct farm payments of $3 million in 1968 and $4.1 million in 1967. The Boswell Company is a multimillion-dollar diversified cotton operation with good connections in Washington. Senators and congressman are not excluded from farming, nor do they always disqualify themselves when the Congress votes on big farm payments. Family interests of Senator James Eastland of Mississippi (the Eastland Plantation, Inc., and H. C. Eastland) collected payments totaling $142,078 in 1968, down from $189,050 in 1967. In October, 1968, Senator Eastland voted against the payment ceiling which would have cut the Eastland farm payments to

$60,000, or $20,000 on each of three farms. Campbell Farming of Big Horn County, Montana, often cited as the model of a modern wheat-farming operation, got $162,897 in 1968. Garst Farms, run by Roswell Garst, the international seed-corn figure and one-time host in Iowa to Premier Khrushchev, got $70,923 in 1966, but only $45,212 in 1968.

Nearly two and a half million farmers get federal payments, but only 10,000 farmers get over $20,000 per year. Most of the big payments go to cotton farmers in California, Texas, Mississippi, Arkansas, and Arizona. When Congressman Findley placed the names of all recipients of $25,000 or more in the *Congressional Record* this year, the list from the five biggest cotton states filled twenty-one pages. Five leading grain states required only four pages. Concentration of federal payments in a few cotton states makes them really ripe for reform, although sugar and wool, with powerful political support, are also involved.

Late this spring, when the House of Representatives voted a $20,000 ceiling on farm payments, the Majority and Minority Leaders were opposed, as were most committee chairmen. Understandably, the bulk of the opposing votes were from Texas, California, Mississippi, Arkansas, Kansas—the states with the biggest payments. The Senate could vote a ceiling this summer, if urban senators and the leadership take the initiative. If the Senate fails, final action may have to wait until the farm program is reviewed in 1970.

The White House does not seem to have learned anything from President Johnson's 1968 experience in this matter. When the House voted a payment ceiling last year despite intense Administration opposition, President Johnson began to have second thoughts about supporting his own farm bill, which continued the increasingly vulnerable big payments in a year when most budgets were being cut. Official embarrassment mounted after the Poor People's March when the Administration's expected assault on hunger fell before the tax surcharge, the $6 billion budget retrenchment, and higher Vietnam spending. When the Senate-House conferees on the farm bill dropped the payment-limiting amendments, last year's official White House strategy was designed to get the conference report stalled or rejected, so that the entire farm issue would have to be reviewed in 1969. That failed in a parliamentary maneuver designed without the President's knowledge by the Administration's own lobbyists. After that, President Johnson reluctantly signed the farm bill and directed "the Department of Agriculture to study the effect of a payment limitation on programs which require voluntary diversion of productive land."

That study was conducted in the Department of Agriculture and became public after President Johnson left office. Its findings flatly contradicted the principal argument the Administration and farm congressmen had made in recent years: that payment limits would destroy the production-control programs and would lead to new farm surpluses. The study also documented the potential budget savings associated with a payment ceiling. All this, even the potential budget savings, seems to have been lost on the new administration.

The advocates of unlimited payments are now left without any sensible arguments for their position. Previous opposition to the ceiling rested on the argument that big payments are needed *to prevent too much corn and wheat production*. This spurious claim had a limited validity in the 1961–1964 period of heavy surplus removal, but it has none in 1969 when grain surpluses are down. The Department of Agriculture simply did not know the distribution of payments by size of farm until around 1965. Acting on faulty information, Department officials took an early stand against a payment ceiling, and never found a way to change their position. Now we know that only 2 percent of all feed grains and 4 percent of all wheat would be affected by a $20,000 limit. Even a $5000 ceiling would not materially affect the stability of the feed-grain economy.

Cotton is more concentrated; one third of the crop is grown on some 5000 big farms (out of more than half a million cotton farms) which would be affected by a $20,000 ceiling. Legislative leaders who had insisted that a payment ceiling would cause a grain *surplus*, now said it would cause a cotton *shortage*, an argument so symmetrical it seemed plausible. Senator Holland said last year that the prospect of lower payments made "it appear very unlikely that such producers could continue to supply the mills with low priced cotton. . . ." This is a proposition that ought to be tested: if American cotton growers cannot compete on even terms in world fiber markets without unconscionably high federal payments, it is not too early to discover it. Major changes in addition to a payment ceiling are required in the cotton program. The most important is to remove a provision of the 1965 act which ingeniously exempted cotton from any future payment ceiling. This must be repealed before the ceiling can be effective for the crop and the areas with most of the huge payments.

WHAT TO DO

No firm principles have emerged to direct the Congress toward a particular maximum level for farm payments. Budget savings are the best guide. By that test the $20,000 ceiling is too generous; the figure should be no higher than $5000 per crop or $10,000 per farm, in order to save more money. Reduced payments will not undermine farm-price stability as long as top payments are not forced below those levels. Inevitably, the maximum payment level will be set somewhat arbitrarily: a $20,000 limit will save $200 to $300 million a year; a maximum of $5000 per crop or $10,000 per farm would save $500 million or more. If farms are allowed to split up to circumvent the new policy, however, some of these savings will be lost. This will bear watching; Congress should give the Department of Agriculture firm directions against farm splitting.

These reforms will not silence the sharpest critics of farm programs, who have never accepted the policy of limiting farm production to stabilize prices while anyone anywhere is hungry. So long as the agricultural economy remains inherently unstable, with too many producers to combine effectively to set their own prices the way industrial combines do, the opponents of any farm stabilization effort will probably be disappointed. We need a farm policy as well as a responsive food policy. But a sensible farm policy does not require giant payments.

Farm payments and food programs will inevitably be paired off in the coming debate, although ending big payments will not automatically ensure more food for the poor. The public can't help seeing tragic irony in Congress' tight-fisted approach to hunger, in contrast to its open-handed financing of farm programs. Budget pressures alone ought to encourage the Administration to sense its interest in this matter, if principle does not, although White House help may never materialize, given Mr. Nixon's dependence on the South. Political advantage seems assured for those members who help drive farm-payment reform through the Congress. Big payments lack any legitimacy in real program objectives. It is right, therefore, to end them. Only the most twisted sense of priorities will let us continue to pay millions every year to a few big farms while we procrastinate about ghetto reconstruction, postpone remedial education, close Job Corps Camps, and let poor people starve.

SEPTEMBER AT THE SMITHSONIAN

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following schedule for the Smithsonian Institution:

SEPTEMBER AT THE SMITHSONIAN

September 4: The Creative Screen. "Shape of Films To Come," a survey of revolutionary new techniques in motion picture making. Among techniques presented are films made by computers, a mixed media combination of live dancers and movies, shown on multiple screens and shown on screens of different sizes and shapes. Films will be shown every half hour from noon until 3 p.m. Free admission at the National Collection of Fine Arts.

September 5: Pharmacy in Prints. A collection of portraits, caricatures, broadsides and labels ranging from the satiric and political to the social and ethical, these prints show the doctor-pharmacist-patient relationship. Figures shown include Napoleon, Gladstone, and Presidents McKinley and Cleveland. Through February. National Museum of History and Technology.

September 6: The Creative Screen. "Shape of Films To Come," shown every half hour between noon and 3 p.m., at the National Collection of Fine Arts. See September 4 for details.

September 13: Insect Workshop. Conducted by the Smithsonian Department of Entomology. For members of the Associates ages 8–13. By reservation only.

A Lecture Demonstration Workshop on Stitchery as an Art Medium. Conducted by Constance Howard of London, England, and sponsored by the Smithsonian Associates from 10 a.m. to 4 p.m. Repeated Monday, September 15. This workshop must be taken in conjunction with that listed for September 20. Phone 381–5157 for details.

September 15: Hurricane Fighter Plane. This plane will go on exhibit commemorating the Battle of Britain and the participation of the American Eagle Squadron in that historic struggle. The Hurricane was one of the first and most numerous British fighter planes in World War II, but it is now an extremely rare type of aircraft. It will be shown in the Arts and Industries Building.

September 15: Atomic Art. An exhibition of art by Alyce Simon of New York. Controlled bombardment of acrylic plastic sheets by a particle accelerator combined with flat areas of color produces a unique art form. Hall of Nuclear Energy, first floor of the Museum of History and Technology. Closing indefinite.

Stitchery as an art medium (See September 13).

September 16: Our Dynamic Earth: The Japanese Bamboo Kill, lecture by Dr. F. A. McClure, Research Associate, Smithsonian Department of Botany. Museum of Natural History Auditorium, 8:30 p.m. For members of the Smithsonian Associates and their guests. Public admitted at 8:20 as seats are available.

September 18: The Creative Screen: "A Trip to the Moon." Whimsical drawings by children 6–15 from the U.S., Europe and Japan, showing their creative concepts of space ships and creatures on the moon. Drawn before exposed to moon flight accounts on TV and in the press. Also showing is "Lizzies in the Field," Mack Sennett at his best; a turbulent farce involving beautiful maidens and battered autos. Continuing showings at the National Collection of

Fine Arts every half hour from noon until 3 p.m. Free admission.

September 19: Art of Jannis Spyropoulos. Greece's best known contemporary painter, Jannis Spyropoulos, will be represented by 26 large abstract paintings in an exhibition under the patronage of the Greek Embassy. Spyropoulos has exhibited widely around the world and has won major prizes, including the UNESCO Prize at the 1960 Venice Biennale. At the National Collection of Fine Arts through October 19.

September 20: In-Depth Workshop on Stitchery as an Art Medium, conducted by J. H. Koslan Schwartz and sponsored by the Smithsonian Associates. 10 a.m.–4 p.m. Repeated Monday Sept. 22. By subscription only. This workshop must be taken in conjunction with that program listed for Sept. 13.

September 20: What Is a Mammal? Tiny Tots Zoo Talk by Mrs. Sarah Gagne, Smithsonian Office of Academic Programs. For members of the Smithsonian Associates, ages 4 through 7. By reservation only.

The Creative Screen. "A Trip to the Moon" and "Lizzies in the Field," shown every half hour between noon and 3 p.m. at the National Collection of Fine Arts, Free admission. See September 18 for details.

September 22: Stitchery as an Art Medium (See September 20).

September 24: The History of Film Class for adults begins. By subscription only. Call the Smithsonian Associates 381-5159, for information.

September 26: The Wizard of Oz—Special performance by the Smithsonian Puppet Theatre for members of the Smithsonian Associates and their guests.

September 30: The Film and the Producer featuring Czech filmmaker Jiri Bauer. Museum of Natural History Auditorium, 8:30 p.m. For members of the Smithsonian Associates and their guests.

MUSIC AT THE SMITHSONIAN AIRED OVER WAMU–FM

The following is the schedule of "Music at the Smithsonian," featuring concerts and broadcasts of Musical Instruments Division, aired over WAMU–FM for second year in a row. 9:30 p.m. to 11:00 p.m., Monday nights during September. Five shows of 90 minutes each.

September 1: Jean Hakes, soprano; Stoddard Lincoln, piano. Music of C. P. E. Bach, Mozart, Haydn, and William Linley.

September 8: Sonya Monosoff, violin; James Weaver, harpsichord and piano. Music of H. Biber, Kuhnau, Milhaud, Mozart, David Epstein, and Corelli.

September 15: Huges Cuenod, tenor; Raymond Lynch, lute. English lute songs and solos, German, French lute songs, and Spanish lute solos.

September 23: Alarius Ensemble of Brussels. Janine Rubinlicht, violin; Sigiswald Kuijken, violin and viola da gamba; Wieland Kuijken, viola da gamba; Robert Kohnen, harpsichord. Music of Barthali, Salomon Rossi, Locke, Hacquart, Francois Couperin, and Marais.

September 30: Jean-Louis Barrault, Madeleine Renaud, The New York Chamber Soloists. "Words and Music From the Court of the Sun-King, Louis XIV." Works from Moliere, Racine, LaFontaine and others, music by La Roux, Couperin and Rameau.

TOTAL BLACKMAIL

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. WYMAN. Mr. Speaker, some demands on America's social and economic structure are totally nonnegotiable. An example of one such is the IFCO demand for reparations from the church.

Such a demand should and must be met with total rejection. Those making it should be prosecuted for attempted blackmail and extortion under appropriate statutes.

Illustrative of this problem is a recent column by columnist James J. Kilpatrick:

FORMAN ENGAGED IN A MOST DANGEROUS GAME

(By James J. Kilpatrick)

Indications are growing that James Forman's Black Economic Development Conference has just about run its reckless course. A recent Gallup Poll found that even among Negroes, only 21 percent actively favor his demand for "reparations." Speakers at last week's NAACP convention in Jackson denounced his approach. Major denominations are pledging greater efforts among the urban poor, but they are pointedly excluding Forman from their charity.

If these signs correctly mark a repudiation of Forman—and especially if they mark a repudiation of the Interreligious Foundation for Community Organization (IFCO)—it is all for the best. Forman is bad news; and this IFCO outfit has become a banking house for revolution.

Not many persons will have read the text of Forman's April manifesto. It is known generally, of course, that he has been demanding $500 million to $3 billion from American churches and synagogues; in May he seized and for several days occupied offices of the National Council of Churches in New York. The tendency has been to regard him as some kind of nut or something.

Foreman ought to be taken more seriously. A number of guilt-stricken church leaders still truckle to him. They close their eyes to the actual wording of the manifesto he drafted for the Detroit meeting of the National Black Economic Development Conference—a meeting supported by IFCO with tax-exempt funds. This manifesto is a purulent exhortation for overthrow of government. These are typical passages:

"It is the power of the United States government, this racist, imperialist government, that is choking the life of all people around the world. . . . We live inside the U.S., which is the most barbaric country in the world, and we have a chance to help bring this government down. . . .

"Time is short and we do not have much time, and it is time we stopped mincing words. Caution is fine, but no oppressed people ever gained their liberation until they 'were ready to fight,' to use whatever means necessary, including the use of force and power of the gun to bring down the colonizer. . . .

"We are the vanguard force. . . . We have suffered the most from racism and exploitation, cultural degradation and lack of political power. It follows from the laws of revolution that the most oppressed will make the revolution. . . .

"But while we talk of revolution which will be an armed confrontation and long years of sustained guerrilla warfare inside this country, we must also talk of the type of world we want to live in. We must commit ourselves to a society where the total means of production are taken from the rich and placed into the hands of the state for the welfare of all the people. . . .

"Let us deal with some arguments that we should share power with whites. We say that there must be a revolutionary black vanguard and that white people in this country must be willing to accept black leadership. . . . Only an armed, well-disciplined, black-controlled government can insure the stamping out of racism in this country. . . . We say: 'Think in terms of total control of the U.S. Prepare ourselves to seize state power. . . .'

"In order to win our demands (for $500 million), we call for the total disruption of selected church-sponsored agencies operating anywhere in the U.S. and the world. Black workers, black women, black students, and the black unemployed are encouraged to seize the offices, telephones, and printing apparatus of all church-sponsored agencies and to hold these in trusteeship until our demands are met. . . ."

There is much more. Ann Lloyd Merriman, the hard-hitting senior editorial writer for The Richmond News Leader, first began exposing Forman and IFCO in May. Last month Human Events documented IFCO's grants since September, 1967, to an astonishing list of militant groups. The gullible members of Episcopal, Methodist, Baptist, Presbyterian and other congregations owe it to themselves to wake up to what is going on. Their money is being spent for the care and feeding of revolutionaries. This is Christian charity? No, indeed. This is lunacy.

SOURCE AND UTILIZATION OF MANPOWER FOR THE MINNESOTA EXPERIMENTAL CITY

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. FRASER. Mr. Speaker, the task of establishing a new city with a population of 250,000 people in a 10-year period is unparalleled in the development of this country. Assuming a level influx of 25,000 people per year, for 10 years, there would be a requirement for 8,000 to 11,000 jobs per year and between 7,000 and 9,000 dwelling units per year.

To attract this inflow of manpower, a knowledge of the planned economic structure is necessary to attract the proper skills, and, secondly, the skills of available manpower must be determined to make provision for jobs to employ these people. Half of the jobs will be required for servicing the population with the other half required for basic activities including manufacturing.

It is essential that firm commitments be received from business and industry to provide job opportunities and to provide a base around which other activities could be tied. Training programs will be needed to provide the necessary skills required and to provide meaningful work for the minorities and disadvantaged. The matching of people and jobs provides a unique opportunity for experimentation in this area.

Following is a discussion of the source and utilization of manpower, extracted from volume II of the Minnesota Experimental City Progress Report, dated May 1969:

MANPOWER, IN-MIGRATION, AND MOTIVATION—MINNESOTA EXPERIMENTAL CITY WORKSHOP REPORT

(NOTE.—Report of the Workshop on Manpower, In-Migration, and Motivation held in Minneapolis, February 11–12, 1968, by the Minnesota Experimental City Project. University of Minnesota, Minneapolis, Minnesota. September 1968.)

Two major approaches are possible in dealing with the manpower input for the Min-

nesota Experimental City (MXC). The first, a manpower requirements approach, assumes either knowledge of, or a plan for, the range of economic activities and focuses on manpower needs to satisfy this economic structure. The second, a labor supply approach, looks at the region's existing population or a hypothetical future population and attempts to determine the types of jobs needed to employ these people.

The decision as to which approach to follow will partially depend on the choice of goals for the Experimental City. If the City is conceived primarily as a device to foster economic development in a depressed area of the state or as an experiment in encouraging rural population to remain in the region, then the labor supply approach would seem more appropriate. On the other hand, if the MXC is conceived of primarily as an experiment in city-building technology or in the application of technology to cities, the emphasis is shifted from supporting a region to assuring a viable city. In this case the manpower requirements approach would seem more appropriate.

The Experimental City seems likely to accept multiple goals, both with respect to its population and its physical structure. As a result, both approaches will probably be useful. Through an iterative approach, an integration of the two methods should be possible. Regardless of whether the Experimental City is conceived as a regional or national facility, it will draw manpower from both regional and national pools. Upwards of 25,000 people could be expected to reside already within normal commuting distance. Even if no direct recruitment effort were made, some of this population could be expected to work in the City. When IBM opened a new plant in Rochester, Minnesota, a surprising number of their workers continued to live in the hinterland and commute to work for several years. If the MXC were deliberately located so as to be accessible to the largest possible number of underemployed and unemployed persons, the percentage of commuters in its labor force would increase.

The dispersal of the disadvantaged population in northern Minnesota is so great that only a limited number would be directly affected by job opportunities in the City. While our experience at the national level with resettlement has not been a particularly successful one, a program of resettlement might provide a major breakthrough in how to deal with population in distressed areas. Involved here would be the development of a resettlement strategy which would ensure a variety of choices to each individual for the fullest possible development of his social and economic resources.

In 1967, Minnesota had 53,093 unemployed persons, 55 percent of whom resided in either Minneapolis-St. Paul, Duluth, or Rochester Regions. None of the eight remaining regions in the State, as defined by Hoyt,* had as many as 4,100 unemployed. The regions commonly considered to be most distressed, regions one, two and five, had only 1,734, 1,771 and 2,923 unemployed persons respectively. While these three regions, (plus region three, Duluth), had the highest unemployment rates (due to their smaller populations), their absolute number of unemployed was among the lowest in the state.

The Experimental City could be expected to draw manpower heavily from the larger multi-state region in which it is located. Rural residents of the Upper Midwest Region probably would consider the City carefully before deciding to go elsewhere in search of urban opportunities. Additionally the MXC would also draw population from the nation at large, especially among those interested in its experimental nature and in the adventure it represents.

Accepting the assumptions made by the U.S. Bureau of the Census regarding birth rates and out-migration rates, there would be a net out-migration between 1965–85 from the four states—Minnesota, North Dakota, South Dakota and Montana—ranging between 281,000 and 366,000. Two facts emerge from these figures: (1) in no case could the City be populated in *ten* years by what would otherwise be out-migrants from that four-state region. (2) Since the motivations and tastes of out-migrants vary, capturing them on a one for one basis, even with active encouragement from the States involved, would be unlikely.

Any effort to redistribute population within the region in favor of a new city would likely encounter political resistance. Similarly, only a portion of the natural increase in population (417,331 in 1960–65 for the four states) would be available. Thus it becomes obvious that the assumed population of one quarter million at the ten-year level could be met only by recruitment beyond the limits of the four-state area.

For the more highly specialized occupations, there is, of course, greater likelihood of persons being drawn from outside the region. This reflects both the greater mobility of the highly trained and their in-elastic supply over a limited geographic region.

Training programs will be in demand to upgrade the skills of large groups of the population. Hopefully, a true industry-education partnership could be formed. An adequately skilled labor force would permit greater fluidity in personal choices among competing economic opportunities in the City. The requirement for educational and training facilities would be intensified were the City located in a depressed area. Another approach would be to train functional illiterates and others lacking skills in their home cities before they arrive in the Experimental City. The psychological advantage would be significant as the people in question would then be able to come to the new cities as successes rather than as welfare problems. The goal of potentiality should be established; that is, encouraging each individual to develop to his full potential.

MINORITIES AND DISADVANTAGED

An *ample supply of jobs* would be the strongest possible inducement in attracting a new population to the Experimental City. Assuming competitive wage rates, the greater the choice in opportunities, the greater would be the drawing power. However, if free forces were allowed to operate unchecked, a natural selection process would take place in the labor market. Inasmuch as the Experimental City has established goals of diversity in population, positive steps will be necessary to obtain those groups who would not otherwise be attracted on their own, such as the less mobile elderly and the hard core unemployed.

There is, of course, a limit to the number of unskilled and low skilled jobs a city can provide as well as the number of jobs for which people may qualify through on-the-job training. In this respect, the goal of economic aid to a declining region may compete with the goal of providing a broad range of people of low economic status.

A recent experience of Control Data Corporation indicates that a recruitment program for minority and disadvantaged persons might yield workers with more skills than might be imagined. Control Data Corporation opened with an employment office in the ghetto area of North Minneapolis to train. To their surprise, within a short time hundreds of unemployed applied who were trained and ready to go to work immediately.

A special set of problems and opportunities arises in connection with the Indian minority in many parts of Minnesota. While Indians of South America have become an intergral part of their nations; in this country Indians have been set apart in reservations and treated as foreigners. Although efforts have been been made periodically to attract and integrate them into city life, such programs have met with little success. The field of building construction is among the few major industries in which American Indians have established themselves as an important element in the labor force. If Minnesota Indians could be drawn into the construction phases of the project, the likelihood of their becoming an integral part of the urban life would be enhanced. Construction workers in large numbers can be expected to become permanent residents of the City, and Indian construction workers should be encouraged and aided to do so. The cultural atmosphere could be greatly enriched by the presence of American Indians, and efforts to attract and hold them would be appropriate.

MANPOWER REQUIREMENT

This country has no experience in the planned populating of a new city of 250,000 people. One vital question is: To what extent would the recruitment of manpower be assumed by the private enterprises locating in the City? Certainly the opportunity is open for cooperation between enterprises in their recruitment programs. Through coordinated efforts, a form of centralized recruiting could be established which would work to the advantage of all parties, especially those businesses too small to conduct a manpower recruitment campaign on their own.

The manpower question can be approached by determining requirements under alternative assumptions about the City's economic base. Many industries have established guidelines for optimum plant size, and manpower requirements could be easily drawn from them. This degree of precision might be unnecessary, however, since—within a broad range groups of industries have manpower needs in common. In addition, well over half the labor force could be expected to work in easily anticipated secondary and tertiary industry positions. The location of a major university would greatly affect the skills that would be needed in the labor force, both directly through teaching positions and indirectly through spawned research-oriented industries. In any analysis of manpower requirements, it must be borne in mind that technological changes in the coming decade will affect both the quality and quantity of manpower needed.

One way of approaching manpower requirements is by examining the City's needs as they are likely to evolve over time. Obviously, there would be an initial phase during which construction activities would dominate and during which recruiting construction teams would be a major concern. Concomitant with the initial influx of construction workers would be the emergence of a lower order service sector to meet the earliest retail needs. A second major population push would develop with the establishment of export base industries. Again this would be followed by expansions in service sector demands. In a third round, supporting export activities would emerge along with higher level services and office functions.

During each phase, the occupational profile of the Experimental City would change and manpower demands in new areas would develop. Some of these demands might be met by occupational shifts on the part of city residents. For example, as much as 10 percent of the construction force in any given year could be expected to shift to other types of employment within the City.

AMENITY AND MANPOWER RECRUITMENT

After employment, the provision of amenities is the most important factor in attracting manpower to a new city. Among selected amenities are factors such as open space,

*John Hoyt, *Minnesota Economic Regions* (University of Minnesota, 1966).

recreational opportunities, social atmosphere, and the general physical, human, and cultural character of the environment. The ability of the City to draw manpower will also be strongly affected by the quality and range of services it provides, especially educational services.

A difficult problem in planning amenities is in identifying appropriate amenity packages. Ideally, the character of amenities should be geared to the tastes and needs of the population. A new city which draws its population predominantly from people with rural backgrounds would obviously experience demands for amenities different from those desired by a predominantly urban population. Advance planning is crucial, however, to preserve the option of providing certain forms of amenity, such as lakes and streams. Further, pressure is created by the need to provide a minimal level of amenity at the outset as an attraction for the initial population.

To the greatest extent possible, amenity questions should be left open until decisions can be made by the population. Where this is not possible, discussions should take place with representatives of the principal categories of people expected to be attracted to the City. In general, to appeal to the broadest possible population base, amenities should be varied and extend throughout the sections of the City.

MOTIVATION

Manpower planning responsibilities will extend beyond the time that the City reaches its target population. Problems might be anticipated in motivating the population to accept the City and its goals—especially those coming solely in response to employment opportunities. As most residents will be inmigrants, special efforts will be necessary to foster a sense of community.

The Experimental City Authority should capitalize on the opportunity available during the initial years of massive population influx to establish attitudes favorable to its objectives. During periods of personal change, there tends to be a greater receptivity to change. This receptivity might be expected to last one or two years. During this time, the population is likely to be intensely concerned with neighborhood and city problems. Leadership can be expected to emerge, often in response to perceived common grievances. If the population could be made to feel their views were monitored and respected, they would be more likely to remain flexible in expressing themselves, and to identify with the City. Institutions must, therefore, be encouraged through which the population can become involved in the City and its decisions.

To foster community responsibility, MXC Authority planners should keep options open for ultimate decision by the population. As the population grows, decision-making responsibilities of the residents should increase proportionally. This technique would help avoid a crisis when the City is turned over entirely to residents. Citizens education in the purposes and goals should remain an ongoing process to promote participation on a meaningful level.

Many problems of adjustment could be overcome if the City were to aid people in their search for housing and employment. Perhaps an orientation or induction period would be useful as part of a resettlement program. To provide necessary job security, it might well prove necessary for employers to guarantee positions for a specified period. A delicate balance is necessary, however, to avoid an excessively paternalistic attitude. Ultimately, responsibility for the city will be transferred to its residents, and the more broadly responsibility is shared, the more likely the population will be to accept it.

OPPORTUNITY

The Experimental City provides an opportunity to deal with a number of shortcomings in the present system of matching people and jobs. There is currently a considerable lag between the recognition of a manpower need and the training of people to fill it. What is required is better information both on the demand for manpower and on its supply. Vocational training programs should be more responsive to industry needs. Technological changes must be anticipated and incorporated into educational programs. Most important, industries must make an effort to plan their manpower requirements in advance and communicate them when applicable to the appropriate public agencies.

Job development is necessary where jobs are sought for trained people. Question has been raised about whether employment services are adequately used by industry. Currently, only 20 percent of the nation's job openings are filled by employment services. Instead of waiting for employers to consult unemployment offices for specific needs, job development people should knock on doors and "sell" industries on hiring their clients. This approach should be especially promising in a new city where new labor needs would be on the increase for such a long period of time.

With the aid of private enterprise, new methods of recruiting people for the Experimental City will have to be devised. Even if the City's ten-year population objective were extended to twenty years, the logistical problems associated with such a heavy in-migration would be overwhelming. The City might provide a central facility where information on job seekers and potential residents would be available. If employers were likewise to submit their manpower needs to a centralized resource, computers could be used to match manpower needs with available skills. Such a system may ultimately be used nationwide; its early inception in the MXC would provide a useful test.

Present laws call for the withholding of economic support from Indians once they leave reservations. If Indians residing in the Experimental City could get an exemption from this law, a useful experiment could be pursued regarding the effects of this policy on Indian motivation and on their transition from the rural reservation to urban life.

COMMEMORATION OF THE ANNIVERSARY OF THE INVASION OF POLAND

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. YATRON. Mr. Speaker, this week marks the 30th anniversary of Hitler's infamous attack on the brave and noble people of Poland. The brutal invasion of Poland in 1939 in turn touched off World War II, the war which brought so much suffering to millions of human beings throughout the world. It is impossible to recall these tragic events without bitterness and shame.

When the Nazis invaded Poland on September 1, their 76 superbly organized and mechanized divisions met with little difficulty in devastating the unprepared Polish forces, though the 830,000 soldiers and officers of the Polish Army fought doggedly and gallantly.

Alone and unaided, they maintained a courageous resistance, first to the Nazis, and 16 days after the Nazi invasion, to the Russians, who entered eastern Poland on the pretext that the Polish state no longer existed.

Thousands of Polish infantry, Navy, and Air Force troops, forced to flee the military might of the invaders, joined the Allies and took up arms once more in France, Norway, North Africa, Italy, and Sicily. As the regular army slowly disintegrated within the country, an underground movement developed, directed by the Polish government-in-exile. Stray divisions of the Polish Army together with civilian men, women, and children, destroyed Nazi planes, ammunition dumps, bridges, and other military installations.

Often forced to survive for months, or even years in forests and mountains, members of the resistance and the Polish populace at large reacted consistently with spirit and conviction. Refusing to betray their national honor and collaborate with the enemy, 6 million Poles preferred self-respect and death to capitulation.

Millions more suffered deportation and imprisonment in concentration camps. Even in 1945, there was no peace for Poland. Absorbed by Soviet imperialism, the Poles have continued to fight for personal liberty and national integrity.

Those who have immigrated to the United States have brought with them their love of liberty, and their respect for law and order. They have contributed much, socially, economically, politically, and culturally, to the advancement of our Nation, and have helped make the United States great. My admiration and respect go out to all the Poles in America and especially those in Pennsylvania's Sixth Congressional District.

EGEBERG MARIJUANA APPROACH IN CONFLICT WITH NIXON-MITCHELL BILL

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, in my continuing efforts to shed light on the narcotic addiction and drug abuse problem, I wish to call to my colleagues' attention an article appearing in yesterday's Washington Post.

Assistant Secretary for Health and Scientific Affairs, Dr. Roger O. Egeberg stated that, in his opinion, the penalties for posession of marijuana were too strict and that marijuana should not be classed with dangerous narcotics such as heroin. Dr. Egeberg is in such a high position within the administration and apparently his views conflict with the approach exemplified by the President Nixon-Attorney General Mitchell proposed narcotic legislation, I thought my colleagues on both sides of the aisle would be interested in Dr. Egeberg's remarks.

The Nixon-Mitchell handling of the problem is typified by strict, harsher penalties which will make felons out of all persons in possession of marijuana. Their bills link marijuana with the hard narcotic heroin. Much criticism has been leveled at this type of treatment of these

substances and obviously Dr. Egeberg is not in agreement with President Nixon and Attorney General Mitchell concerning them.

The article follows:

EGEBERG CRITICIZES MARIJUANA LAWS

NEW YORK, September 2.—Dr. Roger O. Egeberg, HEW Assistant Secretary for Health and Scientific Affairs, said today the penalties for possession of marijuana were too strict and that marijuana should not be classed with dangerous narcotics such as heroin.

Egeberg said in an interview that he believed "the present laws are completely out of proportion" to the dangers presented by marijuana.

"I think they're punitive," Egeberg said. "I don't personally think marijuana leads to heroin. I feel pretty strongly that it should be placed in a different category from barbiturates, heroin, amphetamines and LSD."

Egeberg was here to address a meeting of the international union against tuberculosis at the Waldorf-Astoria hotel.

(In 1967, Dr. James L. Goddard, head of the Food and Drug Administration, came under fire for expressing similar views. Goddard was originally quoted as saying he would no more object to his daughter smoking marijuana than he would to her drinking a cocktail. He later said he did not condone the use of marijuana but did oppose overly strict penalties, which make criminals out of youths who "experiment" with pot.)

TRIBUTE TO THE LATE HONORABLE BARRATT O'HARA

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. SCHWENGEL. Mr. Speaker, Members of Congress, the people of Illinois, and all those who knew Barratt O'Hara or who knew about him were deeply saddened by his death on August 11. He had served in this House for 18 years, and those of us who bade him fond farewell at his retirement from Congress last year had missed this kind and wise man whose youthful presence had inspired us despite his 87 years.

Barratt O'Hara will be remembered for many reasons, and by different people for their own special reasons, for he touched the lives of many of us. But I think he will be remembered by all for his devotion to underprivileged men and nations. Throughout his various careers he was faithful to his concern for the needs of the unfortunate.

Barratt O'Hara served his Nation and humanity for more years than many men are given to live. From the age of 15, when he joined the 33d Michigan Brigade, the second American force to enter Cuba in the Spanish-American War, he acted with courage and followed the call of duty.

He attended college and then began a successful career as a newspaperman, becoming sports editor of the St. Louis Chronicle at age 20 and later Sunday editor of the Chicago Examiner. At 30, he became the youngest, Lieutenant-Governor in Illinois history, and earned nationwide attention when his investigation of substandard wages paid to women resulted in the adoption of a minimum wage for women by eight States. He served in the Army in World War I and then enrolled in law school, in pursuit of the career he had dreamed of achieving. The son of Circuit Court Judge Thomas O'Hara, Barratt became known, during the years he had a law practice, as a defender of the poor and unfortunate.

Barratt O'Hara was first elected to the House of Representatives at an age many of us would consider advanced. But the 66-year-old freshman Congressman was young in spirit, and he remained so throughout the remainder of his life. He continued to champion the causes of a minimum wage, increased pensions for civil servants, health research, and civil rights. He believed in United States' loans to underdeveloped nations; he was especially interested in Latin America and in the emerging nations of Africa.

Barratt O'Hara lived 87 full years of service to America. We will long remember him for his outstanding achievements and for his great humanity toward fellow man.

WISCONSIN ATTORNEY GENERAL ISSUES OPINION ON FEDERAL AID TO STUDENTS CONVICTED IN CAMPUS DISORDER

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, Wisconsin's attorney general, Robert Warren, recently issued an opinion in response to a request from the State university board of regents on whether 25 students convicted of criminal charges resulting from a disturbance at Wisconsin State University-Oshkosh are eligible for Federal assistance.

Because of the high degree of interest in this matter in Congress, I am including as a part of my remarks the complete text of the attorney general's opinion for the information of my colleagues:

THE STATE OF WISCONSIN,
DEPARTMENT OF JUSTICE,
Madison, August 14, 1969.

Mr. EUGENE R. MCPHEE,
Director, Wisconsin State Universities,
Madison, Wis.

DEAR MR. MCPHEE: You have requested my opinion regarding the eligibility of approximately twenty-five students for Federal student assistance.

The twenty-five students had been suspended from the State University-Oshkosh last December for engaging in rioting on the campus. Subsequent to their suspension they had, it is my understanding, been convicted of a criminal charge arising out of the campus disturbance. It is my further understanding that the period of their suspension has expired and that they are now seeking readmission at Oshkosh and Federal assistance.

You are primarily concerned with the question of whether the University has discretion in the matter of granting Federal assistance or whether the granting of such aid has been prohibited by Act of Congress.

The applicable Federal law reads in part:

"Eligibility for student assistance—Conviction of crimes involving force, disruption, or seizure of property of the educational institution.

"(a) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has been convicted by any court of record of any crime which was committed after October 16, 1968, and which involved the use of (or assistance to others in the use of) force, disruption, or the seizure of property under control of any institution of higher education to prevent officials or students in such institution from engaging in their duties or pursuing their studies, and that such crime was of a serious nature and contributed to a substantial disruption of the administration of the institution with respect to which such crime was committed, then the institution which such individual attends, or is employed by, shall deny for a period of two years any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c) of this section. If an institution denies an individual assistance under the authority of the preceding sentence of this subsection, then any institution which such individual subsequently attends shall deny for the remainder of the two-year period any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c) of this section.

"REFUSAL TO OBEY REGULATIONS OR ORDERS; DISRUPTION OF ADMINISTRATION OF INSTITUTION

"(b) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has willfully refused to obey a lawful regulation or order of such institution after October 16, 1968, and that such refusal was of a serious nature and contributed to a substantial disruption of the administration of such institution, then such institution shall deny, for a period of two years, any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c) of this section.

"COVERED PROGRAMS

"(c) The programs referred to in subsection (a) and (b) of this section are as follows:

"(1) The student loan program under title II of the National Defense Education Act of 1958.

"(2) The educational opportunity grant program under part A of title IV of the Higher Education Act of 1965.

"(3) The student loan insurance program under part B of title IV of the Higher Education Act of 1965.

"(4) The college work-study program under part C of title IV of the Higher Education Act of 1965.

"(5) Any fellowship program carried on under title II, III, or V of the Higher Education Act of 1965 or title IV or VI of the National Defense Education Act of 1958." (Tit. 20 U.S.C.A. Sec. 1060; P.L. 90-575, title V, s. 504, Oct. 16, 1968).

As can be seen from the above quoted Act, eligibility for Federal assistance depends on the results of a hearing held for that express purpose. The obvious question is whether the University is obligated to hold such a hearing. In this respect the Act is ambiguous and resort may be had to rules of statutory construction.[1]

I have recently been advised that the Office of Education has not adopted any regulation designed to force compliance upon edu-

cational institutions.[2] Notwithsanding, the Office of Education has issued the statement that "* * * an institution may arbitrarily decide not to activate the statutory machinery. Such an interpretation of Sec. 504 (a) and (b) is not correct."[3]

It is a common rule of statutory construction that the interpretation of a statute by the agency having the responsibility of its enforcement is entitled to great weight.[4] Further, to say that the provisions of Sec. 504 are not mandatory could vitiate the purposes of the statute and would violate the rule of construction that statutes are to be interpreted so as to give them force and effect.[5]

In the light of these rules of statutory construction, I can only conclude that Sec. 504 places a duty upon educational institutions to initiate a hearing whenever it has a reasonable belief that a student-applicant would fall within the prohibition of the statute.[6]

As to the twenty-five or so students—applicants at State University-Oshkosh, I am of the opinion that Federal assistance cannot be either granted or denied without a hearing; that eligibility for Federal assistance must depend on the results of the hearing.

In regard to the hearings, ineligibility for benefits is mandatory upon a showing at the hearing that the applicant was either convicted of a criminal offense or found guilty in a school disciplinary hearing which conviction or school proceeding involved misconduct engaged in after October 16, 1968, that seriously and substantially contributed to the disruption of the administration of the institution or use of the facilities by those entitled to their use which involved the use of or assistance to others in the use of force, disruption or seizure. The issues presented in the hearing are the identity of the student and whether the conviction or school sanction involved conduct as described in the statute.

In this same regard it would not be proper, in my further opinion, to consider any issue other than those above discussed. For example, it would not be proper in the case of either the criminal conviction or the student disciplinary sanction to in effect review those prior determinations by allowing the student to raise the issue that he really wasn't guilty for he had been forced or coerced in participating in the disruption.

The school has no authority to review the prior decisions which are presumed under the law to be valid.

Any suspension under the statute commences on the date of the determination of ineligibility and runs for a period of two years from that date.

Additionally, you have requested my opinion as to whether these same students are barred by law from participating in the many state student programs.

At the present time there is no specific State statute comparable to the Federal Act just discussed.[7] Consequently, it is necessary to review the specific standards upon which the benefits are granted to determine whether the students are necessarily barred from participating. In this regard, you have specifically referred to those programs authorized by Secs. 37.11(12), 37.11(15), 37.11(17), 39.31 and 39.32, Wis. Stats.

Sec. 37.11(12), Wis. Stats., creates a scholarship dependent upon bona fide residency, being a good student (scholastic), financial need and qualification of leadership.

Sec. 37.11(15), Wis. Stats., establishes a scholarship having comparable criteria in the preceding section excepting residency.

Sec. 37.11(17), Wis. Stats., creates a scholastic grant to needy and worthy nonresidents who are deserving of relief because of extraordinary circumstances.

The conduct of the students in question, which gave rise to the school sanctions and criminal convictions, does not, in my opinion, as a matter of law, conflict with the prescribed standards nor necessarily bar the students from consideration under these three programs.

The honor scholarship created by Sec. 39.31, Wis. Stats., is only available to "first-time, full-time freshman" and, therefore, not relevant to the students in question.

Sec. 39.32, Wis. Stats., creates a student loan fund. This State program is in conjunction with the Federal program created by P.L. 89–329 and 89–287.

P.L. 89–329 relates in part to Federal, State and private programs of low-interest insured loans to students in institutions of higher education. Specific reference is made to this program in Tit. 20, USCA s. 1060 (c)(3), as a covered program. Consequently, it is my opinion that eligibility of the students in question for an insured loan under this State program is dependent upon a hearing as provided in Tit. 20 USCA s. 1060.8

Sec. 39.35, Wis. Stats., creates a teacher scholarship program. The standards for eligibility are set forth in the statute and do not foreclose the students in question from participation in this program. However, any suspended student who has been under this program when suspended would not appear to be eligible in view of the provisions of subsection (d) which requires the maintenance of a certain scholastic standing.

In conclusion it may be stated as a general proposition, the twenty-five students in question are not barred from the State programs by reason of their having engaged in disruptive activity on the Oshkosh campus last fall.

Sincerely yours,

ROBERT W. WARREN,
Attorney General.

FOOTNOTES

[1] 50 Am. Jur. s. 225, Statutes.

[2] The Office of Education does, however, require each institution to report the number of students whose Federal assistance was terminated under the Act.

[3] No. 8, May 27, 1969, *Keeping You Posted* by Office of Education.

[4] 2 Am. Jur. 2d 241, Admin. Law.

[5] 50 Am. Jur. s. 357, Statutes.

[6] "As with any provision of law, Section 504 demands compliance in good faith by those to whom it applies. So we expect that colleges and universities will strive in good faith to implement its provisions for aid termination where the facts disclose the 'abuse' has taken place Compliance in this sense is mandatory and, as I have already indicated, we have every good reason to believe educational institutions genuinely intend to comply." Secretary of Health, Education, and Welfare, Robert H. Finch, before the House Special Subcommittee on Education, April 18, 1969.

As further indicia of legislative intent P.L. 90–557 s. 411, October 11, 1968, reads:

"Sec. 411. No part of the funds appropriated under Act shall be used to provide a loan, guarantee of a loan or a grant to any applicant who has been convicted by any court of general jurisdiction of any crime which involves the use of or the assistance to others in the use of force, trespass or the seizure of property under control of an institution of higher education to prevent officials or students at such an institution from engaging in their duties or pursuing their studies."

The appropriation that Section 411 refers to apparently includes for the current year the National Defense Student Loan Program, Federally Insured Student Loans, State Guarantee Loans and Private Nonprofit Loans.

Currently pending in Congress is Sec. 407 of the 1969 HEW Appropriation Act which reads in part:

"None of the funds appropriated by this Act shall be used to formulate or carry out any grant to any institution of higher education that is not in full compliance with Section 504 of the Higher Education Amendments of 1968 (Public Law 90–575)."

[7] Such legislation is, however, pending; see Bills 53S, 442S and 260A.

[8] This is true regardless of whether the loan is made by a private corporation under Sec. 39.33, Wis. Stats., Guaranteed Student Loan Program; also see Note 7.

LAW AND ORDER

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. RARICK. Mr. Speaker, the long-suffering, quiet citizens of Baton Rouge, La., which I am honored to represent, have taken a strong stand for law and order.

They realize that their police officers are the front line in the battle against crime, anarchy, and insurrection. They also feel that government's duty is to protect the rights of the law-abiding individual before social programing and politics. For that reason, thousands organized a citizens for law and order to take a stand in defense of an orderly civilization.

I am pleased to ask unanimous consent of this body that a resolution adopted by the Batin Rouge Citizens for Law and Order be here placed in the RECORD of this House.

The resolution follows:

RESOLUTION BY BATON ROUGE CITIZENS FOR LAW AND ORDER

Whereas, There has been a subtle, but increasingly bolder and more extensive effort to harass and discredit our local police forces and their individual members in this country for more than a decade, and

Whereas, Local law enforcement officers are our first and last line of defense against crime, anarchy, and insurrection, and

Whereas, A strong, armed and independent police force is an impassable barrier to the advance of communism, and

Whereas, Communists, their dupes and allies in their unceasing effort to destroy local police forces do seek to establish and maintain civilian police review boards so as to make individual police officers afraid to do their duty, especially in connection with rioting mobs; and do seek to harass, discredit, and demoralize local police forces through brazenly unwarranted cries of "police brutality", and

Whereas, The elimination of local police forces entirely or reducing them to a statue where they cannot protect their friends, neighbors, and local communities from the minions of a central government is important to communists in connection with their plans for imposing a police-state tyranny on the American people, and

Whereas, Court decisions have unreasonably hampered police officers in execution of their duties in law enforcement, and

Whereas, There is a growing communist-inspired plan to disarm local police—partly at first; but later on, completely, and

Whereas, There is increasing lawlessness in Baton Rouge and increasing contempt for law officers by certain segments of the population, and

Whereas, The American Communist Party officially resolved as early as 1928 to use that same segment of the population in a bloody revolution to destroy the United States and create a soviet Negro republic out of several southeastern states, including Louisiana, and

Whereas, It is communist strategy to create

and incite hatred between groups in order to bring about their revolution, and

Whereas, "Liberation," "Civil Rights," "Biracial," "Equality," "Human Relations," and "Non-violent" groups have risen and recently gained great influence (each espousing causes the opposite of its nominal purpose), and

Whereas, These "anti-racist" groups complain about unjust and unequal persecution of members of the minority race by police in spite of the fact that statistics prove that this race commits six to twelve times the number of serious crimes (particularly crimes of passion) per capita as the majority, and

Whereas, Shameless do-gooders and pseudo-intellectual humanitarians without an average citizen's morality, loyalty or respect for the City or its Police Department (mercenaries without pay known as the "Legal Aid Society") have filed malicious and unfounded charges against the City and its Police Department on behalf of families of the three escaping felons who were legitimately shot in hot pursuit by police officers, and

Whereas, Law and order is essential to any society, and particularly to American society, based on Biblical ideals and the honor, faith and credit of one's fellow man, and

Whereas, The local government's primary responsibility is to protect the lives and property of all citizens of the community and to maintain law and order through its Police Department, and

Whereas, Elected local officials are yielding to the disruptive tactics and the outright demands and threads of organized pressure groups, and

Whereas, Local police officers are grossly underpaid and their salaries should be considerably upgraded,

Therefore, be it Resolved that Baton Rouge Citizens for Law and Order, with adequate justification and provocation as of this date and henceforth, will do all in its legal power to defend and enhance the authority of and the respect for the City-Parish Police Department and other local law enforcement bodies, including any remaining courts and judges which may believe in the U.S. Constitution rather than the present U.S. Supreme Court and/or the United Nations Charter, and

Be it further Resolved, that all citizens urge their congressional delegation to do all possible to reverse decisions of the U.S. Supreme Court which protect criminals at the expense of the law abiding citizens and which place unreasonable restrictions on police officers in law enforcement, and

Be it further Resolved, That responsible officials reject any "civilian review board" or other outside "supervision" of our police, including federal controls, and

Be it further Resolved, That all citizens obey all laws, whether considered unjust or not, and work for changes through the democratic processes; and that all our fellow citizens, white and black, wake up to the real meaning of what is happening all around us and display Christian charity, not hatred, towards all members of the community regardless of race or creed, and

Be it further Resolved, That the City Council approve without delay the new pay plan proposal submitted recently by the Police Chief and a group of policemen to a special committee of the City Council, and that every effort be made to provide this salary increase without additional taxes but rather through savings resulting from an economy and efficiency in government operations, and

Be it further Resolved, That police officers must be instructed and allowed to use whatever force is necessary to enforce the law and to defend themselves without regard to color or race, and

Be it further Resolved, That we will work diligently for the replacement, and, if necessary, recall of those elected officials who refuse to enforce the law, and

Be it further Resolved, That copies of this resolution be sent to the Mayor, Sheriff, Chief of Police, members of the City-Parish Council of Baton Rouge, and to the communications media.

IMPROVED SCHOOL MANAGEMENT CAPABILITY: RESPONSE TO STUDENT UNREST

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. ZABLOCKI. Mr. Speaker, Mr. Leon M. Lessinger, Associate Commissioner for Elementary and Secondary Education, Office of Education, addressed the 41st annual Harvard University Summer School Conference on Educational Administration on July 18, 1969.

His interesting and thought-provoking remarks on our Nation's educational system and student unrest deserve careful consideration.

In order to share with my colleagues Mr. Lessinger's views I am pleased to place his address in the CONGRESSIONAL RECORD at this point:

IMPROVED SCHOOL MANAGEMENT CAPABILITY: RESPONSE TO STUDENT UNREST

(By Leon M. Lessinger)

From our earliest beginnings, we Americans have been among the most introspective and self-conscious people on earth. The Pilgrims and the Puritans subjected their lives to continuous self-examination for fear they might incur divine displeasure. Anxious citizens kept lengthy diaries which reflect a probing for some hidden meaning in events of the time.

The effects of a Freudian era and the development of mass communications have made us, after 350 years, an even more self-conscious people. As in the past, our manners and morals—particularly the manners and morals of our youngsters—are of major concern. Our writers and commentators and many of our young activists direct their imaginative energies to exposing what they consider our delusions about the society we have produced. Everywhere we read of youthful alienation, disrespect for authority, and rejection of traditional values. Many of our ablest youth seem to see an emptiness behind the beguiling facade of middle-class American culture. The phrase "white-middle-class" has become an epithet rather than a social or economic description.

In the ill-founded, media-created faith that technology will provide instant solutions to human problems, we probe our society's dichotomies and hypocrisies and credit the young with insights formerly expected only of serious scholars. Our schools and universities, as fragile and vulnerable as life itself, have become special targets for the slings and arrows of these social critics.

There is no shortage of opinion—or even research findings—to suggest that something is happening here and the adult society doesn't know what it is.

It is ironic that the middle class culture itself has nurtured a large part of the current youth rebellion. I'm reminded of Sir Edward Appleton's comment about Whitehall: "You must not miss Whitehall. At one end you will find a statue of one of our kings who was beheaded; at the other, the monument of the man who did it. This is just an example of our attempts to be fair to everybody."

Robert Nisbet—perhaps in an effort to be fair to everybody—suggests that our youth are both bored and idealistic. I would agree. I would even suggest that a marriage of convenience has united boredom and idealism to ignite student rebellion.

Action is needed—and soon—if we are to preserve that idealism and eradicate the malignant ulcer of boredom.

Certainly we who have responsibilities for education must supply a massive part of the action, for we, and the schools we administer have stimulated a great deal of boredom among students.

Most of us can still recall the extraordinary dreariness of so much of the teaching we were exposed to: The lesson was less than first-rate, the passive note-taking, the rehearsal of opinion about books unread and authors unknown, the boring assignments, the perfunctory explanations, the flat stale textbooks, the mindless regurgitation of meaningless facts, and the capricious grading.

Our schools have made some progress in this area, but we have a long way to go. In too many classrooms these boring practices still occur. In today's exciting competitive market of television, magazines, electronic music, and easy travel, classroom boredom is unnecessary and unacceptable. Our schools must create an environment which enlivens, an environment which encourages idealism and provides productive channels for youthful energy.

Life to youngsters is exciting and exhilarating, not exhausting. They are eager to do, to learn, to taste, to see. Their vigor beguiles us, their brashness appalls us, their idealism invites us, and their energy evades us. We watch them, analyze them, and dissect them in an endless effort to understand and interpret them. Some of us admire them, perceiving their actions as steps toward fulfillment of our own hopes for a better world. Others fear them, foreseeing imminent chaos. We *react* to them, but seldom *act* with them. That they want us to act with them seems implicit in their tactics.

We know all this, yet are immobilized by how little we seem to know and how little we seem able to do. I believe we know so much more than we understand that we are unable to use what we know.

The survey report prepared by the National Association of Secondary School Principals makes it clear that most student protests are against the use of *power* as opposed to the exercise of *authority* which our society freely accords to effective experts. For example:

One-third of all schools surveyed reported student objections to the dress code.

One-fourth of the schools have experienced protests against the hair code.

Four-fifths of the schools have had protests against school regulations.

The way the school educates its pupils has triggered activist protests in 45 percent of the schools, the report tells us. Examination of the statistic indicates that much of the protest concerned class grouping, homework, scheduling, and similar matters which might just as easily be classified as objections to arbitrary use of power.

Challenges to the school's *authority* as opposed to its exercise of *power* seems to be greatest in urban senior high schools with more than 2,000 students. More than 80 percent of these schools reported protests against the instructional program.

The point, it seems to me, is that students see the school as an institution responsible for teaching and learning and simply refuse to grant it any recognition as a social arbiter. They see the school using power arbitrarily, while simultaneously failing in its primary duty of providing students with an adequate education. And they see great energy expended in the exercise of arbitrary power, but little effort applied to strengthening the educational process which would demonstrate the school's authority.

Please note that I am deliberately making a sharp distinction between "authority" and "power." A similar distinction has been made by John Gardner, Nisbet, and others. As I use

it, "authority" is the control derived from knowledge or wisdom, whereas "power" is an attribute of brute force. In this sense, the idea of "power" is expressed by the cynical adage "might makes right," while the idea of "authority" is the obverse "right makes might."

It is my opinion that legitimate social protest can and should be directed against power, while protests against authority must be intellectual and cerebral, in the sense of honest disagreement, if chaos is to be prevented. Protest against power should be an effort to reclaim some liberty or freedom which has been abrogated by the substitution of force for authority.

Our rebellious youth are, for the most part, protesting the use of power and demanding that it be supplanted by responsible and responsive authority. We are fortunate that this is true, but can claim no credit for it. Most of our protesting youth do not make the distinction I have made—nor do those who would use power to suppress student dissent.

What, then, has led to the rather sudden use of confrontation politics in our schools?

The Secondary School Principals' survey indicates it is not really the Vietnam war, nor the draft, both of which are frequently cited. I concur in that conclusion. It is my feeling that most of the protests which seem to attack authority rather than power really represent an assault on claims to authority which no longer are valid. If the claims to authority were in fact valid, a protest movement could not be mounted.

For the facts indicate that a certain amount of arbitrary power will be tolerated if those exercising it have a sufficient degree of true authority. Such use of power becomes intolerable, however, when there is a serious decline in true authority.

It is my contention that our schools have suffered a rapid decline in accepted authority and in freedom to use arbitrary power for very well known reasons.

During the past decade, the American public school system has both sought and been prodded to become responsive to major changes in the U.S. economy, culture, and society. Simultaneously, our schools have been confronted with the task of providing each and every child with the skills and the knowledge necessary to his future productive participation in society, regardless of race, creed, interest, ability, or place of residence.

This enormous increase in the burden on our schools is symbolized by recent Federal legislation. But our Federal programs really are only the most visible indicators. The real increases in demands on schools have come from the aggressive insistence of heretofore "hidden populations"—the ofttimes alienated and excluded minorities.

Through a combination of factors, these hidden populations have come to realize and accept the idea which we educators have long urged upon them that only by adequate education can they emerge from the bonds of isolation, economic deprivation, and prejudice.

Having accepted the investment value of education, our minorities have looked to the schools, only to find that these educational institutions are not prepared to provide the desired salvation. As middle class institutions, our schools seem able only to house minority students, not to educate them.

And the fault rests with the schools, not with the minorities.

Many of our schools traditionally have been Spartan in their attitude toward providing education. Students without the stamina to endure the course were cast aside with cavalier contempt. That tradition of the frontier by which a student either performed or perished academically no longer serves the needs of our youth, ourselves, or our Nation.

Therefore, I propose that we find a new educational strategy and build a new educational tradition.

Such a strategy would put the burden for performance where it belongs—on those who are paid to provide the conditions for learning. No longer can we afford to blame the learner for the teacher's failure. Putting the burden for student performance on adults who are paid to insure learning would enable us to serve the real learning needs of all students, instead of merely sifting and sorting them as we do now.

What I am saying is not new to you. You have heard it *ad nauseum*. Like many adults over 30, I am fully capable of mouthing glittering generalities and even inane banalities. But I hope and believe that the strategy I am about to propose may offer some suggestions on how our elementary and secondary schools can get from where they are to where they ought to be. At least, I hope my words offer some possible points for beginning what John Gardner has described as "a well-tested way out of the dizzying atmosphere of talk and emotion." Gardner's prescription is "to put one foot doggedly after another in some concrete, practical activity."

My remarks are directed to helping identify "some concrete, practical activity" which can engage us as educators as we begin putting "one foot doggedly after another."

I have suggested that a new educational tradition is needed. I prefer to think of it as a "zero reject" tradition. You may prefer Benjamin Bloom's term of "learning for mastery." Or you may like the generalization about providing every child with all the knowledge and skills he is capable of acquiring. Whatever you call it, the objective is the same: Providing equitable educational services for all children which will enable each to perform according to his own capability instead of simply fitting into a spot on the ubiquitous bell-shaped curve.

But, you object that has always been the objective of our best educators. Nevertheless, you protest, there has never been a single school system in any place at any time which has attained a "zero reject" performance—and I would agree with you.

I submit, however, that the tools are now at hand to make such performance a reality. What now is needed is the application of those tools to performing the tasks of our schools. To bring these tools to bear on the American public school system will require a vastly improved management capability in education.

Do I detect groans of despair? I am not surprised by your distress. We are educators largely because we deliberately sought a vocation which provided us with the continuing intellectual stimulation which teaching offers. Most of us are bored stiff or even philosophically opposed to the bureaucratic strictures and structures which seem inevitably to accompany the act of management. Like our activist youth, we prefer to do our thing. For most of us, that means teaching. We tend to avoid what we perceive as the tedium of devising bureaucratic plans and nurturing them to the maturity necessary to influence what other people do.

That, however, is the burden we have assumed as educational managers. And it is only through mastering that burden that we acquire the authority we seek. Too often, I fear, we have abrogated our professionalism and used power when we should have been seeking the authority which comes with mastery of our management task.

For the most part, our education agencies are not equipped with the management capability to respond effectively to the changing needs of their clientele. This is most obvious in our central cities, where the clientele has changed so rapidly.

Federal support has helped, but it has been something of a mixed blessing. The great Federal emphasis on instructional accomplishment has generated enormous concern and action in the form of new educational programs. A great deal of progress has been made toward the goal of equalizing the availability of educational programs and services among our schools, regardless of geographic location. Further equalization of resources remains to be achieved but is by no means the only action necessary. We must now begin moving toward achieving equality in student performance, a vastly more complex and difficult undertaking than merely equalizing resources.

It is our inability to achieve equality in student performance which is at the root of protests about instructional programs in our school systems. Until our schools are able to reclaim their rightful authority through effective management, they will continue to be the focus of escalating protest. The problem has surfaced most visibly in our cities, but other schools certainly will experience the same problems without improved management.

The basic objective of an improved management capability in education should, therefore, be to seek a higher level of *authority* for our schools, while rejecting the imposter of power.

Modern management techniques are available to our schools—at a price—but there has been no concerted effort to apply these techniques to education endeavor. Our failure to use the techniques which have been developed, refined, and proven by industry, business, and a few public agencies is at least partially understandable.

To me, improved management capability means the acquisition of improved competencies to perform certain functions. The functions which I believe educators must be able to perform, if they are to be true managers of the educational process, include the ability to determine and continuously modify objectives on a rational basis.

Modern management techniques require, first and foremost, a clear understanding of what the product is to be. This understanding must—in computereez—be output-oriented.

Our schools pay lip service to outputs, but usually in vague generalities such as "well prepared graduates" or "the encouragement of learning." Very seldom do we find educational objectives stated in terms of specific desired effects on the student or student behavior.

Almost all educational organization is designed to facilitate *the process of teaching, not the process of learning.*

Under our schools' present input-oriented management, time is apportioned, space is compartmented, materials are developed, and personnel roles are shaped primarily to serve the needs of the teaching process. But if we assume an output-orientation of serving the needs of learning, the responses to problems of time, space, materials, and similar matters may be far different.

For example, consider the problem of time for educational improvement. From an input-oriented view we might well conclude that the present school day is jampacked, that there is little or no time available for developing or introducing new curricula or procedures. But when the same problem is examined from the learning or output viewpoint, we discover that the learner's time is not fully utilized.

Or, similarly, consider the problem of providing academic and vocational education. The teaching, or input-oriented view, demonstrably holds that it is both logical and efficient to operate the programs separately because they require different personnel and resources. But the individual learner needs integrated skills which enable him to apply knowledge to production. Knowing how to calculate the hypotenuse of a triangle will be of little value to the learner building a set of stairs, unless he also knows the work skills required. And you have my assurance as a former engineer that stairs built ever-so-skillfully are likely to have a strangely skewered appearance if the lesson of the hypotenuse isn't applied in planning them.

One more quick example:

School district consolidation has engaged great energies and emotions for a number of years. The input-oriented view is that consolidation provides economic efficiency for the teaching process. Little attention has been given to the output-oriented view that what the learner requires is merely access to learning opportunities and that these may be provided just as well by adroit manipulation and shifting of the necessary learning resources as by moving the learner from one place to another.

Reorientation of present school management is essential to school acceptance of this new strategy. It is almost a truism to observe that if we can't really manage the educational enterprise, we can hardly be accountable for what that enterprise does or fails to do.

To make acquisition of this improved management capability a possibility for our schools, two major changes must occur:

First, local educational agencies must develop the capacity to renew themselves and to be more responsive to the changing needs of their clientele. They have demonstrated success in expansion and elaboration of existing programs in response to national concerns but need to develop the capacity to manage the problems of continuous renewal and flexibility. This implies the development of a new kind of educational management that concurrently (a) involves clientele in the definition of needs and policies, (b) brings real authority to bear upon the solution of problems, and (c) institutionalizes change.

Second, schools must accept the principle of "accountability" for student performance. Extension or expansion of services by local and State agencies is laudable but inadequate: They must be accountable for the learning *results* they produce with public funds. Schools for too long have operated as public monopolies and have been able to avoid the consequences of poor or mediocre performance. Student unrest is merely one consequence of these inadequacies.

I hope my remarks have made it clear that I am not neutral about the youth rebellion. I welcome many of the changes it presages. But as a father, as the son of immigrants whose lives were infinitely enriched by this great country and as one who has personally experienced the promise of the American dream, I cannot and will not accept as inevitable the growing trend of violence and anarchy I see coming as the full impact of the crisis among youth strikes at our schools.

I look with a certain wistfulness to calmer times when it could be said with a measure of truth that the faculty taught, the students studied and learned, and the administration presided over the operation with general support and approval. I also look with great hope to the time when improvements in our ability to manage the educational enterprise invests it again with the authority it deserves and needs if we are to preserve the freedom which comes only with the self-discipline of educated, able, productive citizens. It is our tasks as educators to produce such citizens.

GHETTO YOUTH FINDS EXPRESSION IN MUSIC

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. MURPHY of New York. Mr. Speaker, a record album called "The Sounds of Ghetto Youth" was recently released in New York. The record was produced by Montego Joe, a musician who has found time in his busy life to work with ghetto youth in the HARYOU Act program in New York's Harlem. Joe entered the program in 1965 to teach percussion music. After 4 years of training, his students have achieved such competence and musicianship that they were asked to record this album. It combines a great variety of music, most of it based on Afro and jazz themes, and is a most professional and enjoyable record.

The musicians are almost all Afro-Americans and range in age from 16 to 19 years. Most of the tunes were written by Nick Kirksey and David Edmead.

I believe the album demonstrates that our Nation's ghetto youth can contribute substantially to society when given the opportunity, training, and encouragement available from people like Montego Joe. These men have found expression in their music. Proceeds from the sale of the album will go to a HARYOU scholarship fund. I commend it to you.

THE SAFEGUARD SYSTEM

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. DOWNING. Mr. Speaker, during the recent recess, I was most fortunate to hear a most informative address on the Safeguard anti-ballistic-missile system. It was delivered by the Honorable Wilbur B. Payne, Deputy Under Secretary of the Army, Operations Research, before a public meeting arranged by the Hampton Roads Junior Chamber of Commerce. I found the excellent remarks to be most thought provoking and I feel certain that the rest of the Members should have an opporunity to share them, as follows:

THE SAFEGUARD SYSTEM

(Address by Dr. Wilbur B. Payne, Deputy Under Secretary of the Army, Operations Research, before the Hampton Roads Jaycees, Newport News, Va., August 27, 1969)

This evening I would like to address the three principal questions about the Safeguard anti-ballistic missile deployment that were raised in the recent debate. First, is Safeguard necessary? Second, will Safeguard work? And third, is Safeguard provocative?

To understand the necessity for Safeguard it is necessary to realize that the present balance of strategic power is brought about by the survivability of offensive forces. Both the United States and the Soviet Union today have offensive forces that can survive any attack the other could launch. Then, in a second, retaliatory attack these forces can inflict damage so severe that it destroys the first attacker as a modern society. No one who thinks about it can believe that this represents the best of all possible worlds. It is a world that has resulted from the conflict that is called the Cold War. It is a conflict that we must sooner or later resolve peacefully through political means. Until if can be resolved, however, the best course to follow is to prevent war between the two major powers. To do this the United States has long held to a policy of maintaining strategic nuclear forces that by their size and their ability to survive, guarantee that the Soviet Union can find no advantage from attacking first.

These forces contain three major elements—land based ICBM bombers, and missiles to be launched from submarines. Our land based missiles are in hardened silos. Our nuclear submarines, the Polaris, are virtually impossible to locate when on station. Some of our bombers are on alert, prepared to take off on short notice. For these reasons, most of our nuclear striking power could today survive an attack by all of the missiles now in the Soviet arsenal.

In the absence of any other way to provide the nation a means to insure its survival, reliance on this second strike capability as a deterrent to attack has been endorsed by every President since General Eisenhower. In all likelihood, we will have to continue to rely on this deterrent until, either by agreement or through some other parallel action, we and the Soviet Union can move to some other basis for our mutual security.

For many years, the declared policy of the United States and our actions in deploying strategic forces have been intended to show the Soviet Union that we would make every effort to protect this deterrent power. It is because we see certain trends in Soviet deployments and activities in the development of nuclear weapons—trends that if continued could lead to substantial threats to our deterrent—that the President has recommended the initiation of the Safeguard deployment.

One of these trends is the continued deployment in the Soviet Union of the ICBM we call the SS–9. This is a very large missile, much larger than Minuteman. It can carry a warhead with a yield up to 25 megatons. If such a warhead hits within about 1 mile of a Minuteman silo it will very probably destroy the missile. During the past several months, we have seen evidence of testing in the Soviet Union of the SS–9 with multiple warheads. We have every reason to expect this testing will continue and thus provide the SS–9 a capability to deliver 3 warheads of 5 megaton yield. These smaller warheads would have to hit within about one-half mile of a Minuteman silo, but there is no insuperable technical obstacle to the achievement of such accuracy.

The nuclear weapons that were used against Hiroshima and Nagasaki had only about one-thousandth the yield of the SS–9. Only for a very small number of very large cities would yields larger than a few megatons be considered useful. A few such weapons might be found in a force designed as ours is for deterrence through an assured second strike capability. It is difficult to so interpret many hundred such weapons. Because of this, and because of the continued deployment of the SS–9, we can at this time see only one military use for so large a deployment of such large missiles and that is to erode our Minuteman deterrent forces.

At the same time the Soviet Union has started a rapid growth in its force of missile carrying submarines. The Soviets have built such ships for several years but recently have noticeably increased their construction rate.

This development can also be related to our retaliatory capability because the submarine launched missile in adequate numbers would represent a serious threat to our bomber force. The submarine launched missile gives only about half the warning time of an ICBM.

If these threats are developed and deployed we could be forced to rely primarily on our own submarine force for our deterrent. This

is a formidable force and one which we are confident is now secure and reliable. But just as we are constantly trying to counter the submarine threat, the Soviet Union is undoubtedly developing improved capability for detecting and destroying submarines.

I would like to emphasize that these are potential and evolving threats, not ones now in being. But if we do not begin now to counter them we can be left with a deterrent that may suddenly become vulnerable to some Soviet development we could not quickly counter. I believe it would be unwise to provide so great a temptation to our opponents. It has long been our national policy not to do so.

Because of these actions on the part of the Soviet Union, I believe the answer to the first question is yes, the Safeguard is necessary. Basically, Safeguard is a thin defense against ballistic missiles. It is called thin in the sense that it cannot protect our cities from a massive Soviet attack. Safeguard can, however, protect a minimum essential number of our missiles from a Soviet first strike. It can also provide added warning time for our bomber forces on alert. In addition, it will protect our population from any attack the Chinese Communists could launch in the coming decade. The Chinese are developing an ICBM capability. They are progressing somewhat more slowly than we once predicted, but they are progressing. Without action on our part they could achieve a capability to kill 10 to 20 million of our people by the mid-1970's. We can defend against this threat and since we are very uncertain about Chinese objectives and about how their present or future governments would behave in a crisis, it seems prudent to do so.

I believe that Safeguard will work in the sense that it can accomplish these limited objectives. We do not know how with presently feasible techniques to defend our cities against massive Soviet attacks. In his statement on March 14 President Nixon said:

"Although every instinct motivates me to provide the American people with complete protection against a major nuclear attack, it is not now within our power to do so."

Since we cannot defend the cities against Soviet attacks it is reasonable to ask why we are confident we can accomplish any of the objectives of the Safeguard deployment. The answer has two facets; one deriving from the technical character of the Safeguard system, the other deriving from the differences in the targets to be defended and the threats to those targets.

The Safeguard does not require any radical new technical breakthroughs to work. It is a very complicated system but it is only a very specialized combination of radar, guided missiles and electronic computers. All of these have their technical roots in the 1940's. The radars do not have large rotating antennae. Rather their beams are formed and steered electronically. This may seem like wizardry, but the fundamental theory of such systems was fully developed by 1941. We and the Russians have built and operated several such radars with all the power and sophistication needed for the Safeguard. We are testing a prototype of the principal Safeguard radar, the Missile Site Radar, at Kwajalein Atoll now.

Guided missiles are an engineering challenge but not a scientific puzzle. They obey Newton's laws of motion and they receive guidance commands that could have been generated any time since de Forest invented the three element vacuum tube.

The Safeguard computers also do not require any significant increase in speed of computation or storage capacity over some now in use. Writing the programs for them, checking these out is a major task. But it is possible with a little care to use computers effectively as well as their more familiar application: lousing up charge accounts and magazine subscriptions.

None of those who argue that Safeguard will not work point to any basic principles of science that prevent its working. Rather they point to its great complexity and the engineering difficulties. But the United States has been conducting Engineering Development of ABM systems continuously since 1956. Because of this, the Safeguard represents an application of a fully matured technology. We are extensively testing its components and will continue this testing. But there is no reason to view its design as more than a particularly complicated system using thoroughly understood principles.

On the operational side it is important to recognize that there is quite a difference between successful attack on a city and a Minuteman or on a bomber force. The most important difference is that only a few missiles need to penetrate the defense to destroy a city and those few need not be very accurately delivered. Hence, to defend a city against a massive attack, the defense must stop nearly every warhead, or everything it suspects is a warhead. To destroy Minuteman more than 1000 warheads must penetrate the defense and the ones that penetrate must be very accurately aimed. This, and the fact that the targets are hard so that high altitude bursts cannot damage them, gives the defense a great advantage. We have studied with great care the full range of alternatives that might be used in attacks against Minuteman. These include decoys intended to confuse the radar, chaff intended to hide the warheads from the radar and a wide variety of tactics that the enemy might adopt. The components of Safeguard can provide adequate protection against any that might be used with the SS–9 and, in combination with some increase in Minuteman's hardness, can defend adequately against any threats we can now conceive as being at all practical.

For protection of the bombers we need only provide adequate warning and an ability to intercept the first few missiles aimed at them. Thus we buy time for the alert bombers to launch, not protection of the base.

The Chinese threat will be quite different from the Soviet threat in both numbers and in sophistication. The Russians already have more than 900 missiles on launchers. The Russians, as we do, conduct an extensive research program in space and, most importantly, have a fully developed and deployed ABM system and a very active research program in defensive systems. The Chinese have neither an ABM program nor a space program. In fact, they have never even developed an air defense missile system much less an ABM system. This is very important because to penetrate a modern defense an offensive missile force must be both very large and very sophisticated. There are many things that might, in principle, confuse a radar and act as decoys. But unless the attacker knows what a radar can measure and how accurately it does measure, he had better not count on most of these many things. The third question I specified was, is Safeguard provocative.

There are two somewhat different aspects to this. First, does it represent another trip in the futile spiral of the arms race. That is, does it force the Soviets to react in a way that will in turn force us to react in a way that in turn and on and on forever. I do not believe it will make a Soviet reaction necessary unless they are unalterably committed to achieving a capability for a first strike. This Safeguard can prevent, but Safeguard is in every sense a limited defensive system. It will not impact on the Soviet deterrent force. It cannot attack either Russian offensive forces or the Russian population. Russia's present offensive force will remain a fully adequate deterrent if he believes he must have one. The best evidence Russia will have of this is not our insistence that it is so. Rather the Russians will be readily able to determine from the physical deployment of the sites that the system has a limited capability.

The first two sites will be in two of the present Minuteman fields. Others, if the threats continue to evolve, will be near other Minuteman fields and generally along both coasts of the mainland. The design and limitations of Safeguard will be obvious and it will be easy for the Russians to determine that Safeguard is not capable of urban defense against massive attacks.

A second aspect of the question of whether Safeguard is provocative is, "Will it lessen the chances for an arms control agreement with the Soviets?" Not only do I not believe it will lessen the chances of such an agreement, it may even improve them. After all, we have told the Soviets for many years through many channels of communication that we would respond if our deterrent were challenged. If I were a Russian I would see Safeguard as less provocative than the alternative of a large increase in U.S. offensive forces. Not only do I believe this, but I interpret recent Soviet actions to indicate they believe it. In May of last year the Congress vigorously debated the issues raised by President Johnson's recommendation to deploy the Sentinel system. In that debate, as in the current one, it was argued that ballistic missile defense would frustrate the chance for arms control talks. Nonetheless, the Congress authorized deployment and it was after that decision that the Soviet suggested that arms control talks begin very soon.

As you know, the Soviets have an ABM system already operational around Moscow and we believe that they intend to complete development and deployment. They have other defensive systems deployed that could be given an anti-missile capability and a very impressive research and development program underway. They have stated frequently that they do not regard defensive systems as provocative. Since they continue their deployments it seems obvious that they do not see any necessary inconsistency between ABM deployments and arms control talks.

In fact, if only by demonstrating that continuation of the arms race is futile, Safeguard may add incentive to negotiate. Finally, there is an element of the President's decision that does not receive the emphasis it deserves. The United States has not launched an all out emergency program to deploy a massive ABM system on a fixed schedule. Only two sites have been formally recommended for construction and both of these are for defense of Minuteman. The additional deployments are in reality options for the future. Given the threat we now see evolving it seems necessary to preserve these options. But they will be exercised only if subsequent information shows the threats continue to evolve. It requires many years to deploy Safeguard. The first site will not become operational until 1974.

No one can be absolutely certain of his prediction five years into the future. I hope 1974 provides us with a more peaceful world; a world in which freedom does not depend on threats of nuclear retaliation. I even believe that many people in Russia and China share this hope. But unfortunately wishing, alone, will not make it so. However much we might wish Safeguard were unnecessary, I do not believe President Nixon or the Senate had any prudent alternative but to proceed with those actions necessary to permit deployment of Safeguard.

SENATE—*Friday, September 5, 1969*

The Senate met at 12 o'clock noon and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Our God, our help in ages past, our hope for years to come, with Thee is deliverance from sin and despair, from fear and anxiety. With Thee is grace for all our need, and in Thy will is our peace.

O Thou who dost illumine the shadowy places, put to shame those who would make darkness to be light and light to be darkness. Confound those in whom lust for wealth or power threatens new disasters. Open the eyes of those who are blinded by ignorance, superstition, or prejudice. In Thy great mercy bring good tidings to the poor, heal the broken hearted, set at liberty the oppressed, and fill with rejoicing all workers for good. Fit us to be makers of peace and builders of Thy kingdom.

And unto Thee, O Father of our spirits, be glory and majesty, dominion and power, both now and forever. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, September 4, 1969, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session, the President pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Rear Adm. Walter L. Curtis, Jr., U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving, which was referred to the Committee on Armed Services.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills and joint resolution of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 1689. An act to amend the Federal Hazardous Substance Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes;

S. 2276. An act to extend for one year the authorization for research relating to fuels and vehicles under the provisions of the Clean Air Act; and

S.J. Res. 46. Joint resolution to authorize the President to designate the period beginning November 16, 1969, and ending November 22, 1969, as "National Family Health Week".

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 7206) to adjust the salaries of the Vice President of the United States and certain officers of the Congress.

The message further announced that the House had passed the following joint resolutions in which it requested the concurrence of the Senate:

H.J. Res. 250. Joint resolution authorizing the President of the United States of America to proclaim September 17, 1969, General von Steuben Memorial Day for the observance and commemoration of the birth of General Friedrich Wilhelm von Steuben; and

H.J. Res. 851. Joint resolution requesting the President of the United States to issue a proclamation calling for a "Day of Bread" and "Harvest Festival."

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 11235) to amend the Older Americans Act of 1965, and for other purposes, and it was signed by the President pro tempore.

HOUSE JOINT RESOLUTIONS REFERRED

The following joint resolutions were each read twice by their titles and referred to the Committee on the Judiciary:

H.J. Res. 250. Joint resolution authorizing the President of the United States of America to proclaim September 17, 1969, General von Steuben Memorial Day for the observance and commemoration of the birth of General Friedrich Wilhelm von Steuben; and

H.J. Res. 851. Joint resolution requesting the President of the United States to issue a proclamation calling for a "Day of Bread" and "Harvest Festival."

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

HOUSING AND URBAN DEVELOPMENT ACT OF 1969—INDIVIDUAL VIEWS (S. REPT. NO. 91-392)—AUTHORIZATION FOR COMMITTEE ON BANKING AND CURRENCY UNTIL MIDNIGHT TONIGHT TO FILE A REPORT

Mr. SPARKMAN. Mr. President, from the Committee on Banking and Currency, I report an original bill (S. 2864) to amend and extend laws relating to housing and urban development, and for other purposes. I ask unanimous consent that the Committee on Banking and Currency have until midnight tonight to file a report on the bill, together with individual views.

The PRESIDENT pro tempore. The bill will be received and will be placed on the calendar; and, without objection, the request of the Senator from Alabama relating to filing of the report is granted.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 384 and 385.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MINING AND MINERALS POLICY ACT OF 1969

The Senate proceeded to consider the bill (S. 719) to establish a national mining and minerals policy which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 9, after the word "orderly" insert "and economic"; in line 10, after the word "reserves" strike out "necessary"; in the same line after the word "to" insert "help"; and on page 2, at the beginning of line 5, strike out "in" and insert "when exercising his authority under"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Mining and Minerals Policy Act of 1969".

SEC. 2. The Congress declares that it is the continuing policy of the Federal Government in the national interest to foster and encourage (1) the development of an economically sound and stable domestic mining and minerals industry, (2) the orderly and economic development of domestic mineral resources and reserves to help assure satisfaction of industrial and security needs, and (3) mining, mineral, and metallurgical research to promote the wise and efficient use of our mineral resources. It shall be the responsibility of the Secretary of the Interior to carry out this policy when exercising his authority under such programs as may be authorized by law other than this Act. For this purpose the Secretary of the Interior shall include in his annual report to the Congress a report on the state of the domestic mining and minerals industry, including a statement of the trend in utilization and depletion of these resources, together with such recommendations for legislative programs as may be necessary to implement the policy of this Act.

Mr. ALLOTT. Mr. President, the Committee on Interior and Insular Affairs acted unanimously in reporting favorably to the Senate S. 719, a bill to establish a national mining and minerals policy. This was very gratifying to me, personally, because I am firmly convinced of the need for this legislation. When I introduced the bill on January 28 of this year, it was the sixth successive Congress in which I had introduced a similar measure.

Hearings were held on S. 719 before the Minerals, Materials, and Fuels Subcommittee on July 9, 1969. More than 30 witnesses either appeared in person or filed written statements, all of which were favorable. In addition, many communications were received supporting or endorsing the measure, a large number of which came from colleges and universities.

Mr. President, in my opinion, these were some of the finest hearings that I have ever attended before a Senate committee. The testimony was pertinent in all cases; it was well reasoned, and nonrepetitive. I wish to congratulate the witnesses for their excellent work. I, also, wish to thank the chairman of the subcommittee, the Senator from Utah (Mr. Moss), who is a cosponsor of the measure, for his many courtesies and thoughtful comments while presiding.

The presentations contained in the printed hearings are of such high quality that I recommend them to anyone interested in the problems of providing our economy and industry with the necessary raw materials.

Mr. President, this bill and similar previous bills have enjoyed broad bipartisan support and cosponsorship. The administration supports the bill as did the former Director of the Bureau of Mines, Dr. Walter Hibbard. I hope it will receive similar bipartisan support in the House of Representatives.

PURPOSE

The purpose of S. 719 is to concisely enunciate and declare an overall national minerals policy, as a matter of law. Under the provisions of S. 719, a national policy would be established to guide the Federal Government in fostering and encouraging: First, development of an economically sound and stable domestic mining and minerals industry; second, the orderly and economic development of domestic mineral resources and reserves to help to assure satisfaction of industrial and security needs, and third, mining, mineral, and metallurgical research to promote the wise and efficient use of domestic mineral resources. The responsibility for carrying out the provisions of S. 719 is assigned to the Secretary of the Interior, thus placing primary, overall responsibility on a single Cabinet officer and assuring Congress of a direct source of advice and counsel as to attainment of the objectives of the bill. The Secretary of the Interior would submit an annual report to Congress on the state of the domestic mining and minerals industry, including an analysis of trends and his recommendations.

It should be made clear, as it was during the hearings on this measure, that coal, oil, gas, oil shale, and uranium are excluded from the definition of minerals as the term is used in S. 719. These commodities more properly fit into the energy picture along with hydroelectric power and solar energy. There are many common factors to the energy field that are peculiar to energy and simply do not apply to minerals in general, and therefore, should be treated separately.

NEED

The United States is an enormous consumer of minerals. Population growth and increasing per capita mineral demands are placing unprecedented pressures upon the Nation's minerals base. The Congress cannot avoid its responsibility to establish policies designed to insure that an adequate supply of mineral commodities are available to our manufacturing industry. As the former Director of the Bureau of Mines pointed out in hearings before our committee last year:

> Major tonnages of our key basic materials are coming from foreign operations: 85 percent of our bauxite for aluminum; almost 20 percent of copper (and probably much more in 1967 and 1968); 40 percent of our iron ore; nearly 40 percent of our zinc and more than 25 percent of our lead; all of our manganese and chromium needed for steel, our gold and silver production is about one-fourth of our industrial consumption.

As we permit our Nation to become more and more dependent upon foreign sources for minerals important to our industry and security, we tend to lose the ability to find and produce these minerals domestically. Our dependence tends to encumber our foreign policy and limit our freedom of movement within the family of nations. In my opinion, it is in the long-term national interest that our ability to domestically produce important mineral commodities be improved and maintained.

The best hope for achieving this objective is through technological advancement in methods of finding, mining, and processing available resources. Radically new approaches may be necessary to achieve this, and research is the logical path to new technology. Our continued progress depends upon it. As Dr. Lee A. DuBridge, Director of the Office of Science and Technology, pointed out in his report to the committee on this legislation:

> Increased productivity through adaptation of new technology has been the established road to progress in this country in industry generally and has resulted in a standard of living for the U.S. worker second to none. I believe that the minerals industries can also expect to participate in an improved standard of living, but we must devote a great effort to the need for better technology in order to meet our future needs. Certainly a Congressional declaration of policy to that effect—as is contemplated by S. 719—would be a useful step in that direction.

The declaration of a national minerals policy would not be a panacea to all our minerals problems. It would be, however, an important first step. Such a declaration of policy can serve as a springboard from which solutions to the myriad of minerals problems could unfold. It would serve as a beacon for both legislative and administrative efforts to deal with these problems, and it would put the world on notice as to what our intentions are.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-390), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of Senate bill 719 is to concisely enunciate and declare an overall national minerals policy. The bill further declares that "it shall be the duty of the Secretary of the Interior to carry out this policy when exercising his authority under such programs as may be authorized by law other than this act" and directs the Secretary of Interior to include in his annual report to the Congress "a report on the state of the domestic mining and minerals industry, including a statement of the trend of utilization and depletion of these resources, together with such recommendations for legislative programs as may be necessary to implement the policy of this act."

These two directives of the bill clearly place upon the Secretary of Interior the responsibility of carrying out the national minerals and mining policy established by the bill.

NATIONAL MINERALS POLICY

Under the provisions of S. 719, a national policy would be established to guide the Federal Government in fostering and encouraging: (1) development of an economically sound and stable domestic mining and minerals industry, (2) the orderly and economic development of domestic mineral resources and reserves to help assure satisfaction of industrial and security needs, and (3) mining, mineral, and metallurgical research to promote the wise and efficient use of domestic mineral resources. The responsibility for carrying out the provisions of S. 719 is assigned to the Secretary of the Interior thus placing primary, overall responsibility on a single Cabinet Officer and assuring Congress of a direct source of advice and counsel as to attainment of the bill's objectives.

The Secretary of the Interior would submit an annual report to Congress on the state of the domestic mining and minerals industry, including a statement of the trend in utilization and depletion of these resources, together with recommendations for legislative action necessary to make effective the policy of the act. Such a report would provide an assessment and objective evaluation of national progress in providing for a strong domestic mining and minerals industry.

The functions of a number of agencies of the Federal Government affect minerals and mining directly or indirectly, including international relations, foreign trade, taxation, and air and water pollution, to name a few. Yet there is no stated policy or overall set of guidelines by which their actions can be coordinated. S. 719 would provide such coordination of Federal planning and action with respect to the domestic mining industry. While such a policy is concerned with principle rather than detail, and is an expression of broad goals, it would give direction to Federal Government procedures and policy through its basic statement of principle.

There are myriad Federal laws that affect the mining and minerals industry, but each was passed to meet a particular problem or purpose, and usually, the overview of the direction of the minerals industry was not considered. As a result, some of the actions taken have been counter-productive of the objectives of this measure. S. 719 would give clear direction to the executive branch of Government in its implementation and coordination of these laws. The same would apply to development of future legislation.

A national mining and minerals policy would serve as a statement of fundamental principles or objectives against which the executive branch can measure proposed action and against which the Congress can

measure legislation. This includes such areas of critical importance to the mining industry as manpower training and recruitment, research in mineral recovery, mining methods and health and safety, environmental quality, public lands, stockpiling, tax policy, mine finance, and foreign trade. Overall, it has profound implications to the economic future of the United States, which is based so heavily on a continuing supply of minerals, both domestic and foreign.

As we permit our Nation to become more and more dependent upon foreign sources for minerals important to our industry, we tend to lose the ability to find and produce these minerals domestically. Our dependence tends to encumber our foreign policy and limit our freedom of movement within the family of nations. It is, therefore, in the national interest both in terms of foreign policy and national defense, that our ability to domestically produce important mineral commodities be improved and maintained.

The wise and efficient use of mineral resources is necessary for the advancement of technological knowledge in the minerals field, on which, in turn, the future of the Nation is dependent.

S. 719 would serve to give impetus to the alleviation of the severe shortage of trained mineral specialists and engineers by encouraging young people to favorably consider a career in the minerals industry. Today enrollments in mineral technology courses are at an all-time low and the number of mining schools declines each year.

Ultimately, we are going to be required to turn to the lower grade ore deposits and deposits at very great depths to satisfy our mineral requirements. Such endeavors will require research, both basic and applied. The bill establishes the policy of fostering research, both Government sponsored and private, to deal with the technological problems of locating and extracting such mineral deposits.

The Nation has become painfully aware of our deteriorating environment. The mining industry is also aware of the problem and has developed practical solutions for many of the problems. But, as further environmental quality improvement is sought, the technical difficulties and the cost of gaining each new increment of quality, greatly increases the costs of operation and may make the difference between feasibility and infeasibility in the mine's economic picture. A national mining and minerals policy will help to prevent the promulgation of inconsistent regulations and the adoption of counter-productive policies that tend to thwart these national objectives.

Research can be particularly beneficial in assisting the mining industry to cope with the many new requirements that our increased concern over environmental quality places upon mine operators. The Federal Government should engage in long-range research programs which will provide the technology necessary for private industry to implement practices designed to improve the quality of our environment. It should establish and maintain policies and programs which supply the needed trained specialists, and publish and disseminate data and technical information relevant to environmental quality matters.

Before the mining industry can be expected to deal effectively with the new demands of environmental quality concerns and remain economically viable, the industry must have the necessary tools. These tools include trained specialists, the results of successful research in improved mining, beneficiation, and waste disposal practices, and governmental policies which take into account the increased costs involved.

While private enterprise must supply the national demand for minerals, the Federal Government has the obligation to encourage a healthy domestic mining industry for the sake of the Nation's overall security and economic well-being. Minerals are recognized as being critical and essential to the Nation's economy and security, and as such a dependable and adequate supply would be encouraged by the development of a coordinated national mining and minerals policy. The Federal Government can contribute to mineral development through policies that permit and encourage exploration and mining and through activities carried out in close cooperation with private industry.

A national minerals policy would foster the improvement of the Nation's capability to use mineral supplies more efficiently and encourage the reuse of minerals.

Encouragement of research as envisioned in S. 719 would help develop practical methods for supplementing resources found in land with those found under the sea.

While it is recognized that all of our mineral requirements cannot be met by domestic sources, improvement of our ability to produce important minerals, domestically, is in the national interest, and a national mining and minerals policy would provide goals toward which the mining industry and the Federal Government can work together in close cooperation.

Finally, this policy is designed deliberately in general terms, recognizing the need for flexibility. The policy will require continual scrutiny and review and must be flexible to respond to changes in demand, economics, security, and environmental requirements.

NEED

The United States is an enormous consumer of minerals and fuels. The startling truth is that we have consumed more of these resources in the past 10 years than the entire peoples of the world consumed in all previous history. Population growth and increasing per capita mineral demands are placing unprecedented pressures upon the Nation's minerals base. The Congress cannot avoid its responsibility to establish policies designed to insure that an adequate supply of mineral commodities are available to our manufacturing industry. A minerals policy that encourages a strong domestic mining industry will assist in developing the capability of supplying these projected needs.

There is a great need for increased domestic mineral exploration and development. Factors which now serve to encourage foreign operations by American companies are growing less attractive and many domestic producers, lacking a broad financial base, find themselves captive to a declining resource base and a static technology.

A mineral policy must recognize the need for domestic industry to enter upon and explore the public lands. These lands are a major source of domestic minerals and should not be closed to mineral development unless there is a compelling national interest.

The development of a sound and enlightened minerals policy can only come about when the general public has an awareness of the importance of minerals in its everyday life. Passage of legislation by itself will not insure that the public realizes that its future depends on minerals. There is a great need for increased education and awareness in this area and a minerals policy would improve the opportunities for such communication.

There is a continuing decline in the number of students studying earth sciences. The colleges and universities are not producing enough graduates in mineral technology to meet the expanding needs. The number of schools with accredited curricula in mining engineering has dropped seriously.

The Assistant Secretary of the Interior, Hollis Dole, made this point graphically in his excellent presentation to the committee:

In the professional areas of mining and earth sciences, we are facing a crisis. Our colleges and universities are not producing enough graduates in the mineral sciences to meet our expanding needs. In fact, we are losing ground. This year, for example, American universities are graduating a total of only 110 mining engineers, and many of these are foreign students who are returning to their own countries.

Equally alarming is the fact that in 1967 only 17 educational institutions had an accredited curriculum in mining engineering. The median number of seniors was approximately six. There were at the same time 19 graduate programs in mining with a median participation of eight graduate students, and half of these were foreign nationals.

Encouragement and assistance are needed if mining and mineral technology is to be improved. Should the Nation continue on its present course, with a relatively static technology, its economic growth and standard of living will be severely limited by resource constraints in a few years. There is a need for the country's long-term mineral supplies to come from sources not now technically or economically feasible to obtain. The encouragement of improved technology is essential to fully develop these resources.

In summary, as the United States seeks to maintain and improve its high standard of living, it must insure that essential mineral needs are met at reasonable cost. S. 719 would encourage new discoveries, technologies, and capabilities thus assuring the Nation's continued economic strength.

The committee believes it is important that this policy be enacted in the form of a law, with full and binding effect. As a law, enacted under constitutional procedure, it will not only bind all agencies of the Government, but it will, more importantly, serve as a beacon, giving guidance to all agencies in carrying out their missions. As a result, contradictory and counterproductive regulations and programs are less likely to be adopted and effected.

MINERALS POLICY

Hearings

Hearings were held on S. 719 before the Minerals, Materials, and Fuels Subcommittee on July 9, 1969. These hearings extended until late in the afternoon. More than 30 witnesses either appeared in person or filed written statements, all of which were favorable. In addition, many communications were received supporting or endorsing the measure, a large number of which came from colleges and universities. The present administration favors the bill as did Dr. Walter Hibbard, former Director of the Bureau of Mines, and he so indicated at the March 21, 1968, hearings before the subcommittee.

Commenting upon the testimony during the hearings, Senator Allott, principal sponsor of the measure, observed:

* * * that this is without doubt the finest coordinated set of papers I have seen in any committee before Congress.

It was evident, by the high quality of the various presentations that considerable thought had gone into their preparation.

Amendments

The Department of Interior recommended three minor clarifying amendments, which were adopted in substance by the committee with minor changes to conform the grammar.

1. On page 1, line 9, after the word "orderly" the words "and economic" were inserted.

2. On page 1, line 10, the committee struck out "necessary" and inserted in lieu thereof the words "to help".

These amendments reflect the fact that some necessary minerals may not be available domestically or that domestic production may not be economic.

3. On page 2, line 4, the committee struck out the word "in" and inserted in lieu thereof the words "when exercising his authority under".

The Department of the Interior requested this amendment in order to bring the language of the bill in accord with the mineral

policy and program responsibilities of the Secretary.

The committee accepted these amendments since they did not, in any way, change nor modify the purpose and intent of the bill.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHOUTEAU LOCK AND DAM, OKLAHOMA

The bill (S. 1499) to name the authorized lock and dam numbered 17 on the Verdigris River in Oklahoma for the Chouteau family, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1499

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That lock and dam numbered 17 on the Verdigris River, Oklahoma, a feature of the Arkansas River and tributaries navigation project, authorized to be constructed by the River and Harbor Act of July 24, 1946 (60 Stat. 641, 647), as amended, shall be known and designated hereafter as the Chouteau lock and dam. Any law, regulation, map, document, record, or other paper of the United States in which such lock and dam is referred to shall be held to refer to such lock and dam as the Chouteau lock and dam.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–391), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL

The purpose of S. 1499 is to designate the authorized lock and dam No. 17, on the Verdigris River in Oklahoma and the lake created thereby for the Chouteau family.

GENERAL STATEMENT

Lock and dam No. 17 is a feature of the Arkansas River and tributaries navigation project, authorized by the River and Harbor Act of July 24, 1946, as amended. The overall project will provide a 9-foot navigation channel from the Mississippi River at the mouth of the White River, to Catoosa, Okla.

Col. Auguste P. Chouteau, in 1823, constructed a shipyard at the falls of the Verdigris River, near the site of lock and dam No. 17, for the construction of large keel boats to transport hides and produce down the Verdigris, Arkansas, and Mississippi Rivers to New Orleans. The bill will honor not only Colonel Chouteau, who was the first to envision the feasibility of navigation over the route being improved, but also all of the Chouteaus who were involved in the earliest settlement of Oklahoma and navigation of its streams.

COST TO THE UNITED STATES IF LEGISLATION IS ENACTED

Enactment of this legislation will not result in any cost to the Federal Government.

COMMITTEE VIEWS

The committee believes it fitting and proper to name lock and dam No. 17 on the Verdigris River, Okla., and the lake to be created by such structure, in honor of the Chouteau family, whose early efforts at developing commerce on the Verdigris and Arkansas Rivers contributed much to promoting navigation on those rivers. Accordingly, enactment of S. 1499 is recommended.

U.S. COMMITMENTS TO FOREIGN POWERS

Mr. GOLDWATER. Mr. President, during the course of the debate on the bill which is the pending business of the Senate, I have on a few occasions tried to make the point that until we know the extent to which our country will follow the commitments made in treaties with other countries around the world, we cannot intelligently debate cuts in the military. At one time, I mentioned that we have 15 or 17 treaties which commit us to war, without any question.

I said the other day that I have asked our President to speak to the American people on these commitments, and several Members of the Senate have asked me my sources. To satisfy their inquiries, I ask unanimous consent to have printed at this point in the RECORD the hearings before the Committee on Foreign Relations, held Thursday, August 17, 1967, entitled "U.S. Commitments to Foreign Powers." This includes a letter from William B. Macomber, Jr., and a paper entitled "U.S. Defense Commitments and Assurances, Department of State, August, 1967."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[U.S. Senate, Committee on Foreign Relations, Washington, D.C., Aug. 17, 1967]

U.S. COMMITMENTS TO FOREIGN POWERS

The committee met, pursuant to recess, at 10:05 a.m., in room 4221, New Senate Office Building, Senator J. W. Fulbright (chairman) presiding.

Present: Senators Fulbright, Gore, Lausche, Symington, Clark, Pell, McCarthy, Aiken Carlson, Mundt, Case and Cooper.

The CHAIRMAN. The committee will come to order.

The committee today continues its inquiry into the nature, extent, and source of our country's foreign commitments as well as the broader question of congressional responsibility in the making of foreign policy.

In preparation for these hearings the committee directed an inquiry to the Department of State as to what it regards to be the outstanding foreign commitments of the United States deriving both from treaties and from statements and agreements entered into by the Executive. I wish to insert in the record the reply of the Department of State dated August 15, 1967, under the title "U.S. Defense Commitments and Assurances."

DEPARTMENT OF STATE,
Washington, D.C., August 15, 1967.

Hon. J. W. FULBRIGHT,
Chairman,
Committee on Foreign Relations,
U.S. Senate.

DEAR MR. CHAIRMAN: This is in reply to your letter to Secretary Rusk of August 1, 1967 concerning Senate Resolution 151 "Relative to United States Commitments to Foreign Powers".

You have asked in your letter for the Department's comments on the general subject of Resolution 151 and for answers to four specific questions. We believe the Department's general views on the subject of the resolution can best be presented in testimony before the Committee when hearings are held next week. In this letter the Department undertakes to answer the four specific questions.

Last year at approximately this time, Secretary Rusk appeared before the Preparedness Investigating Subcommittee of the Senate Committee on Armed Services to discuss some matters relevant to the specific questions posed in your letter of August 1, 1967. Prior to his appearance, the Department provided that Subcommittee with a compilation of United States commitments and assurances consisting of provisions of formal treaties and agreements, and official declarations by the Congress, the President, the Vice President, and the Secretary of State concerning actions the United States would take if another country were the victim of aggression. For the convenience of the Committee on Foreign Relations, and to provide a context for the answers to specific questions posed in your letter of August 1, 1967, which appear below, I have attached an updated version of the compilation earlier supplied to the Preparedness Investigating Subcommittee.

Question 1: Of the 42 countries with which the United States has bilateral treaties or multilateral agreements for collective defense, in how many instances would the Executive Branch view as automatic the American commitment as one upon which the United States would act unilaterally—meaning that we view the obligations not only as collective but individual, as the Department has interpreted the SEATO Treaty? For example, should *one* of the members of the 1947 Inter-American treaty of reciprocal assistance be attacked by subversion or from an external source, to what extent, if any, would there be a commitment for the United States on its own to supply men or materiel to respond to such attack? We would like to have such nations listed, not only in the American Republics, but elsewhere.

This question raises the issue whether the United States obligation to assist another party to one of these treaties is an individual obligation or an obligation that arises only when there has been a multilateral determination by the treaty parties. The question is asked with regard to responses in the case of armed attack and in the case of subversion.

Under each of our multilateral treaties, the commitment to extend assistance in the event of an armed attack is individual and requires no collective finding or decision by a multilateral organization. The Rio Treaty provides that in the event of an armed attack against an American state *"each* one of the said Contracting Parties undertakes to assist in meeting the attack" (Art. 3(1), emphasis added). The Treaty goes on to provide that *"each one* of the Contracting Parties may determine the immediate measures which it may *individually* take" (Art. 3(2), emphasis added). In the North Atlantic Treaty, *"each"* of the signatories "in the exercise of the right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations, will assist the party or parties attacked by taking forthwith, *individually* and in concert with the other parties, such action . . ." (Art. 5, emphasis added). In the Southeast Asia Collective Defense Treaty and in the Anzus Security Treaty "each party" agrees that "it" will act to meet the common danger (Art. IV in both). The same is true of the bilateral treaties with the Philippines, Korea, Republic of China and Japan. Thus, under each of these treaties there is an individual obligation independent of any collective action.

The question posed in your letter of August 1 is asked also in regard to actions taken in response to attack by subversion. All of our defense treaties call for consultation in the event of a threat other than armed attack—such as externally supported subversion. Article 6 of the Rio Treaty provides for a meeting of the Organ of Consultation "if the inviolability or integrity of the territory or the sovereignty or political independence of any American State should be affected by an aggression which is not an armed attack . . . or by any other fact, or

situation that might endanger the peace of America". The Organ of Consultation can determine "the measures which must be taken . . . to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the continent". Article 4 of the NATO Treaty provides that "[t]he Parties will consult together whenever in the opinion of any of them, the territorial integrity, political independence or security of any of the Parties is threatened". Substantially similar language exists in the Anzus and SEATO Treaties (Arts. III and IV(2), respectively). Thus, when the threat takes the form of subversion rather than armed attack, each multilateral treaty calls for consultation. No individual obligation of unilateral action is imposed. The same is true by virtue of similar language under the bilateral treaties with the Philippines and Korea. Under the Japanese treaty consultation is called for "whenever the security of Japan or international peace and security in the Far East is threatened."

Question 2: Specifically, does the United States (United Nations obligations aside) have a national commitment in the event of attack from an external source or from internal subversion to come either to the military or economic aid of Israel or any of the Arab States? In short, is the United States as a nation committed to supply American military or economic resources to protect the territorial integrity of these states?

President Johnson and his three predecessors have stated the United States interest and concern in supporting the political independence and territorial integrity of the countries of the Near East. This is a statement of policy and not a commitment to take particular actions in particular circumstances. Unrest and conflict in the Middle East have been of serious concern to the United States for a long time. The use of armed force in the Middle East can have especially serious consequences for international peace extending far beyond that area. We have bent our efforts to avoid a renewal of conflict there. Thus, we have stated our position in an effort to use our influence in the cause of peace.

Question 3: Bearing in mind recent situations in the Congo and Nigeria, is there any United States national commitment to supply American military or economic resources in the event of aggression or threats to the integrity of those states or any states in Africa?

With regard to the Congo, the United States has supported policies and actions of the United Nations in preserving the territorial integrity, political independence and economic unity of that country. We have no specific commitment to supply military or economic resources to the Congo in the event of aggression or a threat to its integrity. We have extended military and economic assistance to the Congo as a part of the implementation of our foreign assistance legislation. Recently, at the request of the Government of the Congo, we made available to it three C–130 aircraft. The decision to furnish this assistance was not based on any prior commitment of the United States to defend or assist in the defense of the Congo.

The United States has no commitment to come to the defense of Nigeria in the event of an armed attack or subversion. We hope that the current fighting in that country will be brought to an early end, but we have maintained that the crisis is an internal matter and we have refrained from any action that could be interpreted as interference in Nigeria's affairs such as the sale of arms from the United States to that country.

There are two other countries in Africa that should be mentioned in this context. The United States has an agreement of Cooperation with the Government of Liberia (TIAS 4303). Article 1 of that agreement provides: "In the event of aggression or threat of aggression against Liberia, the Government of the United States of America and the Government of Liberia will immediately determine what action may be appropriate for the defense of Liberia."

That language does not create a commitment by the United States to supply military or economic resources in defense of Liberia.

The United States has an agreement with the Kingdom of Libya relating to Wheelus Air Base. The Preamble to that agreement provides in part that the two Governments confirm their determination "to cooperate to the maintenance of peace and security within the framework of the Charter of the United Nations" and are "of the opinion that cooperation within the territory of Libya will assist in achieving these objectives." The presence of United States Air Force personnel in Libya makes the security of that country of special interest to the United States. We have recently undertaken discussions with the Government of Libya concerning the phasing out of United States use of the Wheelus airfield.

Question 4: Finally, could the Administration at this time provide the Committee with a full list of all nations which upon the basis of past official statements, communiques, or other public or private understandings, as well as formal treaties, reasonably assume that they have a United States commitment under some set of circumstances involving either an economic or military threat to their existence, to receive either economic or military assistance from the United States?

The attached compilations set forth the provisions of formal treaties and agreements, and official declarations by the Congress, the President, the Vice President, and the Secretary of State concerning actions the United States would take if another country were the victim of aggression. We have, with the countries covered by these lists and with others, military and economic assistance agreements entered into pursuant to existing legislation. Some of these agreements are present commitments of the United States to provide specified assistance. They are not conditioned on the occurrence of a threat to the peace or security of the recipient country and they involve no commitments of the United States apart from their specific terms.

If the Department can be of any further assistance, please let me know.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary for Congressional Relations.

U.S. DEFENSE COMMITMENTS AND ASSURANCES, DEPARTMENT OF STATE, AUGUST 1967

I. PROVISIONS IN TREATIES AND OTHER FORMAL AGREEMENTS

A. Charter of the United Nations, June, 26, 1945 [1]

Parties

United States
116 other countries [as of June 20, 1966].

Relevant provisions

Art. 42: Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

Art. 43: All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

* * * * *

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. . . .

Art. 51: Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

* * * * *

B. Western hemisphere

1. Inter-American Treaty of Reciprocal Assistance (Rio Pact), September 2, 1947 [2]

Parties

United States, Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba,[3] Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, and Venezuela.

Relevant provisions

Art. 3:

(i) The High Contracting Parties agree that an armed attack by any State against an American State shall be considered as an attack against all the American States and, consequently, each one of the said Contracting Parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations.

(ii) On the request of the State or States directly attacked and until the decision of the Organ of Consultation of the Inter-American System, each one of the Contracting Parties may determine the immediate measures which it may individually take in fulfillment of the obligation contained in the preceding paragraph and in accordance with the principle of continental solidarity. The Organ of Consultation shall meet without delay for the purpose of examining those measures and agreeing upon the measures of a collective character that should be taken.

(iii) The provisions of this Article shall be applied in case of any armed attack which takes place within the region described in Article 4 or within the territory of an American State. When the attack takes place outside of the said areas, the provisions of Article 6 shall be applied.

(iv) * * *

Art. 6: If the inviolability or the integrity of the territory or the sovereignty or political independence of any American State should be affected by an aggression which is not an armed attack or by an extra-continental or intracontinental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the Continent.

Art. 8: For the purposes of this Treaty, the measures on which the Organ of Consultation may agree will comprise one or more of the following: . . . and use of armed force.

Footnotes at end of article.

Art. 20: Decisions which require the application of the measures specified in Article 8 shall be binding upon all the Signatory States which have ratified this Treaty, with the sole exception that no State shall be required to use armed force without its consent.

2. Applicability of North Atlantic Treaty, April 4, 1949

[Canada and Iceland, as signatories to the North Atlantic Treaty, are covered by the commitments embodied in that Treaty. Greenland, as part of the Kingdom of Denmark, and the Bahamas and Bermuda as "islands under the Jurisdiction of any of the parties in the North Atlantic area north of the Tropic of Cancer" are likewise covered by that Treaty. For the NATO commitments, see C. 1., below.]

3. Bilateral Agreements

a. Agreement Between the Government of the United States and the Government of the Kingdom of Denmark, Pursuant to the North Atlantic Treaty, Concerning the Defense of Greenland, April 27, 1951.[4]

Relevant provisions

Art. 1: The Government of the United States of America and the Government of the Kingdom of Denmark, in order to promote stability and well-being in the North Atlantic Treaty area [5] by uniting their efforts for collective defense and for the preservation of peace and security and for the development of their collective capacity to resist armed attack, will each take such measures as are necessary or appropriate to carry out expeditiously their respective and joint responsibilities in Greenland, in accordance with NATO plans.

Art. 2: In order that the Government of the United States of America as a party to the North Atlantic Treaty may assist the Government of the Kingdom of Denmark by establishing and/or operating such defense areas as the two Governments, on the basis of NATO defense plans, may from time to time agree to be necessary for the development of the defense of Greenland and the rest of the North Atlantic Treaty Area, and which the Government of the Kingdom of Denmark is unable to establish and operate single-handed, the two Governments in respect of the defense areas thus selected, agree to the following:

* * *

(3) In cases where it is agreed that responsibility for the operation and maintenance of any defense area shall fall to the Government of the United States of America, the following provisions shall apply:

* * *

(b) * * * the Government of the United States of America, without compensation to the Government of the Kingdom of Denmark, shall be entitled within such defense area and the air spaces and waters adjacent thereto:

* * *

(iii) to station and house personnel and to provide for their health, recreation and welfare.

* * *

(4) In cases where it is agreed that responsibility for the operation and maintenance of any defense area shall fall to the Government of the Kingdom of Denmark, the following provisions shall apply:

(a) The Government of the United States of America may attach United States military personnel to the staff of the commanding officer of such defense area, under the command of an officer with whom the Danish commanding officer shall consult of all important local matters affecting United States interest pursuant to the North Atlantic Treaty.

(b) The Government of the United States of America * * * may use such defense area in cooperation with the Government of the Kingdom of Denmark for the defense of Greenland and the rest of the North Atlantic Treaty area * * *

* * *

Art. 4: In connection with activities for the defense of Greenland and the rest of the North Atlantic Treaty area, the defense area will so far as practicable, be made available to vessels and aircraft belonging to other Governments parties to the North Atlantic Treaty and to the armed forces of such Governments.

* * *

b. Defense Agreement Pursuant to the North Atlantic Treaty Between the United States and the Republic of Iceland, May 5, 1951.[6]

Relevant provisions

Having regard to the fact that the people of Iceland cannot themselves adequately secure their own defenses, * * * [the North Atlantic Treaty Organization has requested the U.S. and Iceland to] make arrangements for the use of facilities in Iceland in defense of Iceland. * * *

Art. 1: The United States on behalf of the North Atlantic Treaty Organization and in accordance with its responsibilities under the North Atlantic Treaty will make arrangements regarding the defense of Iceland subject to the conditions set forth in this agreement. For this purpose and in view of the defense of the North Atlantic Treaty area, Iceland will provide such facilities in Iceland as are mutually agreed to be necessary.

[Arts. 2–8 relate to the use of facilities, the composition of forces, the status of Keflavik Airport, etc.]

c. North American Air Defense Command Agreement Effected by Exchange of Notes, United States-Canada, May 12, 1958.[7]

Relevant provisions

Studies made by representatives of our two Governments led to the conclusion that the problem of the air defence of our two countries could best be met by delegating to an integrated headquarters the task of exercising operational control over combat units of the national forces made available for the air defence of the two countries. * * * The agreed integration is intended to assist the two Governments to develop and maintain their individual and collective capacity to resist air attack on their territories in North America in mutual self-defence.

* * * My Government proposes that the following principles should govern the future organization and operations of the North American Air Defence Command.

1. * * *

2. The North American Air Defence Command will include such combat units and individuals as are specifically allocated to it by the two Governments. The jurisdiction of the Commander-in-Chief, NORAD, over those units and individuals is limited to operational control as hereinafter defined.

3. "Operational Control" is the power to direct, co-ordinate, and control the operational activities of forces assigned, attached or otherwise made available. * * *

4–11. * * *

d. General Treaty Between the United States and Panama, March 2, 1936.[8]

Article X

In case of an international conflagration or the existence of any threat of aggression which would endanger the security of the Republic of Panama or the neutrality or security of the Panama Canal, the Governments of the United States of America and the Republic of Panama will take such measures of prevention and defense as they may consider necessary for the protection of their common interests. Any measures, in safeguarding such interests, which it shall appear essential to one Government to take, and which may affect the territory under the jurisdiction of the other Government, will be the subject of consultation between the two Governments.

C. Europe

1. North Atlantic Treaty, April 4, 1949 [9]

Parties

United States, Belgium, Canada, Demark, France, Iceland, Italy, Luxembourg, Netherlands, Norway, Portugal, United Kingdom, Greece,[10] Turkey,[10] Federal Republic of Germany.[11]

Relevant provisions

Art. 3: * * * The Parties, separately and jointly, by means of continuous and effective self-help and mutual aid. will maintain and develop their individual and collective capacity to resist armed attack.

Art. 4: The Parties will consult together whenever, in the opinion of any of them, the territorial integrity, political independence or security of any of the Parties is threatened.

Art. 5: The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all; and consequently they agree that, if such an armed attack occurs, each of them. * * * [on the basis of Art. 51 of the UN Charter] will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area. [Provides also for "immediately" reporting to the UN Security Council any armed attacks and all consequent measures, and for terminating such measures when the Security Council has acted to restore and maintain peace and security.]

Art. 6: [As modified by the Protocol on the Accession of Greece and Turkey] For the purpose of Article 5, an armed attack on one or more of the Parties is deemed to include an armed attack—

(i) on the territory of any of the Parties in Europe or North America, on the Algerian Departments of France,[12] on the territory of Turkey or on the islands under the jurisdiction of any of the Parties in the North Atlantic area north of the Tropic of Cancer;

(ii) on the forces, vessels, or aircraft of any of the Parties when in or over these territories or any other area in Europe in which occupation forces of any of the Parties were stationed on the date when the Treaty entered into force or the Mediterranean Sea or the North Atlantic area north of the Tropic of Cancer.

Art. 11: This Treaty shall be ratified and its provisions carried out by the Parties in accordance with their respective constitutional processes.

2. Joint Declaration Concerning the Renewal of the Defense Agreement of September 26, 1953, United States-Spain, September 26, 1963.[13]

Relevant provisions

* * * In affirming the importance of their bilateral Defense Agreement [signed Sept. 26, 1953. TIAS 2850] which will be applied in the new five year period of its validity in the spirit of this Declaration, they [the Governments of the United States of America and of Spain] consider it to be necessary and appropriate that the Agreement form a part of the security arrangements for the Atlantic and Mediterranean areas.

The United States Government reaffirms its recognition of the importance of Spain to the security, well-being and development of the Atlantic and Mediterranean areas. The two governments recognize that the security and integrity of both the United States and Spain are necessary for the common security. A threat to either country, and to the joint facilities that each provides for the common defense, would be a matter of common concern to both countries, and each country would take such action as it may consider

Footnotes at end of article.

appropriate within the frame work of its constitutional processes.

* * * * *

[Signed by Secretary of State Dean Rusk for the United States]

D. Near East-Middle East

1. Applicability of North Atlantic Treaty Since 1952

[On February 18, 1952, Greece and Turkey acceded to the North Atlantic Treaty. Since that date they have been covered by the commitments of that Treaty. (See C.1., above).]

2. United States Membership in CENTO Committees

The Pact of Mutual Cooperation (Baghdad Pact) between Iraq, Turkey, the United Kingdom, Pakistan, and Iran was signed at Baghdad, February 24, 1955. (Text in *American Foreign Policy, 1950–1955: Basic Documents,* pp. 1257–1259.) It was redesignated the Central Treaty Organization (CENTO) by a resolution of the Council of the Treaty Organization adopted August 21, 1959 following the announcement by Iraq of its decision to withdraw. The United States is a member of the Military, Economic, and Anti-Subversion Committees of CENTO and an observer at the Council meetings.

3. Bilateral Agreements

a. Agreement of Cooperation Between the Government of the United States and the Imperial Government of Iran, March 5, 1959 [14]

Relevant provisions

Art. 1: The Imperial Government of Iran is determined to resist aggression. In case of aggression against Iran, the Government of the United States of America, in accordance with the Constitution of the United States of America, will take such appropriate action, including the use of armed forces, as may be mutually agreed upon and as is envisaged in the Joint Resolution to Promote Peace and Stability in the Middle East, in order to assist the Government of Iran at its request.

b. Agreement of Cooperation Between the Government of the United States and the Government of the Republic of Turkey, March 5, 1959.[15]

Relevant provisions

1. The Government of Turkey is determined to resist aggression. In case of aggression against Turkey, the Government of the United States of America, in accordance with the Constitution of the United States of America, will take such appropriate action, including the use of armed forces, as may be mutually agreed upon and as is envisaged in the Joint Resolution to Promote Peace and Stability in the Middle East, in order to assist the Government of Turkey at its request.

e. Africa

a. Agreement of Cooperation Between the Government of the United States and the Government of Liberia, July 8, 1959.[16]

Relevant provisions

Art. 1: In the event of aggression or threat of aggression against Liberia, the Government of the United States of America and the Government of Liberia will immediately determine what action may be appropriate for the defense of Liberia.

f. South Asia

1. United States Membership in CENTO Committees

[Pakistan is a member of CENTO, in certain activities of which the United States participates. (See Sect. I.D. 2., above).]

2. Membership of the United States and Pakistan in SEATO

[See Section G.1., "Southeast Asia-Southwest Pacific.]

3. Agreement of Cooperation Between the Government of the United States and the Government of Pakistan, March 5, 1959.[17]

Relevant provisions

Art. 1.: The Government of Pakistan is determined to resist aggression. In case of aggression against Pakistan, the Government of the United States of America, in accordance with the Constitution of the United States of America, will take such appropriate action, including the use of armed forces, as may be mutually agreed upon and is envisaged in the Joint Resolution to Promote Peace and Stability in the Middle East, in order to assist the Government of Pakistan at its request.

g. Southeast Asia-Southwest Pacific

1. Southeast Asia Collective Defense Treaty, September 8, 1954: [18]

United States, Australia, France, New Zealand, Pakistan, Philippines, Thailand, United Kingdom, Cambodia,[19] Laos,[19] Free territory under the jurisdiction of the State of Vietnam.[19]

Relevant provisions

Art. 2. In order more effectively to achieve the objectives of this Treaty, the Parties, separately and jointly, by means of continous and effective self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack and to prevent and counter subversive activities directed from without against their territorial integrity and political stability.

Art. 4:

(i) Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

(ii) If, in the opinion of any of the Parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any Party in the treaty area or of any other State or territory to which the provisions of paragraph 1 of this Article from time to time apply is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the Parties shall consult immediately in order to agree on the measures which should be taken for the common defense.

(iii) It is understood that no action on the territory of any State designated by unanimous agreement under paragraph 1 of this Article or on any territory so designated shall be taken except at the invitation or with the consent of the government concerned.

Understanding of the United States of America

The United States of America in executing the present Treaty does so with the understanding that its recognition of the effect of aggression and armed attack and its agreement with reference thereto in Article IV, paragraph 1, apply only to communist aggression but affirms that in the event of other aggression or armed attack it will consult under the provisions of Article IV, paragraph 2.

2. Security Treaty Between Australia, New Zealand, and the United States (ANZUS Pact) September 1, 1951 [20]

Relevant provisions

Art. 4: Each Party recognizes that an armed attack in the Pacific Area on any of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes.

Any such armed attack and all measures taken as a result thereof shall be immediately reported to the Security Council of the United Nations. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

3. Mutual Defense Treaty Between the United States and the Republic of the Philippines, August 30, 1951 [21]

Revelant provisions

Art. 4: Each Party recognizes that an armed attack in the Pacific Area on either of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common dangers in accordance with its constitutional processes.

Any such armed attack and all measures taken as a result thereof shall be immediately reported to the Security Council of the United Nations. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

Art. 5: * * * an armed attack on either of the Parties is deemed to include an armed attack on the metropolitan territory of either of the Parties, or on the island territories under its jurisdiction in the Pacific or on its armed forces, public vessels or aircraft in the Pacific.

4. Memorandum of Agreement, Ambassador Bohlen and Foreign Secretary Serrano of the Philippines, October 12, 1959 [22]

Relevant passages

1. In accordance with the understandings reached during our discussions in August, September and October 1959, the following is agreed:

* * * * *

(c) *Mutual Defense:* The policy of the United States with regard to armed attack on the Philippines is contained in the Mutual Defense Treaty. Further the United States reaffirms the policy set forth in the statement of September 7, 1954 of then Secretary of State Dulles which reads as follows:

"Under our Mutual Defense Treaty and related actions, there have resulted air and naval dispositions of the United States in the Philippines, such that an armed attack on the Philippines could not but be also an attack upon the military forces of the United States. As between our nations, it is no legal fiction to say that an attack on one is an attack on both. It is a reality that an attack on the Philippines is an attack also on the United States."

and in the joint communique issued on June 20, 1958 by President Eisenhower and President Garcia the pertinent part of which reads as follows:

"President Eisenhower made clear that, in accordance with these existing alliances and the deployments and dispositions thereunder, any armed attack against the Philippines would involve an attack against United States forces stationed there and against the United States and would instantly be repelled."

5. Exchange of Notes Between Secretary Rusk and Foreign Secretary Ramos of the Philippines, September 16, 1966 [23]

Relevant provision

[Referring to the Memorandum of Agreement of Foreign Secretary Serrano and Ambassador Bohlen of October 12, 1959:] . . . I have the honor on behalf of my government to reaffirm the policy of the United States regarding mutual defense expressed in the 1959 Memorandum. * * *

H. East Asia

1. Treaty of Mutual Cooperation from Security Between the United States and Japan, January 19, 1960 [24]

Relevant provisions

Art. 5: Each Party recognizes that an armed attack against either Party in the

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Footnotes at end of article.

territory under the administration of Japan would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional provisions and processes.

Any such armed attack and all measures taken as a result thereof shall be immediately reported to the Security Council of the United Nations in accordance with the provisions of Article 51 of the Charter. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

2. Mutual Defense Treaty Between the United States and the Republic of China, December 2, 1954 [25]

Relevant provisions

Art. 2: In order more effectively to achieve the objective of this Treaty, the Parties separately and jointly by self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack and communist subversive activities directed from without against their territorial integrity and political stability.

Art. 5: Each Party recognizes that an armed attack in the West Pacific Area directed against the territories of either of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes.

Any such armed attack and all measures taken as a result thereof shall be immediately reported to the Security Council of the United Nations. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

[In its report on the Treaty, the Senate Committee on Foreign Relations included the following: "It is the understanding of the Senate that the obligations of the parties under Article V apply only in the event of external armed attack; and that military operations by either party from the territories held by the Republic of China shall not be undertaken except by joint agreement."]

3. Mutual Defense Treaty Between the United States and Republic of Korea, October 1, 1953 [26]

Relevant provisions

Art. 2: The Parties will consult together whenever, in the opinion of either of them, the political independence or security of either of the Parties is threatened by external armed attack. Separate and jointly, by self-help and mutual aid, the Parties will maintain and develop appropriate means to deter armed attack and will take suitable measures in consultation and agreement to implement this Treaty and to further its purposes.

Art. 3: Each Party recognizes that an armed attack in the Pacific area on either of the Parties in territories now under their respective administrative control, or hereafter recognized by one of the Parties as lawfully brought under the administrative control of the other, would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes.

[In advising and consenting to the ratification of the treaty the Senate added the following understanding: "It is the understanding of the United States that neither party is obligated, under Article III of the above Treaty, to come to the aid of the other except in case of an external attack against such party; nor shall anything in the present Treaty be construed as requiring the United States to give assistance to Korea except in the event of an armed attack against territory which has been recognized by the United States as lawfully brought under the administrative control of the Republic of Korea."]

Footnotes at end of article.

II. PROVISIONS OF OFFICIAL DECLARATIONS

A. Western Hemisphere

1. Seventh Annual Message of President Monroe to Congress ("The Monroe Doctrine"), December 2, 1823 [27]

Relevant passages

* * * The occasion has been judged proper for asserting, as a principle in which the rights and interest of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers. * * * The political system of the allied powers [the "Holy Alliance"] is essentially different * * * from that of America. * * * We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. * * * With the Governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny by any Europen power in any other light than as the manifestation of an unfriendly disposition toward the United States. * * *

2. Statement by the Department of State on the Monroe Doctrine July 14, 1960 [28]

Relevant passage

* * * * *

The principles [of the Monroe Doctrine] which the United States Government enunciated in the face of the attempts of the old imperialism to intervene in the affairs of this hemisphere are as valid today for the attempts of the new imperialism. * * * Today, nearly a century and a half later, the United States is gratified that these principles are not professed by itself alone but represent through solemn agreements the views of the American community as a whole.

3. The Ogdensburg Agreement: Joint Statement by President Roosevelt and Prime Minister Mackenzie King of Canada, August 18, 1940 [29]

Relevant passages

The Prime Minister and the President have discussed the mutual problems of defense in relation to the safety of Canada and the United States.

It has been agreed that a Permanent Joint Board on Defense shall be set up at once by the two countries.

This Permanent Joint Board on Defense shall commence immediate studies relating to sea, land, and air problems including personnel and matériel.

It will consider in the broad sense the defense of the north half of the Western Hemisphere.

* * * * *

4. Joint Announcement on Defense, United States-Canada, February 12, 1947 [30]

Relevant passages

In the interest of efficiency and economy, each Government has decided that its national defense establishment shall, to the extent authorized by law, continue to collaborate for peacetime joint security purposes. * * *

[Citing the "identity, of view and interest between the two countries", and noting that "no treaty, executive agreement, or contractual obligation has been entered into," [31] the announcement quoted the Ogdensburg Agreement of August 1940 which established the Permanent Joint Board on Defense.]

In discharging this continuing responsibility [for the defense of the north half of the Western Hemisphere] the Board's work led to the building up of a pattern of close defense cooperation. The principles announced on February 12 are in continuance of this cooperation. * * *

5. Joint Resolution Expressing the Determination of the United States With Respect to the Situation in Cuba (Cuban Resolution) October 3, 1962

5. Cuban Resolution—Text of Public Law 87–733 [S.J. Res. 230], 76 Stat. 697, approved October 3, 1962: Joint Resolution expressing the determination of the United States with respect to the situation in Cuba:

Whereas President James Monroe, announcing the Monroe Doctrine in 1823, declared that the United States would consider any attempt on the part of European powers "to extend their system to any portion of this hemisphere as dangerous to our peace and safety"; and

Whereas in the Rio Treaty of 1947 the parties agreed that "an armed attack by any State against an American State shall be considered as an attack against all the American States, and, consequently, each one of the said contracting parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations"; and

Whereas the Foreign Ministers of the Organization of American States at Punta del Este in January 1962 declared: "The present Government of Cub has identified itself with the principles of Marxist-Leninist ideology, has established a political, economic, and social system based on that doctrine, and accepts military assistance from extracontinental Communist powers, including even the threat of military intervention in American on part of the Soviet Union"; and

Whereas the international Communist movement has increasingly extended into Cuba its political, economic, and military sphere of influence: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States is determined—

(a) to prevent by whatever means may be necessary, including the use of arms the Marxist-Leninist regime in Cuba from extending, by force or the threat of force, its aggressive or subversive activities to any part of this hemisphere;

(b) to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States; and

(c) to work with the Organization of American States and with freedom-loving Cubans to support the aspirations of the Cuban people for self-determination.

6. Joint statement at Washington by President Kennedy and President Betancourt of Venezuela, February 20, 1963 [32]

Relevant passage

* * * * *

The President of the United States pledged the full support of his country to the Republic of Venezuela in resisting the all-out campaign of the international Communists, aided especially by their Cuban allies, to overthrow the constitutional Government of President Betancourt.

* * * * *

[When asked at a news conference on March 6, 1963 about the nature of the "full support" in case of a serious or successful revolution against Betancourt, President Kennedy replied: "Well, it would depend a good deal on the conditions and what our obligations might be under the Rio treaty. We strongly support President Betancourt's efforts in Venezuela in a good number of ways. But if you are asking me, I would have to see what the conditions were, what the responsibilities were under the Rio treaty,

the OAS, if we knew we were going into a more substantial situation. If you are talking about aggression from the outside, the answer is very clear. If you are talking about internal acts, we would have to judge those acts, and depend a good deal on what the Government of Venezuela decided as the appropriate response."] [33]

B. Europe

1. Statement by President Eisenhower on United States Policy Towards the Western European Union, March 10, 1955 [34]

[In a message of the Prime Ministers of the signatories to the Western European Union protocols—Belgium, France, Federal Republic of Germany, Italy, Luxembourg, the Netherlands, and the United Kingdom—President Eisenhower referred to a similar statement of principles he had made on April 15, 1954, in anticipation of the European Defense Community, and to the fact that the latter evolved into the Western European Union plan.]

Relevant passages

I am glad to affirm that when the Paris Agreements [establishing the Western European Union arrangements] have been ratified and have come into force, it will be the policy of the United States:

* * * * *

(3) To continue to maintain in Europe, including Germany, such units of its armed forces as may be necessary and appropriate to contribute its fair share of the forces needed for the joint defense of the North Atlantic area while a threat to that area exists, and will continue [sic] to deploy such forces in accordance with agreed North Atlantic strategy for the defense of this area;

* * * * *

(6) * * * to regard any action from whatever quarter which threatens the integrity and unity of the Western European Union as a threat to the security of the parties to the North Atlantic Treaty calling for consultation in accordance with Article 4 of that Treaty.

2. Communique, North Atlantic Council Ministerial Session, Athens, May 6, 1962 [35]

Relevant passage

* * * the Ministers welcomed the confirmation by the United States that it will continue to make available for the Alliance the nuclear weapons necessary for NATO defense, concerting with its allies on basic plans and arrangements in regard to these weapons. In addition, both the United Kingdom and the United States Governments have given firm assurances that their strategic forces will continue to provide defense against threats to the Alliance beyond the capability of NATO-committed forces to deal with.

3. Final Act, London Nine-Power Conference, Declaration by the Governments of the United States, the United Kingdom, and France, October 3, 1954 [36]

Relevant passages

5. The security and welfare of Berlin and the maintenance of the position of the Three Powers there are regarded by the Three Powers as essential elements of the peace of the free world in the present international situation. Accordingly they will maintain armed forces within the territory of Berlin as long as their responsibilities require it. They therefore reaffirm that they will treat any attack against Berlin from any quarter as an attack upon their forces and themselves.

6. They will regard as a threat to their own peace and safety any recourse to force which in violation of the principles of the United Nations Charter threatens the integrity and unity of the Atlantic alliance or its defensive purposes. In the event any such action the three Governments, * * * will act in accordance with Article 4 of the North Atlantic Treaty [which calls for consultation] with a view to taking other measures which may be appropriate.

4. Statement by President Kennedy Regarding Berlin, in Address to the Nation, July 25, 1961 [37]

Relevant passage

We are there [Berlin] as a result of our victory over Nazi Germany and our basic rights to be there deriving from that victory include both our presence in West Berlin and the enjoyment of access across East Germany. * * * But in addition to those rights is our commitment to sustain—and defend, if need be—the opportunity for more than 2 million people to determine their own future and choose their own way of life. * * * The NATO shield was long ago extended to cover West Berlin, and we have given our word that an attack in that city will be regarded as an attack upon us all.

5. Address by Vice-President Johnson before the West Berlin House of Representatives, August 19, 1961 [38]

Relevant passage

I have come to Berlin by direction of President Kennedy. He wants you to know—and I want you to know—that the pledge he has given to the freedom of West Berlin and to the rights of Western access to Berlin is firm. To the survival and to the creative future of this city we Americans have pledged in effect, what our ancestors pledged in forming the United States: "* * * our Lives, our Fortunes and our Sacred Honor". * * *

6. Statement by Secretary of State Rusk Regarding Berlin, in Address at Davidson College, February 22, 1962 [39]

Relevant passage

The Western allies, backed by all the NATO powers have the most solemn obligation to protect the freedom of the West Berliners. * * * To protect this freedom requires the continued presence of Allied troops and free rights of access. * * *

7. Concurrent Resolution 570 (Berlin Resolution), October 10, 1962

Concurrent resolution

Whereas the primary purpose of the United States in its relations with all other nations is and has been to develop and sustain a just and enduring peace for all; and

Whereas it is the purpose of the United States to encourage and support the establishment of a free, unified, and democratic Germany; and

Whereas in connection with the termination of hostilities in World War II the United States, the United Kingdom, France, and the Soviet Union freely entered into binding agreements under which the four powers have the right to remain in Berlin, with the right of ingress and egress, until the conclusion of a final settlement with the Government of Germany; and

Whereas no such final settlement has been concluded by the four powers and the aforementioned agreements continue in force: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress—

(a) that the continued exercise of United States, British, and French rights in Berlin constitutes a fundamental political and moral determination;

(b) that the United States would regard as intolerable any violation by the Soviet Union directly or through others of those rights in Berlin, including the right of ingress and egress;

(c) that the United States is determined to prevent by whatever means may be necessary, including the use of arms, any violation of those rights by the Soviet Union directly or through others, and to fulfill our commitment to the people of Berlin with respect to their resolve for Freedom.

8. Joint Communique, President Kennedy and Chancellor Adenauer of Germany, November 15, 1962 [40]

Relevant passage

It is agreed * * * that the freedom and viability of Berlin will be preserved in all circumstances and with all means.

9. Joint Communique, President Johnson and Chancellor Erhard of Germany, June 12, 1964 [41]

Relevant passage

The President restated the determination of the United States to carry out fully its commitments with respect to Berlin, including the maintenance of the right of free access to West Berlin and the continued freedom and viability of the city.

C. Near East-Middle East

1. Message of President Truman to Congress ("The Truman Doctrine"), March 12, 1947 [42]

Relevant passages

* * * * *

I believe that it must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures.

I believe that we must assist free peoples to work out their own destinies in their own way.

I believe that our help should be primarily through economic and financial aid which is essential to economic stability and orderly processes.

* * * * *

2. Joint Resolution to Promote Peace and Stability in the Middle East ("The Eisenhower Doctrine"), March 9, 1957 [43]

Relevant passage

SEC. 2. The President is authorized to undertake, in the general area of the Middle East, military assistance programs with any nation or group of nations of that area desiring assistance. Furthermore, the United States regards as vital to the national interest and world peace the preservation of the independence and integrity of the nations of the Middle East. To this end, if the President determines the necessity thereof, the United States is prepared to use armed forces to assist any such nation or groups of such nations requesting assistance against armed aggression from any country controlled by international communism: *Provided*, That such employment shall be consonant with the treaty obligations of the United States and with the Constitution of the United States.

3. Tripartite Declaration (United States-United Kingdom-France) Regarding Security in the Near East, May 25, 1950 [44]

Relevant passage

3. The three Governments take this opportunity of declaring their deep interest in and their desire to promote the establishment and maintenance of peace and stability in the area and their unalterable opposition to the use of force or threat of force between any of the states in that area. The three Governments, should they find that any of these states [i.e. the Arab States and Israel] was preparing to violate frontiers or armistice lines, would, consistently with their obligations as members of the United Nations, immdiately take action, both within and outside the United Nations, to prevent such violation.

4. Multilateral Declaration Respecting the Baghdad Pact, July 28, 1958 [45]

Parties

United States, Pakistan, Iran, Turkey, United Kingdom.

Relevant passages

1. The members of the Baghdad Pact attending the Ministerial meeting in London [46]

Footnotes at end of article.

* * * declare their determination to maintain their collective security and to resist aggression, direct or indirect.

4. Article 1 of the Pact of Mutual Co-operation signed at Baghdad on February 24, 1955, provides that the parties will co-operate for their security and defense and that such measures as they agree to take to give effect to this co-operation may form the subject of special agreements. Similarly, the United States in the interest of world peace, and pursuant to existing Congressional authorization, agrees to co-operate with the nations making this Declaration for their security and defense and will promptly enter into agreements designed to give effect to this cooperation.

5. Joint Communique, President Kennedy and the Shah of Iran (Mohammed Reza Pahlavi), Washington, April 13, 1962 [47]

Relevant passages

* * * * *

Their talks included a review of political and military situations in the world; a discussion of the progress which Iran is making in economic and social advancement; a review of defense arrangements in which the two countries are associated; and aspects of United States economic and military aid programs in Iran.

* * * * *

They discussed and were in complete agreement on the subject of the nature of the threat to the Middle East and to all free peoples. They reaffirmed the provisions of the bilateral agreement of 1959 concerning the maintenance of the independence and territorial integrity of Iran, and agreed on the necessity of collective security arrangements to achieve this end.

* * * * *

6. Letter from President Kennedy to Crown Prince Faisal of Saudi Arabia, October 25, 1962 [48]

Relevant passage

* * * * *

* * * Under your firm and enlightened leadership I am confident Saudi Arabia will move ahead successfully on the path of modernization and reform which it has already charted for itself. In pursuing this course you may be assured of full United States support for the maintenance of Saudi Arabia's integrity.

* * * * *

7. Statement on Jordan and Saudi Arabia by Secretary of State Rusk, in a News Conference, March 8, 1963 [49]

Relevant passages

[In response to a question on political stability in Saudi Arabia and Jordan, Secretary Rusk stated:]

* * * * *

We of course are concerned about the independence of these Arab states and their freedom from external penetration. * * * We are very much interested in the independence and the security of our friends in Jordan and Arabia and will be very much alert to any threats against them.

8. Reply by President Kennedy to a News Conference Question concerning the Middle East, May 8, 1963 [50]

Relevant passage

* * * * *

We strongly oppose the use of force or the threat of force in the Near East, and we also seek to limit the spread of communism in the Middle East which would, of course destroy the independence of the people. This government has been and remains strongly opposed to the use of force or the threat of force in the Near East. In the event of aggression or preparations for aggression, whether direct or indirect, we would support appropriate measures in the United Nations, adopt other courses of action on our own to prevent or to put a stop to such aggression, which, of course, has been the policy which the United States has followed for some time.

9. Remarks of President Johnson during Exchange of Toasts with President Shazar of Israel, August 2, 1966 [51]

Relevant passage

* * * * *

[Reaffirming President Kennedy's statement of May 8, 1963 which expressed American support for the security of both Israel and her neighbors,[52] President Johnson said:]

We subscribe to that policy.

10. Statement by President Johnson on the Near East Situation, at the White House, May 23, 1967 [53]

Relevant passage

* * * * *

To the leaders of all the nations of the Near East, I wish to say what three American Presidents have said before me—that the United States is firmly committed to the support of the political independence and territorial integrity of all the nations of that area. The United States strongly opposes aggression by anyone in the area, in any form, overt or clandestine.

* * * * *

11. Address by President Johnson at a Foreign Policy Conference of Educators Sponsored by the Department of State, June 19, 1967 [54]

Relevant passages

* * * * *

Our country is committed—and we here reiterate that commitment today—to a peace [in the Middle East] that is based on five principles:

First, the recognized right of national life;

Second, justice for the refugees;

Third, innocent maritime passage;

Fourth, limits on the wasteful and destructive arms race; and

Fifth, political independence and territorial integrity for all.

* * * * *

D. Africa

The Department is not aware of any published official statements by the Congress, the President, the Vice President, or the Secretary of State containing United States defense assurances to African countries.

E. South Asia

1. Letter from President Eisenhower to Prime Minister Nehru of India, February 24, 1954 [55]

Relevant passage

* * * * *

* * * I am confirming publicly that if our aid to any country, including Pakistan, is misused and directed against another in aggression I will undertake immediately, in accordance with my constitutional authority, appropriate action both within and without the U.N. to thwart such aggression. * * *

* * * * *

2. Assurances to Pakistan Respecting the Extension of Military Assistance to India: Statement by the Department of State, November 17, 1962 [56]

Relevant passages

[Referring to an exchange of notes between the United States Government and the Government of India released the same day (November 17), which concerned the provision of military aid to India, and citing the assurances given to India in 1954 when similar aid was extended to Pakistan,[57] the statement continued:]

* * * * *

The Government of the United States of America has similarly assured the Government of Pakistan that, if our assistance to India should be misused and directed against another in aggression, the United States would undertake immediately, in accordance with constitutional authority appropriate action both within and without the United Nations to thwart such aggression.

Needless to say, in giving these assurances the United States is confident that neither of the countries which it is aiding harbors aggressive designs.

F. Southeast Asia

1. Joint Resolution To Promote the Maintenance of International Peace and Security in Southeast Asia (Tonkin Gulf Resolution), August 10, 1964 [58]

Relevant passages

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That the Congress approves and supports the determination of the President, as Commander in Chief to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

SEC. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in Southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

2. Statement of Congressional Policy, March 16, 1967 [59]

The Congress hereby declares—

(1) its firm intentions to provide all necessary support for members of the Armed Forces of the United States fighting in Vietnam:

(2) its support of efforts being made by the President of the United States and other men of good will throughout the world to prevent an expansion of the war in Vietnam and to bring that conflict to an end through a negotiated settlement which will preserve the honor of the United States, protect the vital interests of this country, and allow the people of South Vietnam to determine the affairs of that nation in their own way; and

(3) its support for the convening of the nations that participated in the Geneva Conferences or any other meeting of nations similarly involved and interested as soon as possible for the purpose of pursuing the general principles of the Geneva accords of 1954 and 1962 and for formulating plans for bringing the conflict to an honorable conclusion.

3. Joint Statement, Secretary of State Rusk and Foreign Minister Thanat Khoman of Thailand, March 6, 1962 [60]

Relevant passages

* * * * *

The Secretary of State reaffirmed that the United States regards the preservation of the independence and integrity of Thailand as vital to the national interest of the United States and to world peace. He expressed the firm intention of the United States to aid Thailand, its ally and historic friend, in resisting Communist aggression and subversion.

The Foreign Minister and the Secretary of State * * * agreed that the Treaty [Southeast Asia Collective Defense Treaty] provides the basis for the signatories collectively to assist Thailand in case of [direct] Communist armed attack against that country. The Secretary of State assured the Foreign Minister that in the event of such aggression,

Footnotes at end of article.

the United States intends to give full effect to its obligations under the Treaty to act to meet the common danger in accordance with its constitutional processes. The Secretary of State reaffirmed that this obligation of the United States does not depend upon the prior agreement of all other parties to the treaty, since this treaty obligation is individual as well as collective.

In reviewing measures to meet indirect aggression, the Secretary of State stated that the United States regards its commitments to Thailand under the Southeast Asia Collective Treaty and under its bilateral economic and military assistance agreements with Thailand as providing an important basis for United States actions to help Thailand meet indirect aggression. In this connection the Secretary reviewed with the Foreign Minister the actions being taken by the United States to assist the Republic of Viet-Nam to meet the threat of indirect aggression.

* * * * *

4. Declaration of Honolulu, President Johnson, Chairman Nguyen Van Thieu and Prime Minister Nguyen Cooky, February 8, 1966 [61]

Relevant passage

The President of the United States and the Chief of State and Prime Minister of the Republic of Vietnam are thus pledged again—

To defense against aggression;

To the work of social revolution;

To the goal of free self-government;

To the attack on hunger, ignorance, and disease; and

To the unending quest for peace.

5. Communique of Seven Nations, Manila Conference, October 25, 1966 (Australia, Korea, New Zealand, Philippines, Thailand, United States, Republic of Vietnam) [62]

"We are united in our determination that the South Vietnamese people shall not be conquered by aggressive force and shall enjoy the inherent right to choose their own way of life and their own form of government. We shall continue our military and all other efforts, as firmly and as long as may be necessary, in close consultation among ourselves until the aggression is ended."

6. Remarks of President Johnson in Offering a Toast to the King of Thailand, Bangkok, October 28, 1966 [63]

Relevant passages

* * * * *

Tonight we stand as allies in a common cause. * * * We know the risks that we both run to meet the common dangers. But we know, also, that we act from a joint conviction of common interest.

Let me assure you in this regard that Thailand can count on the United States to meet its obligations under the SEATO treaty. The commitment of the United States under the SEATO treaty is not of a particular political party or administration in my country but is a commitment of the American people.

I repeat to you: America keeps its commitments. [64]

G. East Asia

1. Joint Resolution Authorizing the President To Employ the Armed Forces of the United States for Protecting the Security of Formosa, the Pescadores and Related Positions and Territories of That Area (Formosa Straits Resolution), January 29, 1955 [65]

Relevant passage

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That the President of the United States be and he hereby is authorized to employ the Armed Forces of the United States as he deems necessary for the specific purpose of securing and protecting Formosa and the Pescadores against armed attack, this authority to include the securing and protection of such related positions and territories of that area now in friendly hands and the taking of such other measures as he judges to be required or appropriate in assuring the defense of Formosa and the Pescadores. * * *

2. Statement on Formosa and the Offshore Islands by President Kennedy in a Press Conference, June 27, 1962 [66]

Our basic position has always been that we are opposed to the use of force in this area. * * * [In the event of] aggressive action against the offshore islands of Matsu and Quemoy * * * the United States will take the action necessary to assure the defense of Formosa and the Pescadores. * * * In my own discussion of this issue in the campaign of 1960, * * * I stated this position very plainly, for example, on October 16, 1960: "The position of the administration has been that we would defend Quemoy and Matsu if there were an attack which was part of an attack on Formosa and the Pescadores. * * *" Under this policy sustained continuously by the United States Government since 1954, it is clear that any threat to the offshore islands must be judged in relation to its wider meaning for the safety of Formosa and the peace of the area. Exactly what action would be necessary in the event of any such act of force would depend on the situation as it developed. * * *

3. Reply to Question at Press Conference in Korea by Vice President Humphrey, February 23, 1966 [67]

Relevant passage

The United States Government and the people of the United States have a firm commitment to the defense of Korea. As long as there is one American soldier on the line of the border, the demarkation line, the whole and the entire power of the United States of America is committed to the security and defense of Korea. Korea today is as strong as the United States and Korea put together. America today is as strong as the United States and Korea put together. We are allies, we are friends, you should have no questions, no doubts.

H. Southwest Pacific

1. Joint Communique, President Johnson and President Macapagal, October 6, 1964

Relevant passage

The two Presidents recognized that the aggressive intentions and activities of Communist China continue to present an imminent threat in the Far East and in Southeast Asia. They reviewed, in this connection, the importance of the Mutual Defense Treaty between the Philippines and the United States in maintaining the security of both countries and reaffirmed their commitment to meet any threat that might arise against their security. President Johnson made it clear that, in accordance with these existing alliances and the deployment and dispositions thereunder, any armed attack against the Philippines would be regarded as an attack against United States forces stationed there and against the United States and would instantly be repelled.

2. Joint Communique, President Johnson and President Marcos of the Philippines, September 15, 1966

Relevant passages

* * * * *

14. Mutual Security. Both Presidents recognized the strategic role which the Philippines plays in the network of allied defenses and agreed to strengthen their mutual defense capabilities.

* * * * *

16. The two Presidents pledged themselves to strengthen the unity of the two countries in meeting any threat to their security. In this regard, they noted the continuing importance of the Mutual Defense Treaty between the Philippines and the United States in maintaining the security of both countries. President Johnson reiterated to President Marcos the policy of the United States regarding mutual defense as stated by him and by past U.S. Administrations to the Philippine Government since 1954.

FOOTNOTES

[1] 59 Stat. 1031. Signed at San Francisco June 26, 1945; entered into force for the United States October 24, 1945.

[2] TIAS 1838. Opened for signature at Rio de Janeiro September 2, 1947; entered into force for the United States December 3, 1948.

[3] Resolution VI, of the Final Act of the Eighth Meeting of Consultation of Ministers of Foreign Affairs of the American Republics, Punta del Este; signed January 31, 1962, excluded "the present Government of Cuba, which has officially identified itself as a Marxist-Leninist government" from participation in the inter-American system.

[4] TIAS 2292. Signed at Copenhagen April 27, 1951; entered into force June 8, 1951.

[5] Both the United States and Denmark are members of NATO. See *ante*, p. 10.

[6] TIAS 2266. Signed at Reykjavik May 5, 1951; entered into force May 5, 1951.

[7] TIAS 4031. Signed at Washington May 12, 1958; entered into force May 12, 1958.

[8] Treaty Series No. 945. Signed March 2, 1936; ratification advised by Senate, July 25, 1939; ratified by President, July 26, 1939; proclaimed by President, July 27, 1939.

[9] TIAS 1964. Signed April 4, 1949; ratification advised by Senate, July 21, 1949; ratified by President, July 25, 1949; proclaimed by President, August 24, 1949; entered into force August 29, 1949.

[10] Acceded by Protocol, February 18, 1952. TIAS 2390. October 17, 1951.

[11] Acceded by Protocol, May 5, 1955, TIAS 3428, October 23, 1954.

[12] Considering the independence of Algeria, the North Atlantic Council on January 16, 1963, noted that insofar as the former Algerian Departments of France were concerned the relevant clauses of this treaty had become inapplicable as from July 3, 1962.

[13] TIAS 5437. Signed at New York, September 26, 1953.

[14] TIAS 4189. Signed at Ankara March 5, 1959; entered into force March 5, 1959.

[15] TIAS 4191. Signed at Ankara March 5, 1959; entered into force March 5, 1959.

[16] TIAS 4303. Signed July 8, 1959; entered into force July 8, 1959.

[17] TIAS 4190. Signed March 5, 1959; entered into force March 5, 1959. This bilateral agreement of cooperation was entered into pursuant to the Declaration Relating to the Baghdad Pact signed at London July 28, 1958 (see Section D, "Near East-Middle East").

[18] TIAS 3170. Signed September 8, 1954; ratification advised by the Senate, February 1, 1955; ratified by the President, February 4, 1955; proclaimed by the President, February 19, 1955; entered into force, February 19, 1955.

[19] Included (for the purposes of Article IV) by the Protocol to the Southeast Asia Collective Defense Treaty, TIAS 3170, signed September 8, 1954; entered into force, February 19, 1955. Cambodia has indicated disinterest in the protection of the Southeast Asia Treaty. In the Geneva Declaration on the Neutrality of Laos, the Royal Government of Laos declared that it will not "recognize the protection of any alliance or military coalition including SEATO," and the United States and other nations agreed to "respect the wish of the Kingdom of Laos not to recognize the protection of any alliance or military coalition, including SEATO."

[20] TIAS 2493. Signed September 1, 1951; ratification advised by the Senate, March 20, 1952;ratified by the President, April 15, 1952; proclaimed by the President, May 9, 1952; entered into force April 29, 1952.

[21] TIAS 2529. Signed August 30, 1951; ratification advised by the Senate, March 20, 1952; ratified by the President, April 15, 1952; proclaimed by the President, September 15, 1952; entered into force, August 27, 1952.

[22] File 711.56396/10–1659.

[23] TIAS 6084. Signed at Washington, September 16, 1966.

[24] TIAS 4509. Signed January 19, 1960; ratification advised by the Senate, June 22, 1960; entered into force, June 23, 1960.

[25] TIAS 3178. Signed December 2, 1954; ratification advised by the Senate, February 9, 1955; ratified by the President, February 11, 1955; proclaimed by the President, April 1, 1955; entered into force, March 3, 1955.

[26] TIAS 3097. Signed October 1, 1953; ratification advised by the Senate, with an understanding, January 26, 1954; ratified by the President, subject to the said understanding, February 5, 1954; proclaimed by the President, December 1, 1954; entered into force, November 17, 1954.

[27] J. D. Richardson, *Messages and Papers of the Presidents, 1789–1897*, volume 11, pp. 207–220.

[28] *American Foreign Policy: Current Documents*, 1960, pp. 210–212.

[29] Made at Ogdensburg, New York; text in *Department of State Bulletin*, August 24, 1940, p. 154.

[30] *Department of State Bulletin*, volume XVI, No. 399, February 23, 1947, p. 361.

[31] Subsequently both Canada and the United States becomes parties to the North Atlantic Treaty.

[32] *Public Papers of the Presidents of the United States: John F. Kennedy*, 1963, p. 188.

[33] *Ibid.*, p. 243.

[34] *American Foreign Policy, 1950–1955; Basic Documents*, volume I, pp. 989–991.

[35] *American Foreign Policy: Current documents, 1962*, pp. 541–543.

[36] *American Foreign Policy, 1950–1955: Basic Documents*, volume I, pp. 1481–1483.

[37] *American Foreign Policy: Current Documents, 1961*, pp. 604–612.

[38] *American Foreign Policy: Current Documents, 1962*, pp. 634–635.

[39] *American Foreign Policy: Current Documents, 1962*, pp. 689–690.

[40] *American Foreign Policy: Current Documents, 1962*, pp. 626–627.

[41] *Department of State Bulletin*, volume L, No. 1305, June 29, 1964, pp. 992–994.

[42] *Department of State Bulletin* Supplement of May 4, 1947, pp. 829–832. The message was delivered by the President before a joint session of Congress.

[43] House Joint Resolution 117, 85th Cong., 1st sess.; approved by the President, March 9, 1957.

[44] *Department of State Bulletin*, June 5, 1950, p. 886.

[45] TIAS 4084. Signed at London July 28, 1958; entered into force for the United States July 28, 1958.

[46] Iraq was not present.

[47] *American Foreign Policy: Current Documents, 1962*, pp. 778–779.

[48] White House press release dated January 8, 1963 (text in *American Foreign Policy: Current Documents, 1962*, p. 783).

[49] Department of State Press Release 121, Mar. 8, 1963, text in *Department of State Bulletin* XLVIII, No. 1239, Mar. 25, 1963, p. 435.

[50] *Public Papers of the Presidents of the United States: John F. Kennedy*, 1963, p. 373.

[51] Weekly Compilation of Presidential Documents, Aug. 8, 1966, Vol. 2, No. 31, p. 1019.

[52] See Item II, C.7., p. 48.

[53] White House press release dated May 23, 1967.

[54] *Weekly Compilation of Presidential Documents*, June 26, 1967, pages 889–920.

[55] Text as printed in *Dept. of State Bulletin*, XXX, No. 768, Mar. 15, 1954, pp. 300–401.

[56] Dept. of State press release 683, No. 17, 1962, text as printed in *Dept. of State Bulletin*, XLVII, No. 1223, Dec. 3, 1962, pp. 837–838.

[57] See item E.1., p. 50.

[58] House Joint Resolution 1145, 88th Cong., 2d sess., August 10, 1964; 78 Stats. 384.

[59] Supplemental Appropriation Act, Title IV, 81 Stat. 5–6.

[60] Department of State Press Release, No. 145, March 6, 1962.

[61] Text in LIV Department of State Bulletin 305–307.

[62] Press release 252, Oct. 25, 1966.

[63] Text in *The Department of State Bulletin*, LV, No. 1430, Nov. 21, 1966, pp. 767–768.

[64] The President's statement was reiterated by Secretary Rusk in a press release on March 22, 1967, published in *The Department of State Bulletin*, LVI, No. 1450, Apr. 10, 1967, pp. 597–598.

[65] House Joint Resolution 159, 84th Cong., 1st sess., Jan. 29, 1955 (Text in *American Foreign Policy, 1950–1955:* Basic Documents (2 volumes, Washington: U.S. Government Printing Office, 1957), Volume II, pp. 2486–2487).

[66] *Public Papers of the Presidents: John F. Kennedy, 1962*, pp. 509–517.

[67] Korea Times, February 24, 1966.

YET WE NEGLECT OUR OWN

Mr. YOUNG of Ohio. Mr. President, American citizens should know that in the last 18 years nearly $40 billion worth of armaments and ammunition have been given away to other nations in the form of military assistance. Incidentally, this includes many billions of American taxpayers' money we have given to the Saigon militarist regime of Thieu and Ky and those other generals born in North Vietnam who overthrew by force the civilian government of Saigon in 1965. Very definitely, this regime has the support of fewer than 20 percent of South Vietnamese men and women. In 4 years Ky and Thieu, who have been kept in power by our Armed Forces who week after week have suffered more men killed and wounded than have the friendly forces of South Vietnam, have done nothing whatever for land reform for their own nationals.

Incidentally, during the period August 3 through August 30, 5,587 men of our Armed Forces were killed and wounded in Vietnam. During that same time, the ARVN, the so-called friendly forces of South Vietnam—too friendly to fight very hard—sustained fewer casualties. Their total was 5,305 killed and wounded, compared with 5,587 Americans killed and wounded. In addition, some GI's died of wounds and others of malaria fever, bubonic plague, and other jungle diseases.

Nor does that tell the entire story. During that period, 133 GI's were killed in what the Pentagon terms accidents and incidents. Speaking as one who served in World War II, I recall that when trucks would collide at night or run off the road and men were killed or injured, they were termed combat casualities. But when that occurs in Vietnam, the Pentagon terms them accidents or incidents.

The PRESIDENT pro tempore. The time of the Senator from Ohio has expired. Does the Senator desire to take additional time?

Mr. YOUNG of Ohio. Yes. I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Ohio is recognized for an additional 5 minutes.

Mr. YOUNG of Ohio. Mr. President, we Americans have given away as foreign aid military assistance during the past 18 years nearly 4,500 F–84 fighter planes, 2,900 F–86 fighter planes, 350 F–100 fighter planes, 390 F–104 fighter planes, 3,200 trainer planes, 700 helicopters, 835 cargo planes, and 4,200 other planes of various types to be used in combat. During this same period we have given 350,000 trucks, 20,000 tanks, 2,500 personnel carriers, 3,200 armored vehicles of various types. Also, we have enlarged the navies of other nations with 36 destroyers, 25 submarines, 1,400 land craft of various types, and 820 other ships.

When it comes to missiles, rifles, cannons and machineguns the total is tremendous—3,500,000 rifles and carbines, 152,500 machineguns, 29,000 mortars, 23,000 cannon and large guns of various sizes. In addition, 27,500 Nike, Hawk, and other missiles capable of firing nuclear warheads.

No sane American citizen, even the ardent warhawks, can claim that the United States has a mandate from Almighty God to police the entire world. Yet, we have more than 400 major air, naval, Army and Marine Corps bases in some 24 nations including 146 in West Germany, 55 in Korea, 48 in Japan, and 16 in South Vietnam. These are all mammoth U.S. bases abroad. I have seen our huge installations in Vietnam, Thailand, and in various European countries apparently built to last a hundred years or more. When we count the 2,687 minor installations in countries such as Turkey and Pakistan, the total exceeds 3,000. This, in countries ranging from South Vietnam with more than 535,000 U.S. Armed Forces to Tunisia with a group of only four.

Why do we now need 320,000 men in Western Europe and 23,000 in Latin America? How long will we continue to station 60,000 men in South Korea, 40,000 in Japan, 30,000 in the Philippine Republic, and some 50,000 in Thailand? Why is it necessary for 643,000 seaborne forces to remain outside of the United States?

The PRESIDING OFFICER (Mr. GRAVEL in the chair). The time of the Senator from Ohio has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for an additional 5 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Ohio is recognized for an additional 5 minutes.

Mr. YOUNG of Ohio. Mr. President, why do we maintain 230,000 servicemen and their dependents in West Germany? Not because they are essential to the defense of Europe but because the West Germans do not want to give up the fat payrolls that nourish their economy. This, despite the fact that the West German economy is stronger than that of any nation in the world except the United States. These forces did not prevent the seizure of Czechoslovakia and they would not prevent an attack on Western Europe. The deterrent against

any such remote threat is our nuclear power rather than our manpower.

How long will we continue to support worldwide military commitments that soak up $80 billion a year of taxpayers' money and drain resources badly needed at home?

Unfortunately, more than 40 percent of our tremendous Air Force is committed to combat in South Vietnam, Thailand and Laos and more than 35 percent of our Army, Navy and Marines are now fighting in this far-distant area due to our involvement from 1963 on in a civil insurrection in South Vietnam.

President Nixon was elected on the pledge that he had a secret plan to end the war in Vietnam. He made this statement in New Hampshire and elsewhere. Many citizens believed him. He became our President. Yet, last month more Americans were killed and wounded in combat than were the friendly forces of South Vietnam. Yet, Americans have every reason to fear that we shall still be fighting this long and most unpopular war—and an undeclared war at that—beyond 1972. Only the most optimistic in Washington feel that our combat planes flying from bases in Thailand and in South Vietnam and from U.S. naval carriers in the South China Sea will not still be fighting well into 1973.

TAX REFORM

Mr. YOUNG of Ohio. Mr. President, the Internal Revenue Service records for 1967 show that 766,751 individual American taxpayers claimed—and got away with their claim—that they suffered $1,194,000,000 as farm losses. It has been the practice for more than 10 years for ultrawealthy executives and businessmen to buy farms.

What does each of these so-called gentleman farmers care if the operation of the farm, so called, shows a deficit of $50,000 a year? One reason for the purchase is to claim and receive tax deductions for these losses.

The Internal Revenue Service officials' term for this tax loophole is "Gettysburg farms," referring to the action of three wealthy friends of President Eisenhower who purchased his farm retreat in Pennsylvania.

Of course, as a rule, the value of farm acreage keeps going up so that in the end these gentleman farmers benefit greatly by increased land values. The annual operating losses mean nothing but tax credits for the affluent holders.

The Committee on Finance is considering and will be considering throughout this month, and perhaps throughout October and November a tax reform bill rewriting the tax reform bill which came to us from the other body. Let us hope that we in the Senate, before the end of this year, will be able to put an end to this tax loophole which has unduly benefited so many of these gentlemen farmers, so called. At the same time, the average family man in this country bears an extremely heavy burden in the payment of income taxes. In addition, he has had placed on top of that burden the surtax. I am happy to report that I voted against the 10-percent surtax when President Johnson proposed it, and I voted against it when President Nixon requested its extension.

Mr. President, as you know, and as all of us know, the 10-percent surtax, that atrocious tax on top of a tax, lays the heaviest burden on those families least able to pay it. Let us hope, and I do believe, the Senate will enact a good tax reform bill which will uphold that sound principle of just taxation that taxes should be levied according to ability to pay.

THE C–5A CARGO PLANE

Mr. TALMADGE. Mr. President, I am compelled to rise in opposition to the amendment of the Senator from Wisconsin to cut off the second production run of the giant C–5A cargo plane.

Such action would be drastic and precipitant.

We all regret the cost growth of the C–5 aircraft, as does Lockheed. We also regret abnormal inflation in the Nation's economy, which to a large degree has been responsible for the estimated cost overrun—not just in the C–5 project, but in other major defense programs as well.

There are other considerations besides inflation. This procurement was made under a new type and very complicated contractual arrangement. There have been a multitude of technical and engineering problems directly and indirectly associated with building the largest aircraft in the world. All of this must be taken into account.

I have carefully examined the hearings before the Armed Services Committee of the Senate and the House of Representatives. I know there is great concern, on the part of the Government and on the part of Lockheed. The company itself estimates a contract loss of some $13 million.

But all the facts are not in yet. We are still dealing in estimates and will be until the program is completed in 1973. A punitive approach to the C–5 problem can in no way be justified.

A meat-ax attack against the C–5 aircraft not only is unwarranted, it is ill-advised and contrary to the national interest.

Putting aside the emotional and controversial aspects of the C–5 program, there is one vitally important factor we cannot afford to overlook. It must not be obscured by the current rage in some quarters about the so-called industrial complex.

The Air Force and the Nation need the C–5 aircraft. Its mission is vital to the U.S. defense posture.

The United States is engaged in a mighty struggle to keep the peace and maintain freedom in this and other lands throughout the world, at a time when there are forces that threaten the peace and that would enslave free men.

The C–5 is no small part of this global effort.

The threat of Communist expansion, the real menace of outright aggression, and "brush-fire" conflicts that can explode into major confrontations demand the rapid deployment of U.S. troops and materiel, wherever they are needed and whenever they are needed.

The C–5 is not a personnel carrier. But fighting men need weapons and equipment. This then is the mission of the C–5 transport. This giant aircraft will give the United States air mobility unmatched by any other nation. It will provide for the emergency movement of weapons and equipment for an entire division, plus the men directly associated with the equipment.

Thus will the United States achieve airlift superiority and strengthen the Defense Establishment, for the security of the people of this country and for all the free world.

No other aircraft in the planning stages or in the air can accomplish this mission. This was the mission requested by the Air Force. This was the mission approved by the Armed Services Committee and the Congress.

To halt production of the second run of the C–5, resulting in the loss of three squadrons, would virtually negate this mission. The capabilities of the aircraft could not be performed as desired and needed.

I ask the Senate to reject the Proxmire amendment and to permit construction of the C–5 aircraft as planned to meet criteria established by the Joint Chiefs of Staff.

I say, let us get on with the business of giving this Nation a strategic airlift capability that will further strengthen our national security. This, to my mind, is the overriding issue at hand.

Mr. President, the lessons of history are replete with the successful strategy of the swift mobility of armed forces. One can study the campaigns of Julius Caesar and of Hannibal, as well as Napoleon Bonaparte, and find that the most effective thing about the success of those campaigns was the speed and mobility with which they could place men and arms at a particular site at a given time.

I think perhaps the greatest cavalry officer of the Civil War that the world has ever known was Gen. Nathan Bedford Forrest, whose famous slogan was "I git thar fustest with the mostest men."

That is the essence of victory in warfare. We learned the same lesson in World War II, the lesson that Rommel taught us in North Africa, the lessons learned from General Patton's fast and mobile troops in Europe, and the lesson that we learned from our vast strategic carrier forces in the South Pacific.

Mr. President, let us not kiss away so lightly those lessons of history. If we strike down the capability that the C–5A aircraft will give this country to deploy men and weapons with vast speed to any part of the world, it will strike a vital blow at the security of this country.

I trust that the Senate will take no such foolish action.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the effectiveness and administrative efficiency of the Neighborhood Youth Corps program under title IB of the Economic Opportunity Act of 1964, Gila River Indian Reservation and Pinal County, Ariz., Department of Labor, dated September 4, 1969 (with an accompanying report); to the Committee on Government Operations.

LOAN APPLICATION BY THE CENTRAL OREGON IRRIGATION DISTRICT OF REDMOND, OREG.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a loan application by the Central Oregon Irrigation District of Redmond, Oreg. (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT OF AN AUDIT FOR THE AMERICAN SYMPHONY ORCHESTRA LEAGUE, INC.

A letter from a certified public accountant, transmitting, pursuant to law, a report of an audit for the American Symphony Orchestra League, Inc., for the fiscal year ended May 31, 1969 (with an accompanying report); to the Committee on the Judiciary.

PRINTING OF REPORT ON FRENCHBORO HARBOR, MAINE (S. DOC. NO. 91-32)

Mr. BYRD of West Virginia. Mr. President, on behalf of my colleague, the senior Senator from West Virginia (Mr. RANDOLPH), I present a letter from the Acting Secretary of the Army, transmitting a report dated April 30, 1969, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on Frenchboro Harbor, Maine, requested by a resolution of the Committee on Public Works, U.S. Senate, adopted January 17, 1963. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILL REPORTED

A bill was reported, read the first time, and, by unanimous consent, the second time, and placed on the calendar, as follows:

By Mr. SPARKMAN:

S. 2864. A bill to amend and extend laws relating to housing and urban development, and for other purposes; placed on the calendar.

(The remarks of Mr. SPARKMAN when he reported the bill appear earlier in the RECORD under the appropriate heading.)

ADDITIONAL COSPONSORS OF BILLS

S. 1185

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Michigan (Mr. HART) and the Senator from Maryland (Mr. TYDINGS) be added as cosponsors of S. 1185, a bill to protect the public from certain fraudulent practices in used cars.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2677

Mr. STENNIS. Mr. President, I ask unanimous consent that, at the next printing, my name be added as a cosponsor of S. 2677, to prohibit the disruption of federally assisted institutions of higher education, to provide for the enforcement of such prohibition, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2847

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Wisconsin (Mr. NELSON), I ask unanimous consent that, at the next printing, the name of the junior Senator from Minnesota (Mr. MONDALE) be added as a cosponsor of the bill (S. 2847) to amend the Foreign Assistance Act, as amended, to authorize the Secretary of State to participate in the development of a large prototype desalting plant in Israel, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARINGS ON REPORT OF THE COMMISSION ON MORTGAGE INTEREST RATES

Mr. SPARKMAN. Mr. President, I wish to announce that the Senate Committee on Banking and Currency will hold hearings on September 25, 26, 29, 30, and October 1, 1969, to receive testimony on the report of the Commission on Mortgage Interest Rates. This report was made to the President and to the Congress on August 13, 1969.

The hearings will be held in room 5302, New Senate Office Building, and will commence at 10 a.m. each day.

NOTICE OF HEARING ON NOMINATION OF A. SYDNEY HERLONG

Mr. SPARKMAN. Mr. President, I wish to announce that the Committee on Banking and Currency will hold a hearing on Thursday, September 18, 1969, on the nomination of A. Sydney Herlong, of Florida, to be a member of the Securities and Exchange Commission.

The hearing will commence at 10 a.m. in room 5302, New Senate Office Building.

NOTICE OF HEARING ON CITIZEN INVOLVEMENT IN AGENCY DECISIONMAKING AND AGENCY RESPONSIVENESS TO PUBLIC NEEDS

Mr. KENNEDY. Mr. President, I wish to announce that on Wednesday and Thursday, September 10 and 11 at 9 a.m. in room 5202, New Senate Office Building, the Subcommittee on Administrative Practice and Procedure of the Senate Judiciary Committee will hold the first in a series of hearings on citizen involvement in agency decisionmaking and agency responsiveness to public needs. The hearings will be based on responses to a questionnaire sent by the subcommittee to many Federal agencies and bureaus last February. The first set of hearings will cover the questionnaire responses of the Federal Trade Commission, and the witnesses will be the members of that Commission.

WHERE THE WAY UP BEGINS

Mr. BYRD of West Virginia. Mr. President, recently the Dominion-News, of Morgantown, W. Va., published an excellent series of articles on juvenile delinquency. While most of the articles covered juvenile delinquency in Monongalia County, the sixth part of the series dealt with the Robert F. Kennedy Youth Center—a Federal institution of national importance, and one in which I am especially interested.

In August 1962, President John F. Kennedy approved my request to move what was then the National Training School from its inadequate, century-old facilities in Washington to a site in Morgantown. There, the most modern facilities were constructed to house and rehabilitate juvenile offenders of Federal laws.

I am pleased that I was able to be instrumental in gaining the $11 million of funds necessary to build the Center; and I am gratified at the work that has been conducted there since its opening last year.

I have made visits to the Center, including a recent trip, during which I was honored by the Morgantown Chamber of Commerce for helping to obtain the Center for that community.

During each of these visits, which have included talks with the officials and the youths at the Center, I have become more impressed with the rehabilitation work being done there.

Mr. President, the article in the Morgantown Dominion-News, written by Mike Connell, is entitled "Kennedy Youth Center, Where the Way Up Begins." It reports on the activities at the Center and describes the educational and recreational opportunities available to the youths there.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KENNEDY YOUTH CENTER, WHERE THE WAY UP BEGINS

(By Mike Connell)

Birds wheel freely about the top of Dorsey's Knob, the highest point in Monongalia County.

And far below, several dozen juvenile lawbreakers are detained in the Robert F. Kennedy Youth Center, at the nadir of their young lives.

It is unfortunate that they have broken the law and must be punished. It is fortunate that they are at Kennedy Youth Center, which is setting the example in treatment of juvenile delinquents. The way up begins here.

The KYC itself is an $11 million complex that includes vocational and academic schools, an Olympic-size swimming pool, gymnasium, dining hall, modern cottages, chapel and an administration building. Other facilities range from softball fields to an

ice-skating pond. All in all, the complex completed only last winter is an impressive sight.

The individual student at the KYC becomes part of the center's society. A society without bars or fences, that asks rather than tells him to stay, and attempts to teach and prepare him for the outside society, which has rejected him, and in turn he has rejected.

The student is placed in a cottage at the center after completing an orientation period where he is shown the workings of the institute, and is tested so that his place at the KYC can be better established.

After the orientation period he is housed by personality categories. The groupings include immature, neurotic, psychopathic and sub-cultural. Thus the boy is placed with youths similar to his own personality, and with counselors that fit especially well with his category. For example an immature boy would be taught by the more fatherly counselor.

Once settled in the cottage, the boy is taken into the KYC's own miniature society. At first the youth wears uniforms and lives in a large room with other youths.

If he works with the society, however, he amasses points, or money, whereby he can purchase civilian clothes, can rent a private room, buy toilet articles, candy and other such small luxuries. If he fails to work with the society of course, he cannot receive these extras.

The cottage itself is a small community. There are various wings, or suburbs, each distinctly different from the other. One wing would become the "elite neighborhood", and another similar to the "crowded slum."

In the center of the cottage is the "downtown section", with facilities for television, billiards and other recreational facilities. Outside the cottage is more of the city, including the schools, dining hall and more recreational facilities.

The center attempts, according to Assistant Director Herbert Beall, to ready the youth for society and teach him a variety of skills as well as the basics in such areas as English social studies, and mathematics.

The teacher ratio at the center is one for every 10 students, and in the small classes, two new concepts are being taught.

The first is the "cluster" concept, where the student is taught in a variety of skills areas. In other institutes, the youth was taught in one, concentrated area. At the youth center, the teaching is diversified, giving the youth a chance to learn more types of skills, and thus have a better chance of finding employment after his release from the institution.

The second new concept is the "integrated curriculum" program, explained by Jack Torrence, supervisor of education at the center.

"Rather than use the old academic approach," he explained, "we try a two or three prong attack to increase academic prowess."

An example of the "attack" is making other fields of study relevant to the student's main program of interest. A KYC English teacher, for example, will teach a youth the phoenetics and grammar or shop talk, if the youth's interest is in say auto mechanics. "It is more important," Mr. Torrence said, "for an auto mechanics student to be able to spell and pronounce carburetor than a word of less importance to his future."

Likewise in mathematics the problems are designed to be applicable to the students jobs later.

Mr. Torrence noted that the institute has just begun to work at full capacity. "We've been open less than a year," he said, "and only now have we received many of the things we asked for. We're just getting fully tooled up."

The program seems to have brought forward some brightening results. Mr. Torrence said of 25 of the first boys who took tests for a high school diploma, 22 passed.

ROCKY MARCIANO

Mr. PASTORE. Mr. President, when, on Sunday, August 31, 1969, on the eve of his 46th birthday, a plane crash took the life of Rocky Marciano, there was, first, unbelieving silence and a crushing sadness in all the world that loved this great fighter and good man.

Then, out of the hearts of all who knew this fighting champion came the sincerest and sweetest sentiments of sorrow and adulation. Gifted pens wrote their honest praise and humble hearts offered their prayers—eulogies that the highest of humans would prize.

They were for a humble youth, the gentlest of persons in private, but in the prize ring the conqueror of fistic's mightiest in our time.

It was a privilege to possess Rocky's friendship. I found inspiration in our every meeting—his visits to my office and the Senate through the years.

It is a tonic to our times that the news media have recorded the affectionate elegies from every fighter, every writer, every lover of clean sportsmanship.

May they one day be compiled in an appropriate volume, not only for the consolation of Rocky's loved ones, to whom he was so deeply devoted, but as an exemplar to the restless youth of America.

For the RECORD, I would select just one observant writer and friend, Barney Madden, sports editor of the Providence Journal-Bulletin.

It was truly in Providence that the "Brockton Strongboy," in some 29 fights, climbed the rungs toward world championship and along the way won the affection of everybody for "the nice guy" that Rocky was.

I ask unanimous consent that the article written by Barney Madden be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHARACTER HIS GREATEST STRENGTH

(By Barney Madden)

Rocky Marciano, retired undefeated heavyweight boxing champion who lost his life Sunday night in an airplane crash, was one of boxing's paradoxes.

Once the bell rang he became a fearless tiger, but outside the ring he was a veritable kitten, one of the gentlest fellows you could expect to meet.

Referred to variously as the Brockton Strongboy, Blockbuster and Hard Rock, he was hailed far and wide as "a nice guy." He had to "build up" to his fighting fury, but his deferential manner in private life, came naturally. Truly, Rocky was a nice guy.

If ever there was a dedicated boxer it was Marciano. He trained diligently, he didn't drink or smoke. He didn't like parties. In fact the "victory celebrations" held after his bouts, never got more than a token visit from him.

Providence was virtually his home away from home since he got his fistic start here, acquired countless friends here—and never forgot either.

Manny Almeida, who promoted all the boxing shows at which Marciano appeared in Providence, was badly shaken by his death.

"I was so close to the boy I can't believe it yet" he said yesterday. Theirs was a close relationship, Almeida advising, helping direct his climb to the title. In fact Rocky fought 29 times in Providence on Almeida cards.

Another close friend and adviser, Tony Petronella, boxing commissioner in Rhode Island during Rocky's heyday, said, "I know the sad news. Rocky was a very dear friend, a grand guy."

In the ring Rocky was tough, almost indestructible. His courage never was questioned and if anyone had doubts about it they vanished after his bouts with Johnny Shkor, who cut him severely over the eye; Red Applegate, with whom he fought a veritable war at the Auditorium; Keene Simmons, the first to buckle his knees, or Ezzard Charles, who split his nose with a punch. Each of them learned that Rocky wouldn't fold and every one of them became his victims as Rocky won 49 straight fights.

Rocky, incidentally, was christened "Marciano" in Providence after the late Harold Warman, Auditorium announcer, struggled vainly with his proper name, Marchegiano, before his first two bouts.

Almeida, who had much to do with Marciano's eventual financial security as well as his fistic rise, maintains "Nobody had his one-punch power." The great former champion, Jack Dempsey, concurs. "I took them out with an accumulation of punches," Dempsey said, "but Rocky could do it with one."

His big punch felled Joe Walcott and dethroned him in the 13th round when Walcott was well ahead on points. Joe Louis suffered the same fate as did Phil Muscato, on Dec. 19, 1948, when Rocky met his first "name" opponent. That bout he regarded as the turning point in his career, lifting him from the "local fighter" category to national recognition.

In addition to his ability to end a bout with a single crushing blow, he also was a "hurting" puncher. Opponents found it hard to lift their arms after blocking punches for a few rounds. Walcott, in fact, after Marciano had beaten him for the world title, said: "I saw the punch coming, but couldn't lift my arms to defend myself."

Charles, also a former champion, was asked if it was true that Rocky hurt you wherever he hit you. He replied: "If he hits you on the seat of the pants, it hurts."

Marciano's purses aggregated more than a million and a half dollars but time was when affluence was a total stranger to him. For his early bouts in Providence he would arrive with steaks carefully wrapped in wax paper by his mother. Eddie Beck, then a diner operator as well as fight fan, broiled them for a time. Later on, the Marciano steaks—one for him, one for his pal and trainer, the late Allie Columbo—were prepared at the home of Mike Thomas, Journal-Bulletin boxing writer, who was to become one of Rocky's closest friends and favorite companions during the nerve-wracking hours prior to his bouts.

Rocky wanted Mike in his dressing room before the fights he wanted him with him when he motored or flew to the fight scene from his training camps. Whenever any of us encountered Rocky in later years, his first query was: "How's Mike. Say hello for me, please."

Early in his career Rocky was a guest of a radio show some of us Journal-Bulletin sports writers had on WEAN, and he came back again when things were going well for him. Then we invited him to join us four weeks hence, little knowing that in the meantime he would sign for an important bout. He accepted.

Four weeks passed and he was in strict training at Grossinger's so we were sure he wouldn't appear. We didn't know Rocky, evidently. An hour before air time he walked in and, observing that we were flabbergasted—he wasn't one to interrupt his training program—he asked:

"Why are you guys so surprised? I told you I'd be here, and here I am. I'm flying back as soon as we finish."

His "fee" was precisely nothing, but, to him, a promise was something to be kept.

ABUSE OF TAX PRIVILEGED STATUS BY FOUNDATIONS

Mr. MONDALE. Mr. President, abuse of their tax privileged status by some foundations has placed that status in jeopardy for all foundations, both good and bad. Congress has heard a great deal about flagrant abuses of tax-exemption privileges by a few foundations. In considering tax reform, I believe we need to hear also of the good foundations have done and can do.

I recently received a letter from the mayor of St. Cloud, Minn., detailing the creative role of foundations in assisting small cities.

I ask unanimous consent that the letter from Dr. Edward L. Henry be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CITY OF ST. CLOUD,
St. Cloud, Minn., August 21, 1969.

Hon. WALTER MONDALE,
Senator from Minnesota,
U.S. Senate Office Building,
Washington, D.C.

DEAR SENATOR MONDALE: May I urge caution in circumscribing the educational and research grant policies of American Foundations as incorporated in current bills before the Senate.

I am aware of some of the more flagrant abuses and social wastage involved in the conduct of some few of the many hundreds of foundations in this country.

On the other hand, America owes much to the pioneering efforts of the major foundations in unleashing creativity in our society and as an offset to the frequently pragmatic and even pedestrian research that is supported under governmental categorical aid programs. This is particularly true in the social sciences where except for the major foundations social science research for many years threatened to founder while natural science research, heavily funded by the government, was clearly skewing the resources of the nation away from humanistic studies.

As a member of the "establishment" (past president of the Minnesota League of Municipalities; past president of the Minnesota Mayors' Association; current mayor of a Minnesota municipality, 40,000 citizens), perhaps I should be suspicious of foundations. On the other hand, in my twenty years as a college professor I have had a first-hand opportunity to observe their operations, and I have been impressed.

Recently, Ford Foundation, for example, spearheaded attention to the plight of small cities in the United States with a research grant to my college, St. John's University of Collegeville, Minnesota. There was a lacuna here in terms of social need to which the Ford Foundation responded.

This was in fall of 1967. Subsequently the seed planted by Ford has contributed significantly in stimulating attention to the smaller cities on the part of both public and private agencies, including the Federal government which set up an Office of Small Towns Services in January of 1968.

In a pluralistic society, private and public agencies may respond to quite different needs and pressures. Occasionally there is an aberration. This social wastage is a necessary cost of freedom in our society. However, in my judgment, the major foundations have been one of the great idea-generating forces in our culture; a force that rather than promoting revolution has been urging society to reflect on its own institutions and adapt to changing needs.

The alternative to adaptation is ossification and ultimate collapse. In this respect the foundations have been radically conservative, and they have contributed significantly in terms of retaining the vitality that hitherto has characterized our socio-economic system.

In my humble opinion as both an elective public official for thirteen years and as an educator for twenty, the foundations have made an immense contribution to a viable society and to a healthier governmental system. I would urge you to reflect very seriously on the significance of taking what I would regard as unfortunate action against foundations—action that could seriously hamper the creative role they have played in the recent history of this nation.

Yours very sincerely,

DR. EDWARD L. HENRY,
Mayor.

BOISE CASCADE CORP.

Mr. JORDAN of Idaho. Mr. President, Idaho has many reasons to be a proud State. Newsweek magazine for September 1, 1969, touched upon one of the most recent reasons for this pride—the tremendous growth of one of the largest U.S. corporations, Boise Cascade.

The success story of Boise Cascade, and of its president, Bob Hansberger, is a heartening example of what can be accomplished through private enterprise in our State. It is a story that Members of Congress and the numerous other readers of the CONGRESSIONAL RECORD will, I am sure, find of great interest. I, therefore, ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COMPANIES: A STATE OF MIND

Boise, Idaho, where the tallest structure is the twelve-story Bank of Idaho and a major event is still the Western Idaho Fair, is an unlikely—if picturesque—headquarters city for major corporations. But bustling Boise (population: 72,000, up 38,000 since 1950) has more than its share. Albertson's, Inc., a supermarket chain with 214 stores in nine Western states, is based there, as is Morrison-Knudsen Co., the giant worldwide construction firm. But the busiest of Boise's corporations is Boise Cascade, a company that is growing like a forest fire. Formed in 1957 of three sick lumber firms limping along on combined annual sales of $34 million, Boise Cascade last year earned $45.4 million on $1 billion in sales of products ranging from writing paper to cruise-ship tickets. On the Fortune list of the 500 largest U.S. corporations, it ranks 100th.

Informality: Robert V. Hansberger is the man who put Boise Cascade together and now has it branching out to all points of the business and geographical compass. A balding, energetic Harvard MBA, Hansberger, 49, has staffed the firm's front office with bright, young (William M. Agee, BCC's vice president for finance, is only 31) graduates of top-flight Ivy League and West Coast business schools. Around the Boise headquarters there is a studied air of informality. "I don't know any of the secretaries who call us Mister," says the relaxed Bill Agee. "I don't hear it very often and it bothers me when I do."

To hear Hansberger tell it, Boise Cascade has grown in a deliberately related fashion. "We started out in the tree business," he points out, "and that led us into pulp and paper in order to get more value from the trees we were harvesting, buying and raising. We then went into paper products in order to be a more effective marketer of pulp and paper production. We found ourselves entering the housing field because we thought this was a very big, exciting market, and it also provides an opportunity to use some of our lumber, plywood and other wood products. That led us into land development, because land is a very important part of the housing package. And because the highest value of some land is as recreational land, we went into recreation—the building of golf courses, lakes, ski resorts and so on."

Cruises, too: Over the past few years, Boise Cascade has bought a southern California home builder (R. A. Watt Co., Inc.), two land-development firms (United States Land, Inc., and Lake Arrowhead Development Co.) and merged with Divco-Wayne Corp., a manufacturer of mobile homes, travel trailers, trucks and buses. This year, BCC, still known primarily as a lumber and paper producer, will build about 18,000 mobile homes, some 6,000 factory-built homes and about 3,000 on-site units. It also is developing 23 second-home developments, among them Incline Village at Lake Tahoe, Nev., which will include a golf course, ski runs and club houses. Just for diversity, the firm this year is offering Pacific Ocean and Caribbean cruises on two chartered liners, the Princess Italia and Princess Carla. And it plans urban renewal projects in rundown areas of Boise, Boston, Indianapolis, Pittsburgh and Harlem.

For all that bustle, company executives think Boise Cascade is just getting into stride. Last month, the company broke ground on a new six-story, $14 million headquarters building in downtown Boise, and this week it will celebrate an event of far richer significance: completion of its merger with Ebasco Industries, one of the world's largest ($680 million in assets) closed-end management investment companies. When NEWSWEEK's William J. Cook asked Bill Agee last week what the Ebasco merger would mean, Agee responded with one happy word: "Money." As he explained: "We've always had two or three opportunities for every dollar we've had to spend. With Ebasco, we have cash and liquidity—more cash than we've ever had at any point." Some of the money is certain to go for developing new recreational facilities in Europe and South America and perhaps for other Boise Cascade projects in the planning stage: fiber-glass pleasure boats, resort hotels, camping equipment, hospital supplies. As Bob Hansberger says, Boise Cascade "is a kind of state of mind," and its state of mind is growth.

PROPOSED CUTBACK IN PUBLIC WORKS SPENDING

Mr. PROXMIRE. Mr. President, the President of the United States has indicated that he favors a cutback in public works spending. In making this announcement, he has been received by some of the Governors very unfavorably and has been criticized widely around the country. I intend to support the President. I think he is doing the right thing. I think this is the right kind of medicine with which to fight inflation, but I do not think it is nearly enough of it.

President Nixon's public works cutback is good news in the fight against inflation, but just like the administration's military spending cutback, it is too little.

The public works budget is now in excess of $10 billion. It is higher than it has ever been in the history of this country. And it is highly inflationary.

In the depths of the depression in the thirties public works was a necessary and desirable method of putting some of the enormous legions of unemployed to work. It was timely and wise, but it totaled only a billion dollars a year.

Now it is 10 times as large. Much of it should be canceled. Some of it should be postponed or stretched out. The President should aim at $3 to $4 billion cut in public works. The $1.6 billion Nixon cut is a timid step in the right direction.

The highway building program is

barely touched in the President's program. The President fortunately has indicated that he would impose definite highway spending cuts if the States failed to make voluntary reductions. Substantial voluntary reductions by the States in a highway building program in which the Federal Government pays 90 percent of the cost is about as likely as big oil asking for further reductions in depletion allowances. This is simply postponing the inevitable if we are to see a substantial slash in highway spending.

President Nixon should follow President Johnson's action of December 1966 when highway spending at an annual rate of $3 billion was held up for several months.

The effect on inflationary forces at that time was swift and decisive.

A further cutback by the President will be even more unpopular with the Nation's Governors and many others, but it is the kind of stiff anti-inflationary medicine this Nation needs.

If the President would act in a big and decisive way to cut back military and space spending along with public works spending, there is no question that we can both curb inflation and provide moderate tax relief.

Unless major reductions are achieved in these areas, any tax relief will be irresponsible and inflation will be in danger of getting out of control.

TESTIMONY IN SUPPORT OF S. 2004

Mr. PEARSON. Mr. President, the Communications Subcommittee of the Committee on Commerce has been holding hearings on S. 2004, a bill introduced by the distinguished Senator from Rhode Island (Mr. PASTORE) in April of this year. I consider this a most important and necessary proposal and have joined as a cosponsor.

Mr. President, I have submitted a statement before the Subcommittee on Communications, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JAMES B. PEARSON

Mr. Chairman, I wish to express complete support for S. 2004.

The bill provides that a broadcaster who has been operating under the Communications Act is entitled to a renewal of his license if the FCC finds, on the basis of his record, that he has served the public interest. This proposal, in my opinion, is fair and reasonable. It establishes an orderly procedure for the consideration of applications for renewal of broadcast licenses.

Many of our current broadcast franchises have been built up over a number of years and after considerable personal effort. A great majority of these existing station owners were willing and able to risk financial hardship in hopes of building sound production broadcast stations. There were times when television looked like a practical impossibility; there were times when the profitability of television franchises, especially in rather moderately populated areas such as my home state of Kansas, were seriously questioned. But with hard work, many stations survived.

Today, however, this spirit of enterprise in broadcasting is endangered by industry-wide instability. Our stature as the most advanced and far reaching communications system in the world is challenged by recent decisions of the Federal Communications Commission which have given strength to the so-called "strike application."

Any analysis of this overall problem must begin with the premise that the Communications Act intended that paramount consideration in broadcasting services must be the public interest. Secondly, our nation is dependent upon regulating private enterprise to encourage the expanded role which broadcasting plays in our society. And thirdly, that Congress intended the FCC to have no authority to censor broadcasters. All of these basic ideas are culminated in a statement by our new Chief Justice Warren Burger who, in a recent case said: "by whatever name or classification, broadcasters are temporary permittees-fiduciaries of a great public resource and they must meet the highest standards which are embraced in the public interest concept." I think this statement by an eminent jurist to be indeed a wise pronouncement.

Thus, a broadcast licensee must apply for the renewal of his license every three years. He must stand on his record. If the FCC finds on the basis of their investigation, their inquiry of his record of public service that he has discharged the obligation which he, as a professional broadcaster bears, then I think it only fair that he be granted the opportunity to continue with his work.

Recently, the FCC began the practice of so-called "comparative hearings" wherein an existing licensee and a rival applicant are placed on equal grounds in applying for a license. Furthermore, in a recent case in Boston involving station WHDH, the FCC actually granted the license to a rival applicant—in the absence of any showing that the existing licensee had not performed in the public interest. Following that decision a rash of "strike applications" have been filed in numerous cities across the country. This frenzy of activity with its potentially damaging effects on our national broadcast system has prompted Senator Pastore and the many other distinguished members of this body who co-sponsor S. 2004 to take appropriate action. I have joined this group as a co-sponsor.

My reason for this is simple. Television is a very costly and expanding enterprise. Broadcasters must maintain the best possible equipment and the most qualified professional personnel in order to serve the public in this electronic age. To carry out this responsibility, I think it only fair that the broadcaster have reasonable assurance that if he does his job, that if he performs according to the high ideals of the broadcasting profession—in short, that if he serves in the public interest—then his license will not be revoked and his investment will not go down the drain.

This procedure, as provided for in S. 2004 does not by any means grant a broadcast license in perpetuity. It does not give a broadcaster any special protected status. Rather, it forces him to defend his record.

I realize that there have been instances over the years in which a broadcast licensee has not performed in the public interest but maintained his license. I do not overlook nor condone such instances. However, I do not believe that the procedure whereby the licensee and the rival applicant are placed on equal grounds is a reasonable way to prevent the abuses of a broadcast franchise.

I believe the proper way to fairly allocate the use of our nation's airways is through the vigorous scrutiny by the FCC, by placing the burden of proof for continued operation upon the existing licensees as proposed by S. 2004.

For these reasons, Mr. Chairman, I support this legislation.

POLLUTION ATTENTION

Mr. NELSON. Mr. President, it is indeed a welcome sign to see attention given by more and more publications to the perils of air pollution. It is especially encouraging to see the medical profession offer its services by contributing medical facts concerning the relationship between air pollution and diseases and death.

As an example, an article appearing in the August 22, 1969, edition of the Medical World News points out the need for more medical research in this area, the initial steps and findings that are available, and the need for physicians to use these facts in combating air pollution on local, regional, and national levels.

Because the effort to clean up our Nation's air needs the help and information that physicians can give, and because this article appeals for such aid in addition to pointing out some of the dangerous relationships between pollution and health, I commend Medical World News for such a fine article and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DEATH, DISEASE AND DIRTY AIR

Some 500 Chicagoans go to a wall calendar each day to make physiologic notations. They are not following the rhythm method of birth control. Rather, they are recording bronchopulmonary symptoms to aid a study of the relationship of respiratory illness to their city's air pollution levels.

The instructions: "Check 'chest illness' if you were bothered much more than usual by your chest for most of the day: for example, by having coughed more than usual, by having more shortness of breath than usual, if you were less active than usual because of your chest, or if you had a chest cold. Check 'no chest illness' if you were not bothered much more than usual." At the end of each month, the subjects mail the calendars to Dr. Bertram W. Carnow at the Chicago Chronic Bronchopulmonary Registry. Dr. Carnow, associate professor of preventive medicine and community health at the University of Illinois, compares them with the daily sulfur dioxide readings collected from monitoring stations scattered throughout the city.

Dr. Carnow and his associates are among the too-small number of physicians linking the "hyper-reactive" patient to local pollution control officials hungry for information about the effects of pollutants on health.

Their conclusion: Among elderly persons with advanced bronchitis, high levels of sulfur dioxide exacerbate symptoms and precipitate acute respiratory illness. Persons over 55 suffer twice as many episodes of acute bronchitis on days of high pollution. If the humidity is high, too, bronchopulmonary disease is aggravated even more. Dr. Carnow has been able to assign each subject his own "personal pollution index" based on the pollution levels in the square mile of his residence and occupation.

Sometimes patients must move or change their job locations. For example, a middle-aged, nonsmoking businessman lived near the University of Chicago in the midst of the city's highest sulfur dioxide and particulate pollution. He had progressive deteriorating asthma and bronchitis, and his recrurring episodes, which seemed to be related to "changes in the weather," interfered with his daily work routine and sometimes

kept him off the job entirely. Dr. Carnow finally advised him to move to a less-polluted suburb north of Chicago. The man has shown "marked improvement," reports Dr. Carnow—fewer acute attacks, less infection, and decreased frequency of cough.

Such data and clinical impressions are not rare. Clinical, epidemiologic, and laboratory studies throughout the world strongly suggest, if they do not yet quite prove, that pollutants in the air are causing substantial amounts of illness, debility, and death.

The National Air Pollution Control Administration reports that "adverse health effects" become evident when the 24-hour-average levels of sulfur dioxide exceed 0.11 parts per million for more than three days in a row. Above 0.52 ppm, an increased death rate can be expected. Through its National Air Surveillance Network, NAPCA takes 24-hour samples of sulfur dioxide from about 100 sites 26 times per year. The sampling shows average concentrations ranging from 0.002 ppm in Kansas City, Mo., to 0.17 ppm in New York City, where the sulfur dioxide, much of it from Consolidated Edison's smokestacks, has gone as high as 0.86 ppm.

Dr. Carnow finds that acute morbidity in bronchitic persons over 55 years seems to follow an exposure of 0.25 ppm for one day. But the real problem, he says, is determining the "long-term effects on health of pollution at lower than catastrophic levels, acting on humans for 24 hours a day over a period of many years."

Pollutants aggravate bronchial asthma, chronic bronchitis, and chronic obstructive emphysema. When the pulmonary system is compromised, the heart is likely to become involved.

At the recent meeting of the Air Pollution Control Association, Dr. John R. Goldsmith of the Department of Public Health in Berkeley, Calif., reported evidence from several sources suggesting that ambient community exposure to carbon monoxide may increase the death rate of patients hospitalized with myocardial infarction. Substantiating this impression, he said, will require a study of "the prognosis of myocardial infarction patients in relationship to carboxyhemoglobin levels" measured on admission to the hospital.

In a study reported by Dr. Stephen M. Ayres of St. Vincent's Hospital and Medical Center of New York, brief exposure to carbon monoxide levels high enough to raise carboxyhemoglobin to an average of 8.96% saturation also decreased oxygen extraction and increased cardiac output. What was once thought to be a harmless level of carboxyhemoglobin turns out to pose "an adaptive challenge to the coronary circulation," he told the Ninth AMA Air Pollution Medical Research Conference.

The conference also heard Dr. Warren Winkelstein of the University of California, Berkeley, report that mortality rates for gastric cancer are nearly twice as high for adult men and women in areas of high suspended particulate pollution as in areas of low pollution. His study, made in the Buffalo, N.Y., area, was bolstered by similar findings from three other localities. Dr. Winkelstein has also found among nonsmokers 45 and older a "positive association" between a productive cough and suspended particulates. Among groups of men aged 50 to 69 and of comparable socioeconomic status, his earlier studies had found rates of death from all causes and of death due to chronic respiratory disease running as much as 50% higher in the most-polluted areas of Buffalo than in the least.

Dr. Mary O. Amdur of the Harvard School of Public Health has reported that sulfuric acid and irritant particulate sulfates have a greater irritant potency at a given concentration than does sulfur dioxide alone. Dr. Ayres, who has observed that sulfur dioxide increases airway resistance at concentrations as low as 0.2 ppm (a level frequently recorded in New York City air), reports that combinations of sulfuric acid and its salts are "many times as potent."

In Japan and Great Britain, school children living in highly polluted areas show more evidence of expiratory obstructive airway disease than those in nonpolluted areas. Other British data suggest a link between pollutants and atherogenesis. And by most cardiopulmonary criteria, country folk are better off than their city cousins—though nowadays there is dirty air even in the wide open spaces, and when MWN looked for a pink adult country lung to put on the cover, the specimens from rural nonsmokers turned out to be largely black.

Air pollution's most dramatic effects have been the "killer smogs" produced by a combination of hot weather, moisture, pollutants, and atmospheric inversion. These have occurred in the Meuse Valley of Belgium in 1930, in Donora, Pa., in 1948, in London in 1952 and 1962, and in New York City in 1953, 1962, and 1966. In London, where 4,000 "excess deaths" were recorded in the 1952 episode, widespread acute illness was noted within 12 hours after the fog began. Hospital admissions for acute respiratory diseases were higher than normal, as were admissions for heart disease. Mortality rates increased in all age groups, with the highest increments among infants under one year old and adults above age 45.

Donora reported 17 deaths. Normally, two deaths would have been expected in an equivalent period. What's more, 5,910 persons—nearly half the population—took ill with cardiorespiratory and gastrointestinal symptoms. In the "Thanksgiving smog" of 1966, New York reported 168 deaths related to the three-day temperature inversion and high concentration of pollutants.

The degree to which air pollution was involved in these "excess deaths" is still being debated. Many of the victims had pre-existing respiratory or cardiovascular disease and faced limited longevity at best. "But we cannot toss off the problem by saying that these people would have died anyway," replies Dr. Carnow. "We at least owe such chronically ill the right to be comfortable. Remember, too, that a significant number of these deaths were children."

How pollutants cause these reactions is only partially known. Various types of particulates, liquid droplets, and gases cause bronchoconstriction with immediate discomfort to the subject. Pollutants can overcome the protective mucociliary lining of the tracheobronchial tree and form deposits in the lung, paralyzing cilia and increasing mucus production. They may combine adversely with the surfactant of the alveoli. Some investigators also suspect that at the molecular level, pollutants may block enzyme processes and alter the normal metabolism of substrates.

And in addition to their adverse effects on people, pollutants in the air damage vegetation, crops, livestock, clothing, home furnishings, metals, masonry, and paint. Recently headstones in the cemetery of Trinity Church in New York City were treated with a substance to prevent corrosion by sulfur dioxide. "Air pollution gets you even after you're dead," one onlooker remarked. To families living in the city, the average annual cost of air pollution is estimated at $850, including time lost from work.

Can physicians cope with this health-impairing aspect of mankind's twentieth-century environment? So far, not many are trying. "We shouldn't wait until we know every last effect of pollution on health before acting," insists Dr. Carnow. "I tell the technologists: This is the problem—solve it. If they tell me they can't, I instruct some of my patients to move out of Chicago. We can't be practical about health or people dying."

"We know what pollution levels are harmful," adds Berkeley's Dr. Goldsmith. "We know enough to begin."

Indicting air pollutants as causative agents in human disease is only part of the problem. Another part is communicating the already-known medical information to engineers, industrialists, politicians, and the public. This is a job for physicians.

Asked if medical societies have been behind antipollution efforts in the Chicago area, Dr. Carnow replied quickly, "They haven't been active at all." In this and other matters of environmental hazards, medicine has been delinquent, he claims.

He is not alone in his complaint. James T. Reilly, a New York consultant to municipalities in the financing of pollution control programs, says: "Sure, I see a few physicians involved locally, but none of them are carrying banners. So far, the problem is being handled by politicians and engineers, and they need the doctors' help."

"Too damn few doctors are available to tell us what pollutants do to people," adds William J. Stanley, director of Chicago's Air Pollution Control Department. Physicians like Dr. Carnow feel they would have more chance of success with public agencies if they had more muscle from organized medicine.

The AMA's record has been mixed. Through its Council on Environmental Health, headed by Dr. John S. Chapman of Dallas, it has created a prestigious forum for intra- and interprofessional exchange of information. Berkeley's Dr. Goldsmith believes the AMA has shown "excellent responsiveness, scientifically and legislatively," to the threat of pollution. Its House of Delegates has given formal support to control of pollutants. But the AMA's lobbying and public relations forces, marshaled noisily and expensively for other wars, have whipped up no public campaign to counteract the exploitation and soiling of the environment.

"The AMA can only recommend that component societies take an active role," says Frank W. Barton, director of the AMA's Department of Environmental Health, which does the staff work for the council. Brandishing a packet of printed material, he declared that the department tries to help by keeping the medical societies informed. Among the items forwarded to every state and county society is the *Physician's Guide to Air Pollution*, which urges medical societies to become active in community and regional control programs, to collect epidemiologic data, and to "rally constructive support from all interested publics involved."

Consultant Reilly puts it this way: "People will listen to their community doctors. These men have a lot of respect and their opinions carry a lot of weight. I don't think we'll really get moving on pollution control until medical groups become outraged at what is happening."

A few have, of course. In California, the State Medical Society, the Los Angeles County Medical Society, the Santa Clara County Medical Society, and others have long been involved in pushing state and local programs to control LA's infamous air pollution. Through their efforts, legislation has been passed regulating fuel oil composition, controlling automobile exhaust, and establishing air quality standards. Physicians have been behind similar legislative efforts in Michigan, New York, Alabama, Tennessee, and Maryland. Still, less than half the states in the Union have instituted even the most rudimentary pollution control programs.

Air pollution is at once local, regional, and universal. Raking leaves in your yard doesn't do much good unless your neighbors rake, too. Likewise, local pollution control is apt to have limited effect. But efforts to initiate regional control can become a brier patch of conflicting political jurisdictions, jealousies, disputes of authority, and plain inertia. The anachronistic structure of town, township, county, and state government cannot handle regional pollution.

Physicians are likely to be put off by the time-consuming wrangling. "I tried to take part in a local committee on air pollution," reports one allergist in Springfield, Ill. "I

attended planning sessions, public hearings, county board meetings. All I found were plant owners and politicians blaming one another for the pollution. It was appalling and a waste of time."

In view of the need for regional control and the improbability of voluntary regional action ever being taken, the federal government's Air Quality Act of 1967 appears to make some sense, though it leaves much room for delay. The spirit is one of assistance to the states, with the provisions for federal enforcement underplayed. The government provides financial aid in return for the states' cleaning their own air. "We see very little reason why the states would not comply," says Charles C. Johnson Jr., administrator of the Consumer Protection and Environmental Health Service of HEW.

The law calls on HEW to designate "air quality regions." Thus far, there are 13—the metropolitan areas of Washington, D.C.; New York, Philadelphia, Boston, Chicago, Cincinnati, St. Louis, Cleveland, Denver, Buffalo, San Francisco, Pittsburgh, and Los Angeles. By next summer, the department expects to have specified a total of 57 such regions, encompassing at least a portion of all 50 states. All states thus far designated have registered their intent to comply, Johnson is pleased to point out. But even in those states, according to one HEW spokesman, "implementation is a long way off yet."

At the same time, HEW is required to publish air quality criteria, stating the known effects of a pollutant or group of pollutants, and it is on these criteria that states are required to base their air quality standards. Two such documents—on sulfuroxides and particulate matter—have been published to date. Others will cover carbon monoxide, nitrogen oxides, photoreactive compounds, and lead and fluorides.

For their part, the designated states have three months to file notice of intent to establish standards, six months to hold public hearings and complete the setting of standards, and another six months to develop implementation plans. The final plans, along with a timetable for implementation and a plan for meeting an air pollution emergency, must be submitted to HEW for review.

If a state fails in its obligation, the federal government is required, "not just permitted, required," stresses Johnson, "to move in and set standards—to do what the state should have done."

The "crucial phase of the act's implementation," according to Dr. John T. Middleton, commissioner of the National Air Pollution Control Administration, is the public hearings required of each state as part of its standard-setting process. Dr. Middleton has insisted repeatedly that states publicize their hearings so that "all segments of the community can be heard." No federal official would put it this way, but without large-scale publicity the air quality hearings could become mutual back-scratching sessions between government, industry, and utilities. The AMA and HEW are urging medical organizations to use the public hearings to see that the health of the community is the prime consideration in the setting of standards.

"Presenting a united medical front to local officials can be very effective," says internist Goldsmith. But speaking before the AMA Air Pollution Medical Research Conference, he questioned whether "most medical societies know which are the priority goals for their local control programs," and whether "most of the air pollution control programs know what are the major air quality-related complaints of patients to their physicians."

Once a society is involved, the physicians may properly seek regulations that go beyond rigorous scientific proof, Dr. Goldsmith believes. As an example, he cites an ordinance which requires that schoolchildren skip periods of outdoor recreation when pollution is high. "One may not be able to support such a restriction scientifically, but you have to admit it's a sound idea," he says.

And the physician may well be a polluter himself. According to an editorial in *Massachusetts Physician:* "The time has come when even you as a single individual must give second thought to the air pollution problem. If you contribute toward it through a poorly burning home heating system or by driving a car which unnecessarily discharges fumes, by burning leaves, garden debris, household trash, you must realize that your actions are causing pollution. Remember that every bit of contamination pitched up into the atmosphere will surely return—often to our sorrow."

All physicians—concerned and unconcerned alike—breathe the same air. Annually, the nation's air contains an estimated 143 million tons of pollutants.

In the atmosphere the substances, listed in the box on page 22, mix and react, influenced by solar radiation, conduction, convection, wind, temperature, and moisture, to form a confounding array of pollutants. In combination, they have a far greater potential for causing bronchopulmonary morbidity than any single substance acting alone. And some investigators fear the atmosphere incest may be creating combinations that are not even known.

The omnipresence and diversity of pollutants caused Dr. Barry Commoner, Washington University's eminent cell physiologist turned environmental biologist, to remark: "The new technological man carries strontium-90 in his bones, iodine-131 in his thyroid, DDT in his fat, and asbestos in his lungs." To the latter, of course, he could have added several score of substances which are largely the result of energy conversion processes—for transportation, electrical generation, manufacturing, and space heating. The by-products of these processes are part of the whole issue of the terrestrial ecology now unbalanced by a single species currently widespread on the planet—the perhaps misnamed *Homo sapiens*.

Two factors—increasing population and increasing urbanization—are widening the imbalance. In the U.S. alone, the population is expected to reach 338 million by the turn of the millennium, just over three decades from now.

Even assuming that Earth's resources (natural and recycled) can meet the demands of increasing population, planners are asking if the by-products can be managed so that people can enjoy a livable environment. Dr. Middleton points to the "very real danger that the progress we make through application of control technology will be outstripped by the sheer growth of the air pollution problem." Numbers alone could cancel out any technologic gains in the control of pollutants.

The technology for control of air pollution exists right now. Generally it can be invoked by (1) altering the composition of fuel, (2) altering the mechanics of combustion, (3) removing the by-products by mechanical or biochemical means before emission, or (4) stopping the process temporarily or permanently.

But control agencies, short of personnel and punch, are finding it difficult to enforce those antipollution regulations that are already on the books. Besides, combating pollution means running head-on into public utilities, large industries, and even the municipal agencies themselves—something that elected officials and job holders don't relish. The vested interests, on the other hand, can frequently secure "extensions" of compliance deadlines or "deferred enforcement" of pollution reduction programs. And for a corporation of any size, the small fines levied so far seldom make a dent in one day's profit.

Consultant Reilly claims that "any problem can be solved with money invested in the proper way. If you don't believe that," he adds, "look at the moon landing. Fantastic!" So far, at least, Americans believe that continuing the war in Vietnam, the space program, and producing excessive military weapons are more important than preservation of the natural environment and of human health. This may change, but it probably won't unless physicians play a leading role in changing public opinion.

Meanwhile, someone has to treat the illnesses of the "new technological man" in his new environment. Speaking as an engineer, Pollution Control Director Stanley says: "We need a new kind of doctor, an environmentalist or super general practitioner who can evaluate the total environment and its effect on human beings. As an ideal example, look at the space program in which a total environment has to be designed, manufactured, lived in, and evalulated. The doctors did a beautiful job. More than that, they were part of a group effort with engineers, physicists, chemists, meteorologists—everybody." He foresees "a doctor who can interpret the effects of human beings living in the microecology of the city—an environment of high-people density and high-energy usage. I'm no medic," he adds, "but this seems to be a tremendous challenge for the young doctor." He has sensed a change in emphasis that is currently being debated in medicine itself.

Dr. Carnow puts it another way: "Medicine has been preoccupied with biologic factors. We're just now beginning to realize that physical, chemical, nutritional, and other environmental factors have a major involvement in disease. After all, the major causes of death today are not biologic in origin. Medicine has to tell politicians, engineers, and scientists the consequences of their actions."

Implications of this shift are cropping up throughout the profession. The University of Texas Medical School at San Antonio has a "human ecology" program which requires that each first-year student spend about 60 hours working with various community social agencies. A Ph.D.-level program for the "environmentalist" is being carried on at the University of California in Berkeley. "Environtology" will help fill the void "which traditional public health has not filled satisfactorily," according to the school. At the University of Illinois, Dr. Carnow has medical students working on noise, air, and industrial pollution and hopes to set up an environmental medicine division within the department of preventive medicine.

A new emphasis is also being sought in medical societies. At the recent American College of Cardiology meeting, the "new breed of doctor" was also called for by William B. Kannel, medical director of the Framingham, Mass., study (MWN, April 11). "He will know that he must learn how to work with environmental specialists—the men who legislate mandatory smallpox vaccinations, build good sewers, and add vitamins to their milk—not just with other doctors."

Whether physicians can cope with dirty air and the other health-reducing features of mankind's new environment is only part of the problem. The larger question is whether people can cope with the new environment, which has come far too explosively for the generations to adjust. The physician may understand the interrelationship of environment and health thoroughly, but his judgment and caution may often run counter to the desires of formidable organizations of technologists, archaic political institutions, entrenched vested interests, and public apathy. Maybe the new environment is not made for people.

THE POISONS WE BREATHE EVERY DAY

Sulfur oxides. Produced mainly by combustion of fuels. Form sulfurous acid, which joins easily with oxygen to become sulfuric

acid. By another route, sulfur dioxide cohabits with oxygen to become sulfur trioxide, which can build up, react with water vapor, and become sulfuric acid.

Carbon. Also emitted from fuel combustion, soot is one of the few pollutants that calls the eye's attention to the air pollution problem as it covers a snowfall, forms deposits on windowsills, and eats into porcelain. Besides being unsightly, soot can carry carcinogenic hydrocarbons beyond the lung's mucociliary lining.

Carbon monoxide. Reaches the highest relative concentrations of any gaseous pollutant in the urban atmosphere. Carbon monoxide levels in the blood of drivers involved in accidents are being studied.

Carbon dioxide. Admits radiant heat from the sun and keeps convection heat close to the surface—the so-called greenhouse effect. At the present rate of increase of natural carbon in the earth's atmosphere (estimated at six billion tons per year), Lord Ritchie-Calder suggests that the mean annual temperature of the earth "might increase by 5.8°F in the next 40 to 50 years.

Hydrocarbons. Found in petroleum, natural gas, and coal. Two groups, olefins and aromatics, are important contributors to air pollution. One aromatic, benzo(a)pyrene, is a carcinogen in lab animals.

Nitrogen oxides. Free nitrogen comprises 78% of the natural atmosphere, but two "unnatural" compounds of nitrogen, the oxides—nitric oxide and nitrogen dioxide—are considered pollutants. Among the hazards: pollution of surface waters, with disruption of their self-purification mechanism, and potential toxicity to human beings through ingestion of nitrates, their conversion to nitrites by intestinal bacteria, and the consequent methemoglobinemia.

Miscellaneous pollutants. Fluorides, oxidants, ozone, peroxyacetylnitrate, aldehydes, lead, beryllium, arsenic, asbestos, plus pesticides, fungicides, and herbicides containing varying amounts of kerosene, sulfur, copper sulfate, cyanide.

THE PETROLEUM SITUATION

Mr. HANSEN. Mr. President, I call the attention of the Senate to an article published in the July issue of the Chase Manhattan Bank publication entitled the Petroleum Situation.

The article calls attention to the fact that the United States is gradually losing its ability to meet the petroleum needs of this Nation. The loss of our self-sufficiency over the past decade is reflected in the fact that the United States now relies upon imports for nearly one-fourth of its needs. At the same time the situation in areas of the world traditionally relied upon by the United States to supply its foreign oil has deteriorated to the point where the United States cannot realistically rely on these areas to supply a large percentage of our oil needs.

The points raised in the article should seriously be considered by the Members of this body before we take action to eliminate provisions of the law which have been used to provide the incentive and ability to spend the capital necessary to maintain a healthy domestic petroleum industry and meet the needs of the American public for this vital energy resource.

Mr. President, I ask unanimous consent to have printed in the RECORD the article entitled "Can't We Ever Learn?" published in the Petroleum Situation.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAN'T WE EVER LEARN?

Last year the United States consumed 50 percent more oil than the domestic petroleum industry added to its proved reserves. It was not the first time the industry has been unable to keep pace with the nation's growing needs. Indeed, 1968 was the ninth consecutive year in which reserve additions of crude oil and other petroleum liquids were below the level of consumption. For the entire nine year period, the new reserves represented little more than four-fifths of the accumulated consumption in that time.

Ideally, the new reserves added each year should not only match consumption but should exceed it. Proved reserves are in the nature of underground inventories. And, as such, they should expand in reasonable proportion to the growth of market demand—if the market's needs are to be fully and continuously accommodated. If that goal had been achieved over the past nine years, the petroleum industry would have had to find 1.4 barrels of proved reserves for each barrel consumed instead of the 0.8 barrel it actually did find. In other words, it should have discovered a total of 51 billion barrels in the nine year period—two-thirds more than the 30 billion actually found.

It is not absolutely essential, of course, that the ideal situation be achieved. To a degree, the nation's domestic reserves can be supplemented with oil imported from foreign sources. And the United States now relies upon imports for nearly one-fourth of its needs. But the nation would incur a very grave risk indeed if it became heavily dependent upon outside sources. As the record forcefully demonstrates, reason does not prevail throughout the world. And there is no real assurance that oil from abroad would be continuously and fully available. The economy of the United States is much too dependent upon oil to tolerate an inadequate supply. And in the unfortunate event of another international war the nation's position would be perilous if it had to rely upon a high proportion of imported oil. Prudence and common sense, therefore, require that the nation remain largely self-sufficient.

But it won't be for much longer, if the trend of the past nine years continues. By 1980, the annual consumption of oil products in the United States is expected to reach 19 million barrels per day—nearly 50 percent more than 13 million a day consumed in 1968. Between 1968 and 1980, the accumulated consumption is expected to amount to 70 billion barrels. If the United States is to maintain a minimum safe inventory of proved reserves and not become more dependent upon outside sources than it now is—obviously a desirable goal from the standpoint of the nation's well-being—the domestic petroleum industry will need to find and develop a total of 87 billion barrels between 1968 and 1980. Against that requirement, the recently reported discoveries in Alaska do not loom large—and we should be mindful that they are not yet in the category of proved reserves.

To find such a tremendous amount of oil will require an equally enormous capital expenditure. For the past two decades there has been a consistent relationship between the amount of money spent in the search for oil and natural gas and the proved reserves actually found. And if this relationship continues, the petroleum industry will need to spend approximately 116 billion dollars to find and develop 87 billion barrels of oil. That would necessitate an average outlay of 9.7 billion dollars a year between 1968 and 1980—well over twice as much as the industry has been spending in recent years.

In the past nine years—the period during which domestic reserve additions were less than consumption—the petroleum industry spent as much as 40 billion dollars trying to find and develop new sources of petroleum in the United States. By any standard, that was a huge financial effort. But, obviously, it was not enough. To have found sufficient oil to match market needs and maintain a satisfactory level of proved reserves, a capital expenditure of about 68 billion dollars would have been required—70 percent more than was actually spent. Why—if there was a need—did the industry fail to spend that much? The answer hinges primarily upon two factors: (1) the incentive to spend, and (2) the ability to spend.

Insofar as the search for oil and natural gas in the United States is concerned, the petroleum industry may be divided into two basic groups—the major companies and the independent producers. For a decade following World War II, both groups spent nearly identical amounts of money. And they both increased their levels of spending year after year, keeping pace with market expansion. By the mid-fifties, each group was spending approximately 2.5 billion dollars a year—more than three times as much as they were a decade earlier. But since that time, their pattern of capital spending has changed to a marked degree. The major companies have sharply curtailed the rate of growth of their expenditures. And the independent producers have progressively reduced their annual outlay. Currently, the independents are spending only half as much as they were a dozen years ago.

These developments provide clear evidence of damage to the incentive to spend. Obviously, if the rate of return on their investment had been more attractive relative to other investment opportunities both groups would have spent more than they did in their search for additional domestic reserves of oil and natural gas.

But neither group had financial resources sufficient to support a fully adequate expenditure. The petroleum industry is far more capital intensive than most others. And the scope of its activities creates vast capital needs. It is also an industry whose operations involve a substantially higher degree of risk than most others. And, for that reason, it has had to generate most of the funds for its capital and other financial requirements from its operations. Historically, about 45 percent of the money needed has been derived from net earnings, another 45 percent from the various provisions for capital recovery, and only 10 percent from the capital markets. But in recent years the industry has been unable to generate enough from operations and has had to depend much more heavily upon borrowed capital. Currently, its use of borrowed funds is well over twice as large as the historical proportion. Had the industry chosen to spend all the money required to maintain a satisfactory level of proved reserves over the past nine years, it would have been forced to borrow far more than it actually did. And we must be mindful, of course, that all borrowed capital eventually must be repaid with funds generated from operations.

Clearly, the availability of sufficient petroleum from domestic sources is vital to the welfare of the United States. And, obviously, if the petroleum industry is to satisfy the nation's needs and also maintain a safe margin of proved reserves, it must have enough capital to perform that function. It must also have sufficient incentive to use its capital for that purpose. In the face of these demonstrated needs, it would be logical to think that nothing would be done to prevent the industry from accomplishing its essential purpose. Yet, incredible as it may seem, obstacles are indeed placed in the industry's way.

For the last decade and a half, the industry's generation of capital funds has been severely limited by governmental regulation of the price of natural gas. Carried on without sufficient regard for economic and competitive circumstances, the regulation forces the industry to accept a price for gas that is much too low. Since various oil products must compete in the market with the low priced gas, their prices are indirectly affected

also by the regulation. These circumstances limited both the generation of capital and the incentive to invest the funds that actually were available. Significantly, the cutback of capital spending devoted to the search for new oil and gas reserves was initated shortly after the imposition of the price control. And, as a result, the nation is now faced with a shortage of both oil and natural gas. How, we might wonder, could anyone ever have believed the United States could continue to have adequate supplies of oil and natural gas, if the petroleum industry were denied sufficient funds to search for them? Yet, that denial has persisted, despite repeated warnings of the consequences.

And there exists today a situation that demonstrates further how poorly the lesson has been learned. As noted earlier, the petroleum industry derives a large proportion of its capital funds from the various provisions for capital recovery. Together, amortization, depreciation, depletion, etc. rank equally with net income as a source of capital. Until recently, they satisfied as much as 45 percent of the industry's over-all financial needs. All private industries, of course, have provisions for capital recovery—otherwise, they could not survive. But they all do not have the same provisions. A factory or a piece of machinery can be depreciated over its lifetime. And when they are worn out, they can be replaced. But when oil and natural gas have been extracted from the earth and consumed they cannot be replaced—new sources must be found instead. And that can be an exceedingly costly and risky undertaking. The record abundantly demonstrates that vast sums of money can be spent without any oil or gas being found. Since, in fact, the production of oil and gas represents a depletion of its capital assets, the petroleum industry is permitted by law to recover a portion of this capital by means of a depletion allowance.

This procedure, however, has been subjected to increasing attack. And there are mounting demands that the allowance be reduced or eliminated. Some of the attacks obviously are politically motivated. But there is also criticism that reflects a lack of understanding of the true role played by the depletion allowance. There is a failure to recognize that the allowance applies only to revenue generated by the industry's successful producing properties—and the benefits derived do not offset the large sums spent on the search for petroleum that proves unsuccessful. Most often, the allowance is labeled by its critics as a tax loophole—conveying the impression that the money thus obtained is utilized for some nonessential purpose. But regardless of what its detractors choose to call it, the depletion allowance is today what it always has been—a source of capital. And if that source is reduced or eliminated, it must be replaced by another.

There is only one practical alternate source. If, for example, the industry's generation of capital funds were reduced 10 percent by a change in the depletion allowance, net income would have to be increased by an equal amount. And that could be achieved only with an increase in gross revenue—which, of course, would necessitate higher prices for petroleum products. Thus, a cut in the depletion allowance would, for all practical purposes, be the equivalent of a tax increase to consumers. And, as such, it would carry all the inflationary force of any other rise in their costs.

Clearly, a reduction in the depletion allowance—or any of the other provisions for capital recovery—would not be in the best interests of the United States. The nation's dependence upon petroleum, its tremendous needs, the vast amount of capital required by the petroleum industry to satisfy those needs, the industry's decreasing ability to generate enough capital and mounting dependence upon borrowed funds, and the developing shortage of both oil and natural gas are all reasons why such an action would be ill advised. Rather than inhibit the generation of capital and thereby discourage its use, the interests of the United States would be far better served by positive actions designed to achieve the opposite results. If we are to have enough oil and gas, we have to pay enough for them—and there simply is no other way. Why is that elementary fact so difficult to understand?

RECREATIONAL OPPORTUNITIES AROUND THE AMISTAD RESERVOIR

Mr. YARBOROUGH. Mr. President, I recently introduced a bill, S. 2627, to create a national recreation area on the lake now filling behind the Amistad Dam on the Rio Grande near Del Rio, Tex.

As I said when I introduced the bill, it is estimated that more than 2 million people would visit such a recreation area by 1972. Within a 250 mile radius of this site over 2⅓ million people make their homes. On December 3, 1966, President Johnson said at the dam construction site:

Looking into the future—we will see millions of farmers and townspeople on both sides of this great river enjoying the protection which this great dam will afford and the resources and recreatiton which this great lake will provide.

On September 8, 1969, President Nixon and President Diaz Ordaz of Mexico will dedicate the Amistad Dam. I am honored by the President's invitation to accompany him to this ceremony.

Although the lake behind the Amistad Dam has been filling for only a year now, it already covers some 40 square miles. It will grow even larger and will eventually be more extensive than even the Falcon Reservoir, located further down the Rio Grande.

I have been seeking the approval of an Amistad national recreation area since June 21, 1965, when I introduced S. 2168 in the 89th Congress. In August 1966, the Department of the Interior issued a formal report endorsing the project. I hope that this year Congress will see fit to enact it into law.

The San Antonio Light recently published an excellent article about the outstanding recreational opportunities which this lake will afford. The article makes clear the need for passage of my bill.

Mr. President, I ask unanimous consent that the article entitled "Area To Be One of Most Spectacular Recreation Sites in State," published in the San Antonio Light of August 11, 1969, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AREA TO BE ONE OF MOST SPECTACULAR RECREATION SITES IN STATE

(By Susan Bauernfeind)

If you got it (a boat), float it!

Or, to put it another way, "Go West, young man."

West is Del Rio. West also is Amistad Dam. And reservoir. And lake.

In the West, Del Rio area, is rising one of the most spectacular recreation sites ever to hit the shores of Texas.

Prior to the building of the Amistad Dam, the banks of the muddy Rio Grande that divide Del Rio from its sister Mexican city, Ciudad Acuna, could hardly have been called shores.

Today, with the lake approximately one-third full and gentle cactus-covered hills quickly disappearing under cool, clear water, the reservoir has all the dignity of a full-fledged lake—with shores.

The fact that gentle hills are still in the process of being submerged doesn't mean the lake is shallow, or small or, muddy.

At the dam site, the water currently measures 164 feet. In other places, it may be 70, 80, or 50 feet deep.

Waters, impounded for just a little over a year, already cover about 40-square miles. Near the dam is the confluence of the Rio Grande and the Devil's River, now running tributaries under the lake.

Further upstream are the Pecos and Conchos Rivers being the principal source of the water now in the lake.

It is rare in this country of water pollution that man is given a new chance with a brand new body of water. This is the case with Amistad. Its water is pure and an enlightened nation and determined National Park Service are going to keep it that way.

Currently, the National Park Service, under an interim agreement with the International Boundary and Water Commission, has responsibility for the reservoir and its surrounding areas.

Bills have been introduced by Sen. Ralph W. Yarborough and Congressman O. C. Fisher to make the arrangement permanent. "Chances are favorable," it will pass, Fisher said.

BEING STUDIED

The House bill is being studied by the Department of the Interior and the Bureau of the Budget. The State Department already has given its stamp of approval.

"Amistad," said Fisher, "is going to be one of the most attractive recreation areas in the United States."

Those who have been there know the potential of the area. They also know that even with only a fraction of the planned development completed, it is the place to be now.

Vacationers, who in the past hauled their boats to other parts of Texas, are heading West this summer and sliding their crafts into Amistad off one of the two completed 1,600-foot ramps.

It's a strange sight to many Del Rioans who remember the days when a boat hitch on a car was a rarity in that area.

What is really strange, though, is standing on a cactus-covered hill, surrounded by more rocky, desert hills, and gazing onto a sun-glittered lake, there for the taking.

It nearly approaches sensations of a mirage.

But, mirage it is not. Amistad and Del Rio have, right now all that it takes to make a vacation fun and full.

TWO PUMPS

At this lake itself, there are the two immense boat ramps where several hundred craft are being launched each weekend.

One is located at Diablo East, adjacent to the new U.S. Highway 90 bridge over Devil's River, and about 10 miles west of Del Rio.

The second is at Rough Canyon, up the Devil's River arm and about 22 miles from Del Rio.

While the road to Diablo East is paved right to the water's edge, the one at Rough Canyon is not. Still, numerous visitors make the trip over the 7.2 miles of dirt road to get to the ramp.

At both sites there are primitive camping grounds with picnic tables, water, and garbage and waste disposal units. A few hundred feet down, there is a concession-operated shop selling fishing equipment, marina gas and oil, snacks and drinks and anything else needed for a day's outing on the lake.

(Non-out-doorsmen will find plenty of sleeping and eating accommodations in the town of Del Rio and on the road leading out to the dam.)

RENTS BOATS

The concession also rents outboard motor boats at a cost of $17 per 24-hour period, and sailboats for a lesser amount.

For those who plan to stay a long time, boat slips at a per-foot rate are available in the harbors.

Just recently added at Diablo East was a 40' by 60' floating fuel dock. Another will be installed later at Rough Canyon.

No swimming beaches as such have been set aside by the park service. However, as the rangers explain, there is plenty of good swimming off boats and many of the small islands (actually the tops of submerged hills) will provide quite good, though somewhat rocky, beaches.

Fishing has been average with promise of excellent catches to come.

The Texas Parks and Wildlife Service, in coordination with federal entries, has stocked the lake with close to four million channel cat and large mouth bass with 100 croppies, North American sunfish, thrown in for good measure.

Some of the hottest summer weather in the country comes out of West Texas. Temperatures in the 100-degree-plus range are not unusual. However, the heat is dry and breezes off the lake will cool those visiting boaters and fishermen not used to it.

MANY BELIEVE

Many believe the ever-expanding lake eventually will bring the climate to a more moderate level.

Here is a picture of what Amistad will be a few years from now. The National Park Service has a five-year development program at a projected cost of $14 million.

"The park service will be developing the sites as fast as they can," Frederick V. Vest, a chief ranger, said. Superintendent of parks for the National Parks Board at the lake is Coleman Newman.

A total of six sites are in the plans, encompassing some 3,600 acres. The remaining 61,400 acres, including the water surface acreage, of the national park land will remain undeveloped, public and unspoiled.

Planned for Diablo East, specifically, are an 18-hole golf course, a 550-unit campground, an olympic-size pool, dry storage for 400 boats, a 150-unit motel, a 40-site walk-in campground, picnic shelters and the headquarters buildings of the park service.

Other sites will be developed according to location and size, and with any luck at all, much of the development should be well on its way by 1972.

SAFETY FIRST

One special program the park service has in mind is "environmental education," trips to some of the ancient Indian pictographs located in caves that will be accessible by boat, campfire sessions devoted to the area's flora and fauna, and historical and nature trail trips.

Above all, special emphasis will be put on safety. Since the reservoir is considered "navigable," U.S. Coast Guard boating regulations apply.

Park service rangers patrolling on the lake spot check boats for safety equipment and keep a close watch for boaters who might be in trouble.

Not a single life has been lost in a boating accident.

At the moment, and likely to continue, a "no fee" system exists for usage of all national park facilities. Controlled prices are and will be in effect at concession-operated facilities.

"In other words," said Vest, "if you live in San Antonio or anywhere, and you want to come down for a weekend camping trip on the lake, and if you have your own boat and facilities, you can come in, launch your boat, park your trailer, go up the lake, camp on shore, load your boat and leave, and it won't cost you a cent."

DEATH OF HO CHI MINH AND A CEASE-FIRE IN VIETNAM

Mr. NELSON. Mr. President, the death of President Ho Chi Minh has signaled the call by the North Vietnamese for a 3-day truce in the Vietnam war while the North Vietnamese mourn their leader.

It seems to me that this is an excellent opportunity for the President of the United States to call for a total cease-fire to stop the senseless waste of human lives in a war that measures victories on the basis of body counts. It has been a war of no strategic victories with troops fighting up and down hills and in and out of swamps and rice paddies with a continuous loss of lives—and no end is in sight.

Americans, South Vietnamese, and North Vietnamese men are being killed in staggering totals. From January 1, 1961, to August 30, 1969, some 38,313 Americans were killed and 244,592 wounded. On the other side, it has been estimated that more than 500,000 men have died with countless others wounded. In the last week alone, 185 American boys died in combat and more than 1,000 were wounded.

There is no rational reason to perpetuate this senseless loss of human lives for some vague goals yet to be spelled out to the American people. We should take steps immediately to take advantage of this new opportunity for peace during the 3-day truce and call for an indefinite cease-fire to give both sides the opportunity to seriously talk peace.

It should be made clear to our commanders in the field that we will observe the truce and that American troops will not provoke incidents and will not fire unless fired upon.

Concerned Americans have been calling for an end to this senseless war. We have missed countless opportunities for peace in the past. We cannot afford to allow this new opportunity to pass.

In addition to all the human tragedy this war has brought to everyone involved, it has also threatened the economic stability of this country and twisted the national priorities. A war that is costing nearly $30 billion this year has raised taxes and decreased the value of the purchasing dollar. Solution of our economic crisis is not to be found in the cutting back of our public works programs, halting of spending for new schools and highways, continuing the surtax and limiting such vital domestic programs as those that deal with the urban crisis, pollution, poverty, hunger, and education. The answer is in stopping the war.

In 1965, I opposed increasing our military commitment in South Vietnam and voted against the appropriations bill. Early last year I proposed a three-point plan to end the war. It included total ceasefire free elections, and withdrawal of troops.

I said then that we should propose that there be no further troop movements and that neither would seek strategic advantage through the occupation of additional territory. There should be international supervision of the cease-fire, both on the ground and in the air.

This would stop the fighting and the killing and prevent any further escalation of the war. It would create a climate for constructive negotiations.

Second, we should propose self-determination for the South Vietnamese through the ballot box.

Elections should be held over a period of time, province by province. We should agree on the first province, and then propose that our troops withdraw from that province and the Vietcong stop its insurgency there. The elections should be supervised by the United Nations or other acceptable international authority.

Whoever wins the election should govern that province. Over a period of a year or so, we could have elections in each province. Then there should be a national election.

Finally, North Vietnam and the United States should agree upon a date for complete withdrawal of all their combat troops, with the peace indefinitely supervised by international authority.

This is a fair proposal that no country in the world could legitimately quarrel about.

It makes it clear that we favor self-determination, and it ultimately turns the control of the country over to the Vietnamese where it belongs.

THE SCHWEIKER AMENDMENT ADVANCES CONGRESSIONAL OVERSIGHT OF DEFENSE CONTRACTS

Mr. MATHIAS. Mr. President, I was pleased to join the junior Senator from Pennsylvania (Mr. SCHWEIKER), as a cosponsor of his amendment to require periodic GAO audits of major defense contracts. As the Baltimore Sun noted, Senate adoption of this amendment expressed the conviction that—

> Congress must assert its own authority—indeed, its responsibility—in the making of defense policy and in the supervision of defense spending.

More effective oversight of defense spending, as the Schweiker amendment would provide, is essential to any broad review of our budgetary commitments and national priorities. The sense of congressional initiative and self-assertion so evident in our debates this year is, in my judgment, very healthy and constructve.

I believe the Senator from Pennsylvania merits our congratulations for the hard work which secured approval of this important amendment. His efforts on this project, on reform of the draft, and on other fronts show that he has the perception and energy to make great contributions to the Senate and the Nation.

I ask unanimous consent that the editorial published in the Baltimore Sun on August 9, 1969, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DEFENSE CONTROLS

The approval by the Senate of a defense bill amendment which would make major military contracts subject to audit by the General Accounting Office, an agency of Congress, must be considered as part of the ABM

debate. It adds up to a declaration by a substantial number of senators—drawn from both political parties—that from now on a tighter congressional control will be applied to military spending. In the case of the ABM, 50 senators voted against the Safeguard deployment plan of the Nixon administration. The administration was upheld in the Safeguard case, but it should be noted that the President had himself modified the ABM plan of the Johnson administration and that the administration victory in the Senate was by the narrowest possible margin.

The long debate and the close vote on the ABM were significant moves in the relationship between the President and Congress; for the first time since the end of World War II a branch of Congress had thoroughly debated and only narrowly approved an important new military program. Up until now, speedy congressional approval of comparable programs had been taken for granted.

The amendment calling for GAO audits of big military contracts was sponsored by Senator Schweiker (R., Pa.), one of the group of new Republicans who had voted against Mr. Nixon on the ABM. Mr. Schweiker's amendment was approved by a vote of 47–46. It indicated the feeling, expressed by opponents of the ABM, that Congress must assert its own authority—indeed, its responsibility—in the making of defense policy and in the supervision of defense spending. This is as it should be.

EDUCATION—THE PRIME NEED OF SPANISH-SPEAKING AMERICANS

Mr. YARBOROUGH. Mr. President, as Congress reconvenes, one of its legislative priorities is Senate action on appropriations for education. This makes it an appropriate time to make available to Senators a thought-provoking article entitled "Education Called Biggest Problem of Poor Chicano" written by Richard Beene of the Associated Press and published in the Houston Chronicle of August 17, 1969.

For the American child of Spanish-speaking heritage, the language difference that prevents him from absorbing the education of which he is capable is the least justified of all the differences that have held back this group of Americans from their rightful gains in American society. There is no justification for the figures showing that nationally, Mexican-Americans have an average school education of 8 years, compared to 12 years for Anglo-Americans. The figure compiled in Texas by the Texas Education Agency shows that children of Mexican-American background in Texas stay in school only 4.6 years, compared to 11.5 years for children of Anglo background. By every measure, the language barrier is the largest single factor in this high dropout rate.

Congress took the first step to attack this education deficiency when it adopted my Bilingual Education Act in 1967. Under that act, we authorized $40 million to be spent in fiscal year 1970 so local school districts can teach these children in a language they already understand, as well as in English. The budget before us asks for only $10 million for the program.

This ably written article describing the problems of this group of Americans, is an eloquent case for full funding of bilingual education. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EDUCATION CALLED BIGGEST PROBLEM OF POOR CHICANO

(By Richard Beene)

Lupe Chavez squinted in the New Mexico sun at the dirt road, stagnant drainage ditch and ramshackle homes that she and her children know so well.

A breeze came to life. Puffs of dust and the stench of sewage drifted toward her.

She shook her head in disgust and a black strand of hair fell across her face. "I know one thing," she said, "I don't want to live this way all my life."

Lupe, 26, had voiced softly the complaint by a growing number of her fellow Mexican-Americans throughout the Southwest, who shout they are fed up with being second class citizens and demand Brown Power.

FIVE MILLION IN UNITED STATES

An estimated five million Mexican-Americans live in the vast Southwest. Poverty war officials, researchers and Mexican-American leaders say Lupe's plight is a way of life for most of her race. They are the second largest minority in the nation.

Lupe lives in one of Albuquerque's poorest "barrios" neighborhoods. Outdoor toilets and wood stoves are common. Houses are a slapped-together jumble of boards, tin and cement.

For Lupe and her three dust-streaked little boys, virtually every meal is the same: beans, rice, "meat when you can afford it," surplus peanut butter, flour tortillas.

MOST LIVE IN CITIES

Like Lupe, about 80 percent of the "Chicanos," as they often call themselves, live in the cities, with the heaviest concentrations in Los Angeles and San Antonio, "The Mexican-American capitals."

Their problems are countless, but the biggest is lack of education. The average Mexican-American has just eight years of schooling, compared to 12 for Anglo-Americans.

Only the American Indian is said to be lower in education.

Witnesses told a U.S. Civil Rights Commission hearing that most Chicanos automatically assume they won't be able to attend college. "From the beginning," said one high school senior, tears in her eyes, "we're taught that this is an impossible dream."

SURVEY MADE

Dr. Leo Grebler of the University of California at Los Angeles, who directed a lengthy survey of Mexican-Americans, blames their high dropout rate on school systems that he claims alienate the Chicano while concentrating on white pupils.

A common complaint is that Mexican-Americans are forced into vocational classes and that school systems promote shop courses for Chicanos rather than upgrade the curriculum.

Texas State Rep. Joe Bernal, a former teacher, charges that vocational classes for Mexican-Americans in his state are grossly inferior. "They graduate from high school making bookends," he says, "but they don't have a saleable skill."

WINNING ACCEPTANCE

The root of Mexican-American problems, however, goes deeper than poverty or lack of education. It's a matter of the Chicano winning acceptance, more than mere token recognition, from his fellow Americans—whom he calls Anglos—while still maintaining his own identity as a Mexican-American.

Chicanos want to erase the stereotyped image of the lazy Mexican taking an endless siesta.

For many years, persons who bore Spanish surnames were subject to discrimination and lack of acceptance in areas of the Southwest. While this has diminished considerably, less than six years ago in Crystal City, Texas, 70 percent of the residents were Mexican-Americans but had no representation at a city hall.

TABLES TURNED

Anglo political machinery had controlled the town for 20 years. An intensive voter organization campaign turned the tables.

Until a few months ago Chicanos weren't allowed in Tahoka, Texas, barber shops and in a Marlin, Texas, swimming pool. In both cases, the recently formed Mexican-American Legal Defense Fund of San Antonio applied pressure and won desegregation.

From early childhood, the Mexican-American is faced with trying to strike a happy medium between two cultures.

Fellow Chicanos tell him that if he rejects Mexican American culture and identifies with the Anglo, "he may be considered a traitor to his own ethnic group," says Dr. Manuel Ramirez, a Rice University psychology professor.

ANOTHER MESSAGE

Still another message, Ramirez says, comes from teachers, employers or Anglo friends "who tell him that if he doesn't reject the Mexican-American culture, then he will be unable to reap the educational and economic benefits of the Anglo society."

While many think the Brown Power push was sparked by the Negro upheaval, the majority of the Mexican-Americans contacted in an Associated Press survey of the five-state Southwest say they want no part of the violence that has permeated the Negro cause.

Mexican-American leaders say their problems, culture and even their grievances are different from that of the blacks.

BROWN BERETS

California leaders of the Brown Berets, an activist Chicano youth organization, say they have not aligned themselves with the Negroes—but that they have signed "nonaggression pacts" with militant black factions to avoid clashes between the two groups.

Notably in Texas and California, the young adult Mexican-Americans are more impatient than any other age group.

Some of the younger people warn of violence if the "gringo" white racist establishment doesn't change its views toward the Chicano.

DEMONSTRATIONS STAGED

Within the past two years, Mexican-American youngsters have staged unprecedented high school demonstrations in Los Angeles, Denver, San Antonio and deep South Texas to protest "Anglo-oriented" school systems and to focus national attention on the Brown movement—what they call "La Revolucion."

A look at Mexican-American conditions in the Southwest indicates why a prominent Mexican-American minister, the Rev. Roger Granados, told a San Antonio audience that "as a people, we have come a long way to nowhere."

Deep inside the Texas Gulf Coast city of Corpus Christi, in the barrios that tourists seldom see, there is a saying among Chicanos: "The only way a family can get out of debt here is for their son to get killed in Vietnam, so they can collect on his insurance policy."

ALL SEEK BETTERMENT

Almost without fail, wherever there is a large concentration of Spanish-surnamed people there is an organization dedicated to the betterment of the Chicano.

Among the best known are the American GI Forum and League of United Latin-American Citizens (LULAC).

But young Mexican-Americans say such groups have worked too quietly, too patiently, far too slow.

Popping into public view in the past two years have been young Chicano groups such as the Brown Berets in California and the Mexican-American Youth Organization (MAYO) in Texas. David Sanchez, a handsome, clean-cut young man of 20, is the

founder and "prime minister" of the Berets, headquartered in predominantly Mexican-American East Los Angeles.

HAS 26 CHAPTERS

Sanchez says the Berets have 26 chapters in California, Texas and other states as far east as Michigan. Their aim he says, is to achieve unity among the Chicanos in the arrios and "restore the dignity in our people."

The Texas counterpart to the Brown Berets is MAYO, whose trademarks have become serape jackets and clenched brown fists raised in defiance of the Anglo "establishment."

Like the Brown Berets, MAYO spokesmen say they would resort to violence only in self-defense.

MAYO leaders talk of plans to fight the Chicano problem nonviolently through politics, education and the establishment of Chicano-owned businesses.

FARM WORKERS ORGANIZED

Perhaps the central symbol to thousands in the Brown Power movement is the United Farm Workers Organizing Committee, headed by soft-spoken, sad-faced Cesar Chavez—who once fasted 25 days to dramatize his dedication to nonviolence. Mexican-Americans state flatly there will be no widespread violence from this ethnic group. The younger Chicanos aren't so sure.

"To deny myself the use of violence would be like forming a union without being able to strike," said one young Mexican-American at UCLA. "I'll tell you one thing. If it does come to violence, we won't be destroying our own homes."

A BIG BARRIER

Educators say one big barrier the Mexican-American faces is the English language, particularly in Texas, which has thousands of first and second generation immigrants from Mexico.

Generally, a Chicano child starts the first grade knowing no English at all.

In the past, teachers punished youngsters for speaking Spanish in the classroom and even on the playground. It was officially barred from school in some areas, except in language courses. Texas repealed state public school laws to this effect this year.

Five years ago the San Antonio school district, like others in the Southwest, launched a bilingual education project in elementary schools.

BILINGUAL EDUCATION

"Years ago you couldn't utter one word of Spanish in the schools and you got to thinking your language is no good so you yourself are no good," recalled high school principal Nick Garza, former principal at one of the bilingual project schools in San Antonio.

But with bilingual education, which encourages pupils to become fluent in both languages, "you should see the confidence they have gained," Garza said.

As Garza sees it, the key to solving the Chicano dilemma is educating the young. "I have been of the opinion that whatever good I will be able to do will be through the youngsters rather than the parents and the older people," he said.

Near Garza's desk hangs a poster bearing a photograph of a Mexican-American child. Its caption reads: "He will get ahead, given time—your time."

THE TIME IS NOT NOW—THE TIME WAS LONG AGO

Mr. PROXMIRE. Mr. President, I quote from the preamble of the Charter of the United Nations:

We, the peoples of the United Nations, determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal right of men and women and of nations large and small . . .

And for these ends to practice tolerance and live together in peace with one another as good neighbors . . .

Have resolved to combine these efforts to accomplish our aims.

Mr. President, this preamble was codified in June of 1945. To update this statement, the words and the intentions hopefully remain the same, but tragically the numbers change. The scourge of war has hit us as a nation twice since then. It is both practical and easy for us to say—now we must commit ourselves to no more wars and no more strife. More truthfully, the time is not now—the time was long ago. Let us not fall into the fate of entangling ourselves in so many complexities that we leave ourselves paths of escape everywhere and not one path to anywhere.

Again, I repeat, "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal right of men and women and of nations large and small."

Let us take a step, simple as it is, toward this goal by ratifying the Human Rights Convention on Genocide, Political Rights of Women, and Forced Labor.

VICTIM COMPENSATION ENDORSED BY POLICE MAGAZINE

Mr. YARBOROUGH. Mr. President, the concept of compensating victims of crime has long interested me. From my days as a State judge in Texas, I have been puzzled by our legal tradition which provides help only for the criminals after the commission of a crime. Victims are completely ignored and given no help.

My bill S. 9, which is now before the Judiciary Committee, would create a commission to compensate innocent victims of crime in the District of Columbia and certain other federally administered areas.

Recently, Police magazine published a thorough article, ably written by Mr. Gilbert Geis, on victim compensations, to which I invite the attention of the Senate.

I ask unanimous consent that the article, entitled "Compensation for Crime Victims and the Police" published in Police magazine for May–June 1969, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COMPENSATION FOR CRIME VICTIMS AND THE POLICE

(By Gilbert Geis)

Five states of the United States now operate programs to provide money to victims of violent crime or their survivors, and at least a dozen others are contemplating similar programs. For the police, this growing concern with the plight of the victim of crime can be regarded as one of the most encouraging developments in recent years. For one thing, compensation of a victim is invariably tied closely by legislation to the victim's cooperation in reporting the criminal offense promptly and contributing to the fullest possible extent in arriving at a solution. Compensation programs also serve to relieve law enforcement officers of the burden of explaining to crime victims that however much they have suffered, and however extensive have been their financial losses due to an inability to work, or because of medical expenses, there is little or nothing that can be done to assist them. Another encouraging note is that the presently operative victim compensation programs have proven to be particularly helpful to law enforcement officers and their families in providing extra financial benefits to police officers victimized by crimes of violence.

Additional benefits of compensation plans include the fact that they make more obvious to the public the financial cost of criminal activity, and for this reason may lead to greater support for programs of prevention and enforcement. In addition, victim compensation legislation has often been accompanied by or led to the passing of "Good Samaritan" laws which provide financial assistance to persons injured while attempting to prevent a criminal act, or while aiding law enforcement officers in the performance of their duties.[1]

Considerations such as the foregoing have prompted almost universal support of the idea of victim compensation. Some opposition has been based on the possibility of compensation inviting carelessness on the part of potential victims, in the same way that property insurance appears to lead some persons to protect their possessions less well than they might since they know that they will be reimbursed for any loss.[2] While money can be an adequate replacement for most property, however, it rarely soothes altogether the kinds of pain and suffering resulting from crimes of violence, and the idea that possible victims of homicide, rape, and assault will be more negligent when compensation is available seems somewhat far-fetched. Much more common is the view that victim compensation represents a gesture by the state which is worthy of enthusiastic support, since it not only assuages the loss of innocent victims, but is also responsive to some degree to public concern regarding the alleged breakdown in law and order.

Among supporters of the idea of compensation has been the National Association of Chiefs of Police, which at its annual conference in 1966 adopted the following resolution:

In view of the considerable concern for the rights of the criminal defendant expressed in recent rulings of the Supreme Court of the United States and the little concern expressed for the victims of violent crime and their families, the NACP goes on record as advocating that suitable legislation be enacted either in the states or on the federal level to provide for reasonable indemnification to the victims of violent crime and/or their survivors.[3]

In the same vein, the President's Commission on Law Enforcement and Administration of Justice noted in their 1967 report that several victim-compensation bills had been filed in Congress and called for public hearings to "provide a national forum for much needed debate over the philosophy, assumptions, and potential advantages and disadvantages of such programs generally, and the relative merits and design of a program on the Federal level in particular."[4] The report also put on record the following endorsement:

The Commission has been impressed by the consensus among legislators and law enforcement officials that some kind of State compensation for victims of violent crime is desirable. Recent public opinion polls indicate that a considerable majority of the public is in favor of victim compensation. The Commission believes that the general principle of

Footnotes at end of article.

victim compensation, especially to persons who suffer injury in violent crime, is sound and that the experiments now being conducted with different types of compensation programs are valuable.

STATE COMPENSATION PROGRAMS

The first victim compensation program in the United States was inaugurated in California at the beginning of 1966, but its impact was severely limited by a scanty appropriation of $100,000 a year and the locating of the program within the State Department of Social Welfare. Under provisions of the California compensation program, persons could qualify for assistance only if they met the criteria for welfare aid. They were dealt with by social caseworkers and, in general, were treated as if they were charity cases rather than unfortunate and innocent victims of criminal violence.[6] In 1967, because of complaints concerning its welfare focus, the California compensation program was relocated under the Board of Control—the agency charged with adjudicating claims against the state. The program, however, remained fiscally undernourished and patently inadequate.

The New York victim compensation program begun in 1967 was the second such program in the United States, and comes much nearer than the California system to helping the innocent person who suffers a loss as a consequence of a crime of violence. Impetus for passage of the New York act was provided by widespread public agitation following the fatal stabbing of Arthur Collins in New York City during October of 1965. Collins was killed while attempting to eject from a subway a disorderly man who was annoying several women. Collins' demise left his wife and child without any insurance or source of income.

Among persons testifying during public hearings on the New York bill was Arthur Cornelius, Jr., superintendent of the state police, who supported the measure and indicated that "redress should not be left to accidental circumstances stimulating the generous impulses of the public but rather should be a matter of public policy, a matter of equity."[7] Al Scaglione, president of the Police Conference of New York, told the legislative committee that his group favored the state providing free training and rehabilitation for victims of crimes of violence who were unable to continue their usual type of work due to their injuries.

The measure passed by the New York legislature requires that victims must show "serious financial hardship" before they can receive money from the state, but this provision is interpreted as benignly as possible, so that deserving victims will not be denied the help they need. A team of seven investigators examines claims and presents findings to members of the Crime Victims Compensation Board. The New York law provides that no compensation can be given an accomplice of a criminal nor a member of the offender's family. Claims must be filed within ninety days of the crime, and the crime must be reported to the police within 48 hours of its occurrence, though both of these provisions may be waived for sufficient cause. One member of the Board hears the claim, and the victim may appeal to the full Board if he is dissatisfied with the original decision. In addition, the state may appeal to the courts if the Attorney General believes that an award was unreasonably high. To receive compensation the claimant must have suffered an out-of-pocket expense of at least one hundred dollars which is not reimbursed from other sources. Maximum payment is limited to $15,000.

During its first year of operation the New York victim compensation program, operating with a budget of 1.1 million dollars, was bedevilled primarily by its inability to broadcast its existence adequately so that all possible claimants might receive assistance. Leaflets were sent to all hospitals and distributed to every police precinct in the state. Radio and television interviews with successful claimants were also used to spread word of the existence of the compensation program. Of the 149 claims during the year, eighty awards were made with an average of $750 per award. Typical of the awards granted in New York during this period were the following cases:[8]

(1) Female, aged 26, unmarried, school teacher—assaulted by unknown youth in her apartment building. Sustained severe laceration palm of right hand requiring extensive surgery. Confined to two hospitals for eleven days—covered under hospital insurance. Unreimbursed medical $840, and maximum allowable unreimbursed loss of earnings $1,144. Total financial resources $500. Serious financial hardship determined. Awarded $2,280.

(2) Male, aged 47, cab driver, married with two teenage children—assaulted by passenger who refused to pay fare. Received dislocated left shoulder, fracture of left humerus, and body bruises and contusions. Emergency hospital treatment; loss of earnings for forty-five days. Assailant arrested for third degree assault. Compensation for loss of earnings $582.04; out of pocket expenses for medical bills of $30 not covered by insurance. No provocation or serious financial hardship found. Awarded $612.04.

(3) Claimant was assaulted and robbed in apartment house where he lives. Sustained a fractured skull and other serious injuries. Hospitalized for 18 days and disabled for seven weeks and one day. Self-employed and carried no insurance to cover loss of earnings or hospital and dental expenses in the sum of $1,628.85. Operates a grocery store which was closed during the period of disability. Savings of $5,924 held in trust for his daughter to cover the cost of her education. Besides his wife and daughter he has a grown son who is an inmate of a mental institution. Sustained serious financial hardship. Award made in the sum of $2,343.15, covering $714.30 for loss of earnings, and $1,628.85 for hospital and dental expenses. Of this sum, the attorney was awarded $220 for his services.

Stanley L. Van Rensselaer, Chairman of the New York Board and a former Federal Bureau of Investigation agent as well as a onetime member of the State legislature, has indicated his response to the first year of the compensation program:

The need in our society for this Board to compensate innocent victims of crimes of violence has been well shown during the first year. It is true that many of the applications submitted relate to comparatively minor injuries and the compensation award is correspondingly small. However, when one sees the claims filed on behalf of a deceased victim or by a claimant who has been severely and permanently injured as a result of a violent and vicious crime, as well as those claims of the elderly and infirm, no one can fail to feel deeply that a worthwhile program has been established to complete the full administration of justice through the power of this Board to award compensation.[9]

In addition to California and New York, victim compensation schemes have begun recently in three other American states—Maryland, Hawaii, and Massachusetts. Each state has a somewhat different focus. Hawaii, for instance, is the only American jurisdiction that does not require a showing of "hardship" or "need" in order to qualify for an award, thought the legislation, administered by a three-member Criminal Injuries Compensation Commission, declares that the Commission "may consider any circumstances it deems to be relevant" in reaching its decisions. The Hawaii law indicates fifteen crimes which qualify their victims for assistance, whereas most states merely designate the victim of "any" crime of violence as eligible for aid. Hawaii's law further stimulates that a private citizen who incurs injury or property loss in preventing the commission of one of the specified crimes of violence, or in apprehending a person who has committed such a crime, or in materially assisting a peace officer, is eligible for compensation.

The Massachusetts program is unique in that it places the administration of the compensation plan within the judiciary. Victims bring their claim to the district court in the territorial jurisdiction where they reside. The first Massachusetts grant was made on December 9, 1968 to a 17-year-old boy who received $548.60 for expenses incurred from a fractured jaw suffered during a gang attack upon him. His assailants had not been apprehended.

Finally, the Maryland program, signed into law in May, 1968 by the then Governor, Spiro T. Agnew, is modeled on the state's workmen's compensation program. It provides a ceiling of $30,000 for victim compensation, the highest figure in the United States.

Compensation legislation is also pending before the Federal Congress, where a measure authored by Senator Ralph W. Yarborough is in the Senate Judiciary Committee, and nine bills are pending before the Judiciary Committee of the House of Representatives. These measures are restricted to the federal territories and the District of Columbia. At least a dozen states are also considering compensation programs at present. Typical of the law enforcement response to such measures is the testimony of Detective Hugh Langcaskey of the Trenton Police, before the State Senate Committee on Law and Public Safety. "This bill, if it becomes law," said Langcaskey, who is also Vice President of the New Jersey Policeman's Benevolent Association, "will greatly aid law enforcement," and went on to indicate some ways in which he felt the measure might help:

As a police officer myself, I know that quite often I went to the scene of a crime and people were reluctant to tell you anything. They know it means loss of pay while they are at a hearing or at a trial in the county courts. And I also know that many victims of muggings are a little reluctant to tell you. They feel they've only lost a few dollars and they may as well lose that few dollars as get involved in court and lose time off from work.[10]

FOREIGN JURISDICTIONS

With its roots deep in antiquity, public and private compensation of crime victims was abandoned in the Middle Ages when the state took over complete responsibility for criminal prosecutions and state leaders used such prosecutions as a means of replenishing government coffers at the expense of criminal offenders and to the total neglect of their victims.[11] State compensation of crime victims was first reinstituted in New Zealand in 1963. Since that time Great Britain, the Australian state of New South Wales, and the Canadian provinces of Saskatchewan and Newfoundland have also inaugurated compensation systems.

The program in Great Britain, the most comprehensive and far reaching in the world, might be looked at briefly to indicate further characteristics of victim compensation as it bears upon police work. During its first four and one-half years of operation, the British Board made some 10,000 awards, and now operates under a budget of approximately three million dollars per year. Some thirty-three persons have received awards in Britain for injuries sustained while assisting the police, while law enforcement cases involving awards to police officers represent 16 percent of the British Board's total caseload. During the year ending April 1968, the Board received 505 applications from police officers, most of which resulted in cash awards, and

Footnotes at end of article.

supplemented amounts available under regular police assistance programs. It was a law enforcement case, in fact, which resulted in the world's first appellate court decision on victim compensation. The case involved a constable who had suffered blindness in his left eye after being shot in the face by a suspect he was about to question. A few days later, the constable committed suicide. The Compensation Board, charged with subtracting from its awards other monies derived by the claimant from public funds, reduced the widow's benefit by the amount of her police pension. The court upheld this decision,[12] but subsequently a new rule was promulgated for the Compensation Board providing a formula for such cases so that civil servants would not be unduly disadvantaged vis-a-vis other persons who had received monies from other than public sources.

In Britain, the cooperation of the victim with the police is taken into account and is illustrated in the following case where a failure to provide adequate assistance resulted in a denial of compensation:

An applicant, lured from a public house by a woman whom he recognized, was shot in the legs by a gunman he did not see in a dark alleyway, but whose identity he had reason to suspect. When interviewed by a police officer, he said: "You don't expect me to tell you, Guy—you know who it was—I will settle this my own way." The shooting was not the subject of a prosecution, but sometime later, when the woman and the man he suspected had been arrested on other charges, the shooting victim then made a statement to the police. The board decided that the circumstances of the shooting injuries should have been reported to the police without delay—it was *not* the board's concern to consider to what extent, if at all, the applicant's information would have assisted the police.[13]

CONCLUSION

The question of victim compensation, currently under debate in foreign and domestic legislative bodies, is also being considered by the National Commission on the Causes and Prevention of Violence, the group appointed by President Johnson in the wake of the assassination of Senator Robert F. Kennedy. The Commission co-sponsored with the University of Southern California the First International Conference on Compensation to Innocent Victims of Violent Crime, held in Los Angeles in December, 1968. The meeting brought together representatives of the world's compensation systems and offered a range of suggestions for consideration by the Violence Commission, including the following items:

(1) Victim compensation must be regarded as a right for all citizens, and therefore financial hardship or need should be eliminated from all existing and future programs.

(2) The Federal government should adopt a plan for compensating victims of violent crime which will cover all the territories and the District of Columbia. Bills presently before the respective Judiciary Committees should be given open public hearings to determine which proposal will most successfully accomplish this goal.

(3) The Congress and the Department of Justice should give serious and immediate consideration to the matter of providing compensation to all persons physically injured by violators of any Federal Civil Rights legislation.

(4) All future programs adopted to compensate victims of violent crime should be administered by a separate Board which deals exclusively with victim compensation.

(5) Maximum or minimum awards should be left within the discretion of the Board and should not be regulated by statute.

Delegates to the International Conference also heard personal testimony regarding the importance of victim compensation presented by Mrs. Myrlie Evers (widow of Medgar Evers, a slain civil rights leader) who spoke of the circumstances which surrounded her life following the death of her husband.

"We lived with a constant knowledge that this might happen," Mrs. Evers said. "But when the time comes you are totally unprepared for the shock, for the emptiness afterwards. We were fortunate; we had help. We had people who cared." Mrs. Evers told the conference delegates. She spoke on behalf of other victims of violent crime, more anonymous than herself: "My concern," she said in an endorsement of compensation programs, "is with that man, that woman, those children—the ordinary people—who need help in a moment of crisis." She also stressed the value of compensation for young people in a victimized family: "I cannot overemphasize the impact of a crime of violence upon the young people who survive the victim," she noted. "Financial help can save such youngsters for the country, which needs all the talent it can get. Otherwise, the kids grow bitter, grow cruel, drop out, and see no need for doing their best, for no one seems to care."

It is in these terms, then, that victim compensation may be evaluated. It combines social self-interest with impulses of compassion, decency, and justice. It assists the deserving, and it aids law enforcement in reasonably balancing the scales against the depredator and in favor of his innocent victim.

FOOTNOTES

[1] See Ratcliffe James M. ed.: *The Good Samaritan and the Bad,* Garden City, Anchor Books, 1966.

[2] Mueller, Gerhard O. W.: Compensation for victims of crime: Thought before action, *Minnesota Law Review, 50*:213–221, December, 1965.

[3] Commission on the Compensation of Victims of Crimes of Violence: *Report,* 74th General Assembly, Springfield, 1966, Illinois, p. 3.

[4] President's Commission on Law Enforcement and Administration of Justice: *The Challenge of Crime in a Free Society,* Washington, Government Printing Office, 1967, p. 41.

[5] *Ibid.* Also see for a review of the history and philosophy of victim compensation and legislative developments prior to 1967, Geis, Gilbert: State Compensation to Victims of Violent Crime, in President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: Assessment of Crime,* Washington, Government Printing Office, 1967, Appendix B, pp. 157–177.

[6] Geis, Gilbert, and Zietz, Dorothy: California's program of compensation to crime victims. *Legal Aid Briefcase, 25*:66–69, December 1966.

[7] *In the Matter of the Public Hearing Conducted by the Committee Appointed by Governor Rockefeller to Prepare a Plan for Compensating the Victims of Crime,* Albany, New York, January 24, 1966, p. 20.

[8] Crime Victims Compensation Board: *First Report,* Legislative Document (1968) No. 16, Cases 12–67, 28–67, 44–67, Albany, New York.

[9] *Ibid.* pp. 9–10.

[10] Senate Committee on Law and Public Safety, *Public Hearing on Senate Bill No. 284,* Trenton, New Jersey, November 30, 1966, p. 48.

[11] Pucknett T. F. T.: *Edward I and Criminal Law,* Cambridge University Press, 1960.

[12] R. v. Criminal Injuries Compensation Board, *Ex parte* Lain, (1967), 2 ALL. E. R. 770.

[13] Harrison, D. H.: Compensation for criminal injuries, *Solicitors' Journal, 110*:99–101, February 11, 1966.

COMMENCEMENT ADDRESS BY AL CAPP

Mr. ALLEN. Mr. President, Mr. Al Capp, one of America's most renowned political satirists and cartoonists, has delivered a series of social and political commentaries on college campuses throughout the Nation for which he has been widely acclaimed.

One such address was delivered on August 15, 1969, at Troy State University—one of Alabama's newest universities and one of which all Alabamians are justifiably proud.

Mr. Capp's remarks on this occasion are of a nature which will appeal to the commonsense and good judgment of a vast majority of American people and I believe that Members of the Senate and the public will profit by reading his remarks in the RECORD.

Mr. President, I ask unanimous consent that the remarks Mr. Capp delivered on this occasion at Troy State University be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

COMMENCEMENT ADDRESS, TROY STATE UNIVERSITY, TROY, ALA., AUGUST 15, 1969

Last night a student here asked me what the difference was between Troy State and an Ivy League college, and I said, "A thousand dollars in my lecture fee."

I charge Ivy League colleges a thousand dollars more—Combat pay. You here at Troy State haven't had the advantage of an Ivy League education. When you dissent with a speaker, you simply sit there and dissent. At Ivy League Colleges they get up and punch the speaker in the nose. That's why I charge them a thousand dollars more. Medicare doesn't cover everything.

I don't know how many of you saw the movie "Planet of the Apes" but I'm sure you all know the story. It's the one where the monkeys make the men do tricks. And that's the story on so many of our campuses today. The monkeys are making the men do tricks at Harvard, Cornell, Columbia, N.Y.U., Berkeley—We have areas of glorious desolation on this planet too, areas where they accept, as the natural order of things, the theory that the half-educated are the only group capable of re-structuring our educational institutions. After the brutal and obscene takeover at Princeton this Spring, one of the Student leaders of the mob was appointed to its Board of Trustees. If the world was run as Princeton is, Richard Speck would have been appointed night watchman at the nurses' dormitory, and Adolf Eichmann, Chief Rabbi of Berlin.

The new Ivy League (or Planet of the Apes) educational theory is that those who need instruction so desperately they are unfit to go out into the real world until they get four years of it are fit, however, from the moment they arrive on campus to instruct their instructors; that those who look, act, and smell like subhumans are the only true voices of humanity; that the only clear thinkers among us are the half-stoned, and that everyone else has rocks in his head; that our totally non-productive is the only class worth producing for, and that only our untoilet-trained can clean up the mess society is in.

Yes—on so many of our campuses today, the apes are laffing their furry li'l heads off at the antics of the men.

Now, our campus apes weren't smart enough to learn that trick themselves. They had to be taught.

They had to be taught that accomplishing puberty, and the skill to endorse their fathers' allowance checks, gave them the right to shout down a man like say, Arthur Goldberg, who earned his education—an experience those who bludgeoned him to silence had avoided. They had to be taught they

had the right to fling filth at Richard Nixon, who served his country . . . an experience those who were howling obscenities at him were avoiding at that very moment; thanks to a draft law which deems a student who shouts obscenities at a President more valuable to his country than a G.I. who shoots back at Communists. They had to be taught what fun it was to fill a hall in which Hubert Humphrey was to speak for the sole purpose of walking out when he began to. They had to be taught to jeer at Edmund Muskie who was defending his country instead of defaming it when he was their age. They had to be taught that they were truer representatives of the Democratic process than those who approached it with work and wisdom instead of rocks and Molotov cocktails.

Yes, our campus apes had to be taught how to make the rest of us do tricks, because creative thinking doesn't develop much compulsively masturbatory.

Who taught them to hate America's past, and welsh on America's future? Who taught them to detest their nation, and defend their nation's enemies? Who taught them to loathe their fathers, and love only themselves? Who taught the student ape at Columbia, Harvard, Princeton, Berkeley—to sneer at the system that feeds him, shelters him, teaches him skills, and which protects his life with the lives of the less fortunate? Who taught them to befoul an America which, for all its faults, has created, by unarguable immigration figures, the most desirable place on earth for men to live?

They are taught by a new breed of academic Fagin—In "Oliver Twist", Dickens' Fagin waited in the gutters of London to corrupt the innocent. The new Fagins wait for our innocents on the campuses of Harvard, Princeton, Columbia, but not at Notre Dame or San Francisco State or here. And it is on the campus, not in the home, not in the neighborhood, and not in the high school, that they're corrupted.

Not long ago, I spoke at Penn State. There were nearly six thousand students in the auditorium, about 5,900 humans and 100 apes. At the question period, the apes rushed to the microphones—as they always do. No one else had a chance to speak, as the apes make sure they always don't. They dominated, and would have, eventually demolished that lecture for the thousands of others, if the lecturer hadn't happened to be a pretty good demolisher himself.

I quieted the animals with the gallantry that has made me a legend, finished the lecture, and the next day I flew to another town in Pennsylvania where I spoke to an audience of high school seniors. I spoke about many of the same things I spoke about at Penn. State—expressed the same ideas. My audience may change, but I don't change my ideas for them, and when the question period came, those high school kids asked the same sort of questions the college kids had the day before—the difference was: they genuinely wanted answers. They didn't agree with all of my answers, but they listened with the courtesy I gave their questions. And those who disagreed expressed their disagreement—not by screaming obscenities as the college students had but in reasoned rational discourse.

When I left the high schoolers, I'd had a civilized dialogue. When I'd left the college students I had to bury my clothes. One of the high schoolers parents said to me, "Nice kids, aren't they? But it frightens me to think that next year, they'll be in college."

How many parents of nice kids today are frightened at the thought that next year those kids will be in colleges—where the Fagins are waiting for them. Once American parents were proud to send their children away to college—today they're afraid to. It isn't because today's young generation is different. They are as decent as any generation before them. It's because colleges are different.

Once there were, waiting at our colleges, men who taught our young how to enrich their country, intellectually, spiritually, and materially by service, skill, and sacrifice.

Those men are still at our colleges, but among them lurks the new breed, the faculty Fagins, undetectable in the protective credentials of Nobel laureates like the ignoble Professor Wald who called Senator Russell "criminally insane" to a cheering student audience last year at M.I.T. for having made a patriotic speech in the U.S. Senate; ex-Presidential Advisors whose advice nearly blew up the planet, such as Professor Schlesinger of the New school in N.Y.; authors of best sellers on economics based on the fiscal theories of Edna St. Vincent Millay, such as Professor Galbraith at Harvard; experts on Urban problems based on the self-help theories of the Brinks Bandits, such as the faculty Fagins who supported the students who stole a million dollars worth of property from the University of California; poets with programs for the American future based on visions that came to them in the psychopathic ward—lifelong authorities on diaper rash who have become overnight authorities on military strategy, like Dr. Spock, and rampaging, rioting, civil rights militants who want civil rights for militants, but for nobody else; like Professor Hare—formerly, I'm delighted to say—of San Francisco State. The hysterics and the haters, the frauds, the fascists and the Fagins, are waiting on our campuses to teach your kid brothers and sisters, and one day—your kids . . . not how to enrich our country with skill, service and sacrifice, but how to impoverish it, by downgrading the acquisition of useful skills as the slavery of squares, by disdaining service, by demanding sacrifice; by reviling our past, instead of revering it, by spitting on those the democratic process has chosen to govern us, instead of defending the democratic process as their one chance to govern themselves; by laughing at the law and order that protects society and by whining for law and order to protect them.

What do we do about the Fagins on our facilities? Do we silence them? Do we toss them bodily off our campuses? Let us pause for a moment and think of how satisfying that would be. And then lets forget it. Repression and violence—the methods of the lynch mob—are the methods the Fagins teach. A couple of years ago, at Dartmouth, a major Presidential candidate, a former—and possibly—future Governor of this state—had been invited to state his case. He'd hardly begun when a mob of roaring students rampaged toward the stage, led by a young instructor screaming "kill him, kill him!". As far as I know, that young instructor is still at Dartmouth teaching Humanities.

Last Spring a herd of girl apes, registered as students at Harvard's sister school, Radcliffe, thundered into the office of President Mary Bunting, accusing and reviling her. When she attempted to answer they screamed her down with a storm of filth a Bourbon Street prostitute wouldn't use to a madame who'd short-changed her. When there was some talk of rebuking them, they were defended as idealists by several Fagins on the Radcliffe faculty.

When a mob of male apes, registered as students at Harvard invaded University Hall last spring and bodily tossed several administrators down the stairs and out of the building, they were led by as high command of faculty Fagins. The lynch mob has disappeared from the South, but not from American life. It has reappeared on the campuses of Harvard, Radcliffe, Berkeley, Antioch, organized by the faculty Fagins, led by the Faculty Fagins—and, if you're not vigilant . . . they're coming here. That isn't an opinion. It is their stated aim in all their literature to radicalise—to make planets of the apes—of Universities like yours next year . . . and the faculty Fagins, will be cheering them on with extra fervor.

We must prepare the kids we send to them—for them. We must teach young Americans to love America as artfully, and as ardently as the Fagins teach them to hate it.

I suggest that every institution of learning in America add one more course. A course in love.

The sort of love the professional love people—those who wear love beads, carry love flowers and flourish love signs—have never shown much affection for—Love of Country.

It should be a course that doesn't overlook America's foolishness, but that will also look at America's greatness.

A Course that doesn't overlook America's history of callousness to some of its own but that will also look long, and with reverence at our history of generosity and Christian welcome to the humble and hopeless of the world, a history no other nation, ever, has matched.

Basic Love of Country won't be an easy course to teach. And it will be all but impossible to get any big academic names to teach it. Becoming known for Love of Country isn't the way you become a big name in academic circles—not lately.

Once I spoke at Yale. A student came up to me, shook my hand and said "Mr. Capp, it took courage to stand up on that platform and tell an audience of Ivy League students you love America." I have never been paid a compliment that made me sadder. The Fagins have made our Ivy League campuses places where it now takes courage for an American to tell other Americans he loves America.

It is time then, for all of us to have the courage, if that's what it takes, to say this—on our campuses, in our homes, in our churches, in our press, on TV and say it with pride and resolution: America is, with all its faults the loveliest and most liveable of all nations. And what makes it that, isn't anything we found here—its something we created here—it is the freedom we have to repair and sense America's faults—not in the way of the Fagins—the way of hate and hysteria, the way of maddened apes, but the way of patience and persuasion, the way of thinking men.

THE POWER OF OIL

Mr. PROXMIRE. Mr. President, the Senator from Michigan (Mr. HART) has been holding the most thorough hearings into the mandatory oil import program that have been held in Congress.

Of necessity, the testimony has been extensive and complex. The natural tendency when faced with such a mass of complex data is to either ignore it or find someone whom you trust and who has taken the time to analyze it.

Fortunately, Spencer Rich who covered part of the hearings for the Washington Post has taken the time to analyze some of the data developed by Senator HART and has written an article about it.

Because of the importance of this issue I ask unanimous consent that Mr. Rich's article from the Progressive be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE POWER OF OIL

(By Spencer Rich)

(NOTE.—Spencer Rich is a staff writer for The Washington Post who covered the hearings of the Hart Antitrust and Monopoly Subcommittee.)

In the movies oilmen are usually pictured as tough, independent operators, fiercely in-

dividualistic, dependent on no one and accepting no interference—or handout—from the Government. The John Wayne image immediately comes to mind.

But that is not the picture emerging from a series of hearings on the petroleum industry held by Senator Philip A. Hart's Senate Antitrust and Monopoly Subcommittee. There, a battery of oil industry spokesmen has pleaded that the vast system of Government subsidies—the extent of which has never before been detailed so completely to the public—must be maintained or domestic oil production will be unable to meet foreign price competition and will shrivel to a trickle.

The result, as pictured by men like Humble Oil's M. A. Wright, Sun Oil's Robert Dunlop, and the Independent Petroleum Association's Harold McClure, will be U.S. dependence on foreign suppliers. This nation would be forced to grovel, trembling, before petty Middle Eastern satraps, lest they cut off supplies of the vital juice.

That the industry profits handsomely from the 27.5 per cent depletion allowance has long been known. What has not previously been etched so sharply is the extent to which domestic oil companies reap subsidies from an additional system of economic aids generously provided by the U.S. Government and the states. As a series of professional economists suggested to the Senate subcommittee, the industry may actually take in three to five times as much each year from the workings of the oil import quota system as it does from the far more publicized depletion allowance. The foreign tax credit adds still more money to the pot.

The oil import quota system was put into effect on a mandatory basis by President Eisenhower in 1959, under pressure from the Independent Petroleum Association of America, spokesman for the smaller, independent oil and gas operators whose holdings are concentrated on U.S. soil and whose production costs are frequently far higher than those of the big international companies.

The quota limits crude oil imports in the eastern United States to 12.2 per cent of domestic production, with restrictions on imports to the western states also. Since the West is a "crude-deficit" area, with insufficient production to meet its needs, there is no percentage limit on imports. Instead, oil imports are simply limited to the difference between available domestic supply and anticipated need.

There are no limits on imports of residual fuel oil, provided it is not brought in for reprocessing. Residual is the heavy, thick product left after all other derivatives are taken out. It is used for heating large buildings and for electric power production. Overall, about one-fifth of the nearly five billion barrels of petroleum consumed annually in the United States comes from abroad. The rest is supplied from domestic production.

The professed purpose of the import limitations is to keep the domestic industry healthy, so that in case of a national emergency or cutoff of foreign supplies, the nation will have enough domestically produced oil to carry on. But many of the noted economists who testified at the Hart Subcommittee hearings—such as the waspish M. A. Adelman of the Massachusetts Institute of Technology—who clashed with Republican Senators, telling them all the Government's previous studies had simply been a justification for aiding the industry, and the cigar-chomping Walter Adams, acting president of Michigan State University, who looked like an oilman but talked like a populist—suggested that the import control system may simply be a handout to the industry which costs the public billions of dollars a year.

The import controls, along with ceilings imposed on domestic production by "market demand pro-rationing" systems in Louisiana and Texas, the states which together produce three-quarters of U.S. oil, limit oil supplies in this country and keep the domestic price far higher than the world market price.

The domestic price at the well is now about three dollars a barrel for crude oil. Transportation costs by tanker to the East Coast from Gulf of Mexico depots bring the price to wholesalers in the Northeast to about $3.50 a barrel or more. But witness after witness testified—and oil industry spokesmen conceded—that oil imported from the Middle East could be purchased on the East Coast of the United States for only $2 a barrel, *including* shipping charges from the Persian Gulf, provided the oil comes in under a quota. That is a differential of about $1.50 a barrel.

One ironic result of the import barriers is that foreign nations are able to buy oil far more cheaply than American consumers, and sometimes from the same U.S. companies. Thus, in the first half of 1968, when domestic oil prices—not including shipping costs to market—were around $3 a barrel for crude oil, the Japanese government was able to buy 2.3 million barrels a day of largely Middle East crude at prices averaging $1.42 a barrel. Standard Oil of New Jersey—an enormous worldwide company, two-thirds of whose 1968 sales were *outside* the United States—and other well known U.S. firms sell oil in Japan as well as in the United States.

How much could U.S. consumers save if low-cost foreign oil were allowed to enter freely? No one knows exactly, but the added cost to domestic purchasers under this system of artificially high prices was estimated *at a minimum* of $4 billion a year by M.I.T.'s Adelman, one of the nation's most respected economists in this field. Dr. John Blair, the subcommittee's able chief economist, came up with a calculation of about $7.2 billion a year. Even John Lichtblau, a private economist whose work is financed by several major oil companies, estimated the figure at $2.7 billion a year, and Wright of Humble Oil, which is Standard of New Jersey's chief domestic subsidiary, put it at $3.4 billion. Wright claimed offsetting domestic benefits such as domestic wages and taxes paid by the oil industry. He failed to mention that if these billions were invested in other needed enterprises, they would presumably create jobs and generate taxes there too.

What all this means, the shrewd Dr. Blair was quick to point out, is that the oil import program coupled with pro-rationing has, by inflating domestic prices, cost the nation *40 to 70 billion dollars in overcharges*, at wholesale, over the ten years since the quota system was made mandatory. These added costs were multiplied when passed along in retail sales of heating oil, gasoline, motor oil, electricity generated with oil, and oil-based chemical products.

Dr. Blair translated these overall figures into terms meaningful to the average consumer. He estimated that the average price of gasoline to consumers *would drop five cents a gallon if oil import quotas were abolished*. For the average car owner buying 700 gallons of gas a year, this would mean an annual saving of $35. Blair calculated that abolition of quotas could also bring a *3.9-cent reduction in the cost of home heating oil—an annual saving of about $58.50 for the homeowner with oil heat*.

In addition to the huge import quota bonanza, the 27.5 per cent depletion allowance, and the right to "expense" intangible drilling costs—charge off certain expenses as annual operating costs for Federal tax purposes rather than depreciating them over a long period—save the industry about $1.6 billion in Federal taxes yearly, according to a recent Treasury Department study.

Under the gentle but highly effective leadership of Hart, the Subcommittee chairman who was the only Senator present at every hearing, witnesses brought out some curious points about the privileged position of the oil industry. For example, oilmen claim that the depletion allowance is needed to stimulate domestic exploration for new oil reserves, so that an assured supply will always be available on this continent. But Treasury studies show that oil firms are allowed to claim the depletion allowance not only on domestic but on foreign operations as well. In fact, at least a quarter of the depletion claimed involves foreign holdings of U.S. companies. Thus, oil companies have a strong tax incentive to explore overseas as well as in the United States, and capital that might be invested here to give the nation its needed national security reserve is spent looking for oil on other continents.

The foreign tax credit enjoyed by the industry works much the same way. Witnesses testified that oil from the huge Middle Eastern pools costs only twelve to twenty cents a barrel to produce, including return on investment, and a big portion of the ultimate two dollars delivered cost in the United States consists of a "tax" of perhaps eighty-five cents a barrel levied by the host Mideast government.

Under present U.S. tax policies, the oil firm is entitled to deduct this entire eighty-five cent "tax," which many economists defined as simply a royalty under another name, not from taxable income but taxes payable to the United States on their overall profits. This tax credit gives oil firms another incentive to explore and operate overseas, rather than in this country.

These and other forms of favored treatment add up to a tremendous special system of public subsidies for the oil and gas industry which likes to portray itself as fiercely devoted to "free enterprise" and as fiercely opposed to "Government intervention." One result, is that oil companies pay exceptionally low Federal taxes, though the industry is one of the nation's largest, with $60 billion in worldwide sales. Senator William Proxmire, Wisconsin Democrat, has cited Internal Revenue Service figures disclosing that only about half the industry's net income is subject to Federal tax, while the average figure for all other manufacturing concerns is ninety-seven per cent. Proxmire said reports filed with the Securities and Exchange Commission revealed that in 1968 oil refineries averaged only eleven per cent Federal tax on their actual earnings while other manufacturing firms averaged nearly forty-one per cent.

"The oil industry makes the Mafia look like a pushcart operation," Representative Bertram Podell, New York Democrat, charged recently in a letter to Chairman Wilbur Mills of the House Ways and Means Committee requesting abolition of the special tax benefits for oil companies. Podell released figures which he said showed that thirteen major oil companies, whose net incomes ranged as high as $2.3 billion last year, have been paying Federal taxes *at a rate lower than a taxpayer earning $4,000*. A man with that income is taxed at a twenty-two per cent rate on the average, Podell said; the thirteen oil firms had effective tax rates on net income of no more than twenty per cent in 1968 and twenty-one per cent in 1967.

Among these thirteen super-prosperous oil companies cited by the Congressman, Sinclair paid no Federal taxes at all last year—in fact it received a $2.7 million tax credit toward future taxes; Atlantic-Richfield paid no taxes for 1967; Gulf paid less than one per cent of its 1968 net income in Federal taxes; Standard Oil of New Jersey had a $2.3 billion net income last year and paid $224 million or 9.7 per cent in Federal income taxes. The oil industry's "passionate devotion to old fashioned virtues such as greed," said Podell, "is amazing."

When the hearings opened, Senator Hart said one of his chief concerns was whether the higher cost of oil in the United States because of import barriers was hurting other

industries which depend on oil, petrochemicals being the chief example. Chewing on his cigar, the free-speaking economist, Walter Adams, said high oil prices here were "hopelessly disadvantaging" the U.S. petrochemical industry competing in world markets against producers in Japan and Germany, for example, who paid far less for their petroleum feedstocks.

In March, the chemical industry itself—which contributes $1.1 billion in overseas sales to reduce the balance of payments deficit—put out a handsome glossy booklet complaining that oil import controls threaten its competitive position. It was sponsored by DuPont, Celanese, Monsanto, Union Carbide, and other chemical giants. There are those who relish the picture of the chemical corporate giants clashing head-on with Standard Oil, Gulf, and other oil industry mammonths.

Adams told the Hart Subcommittee that the political power of the oil industry, rather than national security needs, had brought the system of oil industry props into being. The power of the oil lobby is legendary. The industry has immense financial resources. It supports some highly effective trade organizations to represent it in the nation's capital.

Oilmen are generally numbered among the prime contributors to the two national parties, though precise statistics are hard to come by. To give a few examples, Shell and Union Oil each bought $15,000 advertisements in the 1964 Democratic National Convention program book. Gulf bought a similar one in a 1965 Democratic program book, and Humble, Shell, American, and Union Oil all bought advertisements in the 1964 Republican convention book. At a recent $500 a plate Democratic dinner in Washington, I spotted lobbyists representing three of the top seven oil firms in the country.

Texas is the biggest oil-producing state, which helps explain why Lyndon B. Johnson, while he was in the Senate (and on the House side Speaker Sam Rayburn), helped defeat all attempts to reduce the oil depletion allowance. The oil industry's benefits still have a powerful and effective defender: Senator Russell B. Long of Louisiana, another large oil producing state, who is chairman of the tax-writing Senate Finance Committee and who has repeatedly defended the industry in floor speeches this year. Long undoubtedly will work to block any substantial reduction in the depletion allowance. The depletion allowance has another friend in high places: President Nixon. During the campaign, he asserted outright that he supports the allowance.

In spite of this powerful support for the current depletion allowance, which was enacted forty-three years ago, the chances that Congress will reduce it are brighter this term than ever. There is a strong movement in both houses for tax reform, and the House of Representatives has even voted a reduction of the oil depletion allowance from 27.5 per cent to twenty per cent and to prohibit its application to foreign production. The reduction faces rough sailing in the Senate, whose Finance Committee is dominated by men who like the present allowance.

The oil industry's response to all the cries of "subsidy" levelled against it is that the whole system is justified by national security needs. Unless the United States is capable of producing some three-quarters or four-fifths of its annual needs, the argument runs, the nation will be at the mercy of foreign suppliers and subject to diplomatic blackmail and manipulation. If import barriers were removed and $2 foreign oil allowed to enter, the industry claims there would be a massive drop in U.S. production as less efficient operations failed to meet the competition and went out of business.

Worse still, the oil men argue, incentives to discover new oil here, at high cost, would disappear. Reserves, already known to an eight-year supply, would drop still further. Wright of Humble Oil estimated that with import barriers removed, growing consumption coupled with declining discovery would leave the United States capable, at best, of producing only forty-six per cent of its needs by 1985, and therefore heavily dependent on imports.

The economists who testified at the first round of Senator Hart's hearings expressed considerable doubt about these assertions. To begin with, why national security requires that the United States must maintain domestic capacity at four-fifths of annual consumption is not clear. The figures, when originally set, were based more or less on the existing import levels; the computation smelled suspiciously like a simple hold-the-line device dressed up in national security clothing. The economists suggested that careful economic studies—none has ever been made, several claimed—might establish some lower figure as quite adequate.

In addition, it was pointed out that it is not necessary to maintain such a huge price differential to protect most U.S. oil production. Several witnesses argued that only a small proportion of U.S. oil production—perhaps as little as ten to fifteen per cent, or even less—needed the massive price protection established by the import quota system. The rest, it was emphasized, could compete quite well at a much lower price if inducements to waste and inefficiency which are built into the system were ended.

Senator Hart repeatedly advanced the position that if new U.S. deposits of oil are getting harder to find, while at the same time domestic needs are rising, the current system of limiting low-price imports not only raises the cost to consumers but also uses up our scarce domestic supplies faster and thereby undermines our national security position.

Would it not be cheaper, as well as more conducive to national security, Hart kept asking, to import more foreign oil now while it is available and save our liquid reserves for a crisis? Oilmen responded that for technical reasons it is difficult to save oil underground once a well has been opened. If the inefficient wells were put on a standby basis, many would never be able to produce again and the oil would be lost forever.

Hart also advanced the proposal that it might be possible, and much cheaper than the current expensive system, to develop new ways to tap oil-reserves that would permit low-cost imports while maintaining a strong national security position. For example, referring to the 600 billion barrels of good-grade potentially recoverable oil to be found in shale deposits in Colorado (that would be 100 years' supply at current consumption rates), Hart asked whether an all-out research effort to reduce the cost of getting oil from shale would not be worthwhile. At present, shale oil is too costly for commercial use, and the industry says it would be economically impossible to count on it as an oil reserve. But the Government is spending only $13 million a year for all research on the development of oil from shale and from our immense reserves of coal. Even if it ultimately cost a billion dollars—or even two or three billion—to crack the problem of producing low-cost oil from shale, coal, and tar sands, that would still be less than a single year's added costs to buyers which results from the oil import quota system. In addition, the new sources would provide an enormous reserve of oil for national security purposes.

One Senator notably unimpressed by the national security argument was Edward M. Kennedy. He challenged industry witnesses to say what proportion of U.S. oil was helping to fuel our forces in Vietnam. They did not supply the answer. Former Assistant Secretary of Interior J. Cordell Moore, who was in the audience waiting to be called as an expert witness, told me that only a fifth, or a quarter, of Vietnam petroleum supplies comes from the United States.

Kennedy—arguing that oil from Canada, Venezuela, and other Western Hemisphere sources could be depended on in a crisis—also brought out that two-thirds of current U.S. oil imports do not come from the Middle East but from Canada and Venezuela. So the oft-cited threat that Middle Eastern nations could endanger the United States by cutting off supplies was pretty much a bogeyman, he implied.

The industry's national security argument is not entirely implausible. But it is not at all convincing without detailed economic studies to back up assertions of disaster. The President's Cabinet Committee Task Force on Oil Imports, which is headed by Secretary of Labor George Schultz, is to report in the fall or winter. It should take a really hard look at the security argument rather than swallow it whole as an excuse for handing more subsidies to an already enormously rich industry.

In the meanwhile, Senator Hart and his staff have done the public a great service in making clear, as Adams of Michigan State put it in quoting the conservative economist Milton Friedman, that: "Few industries sing the praises of the free enterprise system more loudly than the oil industry. Yet few industries rely so heavily on Government favors." These are favors that cost the U.S. Treasury billions in taxes which the oil industry does not pay and billions in higher prices paid for gas and oil by American consumers.

THE BIG THICKET IS VANISHING

Mr. YARBOROUGH. Mr. President, in a penetrating and thoughtful article published in the Texas Observer of August 29, 1969, Mr. Pete Gunter states that the Big Thicket area is in danger of being destroyed.

This unique and beautiful wilderness, which is widely known for its rich and diversified plant and animal life, is vanishing at the rate of 50 acres a day. Unless action is taken immediately, the bulldozer and chainsaw will deprive future generations of the wonders of the Big Thicket.

To save the Big Thicket, I have introduced S. 4, which would create a 100,000-acre Big Thicket National Park. The bill is being supported by civil and conservation groups throughout the Nation. If America's last great wilderness is to be preserved, we must act now.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A CERTAIN TREASURE

BEAUMONT.—We pulled over to the side of the road, under the shadow of the pine trees. Ahead of us a hawk circled through the calm afternoon. Beside us stood a billboard.

"But, Lance, I thought this was supposed to be part of the Big Thicket Park."

Lance Rosier nodded sadly.

"It was. Right in the middle of it."

"You mean the Department of the Interior decided it wasn't good enough to be part of the park?"

"Oh, it's plenty good enough. It's a beautiful woods. But they're cutting it up for vacation homes, weekend places," he grimaced. "The U.S. government won't do anything about it."

The billboard (ten feet high, twenty feet long) proclaimed that this was Hoop 'n'

Holler Estates, and listed financial arrangements through which the urban tourist could participate in "life in a real wilderness." I had hoped that the announcement of plans for a Big Thicket National Park would put an end to the needless bulldozing. So much for hope.

"Drive on in," Lance grinned. "Take some snapshots. Take all you want."

A quarter-mile from the entrance sign was an air conditioned frame shack, decked out in fluttering orange plastic streamers. A sign on its roof stated, once more, the attractions of life in a "real wilderness." Behind the shack, roads had been cut, subdivision-style, through what biologists have specified as a uniquely rich botanical area. Massive brush-heaps, two to three times the height of the car, rotted beside the road. Gum trees, magnolias, yaupon trees were piled up like matchsticks.

"The man who did this is from Livingston," Lance offered. "He says he's helping the Big Thicket by bringing in jobs and people here. A month ago a man from the Audubon Society came out here and begged them not to wreck this part of the woods. The man who owns this got on a bulldozer and knocked down some more trees, just to show us. He said it was his land, bought and paid for. He even let us take a picture of him next to the bulldozer."

"Did he smile?"

"And there's another thing," Lance pointed. "Those signs all around here say No Hunting. And they hunt in here all the time."

Sure enough, a man carrying a shotgun walked across the road ahead of us. He disappeared into the brush on the other side of the road, passing under a No Hunting sign. Behind him the foundations of a new house rose incongruously.

"If the law was halfway straight, they'd all be in jail," Lance snapped.

Lance had grown up in the Big Thicket, exploring its sloughs and remote backwoods, collecting and calssifying its plants and animals at a time when few realized the area's unique value. The people of Saratoga classed him as a harmless sort of eccentric. ("Why he don't do nothin' but prowl the woods around here," one of them told me, in consternation.) Now that politicians and conservationists had come to know the frail, self-educated naturalist, and his name had appeared in countless books and articles, the folks around Saratoga were nonplussed. How do you classify a man like Lance? Why do all those folks pay him so much attention?

"There was nine units that was going to be in the park. This one—you can see what they did to it. Cuts the middle right out of the Profile Unit. Cuts it right in two. And that's the heart of the park."

Beginning in the rolling piney hills near the Alabama-Coushatta Indian Reservation, sloping southward towards sluggish Pine Island Bayou, the Profile Unit takes in every kind of topography and plant life in the Thicket. It is certainly the most inclusive, and to my mind, the most interesting, component of the proposed park.

"They timbered the Beech Creek Unit. Soon as we set it aside for the park. And they want to cut the Loblolly Unit. You know, that's the last big stand of virgin pine in Texas. Four hundred years old. Here: you want to take a picture?"

He climbed onto a toppled tree trunk and started glumly around. The Thicket was getting its publicity now. People were getting to know about it. But it was getting destroyed even faster than it was getting known.

We spent an hour taking pictures, then headed back to Saratoga. On a table on Lance's front porch lay a copy of the *Pineywoods Press* (Promoting Recreational and Industrial Growth in East Texas), which Lance was glad to loan out. Headlines in the six-sheet tabloid enthusiastically proclaimed the opening of the Hoop 'n' Holler Estates. I said goodbye to Lance and headed back to the urban sprawl of Houston. Only later was there time and inclination to read the *Pineywoods Press*. Towards the end of the article on the opening of the Estates was one lone passage which struck the imagination:

"This was a camping site of the early Spaniards. . . . They camped on the banks of Menard Creek and it was rumored that they buried treasure there near the creek which has been sought after for the last hundred years. . . . Botanists and people seeking nature in the raw, where semitropical plants grow, have long wanted to reserve some of this land for a park. There is a book on the Big Thicket which we hope to get several copies of and leave at the office."

The book referred is to Dempsie Henley's *The Big Thicket Story*, which condemns irresponsible land, oil, and lumber interests in the region. Henley's book is, temporarily, out of print, but, just for the record, I am willing to lend my copy to the Hoop 'n' Holler Estates. I am even willing to add a detailed explanation of just what priceless treasure once existed along the banks of Menard Creek, and what has recently become of it. P.G.

PENTAGON ASSISTS ITS HILL ALLIES

Mr. HATFIELD. Mr. President, an article which appeared in the Friday, September 5 edition of the Washington Post brings to mind the problem confronting the current debate on the position of the military-industrial complex in our society. Indeed, as some have suggested, perhaps the question at hand should include the military-congressional-academic-industrial complex. I commend this article to my colleagues' attention, and ask unanimous consent that it be included in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PENTAGON ASSISTS ITS HILL ALLIES

(By Bernard D. Nossiter and George C. Wilson)

The Pentagon has created a special task force headed by a key aide of Defense Secretary Melvin R. Laird to assist Sen. John Stennis (D-Miss.) and other Congressional allies in their battle against military budget cutters.

The lobbying unit is led by William Baroody, special assistant to Laird. A brief description of its work and other Defense Department plans to ward off spending reductions is given in an Aug. 26 Air Force memorandum.

The paper is signed by Joseph J. F. Clark, Air Force Deputy Director for Legislation and Investigation, Legislative Liaison.

ACTIONS UNDERWAY

The memo begins by saying that "several actions are under way" in the Pentagon to meet requests from the House and Senate Armed Services Committees "for additional materials to be utilized during floor debates" on the bill authorizing procurement of weapons systems. This $20-billion measure is now on the Senate floor under the stewardship of Stennis.

The Clark memo, directed to Air Force Secretary Robert Seamans, says that Baroody "heads up one task force to provide material to Chairman Stennis to refute statements and arguments being made by various senators in their efforts to reduce or eliminate (Defense Department) programs. The C–5, AMSA, and F–15 Air Force programs are all involved in this effort."

The C–5A is the controversial cargo plane, AMSA is the newly proposed manned bomber and the F–15 is a new fighter.

The memo continues:

"In addition, we have been asked to submit a point-by-point analysis of the statements made by Sen. (William) Proxmire (D-Wis.) in support of his amendment to eliminate money in (Fiscal Year) 1970 for the fourth squadron of C–5 aircraft. This analysis will serve as a basis for response by Chairman Stennis or other Armed Services Committee members during the floor debate which will resume next week."

Baroody and an Air Force colonel visited Proxmire on Wednesday in an effort to explain two Pentagon studies suggesting that more C–5As would waste money.

The Clark report then notes that T. Edward Braswell, chief of staff of Stennis' Armed Services Committee, has asked for a "detailed breakout" of the finances involved in the A–7D program. This is an attack plane made by Ling-Temco-Vought that is costing more than expected.

The memo reports that Lt. Gen. George S. Boylan, Jr., Air Force deputy chief of staff for programs and resources, is preparing this material and it "will be utilized by the Committee in determining its future course of action on the issue."

Clark also describes requests for rebuttal material from the House Armed Services Committee. A staff member, Earl Morgan, "has asked for a detailed analysis and rebuttal" to several documents, including the report on military spending prepared by Members of Congress for Peace Through Law, a bipartisan group led by Sen. Mark Hatfield (R-Ore.), and the "Fact Book" of the Democratic Study Group, a caucus of House liberals, the memo says.

Clark concludes that this rebuttal material "is to be provided to the House Armed Services Committee for use during floor discussion of the procurement bill in that body."

FUEL FOR REBELLION

The hard evidence of such a close link between Stennis and the Pentagon, which his committee is supposed to ride herd on, is expected to freshen the Senate rebellion on military issues.

Stennis, recognizing the military money bill was in for trouble this year, tried to preempt the opposition by making cuts in the Armed Service Committee. But neither this move nor the recent cuts made by Laird knocked out the Senators trying to revamp the Pentagon Fiscal 1971 budget.

Often during the military debates this year, Stennis has been taking on the opposition alone. Seldom has the ailing Sen. Richard B. Russell (D-Ga.), former chairman of the Senate Armed Services Committee, taken the floor to help.

STENNIS' WEAKNESS

Also, Stennis this year is without the services of the long time director of the Armed Services Committee, William H. Darden, appointed as a judge in the military appeals court. His departure, according to the Senate insiders, has contributed to Stennis' weakened condition as committee chairman.

Baroody, who worked with Laird in the House on military matters, said last night he does not consider his help to Stennis as a task force operation.

Baroody said Stennis had asked Laird for his views on the questions posed by the Senate amendments. As a special assistant, Baroody said the job of supplying the information came to him.

"It's perfectly legitimate," Baroody said, for a Senator to ask the views of the defense secretary on military questions, adding that he had briefed critics like Proxmire as well as supplied information to Stennis.

To respond to the requests for military information, Baroody said he has added an Air Force colonel and a Navy commander to

his original staff of one Army colonel special assistant, a civilian aide and two secretaries.

Baroody said he has not written any speeches for senators to give the Pentagon's side of the story.

Outside the Pentagon itself, military contractors are helping their allies in Congress with speeches. At least one contractor has helped answer the questions one senator posed to the Air Force on the AMSA bomber, for example.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 281, S. 2546, the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, under the order of yesterday, the able senior Senator from Indiana (Mr. HARTKE) was to be recognized for a period not to exceed 30 minutes immediately upon the laying down of the unfinished business. I ask unanimous consent that, notwithstanding that order, we have a brief quorum call.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HARTKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE F-14, THE EDSEL OF THE SKY

Mr. HARTKE. Mr. President, more than 2 weeks ago, on August 13, I asked the Secretary of Defense to release a study which challenges some of the assumptions behind the Navy's request for a new fighter plane, the $25 billion F-14. That study, a cost comparison between land- and sea-based airpower, has not yet been released: I have been advised only that the matter is "receiving attention."

The fact is, of course, that doubts and questions surrounding the F-14 have been receiving a considerable amount of attention lately, especially inside the Pentagon. Despite the efforts of top Navy officials to stifle dissent, objections to the F-14 continue to be heard from the Office of the Secretary of Defense and from inside the Navy itself. As the Senate prepares to pass judgment on a new authorization request for the F-14, we should not be misled by official statements which try to hide or obscure these internal objections. In keeping with my promise to continue discussion of the F-14 until all relevant information has been made available, I will list some of these internal objections, and renew my request that they be made a part of the public debate.

First, I believe that the Senate should be given free access to a development concept paper, known as DCP 19, which clarifies the limitations of the F-14 as an air superiority fighter. This document, a study of the options for improving our air combat strength, apparently makes the candid judgment that the early models of the F-14 will be generally comparable in air combat performance to the F-4, a much older and much cheaper plane which the Navy is using today.

Former Secretary of the Navy Paul Ignatius also used the word "comparable" in judging the fighter capabilities of these two aircraft, in his testimony before the Mahon committee last year. Before we accept the claim that the F-14 will be, as alleged, a superior fighter, I believe that this revealing development concept paper should be made availabe to the Senate.

Second, I am requesting release of cost estimates on the F-14 which were recently made in the Office of Systems Analysis in the Department of Defense, and which were contained in a recent letter from that Office to the Secretary of Defense. These estimates, as I understand, range high above official Navy estimates, and even exceed some of the highest unofficial estimates which we have seen. Steadily rising costs, of course, have characterized the F-14 program since its inception. When the F-111B was canceled in favor of the F-14 in 1968, because of rising costs, Secretary of the Navy Ignatius said that the costs of the new plane "are expected to be essentially the same as those required to complete the F-111B program." Since that time the Navy has admitted to unit costs for the F-14 that range from $4 to $6 million higher than those for the F-111B. More recently, two of my Senate colleagues, the distinguished chairman of the Armed Services Committee, the Senator from Mississippi (Mr. STENNIS) and the Senator from Nevada (Mr. CANNON), have judged that the unit cost of the F-14 will go as high as $15 million per copy. The Office of Systems Analysis letter to which I have referred puts the total cost per plane even higher—closer to the $19 million range. In light of the fact that the F-4 costs us only about $3 million per copy, I find it incredible that the Navy plans to replace the F-4 with a "comparable" fighter which will cost at least five times as much.

Third, I feel that the Senate should be told about a major programs memorandum, dated June 4, 1969, from the Secretary of Defense to the Navy and the Air Force. This internal document, known as the MPM on Tactical Air, directs the Air Force and the Navy to assume a constant budget for tactical air and within that constraint, to develop aircraft force mixes which will emphasize the capability to perform two missions: Air-to-air close combat under visual conditions and air-to-ground close support against armor. Since the F-14 is designed for none of these purposes, but instead to counter a dubious Soviet bomber threat with radar missiles, it is not surprising that top Navy officials have objected to the MPM and have tried to exclude it from the public debate over the F-14. Since I believe that both economy and mission requirements are important aspects of our debate, I ask that the MPM on Tactical Air be made available to the Members of the U.S. Senate.

Fourth, and along the same lines, I feel that the Senate should know more about another aircraft design which would be better suited to perform these important tactical airpower missions. Accordingly, I am asking that a study conducted in the Office of the Secretary of Defense, known as the FX-X study, be made available to the Senate. The title of this study, "Feasibility Study of Alternative High-Performance/Low-Cost Fighter Designs—FX-X and VFX-X," tells us something about its content. It suggests building a genuine air superiority fighter—cheaper with high performance, and better suited to the needs of the Navy than the high cost, lower performance, hybrid design F-14. The unit cost of the proposed FX-X, according to this study, would be a mere $3.2 million. Since this study presents important options and discusses serious alternatives to the F-14 program, and since those options and alternatives have not been adequately discussed in public until now, I ask that this feasibility study be released to the U.S. Senate.

Fifth, and again with reference to the need for alternative design to the F-14, I believe that the Senate debate on tactical airpower should not ignore the expressed desires of the fighter pilots themselves, who are uniquely qualified to evaluate aircraft capabilities from a practical perspective. Accordingly, I am requesting that the proceedings of the Navy Fighter Pilot's Symposium, held for the last three summers in Coronado, Calif., be released to the Senate. At these meetings, dissatisfaction among Navy pilots with the F-14 became such an embarrassment to the top Navy brass that tight restrictions were placed on all public comment with regard to the substance of the discussions that took place. But such widespread dissatisfaction at the operational level cannot be completely suppressed, and strong evidence of internal dissent continues to be heard. An unsigned letter from a Navy

combat pilot in a recent issue of Aviation Week magazine typifies this dissent. This concerned Navy pilot likens the F–14 to the disastrous F–111B, as "another obese aircraft with a multimillion-dollar price tag, flapping wings, and a back seat driver." The same letter goes on to list all of the qualities of a superior fighter plane and finds them to be incompatible with those of a fleet air defense interceptor, concluding that "the defensive role of the interceptor is almost completely disassociated from the offensive role of a tactical fighter."

Sixth, I am asking that the Department of Defense make available an internal study of one compromise alternative to blanket approval of the F–14 program.

Press reports indicate that the Office of Systems Analysis in the Office of the Secretary of Defense has recommended that the early "A" version of the F–14 be scrapped and that the remainder of the program be stretched out approximately 18 months. These recommendations apparently have the partial backing of the Deputy Secretary of Defense, Mr. David Packard. This alternative is of particular interest to the Senate because it represents a compromise position between scrapping the F–14 concept altogether and blank-check approval. In my remarks on August 13, I mentioned that such a restriction on the procurement of "A" model F–14's might be a balanced approach for the Senate to take. And these Office of Systems Analysis recommendations will be invaluable to our consideration of the matter. Accordingly, I request release of the terms of this compromise proposal to the Members of the U.S. Senate.

Seventh, and last, I would like made available to the Senate the "Air-to-Air Combat Simulation Computer Analysis" performed by work unit three of the Anti-Air Warfare Branch of the Naval Air Development Center at Johnsville. That is document No. FO 180203.

Some of these documents which I have listed have been seen by Members of the Senate. Indeed, most of them are familiar to the small community of Senators who have taken an interest in the problems surrounding the F–14. But I feel that the Senate at large deserves free access to all of this information, as a supplement to the incomplete and somewhat misleading testimony which we have heard so far. For this reason, I have written a letter to the Secretary of Defense, Melvin Laird, requesting that all of this material be made available, upon request, to Members of the Senate.

My own doubts about the F–14 have only been intensified by the heavy secrecy which surrounds most of these internal documents. What is the Navy trying to hide? Perhaps the Pentagon will be more forthcoming if it can be persuaded that my purpose is not hostile to naval airpower as such.

I fully recognize the Navy's need for a new fighter plane: The F–4 is now 15 years old. In addition, I fully recognize the disadvantages of commonality: The special requirements of naval airpower cannot be met through simple modifications of Air Force designs. Furthermore, I recognize the significance of large numbers of aircraft—the combat situation affords the opportunity to overwhelm as well as to outdesign the enemy. But I feel that none of these requirements are adequately met by the proposed F–14, or at least not by the heavy-engine "A" model of the F–14. The Navy needs a new fighter—not another cumbersome platform for an ill-conceived missile system. The F–14 was designed primarily to carry six 1,000-pound Phoenix missiles—and the resulting size, weight, and configuration of the aircraft have clearly compromised its capabilities as a fighter plane. The problem of numbers, of course, is related to size and cost. If the Navy wants to build and fly a large number of carrier-based fighters, it should be thinking more seriously about smaller planes with lower unit costs. At $15 million a plane, the cost of simply replacing all of our Navy and Marine F–4's with F–14's will be about $12 billion, and if the cost of weapons, maintenance, and operations are added in, the program will go to an astonishing $25 billion mark in the next 10 years. The Soviets have been able to produce large numbers of fighters because they have managed to keep unit costs down—it has been estimated that the Mig–23, the new hot Soviet fighter, will cost little more than $3 million a copy. The Mirage–III, the French fighter which performed so well in the 6-day war in the Mideast, costs under $2 million. Only because we insist upon loading expensive missile and avionics systems onto our planes—"gold plating" them, as it is called—do we find it hard to afford a superior tactical air capability.

Goldplating is hard on performance as well as on budgets. A secret Pentagon study—one which I did not list above because it has already been well publicized—has indicated that our country has wasted billions of dollars on complicated electronic gadgets which actually impair the combat effectiveness of our aircraft. The original cost of these gadgets is exorbitant, and operating costs can run more than 12 times as high as procurement costs over a 10-year period. Overall, the costs for modern fighter avionics can generally be estimated at an incredible $7,600 per pound.

Actual performance, as well as economy, is sacrificed on this altar of technological sophistication. The Pentagon report to which I refer indicates that air-to-air missiles costing as much as $50,000 apiece are actually less effective than 100 rounds of ammunition, costing a mere $56, fired from the fixed-sight guns of an old Korean-war vintage F–86. Airborne radar systems have been notoriously overrated, as well as overpriced. Experience in Vietnam has confirmed the limited value of radar detection. There has not been, to date, a single nonvisual kill in all the years of air-to-air combat over Vietnam. And ironically, these radar detection systems which have trouble locating enemy planes send out powerful signals which often give away the location of the plane using the radar.

The Phoenix, a radar missile originally developed to counter a nonvisual bomber threat, suffers from all of these ills and more. It is five times as complicated as any radar missile in operation today, much heavier, far more difficult to accommodate on a high performance aircraft, and preposterously expensive—$400,000 per missile. The Navy tells us that these missiles can easily be jettisoned from an F–14 in flight if high combat performance is desired in an emergency but the thought of casually dropping six $400,000 missiles into the sea offers me very little comfort.

In fact, most of the shortcomings of the F–14 can be traced to its primary armament—the Phoenix missile. Carrying these heavy missiles, the F–14 is an ugly hybrid weapon—the speckled progeny of a marriage between two incompatible ideas. As a multimillion dollar aircraft, the F–14 will be capable of doing many things, but none of them very well.

The seeds of this mismatch between fighter and missile were sown in the mid-1950's when our Defense Department sought to develop aircraft capable of intercepting enemy nuclear bombers intent upon the destruction of our continental bases and our carrier task forces at sea. To meet this projected Soviet bomber threat we designed a very large, radar-equipped, missile-armed airplane. This plane was designed to hover above the ocean and protect the fleet by sending a long-range missile over the horizon to kill the intruders before visual contact had been made. This system was named the Eagle-Missileer.

A fresh look at the problem by a new administration in 1960 brought a reorientation of our strategic thinking, and a change in the primary mission of naval airpower. The vulnerability of the carrier task force to the submarine threat and a new emphasis on nonnuclear warfare capabilities led to abandonment of the premise that the carrier task force against the mainland of Europe in a nuclear war. These changing circumstances, plus a cost-effectiveness examination, were more than enough to kill the Eagle-Missileer program in 1960.

But advocates of this missile system inside the Navy waited in the wings for an opportunity to hang a modification of the Eagle missile on another airplane, and their opportunity came with the TFX. A fleet air defense missile system was quickly built onto the Navy version of the TFX, the F–111B. When this new weapon system arose from the ashes of the Eagle-Missileer, it was only appropriate that it should be named "Phoenix."

With the demise of the F–111B, the already outdated advocates of nuclear war fleet air defense again needed a new plane on which to hang their Phoenix missile. By overdrawing the Soviet bomber threat that has never really materialized, these people were able to launch their new missile platform in the guise of the F–14.

The primary role of tactical airpower in the 1960's and the 1970's bears little relation to the vision of nuclear bomber war which grew out of the 1950's. Vietnam and the new realities of the balance of terror have combined to demonstrate the importance of conventional close-

combat fighter capabilities, and such capabilities are compromised when an airplane is forced to carry heavy radar missiles such as Phoenix. To the degree that the F–14 can perform both the fighter and the Missileer role, it will experience all of the difficulties and the confusions which plagued the multipurpose F–111B.

Perhaps the most eloquent critique of this confused F–14 concept comes from a Navy man who spoke his mind before the plane became a sensitive political issue. Writing in the Naval Review, Capt. C. O. Holmquist, of the Naval Air Systems Command, addressed himself to the problem of building a multipurpose aircraft:

Modern technology and the wonders of avionics will certainly allow us to combine all of the functions and weapons of an all-weather attack aircraft, a fighter, and an interceptor into one aircraft. However, such an airplane would be expensive, complicated, difficult to maintain, and training pilot and crew would present formidable problems. More important, if we allow the enemy the same technology, he can build single-purpose aircraft which would be superior to our multi-purpose aircraft in each of the missions it performs.

Captain Holmquist concludes his article by listing some of the things he would like to see in the Navy's future aircraft fighter plane; and he hints at the reason why we might not get them:

Our experience tells us that simplicity, reliability, maintain-ability, light weight, small size, and low cost are the guide-lines we should follow in the future. Our expanding technology is a strong force to drive us away from most of these objectives.

In conclusion, the F–14 may deserve our consideration as a flying laboratory. A $15 million plaything for the R. & D. men in the Pentagon and the technical dilettantes in private industry. But as a weapon, it deserves more critical review.

Our critical review of the F–14 will be aided by release of the seven documents which I have listed above. I am glad that responsible officials and officers inside the Pentagon are objecting to the folly of the F–14. And I hope that their objections will be heard and heeded by the U.S. Senate.

THE C–5A

Mr. GOLDWATER. Mr. President, during the debate on the provisions of this bill for the funding of the C–5A airplanes, I have several times raised the question of the leakage of important and classified information to unauthorized persons outside of the Department of Defense.

A major instance of this appeared in print on August 31 of this year in an article entitled "C–5A Limitations Data Withheld by Pentagon" in the Washington Post. This newsstory charged that the Pentagon was withholding from Congress two internal memorandums that suggested the Government would waste money buying any more C–5A airplanes.

This newsstory, written by Mr. Bernard D. Nossiter, said the documents in question were prepared by the Defense Department Systems Analysis Division. The article goes on to say:

Both, prepared by the Systems Analysis for the Secretary of Defense, *are classified*. However, their principal finding, stripped of any security matters, have become available to the Washington Post.

Now, Mr. President, I find this a very disturbing state of affairs. I want to make it clear that while I am not accusing the Washington Post nor Mr. Nossiter of any kind of a security breach, I am directing the attention of the Senate to the fact that there is a systematic leakage of classified documents from persons inside the Department of Defense.

I am willing to acknowledge the Washton Post's assertion that the reports referred to in this August 31 newsstory were "stripped" of any security matters; however, I must also acknowledge the fact that we have only the writer's word for the state of affairs. Even so, this does not alter in my mind the gravity of a situation in which a city newspaper is provided with Defense documents of a classified nature. The Washington Post states flatly that both reports were classified. This being the case, I would have hoped that the newspaper would have confided in its readers who, either in the newspaper office or in the Pentagon, decided what parts of those documents were or were not of a security nature. I, for one, am not willing to accept any such casual published assurances that no serious breach of security has been committed. It stands to reason that if classified material can be leaked to the Washington Post, it can also be leaked to other persons. I submit that any Defense Department official who would leak a document marked classified, or any part thereof, for purposes of publication certainly would not hesitate to leak the same information for other purposes.

Mr. President, I have outlined here my concern over this situation, and I now wish to formally urge the proper authorities in the Department of Defense to ferret out the person or persons responsible for leaking classified documents and dismiss him from Government service immediately. And, I might say, I do not believe that any prolonged investigation will be required to find the fountainhead of this classified material. I believe the source of it is perhaps fairly well known to the Department officials, and I further believe that action could and should be taken immediately

Now, Mr. President, I should like to return to the substance of the Washington Post article and the contention that the Government would waste money buying more C–5A airplanes. I ask unanimous consent to have printed in the RECORD the full text of the Washington Post article, together with a point-by-point commentary of my own.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

C–5A LIMITATIONS DATA WITHHELD BY PENTAGON

(By Bernard D. Nossiter)

The Pentagon is withholding from Congress two internal memoranda that suggest the government would waste money buying any more C–5A airplanes.

The documents, prepared by the Defense Department's Systems Analysis Division, could, if released, have a major impact on this week's Senate debate on the big cargo planes.

When senators return from their vacation on Wednesday, the pending order of business is an amendment by Sen. William Proxmire (D-Wis.) to the bill authorizing funds for the military in the budget year that began on July 1. The Proxmire amendment would knock out $533 million that the Pentagon wants to begin purchasing another squadron of 23 C–5A's.

It would also require the General Accounting Office to determine whether additional purchases are the cheapest way of obtaining the airlift capability that the Pentagon seeks.

A vote could come at the end of the week, climaxing a strong challenge by Proxmire and others to the ballooning costs of the big Lockheed craft.

The two documents that Proxmire has been requesting to no avail since Aug. 22 are the "Major Program Memorandum for Strategic Mobility Forces, June, 1969" and another memo dealing exclusively with the C–5A that is dated Nov. 7, 1968.

Both, prepared by Systems Analysis for the Secretary of Defense, are classified. However, their principal findings, stripped of any security matter, have become available to The Washington Post.

BROAD STUDY

The June paper discusses a wide array of transport along with the C-5A. It was prepared as part of an annual survey, a procedure inaugurated by former Defense Secretary Robert S. McNamara, over the Pentagon's force levels for the next five years.

The document's central conclusion is that the most efficient, least costly transportation network to support the two major and one brushfire wars for which the military wants to be prepared consists of the existing three squadrons (58) C-5As plus smaller carriers like the C-141 and modern freighters.

The conclusion rests on this argument: The C-5A is so costly to build and operate that it can be justified only if it is used in the first 10 days of a conflict. Thereafter, the smaller C-141s and sea transport can do the job far more cheaply. However, the Army's ability to mobilize divisions and their equipment is so limited that it probably could not fill more than the 58 existing C-5As and the C-141s inside of 10 days.

CHEAPER BY SEA

In other words, by the time additional C-5As were loaded, more than 10 days would most likely have elapsed, and by then ships could do the job as effectively and for much less.

A parallel finding holds that the C-5A is no longer an economic replacement for the C-141, despite its larger size. The paper contends that if costs had been held to the level originally estimated, this would not be true. But the escalation in costs has wiped out the bigger carrier's advantage.

Finally, the document argues that four squadrons of C-5As would give the United States a lifting capability over and above the Pentagon's requirements.

The paper, written last June, does not directly attack the fourth squadron, the issue before the Congress, although its logic indicates that this extra force is unneeded as are the fifth and sixth squadrons the military ultimately wants.

PART OF INVENTORY

According to those in a position to know, Systems Analysis was directed this spring to assume that the fourth squadron was already part of the Pentagon's inventory.

A contract to buy the fourth squadron was signed last January, a few days before the Nixon administration took office and seven months before the Senate debate on the money for this agreement began.

Last fall, however, Systems Analysis was not under such an inhibition and prepared a paper dealing directly with the wisdom of procuring a fourth squadron. The Nov. 7 document observed that costs had risen far

above original estimates and questioned whether it was wise to go forward.

The paper concluded that the military could get the same airlift ability—and save vast amounts—by employing its existing three C–5A squadrons more intensively.

USE LIMITED

The memo observed that the Air Force intends to fly its planes only a limited number of hours each day, but if extra crews were called up from the Air National Guard or the Air Force Reserve, the carriers could be used more productively.

Over 10 years, the cost of extra crews was calculated at one-seventh the cost of building and operating a fourth squadron.

Moreover, if the military wanted the capability of six squadrons, it could achieve this with extra crews to operate both C–141s and the existing three squadrons of C–5As more intensively. Over 10 years, this technique would be more than $2 billion cheaper than buying and running three more C–5A squadrons.

The June document also brought out some limitations on the C–5A. It calculated that one squadron of the big carriers could deploy and support half an Army division for from 10 to 25 days, depending on the distance the squadron must travel. After that, the food, equipment and other supporting requirements would limit a squadron to less than half a division.

TWICE THE CAPACITY

The paper pointed out that over a period of 20 days, and for the same capital and operating expense, ships could carry twice as much to Europe as C–5As. Over 50 days, at equal cost, the ship advantage is five times as much.

To Asia, at equal cost, ships could carry 1.5 times as much as the planes in 30 days and four times as much in 40 days.

On the Europe run, the point at which ship transport becomes cheaper than planes is 14 days; for Asia, 28 days.

If Congress cuts off the C–5A program at 58 planes, the outcome would severely hurt Lockheed profits. Costs have risen so fast that the Air Force estimates the company would lose $671 million on the deal. Thanks to the repricing or "golden handshake" clause, Lockheed would appear to recover most if not all of this sum only if the three additional squadrons are purchased and the Pentagon generously prices the needed spare parts.

Testimony before Congress indicates that the cost of six C–5A squadrons totaling 120 planes and their spare parts has risen more than $1.9 billion, from an original estimate of $3.4 billion to $5.3 billion. The Pentagon, however, acknowledges only an overrun of $1.5 billion.

COMMENTS ON A WASHINGTON POST ARTICLE OF AUGUST 31, 1969, ENTITLED "C–5A LIMITATIONS DATA WITHHELD BY PENTAGON"

Point: "The June paper discusses a wide array of transport along with the C–5A. It was prepared as part of an annual survey, a procedure inaugurated by former Defense Secretary Robert S. McNamara, over the Pentagon's force levels for the next five years.

"The document's central conclusion is that the most efficient, least costly transportation network to support the two major and one brushfire wars for which the military wants to be prepared consists of the existing three squadrons (58) C–5As plus smaller carriers like the C–141 and modern freighters."

Comment: The June paper referenced is the Major Program Memorandum (MPM) on Mobility Forces, June 11, 1969. The MPM does not discuss supporting two major wars and a contingency simultaneously and does not conclude that the least cost mobility force to meet our deployment objectives is three C–5A squadrons plus the C–141s and modern freighters.

The mobility forces are designed to support reinforcement of Europe and the Pacific. A minor contingency is not considered during this deployment period. This is not even a two *major* war strategy. The European reinforcement is a response to a crisis created by Warsaw Pact forces. In this scenario the 4⅓ divisions in Europe would be reinforced by (a) flying in troops to marry up with the 2⅔ division sets of prepositioned equipment, (b) deploying additional ground forces and their equipment from the U.S. and (c) filling out the support units and opening the resupply pipeline. Additional tactical fighter/attack squadrons would also be deployed. If we had to deploy these additional ground forces to Europe in a reasonably short time, this would require the use of 4 C–5A squadrons.

For the Pacific we plan to be able to deploy a significant ground force and fighter/attack squadrons.

By designing and sizing the mobility force to support these deployments we build in the ability to react to larger than expected threats in either area singly. The MPM concluded that the military airlift force needed to support these deployment objectives was 4 C–5A and 14 S–141 squadrons.

Unrelated to detailed plans which involve many different force options and assumptions, the airlift capability produced by the MPM recommended force of 4 C–5A and 14 C–141 squadrons can be illustrated by the fact that we will be able to rapidly deploy from the U.S. ground forces to Europe and to Korea.

Point: ". . . the Army's ability to mobilize divisions and their equipment is so limited that it probably could not fill more than the 58 existing C–5As and the C–141s inside of 10 days."

Comment: At the outbreak of hostilities in Korea, we began deploying Army forces within 10 to 15 days from Japan and the U.S. These units were deployed even though they were understrength and underequipped. Further, we plan to maintain General Purpose Forces in a readiness condition to use the improved deployment capabilities which we have been building.

To date, all of our deployments of General Purpose Forces have been constrained by our airlift capability, even though the only ground forces eligible for airlift were the "light" divisions, i.e., the airborne and infantry divisions. With the C–5A in the airlift force, *all* Army divisions can be airlifted. Therefore, we expect that future deployments will also be constrained by our airlift capability.

Point: ". . . the C–5A is no longer an economic replacement for the C–141, despite its larger size."

Comment: In providing the recommended airlift force of 4 C–5A and 14 C–141 squadrons, the C–5As are not being procured as a replacement for the C–141 but to provide an outsize capability and other special characteristics now lacking in our strategic airlift force. With the current projected costs of the C–5A, it would not be economically attractive to replace *existing* C–141 squadrons with additional C–5As on an equal ton-mile basis.

If we wanted to *increase* the airlift capability beyond 4 C–5A and 14 C–141 squadrons by either buying C–5As or C–141s, the least cost way of getting this increase would be by adding C–5As. This is true because one C–5A squadron is about 4 times as productive as one C–141 squadron and is less than 2 times as expensive to operate.

Point: "According to those in a position to know, Systems Analysis was directed this spring to assume that the fourth squadron was already a part of the Pentagon's inventory."

Comment: This is simply not true. The Secretary of Defense directed Systems Analysis to make a complete review of the C–5A program. The conclusion from this critical review, was that 4 C–5A squadrons were adequate to meet our deployment objectives but raised doubts about the need for the 5th and 6th Squadrons.

Point: "Last fall, however, Systems Analysis was not under such an inhibition and prepared a paper dealing directly with the wisdom of procuring a fourth squadron. The Nov. 7 document observed that costs had risen far above original estimates and questioned whether it was wise to go forward.

"The paper concluded that the military could get the same airlift ability—and save vast amounts—by employing its existing three C–5A squadrons more intensively.

"USE LIMITED

"The memo observed that the Air Force intends to fly its planes only a limited number of hours each day, but if extra crews were called up from the Air National Guard or the Air Force Reserve, the carriers could be used more productively.

"Over 10 years, the cost of extra crews was calculated at one-seventh the cost of building and operating a fourth squadron.

"Moreover, if the military wanted the capability of six squadrons, it could achieve this with extra crews to operate both C–141s and the existing three squadrons of C–5As more intensively. Over 10 years, this technique would be more than $2 billion cheaper than buying and running three more C–5A squadrons."

Comment: Last fall a review of the C–5A procurement level was made after it became quite clear that the costs were increasing well above the programmed ceiling costs. The central conclusion of that review was that by using the air crews and maintenance personnel of Reserve C–5A associate units we could increase the daily utilization rate from 10 flying hours per aircraft per day to 15. Obviously if this were possible we could accomplish a given deployment task with significantly fewer aircraft.

However, we recognized at that time that attainable utilization rates depended on factors other than the number of available aircrews and maintenance crews. Such factors as weather, the ability of enroute bases to support massive deployments, and the loading and unloading of the aircraft also impact attainable utilization rates but are difficult to analyze. Because of the uncertainty of the impact of the other factors on attainable utilization rates and required C–5A force size the Deputy Secretary of Defense decided not to change the program at that time. The Tentative Record of Decision DPM, issued in January 1969 kept the C–5A force at six squadrons.

To help in understanding the impact of these more complex factors, we asked in November 1968, the Special Assistant to the Chairman of JCS for Strategic Mobility (JCS–SASM) to work with us analyzing the problem. Specifically we asked that a computer simulation model (SOAR—Simulation of Airlift Resources) developed jointly by the JCS and the Air Forec to study the use of airlift aircraft in large scale deployments be used to study C–5A utilization roles. These studies have been in progress since January 1969 with active participation by OSD(SA), JCS(SASM) and the Air Staff.

The studies are not complete but preliminary results indicate that between 10 and 12 productive flying hours per day can be expected with the present enroute base structure. Even this utilization rate assumes a very efficient level of management which may be possible in a computer simulation but unattainable in actual practice. As a result of these studies the C–5A and C–141 utilization rate used in the overall analysis for the Mobility Forces MPM was 10 productive flying hours per aircraft per day. Using

this utilization rate our analysis showed that to meet our objectives in Asia and Europe we should have an airlift force of 14 C–141 and 4 C–5A squadrons.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE C–5A

Mr. PROXMIRE. Mr. President, today, I want to clear up some of the misconceptions about my amendment to the military authorization bill on the C–5A.

FIRST 58 PLANES WILL BE BUILT

My amendment does not affect the first 58 C–5A planes to be built. They are authorized. They are funded. These 58 planes form the first three squadrons.

My amendment reaches only planes numbered 59 through 81, or the fourth squadron. My amendment would delete the $533 million in the bill—this year's downpayment for the fourth squadron—until a GAO study answered crucial questions of fact about its costs and its need. Armed with the facts, I believe that the Senate itself could then make a far better judgment than it now can with so many facts in dispute or unclear.

TIME NO PROBLEM

There is no reason to be rushed into authorizing the fourth squadron. Time is no great problem.

Only six planes have been built. All of these are research or test planes. Two more research and test planes are scheduled for delivery in the next 60 days.

But the first production planes are not due until December 1969. They are already 6 months late. Provided there is no further slippage, the remaining planes in the first 58 will be delivered at the rate of two to three per month over the next 2 years.

That is one reason to support my amendment to delete the funds and postpone authorization until the GAO has had 90 days to complete its findings of fact about the airplane.

NOT A TROOP-CARRYING PLANE

The C–5A is not a troop-carrying plane. Its purpose is to carry the "outsized" cargo for an armored division—the tanks, cannons, and helicopters which other planes cannot carry.

The idea that we need this plane to get troops to Europe or from Europe is just not true. They can and should be carried by existing or additional troop-carrying planes such as the C–141 or the 747.

For carrying troops, the 747 wins hands down. I hope no Senator intends to oppose this amendment on grounds that the C–5A is needed to carry troops. That is false. That is untrue.

ONLY 40 PLANES NEEDED FOR OUTSIZED EQUIPMENT

The single unique purpose for the plane is to carry the outsized equipment for an armored division, or approximately 35 percent of an armored division's equipment. The Pentagon planners have specific missions which these planes are to perform.

The facts are that only 40 C–5A's are needed to carry the outsized equipment for the various contingencies and missions for which this plane was authorized and developed.

That is not classified. It is a public fact. It is contained in the Whittaker report—page 3. That report makes clear that the outsize requirements necessitates the procurement of only 40 C–5A aircraft.

We have authorized 58. They will be built. Why do we need to rush into authorizing $533 million as a down payment on the $941 million these additional 23 planes will cost? I wish to make clear that these planes will not cost $533 million but almost a billion dollars. Why do we need 81 outsized planes when the Air Force study indicates that only 40 of the total number of C–5A the Air Force wants are needed to meet the "outsize" cargo requirements?

STUDIES OPPOSE FOURTH SQUADRON

Two major studies have been made by the Pentagon on the need for this plane. Each of them clearly questioned the need for the fourth squadron.

The first study, a November 1968 study on the economics of the plane, concluded that a more intensive use of the first 58 planes would make the additional planes unnecessary.

The second study, made in June 1969 concluded that the fourth and subsequent squadrons of the plane were cost ineffective. When the funds for the plane were discounted, it was found that the job could be done better and cheaper by other combinations of planes and ships than the additional capability the fourth squadron of the C–5A would provide.

These two studies aimed at the question of whether we need the fourth squadron were both "negative."

And, of course, the first planes of the fourth squadron are not scheduled for delivery until almost 2 years from now. Those are the facts.

FOURTH SQUADRON TRIGGERS REPRICING FORMULA

Apart from not needing the fourth squadron of the plane for the mission the planes were developed to perform, the purchase of the fourth squadron also triggers the unconscionable provisions of the C–5A contract. When the 59th plane is authorized, the scandalous "repricing formula" and "escalation clauses" and "reverse incentive" provisions of the contract go into effect.

They make it possible for the contractor to recoup the huge excess in costs we thought other provisions of the contract required the company to absorb.

The effects of the repricing provisions are that the unit costs of the additional planes will be almost precisely the same as the first 58 planes. That is an unheard of situation.

For Lockheed Aircraft's part of the production—General Electric provides the engines—the unit costs of the second run of 62 planes will actually cost more than the first production run of 53 planes.

That is a result unknown in industrial history. If these provisions take effect, all the textbooks on the theory of contracts or on industrial production will have to have a new chapter entitled "The C–5A Phenomenum."

This contract is a fiscal disaster.

When the fourth squadron is authorized, all the provisions which make it a fiscal disaster are triggered. Senators should know that.

GAO STUDY

I have asked for a GAO study and investigation of the facts because of these matters.

We will have 58 planes. At stake are only planes Nos. 59 to 81.

Provided there is no further slippage, plane No. 58 will not be delivered until the middle of 1971, or almost 2 years from now.

We will have the 40 planes needed to carry all the outsized equipment this plane was uniquely designed to move.

Troops can be carried more efficiently by other planes. No one denies that. Not even the Air Force denies that. The idea that we will need this plane if we withdraw troops from Europe or elsewhere is irrelevant.

The C–5A is not a troop-carrying plane. If we need fast deployment of troops, buy the 747. With respect to the question of carrying troops the C–5A is like the flowers that bloom in the spring. It has nothing to do with the case.

If we buy the fourth squadron, it triggers the scandalous clauses of the C–5A contract. Buying the fourth unneeded squadron triggers those clauses of the contract which make it a fiscal disaster.

The two studies of the Office of Systems Analysis both conclude that the fourth squadron is not needed.

In view of all of this, we should at least delay until the GAO can report to us on the detailed factual matters which my amendments call upon them to provide.

Then we can decide whether we really need the fourth squadron. Then we can determine whether we need more than the 58 C–5A airplanes now authorized and funded.

COST OF TRANSPORTING CARGO

One further matter in need of clarification concerns the relative costs of transporting cargo by airlift and sealift, or more specifically the costs of transporting cargo with the C–5A versus other carriers.

On Wednesday my distinguished friend, the Senator from Arizona (Mr. GOLDWATER) placed some figures in the CONGRESSIONAL RECORD purporting to show the costs of transporting cargo in a C–5A versus other means including ocean shipping. He stated that the cost per ton-mile for the C–5A is 2.9 cents. This figure was compared with the costs per ton-mile of railroad transportation, 1.31 cents; trucks, 6.6 cents; and ocean freight. The cost per ton-mile of ocean freight was divided into two categories, dry bulk, .07 cent, and the average for all international water carriers, 1.10 cents. The Senator from Arizona then compared the costs of cargo via the C–5A with the costs of water carriers and concluded:

I think the cost factors will more than balance the difference between 2.9 cents and 1.10 cents.

In an earlier statement on the same day the Senator from Arizona asserted that he intended "to introduce some rather startling figures into the RECORD to show that it can beat some shipping, beat trucking, and beat some railroading."

I could not disagree more with the Senator from Arizona on this point. It would indeed be startling to learn that the cost of shipping cargo by the C–5A compares favorably with ocean shipping. Even the figures used by the Senator from Arizona do not support such a contention. The startling fact, in my opinion, is that the figures themselves represent an inaccurate comparison, and I regret to say that the effect is to mislead the Congress and the public.

In this connection, it was of some interest to me that only yesterday, September 4, the senior Senator from California (Mr. MURPHY) also discussed the cost of transporting cargo with the C–5A. According to the Senator from California the costs would be 12 cents per ton-mile. This figure, of course, is vastly different from the figure put forth by the Senator from Arizona. The difference between 12 cents per ton-mile and 2.9 cents per ton-mile is a 400 percent difference. The Senator from California and the Senator from Arizona seem to have their wires crossed.

The fact is that the costs of transporting cargo by the C–5A is enormously higher than by ocean shipping, and is probably higher than the costs of utilizing commercial cargo carriers. Gen. Duward L. Crow, testifying before the Senate Armed Services Committee in June of this year, stated that the cost of shipping cargo on the C–5A is now estimated to be 12 cents per ton-mile. This apparently is the source of the figures used by the Senator from California. It is interesting, however, to note that earlier estimates by the Air Force for shipping cargo with the C–5A were 10 cents per ton-mile. How is it that the estimate increased from 10 cents per ton-mile to 12 cents per ton-mile, a very substantial increase? The reason for the increase is the procurement cost increase of the C–5A.

Of course, the transportation costs of any vehicle should include the costs of developing and procuring that vehicle. That is to say it is highly misleading to use only the operating costs of a vehicle while neglecting the capital investment costs of the vehicle in attempting to determine whether it is economical. General Crow himself testified that—

> The increased costs of the aircraft have escalated that per ton-mile figure that we have calculated here from 10 cents roughly to 12 cents roughly.

In other words, the huge multibillion-dollar cost overruns will have a long-term impact on its operations, specifically the costs of shipping cargo. As these overruns increase, as the C–5A continues to escalate, the cost of shipping cargo will also increase. And I should remind my colleagues here today that we have it on the authority of Secretary Whittaker of the Air Force that the cost of the C–5A will continue to escalate. We have not seen the end of the cost overruns and the cost escalation of the C–5A by any means.

More to the point, is the fact that the figures being used by the Air Force, 12 cents per ton-mile, are serious understatements of the true costs. As far as I am able to determine, the Air Force estimates include the cost of procurement but do not include the R. & D. costs or costs for the initial spare parts. The R. & D. costs for the C–5A are roughly $1 billion. The initial spare parts and other support items are roughly $660 million. If we use these two cost items as well as the procurement costs of $3.3 billion, the costs of transporting cargo on the C–5A turn out to be 14 cents per ton-mile. This figure assumes the use by the Air Force of 120 C–5A planes over a 10-year period. But, if we assume that the Air Force will use only 81 planes, that is, the first 58 which already have been authorized plus the 23 now in question, then the cost of transporting cargo will increase to 14.78 cents per ton-mile.

Now what happens to these figures if the procurement costs of the C–5A continue to escalate? Congress has already been put on notice that they will escalate. We have seen how the cost overruns so far have already increased the costs of transporting cargo from 10 cents to 12 cents per ton-mile. Obviously, the cargo costs will go up just as the procurement costs are going up.

The Senator from Arizona in comparing the C–5A cargo costs with ocean shipping costs asserted, as I have already stated, that the water carrier costs are 1.10 cents per ton-mile. It will be seen that this figure is considerably less than the 14 cents per ton-mile costs for the C–5A, or even the 12-cent figure used by General Crow and the Senator from California. However, I also take issue with the water carrier figures.

The figures being used by the Navy in estimating its costs of shipping cargo are vastly different and the figures used by the Senator from Arizona. The fact is that the costs in fiscal year 1969 for transporting dry cargo in water carriers was one-half cent per ton-mile. This figure includes the average of all types of shipping, both Government and privately owned.

Thus when we compare the costs of shipping cargo on a C–5A with the costs of ocean shipping, we ought to be aware that there is no economy involved in using the C–5A. It is far, far more expensive, many times more expensive.

The C–5A will be a most uneconomical way of transporting cargo compared to shipping. It will also be an uneconomical form of transportation compared to the costs of using commercial cargo carriers, in my opinion. The cost to the Government of transporting its cargo on commercial air carriers is 13.67 cents, according to General Crow. But as I have already demonstrated the C–5A will cost in excess of 14 cents and probably as high as 15 cents per ton-mile, even if there are no further overruns.

Mr. President, in connection with the first part of my remarks, I ask unanimous consent to have printed in the RECORD a table which shows the precise delivery schedule of the C–5A's, and the fact that the first run of C–5A's will not be completed until June of 1971.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

DELIVERY SCHEDULE FOR THE FIRST 58 C–5A PLANES

The first 58 planes have been authorized and funded. Eight of them are research or test planes. Five of the eight are Category 1 test planes provided to the contractor. Three are Category 2 test planes to be delivered to the Air Force for testing at places such as Edwards Air Force Base. The remaining 50 are the Production Run of the first three squadrons of the plane. This schedule is already six months behind. Provided there are no further slippages, the delivery schedule for the 58 planes is as follows:

1969:	
Category 1 test planes delivered	5
Category 2 test planes:	
August	1
September	1
October	1
Total test planes	8
PRODUCTION RUN	
1969:	
November	0
December	2
Subtotal	2
1970:	
January	2
February	2
March	2
April	3
May	3
June	3
July	3
August	3
September	3
October	2
November	3
December	3
Subtotal	32
1971:	
January	3
February	3
March	3
April	3
May	3
June	1
Subtotal	16
Total, run A	58

Mr. PROXMIRE. Mr. President, the point of the table is that there will be no slowdown in production if my amendment is adopted and there is no authorization of the fourth squadron until next year. This follows because present production, as I say, will take until the middle of 1971. The long-lead items are already forthcoming in part, and funds are available for the upcoming long-lead items for the fourth squadron.

So that my amendment would be an opportunity for us to get the information we should have, and which we have a duty to have, before we attempt to authorize the additional $530 million.

Mr. President, I yield the floor.

THE NEED FOR THE WORLD'S LARGEST PLANE

Mr. STEVENS. Mr. President, in the time since I came to the Senate, I have read as much as I could about the subject the Senator from Wisconsin (Mr. PROXMIRE) has just addressed himself to;

namely, the subject of the world's largest airplane, the C–5A.

I have been quite amazed that most of these words were about the contract and its procedure and very few words have been addressed to the airplane itself.

The evidence I have seen from the Armed Services Committee seems to indicate that the airplane is being procured at a fair price, in spite of inflationary pressures which have occurred in the aerospace industry. But all the outcries have certainly left one impression in the minds of many people—that is a "controversial" airplane. We cannot see a picture of the C–5 without a caption under it, describing it as that "controversial" airplane.

Mr. President, I do not speak often on this floor, but I do speak today with some personal feeling, as a former Air Force pilot, when I say that I am sure there will be nothing "controversial" about this airplane among the men who will fly it. It will be welcomed with open arms by Air Force pilots, and by the men on the ground who are so dependent on the supplies it will bring.

From all the evidence I find, the C–5A is a good airplane. So far as I can determine, the contract is a good deal so far as the American taxpayers are concerned.

The C–5A will respond to stringent requirements and will do an extremely important job for our military forces.

If we buy enough of them, the C–5A's will replace all the wornout C–133's and the C–124's at less than one quarter of the cost per ton-mile.

In addition to doing it much cheaper, the C–5A can carry many oversized military equipment items that none of the others can carry at all. It will fly almost anywhere, nonstop, quickly and with certainty—and when it gets there, it will land on short, unimproved fields, close to the men who need the items being carried on board.

This means a great deal in my State where we have a tremendous defense installation deployed around it, with very short fields. The C–5A will make rapid transportation, deployment and mobilization available to these remote sites in the State of Alaska.

I am unable to understand what is "controversial" about an airplane like that. It might bring envy, and even some second thoughts in some parts of the world, but to label it "controversial," as far as I am concerned, as a former Air Force pilot, is just plain bad caption writing.

There are some Air Force pilots I know, and some fighting men on the ground who receive its supplies, who will label it differently and very favorably. And well they might, for it is an awesome thing—its size so enormous you wonder that it can fly at all, it is so large.

It can carry over 130 tons of supplies; with lighter loads it can fly 5,500 nautical miles nonstop; its landing distance can be less than 3,600 feet on a wet, grass-covered runway. That means a great deal to areas such as mine.

And if you consider its usefulness, I asked my staff to get me a list of one typical load that can be carried in just one C–5: One M–48 bridge launcher, weighing more than 128,000 pounds; four M–151 quarter-ton trucks with trailers, weighing a total of more than 16,000 pounds; two M–170 ambulances, weighing more than 7,500 pounds; two UH–1D helicopters, with a combined weight of 9,000 pounds; two M–54 5-ton trucks with trailers, weighing over 70,000 pounds; two M–37 ¾-ton trucks with trailers, with a total weight of more than 20,000 pounds; plus 52 drivers, and support personnel, who with their equipment weigh more than 12,000 pounds.

This airplane really will put the Air Force in competition with the Navy. For the first time in air transportation, the Air Force will be able to carry its own helicopters along with it. This is a massive airplane and one which is designed to do a massive job for the Air Force.

The total for this typical load in one C–5 is 264,768 pounds. And that airplane, with that load, can fly 2,500 nautical miles nonstop and land on a wet, grass field in less than 5,000 feet.

Or, if you want another statistic, the C–5 can carry 16—yes, 16—¾-ton trucks at the same time.

It will truly be an astounding performer—this C–5A. not only in the sheer size of its capabilities, but also at a ton-mile rate lower by far than any other airplane in existence in the world today.

The statements I have just made about the C–5 cannot be made about any other aircraft in the world, and I am glad our Nation has it. Just imagine what a plane like this would have meant during the Berlin airlift.

In that connection, I was interested to read the comments of our colleague the Senator from Mississippi (Mr. STENNIS) which were made after I had departed for Alaska just prior to the recess. He told the Senate:

> With the C–5A's we will reduce the number of airlift aircraft in the force by one-half while providing more than three times the transport capability.

Commenting upon the remarks the Senator from Wisconsin just made, I think it is important to note what the Senator from Mississippi said in regard to operating costs. He said the C–5A operating costs per ton-mile will be lower than the entire airlift, which will be 2.9 cents for the C–5A, against 5.3 cents.

Mr. PROXMIRE. Mr. President, will the Senator yield on that point?

Mr. STEVENS. I yield.

Mr. PROXMIRE. There is not any question about the operating cost of the C–5A being low. The point I made was that when we compare the costs of transportation, we have to include the capital cost that is the procurement cost. That is what the vote is all about on this point—whether we should build this plane. In any kind of fair comparison, we have to consider how much the vehicle will cost to construct and build. When that is done, the officials in the Air Force initially testified that the cost of the C–5A per ton-mile would be about 10 cents. Because the overrun is so great they now estimate the per ton-mile cost at 12 cents on the basis of the full cost. I calculate that with full additional costs it will be very close to 15 cents per ton-mile. The average cost of airlift cargo is 13½ cents. So on the basis of the present full cost, the C–5A will cost more than the average cost of airlift cargo, and infinitely more than ocean shipping will cost.

I will concede to the Senator from Alaska that this plane performs a unique mission and that it carries much larger equipment, but only 40 planes are required for this unique purpose. The Air Force has said it will need only 40 to carry the outsized cargo. So the additional planes, the fourth squadron now under debate would have to be compared not as a uniquely necessary vehicle, but on a competitive basis with other air cargo carriers, and I submit that on a competitive basis the C–5A does not compare favorably.

As the Senator knows, we are going to get 58 C–5A's. They are already authorized and funded. The only question is whether we should get the fourth squadron.

Mr. STEVENS. I cannot help but reminisce, because I remember, when flying the C–47's over China, their operating cost or cost per ton-mile was considerably less than that of the C–46's. But when we got the C–46's, they moved twice as many people and twice as much equipment in the same amount of time as the C–47's, and we had a greater range.

I view this question from the standpoint of modernization. The C–46 in time of war was better for that purpose than the C–47, although the C–46's and C–47's are still being used.

Every man flying it and every man on the ground servicing it recognized that the C–46 was better than the C–47. It was faster, carried more people, and did a better job. That is how I look at the question of the C–5A.

The thought of dropping that much equipment in that time, landing in less than 5,000 feet, without an improved runway, astounds pilots.

The C–5A is a good airplane. It is a plane that will do the job that needs to be done. I do not see why we should oppose modernization. Modernization of aircraft is something that we should face, along with modernization of our aircraft carriers and our tanks. Total modernization of our military is something that we should face up to now, before we find ourselves, as a Senator said the other day, a fifth-rate power. I cannot see participating in any decision which would leave the military of this country, or leave this country, even as a second-rate power in the world.

Mr. PROXMIRE. May I say that the C–5A, except for its responsibility to carry outsized cargo, provides no advantage over the C–141 and other planes. The original Air Force intention was to get 20 squadrons of the C–141 and no C–5A's. Then the Air Force officials testified they wanted to have 13 squadrons of the C–141 and six squadrons of the C–5A. Now the question is whether we should go ahead with the additional fourth squadron of the C–5A. Here it

seems to me that the amendment has special strength because, as I said, we are not going to be in a position actually to produce the fourth squadron until the middle of 1971. That gives us ample time to get reports and to get information on whether the C–5A is the most efficient, the most effective, and the wisest and best military response to our problem.

The Defense Department's only studies of this plane have raised serious questions about it. Their November 7 study of last year and their June 11 study of this year both concluded that the fourth squadron of the C–5A is not cost effective; and it seems to me that, under these circumstances, the responsible position the Senate should take is that we should delay our decision, as long as that delay will not slow down the production of the C–5A, until we can get information from the GAO to determine whether this conclusion is correct or not correct.

Mr. STEVENS. I will say to my friend from Wisconsin again, it does not seem to me that we should compare the C–5A to the C–141, which I have flown in, and know it. It comes through our State quite often, as the Senator knows, on the Vietnam airlift. I think it is a wonderful airplane. But we should not compare the C–5A with it, because it is not going to replace the C–141; it is designed to replace the C–133 and the C–124.

Mr. PROXMIRE. I agree that it certainly is not going to replace the C–141. The question, however, is whether it is necessary to procure additional planes beyond the 58th plane. That is the question. I agree with the Senator wholeheartedly that we should have the three squadrons of C–5A's, and we are going to get them. The issue is whether or not we need more of them.

Mr. STEVENS. I disagree with my colleague. The issue is whether we are going to be able to retire as many of the C–133's and C–124's as contemplated. We can only do that if we buy the number of C–5A's contemplated by this bill.

The C–133 and the C–124, in their day, were good airplanes. Today, however, they are airplanes that operate at excessive cost, both in terms of cost of operation and cost per ton-mile. I think the Senator from Wisconsin will agree that they are not as efficient as the 141.

The issue to be decided has to be, what do we replace them with? I think we should replace them with the C–5A, because of its tremendous capability in terms of use of equipment, and particularly, I emphasize again as a pilot, the short field landing of which it is capable, with its tremendous load.

Mr. PROXMIRE. Of course, I think the Senator, as a former pilot, can speak with real authority, and there is a lot of sense in what he says.

But my argument is that we should make this decision with our eyes open. Our eyes are not open. We do not have the information. The fact that this matter has been considered by the Office of Systems Analysis twice, and both times they have concluded that the C–5A is not cost effective should, it seems to me, be a signal to the Senate that we should get more information. We have time to to do it; why not? What is the rush?

Mr. STEVENS. I have been informed by the staff that the Secretary of Defense has indicated that they require these funds in fiscal 1970 in order to have these planes into the inventory in fiscal 1972; and if the three C–133 squadrons are going to be retired, as they are programed to retire, we must have the C–5A's on the line at that time. The indication is, from the staff memorandums given to me here, that the operations of these C–133 squadrons are limited, and will continue to be limited, in terms of flying hours, because analysis indicates a life of 19,000 hours, and these squadrons are scheduled to reach this analysis limit by 1972. Modifications of this aircraft, at a cost of over a million dollars per aircraft, would be required to extend the life of the aircraft for an additional 1,500 hours, or a period of 10 months.

This goes back to what I was saying before: Modernization now, to me, is really a conservative approach, because we need to modify these aircraft or replace them now with more efficient aircraft; and to put more modifications into these old aircraft—while they were good airplanes in their day, this is no longer their day—would be like trying to equip the Air Force now with the C–47, which was a wonderful plane in its day, but would not make much sense in terms of present-day loads.

I am relying on information given to me. As the Senator knows, I am not on the committee. I am trying to address myself to this plane from the point of view of a pilot, and from the point of view of someone who knows the problems in country like Alaska.

If we can get this plane available and in production, and eventually the L–500 will come to my State, it will make a great deal of difference. If one wishes to talk about 15 cents per ton-mile, as compared with what industry is paying in my State now to move supplies from Fairbanks to the north slope, I venture to say the latter is more nearly $15 a ton-mile.

Mr. PROXMIRE. Mr. President, I know there are special problems with regard to Alaska, and I am sure that the Senator would be completely correct if it were a question of whether we were going to have any C–5A's. But research and development has been completed; five or six planes have been built, two more are going to be produced within the next 30 days, and a total of 58 before the middle of 1971. So it is not a question of getting the plane into production, so that similar planes can be developed for Alaskan use. That will happen anyway, whether we proceed with the fourth squadron or not.

But speaking of timing, what kind of systems analysis do we have in the Office of the Secretary of Defense? Certainly, when they put these problems to their experts, and when they make this kind of study, if they come up with a conclusion that the C–5A is not cost effective, it seems to me it is unbelievable that they would ignore the presence and availability of other aircraft.

As I say, the plan of modernization began with having 40 squadrons of the C–141. That plan was amended and changed so they could bring in greater firepower with larger equipment, which the C–5A makes possible. I believe that was a wise decision.

Mr. STEVENS. That is not my point. My point, based upon the staff analysis, is that the fourth squadron, which the Senator disputes and seeks to delete from the bill, will replace three C–133 squadrons that are scheduled to retire. If the Senator's amendment carries, and we delete these C–5A's, what is going to replace the three squadrons of C–133's? Or does the Senator think we should go into the business of putting a million dollars per unit into an obsolete aircraft, to keep our defense capability up? I say that if we are to maintain our defense capability, those three squadrons which are scheduled to retire must be replaced by this fourth squadron of C–5A's the Senator seeks to delete.

Mr. PROXMIRE. There is nothing in my amendment that would prevent the replacement of these other planes with the C–5A. My amendment would merely hold up the authorization until we can get more information. As I point out, they are not scheduled to finish the first run of 58 planes until mid-1971.

The Senator has stated that the Secretary has argued that they have to have authorization in the 1970 bill so that they can fund the 1972 requirements. That is very hard for me to accept. I have not heard that argument before; it has just arisen on the floor now. It is hard for me to understand why this kind of a long lead is needed. They already have the funds for the long lead items, why would they have to fund something 2 years in advance of production?

Mr. STEVENS. My information is that delay in the fourth squadron will resule in either the loss of the three C–133 squadrons or the necessity, between now and 1972, to modernize those three C–133 squadrons at an excessive cost.

Again I say I do not disagree with the Senator in terms of the fact that this airplane costs more. I think, as I have stated, there is no question but that, as aircraft get bigger, the cost is greater; and, also, the inflationary spiral hits military procurement the same as it does our automobiles. I am no longer able to drive an $800 Model B Ford. When you start to get into these costs, they are going to keep going up and up, until we beat the inflationary spiral, and I hope we can do that. I hope we can find some way to stop that spiral, for I think it is doing everybody a great deal of harm; and again, it does my State more harm than anyone else, because we pay 25 percent more for everything.

Mr. PROXMIRE. I say to the Senator from Alaska that as far as stopping the inflationary spiral is concerned, the one place we can do it more effectively than anywhere else is by cutting military spending. That is the most inflationary kind of spending, and it does not meet any economic need. When we appropriate funds to build houses, the money we spend tends to inflate the economy, but the houses we build increases the housing supply and tends to bring down the cost of housing.

There is some counterbalancing. But when we spend money on planes or tanks or ammunition, that money is strictly

inflationary. There is no counterbalancing increase in the supply or goods that affect our cost of living.

I agree that we should not cut military budgets with a meat ax. We should not make any cuts in weapons systems which are absolutely essential to our defense. But if we are going to slow down inflation, we have to cut military spending, space spending, public works spending, and spending in all areas.

This is in my mind by far the most incisive and effective way to slow down inflation. We do not do it by going ahead with the authorization and spending of money for planes and other weapons that we do not need. And when the Defense Department says that we do not need it, certainly it would be very wise for us to take a much harder look at the matter.

Mr. STEVENS. Mr. President, I can only disagree with the Senator from Wisconsin. We have to look down the road and see what the military costs will be in 1972, 1975, and 1980 and what we can do now to modernize the force and program it so that we will have a more efficient operation.

If an investment is required today to carry out this purpose, we should approach it from that light, go home, and tell our constituents that modernization is required, and we should cut back in other areas where that is required.

I am not concerned about that at all. We should look at modernization from the total concept. I can only say to my friend, the Senator from Wisconsin, that there is no question when we get into the total concept of the military today that I must join the Senator from Mississippi in being disturbed at the general overall attack being made on the defense posture of our country through the attempts to delete in the bill items looking toward the modernization of our defense capability. And if we are afraid to go ahead with the modernization—and I think that we must not be afraid to go ahead with it—if we start to cut out the fourth squadron and cut out a carrier here and a fighter plane here, we will be in the same position in 5 or 10 years that Britain was before World War II. And I have a deep feeling that is the case. We will find ourselves cutting back on the military and making the Defense Department the scapegoat in each case.

I think we are inclined to forget how much money the President cut out of the budget before we received it. More than $4 billion was cut from the budget submitted by the last administration. And we are sitting here attempting to cut each item.

I have only been here for a short time, but I am impressed with the fact that, from the security briefings I have had, we should not hesitate at all about replacing some of these items with modern equipment and scheduling the replacement soon rather than waiting for 18 months.

It is my understanding that 18 months' delay now would cause a renegotiation of the contract. And there is no question that if the Senator's amendment is agreed to, the three C–133 squadrons will be retired and we will lose that capability and be required to expend $1 billion to restore obsolete aircraft.

Mr. PROXMIRE. If ever there was a contract that needed renegotiation, this is it. This is the worst contract that the military has had in a long time.

Mr. STEVENS. I defend the aircraft and not the contract. I do not know anything about the contract. I do know something about the airplane.

Mr. PROXMIRE. Both sides in this debate have agreed that a number of these elements in the contract have to be renegotiated. If my amendment passes, we will then be in a far stronger position to renegotiate the contract. If my amendment is agreed to, it will lend some muscle to the Government in renegotiation.

In the second place, I think that the Senator from Alaska has made a very strong argument in favor of modernization, which I approve.

I do not know how the Senator can say that those who are for my amendment are against modernization. We should expend the money with our eyes open and know the facts.

I favor a more vigorous program to develop nuclear submarines. In many areas we can do a more vigorous and better job from the military standpoint. However, when we are convinced that a program is wasteful, not justified, and not cost effective, and that there is a more economical way to do it, we should vote against such an expenditure. That does not mean that we do not favor modernization.

We have to modernize the military force, of course, and that will cost money.

Mr. STEVENS. Mr. President, I close by saying that it is inconceivable to me that we would fail to recognize that the Air Force does have obsolete equipment that should be retired and that these costly old airplanes, costly, in terms of operation today, were airplanes that did a good job in their day, but that their day is past. We must modernize our equipment and the time to make the decision about modernization is now and not 2 years from now.

I am pleased that the Air Force will have a new working tool available to it in the form of the C–5A.

I feel that it should have a fourth squadron as contemplated by the bill.

The C–5A is not only a giant in size, but it is also a gigantic step forward in the state of the art. And it will serve an equally great need in the mobility and flexibility of our military forces in the perilous times we face ahead.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. STEVENS. I yield.

Mr. THURMOND. Mr. President, I take this opportunity to congratulate the able Senator from Alaska upon the excellent remarks he has made today in defense of the military procurement authorization bill. Although the Senator from Alaska has been here for only 1 year, his keen mind has been able to perceive the great dangers facing our Nation and the hazards with which we are confronted. Because of his knowledge of defense matters, he is able to give us the benefit of his experience. It should be very beneficial to us.

There has been an effort made here to eliminate one weapon after another from the military.

There was a move made to eliminate the ABM, which is a very vital weapon and purely a defensive missile which is not calculated to cross the ocean or to strike people in other lands. It is merely intended as a weapon against enemy missiles if the enemy should attempt to send them here.

There was a move made to eliminate the Army tank, the MBT–70, which is vitally needed. As long as we have armies fighting conventional wars, we will need the most modern tanks.

There is a move being made to delay the C–5A. I say this with no criticism of anyone's motives. However, I must question the judgment of some on these matters. We cannot just go out here now and stand up against the Soviet threat, and that threat involves a threat today to the freedom of the world, unless we are prepared.

There will be moves made, I understand, to eliminate and delay the F–14 and the F–15 planes.

Time is of the essence. In World War II, the oceans protected us. That war began in December 1941. We had time to build up our armies. We had time to build planes, tanks, and other equipment. That will not be the case if we have another war.

We now have supersonic planes, planes that fly faster than sound. These planes can cross oceans and endanger the people of this Nation.

We have the intercontinental ballistic missiles that can travel thousands of miles and can be sent here by enemy countries.

We must be prepared. Time is of the essense. We must be ready if an attack comes.

The research and development that we do today will determine what weapons we have 8, 10, or 12 years from now. Our weapons today are a result of the research undertaken that far back.

If we follow the plans of some of the people in this country today and some of the suggestions that have been made in the Senate, it will not be very long until our country will be disarmed. We will be unilaterally disarmed.

I think that in the face of the threat facing us today it would be incomprehensible if we were to pursue such a course.

I compliment the Senator from Alaska upon his wisdom and good judgment displayed in the remarks he has made today.

I hope that the Senate will heed the advice of a freshman Senator.

Mr. STEVENS. Mr. President, I thank the Senator.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. STEVENS. I yield to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I join in complimenting the Senator from Alaska for the remarks he has made in defense of the C–5A. I have known for a long time of his great interest in aviation, the fact that he has long been a pilot, the fact that he understands the operations of aircraft and fleets of air-

craft. So, coming from him, these words come from the mouth of an expert, a man who has had practical experience with what we are talking about.

I am glad to hear this, because we have had a great deal of theory expressed on the floor of the Senate from people who really do not know what they are talking about. I am happy that the Senator has made these remarks, and I wonder whether he would yield one moment longer.

Mr. STEVENS. I yield.

Mr. GOLDWATER. Mr. President, I invite the attention of the Senator from Wisconsin to this. I said yesterday that we had inquired of the Army as to their needs for the C–5A, and the question was asked, "Can the Army load four squadrons of C–5A's plus existing C–141's within 10 days?"

This is the answer:

In the post-Vietnam environment (when C–5A aircraft became available) present Army mobilization objectives will make forces available at a rate which will utilize fully all available C–5A and C–141 aircraft within a ten-day period. Realistically one should recognize that the Army would not expect to be allotted all of these aircraft because of requirements of the other Services.

In a situation where there was some advance notice prior to initiation of an airlift, availability of Army forces for a major deployment would exceed airlift availability. For example, if called upon to reinforce Europe (in a post VN environment) the Air Force, with 4 squadrons of C–5A's and 14 squadrons of C–141's could make available to the Army above essential Air Force requirements an estimated capability to airlift 115,000 troops and 23,000 S/T of cargo to Europe from CONUS in a ten-day period.

Within a ten-day period the Army would have available for loading an estimated 124,000 troops and 36,000 S/T of cargo. Therefore, the Army could generate a total lift requirement which exceeds—

I repeat—

which exceeds Air Force capability with four squadrons of C–5A's and 14 squadrons of C–141's. This example does not include concurrent requirements of the Navy or Marine Corps.

I thank the Senator from Alaska for yielding.

Mr. STEVENS. I am indebted to the Senator from Arizona.

Mr. STENNIS. Mr. President, has the Senator from Alaska completed his speech?

Mr. STEVENS. Yes, I have.

Mr. STENNIS. Mr. President, will the Senator yield to me briefly?

Mr. STEVENS. If there is no objection, Mr. President, I will yield the floor.

Mr. STENNIS. Mr. President, not only do I wish to thank the Senator from Alaska for coming here and taking part in this debate, but also, I want to say that he has made a splendid statement. He holds himself well in debate. I think he has made a very fine contribution to the problem of this amendment. He is a pilot in his own right, too, which gives a feel to his opinions and his beliefs, and that gives them an extra practical value.

I encourage the Senator from Alaska to take part in other phases of the debate on this bill—not only on this bill but also on other military bills. Of course, I hope that he and I will always be on the same side. But even if we are not, he is capable of making a fine contribution to this subject matter. I am most grateful to him.

Mr. PROXMIRE. I wish to add my commendation to the Senator from Alaska. I do not know whether or not he wants my commendation. I disagreed with him in the debate, but he is an able, astute, and effective debater, and I think this is useful and valuable in the Senate. As the Senator from Arizona, Mr. GOLDWATER, has said, one of the things we do not do enough in this body is to debate. He has called for it, properly.

I think the Senator from Alaska, on the basis of his speech today and previously, has indicated that he is the kind of man who will be most helpful to us in coming to reasonable conclusions based on the give-and-take of debate. I commend him, and join the other Senators in commending him, on his speech, although, again, I think he knows that I do not agree with the conclusions in the speech.

Mr. STEVENS. I am grateful to the Senator from Wisconsin, the Senator from Arizona, and the Senator from Mississippi.

I do think that those of us who are not on these committees at times do not get involved as much as we should. With due respect to the Senator from Wisconsin, I think we probably have more Air Force squadrons stationed in our State than any other State, and we look forward to many of them returning from Vietnam. I think we will be the supply center for the Air Force in future years. We are not a hostile environment for the Air Force in Alaska. We enjoy having them there. We have a great deal of space in which to roam around and train. I would like to see them have this kind of aircraft and the full capability envisioned by the bill. That is why I disagree with the Senator from Wisconsin.

Mr. PROXMIRE. The Senator from Arizona pointed out, as I understand it, that the Army would need the capability of the fourth squadron of the C–5A's. This may very well be the case. I am sure that if the Army said so, it is the case.

However, first, my amendment would not prevent our providing the C–5A on schedule and on the same production basis, because it is going to take until mid-1971 for the present run to be completed; and if, on the basis of the information we get from them, which my amendment calls for, the Senate next year decides to act and ask for more C–5A's, ask for the fourth squadron, Lockheed can continue right along on the same production basis, without losing time.

The second point I make to the Senator is that he stressed—and I thought he stressed with great force—the necessity for having this plane available for a 10-day period. Again and again in his remarks, he pointed out that this was for rapid mobilization, this 10-day period. This is why it seems to me that there might be some force behind the study that was made by the Office of Systems Analysis when they pointed out that the plane might be utilized for 15 hours a day. It, of course, would be inconceivable to use a plane for 15 hours a day over a long period. For 10 days, in an emergency situation, it is possible.

So perhaps the conclusion they reached, that the fourth squadron was unnecessary because you can use these planes intensively, might have had some logic behind it, although I think the Senator pointed out very well on the floor that you cannot do this for any prolonged period of time.

Mr. GOLDWATER. Mr. President, I should like to put this 10-day emergency matter in the proper perspective.

If you are going to hold three squadrons on the ground, waiting for a 10-day period, I will guarantee that you will not get them off the ground. Airplanes are no good unless they fly.

One of the big mistakes we in Congress make is that we think we can ground airplanes and pilots and save money.

These airplanes might be on training missions or on other airlift missions, when, all of a sudden, without any warning, the President might call a state of emergency and we would have to start deploying troops to Europe or South America or Korea or some other place, and then we would have to depend upon the normal operations of a fleet.

I dispute very violently the contention of Systems Analysis that you can fly airplanes 15 hours a day. You could not do it even if you had them in readiness. It cannot be done.

I invite the attention of the Senator from Wisconsin to the fact that Systems Analysis did come to the conclusion that four squadrons are needed.

Mr. PROXMIRE. And the Assistant Secretary did, because he rejected the study. But the study itself indicated that you would not need the fourth squadron if you could more intensively use the plane, and they made that assumption in the November 7 study. In the second study, in June, they made different assumptions, and still came back with the conclusion that you would not need the fourth squadron.

I say this is what the study showed.

Mr. GOLDWATER. The systems analysts themselves, in their language, concluded that the fourth squadron was needed. We have made this point time and time again. In fact, it is in the literature that the Senator from Wisconsin received from the Pentagon. That is where I got my information.

THE NATIONAL STUDENT ASSOCIATION

Mr. THURMOND. A striking editorial in the State newspaper last Wednesday calls attention to the result of the recent convention of the National Student Association. NSA, it will be recalled, is the left-wing radical group that was secretly financed by the CIA. It was the forerunner of the militant groups now disrupting college campuses across the Nation. As the State says:

No group was more zealous than NSA in promoting black militancy. With the CIA paying up to 80 percent of the tab, it financed much of the mischief in the field of civil rights, including the formation of the radical Student Nonviolent Coordinating Committee, headed by Stokely Carmichael and H. Rap Brown. By its own estimates, NSA diverted at least $1 million to such "civil rights" work.

Mr. President, the folly of Government support of such projects is now apparent, although it would seem to me that it should have been apparent to anyone with commonsense at the time the organization was secretly funded. I do not know who sold our leaders at that time on the theory that the best way to combat subversion is by encouraging and supporting radicals.

The State points out that the result, even for the NSA, is a continuing revolutionary situation, where last year's crop of revolutionaries is too mild for the new crop. At the NSA Convention, the black militants walked out. The State calls it "another case of the parent being devoured by its children."

Mr. President, I ask unanimous consent that this editorial from the State, September 3, 1969, entitled "Student Association Suffers Split in Ranks" be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. ALLEN in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Mr. President, I would also like to call attention to an article on the same page of the State, by the State's able associate editor, William P. Cheshire. Mr. Cheshire's article is entitled "Churchmen Finance Black Revolution," and he describes a situation that is analogous to the CIA's financing of NSA. Here we find that a coalition of churches, called Inter-religious Foundation for Community Organization—IFCO—has financed the outrageous blackmail program of James Forman. Most recently, the delegates to the Episcopal Church's general convention has agreed to recognize the self-appointed Forman as the bargaining agent for all black people. This is a completely irresponsible action, although it is not surprising, since Mr. Cheshire points out that the Episcopal Church took the lead in organizing IFCO.

Mr. President, I do not single out any particular church for criticism, especially since IFCO is a coalition of many churches. However, this action of the churchmen is as ill-advised as the CIA's action in financing the militants, and I have no doubt that the fault will be the same. Mr. Cheshire's article also proposes a remedy: He points out that many laymen "are cutting their pledges and turning to alternatives." One alternative that he mentions is the "Foundation for Christian Theology" which is working within the church to prevent politically oriented programs.

Mr. President, I also ask unanimous consent that the article by William E. Cheshire, "Churchmen Finance Black Revolution" be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

[From the Columbia (S.C.) State, Sept. 3, 1969]

STUDENT ASSOCIATION SUFFERS SPLIT IN RANKS

The left-wing National Student Association, short of funds since losing its government subsidy in the aftermath of the Central Intelligence Agency scandal two years ago, may be short of members next. Black students stormed out of NSA's El Paso convention last week, charging that the student group had been using the race issue "for egotrips and to get foundation money."

The revolt began when Muhammed Kenyatta, a leader in the drive to extort $500 million in "reparations" from white churches, sought to take a voice vote of NSA delegates on the proposition that NSA is a "racist institution." NSA officials, unwilling to have the convention sentiment recorded, grabbed the microphone away from Kenyatta and hustled him off the platform.

A mass walkout followed. Negro students announced plans to form the 20 Negro colleges associated with NSA into a new National Association of Black Students, and black candidates were urged to take no part in NSA's election of officers. All obliged except Clinton Deveaux, running for president on a platform opposed to campus violence.

NSA delegates thus faced the necessity of choosing between two unpleasant alternatives. They could vote for Deveaux, thereby repudiating the organization's wishy-washy stand on college riots. Or they could repudiate Deveaux, thereby widening the breach between blacks and whites. (They voted against him.)

NSA's difficulties are another case of the parent being devoured by its children. In its flusher days, no group was more zealous than NSA in promoting black militancy. With the CIA paying up to 80 per cent of the tab, it financed much of the initial mischief in the field of civil rights, including the formation of the radical Student Nonviolent Coordinating Committee, headed by Stokely Carmichael and H. Rap Brown.

By its own estimates, NSA diverted at least $1 million to such "civil rights" work.

Then the cover blew. Revelations in *Ramparts*, a New Left scandal sheet out to discredit the CIA, ended by unmasking a whole network of undercover operations involving government subsidies to leftist foundations and political action groups, including NSA. To head off a full-scale congressional inquiry, the CIA had to repudiate these connections and promise to sin no more.

NSA had to shift for itself. With only 430 members out of 1,700 eligible schools and no Big Daddy in Washington, NSA's debts began to climb. It now owes an estimated $100,000, which helps explain why the NSA militants are losing interest in Whitey's help. Whitey needs theirs.

One surveys NSA's record over the past few years: repudiation of U.S. action in the Dominican Republic, the Panama Canal Zone, Vietnam; advocacy of a seat in the United Nations for Red China and a Communist-dominated coalition government in Saigon; endorsement of Fidel Castro's "educational reforms." It is a sad record indeed; and if the black militants can assist in bringing down this troublesome group, they will deserve to have at least one public service chalked up to their credit.

EXHIBIT 2

CHURCHMEN FINANCE BLACK REVOLUTION

(By William P. Cheshire)

No sooner had Episcopal delegates settled in their seats for the church's general convention in South Bend than the presiding Bishop gave them some unsettling news. The church's executive council, the Rt. Rev. John E. Hines announced last Saturday, had agreed to recognize as the bargaining agent for all black people James Forman's Black Economic Development Conference.

This is the group, it will be recalled, that met last April in Detroit and demanded $500 million from white churchmen as "reparations" for slavery. At least one Episcopal bishop, the Rt. Rev. C. Kilmer Myers of San Francisco, thought the figure "too low." Forman obliged him by raising the demand to $3 billion, where it stands at the moment.

Endorsement of Forman's blackmail-for-blacks by the executive council of the Episcopal church came as no surprise. Three years ago, at the urging of Bishop Hines, the executive council took the lead in establishing what is known as the Inter-religious Foundation for Community Organization. Though initial funding came from the Episcopal Church treasury, IFCO is now an interfaith agency* that finances a variety of black community projects.

One of these was last April's Black Economic Development Conference, whose chairman (the Rev. Lucius Walker Jr.) is likewise IFCO's executive director. IFCO paid out $50,000 to the Walker-Forman group, all of it originating, in the form of donations, at the very churches the militants intend to shake down for $3 billion more.

This was not the first time IFCO had bankrolled black militants. In Chicago, IFCO gave $20,000 to the Garfield organization, several of whose officiers were arrested and charged with conspiracy to commit arson and burglary during race riots in Chicago last year. Another $5,800 went to the Los Angeles Black Congress, a Negro extremist group. The United Black Community Organization in Cincinnati received $44,000. Of $885,800 dispersed so far, IFCO has spent $774,500 on these and similar incendiary groups.

Apart from IFCO, the executive council of the Episcopal Church (one of the more radical church councils) has several special projects of its own that are being financed through a $9 million "urban crisis" program. Examples of its work: $15,000 to support boycotting Chicago high school students in their demands for an expanded Afro-American history course, $7,000 to produce 60 new copies of the Black Panther film "Huey" for nationwide distribution, and $30,000 for the "Drum and Spear Book Store" in Washington, D.C.

These efforts and others like them tend to confirm the opinion of Gus Hall, general secretary of the U.S. Communist Party. In an interview last year with editors of the Presbyterian magazine "Approach," Hall said: "Communist goals are almost identical to those espoused by the liberal church. We can—we should—work together for the same things."

Some will be disposed to think that Hall's plan for Christian-Communist cooperation has already been put into effect, intentionally or not. But a counter-force has come into being as well: the Foundation for Christian Theology (1501 North Glass St., Victoria, Tex., 77901), an Episcopal-oriented group headed by the Rev. Paul H. Kratzig, D.D.

"We oppose the National Council of Churches of Christ in the U.S.A. when it declares positions on political issues, presuming to speak for 40 million Christians," Dr. Kratzig says. "We oppose church support of politically oriented groups and their programs . . . The division in the church was not created by us. The Foundation is here to prevent this division from developing into a schism, if possible."

Many laymen, unwilling to go on financing IFCO and similar groups, are cutting their pledges and turning to alternatives like Dr.

* In addition to the executive council of the Episcopal Church, these groups also contribute to IFCO's financial support: the American Baptist Home Missions Society, the Board of Homeland Ministries of the Church of Christ, the Board of Missions of the United Methodist Church, the General Board of Christian Social Concern of the Methodist Church, the Board of National Missions of the United Presbyterian Church, the American Jewish Committee, the Catholic Committee for Urban Ministry, the National Catholic Conference for inter-racial Justice, and the Foundation for Voluntary Service.

Kratzig's foundation, which supports missions, seminary students and the other traditional work of the church. If the trend continues, who knows what may happen? The radicals of the cloth may promote James Forman's extortion plan only to discover, too late, that a rebellious laity has balked at paying tribute even if the clergy hasn't.

THE KIDNAPING OF U.S. AMBASSADOR CHARLES BURKE ELBRICK

Mr. COOPER. Mr. President, I am very much concerned and I am sure the people of our country are very much concerned about the kidnaping of Ambassador Charles Burke Elbrick in Rio de Janeiro.

A condition for the release of Ambassador Elbrick imposed by his kidnapers is that the Government of Brazil release 15 political prisoners with the assurance that they will be able to seek asylum.

I have talked with officials of the State Department and I have been assured that the Department is in constant communication with the Government of Brazil and is urging that Government to take every step to secure his safe release.

I have just heard that the Government of Brazil has acceded to the efforts of the Department of State and has announced that it will agree to the release of the political prisoners which are held by the Government of Brazil.

Mr. President, I know that it may be argued by some that the release of the political prisoners under such conditions will establish a precedent which may be used by dissident groups in other countries to secure the release of political prisoners and perhaps to impose other conditions which are unfavorable to those countries.

This may be true, but it does not meet the problem that confronts our own country when our diplomatic representatives are kidnaped, as occurred to Ambassador Burke Elbrick or in the case, not long ago, when our ambassador to Guatemala, Gordon Mein, was kidnaped and killed.

It is the duty of the Government of Brazil, under international agreements, to provide protection to Ambassador Elbrick. Failing to do so, it is its duty to take every step, including the release of political prisoners, if necessary, to secure the prompt release of Ambassador Elbrick. I am sure that this is the position of the people of our country.

If, as has been reported, the Government of Brazil has taken this step to insure Ambassador Elbrick's safety and will release the men held as political prisoners, I am glad. But in the future, our country must require adequate assurance that our diplomats in other countries will be protected. Also, our country on its part must provide more effective protection for its representatives.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. COOPER. I am glad to yield.

Mr. STENNIS. I deeply appreciate the Senator's remarks. I do not think any Senator is in a better position to make them and give them added meaning. I am pleased that the Senator from Kentucky has spoken out at this particular time.

We do not mean to be belligerent, but we are being pushed around in many ways, as our ships are captured, our planes shot down, and our ambassadors kidnaped. Many incidents such as this have happened. We must draw the line rigidly and let our position be known in advance.

I thank the Senator from Kentucky for his excellent speech.

Mr. COOPER. I appreciate the statement of the Senator from Mississippi.

I feel rather strongly about this, because Ambassador Elbrick, who was kidnaped—and we hope he is safe—is a native of my State, as was our ambassador to Guatemala, who was killed. That is a personal concern, but it is not so important as the reason which the Senator from Mississippi has just stated; that is, that we must be firm with other countries concerning the protection of our people, to make certain that they are given adequate protection as required by international law.

I believe these incidents call for stronger efforts on our part to secure greater protection for our diplomatic representatives and to provide more effective means of protection for ourselves.

Mr. YARBOROUGH. Mr. President, I, too, wish to associate myself with the remarks of the distinguished Senator from Kentucky (Mr. COOPER). I share his concern over Ambassador Elbrick's fate.

Last year, as a member of the Interparliamentary Union delegation from this body, I visited Yugoslavia. Ambassador Elbrick did a fantastic job for this country there. Today, we see the Yugoslavs are striving to obtain independence from Russian domination. Much of the credit for this must go to Ambassador Elbrick who is one of our most able diplomats.

The kidnaping and holding for ransom of Ambassador Elbrick requires us to consider whether the contingents of marines which guard our embassies in foreign countries should be strengthened so as to protect the residences of our ambassadors and insure their safety as they travel to and from the embassies.

The murder of Ambassador Gordon Mein in Guatemala is another tragic case. Another such incident, which fortunately did not end so tragically, occurred in Japan during Secretary of State Rogers' visit when Ambassador Meyer was attacked and injured.

I know Ambassador Meyer. I visited with him when he was in Lebanon, again when I was a member of the Interparliamentary Union delegation which went to Iran during the time he was our Ambassador there.

Ambassador Meyer was in the OSS during World War II, serving in the northwest corner of Iran, in Azerbaijan, where he helped prevent the Russians from tearing that province away from Iran, as they tried to do after World War II.

Ambassador Meyer is a brilliant man. He is an intellectually gifted man and is also an agile man physically. Those qualities combined to prevent the attack from being more serious than it was.

Mr. President, this all points up that our people in the Foreign Service, who are often criticized and frequently denounced, encounter great risks of physical violence when our embassies are attacked, bricks thrown through the windows, and information centers burned. It is very risky for those who serve in our diplomatic service, because our diplomatic service is essentially nonmilitary. They are not supposed to be armed as are our military personnel.

Regardless of what kind of protection we ultimately provide our civilian representatives abroad, it will call for very serious thought and attention on the part of our Government to provide protection to our able ambassadors and those who serve with him.

We have many able men serving this country abroad. I think that Ambassador Elbrick certainly has proved he is a man of great ability. So has Ambassador Meyer and many others.

THE NIXON TAX PROPOSAL FAILS THE AVERAGE TAXPAYER

Mr. YARBOROUGH. Mr. President, I was shocked by the testimony of Secretary of the Treasury, David Kennedy, before the Finance Committee in which he outlined the Nixon administration's so-called tax reform program. Instead of presenting to the Senate and the American people a tax program which would provide meaningful relief to the "forgotten American"—the overtaxed lower- and middle-income citizens—as was repeatedly promised during the 1968 presidential campaign, Secretary Kennedy proposed a tax program that could well have been devised in a big business boardroom.

One of the most amazing features of the Nixon tax program is its treatment of the standard deduction. The House of Representatives recognized that the present standard deduction of 10 percent with a ceiling of $1,000 is totally out of line with today's cost of living; therefore, the House sought to remedy this unjust situation by raising the standard deduction to 15 percent with a ceiling of $2,000. By doing so, the House was responding in an effective manner to urgent need for tax relief. The Nixon administration, however, did not endorse this significant change in the tax law, but rather proposed that the standard deduction be cut to 14 percent with a ceiling of $1,400—a loss to the average taxpayer of $600 of deductions.

To further compound this situation, Secretary Kennedy asks for a 1-percent reduction in corporate taxes. What this all boils down to, in the final analysis, is that the President's tax program gives relief to big business and does so by reducing tax benefits for individuals. In other words "the forgotten American," according to the Nixon administration, is not the overburdened taxpayer, but really the large business powers.

The average taxpayer of America is tired of being shortchanged. He is tired of bearing a disproportionate share of the cost of the Vietnam war, while war

contractors reap excessive profits from this cruel conflict, with no tax or excess war profits. He is tired of inflation and high interest rates which rob him of his hard earned wages. Most of all, he is tired of coming out second best to big business in tax matters. The average taxpayer is crying out for tax relief and has challenged the Congress to provide it. He is in no mood to accept a watered-down program.

Mr. President, during the recent recess of Congress, I had the opportunity to make about 55 public appearances in my State during a 3-week period, and also several appearances in two or three other States during the same period. Approximately 35 of those public appearances were the town hall-type meetings, held in many towns of large and small populations. Many people express their views as to the inequities and discrimination in the tax structure as it affects them, the individual taxpayers. They think that the present tax structure favors big business interests. This is burning itself into the minds, consciences, and thoughts of the American people to the point that I think that if there is no tax relief for them, they are going to change things at the next election so that they will get such relief. There is no doubt about that.

In the past in Texas we had only one major medium of news. Now there are three, and they are educating the American taxpayer as to what is happening to him. The public has learned that 40 percent of the total support of our Government by means of all kinds of taxes, especially on income, is being paid by the individual taxpayer alone, and only 19 percent is being paid by corporations. In addition, they have learned that the individual pays a share of 23 percent of the funds contributed to social security. Thus, the individual taxpayers, those in the lower and middle income brackets, are bearing the brunt of this heavy burden.

Mr. President, there are 21 individuals in this country with an income of over $1 million per year who pay no income taxes at all. There are approximately 30 individuals with income of half a million dollars to one million dollars who also pay no taxes. There are approximately 150 people with a net income of over $200,000 a year who pay no income taxes.

The people of this country know this, Mr. President.

There are several methods of providing this much needed tax relief. One is to raise the personal exemption from the pitifully low figure of $600 to a figure that is more in step with today's cost of living. I have introduced a bill which would raise the personal exemption to $1,200 which certainly is more realistic than the $600 figure that was adopted nearly a quarter of a century ago. I am very disappointed that the Nixon administration did not see fit to incorporate this idea in its tax program.

Another way of raising the revenue needed to meet the high cost of the Vietnam war and still give our people relief from high taxes would be to tax the excessive profits that are being made by war contractors. This country had an excess war profits tax in World War I, World War II, and the Korean conflict, and it proved to be a just and effective means of financing those wars. That is why I am proud to be a cosponsor of a bill to establish such an excess war profits tax bill.

Mr. President, a tax on excess war profits raised 31 percent of all the revenue necessary to finance World War I. This tax provided 30 percent of the funds to finance World War II. A very substantial part of the cost of financing the Korean conflict also came from the excess war profits tax.

Yet, we have no tax today on excess war profits.

I am cosponsor of a bill to levy a tax on excess war profits which it is estimated would raise $9½ to $10 billion. The present surtax also raises $9½ to $10 billion. That is the reason why I voted against an extension of the surtax when it came before the Senate just before the recess.

I think it is rather symbolic that the surtax, which falls heaviest on the lower and middle income taxpayers, raises the same amount of money that a tax on excess war profits would. Where is the conscience of a Congress that would lay such taxes on the backs of the people and to say to the profiteers, "You go ahead," even though we taxed them in World War I, World War II, and the Korean conflict? It worked well in three wars. The Vietnam war is going to cost the taxpayers more than any other war, except World War II, and yet we will not put the burden of the cost on the backs of the war contractors where it belongs, but will put it on the backs of the oridnary taxpayers, especially those with low income.

I submit that increasing the personal exemption and enacting an excess war profits tax is a much more effective means of helping the forgotten Americans than raising taxes for individuals by cutting the standard deduction, while lowering big business taxes at the same time.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. STENNIS. Mr. President, it appears that we are nearing the end of the session for today. I know it is not necessary to remind any Senator, or even for the record to state, that we have a unanimous-consent agreement to vote Monday on the C–5A amendment and that that vote will come in the neighborhood of 3 o'clock.

Mr. President, looking forward to the rest of next week, subject to the disposition of some other amendments by the Senator from Wisconsin which do not relate directly to weapons, but are, more or less, regulations with reference to certain matters, after disposition of the amendment on the C–5A—and I hope that will not take a great deal of time—I believe the next amendment to be taken up will be the one with reference to the Navy aircraft carrier, an amendment sponsored by the Senator from Minnesota (Mr. MONDALE) and the Senator from New Jersey (Mr. CASE).

They have authorized me to say that they hope to get their amendment up next, after the C–5A and whatever may happen toward giving consideration to the amendments of the Senator from Wisconsin that I have already mentioned.

I make that announcement for the benefit of the membership and also with the hope that once the wheels start turning here on Monday in disposing of those amendments, we will continue, without slackening pace, for the rest of the week, or at least until we get through with the bill. I believe if we stay here and work hard, we can finish action on this bill next week. There has been no agreement or understanding about a time limitation with reference to the carrier amendment, but I do not think the authors will be disposed to prolong the matter, and we understand that, after some reasonable debate, they will be interested in a limitation of time.

I thank the Chair, and I yield the floor.

ADJOURNMENT TO 11 A.M. MONDAY, SEPTEMBER 8, 1969

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move that, in accordance with the order of yesterday, the Senate stand in adjournment until 11 a.m. Monday.

The motion was agreed to; and (at 2 o'clock and 38 minutes p.m.), the Senate adjourned until Monday, September 8, 1969, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate September 5, 1969:

IN THE NAVY

Having designated Rear Adm. Walter L. Curtis, Jr., U.S. Navy, for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, I nominate him for appointment to the grade of vice admiral while so serving.

EXTENSIONS OF REMARKS

SENATOR RANDOLPH URGES THAT WE FACE THE FACTS OF ENVIRONMENTAL CHANGE—ADDRESSES NATIONAL PARK SERVICE SEMINAR—GROUP DISCUSSIONS HELPFUL IN UNDERSTANDING PROBLEMS AND APPROACHES TO SOLUTIONS

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, September 5, 1969

Mr. RANDOLPH. Mr. President, throughout the Nation there is a growing awareness of the relationships between the natural and manmade worlds. As our population grows so do the demands made on our natural environment increase. Consequently, the need to maintain a proper and useful balance between man and his surroundings takes on new importance.

The National Park Service is fully aware of these contemporary problems and has dedicated itself to environmental conservation.

To aid in keeping its personnel abreast of the problems and the tools for solving them, the National Park Service regularly conducts a variety of training programs.

It was my privilege on September 4 to address the executive environmental management seminar conducted by the Park Service at its Stephen T. Mather Training Center at Harper's Ferry, W. Va. Sixteen high level Park Service managers participated in the 3-day seminar at this national training facility under the capable direction of Raymond L. Nelson, supervisor of the center.

Following my remarks I engaged for more than 2 hours in a question and answer discussion with the seminar participants. I was impressed with their concern over environmental problems, not only as they relate to the Park Service but to the economy in general.

Mr. President, the critical problems currently facing our environment are of great importance to every citizen and to every Member of Congress. I ask unanimous consent that my remarks at the Park Service environmental management seminar be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SPEECH BY SENATOR JENNINGS RANDOLPH AT THE NATIONAL PARK SERVICE SEMINAR, STEPHEN T. MATHER TRAINING CENTER, HARPERS FERRY, W. VA., SEPTEMBER 4, 1969

FACING THE FACTS OF ENVIRONMENTAL CHANGE

In this Training Center, named for a forward thinking leader, we gather to exchange views on a vital issue inherent in our times. Stephen T. Mather was concerned with "Environmental Management." Seminars such as this are excellent opportunities to really nail the pieces together. I expect to leave this meeting with more knowledge of your problems than you will of mine.

There is the current ferment in Washington and across the Nation which is aimed at establishing a national policy for environmental quality.

At a time when man can finally reach out and explore the moon in person, too many Americans find themselves wallowing in an environment which is becoming almost as hostile as the surface of the moon.

Astronauts Armstrong, Aldrin, and Collins were protected from the harsh conditions of outer space, safe inside expensive total environment chambers called space suits.

The tens of millions of us who watched their fascinating space adventures through the marvels of live television across 250,000 miles were at the same time breathing fouled air, drinking water of doubtful purity, walking over some of the billions of tons of solid waste discarded each year by our society.

It is gratifying that we express concern over the conditions of this environment. It is an important first step to realize that a problem does exist. It is necessary to recognize that pollution can degrade the environment to the point where man, as we know him, cannot survive. And it is vital to realize that man's social activities have a direct bearing on the condition of the environment.

The National Park Service has been charged with a broad responsibility to insure against environmental pollution. A key section of the Act passed by Congress in 1916 succinctly set forth the mission of the Service:

". . . to conserve the scenery and the natural and historic objectives and the wildlife and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations."

The Act specifically implied that this responsibility extended to the vast National Park System. But it is significant that the System has expanded six fold since that time, from less than 5 million acres to more than 29 million acres today.

Congress intended that the National Park Service not only be concerned with the original parklands, but that it apply its talents and knowledge to insuring that future Federal parklands and contiguous areas remain unimpaired. Indeed, who has better reason or facility to watch over the natural beauty of our land or to monitor the quality of the environment than the men and women who have devoted their lives to that task?

Secretary of the Interior Walter J. Hickel, on June 18, recognized this fact in a statement of management philosophy which concluded that one of the most challenging jobs of the Service is "to patricipate actively with organizations of this and other nations in conserving, improving, and renewing the total environment."

The National Park idea began with the establishment of Yellowstone National Park in 1872. At that time, Congress wanted to preserve the outstanding natural features and scientific wonders found there.

Congress expanded the National Park Service role to the field of recreation in 1936. The Park, Parkway and Recreation Area Study Act authorized studies of recreational areas for inclusion in the System. A decade later Congress authorized the Service to administer recreation areas under jurisdiction of other Government agencies.

Other legislation greatly expanded the Service's role in environmental quality. For example, the Cape Cod National Seashore Act authorized for the first time the use of appropriated funds at the outset to buy parklands, and in 1964 the Congress established a Land and Water Conservation Fund and passed the Wilderness Act. We broke tradition in 1966 with the Historical Preservation Act by extending support to state and local historic preservation efforts.

As you know, the Senate Committee on Public Works, which I chair, has substantive jurisdiction over the Federal highway programs. Recently the Committee authorized $41 million for the construction and improvement of highways within (and some highways approaching) national parks, monuments and recreational areas, and of National parkways, parks, and monument roads. These funds are administered jointly by the Secretary of the Interior and the Secretary of Commerce.

We are pleased that the National Park Service is actively engaged in planning these highways with a view toward scenic and environmental preservation.

What all of this connotes is the fact that Congressional concern with the quality of the environment has placed a large burden of responsibility on the National Park Service. We have felt that the Service is a logical administrator of these large and important programs because of the resources and talents within your ranks.

You know of the 1963 report by the Advisory Committee to the National Park Service on Research, issued by the National Academy of Sciences—National Research Coucil. The report points out that the National Park Service has the responsibility of administering the national parks in accordance with the purposes for which they are or may be set aside by specific Acts of Congress. It emphasizes that knowledge about the parks and their problems is needed to discharge this responsibility. Such knowledge comes from research, especially research in natural history and the physical and biological systems of nature.

The report indicates that research in natural history by the Service has been "only incipient, consisting of many reports, numerous recommendations, vacillations in policy, and little action." Research by the Service, the report said, "has lacked continuity, coordination, and depth. It has been marked by expediency rather than long-term considerations. It has in general lacked direction, has been fragmented between divisions and branches, has been applied piecemeal, has suffered because of a failure to recognize the distinctions between research and administrative decision-making, and had failed to insure the implementation of the results of research in operational management."

This indictment, slightly outdated, underscores problems experienced not only by the National Park Service but by many branches of government to whom the quality of our environment is entrusted. There is a general lack of over-all direction and coordination not only within agencies but between them. There are too many examples of agencies working at cross-purpose with other agencies, often within the same Department.

The Committee on Public Works has recognized this problem and is attempting to rectify it.

In June, I cosponsored with 40 of my colleagues a new bill, the "environmental Quality Improvement Act of 1969," to establish a national policy for the environment. This bill was appended to the Water Quality Improvement Act of 1969 (S. 7) as Title II of that legislation.

Title II provides for more effective coordination of Federal air quality, water quality, and solid waste disposal programs, and for the consideration of environmental quality in all public works programs and projects. More importantly, it calls for the coordination of all Federal research programs

which improve knowledge of environmental modifications resulting from increased population, urban concentration, industrial development, and other activities of our society.

Lest it be forgotten, S. 7, the Water Quality Improvement Act itself, goes a long way in providing for better quality of the environment. Senator Edmund S. Muskie, Chairman of our Subcommittee on Air and Water Pollution, worked to give us a vehicle which will prevent catastrophies like the Santa Barbara oil spill that dumped millions of barrels of black, sticky oil on the beaches along the West Coast.

The Committee on Public Works has also recently approved a bill extending and amending the Appalachian Regional Development Act of 1965 to provide for continuing programs for mine land reclamation and pollution control. This legislation will give new emphasis to health projects for early childhood health, nutrition and education, and to research and action programs to eliminate "black lung" and other occupational hazards to miners' health. The acid mine drainage section of the bill is aimed at cleaning the nation's streams and impoundments of the Appalachian region.

It is difficult to measure the effect of this bill, but perhaps some examples of the problem in economic terms would help.

It is estimated that over 3 millions tons of acid are discharged annually from active and abandoned underground and strip mines in Appalachia. The commercial value of this acid—if recovered and used in the processing of steel, rayon, and so forth—would be approximately $90 million. In addition, some 150,000 tons of aluminum, worth $12 million is washed away—enough to make 6,000 Boeing 707 airplanes. And 500,000 tons of iron, worth about $50 million, are washed down the nation's rivers every year.

The cost of this blight is staggering in terms of losses and damage to waterworks, bridges, boats, culverts, and other structures, and the higher water treatment costs for industries and municipalities. The loss of recreational areas for swimming, boating and fishing is even worse.

Yes, the Committee on Public Works has acted to halt the flow of acid waters from the mines, particularly those in West Virginia and other coal producing states. The reversal of water conditions in the area should provide for many useful parks and recreation areas in this beautiful mountainous stretch of the country so near the major population centers of the East Coast.

The new legislation also authorizes the Secretary of the Interior to assist in the sealing and filling of voids in abandoned coal mines, the planning and execution of projects to control mine fires, the sealing of abandoned oil and gas wells, and the reclamation and rehabilitation of strip and surface mined lands in areas with potential for future growth. This, too, will provide for the reclamation and development of areas which have been scared and degraded.

Erosion and sediment control and reclamation of land which has been misused by poor farming and forestry practices is another area for which the legislation provides. The Act authorizes contracts of up to 10 years for assistance to landowners or operators in the Appalachian region to establish measures for the conservation and development of the region's soil, water, woodland, wildlife, and recreation resources.

Late in July, I introduced a bill to establish the first regional interstate compact to control this nation's air pollution. Pursuant to the intent of the Clean Air Act of 1963 and in accordance with provisions of the Air Quality Act of 1967, the measure gives approval to an Interstate Compact on Air Pollution between West Virginia and Ohio, with provision that the States of Pennsylvania and Kentucky may join at some future date.

Congress has become increasingly aware of the dire consequences of dirty air. Beginning with the Clean Air Act of 1963, we have made it clear that our mandate from the people is to turn the tide against the creeping contamination of our citizens, particularly the young and the elderly, and fouls our property at costs ranging into the billions of dollars each year.

The Compact was passed by the separate State legislatures twice in order to meet the intent of Congress as revised in the 1967 Act. This is proof that the states are concerned over the quality of the environment just as we in Washington are concerned.

Now we turn to another problem which faces us—solid waste. Americans waste billions of tons of solid materials each year. From our homes and offices, each person contributes almost five and one-half pounds of garbage and miscellaneous trash every day to our over-strained refuse system. The cost is more than $4.5 billion a year. And the figure will reach eight pounds per person a day by 1980.

Added to that, industrial wastes contribute another 3.2 pounds per person per day; agricultural wastes from animal feedlots, packing houses, lumbering operations, and other related industries produce another 30 pounds per person; and 7 million automobiles are junked each year, many to rust along the roadside or decay in auto graveyards.

Natural resources—the raw minerals and biologicals from which all of our products come—are the reservoir from which society draws its material sustenance. Although there is a growing awareness of the need for aesthetic resources such as space for recreation and natural beauty, the basic resources are soil, air, water, and minerals, including fuel. Minerals and all sources of energy gain in relative importance with advancing technology and expanding industrialization.

Throughout history, those nations with access to minerals, and the technology for using them, have gained ascendency. Before World War II, the leading powers also were leading coal producers. In order of declining rank, the five leading coal producers were: the United States, the United Kingdom, Germany, the USSR, and Japan.

That the military victory went to the side with the greater capacity to convert iron and coal into tools of industry, and weapons, is more than coincidence. It is a fundamental fact. And it is axiomatic that the United States must have a continually increasing supply of minerals if we are to meet the needs of our burgeoning population for a comfortable standard of living and for national security.

At the same time, other natural resources must be preserved and protected. Purely industrial and economic considerations must be weighed against their impact on the environment.

Industrial wastes and municipal sewage pollute our streams. So does sediment from agricultural activities, highway and urban construction, and burned-over forest lands. Automobiles pollute the air. Beer cans defile the countryside. Although water pollution is reaching intolerable levels, the loss of soil by erosion is at least as serious, and is inextricably involved with many water pollution problems, especially those resulting from surface mining and construction activities.

Man now has the power to control many of the elements of nature. He can destroy the soil, render air and water unusable through pollution, kill every form of life—himself included. He now can manipulate genetics and create life in a test tube.

If he has this power to destroy, he also has the means to conserve and protect. Whether he has the wisdom and self-restraint to take effective action in the remainder of this century may well determine the course of man's future years on Earth.

Earlier this year I cosponsored with Senator Muskie and nine other colleagues a new bill—S. 2005—the "Resources Recovery Act of 1969," aimed at cleaning this Nation's solid waste problem and turning those used resources back into grist for our industrial mill. This legislation is keyed around research and demonstration of effective ways of collecting, transporting, and recycling or disposing of the billions of tons of solid wastes which we as a Nation generate.

We have held field hearings in Boston and Jacksonville. We are planning more in other regions of the country, including Washington. We hope to get at the heart of the problems and develop meaningful solutions for handling them.

The American public is not strictly to be blamed for the problems of solid waste which are pushing dangerously near the crisis stage. It can, in fact, be documented that we are not a nation of slobs who go about scattering the remains of the last picnic over the landscape.

The majority of Americans keep their homes and lawns neat and clean. They are proud of the appearances of their cities and parks. They generally look for places to deposit their trash to prevent the ugliness of litter.

Nowhere is this preoccupation with cleanliness more evident than in the National Parks. The parks around the nation's capital are visited by more than 15 million persons each year. Almost all of these visitors use the National Capital Parks, administered by the National Park Service. Park service officials report that a great deal of effort is spent just cleaning up. More than 300,000 cans of trash were picked up and disposed of last year, at a cost of about $500,000.

But there is a conscious effort on the part of the general public to keep their parks clean, despite indications to the contrary. One of your colleagues reports that on particularly heavy weekends—long weekends like the Fourth of July and Labor Day—the trash baskets in the parks are filled to overflowing, but the excess litter is usually piled around the baskets and not scattered over the landscape.

Studies show that a big part of the problem is a lack of facilities for disposal of trash. Municipalities with long experience in the field have found that more trashbaskets spaced at frequent intervals along the streets are an inducement to citizens to keep the cities clean. No one minds carrying a small handful of Polaroid film backing or an empty soft drink bottle a few yards to drop it into a receptacle. But when the pockets begin to bulge and the hike down the trail is still long, it is easier to toss the trash into a nearby bush than to make the extra effort.

The President's Science Advisory Committee, in "Restoring the Quality of Our Environment," reported that the nation annually must dispose of 48 billion metal cans a year (250 per person) 26 billion bottles and jars (135 per person), 65 billion metal and plastic caps and crowns (338 per person), plus more than a half billion dollars a year of miscellaneous packaging material. A new report by the Midwest Research Institute shows that packaging consumption will increase more than 40 per cent by 1976.

The number of visits to National Park areas increased by 90 per cent during the past eight years, according to your Director, Mr. George B. Hartzog, Jr. During the next 10 years, the forecast is for a further increase of 125 million—to more than 276 million by 1979. Outdoor recreation activities are growing twice as fast as the population, and the National Park System visitations are increasing several times faster than outdoor recreation activities generally.

With these figures in mind, and with the

knowledge that ever more and newer disposable packaging materials and other products of modern industry will be greatly expanding, it might be well to plan for easier, better, and quicker disposal and collection systems for the National Park System to cope with what promises to be a tremendous problem. The easier it is for Americans to dispose of waste, the easier the total job of solid waste management and the cleaner our parks and playgrounds will be.

Insurance of environmental quality, not only in our parks but throughout the entire nation, is becoming increasingly important as our population expands and the demands on our resources increase. Yesterday's conservation battles were for the establishment of the parklands you now administer. Today's conservation battles are for beautiful cities, clean water and air, better, safer, cleaner highways, and the preservation of open space.

The problems of environmental quality are becoming too great for any one agency or any one group to encompass. Despite the considerable competence of the staff of the Committee on Public Works, we, too, are finding it difficult to keep abreast of the many areas over which we have jurisdiction.

To cope with this situation, we are now embarking on a new venture, unique to the Congress, which will involve scientists and engineers and other experts directly in the policy-making operation before it begins. We are creating a panel of experts which will meet with the members and staff of the Committee informally to discuss problems before they are generally recognized. The members of the panel are appointed on a rotating basis, selected because of their expertise and because they can generate fresh new ideas about problems relating to environmental quality. Many of them will be young men and women who have not had much opportunity to participate in the process.

With this Panel, we intend to bridge the gap between the laboratory scientists who are first to come to recognize these problems and the legislators who must deal with them—too often after much damage has been done. We hope to be able to come up with constructive, preventative legislation which will guarantee future Americans the right to quality of living, as expressed by the absence of pollution, freedom from crowding, noise and other deleterious byproducts of our rapidly growing society.

I have told you much of what we are doing in Congress to insure environmental quality.

For the last few minutes let me digress and give you some thoughts about the National Park Service. As Mr. Hartzog has said, and I agree, parks do not exist in a vacuum. It is important in planning, he says, that you consider the total environment in which the park exists.

For the Service has taken some steps in the right direction. For instance, I understand that in order to avoid overcrowding, traffic congestion, and pollution from automobiles, at least two major parks, including Yosemite, are using new shuttle services to take visitors around the grounds.

I have also suggested that some planning be undertaken to alleviate the trash problem in the parks.

Beyond this, however, a number of interesting suggestions have been made by various people to increase the Park Service's activities in other areas of environmental quality.

In its Advisory Committee report, the National Academy of Sciences-National Research Council provided a number of recommendations which, if followed, could bring greater understanding of the total environment, as well as providing baselines for environmental quality. For example, the report suggested that the natural history resources of each national park should be inventoried and mapped. And research, both by Park Service naturalists at each park and by interested visiting scientists, should be organized to provide a complete record of the biota and the physical properties of the parks. Universities, private research institutions, and qualified independent investigators should be encouraged to use the national parks in teaching and research. In fact, organized research programs should be developed to involve these experts on a long-range basis.

For us to come to grips with the problems of pollution and environmental degradation, knowledge about the natural biological and physical systems is extremely important. To set standards for air and water pollution, it is imperative that scientists have baselines of purity for our rivers and lakes and the unpolluted wilderness areas available almost exclusively in the national parks.

If Congress is to pass meaningful legislation, and if the government—all agencies—is to carry it out, it will require the talents of dedicated men and women who have extensive training in the sciences, who interact with nature, who appreciate the needs of society, who understand the problems of industry, and at the same time are knowledgeable about the limits of our environment. Thus it is important for National Park Service people to seek to make even greater contributions to the over-all quality of our environment. I have confidence in your creative and constructive efforts in the achievement of workable and worthwhile programs.

THE LATE HONORABLE BARRATT O'HARA

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. SIKES. Mr. Speaker, I wish to join my colleagues in paying tribute to an outstanding and beloved American. All of us have been saddened by the death of the distinguished former Congressman of Illinois' Second District, Barratt O'Hara. If proof were necessary, Representative O'Hara's career in Congress demonstrated beyond a shadow of a doubt that energy, creativity and the pursuit of justice are not solely the property of youth.

At a time when most men would be ready to retire, "Battling Barratt," as we affectionately knew him, won his first House seat at the age of 66, and was for many years our oldest Member. At the time he came to Congress, Representative O'Hara had already won outstanding success in enough careers for several active men. At the age of 13, he accompanied his father on a diplomatic mission to Nicaragua and stayed on to join a Smithsonian Institution party exploring Central American jungles. At 15, he ran away from home to join the volunteers fighting in the Spanish-American War. He served as a corporal at the seige of Santiago, became chief scout for his brigade, and was awarded the Cuban Order of Military Merit.

After attending the University of Missouri, he became sports editor of the St. Louis Chronicle at the age of 20, then moved to Chicago where he was sports editor of the American, and later Sunday editor of the Examiner. Meanwhile, he won a law degree from Kent College of Law in Chicago, edited and published Chicago magazine, wrote a history of boxing, entitled "From Figg to Johnson," and at 30 became the youngest Lieutenant Governor in the history of Illinois. A brief stint as president of a movie company followed, then Army service as Judge Advocate General of his division in World War I, and finally law practice. As a defense attorney who obtained acquittals for more than 90 percent of his clients, he won the public admiration of Clarence Darrow.

Elected to the House in 1948, he was defeated for reelection, but came back in 1952 and stayed through the 90th Congress. With a zest for debate and new ideas unexcelled by many younger Members, he was a champion of liberal causes and the emergence of new African nations. As chairman of the House Foreign Affairs Subcommittee on Africa, he made an outstanding contribution to American understanding of emerging nations and the forces of anticolonialism. During the fear-plagued McCarthy years, he fought to abolish the House Un-American Activities Committee.

Soldier, journalist, Lieutenant Governor, motion picture executive, radio commentator, lawyer, and Congressman, Barratt O'Hara was indeed one of our Nation's outstanding citizens. We mourn his passing, for he will be sorely missed. His life was as full and rich and varied as any man's might be, and it spanned the period of America's development into the world's greatest power. This Nation will never forget him.

CIVIL RIGHTS NOT DEAD

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Friday, September 5, 1969

Mr. SCOTT. Mr. President, last month Mr. Robert J. Brown, special assistant to the President, who is Civil Rights Coordinator in the White House, addressed the National Dental Association. I ask unanimous consent that his excellent speech, in which he outlines the various civil rights activities underway in this administration, be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF ROBERT J. BROWN, SPECIAL ASSISTANT TO THE PRESIDENT TO THE 56TH ANNUAL CONVENTION OF THE NATIONAL DENTAL ASSOCIATION

Mr. President, President-elect, Speaker of the House of Delegates, other officers, delegates and friends.

It is a privilege and pleasure to have a part in the program of such a distinguished organization. The National Dental Association has a proud history of accomplishments. Opening the doors for Black dentists has not been easy.

In these difficult and critical times, things are not going to get easier—they are going to get tougher. The burning issues of today are no longer whether you can eat at a

Southern lunchcounter but rather to develop and initiate effective programs to feed the poor of our nation, rural and uban. They are:

Developing and initiating the best possible health care programs for the young and needy.

Making sure that every man can practice his profession or vocation with all of the available tools in any hospital, on any building, in any office in this country.

Making sure that all of the restrictive covenants against the sale of land to Black people and other minorities are voided by the law of the land.

Making every effort to see to it that this nation is a nation of peace. They are:

Ridding our nation of the basic causes of the riots which trouble our cities, large and small.

Making justice an essential part of any and all law and order efforts.

Initiating and bringing into being a meaningful family security plan to replace an outworn, outdated and demeaning welfare system.

Giving hope to those who have lost it.

Inclusive in all that I have said thus far and all that I have not said is the prime issue of *bridging the gap between young and old, black and white, rich and poor.* This must be done if our country is to move ahead in a creative, constructive and peaceful manner.

We do not have all of the answers. No one does. Contrary to what you may have heard, we in the Nixon Administration solicit your ideas, suggestions, constructive criticism: and above all, your support.

The normal question today, among Black people in particular, is to ask "support for what?" I want to take this opportunity to set a few records straight. Until this Administration:

No Black man had ever served as a general counsel of any major department of government. James Washington, a former Howard University Law School Dean now serves in this capacity in the important Department of Transportation.

For several decades, the National Dental Association along with the NAACP, the Urban League and other major black groups protested to the White House that a black man should sit on the three man U.S. Civil Service Commission which regulates more than 3 million Federal jobs. James E. Johnson, a black man, now serves on this powerful Commission. I might add that he is also the Vice Chairman.

There has never been a black assistant postmaster general; Assistant Surgeon General or Director of the Women's Bureau in the U.S. Labor Department. There is now.

At no time did the U.S. Department of Justice file a suit against the restrictive convenants which have kept black people and other minorities out of decent homes for generations until this Administration.

They say we softened the school desegregation guidelines, and yet numerous suits have been filed and millions of dollars cut off from segregating school districts. In fact, for the first time in our history a suit has been filed against an entire state school system. And the Chicago Board of Education has been given two weeks to take corrective steps in desegregating its faculty.

Until this Administration:

No free food stamps were given to the poor and no comprehensive program had ever been advanced to feed our hungry. We have submitted to the Congress a 2.5 billion dollar program. Even my good friend, Dr. Ralph Abernathy admitted publicly that this program went further than any other Administration has dared to go. However, I must add that he also did not think it to be enough. Nonetheless, our program is designed so as to spend wisely and diligently whatever is necessary to do an effective job. Our goal in this area of concern is to eliminate hunger from our land.

There were no proposals to take the poor off of the Federal tax rolls. We have proposed a program to do just that.

We have proposed a general strengthening of the unemployment insurance system. We are asking each state to cover at least 50% of a workers wages and permit workers to receive benefits while enrolled in training programs designed to increase their employability.

In our first seven months, we have moved steadily and effectively ahead. I ask all of you to keep an open mind and heart. Toss away that age old so-called black anti-Republican attitude. All we ask of you and all we ask of all Americans is to be judged on what we are able to accomplish. As Carl Rowan put it the other day in his Washington commentary: "For where Mr. Nixon is entitled to the applause of the black community he ought to get it."

There are many of us who believe that black and white leadership must present the kind of courage to the people of this country to praise as well as criticize—to stand up and be counted for what is right and denounce what is wrong. America is searching for this kind of leadership. I am sure that much of it can be found in this distinguished group.

The people, black and white, are asking for and demanding results. The time for beautiful rhetoric has run out. In the words of the street, "no more shucking and jiving." We must concentrate more on producing meaningful results in our local communities for the masses of this country. At the same time, we must say to all of those who would let emotion rule, "to fight a Sherman tank with rocks, sticks and 22 rifles—is not only ridiculous, but very stupid."

So that there be no mistake about where I stand. I think the right of peaceful protest is vital to our way of life. *I endorse it fully.* The neglected area of Black studies is important to all of America. And I have been black and proud for 34 years now (and beautiful too). Just in case somebody doesn't know, I am a bona fide, first hand living witness and victim to the experiences of hunger, poverty and violence.

In other words, I know about most of the hang-ups which one might have who happens to be black. Some months ago, I picked up a little book by Turner Brown, Jr. (no relation) which many of you may have read. It gives an overview about the author's conception of what being black is all about. He says

Black is—not having to get in the mood to sing the blues.

Black is—suffering the ultimate blow of being automated out of the Sanitation Department.

Black is—being accused of causing trouble but always winding up as the casualties.

Black is—when you meet the devil to sell him your soul he gets embarrassed and says, "I can't give you quite as much as I offered you over the phone."

Black is—when you're playing "eeny, meeny, miney, moe" and the thing you catch by the toe is a tiger.

Black is—when you're bringing your suit home from the cleaners and you get busted for stealing it.

Black is—being told you ran down a neighborhood that was fifty-years old when you finally got to move in.

Black is being issued a credit card by a pawn shop.

In addition to my recently assigned responsibility as Civil Rights Coordinator in the White House for the Administration, I have been working in the area of minority business enterprise.

On March 5th, the President created an Office of Minority Business Enterprise. This office in the Department of Commerce is designed to spur the growth of minority-owned business across the country. OMBE is the coordinating body in the Government's efforts to give minority group members a larger piece of the mainstream economic action.

This office now has a staff and it is operational. Within a few days, the President will appoint a "blue ribbon" advisory committee to work in this area.

Let me make it clear that OMBE is no substitute for other efforts that are underway in the national program to bring minority citizens into full participation in the American society and economy. Jobs are the first essential; we all recognize that. Minority enterprise will not replace any existing program; it is a supplementary program, not a conflicting one.

I would also like to stress that this program is a "no-strings" program. It is intended to help persons operate businesses both inside and outside the ghettoes—wherever their interests, talents and activities take them.

In the short time that OMBE has been in existence, Secretary of Commerce Maurice H. Stans has announced several programs of great aid to minority business enterprise.

The following test programs already announced are:

a. *A National Institute for Minority Business Education* at Howard University, and subsequent university management assistance centers (with HEW).

b. *A Voluntary Credit Corporation* to provide loan guarantees through the (Negro) National Bankers Association (with OEO and SBA).

c. A Shopping Center Development Program with the Reverend Leon Sullivan of Philadelphia who will send trained developers to establish centers in 13 cities (with SBA, and EDA of Commerce).

Other examples of programs under development include:

a. Active efforts to stimulate more Small Business Investment Corporations, owned and directed by major corporations, to operate in minority areas.

b. Negotiations and meetings with franchisers to bring about more minority automobile dealerships, gasoline stations, and other retail franchises. Chrysler has agreed, for example, to give the first 25 automobile dealerships to minority members.

c. The enlistment of accountants and management consultants on a national voluntary basis to provide direct assistance to new minority entrepreneurs.

d. Examination of ways in which minority business enterprise can participate in the life insurance industry's second billion dollar commitment for urban action.

I want to reiterate that civil rights is not dead in this Administration. It has not been put on the backburner. It is on the front burner and "We are going to take care of business."

In the immediate days ahead we ask you to take a good long hard look at our civil rights and general domestic thrust. Our commitment in this area is forward.

We believe that it will be deeds, not words that will bring us together. With the help of the National Dental Association and other groups across this nation, we intend to perform and deliver.

Let us seek to broaden our perspective and move ahead together. This Administration is going to be about helping people and making America better for *all* people.

In bringing the disadvantaged blacks, the poor whites, Mexican-Americans, Puerto Ricans and any other groups into the mainstream of American life, most of you might want to consider yourselves as drum majors—the kind of drum major Martin Luther King, Jr. said he wanted to be in his last sermon, and I quote him here:

"I want you to say that day that I tried

to be right and to walk with them. I want you to be able to say that day that I did try to feed the hungry. I want you to be able to say that day that I did try in my life to clothe the naked. I want you to say on that day that I did try in my life to visit those who were in prison. And I want you to say that I tried to love and serve humanity.

"Yes, if you want to, say that I was a drum major. Say that I was a drum major for justice. Say that I was a drum major for peace. I was a drum major for righteouness.

"And all of the other shallow things will not matter. I won't have any money to leave behind. But I just want to leave a committed life behind.

"And that is all I want to say. If I can help somebody as I pass along, if I can cheer somebody with a well song, if I can show somebody he's traveling wrong, then my living will not be in vain.

"If I can do my duty as a Christian ought. If I can bring salvation to a world once wrought.

"If I can spread the message as the master taught. Then my living will not be in vain."

At the close of life the question will be not, how much have you got, but how much have you given; not how much have you won, but how much have you done; not how much have you saved, but how much have you sacrificed; how much have you loved and served, not how much were you honored.

Thank you.

HEARING HIGHLIGHTS

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. BUSH. Mr. Speaker, the weeks before recess our Republican Task Force on Earth Resources and Population held three hearings.

The subjects discussed at these hearings were: the hereditary aspects of human quality, the activities of the Earth Resources Survey Program Review Committee, and the environmental problems created by our rapid rate of population growth.

So that all Members of the House can share the information we heard, I offer our hearing highlights for the RECORD:

HEARING HIGHLIGHTS, TUESDAY, AUGUST 5, 1969

Dr. William Shockley, Professor, Stanford University.

Dr. Arthur Jensen, Professor, University of California at Berkeley.

Dr. Shockley stated that he feels the National Academy of Sciences has an intellectual obligation to make a clear and relevant presentation of the facts about hereditary aspects of human quality. Furthermore, he claimed our well-intentioned social welfare programs may be unwittingly producing a down breeding of the quality of the U.S. population.

Specifically, Dr. Shockley feels the National Academy of Sciences should answer the following question: "Is or is not your 1967 statement on *Human Genetics and Urban Slums* now clearly out of date and unsound as a result of the analysis published in the Winter, 1969 issue of the Harvard Educational Review by Dr. Jensen and its subsequent review by Dr. Crow?"

Dr. Shockley believes that such a question is partially justified on the basis that one of 3 authors of that 1967 statement, Dr. James Crow, now seems to feel that the statement fails to adequately consider new theories of genetic quality.

On the basis of studies completed by Dr. Arthur Jensen, Dr. Shockley claimed: "I believe that the voting citizens of the United States can and should endeavor to make their government seek objectivity to formulate programs so that every baby born has high probability of leading a dignified, rewarding and satisfying life. Letters from government organizations show that hereditary factors are essentially excluded from present studies of our social problems.

HEARING HIGHLIGHTS, THURSDAY, AUGUST 7, 1969

Dr. John Naugle, National Aeronautics and Space Administration, Chairman of Earth Resources Survey Program Review Committee.

Mr. Leonard Jaffee, NASA.

Dr. William T. Pecora, Department of Interior.

Dr. T. C. Byerly, Department of Agriculture.

Dr. Robert M. White, Department of Commerce.

Dr. William MacDonald, Department of the Navy.

Mr. J. Robert Porter, NASA.

Dr. Naugle explained the organizational structure of the Earth Resources Survey Program Review Committee, of which he is chairman. The committee is divided into three separate subcommittees: The Status of Benefits Subcommittee, the Status of International Affairs Subcommittee, and the Status of Oceanography Subcommittee.

Thus far the ERSPRC has taken up the following items:

Status of Congressional and Budgetary issues;

Approval of Earth Resources Technology Satellites A and B;

Progress report on Benefits study;

Proposal to establish subcommittees;

Review of BOB and Congressional activity;

Discussion of Program Memoranda on ERTS;

Interagency transfer of funds;

Schedule for NASA aircraft;

FY '70 plans of ERS related efforts in different agencies;

Discussion of means to disseminate ERS program research information.

Earth Resources Technology Satellites A and B are scheduled to become operative in the first quarters of 1972 and 1973. The design lifetime of these satellites is one year. It will cost approximately $70 million to design, build and launch ERTS A and B, but if we can then use them as prototypes, it will cost us only $15 million to make operational repeats.

The ERSPRC has a preliminary study which estimates Earth Resources Satellite gains. In the area of water and agricultural systems management, it would cost $1–1.5 billion to maintain an ERTS program for 10 years. It is estimated that in this country we would benefit by $9–10 billion from such a program. Other countries would receive information worth $10–11 billion. Dr. Naugle feels that once data is received from these satellites, the gains we will enjoy may be much greater than we can possibly estimate.

HEARING HIGHLIGHTS, TUESDAY, AUGUST 12, 1969

Dr. Paul R. Ehrlich, Stanford University.

Dr. Ehrlich described some of the most crucial environmental problems in this country and in the world. Before any progress can be expected in these areas, however, we must first deal with population control problems. Dr. Ehrlich suggested that strong bipartisan support of the President's proposal to establish a commission on Population Growth and the American Future would be the most constructive initial step of the Congress.

One-half of the world's population is not properly fed. By the year 2000, our present population will have doubled and yet the people will expect to be living and eating better than they do today. Dr. Ehrlich explained that the most optimistic experts claim that the best we can hope for is only to maintain the present per capita food supply and standard of living.

Dr. Ehrlich explained that our own government must realize that all of our environmental problems are directly related to our population growth. He hopes that the Presidential commission will clearly relate the United States to the total world situation. In the year 2000, the United States will constitute 6% of the world's population, and will use at least ½ of the world's unrenewable resources.

The populations of the lesser-developed countries will double in 20–25 years. It would be naive to assume that those countries will be able to double their exports, imports, number of lawyers and doctors, or food production. History has proven that similar situations breed national instability and international conflicts. Dr. Ehrlich explained that because biological warfare gives every country a "poor man's hydrogen bomb," we must plan to avoid unnecessary instability. Even now unrest is growing over water supplies which are agriculturally so necessary.

The sea produces 20% of the world's animal protein. It is estimated that the sea could potentially yield 5 times the present amount without damaging the seas's own reproductive processes. Dr. Ehrlich explained that without proper legislative control we are now ruining many of our most productive fisheries by allowing fishermen to bring in as large a catch as possible.

SOVIET NAVAL POWER

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Friday, September 5, 1969

Mr. THURMOND. Mr. President, America's supremacy of the sea has never been in greater jeopardy. The Soviet seapower has never been greater, and it is growing at a rapid rate while the United States is cutting back. The Soviets boast that their navy is second to none.

The U.S.S.R. celebrated their Navy Day this year on all the oceans of the world. Their warships were off the Florida coast during the Apollo launch; a missile-carrying cruiser with escorts appeared off Zanzibar; another cruiser stood off the coast of Finland; scores of nuclear subs prowled the Atlantic, the Pacific, and the Indian Oceans; and about 65 Soviet ships patrolled in the Mediterranean. This armada outnumbered the powerful U.S. 6th Fleet. It included subs, a missile-carrying cruiser, and a helicopter carrier. It is reported that the Soviets intend to station their missile submarines along our Atlantic seaboard, in the Gulf of Mexico, and off San Diego, Los Angeles, San Francisco, and Seattle.

Mr. President, this is the threat and the challenge to our declining seapower. Before some of my disinguished colleagues seek to reduce funds for maintaining a modern Navy, I suggest they make a comprehensive review of the Soviet naval threat. As a start, I recommend they examine the intelligence supporting the address made by Adm. T. H. Moorer, Chief of Naval Operations, to

the Veterans of Foreign Wars in Philadelphia on August 19, 1969.

His remarks present a clear analysis of the threat and the critical situation we face in the Soviet's growing seapower. Any further cuts in our naval power will contribute to the Soviet goal of supremacy of the sea. Adm. Sergei G. Gorshkov told the Soviet people and the world that:

The USSR today has a naval fleet and aviation equipped with nuclear rockets equal to any strategic tasks of an offensive nature on all seas and oceans of the world.

Mr. President, I ask unanimous consent that Admiral Moorer's address be printed in the Extensions of Remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY ADM. T. H. MOORER

My remarks this morning will take two directions:

I have been invited to discuss the nature and portents of a Soviet bear who has demonstrated a new fondness for deep salt water—and the opportunity to do so is as welcome as it is timely.

Secondly, I want to address our National maritime posture in terms of its ability to meet the Kremlin sea-based challenge—now and in the future.

It has been said repeatedly that, in the last few years, the Soviets have "discovered the meaning of sea power."

In some respects, as I will point out later, this seems to be the case; but there is much evidence which shows that the Kremlin is not really a newcomer to the scene of major naval enterprise.

A most likely but forgotten example is her shipbuilding history—particularly as it relates to men-of-war.

We know that from the end of the 1920's to the start of World War II, the Soviets laid down something on the order of 500 warships. These included 4 cruisers, 37 destroyers and 206 submarines delivered to the fleet prior to the war.

We know, also that at the start of that war, Stalin had 219 ships under construction in shipyards which were able to give him promise of rather amazing combatant ship production: 2 or 3 battleships, 10 cruisers, 45 destroyers and 91 submarines.

Even today, it is significant to consider that in mid-1941 almost 300 of a planned 325 submarines were either completed or building; that the keels of battleships had been laid; and that more were planned.

What we can take from this is the fact that Russian expertise in new ship construction—in quantity production of combatants of all types—is a long-established capability.

Therefore, it is obvious their talents in naval design, production and seamanship are not as new as we sometimes tend to believe.

What is new, however, is the maritime strategy of what had been a land-oriented, geography-bound Kremlin. This new strategy, in my opinion, represents both a major shift in concept and the first signs of a real and substantial challenge to free world maritime supremacy.

In my opinion, we may fix the first indications of this shift in strategy in 1956—about the time of the Suez crisis—when the Soviets clearly changed their maritime posture from one defensive in nature, to an offensive one featuring world-wide interests and capabilities. At the same time they have continued to surge ahead on new ship construction, making full use of their considerable background to which I referred earlier.

If we were to regard the impact of the Soviet shipbuilding effort from the standpoint of numbers, it must be credited as being the most significant employable challenge appearing on the world stage since the end of World War II.

One of my main concerns as a navyman—and, as a Member of the Joint Chiefs of Staff—focuses on the buildup and potential of their much-heralded submarine force.

There is no doubt in our minds—or theirs—that their submarine force today represents the main threat to free world control of the seas in the event of hostilities.

Consisting of more than 350 units, their force differs from western submarine forces in many important respects—beyond that of sheer numbers:

It is entirely of post-World War II vintage; no longer operating even one of the old ships such as comprise a large portion of western forces.

It is a three-dimensional threat: complementing torpedoes and ballistic missiles, which we have, with the guided cruise missile, now unique to the Soviet inventory.

About 12 per cent of their increasingly potent force can launch strategic missiles without warning.

More than 16 per cent carry 400 nautical mile cruise missiles designed primarily for use against land or sea targets.

The remaining 72 per cent, armed with torpedoes or mines, can be deployed to sever western lines of communications and to contest command of the seas. We are aware, too, that certain significant developments by the Soviets, presage even greater strength and operational versatility in the underseas area.

A tremendous capital investment has given them what experts term the most modern submarine yards in the world. As one result we estimate that by 1970, Soviet nuclear construction capacity may reach 20 units a year—and that a "crash" program with no constraints on manpower or materials would allow a considerably higher number to be produced.

There is, for example, one Soviet submarine yard that has several times the area and facilities of all United States submarine yards combined.

We know several new types of Soviet submarines have come into being—most are nuclear; all are capable of increased speeds and higher performance. One new class, which emerged in 1968, is comparable to our Polaris submarine.

Their new ability to operate independently—over long distances from home—occasionally under the ice—and for extended periods of time—must be marked well.

As recently as 1963, their submarines rarely left local waters.

You may have read that the Soviet force, which steamed into our back yard not long ago, included four submarines in addition to a cruiser, destroyers, a tender and oilers.

This was typical of the new practice of making themselves "visible" almost anywhere there is deep water. In my opinion, this practice is the heart of the Kremlin effort to exert their influence wherever and whenever it will serve short or long range political, economic or military objectives.

Paradoxically, one of our own precepts has been that there is no better instrument of foreign policy or a means of establishing presence in a strategic area than by use of sea power. Evidently, the Soviets have watched us do this over the years and they know that in this century, the oceans have enabled us on many occasions to extend our power overseas and to project it ashore in defense of other free nations.

Therefore, I think it is safe to conclude that they are keen observers who have profited as a result of our experiences, tactics and developments—perhaps, even more than we have in some respects.

In other areas of their race for naval supremacy, they give unmistakable indications that they are determined to succeed.

One of these areas is their merchant marine—and the facts and figures connected with this Kremlin lunge seaward—plus a new modus operandi should be—and is—a cause for increasing concern.

Let me interject at this point that a nation's total sea power cannot be viewed in terms of warships alone.

Sea power, inescapably, derives from the quality and quantity of a nation's merchant marine, shipyards, fishing fleet, and oceanographic enterprise—as well as its combatant forces, i.e., the sum of its maritime potential.

If we can be said to have demonstrated a lack of appreciation for this definition, the Kremlin, on the other hand, seems not only to fully appreciate it, but is actively applying it.

In this context, the rise of their merchant marine has been phenomenal.

In 1950, they had only 525 ships totalling 2.5 million tons.

Today, we place the figures at over 1400 ships and over 11 million tons with a prediction that they may reach 20–23 million tons by 1980. Their potential is rising.

On the other hand, in 1950, we had 1900 ships or 22 million tons. Since then, we have suffered a decrease of 800 ships amounting to 7 million tons of sealift capability. Today, we have 1,100 ships or 15 million tons and while our quality is far greater, the quantity of our merchant marine is declining rapidly.

What these statistics mean to us economically overshadows equally important political and militay considerations.

Our merchant ships, today, carry only about 5.6 per cent of this Nation's total foreign trade. Our national goal, which has been pronounced, is an increase to 30 per cent.

The State-owned and controlled Soviet merchantmen—in noteworthy contrast—today carry 50 per cent of the USSR's international seaborne trade, and they predict an increase to 75 per cent by 1980.

Another factor to be considered is that we are an insular nation and one having to import 66 commodities classed as strategic and critical. It is indeed a sobering fact that we must rely on foreign flag ships to carry 95 per cent of these imports.

It is also sobering to look at this from a dollars and cents standpoint. Dependence on foreign shipping obviously can add to our balance of payments deficit.

One maritime industry study showed that if the percentage of U.S. trade carried in American ships from 1960 to 1967 had been as high as existed before World War II—somthing like 35 per cent—our nation would have been able to count a positive balance of some 5 billion dollars instead of a deficit of about 23 billion dollars.

All told, there have been something like 35 studies of our merchant marine—its problems and its future—over the past three years alone! Typical of the several conclusions was this one from the Senate Commerce Committee:

"The clear lesson gleaned from our committee's study is beyond dispute: The U.S. merchant fleet is in critical condition, its future is in doubt, and remedial action of a major nature is essential if the United States is to remain a leading sea-faring nation."

Underscoring the criticality mentioned in this particular conclusion is age or obsolescence—and this problem affects more than one element of the American total sea power package:

80 per cent of our merchant ships have observed twentieth birthdays whereas 80 percent of the Soviet merchant fleet is less than 10 years old.

Nearly 60 per cent of our warships, upon which our forward defense strategy depends, are 20 years old or more. But, in the Soviet navy, of the 1000 or more surface combatants and submarines currently boasted by the Kremlin, less than one-fourth of one per cent are past the 20-year mark.

Their growing maritime strength gives the Soviets the capability of projecting their presence into countries where they formerly had no appreciable influence. My most recent information shows that their ships visit nearly 900 ports in about 100 countries on an annual basis.

Thus in ports of developing countries, this is a major way they are giving credence to their claims to scientific and technological supremacy. Moreover, such visibility certainly enhances the appeal of the Soviet system as one to imitate in the case of national development.

We, in the Navy, continue to remind ourselves that the Soviets introduced missiles into Cuba by their merchant marine we must never forget, also, that the bulk of support for the war economy of North Vietnam is being taken there by Soviet merchant ships.

In the same category, two other elements of Soviet sea power are engaged in fishing and ocean research.

Their fishing fleet of over 4,000 vessels and their hydrographic-oceanographic survey and research fleet of about 130 ships is the largest and most modern in the world.

And they are deployed all over the world—off both our coasts and to all major fishing grounds, including the polar regions.

Aside from these inherent capabilities to support military and political purposes, the Soviet fishing fleet is of great economic import; it provides about 25 per cent of the protein for the Soviet diet.

Since 1954, some four billion dollars has been invested in this fleet and facilities ashore, and many trawlers costing more than two million dollars each have been constructed.

I know you have heard of the Soviet intelligence collection ships. These are mostly trawler hulls equipped with modern electronic surveillance gear and used for intelligence collection against U.S. and NATO forces, particularly naval forces. They station these ships off polaris bases. They attempt to monitor fleet exercises and tests, and they observe our space activities.

As with the other elements of their sea power, the Soviets are telling us by deeds that they are challenging us in all the oceans and that they are building sea power which can project their political and economic power as well as their military power.

I might pause to point out here that where it regards their sea-based posture, Kremlin boasting has kept pace with the step-up in their oceanic activities.

Their principal spokesman is a gentleman named Gorshkov who has the title of "Admiral of the Fleet of the Soviet Union." In reality, he is my counterpart—or other chief of naval operations.

The Soviet admiral's volubility has covered almost all aspects of their oceanic resurgence.

A statement of his a few years ago went like this:

"The flag of the Soviet navy," he said, "now proudly flies over the oceans of the world. Sooner or later, the United States will have to understand that it no longer has mastery of the seas."

On their last navy day observance, he was quoted as saying:

"The USSR today has a naval fleet and aviation equipped with nuclear rockets equal to any strategic tasks, including tasks of an offensive nature, on all the seas and oceans of the world."

Admiral Gorshkov also said in a radio broadcast to the Russian people last July:

"For the first time in its history the Soviet nation has acquired a powerful ocean-going navy. It has become the world's greatest naval power, capable of taking its line of defense out into the ocean."

These pronouncements are not without some substance; to paraphrase an old adage, it might be said that, by their words, as well as their deeds, we shall or have come to know them.

These words take on more significance when we look at what Gorshkov was doing with his "new" navy as the Kremlin celebrated Navy Day, 1969:

In addition to those we saw off Key West, a missile-carrying cruiser with escorts appeared off Zanzibar.

Another cruiser stood off the coast of Finland.

A Soviet helicopter carrier maneuvered in the Eastern Mediterranean.

Scores of nuclear subs prowled the Atlantic, the Pacific, and the Indian Oceans.

Visits to Chile and Peru were being planned.

And units of his Pacific Fleet returned from a six months cruise in the Indian and Pacific Oceans covering more than 30,000 miles and visiting 30 states. This then, broadly, is the challenge.

During interviews, after speeches, while testifying on the "hill"—and elsewhere—I have been repeatedly asked the question:

"What are we doing about it?"

My answer is that we are trying to keep things in proper perspective.

From the standpoint of the two potentially hostile fleets, it is sometimes alleged that we the U.S. Navy are espousing what might be called a "numbers game."

This is far from the truth of the matter.

The fact that Soviet submarines total out to more than 350 doesn't cause us to reach for the same number or more—nor have we ever entertained a reaction of this nature.

We don't attempt—nor should we ever attempt—to match ship for ship.

This would be foolish—in our Navy we have entirely different missions from what the Soviets see for their navy; consequently we do not think in terms of counterparts.

We have formed our Navy—and I hope we continue to form it—so that we have the capability to conduct operations commensurate with our mission.

In this regard, our capability at present—and I mean as I stand here—is adequate.

Because of our Polaris force—and that highly mobile weapons system known as the aircraft carrier—we can meet any challenge mounted against this nation on, over, or under the high seas; which as a navyman I must point out cover 70 percent of earth's surface.

That we can is based on superb people, conventional convictions and the curious habit history has of repeating itself.

Today's navyman and marine are superb. They are:

The best educated;

The most responsible;

The hardest working; and

The most ingenious and imaginative young people we have ever had in the naval service.

My tribute is well-founded. Your Navy today is all-out; ships are involved in an unprecedentedly high number of diversified and difficult operations—in Southeast Asia, the western world Antarctica—or, as you saw on television recently, recovering our great space team.

Whatever the national requirements, they have been met—in spite of circumstances occasionally which might have stymied navymen of earlier days.

Our ability to meet the challenge has certainly been extended and enhanced by our conviction in the conventional weapons, weapons systems, crisis—or was as we see it in Southeast Asia.

To a large degree, the "heavyweight" of this conviction has been—and should remain—the aircraft carrier—which, as all of you undoubtedly know, is currently undergoing one of its periodic reevaluations as to our Nation's continued need for them.

I use the word "periodic" because we have been through this before and the principles have not changed; namely:

The aircraft carrier is an extremely effective system we have to serve either a strategic or technical need for air combat forces.

With its air wing, it is a positive means by which we can control the sea or air, if required in most vital areas. We saw this at Suez, Lebanon, Cuba, Vietnam and off North Korea.

It is a logical substitute for the fast-diminishing number of U.S. air bases located at critical points worldwide. U.S. overseas air installations have dropped from nearly 150 in 1954 to around 45 in 1968.

Except for Polaris, there is probably no item of U.S. sea power the Soviets would prefer us to cut back more than our aircraft carriers.

The last point is one to restress. I believe our aircraft carriers are the key to our present superiority. With too few, or none, the Soviets would probably be the leading naval power.

It is axiomatic to note that we have been "caught with our carriers down" on the eve of two major wars.

At the start of WW II we had 8 carriers. The two-ocean war required us to surge to 111—24 of which were large attack carriers, mostly of the *Essex* class.

Prior to Korea, cutbacks left us with 7 carriers active; 20 in mothballs.

Again a surge became necessary from 7 to 18 at enormous cost and with severe strain on manpower and already over-burdened facilities.

At the start of Vietnam we had 15 attack carriers; later adding one more which we had to borrow from our anti-submarine warfare force—for a total of 16 which we are operating today.

Unlike our Korean war situation, we no longer have a surge capability. None are in mothballs—all the attack carriers we own are in service or being built.

These varying carrier force levels reflect the fact that there never has been a set or magic number of carriers—nor is such a number realistic. National requirements for positioning employable air strength is the sole determinant. It has been as high as 111, as we saw in WW II—what the future dictates is to be seen, but I would not be surprised if we find that 16 gave way to a national need for a greater number based on current trends and possible circumstances—particularly the need to balance the loss of forward landbases.

How we arrive at carrier force level figures is often misunderstood. Actually, it is the American people who determine the so-called "magic number."

Attack carrier force levels are determined by the national strategy.

During times of peace, our national objectives and our foreign policy determine the national strategy and the peacetime military posture required by that strategy.

During time of war, the number of carriers is directly related to the strategy of that particular conflict. For example, during WW II the nature of the campaign in the Pacific caused us to rely heavily upon carriers, and, as I pointed out, the U.S. Navy had well over 100 carriers of all kinds in its operating forces during WW II.

Today, our national strategy relies heavily upon the concept of forward deployed general purpose forces capable of responding to a range of contingencies in overseas areas of primary national interest. These forward deployed general purpose forces provide this country with a flexibility of response.

An effective tactical air capability is an essential element of these general purpose forces. Both sea-based and land-based tactical air are required in order to provide support for the forward deployed concept of our planned national strategy, across the range of contingencies.

There are those who say that the carrier is vulnerable, exorbitantly expensive and has outlived its usefulness—and support their contention by pointing out that the Soviets would have had them if they were a wise investment.

Taking last things first, geography, more than any other reason, has kept the Soviets out of the aircraft carrier business. The routes of egress from Soviet naval bases to the open oceans are, by way of choke points, controlled by other powers. For an aircraft carrier such a situation could spell disaster in a shooting war. If the Soviets were to gain control of the points, however, the situation might change.

Where questions of carrier vulnerability, high cost and continued usefulness arise—as they have, consider these key points:

In some 50 wars or near-wars since 1946, we have not lost a carrier or had one damaged owing to hostile action. Even counting WW II, no carrier of Essex, or later design has been lost.

None has ever been captured or used against us.

Even when damaged, such as *Enterprise* was by several of her own bombs exploding, she could have been back in full action in a few hours if necessary.

We believe the carrier is less vulnerable than a land base—the record shows that carriers are no more vulnerable than any alternative.

Cost-wise, the overall price of a carrier air wing, including carrier escorts and support, is no greater than land based air wings and their base support. We are in the same "ballpark" here.

As to continued usefulness, I believe I have covered this aspect—the nuclear carrier, *Nimitz*, has a predicted operating lifespan of 30 years, and there is no doubt in my mind we are going to need her until she reaches mandatory retirement.

As I conclude, let me say that the cost of our military programs is being debated and that we are on the threshold of far-reaching decisions.

I know that all of us—you veterans of many wars we have had to fight—and those of us on duty today, welcome such debate as long as things are kept in a reasonable perspective.

We have heard, seen and read:

That our Nation is overly-concerned with militarism;

That a military-industrial complex exists which is an evil entity;

That congressional indulgence of the military man and machine has put us where we are today;

I say such indulgence, if it existed, has been fortuitous.

The enlightened Congressmen who have fully recognized the Nation's needs can be thanked for where we are today—and they will put us where we need to be tomorrow, next year, and anytime thereafter.

I wish our critics would tell us what's wrong with being number one—the richest, healthiest, happiest, most progressive Nation of all time—

And for the time being, one that can exercise that most precious of our national attributes: freedom of action on the oceans.

Thank you.

RAILROADS

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. COHELAN. Mr. Speaker, it seems as though passenger railroad service is fast becoming a thing of the past.

The arguments for discontinuance are many and complex, running from financial disaster on the part of the railroad companies to obsolescence of the system.

The pressure for discontinuance is great and is put forth in such a way that one would almost think that there is only one side to the story.

The Washington Post recently ran a two-part series on passenger trains by James E. Clayton. Mr. Clayton's story is a fair and informative analysis of the situation, and deserves the attention of my colleagues. I submit it at this time for the RECORD:

PASSENGER TRAINS ON GRIM TIMETABLE

(By James E. Clayton)

For a decade or so, the railroads have been telling anyone who would listen that railroad passenger service in the United States is dying. Now the moment of death is almost predictable. It will come, except for commuter trains and perhaps those in two or three densely populated corridors, certainly within ten years, probably within five years, unless the railroads or the federal government change present policies.

In retrospect, it is possible to pick the time at which passenger trains went into this their final throes. It was December, 1966, when the Stanford Research Institute reported to the Southern Pacific that it could not find an economically sound base for railroad passenger service in the West. The institute recommended that those Western railroads which had not already given up on passenger service adopt a "deficit reduction policy," a policy which would lead inevitably to death.

The railroads took that report to heart. Confronted with it, those railroad executives who had contended that there was a future for the intercity passenger train found the task of justifying passenger traffic deficits to their stockholders almost impossible. Added to it was the decision of the Post Office Department to remove railways post office cars from service. As a result, many railroads began programs of passenger train curtailment.

In 1966, for example, passenger trains traveled 164.3 million miles. In 1968, the total was 124.6—a drop of 24 per cent. In the same period, the miles traveled by noncommuter passengers fell about a third as did the revenues attributed to passenger trains. The decrease in revenues for hauling mail on passenger trains accounted for half of this drop. As could be expected, the deficits of passenger service, as reported to the Interstate Commerce Commission, jumped by more than 20 per cent in two years to a total of $486 million in 1968.

During the last 12 months alone, the number of intercity trains has dropped 20 per cent. There are less than 500 remaining in the entire nation and petitions to discontinue about 50 of those are pending before the ICC. Dallas now has no passenger service. The last train on the St. Louis-Detroit, once the home of the famed Wabash Cannonball, is threatened with replacement by a bus. Even the California Zephyr, which provides the finest ride in the country as it cuts through the Colorado Rockies and the Feather River Canyon in California, may not live until next summer.

Railroad executives claim that the death of the long-distance passenger train is inevitable. The airplane has stripped it of passengers who are in a hurry and the private automobile, with the interstate highway system opening up the countryside, has taken away the rest. Only in places like the East Coast corridor, where millions of people live, where distances between major cities are relatively short, and where the highways are still jammed, is there any chance of survival for noncommuter trains.

The argument has now been bolstered by a study conducted by the ICC into the actual costs of railroad operation. The study claims that eight major railroads—the C & O-B & O in the East, the Southern and Seaboard Coast Line in the South, the Illinois Central in the Midwest, and the Santa Fe, Great Northern, Missouri Pacific, and Union Pacific in the West—lost $118 million in 1968 by operating passenger trains. None of these made money the ICC says, with the loss ranging from $3.5 million on the Missouri Pacific which carried only 300,000 passengers to $26.6 million on the Santa Fe which carried 1.5 million passengers.

The ICC calculates that for every dollar the Santa Fe took in for passenger service it spent $1.80. The figures for the other railroads are similar, ranging from $1.45 spent for each dollar received by the Illinois Central to $2.43 spent for each dollar of revenue by the Southern. Add to this the fact that the average age of the railroad coaches now owned by the eight railroads is 19 years and that replacement of them must soon begin and you get a feeling for the size of the railroad problem. The ICC estimates that within 10 years about 40 per cent of the existing cars should be replaced at a cost of $132 million.

It is possible to argue with those figures or to contend that bad management, not the preferences of the traveling public, is the reason for them. But it is impossible to argue with what the ICC told Congress: "Significant segments of the remaining intercity service, except for rail service in high density population corridors . . . will not survive the next few years without a major change in federal and carrier policies."

Only one of the railroads studied by the ICC has shown an increase in passengers during the last decade. That was the Illinois Central which carries heavy traffic between the Southern states and Chicago and from two large universities. Its financial loss in 1968, according to the new study, was $5.4 million.

The case of the California Zephyr illustrates the industry's view of its problem. In a speech a year and a half ago, the president of the Burlington Lines which operates it compared its costs between Chicago and Denver with those of a 727 jet airplane. Average revenue for the train was $5,000 per trip, for the airplane, $3,400. Costs were $5,400 per train trip and $2,500 per plane trip. Result: a loss on every run for the railroad and a profit for the airline.

Of course, passenger trains are only a small fraction of railroad operations in the country today. Only about 5 per cent of railroad revenues come from passenger service and the profit on freight more than wipes out the passenger deficit.

Nevertheless, the facts of the situation today raise two serious questions that only Congress can answer. Is railroad passenger service worth continuing outside of corridors like Washington-New York? If it is, how can it be saved from imminent death?

SHOULD GOVERNMENT RUN THE RAILROADS?

(By James E. Clayton)

The easy way to explain the current death throes of intercity passenger train service is to blame it all on stupid management. Passenger trains would still be popular and profitable, the argument goes, if only the men who run the railroads had the foresight, imagination and daring of those who run the airlines.

There is just enough truth in that argument to make it sound plausible. No one has any idea how many potential passengers have forsworn train travel forever because of bad service encountered in the past. Dirty trains, surly crewmen, outdated policies, and the refusal of most railroads to attempt any modernization of such processes as the making of reservations or the buying of tickets has

undoubtedly helped the airlines and the automobiles take passengers away.

But it is not the whole story. There are still some fine long-haul passenger trains in operation—from Washington to Florida and Atlanta, from Chicago to Florida, New Orleans, Los Angeles, San Francisco, Portland, and Seattle. And on many of those runs the railroads still lose money.

Their inability (or refusal, as you like) to modernize trains and crew requirements have run up costs. So have the mausoleum-like stations that sprinkle the landscape and the refusal of state regulatory agencies to let them abandon many unproductive local stops. Strangely enough, while all other forms of transportation have been speeding up in recent years, railroads have been slowing down. Between 1953 and 1965, airlines cut their travel time from Chicago to San Francisco in half, bus lines cut theirs by 10 per cent, and the railroad travel time lengthened by 12 per cent. The Denver Zephyr made the run from Chicago to Denver in a little more than 12 hours in 1936 but the best train on the same line now takes almost 17 hours for the trip. The reasons are speed limits imposed for safety by the Interstate Commerce Commission, and the fact that in 1936 the run was non-stop while the train makes a dozen or so stops today to serve small towns once served by now non-existent trains.

The Interstate Commerce Commission's recent report on the out-of-pocket deficits on passenger service did not attempt to study whether passenger trains can be operated profitably. There are steps that could be taken which would certainly reduce the deficits—eliminating stops, speeding up and improving service, cutting station overhead, changing crew requirements, and so on—but these would require a complete revolution in railroad management and practices as well as a high degree of cooperation between management and labor and between the railroads and various state regulatory bodies.

Given the current posture of the railroads, no such revolution is on the horizon. What the railroads now have in mind is quite clear: either to get out of the passenger business entirely except for commuter lines and a tiny handful of trains in densely populated corridors or to have the federal government subsidize them and provide low-cost financing for the replacement of worn-out equipment.

Such a program might make sense if the railroads had a reputation for competing with other modes of transportation for passengers. But given the history of the last two decades, there is no guarantee that anything would change except the size of the subsidy.

One frequently mentioned alternative is for Congress to create a national railroad agency, perhaps along the lines of Comsat, to operate passenger trains by leasing them from the railroads. It would determine where and when passenger trains should be operated, promote railroad travel, and perhaps take over the entire business except for the actual manning and operation of the trains.

The ICC asked several groups what they thought of this idea and got a flat rejection from the Association of American Railroads. However, it got an endorsement for that kind of approach from the railway labor unions, from a majority of the state public utility commissioners and from the membership of the National Association of Railroad Passengers.

But even the creation of such an agency would not answer the basic question of whether the passenger trains make any sense in the nation's transportation scheme of the 1970s.

Perhaps the major reason that passenger service is now facing an imminent death is its inability during the last two decades to compete with automobiles and airplanes. For the business traveler, who wants to get there and back as rapidly as possible, the airplane is hard to beat. For the family traveling on vacation or otherwise, the interstate highway system has made automobile travel easy.

It may be that the airways and the new highways will be so crowded in a few years that people will return to the trains. In that case, the overnight runs such as New York or Washington to Chicago or Atlanta and Chicago to New Orleans or Denver might attract businessmen who get tired of circling airports. Or the vacation traffic might boom with the families of an affluent society deciding that the easiest way to see the country is to take a train and rent a car.

But that kind of situation may not develop. A whole generation has now grown up regarding the railroads as a method of getting somewhere only if all other methods fail. This factor alone has convinced some railroad men that there is no future at all in passenger trains except for commuters and in short corridors—New York to Washington or Boston, Chicago to Cleveland, and San Diego to San Francisco.

Given the large sums of tax money poured into highways and airports by all levels of government, the railroads believe that governmental policies have knocked all the props out from under their passenger business. They are now in the process of telling the federal government that it must either prop them back up, take over, or consign the long-haul passenger trains to the Smithsonian.

MEDAL OF DISTINGUISHED PUBLIC SERVICE AWARDED TO DR. RALPH E. GIBSON

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Friday, September 5, 1969

Mr. MATHIAS. Mr. President, Dr. Ralph E. Gibson, of Chevy Chase, Md., recently retired after 22 years as director of the Applied Physics Laboratory of the Johns Hopkins University.

On July 9, 1969, Dr. Gibson's contributions were recognized by award of the Medal for Distinguished Public Service, highest honor bestowed by the Department of Defense on a civilian.

Robert A. Frosch, Assistant Secretary of the Navy for Research and Development, made the presentation in ceremonies at the laboratory. The citation accompanying the Medal lauded Dr. Gibson for "distinguished public service and exceptionally outstanding contributions to the Department of Defense in areas of fleet ballistic missile systems, military and scientific satellites and supporting research and exploratory development."

During the quarter century Dr. Gibson has headed the laboratory, it has grown into one of the Nation's leading scientific institutions. In recent years it has broadened its work to seek improvements in biomedical engineering, urban transportation, and other civilian problems. For example, an automatic motor once used to actuate the wing of a missile now operates an experimental artificial hand.

Born in England, Dr. Gibson is a graduate of the University of Edinburgh where he received his Ph. D. in physical chemistry. He came to the United States in 1924 on a Carnegie research fellowship and later served as an adjunct professor of chemistry at the George Washington University.

During World War II, he served as the first director of research of the Allegany Ballistics Laboratory, Cumberland, Md.

This latest accolade for Dr. Gibson is a well-deserved tribute upon his retirement.

LETTER INDICATES TONE OF THE TIMES

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. BROWN of California. Mr. Speaker, beneath the seemingly quiet surface of events which has characterized these past summer months, I am beginning to sense more and more restlessness by the people of our Nation.

I believe much of the tension is created by the continually growing alienation between individual citizens and the institutions which surround them. And it is not just the troubles in our slums and ghettos and the insurgence arising on our campuses which stand as powerful testimony to this gap. At an increasing rate, the anger and the fury comes from what President Nixon likes to term "the forgotten Americans"—the guy with a couple of kids who owns his home, has a car or two, and considers himself a happy member of the great middle class.

We see this anger vented often now. And the topics covered range over a wide subject area—from tax reform and Federal spending levels to continued concern and bewilderment over this country's military and foreign policies.

Over the past months, the degree of this sentiment has noticeably stepped up. I saw it in the responses made by many constituents to my annual questionnaire; I see it in the tone of letters sent daily to my office.

Just before the recent recess, I received a letter from one of my constiutents, Mr. Robert Snell, who lives in my hometown of Monterey Park, Calif. Although I certainly do not agree with all its points, I would like to share this letter with the rest of my colleagues because I think it aptly represents, in a concise manner, the emotions and frustrations typical of so many Americans.

The letter follows:

MONTEREY PARK, CALIF.,
August 8, 1969.

DEAR SIR: Today my son left for Vietnam; not by choice, but due to the bungling, incapable and irresponsible type of leadership we have been faced with the past few years, including the past seven months. His mother and I spent 21 years teaching him a sense of pride, right from wrong, and the true meaning of law and order, and we can truthfully say he has always been a first class American citizen. I guess that is the reason he accepted his notice to report for induction with never a thought of being a draft dodger or trying to avoid it in any way.

Actually, he or any of the rest of the draftees fighting in Vietnam should not

even be in the service; it is strictly unconstitutional. Of course the Constitution of the U.S. hasn't meant anything as far as the rights of we law abiding citizens of the country have been concerned for several years. It seems to me that when I was studying the history of the United States during my high school days, there was an article, number thirteen, of the constitution, that made the following statement:

"Neither slavery, *nor involuntary servitude,* except as a punishment for crime whereof the Party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

I really can't make any claims to brilliancy but my interpretation of the foregoing statement definitely concludes that the drafting of men comes under the classification of involuntary servitude.

Up until the past few years I have always been proud to say that I was an American citizen. I always considered myself a law-abiding person, was patriotic enough to volunteer during World War II, spending two years in the South Pacific. However, during the past five years my way of thinking has certainly changed and I blame it all on the way our so-called representatives, senators, judges and leaders in government have let this country become what it is today. I have always been registered as a Democrat, but never voted a straight ticket; always tried to vote for the better man, regardless of party. From now on, I can sincerely say that I'm going to be even more careful to check the qualifications, and just what he really stands for before casting my vote.

President Nixon made the statement while campaigning: "That it was time for new leadership when a fourth-rate nation, like Korea, could push a powerful nation, like the United States, around". Well, as far as I'm concerned we still don't have that leadership; it's still the same old game of politics that we had before he took office. Sure, he leads the people to believe that he is doing something in Vietnam with all of his baloney about troop withdrawal. He doesn't say anything about all of the men that are being sent over there to replace those coming back; most of whom had spent eleven or twelve months there anyway and were due to come home. Naturally, he chose prime television time to show the boys getting off of the planes at McChord Field, in Washington State. Our television station gave full coverage to the happy occasion; however, a few minutes later the commentator said: "Now we'll show you another occasion, not so happy". This contained scenes of, as many or more, servicemen boarding planes leaving for Vietnam, from McChord Field. Mr. Nixon no doubt didn't plan on having that part of McChord Field included in his little political scene. During his four month training period at Fort Ord, Calif., my son said that there were from four to five hundred combat troops sent out *weekly,* to Vietnam. This didn't include the support units, mechanics, cooks, clerks, etc., that also had orders for Vietnam. No doubt there are the same percentages of men being sent out from Fort Lewis, Wash. and various other forts throughout the country; so just who is Mr. Nixon trying to fool with his withdrawal farce?

I also might take the liberty of using Mr. Nixon's campaign statement, with a little different phrasing. It also seems to me that it's time for new leadership in this country, when fourth-class citizens, criminals, rioters, looters and other types of undeniably undesirable people can get away with causing so much chaos, disorder, disruption of schools and fear in this country. What about the businessmen, who have their stores burned and looted? And we decent people who aren't even safe on the streets anymore, day or night; don't we have any rights? What about all of these dope peddlers who are infesting our schools like rats? Might as well be bringing Bubonic Plague. Why isn't something being done about that situation?

Give me back the good old days when we had some law and order in this country; dope peddlers and criminals were taken care of properly and looters were shot on sight. If I were just newly married I would make sure I didn't have any children as this country isn't a fit place to raise children anymore.

Although all of our so-called leaders deny it, this country is definitely sick, and I'm sick right along with it. I'm sick of seeing my tax money going to foreign aid, welfare payments, government waste, the billions of dollars spent on space programs, protection of the criminal element, the asinine decisions of the courts, the inequity of the tax structure and the lack of law and order in this country.

Despite all of the foreign aid, just show me one country that has shown any friendship or appreciation as a result of receiving these billions of dollars in loans and materials. Just talk to anyone that has travelled in Europe, or anywhere else in the world and they will all tell you that the people and governments of those countries hate our guts and everything the United States stands for. Some of them no doubt have reason to; our wealthy citizens and big companies exploit them, on the pretense of improving their countries, building factories, mining, drilling for oil, etc. While all of the time they are only making millions of dollars for themselves. Then, when the people get fed up with the situation, and uprise against them; our government, at our expense, has to protect the interests of these big companies. I say let these parasitic companies invest their money, build factories, etc. at their own risk.

As to the welfare situation, I'm entirely against giving able-bodied people something for nothing, at my expense. I'm fifty years old; have worked ever since my first year in high school and have never expected to get something for nothing as long as I could do a day's work. I'll go along with taking care of the handicapped or people who are sickly or too old to work, but as for the rest of them, I say if they don't work, they don't eat and to hell with them. The W.P.A. might have not been the best thing in the world but at least the people had to get out and do something constructive for their money. Why bring farm laborers into this country from Mexico and other places? Put these able-bodied parasites, who are on welfare, out there and make them work for a living for a change. If the wages they make doing that isn't enough for a decent existence, then make up the difference out of the welfare money; but at least make them get out and work.

The space program and putting a man on the moon is no doubt a wonderful achievement, but the money that has been spent could certainly do a lot of good right here on earth. There are too many problems right down here to be solved, making this a better place to live, to be spending all of that money on some bleak, barren and lifeless planet. At the rate taxes and the cost of living continues to spiral upward I just don't think I can afford the trip to Mars.

Sure would be nice to know that there was some law and order again; be able to take a family to the park, without being set upon by a gang of hoodlums; or have to have the children watching a sex orgy or pot party in progress. It's quite a shame and disgrace when decent citizens can't even walk the streets of the nation's capital at night, for fear of being robbed, raped, beaten or even killed. Sure, Mr. Nixon was going to take care of that situation also, but I've yet to hear any reports of any improvement.

So, in conclusion I'll go along with the statement that it's time for new leadership. Let's either go all out with all of the forces we have to win the war in Vietnam, or get the hell out of there entirely. Let's forget about the result of the elections in 1970, or even the future, which is what Mr. Nixon seems to be worrying about, more so than lives of our Sons' and relatives.

This is just one of the many letters I'm writing various representatives, senators, the President and anyone else I think might help bring this country back to normal. Since you are the Representative from our district, I wanted you to be the first to know just how I feel about the present state of affairs. I might repeat again that from now on, I'll be very careful in making my decision as to just who I will cast my vote for, and try to influence everybody I talk to, to do the same.

Sincerely yours,

ROBERT I. SNELL.

SOUTHERN WEST VIRGINIA REGIONAL HEALTH COUNCIL IS BECOMING COUNTRY DOC'S DREAM COME TRUE

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, September 5, 1969

Mr. RANDOLPH. Mr. President, on the hills and in the valleys of a nine-county area of southern West Virginia a vision is coming true. It is the dream, shared by many, of a country doctor to provide adequate medical care, preventive and corrective, to the residents of this rural area in the heart of Appalachia. The Southern West Virginia Regional Health Council, under the guidance of its chairman, Dr. Daniel Hale, began in August its second year of medical service to the people of Fayette, Logan, McDowell, Mercer, Mingo, Monroe, Raleigh, Summers, and Wyoming Counties. The program was initiated and is being carried forward under the Appalachian Regional Development Act. It has been my privilege and responsibility to sponsor this measure.

Dr. Hale, with the assistance and cooperation of many colleagues and interested persons, both public officials and private citizens, has initiated a comprehensive and innovative attack on the health problems in these nine counties.

An article in the Raleigh Register, Beckley, W. Va., of July 29, 1969, describes the goals, accomplishments, and excitement of this program which is tangible evidence of progress which can be achieved through the cooperation of citizens and their government.

Mr. President, I ask unanimous consent that the article, "Southern West Virginia Regional Health Council is Becoming Country Doc's Dream Come True," by Niles Jackson, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOUTHERN WEST VIRGINIA REGIONAL HEALTH COUNCIL IS BECOMING COUNTRY DOC'S DREAM COME TRUE

(By Niles Jackson)

PRINCETON.—The dream of a country doctor is being turned into a massive assault on disease, ignorance and the destitute economy that plagues these craggy Appalachian hills.

In a land where "toothaches are an accepted thing," Dr. Daniel Hale has molded

his dream into an imaginative regional health program that is approaching a concept of total planning—housing, health and economy.

Those working with Hale's Southern West Virginia Regional Health Council believe if the idea is successful here, it can offer a new life for similarly troubled areas elsewhere in the world.

The far-reaching plan to revitalize this mountainous, nine-county region and its 500,000 residents was turned into reality last August with $5 million in federal funding.

The council, under the guidance of Hale and Dr. Allen Dyer, intends to scatter satellite health centers throughout the area. Programs in the planning stages include use of a medical helicopter and a six-car traveling railroad clinic.

Projected plans for the next five years would put the council to work in the fields of housing, stream and air pollution control, sewage disposal, recreation, industrial expansion and manpower training.

The aura surrounding the council has caught the imagination of the area's professional people and several have moved back from more lucrative urban practices to work with the council.

The current staff numbers 115. Of these, 75 are professional people—doctors, nurses and others. Dr. Hale and the council's 300 board members donate their time and services on a part-time basis.

The council has requested another $5 million in federal aid and $6 million for new projects for the present fiscal year, Dyer said this week.

He said the council expects to be self-sufficient within five years because its programs are geared to a fee basis. It also intends to train its own personnel, drawing 200 yearly from the region's unemployed.

When possible, Dyer said, the services will be paid for by the recipients, or the costs will be absorbed by the council. The council is getting more and more of its money from local and private sources, he said.

The wide array of medical services, with the addition of psychiatrists, psychologists and physicians expert in public health, nutrition, dentistry and family planning, will prove more comprehensive than those found in many cities "when looking at the overall, general picture," Dyer said.

Hale, a native of Princeton, and his associates chose this medical no man's land to test their theory because it is one of the country's hard-pressed areas—some of the worst in Appalachia, they said.

Dyer, who worked in the area for 10 years with the U.S. Public Health Service before joining the council, said the region has "very high rates of typhoid, infectious hepatitus, heart disease, chronic dysentry, tuberculosis and just about any communicable disease you can name."

For example, hypertension heart disease occurs at the rate of 65.3 per 100,000 persons in Raleigh County, while the national average is 37, Dyer said. The incidence of infant mortality is 33 compared with 24.8 nationally.

"The children run a course of health hazards more acute than anywhere in the United States," a council booklet says.

Hale said "the need for a regional health program here hit me several years ago when I visited a public school and saw most of the second and third graders with mouths full of cavities."

"I talked to the principal and he said toothaches are an accepted thing. Many people accept illness as a way of life and never see a doctor until they are critically ill," the general practitioner said.

The region had several health centers before the program got under way, Hale said, but a fierce mountain pride kept many of the poor from using them.

Despite handicaps and the size of the job, much has been done during the first year.

A heart screening service examined more than 15,000 children in seven months and found 13 serious heart defects. Several hundred other cases were isolated for additional examinations.

More than 400 women were examined in a cancer clinic and six were diagnosed as having the disease. Five have undergone surgery and the sixth is receiving cobalt treatments.

A family planning clinic in one county drew 400 women and a clinic for diabetes examined 100 persons. Students are being treated for tuberculosis and mental health services now are available in all nine counties.

Within a few months, construction will begin on a solid waste disposal project in Logan County, a public health center in Fayette County, and health centers in Mercer and Raleigh counties will be expanded, the council said.

Longer-range projects include a 24-hour referral service and poison control project, satellite health centers in five counties and extended care facilities in six more counties.

The council plans to lease telephone lines and radio facilities, establish a data management system, build up to 100 housing units and devise an emergency care system.

The council currently is using the nation's first computer analysis of heart conditions through telephone hookups to Mt. Sinai Hospital in New York.

Dr. Hale, who describes himself as "just a country doctor," said he has talked with representatives of several industries who, having heard of the council's work, are considering locating new plants in the region.

"This can be a new beginning for southern West Virginia," he said, "a renaissance, if you like."

THE MOON AND 1976

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. MARSH. Mr. Speaker, increasing attention is being given to the bicentennial of the American Revolution. The National Commission recently met to discuss ways and means of observing our 200th anniversary, and later this month, the Commission will meet again to conduct hearings on selection of a city for the principal national observance.

James Reston, in a column appearing in the New York Times, summed up the importance of the bicentennial, and I would like to bring to the attention of other Members his remarks which appeared in the July 18 addition of the New York Times entitled "The Moon and 1976":

THE MOON AND 1976

(By James Reston)

One of the lessons of the present spectacular voyage to the moon is that the American mind and the American political system seem to need great challenges and clear goals to work at their best.

Humiliations and disasters help, too. The American people are watching this flight with their uttermost pride, but it was the hurt to their pride—first in the Soviet Sputnik 1 flight of 1957 and then in Yuri Gagorin's first human venture into space in 1960—that created the psychological and political conditions for the United States decision to go to the moon.

Even then, President Kennedy might not have aimed so high as the moon if it had not been for his disastrous gamble at the Bay of Pigs. After that it was clear that something had to be done. Thus the formula for success: disaster, challenge, and a vivid objective to be achieved by a date certain.

THE NEW GOAL

Fortunately, these same ingredients exist for another great adventure in the seventies. It would be hard to describe our race relations as anything but a disgrace, and Vietnam makes the Bay of Pigs look like a regrettable incident. The challenge to the American pride, imagination and organized intelligence of these stains on the national record is clear and the two hundredth anniversary of 1776 is just close enough and yet far enough away to give us a definite target in time.

THE COMPLICATED JOURNEY

It is, to be sure, a more complicated journey, it is harder to concentrate the mind on creating a just and decent society than it is to mobilize the intelligence and machinery to rocket to the moon. Human nature is more volatile and less predictable than the chemicals, fuels, and measurable mathematics of rockets and electronics. Still, the challenge is clear and the anniversary of the nation's birth has emotional and political possibilities that should not be underestimated.

In July of 1969, we are just seven years away from the 200th year since the Declaration of Independence. That is two years less than the time between the decision to go to the moon and the present culmination of that decision, but it is a goal of great historical significance, and it provides an opportunity to channel the energies and talents of the American people toward the national purpose and ideal.

That is not a new idea. President Kennedy, Johnson, and Nixon have all talked occasionally about it. The citizens of Philadelphia actually led the parade, and committees of distinguished citizens have been formed all over the country to prepare for the great celebration.

But it has not yet become a central point and aim of national policy and is not part of the conscious public mind. The funds, the brains, the organization that went into the objective of going to the moon have not been mobilized and directed toward achieving certain definite social and economic objectives, and this is a missed opportunity.

THE PRESIDENT'S OPPORTUNITY

There is an enormous difference between appointing committees for a celebration seven years away and setting a goal for achieving definite national, state, and community goals. It takes leadership from the White House, organization and funds to create a national awareness of problems to be solved in thousands of communities by July of 1976, but this could be done.

It is much more difficult than persuading the Congress to appropriate funds to beat the Russians to the moon and then organizing the scientists, engineers and industry to produce the machines and train a limited number of brave men.

THE EDUCATIONAL PROBLEM

Landing successfully on 1976 involves making the voyage and the goal, or at least the question, clear to the leaders of every community of the nation, but the thing could be done. Not with the precision of the astronauts, to be sure, but greatly to the achievement and redemption of the ideals of the American Declaration.

If done, this might be more important to the Republic in the end than landing on the moon. But the moon project may have given us the key. It had imagination. It mobilized intelligence. It had a specific goal within a specific time, and the goal was to do something no man had ever done before.

Maybe the analogy is wrong. Space science and political science could not be more different. But the whole idea of America was to create a society nobody had ever created before, and it could be that the moon-men, with their concentration, purpose and time schedule have shown us the way.

THE HARRIMAN ENIGMA

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. UTT. Mr. Speaker, under unanimous consent, I would like to include in the RECORD an article by William Randolph Hearst, Jr., which appeared in the August 24, 1969, issue of the Hearst newspapers, entitled "The Harriman Enigma."

What Mr. Hearst says about "Honest Ave, the hair splitter," is true of much of the Democrat leadership. As Mr. Harriman criticizes Mr. Lodge for failing to do what he, Mr. Harriman, could not do in much greater time, so also are the Democrats castigating the Nixon administration because it is not doing many things which the Democrats, with full control of Congress and the White House, did not do when it would have been easy for them to take such actions.

The editorial follows:

THE HARRIMAN ENIGMA

(By William Randolph Hearst, Jr.)

SAN FRANCISCO.—For some months I have been increasingly puzzled by public statements from Averell Harriman, our former chief negotiator at the Paris peace talks, in which he seemed to suggest that continuation of the Vietnam conflict is all this country's fault.

What amounted to sniping at the Nixon war policies hit a new low this week when Harriman took a shot at the integrity of the President and—indirectly—at that of our present chief negotiator in Paris, Cabot Lodge.

"We've been talking peace in Paris," he said, "but we haven't really been making an effort to stop the fighting."

Harriman declared further that he is convinced the White House is still seeking a military solution in Vietnam and added that the United States keeps muffing opportunities to de-escalate the fighting.

These latest remarks by a man so long regarded as an elder statesman are more than puzzling. They—and the attitude they reveal—are downright amazing.

I have known the former New York governor well for many years, both socially and professionally, and always have considered him as a friend. I remember kidding him when he tried unsuccessfully to snag the Democratic presidential nomination back in 1956, by calling him "Honest Ave, the hair splitter."

It grieves me to have to say that, in my estimation, his latest attack is neither fair nor statesmanlike. It grieves me, but in a matter of this kind the welfare of my country comes first.

Just what Averell thinks he might be accomplishing is beyond me. He certainly is not helping the President or Cabot Lodge in their attempts to achieve peace. And if he thinks he is helping the Democrats of his party politically, his reasoning sounds senile.

The only half-way sensible explanation is that he is suffering from a bad case of sour grapes—that he is somehow trying to prove that his own failure in Paris would have turned out differently if he had stayed there instead of being replaced.

Even this fails to hold water much better than a sieve. Harriman has spent a great portion of his mature life in diplomatic missions. He should be among the last to criticize those engaged in the most delicate diplomacy of all—trying to end an incredibly complex war.

Furthermore, he knows from bitter personal experience in Paris just how unyielding and uncompromising the Communists are. For him to suggest that the enemy might have responded more favorably if we had been more cooperative is sheer nonsense.

Harriman knows darn well that it is the United States and our South Vietnamese allies which have made every single move toward ending the war; that the enemy has offered not a single compromise whatever.

He also knows, just as everyone knows, that the Nixon administration has gone even further than that of Lyndon Johnson. Not only has the Johnson bombing halt been continued, American troops are being withdrawn.

As Secretary of State William Rogers declared on Wednesday, this country has taken every sensible risk to end the war and intends to continue the policy, apparently by withdrawing even more of our troops in the months immediately ahead.

You simply don't win a war by withdrawing your troops, yet Harriman says President Nixon is still looking for a military victory. Not even the Fulbrights and McGoverns have said anything as wierd as that.

So the Nixon administration hasn't stepped up anything except possibly to increase our willingness to run military risks to further de-escalate the fighting.

All this seems so obvious. And that is why the Harriman statements, coming from one as informed as he is, as experienced as he is, are so puzzling and so astonishing.

Instead of putting the blame for lack of progress in Paris where it belongs—on the unyielding enemy—Harriman blames his own country and its leadership.

I can no longer call Averill Harriman "Honest Ave." I won't call him dishonest, either, but there definitely is a kind of intellectual dishonesty involved in his behavior.

At the very least he is not sticking to the record; to what he knows is true. For he knows that both the Johnson and Nixon administrations have made the most amazing concessions in the hope of peace.

It is simply not in accord with the spirit of truth to suggest, as Harriman suggests, that we might have had peace now by some mysterious means, other than what we already have tried, and are trying.

Sure, you could get peace tomorrow just by pulling all our troops out of Vietnam; by abandoning our allies and our commitments. Everybody knows that, and Harriman in particular.

If he wants us to lay down our arms and quit, why doesn't he come right out and say so?

And if he doesn't, why does he belittle the motives of his own countrymen who are doing their best to end the war?

You tell me. I can't figure it out. My old friend has become an enigma to me.

The final record will show that this dreadful war was stretched out for unnecessary years—and that thousands of American men died unnecessarily—because of the prattlings of soft-headed people who would take peace at any price.

These people range from beatniks all the way up to our lawmakers and even to our statesmen.

All are guilty of giving aid and comfort and encouragement to the enemy by their chattering.

And that's the truth.

SEX EDUCATION—HEADSTART

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. RARICK. Mr. Speaker, the American Psychological Association is holding a convention in Washington, D.C.

While one group of the psychologists were doing their thing by marching on the White House to stage an antiwar protest, another group on a panel at the same convention discussed sex education guidelines for infants by recommending that parents should "get together to encourage, help, and foster sexual play in their preadolescent children,"—and envisioned "sexual playpens" in nurseries.

The psychologists may sound really "hung up"—but consider that Robert Finch and James Farmer, of HEW, are already talking about the education of infants 14 to 21 months of age and projecting programs for unborn children.

Is this what "Headstart" implies?

Mr. Speaker, I include several news articles:

[From the Washington Post, Sept. 4, 1969]

SEXUAL ANXIETY BEGINS WITH THE DIAPER

Psychologists offered unorthodox views of sexual anxiety, puritanism and the sex revolution at today's sessions of the American Psychological Association.

Dr. Robert A. Harper, a Washington psychologist, told one group that parents should get together "to encourage, help and foster sexual play in their pre-adolescent children."

This approach, he said including such devices as parent-supervised "plan pens" for nursery school children, could prevent "sexual hangups" caused by America's "prudish culture."

Dr. Harold Greenwald, a New York psychologist appearing on the same panel, blamed the first signs of sexual anxiety on the mother diapering her child. He said films show the mother always removes children's hands from their sex organs.

Greenwald complained that even enlightened parents, who tell their children all about sex, forget one thing—"that it's fun. They almost never explain that sex is exquisitely pleasurable."

To make sex fun, Harper's program calls for a more open attitude on contraception and abortion. Population control—even going as far as taking away most persons' right to produce—is also part of his plan.

"Fear of pregnancy and venereal disease still has strong puritanical force in preventing many young people from achieving constructive sex attitudes and actions," said Harper.

Referring to his "play pen" proposal, Harper said "Vigorous and joyful sex play in the nursery school is obviously shocking and abhorrent only to those who still think sex is a basically undesirable activity."

His plan for sexual play pens is but one part of a "revolutionary program to demolish certain cherished myths in our social morality" that keep Americans from enjoying the "full and fullfilling experience of our sexuality."

"I think we need block-buster intensive therapeutic efforts, financed by the Federal government and run independently of the schools," said Harper.

By the time children reach school, he said, they have developed anxiety and guilt feelings that can't be changed by sex education courses "taught by a beesy and birdsy adherent to the basically puritanical mores."

PSYCHOLOGISTS STAGE ANTIWAR PROTEST

(By Gordon Pettey)

Braving intermittent rain and isolated sneers from bystanders, some members of the American Psychological Association and their students and sympathizers demonstrated in front of the White House yesterday to protest the war in Vietnam.

The demonstration was arranged by Psychologists for Social Action as an offshoot of the APA convention currently under way here.

To one cab driver on the street, the sight of the men and women padding through the rain confirmed his suspicions: "They're crazy," he said.

A young man who had joined the marchers agreed with the cab driver's diagnosis, but he cited different symptoms. He resented the energetic marshals trying to keep the rambling psychologists in line. "They're neurotic," he said, "telling us to speed it up, get in close and not to block the traffic."

But the psychologists were in dead earnest. Many carried placards saying, "Sanity and War Don't Mix", "War is Insane, Psychology for Peace Now".

Weary radicals, tired of demonstrations, threw good natured barbs at the marchers as they passed Dupont Circle.

At the White House, Jack Sawyer, co-chairman of the action group read a copy of a letter sent to Robert Finch, secretary of health, education and welfare, saying in part:

"We cannot do the work we are trained to do because of the brutalizing effects of mass murder in Vietnam."

The psychologists also sent three books to President Nixon to aid him in his foreign policy decisions. They were: Ralph K. White's "Nobody Wanted War: Misperception in Vietnam and Other Wars"; Herbert C. Kelman's "International Behavior: A Social-Psychological Analysis," and Joseph H. de Rivera's "The Psychological Dimension of Foreign Policy."

The march began with 88 of the psychologists and their students at the Sheraton Park Hotel on Connecticut Avenue. At the Washington Hilton, another 71 joined the group, but, by the time they reached the White House, the straggling line had been filled out to 219 by recruits along the way.

AS SECRETARY BOB FINCH SEES IT: SERVE THE YOUNG FIRST

WASHINGTON, D.C.—The Nixon Administration, in its search for solutions to our domestic ills, will put new emphasis "on working with the family unit and especially the mother." This is the inside word from Robert Hutchinson Finch, Presidential confidant, self-avowed "political animal" and pragmatist-in-residence of the Nixon Administration. For America's future will be shaped in the home, he said, "with the schools playing only a secondary role."

PRENATAL CARE

If Finch has his way, the federal government will start looking out for children even before they are born. "We must take care of pregnant mothers," he said, "to insure that children are well born." He cited the relationship between poverty and prematurity. "In the ghetto," he said, "prematurity is about three times the national average." He pointed out that premature children are more likely to be mentally deficient or physically disabled.

Finch also believes the government must start taking care of deprived children immediately after birth. "The relationship between the mother and child is perhaps the most important development factor," he said, "and that relationship is pretty well set within the first three years." He would rather spend the taxpayers' money to give children a chance in life than to rehabilitate them afterward.

HAS NIXON'S EAR

One of the most certain results of last November's election was that Bob Finch would be a power in the new Administration. Indeed, Nixon wanted him for a running mate, but Finch had no interest in the Vice Presidency. He was given his choice of Cabinet posts and he picked the department that is considered the most difficult to administer and the least likely to win him political plaudits—the Health, Education, and Welfare Department, known within the government as "the sprawling mess."

With more than 250 programs to administer—from air pollution control to the American Printing House for the Blind—Finch presides over a Balkanized empire whose 100,000 employees have never been fully united. His $50 billion budget is under constant attack on Capitol Hill. At least three former HEW secretaries, Abe Ribicoff, John Gardner and Wilbur Cohen, warned him that the department was almost impossible to manage and that it would probably hurt his political career.

But Finch chose to be where the action is. "HEW deals with the crucial issues of our times," he said. "Once the Vietnam War is settled, this government must turn its chief attention to fighting the wars against poverty, ignorance and disease." The decisions he makes will touch the lives of some 200 million Americans.

Finch is not waiting, however, for the Vietnam War to end. Already he has plunged into the domestic battles, keeping his emphasis on the family and the young. He has merged the moribund Children's Bureau and the floundering Head Start program into a new Office of Child Development. His hope is "that the flexibility and family focus of Head Start will help infuse new force into our traditional approaches."

Because the first five years of a child's life largely determine his future, Finch will try to reach into the ghettos with nursery programs. "We know," he said, "that intelligence differences show up between different socio-economic groups of children as early as as we can measure things like language and cognitive skills." This occurs, he said, as early as 14 to 21 months. "We have got to reach these kids," he declared.

GEARED TO TODAY

By starting with the young, Finch reasons, we can build a better nation from the ground up. He has some positive ideas on how to go about it. The elementary and secondary schools, he points out, haven't changed their basic teaching methods in the past 30 years. Yet today's kindergarten children, conditioned by television, require a more imaginative approach. "Dick-and-Jane textbooks can't hold a candle to Captain Kangaroo," he said, "let alone the Mod Squad."

To cope with the TV generation, Finch would like to see a quiet revolution in the classroom. Indeed, he intends to lead the revolution by establishing a network of experimental schools in partnership with state and local governments.

SACRAMENTO REPORT

(By State Senator John G. Schmitz)

EDUCATIONAL TOTALITARIANS

At a time when public schools throughout the nation, and especially in the large states such as California and New York, have already become storm centers to a greater degree than ever before in our history, leaders in the field of public education are calling for almost total control over the child by the school, beginning at *the age of two.*

In the January 1969 issue of Today's Education, the journal of the National Education Association, an article by two professors of education at Indiana University outlines "drastic changes" which may be expected in the schools of the 1970's, on the basis of more than 400 books and articles already published. The authors predict that when these changes are complete, "educators will assume a formal responsibility for children when they reach the age of two."

Regular school attendance will then begin at age three with "experiences deliberately devised to increase the sensory input from which the children derive their intelligence"—a statement which blandly ignores the fact that children derive their intelligence, along with their life, from their parents.

What about parents who prefer to keep "formal responsibility" for their own children? The authors of this article caution their readers that "there could be a tinderbox quality to the introduction of mandatory foster homes and 'boarding schools' for children between the ages of two and three whose home environment was felt to have a malignant influence." They add that "the application of biochemical research findings, heretofore centered in infra-human subjects such as fish, could be a source of conspicuous controversy when children become the objects of experimentation."

Let us hope there will be more than simply a "controversy," for if American parents ever submit their children to mass drug experimentation in the schools, we will have entered upon a totalitarian age more terrible than any the world has ever known.

Already it has become standard totalitarian practice, demonstrated in both the Nazi and Communist states, to take children away from their parents very early and indoctrinate them with the ideology of the state. This same strategy is echoed very clearly in the Today's Education article when it refers to the schools of the 1970's as " 'clinics' whose purpose is to provide individualized psychosocial 'treatment' for the student." If that is not brainwashing, what is?

Already parents and children are being separated when the state disapproves of their "home environment." My staff and I have been working for more than six months with one such case in Orange County, in which a little boy was taken from his parents by the State on a legal pretext and sent nearly a hundred miles away to a foster home, where his parents were very rarely permitted to see him, because the juvenile authorities felt that they could do a better job of raising the boy.

Earlier this month the Senate Education Committee approved Senate Bill 982 to create a special credential for pre-school teaching. At the time I could not understand why such a credential was needed, since teacher credentialling in California has always been associated with the administration of schools for pupils in the age range subject to the compulsory education laws. (The only exception is the junior colleges, which were at first organized like high schools but their credentialling requirement is likely to be eliminated soon).

Now, in light of the article quoted above, I can see that this bill to create a special credential for pre-school teaching might well be a step toward compulsory education for children younger than six, whether deliberately intended as such or not.

The would-be educational totalitarians have already turned many of our schools into boiling cauldrons of crisis and strife. We dare not let them extend their turmoil into the lives of two- and three-year-old children utterly defenseless against it. With every passing day it becomes more urgent to develop good educational alternatives to the present school establishment.

OBSERVATIONS ON OVERSEAS TRIP

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. SIKES. Mr. Speaker, it has been my privilege to visit in recent weeks a number of countries, some of them well off the beaten track insofar as congressional interest generally is shown. I had noted many times that a large part of the world, extending from Greece to Indonesia, is not well known in congressional circles, yet it comprises an area in which history is being made and in which conflicting ideologies are seeking dominance. The courts of history may well be affected by events which are occuring in these emerging and developing nations of the world. I am glad to report high morale and dedication of U.S. personnel in these areas—a stimulating and encouraging thing in view of the comparative isolation which many of them must endure. The trip was a most interesting experience which I propose to touch upon briefly here and to discuss in detail later.

I went at a time when U.S. prestige was at one of its highest points in years—largely as a result of the success of the man-on-the-moon program. There was no country that I visited whose people had not followed in some way the progress of the moon shot, and all of them were excited and thrilled at its outcome. Regretfully, we have not taken full advantage of the opportunities offered by the moon landing. In some areas, lack of planning or lack of publicity material has held back the showing of effective exhibits. In fact, only in Burma did U.S. representatives make what I considered full use of the opportunity. There, despite the fact that U.S. activities generally are curbed, an effective display was prepared in an unoccupied building. Photographs were displayed showing various stages in the space program.

There were models of a rocket and of the lunar landing craft, and a large and impressive model of the surface of the moon complete with landing craft, astronauts, and footprints. In another room, a movie was run continuously during the hours the exhibit was open. This outstanding exhibit was fully tailored to take advantage of the opportunity, and the U.S. team is to be highly commended for its work. It is disappointing that comparable efforts have not been made elsewhere.

I am very glad to state also that in South Vietnam the picture is much brighter for allied forces. The enemy has been hurt and hurt badly, and a continuation of military pressure will in time bring realistic negotiations in Paris. This I commented on in detail in Thursday's CONGRESSIONAL RECORD. The allied military team has the combat situation well in hand, and our fighting forces are prepared to meet any new initiative the enemy may attempt. The Vietnamese have strengthened their government and their economy and they are steadily assuming a strengthened and more effective combat role. More and more hamlets are being brought under government security. A total of 17 million people live in South Vietnam; 15 million of them live in areas of Government security. This security continues to gain ground and a strong pacification program is in progress despite a reversion by enemy forces to guerrilla-type assassination, coercion, extortion, and terrorism. The enemy has not won a single major engagement or captured an important city. Despite the cessation of the bombing, which greatly eased his supply problem, the allied forces by redoubled efforts have kept him off balance and seriously decimated his numbers. Nevertheless, the Communist is a stubborn enemy and he continues to fight. However objective our efforts may be at the Paris peace talks, we have no recourse but to maintain pressure on the enemy in Vietnam until those talks bear fruit. Thus far, realism at the peace talks has not been forthcoming because antiwar publicity in the United States and stress on troop withdrawals have convinced the enemy further concessions are forthcoming.

These favorable developments are offset at least in official circles in some areas by serious concern over future U.S. intentions regarding our commitments abroad. There is also the obvious fact that U.S. influence among most Mediterranean nations is largely gone and that Communists have made gains among some Southeast Asian nations. Russian missions are nearly everywhere offering credits and arms and taking in payment food or other products. One thing, however, is to be learned from the Russians. They offer hard rather than soft loans, and they give nothing free. They are better traders than we.

Talk of troop withdrawals and defense cutbacks in the United States have stimulated Communist activity in other parts of the world and may result in adjustments in policy by nations directly under Communist pressure. It would not take much at this stage to encourage defections of some of our friends to the other side.

For instance, Burma's socialistic Government may not now have reason to steer a more independent course. India's march toward socialism is more likely to continue. Nationalism of the banks there is a straw in the wind, and Russian influence is being exerted to obtain a naval base with which to enhance Communist activities in the Indian Ocean area. This is not a happy situation when one considers that India is the second largest nation in the world. Cambodia's slight shift away from the Communist embrace is more likely to remain an accommodation only, in preparation for the eventuality of an allied victory in Vietnam when that comes. Sihanouk does not want an unfriendly Thailand and South Vietnam on either flank. The Communists maintain constant pressure on the Government of Laos, a country where they hold as much territory as they want for a buffer zone despite a valiant fight by Government forces.

I was disappointed to note what I must interpret as a wait-and-see attitude by our representatives in Indonesia. As a result of a shift in government which occurred only because the Communists were in too big a hurry to assume control, there is now a favorable picture for Western interests in Indonesia. Many of that country's present leaders are friendly toward the United States. We should be moving actively to encourage stronger alliances with the West. Indonesia is one of the largest nations in the world, and it has definite ambitions for leadership in its area.

In this complex and sometimes confusing picture of developing nations, there are some bright spots. For instance, Singapore which, although rejected for membership in the Federation of Malaysia, is the brightest star in the area. Its progressive Government has made phenomenal progress in building homes to replace slums, in providing clean government, and in exercising and encouraging leadership in trade and industry. The Government pays cash for its needs and has a favorable credit balance. United States, take heed.

Now let me comment on what I regretfully must term a lack of enterprise and initiative by U.S. representatives abroad. I am puzzled to find reasons for this.

State Department forces certainly cannot be held accountable to isolationist or leftist efforts which may be influencing U.S. policies for different reasons but with the same effect at home. Their job is to represent the U.S. Government abroad, and I hasten to state that the United States has many able and dedicated public servants in its foreign missions and many who perform their duties in an outstanding manner. Nevertheless, I cannot escape the apprehension that State Department policies generally are not as vigorous in support of U.S. interests as they could be. I find many in our own service who agree that we give up too easily in confrontation or discussion with representatives of foreign governments. The hard-sell aggressiveness required for implementation of U.S. policies too often seems to be lacking. The power and prestige of the United States do not suggest a hat-in-hand approach or obeisance in our dealings abroad; nor do we need bluff and bluster. We have shown our good intentions time and again to nearly every country in the world; we should combine this background with strong implementation of U.S. policy in support of democratic ideals, and we should be sufficiently practical to limit our help abroad to those who help us.

An example of what I mean is shown in discussions now in progress on the return of Okinawa to Japanese rule. A number of years ago a commitment in principle was made to return Okinawa to Japanese jurisdiction, but no date was specified. Now, unaccountably, 1972 has become the year to accomplish this and the Japs are insisting that they spell out the terms under which the United States will continue to have base rights. Neither the date nor the conditions are justified

by the facts. Nevertheless, I find some U.S. representatives in Tokyo who accept the Japanese case as irrefutable and even argue for it; this despite the fact that we have poured $3.6 billion into the rebuilding of Japan, that we provide military defense for Japan at our own expense, and that the Japs enjoy a billion-dollar-a-year trade advantage here.

It is hard to imagine Russia yielding on a question of territorial jurisdiction in this manner. They would simply say that the matter is not open for discussion at this time and that would be the end of it. Nor would the world get excited about it. We tend to lead ourselves into traps when it is not necessary.

It would be interesting to speculate also on the effect of an all-out effort by U.S. diplomatic personnel to bring about a settlement of the Kashmir dispute between India and Pakistan. After conversations with nationals of both countries, I am convinced that however bold a front is presented on the question, that both countries would like very much to find a solution by partition and end this primary cause of dissent between them of the controversial area.

A matter of paramount interest is that of modernization of weapons for our own forces as well as for nearly all of our allies. The battle for modernization for our own forces is now being fought in the Senate. It is shocking to me that there should be any question about the requirement for modernization when it is obvious that many of our important weapons systems are now a generation behind their Russian counterparts. It has been well stated that if we are to draft men to fight we should at least give them adequate weapons with which to fight.

If the situation of weapons modernization is serious at home, it is much worse abroad. The weapons in the hands of our friends average two generations behind those in the hands of the Communists, whose countries they border. Take Turkey as an illustration. The Turks have rifles, tanks, and naval vessels including submarines which are World War II vintage. The Turks are well-trained and effective fighting men. There is realism and confidence in their ranks. Yet it seems inexcusable to expect Turkish fighting men to effectively repel superior numbers plus superior weapons in the hands of equally well trained and effective Russian forces at the Turkish borders or on the Bosporus.

Taiwan is perhaps an even more impressive example, for this little country by its location and the temper of its government and its people, exercises the same restraint on Communist aggression that South Vietnam and South Korea are doing. Taiwan's defense forces serve to counter direct aggression from colossal Red China. Yet the Taiwanese forces, which cannot begin to match those of Red China in numbers, are not even making comparable progress in modernization. Each day their weapons are falling further behind those of Red China in effectiveness. Taiwan needs F–4's to replace aging and obsolescent F–86's. Red China is building Mig–19's and has Mig–21's in inventory. Taiwan has no submarines, yet Red China has 33, including one guided missile submarine, and is building more.

One of the gravest omissions to me is the lack of shelters for aircraft protection in Taiwan. A loss of control of the air over Taiwan could be a prelude to disaster in the event of conflict between Taiwan and Red China. The memory of the wholesale destruction of Arab aircraft caught on the ground by Israel planes during the 6-day war brings a chill of apprehension when one considers the overwhelming superiority in numbers of the Communist Chinese Air Force. It appears essential that the aircraft of the Republic of China be protected from similar destruction by wave after wave of assault from Red aircraft.

I returned with the strong conviction that we are not giving sufficient stress to the various personnel exchange programs. Almost without exception, foreign nationals who train in our country return to their homelands to exercise influence which is favorable to the United States. This, I believe, is true for all types of exchange programs. However, there is a particular need to encourage additional foreign military personnel to take advantage of training in military missions and colleges in the United States. A very good example is Indonesia where the attitudes of U.S.-trained individuals who now have strong influence in Government have substantially reversed the strongly anti-U.S. policies of the previous administration.

I anticipate that considerable effort will be required to properly untangle the information which I have accumulated under pressure of time and distance in many parts of the world. In this I shall try to avoid the sensational, and I am genuinely anxious to present information to my colleagues in the Congress and to departments in the Government which will be of value and which will be constructive rather than destructive. The experiences gained are valuable to me, and it is my hope that the information which I have brought back will be useful. I shall make it available as rapidly as possible.

CONCERN ABOUT PROBLEMS IN HOUSING

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, in the September 1969 issue of Better Homes and Gardens magazine there is a section entitled "Six Men Who Share Our Concern About the Problems in Housing Today." One of the six men expressing concern about these housing problems is my friend, and distinguished colleague, JAMES A. BURKE of the State of Massachusetts.

It is a pleasure for me to place in the RECORD this excellent statement by Congressman BURKE regarding the continuing rise in home mortgage interest rates.

For those interested in reading the views of the other five men, the article can be found on pages 88 and 89 of the September 1969 issue of Better Homes and Gardens.

The article follows:

THE PROBLEMS IN HOUSING TODAY

(By JAMES A. BURKE, Congressman, Massachusetts)

This continuing rise in home mortgage interest rates is an intolerable situation. The housing shortage today is as bad as it was in the years right after World War II. Yet the increase in interest rates by banks is drying up the supply of money that is so essential for building an adequate number of houses.

Even today, it has become practically impossible for a family of four earning $10,000 to $12,000 to buy a home. First of all, they'll be hard pressed even to find a new house because—in too many areas—builders are concentrating on large-budget houses. Then, added to the principal, taxes, and insurance, the high interest rates being charged make the monthly payment prohibitive.

If a family earning this amount of income can't afford to purchase a home, then what chance is there for the poorer families living in overcrowded conditions in all of our cities? The current situation is very alarming and must not be allowed to continue.

Unless the banking industry can meet its obligation to provide adequate home financing at a reasonable cost, then Congress and government are going to have to interfere.

Social consciousness clearly demands that we make funds available to build better homes for more families, and governmental intervention may be the only way. We must find the means to give the total housing industry a shot in the arm that will compare to the original impact of FHA and VA guarantees on mortgages in the '40s and '50s.

We have a responsibility to see to it that money is not dried up in a sector as vital to our economy as housing.

DREW PEARSON

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1969

Mr. McCARTHY. Mr. Speaker, the entire Nation has suffered a great loss in the death of Columnist Drew Pearson. While we might not always have agreed with everything he wrote, I think it is safe to say that he performed a vital function for our democracy. He performed in a unique way the function that a free press must always play in any democracy. He was indeed the conscience of the Capitol.

At his funeral yesterday, which Mrs. McCarthy and I attended, former Senator Wayne Morse of Oregon eulogized Mr. Pearson as a citizen-statesman dedicated to the service of mankind.

Senator Morse cited Mr. Pearson's many acts of courage, Mr. Morse declared:

His innumerable clashes with dishonest and corrupt officials of all levels of government demonstrated a courage rooted in sincerity, conscience and conviction.

The Oregonian emphasized that while Mr. Pearson, of course, was aware of the

fact that the vast majority of public officials are honest and dedicated he exposed what he believed to be wrongdoing in the interest of sustaining our democracy and our form of government.

Mr. Morse also cataloged the list of humanitarian and patriotic projects which Drew Pearson spearheaded. These were less known than his newspaper columns and broadcasts but they told much of the man and his dedication and idealism.

Mrs. McCarthy and I were privileged to know Drew Pearson. In private life he was a kind, urbane gentleman. We will never forget the innumerable personal kindnesses which he lavished on us. We will miss him as a warm human being. We will miss his insights on the news of the day. Our deepest sympathies are extended to his lovely wife and to his entire family.

Mr. Speaker, I should like to insert in the RECORD at this time editorial obituaries which appeared in the Washington Post of Tuesday, September 2 and the Buffalo Courier Express of Wednesday, September 3:

DREW PEARSON

In the practice of his profession, Drew Pearson had the conscience of a Quaker and the touch of a stevedore. He was robust, free-swinging, sometimes very wild. But he was also strong in a muscular, purposeful, principled way, with the courage to be his own man always, and never mind what people said or thought of him. Rough and tough in public, in private he had the air of a gentleman farmer, which he was, and the manner of a gentle man, which he also was. Shy, self-effacing, detached, he was a moralist who was proud to be a muckraker in the strict dictionary sense—one who searches out and exposes publicly real or apparent misconduct of prominent individuals. Somewhere in these unlikely combinations lies the key to his extraordinary career as the most successful, in many ways the most effective, and certainly the most controversial journalist of his time.

He was controversial because his technique was scatter-shot, so that while he was often brilliantly or brutally on target, he sometimes hit the wrong target or missed altogether; it almost seemed as if this was conscious strategy, this readiness to risk being wrong now and again as the necessary price for being, more often, right. It was uniquely his own style and while his profession never had the grace or the guts to give him the big awards, tribute was paid in other ways; when Mr. Pearson printed the stories that others were too fastidious to be the first to print, the others suddenly had no compunction about printing them. It was also a style that exposed him to any number of lawsuits and any number of epithets and no end of criticism that he was careless with the facts; but it had the singular merit that when it paid off, it paid off big. And it also paid off, more often than not, on the side of good, which was something he saw in simple, moral terms; he was for honesty and against corruption, for the disadvantaged against the self-interest of the power elite, for peace and against war.

It is not necessary to chronicle here all his triumphs any more than it is necessary to catalogue the occasions where his fierce convictions and unique techniques may have combined to put him in the wrong. The simple truth is that he was more effective in his way than any man in his profession over the nearly 40 years that he was practicing it, and that at the time of his death at the age of 71, when other men might have begun to ease off a bit, he was still on top, with nearly twice the readership of his closest competitor. So his success was immense, and so was his impact on his profession and on the Capital. Most of the time he had the right targets and the right causes, and he brought to his crusades a powerful, innovative and relentless force.

DEATH SILENCES MERRY-GO-ROUND CONDUCTOR

Controversy could well have been Drew Pearson's middle name. It was a definite part of him. He thrived on it. He was forever on one side or the other of almost any issue that had two sides. He crusaded for what he thought was right and attacked what he thought was wrong. He published information many a public figure or government official sought to withhold. He did not hesitate to insist in the face of denials. Occasionally he made mistakes, for many of which he later apologized. Occasionally he committed inaccuracies, many of which he later corrected. Covering, as he did for years, broad aspects of the Washington scene, he made some enemies. He had them by the dozens.

One thing Drew Pearson was not was afraid. He dealt freely in scandal and personalities. Often his disclosures caused lawsuits to be brought against him, mostly without success. He himself said his chief motive was to make the government a little cleaner, a little more efficient. It cannot be denied that his exposures of malfeasance and wrongdoing in government achieved an impressive measure of success. He regarded his column as an institution. His death at 71 will not end it. It will be carried on in the same tradition by Jack Anderson, his colleague for many years.

U.S. PRISONERS OF WAR MISTREATED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. RARICK. Mr. Speaker, now that our national leaders permit a full, open discussion of the savage and inhumane treatment suffered by American captives at the hands of Ho Chi Minh's Communist terrorists it becomes even more mandatory that we demand our captured servicemen be treated in accord with the Geneva Convention agreed to by North Vietnam in 1957. This agreement provided for identification of captives, humane treatment, inspection of prisoner of war camps, free exchange of mail between prisoners and their loved ones and release of wounded and sick prisoners.

The details of their detention related by recently released servicemen are so repugnant that they should be made known to every citizen. By awakening public opinion to the brutality of the Asian Communists we can unify our people and influence world public opinion to demand that Hanoi observe humanitarian treatment of our captured servicemen.

I have received a letter from the wife of Maj. Lawrence Barbay of my district who has been a prisoner of war in North Vietnam for 3 years. The Barbays have four children, the youngest having been born 10 days after her father's plane was shot down. The Communists have denied Mrs. Barbay even receiving one letter from her husband.

I have also received correspondence directed to all Congressmen from the National League of Families of American Prisoners in Southeast Asia. The Defense Department advises us there are 340 known prisoners in Vietnam but over some 1,200 servicemen listed as missing, who may be captives but their plight not confirmed by the Communists.

Immediate positive steps are necessary. We cannot wait for peace talks, propaganda, or withdrawal. Any cessation without plans for return of our prisoners could well leave them forgotten—living casualties continuing to suffer every known kind of inhumanity and torture—as we have witnessed in past conflicts with our military men who have fallen into Communist hands.

It is tragic to consider that it was necessary for the prisoners remaining in captivity—who would be in jeopardy of reprisals and further torture—to request that our people be told the truth of Communist mistreatment of military captives.

I include the letters from Mrs. Barbay and the National League of Families of Prisoners in Southeast Asia, a news clipping, and the Dan Smoot Report for August 25:

SEPTEMBER 3, 1969.

DEAR MR. RARICK: I will try to write this letter to you and ask your help.

I don't wish to bring up old memories. I thought to write this letter before calling so I was going to write anyway about my husband, Major Lawrence Barbay, who is a prisoner-of-war in North Vietnam. You know what I don't know about a prison-of-war camp. Maybe you are the best one, to go to Congress and speak for us or to President Nixon. Remind him and them of all the families worried sick over their loved ones somewhere in North Vietnam.

It's been three years for my husband and no word and I am sure not too pleasant one's either. His are a lot worse than mine.

We have four children, the last born 10 days after my husband's plane was shot down.

Don't you think suggesting before the bulk of our military pullout is completed they could ask for release of sick prisoners, exchange of prisoners, release names of prisoners, or pay ransom for prisoners?

This should be most important now as time seems to be dragging and nothing is being accomplished.

Let's don't forget them. *Let's get them home.* They thought nothing of leaving their families to go and fight in what they thought was right. I am so proud of my husband and all the men who have sacrificed their time and families and themselves for this cause.

Thank you for reading this letter. I know you will help if at all possible.

God love you and your family,

Sincerely,

MRS. LAWRENCE BARBAY.

NATIONAL LEAGUE OF FAMILIES OF AMERICAN PRISONERS IN SOUTHEAST ASIA,

Alexandria, La., July 25, 1969.

Re Inhuman Treatment of U.S. Prisoners Captured in North Vietnam.

DEAR SIR: I hope that the above caption will serve to penetrate the secretarial barrier and ensure that my letter reaches you.

The plight of our United States serviceman captured in Vietnam is extremely serious and Defense Secretary Laird outlined the situation in a recent news conference far better than I can.

However, as the wife of Captain Hayden J. Lockhart, shot down and captured March 2, 1965 (he has never seen our four-year-old

son) I intend to use every opportunity to publicize and expose the inhuman treatment being meted out to our husbands and sons, servicemen of the World's greatest nation today. The North Vietnamese react strongly to United States public opinion and I believe that this is a weapon which we have not used as effectively as we should.

Sir, I represent a national group of wives and parents who turn to you for help in our publicity campaign. We request that you use your considerable influence to trigger off a wave of public feeling sufficient to influence the North Vietnamese; not only to provide better treatment of our prisoners but to demand their release immediately and not to wait for the outcome of the perpetual peace talks.

I am sending copies of this letter to Senators and Congressmen and other political leaders in the hopes of real and active support from the leaders of our nation. Please give this matter the most urgent attention—surely these loyal and steadfast men have earned this right.

Yours sincerely,

Mrs. HAYDEN J. LOCKHART, Jr.,
Area Coordinator.

[From the Washington (D.C.) Evening Star, Sept. 3, 1969]

FREED NAVY FLIER DESCRIBES HANOI TORTURE OF PRISONERS

(By David Braaten)

The North Vietnamese torture their prisoners of war, but American bombing raids are "a big morale booster" to the captives, a recently released Navy flier has reported.

Lt. (jg) Robert Frishman, 28, of Santee, Calif., spoke to a score of newsmen yesterday at the Bethesda Naval Hospital, where he has been since his arrival here Aug. 7. He was captured Oct. 24, 1967, when the F4 jet fighter he was piloting was shot down by a surface-to-air missile.

Frishman told a press conference the torture administered to American prisoners included beatings, suspension from the ceiling by ropes, burning of flesh with cigarettes and ripping out of fingernails.

Asked to tell of maltreatment he suffered personally, Frishman said that when he was first shot down he was "taken around in a truck to missile sites," where North Vietnamese hit him and threw things at him.

He lost a filling in a tooth, he said, when one North Vietnamese slugged him, and even though he had a severe arm injury he was bound with ropes.

Eventually, Frishman said, he just passed out.

At their release last month, Frishman praised the treatment he had been given by North Vietnamese doctors, who removed his elbow instead of amputating his arm.

Asked to summarize the attitude and morale of the prisoners still left in North Vietnam—many of whom Frishman said he had talked with before he was released—the Navy flier said it was "pretty hard on the men" now that the bombing had stopped.

He said it raised the prisoners' morale when they looked out the windows of their cells during a raid and saw the North Vietnamese running around. The walls of his cell would "just shake," he said.

Appearing with the officer at the news conference was Seaman Apprentice Douglas B. Hegdahl, 22, of Clark, S.D., who was captured in April of 1967 when he fell overboard from the cruiser Canberra.

Hegdahl was asked about pictures taken of him on Christmas Eve, 1968, showing him reading a letter from his parents and a copy of Newsweek magazine. An enlargement of the photograph showed the letter he was reading was dated April 2, 1968.

"That's about average," said Hegdahl, with a grin. He said he was allowed to see the news magazine "just long enough for the picture to be taken," but that he was permitted to keep the letter from home.

Hegdahl said he never heard from the Red Cross while he was in captivity, and money his mother sent him never reached him. A Christmas package was also looted, he said.

Hegdahl, though thin, appeared in good health after his three weeks at the hospital. He said he had lost 60 pounds in captivity. Frishman, who was still pale and thin, said he lost 50 pounds.

The two Navy men were released in the custody of seven American pacifists, who went to Hanoi to pick them up.

THE DAN SMOOT REPORT

On July 3, 1969, the communist government of North Vietnam announced in Hanoi that three American prisoners would be released, "as a humanitarian gesture in observance of the United States Independence Day."[1]

On July 4, David Dellinger received a telegram from Hanoi officials, saying that a representative of "the American peace movement" must go to Paris for consultation with North Vietnamese representatives there, and that a delegation of "the American peace movement" must later go to Hanoi to pick up the three American prisoners and return them to the United States.[2]

The American peace movement is communist dialectics for American subversives who want a communist victory in Vietnam.

David Dellinger (a U.S.-hating, pro-Castroite, new-leftist) is chairman of the National Mobilization Committee to End the War in Vietnam (MOBES)—a coalition of some 250 "American peace movement" groups of hippies, Negro militants, and Vietcong sympathizers. Dellinger was an organizer of the communist-led attack on the Pentagon in the fall of 1967. He and his MOBES were also in the forefront of the mobs that tried to tear Chicago apart during the Democrat National Convention of 1968.

Under indictment by a federal grand jury for his 1968 Chicago activities, Dellinger is out on bail pending trial. His lawyer is the infamous William H. Kunstler of New York, who has represented dozens of subversive lawbreakers in the past decade.

Defendants in pending federal criminal cases, even though free on bail, may not travel outside their home districts without special permission. Nixon officials arranged such permission for Dellinger. The U.S. Attorney and federal judge Julius J. Hoffman in Chicago agreed to what Kunstler called an "unusual comprise." Travel restrictions against Dellinger were lifted.[3]

On July 7, Dellinger, acting in the capacity of a representative of the people of the United States, left for Paris to negotiate with North Vietnamese communist officials.

Eight days later, attorney Kunstler asked Judge Hoffman to give Rennard C. Davis a three-week release from travel restrictions so that Davis could go to Paris, get final instructions from the communists, and then proceed to Hanoi to accept release of American prisoners.[3]

Rennard C. Davis is a leader of Students for a Democratic Society (SDS) whose officials generally admit being communists, and whose chief aim is to destroy the United States by force and violence. Davis (like Dellinger) is under federal indictment for conspiracy to incite riots in Chicago last year.[3]

The assistant U.S. Attorney in Chicago said that releasing Davis from travel restrictions would permit him to go to a foreign country where the U.S. government would have no way to get him back for trial if he decided not to return. But, he said, the U.S. Attorney's office would make no objection.[3]

Judge Hoffman had yielded to State Department and Justice Department wheedling a week before when letting Dellinger go to Paris, but he refused to let Davis go. He said:

"I had grave misgivings of letting Dellinger go to Paris last week. It puts the court in the position of entering foreign relations.

"Now I'm asked to permit Davis to head his delegation to travel to an enemy country for the purpose of escorting back three American prisoners of war. I think it would be improper for the court to grant him permission for such a purpose; and, therefore, I deny the request."[3]

Attorney Kunstler immediately asked Judge Otto Kerner, U.S. Court of Appeals, for an emergency, closed-session hearing. After Justice Department lawyers gave assurance that the State Department wanted Davis released from travel restrictions, Judge Kerner overturned the decision of Judge Hoffman.

Rennard Davis left that night, July 15, for Hanoi, via Paris—taking six other representatives of "the American peace movement" with him as a "delegation," in compliance with communist instructions.[3]

On August 4, 1969, three American prisoners were released to Davis's seven-man "peace delegation" in Hanoi. On August 5, they arrived in Laos, aboard an International Control Commission plane. A U.S. military plane was waiting there to bring them back home. After a brief conference with U.S. diplomatic officials, the "peace delegation" said the released men would return to the U.S. by commercial plane, because Hanoi would be displeased if they traveled on a U.S. military aircraft.[4]

Pale, gaunt, badly undernourished, sick, and nervous, the three prisoners said they had received adequate food and medical attention, that they had not been indoctrinated, and that they got some exercise in prison camp when they "were allowed to sweep the grounds."

Four days later (August 9), U.S. Secretary of State William P. Rogers cited the physical condition of the three released Americans as proof that North Vietnamese communists are "as inhumane as you can be" in the treatment of American prisoners.[4]

The Vietcong and North Vietnamese will not exchange prisoners, or even give us any information on the identity and number of Americans they have in prison. The Pentagon calls this refusal to provide a prisoner list an "inhumane and clear violation of the Geneva Convention."[7]

The American communist sympathizers who constituted the "peace delegation" to Hanoi are just as inhumane as their communist idols are. Ten days after he had returned to the United States, Rennard Davis (SDS head of the "peace delegation") was still holding some 50 cards or letters which American prisoners in Vietnam had asked him to forward to their anxious relatives back home.[7]

James Johnson (a member of David Dellinger's pro-communist MOBES) was in Rennard Davis's seven-man "peace delegation" to Hanoi. Upon his return to the United States, Johnson was lyrical with happiness about what he had seen in North Vietnam. Speaking of the people there, he said:

"I've never seen such spirit anywhere. I feel they have defeated the United States".[5]

Johnson was right. North Vietnam, a backward, tenth-rate communist nation has defeated the United States, despite the magnificent valor, high morale, and awful sacrifices of our fighting men. They have defeated us because we do not have—and for a long time have not had—top political leadership worthy of respect.

We elect and re-elect such leadership because, apparently, we no longer respect ourselves. If the general American public did have proper respect for itself, for our nation, and for the glorious traditions of our Repub-

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Footnotes at end of article.

lic, there would be such deep and wide indignation in this country that Richard Nixon would not have dared permit the shameful spectacle the world has just witnessed.

It is a violation of federal law and of a basic constitutional principle for private American citizens to engage in policy negotiations with foreign powers.[6] The Nixon State Department not only permitted but arranged for this violation of law and of constitutional principle.

* * * * *

The release of three prisoners was not a "humanitarian gesture." It was a propaganda trick to strengthen "the American peace movement," which has been an invaluable ally of the communists, inspiring them to persist, undermining the American will to win. Many American servicemen now dead would be alive but for the help and encouragement "the American peace movement" has given the communists. By conferring quasi-ambassadorial status on leaders of this movement, Nixon has further convinced the enemy that victory will be given him, if he just hangs on a while longer and kills several thousand more Americans.

* * * * *

In 1967, North Vietnamese communists released three American prisoners, and released three more in 1968, under the same circumstances and conditions as in the August, 1969, release.[1, 2] Communists called the 1967 and 1968 releases "humanitarian gestures." President Johnson accepted that propaganda lie, and permitted communist sympathizers to negotiate the releases.

* * * * *

President Johnson permitted communist sympathizers to conduct negotiations with the communist enemy. President Nixon did more than that: he actively intervened to free them from the jurisdiction of a federal court so that they could travel abroad for negotiations with the enemy. Thus, Nixon went further than Johnson did, in conferring respectability and official approval on treacherous subversives.

FOOTNOTES

[1] *New York Times*, Aug. 6, 1969, p. C8.
[2] *New York Times*, July 9, 1969, p. C5.
[3] *Chicago Tribune*, July 16, 1969, p. 6.
[4] New York Times News Service, Aug. 9, 1969.
[5] Associated Press, Aug. 8, 1969.
[6] *Dallas Morning News*, July 10, 1969, p. D2.
[7] *Dallas Morning News*, Aug. 14, 1969, p. A3.

DONALD BRUCE

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. SPRINGER. Mr. Speaker, we have all suffered a grievous loss in the untimely death of our former colleague, Donald Bruce. During his two terms as a Representative from my native State of Indiana, he distinguished himself for his legislative ability and as a dedicated spokesman for the conservative philosophy of Government. He could undoubtedly have looked forward to a long and rewarding career in this body but he chose instead to seek his party's nomination for the U.S. Senate, a bid which he lost by a narrow margin in the 1964 Indiana State Republican Convention.

Outside the Halls of Congress, Don Bruce continued to be an eloquent spokesman for the views he held so deeply. He helped organize the American Conservative Union and employed his great talents in advancing the principles of Americanism. Few other platform orators of our day had his ability to move audiences. He will be greatly missed and I extend my deepest sympathy to his family in their time of sorrow.

THE BALANCED URBANIZATION POLICY AND PLANNING ACT

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mrs. DWYER. Mr. Speaker, shortly before our August recess, I introduced legislation entitled the "Balanced Urbanization Policy and Planning Act," in which I was joined by our distinguished colleague from North Carolina (Mr. FOUNTAIN). The design of the bill is to begin to chart a course of action through the overgrowth of urban congestion and the undergrowth of rural sparsity and decline.

In one sense, it picks up where the Intergovernmental Cooperation Act of 1968—Public Law 90–577—leaves off in coordinating intergovernmental policy and administration of development assistance programs. More directly, however, it represents a concerted effort to achieve a balanced growth policy in rural and urban areas. The measure specifically deals with the manifold problems created by the present course of urban growth as documented in the report of the Advisory Commission on Intergovernmental Relations on "Urban and Rural America: Policies for Future Growth" and incorporates major recommendations advanced in this report and in the Commission's earlier survey of "Fiscal Balance in the American Federal System."

The urban and rural America study indicates that rapid urbanization, swollen racial unrest, and deceptive decline in our rural areas constitute three separate but interrelated crises which must be surmounted if the American social and governmental systems are to remain viable. This problem lends itself to overstatement, but not without cause.

The complexities of these challenges are underscored by their separate, but related, causes. The emergence of an urban America, after all, is not a byproduct of black migration. The revolution in race relations has rural as well as urban dimensions. Admittedly, the difficulties of urban America are heightened by the dramatic examples of social and economic segregation and interjurisdictional racial disparities found in our metropolitan areas. But these areas still would be facing a tremendous task—administratively, fiscally and in terms of governmental services—even if all their citizenry were white, and the same obviously can be said of rural areas as well.

When the plight of rural America is added to the problems of race and urbanization, a potentially explosive situation exists. This is the situation that our Federal system today must deal with. The bill before us today begins to provide the tools for this task at the national level. The need for a national urbanization policy and the development of a more meaningful intergovernmental planning process are underscored by such recent trends as these:

Between 1960 and 1965, metropolitan areas experienced the most rapid population growth, with giant metropolitan complexes—1 million plus—accounting for more than half of the increase in total urban population and those in the 250,000 to 1 million bracket for nearly one-fourth.

Most of this urban growth was concentrated in suburban and outlying areas, not in central cities, and industry more frequently has been seeking location in these same jurisdictions.

Net migration gains were responsible for more than a fifth of the urban population growth and 75 percent of the influx occurred in nine metropolitan areas.

Contrary to some claims, smaller cities and villages outside metropolitan areas have had much slower rates of growth and usually have been bypassed by the mainstream of economic development.

Most black Americans now reside in core cities, with larger jurisdictions having the fastest growth rate and largest proportions; practically all of the remainder live in the rural areas, and the bulk of the white population is suburban.

The total population of rural America has remained nearly static since 1950, but its farming sector has dropped significantly.

In terms of employment, public services and finance, the large central cities and the smaller rural communities and counties share an increasingly tougher task of maintaining healthy levels of economic activity, providing jobs and adequately educating their residents.

Governmental policies involving highway and air transportation facilities, housing and community development, industrial climate and tax levels have influenced industrial location decisions, but not always with beneficial results in terms of the overall public interest.

Present suburban and urban fringe development, in all but a few instances, has tended to follow a mushrooming, meandering or molecular pattern, with an accompanying disorderly, distasteful and destructive use of land.

Estimates of future growth indicate that, with a continuation of present trends, national population will increase about 73 percent by the year 2000, practically all of it urban.

Finally, coordinated and planned development is not aided greatly by the planning requirements that now exist in over 135 Federal grant-in-aid programs and by the 37 or more planning assistance programs that Congress has established.

Mr. Speaker, the facts clearly indicate that there is an ever-widening gap between our national aspirations and actual policy returns. The trends cited above attest to the pressing need for a national urbanization policy, for drawing together the strings of conflicting

purpose. To deny the necessity for such a policy is to ignore the consequences these trends predict:

The prospect of even greater densities in our large metropolitan areas and the attendant higher cost of public and private consumption.

The prospect of more—not less—social and emotional tensions which heavy congestion seems to generate.

The prospect of complicating the already chaotic conditions in our central city ghettos.

The prospect of widening the economic gap between most central cities and most of their surrounding suburbs.

The prospect of even greater economic, educational, and health gaps between rural and urban America.

If these prospects materialize, we will bind future generations of Americans to the same style of urban life that currently prevails. Can we risk this kind of bequest?

Mr. Speaker, I believe we must not permit this. Instead, we must begin now to establish the ways and means of facilitating the development of a sensible, yet bold and balanced, urbanization policy.

Let it be clearly understood, however, that the measure I introduce today is not designed to stem the tide of urbanization. The overriding objective here is a more balanced distribution of urban dwellers and economic opportunity, not a balancing of rural and urban populations. Moreover, the policy envisioned presupposes a broad decisionmaking and planning process—one that is multilevel and multiparticipant. The grant design for future urban growth sought here would establish the priorities and provide the focus that the existing network of intergovernmental relations needs in the areas of improved programing, improved planning, and improved public management. This policy also must deal simultaneously with the problems of central cities in metropolitan areas, while planning for a more balanced geographic distribution of our future urban population.

To hammer out concerted and comprehensive policies in economic, demographic, social, and physical development areas initially requires that new machinery and new methods for policymaking and execution be established in the political branches of national, State and local governments. Both the executive and legislative branches must be involved—given the ramifications of this assignment. Existing mechanisms for interbranch, interagency, and interlevel cooperation must be revitalized.

At the national level, title IV of the Intergovernmental Cooperation Act of 1968 will, in effect, help establish some of these new procedures, especially as they relate to interagency coordination and interlocal planning endeavors. The bill that I am introducing today will institutionalize further this ongoing concern.

Under title II, the President is required to submit annually to Congress a national urban growth report. Its format would include urban trend data and a survey of the progress and effectiveness of Federal efforts affecting the location and rate of population and economic growth. Health and educational programs; resettlement and rehabilitation; housing and large-scale urban development; vocational employment opportunity, and other related programs no doubt would be assessed. The relationship of Federal activities to regional, State, local, and private efforts in these interrelated areas would also be covered and the final portion of the message would set forth the President's recommendations for promoting a more effective urbanization policy. The message would be referred to a new Joint Urbanization Committee.

Responsibility for assembling this report is left wholly to the President, on grounds that no existing unit in the executive branch possesses all the requisite skills to develop the draft. Some would argue that a revamped Council of Economic Advisers, Budget Bureau, or Office of Emergency Planning in the Executive Office of the President should be singled out for the job. The view of this legislation is that the President should have complete discretion—at least at the outset—to devise his own administrative strategy for initiating this massive job of policy development, coordination, and implementation.

Titles III and IV of this legislation complement title II by seeking to systematize planning assistance and to standardize certain of the planning requirements in Federal grant programs. Development planning to date has tended to be narrow, fragmented, and inadequately coordinated with the efforts of other jurisdictions. It ought to be comprehensive, covering human and economic as well as physical resource development, and encompassing rural as well as urban areas. Since major urbanization policy and planning efforts will have to occur at the State and local levels, the Federal Government clearly has a direct concern in helping these governments to develop comprehensive, policy-based, planning procedures.

Title III of this bill establishes a revamped assistance program for such planning at the interstate, State, areawide, and local levels. In effect, it revitalizes the existing 701 program by seeking to strengthen the State's role—if they wish to assume it—of coordinating all planning efforts within their respective borders and by structuring the agencies eligible for receiving comprehensive planning grants in a fashion that eliminates much of the overlap and confusion among planning jurisdictions at the local and areawide levels. Equally significant, the title recognizes only one set of planning agencies at the substate regional level.

The final title in the proposed legislation comes to grips with the lack of uniformity in planning requirements under grant programs, the frequent fuzziness in planning definitions used, and the failure to clearly identify the jurisdiction responsible for or affected by the planning requirement. It does this by standardizing the definitions of comprehensive planning and standardizing the functional planning conformance requirements in five program areas—water, sewer, and other public works facilities; public health services; transportation; open space and recreation; and water resources.

Mr. Speaker, the Balanced Urbanization Policy and Planning Act advances some dramatically new approaches to the broad and controversial issues in the urban development, planning assistance, and planning requirement areas. The nature of the challenges that face us on the urban, rural, and social frontiers convince me that such approaches are not only desirable but they are desperately needed—if we are again to reach a point where we have some sense of mastery over our physical environment and the problems that beset us in the realm of human relationships.

Mr. Speaker, I include as a part of my remarks the text of our bill and a section-by-section analysis, as follows:

H.R. 13217

A bill to provide for the balanced urban development and growth of the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Balanced Urbanization Policy and Planning Act".

TITLE I—GENERAL PROVISIONS

DECLARATION OF PURPOSE

SEC. 101. The purpose of this Act is to establish within the United States Government procedures—

(1) for analyzing urban growth and developing a national urbanization policy and reporting to the Congress on such growth and policy;

(2) to provide greater coordination in the administration of Federal urban and economic development grants and programs by placing within the Executive Office of the President sole responsibility for policy development, coordination, and planning;

(3) to provide assistance to State and local governments for developing comprehensive coordination, programing, and planning agencies and activities;

(4) to consolidate comprehensive planning requirements for grant-in-aid programs; and

(5) to systematize other planning requirements.

DEFINITIONS

SEC. 102. As used in this Act—

(1) "Secretary" means the Secretary of Housing and Urban Development;

(2) "comprehensive planning" means planning which—

(A) consists of the continuing process of assessing needs, resources, and development opportunities; formulating goals, objectives, policies, and standards to guide long-range physical, economic, and human resources development; and preparing plans and programs for such assessment and formulation;

(B) is not inconsistent with comprehensive planning undertaken by any other Federal or State governmental body and, when undertaken by a political subdivision, also is not inconsistent with comprehensive planning by the next larger jurisdiction; and

(C) meets criteria established by the Secretary; and includes—

(i) preparation of comprehensive plans, as guides for governmental policies and action, which identify and evaluate alternative courses of action and the relationships among the activities to be carried out under such plans, including the effective utilization of

resources, the pattern and intensity of land use, and the provision of public facilities, and other government services;

(ii) programing of expenditures of major activities, including capital improvements, in the order in which they are to be commenced, together with definite plans for financing such activities;

(iii) coordination of all related plans and activities of the State and political subdivisions and agencies concerned;

(iv) provisions for a general guide for functional and project or agency program planning; and

(v) preparation of appropriate regulatory and administrative measures in support of the foregoing.

(3) "functional planning" means the preparation of a functional plan which—

(A) provides coordination of services, activities, and facilities, furnished by a State or political subdivision within the same functional area, including housing, public works, water and sewage facilities, transportation, recreation, open space, public health services and facilities, and pollution control; and

(B) is consistent with comprehensive planning;

(4) "State" means any of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico;

(5) "State comprehensive planning agency" means a State agency, or agencies, designated by the Governor of the State (or in the case of the District of Columbia, designated by the Commissioner), to conduct overall comprehensive planning for the State;

(6) "political subdivision" or "unit of general local government" means any city, county, town, parish, village, or other general-purpose political subdivision of a State;

(7) "planning and development district" means any area that—

(A) is established under State laws, or in the absence of such laws, under a plan approved by the Governor of the State or States;

(B) is composed of two or more political subdivisions of a State, including metropolitan areas;

(C) has common or related problems of development requiring cooperative, comprehensive planning and concerted action for the effective solution of such development problems; and

(D) is composed only of political subdivision and interstate compact areas not included within any other such district.

(8) "planning and development district agency" means the agency responsible for a planning and development district and which is, to the greatest extent feasible, composed of or responsible to the elected officials of a unit of areawide government or of the political subdivisions located partially or completely within the planning and development district;

(9) "areawide comprehensive planning" means comprehensive planning undertaken by a planning and development district agency;

(10) "metropolitan comprehensive planning" means areawide comprehensive planning undertaken by a planning and development district agency which includes within its borders a standard metropolitan statistical area as established by the Bureau of the Budget; and

(11) "city comprehensive planning" or "county comprehensive planning" means comprehensive planning undertaken by a city or county if the city or the county—

(A) has authority over planning, zoning, subdivision, and other land uses and which authority, in the case of a city, extends beyond the boundaries of the city; and

(B) is not included within the comprehensive planning of a State comprehensive planning agency or planning and development district agency.

PRESIDENTIAL RESPONSIBILITY

SEC. 103. In order to assure that the comprehensive planning and coordination assistance authorized by title III of this Act and the comprehensive and functional planning requirements of title IV are consistent with the purposes of title II of this Act and section 401 of the Intergovernmental Cooperation Act of 1968 (80 Stat. 1098; Public Law 90–577), the President shall be responsible for continuing policy guidance and continuing review of the administration of this Act, and for promulgating general rules and regulations, which shall be as uniform as practicable to carry out the provisions of this Act and section 401 of the Intergovernmental Cooperation Act of 1968. Such rules and regulations shall provide for full consideration of the concurrent achievement of the objectives specified in the statutory provisions cited in this section, and, to the extent authorized by law, reasoned choices shall be made between such objectives when they conflict.

TITLE II—DEVELOPMENT OF A NATIONAL URBANIZATION POLICY

FINDINGS AND DECLARATION OF POLICY

SEC. 201. (a) The Congress finds that the rapid growth of urban population and expanding urban development in the United States, together with a decline in farm population, slower growth in rural areas, and migration to the cities has created an imbalance between the Nation's needs and resources, and that the economic and social development of the Nation and the achievement of satisfactory living standards depend upon the sound, orderly, and more balanced development of all areas of the Nation.

(b) The Congress further finds that Federal programs already have a significant effect upon the location of population, economic growth, and on the character of urban development; that the purposes of such programs frequently conflict, thereby subsidizing undesirable and costly patterns of urban development; and that a concerted effort is necessary to interrelate and coordinate existing and future programs within a system of planned development and established priorities in accordance with a national urbanization policy.

(c) In order to promote the general welfare and to provide full and wise application of the resources of the Federal Government in strengthening the economic and social health of both rural and urban areas and of the Nation as a whole, the Congress declares that it is a continuing responsibility of the Federal Government, consistent with the responsibilities of State and local government and the private sector, to undertake the development of a national policy, to be known as the national urbanization policy, which shall incorporate social, economic, and other appropriate factors. Such policy shall serve as a guide in making specific decisions at the national level which affect the pattern of urban growth and shall provide a framework for development of interstate, State, and local policy.

(d) The Congress further declares that the national urbanization policy should—

(1) favor patterns of urbanization and economic development which offer a range of alternative locations and encourage the wise and balanced use of physical and human resources;

(2) foster the continued economic strength of all parts of the United States, including central cities, suburbs, smaller communities, and rural areas;

(3) reverse trends of migration and natural growth which create greater disparities among States, regions and cities;

(4) treat comprehensively the problems of poverty and employment associated with urbanization and rural decline;

(5) develop means to alleviate present trends which accentuate racial conflict;

(6) define the basis for fulfilling the role of the Federal Government in revitalizing existing communities and encouraging carefully planned, large-scale urban and new community development;

(7) assist general governmental institutions in achieving balanced urban growth; and

(8) facilitate increased coordination in the administration of Federal programs so as to encourage desirable patterns of urban growth.

URBANIZATION POLICY, PLANNING, AND COORDINATION

SEC. 202. In order to develop the national urbanization policy, the following functions shall be performed within the Executive Office of the President—

(1) the preparation of an annual report, to be known as the Annual Report on Urban Growth;

(2) the collection, analysis, and evaluation of timely and authoritative information, current and prospective, concerning population growth and movement, urbanization, economic growth, patterns of land use, natural resource conservation and development;

(3) a continuing assessment of the progress and effectiveness of Federal efforts to carry out the policy described in section 201 (c) and (d) and developed pursuant to this Act, with particular emphasis upon the manner in which efforts involving economic development, health, education and training, the location and pace of population growth, resettlement and rehabilitation, housing and large-scale urban development, and vocational and employment opportunities relate to and affect the pattern and quality of urban growth;

(4) a review and estimate of current and foreseeable needs of interstate, State, local and private plans, and programs affecting the policy described in section 201 (c) and (d) and developed pursuant to this Act;

(5) an evaluation of the relationship of Federal programs and policies to the plans, policies, and programs referred to in clause (4); and

(6) an estimate of current and foreseeable needs of Federal programs which affect the plans, policies, and programs referred to in clause (4).

URBAN GROWTH REPORT

SEC. 203. (a) The President shall transmit to the Congress, not later than February 20 of each year, the Annual Report on Urban Growth for the preceding year. The Report shall include—

(1) information and statistics describing characteristics of urban growth and identifying significant trends and developments;

(2) a summary of significant problems facing the United States as a result of urbanization trends and developments;

(3) an evaluation of the progress and effectiveness of Federal efforts designed to meet such problems and to carry out the policy described in section 201 (c) and (d) and developed pursuant to this Act;

(4) a reassessment of the policies and structure of existing and proposed interstate planning and developments, including interstate agencies, affecting such policy;

(5) a review of State, local, and private policies, plans, and programs designed to carry out such policy;

(6) current and foreseeable needs in the areas served by such policies, plans, and programs, and the steps being taken to meet such needs; and

(7) recommendations for programs and policies for carrying out such policy, including such legislation as may be deemed necessary and desirable.

(b) The President may transmit from time to time to the Congress supplementary re-

ports on urban growth which shall include such supplementary and revised recommendations as may be appropriate.

(c) The Annual Report on Urban Growth and all supplementary reports shall, when transmitted to the Congress, be referred to the Committee on Government Operations of each House, the Committees on Banking and Currency of each House, the Joint Urbanization Committee, the Joint Economic Committee, and such other standing committees as the presiding officer of each House may designate.

AUTHORIZATION

SEC. 204. Not to exceed $500,000 per fiscal year for the fiscal year ending June 30, 1970, and for each fiscal year thereafter is hereby authorized to be appropriated to the Executive Office of the President for expenses necessary to carry out the purposes of sections 202 and 203.

JOINT URBANIZATION COMMITTEE

SEC. 205. (a) (1) There is established a joint congressional committee which shall be known as the Joint Urbanization Committee. The joint committee shall be composed of eight Members of the Senate appointed by the President of the Senate, three of whom shall be members of the minority party, and eight Members of the House of Representatives, three of whom shall be members of the minority party.

(2) The joint committee shall select a chairman and vice chairman from among its members.

(b) It shall be the function of the joint committee—

(1) to make a continuing study of the information and recommendations contained in the Annual Report on Urban Growth and supplementary reports on urban growth; and

(2) to study means of coordinating programs in order to further the national urbanization policy.

(c) The joint committee shall file a report with the Senate and House of Representatives of the Congress not later than April 20 of each year. The report shall contain the joint committee's findings and comments with respect to the recommendations made by the President in the Annual Report on Urban Growth. The joint committee may from time to time make such other reports and recommendations to the Senate and House of Representatives as it deems advisable.

(d) In carrying out its duties under this section, the joint committee or any duly authorized subcommittee thereof, is authorized to hold such hearings; to sit and act within or outside the United States at such times and places; to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents; to administer such oaths; to take such testimony; to procure such printing and binding; and to make such expenditures as it deems advisable. The joint committee may make such rules respecting its organization and procedure as it deems necessary.

(e) Subpenas may be issued over the signature of the chairman of the committee or by any member designated by him or the committee, and may be served by such person as may be designated by such chairman or member. The chairman of the joint committee or any member thereof may administer oaths to witnesses. The provisions of sections 102–104 of the Revised Statutes (2 U.S.C. 192–194) shall apply in the case of any failure of any witness to comply with a subpena or to testify when summoned under authority of this section.

(f) The joint committee is authorized to appoint and fix the compensation of such experts, consultants, and staff employees as it deems necessary and advisable.

(g) With the consent of any standing, select, or special committee of the Senate or House, or any subcommittee, the joint committee may utilize the services of any staff member of such House or Senate committee or subcommittee whenever the chairman of the joint committee determines that such services are necessary and appropriate.

(h) (1) The expenses of the joint committee shall be paid from the contingent fund of the Senate from funds appropriated for the joint committee, upon vouchers signed by the chairman of the joint committee or by any member of the joint committee duly authorized by the chairman.

(2) Members of the joint committee, and its employees, experts, and consultants, while traveling on official business for the joint committee within or outside the United States, may receive either the per diem allowance authorized to be paid to Members of the Congress or its employees, or their actual and necessary expenses provided an itemized statement of such expenses is attached to the voucher.

TITLE III—GRANTS FOR COMPREHENSIVE PLANNING AND COORDINATION

SHORT TITLE

SEC. 301. This title may be cited as the "Comprehensive Planning and Coordination Act".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 302. (a) The Congress finds and declares that—

(1) an effective national urbanization policy is directly dependent upon the cooperative action of the Federal, State, and local levels of government in developing a system of comprehensive planning and coordination in order to achieve a more balanced use of the physical, economic, and human resources of the Nation;

(2) development planning has tended to be too narrow, fragmented, and inadequately coordinated; that to be fully effective, such planning must be comprehensive, embracing the full spectrum of human, economic, and physical resource development and encompassing urban and rural growth and development; and that there is a vital need for the development of comprehensive planning and coordination agencies, processes, and systems that will provide the framework within which functional, project, and agency program planning can be related for fully coordinated development;

(3) urban growth and rural development needs may be coordinated most efficiently and economically at the State and local government level, based on the capability of State and local governments to develop comprehensive, policy-based planning processes which can serve as a guide for functional, project, and agency program planning and can provide a systematic basis for effective coordination of Federal, State, and local development programs; and that such planning and coordination, in order to be effective, requires a governmental organization and structure and accompanying powers and authority capable of implementing planning through effective decisions and for accomplishing coordination through meaningful management; and

(4) improved coordination of programs of Federal assistance administered by various departments and agencies can best be achieved at the Federal level through the Executive Office of the President which can provide an effective focal point for the formulation of consistent planning, policies, standards, and procedures among such programs pursuant to section 202 of this Act and section 401 of the Intergovernmental Cooperation Act of 1968 (80 Stat. 1098; Public Law 90–577).

(b) It is the purpose of this title—

(1) to provide assistance for the development of comprehensive planning and coordination capabilities at the interstate, State, regional and local government levels;

(2) to encourage cooperation among local governments in solving mutual and areawide development problems by assisting them in developing or strengthening the comprehensive planning and coordination process;

(3) to foster intergovernmental cooperation in developing coordinated and concerted attacks on problems of national urban and rural development; and

(4) to establish a method for the exchange of development information among localities, the States, and the Federal Government, in order to assist development and implementation of the national urbanization policy described in section 201 (c) and (d), and to aid the States and their political subdivisions in the determination of their needs.

PLANNING AND COORDINATION GRANTS

SEC. 303. In order to carry out the purposes of section 302(b), the Secretary is authorized to make comprehensive planning grants in accordance with the provisions of this title—

(1) to collect systematically information concerning any public works, public capital improvements and capital acquisitions, and economic and human resources development programs, projects, and associated activities;

(2) to collect and analyze information related to—

(A) population characteristics, migrations, and densities;

(B) economic trends, location patterns, and projections;

(C) directions and extent of urban and rural growth and change;

(D) employment and unemployment trends and projections;

(E) social, educational, health, recreational, and cultural development trends and needs;

(F) governmental organization and financial resources available within the State and the political subdivisions thereof; and

(G) other information necessary to conduct comprehensive planning;

(3) to develop, use, and encourage common information and data bases for State, regional, and local comprehensive and functional planning;

(4) to establish arrangements for the exchange of planning information among State agencies, and among the various governments within each State and their agencies, including planning and development agencies and city comprehensive planning agencies; between such governments and agencies of neighboring States as appropriate; and with interstate compact agencies and regional commissions established pursuant to Federal law;

(5) to prepare and maintain a coordinated planning system and process including the formulation of long-range, comprehensive plans consistent with the national urbanization policy described in section 201 (c) and (d) and developed pursuant to this Act;

(6) to undertake studies, surveys, and other activities to facilitate the coordination of administration of similar and related programs;

(7) to provide technical assistance and training, and advice and consultation on comprehensive planning and coordination matters on an interagency, interprogram, and intergovernmental basis;

(8) to establish arrangements for the exchange of information with the Federal Government for use by the President in discharging his responsibilities under section 401 of the Intergovernmental Cooperation Act of 1968 and section 103 and title II of this Act; and

(9) to conduct such other related planning and coordination functions as may be approved by the Secretary.

ELIGIBLE AGENCIES

SEC. 304. The Secretary, pursuant to rules and regulations as provided in section 103, may make grants to—

(1) a State comprehensive planning agency to carry out the functions of section 303;

(2) a State agency, designated by the Governor, which has entered into an agreement with the Secretary in accordance with section 305(e) to provide assistance to planning and development district agencies, completely or partially within the State, and units of general local government, for carrying out the functions of section 303;

(3) a planning and development district agency, completely or partially within the State, in those States which have not entered into an agreement with the Secretary in accordance with section 305(e):

(A) for carrying out the functions of section 303; and

(B) to provide assistance to units of general local government, for carrying out the functions of section 303, when such district agency has entered into an agreement with the Secretary in accordance with section 305(f);

(4) the following local agencies, for carrying out the functions of section 303, in those States in which neither a State agency nor a planning and development district agency within which such local agencies have jurisdiction have entered into agreements with the Secretary in accordance with section 305 (e) or (f), respectively:

(A) a city or county comprehensive planning agency; and

(B) a government planning agency—

(i) for an area in which rapid urbanization has occurred or is expected to occur as the result of the establishment or rapid substantial expansion of a Federal installation; or

(ii) for an area in which rapid urbanization is expected to occur as the result of land developed, or to be developed, as a new community and approved under section 1004 of the National Housing Act or title IV of the Housing and Urban Development Act of 1968; or

(iii) for an area in which there has been a substantial reduction in employment opportunities as the result of the partial or complete closing of a Federal installation, or a decline in the volume of orders of the Federal Government for articles or materials produced or manufactured within such area;

(5) organizations of public officials eligible to receive grants pursuant to section 701(g) of the Housing Act of 1954, for carrying out the functions of section 303, when such organizations conduct comprehensive planning in parts of two or more States;

(6) the Appalachian Regional Development Commission to carry out the functions of section 303 for the area over which the Commission has jurisdiction;

(7) a regional commission established under the Public Works and Economic Development Act of 1965 to carry out the functions of section 303 for the area over which the commission has jurisdiction;

(8) a tribal planning council or other tribal body for comprehensive planning for an Indian reservation, as designated by the Secretary of the Interior; and

(9) political subdivisions which have suffered substantial damages as a result of a catastrophe which the President, pursuant to section 2(a) of the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters and for other purposes," approved September 30, 1950, as amended (42 U.S.C. 1855(a)), has determined to be a major disaster.

PROPOSALS FOR GRANTS

SEC. 305. (a) An agency desiring to receive a grant shall submit to the Secretary a proposal in such form, at such times, and in accordance with such procedures as the Secretary may specify, indicating the comprehensive planning and, where relevant, the program of planning assistance that it will undertake, the period during which such activities will be conducted, and their estimated costs, and designating those functions enumerated under section 303 which qualify for Federal assistance pursuant to this title.

(b) From the sum allocated pursuant to section 310, the Secretary is authorized to make a grant to the agency whose proposal is approved of an amount not to exceed two-thirds of the estimated cost of the planning and, where relevant, the program of planning assistance, except that a grant may be made in an amount not to exceed three-fourths of such estimated cost to an agency referred to in section 304(4)(B)(iii).

(c) A grant for comprehensive planning shall be made to a planning and development district agency pursuant to this title only if the comprehensive planning of such agency is not inconsistent with the comprehensive planning of any interstate or State agency assisted by funds granted under this title.

(d) A grant shall be made to a unit of general local government only if its comprehensive planning is not inconsistent with or duplicative of the comprehensive planning of any interstate, State, or district agency assisted by funds granted under this title.

(e) In order to be eligible for a plant for a program of planning assistance, a State agency referred to in section 304(2) shall enter into an agreement with the Secretary to provide comprehensive planning assistance for eligible agencies specified in section 304(2). The agreement shall provide for the following:

(1) a designation by the Governor that the State agency shall have primary authority and responsibility for the development and administration of the local comprehensive planning assistance program;

(2) the relationship that will be maintained between and among local, areawide, and State comprehensive planning agencies, and the techniques that will be used to foster coordination and planning;

(3) specific policies, procedures, and priorities to assure that assistance will be made available to meet the needs of large cities and urban concentrations as well as smaller cities, rapidly urbanizing areas, outlying communities, rural regions, and federally impacted and depressed areas;

(4) the methods that will be used to relate comprehensive planning to functional planning within and among individual jurisdictions;

(5) a reasonable distribution of cost sharing for the non-Federal portion of the planning conducted by the State, and eligible agencies specified in section 304(2), including staff assistance and cash payments;

(6) provisions for an adequate professional and trained staff for the designated State agency to assure a capability for offering technical training, educational assistance and consultants to eligible agencies specified in section 304(2);

(7) provisions for assistance to comprehensive planning agencies within the State to initiate surveys and to develop new program designs for acquiring basic data, information, survey results, and analysis; for establishing comprehensive planning and formulating implementing measures; for maintaining and updating plans and policies through comprehensive planning; and for meeting unusual or nonrecurring needs in existing programs;

(8) provisions that Federal funds made available for the purposes of this title shall increase, and not supplant, State or local funds available for such purposes; and

(9) provisions to establish such fiscal control and fund accounting procedures and administrative reports as may be necessary to assure proper disbursement of and accounting for funds received under this section.

(f) To be eligible for a grant for a program of planning assistance, a planning and development district agency referred to in section 304(3) shall enter into an agreement with the Secretary to provide comprehensive planning assistance for eligible agencies specified in section 304(3). The agreement shall include, to the maximum extent practicable, the same provisions as required by subsection (e) for an agreement with a State agency (except such provisions contained in clauses (1) and (5) of such subsection). The agreement with the district agency shall provide for a reasonable distribution of cost sharing for the non-Federal portion of assisted programs between the district and assisted eligible agencies specified in section 304(3).

(g) Planning assisted under this title shall, to the maximum extent feasible, cover entire areas having common or related development programs. The Secretary shall encourage cooperation in preparing and carrying out plans among all interested regions, States, political subdivisions, public agencies, and other parties in order to achieve coordinated development of entire areas. To the maximum extent feasible, pertinent plans, studies, information, and data already available for areas shall be utilized in order to avoid unnecessary repetition of effort and expense.

(h) Any grant made pursuant to this title shall be in addition to, and may be used jointly with, grants or other funds available for planning surveys, studies, and investigations under other federally assisted programs.

POWERS OF SECRETARY

SEC. 306. (a) In accordance with general rules and regulations promulgated by the President pursuant to section 103 of this Act, the Secretary shall promulgate rules and regulations to administer the provisions of this title, including the terms and conditions under which grants authorized by this title may be made.

(b) In order to carry out the provisions of this title, the Secretary—

(1) is authorized to make advance, progress, or other payments pursuant to any grant made under this title without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529);

(2) is authorized to provide technical assistance to any State, local government, Indian tribal body, or any other eligible agency specified in section 304 undertaking comprehensive planning;

(3) is authorized, by contract or otherwise, to make studies and publish information on problems related to comprehensive planning;

(4) shall consult with other officials of the Federal Government responsible for the administration of Federal assistance programs to States, planning and development districts, political subdivisions, or other eligible agencies specified in section 304, in order to determine how such programs are affected by the provisions of this title;

(5) shall consult with the Secretary of Agriculture prior to approving any grant to be made pursuant to this Act to a planning and development district agency which does not include any portion of a metropolitan area; and

(6) shall consult with the Secretary of Commerce prior to approving any planning grant to a planning and development district which serves as an economic development district or includes any part of such a district as defined and designated under the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121).

(c) The Secretary of Agriculture and the Secretary of Commerce, as appropriate, may provide technical assistance with or without reimbursement, in connection with the functions of such planning and development districts as may be assisted under this title.

INTERPROGRAM COORDINATION AND COMPREHENSIVE PLANNING SERVICE AGREEMENT

SEC. 307. (a) In order to achieve a high level of interprogram coordination and to eliminate duplication of effort in the devel-

opment of basic planning data and information, any State, regional or local governmental agency administering or receiving funds under any Federal assistance program may, notwithstanding any other provision of law, enter into agreements with comprehensive planning agencies for the provision of services thereby. Such agreements may provide for payments to a comprehensive planning agency (1) in support of comprehensive planning and coordination activities; (2) for planning review and advice, technical assistance, and consultation; (3) for the provision of basic and supporting planning and development information; and (4) for other similar services facilitating the efficient administration of such Federal assistance program.

(b) The head of any Federal department or agency administering a Federal assistance program under which an agreement is made as provided in subsection (a), may approve the expenditure of functional planning funds granted under the program for payments to a comprehensive planning agency for services under the agreement under such conditions as he may deem necessary and desirable.

INTERSTATE COMPACTS

SEC. 308. The consent of the Congress is hereby given to any two or more States to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in the comprehensive planning and development of interstate, metropolitan, or other development districts and to establish such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts.

APPROPRIATIONS AUTHORIZED

SEC. 309. For the purpose of making grants under this title, there are authorized to be appropriated not to exceed $75,000,000 for the fiscal year ending June 30, 1971; not to exceed $100,000,000 for each of the fiscal years ending June 30, 1972, and June 30, 1973; and for each of the two succeeding fiscal years, such sums as may be necessary to carry out the purposes of this title. Any amount appropriated hereunder shall remain available until expended.

ALLOCATIONS TO STATES

SEC. 310. (a) Fifteen per centum of the amount appropriated pursuant to section 309 for each fiscal year shall be allocated by the Secretary among the States for State comprehensive planning. From such 15 per centum, each State shall be allocated $50,000 for each such year. From the remainder of such 15 per centum, each State shall receive an amount which bears the same ratio to such remainder as the population of each State bears to the population of all States.

(b) Sixty per centum of the amount appropriated pursuant to section 309 for each fiscal year shall be allocated by the Secretary among the States for comprehensive planning assistance to eligible agencies specified in subsections 304 (2) and (3). From such 60 per centum, each State shall be allocated $30,000 for each such year. From the remainder of the 60 per centum, each State shall receive an amount which bears the same ratio to the total remainder as the population of each State bears to the population of all States. If a State does not enter into an agreement pursuant to section 305(e), each planning and development district agency within the State, which enters into an agreement pursuant to section 305(f), shall be allocated an amount which bears the same ratio to the total amount the State would be eligible for, if it had entered into an agreement, as the population of the planning and development district bears to the total population of the State.

(c) The remaining 25 per centum of the amount appropriated pursuant to section 309 for each fiscal year shall be expended, as the Secretary deems appropriate. as follows:

(i) for additional grants to eligible agencies referred to in section 304 to carry out the functions of section 303;

(ii) for research, technical assistance, publications, and demonstration projects conducted by the Secretary to advance the purposes of this title (which total expenditures shall not exceed 5 per centum of the amount appropriated for each fiscal year); and

(iii) for sums incurred by the Secretary in administering the provisions of this title.

(d) Any amount allocated to a State under subsection (a) or (b) and not used within such State may be reallocated by the Secretary and may be used for grants to any agencies referred to in section 304 except a State comprehensive planning agency.

(e) The population of a State, of all the States, and of any planning and development district shall be determined by the Secretary on the basis of the most recent satisfactory data available from the Bureau of the Census.

AMENDMENTS

SEC. 311. (a) Section 701 of the Housing Act of 1954 (40 U.S.C. 461) is amended as follows:

(1) Subsections (a)–(f) and (i)(4)–(6) are repealed.

(2) The first sentence of subsection (g) is amended to read as follows:

"(g) The Secretary is authorized to make grants to organizations composed of public officials representative of the political jurisdictions within the metropolitan area, region, or district for the purpose of assisting such organizations to undertake such activities, including implementation of metropolitan, regional, and district plans, as he finds necessary or desirable for the solution of the metropolitan, regional, or district problems in such areas, regions, or district."

(3) Subsection (h) is amended—

(A) by striking out the phrase "(h) In addition to the other grants authorized by this section, the Secretary" and inserting in lieu thereof "(h) The Secretary" and

(B) by striking out the last sentence and inserting in lieu thereof: "A grant under this subsection shall not exceed two-thirds of the cost of the survey for which it is made, and shall be made to the appropriate State, metropolitan, or regional planning agency, tribal planning council, regional commission established by the Appalachian Regional Development Act of 1965 or under the Public Works and Economic Development Act of 1965 for comprehensive planning for the regions established under such Acts, or local development districts certified under section 301 of the Appalachian Regional Development Act of 1965 for comprehensive planning or, if there is no such agency or entity which is qualified and willing to receive the grant and provide for its utilization in accordance with this subsection, directly to the city, other municipality, or county involved."

(4) Such section is further amended by adding at the end thereof the following new subsection:

"(j) There are authorized to be appropriated for the purposes of this section not to exceed $1,000,000 for the fiscal year ending June 30, 1971, and not to exceed $1,000,000 for the fiscal year ending June 30, 1972. Any amount appropriated under this section shall be subject to terms and conditions prescribed by the Secretary. No portion of any grant made under this section shall be used for the preparation of plans for specific public works. The Secretary is authorized to make advance, or progress, or other payments pursuant to any grant made under this section, without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529)."

(5) The caption for such section is amended to read as follows: "ASSISTANCE FOR ORGANIZATIONS COMPOSED OF PUBLIC OFFICIALS AND FOR HISTORIC SURVEYS".

(b) Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 334) is amended by adding at the end thereof the following new sentence: "Such rules and regulations may identify the type of projects which may be exempted from coverage because of their relative lack of significance for State or areawide planning and development."

TITLE IV—UNIFORM PLANNING REQUIREMENTS FOR GRANT-IN-AID PROGRAMS

FINDINGS AND DECLARATION OF POLICY

SEC. 401. (a) (1) The Congress finds that the rapid increase in the number of Federal grant-in-aid programs has been accompanied by a comparable increase in planning requirements for such programs. These planning requirements lack uniformity, frequently fail to define clearly comprehensive or functional planning, or to identify the jurisdiction responsible for planning, and may result in a variety of overlapping and inconsistent activities related to the gathering and analysis of data.

(2) The Congress further finds that while sound, coordinated, and consistent comprehensive and functional planning is essential to the accomplishment of national objectives through grant-in-aid programs, the present overlapping and inconsistent requirements limit the accomplishment of this objective.

(3) The Congress further finds that Federal grants for comprehensive and functional planning should provide assistance for and encourage planning necessary to meet consistent and coordinated planning requirements in other Federal grant programs.

(b) It is the purpose of this title to eliminate inconsistent and overlapping grant requirements by standardizing the definitions of comprehensive planning and functional planning and to apply these definitions properly by providing a method of identifying planning jurisdictions and by establishing the basis for the development and use of common data and information bases.

USE OF COMMON PLANNING INFORMATION

SEC. 402. Federal agencies administering grant programs which require comprehensive or functional planning, or require conformity to existing planning as a condition in making the grants, shall require that such planning proceed from social, economic, demographic, and other base data, statistics, and projections that are common to or consistent with those being employed for planning related activities within the area. Such agencies shall assure that their data requirements for comprehensive and functional planning are common or consistent and shall assist in developing and expanding standard planning information bases.

COMPREHENSIVE AND FUNCTIONAL PLANNING REQUIREMENTS

SEC. 403. (a) Title II of the Demonstration Cities and Metropolitan Development Act of 1966 is amended as follows:

(1) Section 204(a)(1) (42 U.S.C. 3334(a)(1)) is amended to read as follows:

"(1) to any State comprehensive planning agency or planning and development district agency, which is designated to perform metropolitan or regional planning for the area within which the assistance is to be used, and".

(2) Section 204(b)(1)(A) (42 U.S.C. 3334(b)(1)(A)) is amended by striking out "areawide agency" and inserting in lieu thereof "State comprehensive planning agency or the planning and development district agency".

(3) Section 204(b)(2) (42 U.S.C. 3334(b)(2)) is amended by striking out "an appropriate areawide agency or instrumentality" and inserting in lieu thereof "the appropriate State comprehensive planning

agency or planning and development district agency,".

(4) Section 208 (42 U.S.C. 3338) is amended—

(A) by striking out paragraphs (5) and (7); and

(B) by adding at the end thereof the following new paragraph:

"(11) The terms 'State comprehensive planning agency', 'planning and development district agency', 'area-wide comprehensive planning', and 'comprehensive planning' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act.".

(b) The Public Works and Economic Development Act of 1965 is amended as follows:

(1) The second sentence of section 301(a) (42 U.S.C. 3151(a)) is amended by inserting before the period at the end thereof a comma and the following: "except that on or after July 1, 1973, such assistance for comprehensive planning shall be made available only to a State comprehensive planning agency, a planning and development district agency, or a unit of general local government".

(2) Section 403(a)(1) (42 U.S.C. 3171(a)(1)) is amended—

(A) by striking out "and" at the end of clause (C);

(B) by striking out clause (D) and inserting in lieu thereof the following:

"(D) the proposed district has an overall district economic development program which is part of area-wide comprehensive planning, includes adequate land use and transportation planning, and contains a specific program for district cooperation, self-help, and public investment and is approved by the State or States affected and by the Secretary; and"; and

(C) by adding at the end thereof the following new clause:

"(E) on or after July 1, 1973, the proposed district is a planning and development district;".

(3) Section 403(d) (42 U.S.C. 3171(d)) is amended by inserting before the period at the end thereof the following: "and which, on or after July 1, 1973, is a planning and development district".

(4) Section 706 (42 U.S.C. 3216) is amended by inserting before the period at the end thereof a comma and the following: "and the terms 'comprehensive planning', 'functional planning', 'areawide comprehensive planning', 'planning and development district agency', and 'unit of general local government' have the same meanings as given them in section 102 of the Balanced Urbanization and Planning Act.".

(c) The Housing Act of 1961 is amended as follows:

(1) Section 706(2) (42 U.S.C. 1500c–2) is amended to read as follows: "(2) is important to the development of the locality as provided for in comprehensive planning for the political subdivision within which the land is located.".

(2) The first sentence of section 709 (42 U.S.C. 1500d–1) is amended by striking out "the comprehensively planned development of the locality" and inserting in lieu thereof "comprehensive planning for the political subdivision within which the area, site, or structure is located".

(3) Section 710 (42 U.S.C. 1500e) is amended by adding at the end thereof the following new paragraph:

"(5) The terms 'comprehensive planning' and 'political subdivision' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act."

(d) The National Housing Act is amended as follows:

(1) Section 1001 (12 U.S.C. 1749aa) is amended—

(A) by striking out "and" at the end of subsection (d);

(B) by striking out the period at the end of subsection (e) and inserting in lieu thereof a semicolon and the word "and"; and

(C) by adding at the end thereof the following new subsection:

"(f) the terms 'comprehensive planning', 'planning and development district agency', and 'unit of general local government' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act."

(2) Section 1003(b)(3) (12 U.S.C. 1749cc(b)(3)) is amended to read as follows:

"(3) is consistent with comprehensive planning by the State, a planning and development district agency, or a unit of general local government for the area within which the land is located."

(e) The New Communities Act of 1968 is amended as follows:

(1) Section 404(4) (42 U.S.C. 3903(4)) is amended to read as follows:

"(4) the internal development plan is consistent with State or areawide comprehensive planning for the area in which the land is situated.".

(2) Section 415 (42 U.S.C. 3914) is amended by adding at the end thereof the following new subsection:

"(d) The terms 'State comprehensive planning' and 'areawide comprehensive planning' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act."

(f) The Housing Act of 1949 is amended as follows:

(1) In the parenthetical matter in the last sentence of section 102(d) (42 U.S.C. 1452(d)), strike out "the general plan of the locality as a whole" and insert in lieu thereof "comprehensive planning by the unit of general local government for the area covered by the General Neighborhood Renewal Plan".

(2) The second sentence of section 103(d) (42 U.S.C. 1453(d)) is amended to read as follows: "Such programs shall conform, in the determination of the governing body of the locality, to comprehensive planning by the unit of general local government for the area covered by the community renewal program."

(3) Section 110 (42 U.S.C. 1460) is amended—

(A) by amending subsection (b)(1) to read as follows: "(1) shall conform to comprehensive planning by the unit of general local government for the urban renewal area and to the workable program referred to in section 101 hereof, and shall be consistent with definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements, and"; and

(B) adding at the end thereof the following new subsection:

"(1) 'Comprehensive planning' and 'unit of general local government' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act."

(g) The Housing and Urban Development Act of 1965 is amended as follows:

(1) Section 703(c)(2) (42 U.S.C. 3103(c)(2)) is amended to read as follows: "(2) consistent with comprehensive planning by the unit of general local government and with public health, recreation, and other functional planning for the development of the community within which the facilities will be located, and".

(2) The first sentence of section 704(c) (42 U.S.C. 3104(c)) is amended to read as follows:

"(c) No grant shall be made under this section unless the Secretary determines that the land will be utilized for a public purpose within a reasonable period of time and that such utilization will contribute to economy, efficiency, and the development of the area as provided for in areawide comprehensive planning or comprehensive planning by units of general local government, and public works and facilities, public health, transportation, recreation, or other relevant functional planning."

(3) Section 706 (42 U.S.C. 3106) is amended by adding at the end thereof the following new subsection:

"(d) The terms 'comprehensive planning', 'areawide comprehensive planning', 'functional planning', and 'unit of general local government' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act."

(h) The Housing Act of 1954 is amended as follows:

(1) Section 702(b)(2) (40 U.S.C. 462(b)(2)) is amended to read as follows: "(2) it conforms to comprehensive planning by the State, a planning and development district agency, or a unit of general local government, and to functional planning for official State, areawide, and local water, sewer and other public works or facilities, public health facilities, recreational facilities, and".

(2) Section 703 (40 U.S.C. 460) is amended—

(A) by striking out "and" before clause (4);

(B) by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the word "and"; and

(C) by adding at the end thereof the following new clause: "(5) the terms 'comprehensive planning', 'planning and development district agency', 'unit of general local government', and 'functional planning' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act."

WATER, SEWER, AND OTHER PUBLIC WORKS AND FACILITIES—FUNCTIONAL AND COMPREHENSIVE PLANNING REQUIREMENT AMENDMENTS

SEC. 404 (a) Section 702(c)(2) of the Housing and Urban Development Act of 1965 (42 U.S.C. 3102(c)(2)) is amended to read as follows: "(2) consistent with official areawide water and sewer functional planning, meeting criteria established by the Secretary, for a unified or officially coordinated areawide water and sewer facilities system as part of areawide comprehensive planning for the development of the area, except that prior to October 1, 1969, grants for projects may, in the discretion of the Secretary, be made under this section when such planning for an areawide water and sewer facilities system is under active preparation, although not yet completed, if the facility or facilities for which assistance is sought can reasonably be expected to be included as essential to such planning, and there is urgent need for the facility or facilities;".

(b) The Housing Amendments of 1955 are amended as follows:

(1) Section 202(b) (42 U.S.C. 1492(b)) is amended by adding at the end thereof the following new paragraph:

"(5) No financial assistance shall be extended under clause (1) of subsection (a) of this section unless the project is consistent with functional planning for official areawide water and sewer and other public works and facilities."

(2) Section 206 (42 U.S.C. 1496) is amended by inserting before the period at the end thereof a comma and the following: "and the term 'functional planning' has the same meaning as given it in section 102 of the Balanced Urbanization Policy and Planning Act."

(c) Section 306 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1926) is amended as follows:

(1) Subsection (a)(1) is amended by adding at the end thereof the following sentence: "No loans shall be made or insured under this paragraph unless the Secretary

determines that the project is consistent with functional planning for official areawide and local open space, recreation, and water and sewer and other public works and facilities."

(2) Strike out all the matter of paragraph (3) of subsection (a) following "(iii)" and insert in lieu thereof the following: "is necessary for orderly community development consistent with official areawide water and sewer functional planning and not inconsistent with any planned development under areawide comprehensive planning or comprehensive planning undertaken by the unit of general local government within which the project is located and the Secretary shall establish regulations requiring the submission of all applications for financial assistance under this Act to the city or county government in which the proposed project is to be located for review and comment by such agency within a designated period of time.".

(3) Subsection (a)(4) is amended by adding at the end thereof the following new subparagraph:

"(C) The terms 'comprehensive planning', 'areawide comprehensive planning', 'functional planning', and 'unit of general local government' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act."

(4) Subsection (a)(6) is amended to read as follows:

"(6) The Secretary may make grants aggregating not to exceed $15,000,000 in any fiscal year to public bodies or such agencies as the Secretary may determine having authority to conduct official areawide water and sewer functional planning for the development of water and sewer systems in rural areas which do not have funds available for immediate undertaking of such planning."

(5) Subsection (c) is amended by inserting immediately after the word "section" the following: "but complying with the planning requirements of subsection (a) (1) and (3)".

(d) The Public Works and Economic Development Act of 1965 is amended as follows:

(1) Subsection 101(a)(1)(C) (42 U.S.C. 3131(a)(1)(C)) is amended to read as follows:

"(C) the area for which a project is to be undertaken has an approved overall economic development program, as provided in section 202(b)(10) and such project is consistent with such program and with functional planning for official areawide and local water and sewer and other public works and facilities;".

(2) Section 201(a)(5) (42 U.S.C. 3141(a)(5)) is amended to read as follows:

"(5) such area has an approved overall economic development program as provided in section 202(b)(10) and the project for which financial assistance is sought is consistent with such program and with functional planning for official areawide and local water and sewer and other public works and facilities."

(3) Section 202(b)(10) (42 U.S.C. 3142(b)(10)) is amended to read as follows:

"(10) No such assistance shall be extended unless there shall be submitted to and approved by the Secretary an overall economic development program for the area which is part of areawide comprehensive planning and a finding by the State, or any agency, instrumentality, or local political subdivision thereof, that the project for which financial assistance is sought is consistent with such program and, where applicable, with functional planning for official areawide and local open space, recreation, and water and sewer and other public works and facilities. On and after July 1, 1973, such finding shall be made only by the State comprehensive planning agency, a planning and development district agency, or a unit of general local government for the area within which the project is to be located. Nothing in this Act shall authorize financial assistance for any project prohibited by the laws of the State or political subdivision in which the project would be located, nor prevent the Secretary from requiring such periodic revisions of previously approved overall economic development programs as he may deem appropriate."

(e) The Federal Water Pollution Control Act is amended as follows:

(1) Section 8(b)(5) (33 U.S.C. 466e(b)(5)) is amended to read as follows: "(5) no grant shall be made for any project under this section unless such project is in conformity with the State water pollution control functional plan submitted pursuant to the provisions of section 7 and with official areawide water and sewer functional planning and has been certified by the appropriate State water pollution control agency as entitled to priority over other eligible projects on the basis of financial as well as water pollution control needs;".

(2) Section 8(f) (33 U.S.C. 466e(f)) is amended to read as follows:

"(f) Notwithstanding any other provisions of this section, the Secretary may increase the amount of a grant made under subsection (b) of this section by an additional 10 per centum of the amount of such grant for any project which has been certified to him by an official State planning agency or a planning and development district agency empowered under State or local laws or interstate compact to perform metropolitan comprehensive planning, as being in conformity with metropolitan comprehensive planning for a metropolitan area within which the assistance is to be used. The provisions of this subsection may be extended to any urban area, including those surrounding areas that form an economic and socially related region, taking into consideration such factors as present and future population trends and patterns of urban growth, location of transportation facilities and systems, and distribution of industrial, commercial, residential, governmental, institutional, and other activities, which in the opinion of the President lends itself as being appropriate for the purposes hereof for any project certified by an official State planning agency or planning and development district agency as being in conformity with State or areawide comprehensive planning."

(3) Section 10(j) (33 U.S.C. 466g(j)) is amended—

(A) by striking out "the term" in the matter preceding paragraph (1); and

(B) by striking out "and" at the end of paragraph (1);

(C) by striking out the period at the end of paragraph (2) and inserting in lieu thereof a comma and the word "and"; and

(D) by inserting at the end thereof the following: "(3) 'functional planning', 'functional plan', 'metropolitan comprehensive planning', 'State planning agency', and 'planning and development district agency' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act."

PUBLIC HEALTH SERVICES AND FACILITIES FUNCTIONAL PLANNING REQUIREMENT AMENDMENTS

SEC. 405. (a) The Public Health Service Act is amended as follows:

(1) Section 314(a)(1) (42 U.S.C. 246(a)(1)) is amended by striking out "comprehensive" wherever it appears and inserting in lieu thereof "coordinated".

(2) Section 314(a)(2) (42 U.S.C. 246(a)(2)) is amended by striking out all the matter preceding subparagraph (A) and inserting in lieu thereof the following:

"(2) In order to be approved for purposes of this subsection, a State functional plan for State public health services and facilities must—".

(3) The first sentence of section 314(b) (42 U.S.C. 246(b)) is amended by striking out "comprehensive regional, metropolitan area, or other local area plans for coordination of existing and planned health services" and inserting in lieu thereof the following: "functional planning to coordinate existing and planned regional, metropolitan area, or other local area public health services and facilities".

(4) The second sentence of section 314(d)(1) (42 U.S.C. 246(d)(1)) is amended by striking out "State plans for provision of public health services" and inserting in lieu thereof "functional plans for State public health services and facilities".

(5) All the matter preceding subparagraph (A) of 314(d)(2) (42 U.S.C. 246(d)(2)) is amended to read as follows:

"(2) In order to be approved under this subsection, a State public health services and facilities functional plan must—".

(6) Section 314(d)(2) (42 U.S.C. 246(d)(2)(D)) is amended by inserting before the semicolon at the end thereof the following: "and not inconsistent with official functional planning for regional, metropolitan area, or other local area public health services and facilities".

(7) The second sentence of section 314(e) (42 U.S.C. 246(e)) is amended by inserting before the period at the end thereof the following: "and are in accordance with functional planning for regional, metropolitan areawide, and other local area public health services and facilities".

(8) Section 314(g)(4) (42 U.S.C. 246(g)(4)) is amended—

(A) by striking out "and" at the end of subparagraph (A);

(B) by striking out the period at the end of subparagraph (B) and inserting in lieu thereof a semicolon and the word "and"; and

(C) by adding at the end thereof the following new subparagraph:

"(C) The terms 'functional planning' and 'functional plan' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act".

(9) The first sentence of section 604(a) (42 U.S.C. 291d(a)) is amended to read as follows: "Any State desiring to participate in this part may submit a State public health services and facilities functional plan."

(10) Section 391 (42 U.S.C. 280b–1) is amended—

(A) by striking out the period at the end of paragraph (4) and inserting in lieu thereof a semicolon and the word "and"; and

(B) by adding at the end thereof the following new paragraph:

"(5) the terms 'functional planning' and 'functional plan' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act."

(11) Section 393(b) (42 U.S.C. 280b–3(b)) is amended—

(A) by striking out the period at the end of paragraph (3) and inserting in lieu thereof a semicolon and the word "and"; and

(B) by inserting at the end thereof the following new paragraph:

"(4) the facility will be in conformity with the State public health services and facilities functional plan and with functional planning for regional, metropolitan area, and other local area public health services and facilities."

(12) Section 604(a)(4) (42 U.S.C. 291d(a)(4)) is amended by striking out "community, area, or regional plans" and inserting in lieu thereof "functional planning for regional, metropolitan area, or other local area public health services and facilities".

(13) Section 605(b)(3) (42 U.S.C. 291e(b)(3)) is amended to read as follows: "(3) that the application is in conformity with the State plan approved under section 604 and with functional planning for regional, metropolitan, or other local area public health services and facilities and contains an assurance that in the operation

of the project there will be compliance with the applicable requirements of the regulations prescribed under section 603(e), and with State standards for operation and maintenance;".

(14) Section 625 (42 U.S.C. 291o) is amended by adding at the end thereof the following new subsection:

"(m) The terms 'functional planning' and 'functional plan' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act."

(15) Section 702 (42 U.S.C. 292a) is amended—

(A) by striking out "and" at the end of paragraph (3);

(B) by striking out the period at the end of paragraph (4) and inserting in lieu thereof a semicolon and the word "and"; and

(C) by adding at the end thereof the following new paragraph:

"(5) the terms 'functional planning' and 'functional plan' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act."

(16) Section 705(c) (42 U.S.C. 292(c)) is amended—

(A) by striking out "and" at the end of paragraph (3);

(B) by striking out the period at the end of paragraph (4) and inserting in lieu thereof a semicolon and the word "and"; and

(C) by adding at the end thereof the following new paragraph:

"(5) the facility for which assistance is sought is in conformity with the State public health services and facilities functional plan and with functional planning for regional, metropolitan area, and other local area public health and facilities.

(17) Section 721(c) (42 U.S.C. 293a (c)) is amended—

(A) by striking out "and" at the end of paragraph (5);

(B) by striking out the period at the end of paragraph (6) and inserting in lieu thereof a semicolon and the word "and"; and

(C) by adding at the end thereof the following new paragraph:

"(7) the facility for which assistance is sought is in conformity with the State public health services and facilities functional plan and with functional planning for regional, metropolitan area, or other local public health services and facilities."

(18) Section 724 (42 U.S.C. 293d) is amended—

(A) by striking out "and" at the end of paragraph (4);

(B) by striking out the period at the end of paragraph (5) and inserting in lieu thereof a semicolon and the word "and"; and

(C) by inserting at the end thereof the following new paragraph:

"(6) the terms 'functional planning' and 'functional plan' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act."

(19) Section 762(a) (42 U.S.C. 295(a)) is amended—

(A) by striking out "and" at the end of paragraph (1);

(B) by striking out the period at the end of paragraph (2) and inserting in lieu thereof a semicolon and the word "and"; and

(C) by inserting at the end thereof the following new paragraph:

"(3) the facility for which assistance is sought is in conformity with the State public health services and facilities functional plan and with functional planning for regional, metropolitan area, or other local public health services and facilities."

(20) Section 766 (42 U.S.C. 295e) is amended—

(A) by striking out the period at the end of paragraph (2) and inserting in lieu thereof a semicolon and the word "and"; and

(B) by adding at the end thereof the following new paragraph:

"(3) the terms 'functional planning' and 'functional plan' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act."

(21) Section 791(b)(2) (42 U.S.C. 295h(b)(2)) is amended—

(A) by striking out "and" at the end of clause (D);

(B) by striking out the period at the end of clause (E) and inserting in lieu thereof a semicolon and the word "and"; and

(C) by adding at the end thereof the following new clause:

"(F) the facility for which assistance is sought will be in conformity with the State public health services and facilities functional plan and with functional planning for regional, metropolitan area, and other local area public health services and facilities."

(22) Section 795 (42 U.S.C. 295h–4) is amended by adding at the end thereof the following new paragraph:

"(6) The terms 'functional planning' and 'functional plan' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act."

(23) Section 807(c) (42 U.S.C. 296f(c)) is amended—

(A) by striking out "and" at the end of paragraph (3);

(B) by striking out the period at the end of paragraph (4) and inserting in lieu thereof a semicolon and the word "and"; and

(C) by adding at the end thereof the following new paragraph:

"(5) provides that the facility will be in conformity with the State public health services and facilities functional plan and with functional planning for regional, metropolitan area, and other local area public health services and facilities."

(24) Section 843 (42 U.S.C. 298b) is amended by adding at the end thereof the following new subsection:

"(j) The terms 'functional planning' and 'functional plan' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act."

(b) The Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 is amended as follows:

(1) Section 122 (42 U.S.C. 2662) is amended—

(A) by striking out "and" at the end of paragraph (4);

(B) by striking out the period at the end of paragraph (5) and inserting in lieu thereof a semicolon and the word "and"; and

(C) by adding at the end thereof the following new paragraph:

"(6) the facility will be in conformity with the State public health services and facilities functional plan and with functional planning for regional, metropolitan area, and other local area public health services and facilities."

(2) Section 134(a) (42 U.S.C. 2674(a)) is amended—

(A) by inserting in the first sentence between the words "State" and "plan" the following: "public health services and facilities functional"; and

(B) by striking out clause (A) of paragraph (4) and inserting in lieu thereof the following: "(A) which is based on a statewide inventory of existing facilities, a survey of need, and (except to the extent provided by or pursuant to regulations prescribed under section 133) is in conformity with functional planning for regional, metropolitan area, and other local area public health services and facilities;"

(3) Clause (C) in the next to last sentence of section 135(a) (42 U.S.C. 2675(a)) is amended by inserting immediately after "section 134" the following: "and with functional planning for regional, metropolitan area, and other local area public health services and facilities.".

(4) Section 142(a)(4) (42 U.S.C. 2678a(a)(4)) is amended to read as follows:

"(4) in case of an applicant which has in existence (A) a State public health services and facilities functional plan, including services for the mentally retarded, or (B) a State functional plan relating to the provision of services for the mentally retarded, the services to be provided by the facility are consistent with the plan and with relevant functional planning for the region, metropolitan area, and other area."

(5) Section 204(a) (42 U.S.C. 2684(a)) is amended—

(A) by inserting in the first sentence between the words "State" and "plan" the following: "public health services and facilities functional"; and

(B) by striking out paragraph (4)(A) and inserting in lieu thereof the following: "(A) which is based on a statewide inventory of existing facilities, a survey of need, and (except to the extent provided by or pursuant to regulations prescribed under section 203) functional planning for regional, metropolitan area, and other local area public health services;".

(6) Clause (C) in the next to last sentence of section 205(a) (42 U.S.C. 2685(a)) is amended by inserting immediately after "section 204" the following: "and with functional planning for regional, metropolitan area, and other local area public health services and facilities".

(7) Section 221(a)(5) (42 U.S.C. 2688a(a)(5)) is amended to read as follows:

"(5) the services to be provided by the center are included in the State public health services and facilities functional plan, including mental health services, or in a State mental health functional plan submitted to the Public Health Service by the State mental health authority in accordance with title III of the Public Health Service Act and are not inconsistent with relevant functional planning for regional, metropolitan area, and other local area public health services and facilities."

(8) Section 401 (42 U.S.C. 2691) is amended by adding the following new subsection:

"(1) The terms 'functional planning' and 'functional plan' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act."

COMPREHENSIVE AND TRANSPORTATION FUNCTIONAL PLANNING REQUIREMENT AMENDMENTS

SEC. 406. (a) Section 101(a) of title 23, United States Code, is amended by adding at the end thereof the following new paragraph:

"The term 'functional planning' has the same meaning as given it in section 102 of the Balanced Urbanization Policy and Planning Act."

(b) The last sentence of section 134 of title 23, United States Code, is amended by striking out "comprehensive transportation planning" and inserting in lieu thereof "coordinated transportation functional planning".

(c) Section 11(f) of the Federal-Aid Highway Act of 1965 (82 Stat. 820; Public Law 90–495) is amended by striking out "comprehensive transportation planning" and inserting in lieu thereof "coordinated transportation functioning planning".

(d) The Urban Mass Transportation Act of 1964 is amended as follows:

(1) Section 3(c)(1) (49 U.S.C. 1602(a)(1)) is amended to read as follows: "(1) the Secretary finds that such assistance is essential to a program, proposed or under active preparation, which conforms or will conform to official areawide transportation functional planning for a unified or officially coordinated urban transportation system as a part of areawide comprehensive planning for the development of the urban area,".

(2) The first sentence of section 4(a) (49 U.S.C. 1603 (a)) is amended by striking out

"for a unified or officially coordinated urban transportation system as a part of the comprehensively planned development of the urban area", and inserting in lieu thereof the following: "and which conforms to official areawide transportation functional planning for a unified or officially coordinated urban transportation system as a part of areawide comprehensive planning for the development of the urban area".

(3) Section 12(c) (49 U.S.C. 1608(c)) is amended—

(A) by striking out "and" at the end of paragraph (4);

(B) by striking out the period at the end of paragraph (5) and inserting in lieu thereof a semicolon; and

(C) by adding at the end thereof the following new paragraph:

"(6) the terms 'comprehensive planning' and 'functional planning' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act."

(e) Section 202(d)(1) (42 U.S.C. 1492(d)(1)) of the Housing Amendments of 1955 is amended to read as follows: "(1) that there is being actively developed (or has been developed) for the urban or other metropolitan area served by the applicant a program, meeting criteria established by him and conforming to official transportation functional planning for the area, for the development of a comprehensive and cordinated mass transportation system;".

(f) The Federal Airport Act is amended as follows:

(1) Section 2(a) (49 U.S.C. 1101(a)) is amended by adding at the end thereof the following new paragraph:

"(13) 'Functional planning' has the same meaning as given it in section 102 of the Balanced Urbanization Policy and Planning Act."

(2) Section 9(a) (49 U.S.C. 1108(a)) is amended by adding at the end thereof the following new sentence: "No project may be inconsistent with State, areawide, or municipal transportation functional planning which is not in conflict with the national airport plan."

COMPREHENSIVE AND OPEN SPACE AND RECREATION FUNCTIONAL PLANNING REQUIREMENT AMENDMENTS

SEC. 407. (a) The Land and Water Conservation Fund Act of 1965 is amended as follows:

(1) Section 5(d) (16 U.S.C. 460 1–8(d)) is amended—

(A) by striking out the first sentence and inserting in lieu thereof the following: "A coordinated, statewide, open space and outdoor recreation functional plan shall be required prior to the consideration by the Secretary of financial assistance for acquisition or development projects and such acquisition or projects shall not be inconsistent with regional and local official open space and outdoor recreation functional planning."; and

(B) by striking out all the matter following clause (4) and inserting in lieu thereof the following:

"The plan shall take into account relevant Federal resources and programs and shall be correlated so far as practicable with other State, regional, and local comprehensive planning and official open space and outdoor recreation functional planning. Where there exists or is in preparation for any particular State a comprehensive plan prepared through comprehensive planning, financed in part with funds supplied by the Department of Housing and Urban Development, any statewide open space and outdoor recreation functional plan prepared for purposes of this Act shall be based upon the same population, growth, and other pertinent factors as used in formulating the Department of Housing and Urban Development financed plans.

"The Secretary may provide financial assistance to any State for projects for the preparation of a coordinated, statewide, open space and outdoor recreation functional plan when such plan is not otherwise available or for the maintenance of such plan.

"As used in this Act, the terms 'comprehensive planning', 'functional planning' and 'functional plan' have the same meanings as given them in section 102 of the Balanced Urbanization Policy and Planning Act."

(2) The second sentence in the third full paragraph of section 5(f) (16 U.S.C. 460 1–8(f)) is amended by striking out "comprehensive statewide outdoor recreation plan" and inserting in lieu thereof "coordinated, statewide, open space and outdoor recreation functional plan."

(b) Section 703(a) of the Housing Act of 1961 (42 U.S.C. 1500b(a)) is amended to read as follows:

"(a) The Secretary shall enter into contracts to make grants under sections 702 and 705 of this title only if he finds that such assistance is needed for carrying out a unified or officially coordinated program, meeting criteria established by him, and conforming to official areawide, open space and outdoor recreation functional planning for the provision of open space land as part of areawide comprehensive planning for the development of the urban area.".

(c) The Act entitled "An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes", approved June 14, 1926, as amended, is amended as follows:

(1) The second sentence of section 1(a) (43 U.S.C. 869(a)) is amended to read as follows: "Before the land may be disposed of under this Act, it must be shown to the satisfaction of the Secretary that the land is to be used for an established or definitely proposed project and that the project is not inconsistent with the open space and outdoor recreation functional plan for the State."

(2) Section 1 is amended by adding at the end thereof the following new subsection:

"(d) The term 'functional plan' has the same meaning as given it in section 102 of the Balanced Urbanization Policy and Planning Act."

(d) Section 31 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010) is amended by adding at the end thereof the following: "Any project undertaken under this authorization may not be inconsistent with State and areawide open space and outdoor recreation functional plans. The term 'functional plan' has the same meaning as given it in section 102 of the Balanced Urbanization Policy and Planning Act."

(e) Section 7(a) of the Small Business Act (15 U.S.C. 636) is amended by adding at the end thereof the following new paragraph:

"(8) Any loan extended to a small business concern for recreational development may not be inconsistent with areawide and local open space and outdoor recreation functional planning. The term 'functional planning' has the same meaning as given it in section 102 of the Balanced Urbanization Policy and Planning Act.'

WATER RESOURCES FUNCTIONAL PLANNING REQUIREMENT AMENDMENTS

SEC. 408. (a) The Watershed Protection and Flood Prevention Act is amended as follows:

(1) Section 2 (16 U.S.C. 1002) is amended by adding at the end thereof the following new paragraph:

" 'Functional Plan'—the same meaning as given it in section 102 of the Balanced Urbanization Policy and Planning Act."

(2) Insert after section 4 the following new section:

"SEC. 4A. Any planning or installation of works of improvement undertaken may not be inconsistent with the State and areawide water resources functional plans, and where the planning or installation includes recreational development, may not be inconsistent with the State and areawide open space and outdoor recreation functional plans."

(b) Section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610) is amended as follows:

(1) Immediately after the first sentence in subsection (a) insert the following new sentence: "No such control operation may be inconsistent with the State or areawide water resources functional plan."

(2) Add at the end thereof the following new subsection:

"(c) The term 'functional plan' has the same meaning as given it in section 102 of the Balanced Urbanization Policy and Planning Act."

(c) The Act entitled "An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property", approved August 13, 1946, as amended, is amended as follows:

(1) The first section (33 U.S.C. 426e) is amended by adding at the end thereof the following new subsection:

"(f) No project may be inconsistent with State and areawide water resources functional plans, and for those projects which include recreational beaches, they may not be inconsistent with State and areawide open space and outdoor recreation plans."

(2) Before the period at the end of section 4 (33 U.S.C. 426h) insert a comma and the following: "and the term 'functional plan' has the same meaning as given it in section 102 of the Balanced Urbanization Policy and Planning Act."

(d) The Small Reclamation Projects Act of 1956 is amended as follows:

(1) Section 2 (43 U.S.C. 422b) is amended by adding at the end thereof the following new subsection:

"(f) The term 'functional plan' has the same meaning as given it in section 102 of the Balanced Urbanization Policy and Planning Act."

(2) Section 8 (43 U.S.C. 422h) is amended by adding at the end thereof the following new sentence: "Projects shall be consistent with State and areawide water resources functional plans, and if they include recreational development, they shall be consistent with State and areawide open space and outdoor recreation functional plans."

SECTION-BY-SECTION ANALYSIS OF THE BALANCED URBANIZATION POLICY AND PLANNING ACT

TITLE I—GENERAL PROVISIONS

Declaration of purpose

Section 101 declares the purpose of the Act is to establish procedures for developing a national urbanization policy, to provide greater coordination in the administration of Federal urban and economic development grants, to provide assistance to States and localities for developing comprehensive coordination and planning agencies and activities, to consolidate comprehensive planning requirements for grant programs, and to systematize other planning requirements.

Definitions

Section 102 contains definitions of 11 terms, including "comprehensive planning," "functional planning," and "planning and development district."

Presidential responsibility

Section 103 makes the President responsible for providing policy guidance and review of the administration of the Act, and for promulgating implementing general rules and regulations, with particular regard to maintaining consistency among the comprehensive and functional planning requirements of this Act and similar requirements of Section 401 of the Intergovernmental Cooperation Act of 1968. The latter deals with "Coordinated Intergovernmental Policy and Administration of Development Assistance Programs."

TITLE II—DEVELOPMENT OF A NATIONAL URBANIZATION POLICY

Findings and declaration of policy

Section 201(a) finds that rapid urban population growth and urban development, together with a decline in farm population and migration to the cities, has created an imbalance between needs and resources which threatens the Nation's achievement of satisfactory living standards.

Section 201(b) further finds that Federal programs already have a significant effect on population distribution, economic growth, and urban development; that the purposes of separate programs often conflict; and that a concerted effort is needed to coordinate existing and future programs within a system of planned development and priorities in accordance with a national urbanization policy.

Section 201(c) declares that it is a continuing Federal responsibility, consistent with the responsibilities of State and local government and the private sector, to undertake the development of a national urbanization policy to serve as a guide for specific decisions at the national level which affect the pattern of urban growth and provide a framework for development of interstate, State, and local policy.

Section 201(d) further declares that the national urbanization policy should—

(1) favor patterns of urbanization and economic development which offer a range of alternative locations and encourage the wise and balanced use of physical and human resources;

(2) foster the economic strength of all parts of the nation;

(3) reverse migration and growth trends which increase disparities among States, regions, and cities;

(4) treat comprehensively poverty and employment problems associated with urbanization and rural decline;

(5) develop means to alleviate present trends which accentuate racial conflict;

(6) indicate how the Federal Government can help revitalize existing communities and encourage large-scale urban and new community development;

(7) assist general governmental institutions in achieving balanced urban growth; and

(8) facilitate better coordination of Federal programs so as to encourage desirable urban growth patterns.

Urbanization policy, planning, and coordination

Section 202 provides that, in order to develop the national urbanization policy, a number of functions shall be performed within the Executive Office of the President. These include the preparation of an Annual Report on Urban Growth; the collection and evaluation of information on population growth and movement, urbanization, economic growth, land use patterns, and natural resource conservation and development; a continuing assessment of Federal efforts to develop and implement a national urbanization policy; an estimate of the needs of interstate, State, local and private plans and programs affecting that policy; an evaluation of the relationship of Federal programs and policies to interstate, State, local and private plans, policies, and programs; and an estimate of needs of Federal programs which affect those nonfederal plans, policies, and programs.

Urban growth report

Section 203(a) requires the President to transmit the Annual Report on Urban Growth to Congress not later than February 20. This Section specifies what the report shall contain, including data describing urban growth characteristics and identifying trends, a summary of key problems arising from those trends, an evaluation of Federal progress in meeting the problems and carrying out the urbanization policy, a review of interstate, State, local, and private policies and needs affecting the policy, and recommendations for implemental steps, including legislation.

Section 203(b) authorizes the President to transmit to Congress such supplementary reports on urban growth as he deems appropriate.

Section 203(c) provides that the Annual Growth Report and supplements shall be referred to the two Congressional Committees on Government Operations and on Banking and Currency, the Joint Urbanization Committee, the Joint Economic Committee, and other standing committees as the presiding officer of each House designates.

Authorization

Section 204 authorizes funds to be appropriated to the Executive Office of the President to carry out the development of the urbanization policy and preparation of the Annual Report on Urban Growth.

Joint Urbanization Committee

Section 205(a) establishes the Joint Urbanization Committee, composed of eight members from each of the Houses, three of whom from each House shall be members of the minority party. The Committee is to select its chairman and vice chairman from among its members.

Section 205(b) provides that the Joint Committee shall make a continuing study of the Annual Report on Urban Growth and its supplements, and study ways of coordinating programs in order to further the national urbanization policy.

Section 205(c) requires the Committee to file a report with each House not later than April 20 of each year. The report is to contain the Committee's findings and recommendations on the President's recommendations in his Annual Report on Urban Growth. The Committee may make such other reports from time to time as it deems advisable.

Section 205(d) spells out the powers of the Joint Committee or its subcommittees. Section 205(e) prescribes how the subpena may be used and oaths to witnesses administered. Section 205(f) authorizes the Committee to appoint and fix the compensation of staff and consultants, and Section 205(g) authorizes the use of staff of other committees or subcommittees of either House. Section 205(h) establishes the method of payment of the Joint Committee's expenses.

TITLE III—GRANTS FOR COMPREHENSIVE PLANNING AND COORDINATION

Short title

Section 301 provides that this title may be cited as the "Comprehensive Planning and Coordination Act."

In Section 302(a) Congress finds that an effective national urbanization policy depends upon Federal, State, and local cooperation in developing a system of comprehensive planning and coordination. It finds that development planning has tended to be too narrow and inadequately coordinated rather than comprehensive, and that comprehensive planning and coordination agencies and processes are needed to coordinate functional, project and agency program planning. It further finds that development needs may best be coordinated at the State and local levels through State and local comprehensive, policy-based planning processes and adequate governmental structure to implement the planning and coordination. Finally, Section 302(a) finds that Federal assistance programs can best be coordinated through the Executive Office of the President, using the powers granted in Section 202 of this Act and Title IV (coordination of development assistance programs) of the Intergovernmental Cooperation Act of 1968.

Section 302(b) declares that the purpose of this title is to provide assistance for comprehensive planning at the interstate, State, regional, and local levels; to encourage local governments to cooperate in solving areawide problems through comprehensive planning and coordination; to foster intergovernmental attacks on problems of national urban and rural development; and to establish a method for exchange of development information among localities, the States, and the Federal Government.

Planning and coordination grants

Section 303 authorizes the Secretary of Housing and Urban Development to make comprehensive planning grants to carry out the purposes of Section 302(b). Activities comprising comprehensive planning include systematic collection of information on physical, economic, and human resource development programs and projects; collection and analysis of information related to population, economic trends, urban and rural growth and change, employment, human resource trends and needs, State and local governmental organization and fiscal resources; development and use of common data bases for State, regional, and local planning; arranging for exchange of planning information among agencies at all levels of government; preparation and maintenance of a coordinated planning system, including long-range, comprehensive plans consistent with the national urbanization policy; undertaking of studies and surveys to facilitate program coordination; provision of technical assistance and training on comprehensive planning and coordination matters on an interagency, interprogram, and intergovernmental basis; and arranging for exchange of information with the Federal Government for the President's use in discharging his responsibilities under this Act and Title IV of the Intergovernmental Cooperation Act of 1968.

Eligible agencies

Section 304 provides that the Secretary may make comprehensive planning grants directly to certain agencies and indirectly to others. The channel for making the indirect grants depends on whether a State agency or planning and development district (PDD) agencies administer the planning assistance funds from HUD.

Direct grants may be made to a State comprehensive planning agency, regional councils of government with jurisdiction in two or more States, the Appalachian Regional Development Commission, a regional commission established under the Public Works and Economic Development Act of 1965, an Indian tribal planning body, and political subdivisions in Presidentially designated disaster areas. In addition, where a State does not have a planning assistance program channeled through a State agency, direct grants for comprehensive planning may be made to PDD agencies. Finally, where neither a State agency nor planning and development districts administer planning assistance programs, direct grants may also be made to a city or county comprehensive planning agency and to governmental agencies planning for federally impacted areas, for areas undergoing rapid urbanization because of new community development aided by Federal housing programs, and for areas suffering substantial reduction of employment because of the closing of a Federal installation or the reduction of Federal procurement.

Where a State has an approved State agency administering comprehensive planning assistance to PDD agencies and local units, then the following agencies may obtain their Federal funds for comprehensive planning only through the State agency: PDD agencies, units of general local government, and governmental agencies planning for federally impacted areas, for areas undergoing rapid urbanization because of new community development aided by Federal housing programs, and for areas suffering substantial reduction of employment because of the closing of a Federal installation or the

reduction of Federal procurement. If the State does not have an approved State agency for administering the planning assistance program, PDD agencies may administer it. In that case, all planning moneys from the Secretary of Housing and Urban Development must channel through the PDD agencies to all the local agencies who would otherwise have to get their grants from the State agency.

Proposals for grants

Section 305(a) sets forth the conditions that grant applicants must meet in submitting applications.

Section 305(b) provides that planning or planning assistance grants shall not exceed two-thirds of the estimated cost, except that they may be up to three-fourths of the cost for agencies planning for areas suffering substantial reduction of employment because of the closing of a Federal installation or the reduction of Federal procurement.

Under Sections 305(c) and 305(d), a PDD agency may receive a grant only if its comprehensive planning is consistent with the comprehensive planning of any interstate or State agency assisted by funds granted under this title, and a local government's comprehensive planning must be consistent with that of any interstate, State, or PDD agency assisted by funds granted under this title.

In order to receive a grant for a planning assistance program, Section 305(e) provides that a State agency must enter into an agreement with the Secretary of HUD which:

Provides that the Governor designates the State agency as primarily responsible for the assistance program;

Establishes the relationship among local, areawide, and State comprehensive planning agencies;

Assures that assistance will be made available to all types of specified areas;

Sets forth methods for relating comprehensive and functional planning within and among recipient jurisdictions;

Prescribes a reasonable cost-sharing formula for the non-Federal portion of the planning conducted by the State and local assistance recipients;

Provides for an adequate State technical assistance staff and program;

Assures that the grant funds will not be used to supplant existing State or local funds; and

Provides necessary fiscal control and accounting procedures.

Section 305(f) required PDD agencies that apply for grants to conduct a planning assistance program to meet the same requirements as the State agency must meet under Section 305(e), except those relating to designation of the State agency, and cost-sharing of the non-Federal funds. For the PDD agencies, non-Federal costs must be shared between them and the assisted eligible agencies.

Section 305(g) states that planning assisted under the title must cover, to the maximum extent feasible, entire areas having common development problems. The Secretary must encourage cooperation among all parties to achieve coordinated development, and duplication of effort must be avoided. Section 305(h) requires grant funds to be used in addition to other funds available under federally assisted programs.

Powers of Secretary

Under Section 306, the Secretary is empowered to promulgate rules and regulations to carry out this title, in accordance with those promulgated by the President under Section 103. In addition, the Secretary specifically is authorized to make advance, progress, or other payments; provide technical assistance to eligible agencies; make studies and reports on comprehensive planning problems; consult with other Federal grant-administering agencies in order to determine how their programs are affected by this title; consult with the Secretary of Agriculture before making any planning grant to a nonmetropolitan PDD agency; and consult with the Secretary of Commerce before making such a grant to a PDD agency that serves as an economic development district. The Secretaries of Agriculture and Commerce may provide technical assistance to PDD agencies assisted under the title.

Interprogram coordination and comprehensive planning service agreements

Section 307 authorizes any State, regional, or local agency receiving any kind of Federal assistance funds to obtain certain services from comprehensive planning agencies, including planning review, advice, and information and technical assistance. Federal grant-administering agencies are authorized to allow grant recipients to spend functional planning grant funds to pay for such services.

Interstate compacts

Section 308 gives the advance consent of Congress to interstate compacts for comprehensive planning and development activities and to the formation of agencies to carry on such activities.

Appropriations authorized

Section 309 authorizes appropriations for the planning grants in the following amounts: up to $75 million for FY 1971; up to $100 million for FYs 1972 and 1973; and such sums as necessary for the following two fiscal years.

Allocations to States

Section 310(a) provides that 15 percent of each year's appropriation shall be allocated for State comprehensive planning, with each State getting a minimum of $50,000 and the remainder being allocated among the States on the basis of population.

Section 310(b) provides that 60 percent of the appropriation shall be allocated among the States for comprehensive planning assistance to eligible agencies, with each State getting a minimum of $30,000 and the remainder being allocated on the basis of State population. It provides further that if the State does not enter into an agreement to provide planning assistance, each PDD agency which enters into such an agreement will receive an allocation proportionate to its portion of the total State population.

Section 310(c) authorizes the Secretary to spend the remaining 25 percent of the appropriation as he deems appropriate for additional grants to eligible agencies; for research, technical assistance, publications, and demonstration projects (not to exceed 5 percent of the total appropriation); and for administration. He is further authorized under Section 310(d) to reallocate among eligible agencies any unspent State allocations.

Amendments

Section 311 repeals all sections of the existing 701 planning assistance statute except those authorizing nonplanning grants to councils of government and grants for historic surveys. It also appropriates $1 million for each of the fiscal years 1971 and 1972 for these two programs.

TITLE IV—UNIFORM PLANNING REQUIREMENTS FOR GRANT-IN-AID PROGRAMS

Findings and declaration of policy

Section 401(a) finds that there has been a rapid increase in grant programs and planning requirements for such programs; that these requirements lack uniformity and clear definitions of comprehensive or functional planning, and fail to identify the jurisdiction responsible for planning; that they produce a variety of overlapping and inconsistent activities in data gathering and analysis; and that they limit effectiveness of comprehensive and functional planning.

Section 401(b) states that the purpose of this title is to eliminate inconsistent and overlapping grant requirements by standardizing the definitions of comprehensive and functional planning and applying these definitions properly by providing a method of identifying planning jurisdictions and establishing the basis for developing and using common data and information bases.

Use of common planning information

Section 402 provides that Federal agencies administering grants that require comprehensive or functional planning, or require conformity to existing planning, shall require that such planning be based on social, economic, demographic and other data that are common to or consistent with those employed for planning related activities within the area.

Comprehensive and functional planning requirements

The remainder of this title amends the pertinent sections of existing Acts that deal with housing and urban development, water, sewer, and other public works and facilities, public health services, transportation, open space and recreation, and water resources, to make them conform with the definitions in this Act of planning agencies and comprehensive and functional planning.

BARRATT O'HARA

HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. WIDNALL. Mr. Speaker, out late colleague, Barratt O'Hara, was a man who truly lived to be a Representative of the people. In his long and distinguished career as a Member of this House, from Chicago, he rendered great service to our Nation and outstanding service to his constituents. His perception made him a valuable senior member of the Foreign Affairs Committee, whose advice and counsel was sought by many.

And, of course, Barratt's Irish wit and charm made him a friend to all. As the senior Member of the House at his retirement, his experience was unmatched. From it came many bits of wisdom which his colleagues treasured. He will be missed.

BARRATT O'HARA

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. BRINKLEY. Mr. Speaker, the death of our gentle former colleague and friend, the Honorable Barratt O'Hara, from the land of Lincoln, was especially mourned in the peaceful town of my birth, Faceville, Ga. This is the home of my grandfather, Mr. M. H. Brinkley, who, like Barratt O'Hara, served with distinction in Cuba during the Spanish-American War. My granddad was with Company G, U.S. Volunteers.

The only—then living—Congressman who was his comrade in arms, meant much to my granddad when, during the 90th Congress, my first term, I would relay information between them.

The bonds of friendship ran deep and I particularly share the sorrow of the family, and also share the silent grief which an old soldier has for a fallen buddy.

HOUSE OF REPRESENTATIVES—*Monday, September 8, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

And thou shalt do that which is right and good in the sight of the Lord, that it may be well with thee.—Deuteronomy 6: 18.

O God, our Father, the light of all that is true, the life of all that is good, and the love of all that is beautiful, we lift our hearts unto Thee that we may find wisdom, strength, and love sufficient for all our needs.

Help us to walk in the light of truth, to live the life of goodness, and to share the love of the beautiful that we may play our part and do our full duty in this high hour of our national life.

We pray that Thy spirit may enter the hearts of all people that our Nation, and all nations, may be free from malice and bitterness and be filled with goodness and good will. To this end and by Thy grace may we do justly, love mercy, and walk humbly with Thee.

Bless the family of our beloved Senate colleague with the comfort of Thy presence as they walk through the valley of the shadow of death.

In the spirit of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, September 4, 1969, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 719. An act to establish a national mining and minerals policy; and

S. 1499. An act to name the authorized lock and dam No. 17 on the Verdigris River in Oklahoma for the Chouteau family.

The message also announced that the Senate had passed the following resolutions:

S. RES. 253

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. Everett McKinley Dirksen, late a Senator from the State of Illinois.

Resolved, That the President of the Senate appoint a committee, of which he shall be a member, to attend the funeral of the deceased Senator.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now adjourn until 11 a.m. tomorrow.

S. RES. 254

Resolved, That the Secretary invite the Members of the House of Representatives to attend memorial services for the Honorable Everett McKinley Dirksen in the rotunda of the Capitol on Tuesday, September 9, 1969, at 12 o'clock noon; and be it further

Resolved, That invitations be extended to the President of the United States and the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, the diplomatic corps (through the Secretary of State), the Chief of Staff of the Army, the Chief of Naval Operations of the Navy, the Chief of Staff of the Air Force, the Major General Commandant of the Marine Corps, and the Commandant of the Coast Guard to attend the memorial services in the rotunda of the Capitol.

RESIGNATION AS A MEMBER OF THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communication, which was read:

SEPTEMBER 4, 1969.

Hon. JOHN W. MCCORMACK,
Speaker, House of Representatives,
Room H206, Capitol.

DEAR MR. SPEAKER: This will inform you that I have this day transmitted to the Governor of the State of New Jersey my resignation as a Representative in the Congress of the United States from the 8th District of New Jersey.

I am deeply grateful for your many courtesies.

Sincerely,

CHARLES S. JOELSON,
Member of Congress.

THE LATE HONORABLE SENATOR EVERETT MCKINLEY DIRKSEN

The SPEAKER. The Chair recognizes the gentleman from Illinois (Mr. ARENDS).

Mr. ARENDS. Mr. Speaker, of the many tasks I have been called upon to perform in the course of my many years in Congress, this is for me the most difficult.

It is with a heavy heart that I officially advise the House of the untimely passing of Senator EVERETT MCKINLEY DIRKSEN, the distinguished senior Senator from my State of Illinois, and the beloved minority leader of the U.S. Senate.

He was indeed, as President Nixon said yesterday, "a giant in the history of Congress." In the courage of his convictions and in his oratorical eloquence of their advocacy, Senator DIRKSEN will forever stand tall on the pages of the history of our day with the Clays, the Calhouns, and the Websters of yesterday. It is not whether he or they were right or wrong in what they did or said; it is that they were fearless in what he and they believed and eloquently persuasive in expressing their beliefs.

He is the last of the old school of orators. Among his contemporaries in the Senate while he was serving in the House, were Tom Connally, of Texas; Hiram Johnson, of California; and Bill Borah, of Idaho. With the passing of Senator DIRKSEN something has passed that was truly American in the history of the greatest deliberative body in the world. They distinguished themselves not only from the ideas they advanced but the persuasive manner in which they articulated them.

Senator DIRKSEN was such a man. He was endowed with a melodious voice and was unique among us with his rich oratorical style. Happily, the magic of tape recordings will preserve for history not only what he said but how he said it. His speeches sparkled with Biblical references and quotations from the classics of literature and history. All of which bespeaks the wealth of his knowledge and keenness of his intellect, as well as the richness of his voice. When he spoke he knew whereof he spoke.

It was while serving here in the House that the Senator established his reputation not only as an accomplished speaker but as one who knew every fact and facet of the subject on which he spoke. He did his homework, so to speak; and the extensive "burning of the midnight oil" in studying legislative matters contributed to his having to leave Congress that he might better insure recovery from an eye illness.

When I was considering being a candidate for Congress in 1934, I went to Ev DIRKSEN who had just concluded his first term in Congress to solicit his advice. His encouragement and the advice he gave me account in large measure for my being in Congress. He emphasized with me that as he saw it the secret of success in Congress was being a man of the people, and well known to the people as one who would speak for them. He pointed out that while it was important to respect their views, it was even more important, as their representative, to persuade them to your point of view.

It is hardly necessary to say that Senator DIRKSEN and I were close personal friends. Our friendship began even before he was elected to Congress. Both of us were active in the American Legion in Illinois.

While Senator DIRKSEN may be best known for his uniqueness as an orator, he will live in history as a man who placed country first and above all else. He served as our Republican leader in the Senate under both Republican and Democratic Presidents. He served them all, Republican and Democrat, because he saw that his largest obligation was not to the political party for which he spoke, but to the country as a whole. EVERETT DIRKSEN was a giant among men, a towering statesman.

Mr. Speaker, with the passing of Senator DIRKSEN, our country has lost a truly great leader and I have lost a very fine friend—the finest any man could possibly have.

Mr. Speaker, Mrs. Arends and I extend to his gracious and loving wife Louella and to his fine daughter and her husband Senator and Mrs. Baker, of Tennessee, and his wonderful grandchildren our sincere sympathy.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Massachusetts, Speaker of the House of Representatives.

Mr. McCORMACK. Mr. Speaker, the death of Senator EVERETT M. DIRKSEN takes from our midst one of the most colorful Members of the Congress in the history of our country.

Senator DIRKSEN was a great American

and an outstanding legislator. In this trying period of our Nation's history, he was a bulwark of strength, always advocating and fighting for a strong national defense and a firm foreign policy, and he did this without regard to whether the President of the United States was a Democrat or a Republican. He placed the national interest and the national defense of our country above political considerations.

Throughout his years of public service, Senator DIRKSEN evidenced his dedication to his public trust by assuming and performing his duties and responsibilities with great ability, with vision, and with courage. His fine and refreshing outlook on life, and his broad and philosophical mind, and his colorful personality were an inspiration for all others to follow.

EVERETT DIRKSEN, as a Member of the House and of the Senate, has made marked contributions to the progress, the dignity, and the strength of our country. He has made his constructive imprint on the pages of our Nation's history.

Senator DIRKSEN will be missed. It will take a long while for someone to come across the political horizon to take his place.

I extend to Mrs. Dirksen and her loved ones my deep sympathy, and also the deep sympathy of the Members of the House of Representatives, in their great loss and sorrow.

Mr. ARENDS. Mr. Speaker, I yield to the minority leader, the gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Speaker, it is with great sadness and a deep feeling of personal loss that I learned Sunday afternoon of the death of the much beloved Republican leader of the Senate, EVERETT MCKINLEY DIRKSEN, of Illinois.

Mr. Speaker, it is appropriate that the skies outside should be overcast today and should weep, for I think this reflects the mood of the Nation bereft of the services of the grand old man from Pekin. It is with a somber heart that I address this House today.

I was most fortunate. I knew EV DIRKSEN well—perhaps better than most. Even though I did not serve with him in this body, I have had many opportunities in the last 4-plus years to be closely associated with him. I will cherish all my life these many opportunities to have worked with him. Ours was a close personal relationship because of our respective positions. Yet, while I am proud to have been the junior half of the "Ev and Jerry Show," I must say that EV DIRKSEN never made me feel that I was junior to him. That was not his style. He was understanding, stimulating, and a friend under any and all circumstances.

Ev was a giant in American politics. He had no need to steal the show from others in order to feel his full stature. As a Republican legislator he wrote many memorable pages of American history, but, as has been said before by the gentleman from Illinois and by the distinguished Speaker, EV DIRKSEN was an American first and a partisan second.

Ev, as all know who worked with him, was a giant as a legislator. He left an indelible imprint on many major laws that will live in the statute books for many, many years.

Perhaps more than any other statesman in modern American history, Ev DIRKSEN was a master in the art of compromise. He captured the essence of American democracy in that he made democracy work. He made manifold and tremendous contributions to the legislative shelves of this Nation.

As we all know, Ev was a giant as a speaker. He was one of the greatest in the history of the Congress—probably the last of the old school. I know of no man who was more articulate than Senator EVERETT MCKINLEY DIRKSEN, whether he was speaking of landmark legislation or reminiscing about his days in the European Theater during World War I. When he was called the "Wizard of Ooze," it was a good-natured compliment. It was in fact the supreme compliment.

Mr. Speaker, the flag hangs at half-mast over the Capitol today. It tells what we all feel—the loss of a great American and the heavy sorrow for having lost a dear friend and a good friend. My wife Betty and I extend our deepest condolences to Mrs. Dirksen and the entire family. Words are inadequate to express our grief.

Mr. ARENDS. Mr. Speaker, I yield to the majority leader, the gentleman from Oklahoma, (Mr. ALBERT).

Mr. ALBERT. Mr. Speaker, the news report, which I, like many others, received while listening to television yesterday afternoon, that Senate minority leader EVERETT MCKINLEY DIRKSEN had died left me shocked and saddened.

I have had the privilege of knowing EVERETT DIRKSEN since the day I took my first oath of office in this House nearly 23 years ago. I have known him over the years as a remarkable man, an extraordinary legislator, and a personal friend.

Senator DIRKSEN was a man of many parts. He was among the last of the great orators of the old school to serve in the Congress. His flair for the dramatic, his knowledge of great literature, his uncanny memory, his rare imagination served to make him the most colorful speaker of our time.

If there was ever an institution in the Congress or the country it was EVERETT DIRKSEN. His name was a household word. He was truly a legend in his own time. With his death the Congress has lost perhaps its best known and most famous Member.

Senator DIRKSEN tenaciously pursued ideas in which he was interested. Sometimes these were in areas that caused many of his critics to consider him an obstructionist. Certainly I did not share all of his legislative interests, but I never ceased to admire his relentless pursuit of his goals.

Above all, when the chips were down, when the national interest was at stake, Senator DIRKSEN was always the patriot, always the towering statesman.

In him there was ever present an element of greatness which stood out in critical hours. His defense of the Marshall plan, the Test Ban Treaty, the Civil Rights Act of 1964, at crucial moments, made it clear that he was more than a skillful politician. He was, when great issues were at stake, not only a great legislator but also a fearless and indispensable leader. He was indeed one of the great statesmen of our time.

In the death of Senator DIRKSEN every Member of both Houses of Congress has lost a friend. The Congress has lost not only one of its most illustrious Members, but also one of its greatest champions. No Member of either House was more dedicated to the importance of the legislative department of Government. No one, either publicly or privately, was ever more determined in his defense of Congress as an institution or of the rights and prerogatives of its Members. In every bill designed to upgrade congressional service EVERETT DIRKSEN was a front rank leader. He loved congressional service. Even in his last years, though often haunted by illness, he worked tirelessly at his job. He believed in it, and he made no apologies for his support of the importance of congressional service.

This great and unique man who for decades has seemed almost as familiar and indispensable in this city as the Capitol dome has departed his friends and colleagues.

To paraphrase Edwin Markham, like the giant oak that falls on the hillside, the death of EVERETT DIRKSEN has left a lonesome place against the sky. It is a sad farewell when we say goodby to our friend, Ev DIRKSEN. May his soul rest in the arms of the Almighty and may the peace of God comfort Mrs. Dirksen and their daughter and all the family, as they, above all others, must bear the burdens of his loss.

Mr. ARENDS. Mr. Speaker, I yield to the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Speaker, my most famous constituent is gone. "My most famous constituent"—that is the phrase I have often used with pride and not a little amount of affection when referring to our beloved senior Senator, EVERETT DIRKSEN, who passed away yesterday at Walter Reed Hospital. It was my privilege on many occasions to have the honor of introducing the Senator when he spoke to official party rallies as well as to various public groups over the years.

I remember on one occasion I referred to him as one of the monuments of Washington and, indeed, with his distinctive appearance, his style of oratory, his deep, rolling voice, and his marvelous sense of humor, he had become truly a national figure.

I believe the shock of his death was so great because he had an air of indestructibility about him—you just had the feeling that he would live forever—and of course he will live forever in the hearts and minds of those of us who had the privilege of knowing him, working closely with him, learning from him, and witnessing at close hand his great legislative contributions to this wonderful country which he loved so dearly.

His whole life was wrapped up in our country's heritage and its institutions. When he returned from his volunteer service overseas in World War I he gave unstintingly of his time to all our veter-

ans organizations and all those who would listen to him speak so eloquently about these institutions, patriotism and Americanism. As a matter of fact he was at his best when these very institutions were under attack.

I can recall his even speaking to our small high school civics class in those early days of his political career. Some years later at the close of a Constitution Day speech in Peoria, I was prompted to send him a telegram saying: "Senator, again you moved us to tears in appreciation of our Constitution."

He was a student of the Bible and the classics before becoming one of the best-informed men in or out of the Government.

It was my good fortune to introduce the Senator on so many occasions and I was tempted at times to compare him with our most notable citizen from Illinois, Abraham Lincoln, but hesitated to do so because it would have embarrassed him. But certainly in terms of his impact on our party, on our State, and in this Congress, there were good grounds for making just such a comparison.

As a matter of fact, the Senator's personal life parallels to a remarkable degree that of Lincoln. The Senator's father died when he was only 5. He went to work at a very early age selling vegetables from door to door from his mother's garden and like Lincoln, he tried a number of occupations, ranging all the way from being a baker and driving a bakery truck in the family business to the manufacture of washing machines. He was proud of the fact that he carried a lunch pail and labored with his hands as a youth and it cannot be denied that these very rough and trying days of his early life played a significant role in forging his character and personality.

The Senator was given to quoting Biblical scripture and I am reminded of one he used from the prophet Job several years ago in a eulogy to a dear friend, which reads:

If a man die, shall he live again?

And the Senator's response was:

Surely he shall, as surely as day follows night, as surely as the stars follow their courses, as surely as the crest of every wave brings its trough.

This seemed to be the foundation of the Senator's philosophy of life and this was his firm conviction.

I shall sorely miss him, for he was such a good teacher. I shall always cherish the memories of both the serious and lighthearted get-togethers particularly with family and friends for this was where one got to know him best. To know him well was to love him for all his qualities.

There will never be one to take his place or fill the role as he played it. My heart is heavy for Louella, Joy, and the grandchildren, for they were his heart and soul and we try feebly to share the burden of their profound loss.

Mr. BOGGS. Mr. Speaker, will the distinguished minority whip yield?

Mr. ARENDS. I yield to the gentleman from Louisiana, the majority whip.

Mr. BOGGS. Mr. Speaker, there is little I can add to the beautiful tributes that have been paid to our late honorable and distinguished colleague, Senator EVERETT MCKINLEY DIRKSEN.

I had a relationship with him—an abiding one—which started in the House of Representatives 30 years ago. I had the greatest respect and admiration for him as a man, as an American, and as a leader.

I say, as a man, because he was a man who suffered much in his life but complained very little. I remember when as a young man he left the House of Representatives mainly because he suffered an attack of glaucoma which is a very disabling eye disease. For years he suffered chronically from sundry ailments, heart difficulties and lung complications. But, I never heard him complain. I wondered about the strength of this man.

Mr. Speaker, there were so many things that gave him strength. First, he has a wonderful wife and a fine family. He was a great scholar of the Bible, of the classics, of Shakespeare, and of history. He was also very close to nature. He loved to garden and in that diversion we had very much in common because I, too, love to plant things and watch them grow.

Many times when we were discussing matters of highly important affairs of state at joint leadership meetings dealing with these matters, the distinguished Senator from Illinois and I would discuss our respective crops, he some type of flower and me some type of vegetable.

He was a man that lived in the heart of all of us and of all humanity.

Mr. Speaker, as the poet was asked "For Whom The Bells Toll," they toll for all of us because each of us is lesser for his departure.

Mr. Speaker, Mrs. Boggs and I will miss him and we extend to his wonderful wife, children, and grandchildren our deepest sympathy.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Illinois.

Mr. SPRINGER. Mr. Speaker, in the death of EVERETT MCKINLEY DIRKSEN the country has suffered a great loss and the State of Illinois a distinguished son.

No man within my recollection has served more ably, more earnestly, or with greater distinction in the Congress of the United States than has Senator DIRKSEN.

For 16 years he was a Member of the House of Representatives and for 19 years a Member of the Senate. In those years history has been made, and EVERETT MCKINLEY DIRKSEN not only has been a part of that history, he has helped to create it. Senator DIRKSEN moved with the times. Some people and a portion of the press often alleged that he changed his mind. He once made the statement:

There is no more powerful force in the world than an idea whose time has arrived.

He was not one to put off the inevitable.

What I have thus far said does not mean that Senator DIRKSEN did not have positive ideas about fundamentals—and on fundamentals he never surrendered. He had great insight about history and where we were and what we were doing at this point in history. He had a strong feeling about the Constitution and its interpretation. He was a great believer that it meant certain things, and they could not be amended by judicial decision. He was a believer that this country was great because of its freedoms. One of his famous statements is:

I am going to leave this country for my grandchildren at least as good as it was handed to me. These are crucial times through which we are going. If the cause of freedom is lost in the future, I do not want those grandchildren to say to me, "But, Grandfather, you were there, and you could have done something about it."

One of EVERETT MCKINLEY DIRKSEN's favorite quotations was from Matthew:

Well done, thou good and faithful servant. Thou has been faithful over a few things, I will make thee ruler over many things: Enter thou into the joy of thy Lord.

It fits him especially well at this time.

Mr. ARENDS. Mr. Speaker, I yield to the gentleman from Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois. Mr. Speaker, last year we celebrated the 150th anniversary of the admission of the State of Illinois to the Union. In that period of a century and a half our State has produced a great many distinguished political leaders of truly national stature. Today we mourn the passing of EVERETT MCKINLEY DIRKSEN and add his name to that illustrious roster. None was more distinguished.

He enjoyed a career that enabled him to rise from very humble circumstances to the heights of public acclaim. Yet, through it all he carried the remembrance of a life of early struggle and perseverance to aid a widowed mother, to gain an education and still later to overcome the physical adversity that had threatened him with blindness.

He was rugged like the Illinois prairies under the scourge of the winter's north wind. At the same time he was a gentle man who loved nothing better than to work among his flowers. He was a man of sophisticated wit and wisdom. Yet for surcease from his arduous responsibilities as the leader of his party in the U.S. Senate he loved to retreat to the Virginia countryside and with his own talented hands construct the birdhouses which were then lodged in the trees surrounding his home where he could watch the arrival and departure of his favorite species.

I have so many vivid memories of Senator DIRKSEN. Among the first that I have is almost a score of years ago. He had come to the square of the courthouse in my own town in pursuit of the Senate seat then held by the late Scott W. Lucas who was also the Senate majority leader. We had heard of this man DIRKSEN before, of course, because for 16 years he had served in the Congress only to be forced into retirement when threatened by blindness. Now he had recovered and we heard that he had worn out two automobiles and traveled a quarter of a million miles up and down and back and forth across the State of Illinois in his effort to unseat the man who was then one of the most powerful and able men in the U.S. Senate. There in the pale of

half-light of an early evening in summer I heard him speak of the war in Korea that was then raging and how the sacrifice and treasure of our country was being expended in that conflict. He spoke then of the importance of finding a means to resolve that tragic episode in our history in a manner compatible with our national honor but also in a way to hasten the advent of a more peaceful world. I was thrilled that evening, as were the thousands who heard him over a public career that was to span almost four decades, at the rich imagery of his speech and his ability to intone a sincerity and conviction that held you literally in his thrall until the last sonorous words had been spoken.

Later, as a young Congressman I was to have the honor of sharing many platforms with him as we campaigned northern Illinois together. This year, with the advent of a Republican President, it has been my privilege to observe him each week at leadership meetings with the President of the United States. There I observed his mastery of legislative detail and saw the evidence of his prodigious memory for the facts surrounding the multitude of different tactical situations that confronted him as a Senate leader. He had a large mind which, although deeply immersed in these facts, could also see the broad sweep of events both domestic and international which had an impact upon those decisions which he and the Presidents he served obliged to make. Thus, out of the rich tapestry of his varied experiences he could distinguish the particular thread that would be helpful and relevant to a present crisis.

He was not a small or mean man. Even in confronting his political foes, and in so lengthy a career, there were many, he could not descend to the level of vituperation, but used the gentle balm of humor and good nature. It was he who practiced what he jocularly described as a political philosophy that "the oil can is mightier than the sword."

He was kindly and avuncular in his relations with those younger than he; he was the essence of patience in giving of his time and advice to those of us who often sought his advice and assistance on matters concerning our mutual constitutency in the State of Illinois.

He had a deep love for young people. His Christmas records of recent years were best sellers because children loved him. How many times I heard him pridefully tell the story of how he would talk to his grandchildren just as if he was the Chief Justice of the Supreme Court and how they would listen at his feet.

He was a warm and humorous man, accomplished as a raconteur and able to relish a story no matter how often he had repeated it to an audience which in turn never tired of hearing the Senator tell one of his favorites.

He was an effervescent part of authentic Americana who will be remembered as long as men gather to talk about the most colorful and effective political figures in the history of the American republic.

Yet, he contributed more than color. He stood in the breach at critical moments in our history and gave both his vote and his melliflous voice to those causes which periodically emerge on the tides of political, economic, and social changes. He was a conservative who thought it no crime to see the virtue of some flexibility when it would promote solutions to the needs of the Nation. Thus it was that the monumental civil rights legislation was enacted in this decade with his support, and the Nuclear Test Ban Treaty was ratified.

For more than a third of a century, EVERETT DIRKSEN participated in making some of the most momentous decisions of our times as first a Congressman and then as a Senator. We will proudly remember him as a distinguished son of Illinois, but the entire Nation will mourn his loss. He was a man of immense political stature because of his truly extraordinary gifts. He was also an orator who could and did delight thousands. It was once said of him that he was one of very few men who actually made votes when he spoke on important issues.

He was a warm and humorous man who enjoyed a rapport with virtually everyone whom he met. He was a political tactician of consummate skill. Yet above all, he was an American patriot in the deepest and most reverential sense who could and did subordinate partisianship to what he considered the overriding national interest.

We are all of us diminished by the loss of a great American. My wife and I wish to join millions in extending our deepest sympathy to Mrs. Dirksen and their daughter, Joy.

Mr. ARENDS. Mr. Speaker, I yield to the gentleman from Illinois (Mr. PRICE).

Mr. PRICE of Illinois. Mr. Speaker, I first met EVERETT MCKINLEY DIRKSEN on the first day that he came to Washington to take his oath of office as a Member of this House. I was beginning my service as a secretary to a Member. He was starting his distinguished career as a legislator.

Through all the years following, I enjoyed a close, personal friendship with him.

It has been said that he was a great man, and he truly was. He brought honor to the State he represented and he brought honor to all of us who had the pleasure of serving with him in the Congress of the United States.

I knew him well. When I became a Member in 1945 I had the opportunity morning after morning to have breakfast with him in the House restaurant. I knew his philosophy of government. We had disagreements in the political field, but never on the basic philosophy that he held.

He was, first of all, an American. He was a great servant to the people he represented in the House and in the Senate of the United States. Truly Illinois has lost a great citizen, but so has the United States of America lost a great citizen and a great statesman.

My wife, Garry, joins me in extending our deepest sympathy to his wife Louella. We enjoyed a fine friendship with the Senator.

The full Illinois Democratic delegation in the House joins me in expressing sympathy to Mrs. Dirksen and her family.

Mr. ARENDS. Mr. Speaker, I yield to the gentlewoman from Illinois (Mrs. REID).

Mrs. REID of Illinois. Mr. Speaker, in the death of EVERETT MCKINLEY DIRKSEN, all Americans—indeed, freedom-loving people everywhere—have lost a warm and wonderful friend. In life, as he remains in death, he had become a legend in his own time—truly a giant in our history. No chronicle of the 20th century can ever be complete without its chapter on the life and deeds of EVERETT M. DIRKSEN, who rose from a modest background in the land of Lincoln to become one of the most brilliant legislators and legislative leaders the Nation has ever known. Certainly in this he has no peer.

But for those of us who had the rare privilege of working with him closely in the Illinois congressional delegation, of visiting in his home, of knowing his charming and devoted wife, Luella, we will remember what no history book can ever capture. Historians will write about the role he perhaps liked best and in which he was greatest—that of statesman and patriot. They will recall for coming generations the impact of this colorful and courageous American on the social and political life of our Republic and the world, and here his contributions are immeasurable.

We who knew him so well will remember all of this, too, and we will be eternally grateful that he walked among us at this critical time in our history. But we will also remember that wonderfully curious and warmly human intellect—his infectious zest for living. He loved to sing and I remember many happy hours gathered around the piano with him and his family and close friends singing the old song he loved best. We will remember him both as an articulate and homespun philosopher of the American scene and his ability to bring humor and compassion to even the most trying affairs of state. We will remember as well the skill and deep understanding with which he was able on many dramatic occasions to bring harmony and unity to a divided party.

Yes, EVERETT DIRKSEN was unique in our time in many ways. An avid student of the world's finest literature and its history, he loved to share his inspirations with his fellow men, whether they be reflections on the world's great events or tender thoughts on Christmas. His voice was known everywhere, and few men in public life have been more loved or more admired. He stood tall in the Senate because he lived what this country stands for. He understood our heritage, and he had confidence in our future. People listened because they respected his ideals.

Senator DIRKSEN's seat in the Senate must necessarily be filled, but no one will ever be able to replace EVERETT MCKINLEY DIRKSEN in the hearts of his colleagues or his countrymen.

At this time, let me extend my heartfelt sympathy to his beloved wife Louella, his daughter Joy, his son-in-law Senator HOWARD BAKER and his grandchildren who adored him and whom he

adored. They have lost a loving and devoted husband, father, and grandfather.

The Nation has lost a brilliant leader and great patriot, and I have lost a dear friend.

Mr. ARENDS. Mr. Speaker, I yield to the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Speaker, I am sure all of my colleagues in the Illinois delegation on this side of the aisle would join me in stating that the loss of EVERETT MCKINLEY DIRKSEN is irreplaceable to the people of Illinois, to the people of America, and, yes, to the people of the world.

His vast experience in both the House and in the Senate had given him tremendous ability to develop, design, and construct compromises on important issues.

Jack Kennedy could not have achieved many of his programs without the help of EVERETT DIRKSEN, and Lyndon Johnson could not have achieved many of his successes without EVERETT DIRKSEN.

On the many major issues passed on by the Congress of the United States, EVERETT DIRKSEN'S brand is indelibly imprinted.

He did not hesitate to change his mind when he believed it would serve the best interest of the Nation.

He changed his mind on the Nuclear Test Ban Treaty.

He changed his mind on the Consular Treaty.

And he changed his mind on the 1968 Civil Rights Act. Without his help this act could not have been passed.

When a friend asked EVERETT, "Why did you change your mind on the civil rights act—something you felt so strongly against at one time?" EVERETT DIRKSEN said:

> We are living in a world of changing times. New circumstances require new thinking. I believe that the time has come when we ought to have this legislation.

EV DIRKSEN disagreed often, but he symbolized the highest tradition of this Congress by never being disagreeable. In debate he was a strong foe, but, above all, he was always a gentleman.

His homespun philosophy is a hallmark of Americana.

He was a fierce patriot. He used to tell a wonderful story that I think could be a lesson to all of us, particularly at this time when we are paying tribute to his memory and honoring him today.

One day EVERETT DIRKSEN prepared a speech on "The Frog and Patriotism." A friend said "EVERETT, how can you be talking about the frog and patriotism? What do the two have in common?"

In typical Dirksenonian homespun philosophy, the Senator drew a parallel. He said:

> My friends, the very sensitive nervous system of the frog will permit that frog, when thrown into a kettle of boiling water, to hop right out. But that same frog, if he is put into a kettle of cold water, and then the heat is turned up, will stay there, and when the water comes to a boil, he will be destroyed, because he does not realize the water is reaching the boiling point. That is the way it is with Americanism and with patriotism. We see our patriotism and our rights as Americans slowly being eroded here and there, and as individual circumstances that does not mean too much, until one day it will be too late, and, like the frog, we will not be able to jump out of the boiling water, and we will lose our freedom.

He had an uncanny ability to put ideas into a new sense of meaning and persuasiveness.

All of us are experiencing a great loss. Senator DIRKSEN was a great leader, he was a great patriot, and he was a great American. Mrs. Pucinski joins me in extending our condolences to his widow and his family. We shall all miss him deeply.

Mr. ARENDS. Mr. Speaker, I yield to the gentleman from Illinois (Mr. MCCLORY.)

Mr. MCCLORY. Mr. Speaker, in the passing of EVERETT MCKINLEY DIRKSEN, the Nation has lost a great leader, the U.S. Congress has surrendered its most honored lawmaker, and Illinois has given up her most famous citizen since Abraham Lincoln.

The privilege of an intimate relationship with Senator DIRKSEN and his family is an experience which I treasure almost reverently. To have known and worked with this great man on a first name basis is to have felt the warm breath and blood of history in the making.

For, Senator DIRKSEN was a maker of history whose deeds and acts and words will live as long as history is recorded.

Indeed, the historymaking of EVERETT DIRKSEN is recorded in sound, on film, and on longplaying records that preserve the sonorous and penetrating tones of his mighty voice. Those recordings are among the most eloquent expressions of faith and love for our Nation and our posterity which it seems possible to produce. Their meaning and importance to this and future generations of Americans cannot be overestimated.

Today as we reflect on the life and deeds of the great Senate minority leader, I am inclined to recall most vividly the hundreds of occasions when EVERETT DIRKSEN and I were together. These involved many and varied circumstances, in Illinois and Washington and elsewhere. I recall his visit to our home in Lake Bluff, as well as the occasions when he and his wife, Louella, were in our home in Washington. Most recently, I recall the afternoon at the Dirksen farm in Virginia where the marvels of nature dominated the conversation and he expressed a love for the simple and beautiful products of the soil as well as the birds and other wildlife which inhabited the farm.

Words were Senator DIRKSEN'S stock in trade. He selected words more carefully and uttered them more eloquently than any other man of our time. But words are utterly inadequate to express the deep and tender feelings of those who mourn his passing.

In addition to honoring his memory, it is entirely fitting that we should extol his humanity as well. Perhaps this word "humanity" characterizes best the rare qualities which EVERETT DIRKSEN possessed. He had respect and deep concern for every human being of every race, color, religion and position in life. To his family and friends, he was very down to earth, very easy to talk with, as well as engaging to listen to.

EVERETT DIRKSEN is gone but the virtues he possessed, the human progress he helped make possible, are indelibly interwoven in the fabric of mankind.

There are many thousands of citizens of the 12th District of Illinois who would want me on this occasion also to express their feelings of loss and compassion. In behalf of Mrs. McClory and myself and the citizens of the 12th District, I extend to Senator DIRKSEN'S wife, Louella, his daughter, Joy—Mrs. Howard Baker—his grandchildren, and all members of the family, our deepest sympathy and affection.

Mr. ARENDS. Mr. Speaker, I yield to the gentleman from Illinois (Mr. ERLENBORN).

Mr. ERLENBORN. I thank the gentleman for yielding.

Mr. Speaker, Illinois has given a number of great leaders to the Nation; and one of the greatest surely is EVERETT MCKINLEY DIRKSEN. He was a great man, more importantly, a good husband, a good father and grandfather.

His death means that the Republicans in Congress have lost a leader whose unique talents make him irreplaceable. He is dead, and Illinois has lost a spokesman of surpassing eloquence. His passing will deprive our Nation of a political leader whose patriotism showed through his every act.

Quite apart from our official relationships, it was my privilege to count him as a friend. I know all the Members of the U.S. Congress join me in mourning his death. Our sense of loss is a personal one.

Mr. ARENDS. Mr. Speaker, I yield to the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Speaker, I thank the gentleman for yielding. I share the sentiments expressed by my colleagues here today as we extend our sympathy to the widow of Senator DIRKSEN, to his daughter and his son-in-law and his grandchildren.

It would be an oversight, and a most unfortunate one, I believe, if we failed to include in the family circle Mr. and Mrs. John Gomien, the team that has loyally served the Senator here on Capitol Hill all through his years in the House and Senate, as well as his able and longtime assistant in Illinois, Harold Rainville.

The close association these people have had with Senator DIRKSEN and his wife through the years made them very much a part of the Dirksen family, and I am sure that my colleagues from Illinois join me in extending to them, as well as to the immediate members of the Dirksen family, our deepest sympathy.

As the Representative who serves a portion of the district Abraham Lincoln once served in this House, I feel most keenly the importance of the Lincoln heritage to the world, the Nation, and the State.

Senator DIRKSEN was in the great Lincoln tradition. I have had the occasion several times to introduce Senator DIRKSEN at public gatherings. At Springfield, Ill., 2 years ago, I chose to present him

with the words that he was the greatest citizen Illinois has produced since Abraham Lincoln, and that still sums up my estimate of his great contribution to this Nation.

Mr. ARENDS. Mr. Speaker, I yield to the gentleman from Arizona.

Mr. RHODES. Mr. Speaker, I thank my good friend for yielding to me.

It is with a very heavy heart that I rise to express my own personal sense of loss at the death of a great Senator from the State of Illinois, Hon. EVERETT MCKINLEY DIRKSEN.

Senator DIRKSEN was indeed a good friend to many of us who had the pleasure of knowing him both as an individual and as a great practitioner of the art of legislation. He was truly a legislator's legislator. This was a man who had the faculty of being able to put his legislative concepts into a workable form, and to get them enacted. I think his finest legislative efforts came when he was guiding legislation through the Senate which came from his own Committee on the Judiciary. This was because Ev DIRKSEN never ceased to remember that he was a lawyer. In fact, he was one of the fine lawyers of our country, and took great pride in his acknowledged legal prowess.

Senator DIRKSEN possessed a very unique ability to communicate with his fellow man by the use of the English language. He had a fine vocabulary and a lucid style of expression which was unsurpassed by anyone of my acquaintance. I think, Mr. Speaker, it is mainly because of this particular ability that his work will be remembered. This ability enabled him to influence people and to cause legislative occurrences to take place which might not otherwise have been possible. We who are also the practitioners of the art of legislating, I think, can appreciate beyond the abilities of most people the importance of this particular talent.

The gentleman from Illinois will indeed be long remembered as a man of character, a patriot, a father, a grandfather, a friend and, above all, will be remembered as an American.

Mrs. Rhodes and I extend to Mrs. Dirksen and to her family our deepest sympathy on the passing of a very dear friend, and a great citizen of the world in the 20th century.

Mr. ARENDS. Mr. Speaker, I yield to the gentleman from Missouri (Mr. HALL).

Mr. HALL. Mr. Speaker, the "gallant man" is gone. The senior Senator from Illinois—the land of Lincoln—has departed this earth, but his words and deeds will live forever.

A legend in his own time, Ev DIRKSEN played many roles, and played them all with equal verve.

The champion of the marigold.

A fearless antagonist.

A master politician, who journeyed to Joplin, Mo., and delivered one of his great speeches in my first election 1960.

A lovable rascal.

A scholar of the classics.

An authority on Lincoln.

A confidant of Presidents.

And a man who had a deep and abiding love affair with his country.

The passing on of EVERETT MCKINLEY DIRKSEN will leave a void in the Congress, a lump in the throat of America, the loss of a great statesman to the world, and thanksgiving on the part of this humble physician-legislator for his quick and easy passing.

In the words of William Shakespeare, a man he loved to quote:

His life was gentle, and the elements so mixed in him, that nature might stand up and say to all the world, "This was a man!"

Mr. FLYNT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Georgia (Mr. FLYNT).

Mr. FLYNT. Mr. Speaker, I thank the gentleman from Illinois for yielding to me at this time.

Mr. Speaker, I associate myself with the remarks which have been made by the gentleman from Illinois and others as we join in paying tribute to the life and memory of EVERETT MCKINLEY DIRKSEN, late a Senator from Illinois and the Republican leader of the U.S. Senate.

Today is a day of sadness in the Capitol Building and in America. In my own State of Georgia I know of no one outside our State who was more beloved by Georgians than was the Senator from Illinois.

Mr. Speaker, a great deal of interest which has been manifested in the possible constitutional convention was due to the fact that if and when such a constitutional convention might be held, the Senator from Illinois might have been chosen to preside over the deliberations of the first constitutional convention held in the United States since 1787.

EVERETT DIRKSEN walked long and tall on the stage of American public life. His contributions to his State, the Nation, and to the people whom he devoutly loved will long be remembered. Those contributions caused America to be strong and to grow from strength to greater strength. He will be missed by those of us who have been privileged to serve with him in the United States Congress. He will be missed even more by his close circle of friends and by his colleagues in the Senate of which he was indeed an outstanding and effective leader.

Mr. Speaker, our country is a better place because of the work he has performed and the contributions he has made during his 73 years as a citizen, as a legislator, as a loyal and patriotic American.

I remember when he called upon the people of this country to reassess the fact that our resources are not unlimited and that in the reassessment and reappraisal of those resources he called Americans to establish priorities on the spending and distribution of those resources. He frequently called upon Americans in all walks of life for a return to a greater understanding of and respect for law and order.

I feel that EVERETT DIRKSEN practiced what he preached. He was one of the greatest orators that this country has produced and he spoke words of wisdom as well as words of eloquence. The Senate of the United States listened attentively when he spoke—and indeed, Mr. Speaker, the people of all America listened when EVERETT DIRKSEN spoke.

Mrs. Flynt and our family join me in the expression of our condolence and sympathy to Mrs. Dirksen, Senator and Mrs. Baker, his grandchildren, and other members of the family.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the distinguished gentleman from Illinois.

Mr. DERWINSKI. Mr. Speaker, as a Member from the State of Illinois I, of course, feel especially saddened by the unfortunate loss of Senator DIRKSEN. I was close to him and appreciated his friendship, as well as recognizing his tremendous leadership. We all recognized that he was without a doubt a most outstanding Member of the Senate and an effective leader of his party. Throughout his career he demonstrated the most effective type of statesmanship that any Member of Congress can give to his country.

His loss is one the State of Illinois will feel deeply, as indeed will the whole Nation, and there will be a gap that will not be filled. It is proper that we stress his great contributions to the country, the statesmanship that he always exhibited, the very effective leadership that he provided and the cooperation that he gave to Presidents of both political parties. He truly was a giant in the history of the U.S. Congress.

Mrs. Derwinski joins with me in extending our deepest sympathy to Mrs. Dirksen and the members of their family.

Mr. ARENDS. Mr. Speaker, I yield to the gentleman from Tennessee (Mr. KUYKENDALL).

Mr. KUYKENDALL. Mr. Speaker, I would like to join my colleagues in expressing the sympathy of my family and myself to Mrs. Dirksen and to Senator and Mrs. HOWARD BAKER at this time of sadness to their entire family.

Mr. Speaker, in the days and years to come, we will hear and read much about this man whose passing we mourn today—the Dirksen wit, the Dirksen voice, the Dirksen leadership that has meant so much to his Nation and his constituents.

So for this moment, let me talk about something else—the Dirksen spirit.

Years ago, when he was a Member of the House of Representatives, he met an old friend, our colleague MENDEL RIVERS, in front of the Capitol. Mr. RIVERS noted that he looked tired and wan, and asked him if he felt well.

"No," that famous voice purred back. "I've just been to see the doctor, and they want to take my eye. They're not sure they can save the other one, and I'd be blind. And I'm so discouraged, I've let the qualification deadline slip past me back home, so I won't be back next year."

The official biography only says "retired voluntarily January 3, 1949." Then it says "nominated for United States Senate April 11, 1950, elected November 7, 1950."

Nowhere does it say, "refused to surrender his eye, 1949, refused to be finished, 1949, refused to knuckle under to

adversity, 1948, 1949, 1950 and all the years before and after."

And it will not say, though it should, "helpful and understanding to his colleagues, 1932–69."

I am grateful to Chairman RIVERS for the story of his discouragement in the postwar era. It helps me know him better, and feel closer to him. I admire his courage even more, just as I admire his ability, his courtesy, and his understanding.

And I am grateful that he extended to me the opportunity to call him my friend.

Mr. ROSTENKOWSKI. Mr. Speaker, I am deeply grieved as I join with my distinguished colleagues who eulogize today the life and accomplishments of one of America's greatest statesmen, EVERETT MCKINLEY DIRKSEN. Words alone cannot adequately express the contributions that this great man gave to his constituents in Illinois, as well as to all the people in our country.

Senator DIRKSEN was a man who possessed a keen intellect, coupled with a flair for colorful oratory. With these tools he became well known, not only in the hallowed halls of Congress where he lived for 35 years, but also in the highest counsels of the executive branch, as was evidenced by four Presidents who continuously sought his sagacious advice in legislative matters. He was not only a legend in his own time, but his was a reputation that will live on in the annals of American civilization. For whenever men assemble to discuss the history of politics in our Republic, they will not be able to escape the Dirksonian imprint as it was so astutely interwoven through the events of the first half of the 20th century.

On behalf of myself and of Mrs. Rostenkowski, I would like to extend my sincere condolences to Mrs. Dirksen and the entire Dirksen family.

Mr. MCMILLAN. Mr. Speaker, we were all saddened over the news of our colleague, the late EVERETT MCKINLEY DIRKSEN. I always considered Senator DIRKSEN one of my closest personal friends as we served together as members of the House District Committee for 7 years when I first came to Congress. In fact, he was my first Republican chairman during the 80th Congress and I was serving as ranking Democrat on the committee during his term as chairman of that committee. We experienced no difficulty in working out the legislation problems of the Nation's Capital and no one ever mentioned politics on that committee. He understood and I understood that we were members of the House District Committee to serve our Nation's Capital and it actually made no difference whether a member was a Republican or Democrat.

His only reason for being a member of that committee was to try to keep our Nation's Capital a safe and clean place to live and a place where the millions and millions of visitors who visited the Capitol could visit without any fear. I do not remember serving with any Member of Congress who had the full command of the English language as did Senator DIRKSEN. When I first came to Congress, I would listen to the Senator speak on several occasions for 1 hour and the time would only seem like 5 minutes.

I am certain that everyone privileged with Senator DIRKSEN's acquaintance knew that he was first at all times an American. He believed in the U.S. Constitution. He also believed in taking care of America first.

One of the outstanding memories I will have during my term of service in the Congress of the United States is the opportunity to serve very closely with the late Senator DIRKSEN and Mrs. McMillan joins me in expressing our deepest sympathy to Mrs. Dirksen and their daughter.

Mr. WILLIAMS. Mr. Speaker, I join with millions of Americans in grieving the loss of EVERETT DIRKSEN and extend my heartfelt sympathy to his family. Mr. DIRKSEN was a truly memorable spokesman and devoted workman for the people of this country. Even those who did not always agree with him, did always have to respect him.

As minority leader of the Senate, Mr. DIRKSEN has been a powerful spokesman for the Republican Party for better than a decade. The power that he wielded in that position has been the deciding factor in action upon more legislation than can ever be counted. His death creates a void which is felt not only by his colleagues in Congress, but by all America.

We have lost a great leader, a great patriot, a great Republican, and a great American. I join with my colleagues in expressing my dismay at his untimely death and in expressing my deep appreciation for Senator EVERETT DIRKSEN'S outstanding service to his country.

Mr. AYRES. Mr. Speaker, the mellifluent voice of EVERETT MCKINLEY DIRKSEN is stilled and this Nation mourns. However, his words shall live on to help us guide this country during the days of crisis that are before us.

We who were privileged to serve with him during his many terms in both bodies of the U.S. Congress felt a deep sense of gratitude to him for the hand of brotherhood that he extended to us all.

Senator DIRKSEN was a great man but more importantly for us he was a good great man—dedicated to service to God and his country.

He began his service to this Nation 52 years ago when he entered the service of the U.S. Army in World War I. Even this early in his life, we can see the pattern that was to follow him during all of his days for though he entered military service as a private he was commissioned in France as an officer. He served 17 months overseas during that conflict.

His service in our Armed Forces gave him great insight into the problems of the veteran and we who served on the House Veterans' Affairs Committee found that he supported our efforts on behalf of the veterans of our wars.

Like many of us serving in the U.S. Congress, EVERETT DIRKSEN used the hoe and the plow during his youth. He never lost his love for the soil and the men who tilled it. He understood full well the problems of agriculture and created legislation that benefited those that remained on the farm.

Again like many of us here, he worked his way through college. He left the university when our Nation called and returned to it when his service was completed.

Here we see his steps followed that of another great American from his State of Illinois, Abraham Lincoln. Lincoln, too, was a son of the soil who became first a fine lawyer and then a reputable statesman.

We Ohioans have long acknowledged the greatness of EVERETT MCKINLEY DIRKSEN. He was the most loyal friend and colleague of our own late great leader, U.S. Senator Robert A. Taft. We in my home city of Akron, Ohio, often welcomed him to our city.

During my 19 years in the U.S. Congress, I valued my friendship with this great spokesman for the people of our country. I am sorry at his passing.

The United States of America is a finer Nation because of his coming amongst us—for this we are grateful not only to him but also to his wonderful family who so unselfishly shared him with us.

Mr. EVINS of Tennessee. Mr. Speaker, I was deeply saddened to learn of the passing of Senator EVERETT DIRKSEN, of Illinois, who leaves as his legacy a brilliant and dedicated career of public service.

Senator DIRKSEN was a courageous, colorful, eloquent leader, a great American and a great statesman, a strong party man and yet a national leader who placed the national interest above party considerations.

When the chips were down on a bill in the public interest, Presidents leaned on EVERETT DIRKSEN to provide the needed margin of support. Senator DIRKSEN, beneath his dry wit and colorful eloquence, was a skilled legislative leader—he knew and understood the art of legislation.

I felt a personal affection and admiration for Senator DIRKSEN, as in recent years he was often referred to as the third Senator from Tennessee. His daughter is the wife of Senator HOWARD BAKER, of Tennessee, and Senator DIRKSEN frequently visited in Tennessee.

Mrs. Evins joins me in extending our deepest and most sincere sympathy to Mrs. Dirksen, Mrs. Baker, and other members of the family.

Mr. PELLY. Mr. Speaker, I share the shock and sorrow of our land today over the passing of Senator EVERETT DIRKSEN. This is a loss shared by all segments of our society, both personal and political.

And, as the voice of this leader is stilled, so is a long and colorful political leadership. EVERETT DIRKSEN was the last of a special brand of political strategists, and his leadership will be missed.

Mr. Speaker, I join all Americans today in expressing my sympathy to Senator DIRKSEN'S wife and family in this time of sorrow.

Mr. LANGEN. Mr. Speaker, EVERETT DIRKSEN would have been the first to stand to say something good about another legislator who had died. It seems almost presumptuous now to reflect on his life and his contribution to government by the people. Few must be the men today who do not feel a sense of inadequacy as they struggle to capture

in a few words the loss suffered by this Nation and this world.

Those of us so fortunate as to have been privileged to work closely with the Senator and who find it difficult to think of American Government without thinking of EVERETT DIRKSEN are perhaps the least able to measure his real accomplishments. We are too close to the man as a warm, compassionate, and singular human being to realize he was even more in the larger sense as an American institution. History is better suited to eulogize Senator DIRKSEN than are his contemporaries.

The Senator himself asked what he believed was his greatest contribution to Congress, said it was keeping many bad laws off the statute books. It might be better to say that Mr. DIRKSEN set a standard and a mood that worked to everyone's advantage as it made itself manifest throughout the whole fabric of lawmaking. His voice that became so distinctive grew to represent measured, conscientious consideration of issues on their own merit. That voice, described as the sound gravel makes in a jar of honey, will be missed. Missed too will be the "gallant man" behind it.

Perhaps the only man endowed with the gift of oratory equal to the task of eulogizing EVERETT DIRKSEN now lies dead. That may be the most we can say of him. I thank God for EVERETT DIRKSEN.

Mr. PICKLE. Mr. Speaker, Senator EVERETT MCKINLEY DIRKSEN, the most colorful Senator, statesman, and legislator of modern times, showed us there is still fun to be had while we grapple with the problems of the world. Our Nation—and especially the Members of Congress and the press—will always be grateful for the life and services of this lovable man.

Mr. BROTZMAN. Mr. Speaker, Colorado has lost a good friend, this Nation has lost a great statesman.

Senator DIRKSEN was a man of sharp wit, deep human compassion, and absolute dedication to his country.

Mrs. Brotzman and I extend our condolences to Mrs. Dirksen and the members of his family.

Mr. CRAMER. Mr. Speaker, it is with great sorrow that I join millions of Americans in paying high tribute to my beloved friend and leader, EVERETT MCKINLEY DIRKSEN.

Senator DIRKSEN's death ends an era in American politics. "Mr. Republican," a title he richly deserved, has passed away. Yet no one who remembers his melodic voice, watched his legislative craftsmanship, observed his forensic ability or was touched by his friendly good humor will soon forget this great Senator from Illinois. In the tradition of the great public figures of this era, he will live on in the hearts and minds of the American people, not only because of the command of his performance, but also because of what he said.

Senator DIRKSEN was a student of the English language and a true believer in the ability of the spoken word to communicate to his fellow man. His mastery of this talent always insured attention to his never frivolous messages.

Senator DIRKSEN was a great American, and a leader among Republicans. Yet his bipartisan approach to matters affecting the public weal coupled with his always eloquent presentations, contributed to the passage of landmark legislation under Democrat as well as Republican administrations.

I have had, for the last 7 years, the distinct privilege of serving with EVERETT DIRKSEN as a member of the joint House-Senate Republican leadership. I have observed in awe and admiration the continuing contributions he has made in our joint leadership meetings prior to the Nixon administration and since that time in joint leadership meetings with the President. His razor sharp mind and ability to grasp, dissect, and give direction to the solution of the most complex problems will be sorely missed.

I extend my condolences to Mrs. Dirksen and the other members of his family.

Mr. SMITH of California. Mr. Speaker, we mourn today the profound loss of a great American—Senator EVERETT MCKINLEY DIRKSEN. I feel a deep, personal loss in his passing because it had been my privilege to have a close friendship with this great man—a man great not only in his chosen profession, but great in every respect.

My association with him as a member of the Republican leadership brought admiration and respect for his ability and far-reaching foresight to make decisions in a level-headed way. He was direct with everyone. He had friends on both sides of the aisle, and certainly was a tremendous help to the Presidents under whose administrations he served.

The Tournament of Roses is in my congressional district and each January 1 the association honors an outstanding American by asking him to be grand marshal of the tournament. At the request of Mr. H. W. Bragg, the then president of the Tournament of Roses, I asked Senator DIRKSEN to honor my district on January 1, 1968, by serving as grand marshal. He said:

> Now, Allen, you know I couldn't ride a horse.

When I explained to him what the Tournament of Roses was, he agreed to be grand marshal.

He and Louella came to Pasadena and attended all of the festivities during the entire week, which few grand marshals have done. He endeared himself to all who were connected with the tournament and they are still talking about the fact that he was the greatest grand marshal we have ever had. I know he did this as a personal favor to me. It was strenuous for him, but in talking with him later, he said it was one of the greatest experiences of his life which makes me very happy and proud.

I had the privilege of working closely with Senator DIRKSEN during the 1968 Republican National Convention in Florida. I have never ceased to be amazed at the tremendous regard and respect everybody had for this great man at every place.

As an example of this respect and regard, even during the Tournament of Roses President Johnson called him to get his opinion on a decision that had to be made.

In my opinion, Senator DIRKSEN rates among the greatest men that I have ever known. Another great era in American politics has now been closed forever.

Elizabeth joins me in expressing our deepest sympathy to Louella and to their daughter, Joy, and family. To us there was, and only will be, one EVERETT DIRKSEN.

Mr. PATMAN. Mr. Speaker, it was not long after my arrival in Congress that the Honorable EVERETT MCKINLEY DIRKSEN came to the House, where he served with great distinction for eight consecutive terms. During this period, I knew him well and came to have great affection and respect for this man whose outstanding statesmanship and tremendous gift for universal friendship have so profoundly influenced the future of America. When he overcame the temporary physical handicap, which had led to his resignation from the House, it was a foregone conclusion that he would continue his fine career, as he then did in the Senate of the United States with rare distinction and epic success.

Mr. Speaker, I join today with the entire membership of the House and Senate, with our Government and our citizens, and with all the peoples of the world who respected and admired this titan among senatorial leaders, in expressing my deep sorrow and heartfelt sympathy for the family he cherished. Our prayers are offered in the knowledge that Senator DIRKSEN was a deeply devout and sincerely religious man, and that the God he worshiped has called him home from his years of unceasing and intrepid labors, labors he devoted to exalt the Master he humbly acknowledged, the country he proudly loved, and the wide world of constituents he unselfishly served.

Mr. SCHADEBERG. Mr. Speaker, I speak now not as a member of the leadership of my party; nor as a colleague of that great statesman, EVERETT DIRKSEN in the U.S. Congress; nor even as a personal friend, since I was not privileged to share in this honored relationship. I speak as an American citizen who in limited associations with the late Senator share with millions of citizens a profound respect for his ability; his leadership; his warmth of affection for others; his knowledge; his talent and his dedication to our constitutional institutions.

His death brings over the people of this Nation an impenetrable pall of sorrow which while difficult to push aside is not all loss, though at the moment there is bared a gaping hole in the legislative processes.

These words—the name of the author which at the moment escapes me—are most prophetic in these days:

> I walked a mile with Pleasure.
> She chatted all the way,
> But left me more the wiser
> For what she had to say.
>
> I walked a mile with Sorrow,
> And ne'er a word said she.
> But O, the things I learned from her
> When sorrow walked with me.

Today, Mr. Speaker, we walk in silent sorrow but because of the stature of the

man, whose death we mourn. We will learn in this sorrowful journey some of the most prized lessons that will serve us well in the critical times through which we pass.

I am grateful to Almighty God that I have been privileged to have shared this earth with such great and wonderful men like Senator EVERETT DIRKSEN who was to America what Winston Churchill was to Great Britain—one who in travail helped bring our Nation through some of its finest hours.

May his soul rest in peace, for his works bear continuing testimony to his indomitable spirit.

Mr. GRAY. Mr. Speaker, it was with deep sorrow and profound regret that I learned of the passing of our senior Senator, EVERETT MCKINLEY DIRKSEN. He was not just a Senator from our great State of Illinois. He was a tradition.

He had a style all his own. He brought great credit upon our State and our Nation.

Although we did not agree on all matters affecting our State in the legislative field, we could always disagree in a friendly manner. This was a great trait of Senator DIRKSEN.

I strongly supported his efforts to pass a constitutional amendment to allow prayers in public tax-supported schools and other public buildings.

His mark upon the legislative history of our country is indelible for all time to come. He will be sorely missed by his colleagues and the Nation.

I want to join the minority whip, Mr. ARENDS, the Speaker, and the Members of both bodies of Congress in expressing deepest sympathy to Mrs. Dirksen, Mrs. Baker, and the other members of the family. Our thoughts and prayers will be with them during this sad time of bereavement.

Mr. DELLENBACK. Mr. Speaker, the Nation has lost a legislator and a statesman of very considerable stature. EVERETT MCKINLEY DIRKSEN was a man of great ability, deeply committed to serving his country, his State, and his party. His loss will be felt by the Nation.

Much of the historymaking legislation passed in recent years would not have become law without Senator DIRKSEN'S efforts. The Civil Rights Act of 1964, which completely altered the social fabric of this Nation, owes its passage in great part to this one man.

In 1963 his decision to support ratification of the nuclear test ban treaty was of major significance in assuring its approval. He explained his decision in words that have a special poignancy today.

> One of my age thinks about his destiny a little. I should not like to have written on my tombstone, "He knew what happened at Hiroshima, but he did not take a first step."

EVERETT MCKINLEY DIRKSEN did not hesitate to take that step and many others in his long service. He is one of those few men of whom it may in truth be said, "He changed the path of history."

I join my colleagues in expressing deepest sympathy to the members of his family.

Mr. BROYHILL of North Carolina. Mr. Speaker, a great American has passed away. EVERETT MCKINLEY DIRKSEN has meant much to me and to my family. I first met him shortly after his election to the U.S. Senate. My father and he were friends through the years. On my election to the U.S. House of Representatives, Senator DIRKSEN was ever ready to counsel and advise a young Congressman. In every contact and meeting I had with him, he was constantly a fair, even-tempered gentleman.

Recently, Senator DIRKSEN paid a particular, personal tribute to my father on the occasion of a special award and recognition program honoring my father. For this I will be forever grateful.

We who knew him, who admired him, who worked with him, will remember him always. He was truly one of the great ones.

To Mrs. Dirksen, and his daughter, Mrs. Baker, I would like to extend on behalf of my entire family, our most sincere and heartfelt condolences.

Mr. ANNUNZIO. Mr. Speaker, I feel that I speak for the people of the State of Illinois as well as for myself, when I express profound sorrow over the death, on September 7, of the senior Senator from Illinois, the Honorable EVERETT MCKINLEY DIRKSEN.

Senator DIRKSEN was one of the most skilled legislators of our time, a great statesman, and a great American. Even those who disagreed with his thinking on the issues of the day could not help but admire and respect the eloquence, the wisdom, the showmanship, the strength and resolute commitment to our democracy that characterized the Senator from Illinois.

At the time of his death, Senator DIRKSEN was serving his 10th year as Senate minority leader, and had served over 18 years in the Senate and 16 years in the House of Representatives. He was an influential member of the Senate Finance Committee, the Senate Judiciary Committee, the Special Committee on Aging, and the Joint Committee on Immigration and Nationality.

He had a genius for finding the key to agreement on conflicting political issues, and because of his flair for bringing divergent views together, he served an invaluable role for President Nixon as minority leader, and for former President Johnson as leader of the "loyal opposition." In these roles, he had unequalled influence and accomplished much, as evidenced by the crucial part he played in the passage of the Civil Rights Act of 1964 and on the ratification of the Nuclear Test Ban Treaty in 1963.

When Senator DIRKSEN spoke, not only his colleagues, but all of our citizens across the Nation paused to listen. He could drop his voice to a whisper and have the people hang on his every word, or he could point a finger and thunder dramatically at his audience. He was at his best when he was drawing on his vast knowledge of the Bible, Shakespeare, and world literature. In turning the tide for the civil rights bill in the Senate, he borrowed a line from Victor Hugo and declared:

> Stronger than all the armies is the idea whose time has come. The time has come for equality in sharing in government and education, and in employment. It will not be stayed or denied. It is here.

And so, the civil rights bill was passed in the Senate, and Mr. DIRKSEN had again played a constructive role in shaping the ultimate outcome of another historic event in the development of our country.

Senator DIRKSEN was born in Pekin, Ill.—a small town of 22,000 inhabitants. He was one of twin sons and he was only 7 when his father died, so both he and his brother went to work on the small family farm. Young Ev DIRKSEN was industrious and by working, paid his own way through the University of Minnesota Law School, and subsequently, became a member of the bar of both Illinois and the District of Columbia.

He also served in the U.S. Army during World War I, from 1917 to 1919, fought in France with an artillery unit and won a field commission.

Senator DIRKSEN died in Walter Reed Army Hospital after undergoing lung surgery on September 2. Though he had been in ill health for several years, the Senator always maintained a rigorous daily schedule. His outstanding career of public service, which covered a span of almost 40 years, is testimonial indeed to his dedication and devotion to the cause of our Nation's strength and freedom. He was incomparable to any man who had served with or before him in the Senate, and it will be a long, long time indeed before we see someone come close to the legendary role he played in the service of our beloved America.

Senator DIRKSEN'S loss leaves a void in the Senate and in our country which will be difficult to fill, but his family and his friends can be proud of the tremendous contribution he made as one of the outstanding leaders of the American people. Those of us who had the privilege of knowing Ev DIRKSEN as a friend and colleague for so many years deeply mourn his passing, and our hearts go out to his bereaved family.

He is survived by his wife, Louella Carver, and his daughter, Joy, who is married to Senator HOWARD H. BAKER, JR., from Tennessee. Mrs. Annunzio joins me in extending heartfelt sympathy to Mrs. Dirksen and to Senator and Mrs. Baker on their great loss.

Mr. ADAIR. Mr. Speaker, several years ago Senator DIRKSEN made a record about the gallant men in American history. With the sudden passing of EVERETT MCKINLEY DIRKSEN, it can certainly be said that the United States has lost one of its most gallant men.

During his 10 difficult years as the Republican leader of the Senate, Senator DIRKSEN played a key role in preserving the two-party system which is so essential to the effective operation of a representative republic. In the months following the Republican debacle of 1964, it was to a great degree the leadership of Senator DIRKSEN that made the Republican opposition meaningful and not token.

Leaders and Presidents of both parties have long respected Senator DIRKSEN'S political acumen and his sense of what is right. As a team player, he worked for

and, indeed, was instrumental in the election or nomination of every recent Republican presidential candidate. He also campaigned actively for other Republican candidates, including myself.

However, Senator DIRKSEN was not dogmatic, and as a true statesman, he would at times differ with his Republican colleagues or attempt to lead the party in a new direction. He always abided by those principles which he felt were fundamental to a democratic and free people.

The legacy which he leaves will serve as a touchstone for future generations of American leaders. His mark will never be erased.

Mrs. Adair joins me in expressing sympathy to the widow and other members of the family.

Mr. ZABLOCKI. Mr. Speaker, with the death on Sunday of Senator EVERETT MCKINLEY DIRKSEN, this Nation lost one of its most skilled—and certainly most colorful—political leaders.

Although not of the same political party or conviction, I always respected the distinguished minority leader for his genuine human qualities. During the nearly four decades he served in Congress he was always a gentleman, ever friendly with a happy word for everybody.

Recognized as a controversial and often contradictory figure in American politics, Senator DIRKSEN made his mark on history. He will be remembered as the last of that old school of distinguished politicians who shaped history by the power and eloquence of their oratory, the sharpness of their wit, and the force of their personality.

By his own reckoning Senator DIRKSEN set aside partisan views to "do what was right for the country." What more noble principle could serve to guide all of us who remain to carry on.

My wife joins me in expressing our deep and heartfelt sympathies to his widow, daughter, and family.

Mr. SIKES. Mr. Speaker, the people of Illinois and of America have sustained a great loss in the passing of the Honorable EVERETT MCKINLEY DIRKSEN, minority leader of the U.S. Senate. With his death, the Nation has lost an elder statesman whose outstanding record of public service covered more than half a century.

He served in the House of Representatives from 1932 to 1949. He was elected to the U.S. Senate in 1950, and was serving as minority leader at the time of his death. The career of Senator DIRKSEN was exemplified by his devotion to duty and the best interests of his State and Nation. He was a kind, gentle, and able man. All those who had the privilege to share his friendship came to admire and respect his sterling virtues.

Senator DIRKSEN was a loyal party man but he believed in the two-party system and contributed to its strength. For this, he earned the respect of all Members on both sides of the aisle. He lived and labored through a great era in the history of our Nation and our country is a better place in which to live and work by reason of the dedicated service of EVERETT DIRKSEN. He has passed from the earthly scene of his many accomplishments, but he will long be remembered as one of the great Americans of his age. His personal example provides for all of us here, and those who will come after, a permanent inspiration for the type of patriotic service for which this Nation will never cease to be indebted to him.

In this time of great loss and sorrow, we extend our heartfelt sympathy to his bereaved wife and other family members.

Mr. TAFT. Mr. Speaker, the Congress, President Nixon, and the Nation have lost a valuable leader in the death of Senator EVERETT MCKINLEY DIRKSEN. The personal grief and sense of loss that so many of us feel as his friends and followers are overshadowed by the deprivation we suffer in no longer having his sound judgment, his boundless imagination, and his infinite experience upon which to draw. He was above all a legislator of great skill and wisdom. At times this led some, without justification, to question his consistency and his dedication to principle. It was rather that he knew and practiced well the necessary lubricant of the law-making process, the art of compromise.

Serving as Senate minority leader, he has been an invaluable assistant to the President in the formulation and initiation of the legislative program of the Nixon administration and deserves much credit for the progress made despite the numerical superiority of the other party. Never an unthinking partisan, he drew respect and support from differing quarters. But well he knew and frequently he noted, that in the process of legislating, it is often a question, as he might have said, of "whose quadruped is quartered."

Kindly in his demeanor and understanding in nature, he could be fiercely loyal to his friends, and that friendship and loyalty were the treasured gift of my father, with whom he worked so long and so closely. But he was forgiving, too, of his opponents, in the best of Christian tradition.

We shall miss him, but not forget him nor his great contributions as a full-game player on the American scene.

Mr. CLEVELAND. Mr. Speaker, a great tree in the political forest has fallen with the death of Senator EVERETT MCKINLEY DIRKSEN.

For many years he was a dominating feature on the landscape of American life.

EVERETT DIRKSEN was unique. His extraordinary voice, his utterly personal, individual use of the English language captivated and often inspired the Nation.

He brought rare gifts to his leadership role. He had a great understanding of human nature. He possessed an extraordinary sensitivity to differing personalities and the changing circumstances into which they were thrust and swirled by shifting fortunes. He understood and loved the drama of life, especially as it is found in the clash of strong men and women in our political system.

No man of his time in our country could so beautifully and dramatically sum up and set the tone of a great issue as could EVERETT DIRKSEN in the Chamber of the Senate.

A great craftsman, he was master of myriad details with the capacity to recall them all at will and on command. He was a virtuoso of the legislative art.

He withstood the tensions and pressures to which he was exposed by his prominence better than most men could. It is not a cause for wonder that they ground him down eventually; it is a wonder that he withstood them so well for so long.

His death has taken a unique, colorful figure from our national life. His work will long merit attention from students of our times and of our governmental processes. In this work they will find an almost limitless mine of patriotism and knowledge, welded to the service of his people. Such students, as they progress across the record of his life, will be entertained, enlightened, and frequently moved—as were we who were fortunate enough to live and work with EVERETT MCKINLEY DIRKSEN.

Mr. BROYHILL of Virginia. Mr. Speaker, Virginians have been proud that Senator EVERETT MCKINLEY DIRKSEN selected the Commonwealth as his home away from Illinois.

We honored his search for privacy as much as we admired the skill and quality of his oratory in his dealings with the wide-ranging interests that occupied his thoughts.

We reflect now, in this hour of sadness, on the great heart that beat so strongly in life and is now still in death.

He had time, always, for the little things, the common things of life; growing things, children, local concerns, individual ambitions and hopes. He was a great man in a lofty position in life, yet he never lost his personal concern nor his capacity for a kind or soft word for a distressed fellow man.

Senator EVERETT MCKINLEY DIRKSEN needs no marble monument to his memory, Mr. Speaker. His is engraved on the hearts of our people; the ordinary citizen who enjoyed his homespun humor, who enjoyed his full grasp of life; the men and women in government who felt the acid of his convictions but never the burn of his rancor.

He enjoyed verbal combat and found solace in a blossoming flower when it had ended; he spoke to the mighty and mulched the earth with his worn hands; he dealt with the greatest issues of his time, but was proudest of his poetic bent.

His favorite reading was the Bible; his greatest heroes were the man, the wife, next door who were raising the growing generation that would soon, he knew well, pick up the burden from his tired shoulders.

To all men Senator EVERETT MCKINLEY DIRKSEN was a leader. To many of us he was a hero of his age, a man of many parts, but most of all one who walked among us as equals.

He touched humanity with the deftness and sureness of a soul at peace with itself.

I admired him, as all men must; I shall miss him, as all men will.

He returns to the earth he loved, in the land he revered, Mr. Speaker, and we mourn his going, never to forget him, never to be lesser men because he passed our way.

Mr. MILLER of Ohio. Mr. Speaker, I

join with my colleagues today in paying tribute to that great Member of the other body, EVERETT MCKINLEY DIRKSEN, of Illinois.

Senator DIRKSEN will be remembered as a towering figure among the great men who have served in the Halls of Congress. During his 16 years in the House and 19 years in the Senate, he worked with tenacity and courage for the causes in which he believed. For the last 10 years, he performed with remarkable skill and intelligence as the Senate minority leader.

EVERETT DIRKSEN was a genuine patriot who fought for those causes that represent the best interests of the United States and the time-honored principles for which our great Nation stands. His recognition of the rightful role of our religious heritage has been an inspiration to millions of Americans. His eloquent advocacy of constitutional government and individual freedom underscored his deep interest in the preservation of democratic ideals.

We all mourn the loss of a great legislator and statesman—a man of monumental stature who spoke and worked for a freer, stronger, and wiser United States of America.

Mr. REID of New York. Mr. Speaker, Senator DIRKSEN, in his own right and as a Republican leader in the Senate, added zest and color to the American political scene. If at times he espoused flexibility more than constancy there were other moments when his leadership was decisive, notably in his support of the Civil Rights Act of 1964 and the Nuclear Test Ban Treaty of 1963. He will be missed by his many friends, by the great State of Illinois, and by his legislative colleagues who deeply respected his skill at bringing together opposing factions in the national interest.

Mr. BROWN of Ohio. Mr. Speaker, I rise to associate myself with the remarks of my distinguished colleague and longtime friend in the well, the gentleman from Illinois (Mr. ARENDS). We are all deeply saddened by the death of EVERETT MCKINLEY DIRKSEN, a great leader of his party and his Nation.

I feel a special loss because of the personal relationship two of my predecessors in the district I represent had with the late great minority leader of the other body. Ev DIRKSEN came into the House of Representatives 5 years before my own father, but the two of them served together in this body as intimate friends for 10 years from 1938 through Mr. DIRKSEN's temporary retirement in 1948. They enjoyed a fellowship of philosophy and an approach to the practicalities of politics which saw them working together in concert on common causes. They shared their fervor for the late Senator Robert A. Taft for President and exchanged and often confirmed each other's assessments of the well known and little known political personalities of a generation.

While my predecessor's career continued in the House and brought him into the joint leadership as ranking Republican on the House Rules Committee, the Representative from Illinois became the Senator from Illinois and, in time, the minority leader of that august body. He also became clearly one of the most colorful political figures of the day. They shared the joys and frustrations of party responsibility, taking delight in defeating their adversary colleagues for some partisan advantage and more delight yet in joining with their adversary colleagues to advance some program for the common good of the Nation.

This association in common causes and interests ended only with my late father's death in 1965.

An area recently added to the Seventh Ohio District I represent is Marion, which was the home of Dr. Frederick Smith, who represented the old Eighth Ohio District at the time Representative DIRKSEN was afflicted with problems that affected his eyesight. It was Congressman Smith who counseled his colleague medically to seek the treatment and care that saw him retire voluntarily from the House in 1948. This move ultimately led to the saving of his vision and his return to public life as a Senator and eventually as a national leader.

And what a leader the late Senator was. A persuasive counselor to his legislative colleagues and others in seats of power, he was also persuasive with his eloquence. So influential, in fact, was he that his former colleague and good friend, President Johnson, found him to be almost as powerful a leader of a heavily outnumbered Republican minority as had Senator Johnson been when he led a Democratic majority in the Senate with which President Eisenhower was obliged to deal.

There is a parallel between the Eisenhower-Johnson relationship and the Johnson-Dirksen relationship. But an even stranger coincidence is that between the loss President Eisenhower experienced within his first year in office because of the death of his leader in the Senate, Bob Taft, and the loss which President Nixon now faces because of Senator DIRKSEN's passing.

But it is not just the President and the Grand Old Party which have lost a champion. All Americans will feel the impact of his sudden passing. His leadership was influential because affection for him was almost universal. He was the idol of all ages and his voice was perhaps the best known since Franklin D. Roosevelt. He was a combination of many virtues, but high on the list must rank kindness and generosity. While politics may be a game of rancor and retribution for some, it was mostly love and kindness for Ev DIRKSEN. He liked to help his friends and he had few enemies. He enjoyed helping young people in politics and he made his assistance available to me as a new Member of Congress. He loved his profession and was proud of it; but he never took himself or the great moments with which he struggled during his career so seriously that he could not find joy or humor in them.

His sense of dedication to doing what he thought was right and to doing it within the framework of the system undoubtedly grew from his personal experience under the system—the experience of rising from humble origins to become the leader of humble men and a counselor to the great. And I feel sure that he knew that the system would see his various roles in Government filled by others in the days and years ahead. But that does not suggest that he can ever be replaced.

So while I sorrow at the loss of leadership he provided, I know that this void will be filled by the system. I mourn for the family who have lost a precious husband, father, and grandfather who can never be replaced. But I rejoice for the rest of us who had the joy of knowing him and who were benefited by his efforts in behalf of the Nation he loved literally more than life. For all of us who are Americans he has left an example, but particularly for those of us in public life.

He was flexible because politics is the art of compromise. But he was willing to stand in unpopular causes because politics is also the dedication of doing what one perceives to be ones duty. He filled his important role humbly because he knew the cause is greater than those who advance it. But he lived his life with confidence and joy because he knew the system in which he operated is the best possible one to meet the requirements of self government.

Our prayers should be to sustain the family and for those who must advance the causes without his aid or who will be chosen to replace him. But those prayers should also express our joy for having had the pleasure of knowing him and for living in a Nation that produced such a man from the rich earth of Illinois to which we must now return him.

Mr. MORTON. Mr. Speaker, EVERETT DIRKSEN was a unique institution in American politics whose life was a true profile of courage. His fierce sense of dedication was tempered by a deep sense of humor. His eloquence and style were unmatched in our time. His statesmanship and leadership of the loyal opposition during those years in which our party was out of power was unparalleled. Above all, EVERETT DIRKSEN was his own man.

I have lost a good friend. The Republican Party has lost one of its greatest leaders. The Nation has lost a dedicated servant.

Mr. ROONEY of Pennsylvania. Mr. Speaker, the Congress has lost one of its most prominent, most human and colorful leaders. EVERETT DIRKSEN was a man who could be firmly partisan when partisanship was appropriate but who could be thoroughly nonpartisan when the best interests of his Nation required it.

The Illinois Republican has been so much a part of the Senate and the American political scene that it is difficult to imagine either without him. Americans will always remember his many contributions to the Nation, such as his role in winning approval of the Nuclear Test Ban Treaty in 1963, his efforts to restore prayer in public schools, his famous reversal of position which insured passage of the Civil Rights Act of 1964 and his battle for the Voting Rights Act of 1965.

These are but a few of his contribu-

tions. Many of his greatest found him, the leader of the Republican Members of the Senate, joining hands with a Democratic administration to champion programs in which EV DIRKSEN believed.

Often, EV DIRKSEN hurdled party lines to assist Presidents Kennedy and Johnson when the distinguished Illinois Senator recognized that America would be the beneficiary. He has left a mark on this Nation that will not be soon forgotten.

I share the sorrow his family and friends feel, and extend to them my deepest sympathy.

Mr. KLUCZYNSKI. Mr. Speaker, we, who live in what is often described as an age of conformity, pay tribute today to the colorful life and dramatic career of one who was singularly nonconformist, a genuine original who prized the virtue of individuality and who exemplified it in his long and distinguished record of public service: EVERETT MCKINLEY DIRKSEN in whose untimely passing we all are the poorer. His passionate love of life and of the political process, allied with a deeply personal style, made him a legend in his lifetime. His comic spirit, nourished in the Lincolnian tradition of frontier humor and the anecdotal jest, embraced both the satirical and the sentimental, neither of which he feared; essentially unpompous, he delighted in the rhetorical flourishes of another age, and in this respect gave delight to millions.

Yet, it would be unjust to see him merely in terms of character, however striking and unique. He was first and last a politician in the best tradition of American life—one dedicated to that complex process of compromise, adjustment, and conciliation on which the survival of representative government depends. His often quoted aphorism, "The oil can is mightier than the sword," is a continuing commentary upon and rebuke to the so-called "politics of confrontation" which on the left and the right alike advocate violence in the pursuit of simplistic solutions to complex problems.

"A foolish consistency," wrote Emerson, "is the hobgoblin of little minds." It is the measure of EVERETT DIRKSEN'S mind and spirit that, while essentially conservative, he was never afraid to change. Politically speaking, he will be remembered for his crucial role in "the three great reversals," instances in which he demonstrated a sensitive responsiveness to the larger issues which transcended the merely partisan. In the United Nations Bond Bill in 1962, the Voting Rights Bill of 1965, and the Nuclear Test Ban Treaty of 1963, he gave genuine substance to his own words, "Change is an inherent way of life." Certainly, no one has ever spoken more movingly of the nuclear threat which encompasses all mankind in its grim embrace than did EVERETT DIRKSEN when he noted that he did not want written on his tombstone:

He knew what happened at Hiroshima, but he didn't take a first step.

We remember today his impressive words explaining his refusal to be bound by narrow, rigidly inflexible views on public policy, words fresh and pertinent in every age and perhaps his most significant memorial, and message to our Nation:

On the night Victor Hugo died, he wrote in his diary, "Stronger than all the armies is an idea whose time has come."

EVERETT DIRKSEN was a man of strong views, vigorously and eloquently upheld. Inevitably many of his special concerns were controversial. No man in his position of leadership could hope to escape criticism, just and unjust. Yet withal, he possessed unfailing good nature, especially impressive in light of the toll exacted by sickness and injury. A dislocated vertebra and a broken hip gave constant discomfort through the years. His brief retirement in 1948 was the direct result of an eye illness.

We remember that he served a full 16 years in this House from 1932 to 1948 through decades marked by depression, recovery, war, and the tasks of peace building and the cold war. Elected to the Senate in 1950, he served as minority leader from 1959 to the day of his passing.

Perhaps the key to EVERETT DIRKSEN'S life is to be found in the small farming community of Pekin, Ill., in which he was born in 1896. For it was here that he learned that respect for hard work and the related virtues of the American Midwest at the turn of the century. We recall that he worked his way through law school at the University of Minnesota and completed his degree by night courses during his service in this House. The personal, private dimension of his life reveals such things as his intense love of gardening and of flowers: he would have heartily endorsed the words of Henry Ward Beecher:

Flowers are the sweetest things that God ever made, and forgot to put a soul into.

His business experience in Pekin gave him practical insight into the problems of the business community. We are told that he wrote five novels and over 100 short stories which, though unpublished, witness to his fiercely creative impulse. His understanding of war derived from his service in 1917–19 with the American Expeditionary Force during which time he was made a second lieutenant in the field.

Especially at the time our sympathy goes out to his wife whom he wed in 1927 following a romantic stage-courtship in which she, the former Louella Carver, played the princess of Pekin, wooed by her future husband in Percy MacKaye's "A Thousand Years Ago," celebrating the centennial of Pekin. Such a romantic encounter is wholly in keeping with the life story we honor here today. Mrs. Kluczynski and I share the sense of loss felt by Mrs. Dirksen and by her daughter, Danice Joy Baker, wife of the distinguished Senator from Tennessee, the Honorable HOWARD BAKER. But beyond the grief which they feel, we share their deep sense of pride in the life and career of EVERETT DIRKSEN, a life of service to the people of Illinois and to the Nation at large and, thanks to the power and prestige of America in this century, to the whole world. He takes his special place with those illustrious few who, from the Halls of Congress, have given an enduring example of leadership in effecting significant change in days of crisis for this country and all mankind.

Mr. BROOKS. Mr. Speaker, I join my colleagues in paying tribute to the memory of the late EVERETT MCKINLEY DIRKSEN. The Senator from Illinois will long be remembered as a man of principle and dedication. He was dedicated to the service of his party, his State, and his Nation.

As minority leader, he was highly partisan without losing sight of the fine basic principles by which he was guided. Possibly the greatest contribution that Senator DIRKSEN made to his country was his demonstration that opposition did not mean obstruction.

The gentleman from Illinois was admired, respected, and genuinely liked by both the Democratic and Republican Presidents with whom he served. As minority leader, he elevated that position to new heights by making it a forum for diverse viewpoints and helpful criticisms rather than an irritant and regressive influence. This attribute was recognized and appreciated by all of us who had the pleasure of knowing and serving with him in the Congress.

I know that his wife and daughter are comforted in knowing that their loss is shared by all Americans.

Mr. GOODLING. Mr. Speaker, a bright light has left the American scene with the passing of Senator EVERETT MCKINLEY DIRKSEN.

History will record him as a giant in his time, for he had a blend of talents and personality that made him unique and distinctive in the eyes of his fellow men.

As a legislator, EVERETT DIRKSEN had the depths of understanding that comes only to those who have labored long and hard in the legislative vineyards. He had the rare ability to pinpoint the meaningful and, in effect, to separate the chaff from the wheat. His reputation as a prime cross-examiner in congressional committee proceedings was well established.

As an orator, writer, and dramatist, he had the facility to say the right thing and to pronounce it in such a way that it came thundering in upon you, or it touched your funny bone, or it stimulated your mental and psychological cores, or it lulled you into a deep quiet.

As a patriot, EVERETT DIRKSEN was dedicated to his country and to his congressional service. Although he was plagued with various illnesses, he had a heart stout enough to cast off the chains of pain and fatigue and perform nobly and effectively in the legislative chambers.

As a person, he had compassion and understanding, being more inclined to help than taunt. And his human superstructure rested on the firm foundation of a deep conviction that principle was an honored objective that must never be surrendered upon any altar.

In the wake of his departure, there is a multitude of bright reflections. We will always remember EVERETT MCKINLEY DIRKSEN, fondly and respectfully, for he

was of that substance that men never forget.

Mr. BURKE of Massachusetts. Mr. Speaker, I was deeply saddened to learn of the untimely passing of the senior Senator from Illinois and the distinguished minority leader in the U.S. Senate, EVERETT MCKINLEY DIRKSEN.

The Senate, and indeed the Nation at large, will miss this colorful figure. His eloquence has rarely been surpassed in either House and he holds a place on the pages of history with Webster and Clay. His oratorical style was colored with references to the Bible, the classics, and history. He quoted often, and flavored the issues of today with a continuity of lessons learned from the past and this was no mean indication of the man's intelligence and deep perspective.

Above all, EVERETT MCKINLEY DIRKSEN represented the people and as he traveled up the political ladder of success he never forgot this. As Senate minority leader he backed Republican and Democrat alike without regard to political consideration in matters of national interest and national defense.

EVERETT DIRKSEN was a politician of the old school. He viewed politics as an art and used his oratorical ability and gently persuasive powers to best advantage. Master of the compromise, he seemed to relish this role.

As the complex politician displayed his expertise on the Senate floor, so there was the simpler, homey philosophical man from Pekin, Ill., who was a devoted husband and delighted in the magic of his flowers and garden.

The Congress will deeply miss this distinguished gentleman and statesman, and to his wife and family go my most heartfelt condolences at their great loss.

Mr. COLLIER. Mr. Speaker, the passing of EVERETT MCKINLEY DIRKSEN from the American political scene is more than the loss of a great Senator. Indeed, the minority leader of the Senate was both an expert and an articulate technician in the complex field of lawmaking. He was a master in the art of legislative compromise which offers the only alternative to an insoluble stalemate. Because he possessed these qualities he became a symbol of the U.S. Congress in this generation and is now an integral part of its history and tradition.

Senator DIRKSEN was a great Constitutionalist and a man who cherished the fundamental principles of our great free enterprise system. He was unsurpassed in his ability to develop the basic issues from the conglomeration of the most difficult legislative measures. He was gifted with a sense of expression which allowed him to paint a masterpiece with words as the most accomplished artist does with his brush and oils.

Many of his speeches have been indelibly written into the history of the House of Representatives and the Senate.

To review his many political achievements of leadership in his long decades of public service would take more pages than any author would attempt to write. But one can say in summary that no man of our time has contributed more to the accomplishments of the Congress than the late illustrious Illinois Senator, and it is very improbable that anyone will in future generations.

Personally, he was a vibrant, compassionate and lovable human being. He possessed a rich and wry sense of humor which was a source of delight to all who participated in his intimate conversations. He had a million friends in every walk of life, and he had a quality of making everyone's presence felt even while he was the focal point of attention in both official and informal groups and gatherings.

To his loyal and gracious wife and lovely daughter, Mrs. Howard Baker, and to all other members of his distinguished family, I extend my condolences. But I do so knowing that they have been left with a rich heritage and the cherished memory of the works and achievements of one of the truly great American statesmen of the generations. Like my colleagues in this esteemed body and millions of others across this Nation, I shall miss him greatly.

Mr. HALPERN. Mr. Speaker, Senator EVERETT MCKINLEY DIRKSEN, our dear departed friend, was a leader held in highest esteem, respect, and admiration by his constituents and his colleagues.

In his devotion to providing a "more perfect union," EVERETT DIRKSEN excelled, because he was the moving spirit behind any cause which he championed. His eloquence and great ability as a statesman breathed life into often disagreeable endeavors. He constantly sought that middle ground on which all honorable men could agree.

We are, indeed, greatly saddened by the death of Senator DIRKSEN. Separation, sudden and unexpected, is always difficult for those left behind. And yet if quality be the real test of life, the life of EVERETT MCKINLEY DIRKSEN should in itself serve to mitigate our sadness as his friends and colleagues, and to afford a source of pride and inspiration to those closest to him.

To those of us who survive, he has tossed the torch, and ours is the duty to carry on. Let us rededicate ourselves to the patriotism and love of country he felt, emulating his virtues and his consecration to duty. In memory of a fine, upstanding American, let us resolve, in this dark and threatening period which menaces our Nation, to eschew all bitterness and strife, forget racial and religious differences, forego partisan politics, and unite as one great people, under one flag, and with one destiny—that of strengthening America.

The votes which Senator DIRKSEN cast and the speeches which he made are preserved in the CONGRESSIONAL RECORD and elsewhere, but their memory is enshrined forever in our hearts.

We shall remember best not his official record but our association with him, and the ties of lasting friendship which death cannot sever and which are among the compensating joys of our service in Congress.

The greatest comfort and consolation that can come to his family is not only the splendid record which he made as a faithful public servant, but also the heritage he has transmitted to his wife and daughter, and the love, loyalty, and generous devotion which he bestowed upon his friends and family.

EVERETT DIRKSEN has passed away, but he died as he would have wanted it—in service to his country.

Mr. CEDERBERG. Mr. Speaker, I rise to join my colleagues in expressing my feeling of a deep personal loss on the death of the great minority leader of the Senate, EVERETT MCKINLEY DIRKSEN.

Senator DIRKSEN will be remembered by all Americans as one of the great legislative leaders of our time. His service in both the House and Senate represents a lifetime of legislative achievement. He was not only a great leader of the Republican Party but he was also a party leader always ready to put his country ahead of partisanship. His masterful oratory will be missed and the Nation has suffered a great loss. The people of Illinois and the country have lost a great national leader.

Certainly an era has ended. With the passing of Ev DIRKSEN one of the last great practitioners of the art of "being a Senator" is no more. The tousled hair, the rise and fall of a commanding voice in debate on some of the great issues of our country will be no more.

In behalf of Mrs. Cederberg and myself, I want to express to Mrs. Dirksen and to Senator BAKER and his wife my deepest sympathy.

Mr. HELSTOSKI. Mr. Speaker, the eloquent oratorical voice of a great man was stilled last Sunday when Senator EVERETT MCKINLEY DIRKSEN passed away at Walter Reed Army Hospital.

With his death, the Nation lost one of the most skilled and certainly most colorful, political leaders of our time.

Senator DIRKSEN was a Member of this House of Representatives from 1932 to 1949. In 1950 he was elected to the U.S. Senate, and was serving as minority leader in that body at the time of his death.

Mr. Speaker, today we walk in silent sorrow to give our final respects to a man whose mark is written upon legislative history for all time.

He had the hidden genius for finding the key to agreement on conflicting proposals and political issues. This genius served him well, as evidenced by the crucial part he played in the passage of the Civil Rights Act of 1964 and on the ratification of the Nuclear Test Ban Treaty in 1963.

Many have heard his booming voice thundering dramatically through the Senate Chambers, then gradually lowering to a whisper which had his audience hanging on in silence lest they miss something of his speech as he made his point.

Mr. Speaker, I join all Americans today in expressing my condolences to Mrs. Dirksen and her family. May his soul rest in everlasting peace.

Mr. DON H. CLAUSEN. Mr. Speaker, when Senator EVERETT DIRKSEN passed away on Sunday, America lost one of its greatest and most talented legislators. In my judgment, Senator DIRKSEN was an institution, and of himself. He will long be remembered as the great mediator.

The senior Senator from Illinois had an

exceptional quality, personality, and character that made him stand tall in the minds of his colleagues, the American people, and people throughout the world. He will always stand as tall as the giant Redwoods from my native California in the minds of every American who was privileged to know or hear him.

The people from redwood country and I will be eternally grateful for his valuable assistance to me during the long and arduous debate that led to the creation of the Redwood National Park.

Certainly, his memory will endure as long as the life of those redwoods he fought to save for posterity.

Mr. VAN DEERLIN. Mr. Speaker, the death of EVERETT DIRKSEN has left a void that can never again be entirely filled; for Senator DIRKSEN was unique: in his parliamentary skills, his captivating personality, and his impact on our national life.

Overcoming debilitating illnesses that on numerous occasions would have forced lesser men to the sidelines, he continued to cut an enviable swath until the end.

With command of the language, his matchless eloquence, and his occasional flamboyance, he evoked an American past when the great orators whose words still ring through our history were also rugged individualists.

Although it was possible to disagree at times with Senator DIRKSEN, it was impossible to dislike him. I mourn his passing.

Mr. MAHON. Mr. Speaker, I wish to join in paying tribute to the memory of EVERETT DIRKSEN. I was privileged to serve with him as a fellow member of the House Appropriations Committee for many years. I can testify at first hand about the great job he did as a member of the committee.

He was brilliant, dedicated, always considerate of friend or foe. His distinguished career in the Senate must not be permitted to obscure his distinguished record of service in the House.

It has been my privilege to be present at many meetings in recent years when EVERETT DIRKSEN in his position of leadership was charged with major responsibility. He always measured up to the highest standards. Regardless of who occupied the position of President he strove to be helpful. He never sold the country short. It is fitting that we should honor him today.

Mr. HARVEY. Mr. Speaker, unfortunately, my personal association with Senator EVERETT DIRKSEN was very limited. Like other Members of the House, I would have the opportunity to greet and visit with him briefly on social occasions and then, of course, very rarely during conferences on legislation passed by the two legislative bodies.

It was through one of his most able and long-time aides, Oliver J. Dompierre, a Michiganite from my old territory—the Upper Peninsula—that I have long felt a close tie and association.

In the 9 years that I have served in Congress, I do not believe that I have ever been more proud or more frightened than I was over 7 years ago when I was asked to "fill in" for Senator DIRKSEN in a speaking role. I was just in my second year in Congress. It might have been said that I was just a sophomore. But I was smart enough to know that I would not be able to "fill in" for Senator DIRKSEN in a speaking role. I might be on the program; I might even deliver the main address; but I would never be able to fill in for him. I could not do that on March 30, 1962, in Chicago, Ill., at a fund-raising dinner for the Senator, nor will I or any one else reach that stature.

I would like at this time to repeat my opening comments at that dinner program over 7 years ago. My feelings have not changed over the years, as I got to know him better. My words were appropriate then and I feel they are now. I started by saying:

> Mr. Chairman and fellow Republicans, it is a real privilege and honor for me to join with you tonight in tribute to Senator Everett Dirksen. You may not have previously considered it, but we Republicans in Michigan are almost as proud and happy as you in the State of Illinois to have Senator Dirksen representing you in Congress. In many ways, we have adopted Senator Dirksen as our voice in the Senate Chamber. We have a real attachment to your beloved Senator.
>
> Actually, Senator Dirksen, during his 28 years as a Member of Congress, and now in his present role as Minority Leader in the Senate, has been warmly adopted by thousands of Americans throughout our land. When he speaks in the Senate Chamber, everyone listens. No greater respect or honor than that could be paid. Certainly, at no time in our nation's history has such leadership in the Senate been more sorely needed than now. You people rightly believe that the State of Illinois needs Everett Dirksen. I concur and quickly add that our nation needs him also.

Yes, it has been nearly 8 years since I uttered those words of praise. I repeat them now as all Americans bid farewell to one of the giants in our Nation's history. EVERETT MCKINLEY DIRKSEN shall always remain a giant in our Nation, for he truly was a grand flag bearer. He served his country as greatly as he loved it.

No one—in any fashion—can or will ever be able to "fill in" for him.

Mr. BELCHER. Mr. Speaker, the death of Senator EVERETT MCKINLEY DIRKSEN has come as a profound shock to all who knew him. Though our minds contained the fact that he had suffered from various illnesses over the past few years, they never grasped the implications of that fact. His tireless efforts as his party's leader in the Senate, his constant good humor, the "basso profundo" he brought to the support of those causes for which he crusaded—all combined to create a sense of indestructibility; to lull us with the impression that here was, not only a man for all seasons, but a man for all time.

I am deeply grieved at his untimely passing. I do not grieve for EVERETT DIRKSEN, for he has found surcease from the ills of the flesh and peace in the arms of the Creator he knew and loved so well. I grieve for all of us who still must cope with these troubled times without his wisdom, his insight, his strength, his sure sense of purpose and direction.

This Nation has produced its share of great statesmen and it has claimed many articulate and engaging personalities. But very, very rarely has there passed across the pages of our history a more remarkable and beloved combination of political skill and flamboyance—of statesmanship and charisma—than was found combined in the personality and career of EVERETT MCKINLEY DIRKSEN.

The Senate, the administration, the Republican Party, the State of Illinois—but most importantly, the Nation and its people—will miss his leadership and his zest for life. His record and his indomitable spirit are monuments to the qualities of leadership and character which he embodied and to which we all aspire.

I grieve for his wonderful wife and family who have lived in the joy of having this warm, strong, gentle and inspiring man as husband, father, and grandfather. His passing leaves a great empty space in a close family group, but a thousand cherished memories will help to ease the loss and fill the hollow in the heart his absence brings.

Finally, Mr. Speaker, I do not deem it selfish that I grieve for myself at the loss of a dear and beloved friend. Many are my recollections of happy experiences shared with Ev DIRKSEN. In years past, before his leadership responsibilities became so heavy, he was an indefatigable speaker on the political dinner circuit and he came to Oklahoma many times to lend his unique oratorical ability to my campaigns and to the party cause. Oklahomans loved him as much as if he were one of their own. And I was always proud and delighted to share his wonderful friendship.

Mrs. Belcher and I will miss him deeply, and we join in extending to his wife, Louella, and to his family our sincere sympathy and our prayers that they may know the fullest measure of God's strength and love in this time of sorrow.

Mr. LANDGREBE. Mr. Speaker, the passing of Senator EVERETT MCKINLEY DIRKSEN marks the end of an era. He was the last of a breed of giants who walked among us on Capitol Hill, combining showmanship and statesmanship, service with grandeur.

As a freshman, my contacts with Senator DIRKSEN were relatively few, but like most Americans I have many vivid memories of him. What I recall most is that, despite his importance he was accessible to all. I recall asking for appointments with lesser men and being put off 1 or 2 weeks. "Ev" DIRKSEN, despite his busy schedule and prominence as a national leader, was always available without such delays. Twice, I had occasion to seek an interview with this great man, and twice he received this freshman Congressman quickly and with genuine warmth.

The world will best remember his showmanship—the sonorous oratory, the silvery locks, the courtly, yet homely, manner. But we must also remember the statesmanship that lay beneath his grandness of manner. His leadership reached its peak during Democratic administrations. While he knew his role as leader of the loyal opposition was in partisan affairs to oppose—and oppose he did—he never lost sight of the re-

quirement to be loyal, as well. In those situations which called for a united front for the good of the country, EVERETT MCKINLEY DIRKSEN could and did work with Democratic Presidents as closely as with those of his own party. Our country owes him much for the unity he preserved.

We Republicans were proud of EVERETT DIRKSEN as a great leader of our party; we of the Midwest were proud of him as a personification of the ethics and ideals we hold especially dear back home. But all America can be proud of EVERETT MCKINLEY DIRKSEN as the embodiment of all that is great in American political life. He was a great Republican and Midwesterner, but he was first of all a great American.

Now the torch has been passed. Someone will assume the mantle of leadership laid down by this great warrior, and life will go on. I am confident that whoever becomes the Republican leader in the Senate will carry on well in the tradition set by EVERETT DIRKSEN. But no one, no matter how able or honorable, can ever really replace this singular man from Pekin, Ill., so beloved by all his countrymen.

I know I join all my colleagues, on both sides of the aisle, and indeed all Americans in extending deepest sympathy and condolences to Mrs. Dirksen and the Senator's family.

Mr. BETTS. Mr. Speaker, the passing of Senator DIRKSEN from the political scene leaves a void which may never be filled. Someone, of course, will take his place in the legislative halls but it will be a difficult task to measure up to the accomplishments and talents of the departed minority leader.

His background is one that appears time and again in the lives of successful men. A humble beginning, hard work, and dedication to ideals tell the story of his rise to the top. In the midst of his legislative career were all the ingredients which the American public looks for and expects to find in its public servants. He was a family man and loved his home. He was kind and considerate and even though he rose to the heights he never lost the common touch or lost sight of the friendships he had made along the way.

All of these enduring qualities made up the framework around which his career was built.

Sometime ago I asked for his autographed picture. When I received it, the Senator had written on it this inscription for me, "To my old and steadfast friend." I shall always cherish this token of friendship from a great man. And as one of his friends, I am saddened at his death and extend my sincere sympathy to Mrs. Dirksen and his family.

Mr. MICHEL. Mr. Speaker, the tributes to the late beloved Senator EVERETT DIRKSEN continue to roll in and included in that flood tide of respect and affection is an editorial written by Mr. Ray McHugh of the Copley News Service. The editorial really captures the essence of the Senator's life and career and his impact on our national life for so many years. I include the editorial in the RECORD at this point:

TRIBUTE TO SENATOR DIRKSEN

(By Ray McHugh)

"In God we trust."

The phrase was more than a motto to Senator Everett McKinley Dirksen.

It was a way of life.

Since his death Sunday afternoon, there have been many eulogies and many reminiscences. Not a few have lamented the passing of the Senate's last great orator of the old eloquent tradition.

We shared the joy of Sen. Dirksen's resonant speeches, full with the quotations from the bible, Shakespeare, and the classics and spiced with Spoon River humor, all honed when he was a young man in Pekin kneading bread dough in his brother's bakery and reciting classics in the rolling rhythm of the breadboard.

We shared the wonder at that cathedral organ voice that could thunder like the artillery he heard in World War I or whisper like a lover.

But the senior Senator from Illinois must be remembered for more than a great oratorical style.

Here was a man who believed fiercely in the basic difference between right and wrong. His words often sent well-educated reporters scurrying to their dictionaries, but his principles were as uncomplicated as the Illinois prairies from which he rose.

Everett McKinley Dirksen's priorities were simple. He owed his first allegiance to God, his second to the United States of America, his third to his family, his fourth to the Republican Party.

No President he ever served quarreled with those priorities. His wife Luella would not have cared the way she did if they had been different.

Without Sen. Dirksen, President John F. Kennedy would not have had the nuclear test ban treaty which is regarded as his tallest monument.

Dirksen's reasoning was simple:

"I should not like to have written on my tombstone, 'He Knew What Happened at Hiroshima, But He Did Not Take The First Step.'"

Without Sen. Dirksen, President Lyndon B. Johnson would not have had the civil rights legislation that he considers his greatest contribution to the Nation.

Without Sen. Dirksen, President Dwight D. Eisenhower's programs would have been emasculated in his last two years in office by a high-riding, newly elected Democrat majority. Those were the years when a Dirksen-Johnson friendship born in the House in the late 1930s began to bear the fruit of national responsibility.

Without Sen. Dirksen, President Nixon would not have won Senate approval of the Safeguard Anti Ballistic Missile System.

Without Sen. Dirksen, Mr. Nixon now faces trying days on Capitol Hill. No one since Sen. Robert A. Taft better deserved the title of "Mr. Republican" and it's hard to recall any Senator who had the man from Pekin's ability to lead a small band to decisive victories.

It is hard to forget how in the early 1960s, faced with overwhelming odds, Sen. Dirksen successfully defended the rights of working men against compulsory unionism; how only a year ago he directed the strategy that blocked Abe Fortas' nomination as Chief Justice of the United States; how he stood staunchly alongside President Johnson in the trying ordeal of Vietnam, privately leaning toward a "victory" policy, but publicly supporting his old friend on what to Dirksen was the best of all grounds:

"Because he is my President . . ."

Sen. Dirksen was not without his critics. They had grown in recent years, particularly in the ranks of liberal Republicans who complained that the Senator was out of step with the times, that his ideas were old-fashioned, that he did not understand the changing America.

Sen. Dirksen understood it. But he didn't like it.

It was only after grave soul-searching that he supported sweeping civil rights and educational changes.

"They are remaking America and you won't like it," he warned in the early stages of debate, but later in his final argument supporting President Johnson's proposals, he said:

"The time has come for equality in sharing government and education, and in employment. It will not be stayed or denied. It is here."

But the time had not come for other changes.

Sen. Dirksen died without realizing one of his fiercest convictions—the restoration of prayer to public schools.

Nothing shook the old lawmaker more than the Supreme Court ruling outlawing such prayers. In Dirksen's view, the Court had taken something basic away from America.

His memory could be served in no better way than to hasten passage of a constitutional amendment that puts prayer back in the classroom and reasserts the Nation's faith in the words Everett McKinley Dirksen lived by:

"In God we trust."

Mr. WHALLEY. Mr. Speaker, I wish to join my colleagues in paying tribute to one of the most outstanding and beloved figures of our time. Senator EVERETT MCKINLEY DIRKSEN filled the hearts of an entire nation but his passing now touches these hearts with sorrow and a profound sense of loss. No longer will the Senate Chamber echo with his eloquence. No longer will his deep stores of wit and wisdom enrich the debate of our most urgent national issues.

Senator DIRKSEN's first allegiance was to the protection and preservation of our American heritage of freedom. He had devoted his life to strengthening and defending the principles of our Constitution. His efforts to permit prayer and Bible reading in the Nation's schools demonstrated his faith in God and his deep love for America.

EVERETT DIRKSEN was one of the greatest statesmen of this century. Every President since Roosevelt consulted him for insight and judgment in foreign and domestic affairs. He was a trusted adviser to our Presidents regardless of the party in office because he always put the national interest ahead of partisan consideration.

Senator DIRKSEN was a unique figure in American history whose place can never be filled or duplicated. His integrity, his faith in America and God, the magnificent achievements of his statesmanship, his legislative leadership, his eloquence, his humanity and compassion will never be forgotten.

My most sincere sympathy goes to his family in their sorrow and loss.

Mr. WHITTEN. Mr. Speaker, I wish to join the many fine statements made with reference to the late Senator EVERETT MCKINLEY DIRKSEN. It was my privilege to serve with him in the House of Representatives for a number of years. In fact, after serving under his chairmanship I succeeded him as chairman of the Appropriations Subcommittee for Agriculture.

During this period of time, his charm, never-ending humor, and his ability

made it always easy to deal with him, even on those occasions when our viewpoints were different. I will not attempt to surpass the glowing attributes which have been made, the fine descriptions which have been given, but I do want to say his has been a wonderful service and within his own lights has been constructive. Certainly he has created a big place for himself in the Congress and in the Nation and it will take much time for the void to be filled.

To his family and his loved ones we extend our deepest sympathy in their loss. We all have lost a fine friend and the country an outstanding citizen.

Mr. WYMAN. Mr. Speaker, with the passing of EVERETT MCKINLEY DIRKSEN, the Members of this Congress and the people of this Nation are losing more than a great leader, more than an outstanding Senator and national image to whom we pay our respect because of his noticeable accomplishments. After his 35 years of unparalleled service in the House and Senate, his death marks the loss of an inspiration and color for American public life unequalled since the days of Daniel Webster.

Senator DIRKSEN was a friendly, warm, compassionate pillar of a man. He was a man who not only enjoyed his work and responsibility, but enjoyed and lived for the institutions within which he was able to function so well. He was outstandingly effective not only by virtue of his extraordinary capabilities but also because of the pleasure and feeling for life that he expressed in what he was doing. He was effective because he was conscious of the values of our way of life that depended so greatly upon what he did and said. He was not afraid to introduce a little humor into a grave situation, or to take issue on matters of great consequence which he felt demanded the positions he took.

None could deny the powerful effect of the Senator's manner or the beauty of his conduct. Add to his humor his skill as an orator and you have one of the most memorable figures ever to grace the floors of the House and Senate. The quality of his performance as a Thespian, his flair for the dramatic, his deep resounding voice and the control which he had over it, as well as his manner of delivery and there was given to the Senate and to America the closest link between our time and that of Webster, Clay and Calhoun.

But the brightness of his personality and the uniqueness of his behavior should not overshadow his skill as a legislative leader and statesman. The excellence of his rhetoric was not by any means his only method of being effective. As the Senate minority leader and the single most influential member of his party during two Democratic administrations, he enjoyed a power and influence of great proportion. He used this position well, for the benefit of his party, and performed the function of leader of the "loyal opposition" well, for the betterment of his country.

Yet, on those issues which were of such great consequence to the welfare and security of our Nation, he was able to avoid partisanship and withstand pressures from both inside and outside of his party. He held fast to his convictions and followed the course in which his judgment and good sense directed him.

In handling issues of the war in Vietnam, for example, the Senator cooperated closely with Presidents Kennedy and Johnson in response to his deep personal conviction that the essence of Government is the freedom of the people. He fought hard behind the scenes as well as in public to see that the freedom of which he spoke was preserved for all those who had become dependent upon the Government of the United States for that preservation.

His many accomplishments can only be looked upon with pride. He served during very troubled times in a capacity which required great leadership capabilities. Had his great knowledge of American politics and its legislative processes not been available to the Congress the consequences might have been immeasureably grave. He became to the Senate an entertaining leader, a man who looked to God and commonsense for his guidance and he gave direction to his colleagues as a master in his own right. We are grateful to him for his involvement, his conviction, his dedication and now his supreme sacrifice.

To paraphrase one of his favorite sayings, "There is only one debt greater than the Federal debt, and that is the debt that the Members of Congress and all Americans owe to EVERETT MCKINLEY DIRKSEN."

Mr. ROGERS of Florida. Mr. Speaker, I join with my colleagues in expressing my sorrow over the loss to the Congress and to the Nation of Senator EVERETT M. DIRKSEN.

The many facets of the Senator from Illinois have been seen by the Congress and the Nation over the past 35 years and those talents which he possessed will be truly missed.

He has left the Nation both legend and legacy.

Maybe most think of the legend, of the personality which was indeed unique. Unfortunately, I feel that this personality has in some part overshadowed the legislative achievements which he helped forge while in the House and the Senate.

Hardly any major legislation in the past three decades is void of his handiwork.

Senator DIRKSEN was counsel among Presidents. He was a leader and mentor among his peers in the Congress. But foremost, he was a servant of the American people.

My wife Becky and I offer our sincerest sympathy to Mrs. Dirksen and Senator and Mrs. Baker.

Mr. FINDLEY. Mr. Speaker, Mr. Ray McHugh, of the Copley News Service, is the author of the superb tribute to the late Senator DIRKSEN. The Copley Newspapers include the Illinois State Journal and Illinois State Register, in Springfield, Ill., as well as the Aurora Beacon-News. These newspapers have been prominent in giving coverage and encouragement to Senator DIRKSEN throughout his political career. The remarks prepared by Mr. McHugh are therefore of special interest. Here is the text:

TRIBUTE TO SENATOR DIRKSEN

(By Ray McHugh)

"In God we trust."

The phrase was more than a motto to Senator Everett McKinley Dirksen.

It was a way of life.

Since his death Sunday afternoon, there have been many eulogies and many reminiscences. Not a few have lamented the passing of the Senate's last great orator of the old eloquent tradition.

We shared the joy of Sen. Dirksen's resonant speeches, full with the quotations from the Bible, Shakespeare, and the classics and spiced with Spoon River humor, all honed when he was a young man in Pekin kneading bread dough in his brother's bakery and reciting classics in the rolling rhythm of the breadboard.

We shared the wonder at that cathedral organ voice that could thunder like the artillery he heard in World War I or whisper like a lover.

But the senior Senator from Illinois must be remembered for more than a great oratorical style.

Here was a man who believed fiercely in the basic difference between right and wrong. His words often sent well-educated reporters scurrying to their dictionaries, but his principles were as uncomplicated as the Illinois prairies from which he rose.

Everett McKinley Dirksen's priorities were simple. He owed his first allegiance to God, his second to the United States of America, his third to his family, his fourth to the Republican Party.

No President he ever served quarreled with those priorities. His wife Luella would not have cared the way she did if they had been different.

Without Sen. Dirksen, President John F. Kennedy would not have had the Nuclear Test Ban Treaty which is regarded as his tallest monument.

Dirksen's reasoning was simple:

"I should not like to have written on my tombstone, 'He knew what happened at Hiroshima, but he did not take the first step.'"

Without Sen. Dirksen, President Lyndon B. Johnson would not have had the civil rights legislation that he considers his greatest contribution to the nation.

Without Sen. Dirksen, President Dwight D. Eisenhower's programs would have been emasculated in his last two years in office by a high-riding, newly-elected Democrat majority. Those were the years when a Dirksen-Johnson friendship born in the house in the late 1930s began to bear the fruit of national responsibility.

Without Sen. Dirksen, President Nixon would not have won Senate approval of the Safeguard anti ballistic missile system.

Without Sen. Dirksen, Mr. Nixon now faces trying days on Capitol Hill. No one since Sen. Robert A. Taft better deserved the title of "Mr. Republican" and it's hard to recall any Senator who had the man from Pekin's ability to lead a small band to decisive victories.

It is hard to forget how in the early 1960s, faced with overwhelming odds, Sen. Dirksen successfully defended the rights of working men against compulsory unionism; how only a year ago he directed the strategy that blocked Abe Fortas' nomination as Chief Justice of the United States; how he stood staunchy alongside President Johnson in the trying ordeal of Vietnam, privately leaning toward a "victory" policy, but publicly supporting his old friend on what to Dirksen was the best of all grounds:

"Because he is my President . . ."

Sen. Dirksen was not without his critics. They had grown in recent years, particularly in the ranks of liberal Republicans who complained that the Senator was out of step with the times, that his ideas were old-fashioned, that he did not understand the changing America.

Sen. Dirksen understood it. But he didn't like it.

It was only after grave soul-searching that he supported sweeping civil rights and educational changes.

"They are remaking America and you won't like it." He warned in the early stages of debate, but later in his final argument supporting President Johnson's proposals, he said:

"The time has come for equality in sharing Government and education, and in employment. It will not be stayed or denied. It is here."

But the time had not come for other changes.

Sen. Dirksen died without realizing one of his fiercest convictions—the restoration of prayer to public schools.

Nothing shook the old lawmaker more than the Supreme Court ruling outlawing such prayers. In Dirksen's view, the Court had taken something basic away from America.

His memory could be served in no better way than to hasten passage of a constitutional amendment that puts prayer back in the classroom and reasserts the Nation's faith in the words Everett McKinley Dirksen lived by:

"In God We Trust."

Mr. SHRIVER. Mr. Speaker, I join with millions of Americans in expressing my personal sorrow over the loss of a great legislator and distinguished American, EVERETT DIRKSEN. On behalf of the people of the Fourth Congressional District of Kansas, I express heartfelt sympathy to Mrs. Dirksen and their daughter. As the President ably pointed out in his eulogy yesterday, Senator DIRKSEN belonged to all the people. He was as highly regarded in Kansas as he was in Illinois.

He was indeed "one of a kind," and he will be sorely missed. He exercised great influence on much of the significant legislation of our times. He was a powerful spokesman for the Republican Party, and he loved the United States of America. But to EVERETT DIRKSEN, America always ranked above partisan politics.

We who knew him, who respected him, who worked with him, will never forget him. He was truly one of the great ones.

Mrs. Shriver joins with me in this expression of sorrow and sympathy on the loss of a good friend and a great patriot.

Mr. CLANCY. Mr. Speaker, I rise today to join my colleagues in expressing sorrow over the loss of that great statesman, EVERETT MCKINLEY DIRKSEN. The Senator was truly a leader in every sense of the word. He was held in highest esteem by his constituents and his colleagues who looked to him as a source of pride and inspiration. His service in both the House and the Senate represent a lifetime of legislative achievement. His colorful life, dramatic career and oratorical style made him a striking, unique legend of our time.

I wish to extend my deepest sympathy to his beloved wife and family.

Mr. JONES of Tennessee. Mr. Speaker, EVERETT MCKINLEY DIRKSEN has left our midst in the Halls of Congress but he lives on in our hearts and minds. The pictures he has drawn on the pages of history will never fade but instead will become more vivid as each new generation brings them out and dusts them off in order to view the delicate art of leadership.

A leader is a trusted servant, and Senator DIRKSEN portrayed this so masterfully that future generations will have to do little if any retouching when they use his art as their example.

During his 36 years of service, he shared with his constituency, his party, and his Nation some of their highest and lowest points in history. Elected to the House of Representatives in 1933 with his party in power, he immediately experienced the depression and party change-over of the Presidency and the Congress which lasted through the war years of the 1940's. I feel it was during these years when others showed weakness that he gained the strength to carry on the business of his Nation and party which we saw him display to the very last moment of his life.

Senator DIRKSEN was an oratorical artist who could mold the thinking of both parties into a workable pattern from which a solution could be fashioned. He was a craftsman who never forced or pushed, but gently and firmly pressed the clay of the Nation's needs as he felt them into a statuesque presentation which all could look at and admire even though they might not agree with its message.

I personally am grateful to Senator DIRKSEN for showing me by his stalwart example how a dedicated leader of his party can also be a worthy and trusted servant of all the people of his Nation.

Mr. QUILLEN. Mr. Speaker, I was saddened at the passing of the Honorable EVERETT M. DIRKSEN. The Nation has lost one of her most illustrious sons.

He was a great American, a great statesman, and a great leader.

The Nixon administration depended on him, as did other administrations for more than a quarter of a century. He was a Lincoln to his party and a dedicated champion for a better way of life for all Americans.

We must not let his passing discourage us, but rather provide an impetus for all Americans to strive even more diligently toward attaining the goals and ideals which were so precious to him. His inspiration to his party and to all Members of Congress lives on as a challenge for us.

EVERETT DIRKSEN was a rare individual. He may well be characterized as "a man for all seasons," for he served his State, his party, and his country equally diligently and well. His infectuous personality had two facets—wit and charm as well as logic and pragmatism. These served to influence the age in which he lived. His loyalty to the Republican Party was overshadowed only by his unfailing love of his family and loyalty to his country—no matter the season. He served his country unfalteringly—not only in the summers of his time—but also when the going got rough. He could be counted on to put forth the added effort, travel the extra mile, and meet any situation with a fixed determination to get the job done.

EVERETT DIRKSEN'S views and ideas were perpetrated greatly through the influence of the news media. We were aware of his genius on a personal basis; however, the public depended on the news media to form its judgment.

The following editorial was broadcast on WCYB, a television station in Bristol, Tenn., in my district. I feel it merits repetition since it reflects the views of so many of my fellow Tennesseans and Americans. It is entitled "Dirksen Influence Was Tremendous":

DIRKSEN INFLUENCE WAS TREMENDOUS

America admires a winner and leader, especially if he has the ability and adroitness to create an aura of color around himself.

Senator Everett McKinley Dirksen of Illinois captured their admiration and fancy. So millions of Americans who knew Senator Dirksen only through television, radio and the printed word, regret his passing from life and the political scene.

Senator Dirksen was the most powerful figure in Congress for the past decade. He was by far the most colorful, with his rare skill for oratory and debate, and unusual personal appearance.

Politically, he generally mirrored the evolution of the American economy and thought.

He went to Congress in 1932 as an arch conservative. Within the past decade he gave vital support to civil rights legislation, a bond issue for the United Nations, and a treaty banning above-ground nuclear testing. From isolationist he became an internationalist.

Yet he retained his conservatism to the extent that he has sought a constitutional amendment to override the Supreme Court decision that population be the sole basis for apportioning seats in State legislatures.

Mr. Dirksen served either in the House or Senate for 35 years. He was highly intelligent.

During that more than a third of a century hundreds of people went to him for help. When he felt the justness of their positions he helped many hundreds. He also helped scores of other Members of Congress with their legislation.

Senator Dirksen had the ability to make use of those whom he had helped. That probably was the secret of his rare Congressional power in the final decade of his life.

It was the Dirksen off the floor of Congress that we liked best. He could put on a flamboyant show for newsmen. He could be bitingly satirical . . . he was a past-master as a conversationist.

The Senator's daughter married a Tennessean and he was a close friend of the late Rep. B. Carroll Reece of Johnson City. He developed rare familiarity with State politics in the South.

On one occasion he sympathized with our stateline problem of covering five States. He did it with a half-hour word-picture of the political situations in those States and some prophecies that became truth. We marveled at his detail.

We also marveled at his physical endurance. For years before his last illness Senator Dirksen suffered from a bleeding ulcer, a pinched nerve in his back and emphysema.

The Congress and the Nation have lost a rare figure. His death will have some deep visible effects on the Washington scene.

This editorial was picked at random. There were many other glowing tributes—tributes that will linger forever in the hearts and minds of Americans.

My wife joins me in extending deepest sympathy to his wife and members of his family.

Mr. WYLIE. Mr. Speaker, many people from my district have written and called expressing their feeling of profound loss due to the death of Senator EVERETT MCKINLEY DIRKSEN. One constituent called

at 1 a.m. Monday morning, after hearing of the tragedy on the late news, to inquire as to the address of Mrs. Dirksen so that he might send her a telegram of sympathy. People all across the Nation felt a personal loss when this great man passed away. I would be remiss if I did not take advantage of the opportunity afforded me as a Member of the U.S. House of Representatives to place in the CONGRESSIONAL RECORD for history some of the thoughts of my constituents and my own concerning this outstanding American.

Senator DIRKSEN was a very important and extremely busy public official. Yet he was kind and generous with his time and wise counsel, especially to new Members of the Congress. Many of my constituents had written to me asking that I support the Dirksen amendment to the Constitution which would permit prayer in public schools and buildings. I approved of the amendment but felt a need to do more than pay lipservice. So I called Senator DIRKSEN about his amendment. He said, "Come on over. We'll talk about it." When I arrived his waiting room was full of people. But because of his intense interest in his resolution, he wanted to give it first priority. He suggested that I introduce a similar resolution in the House, which I did. Most say that the possibility of such an amendment died with the Senator. I think it would be a fitting, lasting tribute to him if the Members of Congress would now adopt a resolution which would submit such an amendment to the people of the States for approval.

Yes, EVERETT MCKINLEY DIRKSEN has now passed into the pages of history but the contributions of this great statesman will never die. His memory will serve as an inspiration to all who follow. As many great Americans, Senator DIRKSEN began life as a smalltown boy and rose to the pinnacle of American politics. He has been termed by President Nixon "a giant in the history of Congress," an adviser and confidant to Presidents, a colorful and sparkling orator, a skilled parliamentarian, a loyal Republican, and—above all—a patriot and great American.

He possessed the courage of his conviction and his integrity, along with his many other qualities, endeared him to the Nation and created a legend in his own time.

All of us in this House can profit from his example as a dedicated public servant and as a kind and generous man. One of my constituents suggested we take his wise counsel regarding his prayer amendment. I would like to associate myself with the idea. While we are considering another amendment to the Constitution, relating to the selection of the President and Vice President, we should consider the possibility of a constitutional amendment to permit voluntary participation in prayer in public schools. Such an amendment would be an appropriate lasting monument to this great God-fearing man.

Mr. BYRNES of Wisconsin. Mr. Speaker, it is with a feeling of deep personal loss that I join in paying tribute the memory of EVERETT MCKINLEY DIRKSEN.

I was privileged to know and work with him as a Member of this body. His kindness and encouragements when I first came here will never be forgotten. During the years of his service in the Senate, when I was privileged to work closely with him on policy matters affecting our party and on legislation in which we were both involved, my respect for him, and my friendship with him, grew daily.

Senator DIRKSEN was a leader of men. He knew the demands of the legislative process in a representative government. While the Nation came to know him for his colorful personality and his inimitable gifts of humor and oratory, those of us who worked with him knew his other side—his grasp of the issues, his firmness in standing for what he believed right, his ability to achieve the kind of compromises necessary if a diverse society is to function.

Of EVERETT DIRKSEN, we can truly say that the Halls of Congress will not be the same now that he has been taken from us. He made his mark here and upon the Nation. He will be sorely missed. Mrs. Byrnes joins me in extending our deepest sympathy to Mrs. Dirksen and his family in their time of sorrow.

Mr. BROOMFIELD. Mr. Speaker, I join my colleagues in marking the passing of the distinguished Minority Leader of the Senate, EVERETT MCKINLEY DIRKSEN.

A wise and eloquent man once said:

Whom the gods love die young no matter how long they live.

At 73, Senator DIRKSEN died youthful, a favorite of the common people as well as the gods. He was, as President Nixon said, a politician in the finest sense and an extremely likeable man.

As in the case of other great men, he was personally a paradox.

He cultivated a public reputation for eloquence, affability, and as a champion of good-natured causes. His television appearances, his writing, and his speaking, his devotion to gardening and his quick wit gave vitality and substance to that image.

Yet, there was much more. The foundations of his life were laced with earnest determination, studious hard work, and a remarkable professionalism in achieving the goals he pursued. Despite an outward casualness, he was a man meticulously aware of history, fact, and the nuances of political life.

A clergyman and acquaintance recalled the other day that as a young man, the Senator became interested in the Bible, studied it with increasing intensity and finally committed whole passages to memory.

That same single-minded intensity and devotion to hard work were hallmarks of his work in this body.

He worked long hours in the House often taking home a bulging briefcase. He immersed himself in the issues that were his primary responsibility and became a respected and recognized authority. The price was failing eyesight which eventually forced him to withdraw for a time from public life.

When he returned a few years later, he brought to his work in the Senate the same energy and determination linked with that uniquely likable public personality.

The combination produced a distinguished and colorful career. In recent years, virtually every major piece of legislation passed by the Senate bore his personal mark, a fact which alone testifies to the importance of his life.

His impact often was equal to that of the Presidents of his time and he wielded power with wisdom and precision.

Like other great men, his life was a product of circumstance and timing more than an accurate reflection of his immense talents.

He was a man who very well might have been a President had time and circumstance been kinder. Yet, whatever personal slight fortune may have dealt him was propitious for his country and his party.

In a period in which his party was a distinct minority in Congress, his resonant eloquence was the single Republican voice uniformly recognized in every corner of the Nation.

It was a time when he wielded great influence but was denied many of the satisfactions that usually go with the formal mantle of authority.

Death came at a time when the party he had helped nurture through difficult years was again vital, in power and able to provide him some of those rewards.

As much as his wisdom, experience and leadership will be missed, we are fortunate to have had those colorfully packaged qualities as a vibrant bridge over difficult times.

The inflections of his life, like those in his voice, reassured and sustained us through a period when that is what his party and his country needed most.

Mr. REIFEL. Mr. Speaker, the death of EVERETT MCKINLEY DIRKSEN is a great loss to all of us. The late senior Senator from Illinois was a respected leader not only in his party and the U.S. Senate, but throughout the Nation.

He was a politician in the best sense of the concept. His life style, if not closely followed, should at least be carefully studied by all who seek influence and the wise use of it, who feel compassion for their fellow man, and who want to improve the entire world community.

Mr. STEIGER of Wisconsin. Mr. Speaker, the death of Senator EVERETT MCKINLEY DIRKSEN marks the end of an era. It will be a long time before the American political scene sees the likes of Senator DIRKSEN. The combination of his oratorical eloquence and his imprint on the laws of this Nation make him a unique American leader.

While it was not my privilege to know the Senator well, he stands out in my remembrances from the time of his 1952 speech to the Republican National Convention in Chicago. I am saddened by his passing personally, but more importantly the Nation loses when a man like Senator DIRKSEN leaves the governmental scene. There are few men who serve in public office who can truly be called giants, but in my judgment Senator DIRKSEN is one of them.

Mrs. Steiger joins in extending sympathy to Mrs. Dirksen, Senator and Mrs.

Baker, and to the rest of the Dirksen family.

Mr. ROBISON. Mr. Speaker, as others have noted, after Senator EVERETT M. DIRKSEN was made, God threw away the mold—for he was, truly unique.

His loss is a national loss, and at the same time a personal loss to each and every one of us, for this fierce patriot, this courtly personage, this great orator who was, perhaps, the last of his kind, and this skilled legislator who left his personal mark on nearly every major piece of legislation that has passed from Capitol Hill to the White House during his long years of service, simply cannot be replaced.

EVERETT M. DIRKSEN was the very epitome of a U.S. Senator. He looked like one; he acted like one—and enjoyed every dramatic moment of it—he spoke like one, loving words as much as he did the flowers he grew, cherishing the proper placement of each and nourishing both with the same tender, loving care; but, most of all, he served his Nation and his people in that effective, dedicated, and always-faithful manner that typifies the height of legislative service in which we believe to be the greatest legislative body in the world.

His wit, his patience, and his unfailing good humor in the midst of adversity, have become well known; but his uncanny ability to bring ideas and attitudes together without sacrifice of principle in that spirit of compromise which is the genesis of all legislative progress will be remembered longer—for it was in this latter fashion that he served both his calling and his beloved Nation.

Some have said he should have been a Shakespearian actor. I think, perhaps, he was—in a modern sense—much of the time. But, if so, it was an effective role, and one he enjoyed as well. Whatever the event, I have searched Shakespeare's works for the most appropriate lines to use in this tribute to our departed friend and colleague.

Though others with the same idea in mind may well already have used them, these lines from, first, "King Richard II" and, then, from "Julius Caesar" seem to me to best sum up the life of this most-estimable of all public servants:

"The purest treasure mortal times afford
Is spotless reputation. . . .
Mine honour is my life; both grow in one;
Take honour from me, and my life is done."

And then:

"His life was gentle, and the elements
So mix'd in him that Nature might stand up
And say to all the world, 'This was a man!' "

Mr. Speaker, I repeat: We have suffered a grievous loss, and one that will be almighty hard to overcome.

Mrs. Robison joins me in expressing our regrets to Mrs. Dirksen, to Senator and Mrs. Howard Baker, Jr., and to the people of the State of Illinois.

Mr. DANIELS of New Jersey. Mr. Speaker, I rise today to pay tribute to the late minority leader of the Senate, EVERETT DIRKSEN. The senior Senator from Illinois was a powerful influence on three and one-half decades of national legislative history. During his 16 years in the House and 18 years in the Senate, EVERETT DIRKSEN became the "politician's politician." He understood the art of compromise but knew well enough when he had to stand firm. When he was under intense pressure he was able to bring to his side, those who opposed him.

He was a leader. He made opinion, shaped it, molded it, gave it form and substance. He rallied about him men of diverse philosophy and brought them to a common cause. He did not require that all of his followers come together under a single banner; those whose support he sought came with their honor intact and with the knowledge that their own principles had not been compromised.

He asked no more of others than he was prepared to give of himself. He fell to tasks for which lesser men might not have had the stomach for no other reason than it was required of him. He understood the demands of leadership when he said of himself:

I am of the stuff which cries "Chief, hand me the red-hot poker."

Unlike too many "little statesmen" for whom foolish consistency is a hobgoblin which diverts them from the truth, DIRKSEN saw himself in the course of history and understood the need to revise his own attitudes to fit the prevailing needs of the Nation. On issues of foreign policy, civil rights, and economics he was attacked because, according to his detractors, he had changed his mind. Undoubtedly he had. But he did so, not capriciously, but after much agonizing and only after he had convinced himself that national requisites had indeed changed. He understood Victor Hugo's immortal line:

Stronger than all the armies is an idea whose time has come.

After three and one-half decades, even though EVERETT DIRKSEN'S time had come, his life stands as a monument to political leadership, a life which disavowed foolish consistency for dynamic change.

Mrs. Daniels joins me in extending deepest sympathy to Mrs. Dirksen and to Senator and Mrs. Howard Baker, Jr., on their great loss.

Mr. EDMONDSON. Mr. Speaker, the Congress has lost one of its great legislators in the death of Senator DIRKSEN.

The Senator from Illinois, who began his illustrious carrer in this body, was undoubtedly one of the Nation's best known political leaders. He was a master of the legislative processes and one of the most influential men in our Government.

Always considerate and courteous in his dealings with others, the Senator was one of the few in this Capitol whom visiting constituents always recognized and generally wanted to meet. He was invariably generous and warm in his visits with the people from any State who wished to greet him, and was willing to discuss any public issue.

I deeply appreciated his kindness to Oklahomans on the several occasions when he met with constituents from the Second District, and know that many Americans share a sense of loss in his passing.

Mr. PRICE of Texas. Mr. Speaker, the unexpected and untimely death of Senator EVERETT MCKINLEY DIRKSEN shocks and saddens us all.

He was a great man and a great political leader. His wisdom, wit, and personality will be sorely missed in the Congress of the United States, but what will be missed most is his legislative skill and statesmanship. Without the untiring efforts of Senator DIRKSEN, many of the most important legislation in recent years would not have become law.

EVERETT DIRKSEN was more than a political craftsman of the first order; he was a political personality which had no equal since the days of Daniel Webster. His colorful personality, his engaging air, and his bombastic colloquies delivered in a rich baritone, set a style in the Senate that may never be recaptured.

Mr. ROONEY of New York. Mr. Speaker, one of the voices of the Senate, or more correctly one of the voices of our time, has been stilled. The passing of the Honorable EVERETT MCKINLEY DIRKSEN, distinguished minority leader of the other body and a longtime friend, has saddened us all, for his voice was an almost irreplaceable one. I had the privilege of knowing, working with, and being a friend of EVERETT DIRKSEN for many years. He served as a fellow member of the House Committee on Appropriations and later was a member of the Senate Appropriations Committee. EVERETT DIRKSEN was known the length and breadth of the land as his mellifluous tones and flowing mane graced thousands of television programs and news pictures. But he was known the length and breadth of Congress, too, not for these caricatures but as a hard working, professional politician and warm, generous friend. He was a professional in every sense of the word and his word was professional in that it was never a thing given lightly. Mr. Speaker, the people of Illinois and the U.S. Congress will miss EVERETT DIRKSEN as will his many friends. To his dear wife and family I extend the Rooney's deepest sympathy and prayers.

Mr. MURPHY of Illinois. Mr. Speaker, I wish to join my colleagues in paying tribute to the late EVERETT M. DIRKSEN, the former senior Senator from the State of Illinois.

Senator DIRKSEN will long be remembered for his dedicated and diligent service to his party, his State and to the Nation. The public knew EVERETT DIRKSEN as a colorful personality and an eloquent orator. In Congress, however, this skilled legislator was admired for his sound grasp of the role of the legislative process in a democratic government. Senator DIRKSEN was firmly partisan when partisanship was appropriate, but could be thoroughly statesmanlike when the best interests of the Nation demanded it.

Mrs. Murphy joins me in expressing our regrets and extending our prayers to Mrs. Dirksen and to the family in their bereavement.

GENERAL LEAVE TO EXTEND

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that all Members may

have 5 legislative days in which to revise and extend their remarks on the life, character, and service of the late Honorable EVERETT MCKINLEY DIRKSEN.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

INVITATION TO ATTEND MEMORIAL SERVICES FOR THE LATE HONORABLE EVERETT McKINLEY DIRKSEN

The SPEAKER laid before the House the following resolution from the Senate of the United States, which was read:

S. RES. 254

Resolved, That the Secretary invite the Members of the House of Representatives to attend memorial services for the Honorable Everett McKinley Dirksen in the rotunda of the Capitol on Tuesday, September 9, 1969, at 12 o'clock noon; and be it further

Resolved, That invitations be extended to the President of the United States and the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, the Diplomatic Corps (through the Secretary of State), the Chief of Staff of the Army, the Chief of Naval Operations of the Navy, the Chief of Staff of the Air Force, the Major General Commandant of the Marine Corps, and the Commandant of the Coast Guard to attend the memorial services in the rotunda of the Capitol.

ACCEPTANCE OF INVITATION TO ATTEND MEMORIAL SERVICES FOR THE LATE HONORABLE EVERETT McKINLEY DIRKSEN

Mr. ALBERT. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 531

Resolved, That the House of Representatives accepts the invitation of the Senate to attend memorial services for the Honorable Everett McKinley Dirksen in the rotunda of the Capitol on Tuesday, September 9, 1969, at 12 o'clock noon.

Resolved, That the Clerk communicate these resolutions to the Senate.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11:45 o'clock a.m. tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AUTHORITY FOR SPEAKER TO DECLARE A RECESS SEPTEMBER 16 FOR THE PURPOSE OF RECEIVING APOLLO 11 ASTRONAUTS, AND VACATION OF PREVIOUS AUTHORITY FOR SEPTEMBER 10

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the authority for the Speaker to declare a recess on September 10 be vacated.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I also ask unanimous consent that it may be in order for the Speaker to declare a recess at any time on September 16 for the purpose of receiving in joint meeting the Apollo 11 astronauts.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE LATE HONORABLE HAROLD A. PATTEN

(Mr. UDALL asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. UDALL. Mr. Speaker, the House has heard this morning a series of deserved tributes to a great and incomparable American, the late Honorable EVERETT DIRKSEN, and I join in those tributes.

However, I have the sad and unfortunate duty to officially inform the Members of the House of the death last Saturday of one of our former colleagues, the Honorable Harold A. "Porque" Patten of Arizona.

Mr. Patten died at the age of 61 after a long and extremely painful and difficult illness in the Veterans' Hospital in Tucson, Ariz.

"Porque" Patten, as we called him, served with distinction in the 81st, 82d, and 83d Congresses, and with particular distinction on the Committee on Armed Services. Although he was virtually assured of reelection in 1954, he declined to seek the Democratic nomination for the 84th Congress.

He was an extremely popular and congenial Member of this House. I think no one could ever meet "Porque" Patten and forget him. He had a unique zest for life which made him more friends than almost anyone I ever knew.

"Porque" was born in Husted, Colo., in 1907 and moved with his family to Tucson in 1916. He attended the Tucson public schools and graduated from Tucson High School. At the University of Arizona, where he earned a degree in 1930, he was an outstanding athlete. His first job was as a coach and teacher of physical education at Tucson High School.

I might add that the athletic programs at the University of Arizona never had a better friend than "Porque" Patten. He was constantly on the lookout for budding athletes who could add their talents to the university's athletic programs.

In 1933 Mr. Patten was named director of recreation for the city of Tucson and the Tucson public schools. In 1939 he stepped up to the position of State recreation director.

Looking back on those years, I would say that Harold A. Patten was one of the most successful and best-liked persons ever to work in the field of public recreation. Through his efforts thousands of young people from poor neighborhoods found activities that were interesting and exciting to them. Through his success in these activities he made good citizens out of an awful lot of youngsters who needed his kind of infectious leadership and guidance.

During World War II Mr. Patten gave truly outstanding service as a combat observer with the Air Corps, earning a proud list of decorations in 31 months of foreign service in the European theater.

He entered military service with the Seventh Cavalry Regiment as a first lieutenant in August 1940. He transferred to the Air Corps the following year. As a combat observer he served in Africa and Italy, earning the Air Medal, 10 battle stars, an invasion arrowhead, and the coveted Wings-Aviation Francaise d'Afrique. He was discharged as a major in 1945 and retired from the Air Force Reserve in 1960 as a lieutenant colonel.

This man of great public service and warm, friendly personality will be sorely missed by his fine family, his wife Mary and his two sons, Mike and Tom, by his host of personal friends, many of whom still serve and work in the Congress, and by the State and Nation that he served so devotedly.

Mr. Speaker, last year when Mr. Patten was first confined to the hospital and it became known he would never recover, the Arizona Daily Star published an editorial about your old colleague which brought back happy memories of his youth. Without objection I would like to conclude my brief remarks today by inserting the text of that editorial at this point in the RECORD:

A TUCSON SAGA

Occasionally one looks around and sees something so strikingly in Tucson character that it seems to deserve comment. The career of Harold A. (Porque) Patten, former First District Congressman, former Commander of the Arizona American Legion, and one-time Tucson High School and University of Arizona athlete, is a good example.

The "Porque," by the way, comes from Patten's propensity as a boy to use that word, which in Spanish means "Why?"

Porque's father was a railroad engineer and at one time a professional baseball player. Mr. and Mrs. Herbert Patten lived for some years on East Ninth Street, from where Porque and his sister, Helena (now Mrs. Harley Cox of Tucson), went to school. The parental aspirations for education of the children was fulfilled in both Porque's and Pat's (that's Helena's nickname) case.

Porque's father had hoped that Porque would be an athlete. And Porque was a good one on the football field, in high school and at the University. He remains one of the University's most loyal fans.

In the group Porque played with as a boy were a number of people who have attained prominence, though not by going to Congress, as Porque did. One of that old Ninth Street gang was Ted Bland, who likewise was a football player, and who was killed in World War II action of August, 1944.

As Tucson grows, it is good sometimes to remember some of the folks out of its past. Tucson once was a small desert town, largely dominated on east and south sides by Southern Pacific's and at one time El Paso and Southwestern Railroaders. Carl Hayden Community Hospital is in a building on the spacious and beautifully landscaped grounds of the old EP&SW.

The city has grown tremendously. Newcomers have arrived in droves. Perhaps there are only a handful still around who knew

Porque as a boy. Fortunately, the city's character has not changed, and it still possesses the warmth and opportunity that encouraged Porque to achieve football fame and a congressional seat.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman.

Mr. ALBERT. Mr. Speaker, I wish to associate myself with the remarks of the distinguished gentleman from Arizona. I was not aware of the death of our good friend and former colleague, Harold A. "Porque" Patten. His wife, Mary Rierdon, came from my district in Madill, Okla. Both she and "Porque" were good friends of mine while "Porque" was serving in Congress. We had neighboring offices on the fourth floor of the Cannon Building and visited frequently. He was a wonderful man, a fine Congressman, and highly respected by all of his colleagues.

Mrs. Albert and I join in extending to his family our deepest sympathy.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, it was my good fortune to come to the Congress with "Porque" Patten following the election of 1948. His wife and my wife and "Porque" and myself became very close personal friends.

Mr. Speaker, every kind word that has been said about "Porque" Patten was exactly accurate and totally true. He was a warm and friendly person. He worked at his job. People liked him on both sides of the aisle. Many of us regretted that he left the House of Representatives.

I am shocked to hear that "Porque" died. I did not think he was as old as the gentleman from Arizona has said because he never created that impression. He was a great and good friend of mine. I am saddened as my wife, Betty, will be by the news of his passing.

I extend to his wife and to his family our deepest condolences.

Mr. RHODES. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman.

Mr. RHODES. Mr. Speaker, I wish to associate myself with the remarks that the gentleman from Arizona has made and to add my own expression of condolence and my sense of personal loss on the passing of my dear and good friend "Porque" Patten.

I served with "Porque" for 2 years as a Member of the House of Representatives. My district is the first district which at that time comprised only Maricopa County. There were only two Members from Arizona at that time, and the gentleman from Arizona from the second district, Mr. Patten, represented the rest of the State. He used to say laughingly that he represented the doughnut and I represented the hole, because of the fact that his district surrounded mine completely.

He was a man who had the capacity of being a friend beyond the usual definition of the term. He was generous to a fault. He was generous with his time. He was generous with his money. He was particularly pleasant and courteous to people from our State who might happen to be in Washington, D.C. In fact, Mary Patten really never knew how many people would be at the house for dinner and she never knew how many people would be there to sleep because "Porque" could not stand anybody from Arizona having a meal at a strange place in Washington or sleeping in a bed that that was not in the home of an Arizonan.

He was a man who contributed greatly to the work of the House of Representatives. His work as a Member of the House of Representatives at the time the Central Arizona project first came up was done diligently and effectively.

He was a member of the Committee on Veterans' Affairs and a member of the Committee on Armed Services. As such he was a most effective man.

He was also a very active member of the Air Force Reserve, who went on active duty every year. He was very proud of his commission and of his connection with the Air Force.

Most of all, he was a good father, a good husband, a good friend and a good American.

To our dear friend, Mary Patten, and to Mike and Tom Patten, Mrs. Rhodes and I extend our deepest sympathies and our assurance that their sense of loss in the passing of "Porque" is shared by us.

GENERAL LEAVE TO EXTEND REMARKS

Mr. UDALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in connection with the life and career of our former colleague.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE CONSTRUCTION CUT IS UNBELIEVABLE

(Mr. SIKES asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SIKES. Mr. Speaker, the proposal to cut Federal construction by 75 percent is unbelievable. It can scarcely be held to be a curb against inflation. It does not involve sufficient funds to have an appreciable influence. If inflation is to be curbed in a realistic way, it will have to be by stronger measures. The proposal is one which leaves completely up in the air the committees of Congress which deal with all levels of construction. Authorization and funding of new construction projects presumably will simply add to the pool of projects awaiting construction. There is also the very unsatisfactory situation of Presidential veto of line item projects which administrative agencies have already justified to the Congreses as fully required for necessary training of the military forces and the proper operation of Government agencies. The question of politics will certainly be charged in connection with the manner in which decisions are reached on those projects which are to be built and those to be further delayed.

Among the paramount items in this discussion is housing for military families and for bachelor officers and enlisted men who live on base. They are among those who have greatest need for improved accommodations and they could be among those most adversely affected.

The entire question is one which requires much more careful thought than is apparent from the early communiques. It presents a distressing picture which will work serious hardship in many areas and almost certainly fail to accomplish the stated objectives. In the meantime, prices will continue to go up and if past history is repeated, an additional 5 to 10 percent per year in cost will have to be reckoned with when the projects are finally built.

The proposal is an unfortunate one which is certain to do more harm than good.

HO CHI MINH NEVER PRAISED

(Mr. ECKHARDT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ECKHARDT. Mr. Speaker, any man may criticize another man's statement in this well in the manner in which he sees it, except that he may not properly make a scurrilous misrepresentation of another's words. I do not know how the caption preceding the remarks of the gentleman from South Carolina (Mr. WATSON), found its way into the RECORD on page 24372—certainly not by his intention, I am sure, because he is a gentleman. But it is indeed such a scurrilous misrepresentation that it should be stricken from the permanent RECORD. The caption which, to the ordinary voter, appears to be the impartial characterization of a statement previously made on the floor is, and I quote, "Response to the Praise of Ho Chi Minh." Immediately thereafter the gentleman from South Carolina identified the Member whose name he connected with such alleged praise.

No one has ever praised Ho Chi Minh on this floor, to my knowledge. Certainly that Member did not do so. The gentleman from South Carolina should, I think, ask that his remarks at this point be expunged from the permanent RECORD, but if he does not choose to do so, his own statement is at least qualified as being his understanding of the previous speaker's statement, an understanding which the RECORD shows to be egregiously incorrect.

But the caption is not so qualified. It points unequivocably to "praise" which was not made and it appears to be an editorial caption, not necessarily merely the sadly inaccurate opinion or understanding of the gentleman from South Carolina. If the gentleman from South Carolina is the author of the caption, he should ask that it be expunged from the permanent RECORD. If he is not, he should advise the gentleman from Texas that it is not, so he may ask unanimous consent that it be expunged.

SAFE RETURN OF AMBASSADOR ELBRICK

(Mr. STRATTON asked and was given permission to address the House for 1 minute.)

Mr. STRATTON. Mr. Speaker, I am sure all Members of this House received

the news with a great deal of pleasure and a sense of great relief when Ambassador Elbrick was returned safely by his captors yesterday in Rio de Janiero, after the assurance that the Brazilian Government had met the ransom demands.

Ambassador Elbrick is not only a constituent of mine but also a friend of mine. When I first heard news of his capture, I got in touch with the Secretary of State and urged that everything be done which could possibly contribute to the Ambassador's speedy and safe release.

I take this opportunity, Mr. Speaker, to extend my thanks and appreciation and praise now to Secretary of State Rogers and to the Department of State for the outstanding job which they have done in winning the release of Ambassador Elbrick.

Also I take this opportunity as one Member of this House to express my appreciation to the Brazilian Government. These certainly were very onerous and difficult ransom demands which they were obliged to meet, a little bit like having somebody kidnap your baby and then have the kidnappers ask the fellow next door to pay the ransom. However, the Brazilian Government met those terms—not without some opposition, I might—and there may be some serious repercussions in the future.

But we as Americans should be grateful that the Brazilian Government put the safety of our Ambassador above everything else, and he has now been returned to his embassy and his wife.

PERMISSION FOR SUBCOMMITTEE ON PUBLIC HEALTH AND WELFARE OF THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent that the Subcommittee on Public Health and Welfare of the Committee on Interstate and Foreign Commerce may sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

NEIL ARMSTRONG HONORED BY WAPAKONETA, OHIO

(Mr. McCULLOCH asked and was given permission to address the House for 1 minute.)

Mr. McCULLOCH. Mr. Speaker, last Saturday, Mr. Neil Armstrong, commander of Apollo 11, the first man on the moon, was welcomed home by thousands of Wapakoneta, Auglaize County, Ohio, people, and by countless other friends and admirers, conservatively estimated to be more than 80,000 people.

A sage of old observed long, long ago:

A prophet is not without honour, save in his own country.

And Rudyard Kipling once said:

Prophets have honour all over the Earth, Except in the village where they were born.

The reception for and the homage paid to Comdr. Neil Armstrong and his family, in his own home town last Saturday, conclusively proved that neither sage, nor muse nor poet could see as far into the future as Neil Armstrong could see into space.

THE LATE HONORABLE EVERETT McKINLEY DIRKSEN

(Mr. DUNCAN asked and was given permission to address the House for 1 minute.)

Mr. DUNCAN. Mr. Speaker, there is a still sadness hanging over us today for this Nation has suffered deep sorrow in the passing of a distinguished American, the Honorable EVERETT DIRKSEN.

Though we have tried in words to express our sympathy to the widow; daughter, Mrs. Howard H. Baker, Jr.; and family members, we at best fall short of the tribute due Senator DIRKSEN. The world has shared his wisdom, his great talent of expression, his humility, his great dignity, his hard work, his efforts for the betterment of man.

He was looked up to by men in all walks of life and was a great friend to all of us, regardless of politics, race, or religion. There is not a single man around who can replace this great statesman; he was, as a newsman said this morning, a "living legend." He enjoyed life, and tried to make others happy too. He left behind many rich deeds from which we can benefit and he helped to write many pages of history through which posterity can gain inspiration, courage, and wisdom. EVERETT MCKINLEY DIRKSEN was a very wise man, a great man.

CALL OF THE HOUSE

Mr. HARVEY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. ALBERT). Evidently a quorum is not present.

Mr. MADDEN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 159]

Abbitt	Clausen,	Frey
Addabbo	Don H.	Gaydos
Ashbrook	Clay	Giaimo
Ashley	Cleveland	Gilbert
Beall, Md.	Colmer	Green, Oreg.
Bevill	Conyers	Green, Pa.
Biaggi	Corman	Griffiths
Biester	Coughlin	Grover
Bingham	Cowger	Gubser
Blanton	Cunningham	Halpern
Brademas	Daddario	Hansen, Wash.
Brasco	Daniels, N.J.	Hébert
Brock	Davis, Ga.	Helstoski
Brooks	Dawson	Henderson
Burke, Fla.	Dennis	Hungate
Burleson, Tex.	Dent	Johnson, Calif.
Burlison, Mo.	Diggs	Karth
Burton, Calif.	Donohue	Keith
Burton, Utah	Dorn	Kirwan
Bush	Dulski	Landgrebe
Cabell	Dwyer	Leggett
Cahill	Edwards, Calif.	Lipscomb
Carey	Esch	Long, La.
Carter	Fallon	Lukens
Casey	Fish	McEwen
Celler	Fisher	McFall
Clancy	Flowers	MacGregor
Clark	Foley	Mann
Mathias	Quie	Shriver
Mikva	Quillen	Sikes
Mollohan	Railsback	Sisk
Monagan	Reifel	Smith, Calif.
Moorhead	Reuss	Smith, Iowa
Moss	Rooney, N.Y.	Steiger, Wis.
Nichols	Rooney, Pa.	Stuckey
Nix	Rosenthal	Teague, Tex.
O'Hara	Rostenkowski	Tiernan
O'Konski	Roudebush	Watkins
Ottinger	Ruppe	Watson
Patten	St Germain	Whalley
Pepper	Sandman	Wilson,
Philbin	Scheuer	Charles H.
Powell	Sebelius	Wydler
Pucinski	Shipley	Zion

The SPEAKER pro tempore. On this rollcall 300 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PEACE CORPS ACT AMENDMENTS OF 1969

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 527 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 527

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11039) to amend further the Peace Corps Act (75 Stat. 612), as amended. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois (Mr. ANDERSON), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 527 provides an open rule with 1 hour of general debate for consideration of H.R. 11039 to amend further the Peace Corps Act, as amended.

H.R. 11039 authorizes $101.1 million, the amount requested by the Executive, to finance the operation of the Peace Corps during fiscal year 1970. This is $900,000 less than the fiscal year 1969 appropriation.

In addition, a minor amendment is made to the act to authorize the Comptroller General and the Peace Corps, within prescribed limits, to waive claims of not more than $500 arising out of erroneous payments to volunteers or volunteer leaders of the allowances provided under the Peace Corps Act—mainly readjustment and subsistence allowances.

The Comptroller General would be required to waive claims only when collecting them would be against equity and good conscience and not in the best interest of the United States. They cannot

be waived if there is an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the employee.

The purpose is to avoid unnecessary expense involved in trying to collect from returned volunteers small sums resulting from erroneous overpayments.

It is anticipated that as of June 30, 1970, the number of volunteers overseas will be 2,525 in Africa; 1,800 in North Africa-Near East-South Asia; 2,100 in East Asia-Pacific; and 2,825 in Latin America.

The new Director of the Peace Corps intends to give greater emphasis to the selection of volunteers possessing skills which would permit them to render the most effective service in the countries where they are located. For this reason it is expected that a somewhat smaller number of better qualified volunteers will be provided in the future. The Peace Corps has made a remarkable record of building good will between our country and the nations where the Peace workers have been assigned.

Mr. Speaker, I urge the adoption of House Resolution 527 in order that H.R. 11039 may be considered by the House.

Mr. Speaker, I yield now to the gentleman from Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 527 provides an open rule with 1 hour of general debate for consideration of H.R. 11039, the Peace Corps Act Amendments of 1969.

The purpose of this bill is to amend the Peace Corps Act to extend for 1 year the authority in the act. The bill as reported authorizes $101.1 million to finance the operation of the Peace Corps during fiscal year 1970, the amount requested by the Executive. In addition, it makes a minor amendment to the Peace Corps Act to authorize the Comptroller General and the Peace Corps, within prescribed limits, to waive claims arising out of erroneous payments of allowances to volunteers or volunteer leaders.

The bill would authorize $900,000 less than the fiscal 1969 appropriation of $102 million. This reflects the desire of the Peace Corps both to abide by this year's budgetary restraints, and more importantly, as the gentleman mentioned, to put more emphasis on quality rather than quantity in fielding volunteers. Consequently, while there will be a slight reduction in the number of volunteers in the field this year, there will be an increase in the number of skilled volunteers brought into the Peace Corps.

Mr. Speaker, when the distinguished chairman of the Committee on Foreign Relations, the gentleman from Pennsylvania (Mr. MORGAN), brought this bill to the Rules Committee, he spoke in glowing terms of the new directions being charted for the Peace Corps by its new Director, Mr. Joseph Blatchford. He said he was particularly pleased with Mr. Blatchford's intentions to give greater attention to the third goal of the Peace Corps—to contribute to the trained manpower needs of other countries.

Since its inception in 1961, the Peace Corps has grown from a fledgling agency of 120 volunteers in three countries to what it is today, an agency having 12,400 volunteers in 59 countries.

When he appeared before the Committee on Foreign Affairs on July 24, the new Peace Corps Director, Mr. Blatchford, pointed out that in his recent overseas tour, host country officials expressed appreciation for what the Peace Corps was doing, but at the same time, expressed a need for more skilled volunteers to assist them in their development.

In Mr. Blatchford's words:

> The fact is we have said goodby to the days when African countries hungered for help of any kind. The euphoria of independence with its companion promise of outisde aid has given way to a "go it alone" spirit and development budgets straining to get the most out of limited natural or human resources. Requests for outside aid, particularly those bringing people instead of money, today reflect higher priorities and call for higher skills both because the problems are increasingly sophisticated and because of the almost universal yearning to be free of outside dependence.

Mr. Speaker, as the times and conditions change, so must our approaches to meeting the challenges of the changing times. The world of the seventies will not be the same as the world of the sixties. Likewise, the Peace Corps of the seventies will not be the same as the Peace Corps of the sixties. The Peace Corps has done an outstanding job for America and the world over the past decade and it will continue to render a valuable service so long as it is able to adapt to the changing times. I think the new Peace Corps Director is to be commended for recognizing this fact and for taking steps to insure that the Peace Corps is as modern as today and is making a substantial contribution to third world development.

Mr. Speaker, I urge adoption of House Resolution 527 in order that H.R. 11039 may be considered.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MORGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11039) to amend further the Peace Corps Act (75 Stat. 612), as amended.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 11039, with Mr. NATCHER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania (Mr. MORGAN) will be recognized for 30 minutes, and the gentleman from Indiana (Mr. ADAIR) will be recognized for 30 minutes.

The Chair at this time recognizes the gentleman from Pennsylvania (Mr. MORGAN).

Mr. MORGAN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, H.R. 11039 authorizes $101,100,000 to finance the operation of the Peace Corps during fiscal year 1970. This is $900,000 less than the $102 million appropriated for fiscal year 1969.

The bill also includes a minor amendment to existing law to authorize the waiver of claims not exceeding $500, arising from overpayments to Peace Corps volunteers in accordance with legislation already in effect with respect to other Government agencies.

The bill makes no other changes in existing law relating to the Peace Corps.

All of us are aware that, since its beginning in 1961, the Peace Corps has come to occupy an important place, not only in the foreign countries where the volunteers serve but also in the United States.

It is hard for us to realize that since the Peace Corps began 30,000 volunteers have returned to the United States after serving overseas.

If the necessary funds are made available, the Peace Corps plans to take on 7,500 new recruits during fiscal year 1970, and these people will come from communities all over this country.

Although the Peace Corps is a large and important operation, it is not increasing in size or in cost. The new Director of the Peace Corps has announced his intention to give greater emphasis to sending out volunteers who are technicians and somewhat less emphasis to recruiting recent college graduates. He wants to find volunteers who have had experience as carpenters, mechanics, farmers and accountants.

It will be difficult to find people with these qualifications who are willing to work for $75 a month and a very modest living allowance. The Peace Corps believes that it is better to send out fewer volunteers but those who can supply the skills which the less developed countries need the most than to send out people who are easier to locate but are not as able to render the most essential services.

This does not mean that the Peace Corps can or should be transformed overnight. At the present time, over half the volunteers in service are teachers and the school systems in many countries cannot find local people who are qualified to teach. Any drastic curtailment of Peace Corps operations in the immediate future would create serious problems for the countries that are counting on the services of volunteers in their schools and in other programs.

The authorization in this bill will finance an average overseas strength of 9,432 volunteers during fiscal year 1970. Peace Corps volunteers are now serving in 59 countries. Full details as to the number of volunteers in every country are set forth in the tables in the committee report.

There are over 500 volunteers each in the Philippines, Malaysia and India. There are over 400 volunteers in Brazil. The presence of these young people from the United States in these countries is important to them, and it is important to our people that they be able to carry

out their plans to serve in these countries.

The record of the Peace Corps overseas is remarkably good. At infrequent intervals there are press reports of incidents involving the Peace Corps. In most cases it turns out that charges against Peace Corps volunteers have been brought by leftist groups in the country who are trying to embarrass their governments by charging that the volunteers are spies or that their presence is evidence of American imperialism.

There are eight countries where Peace Corps operations have been terminated. In two of these the Peace Corps has gone back at the request of the government. In no case was such action the result of any incident or incidents involving volunteers. In some cases the governments did not want the Peace Corps to continue because they wanted to indicate their dissatisfaction with U.S. foreign policy.

The Government of the Islamic Republic of Mauritania in Africa ordered the Peace Corps out on 48 hours' notice in June 1967, when they broke off diplomatic relations with the United States following the Israel-Arab war.

Back in 1966, Guinea ordered the Peace Corps out of the country because when a Pan American airplane stopped in Ghana, the Ghana authorities seized a delegation of officials from Guinea and held them hostage. Guinea blamed the United States because Pan American was a U.S. airline, and kicked out the Peace Corps. The Peace Corps has now gone back at their request.

Although Pakistan encouraged the Peace Corps to close out operations in 1967, it did not expel the Peace Corps and explained their attitude on the grounds that the volunteers did not have the right technical qualifications. Many of us suspected that Pakistan turned against the Peace Corps because the United States did not take their side in their war with India.

The Peace Corps also closed out in Indonesia, Gabon, Tanzania, and Ceylon, but in Ceylon they have gone back after a new government took over.

There have been a number of cases where Peace Corps volunteers have been attacked because they were teachers in schools where there were riots and demonstrations. Apparently they were not attacked because they belonged to the Peace Corps, and such attacks did not reflect any underlying hostility toward Americans. Being a teacher may be a hazardous occupation in any country.

I want to say a word about the provisions of the bill relating to the settlement of claims. There is a law on the books, the citation appears in the bill, which authorizes the waiver of any claim of less than $500 for erroneous payment to any employee of an executive agency.

The bill merely extends the same authority which already applies to other Government agencies to Peace Corps volunteers.

This does not mean that all claims under $500 will be waived. The Comptroller General is required to waive claims only when collecting them would be against equity and good conscience and not in the best interest of the United States.

Claims cannot be waived if there is an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the employee.

The purpose is to avoid unnecessary expense involved in trying to collect from returned volunteers small sums resulting from erroneous overpayments.

Mr. Chairman, the United States has a good thing going in the Peace Corps. The Peace Corps has a new Director who apparently is not an empire builder. He is trying to improve and adapt rather than to expand. I believe the direction he is taking deserves the support of the Congress, and I hope that this bill will be approved by a substantial majority.

Mr. ADAIR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to speak in support of the Peace Corps authorization bill. Chairman MORGAN has already reviewed many of the details, but I would like to enmphasize that the bill we consider today is an authorization request of $101,100,000 which is less than the amount appropriated a year ago.

I commend the new Director of the Peace Corps for recognizing the need for fiscal restraint. I am pleased that under the leadership of Mr. Joseph H. Blatchford, the Peace Corps is taking positive steps to tighten up its administration, reduce its costs, and improve its efficiency.

It should be noted that the Peace Corps is moving toward a new emphasis on quality rather than quantity, which will enable the United States to serve more effectively the countries that are hosts to our Peace Corps volunteers. There will be greater emphasis on recruiting volunteers with practical skills in agriculture, carpentry, and the various trades—skills which are urgently needed in many of the developing countries.

As Members of the House know, while I have supported the Peace Corps in the past, I have also been a frequent critic of its administration. So, it is a particular pleasure for me today to offer my strong support for this authorization bill, confident that the Peace Corps is taking the steps necessary to assist developing countries more effectively.

For the information of Members, I include the following explanatory material relative to countries in which the Peace Corps is no longer present:

COUNTRIES FROM WHICH THE PEACE CORPS HAS WITHDRAWN AND CIRCUMSTANCES OF WITHDRAWAL

CEYLON

The Peace Corps suspended its operations in Ceylon in June, 1964, when the only group of Volunteers to serve in Ceylon completed its two years of service. The Volunteers had served as science, home economics and physical education teachers. The Government of Ceylon, under the Prime Ministership of Mrs. Bandaranaike, did not ask for replacements for these Volunteers nor for additional groups. It is noteworthy that the Government of Ceylon-Peace Corps agreement was not cancelled, allowing Ceylon to invite the Peace Corps to reopen its program at a future date without the necessity of negotiating a new agreement. In early 1967, under the Prime Ministership of Dudley Senanayake, the Government of Ceylon, under this original agreement, requested new Peace Corps Volunteers to work in food production and rural community development. These Volunteers arrived in Ceylon on December 12, 1967.

CYPRUS

When hostilities broke out in Cyprus, it proved impossible for the Peace Corps Volunteers to continue their work during those hostilities. Accordingly they were pulled out in February, 1964, a few months before their normal termination. By the time hostilities stopped, their tour was up, and therefore, they never went back.

GUINEA

On Tuesday, November 8, 1966, President Sekou Toure of Guinea ordered expulsion of the Peace Corps Volunteers by November 15, 1966. At the same time, he complimented the Peace Corps for its contribution and sacrifice. This act of expulsion was the culmination of a series of incidents which created strained relations between Ghana and Guinea and in which the United States was accused of complicity. A Pan American plane en route to Addis Ababa made a stopover in Accra. Ghanaians boarded the plane and ordered the Guinean delegation to disembark, and members of the delegation were held as hostages. Blaming the incident on the United States because Pan Am is an American company, the Embassy residence was ransacked, Pan Am World Airways personnel were expelled, and eventually, other official United States personnel and the Peace Corps were also expelled. In September of 1968 the Government of Guinea requested the re-establishment of a Peace Corps program in that country, and the Peace Corps responded affirmatively. The first program to be mounted involves Volunteer Mechanics.

INDONESIA

In May, 1965, the Peace Corps program consisting primarily of sport coaches was terminated as a result of a mutual decision by the Peace Corps and Indonesian authorities. The Peace Corps initiated the action because it had become apparent that the Volunteers were no longer able to operate effectively in the face of a calculated campaign on the part of the PKI (Indonesian Communist Party) to harass and embarrass the Peace Corps, and if possible, force its withdrawal. By April, 1965, it had become apparent that the Indonesian Government could no longer guarantee the safety of the Volunteers. In the May withdrawal, there was a mutual agreement on the part of the Peace Corps and the Government of Indonesia that we would look forward to the time when Peace Corps Volunteers could resume their service. The withdrawal of the Volunteers was carried out effectively and without incident. Relations between the Peace Corps and the Government of Indonesia continued on a friendly basis throughout the withdrawal.

MAURITANIA

The Government of the Islamic Republic of Mauritania, in order to show its solidarity with other Arab states during the war with Israel, broke diplomatic relations with the United States on June 7, 1967. The Peace Corps with other United States personnel was given 48 hours in which to leave the country.

PAKISTAN

The Peace Corps closed out its operations in Pakistan in June, 1967, when the first group of Volunteers completed its full tour of service. The first group of Volunteers arrived in Pakistan in the autumn of 1961. They and subsequent groups of Volunteers served in rural public works, agriculture and education programs. The Government of Pakistan decided not to request additional Volunteers because it determined that its needs were for technicians and specialists of

a more sophisticated level than the Peace Corps generally provides, and we were not willing to concentrate such a high percentage of those we have in just one country.

GABON

On December 21, 1967, American Embassy in Libreville, Gabon, received a note from the Government of Gabon requesting the termination of the Peace Corps program there and the withdrawal of its personnel from Gabon by January 1, 1968. Although the note expressed the appreciation of the Government of Gabon for the services rendered by the Volunteers, no reason for the program's termination was given. The American Embassy responded on December 24 with a request for more time to effectuate the termination and withdrawal. That request was denied in a second note from the Government of Gabon which was received on January 4, 1968, after the Volunteers had departed pursuant to the original request of the Government of Gabon. The second note explained that the termination was required by budgetary deficiencies which had made it impossible for the Government of Gabon to continue its contribution to the program.

TANZANIA

The last group of Volunteers—seven soil scientists—will complete its two years of work in Tanzania at the end of the year, at which time the Peace Corps shall close its office. The Government of Tanzania has never stated publicly its reasons not to request more volunteers; nor have we felt that it was our place to demand an explanation. The Tanzanian decision no doubt rests upon factors regarded as bearing on Tanzanian national interests. We may at least presume that one factor in Tanzania's decision is its oft-stated policy of encouraging self-reliance at all levels of Tanzanian society.

Mr. Chairman, I urge the adoption of this bill.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Chairman, I thank the gentleman for yielding, and I want to express myself as being in support of this legislation, and in support of the statement made by the gentleman from Indiana.

I have been particularly interested, as the gentleman knows, in the program which originally was called the school-to-school program, and now is known as the school partnership program, which is administered by the Peace Corps employing primarily private funds contributed by American school groups and service organizations for the purposes of constructing schools in foreign countries.

It is my understanding that this program, which has been so tremendously successful and has resulted in the establishment of hundreds of schools in foreign lands, will be continued and will continue to be administered by the Peace Corps. Am I correct in that?

Mr. ADAIR. The gentleman is correct, and I would join in the gentleman's praise of this program.

It is true that most of the funding, most of the financing for the program, does come from private sources, many times nickels, dimes, and quarters which have been contributed by children in the American school system. However, there is a sum of money—although it is not identified as a separate item in the bill before us—but there is in this bill a sum of money to be used for the purpose of continuing that program. It will be used mostly as it has been in the past several years. For example, in each of the last 3 years the amount of money earmarked for the administration of this program has been less.

Speaking in round numbers, in fiscal year 1968, $171,000 was budgeted; in fiscal year 1969 the amount was $150,000, and for the next fiscal year it will be about $100,000. This, as I say, will be used generally for administrative and operating expenses.

Mr. McCLORY. I thank my colleague. If the gentleman will yield further, I would just like to comment that I had occasion to visit the pilot project of the school-to-school program, a facility in Colombia. When I was in Colombia a little over a year ago I was able to witness first hand the great benefits that flow from this program through the erection of a school and to see the opportunity for education that is being provided for these young children in Colombia, an opportunity that they would not otherwise have except for the contributions voluntarily made by American schoolchildren in this tremendous program promoting international understanding.

Mr. ADAIR. I will say to the gentleman further, it is my understanding that this program makes it possible to obtain books and other learning materials for the schools. So it is a very worthwhile program.

The CHAIRMAN. The gentleman from Indiana (Mr. ADAIR) has consumed 6 minutes.

Mr. MORGAN. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. FASCELL).

Mr. FASCELL. Mr. Chairman, I rise in strong support of the pending legislation.

As the chairman of our committee has pointed out, the amount authorized for the fiscal year 1970 is below the amount appropriated for the fiscal year 1969. Since a question is always raised with respect to the funding of our programs, I would like to call the attention of my colleagues specifically to page 3 of the report which shows that there has been a careful pruning of the program since it reached its high point in 1966, and that it has continually gone downward to the level proposed for the fiscal year 1970, which is the executive request.

Mr. Chairman, with regard to any organization or any appropriation the question can always be raised—"can we not do it for less money?" Or can we not spend less money? Why should we not authorize less money?

I think the answer is inherent in the review of three factors.

One, is that we are well aware that all in all the Peace Corps has done an outstanding job.

Two, is that the program has been scaled down on a reasonable basis over a period of years.

Third, you can cut down if you want to beyond the administration request, but you do so in terms of the number of volunteers we can send overseas.

We have already made cuts in the administrative personnel overseas and for every million dollars that you cut the administration request you must reduce the program about 118 people. So you can use your own judgment and make your own program if you will. But I respectfully submit to you that the present request should be supported because there has been careful consideration by this administration; and because over a period of time under the previous administration the request and appropriation have been scaled downward; and there was a tightening in the administration; and because the program has been successful in areas and on matters that are fundamental to the kind of social, educational and health development programs that we would all like to see in developing countries.

I invite your attention to page 5 of the report showing the emphasis of our personnel in agriculture, community development, education, and health. The present reduced program has been requested by the administration in light of the administration's national priorities and overall budget view. I would also call to your attention that the effectiveness of the Peace Corps is reduced proportionally to the reduction in funds available to send volunteers overseas. For every $10 million cut approximately 1,180 volunteers will have to be dropped. Such an amendment will be offered and I oppose it as too drastic a reduction which will substantially reduce the possible accomplishments of one of our most effective international programs.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. ADAIR. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Chairman, I, too, rise in strong support of this extension of the authorization for the Peace Corps. All of us are reasonably familiar with the programs that have been underway over a period of years now and those of us who have traveled in countries where there are Peace Corps volunteers have talked to many of these men and women. The general impression is that they have been doing a good job.

I remember very well a trip we took a few years ago to Malaysia. There was one volunteer in a leprosarium, working alone there. There were no other Americans there. More recently, a number of us last March met many volunteers working in Korea.

It goes without saying that there is an understanding and a pretty broad acceptance of the ideals and objectives of the Peace Corps. The fact is that the Peace Corps is in the interest of our country.

I rise primarily to support the plea which has just been made by the gentleman from Florida with regard to the funding level. It would be most unwise if we should accept the idea that we could get along for less than is advocated in this authorization bill.

There has already been a reduction, a voluntary reduction, in the number of volunteers planned for the program. There will be approximately 1,000 fewer volunteers in the fiscal year 1970 than there were overseas in fiscal year 1969. It would be most unwise for us to force the agency to prune more drastically,

which would be necessary if we should not provide adequate funds.

The new Director of the Peace Corps, Mr. Blatchford, testified in some detail about the aims of the Peace Corps as he sees them. He emphasized the importance of quality in the selection of volunteers. He said also that idealism is not the exclusive domain of the young, and that an additional effort would be made to get middle-aged and older people in the program. Furthermore, on an experimental basis, individuals with families may be sent overseas as volunteers.

Mr. Blatchford also said that the Peace Corps must demand what he calls a multiplier effect on all that it does. A project, he said, which does not have an end in sight, which will not be taken over by local people in a few years' time, should not be started. The Peace Corps should be mobile and flexible. It seems to me that all those principles are desirable ones, Mr. Chairman, and I do hope that we pass this authorization with provision for sufficient funds so that a reasonable job can be done.

Mr. ADAIR. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. FULTON).

Mr. FULTON of Pennsylvania. Mr. Chairman, I am glad to rise in strong support of this Peace Corps authorization for the year 1970. The U.S. Peace Corps has been one of the outstanding bipartisan successes in our foreign policy.

The House Foreign Affairs Committee has studied carefully the program for the coming year, reviewed the Peace Corps history, discussed policy changes with with the new head, the Director of the Peace Corps.

It is our committee opinion who reported this Peace Corps bill favorably by 30 members to none opposed with one voting present, that this authorization should be passed. We believe this is a satisfactory and well-run program, and, therefore, the Peace Corps should be funded at this amount of authorization.

My suggestion has been that the name of the Peace Corps is not broad enough. This agency is simply not a corps for peace but also really a corps for progress. It could really be called a teach corps, because it is teaching people at a certain level of living how they can best progress in their own countries and in their own villages and at the level at which they live.

I therefore believe that the Peace Corps has been a success, and I am glad to join with the others in recommending passage promptly of this authorization for adequate funds for fiscal year 1970.

Mr. MORGAN. I yield to the gentleman from New Jersey whatever time he may consume.

Mr. GALLAGHER. Mr. Chairman, I rise, as do my colleagues, in support of the legislation. I think the great tribute to the Peace Corps is the one being made here today, where both sides, and the administrations of both parties have recognized the outstanding job the Corps has done. I think it is that tribute which calls for the passage, in full measure, of the bill.

It is without hesitation that I speak in behalf of this legislation. Nearly 10 years ago, our late President John F. Kennedy launched this Nation toward the moon. At the same time, he launched our country of an earthly journey of, at least, equal significance. While the trip to the moon would capture the imaginations of men, the earth-bound journey would capture the hearts of men by slicing through the ravages of war, poverty, ignorance, and disease. President Kennedy embarked upon this latter journey with the creation of a Peace Corps.

Mr. Chairman, today we have reached the moon; the flight, the landing, the walk on that satellite of earth provided untold drama for mankind and the drama for mankind and the chance for further interplanetary exploration. In less dramatic form, perhaps, the Peace Corps has reached millions of men in underdeveloped areas throughout the world. For those it has assisted, there is no finer ambassador from the United States than the volunteer Peace Corpsman.

I recall now that when the Peace Corps plan was originally proposed—and I had the honor to introduce the initial legislation in the House—resistance formed around the notion of entrusting the responsibility of representing America to thousands of young people. Youngsters, many contended, would probably "turn off" more people about the United States than they ever "turned on." Time has proved the folly in this contention. For everywhere a young Peace Corpsman has walked, he has made a friend for the United States. Everywhere a young Corpsman has worked, he has demonstrated the rich reality of the American dream.

I have had the opportunity to meet with many of our Peace Corps volunteers. The chance to do so has been an inspiration. These young men and women perform their tasks not because somebody else is doing it, nor because it is materially rewarding to do it, but, in the words of President Kennedy, because it is right to do it.

And if we in Congress are to do what is right, we will pass the Peace Corps bill before us, pass it without reservation, but with the knowledge that we are funding a corps for whom the pursuit of peace is a full-time job.

Thank you.

Mr. MORGAN. Mr. Chairman, I have no further requests for time.

Mr. ADAIR. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. PIRNIE).

Mr. PIRNIE. Mr. Chairman, I have asked for this time for the purpose of sharing with this House an experience I had in Senegal, Africa, in conversation with a Peace Corps representative working in a very small village out in the jungle of that country.

He was one white in a village of 6,000 blacks. I sat with him that evening in the dusk. He was in his little quarters, a small tent, with room just for his bed, a field desk, a box to contain his books, a chair, with the only light from oil lanterns strung on a cord above his bed.

This man was very enthused over his opportunity to work with these people. He said his period of service was nearly over and he was faced with a very important decision. He said he was engaged and wished to return to the States to be married.

However, he was disturbed about the work being carried on if he were to leave. He had begun courses of instruction for these native people in the fields of sanitation and community health, and some elementary work in reading and writing. He said:

> I do not know what is going to happen if I go at this time, unless someone comes to take my place who will work closely with these people. I feel I have gained their confidence and their enthusiastic support. I am wondering if I am doing the right thing to think of my life in terms of what I want to do when I ought to be thinking of it in terms of what I should do.

I think it is all the more remarkable when we know this young man came from Richmond, Va.

I admired this young man as he was struggling with his decision. I found him somewhat typical of the Peace Corps representatives we have in many of these countries, where they have a chance to work with those who need help in the rudiments of living. I have supported the Peace Corps and I certainly approve this extension of the authorization, because I believe it does represent an opportunity for improving mankind and understanding of people.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. PIRNIE. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, the figures show the number of warm bodies shipped into Senegal has tripled since the initiation of the so-called Peace Corps. Is there some reason why the French cannot take care of the people in their territories and former territories? Why must we take up the burden for the French?

Mr. PIRNIE. I cannot respond to the gentleman as to why the French could not do more in this area, but I can answer his question as to why there has been an expansion.

At first, this was an experiment and they were attempting to see how this effort would be received and what could be accomplished. When it was well received, and when the areas of service were more cleary explored, it was thought that under the same overhead and supervision the contact could be expanded in the interest of the program.

Mr. GROSS. If the gentleman will yield further, Mr. Chairman, does the gentleman agree with me that we have more than a few problems here in this country that need attention?

Mr. PIRNIE. I certainly would, but I also feel, in response to the gentleman from Iowa, that perhaps this is a way to promote understanding throughout the world, through people to people in a way such as is illustrated by the case I cited. Certainly there was a better feeling among those people as they followed that young man through the village. It was very impressive to see the admiration and respect which he had earned.

Mr. SNYDER. Mr. Chairman, in light of the President's recently announced proposal to cut back Federal construction, I have a few thoughts on this Peace Corps Act.

First, the President's alleged purpose in cutting back Federal construction is to improve the fiscal situation; that is, to alleviate inflation.

Second, I feel that our sense of priorities has somewhere gone awry. The President wants to curtail the production of fixed assets—the only tangible results most American taxpayers see for all the money that is hauled off to Washington.

Third, if cuts have to be made—and they do—then let us first make them in our overseas spending programs, then on our domestic social experimentation programs, and lastly in construction of fixed asset benefits for the taxpayer.

In short, Mr. Chairman, the President's priorities may be confused, but mine are not. I will not vote to authorize $101.1 million for a dubious foreign assistance program when the President deems it necessary to cut back the most important and most visible domestic Federal endeavor.

Mr. FRASER. Mr. Chairman, this authorization to finance Peace Corps activities in fiscal 1970 has wide support. This attests to what has been achieved by Peace Corps volunteers in the past and to what we expect of them in the future.

The act of volunteering for Peace Corps service represents the highest form of activism. The younger volunteers are students who choose a most constructive method to change the world for the better. As their representatives in Washington, let us recognize that these college-age volunteers are a highly motivated group and that they may not always agree with our world view. To be effective, however, these volunteers must continue to have freedom to express their own views even when they are not our views. This, after all, is the hallmark and the strength of the American system.

Mr. ADAIR. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time on either side, the Clerk will read.

Mr. HAYS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Forty-seven Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 160]

Addabbo	Clay	Giaimo
Ashbrook	Cleveland	Gilbert
Ashley	Colmer	Green, Oreg.
Bevill	Conyers	Green, Pa.
Biester	Corman	Griffiths
Bingham	Coughlin	Grover
Blanton	Cowger	Gubser
Brasco	Cunningham	Halpern
Brock	Daniels, N.J.	Hamilton
Brooks	Davis, Ga.	Hansen, Wash.
Burke, Fla.	Dawson	Hébert
Burleson, Tex.	Diggs	Henderson
Burton, Calif.	Donohue	Horton
Burton, Utah	Dorn	Hungate
Bush	Dulski	Johnson, Calif.
Cabell	Dwyer	Keith
Cahill	Edwards, Calif.	Kirwan
Carey	Esch	Landgrebe
Carter	Fallon	Leggett
Casey	Fish	Lipscomb
Celler	Fisher	Long, La.
Clancy	Flowers	Lukens
Clark	Foley	McEwen
Clausen, Don H.	Frey	McFall
	Gaydos	McMillan
MacGregor	Powell	Sebelius
Mann	Quillen	Shipley
Mathias	Railsback	Shriver
Michel	Reid, N.Y.	Sikes
Mikva	Reifel	Smith, Iowa
Mollohan	Reuss	Steiger, Wis.
Monagan	Riegle	Stuckey
Moss	Rooney, N.Y.	Teague, Tex.
Murphy, N.Y.	Rooney, Pa.	Tiernan
Nichols	Rosenthal	Watkins
Nix	Rostenkowski	Whalley
O'Konski	Roudebush	Widnall
Ottinger	Ruppe	Wilson, Charles H.
Patten	St Germain	
Pepper	Sandman	Zion
Philbin	Scheuer	

Accordingly the Committee rose; and the Speaker having assumed the chair, Mr. NATCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 11039, and finding itself without a quorum, he had directed the roll to be called, when 310 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. All time having expired, the Clerk will read.

The Clerk read as follows:

H.R. 11039

Be if enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(b) of the Peace Corps Act, as amended, which authorizes appropriations to carry out the purposes of that Act, is amended by striking out "1969" and "$112,800,000" and substituting "1970" and "$101,100,000", respectively.

AMENDMENT OFFERED BY MR. HAYS

Mr. HAYS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HAYS: On the first page, line 5, insert "(1)" immediately after "is amended" and, in line 7, strike out the period and insert in lieu thereof a comma and the following: "and (2) by adding at the end thereof the following new sentence: 'None of the funds authorized to carry out the purposes of this Act shall be used to carry out the Volunteers to America Program conducted under the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), or any similar program involving the service or training of foreign nationals in the United States.'"

Mr. HAYS. Mr. Chairman, although this amendment sounds complicated, it is very simple. What it does is bar the use of any funds in this act for the so-called reverse Peace Corps.

An amendment was offered in the committee for the authorization to have a reverse Peace Corps, and it was defeated 18 to 4. The Peace Corps people are going ahead anyway. I at one time had said I had no objection if they confined the program to teachers, but they are going ahead, as I understand it, without authorization by Congress, but with an executive permission, and promoting what they called a reverse Peace Corps.

They are proposing to bring in volunteers from the underdeveloped countries to work in our low-income areas and presumably to teach somebody there something they ought to know.

I talked with one of the very great liberals in this House who knew something about the Berkeley confrontation, and he said he was very much opposed to this reverse Peace Corps because at Berkeley some of the ringleaders of the agitation there were African nationals who were there at school. He said he had no objection to them. Certainly I do not, as I will tell in a moment. But they were the only people among the radical group one could not talk to, because there was no way to relate to them, no way to talk to them about America, about what it meant, about what it could do and about what it would do and how we were an amalgamation of many minorities. They were just radicals, period.

I am the coauthor of the Mutual Educational and Cultural Exchange Act of 1961, sometimes called the Fulbright-Hays Act. They are bringing in certain selected people to this country on cultural exchanges. They are bringing in teachers. They are bringing in all sorts of people who are selected by our embassies under the charge of the Ambassador.

I know that this administration has appointed a gentleman as Under Secretary or Assistant Secretary—I am not sure of his title—one or the other, for cultural affairs, who has a fine program laid out under the exchange program.

All my amendment would do is to keep the Peace Corps in the Peace Corps business and out of the cultural exchange business in America.

I am for the Peace Corps. I have supported it every year. I will support it this year. I do support it. But I would like to see this amendment passed.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. The gentleman is aware that on July 3, 1969, the volunteers to America program, which has been carried on under the Hays-Fulbright program, was transferred to the Peace Corps from the State Department by Executive order under delegation of authority No. 105A, signed by Elliot Richardson, Under Secretary of State who was then Acting Secretary. This transferred the authority to the Peace Corps of an operation previously carried on under the Hays-Fulbright Act.

I understand there was a grapevine rumor around here indicating that the Subcommittee on Appropriations does not look with enthusiasm on this program. I fear that the gentleman from Ohio, who is the coauthor of the cultural exchange program is going to fix it so that the Volunteers to America program is without any funds in either bill.

Mr. HAYS. Let me say to the gentleman, I am not a bit worried about that, because I believe there will be plenty of funds put in over in the other body for the cultural exchange program.

I am glad the gentleman brought out about Mr. Richardson signing that Executive order, because he invited me down to the swearing in of the man in charge of the program in the State Department, another fellow by the name of Richardson, coincidentally from the same State and the same city. I believe we ought to keep the program where it is.

I am against this divided authority. I am against it furthermore because Mr. Elliot Richardson transferred it without in any way, shape, or form consulting Congress, a committee of Congress, or a subcommittee of Congress.

I can tell the gentleman that in the other body there is plenty of sentiment against this kind of transfer.

Mr. MORGAN. Mr. Chairman, will the gentleman yield further?

Mr. HAYS. I yield further.

Mr. MORGAN. I have a copy of the hearings here. On page 13 of the hearings there is a colloquy with the Director of the Peace Corps.

Mr. HAYS. In which I said I had no objection.

Mr. MORGAN. Will the gentleman permit me to finish?

There is a colloquy between the Director of the Peace Corps and the gentleman from Ohio (Mr. HAYS) where the gentleman from Ohio stated that he had no objection if only teachers were involved.

Mr. HAYS. That is correct.

Mr. MORGAN. The report issued by the committee states clearly that the program should be limited to teachers. I cannot understand why there has been such a change in the thinking of the gentleman from Ohio between the date of the hearings, and today, when he comes here with this amendment.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

(By unanimous consent, Mr. HAYS was allowed to proceed for 2 additional minutes.)

Mr. HAYS. Mr. Chairman, as a great admirer of the great Senator from Illinois, Senator DIRKSEN, I find it frequently advantageous to change my mind, and I want to say to you that I have changed my mind not because basically I am objecting to the idea of bringing in teachers, as I said in the committee, but I find that their plan is to use teachers as the first step and to expand this program without legislation and without permission to bring in anybody. They bring in anybody they want to and do anything that they want to. So I am against this foot-in-the-door kind of approach, and since I have been brought into it—and I have talked to the people in the Department of State—I want to say that I am against having two programs to bring in teachers, because the Department of State is still operating a program for the selection of teachers.

Now, the gentleman from Pennsylvania is not very enthusiastic for a reverse Peace Corps. Is that right?

Mr. MORGAN. I am not very enthusiastic about the whole cultural exchange program, I must say.

Mr. HAYS. Then what is the big argument about? You ought to be up here supporting me.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I am glad to yield to the gentleman from Michigan.

Mr. CEDERBERG. I think the position of the gentleman from Ohio is the correct one. I served on the subcommittee that the gentleman referred to, the Subcommittee on Appropriations that handles the cultual exchange program. We are not opposed to the program. If you will look at the RECORD this year, you will see that we gave them probably within $1 million of what they asked for in the budget. I do not recall exactly what the amount was in the budget, but we did give them very close to it. We have concern though, with some of the cultural presentations that go on.

Mr. HAYS. I understand that.

Mr. CEDERBERG. Some of those things are what we are concerned about and not the exchange program. We are all for that.

Mr. HAYS. And some of the language in some of the plays.

Mr. CEDERBERG. They are some of the things that concern us. You should keep this program where you can take a good look at it. I support the gentleman from Ohio 100 percent.

Mr. MORGAN. Will the gentleman yield to me?

Mr. HAYS. I yield to the gentleman.

Mr. MORGAN. I want to say to the gentleman from Michigan that the Committee on Foreign Affairs had nothing to do with putting this into the Peace Corps. This was done by Executive order under the authority of the President.

Mr. CEDERBERG. I understand that.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

(Mr. HAYS asked and was given permission to proceed for 1 additional minute.)

Mr. HAYS. What the gentleman from Michigan is saying and what my good friend, the chairman of my committee, is saying is this: He knows I have the utmost regard for him not only as chairman of the committee but as a friend. He is making the good fight for something that the committee has done which has come from the administration, but his heart is really not in it. He knows that.

Mr. CEDERBERG. I am not very impressed with these Excutive orders, and I do not care whose administration they come from.

Mr. HAYS. I do not, either.

Mr. CEDERBERG. Most of the time they are just a device to get around the intentions of the Congress.

Mr. HAYS. They tried to bring them up last year in Mr. Johnson's administration, and we killed it deader than a dodo bird without having it brought to the floor and told them not to do it again. Some of the bureaucrats down there went ahead anyway and came in with it. So this just writes it into the language that they cannot do it.

Mr. ADAIR. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Ohio.

The gentleman from Michigan who just spoke made the point that by keeping this provision under the Cultural Exchange Act it would receive much closer scrutiny. I would have to differ with the gentleman on that point. One reason advanced for putting it in the Peace Corps bill is that this legislation comes before the House each year both for authorization and appropriation and therefore it would receive a closer scrutiny than under a continuing authorization.

Mr. HAYS. Mr. Chairman, will the gentleman yield to me?

Mr. ADAIR. Yes. I yield to the gentleman.

Mr. HAYS. The gentleman is a friend of mine and I hate to find myself in disagreement with him at any time. More frequently, as he knows, we are in agreement. But the gentleman and I both know that the Peace Corps Act gets a very cursory examination in our committee. Everybody is for the Peace Corps. Nobody is against it. You are for it and I am for it. Nobody questions it very much. We have maybe 1 or 2 days of hearings at the outside, and we bring in a bill. We have a hour of debate on it and we have had it. And, I just cannot agree with you. I cannot agree with my friend from Indiana that it gets a very close scrutiny.

Mr. ADAIR. Well, I would have to say to the gentleman that I differ with him. I feel that we do give the Peace Corps careful scrutiny, not only in special hearings but in the private investigations that many of us carry on.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield further?

Mr. ADAIR. I yield further to the gentleman from Michigan.

Mr. CEDERBERG. I thought the original intent of the Peace Corps was to send people from the United States to other countries to assist in those areas. When you get involved with the exchange of persons, which was the original intent of the Fulbright-Hays Act; that comes under the cultural exchange program and that in my opinion is where it ought to stay. You can call it a "reverse" Peace Corps if you want to. I do not care what name you put on it. However, it is more difficult to scrutinize a $100 million budget. Therefore, I think it ought to stay where it is.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the chairman of the committee.

Mr. MORGAN. Of course, we are arguing here about the Volunteers for America program which is a part of the Hays-Fulbright program which went into effect in 1967 and only 103 people have been admitted under this program. So, you are not talking about any great number of people. It will be 68 for this year. So, it is not a big volume or mass of people. This is only a pilot program and has been a pilot program under the cultural exchange program. Very few people are involved. So, you are dealing here with a small program. There is no mass transfer of authority out of the Hays-Fulbright Cultural Exchange Act.

Mr. ADAIR. Mr. Chairman, let me point out again, as has previously been indicated here, that there is no additional language in the proposed act. The gentleman's amendment would simply make it very clear that no funds could be used for this purpose. The committee did decline to put language in the bill which we are bringing before you today. In the report we simply suggest that we do not object if the Director of the Peace Corps elects to use not more than $100,000 from the existing funds for the exchange Peace Corps.

This I should point out would in no way increase the authorization by $100,000. The Director would have to find the money in the existing funds or the funds

which we authorize now for fiscal year 1970. The chairman makes a very good point and that is this: If this restricting language should remain in the bill, there is a possibility that the continuation of this program might not be funded any place at all and, thus, it would die.

The gentleman from Ohio will recall that we both advocated and supported the Hays-Fulbright Act when it was before this House. The exchange Peace Corps is a program which has some merit. It needs to be approached with a great deal of caution as has been done and will continue to be done. I think we ought not to deny the Director of the Peace Corps this small bit of flexibility.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Ohio.

Mr. HAYS. The thing I object to is the "foot-in-the-door" thing as I said earlier, and the fact that the State Department has a bureau set up, trained and operating. The Peace Corps is a totally different field altogether sending people to foreign countries. I just do not think they are competent to select and process and bring in people from those countries here to do the job that they say they want them to do. Therefore, I do not see why we should have two agencies doing the same thing.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

(By unanimous consent, Mr. ADAIR was allowed to proceed for 3 additional minutes.)

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Will the gentleman from Indiana comment upon this point: As I understood the statement by the gentleman from Ohio, an Executive order has already been issued transferring the cultural exchange functions to the Peace Corps. Further, if this amendment prevails, then in effect, the House at least is eliminating that potential for either the cultural exchange program as it has been operating or this reverse Peace Corps as it is proposed; is that an accurate statement?

Mr. HAYS. Mr. Chairman, if the gentleman will yield further, I do not believe the gentleman from Michigan is correct in that part of the cultural exchange program referred to as Volunteers of America has been transferred by Executive order to the Peace Corps. I do not understand that the whole program has been.

Mr. GERALD R. FORD. Just that portion.

Mr. HAYS. The Volunteers of America.

Mr. GERALD R. FORD. The Volunteers of America.

Mr. HAYS. What happened was that the Director has since signed a delegation of authority, and my amendment says that he cannot delegate that authority; it will have to stay in the State Department.

You earlier heard the gentleman from Michigan say that they had appropriated what they asked for, or nearly what they asked for in the budget.

This is a pilot program, and I want it to stay in the cultural affairs division of the State Department, and not be put over into the Peace Corps where it can grow like Topsy, and wind up God Almighty knows what.

Mr. MORGAN. Mr. Chairman, would the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. I would like to ask the gentleman from Michigan, who serves on the Subcommittee on Appropriations, as to whether he is speaking for the entire cultural program, or whether he is just speaking for the part involved in this amendment, the Volunteers of America?

Mr. CEDERBERG. What I am speaking about as the gentleman from Pennsylvania stated, that the subcommittee did not look with favor upon the cultural and mutual exchange programs, and that is not correct. The correct assumption is that there are some parts of it we believe that need tightening up. I happen to believe that we send far too many professors from the United States to other areas, but that we are not opposing this at all. In my opinion if the amendment offered by the gentleman from Ohio is not adopted, then 5 years from now you will come in here and you will have more money in the reverse Peace Corps than you will have in the whole cultural exchange program.

Mr. MORGAN. That will never happen as long as I am the chairman.

Mr. CEDERBERG. The gentleman may not always be the chairman. We hope he will be for many years, because he is a very distinguished chairman, but times change, so I do not want to take that risk.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. CEDERBERG. I think it is a mistake to change it.

Mr. PUCINSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it is not known whether or not the program that the Secretary has instituted, the so-called reverse Peace Corps, is any good or not. I will leave that to the judgment of the Committee on Foreign Affairs and their recommendations. It seems to me that the fundamental issue here is whether or not the legislative branch of Government is going to have something to say about these programs.

I was one of the early supporters of the Peace Corps. I remember making many, many speeches in its behalf when it was not necessarily popular. I remember when the Peace Corps was first proposed, and there were very many opposed to it, and then they saw that it did work out. But it seems to me that the question here is whether or not the executive branch of the Government is going to bypass the legislative branch. The popular parlor game seems to be maligning and criticizing the legislative branch of Government. It seems to me that the amendment has merit only in that it will compel the State Department to come before the House in an orderly manner and make their recommendations, and the House will have an opportunity to work its will. I do not believe that these people ought to be permitted to go ahead and sign an Executive order, and change the program substantially, and then come in here and expect the House to support its action.

Mr. HAYS. Mr. Chairman, if the gentleman will yield, the gentleman is exactly right. There is a question of jurisdiction involved here. In fact, there is another question involved which I have not brought up, where the Peace Corps is supposed to be sending volunteers to train underdeveloped countries to do things that they do not have the people to do themselves.

Now, the fact is that they were talking about Senegal, and I thought if Senegal needs four times as many Peace Corps people as it did formerly, how is it going to spare people to come here to teach? This is the question I asked:

What are you going to bring somebody from some African country for?

He said:

Well, maybe to teach Swahili.

There does not seem to be a burning need in this country for Swahili teachers.

Mr. PUCINSKI. As I say, I do not want to get into the merits of this. Perhaps we need these people—I do not know. But the fact of the matter is that we have seen within the last 10 years or so this constant move toward Government by guidelines. Now we are seeing Government by Executive order.

Some of our friends in these agencies should be reminded that this Government is a government made up of three co-equal branches and that this legislative branch has is responsibility.

Now these things happen and somebody comes here under this Executive order and creates some situation which creates a great deal of criticism in the press and the press does not say that this person is here by an Executive order, but that he is here by an act of Congress, and that his acts are under the delegation of power from the Members of Congress.

Mr. Chairman, I think this amendment deserves our support if for no other reason than to make clear to the executive branch of Government that if they want the changes in this program, there is a prescribed and orderly method of getting those changes.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman.

Mr. MORGAN. Mr. Chairman, I know that the gentleman has been a friend of the Peace Corps. I remember in 1961 when the original bill was on the floor that he was a cosponsor and I remember seeing him at the White House at the signing of the bill. The gentleman has been a friend of the Peace Corps for many years. The gentleman knows that the Peace Corps started in 1960 by Executive order and everybody thought it was a good idea.

Mr. PUCINSKI. Yes, by an Executive order when it was experimental. Then the President realized the virtues of this program and came before the Congress and said, "Make this a permanent program." The President in his good judgment and to his everlasting credit did come before the legislative branch of the Government and he said:

Gentlemen, this is a good program and I recommend it and here is my proposal. Now you as the legislative branch of the government, please go ahead and vote this bill out.

And the Congress had a chance to work its will.

The question here on the Hays amendment is not relative to the merits or demerits of the proposal. The question is whether the House of Representatives is to write legislation or whether we are going to surrender and yield our responsibility to an Executive order when they cannot do it in another way. That is the issue.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman.

Mr. ADAIR. I think that is exactly what we are trying to do. As the chairman pointed out, the whole program can be done by Executive order and later then enacted into legislation. This has been begun by Executive order and by this wording in the committee report, we are taking a small step in the direction of enacting it into legislation. So we are doing practically just what the gentleman advocates.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MORGAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to say that as chairman of the committee that I have no strong feelings about the amendment offered by the gentleman from Ohio, Mr. HAYS.

But I think the real facts ought to be laid before the House. This is a very small pilot program. As I have said, it started under the Hays-Fulbright Act in 1967 and, over the years, a total of 105 people have been brought in. What is proposed for this year is another 60.

This program is not a program to bring college students here to go to college. It is not to bring in the type of person who is going to be an exchange student at the University of California at Berkeley.

This is really a cultural program. The person involved may be a young man or woman of the age of 25 or so who can speak both English and Spanish, for example. This is the sort of person who could go to your local high school and help to teach languages and is paid enough to cover board and room by the local school board.

This is not the type of student who comes under the cultural exchange program. They come here to teach a language and make themselves useful. It is a very limited and small program. If you want to keep it small, let us keep it in the Peace Corps.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman.

Mr. HAYS. I would just like to point out that what the chairman says about teachers is true. But they have been coming in under the cultural exchange program. That is exactly what we want to promote. Let me say this to you, the gentleman from Indiana makes the argument that we are trying to legitimize an Executive order. Now the facts of the matter are that the gentleman from Indiana tried to legitimize it with an amendment saying—Yes, you can do this—and it was defeated in committee by a vote of 18 to 4.

So really, if we try to legitimize it, it is a sort of back-door approach to legitimacy.

Mr. MORGAN. I just want to say in the few moments I have left that I have no strong feelings of opposition to the amendment. I think the House has spent about a half hour in wasted time discussing a matter of limited importance.

Mr. DERWINSKI. Mr. Chairman, I rise in support of the amendment. In order to cooperate with the chairman, since I agree we have been spending more time on this amendment than we should, I shall be brief. I merely wish to emphasize that the gentleman from Ohio is completely correct when he points out that a small pilot program in Government has a tendency to become a huge permanent program.

Do not fool yourself for one minute that the "small pilot program," as it has been described, will remain so.

May I point out to the friends or constructive critics of the Peace Corps, that there are certainly enough problems in administering the present responsibilities of the Peace Corps. We have complaints from dozens of foreign countries that we send over Americans who are not equipped to meet the peculiar needs of the country.

We have a new administration. Let them straighten out what they have inherited. Let them get their feet on the ground in the Peace Corps program itself, without launching into something new.

If for one moment anyone would think the gentleman from Ohio was not accurate when he said that our committee gives the Peace Corps merely a perfunctory review, I would like to reemphasize that we do not study the Peace Corps too thoroughly. After all, it is one of the "holy of holies" of the Government.

I would suggest the expeditious thing for the House to do, especially since the chairman has said that he does not have very strong feelings about it, and I detect the gentleman from Indiana, the senior member, does not really have strong feelings about it—his heart is not in this provision—let us accept the Hays amendment and go on to passing the bill.

Mr. DENT. Mr. Chairman, I rise in support of the amendment. When we first started talking about the Peace Corps in this House, there was a great deal of opposition to the program. At that time, if any Member would have suggested that the money we were going to appropriate for the program was going to be used in a reverse manner, or that any part of it was going to be so used, I am sure the House would never have passed the original bill.

It has been said that the language which is the subject of the amendment is only part of the program. It is merely $100,000.

Let us read what the report says. If I read correctly, the report states:

The Director of the Peace Corps announced his desire to use funds in the neighborhood of $100,000 to finance an Exchange Peace Corps.

The money that was put up by the American people was put up to help these countries, thinking that we had some skills that would be beneficial to the nations in need.

There is no restriction in the bill whatsoever about where these Exchange Peace Corps volunteers could come from. They could come from the richest nations in the world. As stated in the report, they could come "for one year with schools, voluntary agencies, or other organizations needing their services," and we will pay the freight. We would not limit the amount of money. We would not limit it by percentage. We do not say a word about how long the program is to endure. Yet they could, and in all probability we will in a few short years find that the bulk of this money will be spent to send the friends of those in our overseas embassies to the United States for a vacation.

Mr. Chairman, I have been home. I was home for a great deal of the time during the House vacation, and I have learned that many of my people are discouraged about many things. They are more discouraged than ever. I come from the kind of district that needs roadbuilding, and it needs it badly. It is part of our economy. The need for the road is not only part of our economy but also the money used for the building of roads provides jobs. Men in our district live entirely on the money received for road construction. The President has asked for a 75-percent reduction in road construction, plus home construction, plus an appeal to free enterprise to cut down to the same extent.

Melvin Laird, our former colleague in Congress, has said that no military contracts will be let until he finds how much less than the 75 percent will be cut.

If we are going to go ahead ourselves in the belief that we can sit around here and spend money in foreign countries without getting condemned by our people, we will find we are just barking up the wrong tree. People are getting a little bit tired because they do not understand—and after 30 years of believing we were right in most instances, I am coming to the same point. I have been legislating for a long while, but I never knew we could have the administration legislating this country into a depression and having the President saying it is a great thing to do.

We are going to have to fight inflation, but we are going to fight inflation by cutting down 75 percent of construction? Inflation never hurts a man who works for a living—and put that down in the book. The man who receives a wage for working usually spends his salary at that time because it takes him his salary to live on.

The recent action by the President would result in preserving the rich man's dollar at the expense of the workingman's penny. The American workingman never has anything left over. If he buys a suit for $60, he is working to get that money for the suit. I remember when my father could not pay for a suit when a suit cost only $5. Today a worker buys good suits, has a home, in most cases

has a car, TV and even takes a short vacation. Is this the inflation the President is fighting?

Fighting inflation now is in the plans of those who have other things in mind. If this Congress sits by and votes for this kind of thing, we are going to open up a new avenue of appropriation, because we will be in a position of appropriating directly rather than going through the Fulbright-Hays agency in the State Department.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Pennsylvania, the chairman of the committee.

Mr. MORGAN. Mr. Chairman, we will not be opening up a new avenue of spending. This program has been operating for a couple years under the Fulbright-Hays Act.

Mr. DENT. Mr. Chairman, I understood from the chairman's remarks that there would be a probability there would not be any funds under that appropriation, but this is opening up a new avenue, because we are appropriating for it here. I came here to vote for the Peace Corps. I did not come over here to appropriate, at the desire of the Director of the Peace Corps, to spend somewhere in the neighborhood of $100,000 for a reverse Peace Corps. My memory in this Congress is that in the neighborhood of $100,000 can be a big neighborhood all the way to a billion.

Mr. FLYNT. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I support the amendment offered by the gentleman from Ohio (Mr. HAYS).

I was impressed with the remarks of the gentleman from Michigan. From my service on the Subcommittee for the Department of State of the Committee on Appropriations, I want to say that at least one member on the majority side of that subcommittee concurs with what the gentleman said.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman from Pennsylvania, the chairman of the Committee on Foreign Affairs.

Mr. MORGAN. Mr. Chairman, did the gentleman just give assurance to the gentleman from Pennsylvania (Mr. DENT) that this $100,000 is going to be in the State Department appropriation and is going to be spent anyway, whether it is in the Peace Corps or under the Cultural Exchange Act, and that $100,000 is going to be appropriated by the gentleman's committee? Is that correct?

Mr. FLYNT. Mr. Chairman, I wish I could say to the chairman of the Committee on Foreign Affairs that what he says is so. I wish I could give that assurance, but from what I see going on in the State Department, I cannot give the gentleman any assurance of what will be done with any of the funds.

The gentleman from Michigan (Mr. CEDERBERG) referred to some of the obscene material which was sent overseas under the cultural exchange program, but as far as I am able to determine, the State Department itself and those charged with the administration of the cultural exchange program within the State Department were not aware of what they were sending overseas until our committee found out about it and asked the Department to come before us to explain it.

Mr. Chairman, some of the most obscene and filthy pornographic material I have ever seen was sent to foreign countries under this cultural exchange program.

What is needed is to tighten up on this program rather than expand it and compound its mistakes.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, in all fairness—and everybody knows I am fairly partisan—but in all fairness to the administration, let me say this was not done under the new administration, under the administration of the new Under Secretary for Cultural Affairs. I am a supporter of the previous President and I believe in him, but I can say the two Cultural Affairs Under Secretaries, the last two we had in that administration, I do not think were picked by the President, neither one of them, but they were disastrous. I can tell the Members those two probably did not know what was going on and probably they did not care about what was going on.

I believe in fair play. I hope we will give this new gentleman a chance. He impresses me as a sincere fellow who will try to do the best he can to see this program works.

I want to keep it down there where we have some people with skill and dedication, and not turned over to somebody in the Peace Corps, to a country director out in Africa or down in Latin America, or wherever the case may be. It ought to be run carefully. These people ought to be screened. They ought to be competent. They ought to know what they are coming here for.

I believe that can best be achieved under the cultural affairs program of the Department of State.

Mr. FLYNT. I agree with the gentleman from Ohio. He is eminently correct.

If the Congress permits the executive branch of the Government to make the delegation or transfer of authority which has been undertaken in the departmental order referred to then we have no alternative but to expect that they will increase it by the same method as long as and as much as they can.

If there is any merit to this proposal—and I doubt seriously if there is any merit in it—for a reverse Peace Corps, then let the State Department come before Congress in an orderly fashion and ask the Foreign Affairs Committee to specificially authorize it with authorizing legislation.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman from Ohio.

Mr. HAYS. They did exactly that last year. It was referred to my subcommittee. I polled the subcommittee and could not find three votes for it. That is why it was not written into law under the previous administration.

Mr. FLYNT. Mr. Chairman, I certainly urge the adoption of the amendment offered by the gentleman from Ohio. I hope it will be adopted by an overwhelming vote.

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Ohio (Mr. HAYS).

My good friend, the chairman of the House Committee on Foreign Affairs, Dr. MORGAN, says he has no strong feelings one way or the other on this bill. I suggest that we get to a vote on it and help him make up his mind.

Mr. MORGAN. I was not referring to the bill, Mr. GROSS, but to the amendment. I have strong feelings about the bill.

Mr. GROSS. On the amendment, I should have said.

Mr. Chairman, I yield back my remaining time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. HAYS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 1, line 6, delete "$101,100,000" and substitute therefor "$90,000,000."

Mr. GROSS. Mr. Chairman, there must be economy throughout the entire Government in the matter of authorizations and appropriations in this session of Congress. The fiscal situation of this Government and country is approaching a crisis.

This is an amendment to provide that the Peace Corps take its place in the line of those who are subject to economy.

The amendment would cut $11,000,000 from the present figure of $101.1 million. It would also eliminate the $100,000 that was to have been earmarked for purposes of the exchange program. The amendment of the gentleman from Ohio has eliminated the necessity for the $100,000. So the amendment would reduce the cost of this bill from $101.1 million to $90 million, a cut of $11.1 million.

I suggest, in the light of the President's call for a cutback of 75 percent in public construction, this is not a serious cut; that it can easily be absorbed.

The spending for this purpose could well be cut more. But, being a realist, I would not have tried to cut more deeply. We have heard from the proponents that the Peace Corps has done an outstanding job. Yet no one seems to be able to point to the outstanding jobs that have been done around the world. I was here when the first appropriation was made for this organization, and I believe it was in terms of $10 million. Now it is up to $100 million plus. And where is the outstanding job? Is it in Nigeria where we sent in 200 or 300 Peace Corpsites? It was to be one of the showcases of American aid and one of the showcases of what the Peace Corps could do. What happened in Nigeria? Where are all those Peace Corps people today? They are down to 50 or less there. If they are there at all, they are witnessing genocide and the next thing to cannibalism. What about Pakistan, where we also had a large array of members of the Peace Corps? They are out and gone. They have

been asked to leave the country. And in this morning's paper it reported that the ruling political party of Malawi has told the Peace Corps to get out of their country. They said in a resolution adopted at their annual convention that there were many complaints from the Malawi people about the influence the Peace Corps volunteers have over their children, and the bad conduct, bad behavior, and slovenliness of Peace Corps members.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Certainly.

Mr. MORGAN. The Peace Corps was not asked to leave Pakistan. To be fair about it, Pakistan said they did not want any more educators or teachers. They said they needed technicians, mechanics, and so forth. However, let us be fair and say they were not asked to leave Pakistan.

Mr. GROSS. But we are out of there, are we not?

Mr. MORGAN. Yes. We have been out of there since 1967.

Mr. GROSS. Yes. We are out of there because they did not want us in there. They did not want our teachers in Pakistan.

Mr. MORGAN. They wanted us from 1961 to 1967.

Mr. GROSS. Yes. But they suddenly decided—or perhaps not so suddenly—that they did not want U.S. teachers in Pakistan. That is why we are out. If it was not by invitation, it is the same thing.

So it goes around the world. I believe the Chairman himself said that we have been booted out in eight or more different countries. I do not know what additional countries will tell us to get out tomorrow, but I believe this program ought to be cut down. It ought to be reduced progressively every year in the interests of fiscal sanity in this country. This is added to the foreign aid bill, which in all its ramifications is costing some $10 billion a year. The cost of foreign aid is too much for the people of this country to endure. Just as was the gentleman from Pennsylvania (Mr. DENT), I, too, was home a couple of weeks ago, and you believe me when I tell you that the people are rebelling against the taxes that are being inflicted upon them, Federal, State, and local taxes. It is time to cut down. The least we can do is cut $11.1 million off this bill.

Mr. MORGAN. Will the gentleman yield further?

Mr. GROSS. Yes.

Mr. MORGAN. In his opening statements the gentleman offered an amendment to cut $11.1 million, and I understand him to say that now that the Hays amendment was approved we would not need the $100,000 any more. Does the gentleman know that he is going to have to offer an amendment to the appropriation bill dealing with the cultural exchange program when it comes in here if he wants to save the $100,000, because it will be in there.

Mr. GROSS. I will be happy to do just that if that is what is required. I am not sure it will be, for it seems to me that it will take an authorization.

Mr. Chairman, in the interest of fiscal sanity I urge the adoption of my amendment.

At any rate, if it cannot get the $100,000, the Peace Corps will not be getting into this program. That is the point. That was the point which was made by the gentleman from Ohio (Mr. HAYS).

Mr. GALLAGHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. I think the gentleman from Iowa was correct about the complaints and the committee has studied them and they have been studied also by various Members who have investigated such complaints on their own with reference to the activities of the Peace Corps. And, they have found complaints. However, by and large, there has been a great acceptance of the Peace Corps. There are additional countries which are requesting our volunteers and feel that they can perform a useful service and, in fact, are performing a very useful service in many of the countries where they are now stationed. And, there are additional countries which have not had Peace Corps volunteers before but which have now requested Peace Corps volunteers. So the reputation of the Peace Corps continues to grow and it continues to be held in great esteem throughout the world.

The point I think that should be made, is that a 10-percent reduction is already for all practical purposes in effect. The administration in the President's request has already reflected a 10-percent reduction in the request for the Peace Corps this year. The request this year is below last year's appropriation. What the gentleman's amendment, in effect, would do would be to reduce by approximately 1,000 the number of volunteers that could be sent abroad this year by the Peace Corps. It is true that the Peace Corps has not solved a lot of the world's problems but, certainly, it has performed a good job under difficult conditions in many places throughout the world.

I think if we are going to superimpose an additional 10-percent cut on the Peace Corps it would be unfair. It would be unfair to the new administration, unfair to the new Peace Corps Director, Mr. Blatchford, and it would be unfair to the Peace Corps especially in light of what it is accomplishing. The President has sent up a message which demonstrates confidence in the Peace Corps and that message reflects a 10-percent cut. That reduction is part of this bill. The committee in its deliberations and wisdom, felt that we should support the administration request and the Peace Corps. To superimpose another 10-percent reduction would be wielding the meat ax.

I might say further that there has been a general decrease in accord with the wishes of the gentleman from Iowa down through the years. There will be less volunteers this year than there were last year.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman cannot be serious when he says that my amendment would represent another 10-percent cut. The cut in the bill is only about $900,000. If you call that fiscal restraint on a $100 million bill, then I do not know the meaning of the word "restraint."

Mr. GALLAGHER. Well, I did not use that word. What I did say was that the administration and the President has already included a 10-percent reduction in the Peace Corps in his message and this committee accepted this and voted accordingly. What we are now asked to do is to reduce it another 10 percent.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Indiana.

Mr. ADAIR. If the gentleman from Iowa (Mr. GROSS) and others interested would consult the table near the bottom of page 2 of the report, it will be observed that the original authorization budget request was $109.8 million. The amended budget was $101.1 million, which is the amount that we are recommending here and which in my opinion bears out the point made by the gentleman from New Jersey (Mr. GALLAGHER) as to the magnitude of the reduction from the original budget request.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from New York.

Mr. WOLFF. I wonder if the gentleman could answer a question as to the number of countries that have asked our Peace Corps volunteers to leave? Has it not been true that primarily those countries have been countries which have come under Communist influence where our Peace Corps volunteers have been requested to leave?

Mr. GALLAGHER. Yes, the gentleman is correct.

Mr. WOLFF. Was that not true in Tanzania, for example?

Mr. GALLAGHER. Yes, and similarly with other countries where the Communist influence has taken over but once that influence has been removed, there has been a request for the return of our Peace Corps volunteers such as in Indonesia. The gentleman from New York makes a very valid point. Obviously, they want the benefit of the expertise, teaching and technological know-how of our Peace Corps volunteers.

Mr. ADAIR. Mr. Chairman, I rise in opposition to the amendment.

It is not often that I find myself in opposition to the gentleman from Iowa, especially on matters relating to the reduction of authorizations or appropriations, but in this case I believe that the figure recommended in the revised budget is a reasonable one.

Again referring to the table at the bottom of page 2 in the Foreign Affairs Committee report, it will be observed that through the years the authorization and the appropriation for this program have diminished. For example, last year we authorized $112,800,000. There was appropriated $102 million. So it is clear that the authorization request for this year is $900,000 below the appropriation figure for last year, and is almost $12 million below what we authorized last year.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Iowa.

Mr. GROSS. I would ask if it is not true that the gentleman from Indiana

who is now addressing the House, voted last year for a cut of approximately $15 million?

Mr. ADAIR. That is true, because I believed that there was that much excess in last year's bill, but I do not find that in this year's bill.

Mr. GROSS. If the gentleman would yield further, he does not think the fiscal condition of this Government is any better now than it was a year ago, does he?

Mr. ADAIR. I regret to say that I do not, and that is why I approved the substantially lower figure requested in the authorization bill for fiscal year 1970.

Mr. Chairman, reference has been made several times here today as to the number of countries in which the Peace Corps is operating. I do not think there is any magic in finding a large number of countries in which we operate. In fact, the Director of the Peace Corps has made it very clear that he will scrutinize each new request with the utmost care so that we will not overexpand. But I would also invite the attention of the members of the committee to the figures set forth again on page 2 of the report, where it is shown that in 1968 the Peace Corps had volunteers in 57 countries. In fiscal 1969 we were in 59 countries and for fiscal year 1970 it is estimated that we will be in 63 countries.

So, Mr. Chairman, in answer to the argument that nations generally are turning against this program I would cite these figures as evidence that, on the contrary, we are going into more nations, hopefully with more carefully selected personnel to fit the particular needs of each of the countries into which we go.

Mr. Chairman, reference also was made to Malawi, and I want to be certain that the situation in that country is understood.

As the gentleman stated, but perhaps did not emphasize quite as much as I would, there has not been a request up to this moment from the government of that country for our withdrawal. I understand that a political party has passed a resolution asking the government to make such a request, but the latest information available is that such a governmental request has not yet been made.

Finally, Mr. Chairman, on the point of the character and the dress of some of our Peace Corps volunteers, I can say to the committee that the Director is aware of such criticism, and has assured me that where he finds any evidence whatsoever of improper dress or improper behavior, those individuals will be immediately recalled home.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. HAYS. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, like my friend, the gentleman from Indiana, in reverse, he says he seldom finds himself in disagreement with the gentleman from Iowa—and I seldom find myself in agreement with him, especially not twice in 1 day—but I am today.

Normally I would not support an amendment to cut Peace Corps funds but I am supporting it today for the same reason that I intend, when the foreign aid bill comes up, to offer an amendment to each section of the foreign aid bill that authorizes money—an amendment to cut it by 75 percent.

If it is such a good thing for Americans, then it ought to be just as good for foreigners. If it is a good thing for your constituents, then it ought to be a good thing for people who are not your constituents.

They say, oh, but this 75 percent cut that the President has ordered is to fight inflation. Well, I am just as anxious to fight inflation as he is.

The gentleman from Pennsylvania, my good friend, the chairman, has made speech after speech, as have I, imploring you to vote for the foreign aid bill on the grounds that 90 percent of the money is spent in the United States. It is inflationary.

So if we are going to fight inflation and if we are seriously going to fight inflation by cutting down, then let us not just cut hospitals and highways and all other public works by 75 percent, but let us pass it on a little bit.

So I find myself compelled to support the gentleman's cut which is a modest cut of about 11 percent in the Peace Corps. I will promise you that if they trim off the frills and the travel and the other luxuries that they have in there, that they will never miss it.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, since the inception of the Peace Corps, I have supported it. I believe we get a greater return for our foreign aid dollars from this program than we do from any other foreign aid program under the sponsorship of the U.S. Government.

I have traditionally supported the foreign aid program, although not on every occasion have I supported every dollar requested by the President of the United States. In this case I think because we do get a better return for the dollar invested that the committee ought to be supported in the action that it is recommending to this body today.

We have seen since 1962 a gradual buildup in the expenditures for the Peace Corps. It started with an original authorization request of $40 million and it rose to a height of $125.2 million several years ago. The trend is now downward.

This request for fiscal year 1970 by the outgoing administration was $112.8 million. It was subsequently reduced by the present administration. The trend is downward and I think it is going to be at the proper level for the authorization by the committee action today. A reduction further, as recommended by the gentleman from Iowa, in my opinion will be harmful in the overall effect.

I, therefore, urge that the amendment be defeated.

Let me point out, as the committee report does, that back in fiscal year 1968 there were 13,192 volunteers, both volunteers and trainees in the Peace Corps. This has been reduced under the present figure of the committee, to a figure of about 12,000—a downward trend in total numbers.

The number of nations to be serviced by the Peace Corps on the other hand has gone up from 57 in fiscal year 1968 to some 63 in fiscal year 1970. When you look at the number of people being reduced in the program and the number of nations that are involved, I think the program is at a proper level.

For that reason, Mr. Chairman, I hope and trust that the committee's recommendation will be approved.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. GERALD R. FORD. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. This justification has been pitched on the basis of what the administration wants. The administration has come in with a request for nearly $1 billion more for foreign aid this year—not the $1,700,000,000 actually appropriated last year, but nearly $1 billion more. Where, in all conscience, and when are we going to start saving a little money? Are we going to continue to pitch it out to foreign lands? For what purpose? We have heard the claim today of "outstanding jobs" by the Peace Corps. Where are the outstanding jobs that have been accomplished by this organization? Where are they?

Mr. GERALD R. FORD. Let me point out in this case that the Peace Corps trend is downward. As the gentleman from Iowa pointed out, the administration wants more for the overall foreign aid program. The circumstances are different in the two situations. Therefore, I think we ought to support the committee and the administration where the trend is downward and pass judgment later on the dollar requirements of the overall foreign aid program.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. GERALD R. FORD. I am glad to yield to the gentleman from New Jersey.

Mr. GALLAGHER. I think the distinguished minority leader is absolutely correct in his analysis. I might say that as to foreign aid, we are presently marking the bill up, so the House will have an opportunity to work its will. I do not think we should so disrupt the Peace Corps because we want to cut foreign aid today. We shall have an opportunity in the committee and the House will have an opportunity to work its will on that bill in the very near future.

Mr. Chairman, this is a reasonable bill, and I believe the distinguished minority leader has well stated the case for the Peace Corps.

Mr. MORGAN. Mr. Chairman, I rise in opposition to the amendment. No one in this House has been closer to the Peace Corps and Peace Corps authorizations than I have since 1961. This year the original budget request was for $109,800,000. The amended budget request came in for $101,100,000 after the executive took a second look at the program. Last year the appropriation was $102 million. In the history of the Peace Corps this House has always stood behind the Committee on Foreign Affairs and approved the authorization recommended by the committee. I am sure if there are any corrections to be made in the actual dollar amounts, Mr. PASSMAN'S subcommittee will be taking a good hard look at the amount authorized, and there may be some reductions, as there have been in past years.

Last year we authorized $112,800,000. Only $102 million was appropriated. I urge that we stand behind the commit-

tee's request of $101,100,000. We have a new Director of the Peace Corps. He is young. He is dynamic. In a few sessions I have had with him I have noted these qualities. I have heard him speak of his plans for the future how he wants to change the emphasis of the Peace Corps. He wants to cut down on the young college graduates who are serving as teachers overseas, and to try to pick up more mechanics, carpenters, bricklayers, and other skilled people who have a missionary spirit and who are willing to devote 2 years of their lives to serving overseas in foreign countries who want and need their skills.

I think the number of volunteers who will want to serve will be substantial, and a cut of $11,100,000 in the authorization is much too deep.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Iowa.

Mr. GROSS. Is it not a sad situation that the more we spend overseas on enterprises of this kind, the more trouble and the deeper into trouble we get?

Mr. MORGAN. I would not want the gentleman to go to sleep tonight and find that tomorrow when he wakes up he would have to live in a world in which we had since 1940 never spent a dime for foreign aid. I wonder what kind of world he thinks we would be living in this September 9, 1969, if there had never been any foreign aid. Would Western Europe be under Communist domination? Would the less developed countries be ruled by Moscow or Peking? Would any of the free world still be free?

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Ohio.

Mr. HAYS. I do not want to go to sleep tonight and have to wake up in the morning and tell my constituents that they cannot get a hospital bed or a hospital built because we are fighting inflation, but I voted for every dime for the Peace Corps and every dime for foreign aid.

Mr. MORGAN. I do not think that is any comparison at all. I think that a lot of the gentleman's constituents are substantial citizens who are interested in what happens in the less developed countries and are good church members, who believe in the sort of missionary work the Peace Corps is doing.

Mr. Chairman, I ask that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. GROSS).

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 53, noes 51.

Mr. GALLAGHER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. GROSS and Mr. GALLAGHER.

The Committee again divided, and the tellers reported that there were—ayes 61, noes 63.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. Section 5 of the Peace Corps Act, as amended, which relates to Peace Corps volunteers, is amended as follows:

(a) In subsection (h), immediately after "(31 U.S.C. 492a),", add "the Act of October 21, 1968 (5 U.S.C. 5584) for purposes of erroneous payments of allowances provided under the Peace Corps Act,".

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. NATCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 11039) to amend further the Peace Corps Act (75 Stat. 612), as amended, pursuant to House Resolution 527, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. I am, Mr. Speaker, in its present form.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GROSS moves to recommit the bill H.R. 11039 to the Committee on Foreign Affairs with instructions to report the same back to the House forthwith with the following amendment: On the first page, line 6, strike out "$101,100,000" and insert in lieu thereof "$90,000,000."

The SPEAKER. With objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 144, nays 186, not voting 100, as follows:

[Roll No. 161]

YEAS—144

Abbitt	Berry	Broyhill, Va.
Abernethy	Betts	Buchanan
Alexander	Bevill	Caffery
Anderson, Tenn.	Biaggi	Camp
Andrews, Ala.	Blackburn	Cederberg
Baring	Bray	Chappell
Belcher	Brinkley	Clawson, Del
Bennett	Broomfield	Collins
	Brown, Ohio	Cowger
Cramer	Johnson, Pa.	Rarick
Daniel, Va.	Jonas	Reid, Ill.
Davis, Wis.	Jones, Ala.	Rhodes
de la Garza	Jones, N.C.	Rivers
Denney	Jones, Tenn.	Roberts
Dennis	King	Rogers, Colo.
Dent	Kleppe	Roth
Derwinski	Kuykendall	Ruth
Devine	Kyl	Satterfield
Dickinson	Landrum	Saylor
Dowdy	Langen	Scherle
Duncan	Lennon	Scott
Edwards, Ala.	Lloyd	Sikes
Edwards, La.	Lujan	Skubitz
Eshleman	McClure	Slack
Evans, Colo.	McDonald, Mich.	Smith, Calif.
Evins, Tenn.	McMillan	Snyder
Flynt	Marsh	Steed
Foreman	Mayne	Steiger, Ariz.
Fountain	Meskill	Stubblefield
Fuqua	Michel	Stuckey
Galifianakis	Miller, Ohio	Talcott
Goldwater	Mills	Teague, Calif.
Goodling	Mizell	Teague, Tex.
Gray	Myers	Thompson, Ga.
Gross	Natcher	Utt
Hagan	Nichols	Waggonner
Haley	O'Neal, Ga.	Wampler
Hall	Passman	Watson
Hammer-schmidt	Pelly	Watts
Harsha	Perkins	White
Hastings	Pettis	Whitehurst
Hays	Pickle	Whitten
Hogan	Poage	Wiggins
Hull	Poff	Williams
Hunt	Pollock	Winn
Hutchinson	Price, Tex.	Wold
Ichord	Purcell	Wylie
Jarman	Randall	Wyman
		Zwach

NAYS—186

Adair	Friedel	Obey
Adams	Fulton, Pa.	O'Hara
Anderson, Calif.	Fulton, Tenn.	Olsen
Anderson, Ill.	Gallagher	O'Neill, Mass.
Andrews, N. Dak.	Garmatz	Ottinger
Annunzio	Gibbons	Patman
Arends	Gonzalez	Patten
Ashley	Gude	Pepper
Aspinall	Hamilton	Pike
Ayres	Hanley	Pirnie
Barrett	Hansen, Idaho	Podell
Beall, Md.	Harvey	Preyer, N.C.
Bell, Calif.	Hathaway	Price, Ill.
Biester	Hawkins	Pryor, Ark.
Blatnik	Hechler, W. Va.	Pucinski
Boggs	Heckler, Mass.	Quie
Boland	Helstoski	Railsback
Bolling	Hicks	Rees
Bow	Holifield	Reid, N.Y.
Brademas	Horton	Riegle
Brotzman	Hosmer	Robison
Brown, Calif.	Howard	Roybal
Brown, Mich.	Jacobs	Ruppe
Broyhill, N.C.	Karth	Ryan
Burke, Mass.	Kastenmeier	St. Onge
Burlison, Mo.	Kazen	Schadeberg
Burton, Calif.	Kee	Schneebeli
Button	Kluczynski	Schwengel
Byrne, Pa.	Koch	Sisk
Byrnes, Wis.	Kyros	Smith, N.Y.
Celler	Latta	Springer
Chamberlain	Leggett	Stafford
Chisholm	Long, Md.	Staggers
Clark	Lowenstein	Stanton
Clay	McCarthy	Stokes
Cohelan	McClory	Stratton
Collier	McCloskey	Sullivan
Conable	McCulloch	Symington
Conte	McDade	Taft
Corbett	McKneally	Taylor
Coughlin	Macdonald, Mass.	Thompson, N.J.
Culver	Madden	Thomson, Wis.
Daddario	Mahon	Tunney
Daniels, N.J.	Mailliard	Udall
Delaney	Martin	Ullman
Dellenback	Mathias	Van Deerlin
Dingell	Matsunaga	Vander Jagt
Eckhardt	May	Vanik
Edmondson	Meeds	Vigorito
Eilberg	Melcher	Waldie
Erlenborn	Mikva	Weicker
Farbstein	Miller, Calif.	Whalen
Fascell	Minish	Widnall
Feighan	Mink	Wilson, Bob
Findley	Minshall	Wolff
Flood	Moorhead	Wright
Foley	Morgan	Wyatt
Ford, Gerald R.	Morton	Wydler
Ford, William D.	Mosher	Yates
Fraser	Murphy, Ill.	Yatron
Frelinghuysen	Murphy, N.Y.	Young
	Nedzi	Zablocki
	Nelsen	

NOT VOTING—100

Addabbo	Esch	Mollohan
Albert	Fallon	Monagan
Ashbrook	Fish	Montgomery
Bingham	Fisher	Morse
Blanton	Flowers	Moss
Brasco	Frey	Nix
Brock	Gaydos	O'Konski
Brooks	Gettys	Philbin
Burke, Fla.	Giaimo	Powell
Burleson, Tex.	Gilbert	Quillen
Burton, Utah	Green, Oreg.	Reifel
Bush	Green, Pa.	Reuss
Cabell	Griffin	Rodino
Cahill	Griffiths	Rogers, Fla.
Carey	Grover	Rooney, N.Y.
Carter	Gubser	Rooney, Pa.
Casey	Halpern	Rosenthal
Clancy	Hanna	Rostenkowski
Clausen, Don H.	Hansen, Wash.	Roudebush
Cleveland	Hébert	St Germain
Colmer	Henderson	Sandman
Conyers	Hungate	Scheuer
Corman	Johnson, Calif.	Sebelius
Cunningham	Keith	Shipley
Davis, Ga.	Kirwan	Shriver
Dawson	Landgrebe	Smith, Iowa
Diggs	Lipscomb	Steiger, Wis.
Donohue	Long, La.	Stephens
Dorn	Lukens	Tiernan
Downing	McEwen	Watkins
Dulski	McFall	Whalley
Dwyer	MacGregor	Wilson, Charles H.
Edwards, Calif.	Mann	Zion
	Mize	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Brasco against.

Mr. Griffin for, with Mr. Rooney of New York against.

Mr. Montgomery for, with Mr. Addabbo against.

Mr. Long of Louisiana for, with Mr. Gilbert against.

Mr. Cabell for, with Mr. Morse against.

Mr. Cleveland for, with Mr. McFall against.

Mr. Lukens for, with Mr. Steiger of Wisconsin against.

Mr. Quillen for, with Mr. McEwen against.

Mr. Carter for, with Mr. Grover against.

Mr. Frey for, with Mr. Shriver against.

Mr. Ashbrook for, with Mr. Fish against.

Mr. Henderson for, with Mr. Giaimo against.

Mr. Fisher for, with Mr. Rodino against.

Until further notice:

Mr. Brooks with Mr. Zion.

Mr. Johnson of California with Mr. Lipscomb.

Mr. Colmer with Mr. Brock.

Mr. Davis of Georgia with Mr. Burke of Florida.

Mr. Fallon with Mr. Dorn.

Mr. Green of Pennsylvania with Mr. MacGregor.

Mr. Donohue with Mr. Burton of Utah.

Mr. Philbin with Mr. Gubser.

Mr. Reuss with Mr. Mize.

Mr. Rooney of Pennsylvania with Mr. Keith.

Mr. Rostenkowski with Mr. Bush.

Mr. St Germain with Mr. Cunningham.

Mr. Tiernan with Mr. Reifel.

Mr. Charles H. Wilson with Mr. Don H. Clausen.

Mr. Kirwan with Mr. Cahill.

Mr. Carey with Mr. Sandman.

Mr. Burleson of Texas with Mr. Landgrebe.

Mr. Monagan with Mr. Clancy.

Mr. Flowers with Mr. O'Konski.

Mrs. Griffiths with Mrs. Dwyer.

Mr. Shipley with Mr. Esch.

Mr. Smith of Iowa with Mr. Sebelius.

Mr. Rosenthal with Mrs. Hansen of Washington.

Mr. Edwards of California with Mr. Halpern.

Mr. Dulski with Mr. Roudebush.

Mr. Corman with Mr. Nix.

Mr. Conyers with Mr. Gaydos.

Mr. Casey with Mr. Watkins.

Mr. Blanton with Mr. Downing.

Mr. Bingham with Mr. Dawson.

Mr. Hungate with Mr. Whalley.

Mr. Mann with Mrs. Green of Oregon.

Mr. Mollohan with Mr. Albert.

Mr. Moss with Mr. Rogers of Florida.

Mr. Gettys with Mr. Stephens.

Mr. Scheuer with Mr. Diggs.

Mrs. CHISHOLM changed her vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

Mr. ADAIR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 282, nays 52, not voting 96, as follows:

[Roll No. 162]

YEAS—282

Adair	Dingell	Lloyd
Adams	Eckhardt	Long, Md.
Albert	Edmondson	Lowenstein
Alexander	Edwards, Ala.	McCarthy
Anderson, Calif.	Eilberg	McClory
Anderson, Ill.	Erlenborn	McCloskey
Anderson, Tenn.	Eshleman	McClure
Andrews, N. Dak.	Evans, Colo.	McCulloch
Annunzio	Evins, Tenn.	McDade
Arends	Farbstein	McDonald, Mich.
Ashley	Fascell	McKneally
Aspinall	Feighan	Macdonald, Mass.
Ayres	Findley	Madden
Barrett	Flood	Mahon
Beall, Md.	Foley	Mailliard
Belcher	Ford, Gerald R.	Marsh
Bell, Calif.	Ford, William D.	Martin
Bennett	Foreman	Mathias
Berry	Fountain	Matsunaga
Betts	Frelinghuysen	May
Biaggi	Friedel	Mayne
Biester	Fulton, Pa.	Meeds
Blackburn	Fuqua	Meskill
Blatnik	Galifianakis	Mikva
Boggs	Gallagher	Miller, Calif.
Boland	Garmatz	Minish
Bolling	Gettys	Mink
Bow	Gibbons	Minshall
Brademas	Goldwater	Mizell
Bray	Gonzalez	Moorhead
Broomfield	Gray	Morgan
Brotzman	Gude	Morton
Brown, Calif.	Hamilton	Mosher
Brown, Mich.	Hammer-schmidt	Murphy, Ill.
Brown, Ohio	Hanley	Murphy, N.Y.
Broyhill, N.C.	Hanna	Myers
Broyhill, Va.	Hansen, Idaho	Natcher
Buchanan	Harsha	Nedzi
Burke, Mass.	Harvey	Nelsen
Burlison, Mo.	Hastings	Obey
Burton, Calif.	Hathaway	O'Hara
Button	Hawkins	Olsen
Byrne, Pa.	Hays	O'Neill, Mass.
Byrnes, Wis.	Hechler, W. Va.	Ottinger
Cederberg	Heckler, Mass.	Patman
Celler	Helstoski	Patten
Chamberlain	Hicks	Pelly
Chisholm	Hogan	Pepper
Clark	Holifield	Perkins
Clawson, Del	Horton	Pettis
Clay	Hosmer	Pickle
Cleveland	Howard	Pike
Cohelan	Hunt	Pirnie
Collier	Hutchinson	Podell
Collins	Jacobs	Poff
Conable	Jarman	Pollock
Conte	Johnson, Pa.	Preyer, N.C.
Corbett	Jonas	Price, Ill.
Coughlin	Jones, Tenn.	Pryor, Ark.
Cowger	Karth	Pucinski
Cramer	Kastenmeier	Purcell
Culver	Kazen	Railsback
Daddario	Kee	Randall
Daniels, N.J.	Kleppe	Rees
Davis, Wis.	Kluczynski	Reid, N.Y.
de la Garza	Koch	Rhodes
Delaney	Kuykendall	Riegle
Dellenback	Kyl	Robison
Denney	Kyros	Rodino
Dennis	Landrum	Rogers, Colo.
Dent	Langen	Rogers, Fla.
Derwinski	Latta	Roth
Dickinson	Leggett	Roybal
		Ruppe
Ruth	Stuckey	Whalen
Ryan	Sullivan	White
St. Onge	Symington	Whitehurst
Schadeberg	Taft	Widnall
Schneebeli	Talcott	Wiggins
Schwengel	Taylor	Williams
Scott	Teague, Calif.	Wilson, Bob
Sikes	Thompson, Ga.	Winn
Sisk	Thompson, N.J.	Wold
Skubitz	Thomson, Wis.	Wolff
Slack	Tunney	Wright
Smith, Calif.	Udall	Wyatt
Smith, N.Y.	Ullman	Wydler
Springer	Van Deerlin	Wyman
Stafford	Vander Jagt	Yates
Stanton	Vanik	Yatron
Steed	Vigorito	Young
Stephens	Waldie	Zablocki
Stokes	Wampler	Zwach
Stratton	Watts	
Stubblefield	Weicker	

NAYS—52

Abbitt	Haley	Price, Tex.
Abernethy	Hall	Rarick
Andrews, Ala.	Hull	Reid, Ill.
Baring	Ichord	Rivers
Bevill	Jones, Ala.	Roberts
Brinkley	Jones, N.C.	Satterfield
Caffery	King	Saylor
Camp	Lennon	Scherle
Chappell	Lujan	Snyder
Daniel, Va.	Lukens	Steiger, Ariz.
Devine	McMillan	Teague, Tex.
Dowdy	Michel	Utt
Duncan	Miller, Ohio	Waggonner
Edwards, La.	Mills	Watson
Flynt	Nichols	Whitten
Goodling	O'Neal, Ga.	Wylie
Gross	Passman	
Hagan	Poage	

NOT VOTING—96

Addabbo	Fallon	Monagan
Ashbrook	Fish	Montgomery
Bingham	Fisher	Morse
Blanton	Flowers	Moss
Brasco	Fraser	Nix
Brock	Frey	O'Konski
Brooks	Gaydos	Philbin
Burke, Fla.	Giaimo	Powell
Burleson, Tex.	Gilbert	Quie
Burton, Utah	Green, Oreg.	Quillen
Bush	Green, Pa.	Reifel
Cabell	Griffin	Reuss
Cahill	Griffiths	Rooney, N.Y.
Carey	Grover	Rooney, Pa.
Carter	Gubser	Rosenthal
Casey	Halpern	Rostenkowski
Clancy	Hansen, Wash.	Roudebush
Clausen, Don H.	Hébert	St Germain
Colmer	Henderson	Sandman
Conyers	Johnson, Calif.	Scheuer
Corman	Keith	Sebelius
Cunningham	Kirwan	Shipley
Davis, Ga.	Landgrebe	Shriver
Dawson	Lipscomb	Smith, Iowa
Diggs	Long, La.	Staggers
Donohue	McEwen	Steiger, Wis.
Dorn	McFall	Tiernan
Downing	MacGregor	Watkins
Dulski	Mann	Whalley
Dwyer	Melcher	Wilson, Charles H.
Edwards, Calif.	Mize	Zion
Esch	Mollohan	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Brasco for, with Mr. Griffin against.

Mr. Gilbert for, with Mr. Montgomery against.

Mr. Addabbo for, with Mr. Long of Louisiana against.

Mr. Melcher for, with Mr. Henderson against.

Mr. Hébert for, with Mr. Fisher against.

Until further notice:

Mr. Brooks with Mr. Zion.

Mr. Johnson of California with Mr. Lipscomb.

Mr. Colmer with Mr. Brock.

Mr. Davis of Georgia with Mr. Burke of Florida.

Mr. Fallon with Mr. Dorn.

Mr. Green of Pennsylvania with Mr. MacGregor.

Mr. Donohue with Mr. Burton of Utah.

Mr. Philbin with Mr. Gubser.

Mr. Reuss with Mr. Mize.
Mr. Rooney of Pennsylvania with Mr. Keith.
Mr. Rostenkowski with Mr. Bush.
Mr. St Germain with Mr. Cunningham.
Mr. Tiernan with Mr. Reifel.
Mr. Charles H. Wilson with Mr. Don H. Clausen.
Mr. Kirwan with Mr. Cahill.
Mr. Carey with Mr. Sandman.
Mr. Burleson of Texas with Mr. Landgrebe.
Mr. Monagan with Mr. Clancy.
Mr. Flowers with Mr. O'Konski.
Mrs. Griffiths with Mrs. Dwyer.
Mr. Shipley with Mr. Esch.
Mr. Smith of Iowa with Mr Sebelius.
Mr. Rosenthal with Mrs. Hansen of Washington.
Mr. Edwards of California with Mr. Halpern.
Mr. Dulski with Mr. Roudebush.
Mr. Corman with Mr. Powell.
Mr. Conyers with Mr. Gaydos.
Mr. Casey with Mr. Watkins.
Mr. Blanton with Mr. Downing.
Mr. Bingham with Mr. Dawson.
Mr. Hungate with Mr. Whalley.
Mr. Mann with Mrs. Green of Oregon.
Mr. Mollohan with Mr. Rooney of New York.
Mr. Moss with Mr. Staggers.
Mr. Nix with Mr. Fraser.
Mr. Scheuer with Mr. Diggs.
Mr. Cabell with Mr. Giaimo.
Mr. McFall with Mr. Ashbrook.
Mr. Carter with Mr. Fish.
Mr. Frey with Mr. Grover.
Mr. Morse with Mr. Quie.
Mr. McEwen with Mr. Quillen.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ORDER STOPPING PUBLIC WORKS CONSTRUCTION SHOULD BE CANCELED

(Mr. EVINS of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EVINS of Tennessee. Mr. Speaker, the President's decision to halt construction on public works projects is indeed regrettable.

The net effect of this decision will be to increase costs, create unemployment, and to delay needed public facilities.

Construction costs are increasing at the rate of 8 to 10 percent annually in various parts of the country and any delays will simply add increased costs to each project.

Testimony before the Subcommittee on Public Works Appropriations indicates that delays on projects will result in millions of dollars in increased costs.

The Chief of Engineers in his testimony before our committee indicated that construction slowdowns, delays and stretchouts have already resulted in $130 million in increased costs. This is due to disruption of normal, regulated construction schedules and the escalating costs of construction. I am advised that further delays will cost hundreds of millions.

A study by the Bureau of Reclamation of 23 major projects already delayed indicated the increased costs of the slowdown will total $182 million in this area alone—and that another $98 million in delayed benefits will be lost.

Mr. Speaker, we are already lagging in receiving the benefits which these projects bring—flood control, power production, highways and transportation, navigation, new water supplies, and recreation, among others.

This is not the first slowdown this year. In April another Presidential order delayed work on 116 projects involving $143 million. Although the statement is made that the latest order does not affect current contracts, the order certainly applies to new contracts on going projects. In other words, many projects will be halted at all stages of completion—bleak monuments to this regrettable and shortsighted decision.

Any short-term advantages that might be gained by the curtailment of public works projects will be offset by the long range impact of this drastic slowdown of progress.

There has already been too long a delay in completion of our Interstate Highway System. Safety and the public need and interest more than justify proceeding with Corps of Engineers-Bureau of Reclamation projects, our interstate highway construction program, the Appalachian highway program, and other public construction projects without interruption.

Mr. Speaker, on Friday last I sent a telegram to the President calling for the cancellation or modification of his order on stopping public works construction.

AMERICAN PRISONERS OF WAR IN NORTH VIETNAM

(Mr. LONG of Maryland asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. LONG of Maryland. Mr. Speaker, 88 Representatives have joined me in signing the attached statement regarding the treatment of American prisoners of war in North Vietnam. I intend to forward copies of this statement to the Secretary of State and the Secretary of Defense urging that they bring it forcefully to the attention of the North Vietnamese negotiators in Paris.

Last month Senator CRANSTON and Senator GOODELL sponsored an identical statement, which 38 of their colleagues signed. The statement was delivered to the North Vietnamese negotiators in Paris on August 21.

We have an obligation to American prisoners of war to do everything possible to expedite their release—and to see that they are treated justly.

Mr. Speaker, I include the statement in the RECORD:

FULL TEXT OF STATEMENT

Along with Americans everywhere, we too rejoiced with the families of the three servicemen freed from North Vietnamese captivity.

These gallant men emerged from their ordeal physically weakened, but unwavering in their courage and loyalty.

Yet even as we share the joy of their release, our happiness is clouded by the knowledge that 1,365 other American families are still waiting—some for the release of a husband or son, some even for definite word whether a loved one is dead or alive.

For many of these families, the North Vietnamese could devise no subtler cruelty than their persistent refusal even to provide a list of names of the prisoners in their custody. Each of us regularly receives poignant letters from parents and wives of the more than 1,000 men who are missing and thought to be prisoners of the North Vietnamese and the more than 300 known to be in custody.

When, they ask, will our men be able to come home?

And, all too often, how can we find out if they are still alive?

It is hard for us to understand how Hanoi can maintain so callous a position. By our own standards, this kind of cruelty imposed on innocent bystanders is both repugnant and virtually unthinkable.

Yet it may be that North Vietnam hopes through such cruel pressure to influence the policy of the United States toward the Vietnam conflict.

If this is their intention, they are doomed to failure. Neither we in Congress, nor the Administration, nor the American people as a whole, nor indeed the families directly affected, will be swayed by this crude attempt.

Though we may differ in our views on the future course of American policy in Vietnam, we are firmly united in support of the position on our prisoners made clear both by the present Administration and by its predecessor.

In 1967, for example, the United States formally protested mistreatment of American prisoners and urged North Vietnam to observe the provisions of the 1949 Geneva Convention Relative to the Treatment of Prisoners of War. Equally important, our government asked Hanoi to permit impartial observers to verify its claims that our men were being treated humanely—claims contradicted by a growing body of evidence that prisoners were being subjected to emotional and physical duress.

Indeed, Hanoi had threatened a year earlier to put American prisoners on trial as "war criminals," a clear violation of the Geneva Convention. Fortunately, they were dissuaded from their plans by worldwide protests against this extreme form of inhumane treatment.

Efforts to help our servicemen held by North Vietnam have been pursued with equal vigor by the present Administration. Secretary of State Rogers, Secretary of Defense Laird, and Ambassador Lodge in Paris have all pressed North Vietnam in recent months for compliance with the provisions of the Geneva Convention. In particular, they have urged such basic steps as repatriation of sick and wounded prisoners and the furnishing of a list of men actually in North Vietnamese hands.

This latter, most basic, request was brutally rebuffed by North Vietnamese representative Xuan Thuy in Paris, who flatly refused even to identify the American prisoners held in his country so long as the United States "continued its aggressive war in Vietnam."

This obvious attempt by Hanoi to capitalize on our deep concern for these men, and to turn it to their propaganda or political advantage, is inhumane and inexcusable.

We urge Hanoi not to be misled by our divergences on policy into believing that we are not united on this issue of simple humanity. Cruelty of the kind being practiced in this instance by North Vietnam can serve only to increase our determination and, in the words of Ambassador Lodge, "cannot have a favorable effect on our negotiations."

We therefore pledge our full support to the Administration in its efforts on behalf

of the American servicemen held captive in North Vietnam.

With the Administration, we too ask Hanoi to prove the "humane and generous" policy it claims to follow in treatment of prisoners by naming the men in captivity, by immediately repatriating the sick and wounded, by permitting impartial inspection of prison facilities, by assuring proper treatment of all prisoners, by making possible a regular flow of mail, and by undertaking serious negotiations for the prompt release of all American prisoners in their custody.

And, finally, we urge the governments, the statesmen, and the ordinary men and women around the world who spoke out against "war crimes trials" in 1966 to make their voices heard once more. Then, as now, the issue was not political but humanitarian—and Hanoi responded to the force of world public opinion. If that force can again be mobilized, this too may contribute to inducing from Hanoi greater respect for human decency and for the rule of law.

SIGNERS

Adair, E. Ross.
Anderson, Glenn M.
Annunzio, Frank.
Ashley, Thomas L.
Blanton, Ray.
Boland, Edward P.
Brasco, Frank J.
Clausen, Don H.
Cleveland, James C.
Conte, Silvio O.
Coughlin, R. Lawrence.
Cowger, William O.
Daniel, W. C. "Dan".
Dent, John H.
Derwinski, Edward.
Diggs, Charles C., Jr.
Donohue, Harold D.
Dulski, Thaddeus J.
Duncan, John J.
Edwards, Edwin W.
Eilberg, Joshua.
Findley, Paul.
Flood, Daniel J.
Friedel, Samuel.
Fulton, James G. (Pa.).
Gallagher, Cornelius E.
Giaimo, Robert N.
Griffin, Charles H.
Hanna, Richard T.
Hansen, Julia Butler.
Hastings, James F.
Hechler, Ken.
Horton, Frank.
Howard, James J.
Hunt, John E.
Ichord, Richard H.
Johnson, Harold T.
Karth, Joseph E.
Keith, Hastings.
King, Carleton J.
Kluczynski, John C.
Koch, Edward I.
Long, Clarence D.
McClure, James A.
McDade, Joseph M.
Mailliard, William S.
Mann, James R.
Matsunaga, Spark M.
Mikva, Abner J.
Miller, Clarence E.
Minish, Joseph G.
Moorhead, William S.
Murphy, John M. (N.Y.).
Murphy, William T. (Ill.).
Myers, John T.
Nedzi, Lucien N.
Patten, Edward J.
Pelly, Thomas M.
Pettis, Jerry L.
Poage, W. R.
Podell, Bertram L.
Pucinski, Roman C.
Rarick, John.
Rees, Thomas M.
Reuss, Henry S.
Rhodes, John J.
Riegle, Donald W., Jr.
Roberts, Ray.
Ruppe, Philip E.
St Germain, Fernand J.
Sandman, Charles W., Jr.
Schadeberg, Henry C.
Scott, William Lloyd.
Sikes, Robert L. F.
Steiger, William A.
Talcott, Burt L.
Teague, Olin E.
Thompson, Frank Jr. (N.J.).
Vigorito, Joseph P.
Waggonner, John D., Jr.
Waldie, Jerome R.
Watkins, G. Robert.
Weicker, Lowell P.
White, Richard C.
Whitehurst, G. William.
Wilson, Charles H.
Wydler, John W.
Wyman, Louis C.
Yatron, Gus.

LABELING OF SAUSAGE PRODUCTS AND HOT DOGS

(Mr. LANDRUM asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. LANDRUM. Mr. Speaker, a grave injustice has been imposed on a major American industry and on the consuming public by an agency of our Federal Government. The U.S. Department of Agriculture has decided to limit the amount of chicken that can be used in cooked sausage products to only 15 percent. Discriminatory labeling is required if the percentage is over this amount.

Now, what makes this doubly outrageous is that the Agriculture Department is also proposing to allow the red meat industry to stuff hot dogs with up to 33 percent fat.

As we all know, poultry meat is very low in fat content. It would, therefore, seem much more nutritious to offer the public hot dogs and other sausages with high percentages of good protein than almost flammable products.

There is not even a taste difference that can be fairly used to account for the discrimination against poultry meat in hot dogs.

As other Members know, I have always supported strongly the Wholesome Meat Act of 1967. I am pleased that by next November this act will extend to even intrastate operations. And I am proud of the fact that the broiler industry in my State has had an excellent record in producing quality products for Federal inspection.

My concern now is to get more of this good meat into franks—and to eliminate some of the fat. I believe that this is the best way to serve the American people.

An excellent background statement analyzing the history of the present situation has been issued by the National Broiler Council and I am pleased to include this with these remarks for my colleagues in the Congress to read and consider.

In 1964 a new machine came on the market which for the first time made it practical and economical to debone chickens. Thus, a new meat component for hot dogs and other sausage products became available.

Soon after this machine was introduced, the U.S. Department of Agriculture imposed labeling requirements so misleading to consumers that they served as an effective blockade against the use of the federally inspected deboned chicken meat in franks moving in interstate commerce. Official rule making procedures were ignored by those imposing these restrictions. No opportunity was granted for those adversely affected to express views at a hearing, or for that matter, file statements of protest for the public record.

On the other hand, intra-state manufacturers of hot dogs were not subject to the federal restrictions. When they learned about this new chicken product and began to use it, demand increased as its merits became more widely known. However, the intra-state market was limited, and although nationally recognized authorities in food technology said the new deboned chicken product was one of the finest meat components available for hot dogs, it became necessary for the U.S. chicken industry to look abroad to expand the market. Actions of the federal government therefore had the practical paradoxical effect of forcing the export of high quality chicken product at a time USDA was permitting hundreds of millions of pounds of low grade red meat to be imported for use in hot dogs and other sausage products.

Time after time over the past four years USDA officials acknowledged the inequity of this situation and promised corrective action. But nothing happened.

Then nearly two years ago Congress passed the Wholesome Meat Act which by next November will make it necessary for intrastate hot dog manufacturers to meet federal standards, including the discriminatory labeling standards which so effectively blockaded the use of chicken in franks moving between states. Faced with a loss of markets, many chicken deboning operations would be forced to close, unless this inequity were corrected.

In response to the chicken industry's appeal for relief from this injustice, the U.S. Department of Agriculture published a proposed regulation authorizing the use of chicken in hot dogs, which imposed certain crippling restrictions. One of these reduced the bone residue tolerance to .5 percent, a level far below the technical capability of existing deboning machines. This level was also two-thirds less than the Department had earlier claimed as being appropriate to provide maximum safeguards to public health. Its effect would not only have been to continue to deny the use of the new federally inspected chicken product in hot dogs moving across state lines, but to also force chicken out of the intra-state sausage market where the new product enjoyed excellent acceptance from consumers, retailers, and manufacturers. Again, the industry registered a strong protest. USDA responded by changing these requirements to a less unreasonable level. This change appeared in the new regulations governing the use of chicken in hot dogs and other sausage products published in the Federal Register September 3. Authorization was also given to include chicken in the regular frank with skin in natural porportion to the part. Both changes represent improvements over earlier interpretations of the proposed regulation.

Unlike earlier moves the latest action by the U.S. Department of Agriculture would not put those with chicken deboning operations out of business. But some claim it offers a decided competitive advantage to red meats.

Under such regulations they require beef hot dogs to be made of beef, pork hot dogs from pork, but USDA authorized up to 85% of other meats in chicken hot dogs! Is a federal label therefore being used to disguise the truth and to mislead the consumer. If USDA permits up to 85 percent other meats in chicken franks, can we now expect labels to be approved authorizing up to 85 percent other meats in chicken rolls, chicken pies or chicken soup?

Interestingly, the 85 percent amount can include the least desirable red meat components. These could have the effect of down

grading chicken hot dogs offered consumers because the amount of the high quality chicken would be so small.

Quite the opposite situation prevails when chicken is used in the "all meat" hot dog. By official definition the chicken used must be lean muscle meat . . . a product with less than 10 percent fat. USDA employs a far more lenient "meat" definition for the red meats, and therefore it becomes possible to blend the lean, low fat chicken product with certain low priced red meat items having as much as 70 percent fat. Consequently if USDA places a limit on the amount of fat permitted in hot dogs, the effect of the new regulation would appear to enable red meats to enjoy a competitive advantage from the use of chicken in "all meat" franks.

Many from the broiler industry have voiced concern that the new chicken in sausage regulation seems to offer strong competitive advantages to red meats. If such apprehensions are validated by actual experience, then those affected can be expected to take the steps necessary to overcome unjust discrimination.

FREE WORLD FLAG SHIP ARRIVALS IN NORTH VIETNAM

(Mr. CHAMBERLAIN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CHAMBERLAIN. Mr. Speaker, during August a total of six free world flag ships arrived in North Vietnam, according to Department of Defense information. This brings the total so far this year to 73 arrivals and represents a 25-percent reduction from the 98 arrivals during the same period in 1968.

This is good news and the administration is to be commended for its continuing efforts to achieve full cooperation in ending the use of such vessels by Communist interests for what can only be the aid and comfort of the Hanoi regime and its pursuit of the war in the south.

In August, this traffic consisted of four ships flying the British flag and two the flag of Cyprus. This constitutes one of the lowest monthly totals in many months, but while I am encouraged, I am not satisfied and do not believe our fighting men in South Vietnam or the great majority of Americans here at home are satisfied either. For that reason I shall continue to urge greater action to eliminate free world flags trading with the enemy.

At this point, I insert a chart covering free world shipping to North Vietnam during 1969 and the text of a letter I have received in response to my request for action by the new administration.

1969 FREE WORLD SHIP ARRIVALS IN NORTH VIETNAM

	British	Somali	Cyprus	Singapore	Japanese	Maltese	Total
January	8	2	1				11
February	6		1	2	1		10
March	6	1					7
April	7	1			1		9
May	9	1	1			1	12
June	6	2	2	1			11
July	6	1					7
August	4		2				6
Total	52	8	7	3	2	1	73

THE WHITE HOUSE,
Washington, D.C., August 5, 1969.

Hon. CHARLES E. CHAMBERLAIN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: This is in further response to your July 7 letter requesting a report on this Administration's current efforts to reduce the number of free world ships carrying supplies to North Vietnam.

I wish to assure you that this Administration shares your concern with this problem and is continuing its efforts to reduce this trade. Over the past several months this Administration has worked closely with some of the governments whose vessels are in this trade. In some cases these efforts have been successful and the governments either have prohibited calls of their flag vessels to North Vietnam or in other ways have taken measures to prevent such calls. For example, the Somali Republic in April banned calls at North Vietnamese, North Korean and Cuban ports. Singapore-flag vessels are no longer in the trade. The call of a Singapore-flag vessel in June, which you mentioned in your letter, is viewed as an illegal act by the Government of Singapore because that ship's registration has been cancelled.

The cooperation of the Government of Cyprus has been sought repeatedly and at all levels, but its vessels continue to call at North Vietnam. As a consequence, aid programs to Cyprus were discontinued in 1966. Requests for resumption of some aid programs in recent months have been denied. Section 620(n) of the Foreign Assistance Act was also recently applied to Malta because of that government's apparent inability to prevent voyages by its flag vessels to North Vietnam. This action was precipitated by the call of a Maltese-flag vessel to North Vietnam in May.

With regard to British-flag vessels, the Administration shares your concern over the number of these vessels that continue to carry goods to North Vietnam each month. This subject has been discussed several times with the British Government. That Government maintains that it cannot take effective action because of the implication which such action might have for Britain's position in Hong Kong. The ships in question are all owned by Hong Kong firms believed to be under the control of Communist Chinese interests.

I can assure you that this Administration will continue to give careful attention to the problem of free world shipping to North Vietnam.

Sincerely,

WILLIAM E. TIMMONS,
Deputy Assistant to the President.

NEED FOR PASSAGE OF THE PROGRAM INFORMATION ACT

(Mr. ROTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTH. Mr. Speaker, on Thursday, the last day of legislative business, I rose to begin a short series of remarks stressing the need for passage of the Program Information Act. By including in the body of the RECORD comments from officials across the country, I hope to illustrate that the people back home, the people who must deal with the maze of Federal aid programs, believe very strongly that the Government should publish an annual catalog of all Federal aid programs, should update the catalog monthly, and should distribute the catalog widely. An information crisis now exists in States, cities, towns, and universities. Officials find that they apply for funds under a certain program only to learn that application deadlines are passed, that funds no longer exist, that they have been misled as to program requirements. They may find, in a nutshell, that all the obligations they must meet have not been carefully outlined by the Government—and they learn, in a nutshell, that they have wasted countless dollars and countless man-hours on a project that will yield no results. This is not to say that the type of catalog mandated by the Program Information Act will solve all problems and answer all questions, but it will go more than one giant step further than any other existing publication.

Listen to what some of our constituents say:

From a State college administrator in the East:

We can't afford to keep track of federal aid. Several of us devote many extra hours in a losing effort to keep abreast.

A State welfare official in Illinois:

Existing catalogs are just not specific enough to be useful. They get out of date very quickly and one never knows if funds are available.

A housing official in Texas:

One-third of all administrative costs can be accounted for by trying to find out what you are supposed to do, how you are supposed to do it, and by trying to keep track of the procedural changes which are constantly being made.

A county planner in Georgia:

We need a single source of federal program information. I now have six federal aid catalogs on my desk and dozens of offers from private agencies who sell a service of trying to locate federal assistance information.

A private consultant in Arizona:

Approximately 30 percent of our fees are expended in consultation and correspondence over the procedures and requirements of federally assisted programs versus 5 to 10 percent for private development. Two men out of an office of 32 devote almost 100 percent of their time in learning, explaining, and fulfilling application requirements of federally aided programs.

CONGRESSMAN ANNUNZIO INTRODUCES URBAN PROPERTY PROTECTION AND REINSURANCE AMENDMENTS OF 1969

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, today I have introduced legislation, the Urban Property Protection and Reinsurance Amendments of 1969, designed to make extensive changes in the national insurance development program, enacted into law last year as part of the 1968 Housing Act Amendments.

This legislation deals with the problem areas that have cropped up in connection

with last year's legislation and will enable homeowners and businessmen to obtain insurance at reasonable costs.

My bill contains most of the amendments that I offered last year in connection with the national insurance development program. Unfortunately, these amendments were not adopted because the insurance industry argued that they were not necessary. However, it has been shown that these amendments were necessary and, therefore, it is vital that the amendments now be enacted.

Last March and April, the Housing Subcommittee held hearings in Washington, D.C., and Chicago on the operation of the Federal insurance program. The record of these hearings clearly indicates that the program, as now enacted, is simply not reflecting the intent of those of us who supported it. We thought we were passing a law which would give the insurance industry some relief against the tremendously high losses which resulted from riots and civil disorders. More importantly, we felt that we were establishing a program to be run by the industry and the States which would afford all inner-city property owners essential property insurance at reasonable rates. These are the so-called FAIR plans.

Under these plans, inner-city property owners who could not get insurance through private sources would be afforded policies through a voluntary pool established by the industry under the supervision of the State commissioner. These FAIR plans were supposed to eliminate two problems.

First was a hideous insurance industry practice of red-lining or blacking-out inner-city areas. Second, making property insurance available to property owners in these areas was supposed to eliminate blight and encourage the improvement of properties, because the lack of insurance makes it virtually impossible to obtain financing for improvement and repairs.

The theory of the act, while still valid, has not worked out. For example, in Chicago, we found that many companies were still refusing to write in inner-city areas; that after the law was signed, many companies arbitrarily canceled policies and "dumped" those polices into the FAIR plans; that the FAIR plan rates were double and sometimes quadruple the normal manual rates for such policies; that inner-city property owners had no knowledge of the availability of FAIR plan insurance; that brokers and agents were reluctant to put policies in the FAIR plan because the commissions for such policies were much lower than the commissions paid by private industry and the inner-city property owners in most cases, was left to the so-called high-risk writers.

My bill meets many of these problems head on. Its dominant provision calls for the direct Federal writing of essential property insurance, including crime lines, if the rates for such insurance in the private market exceed 175 percent of the manual rate. The premium for such policies will be 175 percent of the manual rate. No policy will be written if the Secretary of Housing and Urban Development determines that the property is uninsurable, or if the State commissioner can justify the excessive rate.

The FAIR plans are continued. However, we include, in addition to fire and extended coverage, vandalism and malicious mischief, and burglary and theft in the FAIR plan. As you can imagine, these lines of insurance are most important to inner-city property owners.

Other much-needed reforms contained in the bill are:

First. Eliminates discrimination in brokers' and agents' commissions. This will encourage brokers and agents to sell the FAIR plan insurance.

Second. Provides Federal guaranties for performance bonds for small business construction contractors and subcontractors. For over a year, black contractors have complained about their inability to engage in so-called black entrepreneurship programs because they cannot get perfomance bonds.

Third. Provides for reinsurance of losses which occur during the construction or rehabilitation of habitational property. We are amazed to learn that homes and apartments being constructed or rehabilitated even under our Federal programs are uninsured during the building or remodeling period. By offering the same kind of insurance against such losses that is now provided for riot losses, these properties will be insured during the crucial construction stage.

Fourth. Eliminates State sharing in riot loss payments. Present law provides that the States must pay up to 5 percent of the total property premiums written in the State toward riot losses. Many States have been very reluctant to assume this obligation since they do not have the money. Yet, unless the State enacts legislation providing for this State share, the insurance companies in that State are ineligible for riot reinsurance. One of the purposes of this State share was to encourage the States to take measures to eliminate riots and civil disorders. Experience has taught us the expense of such endeavers far outweighs the advantage to be gained.

Fifth. Provides for an Office of Review and Compliance in HUD to be operated under the supervision of the Office of the Federal Insurance Administrator. At present, the Federal Insurance Administrator has virtually no policing powers over the operation of the program. The only way he hears about complaints or inadequacies comes through letters from Congressmen or the inner-city property owners. The Insurance Administrator should have the authority to check on the operation of these programs and take such steps as may be necesary to make them more effective.

These are the more salient substantive provisions of the bill. It does not provide for any new financing. The direct Federal insurance program will hopefully be paid for through the premiums collected. In the event losses exceed premiums, then the bill authorizes the Secretary to draw on the same funds which have already been made available for the payment of riot losses.

The Federal urban insurance program was passed last year. Based on the Chicago and Washington, D.C., hearings, and complaints received by many of us, this program has been a failure. Many of the provisions in my bill were first offered by me as amendments to the original legislation. These amendments were defeated in committee and on the floor—based on assurances by the insurance industry and the Department of Housing and Urban Development that they were unnecessary. After 1 year's experience, I have become convinced that this legislation is the only way to afford viable insurance programs for our inner-city residents and property owners.

The bill has been constructed to keep Federal incursion in the insurance industry at an absolute minimum. It also provides that where Federal assistance no longer becomes necessary, the situation is turned back to the industry.

The bill follows:

H.R. 13666

A bill to amend title XII of the National Housing Act to provide, under the urban property protection and reinsurance program, for direct Federal insurance against losses to habitational property for which insurance is not otherwise available or is available only at excessively surcharged rates, to make crime insurance mandatory under such program, to provide assistance to homeowners to aid in reducing the causes of excessive surcharges, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Urban Property Protection and Reinsurance Amendments of 1969".

SEC. 2. (a) Section 1102(b) of the Housing and Urban Development Act of 1968 is amended by striking out "and" immediately before "(2)", and by inserting before the period at the end thereof the following: "; and (3) provide direct insurance through the facilities of the Federal Government in the case of properties for which such statewide programs and the Federal reinsurance program do not make property insurance available or do not offer such insurance to the property owners at reasonable rates as defined herein."

(b)(1) Section 1201 of the National Housing Act is amended to read as follows:

"PROGRAM AUTHORITY

"SEC. 1201. (a) The Secretary is authorized to establish and carry out the programs provided for in parts A, B, C, and D of this title.

"(b)(1) The powers of the Secretary under this title shall terminate on April 30, 1984, except to the extent necessary—

"(A) to continue reinsurance and direct insurance in accordance with the provisions of sections 1223(b) and 1231(c) until April 30, 1987;

"(B) to process, verify, and pay claims for reinsured losses and directly insured losses and perform other necessary functions in connection therewith; and

"(C) to complete the liquidation and termination of the reinsurance and direct insurance programs.

"(2) On April 30, 1987, or as soon thereafter as possible, the Secretary shall submit to the Congress, for its approval, a plan for the liquidation and termination of the reinsurance and direct insurance programs."

(2)(A) Section 1203(a) of such Act is amended by redesignating paragraphs (1) through (13) as paragraphs (2) through (14), respectively, and by inserting immediately after and below "the term—" the following new paragraph:

"(1) 'directly insured losses' means losses on direct insurance claims and all direct expenses incurred in connection therewith including, but not limited to, expenses for

processing, verifying, and paying such losses;".

(B) Section 1203(a) of such Act (as amended by subparagraph (A) of this paragraph) is amended by redesignating paragraphs (13) and (14) as paragraphs (14) and (15), respectively, and by inserting immediately after paragraph (12) the following new paragraph:

"(13) 'manual rate' means the lowest approved or advisory rate filed by the principal rating organization for the same classification of risk and territory, excluding all surcharges and condition charges;".

(C) Section 1221(a)(2) of such Act is amended by striking out "section 1203(a)(10)" each place it appears and inserting in lieu thereof "section 1203(a)(11)".

(c)(1) Title XII of such Act (as amended by the provisions of this Act other than this subsection) is amended by redesignating part C and sections 1231 through 1241 as part D and sections 1241 and 1251, respectively, and by inserting after part B the following new part:

"PART C—DIRECT FEDERAL INSURANCE

"DIRECT INSURANCE OF LOSSES TO PROPERTY WHERE INSURANCE IS OTHERWISE UNAVAILABLE OR AVAILABLE ONLY AT EXCESSIVELY SURCHARGED RATES

"SEC. 1231. (a) If at any time the Secretary determines that any of the standard lines of property insurance enumerated under subparagraphs (A) through (E) of section 1203(a)(11) is not available (through the applicable plan under part A or otherwise) to any property, or is available to such property but only at an unreasonable rate, he shall make such standard line of property insurance available to such property directly through the facilities of the Federal Government, on such terms and conditions as he may determine to be appropriate, at a rate equal to 175 per centum of the applicable manual rate: *Provided*, that no such insurance shall be made available to a property which the Secretary determines to be uninsurable.

"(b) In carrying out his responsibilities under subsection (a), the Secretary may utilize—

"(1) insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations, as fiscal agents of the United States,

"(2) officers and employees of the Department of Housing and Urban Development, and such other officers and employees of any executive agency (as defined in section 105 of title 5 of the United States Code) as the Secretary and the head of any such agency may from time to time agree upon, on a reimbursement or other basis, or

"(3) both the alternatives specified in paragraphs (1) and (2), or any combination thereof.

"(c) Notwithstanding the foregoing provisions of this title, direct insurance may be continued for the term of the policies written prior to the date of termination of the Secretary's direct insurance authority under this part, for as long as the insured pays the required direct insurance premiums; except that direct insurance under this part for any risk shall be terminated after notice whenever the Secretary determines that the standard lines of property insurance enumerated under subparagraphs (A) through (E) of section 1203(a)(11) have become available to such property at a reasonable rate.

"(d) For the purposes of this part, a rate within a State shall be presumed to be unreasonable if the Secretary finds that the total premium (including all surcharges and condition charges) charged to each of 50 or more properties in that State in any 12 month period exceeds 175 per centum of the applicable manual rate. The Secretary shall notify the appropriate State insurance authority within 15 days of making any such finding. The presumption of unreasonableness may thereafter be rebutted only if (1) the appropriate State insurance authority, within 30 days after the date of mailing of such notification, files with the Secretary a certification that such authority has independently determined that there is demonstrably an objective justification for the imposition of the premiums charged, stating sufficiently the basis for such justification, and (2) the Secretary concurs in such determination.

"(e) The amount of insurance provided by the Secretary with respect to any property shall not exceed such limits as he may determine to be appropriate: *Provided*, That no coverage shall be written on any single family residential structure in excess of $25,000 or on any manufacturing or commercial structure in excess of $1,000,000.

"(f) The Secretary shall include in his reports to the Congress on the program under this title full and complete information on his operations and activities under this part, together with such recommendations with respect thereto as he may deem appropriate."

SEC. 1232. The Secretary may, whenever he deems such action to be necessary or desirable and upon such terms and conditions as it may prescribe, guarantee any bid, payment, or performance bond under an agreement entered into by a small business concern which is a construction contractor or subcontractor to enable such concern to obtain such bond. Any such guarantee may be made or effected either directly or in cooperation with any qualified surety company or other qualified company through a participation agreement with such company."

(2)(A) Section 1222(a) of such Act is amended by striking out "section 1233" and inserting in lieu thereof "section 1243".

(B) Section 1234(c) of such Act is amended by striking out "section 1232" and inserting in lieu thereof "section 1242".

(d)(1)(A) Section 1231(a) of such Act is amended by inserting "or direct insurance" after "reinsurance", and by inserting "or property owners" after "insurers".

(B) Section 1231(b) of such Act is amended by inserting "or direct insurance" after "reinsurance".

(2)(A) Section 1232(a) of such Act is amended—

(i) by striking out "the reinsurance program" and inserting in lieu thereof "the reinsurance and direct insurance programs";

(ii) by inserting "or direct insurance" after "reinsurance" in paragraphs (1), (2), and (4);

(iii) by inserting "or property owner" after "any insurer" where it first appears in paragraph (4); and

(iv) by inserting "or directly insured" after "reinsured" in paragraph (4).

(3) Section 1233 of such Act is amended—

(A) by inserting "and direct insurance" after "reinsurance" in subsection (a)(1) and each place it appears in subsection (b)(1); and

(B) by striking out "part B" in subsection (b)(1) and inserting in lieu thereof "parts B and C".

(4)(A) Section 1234(a) of such Act is amended by striking out "Any insurer or poor acquiring reinsurance" and inserting in lieu thereof "Any insurer, pool, or property owner acquiring reinsurance or direct insurance".

(B) Section 1234(c) of such Act is amended by inserting "or direct insurance" after "reinsurance".

(e) Clause (2) in the first sentence of section 520(b) of such Act is amended—

(1) by inserting "and directly insured" after "reinsured" wherever it appears.

SEC. 3. Section 1203(a)(3) of the National Housing Act (as amended by section 2(b)(2) of this Act) is amended by striking out "and insurance for such types, classes, and locations of property against the perils of vandalism, malicious mischief, burglary, or theft, as the Secretary by rule shall designate" and inserting in lieu thereof "and insurance against the perils of vandalism, malicious mischief, burglary, and theft".

SEC. 4. (a) Section 1203(a)(3) of the National Housing Act (as amended by section 2(b)(2) and section 3 of this Act) is amended by striking out "Such insurance" and inserting in lieu thereof the following: "Such insurance shall include insurance against direct losses to property (as defined and limited by the Secretary) which occur during the construction or rehabilitation of such property. Such insurance".

(b) Part B of title XII of such Act is amended by adding at the end thereof the following new section:

"REINSURANCE OF LOSSES DURING CONSTRUCTION OR REHABILITATION

"SEC. 1225. The Secretary is authorized to offer to any insurer or pool reinsurance against losses to habitational property which occur during the construction or rehabilitation of such property. Except as otherwise provided by such rules and regulations as the Secretary may prescribe, all of the provisions, terms, and conditions of this title relating to reinsurance of losses from riots or civil disorders shall apply with respect to the reinsurance of losses which occur during the construction or rehabilitation of habitational property."

SEC. 5. Section 1211(b) of the National Housing Act is amended—

(1) by striking out "and" at the end of paragraph (9);

(2) by striking out the period at the end of paragraph (10) and inserting in lieu thereof "; and"; and

(3) by adding at the end thereof the following new paragraph:

"(11) commissions paid to agents, brokers, and producers for or with respect to policies written under the plan shall not be less than the prevailing rate being paid in the same territory for or with respect to other policies of the same type which are not written under the plan, as determined and certified to the Secretary by the State insurance authority."

SEC. 6. (a) Section 1214 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"(c) Each report and other document submitted to the Secretary by a State insurance authority with respect to experience under the applicable plan under this part shall set forth and describe any losses sustained on habitational property separately from the losses sustained on business, commercial, and other nonhabitational property."

(b) Section 1234 of such Act is amended by adding at the end thereof the following new subsection:

"(e) Each report and other document submitted to the Secretary by an insurer or other person under this section with respect to reinsurance under this title shall set forth and describe any losses sustained on habitational property separately from the losses sustained on business, commercial, and other nonhabitational property."

SEC. 7. Section 1214 of the National Housing Act is amended by adding at the end thereof (after the new subsection added by section 6(a) of this Act) the following new subsection:

"(d) The Secretary, through an Office of Review and Compliance under the Federal Insurance Administrator, shall periodically review each plan under this part and the methods and practices by which such plan is being actually carried out in the areas and communities where it is intended to operate, in order to assure that such plan is effectively making essential property insurance readily available in such areas and communities and is otherwise carrying out the purposes of this title, and in order to identify any aspects of the operation or administration of such plan which may require revision, modification, or other action to carry out such purposes."

SEC. 8. (a) Section 1223(a) of the National Housing Act is amended by striking out par-

agraph (1), and by redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively.

(b) Section 1240 of such Act is amended by striking out "(a)", and by striking out subsection (b).

(c) Section 1211 of the District of Columbia Insurance Placement Act is repealed.

SEC. 9. (a) Section 115(b) of the Housing Act of 1949 is amended—

(1) by striking out "(payable from any grant funds provided under section 103(b))";

(2) by inserting after "real property which has been determined to be uninsurable" the following: ", or which has been determined to be insurable only at an unreasonable rate,";

(3) by inserting before the period at the end of the second sentence the following: "or to eliminate the conditions necessitating the unreasonable rate"; and

(4) by adding at the end thereof the following new sentences: "For purposes of this subsection a rate is unreasonable if it is sufficiently high to justify direct Federal insurance of the property involved under part C of title XII of the National Housing Act. Grants under this subsection shall be payable from grant funds provided under section 103(b) of this Act; except that to the extent it is determined by the Secretary that funds made available for payments of directly insured losses under such title XII pursuant to section 520(b) of such Act are not needed for payments of such losses, such funds shall be used (before any funds provided under section 103(b) of this Act) for grants under this subsection with respect to property determined to be insurable only upon payment of an unreasonable rate."

(b)(1) Section 312(a)(1)(C) of the Housing Act of 1964 is amended—

(A) by inserting after "the property has been determined to be uninsurable" the following: ", or has been determined to be insurable only upon payment of an unreasonable rate,"; and

(B) by inserting before the semicolon at the end thereof the following: "or to eliminate the conditions necessitating the unreasonable rate".

(2) Section 312(a) of such Act is further amended by adding at the end thereof the following new sentence: "For purposes of paragraph (1)(C), a rate is unreasonable if it is sufficiently high to justify direct Federal insurance of the property involved under part C of title XII of the National Housing Act."

(3) Section 312(d) of such Act is amended by inserting "(1)" after "(d)", and by adding at the end thereof the following new paragraph:

"(2) To the extent it is determined by the Secretary that funds made available for payments of directly insured losses under title XII of the National Housing Act pursuant to section 520(b) of such Act are not needed for payments of such losses, such funds shall be placed in the revolving fund and used by the Secretary (before any funds appropriated pursuant to paragraph (1) of this subsection) for loans described in subsection (a)(1)(C) with respect to property determined to be insurable only upon payment of an unreasonable rate."

BRAZIL—A GESTURE OF FRIENDSHIP AND MATURITY

(Mr. RARICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include a newspaper clipping.)

Mr. RARICK. Mr. Speaker, the American people are most fortunate that the leadership of Brazil values human life, and desires friendly relations with the United States. Because of this our Ambassador to Brazil, C. Burke Elbrick, is a free man this morning. His freedom was ransomed at the cost of further international humiliation to the United States and the loss of 15 Communist agents provocateur to the Brazilian Government.

The event makes one wonder what is the result we would have received similar cooperation had the decisionmaking in Brazil had been under a Communist government.

With hundreds of American captives in North Korea and in North Vietnam being treated without regard to the provisions of the Geneva Convention, may we not assume they are actually detained as political prisoners rather than military prisoners of war. This administration must obtain the early release of our "living casualties" languishing in Communist prisons. If our Government fails to secure the return of these Americans, I feel that an aroused American citizenry may soon learn a lesson from the Communists on how to force release of prisoners.

Mr. Speaker, I extend my personal thanks to the Brazilian Government for their cooperation and humanitarian consideration of our representative, and I would caution the Communist gangsters to beware of their fad of kidnaping American diplomats to be exploited as hostages for barter—reminding the Reds that there are numerous representatives of the Communist bloc countries walking the streets of the United States.

I insert a news clipping from this morning's Washington Post at this point in my remarks:

ENVOY RELEASED IN BRAZIL—ELBRICK FREED AFTER PRISONERS REACH MEXICO

(By John Goshko)

RIO DE JANEIRO, September 7.—C. Burke Elbrick, the U.S. ambassador kidnapped by leftist terrorists four days ago, was released by his captors tonight—his forehead gashed by a pistol blow but otherwise in good health and spirits.

Elbrick, 61, was picked up by a cab driver as he wandered along a street in a residential district where the kidnapers put him out of a car.

His release came 78 hours after he was taken from his car at gunpoint Thursday, and five hours after 15 Brazilian political prisoners, whose freedom had been demanded as ransom for the Ambassador's life, reached sanctuary in Mexico City.

Upon arriving at the embassy residence, Elbrick made this brief statement:

"To coin an understatement of the year, I'm glad to be back. I'm glad the kidnapers lived up to their word and let me go, and I'm very grateful to the Brazilian government for taking the action necessary to bring about my liberation."

Within moments after his return, Elbrick was on the phone talking to President Nixon at the summer White House in San Clemente, Calif. The content of their talk was not immediately made known.

The ambassador also was visited by Brazilian Foreign Minister Jose Magalhaes Pinto, who rushed to the residence immediately after being informed of Elbrick's return. During the past three days, Magalhaes Pinto has acted as spokesman for the Brazilian government in the negotiations that brought the successful exchange of the ambassador for the political prisoners.

Elbrick gave Magalhaes Pinto a letter from Secretary of State William P. Rogers thanking the Brazilian government for its actions in "putting the ambassador's life above all other considerations". The letter had been relayed from Washington for delivery to the Brazilian Government as soon as Elbrick was released. He has been ambassador since July 8.

Although Elbrick told reporters thronging around the front gates of the embassy residence that he was unable to talk fully at the moment, embassy spokesman later quoted him as giving these brief details about his captivity:

Referring to a bandage on the right side of his forehead, Elbrick said he had been struck with a pistol butt at the time of the kidnaping.

"They had no intention of harming me at any time," he said, "but I did not know this so I resisted when they told me to close my eyes as they transferred me from one car to another. I was not about to close my eyes for anyone at that moment."

The ambassador said that otherwise he was treated well by his captors, who brought him cigars and even washed his shirt. During his captivity, he was kept in a bare, 9-by-12-foot room in what appeared to be a house, although Elbrick added he had no idea of its location.

At the time of his release tonight, he said, he was put in a car wearing darkened glasses through which he was unable to see and, after some driving around, was put out on a side street in a residential area in the northern part of the city.

After dropping him off on the street today, Elbrick said, his captors told him to wait 15 minutes before moving. However, he immediately began walking in search of help.

As he reached a nearby intersection, a cab pulled up beside him, and he was recognized by the driver, who said: "You are the American ambassador—poor fellow." The driver then took him to the embassy residence.

Elbrick's return climaxed a tense cat-and-mouse game that began with his kidnaping Thursday as he was returning to his office after lunch at the residence.

A note left in his car identified his abductors as members of two groups active in a mounting campaign of urban terrorism against Brazil's military-dominated, right-wing government.

They are the National Liberation Action which is reputedly led by a former Communist deputy, Carlos Marighela, and the October Revolutionary Movement (MR–8), which takes its name from the 1967 date when Communist guerrilla Che Guevara, was killed in Bolivia.

In exchange for Elbrick, the kidnapers demanded the release and safe conduct to Mexico of 14 men and a woman, mostly leftist student leaders, imprisoned by the government for alleged subversive activities.

On Friday, the government agreed to meet the kidnapers' terms, and yesterday, after considerable confusion and delay, a Brazilian air force plane took off for Mexico with the 15 prisoners.

In their various communications to the government the kidnapers made clear that they would not release Elbrick until they were satisfied the 15 were safe in Mexico. This made today, which ironically is Brazilian independence day, a time of tense waiting.

Shortly after the plane landed, photos of the prisoners on Mexican soil were relayed to Rio by radio and immediately displayed over local television stations as proof that the Brazilian government had kept its end of the bargain.

AGENCIES REPORTED THE FOLLOWING FROM MEXICO CITY

The 15 prisoners, haggard and some still wearing blue denim prison uniforms with crude identification numbers, said in Mexico City that they did not know until airborne that they were serving as the ransom for the ambassador.

Under terms of Mexico's agreement on their political asylum, they were free to go after leaving the airport.

After an almost 20-hour flight aboard a Brazilian C–130 Hercules transport plane, the group was not allowed off the plane for 35 minutes because of diplomatic problems.

They claimed they were handcuffed and not allowed to smoke during the flight, although they were given a meal aboard.

The plane's pilot, Brazilian Maj. Edon Reinisch, told newsmen the delay came because he could not release the prisoners until they received entry clearance from the Brazilian Embassy and from Mexican officials.

One of the prisoners, Flavio Tavares, a columnist for a left-wing Rio newspaper before his jailing, had said he was confident of Elbrick's release.

"It would be madness not to release him immediately," he said.

"The process of armed revolution against the Brazilian government is now beginning to get under way," he added.

"Now I am going to stay here in Mexico and reconstruct my life," he said, adding that he did not know if his wife and three-year-old daughter would be joining him here.

Maria Augusta Carneiro, 22, a student, was one of the last prisoners off the plane. "I am going to sleep, then look for a job. I am going to stay in Mexico," she said.

The oldest of the prisoners, Gregorio Bezerra, 70, said to be dying of cancer, appeared spry but tired. An old-line Communist leader from Recife, he had been sentenced to 19 years imprisonment in 1964.

PROGRESS, PROMISE, AND PROBLEMS

The SPEAKER. Under previous order of the House, the gentleman from Florida (Mr. SIKES) is recognized for 30 minutes.

Mr. SIKES. Mr. Speaker, it has been my privilege to visit in recent weeks a number of countries, some of them well off the beaten track insofar as congressional interest generally is shown. I had noted many times that a large part of the world extending from Greece to Indonesia is not well known in congressional circles, yet it comprises an area where progress is being made, in most countries, and where conflicting ideologies are seeking to dominate. The course of history may well be affected by events which now are occurring in these emerging and developing nations of the world. I am glad to report high morale and dedication of U.S. personnel in these areas—a stimulating and encouraging thing in view of the comparative isolation which many of them must endure. The trip was a most interesting experience which I propose to touch upon briefly here and to discuss in detail later in reports to my committee and to Departments of Government.

I went at a time when U.S. prestige was at one of its highest points in years—largely as a result of the success of the man-on-the-moon program. There was no country that I visited whose people had not followed by some means the progress of the moonshot, and all of them were excited and thrilled at its outcome. Regretfully, we have not taken full advantage of the opportunities offered by the moon landing. In some areas, lack of planning or lack of publicity material has held back the showing of effective exhibits. In fact, only in Burma did U.S. representatives make what I considered full use of the opportunity. There, despite the fact that U.S. activities generally are curbed, an effective exhibit was prepared in an unoccupied building. Photographs were displayed showing various stages in the space program. There were models of a rocket and of the lunar landing craft, and a large and impressive model of the surface of the moon complete with landing craft, astronauts, and footprints. In another room, a movie was run continuously during the hours the exhibit was open. This outstanding display was fully tailored to take advantage of the opportunity, and the U.S. team is to be highly commended for its work. It is disappointing that comparable efforts have not been made elsewhere.

I am very glad to state also that in South Vietnam the picture is much brighter for allied forces. The enemy has been hurt and hurt badly, and a continuation of military pressure will in time bring realistic negotiations in Paris. This I commented on in detail in Thursday's CONGRESSIONAL RECORD. The allied military team has the combat situation well in hand, and our fighting forces are prepared to meet any new initiative the enemy may attempt. The Vietnamese have strengthened their Government and their economy and they are steadily assuming a more effective combat role. More and more hamlets are being brought under Government security. A total of 17 million people live in South Vietnam; 15 million of them live in areas of Government security. This security continues to gain ground and a strong pacification program is in progress despite a reversion by enemy forces to guerrilla-type assassination, coercion, extortion, and terrorism. The enemy has not won a single major engagement or captured an important city. Despite the cessation of the bombing, which greatly eased his supply problem, the allied forces by redoubled efforts have kept him off balance and seriously decimated his numbers. Nevertheless, the Communist is a stubborn enemy and he continues to fight. However objective our efforts may be at the Paris peace talks, we have no recourse but to maintain pressure on the enemy in Vietnam until those talks bear fruit. This also means troop withdrawals must be based on the progress of the war or the progress of the peace talks, not on wishful thinking. Thus far, realism at the peace talks has not been forthcoming because antiwar publicity in the United States and stress on troop withdrawals have convinced the enemy further concessions are forthcoming.

These generally favorable situations is offset at least in official circles in some areas by serious concern over future U.S. intentions regarding our commitments abroad. There is also the obvious fact that U.S. influence among most Mediterranean nations is largely gone and that Communists have made gains among some Southeast Asian nations. Russian missions are nearly everywhere offering credits and arms and taking in payment food or other products. One thing, however, is to be learned from the Russians. They offer hard rather than soft loans, and they give nothing free. They are better traders than we.

Talk of troop withdrawals and defense cutbacks in the United States plus uncertainty over U.S. policies thus have combined to stimulate Communist activity in other parts of the world and may result in adjustments in policy by nations directly under Communist pressure. It would not take much at this stage to encourage defections of some of our friends to the other side.

For instance, Burma's socialistic government may not now have reason to steer a more independent course. India's march toward socialism is more likely to continue. Nationalism of the banks there is a straw in the wind, and Russian influence is being exerted to obtain a naval base with which to enhance Communist activities in the Indian Ocean area. This is not a happy situation when one considers that India is the second largest nation in the world. Cambodia's slight shift away from the Communist embrace is more likely to remain an accommodation only, in preparation for the eventuality of an allied victory in Vietnam when that comes. Sihanouk does not want an unfriendly Thailand and South Vietnam on either flank. The Communists maintain constant pressure on the Government of Laos, a country where they hold as much territory as they want for a buffer zone despite a valiant fight by Government forces.

I was disappointed to note what I must interpret as a wait-and-see attitude by our representatives in Indonesia. As a result of a shift in government which occurred only because the Communists were in too big a hurry to assume control, there is now a favorable picture for Western interests in Indonesia. Many of that country's present leaders are friendly toward the United States. We should be moving actively there to encourage stronger alliances with the West. Indonesia is one of the largest nations in the world, and it has definite ambitions for leadership in its area; leadership which can have Western rather than Communist orientation.

In the complex and sometimes confusing picture of developing nations, there are some bright spots. For instance, Singapore which, although rejected for membership in the Federation of Malaysia, is the brightest star in the area. Its progressive administration has made phenomenal progress in building good homes to replace slums, in providing clean government, and in exercising and encouraging leadership in trade and industry. The Government pays cash for its needs and has a favorable credit balance. United States, take heed.

I am impressed by the courageous leap from a feudal to a modern society now being made by Iran. The stable Government of the Shah has provided land reform and backed both industrial and agricultural progress. Promising young men who receive a basic education during their army service may be sent back as teachers in their home villages while still in uniform.

Now let me comment on what I regretfully must term a lack of imagination and initiative by U.S. representatives abroad. I am puzzled to find reasons for this. I hasten to state that the United States has many able and dedicated public servants in its foreign missions and many who perform their duties in an outstanding manner. Nevertheless, I cannot escape the apprehension that State Department policies generally are not as vigorous in support of U.S. interests as they should be. I find many in our Foreign Service who agree that we give up too easily in confrontation or discussion

with representatives of foreign governments. The hard-sell aggressiveness required to further U.S. policies too often seems to be lacking. The power and prestige of the United States do not suggest a hat-in-hand approach or obeisance in our dealings abroad; nor do we need bluff and bluster. We have shown our good intentions time and again to nearly every country in the world; we should combine this background with strong implementation of U.S. policy in support of democratic ideals, and we should be sufficiently practical to limit our help abroad to those who help us.

Perhaps the cutting edge of American diplomacy is dulled by 20 years of giveaway programs and soft loans without the necessity for a quid pro quo. There is a need for a return of the present-day counterpart of the shrewd Yankee trader of other years. I must conclude that there should be more positive direction and stronger motivation from Washington.

An example of what I mean is shown in discussions now in progress on the return of Okinawa to Japanese rule. A number of years ago a commitment in principle was made to return Okinawa to Japanese jurisdiction, but no date was specified. Now, unaccountably, 1972 has become the year to accomplish this and the Japs are insisting that they spell out the terms under which the United States will continue to have base rights. Neither the date nor the conditions are justified by the facts. Nevertheless, I find some U.S. representatives in Tokyo who accept the Japanese case as irrefutable and even argue for it; this despite the fact that we have poured $3.6 billion into the rebuilding of Japan, that we provide military defense for Japan at our own expense, and that the Japs enjoy a billion-dollar-a-year trade advantage here.

It is hard to imagine Russia yielding on a question of territorial jurisdiction in this manner. They would simply say that the matter is not open for discussion at this time and that would be the end of it. Nor would the world get excited about it. We tend to lead ourselves into traps when it is not necessary.

It would be interesting to speculate also on the effect of an all-out effort by U.S. diplomatic personnel to bring about a settlement of the Kashmir dispute between India and Pakistan. After conversations with nationals of both countries, I am convinced that however bold a front is presented on the question, both countries would like to find a solution, even by partition, and to end this primary cause of dissent between them.

Now a word about U.S. Embassies and other buildings abroad. Those we have purchased or built have gone up in value and most of them continue to be satisfactorily located. In areas where we lease, we are making a mistake by failing to buy or to build. Prices are going up by leaps and bounds. The importance of the U.S. presence is not going to diminish. Our status requires facilities which are both adequate in space and impressive in appearance. It will cost money to acquire what we need but it will cost more to wait. The U.S. Embassy and the Ambassador's residence in New Delhi offer an outstanding example of what can be accomplished.

A matter of paramount interest is that of modernization of weapons for our own forces as well as for nearly all of our allies. The battle for modernization for our own forces is now being fought in the Senate. It is shocking to me that there should be any question about the requirement for modernization when it is obvious that many of our important weapons systems are now a generation behind their Russian counterparts. It has been well stated that if we are to draft men to fight we should at least give them adequate weapons with which to fight.

If the situation of weapons modernization is serious at home, it is much worse abroad. The weapons in the hands of our friends average two generations behind those in the hands of the Communists, whose countries they border. Take Turkey as an illustration. The Turks have rifles, tanks, and naval vessels, including submarines, which are World War II vintage. The Turks are well trained and effective fighting men. There is realism and confidence in their ranks. Yet it seems inexcusable to expect Turkish fighting men to effectively repel superior numbers plus superior weapons in the hands of equally well-trained and effective Russian forces at the Turkish borders or on the Bosporus. Under these circumstances Turkey can scarcely be blamed for seeking better relations with Russia.

Taiwan is perhaps an even more impressive example, for this little country, by its location and the temper of its Government and its people, exercises restraint on Communist aggression just as South Vietnam and South Korea do. Taiwan's defense forces help to discourage direct aggression from colossal Red China. Yet the Taiwanese forces, which cannot begin to match those of Red China in numbers, are not even making comparable progress in modernization. Each day their weapons are falling further behind those of Red China in effectiveness. Taiwan needs F–4's to replace aging and obsolescent F–86's. Red China is building Mig–19's and has Mig–21's in inventory. Taiwan has no submarines, yet Red China has 33, including one guided-missile submarine, and is building more.

One of the gravest omissions to me is the lack of shelters for aircraft protection in Taiwan. A loss of control of the air over Taiwan could be a prelude to disaster in the event of conflict between Taiwan and Red China. The memory of the wholesale destruction of Arab aircraft caught on the ground by Israeli planes during the 6-day war brings a chill of apprehension when one considers the overwhelming superiority in numbers of the Communist Chinese air force. To me it appears essential that the aircraft of the Republic of China be protected from similar destruction by wave after wave of Red aircraft.

Nations which need modern weapons are willing to buy to the limit of their ability if we agree to sell to them. We can well afford to provide additional stocks to stanch friends if they are needed.

I return with the strong conviction that we are not giving sufficient stress to the various personnel exchange programs. Almost without exception, foreign nationals who train in our country return to their homelands to exercise influence which is favorable to the United States. This, I believe, is true for all types of exchange programs. However, there is a particular need to encourage additional foreign military personnel to take advantage of training in military missions and in colleges in the United States. A good example is Indonesia, where the attitudes of U.S.-trained individuals who now have strong influence in government have substantially reversed the anti-U.S. policies of the previous administration.

In most of the areas I visited there is progress; much more measurable in some than in others. A few have governments which are unreceptive to Western ideas—at least at the moment. But the great majority are cooperative and some are enthusiastically so. I found no unfriendly people and this should tell us something. There is an awakening of opportunity in the world today and we can provide direction to it if we offer dramatic leadership.

MORTIMER CAPLIN DISCUSSES MINIMUM INCOME TAX AND RELATED TAX REFORMS

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 10 minutes.

Mr. REUSS. Mr. Speaker, former Commissioner of Internal Revenue Mortimer M. Caplin has written an excellent article analyzing the principal minimum income tax proposals, as well as related proposals dealing with changes in the standard deduction. The article appears in volume 55, No. 5 of the Virginia Law Review. I commend the article to my colleagues and include it at this point in the RECORD:

THE MINIMUM INCOME TAX AND RELATED REFORMS

(By Mortimer M. Caplin) *

Today more than ever before, the American public is convinced of the need to reform our federal tax laws. Though Americans fulfill their tax obligations with integrity, a sense of duty and a better will than taxpayers anywhere else in the world, throughout the country there is increasing consciousness and resentment of high rates, unfairness and discrimination in the tax system. The middle-class salaried individual, whose income is fully subject to tax at ordinary rates and who has no loophole through which to crawl, is particularly concerned. The existence of the 10 percent surcharge—and the likelihood of its continuation [1]—has deepened this feeling. The volume of mail which the Congress has received on the subject of tax reform in the past months is both impressive and disturbing.[2]

What has produced this surge of interest in tax reform? The key is to be found in some facts about the operation of our income tax system. In 1967, 155 citizens with incomes of over 200,000 dollars, and 21 individuals with incomes of over 1 million dollars paid no federal income tax.[3] In 1966, four individuals, with total incomes ranging from 6 million dollars to more than 10 million dollars, were able to escape federal income tax altogether by carefully planned use of the unlimited charitable contribution deduction.[4] For the same year, a fifth taxpayer had total income of more than than 1.2 million dollars, offset by large deductions for capital gains and interest. He paid a total tax of 383 dollars—about 3/100ths of 1 percent of his income.[5] His tax bill was approximately equal to that of a single taxpayer with ordinary income of

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2,400 dollars. A sixth individual had total income of over 1.3 million dollars, but primarily because of very large percentage depletion deductions, paid no tax at all.[6] Another investor in mineral properties had income of more than 924,000 dollars and paid tax of 397 dollars—about 4/100ths of 1 percent of his income.[7] A real estate investor had over 860,000 dollars in real estate deductions and paid no tax on income of more than 1.4 million dollars.[8]

Data on the overall incidence of the income tax confirms the same fundamental lesson: Despite the essential objective of the income tax to match tax with the ability to pay, in significant areas of its operation the income tax system requires very little tax from those with substantial abilities to pay. In 1961, when tax rates nominally ranged up to a maximum of 91 percent, effective tax rates reached a high of 30 to 35 percent for people having annual incomes between 50,000 and 200,000 dollars and declined to about 27 percent for people whose incomes exceeded 1 million dollars a year.[9] A recent Treasury Department study, based on 1966 data, shows the same pattern. Employing the so-called "amended adjusted gross income" [10] as its measuring rod, the study indicates that average effective tax rates rose to a maximum of 32 percent, but receded to about 30 percent for those whose incomes were between 500,000 dollars and 1 million dollars, and further declined to about 28 percent for those whose incomes were over 1 million dollars.[11]

A different symptom of the same basic defect in the income tax system is the markedly disparate tax treatment accorded taxpayers whose real economic income is the same. The artist pays tax at ordinary income rates when he sells his paintings; [12] the investor receives capital gains treatment when he sells the patent on his new potato-peeler.[13] The self-employed individual or the man who earns a salary is subject to the ordinary rate schedule; his friend down the street, who has enough capital to support himself from investment income, puts his money in municipal bonds and is subject to no rate schedule at all—his interest income is entirely exempt from tax.[14] The investor in stocks pays full tax on his dividend income;[15] the investor in leased airplanes or railroad cars shelters his income from tax by means of large investment credits [16] and depreciation deductions [17] having little or no relation to the magnitude of his cash investment.[18]

THE SOURCE OF THE PROBLEM

These results flow from a variety of special provisions in our income tax system which grant favorable tax treatment to certain classes of income and allow generous deductions for certain kinds of expenditures. The complete tax freedom of municipal bond interest,[19] the low tax rates imposed on long term capital gain income,[20] the grant of full depreciation deductions on highly leveraged investments,[21] the special deductions accorded in the mineral field,[22] and other tax preferences, particularly when combined, permit some taxpayers to realize a large real income without bearing a correlative share of the tax burden, and generate major disparities in the treatment of similarly situated taxpayers.

Of particular concern to the average taxpayer is the fact that these preferential provisions are uniquely available to individuals with large resources. The family with poverty-level income cannot afford to invest in municipal bonds; its income is realized in forms which are fully taxable at the ordinary tax rates. Former Treasury Secretary Fowler reported that "[u]nder present law, 2.2 million families with incomes below the poverty level are required to pay Federal income taxes. . . . For example, a married couple with an income of the poverty limit of $2,200 would generally pay an income tax of $84." [23] Similarly, the middle-income wage or salary earner, who shoulders a sizeable share of the nation's tax burden, is generally unable to take advantage of tax-favored investments. Former Treasury Secretary Barr reported that "tens of millions of middle-class families and individuals with incomes of $7,000 to $20,000 . . . pay over half of our individual income taxes." [24] In contrast, as the examples mentioned earlier [25] indicate, individuals with large funds of capital are able to make full and effective use of special methods for securing favorable tax treatment, and are thereby able to pay much lower rates of tax—or no tax at all—under a system which, paradoxically, is designed to produce the most tax from those with the most income.

THE GOAL

If we were starting anew, the general objective of a sound income tax system would be to treat all forms of real economic income alike. The goal would be tax neutrality; the tax system would not favor the realization of income in one form rather than another.

One way of attaining that goal today would be to adopt a broadly based tax on all forms of real economic income,[26] reduced only by the expenses of producing that income, at much lower rates than those which obtain under the present system. There is widespread public sentiment in favor of such an approach. Interestingly, the desire for such reform exists even among some who derive considerable advantage from the tax preferences of the present structure. To achieve a fair tax system, bearing equally on different forms of income, and to free themselves of the record-keeping and other difficulties of complying with present law, these taxpayers would be willing to accept a major broadening of the tax base—even at some financial sacrifice to themselves.

With the accretions brought by over 50 years of history and with the genuine, pressing problems at which certain of the special provisions of our tax structure are directed, we can hardly expect to wipe the slate clean now. We can, though, work in the direction of increasing the neutrality of the tax system and diminishing the distortions. Senator Russell Long took an important step in that direction several years ago with his proposal of an "optional simplified tax method." [27] Under the Long proposal, taxpayers would be permitted the option of paying lower rates of tax by electing to forego the advantage of most of the exclusions and special deductions allowed by present law. Congressman Henry S. Reuss of Wisconsin has introduced a bill for comprehensive and fundamental reform, dealing specifically with the major preferential provisions of the existing tax law.[28] The American Bar Association Special Committee on Substantive Tax Reform has done considerable work on proposals for broadening the tax base and eliminating tax preferences.[29] The Johnson Administration's Treasury Department conducted an extensive study of defects in our present tax laws, and its reform proposals, with supporting data, were made public at the beginning of this year.[30] Recently, the present Administration has submitted a more limited set of proposals to Congress.[31]

Proceeding on a broader front than either administration, the Ways and Means Committee is currently examining, specifically and in detail, a variety of tax devices used to shelter otherwise taxable income. That action is more than proper; it is urgent in order to strengthen public confidence in the evenhanded application of our tax laws. Thorough review of these rules—and re-examination of the underlying justification for any exceptional tax treatment—are plainly in order.

THE MINIMUM TAX

As an initial reform step, all individuals with the economic capacity to contribute should be required to bear at least some minimum share of the nation's tax load. The existence of tax patterns in which individuals with large real incomes pay no significant tax is fundamentally incompatible with a balanced tax system. Without attempting to judge the merit of each of the individual provisions which permit such results, taxpayers ought not to be allowed to utilize such provisions to avoid all taxation.

The minimum tax concept found support in Treasury Department staff studies during the Johnson Administration,[32] and has recently been embraced by President Nixon.[33] Under the earlier Treasury proposal, an individual's income tax would not be allowed to fall below a minimum tax which would be computed by applying special rates, graduated from 7 to 35 percent, to an adjusted and broadened tax base.[34] The tax base under this plan would be expanded by including the full amount of capital gains,[35] including tax exempt interest,[36] adding the value of appreciation in property donated to charity,[37] and excluding percentage depletion deductions to the extent that they exceed cost.[38]

While the Treasury study offers substantial improvement, it omits two important adjustments which are necessary to effectuate the basic concept of the minimum income tax. First, the proposal fails to modify accelerated depreciation deductions and to relate these deductions to the taxpayer's equity investment in depreciable property.[39] Present tax provisions allow a real estate owner to use the double declining balance, the 150 percent declining balance or the sum-of-the-years digits methods [40] of computing depreciation. These methods result in a considerably more rapid write off of the original cost than would be possible by the straight-line depreciation method.[41] After exhausting the tax benefits obtained through accelerated depreciation, the investor can—subject only to a mild and easily avoided recapture provision [42]—sell the property at capital gain rates, even though the accelerated depreciation deductions have been used to offset income taxed at ordinary rates. Moreover, the taxpayer's basis on which depreciation is computed includes mortgages as well as equity.[43] Thus, by the use of highly leveraged investments in depreciable real property, the individual can obtain depreciation deductions many times his actual investment in the property,[44] and at the same time avail himself of mortgage interest deductions which can also be set off against ordinary income.[45]

The abuse of accelerated depreciation deductions on depreciable property other than real estate has been largely eliminated by the recapture provisions of section 1245,[46] which, generally, tax as ordinary income gains from the sale or exchange of depreciable personal property to the extent that such gains are attributable to post-1962 depreciation. The recapture provisions for depreciable real estate,[47] however, are significantly less rigorous. Gains from the sale or exchange of such property held more than one year are recaptured as ordinary income only to the extent that actual depreciation deductions have exceeded the deductions which would have been permitted under the straight-line method,[48] and for each month that the property is held beyond twenty months the percentage of the excess depreciation recaptured decreases by one percent.[49] As a consequence, the taxpayer who disposes of improved real property held for more than ten years escapes ordinary income treatment on the transaction altogether.

The second shortcoming of the original Treasury plan is its failure to modify the allowance, under present law,[50] of full current deductions for the intangible drilling and development costs of oil and gas wells.[51] By means of the special provisions for intangibles, the tax laws now permit a large part of the capital cost of a well to be written off as a deduction immediately, although a similar investment of capital in a different industry could only be recovered over the life of the property purchased.[52] At the same time,

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the investor in oil and gas properties is able to spread the income derived from the well over the period of its recovery, enjoying the annual benefits of percentage depletion [53]—theoretically a means of capital recovery—even though he has already recovered much or all of his investment in the form of intangible drilling and development costs deductions.

The inclusion of appropriate adjustments to limit the advantages of accelerated and highly leveraged depreciation and intangible drilling and development costs is fundamental to any sound minimum tax proposal. Indeed, if these items are omitted, we could well continue to have 155 non-taxable returns with over 200,000 dollars of income and 21 non-taxable returns with over 1 million dollars of income—even after the adoption of the Treasury proposal.

In his recent message to Congress on tax reform,[54] President Nixon recommended a minimum income tax which would deal with both of these problems.[55] The Nixon proposal would fix a ceiling of 50 percent on the amount of an individual's total income which could escape taxation through designated tax preferences. The preferential provisions included are: charitable contributions of appreciated property,[56] percentage depletion and intangible drilling and development costs,[57] accelerated depreciation on real estate,[58] and farm losses.

The Nixon proposal, however, omits two existing preferences which were specifically included in the minimum tax proposal of the Treasury staff studies. Tax-exempt interest is excluded because of "doubt whether such inclusion would be constitutional," [59] and capital gain income is also excluded.[60] The omissions are of major significance. Together they convert the Nixon plan from a minimum tax to a minimal tax; they reduce the revenue yield of the tax from 420 million dollars—which the Treasury study proposal would have produced even without including depreciation or intangibles—to 80 million dollars. More fundamentally, neither omission has any convincing justification.[61]

The solution would seem obvious: The better features of the Nixon and Treasury proposals ought to be combined.[62] The fundamental structure of the minimum tax is the same under both approaches. The Treasury study proposal would, in effect, tax total income at half the ordinary rates; the Nixon proposal would tax half of total income at the full ordinary rates. The Nixon plan, however, has the advantage of certain improvements in technical implementation. Utilizing that essential structure, a sound minimum tax system should incorporate in its base the items included in the Treasury proposal and, in addition, adjustments to deal with depreciation and intangibles.[63] So constructed, the system would provide an effective and fair solution for the problem which Congressman John Byrnes has summarized in these terms:

"When we find the extreme cases where some 155 tax returns with adjusted gross incomes above $200,000 pay no income tax, including 21 with gross income over $1 million, it cannot be said that the law imposes on all capable of doing so the responsibility of paying a reasonable proportion of the cost of government. No matter by what device, no matter how laudable the nature of the deduction or exclusion that produces this result, the fact remains that there is no justification for these individuals being non-taxpayers." [64]

MAXIMUM INCOME TAX

A maximum limit on the individual income tax is a natural companion of the minimum tax. The recently released Treasury data reveals that among high income individuals there is, in addition to the group having strikingly low effective tax rates, a very highly taxed group.[65] The effective tax rates of taxpayers in the latter class rise well above 50 percent. For some, effective tax rates are from 60 to 65 percent.[66]

Upon this category of taxpayers, the upper range of the income tax rate schedule operates too harshly. There is much to be said in favor of the proposition that no taxpayer should be compelled to pay more than half his total income in federal income tax. To that end, serious consideration should be given to the adoption of a 50 percent maximum limitation upon the effective tax rate applicable to any individual taxpayer.[67] In determining a taxpayer's total income for purposes of applying this 50 percent limitation, the broadened base outlined in connection with the minimum tax should be utilized.[68]

LIBERALIZATION OF THE MINIMUM STANDARD DEDUCTION

At the other end of the tax spectrum, a different problem exists. Among that segment of the population whose incomes are below the level which the Department of Health, Education, and Welfare has designated as the poverty line, about 4.3 million individuals and 2.2 million families are now required to pay federal income tax.[69]

The imposition of tax upon those who have no real ability to pay is inconsistent with the fundamental principle of an income tax, and should be eliminated as quickly as possible. One method of accomplishing that result would be through liberalization of the minimum standard deduction. Present law allows individuals a minimum standard deduction of 200 dollars plus 100 dollars for each personal exemption.[70] The Treasury staff studies recommend raising the level of this deduction to 600 dollars, plus 100 dollars for each exemption, subject to an overall ceiling of 1,000 dollars.[71] The degree of liberalization possible depends partly upon the amount of revenue which can be allocated to freeing property-level incomes from tax. The Treasury proposal would have an annual revenue cost of somewhat over 1.1 billion dollars.[72] It would, however, still leave almost a million poverty-level families subject to tax.[73] Though the cost is substantial, the priority of the matter could hardly be higher. Hence, careful attention should be given to the possibility of raising the minimum standard deduction above the level proposed by the Treasury.[74]

A different approach which has been suggested to alleviate this problem would raise the level of the personal exemption—currently 600 dollars per person.[75] Such a step, however, would represent a considerably less efficient technique than increasing the minimum standard deduction. The personal exemption is used by high income and low income taxpayers alike, and for both it saves tax at the top applicable rate. Hence, broadening the exemption would channel large portions of the resulting revenue loss to persons which the legislation is not intended to assist. On the other hand, because the minimum standard deduction is of utility largely to the very low income segment of the population, liberalization of that deduction would focus the revenue loss on the group which most requires assistance.

SIMPLIFICATION BY REVISION OF THE STANDARD DEDUCTION

Another aspect of the standard deduction also has important bearing upon the operation of our tax system. It is of vital importance, both to taxpayers and to the Internal Revenue Service, to simplify and ease the burdens of compliance with our tax laws.[76] Simplification of compliance and administration is significantly advanced by reducing the itemization of personal deductions. Indeed, the adoption of the standard deduction represents the single greatest tax simplification which Congress has yet achieved. Since the original enactment of the standard deduction, however, the growth in personal income levels has made that deduction—with limits of 10 percent of adjusted gross income or 1,000 dollars, whichever is lower [77]—of rapidly decreasing usefulness to taxpayers.

Consequently, an increase in the upper limits of the standard deduction would seem appropriate.[78] The Treasury staff studies proposed an increase of the percentage limit from 10 to 14 percent, and an increase of the dollar limit from 1,000 to 1,800 dollars.[79] Congressman Byrnes has suggested increasing the percentage limit to between 18 and 20 percent and doubling the dollar limit with, perhaps, graduated reductions in the upper ranges.[80] Here again, the extent of the revision will have to be balanced against its revenue cost. If the Congress enacts fundamental structural reforms which produce revenue, it will have greater freedom to liberalize the standard deduction. To the extent that the revenue reduction can be tolerated, some liberalization is in order.

CONCLUSION

The clamor for comprehensive reform of our tax system continues to mount. Some 10 years ago, Chairman Wilbur D. Mills, of the Ways and Means Committee, expressed a viewpoint that is of growing prominence throughout the land today:

"Tax preferences and differentials, which have the effect of departing from neutrality in the case of particular types of income and in the case of particular groups, have resulted in the narrowing of the dollar base of our revenue system to the point where it can be said with justification that the rate schedules supplied in the Internal Revenue Code are no longer meaningful. The benefits conferred by existing tax preferences and tax differentials breed demands for further erosion of the tax base." [81]

Adoption of the minimum tax and an enlarged minimum standard deduction will not solve all the problems of the present tax system. They offer no easy cure-all for the defects which have developed over many years. Nonetheless—short of direct comprehensive reform—their enactment would be an important first step forward; for they focus on the more flagrant distortions of the income tax system, which permit some persons with the largest capacity to bear taxes to pay none at all, and compel others with no tax-paying capacity whatever to bear a substantial tax burden.

Though deserving a lower level of priority, adoption of the maximum tax and elevation of the upper limits on the standard deduction would also contribute significantly to betterment of the income tax structure. The former would provide a larger measure of horizontal equity, while the latter would strengthen a mechanism which greatly simplifies tax compliance.

Together these four correctives offer an important and respectable, though only partial, answer to the increasingly insistent outcries of our citizens. If taken, however, this first step toward reform must not be permitted to become the last. It has been wisely said that the tax system "delves deeply with a sieve", and it is imperative for the Congress to look closely—with a hard and discerning eye—at each of the holes in that sieve. Indeed, an aroused Congress, prodded by an outraged constituency, may find that the time is at hand in 1969 for a sustained effort to achieve direct and broad-scale tax revision. Such a head-on approach may be the higher price demanded by the public if the Nixon Administration is to gain support for continuing the 10 percent income tax surcharge.[82]

FOOTNOTES

*Member, District of Columbia, New York and Virginia Bars. Professor of Law, University of Virginia, 1950–61. Commissioner of Internal Revenue, 1961–64. B.S., 1937, LL.B., 1940, University of Virginia. This article is based upon testimony which Mr. Caplin presented before the Committee on Ways and Means of the U.S. House of Representatives on February 28, 1969, in conjunction with that Committee's hearings on tax reform. For a general discussion of the problems and techniques of tax reform, see Caplin, *Federal Tax Policy—The Need for Reform*, 56 GEO. L.J. 880 (1968).

[1] In his message to Congress on federal income tax reform, President Nixon suggested a relaxation of the surcharge subject to repeal of the investment tax credit. The proposal includes extension of the full present 10 percent rate until January 1, 1970, a reduction to 5 percent on January 1, and, if economic conditions permit, total elimination on June 30, 1970. 115 CONG. REC. S3959–60 (daily ed. April 22, 1969).

[2] The current rash of protests has produced the warning of a possible "taxpayer's revolt." Despite the unlikelihood of such a catastrophic event, continued and widespread dissent gnaws at the roots of our enviable level of taxpayer compliance. *See* Caplin, *Threats to the Integrity of Our Tax System*, 44 VA. L. REV. 839 (1958).

[3] Statement of Former Secretary of the Treasury Joseph W. Barr before the Joint Economic Comm., CONG. Q. WEEKLY REP. 147 (Jan. 24, 1969).

[4] U.S. TREASURY DEP'T, TAX REFORM STUDIES AND PROPOSALS, pt. 1, at 90–91 (reprinted by House Ways and Means Committee & Senate Finance Committee 1969) [hereinafter cited as TAX REFORM STUDIES].

[5] *Id.* at 92.

[6] *Id.* at 93.

[7] *Id.*

[8] *Id.* at 94.

[9] Williams, *The Changing Progressivity of the Federal Income Tax*, 17 NAT'L TAX J. 425, 426 (1964).

[10] "Amended adjusted gross income" is defined as statutory adjusted gross income increased by the one-half of long term capital gains deductible under present law. TAX REFORM STUDIES, pt. 1, at 81.

[11] *Id.* at 81, table 5.

[12] INT. REV. CODE OF 1954, § 1221(3).

[13] INT. REV. CODE of 1954, § 1235; *see, e.g.*, Hofferbert v. Briggs, 178 F.2d 743 (4th Cir. 1949).

[14] INT. REV. CODE of 1954, § 103(a)(1).

[15] INT. REV. CODE of 1954, § 116 provides for $100 of tax-free dividends from domestic corporations; dividends in excess of $100 constitute ordinary income taxable under § 61(a)(7).

[16] INT. REV. CODE of 1954, § 38; Treas. Reg. §§ 1.46–1 to 1.48–7 (1969).

[17] INT. REV. CODE of 1954, § 167.

[18] *See* note 43 *infra* and text at notes 43–45 *infra*.

[19] INT. REV. CODE of 1954, § 103(a)(1).

[20] *Id.* §§ 1201(b), 1202.

[21] This rule stems from dictum in Crane v. Commissioner, 331 U.S. 1 (1947). See note 43 *infra* and accompanying text.

[22] INT. REG. CODE of 1954, §§ 263(c), 611–16.

[23] Statement of former Secretary of the Treasury Henry H. Fowler, TAX REFORM STUDIES, pt. 1, at 3.

[24] Statement of Joseph W. Barr, *supra* note 3.

[25] See text at notes 3–8 *supra*.

[26] General definitions of such a base have been provided by Haig and Simons, among others. Haig equated personal income with "the money value of the net accretion to one's economic power between two points of time." Simons formulated the definition as follows: "Personal income may be defined as the algebraic sum of (1) the market value of rights exercised in consumption and (2) the change in the value of the store of property rights between the beginning and end of the period in question." Haig, *The Concept of Income—Economic and Legal Aspects*, in READINGS IN THE ECONOMICS OF TAXATION 59 (R. Musgrave & C. Shoup eds. 1959) (emphasis omitted); H. SIMONS, PERSONAL INCOME TAXATION 50, 206 (1938). For criticism of the goal stated in the text, see Bittker, *"A Comprehensive Tax Base" as a Goal of Income Tax Reform*, 80 HARV L. REV. 925, 935 (1967).

[27] S. 3250, 88th Cong., 2d Sess. (1964), *reprinted in* Bittker, *An Optional Simplified Income Tax*, 21 TAX L. REV. 1, 37–51 (1965).

[28] 115 CON. REC. H588 (daily ed. Jan. 29, 1969).

[29] *See Report of the Section of Taxation on Substantive Tax Reform*, 90 A.B.A. REP. 289 (1965).

[30] TAX REFORM STUDIES.

[31] 115 CONG. REC. S. 3959 (daily ed. April 22, 1969).

[32] TAX REFORM STUDIES, pt. 1, at 13–14; pt. 2, at 132–42.

[33] 115 CONG. REC. S. 3959 (daily ed. April 22, 1969).

[34] TAX REFORM STUDIES, pt. 1, at 14; pt. 2, at 133.

[35] The proposal would, however, retain the present 25% alternative capital gain rate with respect to "capital gain income representing appreciation of property held by the taxpayer at his death or given away during his lifetime. This gain would be included in the regular tax base under another proposal in the program. The special rule for this income recognizes that capital gain income on death or at the time of a large gift may be abnormally large (and, thus, result in a minimum tax) in relation to what the taxpayer might have realized in any one year had he disposed of his investments over a period of years rather than in a single year." *Id.* at 134.

[36] Included in this proposal is "interest (including original issue discount) on State and municipal bonds," *id.* at 137, and "any tax-exempt interest that is currently being paid on U.S. bonds or on obligations of certain corporations organized under act of Congress . . . to the extent that, to do so, would not interfere with a contractual obligation guaranteed by the Constitution." *Id.* at 137 n. 1.

[37] Under the present tax system, an individual is permitted to deduct the actual market value of appreciated property donated to charity subject to the normal limitations of INT. REV. CODE of 1954, § 170. However, that part of the actual market value in excess of the taxpayer's basis in such property is considered unrealized, and is therefore not taxed even though the taxpayer obtains a tax benefit from the deduction. Given appropriate circumstances, it is possible for an individual to make a profit by such contributions to charity. *See, e.g.*, Rudick & Gray, *Bounty Twice Blessed: Tax Consequences of Gifts of Property to or in Trust for Charity*, 16 TAX L. REV. 273, 308–09 (1961).

The proposed provision would add to gross income the appreciation in the value of property donated to charity to the extent that the appreciation was allowed as a deduction under the limitations of INT. REV. CODE of 1954, § 170. TAX REFORM STUDIES, pt. 2, at 137–38.

[38] The INT. REV. CODE of 1954, § 613(a) provides that "[i]n the case of mines, wells and other natural deposits," depletion shall be computed on the basis of a "percentage . . . of the gross income from the property . . . Such allowance shall not exceed 50 percent of the taxpayer's taxable income from the property (computed without allowance for depletion." However, § 613 does not limit the allowable percentage depletion to the cost of the property.

Under the minimum tax proposal, "[n]o deduction would be allowed for . . . any percentage depletion once the cost of the applicable property has been recouped through prior depletion deductions." TAX REFORM STUDIES, pt. 2, at 139.

[39] For a detailed discussion of this problem. *See generally* TAX REFORMS STUDIES, pt. 3, at 438–58.

[40] INT. REV. CODE of 1954, §§ 167(b)(2), (3), (c) For a description of the operation of these methods of depreciation, see Treas. Reg. §§ 1.167(b)(2), (3) (1969).

[41] INT. REV. CODE of 1954, § 167(b)(1). For a description of the straight line method of depreciation, see Treas. Reg. § 1.167(b)(1) (1968).

[42] See text at notes 47–49 *infra*.

[43] This rule stems from the Supreme Court decision in Crane v. Commissioner, 331 U.S. 1 (1947), which held that Mrs. Crane's basis for computation of gain on property devised to her by her husband included the value of an unassumed mortgage encumbering the property. The Court went on to state that the basis for computation of depreciation also included the mortgage, though the latter issue was neither properly before the Court nor given separate consideration. See text at note 44 *infra*.

[44] *See, e.g.*, Mayerson v. Commissioner, 47 T.C. 340 (1966), where the taxpayer was permitted to compute depreciations on a basis of $200,000 although his actual investment was $10,000. The property's basis for depreciation included a purchase money mortgage on which no payment was due until the end of 99 years.

[45] INT. REV. CODE of 1954, § 163(a).

[46] *Id.* § 1245.

[47] *Id.* § 1250.

[48] *Id.* § 1250(b)(1).

[49] *Id.* § 1250(a)(2).

[50] *Id.* § 263(c).

[51] For examples of intangible drilling and development costs, see Treas. Reg. § 1.612–4 (1969).

[52] TAX REFORM STUDIES, pt. 3, at 414.

[53] INT. REV. CODE of 1954, § 613(b)(1) allows a deduction of 27½ percent of gross income on oil and gas wells.

[54] 115 CONG. REC. S3959 (daily ed. April 22, 1969).

[55] U.S. TREASURY DEP'T, TAX REFORM PROPOSALS 93, 95 (reprinted by House Ways and Means Committee 1969). This is the proposal of the Nixon Administration's Treasury Department before the House Ways and Means Committee concerning the "Limit on Tax Preferences" [hereinafter cited as LTP].

[56] The treatment of charitable contributions of appreciated property under the Nixon proposal, LTP at 94, is essentially the same as that of the Treasury study. *See* note 37 *supra*.

[57] The percentage depletion proposals of both the Nixon and Treasury studies' minimum tax plans employ somewhat different techniques. Under the Nixon plan, the excess of percentage depletion claimed during the taxable year over allowable cost depletion becomes a part of gross income for minimum tax purposes in the taxable year claimed. LTP at 95. The Treasury proposal would not include any part of claimed percentage depletion in gross income for minimum tax purposes until cost had been recouped through prior depletion deductions, and then would include all of it. See note 38 *supra*. The Nixon plan calls for including in total income for minimum tax purposes the excess of intangible drilling expenses claimed under INT. REV. CODE of 1954, § 263(c), over the allowable amount of straight line depreciation that would have been claimed had the expenses been capitalized. LTP at 93.

[58] Although for minimum tax purposes, the Nixon proposal satisfactorily resolves the problem of accelerated depreciation on real estate, it, like the Treasury study proposal, does not limit depreciation to the equity in the property. See notes 43–45 *supra* and accompanying text.

[59] LTP at 22.

[60] *Id.*

[61] The deletion of municipal bond interest on constitutional grounds reflects a "doubt" which the Treasury Department, the Justice Department and most students of the field considered finally resolved more than 25 years ago. See opinions and discussion by Treasury and Justice Departments in 1942, in S. SURREY & W. WARREN, FEDERAL INCOME TAXATION CASES AND MATERIALS 185–98 (1960).

The Administration defends its exclusion of capital gains on the grounds that, (1) by the nature of the minimum tax structure, application of that tax to capital gains would affect only individuals who use the alternative tax, and (2) the economic consequences

of any variation of the alternative tax require further study. Neither argument seems persuasive. Those who use the alternative (25%) tax are precisely those who derive the most extreme advantage from the capital gains preference provided by existing law (one elects the alternative tax only when its tax benefit is greater than that of the 50 percent capital gains deduction), and application of the tax to them makes good sense—whether or not the tax also reaches those whose benefits from the preference are less substantial. Further, it seems exceedingly unlikely that full inclusion of capital gains in the minimum tax base would have significant consequences for the economy. One must remember that the proposal would affect only a small fraction of the total capital gains universe (only those capital gains realized by individuals whose total excluded income, for regular tax purposes, exceeds their total included income), and even within that area it would produce only a very modest tax increase. In view of these facts, it is hardly surprising that the Johnson Treasury Department was untroubled by this problem.

[62] Senator Fred R. Harris recently introduced a minimum income tax reform bill, S. 1827, 91st Cong., 1st Sess. (1969), *reprinted in* 115 CONG. REC. S3764 (daily ed. April 15, 1969). The Harris plan closely resembles President Nixon's proposed 50% ceiling on income enjoying tax-preferred status, but there are differences both in the tax preferences which would be subject to the 50% limit and the treatment of preferences which would be included in a minimum tax base. Senator Harris would include in the minimum tax base interest from state and municipal bonds and long-term capital gains, but would exclude farm losses. In addition, the Harris plan would include in the tax base the difference between the fair market value of stock received pursuant to a qualified stock option and the price paid for the stock. Another significant difference is that the full amount of deductions taken for intangible drilling and development costs are included in the Harris bill rather than the excess of the deductions taken over the deductions that would have been allowable as depreciation, if such costs have been capitalized rather than expensed.

[63] While the Nixon minimum tax plan also includes a limitation on farm losses, the set of abuses at which it is aimed can and should be eliminated specifically, directly and entirely, rather than obliquely and partially through the mechanism of the minimum tax.

[64] 115 CONG REC. E659 (daily ed. Jan. 30, 1969).

[65] Statement of former Secretary of the Treasury Henry H. Fowler, Tax Reform Studies, pt. 1, at 3.

[66] *Id.* pt. 1, at 80, table 4; pt. 2, at 172.

[67] *See* Caplin, *Federal Tax Policy—The Need for Reform*, 56 Geo. L.J. 880 (1968). The Johnson Treasury recommended such a limitation in conjunction with its proposal to tax appreciation at death or on gift: "The appropriateness of the maximum tax proposal is directly related to the proposal to include in the income tax base the appreciation in assets transferred at death or by gift. The adoption of a maximum tax provision without this other important reform would result in tax reductions for individuals who in reality have substantial exempt income represented by the untaxed appreciation in their investment and other assets." Tax Reform Studies, pt. 2, at 172.

[68] See text at note 63 *supra*.

[69] Tax Reform Studies, pt. 1, at 74, table 1; pt. 2, at 128.

[70] Int. Rev. Code of 1954, § 141(c).

[71] TAX REFORM STUDIES, pt. 1, at 13, 74. "The effect of this proposal would be to make an additional 2.4 million returns nontaxable. . . . Of the 2.2 million poverty families paying tax under present law, 1.2 million would become nontaxable. An additional 1 million families in poverty would have their tax reduced, although not completely eliminated." *Id.* at 75.

[72] TAX REFORM STUDIES, pt. 1, at 35.

[73] See note 71 *supra*.

[74] The tax reform program of the present Administration suggests a new—and perhaps even more efficient—method of providing tax relief for poverty level taxpayers. LTP at 71, 101–04. Under the proposal, the optional tax tables would be adjusted to provide a "low income allowance," which would be based upon the income levels designated by the Department of Health, Education and Welfare as the poverty levels for families and individuals. When combined with the personal exemption and the present minimum standard deduction, the allowance would be sufficient to make all families and individuals below those levels non-taxable. For income above the poverty level, the allowance would be reduced by 50 cents for each dollar of adjusted gross income, so that individuals and families having adjusted gross incomes equal to the poverty level plus twice the maximum allowance would receive no allowance. The Treasury explanation states that this phase-out of the allowance permits relief for those in poverty at the lowest possible revenue cost.

[75] INT. REV. CODE of 1954, § 151.

[76] *See* TAX REFORM STUDIES, pt. 1, at 18.

[77] INT. REV. CODE of 1954, § 141(a).

[78] At the suggestion of Chairman Mills, the Ways and Means Committee and the Treasury Department are currently exploring a considerably more far-reaching approach to simplification. This approach would establish a 10% floor on all personal deductions other than the deduction for charitable contributions. A taxpayer's total of such personal deductions would be allowable only to the extent that they exceed 10% of his adjusted gross income. The revenue produced by disallowance of deductions below the floor would be used for substantial, across-the-board rate reduction. Chairman Mills has suggested, for example, that the measure might permit a rate structure ranging from a bottom bracket of 5% to a top bracket of 50%. The Treasury Department has been asked to use its computer models to determine the actual effect of the proposal on different classes of taxpayers under various alternative rate structures. If its technical details can be worked out, the proposal could produce major simplification of the tax system.

[79] TAX REFORM STUDIES, pt. 1, at 19.

[80] 115 CONG. REC. E659 (daily ed. Jan. 30, 1969). Representative Byrnes has also suggested: "In order to prevent the taxpayer from . . . taking the standard deduction one year and bunching certain deductions in alternate years, it can be required that the taxpayer, once he uses the standard deduction, be limited to its use, except in very unusual situations, to a definite period." *Id.*

[81] Mills, *Preface* to *Symposium on Federal Taxation*, 44 VA. L. REV. 835, 836 (1958).

[82] See note 1 *supra*.

CIVIL SERVICE WAGE BOARD REFORM

The SPEAKER. Under previous order of the House, the gentleman from California (Mr. TUNNEY) is recognized for 15 minutes.

Mr. TUNNEY. Mr. Speaker, I have in the past sponsored legislation dealing with the problems of Federal employees and designed to correct the inequities in their employment system. In this session I have introduced bills to make the pay of Federal employees comparable to that of employees in the private sector; to modernize our employees' health benefits programs; and to improve our Government retirement system. I was pleased when my colleagues in late July approved the retirement legislation which is so vital to the security of our Nation's civil service retirees. The future also looks bright for the passage of the Federal Employees Pay Comparability Act during this session.

With these recent successes fresh in our mind, Mr. Speaker, I am today introducing additional legislation designed to benefit our civil servants. I urge the other Members to support this bill and by so doing continue their support of the men and women whose day-to-day efforts enable our Government to function.

This legislation, when adopted, will allow more employees to share the benefits extended to some in previous legislation. This bill, when it becomes law, will be the Prevailing Wage Rate Determination Act of 1969.

The hourly wage system originated 107 years ago when a statute in 1862 authorized the Secretary of the Navy to establish wage rates for blue-collar employees "of each naval activity—to conform, as nearly as is consistent with the public interest, with the rates of private establishments in the immediate vicinity."

Today the situation has changed considerably from anything ever envisioned in 1862. Civil Service Commission Chairman, John W. Macy, Jr., in early 1968 reported:

> Today there are approximately 800,000 wage employees of more than 50 agencies in well over 300 separately identified localities. They have been paid under a veritable hodgepodge of widely differing agency policies which have resulted in baffling differences in pay for people doing identical work within the same wage area.

These varying policies result in situations where, for instance, a warehouse laborer working for one Government agency in a city was being paid $3.60 an hour—and his counterpart, working for another agency in the same city, was getting $2.81. What is most disconcerting is that these situations are not that uncommon.

Even the attempts made by the Civil Service Commission's introduction of the Coordinated Federal Wage System in 1967 did not do enough. Since, under the system, pay is generally fixed on the basis of area surveys, "thousands of wage board employees are invariably getting—for a variety of reasons—the lowest common denominator of pay, and their pay bears little relationship to a true prevailing rate concept," according to Nathan Wolkomir, the president of the National Federation of Federal Employees.

What is being urged in the legislation I am now introducing, Mr. Speaker, is briefly as follows: The act will establish by law an equitable and uniform pay system for Government employees in recognized trades and crafts, or other skilled mechanical crafts, or in skilled, semiskilled, or unskilled manual labor occupations.

We will accomplish the enviable aim of providing like pay for like work. We will establish relative differences in pay only where there are substantial or recognizable differences in duties, responsibilities, or qualifications among positions. Within a wage area comparable work will be rewarded by comparable levels of pay. There will be equality of pay for similar jobs performed in different agencies.

Very importantly, I feel, is that in the wage surveys which will be made—wherever possible at least 50 percent of private industry organizations surveyed shall be those where rates are fixed by collective-bargaining agreements.

The bill establishes within the Civil Service Commission a standing committee known as the National Wage Policy Committee. It will provide for a continuing program of review designed to keep the application of this act fully abreast of changing conditions, practices, and techniques—both in and out of Government.

The Policy Committee will be composed of 11 members. The chairman will be from outside the Federal service and is not to hold any office in the Federal service. He will be appointed by the President. Five members will be from Federal employee unions and five will be Government employer representatives.

There will be established wage committees within each Federal agency and there will also be local wage survey committees. These committees will maximize the involvement of Federal employees in the planning and scheduling of wage surveys and the establishment of wage rates schedules.

I wish to emphasize one of the key features of the bill. The chairman of the Wage Policy Committee will be from outside Government service. This will alleviate the situation which has, in the past, occasioned complaints about his lack of impartiality, because he previously was the Chairman of the Civil Service Commission and consistently voted with management.

These and other more detailed changes should serve to at last advance the wage board portion of our employment system to a par with the modernized and presently more equitable system enjoyed by clerical and administrative workers. I hope that my colleagues will direct their own efforts to helping obtain for Federal employees the basic right of "like pay for like work."

IN DEFENSE OF THE PRESIDENT'S EAST ROOM SUNDAY SERVICES

(Mr. WAGGONNER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WAGGONNER. Mr. Speaker, I am apparently not the only person who has been offended by the recent statements of the so-called theologian, Dr. Rheinhold Niebuhr, criticizing the President for holding religious services in the White House. Columnist Virginia Payette, writing in the Dallas Morning News on August 20, expressed my sentiments exactly and I would like to make her article available for everyone to read.

Niebuhr has descended from Mount Olympus and delivered himself of a titmouse when he accuses the President of displaying "a curious combination of innocence and guile" in holding these Sunday services. The truth is, rather, that Niebuhr displays a curious vacuousness of intellect and Christianity, particularly so for a theologian, when he directs such undeserved criticism at the President. A true man of God would find some more deserving area for his concern. I hope the President continues, even expands, this practice.

The column in question follows:

THOSE SERVICES IN EAST ROOM

(By Virginia Payette)

Well, for God's sake (and ours), let's leave off jumping on President Nixon because he prays at home on Sunday!

Or maybe it's because the preachers he invites in to lead the prayers are theological conservatives. On the other hand, maybe it's just coincidental that the people who object to oldtime religion in the White House have more liberal (or do I mean high church vs. low church?) leanings.

When you get down to it, it's really kind of hard to figure out just WHY the clerical critics are rushing in where even Democrats fear to tread. The Lord knows the poor man has plenty to pray about. In that job he needs all the help he can get, and let's not quibble over how he goes about it.

But the zaps are coming in. From—of all people—a couple of certified, blue-ribbon theologians.

The first nip came a few months ago when the Rev. Harvey Cox of Harvard had a few unkind words to say about the President's plea that youngsters turn to religion for some of the answers they seem to be seeking.

MR. COX KICKS

The Reverend Mr. Cox said frankly that he and his fellow preachers were having enough trouble getting the kids interested in religion "without having Nixon support it." (And he wasn't struck down by lightning, or anything.)

Now, along comes Dr. Reinhold Niebuhr, a 77-year-old theologian who's known mostwheres as our most respected Protestant thinker. Well, he's been thinking, and he protests that President Nixon is bending the First Amendment "by a curious combination of innocence and guile" when he holds those prayer meetings in the East Room of a Sunday morning.

Never mind how informal they are. Or that they're almost so nonsectarian they could pass for chapel in a prep school. Dr. Niebuhr thinks they are establishing a "conforming religion."

He's afraid President Nixon is latching on to Scripture to line up help for his own political ends—and this is just the kind of thing that put the fear of God into our Founding Fathers, he says, and made 'em stick that First Amendment in there in the first place.

Apparently Dr. Niebuhr feels the church's deep thinkers would do better to spend their time shooting moral criticism at the White House, instead of wasting their time praying there.

DISLIKES LIST

And he's not the least bit happy that the guest-preacher list has included not only evangelist Billy Graham and positive thinker Norman Vincent Peale, but also a Catholic, a Jew and a Quaker. (Would he prefer, maybe, Madalyn Murray O'Hair, who doesn't like prayer even a quarter of a million miles out in space?)

Dr. Niebuhr seems to be afraid that none of these men will ever come out against any Nixon program now, no matter what.

"It is wonderful," he says, "what a simple White House invitation will do to dull the critical faculties," and it just shows that those Founding Fathers were right all along.

He also wonders whether the late Dr. Martin Luther King, whose civil rights program sometimes differed from Mr. Nixon's, would have been invited to mount the temporary pulpit.

Well, that we'll never know. Dr. King died before Mr. Nixon's religious practices became such a public concern. But chances are he'd have accepted the President's invitation, prayed over him on Sunday, hoped he'd saved a sinner, and said what he thought on Monday.

And so, no doubt, will all these other guest preachers.

THE CIVIL RIGHTS DIVISION LAWYERS' REVOLT

(Mr. WAGGONNER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WAGGONNER. Mr. Speaker, the Washington Evening Star hit the nail on the head in an editorial in their Wednesday, September 3 issue when, in reference to the so-called revolt of lawyers in the Civil Rights Division of the Department of Justice, the writer said:

We do not suppose that the Attorney General or the President will permit lawyers in the Department of Justice to dictate administration policy.

The fact that this malcontent group wants to charge ahead with forced integration of schools in spite of HEW Secretary Finch's plea that to do so would produce "chaos, confusion, and a catastrophic educational setback,'" shows their mentality, their morality, and their consciences or, rather, the lack of the three.

There is every evidence that the Department of Justice is headed for the first time in decades by a man of integrity, honor, and compassion, who does not believe in harassing the private sector with bureaucratic niggling for the sole sake of forcing on them an ideology, politically conceived, which will bring about a catastrophic educational setback.

Thank God for men of his caliber. They are a long time in coming.

If the malcontent group of lawyers cannot serve under a man like Attorney General Mitchell, they should submit their resignations and be on their way.

The Star editorial follows:

"REVOLT OF THE LAWYERS

The reports that many, perhaps half, of the lawyers in the Civil Rights Division of the Department of Justice are considering a mass resignation do not make a great deal of sense.

Their principal grievance, if the reports are accurate, flows from the administration's decision to obtain from the Fifth Circuit Court a three-month delay in enforcing a school integration order in 30 Mississippi school districts. The lawyers are supposed to believe this represents a retreat by the administration, and they are said to want a statement from Attorney General Mitchell affirming a department policy of strict civil rights law enforcement.

They are not likely to get it. For one thing, if such a demand were actually to be made, it would be presumptuous, to say the least. We do not suppose that the attorney general or the President will permit lawyers in the Department of Justice to dictate administration policy.

Furthermore, as we see it, the action in the Mississippi case does not amount to a retreat on civil rights. More probably, it reflects the use of at least a little common sense in trying to solve a most difficult problem.

The real request for the delay came, not from the attorney general, but from HEW Secretary Robert H. Finch. He told the appellate court that an attempt to implement the desegregation plan by the begin-

ning of this school year would produce "chaos, confusion and a catastrophic educational setback." The additional time is needed, he said, for further study and the preparation of additional plans to smooth the way.

If the critics do not believe Finch, they should at least take note of the language used by the court in granting the requested delay. "It is a condition of this extension of time," said the judges, "that the plan as submitted and the plan as finally approved shall require significant action toward disestablishment of the dual school system during the school year September 1969-June 1970." That is plain language. Clearly, the administration did not request and the court did not grant an indefinite delay in this matter. There must be "significant action" toward desegregation in this school year.

In our view, this is a judicial attitude that is both hard-nosed and unwise. It could very well still result in the "catastrophic educational setback" to which Finch alluded. For experience elsewhere, including the experience in this city, rather clearly indicates that parents cannot be forced in the name of integration to send their children to schools which they do not want them to attend. And in Mississippi the drift away from public schools to private schools is already under way. If it continues, the quality of public education will be the principal victim.

However this may be, it is clear that the administration has requested and the court has granted a delay of three months—nothing more. The discontented lawyers and the other critics should take time to examine the record before jumping to the conclusion that civil rights are going down the drain in this administration.

TINDERBOX IN LATIN AMERICA

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, the August 16, 1969, issue of the Saturday Review features a most thought-provoking article, entitled "Tinderbox in Latin America."

Written by Ambassador Sol M. Linowitz, former Ambassador to the Organization of American States, the article calls attention to facts which cannot be ignored by anyone concerned with our hemisphere's future.

Ambassador Linowitz's many years of experience in the business and diplomatic worlds and his knowledge of Latin America have provided him with tremendous insight into the problems which beset our hemisphere and the directions we ought to pursue in seeking solutions to them.

Accordingly, I am sure my colleagues are interested in what Ambassador Linowitz has to say:

TINDERBOX IN LATIN AMERICA

(By Sol M. Linowitz)

For some time now it has become a tired Washington cliché to issue periodic pronouncements to the effect that United States relations with Latin America are in a state of crisis and we must, finally, do something about it. It would be difficult to find anyone, no matter how sparse his knowledge of the hemisphere, who would argue about the crisis half of the cliché. It is the latter part—"do something about it"—that causes all the trouble.

James Reston once observed that the American people will do anything for Latin America except read about it. The apathy is so widespread and endemic, however, that the usually reliable Mr. Reston may have overstated the case with regard to the American people's willingness to do anything for their hemispheric neighbors.

There is a paradox about the situation that contributes to making it one of the most perplexing among the many foreign policy problems that periodically plague Washington administrations, no matter what their political gender. Beginning with Franklin Roosevelt and his Good Neighbor Policy through John Kennedy and the Alliance for Progress, Lyndon Johnson and the summit meeting of American presidents, and now Richard Nixon and the Rockefeller Latin American study mission, no President, Democratic or Republican, in nearly two generations has denied the importance of Latin America, or has claimed it can be neglected or ignored.

Yet despite all the programs and official avowals of concern, who can find any sense of excitement about Latin America among the people of the United States? That does not mean we do not get worked up over a Castro, a Cuban missile crisis, a Dominican Republic crisis, an oil company expropriation, a fishing boat seizure. Or that we are not shocked when the visit of a Governor Rockefeller, who is rightly regarded as a friend of Latin America, touches off nasty demonstrations.

That is the heart of the paradox, for the emotions are genuine and the concern is real. Yet when the crisis of the moment is over, emotion subsides and concern is shrugged off, and once again we turn our attention to another part of the world—until some new Latin explosion, such as the El Salvador-Honduran clash, reluctantly drags it back again to our own hemisphere.

To suggest that this lack of public interest is directly responsible for the state of affairs in Latin America would be less than accurate. Surely it is not responsible for the nagging economic underdevelopment that grips the continent and its 240 million people—240 million who will be 600 million before the century is out, and, if circumstances continue as they are, many times poorer.

The other side of the coin, however, is that our public disinterest sharply points up the inescapable fact that there is no real Latin American constituency in the United States—a political nuance that the Congress has not failed to notice.

Last year, for example, we disappointed the people of Latin America with cuts in our appropriation for the Alliance for Progress—cuts that made it the lowest since that vital program was launched in 1961: $336-million against some $500-million in 1966 and $460-million the following year. This year President Nixon has proposed an appropriation of $603-million, and already we are beginning to hear the sound of chopping on Capitol Hill.

Obviously, it is far from the intent of Congress to do anything that would slow the rhythm of development in Latin America, for that could only weaken the constructive forces of peaceful change and give impetus to those who believe in violence as the way to alter the status quo. But cutting our share of the alliance appropriation has this precise effect, whether that is the intent or not, and the United States cannot evade responsibility.

What it all boils down to is that we cannot help Latin America solve its economic problems with bargain-basement tactics. We cannot do it on the cheap. Rhetoric is fine in its place, and the ringing words of our regard for Latin America make for fine speeches. But without the financial commitment to back up the words we are in trouble in this hemisphere, and we had better make no mistake about it.

Too often in our relations with Latin America over the years we in the United States have not done as we said, nor have we always said clearly just what it is we would do. Our promises, moreover, have not always withstood the test of time or pressure. The people of Latin America have good reason to be confused about how seriously we regard them and their problems and, based on past experience, even better reason to have skepticism with regard to the credibility and continuity of the commitments we make to them.

There should be no doubt that this uncertainty in Latin America is a contributory factor in the repeated demonstrations of anti-U.S. sentiments that crop up with disturbing frequency, or that it is a potent weapon in the hands of those who relish the nation of a fragmented Western Hemisphere, with the South being played off against the North. Nor can there be any question that the time is long past for Washington to undertake a credible commitment to the republics of Latin America that will resolve the doubts that now give rise to such uncertainty and even to fear.

President Johnson, following the summit meeting of American presidents at Punta del Este in 1967, went a long way toward extending such a commitment when he said, "We will persevere. There is no time limit on our commitment." But realistically speaking, the words he spoke did not have the force of law or of a treaty—a fact Congress made all the more evident when it cut the alliance funds last year. And with a change of Administration, accompanied by all the uncertainty that such a change brings with it, the Latins are still wondering how far we will go, and to what extent we will persevere.

It was not, I am sure, President Nixon's intent to add to this uncertainty when, a few months after taking office, he addressed the Organization of American States and strongly criticized the alliance for all that it had left undone. Even the dispatch of Governor Rockefeller on his fact-finding mission, rather than help assuage fears that Washington was contemplating a major change in its Latin American policy, only intensified the uncomfortable feeling that, once again, things were up in the air.

Inevitably, there will be much of value in what Governor Rockefeller will be reporting to the President, but the point cannot be overstressed that we need, above all, patience, perspective, and the determination to see the job through. Latin America should not be an issue for domestic party politics. Quite the contrary, it offers what is perhaps the most inviting area for constructive and imaginative bipartisan foreign policy cooperation.

It is the kind of cooperation that must look beyond the immediate horizon and focus on another far off, one still shrouded in clouds of uncertainty. For no matter what we do, no matter how firm our commitment, no matter what funds we appropriate to help the people of Latin America to build and to develop their continent, no matter what our trade policies, we cannot guarantee the future; we cannot say that if we do this Latin America will be an unwavering ally and firm friend of the United States, that it will offer us a vast commercial market for our goods. No one—politician, economist, or seer—can offer any such guarantee. And even if he could, it would be a poor motivation for the kind of effort that must be undertaken for the remainder of this century.

Latin America is not for sale to the highest bidder, and if we gear our programs with the idea that it is, we are in for a sad awakening—an awakening that, as recent events demonstrate, has already begun. What we must understand is that change in Latin

America is inevitable. The only question remaining is whether it is to be a violent change or a relatively peaceful one, and obviously, therefore, our own best interests would dictate that we aid those forces seeking to build and to strengthen economic and political democracy in Latin America.

If they should fail, the change that is bound to follow can only be one of violence. All the explosive ingredients are present. For in Latin America, even as in the United States, we cannot expect people denied hope and dignity to sit patiently while life and the world pass them by.

The point has been made that if Latin American governments do not pass badly needed economic and social reforms they deserve to fall. And it has been argued too that perhaps some violence may be necessary to convince the oligarchies and military governments that desperate conditions beget desperate actions. To some extent it is difficult to answer these arguments. It is all too true that in too many cases Latin governments are not doing all they should and all they could to cope with the underlying causes of economic and social underdevelopment, nor are they doing enough of what must be done to promote the growth of representative government responsive to the will of the people. These facts are all too glaring to be swept under the rug, and we should recognize them for what they are—part of the reality of Latin America today.

What all this points up is the truism evident wherever people are struggling to be free—economically, socially, and politically: Time is not on the side of those who would shelter the status quo. Those who would see democracy and freedom fulfill their destiny have the responsibility of seeing to it that the vicious circle of poverty, sickness, and illiteracy is broken once and for all. People within its orbit live outside the mainstream of society and really play no part in shaping their nation's policies; because they are not part of the democratic process, they have little stake in it.

Clearly we must do all we can to encourage the growth of orderly, democratic procedures sensitive to the needs of the people they are designed to serve. But we can not and must not elbow our way into another country's system, telling it how it should manage its affairs, as if we had all the answers. We haven't, as the problems before us of putting our own house in order aptly testify.

What we can do, however—and what we have not done with any real consistency—is to make clear our firm commitment to representative government and to the growth of political democracy in this hemisphere. Such a policy will enable us to develop special friendships with Latin America's men of vision, with the men who know that peaceful social progress is endangered by any entrenchment of the privileged few.

Today the despair that exists in much of Latin America provides the climate in which a Batista or a Castro flourishes best, or in which a despotism of the right can provide the foundation for a dictatorship of the left. Or vice versa. It is a situation that only underscores the urgency of continuing the partnership launched eight years ago this month when President Kennedy, following a Latin-inspired initiative known as "Operation Pan-America," pledged the support of the United States to the Alliance for Progress.

The alliance was a magnificent concept, with goals and aspirations to match its grandeur. If it can be faulted in hindsight, it would be for assuming that the job could be done in ten years. That, and setting an annual growth-rate goal without recognizing that the birth rate was shooting up at a pace that far exceeded Latin America's growth-rate capabilities.

But who can argue that any program of the scope and reach of the alliance—a program designed to bring about the upheaval of the Latin American continent and build a healthy, vibrant, economically secure, and politically sound inter-American community—must not set its sights high, and that it must not keep them there? Surely not the people who live without amenities of civilization, or without hope of a better tomorrow. For they can attain that tomorrow only if there is no compromise in the fight to attain the goals the alliance so eloquently set forth—goals for better housing, education, health, tax and land reforms, a revitalized and modernized industry and agriculture, and an integrated continent-wide economy.

Yet the yearly per capita growth rate still is well behind the Punta del Este goal of 2.5 per cent. The birth rate soars. Fifty per cent of the people are illiterate. The cities are clogged with workless *campesinos*. Tight protective tariffs protect inefficient monopolies. Feudalism persists in the countryside, and the people there go hungry or move away.

If it was a mistake then to hope that this could be changed in ten years, it would be catastrophic now to turn our backs on what has been done. True, economic sufficiency remains a distant goal, but for the first time a way has been charted out of the Latin American jungle of underdevelopment.

The statistics add up to an impressive total, particularly in an area of the world that has never experienced such concentrated doses of progress. But no statistic can possibly convey the meaning of a new road that slices through an Amazon jungle and links up a hitherto isolated village with the heartland of its country. Nor can it convey the significance of a new classroom opened for children in the plateaus of the Andes or in the *barrios* of the cities; of a *campesino* who now works his own farm; of water supplies made potable; of infant mortality rates reduced; of a family able to quit the sordid life of the slums for a new start in a new apartment.

And with all the statistics totaled up, it is clear that the alliance has devoted more of its resources to investments in the social areas, particularly education and health services, than in any other sector.

The actual rate of Latin American development, therefore, is higher than the economic growth charts indicate simply because social investment is not reflected in Latin America's gross product. But the direct effort to speed up the processes of education and social welfare is the surest guarantee that an obsolete social order will be peacefully transformed, as in Japan or Britain, rather than explosively altered via the violent, revolutionary routes of eighteenth-century France or twentieth-century Russia.

What must be understood above all about the alliance—and perhaps the most misunderstood feature, even among a number of our own key government officials—is that it is not a bilateral American aid program, but rather a cooperative self-help program, to be carried out primarily by the people of Latin America. The United States is one partner in this program, of which 90 per cent is financed by the countries of Latin America. The alliance is not ours to manipulate, and the amount we appropriate, therefore, is no handout, but a hand of help extended in friendship. Congress must not forget this when considering how much we can afford to appropriate for our share of the effort.

When all is said and done, and with all that remains undone, there is no escape from the conclusion that eight years ago the alliance launched a truly creative, regenerative development program. But it was, and is, only the first step in a long journey. In our inter-American relations, we need most of all a sense of propriety, a sense of time, a sense of scale, and a sense of destiny.

As for propriety, Americans may find wry amusement in cartoons that depict the stereotyped Latin American—the sleepy, guitar-playing, sombrero-wearing, not too ambitious but pleasant fellow. But the stereotyped North American—the Yankee with the dollar sign for a heart—is hardly the object for smiles in Latin America. The truth, of course, is that neither stereotype is valid today, if it ever was.

The people of Latin America are a combination of some of the wealthiest cultures our civilization has known. Its young people, with their passion for country and their zeal for the future, are restless and prone to impatience. They are skeptical of our aims and so are more willing to blame us for their problems than to understand the difficulties in solving them. Yet these are the people with the mystique and the vision of grandeur who can spark the enthusiasm and loyalties of their countrymen. They are the people who are so anxiously searching for a revolution of social justice—the very people we must convince that we want to work with them because our continued partnership is essential to the future of freedom. In so doing, anti-Communism as such will not get us very far. It is not a powerful argument for the average citizen who is steeped in a personal struggle to keep his head above water.

A student at the University of Chile once summed it up when he told me: "The United States is constantly talking about the value of political democracy. We agree that it is essential, but we also feel you would accomplish far more if you said less about political democracy and put more of your weight behind the concept of economic democracy."

What he was saying is that city slum dwellers denied hope and illiterate rural Indians denied even a glimpse of the twentieth century neither comprehend the meaning of political democracy nor offer any foundation to sustain or to nurture it. They will either remain mute or give their sullen support to the demagogue or "leader" who elbows his way through the masses offering them protection and food. These are the staple commodities they want and need, and no promise of a better life made possible by democracy can vie with them. As former Senator Paul Douglas once said, "When you offer a starving man a choice between the Four Freedoms and four sandwiches, he always chooses the four sandwiches."

When, however, attention is given to questions of basic order, when roads and streets are made safe, when food, clothing, and shelter are made available, when attention is given to living conditions, when the masses discover they can rear, educate, and marry off their children and leave them an opportunity for a better life, political democracy becomes not only possible, but imperative. For as living standards rise, democracy becomes the only political system through which that better life can be sustained and advanced. And this is to the mutual benefit of all the Americas.

As for time, no nation has fully modernized itself in less than sixty years. The United States took much longer. In eight years Latin America, despite false starts and frustrated hopes, has made more progress than we had any right to expect. Realistically, however, it would be unwise to think in terms of less than thirty years for full-scale modernization of the continent. After eight years the alliance must, therefore, be regarded as in its infancy. Any other view does injustice to Latin America.

And this leads to the need for a sense of scale in our relations with Latin Americans, including a sense of proportion in both the United States and Latin America. We must look at our hemisphere with a new eye of understanding, one that recognizes its importance to the future peace of the world. We cannot take Latin America for granted, believing it will be there when we need it. We need it now no less—and perhaps more—

than it needs us, for what happens there in the closing years of this century may well shape the coming years of the next century.

As for Latin Americans, it is time for them to recognize that the United States is not the wielder of the big stick of the 1900s, that we mean what we say about wanting to work with them, that our commitment is to an inter-American community of equal states. In short, they must turn away from memories of the past and turn instead to our mutual hopes for the future.

We talk of destiny, of partnership, of shared hopes and efforts toward hemispheric unity. But what does that destiny look like if our hemisphere ends up half suburb and half slum? Is this the limit we set to the creative, working partnership the American presidents established at Punta del Este to meet the increasing needs of today's "revolution of rising expectations"?

Surely our destiny is more in keeping with the brave new world we have always sought to build. Surely it is more in keeping with our faith that the dream of Simón Bolívar will flourish at last, like the dreams of our own founding fathers—that this hemisphere will grow in prosperity and confidence into a model of new states, with all their diversity of cultures and differences of gifts, can work together to improve and enrich and ennoble their common life.

We shall not do this with cold, lifeless graphs and charts. We shall not do this with Congressional cuts. We shall not do this between today and tomorrow. But with time and with resources, and with the republics of the Americas all working together, it can be done.

CRISIS IN WORLD STRATEGY: THE SOUTH WEST AFRICA STORY

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, in previous statements in Congress, I have described the vast area known as southern Africa as one of the key strategic spots of the world.

Its significance in the defense of Western civilization—as recognized by competent students of world strategy—was dramatized by the closure in 1967 of the Suez Canal, which forced shipping between the Mediterranean and the Indian Ocean to sail around the Cape of Good Hope.

One of the regions in southern Africa about which there has been much uninformed and pernicious discussion in the press of the world is South West Africa, which is an extensive territory under the jurisdiction of the Republic of South Africa.

Because it is important for the people of the United States, Members of Congress, and officials of the executive branch of their Government to have actual facts as well as harmful propaganda, the American Security Council, in a recent Washington Report, summarized the story of South West Africa in a brilliant article by John F. Lewis, coordinating editor of that publication.

For those who may wish additional authentic information about southern Africa, attention is invited to three notable books. Two are by Dr. Eschel Rhoodie: "South West—The Last Frontier," and "The Third Africa," both published in 1967 by Twin Circle Publishing Co., 86 Riverside Drive, New York, N.Y. The third is by Dr. Robert Gayre, "Ethnological Elements of Africa," published in 1966 by the Armorial Ltd., Darnaway St., Edinburgh, Scotland.

As an example of hostile agitation in the United States against the proudly pro-Western civilized Government of the Republic of South Africa, I would again warn the Congress and responsible officials of the executive department of our Government concerning the book, "Apartheid and the Limited Nations Collective Measurer," edited by Amelia C. Leise, and published in 1965 under the auspices of the once great organization, the Carnegie Endowment for International Peace, United Nations Plaza at 46th Street, New York, N.Y.

This volume by the Carnegie Endowment for Peace is a general staff type of war plan—prepared with the assistance of the West Point faculty—for an amphibious assault on South Africa. It estimates that the casualties would be between 19,000 and 38,000 killed and wounded, which no doubt are intended to be primarily from the youth of the United States.

Mr. Speaker, I would emphasize that the Republic of South Africa is by far the strongest and most stable on the entire Continent of Africa, which serves as a bastion of Western civilization.

An armed assault on South Africa would be far more disastrous than anything the world has witnessed since World War II.

I believe that I reflect the voices of our more thoughtful citizens when I say they do not wish any more Korean or Vietnam wars—on the deserts of the Sinai Peninsula, South West Africa, or anywhere else.

The previously mentioned article by John F. Lewis follows:

THE SOUTH WEST AFRICA STORY

(By John F. Lewis)

If a majority of the member nations in the UN had their way the world would be at war this year over one of the least known and most misunderstood areas of the globe—South West Africa.

Led by propaganda and political pressure from the communist bloc states and fed by a combination of misconceptions and demagoguery from the so-called Afro-Asian bloc of nations, the United Nations has very nearly committed itself to launch a military campaign to oust the white man—specifically the Republic of South Africa—from administration of the territory.

For 50 years, South Africa has run South West Africa under terms of a League of Nations mandate to administer the one-time German colony that was the Kaiser's pride before World War I.

What is more, even the most critical observers of South Africa's administration concede South West Africa has been run well and has prospered far beyond reasonable expectations.

Despite drought, limited communications through sparsely settled country, and the great diversity of its people, South West Africa's post-World War I bankruptcy has been converted under South African supervision to a point which allows the country today to export capital. During the days when the British ruled South Africa and, consequently, South West Africa, the level of real output (1920–1945) doubled. Since South Africa became a republic and cut loose their ties to the British crown the growth rate has been even more remarkable. For example, during the period 1961–1965, when the population of South West Africa was rising at a rate of about 2.4 percent per annum, gross domestic output in the territory increased on an average of 12.6 percent per annum. This has been reflected in a per capita income growth rate to the non-white population of the area an estimated five to ten times that of most of the non-white administered states of the African continent.

Its tribal peoples have known a peace, stability and progress which they never enjoyed for periods of more than a decade prior to the end of World War I.

Only because the West, and particularly Britain, France and the United States, have no intention of waging war against the South Africans; only because the Soviet Union is unwilling to commit its own military might to such an adventure, and only because the Afro-Asian countries are unable to do so, has aggression against one of the most peaceful portions of this violence-plagued earth been averted in 1969.

Because it may not be averted in the future, it is important that the facts of South West Africa's story be known so the myths may be exposed before it is too late.

GEOGRAPHY AND PEOPLE

Facing on the Atlantic side of southern Africa, South West Africa shares a northern border with Portuguese Angola, an eastern border with Botswana and the Republic of South Africa and a southern border with South Africa. It has limited frontier contact with Zambia in its extreme northeast.

The territory is slightly larger than Texas and Louisiana combined, consisting of some 318,000 square miles. Fifteen percent of its total area is virtually useless except for one currently very important consideration—defense. This region is the Namid, a desert of dunes between the pounding waves of the Atlantic and the country's central plateau that varies in width from 50 to 80 miles along its entire west coast.

The Namid is formidably hot, utterly arid and a frightening obstacle for any would-be invaders from the sea. It is perhaps the earth's most desolate piece of real estate.

An inland escarpment which is known as the Central Plateau, covers more than half of the territory and also stretches from South West Africa's northern border to its southern border. It ranges in altitude from 3,200 to 6,500 feet above sea level.

The plateau offers a diversified landscape of rugged mountains, rocky outcrops, sand-filled valleys and gently rolling plains, has minimal amounts of rainfall and is sparsely inhabited.

The remainder of the area is known as the Kalahar, covering the eastern, northern and north-eastern parts of South West Africa. It includes what is called the Caprivi Strip—a thin corridor penetrating the southern heart of Africa between Botswana on the south and Angola/Zambia on the north (the Caprivi Strip was carved out of British Colonial holdings in 1908 to grant German South West Africa access to the Zambezi River. It was named in honor of the then German Chancellor, Count von Caprivi.)

Though most of the Kalahari is also deficient in rainfall, parts of it such as the Caprivi Strip are well watered and well developed agriculturally.

The entire country is inhabited by less than 630,000 people and about one-sixth of that number are white. Most of the whites are of German and South African (Afrikaner) or English origin.

The largest non-white group is the Ovambo tribe, living in a virtually autonomous region of the north, Ovamboland, adjacent to Angola. They number well over 270,000. Then come the Damara people (50,000), Herero (40,000), Nama (40,000), Okavango (32,000), East Caprivians (18,000), Basters (14,000), Bushmen (13,000), Tswana and much

smaller other tribes (20,000). The so-called "coloreds," Asians or products of white-non-white inter-marriage, are a group unto themselves and number some 15,000.

TRIBAL DISTINCTIONS

The biggest misconception much of the world has about all of Africa is that all non-white populations are as one in terms of ethnic origins, color of skin and level of social, political and intellectual advancement. On top of this, of course, comes the second biggest misconception—namely that since the white man runs the governments of southern Africa in Portuguese Angola and Mozambique, in Rhodesia and in South and South West Africa, the non-white populations are being oppressed.

That is a convenient theory to espouse wherever ignorance is deemed blissful but it is hopelessly out of line with the facts in southern Africa.

If one considers the white man as a tribal grouping in South Africa, for instance, the fact is the white tribe arrived in that area about the same time many of the Bantu (black) tribes arrived from east and central Africa following great migrations brought on by the pressures of war, famine and the Arab slave trade persecutions.

The settlement of southern Africa—in terms of today's major population groups—occurred in the sixteenth to nineteenth centuries. The white man arrived in 1652 to form the first settlement at the Cape of Good Hope. However, European explorers and adventurers from Portugal, England and Spain had made landings and become familiar with some of the terrain of South and South West Africa since Portuguese Captain Diego Cao landed in 1485 just north of what is today, South West Africa's principal port, Walvis Bay. Two years later the only other modern South West African port—Luderitz—was a beachhead landing for explorer-geographer Bartholomew Diaz. Diaz then proceeded around the tip of the continent to discover the Cape, in 1488.

Only the Hottentots—now extinct as a race or tribe—and possibly the Bushmen, were indigenous to this part of Africa. Such a famous tribe as the Zulus migrated into the eastern portion of South Africa and became important only in the 18th and 19th centuries.

Though the United Nations and many of the most vocal of those countries now seeking the white man's scalp in southern Africa make the black man's experience in southern Africa sound like that of the Indian in America, there just are no parallels to be found.

Thanks to the white man's success (by the end of the nineteenth century) in putting an end to the non-white wars of tribal genocide, the non-white population of South and South West Africa today is four to six times greater than that of the white man.

In South West Africa, there are very wide differences to be noted among the tribal groupings. The Bushman is a Stone Age man—hopelessly outclassed physically and mentally by the sophisticated Ovambos, and Okavangos who similarly have little in common with the warlike Hereros and Namas.

In terms of language, customs, family and community relationships and tribal organization—each group in South West Africa, including the "coloreds," differs widely.

The United Nations has also insisted that South Africa's continued administration of the League mandate in South West Africa amounts to an "illegal occupation."

The World Court reviewed this entire issue as recently as 1965 and concluded—in effect—that the UN had no jurisdiction in the matter, that there was no evidence that South Africa had violated the League mandate and that the subject was not germane. The case was initiated at International Court of Justice by Ethiopia and Liberia yet the highest tribunal in international law found that neither country had been hurt by South Africa's administration of South West Africa and neither country even shared a common boundary with the area in question.

Yet, the UN Security Council—earlier this year—was asked by the General Assembly of the United Nations to consider the use of armed intervention to make South Africa release its administrative hold on South West Africa. The fact that there was no demand from the people of South West Africa to do this and the fact that the UN was acting in direct conflict with the World Court opinion led South African Minister of Foreign Affairs, Dr. Hilgard Muller, to comment: "We are occupying nobody and nothing. The people of South West Africa possess and occupy their own territories and they live in prosperity under our protection.

"We have been in South West Africa for fifty years already and I want to state clearly that we intend to remain in South West Africa legally because the inhabitants want us there and also because it is our intention to prevent any aggression from outside against the territory or any of its population groups . . ."

Most importantly, the major non-white tribal groups in South West Africa today live on the very homelands they originally occupied when they migrated south from other parts of the continent. They have not been dispossessed of their real estate holdings. They continue their tribal life in an unbroken pattern.

They choose their own chiefs in the way their people have chosen them for centuries. They run their own affairs. The white man interferes just enough to bring them schools, hospitals, agricultural know-how and, as indicated earlier peace.

Yet the real irony of the South West Africa story is that an independent and objective survey made among the nonwhite groups of South West Africa suggests that any attempt by the outside world to enforce the United Nations or Communist and Afro-Asian claims against South Africa's administration of the country would be as stoutly resisted by the allegedly exploited natives as by their so-called white masters.

Despite the heavy dosages of Communist-directed and financed propaganda that seeks to infect black Africa with revolutionary fervor and despite the Afro-Asian bloc sensitivity to the real and imagined affronts to their brethren in South West Africa, any attempt to use force to impose the UN's will would be the height of folly.

Furthermore, it would be a reprehensible exhibition of double standards on the part of both the non-Communist world and the UN, so long as they seemingly tolerate the truly illegal occupation of Czechoslovakia, the real persecution of Hungarians and the demonstrated fifty-year oppression of millions throughout the Communist world.

VIETNAM—WHAT NEXT?

(Mr. BROWN of California asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BROWN of California. Mr. Speaker, we cannot allow the tragic nightmare that is Vietnam to linger. Beyond all else, the failure of our Government to end our costly adventurism in Southeast Asia still ranks as the most pressing problem facing this Nation.

Of course, I do not doubt that today we are nearer to some sort of settlement than we were a year ago. But, what good is it when the progress is measured only by inches when instead it should have been in miles. I become incensed whenever I hear the pap that any progress necessarily must be slow; that is nothing more than rhetorical nonsense, empty phrases employed to cover up our real lack of true resolve.

Certainly, it is apparent that there now is more active strife off the battlefronts than on them, that the real struggle is going on between the Thieu-Ky government, combined with its friends in the American military heirarchy, and those policymakers who are pushing for acceleration of U.S. withdrawals and easing of our stands at the Paris peace talks.

Yet, because of this searing internal struggle, we face the terrible enigma of our current situation in Vietnam:

President Nixon encourages talk of phased troop withdrawals, but total troop strength has changed very little;

The emphasis is on increased "Vietnamization" of the war, but the period most generally mentioned for an effective transition to South Vietnamese control is 2 to 3 years;

Mr. Nixon goes on about the need for political settlement, but the government formed last week is even less broadly based and supported than before.

And some things never change.

The American military ethic continues to call for a victory in Vietnam, whatever that means and at whatever the cost. The Thieu-Ky government desperately hangs onto—and promotes—meager hopes of victory because it cannot tolerate settlement as long as the ruling junta represents nothing more than an extension of American policy in Asia.

After months of administration procrastination and hesitation—ostensibly because public and political pressures were lessened to avoid harming the chances for advance at the Paris peace talks—now we must realize that the situation is dismal, to say the least.

Indeed, what sort of progress should we expect when the South Vietnam Government rejects the proposed 3-day truce, and when the State Department then announces it will follow the lead of the Thieu-Ky regime. Must we interpret this ploy as meaning that we are turning over key political decisionmaking to the Vietnamese generals? I hope not.

Right now—today—we have reached a crucial point in the course of our Vietnam dilemma. Even before the death of Ho, there were encouraging signs from both Hanoi and Paris; most heartening of them was the report by Jonathan C. Randal of the Washington Post that Hanoi's chief negotiator had hinted that rapid and massive troop withdrawals could get the talks going again, and that North Vietnam would no longer insist—that the Saigon regime be replaced by a provisional coalition government.

The time is right for decisive American action primed to bring about peace in Vietnam. I suggest two immediate steps to President Nixon. The President should:

First, accept the 3-day cease-fire, and take initiative to make it into a permanent, lasting truce;

Second, speed up troop withdrawals at a pace six or seven times as fast as we now are going, and make sure that troop withdrawals are counted against total troop strength, instead of making it all a futile numbers game.

Over 2 years ago, in a speech given at the Los Angeles town hall, I outlined a four-point approach which I felt contained all the necessary elements to achieve an immediate end to the war, along with bringing a political settlement acceptable to both sides. I believe those four suggestions still are valid—still must be done—and I now reiterate them.

I call upon the President to take the following steps:

First, order our half million troops, our massive air and naval fleets, to cease fire and stand fast. Announce to the enemy and to the world that our soldiers will fire only if fired upon, but if fired upon will take all steps necessary for their own defense.

Second, asks the Geneva powers to reconvene, under call of the cochairman, to a neutral site in Asia, with the National Liberation Front participating as a belligerent.

Third, participate in good faith negotiations as long as necessary to reach a settlement, making clear that he will be guided by the basic principle that the future of South Vietnam shall be determined by the freely expressed decisions of its own people.

Fourth, insist that the final agreement be guaranteed by the great powers, and adequate enforcement machinery provided.

That town hall speech was entitled "Vietnam—What Next?" The title remains true. Yes, over the 25 months since that speech, there has been progress. But the killing, the destruction, the resource losses, the alienation which splits the entire world community, all those existed 2 years ago, and they all continue.

Surely we must agree that if the conventional wisdom cannot provide the solution, then we must be prepared to try new and different—even radical—methods of bringing about the objectives of peace and security for all peoples.

The traditionalists have blundered time after time by staying only within the bounds—and binds—of orthodox diplomacy and brinkmanship. And, in one way, we do owe them thanks, for, if anything, the traditionalists have succeeded in convincing the great majority of Americans that the war must be settled quickly—and, strangely enough, even if it means that we do not win the conventional military victory we have been promised so often—and so erroneously—in the past.

Thus we find a significant change in attitude by the American public, but that change is not reflected by either our position on a political settlement for South Vietnam or on the military strategy of the generals who run the war.

Earlier I recommended two immediate steps that must be taken now to insure a quick settlement; the town hall speech brought up even broader guidelines. Even so, those suggestions are just initial policies, but they are most important ones.

I urge my colleagues—as I urge all Americans—to stress the necessity for these proposals. As for myself, I see no greater task for any man than to give his entire energy to achieve peace in the world at this time, and I am willing to do that. I will understake any effort which might lead to peace, including travel to both North and South Vietnam to consult with their leaders if such action might lead to a new spirit of compromise and a a realistic political settlement.

Mr. Speaker, no one in this Chamber is happy about the state of affairs in Vietnam. Congress has allowed this tragic war to escalate beyond all comprehension. Now let us act to bring a just and quick peace, for we all know that it can be done.

In the past two days, I have come across a number of important news stories relating to the situation in Southeast Asia, and I insert them in the RECORD at this point:

[From the Washington Post, Sept. 7, 1969]

NIXON'S SECOND CHANCE: DEATH OF HO PROVIDES OPPORTUNITY TO MAKE FRESH BEGINNING ON PEACE IN VIETNAM

(By Joseph Kraft)

President Nixon missed the opportunity to make a fresh beginning on peace in Vietnam when he took office last January. But the death of Ho Chi Minh—with its incalculable impact on North Vietnam, the insurgency in the South and relations with Russia and China—gives him a second chance.

The serious question at this time, accordingly, is not what happens next in Hanoi. It is what happens next here in Washington. For to make the most of his second chance, the President will have to institute changes in his policy of troop withdrawal, in his attitude toward the Saigon regime and in his negotiating stance.

Troop withdrawal has been moving at a pace that would give snails itchy pants. The total American troop level in Vietnam is now only about 2,500 below what it was when Mr. Nixon took office. At that rate, a couple of hundred years would elapse before American soldiers finally got out of Vietnam.

The practical effect of that slow pace is to enshrine the principle of "see it through with Nguyen Van Thieu." Gen. Thieu is under no pressure to put together a broad-based regime capable of standing on its own feet and slugging it out with the other side. On the contrary, he has just put together a regime remarkable for its narrow base and lack of popular appeal.

Neither is Gen. Thieu under pressure to come forward with proposals that engage the other side. On the contrary, he is free to pursue a phony peace offensive—a series of spurious proposals that serve only to put the other side off.

Moreover, the American military is under little pressure to change its tactics. Episodes involving frontal assaults on strongly entrenched enemy positions for dubious gains—as in the cases of Hamburger Hill and Company A—keep cropping up. Casualties continue to run over 150 a week.

Heavy fighting combines with reliance on the Thieu regime to impair the Nixon negotiating stance at the Paris peace talks. That stance, according to the White House cliche artists, mixes the stick with the carrot. But the stick is an iron rod of planes, tanks and destroyers that flails away night and day. The carrot is a mangy root of uncertain dimensions.

The South Vietnamese insurgents, or Provisional Revolutionary Government, are offered the chance to participate in national elections for a new government of South Vietnam. These elections would be supervised by the present Saigon government, subject only to some vague international control.

But all experience teaches that those who organize elections in South Vietnam win elections in South Vietnam. Thus the other side is never going to be tempted by elections organized by their foes in Saigon.

To break the stalemate requires a reversal on all fronts. As a first change, there is the need for a much more accelerated program of troop withdrawal. To avoid the entrenched opposition that caused the President to postpone the cuts due to have been announced last month, Mr. Nixon needs to set down in advance a firm schedule of future withdrawals that should lead to a complete pull-out of American troops within a stipulated length of time.

A first dividend would be new tactics by American commanders. With their forces ebbing away, the military would finally be constrained—in ways far more efficient than mere presidential orders—to develop a defensive strategy aimed at reducing casualties.

A second consequence would be the impact of troop withdrawal on Gen. Thieu. Maybe he would bustle about and start to build a broadly based government able to fight the enemy or beat them in a political contest. Far more likely, he would begin to search for ways to do a deal with the other side.

Either way, divorce from Thieu would make room for a change in the American stance at the Paris negotiations. There would be no obligation to sustain the principle of future elections managed by the Thieu regime. On the contrary, the administration could come up with explicit assurance that the elections would be managed by some intermediate or temporary government acceptable to both nationalists and Communists in Vietnam.

Neither would the United States be glued to the principle that all negotiations with the Provisional Government have to be done through the present Saigon regime. Washington could explore the repeated hints by officials of the Provisional Government that they were prepared to negotiate on the matter of a mutual winding down of military activity.

To be sure, changing positions is never easy in public life. But the basic fact is that Mr. Nixon has tried the easy way to get out of Vietnam and failed. His second chance is to take the hard way.

[From the Washington Post, Sept. 6, 1969]

EXTENDED VIET TRUCE SUGGESTED

(By Arthur Dommen)

SAIGON, Sept. 5—A former member of the State Department's Policy Planning Council said today that South Vietnam should take advantage of North Vietnamese President Ho Chi Minh's death to propose a long-term cease-fire at the Paris peace conference.

Professor Zbigniew Brzezinski, a leading authority on Communist affairs, indicated to reporters that there was a slight chance of a cease-fire being agreed upon in the near future.

But Brzezinski, who directs Columbia University's Research Institute on Communist Affairs, said the incipient power struggle in Hanoi would give the proposal a greater chance of consideration than it would have had.

"The death of a dominant political leader in a Communist country creates an external facade of unity behind which there is intense political conflict," Brzezinski said. "This creates the opportunity to focus the attention of Communist leaders on initiatives from abroad."

The Vietcong has set a three-day cease-fire to start Monday as part of the mourning for the North Vietnamese president.

Brzezinski, concluding a week's fact-finding mission in Saigon on behalf of the National Committee for a Political Settlement in Vietnam, described the cease-fire proposal as a "wedge" to obtain negotiations. The New York-based committee includes the former deputy chief negotiator in Paris, Cyrus Vance.

The professor said he had received a wide

variety of reactions from the different people he had discussed the proposal with during his visit, including President Nguyen Van Thieu and American Ambassador Ellsworth Bunker.

He agreed that a cease-fire proposal might be officially rejected by Hanoi. "But in the context of a power struggle no 'no' is definitive," he added.

Concentrating on the negotiation of a cease-fire in Paris might lead to the negotiation of a settlement more easily than first trying to sort out the political future of South Vietnam, he suggested.

"A cease-fire proposal is not a simple device," he said. "It would have to be negotiated. It would make it possible for both sides to talk about some of the things neither is willing to talk about in the context of a settlement. It would make discussion more palatable."

The fact that the proposal was made would "create pressures for negotiations," he believes, and "focus on the real issues."

Brzezinski believes both the Soviets and the Chinese will be "heavily involved" in the struggle for power among the second-level Communist leaders in Hanoi following Ho Chi Minh's death this week.

Brzezinski, while agreeing with the administration in its decision to intervene with American troops in Vietnam in 1965, said "most of the conditions justifying our original intervention have now been changed."

[From the Los Angeles (Calif.) Times, Sept. 3, 1969]

HANOI HINTS RAPID PULLOUT MAY AID TALKS

(By Jonathan C. Randal)

PARIS.—North Vietnam hinted Tuesday that rapid and massive withdrawal of American troops from South Vietnam might get the stalled peace talks off dead center.

Xuan Thuy, Hanoi's chief negotiator, said: "If President Nixon continues to withdraw troops rapidly and in considerable numbers we will examine this factor and take it into account."

His remarks constituted the first indication that Hanoi would consider anything less than the total and unconditional withdrawal of the half-million U.S. troops in South Vietnam.

By the same token, he hinted that North Vietnam would no longer insist on its other previously intransigent demand that the present Saigon regime be replaced by a provisional coalition government.

Left unanswered was whether his remarks to reporters at a North Vietnamese reception represented the long-hoped-for breakthrough at the deadlocked peace talks or rather a popaganda ploy designed to increase pressure on Washington.

NIXON DECISION DEFERRED

Speaking at a reception commemorating the 24th anniversary of North Vietnamese independence, Thuy was asked whether the withdrawal of 100,000 American troops would constitute sufficient proof of Washington's intentions.

In a running exchange with reporters, he denounced the first American troop disengagement as "withdrawals by dribbles" and reiterated that an unconditional evacuation of U.S. forces was "the legitimate demand of the Vietnamese people."

As if to underline that Hanoi would only consider a massive withdrawal as meaningful, he said, "It is evident that if they (the United States) continue at the present pace we cannot judge the situation."

North Vietnamese departure from its previous demand, tantamount to overthrowing the Saigon government, was contained in his answer to another question.

Asked if both previous North Vietnam's demands for a coalition government and total, unconditional troop withdrawal were still linked, he said: "These two questions are linked but if they (the United States) withdraw their troops rapidly, we will take this factor into account."

[From the New York Times, Aug. 27, 1969]

A WHIFF OF MUTINY IN VIETNAM

(By James Reston)

In every American war there have been isolated incidents of mutiny among the troops. It is the tragic human pattern. There is a breaking point where discipline, duty and even loyalty to the men at your side are overwhelmed by fear and death and a paralyzing feeling of the senselessness of the whole bloody operation. And we are now getting a glimpse of it in Vietnam.

Horst Faas and Peter Arnett of The Associated Press, two of the most courageous reporters of the Vietnam war, have now reported such an incident by men of Company A of the 196th Light Infantry Brigade's battle-weary Third Battalion in the Songchang Valley, and the surprising thing is that there has not been more of this sort of thing under the present circumstances of the war.

CONSIDER COMPANY A

Consider the position of the men of Company A. Most of them were nineteen- and twenty-year-olds, drafted into the Army. For five days they had obeyed orders to move down a jungled glen against an enemy concealed in underground bunkers. Most of their squad and platoon leaders had been killed or wounded. In the repeated attacks on the bunkers, Company A was down to sixty men, half its assigned combat strength, some of them in the last days of their year's tour of duty in Vietnam.

This is not, of course, a typical situation. Yet it must give President Nixon something to think about as he plans his Vietnam policy.

THE PRESIDENT'S WORRIES

He has been worried about the revolt of the voters against the war, and even about a revolt of the generals if he humiliates them by pulling out too fast, but now he also has to consider the possibility of a revolt of the men if he risks their lives in a war he has decided to bring to a close.

This is a devilish problem for everybody concerned, but particularly for men who find themselves in the position of Company A. The President is no longer saying that military victory in Vietnam is "vital" to the national interest. He is not claiming that a compromise or even a defeat in Vietnam would result in the "loss" of Southeast Asia. In fact, he is not only withdrawing troops from Saigon but opening talks for the withdrawal of American troops from Thailand.

Accordingly, battles for bunkers in the Songchang Valley are tactical moves in the President's strategy of retreat. He is asking Company A to fight for time to negotiate a settlement wih Hanoi that will save his face but may very well lose their lives. He is also carrying on the battle in the belief, or pretense, that the South Vietnamese will really be able to defend their country and our democratic objectives when we withdraw, and even his own generals don't believe the South Vietnamese will do it. It is a typical political strategy and the really surprising thing is that there have been so few men, like the tattered remnants of Company A, who have refused to die for it.

At some point, the President is going to have to recognize that there is a fundamental difference between his policy of withdrawing gracefully from the war, and ending the war. The difference between what is graceful and what is decisive in ending the war is a great many lives of young men like the men in Company A, and while this may not produce a revolt among the young Americans in the Army in Vietnam, it will almost certainly produce a revolt among their contemporaries in the universities at home.

The President is now said to be delaying the withdrawal of another 25,000 or 50,000 men from Vietnam because the enemy is pressing the battle, and not negotiating seriously in Paris. The suggestion is that unless Hanoi cuts the fighting and starts making concessions at the peace table, he will keep all the Americans there and may even increase the level of the fighting.

But nobody should be fooled by this. He is delaying his announcement about withdrawing more troops from Vietnam, according to our information, not to influence the enemy, but to influence the American university students just before the start of the new school year. And the irony of this is that it won't work—or at least won't work for long.

PROPAGANDA AT HOME

For the more the President says he's for peace, the more troops he withdraws from Vietnam and Thailand, the more he concedes that Southeast Asia is not really vital to the security of the United States, the harder it is to ask for the lives of the men of Company A.

They may not be typical, but they are a symbol of his coming dilemma. He wants out on the installment plan, but the weekly installments are the lives of one or two hundred American soldiers, and he cannot get away from the insistent question: Why? To what purpose? The breaking point comes in politics as it came to Company A and it is not far off. What will now be gained by this incessant killing? And how will the President or anybody else explain or excuse it?

[From the Baltimore (Md.) Sun., Aug. 29, 1969]

HONEYMOON OVER, BUSINESSMEN SAY: NILES GROUP VISITS WHITE HOUSE, PRESSES VIET PEACE

(By John S. Carroll)

WASHINGTON, Aug. 28.—The Business Executives for Vietnam Peace stopped by the White House today to notify the Nixon administration that the honeymoon is over.

Henry E. Niles, the Baltimore insurance executive who is head of the group, said he and two others spent an hour talking with John Holdridge, a senior staff member of the National Security Council.

"NOW IT'S NIXON'S"

"We came out feeling, "Well, it used to be L.B.J.'s war, but now it's Nixon's" Mr. Niles explained, adding:

"We are unhappy that, seven months after the start of the new administration, there seems to be no real progress towards peace—plenty of words, but little action."

The anti-war group, which claims 2,500 business executives and owners as members in 49 states, left a memorandum at the White House addressed to Henry A. Kissinger, the President's assistant for national security affairs.

"The honeymoon period is ended," the letter said, "and the President must make good his promise to end the war or his ability to govern will be impaired."

Forecasting an end to the relative calm in the anti-war movement, the letter said students are planning protests in the fall, while there is growing unrest among soldiers.

"It is questionable whether the government can continue to have the loyalty to the people if it continues to go against what the majority wish and what was promised . . . namely, an end to the war."

In an interview after his White House visit Mr. Niles acknowledged that pulling out American troops "could very well mean supplanting the Thieu-Ky government by a coalition."

He was accompanied to the White House by J. Sinclair Armstrong, a banker who has served as assistant secretary of the Navy and as chairman of the Securities and Exchange

Commission, and Wallace T. Collett, a corporation vice president from Cincinnati.

[From the Washington Post, Sept. 8, 1969]

HO'S DEATH: "SO IT GOES"

(By Nicholas von Hoffman)

When during a war the leader of one side dies, it's customary for the other side to cheer. With the passing of Uncle Ho our cheering has been ragged and hesitating.

Here in the homeland of Uncle Ho's most powerful and dedicated enemies, even here his obituaries have been tinctured with praise and admiration. You get the feeling that the people who hated him because he was a Communist would have traded Uncle Ho for Thieu, Ky, Diem and several boatloads of the more important corruptionists, dope smugglers, double agents, deserters and liberty lovers allied with us.

Uncle Ho alone appears to have come out of the war with his reputation. In death he seems the one outstanding man the war has produced. This curiously popular head of an enemy country has even had his communism explained away. "He turned to communism as a means—not an end—to achieve his lifelong goal of freedom and unity for his homeland," said the lead editorial in The New York Times.

The pro Uncle Ho sentiment has been so strong that the other night on NBC Chet Huntley had to remind us not to be carried away. The old man had killed a lot of innocent people, he said, but the same has been said of the American Presidents involved in Vietnam.

Our reaction to these massacres is like Kurt Vonnegut's in his novel, *Slaughterhouse-Five*. "So it goes," he says, because if you meditate on all the death and dying you'll go crazy, the facts'll burn out the eyes of your mind. Uncle Ho killed a lot of people. So it goes. A boy driven mad by the war blows his brains out on the Capitol steps. So it goes.

It was said against Uncle Ho that he was a professional revolutionary. The United States has its professional revolutionaries too. Men like Allen Dulles and Richard Helms, the CIA bosses who differ from Uncle Ho in that he wanted to commit a revolution in his own country while they want to do it in other people's. Uncle Ho was involved in politics so he did what people in that line of work do; what made him different from our bunch were his reasons, or thus it seems, because really we don't know much about him.

We're not even sure what his real name was or if he ever got married. We have some black and white newsreeel footage, some snapshots, a couple of old police dossiers; we know he was a good cook and a heavy cigarette smoker who made it to 79. Salems were his brand . . . Oh, you can get the Americans out of the war, but you can't get the war out of the Americans. But Ho was probably too busy to think up new words to old advertising jingles.

Maybe if we'd known Uncle Ho better we might not have regarded him with as much respect. The little glimpses made him so attractive. Imagine, a bandy-legged wog, renting a Sunday suit to go out to Versailles to present Wilson and Clemenceau with a petition asking that his distant, little colony be granted self-determination . . . and years later Uncle Ho still living like a poor man, wearing sandals cut from old automobile tires. There may have been a mean side to him but we never heard about that. We're left with these brief pictures to match up against our leading men.

Ellsworth Bunker, Ambassador to Vietnam and possessor of a good tailor, back in Washington for consultations as they say, his old eyelids sagging down to make drooping, mysterious triangles of his eyes, murmuring he didn't think he wanted to comment on the repercussions of Uncle Ho's death.

Presidents on airport runways in front of microphones, silvery Air Force One in the background so behind them you can read the United States of America, and you can hear the words, Presidential words, susceptible of many interpretations by American watchers and White House-ologists from the other side of the iron curtain, peace, commitments, honor, face, freedom, treaties, solemnly pledged, bombing, war.

Or the generals, Westmoreland, handsome nonwinner, all jaw and gold braid, Chapman ordering the black and white Marines to stop killing each other and get back to killing the Vietnamese (so it goes), and Hershey, doughty 75-year-old conqueror of ten thousand squeamish liberals, givin' it to the kids and telling them what an honor it is.

The kids went for Uncle Ho. "Ho! Ho! Ho Chi Minh!" they'd chant at the big rallies to end the war against him. Recently they haven't been chanting so much. General Hershey's been coming down on them heavy and they've had to spend their energy escaping. All over the country, a million bull sessions about that. Don't get busted for pot in Illinois because they've changed the law so it's only a misdemeanor now and a misdemeanor won't keep you out.

It's gotta be a felony. Steal a car, that's good if it's grand theft auto, but joy riding won't keep you out of anything. Be a teacher or a cop or a fag. Get a sympathetic draft board. Cut off a toe. There's lots of nine-toed guys who don't have any trouble hitting on chicks. You can wear shoes. What chick's going to count your toes? I know but I can't do it. Once I put my foot on the kitchen table and I had the cleaver in my hand, but, man, it was my toe, my toe, man. So get married. Have a dependent. Adopt a baby or a sick, old mother.

The kids never blamed Uncle Ho for causing General Hershey to draft so many of them. That was strange but people never were able to work up a good hate against him. Wall Street didn't blame him for the market's not cracking 1,000 on the Dow-Jones. Remember this was the year it was going to happen? The old people didn't blame him for the inflation. Strange. Strange too, thinking about a truce in a war to mourn the other side's leader. The Americans didn't do that for Hitler. The Germans didn't do that for Roosevelt.

Uncle Ho did that to this war, drained our side of righteousness, left us nothing but the fine print and the technicalities. He had a monopoly on the big phrases, the words you put on banners, so we fought for some sentences written by lawyers and printed in agate type and cheered ourselves on with the thought we have a fine professional army doing the job it was sent out there to do.

Now maybe we'll get a few of the slogans back and a little of the old enthusiasm. Ho had it, but they can't keep it in Hanoi because he's gone, dead, dead like so many others over there are dead. So it goes.

CONGRESSMAN HANSEN OF IDAHO INTRODUCES LEGISLATION TO GIVE NATIONAL GUARDSMEN AND RESERVISTS EQUAL GI BILL EDUCATIONAL BENEFITS

(Mr. HANSEN of Idaho asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANSEN of Idaho. Mr. Speaker, today I am introducing H.R. 13650, H.R. 13651, and H.R. 13652, identical bills with a total of 55 sponsors. This legislation will correct an inequity in the so-called GI bill. Under the present law, members of the National Guard and Reserve units called into active Federal service during the war in Vietnam do not qualify for the same educational benefits as do members of the regular Armed Forces with the same total active service.

During the past 2 years 98 Reserve and Guard units from 37 States, as well as many individual reservists, have been called to active duty. From my own State of Idaho, the 116th Engineer Battalion of the Idaho National Guard was activated on May 13, 1968. It was my privilege to be present in Idaho a few days ago to join in a welcome home observance on the occasion of the return of the guardsmen following a year's service in Vietnam.

The guardsmen and reservists responded to the call of duty and served in many cases at great personal sacrifice. In many instances they interrupted their education and left their jobs and families on short notice. Many have served under the most difficult combat conditions suffering wounds and the loss of life.

Members of these National Guard and Reserve units are now returning home following many months of active duty. Many plan to continue their education. Others that were not financially able to pursue their education will take advantage of educational benefits available under the GI bill.

It appears, however, that members of the National Guard and Reserve units do not qualify under the GI bill for the same educational benefits as members of the Regular Armed Forces. For Regulars, all time including the time spent in basic training is counted for purposes of determining the length of time for which they qualify for educational benefits. For reservists and guardsmen, however, the period of active duty for training prior to the activation of a unit does not count.

Fairness requires that all who serve our country in the Armed Forces be treated equally under the applicable laws. The purpose of the legislation we have introduced today is to correct the inequity of the present law and to achieve equal treatment for all.

The legislation provides that reservists and guardsmen who are called to active duty and who serve at least 6 months during the period of the war in Vietnam may include their prior active duty for training up to a maximum of 6 months in determining eligibility for educational benefits under the GI bill.

In addition to the 55 sponsors of these three bills, other Members have indicated their intention to introduce separate bills. Others have indicated their intention to join as cosponsors of identical bills to be introduced in the future.

Mr. Speaker, I include as part of my remarks the full text of H.R. 13650, together with the names of the sponsors of this and identical bills and a list of all National Guard and Reserve units that have been activated during the war in Vietnam.

H.R. 13650

A bill to amend title 38 of the United States Code to permit certain active duty for training to be counted as active duty for purposes of entitlement to educational benefits under chapter 34 of such title

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That subsection (a)(3) of section 1652 of title 38, United States Code, is amended by striking out "and section 1661(a)" and inserting in lieu thereof "of this subsection and subsection (a) of section 1661 (except as provided in the last sentence thereof)".

SEC. 2. Subsection (a) of section 1661 of title 38, United States Code, is amended by adding at the end thereof the following new sentence: "For the purposes of this chapter and subject to the limitation in subsection (c), if a veteran serves for a period of active duty pursuant to a call or order thereto issued to him after August 4, 1964, as a Reserve or a member of the National Guard or Air National Guard of any State, and is an eligible veteran as a result of such duty, any period of not more than 6 consecutive months of full-time duty performed by him after January 31, 1955, for the purpose of obtaining initial military training pursuant to His Reserve, National Guard, or Air National Guard obligation shall be deemed to be active duty."

A LIST OF SPONSORS OF H.R. 13650, H.R. 13651, AND H.R. 13652

Mr. Hansen of Idaho, Mr. Dulski, Mr. Helstoski, Mr. Pucinski, Mr. Halpern, Mr. Zwach, Mr. Denney, Mr. McClure, Mr. Anderson of California, Mr. Biester, Mr. Boland, Mr. Buchanan, Mr. Burton of California, Mr. Chappell, Mr. Cleveland, Mr. Coughlin, Mr. Cowger, Mr. Cramer, Mr. Dellenback, Mr. Devine.

Mr. Erlenborn, Mr. Esch, Mr. Farbstein, Mr. Feighan, Mr. Friedel, Mr. Gallagher, Mr. Griffin, Mr. Hastings, Mr. Hathaway, Mr. Hosmer, Mr. Ichord, Mr. Jacobs, Mr. Keith, Mr. King, Mr. Kluczynski, Mr. Kyl, Mr. McClory, Mr. McCloskey, Mr. McKneally.

Mr. Mikva, Mr. Minish, Mrs. Mink, Mr. Mize, Mr. Morse, Mr. Pepper, Mr. Pollock, Mr. Rees, Mrs. Reid of Illinois, Mr. Robison, Mr. Rooney of Pennsylvania, Mr. Sandman, Mr. Sebelius, Mr. Shriver, Mr. Tiernan, Mr. Vanik, Mr. Waggonner.

NATIONAL GUARD AND RESERVE UNITS ACTIVATED DURING THE VIETNAM WAR

(Unit and home station)

Alabama: 650th Medical Detachment, Birmingham.

Arizona: 277th Military Intelligence Detachment, Phoenix.

Arkansas: 978th Army Postal Unit, Fort Smith; 336th Ordnance Battalion, Little Rock; 189th Tactical Recon Group, Little Rock.

California: 1st Squadron, 18th Armored Cavalry, Burbank; 40th Aviation Company, Long Beach; 82d Aerial Port Squadron, Travis Air Force Base, 776th Attack Squadron, Los Alamitos; 873d Attack Squadron, Alameda.

Colorado: 140th Tactical Fighter Wing, Burkley ANG Base.

Florida: 35th Surgical Hospital, North Miami; 231st Transportation Company, St. Petersburg.

Georgia: 319th Transportation Company, Augusta; 413th Finance Disbursing Section, Atlanta; 445th Military Airlift Wing, Dobbins AFB.

Hawaii: 29th Infantry Brigade, Honolulu; 2d Battalion, 299th Infantry, Hilo; 100th Battalion, 442d Infantry, Fort DeRussey.

Idaho: 116th Engineer Battalion, Idaho Falls.

Illinois: 126th Supply and Service Company, Quincy; 482d Medical Detachment, Aurora; 724th Transportation Company, Forest Park; 52d Medical Services Squadron, Scott AFB.

Indiana: Company D, 151st Infantry, Greenfield; 890th Transportation Company, Fort Wayne; 930th Tactical Airlift Group, Bakalar AFB.

Iowa: 2d Battalion, 133d Infantry, Sioux City; 185th Tactical Fighter Group, Sioux City.

Kansas: 69th Infantry Brigade, Topeka; 169th Aviation Company, Kansas City; Troop E. 114th Cavalry, McPherson; 169th Engineer Company, Emporia; 169th Support Battalion, Kansas City; 2d Battalion, 130th Artillery, Hiawatha; 1st Battalion, 137th Infantry, Wichita; 2d Battalion, 137th Infantry, Kansas City; 995th Maintenance Company, Hays; 1011th Supply and Service Company, Independence; 842d Quartermaster Company, Kansas City; 184th Tactical Fighter Group, McConnell AFB.

Kentucky: 2d Battalion, 138th Artillery, Louisville; 950th Army Postal Unit, Lexington; 123d Tactical Recon Wing, Staudiford.

Maryland: 472d Medical Detachment, Rockville; 113th Tactical Fighter Wing, Andrews AFB; 175th Tactical Fighter Group, Martin Airport; 661st Fighter Squadron, Andrews AFB.

Massachusetts: 1st Battalion, 211th Artillery, New Bedford; 513th Maintenance Battalion, Boston; 241st Military Intelligence Detachment, Boston; 12th Reserve Mobile Construction Battalion, Boston.

Michigan: 424th Personnel Service Company, Livonia; 305th Aerospace Rescue and Recovery Squadron, Selfridge AFB.

Minnesota: 452d General Supply Company, Worthington.

Mississippi: 173d Quartermaster Company, Greenwood.

Missouri: 208th Engineer Company, Festus.

Nebraska: 172d Transportation Company, Omaha; 295th Ordnance Company, Hastings.

Nevada: 152d Tactical Recon Group, Reno Municipal Airport.

New Hampshire: 3d Battalion, 197th Artillery, Portsmouth.

New Jersey: 141st Transportation Company, Orange; 177th Tactical Fighter Group, Atlantic City Airport.

New Mexico: 150th Tactical Fighter Group, Kirtland AFB.

New York: 1018th Supply and Service Company, Schenectady; 448th Army Postal unit, Garden City; 237th Maintenance Company, Fort Hamilton; 316th Medical Detachment, New York City; 74th Field Hospital, New York City; 203d Transportation Company, Garden City; 174th Tactical Fighter Group, Hancock Field; 107th Tactical Fighter Group, Niagara Falls Municipal Airport; 904th Military Airlift Group, Stewart AFB; 831st Attack Squadron.

North Carolina: 312th Evacuation Hospital, Winston Salem.

Ohio: 1002d Supply and Service Company, Cleveland; 311th Field Hospital, Sharonville; 121st Tactical Fighter Group, Lockbourne AFB.

Pennsylvania: 630th Transportation Company, Washington; 357th Transportation Company, Greencastle; 305th Medical Detachment, Philadelphia; 931st Fighter Squadron, Willow Grove.

Rhode Island: 107th Signal Company, East Greenwich; 115th Military Police Company, Pawtucket.

Tennessee: 378th Medical Detachment, Memphis.

Texas: 113th Light Maintenance Company, Gatesville; 238th Maintenance Company, San Antonio; 921st Military Airlift Group, Kelly AFB; 34th Aeromedical Evacuation Squadron, Kelly AFB; 703d Fighter Squadron, Dallas; 22d Reserve Mobile Construction Battalion.

Utah: 259th Quartermaster Battalion, Pleasant Grove.

Vermont: 131st Engineer Company, Burlington.

Virginia: 304th Medical Detachment, Richmond; 313th Medical Detachment, Richmond; 889th Medical Detachment, Richmond.

Washington: 737th Transportation Company, Yakima; 941st Military Airlift Group, McChord AFB.

Wisconsin: 377th Maintenance Company, Manitowoc; 826th Ordnance Company, Madison.

THE RECREATION EXPLOSION AND THE NATIONAL PARK SERVICE

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, it shall be my purpose in this dissertation to bring to the attention of all Americans the excellent efforts of the National Park Service in meeting the multiplying desires of the American public for outdoor recreation during the 14 years it has been my honor to be a Member of the Congress.

It is with great pleasure to note that I am a Member of this august body that almost 100 years ago gave life to the national park concept with the authorization of Yellowstone National Park. Every one of my colleagues should share in this pride.

The national park concept is an American contribution to the world culture that is widely accepted and acclaimed around the globe. More than 90 other nations have adopted the idea. In this they received the sincerest accolade of appreciation.

It also is a pleasure to note, especially since American history is my hobby, that the area of responsibility of the National Park Service includes historical preservation and historical interpretation.

One of the choice examples of that historical preservation is located within the long morning shadow of the Capitol dome, the magnificent authentically restored Ford's Theater, the living memorial to President Lincoln. It exemplifies the dedication of the National Park Service to its assignment to restore, preserve, and interpret historical areas which are closely associated with our national heritage.

The Park Service counted 434,000 visitors to the Ford's Theatre last year—all of the inhabitants of the District of Columbia in 1920 numbered only 3,000 more. And servicewide, the Park Service counted almost 151 million visits to our national shrines, parks, and recreation areas last year. In 1950 that would have meant that a park visit could have been made by every man, woman, and child counted in the U.S. census.

The reasons for this recreation explosion are plain. Improved technology has brought more and more leisure time and quicker and more convenient travel. Our population grows and becomes more and more urban. The combination of more leisure, better travel, and more city dwellers means travel America. And the visitor load in the national park-managed areas exceeds all forecasts.

It was the National Park Service forecast of increased visitor loads which helped to bring about the Park Service's Mission 66. The objective of that mission was to refurbish the park system after it had languished during World War II.

I remember that it was my freshman year in the House when the Mission 66 program was presented. President Eisen-

hower gave the program a green light and Congress speeded it along.

Now President Nixon, who then was the President of the Senate, has increased the budget estimate for the National Park Service for the 1970 fiscal year by $11,700,000, the largest annual increase in operating funds in the history of the Park Service, so that it can meet the demands of the burgeoning visitor load.

And the Director of the National Park Service, George B. Hartzog, Jr., has emphasized to his fellow workers:

> Such dramatic and constructive support of our (National Park Service) program by the Administration challenges us to respond with ingenuity and redoubled efforts in providing quality work experiences for our increasing visitation and improved management of the resources of the System.

We hear much about the population explosion—and a serious problem it is. The recreation explosion, however, is twice the scale of the population boom. The population in the year 2000 is forecast to be double the 179 million counted in the 1960 census. But the recreation explosion is forecast to increase not twofold but fourfold.

Right now the better known, more popular recreation areas on occasion are jammed to overflow. The avalanche of visitors now bearing down on parks, seashores, recreation areas, and historic sites merits our concern even though the National Park Service has met similar crises in the past and is in control of the situation today.

The biggest of those crises of the past resulted in Mission 66. Personnel, equipment, roads, and other manmade structures had deteriorated during World War II. And then postwar recreation seekers surged into a park system held together principally by the dedication and determination of a sadly understaffed and underfunded organization. The harder the Park Service worked the further behind it fell.

Both visitor accommodations and roads were poor to nonexistent. Uncomfortable people queued up to use lavatories. Some historic and scenic sites were damaged by vandalism and the constant pounding of human feet.

The plan to counter the bad conditions and to meet future needs was the program named Mission 66 because it was to end in the 50th anniversary year of the national park system—1966.

As I noted, Mr. Speaker, it was my privilege to support this comprehensive program, designed to provide national park areas capable of accommodating a predicted 89 million visitor load by 1966.

The Mission 66 expenditure of $725,478,740 has proved to be one of the soundest and most rewarding investments ever approved by Congress. This is impressively evident by the 150 million visitors which the national park system attracted in 1968. Meanwhile the value of the national park system properties increases every year. Dr. Ernst Swanson, the widely known economist from North Carolina State University, recently estimated the capitalized value of the national park system at $142.7 billion.

Mission 66 gave new life, vigor, and structure to the national park system. The impressive construction list which I shall read shortly, however, is not the only, or even the principal criterion for evaluating the achievements of Mission 66. Under Director Conrad Wirth and his successor in 1964, George B. Hartzog, Jr., Mission 66 concentrated on preserving the essential values of the national park system. The Park Service selected building sites that would not demean or diminish the area's scenic natural or historic values. The master plan for each park sought to preserve key areas "unimpaired," in accordance with the National Park Service Act of 1916.

Mission 66 took into consideration the special recreation and intellectual interests of both youth and senior citizens so far as could be done without lessening park values. Facilities for the handicapped and older citizens required attention as to accessibility and convenience. Back-country hiking trails and campsites appeal to many of the younger visitors.

Most of the roads installed by Mission 66 were those essential to newly established areas or campgrounds and picnic grounds. Some 80 or 90 percent of the road funds went for reconstruction and realinement of existing routes, none of them designed to encourage speed, but with increased safety and pleasure objectives. Mission 66 also supplemented the road network with hiking and horseback riding trails.

It was Mission 66 also that modernized the radio communication network of the National Capital Park Police here in Washington, providing tie-ins with the Washington Metropolitan Police and law enforcement agencies in Maryland and Virginia. In the parks, communication systems for fire detection, park administration and protection of visitors and park resources were extended and improved.

By the 50th anniversary year of the National Park Service in 1966, the mission called 66 had brought improvement to the park system—indelibly in many areas. It brought 2,767 miles of new roads, 1,570 miles of reconstructed roads; 936 miles of trails and 359 miles of reconstructed trails. It brought also: 1,502 new parking areas capable of accommodating 47,071 additional cars; 330 reconstructed parking areas adding space for 5,682 more vehicles; 45 miles of new road, and 19 miles of reconstructed road to serve concession facilities; 575 campgrounds, with 17,782 campsites; 472 picnic areas; 29,432 new campfire circle and amphitheater seats, plus 2,300 reconstructed seats.

It brought 426 water projects and 301 additions, 432 sewer projects, and 223 additions; and for concession facilities—10 water projects; 89 sewer projects, 57 power projects; 214 power projects and 126 additions; 218 utility buildings; 221 administrative and service buildings, plus 36 reconstructed; 100 visitor centers, a new type of open design structure providing exhibits, information and interpretive facilities; and often rest areas, souvenir sales, food services, audiovisual equipment and auditoriums; 458 historic buildings reconstructed or rehabilitated at a cost of $15 million; 1,239 housing units for employees; 584 comfort stations; 17 reconstructed; 1,116 roadside exhibits installed or rehabilitated; 50 boating marinas; 93 boat docks; nine fire lookout towers; 39 entrance stations; 37 trailer disposal systems; and nearly $1 million for two park ranger training centers.

During Mission 66, park concessionaires invested more than $33 million in new and improved cabins, lodges, motels, stores, service stations, marinas, and other installations. The Park Service provided more than $14 million worth of roads, powerlines, water mains, sewers, and other utilities to complement the concession improvements.

Mission 66 increased the number of full-time permanent employees from 3,364 to 5,498, and seasonal employees from 4,700 to 7,800. This increased strength allowed the Park Service to devote attention to planned management of its resources and the correction of ecological imbalances.

The net effect of Mission 66 was expansion and improved performance in park system services and activities across the board. The National Park Service produced exhibits for all of the 100 new visitor centers, 40 rehabilitated museums, 26 shelters, and 13 wayside projects, until it was operating 215 museums with nearly 3 million specimens. Mission 66 provided at least 115 parks with audiovisual installations, and modern projection and sound equipment for 45 park campfire circles and amphitheaters.

A Division of International Affairs, established during Mission 66, assisted more than 90 nations which contain national parks or equivalent reserves. The National Park Service participated in trainee exchange programs with foreign countries and cooperated with the University of Michigan in conducting short courses on national park administrations. Fifty park leaders from 32 countries took part in this program in 1965–66.

Mission 66 added 142 miles to the Blue Ridge Parkway and 262 miles to the Natchez Trace Parkway. This year the Travel Writers of America voted the Blue Ridge Parkway—with Skyline Drive in Shenandoah National Park—the No. 1 scenic automobile trip in the United States. The Blue Ridge Parkway attracted 11 million visitors in 1968, easily the highest attendance of any area in the national park system. The Natchez Trace Parkway was close behind with 8.9 million.

Now the National Park Service is trying to cope with one of the great socio-economic phenomena of the century—this astounding large movement of our people to outdoor recreation areas.

As the units of the National Park Service have grown to the number of 270, the Service has learned that each unit must be judged and operated for its own unique features and the master plan for each unit must be constantly kept up to date to meet ever-increasing pressures upon it. Such problems can be exemplified in the supply and drainage waters of the Everglades; the provision of accommodations in the Yosemite Valley and the Chisos Basin of Big Bend; and the pressures brought on by those smooth

tongues of penetration—improved roads. Combined with the roads is the ever-present knowledge that provision of access to an area can result in destruction of the attraction that brought need of the access.

Recently, the National Park Service articulated its people-serving mission with a pledge of public service that has been distributed in wallet-card form to each employee. The pledge follows:

To protect man's right to exult in the presence of superlative wilderness and scenic grandeur;

To communicate to all an understanding of the people and events that shaped these United States;

To provide in the recreational areas, opportunities for varied outdoor recreation of a quality in keeping with exceptional natural and historical values;

To make the beauty and the history of our Nation's urban parklands a richer and more meaningful part of the life of all Americans;

To manage the National Park System so that all Americans, now and in the future, may be assured of the privilege—

Of experiencing the serenity of quiet forests and the renewing strength of nature unimpaired,

Of letting their spirits return—through the touch of hammered iron, roughhewn wall, and treasured relic—to the presence of the men and women who built America,

Of knowing the exhilaration of a rushing river, the feel of sun-warmed beaches and pounding surf, and the high adventure of the great outdoors;

To seek out and foster the protection of the finest of what now remains unprotected of the Nation's natural and cultural inheritance and its outdoor recreational opportunities;

To join with all people of this and other nations in conserving and renewing the total environment to keep this world a delight to live in.

In line with this pledge, the National Park Service, although already the operator of more significant parklands in urban areas than any other governmental agency on any level, established an Office of Urban Affairs in 1967.

Last year, "Summer in the Parks," conducted by the National Park Service, was a major factor in providing residents and visitors to Washington, D.C. with a more rewarding and enjoyable summer than the city had experienced for many years.

The Park Service also is conducting, nationwide, an environmental awareness program designed to acquaint young people with knowledge of their environment and the dangers threatening it through pollution, pesticides and despoliation of the countryside and natural resources. The Park Service has designated 100 environmental study areas on park system lands and conducts a National Environmental Education Development—NEED—program in conjunction with local schools. In 44 of the environmental study areas, children are already being enlightened on the environmental crisis. The Park Service believes this program could be one of the most important it has ever adopted, since it involves the very survival of the human species.

From 1960 to 1968 the Nation's population increased 9.4 percent. But the number of visits to the national park system increased 90 percent. The most conservative estimates predict a continuation of this trend. In the past 10 years the visitation figure increased 82 million, as compared to an increase of 125 million expected in the next 10 years. An attendance of 162 million is expected this year. Some time in 1973 this figure will pass the 200 million mark, and in 1980 the 300 million mark. The most conservative estimates foresee Americans making several hundred millions visits to the national park system annually, well before the year 2000. The National Park Service must plan for this onrush if it is to keep faith with future generations.

Other Members of this House have cited the economic study of national park system travel by Dr. Swanson, to whom I have referred. His study is a matter of record but I wish to mention it briefly. He found that travel to the park system in 1967 resulted in an expenditure of $6.35 billion, resulting in $4.76 billion in personal income to our people, $5.71 million added to the gross national product and $952 million in Federal taxes. Asked if we can "afford mass attendance threatening the very existence of our parks," Dr. Swanson said:

The National Park System is such a powerful generator of a sizeable amount of the national income, that there is no convincing reason why Congress should not provide whatever funds are necessary to guard against such a threat and to maintain, operate and perpetuate these valuable lands and waters.

Dr. Swanson is well aware, of course, that the real value of the National Park System's irreplaceable resources cannot be expressed in monetary terms. He said:

Dollar signs cannot be attached to them, but the economic value alone justifies our continued care of these assets.

I have observed the National Park Service closely during the administrations of Presidents Eisenhower, Kennedy, Johnson and now President Nixon—ever since the Congress approved Mission 66 funds during my first year in this House.

The vision and enterprise of this splendid organization in meeting its increasingly heavy load of responsibilities are commendable indeed. It is completely devoted to the national interest and public service on a nonpartisan basis.

This House has given the National Park Service generous support in the past. But to meet the tremendous recreation demands of the present and future, this agency will need help on an increased scale. I urge the House to consider these facts and to provide the National Park Service with the funds and assistance it deserves if it is to cope with the recreation explosion.

TRIBUTE TO AND SPEECH BY GEORGE HARTZOG

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, we are fortunate to have had the long record of effective, intelligent, and dedicated leadership in the National Park Service. George Hartzog, the present Director, is continuing and adding to that tradition. Mr. Hartzog has a distinguished record of service in the National Park Service. Since joining the Park Service in 1946 he has served in several important positions, becoming the Director on January 6, 1964.

He is the recipient of several awards: the Meritorious Award certificate from William A. Jump Memorial Foundation, Washington, D.C., June 1956, "for exemplary achievement in public administration"; Special Service Award of Greater St. Louis Federal Business Association, July 1962; Distinguished Service Award of the Department of the Interior, December 1962; Alumni Recognition Award, the American University, Washington, D.C., May 1966; and Cornelius Amory Pugsley Gold Medal Award for 1967, January 1968.

Recently, Mr. Hartzog addressed an alumni gathering of the graduates of the Federal Executive Institute. In this splendid address he eloquently expressed his concept of the role and responsibility of the National Park Service and its employees. His speech should be well read.

One statement in particular caught my attention. He said, "Uniformity is not what I seek in management, rather I seek creativity and personal growth." This is a superb ideal.

Mr. Hartzog's address follows:

ADDRESS BY MR. HARTZOG

It is a great privilege and pleasure to participate in this reunion of the graduates of the first and second sessions of the Federal Executive Institute. For the high honor you have bestowed on me to present this first Distinguished Alumni address, I am deeply grateful.

I remember my attendance here as one of the highlights of my career. I shared many hours of good fellowship; made new friends among my colleagues in the Federal service; and gained new insights into our mutual problems and aspirations.

It is my firm belief that this Institute has the highest potential existing today for significant improvement in the quality of management within the Federal career service. I congratulate the Civil Service Commission, Dr. Sherwood, the faculty and the staff of the Institute for creative leadership in Executive Education. This pioneering effort has been difficult. You have accepted the challenge with vigor and imagination. You have achieved results and I predict even greater success in the years ahead.

Dr. Sherwood, in extending the invitation on behalf of the Alumni, suggested that I discuss with you the management of the National Park Service, with particular emphasis on policy leadership, the relationship of management to the political processes, and the special management needs of the National Park Service. Since you are all "old pros" of management in the Federal Government, I shall not presume on your time and your patience to treat literally all of the ramifications of the broad subject he has suggested.

By numerous legislative enactments, the Congress has granted the National Park Service a broad charter:

a. To manage and develop the National Park System for public use and benefit by such means and in such manner as to leave

its resources and values unimpaired for future generations.

b. To cooperate with Federal, State, and local Governments and the private sector in programs to preserve the natural and cultural inheritance of our Nation.

To establish a frame of reference for this discussion of the management of the National Park Service, I wish to mention, briefly, three basic factors, as follows:

First, the National Park Service is not an independent agency of the Executive Department. The National Park Service was established as—and remains—a Bureau of the Department of the Interior. The positions of Director and Deputy Director are in excepted Schedule C. My Deputy Director and I serve, therefore, during the pleasure of the Secretary, in supportive policy making roles with him in the management of the National Park Service. Within the Department of the Interior, the Director of the National Park Service reports to the Assistant Secretary for Fish and Wildlife, Parks, and Marine Resources.

There have been seven Directors of the Service since it was established in 1916. Five of the seven Directors have been appointed to this position from the ranks of the National Park Service after many years of service in the Federal career system. Moreover, no Director has ever been changed with a change in Administration. This record is one in which all employees of the National Park Service take justifiable pride for it bespeaks of the high professional integrity of our work. It bespeaks, likewise, I suggest, of the responsiveness of each Director to the principal policy making officers in the Department and to the goals of the Administration.

Second, the areas of the National Park System are public lands of the United States. Under our constitution, the Congress is charged with the responsibility of establishing the public land policies of the United States. These policies, for the most part, are broad guidelines leaving large areas of discretionary authority in the President and in the Secretary. For example, the Antiquities Act of 1906 authorizes the President of the United States by Proclamation to set aside, from lands owned or controlled by the United States, national monuments having scientific significance or containing artifacts of antiquity.

Moreover, the Historic Sites Act of 1935 authorizes the Secretary of the Interior to determine the national significance of historic sites and in his discretion to designate them as National Historic Sites either in private ownership or as a part of the National Park System, with fee simple title vested in the United States. In connection with the exercise of this latter authority, President Franklin D. Roosevelt directed that the authority should be exercised with respect to placing areas in the National Park System only after clearance by the Bureau of the Budget.

In the decade of the 1960's, through negotiations with the Interior and Insular Affairs Committee of the House of Representatives, an agreement was reached by President Kennedy and Secretary Udall—and adhered to by succeeding Administrations—that the authorities of the 1906 and the 1935 Acts would be exercised only after consultation with the legislative committees of the Congress.

Third, the resources of the National Park System represent values far beyond their significance as public lands of the United States. They are, in fact, the strands of the natural and cultural inheritance of a great Nation and a proud people. This Nation perhaps more than any other, was richly endowed with a superlative natural environment. Its creative, ingenious, hard-working people have laid on this land the foundations of our American way of life.

Thus, the natural, historical, and recreational resources of your National Park System have a tremendous tug at the heartstrings of America. The manifestation of this reality is that thousands of citizens through numerous ogranizations—with funds to employ full-time professional staff—intimately involve themselves not only in day-to-day management decisions but also in policy decisions of both the Administration and the Congress.

The National Park Service—like all of your organizations—is a public agency. Policy making—and even more significantly the implementation of policy—in public agencies is, in actuality, a function of all its members. Policy, to be creative in its making and constructive in its implementation, must be validated by the members of the organization. Thus, while the employees of the National Park Service are, on the one hand, members of the management body they are also, on the other hand, a very special and important public.

In light of these "facts of life" I have, quite naturally, formed certain fundamental beliefs that undergird my approach to management of the National Park Service. In stating these beliefs and reporting our management program as it has been shaped by these beliefs, I do not presume to suggest that the way we have approached our responsibilities is either the only way or, indeed, even the best way to manage—although, certainly, the latter is the ideal and the objective we seek.

My first belief is this:

A public agency, such as the National Park Service, cannot operate successfully in a vacuum;

Its programs are executed in a political environment—not a partisan environment; that is to say, its programs are scrutinized, evaluated, validated or rejected in the arena of public discussion among the Congress, the administration and the taxpayers and within the context of national priorities.

It is, therefore, the function of management to open lines of communication—and keep them open constantly—with our Departmental policy making leadership, the Congress, and the public to facilitate this evaluation process.

An essential keystone for building channels of communication, in my judgment, is a concise—easily understood—statement of management philosophy. As a public agency responsive to the policy making authority of the Congress and the Administration, our statement of management philosophy must necessarily embody the mandates of these policies. Thus, our statement of management philosophy—summarized in the National Park Service Pledge of Public Service—is a synthesis of the numerous public land policies enunciated in a series of legislative enactments concerning the National Park System.

Stripped of all technicalities generally associated with legislative enactments, it distills the essence of the philosophies expressed in these statutes. To make it even more useful for communication—especially with our employees—we have duplicated the statement of management philosophy on wallet-sized cards for each employee—whether permanent or seasonal—of the National Park Service.

Of equal importance to a statement of management philosophy in communication, is the development of long-range objectives. Our long-range objectives—confirmed by the Honorable Walter J. Hickel, Secretary of the Interior on June 18, 1969, are as follows:

1. To provide for the highest quality of use and enjoyment of the National Park System by increased millions of visitors in years to come.

2. To conserve and manage for their highest purpose the natural, historical and recreational resources of the National Park System.

3. To develop the National Park System through inclusion of additional areas of scenic, scientific, historical, and recreational value to the Nation.

4. To participate actively with organizations of this and other nations in conserving, improving, and renewing the total environment.

5. To communicate the cultural, inspirational, and recreational significance of the American heritage as represented in the National Park System.

6. To increase the effectiveness of the National Park Service as a "people-serving" organization dedicated to park conservation, historical preservation, and outdoor recreation.

In his management directive of June 18, Secretary Hickel also established policy guidelines for the management of the National Park System. Briefly summarized, they are as follows: The National Park Service shall:

1. Operate compgrounds rather than lease them to concessionaires;

2. Initiate study of opportunities which may exist, as well as financing proposals, for an expanded program of Federal acquisition and federally-assisted acquisition of park and recreation lands in large urban centers in order to bring parks to people;

3. Innovate programs, especially in the Nation's urban parklands, to make parks more meaningful to people;

4. Make parks and park facilities more available for neighboring school districts;

5. Initiate mass transportation services, such as shuttle buses, tramways, etc., to lessen the impact of private automobile congestion now threatening the quality of several of our most popular National Parks;

6. Explore possibilities for increasing the participation of private citizens, the business community, and organizations in nature and historic preservation;

7. Speed up wilderness studies to get this program on schedule;

8. Identify gaps in the National Park System that should be filled by establishing new parks to preserve the heritage of our history and our natural environment;

9. Work with colleges and universities to develop joint training opportunities for young people seeking careers in park and recreation programs;

10. Plan appropriate activities to commemorate the Centennial of National Parks in 1972;

11. Work in cooperation with the Bureau of Indian Affairs and the Bureau of Outdoor Recreation to plan programs for developing the recreational and cultural resources of the Indian people, thus enhancing the economy of our Indian Reservations.

Long range objectives and policy guidelines serve several useful purposes in the communications process:

First, they establish a clear understanding between the Secretary—the policy making official appointed by the President to oversee the management of the National Park System—and the Director of the National Park Service appointed by the Secretary to manage the National Park System.

Second, through objectives and policy guidelines we communicate to the Congress—which has constitutional responsibility for public land policy—the direction we are heading in implementing their policies and the programs to be emphasized in the execution of our missions.

Third, they are useful in communicating with the several publics interested in the management and the policies of the National Park Service.

And, lastly, they set the broad parameters for our work program and serve as guidelines for day-to-day management.

Of course, our agency, like yours, appears annually before the Subcommittees of the House and Senate Appropriations Committees to support the President's budget for its programs. During these hearings we have an opportunity to communicate to the members of our Subcommittees significant accomplishments of the Service and also trends which we see developing that may affect future management and funding needs of the agency. A copy of my statement to the House and Senate Subcommittees on Appropriations for the Interior Department and Related Agencies is available as reference material.

Additionally, with the cooperation of the House Committee on Interior and Insular Affairs, I have been provided the opportunity each year that I have served as Director of the National Park Service to report to the Subcommittee on Parks and Recreation on my stewardship. Occasionally, the Senate Committee on Interior and Insular Affairs has also scheduled such oversight briefings.

These have been extremely useful sessions since they afford the members of the legislative committees a formal opportunity to address themselves to programs initiated in implementation of their broad policy mandates. Occasionally, the committee members have challenged the merit of our management decisions. For instance, in 1968, as a result of personnel ceilings and budgetary restrictions, we adopted an administrative policy to lease campgrounds to concessioners for operation. Historically, campgrounds had been operated by National Park Service personnel. A great many complaints were received from the public concerning this decision to switch to concessioner-operated campgrounds. In the meantime, Secretary Hickel advised the House Committee that he had this particular administrative policy under review. At the briefing session, the House Subcommittee on Parks and Recreation expressed itself very strongly in opposition to the administrative policy.

After reviewing the basis for our initial decision, the public complaints, and evaluating the views of the Subcommittee, the Secretary reversed this administrative policy and directed that in the future the National Park Service operate its campgrounds and not lease them to concessioners.

In another instance, the House Subcommittee took an unusual and tremendously supportive action. It passed a resolution requesting the Chairman and Ranking Minority Member of the Subcommittee on Parks and Recreation and of the full Committee on Interior and Insular Affairs to direct a letter to the Chairman of the House Subcommittee on Appropriations for the Interior Department and Related Agencies urging approval of the entire budget for the National Park Service as recommended by the President.

These briefing reports, of course, are only a part of the communication process with the Congress.

Throughout the course of a year there are dozens of individual meetings with members of the Congress to discuss matters of concern to them—to us—and to their constituents. There are, moreover, thousands of letters from the Congress referring for attention subjects of concern to their constituents with respect to the management of the National Park System. These Congressional referrals are an extremely important part of the communication process with the Congress.

As a result, one of the first actions I took upon becoming Director of the National Park Service was to consolidate all congressional mail in one office. This has enabled us to acknowledge every congressional inquiry within 48 hours. We cannot provide the answer in the great majority of instances within this time frame, but, importantly, we have said to the member of the Congress, and he, in turn, can say to his constituent, "the matter is receiving attention." A follow-up system has been established for these communications to insure that the final answer is supplied as quickly as possible.

Of course, there are many other forms of communication with the Congress associated with legislative hearings, special inquiries, etc.

With respect to communications with our several publics, I shall touch briefly on only two matters. First, the citizen conservation organizations. To maintain channels of communication with them, I have tried to meet their professional staff representatives each three to four months during the period of my Directorship. This is an unstructured meeting, usually, two to three hours, at which they can present any subject of interest to them and at which I report to them on significant management and policy matters in which I believe they may have a particular interest.

Second, the National Park Service employees are our unique and all-important public. To meet a part of the communication need with them, we initiated a Newsletter—published biweekly—which contains important matters of Service-wide interest to all employees. The Newsletter also includes a special column for the ladies of the National Park Service.

The cardinal principle in communications in a public agency, I believe, is complete candor. If you don't know the answer to a question—say so. It is much better for people to conclude you are ignorant than for them to find out later that you are a liar! Your personal integrity in fulfilling your commitments is an absolute irreducible minimum in maintaining communications with your policy making officers of the Department, the Congress, and the public concerned with your management.

My second belief about management of a public agency is this:

People do not work for money alone:

Efficiency is a byproduct of personal interest and achievement; and

People do wish to achieve and to grow.

It is, therefore, a function of management to create an environment in which people may grow and achieve to the limit of their potential.

One of the long-range objectives established by the Secretary to guide our management is "to increase the effectiveness of the National Park Service as a 'people-serving' organization dedicated to park conservation, historical preservation, and outdoor recreation." This objective recognizes that our management in its essence is of human beings and not of theories and charts. We shall achieve this objective only as the employees of the National Park Service grow in their capabilities and in their commitment to the agency and its programs.

To assist us in meeting this challenge, we have established objectives for personnel management, as follows:

1. Encourage highly motivated people of talent and high potential to seek employment with the National Park Service.

2. Provide equal opportunities to all employees for individual growth.

3. Encourage an attitude of constructive inquiry, a receptivity to change, and a determination to find better ways of doing our job.

4. Encourage, recognize, and reward individual initiative.

5. Require consistent and demonstrated productivity and achievement as the essential requirement for advancement.

6. Provide opportunities for transfers, details, and other assignments of employees that contribute to the good of the Service and the career development of the employee. Foster the development of a climate that recognizes and accepts the benefits of such interchanges.

7. Make fullest utilization of modern management methods and technology.

The National Park Service had 56 volumes of administrative manuals and handbooks. Some of these were absolutely essential. They contained the accounting, procurement, and personnel requirements and procedures established pursuant to law. But, the vast majority of these handbooks and administrative manuals dealt with the subject of "how to do the job."

Some time ago, I appointed a committee to evaluate our handbooks and manuals and make recommendations on the subject. The committee concluded, in part, that these volumes—many of which they acknowledged were out of date and not current—should be maintained in order "to insure uniformity in management." My experience in Government leads me to believe that, generally, "uniformity" is a synonym for "mediocrity."

Uniformity is not what I seek in management! Rather, I seek creativity and personal growth.

Accordingly, I issued a memorandum abolishing all handbooks and administrative manuals as of July 1, 1969, except those essential to guide our field personnel in adhering to legal requirements of personnel, property, and money.

In lieu of administrative manuals, we have provided different management tools.

First, we have promulgated administrative policies to guide day-to-day management in the field. Each of these policies is accompanied by an explanation of "why this is the policy." These policies do not provide answers to specific problems. They do, however, establish boundary lines within which a decision can be made consistent with the policy of the organization and in light of the circumstances that exist in the particular case at hand.

These administrative policies recognize the three different categories of areas making up the National Park System, i.e., the natural, historical, and recreational. Each category of area was established by the Congress to serve a different purpose and these different purposes are reflected in the administrative policies.

Secondly, we have established program standards for the execution of each major field function—administrative management, maintenance, protection and visitor services, resources management, and interpretation. These program standards define three appropriate levels for the operation of these programs depending upon season of the year, public use and similar demands on the local operations. For example, the maintenance program standards recognize that all facilities do not require the same degree of maintenance care. Thus, a back-country administrative road does not have to be maintained at the same level as does a major park road having high density visitor use. Importantly, therefore, the standard of maintenance established for each facility is designed to achieve the best balance between meeting the public needs and preserving the public investment at reasonable cost.

Third, we have initiated personal performance standards for each employee of the National Park Service. These standards describe the conditions which will obtain when the job has been done satisfactorily. We initiated this as a four-year project. In the first year, we have developed personal performance standards for Regional Directors, Superintendents, and District Rangers. In the second year, it is our goal to develop performance standards for Assistant Directors and for each member of the Regional offices. Our third year program will involve the development of personal performance standards for each member of the park organization; and

our final year's program will involve the development of personal performance standards for each member of the Washington Office and the Service Centers.

These performance standards establish a channel of communication between the employee and his supervisor for objective dialogue concerning job performance. They represent an agreement in advance between the employee and his supervisor as to the job to be done and the results that will be obtained when the job is done adequately. In my mind, at least, their greatest value is to enable the employee to know in his own mind that he is, indeed, doing an adequate job, or he is not doing an adequate job, even before his supervisor knows it.

My third belief about management in a public agency is this:

The support of one's partner—either husband or wife—is essential to top performance in the job;

Retirement—like recruitment—is simply a change in occupational status.

It is, therefore, the function of management to provide the avenues by which an employee's family (as well as former employees and their families) may relate to the organization and its programs in meaningful ways.

The "team" is generally the basic work unit in day-to-day park management, such as, mountain climbing, rescue, fire fighting, underwater swimming, wildlife management, and a wide variety of other responsibilities.

One of the most effective applications of the "team" principle in the National Park Service is the family. We have conscientiously and systematically tried to encourage this family team effort. For example, as I mentioned earlier, one section of our employees' Newsletter is devoted to the activities of our park wives. We have encouraged them in maintaining a national park wives organization. They do much significant work without which our programs would simply founder. They are the hostesses in the parks, many of which are isolated; they are a vital link between the official organization and the community; in an emergency they serve as the unpaid—yet indispensable—communication link between a rescue team and home base; they advise constructively and creatively on many of our management programs such as employee housing, park communications, etc. The stories that I could share with you—based on my personal experience in the field—as to the invaluable contributions of our park wives would require a second alumni presentation. As a matter of fact I am so thoroughly convinced of the value of the wife's commitment and contribution to her husband's career and the agency's mission that I suggest it would be well worth the money for the Institute to provide a training opportunity for Government wives. I suggest that the taxpayers would get the biggest dividend for their money ever offered by a sovereign!

In many ways the National Park Service is a young agency; and, yet, we are older than we sometimes realize. For example, we now have third generation employees in the Service. The result is that we have a growing body of alumni. These are talented men and women who have devoted decades of their lives to the management of this Nation's natural and cultural inheritance, and to providing opportunities of inspiration, relaxation, and recreation for millions of citizens in God's great out-of-doors.

To encourage their continued interest in the programs of the Service and to provide meaningful ways in which they can continue to relate to the agency, we initiated several years ago a "reemployed annuitant program." In this program, we employ those retirees who are interested in pursuing part-time active work. The pay for this part-time work is the difference between the annuitant's retirement and the salary of the position he occupies. It is a small amount, indeed. Generally, we can reemploy a GS–15 annuitant for an amount roughly equivalent to the salary of a GS–5 and where can you improve on that bargain today? We have also adopted a "trial retirement" program.

Several years ago our employees and our alumni organized an Employee and Alumni Association which publishes a monthly paper, "The National Park Courier." Through this paper we are able to communicate with our retirees on important aspects of park programs and thereby continue their link with the Service.

There are many other things that we have done to improve the management of the National Park Service. For example, we have consolidated our professional disciplines, i.e., planners, architects, engineers, landscape architects, etc., in Service Centers; grouped parks in the immediate vicinity of each other undercentralized management, providing common administrative services, such as, accounting, purchasing, etc.; expanded our training and manpower development programs; restructured our Washington Office to recognize the growing dimension of our urban parklands; initiated ecological master planning and joint regional planning; improved resource management based on scientific data; designed an environmental education program integrated with the secondary school curriculum; started studies to determine the "carrying capacity" of parks—to mention just a few things.

So much for management of the National Park Service—more importantly, what are we managing for?

I believe a National Park is more than a physical resource. I believe a National Park is an idea which in the fullness of its meaning is a link between the generations of men in their continuing search to be "at home" in their world.

National Parks and historic landmarks help give us all a "sense of place" in a mobile America. They contribute to our sense of both the beautiful and the familiar. Love of locality is one of the roots of social cohesion, according to Charles E. Merrian, who was one of our greatest political scientists. But in a new country like the United States, and in a society where one family in five moves each year, and where we have over 80 million automobiles, we have a hard time developing local roots of the kind familiar to Englishmen in Sussex, Frenchmen in Brittany, or Irishmen in County Cork. Our National Parks like Yosemite and Grand Canyon, and our historic places like Independence Hall and the Washington Monument take the place of local roots for tens of millions of mobile Americans. They give us the assurance of a "sense of place" expressive of our country that we can tie to permanently, wherever we move or live.

I believe many people go to the National Parks and historic landmarks not simply to satisfy a need to get back to nature from crowded cities or for outdoor recreation. Many people go to the National Parks and landmarks to strengthen their identity with their country. "Seeing is believing," and touching the Liberty Bell or setting foot in Yosemite Valley is worth a long trip to experience a sense of identity with America where it is unchanging. It isn't subtle. It's the deep human need to know "I was there" at Independence Hall or Yosemite Valley; and, as a result am a little more an American. This experience is especially needed in these times of war, turmoil, and technological change.

When the bill to create a National Park Service was under consideration in Congress in 1916, J. Horace McFarland testified before the House Committee on Public Lands. His words echo today's needs of our urban society:

". . . the word 'park' in the minds of most of us suggests a place in which there are a number of flower beds, and probably stone dogs, and iron fountains, and things of that kind, and a road over which an automobile may travel. We forget that the park has passed out of that category in the United States. *The park now serves the people; the park decreases the demand on the forces for keeping order; the park is the direct competitor, in the United States, of the courts, of the jail, of the cemetery, and a very efficient competitor with all of them.*" (Italic supplied).

The beauty of the parks in the National Capital was just coming to fruition in 1916 when Congress was talking about a National Park Service. The McMillan Commission had made its great report on the plan for Washington in 1902, the Mall was rescued shortly afterward, the Lincoln Memorial was authorized in 1911, and the Arlington Memorial Bridge followed along. In his testimony, McFarland linked this to the idea of establishing a National Park Service:

"I had the great pleasure one day to bring here a sort of wild man from Iowa, who had never seen the East at all; who had never seen any great buildings, and, while a man of tremendous business ability, he had no conception of the value of beauty. We reached Washington about nine o'clock one night and he was so eager to see what this town looked like that we went on top of one of the buildings just back of the Capitol, and he had his first glimpse of the whole scene by moonlight. He was fairly crazy about it. *He said he had never been a good American citizen before. There was made that very instant a good, strong, fighting unit out of a man who was merely a business man before—in it for what he could get out of it. There was born in his bosom at that instant a devotion to the country because of the beauty of the city which has been created by the hand of man.*

"Now, gentleman, if that can happen in Washington—and it happens constantly . . . it will happen to a much greater extent in connection with these great national wonders that are comprised in the national parks."

The National Park System has a deep stake in the urban park idea, and it goes back to the founding of the Service in 1916; and, to a realization that the National Capital and the National Parks are both symbols of the Nation.

Beyond our need to identify with the nation is the urgent need to understand our place in the world environment and to join hands in doing our part to rescue it from impending ecological disaster. As Freeman Tilden put it, we need "to understand our place in nature and among men." We will reach this objective more quickly and we will heal our environment more rapidly if we develop social cohesion "at home" by learning we are one people with a common heritage well expressed in your National Park System. As we achieve social harmony we will do better in joining together to recover our natural heritage and that of the world around us.

With innovative programs, such as Living History demonstrations and Summer-in-the-Parks we are striving to make parks more meaningful to people in their search to be "at home" in their world. In assessing the impact of Summer-in-the-Parks on his work, one park policeman, recently, observed, "we now play with the youngsters in the parks, rather than chase them on the streets."

"Through program innovation in response to the changing needs of our society and by sensitive management," Secretary Hickel has said, "the National Park System can contribute enormously to our national goals of enhancing the life of every American and supporting the effort to articulate an envi-

ronmental ethic as a rule of human conduct." He has challenged us to make this larger objective our "constant guide as we approach the decade of the seventies."

Thank you very much.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. GUBSER (at the request of Mr. ARENDS), for the period September 1 to September 12, 1969, on account of official business attending the NATO Military Installation Tour.

Mr. MANN (at the request of Mr. ALBERT), for today, September 8, on account of official business.

Mr. BUSH (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. CORMAN, for Monday, September 8, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. SIKES, for 30 minutes, today, to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. BROTZMAN), to revise and extend their remarks and include extraneous matter:)

Mr. DICKINSON, for 1 hour, on September 17.

Mr. EDWARDS of Alabama, for 1 hour, on September 17.

(The following Members (at the request of Mr. STOKES), to revise and extend their remarks and include extraneous matter, to:)

Mr. REUSS, for 10 minutes, today.

Mr. TUNNEY, for 15 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MCMILLAN and to include extraneous matter.

Mr. BENNETT in three instances and to include extraneous matter.

(The following Members (at the request of Mr. BROTZMAN), and to include extraneous matter:)

Mr. ASHBROOK.
Mr. RIEGLE.
Mr. STEIGER of Arizona.
Mr. KEITH.
Mr. MORTON.
Mr. DERWINSKI in three instances.
Mr. BROYHILL of Virginia in two instances.
Mr. DENNEY.
Mr. FOREMAN.
Mr. MORSE.
Mr. FINDLEY in two instances.
Mr. TAFT.
Mr. WYMAN in three instances.
Mr. WIGGINS.
Mr. MAILLIARD in two instances.
Mr. DUNCAN.
Mr. HOSMER in two instances.
Mr. BRAY in two instances.
Mr. DEL CLAWSON.
Mr. REID of New York.
Mr. HORTON.
Mr. SNYDER.
Mr. FULTON of Pennsylvania in five instances.

(The following Members (at the request of Mr. STOKES) and to include extraneous matter:)

Mr. COHELAN in four instances.
Mr. HOWARD.
Mr. LONG of Maryland in three instances.
Mr. VANIK in four instances.
Mr. FRASER.
Mr. BOLLING.
Mr. EVINS of Tennessee in two instances.
Mr. ROYBAL in six instances.
Mr. DANIEL of Virginia in two instances.
Mr. BROWN of California in two instances.
Mr. HÉBERT.
Mr. RARICK in three instances.
Mr. TIERNAN.
Mr. ROGERS of Florida in five instances.
Mr. RODINO in two instances.
Mr. FRIEDEL in two instances.
Mr. GALLAGHER.
Mr. ICHORD.
Mr. JONES of Tennessee.
Mr. RYAN in three instances.
Mr. TUNNEY.
Mr. ECKHARDT in two instances.
Mr. WALDIE in three instances.
Mr. DELANEY.
Mr. GAYDOS in three instances.
Mr. O'NEILL of Massachusetts in two instances.
Mr. DINGELL in two instances.
Mr. LOWENSTEIN in six instances.
Mr. EVANS of Colorado.
Mr. HAMILTON in 10 instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 719. An act to establish a national mining and minerals policy; to the Committee on Interior and Insular Affairs.

S. 1499. An act to name the authorized lock and dam numbered 17 on the Verdigris River in Oklahoma for the Chouteau family; to the Committee on Public Works.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 7206. An act to adjust the salaries of the Vice President of the United States and certain officers of Congress.

BILL PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on September 5, 1969, this day present to the President, for his approval, a bill of the House of the following title:

H.R. 11235. An act to amend the Older Americans Act of 1965, and for other purposes.

THE LATE HONORABLE EVERETT McKINLEY DIRKSEN

Mr. ARENDS. Mr. Speaker, I offer a resolution.

The Clerk read the resolution as follows:

H. RES. 532

Resolved, That the House has heard with profound sorrow of the death of the Honorable Everett McKinley Dirksen, a Senator of the United States from the State of Illinois.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That a committee of thirty-two Members be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

The resolutions were agreed to.

The SPEAKER. The Chair appoints as members of the funeral committee the following Members on the part of the House:

Mr. BOGGS;
Mr. GERALD R. FORD;
Mr. ARENDS;
Mr. DAWSON;
Mr. PRICE of Illinois;
Mr. KLUCZYNSKI;
Mr. SPRINGER;
Mr. RHODES;
Mr. POFF;
Mr. BOB WILSON;
Mr. CRAMER;
Mr. GRAY;
Mr. COLLIER;
Mr. MICHEL;
Mr. SMITH of California;
Mr. DERWINSKI;
Mr. MURPHY of Illinois;
Mr. PUCINSKI;
Mr. ROSTENKOWSKI;
Mr. SHIPLEY;
Mr. ANDERSON of Illinois;
Mr. FINDLEY;
Mr. MCCLORY;
Mr. MORTON;
Mrs. REID of Illinois;
Mr. YATES;
Mr. ANNUNZIO;
Mr. BROWN of Ohio;
Mr. ERLENBORN;
Mr. TAFT;
Mr. RAILSBACK; and
Mr. MIKVA.

The Clerk will report the remaining resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect to the memory of the deceased, the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 5 o'clock and 27 minutes p.m.), under its previous order, the House adjourned until tomorrow, September 9, 1969, at 11:45 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1120. A letter from the Comptroller General of the United States, transmitting a report on the effectiveness and administrative efficiency of the Neighborhood Youth Corps program under title IB of the Economic Opportunity Act of 1964, Gary, Ind., Department of Labor; to the Committee on Education and Labor.

1121. A letter from the Comptroller General of the United States, transmitting a report on the effectiveness and administrative efficiency of the Neighborhood Youth Corps program under title IB of the Economic Opportunity Act of 1964, Kansas City, Mo., Department of Labor; to the Committee on Education and Labor.

1122. A letter from the Comptroller General of the United States, transmitting a report on the examination of the financial statements of the Federal Home Loan Bank Board for the year ended December 31, 1968; to the Committee on Government Operations.

1123. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of an order entered under the authority contained in section 13(b) of the act of September 11, 1957, pursuant to the provisions of section 13(c) of the act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TAYLOR: Committee on Interior and Insular Affairs. S. 1686. An act relating to age limits in connection with appointments to the U.S. Park Police; without amendment (Rept. No. 91–477). Referred to the House Calendar.

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.R. 7066. A bill to provide for the establishment of the William Howard Taft National Historic Site; with amendments (Rept. No. 91–478). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.J. Res. 81. Joint resolution to provide for the development of the Eisenhower National Historic Site at Gettysburg, Pa., and for other purposes; with amendments (Rept. No. 91–479). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 13639. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. BETTS:

H.R. 13640. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of North Carolina:

H.R. 13641. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

H.R. 13642. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

H.R. 13643. A bill to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FINDLEY:

H.R. 13644. A bill to amend title 38 of the United States Code to permit certain active duty for training to be counted as active duty for purposes of entitlement to educational benefits under chapter 34 of such title; to the Committee on Veterans' Affairs.

By Mr. FULTON of Tennessee:

H.R. 13645. A bill to authorize the disposal of nickel from the national stockpile; to the Committee on Armed Services.

H.R. 13646. A bill to amend the act of April 14, 1910, relating to railway safety appliances, to require the Secretary of Transportation to prescribe reflecting devices or materials as a safety measure on all railroad cars, and for other purposes; to the Committee on Interstate and Foreign Affairs.

By Mr. GUDE:

H.R. 13647. A bill to authorize voluntary withholding of Maryland, Virginia, and District income taxes in the case of certain legislative officers and employees; to the Committee on Ways and Means.

H.R. 13648. A bill to authorize voluntary withholding of Maryland, Virginia, and District income taxes in the cases of officers and employees of the Architect of the Capitol or of the Botanic Garden; to the Committee on Ways and Means.

By Mr. HALEY:

H.R. 13649. A bill to provide additional assistance for the reconstruction of areas in the States of Alabama, Florida, Louisiana, Mississippi, Virginia, and West Virginia which were damaged by Hurricane Camille of 1969; to the Committee on Public Works.

By Mr. HANSEN of Idaho (for himself, Mr. DULSKI, Mr. HELSTOSKI, Mr. PUCINSKI, Mr. HALPERN, Mr. ZWACH, Mr. DENNEY, Mr. MCCLURE, Mr. ANDERSON of California, Mr. BIESTER, Mr. BOLAND, Mr. BUCHANAN, Mr. BURTON of California, Mr. CHAPPELL, Mr. CLEVELAND, Mr. COUGHLIN, Mr. COWGER, Mr. CRAMER, Mr. DELLENBACK, Mr. DEVINE, Mr. ERLENBORN, Mr. ESCH, Mr. FARBSTEIN, Mr. FEIGHAN, and Mr. FRIEDEL):

H.R. 13650. A bill to amend title 38 of the United States Code to permit certain active duty for training to be counted as active duty for purposes of entitlement to educational benefits under chapter 34 of such title; to the Committee on Veterans' Affairs.

By Mr. HANSEN of Idaho (for himself, Mr. GALLAGHER, Mr. GRIFFIN, Mr. HASTINGS, Mr. HATHAWAY, Mr. HOSMER, Mr. ICHORD, Mr. JACOBS, Mr. KEITH, Mr. KING, Mr. KLUCZYNSKI, Mr. KYL, Mr. MCCLORY, Mr. MCCLOSKEY, Mr. MCKNEALLY, Mr. MIKVA, Mr. MINISH, Mrs. MINK, Mr. MIZE, Mr. MORSE, Mr. PEPPER, Mr. POLLOCK, Mr. REES, Mrs. REID of Illinois, and Mr. ROBISON):

H.R. 13651. A bill to amend title 38 of the United States Code to permit certain active duty for training to be counted as active duty for purposes of entitlement to educational benefits under chapter 34 of such title; to the Committee on Veterans' Affairs.

By Mr. HANSEN of Idaho (for himself, Mr. ROONEY of Pennsylvania, Mr. SANDMAN, Mr. SEBELIUS, Mr. SHRIVER, Mr. TIERNAN, Mr. VANIK, and Mr. WAGGONNER):

H.R. 13652. A bill to amend title 38 of the United States Code to permit certain active duty for training to be counted as active duty for purposes of entitlement to educational benefits under chapter 34 of such title; to the Committee on Veterans' Affairs.

By Mr. JONES of Tennessee:

H.R. 13653. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

By Mr. MATSUNAGA:

H.R. 13654. A bill to amend title 38 of the United States Code to permit certain active duty for training to be counted as active duty for purposes of entitlement to educational benefits under chapter 34 of such title; to the Committee on Veterans' Affairs.

By Mr. MOLLOHAN:

H.R. 13655. A bill to provide additional assistance for the reconstruction of areas of the States of Alabama, Florida, Louisiana, Mississippi, Virginia, and West Virginia which were damaged by Hurricane Camille of 1969; to the Committee on Public Works.

By Mr. MORTON:

H.R. 13656. A bill to amend the act of September 21, 1965, relating to the Assateague Island National Seashore to permit Federal participation in the cost of maintaining certain bridge approaches; to the Committee on Interior and Insular Affairs.

By Mr. O'NEILL of Massachusetts:

H.R. 13657. A bill to authorize the Secretary of the Interior to study the most feasible and desirable means of establishing certain portions of the tidelands, Outer Continental Shelf, seaward areas, and Great Lakes of the United States as marine sanctuaries, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PURCELL (for himself, Mr. REUSS, Mr. WYATT, Mr. MACGREGOR, and Mr. QUIE):

H.R. 13658. A bill to encourage the development of novel varieties of sexually reproduced plants and making them available to the public, by making protection available to those who breed, develop, or discover them, thereby promoting progress in the useful art of agriculture; to the Committee on Agriculture.

By Mr. SEBELIUS:

H.R. 13659. A bill to amend title I of the Housing Act of 1949 to extend, in certain pending cases, the period prior to approval of a neighborhood development program within a public improvement or facility must have been commenced in order to qualify as a local noncash grant-in-aid; to the Committee on Banking and Currency.

By Mr. SIKES:

H.R. 13660. A bill to provide additional assistance for the reconstruction of areas in the States of Alabama, Florida, Louisiana, Mississippi, Virginia, and West Virginia which were damaged by Hurricane Camille of 1969; to the Committee on Public Works.

By Mr. STAGGERS:

H.R. 13661. A bill to amend the Randolph-Sheppard Act for the blind so as to make certain improvements therein, and for other purposes; to the Committee on Education and Labor.

By Mr. STANTON:

H.R. 13662. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. ULLMAN:

H.R. 13663. A bill to strengthen State and local tax systems by providing for a credit against individual income taxes for 40 percent of State and local taxes, and by authorizing the Secretary of the Treasury to enter into agreements providing for Federal collection of State income taxes; to the Committee on Ways and Means.

By Mr. WINN:

H.R. 13664. A bill to amend title 38 of the United States Code to permit certain active duty for training to be counted as active duty for purposes of entitlement to educa-

tional benefits under chapter 34 of such title; to the Committee on Veterans' Affairs.

By Mr. YATES:

H.R. 13665. A bill to amend title II of the Social Security Act to increase from $1,680 to $2,400 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Ways and Means.

By Mr. ANNUNZIO:

H.R. 13666. A bill to amend title XII of the National Housing Act to provide, under the urban property protection and reinsurance program, for direct Federal insurance against losses to habitational property for which insurance is not otherwise available or is available only at excessively surcharged rates, to make crime insurance mandatory under such program, to provide assistance to homeowners to aid in reducing the causes of excessive surcharges, and for other purposes; to the Committee on Banking and Currency.

By Mr. DELANEY:

H.R. 13667. A bill to amend title 18 and title 28 of the United States Code with respect to the trial and review of criminal actions involving obscenity, and for other purposes; to the Committee on the Judiciary.

By Mr. DENNEY:

H.R. 13688. A bill to amend the Federal-aid Highway Act of 1968 to provide additional funds for highway safety programs by authorizing appropriations for such programs in an amount equal to 40 percent of the revenue collected from Federal taxes relating to alcohol; to the Committee on Public Works.

By Mr. ESHLEMAN:

H.R. 13669. A bill to amend the Social Security Act to require the public disclosure of all direct payments made to physicians and other medical practitioners under the medicare and medicaid programs; to the Committee on Ways and Means.

By Mr. JACOBS:

H.R. 13670. A bill to provide Federal financial assistance to opportunities industrialization centers; to the Committee on Education and Labor.

By Mr. MATSUNAGA:

H.R. 13671. A bill to amend the Internal Revenue Code of 1954 to allow an individual a deduction from gross income for certain expenses of employing housemaids, yardmen, and other household help; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 13672. A bill to provide additional assistance for the reconstruction of areas in the States of Alabama, Florida, Louisiana, Mississippi, Virginia, and West Virginia which were damaged by Hurricane Camille of 1969; to the Committee on Public Works.

By Mr. TUNNEY:

H.R. 13673. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

By Mr. FASCELL:

H.J. Res. 887. Resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.J. Res. 888. Resolution to authorize the President to designate the period beginning February 13, 1970, and ending February 19, 1970, as "Mineral Industry Week"; to the Committee on the Judiciary.

By Mr. THOMPSON of Georgia:

H.J. Res. 889. Joint resolution proposing an amendment to the Constitution of the United States making citizens who have attained 18 years of age eligible to vote in Federal elections; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H. Con. Res. 325. Concurrent resolution protesting the treatment of American servicemen held prisoner by the Government of North Vietnam and backing the administration in its efforts on behalf of these servicemen held captive by the North Vietnamese Government; to the Committee on Foreign Affairs.

By Mr. ROSENTHAL:

H. Con. Res. 326. Concurrent resolution to provide for a permanent United Nations peacekeeping force; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS:

H.R. 13674. A bill for the relief of Gabriel Garrido; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 13675. A bill for the relief of Tara Chand Sharma; to the Committee on the Judiciary.

By Mr. RIVERS:

H.R. 13676. A bill for the relief of certain retired officers of the Army, Navy, and Air Force; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 13677. A bill for the relief of Michael Davis; to the Committee on the Judiciary.

H.R. 13678 A bill for the relief of Therese Liautaud; to the Committee on the Judiciary.

H.R. 13679. A bill for the relief of Samuel Woletsky; to the Committee on the Judiciary.

By Mr. SPRINGER:

H.R. 13680. A bill for the relief of Chyn Hwang Liu; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 13681. A bill for the relief of Giovanni Lovece; to the Committee on the Judiciary.

By Mr. DONOHUE:

H. Res. 533. Resolution to refer the bill (H.R. 3722) entitled "A bill for the relief of John S. Attinello" to the Chief Commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code, as amended; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

259. By the SPEAKER: A memorial of the Legislature of the State of California, relative to the Federal food stamp and commodity distribution programs in California; to the Committee on Agriculture.

260. Also, a memorial of the Legislature of the State of California, relative to bilingual education programs; to the Committee on Appropriations.

261. Also, a memorial of the Senate of the State of California, relative to continuation of fund to federally impacted school areas; to the Committee on Appropriations.

262. Also, a memorial of the Legislature of the State of California, relative to offshore oil development operations; to the Committee on Interior and Insular Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

228. By the SPEAKER: Petition of the State Council of West Virginia, Junior Order, United American Mechanics, relative to display of the American flag in public school classrooms; to the Committee on the Judiciary.

229. Also, petition of Henry Stoner, York, Pa., relative to amending the rules of the House; to the Committee on Rules.

SENATE—*Monday, September 8, 1969*

The Senate met at 11 o'clock a.m. and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Thou who are from everlasting to everlasting, come upon us this day with a vivid and intimate awareness of Thy presence, that we may know that neither life nor death, nor things present nor things to come shall ever separate us from Thy love, and that in Thee the temporal and the eternal have no distinction. Surround us with Thy love, impart to us Thy healing grace, and bring to us the ministry of hallowed memory and sacred recollection.

We thank Thee for Thy servant and our comrade, EVERETT MCKINLEY DIRKSEN, who has fought a good fight, kept the faith, finished his course, and is at rest with Thee. For the nobility of his manhood, the magnanimity of his spirit, the hospitality of his mind, and the inclusiveness of his friendship we give Thee thanks. For his massive mind, his matchless speech, his powers of persuasion, and his parliamentary skills we give thanks to Thee. For his elevated patriotism and his manly piety, for his grace and dignity in public service we give Thee thanks. For his prodigious energy spent in self-sacrificing public service, for his fortitude in suffering, and his witness to values which are everlasting we give Thee thanks. May the integrity of his manhood, the radiance of his character, his gentle but subtle humor, and his sense of the divine in all things human remain as an abiding legacy for all generations. May his golden voice now silenced on this side be lifted with the everlasting choirs invisible on the other side of the great divide. May the land he loved, the Nation he served, and the principles to which he was dedicated make this land more and more a foretaste of the kingdom whose builder and maker is God.

In Thy holy name we pray. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, September 5, 1969, be dispensed with.

The VICE PRESIDENT. Without objection it is so ordered.

MILITARY PROCUREMENT AUTHORIZATIONS—UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unanimous-consent agreement which was entered to be effective today be vacated and applied to tomorrow.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

DEATH OF SENATOR EVERETT McKINLEY DIRKSEN

Mr. MANSFIELD. Mr. President, it is my sad duty to announce the death of Senator EVERETT MCKINLEY DIRKSEN at 4:52 p.m. on September 7. A great chair across the aisle stands empty.

At an appropriate time, the Senate will eulogize the late Senator. We shall set aside a day to dwell at length on the life and service of this decent man, this colleague of so many years.

In the first shock of his passing, the words do not come. It is too soon. The void has opened too suddenly. The emptiness is too complete. It is possible, now, only to sense the loss, to sense it in the profound sorrow which his death brings to us.

This is a time, then, not to eulogize, but to mourn. Nor is it a time to mourn for EVERETT MCKINLEY DIRKSEN, who has no need of it. Rather, it is a time to mourn for the Nation. It has suffered the grievous loss of a citizen-patriot and a distinguished political leader.

It is a time, too, to mourn for the State of Illinois, whose cities, towns, and prairies he loved so deeply, and whose praises he sang so well. His State is bereft of a dedicated son, a skilled legislator, and a pure personification in the Congress of the United States.

It is a time, too, to mourn for the Senate, the Senate in which he delighted completely and to which he gave his complete affection. The Senate has lost a Senate man. No longer will it draw new strength from the wellsprings of his wisdom. Yet, his death does not diminish the Senate. His uniqueness is the stuff of legends, and he leaves here a permanent imprint and an enduring echo.

It is a time, finally, to mourn for those who were tied to Senator DIRKSEN in personal association, for his colleagues in the Senate and the Government of the United States, for his family and friends. Time after time, and time again, those of us who knew him turned to him. We turned to him to share a pleasure or a concern. We turned to him for the sureness of his warmth, his graciousness, and his devotion, and we never failed to find it. We turned to him for that elusive flicker of human understanding, that unique spark which was EVERETT MCKINLEY DIRKSEN. It is gone now. So it is a time for mourning, a time for mourning what we have lost.

Mr. SCOTT. Mr. President, it will not be possible ever to replace, except in fond memories, the position held by the great leader of the minority party, a man whose memory will enlighten the recollection of all here present and of so many throughout the country.

Each day, as he came to the opening of the Senate, he had a bright and friendly comment. He added a spirit of accommodation and yet a spirit of full recognition of his responsibility as a Senator, as a citizen, and as the leader of his party.

As the distinguished majority leader has said, today is not the day for eulogy, but for mourning. But today is the beginning of a period in which we may have the opportunity to pay inadequate—altogether too inadequate—tribute to a great man, to a great leader, to a warm and compassionate man with a redeeming sense of humor who had perhaps one of the greatest of all qualities—the ability to view himself in due proportion as one of the creatures of the Lord Most High, and yet to recognize in that picture of himself the aspects of humor, the aspects of the presentation of position, and the aspects of the reaction of those with whom he dealt so well, so long, and so successfully.

Our grief is great for his family, one of whom is a distinguished colleague of ours. It is great for the Nation, for the State of Illinois, and for all those who knew him and loved him and worked with him. At the going down of the sun and in the morning we will remember him.

GUARD OF RESPECT FOR SENATOR DIRKSEN

Mr. MANSFIELD. Mr. President, for the information of the Senate, it is requested that Senators be prepared to form a guard of respect at approximately a quarter to 12 tomorrow, prior to the arrival of the casket containing our late, beloved minority leader.

ORDER FOR ADJOURNMENT TO 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns today it adjourn until 11 a.m. tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

RESOLUTION ON DEATH OF SENATOR DIRKSEN

Mr. MANSFIELD. Mr. President, for myself and Mr. SCOTT, I send to the desk a resolution and ask for its immediate consideration.

The VICE PRESIDENT. The resolution (S. Res. 253) will be read.

The assistant legislative clerk read as follows:

S. RES. 253

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. Everett McKinley Dirksen, late a Senator from the State of Illinois.

Resolved, That the President of the Senate appoint a committee, of which he shall be a member, to attend the funeral of the deceased Senator.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The VICE PRESIDENT. Without objection, the resolution is considered and unanimously agreed to.

Pursuant to the second resolving clause, the Vice President appointed the entire membership of the Senate as the committee to attend the funeral of the deceased Senator DIRKSEN.

MEMORIAL SERVICES FOR SENATOR DIRKSEN

Mr. SCOTT. Mr. President, for myself and Mr. MANSFIELD, I submit a resolution and ask for its immediate consideration.

The VICE PRESIDENT. The resolution (S. Res. 254) will be read.

The assistant legislative clerk read as follows:

S. RES. 254

Resolved, That the Secretary invite the Members of the House of Representatives to attend memorial services for the Honorable Everett McKinley Dirksen in the rotunda of the Capitol on Tuesday, September 9, 1969, at 12 o'clock noon, and be it further

Resolved, That invitations be extended to the President of the United States and the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, the Diplomatic Corps (through the Secretary of State), the Chief of Staff of the Army, the Chief of Naval Operations of the Navy, the Chief of Staff of the Air Force, the Major General Commandant of the Marine Corps, and the Commandant of the Coast Guard to attend the memorial services in the rotunda of the Capitol.

The VICE PRESIDENT. Without objection, the resolution is considered and unanimously agreed to.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

The VICE PRESIDENT. The clerk will read the last resolving clause of the resolution (S. Res. 253) submitted by the Senator from Montana and agreed to by the Senate.

The assistant legislative clerk read as follows:

Resolved, That as a further mark of respect to the memory of the deceased, the Senate do now adjourn until 11 a.m. tomorrow.

Thereupon (at 11 o'clock and 12 minutes a.m.), the Senate adjourned until tomorrow, Tuesday, September 9, 1969, at 11 a.m.

EXTENSIONS OF REMARKS

THOSE WHO HAVE SERVED KNOW WE MUST REMAIN STRONG

HON. W. C. (DAN) DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. DANIEL of Virginia. Mr. Speaker, if you were planning to erect a dike to hold back floodwaters from your property, you would be well advised to seek out one experienced in such matters and draw on his knowledge to insure that your dike would do the job that it is designed to do. Likewise, should a farmer face the loss of his livestock to predators, he would seek advice and counsel from friends and neighbors who had successfully dealt with similar threats.

The American Legion membership is made up of those who have proudly served their country in periods of national peril. Legionnaires have faced this country's enemies in two World Wars, the Korean war and the Vietnam war. They are experienced "dike builders"—they are the ones who have dealt successfully with the threats of "floodwaters" and "wild animals," whose purpose it was and is to destroy our country.

Those who have served know we must remain strong.

At their national convention in Atlanta, Ga., on August 26, 27, 28, 1969, the Legionnaires expressed grave concern over and vigorous opposition to, plans to reduce our military strength in the face of threats to our national security.

These veterans whose patriotism and loyalty is a matter of record are equally as concerned over attempts to downgrade the military and efforts to malign those of the industrial complex who have enabled our country to maintain its deterrent military strength.

The American Legion Convention Committee on National Security presented two resolutions on this subject which were unanimously adopted:

OPPOSE MILITARY REDUCTIONS

Whereas, it has been announced that Members of Congress have notified the Secretary of Defense, Melvin R. Laird, that he will be required to:

1. Eliminate 100,000 men from the Armed Forces;

2. Deactivate 100 fighting ships of the U.S. Navy including the recently reactivated battleship *New Jersey;* and

3. Reduce some hundreds of thousands of flying hours from the U.S. Air Force; and

Whereas, the American Legion deplores this rash and hasty action and feels that this cannot be the will of the Congress; and

Whereas, the American Legion applauds the thought of the economy minded Congressmen but recommend that their efforts be directed to fields less hazardous to our national security; and

Whereas, the reports are prevalent that Russia is increasing the strength of its Mediterranean fleet; tensions increasing in the Middle East between Israel and Egypt; fighting continues on the borders between Russia and China; and

Whereas, despite every concession by our country, the Paris negotiations have produced no meaningful discussions and despite our halt to the bombing in Southeast Asia, no reciprocal reduction of guerrilla attacks upon our forces have been made by North Viet Nam, and casualties continue to mount; and

Whereas, Castro remains only 90 miles from Florida and in other countries throughout the world are threatening peace and freedom; now, therefore, be it

Resolved, by The American Legion in National Convention assembled in Atlanta, Georgia, August 26, 27, 28, 1969, that they view with alarm this threat to reduce our military strength in men, ships and training and vigorously oppose such reduction, and be it

Further resolved, that the Congress study carefully any reduction in our Armed Forces which may endanger our national security.

MILITARY-INDUSTRIAL COMPLEX

Whereas, the strength of the nation depends not only on the number and quality of the men available to fight for it, but also upon the scientific, technological and productive capacity of the nation's industries; and

Whereas, a harmonious relationship must exist between the military and industrial organizations to design, develop and deploy necessary weapons systems in support of our national security; and

Whereas, in two world wars the United States helped bring victory to the free nations by serving as the "arsenal of democracy" because management and labor united in a vital contribution to the effectiveness of our gallant comrades in arms; and

Whereas, many statements regarding the "military-industrial complex" have been made to the citizens of our country in biased and undocumented form in the attempt to downgrade our national security posture; and

Whereas, no modern military power can be created or maintained without sophisticated and vast industrial productive capabilities; and

Whereas, through the investment of private capital, efficient management and loyal workers, the great industrial corporations of America doing research, development and production for aerospace, naval and ground forces as well as for our space program, are an indispensable national resource which would have to be created if it did not already exist; and

Whereas, the maligned military-industrial complex is composed of workers, technicians, scientists and managers, united in support of their brothers and sons serving our country in all our military forces; now, therefore, be it

Resolved, by The American Legion in National Convention assembled in Atlanta, Georgia, August 26, 27, 28, 1969, that we cannot accept any philosophy that would downgrade or destroy the private enterprise relationship between the military and industry that has made this nation great and has kept it free; and we express our unending gratitude to all who have contributed to the industrial efforts which have supported our armed forces in war and at times of international tension; and, be it

Further resolved, that we urge the press, radio and television media as well as others who attract public attention and help mould public opinion to make every reasonable effort to present to the American people a fair and undistorted picture of the essentiality of cooperative efforts between our military forces and private enterprise so necessary to the survival of the nation and the protection of freedom throughout the world.

CLAUDE PEPPER HAS SEASONED VIEWS ON CRIME

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. HOWARD. Mr. Speaker, the so-called "crime issue" is one that is on the minds of most persons in this country today. There are those who cry aloud, wring their hands, and do little to help alleviate this problem.

On the other hand, there are persons, such as the distinguished gentleman from Florida, Representative CLAUDE PEPPER, who quitely—and efficiently—work hard to solve this problem.

Those of us who have had the privilege of working with Mr. PEPPER know of his outstanding abilities, his capacity to work hard, and above all, his willingness to tackle tough problems and come up with sensible solutions.

Last week, Mr. James J. Kilpatrick, writing in the Washington Star, called attention to the outstanding work being done by Mr. PEPPER as chairman of the House Select Committee on Crime. I commend it to my colleagues for reading. CLAUDE PEPPER has served his country well, both in the Senate and in the House. Those of us who are concerned about crime owe Mr. PEPPER a note of thanks for the work he is presently undertaking on the problem of crime.

The Washington Star article follows:

CLAUDE PEPPER HAS SEASONED VIEWS ON CRIME

Thirty years ago, when Claude Pepper was serving in the Senate, conservatives used to regard him with horror. He was a liberal's liberal, with a tabasco tongue and a fiery eye. In 1950, when defeat knocked him off, we shed no tears. But time has mellowed the old "Red" Pepper. He'll be 69 next week (September 9). He's now serving his fourth term in the House—one of only a few score men in history to serve first in the Senate and later in the House—and he's doing an especially able job in the field of crime and punishment.

With no further introduction, as they say on the chicken salad circuit, let me offer the floor to the gentleman from Dade County, chairman of the House Select Committee on Crime. He is thinking aloud on some dismaying truths that have emerged from six weeks of hearings:

"We didn't need these hearings for the purpose of discovering that crime exists. We all know too well that the fear of crime pervades the nation, and that political candidates are being elected on the law and order banner. The real message from our hearings is that despite this omnipresent fear and the public outcry for law and order, we are doing relatively little to meet the crime problem.

"A real paradox exists. While we all clamor for the control of crime, most actions that

must be taken are apparently among the lowest priorities for governmental action. During the past decade, juvenile crime has had an alarming increase out of all proportion with the increase in over-all crime. Arrests of juveniles for narcotics offenses has increased 800 per cent, yet Federal expenditures for juvenile delinquency prevention and control received a mere $5 million appropriation last year.

"In a recent column touching upon the problem of recidivism in crime, you noted the shocking fact that many prisoners serve six or eight terms. We can agree, I'm afraid, that some of these are beyond even the best of training programs. We need to concentrate more effort on the first offender, developing some vocational as well as moral standards that will encourage him to go straight.

"Our nation has no national or sensible programs for corrections and rehabilitation. Our correctional programs are largely a relic of another age. They just do not correct. We have been told by many experts that youthful offenders would be better off—and so would society—if they were never caught. It is an abomination that a society that consecrates human values could permit the sordid and inhuman practices that take place in some of these institutions.

"There is no more important matter in the entire criminal justice system than the matter of corrections and rehabilitation. Until recently, the problem had been ignored by the federal as well as state and local governments. Now I understand that the administration is about to unveil a new proposal for the establishment of a national corrections program, apparently under the aegis of the Federal Bureau of Prisons, with the entire program being under the control of the Department of Justice.

"I have grave reservations. Perhaps the time has come for Congress to create a new independent agency which could focus entirely on new approaches in the area of corrections. Such an agency could lead the states, counties and cities out of the medieval grip of penology in which our local jurisdictions appear to be mired.

"I suppose that the heart of our difficulties in meeting the crime problem is symptomatic of what besets our society and our nation. We are confronted with the monumental national problem of determining priorities for federal action. The time for major corrective action is long overdue. The crime problem can be met only by resigning ourselves to a massive Federal effort involving a large Federal expenditure. Local communities have generally reached the limits of their financial resources. . . ."

The prospect of massive federal outlays in an area of state and local responsibility holds small appeal, but Pepper is plainly right. Those in Congress who holler most loudly of crime must back up their words with new infusions of money.

MISSOURI BEAUTY

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. ICHORD. Mr. Speaker, I wish to pay tribute to those beautiful and talented Miss America pageant queens who were among a troupe of beauties who staged the third annual overseas "Miss America—USO Show" in Vietnam this summer.

I think it is especially fitting that they should be honored now following the selection of the new Miss America for 1970 in Convention Hall at Atlantic City this past weekend.

I am especially proud to point out that among the beauties who comprised the troupe in Vietnam was Miss Missouri for 1969, Miss Kathi Goff of DeSoto, in the Eighth Congressional District.

Miss Goff is the daughter of Mr. and Mrs. Russell E. Goff, Star Route West, DeSoto.

In the group which toured Vietnam for 22 days, besides Miss Goff, were Miss America, Miss Judith Anne Ford of Belvidere, Ill.; Miss Arkansas, Helen Rose Jennings; Miss Nevada, Sharon Jane Davis; Miss New Jersey, Linda Ann Wilmer; Miss New York, Patricia Burmeister; Miss Minnesota, Charlotte Ann Sims; and traveling companion, Mrs. Irene Bryant, official chaperone to Miss America.

The musical revue, "24 Hours a Day," featured group and solo numbers by the seven cast members.

Miss Missouri, Miss Arkansas, and Miss New Jersey are pop singers; Miss Nevada and Miss New York are classical singers; Miss Minnesota is a dancer; and Miss America is a champion gymnast and excellent dancer.

A willingness to entertain our servicemen in Vietnam, the desire to play their part in sustaining morale in Vietnam, the beauty and the talent—all this is worthy of commendation.

Miss Goff is most worthy of the honor, Miss Missouri.

WHERE OUR MONEY GOES

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. STEIGER of Arizona. Mr. Speaker, the Federal Government can find the most inane ways to spend money. The spot VISTA promotion for television is a prime example as the KOOL editorial shows:

In an editorial presented last month, we pointed out that the Federal Government spends some 400 million dollars a year on motion picture films, more than all the major Hollywood studios spend on feature films. We also pointed out that a good deal of this was wasted money.

Here's a prime example of that waste. In 1967, the Office of Economic Opportunity commissioned Sun Dial Productions of New York City to produce a 16 mm color film for use as a recruiting device for VISTA, Volunteers in Service to America. More than two-thirds of the film was shot in Allenville, telling the story of Allenville's struggle for a decent water supply, and how two young men entered into VISTA service to aid the cause. The remainder of the film was shot in Stanfield, Arizona. The cost of producing the thirty minute film was forty thousand dollars.

If that money had been applied towards correcting the problem, instead of exploiting it for propaganda purposes, Allenville could have had a new water system two years ago; generous Arizonans would not have had to donate more than twenty-seven thousand dollars to match federal funds for a system, and the government could have saved about ten thousand dollars. Even worse, the film itself was not altogether truthful. However, the VISTA people in Washington are proud of the film and feel the taxpayers' money was well invested. They point out that it has been seen by more than two hundred thousand people.

We might point out that the thirty minute film we presented on this and the CBS Television stations in Tucson and Yuma did not cost the taxpayers a cent. It told the truth and was available to the television sets of the more than a million people who live in the coverage areas of the three Arizona stations that carried the film.

DR. MONTESSORI'S WAYS OF REACHING YOUNG MINDS

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. COHELAN. Mr. Speaker, in Italy early in this century, Dr. Maria Montessori, while she was doing advanced research in connection with her successful medical career, decided that her real vocation lay in teaching children.

The philosophy behind the methodology which she developed and which bears her name, is that children from birth to 6 years have a tremendous learning capacity, as well as an unusual and spontaneous urge to learn. The play materials and teaching methods that she developed take advantage of this learning instinct and desire.

Here in Washington, the New City School, using Montessori principles and operating in the parish hall of St. Paul's Episcopal Church, is endeavoring to bring these unique educational benefits to a diversified group of children in the inner city—to rich, poor, black, white, English-speaking, and non-English-speaking alike.

An account of this experiment, led by its director-teacher, Mr. Walter Hardesty, is given by Mr. Hardesty in the January-February 1969 issue of Southern Education Report. I include this article in the RECORD and recommend its careful review by my colleagues:

DR. MONTESSORI'S WAYS OF REACHING YOUNG MINDS

(By Walter Hardesty)

(NOTE.—Walter Hardesty, director-teacher of New City School, left a promising career in government to become a teacher of small children in 1964. He tells more about himself in this article.)

Maria Montessori, born in 1870, was the first woman to get the degree of doctor of medicine in Italy. But her reputation was in education. She established an approach to teaching children, especially the younger ones, that has borne her name over the decades.

In Washington, D.C., New City School is a new venture in Montessori teaching in an unusual neighborhood eight blocks from the White House. It is in the parish hall of St. Paul's Episcopal Church, just off Pennsylvania Avenue. Three blocks from the school,

the avenue passes into Georgetown, the exclusive restored section of the capital.

New City seeks to be a place where rich and poor, black and white, English-speaking and Spanish-speaking children can come together to work and learn. The school may seem at first glance to be in an unlikely setting. But within a block are some rather run-down streets. Within a few blocks are pockets of poverty the equal of impoverished areas anywhere in the city. This is one of the few spots in Washington where a neighborhood school is likely to draw a real mixture of races, economic levels and backgrounds.

Five of us have committed ourselves to New City School, betting our teaching talents and risking our incomes to find out whether a dream of faith and hope can become flesh and blood—or, as some might believe, whether it is just a wish-dream.

We are committed to taking half of our children from homes able to pay little or nothing toward the cost of their children's tuition, whether or not we can raise the scholarship money in advance. To make up the difference we are at present dependent on contributions from small organizations, such as churches, and from individuals. Because we are small ourselves, we do not have the extra measure of strength we would need to sell the city's board of education on supporting us. The board has turned down similar proposals in the past. Perhaps this will change soon; there now is a new board, chosen in November elections, the first elected school board in Washington in over half a century.

Already, raising money has become a critical problem. We have only one class going, but we have raised only four of the ten $575 scholarships we need to pay the tuition of the poor. Next year will be tougher. Even before then we may have two classes going for children 2½ to 6½ years old. Lydia Mosher, who began her teaching with junior-high science and spent four years teaching it in District of Columbia public schools, may open our second class in February or March after she completes her Montessori training. And we hope to be adding three classes under the direction of Sanford Jones, who is to open our first class for children 6 to 9, Martha Jones and Elizabeth Hall.

Having pieced together some savings, a scholarship and some loans, these three are now doing advanced Montessori study in Italy. For the past five years, they have run their own school in suburban Annandale, Va. But they have found themselves spending more and more spare time in the city.

In 1966, Sanford founded a summer enrichment program for 25 inner-city children in the same room we now use as our first classroom. In 1968, he turned it over to Mrs. Mosher, a Howard University graduate who is an old hand in working with poor youngsters. Late afternoons and evenings Lydia and her husband, Peter, may often be found working with from two to two dozen youngsters in the Mosher basement. Next year, with all of us teaching, our total scholarship needs will be $28,825.

What we want to do at New City is to try Montessori work with pretty much a public-school population. It is not exactly the same in every respect, though. Our children start at age 2½ instead of five or six. Toilet training is the only prerequisite. Another difference is that the parents choose our school, albeit for a variety of reasons. Some want their children to be with children a little different from themselves, feeling it is a part of learning. Some especially want Montessori schooling. Some come seeking a good school of whatever sort. Some mainly want to be free of the children for a couple of hours each day.

The parents do make a commitment, though, before the child is enrolled. They promise to feed the children and get them to and from school, for we provide only a light snack and no transportation at all. But once the child is in, we try not to eliminate him for his parents' failures. Two children regularly arrive hungry and have to be given a light breakfast in spite of their mother's assurances that she is going to feed them every morning. In November, when the weather got a bit chilly, the same two boys stopped coming. The mother felt they could not stand the four-block walk in the cold, and had a very legitimate concern about the responsibility of the older brothers and sisters charged with accompanying them. We were able to arrange transportation with a generous parent of another child who was willing to stop by for them.

Like all Montessori schools, ours is nongraded. Children two to six work together in our first classroom. Interestingly enough, nongraded classes beginning at age 2 were part of a recent prescription to remedy Washington's school problems. The study, completed over 18 months ago by Dr. Harry Passow of Columbia University for the board of education, gave us more than a little satisfaction. We hope we will be able to do something that the school system will find valuable when it is ready to move in this direction.

While Dr. Montessori was doing advanced medical studies with children she concluded that her real vocation was teaching children. Working more from her own fresh observations than from textbooks or educational theories, she carved out a new understanding of the child. From this understanding she created an elaborate group of materials for the child to use in learning, and she devised a complementary set of teaching techniques for introducing the materials to the pupil.

Dr. Montessori's approach recognizes the power to learn and the urge to learn of the very young. It is as up-to-date in this respect as the contemporary work of Jean Piaget, J. Mc.V. Hunt, and Jerome Bruner. Montessori said the child from birth to 6 has an absorbent mind, with capacities that are different from those of the adult. Witness the child's facility for learning language—his own or any to which he is exposed. The doctor noticed how the child accomplished this prodigious feat, how he did this extremely difficult work, without strain. No adult can duplicate it.

At the same time, she appreciated the child's weakness and dependence. She recognized that the child cannot absorb, cannot make apart of himself something to which he is not exposed. He is still dependent on parents or teachers or recreation workers for the range and variety of experience available. What we do not make available he cannot use.

The Montessori experience is that the little ones can take in—eagerly want to take in—far more than we give them in most homes and schools.

What we give, then, and how much we give are very important. But even more crucial is how we give it. We would not expect, for example, that the little child would learn to speak French in the manner of the university student (though the university student could do worse than approach French more in the manner of the child). Given this, we can guess that there will be big differences in the way the small child approaches and can receive the process of addition, in the way he comes to master writing.

The Montessori materials with which we work are the creation of a lifetime of effort by a woman who had an enormous gift for putting what the child wanted to learn into a form he could explore and exploit. Any parent who has had to put to bed a tired but kicking and resisting infant knows how urgently he wants to see, hear, smell, taste, touch and manipulate his environment in as many ways as he possibly can. Our materials are intended to give the child a constructive outlet for all of this.

In our classroom, the materials the child uses provide what he wants and what he can absorb from a wide range of human activities. In working with these things, the child finds he has keys for developing his understanding of the larger world beyond the classroom. For example, take the Montessori bells. They sound the familiar eight notes: *do, re, mi . . . do,* beginning with middle C. When the child is ready, the sharps and flats are added.

The preschool child's experiences with the bells provide a key to the understanding of music, of the structure of musical language. Starting on this only a few years later, at the age of 7 or 8, a child would no longer have the same capacity to internalize his experience, to make it so completely a part of himself. Like the bells in music, the sandpaper letters, which are large letters cut out of sandpaper and mounted on cardboard, give the child one of the keys he needs for breaking the code of the written language and relating it to the spoken language he already knows.

Watching the great wealth and variety of work in a well-run Montessori program, one is reminded of the films of such schools as Florida's Nova School [SOUTHERN EDUCATION REPORT, *March-April, 1966*], where 30 or 40 children of different ages and with different interests work in almost as many different projects as there are children, all in the same room and all at the same time.

Even so, for many reasons, Montessori work is not a panacea. A Montessori class does not take the place of a good home. One child at New City School comes from a home where he obeys because he fears a beating. He is 4½. When he first came, he spent most of his time disrupting the other children. When I picked him up to extract him from his mischief, he started swinging at me. I said, "Nobody is going to hurt you here," and he relaxed. Now he doesn't swing on me anymore, and when we are sitting around reading a story he heads for my lap or that of my assistant, Tom Lennon. A child like this one at age 4½ requires constant attention from an adult during his first three or four months at school. Unless the school is fortunate enough to afford him that kind of special handling, he may have to be dropped, or the teacher may have no choice but to use the same approach used at home.

Neither is the Montessori classroom a substitute for a good playground, or a neighborhood lot, or just a back yard or alley where children can come together and play with one another. Where these things fail or are not part of the environment, something like a playschool is needed.

One little girl who came to me where I taught last year was quite intelligent, but never became as fully absorbed in her work as she might have. She had little opportunity to be with children outside the school and was just too excited with the chance to play and talk. Ideally a school would meet the needs of children both for learning and for play experiences. In practice, many Montessori schools confine their work largely to the schooling, that particular part which they do best.

At New City we may offer a limited day-care program to a few of our children beginning next fall if we can arrange it. Dr. Montessori's first school, in the poor San Lorenzo quarter of Rome, was for the children and is very much admired by those who especially care.

Since Dr. Montessori began her work with poor children and is very much admired by those especially concerned with the poor, such as Frank Reissman, author of *The Culturally Deprived Child,* how is it that Montessori is so middle-class now? In the Washington area, for example, only about 50 of 1,500 children in Montessori schools come from economically poor homes.

Wealthier people seem to have seen some-

thing they wanted, and they had the means to get it. The poor have not known about the opportunity, or could not afford it if they did. Partly this is because opportunities are not equal in our society. The capabilities of our public schools are not what we wish they were.

At New City School, we can do a little to set right these large-scale wrongs. We work from the Montessori approach because it seems to us the best means of giving these children, middle-class or poor, a key part of what they need.

All of us started from backgrounds other than early childhood education. Sanford and Martha Jones were concert pianists and music teachers. Elizabeth Hall was a member of the founding faculty of the New School for Music Study in Princeton and developed and directed a music readiness program for young children there from 1960 to 1964. Lydia Mosher's university major was botany and she taught science in Washington's public schools. I did management work with the National Aeronautics and Space Administration before going into preschool teaching, and then to Montessori.

Persons from professional education backgrounds as well have come to an appreciation of Montessori. One such person was a teacher named Ilene Detlor, whose training was in early childhood education at American University. When she came to work with us in a little school we had started for poor children before Head Start was available, we thought she was great, but she became very discouraged about her teaching in her second year after we installed a Montessori teacher in the next classroom. Ilene came to admire greatly the Montessori teacher's work. As Ilene put it, Sandra Sklar "knew where to take a child. . . . She knew how to make the most of the child's interest. . . . To a two-year-old, everything is a game, anyway, so why not give him an enormous amount of information in the games he plays?"

Ilene felt so strongly about trying to teach without Montessori training that she has dropped out of teaching until she can arrange to get the training She can make an excellent Montessori teacher because she is also aware of some of the pitfalls in Montessori work. She points out that if the teacher feels pressured to "get Montessori results," it doesn't work. It is true that children in our schools often display spontaneously a surprising maturity, but the teacher who insists that the child begin by behaving like an adult is about as likely to get good results as is the psychologist or minister whose counsel to the troubled soul is, "Just be serene and wise."

At New City School we, like each teacher wherever he is, employ our training in a unique situation. Since our training was at the Washington Montessori Institute where most teachers are preparing to work with middle-class children, the poorer children provide the best test of our ingenuity and imagination in adapting the work to their style of learning.

Not that Montessori work is intrinsically better suited to the wealthier. At some points it seems better suited to the poor. For example, the poor, who in our case are all black children (as are about half of our middle-class children), seem to get more freely and directly involved than middle-class children. This works out beautifully for the poor because we work from the experience to verbalizing about it. And it is from manipulating real objects and working with each object many times and in different ways that the child forms in his own mind the concepts, the abstractions, that are built into the materials.

For example, the child who has worked out a pretty good understanding of the numbers from 1 to 10 and can read the corresponding symbols can be shown one tiny round bead that makes "one unit." A string of 10 of these beads on a straight wire makes "one ten." A row of 10 of these strings forms a square, "one hundred." Ten of the squares together make a cube, "one thousand." If he has several of each category in front of him and if he has learned that the tiny bead is "one unit" and the big cube is "one thousand," the child can as easily get "five thousands" as he can "five units." In addition he can soon read the number 5,000 because he has now had a concrete experience that makes it meaningful. The thousands are just the ones with three zeroes after, the hundreds the ones with two zeroes, and so on. His next step is to read 5,672, which he reads as "five thousands, six hundreds, seven tens and two units." And this he matches with the actual quantities of beads.

The concreteness of what we do, which fits well with the learning style of all children but especially with that of the poor, might lead one to think the poor child has the edge. But there is a hitch. Unlike the middle-class child, he has had few or no experiences that give him any reason to get into the learning of the numbers 1 to 10 in the first place. Even if he counts aloud from one to ten, which he may have learned from skipping rope, he is slow to match the words to concrete objects.

In math and language work, conceptualizing and verbalizing are indispensable. The distinction is clearer if we note that in doing the practical tasks involved in caring for the room, in polishing the bells, in sweeping, or in pouring milk at snack, all tasks requiring minimum verbalizing, the poor child has no handicap. Unless his home life is unstable, he is the most apt child in this type of work.

Just the other day, one of the younger children wet his pants. Tom and I were both engaged with other children so we referred the problem to an older child, a boy of 4½ years from one of the poorer homes. He assisted the other fellow in a very professional way, checking with me again to let me know that the socks were wet, too, and the bag of dry clothes I had given him was without socks.

We are still left, though, with the problem of helping the poorer child get into the work that requires verbalizing and conceptualizing. Here we are working from two directions. First, we go ahead with the work the child can do well and enjoy. Again, this is the practical work. Polishing badly tarnished silver, for example, produces a big improvement. This type of work involves the child and heightens his capacity for concentration. It also introduces the child to the notion of getting a result through a sequence of operations, a notion equally useful in writing a word as a sequence of sounds.

The second way of approaching the economically poor child with the concept-building materials is to work through the middle-class child. The poorer child becomes interested as he observes the activity of the middle-class youngster who does these more academic things more eagerly. Before long, he comes to want to do them himself, and asks the other pupil or one of us adults to show him or let him help.

Cross-fertilization occurs in both directions. Often, a middle-class child, especially one who is verbal beyond his power to understand, or is hyperactive, or is given over too much to withdrawal into fantasy, gets a good lesson in settled work on a practical task from a poorer classmate. In this instance, the middle-class child is very much helped because his problem is that he cannot do anything much so long as he remains unsettled.

We make still another adaptation of Montessori materials and techniques in doing the language development work in ways that meet the unique preparation and style of the poorer children. Occasionally this seems to bring us into conflict with the Montessori method narrowly conceived.

For example, the best Montessori classes develop a remarkable capacity for the enjoyment of quiet order in which 30 or so youngsters are working at individually selected projects or in groups of two or three with only occasional direction from the teacher. At New City School, where this sort of quiet is just beginning to come after several months work, the quiet may be punctuated with the near-shouting of a child who is learning which is a *big* cube of pink tower, which is a *bigger* one, and which is the *biggest* of all. The child may be responding to Tom Lennon's urging to "say it louder."

Tom is doing this because we have found that a child who cannot or will not learn the words at all if he hears and speaks in a quiet voice will work with gusto when the volume is turned up. We got the idea of doing it louder after reading about the work of Carl Bereiter and Siegfried Englemann at the University of Illinois. (*See "Tupelo Follows Through,"* Page 22.)

Another way of helping the poorer child to reach the takeoff point in language is special use of our games with the parts of speech. In one, the preposition game, the child puts the toy pig *at* the trough, the chair *on* the table, the picture *across from* the mirror, or whatever. With the middle-class child, who already knows a lot about the structure of the majority dialect, these games may sometimes be done only as reading work after he begins to read. In contrast, the poorer child may require lots of preparation before he is ever asked to give the proper response in playing the game aloud.

Those of us doing Montessori work are convinced of its value to the child in his struggle to make himself a man. At the same time, we recognize that a large-scale application of the work around the country is not possible at this stage.

We are working by bits and pieces to make Montessori advantages available to children whose families cannot pay for it. At New City there is no charge for children from families of three or more children with less than $5,000 annual income. This is not rock-bottom poverty, but neither is it much to live on in a large city.

There are a few other schools trying to do much the same thing we are doing. One is the Midtown Montessori School, which two other teachers and I got going in Washington last year. Another is St. Paul the Apostle School in New York City. A third, operated by the Day Care Association of Atlanta, may have had to close for lack of funds by the time this article is printed.

In Atlanta, a new teacher-training operation has opened this year under the direction of Margaret Stephenson, who is considered the foremost authority on Montessori in the United States. It complements the work of the Washington Montessori Institute and other training centers in California and in Philadelphia. Even so, the number of teachers trained this year will be only about 130. This report does not cover teachers trained by nonaccredited "Montessori" training courses or the schools that employ these teachers, some of whom are quite capable but many of whom are not thoroughly prepared.

If more Montessori schools for the poor can open, we will soon have enough children that experimental situations can be created and some valid research done to measure the effects of our work.

Of the 130 new teachers available next year, very few will find jobs, in the South or elsewhere working with disadvantaged children. Many more could be attracted by the right kind of opportunity, for many each year express great concern for the children from

less fortunate circumstances, but few find such a possibility. Perhaps some situations could be established in housing projects, or as a part of existing day-care programs.

As the new teachers go out, they will do well to avoid the pitfalls into which some of us have fallen in the past. One pitfall is to be impatient. We have seen excellent results achieved by children working with more experienced teachers—teachers whose understanding had worked its way from their brains into their flesh and blood and bones. In our urgency to do great things too, we are likely to be impatient, with our children and ourselves, in getting the children to do what we know they are capable of. Ironically, in focusing too much on the end to be achieved, we break up the process which makes it possible. We pressure the children to act like Montessori children before they are Montessori children. We forget that an able teacher and a stable population of children should be expected to show developed Montesssori work only after three years or more.

Another common mistake we make in Montessori practice is to take too narrow a view of our work. We see ours as the most comprehensive and widely practiced way of meeting the needs of the young child's mind, and a case can be made that it is. But this does not mean that other approaches have no contributions to make.

A close look at the work of O. K. Moore and his talking typewriters, or of Bereiter and Engelmann in developing verbal abilities of disadvantaged children 4 and 5 years old, or of Martin Deutsch in developing comprehensive approaches to teaching poor children in New York City, turns up little we Montessorians can quarrel with. We share the same experience of the astonishing learning powers of the child and we have a common commitment to providing him the means to develop himself. Appreciating and understanding the work of these people or of just plain good teachers in local public and private schools will deepen and enrich our own work.

Some of the pitfalls into which we slip may be unique to situations in which we try to work with the poor. Many of us are not prepared for it, by background or experience. Few of us are from poor backgrounds ourselves. Margaret Stephenson suggests to many middle-class trainees concerned about the poor that they first work three or four years with middle-class children as preparation.

Perhaps here a solution is for a few local communities to plan, with the advice of a Montessori consultant, to establish and fund a pilot program. Each community could chose, ideally, two or three local persons gifted in working with children and teaching and could sponsor them in the training course. Perhaps men would be better than women, because when a man gets married and raises a family he does not interrupt his career. And perhaps younger persons without previous teacher training and experience, other things being equal, might make better choices. In her first project in Rome, Dr. Montessori chose as an assistant a young woman of 17, who was open to a new way of doing things.

Not long after Maria Montessori began her work with the children in that slum tenement that housed her first Children's House, those who came to observe from over the world went away talking of the "new" children. Dr. Montessori had been offered the job of working with them by a building manager who wished to keep the children busy doing something other than damaging his property. She had tried her first experiments in teaching them to read in response to the appeals of the children's illiterate parents. From this start grew a great life work.

Our children are living in a different place, a different time, and a different culture. Nevertheless, Montessori's work has much to teach us that we can use in giving the child, whatever his background, what he needs to take his place as a man in 20th Century America.

A BETTER ALTERNATIVE TO REVENUE SHARING

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. ULLMAN. Mr. Speaker, today I am introducing legislation that would create a new instrument to expand Federal financial assistance to our hard-pressed cities and States. The Federal Government is already helping, of course, through its categorical grant-in-aid program, now costing about $25 billion a year.

This program is overcomplicated. It needs to be simplified and modernized to be more responsive to the needs of our communities. But it is, and is likely to remain, the backbone of the Federal assistance effort.

The new instrument we are seeking would be a supplement to this grant program. President Nixon has proposed a system of revenue sharing that would return about $500 million in Federal tax revenues to the States in its first year of operation, fiscal 1971. This figure would rise to about $5 billion a year by the middle of the 1970's.

I have grave reservations about this plan for several reasons. Most importantly, I do not favor another direct handout from Washington. This approach can only serve to make the States and cities more dependent than ever on the Federal Government. What we must do is establish a new system that will motivate State and local governments to become more self-reliant, more in control of their own resources.

I am introducing today a bill that would achieve this goal. I propose to institute a tax-credit system that would allow the taxpayer to claim 40 percent of the income taxes he pays to State and local governments against the tax bill he owes to Washington.

This effective reduction in Federal income taxes would ease the competition for the taxpayers' dollar now faced by State and local government. These governments could then pick up the added revenues in their tax schedules at no extra cost to the taxpayer.

At the same time, we would maintain the basic integrity of our fiscal structure and strengthen the present shaky partnership among the Federal, State, and local governments.

There are many other persuasive arguments for adopting this alternative approach to revenue sharing. A number of these are set out in an excellent paper appearing in a recent issue of the "Virginia Law Weekly." The author of this paper, Mortimer M. Caplin, is a distinguished former Commissioner of Internal Revenue and Virginia Law School professor of tax and corporate law. Mr. Caplin is currently in private law practice in Washington. I commend his argument to the attention of the Congress:

CAPLIN SUGGESTS REFORM IN STATE TAXATION POWER

(By Mortimer M. Caplin)

One of these days, the war in Vietnam will come to an end. At that happy time, the nation is expected to turn its gaze upon itself and set about the task of healing internal wounds long left to fester. Close and careful reexamination will be inevitable for much of our domestic policy and policy-making apparatus, including our tax system.

In recent years, tax reform proposals of many sorts have already begun to proliferate—some with widespread roots and ramifications, and reaching into areas that have little ostensible relation to tax policy in the narrow sense. Examples are found in the "new economics," with the enactment of short range tax rate changes to counteract fluctuations in our national economy; investment credits to induce private business to modernize its machinery and equipment; a variety of income tax incentives aimed at encouraging the private sector to help solve our many urban problems. Such proposals testify to the conviction of economists, tax experts, and political scientists, that tax policy will be a major force in pointing the direction of new domestic programs in the post-Vietnam period.

The prevalence of this conviction is hardly surprising. The end of the war should free up not only our national attention but a great deal of potential revenue, which could be allocated in an almost infinite variety of ways. Our decisions on how and in what amounts to make these tax allocations will reflect revealingly our national values and our felt priorities among the many competing goals to be achieved in the 1970's.

PREDICTS ROLE QUESTIONING

Perhaps first on the list of domestic concerns will be questions on the respective roles to be assumed by federal, state, and local governments. Currently we are experiencing a widespread attitude of doubt over the omniscience and omnipotence of the federal bureaucracy. Creative federalism, it seems, will soon be in vogue (again), if it is not so already. And, of course, tax policy must figure prominently in any comprehensive thinking along these lines.

It is no secret that state and local governments are today experiencing a crisis of revenue, and that even the relatively modest functions they now fulfill are being placed in jeopardy. If, as talk from many quarters would indicate, the post-Vietnam tendency is to be toward fragmentation of national problems—toward state and local handling of "local" problems—the fiscal squeeze in the states must be diagnosed and eased. State and local governments must be placed on a sounder financial footing to permit them, not only to solve their present problems efficiently, but to take on the new tasks to be assigned to them.

DISCUSSES TAX POLICY

To achieve this goal, it is only natural to look to the enormous revenue-raising potential of the federal government. Placing a portion of this potential at the service of the states would be the logical consequence of the proposed shift of responsibilities to them from the federal government.

I have elsewhere maintained that "our tax laws are fundamentally a mechanism for raising revenue; we should be sparing before we use them for any other purpose—whether for regulatory purposes or to accomplish social and economic objectives." Caplin, *Federal Tax Policy—The Need for Reform*, 56 Georgtown L.J. 880, 889 (1968). I still subscribe to that view. But now as then, I favor use of our tax laws to achieve nontax goals when two preconditions are met: (1) the objective is one of over-riding importance to our society, and (2) it is one whose achievement can be most effectively realized

through the tax mechanism. Implicit in this second condition are the requirements that tax incentives should be better able to achieve the desired result than alternative governmental programs, and that they should be able to accomplish this result without substantially higher costs or waste of resources.

REVIEWS TRADITIONAL AID

Our present system of taxation (and spending) at the federal level takes into account the legitimacy of the financial needs of the states and their subdivisions. But traditional tax and spending aids to the states have always produced a certain uneasiness. In recent years, they have come in for increasing criticism, and it seems unlikely that they will be adequate for raising state and local revenues to desired post-Vietnam levels. The conviction seems to be growing that these devices are too costly, too inefficient, and less effective than other alternatives which are available, though yet untried.

Traditionally state and local governments have been given fiscal assistance in three principal ways: (1) the federal income tax exemption for interest on state and municipal bonds, (2) the deduction for state and local taxes, and (3) the system of outright federal grants for specific purposes (so-called categorical grants).

NOTES ABUSE IN BOND FINANCING

Unfortunately, exempt bond financing, a primary tool of revenue raising at the local level, has been abused. A trend has developed in recent years for state and local governments to place their exempt bond power at the disposal of private business concerns—by first issuing bonds, then using the proceeds to build industrial plants, and finally selling or leasing the plants to businesses for a price that reflects the lower interest rate paid by the state or municipality. As Assistant Treasury Secretary Surrey has pointed out, such industrial development bond financing presents the enormous disadvantage of costing the federal government more in lost revenue—from tax-free interest in the hands of otherwise high-bracket taxpayers—than the after-tax savings achieved by the private concerns through lower lease costs and lower purchase prices (taking into account, too, lower income tax deductions).

CITES ALTERNATIVE PLAN

The Heller-Pechman proposal is, in my judgment, a fairly novel and radical one. Perhaps the best way of bringing out its strengths and weaknesses is to set forth briefly an alternative plan devised for some, but not all, of the same purposes. I refer to the proposal studied at some length by the Advisory Commission on Inter-Governmental Relations involving a federal income tax credit for income taxes paid to states (and perhaps to local governments). A similar plan has been supported by the Committee for Economic Development.

The Commission's analysis, as contained in its *Report on Federal-State Coordination of Personal Income Taxes*, starts with the conclusion that the states have need of a tax source with strong revenue growth potential in an expanding economy. For many reasons—principally tax fairness, aid to the poor, flexibility, and freedom from tax competition among the states—the income tax would be a very logical source. In addition, income taxes remain today the largest virtually untapped source of state and local revenues. The difficulty, however, is with the already noted federal presence in the income tax area, which has caused hesitation among state and local policymakers to consider an income tax. In the Commission's view, this presence is so overwhelming that it induces states to look elsewhere for revenue.

ENCOURAGES STATE TAXATION

With an eye to encouraging state-local adoption of income taxes, the Commission urges the federal government to take a large step toward permitting states to choose freely among the various available tax sources. This would take the form of a federal income tax credit of some 30 to 50 percent of income taxes paid at the state and local levels. (The credit would be optional, with the federal deduction of 100 percent of state-local income taxes paid still being available to taxpayers whose marginal tax rates exceed the 30 to 50 percent figure.) The credit would reduce the net income tax payable to the federal government and the states would thereby be stimulated to pick up the difference by raising their own income tax rates.

The potential of more funds for state-local use is only partly the purpose of the credit. State and local taxes are already deductible in computing federal income taxes, and in recent years this deduction has been equivalent to an average credit of some 25 percent. The Commission estimates that the additional cost (above the nearly $1 billion cost of the present deduction) to the United States Treasury would approximate only $1 billion. But the income tax credit would, in the Commission's view, have a tremendous psychological and political impact. By distinguishing state-local income taxes from all other forms of taxation—and by giving such taxes a high degree of visibility through lower federal income tax liability—the credit would permit a state to make a thoroughgoing review of its tax policy. An ultimate aim would, of course, be to induce more states to adopt income taxes as the principal means of raising their revenue. If this were achieved, the total amounts collected by the states under the optional credit system could readily approach the $6 billion now cited as the result of the Heller-Pechman plan.

It is obvious that these two plans—revenue sharing and state income tax credits—have almost no superficial features in common, although the general goals of both are similar: to place the states and local governments on sound financial footing now and for the unpredictable variety of tasks that lie ahead. With both proposals going off in other directions in some of their aspects, what can be said of the merits of one plan as against the other?

PREFERS TAX CREDITS OVER REVENUE SHARING

My own inclination is to regard the tax credit device as more traditional, more familiar to tax legislators, more readily acceptable to Congress from a budgeting standpoint, and, for these reasons, more practicable. Use of a tax credit as an incentive to foster particular activities is, after all, a concept that has appeared numerous times in the history of federal taxation. The existing foreign tax credit is merely one example. Moreover, the tax credit here proposed is more in line with traditional concepts of states' rights and independence than the Heller-Pechman plan. Under the credit device there would truly be no strings attached to the new revenue flowing into state and local coffers. There would be almost total independence from the federal government in revenue planning and revenue use.

The credit plan, therefore, has great political appeal—despite the ironic fact that it benefits low income states (whose Congressional contingent might be strongly attracted to the states' rights doctrine) far less than the Heller-Pechman plan, which clearly involves a redistribution of revenue wealth among the states. Also, the credit device bears the esthetic (and perhaps too idealistic) feature of carrying through to its logical end an apparently growing belief—that states and local governments should begin to bear the principal burden of handling and resolving domestic problems that beset the nation. Finally, this plan would (1) allow for differences among the states with respect to particular local needs and (2) permit relatively simple adjustments at the state level to meet any special or sudden crisis or condition.

Finally, the deduction for state and local taxes is criticized for being ineffective as a relief against the sales tax, which for the poor is the most onerous of all state and local taxes. This tax is paid in such small bits and scraps that taxpayers can rarely show how much they have actually expended in the course of a year. Although the Internal Revenue Service provides tables for a state-by-state approximation of sales taxes paid, the estimates consistently tend to be on the conservative side.

As for the system of categorical grants, there are few subjects in the entire area of inter-governmental relations that can arouse such emotion. Detractors contend that, like all handouts, federal grants fail to encourage initiative and independence at state and local levels. Since the more than 400 federal grants generally require monies to be spent for specific purposes—subject to various conditions including periodic accountings—the further point is made that these grants involve too much federal interference with state and local programs. And then, the federal grant system—currently involving distributions in excess of $15 billion each year—is a cumbersome one for the federal government (especially Congress) to handle. It involves constant administration and frequent revision, and constitutes a great incentive for Congressmen to spend a large part of their time in the rolling of logs.

True, all the returns on categorical grants are not yet in—and it may be too early to consider their discard in favor of a smoother and more efficient mechanism. Also, in some areas today, close federal supervision of state and local government is critically necessary. But it seems clear that a categorical grant system cannot do the entire post-Vietnam job. From a fiscal point of view, such a system is the very antithesis of the political philosophy that would encourage independence and innovation at state and local levels. In brief, the notion of expanding the categorical grant system—thereby further complicating the administration of this system—is not a very appealing one.

If state and local governments are to handle effectively their present tasks and yet assume new duties—in the areas of urban problems, poverty, violence and crime, housing, education, job-training, transportation, airports, pollution, and so forth—they will need other tools. Means to raise revenue, efficiently and without undue delay as widely varying needs become apparent, must be made available. Prevailing types of federal aid to state and local governments are not directed toward this goal, while many of the reform proposals made in recent years are. Two of these proposals, very different in some major respects, are of special interest.

One, a revenue sharing plan, has been supported by two eminent authorities on federal taxation and fiscal policy, Walter W. Heller and Joseph A. Pechman. The proposal is concisely outlined in a little booklet published by the Brookings Institute and entitled *Questions and Answers on Revenue Sharing*. Briefly, the proposal runs as follows: the federal government would distribute 2 per cent of its individual income tax base to the states on a permanent basis. In other words, two percentage points in each tax bracket would be collected by the federal government on behalf of the states. The remaining 12 to 68 percentage points would continue to be allocated on the federal level. Since the federal individual income tax base, by itself, is currently in excess of $300 billion, the proposal would result in at least $6 billion of distributable funds, even if (as the authors propose) the corporate income tax base is not taken into account.

These sums would be held in trust, similar to payroll taxes for social security purposes and motor vehicle and gasoline taxes for the

highway program. The trust funds would be regularly distributed to the states on a per capita basis (although the authors would allow for some modification of this formula to provide higher payments to states with low populations and a high incidence of poverty). The distribution would be, in the authors' terms, with "few strings" attached, although there would be some requirements for the states to fulfill. In particular, the revenue-sharing formula would include some provision for a portion of these funds to be passed through to local governments. Moreover, the states (and probably the local governments) would be charged with submitting annual audits on the monies received, as well as assurances that all applicable federal laws, such as the Civil Rights Act, have been complied with in the activities financed with these funds. Finally, the distributions to the states would be for their general purposes, as determined by them, except that the funds could not be used for purposes covered by categorical federal grants already in existence.

A relatively new section of the Internal Revenue Code, § 103(c) (signed on June 28, 1968), has attacked the most egregious abuses in this area by simply withdrawing the exempt status of interest on state-municipal obligations issued for the direct or indirect benefit of a private business. But the statute does not apply in many situations, and, in particular, not to obligations "issued as part of an issue, the aggregate face amount of which is $1 million or less, and substantially all of which are to be used . . . for the acquisition, construction, reconstruction, or improvement of land or property of a character subject to the allowance for depreciation." As Surrey has noted in commenting upon this section, "the ability to issue blank checks up to $1 million is still a nice thing in this world." Further, an even newer section of the Code (signed on October 24, 1968) would permit tax-free interest for state-municipal industrial bond issues of up to $5 million, provided that certain additional qualifications are met.

CRITICIZES DEDUCTIONS POLICY

The deduction for state and local taxes is disadvantageous for different reasons. First of all, this deduction is only available to federal taxpayers who itemize their deductions. Because of this, the deduction is virtually lost upon many wage earners, especially in low income groups, who tend not to itemize. Moreover, because the deduction is available for numerous types of state and local taxes, it is criticized by some as failing to guide the states toward one type of tax—namely, the income tax.

Among commentators with less of a preference for the income tax, it is recognized that the highly visible federal presence in the income tax area makes it both psychologically and politically difficult for states to choose this type of tax. For this reason, they argue persuasively that the federal deduction for state and local taxes should at least seek a neutral position among competing tax sources—by (1) granting tax advantages to state and local income taxes and (2) thus dispelling to some extent the cloud hanging over this type of tax at state and local levels. Support for this position is obviously based upon the conviction that the income tax—even if not necessarily the best type of tax in all situations—is a highly desirable and fair tax, and one that is readily adaptable to state and local needs.

QUESTIONS INVASION OF STATE CHOICE

On the negative side, the credit proposal is subject to the charge that the federal government should not interfere in the states' choices among competing sources of taxation. It was on this ground that some members of the Commission on Inter-Governmental Relations based their dissent to the Commission's conclusions. This objection, however, may be merely a matter of presentation. If the Commission's proposal is stripped of the paean to the income tax and, instead, presented simply on the ground of permitting states to choose freely among alternative tax sources, it should be more saleable as a political matter.

In contrast, the Heller-Pechman plan constitutes a far more extensive alteration of traditional concepts of taxation. Whether or not it is characterized as a plan with "few strings," under it the federal government would call many of the important shots. The federal attempt to ensure fiscal independence of local governments vis-a-vis the states would almost surely be met with the charge that the federal government—whether through its tax system or otherwise—has no business in thrusting itself to this extent into the states' internal policies. Further, the requirements of audits and compliance with federal laws might be likened to features currently criticized in the categorical grants system. Beyond this, it is difficult to see how the feature of the Heller-Pechman plan providing for redistribution of revenue wealth from high-income-low-population states to low-per-capita-income states could avoid sharp controversy in the Congress. Worth noting, too, is the administrative burden of the Heller-Pechman plan as compared with the income tax credit approach. Any plan in which revenue flows into and out of one pocket before reaching its final destination in another is bound to prove more costly than a similar plan under which revenue is collected directly by its intended final recipient.

Perhaps the safest observation about these two proposals is that the ultimate choice between them depends not merely on straightforward considerations of wise tax policy; rather, the basic political concepts underlying our entire federal system are deeply involved. Before adoption of the credit device, one of the major questions to be answered is whether the states are now prepared to make good and beneficial use of a greater degree of financial independence. In considering the Heller-Pechman proposal, one of the principal hurdles is whether it has any chance at all of proving attractive to Congress.

The federal-state policies of the past—involving, as they have, a limited amount of fiscal independence for the states, with resulting public criticism when that independence has been fettered by federal rules and restrictions—must be closely examined and evaluated. My own view is that—until we give them the means and the freedom to prove themselves—we cannot conclude that there is only a shallow measure of responsibility in state and local governments, or that those governments lack responsibility.

There is no reason to consider the two proposals—federal-state tax sharing and state-local income tax credits—as mutually exclusive, or as involving abandonment of the existing system of financial aid to the states. Nor is there any reason to consider the currently projected mathematics of these proposals to be immutable. Other alternatives exist, too, such as a complete revamping of the categorical grants system. Of course, the possibility exists that a study in depth will lead to the conclusion that all current federal responsibilities should be maintained at the federal level. And then there are the new proposals for supplanting or supplementing government programs through tax incentives to private industry.

In any event, immediate focus on determining the best alternatives is demanded if we are to solve the many domestic problems pressing in on us from all sides. The subject is not one for tax and fiscal experts only, but for all those who are interested in the potential of our federal system. Both political parties, as well as several of our leading newspapers, have begun to treat the question frequently and with growing concern. There is nothing particularly arcane about the desire to strengthen the financial stance of the states with an eye toward propelling them forward. And the hows and whys of the endeavor seem to lie as much in the field of the political scientist and sociologist as in that of the student of taxation.

PORT CHICAGO, A LESSON IN IRONY

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. WALDIE. Mr. Speaker, after an expenditure of some $20 million to acquire the homes of more than 3,000 persons in the town of Port Chicago, Calif., the Navy has informed me that it is cutting back the ammunition outloading operations at the Concord Naval Weapons Station and that more cutbacks are in store.

These operations, Mr. Speaker, are the ones that the Navy cited as the reason for the Port Chicago acquisition, largest condemnation of residential properties in our country's history.

An excellent editorial in the Pittsburg, Calif., Post-Dispatch accurately reflects the feeling of the people in this area and I insert this editorial in the RECORD:

LESSON IN IRONY

The stunning suggestion that Concord's Naval Weapons Station may be cut back sharply or even mothballed is a lesson in irony, one that must arouse keen resentment and bitterness among those forced to sell their homes in Port Chicago.

Indeed, the announcement comes while the little town is in the process of being bulldozed following the Navy's $20 million purchase to create a so-called "safety" buffer.

While details are sketchy, it now appears the expected withdrawal of troops from Vietnam has eased the war emergency status of shipping from the station. Apparently only the war emergency justified shipping ammunition to all the services through Concord since the Navy says it is cheaper to do so via a similar North Carolina facility.

The big question, of course, is how far the Navy may cut back the Concord station, assuming re-evaluation determines this is necessary. The Contra Costa facility, be it remembered, is the county's largest employer. So there is a worry the Navy may eliminate that payroll in full or in part while retaining its location for some future emergency.

Significantly, the Navy announcement from the capitol said further reductions at the Concord facility might be expected if exports to the Air Force and Army continue to be shifted to the East Coast. At the same time, the station's new commanding officer made the flat statement, "there is no plan whatsoever, no thought of the Navy as far as I know, of trying to move this kind of operation. It's just impractical."

And, he added, "As long as we have a fleet, we're going to have Concord." Further, the captain noted that 11 ships homeported at Concord, would continue to supply the Navy and thus the safety buffer still would be needed.

There is something about all this that is reminiscent of the dogmatic attitude we faced last year when the Navy won its long

fight to buy up Port Chicago. And now, as then, the tone sets the stage for a defense of the land holdings, no matter whether a cutback may be minor, sizable or a mothball job.

We are reminded, of course, that Pittsburg's Camp Stoneman posed a similar problem, on a far smaller scale. When reductions came, the first local effort was to continue the camp for the understandable, albeit selfish reason, that it represented employment.

A committee flew to Washington in this attempt. When that failed it became clear the Army intended both to close the camp and hold its land which was sizable acreage for a community of this size and located squarely in its geographic heart.

The same committee that had worked to continue the camp then went into action to remove it in entirety, so that the acreage could be freed for development. This was a reasonable goal but it took another trip to Washington and a couple years' work to achieve.

Similarly now, Contra Costa will have to be vigilant to make sure it does not find itself with a mothballed facility and thousands of choice industrial acres left idle, unproductive and off the tax rolls. The military are experienced squatters and we do not expect to see them easily persuaded to let go of any part of the land, no matter how severe the cutback.

It is true, of course, the Navy so far has only proposed to re-evaluate the Concord operation. Cong. Jerome Waldie, however, has claimed the Navy means to mothball it and we have every reason to believe the Congressman speaks from his on-the-scene Washington vantage point.

The possibility, in the wake of the $20 million spent last year to eliminate Port Chicago, cannot but leave both the evicted residents and Contra Costans angry and disgusted. For there are few in this area, rocked fiercely by that 1944 blast, who are convinced the Navy's "safety" buffer is any "safety" buffer at all.

Too, it remains an ironic footnote to reflect that even as the town is being levelled, the Navy—unless something has changed very recently—continues to operate under the same hazards that all but wiped it out in 1944. This time the means is to a far greater area of the county than 25 years ago.

And now, of course, the final irony is that, after all the arguments and the heartaches and the dollar cost, there is a possibility the station could be mothballed.

Under the circumstances, the Navy should be expected to come up with some good answers. The weapons station was called "temporary" in World War II. Last year it was labelled "permanent" to support the "safety" buffer argument. This year it could be mothballed.

The war situation is responsible for the variation in part. But not entirely. And we, for one, are going to be extremely interested in hearing the Navy's explanation, as well as its justification for hanging on to 12,000 acres of prime land.

DEATH OF FORMER CONGRESSMAN DONALD C. BRUCE

HON. E. ROSS ADAIR

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. ADAIR. Mr. Speaker, I was shocked to learn last Sunday of the sudden and unexpected passing of our former Indiana colleague, Donald C. Bruce. Don served in the House during the 87th and 88th Congress. As a member of both the House Education and Labor Committee and the House Committee on Un-American Activities, Don Bruce quickly developed a reputation as a Republican who fought hard for principles of sound constitutional government as he understood them. As a former radio and television announcer, Don Bruce was an outstanding speaker and became much sought after by Republicans across the Nation for that reason.

Don Bruce was a man of courage and would not be dissuaded from speaking out on issues when he thought the policy of the U.S. Government was wrong. He was one of the few Members of this body to actively oppose the intervention by the U.S. Government in the Congo. He further challenged the policy of the United States as regards Cuba and was accused by some of being a warmonger, until former President Kennedy announced our blockade of Cuba and the presence of Soviet missiles there.

Above all, however, the safety and well being of the United States came first with Don Bruce. In this respect, he was an ardent foe of Godless communism and all that it stands for. It is with a great deal of sadness that we note the passing of our former colleague and above all a good American. Our hearts go out to his surviving wife, Hope Bruce, and her children in her hour of sorrow.

SOLDIER—STATESMAN—FRIEND

HON. WILLIAM L. DAWSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. DAWSON. Mr. Speaker, with my distinguished colleague from the State of Illinois, and from all sections of our great country, I join you today in special tribute to the memory of our former distinguished colleague, Barratt O'Hara—soldier, statesman, and friend.

Barratt's inspiring and impressive biography has been eloquently placed upon the RECORD of this House today, and having known him well over a long number of years, I proudly attest to the outstanding qualities manifest in his life which have so impressed all those whose paths crossed his. I would only add my personal salute to his great courage in fighting the just cause of freedom among all peoples of this earth.

It is truly a tribute to our system of government that this outstanding gentleman was repeatedly chosen by his constituents to represent them in the Halls of Congress for so many years, and that Barratt O'Hara met this responsibility in the finest American tradition.

Mr. Speaker, the Democratic banner waves more vigorously because it has been borne proudly by men of the caliber of Barratt O'Hara. His children, grandchildren, and great-grandchildren can take comfort in the knowledge that Barratt was truly a soldier, statesman, and friend. To the members of his family, I extend deep and sincere sympathy and I share their great loss.

THE CONGRESSIONAL INTERN PROGRAM

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. TUNNEY. Mr. Speaker, great is the danger to a nation when her young people seem to no longer have faith in her government. Great is the danger when those to whom the baton of leadership must soon be passed, reject both the baton and those who have run with it this far. The estrangement of many young people in modern America poses just such a danger to this country.

On a daily basis young Americans voice this disenchantment with their Government. Why is it that so many view with such distaste the actions of those elected to govern our country? Certainly, our actions as elected officials are not perfect—much of the criticism leveled at us is, no doubt, legitimate. Yet, why such vociferous opposition and such extensive estrangement?

Mr. Speaker, I would submit that a great deal of this disaffection for our activities here is, in fact, attributable to ignorance and detachment. I mean ignorance in the sense of a lack of information. And as for detachment, I am certain that we all realize that our average age of 52.6 is not conducive to excessive communication with the under-30, "turned-on" generation. Yet, Mr. Speaker, 53 percent of the people whom we represent in this Nation are under 30 years old.

I believe that ours is the soundest and fairest form of government man has developed. I believe that our actions in Washington seldom are reprehensible—and are often even enlightened; for I also recognize the immense complexities of the problems which beset us and the Nation. I also believe, given the facts, the vast majority of young Americans would concur with me.

How, then, I ask, are today's students to meet and come to know what we here face every day? I firmly contend that if more young people could actually participate in their Government—experience government, face the complexities of governing—they would be less estranged, for they would have shared with us the frustrations which we must face.

Since 1965 when the House authorized each Member to employ annually, on a temporary basis, a student congressional intern, each summer the Hill has been alive with active young people. They have not only worked hard and accomplished much for the offices in which they were employed; they have also experienced government. This is why the congressional intern program is so important.

The students who have come here in the summer have seen Congress in action. As they performed their assigned duties they have encountered the same roadblocks and frustrations with which we are confronted. They have worked with complexity—in "the system"—and in addition to problems, they have no

doubt experienced the satisfaction we feel when we can claim a real accomplishment.

So, these students—perhaps 1,000 each summer—benefit from their experience. In most cases they become less estranged; familiarity with our governmental process wears away at the bewilderment and distrust. Understanding, or perhaps wonder that we accomplish what we do, replace estrangement. Best of all, this education does not stop with these 1,000. Rather, they return to their homes and campuses from all over the Nation. Their friends ask about their summers—their jobs, what they saw, what they did, whom they met. The word spreads, it really does.

It is through such positive experiences that our young people will learn and begin to believe. A press release from my office will not convince the students at U. C. Riverside that the establishment in Washington cares about people. By coming to Washington, though, the men and women with whom the future of this country will soon be entrusted will begin to appreciate that they should not drop out—but should climb aboard and in that way change course if they feel it needs to be changed.

A logical conclusion, then, is that we should expand the intern program; get two paid students in each office; get the colleges to send them for a semester as part of a course; have a year-round program. I fully recommend such innovation. The money would be well-invested; for in years to come the dividends would be overwhelming.

However, reality dictates that the time is not ripe for expansion. In the past 2 years, for varied reasons, funds for the congressional summer intern program have been cut from legislative appropriations.

My office has been fortunate in that it has been possible for me to provide sufficient funds from personal resources and by soliciting private donations to hire a summer intern for 3 months each summer. However, there have been from three to six other students working in my office during these months; and they have either received very modest stipends through their colleges' intern programs or else have had sufficient financial resources to assure their own support.

The result of this situation is clear—the majority of students who are here in the summer are from relatively affluent economic backgrounds. Students from poorer families and students who must work in the summer to put themselves through school the following year are deprived of the opportunity of participating, even if they are both eager and capable.

I wish to commend the efforts of my colleague from California, the Honorable JOHN MOSS. Last week an admirable report on the congressional intern program, produced by him and his staff, appeared in the CONGRESSIONAL RECORD. This survey should further convince every Member of the importance of next week's appropriations for this program.

Restoration of the funding provisions of resolution 416 will be testimony to our belief in the leaders of tomorrow. It is not only for the students who will directly benefit that we should appropriate the funds, however. I believe we must do it for ourselves, and for the survival of our form of government.

AN AGE OF ANARCHY AND REVOLUTION

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. HÉBERT. Mr. Speaker, I would like to bring to the attention of my colleagues an article written by Henry Zac Carter, president of Avondale Shipyards, Inc., which appeared in that company's news journal Avondale Salutes.

I have known and have been a close personal friend of Zac Carter for many years. He is one of the most respected individuals in the Greater New Orleans area as well as in the State of Lousiana.

Zac Carter has my utmost respect because he has demonstrated through the years that he is one of those rare persons who is endowed with an intellectual prowess which enables him to grasp and comprehend a current issue or event and bring it into clear focus.

In his article "An Age of Anarchy and Revolution," Zac Carter has expressed his concise view of civil unrest in this country, a view in which I concur completely.

I insert it at this point in the RECORD:

AN AGE OF ANARCHY AND REVOLUTION

(By Henry Zac Carter, president, Avondale Shipyards, Inc.)

We are plunging headlong into an age of anarchy and revolution that can, and must be, stopped if we are to preserve this nation. In a country that, since its inception, has advocated peace, equality and freedom there are elements now at work which must be stopped by whatever legal means necessary. Constituted authority is being challenged by crime on our streets, mob violence, disorderly demonstrations and destruction on our campuses. Where these affect the safety or rights of the American citizen it is the responsibility of our elected or appointed representatives to stop such action and to punish the offenders to the fullest extent of the law.

No man deserves to live in fear. To be harassed or intimidated is beyond the basic concepts of this nation . . . and apathy on the part of any one in authority to protect our citizenry is a violation of our civil rights.

It is time that we also look at the structure and actions of the Supreme Court of this land. In recent years this body has taken it upon itself to be an agency of reform. Its members apparently believe that all of the social problems of America can be settled by judicial decree.

I strongly protest appointments to the bench of this highest court in the land on a lifetime basis or of those having inadequate judicial experience. Men grow old and senility is not unknown to even the highest intellect. Decisions must be handed down but let these decisions be in accord with the best interests of the people rather than upon any abstract findings that could be injurious rather than beneficial.

Apathy and excuses on anyone's part must be discouraged. We speak too often of a generation gap and of people deprived. Let us be logical. Only 4% of our student population is in revolt . . . let us also consider the other 96% who are attempting to gain an education.

The seizure practices of our student rebels is ominous in that it can overflow into the community. If we excuse the practice of seizure, and do not penalize those who are involved, it is reasonable to assume that the same tactics will soon be adopted by non-student groups. Businesses could be taken over by employees, the military would be vulnerable and customers may take over retail stores. This is socialism and, if allowed, its adoption could mean the end of capitalism in the United States.

Again relating to violence, responsible leaders must be developed among the black community. Too often this group is being used by the politician, dissident elements advocating revolution, and by personally ambitious persons in their own ranks. This element deserves our help but help only if force is not used to achieve a goal.

Violence has never been the American way of life and, if we are to preserve that life, we must eliminate those factors which produce it. Respect and support of an intelligent police force is essential. These people are employed for our protection and, conversely, they are also deserving of our protection. In no instance should the upper hand be given to the criminal or lawbreaker.

In this matter we all have something at stake. This is our country, our children, our neighbors. Too often we detach ourselves from the problems around us. The feeling is that it is happening to someone else, that it is not our problem.

Let me say that any concept that stipulates the overthrow of our country is wrong. We have laws that protect us but, strangely enough, these laws are not being enforced. At such times we must weigh the possibility that we are becoming a nation of politicians rather than statesmen. Laws must be enforced.

Yes, we are on our way to revolution and anarchy but there is still time to elminate these subversive elements.

SALUTE TO THE EMPLOYEES OF THE MILAN ARMY AMMUNITION PLANT

HON. EDWARD JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. JONES of Tennessee. Mr. Speaker, the employees of the Milan Army Ammunition Plant, Milan, Tenn., most of whom are my constituents and reside in the Eighth Congressional District, have recorded a most enviable safety record of 9,160,000 man-hours without a lost time injury.

This achievement entitles the Milan Army Ammunition Plant and its operating contractor, the Harvey Aluminum Sales, Inc., to claim an industry record for this type plant—shell assembly. This is due to many combined efforts but I would like to especially commend the employees in the plant and their outstanding plant manager, Mr. Frank C. Bryant.

It is my sincere opinion that this record should be recognized as a tribute to the thousands of west Tennesseans who loyally work each day in support of our Nation's servicemen, and I am,

therefore, taking this means of bringing it to the attention of my colleagues and the Nation.

THE NAVAJOS, FAIRCHILD, AND THE GOVERNMENT DEMONSTRATE A FORMULA FOR PROGRESS

HON. ED FOREMAN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. FOREMAN. Mr. Speaker, on Saturday, September 6, I had the pleasure of attending the formal dedication ceremonies of the new Fairchild Camera and Instrument Corp. Semiconductor Plant at Shiprock, N. Mex., on the Navajo Reservation. Under the direction of the Navajo Tribal Council and its progressive chairman, Mr. Raymond Nakai, and with the assistance of a loan from the Economic Development Administration, this modern manufacturing facility was constructed to house the most advanced semiconductor electronic assembly equipment in the world.

The talents of the Navajo people extend beyond imagination. From these peoples come some of the finest craftsmen in the world—silversmiths, artists, and weavers. A Navajo woman weaves a perfectly patterned rug without ever seeing the whole design until the rug is completed. Weaving, like all Navajo arts, is done with unique imagination and craftsmanship, and it has been done that way for centuries.

Building electronic devices, transistors, and integrated circuits, also requires this same personal commitment to perfection. Therefore, it was very natural that when Fairchild Semiconductor needed to expand its operations, its manager looked at an area of highly skilled people living in and around Shiprock, N. Mex., a city of 8,000 people located in northwestern New Mexico on the vast Navajo Reservation.

Since 1965, Fairchild's Shiprock manufacturing and training operation has grown to almost 1,200 men and women, making Fairchild the Nation's largest non-Government employer of American Indians. All but 24 of the 1,200 are Navajo; in fact, of 33 production supervisors, 30 are Navajo.

The success of this operation can be easily measured in terms of growth and expansion. However, the real value of this progress lies in the creation of meaningful jobs for those who have not had jobs—jobs which keep them in the land they love and among the people they know. Most importantly, here is the vivid demonstration of the success of the cooperative efforts of the Federal Government and free enterprise industry working together in the development of individual initiative, achievement, excellence, and a better standard of living for mankind.

There are other similar Government-free enterprise cooperative efforts in successful operation in New Mexico utilizing the talents and skills of the Navajo, the Zuni, the Laguana, and others who have the ambition and will to work to improve themselves. We have the people with the desire to achieve and the space and resources to grow and develop—we invite and welcome others across the Nation to join us in the Land of Enchantment as a neighbor and partner in the progress of tomorrow.

Mr. Speaker, the Farmington Daily Times of September 5, 1969, has presented this successful human development story in an editorial, "A Gamble Which Paid Off," and I include it herewith in the RECORD for the review of our colleagues:

A GAMBLE WHICH PAID OFF

The new $1.1 million Fairchild Semiconductor plant which will be dedicated at Shiprock Saturday signifies the industrialization of a sleeping giant.

Staffed almost entirely by Navajos, the plant operates on a 24-hour-a-day basis, manufacturing transistors and integrated circuits that find their ways for use in computers, stereo equipment, communication satellites, and Apollo programs.

The delicate assembly work is ideally suited to Navajo skills developed through their long history of weaving and jewelry making. In addition to assembly jobs, the plant offers machining and tool and die making opportunities and has an extensive plant support services staff. Recently, in an attempt to increase employment opportunities for men, Fairchild initiated a new product assembly area utilizing the skills of a number of Navajo men.

The 34,000-square foot plant represents an imagination and belief in the potential of Indian Americans.

The plant, which operates on a $6,000 a month lease from the Navajo Tribe, also provides on-the-job training opportunities sponsored by the Bureau of Indian Affairs.

What started out as an apprehensive partnership has developed into a mutual admiration society.

Fairchild keeps its assistant personnel director, a Navajo, busy on weekends visiting Navajo chapter houses in the area explaining the plant's mode of operation, its employment requirements, and its general place in the community. Paul Driscoll, plant manager, refers to the employes as "very special people", whose industriousness and desire to learn is unmatched.

On the other hand, the employment has not only enabled the Indians to raise their standard of living, but they have found that age and education have little bearing on their ability to perform this useful work.

The employment record, officials say, also refutes old cliches about the inability of Indians to work at steady jobs.

The fact that Fairchild has gone from 50 to 1,200 employes in less than four years, is an indication of a basically successful and stable operation.

And certainly the plant's annual payroll of $4.3 million, much of which is spent in San Juan County, has given the area a tremendous economic boost.

If success can be described as finding jobs for those who have not had jobs and jobs which can keep employes in the land they love, among the people and way of life they know best, then Navajo-Fairchild plant is a huge success. The participants are to be commended for their foresightedness and their willingness to gamble on a venture which paid off.

LINCOLN POLICE REPORT

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. DENNEY. Mr. Speaker, during the congressional recess, I received a copy of annual 1968 report of the Lincoln, Nebr., police department. In this report of the activity of Lincoln police during the last year, the various aspects of police-community relationships were illustrated in an educational and interesting manner. In fact, one of the important uses for this bulletin is to assist the police in an extensive educational program for the city youth—a program which helps to explain why Lincoln experienced an increase of less than 1 percent in juvenile contacts last year after 2 successive years where there was an increase of 33 percent each year.

Lincoln is the largest city in the First Congressional District of Nebraska, the district that I represent. I am, therefore, quite concerned over the progress that Nebraska's capital city makes in stemming the growing tide of criminal actions.

It is distressing to note that Lincoln has kept up with the times in compiling a 35-percent increase in major crime during 1968. But on the positive side, the Lincoln police have cleared 30.3 percent of the 2,180 major offenses reported, an outstanding effort when compared to a national clearance rate for major crime of 20 percent.

The annual report outlines the services division and its role in making effective law enforcement. The approximately 3,000 sets of fingerprints taken, the 42,000 meals served to prisoners, and the 50,000 requests for police assistance processed by communication all help to tell the story of hard work behind the story of arrest in the newspaper.

Pictures of a policeman "frisking" a suspect, directing traffic, working his dog, and locating the parents of a lost boy all bring the policeman's work into perspective for school students who see him only as a man in a blue uniform.

Mr. Speaker, it is readily apparent that we can fight the crime of the future by fighting the criminal of the future, and we can do that best by building a relationship of respect and friendship between today's youth and the police. The city police department of Lincoln, Nebr., recognizes this fact and, therefore, it in turn deserves recognition.

RECOMMENDATIONS OF THE 55TH LEGISLATIVE ASSEMBLY OF THE STATE OF OREGON

HON. EDITH GREEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mrs. GREEN of Oregon. Mr. Speaker, on behalf of my distinguished colleague from the Second District, AL ULLMAN, and myself, I would like to submit some of the recommendations of the 55th Legislative Assembly of the State of Oregon to the Members of the House of Representatives for their consideration. The joint memorials, passed in the 1969 session, call for action by this body on issues of importance not merely to Oregon but to the Nation. The draft, water pollution, use of fish, timber, and wildlife resources, industrial development: these all spell

crucial decisions on where this country is going, and how we are going to get there. To have these Oregon Senate proposals heard, I am presenting a summary of their substance:

CHANGING THE DRAFT—SENATE JOINT MEMORIAL 6

To establish a selective service system based on a lottery in which all eligible persons are subject to the draft for 1 year after they reach 18 years of age. However, they may elect to defer the 1 year during which they will be draftable for a period of 4 years. This measure, designed to assuage present dissatisfaction with draft procedures, would relieve the duration of uncertainty as to jobs, education, and personal decisions.

STAVING OFF POLLUTION—SENATE JOINT MEMORIAL 11

To authorize money adequate to support the Clean Waters Restoration Act of 1966. In this way, the Oregon Senate feels, the Congress could show an increased measure of faith in the State and local efforts made under the Water Quality Act of 1965 and the Clean Waters Restoration Act of 1966. With such action, a more successful attack may be waged against the pollution of our Nation's waters.

WILDLIFE HABITAT PRESERVATION—SENATE JOINT MEMORIAL 4

To direct the Secretary of Agriculture and the Secretary of the Interior to accelerate programs to rehabilitate or preserve critical wildlife habitat on Federal lands administered by the U.S. Forest Service and the U.S. Bureau of Land Management. For accomplishing this, the legislature also asks that the Congress appropriate the necessary funds.

FISHERY DEVELOPMENT—SENATE JOINT MEMORIAL 5

To provide for adequate funding for full operation of the 21 hatcheries in the Columbia River fishery development program. Natural propagation of salmon and steelhead trout has declined drastically due to construction of more dams and water-usage projects; support for special fishery development is the only hope for preserving these important species.

LET US HAVE SOME DEFERENCE TO THE TAXPAYER

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. SNYDER. Mr. Speaker, as a longtime advocate of fiscal responsibility and governmental expenditure cuts, I wish to make a few remarks about what I consider to be questionable policies on the part of the administration.

When we were asked to extend the 10-percent surtax I have grave misgivings over whether it was right and just to vote for extension of an already-burdensome tax when we had no promises from the administration that there would be accompanying or commensurate decreases in Federal expenditures. I voted against the extension. A short time thereafter my worst fears were confirmed when a series of proposals were brought forth which I considered to be unwarranted, unnecessary, and extravagant expenditures for Congress to approve. I refer to such things as the John F. Kennedy Cultural Center and increases in overly huge governmental schemes of social experimentation.

My feeling is that there should be a definitely established hierarchy of areas in which cuts can and should be made. For instance, I believe that, before capital expenditure cuts are made in public works, we should cut military waste, social experiment programs—especially those with low cost-benefit ratios—foreign aid projects, farm subsidies—for nonproduction—and such things as rent subsidies.

I do not make these remarks because I have any pet projects which are threatened by the proposed reduction in Federal construction. Rather, I make them because I think that I am speaking not only for what I consider to be the best interests of my constituents, but for the interests of all American taxpayers as well.

It must be perfectly clear that I am forthrightly and unequivocally in favor of cutting the budget. However, I do believe that it represents poor judgment to talk about increasing foreign aid and welfare outlays while cutting back on the only tangible asset which the taxpayer realizes from the tax dollars he obediently sends to Washington.

The things which the President threatens to cut back on with this recent announcement—highway money, floodwall money, flood retention basins, dams, and reservoirs—are hardly adequate, much less luxurious, and are the only fixed assets which the guy who pays the taxes gets for his money.

New budget requests made since January 1, 1969, for additional authority for foreign assistance governing loans, grants, and credits total $10,028,000,000. The administration is asking for over a billion dollars more than was appropriated for foreign aid last year.

The newly proposed welfare reform will cost, at the very least, an additional $4 billion.

I honestly cannot conceive of having to go to my constituents and tell them that the badly needed construction projects in their area have been curtailed while we continue to add to the welfare rolls and ship our wealth overseas. I think that the people of Kentucky and America have the right to demand some consideration. They do not request extravagant outlays for dubious undertakings.

In the Fourth District of Kentucky, right now, there are several badly needed construction proposals—the Southwest Jefferson County Floodwall, the Dayton Floodwall, the Eaglecreek Reservoir, and the Falmouth Dam. These projects are vital and long in coming. It will be difficult for me to tell my constituents that the Federal Government is increasing welfare and foreign aid while they suffer water shortages, disastrous floods, and innumerable other tangible discomforts and inconveniences.

It will be impossible for me to explain to the people of northern Kentucky that, while the traffic congestion tightens its choking grip on them because of the absence of the Circle Freeway and the C. & O. bridge replacement, the Government is exporting $20.5 million to the Ryukyu Islands and other little heard of corners of the world.

Again, spending cuts are necessary, desirable, and vital to America. But we must approach this problem with a realistic set of priorities. Let us have some deference to the taxpayer.

Let us give him something for his money. Let us let him see some tangible results for the billions that he pays out annually—either in construction or actual services. In light of this, I wish to express my grave misgivings over the President's announced cutback in Federal construction.

I see no other course but to express strong objection and present vigorous opposition to this unrealistic and unjust policy.

TAX-EXEMPT STATUS OF MUNICIPAL BONDS SHOULD REMAIN AS INCENTIVE TO PROGRESS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. EVINS of Tennessee. Mr. Speaker, in the recent Tax Reform Act (H.R. 13270) passed by the House, the bill was considered under a closed rule with no opportunity to offer amendments.

This precluded consideration of amendments on several important provisions, including a provision which related to the tax-exempt status of municipal bonds.

The Nashville Banner in a recent editorial outlines basic objections to any change in the tax-exempt status of municipal bonds, pointing out that the removal of such status would place an unbearable premium on necessary and traditional financing of local improvements and projects.

It is certainly my hope that this provision relating to municipal bonds in the Tax Reform Act will be corrected in the Senate.

The Banner editorial follows:

[The Nashville Banner, Aug. 26, 1969]

IN TAXPAYER INTEREST—TAX EXEMPTION BELONGS ON STATE, MUNICIPAL BONDS

Metropolitan Nashville, and the State of Tennessee—among the host of those jeopardized by it—are strongly opposed to the Federal measure (HR 13270) which proposes to remove the tax exempt status traditionally granted municipal, state, and county bonds. So, surely, are the other 49 states, and 17,325 city and county governments. If not, they should be.

As discerned by those warning of its consequences, this maneuver, in the name of "tax reform," would put an unbearable premium on this necessary and traditional funding

operation—not only on future bond issues, but those already in existence. It would not militate toward tax relief or equity, but impose the added cost load on every taxpayer, large or small.

The "reform" claimed is illusory. As pointed out by Metro Finance Director Joe E. Torrence, regardless of arguments about "a few wealthy people who get by without paying an income tax because of their holdings of tax-exempt bonds, if this legislation goes through it will create a tremendous tax burden on all local taxpayers." It could cost municipal governments as much as two interest points, and "might make it impossible in some cases to go on the bond market with municipal bonds."

In testifying strongly against the ruinous legislative blow contemplated, Mayor Beverly Briley is speaking for more than Metro Nashville. As president of the National League of Cities, he is spokesman for the hundreds of municipalities represented therein—and his warning is apt. It is a blow both to the fiscal foundations of government at these levels, and to the time-honored concept of mutually-respected sovereignty. Note his reminder:

"The immunity of states and local governments and their agencies from federal taxation in the interest of their legitimate functions is vital for the preservation of our dual-sovereignty system of government. As important as the interest savings may be to local governments, and as important as the revenue loss may be to the federal government because of the tax-exempt character of municipal bonds, these factors are secondary to the preservation of the sovereignty of our states and the integrity of our local governmental system."

It is no secret, certainly, that the Federal Government in recent decades has preempted much of the tax field. It was in the state and local government interest—in the light of that—that President Nixon has proposed his revenue-sharing program. The financial benefits of that could be more than wiped out by this maneuver on the part of Congress. Worse, it would load on the whole taxpayer constituency—state by state and community by community—a burden they haven't borne before.

That isn't "reform" in the sense that term has been used by way of long standing promise. It is ASSAULT on every thinning pocketbook.

It is a maneuver of recklessness warranting resistance by every state and local government; and, beyond that, by every member of Congress—in both branches—employed to represent them.

THE RELUCTANCE OF UNCLE SAM'S BUREAUCRATS TO FIGHT POVERTY WITH "THE PILL"

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. ECKHARDT. Mr. Speaker, Dr. Sar A. Levitan is one of the Nation's foremost experts on poverty and manpower problems. An article by Dr. Levitan and Mrs. Judith W. LaVor of the George Washington University Center for Manpower Policy Studies is most informative and brings hard facts into an area which has too frequently been dominated by myth; that is, the area of large families, the poor, and birth control. I recommend this article as basic reading; it follows:

THE RELUCTANCE OF UNCLE SAM'S BUREAUCRATS TO FIGHT POVERTY WITH "THE PILL"

(By Sar A. Levitan and Judith W. LaVor)

(NOTE.—Sar A. Levitan is director of The George Washington University Center for Manpower Policy Studies, and Mrs. Judith W. LaVor is a research assistant with the Center.)

The vast majority of the American public favors birth control, and there is general agreement that it is the most effective antipoverty tool per dollar spent. Nonetheless, federal support of birth control programs is extremely limited and has proceeded haltingly. Whatever progress has been made in this direction must be largely credited to pressures by President Johnson and Congressional willingness to appropriate funds. The blame for the slow progress of birth control programs for the poor must be placed at the feet of federal officials who have circumvented or prevented their expansion. This failure on the part of bureaucracies to adjust to changing conditions is another illustration of the ability of federal agencies not only to disregard public sentiment, but to stymie Presidential prodding and Congressional intent.

THE EFFECTIVENESS OF "THE PILL" IN FIGHTING POVERTY

There is a high correlation between family size and the incidence of poverty. Mollie Orshansky, known for her development of poverty statistics, reached the obvious conclusion that "the larger the family, the greater the poverty hazards for children. . . . The poverty rate for all families with 5 or 6 children is three and a half times as high as for families with 1 or 2 children."

Risk of poverty increase with family size

[Percent of families in poverty, 1966]

Number of children:	
1	9.3
2	10.3
3	12.8
4	18.6
5	27.7
6 or more	42.1

Even if couples elect to have larger-than-average families, an argument can still be made for promoting birth control because many children born to poor families *are* unwanted and are frequently a cause of poverty. The misery of many families might have been prevented with an effective birth control service. Despite popular myths, the desire to limit family size is almost universal, cutting across social, geographic, economic and racial lines. Studies indicate that low-income couples want fewer children than those with higher incomes, and nonwhites want no more than whites. The poor are well aware of the connection between excess fertility and poverty, but their aspirations are frequently unrealized.

There were approximately 8.2 million women of childbearing age (15 to 44 years) in 1966 who were poor or near poor. It is estimated that about 5.3 million of these women were fertile and were neither pregnant nor seeking pregnancy. These women would have benefited from birth control services. "Medically indigent" women are frequently unaware of or unable to afford contraceptive devices, and their fertility rate during the first half of this decade was 153 births per thousand compared with 98 per thousand among more affluent women. If the poor and near poor had access to and understanding of contraceptive techniques equal to that of the nonpoor, their fertility rate could have been expected to decline to the same level. Based on these calculations, unwanted births in low-income families could have been reduced by about 450,000 in 1966.

The reduction of birth rates among the poor would have many positive effects. There would be fewer children born into poor households, and fewer households would be driven into poverty because of unwanted children. This would, of course, reduce the number of the poor, help keep people out of poverty, and arrest the accelerating costs of relief.

A well-known illustration of the effects of such an effort is the family planning program established in 1961 by the Mecklenburg County, North Carolina Departments of Health and Welfare. After four years in operation, the program was cited as an outstandingly successful effort, and there were no reported pregnancies among the more than 1,500 women who participated on a continuing basis. The Aid to Families with Dependent Children caseload for the county had been rising at a rate of about 300 children a year before the inception of the program. After a year of operation the number leveled off, and after six years the number of children receiving AFDC was smaller than it was at the beginning of the program. This occurred despite the rapid population growth of Mecklenburg County. With an approximate patient cost of less than $25 per year and an annual AFDC cost of more than $300 per child, the cost effectiveness of the birth control program is obvious.

The cost of providing birth control services to all low-income women is not large in relation to total antipoverty and welfare expenditures, but at the present time less than a fifth of the five million needy women receive these services. Joseph Kershaw, OEO's first antipoverty planner, concluded that "family planning . . . is probably the single most cost-effective antipoverty measure." The projected cost of providing a patient with a medical examination and contraceptive devices is about $30 annually; a comprehensive program would cost about $150 million.

Decreased welfare costs are only a part of the total savings that accrue from birth control programs, and AFDC payments are only one of the many direct and indirect costs of poverty. Dollar savings are far from being a major justification for birth control assistance. The primary goal is the reduction of human misery, and many benefits of lower fertility among the poor cannot be measured in terms of dollars and cents.

For instance, birth control programs can substantially improve the health of many of the poor. By making physical examinations available to low-income women, the presence of cervical cancer and other diseases can be detected and treated. Family planning can also eliminate the health hazard of frequent pregnancy, draining the mother's energy, causing anemia, and contributing to high maternal death rates. Availability of birth control services, while not a substitute for realistic abortion laws, would also reduce considerably the number of deaths caused by badly performed abortions. No statistics are available, but it is estimated that more than a million women (many of whom are married and already have children) obtain illegal abortions in the United States resulting in thousands of deaths each year.

The health of children can also be substantially improved by birth control. HEW has confirmed that spacing of children reduces the incidence of premature births, physical defects, mental retardation, and infant mortality. An additional benefit of fertility control is that children in smaller families are less likely to be candidates for a life of poverty than children in larger families.

CHANGING ATTITUDES TOWARD BIRTH CONTROL

The reluctance of federal officials to fund birth control programs reflects persistent prejudices and a disregard for the facts. Diverse groups have nourished these prejudices. Self-styled spokesmen for relief recipients,

for example, have charged that birth control programs are a plot against mothers on relief. This allegation is just as much a myth as the image of welfare mothers breeding children to increase their monthly checks. In fact, only 14 percent of the five million women needing birth control services are on welfare, and welfare payments hardly provide a minimum standard of living.

Some resistance to birth control services has been voiced by militants who see it as a plot to reduce the black population, but in fact Negroes account for only 30 percent of the potential clientele, and the program is totally volitional. More significantly, the Negro community, especially women with low incomes who would benefit most from the services, have given no support to the militant rhetoric and have staunchly upheld what birth control programs they now have. There is little doubt that the poor would take advantage of accessible birth control services.

Resistance to expanded birth control programs has come from segments of the public other than the poor, but it is diminishing. For at least a decade a majority of American females of childbearing age has approved of birth control, and the consensus has increased rapidly in recent years. In 1965, 85 percent of white and 82 percent of nonwhite women approved of fertility control. The largest increase in approval between 1960 and 1965 was registered among southern Negro women and white Catholic women with a college education. Approval among the former group increased from 60 to 79 percent, and among the latter from 52 to 70 percent. These figures are for unspecified contraceptive methods; the rhythm method alone is almost universally accepted.

This changing public attitude has had its effect on both presidents and Congress in recent years. President Eisenhower considered birth control a private matter unfit for public discussion, much less for federal support. His views later changed and he observed that it is the obligation of the government to consider "the plight of those unborn generations which, because of our unreadiness to take corrective action in controlling population growth, will be denied any expectations beyond abject poverty and suffering."

Advocates of birth control found a staunch and consistent friend in President Johnson. He felt that poor as well as rich families should "have access to information and services that will allow freedom to choose the number and spacing of their children within the dictates of individual conscience."

Congress has shown its support for expanded birth control programs on several occasions. It earmarked, in the Social Security amendments of 1967, 6 percent of the maternal and child health appropriations of HEW's Children's Bureau for family planning. In addition, it extended Medicaid coverage to birth control services, and required that they be offered to AFDC mothers. In the same year Congress instructed the Office of Economic Opportunity, which had taken a hesitant lead in providing birth control services to the poor, to place greater emphasis on its program. These actions received bipartisan support and marked the demise of major opposition to birth control in the legislative branch.

THE GRUDGING ANTIPOVERTY WARRIORS

Responsibility for the slow implementation and financing of birth control programs rests with two agencies: the Department of Health, Education, and Welfare and the Office of Economic Opportunity. These agencies assigned low priority to birth control and failed to allocate adequate resources. HEW provided even more of an obstacle by refusing to acknowledge the need for birth control. Even when Congress specifically earmarked money for this purpose, HEW lagged in spending it. While OEO did initiate federal birth control programs for the poor, it hardly assumed the leadership that befitted its experimental and advocate position in the war on Poverty. Although OEO responded more actively than HEW to pressures to fund birth control projects, its activities left much to be desired.

By funding a family planning program for Corpus Christi, Texas, in December 1964, OEO became the first agency to take even a timid step into federal involvement in domestic birth control programs. But the agency from its beginning tended to soft-pedal these programs. Some observers claimed that top OEO officials objected to them on religious and moral grounds, and indeed there was a evidence that they feared the reactions of church groups. One wag suggested that birth control was not actively supported because instant success could not be claimed. OEO itself has rationalized its timidity on the ground that excessive zeal in this area would open the agency to criticism and place its other programs in jeopardy. This argument is not persuasive in light of the demonstrated effectiveness and the increased public acceptance of birth control. Moreover, OEO did not shrink from funding controversial projects in other areas, but exercised more caution than was justified in supporting birth control projects.

Whatever the reasons for its hesitancy, OEO allocated during its first five years only 0.9 percent of its total Community Action Program funds to family planning projects, showing a caution unsupportable by Congressional and public opinion. In response to Congressional inquiries. Sargent Shriver, OEO's first director, admitted that his agency was receiving more applications than it could fund. But still he refused to recommend that family planning funds be increased or to reallocate funds from other programs. Nonetheless, OEO could not ignore the mounting Congressional pressures, and funds allocated to birth control projects slowly rose. By the middle of 1969 the number of projects had risen to 168 at a cost of nearly $13 million, but this amount included funds for research as well as for direct services to the poor. Expenditures are expected to reach $15 million in fiscal 1970.

OEO's gingerly approach to birth control was reflected not only in the skimpiness of allocated funds, but also in the regulations imposed on grantees. Contrary to the usual OEO policy of trying to secure maximum feasible visibility for its activities, the agency prohibited grantees from using OEO funds to advertise the program, thus forcing project administrators to rely upon local resources to publicize it. This approach was out of character with OEO's usual policy and led one sympathetic columnist to observe that OEO permitted only whispering about its birth control activities. Local contributors often assumed the costs of advertising in the mass media, and this was counted as a part of the local share needed to offset the federal grant. Initially, OEO tried to further restrict the use of family planning funds by prohibiting the issuance of contraceptives to unmarried women. The regulation was rather weakly enforced in most cases; grantees were reportedly encouraged by some OEO officials to circumvent the instructions and juggle bookkeeping entries to show that non-federal money was being used to supply materials to unmarried women while federal funds were used only for married women. The unrealistic restriction drew considerable public criticism, and in 1966 the community action agency in the nation's capital rejected an OEO family planning grant because its directors and neighborhood groups viewed the prohibition as objectionable and unenforceable. When Congress stepped in and placed greater emphasis on family planning in 1967, it instructed OEO to leave the requirements and eligibility criteria of family planning projects to local communities, thus nullifying many of the initial program restrictions.

OEO's community action agencies received all family planning grants with the option of running them or delegating them to other agencies. Planned Parenthood-World Population, with its experience in running programs, was the major delegate agency. More than a fifth of the organization's $15 million annual budget comes from OEO. Planned Parenthood used OEO funds to open neighborhood family planning clinics in the areas of greatest need.

Reflecting the lack of coordination and enthusiasm at the national level, there was little cooperation among the local agencies involved in birth control. One exception, and a possible model for other communities, was the OEO-funded Los Angeles birth control program in which 10 area agencies banded together to provide a single organized program for the area.

HEW TRIES TO IGNORE SEX

While OEO was being pushed into sponsoring birth control programs, HEW continued to resist, ignoring public concern about birth control as long as possible. The funds earmarked by Congress specifically for it amounted to $12.5 million in fiscal 1969, and are scheduled to rise to about $21 million in three years; additional coverage is available under the Medicaid program, and services must be offered to welfare mothers. But HEW has been unable—some charge that it has been unwilling—to effectively utilize these resources and develop a large-scale birth control program. A 1967 report, prepared for HEW by a team of experts headed by Oscar Harkavy of The Ford Foundation and released by HEW Secretary John W. Gardner, documented the agency's recalcitrance in this area. The report pointed out that in the sprawling HEW bureaucracy, less than 10 professionals were assigned full-time to family planning. In December 1967, Secretary Gardner appointed a Deputy Assistant Secretary to coordinate all federal birth control programs. But the effect of this office on the development of birth control progams remains uncertain since it is isolated from program operations and is inadequately staffed, though Secretary Robert Finch has indicated a strong commitment to expand HEW birth control programs.

Until recently any birth control services provided by HEW funds were minute and anonymous; there are no data to support the agency's claim that in 1968 it served one million women. The best guess of knowledgeable public and private officials is that fewer than one million women were being served by *all* programs. HEW's claim is further tarnished by the fact that it has had no reporting or data-keeping system whatsoever for birth control.

States are now required to submit timetables for extending state-wide family planning services in their maternal and child health plans. The Social Security amendments require that such services be available to all medically indigent women by 1975. It remains to be seen whether HEW will have the will or the personnel to monitor the plans and provide the necessary assistance to communities attempting to develop programs.

Perhaps the most serious obstacle to an expanded birth control program has been the attempt of Children's Bureau physicians to use family planning funds to provide the equivalent of comprehensive maternal and child health care. The physicians responsible for program content urge, if not insist, that family planning projects include social and counseling services, nutrition experts, various types of nurses, and nearly every type of medical and paramedical personnel. Given this orientation, one wonders how much emphasis will be placed on actually providing needed birth control services, and indeed how much of the funds earmarked by Congress

will actually be spent on them. The broader type of family planning advocated by HEW officials is undoubtedly beneficial to those receiving it, but the focus of the already meager birth control funds should be on wider distribution of "the pill."

In addition to HEW's Children's Bureau, the Public Health Service is responsible for getting birth control services to American Indians and Alaskan natives. Its performance for these special groups has been no better than the efforts of the Children's Bureau. It is apparent that HEW finds it difficult to operate service programs that place it in direct contact with potential public controversy; however, the agency is able to perform on a sizable scale and without qualms in the more abstracted area of research. The National Institutes of Health's Center for Population Research studies all aspects of contraception and has made grants to universities and other private research groups to find safer, more convenient ways to control fertility. With an annual budget of $6.5 million, the Center has also performed research, filling gaps that the drug industry left unattended lest new products reduce profits. The willingness of NIH to subsidize birth control research has not been manifested by the Children's Bureau, the Public Health Service, and OEO in the area of direct birth control services for the poor.

DELIVERY OF SERVICES

Birth control programs must, to be effective, be implemented in neighborhoods where the need exists. Contraceptive services are often provided to postnatal patients in hospitals and to women in pediatric clinics and health departments; it now remains to make delivery of these services to the poor a major program. There is evidence that the response to easily accessible neighborhood family planning clinics is greater than to centralized clinics offering a variety of psychological, social, and counseling services. OEO's community action agencies often provide family planning in neighborhood multi-service centers or set up small decentralized clinics specifically for birth control information and service. While this kind of setup is workable in well-populated areas, rural areas and small towns pose a problem. Service to these areas could be achieved relatively inexpensively by equipping mobile vans, staffing them with minimal personnel (a physician plus a nurse or trained subprofessional), and sending them out to the countryside. The vans could be utilized in urban areas as well.

The accessibility of facilities does not guarantee use unless the poor are reached and advised about the availability and content of services. The OEO programs use subprofessional residents of the areas to be served for this function. Popular outreach methods include door-to-door informational campaigns, group meetings, and in some cases even the utilization of male workers to inform and encourage support from the local men. Ancillary services such as transportation and babysitting are often provided to make it easier for women to attend the clinics.

A birth control clinic can be established nearly anywhere as long as there are separate rooms for reception, examination, and nurse consultations. The cost of equipment is not great and the bulk of the funds is spent on personnel. The services of a physician and a nurse are required; subprofessionals perform other tasks such as education, interviewing, outreach, and maintenance. With these facilities adequate services and health precautions can be provided; any more would be of peripheral value, and some irrelevant.

One problem that is inevitable in relation to any expansion of health services is the critical shortage of physicians. Perhaps eventually certain professional standards will have to be modified to allow registered nurses or medical interns to perform the necessary simple examinations and to prescribe contraceptive devices. While this would most likely arouse charges of "cheating the poor," services by credentialed professionals are not necessarily synonymous with high quality medical care. There is little evidence that years of medical and postmedical schooling are needed to provide birth control assistance. Adequate training programs should be established for all professional and subprofessional personnel involved in the delivery of birth control services.

WHAT WILL THE NIXON ADMINISTRATION DO?

Federal officials charged with the responsibility of funding birth control efforts managed to ignore Congressional mandates and repeated urgings by President Johnson. Foot-dragging, if not outright sabotage, characterizes the activities of many federal health officials who should be concerned with family planning. As a result, birth control programs currently serve less than a fifth of the potential clientele. If birth control programs for the poor are to be expanded, pressure from Congress must continue, backed by adequate appropriations, and the President must provide leadership both inside and outside the government to insure that birth control services will be available to all.

The early months of the Nixon administration do not justify optimism that the federal government will provide the active leadership and resources needed for effective birth control. The new administration has shown an inclination to avoid controversial welfare issues and to expand programs in aid of the poor only in response to pressures generated in connection with specific issues.

While the President finally broke his silence on the issue in mid-1969 with a population message to Congress, he has yet to make clear his specific intentions. Nixon called for increased contraceptive research, personnel training, and challenge the lack of federal coordination and commitment to birth control services to all who need them, but his only concrete action was to recommend a Commission on Population Growth and the American Future to "study" the problems of population. The commission is a tried and true method of avoiding action and "coordination" is no substitute for an increased commitment of resources. One wonders if birth control will receive the promised and needed priority.

Public and Congressional pressures will still be needed to prod the President into assuming a more active role in the expansion of federal birth control programs. It is hoped that President Nixon will consider the present demands and expand services to all those who need them, instead of establishing commissions to delay facing the problems.

TRAGIC DEATH OF A CHAMPION—ROCKY MARCIANO DIES IN PLANE CRASH

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. ANNUNZIO. Mr. Speaker, I rise today to pay tribute to the late Rocky Marciano who died tragically in a plane crash on August 31, 1969—the eve of his 46th birthday. All over the world, from Paris, to Rome, to America, his death is mourned by all who knew of his legendary career in the world of boxing.

Rocky, who was world heavyweight boxing champion, retired undefeated after winning 49 fights—43 of them by knockouts. He won the world heavyweight title in 1952 by a 13-round knockout of Jersey Joe Walcott, and successfully defended his crown six times before his retirement. He was elected to boxing's Hall of Fame in 1959.

The world has suffered the loss not only of a great fighter but a great man—for Rocky possessed a dauntless courage, boundless humility, and a heart full of kindness and love for his fellow man. It was these qualities that endeared him not only to his friends, but to those he defeated in the ring.

Rocky Marciano earned the genuine admiration and deep respect of all who knew him, and his career was an inspiration to our youth. Those of us who had the privilege of knowing him as a friend for so many years deeply mourn his passing, and our hearts go out to his bereaved family.

Mrs. Annunzio joins me in extending our deepest sympathies to his wife, Mrs. Barbara Marciano, to his daughter, Mary Ann, and to his son, Rocky Kevin, on their great loss.

In the Washington Post on September 2 an article appeared on the life and accomplishments of Rocky Marciano. It accurately portrays the life of an outstanding champion who possessed great strength and integrity. The article follows at this point in the CONGRESSIONAL RECORD:

FORMER HEAVYWEIGHT CHAMP DIES AS PLANE FALLS IN IOWA

Rocky Marciano, the only heavyweight boxing champion to retire undefeated, was killed on the eve of his 46th birthday.

He died with pilot Glenn Belz, 37, and Frank Farrell, 23, both of Des Moines, Iowa, in the crash of a single-engine Cessna plane Sunday night on a farm near Newton, Iowa.

The plane struck a tree. Mr. Marciano's body was pinned beneath the main wreckage and a piece of debris pierced his skull. All three men were killed instantly, according to the county medical examiner.

They were en route to Des Moines from Chicago for a party at a steakhouse to celebrate Mr. Marciano's birthday. A flight service official said Belz notified him about 10 p.m. EDT that he was going to land at the Newton airport and gave no indication that he was in trouble.

RETIRED IN 1956

The crash apparently occurred a short time later. Mr. Marciano had planned to fly to his home in Fort Lauderdale, Fla., yesterday for a birthday party with his wife, Barbara; his daughter, Mary Ann, 16, and his 17-month-old son, Rocky Kevin.

Mr. Marciano announced his retirement on April 27, 1956, after winning all 49 of his professional bouts, 43 by knockouts. His last bout was against Archie Moore, former light-heavyweight champion, on Sept. 21, 1955. He knocked out Moore in the ninth round in his sixth title defense.

CONSIDERED COMEBACK

Mr. Marciano was knocked down only twice, by Moore and by Jersey Joe Walcott, from whom Marciano won the title with a 13th-round knockout on Sept. 23, 1952 at Philadelphia.

His fight with Walcott was regarded as the best heavyweight bout since Jack Dempsey knocked out Luis Firpo of Argentina in the second round in 1923.

Mr. Marciano revealed in 1966 that he considered making a comeback in 1959, after Ingemar Johansson of Sweden won the title from Floyd Patterson, but abandoned the idea after several sessions of training in private convinced him that he could not get into proper condition.

Although he weighed 13½ pounds at birth in Brockton, Mass., the oldest of six children born to Italian immigrants, he was the second shortest and second lightest heavyweight champion at 5-foot-11 and 185 pounds. Bob Fitzsimmons was a half-inch shorter and weighed 162. Marciano did have the shortest reach, 68 inches.

WORE DOWN OPPONENTS

But he was blessed with stamina, trained almost constantly and wore down many of his opponents with his clubby arms and powerful fists.

He was 23 years old when he fought his first professional bout knocking out Lee Epperson in Holyoke, Mass., in the third round. Mr. Marciano won his first 16 bouts by knockouts, nine of them in the first round.

He fought in Washington during that streak, stopping Gil Cardione in the first round on Sept. 30, 1948.

FIGHTS GROSSED $4 MILLION

Mr. Marciano's fights grossed $4,003,580. His purses, before taxes and his manager's cut, for seven championship bouts totaled $1,460,338.

He knocked out former champion Joe Louis on Oct. 26, 1951, in a nontitle bout and Louis retired after that, except for exhibition bouts.

Besides Louis and Moore, Mr. Marciano twice defeated Ezzard Charles, another former champion, once by decision and later on an eight-round knockout. Both victories came in title bouts in New York.

He was elected to Boxing's Hall of Fame in 1959.

In 1946, a year before he began his boxing career, Mr. Marciano was given a tryout as a catcher by the Chicago Cubs' baseball club, but although he hit well he did not throw well enough.

The son of a shoemaker in a city known for that industry, Mr. Marciano quit school at 14 to augment the family income and worked at digging up streets, dishwashing, candy making and truck driving before he turned to boxing.

Al Weill, who had managed other boxing champions perceived potential in Mr. Marciano's strength despite his awkwardness and promptly put him to work under Charlie Goldman, a trainer of note.

WEILL CHANGED HIS NAME

At birth Mr. Marciano was Rocco Francis Marchegiano and it was Weill who changed his name. A friend of his father, Peter, sent the parent a pair of boxing gloves with a card on which was printed, "Hail to the Champ."

There was no hint that the prophecy would be fulfilled until he served with the Army in Wales in World War II and was urged by friends to cut down to size a bully in the camp. He was selected because he was so rough in football and baseball games.

He had not boxed previously but he knocked out the bully in two rounds. When Mr. Marciano returned to the United States he began sparring at Ft. Lewis, Wash. After his discharge he boxed as an amateur and later persuaded Weill to handle him.

He used to thumb his way from Brockton, Mass., to New York City, to save money.

Although Mr. Marciano was frugal, he lost money in several investments after he retired from boxing. But he was believed to have retained the bulk of his ring earnings and associated income, which was estimated to total about $1.7 million.

DEATH MOURNED IN EUROPE

Boxing, being an international sport, Mr. Marciano's death was big news in Paris, Rome and elsewhere in Europe. In Ripa Teatina, Italy, where his parents were born, many of the 3,000 inhabitants gathered in the town square to mull over the news. Condolences were offered to a cousin.

In Chicago former champion Cassius Clay/ Muhammad Ali said, "He was so great and so popular and yet he never showed conceit. I got to know him when we were filming a computer fight not long ago, but Rocky will never get to know how it comes out. For a guy his age he was in just as good a shape as me (27). For a week after that I couldn't lift my arms because the body punches were for real."

"SADDEST NEWS" FOR LOUIS

Who would have won a real fight between them? Clay was asked.

"Marciano would never say that he could beat me," Clay said, "and I won't say I could beat him. It would have been a real fight."

In Charlotte, N.C., Joe Louis said, "This is the saddest news I have ever heard. When he defeated me I think it hurt him more than it did me. He sent a message to my dressing room saying he was sorry. He just had a good heart."

Mr. Marciano's body was taken to Brockton for a requiem mass at 10 a.m. Thursday. It will then be taken to Fort Lauderdale, for another. Burial there is set for Saturday.

GEORGE L. GOLDMAN, BENEFACTOR

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. BOLLING. Mr. Speaker, on September 1, I and thousands of other Kansas Citians lost a dear friend. There are few men of whose death such a statement can be honestly made. But the more than a thousand people who attended George L. Goldman's funeral prove the accuracy of that statement.

The Kansas City Star editorial which follows tells of George Goldman's remarkable life and contributions to his fellow men:

GEORGE L. GOLDMAN, BENEFACTOR

In describing the remarkable George L. Goldman and his never-ending good deeds, a friend once spoke of him as a lamplighter who in his walk through life "made life brighter and more secure for many others." It was a modest but accurate way of summing up this native Kansas Citian who died yesterday at the age of 80. He was an outstanding civic leader, business executive, philanthropist, fund raiser extraordinary, benefactor of youth organizations and athletic programs and even a one-man ecumenical movement.

There was another side of George Goldman that was most prominent in his earlier years. Along with being a star basketball player who eventually was named to the Missouri Sports Hall of Fame, Mr. Goldman was an excellent singer. His fondness for show business led him into the production of minstrel shows in the 1920s and 1930s. He once estimated that he had staged more than 100 of these events, all for benefits of one kind or another.

It was in this same period that he served as an alderman and councilman. As president pro tem of the city council, he functioned as acting mayor. In that capacity the tall, distinguished-looking Mr. Goldman welcomed Queen Marie of Romania and Charles A. Lindbergh to Kansas City. Lindbergh came here to dedicate the Municipal Air Terminal in 1927. The farsighted George Goldman had envisioned the potential of aviation for this community and had worked to establish the convenient airport site.

Although Mr. Goldman was not a seeker of recognition, he was honored publicly many times. He was proudest, perhaps of a Benemerenti medal bestowed on him by Pope Pius XII for distinguished service to the church. Mr. Goldman, of the Jewish faith himself, had been president of the Catholic Youth Organization. With his brother and jewelry firm partner, Fred Goldman, he had built an athletic field that later became the C.Y.O. stadium. Mr. Goldman was as generous in assisting Protestant churches and their activities as he was in supporting Jewish and Catholic undertakings. His foremost purpose was for the people to work together regardless of creed or race.

When he was invited to meet with other civic leaders in the interest of a new enterprise or one that was in difficulty, there was a tendency to "let George do it." George Goldman, ever gracious and gentle, invariably responded. His interest in helping Indians near Grand lake in Oklahoma, a favorite fishing place of his, led to his being named a member of the Cherokee nation. An appropriate Indian name for him would have been "Chief Great Heart." For George Goldman, the bachelor who did so much for this community's young people, was a grand human being as well as one of our finest citizens.

NATIONAL FOREST TIMBER SUPPLY ACT

HON. JOHN L. McMILLAN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. McMILLAN. Mr. Speaker, an excellent article which dramatically points out the need for intensive management of our national forests appeared recently in the Oregonian, a highly respected and authoritative newspaper in the Nation's No. 1 timber State. Written by Mr. Herbert Lundy, editor of the Oregonian, the article describes the devastating losses of timber caused by fir bark beetles, and warns that further losses can be expected unless Congress is convinced that "intensive forest management is good business for everyone." That means commercial timber operators, outdoor conservationists, the U.S. Forest Service, and most importantly the American taxpayer.

Mr. Speaker, such intensive modern management of our national forests is the purpose of the proposed National Forest Timber Supply Act which I have introduced along with more than 60 colleagues in the House. The need for this legislation arose from our concerns in meeting the housing needs of our country both in the next decade and the years beyond. The Forests Subcommittee of the Committee on Agriculture, of which I have the honor to serve as chairman, has held extensive hearings on this legislation which has been substantially revised to meet certain concerns raised by conservation groups about the effect on multiple use. My subcommittee will meet next week to consider this legislation in executive session and hopefully we will have this much needed program ready for your consideration in the near future. I urge my colleagues to read Mr. Lundy's most perceptive comments which I would like to submit for the RECORD.

The article follows:

FIR BARK BEETLES MAKE CASE FOR INTENSIVE FOREST CARE

The House Appropriations Committee has just added $6.9 million to the U.S. Forest Service budget in recognition of industry demands for intensified management programs. It isn't a drop in the bucket of need. In fact, the federal government is many years behind in its politically-hamstrung management of its multi-billion-dollar timber resource.

The rangers and supervisors of the Forest Service know what needs to be done but they don't have the money and manpower to do it. Let's have a look at a recently visited section of the Gifford Pinchot National Forest across the Columbia River in Washington.

There is a resurgence of the Douglas fir bark beetle in the Wind River district, particularly along the ridges girding the Little White Salmon River. This "bug" is always present in forests. It seems to get out of hand after a couple of dry summers followed by blowdowns and snowbreaks. The flying beetles multiply in green down timber and attack standing timber as well, particularly healthy second-growth. The beetles penetrate the bark and lay their eggs. The grubs bore around the tree and girdle it and the tree dies.

About 120 million board feet of standing timber in the Wind River district—2.4 per cent of the inventory—are infested by the bark beetle. The only way to stop the spread and save the infested timber and the adjacent forest is to log it out of there pronto. This infested timber is worth about $12 million. But even by selling more than the allowable cut—borrowing some from other districts—the rangers can't get it all out in time.

And this 120 million board feet, covering about 2,000 acres in scattered patches, are only a part of it. The Douglas fir bark beetle is also on the warpath this summer in the Mt. Baker, Mr. Hood, Umpqua, Rogue River and Siskiyou national forests. The total of the infected timber is around one billion board feet.

The beetles are raising hob with multiple use management programs. Normally, timber sales would be plotted to log out old growth fir while second-growth is maturing. Clear-cuts would be carefully plotted with concern for scenic values, water supplies and nature of the terrain. In the Wind River district, under beetle pressure, large areas scheduled for partial logging have to be clear-cut, and old growth timber is being left so that infested immature timber can be removed.

Some outdoor lovers who scream "desecration" at the sight of large clear-cuts on hillsides visible from stream or recreation road might stop to consider that foresters don't always have a choice in the matter.

So what has this to do with long-range management? The bark beetle, which is immune to sprays and other controls, would not reach epidemic proportions if forests could be managed acre by acre. Thinning would give the remaining firs the vigor to resist the beetles by "pitching out."

But to ever attain that foresters' Valhalla, complete management, would require a vast road system placing every tree within reach of tractor or high line. Most of these roads would be rough, ungraveled access tracks, but they must lead to more substantial truckroads. Timber buyers can't afford to build all these roads if they are permitted to take out only a few of the trees in a plot. And the Forest Service doesn't have the money to do it.

All these factors lead to emergency clear-cutting in areas which shouldn't be clear-cut, with consequent disturbance of other forest values and economic loss in timber.

Will there ever be a time when the very able and dedicated foresters can manage their domains on an acre-by-acre basis for the highest values?

Perhaps. But not in decades unless commercial interests and outdoor conservationists quit fighting each other and the Forest Service and convince Congress that intensive forest management is good business for everyone.

THE COURTESIES OF THE FBI

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. WALDIE. Mr. Speaker, as a member of the Select Committee on Crime I have been participating in a series of most informative and, I think, important hearings on the problem of crime in this Nation.

With the sole exception of one Federal agency, the Federal Bureau of Investigation, our committee has had the excellent cooperation of public and private agencies and individuals representing these agencies.

The Director of the Federal Bureau of Investigation informed our committee that it was not his or the Bureau's policy to appear before open session hearings. I found this policy to be unfortunate indeed, and, in fact, a hindrance to the operations of this committee. I publicly stated my opinion of this policy and it was given widespread exposure.

Among the comments on this issue were those expressed in an editorial in the Antioch Ledger in my district.

I would at this time like to insert this editorial in the RECORD:

FBI CHIEF OFFERS CONTRADICTION

"Arrogance and condescension have no place in law enforcement.

"Departments seeking means to improve their public image should check their courtesy ratings.

"Courtesy is basic to good public relations.

"While it may be in danger of becoming a lost art in some segments of our complex society, courtesy must be an ingrained habit of every law enforcement officer.

"He should always have 'time for courtesy.'"

The foregoing quote, the words of J. Edgar Hoover, director of the Federal Bureau of Investigation, were printed in the Aug. 1, 1969, FBI Law Enforcement Bulletin.

We must question the meaning of those words in the light of what happened late last week.

Hoover not only refused to testify before the Crime Committee of the House of Representatives, but also refused to permit any of his subordinates to testify.

Our own Congressman, Jerome Waldie, is a member of that committee, and he was justifiably miffed at this snub from the number one man in law enforcement in this country.

How, asked Congressman Waldie, could his committee do its job "without the cooperation of the top law enforcement agency in the federal government?"

"This also concerns me," said Waldie, "because I think any executive agency has a responsibility to assist a congressional committee."

We join Congressman Waldie in asking why a department so concerned with its "public image" and "public relations" would refuse to answer questions posed by representatives elected by the public?

This is the type of action that breeds the arrogance which Hoover preaches against.

We believe that the FBI has little to hide, but this cavalier attitude toward a duly authorized body makes us wonder.

Waldie, for instance, said he wanted to ask how much of the FBI budget goes to fighting internal subversion and how much goes to battling crime.

He wanted to ask why was a new office created in the Justice Department to over-see the federal anti-narcotics effort instead of using the FBI.

These don't seem to be unreasonable questions to us.

We hope Hoover re-considers his position.

For as he says himself, "The good will and assistance of the public are his (the police officers) most valuable assets."

We might add the same from Congress is rather vital to the FBI.

OUR OVERALL NAVAL STRENGTH

HON. WATKINS M. ABBITT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. ABBITT. Mr. Speaker, much concern has been voiced in recent months regarding the relative strength of the United States and the Soviet Union in the matter of naval strength. It is a matter of considerable concern that while we are in the process of reducing our naval forces, Russia apparently is increasing its overall strength. It is, of course, true that our overall naval strength is still greater than that of the Soviet Union but serious questions are now being raised as to the dangers to which we might be submitting ourselves by any unilateral reduction which we might make regardless of the circumstances.

I wish to call to the attention of the Members of the House a very fine editorial which appeared in the Wednesday, August 27 edition of the Richmond News Leader, Richmond, Va. The editor has raised some very vital questions and included in his editorial some pertinent information.

I, therefore, wish to include with my remarks the editorial entitled "We're Losing" and commend this to the reading of Members of the House. The editorial is as follows:

WE'RE LOSING

If the United States Navy were to lose ten percent of its ships and personnel in battle and if the enemy were then recognized as the world's dominant sea power, the American people would be stunned. Yet last week's announcement of such an impending loss stirred hardly a ripple on our somnolent summer scene. The Navy, we learn, is to be decimated as a result of a $3 billion Defense Department budget cut imposed by Congress; the fleet will shortly be reduced from 900 to 800 ships on active duty and Navy personnel will be axed by 72,000 men, down to 700,000. In the confusion of our time, many befuddled liberals now regard the so-called military-industrial complex, once hailed as the arsenal and guardian of free men everywhere, as a greater menace than the Communists.

This Naval disaster dramatizes and confirms a revolution in world seapower wherein the United States has drifted from unchallenged supremacy to second place behind the Soviet Union.

During the past eight years, our govern-

ment has concentrated its attention and resources on the war in Vietnam—a war that it refuses to win and that the Communists find profitable to continue. While we have thus been bogged down, the Russians have raced ahead for the big payoff in naval and nuclear superiority.

Already the United States and its NATO allies are being challenged by Russian naval might in the Mediterranean. With more than 60 ships there, Soviet strength is greater than the United States Sixth Fleet. Meanwhile, Communist influence and Russian naval support bases have been extended from Syria and Egypt in the Middle East all across North Africa to Algeria, in a vast pincer designed to strangle Western Europe.

RUSSIANS HOLD

Admiral H. G. Rickover, the father of our nuclear submarine fleet, recently warned that the Soviets now have by far the largest submarine force in the world—about 375 submarines, all built since World War II. We have 143, including 61 diesel submarines, most of which are of World War II vintage. Thus the Russians now have a net advantage of about 230 submarines and will launch 28 new undersea units this year. By comparison, the United States will launch only one or two new subs. Admiral Rickover estimates that by the end of 1970, the Soviet Union will gain a numerical lead over the United States in *nuclear* submarines. *Next year!*

Russian superiority is not confined to submarines. The Soviets have armed their destroyers and other surface vessels with surface-to-surface atomic missiles having a range of 100 miles or more. We have no surface vessels carrying atomic missiles.

Admiral Rickover goes on:

"In the single year of 1968, the Soviets put to sea a new type ballistic missile nuclear powered submarine as well as several new types of nuclear attack submarines—a feat far exceeding anything we have ever done. It is estimated that by 1974 they will have added about 70 nuclear-powered submarines to their fleet, whereas we will add but 26—thus further increasing their superiority."

UNITED STATES MORE VULNERABLE

The submarine has become the blue-chip weapon of the atomic age. Its mission is no longer restricted to sinking surface ships. The Polaris-type submarine, with its long-range, nuclear-tipped missiles, brings the principal cities and military installations of the enemy homeland into its crosshairs. Clearly, in warfare's new dimension, geography has made the United States much more vulnerable than the Soviet Union, largely shielded from the open seas by other nations; the American people are concentrated in major cities along the Atlantic, Gulf and Pacific coasts—now all but defenseless against instant destruction from submarine-launched hydrogen bombs.

Apparently very little thought has been given the fact that the wide oceans, which once isolated us from foreign foes, have become broad avenues of peril. Small wonder that our Central Intelligence Agency is so concerned about Kremlin plans to have fleets of missile submarines prowling permanently all along U.S. coasts—enemy units always on the move, units that cannot be tracked by radar or by sight. Small wonder the Pentagon is concerned that the Russians are expanding their Cuban naval installations in order to provision their missile submarines stationed off our shores.

LOOKING DOWN A GUN

We shall soon be looking down a Communist gun barrel. The 15–20 minute warning period that the Pentagon once counted on with any missile fired from the Soviet Union will be so greatly reduced by the presence of nearby enemy submarines that no response may be possible before all our retaliatory missiles and our cities are destroyed in a surprise sub-based missile attack. In such eventuality, only our own missile submarines could respond. But the Soviets may gamble that their extensive antiballistic missile (ABM) defenses would neutralize this potential punishment. Our military leaders, who have recognized this unthinkable threat, have spoken only in guarded terms for fear of panicking the public.

Instead of reducing the Navy, the Nixon Administration and the Congress should forthwith embark on a crash program to construct not fewer than 75 nuclear submarines equipped with Poseidon missiles. We should also concentrate on developing more effective anti-submarine warfare techniques. For, if this is to be the arena where Russia plans to win World War III, we dare not be unprepared.

The stakes could not be higher. The Soviet Union is bidding for nothing less than world control through either blackmail, subversion or military conquest. Our own goal is more modest: It is simply national national survival.

BIDS FAREWELL TO "CHUCK" JOELSON

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. SISK. Mr. Speaker, I should like to join my colleagues in bidding a fond farewell to my good friend "CHUCK" JOELSON. Since he joined our ranks in 1961, this House and the Nation have benefited immeasurably from his vision, creativeness, and his tenacity in pursuing legislative goals he knew to be in the best interests of our citizens.

His thorough training as a lawyer, followed by a distinguished career as a public servant in New Jersey municipal and State councils, fitted him admirably for the outstanding job he has done in his all too brief service in the House. While we shall miss his wise counsel, the judicial bench of New Jersey will become enriched by acquiring it.

None of us can ever forget his brilliant leadership in the recent successful effort to increase the appropriations for educational programs. With these additional funds, it is not beyond possibility that an even greater number of our youth can now prepare themselves to become the well-informed, active, useful citizens of "CHUCK" JOELSON'S stamp that America needs if it is to continue to grow and prosper.

And aside from his official duties, "CHUCK" was the ideal gentleman with whom to be in contact during our day-to-day pursuits. He is possessed of a charming wit and sense of humor, conscious at all times of the amenities, giving of his wide knowledge freely, without pretense or ostentation.

During an average number of terms served in the House, by an average number of Representatives, who come in contact with a very large number of colleagues, past, present, and in the future, all who have so served will remember "CHUCK" JOELSON as much more than an average man.

GI BILL FOR QUINCY'S 126TH

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. FINDLEY. Mr. Speaker, in May of 1968, the 126th Supply and Service Company—the National Guard unit at Quincy, Ill.—was activated, and in mid-September they departed to begin their service. In many cases, a tremendous personal sacrifice was made by these men, who were compelled to leave families, jobs, and education behind. Yet, willingly, they went because their country had called them. Most went to Vietnam. Duc Tho, Long Binh, Da Nang—they lived in the places that made tragic news here in the United States. Some received special awards for outstanding performance—all served with distinction. Now, over 1 year after they were activated, the men of the 126th have returned home.

Unfortunately, these men will not qualify under the GI bill for the same educational benefits as members of the Regular Armed Forces. For Regulars, all time including time spent in basic training is counted for purposes of educational benefits. For reservists and guardsmen the period of active duty for training prior to the activation of the unit does not count.

Whatever can have been the original basis for such a distinction, there is no justification for it today. The men of the 126th served their country with pride. The courage and conviction, determination and devotion that they displayed under great handicaps—psychological as well as physical—in a strange and distant war put them among the front ranks of all of our military men. They should be accorded the same treatment, the same benefits, as those of the Regular Army at whose side they stood in Vietnam.

To correct the inequity in the present law, I am today introducing a bill which provides that reservists and guardsmen who are called to active duty and serve at least 6 months during the period of the war in Vietnam, may include their prior active duty for training in determining eligibility for educational benefits under the GI bill. This is the very least that we can do for those who have given so much for their country.

Text of bill follows:

H.R. 13644

A bill to amend title 38 of the United States Code to permit certain active duty for training to be counted as active duty for purposes of entitlement to educational benefits under chapter 34 of such title

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a)(3) of section 1652 of title 38, United States Code, is amended by striking out "and section 1661(a)" and inserting in lieu thereof "of this subsection and subsection (a) of section 1661 (except as provided in the last sentence thereof)".

Section 2 Subsection (a) of section 1661 of title 38, United States Code, is amended by adding at the end thereof the following new sentence: "For the purposes of this chapter and subject to the limitation in subsection (c), if a veteran serves for a period

of active duty pursuant to a call or order thereto issued to him after August 4, 1964, as a Reserve or a member of the National Guard or Air National Guard or any State, and is an eligible veteran as a result of such duty, any period of not more than 6 consecutive months of full-time duty performed by him after January 31, 1955, for the purpose of obtaining initial military training pursuant to his Reserve, National Guard, or Air National Guard obligation shall be deemed to be active duty."

A LOOK AT DDT

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. COHELAN. Mr. Speaker, both the scientific and government communities have recently been voicing their concern about the use of DDT and the effects of the chemical on our natural environment. How dangerous is the chemical, and is its continued use necessary?

Dr. G. K. Kohn, a noted scholar in the area of agricultural chemicals, attempts to answer these questions in a statement he delivered recently at the Thorne Ecological Foundation's Seminar on Environmental Arts and Sciences, held at Aspen, Colo.

Dr. Kohn shows what the discovery and use of DDT has meant to the improvement of world health and agriculture, but he also scrutinizes the hazards of the continued use of the chemical.

He urges further research into the effects of DDT; he suggests that safer pesticides be substituted for DDT where and whenever possible; and he advises that the Government consider regulations that would protect the Nation's total environment.

Both supporters and opponents of the continued use of DDT will find Dr. Kohn's article informative and helpful. His views are not necessarily those of any group on this issue. And it is because of Dr. Kohn's independence that I find his statement so interesting.

Dr. Kohn, who has written several articles dealing with agricultural chemicals, is well known among his colleagues as an authority in the area.

He served as chairman of the Symposium on Decontamination of the Environment at the 1968 meeting of the National American Chemical Society, and he is also a member of the executive committee of the pesticide section of the Agricultural and Food Division of the A.C.S.

I include Dr. Kohn's article on DDT in the RECORD at this point:

VALUES IN CONFLICT A LOOK AT DDT AND THE CHLORINATED HYDROCARBONS*

(By G. K. Kohn)

INTRODUCTION

It is not my purpose to debate nor to proselytize nor to sell. I will however, try to provide some facts and to point out some distinctions between what is meant in the world of science as "hard" fact or data, and logical conclusions therefrom and for want of a better term, "soft" data and the speculations derived from such data. Whereas all other sciences tend to isolate and particularize, ecology by definition, is concerned with universals, with the interrelationships of life and environment in their totality. My remarks then do not reflect the approach of industry, of pesticide manufacture, even of any particular science. I hope they transcend these and include; value systems, science, ethics and citizenship, at least this is the spirit with which I intend them.

In outline then, I will try to cover:

I. The History of DDT and Its Development.

II. Some Significant Physical, Chemical and Biological Properties of DDT.

III. What DDT Has Accomplished In: (a) Agriculture; (b) Public Health.

IV. Undesirable Consequences From DDT, True and Questionable.

V. A Holistic Approach to the Use of DDT and The Chlorinated Hydrocarbons.

Like many others, I participated in the early experiments with chlorinated hydrocarbons. As a GI in the hold of an army transport, a new flea and louse powder was provided all of us with which we dusted ourselves, our bedding and clothing and with which we probably avoided typhus and greater and lesser scourges and started our personal accumulation of chlorinated hydrocarbons in our body fat.

HISTORY AND PROPERTIES OF DDT

The first important point in this brief history is to emphasize that in the days of our scientific innocence, the discovery of the entomological consequences of DDT was regarded by the leaders of the Swedish Scientific World and most of the World's scientific community as well as deserving of the highest award for scientific achievement.

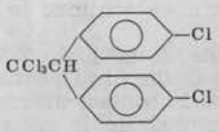
Let us now define DDT and examine its properties.

Pesticides have been utilized by man from the time of early recorded history and it might be well to emphasize here that the discovery of agriculture by prehistoric man was perhaps the first serious excursion by man to the area of massive ecological upset. More serious and pertinent to these discussions was the discovery of the organic pesticides and particularly of the chlorinated hydrocarbons which date roughly to the time of World War II.

DDT was first synthesized by a German Chemist Beidler in 1874 where it remained on some laboratory shelf and as a literature reference until World War II.

A Swiss Group headed by Paul Mueller discovered the insecticidal properties of DDT in 1939. For this discovery the Nobel Prize was awarded Dr. Mueller in 1948.

Chemically, DDT is Dichlorodiphenyltrichloroethane. It is conventionally represented as this:



pp' DDT

The technical product is a white waxy crystalline material with a slight, not unpleasant odor. It is a mixture of compounds and the active ingredient, the isomer above, comprises 85–90% of the product.

Listed below are those physical and chemical properties that account for its being the subject of discussion today:

PERTINENT PHYSICAL AND CHEMICAL PROPERTIES

1. It is very soluble in oils, fats, organic solvents.

2. It is very insoluble in H_2O about 1 part per billion.

3. It easily 'steam' distills from water.

4. Although of low volatility, enough distills from plant and soil surfaces to be carried by air currents.

5. It tends to form stable aerosols.

SOME BIOLOGICAL FACTS FOLLOW

1. It affects the nervous system of arthropods.

2. The mechanism of its action is not understood.

3. It is relatively safe to mammals. Its acute and chronic mammalian toxicity has been measured for many species.

4. It is generally toxic to fishes—usually at levels considerably above its solubility in H_2O.

5. It concentrates in fatty tissues. Through this partitioning it accumulates in higher and higher concentrations in those predator animals that are at the top of any given eco system. Hence, it is highest in species such as man, Coho Salmon, carnivorous birds, particularly those that feed on marine life, etc.

6. It degrades, but slowly, in most biological systems. It is acted upon by liver enzymes. However, because of its storage in body fats, only small quantities are made available at any one time for detoxification mechanisms. In mammals loss of hydrochloric acid, (DDE) and formation of a water soluble acid does occur along with other transformations. Most of us have reached a steady state for DDT concentration in our tissue. The level in body fat in the U.S. is, on the average, 12 ppm. It is lower in most other parts of the world but higher in a few.

7. Because of the stability of DDT and a wide spread usage, insect resistance to DDT is a fact. It is requiring higher and higher doses in programs for insect control. Adaptations are resulting probably for other animal species also.

As a consequence of the physical, chemical and biological properties we can establish some ecological facts and consequences.

1. The half life of DDT in the total biosphere is roughly 5 to 10 years. This is an estimated average for soil, air, sea and living species therein.

2. DDT has been produced at roughly the rate of 100 x 10^6 lbs. per year (U.S.) (186 x 10^6) maximum rate during the last decade. [Prod. is diminishing now, 30 x 10^6 lbs. used in U.S. in 1968, 2.5 x 10^6 in Calif.] It therefore has accumulated in the environment. It is in the soil, the seas and to a lesser extent in the air. It is found as indicated previously, in highest concentrations in those species that are at the top of their eco systems.

PUBLIC HEALTH ASPECTS

It is not necessary to dwell at length before a group such as this on the use of DDT in the areas of public health. Yet some mention must be made if we are to examine the problem in its totality. DDT has unquestionably saved millions of lives. It has reduced the incidence of typhus (Naples, World War II, for example), malaria, yellow fever, encephalitis, etc.

Of 1.6 billion people living today in previously known malarious areas, 632 million, 39.5% are now living in malarious free environment. 618 million, another 38.6%, are living in protected areas where programs are going on currently (1). Such statistics can be multiplied. They merit consideration.

One might ask, Yes these lives have been saved as the disease incidence has been reduced, but at what cost? This is a proper question, but the above statistics and many similar ones must appear in the equation which deals with its solution.

AGRICULTURAL ACCOMPLISHMENTS

We now come to the agricultural use of DDT. The figures cited for agricultural productivity in the U.S. are objective and I believe impartial. The increase reflects the impact of scientific technology on agriculture

*Presented at Thorne Ecological Foundation, Seminar on Environmental Arts and Sciences June 27–July 2, 1969, Aspen, Colorado.

and are the result of an integrated attack that includes genetics of plant breeding, chemical pesticides, fertilizers, agricultural engineering, etc., etc.

Let us look at some productivity figures (2). We will compare productivity for the years 1947–51 with the period 1962–66. These are the years when DDT and the chlorinated hydrocarbons were first mass introduced and later when they were employed at maximum rates. We do not claim total dependence for these changes on the pesticides, but they certainly contributed in varying degrees to this most remarkable record.

	Unit	Yield, per acre 1947–51	Yield, per acre 1962–66
Crop:			
Corn	Bushel	36.5	68.1
Wheat	do	16.0	25.9
Potato (white)	Hundred weight	137.6	198.0
Cotton lint	Pound	279.6 (760.0)	499.8 (1,100.1)
Rice	do	2,211.6	4,073.8
Live stock:			
Dairy cows (milk)	do	5,194.0	8,122.0
Poultry (eggs)	Number	169.0	216.0

Some of you here have ancestors who migrated to America because starvation was rampant in Ireland in the 1840's. No medicine—pesticide existed at that time for the control of Phytophora infestans, the organism responsible for potatoe late blight. Excellent chemicals now exist that effectively control this disease and contribute largely to yield increase. The cotton increases more directly reflect the impact of DDT and the chlorinated hydrocarbons.

These are U.S. average figures. In California where intensive chemical, pesticidal, and fertilizer use is employed, the parenthesized figures are the comparative cotton yields in the chart. Where more intense scientific agriculture is practiced, the yields are always much higher.

These figures are from a USDA bulletin published in Jan. 1969 and entitled, "An Analysis of Agricultural Research in Relation to Increasing Demands for Agricultural Products". The results reflect in themselves, a great research triumph. Let it be known that the one area, in addition to the freedom of our institutions, where America truly leads the world, where the communist world is most lagging and most envious is in the area of Agricultural productivity and not industrial or military might.

SOME UNDESIRABLE CONSEQUENCES OF DDT; TRUE AND QUESTIONABLE

There is no doubt about the persistence of DDT in the environment and its spread to the whole biosphere. These are 'hard' scientific facts. We will try to distinguish now between such facts and evidence that establish at best a 'prima facie' case and at worst are interpreted incorrectly and with misleading conclusions. The concentration in part per million (ppm) of DDT and metabolites in the tissue of certain hawks, the Peregrine falcon, many fish species, and man, among others, is fact. The population reduction of certain bird species to the point of extinction is undeniably true.

What has not as yet been conclusively established, is whether DDT truly is the sole causative agent for these tragedies. [I personally am inclined to believe that it contributes to them but by no means has unequivocal scientific proof been achieved.] One can publish population figures and DDT concentrations found for any given species or group of species. In almost all of these investigations, DDT and its metabolites are the only chemicals searched for in the analysis, yet bird species have been dwindling long before the advent of DDT. Is it not man and the total degradation of the environment more directly the cause? We will have more to say about this later. It is hard fact that DDT concentrates in the tissue of the peregrine falcon. Also, it appears that shell thickness and the viability of their embryos have been diminished. It is equally a hard fact that hens and turkeys subjected to high concentrations of DDT evidence no lessening of shell thickness or of their embryo viability. This can be interpreted as either just another case of species specificity or it can throw doubt as to the causative mechanism.

In another area, papers have been published making the claim that DDT and its metabolites are carcinogens and mutagens. If one subjects an organism to abnormally high concentrations of a chemical (usually unnaturally introduced) then one can observe tumors and perhaps the not well understood phenomenon of chromasome breaking. This is a far cry from a reasonable definition of a substance as a carcinogen or a mutagen. In fact, caffeine produces so called mutagenic effects at lower concentrations and in more species than does DDT. [Since the group that includes coffee and tea drinkers embraces most of the world's population and since most mutations are undesirable, one should be concerned about Mankind's and the world's future!] Seriously, quantitative relationships are required for valid scientific conclusions and precise definitions. Let me describe the interaction between a biological system and a chemical to illustrate this requirement of quantitative relationships.

In the diagram below, the chemical for this species is biocidal, is pathological and is an essential nutrient depending upon the quantitative relationships. (3)

Conclusion of chemical in tissue (dry weight) parts per million:	
Death	3,000
Disease	1,000
Healthy growth	200
Disease	30
Death	0

In this case the chemical is the element Manganese, the biological species includes much plant life and is numerically reasonably accurate for the bean plant. DDT is never a nutrient. But this example refers to the nature of scientific experimentation and the interpretation of the results therefrom. One requires, then, quantitative relationships in the descriptions of biological interactions.

A HOLISTIC APPROACH TO DDT AND THE CHLORINATED HYDROCARBON

It is my intention to emphasize what must be considered, if action is contemplated regarding DDT and the persistent chlorinated hydrocarbons. There is a hierarchy of priorities.

The greatest contribution to the destruction of our environment is prolific man. Much of government planning and economic planning in particular, by business and government, is based on the belief in ever increasing populations. For ecologists this means ultimate disaster. Our influence must be exerted to reverse this trend. What was, at one time, a religious commandment taken from the story of creation on the sixth day—"Be fruitful and multiply and replenish the earth and subdue it—", is today just plain evil, unless it is considered in a qualitative rather than a quantitative way. This dominated the ethics of our pioneer ancestors. It presently requires drastic revision. There will have to be regulation, by agreement, or by law, to control population. Until this occurs, the need for agricultural productivity will continue to increase—as will the need for pesticides.

From personal experience, I can report that for ten years, most research (and all of mine and my colleagues') has been directed to supplant the persistent chlorinated hydrocarbons with less persistent, but equally effective, chemicals and even new methods of crop protection. This is a difficult and complex problem and there are boundaries and parameters within which we must operate. One of these is the cost of food. What proportion of our population would be satisfied with a doubled food bill? Most would not and for the poor, this condition would be intolerable. There are costs for ecological benefits and we must be willing to face them. Until population is stabilized at a given level—and preferably until it is reduced, palliative measures are required. These must take into account food needs, the farmer and agricultural economics, the environment and its preservation, industry and government.

I would advocate for the immediate future, the following:

1. A measured orderly reduction of the use of DDT and the chlorinated hydrocarbons governed by a sound administrative procedure and manned by experts from agriculture, science, including ecology, industry and government. There should be, whenever possible, the preferential use of less persistent pesticides for insect control both for agriculture and public health.

2. I would advocate increased funds for research both to increase productivity and to study more thoroughly the ecological consequences of the measures to be adopted. More work is needed to establish scientifically and quantitatively, the interaction of DDT, chlorinated hydrocarbons and all environmental chemicals toward biological systems.

3. Regulatory agencies FDA, USDA, Health, Education and Welfare have done admirably in (1) protecting the consumer from potentially dangerous levels of pesticides, (2) in protection of the farmer for the growing of his crops and (3) in protection of the general public health. A new dimension to this regulatory authority must be added that protects (4) all the public from the degradation of their common environment. Ultimately this is a UN problem but the start should be with our own regulatory agencies. Policing of the environment is as essential as policing of crop residues.

4. Finally, I would emphasize again, the tremendous need to educate the world and to concern people—in high and low places of the need for population control. This is the fundamental problem and ecologists should provide some leadership in this campaign.

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(3) This chart was derived from data found in: Diagnostic Criteria for Plants and Soils, Div. of Agricultural Sciences, Univ. of Calif. p. 594, 1966.

(4) Early residue analyses frequently did not distinguish between pp' DDT its isomers and principal metabolites. In this discussion, the term DDT includes all the chlorinated residues. DDE is one of the most persistent metabolites.

VA HOSPITAL CARE PRAISED

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. BROWN of California. Mr. Speaker, I think that we have all had, from time to time, letters relating to instances where individuals were dissatisfied with

the treatment they have received in one of the veterans hospitals administered by the Veterans' Administration. We also know that these incidents almost universally arise out of misunderstandings, human mistakes, fatigue, staff shortages caused by budget limitations, and any number of other similar reasons that become more than understandable when you think that the VA operates the largest hospital chain in the world—and the number of complaints is minimal.

Today, however, I wanted to call the attention of my colleagues to just the opposite kind of letter. This is a letter of high praise for the treatment received by the late Frank M. Allen, Sr., while he was a patient in the Los Angeles VA Center. The letter follows:

DEAR CONGRESSMAN BROWN: On August 23 my father, Frank M. Allen Sr., passed away at Wadsworth Veterans' Hospital, Sawtelle, after an illness of more than 15 months. Knowing your interest in veterans' affairs I want to express to you the very sincere thanks of my entire family for the wonderful care extended to my father during the long period that he was a patient at the Sawtelle nursing home, Building 113. The doctors, including Dr. Rosenbloom, the nurses, therapists, the other hospital aides were always extremely patient, kind and genuinely considerate both to my father and to members of his family.

I would appreciate it if you would relay my appreciation to the proper administrators within the Veterans Administration both for the care my father received while living and for the dignified manner in which they made arrangements for and conducted the military services at the cemetery following his death.

Sincerely,

FRED D. ALLEN,
Editor, Northeast Newspapers.

I think that we too often forget the wonderful and massive job that is being done in our veterans hospitals throughout the Nation. This extends beyond normal hospital care for sick persons, to affiliation with medical schools, nursing home care, and some of the most sophisticated care and research in kidney diseases, spinal cord injury, open heart surgery, and many other fields.

UNJUST? PHOOEY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. DERWINSKI. Mr. Speaker, the justifiable concern over the adverse effect of the House-passed tax bill on the issue of municipal bonds is effectively explained in an editorial in the August 21, La Grange Citizen, which is proper interpretation of the issue:

UNJUST? PHOOEY

The congress of the United States, now passing through its perennial tax-reform mood, is considering lifting the income tax exemption on municipal bonds.

"How unjust it is," the argument runs, "that the income tax is imposed upon the wage-earner and in those who invest in stocks while the earnings from public bonds are exempt."

Let's give this one a closer scrutiny.

Municipal and school district bonds sell at a lower rate of interest because of this tax-exempt provision. Remove it, and the interest rate would greatly increase.

Major civic improvements are required both by the growth of a community and by the obsolescence of existing facilities. The principal way to finance them, and to extend the cost over several years, is to issue bonds.

Except at ruinous interest rates, this could no longer be done.

The interest charges are met from local levies and the result would be a steep increase in real estate taxes.

From such an arrangement, how could the "average" taxpayer derive any advantage?

A MODEL CITY FOR INDIAN LANDS

HON. FRANK E. EVANS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. EVANS of Colorado. Mr. Speaker, a development project covering portions of Colorado, Arizona, New Mexico, and Utah is under consideration by the Four Corners Regional Commission. The project involves the building of an ultramodern city of 250,000 with the latest techniques of housing, transportation, education, and business. The development, initially planned by former Four Corners Federal Cochairman Orren Beaty, is designed to help the Navajo and Ute Mountain Indians to fully enjoy the benefits of the 20th century.

I include an article published in U.S. News & World Report on June 23 outlining the main features of the development project and I commend it to my colleagues' attention:

A MODERN CITY FOR INDIAN LANDS

A new way of life for tens of thousands of Indians and other Americans is promised in a revolutionary plan drawn up for four Southwestern States. The key: an ultramodern city of 250,000 on what is now barren desert. It's designed to bring a twentieth-century boom to a region with problems rooted deep in the past.

On this rolling desert, where you can drive for miles without seeing a soul, one of the biggest development projects in U.S. history—to include an entirely new city—is being planned.

Covering 288,000 square miles—about 8 per cent of America's land area—the program for the Four Corners Economic Development Region is to include:

An ultramodern city of 250,000, with the latest techniques in housing, transportation, education and business.

A variety of recreation areas, including ski resorts, tourist ranches, and Indian villages and archeological ruins.

A network of new roads and airports that would convert one of the most inaccessible areas of the U.S. into a center of commerce and tourism.

Agricultural projects to make more abundant use of land that is now mainly devoted to sparse grazing.

The work would cost a total of more than 1 billion dollars in both public and private funds.

The plan was developed by the Westinghouse Electric Corporation for the Four Corners Regional Commission, run jointly under the U.S. Department of Commerce and the States of Arizona, Colorado, New Mexico and Utah. The proposal is just being made public.

The project's purpose: to pump new life into one of the most desolate yet beautiful areas of the U.S.—the mountains and valleys of the Southwest.

A UNIQUE MONUMENT

Center of the development is a sunny, nearly uninhabited plateau where the four States meet—the only such four-point intersection in the nation. The monument marking the site is about 300 miles southwest of Denver and about the same distance northeast of Phoenix. Here the huge Navajo and Ute Mountain Indian reservations converge.

It was primarily for the mostly impoverished Southwestern Indians and their non-Indian neighbors, many of whom are equally poor, that the project was conceived. It is designed to provide tens of thousands of people with better jobs, housing and living conditions.

"Our idea," says W. D. Brewer, Federal Cochairman of the Four Corners Regional Commission, "is to bring the twentieth century to the Indian, instead of forcing him away from his lands into faraway big cities."

The program is also intended to serve as a model for the entire country in such fields as air pollution, water conservation and urban living.

The development grew out of discussions between U.S. Government officials, including Orren Beaty, former Federal Cochairman of the commission, and residents of the four States who wanted to improve rural conditions.

The commission, created in 1967, hired Westinghouse to study the vast region—one of the most sparsely settled in the U.S. Eighteen per cent of the area's population of 2 million is of Spanish or Mexican origin, about 8 per cent is Indian, and the rest are mainly English-speaking Americans of European ancestry. At the center of the region however, Indians predominate.

The company's survey revealed that the area has an official unemployment rate of more than 6 per cent, nearly double the national average. Some federal officials believe that actual unemployment in the region—counting all those out of work both on and off official lists—is closer to 23 per cent.

There is little manufacturing; agriculture does not provide an adequate living for many, and there are relatively few roads, railroads and airports.

But investigators found important assets, too. The area contains some of the most spectacular scenery in the world—from snow-covered peaks to sand-and-sagebrush deserts.

Thousands of tourists a year come to enjoy the sights—especially the Indian cliff-dwellings at Mesa Verde, Colo., and elsewhere—and travel experts say that more would come if access and facilities were better.

The region was also cited for its largely untapped source of labor. Executives at three plants for light manufacturing which moved into the Navajo Reservation have found that Indian workers are skillful, patient and productive, more than justifying the operations.

URBAN TESTING GROUND

The planners concluded that "a dramatic focus of new activity in the area could best be provided by a new town."

They urged that the community should be not just another city, but a radically new testing ground for novel approaches to urban problems. Their idea was that the benefits would spill out to the entire four-State region.

The city is planned to be somewhere near Four Corners. Preliminary designs call for the community to be divided into "clusters"—residential areas composed of both apartment buildings and individual houses, light-industrial parks, an education area where grade and high schools and possibly a university would be located, and commercial centers.

Other related schools in the area would include vocational training centers designed especially for Indians.

Designs call for the city to have a variety of architecture, ranging from high-rise buildings to low blocks patterned after Indian cliff dwellings.

One proposal provides for stores and offices to be located in one or more clusters, without any specific downtown area. The entire city may be centered around a park, with other open areas throughout the community.

Planners have also suggested a ban on cars in at least some parts of the city. There would be heavy emphasis on public transportation—possibly provided by moving walkways and overhead rail systems. Parking lots may be located at the edge of town—although this and other features may be changed.

WATER AVAILABLE

Engineers report that a water supply—ordinarily one of the biggest problems in the dry Southwest—should be easy to provide. The region sits atop vast underground reserves, and it may be possible to tap the nearby San Juan River. In any case, it is intended that virtually all water in the city would be repurified and recirculated, thus avoiding much of the normal loss.

Employment for 100,000 workers in the city's vicinity, according to plans, would be provided mainly by manufacturers, the recreation industry, service firms, and federal installations.

It is thought that construction could start within the next year or two, with parts of the city functioning by the early '70s.

Planners foresee that the majority of the new population will come from throughout the U.S., and that Indians would comprise a minority of the urban population. Most Indians, it is believed, would prefer to live on their reservations and commute to the city.

Nevertheless, it is argued, there would still be big advantages to the Indians in having a city located close to their homes. The new community is expected to provide the Indians with challenging, well-paying jobs and a variety of educational, medical and cultural benefits now generally lacking on the reservations.

Several smaller "satellite towns" may be established near the city, alongside existing communities such as Farmington and Gallup, N.M., and Cortez and Durango, Colo. Commission officials believe all these cities would grow under the impact of the project.

The city is also expected to become the hub of a large complex of summer and winter resorts. The plan calls for more tourist facilities of all kinds, plus co-ordinated promotion efforts by the four States.

In the process, many new roads and airports are to open up the area to agricultural and mineral development as well. The project includes the construction of new dams, irrigation programs and soil-improvement facilities.

Various ways of financing the development have been advanced. Some planners advocate setting up a joint public and private company, somewhat like the Communications Satellite Corporation, with stock sold to the public.

Other money is to be sought from federal agencies and Congress.

Some work is already under way. A number of roads, medical facilities and schools have been built, and more are under construction or budgeted.

"NOT LIKE LOS ANGELES . . ."

Reaction to the plan so far is mostly favorable. Typical of feelings in the area is that of Raymond Nakai, chairman of the Navajo Tribal Council at Window Rock, Ariz., who says:

"A model city with a limited population—not like Los Angeles or New York—would be good.

"We would like to see the Navajos involved in the planning because we have a lot to contribute."

The Indian leader, who is the head of a fast-growing tribe of 125,000 on a reservation the size of West Virginia, is confident that the Navajos would be willing to provide land for the project if it benefits them.

Mr. Nakai says he personally favors an ultramodern city, not one modeled after Southwestern Indian architecture.

Both the Navajo and Ute Mountain tribes, which own much of the land at the center of the project, say they will take all necessary precautions through their lawyers that their rights are thoroughly protected.

"There will be no Manhattan Island swindles pulled on us," insists one Indian official.

Some opposition to the new city is predicted in neighboring communities which are apprehensive about what the development would do to them.

Farmington's Mayor Boyd F. Scott expresses doubts about some of the plan—particularly where the new city would get its water. He also believes the commission should concentrate harder on assisting the area's existing cities.

"But I doubt," he says, "that there would be any organized opposition here to the new city."

Backers of the project, including Senator Frank E. Moss (Dem.), of Utah, believe Congress will approve substantial funds for the development, especially if industry joins in.

Commission officials know that work has only begun in their effort to reshape America's Southwest. But they are confident that the development will be a success, no matter how hard the fight.

Says New Mexico's Governor David F. Cargo, State Cochairman of the commission: "If this works out—and I believe it will—this will be the biggest thing that ever happened to the region. The whole nation will benefit from what happens here."

PRESIDENT NIXON'S WELFARE PROPOSAL

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. RIEGLE. Mr. Speaker, about 1 month ago, President Nixon addressed the Nation to present his plans for a major overhaul of our system of public assistance. At that time, his initiative in this area was praised by most Americans who have long sought a change to our present welfare system which has served to perpetuate dependency rather than to encourage self-sufficiency.

On August 11, the Detroit Free Press issued a major editorial statement that thoughtfully analyzed the importance, content, and implications of the President's plan. Although I was unable to bring this editorial to the attention of my colleagues before the August recess, I insert it into the RECORD at this point so that this critical discussion can become part of the public dialog on welfare reform:

MR. NIXON'S NEW PLANS SPEAK TO NATION'S NEED

President Nixon's Friday night address to the nation was a remarkable document. The rhetoric was traditional Republican, but the message itself was more radical than virtually anything done by the Johnson administration.

To say this is not to say that there is any gap between the two. Indeed, the only way to encourage hard work and thrift, to discourage the centralization of power, and to protect government's fiscal condition may well be to do what Mr. Nixon has done—to embrace sweeping social reforms.

For that reason, Mr. Nixon will find little dissent from his bill of indictment against the present welfare system. It is indisputably expensive. Without question it encourages sloth, destroys dignity and perpetuates itself. It fosters illegitimacy and the desertion of families by the father. It encourages people to move from states with low welfare payments to the crowded big cities and the wealthier states.

The welfare system is better than letting people starve, but it fails to fulfill many of its goals and is in fact self-defeating.

So in its place Mr. Nixon would offer a program of "family assistance" which would be based on income level and on the agreement by the applicant to an obligation to accept work if it is available. Though Mr. Nixon draws a distinction between this and the guaranteed annual income, his distinction is more apparent than real. Unless a super-bureaucracy is to be created to police the acceptance of responsibilities by the poor, the system will simply provide a basic floor under the income of every citizen.

By permitting each individual to keep the first $60 a month he earns above his guarantee, and by forcing him to forfeit only 50 cents of benefits for each dollar of earning thereafter up to a higher level, the system will indeed encourage work.

At the same time Mr. Nixon would establish a federal floor under assistance payments. It may be ironic that he does this even as he calls for decentralization of power, but it is essential that it be done. The federal minimum will end the disparities in how the poor are treated across the country; it will provide one less incentive for the rural poor to move to the cities.

A federal floor may mean that those of us in the states that have tried hard to help the poor will subsidize other states that have been unwilling or unable to do as much. If so, it is worthwhile. It may also, at least ultimately, relieve the governments of states like Michigan from some of the heavy costs of welfare, transferring some of that burden to the federal government.

The reorganization of the job training programs is long overdue, and it tells something about how Mr. Nixon's "new federalism" will work. He is accepting broader responsibilities for the federal government in financing programs to help people, but he would transfer far more of the responsibility of administration to the states. It is an essential distinction, given the allocation of tax resources between the states and the federal government.

Mr. Nixon's concept of federalism reaches its zenith in the idea of tax sharing with the states. He would supplement all the forms of categorical aid with broad grants to the states. This means that schools, for instance, eventually would be getting aid for education, not aid for some specific project.

Anyone familiar with the travail of local government can tell you that this kind of assistance is precisely what is needed—something that will help government meet its fundamental obligations.

It was, then, a sweeping set of proposals that President Nixon laid out, directed, at least in principle, to some of our most fundamental needs. Unfortunately, Mr. Nixon is likely to be caught, as was his predecessor, in a gap between what we decide we should do and what we have money for.

Funds are short; Mr. Nixon does not expect any of this to be done before fiscal '71.

Quite apart from the administrative pitfalls in anything so new and so broad, we may fall short of his hopes simply because the federal government does not have the money to make the new programs work.

But he has made a start, and a good start at that. We are still a long way from welfare reform. The people, though, want reform, and Congress should know it by now. They are finally getting reform of taxes, and they can, if they demand it, get reform of welfare too.

THAT CONTROVERSIAL DEPLETION ALLOWANCE

HON. CHARLES E. WIGGINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. WIGGINS. Mr. Speaker, few subjects caused more controversy than the action recently taken by the House in reducing the oil depletion allowance from 27½ to 20 percent.

Personally, I believe that all tax incentives should be constantly reviewed in the light of present day realities and accordingly supported the committee recommendation as reasonable under today's circumstances. All of us, however, should be willing to listen attentively to the arguments of those who feel that our action may have been improvident.

For the purpose of providing the Members with a reasoned statement in support of the oil depletion allowances, under unanimous consent, I insert in the RECORD the recent remarks of Mr. James Marine, made over radio station KPOL concerning this controversial topic.

Mr. Marine's statement follows:

THAT CONTROVERSIAL DEPLETION ALLOWANCE

I happen to have a slight interest in a company that owns, among other things, a petroleum company, and so I have a more-than-passing interest—and, admittedly, a more-than-passing bias—in efforts to reduce or even repeal outright the depletion allowance now given to all petroleum and other mineral companies. I am aware that practically everybody, it seems, considers the depletion allowance some form of give-away and would love to see it abolished—if only because everybody is in favor of slugging somebody else with higher taxes.

But—even discounting my admitted personal interest—I also am aware that the petroleum companies' side of the story is getting very scant coverage; their side, however, has some reasonable arguments, and they should be heard. For the fact is that petroleum companies—despite this alleged tax break—pay proportionately higher taxes than, for example, manufacturing companies, and earn a lower return on their investments. The fact also is that we undoubtedly would not have the vast reserves of oil and gas we now have if it hadn't been for the depletion allowance, and the cost of oil and gas would be considerably higher.

The depletion allowance was instituted back in 1926 for two purposes: first, to compensate mineral companies for the obvious fact that their capital—minerals—inevitably being depleted and cannot be replenished like other people's capital, and, second, to encourage mineral companies to take the huge risks and spend the billions of dollars needed to seek, acquire and produce their products, by giving them something comparable to the capital-gains inducement all other companies and individuals now receive.

There's no question that this encouragement—like many other forms of economic pump-priming—has been effective. The petroleum industry estimates, for example, that the nation's oil and gas reserves would be about one-third below what they are now, if oil companies had not received this stimulus—and that could be uncomfortable if only because petroleum currently is the source of about 70% of all the energy used in America.

Furthermore, the depletion allowance—all dramatic war-cries notwithstanding—has not made the petroleum industry any healthier than the rest of the industry.

As a matter of fact, petroleum companies pay a higher percentage of gross revenues in direct taxes, even excluding sales and excise taxes, than do manufacturing companies—about 20% higher. And—again despite alleged windfall—the return on book investment and the return on invested capital average about 10% *less* for petroleum companies than they do for manufacturing companies.

So, even if you think the petroleum companies are getting an undeserved tax break, it isn't doing them much good.

Now, as I said in the beginning, since I have a slight personal interest in all this, you can, if you wish, take my enthusiasm with a comparable dash of salt—but the facts remain the same, regardless of whatever emotionalism can be generated over the idea of socking big business. And socking big business is the popular thing to do these days.

There are two other facts that also bear considering. If the depletion allowance is reduced, exploration for petroleum undoubtedly will go down, and the retail price of gasoline—which has risen only 10% in the past 40 years, exclusive of taxes—undoubtedly will go up.

These results may be worth the satisfaction of reducing tax incentive for the petroleum industry, and if they are, fine, go ahead and reduce that incentive; at least it would give a break to all the people who don't drive and who don't use oil or gas someplace in their homes.

WEST MIFFLIN OFFICER KILLED

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. GAYDOS. Mr. Speaker, 1st Lt. R. Michael Arnovitz, a brave young man from West Mifflin, was recently killed serving his country in Vietnam.

I wish to honor his memory and commend his courage and valor, by placing the following article in the RECORD:

WEST MIFFLIN OFFICER KILLED—LATEST CASUALTY IN VIET WAR

A West Mifflin Army officer, whose first child was born only five weeks ago, has been killed in Vietnam, it was learned today.

He is First Lt. R. Michael Arnovitz, 23, husband of Gail Griffiths Arnovitz of Elizabeth and son of Dr. and Mrs. Erwin Arnovitz of 300 Park Ave., West Mifflin.

Lt. Arnovitz had been in Vietnam since the end of April and was reported killed Aug. 30.

The officer's wife gave birth to the couple's first child, David, five weeks ago. Lt. and Mrs. Arnovitz were married in December of 1967.

Lt. Arnovitz attended Valley Forge Military Academy and was graduated from the University of Pennsylvania in June of last year.

PROPOSED EXTENSION OF THE WEST FRONT OF THE CAPITOL

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. REID of New York. Mr. Speaker, I have noted with considerable chagrin that the proposed extension of the west front of the Capitol has again become a matter of perilously immediate concern.

It is my understanding that a House Appropriations Subcommittee has been asked to provide $2 million to prepare contract specifications for the project—which is now expected to cost a total of $45 million.

I have objected to the plans to extend the west front and add some 4.5 acres of floor space since they were first put forth in 1966. I have introduced legislation in each Congress since then to establish a Commission on Architecture and Planning for the Capitol so that any further construction on this building and surrounding grounds will be consistent with its historical heritage and artistic tradition and, what is perhaps more important, will be based on the advice of experts.

My objections are no less strong today and I would briefly list a few of the reasons that this $2 million request is particularly inappropriate:

First. The President has, on the very day that this request was made known, revealed plans to cut back Federal construction work by 75 percent in the interest of curbing inflation. It does not seem quite right that the Congress should consider itself an exception to this decision.

Second. In 1967, the American Institute of Architects issued a report presenting further evidence that the Capitol should be restored in its present form, rather than be extended and substantially altered. The AIA concedes that the building needs to be structurally repaired—and I surely agree that steps should be taken as soon as economic conditions permit to repair the obvious defects in as close to the original manner as possible. But if additional facilities for visitors and additional working space for Members and staffs is necessary, quarters other than the most historic building in the Nation should be found. I might add that optimum utilization of facilities recently built and renovated on Capitol Hill might indicate that the competing space problems of several groups can be solved without costly and drastic alterations. Those of us who have occasion to pass a very lovely—but utterly functionless—park atop the new—and excessively costly—underground garage often wonder at the several possibilities for expansion that exist in that facility.

Third. Finally, the AIA report of 1967 indicated that the Capitol was not, as some have alleged, slipping downhill. It seems highly doubtful that our historic working rooms are going to crumble on top of us before the war in Vietnam is ended, before the 10 million hungry in this Nation are fed, before the 6 mil-

lion substandard housing units are replaced, before meaningful employment is guaranteed for all, before education of quality is available to all children—in short, before all the truly human needs of our people are met.

This Congress has confused the priorities of this Nation for too many years already; let us not compound the error by spending money on unnecessary and damaging construction of the Capitol when there are some of our constituents who lack adequate shelter for themselves and their families.

I include with my remarks an article from the Washington Post of September 5, 1969, concerning this matter. Also an article from the New York Times of the same date:

[From the Washington Post, Sept. 5, 1969]

HILL LEADERS PUSH CAPITOL EXTENSION

(By David R. Boldt)

House Speaker John W. McCormack (D-Mass.) has requested the House Appropriations Committee to provide money for the controversial extension of the Capitol West Front, it was learned yesterday.

An Appropriations Subcommittee will hold a hearing Monday on a $2-million request for funds to prepare contract specifications for the project. The funds could be included in the legislative branch budget for the current fiscal year. The total price tag on the extension has been estimated at around $45 million.

Disclosure of the move to get started on the extension project came on the same day that President Nixon ordered a 75 per cent reduction in new contracts for federal construction.

The hearing is likely to be the opening episode in a repeat of the legislative battle royal that resulted in the shelving of plans for the extension in 1966. There had been a tacit agreement since then that the plans wouldn't be revived until the Vietnam War was over.

McCormack is one of five members of a commission on the extension of the Capitol that also includes Vice President Spiro Agnew, House Republican Leader Gerald R. Ford, Senate Republican Leader Everett M. Dirksen and Architect of the Capitol J. George Stewart.

The commission is understood to have acted several weeks ago after receiving a report showing continued deterioration of the West Front, which includes the only remaining portion of the original Capitol. The report was part of a continuing study being done by Thompson and Lichtner Co., a Brookline, Mass., engineering concern.

The extension would basically involve building a 44-to-88-foot addition to the West Front, which faces the Washington Monument, to house committee rooms, restaurants, auditoriums and offices.

[From the New York Times, Sept. 5, 1969]

PLAN TO EXTEND THE CAPITOL'S WEST FRONT IS REVIVED

WASHINGTON, September 4.—Congressional leaders have decided to go ahead with the multimillion-dollar extension of the west front of the United States Capitol, which had been delayed because of the Vietnam war.

The disclosure of their decision, which is subject to approval by the House and Senate, came as President Nixon was working on details of a 75 per cent cutback in Federal construction work.

The Congressional leaders will ask a House Appropriations subcommittee next Monday for $2-million to prepare plans for the project. Five years ago, the cost was estimated at about $35-million.

An engineering survey delivered to Congress Aug. 29 showed that the cracked stone bearing walls have moved horizontally and vertically with changes of temperature and other weather conditions.

The west front was pronounced unsafe years ago, along with the east front, which was subsequently extended and rebuilt in marble at a cost of $24-million. An engineering company that studied the west front in 1964 noted rapid deterioration and recommended the $35-million extension as the best way to save it.

The plan touched off a controversy. The American Institute of Architects, among other groups, opposed the project, contending that the original structure should be repaired and preserved for its historical value.

In the ensuing argument, the project was shelved by Congressional leaders because of the Vietnam conflict.

Temporary timber, in place since 1964, is shoring up key spots along the cracked sandstone of the west front.

LOS ANGELES COUNTY JOINS ANTISMOG SUIT

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. ECKHARDT. Mr. Speaker, recently, joined by 18 of my colleagues, I wrote to Attorney General John Mitchell expressing concern about reports that the Department of Justice was considering entering into a consent decree compromising its antitrust action against the major automobile manufacturers over air pollution control devices.

The Los Angeles Board of Supervisors will intervene in the lawsuit on behalf of the public along with ASH, an organization which has fought cigarette advertising for so long.

I am inserting a copy of an article from the New York Times announcing the intervention of the Los Angeles Board of Supervisors along with a copy of the motion to intervene by ASH.

These actions are commendable and are examples of what each of us, in our respective capacities, can do to make this planet a cleaner and healthier place to live.

The above-mentioned material follows:

LOS ANGELES COUNTY JOINS ANTISMOG SUIT

LOS ANGELES, September 5.—Officials announced today that Los Angeles County would intervene in the Federal Government's pending smog antitrust suit against the automobile industry "to prevent the suit being swept under the rug."

The original action was brought by the Department of Justice's Antitrust Division in the United States District Court here last January. It sought an injunction to end the principal car manufacturers' alleged conspiracy to delay development of antismog equipment.

There had been unofficial reports lately to reach a settlement of the action short of trial.

County Supervisor Kenneth Hahn said at a news conference that county counsel were preparing a formal application to join in the action and to press not only the demand for an injunction but also a plea for monetary damages, which the Federal authorities had not sought.

Mr. Hahn said $100-million would be asked as compensation for obstruction of the county's $60-million antismog program, for the consequences of "inadequate" fume suppressing equipment on cars back to 1953, and for "large sums" spent by the county to treat people, particularly indigents, for smog-induced ailments.

[U.S. District Court, Central District of California]

UNITED STATES OF AMERICA, PLAINTIFF, V. AUTOMOBILE MANUFACTURERS ASSOCIATION, INC.; GENERAL MOTORS CORPORATION; FORD MOTOR COMPANY; CHRYSLER CORPORATION; AND AMERICAN MOTORS CORPORATION, DEFENDANTS

(Civil No. 69–75–JWC, filed January 10, 1969)

MOTION TO INTERVENE

Petitioner ASH, pursuant to Rule 24(b)(2) of the Federal Rules of Civil Procedure, respectfully moves this court for permission to intervene for the purpose of opposing any application to terminate this action by a consent decree. In support of this motion petitioner respectfully submits a pleading setting forth the claim for which intervention is sought, an affidavit of its counsel and chief executive officer, and supporting documents, and states as follows:

(1) The instant civil action is the result of a two-year investigation by a federal grand jury aided by six Justice Department investigators. Originally the investigting attorney recommended that criminal indictments be sought against some or all of the defendants but this suggestion was rejected for reasons not directly related to the strength of the case.

(2) The court will recognize—and may almost take judicial notice—that an action of this type against all of the major automobile manufacturers in the country for their alleged responsibility for a great share of the blame for the injury to human health caused by air pollution and for many millions of dollars in economic injury resulting from automobile air pollution involves very important political considerations and may result in significant economic and political pressures. For these reasons the action was not filed until the very last days of President Johnson's administration.

(3) It has been reliably reported by eighteen Members of the United States Congress that there are "persistent and disquieting reports that the Justice Department is about to compromise one of the most important antitrust cases affecting the health and welfare of the American people" and that "the entire incident will be covered over by a legal deal arranged between the [Justice] Department and the AMA's [Automobile Manufacturers Association] Washington counsel."

(4) This action involves many important and vital considerations of the public interest above and beyond the violation of the antitrust laws in the manufacturing area, and these important and vital interests may not be adequately represented by the Department of Justice. As noted by the above mentioned eighteen Members of Congress:

"The automobile is responsible for the dumping of more than 90 million tons of pollutants into the atmosphere each year, more than twice as much as any other single pollutor. . . . The automobile accounts for 91 percent of all carbon monoxide, 63 percent of all unburned hydrocarbons and 48 percent of the oxides of nitrogen emitted from all sources. . . . Doctors, in a single year, advised 10,000 people to move away from Los Angeles because of the harmful effects of air pollution. . . . Air pollution—of which motor vehicles account for approximately 50 percent nationally—contains serious toxic substances associated with higher rates of

illness and mortality from emphysema, lung cancer."

(5) Because of the seriousness of these charges and the important public interest considerations involved, it is imperative that there be a public trial of all of the facts and that civil penalties be imposed by the court. Without such a trial and the presentation of evidence which only the Government can gather and adequately present, the rights of millions of people whose health has been adversely affected by the action of the defendants, and the rights of many more who have suffered and can establish direct economic injury as a result of the defendants' actions will be adversely and irrevocably affected. It is for these reasons that ASH now petitions the court for permission to intervene.

(6) ASH is a nationally known, non-profit, tax-exempt organization formed to take and participate in legal actions concerned with important problems of health, safety, and public welfare so that important segments of the public interest will be adequately represented in court cases and administrative proceedings involving these areas. Its Sponsors include many of the country's most prominent physicians and health educators as well as other influential citizens from many walks of life. Its most noteworthy activities to date have been in the area of smoking where it was responsible for successfully defending the decision of the Federal Communications Commission requiring free time for the antismoking messages on radio and television [Banzhaf v. F.C.C., 405 F. 2d 1082 (1968)]. ASH has filed and prosecuted over a dozen actions in its own name before the Federal Communications Commission and has filed a number of complaints with the Federal Trade Commission. ASH acts on an informal basis as a spokesman and legal action arm for numerous health organizations. Its activities have been reported in most major newspapers and news magazines including Time and Newsweek, and it has been praised editorially in a number of leading publications such as the Christian Science Monitor, Saturday Review, and the New England Journal of Medicine for its legal activities in the public health field.

(6) For all of the above stated reasons, ASH now respectfully petitions the court for permission to intervene for the purpose of opposing any move by the parties to settle this action by a consent decree which would avoid a trial and withhold information of vital interest to millions of those who suffered as a result of the actions of the defendant auto companies. In support whereof is attached, as required by 24(c) F.R.C.P., a pleading setting for a claim in the nature of a class action on behalf of those whose health has been injured by the actions of the defendants.

(7) Petitioner respectfully advises the court that it does not seek to intervene for the purpose of participating in the normal prosecution of the action or in any way delaying the proceedings except in so far as it will oppose, by argument and the presentation of authorities and information, the approval by the court of a consent decree. Pursuant to 24(b) F.R.C.P. this court must consider whether such intervention would "unduly delay or prejudice the adjudication of the rights of the original parties." It is respectfully suggested that the effect will be just the opposite; that the plaintiffs, the citizens of the United States, may not be completely and adequately protected with respect to all of their rights by the Department of Justice and that petitioners intervention for this limited purpose will further protect these rights and promote the just administration of justice.

For all the aforesaid reasons, petitioner ASH respectfully requests the court to grant its request to intervene for the purpose of opposing the settlement of this action by consent decree and to order that a copy of all further papers be served upon it as a party. Should this motion be opposed, petitioner respectfully requests the opportunity to reply with additional argument, information, and authorities.

Respectfully submitted.

JOHN F. BANZHAF III,
Attorney for Petitioner ASH.

U.S. District Court, Central District of California

UNITED STATES OF AMERICA, PLAINTIFF, V. AUTOMOBILE MANUFACTURERS ASSOCIATION, INC.; GENERAL MOTORS CORPORATION; FORD MOTOR COMPANY; CHRYSLER CORPORATION; AND AMERICAN MOTORS CORPORATION, DEFENDANTS.

(Civil No. 69–75–JWC, Filed: January 10, 1969)

COMPLAINT OF INTERVENOR ASH

Intervenor ASH, on behalf of itself, its Trustees, Executive Director, and all other Americans whose health has been adversely affected by additional air pollution caused by the acts of the defendants hereinafter alleged, and on behalf of all Americans whose right to a clean and healthy environment has also been denied thereby, joins this civil action against the defendants named herein and alleges as follows:

[Petitioner ASH adopts as its own all of the allegations made by the complainant, the United States of America by the Department of Justice, in its complaint filed on January 10, 1969.]

Respectfully submitted.

JOHN F. BANZHAF III,
Attorney for Petitioner ASH.

AFFIDAVIT AND CERTIFICATE OF SERVICE

John F. Banzhaf III, being duly sworn, deposes and says:

(1) I am an attorney and a member of the Bars of New York and the District of Columbia.

(2) I am the Executive Director and legal counsel of ASH.

(3) I have prepared, read, and am familiar with the attached Motion to Intervene and the statements therein are true to the best of my knowledge and belief.

(4) I have today served upon the defendants a copy of the attached Motion to Intervene together with all attachments by mailing a copy to each of the following by first class mail, postage prepaid:

Lloyd Cutler, Esq., Attorney for AMA, 900 17th St., N.W., Washington, D.C.

Chief Counsel, Chrysler Corp., P.O. Box 1919, Detroit, Mich. 48231.

Chief Counsel, General Motors Corp., 3044 W. Grand Blvd., Detroit, Mich. 48202.

Chief Counsel, American Motors Corp., 14250 Plymouth Rd., Detroit, Mich.

Chief Counsel, Ford Motor Company, The American Road, Dearborn, Mich. 48121.

Mr. Hollander, Dept. of Justice, Washington, D.C.

JOHN F. BANZHAF III.

Sworn to before me on this 4th day of September 1969 in the District of Columbia.

SAMUEL E. LUDERMAN,
Notary Public.

HUGE TRACTOR-TRAILER COMBINATIONS RAISE QUESTIONS ON TRUCK SIZE GOALS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. EVINS of Tennessee. Mr. Speaker, the Nashville Banner in a recent editorial reported that huge three-trailer rigs are undergoing experimental use in the State of Washington.

The Banner considers this significant in view of the fact that the trucking industry generally is pushing for two-trailer combinations.

Because of the interest of my colleagues and the American people in this most important subject, I place the editorial in the RECORD.

The editorial follows:

HIGHWAY BOXCARS: NEXT, TRIPLE RIGS?

The Des Moines Register notes editorially that:

"Mammoth 94-foot-long, three-trailer rigs are plying Interstate 5 in Washington state. In a 90-day trial, the Washington Highway Commission has granted special permits allowing nine triple-bottom tractor-trailer combinations on that state's busiest Interstate highway—from the Oregon border through Tacoma and Seattle north to Canada."

There is more surprise at the permission granted than at the industry's enlargement of vehicle plans on its drawing-board; for use, note it, on highways, built at public expense, for public safety and convenience. It is significant, surely, that this thrust for three-trailer rigs (correspondingly longer) occurs while the industry still is pushing for legalization of the two-unit highway train beyond the few states where they now are legal.

In Tennessee, for example, the proposal encountered stiff resistance—by concerned citizens and the state, itself—when sponsors brought it before the legislature this year. That was predicated on the idea of extending the legal limit (in Tennessee) from 55 to 65 feet, and permit the tandem rigs. Even in Congress, where a 70-foot limit has been suggested as a federally-authorized maximum, that measure has not cleared the House Public Works Committee.

Ostensibly there is a federal area of responsibility on standards requisite to highway use on the Interstates—and some concern, surely, for what outsize vehicles will do to considerations of safety and maintenance costs. Yet out in Washington state, the experiment goes on, with 94-foot-long, three-trailer rigs.

The Register appends its own pertinent paragraph:

"Judging by past performance, the trucking interests pushing triple-bottoms will try to pick off other states one by one, if their experiment in Washington wins approval there."

POWERPLANT SITING AUTHORITY SUGGESTED FOR CALIFORNIA

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. HOSMER. Mr. Speaker, my office has received numerous inquiries concerning a letter sent by Representative HOLIFIELD and myself to the Governor of California under date of August 5. Because of this interest I have asked that it be reproduced below:

AUGUST 5, 1969.

Re: Power Plant Siting in California.

Hon. RONALD REAGAN,
Governor of California, The Capital, Sacramento, Calif.

DEAR GOVERNOR REAGAN: The need for coordinated, long-range planning for thermal power plant sites is becoming critical nationwide, but nowhere is this need more obvious and more urgent than in California. The decreasing availability of waterfront

property, the shortage of condenser cooling water, the rising cost of land and the unique seismic problems of the state, combined with the rapidly growing demand for electricity, make California's problem increasingly acute.

But in almost every state, indeed in every region of the country, some or all of these same circumstances are combining to create similar siting complications. As evidence of the growing national concern over the availability of power plant sites, the Joint Committee on Atomic Energy recently cited several reports on the subject.

The committee quoted the President's Office of Science and Technology:

"The need for coordinated planning to identify the prime sites that will best satisfy the many economic and environmental requirements for future plants is rather obvious."

Ex-Chairman Lee White of the Federal Power Commission:

"Electric utilities can no longer select a site for a generating plant exclusively on the basis of where it fits most effectively from the point of view of system design."

And McGraw-Hill's *Electrical World* magazine,

"One of the utility industry's most pressing needs is for a long-term policy approach that will assure the availability of generation plant sites in the decades ahead."

Then concluded that in its eyes, the problem has already passed the "worrisome" stage and is becoming critical. The Joint Committee then added its own warning:

"Therefore, the committee urges that the Nation's electric utilities and appropriate agencies of the government at all levels redouble their efforts and join forces to establish realistic, long-range plans for the selection and utilization of sites for large generating facilities so as to best meet the dual public demand for electric power and environmental protection."

In California siting problems plague every new thermal power plant—oil, natural gas or nuclear—but are particularly critical as to nuclear plants because of special and stringent siting requirements imposed by the Atomic Energy Commission. We believe that nuclear power will necessarily play an increasingly larger role as California's future electric power source. This is because of (a) the anticipated economic improvements in the current generation of light water reactors (b) the advent of the highly efficient and economic fast breeder reactors, and (c) the deep public concern over air pollution. Thus, if California is to remain a low-cost power area—indeed, even if its rapidly increasing power demands are to be met at all—nuclear plant siting must be given a high priority.

It is toward this end that this letter is written.

California faces an extraordinary growth in electrical power demands during the next 20–30 years—possibly amounting to five times present requirements. In many ways, the state's prospective electrical power needs are similar in magnitude to the water needs which faced the southern portion of the state earlier in this century. The courage and foresight of the Metropolitan Water District planners solved Southern California's water shortage problems for decades. Then later similar courage and foresight carried to fruition the Statewide Water Plan to satisfy even more expanded needs. As we see it, similar imaginative pioneering effort in the area of power plant siting is required to assure adequate electrical power for the future growth of the state and for the necessities of its citizens.

We note with approval that the state, through its Resources Agency, has evidenced concern for elements of the siting problem by establishing a Power Plant Siting Committee and adopting a policy statement of objectives and principles regarding location and operation of thermal power plants. It is also the policy of the state to encourage the use of nuclear energy, recognizing that such a use has the potential of providing direct economic benefit to the public by helping to conserve fossil fuel reserves and promoting air cleanliness.

The Power Plant Siting Committee, composed of representatives of the Departments of Conservation, Fish and Game, Harbors and Watercraft, Parks and Recreation, Public Health, Water Resources, State Lands Division, Air Resources Board, Water Resources Control Board and the Regional Water Quality Control Boards, is charged with assuring that State policy with respect to the location and operation of thermal power plants is carried out. That policy is to enhance the public benefits and protect against or minimize adverse effects on the public, on the ecology of the land and its wildlife, and on the ecology of state waters and their aquatic life. Also, it is state policy that the public's opportunity to enjoy the material, physical and aesthetic benefits of these resources should be protected to the greatest extent feasible.

However, neither the State Policy on Thermal Power Plants nor the Power Plant Siting Committee directs itself toward supplying the need for sites on which massive amounts of new generating capacity can be located. The focus of State Policy and of the Committee is on assuring that power plant sites proposed from time to time, as individual electric utilities locate them, are not unduly offensive to aesthetics and to the environment. This is done on a plant-by-plant basis, with the Siting Committee exercising something of a veto over a utility's plans. Clearly what is called for is a statewide program aggressively to assure that sufficient numbers of suitable power plant sites actually become available to meet the state's requirements through the end of this century. Such a task may involve not only ascertainment and acquisition of locations which are physically and economically suitable for power plant construction, but also exercise of the governmental powers of the state to resolve conflicting demands (a) for preservation and conservation, and (b) for necessary and adequate electric power generating capacity.

To accomplish this, we feel that a three-faceted program is needed.

First, the state should establish a Power Plant Siting Authority, either on a statewide or, if necessary, interstate or regional basis, which is capable of assuring that the long-range need for sites is fulfilled.

Second, the Siting Authority should assess the state's electrical load growth to the end of this century, inventory the available sites for such future growth and, if there is a deficit, identify, purchase and develop sufficient land suitable for the installation of power plants to meet the deficit, which land would be permanently set aside as "Power Parks."

And, *third*, the Siting Authority should possess and exercise the power to resolve any conflicts which may arise between the public's need for electric power and other public values.

We believe that such a program would assure the state of adequate power plant sites, particularly nuclear power plant sites, for the foreseeable future and would serve as a model for other states and regions of the nation. Further, we believe that only such a program can provide such assurance in California because the special situations we face.

POWERPLANT SITING AUTHORITY

We envision that the proposed Power Plant Siting Authority would not only acquire and develop necessary Power Parks to meet needs to the year 2000, as previously suggested, but assuming the success of its efforts, continue its basic functions thereafter. Depending on any number of contingencies it may have to select and obtain locations outside as well as inside the state, in which event it would be desirable to engage in cooperative efforts with neighboring states.

It is to be noted that the development of any particular Power Park may require expenditures in addition to mere property acquisition.

For instance, provision of adequate cooling water or cooling towers for the park in its fully developed configuration may require installation at the time the first generating unit is constructed of cooling facilities in excess of immediate need in order to achieve overall economies in providing cooling facilities at time of full utilization.

Or, to make a particular park at a seaside location acceptable it may be most economic to install common protection against great tidal waves for all later generating stations at the time an initial unit is installed.

As another example, to make a location acceptable at all, considering certain seismic conditions against which engineered safeguards can be devised, it might be desirable for the Siting Authority rather than the individual installing utilities to bear the cost of incorporating the safeguards in each plant when it is built. The same would be true for extra engineered safeguards appropriate for metropolitan siting. These extra costs then would be shared rateably by all the state's utilities in the form of a single standard charge for site use, irrespective of its actual location or characteristics.

Our thought is that siting is a statewide problem and that no particular electric utility, whether it be publicly or privately owned, should be allowed to pre-empt the cheap and easy sites to the disadvantage of other electric utilities and their customers who would have to pick up the cost of more expensive sites in the form of higher electricity rates. To forestall such inequities we foresee the Siting Authority calculating its total capital and operating costs for all the Power Parks it maintains and levying a standard annual use charge sufficient to recover same, applicable throughout its complex and varying as to a particular utility only as to the amount of capacity it installs in the complex. This non-profit charge would be calculated to fully return to the Authority its capital and operating costs and could be adjusted at annual or other convenient intervals as these costs escalated or diminished.

In carrying out its responsibilities the Siting Authority will require suitable financial powers, including the power to tax and to issue public obligations. It will also need the power of condemnation, as well as certain quasi-judicial powers to resolve conflicts involving the highest and best use of particular locations and resources.

It will be essential for the Siting Authority to monitor technological progress in power generation and the transmission of electricity as such progress may affect size, location, cooling and other characteristics of plant sites. We have in mind such concepts as man-made and floating island siting, underground and underwater siting, multipurpose siting, cryogenic transmission techniques, engineered safeguards against various physical hazards and the like.

POWER PARKS

It is apparent from the difficulties already encountered by electric utilities both in Northern and Southern California that there are precious few areas remaining in the state suitable, from geologic, environmental, population and other technical standpoints, for large power plant complexes or even single plants. Therefore, if the state's utilities are to keep pace with the public's demand for more and more electric power, it is imperative that a common effort be made to identify and set aside those few areas before they become dedicated to other uses.

We believe that concentration of the state's future power capability in a few large

"Power Parks" would permit the use of land areas which might not be economically feasible for a single facility. In part, we are thinking of inland rather than beachfront siting. Inland locations would preserve beachfront areas for recreational and residential uses and probably would attract less public opposition. In addition, it is possible that the cost of a few miles of cooling water inlet and at-sea outlet conduits, although considerable, could be satisfactorily absorbed in a complex of the magnitude under consideration. Undoubtedly this would be prohibitive for a single plant or a small complex.

It is worth noting, as an aside, that the basic concept of ocean cooling water transmission to areas away from the beach front also has a potential for solving pressing cooling water requirements for other industrial and residential needs without further aggravating the potable water supply problem.

We are unable to specify the number of Power Parks which would be required to meet the State's electrical needs through the year 2000. That depends on the size, location and surrounding population density of the areas selected, the size of the parks themselves, estimated load growth and similar factors. This figure will not be known until our site deficit is estimated and a physical review of potential generation locations is made.

ADVANCE SITING CONCEPTS

A most important area of activity for the proposed Siting Agency would be monitoring developments in siting techniques and other concepts which may affect power plant site requirements, size and location. It is certainly not too early to begin serious consideration of some of the more advanced ideas in this area, and perhaps the Siting Authority might be granted some authority to encourage them financially.

The Bolsa Island Nuclear Power and Desalting Project, which was proposed for construction on a man-made island off the coast of Southern California, is one example of the type of siting concepts the future will bring. Despite the demise of that project, we still firmly believe that a demonstration of reactor siting on made-made, offshore islands is a matter of some urgency, particularly in California and other more populous coastal states. We feel that multi-purpose use of such islands for activities, in addition to electric generation and desalting, such as for airports, harbors, yacht basins, industrial parks and the like would optimize their cost-effectiveness.

There are a variety of other siting schemes which should be carefully explored with a view toward the day in the not too distant future when all suitable onshore and nearshore sites are filled.

Other concepts which bear examination include floating power plant islands or ocean bottom siting substantially decoupled from the seabed and possibly constructed by tunneling from the shore.

Should progress with extra-high voltage cryogenic technology make possible very long line transmission accompanied by only moderate line losses and only tolerable probabilities of interruption, then the radius of search for suitable generating site locations will be extended commensurately and the matter of cooperative arrangements with other states will loom larger than now.

We believe that Power Plant Siting Authority and Power Park concepts deserve careful consideration by all parties in California which ultimately will be involved, particularly your office, all public and private electric utilities and the California Power Plant Siting Committee, which undoubtedly has gained some experience and expertise which would be helpful. These are obviously bold ideas, but California's exploding population will make it a critical area of congestion, pollution and increasing need for water and power. It is not a day too soon to plan for big solutions to the big problems we can foresee.

The subject of this letter being a state responsibility rather than a federal one, we thus bring it to your attention for such initiative as you judge proper. However, as concerned California citizens, as Members of Congress, and particularly as members of the Joint Committee on Atomic Energy, we stand ready to be of whatever assistance we can.

Very truly yours,

CRAIG HOSMER.
CHET HOLIFIELD.

BARRATT O'HARA

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. DELANEY. Mr. Speaker, it was with deep sadness that I learned of the passing of our distinguished former colleague, Barratt O'Hara.

His was a legendary life, and an era vanished with his death. At the age of 13 he was on a mission to Nicaragua with his father, and joined the Smithsonian expedition to explore the Central American jungle in search of a canal site. Exploration by others later resulted in selection of the Panama route. At the age of 15, aflame with youthful patriotism, he ran away from home to become chief scout for the 33d Michigan Brigade, which followed Teddy Roosevelt's Rough Riders into Cuba during the Spanish-American War.

Following the war, he returned to graduate from high school, attended the University of Missouri, and later received a law degree from Kent College.

The St. Louis Chronicle hired him as sports editor when he was 20, and he later transferred to Chicago where he became Sunday editor of the Examiner. He edited and published "Chicago magazine," wrote a history of boxing, and became the youngest Lieutenant Governor of Illinois at the age of 30. Briefly, he served as president of a Hollywood motion picture company, but cut this career short to enlist in the Army during World War I. He served with great distinction, was later commissioned as a major, and became judge advocate general of the 15th Division.

Following World War I, he devoted his talents to the practice of law and was recognized as one of the outstanding lawyers of his day. He defended some 300 murder cases of which fewer than 30 of his clients were convicted, and none were executed. The renowned Clarence Darrow once said:

I am envious of only one thing in the world—I wish I had the courage of Barratt O'Hara.

His distinguished career as a Member of this body began at the age of 66. During his 18 years in Congress he demonstrated a keen understanding of the Nation's problems, and was a dedicated defender of the rights of man. He was a tenacious but gracious adversary, and a man of charm, profound wisdom, and gentle humor. He will be sorely missed.

I extend my heartfelt sympathy to the members of his family.

THE PRICE OF CLEAN AIR

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. ROYBAL. Mr. Speaker, the Los Angeles Times has been one of the outstanding pioneer leaders in the effort to organize a truly national program to eliminate the dangerous impurities in the air we breathe, and to create the kind of clean, wholesome atmosphere we want for ourselves and for our children.

For that reason, I am happy to include in the RECORD at this point an excellent editorial which appeared in the Times recently, entitled "The Price of Clean Air."

The Times editorial writer accurately points to the key element in our national struggle for clean air: the overriding power of an aroused public opinion demanding that effective action be taken by both industry and Government to win the fight against continuing contamination of the environment in which we live.

The article follows:

THE PRICE OF CLEAN AIR

"The main battle against smog has been won."—Charles M. Heinen, chief engineer, emission control and chemical development, Chrysler Corp., April 9.

"The peak output of automobile-produced smog in Southern California definitely has passed—and will never be as high again."—Dr. Fred Bowditch, director of emission control, General Motors, Aug. 5.

"The third consecutive smog alert was called Friday in the Los Angeles Basin as a blazing sun continued to cook pollutants in the air."—The Times, Aug. 23.

There is a kind of grim irony in the recent public concern over the potential threat from transportation and storage of military poison gases.

City dwellers throughout the nation already are slowly poisoning themselves by inhaling the air polluted by automobiles. The threat is actual and still unabated.

Nowhere is the peril of auto-caused air pollution more serious than in the Los Angeles Basin.

At least 10,000 persons leave each year on the advice of their physicians. The millions that remain simply suffer and complain that "something must be done."

Something has been done. But not enough and not quickly enough.

Although emission control regulations have brought about a reduction in the total amount of hydrocarbons and carbon monoxide, experts say the skies over Los Angeles will not be substantially cleared of pollutants until 1980.

That timetable, however, could be accelerated—if smog sufferers would pay the price.

Air pollution control can be as strict as the people want it to be. California demonstrated that public pressure is stronger than all the auto industry lobbyists when it forced Detroit to install smog control devices.

Congress also was responsive to the collective outrage of Southern Californians who demanded that this state be allowed to set tougher emission standards than the federal requirements.

Although Detroit complains, it will comply with the increasingly stringent regulations set by the Legislature for new cars in the 1970 model year and subsequently. No industry wants to give up its biggest market.

But even with improved devices, the fight against smog moves slowly because a majority of the cars in the Los Angeles Basin still have no exhaust control system at all.

The total of motor vehicles in the basin, moreover, increases by nearly 10% every year.

To achieve a substantial improvement in air quality, therefore, every one of the more than 4 million cars and trucks in Los Angeles County must be equipped with an emission control device in proper working order.

This would mean that every owner of a pre-1966 vehicle would have to assume not only the initial cost of such a device but also the expense of maintenance and at least annual inspection. In Los Angeles County alone, the total price would amount to hundreds of millions of dollars.

The Legislature mandated installation of control equipment on used cars but only if two acceptable devices were available and if their cost did not exceed $85. Neither condition has been met.

Much more must be done to develop feasible inspection of the control systems installed at the factory. Unlike the crankcase blowby, these devices cannot be properly inspected with a quick look under the hood.

So long as the public insists on buying big cars with excessive horsepower, the fumes they produce can be reduced only by better control equipment subject to periodic maintenance and inspection—until there is a major breakthrough in engines or fuel.

Detroit says that turbine or steam engines or one powered with natural gas are not yet practical and may never be. Oil companies similarly offer little encouragement that pollution can be reduced by modifying present fuels.

Perhaps. But if the public outcry were loud enough, more action would be motivated in industry—and in government. Why is not the federal government doing more independent research in these two areas?

The ultimate cure was proposed by State Sen. Nicholas Petris (D-Alameda) when he proposed that the internal combustion engine be outlawed in California in 1975.

Not long ago, his bill would have drawn nothing but laughter from his colleagues. This year it passed the Senate and had support in the Assembly before being defeated.

Life without one—or two or three—cars seems unthinkable to most Southern Californians. But life may be unbearable if auto-caused air pollutants are not drastically curtailed, and before 1980.

The air can be made cleaner, just as other kinds of environmental pollution can be controlled. But smog will not diminish until the public demands—and supports—corrective action.

H.R. 6967 AND H.R. 8769—NEWSPAPER PRESERVATION ACT

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. FRIEDEL. Mr. Speaker, my bill, H.R. 6967, and one which I cosponsored with a number of my colleagues, H.R. 8769, are both identical to H.R. 279.

As a general rule, I favor the antitrust laws and frown upon making exceptions to them. First, because I think exceptions tend to make bad law, and second, because I feel the antitrust laws serve the important function of preserving and promoting competition in our economic system.

However, I believe in this instance, a strong case can be made for exempting joint newspaper operating arrangements from the antitrust laws without doing harm to free competition.

As Members are well aware, these bills will affect primarily those two newspaper cities where one of the papers is in financial difficulties and likely to cease publication unless it can enter into a joint operating arrangement with its healthy rival, and thus preserve two independent voices for the particular city or area serviced by these papers.

While opponents may argue that this legislation will permit these two papers to set identical advertising and circulation rates, I think we must be practical. Look around you, in nearly every city, where the service and coverage offered are comparable, even though the competing papers are printed and published independently their rates are comparable if not identical and legally so. This is so because no law prevents a business from independently deciding to revise its rates to match those of its competitor. It would only be illegal if they conspired to set the prices as I understand it.

I am no lawyer and I am sure there are other legal aspects to be considered with which I am not familiar, but it seems to me as a nonlawyer that what these bills propose to do detracts little from the antitrust laws in exchange for preserving an independent editorial voice.

Perhaps the strongest motivation for advocating this legislation is my belief, based on what I have been told, that joint operating arrangements will preserve jobs. Where the weaker of the two papers would be likely to cease publication and go out of business, thus eliminating all the jobs that paper created, a joint operation will act to save those jobs, or most of them, which otherwise would have been lost.

Independence of the press has played a large role in helping us maintain our individual freedoms in this country and I believe passage of this legislation will aid in continuing that tradition.

For these reasons, I hope the House will give this legislation its favorable consideration.

SENATOR WILLIAMS ADDRESSES NATIONAL ZIONIST ORGANIZATION

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. RODINO. Mr. Speaker, on Sunday, August 31, 1969, Senator HARRISON A. WILLIAMS, JR., Democrat, of New Jersey delivered a major address to the 72d National Convention of the Zionist Organization of America. In a sensitive and realistic manner, Senator WILLIAMS has called upon the United States and the world "to unite with Israel in the pursuit of peace."

The address follows:

ADDRESS BY SENATOR HARRISON A. WILLIAMS, JR.

Early this summer, I visited Yad Vashem, the memorial to the six million. The horror of an insane mind's solution to the "Jewish Problem" was brought home very hard. So was the realization that for thousands of years the world has pursued similar solutions to the "Jewish Problem." Whether it was Pharoah or Hitler, the Roman Empire, or the Spanish Inquisition, none has succeeded. The will of the Jewish people to survive as a people has overcome.

Here we are in 1969, witnesses to another effort to destroy the Jewish State. Terrorists, harbored by the surrounding Arab states, daily take their heavy toll of civilian lives. Only last week, Jerusalem was subjected to the first mortar attack since the six-day war. Now Nasser and Hussein have called for a holy war, a war whose sole purpose, and let no nation be fooled, whose sole purpose is the destruction of Israel.

With this as the background, we meet here in Los Angeles for the seventy-second national convention of the Zionist Organization of America. The ZOA honors, tonight, a military hero who has fought in three wars in twenty years to defend the Jewish State. On the other hand, the ZOA invites a United States Senator, who is not Jewish, to be a guest speaker.

This, I think, is appropriate. You have a right to hear from the non-Jewish world what our response will be to the latest solution of the "Jewish Problem."

In short, before I dwell on particulars, our response must be a resounding, wholehearted commitment to the continued existence of a secure Israel. Our efforts to solve the Middle East crisis must be centered on one basic premise—Israel's right to life as a state. The other issues, as important as they are, can be solved, perhaps they can even be negotiated. But life itself; the continued integrity of the State of Israel, must be non-negotiable.

As I see the Middle East crisis, in 1969, we must be concerned with three major goals. These goals, succinctly stated are Peace, Security and Development.

During my short stay in Israel, several opportunities arose to discuss the issues of peace with the Prime Minister, Mrs. Meir, with the Foreign Minister, Abba Eban, and with several others, both high government officials and ordinary vitally concerned citizens.

On one thing, more so than anything else, Israel speaks with one clear voice. Peace cannot be achieved in the Middle East by the imposition of the will of the Soviet Union, the United States, Great Britain, France, any combination of these countries, or any or all of the United Nations. Peace can only be arrived at in Israel when Israel and her Arab neighbors sit down at the peace table and negotiate an across-the-table peace—when Israel and her neighbors both sign the document which assures the secure and continued existence of Israel on the eastern shores of the Mediterranean.

As one reflects on this key position, it becomes more clearly obvious that no other possibility can serve the prospects of peace. We should have learned that lesson a long time ago. Twice before, Israel has permitted other nations to establish the armistice terms in the Middle East. Twice before other nations have "guaranteed" those armistice and cease-fire terms. Twice before, those guarantees have been demonstrated to be worth no more than the paper on which they were written.

It seems to be obvious that the United States, and the Soviet Union—if it will, can play a very useful role in helping to establish and maintain the peace of the Middle East. That role, however, cannot extend to the imposition of the terms of a peace in that area of the world. The United States and the Soviet Union can foster an atmosphere of peace.

For example, the Soviet Union, which now apparently, and for some time, has been the leading influence in several countries of the Middle East, can easily control Nasser's warlike intentions by controlling the armaments he receives. The complete reliance Nasser places on Soviet weaponry was pointed out

by Mrs. Meir when she reminded me that every Israeli killed both during and since the six-day war, was killed by a Russian weapon.

The United States, on the other hand, will do more to foster peace in the Middle East by clearly and unequivocally announcing and reiterating its unreserved commitment to the continued integrity of the State of Israel than by trying to be a power broker in the area. We should have learned our lessons. We raised Hussein on the pedestal of visiting royalty, and continue to curry favor with him. But he still calls for a holy war.

Let the United States and the Soviet Union agree that Israel must continue to exist. Let the United States and the Soviet Union agree that the parties to the dispute must sit down at the peace table to resolve their own differences. And let the United States and Soviet Union agree that they will do all that they can to help all the nations of the Middle East to thrive in peace, not in war.

One cannot help but wonder at the gross folly of mankind. The Soviet Union has just spent $1 billion in aid to Egypt. Has that aid improved the living conditions of even one human being in Egypt? No, it has not.

That aid, had it been for economic development, could have improved the lot of millions of underprivileged people, an admirable goal. It also would have been a giant step forward in securing peace in the Middle East. It would have offered Egypt the opportunity to feed on the nourishment of economic development rather than on the poisons of bigotry and hatred.

Some have argued that there cannot be a peace until Israel has withdrawn to her pre-1967 borders. Others argue that there cannot be a withdrawal until there is peace. This appears to me to be a fruitless battle of words and slogans.

In the first place, let us analyze the geography and people involved. We are talking about five different locations.

First there is the Golan Heights, left uncultivated for twenty years and used by Syria for only one purpose—namely, to bombard peaceful Israeli farming settlements in the valley below.

Then there is the Sinai Peninsula. Its mineral resources have been minimally exploited by European and American companies. But Egypt's only use for it was as a military threat against Israel, using Sharm-el-Sheikh to seal off the Gulf of Elat.

We move up the Mediterranean Coast to the Gaza Strip: refuge for Palestinean Arabs and natives of Gaza, owing no allegiance to any of the Arab nations. Indeed, the Arab nations will do nothing and have done nothing to improve their lives.

The West Bank of the Jordan, presents a somewhat different problem. First, we must remember that until twenty years ago, it was not part of Jordan, because Jordan did not exist. It is inhabited by Palestinean Arabs, most of whom have no political allegiance to the Bedouin kingdom across the river. It also comprises the idea and population which could benefit most directly from economic ties to Israel.

Last, is the Holy City. If the world, including the Arab world, has an interest in that city, its interest is in the assurance that there will be open access to all holy places, for all religious denominations. I think the world would do well to remember that only since the city was unified two years ago, under Israeli control, has there been that free access.

The fire at the mosque ten days ago is being used by Cairo, Amman and Damascus to demonstrate that the old city of Jerusalem must be returned to Arab hands. If one could blame the ruling government for such things as fires, then the Arabs have no great claim. For, this same mosque was in flames five years ago, as was the Church of the Holy Sepulcher in 1949.

As unfortunate as the fire was, and it is a loss, not just to the Moslem world, although Moslems are most directly affected, it must be recognized for what it is—an act of an admitted arsonist who attempted the same act two years ago. He was neither an Israeli nor a Jew, though that should be irrelevant.

What is to be done with these territories lying within the cease-fire lines? Recently, the local press in the United States has noted the dispute in Israel over the Labor Party platform regarding the return of conquered territories. This dispute has been fomenting for some time in Israel. Yet the Press in this country tends to make the dispute larger than it is. What I mean is that there does not appear to me to be that much disagreement between Golda Meir and Abba Eban on the one hand, and Moshe Dayan on the other.

Mrs. Meir's position, for example, has not changed since I spoke with her back in May. She said then, as she says now, that Israel will not return Jerusalem; that Israel will never again subject itself to the indefensible position under the Golan Heights, and that regarding all the other conquered territories, as she put it, "Israel will not give back any territory which gives her enemies a natural advantage over Israel."

Her differences with Moshe Dayan appear to be more of a difference in negotiating style and tactics than a difference, necessarily, in the needs of Israeli security. For example, I find it difficult to conceive of the possibility that Mrs. Meir would be any more willing than Moshe Dayan to return control over the Straits of Tiran to Egypt, unconditionally. Yet, Moshe Dayan says so now, Mrs. Meir would rather sit down at the bargaining table without having made that a prior condition to bargaining.

I believe each position has its bargaining advantages and bargaining disadvantages. More important, however, I think, is the realization that Israel in refusing, as she undoubtedly will, to return the Straits of Tiran to Egyptian control, is taking a position which is absolutely vital to her future existence as a secure state in the Middle East.

The same can possibly be said for the Golan Heights. It would be inappropriate, and perhaps even improper for this Senator to suggest that should or what should not be bargainable from Israel's position. I can only reflect on my own feelings, as well as the feelings one must get from residents of the area, as I looked up at the Golan Heights and then looked down from the bunkers to the valley below.

From those bunkers, the Syrian soldiers had clear view and clear range on all of the farming settlements in the valley. And, one should note that that's all there is in that valley—peaceful farming settlements. One man I met, a Moroccan refugee, had had his house shot out from under him three times, yet he doggedly insisted on staying in his "home." Israel, obviously, will never put her farmers in that position again.

The point is really very simple. The only interest the Arab nations have had in the past in these areas has been as a military and political threat to the existence of the State of Israel. If the Arab nations are willing to live in peace with Israel, they will be able to negotiate secure borders. If the Arab nations are not willing to live in peace with Israel, neither the United States nor any country should be agreeable to allowing the Arab nations to use those areas once again to threaten Israel.

Peace, not war, must be our theme. Economic development, not wanton destruction, must be our goal.

When I met with Mrs. Meir, just 3 months ago, she made one comment that has lodged itself in my mind. She said: "No one likes having the only decent flat in a bad neighborhood." She was saying that Israel, rather than fighting with her neighbors, would rather join with them in developing the area.

So many mutual benefits could be derived from joint Israel-Arab efforts in development. Many of the benefits would be of greater significance to the Arabs, at least initially, than to the Israelis.

One typical example came to mind as I travelled through Gallilee up to the Golan Heights. To get up to the Heights, you have to cross the "green line." What an appropriate description. Looking down at the valley from the burnt-out Syrian bunkers, you see a sharp dividing line running the full length of the valley. On one side, the Israeli side, the valley is green. Vegetation abounds. Irrigation canals criss-cross the land. On the other side, the land is a pale brown. Although a river runs through this formerly Syrian territory, no crops had been planted.

It is painful to think of what might have been, had the leadership of the Arab countries stopped their war posturing and worked with Israel on land reclamation projects, on projects to develop and control the Jordan River.

One can only imagine the inestimable benefits to be derived by all the nations of the Middle East from Israel's efforts to harness solar energy and to desalinate the area's water supply.

Peaceful relations and joint economic and social development could convert the Middle East from a wasteland into a productive, fertile, habitable land able to support its millions of inhabitants.

And Israel has been ready and willing, indeed even anxious to undertake these joint programs. Israel's alternative is to help to make the entire neighborhood decent. What can the United States, and the Soviet Union, if it will, do to foster such development?

As a United States Senator, one thing comes to mind immediately. A bill has just been introduced which all of us must join in supporting. It offers the realization of a dream, not only Israel's dream, nor a dream for the Middle East, but for all of mankind: aid in Israel's desalination project. The funds were part of the budget sent up to Congress by the outgoing administration. They have not been included, however, in the revised budget. I trust the Congress will rectify that judgment.

The bill would authorize a $40-million investment by the United States. I say investment, because that's just what it is; an investment in peace and prosperity. Israel is already succeeding in the desalination of 10% brackish waters. If she can improve on that, and convert saltier waters, the entire wasteland can be regained.

Israel has proven that it can be done; on a smaller scale. The United States now has the opportunity of investing in an expansion of this vital program for the benefit of man.

Let's get on with the labors of peace, instead of the agonies of war. Let the United States take the lead in bringing overwhelming moral and political pressure to bear on Nasser, Hussein and the other Arab leaders to compel them to give up their goal of politicide and to meet the Israelis in direct, across-the-table peace negotiations.

Let the United States, unilaterally, if necessary, demonstrate its faith in the Middle East's future, a future premised on the continued existence of Israel, by investing in her efforts to benefit mankind.

With the new session of the United Nations General Assembly only two weeks away, let the word go forth that the United States is wholeheartedly committed to the continued existence and integrity of a secure, and I stress the word secure, Israel; a State of Israel which can be freed from the ever-present needs to defend her right to exist and can direct her energies to the improvement of her neighborhood, her entire neighborhood.

Let the United States, and the world, for once, unite with Israel in the pursuit of peace.

TRIBUTE TO MISS ESTHER LAZARUS

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. FRIEDEL. Mr. Speaker, I take this opportunity to commend a resident of my congressional district, Miss Esther Lazarus, of 1 Warrenton Road, Baltimore, who retired as director of the Baltimore City Department of Social Services, after 31 years of devoted public service.

The unselfish and dedicated service of this great lady was outlined in a letter to the editor in our Baltimore papers, by Mrs. Inge Falk Barron, of 2100 West Rogers Avenue, Baltimore, Md., which I believe very graphically points out the wonderful service Miss Lazarus rendered to the people of the city of Baltimore. To Miss Lazarus, I extend my own best wishes for health and happiness in her well-earned years of retirement.

I insert Mrs. Barron's letter at this point in the RECORD:

BALTIMORE, MD.

To the EDITOR.

DEAR SIR: An important era has come to an end in the City of Baltimore and the State of Maryland. Esther Lazarus is retiring as the Director of the Baltimore City Department of Social Services after thirty-one years of devoted public service. It is of course impossible to thank her adequately or give her the recognition she so richly deserves for everything that she has done, nor would she expect this. To her the knowledge that she has served to the best of her ability and has been useful to our community is enough.

Therefore this message is addressed to the community because it may be helpful to everyone to know a little more what the years of Miss Lazarus' directorship have meant to some of us who have been privileged to know her. It may inspire all of us toward a higher standard of excellence no matter what our vocation may be and more important, it may re-awaken in each of us the spirit of compassion and the reverence for life which is inherent in every human being. Her inspiration may lead to a renewal of our youthful idealism and enable all of us to work together to make this a better society for everyone.

Miss Lazarus has administered the Department over the past three decades under circumstances that might have broken the spirit of the staunchest man during periods of unprecedented social, political and economic upheavals. The fact that she has been able to adjust to these changes and to provide the kind of leadership that has anticipated many of them, speaks to her eternal youth and to her greatness. She has made the Baltimore City Department, with the help of a devoted and a loyal staff, into one of the most outstanding institutions in our nation.

Miss Lazarus is a woman small in stature—but with gigantic courage and goodness of heart. She is one of the truly great humanitarians of our times—a woman who cares deeply about all people and who unselfishly devotes all of her energies working for the dignity of man and a better world for everyone.

Esther Lazarus can indeed stand tall in the company of our great national heroes for she has contributed as much to the progress of man's quest for human rights and freedom as the most famous of them. She has fought fearlessly for the right of every human being to live his life in dignity—free from want and oppression. She has battled constantly against discrimination and has been a pioneer in gaining civil rights for all people. She was an advocate for the poor and the dependent long before it became fashionable. She has encouraged client participation long before it was demanded by the more vocal groups. She has stood up courageously to Governors, Mayors, legislators, bureaucrats, boards, committees, taxpayers and even the press and has sought equal rights and privileges for all people. She has pleaded for an end to poverty and has asked for a decent standard of living for all. She has patiently tried to explain the-much-criticized-welfare-program by putting the blame where it belongs—on society!

And yet she has never shirked the responsibility of trying to administer an archaic public assistance system that nobody likes and that is recognized by everyone as being in need of major reforms. She and her staff have always followed the rules and regulations of State and Federal policy but at the same time have worked hard to try to change them. Often they have succeeded. She has been a pioneer and an innovator and many of her ideas have won national and international recognition. She has inspired many people in the profession to become more effective in their jobs, and former alumni of the Baltimore City Department of Social Services are scattered all over the nation. Many follow her philosophy. It is indeed fortunate that she will be able to continue to inspire young social workers and administrators in her new role as a teacher at the University of Maryland School of Social Work.

Miss Lazarus has received many honors and much acclaim and like all great persons she has evoked extreme emotions in people. There are many that love and revere her; there are those who do not. She has often been misunderstood and attacked severely by critics as a symbol of the welfare system. If this has ever affected her she has never shown it. In fact she is equally unconcerned about praise or criticism because she always knows she is doing her very best and that is all that can be expected of any person.

Miss Lazarus is leaving us a great legacy: To her successor, Mr. Maurice Harmon, she is leaving a challenging position, difficult to fill, but with the opportunity to be of great service to many people. To her staff she is leaving a tradition of excellence and a blueprint of plans and ideas that need to be crystallized before being put into practice. To the Mayor and the City Council she is leaving a Department that is outstanding in the nation, staffed by public servants who for the most part truly care about the people they serve and who are committed to the principle of helping people to help themselves. To the community she is leaving a Department that will continue to provide idealistic leadership and fight for social reforms. To all of us she is leaving the challenge to finally realize our own responsibility for the failure of society to serve all of its citizens and the inspiration to carry on her work to bring about the necessary changes. But most of all she is leaving us her faith in the basic goodness of human beings, her firm belief in the dignity of man and her trust that the people of Baltimore and in the State of Maryland have really begun to care what happens in our society and will work hard to make this the kind of community where all people shall have the opportunity to live productively and play their part in bringing about better things for themselves and for their children.

Let us all be worthy of that trust!

Sincerely,

Mrs. INGE FALK BARRON.

MASS TRANSIT TRUST FUND

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. ROYBAL. Mr. Speaker, when the National Governors Conference on September 2 unanimously supported a trust fund approach to financing urban mass transit systems, I believe the Governors made a significant contribution to the growing national dialog on the vital subject of providing adequate rapid transportation for our citizens who live in major metropolitan population centers.

Few will disagree that mass transit needs a dependable, long-range method of financing, with an assured Federal commitment as a funding guarantee, similar to that provided by our outstanding highway trust fund.

I have supported this approach, and my bill, H.R. 9143, would establish a mass transit trust fund along the lines of the concept endorsed by the National League of Cities and the U.S. Conference of Mayors.

So, I was encouraged to read a fine editorial in a recent issue of the Los Angeles Times, entitled "Transit: A $10 Billion Answer," which also supported this position.

Because of the importance of this question, I include in the RECORD the Times' editorial:

TRANSIT: A $10 BILLION ANSWER

(NOTE.—Issue: The Administration transit program looks good on paper. But can systems be built without trust fund financing?)

President Nixon's proposal to drop $10 billion in public transportation fareboxes both pleased and disappointed officials of local government.

Although no other administration has offered so comprehensive a support program, the means of financing mass transit systems has stirred growing controversy.

Mr. Nixon's own party generally has held that developing alternatives to the private automobile is primarily the responsibility of local jurisdictions. House Republicans even opposed the modest transportation assistance program now in effect.

The Administration bill, however, declares that rapid urbanization "has made the ability of all citizens to move quickly and at reasonable cost an urgent national problem."

Local officials liked the Administration's rhetoric but not the results of White House arguments over financing the 12-year program. The mayors wanted a trust fund, similar to the means of paying for the interstate highway system. What they got was something called "contract authority."

The President's program, in essence, would commit Congress to the spending of $10 billion in 2–1 matching grants to local jurisdictions for capital outlay and research projects. Funding, however, would be subject to congressional appropriation each year.

Such a plan may look good on paper, the mayors contend, but it provides no basis for the kind of long-term bond financing needed for the building of transit systems. The same argument was made by Transportation Secretary John Volpe, who also pushed for a transit trust fund.

The Times believes that adequate public transportation is so important an urban need that Congress should establish a trust fund to assure stable financing.

As President Nixon himself said "Until we make public transportation an attractive alternative to private car use, we will never be able to build highways fast enough to avoid congestion."

Some of the revenue now going into the highway trust fund for use in urban areas, therefore, should be diverted to the financing of transit system construction. Taxes on highway users would be well spent if they slow the proliferation of vehicles and make city and suburban freeways less congested.

Even with proper financing, the $10 billion program cannot ease all the traffic jams of a nation whose cities will have another 100 million population by the year 2000. California, for instance, could only expect a maximum of 12½% of the available funds in one year—hardly a bonanza for Los Angeles, San Francisco, San Diego and other cities.

Yet federal help could be a significant factor in accelerating the Southern California Rapid Transit District's more flexible approach to mass transit, which involves more innovative use of buses as well as other transportation modes.

Congress should act this year on effective financing for alternatives to the private automobile—and the concrete, congestion and fumes it causes.

DON BRUCE: A RARE COMBINATION

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. BRAY. Mr. Speaker, the recent passing of our friend and former colleague, Hon. Donald C. Bruce, shocked and saddened all who had known him and valued his friendship.

The following tribute, which appeared in the Indianapolis News of September 5, 1969, and was written by M. Stanton Evans, is a moving eulogy to a man who will be sorely missed:

DON BRUCE: A RARE COMBINATION

(By Stan Evans)

The many friends of Donald C. Bruce were stunned this week to hear of his passing at the youthful age of 48.

His death is a staggering loss for all who believe in the essentials of limited government and a want firm defense of its principles. No spokesman for the cause of freedom was more eloquent or persuasive in its behalf. To lose a voice like this is a blow to libertarians and conservatives not only here but elsewhere throughout the country.

Bruce was well-known to Indianapolis citizens not only as a two-term congressman who compiled an outstanding record but as a long-time radio broadcaster and public speaker in our city. He rose to prominence as a keen student and opponent of Communism and as a forceful advocate of the free American system and its constitutional balances. His record in Congress was among the best.

Don's passing is particularly hard to believe not only because of his age but because he was a big and active man whose energy seemed inexhaustible. He would generally lose weight during campaign seasons but seldom showed signs of fatigue or illness. This writer saw him less than two months ago at a political gathering and he seemed in all essential respects to be the Don Bruce of old, his zest for tackling the issues before the nation unabated.

What most people will remember about Don was his unparalleled ability to discuss tough questions with a force and clarity which had enormous political impact. During his congressional campaigns he would do something few other political figures are able to do: Simply sit down in front of a television camera for five minutes and talk directly to the viewers at home, without script or notes.

The sense of timing which allowed him to conduct these sessions within the allotted span of minutes had of course been sharpened by years as a broadcaster. His powers of expression were formed from years of study and a keen intelligence which sorted the data in philosophical perspective. But the effect he had on an audience rose from his own sense of dedicated mission—an urgent concern for America which he transmitted to his listeners.

Don was a rare phenomenon in politics. He based his campaign style and his voting record, not on what he thought was expedient, but on a well-formed understanding of political and economic principle. He stressed this notion in his campaigns for office, which surely must rank among the most issue-oriented in political history. His voting record in Washington was by the same token one of the most consistent ever compiled—a monument to his knowledge and integrity alike.

I remember a radio debate in which Don was asked his qualifications to represent the people of Indianapolis in Congress. Rather than giving the usual replies about how much "aid" he could bring into town, or what he was going to do to assuage this or that interest group, Don cited his study of the free enterprise economics of Ludwig Von Mises and F. A. Hayek.

To find a man who combines philosophical depth with ability to transmit his convictions to the public is unusual in any time or place. It has become even more unusual of late, as "pragmatic" politicians vie with one another to offer the public, not what they consider to be right and just, but what they think is politically useful. Philosophical concern sometimes is not very popular.

Don Bruce, through his remarkable combination of talents, succeeeded in making it popular. He demonstrated that the electorate of a large metropolitan area would respond strongly to the cause of conservatism if it were presented clearly by a man who knew the issues and was not afraid to speak out on them. Whatever the "pragmatists" may think, Don showed conclusively that principle makes good politics.

MARYLAND MARINE KILLED IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. LONG of Maryland. Mr. Speaker, Lance Cpl. Michael L. Harp, a fine young man from Maryland was recently killed in action in Vietnam. I wish to commend the courage of this young man and to honor his memory by including the following article in the RECORD:

PASADENA LANCE CORPORAL KILLED LEADING FIRE TEAM

A Marine lance corporal from Anne Arundel county has been killed in Vietnam, the Defense Department announced yesterday.

Lance Cpl. Michael L. Harp, 19, of 1109 Brandon Shore road, Pasadena, was killed by enemy small arms fire last Thursday while on a search and clear operation with about 200 other marines 5 miles northwest of An Hoa in Quang Nan province.

Corporal Harp was the leader of a four-man "fire team."

He arrived in Vietnam on March 5, 1969, and was a member of E Company, 2d Battalion, 5th Marine Regiment, 1st Marine Division.

Corporal Harp enlisted for four years in July, 1968, following his graduation from Northeast High School.

According to his father, Corporal Harp planned to attend college and study oceanography after his four years in the Marines. Mr. Harp had sent his son several books on oceanography after he arrived in Vietnam.

Corporal Harp was stationed at An Hoa. He was promoted to Lance Corporal two days before he was killed.

He was a member of the track team and the Inter-Act Club, a service club, in high school.

SURVIVORS NAMED

He enjoyed hunting, fishing, and water skiing on the Patapsco River, which his home overlooks. He also enjoyed photography. A roll of film arrived at home yesterday which he wanted processed and returned to him in Vietnam.

Corporal Harp is survived by his parents, Mr. and Mrs. Charles K. Harp; a step-brother, Raymond Johnson, of Baltimore; and a half-sister, Mrs. Leslie Kingery, of Baltimore.

He is also survived by a brother, Marine Cpl. David Harp, of Cherry Point, N.C.

EPIC WAS THE VOYAGE

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. RODINO. Mr. Speaker, recently the Newark, N.J. post office paid poetic tribute to the Apollo 11 astronauts with a narrative poem entitled "Epic Was the Voyage," written especially for the occasion by Newark's poet laureate, Larry Pendleton.

In having this tribute printed in the official special orders of the Newark post office department, Postmaster Joseph J. Benucci said:

This is man in his finest hour. We of the Newark Postal District are deeply privileged to so honor our valiant astronauts on the successful completion of their history making flight and walk on the moon.

The poem follows:

EPIC WAS THE VOYAGE

(By Larry Pendleton)

Ho! The Sea of Tranquility
Where Man did not hold sway
Until two daring Astronauts
Walked on the moon that day . . .

Nations gasped and gaped in awe
The impossible had been done
Three valiant Voyagers roared thru space
Beneath the scorching sun . . .

Their Lunar module touched-down on moon
The Solar Winds moaned low
Silence filled Time's Great Halls
As they muttered "it is so" . . .

It was an Epic Voyage
All mankind thrilled to see
Puny Man a giant in deed
From moon to earthbound sea . . .

We hail our mighty Astronauts
Our voices raised on high
Almighty God consented
And man vanquished the skies . . .

"Quo Fata Ferunt"

RALLY MARKS STRIKE ANNIVERSARY

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. BROWN of California. Mr. Speaker, 4 years ago a brave group of Americans began a small struggle which now has become a major crusade for human rights and dignity.

From out of the hot, dry, dusty grape orchards of California, the founders of the United Farm Workers Organizing Committee struck against the growers. That strike now enters its fifth year.

The 4 years have been hard. At times, there was anything but encouragement. But, the strike has lasted, and the victories have been significant. Hopefully, settlement will come soon, and the grapeworkers will have won their rights to decent wages and better living and working conditions.

Yesterday, nearly 1,000 residents of the Washington area gathered at the Monument grounds to celebrate the anniversary of the strike's beginning. Among the participants were Members of Congress, who, like myself, have long supported the position of the grapeworkers. Carl Bernstein of the Washington Post was also there, and I would like to insert his story of the rally at this point:

GRAPE STRIKE RALLY ATTRACTS 500—WALKOUT ENDS 4TH YEAR

(By Carl Bernstein)

Five hundred supporters of the California table-grape boycott—Catholics, Protestants, Jews, agnostics and atheists—drank Paisano wine from gallon jugs yesterday during an ecumenical Communion service atop the L'Enfant Plaza Safeway.

"Oh Lord, grant that the business executives and the people who control the agribusiness may find the courage and conviction to do justice," intoned the Rev. Richard McSorley of Georgetown University leader of the service.

"Hear us, Lord," responded the shirtsleeved congregation gathered in and around the L'Enfant Plaza fountain, directly above a Safeway store that, like all of the chain's outlets here, has refused to remove California table grapes from its shelves.

TWO-HOUR PROGRAM

The bread-and-wine service, following a rally at the Sylvan Theater in observance of the fourth anniversary of the United Farm Workers' strike in the California vineyards, was almost as solemn as the earlier gathering had been enthusiastic.

At the outdoor theater on the Washington Monument grounds, the crowd heard two hours of speeches and folk singing in support of California's migrant workers demanding the right to bargain collectively under the UFW's banner.

Urged to sit under yesterday's hot sun as "a reminder of how grape workers feel in the vineyards," the crowd cheered wildly as Rep. James O'Hara (D-Mich.) told them:

"No longer will we permit the California grape growers to treat our seasonal workers as a subhuman species. . . . The food on our table is covered with the blood and sweat of our farm workers. But we will win this struggle for human dignity."

NO GRAPES AT ALL

Former City Councilman J. C. Turner, who is chairman of the Greater Washington Central Labor Council and cochairman of the Washington Don't Buy Grapes Committee, called on the Nixon administration "to quit buying so many grapes."

"No grapes at all," the crowd chanted back, mindful of an earlier assertion by a strike leader that the Defense Department last year increased the shipment of grapes to soldiers in South Vietnam by 350 per cent.

The rally on the Monument grounds recalled the atmosphere of labor union picnics from another era as the crowd cheered the speakers, sang "We shall Not be Moved" and exhorted strangers not to eat "scab grapes."

The throng was diverse, with boycott supporters drawn from the ranks of organized labor, the old left, the new left, liberal Catholic lay organizations cosponsoring the rally, Mexican-Americans (most of the California migrants are of Mexican descent), the Southern Christian Leadership Conference (another cosponsoring organization), a Zionist youth group ("Habonim Says Don't Buy Grapes," said their sign), and unaffiliated people like the woman who said, "I'm here because people have a right to earn a decent living."

MARCH TO PLAZA

After a prayer by Msgr. George L. Gingras invoking "the God of justice to support the cause of freedom from servitude and the nobility of honest work," the crowd began the march to L'Enfant Plaza.

At the head of the procession were former City Council chairman Walter E. Fauntroy, women in blue-and-white caps from Local 1199 of the Drug and Hospital Workers Union, the Rev. Channing E. Phillips, Rep. Don Edwards (D-Calif.), Father McSorley and other supporters of the Washington boycott that has cut grape consumption here by 10 to 15 per cent, according to proponents.

"No more grapes on tables/no more grapes in the stores/the growers will have to surrender/and we won't have to fight any more," the group sang as they passed the Agriculture Department.

"What about wine, man?" one marcher wanted to know. "That's okay, just table grapes," he was told.

The boycott supporters crowded into the glistening new plaza, then fell silent as Father McSorley began the service with readings honoring Cesar Chavez, leader of the California strike, and the late Sen. Robert Kennedy, who journeyed to California in support of the migrant workers.

"Recall my death and resurrection," Father McSorly continued. Prayers were offered for Safeway, for other grape sellers, for "the grapes of wrath," for peace, for the grape strikers. Then the bread was broken and passed around to all, the greeting "Peace" exchanged as the wine was passed from hand to hand. In the fountain, those who had been frolicking in the water stopped to wash down the bread, then joined hands as the congregation sang "We Shall Overcome."

EPIC WAS THE VOYAGE

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. MINISH. Mr. Speaker, it is with justifiable pride that I place into the CONGRESSIONAL RECORD a poem written by Larry Pendleton, of Newark, N.J. The poem, "Epic Was the Voyage," conveys the grandeur of the astronauts' moon landing.

Mr. Pendleton, who works in the Newark post office, has authored many other poems about various topics, some of which I have seen and admired. I am pleased to be able to make his excellent poem a part of the RECORD:

EPIC WAS THE VOYAGE

(By Larry Pendleton)

Ho! The Sea of Tranquility
Where Man did not hold sway
Until two daring Astronauts
Walked on the moon that day . . .

Nations gasped and gaped in awe
The impossible had been done
Three valiant Voyagers roared through space
Beneath the scorching sun . . .

Their Lunar module touched-down on moon
The Solar Winds moaned low
Silence filled Time's Great Halls
As they muttered "it is so" . . .

It was an Epic Voyage
All mankind thrilled to see
Puny Man a giant in deed
From moon to earthbound sea . . .

We hail our mighty Astronauts
Our voices raised on high
Almighty God consented
And man vanquished the skies . . .

"Quo Fata Ferunt"

TRIBUTE TO THE LATE BARRATT O'HARA

HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. FOUNTAIN. Mr. Speaker, after a distinguished career as a member of the bar, as a public servant elected to high office in his State, and as a patriot always ready to spring to the defense of his country, the late Barratt O'Hara came to this House as a Member of the 81st Congress, here to further serve his country with distinction.

Those of us who knew him, and I am happy to count myself in that number, knew him to have a strong right arm in defense of the underdog. We knew him to have the great gift of being able to disagree without being disagreeable. We knew him to be a doughty antagonist on occasion and a sympathetic friend.

The career of the former Member was studded with signal honors and great achievements. From the age of 15 when he fought valiantly in the Cuban War for Independence, through service in World War I, and through a remarkable career as defense counsel to the end of his life, Barratt O'Hara dedicated himself to the principals of right and justice.

His polished oratory, delivered without notes, contributed much to the deliberations of the 81st, 83d, 84th, 85th, 86th, 87th, 89th, and 90th Congresses. I was extremely fond of Barratt O'Hara. I considered him a good friend. We chatted together often.

I extend my deepest sympathy to his family. It is indeed a privilege to join in

paying tribute to the memory of this distinguished former Member of the Congress.

GEORGE AND THE DRAGON

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. DERWINSKI. Mr. Speaker, Washington-based journalists and, I presume, the reading public are accustomed to the continuous foreign policy harangues of the junior Senator from Arkansas. I was most impressed, therefore, to read a report on the appearance of AFL–CIO President George Meany before the Senate Foreign Affairs Committee written by Msgr. George Higgins in the August 15 New World, the publication of the Catholic Archdiocese of Chicago.

The article follows:

GEORGE AND THE DRAGON

(By George G. Higgins)

George Meany, president of the AFL–CIO, has—I almost said "enjoys" the reputation of a man who always says exactly what he thinks, especially to Presidents, Cabinet members, Senators and other political bigwigs.

Meany was running true to form when he appeared recently before the Senate Foreign Relations committee, and took on its chairman, Sen. William Fulbright, in a heated colloquy which lasted about three and a half hours.

The good Senator, who has mercilessly badgered many a Cabinet member on the issue of Vietnam and gotten away with it, finally met his match in Mr. Meany.

I admire Meany for bearding the Arkansas lion in his own privileged den and refusing to be intimidated by his line of questioning.

While I find Mr. Meany's foreign policy too inflexible in certain respects and while I would be inclined to support almost any move to end the war in Vietnam short of outright surrender, I find Senator Fulbright's policy equally inflexible and perhaps even more doctrinaire in its own sophisticated (some say supercilious) way.

When I noted above that I admire Mr. Meany for locking horns with the Senator, I was not referring to the substance of their debate on foreign policy, but rather to the way they carried on the argument.

In my opinion, the Senator argued his case very tendentiously, and, for this reason I am glad that Meany slapped him down in a way that no Cabinet member or other government spokesman would have dared to do under similar circumstances.

The Senator had a perfect right to disagree with Meany's approach to foreign policy, but he had no right to say that heavy government subsidy of the AFL–CIO foreign policy activities through the American Institute for Free Labor Development was a reward for Meany's "ardent, ardent" endorsement of Lyndon Johnson's war policies.

This accusation strikes me as being a rather cheap way of suggesting that Meany is a groveling sycophant. If Fulbright actually believes this, I am afraid he doesn't understand George Meany very well and hasn't the slightest notion of what makes him tick.

Mr. Meany's foreign policy may be good, bad or indifferent, but it's his own policy, and it's not for sale to any Administration.

Senator Fulbright would have discovered this himself if he had ever become Secretary of State and had foolishly tried to bargain with Meany on the issue.

He would have discovered that Meany, rightly or wrongly, was prepared to stick to his guns regardless of what anyone else, including the President, the Secretary of State, or even the chairman of the Senate Foreign Relations committee might think about the matter.

Senator Fulbright overstepped the bounds of Congressional propriety and Congressional immunity in suggesting, rather insultingly, that Meany was a Johnson lackey and that Johnson himself was a deliberate bribester in the field of foreign policy.

Moreover, if the Senator thought that Meany, out of deference for the Senate committee and its august chairman, would take all this lying down, he has something to learn about the American political process.

Senators may be able to bulldoze hapless government officials when they have them on the witness stand, but thanks be to God they can't intimidate private citizens of Meany's caliber—men who, right or wrong, have the courage of their convictions and are not respectors of persons.

STORM TRACKERS DESERVE THANKS

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. BENNETT. Mr. Speaker, the purpose of my remarks today is to emphasize the last two paragraphs of the following editorial from the August 28 edition of the Florida Times-Union to the effect that many men in the Navy and the Air Force, with true heroism, risked their lives to provide the information and warning which saved the lives of many thousands of persons in the recent Hurricane Camille. My father once supervised the National Hurricane Center when it was established in Jacksonville, Fla., many years ago, so in paying tribute to these military heroes in the hurricane war, I do so with knowledge of what I speak of. The editorial reads as follows:

STORM TRACKERS DESERVE THANKS

There were some unfortunate implications which could be drawn from Vice President Spiro Agnew's comments on Hurricane Camille. We feel certain that these were unforeseen and unintended but they should be cleared up to erase any idea that the Jacksonville-based Hurricane Hunters did not perform their hazardous tasks in the efficient and fearless manner that has marked their performance since they were formed.

Agnew was sent by President Nixon on a fact-finding mission to the Mississippi Gulf Coast in the wake of the strongest storm to hit the U.S. mainland since records have been kept in such matters.

After his report was delivered to the President, he said that Nixon was greatly disturbed that the federal government "was not better able to forecast the intensity and precise destination of the hurricane."

The vice president said the government had found that the Navy storm-hunting planes had excellent meteorological equipment but were not strong enough to stand up against a hurricane with the 200-mile-an-hour winds of Camille.

Agnew added that the Air Force had more durable planes but lacked advanced scientific weather-finding instruments.

It is not at all difficult to find the genesis of his conclusions.

Last Friday, Dr. Robert Simpson, head of the National Hurricane Center, was quoted in a press interview as saying he gave Agnew "both barrels about what we didn't have and what we need" to improve the center's work. He made a plea—with which we concur—that research funds must be greatly increased from the present $750,000 annually.

Simpson was also quoted as telling Agnew: "some old Navy Constellations that should have been junked years ago trailed Camille all day Saturday and didn't dare go into the storm because they knew their aircraft couldn't stand up under the pounding." He added that "the pilot was right."

Simpson said he "finally got an Air Force plane in there about 5 p.m. Saturday and it recorded the lowest barometric pressure ever found by any aircraft inside a hurricane of record."

He said he further told Agnew that "the Navy has a wonderful instrument package and lousy airplanes. The Air Force has wonderful planes and lousy instruments. It's past time for somebody in Washington to get everybody together."

We are certain also that Simpson intended no criticism of the performance of the Hurricane Hunters but there are unfortunate implications that could be drawn by anyone who did not fully understand the context and intent of his remarks.

The Navy and the Air Force work together on hurricanes, each with different missions.

Navy Hurricane Hunters go in at low-level, beneath the clouds, where they can actually observe the sea. Depending on the visibility, this is sometimes only 400 feet above the whitecaps.

At this level they not only track the storm, both visually and with radar, but also measure surface winds and sea temperatures.

It is obvious that the safety factor at the lower levels is steadily reduced. Hurricanes have more than horizontal winds. There are vertical drafts, torrential rains and water spouts. Turbulence and the wind factor is generally higher at these low altitudes. There is no margin for error.

For this task they use the Constellation which has the advantage of a flexible wing—the wing actually flaps and there is less chance of it shearing off. At these altitudes they must use maximum engine power to maintain level flight.

The Air Force goes in above 10,000 feet and this is also a hazardous task. In fact one Air Force plane had to limp desperately back to an emergency landing at Houston after penetrating the eye of the hurricane at 30,000 feet.

As far as we can determine, the Navy and Air Force Hurricane Hunters work together well at their different missions, respect each other's work and there is no quarrel between them.

Over the years, the Navy's Weather Reconnaissance Squadron 4 has developed guidelines, culled from years of experience as to the maximum tolerance of the aircraft under the conditions which pervail on their lowlevel missions. The wind guidelines is 120 knots (about 142 miles per hour) and the diameter of the eye must be at least 15 miles for penetration in order to afford room for aircraft maneuverability.

The Navy in this case made every fix assigned to it by the National Hurricane Center on Hurricane Camille before being taken off to assist in Operation Storm Fury—the seeding of Hurricane Debbie in the Atlantic.

Each plane sent out from Jacksonville into Camille spent some 12 hours in the air, most of this time inside and around the parameters of the hurricane.

There is great question—and perhaps the push for better equipment will develop a definitive answer to it—whether any plane now in use (even by the Air Force) could have penetrated the eye of Camille in low level flight and returned.

Camille was tagged as a dangerous storm long before it went ashore on the Gulf Coast and the 5 p.m. Saturday barometric reading

by the Air Force plane would have given at least 24 hours warning.

As to the precise point of entry, it is difficult to see where the planes themselves could provide any more information than they did about the exact point at which the hurricane would make landfall. They tracked its position and direction as ordered. The general Gulf Coast area in which it was predicted progressively moved westward as these tracking reports came in.

Although forecasters have developed hurricane predictions to a great degree of accuracy, the state of the art may never be such as to be able to predict them exactly. To some extent they are predictable but they contain some great unpredictable factors.

There have been hurricanes which looped, which turned south—against all odds—and which have done other things that hurricanes are not supposed to do.

At this point it would be well to emphasize the positive side of the picture. Advance warnings caused some 200,000 persons to flee their homes and held casualties from the worst recorded storm—and one of the most destructive in history—well below the toll of some hurricanes of much lesser strength in the past.

The mainland had not experienced 200 mile an hour winds before and even had doubters in the storm's path been forcibly removed (a step which would have been necessary since some refused to leave despite explicit warnings) the physical destruction would have been enormous.

While recognizing the need for more research funds and for better planes and equipment, the administration would also do well to recognize the fact that many men—Navy and Air Force—risked their lives to provide the warning that was available.

They deserve a ringing vote of thanks.

SICK OR SAFE TOYS?

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. PUCINSKI. Mr. Speaker, in a recent newsletter, Mr. Marvin Glass, the Nation's outstanding toy designer, has quite properly pointed out that in our concern over physical safety in toys we have overlooked the need for psychological safety in toys.

Mr. Glass believes that we should direct more attention to the psychological impact of toys on children, such as reducing toys of violence or those that stress materialistic rather than spiritual values. Mr. Glass himself is opposed to toy weapons of war and violence and is conducting a quiet campaign against them by refusing to design any.

I commend the following article to my colleagues:

SICK OR SAFE TOYS?

Legislative concern today over physical safety in toys is like the old legend of the emperor's non-existent clothes. Onlookers are seeing things that are not there and not seeing the startling aspect of what is.

Congress is stressing physical toy hazards that are for the most part non-existent, or unlikely, and is not looking at possible psychological dangers that are.

With this consideration, a new definitive look should be taken at the proposed Toy Safety Act, the joint Moss-Joelson bill which calls for broad regulatory powers over the manufacture of toys.

This is the warning of Marvin Glass, the nation's outstanding toy designer, who has played a major role in innovating new styles in the toy industry for the past 30 years and whose creations alone this year are expected to account for $125 million in toy sales.

"Modern toys are generally designed, engineered and manufactured with great precision and precaution," Glass points out. "They are built primarily for use with foreseeable abuse. Most manufacturers are aware of safety in production. This means they watch for possible sharp edges, poisonous substances and dangerous electrical, thermal or mechanical parts in toys. Taking everything into consideration, physical injury to a child from a toy is remote, unless the child uses one to throw at another child.

"On the other hand, many toys are psychologically unsafe. There are numerous toys on the market, such as miniature weapons of war, that condition, if not encourage, future generations to violence and love of power. There are also too many toys that over-emphasize materialistic rather than spiritual values. For example take dolls that stress magnificence in clothes and coiffures, or expensive model cars for boys. Little girls grow up to be real life versions of these dolls, demanding fabulous wardrobes. Boys reach manhood thinking flashy cars are necessary to the right way of life. Such toys advocate conspicuous consumption and are greatly responsible for the present day huge teenage market in clothes, cosmetics and cars."

Glass points out that a toy is a psychological tool that orients a child to reality. It should emphasize the magic of the world around him or the world of the future, the designer says.

"We try for an atmosphere of fun and laughter. If future citizens of the world can be taught to laugh at themselves, then maybe ultimately a world devoid of self-righteous people and war might result.

"Through multi-play toys, we try to teach children cooperation in group effort. These toys stress equal time for play, how to take turns, and the principle that only fair play wins. We hope, also, to orient children to our competitive, capitalistic society with good competitive games of chance, offering reasonable but not speculative risks.

"If a toy isn't psychologically sound, it is psychologically unsafe, possibly even sick with a contagious illness. There is a greater need for regulation in this area than in that of possible physical hazards."

TOWSON, MD., AMERICAN LEGION POST 22 BASEBALL TEAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. LONG of Maryland. Mr. Speaker, American Legion Post 22 of Towson, Md., has sponsored a fine baseball team this year. The young men have just returned from the American Legion World Series where they captured second place. I wish to take this opportunity to honor them.

The team is managed by Louis Grasmick and coached by Thomas Finnegan. Athletic Director Dixon Gaines also contributed to their success. Team members include: Russell Niler, Michael Wyatt, Russell Bryant, Grant Grasmick, Rieck Foelberg, Mark Russo, Hugh Curd, Danny Coyne, Lindsay Graham, Jack Dunn, Joe Lavezza, Michael Kelley, Thomas Heinzerling, Randy Respess, Carl Glaeser, Bruce James, Bob Gulwee, and Lenny Owens.

DANGER SIGNALS: NATION'S WATER SUPPLY

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. VANIK. Mr. Speaker, Mr. Charles C. Johnson, Jr., administrator for the Consumer Protection and Environmental Health Service of the Department of Health, Education, and Welfare, reported recently that as many as eight million people may be drinking water which exceeds Public Health Service criteria for bacteria. Furthermore, Mr. Johnson indicates that as much as 40 percent of the Nation may be drinking water which does not meet other Public Health Service standards for safety and desirability.

The evidence of the steadily worsening condition of our water supply continues to grow. This shocking neglect of our water resources must be reversed now.

A UPI news story and list of water supplies provisionally approved by the Public Health Service follows:

NATION'S WATER SUPPLY

(By Craig A. Palmer)

WASHINGTON.—More than 100 water systems around the country supplying interstate travellers do not fully measure up to Federal standards although they are not considered unsafe, according to a new Government report.

The Public Health Service, which has jurisdiction over municipal and private supplies involving interstate commerce, lists them as "provisionally approved"—inadequate as to bacteria and other content, but usable for drinking and cooking.

UPI obtained the report on request after administrator Charles C. Johnson Jr. of the Government's consumer protection and environmental health service said in a speech: "There is reason for serious concern about community water supplies in the United States."

More recently, Johnson has said the drinking water problem "is growing in seriousness with every year that passes."

The "provisionally approved" classification is applied if major deficiencies are found during monthly tests of water supplies, or if operators of a system have failed to act on recommendations from a previous inspection.

The classification is in effect a warning to state and local officials that the supply in question must be improved if it is to retain government certification.

The water supplies covered by the report are those used by interstate carriers—buses, planes, trains and water craft—either in transit or for passengers in terminals, for either drinking or cooking.

Officials said these sources of water served some two million travelers daily, and some 82 million residents in the local communities where the water systems are located.

No systems are on the forbidden list just now. But 38 per cent on the "provisionally approved" list have failed to meet requirements on bacterial count for a month or longer. And even should a supply be rejected, the Government could effectively bar its use only on interstate public transportation on which water is furnished.

Also, Johnson had this to say:

"The present PHS standards do not reflect the best and latest knowledge of real or potential threats to human health and fall far short of the drinking water quality goals promulgated by the AWWA (American Water Works Association) last year."

On another occasion, Johnson said a 1967 report concluded "that 33 per cent of all public water supplies serving some 50 million persons do not meet the requirements of the Public Health Service's drinking water standards."

Major water systems listed as "provisionally approved" as of July 28, included:

Nome, Alaska; Pueblo, Colo.; Miami Beach; Augusta, Ga.; Worcester, Mass.; Missoula, Mont.; Jersey City and Newark, N.J.; Buffalo, N.Y.; Asheville, N.C.; Altoona, Pa.; San Juan, P.R.; East Providence, R.I.; Charleston, S.C.; Chattanooga, Memphis and Nashville, Tenn.; Charlottesville, and Norfolk, Va.; Salt Lake City; Charleston, W. Va.; La Crosse, Wis., and Sheridan, Wyo.

Although the Public Health Service estimates there are some 22,000 water supplies throughout the country, it has certifying authority over only about one-third of them.

However, the more than 700 supplies it does certify serve about two million travelers daily, and 82 million persons living in the respective communities.

As of April 16, PHS had classified 66 per cent of these as approved and the other one-third as either "provisionally approved" or "no current report," said the PHS Bureau of Water Hygiene.

Testing of these water supplies is done by local, State and Federal agencies—in various cases by one, two or all three. The test is not conducted just at the point of use by an interstate carrier, but at random places in town.

MUNICIPAL OR PRIVATE WATER SUPPLIES USED BY INTERSTATE CARRIERS AND CLASSIFIED AS PROVISIONALLY APPROVED AS OF JULY 28, 1969

This table lists communities with water supplies provisionally approved for drinking and cooking on interstate carriers as of July 28, 1969. This classification means the supplies do not meet all Public Health Service standards. It is made by agreement between State officials and officials of the Bureau of Water Hygiene, Environmental Control Administration, Consumer Protection and Environmental Health Service, Department of Health, Education and Welfare.

To be classified "provisionally approved" does not mean the community's water supply is unsafe. Airplanes, ships, trains and buses are permitted to use provisionally approved water. Provisional classification, however, is a warning to State and local officials that deficiencies in a water supply system's construction, maintenance, operation or quality control must be corrected if certification as an interstate carrier water supplier is to be retained. The schedule for making improvements is individually determined for each water supply by the State Health Departments and the Bureau of Water Hygiene.

Alabama: Birmingham and Tuscaloosa.

Alaska: Kodiak; and Nome; and Umnak Island (Reeves Aleutian Airways).

Colorado: Grand Junction; Pueblo; and Salida.

Florida: Fort Myers; Freeport (Murphy Oil Company); and Miami Beach.

Georgia: Augusta; Augusta (Bush Field); Brunswick; Columbus; Macon; Savannah (National Gypsum Company); and Waycross.

Idaho: Lewiston Orchards Irrigation District.

Illinois: Beardstown; Bedford Park (Chicago Supply); Franklin Park (Chicago Supply); Hartford; Lemont (Pure Oil Company); and Rosemont.

Indiana: Mount Vernon.

Kentucky: Central City; and Fulton (Illinois Central Railroad).

Maine: Bucksport Water Company and Searsport.

Maryland: Brunswick.

Massachusetts: Fall River; Falmouth; New Bedford; Weymouth, and Worcester.

Mississippi: Moss Point.

Montana: Missoula.

Nebraska: McCook and North Platte.

Nevada: Carlin (Southern Pacific Railroad) and Las Vegas (Union Pacific Railroad).

New Hampshire: Portsmouth.

New Jersey: Bayonne (North Jersey District Water Supply Commission); Gloucester (Mobil Oil Company); Hoboken (Jersey City Water Supply); Jersey City; Kearny (North Jersey District Water Supply Commission); Lower Township Water Company, Newark; North Jersey District Water Supply Commission (Wanaque); Perth Amboy; Wrightstown (Fort Dix).

New York: Buffalo; New York; Onondaga County Water Authority; Oswego; Rome, and White Plains.

North Carolina: Asheville.

Ohio: Akron-Canton Airport; Toledo Airport; Wellsville.

Pennsylvania: Altoona; Clairton; Connelsville; Dravosburg; Fairless Hills (U.S. Steel Corporation); Floreffe.

Puerto Rico: Aquadilla; Mayaguez; San Juan.

Rhode Island: East Providence.

South Carolina: Cainhoy (Detyens Dry Dock); Charleston.

Tennessee: Alcoa; Chattanooga; Clarksville; Johnson City; Kingsport (Washington-Sullivan Counties Consolidated Utilities District); Memphis and Nashville.

Texas: Brownsville (Brownsville Navigation District).

Virgin Islands: St. Croix (Alexander Hamilton Airport).

Virginia: Charlottesville; Crewe; Hot Springs (Virginia Hot Springs Co.), Norfolk, and Portsmouth.

Utah: Ogden, Salt Lake City, South Salt Lake City.

Washington: Bellingham; Edmonds; Everett; Hoquiam; Raymond; Wishram (Spokane, Portland and Seattle Railroad).

West Virginia: Charleston; Grafton; Parkersburg (Wood County Airport); Point Pleasant; and White Sulphur Springs.

Wisconsin: La Crosse; Manitowoc.

Wyoming: Green River; Rock Springs; Sheridan.

ATTENTION ALL AMERICANS

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. WYMAN. Mr. Speaker, deserving of the attention of all Americans who would stay free, are the profound remarks of Edmund Burke on "Freedom." While for many it takes years to comprehend the full sweep of Burke's exposition, its contents should be required reading for every citizen in or out of school:

EDMUND BURKE ON FREEDOM

Men are qualified for civil liberty in exact proportion to their disposition to put chains upon their own appetites; in proportion as their love of justice is above their rapacity; in proportion as their soundness and sobriety of understanding is above their vanity and presumption; in proportion as they are more disposed to listen to the counsels of the wise and good, in preference to the flattery of knaves. Society cannot exist unless a controlling power upon the will and appetite is placed somewhere; and the less of it there is within, the more there must be of it without. It is ordained in the eternal constitution of things, that men of intemperate habits cannot be free. Their passions forge their fetters.

A TRIBUTE TO TODAY'S YOUTH

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. MORTON. Mr. Speaker, I would like to call the attention of my colleagues to a notable task accomplished by the in-coming seniors at Cambridge High School in Dorchester County. Six students took it upon themselves to initiate a clean-up of the high school that utilized 100 gallons of paint and would have cost the taxpayers $5,000.

At a time when school vandalism and delinquency are on the increase and the newspapers are filled with the problems of youth it is good to see what our young people are doing who are not making headlines. The students of Cambridge deserve congratulations and respect for the fine job they have done and example they have set.

An article appeared in the Baltimore Sun magazine on Sunday, August 31, by Walter E. Huelle. The article tells the story of Cambridge High School and I am pleased to include it in the CONGRESSIONAL RECORD:

CLEAN-UP BY THE CLASS OF 1970

When Otis M. Trice, principal of Cambridge High School, told James Busick, Dorchester county school superintendent, that six representatives of the class of 1970 wanted to see him, he reluctantly agreed.

This was in June, his busiest time of year, and when he was told by three girls and three boys that class members were volunteering to scrub and paint the interior of the high school during the summer he asked, "Why?"

The group representing the incoming seniors said their class wanted to improve the school's image. They proposed to do this by literally scrubbing away the black marks and graffiti left behind by the class of '69 and those before it.

The six also indicated that by setting a good example they hoped to erase other bad memories. They were referring to numerous rumbles after athletic contests and a beer party that was raided by police. The fact that three members of the class of '69 were sent to jail for stealing dynamite and blowing up a county road as the climax to other escapades undoubtedly was a factor too.

A permanent mark was left by last year's class on the masonry columns at the school's entrance. The numerals "69" were painted on five of six pillars and the columns were scarred in the cleaning process.

After listening to all these reasons, spoken or implied, by the six students, the superintendent said bluntly, "I don't believe you'll do it."

One of the girls, Karyn Cook, a top scholar and president of the Lower Eastern Shore Student Council, returned Mr. Busick's challenging look and replied firmly, "We'll do it."

The superintendent glanced at the others, Debbie Jenkins, president of the Student Council; Bob McWilliams and Steve Aarons, varsity athletes; Karan Woodward, John Wharples and was convinced that this was no ordinary request and promise.

After the principal got approval from the board of education to buy paint and brushes, the students started to work the last week in June.

On the first of August, 30 members of the class of 160 were still scrubbing and painting. And although it was an unusually hot and humid Eastern Shore summer, with both temperatures and humidity in the 90's even

at night, the boys and girls painted three nights a week from 7:15 to 10, singing a good part of the time.

Most of the student painters have summer jobs. Some girls work as clerks in stores or are waitresses in restaurants and lunchrooms. Some, after finishing the nearly three-hour painting stint, work in snack bars that stay open late. And a number had parts in the Dorchester County Tercentenary show that ran five nights in July after rehearsing for a month.

Early in the project a freshly painted area was mysteriously marred by vandals. The damage was shown to Mr. Busick, but the boys begged him not to take action. "We'll handle this ourselves," they said.

Before the project started and the word got around that the class was going to paint, the numerals '70 were scratched on several school walls. Apparently the scribblers were mocking the altruism of the incoming senior class. One unnerving omen, however, was the appearance of the numerals '72 on one of the walls.

William Kahl, school custodian, is on hand during the painting sessions; school officials drop in from time to time. These include John Armstrong who is in charge of plant and buildings. He says the students, who have used 100 gallons of paint and performed about $5,000 worth of labor, are doing a top-grade job and saving the taxpayers money.

Acts of vandalism at Cambridge High had been increasing steadily. They reached a peak last year. This parallels a national trend.

School vandalism caused damage in the United States amounting to $200 million in 1967–1968. It costs Baltimore $716,602 and New York City $5 million.

Breaking schoolhouse windows is one of the biggest forms of vandalism. The Cambridge High custodian has replaced one steel framed louvered window four times, at $10 a pane.

Another form of student vandalism is stuffing chewing gum into the keyholes of door locks. The custodian at Cambridge High says students also jam small nails or bobby pins into the keyholes. Throwing soda bottles into toilet bowls hard enough to break is another form of youthful aberration. Prying locker doors open and pilfering them is also common.

A nationwide survey shows New York city's school glass breakage bill in 1968 was a million dollars, Philadelphia's $684,000 and Baltimore's $356,602. Among Maryland's 23 counties, Baltimore county spent $65,000 replacing broken windows, Hartford $11,810 and Washington $407. Dorchester's net cost for glass, above what insurance companies have paid and parents of caught culprits have been assessed, was $40 last year.

Although the net cost of damage to Dorchester's 26 school buildings last year was $275, claims for vandalism paid by insurance companies and reparations by parents amounted to much more.

On the basis of net damage reported in a survey made by Baltimore public schools to which 13 of the 23 Maryland counties responded, Dorchester had the lowest per capita damage—4 cents. Talbot county's bill for damages, with 2,000 fewer pupils, was 8 cents. Baltimore city's was $3.74.

To reduce school vandalism throughout the nation stringent methods are being employed. They include the use of unbreakable, plastic windows, floodlights on school grounds and electric alarm systems. Some schools have hired guards, many of them armed and patrolling with police dogs. Dorchester schools are using night watchmen. The Cambridge High School custodian lives on the premises.

Dorchester school officials, however, are hoping that the example set by the class of 1970 in declaring its sense of responsibility toward public property and student behavior will upset the grave, upward trend of school vandalism and misconduct.

A UNIQUE INSIGHT INTO LATIN AMERICAN PROBLEMS

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. MORSE. Mr. Speaker, a recent issue of the Saturday Review carried a most perceptive and timely article by Sol M. Linowitz entitled "Tinderbox in Latin America." Mr. Linowitz, who until recently was the U.S. Ambassador to the Organization of American States, has a unique insight into the problems of our Latin American neighbors, informed by years of intimate involvement with them. Especially at this time, when United States-Latin American relations are being closely reviewed in the Nixon administration, I think my colleagues will be most interested in Mr. Linowitz' comments.

I especially want to call attention to his statement that—

What it all boils down to is that we cannot help Latin America solve its economic problems with bargain-basement tactics. We cannot do it on the cheap. Rhetoric is fine in its place, and the ringing words of our regard for Latin America make for fine speeches. But without the financial commitment to back up the words we are in trouble in this hemisphere, and we had better make no mistake about it.

I cannot commend these sentiments too strongly and under unanimous consent, Mr. Speaker, I submit Mr. Linowitz' article for inclusion in the CONGRESSIONAL RECORD:

TINDERBOX IN LATIN AMERICA

(By Sol M. Linowitz[1])

For some time now it has become a tired Washington cliché to issue periodic pronouncements to the effect that United States relations with Latin America are in a state of crisis and we must, finally, do something about it. It would be difficult to find anyone, no matter how sparse his knowledge of the hemisphere, who would argue about the crisis half of the cliché. It is the latter part—"do something about it"—that causes all the trouble.

James Reston once observed that the American people will do anything for Latin America except read about it. The apathy is so widespread and endemic, however, that the usually reliable Mr. Reston may have overstated the case with regard to the American people's willingness to do anything for their hemispheric neighbors.

There is a paradox about the situation that contributes to making it one of the most perplexing among the many foreign policy problems that periodically plague Washington administrations, no matter what their political gender. Beginning with Franklin Roosevelt and his Good Neighbor Policy through John Kennedy and the Alliance for Progress, Lyndon Johnson and the summit meeting of American presidents, and now Richard Nixon and the Rockefeller Latin American study mission, no President, Democratic or Republican, in nearly two generations has denied the importance of Latin America, or has claimed it can be neglected or ignored.

Yet despite all the programs and official avowals of concern, who can find any sense of excitement about Latin America among the people of the United States? That does not mean we do not get worked up over a Castro, a Cuban missile crisis, a Dominican Republic crisis, an oil company expropriation, a fishing boat seizure. Or that we are not shocked when the visit of a Governor Rockefeller, who is rightly regarded as a friend of Latin America, touches off nasty demonstrations.

That is the heart of the paradox for the emotions are genuine and the concern is real. Yet when the crisis of the moment is over emotion subsides and concern is shrugged off and once again we turn our attention to another part of the world—until some new Latin explosion such as the El Salvador-Honduran clash reluctantly drags it back again to our own hemisphere.

To suggest that this lack of public interest is directly responsible for the state of affairs in Latin America would be less than accurate. Surely it is not responsible for the nagging economic underdevelopment that grips the continent and its 240 million people—240 million who will be 600 million before the century is out and if circumstances continue as they are, many times poorer.

The other side of the coin, however, is that our public disinterest sharply points up the inescapable fact that there is no real Latin American constituency in the United States—a political nuance that the Congress has not failed to notice.

Last year, for example, we disappointed the people of Latin America with cuts in our appropriation for the Alliance for Progress—cuts that made it the lowest since that vital program was launched in 1961: $336-million against some $500-million in 1966 and $460-million the following year. This year President Nixon has proposed an appropriation of $603-million, and already we are beginning to hear the sound of chopping on Capitol Hill.

Obviously, it is far from the intent of Congress to do anything that would slow the rhythm of development in Latin America, for that could only weaken the constructive forces of peaceful change and give impetus to those who believe in violence as the way to alter the status quo. But cutting our share of the alliance appropriation has this precise effect, whether that is the intent or not, and the United States cannot evade responsibility.

What it all boils down to is that we cannot help Latin America solve its economic problems with bargain-basement tactics. We cannot do it on the cheap. Rhetoric is fine in its place, and the ringing words of our regard for Latin America make for fine speeches. But without the financial commitment to back up the words we are in trouble in this hemisphere, and we had better make no mistake about it.

Too often in our relations with Latin America over the years we in the United States have not done as we said, nor have we always said clearly just what it is we would do. Our promises, moreover, have not always withstood the test of time or pressure. The people of Latin America have good reason to be confused about how seriously we regard them and their problems and, based on past experience, even better reason to have skepticism with regard to the credibility and continuity of the commitments we make to them.

There should be no doubt that this uncertainty in Latin America is a contributory factor in the repeated demonstrations of anti-U.S. sentiments that crop up with disturbing frequency, or that it is a potent weapon in the hands of those who relish the notion of a fragmented Western Hemisphere, with the South being played off against the North. Nor can there be any question that the time is long past for Washington to undertake a credible commitment to the republics of Latin America that will resolve

[1] Sol M. Linowitz, former United States Ambassador to the Organization of American States, is presently practicing law in New York and Washington, D.C.

the doubts that now give rise to such uncertainty and even to fear.

President Johnson, following the summit meeting of American presidents at Punta del Este in 1967, went a long way toward extending such a commitment when he said, "We will persevere. There is no time limit on our commitment." But realistically speaking, the words he spoke did not have the force of law or of a treaty—a fact Congress made all the more evident when it cut the alliance funds last year. And with a change of Administration, accompanied by all the uncertainty that such a change brings with it, the Latins are still wondering how far we will go, and to what extent we will persevere.

It was not, I am sure, President Nixon's intent to add to this uncertainty when, a few months after taking office, he addressed the Organization of American States and strongly criticized the alliance for all that it had left undone. Even the dispatch of Governor Rockefeller on his fact-finding mission, rather than help assuage fears that Washington was contemplating a major change in its Latin American policy, only intensified the uncomfortable feeling that, once again, things were up in the air.

Inevitably, there will be much of value in what Governor Rockefeller will be reporting to the President, but the point cannot be overstressed that we need, above all, patience, perspective, and the determination to see the job through. Latin America should not be an issue for domestic party politics. Quite the contrary, it offers what is perhaps the most inviting area for constructive and imaginative bipartisan foreign policy cooperation.

It is the kind of cooperation that must look beyond the immediate horizon and focus on another far off, one still shrouded in clouds of uncertainty. For no matter what we do, no matter how firm our commitments, no matter what funds we appropriate to help the people of Latin America to build and to develop their continent, no matter what our trade policies, we cannot guarantee the future; we cannot say that if we do this Latin America will be an unwavering ally and firm friend of the United States, that it will offer us a vast commercial market for our goods. No one—politician, economist, or seer—can offer any such guarantee. And even if he could, it would be a poor motivation for the kind of effort that must be undertaken for the remainder of this century.

Latin America is not for sale to the highest bidder, and if we gear our programs with the idea that it is, we are in for a sad awakening—an awakening that, as recent events demonstrate, has already begun. What we must understand is that change in Latin America is inevitable. The only question remaining is whether it is to be a violent change or a relatively peaceful one, and obviously, therefore, our own best interests would dictate that we aid those forces seeking to build and to strengthen economic and political democracy in Latin America.

If they should fail, the change that is bound to follow can only be one of violence. All the explosive ingredients are present. For in Latin America, even as in the United States, we cannot expect people denied hope and dignity to sit patiently while life and the world pass them by.

The point has been made that if Latin American governments do not pass badly needed economic and social reforms they deserve to fall. And it has been argued too that perhaps some violence may be necessary to convince the oligarchies and military governments that desperate conditions beget desperate actions. To some extent it is difficult to answer those arguments. It is all too true that in too many cases Latin governments are not doing all they should and all they could to cope with the underlying causes of economic and social underdevelopment, nor are they doing enough of what must be done to promote the growth of representative government responsive to the will of the people. These facts are all too glaring to be swept under the rug, and we should recognize them for what they are—part of the reality of Latin America today.

What all this points up is the truism evident wherever people are struggling to be free—economically, socially, and politically: Time is not on the side of those who would shelter the status quo. Those who would see democracy and freedom fulfill their destiny have the responsibility of seeing to it that the vicious circle of poverty, sickness, and illiteracy is broken once and for all. People within its orbit live outside the mainstream of society and really play no part in shaping their nation's policies; because they are not part of the democratic process, they have little stake in it.

Clearly we must do all we can to encourage the growth of orderly, democratic procedures sensitive to the needs of the people they are designed to serve. But we can not and must not elbow our way into another country's system, telling it how it should manage its affairs, as if we had all the answers. We haven't, as the problems before us of putting our own house in order aptly testify.

What we can do, however—and what we have not done with any real consistency—is to make clear our firm commitment to representative government and to the growth of political democracy in this hemisphere. Such a policy will enable us to develop special friendships with Latin America's men of vision, with the men who know that peaceful social progress is endangered by any entrenchment of the privileged few.

Today the despair that exists in much of Latin America provides the climate in which a Batista or a Castro flourishes best, or in which a despotism of the right can provide the foundation for a dictatorship of the left. Or vice versa. It is a situation that only underscores the urgency of continuing the partnership launched eight years ago this month when President Kennedy, following a Latin-inspired initiative known as "Operation Pan-America," pledged the support of the United States to the Alliance for Progress.

The alliance was a magnificent concept, with goals and aspirations to match its grandeur. If it can be faulted in hindsight, it would be for assuming that the job could be done in ten years. That, and setting an annual growth-rate goal without recognizing that the birth rate was shooting up at a pace that far exceeded Latin America's growth-rate capabilities.

But who can argue that any program of the scope and reach of the alliance—a program designed to bring about the upheaval of the Latin American continent and build a healthy, vibrant, economically secure, and politically sound inter-American community—must not set its sights high, and that it must not keep them there? Surely not the people who live without amenities of civilization, or without hope of a better tomorrow. For they can attain that tomorrow only if there is no compromise in the fight to attain the goals the alliance so eloquently set forth—goals for better housing, education, health, tax and land reforms, a revitalized and modernized industry and agriculture, and an integrated continent-wide economy.

Yet the yearly per capita growth rate still is well behind the Punta del Este goal of 2.5 per cent. The birth rate soars. Fifty per cent of the people are illiterate. The cities are clogged with workless *campesinos*. Tight protective tariffs protect inefficient monopolies. Feudalism persists in the countryside, and the people there go hungry or move away.

If it was a mistake then to hope that this could be changed in ten years, it would be catastrophic now to turn our backs on what has been done. True, economic sufficiency remains a distant goal, but for the first time a way has been charted out of the Latin American jungle of underdevelopment.

The statistics add up to an impressive total, particularly in an area of the world that has never experienced such concentrated doses of progress. But no statistic can possibly convey the meaning of a new road that slices through an Amazon jungle and links up a hitherto isolated village with the heartland of its country. Nor can it convey the significance of a new classroom opened for children in the plateaus of the Andes or in the *barrios* of the cities; of a *campesino* who now works his own farm; of water supplies made potable; of infant mortality rates reduced; of a family able to quit the sordid life of the slums for a new start in a new apartment.

And with all the statistics totaled up, it is clear that the alliance has devoted more of its resources to investments in the social areas, particularly education and health services, than in any other sector.

The actual rate of Latin American development, therefore, is higher than the economic growth charts indicate simply because social investment is not reflected in Latin America's gross product. But the direct effort to speed up the processes of education and social welfare is the surest guarantee that an obsolete social order will be peacefully transformed, as in Japan or Britain, rather than explosively altered via the violent, revolutionary routes of eighteenth-century France or twentieth-century Russia.

What must be understood above all about the alliance—and perhaps the most misunderstood feature, even among a number of our own key government officials—is that it is not a bilateral American aid program, but rather a cooperative self-help program, to be carried out primarily by the people of Latin America. The United States is one partner in this program, of which 90 per cent is financed by the countries of Latin America. The alliance is not ours to manipulate, and the amount we appropriate, therefore, is no handout, but a hand of help extended in friendship. Congress must not forget this when considering how much we can afford to appropriate for our share of the effort.

When all is said and done, and with all that remains undone, there is no escape from the conclusion that eight years ago the alliance launched a truly creative, regenerative development program. But it was, and is, only the first step in a long journey. In our inter-American relations, we need most of all a sense of propriety, a sense of time, a sense of scale, and a sense of destiny.

As for propriety, Americans may find wry amusement in cartoons that depict the stereotyped Latin American—the sleepy, guitar-playing, sombrero-wearing, not too ambitious but pleasant fellow. But the stereotyped North American—the Yankee with the dollar sign for a heart—is hardly the object for smiles in Latin America. The truth, of course, is that neither stereotype is valid today, if it ever was.

The people of Latin America are a combination of some of the wealthiest cultures our civilization has known. Its young people, with their passion for country and their zeal for the future, are restless and prone to impatience. They are skeptical of our aims and so are more willing to blame us for their problems than to understand the difficulties in solving them. Yet these are the people with the mystique and the vision of grandeur who can spark the enthusiasm and loyalties of their countrymen. These are the people who are so anxiously searching for a revolution of social justice—the very people we must convince that we want to work with them because our continued partnership is essential to the future of freedom. In so doing, anti-Communism as such will not get

us very far. It is not a powerful argument for the average citizen who is steeped in a personal struggle to keep his head above water.

A student at the University of Chile once summed it up when he told me: "The United States is constantly talking about the value of political democracy. We agree that it is essential, but we also feel you would accomplish far more if you said less about political democracy and put more of your weight behind the concept of economic democracy."

What he was saying is that city slum dwellers denied hope and illiterate rural Indians denied even a glimpse of the twentieth century neither comprehend the meaning of political democracy nor offer any foundation to sustain or to nurture it. They will either remain mute or give their sullen support to the demagogue or "leader" who elbows his way through the masses offering them protection and food. These are the staple commodities they want and need, and no promise of a better life made possible by democracy can vie with them. As former Senator Paul Douglas once said, "When you offer a starving man a choice between the Four Freedoms and four sandwiches, he always chooses the four sandwiches."

When, however, attention is given to questions of basic order, when roads and streets are made safe, when food, clothing, and shelter are made available, when attention is given to living conditions, when the masses discover they can rear, educate, and marry off their children and leave them an opportunity for a better life, political democracy becomes not only possible, but imperative. For as living standards rise, democracy becomes the only political system through which that better life can be sustained and advanced. And this is to the mutual benefit of all the Americas.

As for time, no nation has fully modernized itself in less than sixty years. The United States took much longer. In eight years Latin America, despite false starts and frustrated hopes, has made more progress than we had any right to expect. Realistically, however, it would be unwise to think in terms of less than thirty years for full-scale modernization of the continent. After eight years the alliance must, therefore, be regarded as in its infancy. Any other view does injustice to Latin America.

And this leads to the need for a sense of scale in our relations with Latin Americans, including a sense of proportion in both the United States and Latin America. We must look at our hemisphere with a new eye of understanding, one that recognizes its importance to the future peace of the world. We cannot take Latin America for granted, believing it will be there when we need it. We need it now no less—and perhaps more—than it needs us, for what happens there in the closing years of this century may well shape the coming years of the next century.

As for Latin Americans, it is time for them to recognize that the United States is not the wielder of the big stick of the 1900s, that we mean what we say about wanting to work with them, that our commitment is to an inter-American community of equal states. In short, they must turn away from memories of the past and turn instead to our mutual hopes for the future.

We talk of destiny, of partnership, of shared hopes and efforts toward hemispheric unity. But what does that destiny look like if our hemisphere ends up half suburb and half slum? Is this the limit we set to the creative, working partnership the American presidents established at Punta del Este to meet the increasing needs of today's "revolution of rising expectations"?

Surely our destiny is more in keeping with the brave new world we have always sought to build. Surely it is more in keeping with our faith that the dream of Simón Bolívar will flourish at last, like the dreams of our own founding fathers—that this hemisphere will grow in prosperity and confidence into a model of how states, with all their diversity of cultures and differences of gifts, can work together to improve and enrich and ennoble their common life.

We shall not do this with cold, lifeless graphs and charts. We shall not do this with Congressional cuts. We shall not do this between today and tomorrow. But with time and with resources, and with the republics of the Americas all working together, it can be done.

SOMETHING TO REMEMBER US BY

HON. DEL CLAWSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. DEL CLAWSON. Mr. Speaker, at a meeting in my congressional district during the recess, at a gathering which I had been invited to address, an introduction was prepared by one of the members of the organization. He presents in rhyme a comprehensive catalog of questions and issues which are on the minds of the folks at home. Under leave to extend by remarks in the Extensions of Remarks of the RECORD, I would like to include this poetic quiz for the information of my colleagues in the House. The poem follows:

SOMETHING TO REMEMBER US BY

(By Bob Compton)

Even though we may only see you once a year.
It's a real pleasure, Del, to have you here.
We look forward to your legislative report;
The bills you oppose and the bills you support.
On national government you keep us up to date,
It is sort of a preview of our fate.
But please excuse us if we don't seem like scholars;
Our minds aren't geared to billions of dollars.
Tell us what's new on the Washington scene;
The ins and outs of the political machine.
What progress was made in sixty-nine?
In nineteen seventy can we hold the line?
Will we have pulled out of Vietnam,
Or will we employ a nuclear bomb?
Is Russia now considered friend or foe?
What can we expect from Chi Minh Ho?
(Poetic license)
What is your opinion of medicare?
Will schools be entitled to hear a prayer?
Now that we've landed on the moon,
Is Mars next or is it much too soon?
Is President Nixon on his way to fame?
By the way, what's the Vice President's name?
Are we concerned that they devalued the franc?
For higher taxes who do we thank?
Is there any money in the Social Security till?
Do you feel that Ted Kennedy is over the hill?
Will the United Nations get the sack,
Or be saved by Shirley Temple Black?
How long will J. Edgar Hoover maintain his thunder?
Will the Supreme Court never cease to blunder?
Will the Dow Jones average continue to fall?
What is the answer to the West German wall?
Will adults under twenty one be allowed to vote?
What is the latest Jim Garrison quote?
What is your opinion of the Warren Report?
How many foreign countries do we support?
What's going to happen to postal rates?
What are you doing about conglomerates?
Will violence and riots rock our land?
Is our welfare program out of hand?
Will the prime rate be going up or down?
Can urban renewal help our town?
How can dope peddling be turned away?
Are hippies really here to stay?
Can you board a plane for Savannah, without fear of ending up in Havana?
How can auto traffic be abated?
Will all our schools be integrated?
Are we beginning to feel a slight recession or is that a nice word for depression?
Will teachers teach or join the insurrection?
Can those who need it get protection?
Does President Nixon also have a dog?
What are you doing to eliminate smog?
Will unions continue to have such power?
Are they going to tear down the Eiffel Tower?
What is the size of our national debt?
Is there any way it can ever be met?
What are you doing about over population?
How are you going to stop inflation?
How many crops will be plowed under?
How many flags will be torn asunder?
Will the Pueblo incident be repeated?
Is Korea again getting overheated?
Can the world expect famine or feast?
How explosive is the Middle East?
Will the cost of living continue to rise?
Can the Cosa Nostra be cut down to size?
Will the astronauts be allowed to pray?
Is oil depletion here to stay?
Is our news media giving us factual data, or are flying saucers from another strata?
Is the Truth in Lending a committee's notion, or a product of some witch's potion?
These points we hope can be clarified; which are but rumors, which are verified?
So give us the facts, Del, not just fiction, you're not the type to use restriction.
But setting aside these problems if we may,
We have a special wish for you today.
To us this is a meaningful date, and we would like to help you celebrate—
Your birthday and we don't care which one.
We just want to wish you health and fun.
Come back next year, older but wiser too, with this schedule of things we've given you.
Of course if you've solved the problems by that time,
We'll find another way to end the rhyme.
But if you haven't, then please believe us, Del,
Like true constituents, we'll give you hell!

ERNEST PETINAUD HONORED

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. TIERNAN. Mr. Speaker, it has recently been brought to my attention that our distinguished friend—Mr. Ernest S. Petinaud—was the recipient of a great honor. He has been recommended by the imperial potentate of the Ancient Egyptian Arabic Order, Nobles Mystic Shrine of North and South America and its Jurisdictions, Inc., for the degree of honorary past imperial potentate. Ernie will receive this honor at the Imperial

Council Convention and sessions to be held in Boston next August.

Ernie's presence in the halls of the Capitol has become part of this building's tradition. His abilities, recognized by all of us here in the House, are far exceeded by his warmth as a man.

I was pleased to learn of this award to Ernie and I am sure all of my colleagues join me in congratulating a great American—Ernest S. Petinaud.

NIXON BACKS UP ON TAX EQUITY

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. VANIK. Mr. Speaker, I would like to call the attention of the House to an article which appeared in the Washington Post, Sunday, September 7, 1969, by Hobart Rowen entitled, "Nixon Backs Up on Tax Equity." The article is an excellent analysis of the way the administration has broken its promise to the American public.

As Mr. Rowen points out the Nixon "tax reform" proposals are a clear indication that "lobbyists for Wall Street, the Nation's corporate hierarchy, have all earned a good raise." "And lobbyists for average-income persons apparently are nonexistent."

The Nixon proposals remove $2.5 billion of tax relief from the middle income Americans—the forgotten Americans—and gives $1.6 billion to business.

The articles continues:

In reality, the rate reduction (for business) will amount to much more than the $1.6 billion cited by the Treasury, which does not take into account the probable growth of the economy.

Said one expert:

There's no discernible philosophy in the Treasury bill. They didn't move in the first place until the Ways and Means Committee built a fire under them. Now, they still seem to be reacting instead of providing the kind of leadership you expect from a Department of the Treasury.

Mr. Rowens analysis is as follows:

NIXON BACKS UP ON TAX EQUITY

(By Hobart Rowen)

Lobbyists for Wall Street, the nation's corporate hierarchy, the big foundations and the educational establishments have all earned a good raise.

Those working for the oil industry have earned their pay, but no salary boosts.

Lobbyists representing real estate interests have probably lost their jobs.

And lobbyists for average-income persons apparently are nonexistent.

These are the conclusions being drawn by sophisticated tax experts in the nation's capital, examining the Nixon Administration's reform recommendations. Their general conclusion is that the administration has taken a distinct step backward, over all, from a halting effort toward tax equity in the House Ways and Means Committee bill.

"The Nixon administration has been willing to bend where it has been pushed," said one tax lawyer yesterday.

As analyzed here, the Treasury's most serious rejection of the principle of tax equality is in its recommended changes in the capital gains area.

The House bill had contained a modest proposal, increasing the holding period for long-term capital gains to one year from six months, and eliminating the existing 25 per cent tax ceiling. It did nothing to tackle the problem of gains that escape taxation at death.

In fact, out of an estimated $8.5 billion annually lost by the Treasury through the capital gains preference rules, the House was going to pick up only $635 million.

But instead of approving the House provision as a good initial step to be followed by further plugging of the capital gains loophole, the Treasury went the other way. It recommended keeping the six-month definition of long-term gains, and except for some special circumstances, proposed keeping the 25 per cent maximum tax limit on capital gains. Loss, compared with the House bill: $210 million. Score a big one for the Wall Street lobby, which sold Treasury on the idea that "capital investments would tend to be frozen" by the House provisions.

On top of this, Mr. Nixon introduced something brand new: a tax reduction of two points in the corporate rate that would cost $1.6 billion a year. This gives back to business about half of the money taken away through repeal of the investment tax credit. (In reality, the rate reduction will amount to much more than the $1.6 billion cited by the Treasury, which does not take into account the probable growth of the economy. None of the estimates for any of the bill's gains or losses takes economic growth into consideration. Over-all revenue losses will tend to be much larger than those cited officially). Score the corporate rate cut for Big Business lobbyists.

In terms of individuals, the Treasury proposed changes that it claims would concentrate tax reform benefits in the lowest income brackets. But there is some dispute among the experts on just how the Treasury plan would actually compare with the House proposal in the lower brackets. It is clear, however, that the Treasury proposal would shift tax relief within the middle-income brackets. It would tend to diminish the advantages given home owners in the House bill, by reducing the standard deduction ceiling to $1,400 instead of $2,000 as in the House bill. The Treasury would also repeal the personal deduction now allowed for state gasoline taxes (a $10 or $15 item for most taxpayers). Over all, the Treasury would trim back individual tax relief by $2.5 billion, compared with the House bill. Score card: consumer tax lobby needed.

On the delicate issue of taxation of interest on bonds issued by state and local governments (now free), the Nixon Administration retreated completely. The House would have included this tax-free interest in the calculation of a 50 per cent minimum tax. But the Treasury would allow individuals to continue to accumulate huge amounts of wealth, tax-free, by this loophole. Worst of all, the Treasury hid behind the notion of the "constitutionality" of taxing municipal bond interest, a question that the legal fraternity agrees was put to rest more than 25 years ago. Chalk the victory for this one up to the Mayors' lobby and Vice President Agnew.

Perhaps the most complicated area of tax reform proposals relates to the oil industry, and here the administration went further than expected in some areas—but responded to oil industry pressures in others.

It went along with the House recommendation for reducing the depletion allowance from 27.5 per cent to 20 per cent. Moreover, it proposed including excess depletion in the minimum tax calculation, as well as in the Allocation of Deductions Rules.

But the Treasury supported a version of a special provision (intangible drilling costs) that permits oil operators to deduct exploration costs in the year paid out, rather than spreading such costs (really capital outlays) over a period of years as is required in other industries.

The Treasury would make it tougher for those not primarily engaged in the oil business to profit from the very specialized set of provisions. But tax lawyers say that anyone in the oil business will still be able to write-off much, possibly all of his income against allowable intangible drilling costs. Score a halfway victory for the oil lobby.

The real estate lobby, which has been riding high, wide and handsome for years, profiting from accelerated amortization provisions, was hit hard by the House bill, which removes special double depreciation provisions (except for new housing). The Treasury goes even farther by adding to both the LTP (minimum tax) and the allocation of deduction rule (ADR) provisions the excess of interest, taxes, and rent from unimproved property during the period of construction. It also would reach out and grab under LTP and ADR accelerated depreciation on leased personal property (this latter would affect such things as bank lease-backs of aircraft to airlines. Scoreboard: new lobbyists needed by the real estate crowd.

The foundations and the universities did well. Instead of facing a 7½ percent tax, the foundations would be clipped by the Treasury only for a 2 percent "supervisory" tax.

This tax would be kept out of general revenues, and be related, at least in theory, to Internal Revenue's administrative costs. If the idea is accepted, it would rule out in a practical sense any big future boosts in the tax rate on foundation income. The universities and other institutions got theirs by persuading the Treasury to back a softened provision on taxation on the increased value of gifts to such institutions. Score a plus for the egghead type lobbyist.

The Treasury was alternately tough and weak in many other areas too numerous to detail. For example, it improved on the House's farm "lobby" loss provision, but for no accountable reason, it caved in on closing a co-operative tax loophole.

It held firm on the House proposal to make "restricted stock plans" for executives less attractive, but waffled on the question of deferred compensation. The House suggested a minimum tax on deferred compensation payments exceeding $10,000. The Treasury argues for deletion of this provision pending a study of the tax treatment of all deferred compensation, including amounts paid under profit-sharing and pension plans.

"There's no discernible philosophy in the Treasury bill," said one expert. "They didn't move in the first place until the Ways and Means Committee built a fire under them. Now, they still seem to be reacting instead of providing the kind of leadership you expect from a Department of the Treasury."

PRESIDENT NIXON REITERATES SUPPORT OF POSTAL REFORM

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. CUNNINGHAM. Mr. Speaker, President Nixon on September 2 reiterated his support of postal reform, stressing the importance of its early passage.

President Nixon stated that the setting up of a Government corporation to re-

place the present system is one of the top priority measures of his administration.

I am indeed proud to have introduced the administration's postal reform bill. I believe, as does the President, that it will provide what this country deserves—fast, efficient, postal service.

Mr. Speaker, I commend to my colleagues the President's remarks of September 2 and those of Postmaster General Winton M. Blount, the Honorable Lawrence F. O'Brien, and the Honorable Thruston Morton in a press conference which followed:

REMARKS OF THE PRESIDENT ON POSTAL REFORM

Ladies and Gentlemen: I am flanked today by a bipartisan group which is gathered together for what I consider to be one of the top priority measures of this Administration.

Several months ago you will recall my meeting with the press in Washington, along with Postmaster General Blount, and indicating the complete support of this Administration for postal reform, the setting up of a Government corporation in place of the present system.

Within the next two weeks a major decision will be made in the House of Representatives by the Post Office and Civil Service Committee with regard to the bill which will be reported to the House. This will be the first round in a very big battle as to whether we are to continue a system which has proved that it is inefficient, inadequate to meet the tremendous responsibilities that we have today, or whether we are to have a new system that will give this country what it deserves—fast, efficient postal service.

This is a bipartisan measure, bipartisan in the sense that it was first recommended by President Johnson, and as indicated today, it is supported not only by the Administration and the Postmaster General, but by two former Chairmen of the National Committees, the former Democratic National Chairman, Mr. O'Brien, and the former Republican National Chairman, Senator Morton.

Mr. O'Brien, I should say, has had the position Mr. Blount has as Postmaster General, and is enthusiastically for this legislation.

I simply want to say in conclusion, before they submit to your questions, that I believe that postal reform is high on the list of those items which I indicated in my speech last night needs a new approach, an approach that will be adequate to the Seventies.

Our present postal system is obsolete; it has broken down; it is not what it ought to be for a nation of 200 million people, and a nation that will be 300 million within 30 years, and now is the time to act. We are very happy to have the bipartisan support that we have, as indicated by this meeting this morning.

The Postmaster General will take over, and all three will answer questions—either on the post office or politically.

PRESS CONFERENCE OF POSTMASTER GENERAL WINTON M. BLOUNT, THE HONORABLE LAWRENCE F. O'BRIEN, AND THE HONORABLE THRUSTON MORTON

Postmaster General BLOUNT. Ladies and Gentlemen: If you have any questions, we will be delighted to answer them.

Q. General Blount, where do you expect the opposition to come on the postal reorganization plan?

Postmaster General BLOUNT. There have been intensive hearings in the House during this summer. They have concluded those hearings. There was some opposition from the postal unions and some opposition on some of the other small parts of this legislation. But the legislation itself stood the test of the challenge in the committee hearings and we are very optimistic that we are going to get this bill out of committee and passed this year.

Q. General Blount, on the political side of the proposal, now that the hearings have concluded in the House, can you gauge for us the amount of opposition you received because of the potential loss of political patronage.

Postmaster General BLOUNT. I don't really think that has been very significant. I think that when we introduced this legislation that it was generally said that we did not have three votes on the committee. We feel that it is also widely acknowledged at the present time that we have about an even split on the committee.

I think that represents a great deal of progress. I think, again, it represents the fact that this legislation has stood up under the challenge that the committee hearings have given it.

Q. Do you think it will come out pretty much intact the way the Administration recommends it?

Postmaster General BLOUNT. There may be some changes, but I hope not substantive changes.

Q. What do you regard as the most important reform that will take place?

Postmaster General BLOUNT. Well, I think the most important thing about this legislation is that it centralizes management in one place. Now we have a fragmented management. The Congress sets the basic policy decisions, the prices for postal service, and they set the cost in that 80 percent of our costs are wages.

So they, in fact, control some of the major policy decisions of this operation. They set the investment policy by how much we are able to invest in capital facilities and mechanization.

So this legislation centralizes these management decisions in the management of the Post Office Department and then for the first time you will be able to hold a Postmaster General responsible for managing this department.

Q. Is there much opposition in Congress to losing this power?

Postmaster General BLOUNT. I think, again, as I have stated on a number of occasions, that this is pretty comprehensive legislation. It is really the first time that you are talking about taking a Cabinet Department and removing it from Cabinet status.

We have 300 million customers. People should examine this legislation. The Congress should examine it. We have 750,000 employees who need to examine it. This is what has been going on since our legislation was introduced.

I think as I have said earlier, we have made great progress in talking to the Members of Congress about this legislation.

Q. What was the reason for the meeting today with the President?

Postmaster General BLOUNT. The principal reason for the meeting was to receive from Mr. O'Brien and Senator Morton a report on their activities of the Bipartisan Citizens Committee that is supporting this legislation. The President and I were both delighted to hear of the things that they have been doing and we have been working with them in trying to support this legislation.

Q. What did you tell the President, Mr. O'Brien?

Mr. O'BRIEN. In general terms, the Senator and I reported to the President that we felt some significant progress was being made toward this legislation. Now we all realize it takes sometimes, an inordinate period of time to legislate in important areas.

But from the time that I first made the suggestion and the Kappel Commission reported, I think that the education program that we are engaged in has been beneficial. I can't recall a similar situation—I tried to think back over a number of years—where you have President's from the opposite parties and party officials from both parties united in a common cause.

You will recall that President Johnson supports this legislation and President Nixon, of course, has proposed it in his message. Postmaster General Blount has been carrying the ball on the Hill for it and we have been trying, as citizens of this nation, for the continuing interest in this area, to do what we can to be helpful.

Q. Mr. Blount, is the opposition from the postal union because of fear of job loss or loss of seniority, is that the basis?

Postmaster General BLOUNT. I think the basis for most of the opposition, really, is that this is change. Everybody in dealing with change has some reluctance to come to grips with it. I think that the postal unions have been very diligent in their efforts to understand this legislation. I have personally had a number of meetings with them to talk about it. I hope that they will ultimately come to the position of supporting this legislation.

Q. What is the deficit—predicted deficit—for the current fiscal year, and if this legislation is not enacted, what would be the perspective deficit for fiscal 1971?

Postmaster General BLOUNT. The perspective deficit is $1.3 billion.

Q. That is this current year?

Postmaster General BLOUNT. That is right. Now, we don't think that this legislation is going to turn this department around overnight. It is going to take time. This is a department that has not had the opportunity to be managed for decades. So we provide in our legislation a transition period of five years for this corporation to break even.

Q. When will the next postal rate increase go into effect, in your opinion?

Postmaster General BLOUNT. Well, we proposed it four months ago and the Congress has not acted on it yet. That is one of the things about this legislation. We need to be more responsive to the conditions affecting the Post Office Department. I could not forecast when this would be enacted by the Congress.

Q. Are you still asking for a one cent increase in first class mail?

Postmaster General BLOUNT. That is right.

Q. Senator Morton, when General Blount first went forward with his idea of reorganization there were both public and anonymous statements of opposition in the Senate, rather strong statements, as General Blount probably recalls.

What can you tell us today about the chances of this bill in the Senate itself?

Senator MORTON. I would be more optimistic about the Senate than I would be about the House, frankly. I am optimistic about the House. The Senate has not had a word of hearing, nothing has been done. I have not attempted to nose count in the Senate. I have not discussed this with many Senators in detail.

The time I have spent on it I have been trying to work with the House, especially the House committee, giving my support, obviously, and my reasons for being for this.

Many years ago, longer than I care to remember, I served on that committee. There is only one person still on the Committee who was there at that time. But these are people on both sides of the aisle that I respect greatly.

Q. Will this bipartisan effort continue?

Mr. O'BRIEN. This bipartisan effort might continue forever.

Senator MORTON. This question of the Congress, I can speak to this question about the patronage that has been brought up here several times, as one who spent a good many years in the Congress. You are always going to give lip service to the postal organizations. They are right effective politically,

frankly. But most members of the Congress, down in their hearts, would like to get rid of this headache. Because, when you make a man postmaster in "Chittlin Switch" you lose ten family votes, and "Chittlin Switch" might not have but ten families.

The workers of the Post Office Department, I think 65 percent, retire in the jobs in which they started. After 30 or 40 years of service, if he started as a letter carrier, he went up in grade, yes, his compensation was increased, and longevity, but I don't know of any big corporations today that have that sort of record.

I think the men and women in the postal service will have a far greater opportunity to develop their own talents, to advance to positions of responsibility under an organization set up such as is envisaged in this proposal.

Mr. O'BRIEN. I just want to add a note to the Senator's comment. I think this has been overlooked to some considerable extent in the proposal. The opportunity for the employees to, in a true career sense, to move ahead in the service would be built into a government corporation is nonexistent almost totally at the moment. That depresses me more than any other aspect in my experience.

Q. How about the big users, are they pretty much behind this, the big mail users and businessmen?

Mr. O'BRIEN. Some of those who would formerly be opposed, perhaps, to some aspects of this have come forward, recognizing that this can significantly alter their rate, and that is what I guess you are talking about, Hugh. But I think they have been men of good will and many of them have come forward and surprisingly helped us in that effort. Perhaps Red could add to that, but that is my observation.

Postmaster General BLOUNT. They take the position that the mail service is vital to them and they recognize the fact that if something is not done in a few years we may well be in chaos in this postal system.

So in its own self-interest, in recognizing in the short run it may be to their disadvantage, in the long run it is to everybody's interest that postal reform be brought in. I think it is just that simple.

FREEDOM BECOMES ILLEGAL—ONE RESULT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. RARICK. Mr. Speaker, the destruction of the Amite High School in my district Friday night was a tragic and regrettable incident.

I join with the community and the school alumni who have worked so hard to build and maintain the school as an educational center in this their loss.

Yet, this incident and in fact the tension and chaos which continues to exist in my district was not only foreseeable but apparently was a desired effect by some of the unelected bureaucrats and judicrats in the North who talk and teach that violence is necessary to bring about progress.

It can only be a sick mind to see progress in a burnedout schoolhouse. But the school was made of brick, wood, and mortar. It can be rebuilt. The far more serious loss is destruction of the public education system and with it the future of the human family—a loss that is irreplaceable.

What flimsy excuse can social mechanics, HEW, and Federal judges offer parents and taxpayers—those who built and paid for the schools only to have them confiscated and some now physically destroyed?

The conflagration which consumed the Amite High School was ignited in 1954 by Earl Warren and his liberal leftwing northern friends just as surely as if they had set the blaze.

Let us put the blame and cause where it belongs and not with the people.

Every hypocritical northern liberal, every apathetic northern moderate should recognize their guilt and their role in this loss to my people.

Punishing my people with smears and name-calling, more force laws, compliance threats, and court orders will not reach the cause nor mitigate the undesired effect.

Responsible government authority must restore to the people their rightful freedoms under God otherwise we can anticipate that people who have known freedom will react to continued tyranny as free men have done throughout history.

I include a news clipping on the school fire and correspondence from a constituent following these remarks:

[From the Baton Rouge (La.) State Times, Sept. 6, 1969]

AMITE SCHOOL HIT BY BLAZE

AMITE.—Amite High School was completely gutted by a fire which burned through much of the night last night and was finally brought under control early this morning.

Tangipahoa Parish school officials and school board members were holding a special emergency meeting this morning in an attempt to work out a way to get the some 700 students who attended the school started in classes next week.

Officials refused to speculate on the cause of the blaze, or whether arson might be involved. They said state fire marshals and other law enforcement officials were investigating the cause of the fire this morning.

School Supt. Dewitt Sauls said this morning that the school was "completely burned out." The second floor of the building was destroyed, he said, and the lower floor was gutted. "Mostly, the walls are all that is left," Sauls said.

Amite Fire Department officials said the blaze was reported at about 10:40 p.m. yesterday by a group of students returning from a football game at Franklinton on a school bus.

The fire had a "good start" when firemen arrived, the fire department spokesman said.

The fire was brought under control and the last flames extinguished at about 7:30 a.m. today, he said. Firemen were still pouring water on the smoldering ruins at about 9 a.m.

The three units of the Amite Fire Department were assisted by units from Hammond, Roseland and Independence in fighting the blaze. The fire department spokesman said that had it not been for the assistance of these units, the fire could not have been controlled.

FOUR FIREMEN INJURED

Four firemen, three from Hammond and one from Amite, were carried to Lallie Kemp Memorial Hospital at Independence suffering from smoke inhalation and exhaustion during the night, the spokesman said. He said the four men were reported in good condition this morning.

Students returning from the football game carried books, trophies, desks and school records from the burning building until deputies forced them to stop because of the danger of the ceiling falling in on them.

The fire department spokesman said the blaze seemed to have started in the school auditorium, in the general area of the stage. The auditorium is near the center of the two-story brick building, constructed around 1927.

Supt. Sauls estimated this morning that it would take about a half million dollars to replace the school. He said that it was damaged beyond repair.

In the meantime, school officials must find some means to educate the some 700 students in grades 9–12 who attended the school. Sauls said the platooning of students from the school with those at another school was being considered, along with the possibility of obtaining sufficient portable classrooms to operate on a limited basis.

BOGALUSA, LA.,
August 6, 1969.

Re children's education.

HOUSE OF REPRESENTATIVES,
Washington, D.C.

To the Representatives of the United States of America:

I, as a citizen and a parent, would like to bring to your attention the problems that you have created as to the Education of Children in these United States. I not only mean the Children of the Southern Part of the United States, but the East, West, and Northern Areas. It is a disgrace that there have been so much confusion and interference when it comes to a child's education. It is not only the right of each parent according to the Laws of each State to send their children to school regardless of where they send them but also their privilege. If you are financially able to send them off to a private school, that may be to their benefit as well as yours. If you are not financially able, we have a public school system that is supported by the taxes collected from Property Taxes and Federal Grants. Please correct me here, if this is not correct that the Federal Grants are primarily the taxes paid by the citizens of this country. The property taxes paid are kept within the State and the Town School Board has jurisdiction as they are an elected body and will usually try to be fair to all in their community, so as to be retained on these Boards.

If you are wondering what I am implying, I would like to say this, that my childs education is my chief concern. I have two children, a daughter 13 years of age and a son 7 years of age. I have taught my children to respect young and old alike and I believe that they do this the very best for their ages. I have also taught them to be careful who they associate with as they wear their own Price Tax and that their Name is their Honor. I am not fanatical in any way, and I treat everyone as I would want to be treated. I have as many colored friends as I know and as many white friends as I know. I call all these people my friends, but I do not mix with all these people socially. The reason is that as long as I have life in my body I will be my own judge as to the kind of education that I want for my children and the people that I would like them to associate with. I believe and I know that I am not mistaken that this is just what everyone of you as representatives and as family men believe in too. This is what the constitution is and what it was written for: Our personal freedom. The Civil Rights law in itself gave the Colored People of these United States their Freedom of Choices. The more that is added to this the more that is taken from someone else.

I took my child out of a Private School because according to my way of thinking, she was not getting the kind of education

that I thought would carry her through her future. It may have been just Basic, but the Basics is what we have to start our future Adult Citizens with. I enrolled her in the Bogalusa Public School System as I felt she had qualified School Teachers and a Qualified Curriculum. That was my privilege and I did what I believed in and what I believed would benefit my child. I still feel like this and it is shameful to see Federal intervention in our Schools as to the placement and without "freedom of choice".

It is not the Constitution of these United States that have given these appointed judges this type of Authority but Federal Appointments. These are not elected men. They do not have to account to the people but only to personal friends. I believe that the Three (3) Branches of our Federal Government are to keep the Balance of Democracy. But if it comes to the Public to call for the election of the Judicial Branch of Government, I now see that the people of the United States will vote for not against these Elections.

I know that I have gone into more than I had started to say, but this is something that has been building for the past fifteen (15) years and if you will just stop using the people and their children as political footballs and start thinking about the majority and the benefits for them, I know that you will understand that; you have not done your duty as representatives for your country and constituents.

Cordially yours,

MARY ALICE SMITH.

UNITED NATIONS PEACEKEEPING FORCE—THE FIRST BRIGADE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. ROSENTHAL. Mr. Speaker, this country is withdrawing from a wasteful and tragic conflict in Vietnam with the resolve that alternative methods to American intervention must be found to keep the peace. In this search, I feel that our attention may profitably be focused on the United Nations. Some 11 years ago, Congress passed a concurrent resolution which urged that there should be developed procedures to "enable the United Nations promptly to employ suitable United Nations forces for such purposes as observation and patrol in situations that may threaten international peace and security"—House Concurrent Resolution 373, 85th Congress.

Now is the time, finally, to implement the provisions of this resolution. Consequently, I have today reintroduced a resolution providing for the establishment of a 1,000-man American unit to be on constant call for service with the United Nations. This force would serve as a symbol of American commitment to the peacekeeping efforts of the United Nations and to the ultimate creation of a permanent, individually recruited force for impartial peacekeeping duties.

International intervention serves several valuable ends which unilateral activity cannot. Among other benefits, the multilateral approach can help diffuse the immediate crisis and buy time; it can, through third party fact-finding and peace observatory, reduce factual uncertainty about the origin and initiation of the conflict. Perhaps most importantly, however, it reduces the risk of direct U.S. and U.S.S.R. confrontation, with its ominous dangers of escalation. Undoubtedly there will be instances, such as those covered by the individual and collective self-defense provisions of the U.N. Charter—article 51—where unilateral response will be required. But, even here, after the initial reaction has been made, a lengthy conflict might be avoided through the use of international agencies.

THE MIDEAST EXAMPLE

Such multilateral international action has, indeed, earned a respected place in the arsenal of weapons for world peacekeeping. In the Middle East, a 6,000-man U.N. emergency force maintained the armistice for almost 11 years before being withdrawn, significantly, on the eve of the 6-day war. United Nations intervention in the Congo, while hampered by the internal complications of the dispute, prevented the implantation of the cold war in Africa. The present peace on Cyprus stems largely from the activities of units from seven different countries stationed there. And most recently, the presence of San Salvadoran troops in Honduras was ended by the threat of OAS retribution.

But multilateral intervention has not been without difficulty. As the process emerged after the Suez crisis in 1956, it entailed the voluntary provision of troop units by U.N. member governments, dependence for logistic support on the larger powers, executive administration by the Secretary General, and unsatisfactory patterns of financing which, in recent years, have relied in large measure on voluntary contributions by U.N. members. The constant dependence on voluntary contributions of funds and military personnel has left the United Nations without the capacity to make the rapid responses which crisis situations demand. It has also meant that vast energies have had to be expended merely to garner support and that the costs of each operation have been borne disproportionately among the members.

A STANDBY BRIGADE

The provision, by each member state, of a standby brigade would eliminate these difficulties. Subject to General Assembly or Security Council action, these forces would mean the availability of ready troops and support completely financed by the donor country. Already such units exist in the armed forces of 10 of our allies, including Canada, Denmark, Italy, and the United Kingdom.

The time is particularly ripe for an initiative by the United States in this direction. Since 1964, the Soviet Union has voiced a willingness to consider the whole issue of a United Nations force under article 43 of the Charter. By scheduling a conference to discuss this matter and taking the first concrete step towards developing such force, the United States will appear in a highly favorable light. We will possibly regain some of our prestige as a promoter of world peace, a reputation somewhat eclipsed by our involvement in Vietnam.

What follows is part of a recent report of the United Nations Association of the United States of America. Included are the recommendations of that body's Policy Panel on Multilateral Alternatives to Unilateral Intervention, chaired by Kingman Brewster, Jr., president of Yale University, and having among its members Gen. Matthew B. Ridgway, former Army Chief of Staff, and Charles W. Yost, Ambassador to the United Nations:

RECOMMENDATION OF THE PANEL

The Panel believes the national security interests of the United States require a reassessment of the instruments on which we place principal reliance for international conflict control. To deter and avoid nuclear war it is essential that a strategic balance with the Soviet Union be maintained. It is also essential that we maintain our principal defense alliances. But to cope with the many conflict situations around the world, it is imperative, the Panel believes, that means be found, promptly, for a larger number of countries to share more fully the responsibility for international peacekeeping. It would be a mistake for the United States to continue carrying, or attempting to carry, so much of the responsibility alone.

There is likely in the future to be even greater political resistance, both domestic and international, to essentially unilateral efforts to keep the peace or to control "foreign" conflicts. This in itself is reason for the United States to give urgent priority to the development of other means of conflict control.

There is clearly at present no reliable multilateral approach to the control of international conflicts. The United Nations operations in the Middle East, in the Congo and in Cyprus have not been quick, clean and assured of success. But the Panel believes that the growing convergence of U.S. and Soviet national interests in avoiding a nuclear war, and in preventing the escalation of small conflicts into superpower confrontation, now justifies new efforts to strengthen substantially the principal multilateral instruments for conflict control, including those of the United Nations. Such efforts would, the Panel is convinced, coincide sufficiently with the national interests of other key Members of the United Nations to permit progress to be made.

There are indications that the USSR may be interested in a revival of negotiations on the provision of national military units to the UN Security Council (under Article 43 of the Charter) for international peacekeeping service. The Panel believes the time has come, through initial explorations and, if these are productive, through more formal negotiations, to attempt to develop a more capable United Nations Standby Force. Such a Force would be composed of units from UN Members other than the Permanent Members of the Council; would be supported by adequate earmarked and trained reserves; and would be backstopped by more reliable measures for financing.

The Panel proposes the establishment of a new Peace Fund to finance future UN peacekeeping operations, and urges the prompt liquidation of past peacekeeping debts in a package settlement. It also proposes a series of support measures which it believes could strengthen, importantly, the logistic, communication and command aspects of UN operations.

The Panel believes that peacekeeping through the United Nations and through regional organizations can and should be mutually reinforcing. It suggests that in the future there should be closer relationships between the work of regional organizations and that of the UN. We could then envisage arrangements in which certain national military units were earmarked for service either with the UN or with regional organizations. Such a system might strengthen the peacekeeping capabilities of these institutions.

The measures we have suggested represent, the Panel believes, only a first step—although a major one—in the development of the necessary international peacekeeping capabilities needed in the 1970s. The time and the setting are right for the necessary beginning.

U.N. SECURITY COUNCIL SHOULD DEMAND RELEASE OF TWO TWA HOSTAGES

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. PUCINSKI. Mr. Speaker, I have today sent the following letter to Secretary of State William P. Rogers urging him to seek assistance from the United Nations Security Council for the immediate release of two Israeli passengers taken from the hijacked TWA airliner and still being held by Syria as hostages.

It is now 10 days since these people were taken hostage and the conscience of the world cannot permit this outrage against two innocent passengers on an American carrier to continue.

I am puzzled by the silence of our liberal friends in our own country. Where is their voice of outrage against this illegal denial of human rights to two people whose only crime is that they were passengers on an American international carrier?

The letter to Secretary Rogers follows:

SEPETEMBER 8, 1969.

HON. WILLIAM P. ROGERS,
Secretary of State, Department of State, Washington, D.C.

DEAR MR. SECRETARY: Ten days have now elapsed since the Trans World airliner was hijacked by Arab terrorists and taken to Damascus. You will recall that all but two of the passengers on this international carrier flying an American flag have been released. I am deeply concerned about the remaining two passengers over whom, I believe, the United States has considerable responsibility, if for no other reason than because they were legal passengers on an American-owned commercial aircraft.

I hereby request that you take appropriate steps as soon as possible to summon a meeting of the Security Council at the United Nations and demand an immediate release of these two passengers.

The only crime that these two Israelis still being detained by the Government of Syria have committed is that they were innocent passengers on an American international air carrier. So far as I can ascertain, this is the first time in modern history that a nation has deliberately detained passengers from an aircraft as hostages for terrorists who hijacked the aircraft.

I am astounded that our country has not taken more forceful action already. I have read with interest your own very strong statement denouncing this international piracy at the time the hijacking occurred. I commend you for this statement, but the statement alone is not enough.

Nor am I at all persuaded by arguments of those who urge no action at this time because of the "delicate" negotiations for the release of these two Israeli citizens.

I believe the most effective means of securing the immediate release of these two passengers on an American aircraft is for the Security Council to serve notice on the Government of Syria that any harm to these two people will bring the strongest retaliation by the combined membership of the United Nations.

It is unconscionable that the free world has remained silent on this issue for so long. Secretary General U Thant has tried to persuade the International Federation of Pilots Association against the worldwide strike of airline pilots in protest against this hijacking, and even more against the illegal detention of these two Israeli passengers. Mr. U Thant would better serve the cause of justice if he addressed his energy toward a meeting of the Security Council for immediate action.

It is my honest judgment that a continuing failure by the United States and the other major powers to deal effectively with Syria's cruel detention of these two innocent passengers will only beget more actions of terrorism against the United States. We have seen already one example in Brazil and we are now witnessing a tragic story unfold in North Korea.

I urge you to instruct your aides for an immediate petition to the Security Council for an emergency meeting to demand the release of these two passengers. For the United States to delay in providing maximum protection for these two passengers will seriously shake confidence in the integrity of the entire American international carrier fleet and in my judgment will have not only serious moral consequences, but even some economic setbacks.

Your cooperation in this matter will be greatly appreciated.

Sincerely yours,

ROMAN C. PUCINSKI,
Member of Congress.

MORMON LEADER 96 TODAY

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. BURTON of Utah. Mr. Speaker, today marks the 96th birthday of President David O. McKay, leader of the Church of Jesus Christ of Latter-day Saints. President McKay is the head of a church which has grown from a faithful few in New York to what is now estimated to be almost 3 million members the world over.

As president of the church, he has met with statesmen, kings, noblemen, and five U.S. Presidents. Under his leadership, the church has grown, not only in membership, but also in its physical properties, for three new temples are being constructed—one here in Washington, D.C., and the other two in Utah.

President McKay's accomplishments are many, and I would like my colleagues to read, as I did, one report which appeared in the church section of the Salt Lake Deseret News:

PRESIDENT DAVID O. MCKAY, BUSY AT 96 YEARS

President David O. McKay will celebrate his 96th birthday on Monday, September 8, 1969, with family visits and a quiet day to enjoy the many greetings sent by mail. Honoring President McKay will be a groundbreaking of the Ogden Temple. The President has had a desire to be in Ogden for this event and plans to attend if health will permit. President McKay works from his apartment-office in the Hotel Utah. He meets with his counselors and others often as he directs the activities of the Church. President and Mrs. McKay attended the opening of the McKay Hospital in Ogden last July and rode in the Days of '47 Parade on July 24 in Salt Lake City. Physical frailties necessitate the use of a wheel chair and prohibit the President from many of the activities in which he would like to take part. Since he has become President more than 18 years ago—April, 1951—the Church has grown in size from 1,137,000 to 2,884,973. The number of wards has increased from 1,666 to 4,507 and the number of stakes from 191 to 492. President McKay has taken great pride in the growth of the Church and the devotion of the people. Five temples have been constructed under his presidency. Three more have been approved and work will begin soon on these temples in Washington, D.C., Ogden and Provo, Utah. Contracts have also been awarded for the 25-story Church Administration Building scheduled for completion in 1972.

Under Church correlation, growth and progress has been experienced in every area of the Church. All who meet and know President McKay have been impressed with his abilities and capacity to serve. Men and women from all walks of life who have visited him have been received in a courteous, uplifting way. President McKay has a great capacity to love and serve. He enjoys being with people. He values his association with the brethren with whom he works. His family means so very much to him, and a visit from any one of them brings light to his face. President McKay shows a special gratitude to his staff and those who help him in his overwhelming responsibilities. The President not only responds with love to people he meets, but they also respond to him. The Tabernacle Choir and other choirs who sing at Conference are touched by the spirit of President McKay. Oftentimes they sing with tears in their eyes. President (Hugh B.) Brown announced while conducting a recent Conference that Brother Richard P. Condie suggested that the choir be permitted to sing President McKay's choice of all hymns, "I Need Thee Every Hour." They would do this to honor our President.

DANIEL J. RONAN

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. ARENDS. Mr. Speaker, during the recent vacation recess of the Congress one of our distinguished colleagues, Congressman Dan Ronan, of Illinois, was called to his great reward. This was a great shock to all of us when we learned of his passing.

It is difficult for one to understand why a person so young, so able, and so eager to serve the people should be suddenly taken from us.

Congressman Ronan was only 55 years of age. For 2 years he served in the Illinois State Assembly and until his election to Congress was alderman in the city of Chicago. For 13 years he represented the 30th ward in the city council.

Dan and I were of opposite political faiths. Very few major issues came before the Congress on which he and I were in agreement. His philosophy of government was not the same as mine. Nonetheless, I respected him for his views and I am sure he respected me for mine. While we differed on various legislative matters, we were as one in seeking to do what we considered best for the State of Illinois and for our country.

Dan will be long remembered by all who had the privilege to know him. He was a dedicated public servant. He will be greatly missed in the Congress.

I extend my personal sympathy to his mother and his two sisters.

LEAD POISONING

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. RYAN. Mr. Speaker, the plague of lead poisoning among our city children continues to exist and is being perpetuated.

Until recently the nature and effects of this disease have been largely ignored. But there now is a greater public awareness which should lead to remedial action. It affects children who eat bits and pieces of old lead-based paint which peels off of the walls of substandard housing and falls within easy reach of young children.

This disease is usually not reported until after it has reached its most critical stages. At this point lead poisoning results in epilepsy, cerebal palsy, permanent mental retardation, and death.

It has been estimated that between 25,000 to 30,000 children a year suffer from lead poisoning in New York City.

I have introduced three bills, H.R. 9191, H.R. 9192, and H.R. 11699 which are aimed at alleviating and, hopefully, terminating this silent epidemic. These bills were reintroduced in July with 18 cosponsors as H.R. 13256, H.R. 13254, and H.R. 13255.

I am inserting in the RECORD an article which appeared in the September 1 edition of the New York Times. It concerns a summer survey done in the Brownsville section of Brooklyn by Brooklyn College, Brookdale Hospital, and the Neighborhood Youth Corps. The survey findings showed that there is a high incidence of lead poisoning in the children living in the Brownsville area. Forty-five percent of the families visited in a door-to-door survey were affected and half of the cases required hospitalization.

I urge my colleagues to support legislation which will combat and eradicate lead poisoning.

The article follows:

BROWNSVILLE PLAGUED BY PAINT POISONINGS

A survey conducted by Brooklyn College, the Brookdale Hospital and the Neighborhood Youth Corps has found a high incidence of lead poisoning among children living in Brownsville tenements.

Brooklyn College said yesterday that more than 45 per cent of the families visited in the door-to-door survey were found to have some evidence of lead poisoning and that half of these cases required hospitalization.

The college said that 400 interviews were conducted in the summer survey and that 182 cases of suspected lead poisoning were referred to Brookdale Hospital.

"All of the referred cases were found to have lead poisoning," the college said, "and 94 were severe enough to require hospitalization."

PAINT IS THE CAUSE

Children living in slum neighborhoods develop lead poisoning by eating chips of paint bearing heavy amounts of lead. The paint industry halted production of lead-based paints for interior use 20 years ago, but in many slum houses old accumulations of lead-based paint remain.

Last March health officials estimated that between 112,000 and 225,000 children—most of them under 5 years of age—fell victim to lead poisoning last year. About 25,000 to 30,000 children a year suffer from lead poisoning in New York City.

In May a 2-year-old Newark girl died of lead poisoning, and seven other youngsters were hospitalized after they ate paint and plaster from a tenement wall.

Lead poisoning, which has been called "the silent epidemic," causes nausea, crankiness, vomiting and lassitude in its more minor forms. When the level of poisoning increases to more than 80 milligrams in the blood stream, the lead destroys nerve cells and can cause irreparable brain damage and death.

TREATMENT WITH DRUGS

Lead poisoning can be treated with drugs that draw the metal out of the human system.

Irene Impellizzeri, associate dean of teacher education at Brooklyn College, noted that lead poisoning often impairs its victim's ability to function in school. Commenting on the Brownsville survey, she said:

"If these statistics are applicable to the entire Brownsville community, it may turn out that what has long been considered problems of remedial education may better be treated by doctors rather than teachers."

Dean Impellizzeri said that existing methods of preparing teachers to identify medical problems among their pupils were "totally inadequate."

"There is no telling," she said, "how many young students were written off as slow learners or even as retarded when they were simply manifesting symptoms of lead poisoning."

The Brownsville survey was conducted by eight interviewing teams, each consisting of a Brooklyn College teacher trainee and a youth from the Neighborhood Youth Corps. The teacher trainees received medical orientation from the staff of Brookdale Hospital's Comprehensive Child Care Program.

THE LATE HONORABLE DONALD C. BRUCE

HON. JOHN M. ASHBROOK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. ASHBROOK. Mr. Speaker, on Sunday, August 31, in the early evening, a good friend and former colleague, Donald C. Bruce, passed away unexpectedly in Round Hill, Va. I was especially shocked and saddened, for I had spoken to Don just several weeks before, and his concern for the welfare of our Nation remained as intense as ever.

Circumstances and a similarity in political philosophies combined to make our friendship an unusually close one during our 4 years together in the House. Don and I had arrived in 1961 as freshmen Members; we had served on the same committees; we had compared notes together for hours on end in our adjoining offices during the 87th and 88th Congresses. I had a unique opportunity to learn why the people of Indianapolis and the 11th Indiana District chose Don to speak for them in Washington.

The oath of office was no mere formality to Don Bruce. To him it was a solemn contract which he made with the people of his district and the Nation. A driving faith in his religious beliefs and in the U.S. Constitution compelled him to spend himself in a widely ranging concern for issues both domestic and foreign. With justification did the Washington Star in its obituary state that Don was "concerned about the country's moral and spiritual erosion and the threat posed by communism."

Don never lost his faith in the ability of the American people to do what was right when properly informed. To this end he turned his gift as an eloquent public speaker, traveling countless miles to all sections of this Nation, persuading and encouraging people in stations high and low to oversee the affairs of government of which they are the final custodians. To how many he imparted a newly awakened sense of personal responsibility for the welfare of our country, we in this life can never record.

As a citizen Don Bruce was in love with the history and traditions of his country; as a legislator he came to appreciate more fully the genius of our forefathers in designing this Government. While realizing that ours is a government of laws and not of men, he prayed for leaders in the image of our Founding Fathers, closing many an address in these words of Josiah Gilbert Holland:

God, give us men! A time like this demands
strong minds, great hearts, true faith and ready hands;

Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy;

Men who possess opinions and a will;
Men who have honor; men who will not lie;
Men who can stand before a demagogue
And damn his treacherous flatteries without winking!

Tall men, sun-crowned, who live above the fog,
In public duty and in private thinking;
For while the rabble, with their thumb-worn creeds,
Their large professions and their little deeds,
Mingle in selfish strife, lo! Freedom weeps,
Wrong rules the land and waiting Justice sleeps.

To his wife, Hope, and to his children, Patti and Bruce, I extend my deepest sympathy. With them, we can take consolation in that Divine Providence will not be outdone in bestowing His rewards on each of His faithful servants.

FREEDOM BECOMES ILLEGAL—THE STRUGGLE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. RARICK. Mr. Speaker, the American people are becoming more aware and incensed as freedom of choice is denied

to them in selecting schools for their children.

The American who has known freedom reacts in many ways upon learning he has lost it.

One such fight for the freedom and religious preference of his child is the story of a lawsuit which has been filed by a minister in Florida.

If forced segregation was immoral and now illegal, how can forced integration be found moral and legal?

I insert a news clipping from the Jacksonville, Fla., Times Union for Friday, September 5, following my remarks:

MINISTER SUES TO HAVE SEGREGATION RETURNED

(By Otis Perkins)

A segregationist church minister here is asking in a federal court suit that his daughter be allowed to attend all-white classes or that the government pay her way in a private school.

The suit by Rev. William V. Fowler makes a shotgun attack on "forced" integration, saying it violates the constitutional rights of his minor child, Dana Snow Fowler, of freedom of religion and to attend a school of her choice.

Fowler, who is becoming a familiar figure in U.S. District Court here, says racial segregation is an inherent doctrine of his church, the II Covenant Church of Jesus Christ.

He alleges school integration by judicial mandate forces his child to violate her own religious beliefs—therefore is in violation of the constitutional ban on religious legislation—and takes away other rights guaranteed by the U.S. Constitution.

Fowler said he learned Aug. 27 his daughter would have a Negro teacher and requested her transfer to a school with an all-white class. He said the request was repeated when classes began Sept. 2, but that the school principal said the matter was out of her hands, that she was bound by a federal court integration order.

Fowler filed 15 exhibits, including Biblical references by which he claims segregation is a command of God.

The suit adds:

"After having it clearly stated to us that our beliefs and rights would not be rejected we were compelled to withdraw our child from public school. This is against our wishes and the wishes of Dana," demanding she be allowed to return to a school of her choice.

He then cites a school prayer decision:

"In the Madalyn Murray case the courts held that if a child who had no religious beliefs attended a public school and was forced to hear even the simplest prayer their constitutional rights were violated.

"We further state that churches other than ours as a cardinal principle preach integration of the races (National Council of Churches, Federal Council of Churches) as a religious view, and in effect the federal government is endorsing these religious views by establishing and enforcing same in public schools.

"Therefore Dana is compelled to accept the doctrines of other religious ideologies and churches which are enforced by the state, thus establishing a state religion, all in violation of her constitutional rights."

He alleges forced integration to obtain "racial balance" violates the 9th, 10th and 14th amendments of the Constitution as well as public law. It adds:

"Forced integration in schools impairs the educational opportunities of children of all races; that the causes of gross difference justifying segregation are genetic, not environmental, and will not be changed by integration . . ."

The suit asks an injunction against the United States and its officials, the Department of Health, Education, and Welfare, and the State of Florida and its officials, the State Board of Health. It asks payment of damages to cover the cost of private school and $100,000 in attorney fees, "if one is needed."

Fowler was tried in January on a charge of assaulting an FBI agent. The jury couldn't agree and the charge was dismissed. On Aug. 22 he sought unsuccessfully a federal court injunction against Jacksonville police he said were harassing his church.

TECHNOCRACY: DESPOTISM OF BENEFICENT EXPERTISE

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. GALLAGHER. Mr. Speaker, the problems caused by advanced technologies are coming under increasingly informed scrutiny. While we all admit that unparalleled abundance is technology's prime product, numerous nagging doubts have surfaced. My own activities in evaluating psychological testing, computer technology, and credit bureau operations have been to isolate the toxic in the tonic of technology.

An extremely valuable review of current books on the subject was published in the September 1, 1969, issue of The Nation. Mr. Theodore Roszak surveys these books with both a keen mind and, perhaps even more important, a deeply committeed humanist viewpoint. Witness his response to a proposal to scientifically measure value systems held by Americans:

How does one drive it home to such academic cold fish that their project, serviceable as it is for purposes of technocratic consolidation, is misconceived *ab initio*? As Socrates knew 2,500 years ago, to enter the agora *simply* to survey the so-called values of a befuddled public is the betrayal of philosophy. The values of men are not to be measured or predicted but to be honestly debated, affirmed and deeply lived, so that we may educate one another by mutual example. It is *this* that we owe one another as fellow citizens.

One of the things that Congressmen owe their fellow citizens is to attempt to insure that Government fosters human values and does not allow them to be drowned by what Mr. Roszak calls expertise, being committed to that self-congratulatory form of alienation called objectivity.

Mr. Speaker, we are not going to unbefuddle Americans by turning them over to an allegedly benelovent technocracy, nor can we lead our Nation out of its current agonies by imposing the value structures of an elite. I would point out that the title of Mr. Roszak's forthcoming book is "The Making of a Counter Culture: Reflections on the Technocratic Society and Its Youthful Opposition." The more I learn of the various schemes to uplift our society by denying our traditions and entrusting ourselves to totally "think-tank" solutions, called so aptly by Anthony Oettinger, "the seductive power of absurdity in full formalized attire," the more I believe that former New York Governor and Democratic candidate for President in 1928, Al Smith, had it exactly right:

The only cure for the ills of democracy is more democracy.

And I would only add that I feel that means full democracy for every American who is willing to admit that another's rights must be protected and cherished as vigorously as he protects and cherishs his own.

Mr. Speaker, Mr. Roszak has written a valuable article and I am pleased to introduce it into the RECORD at this point:

TECHNOCRACY: DESPOTISM OF BENEFICENT EXPERTISE

(By Theodore Roszak)

Our society advances towards technocracy along many paths. The authors assembled here for review help us count the ways. Some—bravura technicians like Buckminster Fuller—crusade flamboyantly toward the regime of scientific expertise, flying banners in behalf of an *outré* social engineering whose goal is nothing short of "world planning." Others, like the members of the Pittsburgh Values Project, smooth the way more subtly by laboring to convert our capacities for evaluation and taste into a new behavioral technics accessible only to the academic specialist. Some, like the industrialist Simon Ramo, seek to clear the obstacles of traditional politics from our line of advance by entrusting our social problems to the objective competence of the systems analysts. Others, like Michael Reagan investigating the nearly total dependence of science on federal patronage, speed us along our way by celebrating the virtues of the alliance, while assuring us that any vices accruing can be easily adjusted by vigilant administration within the corridors of power. Even those like Victor Ferkiss who view the journey with a critical eye, contribute to our progress toward technocracy by conceding far more to the technician's world-view than their humanistic instincts should permit. The result is frail resistance in the face of a massive historical movement whose seriousness we underestimate at the peril of our human dignity.

No doubt there is room to disagree about the extent to which a technocratic totalitarianism has been developing in our society. I believe we have gone too far in this direction and that the technocracy, despite the stubborn survival in our midst of sundry flat-earthers and dilettante occultists (as well as a growing population of hip young swamis), looks more like the wave of the future for all industrialized nations, regardless of official ideology, than anything else now in sight. In any event, a lively concern for that prospect is the best touchstone for evaluating the burgeoning literature on technology and society. Is the writer aware of the technocratic possibility? Does he welcome or resist it? Is he aware of the force technocratic tendencies exert upon our politics and our total culture, of the costs and losses to which they can lead? Such are the questions I find myself persistently asking whenever I come upon still another diagnosis of our high industrial agonies.

Technocracy, Jean Meynaud says in his important anatomy of the beast, stems from "the pressure of technology on the political system." It is the demand "that politics be reduced to technics." The seed from which technocratic politics sprouts first blossoms in the field of industrial invention and organization, the obvious province of technical intelligence. But the high yield which man's engineering talents achieve there, bolstered by the technician's claim to scientific ra-

tionality, eventually encourages the same habits of mind to embrace social life as a whole. As Meynaud puts it:

Founded on the advances of scientific thought . . . modern technique becomes, in its broadcast sense, all those methods which allow man to make best use of existing resources to satisfy his material needs and common ideals. . . . Technique is not confined to a limited sector of society: it is society looked at from a certain perspective.

The perspective, that is, of technician and scientific intellectual.

Regarded in this light, as a product of both the scientific and industrial revolutions, technocracy assumes a formidable cultural momentum. Its legitimacy reaches deep into all that modern Western man has come to consider good, true and beautiful: affluence, empirical knowledge, and prodigious material power over his environment. As a social form, it is the irresistibly logical consequences of what science tells us reality is and of what technicians tell us can rationally be done to manipulate that reality.

The essays in Lynn White's *Machina Ex Deo* provide a keen examination of the larger cultural context out of which our science and technology evolve. His book—which includes the superb essay. "The Historical Roots of Our Ecological Crisis"—is a model of concerned and elegantly literate scholarship for the general reader. One could not ask for a more sensitive approach to the now submerged religious origins of industrialism: "the sources of our faith in science today and . . . the well-springs of motivation that lead man to pursue science."

White is far more sanguine about the prospects of a "new humanism" arising among the engineers than I can be. As a medievalist, he tends to see scientists and technicians as still the free spirits and rugged individuals they were before they tasted power and the corruptions attending. The transition from "little science" to "big science" (to use Derek de Solla Price's terms) has taken a greater toll of the pristine ideals of scientist and engineer than White may realize. How much of the Christianity of the catacombs survived into the age of Innocent III? Perhaps as much of Galileo and Edison survive in the age of Edward Teller and C. P. Snow. Still, White is correct in identifying technology as "a prime spiritual achievement," an expression of mankind's tireless search for "a new order of plenty, of mobility, of personal freedom." It is only by drawing upon such vital desires that the technocrats could achieve the great moral and psychic power they hold over our allegiance. Technocracy, far from being only an opportunistic and cynical plot (and the worst social evils never are), is a proud, noetic citadel solidly based on all that scientific inquiry has accomplished after the dark millennia during which man was supposedly sunk in superstition, mythological guesswork and helpless bewilderment. The policies that emanate from the citadel are born of pure reason and generous intention; its custodians are those who qualify as disinterested experts in all aspects of life—or, at one highly important remove, those who control the services of such experts.

One senses how domineering the regime of experts has become when one recognizes the lengths to which contemporary radicalism must go in seeking to outflank its values and metaphysical assumptions. An eloquent example of such an effort is Gary Snyder's *Earth House Hold* which seeks to recall the ecological intelligence to be found in poetic and primitive life styles. For Snyder, who learned his social theory from Zen masters and redwood trees, our salvation depends upon recapturing the spirit of "the ancient shamanistic-yogic-socioeconomic view" in which there abide 'the most archaic values on earth: . . . the fertility of the soil, the magic of animals, the power-vision in solitude, the terrifying initiation and rebirth, the love and ecstasy of the dance, the common work of the tribe."

The audience for Snyder's rhapsodic appeal is small, largely the young and the dropped out who cling on and make do, chanting mantras at the social margins; "the tribe" as Snyder calls them, referring to those like the sod brethren of the Berkeley People's Park whose delicate experiment in Arcadian communitarianism the Governor and University of California have determined to trounce out of existence. Unhappily, visionaries like Snyder are regarded as the heretics-in-residence of our pluralistic technocracy, and their words make light weight in the scales of power. Not that society is closed to visionary declarations. Visionary *technology*—of the World's Fair, science-fiction variety—easily wins spellbound regard; for the millions, it monopolizes the whole meaning of imaginative daring. They will starve their poor to finance Project Apollo; they will sacrifice their peace of mind to have supersonic airliners split the skies above their cities with the sound of progress; they wait with bated breath to have their gene pools programmed for the guaranteed production of talented and beautiful progeny. Those who speak the language of numbers and technologisms never lack for reverent if bewildered public attention, and the bolder the scientific impresarios become, the greater the awe and acquiescence. One hundred million Americans may attend church every Sunday, bringing with them supersitions and prejudices as old as the Stone Age. But when they exclaim rhetorically, of Harvard's Program on Technology and Society. Indeed, the program would seem to have its future course well surveyed if it were to extend Oettinger's critique to the relations between technology and society generally.

Clearly the job needs doing. It is wholly disheartening to review the evidence Oettinger presents of our society's scientistic gullibility and gadget mania—in this case from the U.S. Office of Education down to the smallest local school board—and of the cynical flummoxing perpetrated by industry and eager-beaver systems analysts. In education as in all other areas of our life, we are indeed patsies for what Oettinger calls "the seductive power of absurdity in full formalized attire." And, sad to say, as sharp a critic as Oettinger himself can have his blind spots in this respect. Even he grants that systems analysis, for all its limitations in the field of education, *is* properly at home in the Defense Department. Quoting Charles Hitch (now President of the University of California, via RAND), Oettinger agrees that it "is easier to program and to analyze [military strategy] quantitatively than many areas of civilian government. For example, it is certainly easier than the foreign affairs area."

That is a fatal, but revealing admission. For after what fashion has Defense Department policy become more adaptable to systems analysis? By subordinating to its oppressively quantitative and value-neuter demands every aspect of life that gets in the way (including "the foreign affairs area"). In brief, systems analysis has "worked" for our society's infinitely expansive conception of military necessity precisely as it purports to "work" for our educational problems: by flattening every non-quantitative consideration beneath a steam roller of dehumanized logicality.

It is the great claim of the systems approach that it embraces *all* facets of every problem. It purports to blanket the whole with coordinated competence, leaving nothing to intuition or amateurish improvisation: meaning, it leaves nothing to the layman. This claim to comprehensiveness, however, is fundamentally false. Systems methodology by its very essence stops short of taking into critical consideration the whole of society, economy, environment, or the human condition. Such wholes are what Ramo calls "too big a system." He warns us:

"Surround the problem too broadly, try too hard to be absolutely complete, and you will not only get nowhere in the solution of the problem, but you will be doing a terribly poor job of systems engineering."

In what sense are such systems "too big"? Why, too big to be handled in the specialist's value-neuter framework. To think on such a scale is to aspire beyond amoral measurements and partial adjustments toward philosophical comprehension and social criticism, and doubtless toward many embarrassing questions about the likes of Simon Ramo, his fortune and influence in contemporary America.

It is revealing of the technocratic temperament that Ramo should finish his treatise by projecting the "golden age" that will ensue "once most people are wedded to creative logic and objectivity to get solutions to society's problems." Logic and objectivity: translated (with a deal of legerdemain) from mathematics and physics into the professional study of society, are science's gift to the apologetics of technocracy. One does not moralize about microbes and quasars; *ergo* logic dictates that the objective mind does not moralize about Thompson-Ramo-Wooldridge, thermonuclear deterrence, or the uses of the multiversity. Where the "human factor" is concerned, the systems team may, as Ramo puts it, have to "tap preferences, judge needs, present possibilities, and evaluate alternatives." But it is the experts who will do the tapping, judging, presenting and evaluating: the "chaos" is theirs to cure. And the experts work neither for free nor in a vacuum. As Jean Meynaud makes clear:

"For technocracy to cease being essentially conservative, technicians themselves would have to become inspired with the will to change. . . . But it is not rare for the technician to consider that the social system (one which manifests itself with continuity) is necessary to the realization of his designs. After all, the supporters of Saint-Simon were not lacking in human generosity, but they finally gave the best of themselves to the big industrial undertakings and commercial banks."

For his own France, Meynaud is able to trace the roots of this conservatism to the family and educational background of the highly cliquish Gaullist polytechnicians. Though they are more diffuse in social origin, the regents of the American New Atlantis display the same combination of "technical boldness and social conservatism." What passes for objectivity among those who staff our military-industrial think tanks is an understandable reticence respecting the worldview and social system that justifies and rewards expertise. Nothing could be more quantifiable than the gold in Ramo's "golden age": it measures out in dollars and cents, status and prestige.

This same practiced evasion of all philosophically challenging questions characterizes Michael Reagan's examination of science under the patronage of the government, a study that never once confronts the overarching issue: the political form that must inevitably follow from the progressive assimilation of expertise by forces commanding the bulk of society's cash and privilege. Indeed, Reagan would press the process of assimilation further still. He calls for the funding of a National Foundation for the Social Sciences (on the order of the National Science Foundation) as the best way for social scientists to make "their developmental needs known to government through a regularized internal, differentiated organizational position" and for them "to be in on the choice of problems and of strategies for dealing with them."

What news it would be to Plato and Marx, to Veblen and C. Wright Mills to learn that students of man and society must make their "needs known to government" and must choose their problems and strategies. But

clearly this is a rather different breed of student, one who approaches the Prince with the same power-political promise that has served as sweet bait on the atomic scientist's hook.

Reagan's conception of political science is contained entirely within the corridors of power, where everything that is, is—with minor adjustments—right. Inevitably, then, we reach the cheerful conclusion that the scientists, the multiversities and the government enjoy a "fruitful relationship" bearing "all the earmarks of permanence"; and if there are any problems, they can be rectified by some reshuffling of agencies and funding priorities. Reagan's first priority would go to "social objectives which are defined as most urgent politically." He does recognize, though without alarm, that this process of "definition" is often carried out by "vested interests in government agencies and outside groups." The remedy for this vice, however, is another echelon of supervisory expertise . . . a Technology Assessment Board perhaps . . . or an amalgamation of the Office of Science and Technology with the President's Science Advisory Committee . . . or why not an expansion of JCST . . . or of COSPUP . . . or of OSRD . . . etc., etc.? Reagan's study is a fine reference guide to the C. P. Snow world of the science bureaucracy. But with respect to all the great questions of justice and democracy and intellectual conscience—the issues that drove Norbert Wiener out of the "science factories," that sent Einstein heartsick to his grave, and that have stirred student rebellions across the land—Reagan is totally "objective." His suggestions for reform are eminently practical. He goes no further than to play committeemanship with the expert-administrators.

It would be wrong, however, to suggest that the technocratic mentality at its best lacks concern for values. On the contrary, the professional study of values is, along with technological prognostication (*"futuribles,"* as the French call it), a hot and highly sophisticated specialty. A volume like *Values and the Future* serves as a twin introduction, authoritative if ponderous, to both the new science of ethics and the "futures industry."

The anthology grows out of a high-powered conference held at the University of Pittsburgh during 1965–66 under grants from IBM and the Carnegie Corporation. The result is academically suave, but hardly encouraging. With the exception of a few of the less pretentious essays such as those by John Kenneth Galbraith and Kenneth Boulding, the anthology deals in the learned superficialities which are the hallmark of technocratic culture: the systematic circumvention of emotional engagement and personal commitment. The essays are filled with baroque methodologies, much statistical virtuosity and esoteric computer games; and these last, as described, achieve levels of absurdity rivaling Ionesco. (Thus, in one of the games, the conferees, in the pursuit of computable statistics, take it upon themselves to "simulate" teen-agers, housewives, cultural elite and "persons in lowest income decile" as of the year 2000. "And *that* is science, my friend," said Dr. Spalanzani.)

Professionally, it is all quite elegant. But what is it, at last, that technical expertise does with values when it gets hold of them? It treats them like alien organisms under a microscope. It surveys them by way of foolish questionnaires no serious person would agree to complete. (Imagine Tolstoy or St. Paul being asked to give their "relative preferences" and "numerical evaluations" regarding "personality control drugs" and "household robots.") It quantifies them, by way of "weightings" and "scalings" that are the mathematical analogue of a Rube Goldberg contraption. And finally, it predicts their future course, by way of facile computerized techniques—in this case, their course under the impact of technological forces that are taken to be as inexolerable as the will of God.

Not very remarkably, the "findings" that come of such porcedures are always upbeat. "The most striking feature of the questionnaire responses is their clear optimism," Nicholas Rescher reports on one of his surveys. But who were the respondents? Fifty-eight experts from IBM, RAND, NSF, and the IBM-financed Harvard Program on Technology and Society. (Are there no laws against such intellectual incest?) Again, to quote Meynaud, "the future is influenced by the picture which men themselves draw of it. . . . One of the trends of 'futurism' is a tendency to exalt the virtues of a technical civilization and the merits of technicians. . . ."

In the introduction to *Values and the Future,* Alvin Toffler declares that "we need systematic surveys of the value systems held by important American subcultures, by different professions, age groups and socioeconomic groupings." It is surely a call for a million years of "extensive—and expensive—empirical research." But, Toffler feels, only this will give the specialists what they need as they set about "drawing up their reports in forms that can be taken into account in cost-benefit appraisals." Ideally, he anticipates a new profession of "Value-Impact Forecasters" who will be "armed with scientific tools" and "located at the hot center of decision-making" as "part of every corporation, research laboratory, government agency and foundation whose output includes technological innovation."

Surely it is the perfection of technocracy when values become statistical grist for the research mill. Once such a great project is launched, shall we not then be assured that all the goods and evils of policy and decision have been taken competently into account—with logic and objectivity—by the court wizards? And what will there be left for the layman to worry his amateurish head about?

How does one drive it home to such academic cold fish that their project, serviceable as it is for purposes of technocratic consolidation, is misconceived *ab initio?* As socrates knew 2,500 years ago, to enter the agora simply to *survey* the so-called values of a befuddled public is the betrayal of philosophy. The values of men are not to be measured or predicted but to be honestly debated, affirmed and deeply lived, so that we may educate one another by mutual example. It is *this* that we owe one another as fellow citizens. But I doubt that this distinction between the academic and the irreducibly existential would prove persuasive. Expertise, being committed to that self-congratulatory form of alienation called "objectivity," makes no allowance for the person. It discounts the experiential deeps and attends to the behavioral surface. What chance would there have been to convince Dr. Kinsey that he had it all wrong? That love is not to be measured but to be fallen into, made, enjoyed and suffered? "But," the scientific mind insists, "there is *also* matter here (and where is there not?) in need of professional research. For only by professional research do we come to *know* anything."

And that is the box in which the technocrats have us trapped: their conviction and ours that only the scientific mind—objective, logical, quantitative—has access to reliable knowledge. What other remedy can there be, then, for the ills of mankind in a scientific culture but still more science, still more technology? Was it not scientist and technican who constructed our industrial cornucopie in the first place? Who else can understand its mysteries and maintain its flowing abundance? And maintaining industrial abundance is what everybody's politics is about in our time—Left, Right and Center. It is precisely this epistomological monopoly that legitimizes the shameless self-selection and internal circulation of technical elites within our military-paramilitary-financial-industrial-multiversity-think-tank-foundation-Presidential-advisory complex.

Here is the point that I believe Victor Ferkiss overlooks when he writes off the possibilities of technocratic totalitarianism. Granted, he is correct in concluding that the American version of the technological society really overlays and serves old-fashioned, bourgeois profiteering. (Technocracy has no difficulty absorbing any social system, provided the system is committed to an expanding economy.) Granted too, he is correct in concluding that the effort to create a totally efficient technocracy—a Huxleian Brave New World—is more apt to produce a "clumsy monster" constantly on the brink of chaos. But he is wrong in deciding that these facts make "the notion of a scientific elite a myth," rather than a growing reality. For what does the citizen in a scientized culture have by way of knowledge or value to hold against those who are the experts or those who own the experts? Values, as we now learn, are becoming the province of ethical technicians equipped with inscrutable methodologies and expensive computers. Knowledge—the product of logic and objective research—is similarly the property of the experts. True, we may still resist the experts and their employers. But by appeal to *what* does our resistance lay claim to the sanction of reason, sanity or progress? What is there the citizen can claim to know that an expert somewhere cannot prove he knows better?

I believe that Ferkiss underestimates this mystique of expertise because he himself has fallen beneath its spell. Even he, an admiraby humanistic critic, believes that the thrust of science and technique "by giving man almost infinite power to change his world and to change himself" has carried us to the threshold of nothing less than an "evolutionary breakthrough," to which all culture must adapt if we are to produce the mature "technological man." Once concede that this is the proper relationship of science-technology to culture (the former disposes, the latter scurries to adjust) and our political life is delivered into the hands of the technical experts and their patrons. All complies to their world-view and there are no alternative realities. No doubt the technicians *will* proceed to build us a "clumsy monster" of a social system, a push-button bedlam with music by Muzak; but they will also convince the citizenry—by logic and objectivity—that it is the only rational system. Jean Meynaud's analysis is sharper than that of Ferkiss, and much gloomier.

We might wonder whether the determination to obtain maximal efficiency, combined with greater prosperity in larger sectors of society, is not likely to throw into gear a movement which will lead to progressive monopoly of power by "competence." Supposing that such an evolution occurs, the final end of the scientific society might perhaps be democratic, but its functioning would no longer be so. In the extreme case, a scientific technocracy . . . would replace traditional political machinery, conserving the essential nature of the established order.

One must face the fact that such a despotism of beneficent expertise, guaranteeing both the bread of cybernated affluence and the circuses of moon shots, would, at this point, be far from unwelcome to most of the Americans it was willing to integrate. Perhaps only a handful of wild and woolly dropouts and stubborn black nationalists would be inclined to resist its invitation to the fat and dependent life. Certainly Meynaud's proposed safeguard- -an unspecified strengthening of elected authorities and their institutions wholly within the going industrial system—looks like a very weak reed. This is because it ignores the psychic and metaphysical depths to which the technocracy

reaches in achieving acquiescence and in this way undercutting democratic institutions.

Erich Fromm does greater justice to this dimension of the problem in his *Revolution of Hope*, an inspirational tract that provides a sensitive, if primer-simple assessment of our technological dehumanization. With a shrewd eye for the pathological, he tells us that the main problem . . . is not whether . . . a computer-man can be constructed; it is rather why the idea is becoming so popular in a historical period when nothing seems to be more important than to transform the existing man into a more rational, harmonious, and peace-loving being. One cannot help being suspicious that often the attraction of the computer-man idea is the expression of a flight from life and from humane experience into the mechanical and purely cerebral.

The major weakness of Fromm's treatise lies in the author's eagerness to dish up a rather thin potpourri of specific reforms (though there are several good ideas here) and to launch a new political movement. I doubt that the changes Fromm desires should, or will have the conventional organizational characteristics he suggests: a national committee of notables ("The Voice of American Conscience") reared on a base of local subcommittees. The "psychospiritual renewal" he calls for must perforce be more subtle and spontaneous, and surely less concerned than Fromm is with avoiding "the breakdown of the industrial machine." It will have to get at the millions as insidiously as it has apparently gotten at Fromm himself, whose latest writings begin to reveal a pronounced compromise with his former secularized, Socialist humanism, and a growing disposition to take seriously religious forms of community and personal transcendence.

Fromm does not, to be sure, move far enough in this direction to match the sensuous, primitivist mysticisms of Gary Snyder: "the timeless path of love and wisdom, in affectionate company with the sky, wind, clouds, trees, water, animals and grasses." And his hesitancy is understandable, since to cut so deep seeking the roots of the technocracy means hazarding one's intellectual respectability. But I think it has come to that desperate a pass. Caliban, having acquired the higher mathematics and devised him a clever machinery, hastens to counterfeit his master's magic. We may then need more than a touch of Blake's brave perversity:

> To cast off Bacon, Locke & Newton
> from Alibon's covering,
> To takeoff his filthy garments & clothe
> him with Imagination.

Buckminster Fuller surely ranks as dean of the Promethean technicians. Certainly few exert greater personal magnetism among the "think big" younger generation of architects and engineers. Among Fuller's great schemes: his project to house the human race in prefabricated, helicopter-transported geodesic domes (Fuller's most famous and most overpraised invention) and the birth-certificate-universal-credit-card designed to operate anywhere on earth by means of a frequency tuned to the holder's genetic code. Now, in Fuller's latest book, the earth is stripped of its metaphorical motherhood and becomes instead a spaceship in need of nothing so much as properly trained "world planners" in its cockpit. The technocratic world-view could not ask for a more serviceable central image—though it will certainly require a less idiosyncratic "operating manual" than Fuller has to offer.

Some of Fuller's notions—like his "synergetic mathematics"—may have vaguely mystical implications. But he is careful always to protect the respectability of his bizarre brainstorming by disguising it as a form of omni-competent, global engineering. Like Marshall McLuhan, he is a great bamboozler: a combination of Buck Rogers and Horatio Alger. His intellectual repertory rarely includes a reference to artist, philosopher, poet or prophet. This, along with his anti-academic autodidacticism, makes him decidely the technocrat Old Style. Yet he manages to lay ham-handedly on the line most of the tacit assumption of the technocratic mentality: that it was only when man became a machine maker that he "began for the first time to really employ his intellect in the most important way"; that invention and efficient organization embracing as they do the whole meaning of Reason and Progress, necessarily improve with increase; and that for every human problem there is a technical solution—sometimes a dazzingly simple one. Thus: "You may . . . ask me how we are going to resolve the ever-acceleratingly dangerous impasse of world-opposed politicians and ideological dogmas. I answer, it will be resolved by the computer . . . all politicians can and will yield enthusiastically to the computer's safe flight-controlling capabilities in bringing all of humanity in for a happy landing."

To be sure, "General Systems Theory," the form of technical expertise Fuller recommends for the better piloting of "spaceship Earth," is intended to be ambitiously broad-gauged: the very antithesis of the myopic specialization which is Fuller's bête noire. The prospectus sounds intriguing, but the social realities behind GST are bound to be unappealing to those who have sentimental attachments to participative and communitarian politics. This form of elitist brains-trusting—an outgrowth of wartime operations research—is apt to be the essential component of the technocracy's *machine à gouverner*.

Those who desire a brief, ebullient account of the systems technique may consult Simon Ramo's *Cure for Chaos*. Ramo, vice chairman of Thompson-Ramo-Wooldridge, father of the ICBM, and, as the book jacket tells us, "frequently consulted by government leaders," is, like Fuller, a self-made technician-entrepreneur. The beneficiary and booster of military-industrial boondoggling, his vision of life is colored accordingly. The archetypal social problem for Ramo is patterned upon the gadgeteering perplexities of the ballistic missile system, where everything including the megadeaths, yields to simple numbers. Ramo readily admits that, in matters involving "the human component," the "systems team" must include "techno-political-econo-socio-experts." Yet systems engineering discriminates not at all between problems of air traffic control and education, the arms race and urban renewal. The problem-solving procedures are identical. One assembles the certified experts and trusts them to convert the project at hand into "specific well-described and often measurable performance requirements." The skill of experts, Ramo tells us, lies in "putting quantitative measures on everything—very often cost and time measures."

Thus, in quantification the systems engineer has found what the alchemists of old sought in vain; the universal solvent. It is little wonder that the fiercely mathematical passion of such expertise finds no trouble in sliding from discussions of thermonuclear weaponry to hospital design in successive paragraphs, or in conceiving of education as something whose value is calibrated in lifetime income differentials and whose substance can be captured at "electronicized desks," where vigilant computers pace their attentive students through true-or-false and fill-in-the-blank testing.

After Ramo's and Fuller's intoxicated high touting of the systems approach and computerized instruction, Anthony Oettinger's *Run, Computer, Run* is sobering reading. Oettinger wisely works from the assumption that the Himalayan dilemmas of American education are through and through political and philosophical. This means that "systems analysts trained to think unthinkable, apocalyptic thoughts in the style of Herman Kahn, or to calculate the performance/weight tradeoffs for missiles, are ill-prepared to deal with more than the form of the educational system."

The present tools of former systems analysis work best on well-defined, simple, concrete models involving quantifiable concepts, measurable data, and, above all, thoroughly understood theoretical structures which adequately reflect reality.

Since almost nothing about education, beyond perhaps the plumbing of school buildings, yields such convenient simples, Oettinger spends little time on the latest instructional gimmickry and systems techniques. Rather, he devotes himself to debunking the many "highly visible quickie" solutions currently on the scene that offer only "the illusion of progress." One by one, Oettinger undermines the widespread assumptions that teaching machines save money, save time, save manpower, and "individualize" instruction. It is a commendable display of candor from one, who, as director of Project Tact ("Technologiacl Aids to Creative Thought": Harvard based, Defense Department financed), would seem to have every interest in extolling the myths here marked out for destruction. Oettinger's enormously intelligent book is a commendable product "Will wonders never cease!" it is the works of the engineers and not the works of God they have in mind.

SUBSIDIZED LUXURY

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, as many of our colleagues know, I was among those who joined with many residents of the District of Columbia in protesting the purchase earlier this year of a luxury highrise apartment known as Regency House in Northwest Washington by the National Capital Housing Authority for use as housing for the elderly poor.

Despite the protests of a large segment of the Washington community, the National Capital Housing Authority, with the approval of the mayor of the District of Columbia, and the Department of Housing and Urban Development, purchased the property.

Mrs. Shirley Scheibla, associate editor of Barron's, a business weekly, has written two excellent articles appearing in Barron's on August 11 and 18, which provide many details concerning the Regency purchase never known to the public. As I believe purchases of this type, which the Department of Housing and Urban Development appears to be promoting throughout the Nation, are clearly illegal, I welcome this opportunity to include Mrs. Scheibla's discoveries in the RECORD with the hope that others will join me in protesting the continuation of the Department of Housing and Urban Development policies which permitted this costly and wasteful purchase.

The articles follow:

[From Barron's, Aug. 11, 1969]

SUBSIDIZED LUXURY—PUBLIC HOUSING HAS STRAYED INTO QUESTIONABLE AND COSTLY AREAS

(By Shirley Scheibla)

WASHINGTON.—Shortly after last year's riots here, the Washington (Catholic) Lay Association launched a massive drive to collect money to house the poor. According to the Association's president, it netted pledges of $127,000, of which $40,000 promptly went to the National Capital Housing Authority (NCHA), to enable it to purchase Regency House for public housing. Regency is a luxury high-rise apartment building on exclusive Connecticut Avenue, complete with air conditioning, swimming pool, penthouse, recreation room and sheltered parking.

Thanks to other donations, which made up the total difference of $75,000 between the highest appraisal and the purchase price, NCHA now has acquired Regency for $2,425,000. The deal not only has aroused the ire of many local residents, but also has brought to a head a storm of controversy with nationwide implications which is reverberating within the halls of Congress.

UNUSUAL VENTURE

For apart from the donations, NCHA bought Regency with federal funds supplied by the Department of Housing and Urban Development (HUD). The chief justification given for the unusual venture is that it enabled NCHA to carry out a 1965 HUD regulation requiring location of public housing outside areas of minority racial concentration (although whites are a minority in this city). The regulation, however, is of doubtful legality. Moreover, attempts to implement it increasingly look like a disservice to the poor and a windfall for select property-owners.

In some areas, the regulation has brought public housing programs to a virtual standstill. Moreover, it largely ignores the large families which have the greatest need for public housing. In Washington, at least, rents in "non-ghetto" apartments run higher than in regular public housing, thus barring the poorest of the poor.

HUD's policy also is impeding compliance with the Widnall Amendment to the Housing Act of 1968, which requires urban renewal residential projects to include at least 20% housing for low and moderate income families. In addition, it is likely to add to the financial troubles of a large number of local public housing authorities. Finally, it is lowering tax revenues of cities already strapped for funds.

An executive order and the Civil Rights Act of 1964 form the legal basis for HUD's policy. In 1962 President Kennedy issued Executive Order 11063, in which he directed federal agencies to take all action necessary to prevent discrimination in housing owned or operated by the U.S. government. With respect to the 1964 Act, HUD is relying entirely upon language in Title VI, which says, "No person in the United States shall, on the ground of color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

In August 1965, HUD issued its Low Rent Housing Manual, which directs public housing authorities to select sites giving members of minority groups an opportunity to locate outside of areas of concentration of their own kind. It asserted: "Any proposal to locate housing only in areas of racial concentration will be prima facie unacceptable and will be returned to the Local Authority for further consideration and submission. . . "

Three years later HUD sent the authorities a memorandum reminding them of the site selection rule, and a 1967 amendment which stated: "Local authorities will be expected to utilize available means for resolving any zoning or other city impediments to compliance with Title VI site selection requirements."

NO PLANS TO CHANGE

The Nixon Administration apparently has no plans to change HUD's policy. Secretary George Romney and Assistant Secretary Lawrence Cox have defended it, while Assistant Secretary Samuel C. Jackson has indicated he might like to go further. In a recent speech before the NAACP Legal Defense and Educational Fund in New York City, he said the Kerner Commission was right in accusing America of racism. Zoning ordinances requiring large minimum-sized lots and single-family home construction, he added, have prevented the construction of low-income apartments, thereby limiting the ability of blacks to move to the suburbs. "The insistence on locating public housing in the central city has also been a considerable force in containing low-income black residents in the ghetto. Only recently has federal policy begun to stimulate balanced public housing locations."

While the policy may be "stimulating," its results so far are deplorable. Edward Aronov, Executive Director of NCHA, told Barron's that because of the racial regulation, HUD refused to approve several acquisitions proposed by NCHA in southeast Washington. One offered 68 two-bedroom apartments and included air conditioning, swimming pool, play area, children's nursery, dishwashers, garbage disposals and parking for 57 autos. With no rehabilitation required, the price was $10,000 per unit. The 161 smaller apartments at Regency cost $15,062 each.

WAITING LIST

Meantime, at the end of June, NCHA had 3,978 applications on its waiting list for housing. It expects that number to increase by 300 as a result of a regulation, effective July 1, eliminating the one-year residency requirement for applicants.

Norfolk, Va., provides another outstanding case in point. Last September HUD authorized 1,200 units of public housing for the city. But Norfolk has been able to go ahead with none, according to Charles L. Kaufman, head of the local housing authority. He explained to Barron's that HUD so far has approved no sites because the city has failed to come up with any which the agency does not reject as "racially impacted."

Again, after lengthy negotiations, Pittsburgh succeeded in persuading HUD to approve sites for less than half of 2,000 proposed public housing units, with the understanding that it will find "white sites" to match those approved. In Hackensack, N.J., in Rep. Widnall's own district, HUD is holding up construction of a 100-unit public housing project for the elderly. HUD told Hackensack, in effect, to build another project in a white area to balance the proposed one, or to build the latter in a "white area."

SWING WEIGHT

Rep. Widnall's words swing weight in Congress, since he is the ranking minority member of the House Banking and Currency Committee and its housing subcommittee. Here is what the lawmaker has to say on the matter: "As a long-time advocate of civil rights, I am concerned that this interpretation has entrapped us. . . . Here we have an administrative ruling, based upon an interpretation of the law as yet judicially undecided, that is prohibiting housing activity in slum areas, in urban renewal, and in non-slum areas because there the HUD cost guidelines would be breached. . . ."

Regarding the interpretation of the Civil Rights Act and the effect on his amendment to the Housing Act, the Congressman declares, "I am most disturbed that administrative regulations can defy the law. I do not think that the Executive Department can dictate to the legislative."

Since, as Rep. Widnall notes, the land available in white areas costs too much, HUD now is financing "acquisitions" of existing apartment buildings for public housing, i.e., purchases without major rehabilitation. This has been practical only since the urban riots of the past two years and the flight to the suburbs of many big-city residents. HUD Associate General Counsel Joseph Burstein says the result has been that many city apartment properties "came on the market at good prices." He concedes, however, that during a time of shortage the acquistions are not adding to the housing supply.

LAND SET ASIDE

How "good" the prices are is a matter of interpretation (to be explored in an article to follow). A great deal of land has been set aside in Model Cities for public housing, and, according to Rep. Joel T. Broyhill (R. Va.), HUD is contravening the intent of Congress by holding up construction on these sites and offering instead to purchase a few plush properties.

In addition, many properties which, like Regency, boast such luxuries as air conditioning and swimming pools, are bound to call for increased operating costs. At Regency operating costs are so high that the poorest of the poor won't be able to live there. NCHA is charging a flat monthly rental of $50 for an efficiency there, compared with a low of $27 for comparable space elsewhere.

HUD finances construction or acquisition of public housing properties, and in theory the rents collected by local housing authorities must pay operating costs. However, according to Secretary Romney, 15 local housing authorities now are in financial difficulty. They are located in Washington, Kansas City, San Francisco, St. Louis, Columbus, New York, New Haven, Omaha, Boston, Newark, Chicago, Los Angeles, Philadelphia, Louisville and Detroit.

HUD Assistant Secretary Cox predicts other cities will be in trouble next year. Rep. George E. Shipley (D., Ill.), a member of the House Appropriations Committee, agrees, and adds that he is sure Congress will have to provide the money to bail them out. When HUD officials asked the Committee for a supplemental appropriation of $6.5 million for that purpose recently, Rep. Shipley declared, "It is going to be twice that or three times that the next year, and it is going to build up. . . ."

NO IN-DEPTH STUDY

HUD has made no in-depth study of the financial straits of the 15 aforementioned authorities, and it lacks breakdowns on operating costs for acquisitions compared with other properties. Nevertheless, it plans to step up acquisitions. While 601 units were acquired without major rehabilitation in 1968, it expects to acquire 2,000 in 1969 and 3,000 in 1970.

HUD also is preparing to launch another experiment that will deplete its resources without adding to the housing supply. It plans to spend $45 million by the end of fiscal 1970 for services to public housing tenants. By authority of the Housing Act of 1968, these will include "counseling on household management, housekeeping, budgeting, money management, child care, and similar matters; advice as to resources for job training and placement, education, welfare, health and other community services; services which are directly related to meeting tenant needs and providing a wholesome living environment; and referral to appropriate agencies when necessary for the provision of such services."

[From Barron's, Aug. 18, 1969]

HIGHHANDED HUD—ITS PURCHASE OF REGENCY HOUSE IS A COSTLY CASE IN POINT

(By Shirley Scheibla)

WASHINGTON.—"I regret to have to report to you, Mr. Mayor, that the objective of conducting an open forum wherein all of the

facts were presented to the public for discussion was not achieved."

Thus stated Hearing Officer Samuel J. Fusco to Washington's Mayor Walter E. Washington, in a report following a hearing last January concerning the acquisition for public housing of Regency House, a luxury highrise apartment building here on Connecticut Avenue. The mayor's approval was needed for the purchase of Regency by the National Capital Housing Authority (NCHA) with federal funds from the Department of Housing and Urban Development (HUD).

The failure to have a full discussion sprang from no lack of interest. On the contrary, about 300 people jammed the hearing room and the outside corridor. Examiner Fusco reported, "The emotions of the audience were very intense, and it was difficult to maintain order."

CONTROVERSIAL PURCHASE

Although NCHA consummated the highly controversial purchase of Regency last May 15 for $2,425,000, full details still have not been made public. Regency thus serves as an outstanding example of a new trend among housing authorities which enables them to effect transactions with federal funds without full disclosure.

For many years, the federal government has subsidized the construction of public housing projects by local housing authorities. Under this system, the latter openly solicit bids from builders and accept the best one. More recently, however, HUD has been financing "acquisitions," whereby housing authorities buy modern and often luxurious apartment buildings for public housing. (As explained in last week's article, this is being done chiefly as a means of complying with a HUD regulation requiring location of public housing outside areas of minority racial concentration, since in most white areas vacant land for construction isn't available.) It's a bonanza for the sellers, who take accelerated depreciation during the first few years of a property's life, when the tax advantage is greatest, and then dispose of it at a long-term capital gain.

Since such transactions are not governed by the Administrative Practices and Procedures Act, there is no requirement for hearings, nor for a 30-day notice of the impending action. Moreover, HUD does not ask the authorities publicly to solicit offers for possible acquisition, or, before closing a deal, to publish the name of the seller or the purchase price. Thus close scrutiny of what has happened in at least one outstanding case, Regency, seems in order.

BAN OUTLINES

Rep. John L. McMillan (D., S.C.), Chairman of the House District of Columbia Committee, had to turn to U.S. Comptroller General Elmer H. Staats to obtain even the bare outlines of the Regency affairs. Mr. Staats told him in a letter that Murray Levine, a D.C. realtor, approached NCHA on August 2, 1968, with the idea of selling Regency for public housing and, in a letter dated August 20, formally offered it for $2,700,000.

On September 4, representatives of HUD's regional office in Philadelphia came to town and inspected Regency. According to a letter from Mr. Staats to Rep. McMillan: "They commented on the suitability of the site and estimated that an acceptable acquisition cost would be $2,433,200."

The Department's regulations specify, however, that it must not subsidize a purchase price in excess of the highest independent appraisal. Accordingly, NCHA obtained two independent appraisals, one for $2,300,000 and another for $2,350,000. On October 10, the Authority submitted these to HUD along with a request for approval of the purchase of Regency at $2,475,000, because "This voluntary offering represents the only likelihood of achieving in the near future a housing project west of Rock Creek, an objective literally unobtainable heretofore . . . (and) . . . the price indicated is reasonable in view of the site location and related social goals of the public housing program."

FIRST INKLING

On January 14, Mr. Levine stated in writing that he would sell Regency to NCHA for $2,475,000. Next day the public got its first inkling of what was afoot when the D.C. government placed an official notice, measuring one and a half by three inches, in the classified section of Washington's Evening Star. It said the mayor had ordered a hearing January 30 ". . . for the acquisition of Regency House . . . for elderly families and individuals to be displaced by urban renewal, highway construction, code enforcement and other public works programs."

While it described the location in detail, the notice failed to disclose either the prospective seller or the proposed price. Three days later The Washington Post carried a story on Regency which said, in part, "NCHA director Edward Aronov would not disclose the asking price or NCHA's offer for the property. Regency House is jointly owned by Washington realty dealer Murray Levine and a group called Annan, Inc. Levine said he would not answer questions about the building."

On January 26, Clinton B. D. Brown, an attorney who lives near Regency, wrote the D.C. government, in part, as follows:

"(1) The published notice is deficient in that it does not identify the statutory authority for the proposed acquisition.

"(2) The notice is inadequate in that the hearing relates to a proposed action which, in its practical effect, would be tantamount to an amendment of the zoning regulations, for which at least 30 days' notice of public hearing is required by statute, D.C. Code, Sections 5–414 and 5–415.

"It is requested that . . . the hearing be postponed and rescheduled for a later date upon at least 30 days' full and adequate public notice including the specific statutory authority for, and terms of, the proposed acquisition."

Mr. Brown says he received no reply.

PRIVATE BUSINESS

At the hearing, NCHA Director Aronov testified: "Although it is not proper to subject the private business of the owner to public scrutiny at this time, if Regency House is approved for acquisition by NCHA, the sales price and other aspects of the transaction will become a matter of public record."

This prompted F. Joseph Donohue, former head of NCHA and also an ex-D.C. Commissioner, to ask: "On what food does he (Aronov) feed that he thinks he can spend my money and tell me it is none of my damn business how he spends it?"

The League of Women Voters said at the hearing: "The unfortunate lack of details on the financial aspects of the proposal disturbed both supporters and opponents. The League does feel that citizens are entitled to a full presentation of the facts about governmental action."

Joseph O'Neill, president of the Chevy Chase Citizens' Association, referring to the aforementioned Washington Post story and its mention of Annan, Inc., told the hearing, "This corporation is not listed as a District corporation, and consequently it was not possible to find out from any normal local record who the owners of this corporation are. . . ."

Richard O. Haase of the Washington Board of Realtors testified, in part, as follows: "The Washington Board of Realtors finds it incredible that the NCHA has entered into contract negotiations with a private owner without making public its intentions or asking for tenders from other segments of the community. We know of no other government agency that acts in this manner. To give you a very clear example, it was not until we walked into this very hearing room that we found out what the purchase price was. . . . We can state unequivocally that there is a large supply of apartment units that can be purchased by the NCHA at a fraction of the cost per unit of the Regency House in well-established neighborhoods."

A COVER-UP?

According to the official transcript of the proceedings, Leo Diegelmann, representing the Oldest Inhabitants of the District of Columbia, said, "The owners, Murray Levine and Annan, Inc., will answer no questions and furnish no information. Is some shady dealing being covered up?"

The next significant event took place on February 14, when the aforementioned Mr. Brown wrote Mayor Washington that public records in the Office of the Recorder of Deeds showed that when the land was assembled for the construction of Regency House, it was deeded to Jacob Lehrman, David B. Sykes and Emanuel Cohen as joint tenants with an undivided one-half interest. Apparently they kept this interest until February 9, 1968, when the three men executed a deed transferring their interest to Annan, Inc.

Thus, if Mr. Brown and Comptroller General Staats are correct, Regency was offered to NCHA about four months after Annan acquired a half interest in it. Mr. Staats wrote Rep. McMillan that half of Regency was owned by Murray Levine and his wife, and half by "Annan, Inc.—a Delaware corporation that is related to Giant Food Profit Sharing Plan."

REGISTRATION STATEMENT

A report filed with the Labor Department's Office of Labor Management and Welfare-Pension Reports indicates that Annan is a wholly owned subsidiary of the Plan, and that Annan leases part of its properties to Giant Food.

All three of the men who Mr. Brown said transferred their stake in Regency to Annan are officers of Giant Food. According to the company's latest annual report, Jacob Lehrman is executive vice president and secretary as well as a director; David B. Sykes is vice president, controller and assistant secretary; Emanuel Cohen is treasurer.

A registration statement filed with the Securities and Exchange Commission on April 3, 1968, indicates that the Giant Food Profit Sharing Plan was set up on January 31, 1953, as a retirement fund "for the benefit of those of its salaried officers and employees who meet certain and minimum employment requirements." On April 26, 1968, its net assets were $4,752,776. At that time, the total amount accrued under the plan for Mr. Lehrman was $184,264; for Emanuel Cohen, it was $184,793.

In his letter to Mayor Washington, Mr. Brown asked that it be made a part of the hearing record. When Barron's looked at the record, however, it was not to be found. We obtained the letter from Mr. Brown.

Hearing officer Fusco noted that several attorneys, including Mr. Brown, questioned the legality of "certain aspects" of the proposal. "Since I am not an attorney," Mr. Fusco told Mayor Washington, "you may want an opinion from your Legal Officer on the legal aspects of the proposal."

Three days later Mayor Washington issued a brief announcement of his approval of the Regency proposal. He said the price of $2,475,000 was "less expensive than five of the Authority's 10 most recently built or acquired developments containing units for the low-income elderly." He appears to have been wrong on this. He definitely was wrong on another point. He said HUD had reviewed and accepted the proposed purchase price. HUD was unable to approve the price because it was $125,000 above the highest ap-

praisal; only its regional office had approved the deal.

PRIOR PROMISE

On the day the mayor issued his statement, Mr. Aronov said that in accordance with his prior promises, he was making full disclosure of the Regency deal. He said the acquisition cost was $2,475,000, to be paid to Murray Levine and Annan Corp.

Noting that questions had been raised about whether NCHA was favoring one person or corporation over others in the purchase of existing buildings, Mr. Aronov said: "Without additional comment the National Capital Housing Authority presents a list of owners or developers of the . . . 10 most recent developments with units for the low-income elderly. In no case has our negotiations or settlement been for more than one property with the same owner or developer."

The list showed that Henry S. Reich was one of the persons from whom NCHA purchased Harvard Towers for $2,320,000. (Like Regency, it is a high-rise with air conditioning and swimming pool.) Mr. Reich is vice president of Giant Food Properties, Inc. According to the aforementioned statement filed with the SEC, Giant Food "owns approximately 12% of the outstanding shares of Giant Food Properties, Inc. Certain officers and directors of the Company are also officers and directors of Properties, and such officers and directors and their families own approximately 15% of its common stock."

ONE OF ORIGINAL OWNERS

Mr. Reich has a son-in-law named Lee G. Rubinstein, whom Mr. Brown identified as one of the original owners of Regency besides the three aforementioned (but not as an owner at the time of the sale to NCHA). Mr. Rubinstein also was named by Mr. Aronov as one of those from whom NCHA bought Horizon House, another luxury high-rise for $2,165,000.

Mayor Washington has decided that future housing programs for D.C. should be part of an overall economic development plan. Accordingly, in August of 1968 he established MEDCO—the Mayor's Economic Committee. As chairman, the mayor named Joseph B. Danzanky, president of Giant Food.

Serving as MEDCO's chief economist is Leon Keyserling. While the D.C. government boasts that he once served as chairman of the President's Council of Economic Advisers, it fails to mention that he currently is a member of the board of directors of Giant Food.

Last June MEDCO issued its first report, prepared under the supervision of Dr. Keyserling with a grant from the Economic Development Administration. As part of its goals for the next decade, it called for construction of "about 102,000 new housing units, about half private and half publicly assisted." The study also advocated leased shopping centers (which happen to be a specialty of Giant Food Properties).

DIRECTOR OF PRIDE

MEDCO's staff director is Carroll Harvey, who also is a director of Pride, Inc. Marion Barry, director of program operations for Pride, is listed as a member of MEDCO in its June report, although The Washington Post reported the previous month that he led a protest rally in the city council's chambers and declared, "We have just declared war on the Police Department and this city."

Giant Food, however, gets along with Pride. The firm's latest annual report says proudly: "Giant was the first member of the business community to offer Pride cooperation and support. This cooperation began with assistance in the development of a landscaping training program, and has now been expanded into a commercial landscaping project. Pride is now responsible for landscaping four of Giant's 'beautified' stores and our general offices. Other areas of cooperation are now being explored."

Under the leadership of Mr. Danzansky, Giant Food also helped feed the people burned out of their homes by last year's riots. Later Mr. Danzansky helped feed the residents of Resurrection City here last summer.

ARRANGED FOR DONATIONS

Unquestionably Giant Food's management has done a lot for the D.C. government, and vice versa. Mayor Washington arranged for the donations which made up the $75,000 difference between the purchase price and the highest appraisal for Regency House. Besides the $40,000 raised by the Washington (Catholic) Lay Association, other contributions, according to NCHA, included: Eugene and Agnes E. Meyer Foundation, $10,000; New World Foundation, $5,000; Public Welfare Foundation, $5,000; Stern Family Fund, $5,000; Hattie Strong Foundation, $5,000; and Taconic Foundation, $5,000.

The contributions, plus a reduction of $50,000 in the selling price of Regency, made possible the acquisition. Even before the reduction, figuring a price of $2,475,000, NCHA came up with an average unit cost of $14,390. It found this was cheaper than unit costs for five other projects for the elderly, and "eminently reasonable."

The Comptroller General, however, found average unit costs of $16,478 even after the reduction. That's because he counted only the 161 dwelling units, while NCHA included 10 doctors' offices in the basement which will not be used for public housing. Furthermore, NCHA failed to include $84,500 for rehabilitation costs, $24,700 for moving expenses for tenants forced out and $177,179 for NCHA costs. The latter comprises such items as $8,000 for salaries for nontechnical employes, $11,501 for technical salaries and $5,780 for architectural and engineering fees.

Whichever way the unit price is figured, it seems high, since HUD is subject to limitations on room costs contained in section 15 (5) of the Housing Act. Normally it is $2,400 a room. But in projects designed specifically for the elderly, it is $3,500 a room. Still, that would seem to bar Regency, which has 77% one-room efficiency apartments. But costs of land and non-dwelling units may be excluded, and HUD counts the bathroom and kitchen of efficiencies, thus coming up with three rooms.

Mr. Staats explained, "Under HUD procedures, a project is considered to be specifically designed for the elderly if it is designated by HUD as a project for the elderly, and at least 60% of all dwelling units are efficiencies and not more than 4% of the units have two bedrooms."

ELDERLY DESIGNATION

The government put grab bars in the bathrooms at Regency and gave it the elderly designation. (The aforementioned Horizon House and Harvard Towers also are designated for the elderly.) While NCHA counted 174 units in figuring costs of acquiring public housing, Horizon actually has only 106 apartments. The rest of the units have been converted to serve as the headquarters for NCHA.

Though the Authority seems adept at acquiring luxury high-rises, its expertise does not seem to extend to taking adequate care of some of the more traditional projects it owns. Local papers reported recently that tenants at the Frederick Douglass Public Housing Project here are complaining of rats, termites, ceilings falling in, doors and windows without screens or locks and apartments that have not been painted for six years.

EASING RACIAL TENSION THROUGH RACIAL BALANCE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. RARICK. Mr. Speaker, if busing of schoolchildren across town or about a county is a desirable means of attaining social justice, surely it is just as desirable to bus children from State to State—or for that matter, to transport families from area to area. The only difference between across town or State to State is the distance involved which certainly cannot be a moral consideration in attaining social justice and relieving racial tensions by achieving racial balance—if the promoters are truly in good faith.

For this reason, I have introduced House Resolution 497 to establish a committee "to conduct a full and complete study of the demography of the United States with a view toward providing relief from racial tensions by more equal distribution of underprivileged racial groups throughout the several States and in the political subdivisions of each State."

To any student of contemporary America, especially those dedicated to a fully integrated society, it is generally known that Negroes comprise 11 percent of our national population. Yet, in some sections of our country, the Negro population exceeds 50 percent and even extends to 80 percent. Attaining social justice in these heavily impacted areas is a much more difficult task than in other locations which are under the 11 percent national average.

Castigating or villifying the people and community in the heavily impacted areas only incites additional racial tensions and is not a solution but aggravates the problem. My bill would propose a study to determine the equal distribution of the underprivileged minorities about our country. House Resolution 497 would, first, help ease the ever-increasing racial tensions and, second, give more of our fellow countrymen an equal opportunity to work together to help solve the seriously worsening underprivileged minorities problem in our country.

I invite all my fellow colleagues, especially those who have already approved of using busing and denial of freedom to achieve racial balance, to join with me in cosponsoring similar legislation.

Mr. Speaker, House Resolution 497 follows:

H. RES. 497

Resolved, That there is hereby created a select committee to be composed of nine Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Not more than five members of the committee shall be members of the same political party. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

The committee is authorized and directed to conduct a full and complete study of the demography of the United States with the

view toward providing relief from racial tensions by more equal distribution of underprivileged racial groups throughout the several States and in the political subdivisions of each State.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized by the committee to hold hearings, is authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

A CALL TO ACTION

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. FEIGHAN. Mr. Speaker, as I mentioned last week, our merchant marine fleet is in dire need of rejuvenation. We can no longer ignore this call to action.

I would like to bring the following brochure, published by the Labor-Management Maritime Committee, to the attention of my colleagues. This brochure outlines what must be done to improve the stance of the merchant marine fleet.

The brochure follows:

MARITIME PROGRAM IMPERATIVES—A TIME FOR "DEEDS—NOT WORDS"

Throughout the current decade, the maritime industry has been "studied to death." The approach to each major problem has been: Appoint another committee—conduct another study—initiate another survey. These are the convenient tools of those whose end purpose is to do nothing or who seek to delay what must be done. It may already be later than we think to get on with the job of building an overall balanced merchant marine. This publication not only calls for an end to wasteful delay but sets forth a formula for meeting urgent maritime program needs. President Nixon has called for a strong U.S.-flag merchant marine. We strongly support him in his efforts to achieve this worthy objective.

A TENACIOUS TALKATHON

"Let us build us a city and a tower, whose top may reach unto Heaven; and let us make us a name, lest we be scattered abroad upon the face of the whole earth." Genesis 11:4.

An Executive Order dated June 17, 1964, established the President's Maritime Advisory Committee (MAC). It included the best maritime minds in the nation.

With commendable unanimity, this high level committee sought to build "a tower" of maritime strength and again "make us a name" among the sea powers of the world.

Much of our merchant fleet had already been "scattered abroad upon the face of the whole earth" by a loose foreign transfer policy.

On November 27, 1965, following months of strenuous effort, the Committee concluded its task and submitted its report to the President. Regrettably, it was ignored and relegated to the "archives."

Thus this meritorious effort became engulfed in the same tenacious talkathon that has plagued our merchant fleet for two decades.

Nor does it stand alone in this respect. Other pronouncements of undoubted good intention met the same fate.

In 1944 President Eisenhower said, "America's industrial prosperity and military security both demand that we maintain a privately operated merchant marine adequate in size and of modern design to insure that our lines of supply for either peace or war will be safe."[1] This worthy aim and purpose has been appreciably forgotten.

President Kennedy declared on October 3, 1960, that "our defense must be second to none, our merchant marine at full strnegth, our commitment to the world's people clear and unmistakable."[2] Nothing remotely resembling "full strength." was ever accomplished.

President Johnson stated on January 16, 1964, "A strong merchant marine is a guarantee of national security and economic stability"[3] Nothing was done to help the merchant marine guarantee it.

Again, on January 4, 1965, he declared, "I will recommend heavier reliance on competition in transportation and a new policy for our merchant marine."[4] Nothing worthy of the name was ever recommended.

On March 19, 1969, the Honorable L. Mendel Rivers, Chairman of the Armed Services Committee of the House of Representatives, sought an end to words without deeds when he said:

"We have had promises from the Administration and past administrations that we would get a new Navy and a new Merchant Marine. The time has come for more than words. As President Nixon said, 'I believe that it is far more effective to use deeds rather than words . . . in order to accomplish objectives'. Words have been used up till now. Mr. President, we are waiting for some deeds."[5]

Congressman Rivers' call for an end to this tenacious talkathon should be heeded without delay. The gap between pronouncement and performance must be bridged.

THE DIMENSION OF MARITIME DIVISIVENESS

"Let us go down, and there confound their language, that they may not understand one another's speech." Genesis 11:7.

October 4, 1965, is remorsefully known as our maritime "day of infamy".

On that day came the abrupt revelation that the Administration—while purporting to confer openly with the "maritime industry"—had simultaneously and with concealed ambidexterity, produced the now infamous Interagency Maritime Task Force Report. The whole maritime industry was stunned.

With unfathomable shock and chagrin, the President's Maritime Advisory Committee struggled on through the few ensuing days of its life and concluded its report.

Quickly shelving the MAC recommendations, the Interagency Maritime Task Force extolled the virtues of its own report in every major seaport of the nation.

However, this atrocious maritime deformity, spawned in the shadows of administrative secrecy, could not long endure the light of day.

Over a 20-year period—1966 to 1985 (inclusive)—it proposed to:

Reduce our present small commercial fleets by 185 ships.

Accomplish such fleet reduction during periods of enormous foreign trade expansion.

Reduce annual government support by over $25 million.

Confine U.S. shipyard construction to a static 21 commercial ships annually.

Open the floodgates to extensive foreign construction of U.S.-flag ships.

Reduce shipboard employment by 20,465 jobs.

Change national policy to support only a "lean trade leverage" fleet.

Place the nation's commerce at the mercy of foreign shipping.

The principal result of such a monstrosity was to beget massive maritime divisiveness.

Thus were sown the thorns of division that choked out the seeds of unity.

This is not to say that divisiveness had not existed—labor vs. labor; management vs. management, or both against each other.

However, in the MAC deliberations, all joined together to achieve maximum maritime capability. The Interagency Task Force neutralized these meritorious efforts, creating a Tower of Babel fiasco from which the martime community even yet has not emerged.

To those who desired unlimited foreign ship construction, the turnstile was opened wide.

To American capital with expansive foreign-flag operations, the Task Force Report gave sanctity and support.

To those with obsolete World War II fleets, vague experimental subsidy proposals evoked dubious hope.

To maritime labor, already divided, it engendered even greater proliferation in desperation for realistic long-term employment security.

The bureaucratic gods of the Intergency Maritime Task Force truly came down "to confuse their language".

Subsequently, a multi-lingualism of massive proportions has beset the maritime community, engulfing government, labor, and management.

The Nation awaits a new dawn of maritime consciousness. It is fervently hoped that this dawning will not be too late.

Government cannot evade vital maritime issues by a pronouncement that nothing will be done until industry is united. Government helped divide it.

Carriers of waterborne commerce cannot expect maximum effort from government while their leaders pursue further separative purpose.

Maritime labor cannot expect favorable action to reverse the decline in merchant shipping while their ranks continue a divisive course.

Perhaps the whole maritime community cannot reunite. God forbid! for it will most certainly bring grief to the nation

A reappraisal of our maritime needs with an acceptable program for meeting national maritime objectives is imperative.

The Labor-Management Maritime Committee believes the following condensed formula is conducive to a responsible maritime program. It invites consideration by all who hope for a rebuilding of U.S.-flag merchant shipping.

BASIC CONCEPTS FOR STRENGTHENING THE U.S. MERCHANT MARINE

General policy imperatives

Support and sustain the Merchant Marine Act of 1936 as the national instrument of maritime policy, amending it cautiously

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[1] President Eisenhower in London, 1944.

[2] Speech at convention of National Maritime Union, New York City, October 3, 1960.

[3] Remarks in connection with keel laying of SS "Louise Lykes" on January 16, 1964.

[4] State of Union Message, January 4, 1965.

[5] Address before Propeller Club of the U.S., Port of Washington, D.C., March 19, 1969.

where the lessons of time and experience clearly mandate.

Reaffirm the valid and time-tested concept that a strong U.S.-Flag Merchant Marine is essential to both the commercial well-being and national security of the Nation.

Develop constructive means for transporting a "substantial portion" of our export-import commerce in U.S.-flag ships and aggressively pursue the declared objective of "at least 50%" as a national goal.

Provide more realistic consideration of U.S. merchant seapower in future military and defense planning.

Adopt an overall Merchant Marine program sufficiently capable of meeting foreign competition from any source including the ever-growing challenge of the communist bloc.

Achieve to the highest attainable degree an American Merchant Marine owned and operated under the United States Flag by citizens of the United States, composed of the best equipped, safest, and most suitable types of vessels constructed in the United States, manned with a trained and efficient citizen personnel.

Essential trade routes

Support the principle of essential trade routes over which regular and dependable shipping services are mandated.

Provide (1) flexible adjustment in maximum and minimum sailings, (2) facility in modifying ports of call, and (3) broader trade route determinations based upon ultimate intermodal destinations and responsive to changing conditions.

Promote adaptability of shipping service to excessive traffic or peak load conditions on the respective sea lanes by approval of cross-chartering between operators.

Simplify procedures under Section 605(c) of the Merchant Marine Act of 1936 to facilitate determinations for expanded U.S.-flag service.

The steamship conference system

Encourage the operation of ocean freight conferences under the shipping act of 1916 to promote rate stability and avoid costly rate wars by further strengthening the operational aspects of rate agreements.

Provide dependable services to exporters and importers through maximum self regulation by the maritime industry.

Sustain the concept that complete regulatory surveillance by government in the public interest should continue to be lodged with the Federal Maritime Commission as the proper guardian of the Shipping Act of 1916.

Support the dual rate contract system as a common and proper business practice which can provide constructive assistance in meeting the objectives of the 1916 act with properly administered safeguards against possible abuses.

Cargo preference

Equate foreign and domestic costs through (1) maximum competitive ship capability and (2) operating support for the remaining cost differential gap.

Retain and strengthen cargo preference (after equating costs) to achieve "routing preference" only—thus offsetting similar preferential routing practices by competing foreign maritime nations.

Mandate the positive and effective application of cargo preference laws by responsible government agencies, concentrating overall supervision in one centralized authority—The Maritime Administration.

Operating subsidy contracts

Unburden the authority to contract from the unorthodox administrative controls superimposed by Reorganization Plan No. 7.

Promote greater flexibility in the exercise of the contracting authority under the Merchant Marine Act of 1936 without impediment from other governmental sources.

Call upon the executive and legislative branches of government to implement and make effective the legally authorized contracts of the constituted quasi-judicial maritime authority.

The parity principle

Maintain the cost equalization of parity concept of the Merchant Marine Act of 1936 in both the operating and construction areas of world competition.

Acknowledge existing incentives for diminishing the differential cost gap in each area of competition and strive for additional incentives with effective application.

Correctly identify and apply full parity between foreign and American costs. Eliminate current government practices designed to dilute the payment of fully equalized operating cost differentials to contracting lines.

Simplify the current cumbersome and laborious methods of computing cost differentials, thus eliminating traditional backlogs in accounts due to the operators, making certain that the applications of new systems do not violate the parity concept itself nor impair its basic realization in practice.

Recognize that reductions in differential gaps between U.S. and foreign costs may be possible through achieving higher relative competitive capability but that elimination of such differentials assumes the improbable: (1) lack of corresponding foreign maritime competitive progress and (2) equalization of world-wide standards of living and wages.

Merchant shipbuilding

Adopt a merchant ship construction program ranging from 30 to 40 ships a year designed to provide appropriate allotment between liner, dry bulk and liquid bulk carriers based upon demand.

Support the maximization of merchant shipbuilding in U.S. yards with shipyard subsidy adequate to meet this purpose.

Sustain the principle that the United States must have an adequate shipbuilding capacity and an adequate nucleus of skilled shipbuilders to meet peacetime emergency needs.

Oppose any proposal that this Nation take advantage of sweatshop standards in backward countries to build ships for the commerce of the United States.

Support the construction or purchase of ships abroad with full U.S. flag operating privileges *only when* American shipyard facilities are unavailable or when ship replacements will be denied or seriously impeded due to lack of government financing.

Keep pace with other nations by adopting an adequate and continuous planning and research program designed to attain the highest competitive ability through modernization of plant facilities and the promotion of technological advancement.

Separate support for U.S. shipyards

View shipbuilding in the United States as a distinct industry separate and apart from the operating Merchant Marine.

Provide necessary government subsidy directly to the shipyards.

Provide direct federal support for research and development programs dealing with construction practices and management systems specifically designed to promote efficiency, productivity, and the ability to meet world-wide competition.

The national defense reserve fleet

Accept the fact that the National Defense Reserve Fleet as we have known it, is the remnant of an age that has passed and do not overburden the future with it.

Pursue an active scrapping program for all ships deemed unusable for military purposes.

Oppose the upgrading of AP–2, AP–3, and similar World War II vessels in the reserve fleet; subjecting them only to the normal preservation processes and applying cost savings to the construction of new privately-owned merchant ships.

Upgrade the reserve fleet by accelerating the retirement of C–2 and C–3 or even superior vessels from the current operating fleet.

Concentrate on new ship construction to produce ready and available operating ships for defense purposes.

American owned foreign-flag ships

Recognize the weakness of the "effective control" policy as a means of insuring availability of American owned foreign-flag ships in a national emergency.

Re-evaluate the Department of Defense position that "effective control" ships constitute a dependable national asset.

Stop the exodus of U.S. merchant ships to foreign-flag and encourage their return to U.S. registry by re-designing government policy to achieve a climate conducive to capital investment and competitive operational stability.

Financing a merchant marine program

Provide continuity of available Government funds to implement our national maritime policy through the instrumentality of a maritime revolving fund.

Institute a maritime revolving fund for both ship operation and construction purposes in a manner similar to the former construction fund provided under Section 206 of the Merchant Marine Act of 1936.

In addition to the fund sources provided under this provision of law, consider the continuous replenishing of such revolving fund by annual transfers from customs receipts.

Predetermine an appropriate amount to meet the government's share of essential operating and construction costs necessary to effectively implement our national maritime policy, increasing customs duties if necessary to accomplish this purpose.

Make transfers from customs receipts as well as expenditures from the maritime revolving fund, conditioned upon annual program consideration by the Congress and appropriative action by the respective appropriation committees.

By such method, eliminate budget inadequacies contributing to our current unenviable position in world shipping.

Berth line carriers

Process the long delayed and unprocessed applications of berth lines for cost parity contracts under the 1936 Merchant Marine Act.

Provide operating subsidy to such lines without unfair advantage over existing subsidized carriers and with reasonable dispatch, wherever the provisions of 1936 are adequately met.

Provide for fleet replacement, within a reasonable period, under the same limitations and obligations now assumed by existing Berth Line carriers under subsidy contract.

Require as a condition to receiving cost parity operating support that all companies involved subject themselves to the normal regulations applicable to existing subsidy contract lines and divest themselves of foreign-flag operations.

Dry bulk carriers

Provide cost parity with foreign operators by extending operating differential subsidy to dry bulk carriers similar to that enjoyed by the Berth Lines, wherever practical. Require such carriers to eliminate equivalent foreign-flag tonnage to the extent possessed and guarantee no subsequent increase in such tonnage thus leading to its ultimate retirement. Amend the Merchant Marine Act of 1936 to facilitate this purpose.

Provide long-term operating contracts for qualified dry bulk carriers with provision for vessel replacement and with worldwide trading privileges.

Phase out rate differentials in transporting government supported bulk cargoes as new vessels are constructed and placed into service with appropriate timing to protect existing operators in the trade with Title XI or other financial obligations to meet.

Terminate the purely administrative practice of denying to bulk carriers the shipyard construction support authorized under the 1936 Merchant Marine Act.

Standardize to the fullest practical extent the design of bulk cargo vessels to achieve the lowest possible construction cost without sacrificing productivity and efficiency in world market competition.

Establish an interim goal for carrying 30% of our dry bulk export-import cargo in U.S. flag ships and strive for an ultimate goal in excess of 50%.

Modify the Merchant Marine Act of 1936 to provide capital reserve and/or special reserve privileges similar to those enjoyed by the current subsidy contract Berth Lines. Extend this latter provision to Great Lakes shipping as well.

Liquid bulk carriers

Re-design shipping policy to encourage American owned liquid bulk carriers engaged in U.S. foreign commerce to operate under U.S. flag.

Pursue the goal of transporting at least 30% of our liquid bulk cargo in U.S. flag tankers.

Seek voluntary action by liquid bulk proprietary companies to return their foreign-flag ships to U.S. registry and program future replacement ships for U.S.-flag operation.

Upon failure of voluntary means to achieve results, mandate the imposition of a minimum import quota in order to reach desired goals.

Inland water carriers

Repeal the no-mixing rule for inland barge lines so that large volume tows may continue to be operated and low rates for shippers preserved.

Advance the replacement of obsolete equipment through provision for equipment trust arrangements. Support legislation for recording trust agreements and evidences of equipment indebtedness with the Interstate Commerce Commission for all types of water carriers.

Oppose waterway or user charges on inland waterways.

Domestic commerce

Provide a realistic depreciation policy to stimulate investment capital for domestic commerce.

Grant to domestic carriers the right to deposit a portion of earnings before taxes in a special reserve fund for purposes of ship construction, reconstruction or alteration as in the case of subsidized operators. Amend Section 511 of the Merchant Marine Act of 1936 to accomplish this purpose.

Appropriate lodging of government maritime functions

Accept the principle that a positive merchant marine program is the preeminent and overriding consideration—not the lodging of maritime functions within government.

Lodge the Maritime Administration where deemed most appropriate but assign to it broad authority for carrying out our national maritime laws and policies.

Pursue the goal of transporting at least 30% of our liquid bulk cargo in U.S. flag tankers.

United States Senate—clothed with appropriate authority and responsibility for administering maritime programs unfettered by pyramiding echelons of multiple supervision and control and with independent action on all matters requiring hearings and/or public notice.

Establish a civil maritime board with independent authority (either within or outside a department), appointed by the President with confirmation by the United States Senate—to perform promotional and quasi-judicial functions. If within a department, provide an appeal either to the secretary or directly to the courts as in the case of an independent agency.

Passenger ships

Promote continued passenger ship operation under U.S.-flag.

Eliminate restrictions on sale or other means of disposal of unprofitable passenger ships upon proven economic non-feasibility for continued operation.

Construct new passenger ships of the size, type, and design required for modern passenger traffic especially keyed to the cruise trade.

Apply the sole recourse provision of the Merchant Marine Act of 1936 to all new passenger ships.

Support merger of passenger ship operations on a broad consolidated company basis if required to keep U.S.-flag passenger ships on the high seas.

Labor-management relations

Strive to achieve continuity of service to shippers and the general public without interruption by labor-management disputes.

Support government action to stem the ever-spiraling cost of living and corresponding wage depletion so damaging to maritime work stability.

Establish a system for handling labor-management disputes intrinsically conducive to timely settlement—failure of which penalizes only the disputants.

Provide for continuing review of incentives conducive to equitable and effective avoidance of work stoppages.

Seek proper wages for corresponding job assignment without inter-union "me-too-ism" which has plagued the maritime industry.

Promote a realistic recognition on the part of all segments of the maritime industry that unnecessary work stoppages have already wrought great damage and can ultimately destroy it.

Appoint a high level committee of union and management representatives to develop realistic means of achieving these ends.

The Labor-Management Maritime Committee has set forth in this brochure the key imperatives for achieving a strong U.S.-flag merchant fleet. We feel that most segments of the American Merchant Marine will preponderantly agree with the proposals set forth. Where there is disagreement, there will undoubtedly be areas of compromise. Where patently unsound proposals are advanced, or where unwarranted attacks are made upon the Merchant Marine Act and those operating under it we shall oppose them. We call upon all segments of the industry, both labor and management, to assist the President and the Congress in the job of restoring a major share of our commerce to U.S.-flag shipping and in building a merchant marine capable of transporting it.

AMERICAN VETERANS COMMITTEE SPEAKS OUT ON NATIONAL AFFAIRS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. FRASER. Mr. Speaker, it gives me a great deal of pleasure to place in the RECORD the national affairs platform and resolutions of the American Veterans Committee.

This outstanding, liberal veterans' organization consistently supports progressive policies for our Nation. Their slogan, "citizens first, veterans second," reflects their desire to work on behalf of the Nation as a whole and all of its people rather than just for special privileges for veterans.

I commend this excellent statement to my colleagues, as follows:

NATIONAL AFFAIRS PLATFORM OF THE AMERICAN VETERANS COMMITTEE

AVC stands for the Bill of Rights as a living force animating the political life of our Nation and as a firm limitation on the arbitrariness of government.

AVC stands for the Bill of Rights as a guarantee of our freedom to speak, to assemble, to believe, and to dissent without fear from the conformities of the day.

AVC stands for equality for all, regardless of race, color, ancestry, national origin, religion, sex or age, and for the constitutional guarantees of such equality.

AVC stands for just legislative representation of the people of the United States, the States and their subdivisions, without poll taxes or other property qualifications for voting, with equal weight for each vote, and on a geographically fair basis, within the framework of the Constitution of the United States.

AVC stands for a policy of gainful, full employment and security for all, as outlined in the Employment Act of 1946.

AVC stands for responsible, efficient, and honest government and for the merit system in government employment.

AVC stands for a government possessing and willing to exercise all powers necessary to bring about a solution of our national problems.

AVC supports the active intervention of government, primarily of the Federal Government, in the economy and the general welfare of our country to stimulate and provide employment to improve the physical condition of our cities and towns, of our housing and our schools, to bring all the greatest benefits from the development and conservation of our natural and industrial resources and to provide for the general welfare and health of our country to stimulate and provide employment to improve the physical condition of our cities and towns, of our housing and our schools, to bring all the greatest benefits from the development and conservation of our natural and industrial resources and to provide for the general welfare and health of our people.

AVC supports a tax policy based on ability to pay and opposes regressive sales and excise taxes.

AVC stands for the recognition of equal rights for labor and management and for improved social benefits of employees.

AVC supports an educational system and a public health system which will give the American people, and America's youth in particular, the knowledge, skills, and training, and the physical and mental health and stamina, to continue their forward march toward America's democratic fulfillment.

GOVERNMENT AND LIBERTY

I. The Nation's freedom—The Bill of Rights

1. We affirm the basic right of all Americans to due process of law, the right to counsel and to freedom from unlawful search and seizure. We oppose all efforts to suppress freedoms to believe, speak, write, assemble, criticize, and dissent.

2. A. We urge strong and consistent enforcement of existing laws and regulations which will insure to the citizens of the United States and of the several States the full measure of their privileges and immunities of due process of law and the equal protection of the laws guaranteed to them by the Constitution, regardless of race, color, ancestry, national origin, religion or sex, or wage, and urge the national, state and local governments to enact such further laws, ordinances and regulations as may be needed further to insure these ends.

B. We believe in the principles of the separation of church and state.

C. We favor freedom from censorship of newspapers, magazines, radio, television, motion pictures and other media by the Post Office, Customs Bureau, police departments, and other units of government as well as by private pressure groups.

D. We oppose the use of wiretapping and electronic and other forms of eavesdropping devices whether by private individuals or Government officials, elected or appointed.

E. We urge protection by Federal law of all members of the Armed Forces from physical violence because of race, color, ancestry, national origin or religion.

F. We urge making lynching a Federal crime, as well as making provisions for compensation to the families of lynching victims.

G. We favor Federal legislation making it a crime to bomb or to conspire to bomb school, church and other public and quasi-public property.

3. A. The right against self-incrimination. No inference should be drawn in regard to guilt in any legal proceeding of any person solely because he exercises this right.

B. The right to travel. The right of an American citizen to travel abroad should not be arbitrarily abridged by the Federal Government.

II. The Nation's Government

1. Freedom of information: The right of the people to full knowledge of government affairs must not be abridged, except where disclosure would imperil the national security of where disclosure would, without substantial public benefit, encroach on the right of the individual to personal liberty or freedom.

2. Congress: We urge proper changes in the rules of the Congress of the United States which will make it possible for the majority of the members to vote cloture or close debate on legislation after a reasonable period, and which will make merit, not tenure alone, the standard to be used in the selection of committee chairmen.

3. Federal-State Relations: We favor strict Federal standard-setting and enforcement in all federal grants in aid.

4. State and local government: We urge reapportionment within the States consistent with the principle "one man-one vote."

5. The Federal civil service:

A. Apart from discharges based on reorganization of Government activities or reduction in force, Government employees should be discharged only for cause and through due process of law. The employees should be presented with a written statement of charges, have the right to a hearing before an impartial board. He should have the right to present evidence, be confronted with adverse witnesses, cross-examine witnesses, and receive a transcript of the hearing free of charge. Action toward his separation from the Government service should be taken only on the basis thus made.

B. The rights granted to veterans in the Veterans Preference Act in regard to discharge procedures and appeals should be extended to all Government employees except those in probationary status.

6. District of Columbia: We urge that the District of Columbia receive, by legislation or by constitutional amendment where the matter cannot be handled by legislation:

A. The right to local self-government and;

B. The right to elect Senators and Representatives in Congress;

C. An equitable annual Federal contribution in lieu of taxes.

ECONOMIC SECURITY

III. Basic economic policy

1. We continue to support the Employment Act of 1946 which states it is the policy of the Government to create and maintain "conditions under which there will be afforded useful employment opportunities including self-employment for those able, willing and seeking to work and to promote maximum employment, production, and purchasing power."

2. To insure the interest of the consumer we urge Congress to establish a Department of the Consumer, to be headed by a Secretary of Cabinet rank.

IV. Monetary policy and tax policy

1. Monetary policy:

We urge the establishment of a Federal capital budget for reimbursable public works appropriations and to improve the accounting and budgetary operations of the Government.

2. Tax policy:

A. We urge elimination of special provisions in the internal revenue laws which are discriminatory in nature. As blatant examples, we point to the favored tax treatment of the extractive industries, the restricted stock options for corporate executives, the retirement income credit, the preferred tax treatment of profits on stock market transactions, and the dividend exclusion and credit provision.

B. We also call for an end to the abuse of the deductibility of business expenses to finance luxurious travel, vacations, and entertainment for business management, professional men and sales executives.

V. The urban crisis

AVC from its inception has been vitally concerned about the urban crisis, and we recognize the urgency of effective action to overcome the conditions which have caused it. These are many-faceted, including a shortage of jobs, of homes, of services, of educational incentives, of recreational opportunities. They also include environmental pollution and the citizen's increasing inability to influence or even participate in city government by democratic means. Many of these evils are most concentrated in the slums.

The concept embodied in the Model Cities program of strengthening local government and the people it serves to solve these problems, offers a sensible approach to solution of the urban crisis itself. AVC urges expansion of this demonstration program to all communities which may benefit from it, with adequate financing for both the development of local plans and the federal programs which are expected to contribute to their implementation. We intend to be vigilant that the focus remains, under the new program guidelines, on the disadvantaged in the cities.

Citizen participation in the planning and administration, as provided for in Model cities, Community Action and other programs, is the democratic means of assuring that resources intended to help the disadvantaged are not bargained away without the consent, or at least the understanding, of the poor themselves. We urge the Congress to retain its requirements for citizen participation and extend them to additional programs which the federal government supports. We urge also that provision be made and funds be allocated for independent planning staff and facilities for citizens' groups and commissions.

An important aspect of the urban crisis is housing. Physical reclamation of the slums requires the provision of housing for those who now inhabit the slums, at rents or prices which are fair and which they can afford to pay. To bring this about, we favor flexible use and adequate funding of the variety of programs now in use, including rent supplements, eased purchase credit, reduced interest costs. We also recognize that it will be some time before the private housing industry will be able to play a significant role in such low-return activities, and we therefore call for the widest variety of public investments in housing, such as traditional public housing, turnkey housing direct interest-free loans and leased housing. And we need serious thought about new approaches.

Beyond the creation of the necessary housing, our government must assure that access to housing is assured regardless of the race, color, creed, national origin, age or size of family of the prospective user. We call for vigorous enforcement of the Fair Housing provisions of the Civil Rights Act of 1968, which was a start toward elimination of the ghettos.

We also recognize that the urban crisis is affected by the rural crisis which has long been apparent but ignored. We therefore demand that the scantly-funded rural counterpart programs be rovitalized and used toward stabilizing the life of our rural citizens in the countryside where they prefer to live instead of forcing them to migrate to the cities, often to be engulfed by the slums.

VI. Conservation and development of natural resources

We accept as a cardinal principle of conservation policy that the natural resources of this land are given to us in trust for the people of this and subsequent generations. The benefits of these resources must be distributed widely and equitably and a share thereof must be preserved for future citizens.

Through comprehensive and coordinated national and regional planning and development, wise use, and enlightened conservation, this can be done. The very nature of the problem requires that Government play a major and controlling role in assuring that conservation.

1. Department of Natural Resources. We propose the organization of the Department of Natural Resources. Such a new department should provide for regionally decentralized opportunities for program formulation and execution, while clearly placing federal responsibility for resources development within the framework of a single agency. The regional multi-purpose concept may require that specific localities or projects be reserved or developed for one or more preferred use.

2. Water and Air Conservation:

A. We reaffirm our strong support of comprehensive multi-purpose river basin development and urge the accelerated application of this principle to our river basins.

B. We similarly favor regional planning by the States and metropolitan areas as well as area redevelopment.

C. We urge the Federal Government to undertake the planning and construction of multi-purpose water and power projects similar to the one provided in the Tennessee Valley. Their very scope requires government development and precludes the short-term, piecemeal operations of private interests.

D. The conservation and development of adequate fresh water supplies to meet expanding needs for domestic agricultural, industrial, wildlife and recreational uses, and the protection and improvement of water quality, especially in relation to accumulated pesticides and other contaminating matters, are of increasingly urgent concern.

3. Energy resources conservation. We call for:

A. The maximum feasible development of our only renewable energy resource hydroelectric power including Federal construction of multi-purpose power dams and other waterpower, irrigation, flood control and navigation works using standards of feasibility and repayment schedules for such projects based upon their reasonably expected service life.

B. A continuation and acceleration of the Federal programs to develop and stimulate development of effective processes for the utilization of our immense reserves of oil, natural gas, shale and coal.

C. We urge a major increase in the scope and speed of air pollution prevention measures.

D. The development of atomic energy (both fission and fusion type) for power and other peaceful purposes.

4. Recreation and Wildlife:

The expansion in the demands for outdoor recreation opportunities requires that we add to our national park system and increase the recreational developments of our national forests, public lands, reservoirs and seashores.

We endorse legislation to control billboard erection in scenic areas. Urban planning and redevelopment should include provision for open spaces and outdoor recreation areas.

5. National Land Reserve.

We support the concept that our remaining public lands constitute a "National Land Reserve" to be administered for the benefit of the public with appropriate safeguards for future generations.

6. Pesticide Control

We urge careful consideration and close supervision of pest control programs in recreational, farming, and urban areas.

VII. Agriculture

American agriculture is increasingly the victim of the owners of the new machines, themselves investors rather than farmers. Hired workers are displaced from jobs, and farm lands are being concentrated in fewer hands as farmers themselves are displaced.

AVC calls for a four-part approach to the resulting problems:

1. A reduction of subsidies to industrialized agriculture, those now being paid in proportion to production or for practices which, like some in other industries, are a normal part of the business;

2. New approaches to two problems of the sub-marginal farmer and the farm laborer, recognizing that their plight is closely related to that of the underemployed urban worker and is only in part agricultural.

3. Strengthening the economic family farm through greater attention to credit, service and marketing needs;

4. Providing for rural people the whole range of educational cultural, recreational, health and other opportunities already accessible to dwellers in metropolitan areas.

VIII. Labor

We urge:

1. Periodic updating of the provisions of the Fair Labor Standards Act to insure the coverage of maximum numbers of categories of workers and a realistic and decent Federal minimum wage.

2. Enactment of laws for the full disclosure of the administration of pension and health and welfare plans, whether administered by unions or management or jointly by both. Federal law should follow existing Federal securities legislation and State laws such as that of the State of New York for the exemptions contained in the latter.

IX. Social welfare

As veterans concerned with the social welfare of all citizens we urge:

1. Federal standards to increase unemployment insurance benefits, more realistic eligibility standards and lengthening of the period for which benefits are paid.

2. Development of a strong and unified child welfare program with the Department of Health, Education and Welfare.

3. Development of Federal services and grants-in-aid for the prevention and control of narcotics addiction, based on the promise that drug addiction is a disease to be treated.

X. Education

1. We recognize that "in the quality of education lies the fate of freedom itself." We urge the provision of educational opportunity for every American to the limits of his capacity, and the identification of the talented among us in order to challenge them to their highest achievement.

2. To improve and extend existing scholarship and loan programs for college and university students.

3. To extend scholarship and exchange programs for study by Americans abroad and by nationals of other countries in the United States.

4. To appropriate adequate Federal aid to communities impacted by Federal programs.

5. We oppose the use of public funds whether as grants or loans to non-public elementary and secondary schools.

XI. Public health

We urge:

1. Increased Federal expenditures for research in the prevention and care of illness.

2. Expansion of medical insurance and group medical care plans, including a plan for national health insurance.

3. Expansion of public health facilities and services hospitals and nursing homes, without regard to race, color, ancestry, national origin, religion or sex.

XII. Indian rights

We oppose revocation of commitments entered into by treaty between the U.S. Government or the Government of any state and the various Indian tribes.

We support all efforts (1) to safeguard Indian lands and resources from exploitation and expropriation in violation of treaty rights and (2) to make the Indian tribes capable of supporting themselves from the proper development of their resources.

We support adequate health and educational services for the Indian tribes capable of supporting themselves from the proper development of their resources. We support adequate health and educational services for the Indian reservation as well as training in modern industrial and management skills to enhance the opportunities for better living and the ability of the Indian tribes to manage their own affairs.

We also support social services to those Indians who desire to live outside their tribal reservations so as to assist them in adapting themselves especially to urban living and to protect them against discrimination and hostility in their new environment.

RESOLUTION ON VOTING RIGHTS LEGISLATION

AVC wholeheartedly endorses the extension of the voting rights legislation now in effect and slated to expire in 1970. In AVC's view, this legislation should be made permanent. But if this is not feasible, it should be extended for at least ten years rather than the five years now proposed. The extended legislation should uphold clearly existing bans on literacy and other special tests for voter qualification. In particular, it should not lessen existing provisions for their prohibition in the guise of making them applicable nationwide. The extent of state—or even county—or city-wide voter registration or actual voting is not a guaranty against vexatious state laws directed against participation in voting by segments of the voting population.

RESOLUTION ON TAX REFORM

I

AVC in its platform has called for tax reform; that is, the abolition of favored treatment of numerous types of business transactions and of the exemptions of broad classes of income from the burden of income taxation. The tax reform is NOT, however, the imposition of a token tax on a small group of very wealthy taxpayers whom the law presently enables to avoid all taxes or the repeal of the income tax which now hits some very small net income earners. If, as the Nixon Administration proposes, only these two steps were taken, it would be in effect a refusal to bring fundamental justice to our tax system. Even within this framework the Administration proposals reduce the proposed tax bite from the income of the very rich from $420,000,000 in earlier proposals to only $80,000,000 in their own current project and narrow relief for low income taxpayers to the very lowest group which pays minimal income tax in any event, and pays taxes primarily through sales taxes which some Administration leaders seem to favor on a nationwide scale under the guise of a "value added" tax. This reshuffling of income taxes would help the very low income earners very little and would certainly not relieve seriously their poverty. To this end, welfare policies must be revamped as we propose in a separate resolution. It is our hope that Congress, sensing the mood of taxpayers, will take the bit in its mouth and enact a program which will reshape our income tax to make it a fair instrument to raise the funds needed to finance national programs.

II

The areas of favored income and transactions are today well known in their broad outlines to lay taxpayer and tax specialist alike. In general, in these areas, tax reform means the removal of the tax favored treatment. If some situations require special formulae, these would not be in the nature of exemption, but of defining the application of the general principles imposing the income tax to particular sets of business facts.

The major classes of income which should be made fully taxable are:

1. Interest from tax-exempt state and local bonds, including industrial development bonds.

2. Capital gains, including unrealized capital gains on assets passing on their owner's death to his heirs or as the principal of a trust upon the death of life tenant to the remaindermen.

3. Income from oil and gas properties and rights and other mineral and natural resources through application of depletion allowances.

Arrangements which should not give rise to tax-favored treatment include:

1. Stock options for corporate executives.

2. The splitting of a single business into multiple corporations to escape in part the surtax on corporate income.

3. Unlimited charitable contributions.

4. Charitable contributions of appreciated property.

5. Real estate transactions involving accelerated depreciation and other "tax-shelter" devices.

6. Interest paid on funds borrowed for certain types of bond purchases.

7. Farms operated primarily for loss deduction purposes by individuals and corporations engaged in non-farm callings or professions.

It has been estimated that the annual tax loss to the U.S. Treasury Department from the tax-favored treatment of these and other classes of income and transactions exceeds $20 billion at present tax rates. Obviously, many social programs for the relief of poverty and discrimination, for the improvement of housing and of our environment, and for the advancement of science and education could be financed and, in addition, relief be given to the lower and middle-bracket taxpayer.

III

The business activities and investments of charitable and educational and religious institutions, including private foundations, have grown to such an extent that the burden on other taxpayers of the exemptions from income tax which their income from these sources largely enjoys, is seriously called into question. We endorse proposals to subject their income to taxation at a special lower rate, which recognizes implicitly the public benefit judged to flow from their activities.

We warn, however, against the misuse of the need for reform in this area, as well as in the area of self-dealing and personal benefit between foundations and their founders, to impose upon foundations restrictions on the choice of their activities which reflect political prejudices of congressional majorities and bar them from innovative social projects which could not be undertaken without foundation support for the benefit of the American people.

IV

We urge immediate repeal of the investment credit provision in order to help stem present inflationary pressures.

RESOLUTION ON EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS

AVC expresses its grave concern over the recent actions of the Department of Defense in the handling of its Equal Employment Opportunity Program for Defense Contractors. The return to a practice of direct informal dealings between high Department of Defense officials and top officials of defense contractors, which in the past has proved barren of results in promoting effectively equal employment opportunities has seriously impaired the usefulness of this program. Such direct dealing not only in effect grants immunity for past violations and from regular enforcement procedures but also demoralizes the administrative staffs within the Department of Defense and of Labor charged with the administration of the program. For they find themselves by-passed and their authority undermined. Only a return to strict accounting for progress to be achieved under well-defined action programs and their enforcement through regular established procedures, where compliance lags, can restore the damage done by the Defense Department's handling of its program in its dealings with the big Textile firms of Burlington Mills, Cannon Mills and J. P. Stevens. Moreover, it is time that the Department of Defense publicly account for its stewardship of the equal employment opportunity program for defense contractors. Information on its activities and results in the form of detailed satistical data on initial hiring, upgrading and promotion of minority group employees have been unavailable to the public. General reassuring answers are no longer sufficient. We call on the new Secretaries of Defense and of the military departments to publish full data on the operation of the program so that the success or failure thereof can be assessed and steps taken to render it more effective. We call on the cognizant Congressional committees to obtain and publish relevant information and to exercise their influence to render the program truly useful.

We further urge that the Civil Service Commission of the United States take new steps not only to continue to combat or prevent discrimination against employees but also to foster the employment of minority group civil service employees, their promotion to higher positions in the career civil service, than has hitherto been attained, and the correction of earlier acts of discrimination which have prevented in numerous individual cases promotions and advancement of civil service employees belonging to minority groups in the same manner and to the same extent as their white majority fellow employees.

We protest the harassment by men such as Senator Dirksen of public servants who devote their best efforts to the promotion of equal employment opportunity in business, industry and Government for employees belonging to minority groups. Instead of senatorial censure they deserve the support and commendation of the National Administration, of Congress and of all citizens intent upon ending discrimination in employment and all other aspects of public and private life.

RESOLUTION ON MEDICAL BENEFITS

We ask for expansion and higher standards of medical care. In order to avoid a frittering away of limited available funds to pay for Medicare and Medicaid, we ask for strict controls over the performance of, and the fees paid doctors, pharmacists and paramedical personnel to avoid fraud or overreaching or slipshod handling of patients from taking root in the system wherever they may occur. We condemn those professionals and institutions which refuse to participate in public medical care and non-profit insurance programs and urge them to reconsider their stand. The welfare of the American people requires that all those engaged in rendering any kind of health service work together closely so as to enable every American, rich or poor, to obtain the medical care which he needs.

We object to the high prices charged by drug manufacturers for their labeled drugs. As a minimum step, we urge that all public agencies procuring medicines or drugs be instructed to order them only by generic name and not by the brand name of particular manufacturers, and that doctors, hospitals and other institutions providing service under Medicaid and Medicare do likewise.

Finally, we demand the strengthening of FDA so that it can effectively and fully perform its function of keeping ineffective and dangerous drugs from reaching the public.

RESOLUTION ON FEDERAL EMPLOYEE SECURITY LEGISLATION

We are convinced that present laws, regulations and procedures fully protect the United States against disloyalty among and against actual or threatened breaches of security by its employees. We, therefore, view with undisguised dismay legislative proposals, now being considered in the Senate of the United States, to expand or tighten existing procedures and to institute a centralized security system for all federal employees with the Chairman of the SACB acting as Grand Inquisitor. In our view, nothing in the present situation calls for new federal employee security legislation or for centralization of administrative action within the federal government. We, therefore, urge the Senate and House and their respective committees to defeat new legislative proposals in this area decisively either in committee or on the floor whenever the occasion arises.

RESOLUTION ON WELFARE POLICY AND SERVICES

That our national welfare system requires a complete overhaul to enable it to perform its function of providing a minimum livelihood and services to the poor has become a truism which only the most hard-hearted can deny. Action, however, has been slow to follow insight.

What is now required, especially in the light of recent court decisions abolishing waiting periods for welfare applicants who have moved from one state to another, and what we, therefore, again demand is:

(1) a uniform, nationwide system of welfare standards and rules which ensure an adequate minimum standard of living to those unable to work for health or family reasons or for lack of jobs paying an adequate wage.

(2) a system by which welfare recipients are encouraged to improve their economic situation by retaining earnings from such work as they can find or perform and by which they are enabled to become independent of welfare support.

(3) the establishment of day care centers to enable welfare mothers to provide for the children necessary care and supervision while they are at work or seek training, if they so desire.

We condemn the new budgetary and social policies, put into effect in recent months by the Federal, state and local governments across the country, which reduce public benefits and services for the working poor and those unable to provide for themselves and endanger even the continuance of the level of services heretofore provided for them by public agencies.

Specifically we protest:

I

The abolition of the Job Corps centers which deprives thousands of young men and women of the opportunity to complete training for more highly skilled and paid jobs, to gain education and to escape at least temporarily from the evils of a poverty-stricken ghetto life.

II

The transfer, in the cause of alleged economy and efficiency, of Headstart to HEW for administration by generally unsympathetic State educational bureaucracies can only result in depriving numerous young children of the poor of the opportunity to learn early and to initiate the personal development which will help them benefit from education later on.

III

The cutting of medical and welfare benefits in order to balance local budgets or to avoid a heavier tax burden on business activities. All such actions contribute only to cutting off the escape of the poor from their poverty.

IV

We urge the institution of an extensive information program by HEW and local welfare authorities to effectively inform all persons entitled to welfare benefits of their rights.

RESOLUTION ON PROTEST AND ACADEMIC FREEDOM

Campus unrest has placed in jeopardy the freedom and every existence of institutions of higher education in the United States. Some of this unrest is a concomitant of necessary adjustment in the American educational system as it adapts to the needs of a rapidly changing technological society, to the legitimate demands of all Americans, for new educational programs and to liberalize its structure of governance.

But some campus demonstrations and activities have clearly threatened civil liberties and academic freedom by destroying the ordered environment for teaching and learning that permits the educational process to produce trained men and women who can contribute to the solution of the problems of poverty, race and peace.

As veterans who have directly benefited from the opportunities of education made available to us in recognition of our service and as citizens who have consistently favored expansion of educational opportunity for all, we in AVC know the importance and strategic place in American life of the campus. That is all the more reason for our speaking out against those who seek to "revolutionize" the American University by destroying its essential function as an institution of free inquiry open to all by virtue of ability and not through birth, wealth or status and seek to transform it into an instrument of partisan political and social struggle.

RESOLUTION FOR A SINGLE AMERICAN SOCIETY

As the second anniversary of the appointment of the Kerner Commission which laid out the road to an integrated and more democratic American society is drawing close, we cannot be proud of the progress made. For in many respects little has been accomplished toward the goals set out in its Report which we ringingly endorsed, when it was published. On the contrary, the recent voting trend in overwhelmingly white urban com-

munities shows that far too many white Americans refuse to accord equal consideration to the interests of the Negro minority as to their own or to treat without prejudice Negro candidates competing for public office in areas where Negroes do not predominate. We call upon the President to repudiate these racist attitudes, to rebuke sternly American racists, and to reject the support of racist politicians and voters regardless of party or electoral advantage. We urge the leaders of Congress and of the political parties, and the Governors of the States to do likewise and to show unrelenting vigilance and fortitude in combating racist tendencies.

In the face of all difficulties we must not falter nor despair. As members of AVC, an organization devoted to the welfare of the American people and to the perfection of their right to participate actively in forging their own fate, we reaffirm our faith in the attainment of a truly integrated America in which all people, regardless of their ethnic or religious background, their sex, their age or the color of their skin, can share and enjoy a fruitful life as citizens, as productive members of society, as ordinary men, women and children.

Such a better America needs the help and concern of all its people. It gratefully recognizes the contribution which all Americans have made by their labor and their minds to the welfare of their country. It is proud of the heritage of all its sons and daughters. In this spirt we emphatically recognize and support the healthy desire of the Negro and Spanish-speaking and American Indian minorities to express their pride in their own past, to explore their historical and cultural background, to receive recognition for their cultural achievements and their contributions to America, and to achieve the kind of self-determination which our country vouchsaves to all other groups. We support their insistence that their culture and life become the subject of proper academic study—a demand which is, indeed, on the way to widespread realization. But these goals can be achieved only by participation and not by withdrawal or by a pseudo-revolutionary stance.

Therefore, we reject the siren calls of those who assert:

that men and women of different ethnic backgrounds or skin color never in history could or cannot now live together in equality and join in cooperative behavior;

that the road of liberation for minority groups lies in withdrawal from the larger society and the conquest of a special place controlled by "nationalist" or "separatist" power seekers;

that the university and college student of negro or other minority background must limit himself exclusively to the study of his own group's condition and affairs and undergo nationalist indoctrination;

that the black and other minorities must assert its right through violence and, in particular, should attack religious or ethnic groups within the white majority, which are themselves vulnerable because they have only recently emerged, or are only now emerging, from the blight of discrimination and prejudice.

These are roads with no exits and, notwithstanding the momentary successes of spectacular or violent action, can only lead to defeat, to continued second class status and to the perpetuation of ghetto poverty and ignorance.

We are fully aware of the fact that on the road ahead we shall meet hardened resistance from many elements of the white majority. Many among its prosperous and influential business and professional segments do not desire to contribute through taxes the funds necessary to overcome the lack of jobs, bad housing and schools and all the other effects of past and present discrimination. Others feel that the rise of hitherto economically less-favored minority groups threatens their social and economic position and the job monopolies which they have secured. Obviously, there will be great resistence to make a place for rising minority group members in power, jobs, and other aspects of life. Only the ceaseless struggle of these minority groups and of all those allied with them in the battle for their rights and for freedom in the United States can win victory.

We pledge ourselves as AVCers, citizens first and veterans second, to continue the fights for social justice, freedom from discrimination, welfare and democratic rights for all Americans to whom these are denied, so that together we may attain the goal of a free, democratic and prosperous America.

RESOLUTION ON MAN'S ENVIRONMENT

Whereas, a state of national and international emergency exists as a result of the accelerating destruction of man's environment, by reason of the massive and continuing pollution of air, water and other natural resources; and

Whereas the magnitude of the factors responsible and the enormous efforts required to reverse these conditions call for action at the highest levels of every major sector of our society,

Now therefore, be it resolved that AVC, in accordance with its traditional role as a civic organization, should call upon the national administration to assemble and sponsor a White House conference of responsible leaders from the federal, state and municipal governments, from science and industry, and from the other organizations in the country, which are or should be working toward the amelioration of these horrifying and destructive conditions, to come together and start doing so.

THE HILLMANS OF PITTSBURGH

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to place in the RECORD the following article entitled "The Hillmans of Pittsburgh," from the September 15, 1969, issue of Forbes magazine.

Henry L. Hillman is one of Pittsburgh's most outstanding civic and business leaders. A man of quiet dignity and warm humor, he has earned the respect and admiration of all who know him.

I am sure the Members of Congress and the American people will find much of interest in this fine article of Henry L. Hillman and the Hillman family.

The article follows:

THE HILLMANS OF PITTSBURGH

(NOTE.—A gut businessman, Hart Hillman built a fortune in the coal, iron and steel business. A cool intellectual, his son Henry has expanded that fortune many fold. To the father, business was one big brawl. To the son, it is a kind of chess game.)

Henry Lea Hillman is only the second-richest man in Pittsburgh, and a poor second at that, but since Richard King Mellon ranks first, Hillman is nonetheless one of the richest men in America. He is, in fact, worth something like $300 million, most of which is in solid value, rather than in inflated stock-market paper.

Yet so little is known about him that when two of his companies were involved in a recent effort to save Piper Aircraft from the unwelcome attentions of Chris Craft Corp., none of the newspaper reports even mentioned Hillman's name. Chances are that their editors and reporters had never heard of him. "Henry Hillman?" asked a fellow Pittsburgh industrialist recently. "Well, of course, he's in coke and chemicals." The fact is that Hillman is no longer in either.

"We just really have never liked publicity," Hillman declares, "and have tried to avoid it. It serves no purpose, being in the limelight. It's easier to operate without getting your name in the papers or Forbes magazine or anyplace else." Actually, the Hillman name does get into the newspapers but not in connection with business. Elsie Hillman—Henry's wife—is chairman of the Allegheny County Republican Party. Henry himself is president of the Allegheny Conference on Community Development, the Pittsburgh establishment's vehicle for fighting urban decay. And the Hillmans, of course, were primarily responsible for the recently completed $12-million Hillman Library at the University of Pittsburgh.

What is little known, however, is that through Hillman Land, the family investment holding company (recently renamed the Hillman Co.), Henry Hillman owns, controls or otherwise influences enough other companies to make most conglomerators green with envy. He is a director of no less than ten major companies, including National Steel, Cummins Engine and Chemical Bank. Through Pittsburgh Coke & Chemical, he either owns or controls half a dozen fair-sized companies, involved in such diverse areas as concrete pipe, sporting goods, power shovels, aircraft parts and air transport. He is the largest stockholder in the Pittsburgh National Corp., the town's second-largest bank (after the Mellon National, naturally); Texas Gas Transmission; Global Marine; Wheeling Pittsburgh Steel; and Copeland Refrigeration. In addition, he has large and strictly private holdings in real estate (including Pittsburgh's 37-story Grant Building), barges, coal brokerage, Texas and Louisiana oil and gas, and assorted small manufacturing operations. Not counting the companies that Hillman merely *influences* as a director, the Hillman empire had combined revenues last year of roughly $1 billion, assets of around $3 billion.

Founded by Henry Hillman's father, John Hartwell Hillman Jr., the Hillman fortune is a rare example of real financial continuity. After more than a half century, the Hillman fortune is still growing—not through the ministrations of sharp young hired hands as in the case of the Rockefeller and the Kennedy fortunes, but under the daily guidance of Henry Hillman himself. Inheritor though he may be, he is also one of the most able businessmen in the U.S. today.

The Hillmans of Pittsburgh are an old family, having arrived in the U.S. as early as 1670. Like the Harrimans and the Mellons who came afterward, they were farmers who only later found their way into business. When that happened, they became blacksmiths first, then forge operators and finally iron workers.

By the time the Civil War broke out, Daniel Hillman, the first Hillman to make any large scale business in business, had established a rolling mill in Kentucky that turned out some of the best boiler plate and bar iron made in the U.S. The war ruined him, as it did most other Southern industrialists, but he managed to reestablish himself afterwards, and some time before his death he acquired the coal and iron ore properties near Birmingham, Ala., that his younger son, Thomas Tennessee Hillman, was to use as the foundation of the mighty Tennessee Coal, Iron & Railroad Co., now U.S. Steel's southern unit. In Daniel and T. T. Hillman were the first signs that the Hillmans might possess extraordinary business talents.

Daniel's older son, John Hartwell Hillman,

who was Henry Lea Hillman's grandfather, started out in the family business but in 1886, after his father's death, he moved to Pittsburgh and set himself up in the coal and coke brokerage business. In those days, Pittsburgh was making millionaires by the dozen—Mellons, Fricks, Carnegies—but J. H. Hillman wasn't among them. He loved horses more than he did business, and he lacked both the interest and the drive to propel himself and his family into the ranks of the very rich. But his son, J. H. Hillman Jr., the man who was to become Henry Hillman's father, had drive enough for ten men.

Hart Hillman—as he was called to distinguish him from his father—began selling coke and pig iron when he was 18, and after his father's death, joined with a younger brother, Ernest, and Arthur B. Sheets in forming J. H. Hillman & Sons. It was a company that was to become very nearly as influential in Pittsburgh business affairs as T. Mellon & Sons had been a half century before.

"I just took the crumbs from the Mellon table," Hart Hillman used to say, but even the crumbs were sizable. In less than a half century, he created a second great industrial empire in Pittsburgh. It encompassed coal, iron and steel, chemicals, natural gas, transportation, manufacturing, banks, investments and real estate. The Hillman empire was neither so large nor so diverse as the Mellons', and it created no Gulf Oil or Alcoa. Instead, it emerged from the bits and pieces of other men's failures, opportunities missed and companies ruined and bankrupted. What is most remarkable is that it could have been done at all so late in the history of U.S. capitalism. The Hillmans almost missed the bus but, having caught it, rode it to the very end of the line.

The fact is that J. H. Hillman Jr. was the last of Pittsburgh's great industrial tycoons. In 1898, when he first began selling coal and coke, Pittsburgh businessmen still lived by the law of the jungle, and Hart Hillman learned to operate by those laws. Ironically, this was the very time when the robber barons on whom Hart Hillman modeled himself were beginning to yearn for respectability. In the Twenties, when the Hillman fortune was mounting rapidly, the Carnegie philanthropies were already well established, the Rockefellers had begun their great work in conservation, while the Mellons had already begun planning the National Gallery of Art.

Hart Hillman was not well beloved in his home town. He built his fortunes in a world where the robber baron had gone out of fashion. "At the time he was growing up as a businessman," his son Henry says gingerly, "people operated differently from what they do today. Their methods were a lot rougher, and in later years he tended to be rougher and tougher than a lot of his contemporaries."

Even in memory, Hart Hillman seems to come out of an earlier time, redolent of cigar smoke, frosted glass and oak-wainscotted offices. He always worked in his vest and shirt sleeves, his coat off, but his hat on—and a derby hat at that. He got into the office early, left it late and rarely got out for lunch. "He was one hundred percent business," as one friend puts it, "one hundred percent work. He didn't have any social life to speak of. He didn't play golf or support the symphony. He didn't hang out at the Duquesne Club, and he wouldn't have been caught dead in Rolling Rock, where the Mellon crowd circulated. Hell, they wouldn't have let him in."

He was a big man, six-feet-two or three, with a personal style to match. He was profane and earthy, brusque, inclined to rant and rave, to play the bully. "He was always in a hurry," his son recalls. "I think that created a lot of his impatience and frustration with people. He always wanted to force things." And he hated publicity. As one old employee recalls, "The first thing Hart Hillman said when I went to work for him was, 'You know, I hire public relations people to keep me out of the press. That's different than others,' and he emphasized that whatever he did or whatever I was going to be doing with him was never to be made public."

"He was just a damned aggressive businessman, and I guess he kicked a few people around," says William Renchard, chairman of New York's Chemical Bank, in which the Hillmans have had an important interest for two generations. "He was a big man, and he was very strong. Very strong-*looking*. And tall. A very forceful man. In that environment, anybody who put together a bundle as big as J. H. Hillman did was bound to rub some people the wrong way."

"He was a very tough operator," says George M. Humphrey, Eisenhower's Secretary of the Treasury and former chairman of Hanna Mining, who was associated with Hillman in several deals. "He was smarter than most people and worked harder and out-traded a lot of them, and that's what they objected to. But we never had any trouble of any kind."

The formation of J. H. Hillman & Sons in 1913 marked the beginning of the Hillman fortune. Eager to protect himself both on the demand and supply side, Hillman branched out beyond the brokerage business into the ownership of coal mines, barges, coke ovens and blast furnaces. "This was the era when people could really make money in the coal fields," says Michael Budzanoski, president of the United Mine Workers' Pittsburgh Office. "It was a vicious business, and you had to be on your toes or you ended up in the gutter."

Hillman stayed on his toes. Within 20 years he had established himself as one of the Big Four in the coal industry—along with Pittsburgh Coal, Union Collieries and Westmoreland Coal. By 1935 the various Hillman companies operated 15 mines, produced 1.1 million tons of coal a year, and boasted reserves of more than 225 million tons.

Hillman's great ambition in those days was to win first place in the coal industry, and during the Depression he tried repeatedly to take over the industry's largest producer, Mellon-controlled Pittsburgh Coal. Pittsburgh Coal was losing money, and the Mellons no longer had much interest in it. "Hart worked very hard to make a deal with the Mellons for Pittsburgh Coal," George Humphrey recalls. "Then he'd really be in the coal business." But the Mellons refused to sell. That was their privilege and his misfortune. It was not George Humphrey's misfortune, however. A few years later, Humphrey's M. A. Hanna Co. acquired Pittsburgh Coal which, as Consolidation Coal, became the largest and most profitable coal producer in the world.

As his Pittsburgh Coal gambit suggests, for Hillman depressions were always as much opportunities as they were hazards. It was no accident that most of the important Hillman coal ventures—Hecla Coal & Coke, a 1917 consolidation of four companies; Hillman Coal & Coke, a 1924 consolidation of six others; Emerald Coal and Coke, 1931; and W. J. Rainey, 1939—came under Hillman's domination in the wake of major recessions. Hillman always kept cash on hand for picking up bargains. Even in the late Forties, when the coal industry was in chaos and Hillman himself had begun to withdraw from coal production, he was trying to pick up for back taxes a 2,600-acre tract in Greene County, Pa. that had once been part of the Thompson coal empire. "He knew the value of cash," says British-born D.G. (for Douglas George) Sisterson, 75, his accountant for four decades and now chairman of the Hillman Co., "and he didn't go any deeper into debt than he had to. In other words, he didn't believe too much in leverage."

In a depression, of course, the real trick is to distinguish value from price, to tell a potential bargain from a potential bankrupt. But Hillman had the knack. In 1931, for instance, when he decided to buy up the Emerald mine and its adjoining coal lands, some of his partners thought he was crazy. The property, after all, was failing. But Hillman saw the Emerald's inherent worth—its enormous reserves of high quality metallurgical coal, its strategic location on the Monongahela River—and bought it anyway. "He could see the long-range success of that property," Sisterton says, "as against others." Now under lease to Gateway Coal, the Emerald mine returns the Hillman Co. around $1.8 million in annual royalties.

Hillman's rougher side also showed up during the Depression in his talent for buying out minority stockholders at extremely favorable prices. "The company required money to modernize it," says one such minority stockholder. "Mr. Hillman advanced the money, but instead of its going into modernization it was dissipated in operating losses. As minority stockholders we were finally compelled to object. It was a question of ineptitude, I suppose. But we weren't ready to put up the additional capital ourselves. So Mr. Hillman bought us out, paid us maybe a few cents on the dollar."

At the same time that Hillman was expanding in coal, he had also begun acquiring dominant interests in a half dozen or so of Pittsburgh's smaller banks, and for the next 30 years he maneuvered and plotted to put them all together. His motives were elementary. Not only could you realize significant economies in bank mergers, you could also do more with a big bank than you could with a small one.

It took nearly a half century and three major mergers (the last in 1959, only two weeks before his death) but he finally succeeded in merging them all into the Pittsburgh National Bank. "He wanted to see it done," PNB's President Merle Gilliland says, "not because of any personal satisfaction—he was ill by that time, and it didn't mean that much to him anymore—but he saw the *economic* advantage. He was very emotional about it. And when the merger was finally approved he was a very happy man."

Without the banks and the financial support they could give him in expanding his operations, it is doubtful that Hillman would have been able to come so far so fast. In the late Twenties he established an important alliance with New York's Chemical Bank. Chemical had been trying to expand nationally and when the Mellon Bank refused to give it the time of day, Chemical turned to Hillman and his extensive connections for business. It got plenty. For years Hillman was Chemical's largest single customer.

"He was the one important businessman in Pittsburgh," says Chemical's William Renchard, "who didn't kowtow to the Mellons. In those days, in the Thirties, the Mellons didn't like him much. They hated his guts. Somehow or other he must have kicked them in the shins or gotten something they thought belonged to them. If you're in Pittsburgh and you buck the Mellons, you've got to be pretty tough."

Hillman was tough, no question of that. The man who refused to kowtow to the Mellons did not tremble even before the house of Morgan. In the early days of the Depression, when the Missouri-Kansas Pipeline Co. needed money to complete the construction of its Panhandle Eastern and Kentucky Natural Gas subsidiaries, they turned to Hillman. Panhandle had ambitions of building into Columbia Gas' territory, and Columbia, which had a half interest in Panhandle, feared that when its system was complete, Panhandle would have the financial strength to do so. "There was terrific pressure on Hillman to keep him from doing it," one Panhandle official recalls, "but he

thumbed his nose at the House of Morgan, which of course controlled Columbia Gas, and loaned them the money. It took a lot of courage."

And so, in 1931, Hillman loaned $6 million to Missouri-Kansas and its Panhandle Corp. subsidiary, which with Columbia Gas owned Panhandle Eastern Pipeline. Within a year, both MoKan and Kentucky Natural were bankrupt, and in the end Hillman wound up with all of Kentucky Natural's stock and most of the stock of Panhandle Corp. It was these Panhandle holdings that a few years later brought down upon Hillman a landmark antitrust suit in which he was charged with having conspired with Columbia to keep Panhandle from moving into Columbia's markets.

"So Hillman spent 13 years working out his investment," Sisterson says. "He had the foresight to see what could be done, and the other creditors didn't, so he bought them out. But it was a rough time, between the money going out in legal expenses and operations and things like that." With Kentucky Natural in his control, Hillman next acquired Memphis Natural, and finally realized the only way to make the two pay off was to build the Texas Gas pipeline from Texas all the way to Ohio and tie them together.

The risks were enormous, Sisterson recalls. "They had to finance the total pipeline, and they had to get it certified by the Federal Power Commission. I remember—the day I think was March 31, 1948—J. H. Hillman Jr. was literally pacing the floor, because they were committed for $60 million in debt, they had been drawing against it—making purchase contracts for gas, sales contracts for deliveries at the other end, buying pipe and so on, and this was the last day for the FPC to certificate the line. The certification came through. But if it hadn't, I don't know what might have happened."

Coal, however, remained Hillman's first love. He was now both a broker and a producer. But whenever business slackened off, it was independents like Hillman who felt the crunch first. "If a coal mine is operating," Sisterson says, "it does right well. But if it isn't, its costs still remain pretty high." And so, in the Twenties Hillman began acquiring interests in a number of potential customers—in coke and iron companies, in steel producers and fabricators—in any sort of company that might conceivably use Hillman coal—A. M. Byers, the wrought iron producer; National Supply, the oil well pipe makers; Sharon and Pittsburgh Steel. Thereafter, when Hillman customers cut back their coal requirements, some other supplier would be the first to go. But with Hillman, one thing always led to another, and in 1927 he dumped his industrial holdings into an investment company, Pennsylvania Industries, sold stock to the public, and used the proceeds to expand even further.

As Hillman's interests multiplied, outside stockholders complained periodically that he ran the various companies he controlled for his own benefit—and apparently not without some justification. On one occasion, they charged that Hillman-controlled Pittsburgh Steel had bought some securities from another Hillman company at much too high a price. On another, they charged that Pittsburgh Steel had made much too favorable a contract with Hillman Coal & Coke to manage certain of its coal and coking operations. Certainly, to an extent at least, the Hillman companies were run for each other's benefit if not directly for J. H. Hillman's.

What made Hillman especially vulnerable is that he rarely acquired anything like majority control in the companies in which he had an interest. He rarely needed to. In Hart Hillman's hands, a 15% stock interest was often as good as 50% in anyone else's. Better. By sheer force of personality he could often domineer his way into control of a company. "J. H. *was* a pretty dominant personality," Sisterson says with a grin.

Nowhere is Hillman's ability to get the greatest possible mileage out of his limited resources more evident than in his foray into the steel industry during the Thirties. Hillman's Pennsylvania Industries had had an almost 10% interest in Sharon Steel ever since the Twenties. Then, in 1930 it acquired a 120,000-share block of National Supply, the oil well pipe maker that is now part of Armco Steel. Hillman went on the National Supply board and for a time even acted as chairman.

During the worst of the Depression, Hillman was content to sit tight. Then, in 1936, Sharon Steel picked up a 15% interest in Pittsburgh Steel, enough to put Hillman on the Pittsburgh board and Sharon's president in as head of Pittsburgh. A merger of the two companies seemed inevitable—indeed, for seven, the two companies shared common officers—but Hillman was thinking bigger than that. In 1938, he sold Pittsburgh his National Supply holdings for a 28% interest in Pittsburgh Steel. Thus, in one stroke, he tightened his hold on Pittsburgh, without perceptibly loosening his grip on National Supply.

But for all his wheeling and dealing, Hillman was never able to work out his mergers. Pittsburgh and Sharon came to a parting of the ways in 1943, and a year later National Supply's management sought to throw off Hillman's domination, charging that, in controlling National Supply, Hillman was in violation of the antitrust laws. In response, Hillman launched a proxy fight and lost, just as two years later he was to lose a similar fight for control of Alan Wood Steel.

What went wrong? For one thing, Hillman never really acquired enough stock to control either Sharon or National Supply. More basic than that were the brass-knuckled tactics that alienated the managements of both companies. "They didn't like Hart Hillman," a close associate of the time says. "It's as simple as that." Hillman's objectives were sound, however. He saw quite correctly that Pittsburgh Steel needed a merger if it was ever going to be any more than a marginal producer. But he clearly lacked the talent to bring it about.

Hillman's whole business experience *had* trained him perfectly to capitalize on the opportunities presented by the Thirties, however. It was no accident that none of the Hillman banks went bankrupt, though there were admittedly some close calls, and it was no accident either that he eventually succeeded in working his way out of virtually every bankrupt industrial company he got caught in.

But it required great patience and often considerable operating talent. Take Pittsburgh Coke, now one of the main pillars of the Hillman fortune. The company went into business in 1928 as Davison Coke & Iron, and in order to get part of its coal contracts, Hillman in 1929 agreed to help finance its expansion. Davison went into default, however, in 1932, and though Hillman and another creditor, W. J. Rainey, Inc., worked out a temporary reorganization, it wasn't enough, and in 1935 the company went bankrupt.

Hillman spent the next several years attempting to rescue his investment, liquidating what was not worth preserving and merging into it other companies that would strengthen it. By the end of World War II, Pittsburgh Coke & Chemical, as Davison had been renamed, was a small but remarkably well integrated little company. It turned its own coal into coke and then converted the by-product tars and gases into chemicals. It used the coke to make pig iron and the slag that was left in the manufacture of cement. A small company admittedly, but for a time at least something of a jewel.

In Pittsburgh Coke, Hillman found himself in partnership with George Humphrey and the M. A. Hanna Co., which, like Hillman, had been a Davison creditor. "J. H. was a great admirer of George Humphrey," Sisterson says. "He liked the look of the Hanna Co.—the way they had it set up, and the way the thing worked for the Hanna family." A coal and iron ore mining company, Hanna had made major investments in some of its principal customers, thereby cementing the supplier-customer relationship. The resulting combination of dividend and operating income produced considerable stability of earnings. "To some extent, Mr. Hillman patterned his own operations after the Hanna Co.," Sisterson says, "and he did quite well." Which explains the hybrid structure of both Pittsburgh Coke and the Hillman Co.: half operating company, half investment company.

By this time, Hillman, like T. Mellon before him, had earned a fairly widespread reputation as a forecloser. Davison wasn't the only example. There were, among others, the Bellefield Co., proprietor of Pittsburgh's once fashionable Schenley Hotel; the Pittsburgh Terminal Railways; even W. J. Rainey, Hillman's old partner in Davison Coke & Iron.

In the early Thirties, Hillman had sold Rainey some coal properties, and Rainey had paid for them in mortgage bonds. During the 1938 recession, however, Rainey defaulted on the bonds. But Hillman didn't foreclose. Instead, he lent Rainey the money to pay the interest and would have lent more. But unexpectedly Rainey went into voluntary bankruptcy—"They must have thought they could get a better deal," Sisterson comments—but that didn't help Hillman's reputation any. "Some of the things that were said about him were just not so," Sisterson says. "I knew the facts, but Mr. Hillman shunned publicity, so nobody ever knew."

"I know they called him a pirate," says a former colleague, "but I never saw any of it. He was very generous. Brusque, sure, but really considerate. He knew I was pressed for money, and he told his people, when my bills came in, to pay them promptly. They were paid almost before they got there."

"He was a hard taskmaster, the old boy," Sisterson says, "but I survived, and I enjoyed it. I liked him. I admired him. But it was never easy."

"When you know someone as one does a father," says Henry Hillman, "you see him in a completely different light. Deep down, he was a soft, warm person. He really loved people. He was, I felt, wonderful to his family. I had just the finest relationship in the world. It was really unusual."

"His insides were just made of melted butter," says Elsie Hillman, his daughter-in-law, Henry's wife. "He had more people that he sort of took care of over the years, people he'd been kind and good to for no apparent reason other than that they'd got a little piece of his heart somewhere along the line."

J. H. Hillman's wife died in 1940, and in 1948, at the age of 68, he was married a second time—this time to a 43-year-old divorcee, Dora Keen Butcher Russell, a sister of Philadelphia stockbroker Howard Butcher III and mother of two young children whom Hart Hillman adopted as his own. "Some time after he married," says Chemical's William Renchard, "I went into his office, and he had his hat off and his coat on. And I said, 'I see there's been a change—from a hat and no coat to a coat and no hat.' She was a very fine lady, and she changed his office, but she couldn't change him in other ways."

During the last decade of his life, J. H. Hillman began to consolidate the gains he had made during the Thirties and during the war. He sold off his interests in Alan Wood Steel, A. M. Byers, Sharon Steel and National Supply. He liquidated Pennsylvania Industries, and he even began to withdraw from the coal business. He found he could do better leasing or buying and selling coal lands than he could operating them. What remained were the four companies that stand as monuments to his business talents: Pitts-

burgh National, Texas Gas, Pittsburgh Coke and Pittsburgh Steel (now Wheeling Pittsburgh). Singly or together, they are no inconsiderable achievement.

"He certainly wasn't interested merely in amassing money," Henry Hillman says. "He felt—and I certainly feel—that business can be a lot of fun. You're dealing with interesting people, interesting problems. It's a very active and challenging game, with the signals always changing, the circumstances changing. I think he just loved it."

"Hart Hillman liked business," one longtime associate observes. "He liked it the way A. W. Mellon liked business. It was part of the spirit of the age . . . the Harrimans . . . the Vanderbilts. . . . It was an amazing financial triumph, wasn't it?"

At 50, Henry Lea Hillman projects almost perfectly the image of inherited wealth. A tall man like his father, blond, trim, athletic, he must once have looked like one of those golden people in Scott Fitzgerald's novels. But he is somewhat older than that now. His hair has begun to thin, the lines in his face have deepened. Yet there remains some of that special grace about him. His manner is easy and self-assured, courteous, the speech measured, almost painfully judicious, broken with quick nervous smiles that wink on and off like a warning signal.

Despite his considerable reserve, he has in recent years assumed fully the public responsibilities of great wealth. He was a member of Pittsburgh's Urban Redevelopment Authority for over a dozen years, a director of Children's Hospital, a trustee of the University of Pittsburgh.

But it is as president of Pittsburgh's Allegheny Conference on Community Development that he has come into his own. At his instigation, the Allegheny Conference has shifted its emphasis entirely—from rebuilding the physical city of Pittsburgh to rehabilitating the human one—to finding jobs for its ghetto residents, retraining them, finding the backing to enable them to start their own businesses. A hardly revolutionary program, it is true, but a significant one in a city where the business response to the urban crisis has been to install bullet-proof glass in the Duquesne Club's windows.

"In respect to the public good," says Pennsylvania Congressman William Moorhead, "Henry's moving in almost exactly the same direction that Richard K. Mellon was twenty years ago."

His civic and philanthropic activities notwithstanding, Henry Hillman is not simply an inheritor of great wealth. He is an accumulator in his own right, and he gives every sign of intending to remain so. Over the past decade, he has taken the fortune he inherited from his father and transformed it, restructured it, and multiplied it many fold. By just how much, Henry Hillman refuses to say. But if Pittsburgh Coke & Chemical, the one public company whose fortunes he has been directly responsible for is any index, the Hillman fortune has probably tripled. Since 1958 Pittsburgh Coke's net asset value has risen from $36 to $118 a share, its common stock from 21 to over 100.

"There are as many opportunities now," Henry Hillman says, "as there were when my father was alive and as I think there will be in the future. Our method of operating is very different from what it was then, but basically I think the objective is the same—to put two or more things together to make a better package."

Considering the varied temptations that beset rich men's sons, it is fairly rare for so dominant a personality as J. H. Hillman to produce a son both able and willing to succeed him. His older son, John Hartwell Hillman III, successfully resisted any attempt to propel him into the family business, preferring instead to run a series of small businesses on his own. But his son Henry became not only a businessman but an immensely capable one.

Henry Hillman went to Shady Side Academy in Pittsburgh, then to the Taft School and to Princeton, where he majored in geology. After three years as a Navy flyer during World War II, he went to work for Pittsburgh Coke, getting to know that company thoroughly, and then, after attending Harvard's advanced management course, began acquainting himself with the rest of the Hillman empire by serving as a director of the various Hillman companies. And finally, at 37, in 1955, he became president of Pittsburgh Coke.

"I think every father likes to see a business continue if he's gotten it going," Henry Hillman says, "but I believe I always intended to go into business. I was pretty well raised on it. My father talked with me a great deal, exposed me to business through plant visits, discussions and conversations. I started to work summers when I was about 16. But I never really—all the time he was alive—worked directly for him, which I think maybe was a good thing—not to have one's father looking over one's shoulder. Later when he became ill, I was able to help out on projects he's been working on."

But once he took over at both Pittsburgh Coke and the Hillman Co., Henry Hillman made it abundantly clear that he was his own man, with his own distinctive style and his own distinctive talents. He does share his father's reserve—that reticence, that distaste for publicity—and his considerable business talent. But in his personal style he is almost everything his father was not.

"Some people have to rant and rave to get things done," says Merle Gilliland, president of the Pittsburgh National Bank. "Henry doesn't. I've never heard him raise his voice. But he tells you how he feels. You know he's either with you or not." Yet, for all their differences, father and son often seem basically much alike.

Over the past decade, Henry Hillman has liquidated a large proportion of his father's empire with a dispassionateness that would have done Hart Hillman proud. J. H. Hillman & Sons, the company his father founded, is no more, having been merged into the Hillman Co. two years ago, and even the traditional Hillman companies are gradually being set adrift. The Hillman interest in Pittsburgh National and Texas Gas is well below 10%. And currently, Hillman, in effect, is getting out of Wheeling Pittsburgh, having cut his interest from 6% to under 1%. As it is, he does not even have a stock interest in Texas Gas anymore, save through the Hillman Foundation. Only Pittsburgh Coke—the company Henry Hillman has rebuilt in his own image over the past decade—is likely to remain a major Hillman property, and, with the Hillman Co. in possession of 90% of its stock, Pittsburgh Coke in effect has just gone private. "We have no long-term commitment to any investment," Henry Hillman explains. "We feel we have to be completely flexible."

Different times and different circumstances obviously dictate different courses. J. H. Hillman was concerned with building an empire, much of it during the Depression; Henry Hillman has been concerned with cultivating a fortune, primarily during the Boom. The result is that J. H. Hillman was always looking for something that was worth more than it cost, just as Henry Hillman keeps looking for things that cost less than they are worth. Fundamentally, one was a buyer, the other a seller; one concerned with value, the other with price. "When times change," Henry Hillman says, "*you* have to change."

Certainly in 1960, the year after J. H. Hillman died, Pittsburgh Coke did not look like a particularly dynamic company. Its coke and pig iron business was at a cyclical low, its by-product chemical business was suffering from overcapacity. Only its cement and activated carbon businesses were flourishing, and both of these were small. In the circumstances, any prudent businessman might have decided to diversify into something else. And Pittsburgh Coke did, moving into such new businesses as concrete pipe (U.S. Concrete Pipe), mining and excavating equipment (Marion Power Shovel), airlines (American Flyers), and aircraft parts (Standard Aircraft Equipment). But in order to do so, it quietly disposed of virtually all its original assets. The iron and coke division went to Shenango, Inc., the chemical divisions to U.S. Steel, the activated carbon division to Calgon and the cement business to Marquette Cement. Today Pittsburgh Coke does not have a single one of the major assets it had when Henry Hillman took over.

"In every case," Hillman says, "we saw another investment opportunity more attractive than the one we had before. Every move was evolutionary. It was a question of taking one step at a time, looking at each individual area and making a decision on it. It was not that what we had was bad or undesirable. It was just that we looked and found more attractive opportunities as we went along."

Obviously, this is no operating man's point of view. It is the viewpoint of the asset manager, and in the circumstances it is hardly surprising that within a relatively few years it transformed Pittsburgh Coke from an operating company into an investment holding company.

"In general, we look for a substantial appreciation in asset value," Henry Hillman says. "Basically you look at the arithmetic—the cost of what you're buying relative to a number of factors—its competitive position in an industry, for instance, and the outlook for the industry itself—and you make a decision. Like everyone else, we like to get into situations where management is good. We're not interested in moving in and taking over. The more decentralized you are, the freer you are to pay attention to the other opportunities that come along. We try to get into a variety of investments. Obviously some are quite secure, and we look for a much lower rate of appreciation than we do from something that's riskier. We try to set a balance between the two, which I think we've achieved."

There were signs of the change to come even before J. H. Hillman died. In 1955 Pittsburgh Coke exchanged its agricultural chemicals business for a half interest in Chemagro, a partnership with Farbenfabriken Bayer. Two years later, it sold its Great Lakes Steamship subsidiary to Wilson Marine Transit for cash and common stock. Significantly, both of these transactions involved at least the partial conversion of operating properties into investments, and for both Henry Hillman was primarily responsible.

But it was not until after his father's death that he was able to do what he wanted to with the company. "He'd been sick for a few years," Henry Hillman says. "Even though I was doing some of the things that the head of the company would do, I was not the head of the company as such, and it just was not feasible to move at the same speed."

Once in control, he moved very fast indeed. In 1963 Pittsburgh Coke notified U.S. Steel that its cash requirements were such that it was considering selling its Pittsburgh Chemical subsidiary, which happened to be one of U.S. Steel's major naphthalene customers. To prevent that and to preserve its "opportunity to compete for this business," U.S. Steel guaranteed $5 million in Pittsburgh Chemical bank loans, which were used to retire part of Pittsburgh Coke's advances, and bought a 25% interest in Pittsburgh Chemical for $2.6 million.

At the time, U.S. Steel was considering

entering the chemical business, and finally in 1964 it took the plunge, acquiring Pittsburgh Chemical's industrial chemicals and protective coatings divisions as the nucleus of what has since become USS Chemicals. Pittsburgh Coke had a book loss of $6.6 million on the deal, but it had eliminated $800,000 in annual operating losses, and it still retained PC's activated carbon business.

Pittsburgh Coke had also obtained the right to buy back at cost U.S. Steel's 25% stock interest in Pittsburgh Chemical (now renamed Pittsburgh Activated Carbon. That proved remarkably farsighted, because a few months later the Calgon Corp. approached Pittsburgh Coke about the possibility of acquiring Activated Carbon. The two were a natural fit. Calgon was a water-purification company. Activated Carbon produced filtering materials. And so, with U.S. Steel's 25% interest in hand, Pittsburgh Coke worked out a deal in December 1965 to sell Activated Carbon for $43 million in Calgon stock.

Meanwhile, Merck & Co., the big New Jersey pharmaceutical house, had decided to diversify, and it had settled on water purification as one logical extension of its existing skills and Calgon as a likely prospect for acquisition in that area. Calgon's executives were reportedly less than overjoyed at having the company sold out from under them, but, with a third of the stock, Pittsburgh Coke was in the driver's seat. And so, in January 1968 Pittsburgh Coke exchanged its 1.2 million shares of Calgon for 1 million shares of Merck, worth at that time something like $80 million.

Pittsburgh Coke now had 55% of its assets concentrated in a single security, Merck, and Henry Hillman did not intend to spend his life collecting Merck dividends. Last summer Pittsburgh Coke offered to exchange 557,913 of its 1 million Merck shares for the publicly owned common and preferred of Pittsburgh Coke itself. Worth $10 million when U.S. Steel had an interest in it, Pittsburgh Coke's Activated Carbon business had been transformed into stock with a market value of $93 million, an appreciation of 830% in just under three years.

Though Pittsburgh Coke common was then selling for less than 80, last February Hillman offered to exchange it for 1.1 shares of Merck worth roughly $95 a share *vs.* a net asset value at year's end of $105.20. "The exchange," Hillman says, "seems favorable to both those going out and those staying in. If they stay in, it certainly doesn't hurt them. If they want to get out, they get a good value."

Undoubtedly they do. Long range, however, the Hillman Co.—which held onto its Pittsburgh Coke shares—probably got the best deal of all. With the exchange complete, Pittsburgh Coke's net asset value has soared from $105 to $118 a share. In effect, the exchange was a way of buying underpriced assets with higher-priced paper.

"When he's got something that's fully priced," Howard Butcher III says of the Merck deal, "why, Henry's not adverse to selling it. That's the difference between a businessman and a really smart businessman. A lot of businessmen just buy things and forget to sell things. But Henry sells them just when they get to be ripe. He's very sensible and turns them into cash and puts them to work in the best place possible. The Merck is fully priced, you see, so he's selling it in effect—giving it to others."

In seeking new deals, Henry Hillman quite frankly shies away from large companies. "Smaller companies very frequently have greater appreciation possibilities", he explains. "Larger companies have reached a state of maturity, and it's more difficult to get a doubling of value within a reasonable period of time. But in small companies you can come in and talk to people, get to know and understand them, and generate the kind of spirit that can get them moving." What is most notable, of course, is Hillman's talent for transforming a small situation into a large one, an Activated Carbon into a Merck, or—almost—a SouthPly, and a U.S. Concrete into a Piper Aircraft.

In an effort to escape Chris Craft, Piper's management last spring was prepared to pay and pay generously, and Henry Hillman was ready to oblige. He was prepared to sell SouthPly, which had a negligible net worth, for $10 million in Piper stock, and U.S. Concrete Pipe of Florida, carried on the books at $8.4 million, for an additional $23 million in stock. Hillman would have wound up with close to a fourth of Piper's stock *vs.* 35% for the Piper family itself. But that deal never came off.

Hillman's basic method is, as he says, to put two or more things together to make a better package. Thus, Goerz Optical, which the Hillman Co. acquired in 1964, merged last year with an instrumentation company. Kollmorgen Corp., for 95,000 shares (10%). Nichols Aluminum (aluminum wire and sheet), acquired in 1965, was merged only last June with Homeshield Industries (aluminum building materials). And having acquired Melchior, Armstrong, Dessau in 1965, Hillman strengthened its existing businesses by acquiring Foregger (hospital supplies) and Bahnson (air-conditioning systems).

Like his father before him, however, Henry Hillman has generally shied away from the kind of venture capital investment that can afford really huge returns, the backing of brand-new companies. With one notable exception, of course: Global Marine, Los Angeles' contract offshore drilling outfit, and Global Marine turned out to be one of Henry Hillman's biggest and most successful coups.

Significantly, however, Henry Hillman didn't find Global Marine. Global Marine found him, sought him out to provide the capital the company needed to expand when General Tire unexpectedly backed out. "We went to him," GM's president, A. J. Field, recalls, "and he made a rather fast decision, for which we admired him. He's a good financial man, but basically, he's interested *subjectively* in things, looking for people, basically, to bet on. Henry's not a man to throw his weight around. He's a man who thinks in terms of broad concepts, things, rather than the balance sheet."

Henry Hillman also has his father's love of the deal—the ingenious maneuver, the dazzling coup—which is why, for all his aversion to publicity, you find him periodically on the fringes of what could become highly public situations. He risked public exposure last spring in getting involved in Piper Aircraft (and, as this story makes clear, finally got caught), just as he had done earlier in backing management at Copeland Refrigeration when industrialist Bernard McDonough made threatening takeover gestures a couple of years ago.

With McDonough on the scene, Copeland's chairman Frank Gleason worked out a deal to acquire a refrigerator distributorship from Hillman's Melchior, Armstrong Dessau subsidiary. "A number of companies in the business have bought up distributorships," Henry Hillman explains innocently, "feeling that if they understand some of the problems of being a distributor they'll be able to serve their other customers better."

Maybe so. But the purchase also put a large block of Copeland stock in friendly hands. Even more curious, Copeland bought the Hillman distributorship on approval—for 105,000 shares (7% of the total outstanding)—with the understanding that within a year it could, if it chose, sell the distributorship back to Hillman at cost—in cash, however, not stock. Outmaneuvered McDonough backed off and eventually sold out—to Henry L. Hillman. In the end, Copeland decided it didn't want the distributorship after all and sold it back to Hillman—for cash. By that time, however, Hillman's 105,000 Copeland shares were worth $4 million, *vs.* $2.2 million when he bought them, and with McDonough's shares in hand, Hillman had clearly established himself as Copeland's largest shareholder.

Unlike McDonough, Hillman—as he repeats constantly—has no interest in taking control of the companies he takes positions in. He usually becomes a director and he makes his views known, but that's about all. Pittsburgh Coke, he admits, has gotten involved recently in the reorganization of its American Flyers airline, a Pennsylvania-based supplementary airline. But that's because American Flyers' staff is small and hasn't the resources to do the job alone. "Being spread as widely as we are," Henry Hillman says, "we don't feel we can, or should, or care to try to operate things."

This is sound management practice these days, of course, but it is also the normal course of second-generation wealth. As the UMW's Pittsburgh chief, Mike Budzanoski, puts it, "When the founder of a fortune passes away, the family is often not interested in continuing in the same mode. When you're an industrialist, you're actually producing something, and there's a certain amount of hard work and heartbreak in that. But if you're a financier or an investment manager, you take your chances and manipulate your money in such a way as to bring back the quickest return. Like the Rockefeller and Kennedy families—most of them prefer to enhance their fortunes without actually getting their hands dirty."

Henry Hillman occupies a kind of middle position. He doesn't like getting his hands dirty as his father enjoyed doing. But he hasn't turned his back on active business as most scions of great wealth have either. Not by a long shot.

THE WASTED DEFENSE DOLLAR

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. KEITH. Mr. Speaker, over the years I have brought to the attention of my colleagues a large number of articles written by Everett Allen, the assistant to the editor of the New Bedford, Mass., Standard-Times. During the past year he has written two 12-part series on the ABM, both of which have appeared in this journal. These efforts have established him as one of the leading journalistic authorities on anti-ballistic-missile defense.

Most recently, Mr. Allen has authored a five-part series on "The Wasted Defense Dollar" which was published in the Standard-Times during the month of August. Concentrating on two case studies, Mr. Allen examines the inadequate contracting and supervisory practices which may have contributed to the sinking of the submarine *Guitarro* at its dock in San Francisco and to the high level of defects in oceanographic equipment purchased by the Navy. In his concluding essay, the author finds a solution to sloppy procurement practices in H.R. 474, a bill now being considered by the Government Operations Committee. This measure would establish a Hoover Commission to study Government contracting procedures. With the adoption of this legislation, Mr. Allen believes, ef-

fective congressional oversight of defense spending can be reasserted.

Mr. Speaker, in order to bring this thoughtful series of articles on wasteful defense spending to the attention of my colleagues, I include them in the RECORD at this point:

THE WASTED DEFENSE DOLLAR—I: TIGHTER CONTROLS OVER ARMS INDUSTRY DEMANDED

(By Everett S. Allen)

WASHINGTON.—American industry does not and cannot properly—have the responsibility for insuring a successful U.S. defense product.

Industry is basically motivated by profit and it must be, if it is to continue to exist. Therefore, industry cannot be counted upon to provide successful defense products without close government technical control. Ample experience indicates that industry does not want tight specifications and tight inspection.

This opinion, one of the most candid offered to date in the continuing colloquy on U.S. military-industry relationships, is that of Rear Admiral Hyman G. Rickover, director of the Navy's Division of Naval Reactors, and the "father" of the atomic submarine.

$44 BILLION ANNUALLY

The scope of what he is talking about may be judged by the fact that of a total of $50 billion annually spent in government procurement, $44 billion is spent by the Defense Department. There are 40,000 civilian Defense procurement officials, plus an additional 1,500 military personnel assigned to procurement matters.

This series of articles is principally concerned with detailed consideration of two Navy-civilian procurement relationships, one involving Navy Yard services, the other, the purchase of oceanographic equipment.

These examples were selected to show some of the weaknesses of the over-all military-industrial relationship because their simplicity of circumstance makes them easier to comprehend than many of the long-running contractual arrangements.

Admiral Rickover expressed his view, and related comment, during a closed-door session in the Capitol of the congressional Joint Committee on Atomic Energy.

He greatly impressed his listeners. In a lengthy interview with The Standard-Times—concerned primarily with this aspect of the admiral's testimony—Rep. Chet Holifield, D-Calif., chairman of the prestigious joint committee and a member of the House of Representatives for a quarter-century, commented, "In my opinion, Admiral Rickover is one of the most efficient buyers in the whole structure of government procurement.

DILIGENT IN DEMANDING

"He is diligent in demanding from industry the fulfillment of every contract on the basis of absolute compliance with quality specifications."

The admiral is disturbed by the Navy's present inability to achieve top quality in both goods and services provided by the civilian sector and, primarily, he blames both the Navy and the Defense Department.

He deplores the fact that no government emphasis is being placed "on assembling and training technical groups necessary to provide direct control of this complex work—technical groups that have the resources and ability to be, in fact, directly responsible for carrying out this difficult work—and purchasing groups that have the ability and training to obtain from industry contractual terms that are in the government's best interests."

In taking this position, Mr. Rickover, the Navy erudite, stormy petrel, once more needled some of his high-ranking colleagues and the Pentagon as well.

NO ONE RUNS STORE

However, among his allies is Robert A. Frosch, assistant secretary of the Navy for research and development, who commented, "As we are now behaving, we are using up our best people in filling out documentation for their superiors to read, and most of the time, no one is running the store."

To considerable degree, the principles and problems that bother the admiral may be broadly applied to the total government-industry relationship in defense procurement. This multi-billion dollar marriage is in need of major reform, principally because its guidelines and ground rules have lagged behind the revolutionary growth in size and sophistication of defense demands.

Some of the shortcomings, manifested in the massive loss of dollars, if not, in fact in lives, of which the admiral complains, are these:

1. The lack of a strong submarine design capability in the United States is one of the most important problems facing the Navy today, yet "it doesn't even appear to be recognized. The investigation following the loss of the Thresher should have made this abundantly clear to everyone, but it didn't. All that was done was to spend several hundred million dollars in the SUBSAFE program to patch up the mistakes of the submarine designers in going to deeper, and faster submarines than they were used to.

NOTHING DONE

"Nothing was done to establish a technically stronger submarine design organization to meet increasing new requirements. If anything, submarine design is less controlled technically today than it was when the Thresher was designed."

2. The whole tendency of the Navy is to do away with technical expertise and to have the "remaining people become 'managers.' This came forcefully to my attention several years ago when I started looking in detail into the non-propulsion area of the NR–1 design. I found that the Naval Ship Systems Command did not have even one person assigned full time to the non-propulsion aspects of the NR–1, regardless of the fact that the NR–1 will be the deepest diving nuclear submarine ever built. The people who know about submarine design had been assigned to administrative organizations.

"I wrote a rather forceful letter, and I got two people assigned responsibility for the non-propulsion aspects of the submarine. I also discovered that had I allowed the NR–1 non-propulsion plant design to continue the way it was proceeding, failures would quite probably have occurred. This further illustrated that considerable improvement was needed both in industry and in the Navy in submarine design capability."

The admiral added, "However, the way things are going, the technical proficiency of the Navy is being reduced every day. The Russians have taken advantage of this trend and now are clearly going to get ahead. That is my opinion and I will stick to it."

3. It is essential to the future welfare of the Navy that top Navy and Department of Defense management attention be placed on increasing the stature and authority of the technical groups charged with the responsibility of executing the Navy's technical work.

"If the current assumption that this work can be successfully turned over to industry is allowed to endure, the Navy will soon find itself exhausting its energy and finances to patch up the unsuccessful technical products it will receive from a loosely-controlled industry."

4. Another matter which bears directly on the problems of poor quality and high cost of our new and complex weapon systems is the lack of permanence of personnel.

For example, a survey of naval shipyards engaged in nuclear propulsion work showed that over a period of 18 years, one of the top three people—the shipyard commander who runs the shipyard, the planning officer who is in charge of all design work and cost estimating, and the production officer who is in charge of all construction—was replaced on an average of every six months in every one of those shipyards.

RAPID CHANGEOVER

Further, not one of those people in any yard held his job for more than four years, and even four years was a rare case. Said Rickover, "I don't think you can run a sophisticated technical business that way."

5. With specific regard to naval shipyards, the admiral recommends:

An immediate reduction at several of the yards of about 10 per cent of the workers—"the non-producers"—which, he believes could lead to increased efficiency. "I have visited the shipyards," said Rickover, "and I have observed the vast amounts of unproductive labor, and I have so reported this to the shipyard commanders and to the commander, Naval Ship Systems Command."

Relieving shipyard commanders of their military duties, such as area co-ordination, base commander, and public relations, which "take up most of their time to the detriment of their primary task. They then would devote their efforts only to the technical and production aspects of the yard."

Rickover concluded, "I see no point in Congress appropriating more than half our taxes for military purposes and not devoting time to seeing whether the money is properly spent. It is like giving a vaccination and not bothering to find out whether the vaccination has taken."

ACTIVE PROTAGONIST

Admiral Rickover is convinced that Congress "will have to become an active protagonist in overhauling the defense procurement process," which now has "many deficiencies and loopholes," because the Department of Defense has been greatly influenced by the industry viewpoint . . ."

Among other reforms in this process the admiral would like to see:

Uniform standards of accounting so that actual costs and profits can be readily determined, thus providing a sound basis for contracting;

Application of the rules of non-competitive procurement to all contracts that are not formally advertised procurements.

(During the period 1951–67, the Defense Department negotiated 86.1 per cent of the net value of its procurements, despite the clear congressional intent that procurements be made through formal, written competitive bid procedures.)

CENTRAL FILE

Establishment of a central government file on contractor experience, showing for each contractor such items as his actual delivery performance, exorbitant or unfounded claims he has submitted, the difference between original and final price of each contract performed, and the amount of excessive profit he has realized on government work.

Admiral Rickover concluded, "What I have said is essentially no different than what I have been saying for years in the Navy and to Congress. However, I am convinced that it will take a major catastrophe before anything is done . . ."

On May 15, there was a major catastrophe.

THE WASTED DEFENSE DOLLAR—II: COMEDY OF ERRORS SINKS ATOMIC SUB

(By Everett S. Allen)

WASHINGTON.—At 8:55 p.m., May 15, the nuclear-powered attack submarine Guitarro sank while tied up to the dock at the Mare

Island site of the San Francisco Bay Naval Shipyard.

The submarine had been under construction since August 1965 and was due to be commissioned in January 1970. It was refloated on May 18 and, after inspection, damages were estimated at between $15.2 million and $21.85 million.

A congressional subcommittee, headed by Rep. Samuel S. Stratton, D-N.Y., went to Mare Island, took 605 pages of testimony, under oath, from witnesses deemed most knowledgeable as to facts bearing on the sinking, and concluded that immediate cause of the catastrophe was "the culpable negligence of certain shipyard employes."

SLOPPY ORGANIZATION

Interviewed by The Standard-Times, Stratton commented, "The Mare Island organization under the admiral was sloppy, and he probably was not even aware of it. It was shoddy management."

Asked if the same thing could happen again, the congressman replied, "Congress can go only so far. Then it becomes an executive branch matter."

What the testimony taken at Mare Island reveals would be as unbelievably amusing as a French farce, except that, for want of the timely exercise of very little common sense and the taking of a few simple precautions, it concerns the wasting of millions of taxpayer dollars.

Moreover, the element of incredible human error recalls Admiral Rickover's complaint that, "It must be realized that, under existing rules, it is most difficult for shipyard commanders to get rid of anyone for cause, no matter how bad the person is.

IMMEDIATE STEPS NEEDED

"If the Department of Defense is actually in earnest about improving the efficiency of our Navy yards, it should take immediate steps to alter and simplify the rules so that Navy Yard management will have the same freedom as private yards to improve worker efficiency."

This is what happened to Guitarro:

4 p.m.: A civilian construction group (nuclear) began an instrument calibration assignment which required the filling of certain tanks, located aft of the ship's pivot point, with approximately five tons of water.

4:30 p.m.: A civilian construction group (non-nuclear) began an assignment to bring the ship within a half degree of trim. This entailed the adding of water to tanks forward of the ship's pivot point, to overcome a reported two degree up-bow attitude.

From approximately 4:30 p.m. to 7:45 p.m., the nuclear group continued to add water aft, and the non-nuclear group continued to add water forward. Neither group knew what the other was doing, nor were they apparently aware of each other's presence.

WAVES INTO MANHOLE

At 7 p.m., and again at 7:30 p.m., a security watch advised the non-nuclear group that the Guitarro was riding so low forward that a 1½-foot wave action, stirred up by boats operating in the river, was causing water to enter an uncovered manhole in the most forward and lowest portion of the ship's deck. These warnings went unheeded.

The open manhole is noteworthy. Guitarro's sonar operation is dependent on a number of large electronic components known as transducers. Sometime after the sonar equipment was installed, it was discovered that some of these components were faulty and would have to be replaced. To facilitate this work, a 3½-foot high cofferdam and a bolted manhole cover that had protected the opening were removed.

This occurred in early March and neither the cofferdam nor the cover ever was replaced. At the same the Guitarro went down, the manhole cover was on the dock and the cofferdam was in the storage warehouse.

Both the non-nuclear ship superintendent and the general foreman on the sub had a responsibility for protecting it from the threat posed by the open sonar dome manhole. The ship superintendent testified that the bolted manhole cover should not have remained off without a cofferdam around the hole.

NEVER NOTICED

However, he further testified that, although he made daily inspection of the Guitarro, he never noticed the uncovered sonar dome manhole and that no one ever brought the matter to his attention. In view of the fact this dangerous condition existed for two months before the sinking, this is an incredible bit of testimony.

A cofferdam could have been installed easily and quickly but the general foreman testified that, although he recognized the open manhole as a potential threat to the safety of the ship, he felt a sufficiently close watch of it was being maintained and, therefore, there was no need for a cofferdam. Unfortunately, no one was watching the night the Guitarro sank.

The swing-shift foreman, who was assigned the work of trimming the sub to correct a reported bow-down attitude, testified that he had never before attempted to trim a ship and did not feel qualified to do so. Moreover, although he was told that Guitarro was bow down, he had it checked by one of his workers, who reported the bow up two degrees, rather than down at all.

Obviously, someone was seriously in error and accumulated evidence suggests it is not beyond possibility that both the day shift and swing shift measurements were in error and that, as a matter of fact, the submarine actually was in trim and needed no adjustment of attitude at all.

As time went on, the non-nuclear group in the forward part of the ship was not having much success in reducing the up-bow attitude believed to exist. Presumably, this was due, at least in part, to the fact that the nuclear group was pouring several tons of water into the tanks aft.

So the non-nuclear group—since moving water to the forward trim tanks had not produced the desired result—decided to put water in the forward ballast tanks. What this operation means can best be understood from this comment by a submariner with extensive experience in submarine construction and operation: "To put water into a main ballast tank, to a person in submarines, is—you don't do this unless you want to submerge, or unless it is a very deliberate, controlled evolution."

7:45 p.m.: The non-nuclear group stopped adding water to the ballast tanks in preparation for their lunch break.

7:50 p.m.: The nuclear group completed their calibrating assignment and began to empty the tanks aft.

8 p.m.: The non-nuclear group left for lunch.

SUDDEN DOWN ANGLE

8:30 p.m.: The nuclear group completed emptying the water from the after tanks and a member of the group noticed "a sudden down angle being taken by the boat. At approximately the same time, the non-nuclear group and others, returning to the ship for lunch, observed it down sharply at the bow, with massive flooding taking place through several large open hatches.

8:30 to 8:45 p.m.: Efforts made to close watertight doors and hatches were unsuccessful due to lines and cables running through them.

8:55 p.m.: The Guitarro sank.

The evidence suggests that the relatively rapid emptying of the tanks aft was the final straw which tipped the bow the last fraction of an inch needed for rapid flooding of the sonar dome.

It also appears that, by flooding the forward ballast tanks, the submarine was put in a dive posture and that what it eventually did, therefore, was precisely what it had been designed to do—submerge.

NO CENTRAL CONTROL

What seems to have been principally lacking at Mare Island was centralized control and responsibility for all construction. A memorandum dated March 27 describes a meeting held on March 15 at which Guitarro's prospective commanding officer urged creation of a Mare Island agency that would fulfill this function. According to the memorandum, the suggestion was opposed by the shipyard representatives.

One enlightening paragraph of that memorandum reads: "CO 665 (the prospective commanding officer) pointed out the need for a central controlling agency in the non-nuclear construction areas of the ship. Shipyard representatives (Lampson and Sheldon) pointed out the fact that the shipyard had been in business for a long time without the need for such a procedure and no one had been killed or equipment damaged yet. CO 665 replied that they had been lucky."

On May 15, the shipyard's luck ran out.

Mr. Stratton's subcommittee recommended that the Secretary of the Navy take "immediate action" to establish and enforce clearcut lines of responsibility at all construction yards, and to instruct the Naval Ship Systems Command to "undertake an immediate and thorough survey of the construction practices and procedures in effect at all Navy shipyards . . ."

HARD TO CHANGE

Yet there is evidence that even the catastrophe of which Admiral Rickover warned, and which Guitarro represented, may not be sufficient to inject into the military-industrial relationship those relatively simple elements of communication, authority and responsibility necessary to prevent another "Guitarro." Change comes hard.

"What disturbs me most now," said Mr. Stratton, who holds the rank of captain in the Naval Reserve, "is that we had the commander of the Ship Systems Command before the committee the other day (Rear Admiral Edward J. Fahy), and he didn't give me a very satisfactory answer as to what they were doing, if anything, about our recommendations. I am not aware that they have, in fact, done anything about them.

"What happened at Mare Island was that no one person was in charge of the ship and responsible for it. Congress can ride herd on the executive, can point out that a situation like this needs to be corrected, but I can't see what legislative action needs to be taken, and we can't perform an executive function."

THE WASTED DEFENSE DOLLAR—III: CRAFTSMANSHIP LOST ART?

(By Everett S. Allen)

WASHINGTON.—On July 14, Dr. Jacques Piccard began a 1,500-mile submerged drift, Florida to Massachusetts, in the midget sub Ben Franklin, to study characteristics of the northward-flowing Gulf Stream.

Within the first three days, almost half of the scientific equipment aboard, provided by the U.S. Navy, was out of operation.

(The Ben Franklin is expected to surface today at a point about 300 miles southeast of Cape Cod, after drifting for nearly four weeks.)

Captain T. K. Treadwell, commander, U.S. Naval Oceanographic Office, commenting on failure of the oceanographic instrumention that reduced scientific effectiveness of this $10–$15 million project by 50 percent, sug-

gested as much as two-thirds of the gear might not work properly by the time the trip was ended.

TEMPERS CRITICISM

Nevertheless, Captain Treadwell's criticism of the industry that supplies Navy oceanographic equipment is tempered by several factors.

In an exclusive interview with The Standard-Times, he philosophized about the $10–$15 million a year spent by his office annually that makes the Navy the nation's largest purchaser of oceanographic instrumentation. It buys half of all the instruments in this field sold in the country.

He said, "There is nothing unique about either oceanographic instrumentation or nuclear subs. We face the same problem with cars, television sets and refrigerators. There is a general lessening of care and morality in production, an absence of the kind of craftsmanship we used to have. It is observable throughout most of our manufacturing industry.

"If we could just bring back some of the pride in craftsmanship, the element of responsibility that we used to have, most of the necessary improvements in quality could be achieved at no cost. It takes no more time to run a good solder joint than it does a cold solder joint that won't hold. A properly threaded nut takes the same length of time to tighten as a cross-threaded nut."

NEED MORAL REVOLUTION

But in the absence of such a moral revolution in manufacturing, Captain Treadwell turns to more immediately practical approaches.

In his view, "What really hurts is that we deal in small quantities. Ten items is a large run. We cannot have the routine checks that are practical in assembly-line runs of such mass-produced articles as television sets and automobiles. Our items must be hand-done, one-of-a-kind things that are individually checked, and this costs money."

Money may be the answer that is most practical, he suggests.

"Admiral Rickover suggests tighter specifications and closer supervision," Treadwell commented, and although we have gone somewhat in that direction, it poses a question.

"If you're going to put a man on the moon, you can't afford error, so you reduce the meantime between failures of components to an infinitesimal minimum, but you pay dearly for it. What we have to ask ourselves in oceanography—and presumably in other government procurement areas where such of life, are involved—is how much is reliability worth?

BALANCE COST AND NEEDS

"In our field, we have to weigh such values as the $5,000-a-day cost of operating a ship and intangibles such as having to wait for data. We have to strike a balance between higher quality control and higher costs, as compared with more assured performance and operations. Lunar modules and nuclear subs are examples of items in which quality is worth any price that it costs.

"It is not the same with oceanographic instrumentation, although I think we can spend a lot more on quality control. It looks as if we could reasonably spend 25–50 percent more for hardware without pricing ourselves out of the market; we would still be ahead, because of greater assurance of performance, even at that level."

The money to purchase better products is, of course, not necessarily available; at present, Navy oceanographers teeter in their procurement between buying a few better instruments, and many of lesser quality, attempting to keep going as broad a program as possible.

Treadwell thinks the situation is improving, in considerable measure, because of the National Oceanographic Instrumentation Center's (a relatively new federal unit for testing U.S.-purchased equipment) "strong campaign." He said, "They are convincing manufacturers that they must turn out quality products and price them at what quality costs and that if they do not, we'll return the products. It's working."

Consequently, he believes that NOIC should be more broadly applied in government procurement. Recent nationalization of the testing agency is a step in this direction and its facilities now are available to other government facets—for example, the Bureau of Commercial Fisheries.

NOT OUR OWN MASTERS

He also commented that:

1. "We are not our own masters in choosing contractors. We are required to give a certain percentage of work to small business, to depressed areas. I recall a particularly unfortunate example—a major ship contract awarded to a bicycleshop operation that went bankrupt, leaving three or four rusting, half-completed vessels and a lot of litigation.

2. "The necessity of accepting the low bid often overrides our better judgment. Astronaut John Glenn, at the lift-off of his historic triple orbit of the earth in 1962, is supposed to have reflected: 'Every component was purchased at the lowest competitive price.'"

3. "In the cases of perhaps one out of four companies to which we have to allocate business, we have serious misgivings as to whether they can perform at all, or at the estimated price. In the latter case, we know well that many companies underbid purposely, figuring on making it up on cost-plus programs."

4. "There ought to be some flexibility in the low-bid principle, and on the economic factors that pressure us to place contracts in certain areas. The principles are helpful, but we balk at not being able to override a decision if it appears to us likely to lead to catastrophic result."

SMALL COMPANIES RELIABLE

5. "Some of our best equipment comes from small companies. There's less to check, and the boss's eye is everywhere."

6. "We're moving away from the cost-plus contract. It's an open invitation to underbidding and cost overrunning. We're trying now for fixed-fee contracts or cost plus an incentive fee, with the 'plus' depending on how well the contractor does the work."

Captain Treadwell believes that oceanography is at a turning point because "we are beginning to stress its practical applications" and that this factor necessarily will force an upgrading in the reliability of oceanographic equipment.

He said, "From now on, we are not concerned with a trained technician, who can make inferior equipment work. We are increasingly concerned with merchant marine officers, fishing skippers, and untrained workers in military service operations who require reliability of instrumentation.

RELIABILITY NEEDED

"For example, in introducing science into the fishing fleet, which now is happening, we must make the scientific tools as reliable, and as accident-prone as the sextant.

"There is an economic incentive for the manufacturer in striving for this kind of quality for only in producing items for the lay user is he going to find a mass market. There probably are a hundred fishing skippers for every scientist, and what the fisherman demands for a scientific supporting tool is a rugged, simple piece of hardware.

"That is the direction in which we must go."

THE WASTED DEFENSE DOLLAR—IV: HALF OF OCEANOGRAPHIC GEAR FAULTY

(By Everett S. Allen)

WASHINGTON.—Oceanographic equipment purchased by the U.S. Navy has a failure rate of from 35 to 50 per cent, according to the National Oceanographic Instrumentation Center at the Navy Yard here.

These figures include only "catastrophic" failure; that is, something so expensive that the Navy cannot afford to repair it. In such cases, NOIC returns the equipment to the manufacturer with recommendations on how to fix it, at his own expense.

If the "catastrophic" yardstick were not used, if instead, every failure of equipment tested, for whatever cause, were included, the failure rate would "approach 100 per cent."

I asked an NOIC spokesman "Are you saying that every piece of oceanographic equipment you test here has something wrong with it that prevents it from doing what its manufacturer said it would?"

"Yes," he replied, "either a repair or an adjustment is necessary; for the most part, something that should be done, or should have been done by the manufacturer."

He added, "Personally, I think any failure, for major or minor cause, is 'catastrophic' if it prevents you from using the instrument."

NOIC, initially a Navy operation and only recently nationalized, is unique in the military-industrial relationship but the indications are that its function—testing equipment to spot poor quality—ought to be broadly emulated in government.

$250,000 PER MONTH

This agency examines $250,000 worth of oceanographic equipment per month, and an official commented, "I would hate to think how much defective gear the Navy accepted before we began this operation four years ago. Frankly, all of it may have been defective."

Moreover, NOIC publishes a widely distributed fact sheet identifying the equipment tested, and noting its failures, whether or not the manufacturer decides to make its recommended repairs or improvements. This is creating a new atmosphere of healthy skepticism summed up by one NOIC staff member who remarked, "We're just saying, 'Don't necessarily believe the performance claims in the manufacturer's brochure.'"

Involved in this testing are products created by fewer than 100 companies, supplying government oceanographic needs in a relatively non-competitive situation.

The equipment failure rate is increasing, officials agree, but they differ as to the reason.

One official suggested it is because the instrumentation required is more complicated. He said that "practically all the companies" supplying this type of gear to the Navy would "be dropped" if it were policy to exclude firms that had had one or more failures in their product.

UNIQUE REQUIREMENTS

But in defending industry, he added that the government has "unique requirements, special demands," and the manufacturer has limited research and development capabilities.

Referring to companies that repeatedly produce a poor product, he said, "Part of this is due to lack of official continuity. The people who evaluate a company's ability to produce are not responsible for its capability or output if it gets a contract. The people who must use the equipment are not the ones who decide whether the company is capable of making it."

An interesting development is the fact that the NOIC program is generally acceptable to industry, which finds its tests and recommendations helpful in the improvement of product, and which, in the words of one engineer, "usually is willing to take a piece

of gear back 100 times when we tell them what's wrong with it, and what they ought to do about it."

NOIC, with an annual budget of $1.3 million and a staff of 60, undoubtedly is saving thousands of dollars, breakdowns and loss of man-hours. Could this Navy-oriented program be generally applied to the military-industrial relationship, with resultant benefit to taxpayers and the military?

WOULDN'T ACCEPT

Replied the NOIC spokesman with a wry smile: "It would be murder all the way for the other services," presumably meaning that neither the military (the Defense Department) nor major industry would accept it.

It is only fair to note that the military's more sophisticated demands are not wholly responsible for the oceanographic equipment failure rate.

One Navy Oceanographic Office staf member offered these comments and examples:

1. Much workmanship is "pathetic" because of lack of industry quality control and it has been "sliding downhill" in recent years. Item: Long screws instead of short screws were furnished with a salinity and depth measuring device. When tightened, they "cut right through the plastic coating on the capacitors, and blew up the whole power supply."

2. Fifteen per cent of companies supplying Navy oceanographic equipment have a "consistently low performance rate, but we have to take the low bidder even if we know he can't perform."

3. Instruction manuals, "never updated," frequently are behind the model of the equipment produced.

LATE DELIVERY

4. A measuring system, part of a $440,000 contract was nine months late in delivery. When it arrived, it was damaged, because it had been improperly packed, and the units had to be returned. Three months later, the factory returned one of the units, with parts missing. Later, the parts were supplied upon request, but manuals for assembly and usage still have not arrived, and "this gear is supposed to go on a ship in two weeks." Considering that it costs the Navy $4,000–$5,000 per day to operate a ship, this fiasco represents a lot of working ship-days lost.

Incidentally, a unit of this system—characterized by poor workmanship—was run for one week, at the end of which time it was "completely inoperative."

5. Said the staff member, "I went to one plant that we buy from. I looked at the gear and said 'You ought to reject these items.' A plant supervisor said to me, 'I could reject them this morning, and they'd be turned back to me by my supervisors for shipment by tonight.' "

On another occasion, the Navy staffer said, "At one company, I looked at 18 current meters that were ready to roll down the line on their way to the Navy. I rejected all of them, for bad solder connections, after they had been OKd by the company representative. I think good quality control could knock down our rejection rate to maybe 10 per cent."

EXCERPTS FROM LETTERS

The following are excerpts from letters written by NOIC to manufacturers supplying oceanographic equipment to the Navy:

"Before an acceptance test of the unit could be performed, these actions had to be accomplished:

"1. The gearing in the depth channel of the recorder was very noisy and had to be adjusted;

"2. The guide rod that supports the chart paper was loose in the case and had to be reinstalled and secured in place;

"3. The gears in the salinity channel were not meshing; these had to be readjusted;

"4. The cabling for the sensor input connections in the rear of the recorder were reversed and improperly marked as listed in the instruction manual."

And in a second letter:

"The regulated power supply was lying loose inside of the cabinet. This was due to the holding brackets breaking loose;

"The continuous balance unit has one holding bracket broken loose.

"The bracket holding the toroid is bent.

"The machine screws for fastening the power supply and the continuous balance chassis were found loose in the bottom of the cabinet.

"The holding bracket for the power supply was broken loose.

"The holding flange on the continuous balance chassis is bent.

"The socket for the converter on the continuous balance unit is broken loose and damaged."

And in a third letter, "The (equipment) was received damaged because the crate was not marked 'Handle in horizontal position' although it was clearly intended to be handled that way."

And the fourth letter was from a manufacturer to the Navy: "Please forgive our oversight in failing to complete calibration tables provided with the equipment you ordered." This was in response to an NOIC complaint.

"This sort of thing is frequent," commented the staff member. "It goes on all the time, and as small, new companies come into the field, attracted by the increased amount of oceanographic funds available, the rate of equipment failure is bound to go up."

THE WASTED DEFENSE DOLLAR—V: HOUSE UNIT HAS REMEDY

(By Everett S. Allen)

WASHINGTON.—The House Committee on Government Operations on Aug. 6, approved a bill that could transform practices and policies of the federal government's $50-billion-a-year procurement program.

Essentially, the measure, H.R. 474, proposes establishment of a federal commission on procurement, patterned after the so-called "Hoover Commissions." These latter, consisting of members of the House and Senate, plus outside experts, were established for the purpose of studying operations of the Executive Branch and making recommendations for improvement to the Congress.

Due to the congressional recess, there will be no opportunity for House floor action until after Labor Day, assuming the Rules Committee clears the bill.

The architect of H.R. 474 is California Democrat Chet Holifield, who, as a 17-year member of the House Military Operations Subcommittee, has long been concerned with armed services procurement procedures, which amount to at least 65–70 per cent of total procurement funds spent.

HEARINGS CONDUCTED

Mr. Holifield, now chairman of the subcommittee, for two years has been conducting hearings on his bill and the parade of civilian and military witnesses—a virtual Who's Who of the Capitol and Pentagon—has contributed expert testimony filling five published volumes.

In an interview with The Standard-Times, Mr. Holifield who was a House member of the second Hoover Commission, predicted that the Operations Committee would report favorably on his measure, that it will be passed by the House before the end of this session of Congress, and added, "It is possible it also will pass the Senate in this session; if not, it will be on the agenda for 1970 action by that chamber. I am confident it will become law before the end of the 91st Congress."

The commission proposed by H.R. 474 differs from the Hoover Commissions in two respects. First, its role would be confined to a study of procurement only—in Mr. Holifield's words, "the many methods by which government dollars are transferred to private industry."

Second, in addition to members from the House, Senate and civilian sector, it would include as a working member the comptroller general of the United States.

This is because the comptroller is the administrative head of the General Accounting Office, which has the function of making post-audit investigations of government expenditures, with a view toward standardizing and improving the federal systems of accounting and bookkeeping.

FIFTY REORGANIZATIONS

Mr. Holifield, who as chairman of a government operations sub-committee has "handled more than 50 presidential reorganization plans, most of which became law," noted that GAO and its 6,000–7,000 skilled investigators, accountants and lawyers are "looked upon as an arm of Congress, and are answerable to us, rather than the Executive."

He feels that without GAO's help, the Congress would be largely helpless in this area, because "it fills the deficiency gap which Congress is responsible for in not developing a large, competent staff for each committee."

The Californian believes, as does Admiral Rickover, that "it is basically the responsibility of Congress that efficiency obtain in the Executive Branch." He referred to the 1946 Reorganization Act, which directs each committee of Congress to oversee the application of laws it passes, and to oversee the agencies within the committee's jurisdiction, for the purpose of observing the efficiency and economy of the Executive operation.

Commented Mr. Holifield, "This is a basic operational responsibility of Congress. Principally, the committees of Congress have failed to perform this job of oversight which Congress' own laws require it to do.

EFFORT MADE

"An effort is being made, but the effort is not enough, nor have the committees equipped themselves with adequate staff to do the continuous job of oversight."

It has been suggested that the post-audit function of GAO should be enlarged to include running audits or current scrutiny of programs of procurement in the Executive Branch. Mr. Holifield commented, "In my opinion this step will be taken before very long."

(On Aug. 7, the Senate voted to make major Pentagon contracts for weapons subject to the independent scrutiny of the General Accounting Office. The action was taken by a one-vote margin over the strenuous opposition of the chairman of the Senate Armed Services Committee, John C. Stennis, Democrat, of Mississippi.

(To amount to more than a symbolic assertion of the congressional control over the Pentagon this action, sponsored by Sen. Richard S. Schweiker, Republican, of Pennsylvania will have to be approved by the House, but there the Armed Services Committee, which will oppose it, is more generally influential with the membership.)

"The committees of Congress are calling on the GAO much more often for the purpose of investigating multi-year procurement programs while they are in operation, rather than waiting, as heretofore, to post-audit the programs after they are completed," Mr. Holifield added.

Specifically with regard to military procurement, the veteran West Coast lawmaker made these points:

1. Military procurement problems are further complicated by the fact that men in uniform can overrule decisions which the Civil Service personnel in their departments—who have more continuity of service and more experience—have made;

LESS ROTATION

2. The Military Operations subcommittee repeatedly has recommended that there be a cadre of "in-house" military people who are not subject to rotation, but who are retained in a department of procurement, being given for that service the same periodic promotions as those who are rotated.

"Until this is done," said Holifield, "we will never have the efficiency we should have in Department of Defense procurement.

"As we get into more complex and technical fields of defense hardware, it becomes more necessary than ever that we develop top-caliber expertise in buying. To develop this requires training in the scientific disciplines involved even to the point of having scientific degrees. It requires expert engineering capability and specialized business and fiscal training.

"What I am essentially advocating is that government procurement personnel have the same time of specialized training which obtains in comparable positions in the business world," the West Coast legislator concluded.

MARYLAND MARINE KILLED IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. LONG of Maryland. Mr. Speaker, Cpl. George F. Bonnett, a fine young man from Maryland was recently killed in Vietnam. I wish to commend the courage of this young man and to honor his memory by including the following article in the RECORD:

[From the Baltimore Sun, Aug. 27, 1969]

MASS SCHEDULED TOMORROW FOR BONNETT, VIET CASUALTY

A requiem mass for Lance Cpl. George F. Bonnett, a Baltimore marine who died of wounds received while leading a patrol in Vietnam, will be offered at 9 A.M. tomorrow in St. Dominic's Church, Hartford road and Gibbons avenue.

Corporal Bonnett, who was 19, was seriously wounded August 12 while leading a reconnaissance patrol, Corporal Bonnett's parents received a telegram last Sunday informing them that their son died August 16.

Corporal Bonnett was born in Baltimore and attended Archbishop Curley High School. He enlisted in the Marines a month after he graduated in June, 1968.

He received basic training at Parris Island, S.C., and parachute and reconnaissance training at Camp Lejeune, N.C., and Fort Benning, Ga. He was sent to Vietnam in January.

Corporal Bonnett was fluent in French, and received special training last May in the Vietnamese language. He was in the Marine Corp's Combined Action Program, in which he helped instruct Vietnamese soldiers.

In a letter written in February to his sister, Mrs. Irene Mogavero, Corporal Bonnett expressed the hope that the war would end before his nephews were of age.

Corporal Bonnett wrote: "It's not a pleasant experience seeing a man torn apart by a bullet or a fragment of a mine; it's not fun to take what's left of your friend and let him lay there until the chopper comes.

"I hope they never have to see or feel or experience what I have. It opens your eyes to reality. You're lucky to be alive and in the U.S.

"But, on the other hand, there will always be a Vietnam somewhere, someplace, and always a universal soldier."

Besides his sister, Corporal Bonnett's survivors include his parents, Mr. and Mrs. Jacob W. Bonnett, of Baltimore, and five brothers, Staff Sgt. James H. Bonnett, USAF (Ret.), John H. Bonnett, Jacob W. Bonnett and Dennis Bonnett, all of Baltimore, and SK 1 William R. Bonnett, USN, of Washington.

MY DOMAIN

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. DERWINSKI. Mr. Speaker, a very impressive and imaginative description of our great land written by the Fox College Creative Writing Class has just come to my attention and I insert it into the RECORD at this point as an example of the pride and healthy appreciation that Americans should have for our country. The description speaks for itself, as follows:

MY DOMAIN

In my domain, I have the greatest art collection in the history of mankind. I can say that someone knows and practices the art of basket-weaving, of tuning a piano, or even hitting a home run. In my domain there are many arts—as many as there are kinds of deliberate, specialized activities in which one may engage.

In my libraries, I have more books than were printed in the entire history of the world, up until the nineteenth century.

I have forest preserves and parks greater than most of the kingdoms of ancient, medieval, yes—and modern times.

Noah was a piker! Noah had two members of every specie of every animal known to man. I have a dozen of every specie. Why I have hundreds of every specie in my domain.

In my preserves I have hundreds of thousands of ducks—Mallards, Pintails, the green- and the blue-winged Teal. Canadian Honkers arrive every fall in gigantic formations—by the thousands. In my southern preserves are the most beautiful of all birds—an extravaganza in color.

I have trees now growing in my forests that were growing when Christ walked the Earth. Why I have glaciers sliding down to the seas that have been sliding for millions of years.

I have thousands of miles of rivers, seashores, lakes—beautiful lakes of unknown numbers—waterfalls, and mountains of forests.

My holdings overlook the giants in industry, education, and commerce—millions of fertile square miles, wheatlands, coal mines, and steel plants. It fairly makes me burst with pride.

My domain stretches from the rock-bound coast of Maine, past the sunny strands of California, to the golden beaches of Waikiki, from the frozen tundras of Alaska, to the Florida Everglades.

My schools are the greatest, my churches are the grandest! That's my domain.

Always—my Community Newspapers accentuate the positive.

The vast majority of my people are industrious, upright, honest, and hard working. They have the qualities and characteristics that have made my domain the greatest in the world.

You should see my western wonderland—the home of the geyser, the glacier and the Grand Canyon. You should feel the abysmal loneliness of Padre Island and visit Aransas Pass—the home of the Whooping Crane. Stand with me in the Alamo, ride through the Cumberland Gap, travel the Skyway to Valley Forge and Independence Hall. Weep with me at the foot of Lincoln's Monument. Proudly watch the guard in measured step honoring The Tomb of the Unknown Soldier—eternally.

I want you all to come visit my domain. Make yourself at home. You hear? Treat it as though it were your very own, because it is—you know! God Bless America!

THE LITERATURE OF CAMPUS CONFLICT

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. COHELAN. Mr. Speaker, indicative of the current concern about conflict on our campuses and about unrest and alienation in our young people is a marked increase in the literature on the subject.

Recently, in the San Francisco Chronicle, one of my constituents, Mr. Claude Ury, reviewed four books on this important subject. I think that these reviews will be of interest to the Congress and I include them in the RECORD at this point:

STUDENT CONFLICT, STRATEGY, A SHOW OF POWER

(Reviewed by Claude M. Ury)

(Book reviews: "Conflict of Generations," by Lewis Feuer. Basic Books; $12.50; "Confrontation on Campus," the Columbia Pattern for the New Protest. By Joanne Grant. New American Library (paperback, 95 cents); "Students Without Teachers," the Crisis in the University. By Harold Taylor. McGraw-Hill; $7.95; "Student Power," Problems, Diagnosis and Action. Edited by Alexander Cockburn and Robin Blackburn. Penguin Books (paperback, $1.25).)

Confrontation in the colleges across the nation are becoming more frequent and increasingly militant. They are no longer merely demonstrations for demands; they are also a show of power. Common characteristics of these rebellions since Columbus include occupation of buildings, the involvement of community people, fighting police, reluctance to negotiate. This last has had the anticipated effect of genuine confrontation—that is, the power of the students versus the power of the trustees and of putting professors up against the wall.

Feuer's book is the most definitive study on student movements. He surveys student movements in more than 20 nations, with particular attention to Russia, Bosnia and Germany in the 19th Century and Japan and the United States in the 20th.

"The pattern is the same in practically every country," said Feuer, who is Professor of Sociology at the University of Toronto.

"The movement, is rooted in altruism, a concern for establishing community and overcoming alienation. It begins by celebrating liberal democratic values and usually ends by discrediting those values for the whole society."

The movements, Feuer said, are typically led by young men who have had particular problems with their fathers.

"You can see this," he went on, "in one movement after another"; Karl Follen, the key figure in the Prussian movement; Gavrilo Princip, who assassinated the archduke, down to Mao Tse-Tung and leaders of American movements.

"These leaders read out to students in whom the problem is more attenuated. Then at some crisis—let's say the arrival of police on campus—the leaders appeal to generational solidarity and the struggle is finally revealed in its aspect."

The Grant volume assesses in great detail the events leading to the Columbia protest

and compares it to other student revolts nationwide.

Before Columbia the pattern of taking buildings had been established in several other schools beginning with the Berkeley Free Speech Movement at the University of California in 1964. At that time most observers tended to view the demonstrations as a Berkeley problem and to analyze the causes as related to that institution. Since then each campus outburst has been seen as peculiar to the campus on which it occurred.

At Columbia the students attempted to force the faculty as a whole to take a stand, but succeeded only in the lesser goal of exposing the faculty as unable or unwilling to separate itself from the institution and the faculty's stake in it.

THE REVOLUTION

Taylor's book is about the student revolution—how it started, what it means, and where it is going. With a sense of reasoned urgency, Taylor argues that students in the United States and abroad are major agents of social change, and that the universities must be reformed in ways which can give to student talents and energies a chance for expression in political, social, and cultural action. At present, the students are without teachers to whom they can give their loyalty, respect, and trust. They have accordingly turned to one another for the intellectual and moral leadership they fail to find in the university and the social system it represents.

After describing the character and history of the student movement, the author analyzes the relations between the mass culture and the educational elites, the nature of the present university crisis, the causes of student unrest, and the philosophy of education now dominant in American Institutions of learning. He urges a return to progressiveism in educational thought and action. The longest section of the book, the Reform of Mass Education, presents a series of concrete recommendations for reforming the system of teaching and learning to restore a sense of purpose and relevance to the work and students and teachers in the schools and colleges.

Taylor cities the instrument of educational change developed by San Francisco State College students in their experimental college with the result that the curriculum of the entire institution has been enriched

The Cockburn and Blackburn study, published in cooperation with the New Left Review, examines the real nature and international implications of student activism in Britain. Students have piecemeal grievances over discipline, examinations and grants. What is wrong with established student organizations? How does the student differ in the established universities, in art colleges and in teacher training colleges? And most important since students are often accused of fomenting anarchy, what is the strategy for the future?

CONGRESS CAN HELP SAVE THE BAY AND DELTA

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. WALDIE. Mr. Speaker, the popular effort to protect and preserve San Francisco Bay, its estuary, and the Sacramento-San Joaquin River Delta from probable ecological disaster by the planned diversion of some 80 percent of this system's normal fresh water inflows is gaining widespread support and publicity.

Instrumental in this effort is the effective contribution of the area press. An example of that support is an excellent editorial that appeared in the August 26, 1969, edition of the Antioch Ledger of California.

Mr. Speaker, it is my privilege to enter this editorial, "Congress Can Help Save the Delta," in the RECORD for the edification of the Members of Congress:

CONGRESS CAN HELP SAVE THE DELTA

Contra Costa County's fight to preserve the quality of Delta waters is a long, complicated battle, but it appears that momentum may be picking up.

The recently concluded Congressional Committee hearings are just a small chapter in the long saga, but they could well prove to be a significant turning point.

When the Committee on Conservation and Natural Resources studies all the testimony before it and comes up with a recommendation, we expect them to reasonably decide that there must be more safeguards to the Delta before the Peripheral Canal is built.

We expect that the testimony of oceanographers, marine biologists, and other water experts will override the obviously conflicting testimony of William Gianelli, director of the Department of Water Resources.

The committee, and Congress as a whole, is in a better position to assess the situation in the Delta than Gianelli, or, frankly, Contra Costa County officials.

Let's face it, Gianelli, if given a choice between fulfilling contracted water deliveries south and preserving the Delta, he would be expected to choose the former.

That's his job.

In the same light, Contra Costa County officials, if given the same choice, would elect to save the Delta and let the State Water Project fail.

It's our water.

We expect Congress can look at the problem from an over-all viewpoint, and demand a reasonable solution through its control over the federal purse-strings.

The over-riding principle in this water debate is that you may take excess waters from one area to help another.

No one will argue that we don't have excess waters. The flooding of Sherman Island is positive proof that there are years when Northern California has too much water.

But the application of this principle demands that you do not degrade the water of an area by shipping out anything but the excess water.

This is what the debate is about.

Contra Costa County has maintained that the Peripheral Canal can benefit the Delta waters if operated properly.

But the phrase "if operated properly" is the key.

The Peripheral Canal will not be "operated properly" if outflows of 1,800 cubic feet per second are used to maintain the quality of the Delta and San Francisco Bay waters.

The expert, impartial testimony bears that out, Gianelli's opinions to the contrary.

Yet it is exactly by those standards that the Peripheral Canal is proposed to be operated, as outlined in the 1965 Memorandum of Understanding.

Those standards may be raised after state hearings on water rights currently conducted in Sacramento are finished, but the balance of power, and the votes, in California rest in the southern part of the state.

We hope adequate water quality safeguards are established for our waters, so that the federal government will not have to do what the state should do for itself.

We do not think the State Water Project, with $2.8 billion tied up already, should be stopped.

But if adequate safeguards are not adopted for the Delta, enforceable in court, then there appears to be no alternative but to halt the project by whatever means necessary.

And one of those means is the Congress refusing to participate in the destruction of the Bay-Delta water system by paying for half of the Peripheral Canal, as presently proposed.

SENATE—*Tuesday, September 9, 1969*

The Senate met at 11 o'clock a.m. and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, as on this day we offer our tribute of esteem and affection for our fallen colleague, Everett McKinley Dirksen, may Thy grace be sufficient for all our needs.

Surround all who are near and dear to him with ministries of comfort and healing. And to us give Thy peace.

Through Jesus Christ, our Lord. Amen.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. Everett McKinley Dirksen, late a Senator from the State of Illinois.

The message announced that the House has passed a bill (H.R. 11039) to amend further the Peace Corps Act (75 Stat. 612), as amended, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the bill (H.R. 7206) to adjust the salaries of the Vice President of the United States and certain officers of Congress, and it was signed by the Vice President.

HOUSE BILL REFERRED

The bill (H.R. 11039) to amend further the Peace Corps Act (75 Stat. 612), as amended, was read twice by its title and referred to the Committee on Foreign Relations.

DEATH OF SENATOR EVERETT McKINLEY DIRKSEN

The VICE PRESIDENT. The Chair lays before the Senate two resolutions of the House of Representatives, which will be read.

The assistant legislative clerk read as follows:

H. Res. 531

Resolved, That the House of Representatives accepts the invitation of the Senate to

attend memorial services for the Honorable Everett McKinley Dirksen in the rotunda of the Capitol on Tuesday, September 9, 1969, at 12 o'clock noon.

Resolved, That the Clerk communicate these resolutions to the Senate.

H. Res. 532

Resolved, That the House has heard with profound sorrow of the death of the Honorable Everett McKinley Dirksen, a Senator of the United States from the State of Illinois.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That a committee of thirty-two Members be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

Resolved, That as a further mark of respect to the memory of the deceased, the House do now adjourn.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, September 8, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business not to exceed 20 minutes, with a limitation of 3 minutes to statements made by Members during that period.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR SYMINGTON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, after the Senate returns from its recess subject to the call of the Chair, the distinguished Senator from Missouri (Mr. SYMINGTON) be recognized for not to exceed 40 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 o'clock tomorrow morning.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM TOMORROW, SEPTEMBER 10, TO 10 A.M., FRIDAY, SEPTEMBER 12, 1969.

Mr. MANSFIELD, Mr. President, I ask unanimous consent that, at the conclusion of the business of the Senate tomorrow, the Senate stand in adjournment until Friday morning at 10 o'clock.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. In other words, the Senate will not meet on Thursday, so that those of us who wish to do so—and I am among them—will be able to attend the funeral services for our late and beloved colleague, Senator Dirksen, at Pekin, Ill.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, it is my understanding that at the conclusion of the remarks by the distinguished senior Senator from Missouri (Mr. SYMINGTON), the 3-hour limitation will go into effect, the time to be equally divided, as previously agreed to last week.

The VICE PRESIDENT. The Senator is correct.

NO WAR IS A GOOD WAR

Mr. SYMINGTON. Mr. President, at times it would appear that some of us do not realize what would be the effect of a full nuclear exchange between two or more countries.

With that premise, I ask unanimous consent that a recent most thought-provoking editorial from the St. Louis Post-Dispatch, entitled "No War Is a Good War," be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NO WAR IS A GOOD WAR

Many Americans, including some in high places, are complacently toying with a dangerous idea—that our national interest would be well served by a war between the Soviet Union and Communist China.

That the friction between these two countries could actually come to war has long seemed incredible, but their menacing gestures and the continuing outbreaks of border fighting make the possibility less incredible every month. In the spirit of "let's you and him fight," unthinking Americans show an increasing tendency to welcome such a conflict. If the Russians and Chinese destroy each other, it is supposed, the United States can only gain.

History ought to tell us otherwise. Prior to World War II, many Americans and West Europeans tended to welcome the possibility of war between the Russians and Nazi Germany. Behind the psychology of Munich lurked the obscure hope that if Nazi aggression could be diverted to the East, Britain and France would be spared. It didn't work out that way. And even after the West had been attacked, no less a person than Harry Truman greeted the news of Hitler's assault on the Soviets with satisfaction. Let 'em kill each other off, it was said: good riddance!

The flaw in this reasoning was that every war produces a postwar situation, and when we came to think about the kind of world we would have to live in after a Russo-German war it became apparent that it was not in our interest to see all Europe dominated by any single power, whether it be Russia or Germany. We therefore found ourselves in the war on the side of Russia, which we had treated as an implacable enemy not so many years before.

The postwar situation that resulted was far from ideal, but nobody now doubts that it was infinitely preferable to one in which the Nazis would have emerged as undisputed masters of Europe and of Russia. Nor can it be doubted that the best of all outcomes would have been the avoidance of war altogether, had this been possible.

If today it seems wholly unthinkable that we could ever find ourselves fighting at China's side in a war against Russia, the logic of history tells us: don't be so sure. Should those two nations actually come to blows, it would not be long before Americans increasingly realized that conquest by either one would be to our disadvantage. We would not want to see the largest population mass of Asia controlled by Europe's largest power, nor European Russia controlled by China. Irresistible pressures would be set up to draw us into the conflict on one side or the other; and if nuclear weapons were used, as seems likely, we would suffer from the fallout as much as anybody else.

It is definitely not in our interest, therefore, that Russia and China should go to war. In the nuclear age no war anywhere can be complacently accepted. Our national welfare will best be served by a world of diversity, mutual respect, peace and independence. Ideologically we may oppose both China and Russia, but we are better off with both of them co-existing than with one conquering the other. As their own ideological affinities did not prevent the collapse of what used to be called the Sino-Soviet bloc, so our ideological differences need not prevent our living at peace with both, and encouraging them to do likewise.

What the United States can do to influence Soviet and Chinese policy is limited. But at least we can be clear in our minds that a Russo-Chinese war would make the world an even more dangerous place than it is, and that our interests call for doing what we can to prevent such a calamity.

THE AIR ROAD WILL WIDEN

Mr. SYMINGTON. Mr. President, as the various aspects of airpower continue to be discussed, I would hope that Members of the Senate would be interested in a superb address delivered earlier this year at the Wings Club by one of the truly great pioneers of aviation, Grover Loening.

In that for many years I have been emphasizing the importance of VTOL, STOL—and better still V/STOL—development, the conclusions reached by Mr. Loening were of special interest.

So as to show the extraordinarily wide experience of this outstanding author, who was an assistant to the first man who ever flew, as well as chief engineer of the U.S. Army Aviation Section prior to our entrance into the First World War, I ask unanimous consent that the preface to his address, written by Tore H. Nilert, president of the Wings Club, be printed at this point in the RECORD.

There being no objection, the preface was ordered to be printed in the RECORD, as follows:

PREFACE

In this seventh decade of the twentieth century we make much of the postulate that there has been more technological and scientific advance than in all the preceding history of man.

This is especially the case in aviation, for we have gone from Kitty Hawk to the moon in sixty-six years—in short, within the life span of men who are still with us and, more specifically, within the active working career of Grover Loening.

I do not know where Mr. Loening read the news of Kitty Hawk or what importance he attached to it at the time. But he was then only seven years away from his Master's degree in Aeronautics at Columbia, the first such degree ever awarded in America.

He has been continuously—and significantly—engaged in aviation ever since. He built his own first airplane, the Aeroboat, in 1912. He was assistant to Orville Wright in 1913 and Chief Aeronautical Engineer to the U.S. Army Aviation Section in 1914. He pioneered the first American steel frame airplane, rigid strut monoplane bracing and the first practical amphibian aircraft with a retractable undercarriage. He has blazed trails in helicopter design. The Leoning Flying Yacht set world records and opened the first significant market for private airplanes. The Loening Amphibian was the vehicle for the great Pan-American Good Will Flight by the Army in 1926. Loening research airplanes have helped extend the horizons of aeronautics in many directions.

Grover Loening has been much more than an inspired hardware man. He has articulated his knowledge and experience in countless lectures and books, his most recent book "Take off into Greatness" having received most favorable reviews. His 1937 report to Congress as Aircraft Adviser to the Maritime Commission set the guidelines for government at the start of American trans-oceanic air commerce. Five years later, at the War Production Board, he sparked the contemporary development of the all-cargo airplane.

In private enterprise, as consultant he has served the Chase Bank, Curtiss-Wright, Grumman, Fairchild and many others; and he has been a director of Curtiss-Wright, Pan American Airways, Fairchild, The Flight Safety Foundation and New York Airways.

Mr. Loening has for twenty years been a member of the Advisory Board to the National Air Museum. He is an Early Bird and a Quiet Birdman, a Fellow of both the AIAA and the Royal Aeronautical Society. He holds the Eggleston and Guggenheim Medals and the Collier and Wright Memorial Trophies. Were this London and we the members of our sister club there, I am certain that a grateful sovereign would long ago have dubbed him something like Lord Loening of Biscayne.

All of this is by way of confessing that the Wings Club cannot honor Grover Loening half as much as he has honored the Wings Club by accepting our invitation to present the 1969 Sight Lecture.

The purpose of these lectures—and this is the sixth in the series—is to give us some insight into where we have come from, where we are and where we are going; to survey the future in the light of the past; and perhaps to prevent us from repeating our errors or omissions.

Aviation has been particularly fortunate in attracting men of intellect as well as of accomplishment; and we have been privileged in the past to hear and, one hopes, heed—Sikorsky, Hunsaker, Littlewood, Hildred and von Braun.

This year, we are especially privileged to have as Sight Lecturer a man who has seen it all happen and who has had a finger in every phase of it, from constructing Bleriot copies in 1911 to researching the design of the heliport on the Pan Am roof. We are even more fortunate that our lecturer has matched his technical skills with an ability to relate them to the larger context of society and to communicate the result of his thought. Above all, he has cherished and maintained an independence of mind and an impatience with the clichés which have become almost as numerous in aviation as government forms.

The 1969 Sight Lecture may not comfort us or make us particularly complacent. But we can expect, if we listen well, to be the wiser for it.

TORE H. NILERT,
President.

Mr. SYMINGTON. I also ask unanimous consent that the address itself, entitled "The Air Road Will Widen With Systems Approach and Design Courage," be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE AIR ROAD WILL WIDEN WITH SYSTEMS APPROACH AND DESIGN COURAGE

It is, indeed, an honor to be invited to follow the previous five Sight lecturers—so great is their prominence and distinction. The aviation world has found in their words highly important guidance, perspective, and inspiration.

Sikorsky gave us much of his dramatic history and lessons to be learned therefrom for the coming VTOL age. Hunsaker helped so much with his penetrating analyses, summaries, and appraisals. Littlewood—whose passing is such a great loss—gave us some pregnant looks into the future and warnings against questionable present trends. Hildred added a knowledgeable and incisive review of air transport's effect on the world. And von Braun showed us how Space development will become the end product of our incessant air march to ever "faster, higher and farther."

In the classic pattern of these lectures, it may well be quite rewarding and convenient to divide our periods of hindsight, insight, and foresight into the following eras: For the past we study the period of 1925 to 1946. For the present we look to our era of 1947 to 1968. And for the future we present a picture based on contemplating and speculating on the coming period between 1969 to 1990. Within these three generations the story of Air-Space will certainly have been written—the first two periods witnessed, although perhaps not yet fully assessed.

My own history, already recorded in my books, articles, and lectures, is hardly distinguished enough to warrant tiresome repetition here. In brief, I started early—I rode a magnificent wave not of my own making. My aspiration here is to present a return of at least something in repayment, for the wonderful life I have had in the air world, with its rewarding recognitions and splendid associations.

I. WHERE WE HAVE BEEN, 1925–46

We start then with the momentous year of 1925. World War One had vanished into the hazy distance. The contentions and scandals involved in building up American aviation by a starved but eager Army and Navy and ambitious but frustrated infant industry, had finally led President Coolidge to appoint his "President's Aircraft Board," the famous Board, headed and actively directed by Dwight Morrow—one of the few government-inspired investigations in our history that resulted in concrete results of lasting value. The Board's intelligent recommendations were quickly acted on by a sensible Congress and by mid-1926 the fundamental set-up for aviation had at last been established.

In the War Department (Army) and in the Navy Department, Ass't. Secretaries for Air had been provided with authority to expend larger appropriations based on the very much needed continuity of a Five Year Plan. The industry could thus really plan with some assurance that the "fits and starts" kind of manufacturing it had been subject to was over. But more important for the future was the establishment in the Department of Commerce of an Aviation Bureau with an Ass't. Secretary to head it, which would and did put air commerce under licensing and regulation for safety and legal responsibility which the infant air industry had been clamoring for.

At about the same time the Air Transport part of Aviation got its first beginning by the passage in early 1925 of the Kelly Bill, authorizing the Post Office Department to divest itself of its inspiringly successful Air Mail operation and to place it in the hands of private contractors.

At this point the keen, litigious struggle of transport under government contract or of certification by government, started. This beginning marked the distinctive difference between the vitality of our American competitive system and the almost universal, government-owned, operated or subsidized system that all other big nations in the world had adopted.

Other great milestones in this 1925–26 era included the start of the Guggenheim munificence which was to prove so effective, first in building up technical training institutions and wind tunnels, and then in encouraging the establishment of a well organized and successful passenger air transport line—Western Air Express from Los Angeles to San Francisco.

Ford, too, made his historic entry into airlines and manufacturing at this stage and there is no denying that this stimulus helped enormously to put transport aviation on a faster track, spreading greatly added confidence in Aviation's future.

It would be well at this point to define further our objectives in this study, if for no other reason than to limit the various facets of this now enormous aviation field to those that we will have time to consider. Our principal objective is to search the past for errors that we may still unknowingly be following—to contemplate the present to see if we are giving emphasis to the most important and profitable aspects and to peer into the future for that prescience that is mandatory, to get the most out of the precious dollars hopefully and wisely spent, rather than ridiculously squandered on new fads or fancies.

Not being a militarily trained participant in Air Progress, and since many of the existing military features and certainly most of the new developments are on the secret list, I deem this no occasion for me to delve into that area. We must, however, realize that contracting for the Services has long been the bulk of our manufacturing business. And even though commercial aviation in transport, in business use, and in space has become so great (particularly in peacetime), military air activity commands our attention. *The contracting and industry upbuilding influences and practices of military procurement are still quite paramount.* We grew on them from 1925 to 1946, and are profiting in our civilian industry from the huge facilities, the engine and aircraft developments, the training of thousands of workers from mechanics to air scientists that were a legacy of such trenchant consequence.

Let us limit ourselves, therefore, to consideration of the following outstanding features of the generations we are studying.

How the design of aircraft changed and under what influence

In 1925 it was a brave designer indeed who would venture to advocate any airplane type but a biplane. In fact, the Loening amphibian itself had to be a biplane in order to achieve any kind of a selling appeal, even though the designer knew it would be 200 pounds heavier and 10 miles an hour slower than a monoplane type that he favored for years, but to little avail. Why? This is a very typical example of how stubbornly users will oppose change. And yet by 1946 there was hardly a single biplane in the air, either in civilian or military use—excepting, of course, some treasured hangups from the earlier era.

Will the day come in 1990 when all aircraft will land vertically, and horizontal-landing-aircraft will have joined the biplanes in museums

What brought about the change from the biplane in marketable American plane types

was largely the influence of Fokker and Junkers from Germany. When Tony Fokker hit our shores with his cantilever internally-braced wooden monoplane-wing transports with steel tube welded fuselages, he demonstrated much superior performance in speed, load capacity, and cheaper maintenance. Thus what little American competition there was in the Curtiss "Condor" biplane, and a few other biplane transports like the Sikorsky trimotor S–35 and the Boeing "82" biplane rapidly disappeared from the scene. At the same period the final death knell of the biplane was given by the sensationally successful advent of the Ford-Stout stressed-skin cantilever aluminum all-metal wing monoplanes, at first in the single Liberty motor version and then with the famous and still lasting Ford "Trimotor," the famous "Tin Goose."

The importance of the Ford milestone was registered by the high regard in which Henry Ford's name was held. From then on the keynote of how to build an airplane was sounded, with such finality that it lasts to this day, some forty years later. Change came only with the appearance of the low wing designs of Boeing in the "247" and Douglas in the fabulous "DC–3", as well as several others, such as the Lockheed "Electra" and the Vultee. They marked the low wing design predominance in the late thirties over the high wing design of Fokker and of Ford.

It must be noted that in 1926 the retracting of landing gears was just beginning in both civilian and military designs and that the low wing lent itself ideally to this feature.

Also of great importance in this era was the gradual increase in power from single engine to four engine installations. It is generally accepted that the reason for multi-engine usage was to "increase safety." This is not so at all. In fact the early designers were very nervous about increasing the complication and pilot skill requirement for commercial use. But what they did need for the transport market (to make money on) was very much larger aircraft. The biggest engines of the day were not yet big enough to carry the larger loads that were needed both for military use and for commercial profit.

Multi-engine installation added to the fire risk. It did no good when the weather closed in, or if the pilot passed out. If the plane ran out of gas, to what avail the number of motors? The public, however, were no doubt entertained and reassured when the bright aviation promoters hitched on to the gimmick of "multi-motor safety" as an added selling point for air travel.

Flying boats—particularly the large transport ones—also rapidly became multi-engine cantilever monoplanes.

Other major design trends in aircraft construction in the 1925 to 1946 period included "lighter-than-air" dirigible balloons and in particular the Zeppelin type. This is all so far away now that few of us remember the excitement and the arguments involved in this part of the air industry's activities. The highly promoted German effort to present this unique area as one that would dominate the skies of the world and take over its air commerce evoked a sense of international rivalry in the U.S., not unlike the effect of Russia's awe inspiring "Sputnik" some thirty-five years later. There is no denying that, to the Navy, as a long distance scout before our aircraft ranges were so greatly extended, there was distinct value to the Zeppelin. It cost us something like one hundred million dollars, however, to find out that this was a dead-end street. Stark tragedy after tragedy dogged their activity even when the safer helium gas was used. Imposing—they were; but too flimsy to withstand severe weather. Militarily very vulnerable; and commercially not yet fast enough to translate their roominess and load-carrying capacity into profitable ton-miles per year.

The Zeppelin's legacy to our industry was the development of the alloy, "Duralumin" and how to fabricate and make the most of it. This was worth a lot.

Military design continued apace in this period. For example, what was to become one of the truly great aircraft of World War Two was begun as a purely speculative venture by Boeing in 1935.

This aircraft was a four-engine monoplane that was to become famous under either its technical name of the B–17, or its popular name of the "Flying Fortress." This was the great war-horse of aviation in World War Two, the greatest single United States aircraft in helping win that war. It had everything. Fine, sweet, and—for a plane that big—high maneuverability. Like all other truly great planes—like the Douglas DC–3, for example—this pioneer four-engine cantilever, folding-landing-gear, 50,000 pound aircraft was to have a major influence on the design of airplanes for decades to come.

Engines also underwent design changes of great import in this early period. Growth in power was from 200 h.p. in 1925 to 3500 h.p. by 1951. The principal design change was the advent of the radial air-cooled engine—stimulated from two main sources, the Navy and Air Transport builders.

In Europe the water-cooled engines that had developed during the Second World War were chiefly the Hispano, the Rolls-Royce and the Mercedes, and they advanced for over ten years in use and in growth. In America there was quite a different story. While there had been some sporadic building of air-cooled engines like the Bristol and Gnome in Europe, the water-cooled type still continued to dominate the scene.

With the huge volume of Liberty water-cooled engines that clamored for consumption from war surplus in America, this water cooled engine was naturally the one most used by us. But in 1925 the revolution in our acceptable engine designs went far ahead of Europe. This was due principally to the pioneering in radial air-cooled construction by Charles L. Lawrance, and subsequently by the Wright Aeronautical company with which Lawrance merged. They brought out the famous and faithful "Whirlwind," that pulled Lindbergh across the Atlantic in his great 1927 epic flight to Paris, 36 hours without missing a beat. All manner of records were made by radials in ensuing years.

Near the start of the 1925 period the Army and the Post Office, the greatest users of aircraft, had, however, stuck to the water-cooled Liberty 12 cylinder 400 h.p. motor that was making plenty of earlier records to make them happy. But they were in error here, and the Navy saw its opportunity, and jumped in boldly, to concentrate on the use of the Lawrance and its Wright growth versions as well as giving encouragement and orders to the newly formed Pratt & Whitney outfit, starting with its famous "Wasp" series.

The rivalry of the Army and Navy must not be overlooked. It was a sharp stimulus to progress. In its deliberate championship of radial air-cooled engines the Navy thus won one round easily, and to the great benefit of American aviation for many years to come.

The pioneer air transport builders quickly sensed the desirability of the air-cooled radial with its lighter weight and cheaper maintenance. As the twenties grew into the thirties the multi-motored Fokkers, Fords, Douglas and Boeing land planes all were designed and perfected with no water-cooled engines whatever. The pioneer ocean-spanning flying boats, the Sikorsky "S–42," the Martin "Mars 130" and the Boeing "314" were all air-cooled-engined monoplanes.

The Army used Liberties for a long time and also the fine Curtiss "D–12" water-cooled engines which won so many races. Belatedly, however, in 1941, the Army adopted under General Arnold's direction an "about-face" rigid rule that all fighter pursuit planes were to have only air-cooled radial engines. To show how mistaken the authorities can occasionally be, this was a totally wrong decision for that particular moment. It had been completely overlooked that the wonderful "B–17" would need a fast enough escort-fighter for its protection. This could not be done by the radial powered planes, which lacked speed enough and range. Yet sitting in the test hangar at Dayton, ignored and not even programmed, was the Rolls or Allison water-cooled North American P–51 "Mustang," which was shortly to become the greatest American fighter. This occurred, however, only after Major "Tommy" Hitchcock, leading Ace in both wars, and the War Production Board had practically forced the "P–51" upon a reluctant Army.

These were some of the trends that developed in design before 1946.

The wide and varied usage of aircraft began in earnest in 1925

Ambition had motivated the proponents of the many ways in which aircraft could be exploited. We were all fired with unquenchable enthusiasm. The Kelly bill . . . the Morrow Board legislation . . . the new willingness of banks to loan money . . . the Guggenheim Fund spark . . . and the flight of Lindbergh, that set the airplane stage for its great steps forward . . . all took place within a short year or so.

The C.A.M. routes for mail-carrying companies started up one after another. We cannot but find some of the better known ones, which survived the air-mail cancellation attack by a willful President Roosevelt in much the same form they started with. The industry was gradually producing, or making available, aircraft that would do a rewarding job, first in carrying mail and then carrying overnight passengers.

Spectacular competition took place in the domestic market, and Europe looked on aghast at a growth that was so freed of the stilted and bureaucratic bog they were sinking in. National Air Transport, Pan American, Ford-Stout, Western Airlines, T.W.A., American, United Air Lines, Eastern, etc. followed each other in bewildering array.

Then other fields opened up, such as aerial photography, crop dusting (where Delta got its start). Private ownership spread its new wings with a background of farm and rural usage of a size and scope that was an eye-opener to our friends in Europe. Nothing like this existed over there.

Water-based aircraft also were very vital in the 1925 to 1942 period just before we entered the Second War. Particularly in the late thirties, Pan American and American Export (later developed into American Overseas Airlines) were busy crossing the Atlantic (at first via Newfoundland). Pan American had already pioneered its great ocean flying to South America and the area of the Pacific Ocean. There were three outstanding "Clipper" flying-boats used in these operations—the Martin "130"—the Sikorsky "S–42"—and the huge 72 passenger Boeing "314." This latter 1939 non-stop transatlantic giant was indeed the largest practical aircraft that had ever been put in real service. There had been two abortive larger planes—a 12 engined monstrosity, the "DOX" by Dornier—and the equally ridiculous Russian plane, the "Maxim Gorky."

It is very revealing to note that this "super giant" Boeing "314" of 1939 grossed 82,000 pounds, whereas thirty years later we were to have in flight planes of a gross weight nearly ten times larger.

The Navy made a further wide use of water based planes. But viewed from this distance, the whole concept of their trying to develop aircraft that could truly be called (as the Navy did) "seaplanes" was a forlorn hope, as was eventually evident. At the speeds of land-

ing then customary, and with the weight limitation inherent to plane design, we realize now that protection from spray and destructive wave action in even moderate seas was hopeless; resulting in very awkward designs, heavy, slow, and cumbersome. They would be unlikely to progress substantially due to performances markedly inferior to those of lighter land-planes. Later, when we had abandoned efforts to buck high waves; it became evident that this policy, so dear to the Navy, was on the wrong beam; setting back use of the great water spaces for aircraft at least twenty years. This is why I avoid the use of the term "seaplanes" and refer only to "waterplanes."

In smaller sizes for use in calm waters, harbors, rivers or canals, water based planes have continued in use from earliest days by enthusiasts who rightly love the pleasure of flying off the lakes and water spots all over the country. The peak of water-flying was in the thirties, in this early period. The dock that Mayor LaGuardia had provided at the foot of Wall Street in New York would often see as many as twenty privately-owned float-planes or flying boat amphibians landing their owners for the business day. However, the war soon put an end to this. After the war period in 1946 only a few such craft continued to come into the city. One reason for this was lack of facilities. It was in the period 1925 to 1939 that the Loening amphibian development and that of many others became widely used. The Loening company had its own aerodrome in the heart of New York City, locating its factory at the foot of East 31st Street. Scores of its amphibian deliveries, military and commercial, had for years been made out of Kip's Bay, a wide section of the river at this point. Here, indeed, the way to land in New York City itself was demonstrated.

It must not be overlooked that the reason for amphibian development in the 1925–35 era was also the prevailing lack of landing-fields, and of waterplane bases for docking or mooring. With the amphibian it became very easy also to provide a ramp or a beach up which the plane could be taxied out of water for convenient servicing.

Many were the uses that amphibians could be counted on to provide, particularly in all manner of explorations by the Navy and the Army. No need to recount the wide use of the "ducks" all over the country, in Alaska, in Greenland, around South America, etc. And of course the Army, Coast Guard and Navy, as well as commuting city-to-city lines, Cleveland-Detroit, Chicago-Milwaukee, etc.

Water plane usage in extensive private flying went on also in Chicago, in Philadelphia, and several other points where fine water terminals were available.

Wide amphibian usage did not continue at the end of this period because of their limited war serviceability and, more importantly, because by the end of the war the helicopter had arrived and offered much the same wide scope of landing ability and equal versatility.

All through this pre-World War II period designers were still coming out with better water-flying machines, but the market was too slim and expensive for material growth.

The helicopter's advent in 1946 right after the war, prominently marks the next period that we will study.

Despite all the activity that was engendered in air commerce prior to World War II, one of the most important aviation fields—the field of Air Cargo—was largely overlooked. Cargo operations were going on in several parts of the world; Scadta in South America and Taca in Central America. In Germany, too, and in Russia much flying of cargo to inaccessible places was proceeding. But some strange blindness was obscuring the potentialities of this phase of air-transport in America. For one thing, the Services had not yet woken up to the possibilities of military logistics by air.

In fact, incredible as it may seem, in late 1942, the War Department had requested the War Production Board to allocate no more strategic war materials whatever to Lockheed for the "Constellation" or to Douglas for the "DC–4" because *"these airplanes obviously have no military value."*

Then along came serious review of the conquest of Crete by Germany's JU–52's entirely by air, and there was a very brusque awakening by the U.S. Government. The W.P.B. immediately built a wooden frame factory (steel was in short supply) at Park Ridge, Illinois, now O'Hare Field. Here, in 1943, was put into production the famous "C–54", the military version of the "DC–4". The most famous of the many routes regularly flown by the C–54 was the route through the Himalaya Mountains bringing supplies from India to China, which was called the "Over the Hump" project.

The lag in cargo promotion was one of the poor marks against aviation during the 1925 to 1946 era. The then airline industry would have missed much of it had it not been for vigorous development by the services, and the War Production Board.

How environment was affected by airports and flying

At the start of this period in 1925 there had been few paved concrete runway airports in the U.S. Most of the runways were grass, or at most gravel with tar or regular macadam road construction. Many of the military fields were shamefully muddy, such as Selfridge near Detroit and Bolling in Washington, particularly during the snow melting season. This may be one reason why water-based planes had an allure. The runway lengths were in the 2–3,000 foot class, but as the years wore on, the use of concrete began, and by the end of the war there were quite a few fine new airports in the country, chiefly for the military services, but with a commercial future.

But the "one-track" fixation that has characterized our airport thinking had its genesis at this time and hasn't really left us yet.

As to congestion—there was very little. Actually in 1930 it was estimated, that, for example, there were in the U.S. air-spaces only 8,000 active planes and not all at one time. Of these 2,700 were military, 5,300 general or "service" as they were then called, and a total of 685 Air Transports of all types. The latter carried 386,000 passengers that year, and some airlines were actually starting to make money. Of the 29 contract air-mail carriers their total 1930 airmail earnings were $14,000,000.

As to noise . . . the complaints had already started, but the designers paid little attention. Even at this early date it would have benefitted us, then and now, if designers had been oriented to consider noise as an important parameter.

This early period passed into history and the score at the end of 1946 was: The Army had 30,000 planes in inventory including the Air Transport Command. The Navy had 8,000 planes in occasional service. Although the commercial lines had kept going, largely as an auxiliary for the war operations, real commercial operations quickly picked up and by early 1947 there were 64,000 registered planes in the U.S., of which 30,000 were "Cub" trainer types. There were 3500 two engine planes listed (not all in use) and 385 four engine planes in transport service. Twenty nine air carriers were operating. Returned service pilots were grabbing jobs at salaries of anything from $3,000 a year up: mechanics who had earned $30 a week in 1940 were now in 1946 earning $48. The cost of airplanes for commerce averaged $7 to $15 a pound. Although the costlier ones were of metal construction, the smaller, cheaper ones were still built of steel tube frame with wooden spars and ribs and fabric covering.

One of the finest record flights in history was made in October, 1946 when the Navy flew a Lockheed "Neptune" non-stop from Perth, Australia to Columbus, Ohio, a distance of 11,235 miles in 55 hours.

This was followed by a Lockheed "Constellation" flight across the continent in 7 hours, 27 minutes.

All during this period great advances were made in various fuel improvements, higher octane, obtained by addition of tetra-ethyl lead and special blending agents permitting much higher supercharged pressures and higher power without detonation and overheating.

Metal variable pitch propellers were constantly improved. So, also, were instruments.

Transport speeds had increased from 90 miles an hour in 1925 to 300 m.p.h. in 1946. Nuclear engines were being secretly talked about. Slick magazines had a helicopter in every garage with the housewife going shopping therein.

II. WHERE WE ARE, 1947 TO 1969

We have explored hindsight within the time available to us. Now let's look at our present. The start of this next period marks the end of the World War II era and the settling down into serious business of meeting all our challenges with a wealth of knowledge about mass production (96,000 planes built in 1945!) and with an enormous reservoir of trained mechanics as well as highly qualified aviators from the services. Yet coequally there were relatively few engineers steeped in the requirements of this new up-coming commercial aviation era. Their thinking was not yet adjusted to it.

Fundamental design changes were quite limited during the war, except for the advent of jets, and helicopters

Probably the worst legacy of the huge air operations of the war with which to enter the new path of vigorous profit paying enterprise was the descent from affluence; the nursing of every nickel; the reduction of large staffs to a skeleton force that had to prove itself. Many high-flying plans for the rosy future some of us expected, were discouraged. Hard-headed business acumen was not a war virtue but fixed prejudices were. Although we had gained much thereby one had to realize that talent could not be ordered by the commanding officer any more, nor did money grow any more on those trees that had been fed previously with the fertilizer of endless government funds.

So suddenly things got really tough for the air industry. Added to that were many tangles over questionable profits, much anguish over renegotiations of money already paid out and a general letdown feeling. Nevertheless, we kept going along conservative lines in both the military and the newer commercial angles. Fortunately, the "War Surplus" problem was no longer the great deterrent it had been in World War I.

There are two happy sides to our 1947 picture; the helicopters and the jets.

The development of the jet was by all odds the most important technical development of the war in the field of aircraft. As you know, we owe the beginning of it to the British. In the very early years of the war and shrouded in the greatest possible secrecy, the first sample jet engine was brought to the United States from the Whittle turbine engine factory in England and was handed over to the General Electric Company for duplication and for production. Some American alterations were made and in October, 1942, the Bell XP–59, powered with two of the GE engines, took to the air—the first American jet to fly.

Other jet engine developments quickly followed, so that by the end of the war era in

1946 there were, in addition to General Electric, the new rivals, Westinghouse, Pratt & Whitney, Continental Motors, Menasco, Lycoming, and General Motors-Allison companies, all busily evolving their role in the jet-engine field.

History's next great step was in October, 1947 when the first American rocket-driven plane, the "Bell XF–1" was flown through the sound barrier by "Chuck" Yeager . . . and we then entered the new supersonic age.

Although actual vital changes in aircraft frame types are not as distinctive in the post-war period as they had been during the generation before, many further evolvements of the customary low-wing stressed-metal-skin cantilever types rapidly came into being.

The "C–54", so successful in its war logistics, soon grew into the "DC–4"; and by 1947 appeared as the first real air-line money-maker, soon to be followed by the Douglas "DC–6". This plane came into wide use at once, carrying 52 passengers at 300 miles an hour. Its immediate close rival was the Lockheed "Constellation" slightly faster, and seating up to 64 passengers. From then on these planes, and others like the later Martins and Consolidated-Vultees, staged a typical American competitive-growth battle for orders, not only from this country but also in the European markets (hitherto closed).

Right here we find the reason why the American private enterprise system is so far superior. The way our violent and keen competition beats out the European "closed to rivalry" government-dominated and less imaginative regimen is clear.

We get better planes, that's all.

Before the advent of the turbo-jet applications the enormous production of piston engines had given the commercial operations a varied choice of 2,000 to 3,500 h.p. multi-cylinder air-cooled radial engines from Wright or Pratt & Whitney. They had behind them a convincing war record to insure quite safe operation and with seasoned crews, in plenty, to maintain them.

So we went on through ensuing years quite heedless of the fact that there could ever be anything like a congestion in the wide open air spaces. Presently the piston engines gave way to the smoother, easier to maintain and install turbine engines, even though we knew how much noisier they were. As in the previous era, no engine designer was sufficiently far-sighted to start in right then and there to make noise reduction a fundamental parameter of engine design. Some of this may be excused by the fact that the services did not ask for quietness nor worry one dollar's worth of research about it!

It seemed in the later forties that for any sizable load-carrying plane the obvious power application of these new turbines would be in the turbo-propeller combination. The first formidable entry in the U.S. in this field was the Lockheed "Electra". A few hardy souls felt this was a waste of effort since the inherent contribution of the turbine was also to reduce the expense and maintenance by getting rid of those bothersome props. It was predicted by this lecturer, in his 1948 NACA survey that Turbo-props were merely a way-station to jets. But the industry did not follow this idea, and lost time as well as wasted money in those valuable prop-jet years, when their planes could have been in the 600 mile an hour jet-class instead of the prop-jet 400 m.p.h. bracket (that had succeeded the 300 m.p.h. piston "DC-6, Constellation" era).

As the post-war years wear on, helicopter development in varied designs from Sikorsky, Piasecki (later Boeing-Vertol), Bell, Hughes, and Lockheed are all busy on this line, receiving lots of attention from advanced thinkers, as so well documented by pioneer Sikorsky. But little real business or interest resulted from the Services or the commercial people that counted, except for the Viet Nam requirements in the later years, which have become so commanding, and successful.

As for water-based aviation, this has continued to be completely sidetracked as useless, out of date, and not worthy of consideration or study.

Every year now transport planes get bigger, more luxurious—better meals, movies, etc., fine boarding ramps, quicker baggage handling, but there is no real change in type. More crowding means longer landing delays, fewer schedules on time, ever longer trips to town. *Flying in American skies grows from enthusiastic acceptance to outrageous congestion in 1969 because we fail to make a "systems" approach.*

At the start of the post-war era, with so many useful planes developed and thoroughly tested by the vast operations of the services and particularly of the Air Transport Command, America plunged into the great air-line development that has been growing apace ever since. The A.T.C. operations in the late war years were already very large. In the year 1946, the Air Transport Command actually had already carried over 400,000 passengers, though admittedly on war missions.

The piston-engine transport era that had started in 1946 was initially so well-equipped that we gained a head-start over similar operations in Europe that we have never lost.

An outstanding later development than the "DC–6" and the "Constellation" was the great two-deck Boeing "Stratocruiser" which was developed directly from the Boeing "B–50 Super Fortress Bomber." This carried 80 passengers at a cruising speed of 300 to 340 m.p.h., crossing the continent non-stop in about eight hours. This represented about the peak of the piston-engine transportation.

By 1950 there were some 800 transports, their speeds varying from 200 to 360 m.p.h., and already piling up passenger loads of 30,000,000 passengers per year.

Then we came to the jet-engine era. The turbo-jet engine commercial applications were first sparked in 1948 by the magnificent flight non-stop of the Lockheed "P–80" jet pursuit plane, crossing the continent in 4 hours and 15 minutes. Years of gestation then followed. Boeing taking a new leading part with the 6-engine "B–47" bomber (1948), and its great successor the "B–52" bomber, still in use. By 1957 the Boeing Company had taken its standard 4-engine monoplane design and modified the "KC–135" version that had been built for the Air Force as a tanker, into a 4-jet engine passenger plane carrying 120–160 passengers and as we well know named the "707". This plane immediately developed a cruising speed of 560 miles an hour, making the transcontinental trip from California to New York in 5 hours, and continues to fill the transatlantic as well as the transcontinental skies ever since Pan American's first Paris ocean flight in October, 1958. In very short order this 4-jet transport was joined by the Douglas "DC–8", accomplishing practically the same performance. Since then, of course, various development versions of these planes have come out.

The jet usage is so successful in these years that schedules are again constantly being increased because passengers are constantly increasing in number—clamoring for seats, and adjusting to the new "Jet-Age" life of breakfast in New York and lunch in California, or dinner in New York and breakfast in London.

Forty years after Lindbergh's flight we now come to the startling fact that a jet-liner crosses the ocean every 8 or 10 minutes carrying an average load of 100 passengers at 600 miles an hour 30,000 feet above the weather. In the boring six or seven hours solitude of that calm 30,000 feet, we are indeed getting spoiled. We resort to movies, music, liquor, and much too much food, for appeasement. But the fundamental super-comfort feature of air travel is still the announcement from the cheerful hostess, "We have arrived."

Year after year as the number of schedules increases, so does the number of airlines of all nations. Where is the end?

Meanwhile the use of private taxi and business planes increases, too, in unlooked for volume. Most of them aim a making connections at the major airports with the air-lines on their way to more distant ports.

Then to this influx of traffic, we add cargo planes—also piling into these same great airports until one day we suddenly wake up to find that *we have failed to design a system of air-transport.* We have thoughtlessly allowed an unworkable part of a system to grow unwieldly, out of balance, and almost futile.

Why and what have we missed?

The aircraft designers, the airport authorities, the operators, and the government, too—have all failed to plan for *transportation from center to center.* Instead, we have only, at great expense, provided transport from a distant spot in the countryside to equally remote suburban terminals, a condition to grow even worse with SST coming up. Railroads at least carry you into the city you are aiming at, and so do buses.

Why these distant air stations? Because, of course, the room needed for our current planes to land safely on the wheel-and-axle designed landing gear systems their engineers have given them, demand miles of level concrete. This means thousands of acres of room which we have to get out of town to find. The noise we make requires remoteness also. So our system stumbles right there, the service from city to city unfinished. Devil take the hindmost! The dear passenger finds himself a taxi—if he can. Or a bus, possibly too crowded. Or a helicopter, already full. Or a train.

All of these are haphazard and chancy. They would not be, if the airline finished what it undertook when it sold that ticket for a trip from one center to another city or town. Meaning that the airline or the airport authority fails to provide rapid transit from the remote field into the center, or to locate the airport originally where there was rapid transit available, or where the location required none.

The 40-mile-out giant new airport at Miami is an excellent example of good planning showing that it is as important right now for it to have rapid transit, by ground or air, planned and financed, as it is to build runways. This cost is part of the cost of the airport. Let's make it all together a system that has the objective of delivering the passenger to his destination without having to rely part way on some competing or otherwise crowded form of transportation.

What form could this transit service to town take for an airline or the tenants of an airport as a unified group to operate?

Using present roads would add to road congestion. The possibility of totally new roads faces years of delay for condemnation proceedings, etc. even if authorized. The same with the railroads. However, if at the same time the new airport is planned there were to be included, as part thereof and of the appropriations therefor, the transit plan—be it by new road, air road, rail line or hovercraft line—to a planned city center terminal . . . that would make some sense. This really would be a "systems approach," conspicuously lacking in plans that have been proposed to date.

The easiest plan for the airport people to put into being would be the use of the air road. This can be done by helicopter service or STOL service (if landing spots

can be located or purchased in the city center). In most of the big cities, helicopter landing-room is available on roofs of docks or of buildings. Along water fronts suitable STOL ports are less easily worked out.

Besides, we must emphasize that STOL aircraft will be just as much a way station to VTOL, as turbo-props were with jets. The turbulent air in cities is already casting much doubt and difficulty in the STOL's path. It is often overlooked that helicopters have the very desirable quality of ironing out turbulent air conditions in an effective way. Witness how even the rather outdated helicopters of New York Airways can handle very rough westerly winds at Wall Street without the passengers noticing it. The use of the certificated helicopter airlines to date has actually been very limited, with only three lines operating in the country. Whether each air transport line should have its own helicopter contractor for this service or whether the airport as an entity should contract for a service for all its tenants will, now, be worked out. But needed it is, in some form.

Congestion in the skies is caused by congestion at the airports

We now come to our real headache—congestion on airways by limited airport facilities. This is fundamentally due to the design of the aircraft that we have to deal with because the designers have as yet failed to get away from the horizontal-flight landing character of the machines that airlines have to use. Thousands of feet of runway that must be kept clear provide the airplane's "little spot to land on." The bulk of planes around today's airports in the transport or high-class business category cannot slow up in the air much below 120 to 180 miles an hour, (when required to circle to await their turn at landing on the long runways that their 80 to 140 m.p.h. landing-speed demands). To avoid collision, holding patterns are rightly prescribed. But each plane ends up using an air space of 50 to 100 square miles for its circling. This means that the air space over the airport with too few runways gets crowded too easily. Desperately seeking reduced crowding, we now curtail landings, ration takeoffs, prohibit certain usages of airports.

This is not the cure. *Our airplanes are the wrong type!*

Nevertheless, struggling with this unfortunate fact, persistent efforts to improve traffic headaches are in the works, chiefly starting with more parallel runways on each airport and more airports.

Why were so many airports built with only one runway in each direction? Should not every direction have had a "landing" runway and adjacent to it a "take-off" runway—a two track design instead of the limited one-track? One answer to this was that the pilots did not rate their own skill highly enough. With the control available on jet-planes and the knowledge now recognized of how the turbulent wakes can be avoided, there seems to be unwarranted fear of planes getting too near each other. Of course, in thick weather, "see-and-be-seen" flying was originally impossible. But now this is already being resolved by the constantly improving airborne radar, and many other ways of seeing from the plane cockpit or from a tower's installation what the pilot cannot see. Total guidance is rapidly being developed, in the thickest fog.

But there again there is the limitation to the tower system of lack of capacity for growth. It could not ever handle the vast increase in traffic that is coming.

For the less demanding little planes in private, general, air-taxi, and other uses, the requirements for tower operation are much fewer. Concerted efforts are being worked on to relegate them and their STOL versions to a separate area of the airport with shorter runways, lower and steeper altitude approach patterns and no tower control needed. Their slow-landing, short-runway character is a relief that must be accented. A further review of procedures may bring multiplane holding-patterns into safe use. Two or three planes could be flying alongside each other in typical service formation manner and, in the same holding-pattern, seeing each other over the overcast. Then they would peel off on signal to enter the landing pattern. Still further deficiency is evident lately,—the lack of enough unloading gates for this ever increasing traffic. This, like the runway stringency, will find temporary but slow solutions.

More extensive and intensified use of existing runways—immense improvements in airborne collision-avoiding radar, particularly made economically viable for the little planes that must see and be seen by the 600 m.p.h. jet planes—reforms in existing tower procedures and, of course, more airports—will as we all know temporarily improve the present rate of acceptance of commercial flying, under present crowded conditions.

But we have not yet solved the transit conditions from airport to civic center. Nor have we solved the existing limitations of the vehicle that we are as yet committed to—in so many ways, an absurd vehicle. It cannot stop and back up . . . without losing its value as an economical high-speed conveyance. All other vehicles; cars, boats, trains, have a complete pilot-operator in control on board, only because they can be stopped and backed up.

"See and be seen" is the great lack in our system. Not feasible for us with this charging monster that cannot slow down itself without courting disaster. Its uncontrollability is mastered by the expensive delaying subterfuge of our elaborate tower control system. Can we ever get away from this?

The only current solutions much spoken of and little done about, are the Verticle Takeoff and Landing proposals (VTOL), of which there are several most promising in configuration. Bell, Sikorsky, Hughes, and Lockheed are all busy on this line. So, too, no doubt are many yet unheard-of young engineers who must be seeing the future glamour of this new trend. But money, both government and private, is strangely shy of this venture area. We might get some real progress in this development if a foreign country like Russia would come forth with a highly successful one, leading the way as now being done by Russia, France and England with the SST.

We need the VTOL badly in this country, but do we need the supersonic transports? Which should have priority?

At this writing the one that can relieve congestion the most is the one that should have priority. It becomes clear as we study it that the VTOL would help relieve congestion much more. The SST will add to air traffic problems due to its speed, and special limitations, sonic boom, etc. The SST's value will be senseless if it has to land too far out of town. Solving the VTOL problem first might rescue it from ridicule.

What will help *congestion in airways* is the giant aircraft like the "747 Jumbo", about to appear. But the "Jumbo" will worsen *congestion at the airport* when it disgorges at one sitting its 400 passengers and their luggage. It will be somewhat like the arrival of an ocean liner at a New York pier. The same kind of pandemonium, luggage mix-ups and waits. For the airline the "Jumbo", however, promises better earnings, because more passengers are carried per pilot's pay, per gallon of fuel, per hour of maintenance labor, etc. On the other hand, the clerks at the counter have to be increased to meet the load of the bigger crowd, and then become a wasted addition during the long waits between less frequent flights.

Whether the loss of frequency of service, by having one schedule in place of three or four smaller ones, will affect the results is not yet established. But the "Jumbo" will give an amount of relief to the airways crowding in that for a given number of passengers, fewer planes will crowd the airlines and runways. The risks of carrying so many eggs in one basket is frequently cited as a great disadvantage of the "Jumbo" plane if it should have an accident. At first, no doubt, it would unsettle orderly acceptance of such large airplanes. But the history of aviation seems to point to acceptance of even so large a disaster, particularly if several other "Jumbo's" continue to fly regularly and safely. There may be passenger resistance, due to this larger size because of the interior seating, the added confusion, the added waits in the aisles and at the counters, etc. But there does not seem to be an impressiveness-of-size appeal in this present step to the "747". Obviously longer and larger than the "DC–8", the new 250 passenger Douglas "61" hardly made any stir at all.

Remaining to be considered as a vital angle of aviation operations is the possible use of water-landing areas in our quest to find more landing space nearer to city centers. Nearly all big cities in the U.S. have water areas adjacent to their centers, New York, Boston, San Francisco, Chicago, etc. These vast open spaces make it tempting to reopen our minds to an appraisal of what changing from land to water would entail. New materials of construction make corrosion much less a maintenance headache than in earlier years. Pressurized fuselages are strong enough now to serve as hulls, merely with slight change in the bottom to give takeoff step shaping. The spray bother with propellers is gone. The whole picture looks much more feasible than it did; and, at least in the case of the SST, water-based operation should receive much more study to get its operation closer to town. We could be missing a viable operating-field because we have not applied our most modern new techniques and materials to making it work much better. It has, however, become unfashionable even to consider that water airports might be offering an unlooked for solution to much of our airway-airport syndrome.

Airport-to-city transit by helicopters may soon become city-to-city by VTOL's

Air transportation is not finished until goods or passengers are delivered near enough to the city centers to make the air-time saving a reality. Even if the delays of congestion over airports were to be reduced to a practical amount, there would still be the time consumed in the trip from the airport into town.

In the last decade, 1959 to now, since jets have made their wide appearance, airports have been pushed ever increasingly away from city centers. This great fault in our air-transport system has become a number one headache.

Road blockage and road inadequacies, particularly in rush hours, as well as equally frustrating train services, have led us to look to the air-road as the solution, and in particular to the helicopter with its close-in landing possibilities.

Thus, we get into helicopter airlines like New York Airways, Los Angeles Airways, and San Francisco Airways. They promise well and indeed deliver the great time-saving they were expected to. But they are presently facing bravely that hard business reality—their inability to make enough profit. Landing facilities, too, are still too limited. Docks, roofs, parks, water and river fronts, are begging to be used. But municipal imagination is stagnant. The City of Miami just finished a billion dollar "Doxiadis" plan for a great future city. There is no mention, whatever, in this elaborate plan of heliports, waterplane landing-docks, or STOL strips! A

planned huge convention hall has no heliport roof—no front door.

The present helicopter costs of maintenance and operation are just too high to allow for profit under prevailing fare-levels. This may largely be the fault of the builders of helicopters. Ever since Sikorsky started his pioneer work, most of the manufacturers have never been pushed hard enough by the services to design more economical structures. The major designers have not given or had the time to give serious attention to abandoning the shaft-gear driven rotors now used—either single rotor with tail prop or tandem rotor. They could have turned to the surely much-less-expensive to maintain tip-jet driven rotors that have been clamoring for development for many years. One reason for this is that the services made no demand for this kind of progress because economy was not in their language on the same level as it is with a struggling commercial airline.

Now, however, the urgent market for close-in aircraft and the added private and company use of helicopters or their derivative, the VTOL, becomes promising, indeed. With this comes the plea to make it all acceptably quiet, usefully fast, and above all, cheaper to maintain.

Both noise reduction and much less expensive-to-maintain design of helicopters appear to be imminent. The pneumatic tip-jet propulsion system offers a great reduction in destructive vibrations and a simple way to transfer the turbine jet's power from the tip-jet vertical lift mode to direct thrust out of a tailpipe to fly fast on wings. The helicopter's curse of being too slow can be lifted and it can become a fast VTOL. Two recent developments further accent the near future advent of such an aircraft—the Lockheed type rigid-rotor and the retractible folding rotors of several designers. The tip-jet application of power also makes more feasible the installation of multiple rotors (three or four) to still further reduce maintenance by eliminating the cyclic-pitch control with all its bothers of tracking, checking bearings and vibrations. Also on the way out would be the hampering stall of the retreating blade. Control would then be by collective pitch change only, and applied on either side or at the tail as desired. A rotor danger, the "Vortex Ring" condition, would also be eliminated.

The principal objection to the tip-jet is a wastefulness in power application. But jet engines are so light that larger ones can be used and since the close-in ranges that these VTOL craft would be used for are so short in distance (and even shorter in time due to higher cruising speed) the added fuel consumed would not be prohibitive. This high fuel consumption has been a cause of hesitancy on the part of designing engineers. But is this not in the same class as their feeling of fright, several decades ago, over jet-engine applications to airplanes because of so much higher fuel used per hour? They failed, in those early days, to foresee that jets meant so much greater miles per hour speed that the gallons per mile remained almost the same!

New heat resistant materials, titanium, new composites, bonded metals, and fiberglass, help much too, in giving justification for serious thought to tip-jet propulsion. Delay in this is the kind of stupid lag that a fast developing art like ours suffers from—making it so difficult for an executive to really plan ahead. His greatest allies should be the engineers and they are so often just too afraid to put their necks out.

Even more importantly—where is the money for new VTOLS coming from?

The NASA buys flying articles, the space-capsules, from blueprints that have never flown in any basic type. Why can't we look for a similar approach in pushing a 60 passenger city-to-airport VTOL? In short order, it would become a city-to-city transport for 200-300 mile ranges, and then this form of fast 300 m.p.h. transit would really make money.

This is not likely to be seen soon, because the fashion of the day is to do more and more research, rather than to build real articles that will fly! This lag applies equally to the FAA as well as to NASA, going as they do all out for the supersonic transport. The SST's will be relegated to far-out airports. As already pointed out, their value will largely be negated by the long trek into town where the passenger really wants to go. The far-out airports are a vital part of the SST system. So, should not this part of an effective SST system have also included fast VTOL airport-to-city transit from the very start?

It has not yet done so.

Facing stark reality we must recognize that these desirable developments are not yet here so what are we doing to meet these headaches of the day? What is the "insight"?

Only a matter of countable months ago this country established a Department of Transportation, so it very probably is not fair to visit our current sins on it, but look at the problems it faces.

We have built tremendously expensive, long-runway airports far from our cities. We have already embarked, or we are facing the problem, of building great freeways to get to them or of going to the vast expense of constructing rapid transit systems for the same purpose.

Desperately, we call for helicopters, STOLS, air taxis, anything to fly over this mess. What do we find? We find that the only system used with any kind of success in the last few years is the helicopter, but that it is so expensive that it must depend on a subsidy authorized by Congress. And in its all-seeing wisdom, the Congress, doing everything in its power to make a bad situation really suicidal, cut off the subsidies.

What a relief in the midst of all this mess would be the advent of a really effective VTOL. The VTOL needs no vast landing area—in fact, the roofs of present airport concourses could be adapted to provide landing space.

What a relief that would be to the control tower operator, who would only have to tell the city-to-city VTOL pilot—who by now really is a helicopter pilot since he is in the vertical lift-descent phase—what gate to land on top of.

And what a relief to the pilot who can simply stop or back up if his airborne radar shows him too near another VTOL.

Let us keep in mind, too, the highly significant development of the "Decca" and other hyperbolic navigation systems which can show the helicopter pilot his location, at any time and in any sort of weather, within a space of a few feet.

Thus we find this period of 1946 to the present, just as full of wrong steers and of triumphs as earlier ones. And for guidance we must note a few additional high points.

The SST has come on the stage. Before we go too far in government directed designing let us recall some axioms. As we have already said—talent cannot be directed by the commanding officer. Nor can a fine painting be executed by a committee. We must look to individual designing.

Noise is the greatest public antipathy, getting more pronounced every day. As we venture into the VTOL area this is even more serious because the helicopter mode needs all its power to land with and is noisiest when closest in. It is inexcusable now for example to have tandem rotors that overlap and add their slapping noise to the engines.

It is perhaps regrettable that the 1938 Air Commerce Act made no reference to aircraft noise or airways congestion, though few could have foreseen all this back then.

Since there was no real plan then or since for an air transport system, we find that huge orders for aircraft were gaily placed by the industry without the slightest thought on its part—or on the part of the FAA—as to what effect these orders would have on what Herb Fisher calls the "fast moving aluminum overcast" of our overcrowded skies.

Catching up with the noise problem at this moment, too, is the mentioned *problem of air pollution,* which we had all better turn our minds to, for today's higher pressure-ratio engines show so much visibly greater exhaust smoke burning their kerosene fuel at the very moment when the public's hostility to every sort of pollution is increasing by the day.

Looking out of the window of a jet plane today, majestic in flight at 600 miles an hour and 30,000 feet or more above the earth, you can look out at an engine that is nothing more than a simple spool spinning around generating its thrust pushing this huge aircraft on its way. Think back in contemplation only a few years.

How did those 28-cylinder radial engines, with all those cranks and pistons and valves in mortal destructive combat with each other, ever survive?

Or where did we ever get the courage to count on their doing so?

III. WHERE ARE WE GOING? 1969–90

Now we can relax and speculate and let our fancy run a bit freer—but not too free if we want to be constructive.

Of the developments that we can foresee that hopefully most of us in this room will actually witness, perhaps the most exciting will be in power plants. The advent of the nuclear engine within the next decade or so is practically a certainty. There is also talk of reviving the steam engine—in a new and sophisticated form, certainly, but still the steam engine so dear to our grandfathers. And some of our more daring engineers are even talking of ways of trying to harness rocket engines, of developing some sort of throttle that would actually be able to control them precisely. What sort of idea would that be for a tip-jet helicopter?

And the compound helicopter now in the works will, when flying in its wing-borne mode, have a much greater advantage over the helicopter mode—a much higher ceiling. These ever-larger fanjets—when shall we call these giant fans by their correct name? They are really ducted propellers, very efficient and a wonderful addition to the jet age.

The second most important development of the future, I think, will be that of an imposing list of new materials. Coming are all manner of strong, light, thermo-setting plastics, glass fibers, ceramics, metal alloys, titanium boron—for all I know perhaps we shall end up with that miracle material "unobtanium" which we have all dreamed of for so long—lighter, stronger, easier to work, untiring, no crystalline cracks, no corrosion!

IV. WE'RE GOING TO HAWAII IN 1980?

It is spring of 1980 . . . and our foresight has had time to crystallize half way along the road to our goal of 1990 . . . We know from earlier decades that in ten year periods things do not change so much that our expectations can't be realized. In this context may I anticipate a flight to Hawaii on May 21, 1980? Such a flight is predicated on that well known postulate—so vividly proven by Jules Verne and Al Capp—that anything man can imagine he is eventually sure to invent into actuality.

My descriptive forecast would read thus.

A few days before leaving I had called Superior Airline Company on my television teleautograph—computer-phone in New York and visually speaking to the clerk I placed my credit card in the slot, picked from his

chart seat number "9–K", my favorite, and bought it for a flight to Hawaii non-stop where I was to join a friend for the weekend. By pressing the proper buttons I thus had paid for this passage. The clerk punching his machine, and mine receiving his signals, produced the ticket itself, which I pulled out. That was that. I did not have to make a reservation; I held the seat ticket, itself, all ready to use. The boring airport-counter process had long been replaced by the direct seat sale as for a theatre. The at-first-hesitant airlines had worked out their computer and recording machinery so that a last-minute cancellation could be made, by adding a small penalty on the charge account, freeing the seat for others.

Luggage handling had been simplified by an electronic up-dating of the way luggage is handled on ocean liners—by initials. This system had been installed following the appearance of the jumbo jets—a simple paper label that had nothing except the first letter of your last name pasted onto each piece of luggage, and when you went to the luggage counter, you simply had to go to the section with your letter over it.

To start on my trip, I went to what were now called the Airline Docks along the East River, the "VTOL Airpark" that reached from 23rd to 38th Streets where the FDR Drive had been totally covered over. Each airline had its own section of this area, where your taxi could unload exactly at the foot of the escalator that would bring you up to your own VTOL plane.

This aircraft area included some fifteen docks, each with a roof capacity for ten VTOLS. This meant a handling capacity of over 100 of these aircraft at the same time, and there were similar installations at the Hudson River, and down at the Battery.

I marvelled at the changes from the old days. Gone, for example, were the hectic days at Kennedy, with the sounds of the ear-splitting exhausts, as the old-fashioned jets went screaming down the thousands of feet of runway in order to pick up enough speed to get into the air, discharging the pollution of their exhausts in addition.

Here at "VTOL Airpark" there wasn't even any delay. I arrived in my taxi, went up the escalator, completely protected from the weather, went abroad the aircraft, showed my ticket to the usher—formerly called "the stewardess"—and was shown to my seat. Alongside the window was a convenient shelf for things like cigarettes (still used in 1980?), and a little wall fixture for holding your hat.

The takeoff was almost unnoticeable, that wonderful feeling of vertical takeoff where the ground just seems to fall away. Even though I knew there was turbulent air outside, our VTOL was steady as a church, so different from earlier trips I had taken in STOLS, where the light wing loading can be so uncomfortable in bumpy winds.

Settling comfortably in my seat, I noticed how smoothly the tip-jet-driven rotors—one on each side and one at the tail—were lifting us through the overcast to an altitude of several thousand feet. I was not concerned because I knew that the pilot was only gradually increasing his forward speed and that his radar and TV screen, which would show him all planes from a distance of 200 feet out to ten miles, would enable him to avoid any collision.

We finally came out into the clear at our assigned altitude, where we came under computerized traffic control. Our speed increased as the retraction of the rotors began. I could feel the wings taking hold and the acceleration that the direct thrust of the propulsion jets were now giving the machine as it transformed itself into a sleek, streamlined-winged airplane moving toward speeds of 1200 m.p.h. The folding and housing of the rotors, about which there had been so much hesitation twenty years ago, did not seem any more of a stunt than the folding of a retractable landing gear of that age. And the rotors were very little heavier, and far easier to maintain, than the gear that could be used only for a few minutes at takeoff and landing.

Eagerly I looked forward to that thrilling moment when we would slow up over Hawaii . . . open up the rotors . . . let them start turning at zero pitch . . . while the wings were gradually relieved of their burden.

Finally we did arrive, and slowed up to almost stationary hovering. I recalled from previous VTOL flights, that wonderful feeling of then sinking slowly, under perfect control, to a light touchdown on the roof spot reserved just for us. No more waiting for runway clearance, no more taxiing for miles to get to a debarking gate.

So secure did I feel, too, in knowing that even if all our power systems failed, the great safety of fully opened rotor auto-rotation would drift us down to some spot of safety on land or water.

As I was thinking this, the Polynesia Hotel came closely into sight below us and we settled down softly to join the other VTOLS already on its roof.

I had completed an effortless jaunt of 5,000 miles in five hours, direct from the dock roof in New York. Later that evening I was able to say smugly to my fellow dinner guests:

"Forward horizontal velocity in aircraft is no longer meaningful without vertical flight for time saving at each end."

CONCLUSION

There is no conclusion to flying's progress. If we do not by 1980 have the imaginary experience I have just described, it will be because we have been too slow in getting going.

As a sort of pragmatist, I feel that, in the industry at the moment, we are doing too much research and too little building. And most of all, too little system planning.

Bothered most of all by the immediate requirements, we can all see that if air traffic is to grow to maturity on its present lines, the first great needs are more runways and more air aids.

But are those present lines the right ones? *My conclusion after taking these "sights" is that they are not.*

Airport and airways developments take precedence *now* . . . only because VTOL is so slow in being translated into real hardware. The cost of such novel aircraft is high, but how much higher will huge airports be!

Before 1990, or surely before that magic New Year of the Third Millenium, the air road will open up to all manner of traffic in a thrilling and rewarding way. But not until we approach our problems with consideration of all systems involved.

And what's more, we must show *more courage and determination in boldly building new and more tractable aircraft.* The rapidity with which daring innovations followed one upon the other, during the earlier days had often led to the quip: "if it works . . . it's obsolete."

Let's hope that we haven't lost too much of this pioneering impetus.

The air transport industry now has on order over 8 billion dollars worth of equipment in fixed-wing aircraft, incapable of flying or landing at speeds under 120 miles an hour. But not a dollar's worth of orders for vertical takeoff and landing planes!

Are the eggs in the wrong basket?

ORDER OF BUSINESS

The VICE PRESIDENT. Is there further morning business?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON SETTLEMENT OF CLAIM OF THE KLAMATH AND MODOC TRIBES AND YAHOOSKIN BAND OF SNAKE INDIANS

A letter from the Chairman, Indian Claims Commission, transmitting, pursuant to law, a report on the settlement of a claim in Docket No. 100–A, the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians (with an accompanying report and papers); to the Committee on Appropriations.

REPORT OF CIVIL AIR PATROL CORPORATION

A letter from the National Commander, Civil Air Patrol, transmitting, pursuant to law, a report of the Civil Air Patrol Corporation for 1968 (with an accompanying report); to the Committee on the Judiciary.

REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on an examination of financial statements of the Federal Home Loan Bank Board, for the year ended December 31, 1968, dated September 5, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the effectiveness and administrative efficiency of the Neighborhood Youth Corps program under title IB of the Economic Opportunity Act of 1964, Gary, Ind., Department of Labor, dated September 5, 1969.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the effectiveness and administrative efficiency of the Neighborhood Youth Corps program under title IB of the Economic Opportunity Act of 1964, Kansas City, Mo., Department of Labor, dated September 5, 1969 (with an accompanying report); to the Committee on Government Operations.

ADJUSTMENT OF IMMIGRATION STATUS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered in behalf of Barbara A. Penaherrera and Maria M. Penaherra relating to adjustment of their immigration status (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Senate of the State of California; to the Committee on Labor and Public Welfare:

"SENATE RESOLUTION 303

"Relative to continuation of funds to federally impacted school areas

"Whereas, The costs of education in the State of California are borne almost exclusively by the property taxpayers, many of whom find it increasingly difficult to retain

their property with the increasing assessments and tax rate; and

"Whereas, In 1950, the federal government enacted P.L. 874 and P.L. 815, thereby recognizing the responsibility of the United States for the financial impact of government installations on local school districts; and

"Whereas, While some California communities have had a third or more of their land removed from the tax rolls by the federal government, they are still responsible for education of all of their resident children; and

"Whereas, Funds, from P.L. 874 and P.L. 815 have compensated affected school districts in the 3–A category for the influx of school age children living on tax-free property, and, in the 3–B category, partially compensated them for educating the children of government workers living off base; and

"Whereas, The school districts have been notified that an effort will be made in the interest of federal economy to eliminate the 3–B category in the current appropriation bill; and

"Whereas, If such a cut in appropriations does take place, some California school districts will no longer be able to operate and many others will be financially crippled; now, therefore, be it

"Resolved by the Senate of the State of California, That the Members do hereby request the federal government to make the full appropriation under P.L. 874 and P.L. 815, thereby making it possible for California school districts to maintain the present level of education for all students; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and the Vice President of the United States, to the Secretary of Health, Education, and Welfare, to the Director of the Bureau of the Budget, to the Chairmen of the Budget Committees in the Senate and House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

"This is to certify that the above resolution was adopted by the Senate on July 24, 1969.

"C. D. ALEXANDER,
"Secretary of the Senate."

A joint resolution of the Legislature of the State of California; to the Committee on Finance:

"ASSEMBLY JOINT RESOLUTION 64

"Relative to licensing of nursing home administrators

"Whereas, Public Law 90–248 requires that as a condition of Title XIX reimbursement, there must be a state program for the licensing of nursing home administrators by July 1, 1970; and

"Whereas, The Assembly Health and Welfare Committee has evaluated the need for such licensure and as a result of that evaluation has concluded that licensure of nursing home administrators will not materially affect the standards or quality of care provided in nursing homes; and

"Whereas, Public Law 90–248 has the effect of requiring the Legislature of the State of California to surrender its independent judgment in state matters to the federal government; and

"Whereas, The alternative would be to pass a 'paper' licensing act with few requirements so that all existing administrators could be licensed; and

"Whereas, The Assembly does not consider such a subterfuge in the public interest, nor does the Assembly feel that licensure simply for the sake of licensure is a desirable public policy; now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to repeal the nursing home administrator licensure requirement of Public Law 90–248 and to reevaluate the entire area of quality of care in nursing homes in order to develop realistic methods for insuring high quality based upon the actual level of care provided rather than mere licensure of the administrator; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, the Secretary of Health, Education, and Welfare, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Public Works:

"ASSEMBLY JOINT RESOLUTION 59

"Relative to federal-aid primary highway funds

"Whereas, The federal-aid primary highway system in California includes some of the nation's best known routes, such as Route 101 on the California coast, Route 50 from Sacramento to Lake Tahoe, and Route 1, the Pacific Coast Highway, from Ventura to San Clemente; and

"Whereas, The geographical expanse of California lends itself to use of the motor vehicle as the primary means of meeting the transportation needs of the people of this state; and

"Whereas, The Redwood National Park and Point Reyes National Park have recently been established within the state and these parks will generate additional traffic on federal-aid primary system as well as our state highways in areas of the state where such systems are already seriously inadequate to service present traffic demands; and

"Whereas, The improvement of a large portion of the mileage on this system which is needed now cannot be budgeted because of the lack of funds; and

"Whereas, Federal gasoline taxes collected are approximately 20 percent greater than the road funds returned to California from the federal government; and

"Whereas, Substantial deficiencies in federal, state and local highways and roads in California would seem to indicate a greater portion of federal funds should be returned to California to help meet its highway needs; and

"Whereas, The method for distributing federal funds to the states for use on the primary system was first developed in 1916 and is based upon one-third population, one-third area, and one-third post road mileage; and

"Whereas, The California Department of Public Works is now undertaking a federally mandated functional classification study of all streets and highways in the state; and

"Whereas, Such functional classification study may substantially affect the distribution of federal funds throughout the state; and

"Whereas, Additional factors, such as miles of roadway, number of fatal and injury accidents, vehicle miles traveled, and motor vehicle registrations should be considered in distributing funds; now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact legislation to provide for the distribution of federal-aid primary highway funds on a more currently realistic basis than the outdated formula now used; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Secretary of the Department of Transportation, the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Finance:

"ASSEMBLY JOINT RESOLUTION 40

"Relative to taxation of state and local government bonds

"Whereas, Equity among taxpayers is essential to popular confidence in the federal revenue system; and

"Whereas, The Ways and Means Committee of the United States House of Representatives has conducted extensive hearing on proposals for equitable reform of the federal personal income tax; and

"Whereas, Spokesmen for the National Governor's Conference, the National Legislative Conference, The National Association of Attorneys General and the National Association of State Treasurers, Auditors and Comptrollers have endorsed the objective of tax reform while urging the committee to refrain from changes which would weaken the capacity of the states to meet the needs for state services; and

"Whereas, The Ways and Means Committee is to be commended for its efforts to improve the equity of the federal personal income tax; now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States:

"1. That no change be made which would deprive state and local government obligations of their traditional immunity from federal taxation;

"2. That no change be made which would result in constriction of the market for bonds issued by the states or local governments;

"3. That no change be made which would interpose federal judgments relating to the policies of the states or local governments; and

"4. That no change is acceptable which would subject borrowing by the states and local governments to the uncertainties of the appropriation processes of the Congress; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Labor and Public Welfare:

"ASSEMBLY JOINT RESOLUTION 22

"Relative to bilingual education programs

"Whereas, Congress adopted the Bilingual Education Act in 1967 to facilitate learning by students in their native tongue as well as in English and to preserve the national resource of bilingual speakers; and

"Whereas, The funding of this act for the 1969–1970 fiscal year was $7,500,000 even though the act authorized an expenditure of $30,000,000; and

"Whereas, For the 1969–1970 fiscal year 310 school systems have applied for $40,373,580, which will be apportioned from the $7,500,000 appropriation; and

"Whereas, One hundred two California school systems have applied for $11,662,405 on behalf of 229,309 students in California for the 1969–1970 fiscal year; and

"Whereas, Without adequate federal funds the school districts cannot provide adequate or successful education to their bilingual students; now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the members urge the members of the United States Senate and House of Representatives to augment the appropriation made for bilingual education programs for the 1969–1970 fiscal year sufficiently to raise the appropriation to $30,000,000, the maximum amount authorized; and be it further

"*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Agriculture and Forestry:

"ASSEMBLY JOINT RESOLUTION 47

"Relative to the federal food-stamp and commodity distribution programs in California

"Whereas, The Congress has created food-stamp and commodity distribution programs, which have been implemented by legislative action in California; and

"Whereas, These programs were designed by Congress to provide surplus food to the hungry and needy 'to the maximum extent practicable'; and

"Whereas, On December 30, 1968, a federal court in San Francisco ordered the United States Secretary of Agriculture to immediately implement one or both of these food supplement programs in every California county, but thus far the secretary has taken no action to implement the programs in counties of California which presently do not operate them; and

"Whereas, The federal court also found that there is substantial hunger in each California county without a food supplement program, and that sufficient federal funds are available to implement the programs; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully requests the President and Congress of the United States to transfer the administration of the federal food-stamp and commodity distribution programs from the United States Department of Agriculture to the United States Department of Health, Education, and Welfare, where their implementation may receive a more favorable response; and be it further

"*Resolved,* That the President and the Congress of the United States are urged to investigate the reluctance of the United States Department of Agriculture to implement these programs in California pursuant to federal court order to determine if congressional intent has not been observed; and be it further

"*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Secretary of Agriculture, to the Secretary of Health, Education, and Welfare, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Commitee on Commerce:

"ASSEMBLY JOINT RESOLUTION 52

"Relative to the California Maritime Academy

"Whereas, The California Maritime Academy has been established to prepare students for a maritime profession; and

"Whereas, The academy is of benefit to the State of California and the federal government and has been funded by both the state and federal governments; and

"Whereas, The State of California currently funds 65.7 percent of the academy's cost which is an increase of 16.5 percent since 1959–60; and

"Whereas, The federal government currently funds 17.9 percent of the academy's budget which is a decrease of 8.3 percent since 1959–60; and

"Whereas, The decreased percent of federal funding is due to a fixed dollar amount formula which does not change for normal price and program cost increases; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to increase the federal government's share of funding for the California Maritime Academy to its previous level; and be it further

"*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and the Board of Governors of the California Maritime Academy."

A joint resolution of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

"ASSEMBLY JOINT RESOLUTION 16

"Relative to offshore oil development operations

"Whereas, The great scenic beauty of the shoreline along the California coast is one of the state's magnificent heritages; and

"Whereas, An oil spillage of mammoth proportions has occurred at an offshore oil Channel; and

"Whereas, This massive oil leakage has caused immeasurable damage and destruction to the California coast and brought death to countless fish and coastal wildlife; and;

"Whereas, The Santa Barbara Channel is known to be an area of geological fracturing and there is a danger that further oil leakage disasters may occur; and

"Whereas, Such drilling operations are located on federal outercontinental shelflands and operate under lease from the United States Department of the Interior and under federal regulations; and

"Whereas, In view of the oil pollution now wreaking such terrible damage to our coast, it is evident that the public interest would be well served through creation of an insurance fund for the protection and preservation of the California shoreline; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to review and strengthen federal regulations pertaining to oil drilling operations in areas such as the Santa Barbara Channel under federal control, taking into account the geological fracturing and faulting which exist in such areas; and be it further

"*Resolved,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to permit authorized representatives of the State of California to make onsite inspection of oil drilling facilities and practices at oil development operations located on federal outercontinental shelflands off the California coast and to permit state supervision of such operations; and be it further

"*Resolved,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to halt all oil drilling operations in the Santa Barbara Channel under federal control until a well-by-well inspection can be made; and be it further

"*Resolved,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to establish an insurance fund from revenue produced through offshore oil development and production, to be used for removal of pollution, contamination, or debris resulting from such development and operations which affect the California shoreline and for the compensation of landowners, including public agencies, for private or public property damage; and be it further

"*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of the Interior, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Labor and Public Welfare:

"ASSEMBLY JOINT RESOLUTION 24

"Relative to vocational youth organizations

"Whereas, Historically the United States Office of Education has cooperated and assisted in the promotion of vocational youth organizations; and

"Whereas, The Future Farmers of America, the Future Homemakers of America, the Distributive Education Clubs of America and the Vocational Industrial Clubs of America were organized with encouragement and assistance from the staff of the United States Office of Education; and

"Whereas, These youth organizations have become an integral part of vocational education programs in secondary schools through the influence of the United States Office of Education staff members who serve as advisors; and

"Whereas, Through these organizations youth in rural, suburban, and urban areas have had an opportunity to become members of constructive organized groups; and

"Whereas, These organizations have helped youth to identify with the world of work and to develop as civic and community leaders; and

"Whereas, Membership in these organizations is open to all students in vocational education regardless of race, creed or national origin; and

"Whereas, A recent policy statement issued by the United States Office of Education concerning the relationship between the Office of Education and student organizations prohibits its staff from directing the activities of student organizations or participating in the administrative decisionmaking of student organizations as officers; and

"Whereas, This policy will, in effect, greatly reduce assistance to vocational youth organizations; and

"Whereas, In the case of one youth organization, the Future Farmers of America, this policy is in direct conflict with Public Law 740, Chapter 823, Section 18, which specifically authorizes the United States Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare to make available personnel, services and facilities of the Office of Education; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the legislature of the State of California respectfully memorializes the President, the Congress of the United States, and the United States Department of Health, Education, and Welfare not to implement its policy until there has been sufficient time to permit full congressional review and hearings to determine whether or not this administrative order carries out the intent of the law; and be it further

"*Resolved,* That the Legislature of the State of California encourages the United States Office of Education to take immediate action to strengthen those youth organizations that have become such an integral part of the vocational education program in the United States; and be it further

"*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the United States Department of Health, Education, and Welfare."

A resolution adopted by the Council of the Borough of Red Bank, Red Bank, N.J., remonstrating against certain action taken by the House Armed Services Committee; to the Committee on Armed Services.

A resolution adopted by the council of the city of Holland, Mich., remonstrating against the enactment of legislation relating to taxing obligations to the separate States and municipalities; to the Committee on Finance.

A resolution adopted by the Third Marine Division Association, Inc., at Miami, Fla., relating to observance of the laws of God and of the land; to the Committee on the Judiciary.

A resolution adopted by the International Conference of Police Associations, Washington, D.C., relating to civil rights, and so forth; to the Committee on the Judiciary.

A petition, signed by Sheila R. Aronow, of Philadelphia, Pa., and sundry other citizens, praying for the enactment of legislation making January 15 a national legal holiday in memory of Dr. Martin Luther King, Jr.; to the Committee on the Judiciary.

A resolution adopted by the city council of Philadelphia, Pa., praying for the enactment of legislation to provide grape harvesters and farmworkers generally with the right to bargain collectively; to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BURDICK, from the Committee on Interior and Insular Affairs, with amendments:

S. 227. A bill to provide for loans to Indian tribes and tribal corporations and for other purposes (Rept. No. 91-393).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 2315. A bill to restore the golden eagle program to the Land and Water Conservation Fund Act (Rept. No. 91-395).

By Mr. McCLELLAN, from the Committee on the Judiciary, without amendment:

H.J. Res. 614. Joint resolution authorizing the President to proclaim the week of September 28, 1969, through October 4, 1969, as "National Adult-Youth Communications Week" (Rept. No. 91-394).

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session, the following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

John F. Kilkenny, of Oregon, to be U.S. circuit judge for the ninth circuit;

Harold S. Fountain, of Alabama, to be U.S. marshal for the southern district of Alabama;

Wayman G. Sherrer, of Alabama, to be U.S. attorney for the northern district of Alabama;

Eugene A. Wright, of Washington, to be U.S. circuit judge, ninth circuit;

Ozell M. Trask, of Arizona, to be U.S. circuit judge, ninth circuit;

Peter Mills, of Maine, to be U.S. attorney for the district of Maine;

John H. deWinter, of Maine, to be U.S. marshal for the district of Maine;

Marvin G. Washington, of Michigan, to be U.S. marshal for the western district of Michigan; and

Charles S. Guy, of Pennsylvania, to be U.S. marshal for the eastern district of Pennsylvania.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. CASE:

S. 2865. A bill to amend section 13a of the Interstate Commerce Act, and for other purposes; to the Committee on Commerce.

By Mr. HOLLINGS:

S. 2866. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Finance.

(The remarks of Mr. HOLLINGS when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. SPONG:

S. 2867. A bill to amend section 202(a) of the Federal Property and Administrative Services Act of 1949 to remove a preference accorded to the District of Columbia over State governments in the disposition of excess real property; to the Committee on Government Operations.

(The remarks of Mr. SPONG when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. GORE (for himself and Mr. BAKER):

S. 2868. A bill to authorize the appropriation of funds for Fort Donelson National Battlefield in the State of Tennessee, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TYDINGS (by request):

S. 2869. A bill to revise the criminal law and procedure of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. METCALF:

S. 2870. A bill to designate the lake formed by the waters impounded by the Libby Dam, Montana, as "Lake Koocanusa"; to the Committee on Interior and Insular Affairs.

By Mr. GOODELL:

S. 2871. A bill to provide protection to consumers against erroneous and malicious credit information; to the Committee on Banking and Currency.

(The remarks of Mr. GOODELL when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mrs. SMITH:

S. 2872. A bill for the relief of Maj. Louis A. Deering, U.S. Army; to the Committee on the Judiciary.

By Mr. ALLOTT (for himself and Mr. DOMINICK):

S. 2873. A bill to declare the United States holds in trust for the Southern Ute Tribe approximately 213.37 acres of land; to the Committee on Interior and Insular Affairs.

By Mr. GRIFFIN:

S. 2874. A bill for the relief of Soon Nam Pyun; to the Committee on the Judiciary.

By Mr. HRUSKA:

S. 2875. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide financial assistance to States for the construction of correctional institutions and facilities; to the Committee on the Judiciary.

(The remarks of Mr. HRUSKA when he introduced the bill appear later in the RECORD under the appropriate heading.)

S. 2866—INTRODUCTION OF A BILL ALLOWING A CREDIT AGAINST INCOME TAX TO INDIVIDUALS FOR CERTAIN EXPENSES INCURRED IN PROVIDING HIGHER EDUCATION

Mr. HOLLINGS. Mr. President, America's youth provides the leadership of the future. It has always been true, and will continue. By and large, this leadership comes from our colleges and universities. And today, we are facing a genuine crisis in college education. It is not from the student radicals, or from the quality of education. This crisis is financial, and is fed by the increasing inability of the average family to pay the mounting costs of a child's college education. Educational costs are spiraling above the normal increase in costs of living and also higher than the average wage earner's salary.

I deem it a great privilege to introduce a bill which would begin to offer some relief to these parents in the form of tax credits for money spent on higher education.

One has only to look at the recent problem of high interest rates and tight money for the beginning of the current fall semester to see the need of such a measure. College students throughout the Nation were faced with the prospect of not being able to go to school because banks could get better interest rates elsewhere. This created a real crisis in South Carolina this fall when students were unable to get loans from previous sources. Only Presidential action seemed to cause a loosening of the purse strings at our lending institutions.

In every survey taken, Americans have responded enthusiastically to the tuition tax credit plan. This certainly is not difficult to understand. Because of inflation, few families have been able to maintain any adequate, long-term plan for college savings, or any other savings, for that matter.

Another survey showed college officials and trustees also favor this plan to a high degree. The reason, obviously, is that such relief for parents would have a secondary reaction. It would remove some of the burden from existing Federal and private loan, grant, and scholarship programs.

Mr. President, this is a method of income tax reform and relief which is well within our national means to achieve. No one will argue that our future does indeed rest in the minds and abilities of our youth. This conceded, how can we refuse to take this partial step toward helping solve some of the financial problems relating to higher education? Some will say this will cut into the Federal budget as just another expenditure—admittedly needed but unwise at this time. To them I say this is no expenditure, it is an investment, and one we cannot in wisdom ignore.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill S. 2866, a bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education, introduced by Mr. HOLLINGS, was received, read twice by its title, and referred to the Committee on Finance.

S. 2867—INTRODUCTION OF A BILL AMENDING THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

Mr. SPONG. Mr. President, I introduce for appropriate reference, a bill to amend the Federal Property and Administrative Services Act to remove a preference accorded to the District of Co-

lumbia over State governments in the disposition of excess real property. The bill which I have introduced would remove that preferential treatment. I believe the State of Virginia or the State of Maryland or any other State should have access to such lands—after screening of Federal agencies—before the government of the District of Columbia.

Mr. President, under existing provisions of that statute, federally owned property in any State of the Union, declared surplus to the needs of a Federal agency may be claimed by the government of the District of Columbia, prior to the claim of the State in which the property is located. The responsibility of the Federal Government to the Federal City is recognized, but I doubt that the residents of any State would consider such preferential treatment to be justified.

The inequity of this provision became clear when the Army announced recently that it was inactivating a transmitter station in Virginia and was declaring the land, which had been acquired by condemnation in 1951 from private owners, surplus to the needs of the Army. The State and the county in which the land is located, have indicated an interest in acquiring the land for public use and a portion of the land in question, lies in the path of a projected parkway. Even the former owners have indicated an interest in reacquiring the property. Yet, under existing law, the municipal government of the District government, has first refusal. Admittedly, this situation from a practical standpoint is faced more by the States of Maryland and Virginia than any other State. But conceivably the District could file claim for surplus Federal lands in West Virginia, Tennessee, Pennsylvania, Delaware, Kentucky, or for that matter, in any State in the Union, or the Commonwealth of Puerto Rico before the State in which the land is located, even had an opportunity to refuse it.

I think I should point out that this provision was not included in the original statute, but was an amendment added in 1952, which, in effect, converted the municipal government of the District of Columbia to a Federal agency.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2867) to amend section 202(a) of the Federal Property and Administrative Services Act of 1949 to remove a preference accorded to the District of Columbia over State governments in the disposition of excess real property, introduced by Mr. SPONG, was received, read twice by its title, and referred to the Committee on Government Operations.

S. 2871—INTRODUCTION OF A BILL TO BE KNOWN AS THE FAIR CREDIT REPORTING AND DISCLOSURE ACT OF 1969

Mr. GOODELL. Mr. President, the economics, the technology and the pace of the commercial life of this decade have literally transformed the credit reporting industry in this country. The practices of this industry in the future, operating perhaps in a cashless, checkless society, will be further shaped by today's ever expending computer technology.

While there can be little doubt about the wisdom of applying new technologies to the computerized credit reporting industry of the future, I believe that we must act now to protect our citizens from the dissemination, through those far-flung networks, of erroneous and malicious credit information.

I therefore introduce, for appropriate reference, a bill entitled the Fair Credit Reporting and Disclosure Act of 1969, which would amend the Truth-in-Lending Act to enable consumers to protect themselves against the use and dissemination of such information.

I believe that my bill represents a broad and sound approach to the many problems inherent in regulatory legislation of this kind.

Briefly, my proposal would provide for the following:

First. It would require that a creditor who denies credit to any person, or any one who denies employment or insurance to any person on the basis, in whole or in part, of a credit report to disclose to such person, upon written request made within a reasonable time following such denial, the name and address of any credit reporting agency which furnished such credit report;

Second. It would require the credit bureau to disclose the substance of the credit report to such person, upon written request, and to correct inaccurate or erroneous information, if the dispute was not frivolous;

Third. It would require credit bureaus to furnish upon written request, for a reasonable fee, not more than twice a year, at 6-month intervals, the identities of all recipients of a credit report on the applicant;

Fourth. It would require credit bureaus to update credit bureau files upon receiving requests for investigation;

Fifth. It would require credit bureaus to obtain and note in credit reporting files where reasonably possible the ultimate disposition of all civil and criminal complaints reported in such files;

Sixth. It would insure that lists of names and other credit reporting information, including but not limited to financial status, credit performance, and economic indicators are not disseminated or sold for market research purposes;

Seventh. It would impose a criminal penalty upon any person obtaining a credit report under false pretenses.

The hearings conducted on this subject by Senator PROXMIRE's Financial Institutions Subcommittee last May clearly established the fact that the credit reporting industry exercises considerable power over private citizens. The dissemination of inaccurate or misleading credit information about an individual can be disastrous to his reputation and economic well-being.

Recognizing that consumer credit has become a keystone of our economy, and that the needs of commerce for the free flow of credit information must be protected, some regulation of the industry to protect the consumer is in the public interest.

My bill will provide a simple mechanism for disclosing and correcting credit misinformation without impairing the orderly operation of the credit reporting industry. S. 823, the Fair Credit Reporting Act, would impose an affirmative duty upon the credit grantor and the credit bureau to notify an individual who has been the subject of a credit report and who is ultimately denied credit. I believe that the more reasonable and economical solution is to place the duty upon the consumer to obtain disclosure.

A result of the growth of credit bureaus has invariably been the compilation of large amounts of personal data on many persons. While this is necessary, unlimited access to such files can place in jeopardy the rights of the individual. My bill would limit access to these files to persons with a clearly defined interest. I believe that the measure I introduce today provides significant and vital safeguards for the consumer, while supporting procedures which are fair and equitable to the credit reporting industry.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2871) to provide protection to consumers against erroneous and malicious credit information, introduced by Mr. GOODELL, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2871

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Truth in Lending Act is amended by adding at the end thereof a new chapter as follows:

"CHAPTER 4.—CREDIT REPORTING AGENCIES

"Sec.
"161. Short title.
"162. Findings and purpose.
"163. Definitions and rules of construction.
"164. Regulations.
"165. Access to information.
"166. Unlawful access to information.
"167. Periodic notice.
"168. Other requirements.
"169. Civil liability and criminal penalties.

"SHORT TITLE

"SEC. 161. This chapter may be cited as the 'Fair Credit Reporting Act'.

"FINDINGS AND PURPOSE

"SEC. 162. (a) The Congress makes the following findings:

"(1) An elaborate interstate mechanism has been developed for investigating and evaluating the credit worthiness, credit standing, credit capacity, character and general reputation of persons.

"(2) In an economy which depends increasingly upon information on persons for the extension of credit and the movement of goods and services there is a need that such information be accurate and readily ascertainable.

"(3) Credit reporting agencies have assumed a vital role in assembling and evaluating consumer credit and other information on consumers and other persons.

"(4) There is a need to ensure that credit reporting agencies exercise their grave responsibilities with fairness, impartiality, and a respect for the individual right to privacy.

"(b) It is the purpose of this chapter to enable persons to protect themselves against the dissemination of inaccurate information bearing on their credit worthiness, insurability, or employability by requiring that all credit reporting agencies, utilizing the facilities of interstate commerce, adopt reasonable procedures, in accordance with regulations prescribed by the Federal Trade Commission, for meeting the needs of commerce for credit information on a basis which is fair and equitable to such persons.

"DEFINITIONS AND RULES OF CONSTRUCTION

"Sec. 163. (a) Definition and rules of construction set forth in this section are applicable for the purposes of this chapter.

"(b) The term 'creditor' means any person utilizing the facilities of interstate commerce which regularly extends or arranges for the extension of credit whether in connection with loans, sales of property or services or otherwise, provided that, where credit is extended through the use of a credit card or similar device the issuer of such credit card or device shall be the creditor.

"(c) The term 'person' means an individual, partnership, corporation, association or other entity.

"(d) The term 'credit report' means any report as to the credit worthiness, insurability, or employability of any person, and includes any information which is sought or given for the purpose of serving as the basis for a judgment as to the credit worthiness, insurability, or employability of a person: *Provided, however,* That such term shall not include any such report or representation containing information solely as to transactions between such person and the person making such report or representation. Such term does not include a report or representation where an issuer of a credit card or similar device authorizes or approves a specific extension of credit by the use thereof.

"(e) The term 'credit reporting agency' means any person who regularly engages in whole or in part in the business of furnishing credit reports, and for the purpose of preparing or furnishing them uses any means or facility of interstate commerce.

"(f) The term 'law enforcement agency' means the Attorney General of the United States, a United States attorney, the Secretary of the Treasury of the United States, the Director of the Federal Bureau of Investigation, the Director of the United States Secret Service, the attorney general of any State or the district attorney of any city, county or other locality, or the duly authorized designee of any such individual.

"(g) The term 'licensing agency' means any governmental unit, or any agency or instrumentality thereof, which is required by law to consider the financial status or responsibility of an applicant in determining whether or not to issue a license or grant a benefit.

"(h) The term 'Commission' means the Federal Trade Commission.

"REGULATIONS

"Sec. 164. The Commission shall prescribe regulations to carry out the purposes of this chapter. These regulations may contain such classifications, differentiations, or other provisions, and may provide for such adjustments and exceptions for any class of transactions, as in the judgment of the Commission are necessary or proper to effectuate the purposes of this chapter, to prevent circumvention or evasion thereof, or to facilitate compliance therewith.

"ACCESS TO INFORMATION

"Sec. 165. (a) A creditor who denies credit to any person or any one who denies employment or insurance to any person on the basis, in whole or in part, of a credit report shall, upon written request, made within a reasonable time following such denial, disclose to such person the name and address of any credit reporting agency which has furnished such credit report on such person.

"(b) A licensing agency which denies a license to any person shall, upon written request, made within a reasonable time following such denial, disclose to such person the name and address of any credit reporting agency which has furnished such agency with a credit report on such person.

"(c) Any credit reporting agency so disclosed to a person by a creditor or licensing agency or other person as provided in subsection (a) or (b) shall, upon written request, made within a reasonable time following such disclosure, provide to such person a description of the contents of any credit report furnished to such creditor, licensing agency, or other person and the specific facts or allegations upon which it is based. The credit reporting agency may impose a reasonable charge in conformity with regulations prescribed by the Commission for furnishing such information. If such person shall reasonably establish that any item of such report or of the facts or allegations on which it is based is inaccurate, the credit reporting agency shall forthwith correct such item and deliver, at its expense, a corrected credit report to each person who has previously received a credit report containing such item. If the accuracy of any such item is disputed, such credit reporting agency shall clearly and legibly note in its records of such report and in any subsequent credit report containing such item and relating to such person that the item is disputed; except that a credit reporting agency need not make a notation as to any disputed item if it has reasonable grounds to believe that the objections to the item are frivolous. Any item bearing on a record of payment which is more than five years old or bearing on a record of bankruptcy which is more than fifteen years old shall be deemed to be inaccurate unless the date of such occurrence is clearly stated.

"(d) Notwithstanding any other provisions of law, no person shall have any claim or bring any action or proceeding based on information disclosed pursuant to this section, except that a third party who willfully, knowingly, and maliciously communicates to a credit reporting agency any false and defamatory information, may not assert privilege for information so disclosed.

"(e) A credit reporting agency may adopt reasonable procedures designed to ensure that the person requesting a credit report pursuant to subsection (c) is the subject thereof.

"Sec. 166. Unlawful access to information

"(a) No credit reporting agency shall furnish a credit report to any person or government agency, except pursuant to order of a court, unless such credit reporting agency has reasonable grounds to believe such person or agency (1) is a creditor or prospective creditor, employer or prospective employer, or an insurer or prospective insurer, (2) is a law enforcement agency, (3) is a licensing agency, (4) is a credit reporting agency, or (5) has been duly authorized in writing by the subject of such report.

"(b) No credit reporting agency shall furnish a credit report to any such person or government agency unless it has reasonable grounds to believe that the report will be used solely for a permissible purpose under this chapter.

"(c) No credit reporting agency shall furnish a credit report to a law enforcement or licensing agency, unless it has received a written request which contains the name of each person with respect to whom a credit report is to be furnished, and (1) the agency requesting the credit report is a law enforcement agency and submits a sworn statement that it is requesting the report solely for law enforcement purposes, or (2) the agency requesting the credit report is a licensing agency and submits a sworn statement that it is requesting the report solely for the purposes of considering the financial status or responsibility of the subject of such credit report.

"PERIODIC NOTICE

"Sec. 167. A credit reporting agency shall, upon a written request made not more often than once in any six-month period, furnish the requesting person with the name and address of every person or governmental agency to whom it has furnished a credit report relating to such requesting person during the preceding six-month period. Such credit reporting agency may impose a reasonable charge in conformity with regulations prescribed by the Commission for furnishing such information.

"OTHER REQUIREMENTS

"Sec. 168. Every credit reporting agency shall follow procedures, in conformity with regulations prescribed by the Commission, to achieve the following objectives:

"(1) To insure that information on the basis of which credit reports are furnished is updated prior to the dissemination of any credit report.

"(2) If a credit report on a person contains any reference to any civil action or criminal proceedings, to obtain and note in its files and in any subsequent credit report on such person, where reasonably possible, the ultimate disposition of such civil action or criminal proceedings, and where it is impossible to make a determination of such dispositions, to indicate the same and the reason therefor in such files and such subsequent reports.

"(3) To ensure that lists of names and other credit reporting information, including but not limited to financial status, credit performance, and economic indicators are not disseminated, sold, or given by credit reporting agencies for market research or other purposes to persons other than those authorized to receive credit reports pursuant to section 165.

"CIVIL LIABILITY AND CRIMINAL PENALTIES

"Sec. 169. (a) A person may bring a civil action for damages or to restrain a creditor or other person or a credit reporting agency from violating any provision of this chapter. If in any such action it is found that such creditor, person, or agency has willfully violated this chapter, the violator shall, in addition to any liability for such actual damages as may be shown, be liable for exemplary damages of not less than $100 or more than $1,000 for each such violation, together with costs, reasonable attorneys' fees, and disbursements incurred by the person bringing the action.

"(b) If, in any civil action brought by a person against a creditor or other person or credit reporting agency based on the publication or dissemination of information contained in a credit report, it is found that such creditor, person, or agency willfully violated any provision of this chapter with respect to such credit report or the access thereto, such creditor, person, or agency shall not be entitled to claim any privilege, absolute or qualified, as a defense thereto.

"(c) Any person who requests or obtains a credit report from a credit reporting agency under false pretenses, or furnishes a credit report to any person except in accordance with this chapter, or any employee of a credit reporting agency who willfully falsifies a credit report or any records relating thereto, shall be punishable by a fine of not more than $1,000, or imprisonment for a term of not more than one year, or both.

"(d) Any action under this section may be brought in any United States district court, or in any other court of competent jurisdiction, within two years from the date of the occurrence of the violation."

SEC. 2. (a) The table of chapters at the beginning of the Truth in Lending Act is amended by adding at the end thereof the following:

"4. Credit reporting agencies ..... 161".

(b) The caption at the beginning of the Truth in Lending Act is amended to read as follows:

"TITLE I—TRUTH IN LENDING"

(c) Section 103(a) of the Truth in Lending Act is amended by striking out "The" and inserting in lieu thereof "Except as otherwise specifically provided, the".

(d) The first sentence of section 105 of the Truth in Lending Act is amended by inserting before the period the following: "except for chapter 4".

ADDITIONAL COSPONSORS OF BILLS

S. 60

Mr. SCOTT. Mr. President, on behalf of the Senator from Delaware (Mr. BOGGS) I as unanimous consent that, at the next printing, the name of the Senator from California (Mr. MURPHY) be added as a cosponsor of S. 60, to create a catalog of Federal assistance programs, and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

S. 1362

Mr. SCOTT. Mr. President, on behalf of the Senator from Delaware (Mr. BOGGS) I ask unanimous consent that, at the next printing, the names of the Senator from Massachusetts (Mr. BROOKE), the Senator from Maine (Mr. MUSKIE), and the Senator from Indiana (Mr. BAYH) be added as cosponsors of S. 1362 to provide Federal financial assistance to Opportunities Industrialization Centers.

The VICE PRESIDENT. Without objection, it is so ordered.

S. 2636

Mr. SCOTT. Mr. President, I ask unanimous consent that, at the next printing, my name be added as a cosponsor of S. 2636, to make the provisions of the Vocational Education Act of 1963 applicable to individuals preparing to be volunteer firemen.

The VICE PRESIDENT. Without objection, it is so ordered.

S. 2609, S. 2610, AND S. 2611

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Indiana (Mr. BAYH) I ask unanimous consent that, at the next printing, the names of the Senator from California (Mr. CRANSTON), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Michigan (Mr. HART), the Senator from Hawaii (Mr. INOUYE), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Maine (Mr. MUSKIE), be added as cosponsors of S. 2609, to increase the participation of small business concerns in the construction industry; and S. 2610, to amend section 3 of the Housing and Urban Development Act of 1968; and of S. 2611, to amend the act of Act of August 24, 1935—commonly referred to as the "Miller Act"—to exempt construction contracts not exceeding $20,000 in amount from the bonding requirements of such act.

The VICE PRESIDENT. Without objection, it is so ordered.

S. 2701

Mr. SCOTT. Mr. President, on behalf of the Senator from South Dakota (Mr. MUNDT) I ask unanimous consent that, at the next printing, the names of the Senator from Wyoming (Mr. HANSEN) and the Senator from Tennessee (Mr. BAKER) be added as cosponsors of S. 2701, to establish a Commission on Population Growth and the American Future.

The VICE PRESIDENT. Without objection, it is so ordered.

SENATE RESOLUTION 255—RESOLUTION RELATIVE TO EXPENSES INCURRED BY THE COMMITTEE APPOINTED TO ARRANGE FOR AND ATTEND THE FUNERAL OF HON. EVERETT McKINLEY DIRKSEN, LATE A SENATOR FROM THE STATE OF ILLINOIS

Mr. PERCY submitted a resolution (S. Res. 255) relative to the expenses incurred by the committee appointed to arrange for and attend the funeral of the Honorable Everett McKinley Dirksen, late a Senator from the State of Illinois, which was considered and agreed to.

(The remarks of Mr. PERCY when he submitted the resolution appear later in the RECORD under the appropriate heading.)

ADDITIONAL COSPONSORS OF RESOLUTION

S. RES. 243

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Indiana (Mr. BAYH) I ask unanimous consent that, at the next printing, the names of the Senator from Utah (Mr. BENNETT), the Senator from Nevada (Mr. BIBLE), the Senator from Kentucky (Mr. COOPER), the Senator from Tennessee (Mr. GORE), the Senator from Alaska (Mr. GRAVEL), the Senator from Indiana (Mr. HARTKE), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Minnesota (Mr. MONDALE), the Senator from New Mexico (Mr. MONTOYA), the Senator from Oregon (Mr. PACKWOOD), the Senator from Rhode Island (Mr. PELL), the Senator from Vermont (Mr. PROUTY), the Senator from Wisconsin (Mr. PROXMIRE), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Alaska (Mr. STEVENS), the Senator from South Carolina (Mr. THURMOND), and the Senator from North Dakota (Mr. YOUNG), be added as cosponsors of Senate Resolution 243, to make it the sense of the Senate that the President should request the United Nations to take such steps as may be appropriate to bring about compliance by the Government of North Vietnam with its obligations under the Geneva Convention of August 12, 1949, relative to the treatment of prisoners of war.

The VICE PRESIDENT. Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH—AMENDMENT

AMENDMENT NO. 146

Mr. MONDALE. Mr. President, on August 12, 1969, I submitted for myself and the Senator from New Jersey (Mr. CASE) amendment No. 136 to S. 2546, relating to the nuclear aircraft carrier designated as "CVAN-69." That amendment would delay authorization of funds for the carrier until the Comptroller General has submitted to the Congress a comprehensive study of the issues connected with the size and composition of our aircraft carrier force.

The Comptroller General has advised us that a number of the questions covered by the amendment go beyond the capacity of the General Accounting Office staff to study independently. However, he has indicated that he could, even in those cases, provide assistance to the Congress in reviewing and summarizing studies made by the executive branch.

It was, of course, our intention in submitting the amendment initially that the Congress would make the final judgment on the questions raised by it. Accordingly, and in light of the Comptroller General's advice, we have modified the amendment to:

First, make clear that the study called for by the amendment is to be made by the Congress;

Second, provide for a report by the Comptroller General to the Congress on those questions which he has said his Office is fully competent to handle; and

Third, provide for the Comptroller General to furnish to the Congress summaries of relevant studies made by the executive branch of the other questions raised by the amendment.

The distinguished chairman of the Armed Services Committee (Mr. STENNIS) has pointed out that the original amendment would bar further expenditures for CVAN-69's long lead-time items already obligated under fiscal year 1969 appropriations. That was not our intention, and I thank the Senator for calling this to our attention. We have also revised the amendment to avoid this effect.

Mr. President, I ask unanimous consent that the text of our revised amendment be printed in the RECORD at this point.

The VICE PRESIDENT. The amendment will be received and printed, and will lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 146) is as follows:

S. 2546

On page 2, line 16, strike out "2,568,200,000;" and insert in lieu thereof "2,191,100,000;"

At the end of the bill add a new section as follows:

"SEC. 402. (a) None of the funds authorized to be appropriated by this Act may be expended in connection with the production or procurement of the nuclear aircraft carrier designated as CVAN-69; and no funds may be appropriated for any such purpose until after the Congress has completed a comprehensive study and investigation of the past and projected costs and effectiveness of attack aircraft carriers and their task forces and a thorough review of the considerations which went into the decision to maintain the present number of attack carriers. Such study and investigation shall, among other things, consider—

"1. What are the primary limited war missions of the attack carrier; what role, if any, does it have in strategic nuclear planning;

"2. To what extent and in what way is the force-level of on-station and back-up carriers related to potential targets and the number of sorties needed to destroy these targets;

"3. What is the justification for maintaining on continual deployment 2 carriers in the Mediterranean and from 3 to 5 in the Western Pacific;

"4. What is the over-all attack carrier force level needed to carry out these primary missions;

"5. Does the present 'one for one' replacement policy for these carriers have the effect of maintaining or increasing this force level, in light of the fact that the newer carriers and their aircraft are more expensive and have far more capability than the older carriers which they are now replacing;

"6. Would a policy of replacing two of the oldest carriers with one modern carrier maintain a constant force level;

"7. How many, if any, attack carriers and carrier task forces are needed to back-up a carrier task force 'on-the-line';

"8. What efficiencies, such as the Polaris 'blue and gold' crew concept, can be utilized to increase the time in which a carrier can stay 'on-the-line';

"9. What type of military threats are faced by the attack carrier; what proportion of the costs of a carrier task force are allocated to carrier defense; what is the estimated effectiveness of carrier defense against various types and levels of threats;

"10. To what extent does the carrier's vulnerability affect its capacity to carry out its missions; what are the plausible contingencies in which carriers may be committed;

"11. What type of resources should be devoted to carrier defense, considering the range of threats, the costs and effectiveness of the defense, and the plausible contingencies in which a carrier can be effectively used;

"12. To what extent can land-based tactical air power substitute for attack carriers; to what extent should the role of the attack carrier be restricted to the initial stages of a conflict;

"13. What are the comparative systems costs for land-based and sea-based tactical air power;

"14. What is the comparative cost effectiveness of land-based and sea-based tactical air power;

"15. How is the attack carrier being used in support of American foreign policy; if there is a need for a 'show of force' in support of foreign policy commitments, can this need be met by smaller carriers or other types of ships?

"(b) In order to assist the Congress in carrying out such study and investigation, the Comptroller General of the United States shall review and make a report to the Congress on items numbered '8' and '13' in subsection '(a)', above. He shall also review any studies which have been made, or may be made, by the Executive Branch which relate to the other items listed in subsection '(a)', above. He shall provide summaries of such studies, together with any appropriate comments or questions, to the Congress. The report and summaries provided for by this subsection shall be furnished to the Congress not later than April 30, 1970."

CONTINUATION OF PROGRAMS AUTHORIZED UNDER THE ECONOMIC OPPORTUNITY ACT OF 1964—AMENDMENTS

AMENDMENTS NOS. 147 THROUGH 151

Mr. MONDALE. Mr. President, I submit five amendments to S. 1809, the bill introduced by the Senator from Wisconsin (Mr. NELSON), providing continuing authorization for the Economic Opportunity Act programs. These amendments are designed to eliminate the Governor's veto over legal services programs, to modify the criminal representation provisions in the present act, to reduce the local share of funding which must be provided through each legal services program, to increase the maximum salary limitations for staff attorneys, and to prevent delegation of the Office of Economic Opportunity's legal services to any other existing Federal agency.

I ask unanimous consent that the text of the amendments be printed in the RECORD at this point in my remarks.

The VICE PRESIDENT. The amendments will be received, printed, and appropriately referred; and, without objection, the amendments will be printed in the RECORD.

The amendments (Nos. 147 through 151), submitted by Mr. MONDALE, are as follows:

AMENDMENT No. 147

SEC. 10. Section 242 of the Economic Opportunity Act of 1964 is amended by deleting the last period of said section, and adding the following additional language to the present section: "or to any program funded under section 222(a) of this title."

AMENDMENT No. 148

SEC. 10. The last sentence of Section 222 (a) (3) of the Economic Opportunity Act of 1964 is amended by striking out "in extraordinary circumstances".

AMENDMENT No. 149

SEC. 10. The first sentence of Section 225 (c) of the Economic Opportunity Act of 1964 is amended by striking ", for the period ending June 30, 1967," and ", and thereafter shall not exceed 80 per centum of such costs." and adding a period at the end of the new sentence.

AMENDMENT No. 150

SEC. 10. Section 244(2) of the Economic Opportunity Act of 1964 is amended by changing the last period of the present section to a semi-colon, and thereafter adding the following: "provided that, the Director of the 'Legal Services' program may, at his discretion, fix the compensation, paid to attorneys in said program and provided by financial assistance given under this title, at levels above $15,000, with a schedule of compensation competitive in the national market for legal personnel."

AMENDMENT No. 151

SEC. 10. The authority of Section 602(d) of the Economic Opportunity Act of 1964 shall not apply to the legal services program authorized under Title IX of such Act. The Director shall not delegate the program authorized under such Title IX to any other existing Federal agency.

Mr. MONDALE. Mr. President, the Governor's veto provision applies to the title II community action programs which include legal services. Although the Director of OEO has the statutory authority to override a Governor's veto, practical political pressures may make an override impossible. My amendment would eliminate Governor vetoes over legal services programs.

Exercise of the Governor's veto, or its threatened exercise, tends to interfere with the traditional attorney-client relationship and with right of access to the courts because political pressure may influence which clients or types of cases are taken by a local legal services program. Political interference becomes conflict of interest when the Governor holds veto power over a legal services program which may sue the State.

A recent New York Times article details the fear of California Rural Legal Services attorneys that California Gov. Ronald Reagan will veto the country's most effective OEO legal services program. A CRLA suit last year blocked Governor Reagan's attemp to drop 160,000 indigent people from Medi-Cal, the California version of medicaid. I ask unanimous consent that an article entitled "Poverty Lawyers Make Coast Gains" from the Sunday, September 5, New York Times, be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POVERTY LAWYERS MAKE COAST GAINS

(By Stevenv Roberts)

LOS ANGELES, Sept. 5—A local legal services program, which government lawyers said last week was subjected to political pressures, has won an important series of lawsuits against the state of California and some strong supporters of Gov. Ronald Reagan.

California Rural Legal Assistance, as the program is called, has handled 35,000 cases for poverty stricken clients in three years and has won 85 per cent of them. Their repeated successes have evoked angry protests from the Governor, Senator George Murphy, several Congressmen and the state's powerful agricultural establishment.

So it was not surprising to local observers that, when 100 Government lawyers expressed concern two weeks ago about political pressures against the nation's legal services program, they specifically mentioned the California agency.

Last year, Governor Reagan threatened to veto a $1.5 million . . . California Rural Legal Assistance, which is financed through the Office of Economic Opportunity in Washington. But he backed down after the Federal Government said it would override his veto.

A POLITICAL ISSUE

This year, however, under the Nixon Administration, lawyers for California Rural Legal Assistance are afraid that they will not receive the same support from Washington for their efforts on behalf of the poor.

Their fears are enhanced by the fact that Governor Reagan is preparing to run for another term in 1970. They say he could try to make the legal services program a political issue.

Terry F. Lenzner, the national director of legal services, was in California this week, assuring anti-poverty lawyers that they would receive support from Washington. But officials of the local group remain wary.

"Any time a program is subject to political considerations, rather than merit, you have

good reason to be apprehensive," said Robert L. Gnaizda, the California program's deputy director.

Paul Beck, Governor Reagan's press secretary, said this week that the Governor objected to California Rural Legal Assistance mainly because Government money was being used to finance suits against the Government itself. This objection had also been raised in Congress by Senator Murphy.

Antipoverty lawyers feel that the essence of their program is their ability to sue the Government on behalf of the poor, who cannot defend themselves.

The record of California Rural Legal Assistance shows how effective a legal services program can be in forcing a redistribution of political and economic power. Among its recent cases were the following:

A suit that succeeded in blocking Governor Reagan's attempt last year to drop 160,000 indigent people from Medi-Cal, the California version of Medicaid.

A suit that prohibited a mushroom grower from employing "wetbacks," or Mexican aliens illegally in the country while native workers were unemployed.

A suit that forced farm owners to pay a minimum wage of $1.65 an hour—the highest wage for agricultural workers in the country.

A case that required all of California's 58 counties to adopt some form of Government food program.

A suit that prohibited growers from dismissing workers for union activity and awarded punitive damages to nine workers who had been let go for such activity.

In addition, the legal services agency, which has 10 offices around the state, is awaiting the outcome of a suit that would guarantee unemployment compensation to all farm workers. Farm workers are now excluded from both state and Federal unemployment insurance.

Another pending case would require the Secretary of Agriculture to provide all poor children with free or reduced-price lunches. Mr. Gnaizda, the local program's deputy director, estimated that only one in 10 poor children in the state currently received such lunches.

Mr. MONDALE. Mr. President, a growing fear among legal services attorneys throughout the country surfaced at a poverty law conference held recently in Vail, Colo. Past experience of the South Florida Migrant Legal Services program and the Navaho Legal Services, DNA, indicated that political and economic interests, antagonistic to the impoverished community represented by legal services, could exercise their influence through the Governor's office to limit the effectiveness of the programs. In the past few months, any indication of opposition to a particular legal services program from a Governor's office was enough to prompt the OEO legal services administrators in Washington to seek compromising changes in the structure of the local program to appease its critics, often the respondents in suits filed by legal services attorneys.

The poverty lawyers gathered at Vail wrote to the director of the legal services, setting out their concerns and seeking the administration's assurance that it will guarantee the "integrity and independence from the pressure of conflicting interests so necessary to preserve this program."

I ask unanimous consent that the text of the letter to Mr. Terry Lenzner be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 21, 1969.

TERRY LENZNER, Esq.
Legal Services Program,
Community Action Program,
Office of Economic Opportunity,
Washington, D.C.

DEAR MR. LENZNER: The conference we have nearly concluded has provided us with an invaluable opportunity to rethink the legal and practical problems of poor people and the professional tools lawyers can bring to their solution. It has also brought out a major threshold issue: whether the present structure for organizing and funding legal services programs is able to assure the independence and integrity essential to aggressive advocacy on behalf of the poor. It should be apparent that neither vigorous representation of a client, nor responsible efforts at law reform can be carried on if antagonistic political or economic interests are permitted to threaten the position of the Legal Services lawyer or his legitimate activity on behalf of his clients.

The OEO legal services program revolutionized legal aid for the poor, not simply because it provided more money, or stationed lawyers where their clients live and work, or provided legal services to people who never had them before, but because for the first time large numbers of able and dedicated lawyers refused to accept a legal status quo that injured their clientele when sound arguments for changing it could be mustered.

The question now facing all of us is whether the administration is able to provide the ironclad assurances of integrity and independence from the pressure of conflicting interests so necessary to preserve this program.

The urgency of this issue has been dramatized for us by the imminent possibility that the South Florida Migrant Legal Services Program and the Navaho Legal Services program (DNA) will be discontinued because of opposition stirred up by their accomplishments. In concept and in execution, these programs exemplify the most striking innovations the Office of Economic Opportunity has brought to legal services for the poor. Along with another rural program, which has also been under determined attack, the Florida and Navaho programs brought legal services of an unusually high quality where they had never been available before and where the record now shows they were desperately needed. Recent evaluations of both programs, and their past accomplishments, sufficiently demonstrate that the opposition to refunding is not based on any deficiency in the quality of legal services they provide. Yet refunding is strongly opposed and there is every indication that there will be strong pressure at the State level to veto renewal. With both programs, the opposition's price seems to be a change that would put the program under the control of interests antagonistic to its clientele, thus incorporating in it an outright and deliberate breach of both the American Bar Association canons of ethics and the Economic Opportunity Act of 1964.

Experience with the legal services program has shown that, as law reform, as vigorous representation of the client, is effective, a program will be controversial. Narrow but sometimes powerful interests see a threat in aggressive advocacy on behalf of the poor. The customary response is an attack on the legal services program itself. These heavyhanded assaults on the freedom of attorneys to represent their clients have multiple sources, but a common theme. Whether local bar associations, political and governmental organizations or community action programs are the source, the real grievance is rarely that a legal services program has done too little, rather that it has done too much. In short, opposition to an aggressive and effective program is really opposition to law and order when it benefits the poor. It is apparent that this is the real reason for resistance to refunding of the South Florida Migrant and DNA programs.

Because of their accomplishments, because of the source of the opposition, and because of the inability of their clientele to provide countervailing political support, the fate of the South Florida and Navaho programs will inevitably be test cases for the legal services program as a whole. Without a firm guarantee of independence and integrity from the Federal level, no innovative aggressive program of legal services can ever survive a similar onslaught. Unless the present administration of the Office of Economic Opportunity is willing to provide that guarantee, even by overriding a gubernatorial veto if necessary, as Mr. Rumsfeld is statutorily empowered to do, the future of all legal services programs will be in doubt. The delay in reaching a decision to refund these programs and the failure to provide some kind of interim emergency funds casts doubt on assurances that the programs will continue, to say nothing of making the personal circumstances of the people employed in them unnecessarily difficult.

The success of legal services programs rests on the ability of the Office of Economic Opportunity to assure the integrity of the lawyer-client relationship. The strong support forthcoming from the American Bar Association has expressly been conditioned on this assurance, and it is vital to the ability of the program to attract and retain able attorneys. Without it widespread demoralization and the loss of active, dedicated and highly qualified staff attorneys will be inevitable.

Senator Mondale, a member of the Senate Committee on Labor and Public Welfare, has indicated an interest in holding hearings on threats to the independence and integrity of legal services programs, with a view to proposing legislative changes that would eliminate them. We would hope that, if OEO is unable by administrative action to assure the independence of legal services programs and to protect the integrity of the lawyer-client relationship, you would join us in searching out and supporting the legislative changes necessary to reach this goal.

We are confident that your concern for the independence and vigor of legal services programs is at least equal to ours, and we therefore assure you our unanimous support in maintaining that independent posture. Nevertheless, to all of us, the legal services program represents a personal dedication, as well as a substantial commitment of time, energy, and critical phases of our professional careers. We are unwilling to see that program, or any worthwhile part of it, crippled through inaction or political impotence. Unfortunate experience, not the least of which is the current plight of the South Florida and Navaho programs, has convinced us that the future of the legal services program demands the following steps:

1. An immediate decision to fund South Florida Migrant Legal Services and DNA at levels consistent with recent evaluations of their programs, if necessary over vetoes at the Governor's level, and also to provide emergency interim funds if necessary.

2. A commitment that the pressure of political and economic interests will not be permitted to block the funding or refunding of programs that provide an adequate level of quality and effectiveness of service.

3. Measures to eliminate forms of local control that subvert program effectiveness.

4. A commitment to the integrity of the attorney-client relationship and the freedom of a program to act in behalf of its clients solely as the professional judgment of its staff dictates, regardless of the unpopularity

of the client or his cause, and without external review of its decisions in particular cases.

5. A prompt review of refunding and evaluation procedures to insure their objectivity, to insure that no program can be terminated or denied refunding without full consideration and an opportunity to be heard, and to insure that no program will be without operating funds in the process.

6. A prompt review and revision of policy-making organs and procedures for the legal services program to provide for the participation of attorneys at the project staff level.

We request your answer to the foregoing in writing by Tuesday noon, and we look forward to discussing your response with you in person next Thursday.

Very truly yours,

CAROL RUTH SILVER.

Mr. MONDALE. Mr. President, a resolution adopted at the annual meeting of the American Bar Association in Dallas, Tex., in late August, voices the same concern over the interference by Government officials with the activities of organizations providing legal services. I ask unanimous consent that the ABA resolution be printed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas, attacks against Legal Aid and Legal Services lawyers and other lawyers threaten the rights of clients to have independent advocates;

Now, therefore, be it resolved, That the American Bar Asscoiation supports and continues to encourage every lawyer in the exercise of his professional responsibility to represent any client or group of clients in regard to any cause no matter how unpopular; and

Further resolved, That the American Bar Association deplores any action or statement by any government official who attempts to discourage or interfere with the operation or activities of any properly constituted organization which provides legal services to the community because the lawyers associated therewith, or any lawyer acting in good faith and within the confines of ethical conduct, zealously represent clients in matters involving claims against a government entity or individuals employed thereby.

Mr. MONDALE. Mr. President, my second amendment to S. 1809 is intended to ease the restrictions on criminal representation by OEO legal services attorneys. The present Economic Opportunity Act provides for no criminal representation except "in extraordinary circumstances where, after consultation with the court having jurisdiction, the Director has determined that adequate legal assistance will not be available for an indigent defendant unless such services are made available." The amendment I propose would remove the words "in extraordinary circumstances" with the intent that the Director would allow criminal representation in a variety of legitimate circumstances if the local legal services attorneys request it and obtain court approval.

The various circumstances for criminal representation by the civil-oriented legal services programs might include cases arising in rural areas where public defenders are not readily accessible, cases connected with civil suits filed by legal services such as arrests for trespass after a welfare rights sit-in or civil suits for damages from brutal treatment or false arrest against the police, or preliminary hearings on criminal charges when obtaining the services of an attorney rapidly is of crucial importance.

Of course, I do not intend for this amendment in any way to force criminal cases on legal services programs which are already overburdened. However, in many instances legal services programs find their effectiveness and credibility in a community undermined because they cannot provide legal assistance when a member of the community most needs it, when he has been arrested.

The third amendment increases the Federal support for all of the legal services programs from 80 to 90 percent. The remaining percentage or the "local share" must be raised by each director from local sources. The Federal Government supplied 90 percent of the funding for all programs until June 30, 1967; my amendment proposes a return to the original formula for Federal-local sharing.

Many legal services programs obtain their share through "in kind" contributions of time from local attorneys. In some areas of the country it is difficult to find volunteers to assist the programs; in other areas, such as the Deep South, it is nearly impossible.

Other legal services programs are assisted by local United Funds. United Fund support may lead, however, to conflict of interest problems. In Oklahoma City the local share raised through the United Fund was withdrawn promptly when the legal services program filed a suit against the local housing authority in Federal court. In Los Angeles local contributors advised the University of Southern California that they would withdraw their financial support if the university-sponsored legal services pursued litigation it had filed against the local police department.

The fourth proposal allows the Director of the Legal Services programs the discretion to increase the maximum salary limitations for staff attorneys. The present top salary for the community action program, of which legal services has been an administrative part, is $15,000. The CAP Director may approve higher salaries for specialized or professional skills in exceptional cases, particularly in metropolitan areas with higher local salary levels. In practice, it has often been difficult for local legal services programs to obtain salary waivers from the CAP.'s

Salaries for attorneys have been steadily increasing. Beginning salaries for law school graduates in New York and Washington are at the maximum level for legal services programs. If legal services intends to recruit in the national market for "poverty law" specialists or experienced trial and appellate attorneys, the Director needs the clear-cut authority to pay higher salaries.

At this time I do not believe there is a need for an across-the-board salary increase for legal services attorneys. I do believe the authority to increase the maximum salaries will attract experienced, capable attorneys to the program and will keep attorneys who have gained expertise in "poverty law" with the programs.

The fifth amendment prevents delegation of the Office of Economic Opportunity's legal services to any other existing Federal agency. I can foresee a time in the future when legal services may be an autonomous Federal agency. For the time being, however, I believe that legal services should be continued as a part of the Office of Economic Opportunity where conflict of interest problems are at the minimum.

Delegation of legal services to the Department of Health, Education, and Welfare or to the Justice Department, suggestions I have heard, present many possible conflicts of interest. One of the major areas where local legal services have pressed reform is in welfare; if legal services became part of HEW, suits such as those which questioned the constitutionality of the "man-in-the-house" rule would be impossible.

The Justice Department represents the Federal Government in any suit against the United States. Legal services programs throughout the country have represented indigents in suits against the Federal Government. The bar association canons of ethics would prevent Justice Department attorneys from representing both parties in a lawsuit. The effect of delegating legal services to the Justice Department means that legal services programs will not be able to represent indigents in suits against the United States.

The American Bar Association resolution I discussed earlier supports legal services attorneys who "acting in good faith and within the confines of ethical conduct, zealously represent clients in matters involving claims against a government entity or individuals employed thereby." My amendment is intended to prevent the delegation of legal services to another existing Government agency because I fear such a delegation will end legal representation for poor people who have claims against the Federal Government.

CONTINUATION OF PROGRAMS AUTHORIZED UNDER THE ECONOMIC OPPORTUNITY ACT OF 1964—AMENDMENT

AMENDMENT NO. 152

Mr. MONDALE. Mr. President, I submit an amendment to S. 1809, which I intend to propose during the upcoming executive sessions of the Employment, Manpower, and Poverty Subcommittee devoted to the consideration of bills to extend the Economic Opportunity Act. My amendment would raise the authorization of Project Headstart, included in Senator NELSON's bill, to $578 million—an increase of $240 million.

I ask unanimous consent that this amendment be printed in the RECORD at the close of my remarks.

The VICE PRESIDENT. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the RECORD, as requested by the Senator from Minnesota.

(See exhibit 1.)

Mr. MONDALE. Mr. President, the need for this immediate yet modest increase in the authorization became evident during the recent hearings which

the Employment, Manpower, and Poverty Subcommittee held on S. 2060, the Headstart Child Development Act of 1969. It is reinforced by an understanding of the administration's proposals to substitute full-year Headstart programs for many of the summer Headstart programs which are currently being funded.

The overwhelming thrust of the testimony on S. 2060 was that we now know more than enough about ways to prevent proverty from crippling children's intellects to begin acting on this knowledge. The testimony pointed to the critical effects of the first years of life, the way poverty and deprivation can prevent a child from reaching his full potential, and the effectiveness of early childhood programs which provide health care, nutritional aid, and educational stimulation to impoverished children. The hearings revealed, very simply, that by adequately funding many of the very promising early childhood efforts that can now be mounted, we can prevent the cycle of poverty from being passed down from generation to generation.

While few would contend that we have found all the solutions to early childhood problems, these hearings clearly indicated that we know how to prevent a great deal of nutritional, health, and intellectual damage from occurring. They revealed that we know that by providing health care and nutritious diets to infants and young children, we can prevent and correct conditions that otherwise could damage, and that by providing proper educational stimulation we can help disadvantaged children get a more equal start in school. They showed, in short, that we know a great deal about how to help poor children gain a better chance to reach their full potential.

The Headstart Child Development Act of 1969—the subject of these hearings—was designed to greatly increase our commitment to early childhood and our ability to fund adequate efforts in this area. It provides authorizations of $1.2 billion in 1970, increasing to $5 billion by 1974, so that, in combination with other programs, substantive early childhood programs from birth to age 6 could be made available to all needy children. It provides funds for the rental, purchase, alteration, renovation, and construction of necessary facilities for early childhood efforts. It provides training opportunities for professionals and nonprofessionals in early childhood development.

It is my hope that the bill will be the suoject of further hearings this fall as the subcommittee continues its thorough review of the needs and potentials in early childhood. I continue to support it as a realistic and necessary effort that will be required to give substance to the "new national commitment to the crucial early years of life" that President Nixon has proclaimed. I remain pledged to the goal of early enactment and adequate funding of S. 2060.

In the interim, and as an important stopgap measure, I introduce this amendment calling for a moderate increase in the authorization levels for Project Headstart that are included in Senator NELSON'S bill to extend the Economic Opportunity Act. The specific figures requested in this bill are based on an understanding of the value in the administration's proposed movement from summer programs to full-year Headstart programs, and also on a very firm belief that this shift must not lead to a substantial reduction in the number of children receiving Headstart services. Very simply, I do not believe that knowledge which suggests full year programs are more effective than summer programs permits us to decrease the number of children we are serving by Headstart. On the contrary, I think we have a responsibility to make early childhood development services available to considerably more impoverished children, and S. 2060 would do just that. But at a very minimum, I believe we have a responsibility to at least maintain the current level of Headstart opportunities while we seek to make these Headstart opportunities more promising and hopefully more effective.

It is my understanding, however, that the administration's proposal to shift the Headstart focus from summer programs to full-year programs involves a substantial limitation of the Headstart program as we know it. Indeed, while the administration proposes to increase year-round Headstart opportunities from 214,000 to 249,800—an increase of some 36,000—to accomplish this increase they would cut in half the summer Headstart opportunities from the current 450,000 to only 225,000. In sum, the administration's proposals for fiscal year 1970 mean that there will be Headstart opportunities for approximately 190,000 fewer children than there were this past year.

I do not believe that such a cutback can be justified. Just as we are learning more about effective ways to help disadvantaged young children, it seems unfair and unwise to propose serving fewer children.

My amendment is designed to permit this shift from summer programs to full-year programs to occur without requiring a cutback in the scope of the program. In other words, my amendment seeks to provide programs of more substance to at least the same number of children receiving services today, rather than to provide programs of more substance to substantially fewer children than are receiving services today.

The mathematics of the cost of converting summer programs to full-year programs are quite clear. It costs approximately $800 more to provide a full-year Headstart experience than it does to provide a summer Headstart experience. Based on the rather conservative estimate that 300,000 of the current 450,000 summer Headstart slots could be converted to full-year programs by the end of 2 or 3 years, this conversion would cost approximately $240 million. My amendment would permit this amount of conversion to take place without requiring any cutback in the number of Headstart opportunities that are available to disadvantaged children.

I am hopeful that by authorizing this additional amount for the Headstart program we can keep open the possibility that a cutback in Headstart will not be required, and that by appropriating sufficient funds each year, we can guarantee that such a step backward will not occur.

The amendment (No. 152) submitted by Mr. MONDALE, was referred to the Committee on Labor and Public Welfare, as follows:

EXHIBIT 1

AMENDMENT NO. 152

On page 2, line 14, strike out "$2,180,000,000" and insert in lieu thereof "$2,420,000,000"

On page 2, line 23, strike out "$1,032,700,000" and insert in lieu thereof "$1,272,700,000".

On page 2, line 24, strike out $338,000,000" and insert in lieu thereof "$578,000,000".

AMENDMENT OF SOLID WASTE DISPOSAL ACT—AMENDMENT

AMENDMENT NO. 153

Mr. BOGGS. Mr. President, for some time many of us have been concerned about this country's lack of a national materials policy—one that would allow the United States to use more effectively its resources and technology, to anticipate future needs and to improve environmental quality and conserve materials.

I have been interested in this subject primarily as it affects our environment. One of the most reasonable methods of preventing the clutter that threatens our streams and roadsides, I am convinced, lies in the development of materials and technology which would allow for the recycling of solid wastes.

During the last 2 years I have had the good fortune to be the recipient of two very knowledgeable reports on this subject. The first, published by the Committee on Public Works in January of 1968, was a survey of the "Availability, Utilization and Salvage of Industrial Materials."

The second, published this year by the committee, is titled "Toward a National Materials Policy." This report was written by a group of some of the most outstanding men in our materials community, representing government, private industry, and private research groups.

After a detailed description of our lack of any coherent policy regarding materials, the report recommends the establishment of a national commission on materials policy. Such a commission would be charged with a full study of a possible national materials policy which would include:

Projected national and international materials requirements;

The relationship of materials policy to national population and the enhancement of environmental quality;

Recommended means of development of materials susceptible to reuse;

Opportunities and incentives for the free enterprise system to complement and further national materials policy;

Means to effect coordination and cooperation among Federal departments and agencies in materials usage; and

The desirability of establishing computer inventories of national and international materials requirements, supplies, and alternatives.

Mr. President, this seven-member commission would be funded in the amount of $2 million and would be appointed by the President with the advice and consent of the Senate. It would report to the President and the Congress no later than June 30, 1971.

Mr. President, the recommendations of this study group have been incorporated in an amendment to S. 2005, which I now submit with the cosponsorship of Mr. BAKER, Mr. BAYH, Mr. COOPER, Mr. EAGLETON, Mr. HARTKE, Mr. INOUYE, Mr. MONTOYA, Mr. MUSKIE, Mr. PEARSON, Mr. RANDOLPH, and Mr. SPONG.

I ask unanimous consent that the amendment be printed at the conclusion of my remarks, together with excerpts from the report entitled "Toward a National Materials Policy."

The VICE PRESIDENT. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment and excerpts will be printed in the RECORD.

The amendment (No. 153) was referred to the Committee on Public Works as follows:

AMENDMENT NO. 153

On page 10, line 11, insert the following:

"TITLE II—NATIONAL MATERIALS POLICY

"SEC. 201. This title may be cited as the 'National Materials Policy Act of 1969.'

"DECLARATION OF PURPOSE

"SEC. 202. It is the purpose of this Act to enhance environmental quality and conserve materials by developing a national materials policy to utilize present resources and technology more efficiently, to anticipate the future materials requirements of the nation and the world, and to make recommendations on the supply, use, recovery, and disposal of materials.

"ESTABLISHMENT OF COMMISSION

"SEC. 203. (a) There is hereby created the National Commission on Materials Policy (hereafter referred to as the 'Commission') which shall be composed of seven members chosen from Government service and the private sector for their outstanding qualifications and demonstrated competence with regard to matters related to materials policy, to be appointed by the President with the advice and consent of the Senate, one of whom shall be designated as chairman.

"(b) The members of the Commission shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Commission.

"DUTIES OF THE COMMISSION

"SEC. 204. (a) The Commission shall make a full and complete investigation and study for the purpose of developing a national materials policy which shall include, without being limited to, a determination of—

"(1) national and international materials requirements, priorities, and objectives, both current and future;

"(2) the relationship of materials policy to (a) national and international population size, and (b) the enhancement of environmental quality;

"(3) recommended means for the extraction, development, and use of materials which are susceptible to recycling, reuse, or self-destruction, in order to enhance environmental quality and conserve materials;

"(4) recommended opportunities and incentives for the operation of the free enterprise system in such a manner as to complement and further the national materials policy;

"(5) means of exploiting existing scientific knowledge in the supply, use, recovery, and disposal of materials and encouraging further research and education in this field;

"(6) means to effect coordination and cooperation among Federal departments and agencies in materials usage so that such usage might best serve the national materials policy; and

"(7) the feasibility and desirability of establishing computer inventories of national and international materials requirements, supplies, and alternatives.

"(b) In order to carry out the purposes of this Act, the Commission is authorized—

"(1) to request the cooperation and assistance of such other Federal departments and agencies as may be appropriate;

"(2) to appoint and fix the compensation of such staff personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of such title relating to classification and General Schedule pay rates; and

"(3) to obtain the services of experts and consultants, in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed $100 per diem.

"(c) The Commission shall submit to the President and to the Congress a report with respect to its findings and recommendations no later than June 30, 1971, and all authority under this Act shall terminate ninety days after the submission of such report.

"(d) Upon request by the Commission, each Federal department and agency is authorized and directed to furnish, to the greatest extent practicable, such information and assistance as the Commission may request.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 205. There is hereby authorized to be appropriated the sum of $2,000,000 to carry out the provisions of this Act.

"Renumber remaining titles and sections accordingly.

"Amend the title so as to read: 'To amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, to establish a National Commission on Materials Policy, and for other purposes.'"

The excerpts, presented by Mr. BOGGS, are as follows:

TOWARD A NATIONAL MATERIALS POLICY

I. INTRODUCTION

The purpose of this report is to present an informed opinion as to national action in the field of materials that is judged to be needed now in furtherance of the national interest.

The report identifies significant issues that require assessment and policy decision. It proposes a means to make these issues more visible, to examine them in depth, and to develop conclusions and recommendations for their resolution.

Sound policies for supply, use, and disposal of materials are regarded as essential for the attainment of national objectives. Adequate resources and their prudent use have long been a national concern. Indispensable for the production of useful goods in peace and war, materials are now also perceived to be a cause of environmental degradation. As human society becomes more and more populous, as living standards rise, and as the benefits of industry and technology are extended to a larger proportion of the inhabitants of the globe, more and more materials are consumed, and more and more waste products threaten to degrade the environment.

In the historical evolution of the United States, the role of materials in commerce has undergone periodic change. Initially, materials were principally an article of export. Then processing industries developed and began to consume increasing percentages of materials at home. Exports were mainly of manufactured goods, and an increasing proportion of total imports were of raw materials. In copper, for example, the United States has moved in the past half-century from the position of the world's leading exporter to one of the world's leading importers.

World War II provided a dramatic lesson as to the role of materials in national defense. The deep concern for insufficiencies in materials experienced in that war led to the creation of the national stockpile, to provide essential reserves for future possible war emergency. During the Korean war, the President's Materials Policy Commission, under the chairmanship of William S. Paley, made a comprehensive survey of national requirements and supplies of materials, including energy sources and water. This landmark study, now nearly 17 years in the past, provided valuable guidelines for the Nation. Many of its recommendations were followed; some were not.

In particular, the Paley Commission foresaw that many changes would occur in industrial technology, in consumer demands, in conditions of overseas supplies of materials, and in patterns of conservation, reclamation, and disposal of waste materials.

The Commission concluded that national materials policy could not possibly be prescribed for once and for all. It would require periodic reassessment. This, said the Commission, should be a regular and continuing function of Government. It should not be that of an operating agency. Its energies "should be directed to broad, long-range analysis and not diverted into immediate problems of operation." It could call attention to the need for new projects or changes, coordinate public and private activities, and "survey the total pattern of activities in the materials and energy field." In the words of the Commission:

There must be, somewhere, a mechanism for looking at the problem as a whole, for keeping track of changing situations and the interrelation of policies and programs. This task must be performed by a Federal agency near the top of the administrative structure.

Such an agency [continued the statement], at the level of the Executive Office of the President should review all areas of the materials field and determine how they can be best related to each other. It should maintain, on a continuing basis, the kind of forward audit which has been this Commission's one-time function, but more detailed than has been possible here; collect and collate the facts and analyses of various agencies; and recommend appropriate action for the guidance of the President, the Congress, and the Executive agencies.

Contemporary expansion of world trade, and enlargement in world requirements for industrial materials, have occasioned concern for the future adequacy of materials and raise once more the issue of reliance on sources abroad versus development of self-sufficiency at home. On this issue the Paley Commission said:

* * * The United States must reject self-sufficiency as a policy and instead adopt the policy of the lowest cost acquisition of materials wherever secure supplies may be found: self-sufficiency, when closely viewed, amounts to a self-imposed blockade and nothing more.

Materials continue to be indispensable in the application of technology in the modern world. Vast advances have been made in materials since the Paley Commission completed its assignment. The effect of technology on increased purity of materials has had a far-reaching effect on industry. (See app. B.) New technology in materials has contributed indispensably—often creatively—to many new

industries of the present day, such as: solid-state devices, computers, lasers, composite materials, aerospace, deep-diving submarines, titanium, nuclear power, desalinization, and many more. (See app. C.) Many new alternatives and options, in the solution of materials problems, have become available. Modern information technology is producing means of information transfer and coordination not previously available. At the same time, the problems presented to the modern world by needs, uses, and disposal of materials have become more complex and more serious. Therefore, it is now time for a reassessment at the national level of policies regarding materials. (See apps. D and E.)

II. THE SUPPLY/REQUIREMENTS PROBLEM IN MATERIALS

All energy- and product-oriented economies are heavily dependent on materials. The maintenance and expansion of our already prosperous economy will draw on materials to a substantial degree, although, as that economy is balanced more toward services than products, the rate of growth of demands for materials will not parallel that of the rate of growth of the economy as a whole. Nonetheless, the increasing population in the United States, as well as the growth of the economy, will lead to increased, and not lessening, demands for materials.

Simultaneously, the United States has long recognized, as a national objective, the desirability of encouraging the development of prosperous economies abroad. Despite the ravages of World War II, an advanced stage of industrial development enabled European nations to ingest large amounts of United States economic assistance and translate that assistance into the increased productivity of goods and, more recently, services. Accordingly, European demands for materials have gone up very rapidly on a per capita basis, probably more rapidly than that of the United States.

By their very nature, the developing countries, at a lower stage of technology, have responded less rapidly and less efficiently to an influx of support from the United States and from other countries. Nevertheless, their economies have grown and so have their demands for materials. As many of these economies approach a point of increasing self-sufficiency in an economic sense, it can be expected that they will have explosive demands for new materials in order to satisfy the needs of their burgeoning populations for goods. As a basis for expansion of their economies, many of these countries have become international suppliers of raw materials. As their economies mature, more and more of those raw materials will be upgraded in order that the advantages to the local economy of adding value to the export will be realized.

While the United States is still an important producer of raw materials, it is increasingly dependent on world supplies. In the changing raw materials economy of the world, demand threatens to rise faster than supply; the economic security of the United States, to the extent that it depends on materials from abroad, is thereby in jeopardy. Fortunately, the higher degree of technological sophistication in the United States makes it possible to increase the degree of interchangeability of materials so that more available materials can be substituted for less available ones. This element of technology has reduced the tension and the dependence of the United States on some of the products which are available largely or solely from abroad. Nevertheless, the competition for materials can be expected to grow and, as the underdeveloped world becomes more mature economically, to grow at an increasing rate.

Programs of education, technological research, economic analysis, and political policy formulation should now be in the process of development in order to insure that the United States anticipates the alternative futures which it will confront as a result of its internal growth and the growth of the rest of the world, and the combined demand of the United States and world economies for raw materials.

Materials in the earth's crust are finite in their extent. But since most materials are not used up but can be recycled, the limits to their continued availability—apart from costs of extraction and inflexibility in patterns of use—are set much further out. The levels of reuse are determined largely by ability to overcome difficulties in recovery and reprocessing that impose varying costs. Science and technology can help to overcome costs of primary extraction and secondary recovery. However, they need to be purposefully developed, long in advance of need, because the leadtime in making technological changes in materials usage patterns is inherently long. Quick, forced changes are likely to be costly, inefficient, wasteful, and altogether unsatisfactory.

What dislocations in materials supplies can be anticipated? World-wide population and income growth can be expected to cause increased needs for materials. Per capita consumption of many materials in the United States is as much as a hundred times that in some populous regions abroad. Economic development in lagging regions will surely reduce this disparity. As world patterns of supply and demand alter, there will be awkward dislocations. These can be eased by discoveries of new sources of materials, by improved technology of mineral extraction, and by more effective recycling and reuse. The injurious effects of such dislocations can be minimized by anticipating them, by taking precautionary measures in advance, and by adopting appropriate policies when they occur. (See app. F.)

The precise strategies to be followed to meet any particular crisis will depend on the circumstances at the time. The more complete and reliable the information that is available at the time concerning all aspects of materials, the better able the Nation will be to choose the best strategy. At the present time, information is less than comprehensive and up to date on per capita consumption of materials in the various countries of the world, the rate of change in these figures, and projections for long-range future changes in the supply and requirements of essential materials. Nor is there available adequate means of applying this information—if it were available—to afford guidance to applied research and technological development, to modify the policies and operation of the national stockpile, or to develop other possible options in advance of need.

The Paley Commission concentrated its attention on an analysis of the supply/demand problem of the United States, based on projections of the growth of its economy, the changing demand for materials, and the changing pattern of supply. While there has been much subsequent study of the supply/demand issue by a variety of institutions in and out of Government, there is still no provision for the maintenance of an inventory of U.S. sources of materials which takes into account various future economic and demand situations. Hence, the supply/demand issue will have to be given appropriate attention by any future commission established to study national minerals and materials policy problems.

III. THE PROBIEM OF THE INTERACTION OF MATERIALS AND ENVIRONMENT

Uses of materials have increasingly become recognized in the United States as a major facet of environmental quality. The interactions of materials and environment are complex. Scientific inquiry has only begun to provide parameters for investigation.

In a broad way, the problem can be characterized: An increasing population, with a rising living standard, is consuming and discarding an increasing variety and quantity of materials. The results are an increased quantity of municipal and industrial wastes: increased loads of effluent to be carried away by surface streams and by the atmosphere, and increased loads of solid wastes to be dumped on land or in the surface waters of the earth. These forms of waste disposal are causing an increase in the rates of physical deterioration of air, water, and land, and biological impairment of plants and animals in the degraded environment. (See app. G.)

While major industries have been organized to produce materials and products made from them, limited attention has been paid to the ultimate disposition of materials. Unfortunately, the total cycle from production to disposal has not adequately been put into perspective; our technology, economics, and public policy have emphasized production and initial processing. Since materials disposal is currently having such a profound effect on the environment, because of its steeply rising scale, a new analysis of relevant technological, economic, and policy issues would be appropriate.

Moreover, the quality of environmental degradants is also changing. For example, technology has created many new chemicals, which put new impurities into the air and water. The scientific determination of the ecological consequences of any particular level of any single impurity is a huge undertaking. To determine the consequences of all impurities, singly and in various combinations and synergisms, is beyond the reach of human capability. Yet solutions must be found to the major problems implied.

As a general proposition, we should do the best we can to hold environmental degradation at tolerable levels as we can define them, with periodic review as to where they are, and a clear understanding of the implications. This raises such problems as identifying the agents and their physical and economic consequences, and such issues as conflict of action with other objectives.

IV. SUSTAINED DEFINITION AND ACHIEVEMENT OF A COHERENT SET OF NATIONAL MATERIALS GOALS AND OBJECTIVES

In summary, materials—their availability, use, and disposal are significantly related to national goals of physical health and well being, economic health and prosperity, national defense and security.

Events and developments are causing many impacts on these relationships. Many agencies of Government share the numerous functions that involve materials. Decisions are being made piecemeal, with partial information. There is no central source of information about materials to warn of approaching dangers, to call for needed corrective actions, to search for preferred alternative courses of action, to relate national goals and objectives for materials with the broader goals of the United States. Ultimately, national materials policies must continue to rely on private industry for their implementation. The role of Government is to provide information on what needs to be done, and why, and what the constraints are; in some cases, Government may need to enforce the constraints, assist in the motivation, or fund research. But the primary initiative will remain with industry itself.

(A) *Identification and continuing appraisal of national goals of materials*

A number of general goals can be stated for the materials posture of the United States. Detailed quantitative goals will always be short-range in character, and even broad qualitative goals need to be adjusted

from time to time. Nevertheless, it can be said that U.S. goals in materials today encompass the following:

A healthy, efficient, domestic materials-producing industry;

Assurance of adequate supplies of materials at prices established in competitive markets;

Assurance of reserves of materials for military production, under the conditions of supply that might prevail in time of war emergency;

Efficient use by manufacturing industry of the materials being processed;

With due regard for national security and foreign policy considerations, a national trade policy that permits materials users to draw their supplies from sources of lowest cost;

Avoidance of sudden, wide, and costly fluctuations in materials supply/demand relationships, in materials costs, and materials production and supply patterns; and

Avoidance of the discharge of waste materials into the environment in amounts and ways that threaten to impair human health and comfort, injure the ecological balance, and degrade the esthetic quality of man's surroundings.

There are undoubtedly other important goals that should be added to this list. The group made no effort to develop an exhaustive enumeration of such goals, and suggests that an important function of the proposed commission would be to prepare more definitive statement in this regard.

(B) Completeness, appropriateness, and coordinated management of national materials programs

Numerous Government agencies have responsibilities in the field of materials. For example, at least 19 departments and agencies sponsor applied research in materials, 15 are involved in long-range policy planning, 20 perform materials information management functions. The potential for conflict, duplication, and serious gaps in materials programs is clearly present. (See app. L.)

(C) Technological and political changes affecting the materials supply/requirements balance

As the demographic configuration of the United States changes—from agrarian and semi-rural to an urban civilization, important shifts occur in materials problems and program priorities. Different kinds of housing are needed. Transportation requirements change. Agricultural production becomes more capital-intensive. Recreation needs are both different and greater. Congested communities require more efficient patterns of materials flow, with a lessened volume of residual wastes.

World supplies of materials are also undergoing changes, in response to both political and economic forces. Political uncertainties and nationalistic trends render some resource areas insecure. Some of the principal sources of tin, antimony, copper, nickel, bauxite, niobium, manganese, chromium, and tungsten have a low confidence factor. The world may not, as a whole, be pinched for resources, but there are likely to be dislocations in the years ahead. Will they be of short or prolonged duration? What can be done in advance to anticipate and minimize their adverse impacts?

Another question concerns the priority of programs to develop the resources of the oceans and the ocean floor. How important is this new source for strengthening the U.S. position in materials? What kind of legal and institutional regime would best serve the broad interests of the United States in developing these new opportunities?

From the aspect of national policy, the three fields of materials supply, engineering choice of materials in design, and waste disposal may be related. Engineering design practices, for example, may reduce waste volume. Ways of processing wastes can reduce dependence on new supply. Selection of materials in designs can help to extend reserves. Since all aspects of materials are of public concern, it would seem to make sense to look for opportunities of high effectiveness and low cost to accomplish these related purposes. However, at present there is no central point from which to coordinate a concerted effort. (See app. H.)

There is a need to improve the predictability of prospects of all aspects of materials. This kind of forecasting provides a basis for selection of research and development projects of significant national importance.

(D) Methodology for integration of materials information and information management

The management of information concerning all the different aspects of materials presents appalling difficulties. Yet, if decisions are to be wisely made, they must be made on a sound factual basis. Many different kinds of information need to be systematically gathered, accessibly maintained, and systematically analyzed. Examples of useful information generally not available in suitable scope and quality include—

A running inventory of the natural occurrence of minerals, by location, occurrence, extent, concentration, and probable cost of extraction;

Interindustry input-output information on materials flows;

Applied research projects in materials, cross-referenced to type of material and purpose of research.

Modern techniques of computerized information management offer important promise of performing information storage and manipulation tasks hitherto impossible. The amount of information that can be processed at a time is increasing all the time. So is the depth with which units of stored information can be retrieved. Storage can accommodate numbers, facts, even pictorial information. It is now necessary to combine the study of what needs to be done with the study of what can be done, in order to exploit new information management tools for national purposes of materials surveillance. (See app. I.)

(E) Establishment of a national consensus on materials policy and action

Attention has been repeatedly directed to the need for a changed attitude on the part of the American public toward resource management. The assertion has been reiterated until it has become trite that the wasteful exploitation of the wealth in the ground, the growing timber, the soil, and the other riches of nature can no longer be permitted. Put in this way, the proposition is generally accepted. But this statement is not an adequate guide to public or private policy. Physical waste is not the same as economic waste. The individual entrepreneur cannot afford to take the initiative to alter disposal policies that would place him at an economic disadvantage. The authority of Government is needed to achieve concerted action. But this authority must be used sparingly, and only under conditions of generally recognized need.

The question of combining conservation with efficient utilization and disposal of materials ought to be resolved to the reasonable satisfaction of all. In mining, for example: What research should be undertaken to make more efficient the digging of ores and the extraction of values from them, so that the added costs of conservation practices can be met?

In uses of material and products: Should producers of products have an obligation that the product not add unnecessarily to the wastage of materials, or the generation of waste? It so, then how might this goal be accomplished? Should there be a strongly supported research effort to make durable goods more durable, and items quickly discarded more rapidly self-destroying?

In waste disposal and salvage: Should efforts be intensified in the education of the public to channel discarded materials responsibly so that they become available for re-use, rather than accumulate as litter? Should research be expanded in the ongoing effort to enable municipal waste disposal operations to reduce their product to the least possible volume, in the least polluting form (solid versus liquid versus gaseous), or converted into useful products where possible?

Although there are many kinds of operations and programs that would be beneficial in improving the usefulness of materials to man, the changing context of modern society is such that the most immediate task is to develop a national understanding of the facts and their implications. (See App. J.) The preservation and restoration of the environment, and the inspirational appeals to "keep America beautiful" need to be backed by an understanding that some of the things that must be done are costly. These costs must be met if the goals are to be achieved. A national consensus on this issue must include a willingness to pay the costs and to distribute them equitably.

V. PROPOSAL FOR A NATIONAL COMMISSION ON MATERIALS POLICY

In the light of the foregoing considerations, it is judged timely and essential that a national commission be chartered and organized to study the present stance of the United States with respect to materials, and to make recommendations based on its finding. The objectives of the commission should be:

1. To identify the relationship of the broad subject of materials in all their aspects to national goals and objectives:

2. To define materials goals and objectives of the Nation;

3. To contribute to a broader understanding and awareness of materials problems and opportunities;

4. To maximize, to the extent permitted by the constraint essential to the national interest, the opportunities for free enterprise to function efficiently in the materials field;

5. To recommend a way in which the Federal Government can be equipped to—

Coordinate governmental policies and programs relating to supply-demand-disposal balance;

Exploit the capabilities of scientific research and technological development to encourage practices and procedures in materials supply, use, and disposal to make them increasingly compatible with the national interest;

Coordinate or conduct long-range studies of materials prospects and problems;

Strengthen provisions for education and academic research in the expanding areas of expertise relating to materials;

Coordinate the development of an information management system in materials, to satisfy all essential requirements of national policy formulation and program design; and

Coordinate the development of programs affording a reasonable array of possible alternatives to meet future exigencies in the field of materials management.

The Commission should consist of from three to seven members, including a chairman and vice chairman. The members should have outstanding qualifications in industry, education, or Government service. The commission should be supported by a staff, headed by a staff director. In the recruitment of the staff, an effort should be made to obtain persons with solid and relevant experience and training, drawn in roughly even proportions from industry, academia, and Government. (See app. K.)

The commission should be funded sufficiently (on the order of $2 million) to sup-

port housekeeping functions, pay staff and consultants, maintain adequate secretarial and clerical support, engage the services of appropriate research organizations, hold field hearings, and produce an adequate final report wtih supplementary papers for wide public distribution. Duration of the commission should be on the order of 18 months.

Partisan bias attaches to some issues in the field of materials. In the forming and staffing of the commission, the nonpartisan nature of its task should be carefully preserved. The commission should attempt to approach matters at issue with a highly objective attitude. It is suggested that the commission be sponsored and directed by congressional resolution. It would be expected that provision would be made for the commission to draw on appropriate agencies in the executive branch for technical and professional support as needed. (See app. L.) With the further addition of staff support obtained under agreement with the academic community and industry, the analytical and review proceedings of the commission would recognize the continuing concern and interest of all segments of the Nation, and thus contribute to the development of a national consensus.

APPENDIX D

THE NEED FOR A NEW ASSESSMENT OF NATIONAL POLICY IN MATERIALS

(By Franklin P. Huddle)

From the philosophical standpoint, our national objective is to preserve and enlarge the political and economic freedom of individual choice of all our citizens.

The role of materials, in support of this objective, is to contribute to the improvement of the human environment.

An essential additional objective for materials has been the assurance of adequate supplies for the manufacture of the implements of defense and war.

The primary method to assure an adequacy of materials, and to manage their conversion into useful products, has been the application of science and technology to the production, processing, and shaping of materials for the consumer under the motivation of profit to the entrepreneur. No basic change is now foreseeable in our main reliance on this system.

In its classic simplicity, the system of free enterprise is automatic: production creates demand; the employee is the consumer; the loop of supply and demand is closed.

In practice, however, the operation of this system has entailed many kinds of governmental intervention. Mercantilist economic theory called for the imposition of protective tariffs to encourage infant industry.

The requirements of military preparedness called for the maintenance of some production sources and reserves that the operation of a free market economy would not support. Unmanageable surpluses caused economic crises that were alleviated by governmental programs of production control and administered prices. Depressed regions, committed economically to the production of cotton, bituminous coal, wheat, corn, or some other single commodity, required welfare measures as their markets contracted. More recently, patterns of technological application have caused recognizable impairment of the human environment of such potential hazard as to require national regulation.

In short, the Government has had some form of national policy on materials ever since Alexander Hamilton, as Secretary of the Treasury, prepared his famous Essay on Manufacturers for the Congress, during the Presidency of George Washington.

Yet, there has been no really comprehensive study of the role of materials as a coherent feature contributory to the goals of the American commonwealth. Great epochs are associated with the quest for some particular commodity—the gold rush, King Cotton, the New England whaling industry, to name only a few—but a systematic historical analysis of the role of materials in the evolution of the American civilization has not yet been prepared. Materials stand in important relationship to the evolution of industry and commerce, the national defense, advances in science and technology, population movement and growth, and major issues of national politics.

Within the memory of most of us, materials policy in the United States has undergone a series of phases in response to changing conditions.

During the 1920's, unmanageable surpluses resulting from the overstimulation of World War I needed to be liquidated, and production capability needed at the same time to be contracted.

Subsequently, during the depression years, artificial scarcity was attempted by Government action in coal, petroleum, and basic agricultural commodities.

Real scarcities occurred in World War II, caused by a combination of large new needs, coupled with interruption of prewar patterns of foreign trade. World War II dramatized the dependence of military forces on logistics support, and the dependence of an industrialized economy on an abundant flow of materials. The Nation resorted to many costly and inefficient expedients to make good the lack of materials long taken for granted.

The early postwar years are almost impossible to characterize. Many cross-pressures developed, with regard to national policy in materials. There were a variety of programs to correct weaknesses in the national preparedness structure that had been pointed out during the war—by stockpiling, conservation measures, and extensive analyses of military supply requirements balance for future mobilization. Expanding programs of foreign aid were assessed both as to their effect on materials requirements, and as a vehicle to expand the availability of materials from the countries receiving aid from the United States. Pent-up demand for durable consumer goods underwrote a general expansion in the flow of materials from source to end products. The impacts of the cold war on national materials policy were numerous and subtly complex: interruptions in the flow of essential materials from customary sources, increased uncertainties as to political reliability of source countries, apprehensions as to the motivations underlying unusual commercial transactions by leading Communist countries, and encouragement of materials production from new sources for political as well as economic advantage.

The Korean war, beginning in June 1950, accelerated a movement, already in progress in recognition of the bipolarity of the postwar world, toward a kind of regional autarchy: the development of a free world self-sufficiency in materials, coupled with a mutual denial of materials to and from the Communist bloc. It was at this point in time that the Paley Commission, the President's Materials Policy Commission, was convened to make its assessment of the adequacy of materials to meet national needs in the foreseeable future.

The Paley Commission was the first serious attempt on a national basis, to assess fully the ramifications of a comprehensive materials policy.

It attempted also to forecast the future balance sheet, for 23 years into the future—up to 1975—as to supplies and requirements for major industrial materials.

It identified and made recommendations concerning a long list of problem areas in materials.

However, its most important two recommendations concerned the ability of the Nation to anticipate and react to future materials problems of major proportions. It recommended—

(*a*) The maintenance of a data base of current information in the greatest possible degree of fineness of grain, concerning supply, requirements, utilization, and disposal, of all pertinent materials;

(*b*) The maintenance of two continuing organizations, one governmental, and the other privately sponsored, to maintain a constant surveillance over materials facts and problems, present and prospective, and to recommend corrective actions for administrative decision or congressional enactment.

Many of the detailed recommendations of the Paley Commission were indeed implemented. The administrative recommendations received quite serious attention—I can testify—from the very substantial team of materials experts in the Department of Defense. However with the passage of time there has been a reduced interest and vigor in the pursuit of materials policies and programs in the Department: the fine study team that was assembled in the Munitions Board, numbering some 80 persons, has completely departed, and personnel in the Office of Defense Research and Engineering concerned with materials research and development have been reduced in numbers. There has been a reduced concern with programs of materials conservation, less insistence on the inclusion of materials engineers on design teams, and less effort to maintain a systematic relationship between military planning and logistic support in materials.

On a national basis, materials policy has not been ignored since 1952. In fact, a remarkable number of reviews of national policy and national status have been conducted since then. I hesitate to try to enumerate them all because I am sure to leave out some. But to my knowledge, there have been three major assessments by Resources for the Future, three by the National Academy of Sciences, one by the Office of Emergency Planning, and a very considerable recent survey of minerals status and forecast by the Bureau of Mines. There have also been many detailed partial surveys of materials problems and issues—by the Materials Advisory Board of NAS, the Federal Council on Science and Technology, PSAC, by groups in USDA, and undoubtedly others. The annual forecasts of technological trends by BDSA represents a further significant contribution to materials data and problem identification.

The difficulty, in fact, lies in the very multiplicity of studies, analyses, and data collections. Policy is, indeed, benefited by being based on a variety of inputs. But it also requires integration, synthesis, reconciliation, even mediation. There are many able students of materials policy here in Washington, and around the country. But unless they can all be brought together with a common data base, and mutually acceptable methodologies of analysis, disagreement will persist and there will be no concerted national action toward goals we all share.

It has been more than 16 years since the Paley Commission made its report. What review has been made of its recommendations—and of the results of the actions taken in response to many of them? What have been the actual figures for materials supply and requirements in comparison with the Paley Commission forecasts—especially since 1962 when RFF made its comparison? What factors have intervened to skew the actual figures away from the forecasts?

More important—what new national problems have appeared or seem likely to confront us in the future, that the Paley Commission could not have foreseen?

What new techniques of analysis are now available for Government or private use to shed new light on the needs of the present and future? Surely we can do much more effective data management with the new

time-sharing computers; we can manage specific programs more precisely with the cost/effectiveness calculations of the PPB system. We can design larger information structures, and progressively refine them.

The need for a new Paley Commission, however, goes beyond all these considerations. In my very brief and tentative analysis for Senator Boggs and the Committee on Public Works, I tried to identify a few of the major trends in our society that seem likely to influence our future policy in materials. For example, there have been unmistakable shifts in our curves of population and age distribution, and more significant further changes are in prospect. The world pattern of consumption and distribution of materials is changing, and promises to change more significantly in the future. There are real prospects of political shifts in many countries. There are changes in the technology of materials discovery and extraction, actual or potential. There are important new developments in materials properties, with particular reference to the greatly abundant materials. There is certainly a greatly increased interest in salvage and waste utilization, and related to it a deep concern for pollution and degradation of the human environment. The question is raised as to the responsibility, and the technological feasibility, of calling upon design engineers for concepts to improve salvage value and to decrease unusable wastes.

How will these—and many other trends—relate to the national goals of our society? What role should materials play in furthering progress toward these goals? What should be our national policies to insure this? What actions should we take in the short- and long-term future to enable materials to make their full contribution to our national goals?

I suggested in my paper that a materials policy for the future might have four major considerations.

First, the determination of the critical factors of our society and its economy that are of foremost importance in influencing our materials policy—in other words, our assumptions as to the future. Second, consideration of availability. Third, utilization, and Fourth, considerations of materials salvage and disposal.

With respect to the first item, I proposed that the general policy governing the management of materials would be sustained yield, at beneficial terms, contributing to gradual but sustained rates of improvement of the environment in the light of longer range future analysis, planning, and programing. This suggests a posture of flexibility within a generally stable society, with continued technological search for environmental optimization, and the response in a measured way to internal or external perturbations, challenges, and dislocations.

With respect to the second item, supply, I suggested that a general principle would be the achievement of a flexible policy of dynamic stability, maintaining the flow of materials to meet as precisely as possible, without waste or surplus, the changing needs of industry under long-range planning and programing. Implicit in this posture would be a national reserve of materials, a detailed inventory of mineral deposits, further progress in the technology of mineral detection, and continued expansion in electrical energy.

Furthermore, the anticipated future national requirements for materials possessing unprecedented and extreme properties would be determined systematically and routinely; research approaches to attain these properties would be blocked out and initiated far enough in advance of need so that useful social projects would not be obstructed for want of requisite technology.

Periodic surveys would be undertaken of national materials posture, trends, potential weaknesses and vulnerabilities; material strategies would be devised to strengthen the national posture, and then implemented; potential impacts of new technology on national materials supply would be forecast, evaluated, and provided for.

With respect to the utilization of materials, I suggest that national policy needs further refinement. At present the primary considerations in the selection and utilization of materials are price and physical properties. I suggest that other criteria may warrant study and possible inclusion in the list of criteria. Moreover, while I provided some examples of possible additional criteria, it seems evident that this is an area requiring the greatest sensitivity and statesmanship; we should not blunder into it, offering prescriptive formulas without the fullest appreciation of the consequences.

Our capacity for efficient utilization of the total pattern of available materials requires not only criteria by which to measure its real efficiency in social terms. It also requires systematic scientific and technological development to enable us to meet these criteria. What projects and directions of research should command the highest priorities relative to these criteria? I offered six examples, but it should be obvious that each student of materials policy would develop his own list. The role of a national commission would be to weigh the contributions of many individuals, and arrive at a real national consensus as to a balanced and rewarding program of technological advancement, not merely in scientific terms, but in terms of total national need.

In the fourth area, salvage and disposal, it is evident that we have performed most poorly in the past. This area has been least amenable to automatic correction under a free market pricing system. Moreover, as our society becomes more affluent, traditional methods of salvage become economically less attractive, the volume of waste increases, and our standards of environmental quality tend to rise.

In this area I suggest as a conceptual goal the achievement of a nearly "closed" system in which materials retained value throughout the system and were recycled rather than discarded. In this area, the pricing system needs to be supported, I think, by public investment in technological innovation, by public assistance in the employment of technologies to preserve and improve the environment, and by public regulation to compel reduction in the rate of specific degradations and to obstruct the introduction of new technologies that degrade the environment.

There are, I suggest, three important principles here. First, there is no reason to suppose that a perfect environment is conceivable, let alone attainable. The goals of environmental management need to be reasonable, rather than arbitrary.

Second, it will always be possible to identify environmental defects, and there should be progress in correcting these defects on a rational priority basis, and at a reasonable rate. Direction of movement is important, but the end point is negotiable, and so is the rate of progress.

Third, a distinction should be made between environmental degradation that is a matter of degree, and degradation that is absolute and irreversible. Any decision, for example, to adopt a technological innovation needs to be made with reference to this factor. If it is irreversible, and does more harm than good, should its correction deserve a higher priority than some other form of impairment that can be reversed?

At the conclusion of my paper, I submit eight questions that I should like to offer as possible candidates for the agenda to be considered by a commission on national policy for materials, meeting in 1969 to consider the course to be charted for the rest of our century. Briefly, these are:

(1) What legislative decisions concerning materials are needed to strengthen our Nation now for the long-range future?

(2) Are we making any irreversible decisions now, by default, that warrant immediate priority attention? (That is, what corners are we painting ourselves into?)

(3) What organizational and administrative arrangements do we need to implement effectively our national materials policy?

(4) What should be our long-range national goals for materials research and development?

(5) What materials data systems do we need to create?

(6) What value can we assign to the preservation of our environment?

(7) What new motivations do we need to invent, to supplement the profit motive, and to what purposes relative to the protection and improvement of our environment?

(8) How can we exploit the concept of multiple benefits in the design and implementation of materials-oriented programs of the Government?

In conclusion, I should like to thank the many knowledgeable people who have responsibility for the formulation of materials policy, for their help in the preparation of my study, and for their responsiveness to the questions it raises. I am particularly grateful to Senator Boggs for initiating the inquiry that led to this study, and for his insistence that it be followed by a program of action.

NOTICE OF HEARINGS ON S. 2487, AMENDING THE LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

Mr. WILLIAMS of New Jersey. Mr. President, I wish to announce that the Labor Subcommittee of the Committee on Labor and Public Welfare will begin hearings on S. 2487, a bill to amend the Longshoremen's and Harbor Workers' Compensation Act, on September 23 and 24. Further hearing days will be announced shortly.

The hearings on September 23 and 24 will be in room 4232, New Senate Office Building, beginning at 10 a.m.

Those wishing to testify or submit statements for the record should contact the subcommittee, room G–237, New Senate Office Building, extension 3674.

NOTICE OF HEARINGS ON OCCUPATIONAL HEALTH AND SAFETY BILLS, S. 2193 AND S. 2788

Mr. WILLIAMS of New Jersey. Mr. President, I wish to announce that the Labor Subcommittee of the Committee on Labor and Public Welfare will begin hearings on two occupational health and safety bills, S. 2193 and S. 2788, on September 30 and October 1. Further hearing days will be scheduled and announced shortly.

The hearings on September 30 and October 1 will be in room 4232, New Senate Office Building, beginning at 10 a.m.

Those wishing to testify or submit statements for the record should contact the subcommittee, room G–237, new Senate Office Building, extension 3674.

NOTICE OF HEARING BY COMMITTEE ON GOVERNMENT OPERATIONS

Mr. MUNDT. Mr. President, the Committee on Government Operations will hold a hearing on S. 2701 to establish a Commission on Population Growth and the American Future next Monday, September 15 at 10 a.m. in room 3302, New Senate Office Building. Persons wishing to testify or submit statements regarding this bill should contact the clerk of the committee on extension 7469.

NOTICE OF RESCHEDULING OF HEARINGS

Mr. KENNEDY. Mr. President, I announce that due to the passing of the minority leader, the distinguished Senator from Illinois, Everett McKinley Dirksen, who was a member of the Subcommittee on Administrative Practice and Procedure of the Committee on the Judiciary, hearings of the subcommittee originally set for Wednesday and Thursday, September 10 and 11, have been rescheduled.

On Friday, September 12, at 9 a.m., in room 5110 New Senate Office Building, the subcommittee will hold the first in a series of hearings on citizen involvement in agency decisionmaking and agency responsiveness to public needs. The hearings will be based on responses to questionnaires sent by the subcommittee to many Federal agencies and bureaus last February. The first set of hearings will cover the questionnaire responses of the Federal Trade Commission, and the witnesses will be the members of that Commission.

RESCHEDULING NOTICE OF HEARINGS

Mr. McCLELLAN. Mr. President, in view of the loss of our colleague, Senator Everett McKinley Dirksen, the Committee on Government Operations has postponed the hearing and executive session scheduled for Thursday, September 11 until the following Thursday, September 18.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Richard A. Pyle, of Oklahoma, to be U.S. attorney for the eastern district of Oklahoma for the term of 4 years, vice R. Bruce Green resigned.

Robert McShane Carney, of the Virgin Islands, to be U.S. attorney for the district of the Virgin Islands for the term of 4 years, vice Almeric L. Christian.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, September 16, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Bart M. Schouweiler, of Nevada, to be U.S. attorney for the district of Nevada for the term of 4 years, vice Joseph L. Ward, resigned.

Rex Walters, of Idaho, to be U.S. marshal for the district of Idaho for the term of 4 years, vice Anton Skoro.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, September 16, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

VIETNAM: CEASE-FIRE AND STANDDOWN

Mr. MANSFIELD. Mr. President, may I say that I fully endorse the action of President Nixon in putting into operation on his initiative an unofficial 3-day cease-fire and holding open the possibility of a continuance if the other side acts accordingly.

I ask unanimous consent that a statement which I issued on Vietnam on Saturday, September 6, and also a news story by Orr Kelly carried in the Washington Star for September 5, 1969, both be printed at this point in the RECORD.

There being no objection, the statement and news story were ordered to be printed in the RECORD, as follows:

VIETNAM: CEASE-FIRE AND STANDDOWN

(Statement by Senator MANSFIELD)

The announcement by the Viet Cong and the North Vietnamese that they would put into effect a cease-fire for three days, beginning Monday next, should, in my opinion, be matched by a similar announcement on our part. Following this prelude, an initiative on our part would be possible which would propose an unlimited cease-fire and stand-down applicable to both sides. If press reports are correct, moreover, it is anticipated that President Nixon probably will announce plans for the next withdrawal of troops from Viet Nam within the first week of his return to Washington on Monday. That announcement might then be tied in with the offer of an unlimited cease-fire and stand-down. This sequence would present the possibility of a further diminution in the fighting and, consequently, a further reduction in costs, damage, and, most important, casualties.

An unlimited cease-fire and stand-down may or may not be accepted either officially or unofficially. In my opinion, it is worth a try as a step towards resolution of the Vietnamese war. Such a step would not in any way prevent our forces from acting in self-defense, but it may offer a means of breaking through the present impasse. It may offer an alternative to a continuation of the *status quo*, with casualties accumulating at the present rate. It may offer an alternative to a step-up of the war which is a course that seems to me inadvisable in any event. The present course means continuing casualties and costs whereas a cease-fire and stand-down—if it can be achieved at this time—in view of the circumstances surrounding the question of succession to Ho Chi Minh—might offer a possibility for peace. There is everything to be gained by taking a chance for peace at this time.

[From the Washington Star, Sept. 5, 1969]

DISCLOSURE NEAR ON NEW PULLOUT

(By Orr Kelly)

President Nixon probably will announce plans for the next withdrawal of troops from Vietnam within the first week of his return to Washington Monday night, Defense officials said today.

The announcement had originally been expected by Aug. 15, but it was delayed after the beginning of what appeared to be an enemy offensive on Aug. 11 and 12. Enemy-initiated attacks fell off after that time, however.

Defense officials declined to say how many men would be involved in the next withdrawal because that decision has not yet been made by the President. But they left little doubt that a sizable withdrawal would begin in the near future.

Assurance within the administration that a withdrawal can be carried out safely was reinforced this week after Army Secretary Stanley R. Resor returned from a two-week trip to the Pacific with an encouraging report on improvements in the South Vietnamese Army.

In talking to reporters while in Vietnam, Resor stressed the improvements that must still be made, especially in leadership and training. But defense officials were heartened by his report on his return about the progress that has been made.

Final Defense Department recommendations on the rate and numbers involved in withdrawal plans are being made personally by Defense Secretary Melvin R. Laird.

The first increment of the withdrawal announced by Nixon June 8, of 25,000 men, was essentially completed last week.

ALIEN LABOR SITUATION IN VIRGIN ISLANDS

Mr. ALLOTT. Mr. President, during the recently concluded congressional adjournment, the Office of Economic Opportunity released a federally financed study entitled "A Profile and Plans for the Temporary Alien Worker Problem in the U.S. Virgin Islands." This research was performed pursuant to a contract with the OEO by the Social, Educational Research, and Development, Inc., with headquarters in Silver Spring, Md.

Although I have not had an opportunity to study in depth the complete report, which comprises 153 pages, I have reviewed in some detail the conclusions and recommendations which are found within the report itself, some of which I would like to share with other Senators at this time.

Mr. President, I have been following this question of the deteriorating condition of alien workers in the Virgin Islands for some time. This is a situation which is going to require the most thoughtful attention of Members of Congress as well as affected representatives of those Federal departments which are charged with the responsibility of overseeing matters in the Virgin Islands. Unless the most thoughtful energies of

our Federal Government are brought to bear upon this situation at an early date, and in an effective way, the situation which is depicted in the report is going to continue to deteriorate. I have great confidence that Gov. Melvin Evans as well as others in the island government who are charged with some responsibility relating to the alien worker situation will find methods to alleviate some of the conditions which continue to plague the Islands in this most critical area. On the other hand, I remain apprehensive that those who are charged with the responsibility on a Federal level have not yet taken the reins of their responsibility in an effective and forthright manner to deal honestly and effectively with this situation.

Mr. President, I ask unanimous consent that certain portions of the report entitled "A Profile and Plans for the Temporary Alien Worker Problem in the U.S. Virgin Islands" and an article published in the New York Times of Friday, August 29, which further discusses this important issue, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

A. THE UNITED STATES VIRGIN ISLANDS

Virgin Islands—St. Croix, St. John, and St. Thomas—are among the most beautiful tropical settings in the world—lush greenery, clear water, beautiful beaches, and nearly perfect weather. As a result, they are one of the most rapidly growing segments of the United States. The population has grown from about 29,000 in 1955 to somewhere in the neighborhood of 80,000 to 90,000 today. The number of tourists visiting the islands has jumped from 81,000 in 1955 to nearly a million this year; tourist expenditures are now about $100 million per year. The boom in population, commerce, private housing, and the tourist industry began in the late 1950's and the early 1960's and is the single most important reason for the need of the Virgin Islands to import workers.

At the peak of the tourist season, about half the population in the Virgin Islands are alien workers, because the local labor force is not large enough to keep up with the needs. Almost all aliens come from neighboring Caribbean islands. There are four groups of aliens—permanent resident aliens, visitors and aliens on student visas, temporary alien workers, and illegal aliens.

Illegal aliens are just that—they enter without assistance from immigration authorities or overstay on visitors' visas. Estimates vary on the number; there may be as many as two or three thousand at any one time.

Legal aliens (commonly called bonded aliens) are admitted under the provisions of the Immigration laws. The number in the islands has been steadily increasing. During the spring of 1969 (after the peak of the tourist season), there were about 12,000 in the islands—down 4,000 from the peak. Visitors are also foreign nationals who enter officially as visitors, but most come to seek work, visit their spouses, or are children coming to live with parents. Presently, there are about 16,000 in the islands.

B. WHY THE STUDY

Aliens are unique. First, they comprise more than half the labor force. Second, the prospects are slim that many of them, given present immigration laws, will ever become citizens. Third, the assumptions of laws and procedures that admit aliens is that these people are temporary workers, but they are really not for the Virgin Islands economy will continue to grow and need them. Fourth, there is confusion over how procedures operate; employers and aliens alike complain of delays and difficulties in getting papers processed.

Because they are viewed as temporary workers, aliens are denied most social services. They cannot legally enroll their children in public schools. Despite recent changes, most are not eligible for public housing or welfare agencies. It is next to impossible for them to get bank loans. Once unemployed, they must leave the islands, hence they are not able to receive unemployment compensation. When affected by urban renewal, aliens are evicted and not found suitable housing as are citizens. The status of aliens is one of "non-persons" and suggests a variety of questions such as: the effectiveness of rent control laws and regulations, the availability of health services, relations between aliens and the police, the effectiveness of minimum wage regulations, the quality of alien housing, and most important, how a democracy can survive with a large proportion of the population cut from the democratic process.

C. FINDINGS

Some major findings are:

There are at least 2,500 to 4,000 illegal aliens in the Virgin Islands.

Contrary to generally held opinions, about 9% of the alien population is unemployed.

If the survey is representative of alien children of school age, there are about 2,000 who should be in school.

The regulations governing the admission of aliens state that the Secretary of Labor must certify: "that qualified persons in the United States are not available and that the employment of the beneficiary will not adversely affect the wages and working conditions of workers in the United States similarly employed."

If the regulations are not being violated, they are being very liberally interpreted: (1) aliens do adversely affect wages and working conditions, and (2) qualified workers are available—Puerto Rico for example, has an unemployment rate of about 11.6%.

The enforcement of minimum wages is a serious matter. The study found many cases of aliens working as mechanics or at skilled levels, but paid as laborers. This also includes aliens working for the government.

Domestics face the most serious problems. Many are required to work more than 40 hours per week without overtime; others are hired as "live-in" maids and provided poor housing. Many do not have social security deducted from their salaries.

The housing situation for the alien population is a crisis. The majority live in substandard housing.

Alien life is one of personal and social disorganization. Many who come to the islands have left wives and families on their home island and have established a second family in the Virgin Islands.

The majority of aliens are existing on substandard wages. The hourly wage rate for aliens averages less than $1.50 per hour. Assuming a 45-hour week and standard deductions, the typical alien takes home about $50 per week.

Aliens are almost totally excluded from participation in the local community.

The round-ups of illegal aliens seem to be brutal affairs with the aliens (not employers) forced to pay the penalty. When caught, they are required to leave with little chance to settle personal affairs.

The total Virgin Islands population is grossly underestimated. Official estimates from the Bureau of Census place the population at about 54,000. According to the study, this estimate excludes over 40,000 aliens which brings the total population close to 100,000.

Federal agencies almost totally ignore alien problems. The Department of Interior which has Federal responsibility claims its role in the Virgin Islands is "advisory" and "that we take initiative only when requested to do so." Other agencies—the Department of HEW and the Department of Labor also eschew responsibility. Virgin Islands agencies generally conclude that most problems are "Federal."

D. BASIC RECOMMENDATIONS

In an earlier report on the alien situation, SERD provided a list of recommendations for alleviating and/or correcting alien problems. (Social, Educational Research and Development, Inc. *Aliens in the United States Virgin Islands: Temporary Workers in a Permanent Economy*, January 1968, revised December 1968, 76 pp.). Some are still valid.

The most basic problem that must have attention is that it is completely inimical to the democratic process to cut off so completely from participation in society a group such as the aliens. This separation is the basic ingredient of which violent social conflict is made.

Minimum wages should be raised to at least $1.60 an hour.

Labor unions should be encouraged to organize and represent alien workers.

The situation among household service workers is close to a crisis. No agencies or organizations serve to enforce the "contract" or regulations (however vague they may be) regarding wages and working conditions.

An ombudsman for aliens should be established in the Office of the Governor.

A crash program should be implemented to enroll alien children in the public schools.

Housing is serious. Employers should be required to contribute.

Virgin Islands agencies such as OEO should devote more resources to the solution of alien problems.

Private agencies and religious organizations should be encouraged to take a more active and positive role in the solution of alien problems.

The bonding system is largely unworkable and should be recognized as such. A new program is needed which has these elements:

a. Federal legislation should be passed to permit at least 1,000 aliens each year to become permanent resident aliens.

b. Recruitment of aliens in the future should be from the so-called Independent Countries of the Western Hemisphere such as Barbados, Jamaica, and the Dominican Republic, which have relatively high immigration quotas.

c. The Labor Department should take a more conservative view of the certification process and should define the labor market area to include Puerto Rico and other parts of the United States.

d. Education programs should be developed jointly by the Immigration and Naturalization Service and the Virgin Islands Government to encourage permanent resident aliens (when they become eligible) to apply for citizenship.

The process whereby foreign nationals use a visitor's visa to enter the islands and look for work should be replaced by first, bringing in American citizens, and second, the development of an employer-financed recruiting scheme of off-island recruiting in the Independent Countries of the Western Hemisphere.

There needs to be a careful look at economic trends. Such an examination will probably suggest that economic growth should be redirected and/or leveled off. Further, we think that these factors should be examined:

a. Consideration should be given to eliminating most of the free port status of the Virgin Islands. The sale of liquor, jewelry, cigarettes, etc., without a tax attracts visitors to the islands who only stay one or a few days and this activity probably adds very little to the overall well-being of the islands while considerably taxing social services such as roads, sewerage, and telephones.

b. If the Virgin Islands embarked on a crash program to improve social services, from where would workers come? Obviously, this would necessitate the importation of more aliens which, in turn, will increase the social services problem. Therefore, the study recommends slowdowns and cutbacks in the tourist industry and the gift shop and free port industries to divert resources for improving the social services.

The Governor should submit an annual report on aliens indicating the program of activities undertaken during the previous year plans for the coming year, problems, and the anticipated solutions to these problems.

All federal agencies should examine very carefully their programs and activities which can be strengthened to implement and improve the alien situation. The study makes reference to the U.S. Department of Labor in terms of manpower development and training, apprenticeship programs, minimum wages, and the certification process. In addition, the U.S. Department of Health, Education and Welfare should examine welfare programs, vocational rehabilitation, and especially all elements of Office of Education programs to insure that maximum benefit is made to the Virgin Islands as a whole and the alien community specifically.

Congressional committees should examine and plan hearings in such areas as:

a. The need for new legislation, especially in terms of the immigration process.

b. The wages and working conditions of aliens.

c. The inclusion of aliens in migratory labor programs.

The Virgin Islands Government has many untapped sources for tax income—increased property taxes (currently the lowest in the country), liquor tax, sales tax, etc.—which can be used to finance social services.

E. THE FUTURE

The future will be more of the past: all the labor force, economic, and demographic data that the study gathered indicates that the economic growth will continue in the future. There is no evidence to indicate that the native labor force can or ever will be able to substantially supply workers for this growth. Thus, the only source of workers will continue to be workers from places other than the Virgin Islands. The Department of Labor has wide latitude in deciding whether or not a shortage of workers exists in the United States, and hence, where the workers in the Virgin Islands will come from. However, at this juncture, it seems that the present situation will continue and hence, the proportion of alien workers in the Virgin Islands wil continue to grow.

[From the New York Times, Aug. 29, 1969]

ALIEN'S LIFE BLEAK ON VIRGIN ISLANDS—FEDERAL STUDY DEPICTS DULL EXISTENCE FOR WORKERS

WASHINGTON, August 28.—For about a million tourists each year, the United States Virgin Islands, often seems like a tropical Eden, but for the thousands of "alien" workers who make up half the labor force, the isles are no paradise.

A federally financed study released today by the Office of Economic Opportunity here paints a bleak picture of life for this alien population of about 12,000 that swells to 16,000 during the peak tourist season. The aliens are nearly always black immigrants who come from the neighboring Caribbean Islands to find jobs and better living conditions in the United States territory. They do mostly construction, service and domestic work connected with the booming tourist economy.

Based on interviews taken by aliens with 400 randomly selected fellow aliens, the report says that the immigrants are regarded as "nonpersons," often denied decent wages, voting rights, adequate housing, and such social services as public schooling for their children.

The study contends that "Federal agencies almost totally ignore" the alien problem. "The Department of Interior, which has Federal responsibility, claims its role in the Virgin islands is 'advisory' and 'that we take initiative only when requested to do so' according to the report. "Other agencies such as the Department of Health, Education and Welfare and the Department of Labor also eschew any responsibility. Virgin Islands agencies generally conclude that most problems are 'federal.'"

ON COMMUNITY PARTICIPATION

The report further asserts that aliens are "almost totally excluded from participation in the local community," with only the local Office of Economic Opportunity having aliens on its policy board.

The report was prepared for O. E. O. this summer by Social, Educational Research and Development, Inc., with headquarters in Silver Spring, Md. The 153-page study's title is "Profile and Plans for the Temporary Alien Worker Problem in the U.S. Virgin Islands."

In 1967–68, the research organization also prepared a study on aliens, but that report was limited to the aliens' place in the Virgin Islands economy. The new study includes analysis of a wide range of alien social and personal problems.

Alien workers are admitted to the islands under provisions of the Immigration and Nationality Act. An employer theoretically informs the Virgin Islands employment security agency that he needs a specific type of worker, such as a domestic. If the agency certifies that there is no native labor available, which is normally the case because of a shortage of unskilled labor, an alien is imported to fill the slot. Included in the process is the employer's posting of a $10 bond for the alien.

SOME STAY ILLEGALLY

Many times, however, an alien will enter the islands on a 29-day tourist's visa, find a job and overstay his limit. The study estimates that there may be 2,500 to 4,000 illegal aliens in the territory.

The study said, "The bending of certification process seems to be unworkable at least on a legal level. Employers and agencies in the Virgin Islands wink at aliens working and seeking work while on visitors' visas; we found instances of aliens who were bonded by one employer and working for another. We found many cases of illegal aliens unaware of their status."

John McCollum, president of the company that prepared the study, said in an interview today that the alien dilemma stemmed from "economic discrimination" from the majority black native islanders who dominate the territory.

"Racial and social discrimination are almost non-existent," Mr. McCollum said. "Aliens freely mingle with native islanders and whites, but they feel discrimination precisely because they are aliens—people with no economic, social or political rights. It's not because they are black. If they had the money, they could buy anything anyone else can."

Last October, a community organizer from Mr. McCollum's company working on a contract from the College of the Virgin Islands helped from the Alien Interest Movement on St. Thomas.

The organization was described by Mr. McCollum as an "alien community union" or "social protest group" similar to the Congress of Racial Equality on the mainland. "But they're nonmilitant in the sense as some of our domestic civil rights groups. They are militant in the Caribbean sense, though, because they challenge authority. On the islands, there is no strong tradition of aggressiveness. The tempo is lower."

Nathaniel Richardson, a 29-year-old upholstery repairman from St. Martin, is president of the group. In a recent telephone interview Mr. Richardson contended that his group, which can draw about 100 aliens to a meeting, hopes to organize a credit union, as well as a drive for better wages, housing and medical facilities.

In April, the organization encouraged about 75 aliens to march on Government House on St. Thomas to demand better housing. Mr. Richardson has also met with Dr. Melvin Evans, the territory's Governor.

No specific programs have been worked out, however, and the movement's main activities have been the holding of fund-raising dances and the publishing of a newsletter.

Another group composed mainly of aliens, the Citizens-Noncitizens Commission, which apparently has about 20 members, has discussed alien problems with the island government. Representatives have also met with Governor Evans.

A small elementary school at Barren Spot on St. Croix, moreover, is administered by aliens, who also teach the classes.

The study estimates that about 2,000 alien children are not attending the territory's crowded schools. Often the children are barred because of their uncertain or temporary status.

Yesterday, however, Governor Evans issued an order that permitted aliens to register their children with the Department of Education, according to the Governor's administrative aide, Leopold Benjamin. Governor Evans is attending a Governor's conference in Colorado and was not available for comment.

THE MARINE CORPS AND BLACK POWER DEMANDS

Mr. TALMADGE. Mr. President, admirers of the Marine Corps, myself included, were disheartened by the recent acquiescence on the part of the Marine Commandant to militant Black Power demands.

Last Friday's Atlanta Journal contained an editorial column written by associate editor John Crown—a retired marine officer—who compared the commandant's action with that of some college presidents who gave in so readily to radical students during the wave of campus riots that swept the country last spring and fall.

Since the founding of this country, the U.S. Marine Corps has built for itself a well-deserved reputation as the world's most elite and efficient fighting organization. It has been with a great deal of regret on my part that we have witnessed over the years an undermining of Marine Corps training and esprit de corps by erstwhile do-gooders who somehow seem to think that the Marine Corps trains choir boys and not fighting men.

Now Commandant Chapman has himself struck a blow against the tradition of the Corps by granting a special dispensation to Marine Black Power advocates, as outlined in Mr. Crown's column.

Like Mr. Crown, I should think that the Marine Corps would be the last to buckle under to such nonsensical pressure.

I bring Mr. Crown's column to the attention of the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

[From the Atlanta Journal, Sept. 5, 1969]

THE U.S. MARINE CORPS—THERE ARE SUPPOSED TO BE NO DIFFERENCES

(By John Crown)

As one who has always had a special feeling for the United States Marine Corps, it was with dismay and shock to see the current commandant cave in to militant demands as though he were a college president.

There was even contradiction in what he said.

On the one hand he announced that "Afro" haircuts would be permitted for black Marines and that under given circumstances the Black Power clinched fist salute would be tolerated.

On the other hand he said there would be "total impartiality" in dealing with Marines of all races, colors and creeds.

How he reconciles "total impartiality" with a special dispensation for "Afro" haircuts and a Black Power clinched fist salute escapes me.

This coming November the Marine Corps will observe its 193rd anniversary.

In those years the Leathernecks have caught the public fancy as an elite military organization, noted for its esprit de corps and readiness to fight in the national interest.

As an assault echelon, the Corps pioneered in the military use of helicopters. And it tailored itself as a unique self-contained air-ground team capable of dealing any enemy mortal blows.

What has kept the Marine Corps alive—even in the face of concerted and powerful efforts to abolish it or merge it with the Army—is its team spirit, the selfless feeling within each individual Marine that he is a part of the over-all organization and that his contribution is important to the Corps as a whole.

The Marine Corps has had "characters," individuals who have stuck out as different.

But until now it has not had groups of faceless individuals who were determined to act contrary to the team—to ignore Marine traditions and regulations—and who were able to get official sanction for doing just that.

The Marine Corps has had minority groups within it since its inception, but they have molded into an effective cohesive group.

It seems to me that giving dispensation for special quirks will, in time, intensify the difference that exist. And as they intensify, the foundation on which the Marine Corps rests will be jeopardized.

Past events have shown that to give concessions under duress only serves to whet the appetite of the recipient.

Gen. Leonard F. Chapman, Jr., commandant of the Marine Corps, noted that one of the complaints was that "soul music" was not played in Marine clubs. He said that in future such music would be played.

What about the other minority groups? Will they, too, get special dispensations on the music they want to hear in the clubs, on special type haircuts, on special type salutes? Where does it end?

That is the fallacy of caving in to minority group demands and recognizing special differences within an organization that is supposed to contain no differences. There are always other minority groups and if you recognize one you should recognize all. Continuing recognition of differences will destroy whatever cohesive organization you might have had.

Since the news of Gen. Chapman's announcement has been published, it has been both interesting and sad to see the scope of reaction among my colleagues. Both former Marines and those who have never been connected with the Corps have had caustic comments to make.

"I never thought the Marine Corps would be the first to crack," one non-Marine associate commented as we passed each other in the hall.

I do not doubt that Gen. Chapman has serious problems to solve. After all, problems are part and parcel of being commandant of the Marine Corps.

But this response has the familiar ring of the response from Harvard University and Columbia University and all the other cream puff colleges.

It is not the response I would expect from a Marine.

TAX EXEMPTION ON MUNICIPAL BONDS

Mr. HOLLINGS. Mr. President, pending before the Committee on Finance is a rather extensive and far-reaching tax reform bill. Certainly, every Senator should be interested in tax reform and fiscal responsibility with an eye toward equitably spreading the tax burden of our Nation's economy. There is, however, a portion of the bill which causes me grave concern. It concerns the elimination of the tax exemption on municipal bonds. There is a major question as to whether a case has been made for such a proposal, but, more important, at this stage it seems quite clear that such a program would cripple municipal governments in their capital improvements. In that regard, the city council of the city of Newberry, S.C., on August 12, 1969, promulgated a resolution opposing such proposed legislation for sound and competent reasons which I commend to the attention of this body.

I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

STATE OF SOUTH CAROLINA, COUNTY OF NEWBERRY, CITY OF NEWBERRY

Whereas, there is now pending before the Senate Finance Committee certain measures pertaining to tax reform passed by the United States House of Representatives, and

Whereas, certain proposals included in these tax reforms would adversely effect issuance of municipal bonds by removing the present income tax exemption status, and

Whereas, the proposed "Federal Subsidies" to cities included in the proposal would not adequately compensate for the increased interest cost on municipal bonds, and

Whereas, municipalities, both large and small, are faced with near insurmountable financial problems with no "built-in" tax resources tied to the economy such as the State and Federal levels of governments enjoy, and

Whereas, the provisions which would eliminate tax exemption on municipal bonds, if enacted by Congress, will completely cripple municipal governments in so far as major capital improvements are concerned, including those financed in part by Federal Grants-in-Aid, since municipal bond issues are the sole source of revenue for such expenditures, whether by local initiative or on a "matching funds" basis, and

Whereas, leading public officials, economists and sociologists throughout the nation have expressed the view that the "urban crisis" and/or "plight of the cities" can best be solved on a local level and have strongly advocated a greater cooperation between municipal and federal governments, and

Whereas, in the light of these facts, the House passed version of the tax reform measures pertaining to municipal bonds would seem illogical and ill-conceived, leaving much to be desired in the way of "greater cooperation,"

Now, therefore, be it resolved, that the City Council of The City of Newberry, South Carolina does go on record as *strongly opposing* the proposed legislation relating to removal of tax exempt status of municipal bonds and could only view enactment of these measures by the United States Congress as a "direct attack" on the municipal governments of these United States, and

Be it further resolved, that a copy of this Resolution be forwarded to the Congressional Delegation of South Carolina, The National League of Cities and the Municipal Association of South Carolina, with a request that all the resources of their command be brought to bare to prevent passage of the suggested legislation.

Done this 12th Day of August, 1969, in Council duly assembled.

CLARENCE A. SHEALY, JR.
Mayor.

CECIL E. KNAIRD,
Councilman.

JOHN ORMAN,
Councilman.

D. GARDEN, JR.
Councilman.

CARMAN BOUKNIGHT,
Councilman.

CLAUDE W. PARTANO,
Councilman.

W. PRESTON MCALBANY,
Councilman.

Attest:

WINIFRED CULCOSURE,
City Clerk.

SENATOR HAROLD E. HUGHES

Mr. MANSFIELD. Mr. President, one of the bright lights in the Senate—and there are many—is the outstanding junior Senator from Iowa (Mr. HUGHES). I have watched his career with interest and am very much aware of his great record as the Governor of Iowa—a career which I predict will be more than matched by his work in the Senate.

As some writers have described him, he is "a man of balanced contradictions." But as a Senator he has been steady and modest but determined in his objectives. He minces no words, and one always knows where Senator HUGHES stands.

He has done an outstanding job as the chairman of a subcommittee tackling the problems of alcoholism and drug addiction—both of which are becoming increasing curses on the American scene and both of which have received too little attention up to this time. I want the Senate to know that I am very proud of the way Senator HUGHES has been conducting the hearings of the subcommittee of which he is chairman, that I wish him well in his continuing attack on these problems, and that I am looking forward to legislation which will result from the initiative he has shown in these and other respects. I am only hopeful that the subcommittee which he heads, now operating with neither funds nor staff, will be provided with enough money to undertake the thorough and detailed study of the problems which it has tackled, to the end that benefits for all our people—both young and old—will result.

Mr. President, I ask unanimous consent to have printed in the RECORD an article by Arlo Wagner, published in the

Washington Daily News of Saturday, September 6, 1969.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, Sept. 6, 1969]

SENATOR HUGHES IS BEING TALKED UP FOR VICE PRESIDENT

(By Arlo Wagner)

Freshman Sen. Harold E. Hughes (Iowa), who is being increasingly mentioned as a possible Democratic vice presidential nominee in 1972, is a recovered alcoholic who heads a new Senate sub-committee on alcoholism and narcotics.

This new post is nothing unusual for Sen. Hughes, who has frequently turned his personal experience with alcoholism to political advantage. Popularly admired for having licked his problem, he was elected governor of Iowa in 1962 on a seemingly contradictory campaign pledge to institute liquor-by-the-drink sales in the state—a promise he quickly carried out in his effort to dry up bootlegging.

Once described by a writer-friend as "a man of balanced contradictions," Sen. Hughes is an avid outdoorsman whose office walls are hung with hunting trophies including an American elk's head. But he favors strict gun controls.

He constantly and affectionately supported Lyndon B. Johnson, but carried strong complaints to the then-President in 1967 from Democratic governors. "We minced no words," he said afterward.

CUSS AND PRAY

Former Indiana Gov. Roger Branigan once said Sen. Hughes could cuss out people at a meeting and then lead them in prayer. He has privileges as a lay minister by virtue of Southern Methodist University correspondence courses, but he can and does cuss like the truck driver he was.

Altho his new sub-committee has neither funds nor staff, Sen. Hughes already has called drunks, alcoholics, convicts, dope addicts, judges, crusaders and police to tell what they know and have experienced.

He thinks alcohol is America's biggest executioner, considering the part it plays in heart attacks, cirrhosis of the liver and auto accidents. Combined with the problems of marijuana, heroin and dream drugs, Sen. Hughes figures his job is comparable to solving simultaneously the Vietnam war and civil rights disorders.

TREATMENT CENTERS

He is co-sponsor of a bill which would research the alcohol-narcotics problem and build treatment centers. He is indirectly critical of President Nixon's plan which critics say overemphasizes the arrest and jailing of drug users.

"The turned-on younger generation can't be turned off by simply flicking a switch labeled 'stiffer prison sentences,'" he said.

Sweeping his feet off his desk and stretching brawny arms above wavy black hair, he poured out supportive statistics, paused and added apologetically: "As you can tell, I'm something of a zealot on this."

Sen. Hughes, 47, is six-foot-two. Most of his 230 pounds seem concentrated in a muscular chest. Thirty years ago, he was nicknamed "pack" because he was like a pachyderm in the Ida Grove, Iowa, high school football line.

FOOTBALL AND MUSIC

He was an all-state guard, all-state tuba player and discus champion. His baritone sounded in a Methodist choir loft and he tasted whisky first when he was 18 at the State University of Iowa on a modest football scholarship, working part-time as a steamfitter.

When he was 19, he married Eva Mae Mercer. The first of their three daughters had been born when Sen. Hughes was drafted for World War II service. The Army trained him to be a BAR (browning automatic rifle) man because it took the largest man in the squad to carry it. Because it was such a devastating weapon, the man who fired it was a prime enemy target. He fought thru Sicily and Salerno, as he puts it, "like an animal, to stay alive."

Sen. Hughes had learned soon after his first drink that he was one of those "who couldn't quit until the bottle was empty." But, back from the war, he figured he had earned a right to drink and did. Until 15 years ago. He quit "cold turkey" when he woke up one day in Des Moines, 120 miles from home, and didn't know how he got there.

He then switched "vices"—to politics. A trucker, he was angered by the Iowa Commerce Commission, wholly manned by Republicans, which he thought ruled consistently for big truck lines. He joined the Democrats. He ran for and got elected to two terms on the commission. And after one previous primary-election defeat, Sen. Hughes got nominated for and won the 1962 gubernatorial race with a campaign for a realistic liquor law. He appealed to Iowans' revulsion for hypocrisy, pointing out that private "key clubs" and taverns were selling liquor by the drink even tho state law permitted only package sales.

The effect was, he said, that Iowans were getting their whisky by circumventing the law, encouraging illegal bootlegging and, incidentally, depriving the state of taxes on the contraband liquor.

IGNORES ADVICE

Sen. Hughes ignored advice to take it easy because Republicans still controlled the legislature. He said in his inaugural address: "It is sometimes said that the knack of skillful government is to hang back, do as little as possible and make no mistakes. I hope there is another way for, between you and me, this prospect does not invite my soul."

As governor, he disposed of several traditions. Refusing to cut ribbons opening stores, he said: "I didn't know the people wanted their governor to be a darn fool."

He flouted the traditional use of middle-priced cars and National Guard planes. He got a Lincoln Continental and a $60,000 six-place plane—and won his next election by 429,000 votes.

An alcoholism rehabilitation system was established, prisons were reformed, capital punishment abolished, tax structure overhauled, aid to schools quadrupled and property taxes on household goods repealed.

He clings to as much privacy as possible on Sundays at church and home with his wife, Eva, and their 17-year-old daughter, Phyllis. Two older daughters are married and living away.

PROTOTYPE TO STRETCH DEFENSE DOLLARS

Mr. HART. Mr. President, for months news about military procurement has been dominated by reports of huge cost overruns on major weapons systems. The C–5A, the gigantic cargo plane ordered from the Lockheed Corp., has been the topic of several congressional committees. The General Accounting Office estimates, assuming the purchase of 115, that the total bill will be $5.2 billion, some $1.8 billion above original estimates and more than $2 billion above contract target prices. Some increase is attributable to inflation, but at least $400 million of the overrun comes from "technical difficulties," requiring redesign of several elements.

In June the Defense Department announced the cancellation of an $875 million procurement of the Cheyenne helicopter gunship. The Army said the contractor failed to meet performance specifications, and the Government apparently will lose most benefits of this estimated $193.5 million research and development.

A few weeks ago an Assistant Secretary of Defense revealed that the Minuteman II missile is expected to cost almost $4 billion more than originally estimated. He also disclosed that the price of a rescue submarine has increased 2,700 percent.

Mr. President, I hope none of us has forgotten the lessons of the F–111 program, originally called the TFX—Tactical Fighter Experimental. It was one of the largest tactical airplane programs ever contemplated by the U.S. Government. The TFX was to be an all-purpose plane, capable of great operational flexibility in the performance of tactical missions with a unique variable-geometry swept-wing design which would enable the plane to operate at high supersonic speeds as well as low subsonic speeds. It was designed to be used by the Air Force as a bomber, fighter, or reconnaissance plane, and to be used by the Navy and Marine Corps for off-the-carrier and air-to-air combat in both limited and general war.

The TFX program called for the production of over 1,700 planes, of which 235 would be for the Navy. The cost of these planes was estimated by the Defense Department to be about $6.5 billion.

During most of 1962, the Boeing Co. and General Dynamics Corp. actively engaged in a competition—I call attention to the fact that it was a design competition only, what is often referred to as a "paper competition"—for the research, development, and production contracts.

On three successive occasions in 1962 Boeing was recommended by the military services through the Source Selection Boards as the contractor. Each time the civilian Secretaries ordered both companies to return to their drawing boards to rework their proposals.

In November 1962 the fourth evaluation was completed; it was decided by the Board that the Boeing plane could be produced for $100 million less than its competitor, while it had superior operational capabilities including a ferry range of over 1,000 miles more than the General Dynamics design, a bomb carrying capability more than 50 percent larger and other features the Tactical Air Command considered of great advantage.

Again the civilian Secretaries considered the matter and on November 24, 1962, reversing all recommendations, announced that the contract would go to the General Dynamics Corp.

Mr. President, the first TFX, called the F–111A, was delivered in October 1964 and made its first flight in December of that year. The Navy received its version—called the F–111B—in May 1965 and the Strategic Air Command received

its fighter-bomber version—termed the FB–111—in July 1967. All versions began to undergo test and use in combat. Three were lost in Thailand in March 1968 and the remainder were returned to the United States. An F–111A crashed in Nevada and 42 were grounded in May. In August there was a ground fatigue failure during test. In early September all combat flights were suspended and training flights were restricted. On September 23 there was an additional crash of an F–111A, and all F–111 flights were suspended.

In the meantime, the Congress had denied fiscal year 1969 funding for the F–111B, and the British Government had canceled its order for the F–111K. Secretary Clifford called for a cutback in the program during the closing months of 1968, and today the program is but a fraction of the size originally proposed.

Mr. President, I dwell on the TFX program because it is a classic example of the "paper competition," where no testing of a flyable airplane is contemplated or possible until long after the procurement contract has been let. The Nation commits itself to production of a weapons system purely on the basis of designs submitted and representations made by prospective contractors.

The action of the Senate and House of Representatives in calling attention to these huge overruns is certainly a public service, and I congratulate especially the Senator from Wisconsin (Mr. PROXMIRE) and his Subcommittee on Economy in Government of the Joint Economic Committee, Representative PIKE, the Senator from Mississippi (Mr. STENNIS), and the Armed Services Committee. The public interest has been served well by their rooting out and disclosing these facts.

I agree with my colleagues that the Congress must get more information and make detailed reviews of the defense procurement process. For that reason I cosponsored an amendment offered by the junior Senator from Pennsylvania, added last month to the military procurement bill (S. 2546), which would set up a systematic quarterly contract reporting mechanism, and would give the General Accounting Office authority to audit a contractor's books and subpena his records.

But I am concerned—and I know they are, too—about the root, the source, of the problem.

I ask: What can be done to get to the cause—as opposed to the result—of these vast overruns?

I ask: Is the answer in the method of procurement of these billion-dollar weapons systems?

I ask: Can competition in procurement—much greater competition than presently exists—help to eliminate or ameliorate these problems?

Last year, the Subcommittee on Antitrust and Monopoly began a study of the effect of the Defense Department procurement policies on competition and concentration. Our interest arose out of the great reduction in competition, especially in the area of large weapons systems, over the last several years, and out of the increasing economic concentration within the defense industry. In fiscal 1968, about $44 billion, almost one quarter of the entire Federal budget, was spent on defense procurement. Only 13.4 percent of military contract awards, in terms of dollars, was awarded on a formally advertised competitive basis in fiscal 1967. That figure in itself seems extremely low, but I have to report that it dropped 11.5 percent in fiscal 1968. Procurements of a single-service nature constituted 58 percent of the total, in terms of dollars, for fiscal 1968. These figures show a record low for competition and a record high for single-service procurement in 1968, when compared with the past 5 years. I think it is clear that the Subcommittee on Antitrust and Monopoly has a legitimate interest in defense procurement.

At our 1986 hearings, a suggestion for more competition, termed "parallel undocumented development," was made by one of the witnesses, Dean Ralph C. Nash, Jr., of the National Law Center at George Washington University. I regard this proposal as being of the greatest importance.

Dean Nash called for competitive award and pricing of production of weapons systems on the basis of demonstrated prototypes, instead of relying on paper studies, theoretical plans and elaborate proposals. This requires sustaining two or more contractors well into the period of engineering development.

This is not the first time prototyping has been suggested to the Defense Department. In 1958 the Rand Corp., an Air Force contractor then and now, submitted to the Air Force a paper, "Military Research and Development Policies," containing some of the most important elements of Dean Nash's recommendation. The authors, Burton H. Klein, W. H. Meckling and E. G. Mesthene, described "a good development policy" as one which frequently would include having two or more alternatives and would call for a decision only after initial test data showed their relative merits. Such a policy, they said, would make only modest financial commitments to a specific configuration until test results are available. Likewise, they said, a good development policy would require that equipment be brought to a test as early as possible at each stage of a development program.

During the TFX procurement in 1963, when the contract had been awarded to General Dynamics Corp., Boeing offered to prototype additional planes for the purpose of testing and cost evaluation. Boeing actually submitted a figure of $105 million each for two additional planes—one of the Navy type and one of the Air Force type—so that a demonstration could be performed for both services. The proposal was not accepted.

In 1963, Rand Corp. submitted to the Air Force a memorandum entitled "The Role of Prototypes in Development (U)." The authors of this paper were Burton H. Klein, T. K. Glennan, Jr., and G. H. Shubert. The paper reviewed thoroughly the desirability of prototyping aircrafts during the course of development. In using the term "prototype" the authors referred to a vehicle or component, the primary purpose of which is to test a design concept and to obtain the information necessary for making sound decisions on weapons systems development. I prefer this usage, but I point out that in some cases the term "prototype" simply refers to the first production item off the production line.

In examining alternative procurement techniques, the Rand study called attention to the "development-production" approach, which called for large, early financial commitments, based on design competitions, with large production contracts awarded at the conclusion of design competitions. An example of this type of approach used at the Pentagon in recent years is the "total package" procurement concept. Rand listed certain inherent disadvantages to this system:

First. The strategic uncertainty of military hardware should not be disregarded—expensive and important mistakes can be made in judging enemy capabilities 5 to 10 years hence; second, predicting the course of technology is difficult and uncertain; third, the cost uncertainties of this approach raises question marks—making major decisions at a time when only design studies are available may not lead to the desired cost result.

On the other hand, Rand favored the "expedited-prototype" approach, which would put airplanes and subsystems very quickly into test, before big money decisions are made. Rand argued that with this approach it is possible, for a given sum of money, to have more programs underway at any given time and thus possible to cover a wider range of strategic contingencies.

So far as the problem of technological obsolescence is concerned, prototype programs obviously can provide a hedge against this kind of uncertainty. If there are several alternative aircraft to perform an anticipated mission or group of missions, there is a higher probability of achieving the desired capability. Finally, Rand pointed out that the prototype approach promised an efficient and relatively economical method of determining what is being bought.

Rand concluded its study with the flat statement that it had been unable to find consistent support for the advantages claimed for the "development-production" method of procurement, whereas the "expedited-prototype" method seemed to offer substantial practical advantages. It appears that not a great deal of attention was given to the Rand study.

Following our hearings in 1968, I suggested to the Comptroller General of the United States, Mr. Elmer Staats, that he and his staff evaluate parallel undocumented development as a method of procurement. I am pleased to report to the Senate that the Comptroller and his staff made a most thorough investigation. More than 80 persons were interviewed in the Department of Defense, including the military services, the Bureau of the Budget, NASA, the Office of Science and Technology, at a considerable number of military contractors and universities and at the Rand Corp. In an Antitrust Subcommittee hearing

on July 14, 1969, the Comptroller General presented his report to the Congress, "Evaluation of Two Proposed Methods for Enhancing Competition in Weapons Systems Procurement".

In his report, the Comptroller General described parallel undocumented development as having three elements: First, it requires competitive engagement to be sustained through further, more substantive stages of development, second, contractor selection would be based on demonstrated performance of hardware, and third, most Government-purposed documentation would be deferred until the winning contractor is selected.

To understand this proposal, one must be aware that, at present, most new weapons systems are taken through two phases—concept formulation and contract definition. These are work frames designed to be logical networks of planning events. Each event in each network is intended to be derived from and conditional upon success of its predecessor.

Weapons systems or other technological hardware, expected to cost $25 million or more in R. & D. costs, or $100 million or more in total production costs, generally are studied throughout both stages. The winning contractor is seleted at the end of contract definition.

The Comptroller General pointed out that the end products of contract definition studies have often been more speculative than substantive. They are usually a set of performance specifications, models and mock-ups, technical and management plans and briefings of source selection officials. It is important to note, however, that at the end of contract definition the decision is made whether or not to proceed into engineering development and which contractor is to be the winner for that phase. The same contractor often gets the production award, which follows, frequently for a huge dollar figure. The performance specifications, target prices and delivery schedules are spelled out in the contract signed at the end of contract definition. The winning contractor is thus elected the sole-source for follow-on production.

These processes are what I already have referred to as "paper competition." The proponents of parallel undocumented development contend that competition should be sustained further into the development phase. New weapons systems nearly always involve technological advancement, new integration of components, or novel configurations. Furthermore, it is a practical impossibility to visualize from speculative paper the attributes of competing designs—much less the probable cost—and confidently pick the best one. The logic of deferring such a grave decision until more unknowns are resolved seemed compelling to the Comptroller General.

Events of the last 10 years have shown us, Mr. President, that contractors respond to paper competition with more paper: Tons of data and drawings, elegant representations, sumptuous brochures, and other displays. Many people feel that some contractors succeed in buying in by outdoing the others with allurements of superior performance, lower prices, better schedules, and what is referred to throughout the industry as gold plating. I expect that some contractors buy in inadvertently because the paper exercise provides only a dim view at best of what detailed production drawings or test articles will reveal. A contractor's promises about complicated hardware that has never been built are simply not verifiable at this stage.

Mr. President, there are some indications that when this brief but very lively contest is over, the winning contractor's top talent is sometimes replaced by second stringers who actually carry through the contract. This gives the impression that the emphasis now is on brochuremanship and not on quality production.

The concept of parallel undocumented development has as an essential element the creation of operable prototypes, or "flyaways," before production commitments are made. The Comptroller General pointed out that this element is dependent on the premise that there can be no valid assessment of performance, price, or reliability—much less confidence in the design—unless physical particles are demonstrated and tested.

For example, a new Air Force fighter, the F–15, now is in the contract definition stage. It has not been prototyped, it has not been flown, it will be a product only of paper competition unless plans are drastically changed.

Mr. President, I would be the first to agree that leadtime in weapons acquisition is quite important, but I suggest that this factor has been overemphasized by those who are opposed to prototyping. They say that prototyping takes too much time, that development time is already very long with the present system. They say that it takes time to build several prototypes and to test them, and to redesign when improvements are suggested.

I suggest that the time element may not be as important as has been indicated in the past. I agree with those who argue that the military services sometimes overstate the urgency of their programs. Urgency in development probably is one of the leading causes of the cost overruns of recent years. As a result of this urgency, the technique of "concurrency," that is, production which is simultaneous with development, has been used. One element of concurrency is the element of telescoping development planning. This brings about the paralleling of planning events, even though many knowledgeable authorities indicate that these planning events are best conducted in sequence. Telescoping brings about the shortcutting of such events as component reliability tests, environmental tests, and other qualifying steps.

Mr. President, I agree with those who suggest that time might be saved by prototyping because proven hardware boosts confidence in the design of a weapons system. I am not surprised to hear it argued that when a design has been approved, production commitments can be made with a greater confidence that substantial design changes will not appear later to cause further delays.

It is argued in the Pentagon that prototypes are very costly. High-priced contractor and Government staffs must stand by while prototypes are tested and evaluated. Fears are expressed that the testing which is involved in prototyping may add as much as a year or even more to the development time. But, Mr. President, I agree with the Comptroller General that if a billion-dollar failure can be avoided by the early test of hardware, the cost of prototyping is not significant.

If a concept is poor and is canceled out as a result of prototyping, this is much less expensive at this stage than it would be after contracts are signed, production lines are set up and the time of initial operational capability has arrived.

Furthermore, I suggest that the cost of a product is going to be much more visible after prototyping than it can possibly be at the end of the present contract definition phase. I believe that this is probably one reason why we have experienced these huge cost overruns. Very probably, there has been some rather tenuous cost-estimating in the contract definition phase as we know it.

Mr. President, if two contractors were undertaking the design of a system, working in a competitive environment, building prototypes, knowing that only one would be awarded the ultimate contract for the manufacture of the system, I believe this would provide the strongest possible inducement to design a system that is economical to manufacture and to operate. I believe that this competition would be good for the military and good for the taxpayers.

During our hearings, representatives of the Comptroller General gave the opinion that prototyping major subsystems would have caused cost reduction on the C–5A. The Cheyenne helicopter—now canceled—they said, could have been a parallel development with two prototypes produced by competing contractors. The Comptroller General's staff felt that this would have given greater visibility as to costs—and the cost estimates would have been more valid. They felt also that it would probably have been useful to prototype the TFX, where production costs have been quite high compared to development costs.

Certainly I agree that "fly-before-you-buy" makes sense. I am not at all sure that there is any weapons system, except perhaps a space vehicle, that is so expensive that prototyping would not be a wise technique to use. I suspect that the procurement people are concerned about obtaining funds from Congress for prototyping, which does admittedly involve paying for something you will never use. But I suggest that Congress in the future will be more observant with respect to the early contract phases of important weapons systems. The action last month on the amendment offered by the Senator from Pennsylvania is evidence of this development.

Essential to the concept of parallel undocumented development is the idea that Government-purposed documentation is expensive and inhibits parallel development of hardware. Elimination of this could balance the cost of prototyping.

Austere development—that is, development that shortcuts or bypasses institutionalized procedures and formalities and requires documentation later of the winner's product only would be used. The Comptroller General's investigation of this aspect turned up no hard information as to how much money could be saved by austere documentation. But estimates are that 20 percent of development costs could be saved if such documentation were not required. There is no doubt that the present documentation techniques substantially increases the cost of developments.

I think also these documentation techniques tend to slow down the development period. It is very interesting that Lockheed developed and delivered the U–2 plane, which became perhaps the world's most famous surveillance aircraft, within 90 days after development was initiated. I understand that General Dynamics developed its Charger aircraft on a relatively undocumented basis, using only corporate funds. Testimony also indicated that the French develop aircraft in this manner.

Those who propose prototyping on a relatively undocumented basis, argue that there is a great deal of waste in early data about procurement, maintenance, support, training, and other factors, because the final system is not yet visible and the design changes are practically certain to occur.

It was brought out in our hearings that the Rand Corp., and some people in industry feel very strongly that with austere development the costs would go down and research and development would be improved enormously. There would be a freer climate for design approaches, for innovations, so that the contractors would feel challenged to do their best. A witness from the General Accounting Office pointed out that the whole competition would be much livelier under an unrestricted research and development climate where each contractor is working under broad general specifications rather than under requests for proposals which are extremely detailed. He pointed out that the RFP for the F–15 aircraft totals about 2,500 pages, a fantastic amount of detail.

It is argued that good engineers design for maintenance reliability and operability, and that documentation during the development stage simply diverts them from the central job of development.

Also, the Government staff presently assigned to a contractor's plants during the development stage could be substantially reduced if austere documentation were the rule. The contractor's liaison staff can be reduced or even eliminated—some of those interviewed by the Comptroller General's staff estimated the liaison ratio as high as 5 to 1. In investigating prototype in France, the Rand Corp., learned that Dassault, which developed and produced the Mirage aircraft, produced a prototype of the Mirage III, regarded by some as the best fighter in the world, with 14 engineers and draftsmen, plus 70 shop fabricators. The military projects staff at Dassault consists of only five to 20 people.

Instead of restricting developers with detailed design specifications, those who favor austerity argue that the developers should be given performance requirements only and should be allowed free rein to try new approaches, find novel solutions, and perhaps accomplish technological breakthroughs. In other words, stimulate creative people to create, rather than disparage their interest and imagination with onerous detailed instructions. Let them see what they are developing: A prototype is a much better energizer of innovation and advancement than designs on paper.

In March 1969 the Assistant Secretary of the Navy, Robert A. Frosch, discussed the question of documentation in a speech. He pointed out that it is a vast waste of time and effort to consider maintainability, reliability, and operability from the very beginning of the process. To have a complete plan for the logistics of the maintenance of a ship that has not yet been designed is ridiculous, according to Secretary Frosch. He referred to overruns in expenditures generated by a complete maintenance and reliability plan for what was no longer the design and had not been the design—of a weapons system—for 3 months.

I suggest, Mr. President, that attention be given to the elimination of plans of this type.

The Comptroller General concluded his study with support of parallel undocumented development as an acquisition strategy for advanced weapons systems, and other military hard goods which first, seek substantial innovation, second, are to be produced in quantity, and third, have a low or moderate ratio of development to total acquisition cost.

He stated these reasons for favoring this concept: First, rival performance of physical hardware can be tested and compared before the production go-ahead decision is made. Second, the overrun problem should diminish because contractors would not be forced to price out manufacturing costs before critical unknowns have been dispelled. Third, two or more design responses to mission requirements can be appraised. Fourth, it should be easier to back away from doubtful design concepts before heavy investments are sunk in them. Fifth, it provides flexibility to respond to new technology and the design can be revised or cancelled before Government and contractor are over committed. Sixth, there should be stimuli to creativity at work in which more innovations may be achieved. Seventh, the competition would tend to stimulate the marketplace; contractors would seek to excel in manufacturing economies and achieve superior reliability, maintainability, and operating cost effectiveness in their competing products.

Mr. President, the Comptroller General calls attention to the fact that there are programs now in early development which may be candidates for competitive prototyping under austere conditions. He mentions the F–15 fighter aircraft, the Subsonic Cruise Armed Decoy (SCAD), and the AX close support aircraft. I have sent a copy of the Comptroller General's report to the chairmen of the Armed Services Committee and the Appropriations Committee in both the Senate and House of Representatives, and have asked that these committees give consideration in particular to this recommendation. I do not suggest that my judgment or the Comptroller General's judgment on this be considered as authoritative, although I call attention to the fact that the Comptroller General's staff interviewed a great many people who are quite knowledgeable in the area before he came to his conclusion.

I think that if the situation is unclear, these committees may wish to obtain a judgment from independent and qualified experts. The Comptroller General suggested that experts from the Office of Science and Technology or experts referred to the committees or to individual members by the Office of Science and Technology might provide valuable and knowledgeable judgments on this question. I commend this point of view to the committees and their members.

It appears that during the next 10 years a total of perhaps $17 billion may be spent on procurement operation and maintenance of the F–15. About 700 planes currently are planned.

The Comptroller General testified that he understood that the proposal made by Rand Corp., last year for prototyping the F–15 has not been accepted by the Department of Defense. He did not know how much detailed consideration was given to this recommendation, nor do I know. I would hope, however, that further consideration will be given to the possibility of prototyping this most important aircraft in view of the huge sums involved over a long period of time. I can understand how there would be substantial costs, in terms of development, which would have to be financed if this proposal were adopted. Over the long term, however, substantial sums might be saved and a superior performance for this aircraft might be gained if there were a prototyping technique used now. Add to this the possibility of prototyping with only austere documentation, and it seems to me that there is a real possibility of doing the Nation an important service.

I invite attention to the fact that the Comptroller General has suggested that prototyping is useful where there is a low-to-moderate ratio of development costs to total cost. He cited, as an example, a weapon, such as an advanced fighter aircraft, that will be needed in substantial quantity over a period of years and will remain in the defense inventory 15 to 20 years or more. He said to us:

> Life cycle costs are the ones that really count. Competition on performance and price during development can affect billions of dollars of future outlays. But if competition is absent in initial development, it is forever lost.

Mr. President, it is clear from the Senate's consideration of Defense authorization bills that a harder look at the Defense Department budget and in particular at the sums being allocated for the purchase of weapons systems is now ac-

cepted. I believe that in the post-Vietnam period, which we hope is not far away, defense costs can be cut without damaging the national security. If we do not find ways to do that, the Defense budget can rise to more than $100 billion during the next few years.

Prototyping, then, and in particular the concept of parallel undocumented development, can contribute to the national security and welfare. If we can reduce the military budget, and add the billions we should save by this process to our expenditures for our domestic programs—transportation, housing, pollution, and many others—we will have taken, indeed, a giant step for mankind.

SENATOR EVERETT McKINLEY DIRKSEN

Mr. HOLLINGS. Mr. President, our hearts are a little empty today as we pay tribute to one of the greatest Senators and truly great Americans who ever graced this Chamber with his presence. Everett Dirksen, as much as anything, was a Senator's Senator and as such was respected by everyone who met him. Senator Dirksen's mark on history will be recorded not so much for his stand as an unflinching Republican leader, but as a man who was able to see needs and fulfill them, see trends and interpret them, see humor in serious problems and lighten our load with his quick smile and ready wit. As a politician, he was without peer. But I think what endeared him to most of us was his humanity, his gentleness, and his everlasting spirit. The Senate will not be the same without him because no one can fill his shoes. To many of us, Everett Dirksen symbolized what is great about the U.S. Senate. He had the affection of his fellow Senators and the admiration of the American people. The last page has been turned in one of the unique chapters of American political history. I fear we will not see his equal for a long time to come.

THE INTERNATIONAL CANCER CONGRESS TO MEET IN HOUSTON

Mr. YARBOROUGH. Mr. President, I invite the attention of the Senate to the 10th International Cancer Congress, to take place in Houston, Tex., in May 1970. The congress is sponsored by the International Union Against Cancer, a nongovernmental voluntary organization dedicated to control of cancer. Seventy nations are represented in the International Union.

Its hosts in Houston next May will be the National Academy of Sciences and the University of Texas M. D. Anderson Hospital & Tumor Institute.

This meeting of research and cancer control organizations from all over the world will bring together the world's knowledge on the causes and treatment of this still unconquered threat to human life. It will also afford a perspective on the avenues of further investigation that are most promising in leading to cure and prevention of this disease.

The choice of the M. D. Anderson Hospital & Tumor Institute as a host to the Congress is highly appropriate.

While the hospital is devoted to care of cancer patients, the institute is devoted to basic medical research and medical education. Its current clinical investigations seek the cause of cancer, its diagnosis, and the effect of various treatments.

As chairman of the Subcommittee on Health, I look forward to the session of the Tenth International Cancer Congress and its conclusions. The war against cancer is one of the great unfinished wars of medical science. To find the means of controlling cancer deserves to be one of the goals of the decade of the 1970's, and it is not a goal only for Americans, but for all mankind.

SENATOR EVERETT McKINLEY DIRKSEN

Mr. McGEE. Mr. President, our flags are at half staff for a great American and a great public servant. I dare say the Senate of the United States has lost one of its all-time favorites with the death of Everett McKinley Dirksen. Commentators are recalling that Senator Dirksen, who often allowed as how he had aspired to a career as an actor, provided a dash of theatrics to the national capital scene. Indeed, he did, and he was probably more beloved for doing so.

To those of us who worked with Ev Dirksen, however, there is much more to remember than his flamboyant eloquence. It masked but could not hide a serious dedication to this country and its people. It was the finishing touch to a thorough and wily knowledge of parliamentary maneuver—a skill in which Ev Dirksen was unmatched.

Senator Dirksen was not without honors, of course. As the leader of his party in the Senate, he proved an able, articulate spokesman and a capable tactician. We who live on the other side of the political fence, however, remember well that Ev Dirksen's philosophy could not abide blind opposition for opposition's sake. We can recall that his word was his bond and that his graciousness was as great in defeat as it was in victory. And we know well that one never dared count him out until all the votes were in, for he was tenacious, adaptable, convincing, and persuasive.

Ev Dirksen's passing is hard to believe and harder to accept. It will be difficult to replace him and, no doubt, impossible to do so in kind. This great Capitol itself has taken on a new historical presence and will echo the distinctive voice of the Senator from Illinois for thousands upon thousands of Americans from this day on.

Ev Dirksen's passing, then, is like a death in the family, for the Senate and for the entire country. With my colleagues, I mourn his loss, and particularly grieve for his widow and his daughter, the wife of our distinguished colleague from Tennessee (Mr. BAKER).

ANOTHER CALL FOR A BAN ON DDT

Mr. NELSON. Mr. President, at the 47th convention of the Izaak Walton League of America this summer in Cincinnati, Ohio, the league delegates unanimously approved a resolution supporting a national ban on the use of DDT and related persistent chemical pesticides. I ask unanimous consent that the league's resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

THE IZAAK WALTON LEAGUE OF AMERICA RESOLUTION CALLING FOR A BAN ON DDT

Whereas, the use of DDT and like persistent chemical pesticides have an adverse effect on most forms of life and seriously threaten the quality of the environment; and

Whereas, other pesticides and control measures have been and are being developed which do not have such effects;

Now, therefore, be it resolved, by the Izaak Walton League of America, in convention assembled at Cincinnati, Ohio, this 10th day of July 1969, that it supports enactment of legislation to ban the use of DDT and like persistent chemical pesticides.

UCLA FOLKLIFE CENTER ENDORSES S. 1591

Mr. YARBOROUGH. Mr. President, as I have stated on numerous other occasions this year, I feel that the preservation of our rich and varied folk culture is a matter of great urgency. Last spring, I introduced S. 1591, a bill to create an American Folklife Foundation which would be charged with preserving this valuable heritage.

Recently, I received an endorsement of this proposal from Mr. Wayland D. Hand, who is the director of the Center for the Study of Comparative Folklore and Mythology at the University of California at Los Angeles.

Mr. President, I ask unanimous consent that the letter from Mr. Wayland D. Hand, dated August 5, 1969, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNIVERSITY OF CALIFORNIA,
LOS ANGELES,
Los Angeles, Calif., August 5, 1969.

Senator RALPH YARBOROUGH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR YARBOROUGH: I should like to give my wholehearted support to you in your efforts to create The American Folklife Foundation, as provided in S. 1591.

Your statement on the need for The American Folklife Foundation, as contained in the CONGRESSIONAL RECORD under date of Thursday, March 20, 1969, is admirable indeed and I compliment you on the fine perception you have shown and the means you set forth for the conservation and study of America's wonderful folklore heritage.

I am sure that the professional folklorists throughout the country will rally behind you, and if there is anything I can do to help, please let me know.

Yours sincerely,

WAYLAND D. HAND,
Director.

SENATOR EVERETT McKINLEY DIRKSEN

Mr. PASTORE. Mr. President, the whole world was shocked into sadness Sunday by the unexpected death of U.S. Senator Everett McKinley Dirksen.

For the whole world had a deep affection for this great orator—this "old-

fashioned American" as he liked to call himself—distinguished statesman as we knew him—and the stanch friend it was a privilege to possess through these 19 years of his and my Senate service.

With the Dirksen eloquence absent from this Chamber, the Senate cannot be the same. And we shall miss his priceless wit and wisdom.

His was a voice to charm, speaking out of a heart of courage and compassion. His was a kindness to encourage the ambitious—to understand and assist the weak—and not desert them.

His was a senatorial wisdom geared to the security of his country that he had served in uniform. His was a gift to contribute commonsense to a worried land—a land that loved him personally regardless of party.

Everett McKinley Dirksen believed—as he said—in the Declaration of Independence and the Constitution of the United States.

He understood the challenges of our changing times—and he met them. He could talk down the high and haughty, and he could speak up for the underdog.

Great legislation of our time, more often than not, owed its enactment to the patriotic commitment of this man.

Each of us has a precious memory of his helpfulness. An aisle might divide us on issues, but no aisle divided the innate decency of this man—always the gentleman—ever the friend.

Many voices in many tongues will speak the eulogy of Everett McKinley Dirksen, and history will write the epitaph for this powerful figure of his times.

So—humbly—we shall speak of him as an old-fashioned American, with a love of family that inspired decency, a love of country that inspired dedication, grateful for freedom's blessings—concerned that these blessings might be preserved and shared by all—an able advocate of the American dream and the American destiny.

Out of our hearts we speak our sympathy to his dear ones—those who had the special fortune intimately to love him—and intensely to be loved by this good man.

PRESIDENT NIXON SHOULD GRASP THIS GREAT OPPORTUNITY TO ACHIEVE PEACE

Mr. YOUNG of Ohio. Mr. President, the decision to agree to a 3-day cease-fire in Vietnam to mark Ho Chi Minh's death offers President Nixon a new opportunity to make a fresh beginning toward bringing about peace. He missed that opportunity when he took office this last January. Now, the death of President Ho Chi Minh, with its incalculable impact on North Vietnam, gives him an unexpected opportunity to hasten peace in Vietnam and to enable us to withdraw our Armed Forces. The VC announced a cease-fire during a period of 3 days. I propose that President Nixon announce that we Americans not only favor a cease-fire for 3 days but propose that both sides stop all offensive action and that we have a cease-fire throughout the entire month of September. Thieu and Ky who could not remain in control in Saigon without the support of our Armed Forces will oppose this. Their militarist regime represents but 20 percent of the entire population of South Vietnam. President Nixon should not let this militarist tail wag the dog.

During this period of mourning, U.S. commanders in South Vietnam have been ordered to fall back to defensive positions where this is feasible, to avoid casualties and to withhold support from South Vietnamese troops. By announcing that this cease-fire will continue throughout September and perhaps longer, President Nixon has a golden opportunity to make it clear to the new rulers in Hanoi that the United States sincerely desires an end to the fighting in South Vietnam. I am hopeful that the President will take advantage of this new chance that has been opened to him in the search for peace in Vietnam.

The most important question at this time is not what happens next in Hanoi, but rather what occurs here in Washington. To make the most of his second chance the President will have to instigate changes in his policy of troop withdrawal and in his attitude toward the Saigon militarist regime.

Of course, the Saigon militarist regime headed by Thieu and Ky will strenuously object to any extension of the cease-fire or to any change in our policy, just as they originally refused to accept a 3-day cease-fire. The fact is that these tinhorn dictators could not remain in power for more than 3 days without the support of our Armed Forces. They are well aware of the fact that once there is peace in Vietnam, they will be forced to flee and to join their unlisted bank accounts in Hong Kong and Switzerland.

The much heralded withdrawal of 25,000 troops from Vietnam has been moving at slower than a snail's pace. At best, it was a mere token gesture. Our total troop level in Vietnam is now only about 2,500 below what it was when President Nixon was inaugurated on January 20, 1969.

Under President Nixon as our commander in chief, at this time we are maintaining more than 587,000 of our Armed Forces in Vietnam, Thailand, and offshore from Vietnam. Furthermore, unfortunately, from January 20 to September 4, 1969, 61,159 Americans have been killed and wounded in combat. At the same time 45,920 so-called friendly forces—too friendly to really fight—of South Vietnam have been killed and wounded.

At the present rate of withdrawal a couple of hundred of years could elapse before we finally withdraw from that ugly civil war in Vietnam. The administration policy remains one of talking withdrawal, but not acting on it. It is obvious that Ambassador Bunker, who is subservient to the regime of Thieu and Ky, and American military leaders in Saigon, have been successful in their efforts to slow down or completely halt the pace of withdrawal.

The facts are that the Nixon administration has not really applied pressure to Thieu and Ky to put together a broad-based regime including all political elements in South Vietnam. On the contrary, Thieu recently formed a new regime remarkable for its narrow base and lack of popular appeal. After months of talk about broadening his government during which he was unable to attract a single representative of any forces except the military clique which he himself represents, Thieu has eased out Prime Minister Huong and replaced him with yet another general representing that same militarist clique.

If there is ever to be peace in Vietnam, it must be based on compromise. It is clear that Thieu will not move in that direction unless President Nixon compels him to do so.

Ho Chi Minh's death and the agreed-to 3-day cease-fire offer the President a chance to break the deadlocked Paris negotiations. It is anticipated that for a period of from 6 to 8 weeks there will be a lull in VC activity while Ho's successors form a new government and establish themselves in power. While it is too early to know what the attitude of these men will be, we may reasonably hope that they will be less intransigent than Ho, who demanded what appeared to be unconditional surrender by the United States.

If the administration is sincere in its desire to end our involvement in Vietnam and to withdraw from that ugly war, then extending the 3-day cease-fire to at least a month can be the beginning of that effort. We have nothing to lose. We have everything to gain.

THE PESTICIDE PERIL—XLV

Mr. NELSON. Mr. President, the threat to our environment from the continued use of persistent, toxic pesticides should be of concern to every individual in the United States.

It was 7 years ago that Rachel Carson first brought this controversy into full public view when she warned in her book, "Silent Spring," that the world environment would quickly become despoiled by pesticides that persist and accumulate in the environment. However, it has only been in the last year that public pressures have finally brought about some significant action in providing improved controls. Since the beginning of this year, when Sweden became the first country to ban the use of DDT, Denmark and the States of Michigan and Arizona have also taken steps to ban this pesticide. Many other countries and States of our Nation are at present considering measures to restrict and regulate DDT and related persistent pesticides.

Citizens of New Jersey have particular reason for alarm. This summer, the U.S. Department of Agriculture revealed that Newark Airport and McGuire Air Force Base were among 56 U.S. military and civilian airports which have received massive applications of dieldrin, a pesticide 40 to 100 times more toxic than DDT, during the past decade to safeguard against exotic species of potentially harmful insects coming into the United States from overseas.

This news sparked a major conservation dispute which resulted in the Department of Agriculture announcing a

30-day halt to all its pesticide program pending further study. After the expiration of the 30-day investigation, the Department announced that the use of certain pesticides would be restricted in the agency's Federal-State pesticide control programs. However, the agency unfortunately decided to delay action on its pest control programs at airports and is still giving the matter further consideration.

Two articles written by James M. Staples, and published in the Newark, N.J., Evening News, report on this matter. I ask unanimous consent that they be printed in the RECORD together with another article by Mr. Staples reporting on the findings of a 2-year survey by the U.S. Bureau of Sports Fisheries and Wildlife which revealed the presence of DDT in 584 of 590 samples of fish taken from 45 rivers and lakes across the United States.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

ADMIT PESTICIDE USE AT NEWARK, MCGUIRE

(By James M. Staples)

Newark Airport and McGuire Air Force Base are among 56 U.S. military and civilian airports which have received massive applications of dieldrin, a highly toxic pesticide, during the past decade, an official of the U.S. Department of Agriculture said today.

The latest in a growing number of national controversies over continued indiscriminate use of pesticides, the dieldrin revelation brought shocked protests from conservationists.

An Agriculture Department spokesman in Washington said the new dispute has brought a temporary halt in the dieldrin treatments around airports, pending discussions with "concerned parties."

He said the reasons for the heavy dieldrin dosages are to safeguard against exotic species of potentially harmful insects coming to the United States from overseas, and accidental transfer of American pests, such as the Japanese beetle, abroad or elsewhere in this country.

Like DDT, dieldrin retains its chemical identity for years in the natural environment. Scientists say that both chemicals, members of the family of chlorinated hydrocarbons, break down gradually under natural conditions into other chemical forms which often are as dangerous as the original materials.

MORE TOXIC THAN DDT

"Dieldrin is from 40 to 100 times more toxic than DDT," said Roland Clement, executive vice president of the National Audubon Society, New York. "It's use in such concentrations and in such a widespread way is an outrage."

U.S. Sen. Gaylord Nelson, D-Wis., a leader in campaigns to ban use of DDT and related pesticides like dieldrin, revealed 56 airports had been blanketed with the latter chemical. He renewed his appeal today for a ban on pesticides in the DDT family.

Nelson also noted that a pending Agriculture Department recommendation that DDT no longer be applied by air anywhere it can wash into waterways, lakes or estuaries "is merely a step in the right direction . . . but not enough."

Donald Shephard, director of the Agriculture Department's plant pest control division, confirmed the Newark and McGuire treatments, which "are considered still effective." He said his department considers five to seven years as the "effective" period after application of three pounds of granular dieldrin per acre.

"The dieldrin in this form is too heavy to blow in the wind, and is always applied by hand or machine—never from the air—in order to insure its being restricted to the target zone," Shephard said. "We concentrate on areas where cargo planes are loaded and unloaded, plus a larger perimeter area where insects could escape into the grass."

Such use of dieldrin has been blamed for a recent fish kill in Little Creek, a stream which receives runoff from Dover Air Force Base in Delaware.

A Delaware state official who requested anonymity said that he understood that dieldrin was applied over most of Dover Air Force Base just prior to a heavy rainfall on June 14–15. The fish kill occurred on June 16, involving mainly catfish and eels, two of the toughest species of fish known.

Chemical analysis of the water in Little Creek was performed in Delaware, proving that metallic compounds were not present in enough strength to be responsible. A similar kill several years ago was traced to metal plating wastes washing into the stream from aircraft maintenance shops at the air base.

Samples of the dead fish and eels were packed in dry ice and sent to federal water pollution control laboratories in Edison and Cincinnati, Ohio, for pesticide testing which is still underway.

Ecologists and conservationists are mounting a growing attack on DDT, dieldrin and other chlorinated hydrocarbons. Recent studies have shown that DDT remains in microscopic particles which wind and rainfall have carried to all parts of the earth.

Even penguins in Antarctica contain DDT in their bodies, according to one investigator. Others have proven that many species of birds such as hawks and eagles are becoming extinct because DDT causes eggshells to be so weak from lack of calcium that eggs are crushed by the mother's weight during incubation. Others report that humans are potentially endangered by genetic damage caused by such pesticides.

Frank McLaughlin, executive director of the New Jersey Audubon Society, which is unrelated to the National Audubon Society, said, "This is horrible. It's poisoning our whole environment. Compared to dieldrin, DDT looks like baby food."

AIRPORT PESTICIDES BAN IMPOSED PENDING REVIEW OF U.S. POLICY

(By James M. Staples)

A U.S. Department of Agriculture official said yesterday that massive usage of dieldrin and related pesticides at public and military airports will be halted for 30 days, pending a review by the Interior Department.

A major conservation dispute was touched off two weeks ago when it was revealed that Kelly Air Force Base in Texas was to receive a massive application of dieldrin to safeguard against the spread of insects which might arrive from overseas.

Objections of conservationists halted the scheduled Texas application, but U.S. Sen. Gaylord Nelson, D-Wis., later revealed that 56 airports, including Newark and McGuire AFB in New Jersey, had already undergone dieldrin treatment during the last decade.

Donald Shephard, head of the plant pest control division of the agriculture department, said, "We are reviewing our treatments and putting down on paper all the possible alternatives, along with their advantages and disadvantages. Then we will consult with the Interior Department to draw out views of ecologists and other experts there."

Shephard said the airports received the strong pesticide applications to keep foreign pests from gaining a foothold here, and to keep problem insects from being carried from one part of the United States to another.

NO RECENT USE

McGuire AFB near Trenton was originally tested with dieldrin. But, chlordane has been used on the 5,000-acre air base since 1963, an Air Force spokesman said.

Dieldrin was used from five to seven years ago at Newark, LaGuardia and Kennedy airports, said a spokesman for the Port of New York Authority, which owns and operates them.

"The U.S. Department of Agriculture wanted it done, we paid for the chemical and they applied it. None has been applied since those initial doses," said the PA spokesman.

Shephard confirmed that some public and military installations have received chlordane or heptachlor treatments because of local conservation problems.

Sunlight tends to break down chlordane and heptachlor quicker than dieldrin, he noted.

Because chlordane is less toxic than dieldrin, the agriculture department experts say it should be applied at the rate of 10 pounds per acre to equal the potency offered by three pounds of dieldrin.

Being shorter-lived than dieldrin, chlordane must be applied more often and thus represents a more expensive protection, the same authorities said.

Dieldrin, deemed from 40 to 100 times more toxic than DDT, and heptachlor are among five chlorinated pesticides which the National Audubon Society has said should be banned. Others on the list are DDT, aldrin and endrin.

Chlordane is a similar pesticide which the National Audubon Society advises be used only by professional applicators under conditions of exceptional need. In this category, established by Audubon, are three other pesticides: BHC, endosulfan and toxaphene.

Audubon officials cite the near extinction of the bald eagle, falcon and osprey as examples of the effects of the chlorinated hydrocarbon pesticides, such as DDT. They retain their chemical identity 10 or more years and are passed upward from lower to higher orders of creatures through their food supplies.

Enzymes produced in hawks and eagles to combat the effects of the pesticides cause the cutting of calcium supplies, resulting in thin eggshells which collapse under the weight of incubating mothers.

The effects of such chemicals in humans are still debated, but recent Russian research suggests that effects are noticeable only after about 15 years of exposure, an Audubon spokesman said.

It is known that every human carries concentrations of DDT dissolved in his body fats, making research difficult because there is no comparison with DDT-free humans.

A recent incident at Dover AFB in Delaware is being cited by conservationists. Little Creek, which flows through the base, was the scene of an extensive killing of catfish and eels. State officials blame the use of dieldrin at the base.

Although less dramatic and of less direct concern to humans, the Dover incident in being compared by naturalists with last year's biological accident in Utah. About 6,000 sheep were killed when winds carried deadly nerve gas outside an Army testing area.

"It happened that a heavy rain hit after Dover AFB received an application of dieldrin pellets. This caused poisoned water to drain into Little Creek. It rained June 14 and 15, and the fish were killed on the 16th," said a Delaware official.

PESTICIDES' TOLL ON U.S. WILDLIFE CONFIRMED

(By James M. Staples)

A white perch taken from the Delaware River near Burlington contained the highest concentration of DDT of any fish found in

the United States during a two-year federal survey, according to a government paper.

It contained 45.27 parts per million. The U.S. Food and Drug Administration recently set five parts per million as the maximum DDT amount in fish which is considered safe for human consumption. The parts per million measurement is the ratio of pesticide to body weight.

The report has prompted the Delaware River Basin Commission to request its fish and wildlife technical assistance committee to evaluate the pesticide pollution in the river and its tributaries. The committee is an advisory group of fish biologists from New Jersey, New York, Pennsylvania and Delaware.

The survey by the U.S. Bureau of Sports Fisheries and Wildlife during 1967 and 1968 showed DDT in 584 of 590 fish taken from 45 rivers and lakes.

It also showed high concentrations of dieldrin, a close but far more toxic chemical relative of DDT, in Delaware River fish. The highest single dieldrin reading came from yellow perch in the Connecticut River.

ESTABLISHMENT BASE READINGS

A bureau spokesman said the samplings were taken in February and September of 1967 and 1968, and are to be continued to measure differences from the base established those two years.

The Burlington site was the only sampling location in the Delaware River. The Hudson River, which also showed high pesticide readings, was sampled at Poughkeepsie, N.Y.

Sen. Gaylord Nelson, D-Wis., revealed the content of the bureaus survey. It is scheduled for government publication in September.

Nelson said, "The study confirms . . . Rachel Carsons assertion in 1963 that there will be an environmental disaster unless this is quickly brought under control."

Similar studies are being completed for ducks and starlings.

One spokesman said New Jersey is just about the last state in the Northeast to persist in using DDT for mosquito controls, which might account for the unusual concentration of that pesticide in the Delaware River fish."

USED ON TOBACCO CROPS

He said the dieldrin concentrations in Connecticut River fish probably could be traced to its use on tobacco crops along that river's shores.

In addition to DDT and dieldrin, the study included aldrin, chlordane endrin, lindane, heptachlor, heptachlor explode and toxaphene. Dieldrin is considered from 40 to 100 times more toxic than DDT.

All are chlorinated hydrocarbons, which ecologists and conservationists charge retains their chemical identities for many years after application, threatening many species of birds and may be endangering man.

Fish, birds, animals and humans build up concentrations of such pesticides in their body fats. It is estimated that every American carries 12 parts per million of DDT in their bodies. Once introduced into the environment, the chlorinated hydrocarbons are borne by winds and water throughout the world.

They accumulate in bodies of microscopic creatures and their concentrations increase as one species devours another. Thus ospreys, eagles and gulls build up higher concentrations than are found in any fish they may eat.

From five to eight white perch were sampled at Burlington each of the four times. DDT concentrations were February 1967, 31.72 PPM (parts per million); September 1967, 36.73 PPM; February 1968, 45.27 PPM, and September 1968, 34.12 PPM.

Dieldrin concentrations in white perch from the Delaware, for the corresponding periods were .81, 1.24, .22 and 25 PPM. The Food and Drug Administration's safety limit for dieldrin in fish is only .3 parts per million.

For the Hudson River, the highest single DDT reading was a goldfish, with 14.4 parts per million, in February 1968.

Spokesmen for the Bureau of Sports Fisheries and Wildlife emphasized that the limited testing done so far has failed to turn up any national seasonal trends in pesticide concentrations. They said also that some slight variations in findings could have resulted from analysis being made by more than one laboratory.

Delaware River fish samplings also included catfish and suckers, neither of which had readings as high as the white perch. It was noted that the perch eats other fish and insects while the catfish and suckers are "bottom feeders" consuming tiny life forms which are lower on the food chain.

Another important factor is that the perch carries more fat in its body than catfish or suckers.

The federal survey found DDT also appeared in concentrations of more than five parts per million in Cooper River, South Carolina; St. Lucio Canal and Apalachicola River in Florida; Tombigbee River, Alabama; Rio Grande River, Texas; Lake Ontario, Lake Michigan, the Illinois River in that state; the Arkansas and White Rivers. Arkansas, and the Sacramento River, California.

Dieldrin samplings of more than .3 PPM also appeared in the Savannah River, Georgia; the Apalachicola, Tombigbee, Rio Grande, Illinois, Arkansas and White Rivers, plus the Red River, Minnesota; San Joaquin River, California; Rogue River, Oregon, and Lakes Ontario and Huron.

THE 350TH ANNIVERSARY OF THE LANDING OF FIRST NEGROES AT JAMESTOWN ISLAND, VA.

Mr. SPONG. Mr. President, the first Negroes landed at Jamestown Island in Virginia 350 years ago and this significant event in our Nation's history will be commemorated at ceremonies at Jamestown Festival Park on Sunday, September 21, at 3 p.m.

Few Americans, I expect, realize that the Negroes' roots run so deeply in this country or that persons of African descent arrived so early at Jamestown, where our Nation was born.

The principal speakers at the commemoration ceremonies will be Dr. Charles H. Wesley of Washington, D.C., who is executive director of the Association for the Study of Negro Life and History, and Dr. Samuel DeWitt Proctor, Sr., dean of the Graduate School of Education at Rutgers State University, New Brunswick, N.J.

Both Dr. Wesley and Dr. Proctor are educators, authors, and former college presidents. Dr. Wesley has been the president of Wilberforce University and Central State College, both in Ohio. Dr. Proctor is the former president of Virginia Union University in Richmond, Va., and A. & T. College in Greensboro, N.C. In addition, Dr. Proctor served a tour of duty as association director of the Peace Corps in Washington.

The Commonwealth of Virginia will be represented at the commemoration program by Lt. Gov. Fred G. Pollard.

The committee for the commemoration of the 350th anniversary of the landing of Negroes at Jamestown consists of a number of Virginians who are prominent in both the Negro community and the business and professional life of our State. In planning the program at Jamestown, they have set four objectives, which are as follows:

1. To contribute to the development of a healthy pride and respect among Negroes and Americans generally for our forebearers of African descent.

2. To promote historical accuracy as to the struggles of the American Negro to achieve his rights as a person and as a citizen of the United States.

3. To apprise the public of the contributions of Negroes to the life, technology and culture of Virginia and of the United States.

4. To stimulate interest in the erection of a suitable marker in honor of the arrival of these persons of African descent.

Mr. President, I am confident much thought and hard work has gone into the planning of a program of this type and I hope it will contribute to a greater understanding by all Americans of our rich, historical heritage.

The steering committee for the commemoration program is composed of W. Lester Banks, P. B. Boone, Oliver W. Hill, Esq., Mrs. Helen Howard, Dr. Walker Quarles, Rev. Melford Walker, S. W. Tucker, Esq., and Dr. J. Rupert Picott.

Other committee members are:

W. E. Barron, Paul S. Bell, Raymond H. Boone, John M. Brooks, Charles E. Brown, Theodore N. Burton, C. Clayborne Bush, Mrs. Virginia Carrington, Miss Elaine Carthly, John Culver, Mrs. Mary E. Culver, J. H. Dillard, A. G. Edwards, Melvin W. Elliott, Mrs. Willa Elliott.

Rev. Egbert J. Figaro, Rev. L. Francis Griffin, Sr., David E. Gunter, Rev. Curtis W. Harris, Sr., Linwood Harris, Dr. John B. Henderson, Dr. Thomas Henderson, Dr. Robert M. Hendrick, Jr., Mrs. Beresena Hill, Mrs. Bertie Huggard.

John Q. Jordan, Joseph A. Jordan, Jr., Rev. Calvin C. Knight, Moses D. Knox, David E. Longley, Henry L. Marsh III, Esq., M. C. Martin, William T. Mason, Esq., Rev. Raymond S. Mitchell, David Muckle, Mrs. Bernetta West Munford.

J. Jay Nickens, Jr., Royal A. Patterson, Mrs. Bessie Pryor, Dr. W. L. Ransome, Dr. Wm. Ferguson Reid, R. L. Scales, H. H. Southall, Mrs. Helena Stolls.

Rev. J. B. Tabb, Bernard E. Taylor, Dr. J. M. Tinsley, Clarence Townes, Jr., Mrs. Ruth Valentine. Franklin Waller, Mrs. Pauline F. Weeden, J. B. Williams, Dr. Philip Y. Wyatt.

THE AGLAIAN STUDY CLUB OF GALVESTON, TEX., SUPPORTS 100,000-ACRE BIG THICKET NATIONAL PARK

Mr. YARBOROUGH. Mr. President, the Aglaian Study Club of Galveston, Tex., has adopted a resolution calling for the establishment of a 100,000-acre Big Thicket National Park in southeast Texas. They recognize that unless action is taken to preserve this unique and beautiful wilderness, it will be soon destroyed by the insensitive acts of modern industry.

Not only is the Big Thicket renowned for its rich and diverse plant life, it is important as a natural sanctuary for many species of birds. In addition to the 300 species of birds that live in the Big Thicket year around, the area is a major resting place for countless numbers of migratory birds. It also is the only area in the United States where the legendary

ivory billed woodpecker, once thought to be extinct, may be found.

Unfortunately, the Big Thicket is disappearing at the rate of 50 acres per day. We must act now if we are to save this natural wonder for the enjoyment of our people and future generations.

Mr. President, I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas, the Big Thicket of Texas is a meeting place for eastern, western and northern ecological elements; and

Whereas, this is the last stand in Texas of the nearly extinct Ivory-billed Woodpecker; and

Whereas, this beautiful and unique area is rapidly being destroyed by bulldozer and chain saw; therefore

Be it resolved that The Aglaian Study Club of Galveston, Texas, urges the preservation of at least 100,000 acres containing the most unique areas of the Big Thicket, these areas to be connected by environmental corridors; and

Be it further resolved that the Interior and Insular Affairs Committee of the Senate of the United States be requested to set immediate hearings on S4 which would create a Big Thicket National Area.

Mrs. R. L. MONTGOMERY, Jr.,
President, Aglaian Study Club.

PROTECTION OF FOREST LAND

Mr. METCALF. Mr. President, I had occasion recently to read an excellent editorial in the Western News, a fine weekly newspaper published in Hamilton, Mont. The editorial calls for the protection of land that has been set aside for forest land and should, in my opinion and in the opinion of Western News Editor Miles Romney, remain set aside.

I think the editorial states in a poetic way the concern of a man who hopes that a part of our past should be preserved so those in the present and future may enjoy it. I agree wholeheartedly with Mr. Romney's comments, and recommend the editorial to those who care about our heritage. I therefore ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LOOKING FOR PREY FROM UP IN THE AIR

The eagles fly high in great circles. Often a single eagle is soaring through the air, another time a pair, and sometimes a family. They revolve in great patterns. Often the giant bird seems to float through the air, hardly moving a feather in its widespread wings. It rides upon the air currents and for minutes moves not a wing.

Again this bird exerts itself in flight with a number of wing strokes which propel it as it desires into another pattern of circular soaring. It is a remarkable sight. No wonder that man watched these giant birds and yearned to fly himself—and finally did!

It may be a long time but at some point in the eagle's flight the soaring ceases and the bird drops toward earth like a bullet, a living bomb of feathers following two sharp talons which have uncanny ability to strike, kill and hold some prey which the sharp eyes of the eagle has discerned when it was soaring aloft.

That is the eagle's mission in life, to sight, catch, kill and provide the prey as food for itself and its young. The mastery of the air which led us to watch the bird with awe, marveling at the precision and beauty of its flight, is but part and parcel to maintaining life for its kind, keeping a ratio between the various types of life, and doing this through its ability to see that which is below upon earth to its personal advantage. It is not putting on a show just to win plaudits from admiring humans.

Last week two turbo-prop airplanes carrying 18 members of a so-called land use committee of the Western Forestry and Conservation Assn. and about ten U.S. Forest Service officials, flew over the Bitter Root and other parts of the northwest. The planes carried their passengers over not only the Bitter Roots but the Idaho Primitive Area, the White Clouds area of the Stanley National Forest, the Seven Devils Scenic Area of the Snake River, the Sawtooth Primitive Area, the middle fork of the Salmon River, the Magruder Corridor, and along the east side of the Selway-Bitter Root Wilderness Area.

The members of the association are concerned about the withdrawal of lands from multiple use said one of their spokesmen.

It might be asserted the group were concerned also with looking for prey upon the face of the earth covered in form of the remaining bits of the national forest purportedly owned by the public. While they did not plummet to earth, like the predatory eagle, they may see fit to return to the areas visited again in another manner. There is reason to wonder if the forests possess any protectors of that national reserve created during the Cleveland administration, amplified during the administration of Theodore Roosevelt, held in reserve for whom, until the bulk of privately owned timber was exhausted?

There is no quarrel with the legitimate harvest of timber but by the same token there should be no quarrel with preserving a small segment of the what was once a vast forested area in this nation, for the uses of the masses of Americans who in theory are the owners of the property. Multiple use forsooth, what use remains of the ravaged carcass of the rabbit once it becomes the prey of the eagle?

SECOND NATIONAL AIR EXPOSITION

Mr. CANNON. Mr. President, for 3 days last month the National Aviation Club of Washington, D.C., staged the second National Air Exposition at Dulles International Airport.

It was a great air show, and I was privileged to be a member of the National Aviation Day Honorary Committee. It was free to the public, and the public responded. Estimates of total attendance ran over 400,000 for the 3 days.

I compliment the cooperation given the National Aviation Club by the Department of Defense and the Department of Transportation.

This great air show was well described by an editorial published in the Washington Evening Star of August 19, 1969. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DULLES AIR SHOW

Three cheers and an oak leaf cluster to the National Aviation Club and its hundreds of helpers for a remarkably well-done job of organizing and staging the weekend's air show at Dulles.

It may be no match for the Paris Air Show as yet, but the operators are on the right track.

Of course, the airplanes and accessories on display were impressive, and the aerial demonstrations fascinating. But in many years of air show watching, never have we seen one so geared to accommodation of the people in the stands. First aid stations and lost-children tents were accessible. Announcers actually told you what was going on. There were none of the usual long, dull spells. Traffic control was excellent. There were soft drinks and snacks everywhere. And, best of all, so were rest rooms.

Then there was the grandeur of the technology. Britain's manta-ray shaped Vulcan nuclear bomber and supersonic Lightning fighter. Canada's spectacular forest fire fighting amphibious water bomber. The French navy's Breguet patrol plane. And America's fantastic F–111 in a 700-plus mile per hour pass in front of the stands. Plus all manner of other airplanes and helicopters doing everything aircraft are supposed to and a lot of things they aren't. And right in front of nearly a quarter-million people each day.

But in the end, the show was stolen from even the Navy's Blue Angels. Lockheed stole it with a spectacular performance by the C–5 Galaxy. As the huge craft took off the roar of its engines was almost drowned out by the sighs of astonishment from a crowd that hardly thinned until the aeronautical giant had long disappeared over the horizon.

PUBLIC RAPID TRANSPORTATION TRUST FUND

Mr. CRANSTON. Mr. President, several weeks ago, President Nixon showed that he appreciates the magnitude of the transportation crisis facing the country when he proposed that $10 billion be made available over a 12-year period to assist in the development of an adequate public rapid transportation system in and around America's cities.

However, as I stated at that time, I am deeply disappointed that the President did not propose that the trust fund system be utilized as the means by which the necessary funds would be obtained.

An overwhelming majority of the Nation's mayors and transportation leaders have said that the trust fund offers the best opportunity to insure a constant flow of Federal funds for the development of an adequate public transportation system.

The Federal highway system, which is funded by the use of a trust fund, has been a tremendous success insofar as financing is concerned.

I believe we must utilize a similar type of trust fund to finance the development of a desperately needed public transportation system.

Clearly, the adoption of the trust fund method of financing would enable mayors and other local officials concerned with providing adequate public transportation to plan their programs with greater confidence and flexibility.

With this in mind, I have introduced in the Senate legislation which was initiated by Representative KOCH in the House which would establish a trust fund providing $10 billion over the next 4 years to meet the Nation's public transportation needs.

I have also joined the Senator from New Jersey (Mr. WILLIAMS) as a cosponsor of his mass transit proposal which establishes a trust fund providing $1.8 billion over the next 5 years.

Under the President's proposal the mass transit financing would depend on

appropriations by Congress from the general fund. In my view this method of financing the Nation's mass transit needs is clearly inadequate since the availability of funds would depend on the whim of Congress rather than on an independent and assured source of revenue.

My State of California with its large metropolitan areas is particularly in need of Federal assistance for public transportation.

Recently the California Senate and Assembly passed a joint resolution urging Congress to enact legislation setting up a trust fund for the development and support of urban public transit systems.

Additionally, the Los Angeles Times, in commenting editorially on President Nixon's mass transit proposal, strongly endorsed the trust fund concept as the means to assure stable financing for public transportation.

Mr. President, I ask unanimous consent that the joint resolution by the Senate and Assembly of California as filed with the secretary of state on June 25, 1969, and the Los Angeles Times editorial of August 27, 1969, entitled "Transit: A $10 Billion Answer" be printed in the RECORD:

There being no objection, the items were ordered to be printed in the RECORD, as follows:

S.J. RES. 19

Relative to federal funds for urban public transit

Whereas, At the present time, federal participation in urban public transit programs is in no way comparable to the more adequate federal participation in aviation and highway programs; and

Whereas, It is impossible for state and local governments to plan expenditures and initiate programs in the area of urban public transit without having adequate and dependable assistance from the federal level; and

Whereas, A trust fund, similar to that set up for highway programs, which does not depend upon yearly congressional appropriations, is needed for urban public transit in order to allow for planning over a reasonable period of time; and

Whereas, There is now legislation before Congress embracing this trust fund concept and which is a step in the right direction; and

Whereas, It appears that urban public transit is a necessary adjunct to our highway system in California and throughout the nation, as a means of transporting the large populations of certain metropolitan areas; and

Whereas, The urban public transit trust funds should be drawn from a source other than highway trust funds, since in California, and other states, even at present rates of collection and expenditure of trust funds, highway needs will not be met; and

Whereas, Such federal assistance should also provide for protection of the interests of employees of presently existing transit systems which may be affected thereby with respect to collective bargaining rights, continuation of pension rights, paid retraining programs, reemployment priorities, and dislocation allowances; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact legislation setting up a trust fund for the development and support of urban public transit systems with provisions to protect the interests and welfare of employees of existing transit systems; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Secretary of Transportation, and to each Senator and Representative from California in the Congress of the United States.

TRANSIT: A $10 BILLION ANSWER

President Nixon's proposal to drop $10 billion in public transportation fareboxes both pleased and disappointed officials of local government.

Although no other administration has offered so comprehensive a support program, the means of financing mass transit systems has stirred growing controversy.

Mr. Nixon's own party generally has held that developing alternatives to the private automobile is primarily the responsibility of local jurisdictions. House Republicans even opposed the modest transportation assistance program now in effect.

The Administration bill, however, declares that rapid urbanization "has made the ability of all citizens to move quickly and at reasonable cost an urgent national problem."

Local officials liked the Administration's rhetoric but not the results of White House arguments over financing the 12-year program. The mayors wanted a trust fund, similar to the means of paying for the interstate highway system. What they got was something called "contract authority."

The President's program, in essence, would commit Congress to the spending of $10 billion in 2–1 matching grants to local jurisdictions for capital outlay and research projects. Funding, however, would be subject to congressional appropriation each year.

Such a plan may look good on paper, the mayors contend, but it provides no basis for the kind of long-term bond financing needed for the building of transit systems. The same argument was made by Transportation Secretary John Volpe, who also pushed for a transit trust fund.

The Times believes that adequate public transportation is so important an urban need that Congress should establish a trust fund to assure stable financing.

As President Nixon himself said "Until we make public transportation an attractive alternative to private car use, we will never be able to build highways fast enough to avoid congestion."

Some of the revenue now going into the highway trust fund for use in urban areas, therefore, should be diverted to the financing of transit system construction. Taxes on highway users would be well spent if they slow the proliferation of vehicles and make city and suburban freeways less congested.

Even with proper financing, the $10 billion program cannot ease all the traffic jams of a nation whose cities will have another 100 million population by the year 2000. California, for instance, could only expect a maximum of 12½% of the available funds in one year—hardly a bonanza for Los Angeles, San Francisco, San Diego and other cities.

Yet Federal help could be a significant factor in accelerating the Southern California Rapid Transit District's more flexible approach to mass transit, which involves more innovative use of buses as well as other transportation modes.

Congress should act this year on effective financing for alternatives to the private automobile—and the concrete, congestion and fumes it causes.

OUTDOOR WRITERS ASSOCIATION OF AMERICA HONORS TWO TEXAS WRITERS

Mr. YARBOROUGH. Mr. President, at their annual meeting in June 1968, the Outdoor Writers Association of America presented Evinrude Writing Awards to Henry Stowers of the Dallas Morning News and Dan Klepper of the San Antonio Express & News for their outstanding articles on the preservation and use of our natural resources. The association makes these awards annually to those members whose work best creates an awareness of the need to preserve the natural beauty of the Nation's waterways and of their potential for recreational use.

Mr. Klepper's article, "The Battle of Braunig Lake," tells how a 4-year crusade for public access to a large reservoir started with a no fishing sign, and culminated in a 100-acre recreational area. Mr. Stowers in his article, "The Trinity River Scandal," takes a critical look at one of Texas' major rivers which he refers to as "a 500-mile sewer."

The conditions which these talented authors describe are not limited to Texas. They are all common in all of our more heavily populated States. Man's pollution of his environment is a critical problem to which we must soon face up if we are to maintain life as we know it today.

Mr. President, I ask unanimous consent that the award-winning articles, "The Battle of Braunig Lake" by Dan Klepper from the San Antonio Express & News, and "The Trinity River Scandal" by Henry Stowers, from the Dallas News, which were reprinted and published by Evinrude Motors in the second edition of their publication, Let's Protect Our Waterways, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the San Antonio (Tex.) Express-News]

THE BATTLE OF BRAUNIG LAKE

(By Dan Klepper)

(NOTE.—A four-year crusade for public access to a large reservoir started with a no-fishing sign and culminated in a 100-acre recreational area.)

NO-FISHING SIGN

Let's take a look at three lakes, one owned by a private company, another owned by a river authority and a third owned by a public utility.

All three reservoirs serve the same purpose . . . almost. The three lakes provide sources of cooling water for generating station.

Alcoa Reservoir, owned by the Aluminum Company of America, is a 703-acre lake near the town of Rockdale in Milam County.

The reservoir has been open to fishermen for a number of years, and it continues to produce excellent strings of fish.

A concessionaire sells bait and rents boats. A fisherman can launch his own boat for a nominal fee. Only small motors may be used on the lake.

Another cooling system lake is Bastrop, a new reservoir on Spicer Creek. The 906-acre lake is owned by the Lower Colorado River Authority.

Bastrop will be opened to fishermen June 1. The LCRA will lease concession rights to someone for the sale of bait and the rental of boats.

Two access points have been provided. Boats can be launched for a nominal fee. Certain areas of the lake will be off limits to boaters for safety reasons.

A ski area will be marked with buoys and fishing areas will be restricted to small motors. The lake will be open from sunrise to sunset.

Fisheries biologists report the lake is full of bass.

Lake Braunig in the southeastern part of Bexar County is a 1,350-acre reservoir owned by the City Public Service Board of San Antonio.

It is larger than either Alcoa or Bastrop, and it, too, is capable of producing fishing for a large number of people.

But there is a no-fishing sign at Braunig.

I contacted the City Public Service Board last September and learned that "discussions" with the city had taken place regarding the lake and the possibility of the city operating recreation facilities on the reservoir.

More than seven months have passed. Nothing more has taken place.

A couple of weeks ago a fellow fished a small section of the lake and caught 15 black bass in 45 minutes before he was told to leave. The largest bass weighed four pounds.

Last Sunday, News photographer Bill Goodspeed drove by the lake and saw 22 fishermen crowded around a small part of the lake that extends beyond the CPSB's wire fence and under a highway.

Goodspeed said the fishermen had more than 100 black bass, including one that appeared to weigh about six pounds.

Last September I wrote a column headlined "Will Braunig Lake Produce the Fish?" I pointed out that, as a boiler cooling reservoir, the heated water pouring back into the lake might keep the waters warm enough to allow year-around growth of fish.

Braunig was filled with water from the San Antonio River. Pumps on the river are located below the mouth of the Medina River and the canal that carries treated effluent from the sewage treatment plant into the river.

Inland fisheries biologist Elgin Dietz accompanied me on the inspection tour of the lake last September. He said he would be willing to make a study of Braunig to determine what the high fertile content of the water will do to fish.

He pointed out, however, that he could not begin the study unless requested by the CPSB or the city to do so. He has not been contacted by either agency.

It appears that the question already has been answered. At least a section of the reservoir seems to be full of fish.

If the remainder of the lake can provide as good fishing as one small cove and if the fish are in good condition, anglers are missing out on what could be some of the hottest bass fishing in this area.

RUMOR SQUELCHED

The City Public Service Board announcement that Lake Braunig will remain closed to fishermen should squelch the rumor that "the lake will be opened next month." This rumor has been as consistent as a clock. It has been cropping up each month for the past year.

In a statement issued Monday at the insistence of board member John H. Morse, the CPSB said it cannot open the reservoir to fishermen until a public health official assures the board there is no danger involved in taking and eating fish from the contaminated water.

The announcement probably will have little effect on fishermen now using the lake. Anglers undoubtedly will continue to fish "over the fence," and trespassers toting rods and reels will continue to slip through the barbed wire fence at night.

The CPSB has known for months that the waters of the lake are "polluted." The board drew up a "white paper" on the situation, detailing why the lake cannot be opened, several weeks ago but did not release the contents of the paper until Monday.

Braunig was filled with water from the San Antonio River. The water in the lake . . . and the river . . . contains treated sewage effluent and it harbors coliform bacteria, an organism that, according to the board, "can transmit disease or virus infections."

We've been living with this bacteria since year one. And we're not likely to get rid of it. A few of the organisms aren't bad.

The method of checking the amount of sewage pollution in a given body of water is to make a "coliform bacteria count." The U.S. Public Health Service then sets up maximum allowable standards.

For example, drinking water can contain up to 50 coliform bacteria per hundred milliliters.

The bacteria will be found in most—if not all—surface water in the United States. "Death of the Sweet Waters," a book published this month, author Donald E. Carr, tells about a battle between fishermen of the lower Columbia River in the Northwest and sewage effluent.

"The fishermen wanted a coliform standard for the river of 150, which is very low," Carr states. "It is swimming-pool quality, unheard of in a modern river."

The standard was adopted in the States of Oregon and Washington by the Public Health Service, but, as Carr points out, it remains to be seen whether it will be enforced.

The coliform count in Braunig is high. An average of 25 months of testing, according to the CPSB, showed 5,595 coliform bacteria per hundred milliliters. The CPSB did not point out that from August of 1964 through August of 1965, the average lowered considerably . . . to 4,100.

If Braunig is too polluted to allow "contact" recreation, including fishing, other waters in this vicinity might be in the same . . . or worse . . . condition.

Consider the river itself. Coliform bacteria counts in the San Antonio River near Braunig run much higher than in the CPSB's reservoir. Yet, no one has suggested we ban fishing in the river.

Tests were made on Woodlawn Lake in October, 1963. Six samples were taken from various areas of the 45-acre lake. The coliform bacteria count ranged from 880 to 240,000 and averaged 92,980! Yet the lake was not closed to fishermen.

Mitchell Lake probably has the highest coliform bacteria count in this area. Duck hunters have boated on it, stuck their hands in it, waded in it and have eaten ducks killed on it for decades. Many of the ducks fed on the aquatic products the fertile waters provided.

Yet no one suggested we ban hunting on the lake. In fact, the hunting was stopped only within the last three or four years when the reservoir came under the jurisdiction of the city.

Fishermen cannot expect a public health official to step forward and say, "There's no danger to catching fish in or eating fish taken from Braunig Lake."

Too little is known of the coliform bacteria. Virus organisms so far have not been isolated from treated sewage water.

Since this is the case, the CPSB's attorneys have advised against opening the reservoir to the public. The attorneys feel serious legal liability might be involved.

"The lake, one of the first of its kind in this section of the country to utilize sewage effluent, has attracted the attention of a number of water scientists," says the CPSB.

Perhaps fish scientists also should be invited to study the reservoir, for even though the board insists that the lake "was not contemplated for any other purposes than furnishing cooling waters for the power plant," sooner or later the multiple use concept must be applied to every foot of available water.

The growing horde of recreation-seeking Americans will demand it.

OVER THE FENCE FISHING

The main fishing area is maybe 60 yards wide and one man deep. Fishermen line the rocky embankment almost shoulder to shoulder.

And they do a lot of talking between bites. Mostly about the lake, the fish that are in it, the catches they have made or have seen.

They have casting hazards. The main fishing area borders a county road, and they must cast under wires strung on telephone poles.

They also have a fine rest for their rods and reels and cane poles. It's the taut, barbed-wire fence that separates the fisherman from the water.

There's another fishing area across the road. The water cuts through a deep channel beneath a bridge, then spreads over an acre or so of land.

Fishermen sit on the bank and fish here. Or they wade it. It is shallow, not more than waist deep in most areas, but it has yielded some mighty big fish, the fishermen say.

On the rock embankment on the west side of the road many of the fishermen use surf-casting rods, heavy lines and big reels. They make prodigious casts into the arm of the lake.

And then they sit back and wait for a bite. Fish-eating grebes bother the fishermen. The little birds, expert swimmers and divers, steal the big minnows on the fishermen's hooks. But the fishermen fight back.

When a grebe shows an interest in someone's bait, the fishermen use slingshots to hoist rocks in the grebe's direction to frighten it away.

These are the fishermen who fish "over the fence." It has become such a popular fishing spot with residents of southeastern Bexar County that no other words are needed to describe the location.

If a fisherman says he has been fishing over the fence, he refers to the "public" part of Braunig Lake, the City Public Service Board's big reservoir off Corpus Christi Rd.

The other side of the fence is an inviting place. The long arm of the lake stretches toward the tall, impressive-looking power plant.

To the left is the lengthy, earthen dam. To the right, the man-made bar that will separate the warm from the cool as the lake water is drawn through cooling towers.

Signs prominently displayed on the fence proclaim "No trespassing," and across the fence are signs that read "Danger keep out—Premises patrolled by Stanley Smith Detectives, Inc."

The signs mean what they say. Guards patrol the lake's shores day and night in radio-equipped Scouts. But neither guards nor signs stop the trespassers.

A lot of fishermen cross the fence, a guard remarked. Most of them are caught and told to leave, but a few slip by the guards. He told of recently seeing two fishermen run for the fence with so many fish they had to drag them.

P. W. Ricks, retired San Antonian, is an ardent member of the over-the-fence-fishing clan. He says he has caught some big fish from the road, including black bass to 7 pounds and catfish to 7½ pounds.

A few days ago he had three bass that weighed a total of 21 pounds.

The lake covers 1,350 surface acres. It was filled with water from the San Antonio River, and it was stocked with black bass by the Parks and Wildlife Department in May, 1963.

The CPSB has not opened it to fishermen. Nor has the city-owned utility announced to the public why fishermen have not been allowed to use the reservoir for recreational purposes.

Members of the "over-the-fence" brigade talk a lot about this. Some are convinced the lake will be opened in the near future. Others are convinced it will never be opened.

They sit and watch their corks or the tips of their rods. And they look yearningly at the broad expanse of water on the other side of the fence.

A HEARING SET

A hearing on Rep. Jake Johnson's bill to open Braunig Lake to fishermen is scheduled this afternoon in Austin, and it appears the hearing before the Game and Fish Committee of the House will be well attended.

The hearing is set for 2:30 p.m. in the old Supreme Court room on the third floor of the Capitol.

The San Antonio Bass Club, which has voted in favor of the measure, will send representatives to the hearing, as will the San Antonio Anglers Club, the Alamo Bass Club and the Hill Country Casting Club.

The board of directors of the 650-member Anglers Club voted last week to support Johnson's attempts to open the City Public Service Board reservoir to the public.

Johnson said he also will have several other witnesses appear to give testimony on the measure.

I talked with five of the 10 Bexar County representatives last week and found a couple only lukewarm to the bill.

They all said, however, that if Johnson can produce a public health official who will say there is absolutely no danger to the water in Braunig, they would be in favor of opening the reservoir to anglers.

Braunig was filled with water from the San Antonio River. Since a large—a very large—part of the river's flow south of San Antonio is provided by treated sewage effluent, the CPSB maintains that the lake waters are contaminated and polluted.

Johnson will not be able to find a public health official who will say without reservation that it is safe to fish in Braunig. After all, the lake does contain sewage effluent.

By the same token, it is doubtful that any public health official would go out on a limb to say it is perfectly safe to fish in the San Antonio River south of the city.

The count of bacteria in both the river—and in the city's Woodlawn Lake—is higher than in Braunig, and if this county's representatives choose to oppose the bill on the basis that no public health official will certify Braunig's waters are danger free, then perhaps these same representatives will sponsor legislation to close the river and Woodlawn to fishing until some health official gives these waters an "all-clean" signal.

Several of the representatives I talked to apparently did not realize that fish are being caught from Braunig at this time.

The truth is, fishermen have been using the lake—in spite of no-trespassing signs, pollution signs and regular guard patrols—for the last four years.

The lake was stocked with black bass by the State Parks and Wildlife Department in May 1963. More than 23,000 black fingerlings went into the reservoir.

A City Public Service Board employe made application for the fish. He used the CPSB's mailing address for the return address on the application.

The Parks and Wildlife Department complied with the request and stocked the fish. And they grew rapidly in the fertile water.

Three years later fishermen were regularly taking bass weighing four to six pounds from the reservoir. Some of the anglers were fishing that small arm of the lake which crossed under a public road.

They lined the barbed wire fence almost shoulder to shoulder to cast into the water.

The CPSB put a stop to that by erecting an earthen dam across the little cover.

But the CPSB has not been able to stop fishermen who sneak into the reservoir at night and on gray days when visibility is poor.

Although the lake is patrolled night and day, it is so large it is difficult to patrol successfully.

Braunig covers 1,350 surface acres of water, and the number of fishermen sneaking in to fish at night seems to be increasing.

"I was out last Saturday night," one fisherman said, "and there were so many cigarettes being lighted they looked like fireflies."

Rep. Jake Johnson's bill to open Lake Braunig to fishermen received a warm reception Tuesday by members of the Parks and Wildlife Committee of the House.

The bill, which was the subject of a two-hour debate late Tuesday afternoon, is in hands of the attorney general where its constitutionality is being determined.

If the attorney general rules the measure is constitutional—and there is very good reason to believe he will—the bill will be sent to a subcommittee for some changes and probably will be reported favorably back to the full committee.

All of the problems of opening the City Public Service Board's 1,350-acre cooling reservoir to the public were aired during the hearing.

Two witnesses appeared in opposition to the measure. They were J. T. Deely, assistant manager of the CPSB, and the board's attorney, James Baskin.

Both contended that fishing in the lake is a "local problem which should be solved locally."

I agree. But San Antonio sportsmen have been trying to solve the problem locally with the CPSB for the past three years, and after finally tiring of butting their heads against the board's brick wall, they took the only alternative they felt they had left . . . local legislation.

Deely gave two reasons why the board has kept the lake closed. One, the possibility that the water, which is primarily treated sewage effluent, contains virus diseases, and, two, liability of the CPSB in case someone gets sick from fishing in or eating fish from the reservoir.

Deely also pointed out that the board is considering making the lands surrounding the reservoir a bird and wildlife sanctuary—complete with nature trails.

He said the San Antonio Zoological Society is interested in establishing a branch of the zoo to house rare animals and birds.

Witnesses appearing for the bill included Charles McTee, representing the 77-member Hill Country Casting Club; G. G. Gale, representing the 250-member San Antonio Bass Club; Tom Brosig, representing the 80-member Alamo Bass Club; Jack Martyn, representing the 650-member San Antonio Anglers Club; Jerry Henckel, assistant San Antonio city manager; Bill Wells, sewage treatment engineer for the City of San Antonio; Dr. Herman Wigodsky, San Antonio physician; and this writer.

An impartial witness, but one whose testimony perhaps carried the greatest impact, was G. R. Herzik, chief of environmental health of the State Health Department.

Herzik quoted at length from a letter to Johnson from Dr. James E. Peavy, commissioner of health for the Texas State Department of Health.

Herzik said that contrary to what has been said, the State Department of Health "has not said fishing on Braunig should be prohibited."

Herzik paid tribute to Wells and the San Antonio sewage treatment facility when he said:

"We feel that the effluent in Braunig is such high quality that it is better than you'll find in waters in some of the rivers in Texas which contain no effluent."

"Braunig's waters are of such quality that we have no fears about its health potential," he added. "We don't think we should swim in it or ski on it, but attempts to prohibit fishing would not be realistic.

"We have been unable to find where any disease has been transmitted from fish taken from waters similar to Braunig's. We do not feel prohibiting fishing in water of this quality would be desirable or recommended."

When asked about the possibility of contracting hepatitis from the water, he said, "we have no record to show that hepatitis is more prevalent in areas where fish are taken from this type of water than anywhere else."

Wells testified that the lake has constantly continued to improve itself. He said the chemical quality of the water compares with U.S. Health Department standards for drinking water and that the biological content of Braunig's waters is far better than waters in portions of the San Antonio and Medina Rivers and Woodlawn Lake.

BRAUNIG LAKE TO OPEN

Braunig Lake, the City Public Service Board's 1,350-acre cooling reservoir, will be "officially" opened to the public early next year.

The board announced Monday it has signed a lease agreement with the San Antonio River Authority to operate the lake solely for public outdoor recreational activities, primarily fishing.

The agreement, which will be for 25 years, is contingent on the approval of the river authority's board of directors. The board is scheduled to meet Tuesday morning to act on this matter.

If the board approves, SARA will assume control of the lake and a 100-acre tract of adjacent land around the lake.

Under this five-year lease, the river authority will reforest these tracts with seedlings to provide wooded areas for the future.

Braunig, which is located near Elmendorf in the southeast section of Bexar County, has been the center of a two-year controversy over fishing rights.

Braunig was the scene of a highly publicized "fish-in" May 2. Apparent purpose of the fish-in was to protest the CPSB's refusal to open the lake to fishermen.

The reservoir was filled with water from the San Antonio River, which contains a high degree of treated sewage effluent.

The CPSB maintained that the water is too contaminated for fishing, but State Health Department officials have stated that the fish are safe to eat if properly cooked.

Fishermen have continued to fish the lake in spite of no-trespassing and posted signs. They have encountered little or no interference from security guards since the fish-in.

The lease agreements were the result of discussions between David Brune, manager of the river authority; O. W. Sommers, general manager of the CPSB; and board attorney W. L. Matthews.

SARA will operate the lake and the 100-acre tract on a financially self-sustaining basis by charging entrance and boat launching fees.

The 100 acres under 25-year lease will be developed as a park. Facilities will include picnic tables, cooking grills, drinking water, launching ramp, concession building, comfort station, roads, parking area, information center and toll gate.

A contract concessionaire will sell bait, tackle, picnic supplies and beverages and will rent boats and motors.

The river authority's plans call for facilities to be completed and fees to go into effect March 1, 1968.

No fees will be charged until facilities are completed, Brune said. "Unauthorized" fishing will be allowed from Dec. 1 until March 1 except in the construction area on the west side of the reservoir.

Regulations set for the use of Braunig are tentative and subject to change. They call for the lake to be open approximately 10½ months out of the year. The reservoir will be closed for 42 days, probably during late December and January, to allow for employee vacations.

Certain areas of the lake around the power plant, intake and outlet will be buoyed and will be off-limits to boaters and fishermen.

Use of the facilities and the lake will be by permit only after March 1. Permits will be issued only at the information gate at the entrance to the recreation area.

Permits will cost $1 for persons 14 and over and 50 cents for children 7 to 14. In addition, $1 will be charged for launching privately owned boats.

There will be no charge for children under 7 years old.

Users of the lake and picnic area will be issued tags which they must wear and which must be relinquished when the holder leaves the area.

Plans call for the lake to be open only during specified hours, probably between 45 minutes before sunrise to 45 minutes after sundown.

Bank, wade and float fishing will be allowed only in certain areas. Hunting will not be allowed on the reservoir or adjacent lands, and there probably will be a horsepower limit on outboard motors.

Swimming and water skiing will be prohibited on the lake.

[From the Dallas Morning News]

THE TRINITY RIVER SCANDAL

(By Henry Stowers)

AUGUST 1, 1967

A trip down the Trinity River from Dallas should be a pleasant outing. But it isn't. It will make you sick. That is what it did for me.

This summer I had the opportunity to visit along and on most of the Trinity's 550 miles as it twists and winds to the Gulf at Trinity Bay near Galveston. And I have never seen worse pollution, especially in the Fort Worth-Dallas area and for fifty miles below Dallas.

I talked to veteran canoers such as Ben Nolen and Bob Narramore, president and vice-president of the Canoe Association of Texas, who have made many trips on all of Texas' rivers that will float such craft. "The Trinity takes first prize," they stated flatly. "That is if there were a prize for being dirty."

On one trip recently Nolen and Narramore counted 55 dead hogs and cows floating in the river along a stretch less than five miles.

These, according to area farmers, were probably found dead in truck shipments and dumped into the river at isolated spots. And the area was practically in the Dallas city limits.

A. W. Cullum III, president of the Dallas Woods and Waters Club, and I saw occasional dead cows in the river above Dallas during a recent canoe fishing trip. We figured they had gone down the muddy bank for water and bogged down.

Fishing above Dallas is still popular on the East Fork of the Trinity. But you have to go a long way below Dallas, as far as 50–60 miles, before you see an angler. For down there all fish except garfish and some rough fish like carp have long been killed by polluted water.

I've talked to many old timers in the area, and very few can remember when fishermen caught channel catfish, bream and crappie below Dallas. One is Harvey Campbell, Dallas News proofreader. "That was 65 years ago, though," he said.

The Trinity has a huge watershed, one which covers over 17,000 square miles.

Because of this watershed's moderate to heavy rainfall, the Trinity has a flow of almost 6,000,000 acre-feet near its mouth, exceeded only by the Neches, Red and the Sabine River Basins.

Rising in its East Fork, West Fork, Elm Fork and Clear Fork in Grayson, Montague, Archer and Parker Counties, the main stream of the Trinity begins with the junction of the Elm and West Forks at Dallas.

In the Trinity valley there are more people and industries than in any other river basin in the state. Six big reservoirs, Garza-Little Elm, Lake Worth, Eagle Mountain Lake, Bridgeport and Lake Lavon, have already been completed. Numerous others down the river will be built as the Trinity Canal project is completed. That target date is 1980.

Dallas has one of the most modern sewage treatment systems in the country. It removes 93 per cent of the pollution strength from the effluent it discharges. Other cities and communities along the Trinity are improving their methods.

Maybe it is a dream, but the Trinity Canal and its numerous lake reservoirs could become a fisherman's paradise. By the time it is completed, Texas should have well over 10,000,000 people. And judging by present figures, half of them will want to fish.

It is not an easy problem. Water pollution has not only endangered or wiped out fish and wildlife near many large urban areas, but it has become an urgent health problem for humans. Chicago and other cities on the Great Lakes are highly apprehensive over rising contamination of water.

The Houston-Galveston area, particularly the bays that link the two cities, have almost been ruined for fishing and swimming by the dumping of raw sewage and enormous amounts of industrial waste. Fishing in Galveston Bay used to be excellent. Today it is poor. Residents I have fished with said they would not eat fish, shrimp or oysters taken from the bay. Parks and Wildlife Commission biologists told me the bay and ship channel were terribly polluted.

Yet it seems that with good planning we could someday have 550-miles of river fishing in addition to the lakes enroute, good, clean swimming and camping areas and even additional pure water sources.

It will either be all that, or it will remain a 550-mile sewer that we will bequeath to our children and grandchildren.

AUGUST 3, 1967

Trinity River pollution is scandalous, everyone agrees. But what to do about it before it can be restocked with fish, before canoers and campers can cruise the stream without risking hepatitis or other diseases, brings confused answers.

The 3,000,000 people who live in the watershed, a vast area of over 17,000 square miles, can do a lot. Town sewage disposal plants could be much more efficient. Manufacturers could work out some way in which wastes and detergents would not be dumped in the river. And farmers and ranchers could watch their use of crop sprays, weed killers and other insecticides more carefully.

Small communities along the river could see that the river is not used for trash and garbage disposal. We found many places where old salvaged automobiles, rotten lumber, sawed down trees and limbs and even old furniture were dumped into the river channel.

During flood seasons these cast-offs are floated downstream and form trash and log jams, some very large and complicated.

Old dams, still partially blocking the river, could be cleared out and this would permit better water passage, also eliminating the backed up water and acres of foam from detergents to sit for days.

A raise in the fees for fishing and hunting licenses appears to be a partial solution, making it possible to hire more game wardens and to provide more funds for them on such projects.

Charged with the care of Texas waters and keeping them clean are the State Parks and Wildlife Department, the Railroad Commission, State Health Department, Water Development Board and the Water Pollution Control Board (changed this year to the Texas Water Quality Board).

All are virtually penniless when it comes to fighting river pollution.

There is no way known here of how to clean up the Trinity River without spending a lot of money.

And we are faced with the prospect of having to re-use our water after it has been treated in sewage plants, something we are going to need a lot of educating about before we accept the fact.

A vote of yes on the bond projects next Tuesday will give Dallas flood control money badly needed, as well as funds for water and sewage treatment needed now. Dallas water department representative Cecil W. Williams said several communities pooling their money could come up with more efficient and less expensive treatment plants, an example of this being done now found in Dallas, Irving and Grand Prairie.

Congress has approved the 550-mile Trinity Canal. Money should be appropriated early next year after the Corps of Engineers has completed the second feasibility study. And work on it will probably start soon thereafter.

Curing the cause of an epidemic is much cheaper than treating the patient. If through a campaign 10,000 farmers and ranchers could be induced to dispose of their trash and garbage without dumping it into the river, if 200 towns and cities would see that the same is done, and if industries would take even more severe precautions, the river can be cleared of contamination before the canal is built, and at far smaller cost.

Most of us want to see the Trinity Canal become a fact. We know it will be a great economic asset. And Texas is also in dire need of more recreational facilities, fishing areas, boating areas, camping and swimming spots and hunting sites.

And blessed would be the names of the state's leaders who get on the ball and see that this is done before it becomes like Galveston Bay and the Houston ship channel area—too little and too late.

THE ENVIRONMENTAL QUALITY: THREAT TO THE EVERGLADES

Mr. TYDINGS. Mr. President, the Everglades National Park, in south central Florida, is one of the Nation's unique and priceless natural resources. It is a fragile ecological system where the beauty and serenity of nature exists in unrivaled fashion.

Over a million people visit the park each year and come away awed by its splendid magnificence.

Now, in the name of "progress," the Dade County Port Authority wants to build the world's largest jetport a few miles north of the park. This will deprive Everglades of its water supply, upon which it is utterly dependent. The result will be the destruction of this great park.

What is particularly disturbing is that this incredible project has the financial support of the Federal Government, through the FAA and OHSGT.

Conservationists across the Nation are incensed by the insensitivity and sheer stupidity of the project.

Fortunately, the Senate, through its Committee on Interior and Insular Affairs, has recognized the threat. By its hearings a joint study by the Department of Transportation and Department of the Interior has been authorized to evaluate the environmental impact of the airport on the park. But this could be insufficient, for 2 miles of completed runways already disrupt sections of the great wilderness. Decisive, immediate, top-level action is required.

Such action should be taken by the newly formed Presidential Environmental

Quality Council. The Council is a response to the need for a high-level body capable of establishing and coordinating policies and programs regarding environmental quality.

It is precisely the body that should act. Since the Department of Transportation is a member of the Council, as is the Department of the Interior, they should be required by Dr. Lee DuBridge, the Council's Executive Secretary and Science Adviser to the President, to report on what they are doing to maintain environmental quality in the Everglades National Park.

I have written to Dr. DuBridge, urging him to convene a meeting of the Council for this purpose. I ask unanimous consent that my letter to Dr. DuBridge be printed in the RECORD, as well as the articles on the Everglades in the September 5 issue of Life and the July Sierra Club bulletin. Additionally, I ask unanimous consent that the Evans and Novak column from the August 8 Miami Herald also be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

SEPTEMBER 2, 1969.

Dr. LEE A. DUBRIDGE,
Executive Secretary, Environmental Quality Council, Washington, D.C.

DEAR DR. DUBRIDGE: I am deeply distressed by the threat to Everglades National Park posed by the construction of the new Dade County airport.

The airport will be the world's largest, thirty-nine square miles with runways six miles long. Just six miles from the Park, the airport will wreak havoc with the fragile and unique ecology of the Everglades. The national park, third largest in the nation, is dependent for water on sources beyond its boundaries. The airport will block much of the superficial drainage to the park and contaminate with pesticides, petroleum residue and other pollutants the ground water that does reach Everglades.

Additionally, air pollution from the projected 900,000 annual jet operations will pour thousands of tons of carbon monoxide and nitrogen oxide on the park. Perhaps even more important, the noise of the aircraft will destroy the peace and solitude of this magnificent natural refuge.

I feel strongly that Everglades National Park is a priceless and irreplaceable natural treasure. No effort should be spared in preserving it.

The Department of Transportation, in an apparent violation of Section (f) of the Department of Transportation Act, has already provided over $800,000 to Dade County for planning and developing of the airport. Regrettably the Department appears determined to proceed with construction regardless of the disastrous impact this will have on the park.

Within the Executive Branch, only the Department of the Interior has raised a lonely voice of protest.

When the President established the Environmental Quality Council he created a mechanism whereby such examples of departmental insensitivity to the environment could be reviewed and rectified. I respectfully urge you to convene a meeting of the Council to establish a policy and program that will protect Everglades National Park.

As the Department of Transportation is a member of the Council, they should be required to issue a full report justifying their action. As the Interior Department is also a member, they should provide information on the environmental abuse which this airport will bring to the park. The Council is thus a particularly useful vehicle to insure that responsible Federal action is taken concerning Everglades.

With best wishes.

Sincerely,

JOSEPH D. TYDINGS.

[From Life magazine, Sept. 5, 1969]

THE EVERGLADES: UNLESS THE WORLD'S BIGGEST JETPORT IS STOPPED, WE WILL LOSE A UNIQUE WILDERNESS

(By John D. MacDonald)

In the beginning you do not see very much or hear very much, and you do not understand.

Then one afternoon there was no movement of the air. There was heat, sweat and a silence so vast that when I heard a mosquito near my ear, it was exactly like a night sound of long ago in Mexico, hearing a truck in its lowest gear whining down the mountains miles away. A thunderstorm moved toward me and toward the west. By the time it began to stir the air in hot gusty puffs, it was a startling indigo wall across the world, a constant rumbling, and I stood in strange golden yellow light waiting for it.

Cooler air then, and good wind, with each gust making its own shape as it came across the saw-grass pastures. Fat pink lightning banging down, and then the oncoming roar from far away of the smashing, drenching rain. When it ended, I could hear the same roar, receding, hurrying west. Incredible smell of a well-washed twilight, and 10 trillion frogs and toads and peepers welling into a deafening rain-chorus. Birds in that straight, no-nonsense flight pattern of heading for the rookery. Fragile insects flying. (How did they escape the smashing rain?) Some blooms closing, and leaves folding, and other blooms, spicier, opening on the hammocks and uplands where the tree frogs are.

Then I began to understand that it is not memorable fragments, but a complex unity, all of it a savage and symmetrical pattern of interwoven, interdependent lives, from gator to gnat, from bald cypress to microdot of green algae, from giant metallic dragonfly to spider-shaped invisibility of the redbug. It is a complexity which took eons to style and plan itself for this special place, climate condition, through unending trial and error.

Now we are on the brink of destroying that complex unity. Experts in such matters—biologists, hydrologists, geologists—have all come to the same alarming conclusion: if we proceed with the plans to establish a commercial jetport squarely across the last natural watershed in south central Florida, we will kill what is left of the Everglades, kill the Everglades National Park, upset the water tables and the water supply in all south Florida, cripple the shrimp industry, stunt commercial and sports fishing, invite salt intrusion and possibly even alter the very climate of the Florida peninsula.

The jetport tract, all 39 square miles of it, is 45 miles west of Miami, about 55 miles east of Naples on the gulf, roughly a third of it in Dade County, the rest across the line to the west in Collier County. In late September of 1968, less than a week after the first parcels of land were acquired by condemnation proceedings, the Dade County Port Authority at Miami let a contract for a two-mile east-west jet training runway with taxi strips and aprons. The strip is completed. It is the first phase of the plan to build the world's largest jetport—big enough to enclose Los Angeles Airport, Dulles, Kennedy, San Francisco and a cluster of several smaller fields as well. Federal funding for this monster project could exceed half a billion dollars.

The commercial-political-financial establishments of Dade, Collier and Monroe counties are sweaty with the excitement of a new boom, huge profits, explosive growth. Every bit of this silent wilderness land around the jetport site is privately owned, and much of it has already changed hands in heavy-risk commitments. One Miami real estate agent has assembled a package almost as big as the proposed jetport itself for a single corporate buyer. Collier County leaders have stated in Naples that they intend to make the jetport area the largest industrial center in Florida, and boosters are already talking about such projects as cutting a deep-water canal from the gulf to the jetport to barge in the jet fuel and construction materials, and getting the authorized extension of Interstate 75 from Tampa to Miami officially realigned to bisect the jetport, with a thousand-foot right-of-way from the gulf to the Atlantic.

The Everglades National Park is already in such fragile condition that only by the most careful planning could it be nurtured back to health and stability. So why save a sick park when it stands in the way of progress?

If it were merely that it is a unique 1.4 million-acre wonderland, visited by over a million people a year, merely an eerie, silent environment for gator, wood ibis and tree snail, one might be able to make some kind of a feeble case for the proposed jetport location. But over the last 40 years the U.S. Army Corps of Engineers has demonstrated for all of us what the death of the Everglades might mean.

The Engineers came clanking into the central Florida area in the late 1920's and built the Herbert Hoover Dike to tame Lake Okeechobee, arbitrarily lowered the water level of the lake by five feet, and later dug arrow-straight canals to help the gentle meandering rivers carry the fresh sweet rainwater more hastily into the sea.

Rainfall is the secret of the Everglades, of the park, of all south Florida. It averages 63 inches a year, falling mostly during the subtropical rainy season from gigantic thunderstorms grumbling and banging and drenching their crisscross pattern through the great river of saw grass, then trickling and seeping its way down the long gentle slope from the central lakes and rivers, through the saw-grass prairies with their island hammocks of cypress, live oak and palmetto, down to the semicircle of mangrove coast bordering Florida Bay and the gulf from Biscayne Bay to the Ten Thousand Islands. This slow movement effectively extends the nourishment of the rainy season into the dry season, and the only source of fresh water for south Florida is the rainfall.

The Engineers kept "improving" things, shuttling the life-giving water into the sea when there was more water than the drained and filled cane lands, pasture lands, vegetable lands south of the dike system needed. But there are cycles of wet years and dry years, and during the dry years, the rain-deprived Glades began to parch and burn, because the Corps of Engineers had stolen its margin of safety.

The worst disaster came during the Second World War. By 1945 the Everglades was burning night and day, and the people on both coasts were choking in acrid smoke, watching water wells turn brackish, canals dry up, salt intruding into the soil at the rate of 1,000 feet a day as tides came up the canals; watching cattle die, and groves die, and tomatoes and sugarcane die. They demanded that somebody do something.

So a Water Control District System was established in Dade County, and by 1947 the Corps of Engineers began establishing a Flood Control District. A vast system of canals, dikes and gates was constructed in Florida's eastern watershed so that water could be diverted from the Everglades Park during dry spells, and excess water dumped on the park during wet spells. So now the park, as Art Marshall, a biologist with the

Bureau of Sports Fisheries, puts it, "gets instant drought or instant flood."

The effect on the park has not been happy. Thanks to man's management and the work of the Army Corps of Engineers, the water level has fluctuated from one bad extreme to the other, and decimated the park's plant life and wildlife.

When the Glades die, not only is there destructive salt intrusion (from the ocean waters backing up into the park), but the exquisitely productive balance of the brackish estuaries in the mangrove hem of the wide skirt of the park is also upset. According to a University of Florida study, this skirt is "one of the richest breeding grounds for marine life on the continent."

Despite the obvious lessons of the immediate past, the Corps not long ago got around to "improving" the lovely meandering Kissimmee River flowing into Lake Okeechobee from the north. They straightened it, diked its marshy banks, turned it into a sandy-banked drainage ditch. Now heavy rains that took weeks to crest down into the lake can come racing down in a matter of days or hours, as if the Engineers sought to justify the flood control system by arranging for a higher incidence of floods. This enables them to shunt even more runoff water into the Glades and park when least needed, and run even more off into the Atlantic Ocean.

Now that the Corps of Engineers has turned the water supply system in the eastern watershed into a menace instead of a blessing, the only hope left for the Everglades Park is the western watershed, which up until now has retained a reasonably natural seepage-flow from Big Cypress Swamp north of the western end of the park. It has been survival insurance, to some limited extent.

The jumbo jetport will go right in the path of this ancient flow, and even if great care is taken within the jetport areas to keep that flow moving as naturally as possible, the urban growth and industrialization around the jetport would make such concern futile.

It is the entire complex that will finish off the park, mostly by dramatically altering the volume and the characteristics of the essential water flow. That southward flow will be used water, treated and released. It will leave so much nitrogen-compound nutrient from animal and human waste in the water that, according to Frank Nix, longtime hydrologist at the park, the explosive growth of undesirable algae would crowd out the natural algae, fundamental to the life support system of the Glades and the park.

In addition to water pollution, there will be soil pollution—the inevitable fallout from the unburned components of jet fuel, inefficiently consumed at low altitudes, and unburned fuel jettisoned in emergency situations.

Nor is jet noise compatible with that strange and unique flavor of the Everglades, with a silence so brooding and intense that the sudden slap-splash of a feeding fish is as startling as an explosion. What such noise might do to the reproduction rate of the wild birds, already diminished thanks to the ingestion of DDT in the food chain, is not yet known, but one could hardly expect it to be beneficial.

The Everglades and the national park cannot survive this final insult. The ramifications of the death of an entire ecological system have always been more grave, more far-reaching, more deadly to man himself than anyone realized until the process of decay was too far along to be reversed.

Conservation efforts, concerned with water tables and marine productivity as well as with the existence of one of the great national parks of the world, are met with the customary amused, patronizing derision typical of all such opposition.

William Burrows, writing in a big national travel magazine's recent special gee-whiz issue about air travel, makes the condescending observation that the proposed jetport in the Everglades "makes almost everyone happy except conservationists. The latter are afraid that planes winging over the swamps may collide with wood storks and dump excess fuel on alligators, turkeys, wild hogs, and other animals."

Alan Stewart, director of the Port Authority, lumps all the bird life in the park into one species called "yellow-bellied sapsuckers" and calls the conservationists "butterfly chasers." Stewart says that cities always rise up around airports. "If the conservationists want to stop industrial and commercial development," he says, "they are going to have to save their pennies and buy up the land." On the 23rd of last April, 19 national conservation organizations, including Audubon, Sierra, National Wildlife Federation and the Natural Area Council, demanded a construction halt at the jetport. A letter was sent to Department of Transportation Secretary Volpe urging that he stop the construction by cutting off federal funding.

At this point, the Senate Committee on Interior and Insular Affairs scheduled hearings on the potential environmental problems of the jetport. During these hearings Transportation Secretary Volpe and Interior Secretary Hickle authorized a special study under Dr. Lunar Leopold, senior scientist of the U.S. Geological Survey, directing a team of scientists to examine in detail the threat of harm to the park. The study team used a three-stage approach to the problem—possible damage by the jet training port alone, possible damage by the training port plus the passenger jetport, and possible damage by the jetport plus the urbanization-industrialization of the surrounding privately owned lands, where the surveyors are now so busily aligning their transit bubbles and driving their county stakes.

The report, which has now been completed and will soon be officially submitted to Volpe and Hickle, indicates that the present jet training port will cause progressive damage to the park, and if the passenger jetport is built, the destruction will be irreversible.

Meanwhile, the Dade County Board of Commissioners has hired former Interior Secretary Stewart Udall to prepare a plan for mitigating or eliminating adverse effects of the proposed jetport and to consider alternate sites. Conservationists hope that Udall's proposals will point to the same conclusion as Dr. Leopold's report—that the only solution for the jetport is not to build it at the present site.

This time the decision can be made before death occurs. The equation is simple, clear and elegant. Is this the place where, finally, we stop brutalizing our environment in the name of that sort of progress which makes things quite different—but never any better, and usually worse than we could have believed?

[From the Sierra Club Bulletin, July 1969]

DADE COUNTY PORT AUTHORITY

The nation's third largest national park is in trouble, serious trouble. As Undersecretary of the Interior Russell Train stated at the June Senate Interior hearings on the Everglades, "Everglades National Park has the dubious distinction of having the most serious preservation problems facing the National Park Service today. . . ." Everglades National Park is in as much jeopardy as the 22 endangered species of fish and wildlife that find refuge within its boundaries.

The fragile, unique ecology of Everglades National Park is utterly dependent on a reliable supply of pure, fresh water. But the sources of this supply exist outside the park's boundaries, in the sloughs and sawgrass savannahs of the Everglades to the north, in the strands and marshes of the Big Cypruss Swamp to the north and west, in Lake Okeechobee almost 70 miles north, and even in the Kissimmee Prairie beyond the lake. And, ever since the 1880's, man has been busy as the proverbial beaver draining, diking, ditching, and otherwise "managing" this water.

The real trouble began in 1948 when Congress authorized the construction of a gigantic flood control, drainage, and reclamation project north of Everglades National Park. Still under construction (at latest count it was $170 million old and still only 48 per cent complete), the project already has the capability of completely shutting off the park from its source of surface water, which was proved during the long and severe drought of the early 1960's.

Designed and built by the Army Corps of Engineers, the project is administered by a state agency, the Central and Southern Florida Flood Control District (FCD). Both of these agencies have been notably more understanding of the project's other water users: citrus growers, beef ranchers, sugarcane growers, vegetable farmers, real-estate developers, and municipal water users. However, since the appointment of conservation-minded Chevrolet dealer Robert W. Padrick to the chairmanship of the FCD's board of governors, the national park has fared considerably better.

But there is no way to insure that the next FCD chairman will be as understanding of the park's problems as Bob Padrick; so the only long-range solution is to secure for Everglades National Park a guarantee to its miniscule, but absolutely necessary share of the project's water. The Corps has several times entered into agreement with the National Park Service, but has backed off each time. The people of the United States have been waiting 21 years now for this guarantee, and in each of those 21 years Congress has appropriated several millions of public dollars to advance construction of the flood control project. It's high time for Congress to secure for the people of the 49 other states their interest in Everglades National Park. That's precious little to ask for all that equity in the water project.

THE NEW ENEMY

But, while conservationists and the National Park Service were engaged in this long struggle to secure the park's water supply, Everglades National Park took a mean blow below the belt from an entirely different foe. On September 18, 1968, ground was broken in the ecotone between the Everglades and the Big Cypress Swamp for the world's largest airport. Just imagine, an airport of 39 square miles, large enough to hold Kennedy, Los Angeles, San Francisco, and Washington national airports with plenty of room left over to spare; with runways six miles long, capable of handling the largest and fastest jet transport aircraft—and just six miles away from, and "upstream" of, Everglades National Park.

Though not exclusively a water problem, the jetport certainly will have an impact on this resource. First consider the degradation of the waters flowing into Everglades National Park from the use of pesticides, fertilizers, and detergents on the airport site, from the inevitable fuel spills, from the effluent of the 35 to 40 million passengers it is expected to serve by 1985. Then, consider the tons of hydrocarbons, petrochemicals, and carbon particulates from unburned and partially burned fuel that will be dumped into water on its way to the park during approach, landing, takeoff, and climbout.

Perhaps even more important is the broad threat to both water quality and quantity posed by the massive development of the Big Cypress Swamp that will be spurred by the construction and operation of the world's largest jetport. It has been estimated that a city of 500,000 to one million inhabitants will spring up in the wilder-

ness of the Big Cypress Swamp. The drainage required by a development of this magnitude (remember, this is Florida swampland) would siphon off a substantial portion of the park's Big Cypress water supply. And the potential pollution of the rest is fantastic.

In April of this year, the Sierra Club joined with 20 other conservation organizations to oppose the jetport's development at the present site and requested Secretary of Transportation John Volpe to withdraw his department's support and to actively encourage the relocation of the facility.

Jetport backers, including not only the Port Authority but also other Miami and Dade County economic interests and several major airlines, are quick to point out to conservationists that the Big Cypress lands in Collier and Monroe counties are subject to undesirable development whether or not the jetport is developed at the present site. True, but the jetport will accelerate and magnify the development. As Nathan P. Reed, special assistant to Governor Claude R. Kirk, pointed out to the Senate Interior Committee:

For years competent biologists and ecologists have wondered what would happen to the park if the peripheral Big Cypress lands were ultimately developed. Due to the money squeeze, the problem remained insoluble. In my opinion, the park cannot be saved for future generations if the Big Cypress is allowed to be developed. Even "planned development" will surely wreak havoc with the water route.

Without the development catalyst of the jetport there might, just might, be time to acquire enough of the Big Cypress and to zone enough of the rest to preserve the western Ten Thousand Islands section of Everglades National Park. With the jetport, that slim chance is lost.

TRANSPORTATION ACT VIOLATED

Last year, at the urging of Senator Henry M. Jackson, Congress amended the Transportation Act to require consultation between the Secretaries of Transportation and Interior prior to approval of any transportation program or project which uses park, wildlife, or recreation lands of federal, state, or local significance. This language was designed to prevent just the sort of disaster that now threatens the Everglades. The FAA has made an airport construction grant of $500,000 to the Dade County Port Authority without the required consultation between the Secretaries of Transportation and the Interior, and without the required demonstration that (1) there was no "feasible and prudent alternative" and that (2) the airport program included "all possible planning to minimize harm" to Everglades National Park and State Water Conservation Area 3, an important state outdoor recreation area. Not only that, but the Department of Transportation's Federal Railway Administration has announced a $200,000 grant to study high-speed ground transportation connecting the jetport with Miami, 52 miles to the east, and plans are under way to route Interstate Highway 75 connecting Tampa-St. Petersburg and Miami past or through the jetport site.

Port authority and FAA officials have lately been given to public expression of conservation platitudes, but the record is clear: it's the same old flim-flam. The memorandum from the Port Authority staff to the Dade County commissioners recommending the jetport project mentions Everglades National Park just once: "The Everglades National Park south of the site at Tamiami Trail assures that no private complaining development will be adjacent on that side." This great national park was seen exclusively as a buffer, "with no one to complain about the noise except the alligators." And as for the "environmental concern" the jetport sponsors profess to share with the Interior agencies and private conservation organizations, *Aviation Week & Space Technology* published the following statement in their May 22, 1969 issue—before the rising tide of public concern began to well up:

"The bulk of the takeoffs will be out over the 15 miles of clear zone of the undeveloped state-owned water conservation area. . . . Climbouts could then turn south over the Everglades National Park, providing what the airport officials believe to be optimum environmental operating conditions."

This doesn't pass muster as sound environmental planning.

At present the air over Everglades National Park is pure and clear. But what will it be like if the jetport is developed at the present site? Figures on pollutant emissions from jet aircraft engines are readily available from the Department of Health, Education, and Welfare or the Society of Automotive Engineers and are highly reliable. But some inside-outside figure can be calculated to provide an idea of the magnitude of the air pollution problem. Based on 900,000 flights a year—the projected operation level as a full-blown commercial jetport—the airport's annual contribution to the Everglades atmosphere will be something like this:

Carbon monoxide: 9,000 to 72,000 tons.
Nitrogen oxides: 4,150 to 6,000 tons.
Hydrocarbons: 13,000 to 40,250 tons.
Aldehydes: about 1,000 tons.
Particulates: 1,260 to 3,250 tons.

That is big-league air pollution.

And the prognosis for noise pollution isn't much rosier. The supersonic transports the jetport is being built to accommodate (the sign at the gate bills it as "the world's first all-new jetport for the supersonic age") are expected to be noisier than the current generation of jets. And how noisy is that?

When the Anglo-French Concorde made its maiden flight this past winter, NBC reported, "On takeoff, the rear of its four engines could be heard in villages 20 miles away." And the Concorde is expected to be even noisier on approach. Last year *Aerospace Technology* reported, "It is expected that the Concorde will exhibit sideline noise levels of about 118 PNdB [decibels of perceived noise], according to U.S. engineers, and may show a rather startling 124 PNdB figure during approach. . . ." Boeing's studies show that its larger, faster, and more powerful SST will probably generate a sideline noise level of 122 PNdB. As a yardstick, 120 decibels is considered the threshhold of pain. The current subsonic commercial jets at takeoff generate noise levels three miles away in the range of 120 PNdB.

It is difficult to determine what the noise levels would be within Everglades National Park, but it's a safe bet that they would be considerably higher than a typical national park "noise"—the rustling of leaves, which is rated at 10 decibels. Talk about uproar; if the jetport is developed at the present site, it will turn the wilderness quietude of Everglades National Park into bedlam. Nine hundred thousand flights a year average out to more than 100 flights an hour, 24 hours a day, 365 days a year.

NEEDED: ONE HELL OF AN UPROAR

Fortunately, Section 4(f) of the Transportation Act gives the Department of Transportation a clear mandate to move the jetport if a "feasible and prudent alternative" exists. At the June 3 hearing before the Senate Interior Committee, alternative sites were identified by two state witnesses: Nat Reed of the governor's office and FCD Chairman Padrick. The sites they identified are both on state-owned land, so a land swap with the Port Authority would make things relatively simple.

But the push for another site isn't going to come from Miami, not while either alternative would benefit Fort Lauderdale, West Palm Beach, and other cities north of Miami along Florida's Gold Coast. The push is going to have to come from Washington, by shutting off the federal subsidy for development at the present, destructive site. And Washington isn't likely to push too hard without a push from the general public. Everglades National Park might well become the first national park to be dis-established, unless the American people stand up in its defense. So far, through the various federally supported programs and projects of diverse agencies and departments, the American public has unwittingly been subsidizing the destruction of Everglades National Park.

As long as the various federal departments and their agencies pursue their separate ways, ignoring the several laws that exist to promote—and that even require—inter-departmental coordination and sound environmental planning, there can be no hope for preserving and restoring the American environment. In many ways the Everglades problems are symptomatic of an even larger problem. Hopefully, President Nixon's new Environmental Quality Council will roll up its collective shirtsleeves and go to bat for Everglades National Park. For if the Everglades are lost, America will have gone one hitless inning toward losing the whole environmental ballgame.

The first step down the long road toward saving Everglades National Park is moving the jetport away from the park. As Senator Nelson observed, moving the jetport will cause one hell of an uproar in Dade and Collier counties. But the jetport isn't likely to be moved unless there is one hell of an uproar in the 50 states of the Union over the threat to Everglades National Park. Conservationists who want to see Everglades National Park given at least a fair chance of survival, are writing President Richard M. Nixon, as well as their senators and congressmen. If the jetport isn't moved, say goodbye to the continent's only subtropical national park and to the world's only Everglades.

[From the Miami (Fla.) Herald, Aug. 8, 1969]

NIXON'S WORD COULD BLOCK GLADES JETPORT

(By Rowland Evans and Robert Novak)

WASHINGTON.—President Nixon will soon give the first clear sign of his future course on politically explosive conservationist questions when he decides whether to protect the irreplaceable Everglades National Park in Southern Florida from a huge new jetport.

The reason the President himself has to decide is a sharp backstage disagreement inside the administration. The interior Department, surprisingly conservationist under Secretary Walter Hickel, not only opposes the jetport but is insisting privately that federal law prevents the Transportation Department from approving it. Secretary John Volpe's Transportation Department favoring the jetport, vigorously disagrees. Thus, if the jetport is to be blocked, it will be up to Nixon.

Immediately at stake is a priceless national resource. Sen. Gaylord Nelson of Wisconsin, a leading conservationist, charged during a Senate interior committee hearing that construction of the jetport would be "a disaster and the end of the Everglades as a unique wilderness."

But beyond the Everglades, the White House decision will be an unmistakable sign of its direction in the increasingly political issue of environmental control. While pleased by Hickel's new interest in these issues, conservationists in and out of Congress are watching the Everglades case as it reveals presidential policy.

The Interior Department joined the issue inside the administration on May 29 when it wrote a privately circulated legal opinion, contending that section 4F of the Transportation Act bars Volpe from approving any project endangering a national park unless he can prove the project is essential and there is no alternative site. In the case of the Florida jetport, say Interior Department officials, no such proof has been offered.

But at the Transportation Department, 15 blocks away, the law is read differently. Volpe's lawyers say he has no legal authority to deny federal sanction to the jetport or refuse navigational guidance for it.

Thus, it is clear that the transportation department will not impede jetport development unless there is White House intervention. "If we get President Nixon on our side," an Interior Department official told us, "we might be able to stop this jetport. If we don't, we haven't got a chance."

Backing up the Transportation Department are major airlines who see the jetport as essential to ease over-crowded conditions at Miami International Airport. The jetport's first runway will open next month as a training facility for Miami-based pilots and crews with 150,000 annual training flights planned for the single runway.

If this were the extent of the jetport, conservationists would not be so apprehensive. But Interior Department officials are convinced that Dade County envisions the biggest jetport in the world—the major airline terminus of the southeast, capable of handling new jumbo jets and futuristic supersonic transport. The construction that would proliferate around such an airport would doom Everglades Park, polluting its waters and destroying its unique ecology they feel.

Actually, a decision in favor of the jetport was made at the Transportation Department long before the Republicans took over. During the Johnson Administration, the Federal Aviation Administration (FAA)—part of the Transportation Department—granted $500,000 to the Dade County Port Authority to start the jetport.

Moreover, the Transportation Department's lame duck Democratic officials last December approved—but did not announce—an additional $200,000 grant for research on high-speed ground transport from Miami and Tampa. Word leaked out only when Dade County officials announced $200,000 contract for the study to TRW, Inc., the giant construction firm.

But the Transportation Department under Volpe shows no basic disagreement with those decisions. It has just approved another $163,000 grant for landing lights on the existing single runway—thereby antagonizing Sens. Nelson and Henry M. Jackson of Washington, the interior committee chairman, who had criticized the earlier $700,000 in grants made without studying their impact on the environment.

JETPORT COMES BEFORE GLADES

WASHINGTON.—Development of a super jetport in the Florida Everglades west of Miami is more important than protection of Everglades National Park, the Florida secretary of transportation said Thursday.

"I am more concerned with people than alligators," Michael O'Neil said during a news conference in Gov. Claude Kirk's Washington office. "I am not an ecologist. I call Everglades National Park a swamp. My children can't play in it. It's a wonderful natural resource, I'm sure, but I think people come first and I think transportation comes first."

O'Neil said he had just completed two days of meetings with officials of the Department of Transportation and found them "very enthusiastic about the jetport."

Location of the 39-mile-square airport on the northeastern edge of the national park has been vigorously protested by the major conservation organizations. They claim it will cause air, water and noise pollution that will have adverse effects on the park.

During a recent hearing on the park's problems by the Senate Interior and Insular Affairs Committee, Nathaniel P. Reed, special assistant to Gov. Kirk, testified the Dade County Port Authority did not consult any state agency before choosing the site.

"Had they," he said, "I would be willing to say another site with less ecological impact could have been found. But before we knew it, sir, that field was there."

O'Neil disputed this. "The governor has not indicated that to me at all," he said. "The governor was in Miami and was briefed on the jetport plans while they were still being developed."

O'Neil said he and Reed disagree on the effect of the jetport on the park, but he thinks they can work out their differences.

The Dade County Port Authority has given assurances it will protect the park, he said.

"Right now, this week, Dade County Port Authority officials are in California meeting with the National Academy of Sciences to discuss this problem," O'Neil said.

The jetport will have to be licensed by the state, he said, and his agency will provide the license.

TAX REFORM BILL

Mr. McINTYRE. Mr. President, one of the most important pieces of proposed legislation being considered by this session of Congress is the tax reform bill, recently passed by the House and pending before the Senate.

I wish to speak briefly today about what I consider to be one of the most significant parts of this legislation—its provisions affecting private foundations and other charitable organizations.

In the United States, private philanthropy has come to play an important role in providing resources for numerous activities with which Government cannot or does not involve itself. Charitable organizations establish experimental programs on the frontiers of many different fields of endeavor. They serve to enrich the pluralism of our social order.

The valuable contribution of charitable organizations to our society has long been recognized in our tax laws. The Internal Revenue Code has for many years provided preferential tax treatment for such organizations. Not only has it exempted such organizations from income tax, as with many other nonprofit institutions, but it has also granted income, gift, and estate tax deductions to persons contributing funds to them.

Unfortunately, some individuals have sought to take advantage of these tax benefits and to turn them into instruments for their own personal profit. The Department of the Treasury documented a number of such abuses in its report to Congress in 1965 on the activities of private foundations.

That report showed several instances of self-dealing between foundations and those who controlled them. It showed, for example, that one foundation received approximately $400,000 in deductible contributions from the owners of a grocery chain, distributed a small portion of the funds to charitable organizations, and then used the remainder to construct buildings which were immediately leased back to the donor's grocery chain.

The report also showed instances of undue delay in the distribution of foundation income. It showed, for example, that 25 percent of all private foundations did not expend for charitable purposes annually an amount equal to their net income. Thus, while an immediate deduction was being allowed for gifts to these foundations, there was a substantial delay in the flow of their funds into charitable undertakings. In fact, one foundation was shown during the 17 years of its existence to have distributed only one-tenth of 1 percent of its funds to charity. Its only real purpose had been to function as a tax-free holding company for its donor.

And the report showed many instances of excessive foundation involvement in the active conduct of business enterprises. This part of its discussion was highlighted by its reference to one foundation with a controlling interest in 26 separate corporations, 18 of which were going business concerns. One of these was a large metropolitan newspaper, with gross receipts of many millions of dollars. Another operated the largest radio station in the State. Also controlled were a lumber company, several banks, three large hotels, a garage, and a number of office buildings. Concentrated largely in one city, these properties represented an economic empire of substantial power and influence. And, because of their favorable tax treatment, these businesses had a distinct advantage over their taxable competitors.

These and other well-documented abuses are the direct cause of those provisions of the House-passed tax reform bill affecting charitable organizations. As the examples I have chosen make clear, some of these abuses have been serious indeed. They obviously require correction, and I heartily endorse those provisions in the House-passed bill which would in fact correct them.

My purpose today, however, is to call attention to several other provisions in the House-passed bill. These provisions would do little to remedy past abuses of which a minority of foundations have been guilty, but they would do much to interfere with the vitally important work in which the majority of foundations are engaged. They present a blatant case of overkill and seriously threaten the role of charitable organizations of all kinds in our society.

Our Finance Committee will begin hearings tomorrow on the private foundation related provisions of the House-passed bill. I hope that the committee will examine all of these provisions with the utmost care and that it will see fit to eliminate any which would hinder legitimate charitable endeavors. I would like to focus my remarks today on just four provisions which, even in the absence of any detailed hearings, are obviously in need of amendment or deletion.

First. The 7½-percent tax on the investment income of foundations: This is clearly not a provision designed to eliminate past abuses. It singles out all foundations, good and bad, and accords them less favorable treatment than charitable organizations generally. It is obviously predicated on the belief that foundations are less worthy than other charitable organizations.

Even if this were true, such a tax would be a dangerous precedent. If foundations can be taxed now, then why not any other charitable activity in disfavor at some future time, such as churches, schools, hospitals, and so forth. A tax on

foundations would be an opening wedge against the whole tax-exempt status of charitable activities.

And clearly it is not true that private foundations are less worthy than other charitable organizations. The basic function of private foundations is to make their funds available to other such organizations, and if foundations are hit by this tax, these other organizations will themselves be affected by the fallout. I know, for example, that Dartmouth College—my alma mater and a leading educational institution in the State of New Hampshire—has been receiving from foundations approximately $1.5 million per year. If its contributors are hit by this punitive tax, Dartmouth itself will feel the effects. What could be more senseless at a time when tuition rates at our leading universities are already being raised practically every year?

Second. Gifts of appreciated property to private foundations: Much of what I have just said can be repeated here. I see no reason why a gift to a private foundation should not receive the same treatment as a gift to any other charitable organization. This provision, too, is a clearly punitive rather than an abuse-correcting measure. It, too, constitutes a dangerous precedent and threatens harm indirectly to many organizations not directly subject to it.

Third. Limitations on the programs of private foundations: The objectives of the program limitations in the House-passed bill are quite proper. Foundations should stay away from lobbying and from the support of individual political candidates. Unfortunately, the language of the House-passed bill is so broad that it would clearly encompass many activities which cannot fairly be regarded as lobbying or electioneering. Many well-known and widely accepted charitable organizations conduct activities which necessarily go well beyond the "nonpartisan research and analysis" permitted by the House-passed bill. In an appendix to this speech I have listed 13 such organizations. Their activities are such that I believe both lawyers and foundation trustee would be very reluctant to make further grants to them if the present language stands. Mr. President, I ask unanimous consent to insert this list of organizations, and a brief description of their respective activities, in the RECORD at the conclusion of my remarks.

Fourth. Penalties on foundation trustees: The House-passed bill would impose a punitive tax on any foundation trustee who approved a grant which did not meet the program limitations of the bill. There is no better way that I could indicate the harm threatened by this tax—which would be equal to 50 percent of the amount of the grant in question—than to refer to a letter I received recently from the trustee of an important foundation in my own State. His remarks were basically as follows:

These Trusts don't seek to influence legislation directly nor to support "propaganda." But I would be scared to death if this bill became law to make a grant of $53,000, such as I just did, to the New Hampshire Hospital Association to study how the State might improve ambulance service. It is likely that any such report and study will suggest a number of inadequacies in existing ambulance service. It is very likely to suggest legislative remedies. Were this to be classed as "an attempt to influence legislation" or an attempt to "support propaganda", I would be subject to a personal tax of $26,500. I am not that generous nor rich an individual. As a foundation executive forced to operate under such a threat, I would undoubtedly withdraw into a tight shell and make grants only to the "Genteel Society for the Study of Etiquette and Tea Service conducted by the ladies auxiliary of some church of a well-accepted Protestant denomination." If other foundation executives have no more courage than I, the proposed legislation could take an awful lot of vitality out of foundation activity.

Mr. President, there are other provisions in the House-passed bill which bother me also. My purpose has not been to be inclusive, but by reference to some of the most obvious problems to draw attention to the critical task which confronts our Finance Committee when it begins its hearings in this area tomorrow. I trust that the committee will seek out and eliminate all provisions in the House-passed bill which would hinder the activities of charitable organizations in our society. I trust that it will do all it can to expand, not contract, the ability of the private sector to contribute to a solution of our social problems. And I pledge my own continuing efforts to this end. It is my intention to make a further statement in this field, with my own detailed recommendations, in the very near future.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

APPENDIX

QUALITY OF THE ENVIRONMENT

Conservation Foundation

The Foundation advises local and regional conservation organizations, citizens and communities on conservation concerns. It engages in public education and in efforts to organize citizens for sustained action on behalf of regional planning, clean rivers and conservation legislation. The organization publishes a bi-weekly newsletter with a circulation of 20,000 in which it frequently takes an editorial position. Its comments have often reached the general news media. In addition, it has received a number of quantity orders for specific issues, such as one requested by the National Center for Air Pollution Control for 10,000 copies of an issue that focused on this problem. The Newsletter's articles and commentaries frequently discuss and take a stand on conservation legislation, including all major bills pending in Congress.

Massachusetts Audubon Society

This 74-year old organization does conservation research, conservation-oriented education on all levels, and acquires land for conservation and operates some 30 wildlife sanctuaries. The Center has assembled an extensive source file on environmental problems in the New England area and now serves several hundred local and regional newspapers and radio stations with two weekly news columns. Other public information programs include a magazine for young people and a series of analytical reports on conservation topics ranging from mosquito control to noise pollution. The program of the Center was actively involved in promoting the passage of several key pieces of legislation. These include a wet-lands protection bill in Connecticut and a constitutional amendment in New Hampshire for reform of property taxes.

National Audubon Society

The Society's main objective is to improve the physical environment through a variety of activities, including prominently the publication of information highlighting environmental problems and marshalling support for their solution. One of the means the Society uses to gather public support for its goals is its semi-monthly newsletter. The 2,000 newsletter copies go to the Society's officers and affiliated organizations. Another is the monthly magazine *Audubon*, with a circulation of some 80,000. The bulk of these are distributed to the Society's national membership. However, some 5,000 non-members also subscribe to the magazine. The Society addresses itself extensively to pending conservation legislation. It features a column on the "National Outlook," describing federal programs and pending legislation. Lately it has reported extensively on problems raised by the use of DDT and other pesticides, culminating in a nationwide campaign to "Ban DDT," which received wide news coverage at a time when several bills dealing with pesticide control—one to prohibit the sale or shipment of DDT for use in the United States—were (and still are) pending in Congress.

CRIMINAL JUSTICE

National Legal Aid and Defender Association

NLADA was organized to promote organized legal services for the poor. One of its main goals is to obtain local community support for its program, much of which requires legislation. It advises local people how to go about achieving needed reforms. Local defender project directors speak before Rotary, Lions, PTA and church groups, and the national director speaks at bar association meetings, law schools and Law Day programs. Statewide public defender systems have been implemented in a half-dozen states and in all cases, the NLADA has been a major force behind this effort.

The American Law Institute

The Institute's main purposes are to promote the clarification and simplification of the law and its better adaptation to social needs, to secure the better administration of justice and to encourage and carry on scholarly and scientific legal work. A.L.I. does legal research, restatements of the law and drafts model legislation. It publishes its views and recommendations. It attempts to affect the opinion of lawyers and judges, whose views have special weight on a wide range of legislation. It is associated with the American Bar Association in a Joint Committee on Continuing Legal Education, which publishes materials and organizes conferences and courses. The Institute has drafted a Model Code of Evidence, a Code of Criminal Procedure, a Model Penal Code and the Uniform Commerical Code, which has now been adopted in almost all states.

REGIONAL PLANNING

Regional Plan Association, Inc.

RPA conducts studies and prepares plans for the New York metropolitan region (22 counties). Its reports have highlighted trends and major issues for decision, in a concentrated projection for specific future years of job and population locations, travel patterns, retail patterns, open space demands, and other concerns of planners. It has engaged in a major effort to alert and educate the public to projected needs of the metropolitan area, through publications, the organization of many public meetings and through an effective public relations program to secure effective and continuing news coverage of proceedings, findings and recommendations. Among its public education efforts has been a series of five television shows ("Goals for the Region Project"). RPA has consistently been involved in promoting legislative action consonant with its objectives,

such as the establishment of the Tri-State Transportation Committee by New York, New Jersey, and Connecticut; higher state appropriations for support of commuter railroads; fast rail service, between Boston and Washington, support for five New York State bond issues for park acquisition, and for the World Trade Center.

Greater Philadelphia Movement

The organization's purpose is to promote governmental, economic, social and physical improvement in the Philadelphia metropolitan area. GPM's program is specifically aimed at citizen education on regional issues and encouragement of citizen action to promote regional cooperation in solving problems such air pollution which cross state boundaries. The educational objectives are accomplished through a 38-member tri-state Committee on Regional Development. A broad-based regional citizens' organization is now being developed to provide continuing citizen education at the grass-roots level on recommendations of the Committee for regional action. GPM is engaged in rallying public opinion in support of draft legislation on airport and other transportation development, as well as air pollution control.

Metropolitan Fund, Inc. (formerly Southeastern Michigan Metropolian Community Research Corp.)

The Fund is engaged in research and education on problems of the six-county region of Southeastern Michigan centered on Detroit. It finances research to identify metropolitan needs and aspirations and to suggest alternative policies and programs, and it seeks public support for these policies and programs. The Fund's publications are widely circulated in the area. It sponsors a "citizen information-education-response" program in which local citizens groups gather for discussion sessions with civic leaders and public officials on regional issues.

Through its studies, the Fund has been deeply involved in promoting the establishment of at least two regional governmental devices which required local legislative action—the Southeastern Michigan Council of Governments, and the Southeastern Michigan Transportation Authority. It is now engaged in generating support for legislative action on such issues as building code reform, joint purchasing arrangements, disposition of abandoned vehicles, and solid waste disposal.

ADMINISTRATIVE REFORM

Citizens conference on State Legislatures

The major purpose of the Conference is advancing legislative modernization at the state level. It attempts to build a constituency for legislative reform on subjects ranging from state legislators' salaries to staffing the committee structure, and the length of legislative sessions. It has been the prime source of support for approximately fifteen citizens commissions. Much of its work is done by marshalling public support, through press conferences, assistance in the preparation of magazine articles, issuing reports and generally seeking to generate interest in and concern for reforms of state legislatures. The organization's purpose is to affect the whole legislative process on the state level—with reform activity underway on a variety of problems in 40 of the 50 states.

The council of State governments

The broad purposes of the Council are to strengthen state government and its public services and to preserve its role in the American federal system; to promote cooperation and more effective working relations on the state-local, interstate, and state-federal levels. The Council is an organization which serves as the staff arm for several affiliates: The National Governors Conference, the Conference of Lieutenant-Governors, the Conference of Court Administrators, and the Council of State Planning Agencies. Approximately 16 other orgnizations in such fields as parole, probation, mental health, civil defense, and personnel work with the Council. The Council makes studies and reports, frequently at the request of affiliate or cooperating organizations. Reports are widely distributed, going to over 600 addressees on the Council's national mailing list. The Council also has two periodicals: *State Government Quarterly* and *State Government News*, which seek to enlist public support for Council goals. The Council's Committee on Legislative Modernization issued a report in December 1968 containing a number of recommendations; some of which have been adopted by some states.

National Municipal League

The purpose of the League is to assist citizens in the improvement of government, and to strengthen government at the state and local level. The National Conference of the League brings together public officials, editors, civic leaders, students and others for workshops on current issues. It develops and publishes background materials designed to build public support for the modernization of state and local government. The League of Women Voters regularly turns to the National Municipal League for help in this area. The League has often been involved in assistance to constitutional conventions, most recently in Chicago. There it convened a forum of state legislators who had filed to be delegates to the Illinois constitutional convention and arranged for them to meet with civic groups and experts on constitutional revision.

HOUSING

Urban America, Inc.

This organization assists in developing public policies and stimulating action to improve the quality of life in the nation's cities. Its Nonprofit Housing Center, has worked with hundreds of non-profit housing sponsors throughout the nation. In all cases, major emphasis has been on generating public opinion in favor of these organizations, and almost every instance involved some change in state or local legislation. Urban America publishes two periodicals (*City* and *Architectural Forum*) which analyze and report upon major public issues in urban affairs, including legislative events at all levels of government. Urban America, under contract with the Urban Coalition, also was responsible for the recently published book "One Year Later" which reviewed implementation of the President's National Advisory Commission on Civil Disorders and which made a major impact in the general news media. This, incidentally, was one of the many large-scale public information campaigns which the Urban Coalition is conducting in cities throughout the nation. Three statewide development corporations were developed with Urban America's aid, all having some measure of state government support and involving legislative change. The Housing Center took the lead in alerting non-profit sponsors to the dangers of language in the 1968 Housing Bill which would have required higher payments on low and moderate income projects. The States Urban Action Center of Urban America provides consulting services to more than a dozen states on a broad range of urban issues, aimed directly at bringing about legislative changes. Late in 1968, with Urban America's assistance, a small group of Congressmen and private urban leaders formed the National Committee on Urban Growth Policy for the purpose of developing recommendations for legislation needed in shaping urban growth. The group helped generate the creation of a new Congressional Committee, the Committee on Urban Growth.

Rural Housing Alliance

The Alliance provides educational materials, technical assistance and financial aid for the development of rural, and particularly self-help housing. One of RHA's major purposes is the education of the general public on the deficiencies of rural housing policies and programs. Two monthly publications—the *Low Income Housing Bulletin* and *The Self-Help Reporter*—regularly call attention to legislative developments related to rural housing and usually comment critically on the inadequate size and scope of rural housing authorizations. Annual conferences sponsored by RHA also discuss these matters with a view to stimulating action by conference participants to urge more federal attention to rural housing problems. Managers of projects which utilize RHA's advice and assistance are encouraged to keep their Congressional representatives informed of their problems and needs. The RHA staff keeps in close touch with relevant federal agencies, chiefly HUD, OEO and Farmers Home Administration (FMHA). They were heard by both the House and Senate Banking and Currency Committees on self-help amendments to the 1968 Housing Act. At the request of FMHA, RHA staff helped draft amendments to Title X of the Housing Act establishing self-help programs for rural areas under FMHA.

SENATOR EVERETT McKINLEY DIRKSEN

Mr. MURPHY. Mr. President, it is always difficult to bear the death of a close friend, but it is especially hard when the deceased friend was a symbol of vitality, spirit and life.

It is for this reason, therefore, that we suffer such deep and sincere distress at the passing of Everett McKinley Dirksen, for this beloved colleague of ours had that rare, divine gift of remaining intensely alive in his activities and of touching everything he did with the electrifying magic of his own philosophy and personality.

In addition, he understood better than any other man the art of objective compromise.

Consequently, he got things done, and much of the major legislation of his era, for which others frequently received the credit, would never have come into being without the careful guidance and exceptional craftsmanship of this great leader.

Furthermore, he kept things in perspective and acted accordingly.

When assaults on old-fashioned patriotism were abroad in the land, the mellifluous and inspiring voice of the senior Senator from Illinois could be heard reminding our Nation of the "Gallant Men" whose past heroism he recommended as a course for our future.

When the business of the Senate seemed about to become submerged in a quagmire of procedural formalities, an ingenious quip or an aptly recited quotation from our colleague would return the proceedings to their appropriate course.

When the complex and conflicting considerations surrounding the major issues of our time piled one upon another to form seemingly insoluble dilemmas for those charged with the responsibility of voting on them, Ev Dirksen made his decisions honestly and courageously ac-

cording to the dictates of his unshakeable integrity and his deep-rooted love of country, and in so doing he set an example of statesmanship which was both an inspiration and a guide.

It is said that Ev Dirksen thought he might have liked to be an actor.

My former profession would have welcomed him proudly, for he would have done us a great honor and he would have been a great performer.

I say this not primarily because of his outstanding oratorical ability and his remarkable innate showmanship, but because he had that magnificent insight into life which permitted him to recognize that there are two thespians' masks, one for tragedy and one for comedy, and that even the gravest problems which confront us must be viewed not only through the mask of tragedy but also through the other mask, which symbolizes the essential, God-given joy of life and man's need to preserve it.

Yes, Ev Dirksen loved life and its happiness, and his enthusiasm was catching.

Therefore, he would have been a star in any field of endeavor.

If we are, as Ev Dirksen would have reminded us with one of his frequent Shakespearean quotations, "merely players" on the stage of this world, then our colleague will always be remembered as one who accepted one of the most difficult parts ever presented to any Government leader in our history and whose performance in this vital and sensitive role will continue to make this a better land in which to live for untold generations to come.

More than all this, though, I shall miss his warm friendship, his wise counsel, and his deep dedication to his country, all of which, combined in my memory, will make me remember him as one of the greatest Americans it has been my privilege to know.

My most heartfelt sympathies are extended to Mrs. Dirksen and our late colleague's entire family.

EVERGLADES

Mr. NELSON. Mr. President, I ask unanimous consent that two items be printed in the CONGRESSIONAL RECORD at this point. The first is an excellent editorial published in the New York Times expressing support for the efforts of conservationists, the Department of the Interior, and now Florida Governor Kirk to prevent the construction of a superjetport in the area of the priceless Everglades National Park. The second is a resolution adopted by the United Southeastern Tribes, Inc., supporting the Miccosukee Tribe of Florida in calling for a halt to the construction of the Everglades jetport until a comprehensive study has been made to determine the ecological effects of such a jetport on the area. The Indian concern in this matter is one more important reason why appropriate action must be taken immediately to protect Everglades National Park and the surrounding areas, including the Indian lands.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A JETLESS EVERGLADES

The battle to preserve the wildlife and ecology of Everglades National Park, the last great natural watershed in south central Florida, is being joined again only a few weeks after all hope seemed lost. Last-ditch efforts by conservationists and an aroused public have alerted the Department of the Interior and Governor Kirk of Florida to the urgent necessity for saving this national treasure before it dies under the pressure of commercial development and the killing fumes of jets.

It is the eleventh hour but not yet a lost cause. One long runway has already been completed and a second is being built on a 39-square-mile site that would become a major commercial jetport in the future. It would be used at first as a training facility for commercial fliers and aircraft and eventually serve the growing needs of the Miami area.

The threat to the Everglades is obvious. Even more than the pollution caused by a busy jetport, there would be the new wastes caused by industrial and commercial development springing up for many miles around. The plants, fish, animals and birds, including many species on the rare and endangered list, would face destruction. The silence of this subtropical wilderness would be replaced by the scream of the jet engine, the rasp of the motor car, the sound of the tossed beer can landing.

The Interior Department's study under Dr. Luna Leopold, senior scientist of the U.S. Geological Survey, should be released without hesitation. It is reported to show how gravely the Everglades would be harmed by a jetport. The Dade County Board of Commissioners has shown responsibility by hiring former Secretary of the Interior Stewart Udall to submit a plan for avoiding damage to the Everglades—and possibly recommending alternate sites away from the national park. Mr. Udall's plan ought to be made known before the bulldozers rip up more land for the runways.

Governor Kirk is said to be ready to offer state land that is north instead of west of Miami. This could be the solution to save the Everglades and at the same time meet the needs of the metropolitan area for a new airport. Such an offer, combined with the Leopold and Udall studies, would balance human and natural needs—and demonstrate again that destruction of precious parkland is not necessary in Florida or anywhere else.

RESOLUTION No. USET 19–69

To: Support the Miccosukee Tribe of Florida in Jet Port controversy.

UNITED SOUTHEASTERN TRIBES, INC.

Whereas, the Miccosukee Indians of Florida have for more than a century hunted and fished over the area of the proposed Everglades jetport, and have reservation land in the vicinity of the proposed jetport, and

Whereas, the United Southeastern Tribes, Inc., sympathize with the concern of the Miccosukee Indians that the proposed jetport and related commercial development will destroy the privacy, means of livelihood and traditional way of living of the Miccosukee Indians, threaten their health and safety through air and water pollution, and eliminate the animal life and natural habitat with which and from which the Miccosukee Indians have subsisted for so many years,

Now therefore, be it resolved, that the United Southeastern Tribes, Inc., petition the President of the United States on behalf of the Miccosukee Indians, that the United States shall in the proper discharge of its responsibility toward the Miccosukees:

1. Halt construction of the Everglades jetport until a comprehensive study has been made of the effects which it may have on the ecology of the area, especially in relation to the Miccosukee Indian people, and

2. If a determination is made that the jetport can be constructed with due regard for the interests of the Miccosukees, insure, by careful planning, the protection of the reservation lands of the Miccosukees, and their right to continue their traditional way of life in privacy, and make adequate provision to prepare the Miccosukees for any change which will be forced upon them because of their proximity to the jetport.

CERTIFICATION

This is to certify, That at a meeting of the Board of Directors of the United Southeastern Tribes, Inc., properly convened and held at Philadelphia, Mississippi, Pearl River Community, on the 13th day of August, 1969, the above resolution was duly adopted:

Attest:

———— ————,
Secretary, Inter-Tribal Council.
PHILLIP MARTIN,
Chairman, Inter-Tribal Council.

NEW YORK TIMES HIGHLIGHTS ACHIEVEMENTS OF WISCONSIN INSURANCE EXECUTIVE

Mr. PROXMIRE. Mr. President, one of our State's outstanding businessmen, Francis E. Ferguson, president of the Northwestern Mutual Life Insurance Co., was the subject of an excellent personality profile published in last Sunday's New York Times.

The article highlighted Mr. Ferguson's concern over, and deep involvement with, the problems of inflation and the condition of our cities. Mr. Ferguson, as president of the largest life insurer not located on the Atlantic seabord, is particularly troubled by the impact that inflation is having on fixed-dollar investments such as insurance. He points out:

When great pools of capital start to turn their backs on fixed-income securities, then our whole structure is in trouble.

Perhaps Mr. Ferguson is best known for the excellent job he is doing as chairman of the Life Insurance Committee on Urban Problems. The committee heads up the insurance industry's program calling for the investment of $2 billion in housing, job opportunities, and community facilities in inner city locations. This is a most important private effort, and it is being ably shepherded by Mr. Ferguson. In view of the interest that all Members of Congress have in this effort to channel private funds for the public good, I ask unanimous consent that the Times article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FEELING THE PULSE OF HAVES AND HAVE-NOTS

(By Robert D. Hershey, Jr.)

Not many businessmen can appreciate as well as Francis E. Ferguson the magnitude of two of America's most pressing problems—inflation and the condition of our cities.

As president of the Northwestern Mutual Life Insurance Company he knows how the rising cost of living can affect the competition for investment dollars and how resulting high interest rates cause policyholders to invoke their right to borrow at below-the-market rates.

As chairman of the Life Insurance Committee on Urban Problems he guides an in-

dustrywide commitment to invest $2-billion in housing, job-creating enterprises and community facilities in city core areas.

More than most men, the tall, articulate executive (who some say looks very much like Lee Marvin, the actor) is in a position to feel the pulse of both the "haves" and the "have-nots."

That part of society with capital, property and earning power is interested, of course, in protecting its standard of living from the seemingly inevitable inroads of inflation. Particularly sensitive to such concerns is the insurance business, which by and large has come to terms with the demand for equity investments by promoting the sale of mutual funds and individual variable annuities as well as insurance.

Mr. Ferguson, however, is less than enthusiastic about the ever increasing demand for stocks that has occurred through the decline in fixed-income securities. He worries, in fact, about what he calls the delusion that equity investment is the answer, on any large scale, to inflation.

"Our society is being trapped into believing that there is a hedge against inflation—and that just isn't so. Maybe you and I can come out ahead, but when great pools of capital start to turn their backs on fixed-income securities, then our whole capitalistic structure is in trouble," Mr. Ferguson said in a recent interview. "Inflation is an exceedingly serious national problem, one that, one way or another, we'll have to control," he added.

Insurance is a pivotal business in this regard. Most of the policies sold are fixed-dollar investments; indeed that is the traditional chief selling point. But if more and more people believe they must buy mutual funds or buy term insurance and invest the difference the industry itself is less able to invest in fixed-income securities.

Northwestern Mutual, the seventh largest life insurer and the largest not based on the Atlantic seaboard, has more than $2-billion invested in bonds.

Mr. Ferguson, who has just completed his first year as president of the Milwaukee concern, finds his company particularly vulnerable to inflation. Northwestern specializes in writing individual, ordinary insurance in large blocks. Its average policy is about $50,000, about five times the industry average.

Inflation causes interest rates to soar and the large, often sophisticated Northwestern policyholders are borrowing at a very heavy pace on their policies at the contract rate of 5 per cent a bargain when blue-chip corporations must pay 8½ per cent plus.

Beyond the lost opportunities to invest this money at much higher rates, there is always the danger that the money will not be replaced and that policies will be allowed to lapse.

Policy loans at life companies rose by a record $233 million in June and ran in the first half of the year about 30 per cent higher than in the 1968 period. They are nearly five times as heavy as in the period before 1966.

In passing, Mr. Ferguson suggested that he would favor a free-market, instead of a contractual, rate on policy loans. "It's the only part of the life insurance contract that isn't competitive," he noted.

When wearing his "urban revitalization" hat, Mr. Ferguson's job is to help channel the money pledged by 118 life insurance companies for investment to create housing and jobs for the poor. The industry pledged $1-billion in September, 1967, and an additional $1-billion last April, when the first phase was nearly completed.

This money is for loans that would otherwise not be made under normal life insurance lending practices (though they may be guaranteed by the Government) at interest rates no higher than regular market levels.

"The second billion will place more emphasis on job-creation facilities than on housing," Mr. Ferguson stated. "With employment comes greater dignity and housing will then come eventually."

Mr. Ferguson, who was not chairman of the committee when it was first organized, conceded that there had been some early "misunderstandings" and "skepticism" that led some minority groups to question the investments. These, he said, had been ironed out and the program was in full swing. "The second billion will go faster than the first now that the companies are all geared up to make these loans," he stressed.

Mr. Ferguson, who is 48 years old, rose quickly in Northwestern's ranks, serving just before assuming the top job a year ago as vice president in charge of mortgage loans. Born in Batavia, N.Y., he attended school in the nearby town of Bergen and left to serve four years in the Air Force during World War II, rising to captain.

The B–17 he was piloting was shot down over Schweinfurt in a raid on an important German installation. "In five missions I lost four airplanes," he quipped; and he spent 19 months in a prisoner-of-war camp.

He returned from the war to graduate from Michigan State University with a degree in agricultural economics and joined Northwestern as an agricultural economic specialist in the mortgage-loan department in 1951 after jobs with the National Farm Loan Association, the Federal Land Bank of St. Paul and Michigan State.

Shortly, he will be leaving on a hunting trip to Manitoba, one of three he takes each year to Canada, Georgia and Nebraska. Upland bird shooting, he maintains, is his favorite form of recreation. "Last year I realized a life-long ambition," he exulted. "I got a well-trained pointer; the first quail I shot over that dog was one of the greatest thrills of my life."

Mr. Ferguson and his wife, Patricia, have two daughters. Susan Lee was married last month in San Francisco; Patricia Ann is to leave Tuesday to begin college at Arizona State.

Home is a large place in River Hills, Wis., a semirural area entirely surrounded by Milwaukee.

RECORD OF THE SENATE ON HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, the International Year for Human Rights 1968 came to a close with the United States having ratified only one convention out of the nine which the General Assembly invited the member States to ratify by 1968. The status of human rights conventions in the United States is as follows:

	Date ratified
I. Ratified with advice and consent of the Senate:	
Slavery Convention	1929
Nationality of Women	1934
Supplementary Convention on Slavery	1967
Protocol Relating to the Status of Refugees	1968
	Date transmitted by the President
II. Pending in the Senate:	
Freedom of Association	1949
Genocide	1949
Political Rights of Women (Inter-American)	1949
Forced Labor	1963
Political Rights of Women (UN)	1963
Employment Policy	1966

Four of the conventions recommended by the General Assembly have not even been sent up to the Senate for its advice and consent. They are the UNESCO Convention Against Discrimination in Education, two ILO conventions, one concerning Discrimination in Respect of Employment and Occupation and the other concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; and the International Convention on the Elimination of All Forms of Racial Discrimination.

Mr. President, it is a sad commentary that the U.S. Senate has failed to ratify the Convention on Genocide, which would commit us as a nation to the prevention and abolition of genocide; the Convention on Political Rights of Women, which would commit us as a nation to equal political rights for women; and the Convention on Forced Labor, which prohibits forced or compulsory labor for the purpose of political coercion or punishment.

The Senate has failed to ratify over half of the human rights conventions transmitted to the Senate. Let us begin to correct the record and ratify these human rights conventions.

OIL AND POLITICS

Mr. PROXMIRE. Mr. President, it is quite apparent that many of the governmental subsidies to the oil industry are going to be changed this year.

Congress, consumers, and the administration are reevaluating the many subsidies received by the oil industry: their tax privileges, the mandatory oil import program, and so forth.

In order to reach a rational decision we must have first rate, accurate information about the issues and the environment in which these issues arose. Ronnie Dugger, who is a first-rate reporter, spent 6 months investigating the background and the issues involved in many of the Federal Government's subsidies to the oil industry. He has taken the time to evaluate many of the arguments which have been tossed about glibly without any real analysis of their underlying rationale.

I consider his article to be one of the most important pieces I have seen. Both he and the Atlantic Monthly are to be commended: Mr. Dugger for having the ability to analyze and explain the issues so clearly and the Atlantic Monthly for having the courage to publish it.

I ask unanimous consent that Mr. Dugger's article, entitled "Oil and Politics," published in the September issue of the Atlantic Monthly, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OIL AND POLITICS

(By Ronnie Dugger)

(Note.—Taxes and efforts to avoid them are always with us. The price the public pays—in lost tax revenues and in high prices—because of a device called the depletion allowance is examined here in detail. The forty-three-year-old provision in the tax laws benefits all who profit from taking oil and other minerals out of the American soil and even

companies that traffic oyster shells. Now battle over the controversial but durable depletion allowance has been joined in Congress. Another battle over oil-import restrictions, with even larger stakes for the oil companies and the consuming public, looms ahead. The subject is a difficult one, but taxpayers as well as tax-avoiders are urged to immerse themselves in this carefully researched study by a diligent and literate journalist.)

Oil troubles the water it floats on this year from the Pacific surf to the Potomac, and even water where it isn't, along the deep blue coast of Maine, is sullen against it. The 27.5 percent oil depletion allowance is in actual danger for the first time since it was passed forty-three years ago.

In Washington, Wilbur Mills, chairman of the House tax-writing committee, has told his colleagues that "oil sticks out alone—it's just a target that way," and depletion must be cut if there is to be any tax reform at all. John Byrnes, the ranking Republican on the committee and "a tested friend of oil," insisted on knowing why Atlantic Richfield, having just drilled two wells into what its partner Humble says is probably the largest oil field ever found in North America, banked its last half billion dollars' profit without paying a cent of federal income tax.

"Is there any justification at all," Senator Edward Kennedy of Massachusetts asked in the spring, "for the present tax treatment of depletion, intangible drilling costs, and foreign royalties, all of which result in countless billions of dollars of lost taxes to the U.S. Treasury?". The last of the Kennedy brothers asking such a question characterizes the situation. The year-in, year-out liberals have been joined by more powerful men in seeking a substantially different approach to one of the country's most political industries. The debate about depletion has spread to oil's basic conditions and arrangements—overinvestment and oversupply, concentration in large companies, government-enforced limitations on production and imports, U.S. prices rising while world prices are falling, even the meaning of the slogan "national security" as a defense for oil's special privileges. The point is getting around that the government, as the Senate Democrats' antitrust economist, John Blair, puts it, has been "implementing a cartel" for the oil companies by using the import program and the thirty-five-year-old state production control system to limit the supply of oil. Current investigations into the curious oil import "ticket quota" system may lead to revelations and repercussions even more serious for the industry than tax reforms.

The emotional basis of the situation is a certain national disgust with all things Texan, including, therefore, oil. The events that made oil an "issue" were President Johnson's 10 percent surtax to fund the unpopular Vietnam War, the leaking oil well off Santa Barbara that befouled California beaches and marinas, and the oil companies' price increases soon thereafter. The catlyzing event was a statement by the Secretary of the Treasury in the last days of the Johnson period in Washington, Joseph Barr.

"I will hazard a guess," he told Congress' Joint Economic Committee, "that there is going to be a taxpayer revolt over the income taxes in this country unless we move in this area" of tax reform. "The revolt is going to come," he said, not from the poor, who, he said, do not pay very much in taxes, but from the middle class, "who pay every nickel in taxes at the going rate. They do not have the loopholes and the gimmicks to resort to." The tax system is voluntary, he said, and will not work unless people support it. They want to feel they are not paying more than their share, and they believe everyone should do his part. "This does not happen," Barr said, "when you are running a corporation and you look at the international oil companies and see they pay little or no taxes. They pay huge taxes including royalties to other governments, but not to this government."

The context of this warning was, after all, the revolt of students, blacks, and many adults against the war, our domestic social failures and the increasing militarization of the society, and the distraught national reaction against and awareness of the power of protest. No one needed to explain the possibilities of a tax revolt to politicians, many of whom no doubt damned Barr in their cocktails, and oil's battalions of publicists and cosmeticians must have felt that left-wing Lucifer himself was orchestrating the conspiracy of events.

The alert spread swiftly into four neighborhoods, the House Ways and Means Committee, the Senate Subcommittee on Antitrust and Monopoly, the Senate Finance Committee, and the offices of the oil industry. Oil-state congressmen began feeling the pressure to get cracking in the industry's defense.

Oil has five or six special tax benefits, of which depletion is only the biggest one. Even President Nixon, whose promise in Texas on the depletion allowance—"As President, I will maintain it"—could hardly be stronger, is letting his people at the Treasury Department make plans for other reforms in oil taxation. Carefully explaining the foreign tax credit as it works to oil's special advantage, Edwin Cohen, the Assistant Secretary of the Treasury for tax affairs, says, "The President has not indicated to us that the oil tax system is not to be changed."

"There's got to be a *substantial* change in taxation of income developed by extractive industries, which include oil and gas," Chairman Mills said in the midst of his committee's work on the tax bill. He said he himself favored a cut in 27.5 percent depletion, and by more than a token two or three points, and a scaling down of the rates for other minerals. Oil producers have been selling rights to their future income in order to change the timing of their earnings to reduce their taxes, and this, Mills said, will be "cut out entirely." There was also some feeling, he said, against allowing depletion on foreign oil production.

Sensing that something was going to give, oil's defenders began looking around for anything but oil. Late one afternoon Senator Russell Long of Louisiana, the chairman of the Finance Committee, emerged from a lecture by the Democrats' leading tax-reform expert, Stanley Surrey, once an assistant Secretary of the Treasury, to the Senate Democratic Policy Committee, and exclaimed, "The biggest single defect causing people's not paying any tax is capital gains. Then there's the way they tax real estate. Another one is so-called charitable deductions. I got out a list of all the people who made all the money and paid no taxes, and I didn't find out any of them did it because of the depletion allowance. Depletion might have been a part of it. . . . Capital gains—that's the big one!"

Under so many strains, the tanker of "oil industry unity" sprang some leaks. In Texas one learned that certain discussions were going on behind closed doors between the House taxers and the independent oil producers, who do not get as much out of depletion, even proportionally, as the majors. From a spokesman for a major importer one could deduce that 27.5 percent was not quite as necessary to him and his associates as their foreign tax credit arrangements. Then the president of the Texas oil independents, Netum Steed, made public a letter he wrote to Nixon stating that if oil taxation had to be a subject of tax reform, "some reduction in the 27½% depletion factor might well be sustained without irreparable injury," provided a change was made to give smaller producers more depletion than they get now. An executive of an oil association said of men he works with from the major oil companies, "The're scared." The Mills commmittee showed why, when it recommended cutting depletion to 20 percent. The New Englanders were united against the Southwesterners in a grim struggle for very large prizes, with public indignation working for the Yankees—and the power of oil, as usual, easing in from Texas.

The theory of the oil depletion allowance depends on the assertion that an oil venture's capital is not the same thing as its capital investment. Oil, it is explained, is an irreplaceable "wasting asset," a limited quantity of an elusive substance that is being depleted. Therefore, we are told, when oil is discovered in the ground, it becomes capital that should be valued on the basis of its selling price. Once capital investment has thus been eased over into the more adaptable idea of capital, the conclusion is drawn that the income tax, being a tax on income, should not apply to that portion of the income from the oil which is a return of capital.

By this one turn in economic doctrine, an oilman's capital is cut loose from his actual investment. "No account is taken . . . of the actual cost," explains political scientist Robert Engler. The purpose of the allowance, said *Business Week* back in 1961, is "to permit . . . tax-free recovery of the value of the deposit."

But why should the allowance be, as Paul Douglas of Illinois said when he was a senator, "27½% of gross income up to 50% of net income, world without end, amen"? By the doctrine, the resulting annual deduction "represents the reduction in the quantity" of the oil. It is "the loss in value in the process of working a wasting asset." In the elegant formulation of Humble Oil's economist for many years, Dr. Richard Gonzalez, "The depletion of reserves by production creates a reduction in capital values." The allowance was granted, explained former Jersey Standard president M. J. Rathbone, "on the basis that when a prospector found an oilfield and produced that oilfield, he was in effect going out of business." The calamity increases, the more oil you sell. As you make your profit, you are losing about half of it, even though you keep all of it.

Despite this rather special misfortune, when the time comes to tell the stockholders how much money has been made, oil companies figure it out in the ordinary way. By investment they mean their actual costs. Profit is income in excess of those costs. The effect of percentage depletion in the financial accounts is a reduction in taxes and a higher net profit.

The thought that oil is capital rather than more like a groceryman's stock on the shelf is an article of faith in the oil industry, but is subject to argument. Louis Eisenstein likes the conservative idea that "the capital of a business consists of the actual investment in the enterprise." Or again, "Is it not clear," asked Solicitor General (then Harvard Law School dean) Erwin Griswold, "that income derived from oil production is business income?" Griswold thought this was clear.

Until 1918, oilmen, when figuring their income tax, deducted their costs like other businessmen. That year, however, after the war was over, ponderous, cynical Boies Penrose, the political boss of Pennsylvania and probably the most powerful Republican in the country at that time, spoke a few strange lines on the floor of the United States Senate, and ever since then oil producers have had about half their income tax-free, year after year.

The Wisconsin Progressive Robert La Follette knew what was happening that day in the Senate and cried out in the wilderness he knew so intimately, but the three Republican Presidents of the twenties, Harding, Coolidge, and Hoover, stood mute on depletion while their Secretary of the Treasury, Andrew Mellon of Gulf Oil, profited from it.

Depletion had its beginning in the original income tax law of 1913, which provided for a

depletion deduction up to 5 percent of gross income, limited overall to the original cost of the property or its market value in 1913. The market value option was the pinprick in the law that has been expanded in the course of fifty years into what Douglas calls "a truckhole."

Under the 1916 tax law, to get any depletion an oilman had to show that his actual production was declining, and he could not get back overall more than his actual costs (except on acquisitions before the income tax had gone into effect). Early in 1918 the Bureau of Internal Revenue was issuing instructions on how to compute the actual investment in oil and gas wells.

Later that same war year, a Committee of prominent oilmen was formed to obtain tax relief for the industry and warned that the high war taxes would discourage the oil wildcatters who were discovering new fields. The chairman of the committee, who helped lobby through its program, was later rewarded by the industry with $20,000, a trifle, everything considered.

The small companies, said the oil committee's spokesman to the Senate hearing, were discouraged by the high wartime tax rates. And then he mentioned another matter that could be dealt with "in almost a moment . . . a reasonable allowance for depletion without statutory restriction." Oklahoma's Senator Thomas Gore, who was later to become an oil lobbyist himself, first mentioned the new theory, saying that the major part of produced oil represents not profit, but capital. A lobbyist for the big companies testified before the Senate Finance Committee that the oilman "sells his capital assets from the day he begins producing," and it is not fair to treat his business like banking, manufacturing, "and other going industries."

Senator Penrose, the ranking Republican on the committee, was a man of legendary appetites. Someone with an obscene sense of history recorded that one evening Penrose consumed for his dinner a dozen oysters, chicken gumbo, a terrapin stew, two ducks, six kinds of vegetables, a quart of coffee, and several cognacs. On another occasion his repast consisted of nine cocktails, five highballs, twenty-six reed birds in a chafing dish, wild rice, and a bowl of gravy. He weighed 350 pounds.

All sources seem to agree that Penrose sedulously served the large corporate interests. He received their political gifts—on one proved occasion, $25,000 from John Archbold of Standard Oil—and passed out funds to functionaries, but never kept a rakeoff for himself. The last of the old-style bosses in Pennsylvania, born to wealth, he was no hypocrite or small-timer. His principal cause was the protective tariff. He told an associate that he had decided early to "control legislation that meant something to men with real money and let them foot the bills." By 1918, the Pennsylvania business baron to whom he looked for cues and support was Andrew Mellon, a leading member of the banking family that had become dominant in Alcoa and Gulf Oil. Two years later it would be Boies Penrose who would say to Senator Harding, "Warren, how would you like to be President?", and then it would be Boies Penrose who would say to Mellon, "I want you to be Secretary of the Treasury."

On December 17, 1918, Penrose presented the Senate the Finance Committee's proposal to stop limiting depletion to the capital actually invested and to base the deduction thereafter, for wells not bought in "proven fields," on the value of the discovered oil. His argument occupies just twenty-one lines in the *Congressional Record*. When, for example, a ton of coal is sold, he said, part of the excess of the price over cost must be treated as a "repayment of what was invested." But then—in one short phrase—Penrose told the Senate that the proposal based depletion for wells and mines on market value "instead of cost."

Arguing for the House tax bill, which adhered to what is now called cost depletion, La Follette warned that under the Penrose plan a mine or oil well might cost $100,000, but on the basis of its enhanced value because of a discovery, the cost might be deducted ten times. He understood, and he opposed. He got only seven votes, including those of William Borah and George Norris.

The chairman of the House tax committee, Claude Kitchin of North Carolina, told the full House that he was opposed to the several provisions for mines and wells as "pieces of special favoritism." He was the House Majority Leader, but he had been pilloried and his influence reduced because of his opposition to Wilson on our going into the war, and one can see in the look of his words on the page that he did not expect to be heeded. He was not, and thus it was that half a century ago depletion was broken free and clear of any limitation to a producer's actual investment.

In our period, Treasury studies show that average oil and gas depletion deductions are ten times what the actual cost depletion would be. In 1948 and 1949, oil and gas producers were deducting more than nineteen times their cost each year. On a group of products, including iron, copper, and silver, depletion deductions in 1960 were *ninety-one times* cost depletion each year. C. Wright Mills has written, "The important point of privilege has less to do with the percentage allowed than with the continuation of the device long after the property is fully depreciated." The late Senator Robert Taft of Ohio said that when a man has gotten back his entire costs, "it does not stop," and another leading Republican critic of depletion, Senator John Williams of Delaware, makes this point even more clearly: "There is no limit."

The Mellons' Gulf Oil and other oil companies began collecting the extra profit the 1918 amendment gave them. Mellon, a spare, handsome, and aristocratic man, stayed on in the Treasury job throughout the twenties. He appears never to have spoken publicly about depletion, but he became entailed in a public "battle of the millionaires" with Senator James Couzens of Detroit, who succeeded La Follette as depletion's nemesis in the Senate. Couzens, who had been in effect Henry Ford's original partner in the Ford Motor Company, charged that Gulf Oil and other corporations had been unduly begifted by tax rebates involving, in part, depletion. In the one year 1919, according to an inquiry Couzens conducted, Gulf's depletion allowance had been 449 percent of its net income.

As administered, discovery-value depletion had not been limited to newly discovered wells. The 1918 law was only three years old when a Treasury tax official who had been working in the minerals section attacked discovery depletion as "an enormous privilege," "really a gift in the form of tax-free income." He explained how, under an artificial definition of what a "proven field" was, thousands of wells were qualifying, making this "unquestionably one of the greatest loopholes of escape from taxation to be found in the entire statute." With the deduction often exceeding the entire income from a well, Congress in 1921 limited it to 100 percent of profit, but again in 1924 a Missouri congressman warned of "a great leak" in the tax law because of the way a proven field had been defined, letting every well drilled in six square miles get "discovery" depletion. The deduction was limited to 50 percent of profit that year, but just about every well was still getting it. Of 13,671 claimants studied by the Couzens investigation, only 35 had been the discoverers of new oil pools; only 3.5 percent of the depletion was going to wildcatters. In Mellon's Treasury, depletion had become a well of flowing gold for th oil companies.

In equity, this was as great a scandal as Teapot Dome was in fraud, and could have been the basis for reform, but there was another difficulty—there had been administrative problems. How could anyone estimate the value of the oil under a well in the 1920s? You had to know how much oil there was down there and its fetching price in the future; one guess multiplied by another one, as a senator said.

One day late in 1925 Mellon's spokesman had just told the House tax committee that depletion should be limited to "the man who makes the discovery" when the chairman of the committee said he wanted to wipe it out entirely because it was a wartime measure and was no longer justified. Representative Cordell Hull, who wrote the original income tax law, agreed. The committee, however, limited itself to reporting that obviously discovery depletion, "the purpose of which was to encourage the wildcatter or pioneer, should be limited to those who make an actual discovery."

Disregarding this report, Senator David Reed of Pennsylvania, whose father had been one of the original members of the Mellon syndicate in Gulf, suggested simplifying things with "an arbitrary percentage for all taxpayers." Reed related to his fellow Finance Committee members that he had been told by the president of the Mid-Continent Oil and Gas Association at lunchtime that the industry had spent more money for drilling in 1925 than the value of their oil production. "So," concluded the senator, "the industry can truthfully say that it has not made a cent on all its business of last year." The Mid-Continent man, Reed added, had suggested a deduction of 25 percent of their gross income. This appears to be the earliest printed proposal of a rate for percentage depletion.

Senator Reed Smoot of Utah, one of Russell Long's predecessors as chairman of the Finance Committee, assured Senator Samuel Shortridge of California that in taxing income from mineral production, the cost of production didn't matter, it just didn't matter:

The CHAIRMAN. There is no depletion on this program. The question of depletion is entirely wiped out.

Senator SHORTRIDGE. Well, what would be the basis then?

The CHAIRMAN. That is for us to determine. . . .

Senator SHORTRIDGE. No matter what it cost to produce it? . . . the cost of producing an ounce of gold may vary extremely in different sections.

The CHAIRMAN. Well, it would not matter whether it was of the same value or not. You can produce gold perhaps cheaper in California than we can in Utah, but we can produce silver cheaper than you can.

Senator SHORTRIDGE. Yes. . . .

Senator REED of Pennsylvania. In other words, you take account of depletion by giving them a lower income tax rate?

The CHAIRMAN. That is exactly it. . . .

Senator REED. We deduct depletion based on gross income.

The CHAIRMAN. Oh, we want depletion done away with entirely . . . we would get away with the question of depletion entirely.

Not from. He said with.

Reed carried the 25 percent proposal in the Senate debate, contending that the oilman's "capital is constantly disappearing" as it is "depleted by the flow of oil and gas." Couzens, himself forty times over a millionaire, tried to limit depletion to actual investment. Discovery depletion, he said, had awarded $4 million to Gulf Oil alone in two years, and Gulf was hardly a wildcatter. With the war over, the supply of oil ample, and the wildcatters all but forgotten as the pretext for the allowance, Couzens remarked, he did not see why "the Standard Oil Company, the Gulf Oil Company, and other big oil companies" could not pay their income taxes like every other company.

It was a bitter debate. Couzens and an oilman-senator from Oklahoma named William Pine differed over whether one of them was a liar or the other an ignoramus.

"We owe it to the people of the country to simplify this law," Senator Reed stated. "The whole thing is in the line of simplification, getting rid of this everlasting accounting." By one vote the Senate defeated an amendment to approve a rate, not of 25 percent, but of 35. A member of the Finance Committee, William King of Utah, called what the Senate was dong "gross favoritism . . . under the guise of simplifying the law." In what reads now, after the passage of years, as resignation, Senator King, a Mormon and former jurist said, "I cannot understand this great solicitude for the Standard Oil Company, the Shell Oil Company, the Sinclair Company, and the other great organizations, whose annual profits are many hundreds of millions of dollars. . . . I am afraid we are blinded because of the power and the bigness of great corporations and sometimes deal unjustly with the people." The Senate approved 30 percent by a vote of 48 to 13, and the conferees accepted (as a compromise on behalf of some sentiment in the House for 25 percent) the figure of 27.5 percent.

Although rattled by Couzens' attacks on him, Mellon had maintained his crusade to lower taxes on wealth and business, and the 1926 revenue bill was widely regarded as his triumph. When President Coolidge signed it into law, Mellon was standing beside him. During Mellon's tenure as Secretary of the Treasury, his family's Gulf Oil more than doubled its assets.

Bromides about the history of depletion often emphasize that 27.5 percent was adopted in 1926, but the killing off that year of the restriction of the privilege to wildcatters' newly discovered wells was a change at least as important as the percentage system. The original idea of a specific incentive to expand U.S. oil supplies was blurred, and a new privilege began to generate its adaptable new reasons for existing.

As soon as the Democrats swept in, President Roosevelt began trying to abolish percentage depletion. His Treasury Secretary, Henry Morgenthau, Jr., told House taxers in 1933 that it was "a pure subsidy to a special class of taxpayers" and should be eliminated. Among the few senators who agreed was Russell Long's father, Huey, who said its elimination would prevent "those who have already had 100 percent coming back and getting another 100 percent." In 1937, two weeks after Lyndon Johnson was sworn in as a freshman congressman, Roosevelt sent Congress a message condemning depletion and other loopholes as attempts "to dodge the payment of taxes" and "mulct" the Treasury, and Morgenthau called depletion "perhaps the most glaring loophole." In spite of the Depression, the New Deal, and Roosevelt, Congress did nothing.

Came the war, "the crisis of democracy." Six weeks after Pearl Harbor, Morgenthau again spoke against depletion and was promptly told by the chief lawyer of the Independent Petroleum Association of America that "this issue, if pressed, will force practically every oil producer in the country to abandon his work and come to Washington." Morgenthau implored the Congress: "This loophole," he said, "is a special privilege," and the money was needed for the war. Senator Taft observed that 27.5 percent was "to a large extent a gift . . . a special privilege beyond what anyone else can get." For the industry, former Senator Thomas Gore said depletion had worked, providing an adequate domestic supply of oil, "and we are now asked to abandon that policy in time of war." The Congress answered the Administration's appeal by extending depletion to ten new minerals, including ball and sagger clay. When Roosevelt vetoed the 1944 tax bill, citing as reasons the extension of depletion to potash and mica and a comparable special treatment for timber, Congress overrode him.

"I know of no loophole . . . so inequitable," President Truman told the Congress in 1950. It bore, he said, "only a haphazard relationship" to encouraging oil exploration. In 1942 Morgenthau had tried to stop oil's second most important tax privilege, the immediate writing off of intangible drilling and development costs on successful wells; Truman's Treasury chief told Congress that depletion plus the write-off provided a mechanism for pyramiding oil assets without paying any or much income tax.

Finally, a reform movement with staying power took hold on the Hill. "It began in 1951 when they brought in a new tax bill," Paul Douglas recalls in his office in Washington. "Hubert Humphrey organized a seminar. A man would come in from the Treasury in secret, at night. It was like Christians meeting in the Catacombs."

The Truman Administration was on record, but, Douglas says, "They didn't mean it. They gave us no help. Truman didn't really mean it on civil rights, didn't really mean it on tax reform." The band of liberals pressed the fight, but felt increasingly isolated, abandoned, and assailed.

Sam Rayburn, a rural Texan, was Speaker of the House. Dwight Eisenhower, a Republican born a Texan, became President. Lyndon Johnson, an ambitious Texan, took over the Senate. And then Robert Anderson, a canny Texan who was intimate with each of the other three, became Eisenhower's Secretary of the Treasury. In such a context, the demands of La Follette, Couzens, Roosevelt, Morgenthau, and the others that depletion be abolished were given up as hopeless, and the reformers retreated to a strategy cajoling for reductions. How about 15 percent? No? Well, then, what about 15 percent just for the very biggest oil companies? No, the question in the fifties was not, would oil lose depletion; the question was, what else would it get?

The history of depletion was summarized, somewhat personally, by Speaker Rayburn in an interview in 1960, the year before he died. "Depletion has been in effect for thirty-four years, and the Democrats have been in control twenty-eight of those," he said. "Do you suppose if we'd wanted to do anything about depletion that we wouldn't have done it by that time? But," said Rayburn, who regarded oilmen as ingrates at election time, "they just hate." They had tried "to destroy me. Destroy Lyndon Johnson. Destroy me." His biographer, C. Dwight Dorough, said Rayburn was close to tears and covered his face with his hands.

Even so, sentiment for reform had built steadily. In 1951 only nine senators voted for Humphrey's cut in depletion. Seven years later thirty-one voted for Proxmire's. Five years ago thirty-three voted for the Williams cut and thirty-five for Douglas'. Douglas and Humphrey are gone, but so are Johnson and Rayburn.

As chairman of the powerful Finance Committee, Russell Long is the most strategically placed congressional ally of the oil industry. He is probably the shrewdest and most active defender of depletion in the Senate. He knows the subject and pounces at once when someone slips in debate. He often cites statistics prepared at his request, as he says, by the staff of the committee; his chairmanship entails his managing the tax bill on the floor. Whatever the House was to do on depletion this year, no one gave the reformers much chance in Russell Long's committee. They would have to make their charge from outside the walls as in the days of yore.

"We gonna move heaven and earth to protect 27.5 percent," says Long's friendly, country-style administrative assistant, Bob Hunter, "I couldn't kid you if I wanted to—we're *violently* interested. We're not gonna be lulled by 26 percent, 25, 24 . . ."

Senator Long is also an oilman. He readily acknowledges that he inherited valuable oil and gas properties and that he has participated in drilling thirty or forty wells. He says his income from the inherited properties exceeds what he makes in the Senate. When asked how much he has also made in drilling wells, he answers vaguely.

Hunter says that the few shares of stock Long held in the Win or Lose Corporation were "worth quite a bit. He has these oil holdings all over the state because of that. He has no conflict of interest."

During the full debate on depletion in 1964, Long placed charts on the oil industry's profits in the rear of the Senate chamber. Senator Douglas observed that they were well-fashioned and bore evidence of being an expert job, but left out the income from overseas operations.

There was an unusually personal exchange between Long and then Senator Joseph Clark of Pennsylvania. Clark, a committed foe of depletion, remarked that for many years his own main source of income had been his royalties from Humble Oil holdings. Long observed that as a matter of fact, under the Douglas amendment to cut depletion on very large oil incomes, which Clark was at that moment supporting, Clark's income would have been protected from a depletion reduction.

"The oil depletion allowance is so unconscionable that I cannot sleep very well some nights when I realize that I am the beneficiary of it," Clark retorted to Long. Unfazed, Long asked Clark if he was making more than a million dollars a year from his royalties—no, $60,000 to $70,000 a year, Clark replied. Well, then, said Long, the Douglas amendment left Clark "well protected."

"In my judgment," Clark said, "there is no conceivable excuse for my getting tax-free income because my great-grandfather . . . had the good fortune or the good luck to squat on that land."

Senator Long's Populist father, Huey, went into the oil business under dubious circumstances in the last year of his life. Those were brazen days in Louisiana. The Kingfish had such total control of the statehouse that his wealthy foes called him a dictator, and with cause. After he was elected to the Senate, his hand-picked successor as governor, O. K. Allen, and the entire Long slate were elected by the believing people. The time was the fall of 1934, about six months after Huey had sided with Kenneth McKellar's amendment to abolish percentage depletion.

From its inception the Win or Lose Corporation looked like a political oil company. The president was State Senator James A. Noe, a good friend of Huey's. The vice president was Colonel Seymour Weiss, whom one Long biographer called Long's "prime minister and chancellor of the exchequer," perhaps because Long did too. The company's secretary was Huey's personal secretary, Earle Christenberry. And these three men were the only incorporators.

Russell Long says Senator Noe told Huey Long that he wanted to apply for a state oil lease in the part of the state he represented (the leases were not awarded by competitive bid in those days), and that his father told Noe that he was agreeable to going into the business if it wasn't going to cause him "a political problem." Lease No. 309, executed on behalf of the state by Governor O. K. Allen, gave Noe the right to drill a minimum of fifty wells on state lands in the bed of a river and five bayous. This is the start that gives Russell Long his inherited oil income, because as of 1940, as records on file in Baton Rouge show, Huey's widow owned thirty-one shares, a third of the company, and was the president. When it was liquidated in 1951, she owned eleven shares, and Russell Long six. O. K. Allen, Jr., had four.

After Huey Long was assassinated in 1935, the company obtained a number of other state leases, Russell Long says; but he emphasizes that he of course had nothing to do with this. "What I inherited," he says, "was the equivalent of 6 percent of the stock in the company."

In addition, Russell Long has participated, with his mother, brother, and sister, in the drilling of about thirty or forty wells in Louisiana's Sligo field and in De Soto Parish south of there, the senator says. It began when his mother was offered the opportunity to participate as a partner in drilling a well between a dry hole and a gas well. With "the children's insurance money," she went in on it, and a very good gas well came in. "As a partner she participated in other wells, and because she had good fortune, she offered her children the opportunity to participate in it."

Long was elected to the Senate twenty-one years ago. How much has he made from this drilling? "I guess we're probably ahead, but not by a great deal," he says. "In drilling and producing we've probably made . . . we're doing . . . at least it's made me conversant with what we're talking about."

In 1957 Long defended 27.5 percent in the name of Grandma Jones, the holder of a little bit of stock in an oil company who would lose $5 a year under a proposed reduction of depletion. Holding forth in the best Louisiana tradition, he declared, "I would like to protect Grandma Jones's little $20 dividend." It appears that he is also protecting his own oil income of some sum in excess of $42,500 a year. The oil depletion allowance enriches him personally.

Senator William Proxmire of Wisconsin, vice-chairman of the Joint Economic Committee, asked what he thinks about oilman-senators taking part in debates and votes on oil matters, said at once, "Certainly those with oil interests ought to disqualify themselves on the issue." There is no way to know how many senators this would silence on depletion, since their statements on their holdings are shut from public view in sealed envelopes in the U.S. Comptroller General's office, but if Proxmire's opinion were the rule, the chairman of the Senate Finance Committee would have to step aside.

Long sees no conflict or impropriety in the situation. "I come from an oil-producing state, and if I was not cooperating with oil against those people who are out after it, I really don't think I'd be representing my state" he says. In Louisiana, he says, just about everybody who has much is in oil. It also brings the state 74,000 jobs. "I've never heard anybody complaining about someone from a state that produces cotton being interested in cotton"—and the same goes for electronics, or tobacco, he says.

Once he and Senator Eugene Millikin of Colorado were discussing this very subject, Long says, and Millikin told him that anytime he, Millikin, had a financial interest in something "parallel to the best interests" of his own state, he never worried about it. By that doctrine, Long says Millikin told him, the Colorado senator had an interest in shale oil.

Besides, when Long was in state government as an aide to the governor, he says, he helped treble the state servance tax on oil and gas. "I don't know of any way you coulda raised my taxes more than that."

He contends, "We just haven't come down to the thing yet that a legislator has to have no interests or dispose of his outside interests. Theoretically a legislator is not expected to be unprejudiced and unbiased . . . If someone has a conflict of interest, that's something that should be considered when he's up for relection."

His argument is not unprecedented. Senator Robert Kerr of Oklahoma, as the second-ranking Democrat on the Finance Committee in the fifties and early sixties, candidly and effectively protected depletion while profiting from it himself. Senator Douglas remembers how Kerr would hunch his chair around to share the head of the committee table with the chairman, Harry Byrd, who was getting old. Kerr parried charges of conflict of interest with the argument that the people of Oklahoma knew he was in the oil business and elected him because they approved of what he was doing.

Kerr and his family owned about a fourth of Kerr-McGee Oil Industries, Incoprorated. Records at the Securities and Exchange Commission show that in the seven years before Kerr died, this company paid less than 13 percent income tax on total aggregate profits of $77 million. This was about usual for oil companies at that time. In 1958, for instance, companies producing oil, gas, and the products of these and coal paid 13 or 14 percent federal and state corporate income tax. The effective rate for all industries was 50 percent. With oil and gas paying a third of that paid by other industries, Senator Kerr had something to defend, just as Senator Long does.

In the protection of the industry's privileges, oil money in elections is even more important than oilmen in high office. One of Congressman Lyndon Johnson's services to the New Deal was raising money, including Texas oil money, for Democrats running for the U.S. House in 1940. The notoriety of contributions from such Southwestern oil millionaires as H. L. Hunt and the late Roy Cullen cannot rival the ubiquity of contributions, season after season, from the nation's leading oil families. Only the historically famous slipup involving $2500 shadily offered to a righteous senator prevented a bill to free natural gas from federal price control from becoming law in 1956. Officials of twenty-nine of the largest companies gave (in sums of $500 or more) a recorded $344,997 to Republicans and $14,650 to the Democrats in the 1956 general election campaign. That same year, three family groups whose wealth is associated with oil—the Mellons, Pews, and Rockefellers—contributed $469,554, all of it to Republicans. In the year of the Kennedy-Nixon campaign, officers and directors of the American Petroleum Institute gave Republicans a recorded $113,700 and Democrats $6000; in 1964, a significantly different situation, $48,310 to Republicans and $24,000 to Democrats. And these figures are just the spray from the gusher.

When a man gets roughly half his income tax-free, his idea of common prudence often impels him to invest some of it in the election of his political friends, and usually he can decide who they are by how they vote; but new candidates can be a special problem. In the midst of the intensifying assaults on depletion in the Senate in 1957–1958, oilmen had more than the usual interest in how the new candidates of 1958, especially the unreliable Democrats, might vote if elected.

One consultant and functionary of the Democratic senatorial campaign committee was dispatched to the West with certain instructions. According to former Senator Douglas, who says the consultant told him the story while the two of them were driving one night from Pullman, Washington, to Lewiston, Iowa, Frank Moss, a county attorney, was running for the U.S. Senate in Utah. The Democratic messenger reached Moss by telephone and said to him, "Judge, would you like $10,000?"

"Would I like $10,000?" Moss exclaimed. Why, it could make the difference between victory and defeat. He could finance two TV programs and probably three on radio, which would mean a great deal in a state like Utah. "Have you got the $10,000?" he asked.

"Well, I'm sorry to say there's a catch to this. You can have the $10,000, provided you will agree to maintain the 27.5 percent allowance on oil."

There was a silence on the other end of the line, and then Moss said, "Well, I don't know. We've struck oil in this state. It may be all right. But I don't *know* about it. I don't know about it, and I don't want to commit myself on something I don't know about. If the only way to get the $10,000 is to be for something I'm not sure about, I'll just have to say I won't accept it."

The man from Washington said, cursing to himself, "Oh, my God, we've got an honest man, and we're sending him down to defeat."

He then telephoned a wealthy liberal Democrat in New York and told the story. The Democrat asked the candidate's name again, and where he was running, and wrote a check for $10,000, with no strings attached. Douglas told this story in Utah and thinks it made the difference: Moss won.

Moss gave his own interestingly different recollection of the incident. "It's basically correct," he said. "I do remember this man calling me and saying he could get me some money and that all I would have to do would be for him to be able to assure the donor that I would support the oil depletion allowance when it came before the Senate. . . . He just said, 'I can get you this money if I can assure them . . .' "

Moss says the man did not name the donor, nor does Moss recall a sum being specified. "I have heard him say since that he had tears in his eyes even though he had had to be the conduit for the offer," the senator adds. Moss has always felt friendly toward the man for going on and helping him in the campaign.

The emissary, who works in Washington now for a union-related group, says the conditional offer he bore west that year was not just for Moss, but for a number of senatorial candidates.

"I was informed that if I could get some of these fellas out west to express their fealty to the golden principle of 27.5 percent, there might be a pretty good piece of campaign change involved," he says. Operating out of Los Angeles, "I passed the word to a number of the candidates." He named, offhand, five of the candidates in whose races he took or sought to take a hand.

Although Senator George Smathers of Florida was chairman of the Democratic senatorial campaign committee in 1958, Lyndon Johnson ran it, along with Bobby Baker. That year the committee reported expenditures of $319,000.

Who was the donor, or who were the donors, behind the political munificence in 1958? "Oh, that wouldn't be fair," the messenger said. And what did the other candidates say? He laughed. "You figure that one out," he said.

Of the other four candidates he named, one was not elected; another was elected but has since died. A third, Senator Gale McGee (Democrat, Wyoming), who now upholds depletion, says that he recalls no discussion with the man on it nor any contributions from its beneficiaries, who, McGee says, backed his opponent that year. The fourth, Senator Howard Cannon (Democrat, Nevada), says he "did meet" with the man in 1958, but they definitely did not discuss the depletion allowance. The messenger later said that Moss was the only senator he talked to personally about it.

Senator John Kennedy voted to reduce depletion, but when he ran for President with Johnson on the ticket, he needed campaign money; he equivocated on depletion. As President he proposed certain reforms to increase the industry's share of the tax burden, but when Senator Williams asked Kennedy's Treasury Secretary, Douglas Dillon, if 27.5 percent itself should be changed, Dillon replied, "We have studied that matter at some length. We probably have not studied it enough. I do not know how to study it enough."

Oilmen figured correctly they had little to fear from Johnson on depletion (everybody

understood that, and the debate just died away). Robert Kennedy was out of the question for the oilmen—they sensed in him an enemy—but Eugene McCarthy's record was complicated. His first five years in the Senate he voted in committee and on the floor to reduce depletion, but early in 1964 he voted against the same reduction he had supported before. He characterizes his record as always voting for a reduction "when the procedure was orderly or had some chance of success." There are some reports that he raised $40,000 for his campaign one day at the Houston Petroleum Club. He recalls that the guests were listed as a business group, not oilmen particularly, and says that while contributions may have developed from the meeting, he does not know in what amount or from whom. J. R. Parten, a liberal Houston oilman who supported McCarthy, was present, and it was on this same occasion that Senator Ralph Yarborough of Texas (who votes for depletion on domestic production while criticizing allowing both depletion and huge foreign tax credits on foreign production) became one of the few senators to endorse McCarthy.

Vice President Humphrey was yet another question. Murray Seeger has reported in the Los Angeles *Times* that when Humphrey's man refused to assure a group of oil millionaires in the Houston Petroleum Club that Humphrey would support 27.5 percent, they shut their wallets against him. Richard Nixon was still for depletion, like a substantial majority of Republicans in Congress, and his campaign was funded accordingly. Preliminary reports indicate that the Mellons gave the Nixon campaign $215,000 and the Pews, of Sun Oil, contributed $84,000.

The oil industry has three distinct kinds of privileges, or, if you prefer, incentives: proration, import controls, and tax advantages. One of the choice moments during the Hart antitrust committee's hearings on oil imports last spring occurred in the context of the melancholy amusement of Dr. Blair, the group's chief economist, that such energetic proponents of free enterprise rely on state intervention to such an extent. Harold McClure, Jr., president of the Independent Petroleum Association of America, was on the stand.

BLAIR. Your industry enjoys various exemptions from the antitrust laws. . . . You do not have a free market.

MCCLURE. In the *United States* we don't have a *free market?*

An oil industry program to get a production-limitation movement going in the 1920s was aborted when the U.S. Attorney General ruled in 1929 that the plan, advanced in the name of conservation, would be an attempt to win immunity from the antitrust laws. The companies then turned to the states. In 1930 the great East Texas field came in, leading to overproduction, waste of oil, and very low oil prices. As W. J. (Jack) Crawford, the tax administrator of Humble Oil, says, "We had to let a president of Humble quit to become governor to establish proration," that is, production control. Governor Ross Sterling, the former Humble president, ordered state troops into the oilfield to stop all that wasteful free enterprise. According to an oil history subsidized by Jersey Standard, the commander of the troops "had been called away from his duties as chief counsel for the Texas Company."

The system, which is most significant now in Texas and Louisiana, tells producers exactly how much oil, and no more, they may legally produce each month. The total production is in effect what the buyers want to buy. On rare occasions when the state oil agencies have authorized more production than the companies have wanted, the companies have refused to buy the excess. This is called "pipeline proration."

Control of production entails control of prices to whatever extent the scarcity of the product affects the prices for it. Thus the states and the federal government (which bans "hot oil" in interstate commerce) are acting in effect as the production limitation division of an oil cartel. If the companies did the work themselves they would be violating the antitrust laws. Proration is perhaps the last significant persistence of the early New Deal experiments in the collusion of government and big business to control production and prices.

Officials of the oil states generally insist they do not intend to maintain prices and that their only purpose is conservation. There is general acceptance of the need to protect each owner's rights in an oil pool and to get the most oil out of it that is technologically feasible. Neither objective, however, entails limiting production to set prices, which is the import and effect of the states' "market demand proration."

As a high Jersey Standard official said in 1939, "Price has influenced the proration authorities. . . . The record is so clear that it would be stupid to say it hadn't. . . . It is quite natural."

When he was chairman of the Texas Railroad Commission, the oil-regulating agency in Texas, William Murray conceded that if the commission dropped oil production way down, the price would go up, and, "If we let the stocks [the above-ground supplies of oil] run up, we would create waste, and you would also break the price." The companies realized proration was to their interest, he said, and "became the biggest policing agents of all. They even had their own detectives."

The U.S. proration system, the Senate Small Business Committee concluded in 1949, forms "a perfect pattern of monopolistic control over oil production and the distribution thereof . . . and ultimately the price paid by the public." A lifelong student of the oil industry, Cornell economist and dean Alfred Kahn, told the Hart committee that as the postwar corporate tax rates increased, skyrocketing the value of the depletion allowance, the industry developed surplus oil that would have lowered prices—except for the sharp production cutbacks which were ordered by the Texas Commission. Instead of falling, U.S. prices rose. Proration, Kahn said, lets the majors "fix their own prices and make them stick."

Even this system, however, could not by itself have protected U.S. oil prices from cheap Arabian imports in the fifties. The Middle East has about 60 percent of the world's oil. It flows up the pipes so powerfully out there, the average well produces 5000 or 10,000 barrels a day compared with the average American wells fourteen barrels a day; it costs only ten or twenty cents a barrel to produce; and it can be delivered to our East Coast for $2, about $1.25 cheaper than U.S. oil. Freely imported, it could sharply reduce the price of U.S. crude oil and everything that comes from it—gasoline, heating fuel, raw materials for the petrochemical industry, and therefore also plastics, tires, sweaters, medicines, antifreeze, detergents, and other things. The fact that this has not happened is not an accident in an open marketplace.

In 1952 the Federal Trade Commission staff reported that seven international oil companies, including the five American giants, constituted an international oil cartel that owned two thirds of the world's oil. These seven—Jersey, Gulf, Texaco, Standard of California, the firm now called Mobil, and the two foreign-based internationals—limited production, divided up markets, shared territories, and followed a system of pricing that eliminated price differences among themselves to any buyer, at any given destination point. So said the staff of the FTC. The pricing system, "Gulf plus," set all prices at the proration-maintained Texas coast price plus freight. Thus the Texas-based system became the foundation of a world oil cartel.

The great Middle Eastern fields were well known before World War II, but the majors did not produce much from them. During the war, the American firms in Saudi Arabia sold Arabian crude to the U.S. Navy for $1.05 a barrel, although its cost, including royalty, was 41 cents; and thus the postwar pricing pattern was initiated. As the FTC report said, the diffeernce between low-cost Arabian crude and the higher-cost Gulf Coast oil was "intercepted by the major oil companies." The world market was not as pliable as the U.S. market, and the world price fell relative to rising U.S. prices. The majors' imports of the cheap Arabian oil into the high-price U.S. market began at the end of the 1940's.

The question was, how much would be too much? At what point might even the U.S. price break? The majors' interest called for the highest combined profit from their U.S. and foreign sales, kept in a ratio that would not endanger the U.S. price. Meanwhile the domestic producers became concerned that they were losing out in the market to the majors' increasing interest in the $1.25 profit difference on the imports.

Apart from straight protectionism, the only argument for import controls has been the contention that lower U.S. prices would cause high-cost U.S. producers to quit and exploration in the United States to decline. Oil and gas now provide three fourths of the nation's energy supply, and visions are conjured of enemies torpedoing our tankers and America "running out of oil" during a national emergency. The traditional protectionist solution would have been a sharp increase in the ten-cents-a-barrel tariff. The Kefauver antitrust committee suggested this, noting that the revenue would become the government's; Yarborough of Texas proposed 84 cents a barrel but could not get his bill out of committee.

Instead, there somewhat mysteriously appeared, in the 1958 Trade Agreements Act, an authorization for the President to establish mandatory controls over oil imports if he found that they threatened to impair the national security. (They did not have to impair it—the threat was enough.) Majority Leader Johnson had declared the year before that the imports were "an immediate threat to national security." In 1959, with Robert Anderson presiding over the Treasury, Eisenhower promulgated a mandatory quota program which gave the profit differential not to the government, but to owners of U.S. oil refineries. Importers and the domestic majors were mollified by this one stroke, at once so costly to the government and consumers. The "import tickets" given to the refineries were worth about $1.25 a barrel and have actually become negotiable; they are bought and sold among companies. The oil-worker union's publicity director, Ray Davidson, says they are "just currency issued by the Department of Interior." Oddball arrangements like the "Brownsville turnaround" for Mexican oil and quota allocations in U.S. territories justified by related social purposes have contributed to a certain uneasiness among the informed, some of whom have said aloud that it's a wonder there hasn't been a scandal.

In 1962 the approved import percentage became 12.2 percent of the demand east of the Rockies. Today about one fifth of the nation's oil consumption is provided by imports. Jersey estimates that in another fifteen years the imports will be meeting about three fourths more of the U.S. demand than they are now.

U.S. independents, who naturally want imports reduced, have been looked upon as the guarantors of competition in the industry, but a certain fatalism about their plight seems to have set in—even in the dens of the Hart committee, where competition is the code word. Economist Henry Steele of the University of Houston told the Hart panel that $2-a-barrel oil in the United States would entail the loss of only 5 percent of U.S. production. Others estimate that

such a change might save U.S. consumers between $2 billion and $7 billion a year by forcing down prices. Republican Senator Roman Hruska of Nebraska warned that the more-imports line of the liberals like Senator Philip Hart of Michigan would be "driving all the business into the hands of the majors," but the antitrusters were not fazed. The newer question among them is whether imports can be increased rapidly enough so that U.S. prices can be reduced. The wishes of the importers are fugitive in words, but have been approximated (by a New York oil investment banker testifying for the industry this spring) as "modest relaxation of the import quotas year by year." Nothing too sudden, such as Machiasport.

Senators Kennedy and Edmund Muskie of Maine, two leading figures in Democratic presidential politics, have joined their fellow New Englanders in support of an ingenious proposal that would in effect exempt New England from the import controls. The federal government would authorize Occidental Petroleum to import its low-cost crude oil from Libyan fields into a "free trade zone" at Machiasport, Maine, refine it in Maine, and sell the products, especially heating oil, at lower prices in New England. Virtually the whole American oil industry opposes this, for it would breach the high-price dike.

Washington, one can see, has awakened to the question the majors started worrying about at least twenty years ago: how much is too much, or, to phrase the issue from the consumers' point of view, why aren't gasoline prices falling?

An important segment of American industry is also becoming restive. Perhaps there is, as a Houston banker has remarked, a kind of gentleman's custom in business circles that unless your own interests are directly affected, you do not criticize another segment of business, but the petrochemicals people believe they are being hurt directly by the import controls. They say the liquid raw materials (called "petroleum feedstock") on which they soon must rely will cost them 60 percent more than foreign petroleum companies pay, and the U.S. oil industry has been trying to raise the U.S. prices even further. Threatening to build their new plants abroad so they can get the cheaper feedstock, the nine biggest petrochemicals firms have banded together to seek their own exemption from the import program—their own Machiasport, as it were.

John Blair engaged in a revelatory colloquy during the Hart hearings with M. A. Wright, president of Humble and therefore a top official of Jersey Standard, of which Humble is the wholly owned domestic subsidiary. Blair presented facts showing that in the last few years, Jersey has lowered its price for Arabian oil in Japan while the price of gasoline in the United States has gone up four or five cents a gallon. Then:

BLAIR. Are we to conclude therefrom that at the same time that you were raising the price to the American consumer, your company was reducing the price to foreign buyers?

WRIGHT. You are working in two separate worlds when you speak about what you do in the U.S. compared to what you do abroad, and what you say is exactly right.

Blair said it would seem to weaken, not strengthen, national security to have Americans paying higher prices for their basic materials while foreign competitors get lower prices. Wright said the purpose of the system is our assuring ourselves of an adequate supply of oil within the United States.

"And when we have controls," Wright added, "we naturally are supporting a price situation. That is true."

Everything seems to be cohering now in this controversy. Look here, remarked Dean Kahn earlier in the year, the first five companies that raised U.S. oil prices all produce more than 70 percent of their own crude oil, which they also buy from themselves: they are increasing their own profits in their end products. Ah-*ha!* charged in Proxmire staffer Marty Lobel. Paying themselves more for their own oil, they increase their apparent profit at the producing end so they can claim more depletion!

Instead of deducting all their costs, oilmen can ring up, free of tax, 27.5 percent of their gross income on oil and gas production, up to a limit of 50 percent of their net income from it. In practice this means that in the oil- and gas-producing business, between 40 and 50 percent of net profit is tax-free, year after year as long as the production continues. When depletion passed in 1926 the corporation tax rate was 12.5 percent. The impact of the formula was magnified by the World War II rates. Taking the present corporate rate and surtax into account, the effect of the original formula has been quadrupled.

In 1960 the oil industry received 44 percent of its pre-tax income tax-free. The Treasury's 1958–1960 depletion survey indicated an even higher rate of about 55 percent tax-free, with the realized rate as a percentage of the gross running just a point or two below the 27.5 percent maximum. For these three years, Treasury said, all mineral producers, considered together, claimed as depletion more than 50 percent of their net income from extraction.

The income thus placed beyond the reach steadily. Early in World War II the estimate of the tax collector has been increasing was $80 million—then $200 million. By 1950 it was half a billion; by 1960 $2 billion; by 1962, the Treasury estimates, the total depletion allowances for all minerals were close to $4.5 billion, $2.3 billion of that for oil and gas companies.

Looking at it from the investor's interest, *Fortune* (April, 1963) estimated that the thirty largest U.S. oil companies took $1.9 billion in depletion deductions in one year early in this decade. The top ten companies had $1.5 billion. The estimated one-year tax-free allowance for Texaco was $216 million, for Gulf $228 million, and for Jersey $399 million.

It seems conservative to estimate that depletion will have placed $20 billion of pre-tax oil income beyond the reach of U.S. income taxation during the 1960s. This means that other taxpayers have forked over an extra $10 billion or so in one decade. The Johnson Administration Treasury Department tax-reform studies of 1968 say the tax loss from depletion is now $1.3 billion a year. If the government doesn't get the money it needs out of one hide, it has to take it out of another.

Corporations get about nine tenths of all depletion, and naturally the bigger corporations get most of that. One percent of the crude oil and gas and petroleum refining companies got 87 percent of oil's corporate depletion in 1960—they were the three dozen companies which each had total assets of $100 million or more. The bulk of the companies, 95 percent of them, got just 4 percent of the depletion. They were the twenty-nine hundred companies that each had total assets of less than $10 million.

This is the pattern that gives a sharp edge to former Senator Douglas' long-standing proposal, now being carried forward by others, to leave the allowance at 27.5 percent for taxpayers making less than $1 million and drop it to 21 percent for those between $1 million and $5 million, but cut it to 15 percent for those making $5 million or more. Very carefully, (for their big brothers really are watching) some of the independents are now explaining in Washington that since the smaller operators are often the high-cost producers, they have a lower net in ratio to gross, and therefore the 50 percent of net limitation should be graduated to carry out the purpose of the Douglas proposal.

Little by little, through analogy but mostly by political tit-for-tat, oil's percentage depletion has spread into all the natural resources industries. Fearing, perhaps, that water fountains or air conditioners might be next, the Congress has actually specifically excluded "soil, sod, dirt, turf, water, mosses, minerals from seawater, the air, or similar inexhaustible resources." That tiny concession to 1913 market value, granted because of a court decision, thus gives us a classic example of the self-enlarging capacity of a loophole. Tax-free income is now allowed, at rates ranging from 5 to 23 percent of the gross but always limited to half the net, in every mining business "from aluminum to zinc"—coal, sulfur, iron ore, uranium, clay, stone, oyster shells, clam shells, even sand. Almost 1500 companies took depletion on sand, gravel, and stone in 1960. Timber gets 50 percent of its operating income exempt from tax. Humble's Jack Crawford thinks one might well ask why coal gets a 10 percent allowance when we have enough coal to last us 1000 years. "Or oysters." Gulf Oil's uppermost officials take the more usual industry approach—they warn, or exult, that "any change in the depletion law will affect every extractive industry from gold to gravel." One is almost grateful that we don't have diamond mines.

In ordinary industries, capital costs have to be deducted over a period of years. In oil and gas, the costs of dry holes are deductible at once as losses, "even though in the large," the tax-reform study says, "the expense of nine dry holes is part of the cost of one producer . . . a 90% writeoff in one year is an enormous advantage under a tax rate of 48%." There is more. If a well comes in, from 75 to 90 percent of the capital costs of drilling and developing it can be and usually are also deducted as they are incurred. These costs are called "intangibles" and include labor, fuel, overhead, land clearing, and in general all costs other than equipment with salvage value. Economist Kahn calls this write-off "clearly a special privilege in every sense." Expenses similar to intangibles in industries other than natural resources must be capitalized and written off over a number of years. The tax-reform study says the tax loss from the intangibles write-off is $300 million a year.

As Treasury Secretary John Snyder explained in 1950, if 90 percent of the costs of a producing well are recovered tax-free at the outset, only 10 percent of the investment remains to be recovered through depletion; hence depletion based on the entire income in effect overlaps the deductions for intangibles. This leads critics to charge that "a double deduction" is being allowed—"a double benefit," Stanley Surrey, Johnson's Treasury tax expert, calls it. Industry people say that two different concepts are involved. Since intangibles are not depletable, the two deductions are mutually exclusive, a California Standard spokesman insisted in 1959.

Oilmen can also, because of intangibles and dry hole deductions, "drill up" their profits in a given year to the extent they find advantageous on their tax returns. As Senator Williams says, a man can make a million dollars and live off the nontaxable depletion allowance "by piling all his other income into intangible investments."

The effective income tax rate for all manufacturing is 43.3 percent; for petroleum, it is 21.1 percent. Only other mineral industries, lumber, and financial institutions receive comparable consideration, nor do even these figures showing oil paying half the going rate reach the extent of the matter. The tax-reform study says that the 21.1 percent is derived from returns that cover both extractive and nonextractive activities of the oil industry, whereas an integrated company

could earn equal amounts from each kind of activity, pay nothing in tax in production and 46 percent of the rest, and show an overall rate of 23 percent.

The industry counterattacks with figures showing that excluding excise taxes, it pays about the same percentage of its gross income in taxes (in the range of 5 percent) as other industry does. "The total impact on your business is the important thing, not the technique for collecting the tax," says Crawford. By the time Senator Long reaches the end of this line of thought, he is contending that "the oil industry pays more taxes than anyone else."

In recent years the minerals industry has been making tax use of contrivances called "carve-outs" and "ABC transactions." Both are based in "production payments," which are rights that are "sold" to profits from future production from a well or mine. Johnson's and Nixon's Treasury people agree that these devices are now costing the United States $200 million a year, and they are spreading. Nixon wants them stopped.

The carve-out works this way. The year the producer sells his "carved-out production payment," he reports the sale price as income subject to depletion. This lets him make an end run around the 50-percent-of-net limit on depletion by artificially increasing his "income" that year. But then his expenses in later years, to produce the oil he is making the payment with, are deducted from no or reduced income. He is "losing money" for tax purposes. By changing the timing of his income he pays less tax over the period.

A little oil company in the Southwest explained to its stockholders in 1968, concerning its sale of a $6 million production payment on one of its properties, "This transaction shifted taxable income from 1969 into 1968 and will produce a greater depletion deduction for the two-year period." Representative Sam Gibbons of Florida has explained how a company can operate two equally profitable properties with carve-outs timed to alternate each year so that they wipe out each other's taxes entirely and leave an additional loss to be deducted against income from other sources.

The ABC deal is a complicated and variable three-party transaction. A, the owner, sells his mineral interest to B for a reserved production payment, but then sells the production payment to C. A gets capital gains, B excludes the production payment from his income, and C gets income subject to depletion which is usually enough to eliminate his taxable income.

Atlantic Refining Company and then the merged Atlantic Richfield paid the United States no income tax at all from 1962 through 1967, although its net profits aggregated almost half a billion dollars. It was this situation that provoked the ranking Republican on Ways and Means, Byrnes of Wisconsin, to say, "Frankly, I no longer know what to write my constituents." Gibbons said it was rather inconsistent to report half a billion of income to the SEC and tell the tax collector you didn't make anything. No one contended it was illegal. The point is, it is legal. What is more, the New York *Times* has reported that the president of Atlantic Richfield, without a sign of emotion, will argue that the oil depletion allowance should be higher.

The company has recently offered a written explanation of its taxless years to the House Ways and Means Committee. It had acquired the oil-producing properties of two companies through an ABC transaction for $75 million, but one of the two firms' properties "did not generate taxable income until 1967." Atlantic also engaged in extensive exploratory efforts that "generated tax losses." In 1968 it made a small federal tax payment, and this will be increasing now. The company's big strike on the North Slope proved, the company said, that its program and the related tax incentives "have accomplished what they were intended to do." The company's 1968 annual report states $149 million in profits; there had been a stock split in the summer.

Senator Albert Gore, the Tennessee Democrat, and Representative Gibbons have called attention to an ABC transaction whereby Continental Oil Company bought Consolidation Coal, the world's largest coal company in terms of sales. Under the IRS rulings, the net effect was that the oil company paid no income taxes at all on its $460 million of profits from operating the coal company—profits with which it was buying the company—but *was* permitted to deduct its $128 million in coal-mining costs. The coal company paid no taxes on its income from the sale because it was liquidated under a certain section of the tax code. "I can foresee a situation, not far off," Gore warned, "when we will no longer have an independent coal industry. We may well have all major energy sources—petroleum, coal, uranium—under the control of a very few powerful corporations."

On foreign productions, U.S. companies can take the U.S. depletion allowance, reducing their potential U.S. tax liability. The Texas Independent Producers and Royalty Owners Association, which flirts with opposing foreign depletion publicly every few years, has pointed out that it gives majors a great advantage because net profits are so high abroad in relation to the gross. Johnny Mitchell, a past president of TIPRO, wrote the top officers of more than two dozen oil companies proposing that the foreign deduction be whittled down, but TIPRO pulled short of backing him up.

Of probably greater practical significance is the foreign tax credit, which is available to all U.S. firms abroad but is uniquely important in oil because of the high foreign levies on oil companies. Except for long-standing royalties of about 12 percent, U.S. oil companies apply their large payments to foreign governments, dollar for dollar, as offsets against the remainder of their U.S. taxes due on their foreign income. Usually this cancels out these U.S. taxes.

It is a fair question to ask how much U.S. income tax, on both foreign and domestic profits, is paid by the five international majors that dominate the U.S. industry, Jersey, Texaco, Gulf, Mobil, and California Standard. The answer is that during the five years 1963–67 these companies paid, on total net profits before income tax of about $21 billion, federal income tax of about $1 billion. Their five-year U.S. income tax rate was 4.9 percent. They paid foreign governments more than five times as much.

Jersey's five-year rate was 5.2 percent, Texaco's a percent, Gulf's 8.4 percent, Mobil's 5.2 percent, and California Standard's 2.5 percent. On the basis of figures in George Spencer's *U.S. Oil Week*, the twenty-three largest refiners in the United States, including the big five, paid in the same period $2 billion U.S. income tax on total earnings before income taxes of $30 billion. The aggregate rate for the twenty-three firms figures out to about 7.2 percent.

Compute these figures up, down, or sideways, they tell a similar story. Backing up the Texaco figures to the beginning of the sixties, the company's U.S. income tax rate for the first seven years of the Kennedy-Johnson era is 2.1 percent. On pre-tax income of almost $6 billion in the decade 1958–1967, Gulf paid U.S. income taxes of a third of a billion, a rate of 5.7 percent. California Standard's ten-year average is 2.3 percent, Mobil's 4.4 percent. In 1967, twenty-nine larger oil companies with net pre-tax income of $8 billion paid 8.6 percent U.S. income tax, compared with 20.9 percent which they paid to foreign governments and some states.

The foreign tax credit probably lies behind an interesting inversion in Jersey's tax patterns since World War II. Through 1953 the federal income tax the company paid as a portion of both U.S. and foreign income was about 16 percent, while its payments to foreign governments averaged another 19 percent of its pre-tax income. In 1954, however, as foreign-earned income came piling in and the foreign tax credit and foreign depletion worked their wonders, Jersey's U.S. tax payments dropped to 11 percent as its foreign payments turned upward. By 1958 the nation's largest oil company paid the U.S. Treasury one percent, while it paid foreign governments 40 percent, of its pre-tax income.

For Gulf the turnaround year was 1952. It had been paying about a fourth of its U.S. and foreign pre-tax net to the U.S. Treasury, but the fifteen years from 1953 to 1967, its U.S. income tax on total pre-tax income of about $7.6 billion was less than $400 million. For three straight years in the late 1950s it was less than one percent. While turning over just one twentieth of its pre-tax income to the Treasury since 1953, the company the Mellons built has been paying more than a fourth of it to foreign governments.

This has been the pattern for California Standard, too. For the first nine years of the two decades 1948-1967, its U.S. income tax was five times its payments to foreign governments. In the rest of the period it paid about one seventh the U.S. tax rate it had before, while its rate of foreign government payments increased about threefold.

"I want you to tell me the whole story," Wilbur Mills said to Humble's M. A. Wright this spring. "Why is it a company that operates here and abroad can . . . pay an effective tax rate of 1.6 percent on its total tax income?"

The figures showing Jersey's tax rate at 1.8 percent or some such are quite prejudicial, the reasonable and equable Jack Crawford of Humble says, because first, they imply that other companies are paying the full statutory rate, whereas the investment credit alone can reduce taxes a fourth; second, Jersey, operating in seventy countries and earning half its income from abroad, has many factors applying to its tax rate, including the foreign tax credit; third, including foreign income in the U.S. corporations' tax rate is "patently unfair," and fourth, the foreign income tax paid is sometimes not even mentioned.

With a show of emotion evidently unusual for him, Crawford, discussing the situation in his Houston office, exclaims, "All you have to do is convince the man in the street that oil companies are getting away with murder. 'I'm paying 30 percent, and Standard Oil of New Jersey is paying 1.8 percent. Those rich ———!' "

Jersey's domestic subsidiary, Humble, earned $607 million in 1967, 51 percent of Jersey's total income. As a proportion of its domestic income only, Jersey's federal tax was about 26 percent. The company told the House taxers that the equivalent figure for 1968 is about 30 percent and that its U.S. and foreign income taxes are about 45 percent of its U.S. and foreign income. The Mid-Continent Oil and Gas Assocation has come up with a similar retort, to wit: eliminating foreign income from the figures, the twenty-one largest refiners paid 19 percent of their income in U.S. taxes in 1966 and 1967; including foreign income and taxes, they paid 37 percent of total income in U.S. and foreign incomes taxes. But are the majors' payments to foreign governments taxes, or are they actually royalties paid to the oil-owning governments and therefore ordinary business deductions? The difference is a dollar-for-dollar credit versus a deduction worth 50 cents on the dollar.

"It *is* an income tax," says Crawford. Chairman Mills, noting the similarity in the size

of the U.S. and foreign levies, agrees. They are "quite clearly royalties," says Senator Edward Kennedy. "If those same payments were made to the landowners in this country, they would be royalties and would be deducted, not credited." If a bird looks like a duck and quacks like a duck, you call him a duck, Kennedy said during the Hart hearings. "Someone was very clever in naming this as a tax."

A U.S. government taxman has acknowledged that in 1948 he briefed Saudi Arabian officials on "the difference of the effect on the [oil] company between a royalty and an income tax." In 1950 the government of Saudi Arabia levied an income tax for the first time. Subsequently the various foreign oil-owning governments have added what are called taxes of 50, 60, and even 65 percent to their take from the profits of the U.S. firms. The result has been to transfer U.S. income taxes to foreign countries.

Dr. Blair has estimated the tax loss to the United States. Working from income statistics for 1961, he concluded that in five major oil countries abroad, U.S. firms had almost $700 million in foreign taxes available to offset estimated U.S. tax liabilities of more than $500 million, which also resulted in $169 million in excess credits, applicable either against U.S. taxes due on income earned in other foreign nations or to carry back or forward to reduce taxes in other years. Dealing with the payments as royalties instead of taxes would have netted the United States about $175 million.

"The first thing you think about is, is this really a tax or a royalty?" says Nixon's taxman at the Treasury, Edwin Cohen. The idea that royalties only go up 12.5 percent is a mirage, he says. "We've found royalties up to 97 percent."

Cohen is also interested in the writing off of intangibles abroad, which lets U.S. firms generate tax losses deductible against U.S. income. The proviso is that they must be reporting to the United States from abroad on a country-by-country basis, but except for Jersey (which has an unusual situation), almost all the companies do. Drilling up on the margin to generate losses, Cohen says, "They never pay anything. We never get any benefit."

He is considering whether the intangibles writeoff overseas should be prohibited, or the companies required, when they find oil abroad, to restore to the United States the drilling tax losses they claimed earlier. Compared with this issue, he says, foreign depletion is an idle question. "We are subsidizing their foreign exploration and getting nothing in return." He is also weighing eliminating the country-by-country reporting option and dropping a tax wall between U.S. and foreign income.

The main objections to depletion and other U.S. oil policies now under criticism are that they are unfair to taxpayers and consumers and enhance monopoly trends in the oil industry. The central line of defense is that the national security requires a strong domestic industry, which in turn requires protections and tax advantages. Representative Lloyd Meeds of Washington says, "The salient fact is that the individual must bear the burden of this loss." Representative Charles A. Vanik of New York estimates that since it was first allowed, depletion has cost about $140 billion, "paid at the expense of almost all of the other taxpayers of the country." These men are members of the House Ways and Means Committee.

Their theme runs through the debate of the last two decades. Back in 1950 President Truman told of an oil millionaire who raked in $14 million over a five-year period but paid only $80,000 income taxes for the period, about half of one percent, compared to the lowest rate of 20 percent for a single man who earned less than $2000 a year. Senator George Aiken, the Vermont Republican, said in the 1957 debate that others must "dig into their pockets" to make up the money lost by depletion. Now Proxmire says the ordinary taxpayer must wonder why he pays 14, or 16, or 20 percent of his hard-earned money to the federal government when a company like Atlantic Richfield pays nothing whatever.

Another approach to the same point considers what the lost money could have been spent for. Ten billion dollars in the 1960s would buy a lot of model cities, an expanded public-housing program, more scholarships for college students, more war on poverty. A Yale research economist told the House taxers this year that the loss from depletion is three times federal spending on law enforcement, three times the school-lunch and food-stamp programs, six times our spending for public housing, three times the expenditure for the Alliance for Progress.

Then there is the dimension of unfairness to other industry. The IRS reported that in 1964 the petroleum industry reported net income after taxes of $1.7 billion as per the Internal Revenue Code, but $5 billion as per its own books of account. This ratio of 33 percent compared with a ratio of 88 percent for all nonpetroleum manufacturing.

The spread of the depletion privilege into other natural resources can only have contributed to the general cynicism about it. When professional football players seriously asked the Senate Finance Committee for a personal depletion allowance, Paul Douglas countersuggested allowances for movie actors, poets, and mathematicians, all of whom deplete themselves with the passing years. The late Senator Richard Neuberger of Oregon introduced a bill to let any taxpayer deduct one percent of his income for each birthday after he became forty-five on the theory that "a locomotive engineer's eyes, a schoolteacher's frayed nerves, a day laborer's legs, an author's brain . . . wear out, also. . . . We should have a depletion allowance for people."

Industry people often express pride that they are selling better gasoline for only slightly more, exclusive of taxes, than in 1926, and they predict that tampering with depletion will result in higher prices. Indignations about depletion are futile to whatever extent a higher corporation oil tax would be passed on to the consumers in prices. However, as Proxmire says, if it could all be passed on, why are the oil people "fighting like tigers"? Senator Williams says: "Yes, if we increase taxes, some of it does siphon down to the consumer, but not all of it."

Much of the argument for depletion is based on the riskiness of drilling for new oil. Before committees in Washington, oil's witnesses concentrate on figures showing that such drilling is down, rigs are stacked, oilfield employment is declining.

Gulf's president, Bob Dorsey, told House taxers this spring, "About one time in ten, those investing in wildcat drilling will find oil, but only about one in fifty has a favorable return on that kind of investment. Yet such investments have been made possible because of . . . percentage depletion." Senator Mike Monroney of Oklahoma makes the argument vivid: "People simply will not put nickels in slot machines unless there are nickels in the jackpot."

The often used one-in-ten (or one-in-nine) figure, however, applies to new-field wildcat wells, which make up only a seventh of the wells drilled. The success ratio is higher for every other type of well. The chances are three out of five that any of all the wells drilled will be a producer. The exploratory wells, including those "new-field wildcats," have two out of five chances of being producers. Three out of four of the development wells, which drain proven fields, are successful.

The majors drill mostly development wells. In 1967, Gulf drilled or participated in drilling 1242 wells, of which 964 were producers. Mobil drilled 397 producers and 133 dry holes. California Standard drilled 533 producers and 159 dry holes. It is the independents who do most of the exploratory drilling, 85 percent of it, says IPAA's McClure. Yet the depletion allowance goes in overwhelming bulk to the majors, not the independents, and it rewards not discoveries, but pumping oil out of the ground. For a dry hole, you get nothing.

"The oil industry has become a business for investors interested in precalculated expenditures and returns. . . . The little man can't get in the door anymore," says Texas independent Johnny Mitchell. Representative Minish says, "Oil has one of the lowest rates of failure in any business in the United States, and two thirds of the depletion allowances are claimed by companies with assets of over a quarter of a billion dollars."

If oilmen are so venturesome, why do they need subsidies? Representative Bush of Texas has divested himself of his oil holdings, but was in the business for eighteen years. On an NBC program, Representative James Scheuer of New York asked him, "Why should we take the risk out of your oil business? You don't want us to limit your profit, George, why do you want us to limit your risk?"

"The whole case for the 27.5 percent depletion allowance rests upon national security," says J. R. Parten of Houston. "We have fueled two world wars, largely out of our oil and gas resources, and in my opinion this would not have been possible without the tax incentives, depletion and the write-off."

In its statement to Ways and Means this year, Texaco said that the present tax treatment of oil has been one of the most significant factors in developing oil production and reserves essential to the national security and that any action to "impair the present incentives . . . would be to gamble with national security."

Giving oil every credit to which it is entitled, does the national security argument still hold? The rationale of the import system as well as percentage depletion is based on it.

As Kahn says, "People just say 'national security,' and everybody is supposed to turn his tail and run." Instead, Senator Kennedy begin inquiring last spring. "What," he asked Wright of Humble, "do you consider to *be* our national security? National security against what? A ground war in Western Europe . . . a land war in Asia . . . guerrilla wars. . ?"

"We're not thinking about protection from atomic war," Wright said with candor; "the thing we are endeavoring to guard against is the termination of imports abroad due to political emergencies." He mentioned strikes, turnover in political parties, and boycotts against shipments to the United States; but that was all. "These kinds of things we want to be able to survive," avoiding some other country having control over "our economic destiny," he said.

Senator Long would add the chance of war in the Middle East, and even with Canada. Senator Tower would consider rising Soviet power in the Persian Gulf and the Mediterranean. "We could conceivably get in conventional war with Russia, although I don't foresee it," Tower says.

To Proxmire, the national security argument is ridiculous. "Import controls and proration are programs to create an artificial scarcity and high prices." There is a lot of flexibility, he says, in our need for and supplies of oil. Kennedy, too, asks whether the remote possibility of rationing might be less costly than the present program costing $4 or $5 billion a year.

One is forced to the factual question, how

much oil have we and what other fuels could we use? In "proved reserves," the United States has about 31 billion barrels of oil. At present levels of consumption this is a ten- or eleven-year supply. Nuclear war would wipe out the cities where most of the oil is used: people, if any, would be needing drinking water, not oil. What kind of prolonged emergency, then, would require more than a ten-year supply of oil? If this is an awkward question, it is an even more awkward fact that our capacity to refine crude oil now exceeds our capacity to produce it by a million barrels a day.

"Proved reserves" is a concept that excludes known reserves for which available methods of production have not yet been installed. And secondary recovery methods (such as pumping water, gas, or even air into the oil reservoir) are frequently less expensive than discovering new oil. By 1965 one third of domestic oil was produced by such methods. The Interstate Oil Compact Commission estimated in 1966 that our proved reserves could be increased by *more than half* simply by installing additional equipment for these proved methods, and that more than 60 billion barrels more are probably physically recoverable by newer methods, including injecting steam or hot water into the reservoirs. This increases our actual probable U.S. reserves for emergency needs to about 110 billion barrels, a supply for fifteen to thirty years. And these figures do not include the new finds in Alaska.

Beyond this, other kinds of fuel are available. There are about 2000 billion barrels of shale oil in the West, 80 percent of it owned by the people of the United States, and even the established oil industry increasingly concedes that great quantities of this oil will become commercially available. Oil production from tar sands is another newly developing technology. The government is experimenting actively in the hydrogenation of coal into oil. Why, one might ask, has not the oil industry conducted a crash program to open up the fabulous oil shale reserves?

In sum, it is almost impossible plausibly to imagine a national emergency sufficiently prolonged that the United States is cut off from abundant foreign oil, runs out of its own oil, and cannot contrive substitutes. And if this analysis is correct, oil's main line of defense is chimerical.

However, some of oil's Washington critics have taken a different tack. As Jerry Cohen, staff director of the Hart committee, says, their idea is to hear out the tale of woe about declining exploratory drilling and shrinking U.S. reserves and then, instead of arguing, agree and ask, "Yes, well—since the policies we have are not working, what shall we change?" Having described the troubles of the industry, Wright found himself saying in effect that it's really not as bad as all that. "They're caught in their own trap," Cohen says.

Other serious challenges to the national security argument of the industry have come from a study conducted for Johnson's Treasury and finally (after much obfuscation and delay) made public. The CONSAD Research Corporation's technical study said percentage depletion is "a relatively inefficient method" of encouraging exploration for new reserves—more than 40 percent of depletion is paid for foreign production and nonoperating interests in domestic production. The report concludes in effect that for each $10 in tax benefits, we get only $1 more worth of oil reserves than we would be getting anyway. Wilbur Mills said that despite the industry's story about depletion and domestic reserves, "Now, we're not so sure."

The clamor against depletion is unfair, oil's defenders say, because it assumes that the companies are making unreasonable profits, and they are not. Oil's most aggressive counterattack relies upon statistics showing that on the basis of net assets, oil's profit rate is about the same as that for other manufacturing.

"The oil and gas industry does not make excessive profits," Texaco's J. Howard Rambin, Jr., told the House committee. "Studies by the First National City Bank of New York of corporate profits over the twenty-year period, 1949 to 1968, showed that the rate of return on the net assets of the oil and gas industry averaged 12.8 percent, virtually the same as the average for all manufacturing industries." During the last decade, he said, it was half a point lower than all manufacturing.

Crawford says he assumes that the producing end of the industry is making a greater rate of return than the rest of the industry. "I frankly don't understand," he says, "why we don't make more money than other industries." But, "if our profits are out of line, who can say that depletion is not justified?"

The industry's profits figures distort the realities in some ways. As Douglas pointed out in 1964, they may exclude foreign profits, which are dramatically higher than their domestic profits. Even so, profits are higher in the producing part of the business, to which depletion is solely pertinent, than for the integrated ("downstream") operations. First National City Bank figures for return on net assets of leading oil companies show a spread of two to five points between these two kinds of income in the last five years. In 1967 the bank's figures showed integrated operations making 12.7 percent and producing operations making 15.9 percent.

The example of Amerada Petroleum, almost entirely a producing company, is instructive. It had the highest rate of earnings on sales of any of *Fortune's* 500 industrials for every one of the eight years 1958 to 1965. By 1967 the foreign tax credit had become a factor for it, and on total pre-tax earnings of $104 million it paid less than $1 million U.S. tax.

There is also the question of the *bulkiness* of oil's profits. Jersey now makes $100 million a month.

The New York *Times* reports on 500 companies in the manufacturing and service industries. For 1967, the 33 oil companies in the 500 companies got more than one third of *all* the 500 companies' total earnings.

First National City Bank's "Monthly Economic Letter" for last April survey 2250 manufacturing companies in 41 categories with net income of $26 billion in 1968. Ninety-six oil producing and refining companies had a total net income of $6.1 billion, almost one fourth of the income of all 2250 companies.

Fourteen senators protesting the oil-price increase this year noted that the combined net profits of the twelve largest oil companies had increased by 33 percent in just four years and that each of them has set new profit records for itself in each of the last four years.

Perhaps another part of the explanation of the industry figures lies in the industry's high relative profit rate as a percentage of sales, instead of assets. As *Fortune's* reports show, oil and mining have the lowest sales per dollar of invested capital of any of the industrial groups. Taking *Fortune's* listing of the top twenty companies, the seven oil companies had a profit rate as a percentage of sales twice as high as the thirteen that were not oil companies, 10.4 percent to 5.3 percent. (In absolute terms, the one third that were oil companies had total profits that equaled those of the two thirds that were not oil companies.)

It does not seem likely, as Senator Williams has remarked, that the oil industry will have to pass the hat. But to whatever extent it is true that oil's profits are not, in reality, as high as one would expect under the circumstances, overinvestment may be indicated. Economists of the marginal analysis school in general believe that if there is a prospect of high profit in an area of business and free access to it, capital will flow into it until the prospect for returns declines toward or down to the level for other investment opportunities. It is in fact one of the weightier charges against depletion that it has caused a serious misallocation of economic resources in favor of oil and gas.

Finally, there are some problems of consistency in the industry's various defenses.

In 1959 Wilbur Mills told a panel on depletion that he worried that foreign depletion was shoring up oil production that might be "taken by somebody else and inure to their defense." Scott Lambert of California Standard replied that by and large the oil was available to us and helped develop our allies. Yet, Mills rejoined, we encourage the use of American dollars to develop the foreign resources and then "say it is contrary to the national interest for those same reserves to come to the United States." Lambert retorted, "But we are realizing the benefits fully when these resources are developed by our citizens and sold overseas. We are getting profits." That hardly put the question to rest.

By rewarding production rather than discovery, depletion encourages the depletion of domestic reserves, contrary to its frequently cited purpose of building them up for national security. The imports reduce the need for U.S. oil and the motive to drill for it. Yet both depletion and imports are defended in the name of national security.

The government in effect puts a floor under oil prices, but as Proxmire says, will not intervene to keep them from rising. Kennedy asks why imports are never increased as a means of offsetting unnecessary price increases.

In 1963, President Kennedy tried for four minor changes in the law affecting oil taxes; he got one, worth about $40 million revenue a year. "So you have reduced the special privilege by two and two-thirds percent," Douglas said to Secretary Dillon. "It is a small percentage," Dillon said. "A very small percentage," Douglas said.

Senator Kennedy proposes decreasing depletion to 15 percent for larger companies, eliminating it for the largest foreign producers, ruling out the fast write-off for intangibles, and eliminating the foreign tax credit for what are actually foreign royalties. He would make certain mineral production payments ineligible for capital gains treatment. Senator Abraham Ribicoff of Connecticut wants to stop the intangibles write-off and cut depletion in half.

The political power of oil is the main force at work against such reforms, but there is also a feeling that these subjects are impenetrably complex and nothing can be done with assurance. Yet, as economist Kahn has said, "it seems intolerable to have to decide about everything before deciding about anything."

Since "market demand proration" and the enforcement of its effects through the Connally "hot oil" act amount to government price-fixing for oil, such proration should be repealed, leaving actual oil conservation programs intact. Oil imports should be increased rapidly, as by the Machiasport and petrochemical companies' plans, until the U.S. oil price breaks downward toward the world price. To whatever, if any, extent controls continue to be justified, the "import ticket" system should be replaced by a straight tariff, giving the profit from the controls to the Treasury instead of the refiners.

These changes would help consumers, but hurt the highest-cost U.S. producers. Since these latter include many of the oil people who can be considered small businessmen, tax changes should help the independents and help retard monopoly trends in the industry.

One recurrent sophistry in the defenses of the depletion allowance is a refusal to distinguish between the major companies and the

rest of the industry in tax policy. "Today the oil-producing industry is sick and cannot afford the burden of increased taxation," John Connally, the then Vice President's sidekick and governor of Texas, told the House tax committee in 1963. There is an international oil industry dominated by five U.S. companies. There is a domestic oil industry, made up of companies varying from huge to small and of many individuals. Tax policy can make these distinctions.

The most notorious of the loopholes, percentage depletion, should be repealed, in gradual steps to ease the pain and facilitate necessary adjustments, but in the end, entirely. As La Follette, Couzens, Roosevelt, Morgenthau, and many others have said, the principle is entirely wrong. Profit from the sale of discovered minerals is income, not capital. Repealing percentage depletion would permit every businessman to continue to take full depreciation or cost depletion on all actual investment. Oil and mineral producers, like other businessmen, would also continue to recover all their operating costs, but then they would have to pay ordinary corporate tax rates. Such a thorough reform would go a long way toward assuring the public that Congress may also do what it should about the exclusion for capital gains, "charitable deductions," real estate write-offs, the tax "losses" of lobbyist-farmers, and the rest.

But if Congress will not repeal 27.5 percent, it should be graduated or restricted to benefit the independents and small companies that actually do the exploratory drilling. Certainly there is no sense in allowing companies foreign depletion for depleting oil that belongs not to them, but to foreign nations.

The fast intangibles write-off for the minerals industry is simple favoritism and should be stopped, except perhaps again for the drilling and development of wells or mines that are actually discoveries, or else according to a limit on the taxpayer's taxable income. The use of production payments to wipe out tax obligations obviously should be stopped and probably will be.

Proposals to cut or abolish the foreign tax credit meet the rejoinder that the foreign governments would increase their take from the companies for the difference. As the *Economist* says of the Middle Eastern governments, these oil-owning nations are getting better and better at "squeezing the oil companies without actually strangling them to death." The emergence of Arab guerrilla movements is also a factor.

In the alternative, the pre-1918 situation could be restored, whereby the U.S. companies are permitted to deduct their tax payments to foreign governments from their gross income. But the situation is too technical and too honeycombed with competitive effects on many companies in different environments for a simple solution.

As Treasury's Cohen says, the problem is not which rules to change but just to get a fair quantity of income from U.S. companies operating in the flush foreign oil fields. The write-off for intangibles should be disallowed abroad, and Cohen's other ideas should be listened to with attention. As it is, the oil companies are administering their own foreign aid program with U.S. money.

And there are deeper issues, still. Nine of the 20 largest industrial corporations in America, ranked by assets, are oil companies. Of the top 10 in profits, 5 are oil. In the last 13 years, 20 oil companies with assets of more than half a billion dollars have acquired 226 other companies and 18,737 gasoline service stations. This, in the national economic context now of the one hundred largest corporations owning nearly half—48 percent—of the nation's manufacturing assets.

Senator John Carroll, of Colorado, told the Senate during the depletion debate in 1958, "The moral question . . . is, Why did Congress enact such a tax law? Why has it remained on the statute books through the years? Why does Congress permit these huge tax windfalls?" Robert Engler wrote in *The Politics of Oil*, "Few questions are asked about this furthering of private wealth and power and its impact upon the American society."

The tax gifts from politicians are given back to them, in part, as political contributions. Legal or not, this is a kickback to politicians. "I'll give you tax money assuming that you'll give me some of it back for my career in politics." That, making due allowance for every principled exception, is the truth of it.

The nation should be producing its own oil from its naval reserves or offshore. This would give us an independent standard by which to evaluate the performance of the subsidized oil industry. The nation, through a public oil company, should be planning to produce oil for the public treasury from the publicly owned oil-shale reserves in the West. How else can the growing concentration of the industry in a few companies be stopped? How else can the public equities in public property be preserved?

On successive days last April on the Senate floor, two American senators, both Democrats, one from the South, the other from New England, summed all this up, in their very different ways.

"As one who represents a state producing a good deal of oil," said Russel. Long. "I do feel a sense of compassion for someone who so poorly understands Americans as to think they are corrupt and pirates when they are in fact good, hard-working citizens, trying to make an honest buck, the same as everybody else."

"The whole matter of quotas of oil importation has developed into a national scandal. It is a scandal," said John Pastore of Rhode Island the next day. "We in New England, perhaps naively, never really appreciate the depth and breadth of control that the oil industry had fastened on the government. . . . Can you imagine a company [Texaco] with a net profit of $754 million paying a federal tax which amounts to only 1.9 percent of its before-tax income? . . . the unholy alliance I spoke of before has in the past reached to the very highest levels of government . . . this is a time of consumer revolt. This is a time of taxpayer revolt."

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask that the period for the transaction of morning business be concluded.

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

NOTICE OF POSSIBILITY OF A SATURDAY SESSION

Mr. MANSFIELD. Mr. President, for the information of the Senate, I think I should refer to the possibility of a Saturday session this week. It will depend upon developments on Friday.

I have discussed this matter with the distinguished chairman of the Committee on Armed Services and he has indicated he is willing to come in on Saturday if conditions warrant.

I would hope that the acting minority leader would make his views known on that subject.

Mr. SCOTT. Mr. President, I would agree with the statement of the distinguished majority leader. It is important that we dispose of this bill as soon as possible.

If a Saturday session is necessary, we will have to have it. Other than that, I would simply say that I am in entire agreement with what the distinguished majority leader has said.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 81 Leg.]

Aiken	Gore	Murphy
Allen	Gravel	Muskie
Allott	Griffin	Nelson
Anderson	Gurney	Packwood
Baker	Hansen	Pastore
Bayh	Harris	Pearson
Bellmon	Hart	Pell
Bennett	Hartke	Percy
Bible	Hatfield	Prouty
Boggs	Holland	Proxmire
Brooke	Hollings	Randolph
Burdick	Hruska	Russell
Byrd, Va.	Hughes	Saxbe
Byrd, W. Va.	Jackson	Schweiker
Cannon	Javits	Scott
Case	Jordan, N.C.	Smith
Cook	Jordan, Idaho	Sparkman
Cooper	Kennedy	Spong
Cotton	Long	Stennis
Cranston	Mansfield	Stevens
Curtis	Mathias	Symington
Dodd	McCarthy	Talmadge
Dole	McClellan	Thurmond
Eagleton	McGee	Tower
Eastland	McGovern	Tydings
Ellender	McIntyre	Williams, N.J.
Ervin	Metcalf	Williams, Del.
Fannin	Miller	Yarborough
Fong	Mondale	Young, N. Dak.
Fulbright	Montoya	Young, Ohio
Goldwater	Moss	
Goodell	Mundt	

Mr. KENNEDY. I announce that the Senator from Idaho (Mr. CHURCH), the Senator from Washington (Mr. MAGNUSON), the Senator from Connecticut (Mr. RIBICOFF) are absent on official business.

I further announce that the Senator from Hawaii (Mr. INOUYE) is necessarily absent.

Mr. SCOTT. I announce that the Senator from Colorado (Mr. DOMINICK) is necessarily absent.

The VICE PRESIDENT. A quorum is present.

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate now stand in recess subject to the call of the Chair.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senate will stand in recess subject to the call of the Chair.

Accordingly, at 11:37 the Senate recessed, subject to the call of the Chair.

Thereupon, the Senate, preceded by its Secretary (Francis R. Valeo), its Sergeant at Arms (Robert G. Dunphy), and the Vice President, proceeded to the rotunda of the Capitol to attend the memorial services for the late Senator Dirksen of Illinois.

IN THE ROTUNDA OF THE CAPITOL

MEMORIAL SERVICES FOR THE LATE SENATOR EVERETT McKINLEY DIRKSEN

The Chaplain of the Senate, the Reverend Edward L. R. Elson, D.D., offered the following Scripture readings and prayer:

Blessed is the nation whose God is the Lord.

Bless the Lord, O my Soul, and all that is within me. Bless His Holy Name.

The souls of the righteous are in the hand of God, and there shall no evil touch them. They are at peace.

Blessed are the pure in heart, for they shall see God.

I am the Resurrection and the Life, saith the Lord: he that believeth in Me, though he were dead, yet shall he live: and whosoever liveth and believeth in Me shall never die.

Let us pray:

Almighty God, Father of mercies and giver of all comfort, deal graciously, we pray Thee, with those who mourn this day, that casting every care on Thee, they may know the consolation of Thy love, the healing of Thy grace, and the companionship of Thy presence; through Jesus Christ, our Lord.

Almighty and everlasting God, before whom stand the living and the dead, we praise and bless Thy holy name for the good examples of those Thy servants, who having finished their course on earth, now rest from their labors. We thank Thee this day for thy servant, Everett McKinley Dirksen, and for the sacred memories and hallowed recollections which cluster about this great life—his manly piety, his refined patriotism, his unending devotion and tireless efforts in behalf of our Nation and the world. We thank Thee for his faith in the invincibility of goodness, and the final triumph of justice. Help us to praise highly and to guard carefully the gifts which such loyalty and devotion have passed on to us. And grant that we may be true as he was true, that we may be loyal as he was loyal, and that we may serve our country, our world, and our God all the days of our lives, and leave the world better for having lived in it. Through Jesus Christ, our Lord. Amen.

The President of the United States, Richard M. Nixon, placed a floral tribute at the catafalque, and then made the following address:

The PRESIDENT. Mrs. Dirksen, Mr. Vice President, Mr. Chief Justice, Members of the Congress, Members of the Cabinet, Members of the Diplomatic Corps, Your Excellencies, and friends of Everett Dirksen throughout the Nation:

When Daniel Webster died more than a century ago, a man who differed strongly with him on many public issues rose in Congress to say this in eulogy:

> Our great men are the common property of the country.

Everett Dirksen of Illinois was and is the common property of all the 50 States.

Senator Dirksen belonged to all of us because he always put his country first. He was an outspoken partisan. He was an individualist of the first rank. But he put his Nation before himself and before his party.

He came to the Nation's Capital in 1932, and his public service spanned an era of enormous change in the life of our country. He played a vital part in that change. That is why it is so difficult to think of the Washington scene, of this Capital, without him.

Only his fellow legislators, the Senators and Representatives who have gathered here today and who mourn his loss across the Nation, know the full extent of his contribution to the process of governing this country. They know the time and concern he put into their bills, their causes, their problems.

They know another side to Everett Dirksen: The side in the committees behind the scenes where so much of the hard work and the hard bargaining is done, where there is so little that makes headlines and so much that makes legislation.

Through four Presidencies, through the adult life of most Americans living today, Everett Dirksen has had a hand in shaping almost every important law that affects our lives.

Everett Dirksen was a politician in the finest sense of that much-abused word. If he were here, I think he might put it this way: A politician knows that more important than the bill that is proposed is the law that is passed. A politician knows that his friends are not always his allies and that his adversaries are not his enemies. A politician knows how to make the process of democracy work, and loves the intricate workings of the democratic system. A politician knows not only how to count votes but how to make his vote count. A politician knows that his words are his weapons, but that his word is his bond. A politician knows that only if he leaves room for discussion and room for concession can he gain room for maneuver. A politician knows that the best way to be a winner is to make the other side feel it does not have to be a loser. A politician in the Dirksen tradition knows both the name of the game and the rules of the game, and he seeks his ends through the time-honored democratic means.

By being that kind of politician, this man of the minority earned the respect and affection of the majority, and by the special way he gave leadership to legislation, he added grace, elegance, and courtliness to the word "politician." That is how he became the leader of the minority, one of the leaders of our Nation. That is why, when the Senate worked its way, Everett Dirksen so often worked his way. That is why, while he never became President, his impact and influence on the Nation was greater than that of most Presidents in our history.

He was at once a tough-minded man and a complete gentleman. He could take issue without taking offense. And if that is an example of the old politics, let us hope that it always has its place in the politics of the future.

He is a man to be remembered, as we remember the other giants of the Senate—the Websters and Calhouns, the Vandenbergs and Tafts.

Some will remember his voice, that unforgettable voice that rolled as deep and majestically as the river that defines the western border of his State of Illinois that he loved so well.

Others will remember the unfailing, often self-deprecating sense of humor which proved that a man of serious purpose need never take himself too seriously.

Others will remember the master of language, the gift of oratory that placed him in a class with Bryan and Churchill, showing, as only he would put it, that the oil can is mightier than the sword.

But as we do honor to his memory, let us never forget the single quality that made him unique, the quality that made him powerful, that made him beloved—the quality of character.

Everett Dirksen cultivated an appearance that made him seem old-fashioned, an incarnation of a bygone year. But that quality of character is as modern as a Saturn V.

As he could persuade, he could be persuaded. His respect for other points of view lent weight to his own point of view. He was not afraid to change his position if he were persuaded that he had been wrong. That tolerance and sympathy were elements of his character; and that character gained him the affection and esteem of millions of his fellow Americans.

We shall always remember Everett Dirksen in the terms he used to describe his beloved marigolds: Hardy, vivid, exuberant, colorful, and uniquely American.

To his family, his staff, and his legion of friends who knew and loved Everett Dirksen, I would like to add a personal word: There are memorable moments we will never know again—those eloquent speeches, the incomparable anecdotes, those wonderfully happy birthday par-

ties. But he least of all would want this to be a sad occasion. With his dramatic sense of history, I can hear him now speaking of the glory of this moment.

As a man of politics, he knew both victory and defeat. As a student of philosophy, he knew the triumph and the tragedy and the mystery of life. And as a student of history, he knew that some men achieve greatness; others are not recognized for their greatness until after their death. Only a privileged few live to hear the favorable verdict of history on their careers.

Two thousand years ago, the poet Sophocles wrote:

One must wait until the evening
To see how splendid the day has been.

We who were privileged to be his friends can take comfort in the fact that Everett Dirksen, in the rich evening of his life, his leadership unchallenged, his mind clear, his great voice still powerful across the land, could look back upon his life and say, "The day has indeed been splendid."

U.S. Senator HOWARD H. BAKER, on behalf of the family, responded to the President's eulogy as follows:

Mr. BAKER. Mr. President, I speak for Mrs. Dirksen and the rest of the family when I express our deep gratitude to you and to the many Americans throughout this country who for the last several hours have so eloquently expressed their grief and their condolences. We are profoundly grateful to you and to them.

A century ago, another man from Illinois first lay in state on this catafalque, on this spot, described by Sandburg as "midway between House and Senate Chambers, midway between those seats and aisles of heartbreak and passion."

And so it was with Everett Dirksen—a man of his Nation who served long and well in both of those Chambers.

Everett Dirksen cherished Lincoln, but with a great humility that rejected any thought of comparison. He sought to follow many of the precepts of the Lincoln legacy. Both men understood with singular clarity that a great and diverse people do not speak with a single voice and that adherence to rigid ideology leaves little room for compromise and response to change.

A man of imposing presence and bearing, Everett McKinley Dirksen was nonetheless a man of eminent wit, humor, and perspective, who kept himself and others constantly on guard against taking themselves too seriously.

He was guided by a simple religious faith, carrying through life a sense of the presence of the Creator, and doing homage to the small, frail spark of immortality which defines the human spirit.

But perhaps most of all his hero was the people. He was of the people. Born of immigrant parents, his mother arrived in this country at an early age, speaking no English and with a tag about her neck instructing only that she be sent to Pekin, Ill. He knew firsthand "melting pot" America—its diversity and hardship, the brilliance of its people going about the business of forging a magnificent nation; and he loved them. All of them. And few are privileged to love so well. I think the people saw something of their own greatness in Everett Dirksen, and understood and respected him for it.

He was an idealist, but he was a realist as well, and in the end he chose calmly to risk his life, electing uncertain surgery in order to gain the opportunity to live and serve further; and he lost. But in losing he fixed with permanence the image of a noble man of the people.

The Chaplain of the Senate, Dr. Elson, thereupon pronounced the benediction, as follows:

Receive the benediction.

Now may the God of peace, that brought again from the dead our Lord Jesus, that great Shepherd of the sheep, through the blood of the everlasting covenant, make you perfect in every good work to do His will, working in you that which is well pleasing in His sight; through Jesus Christ, to whom be glory for ever and ever. Amen.

At 12 o'clock and 40 minutes p.m. the Senate returned to its Chamber, and was called to order by the Presiding Officer (Mr. EAGLETON in the chair).

DEATH OF SENATOR DIRKSEN—FUNERAL EXPENSES

Mr. PERCY. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The legislative clerk read as follows:

S. RES. 255

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed to arrange for and attend the funeral of the Honorable Everett McKinley Dirksen, late a Senator from the State of Illinois, on vouchers to be approved by the chairman of the Committee on Rules and Administration.

The PRESIDING OFFICER. Without objection, the resolution is considered and agreed to.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time for the quorum call not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. EAGLETON in the chair). Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the Senator from Missouri is recognized.

AIRLIFT—THE VALUE OF "REMOTE PRESENCE" IN FUTURE FOREIGN POLICY

Mr. SYMINGTON. Mr. President, on July 14, 1969, in an interview in U.S. News & World Report, I made the following statement:

Today we are spread all over the world, and it's terribly expensive. . . . Things cannot go on this way indefinitely if we are to remain a strong and viable Nation.

Prior to that observation, the headlines of July 10 clearly attested that the Nixon administration is responding to growing criticism of high military spending by cutting back the most expensve sector of the defense effort—manpower, both military and civilian.

The cost to the Nation of supporting overseas forces—and dependents—is particularly high. Such support is not only more expensive than in the United States; it also constitutes a continuation of the deteriorating balance-of-payments position of this country.

Congressional critics have been particularly outspoken on this subject, contending that "an overseas Military Establishment of 1.45 million troops, 500,000 dependents, and 250,000 foreign employees on 429 major and 2,980 minor bases is excessive."

Some of the rhetoric to the effect that "the Atlantic alliance is an anachronism" is exaggerated, but the point of these critics is well taken. An analysis of U.S. forces around the world shows that a great majority is currently in Asia, with the second heaviest concentration in Europe.

Since manpower and operations costs constitute some 60 percent of the $77 billion defense budget that is projected for 1970, it is obvious that major savings require significant reductions in U.S. forces overseas.

The most obvious opportunity for a substantial saving is the phasing out of the Vietnam war, after which it has been reported that the Pentagon plans to cut manpower back from 3.5 to 2.5 million men; but such a reduction is not really feasible unless a substantial repatriation of troops now stationed on foreign soil is also accomplished. That, in turn, would require some modification of our foreign policy, in Asia as well as in Europe. In Asia, particularly, a policy of what the Japanese cali low posture has been recommended by eminent experts.

With respect to a multilateral concert of forces in Asia, another expert recently observed:

Surely multilateralism should be the sine qua non of future American interventions: multinational efforts to assist developing nations; multinational efforts to cope with insurgency and multinational attempts to resolve open hostilities.

One can only agree wholeheartedly with those who believe that the right

role of the United States "is to regard itself as the center of a group of developed powers and not as the single-handed guardian of the whole internation system."

As perhaps first articulated by President Nixon, what needs to be established is an equivalent multilateral force structure for South and East Asia to replace the overextended concept of SEATO.

The concept of "remote presence" which we propose as a way out of the dilemma of how to meet proper foreign defense commitments without stationing large military forces overseas depends upon improved mobility of both troops and equipment that is now offered by new airlift technology. This new capability permits rapid deployment of significant forces over long distances to either conventional or unprepared landing fields; and exploitation of this capability would permit a military presence in support of overseas allies to be effected by relatively small—in many cases token—forces which, in emergency, could be rapidly reinforced by massive airlift.

Such a foreseen need for rapid deployment capability provided the rationale for the development of the heavy logistics transport as set forth 5 years ago by the U.S. Air Force's Project Forecast.

Arguments advocating use of this new technological capability designed to reconcile reduction of an excessive U.S. military presence abroad with an adequate "remote presence" have been advanced by many military and civilian strategic thinkers. The same arguments are applicable to Britain's force requirements in Singapore/Malaysia, also to Australian and New Zealand requirements in that region. The different mobility reserve force levels required of those three latter nations, however, will of course depend upon their different obligations; and the need, or threat, which can be credibly postulated for the relatively near future.

The size of U.S. Reserve Forces stationed in the continental United States—Conus—has heretofore been based on a threat scenario which involved a need to meet three military involvements at once; namely, two large-scale wars in Europe and South or East Asia, plus a small war somewhere else in the world.

Assuming these requirements to be imposed simultaneously upon an otherwise "normal" world situation—that is, current NATO force structure in Europe, and a pre-Vietnam distribution of forces in Asia—this scenario defines a certain airlift capability required for a specified force buildup at each of the critical theaters, and within a specified period. The period specified in the currently accepted scenario is long enough to permit deployment of significant forces by sealift; but in the case of the Middle East crisis postulated in the revised scenario herewith outlined, response by sealift would be too slow to play any decisive role in crisis resolution. Even in the case of an Asian crisis, a threat cannot be "nipped in the bud" by other than airlifted forces.

Such a scenario has been criticized as arbitrary and overly pessimistic in terms of requiring these three simultaneous deployments; and a more modest assumption of only two simultaneous crises would require a proportionately more modest airlift capability.

I also criticize this assumed scenario, but on two different grounds; namely, it is naive to assume as "normal" a continued U.S. military presence abroad which is excessive and could not be maintained even when welcomed in the host country; and, it is unrealistic to assume a major crisis in Europe as more probable than one in the Middle East.

It was Ambassador Reischauer, a former Ambassador to Japan, who stated:

> When we look across the Atlantic, we may find elements of uncertainty and change in our foreign policies, but when we look across the Pacific, everything seems in doubt. The outcome of the Vietnam war is still unknown; the reaction of the American people to this outcome is even less clear . . . Our chief alliance—with Japan—seems more threatened than our European ties; and the future of the 850 million people in the Indian subcontinent and the other noncommunist lands of South and East Asia is quite incalculable.
>
> Worst of all, we are not agreed on the underlying concepts for our trans-Pacific policies. While the conceptual basis for our trans-Atlantic relations need some refining, our whole approach in Asia must be rethought and reconstructed almost *de novo*.

Let us hope that the eventual military withdrawal of the United States will be accomplished in such a way so as to leave Americans still broadly concerned in the future of Asia, and also with Asians still looking to the United States for a continuing, if less conspicuous, and primarily economic, role in their part of the world.

Of all Asian relations, the most important to the United States are those with Japan, leading ally in Asia, second largest trading partner, the third most productive economy in the world and the world's fastest-growing major country.

Because of domestic political circumstances arising from her traumatic experience in World War II, Japan's present military posture is strictly defensive, but her military potential is that of a major world power; and although this great country is still sensitive to memories of the past, the Japanese now show signs of becoming a major source of economic and technological aid to that whole region, as manifested by their participation in the Asian and Pacific Council—ASPAC.

The maintenance of close and friendly relations with Japan is thus an important U.S. interest. This country is committed to defend Japan against all threats; and as a result Japan has been able to exploit that shield by devoting very little of her own GNP—less than 1 percent—to defense, concentrating instead on developing a burgeoning economy.

While understandably loath to give up this advantageous position, rich Japan must now think more of her own defense and eventually accept her responsibilities as a great power.

As the younger generation achieves power in the late 1970's, "Japan will look upon the international scene with a sense of balance, will establish positive diplomatic and security policies based on true national interest, and will take independent action to achieve national goals."

In the meantime, however, short-run political considerations demand attention. The continued presence of U.S. military installations in Japan is well known to be a constant source of irritation to leftist and conservative Japanese alike. That irritation has been adroitly exploited. These bases are the chief targets of a wave of demonstrations which during the past year have mounted greatly in size and violence and serve to focus protest against the Japan-U.S. Mutual Security Treaty which comes up for review in 1970, and also against the continued U.S. occupation of Okinawa.

These "minority protests" are getting through to the Japanese public. Recent opinion polls show that 45 percent of the populace—45 million people—believe U.S. bases are harmful to their country, whereas only 18 percent approve.

In the process of reevaluating this Mutual Security Treaty, the military value of these bases should be reassessed in the light of the political liability they also constitute.

With the advent of the Polaris fleet ballistic missile major current strategic deterrent, there would seem to be little need for the United States to retain Okinawa as a base for B–52 operations; and furthermore, today Japanese air bases are not available to the United States without "prior consultation."

If Okinawa operations are discontinued, Japanese bases would be much further reduced in value to the United States; in fact, our best interests might be served by turning said bases over to Japan as part of a revised treaty agreement whereby Japan would build up her own conventional defense forces as a prelude to eventually joining the "Pacific Community" of powers interested in preserving regional stability.

The stake of Japan in such stability is truly tremendous. That country is the world's largest importer of oil, 90 percent of which comes from the Persian Gulf through the Indian Ocean, the Straits of Malacca, and the South China Sea. In the most literal sense, Japan's booming economy depends, for its very survival, on daily traffic through the straits of 400,000 tons of imported oil, iron ore, and coking coal. This lifeline is vital. It must be defended against any threat to the Malay peninsula.

In view of the foregoing factors—public opinion in relationship to strategic/economic self-interest—it is clear that the trend of Japanese policy regarding the United States must be toward a reduction of U.S. military presence in that country to an inconspicuous level. This trend should, and I believe would, be coupled with a U.S. agreement to rapidly exert its "remote presence" in Asia, should the security of Japan's territory be threatened.

A reduced U.S. military presence in Asia would also affect Australia; therefore, it is clear that country would hope to keep the United States engaged in Asia, especially Southeast Asia, at all cost.

After reviewing its defense policy upon Britain's announcement of ultimate withdrawal from Asia, Australia elected to maintain her posture of "forward defense" by continuing, with New Zealand, to station forces in Malaysia and Singapore.

While generally laudable as an expression of a determination to live as part of an Asian community, and not withdraw to a "Fortress Australia," it would appear that a backup defense posture of "remote presence" based on rapid heavy airlift would lend substantial added force to the "forward defense" of its ANZUS allies as well.

In Europe the general situation is more stable, although many problems do persist, with the most basic one continuing to be a divided Germany, neither country recognizing the right of the other to exist.

The question from our standpoint with respect to this longstanding problem now would appear to be: How many American troops are "enough" so as to maintain the credibility of the commitment?

Comparing NATO and Warsaw Pact forces, Dr. Carl Kaysen has argued that the present U.S. force level is more than adequate. I agree; and, in any case, it is a fact that the economic and political position of the United States now make some force reductions inevitable.

Fortunately, the "remote presence" which is now made possible by rapid heavy airlift can permit a sizable force drawdown in Europe with no loss in NATO response credibility.

The economic appeal of such a force drawback is welcomed by strategists and politicians alike; but in order to reduce the requirement for that heavy airlift which could rapidly redeploy the troops and equipment needed overseas in a crisis, some analysts have suggested a scheme by which only the troops would be repatriated to the United States, with the equipment "pre-positioned"—that is, stored in Germany—for use by those troops which could then be flown from this country in conventional "people carrying" transports.

Even if one assumes, however, that concentration of such pre-positioned equipment could in fact be adequately maintained, guarded against sabotage, and defended against attack—highly doubtful—this so-called "pre-positioning" scheme has two flaws, one minor and one major.

The minor flaw is economic. In order to keep the repatriated divisions in question in a state of combat readiness, a duplicate set of heavy equipment would be required over here, at heavy cost.

The major flaw is both political and strategic; namely, the possibility to the point of probability that any new crises would occur in the Eastern Mediterranean or Middle East rather than in Western Europe, in which case combat equipment pre-positioned in Germany would be useless.

What would be needed would be instant application of the "remote presence" concept, by means of massive airlift from this country. Should the crisis blossom into a "blitzkrieg" type engagement, the pace of the action would in all probability be such that only the first round of sorties would arrive in time to be decisive.

To those inclined to the belief that the cold war is in its entirety a thing of the past, may we point out that the Soviet Union, whatever it may be doing elsewhere, is not practicing any detente with the United States when it comes to rapidly moving events in the Middle East.

We talk of a region which the West calls the "Middle East," but which, to the Soviet Union, is the "Near South"; and which, as the records of history point out, they have long coveted.

In the secret protocol to the draft 1940 four power pact, the Soviet Union declared that its "territorial aspirations center south of the national territory of the Soviet Union in the direction of the Indian Ocean."

Russia has already achieved that long-frustrated czarist ambition by means of the expansion of its naval power throughout the Mediterranean; and only the logistics problems posed by the present closure of the Suez Canal would appear to be preventing further buildup of Soviet fleets in the Arabian Sea and the Indian Ocean.

We know of the naval presence by which the Soviets have called into question NATO capacity to assist Yugoslavia from the sea in the event of a Soviet attack by land.

The Soviets have thus successfully begun the dispute of Western control of a major maritime passage and its continental surrounds; and if British withdrawal is completed as announced, they stand to achieve an even greater goal: namely, Russian hegemony east of Suez.

Of the potential dangers posed by Britain's withdrawal from the gulf states, the most obvious is possible interruption of the oil supply so vital to U.S. allies—50 percent of Western Europe's imports, 90 percent of Japan's, 65 percent of that for Australia; and recent events in Nigeria have shown that oil supplies may be cut off, not because some internal or external enemy wishes to do so, but because without a minimum of order, the oil industry cannot function.

The same situation could arise among one or more of the Persian Gulf states.

In addition to possible internal disturbances, conflicts between the States themselves could arise from conflicting territorial claims. But a few examples: Iran's claim to Bahrain, Iraq's claim to Kuwait, Saudi Arabia's claim to part of Muscat, Oman and Abu Dhabi; and of course we all know the problem incident to Israel.

Over the years these differences and disputes have not been pursued primarily because the parties concerned recognized that, while the British were present, temporary silence over a claim did not imply its forfeiture. The removal of British presence, however, could lead to a renewal of old disputes, and then turmoil into which the Soviets would be only too pleased to step at request. The consequences in Yemen of the 1967 British withdrawal from Aden suggest further future possibilities in the gulf.

Aside from threatening these strategic oil resources, a strong Soviet presence in the Middle East could have other serious political consequences and it is significant that the Soviets no longer hold to their policy of not setting up military bases on foreign soil outside of Eastern Europe. They have established a base at Alexandria from which even Egyptians are excluded; and they have rights to a base in Yemen. An additional possibility might be the development of the former British base at Aden. This could well inhibit the development of Elath by Israel, their only source of getting to the sea and to the south.

In summary, the Middle East situation presents multiple opportunities for conflict and as such constitutes a major potential threat to world peace. The Persian Gulf situation in particular does not admit improvement by readjustments of military posture. In contrast to the Malaysia-Singapore situation, in which the option of maintaining a token force backed up by "remote presence" is still open to Britain, the position in the Persian Gulf has changed radically.

Assuming a disastrous post-Vietnam scenario is not followed, the threat of major conflict in the developing countries of Asia, Africa, and South America is not considered great.

Minor conflicts within or between developing countries can only continue to occur; and when remote from the television cameras, internal conflicts will continue to be largely ignored, as currently the case in the Sudan; or deplored in the United Nations, as currently in the case of Nigeria. International disputes will warrant United Nations action, however, and, if considered necessary, intervention by U.N. task forces. It is in the support of such action by the United Nations that it would appear a special role for Canada has developed.

The original membership of Canada in NATO was the natural result of a post-war camaraderie within the Atlantic community. It has been said that, "although NATO's purposes are essentially military, and in this respect relatively unattractive to a people with a pacific tradition, the idea of defending the European wellsprings of Canadians' cultural heritage has been viewed sympathetically, until at least recent years, by almost everyone in Canada."

While a willing United Nations participant, however, Canada has been less willing than has the United States to look upon her involvement in European defense as crucially significant. In addition, in the mid-1960's, the immensely enhanced U.S. capacity for airlifting men across the Atlantic in a few hours suggests that, in fact, continued heavy physical presence might no longer be critical to Europe's defense; and of course the more recent development of technology for airlifting heavy equipment as well as men has reinforced that determination.

The contribution of Canada to NATO has thus become more and more a symbolic gesture of solidarity with its allies, no longer an operation which could be justified in military terms. But Canada is morally bound to assist, in one way or another, with the defense of the Western World; and to the same proportional extent as its friends.

Accordingly, Canada is apparently thinking more in terms of participation

in military and other functions of the third world rather than involvement in the strategic arrangements of the great powers.

In a perceptive article this year entitled, "A New Atlantic Role for Canada," Roy Matthew wrote:

> The rationale for Canadian concentration on the Third World is as follows: Rightly or wrongly, the United States is distrusted in many Asian, African and Latin American countries simply because it is big and powerful. In addition, all the larger European nations, as well as Japan, are suspect because of the imperial or neo-imperial behavior in the past.
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> This problem provides an opportunity for a few countries that are not powerful or ex-imperial, but are wealthy enough to have some resources to spare, to fulfill an especially useful function in the underdeveloped and uncommitted regions of the world. Canada, like Switzerland, the Scandinavian nations and a handful of others, has become very active in this type of endeavor. There have been Canadian contingents in virtually all the peacekeeping forces and international supervisory operations since the War—Indochina, Palestine, Kashmir, Yemen, Gaza, the Congo, Cyprus.
>
> It is certainly arguable that such contributions may have done more for the peace and stability of the world over the past twenty years than have the Canadian military activities at home and in Europe. By extension, it has been suggested that Canada could engage in more such operations if its available forces were committed primarily, if not exclusively, to peacekeeping—first, because there would be larger numbers of men and materiel to devote to that purpose, and second, because the measure of nonalignment implied would presumably make Canadian servicemen that much more acceptable in the Third World.

In effect, it would appear that Canada has become an armed force of the United Nations; and if equipped with adequate heavy airlift capability, that nation could also serve as a "remote presence" for the U.N.

In summary, the redefined threat scenario as outlined in the foregoing section is considerably broader in scope than the one it attempts to improve. It involves the possible responses to a different variety of potential threats, not only by the United States, but also by a multilateral concert of friendly forces.

The military posture of the United States as assumed in this presentation was that of "low posture" in the region of the threat, backed up by "remote presence" in the form of massive heavy airlift capability. The posture of our allies in Asia was that of "forward defense," but also backed up this by "remote presence."

The current estimate of U.S. heavy airlift requirement, based on the heretofore accepted "2½ crisis" threat scenario—namely, the capacity to handle at one time two major wars and one minor—is six squadrons composed of 20 heavy logistics transports each. The revised and, hopefully, more realistic scenario involves but two simultaneous major crises; this in the hope that a low-order crisis could and would be handled by the United Nations.

In the interest of realism and a reduction of this unprecedentedly high military cost, however, this modified threat scenario also assumes a much reduced U.S. military presence overseas; that is, the "low posture" mentioned above. That in turn throws a far greater burden of response on the "remote presence," which would be obtained in emergency from the continental United States.

Without benefit of a detailed analysis of the logistics problems involved, it is not possible to make an exact quantitative estimate of the effect of this revised threat scenario on U.S. heavy airlift requirements.

It would appear certain, however, that this "remote presence" concept is the best method for fulfilling the present and future international obligations of the United States. Such a concept is much in our interest, from a political and military as well as an economic standpoint; and it could be the one way to handle our security and well-being without having the cost of our defenses creating even more serious problems for our already endangered economy.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. SYMINGTON. Mr. President, I am glad to yield to the able chairman of the Appropriations Committee.

Mr. RUSSELL. Mr. President, I listened with great interest to the able, informative, and scholarly remarks of the distinguished Senator from Missouri. I congratulate him on encompassing in one brief address so much information as to the situation all over the world and the probable role and capacity of the various nations of the earth.

The Senator not only is an active member of the Committee on Foreign Relations, but he has visited nearly all of the leaders and foreign chancellories of the world, and he is qualified to speak in that area.

I am thoroughly familiar with his interest in the matter of air transport. A number of years ago the Senator was greatly concerned about the ever increasing tide of this country's adverse balance of payments that threatened not only what gold reserve we have but the very economy of the United States. He discussed it several times with me, and he kept stressing bringing some of the troops home from Europe, and Korea, for that matter. He finally said that if we had an adequate airlift capability, we could bring troops home. From that day I supported him to the best of my ability in trying to convince the Department of Defense that we should increase the airlift as a means of bringing home the troops and ending the great drain on dollars. It is the only hope we have.

I want to say here and now that people who really mean it when they say we should bring these troops home, had better provide for the airlift because you are not going to be able to bring them home until you have some means to send them back. I would be willing to bring them home without that assurance, but this Nation is not.

The Senator recalls that we examined Secretary McNamara on this matter several times when he was before the Armed Services Committee. Secretary McNamara at the time was highly favorable to the idea of bringing home our troops. I think the insistence of the Senator and some of those who supported him had a great deal to do with the current airlift program.

If we have an adequate airlift we can diminish the loss of dollars for the support of the military overseas to such extent that the country will be able to stand it. The dependents are a source of great expenditures in Europe. We all know that all the privates do not have their dependents there, but all of the upper grades, where the pay is more substantial, can have dependents in Europe and it causes a tremendous expenditure of American dollars there.

We can be just as effective with an adequate airlift in meeting our commitments as we could be if we had the troops stationed, or part of them stationed, back on the Rhine because we can fly defenses from this country to Europe as fast as we can move in armored carriers from the Rhine to Eastern Europe.

I congratulate the Senator and I hope this statement is taken to heart. I hope all Senators study and read the Senator's statement not only because of its effect on what takes place today, but also on the future of the country.

We cannot continue to bleed this country with this tremendous number of troops stationed all over the world. I think we will have to reduce them substantially, and we can, and any weakness coming from that can be remedied by having an adequate airlift capability.

The Senator is an expert in this area. He was the first Secretary of the Air Force in the United States, and he has been actively interested in this whole subject over a period of more years than I will state here now.

I congratulate him on the tremendous contribution he has made to bring down the overall cost of the military establishment of the United States.

Mr. SYMINGTON. Mr. President, the distinguished former chairman of the Committee on Armed Services, is very kind. Actually, I followed his leadership regarding the importance of airlift more than he did mine. It is my opinion, and I have said so on this floor many times, that he is the outstanding authority with regard to military matters in Congress today.

The Senator will remember when there was such heavy concentration on the strategic air force, he and I talked at some length as to the increasing importance of airlift from the standpoint of the security of the United States. I do not believe that we would have the C–130, the workhorse in Vietnam, if it had not been for the efforts of the able Senator from Georgia (Mr. RUSSELL); and believe, furthermore if we did not have the C–130, we would not have the C–141.

It is a logical development therefore, to go to the C–5A so that we can transport rapidly not only men, but also the required support equipment if it becomes necessary for the United States to move into any part of the world in the interest of national security.

For years, it has seemed to me that the question of whether it would be a "trip wire" or a "shield" under SHAPE or NATO in Europe became strictly theoretical after the withdrawal of France

from NATO. The idea that we can support great armies, after the first crunch, through the English Channel in this modern, nuclear space age, at the same time a possible enemy was pouring over the "plains of Prussia" in historical fashion, seems nothing short of ridiculous.

I believe our position would be enhanced if a large number of our troops in Europe were brought back here, and that these troops and their equipment be flown abroad in times of emergency.

I appreciate the reference of the able chairman to our balance of payments, and the fact that millions of Americans are now stationed in various countries all over the world, all of it being paid for by the American taxpayer.

Having studied this matter to the best of my ability, I can say with complete sincerity that it would appear the best way not only to reduce the dollar drain, but also to reduce overseas commitments and factors which could lead to additional commitments, would be to build a modern airlift capability. In that way, we would be able to reduce the tremendous number of bases which we have around the globe.

Mr. TALMADGE. Mr. President, will the able Senator from Missouri yield at that point?

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from Georgia.

Mr. TALMADGE. Mr. President, I have listened with great interest to the entire speech of the Senator from Missouri, as well as to the remarks made by my senior colleague, Mr. RUSSELL, former chairman of the Armed Services Committee.

The Senator from Missouri was kind enough to send me an advance copy of his speech, which I read in great detail. I think he has made, today, one of the ablest statements I have ever heard since I came to the Senate on the military security of this country and what our foreign policy should be.

Mr. President, I have thought for a long number of years that our Nation has been overcommitted militarily, and overcommitted economically. That situation has come home to roost with the unfortunate war in Southeast Asia, from which we have been unable to extricate ourselves. We have seen it in our balance-of-payments problem, which places the integrity of the dollar in jeopardy, with a great drain on our gold.

The Senator knows, as the ranking member of the Armed Services Committee and the Foreign Relations Committee, the United States has thousands of bases scattered all over the world. We have hundreds of thousands of troops scattered all over the world. Those troops, in my judgment, and those bases in many instances, particularly from a public relations standpoint, have been counterproductive.

When foreign troops are stationed in a strange land, with different customs, different religions, different habits, and different rates of pay, they are bound to create a discordant note.

We hear the slogan, almost worldwide, "Yankee go home." We have worn out our welcome.

I have thought for a long period of time that we should bring home at least half the troops we have stationed in Europe.

I think the Senator has pointed out the correct solution, that if we can have an air capacity with the mobility to transport thousands of troops to any part of the world within a matter of hours, together with their equipment, it will give us a military presence which will be just as adequate as having those troops stationed there all the time.

Mr. President, the lessons of history teach us that any military power which lacks swift mobility with men and weapons is in serious danger of losing battles, or losing wars. All of human history has taught us that. If we read the lessons of the great military leaders of the past, we find that one thing responsible for their success was their swift mobility and their ability to get men and materiel to the scene of battle on a moment's notice.

Again, I wish to compliment my distinguished colleague on the speech he has made. I hope that the country, the Senate, and Congress as a whole, will take heed of the wise views he has offered here this afternoon.

Mr. SYMINGTON. Mr. President, I am grateful to my colleague from Georgia (Mr. TALMADGE). He is a member of the Finance Committee and one of those who follows carefully the condition of our economy. In my opinion, his remarks are solid from the standpoint of how we can extricate ourselves from spending billions and billions of dollars a month abroad.

I would hope that all Members of the Senate would read the wise observations just made by the Senator from Georgia (Mr. TALMADGE).

In this connection, the able chairman of the Foreign Relations Committee has assigned to me a subcommittee to examine this very matter of commitments. Hearings are scheduled to begin later this month; and based on material gathered by this subcommittee staff to date, I believe the results of these hearings will support the remarks made by the Senator from Georgia.

Mr. President, as I have stated many times in recent years, this Nation is overcommitted. The sooner we do something about it, the better it will be for the security and well-being of the United States.

Mr. President, I yield the floor; but before doing so I should like to commend the able, superb job being done by the Senator from Wisconsin (Mr. PROXMIRE) with respect to investigating a particular contract. I think it is one of the finest jobs ever done in the Senate. He has pointed out that there has been delay and waste; and as a result of his work, I believe the American taxpayers will be saved a great deal of money.

I would sum up the situation, as I see it this afternoon, that it may very possibly be a poor buy but, nevertheless, what is bought is impotrant to our national security.

Mr. YOUNG of North Dakota. Mr. President, I wish to commend the Senator from Missouri for a very able and informative speech on the airlift needs of this country. I recall that it was at least 8 or 9 years ago the chairman of the Armed Services Committee, the Senator from Georgia (Mr. RUSSELL), and the Senator from Missouri (Mr. SYMINGTON), first Secretary of the Air Force, advocated a much stronger airlift program. We are well underway toward having that necessary greater airlift capability. I think this is to the credit of those two Members of the Senate, and other Members of the Congress, that we have reached that point now. Those two Senators are due much greater credit than is the Pentagon itself. The Pentagon has never been a great advocate of airlift capability until the last few years. It was due to the two Senators to whom I have referred, to a large extent, that the Pentagon has more recently advocated it. The two Senators were far ahead of their time.

Mr. SYMINGTON. Mr. President, I thank the able Senator for his remarks.

It has been my privilege to serve with the Senator from North Dakota on the Defense Subcommittee of the Committee on Appropriations. Through his faithful service on that subcommittee he knows the whole story; and I thank him for what he has said about airlift.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. PROXMIRE. I did not have a chance to hear the Senator deliver his speech, but he served me with an advance copy of it, and I have read it. I think it is an excellent speech. I mean that. I think it is the first intelligible explanation of the rapid deployment concept and its place in foreign policy that I have seen. By implication, of course, it provides an important rationale for the C–5A. The significance of the statement is enhanced by Senator SYMINGTON'S former position in the Air Force and by his present high stature in the Senate as a preeminent authority on both military and foreign policy.

I agree with the basic points in the Senator's statement. Certainly, our overseas military establishment is excessive. At the same time, mobility of both troops and equipment is a desirable objective. I suppose every military leader seeks mobility as well as strength. The question in my mind is, mobility for what? What national purpose does rapid deployment serve?

I note that the Senator quoted an expert's views on multilateralism. I will repeat the quotation used by Senator SYMINGTON:

> Surely multilateralism should be the sine qua non of future American interventions: multinational efforts to assist developing nations; multinational efforts to cope with insurgency and multinational attempts to resolve open hostilities.

Now, this quotation, which I have taken from the Senator's speech, raises a vital point about the future of our defense and foreign policy, and it also raises a question about the intended use of the C–5A. I can well understand the first and the last purposes of multilateralism cited by the expert. Indeed, the United Nations was established primarily to attain those worthy goals—rendering assistance to the developing nations and helping to resolve open hostilities.

But I wonder what the expert means by "multinational efforts to cope with insurgency."

The Senator from Missouri has been one of the most effective critics of the American intervention in Vietnam. That war is sometimes described as a product of insurgency. I just wonder what the implications are of a foreign policy which employs rapid deployment as a means of mobility and which enables some multilateral organization "to cope with insurgency." What do we mean by "insurgency?" What kind of insurgencies will the C–5A allow us to intervene in? I wonder whether the distinguished Senator from Missouri can enlighten us on these questions.

Mr. SYMINGTON. Mr. President, I am grateful for the opportunity to present my position on this particular matter. Inasmuch as there is a lot of opinion in the Senate that we should not have gone into Vietnam in the first place, not only among the so-called doves, but also among the so-called hawks, I would state that I was in Vietnam for some time in 1961 with Gen. Maxwell Taylor and Mr. Walt Rostow; and believe sincerely that if that matter had been handled with dispatch at that time, by bringing in quickly a relatively small number of troops—the priviso being that we should have gone in at all—it would have had the same effect as when President Eisenhower sent troops into Lebanon. If it is going to be a police action, then it should be a police action; and there are places in the world where, in the interest of our security, I think it could be wise to send a few hundred troops, with the necessary equipment. Thus the idea of the C–5A and the emphasis on airlift, is the idea that we would have no more Vietnams.

Mr. PROXMIRE. I very much appreciate that reply, but it raises the point: Are you going to have the United Nations use the C–5A, or will this Nation use the C–5A at the request of the United Nations? That is the first question——

Mr. SYMINGTON. No, if I may reply. I am not referring to the United Nations; the Senator from Wisconsin is referring to the United Nations.

Mr. PROXMIRE. The Senator from Missouri referred to multination action.

Mr. SYMINGTON. There are still places in the world which the United States may have to go into without the approval of the United Nations, especially since the United Nations today is, to a large extent, run by the less developed nations, not by countries of Europe.

I believe in the United Nations and hope it will some day become what we hoped it would in the beginning; but I do not think we can delegate our security to the United Nations especially as it is constituted today. That was the purpose of that statement.

Mr. PROXMIRE. I am glad that is clarified. The Senator referred to multinational attempts. That could be NATO or the Organization of American States. Is that what the Senator had in mind?

Mr. SYMINGTON. Yes. If Great Britain got into serious trouble, I believe the United States would want to consider rapid reinforcement; moreover, if Japan today, based on our treaty obligations, was seriously threatened by her close neighbors, it would be desirable for us to be able to check, very quickly, a situation of that kind with a dependable airlift. On the other hand, I do not think the United States can afford to go into major wars, especially major undeclared wars—and I put it that way because I believe the Senate should have something to say about another Vietnam—and, at the same time, maintain its economy on a viable basis.

Mr. PROXMIRE. I have one other point to make with regard to the Senator's speech. In developing a scenario in which this country would demonstrate its "remote presence" by means of massive airlift, the Senator has spoken of the possibility of a crisis in the Middle East, in which case pre-positioned equipment in Western Europe would be useless. Furthermore, if the crisis developed into a blitzkrieg-type engagement, in all probability "only the first round of sorties would arrive in time to be decisive." What the Senator seems to be saying here—and I am sure he will correct any of my impressions if they are erroneous—is that a sizable fleet of rapid deployment aircraft—namely, C–5A's—will be necessary for the United States to meet its commitments in the Middle East.

The size of the fleet, that is, the number of C–5A's, which would be required is, however, not specified. Further on in the speech the Senator states quite candidly:

> Without benefit of a detailed analysis of the logistics problems involved, it is not possible to make an exact quantitative estimate of the effect of this revised threat scenario on United States heavy airlift requirements.

Mr. SYMINGTON. If the Senator will bear with me, I will explain by saying that, as the Senator knows, there have been plans for two additional squadrons; that is, for a total of six C–5A squadrons. This bill does not have any money in it for those additional squadrons; therefore, this talk today—which was prepared against the able Senator's amendment—does not get into the two additional squadrons which have been under consideration in the Pentagon.

If the Senator will yield further, with respect to his mention of the Middle East, I would like to note that for several years I have been chairman of the Near Eastern and South Asian Affairs Subcommittee of the Committee on Foreign Relations. At the time when there was some disagreement among our allies incident to the situation in Egypt and the Middle East in 1956, the countries of France, Great Britain, and Israel decided they would attack the United Arab Republic. That attack was only stopped by the economic threats, primarily, as well as the political threats, that were made by this country to those three countries that decided to attack Nasser.

At that time, or shortly thereafter, the First Lord of the Admiralty of Great Britain Viscount Haisham appeared on a television program in this country, and one of the reporters asked him: "Aren't you regretful about the length of time it took and the delays that were incurred in such an attack on Egypt?"

Viscount Haisham replied, in effect, "No, we are not worried about it at all. You must remember that Alexandria is only 3 days sailing time from Malta."

As one who had been interested in air transportation, I thought that a somewhat anachronistic remark to make in the air age.

Later in the same year I asked the field general handling the Israeli troops about it.

He said, "Because of the delay involved, our schedule for getting to Cairo was 3 days, whereas the schedule for the British and the French was 2 weeks."

It seemed to me, at that time, these incidents showed the importance of following the policy of perhaps one of the greatest generals this country has ever had, Nathan Bedford Forrest, who said:

> I git thar fustest with the mostest men.

I appreciate this dialog with the Senator from Wisconsin about the C–5A, because I know he is not against the C–5A as such; he is merely questioning the number of C–5A's that should be built. Is that correct?

Mr. PROXMIRE. That is correct.

Mr. SYMINGTON. I believe the C–5A is an acceptable compromise between no action and a great land or sea action, as is so well exemplified today in the tragedy of Vietnam.

Mr. PROXMIRE. I appreciate that, but the Senator raises the question that we do not know how many we need. He said that in his speech. The whole purpose of my amendment is to determine the number needed. We should get additional information, so that the Senate will know whether four squadrons are needed or not. As the Senator from Missouri knows, studies of the C–5A made in the Office of Systems Analysis indicated that four squadrons were not needed, these studies were rejected by the Secretary, but that was the finding. The Senator from Missouri just said we do not know how many we need.

Mr. SYMINGTON. The position I was trying to present to the Senate, and especially to the able Senator from Wisconsin, after studying this matter to the best of my ability is that I am not now ready to say we need six squadrons, but do believe four squadrons are needed. That is why, despite my respect for the Senator from Wisconsin and admiration for the work he has done, I feel that I cannot vote for his amendment.

Mr. PROXMIRE. Why does the Senator from Missouri feel that 58 are not enough but that 81 may be enough?

Mr. SYMINGTON. This would be a story that one would have to get into division by division. But when we have a situation, as in Vietnam, for example, where today we have already shipped more in tonnage than we did to Europe during World War II, even though we have about one-eighth the number of troops in Vietnam that we had in Europe, I think it shows the need for sizable shipments; and I believe the quicker we can get the equipment as well as the troops there, the quicker it will be possible to put down a situation that we believe is in our interest to put down, in a relatively quick and less expensive man-

ner in both lives and treasure than if we wait too long, or are forced to incur the automatic delay encountered in going by sea.

Mr. PROXMIRE. The Air Force report itself says that they need only 40—not even 58, let alone 81—only 40 C–5A's to provide all the airlift needed for the outsize equipment. Then, when they go beyond 58 planes, their analysis shows that the other airlift planes are more cost effective.

If that be true, why should we not have study of this matter made available to us, so that we may have all the data before us before we go ahead with it?

Mr. SYMINGTON. I would hope the Senator from Wisconsin receives any and all information that he asks for. However, I respectfully suggest to him that sometimes these reports are ones that have been made when someone asks, as any good executive does, "Give me the negative side of the picture." On that basis they are not conclusive, and at times are also parochial.

What we have before us today, as I see it, is a compromise typical of democratic functioning. The Air Force wants six squadrons. Some people feel they should only have three.

I have studied the matter to the best of my ability; and, based on my background, would say, "Let us compromise with four, and study it from there."

Mr. RUSSELL. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I am happy to yield to the Senator from Georgia.

Mr. RUSSELL. I do not particularly wish to get into a prolonged debate of this issue with the Senator from Wisconsin, but I understand that the studies to which the Senator refers start with the assumption that we need four squadrons, and raises a question with respect to the fifth and sixth squadrons. I have seen Secretary Laird's letter, and certainly that is what it said. It gave the reasons, the number of divisions and troops, and the number of days it would take with the four squadrons, as compared with six.

Mr. PROXMIRE. Mr. President, Secretary Laird wrote me and also sent two of his experts over to my office to brief me on the studies, and what one of the two studies showed was that if you use the planes more intensively, if you fly the planes 15 hours a day, you would only need three squadrons. That finding he later rejected.

The second study, made June 11, showed that if you have the other means of transportation available, and pre-position the equipment, and so forth, you need only three squadrons.

These assumptions behind both these studies were rejected by the Secretary of Defense and the Assistant Secretary for Systems Analysis. But there is not any question that the study showed that three squadrons were all they could justify.

Mr. RUSSELL. Based on the assumption that you can keep three squadrons of planes in operation on a 24-hour basis.

Mr. PROXMIRE. A 15-hour basis.

Mr. RUSSELL. With three crews. That is an assumption that certainly ought to be rejected, because no plane ever made had been capable of such service.

Mr. PROXMIRE. It was based on an assumption of 15 hours per day, for only a 10-day period.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. PROXMIRE. Certainly.

Mr. SYMINGTON. These reports made by civilian "experts," are sometimes disturbing. The Preparedness Subcommittee, of which I am a member, had the head of the tactical air aspects of Systems Analysis tell our staff that it was better to have two planes of inferior quality than one plane of superior performance. At that time, I began to question some of their decisions.

Mr. PROXMIRE. I am sure the Senator is correct. All I say is that we ought to have the information before we make a decision. There is no hurry. We will not have the first three squadrons until June 1971. There is ample time before they would finish a fourth squadron. So when we authorize it, we should do it with our eyes open and know what we are doing.

Mr. SYMINGTON. Mr. President, I congratulate the Senator from Wisconsin. There has never been a better job done in the Senate since I have been a Member than has been done by the disclosure of some of the information by the Senator from Wisconsin.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. FULBRIGHT. Mr. President, I did not understand the matter of 15 hours. For how long a period were the planes to be in service for 15 hours a day?

Mr. PROXMIRE. The assumption was made that they could be in service for 15 hours a day for a 10-day period, during which time it could be feasible to use C–5A's rather than other transportation methods. Once we get a little over 10 days or so, we can ship a whale of a lot more economically by ship than by airlift.

The airlift is practical for very short periods.

Mr. FULBRIGHT. The Senator meant for a period of 10 days. It is not reasonable to keep modern airplanes in use for that many hours a day for a long period.

Mr. PROXMIRE. Mr. President, the Senator from Arizona has debated this matter with me. And he knows a great deal more about planes than I do. However, he argues that it would be unrealistic to keep planes of this type in the air for 15 hours a day.

Mr. FULBRIGHT. Even for 10 days?

Mr. PROXMIRE. Even for 10 days.

Mr. GOLDWATER. Mr. President, if the Senator will allow me to explain why, a fleet does not sit idly by waiting for an emergency. It would be in constant daily use by the Military Airlift Command. So if we apply the same figures to the squadron as they do in normal transportation, about 80 or 82 percent would be kept in readiness.

The figures show that with three squadrons, 48 aircraft, we would have to assume that 10 out of the three squadrons would not be in use.

If we assume that the fleet is to be used only in times of great emergency, we could keep them in mothballs and use them as we need them. However, as I tried to explain the other day to my friend, the Senator from Wisconsin, it would cost more money. The airplane itself, as a single unit, can conceivably do it. The airlines cannot do it. And the military cannot do it as an average. We could have some fly for 20 hours 1 day. However, the next day they might not fly at all.

Mr. President, will the Senator from Georgia yield me some time?

Mr. RUSSELL. Mr. President, I am going to yield next to the Senator from North Dakota.

Mr. GOLDWATER. I wanted some time to finish my statement pertaining to the pending debate.

Mr. RUSSELL. How much time does the Senator require?

Mr. GOLDWATER. Five minutes at the most.

Mr. RUSSELL. Mr. President, I yield 5 minutes to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I was very interested in the statement of the Senator from Missouri and the reply made by the Senator from Wisconsin. I have some figures that I will have printed in the RECORD. First, however, I will use a few of the figures to show what we are up against in the airlift problem.

For three squadrons of C–5's, in 30 days 38 aircraft out of a 48-aircraft unit can carry 39,900 tons of outsized cargo. It would take 50 days to carry 66,400 tons of outsized cargo.

Regular-sized equipment can be carried in the normal aircraft carrier. This is outsized stuff that cannot fit in anything else.

If we go to four squadrons, it would take 35 days to carry 66,400 tons of outsized cargo. That is quite a drop. That is 15 days.

If we go to five squadrons of C–5's, it would require 27 days to carry the same amount of tonnage. That is not much of a drop. It is about 8 days.

If we go to six squadrons of C–5's, it would require 22 days to carry 66,400 tons of outsized cargo to Europe.

Mr. President, I ask unanimous consent that the figures I have used plus some others be printed in the RECORD at this point.

There being no objection, the figures were ordered to be printed in the RECORD, as follows:

TALKING PAPER ON C–5

If there were to be a requirement to airlift a practical combat force with support elements of Army, Navy, and Air Force units to Europe in 30 days, utilizing programmed prepositioned equipment the force would be represented as follows: Troops, 300,000; bulk cargo, 100,000 tons; and outsize cargo, 65,000 tons.[1]

It should be noted that the 30-day period referred to above is for completion of the entire movement of troops and cargo. A key factor in this deployment that we have not addressed in this study is the critical time phasing of deployment of the units during the 30-day period. It should be clearly understood that portions of the force are required almost immediately and that the 30-day period referred to is the completion date for

[1] Outsize Cargo is identified as that cargo too heavy and/or too large to be transported in the C–141 aircraft.

the time phase deployment. Likewise it should also be recognized that significant portions of this force may not be ready to start movement until many days after the beginning of the 30-day period.

Productivity factors for the CRAF, C–141 and C–5 aircraft are as follows:

CRAF: Troops, 165 per a/c; bulk cargo, 32 Tons per a/c.

C–141's: Bulk cargo, 20 Tons plus 7 Troops (1 Ton) per a/c for a total of 21 Tons.[2]

C–5's: Troops, 83 (12 Tons) plus bulk cargo, 13 Tons plus outsize cargo, 75 Tons[3] for a total of 100 Tons per C–5 sortie.

Planning factors for all airlift aircraft are 410 Knot blockspeed and a utilization rate of 10 hours per day per aircraft. A mean distance of 4,420 nm (one way) from mid-CONUS onload to offload point in Europe was used. Using these factors it turns out that all aircraft (CRAF, C–141's, and C–5's) can accomplish 14 round trips in 30 days.

103 CRAF aircraft carry only troops.

93 CRAF aircraft carry only cargo.

In 30 days 103 CRAF passenger aircraft can carry 103 x 14 x 165 troops=237,930 troops.

In 30 days 93 CRAF cargo aircraft can carry 93 x 14 x 32 tons=41,664 Tons of Bulk Cargo.

Of 224 C–141's (14 Squadrons) 56 are assumed to be reserved for other contingencies; thus 168 are available for the deployment.

In 30 days 168 C–141's can carry 168 x 14 x 7 Troops=16,464 Troops.

In 30 days 168 C–141's can carry 168 x 14 x 20 Tons=47,040 Tons of Bulk Cargo.

Of the total C–5 aircraft, ten are assumed to be reserved for other contingencies and have been withdrawn.

THREE SQUADRONS C–5'S

In 30 days three squadrons of C–5, 38 aircraft (48UE minus 10) can carry:

38 x 14 x 75 Tons=39,900 Tons Outsized Cargo.

38 x 14 x 13 Tons=6,916 Tons Bulk Cargo.

38 x 14 x 83 Troops=44,156 Troops.

The above shows that all of the Outsized Cargo (66,400 Tons) cannot be delivered in the 30 days specified. In fact, with only three squadrons of C–5's the time to close the 66,400 tons would be approximately 50 days.

FOUR SQUADRONS C–5'S

In 30 days four squadrons of C–5's consisting of 54 aircraft (64UE minus 10) can carry:

54 x 14 x 75 Tons=56,700 Tons Outsized Cargo.

54 x 14 x 13=9,826 Tons Bulk Cargo.

54 x 14 x 83 Troops=62,748 Troops.

With four squadrons of C–5's it would require 35 days to close 66,400 Tons of Outsized Cargo to Europe from mid-CONUS.

FIVE SQUADRONS C–5'S

In 30 days five squadrons of C–5's consisting of 70 aircraft (80UE minus 10) can carry:

70 x 14 x 75 Tons=73,500 Tons Outsized Cargo.

70 x 14 x 13 Tons=12,740 Tons Bulk Cargo.

70 x 14 x 83 Troops=81,340 Troops.

With five squadrons of C–5's, it would require 27 days to close 66,400 tons of Outsized Cargo to Europe from mid-CONUS.

SIX SQUADRONS C–5'S

In 30 days six squadrons of C–5's consisting of 86 aircraft (96UE minus 10) can carry:

86 x 14 x 75 Tons=90,300 Tons Outsized Cargo.

86 x 14 x 13 Tons=15,652 Tons Bulk Cargo.

86 x 14 x 83 Troops=99,932 Troops.

With six squadrons of C–5's it would require 22 days to close 66,400 tons of Outsized Cargo to Europe from mid-CONUS.

[2] C–141's carry only 7 troops per sortie as this is all that is required to close the total troop requirement within the time specified.

[3] It is estimated that, on the average, 75 tons of Outsized Cargo is carried on each C–5 sortie.

SUMMARY

With an airlift fleet of 196 CRAF aircraft, 224 C–141's and three squadrons of C–5's, the pacing factor in closing fighting units to Europe is the delivery of Outsized Cargo by the C–5. In fact, about 4½ squadrons of C–5's are required to deliver the Outsized Cargo in the same time period required to deliver the troops and Bulk Cargo being carried by the entire fleet. Further, to meet the requirement for closure to Europe of the troops and equipment in 30 days would require somewhere between 4 and 5 squadrons of C–5's. Note this is in the context of the requirement to Europe alone and does not include a consideration for rapid deployment to meet any other contingencies. Consideration of other contingencies would, of course, require more C–5s. It should also be noted that this analysis does not cover continuing logistics to support defense forces in other parts of the world during the period of deployment.

CAPABILITY OF THE AIRLIFT FLEET TO DELIVER TROOPS/CARGO TO NATO EUROPE IN 30 DAYS[1]

	Number of C–5 squadrons				
	0	3	4	5	6
Troops (number of troops)	254,394	298,550	317,142	335,734	354,326
Bulk cargo (number of tons)	88,704	95,620	98,532	[2] 101,444	104,356
Outsized cargo (number of tons)		39,900	56,700	73,500	90,300

[1] Includes 196 CRAF aircraft, 168 C–141's and various numbers of C–5's. Excludes the capability of 56 C–141's and 10 C–5's withheld for other contingencies.

[2] Even though this number is slightly below the 104,500 tons of bulk cargo required to be delivered in 30 days, the airlift fleet with 5 squadrons of C–5's can accomplish the job in 30 days. With 75 tons of outsized cargo per C–5 sortie we have more than met the requirement for delivery of the outsized cargo (73,500 tons compared to a requirement of 66,400 tons). This can be accomplished by adjusting the C–5's load to carry more bulk and less outsized cargo than calculated in these computations.

Note: Assumed airlift requirements are as follows: Troops, 297,000; bulk cargo, 104,500 tons; outsize cargo, 66,400 tons.

Mr. GOLDWATER. Mr. President, I call this to the attention of the Senator from Wisconsin because the Senator from Georgia queried him on the matter. And I know that we have engaged in debate on this also.

The letter written to the Senator from Wisconsin by Secretary Laird, in referring to Dr. Selin, who is the author of the paper, said:

> After a critical examination of this issue, he (the Assistant Secretary of Defense for Systems Analysis) firmly recommends and supports a fourth squadron.

I want to make it clear that it is true that the November findings of this body did not so find. It is also true that the findings said the same thing in June. It is true, however, that in the latest decision he decided to go along with everyone else.

Mr. PROXMIRE. Mr. President, the Senator is absolutely right. He made a decision, which might very well be wise, to reject the conclusion of the two reports and said that we need four squadrons.

Mr. GOLDWATER. I want to make that clear and have the RECORD all straight.

I thank the Senator from Georgia for yielding to me.

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time for the brief quorum not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CRANSTON in the chair). Without objection, it is so ordered.

Mr. RUSSELL. Mr. President, I yield 12 minutes to the distinguished Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, it is my hope that the Senate will reject the amendment offered by the senior Senator from Wisconsin (Mr. PROXMIRE). There is a valid and urgent military requirement for the C–5A aircraft, and while the increase is substantial from the original estimated cost of the program is regrettable, it does not justify the termination of the program or a break in production as proposed in the pending amendment.

Mr. President, I do not attempt to defend the contract procedures applied by Secretary of Defense McNamara in the development of the C–5A and other military hardware. Secretary McNamara undoubtedly believed that the contract procedures which he instituted at that time had certain advantages. I cannot help but feel, though, that in the case of the C–5A and other contracts it proved to be an unwise procedure. It has since been abandoned by the new Secretary of Defense, Melvin Laird.

Regardless of the contract procedures, every Air Force officer I know says that this is a superb plane. Further, Mr. President, even though there was a very sizable overrun, there is no question about a profit made by Lockheed. Rather, the question is how much they have lost thus far?

A General Accounting Office investigation into the contractual procedures in use during the McNamara years, as proposed by the pending amendment, may be advisable. We must recognize that this would be a long and costly procedure and would mean a year to a year and a half delay in the procurement of additional C–5A aircraft, and certainly additional costs for aircraft.

The central issue before us is whether or not the C–5A is a good airplane and whether or not we need it.

In the late 1950's it became apparent that the United States did not have the manpower resources to support its commitments throughout the world without a greatly improved airlift capability. Our 1960 airlift force included about 400 old C–124, C–133, C–118, and C–121 piston engine aircraft. The introduction of commercial jet aircraft had demonstrated that these aircraft were obsolete both in transportation productivity and in operating costs.

In order to obtain an immediate improvement in airlift capability, we undertook a program that called for 20 squadrons of C–141 jet transport aircraft. While the C–141 was a modern jet aircraft, it was basically a commercial aircraft modified for military applications. It had no capability for the movement of large size Army equipment. With the retirement of the old piston engine C–124's and C–133's, the percentage of Army items airliftable would drop about 65 percent.

In general, the Army items which could be carried in the older aircraft, but which could not be carried in the C–141's, were the vehicles which gave the Army units their required mobility. The requirement for the air delivery of very large equipment continued to grow during the early 1960's. The Army items which could not be airlifted include a very large portion of the Army's big guns and tanks. We had a new jet transport aircraft in the C–141, but we still had a situation in which we had to tailor Army units for air movement, rather than tailoring these units for their intended missions.

In 1964 a Department of Defense study of our airlift capability requirements reached the conclusion that we must have a new jet transport aircraft with the capability to airlift very large Army equipment such as guns and tanks. This study concluded that a force of 13 C–141 squadrons and six heavy lift (C–5A) squadrons would—

First, provide an improved replacement for the C–124 and C–133 outside capability for one-half the operating cost per ton-mile;

Second, provide significant reductions in reaction time for forces now planned for airlift, or by applying this time-savings to additional tonnages, a marked increase in the effectiveness of those forces;

Third, provide a capability to redeploy large forces rapidly from one area to another, thereby reducing risks to the general war posture in committing major forces to contingency areas; and

Fourth, be capable of airlifting up to eight Army division forces during the early deployment period, resulting in a potential for ultimate savings in casualties, dollar costs, and time required to conduct a limited war.

Based on this study, Secretary McNamara announced a decision to develop the C–5A aircraft, and shortly thereafter he announced that the number of C–141 squadrons would be reduced from the previously planned 20 to 13.

Under our various treaties, this country has military commitments to a number of nations—and there are far too many. In order to fulfill these commitments, if called upon to do so, we must have an adequate airlift capability. It is the C–5A aircraft that will give us this capability.

For example, Mr. President, I am a strong advocate of sharply reducing the size of our Army in Europe. With the capability we will have through the C–5A, we could easily withdraw two or three divisions from Germany. The C–5A aircraft, which has been requested by the Secretary of Defense and the Joint Chiefs of Staff, would make this possible.

Earlier I referred to the increase in the cost of the C–5A program. As every Member of the Senate knows, cost increases, or cost overruns, are not limited to aircraft, they are not limited to the Department of Defense, and they are not limited to the Federal Government.

The matter of increases in the cost of weapons systems has been a matter of great concern to me for a number of years in my capacity as ranking minority member of the Department of Defense Subcommittee of the Committee on Appropriations. After giving this matter considerable study, I have concluded that most increases can be attributed to one of three major causes:

First. Including improved capability in systems after they have been approved for procurement, which gives us a better weapons system and should not be considered as a cost increase in the usual sense.

Second. The result of the effect of inflation on the value of the money provided for the procurement of weapons systems.

Third. Frequent changes in production schedules.

At this time it does not look as though there will be any further substantial increases in the C–5A resulting from providing improved capability.

Mr. President, up to this time there has been no major change in the production schedule of this aircraft, and it is my hope that the Senate will not take any action which will cause any interruption in its production.

On July 29, the Secretary of the Air Force appeared before the Department of Defense Appropriation Subcommittee, at which time he discussed this problem of cost increases. He said, in part:

> While we have no precise estimate of the dollar effects on schedule changes, we think that it has cost us on the order of ten cents out of every aircraft procurement dollar since the period of 1965–66 . . .

The Proxmire amendment would cause a break in the production of the C–5A aircraft which could lead to tremendous further increases in its cost. We need this aircraft, and we need to obtain it for the least possible cost. It is for these reasons, Mr. President, that I urge the rejection of this amendment.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. I yield 5 minutes to the Senator from Maine.

Mr. MUSKIE. Mr. President, I thank the distinguished Senator from Mississippi for yielding to me these few moments to state my position on the pending amendment.

Mr. President, I have followed the debate over the military authorization bill with great concern. In the early stages of the debate I spoke out against and voted against deployment of the Safeguard antiballistic missile. I did so because I doubted its contribution to our national defense, because I had deep reservations about its impact on our efforts to slow the arms race and because I believed it represented a major and unnecessary drain on our resources.

I have examined and am examining the other controversial items in the authorization bill using the same criteria I applied to ABM. It would be tempting to vote for every amendment to the authorization as a symbolic gesture toward a reordering of our national priorities—a reordering I consider to be of utmost importance.

But symbolism can be an uncertain guide, particularly when the symbols are not at the heart of the issue. The amendments pending before us represent substantial sums of money, but taken individually or collectively they do not get at the central issue on national defense policy: that is, our national strategic commitments. For these reasons, I have concluded that each of the amendments must be judged individually on its merits, and that the weapons systems to which the amendments are addressed must be judged on their contributions to our national security interests, as we now perceive them.

My present inclination is to vote for the amendments dealing with the manned bomber and the nuclear carrier where I consider the potential costs far in excess of the potential benefits.

On the surface, the C–5A authorization for a fourth squadron is a likely target. I am concerned as are other Senators, notably the distinguished senior Senator from Wisconsin, with the increased costs associated with the plane, the criticism of the contract between the Air Force and Lockheed, and the disagreements over the meaning of Defense Department cost-effectiveness studies. These argue for delay and study before going ahead with the fourth squadron.

I hesitate, however, to vote for disrupting procurement of the plane in order to correct contractual and cost problems unless there is also convincing evidence that the C–5A is not needed, that it is inconsistent with potential changes in our strategic policies, and that it represents a major portion of our defense budget. On balance, I think the debate argues for procurement of the fourth squadron, with maximum protection of U.S. interests on costs and renegotiation of the basic contracts. I do not think the General Accounting Office is the appropriate agency to advise the Congress on the contribution of the plane to our national deployment capability.

In the final analysis, Mr. President, I believe that the C–5A, with all its contract and cost problems, offers an effective transportation system to meet present commitments and is consistent with proposals the majority leader and others of us have made for withdrawal of major U.S. troop concentrations overseas. That, I submit, suggests that the C–5A offers us the chance to actually cut our Defense costs in that 60 percent portion of our defense budget allocated to manpower.

For these reasons, Mr. President, I shall vote against the Proxmire amendment. However, I wish to add my commendation to the distinguished Senator from Wisconsin for having opened up this issue and having presented to the Senate a case which has made it very difficult for me to choose between voting yea or nay on the amendment.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. I yield 2 additional minutes to the Senator from Maine.

Mr. MUSKIE. I think the efforts of the Senator from Wisconsin will lead to a refocussing of our attention on military versus domestic priorities and, second, I hope, to improvement in our procurement policies in the national defense field.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. I yield 10 minutes to the Senator from Nevada.

Mr. CANNON. Mr. President, I am strongly opposed to the amendment offered by the distinguished Senator from Wisconsin (Mr. PROXMIRE) with reference to the C–5A. We should recognize at the outset the fact that this amendment will not merely defer the funding of the 23 additional aircraft during the period of the 3-month study by the Comptroller General. It proposes to eliminate procurement funds for the fourth C–5A squadron from the bill entirely and, if adopted, it would definitely delay the contract for the 23 additional aircraft by 1 full year.

Since we are operating in the real world of hard and practical facts, and not merely in academics and theory, we should recognize another fact. The fourth C–5A squadron which would be deleted by the Proxmire amendment is, despite the discussion on the subject, firmly recommended and supported by the Secretary of Defense, the Assistant Secretary of Defense for Systems Analysis, the Joint Chiefs of Staff, the Air Force, and by our Committee on Armed Services. In fact, I know of no person in an official position of responsibility or authority with respect to the C–5A who takes a contrary view. Certainly, this should weigh heavily with us.

Let me also say at this outset that I doubt very much that the General Accounting Office has the competence to make the military judgment which the Proxmire amendment requires. I become very much concerned when we propose to involve the General Accounting Office in the decisionmaking process in matters of military requirements and systems evaluation. I believe that decisions on the advisable course to follow in the C–5A matter and the best method to satisfy our present and further military airlift requirements transcend the ability of the General Accounting Office, conceding its competence in its own legitimate and assigned sphere of operation.

Now, let me say a few words about the C–5A itself. Our national interest clearly requires that we have the capability to support the rapid deployment of U.S. forces. The C–5A will provide a fast reaction capability which will enable us to airlift combat or support units worldwide under general and limited war as well as peacetime conditions. This capability for rapid deployment will give the Department of Defense an added flexibility in planning for peacetime deployment and basing it has never had before. It may very well permit a reduction in the U.S. forces based overseas and solve problems associated with the pre-positioning of equipment.

The design of the C–5A was optimized to accomplish the rapid deployment of effective forces. This huge aircraft will transport almost all of the types of combat weapons and equipment of an Army division concurrently with the personnel associated with the equipment. This permits unit integrity to be maintained—an important tactical consideration.

No other aircraft can perform this mission. The C–141, currently our largest operational jet transport, has established an outstanding operational record. However, it cannot carry all of the infantry division and armored division vehicle types. Such essential items as tanks, bridge launchers, armored personnel carriers, and helicopters can be carried only in the C–5A.

The Congress has already approved the procurement of 58 of these aircraft through the initial production run A. In January 1969, the Air Force exercised the option to procure not to exceed 57 additional aircraft in production run B, subject, of course, to congressional approval. The fiscal year 1970 request is for authorization to procure the first 23 aircraft in production run B. This is what is involved in the pending amendment. Under any theory, it appears to me the 23 aircraft in the fiscal year 1970 request are needed. Certainly the overwhelming weight of official and expert judgment supports this. When procured, these will take us only to four squadrons, 81 aircraft, versus the six squadrons, 120 aircraft, approved as a minimum requirement by the Department of the Air Force and Joint Chiefs of Staff.

The Senate Committee on Armed Services held extensive hearings on the C–5A program and, after careful consideration, it concluded that procurement of the 23 additional aircraft in the authorization bill is justified. At the same time, the committee has made it plain that there is no commitment to procure any aircraft over and above the 23 in this year's bill. The fate of the fifth and sixth squadrons will be decided in future years.

As we all know, the C–5A program, for a number of reasons, has experienced significant cost increases. Also, it is rather clear that the form of the contract involved is deficient in a number of respects and has posed problems both for the Government and for the contractors. Despite these facts, however, the Air Force and the Department of Defense have assured us that we will get an aircraft with fine performance characteristics and that the C–5A, when delivered, will meet most, if not all, the operational requirements which have been laid down for it. There is no evidence at this time of any significant performance shortcomings. In addition, the C–5A operating cost per ton-mile will be far lower than any other airlift aircraft. For example, the operating cost per ton-mile will be 2.9 cents for the C–5A versus 5.3 cents for the C–141. Even with the cost increases, it appears that the C–5A will be more cost effective than any available aircraft.

Since the C–5A will have fine performance characteristics and at least four squadrons of this aircraft are needed, I believe that it would be most unwise to incur the added expense which would necessarily result from a delay, deferral, or strechout of the program. This would merely increase the cost overrun and make the cost situation worse than it already is. It might also transfer more of the cost increase to the Government.

The impact of the amendment is clear. The Defense Department advises that if the funding is deferred to fiscal year 1971, the Air Force will have to negotiate a new contract with Lockheed as the sole source and with no contractual commitments or price options available. A 1-year funding delay and a renegotiation of the contract, according to the Air Force, would result in a delay of about 18 months in the production of the first run B aircraft. It is estimated that a delay would increase the cost of run B by $400 to $550 million over the present projection.

Even if the amendment only deferred the procurement of the fourth squadron for 1 year, the financial impact on the contractor might impair seriously his ability to produce the 58 run A aircraft now under contract. This might result in default on the entire contract since, without funds for the 23 run B aircraft, the available money will be exhausted well before January 1, 1970. The Air Force advises us that if the program is killed entirely by failing to fund the 23 aircraft, the added loss to the Government at a minimum will be $102 million—$72 million in fiscal year 1969 funds for long-lead items and $30.5 million in termination costs.

Therefore, unless the C–5A program is to be cut off definitely and finally at the 58 aircraft which have previously been authorized, I can see little possibility of good and great probability of harm from the adoption of the pending amendment. It appears to be self-defeating and counterproductive since, at best, it will delay the delivery of the 23 aircraft involved and drive up the cost overrun even above that which the Senator from Wisconsin has criticized so strongly. The C–5A question has been studied exhaustively by several committees on both sides of the Congress and I do not believe that any further study is necessary. It is time for it to be voted up or down.

I appreciate the sincerity and the motives of the Senator from Wisconsin. I commend him on the fine and valuable work he has done on this program. However, I cannot agree with his reasoning with respect to this amendment and I strongly urge that it be defeated.

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Mississippi will state it.

Mr. STENNIS. How much time remains to those in opposition to the amendment?

The PRESIDING OFFICER. Sixty minutes remain.

Mr. STENNIS. How much time remains to the proponents?

The PRESIDING OFFICER. Sixty-seven minutes remain to the proponents.

Mr. STENNIS. I thank the Chair.

Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time for the quorum be divided equally between the two sides.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WHO CONTROLS MILITARY SPENDING?

Mr. FULBRIGHT. Mr. President, to appearances, this debate on military procurement is one between Senators of varying persuasion. In fact the division of forces is somewhat different. On the one side, questioning the need for a fourth squadron of the incredibly overpriced C–5A, as well as other costly new weapons and support systems, are a group of Senators aided by a handful of resourceful and dedicated staff assistants. On the other side is a coalition of conscientious Senators supported by the enormous resources of a military establishment which remains in a state of instant alert for combat duty on Capitol Hill.

In no way at all do I criticize Senators for accepting information and advice from the executive. I have welcomed them myself on numerous occasions—though none of these has been recent. I do, however, feel a good deal of indignation over the amount of public money and manpower expended by the Pentagon on political promotion and public relations.

Last fall, for example, a nationwide publicity campaign in support of the ABM was planned by the Department of the Army. Prudently canceled by the Nixon administration in March of this year, this abortive plan, as spelled out in a memorandum prepared by Lt. Gen. Aldred D. Starbird and approved by the Army Chief of Staff, outlined a program of Department of the Army-sponsored speeches, press releases, interviews, and planted magazine articles aimed at overcoming public and congressional opposition to deployment of the ABM.

According to press reports, the Pentagon has now created a special task force, headed by a Mr. William Baroody, an assistant to Secretary Laird, for purposes of assisting Congressmen and Senators who are prepared to resist cuts in the military budget. Mr. Baroody's task force is reported to have specific responsibility for providing arguments and information for Senators who wish to try to refute criticisms of such current Pentagon requests as the C–5A transport, the aircraft carrier, the advanced manned strategic aircraft bomber, and the F–15 fighter.

Mr. President, I ask unanimous consent to have printed in the RECORD, at this point an article from the September 5 Washington Post, entitled "Pentagon Assists Its Hill Allies."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PENTAGON ASSISTS ITS HILL ALLIES

(By Bernard D. Nossiter and George C. Wilson)

The Pentagon has created a special task force headed by a key aide of Defense Secretary Melvin R. Laird to assist Sen. John Stennis (D-Miss.) and other Congressional allies in their battle against military budget cutters.

The lobbying unit is led by William Baroody, special assistant to Laird. A brief description of its work and other Defense Department plans to ward off spending reductions is given in an Aug. 26 Air Force memorandum.

The paper is signed by Joseph J. F. Clark, Air Force Deputy Director for Legislation and Investigation, Legislative Liaison.

ACTIONS UNDERWAY

The memo begins by saying that "several actions are under way" in the Pentagon to meet requests from the House and Senate Armed Services Committees "for additional materials to be utilized during floor debates" on the bill authorizing procurement of weapons systems. This $20-billion measure is now on the Senate floor under the stewardship of Stennis.

The Clark memo, directed to Air Force Secretary Robert Seamans, says that Baroody "heads up one task force to provide material to Chairman Stennis to refute statements and arguments being made by various senators in their efforts to reduce or eliminate (Defense Department) programs. The C–5, AMSA, and F–15 Air Force programs are all involved in this effort."

The C–5A is the controversial cargo plane, AMSA is the newly proposed manned bomber and the F–15 is a new fighter.

The memo continues:

"In addition, we have been asked to submit a point-by-point analysis of the statements made by Sen. (William) Proxmire (D-Wis.) in support of his amendment to eliminate money in (Fiscal Year) 1970 for the fourth squadron of C–5 aircraft. This analysis will serve as a basis for response by Chairman Stennis or other Armed Services Committee members during the floor debate which will resume next week."

Baroody and an Air Force colonel visited Proxmire on Wednesday in an effort to explain two Pentagon studies suggesting that more C–5As would waste money.

The Clark report then notes that T. Edward Braswell, chief of staff of Stennis' Armed Services Committee, has asked for a "detailed breakout" of the finances involved in the A–7D program. This is an attack plane made by Ling-Temco-Vought that is costing more than expected.

The memo reports that Lt. Gen. George S. Boylan, Jr., Air Force deputy chief of staff for programs and resources, is preparing this material and it "will be utilized by the Committee in determining its future course of action on the issue."

Clark also describes requests for rebuttal material from the House Armed Services Committee. A staff member, Earl Morgan, "has asked for a detailed analysis and rebuttal" to several documents, including the report on military spending prepared by Members of Congress for Peace Through Law, a bipartisan group led by Sen. Mark Hatfield (R-Ore.), and the "Fact Book" of the Democratic Study Group, a caucus of House liberals, the memo says.

Clark concludes that this rebuttal material "is to be provided to the House Armed Services Committee for use during floor discussion of the procurement bill in that body."

FUEL FOR REBELLION

The hard evidence of such a close link between Stennis and the Pentagon, which his committee is supposed to ride herd on, is expected to freshen the Senate rebellion on military issues.

Stennis, recognizing the military money bill was in for trouble this year, tried to preempt the opposition by making cuts in the Armed Service Committee. But neither this move nor the recent cuts made by Laird knocked out the Senators trying to revamp the Pentagon Fiscal 1971 budget.

Often during the military debates this year, Stennis has been taking on the opposition alone. Seldom has the ailing Sen. Richard B. Russell (D-Ga.), former chairman of the Senate Armed Services Committee, taken the floor to help.

STENNIS' WEAKNESS

Also, Stennis this year is without the services of the long time director of the Armed Services Committee, William H. Darden, appointed as a judge in the military appeals court. His departure, according to the Senate insiders, has contributed to Stennis' weakened condition as committee chairman.

Baroody, who worked with Laird in the House on military matters, said last night he does not consider his help to Stennis as a task force operation.

Baroody said Stennis had asked Laird for his views on the questions posed by the Senate amendments. As a special assistant, Baroody said the job of supplying the information came to him.

"It's perfectly legitimate," Baroody said, for a Senator to ask the views of the defense secretary on military questions, adding that he had briefed critics like Proxmire as well as supplied information to Stennis.

To respond to the requests for military information, Baroody said he has added an Air Force colonel and a Navy commander to his original staff of one Army colonel special assistant, a civilian aide and two secretaries.

Baroody said he has not written any speeches for senators to give the Pentagon's side of the story.

Outside the Pentagon itself, military contractors are helping their allies in Congress with speeches. At least one contractor has helped answer the questions one senator posed to the Air Force on the AMSA bomber, for example.

Mr. FULBRIGHT. Mr. President, clearly we are engaged here in an unequal contest. Arrayed against the critics of extravagant military spending are not only our colleagues with whom we share constitutional responsibility for determining the military budget but the Military Establishment itself, with all its impressive resources. The Pentagon has become in effect an ex officio but highly influential participant in the current Senate debate. Contrary to the spirit and intent of our Constitution, the military has become an active participant in the political process, a self-appointed de facto jury sitting in judgment on its own case.

Over and above the merits or demerits of specific weapons systems, the root question is: Who controls military spending? The Constitution says that Congress does, not only through its exclusive power of appropriation but, in the case of the military, through its responsibility under article I, section 8, for making "Rules for the Government and Regulation of the land and naval forces." In fact, Congress is simply not exercising this critical responsibility, and I think it no exaggeration to say that it has not done so for the last generation. For practical purposes the control of military spending has been primarily in the hands of the Executive since the Second World War, with Congress acting as a compliant junior partner.

Possibly without awareness of the radical constitutional doctrine he was preaching, President Nixon has claimed for himself the authority to judge how much is spent on the Armed Forces. As he put it in his speech at the Air Force Academy on June 4:

> The question in defense spending is "How much is necessary?" The President of the United States is the man charged with making that judgment.

The issue is clearly drawn. The executive says that it has the responsibility for military spending. The Constitution says that Congress has that responsibility. What then does Congress say? Are we to be content with the role of junior partner in the discharge of our own responsibilities? Or are we prepared to reclaim our legitimate and exclusive constitutional prerogative? That, I think, is the critical underlying question in the matter of the C–5A and a great deal of other military hardware covered by the present legislation.

The appropriations power is the classic, basic power of a democratic legislature. If we cannot control the pursestrings, what can we control?

The foregoing represent my primary reason for voting against the requested fourth squadron of C–5A transports. An additional major factor, however, warranting our serious attention, is the strategic premise on which these transport aircraft are held to be needed.

Their purpose, of course, is the rapid long-distance deployment of American troops. They carry, therefore, a connotation of foreign military commitment; and that, as we seem to have agreed in recent months, is a matter requiring congressional scrutiny. On June 25 of this year the Senate, by a vote of 70 to 16, adopted a resolution asserting that no foreign military commitment should be made without the consent of Congress. The C–5A does not in itself represent a commitment to anybody, but it represents a significant new facility for the making of commitments in the hands of the executive. A few years ago the distinguished senior Senator from Georgia dealt, as chairman of the Armed Services Committee, with the executive's request for what it called a "fast deployment logistic ship." In opposing that request, the Senator expressed his apprehension—if I recall his words correctly—that "if they can intervene they will intervene."

I think that the same wise caveat is in order for the C–5A. You are not committing a teenager to an auto wreck by putting him behind the wheel of a hotrod, but you are certainly helping to create a possibility. Before voting over a half-billion dollars toward the purchase of a fourth squadron of these spectacularly expensive transport aircraft, Congress has the right and duty to demand full information on their prospective uses. Where, how, and on whose authority does the administration propose to use these aircraft? Are there in existence contingency plans for their prospective use, and—if I may broach a sensitive subject—might the Congress be permitted a glimpse of these plans before committing over a half-billion dollars to the means of their execution?

I do not think these questions have been answered. Instead of providing pertinent information about the strategy and uses contemplated for the C–5A, the Pentagon political mentors have once again thrown their potent, well-oiled lobbying machinery into high gear. Their approach does not inspire confidence. I shall, accordingly, cast my vote in the negative.

Mr. President, this, of course, says nothing about the character of the contract itself, which has been explored in depth, especially by the Senator from Wisconsin. I want to take this opportunity to compliment the Senator from Wisconsin for the hearings held by his committee, which, for the first time, made a valiant effort to inquire into the reasoning behind enormous and almost incomprehensible military expenditures.

I believe that one of the conclusions of his own statement, drawn from his hearings, was a question about how these contracts are made—contracts involving billions of dollars, which seem to have the result of rewarding the most inefficient operators, the most inefficient manufacturers. In this particular instance, it would appear from the published reports that the contract itself was bid upon by the contractor, the Lockheed Co., deliberately below what was a reasonable amount. This, of course, created the impression that it would be very cheap and also had the effect of preventing a more responsible company from obtaining the contract; and then it expects to make—and apparently it will, if this contract is proceeded with—exorbitant profits on the second stage of the contract.

This seems to me to be a sort of degenerated form of socialism. Certainly there is no private enterprise in it. There is no competition in it, and no efficiency. It is dictated and distributed by the Government agency to those who, in many cases, are the least efficient to perform the function which the Government requires. It certainly is a distortion of what we are pleased to call a private enterprise economic system.

But in any case, those are other aspects of this particular contract. I think that the overall justification for it has not been made. The request of the Senator from Wisconsin for time to consider the reports which have been made to the Pentagon, which have not been made public, but of which he is aware, I think is a most reasonable one. As he himself has pointed out, this fourth squadron will not be expected to be built, I guess—I do not know whether one would call it built or completed—at least until early in 1971; so there is plenty of time, and I cannot see that there would be any great detriment to our security if sufficient time is allowed for the committee of which he is chairman, and others, to inquire further into the justification and need for this enormous expenditure of funds in this area.

Lastly, Mr. President, I cannot view this and other contracts for military affairs aside from the condition of our country itself. Today I read in the morning newspaper that interest rates have climbed to a new high—more than 8 percent for triple-A corporate bonds. Inflation is continuing at an apparently ever-accelerating rate; at least there is no sign of any decline in it.

Crime in Washington, D.C., in August, I heard on the radio coming to the office this morning, was at the highest rate in history, with 714 armed robberies; I believe that was the classification. But in nearly any classification one might choose, whether murder, rape, or armed robbery, the situation is the same.

So we have a continuing deterioration in quality of life and internal order in this country. We have a tax bill before Congress which is a source of a great deal of controversy, but, of course, these conditions require increasing taxes.

All of this makes a not very pretty picture, and, in fact, is very discouraging. In the face of that situation, the refusal of the Military Establishment to acknowledge that they should make any substantial contribution to a reorientation of our priorities and to the reestablishment of a degree of internal tranquility in our own country is very disappointing. The continued emphasis that the highest priority must be on all of these new weapons systems, however irrelevant they may be to our needs, is discouraging indeed. Coupled with this, the inability to make any appreciable or noticeable progress toward the liquidation of our most unfortunate mistake in Vietnam, certainly presents a very dark and dismal picture.

So, Mr. President, I shall vote against this authorization and support the amendment of the Senator from Wisconsin.

The PRESIDING OFFICER. Who yields time?

Mr. PROXMIRE. Mr. President, first I wish to commend the distinguished Senator from Arkansas upon the excellent speech he has given. He has put this amendment into proper perspective, especially when he referred to the effect of our military spending on the quality of American life.

The Senator from Arkansas testified before our Joint Economic Committee in June, and made a splendid statement of the relationship between American priorities. I think today he has indicated specifically on this amendment that before we make such a commitment and vote an additional $533 million—which, it is correct, is the amount in the bill, but the cost of these 23 planes will be close to $1 billion; they will cost more than $40 million each—all the amendment provides is that we do it knowing what we are doing, that we first get the information we do not have now.

We recognize that the Defense Department itself has challenged the wisdom of going ahead with the fourth squadron. The only studies available show that they cannot justify it.

That is what the distinguished Senator from Arkansas has been saying, it seems to me, when he says we ought to pause before committing ourselves to spending enormous sums such as that involved here. As a matter of fact, there is more involved in this one amendment than the Federal Government spends in this entire country on all of our courts and all of our law enforcement. In that entire area, we spend something

like $750 million; and these 23 planes would cost almost $1 billion.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. PROXMIRE. Yes.

Mr. FULBRIGHT. In addition to the planes themselves, there are additional costs, such as for airports facilities, runways, and other necessary support elements, which would cost incalculable additional sums; is that not correct?

Mr. PROXMIRE. The Senator is correct that all we have is estimated figures for the planes and spare parts that are considered necessary.

Mr. FULBRIGHT. The Senator has no cost estimates on the additional facilities for handling the plane, for its landing, servicing, and so on, does he?

Mr. PROXMIRE. There are estimates as to the operational cost of the C–5A.

Mr. FULBRIGHT. I do not mean the gasoline and the crews. I mean the ground facilities. This plane cannot be accommodated by the existing facilities at most of the airports, can it?

Mr. PROXMIRE. It is my understanding that the plane is designed to land under circumstances which would make it especially amenable.

Mr. FULBRIGHT. What is its weight?

Mr. PROXMIRE. I think, in all fairness, I should say that. It will land, for example, on a shorter runway than the big jumbo jets land on.

Mr. FULBRIGHT. How much does this plane weigh?

Mr. GOLDWATER. Loaded, about 800,000 pounds. Empty, about 300,000.

Mr. FULBRIGHT. That is considerably more than the weight of any existing plane, is it not, loaded?

Several Senators addressed the Chair.

Mr. PROXMIRE. I am happy to yield to the Senator from Arizona.

Mr. GOLDWATER. To answer the Senator's question—and I think it is a good question—this aircraft requires no special equipment to handle cargo. Built into it is the camel-effect landing gear, that can kneel down to permit trucks, tanks, or any piece of equipment to drive up a self-enclosed ramp, either from the front or the back, into the plane, and then get back into its regular position and take off. It has remarkably good takeoff characteristics over a 50-foot obstacle; and I have been in it when it has landed in less than 1,500 feet, on concrete. On grass, it will land in that distance with less trouble than on concrete.

It does not require special runways, and does not require lengthy runways. It can, in fact, be landed on any prepared dirt strip in the combat area. This is not true of the 747, the jumbo jet going into service on the airlines, which will also be in the CRAF fleet; that plane would require special loading facilities to get cargo up to the cargo door.

However, that aircraft will undoubtedly be used for personnel, and not for outsize bulk cargo.

Mr. FULBRIGHT. As I understand it, then, the present runways are strong enough to support this plane? In fact, I am told this plane can land on the dirt and does not need a runway; is that correct?

Mr. GOLDWATER. It does not need a runway. I think they prefer to have one, but if the chips were down, I think it could be field landed very easily. It has 24 wheels in its landing gear, and the weight distribution is spread over a much greater area than, say, in the 707.

The 707's, which are heavy aircraft, did need reinforcement of some runways. The 747's likewise will require some runway modification and a complete redesign of most of our major airports.

Mr. FULBRIGHT. Mr. President, the Senator will remember when we bought the B–52's, they made a great to-do about the thickness and the strength of the runways. It seems odd that this plane, weighing 800,000 pounds, would not need such a runway.

Mr. GOLDWATER. It is the size of the footprint that enables us to do it. The B–52 is in effect a tricycle gear with four wheels on the main gear and two on the nose. Many of our runways had to be reinforced because of the impact.

This airplane is being operated today at the Marietta, Ga., plant on a runway which is not an unusual runway. The runway has been there for quite awhile. It is being tested at another runway on a partially dirt and partially concrete runway.

The distribution of the weight is such that, though it has great weight and great power, it can get off in a very normal distance; and land in shorter distances than conventional jets.

Mr. FULBRIGHT. Mr. President, what is the urgency about these additional planes? Why cannot we wait 3 or 4 months for a study on the question the Senator from Wisconsin raised?

Mr. GOLDWATER. I had some figures printed in the RECORD before the Senator came to the Chamber. Those figures gave the time of deployment for a three-squadron C–5 outfit.

The figures showed, if I remember correctly, that to carry 66,400 tons, three squadrons would require 50 days and four squadrons would require 35 days.

Mr. FULBRIGHT. I heard the Senator give that information. That is not the question I raised. I would like to know what conditions in the world today create in the Senator's mind the urgency to get on with the job of building these planes? Does the Senator anticipate an outbreak in Western Europe or elsewhere that would create an urgency for this particular plane?

Mr. GOLDWATER. I think the very fact that—and the Senator is well aware of this—we have rather definite commitments abroad and we do not know whether they will come into being—we hope that they will not—is case enough for us to have the ability to move equipment and troops. If we support the argument that we should cut the NATO forces and keep our forces flexible and keep them in this country rather than in NATO—and I think the Senator is favorably inclined to that—that is justification for the fourth squadron.

We are not arguing for five or six.

Actually, the guts of the pending amendment involves approximately $53 million that would be incorporated in the permissive run if the Secretary of Defense decided by some date in January of next year to use it. If he decides not to use it, which is his prerogative not to do, then we will not start the first run of the fifth squadron.

The Senator will recall Secretary Clifford this year waited until, I am pretty sure, the last day of the option before he authorized the beginning of run B which will complete the fourth squadron.

The decision really rests with the Secretary as to whether he will use the money. Our authorizing or appropriating the money does not mean that it has to be spent. Neither does the Secretary have to come to Congress for permission to do it.

I have no idea how he is inclined with regard to a fifth or sixth squadron. However, the studies I have seen on the fifth and sixth squadrons have not convinced me that they are needed now. However, I think that four are needed.

Mr. PROXMIRE. Mr. President, as far as the fourth squadron is concerned, they will not even start on the 59th plane, which would be the first plane of the fourth squadron, until about June of 1971. They will have to let out subcontracts. They have already started that. They started last January. However, as far as the actual production, that is almost 2 years away.

That is why I think we have plenty of time to get information from the General Accounting Office as to whether this is a sensible investment before we authorize the fourth squadron. They have only produced six planes, and they are only producing them at the rate of about two a month.

Mr. FULBRIGHT. Mr. President, I referred to the urgency. I am very much for bringing the troops home, as the Senator said. I joined with the Senator from Montana and with other Senators in an effort to bring the troops home from Germany a year or so ago. However, they have not been brought home and no effort is underway to bring them home.

I see no prospect for it. I see no urgency, therefore.

If the Senator from Arizona could assure me that they are going to do this, I would feel differently. However, I doubt very seriously that we will be able to make the military bring these troops home.

This is an established pattern. It is extremely acceptable in the Military Establishment, and I do not think they want to bring the troops home.

They do not want to close the Spanish bases. We went through that. They do not want to close any bases anywhere that I know of. They are most reluctant to close bases even in this country. That is the nature of this kind of organization. I do not think they will do it.

Mr. GOLDWATER. Mr. President, the urgency is just what the Senator has been talking about—the fact that we have run tests. The National Guard on two separate occasions has been airlifted to Germany with the old 124's.

That proved rather conclusively that we could not render much assistance to the NATO countries with the airlift we have today. Whether the military in 1971 or 1972 will want to bring their forces home, I do not know. However, today they are not able to redeploy the troops rapidly.

Mr. FULBRIGHT. Mr. President, we

have a lot of troops there. I do not assume that it is our sole duty to defend Western Europe. Along with the Senator from Montana (Mr. MANSFIELD) and many other Senators, I have felt that Western Europe, consisting of 200 million people, is quite capable of defending itself, in my opinion, if they are willing to pay for it.

I am getting tired of being the sucker for these people. I think that we have been there long enough.

I do not mind a token force being there to show our good faith. However, in my opinion Germany, France, and the other countries can pay for their defense.

This has been the real theme of our argument for a long time. I think they ought to do it.

Mr. GOLDWATER. I agree with the Senator. I am not arguing against that point.

Mr. FULBRIGHT. That is the point about bringing them home.

Mr. GOLDWATER. Let us get ready to redeploy if we have to.

I urge that the Senator from Arkansas in his capacity as chairman of the Committee on Foreign Relations reopen the hearings on this matter so that the American people can know the commitments we have made.

Mr. FULBRIGHT. We had that exchange before. I agree with the Senator. And I intend to do that. We will have some hearings very soon, and further hearings are being planned. The staff has already been instructed in this direction.

Mr. GOLDWATER. Mr. President, in closing, reference has been made to another part of the amendment that would ask the Comptroller General to study certain aspects of the C–5A.

I called the Defense Division of this office and tried to get Mr. Charles Bailey, the head of the Division. I was unable to do so, and I spoke to an assistant. I asked him whether he felt they were competent to do this.

He said under (1) that he felt they could do it. Under (2) he said that they were not capable of doing this because they do not have the personnel or the background with which to do it. I gathered from that that if the GAO could have its force increased, to the point where they would include strategic and tactical people, they might be able to do it.

He said that, wherever there is a matter of cost, they thought they could answer the questions. He said that, on questions pertaining to defense policy and strategic policy, he felt they were not competent to do this.

I think we have made a mistake in trying to get the GAO into areas that they are really not competent to act in.

I think that in areas of cost they are extremely useful and we should use them more than we do.

Mr. PROXMIRE. Mr. President, before I yield to the Senator from Massachusetts, I should like to say that the main thrust of the argument is to provide that the GAO give us information on cost that we do not have.

The Senator from Arizona is correct. There are some military implications, it seems to me, on a couple of these points. But we are asking for a judgment on deployment capability and that sort of thing. I would agree that that sort of answer from the GAO has to be handled much differently and with far greater caution than the answer on costs. But the main thrust is on costs, and this is the type of information the GAO is designed to give.

Mr. President, I yield whatever time the Senator from Massachusetts may require.

Mr. KENNEDY. Six minutes.

Mr. PROXMIRE. I yield 6 minutes to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, in many ways, the debate over the C–5A is as much of a symbol of the concern over the size and shape of our defense budget as was the debate over the ABM. But while the ABM debate centered on whether we needed that particular missile defense system, whether it would work, and whether it was an escalation in the arms race, the C–5A debate has centered on an apparent lack of hard-eyed Pentagon supervision over the contracting procedures and costs relevant to it.

Senator WILLIAM PROXMIRE deserves the praise of all of us for untiringly ferreting out the details of the contracting procedures which permitted a cost overrun on the C–5A of about $2 billion. This one cost overrun has drawn censure from nearly every quarter of the country—from businessmen, economists, taxpayers, and expert commentators. And well it should, for it is a shocking amount of money in this time of great fiscal stringency.

But we should take care to be clear that this C–5A debate does not imply criticism of the aircraft itself. It ranks as a great technological achievement, incorporating a number of significant advances in a single weapons project. And on its early flight tests, its performance exceeded specifications—considerably better than the 85-percent performance typical of past Air Force projects. In fact, as a recent article pointed out, Lockheed "might reasonably have expected praise for the engineering triumph that the C–5A turned out to be, instead of censure for its cost," had not Senator PROXMIRE been diligent in bringing out all the procurement facts.

As a result of his investigation, Senator PROXMIRE has now pending before the Senate an amendment designed to correct what he views as the most serious problems in the C–5A program. I believe his amendment deserves the support of the Senate, and I intend to support it.

Let me set out, first, what the amendment will not do.

First. It will not affect the planned production rate of the C–5A. We have already authorized and appropriated the funds for, and the Pentagon has contracted for, 58 C–5A's—eight test aircraft, and 50 operational aircraft, to comprise three squadrons. That point was amply enlarged in the dialog just a few minutes ago. The last of these 58 planes is scheduled to come off the lines in June 1971—assuming no further slippage beyond the present 6 months' slippage.

Second. It carries no criticism of the plane itself. The amendment would not cause cancellation of any existing contracts nor require any unplanned modifications in it.

Third. It will not in any way affect our military capabilities. The amendment will not postpone the initial operating date of any C–5A squadrons.

Fourth. It does not prejudge the merits of the fourth squadron—23 planes—of C–5A's.

There has been considerable confusion about these points, and I believe they should be clearly presented and understood. I think the dialog this afternoon and the speech of the distinguished Senator from Wisconsin will clearly eliminate any of the confusion or misunderstanding on these and other points.

Let me turn now to what the amendment will do and why I support it.

First. The amendment requires a 90-day study by the General Accounting Office of the costs—past and projected—of the C–5A. In the light of the gross underestimate of C–5A costs, of the great expertise of the GAO in these matters, and of the role of the GAO as a watchdog of Government expenditures, this study would be a vastly useful document. This is particularly so because of the complexity of the issue, and because the study would not postpone the planned production.

Second. The study would also determine whether the fourth C–5A squadron—the 23 planes of production run B, for which the downpayment cost in this bill is $533 million—was essential to our security. Two separate Pentagon studies indicate that the fourth squadron may not be essential, and if it is not, then eliminating it would save nearly $1 billion. But if the fourth squadron is found necessary, then we have ample opportunity next year to authorize and appropriate the funds without jeopardizing the production schedule.

In short, Senator PROXMIRE's amendment is a reasonable attempt to answer—without undue delay—some of the nettling questions his investigation has uncovered.

I share the intense concern over the runaway costs of the C–5A. I share the concern over the wisdom of many of the details of the contract. And I share the concern over authorizing what may be a superfluous fourth squadron. These are the reasons I support Senator Proxmire's amendment.

But let me make it clear that I also share the view—so well articulated by Senator SYMINGTON—that the astounding airlift capability of the C–5A squadrons can help us reduce our overseas military commitments. These commitments, as Senator SYMINGTON has pointed out, are both debilitating to our role in seeking world peace and damaging to the stability of the dollar. They must be reduced, and brought into balance with the world situation, not of the 1950's, but the 1970's. I do not believe that supporting the amendment of the distinguished Senator from Wisconsin in any way conflicts with the splendid expressions that have been made by the distinguished Senator from Missouri (Mr. SYMINGTON) this

afternoon in manifesting a great concern about the reduction in our troop commitments around the world.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KENNEDY. May I have 1 additional minute?

Mr. PROXMIRE. I yield 1 additional minute to the Senator from Massachusetts.

Mr. KENNEDY. In their August issue, the editors of Fortune magazine had this to say about the debate over the military budget:

> In redefining the goals of the military and its place in the governmental structure and in society, Congress and the Administration have a chance to exert a profoundly constructive influence on the character of American life in the 1970's. They should seize the opportunity.

I believe that Senator PROXMIRE's amendment is a symbol of that opportunity. We should not fail to take it.

I thank the Senator from Wisconsin for yielding.

Mr. PROXMIRE. I thank the Senator from Massachusetts for an excellent speech.

The PRESIDING OFFICER. Who yields time?

Mr. PROXMIRE. Mr. President, I yield 6 minutes to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I rise in support of the amendment of the Senator from Wisconsin (Mr. PROXMIRE). Few outside of the Pentagon know what the C–5A will eventually cost and whether or not it will serve the purposes intended.

For the past 15 years, as a member of the Committee on Appropriations, I have been trying my best to get assistance from our friends in Western Europe, with little or no avail. It was my feeling that we should take steps to withdraw our troops from that area unless we obtained substantial assistance from our European allies.

In the late fifties and early sixties, the concept of mass transportation by air was conceived to make it possible to move troops from our shores quickly to any part of the world. The Department of Defense began to realize that the policy of maintaining large contingents of U.S. military troops abroad was not satisfactory for many reasons, including our balance-of-payments problem and the fact that many Members of Congress were insisting on substantial reductions in the number of troops deployed abroad. Many of us felt that our allies were well able to carry a large share of the burden that was almost entirely shouldered by the United States.

At the time, we were spending annually approximately $2 to $2½ billion in order to sustain our troops in Western Europe. At one time, we had over 300,000 soldiers there; and if we added to that the number of civilians necessary to sustain our troops, and also the families of the civilians and of the soldiers, we had in Europe in excess of 600,000 Americans.

Mr. President, I would not hesitate to vote for billions of dollars for this project if I thought it necessary and wise. But it is my belief that we are being persuaded by the Pentagon to place our country in a position to give more help to our erstwhile friends all over the globe. Instead of these planes being used for the purposes originally intended, that is, to carry troops and military hardware from our shores, when needed, I am informed that even if we had a thousand C–5A's ready to go, no effort would be made by the Defense Department to remove our troops we now have in Western Europe. It is still the view of our military spokesmen that we must give assistance to all the countries of the free world to save us from the Russians. I do not subscribe to that view.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. FULBRIGHT. It is my understanding that these planes are not designed as troop carriers, but that they are to carry enormous vehicles, big tanks, and so forth. Troops are carried in C–141's, but these are not for that purpose.

Mr. ELLENDER. They can carry troops also. What I have in mind—and I am sure it is the purpose of these planes—would be to carry divisions fully equipped, so that hardware as well as personnel would be aboard the planes.

Mr. FULBRIGHT. They are especially designed for big hardware.

Mr. ELLENDER. As I recall, the idea was to build planes that could carry an entire division, if necessary, at one time, which would include not only hardware, but also the soldiers to use the hardware. As I said, even though we had the planes available, no effort would now be made to remove many of the soldiers we now have in Western Europe. That is the important point that I am making. It is a point which has been at issue between some of us on the Appropriations Committee and the Pentagon for many years now.

I had had a little research made into the subject. I regret that much of the testimony I intended to present was deleted from the record of the hearings because it was classified.

As I previously stated, I have tried for the past 15 years, at least, to have our Defense Department obtain assistance from our allies in this field, all to no avail. The only response I received from the Defense Department, beginning with Mr. Wilson, I believe, was that "we will try to get assistance." Then nothing happens. Last year when Mr. Clifford was appointed, I interrogated him.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PROXMIRE. How much additional time does the Senator request?

Mr. ELLENDER. Four minutes.

Mr. PROXMIRE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 21 minutes remaining.

Mr. STENNIS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Mississippi has 58 minutes remaining.

Mr. STENNIS. I yield 4 minutes to the Senator from Louisiana.

Mr. PROXMIRE. I thank the Senator.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. ELLENDER. Mr. President, the following is an excerpt from the Senate Appropriations Committee hearings on the Department of Defense appropriations bill for fiscal year 1969, page 2476:

> Senator ELLENDER. Just try to withdraw them. They [our allies] don't trust you if you just tell them that you will. Let us make the move, and get our troops out of Europe.
>
> Secretary CLIFFORD. (Deleted).
>
> If we begin to start a dialog with the Soviets, and agree to cut down our forces in Europe, and the Warsaw Pact countries then we would have something. I hope that might come. I think we ought to continue to work in that direction.
>
> Senator ELLENDER. As I have said, if we had done this when De Gaulle kicked us out of France, it is my considered judgment that the Russians would have removed their troops. So long as we remain there, so long as we have these huge forces around the periphery of Russia, we can't expect them to believe that we have no offensive purposes. That is the opinion I have found among the people when I was there.
>
> Many asked me the same question, "Why do you have all these forces around us? To take us over?"
>
> Of course, that was not the reason we had them there.
>
> Mr. Chairman, I don't want to argue any more. There are more questions I would like to have answered but I shall desist.
>
> Secretary CLIFFORD. I will be available any time.
>
> Senator RUSSELL. There has been a strong feeling on this committee among a number of us here. Senator Symington and I have been working on possible withdrawal for a number of years. How long has it been, 8 years?
>
> Senator SYMINGTON. Eight to 10.

Mr. President, many of us on the Appropriations Committee have been trying to persuade the Defense Department to withdraw these troops and get them back home, as I said earlier. I have no doubt that as long as those troops remain in Western Europe and we sustain them there we cannot expect much help from our erstwhile allies. In addition, their presence will act as a deterrent in our efforts to come to a workable and realistic international agreement with the U.S.S.R. As I have said on many occasions, I am of the sincere belief that unless and until our company can get together in some way with Russia to prevent this race in armaments and attain satisfactory understandings, the world will remain in turmoil and no permanent peace can be achieved.

I am very hopeful that some ways and means can be found whereby the U.S.S.R. and the United States can work together. As I have said, as long as we talk peace from one side of our mouths and war from the other, I can see no chance for the international atmosphere to improve.

Mr. President, I now read from the printed record of the Senate Appropriations Committee hearings on the Department of Defense appropriations bill for fiscal 1969, page 2471.

> Senator ELLENDER. That is what I suspected, to be frank with you.
>
> Secretary CLIFFORD. That is right. I want to tell you it is a sincere conviction on my part, and I did not accept it easily. I could not understand why, after 23 years, we still had to be there. I will leave this subject by saying that I now think it is right that we have troops there.
>
> I said the week before last, in a meeting

of the Defense Ministers, that they had better prepare themselves, however, to begin to take a larger share of the burden, because we could not keep our troops there forever at the present level. My language was quite direct. I said they must face up to the fact that we were starting now to redeploy some of our troops. As you may know, we are bringing 34,000 of our troops back.

Senator ELLENDER. I have been saying that for 10 years.

Secretary CLIFFORD. Well, you are finally proven right.

Senator ELLENDER. Proven right? Ten years to remove about 30,000?

Secretary CLIFFORD. No; but I mean we are finally bringing some of them back.

The following is from the same set of hearings, page 2557.

Senator ELLENDER. I regret that I wasn't here to listen to all the testimony. I was in a military construction conference.

Mr. Clifford, for the past 15 years I have urged your predecessors to force our allies to help us more. As I understood General Wheeler, they are kind of excited and they are wondering what we are going to do. We have done all we could in my opinion, and we have done more than we should, and you say that you want the (deleted) NATO allies, to do more.

Now, what is your plan for forcing them to do more?

Secretary CLIFFORD. Our plan is to advise them that it is up to them to make the decision as to what they are going to do and if they don't make the right decision then they must realize that this could affect the support by the American people and the American Congress of our presence in NATO.

Senator ELLENDER. Don't you think a threat of withdrawal might wake them up a little bit? I have been advocating that for the past 15 years. As long as we stay there and as long as we support them they are going to lean on our shoulders. I was in hopes that you had some kind of plan whereby you could force them to come forth with their just proportion of assistance.

FISCAL YEAR 1968 HEARINGS

From the Senate hearings on the Department of Defense appropriations bill for fiscal year 1968, page 309.

Secretary MCNAMARA. As I stated earlier, we are negotiating with our NATO allies to try to arrange a basis under which they will share in the payment.

Senator ELLENDER. Share how? Can't you make them do it? We have been trying it for the past 15 years with no success. Isn't there a way by which we can make them share the burden?

Secretary MCNAMARA. No, sir; I don't believe there is any way by which one sovereign state can impose its will on another. I do think there are ways by which we can persuade them, and it is in our joint interest for them to bear a share of it.

Senator ELLENDER. If it is in our joint interest, I don't think you should have much trouble to persuade them, but the trouble is I don't believe that they see the threat from Russia as you do, not by any means, and that is why in my opinion they are not so anxious to assist.

You also stated you expected a major portion of this relocation to be completed by April 1, 1967. What is the target date now?

Secretary MCNAMARA. April 1, 1967.

Chairman RUSSELL. Senator Stennis?

FISCAL 1967 HEARINGS

From the Senate hearings on the Department of Defense appropriations bill for fiscal year 1967, page 266.

Senator ELLENDER. Several years ago I pointed out that Mr. DeGaulle desired to make France the leading nation in Western Europe. I wonder why we don't permit him to take over the military aspects of protecting Western Europe. As you know, we have been there now for almost three decades. Last year we spent $2.4 billion to support the troops we have there. As I pointed out at the hearings on the Supplemental Bill, we have 330,000 soldiers there now. In addition there are more than 11,000 civilians that take care of the military, and we also have the wives and dependents of our servicemen there. I wonder if it wouldn't be a good thing to have De Gaulle take care of Western Europe.

Secretary MCNAMARA. Senator Ellender, I don't believe this would modify De Gaulle's conduct, and I think it would (deleted) contrary to our interest.

Chairman RUSSELL. Will the Senator yield?

He is in a very fortunate position due to the geography of Europe of being able to talk big and act big and yet have a free shield, as long as we retain the NATO structure and protect Germany; isn't that correct, Mr. Secretary?

Secretary MCNAMARA. (Deleted.) Of course, he hasn't suggested that he believes the danger from the Soviet Union has diminished to the extent that the defense of Western Europe can be dismantled. (Deleted.) He doesn't wish to see the defense of NATO destroyed.

FISCAL 1966 HEARINGS

I read now from the Senate hearings on the Department of Defense appropriations bill for fiscal year 1966, page 573.

Senator ELLENDER. I realize that that has been the main basis for our assistance. I understand that.

But the thing that I can't understand is that little or no effort is being made to get other people, for instance, the French, the British, the Germans, with us who are just as vitally interested in this matter as we are. They ought to be as much interested in keeping this world free as anybody else. But yet we are carrying the load everywhere, without too much assistance from them, and I am surprised that more effort isn't put in that direction, General. If we keep on at the rate we are going now, it is just a question of time when we will lose the battle without firing a shot, that is as far as our way of life is concerned.

Senator STENNIS. I am sorry, gentlemen, your time is up.

General JOHNSON. May I respond to the question, please, sir, at the risk of being impertinent?

Senator ELLENDER. I wish you would. Let him do it.

General JOHNSON. I don't think getting additional countries in there falls within our province: I mean the province of the Department of Defense or certainly the province of the Department of the Army. This is why we have other agencies within the executive department.

The general is referring here to the Department of State, but needless to say, nothing was done.

FISCAL 1964 HEARINGS

From the Senate hearings on the Department of Defense appropriations bill for 1964, page 558.

Senator ELLENDER. My dear Admiral, we have been trying for the past 7 or 8 years to get assistance from our allies commensurate with what we are putting up.

In my opinion, in this regard we have made a dismal failure. Our allies are better off now than they have ever been.

Admiral ANDERSON. I would not say we have made a dismal failure, Senator. I think the very fact that we have prevented the Communists from taking over Western Europe, that we have held the line in various parts around the world.

FISCAL 1961 HEARINGS

And finally, from the Senate hearings on the Department of Defense appropriations bill for fiscal year 1961, page 19:

Senator ELLENDER. Mr. Gates, for the past 4 or 5 years I have been trying to find out the extent to which our Secretaries of Defense, as well as the President, attempt to get assistance from our so-called friends across the seas. Now to what extent, if any, have you or your immediate predecessor taken into consideration the amounts furnished by our allies to help us carry this defense burden?

Secretary GATES. I have been relatively new in this field, myself, Senator Ellender, but I have been in a good many discussions since last summer, and I attended the NATO Conference in Paris in December.

Senator ELLENDER. Is that the one General Twining attended?

Secretary GATES. Yes, it was.

Senator ELLENDER. In which I believe he criticized the conditions there?

Secretary GATES. That is right, sir—some of the deficiencies that had not been met in the arrangements.

We have taken the position that we will carry out our commitments to our important allies who are now stronger and financially and economically able to carry their share of the load, but we are not going to make any new commitments for straight grant aid with countries that can pay their share.

We are continuing aid programs with the less fortunate countries.

There are several countries, particularly in Europe, that have greatly improved their economic conditions in the last few years. In those countries we are getting out of the aid business and into the sharing business or outright purchase business.

It will be noted that all I was able to obtain were promises that efforts to get more assistance, in meaningful terms, would be made. To my knowledge, no real efforts were made, and we have met with little success during all those years. As long as we keep on supporting the countries of Western Europe with our military umbrella, it will continue to be expected that we shall carry the entire economic burden.

As I have said before, our allies apparently do not see the same threat of being taken over by Russia that we do. I think it is past time that we reexamine our own policy. The pros and cons of the C–5A should be looked at in that light.

Mr. STENNIS. Mr. President, I yield 15 minutes to the Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine is recognized for 15 minutes.

Mrs. SMITH. Mr. President, I commend the distinguished Senator from Wisconsin for his diligence and determination on the C–5A procurement program. But I must rise to oppose his amendment because it is too far reaching and does much more than defer funding for a 3-month period.

We all abhor huge cost overruns whether it be the 40-percent overrun on the C–5A or the even greater 43-percent overrun on the John F. Kennedy Center for the Performing Arts.

We are displeased with the total package procurement concept. We do not condone the practice of "buy in and get well later" by any contractor on any kind

of procurement military or nonmilitary. The repricing formula for run B of the C–5A aircraft is offensive to us.

But regardless of our displeasures with all that has unfolded before us in the development and procurement of the C–5 aircraft, there are cold, inescapable facts confronting us that simply cannot be ignored.

Many of these facts were placed in the RECORD on August 13, 1969, by the distinguished chairman of the Armed Services Committee. The investment is tremendous—more than $870 million for research and development—more than a billion dollars for procurement.

The program has been studied and restudied by congressional committees and the Department of Defense. It makes little sense to defer this program only to rehash much of what we already know. If we are to make the best of a bad situation, it is better to recoup as much as possible from the C–5 investment rather than to kill the program through the adoption of amendment 108.

For the adoption of the amendment could result in a defaulted contract. The projected losses on the first 58 aircraft will be such that the contractor will not be able to absorb them even though contractually required to provide such aircraft which were funded from prior year appropriations.

This program has been examined most carefully by the Armed Services Committee in weeks of searching examination in open and closed hearings. The committee did strike $50 million from the budget request.

The amendment seeks to have the Comptroller General make a special study and investigate past and projected costs of the C–5A aircraft. Without hesitation, I agree that cost inquiry by the Comptroller General is appropriate.

But the amendment also requires the Comptroller General to determine whether the C–5A is an economic replacement for the C–141 aircraft. This disturbs me in two respects.

First is the fact that at no time since the C–5A was first discussed has it ever been intended as a replacement for the C–141. Instead, the intent has always been, and continues to be, that the C–5A supplement the C–141 rather than replace it. For it is the only aircraft that can carry the weapons and heavy equipment of an Army division concurrently with troops.

The second concern about this amendment requirement on the Comptroller General is that it proposes to involve him in matters of military requirements and systems evaluations.

While I have full respect for the Comptroller General and the General Accounting Office staff, I seriously question whether they have the background and experience to render military requirements and systems evaluations decisions as contrasted to cost determinations.

And I seriously doubt that the Comptroller General really feels such decisions are within the mission and authority of his office or that he would welcome such an assignment or have full confidence in the capability of his office to render authoritative decisions on military requirements and systems.

Do not overlook the important fact that the contract permits the contractor to request termination if the 23 aircraft in the bill are not funded by October 1, 1969, for if this amendment is adopted such funding will not occur. In all likelihood we will be in the fiscal year 1971 budget cycle before the General Accounting Office studies would be completed and evaluated.

I shall vote against this amendment because in my judgment it is in the national interest that the 23 aircraft in the bill be funded now. I believe that it would be a real tragedy if the contract were terminated.

What has happened to the C–5 program cannot be undone. Even though the tragic results are the responsibility of the McNamara regime, Secretary of Defense Laird cannot abandon the program in despair—nor can the Congress in the national security interest.

This is an amendment of despair which will only compound the C–5 problems.

Mr. PASTORE. Mr. President, will the distinguished Senator from Maine yield?

Mrs. SMITH. I am happy to yield to the Senator from Rhode Island.

Mr. PASTORE. First of all, I congratulate the distinguished senior Senator from Maine. I have a question or two that I should like to ask her. She has been on the Armed Services Committee for a long time and is now the ranking Republican member of that committee. I quite understand what she said and I agree with her that much of the past is regrettable. No one condones it. No one sympathizes with it. No one wants to repeat it. There is no question about that.

The question I should like to ask her now is: Is she convinced that this is an effective aircraft?

Mrs. SMITH. Yes, absolutely, I would say to the Senator from Rhode Island. Of course, I can only take the word of those who know much more about it than I do. The Joint Chiefs of Staff have said repeatedly that they have been trained and schooled in, and have studied, this program and have come up with the absolute necessity for some kind of aircraft, and this proves to be what they want.

Mr. PASTORE. Is the Senator convinced that the need is imminent and should be met?

Mrs. SMITH. Yes; that is correct. I am very much convinced that we must have it. I think that it is important for a continued study of how many we need and for how long we must proceed. I am convinced that we must not stop, that we must not hamper them in any way from going forward and keeping the production line going.

Mr. PASTORE. It seems to me, the way the amendment is drawn, that it leaves the question of military strategy to the General Accounting Office. I quite agree with the distinguished Senator from Maine that there is doubt as to whether the GAO has developed competence within its department to do that.

Mrs. SMITH. The distinguished and able Senator from Rhode Island is so correct in that. The GAO is very, very important, and it is a very valuable agency of our Government, but when it comes to evaluating weapons systems, they are not competent to do that.

Mr. PASTORE. I am one of those who feel that we should not give a blank check to the military, there is no question about that; and I feel that the people of this country cannot, for too long, sustain a military or a defense budget of $80 billion a year. Too often we have involved ourselves unilaterally in many parts of the world without the assistance of those whom we lifted from defeat and despair, who should have assumed a greater share in order to maintain peace and tranquillity in the world. There is no question about that, either. But the trend seems to be, in these amendments, "Let us pass the buck over to the GAO."

The thing that disturbs me is that if we are going to make the General Accounting Office assume the function of the Joint Chiefs of Staff and become the military deciding agency of this great Nation of ours, then I think we should consider removing from the budget all of our appropriations for the military academies, because then we would not really need West Point or the Air Force Academy or Annapolis, if we are going to let the GAO decide what our military strategy is going to be, and how we are going to meet the need to develop the military global strategy of this country.

Mrs. SMITH. I could not agree more with the distinguished Senator from Rhode Island than I do on the statement he has just made. Of course, no price tag can be placed on national security. The Senator from Wisconsin (Mr. PROXMIRE) has made a real contribution in calling this to our attention, but I think we must be very, very careful not to rewrite a bill on the floor. That should be done by the committee, with the advice and by the advice of the military strategists whom we have educated and trained.

Mr. PASTORE. If the distinguished Senator from Maine will permit me to go one step further——

Mrs. SMITH. Yes, indeed.

Mr. PASTORE. I am as much concerned about this as is the Senator from Maine. I know her devotion and dedication to military matters over the years. I quite agree that we have gone a little bit too far. There is no question about that. Our entire military global strategy should be reviewed. The foreign policy of this Nation should also be reviewed. I do not think that we can afford to be the policeman of the world. We say that we are not going to be, but looking around the world, that is exactly what we are doing. We have been in Korea for 20 years now and we are heavily committed there.

We cannot yet even see the other end of the tunnel. We are in Vietnam practically alone. We are committed there in money and men. We are committed in Europe in money and men to defend people against an enemy with whom they are doing business as usual every day, and we piously disclaim East-West trade. We are the only nation in the Atlantic Alliance which has met its commitments. There is no question about that.

We should look into our military strategy—and it ought to take place in the Pentagon and ought to be investigated by the White House and ought to be reviewed by the committees of the Senate and the House; there is no question about that—and if we do the right thing in the right fashion, I think we can cut the military budget by $10 billion, without any question. But the idea that we are going to make the floor of the Senate a war room of the United States of America strikes me as flirting with disaster.

Mrs. SMITH. I thank the Senator.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mrs. SMITH. I yield.

Mr. GOLDWATER. The Senator from Rhode Island brought up a very interesting point. It will be recalled that on at least two other occasions during this debate, we considered amendments that would refer this matter to the General Accounting Office. I called the Defense Division of GAO. Although I did not talk with the Director, Mr. Bailey, I did get the Assistant. I asked specifically, with respect to the provisions that would turn this matter over to study and recommendation by the Comptroller General, whether they would be able to comply with it. In essence, he said where it concerned itself with money and particular transactions, yes; but when it got into the question of whether the purchase of four C–5A's would add significantly to the defense capacity of the military forces of the United States, they were not equipped to do that.

The Senator from Rhode Island made a very cogent observation. In effect, the proponents are attempting, by this procedure, to rewrite the global strategy of the United States, to rewrite the deployment tactics and plans of the United States. I would suggest it would be wiser if we allowed the committees to do that.

Mrs. SMITH. I thank the Senator.

The PRESIDING OFFICER (Mr. ELLENDER in the chair). The time of the Senator has expired.

Mr. STENNIS. Mr. President, I yield the Senator from Maine 2 additional minutes, if I may. Will the Senator yield to me?

Mrs. SMITH. I yield.

Mr. STENNIS. First, I not only want to commend the Senator from Maine for the substance of the remarks she has made, but also to say that no one has been more concerned over the C–5A and no one has gone into it with more patience and endurance, if I may use that term, than has the senior Senator from Maine. As always, she comes here with her own opinion about these matters, and she has a very capable judgment, too, with reference to the need for this air capability. I not only commend her, but I thank her, too.

If I may ask the Senator a question, it is true that the Senator from Maine and I both have a very high regard for the General Accounting Office. We seek the counsel and advice of that office. But is it not true that just today we had before us an item that is in the bill, the main battle tank, and that, even though the General Accounting Office has done some good work on that matter, the full committee nevertheless voted that we continue with that item in the bill as it is? The Senator took part in that hearing this morning. Would she respond to that, briefly?

Mrs. SMITH. Yes. I appreciate all the Senator has said. He works very closely on these matters, and he has done so particularly on this bill, and I commend him for his diligence in going into all these details. That was the very point I was trying to make on the GAO, as the Senator from Rhode Island pointed out. The GAO is not equipped to make an evaluation of weapons systems, and they are the first to admit it. What they would have to do would be to set up an additional bureau, which would be costly, with personnel and machinery, if they had to go into military evaluations. Even more important many of these personnel will have to be military personnel or individuals with professional military backgrounds. This is particularly so if they are expected to make military judgments and decisions.

I thank the distinguished chairman very much.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 35 minutes remaining.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. STENNIS. Yes.

Mr. President, I yield myself 15 minutes.

I yield to the Senator from California for a question.

Mr. CRANSTON. Mr. President, I would like to ask the chairman of the committee to comment on the burden of the statement made today by the senior Senator from Missouri (Mr. SYMINGTON) in regard to the theory that the C–5A, if available in adequate numbers, would lead to a situation where, by what he termed a "remote presence," it would become possible to reduce our overseas troop strength in ways that would possibly save substantial sums in the defense budget and get men out of places where their presence might lead to our involvement in military conflict against the will, perhaps, of this Nation?

Mr. STENNIS. I appreciate the Senator's question. I did not have a chance to hear all of the Senator from Missouri's speech as he delivered it, but I did read all of it very carefully. As I understand his points and also the world situation, there is no doubt that the point the Senator from California refers to is a valid point, and it could prove to be a highly important situation in many respects with the idea of prepositioning of military hardware, weapons, and materiel that go with battle formations in various areas that may be trouble spots, and at the same time keep our men, or a larger number of them, back here in the United States, with the ability to get there quickly, with a very definite capability, instantly ready to go.

I think that point is demonstrated in the war in Vietnam. Our great bottleneck in the beginning there was that the harbors were not sufficient; we could not get the supplies and troops in there soon enough. If we had had C–5A's then, and assuming proper landing conditions—and I think they could have been provided—we would have been far better off in an emergency of that kind.

I do not favor keeping troops in too many different places, but I know, in the world we live in, they are going to be required from time to time, on a varying scale, and the immediate capability of the C–5A will be a splendid contribution to our capability to getting them there, rather than keeping so many there.

Mr. CRANSTON. Mr. President, will the Senator yield further?

Mr. STENNIS. I yield.

Mr. CRANSTON. The matter of prepositioning equipment apparently is another aspect that I would rather not get into at this point, because I gather that might lead to double expenditures, where we might have to have equipment back home so that our troops here could maneuver with it, and familiarize themselves with it.

The Senator now presiding (Mr. ELLENDER in the chair) mentioned in his remarks the long efforts, without great success, to get numbers of troops stationed overseas reduced as we developed our transportation capabilities. He was speaking only of Europe. I am speaking of all parts of the world where we have troops except Vietnam, which is, of course, a special problem.

The Senator from Mississippi has displayed his great capabilities as a leader in handling this bill in the committee and now on the floor. I simply ask him if, in concert with the Committee on Foreign Relations, which has indicated that it will be examining our present commitments very closely, as to whether we should keep them, whether we should modify them, and so forth, we can depend upon the Senator from Mississippi, with his committee, to explore the possibilities, as we develop this transportation capacity, of beginning the process of reducing our overseas troop strength.

Mr. STENNIS. I can answer the Senator's question very quickly. I would like to see them reduced. I think, though, that there is a much broader question involved here, and that is the question of policy. A great deal of this debate has got the cart before the horse, I think, in talking about changing policy, here on the Senate floor, through these authorization bills.

I should like to see our present foreign policy reviewed and modified; but I think until that is done, in a systematic way, through a coordinated effort by the President of the United States, whoever he may be, the Committee on Foreign Relations, and other committees, we shall not get very far.

I could not commit anyone except myself as to these new moves, but I generally favor a reduction of our forces overseas. However, I know that in Asia we have got to build up a new policy for Japan, and as to NATO I am not quick on the trigger, because frankly I

think it is the main hope of the free world for us to have strong support there.

Mr. CRANSTON. I thank the Senator.

Mr. STENNIS. I thank the Senator from California very much for his inquiry. I know of his concern and his very constructive thoughts on this subject.

Mr. President, for the information of the Senate, as far as I know we shall vote on the pending amendment sometime around 4 o'clock. I shall not take a great deal of time. As far as I know, there is no one else to speak in opposition to the amendment, and I presume the Senator from Wisconsin, as the author of the amendment, will close for the prosecution.

Mr. President, let me point out, as I did at the beginning, that this contract is not a good contract for either the Government or the contractor. It has proved to have so many unknown, uncertain, and untried qualities about it that it is very clear, now, that this type of contracting should have been tried out more fully on smaller contracts, and the defects found and perfected.

But we are up against the practical situation, here, that we are already into the matter and the Government will have to carry its part of the load.

But the bright part of the picture is that this plane is sound. There is no apparent major defect of any kind; and it is certainly far enough along for such defects, if they existed, to have been discovered. It has all the qualities, and more, that were planned and desired; and, for the purposes for which it was created, I think it is a breakthrough, and time will demonstrate its great abilities.

I have stated heretofore that I was greatly concerned about it. I foresaw a difficult situation, and asked the Senator from Nevada and the Senator from Arizona to go and look the plane over. Something occurred that prevented the Senator from Nevada getting away at that time. The Senator from Arizona went down and, with his usual thoroughness, not only examined it, but flew it and found out all about it. The Senator from Nevada was later fully convinced of its sound structure and its capabilities.

So now we have before the Senate largely just the question of this fourth squadron. The money is in the bill. There will be some other money required, but the big question is on the fourth squadron.

This is an old subject with me. I am not an expert on it, nor on anything else, but I have followed this matter all along, and am certain in my mind that we need a minimum of four squadrons if we are really going to get our money's worth out of this plane.

Mr. President, with all deference to everyone else, there is no doubt about the minimum of four squadrons being recognized and recommended by the Office of Systems Analysis. The innermost secrets of their thinking sustain this position of the so-called experts—and they are not men connected with the military.

The uniformed men, over and over again, have examined and gone through the matter. Many of the civilian authorities in the Department of Defense have passed on it. Three Secretaries of Defense have considered the matter.

The original proposition was examined first by Mr. McNamara, a second phase of it by Mr. Clifford, and the present phase by Mr. Clifford and Mr. Laird. I say that they have been acting and moving forward upon the recommendations of the very highest and best advice that can be obtained in this field.

Our Committee on Armed Services took no casual view of this matter. There is a great deal of money involved here. There is also a very serious policy question involved. We went into all angles, and in fact have continued to study many angles of the problem.

I wish to thank and also to compliment the Senator from Wisconsin as I have done before on this floor. I do not have to remind him or the public again of my esteem for him and the fine work that he does. He has made a splendid contribution here. I do totally disagree with him, though, about the proposition of cutting off this plane and denying these funds.

I speak with all deference of the General Accounting Office. I have dealt with them for many years. I knew Mr. Staats before he went there. I knew him when he was at the Bureau of the Budget. The General Accounting Office is a fine, high-principled organization. But men who are capable of making a final judgment in a field such as this do not belong with the General Accounting Office. That is a different profession. They work hard, and they could make reports of some kind such as this amendment calls for, but, being out of their field, they would not have the weight and value—and that is not a personal assessment of them—that we could feel safe in using as a basis for voting.

I can understand the desire of Senators who get into this subject matter to want the counsel of someone beyond the Defense Department; they turn to the General Accounting Office as a kind of natural thing.

But matters just do not work out that way. Again I speak with deference to the staff of the General Accounting Office. They worked on a highly important matter concerning a tank. There is not a great deal of money involved in it yet; it is still in the research and development stage. They made us a report, and we sent it to the author of the amendment involved, striking out the funds for the tank. That was all considered. It was considered in the Defense Department, and the committee met and considered that report as well as the testimony of the Deputy Secretary of Defense, and we found that we were back where we had started with reference to the facts, and had a very firm understanding with the Deputy Secretary of Defense that he would give this matter his personal attention, as he had already assured us he would.

We voted unanimously and with the greatest of confidence to sustain the research and development funds that were already in the bill.

There was one item about pilot tanks that a member thought should be reduced a little. However, on the main thrust of the matter, there was a unanimous vote.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield for a question.

Mr. FULBRIGHT. Mr. President, the Senator from Mississippi has said that the GAO is not competent to make a judgment on these matters in the Military Establishment. I believe I quote him correctly.

The PRESIDING OFFICER. The time of the Senator from Mississippi has expired.

Mr. STENNIS. Mr. President, I yield myself 10 additional minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 10 additional minutes.

Mr. FULBRIGHT. Mr. President, could the Senator tell us if, in his judgment, anyone outside of the Military Establishment itself is competent to make a judgment on these matters?

Mr. STENNIS. There are a great many men of unusual competence in the systems analysis. They are very prominent in their particular fields to make some very exacting and demanding analyses of these problems.

Mr. FULBRIGHT. That was not my question. I asked if there really is anyone in the Senator's opinion outside officials of the Defense Department who is competent to make a judgment as to the reliability, or the need, or necessity of these weapons systems.

Mr. STENNIS. We have to have someone, of course, that has some idea about their purposes and their use. Some men have that knowledge by experience. However, we can find engineers to pass on some points.

Questions of physics and electronics are involved.

I think it is well known that most Presidents seek to find men of great capability in a particular field.

I do not think that I could add anything more to the answer.

I have no argument with the motives and sincerity of the Senator from Wisconsin in offering this amendment. I am fearful, however, that the Senator himself does not recognize its adverse impact, and the fact that, if adopted, it would inevitably augment and compound the very problem which the Senator very commendably wants to correct.

There have, of course, been significant cost increases in this program although there is some argument about the amount and extent of the overruns. From a percentage standpoint the overrun is less than on many weapons systems which have not received such critical publicity. However, I do not minimize the C–5A overrun. It is substantial and a matter for genuine concern.

We all regret these overruns, and it is not my purpose to defend them. However, let us put this matter and the Senator's amendment in proper perspective. The overrun has already occurred. It is a fact and the Senator's proposal will not eliminate it. In fact, there is every reason to believe that the amendment will have exactly the opposite effect. Deferrals, stretchouts, and delays in a weapons program—and this would certainly result from the Senator's amendment—inevitably substantially increase the overall cost

of the program and the cost to the Government. This is a fact of life. Thus, the Senator's amendment would magnify the cost problem which he has so vigorously criticized on so many occasions in recent weeks and months. The adoption of this amendment would be like throwing the baby out with the bath water.

It would be completely false economy and the height of folly to develop a greatly needed and very effective aircraft and proceed as far as we have with it and then disrupt the program for a GAO study and investigation just when the planes are about to roll off the production line and we begin to reap the benefit of our investment in time, effort, and money. From a cost effective standpoint, this would be the very worst step we could take.

Let me state the case bluntly. We need the 23 aircraft involved. No one questions this seriously. The Senator's amendment will both delay their delivery and drive up the cost. Upon what basis then can the amendment be approved?

Now for the C–5A aircraft itself. We are assured by the Air Force that it will meet most, if not all, of its performance requirements. Its capability for rapid deployment will give the Department of Defense a flexibility in planning for peacetime deployment and basing which it has never had before. Our national interest requires that the United States have the capability to deploy forces rapidly and the design of the C–5A was optimized to accomplish this.

Airlift is a basic element of our rapid deployment strategy and is the element which is most capable of providing a quick response to an unexpected contingency. When deployment is required, airlift is of the greatest importance in delivering troops and equipment within the first 20 days. Subsequently, the value of long-range airlift in resupply and delivery of critical items to less accessible areas is incalculable. The capability to provide a rapid response by airlift of limited but effective U.S. forces followed, if necessary, by a more massive buildup, greatly reduces the risk of small incidents developing into major conflicts.

The C–5A is the only aircraft which can carry almost all types of the combat weapons and equipment of an Army division concurrently with the personnel associated with the equipment transported. Such essential items as tanks, bridge launchers, armored personnel carriers, and helicopters can be airlifted only by the C–5A. Given enough time and sufficient aircraft, almost all of the equipment of an Army division can be transported overseas by C–5A's.

How many C–5A's are needed? Studies by the Air Force and the Joint Chiefs of Staff indicate a requirement for a minimum of six squadrons or 120 planes to meet the total airlift requirement in conjunction with other airlift resources such as the C–141. Studies also show that with the C–5A aircraft the total number of airlift aircraft in the force can be reduced by approximately one-half while providing more than three times the transport capacity. Such ancient aircraft as the C–124 and the C–133 will be phased out.

I do not join in any judgment about six squadrons of these planes. I limit my opinion and conclusion now to this fourth squadron.

I have a letter from Secretary Laird that I have already read to the Senate earlier in the debate. He says he has reserved judgment and is actively considering for the 1971 budget whether he will add any more actual C–5A's beyond this fourth squadron.

I heartily join with Secretary Laird on that point. I do not intend to say anything now with respect to having any final judgment upon the fourth squadron.

In the last paragraph of his letter of June 5, Secretary Laird says:

> I fully support the authorizations of funds for the above 23 aircraft.

They are the ones contained in the bill.

He says further:

> Any quantity beyond this is a matter for decision in the formulation of future budgets.

He is referring primarily there to the budget for 1971.

I assure the Senate that this matter has been gone over with the greatest of care and with most painstaking effort by highly competent men, outside advisers, and men on our committee. However, I come to that point last.

I am satisfied of the need, the quality, and the capability of this aircraft. And I am satisfied further that it is a contribution to a long-range policy that will make it possible, I think, to have our military dollar go further. I think that it will save on transportation costs. And this is a major item in the military program.

It eliminates just as many of the old planes as can possibly be eliminated. My philosophy as to weapons is not to try to have so much of everything or so many of different types, but to have the highest quality fighting planes and transport planes of whatever type it may be, or tanks, rifles, or other weapons, and try to have quality always foremost and always in the hands of the right kind of men.

They are expensive. There is no doubt that they will become more expensive. However, we cannot close our eyes to the fact that we are living in that kind of a world.

We are drafting men, not just those than go into the service professionally, but those who are drafted under the Selective Service Act. We say to them, "It is your responsibility as a citizen to go forth and render military service, even on foreign soil."

I am glad of the chance to try to save money. I think that a great deal more money can be saved. At the same time, I am not going to yield anything in quality or effectiveness or refuse to give every advantage to our men that can come from the best, most modern, and most responsive weapons that money can buy and science can build.

This is one of the items that goes to make up the modern weaponry that we need. Much of it has been long delayed.

We already approved the procurement of 58 of these aircraft in production run A. In January 1969 the Air Force, subject to congressional approval, exercised the option provided to procure 57 additional aircraft under production run B. The fiscal year 1970 budget contains authorization for $533 million to procure the first 23 run B aircraft. These 23 aircraft will complete a four-squadron force structure and there will be no commitment to procure any additional aircraft. The Congress will have complete freedom to reexamine this question next year.

We already have a sizable investment since we have obligated funds for 58 aircraft. The follow-on benefits of this investment resulting from the procurement of additional aircraft are yet to be realized.

Through fiscal year 1969 about $2.5 billion has been approved for the C–5A program, including $72 million in fiscal year 1969 for the procurement of long lead items for the 23 aircraft in this bill. In the event of contract cancellation, there is a contingent liability of $30.5 million for termination costs. Thus, if, as I think it will if adopted, this amendment kills all further C–5A procurement, the added loss to the Government, at a minimum, will be $102 million—$72 million in fiscal year 1969 funds for long lead items and $30.5 million in termination costs.

The incremental value of the 23 aircraft involved in terms of cost to the Government for the added airlift capability is self-evident. Any additional aircraft to be procured under the run B option will have to come before the Congress for consideration, and I can assure you that requests for additional aircraft will be subjected to extensive budgetary and cost studies to determine whether or not we are getting airlift value received for the dollars spent.

Regardless of the author's intent, I am of the opinion that the adoption of the Proxmire amendment will kill this program. At best, it will deny funds for one year. Let me outline the implications of that.

The amended Lockheed contract required that the fiscal year 1970 funds be on contract by September 1, 1969. By consent this has now been extended to October 1. The contract stipulates that if such funds are not allotted as required, an equitable adjustment may be made in the price of the 23 aircraft, in the delivery schedule, or in both, if the contractor has incurred additional costs or has been delayed in the work solely because of late funding by the Government. In addition, Lockheed can request termination in the event funds are not allotted as required.

The Air Force has furnished an estimate of the adjustment in price and schedule that will probably be requested by Lockheed if the funding of the 23 aircraft is delayed by 1 year. The cost increase to the Government, the Air Force asserts, would be $400 to $550 million, and there would be a 1½-year slippage in delivery of the first run B aircraft—from March 1971 to November 1972. These added costs do not include the engine contract, for which the Air Force estimates a cost increase for a 1-year delay of about $50 to $70 million.

The contractor and its subcontractors

and suppliers have about 40,000 experienced employees working on this program. It is not realistic to lay them off and then expect to have them available at the end of 1 year. Many new people would have to be hired and trained.

Finally, negotiation of the prices of run B aircraft after this delay would have to be with the current contractor as the sole source with no contractual commitments or price options available.

Another question is whether the C–5A, at the currently estimated increased cost, is still a good buy. The Air Force says the answer is clearly yes, considering both the need for airlifting "outsize" cargo—a basic C–5A requirement—and normal cargo as evaluated in ton-mile costs.

The "outsize" cargo requirement can be met only with the C–5A. The C–141 can carry only about 65 percent—by type—of the required Army deployment equipment. The loss of mobility which would result if there were no outsize aircraft in the military airlift force cannot be expressed in simple dollar figures.

However, the information furnished by the Air Force shows, even on a pure cost per ton-mile basis, the C–5A is substantially less expensive than the C–141 which is the lowest cost airlift system now operational, and that the C–5A, even with the recent cost increases, is the most economical of any airlift aircraft. There are three ways of showing the distinct economy of operation of the C–5A over other aircraft.

The 10-year cost per ton-mile for the C–5A will be 12 cents; that of the C–141 will be 16 cents. This cost includes procurement plus 10-year operating cost divided by the ton-mile capability.

The direct operating cost per ton-mile of the C–5A will be 2.9 cents; that of the C–141 will be 5.3 cents; and that of the C–124, which is the aircraft that the C–5A replaces in terms of outside capability, is 19.7 cents.

It takes 3.6 squadrons of C–141's to equal the airlift capability of one squadron of C–5A's. The annual operating cost for one squadron of C–5A's is $78 million, while the annual operating cost for 3.6 squadrons of C–141's is $135 million.

Thus, when the added requirement and value of the outsize cargo capability of the C–5A is considered in connection with its economy of operation, the C–5 clearly remains a good buy.

The Proxmire amendment also provides that the GAO should consider whether the purchase of a fourth squadron of C–5A's would make the United States liable for the cost of repairs and modifications necessary to correct "the structural defect revealed in the recent failure of the C–5A wing." Some explanation of this matter is necessary because the quoted language might leave an erroneous impression.

Lockheed is contractually bound to demonstrate in ground static tests that the airplane will withstand forces of 150 percent of the maximum that it is designed to experience in actual flight. Testing to 150 percent of design load limit is done to provide a 50-percent safety margin.

During one of these tests on July 13, 1969, a failure occurred in the form of a large crack in the right wing. The failure occurred at a load of about 125 percent of that for which the airplane was designed.

The Air Force puts this failure in the category of a normal development problem. Engineers generally believe that if no failures occur in stress testing the airplane is probably overdesigned and overweight and thus inefficient in terms of payload and range. The current estimate is that the failure will not delay the completion of the development schedule or production delivery schedule. Corrective action is planned for the first operational aircraft which is to be delivered in December 1969.

I should point out that almost all aircraft have experienced failures of some component during static testing. Wing failure occurred on the B–52A at 139 percent of design load limit; the C–130A between 127 and 135 percent; the C–130B at 139 percent; and the F–104G at 135 percent. The C–141 had a main landing gear frame failure at 129 percent; a vertical tail failure at 135 percent; an aft fuselage failure at 120 percent; and a main landing gear failure at 145 percent. Many additional examples could be cited.

Failures of this nature are not unexpected and, in fact, are a part of the development process. They reveal possible weaknesses in the structures at an early stage in the development and thereby permit design modifications to be incorporated in the production aircraft.

In addition, there is no reason for GAO to study who is responsible for the cost of the repair and modification. Under the terms of the contract, if Congress does authorize further funding of run B aircraft, the cost of modifications made necessary by the cracked wing will be borne by the contractor, subject to the contractual sharing arrangement. The contract makes it clear that all costs associated with correction of this condition above the contract ceiling are Lockheed's contractual responsibility.

Let me summarize briefly. The Defense Department advises that the current program will produce a good aircraft with exceptional performance characteristics which are badly needed in our airlift force structure. I believe that the adoption of the Proxmire amendment will kill the program. Even if it does not, there can only be two results, both bad. In the first place, there will be a delay in delivery of 23 operational aircraft to the Air Force; in the second place, the cost of these aircraft will be driven up even below the levels which exist today and which have been so vigorously criticized by the distinguished Senator from Wisconsin. For all of these reasons, I think the adoption of this amendment would be a serious mistake. I hope it is defeated.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. FULBRIGHT. The Senator mentioned the quality. I agree with him about quality. However, I read in last Sunday's newspaper a very disturbing item about the M–16. I wonder if the Senator could reassure me about its quality.

This article said that the M–16 has proved in actual combat to be subject to corrosion and to malfunction because of being dirty, and so forth, and was not nearly as sturdy as what they call the AK–47; that any time a GI in Vietnam could throw down his M–16 and pick up an AK–47, he would do it.

Has the Senator ever read any such article?

Mr. STENNIS. I did not read that article.

I can say to the Senator that nothing is more important than the rifle, but I do not suppose there ever before has there been a war that gave us as much trouble as the climate, the mud, and the corrosion in Vietnam. It has been a super test for all. Finally, however, the news I get—there may be some dissent—is that it is almost a heaven-sent weapon with a certain kind of fighting over there and was long needed. We pushed the Defense Department over the line in getting a new source of supply.

Mr. FULBRIGHT. Do I correctly understand the Senator to say that he does not believe the M–16 is an inferior weapon or that the AK–47 is any better?

Mr. STENNIS. Some defects have shown up in it, as I understand; but we were highly pleased when we could get it into the hands of our men for this kind of fighting, and we are trying now to get it into the hands of the South Vietnamese troops.

Mr. FULBRIGHT. I am glad the Senator reassures us that it is the best in the business, because this article plainly said the opposite. I was very disturbed about it.

I agree with the Senator that they should have the best, but the best is not always necessarily the most expensive.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. I yield 3 additional minutes.

Mr. FULBRIGHT. I recently read an article about the new Swedish fighter plane which was exhibited at the Paris air show. I think it indicated that the plane cost approximately $2 million, compared with the considerably greater cost of ours. It indicated that the Swedes have made a better plane than ours, at less cost.

Mr. STENNIS. That is beyond my knowledge.

Mr. FULBRIGHT. It is an article in the newspaper. I did not write it.

Mr. STENNIS. I do not read all the newspapers.

I will be glad to look into it. I do not think there are many planes better than ours—our better ones.

Mr. FULBRIGHT. It is the cost. That is what is partly involved in this contract—that is, that this is an improvident and excessively extravagant plane and that the contract was very improvidently drawn. This is part of the picture. It is not that anybody wishes to deny the Armed Forces a good weapon. But there should be some choice between what we get for our money—whether we have no regard whatever for the taxpayer or whether the sky is the limit when we buy an airplane.

Mr. STENNIS. We can buy some weap-

ons elsewhere, but we are not going to be dependent upon some other country for spare parts of an essential weapon.

Mr. FULBRIGHT. That is not my point. I am not advising that we buy anywhere else. But it seems to me that unless Congress exercises some supervision and questions the Pentagon, all we are going to do is to spend twice as much as we need to spend. That is the point.

I am a member of the Committee on Finance. We are dealing now with taxes. I have to be responsible and take the heat for raising the taxes, I suppose, from time to time. And this is the committee that provides the money from the taxpayers. But it seems to me that Congress should have some regard for careful spending of money. That is the only point I am making. I do not advise that we buy Swedish planes, but surely we should be able to make planes as good as those made by the Swedes, for approximately the same cost.

Mr. GOLDWATER. Mr. President, will the Senator yield, so that I may try to answer the distinguished Senator from Arkansas?

Mr. STENNIS. I yield 2 minutes.

Mr. GOLDWATER. We are talking about apples and oranges. The Swedish airplane is an air superiority fighter for use over the Swedish homeland. It is not a long-range fighter or an all-weather fighter. It has a single jet capability. We manufacture a fighter plane in this country that is as good as that airplane, but we have not found any use for it. We have been providing the F–5 for South Vietnam. It is a very worthwhile weapon.

As to the apples and oranges reference I used, the Swedish fighter plane can be considered the apples and the C–5A the oranges. We have to have all-weather capability, and we have to have long-range capability. The aircraft we have designed will serve tactical purposes, also. We hope, with the new Air Force fighter, to come up with a good interceptor aircraft, which we have not built in 15 years.

When one picks an isolated item such as the French Mystere, that is a very fine aircraft. I do not think it would fit into the U.S. Air Force's plans, any more than our F–4 would particularly fit into the French Air Force's plans. They, by the way, are becoming competitive with us in the world markets, but I do not think the world would buy their planes if they could get ours.

Mr. FULBRIGHT. Since the Senator brought it up, I wish he would straighten me out about two items. One is the fighter aircraft we sold to Germany, or at least our design was sold, and the other is the F–111. They raise questions of prudence in spending of money. I did not mean to say we had no adequate planes, but do we produce comparable planes at similar cost?

Mr. GOLDWATER. If we did not build planes for the purposes for which we need them, we could eliminate a great deal of avionics and become more cost comparable with foreign countries. The F–104 is no longer in our inventory. It was not in our inventory for a great length of time. It was made both in Japan and Germany. The German Air Force, I must say had quite a few accidents which were not caused by the aircraft. They finally overcame the problem, and they have a fine interceptor for short range, but of great capability. If we were in danger of being attacked on our own soil, this is the type of interceptor we would have.

The F–111 all along has been named incorrectly. It should not have the designation "fighter." It should be a B–111. This, I must say, was an expensive airplane. The contract was let by Secretary McNamara, over the advice of every person connected with it, to a company that the experts felt would not make as good an aircraft as the lowest bidder.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GOLDWATER. I ask for 2 additional minutes.

Mr. STENNIS. Mr. President, I am sorry. I yield 1 additional minute.

Mr. GOLDWATER. The aircraft now, for its purposes as a bomber, a carry-on strategic bomber, is working very well. I do not mean to say that we have to eliminate the advanced manned strategic system, because the B–111 will not replace the B–52. We have to go past it.

So the answer, I hope, has been contained in these words to the Senator from Arkansas.

Mr. STENNIS. Mr. President, I am sorry, but I do not have additional time to spare.

Mr. FULBRIGHT. Has the Senator from Wisconsin any time?

Mr. PROXMIRE. I have very little time. I would be happy to yield when I finish. How much time does the Senator wish?

Mr. FULBRIGHT. Two minutes.

Mr. PROXMIRE. I yield 2 minutes to the Senator.

Mr. FULBRIGHT. Mr. President, I think that what has taken place in the Senate, largely due to the efforts of the Senator from Wisconsin in raising questions, is that for the first time in my memory we have really seriously raised questions about these weapons systems.

A serious question was raised about the F–111 in the committee—not on the Senate floor, as I recall, but in the committee. Now we are raising questions here. I think it is entirely proper.

It seems to me that with respect to these contracts, such as the C–5A, which has been widely publicized, something should be done. All the Senator from Wisconsin is doing is saying, "Let us take a little further look at it."

If we reject the amendment, it will simply open the floodgates to the Pentagon, and they will have no restraint whatever in anything they wish to do. There will be no limit on what they can spend or what kind of contract they make. The point is to try to bring some balance between the cost and the quality, as the Senator from Mississippi (Mr. STENNIS) has remarked. We all want quality. We do not have it, by any means. In a number of cases the Pentagon has not been successful. We would like to have quality every time. But I do not think quality or prudence are promoted by not looking into these matters, and, on occasion, at least holding up authorizations pending a survey or reconsideration as in the C–5A amendment proposed by the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, before summarizing the major arguments in support of the C–5A amendment, I shall explain once again what the amendment does.

PURPOSE OF THE AMENDMENT

The amendment removes from S. 2546 the funds earmarked for the purchase of 23 additional aircraft, $533 million. The first 58 C–5A's authorized, funded, and under construction are not affected by my amendment. No matter how the Senate votes today, the Air Force will have at least 58 C–5A's, assuming the Lockheed Corp. does not default on its contract.

The funds for the 23 additional aircraft are deleted by the amendment for a specific purpose. That purpose is to give the Comptroller General of the United States time to conduct and submit to the Congress a comprehensive study and investigation of the past and projected costs of the 23 additional aircraft. The study by the Comptroller General would include the following matters:

First, whether the additional 23 C–5A's are an economic replacement for the C–141 and other aircraft in view of the great increase in both the procurement and operating costs of the C–5A.

Second, whether the purchase of the fourth squadron—the 23 additional aircraft—would add significantly to our deployment capability.

Third, whether purchase of the fourth squadron would make the United States liable for all contractor losses and termination costs if the fifth and sixth squadrons were not procured. I might add at this point that Lockheed has already expressed its opinion that the Government has obligated itself to purchase six squadrons of C–5A's, or a total of 120 planes. The Air Force denies this. It seems to me essential that Congress know exactly what the Government's legal obligations are in this case before funds for new purchases are authorized.

Fourth, whether purchase of the fourth squadron would make the Government liable for the cost of repairs and modifications necessary to correct the structural defect revealed in the recent failure of the C–5A wing. By the way, I put this question directly to the Air Force some time ago. I have gotten a lot of gobbledygook back, but no satisfactory response.

Fifth, the current cost estimates necessary to complete construction of the first three squadrons—58 aircraft—the fourth squadron, and the fifth and sixth squadrons, including the cost of spares and operating expenses over the next 10 years. It is simply amazing to me that the Air Force has consistently refused to bring its cost estimates up to date during the past year. The most recent Air Force report, the Whitaker report, admits that it used cost estimates made last October. In fact, those estimates were based on data gathered in August of 1968. In other words, the most recent data allowed to emerge from the Pentagon on the costs of the C–5A is over a year old. Why has the Air Force hidden the most current cost estimates? Have costs escalated again so that there will be fur-

ther overruns? Are the cost overruns now substantially higher than $2 billion?

Sixth, the cost implications of triggering off the repricing formula on the fourth squadron and the fifth and sixth squadrons of C–5A aircraft. It will be recalled that the C–5A contract negotiated by the Air Force contains a blatant reverse incentive in that the higher the costs to produce the first three squadrons, the higher the price of additional squadrons. This, of course, creates a possibility of reversing the usual industrial production cost trends whereby the costs of production decrease as the number of units produced increase.

The Comptroller General would transmit the results of his study to the Congress no more than 90 days after the enactment of the act. His report would also contain such recommendations as he might deem appropriate. However, let me make clear that the function of the investigation would be to provide the Congress with an independent source of analysis and facts about the C–5A. The ultimate decision to go ahead with further C–5A purchases or to suspend purchases is for Congress to make. The General Accounting Office would be merely serving its traditional role as an investigative and factfinding arm of the Congress.

The overall purpose of the C–5A amendment is clear. It is to suspend the authorization of funds for purchase of the fourth squadron until Congress has a comprehensive and reliable set of facts on which it can base a decision. For it is also clear that Congress cannot at the present time make an intelligent judgment about the facts in this case.

REASONS FOR SUPPORTING THE AMENDMENT

The Air Force has systematically hidden the facts about the C–5A. In effect, Congress was deceived about the nature of the contract and the cost status of the program. The repricing formula was not made known until the Subcommittee on Economy in Government discovered it in November 1968.

The Air Force failed to disclose the huge cost overruns. In the spring of 1968 Air Force spokesmen testified before House and Senate congressional committees that there were no overrun problems. A few months later my committee learned that the C–5A would cost $2 billion more than Congress had been told it would cost. By the way, Congress was also told as recently as last January that the aircraft would be delivered on time and would exceed its performance specifications. We now know that the first deliveries will be at least 6 months late. We also have reason to believe that performance standards have been degraded, that the Air Force has waived its right to have the FAA certify the airworthiness of the plane, and that actual performance may very well be less than the original contract performance specifications.

WHAT WILL THE C–5A COST?

No one in Congress can say with any degree of accuracy what the C–5A will actually cost. The C–5A is a flying pig in the poke. In view of the already huge overruns, the likelihood that costs will continue to escalate, and the failure of the Air Force to satisfactorily explain the cost increases, Congress would be remiss in its duties to the taxpayer to rush into the purchase of 23 additional C–5A's.

There is mounting evidence that the 23 C–5A's in question will not be an economic replacement for the C–141 and other aircraft.

WHY 81 RATHER THAN 58 PLANES?

The Air Force has not shown why the military justification for the rapid deployment concept requires 81 C–5A's, in addition to the remainder of our airlift capability, rather than 58 C–5A's. Again, it should be kept in mind that no challenge has been made to the 58 aircraft now under construction. Only the fourth squadron of 23 planes is being questioned.

The 90-day delay in the authorization of funds called for by the amendment cannot possibly have an adverse effect on national security. The argument that time is of the essence in this case is a spurious one. The C–5A has little if anything to do with the real defense of this nation. Rapid deployment has been defended as a part of a long-range policy which contemplates American withdrawal from some foreign bases and the return of some troops from overseas. But this policy has not yet been adopted. Even if the policy were to be adopted, there has been no showing that rapid deployment objectives could not be attained with the 58 C–5A's now under construction. Furthermore, in light of our enormous stockpile of nuclear weapons and our tremendous arsenal of conventional arms, the argument that a 90-day delay in the authorization of a fourth squadron of C–5A's in any way endangers the defense program is plainly ridiculous.

DEFECTIVE CONTRACT

The Air Force entered into a bad contract, filled with defects, deficiencies and ambiguities, detrimental to the interests of the Government and the public in addition to the repricing formula, the Air Force now concedes that the economic escalation clause and others are fuzzy and confusing. The Air Force, after much prodding from Congress is now attempting to renegotiate portions of the contract. The question is, however, how much will the Air Force give away to Lockheed this time? Surely, the contractor is not about to relinquish its advantages under the contract without consideration. My amendment will enable the government to negotiate from strength.

WITNESSES GAGGED

In addition to the serious disclosure problems, the Air Force has attempted to distort and manipulate the public record. It tried to gag at least one witness invited to testify before the Subcommittee on Economy in Government and later attempted to doctor written testimony submitted subsequent to the taking of oral testimony. Air Force officials have also been guilty of tampering with Air Force internal reports so as to conceal the existence of the cost overruns. Investigations by the SEC and the Justice Department into this aspect of the C–5A case are currently underway. Only last Friday, the latest evidence of possible SEC violations was made public. In light of the shocking record of bad faith on the part of the Air Force, it simply cannot be relied upon by the Congress for the true facts about this program.

It is time to call a halt to Air Force mistakes, Air Force giveaways, and Air Force bad faith in connection with the C–5A program. A monumental record of inept management, waste, and inefficiency has already been established in this program. After the billions of taxpayers' dollars that have been expended on the C–5A the public is entitled to some assurance that future expenditures are absolutely essential to national security.

WHY IS THE FOURTH SQUADRON NECESSARY?

And that is the main point of the amendment. At present, no Member of the Senate can assure his constituency of the need for pouring yet more billions of dollars into the C–5A program. No Senator can in good faith tell the people of his State what the C–5A will cost. No Senator can truthfully say that the fourth squadron of C–5A's is economically or militarily justified. The purpose of the amendment is not to terminate the C–5A program, but rather to answer the questions about it. I say to those of my colleagues who have accepted the Air Force arguments in favor of further purchases, the Air Force has demonstrated its inability to be either candid or objective with the Congress when it comes to the C–5A. The Air Force has deceived and misled the Congress in this matter again and again.

Now is the time to obtain the facts about the C–5A from a new source independent of the Air Force.

FUTURE BURDEN MAY BE SCANDALOUS

Mr. President, sometimes it is necessary to pull back the facade and curtain to get behind the facts. I have come across something which to me is alarming. It grows out of a statement made by the Senator from Mississippi on the floor of the Senate in connection with the C–5A last Wednesday and also what he said last August.

In August, the Senator from Mississippi inserted into the RECORD questions prepared by the Armed Services Committee and the answers supplied by the Department of Defense. Question No. 3 inquired about the effect on the present program if fiscal year 1970 procurement funding is delayed. The Pentagon's response was to the effect that Lockheed would soon run out of Government funds and "It is doubtful that Lockheed would be able to finance on its own the costs of continuing the run A production during this time period. As a result, there is a substantial likelihood that the contractor would be forced to default the contract for the run A aircraft."

On September 3, the Senator from Mississippi (Mr. STENNIS) made the same argument. He said:

> First, government funds will be exhausted before the first of the year, and the contractor will then be confronted with whether he will continue the program under his own financing even though he is legally liable to deliver the 58 aircraft under run A. If the contractor should default on run A, the Air Force indicates it is possible that the number of planes to be received will be somewhere between 10 and 20 rather than 58. In the meantime, well over $2 billion in government funds will have been expended on this program for which we will have little to show.

This argument is disturbing because it completely ignores the merits of the case. The Senate is being asked not to consider either the economic justification or the military justification for the fourth squadron. Instead, the Senate is being faced with the threat that if funds are not authorized for the fourth squadron the contractor will default on his contract and fail to deliver the first three squadrons. Since Congress has already appropriated over $2 billion for this contract, for the first three squadrons, it would indeed be an enormous waste of money if the Government were not to obtain the first three squadrons.

This kind of argument, advanced by the Department of Defense, seems to me to come close, at least, to placing the Senate in the position of one who is being blackmailed. It sounds like someone is delivering an ultimatum: pay up a half billion dollars as an installment on the fourth squadron, or the Government does not get the first three squadrons.

There is another equally disturbing inference to be drawn from this argument. Let us assume, as the Pentagon assures us, that the contractor will run out of Government funds before the first of the year. The Air Force has also stated that if the contract is terminated, after 58 planes have been produced, the Lockheed Corp. will lose over $600 million. Since this corporation, according to my information, has a net worth of under $400 million, a prospect of such a loss could induce it to refuse to continue to perform. Let me say parenthetically at this point that no one in Congress really knows how much Lockheed stands to lose because no one knows how much this contract is costing. As I have stated before, our most recent cost data is over a year old. It has been provided to us by the Air Force and has not been verified to my satisfaction.

But let us assume that Lockheed would lose over $600 million at the end of the first 58 planes. How would the funds authorized in the bill before us today improve the contractor's position? The bill provides for $225 million to cover the overrun on the first 58 airplanes. My amendment does not touch these funds. Of that $225 million. I am informed $100 million has already been spent, under the continuing authorization which followed the end of the fiscal year. The remainder of this money will be exhausted by the end of the year. The bill also contains $210 million for spare parts. This money would not be available to the contractor to cover the costs of production of the first 58 aircraft.

Most of the remaining funds in the bill are earmarked for the fourth squadron. The contractor is expected to make a profit on the 23 planes so that the huge loss of $671 million is reduced to $507 million, which means that next year we will be faced with bailing out Lockheed again on this same C–5A.

One possibility, I suppose, is that other funds in the bill before us today would be diverted from their intended purpose and applied to the cost of production of the first 58 aircraft. For example, it would violate the intent of Congress to use the funds earmarked in the bill for the fourth squadron in order to pay the remaining costs of the first three squadrons.

As I said, diverting funds from this bill to pay the remaining costs of the first three squadrons of C–5A's would violate the intent of Congress. If this is what is expected to occur, I believe the Members of the Senate are entitled to know these facts before voting on this bill. If it is expected that the contractor will be permitted to apply part of the money from the fourth squadron to pay for the cost of the first three squadrons, then I think we ought to know that. We ought to vote with our eyes open.

If those are the facts, I do not criticize the Senator from Mississippi for passing them on to his colleagues. At the same time, one may wonder about the Pentagon's role in managing the taxpayers' dollars and one may wonder whether the Senate has been reduced to the status of silent counsel to the Department of Defense. For money authorized by this Congress for a specific purpose is not supposed to be used for any other purpose.

In addition, the pay-up-or-else kind of choice that is being presented to us, that is, pay-up for the fourth squadron or we do not get the first three squadrons, denies the Senate the authority to make any decision. Rather, we become merely subject to the ability of Government contractors to perform efficiently, and to the financial arrangements made between the Pentagon and its contractors.

Is the Federal Government so intimidated by its contractors that it must continue to dole out public money for new contracts, regardless of whether or not they are needed, so that the contractors will not default on the old contracts?

Do Defense contractors have such a stranglehold on the Government that it is really they, not us, who control the public purse strings?

Is the Congress deliberating over a public issue, with the authority to make a public decision, or are we merely weighing the amount of tribute to be paid to the Defense industry?

I say to the Senate today that if we go along with the Pentagon's arguments, we will be in no better position next year than we are in today. In no better position, just a question of whether we drown in 50 feet of water or 40 feet of water.

If the contractor is faced with a staggering loss today, he will be faced with an almost equally staggering loss a year from today even if the funds for the fourth squadron are authorized. If the funds for the fourth squadron are used to pay the remaining costs of the first three squadrons, next year we will be confronted with a similar argument. Next year, we will be told that a fifth squadron is necessary, and the reason will be because the contractor is unable to cover the costs of the fourth squadron, or even of the first three squadrons.

We have been assured during these debates on several occasions that the fifth and sixth squadrons are not in this bill. We have been told that the decision to go ahead with the fifth and sixth squadrons will be made a year from now. But I have learned only yesterday that there is money in this bill for the fifth squadron. $52 million in the bill before us is set aside for long-leadtime items for procurement of 20 aircraft in fiscal year 1971. That is what the committee report states.

Frankly, I had assumed that this money was intended to be used in connection with the fourth squadron. However, I am now informed that the long-leadtime items are for the fifth squadron. So we are dealing to some extent with the fifth squadron in this bill.

This fact reinforces my conviction that the Congress is being entrapped into spending more billions of dollars for C–5A's which we may not need. It reenforces my conviction that the Senate must delay the decision to go ahead with the authorization of funds for the fourth or fifth squadrons.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the September 6 Milwaukee Journal entitled "A Place To Save Money."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A PLACE TO SAVE MONEY

Of all the outrageous skeletons in the Pentagon's abundant closets, one of the worst is the cost escalation of almost $2 billion in the contract for the huge C–5A jet transport planes. Thus, Senator Proxmire's efforts to bar expenditures for more of the planes, pending a thorough investigation by the General Accounting Office, makes eminently good sense. His amendment does not affect the 58 planes already authorized by Congress.

According to Congressional testimony, the estimated costs of 120 planes, including spare parts, under the contract with Lockheed has shot up more than $1.9 billion—from $3.4 billion to $5.3 billon—since 1965. That cost increase, by the way, is six times the total 1969 City of Milwaukee expenditures controlled by the common council.

Proxmire presents persuasive evidence that Lockheed realized it could not fulfill the terms of its original bid, but offered an unrealistically low figure undercutting Boeing and Douglas to get the contract.

The Senator also is trying to get the Pentagon to release two reports that indicate that the Government would be wasting money if it bought more than 58 of the transports—the world's largest planes. Proxmire points out that ferrying capacity of private contract fliers more than meets military needs.

One central conclusion is that, in the event of war anywhere in the world, the Army would not be able to mobilize troops fast enough to make use of more than 58 of the gigantic planes. However, the Department of Defense has refused to release the reports, falling back on the old excuse of national security.

Air Force officials acted disgracefully in trying to cover up the cost escalation until Proxmire and other Congressional investigators caught up with them late in 1968. When one courageous employee testified, the Air Force tried to get rid of him, then relegated him to a minor post where, as Proxmire put it, he was told to check "cost overruns on a bowling alley in Thailand."

Defense Secretary Laird has promised more efficient management over multi-million dollar defense contracts. A good start would be the suspension of any more C–5A purchases pending a complete investigation.

Mr. PROXMIRE. Mr. President, I yield the floor.

Mr. HARRIS. Mr. President, I will vote against the amendment of Senator PROXMIRE to hold up continued funding of the C–5A plane because I believe the amendment is not in the national interest. We

need the ability to move large numbers of troops and heavy materiel with the rapidity and economy which this plane provides. I am hopeful that with continued funding of the C–5A we may be able to bring home soon a substantial number of American troops presently stationed in Europe. To be able to bring home a substantial number of American troops would help us in several important ways, including the reduction of our balance-of-payments deficit.

While I am strongly in favor of the greatest possible efficiency and the lowest possible cost in the production of this plane, I believe at the present time that the plan for production and delivery of these planes should be carried out.

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. How much time remains for each side?

The PRESIDING OFFICER. The Senator from Mississippi has 3 minutes remaining.

Mr. PROXMIRE. Mr. President, I yield back the remainder of my time.

Mr. STENNIS. Mr. President, I yield back the remainder of my time.

Mr. President, another parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Mississippi will state it.

Mr. STENNIS. What is the pending question now before the Senate?

The PRESIDING OFFICER. The question is on adoption of the amendment of the Senator from Wisconsin.

Mr. STENNIS. This is, then, a straight yea and nay vote?

The PRESIDING OFFICER. The Senator is corect, but the yeas and nays have not yet been ordered.

Mr. PROXMIRE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. STENNIS. Mr. President, this is the Proxmire amendment as originally offered, is it not? There are no amendments to the amendment?

The PRESIDING OFFICER. The Senator from Mississippi is correct.

Mr. STENNIS. Those, of course, in favor, will vote yea, and those opposed will vote nay; is that not correct?

The PRESIDING OFFICER. The Senator is correct.

All time on the amendment has now been yielded back. The question is on agreeing to the amendment of the Senator from Wisconsin.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. COOK (after having voted in the affirmative). Mr. President, on this vote, I have a live pair with the Senator from Colorado (Mr. DOMINICK). If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." Therefore, I withdraw my vote.

Mr. BYRD of West Virginia (after having voted in the affirmative). Mr. President, on this vote, I have a live pair with the senior Senator from Missouri (Mr. SYMINGTON). If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." Therefore, I withdraw my vote.

Mr. MANSFIELD (after having voted in the affirmative). Mr. President, on this vote, I have a pair with the distinguished junior Senator from Alabama (Mr. ALLEN). If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." Therefore, I withdraw my vote.

Mr. KENNEDY. I announce that the Senator from Idaho (Mr. CHURCH), the Senator from Washington (Mr. MAGNUSON), and the Senator from Connecticut (Mr. RIBICOFF) are absent on official business.

I further announce that the Senator from Hawaii (Mr. INOUYE), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Missouri (Mr. SYMINGTON), and the Senator from Alabama (Mr. ALLEN) are necessarily absent.

I further announce that, if present and voting, the Senator from Idaho (Mr. CHURCH) would vote "yea."

On this vote, the Senator from Connecticut (Mr. RIBICOFF) is paired with the Senator from Tennessee (Mr. BAKER). If present and voting, the Senator from Connecticut would vote "yea," and the Senator from Tennessee would vote "nay."

Mr. SCOTT. I announce that the Senator from Colorado (Mr. DOMINICK) is necessarily absent, and his pair has been previously announced.

The Senator from Tennessee (Mr. BAKER) is absent because of death in his family, and is paired with the Senator from Connecticut (Mr. RIBICOFF). If present and voting, the Senator from Tennessee would vote "nay" and the Senator from Connecticut would vote "yea."

The result was announced—yeas 23, nays 64, as follows:

[No. 82 Leg.]

YEAS—23

Case	Hughes	Proxmire
Eagleton	Kennedy	Saxbe
Ellender	Mathias	Schweiker
Fulbright	McGovern	Tydings
Goodell	Metcalf	Williams, N.J.
Hart	Mondale	Yarborough
Hartke	Nelson	Young, Ohio
Hatfield	Pell	

NAYS—64

Aiken	Goldwater	Murphy
Allott	Gore	Muskie
Anderson	Gravel	Packwood
Bayh	Griffin	Pastore
Bellmon	Gurney	Pearson
Bennett	Hansen	Percy
Bible	Harris	Prouty
Boggs	Holland	Randolph
Brooke	Hollings	Russell
Burdick	Hruska	Scott
Byrd, Va.	Jackson	Smith
Cannon	Javits	Sparkman
Cooper	Jordan, N.C.	Spong
Cotton	Jordan, Idaho	Stennis
Cranston	Long	Stevens
Curtis	McClellan	Talmadge
Dodd	McGee	Thurmond
Dole	McIntyre	Tower
Eastland	Miller	Williams, Del.
Ervin	Montoya	Young, N. Dak.
Fannin	Moss	
Fong	Mundt	

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—3

Byrd of West Virginia, for.
Cook, for.
Mansfield, for.

NOT VOTING—9

Allen	Dominick	McCarthy
Baker	Inouye	Ribicoff
Church	Magnuson	Symington

So the amendment was rejected.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. BYRD of West Virginia. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 107

Mr. PROXMIRE. Mr. President, on behalf of myself, Mr. CASE, Mr. GORE, Mr. YARBOROUGH, Mr. YOUNG of Ohio, Mr. METCALF, Mr. MONDALE, Mr. TYDINGS, Mr. COOK, Mr. EAGLETON, and Mr. PACKWOOD, I call up my disclosure amendment (No. 107) and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. STENNIS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE's amendment (No. 107) is as follows:

At the end of the bill add a new section as follows:

"SEC. 402. (a) As used in this section—

"(1) The term 'former military officer' means a former commissioned officer of the Armed Forces of the United States who—

"(A) served on active duty for any period of time as a member of a regular component of the Armed Forces in the grade of colonel (or equivalent) or above,

"(B) serve on active duty for a period of ten years or more and, at any time during the five-year period immediately preceding his last discharge or release from active duty, was directly engaged in the procurement of any weapon system or directly engaged in the negotiation, renegotiation, approval, or disapproval of any contract for the procurement of services or materials for or in connection with any weapon system, or

"(C) served, for any period of time during the five-year period immediately preceding his last discharge or release from active duty, as a representative of the Department of Defense at the factory or plant of a defense contractor in connection with work being performed by such contractor on any weapon system.

"(2) The term 'former civilian employee' means any former civilian officer or employee of the Department of Defense—

"(A) whose annual salary at any time during the five-year period immediately preceding the termination of his last employment with the Department of Defense was equal to or greater than the minimum annual salary rate at such time for positions in GS–15,

"(B) who was directly engaged, at any time during the five-year period immediately preceding the termination of his last employment with the Department of Defense, in the procurement of any weapon system or directly engaged in the negotiation, renegotiation, approval, or disapproval of any contract for the procurement of services of materials for or in connection with any weapon system, or

"(C) who served, for any period of time

during the five-year period immediately preceding the termination of his last employment with the Department of Defense as a representative of the Department of Defense at the factory or plant of a defense contractor in connection with work being performed by such contractor or any weapon system.

"(3) The term 'defense contractor' means any individual, firm, corporation, partnership, association, or other legal entity, which provides services and materials to or for the Department of Defense in connection with any weapon system.

"(4) The term 'services and materials' means either services or materials or services and materials which are provided as a part of or in connection with any weapon system.

"(5) The term 'weapon system' means any aircraft, vessel, tracked combat vehicle, or missile, or any part or component thereof.

"(6) The term 'Department of Defense' includes any military department thereof.

"(b) Any former military officer or former civilian employee who—

"(1) was employed for any period of time during any calendar year by a defense contractor,

"(2) represented any defense contractor during any calendar year at any hearing, trial, appeal, or other action in which the United States was a party and which involved services and materials provided or to be provided to the United States by such contractor, or

"(3) represented any such contractor in any transaction with the Department of Defense involving services or materials provided or to be provided by such contractor to the Department of Defense,

shall file with the Secretary of Defense, in such form and manner as the Secretary may prescribe, not later than March 1 of the next succeeding calendar year, a report containing the following information:

"(1) His name and address.

"(2) The name and address of the defense contractor by whom he was employed or whom he represented.

"(3) The title of the position held by him with the defense contractor.

"(4) A brief description of his duties with the defense contractor.

"(5) His military grade while on active duty or his gross annual salary while employed by the Department of Defense, as the case may be.

"(6) A brief description of his military duties while on active duty or while employed by the Department of Defense during the three-year period immediately preceding his release from active duty or the termination of his civilian employment, as the case may be.

"(7) A description of any work performed by him in connection with any weapon system while serving on active duty or while employed by the Department of Defense, as the case may be, if the defense contractor by whom he is employed is providing substantial services or materials for such weapon system, or is negotiating or bidding to provide substantial services or materials for such weapon system.

"(8) The date on which he was released from active duty or the termination of his civilian employment with the Department of Defense, as the case may be, and the date on which his employment with the defense contractor began and, if no longer employed by such defense contractor, the date on which his employment with such defense contractor terminated.

"(9) Such other pertinent information as the Secretary of Defense may require.

"(c) Any employee of the Department of Defense who was previously employed by a defense contractor in any calendar year and—

"(1) whose annual salary in the Department of Defense is equal to or greater than the minimum annual salary rate for positions in GS–15,

"(2) who is directly engaged in the procurement of any weapon system or is directly engaged in the negotiation, renegotiation, approval, or disapproval of any contract for the procurement of services or materials for or in connection with any weapon system, or

"(3) who is serving or has served as a representative of the Department of Defense at the factory or plant of a defense contractor in connection with work being performed by such contractor on any weapon system,

shall file with the Secretary of Defense, in such form and manner as the Secretary may prescribe, not later than March 1 of the next succeeding calendar year, a report containing the following information:

"(1) His name and address.

"(2) The title of his position with the Department of Defense.

"(3) A brief description of his duties with the Department of Defense.

"(4) The name and address of the defense contractor by whom he was employed.

"(5) The title of his position with such defense contractor.

"(6) A brief description of his duties at the time he was employed by such defense contractor.

"(7) A description of any work performed by him in connection with any weapon system while he was employed by the defense contractor or while performing any legal services for such contractor, if such contractor is providing substantial sevices or materials for such weapon system or is negotiating or bidding to provide substantial services or materials for such weapon system.

"(8) The date on which his employment with such contractor terminated and the date on which his employment with the Department of Defense began thereafter.

"(9) Such other pertinent information as the Secretary of Defense may require.

"(d)(1) No former military officer or former civilian employee shall be required to file a report under this section for any year in which he was employed by a defense contractor if the total cost to the United States of services and materials provided the United States by such contractor during such year was less than $10,000,000; and no employee of the Department of Defense shall be required to file a report under this section if the total cost to the United States of services and materials provided the United States by the defense contractor by whom such employee was employed was less than $10,000,000 in each of the applicable calendar years that he was employed by such contractor.

"(2) No employee of the Department of Defense shall be required to file a report under this section for any calendar year on account of employment with or services performed for a defense contractor if such employment was terminated or such services were performed five years or more prior to the beginning of such calendar year.

"(e) The Secretary of Defense shall, not later than May 1 of each year, file with the President of the Senate and the Speaker of the House of Representatives a report containing a list of the names of persons who have filed reports with him for the preceeding calendar year pursuant to subsections (b) and (c) of this section. The Secretary shall include after each name so much information as he deems appropriate, and shall list the names of such persons under the defense contractor for whom they worked or for whom thy performed services.

"(f) Any former military officer or former civilian employee whose employment with a defense contractor terminated during any calendar year shall be required to file a report pursuant to subsection (b) of this section for such year if he would otherwise be required to file under such subsection; and any person whose employment with the Department of Defense terminated during any calendar year shall be required to file a report pursuant to subsection (c) of this section for such year if he would otherwise be required to file under such subsection.

"(g) The Secretary shall maintain a file containing the information filed with him pursuant to subsections (b) and (c) of this section and such file shall be open for public inspection at all times during the regular workday.

"(h) Any person who fails to comply with the filing requirements of this section shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by not more than six months in prison or a fine of not more than $1,000, or both.

"(i) No person shall be required to file a report pursuant to this section for any year prior to the calendar year 1970."

Mr. PROXMIRE. Mr. President, I ask for the yeas and nays on this amendment.

The yeas and nays were ordered.

Mr. STENNIS. Mr. President, will the Senator yield to me for a moment?

Mr PROXMIRE. I yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, we do not have controlled time on this amendment. The yeas and nays have been ordered. I know that the Senator from Wisconsin wishes to give an explanation of the amendment, and I shall respond briefly. There may be a vote upon it fairly soon.

The next amendment after this one, I hope, will be the amendment regarding the aircraft carrier, which is offered by the Senator from Minnesota and the Senator from New Jersey. They have been very cooperative about the matter, and will perhaps call up their amendment later today, as I understand.

I mention this simply for the information of the Senate. We do not have a proposal for controlled time now, but I think the two authors of that amendment and I will be able to make a recommendation to the Senate on the matter sometime soon after the debate begins. Of course, the majority leader will speak for the program for tomorrow otherwise, but I do wish to get that amendment before the Senate.

Mr. PROXMIRE. Mr. President, may I say to the Senator from Mississippi that I do not expect to take much time on my pending amendment. I hope we can have a vote on it by 5:30, or perhaps earlier. If the Senator wishes to enter into a unanimous-consent agreement on time, I shall be happy to do so, but I think we can get to a vote promptly without it.

Mr. STENNIS. Perhaps we should. Mr. President, if we can have order and these visitors will sit down and be quiet, I think the Senator is certainly entitled to be heard, and it will expedite matters greatly.

The PRESIDING OFFICER. The Senate will be in order.

Mr. PROXMIRE. Mr. President, I wish to modify the amendment I have sent to the desk as follows:

On page 1, line 2, after the word "former" at the end of line 2, add the words "or retired."

The purpose of the addition is to make clear that the amendment applies to "retired" as well as "former" military officers.

The PRESIDING OFFICER. The yeas and nays having been ordered, unanimous consent is required to modify the amendment.

Mr. PROXMIRE. I ask unanimous consent that I be permitted to make that modification.

The PRESIDING OFFICER. Without objection, the amendment will be so modified.

Mr. PROXMIRE. I have an additional modification, as follows:

On page 8, line 13, strike out "No" and insert in lieu thereof, the following:

"No former or retired military officer or former civilian employee shall be required to file a report under this section for any calendar year on account of active duty performed or employment with the Department of Defense if such active duty or employment was terminated five years or more prior to the beginning of such calendar year; and no".

The purpose of the modification is self-explanatory. It limits the period of reporting to 5 years after officers or civilian employees leave the Pentagon and go to work for defense contractors.

I ask unanimous consent that this further modification be permitted.

The PRESIDING OFFICER. Without objection, the amendment will be so modified.

Mr. PROXMIRE. The fundamental principle behind the amendment is that "sunlight is a great disinfectant." The amendment would affect three classes of persons. Annual disclosure statements would be required from former or retired high ranking military officers, and all former or retired military procurement officers who go to work for major defense contractors.

The amendment would also apply to former high ranking civilian officers and all former civilian procurement officers who work for the major contractors.

Finally, it would apply to former employees of defense contractors who come to work for the Pentagon.

Let me outline the major provisions.

RETIRED MILITARY OFFICERS

The amendment would require retired officers of the rank of colonel or Navy captain and above, and procurement officers and former military plant representatives of lesser rank who work for companies doing more than $10 million a year business with the Pentagon, to disclose certain facts to the Secretary of Defense, by March 1 of each year.

This would include their names, the title and description of their work during the 3 years prior to retirement, the date of their retirement, the date of employment with the contractor, and the title and description of their work with the contractor. In addition the amendment would require a declaration of any work on planning, research, or decision-making on any product, contract, weapon system or component in which the officer was involved while at the Pentagon and in which his employer has a substantial interest.

Mr. President, much of the information this amendment seeks from former officers is now submitted by retired officers under a statement of employment (Department of Defense Form 1357). What this amendment does is to require additional information about the nature of their work while they were at the Pentagon with special reference to the details of any procurement work they were involved in in which their civilian employer has a substantial interest.

Of course this requirement would apply only to those high ranking officers and procurement officers of lower ranks who go to work for defense contractors.

No one can claim, therefore, that the amendment would call for excessive paperwork. Much of the information is now provided but not generally made public.

FORMER CIVILIAN OFFICIALS

The amendment calls for disclosure of the same information from former civilian employees of the Pentagon of grade 15 or above. It also calls for disclosure by former civilian officials of whatever rank who were involved in procurement and who work for or represent companies doing more than $10 million a year business with the Pentagon. The amendment would apply not only to former high-ranking civilians who work directly for the contractors, but also to those who "represent" them in any transaction for services or materials. Its intention is to require disclosure by lawyers and others who are involved in procurement.

If a former Assistant Secretary of the Air Force, Army, or Navy left the Pentagon and went into private law practice he could be required to report under this amendment.

If he represented the contractor on an income tax or a bond issue matter, he would not have to report. But if he was retained to represent, or did represent the contractor on a matter involving a weapons system or services or materials to the Pentagon, he would be required to report.

The test is whether he is retained by and represents the contractor in a transaction.

If a contractor retains him and he makes a phone call to the Pentagon or takes an admiral to lunch or plays golf at Burning Tree Country Club on behalf of his client contractor, the former high ranking officia. would have to file an annual disclosure statement so long as his services were retained.

I think such a requirement is long overdue. And in fairness to former high ranking military officers, it is just as important if not more so to require disclosure from former high ranking civilians.

FORMER CONTRACTOR'S EMPLOYEES

The amendment calls for similar disclosure by present Pentagon civilian employees who previously worked for a contractor doing more than $10 million in business with the Pentagon. It requires disclosure by them of any work by them on specific products, research, weapon systems or components in which his previous employer had a substantial interest, in order that conflicts may not develop.

FREEDOM OF INFORMATION

The amendment requires that the information be open to inspection by the press and public at the Pentagon.

The amendment also calls for the Secretary to make an annual report to Congress by May 1 of each year giving the information in an organized and tabulated form. While the reporting requirement in the bill has been written in general terms, in order to avoid requiring an excessive amount of data, it is nonetheless the intent of this provision that the pertinent information be provided or summarized.

SUNLIGHT IS A GREAT DISINFECTANT

Mr. President, while I believe that it is extremely important that the very weak conflict-of-interest laws now on the books should be strengthened, I also believe that disclosure can be of great help. There is an old saying that sunlight is a great disinfectant.

Furthermore, this amendment is appropriate to this bill while the proposal I made earlier for tightening the conflict-of-interest laws would apply to the Government as a whole and should properly have hearings to consider them before they are passed.

Basically what my amendment does is to require more detailed information from high-ranking officers and all former procurement officers and plant representatives who go to work for the big companies than is now required. As I have said, much but not all of the information is now in the hands of the Pentagon.

But the major change is to require the same detailed data from the former civilian employees. This, I think, is a very proper requirement and is long overdue.

But more important is the fact that the amendment requires the Pentagon to make the data open to inspection by the press and the public, which they formerly refused to do. In addition, it requires that an annual report be made to the Congress. This, I believe, will make it possible for Congress and the public to gain an overall view of the situation.

REGULAR FLOW OF INFORMATION

Mr. President, what my amendment would do is to make information available on an annual basis which, in the past has been available only when insisted upon by Members of Congress.

In 1969 I asked for and received from the Pentagon a list of high ranking former military officers now employed by the 100 largest defense contractors. The list given to me totaled 2,124 former officers in the employ of the 100 largest contractors. Ten companies alone employed 1,065, or over half of them. They are given in tables 1 and 2, which I ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

TABLE 1.—*A list of the 100 largest companies ranked by 1968 value of prime military contracts and number of retired colonels or Navy captains and above employed by them, February 1969*

1. General Dynamics Corp	113
2. Lockheed Aircraft Corp	210
3. General Electric Co	89
4. United Aircraft Corp	48
5. McDonnell Douglas Corp	141
6. American Telephone & Telegraph	9
7. Boeing Corp	169
8. Ling-Temco-Vough, Inc	69
9. North American Rockwell Corp	104
10. General Motors Corp	17
11. Grumman Aircraft Engineering Corp	31
12. AVCO Corp	23
13. Textron, Inc	28
14. Litton Industries, Inc	49
15. Raytheon Co	37
16. Sperry Rand Corp	36
17. Martin Marietta Corp	40
18. Kaiser Industries Corp	11
19. Ford Motor Co	43
20. Honeywell, Inc	26
21. Olin Mathieson Chemical Corp	3
22. Northrop Corp	48
23. Ryan Aeronautical Co	25
24. Hughes Aircraft Co	55
25. Standard Oil of New Jersey	2
26. Radio Corp. of America	35
27. Westinghouse Electric Corp	59
28. General Tire & Rubber Co	32
29. Int'l Telephone & Telegraph Corp	34
30. IBM	35
31. Bendix Corp	25
32. Pan American World Airways	24
33. FMC Corp	6
34. Newport News Shipbulding	6
35. Raymond/Morrison, etc.[1]	6
36. Signal Companies, Inc. (The)	9
37. Hercules, Inc	13
38. Du Pont, E. I. de Nemours & Co	3
39. Texas Instruments, Inc	7
40. Day & Zimmerman, Inc	1
41. General Telephone & Electronics Corp.	35
42. Uniroyal, Inc	6
43. Chrysler Corp	11
44. Standard Oil of California	6
45. Norris Industries	2
46. Texaco, Inc	4
47. Collins Radio Co	3
48. Goodyear Tire & Rubber Co	6
49. Asiatic Petroleum Corp	0
50. Sanders Associates, Inc	17
51. Mobil Oil Corp	2
52. TRW, Inc	56
53. Mason & Hanger Silas Mason	5
54. Massachusetts Institute of Technology	5
55. Magnavox Co	3
56. Fairchild Hiller Corp	7
57. Pacific Architects & Engineering	16
58. Thiokol Chemical Corp	3
59. Eastman Kodak Co	15
60. United States Steel Corp	2
61. American Machine & Foundry	7
62. Chamberlain Corp	3
63. General Precision Equipment	23
64. Lear Siegler Inc	4
65. Harvey Aluminum, Inc	4
66. National Presto Industrial Inc	0
67. Teledyne, Inc	8
68. City Investing Co	4
69. Colt Industries, Inc	4
70. Western Union Telegraph Co	5
71. American Manufacturing Co. of Texas	0
72. Curtiss Wright Corp	1
73. White Motor Co	1
74. Aerospace Corp	6
75. Cessna Aircraft Co	0
76. Emerson Electric Co	3
77. Seatrain Lines, Inc	4
78. Gulf Oil Corp	1
79. Condec Corp	1
80. Motorola, Inc	3
81. Continental Air Lines, Inc	4
82. Federal Cartridge Corp	1
83. Hughes Tool Co	13
84. Vitro Corp. of America	25
85. Johns Hopkins Univ	13
86. Control Data Corp	14
87. Lykes Corp	0
88. McLean Industries, Inc	2
89. Aerodex, Inc	5
90. Susquehanna Corp	7
91. Sverdrup & Parcel Assoc., Inc	9
92. States Marine Lines Inc	0
93. Hazeltine Corp	7
94. Atlas Chemical Indus., Inc	0
95. Vinnell Corp	0
96. Harris-Intertype Corp	4
97. World Airways, Inc	4
98. International Harvester Co	6
99. Automatic Sprinkler Corp	3
100. Smith Investment Co	0
Total	2,124

[1] Raymond Int'l. Inc.; Morrison-Knudsen Co., Inc.; Brown & Root, Inc.; and J. A. Jones Construction Co.

TABLE 2.—10 MILITARY PRIME CONTRACTORS EMPLOYING LARGEST NUMBER OF HIGH-RANKING RETIRED MILITARY OFFICERS, AND VALUE OF THEIR FISCAL YEAR 1968 CONTRACTS

Company and rank by number of high-ranking retired officers employed	Number employed, Feb. 1, 1969	Net dollar value of defense contracts, fiscal year 1968 (millions)
1. Lockheed Aircraft Corp	210	$1,870
2. Boeing Co	169	762
3. McDonnell Douglas Corp	141	1 101
4. General Dynamics	113	2,239
5. North American Rockwell Corp	104	669
6. General Electric Co	89	1,489
7. Ling Temco Vought, Inc	69	758
8. Westinghouse Electric Corp	59	251
9. TRW, Inc	56	127
10. Hughes Aircraft Co	55	286
	1,065	9,552

Mr. PROXMIRE. Mr. President, it has been 10 years since similar information has been made public. In 1959, during the hearings on the Renegotiation Act, former Senator Paul H. Douglas asked for and received similar details. In that year there were 721 former high ranking officers employed by the top 100 companies—88 out of 100 reporting. I ask unanimous consent that table 3, listing those 100 companies alphabetically and giving the number of high ranking ex-officers each employed be printed in the RECORD at this point.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

TABLE 3.—*Alphabetical list of the 100 largest companies by 1958 value of prime military contracts and number of retired colonels or Navy captains and above employed by them, June 1959*

1. American Bosch Arma Corp	(1)
2. American Telephone & Telegraph Co.	1
3. Asiatic Petroleum Corp	(1)
4. Avco Corp	4
5. Bath Iron Works Corp	2
6. Beech Aircraft	(2)
7. Bell Aircraft Corp	3
8. Bendix Aviation Corp	14
9. Bethlehem Steel Co	8
10. Blue Cross Association	(1)
11. Boeing Airplane Co	30
12. Brown-Raymond-Walsh	(1)
13. California Institute of Technology	(1)
14. Cessna Aircraft Co	1
15. Chance Vought Aircraft Inc	6
16. Chrysler Corp	11
17. Cities Service Co	4
18. Collins Radio Co	5
19. Continental Motors Corp	2
20. Continental Oil Co	2
21. Curtiss-Wright Corp	4
22. Defoe Shipbuilding Co	(1)
23. Douglas Aircraft Co. Inc	15
24. E. I. du Pont de Nemours & Co	1
25. Eastman Kodak Co	12
26. Fairchild Engine & Airplane Corp	7
27. Fairbanks Whitney Corp	4
28. Firestone Tire & Rubber Corp	3
29. Food Machinery & Chemical Corp	6
30. Ford Motor Co	5
31. The Garrett Corp	2
32. General Dynamics Corp	54
33. General Electric Co	35
34. General Motors	(3)
35. General Precision Equipment Corp	(2)
36. General Tire & Rubber Co	28
37. Gilfillan Brothers Inc	(1)
38. B. F. Goodrich Co	1
39. Goodyear Tire & Rubber Co	2
40. Greenland Contractors	(2)
41. Grumman Aircraft Engineering Corp	1
42. Hayes Aircraft Corp	3
43. Joshua Hendy Corp	(1)
44. Hercules Powder Co. Inc	1
45. Hughes Aircraft Co	7
46. International Business Machine Corp	3
47. International Telephone & Telegraph Corp	24
48. The Johns Hopkins University	16
49. The Kaman Aircraft Corp	1
50. Peter Kiewit Sons Co	1
51. Lear, Inc	2
52. Lockheed Aircraft Corp	60
53. Marine Transport Lines, Inc	1
54. Marquardt Aircraft Co	2
55. The Martin Co	15
56. Massachusetts Institute of Technology	(2)
57. Mathiasen's Tanker Industries, Inc	1
58. McDonnell Aircraft Corp	4
59. Minneapolis Honeywell Regulator Co	(1)
60. Motorola, Inc	(2)
61. Newport News Shipbuilding & Dry Dock Co	6
62. North American Aviation, Inc	27
63. Northrop Aircraft Inc	16
64. Olin Mathieson Chemical Corp	6
65. Oman-Farnsworth-Wright	(1)
66. Morrison-Knudsen Co., Inc	1
67. Pan American World Airways, Inc	(2)
68. Philco Corp	17
69. Radio Corp. of America	39
70. The Rand Corp	14
71. Raytheon Mfg. Co	17
72. Republic Aviation Corp	9
73. Richfield Oil Corp	4
74. Ryan Aeronautics Co	9
75. Shell Oil Corp	(1)
76. Sinclair Oil Corp	1
77. Socony Mobil Oil Co	1
78. Sperry Rand Corp. (Gen. Douglas MacArthur not included)	12
79. Standard Oil Co. of California	(2)
80. Standard Oil Co. of Indiana	(2)
81. Standard Oil of New Jersey	1
82. States Marine Corp	(1)
83. Sundstrand Machine Tool Co	(2)
84. Sunray Mid-Continent Oil Co	(1)
85. Sylvania Electric Products, Inc	6
86. Temco Aircraft Corp	6
87. Texaco, Inc	(1)
88. Thiokol Chemical Corp	8
89. Thompson Ramo Wooldridge, Inc	6
90. Tidewater Oil Co	3
91. Tishman (Paul) Co., Inc	(1)
92. Todd Shipyards Co	2

TABLE 3.—*Alphabetical list of the 100 largest companies by 1958 value of prime military contracts and number of retired colonels or Navy captains and above employed by them, June 1959*—Continued

93. Union Carbide Corp	4
94. Union Oil Co. of California	(1)
95. United States Lines Co	(1)
96. United Aircraft Corp	15
97. Westinghouse Air Brake Co	42
98. Westinghouse Electric Corp	33
99. The White Motor Co	(1)
100. System Development Corp	2
Total	721

[1] None.
[2] Not available.
[3] Survey being taken.

Source: CONGRESSIONAL RECORD, June 17, 1959, pp. 11044–45. Statement by former Senator Paul H. Douglas.

Mr. PROXMIRE. Mr. President, in the meantime, efforts by the press and public to get such information from the Pentagon failed even though the Pentagon had such information available from the data from the statement of employment it requires each retired officer to make and to keep up to date.

My amendment will regularize what I think is a proper disclosure practice. In addition, it will extend disclosure requirements to civilian as well as former military officers.

Mr. President, I ask unanimous consent that an article in the August 26 issue of Look magazine entitled, "Generals for Hire," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GENERALS FOR HIRE

(By Berkeley Rice)

For those who have trouble understanding the complexities of the military-industrial complex, one graphic illustration is the traffic in retired military officers who join the defense industry. More than 2,000 retired generals, colonels, Navy admirals and captains now work for the 100 largest defense contractors. Their numbers have tripled in the last ten years. The top ten firms employ more than half of the 2,000. Many of these had been involved in the contracting process on major weapons systems. Their decisions often meant millions of dollars to companies for whom they now work.

Sen. William Proxmire (D., Wis.) calls this a "dangerous and shocking situation." While not charging anyone with corruption, he claims the trend represents "a distinct threat to the public interest." The threat, he says, is twofold: high-ranking retired officers may be using their influence at the Pentagon to affect decisions on contracts with their companies; active officers involved in procurement may be influenced by the prospect of jobs with companies they are buying from. Defense contractors, of course, deny the charges of influence-peddling, and insist they hire ex-military men because of their expertise, and not in reward for past favors.

Despite these denials, research on the employment of retired officers reveals some intriguing patterns. Take the Minuteman II missile program, which has climbed from an original price of $3.2 billion to $7 billion. One of the major subcontractors is North American Aviation ($669 million in 1968 defense contracts). Its autonetics division produces the missile's guidance system for the Air Force. Two Air Force plant representatives and a project officer for the contract recently retired and joined North American autonetics, one as division manager. Lt. Gen. W. Austin Davis, ex-chief of USAF's Ballistic Systems Divisions, which handled the contract, is now a vice president of North American. His chief procurement officer also joined the company, which employs a total of 104 high-ranking retired officers, including several other Air Force generals.

Asked if this employment pattern is unusual, a senior Pentagon official remarked, "It happens all the time. Almost all the officers who have anything to do with procurement go into the business. Naturally, they go to the companies they've had the most contact with. If you check the history of any missile or weapon program you'll find the same story."

The story usually ends with the Defense Department paying far more than the original estimate. When the Navy contracted with Pratt & Whitney for 2,000 engines for the controversial TFX, or F–111, the original bid was $270,000 per engine. By 1967, when production began, the price had risen to more than $700,000 apiece. The man who signed the production contract was Capt. Patrick Keegan, the Navy's plant representative at Pratt & Whitney. Soon afterward, he retired from the Navy and joined P & W as special assistant to the executive vice president. Sharing his office was another special assistant, a former colonel who until his retirement had been in charge of engine purchases for the Air Force.

The problem of plant representatives is crucial, for they are the watchdogs who supposedly guard against delays, failures and cost overruns on a contract. At Marietta, Ga., where Lockheed Aircraft Corporation ($1.8 billion in 1968 defense contracts) is turning out the giant C–5A jet transport, 230 Air Force officers watch over production. Despite all this supervision, however, the C–5A is well behind schedule, and the final price on 115 planes has climbed from the original bid of $1.9 billion to $3.2 billion. The fact that some of these Air Force production supervisors will probably join the 210 other retired generals and colonels at Lockheed makes one wonder about their objectivity.

There are some limits on what kind of work these men may do when they retire. Federal laws prohibit retired officers from selling to the Department of Defense for three years after retirement and to their own service for life. However, the laws are vague about what constitutes "selling." Since 1962, the Department has taken action in only one case involving a major contractor. Asked why, a Defense Department legal officer comments, "I doubt if anybody here is vigorously beating the bushes trying to discover violations of the selling laws."

Since the purpose of defense companies is to sell to the Defense Department, some observers feel the question as to which employees are engaged in sales is ridiculous. Anyway, most large firms now call their salesmen "marketing men." At defense companies, many of the marketing men are retired officers, but they do not sign the contracts.

W. T. "Pete" Higgins, a former Navy officer, is "marketing manager for naval programs" for an electronics company. "I come with the team that makes the presentation," he admits, "but only as an adviser. With my background in naval electronics, I know damn well I'm helping the company get contracts." Does this mean using his influence? "That's nonsense," says Higgins. "Anything of significance goes through ten to fifteen levels in the chain of command before a final decision. Only peanuts are settled on a single level that could be influenced by personal interest."

Helping the company get defense contracts is a popular non-selling job for high-ranking retired officers. They usually have titles like "assistant to the president" or "director of advanced planning," but they are known in the trade as "rainmakers." Regardless of how much clout they have at the Pentagon, they bring to their companies valuable inside knowledge of service plans for future weapons systems. When a general or admiral who has been involved in planning or research on a big project retires, defense contractors bid for his services as eagerly as any professional football team after a top college quarterback. When Maj. Gen. Harry Evans reired in 1967 as vice director of the Air Force's $3 billion Manned Orbiting Laboratory program, he was immediately hired as vice president and general manager of Raytheon's Space and Information Systems Division. In 1966, Bell Aerospace Corporation, the Army's largest supplier of helicopters, hired Gen. Hamilton Howze, former chief of Army Aviation, as vice president for product planning.

Most of the large defense companies have highranking ex-officers in their Washington offices. Everyone denies that they have any influence on defense contracts, but they are obviously there because they know their way around the Pentagon. One of them is Lt. Gen. William Quinn, former Army Chief of Public Information, and now in charge of "Washington operations" for Martin Marietta, which produces many of the Army's missiles. "We maintain liaison with Defense," says General Quinn, "but I don't go over to the Pentagon on any sales matters." Asked about using his influence, he admits he knows "half the people in the hierarchy over there," but claims he never uses his contacts for business. "Believe me," says Quinn, "this operation is as clean as a hound's tooth. Our real contribution is in maintaining a dialogue between our companies and the military people."

Just how retired officers can help to "maintain a dialogue" can be seen in the work of an ex-Navy officer who prefers to remain anonymous. He retired in 1968 from the Bureau of Naval Weapons, where he had been involved in the selection of contractors. He now works for one of them as a $200-a-day consultant in Washington. "I know a lot of Navy people here," he says, "and I sort of help the company's men find their way around. The salesmen take care of selling, but if you don't have an intro like me, you waste your time with underlings who don't have any power. If I want a contract, I know exactly who to go to. Some other guys may know the technical stuff, but I know the people. That's my expertise."

Such expertise may raise questions about conflict of interest, but not to most retired officers who have joined the defense industry. Says Pete Higgins, "You take a man who retires around 45 to 50, with his kids ready for college, and he's got a problem. He can't do it on his retired pay. He's got to have a second career. Many of these men have no other marketable experience. Where the hell else do you want them to go!"

No one seems to know, but as they continue to go into the defense industry the contracting process may suffer. One Defense official claims, "the fact that these lucrative job opportunities exist cannot help but influence those who deal with defense contractors. I remember trying to hold down costs on a large contract once, and a general working with me said, 'I must be out of my mind, trying to cut the overhead on this company. I'll be part of that overhead in a few years.' "

When military men spend much of their careers dealing with companies they may eventually work for, they naturally develop some concern for the company's point of view. When 90 percent of the major defense contracts are negotiated in such a congenial atmosphere, price and the public interest can easily become secondary considerations. A normal buyer-seller relationship has a built-in check against this sort of thing, because the buyer must spend his own money. The services do not, a fact which Pentagon officials and procurement officers often seem to forget.

Despite all the criticism of defense spending, most military men look on the growing traffic between the services and the de-

fense industry as natural and proper. An admiral who has made the transition himself claims, "It's good for the military, it's good for the company, and it's good for the country."

It's certainly good for the companies thriving on defense contracts. It may be good, or at least comforting, for the military to deal with former comrades who understand their problems and look forward to jobs in industry. But as defense costs continue to drain funds desperately needed for domestic programs, some Americans are beginning to wonder if "it" is really good for the country.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the list of the 100 largest contractors and the amount of Defense Department prime contracts they received in fiscal year 1968 be printed at the end of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

100 COMPANIES AND THEIR SUBSIDIARIES LISTED ACCORDING TO NET VALUE OF MILITARY PRIME CONTRACT AWARDS

[Fiscal year 1968 (July 1, 1967 to June 30, 1968)]

Rank and name	Thousands of dollars	Percent of U.S. total	Cumulative percent of U.S. total
U.S. total [1]	38,826,625	100.00	100.00
Total, 100 companies and their subsidiaries [2]	26,171,192	67.41	67.41
1. General Dynamics Corp	2,231,488		
Dynatronics, Inc	27		
Stromberg Carlson Corp	7,782		
United Electric Coal Co	42		
Total	2,239,339	5.77	5.77
2. Lockheed Aircraft Corp	1,858,363		
Lockheed Shipbuilding Construction	11,834		
Total	1,870,197	4.82	10.59
3. General Electric Co	1,485,096		
General Electric Supply Co	3,611		
Total	1,488,707	3.83	14.42
4. United Aircraft Corp	1,320,991	3.40	17.82
5. McDonnell Douglas Corp	1,087,660		
Conductron Corp	5,372		
Hycon Manufacturing Co	7,805		
Total	1,100,837	2.84	20.66
6. American Telephone & Telegraph Co	161,405		
Chesapeake & Potomac Telephone Co	13,018		
Illinois Bell Telephone Co	38		
Mountain States Telephone and Telegraph Co	1,872		
New England Telephone & Telegraph Co	549		
New Jersey Bell Telephone Co	529		
New York Telephone Co	152		
Northwestern Bell Telephone Co	235		
Ohio Bell Telephone Co	601		
Pacific Northwest Bell Telephone	160		
Pacific Telephone & Telegraph Co	225		
Southern Bell Telephone & Telegraph	2,178		
Southwestern Bell Telephone	1,197		
Teletype Corp	22,591		
Western Electric Co., Inc	571,177		
Total	775,927	2.00	22.66
7. Boeing Co	762,141	1.96	24.62
8. Ling Temco Vought Inc	50,011		
Altec Services Co	58		
Braniff Airways Inc	46,304		
Continental Electronics Manufacturing Co	4,238		
Jefferson Wire & Cable Corp	151		
Jones & Laughlin Steel Corp	695		
Kentron Hawaii, Ltd	8,549		
L T V Electro systems	123,592		
L T V Aerospace Corp	487,762		
L T V Ling Altec, Inc	886		
Memcor, Inc	25,883		
National Car Rental System	11		
Okonite Co	1,656		
Wilson & Co., Inc	8,299		
Wilson Pharmaceutical & Chemical Corp	16		
Wilson Sporting Goods Co	150		
Total	758,261	1.95	26.57
9. North American Rockwell Corp	668,482		
Remmert-Werner, Inc	159		
Total	668,641	1.72	28.29
10. General Motors Corp	629,515		
Frigidaire Sales Corp	95		
Total	629,610	1.62	29.91
11. Grumman Aircraft Engineering Corp	629,197	1.62	31.53
12. Avco Corp	583,648	1.50	33.03
13. Textron, Inc	18,438		
Accessory Products Co	133		
Bell Aerospace Corp	478,691		
Bell Aerosystems Co	100		
Bostich, Inc	14		
Camcar Screw Manufacturing Co	80		
Fafnir Bearing Co	1,501		
Fanner Manufacturing Co	66		
Talon, Inc	332		
Textron Electronics, Inc	993		
Townsend Co	297		
Waterbury Farrel	102		
Total	500,747	1.29	34.32
14. Litton Industries, Inc	28,752		
Aero Service Corp	822		
Allis (Louis) Co	1,318		
Alvey Ferguson Co	130		
Clifton Precision Products Co	27		
Eureka X-Ray Tube Corp	33		
Ingalls Shipbuilding Corp	277,289		
Kimball Systems, Inc	22		
Litton Precision Products, Inc	6,829		
Litton Systems, Inc	150,386		
Monroe International, Inc	43		
Profexray, Inc	27		
Royal Typewriter Co., Inc	13		
Total	465,691	1.20	35.52
15. Raytheon Co	431,241		
Amana Refrigeration, Inc	18		
Machlett Laboratories, Inc	19,350		
Micro State Electronics Corp	125		
Raytheon Education Co	926		
Seismograph Service Corp	94		
Total	451,754	1.16	36.68
16. Sperry Rand Corp	447,197	1.15	37.83
17. Martin Marietta Corp	357,642		
Amphenol-Borg Electronics, G.m.b.H	286		
Bunker Ramo Corp	35,526		
Total	393,454	1.01	38.84
18. Kaiser Industries Corp	97		
Kaiser Aerospace & Electronic Co	5,615		
Kaiser Jeep Corp	295,803		
Kaiser Steel Corp	52,836		
National Steel & Shipbuilding Co	31,983		
Total	386,334	1.00	39.84
19. Ford Motor Co	76,771		
General Micro-Electronics, Inc	170		
Philco Ford Corp	304,403		
Total	381,344	0.98	40.82
20. Honeywell, Inc	351,625		
Computer Control Co., Inc	57		
Total	351,682	.91	41.73
21. Olin Mathieson Chemical Corp	329,415	.85	42.58
22. Northrop Corp	182,150		
Hallicrafters Co	33,467		
Northrop Carolina, Inc	26,183		
Page Communications Engineers, Inc	67,934		
Secda, Inc	493		
Warnecke Electron Tubes, Inc	29		
Total	310,256	.80	43.38
23. Ryan Aeronautical Co	133,751		
Continental Aviation & Engineering Corp	39,142		
Continental Motors Corp	111,891		
Wisconsin Motor Corp	8,374		
Total	293,158	.76	44.14
24. Hughes Aircraft Co	285,858		
Meva Corp	251		
Total	286,109	.74	44.88
25. Standard Oil of New Jersey	148		
American Cryogenics, Inc	251		
Enjay Chemical Co	93		
Esso A.G	1,310		
Esso International Corp	114,905		
Esso Petroleum Co., Ltd	92		
Esso Research & Engineering Co	1,164		
Esso Standard Eastern, Inc	340		
Esso Standard Italiana	2,035		
Esso Standard Oil Co., S.A	2,584		
Esso Standard S.A.F	119		
Esso Standard Thailand, Ltd	124		
Humble Oil & Refining Co	121,212		
Total	274,377	.71	45.59

Footnotes at end of tables.

100 COMPANIES AND THEIR SUBSIDIARIES LISTED ACCORDING TO NET VALUE OF MILITARY PRIME CONTRACT AWARDS—Continued
[Fiscal year 1968 (July 1, 1967 to June 30, 1968)]

Rank and name	Thousands of dollars	Percent of U.S. total	Cumulative percent of U.S. total
26. Radio Corp. of America	254,961		
RCA Defense Electronics Corp	39		
RCA Institutes, Inc	12		
Total	255,012	.66	46.25
27. Westinghouse Electric Corp	247,664		
Thermo King Corp	1,466		
Thermo King Sales & Service	66		
Westinghouse Electric Supply Co	1,319		
Westinghouse Learning Corp	524		
Total	251,039	.65	46.90
28. General Tire & Rubber Co	11,636		
Aerojet-Delft Corp	979		
Aerojet-General Corp	210,232		
Batesville Manufacturing Co	24,182		
Fleetwood Corp	10		
Frontier Airlines, Inc	21		
General Tire International Co	996		
Total	248,056	.64	27.54
29. International Telephone & Telegraph Corp	135,713		
Amplex Corp	67		
Barton Instrument Corp	37		
Consolidated Electric Lamp Co	11		
Continental Baking Co	2,194		
Federal Electric Corp	65,499		
ITT Electro Physics Laboratories	2,715		
ITT Gilfillan Inc	34,809		
ITT Technicl Services, Inc	521		
Total	241,566	.62	48.16
30. International Business Machines Co	223,023		
Science Research Associates, Inc	199		
Service Bureau Corp	439		
Total	223,661	.58	48.74
31. Bendix Corp	214,398		
Bendix Field Engineering Corp	7,426		
Bendix Westinghouse Automotive	175		
Dage Electric Co., Inc	13		
Fram Corp	1,017		
Mosaic Fabrications, Inc	195		
P & D Manufacturing Co., Inc	331		
Total	223,555	.58	49.32
32. Pan American World Airways, Inc	205,652	.53	49.85
33. FMC Corp	175,860		
Gunderson Bros. Engineering Corp	9,406		
Total	185,266	0.48	50.33
34. Newport News Shipbuilding & Dry Dock Co	181,248		
Nuclear Service & Construction Co., Inc	61		
Total	181,309	.47	50.80
35. Raymond Morrison Knudsen (JV)	176,000	.45	51.25
36. Signal Cos., Inc.:			
Dunham Bush, Inc	465		
Garrett Corp	114,620		
Mack Trucks, Inc	48,407		
Signal Oil & Gas Co	5,792		
Southland Oil Corp	2,287		
Total	171,571	.44	51.69
37. Hercules, Inc	170,242		
Haveg Industries, Inc	1,119		
Total	171,361	.44	52.13
38. du Pont, E. I. de Nemours & Co	30,662		
Remington Arms Co	193,907		
Total	170,569	.44	52.57
39. Texas Instruments, Inc	169,271	.44	53.01
40. Day and Zimmerman, Inc	166,240	.43	53.44
41. General Telephone & Electronics Corp	93		
Automatic Electric Co	9,682		
Automatic Electric Sales Corp	1,829		
General Telephone and Electronic Lab	273		
General Telephone Co., of Southeast	151		
Hawaiian Telephone Co	4,626		
Lenkurt Electric Co., Inc	8,650		
Sylvania Electric Products, Inc	133,706		
Total	159,010	.41	53.85
42. Uniroyal, Inc	154,163		
Uniroyal International Corp	136		
Total	154,299	.40	54.25
43. Chrysler Corp	146,586		
Factory Motor Parts Co	14		
Total	146,600	.38	54.63
44. Standard Oil Co. of Calif	71,462		
Caltex Asia, Ltd.[3]	1,853		
Caltex Oil Products Co.[3]	61,766		
Caltex Oil Thailand, Ltd.[3]	1,995		
Caltex Overseas, Ltd.[3]	379		
Caltex Philippines, Inc.[3]	436		
Chevron Asphalt Co	50		
Chevron Chemical Co	797		
Chevron Oil Co	2,153		
Chevron Oil Co. of Venezuela	1,610		
Chevron Shipping Co	1,297		
Standard Oil Co., Kentucky	2,297		
Standard Oil Co., Texas	122		
Total	146,217	.38	55.01
45. Norris Industries	139,064		
Fyr Fyter Co	202		
Total	139,266	.36	55.37
46. Texaco, Inc	45,404		
Caltex Asia, Ltd.[3]	1,853		
Caltex Oil Products Co.[3]	61,766		
Caltex Oil Thailand, Ltd.[3]	1,995		
Caltex Overseas, Ltd.[3]	379		
Caltex Philippines, Inc.[3]	436		
Jefferson Chemical Co., Inc	105		
Texaco Antilles, Ltd	88		
Texaco Export, Inc	22,561		
Texaco Puerto Rico, Inc	2,451		
White Fuel Co., Inc	984		
Total	138,022	.35	55.73
47. Collins Radio Co	134,754	.35	56.08
48. Goodyear Tire & Rubber Co	55,358		
Goodyear Aerospace Corp	76,201		
Motor Wheel Corp	2,046		
Total	133,605	.34	56.42
49. Asiatic Petroleum Corp	132,796	.34	56.76
50. Sanders Associates, Inc	130,830		
Mithras, Inc	481		
Total	131,311	.34	57.10
51. Mobil Oil Corp	128,065	.33	57.43
52. TRW Inc	126,363		
Globe Industries, Inc	348		
International Controls Corp	672		
Ramsey Corp	14		
United-Carr, Inc	70		
Total	127,467	0.33	57.76
53. Mason & Hanger Slas Mason Co	127,064	.33	58.09
54. Massachusetts Institute of Technology (N)	124,143	.32	58.41
55. Magnavox Co	123,100	.32	58.73
56. Fairchild Hiller Corp	121,165		
Burns Aero Seat Co., Inc	94		
Total	121,159	.31	59.04
47. Pacific Architects & Engineers, Inc	120,895	.31	59.35
58. Thiokol Chemical Corp	119,363	.31	59.66
59. Eastman Kodak Co	117,566		
Eastman Chemical Products Corp	51		
Eastman Kodak Stores, Inc	706		
Total	118,323	.30	59.96
60. United States Steel Corp	108,322		
Reactive Metals, Inc	161		
United States Steel International, Inc	7,679		
Total	116,162	.30	60.26
61. American Machine & Foundry Co	108,871		
Cuno Engineering Corp	1,052		
Total	109,923	.28	60.54
62. Chamberlain Corp	104,441	.27	60.81
63. General Precision Equipment Corp.:			
American Meter Controls, Inc	29		
Controls Co. of America	377		
General Precision Decca Systems	90		
General Precision Systems, Inc	86,361		
Graflex, Inc	1,571		
Industrial Timer Corp	15		
National Theatre Supply	16		
Strong Electrical Corp	3,605		
Tele-Signal Corp	9,686		
Vapor Corp	2,194		
Total	103,944	.27	61.08
64. Lear-Siegler, Inc	74,000		
American Avitron	43		
L S I Service Corp	27,526		
Transport Dynamics, Inc	685		
Verd A Ray Corp	18		
Total	102,272	.26	61.34

Footnotes at end of table.

100 COMPANIES AND THEIR SUBSIDIARIES LISTED ACCORDING TO NET VALUE OF MILITARY PRIME CONTRACT AWARDS—Continued

[Fiscal year 1968 (July 1, 1967 to June 30, 1968)]

Rank and name	Thousands of dollars	Percent of U.S. total	Cumulative percent of U.S. total[1]
65. Harvey Aluminum, Inc.	25,048		
Harvey Aluminum Sales	74,045		
Total	99,093	.26	61.60
66. National Presto Industries, Inc.	96,886	.25	61.85
67. Teledyne, Inc.	77,173		
Adcom, Inc.	309		
Amelco, Inc.	4,146		
Continental Device Corp.	27		
Crystalonics, Inc.	13		
Electro Development Co.	50		
Geotechnical Corp.	25		
Getz William Corp.	128		
Gill Electric Manufacturing Corp.	517		
Hydra Power Corp.	1,017		
Irby Steel Co.	59		
Isotopes, Inc.	802		
Landis Machine Co.	22		
Micronetics, Inc.	346		
Microwave El3ctronics Corp.	30		
Milliken, D. B., Co., Inc.	1,024		
National Geophysical Co., Inc.	92		
Ordnance Specialties, Inc.	24		
Packard Bell Electronics Corp.	6 504		
Penn Union Electric Corp.	11		
Pines Engineering Co., Inc.	158		
Rodney Metals, Inc.	11		
Wah Chang Corp.	26		
Total	92,514	.24	62.09
68. City Investing Co.:			
American Electric Co.	35,966		
Hayes Holding Co.	49,002		
Rheem Manufacturing Co.	1,857		
Wilson Shipyard, Inc.	164		
Total	86,989	.22	62.31
69. Colt Industries, Inc.	2,258		
Chandler Evans, Inc.	10,087		
Colts, Inc.	68,989		
Flox Corp.	194		
Fairbanks Morse, Inc.	4,582		
Pratt & Whitney, Inc.	436		
Total	86,546	0.22	62.53
70. Western Union Telegraph Co.	79,299	.20	62.73
71. American Manufacturing Co. of Texas	76,552	.20	62.93
72. Curtiss Wright Corp.	74,799		
Comet Tool & Die Co.	350		
Zarkin Machine Co.	275		
Total	75,424	.19	63.12
73. White Motor Co.	15,976		
Hercules Engines, Inc.	58,610		
Minneapolis Moline, Inc.	394		
Total	74,980	.19	63.31
74. Aerospace Corp. (N)	73,541	.19	63.50
75. Cessna Aircraft Co.	71,834		
Aircraft Radio Corp.	1,076		
Total	72,910	.19	63.69
76. Emerson Electric Co.	63,776		
Pace, Inc.	68		
Rantec Corp.	31		
Ridge Tool Co.	26		
Supreme Products Corp.	8,807		
Wiegand (Edwin L.) Co.	134		
Total	72,842	.19	63.88
77. Seatrain Lines, Inc.	42,039		
Commodity Chartering Corp.	1,667		
Hudson Waterway Corp.	22,547		
Transeastern Shipping Corp.	4,348		
Total	70,601	.18	64.06
78. Gulf Oil Corp.	66,934		
Goodrich Gulf Chemicals, Inc.	81		
Gulf Oil Trading Co.	259		
Pittsburgh Midway Coal Mining Co.	104		
Total	67,378	.17	64.23
79. Condec Corp.	65,162		
Consolidated Controls Corp.	1,587		
N J E Corp.	155		
Total	66,904	.17	64.40
80. Motorola Inc.	65,715		
Motorola Overseas Corp.	218		
Total	65,933	.17	64.57
81. Continental Air Lines Inc.	64,523	.17	64.74
82. Federal Cartridge Corp.	64,519	.17	64.91
83. Hughes Tool Co.	62,353	0.16	65.07
84. Vitro Corp of America	59,674		
Vitro Minerals Corp.	1,471		
Total	61,145	.16	65.23
85. Johns Hopkins University (N)	57,674	.15	65.38
86. Control Data Corp.	50,225		
Associated Aero Science Labs, Inc.	1,891		
CEIR, Inc.	852		
Control Corp.	142		
Electronic Accounting Card Corp.	723		
Pacific Technical Analysts, Inc.	1,705		
TRG, Inc.	1,264		
Total	56,802	0.15	65.53
87. Lykes Corp.	55,247		
Gulf South American Steamship Co.	683		
Total	55,930	.14	65.67
88. McLean Industries, Inc.			
Equipment, Inc.	5,902		
Gulf Puerto Rico Lines, Inc.	259		
Sea-Land Service, Inc.	49,751		
Total	55,912	.14	65.81
89. Aerodex, Inc.	55,345	.14	65.95
90. Susquehanna Corp.	2,415		
Atlantic Research Corp.	51,452		
Xebec Corp.	886		
Total	54,753	.14	66.09
91. Sverdrup Parcel Association Inc.	1,396		
Aro, Inc.	53,165		
Total	54,561	.14	66.23
92. States Marine Lines, Inc.	54,015	0.14	66.37
93. Hazeltine Corp.	53,781	.14	66.51
94. Atlas Chemical Industries, Inc.	53,574	.14	66.65
95. Vinnell Corp.	51,609	.13	66.78
96. Harris-Intertype Corp.	913		
Gates Radio Co.	796		
PRD Electronics, Inc.	20,613		
Radiation, Inc.	29,156		
Total	51,478	.13	66.01
97. World Airways, Inc.	51,358	.13	67.04
98. International Harvester Co.	51,271	.13	57.17
99. Automatic Sprinkler Corp. of America	50,395		
Badger Fire Extinguisher Co.	38		
Total	50,433	.13	67.30
100. Smith Investment Co.:			
Smith, A. O. Corp.	40,323		
Smith, A. O. of Texas	9,998		
Total	50,321	.13	[4] 67.43

[1] Net value of new procurement actions minus cancellations, terminations, and other credit transactions. The data include debit and credit procurement actions of $10,000 or more, under military supply, service and construction contracts for work in the United States plus awards to listed companies and other U.S. companies for work overseas. Procurement actions include definitive contracts, the obligated portions of letter contracts, purchase orders, job orders, task orders, delivery orders, and any other orders against existing contracts. The data do not include that part of indefinite quantity contracts that have not been translated into specific orders on business firms, nor do they include purchase commitments or pending cancellations that have not yet become mutually binding agreements between the Government and the company.

[2] The assignment of subsidiaries to parent companies is based on stock ownership of 50 percent or more by the parent company, as indicated by data published in standard industrial reference sources. The company totals do not include contracts made by other U.S. Government agencies and financed with Department of Defense funds, or contracts awarded in foreign nations through their respective governments. The company names and corporate structures are those in effect as of June 30, 1968, and for purposes of this report company names have been retained unless specific knowledge was available that a company had been merged into the parent or absorbed as a division with loss of company identity. Only those subsidiaries are shown for which procurement actions have been reported.

[3] Stock ownership is equally divided between Standard Oil Co. of California and Texaco, Inc.; half of the total of military awards is shown under each of the parent companies.

[4] Does not agree with percentage shown on 2d line at beginning of table due to rounding.

Mr. PROXMIRE. Mr. President, there are a number of examples why this disclosure legislation is needed. I ask unanimous consent that excerpts from the speech I gave in the Senate on June 25, 1969, giving the details of testimony received by my subcommittee on this matter, as well as the letter I sent to the Attorney General about it, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Congressional Record, June 25, 1969]

Mr. PROXMIRE. Mr. President, yesterday, I sent a letter to the Attorney General calling on him to act on testimony before the Subcommittee on Economy in Government, of the Joint Economic Committee. The testimony appeared to bring out what was a clear violation of the conflict-of-interest laws and regulations.

I enclosed pages 631 to 634 of the transcript of our hearings for June 10, 1969, when Mr. Merton Tyrrell testified, and I also referenced excerpts from a memorandum from Mr. A. E. Fitzgerald to Air Force Gen. J. W. O'Neill, which appeared on page 1044 of the transcript for Friday, June 13, 1969.

The testimony related to five Air Force officers who dealt with the Minuteman missile contracts. They retired and went to work for the company, the Autonetics Division of North American Rockwell or the parent company, where they had represented the Government on contracts the company held.

Two of the men were Air Force plant representatives at the company. A third was the guidance and control project officer in charge of the guidance systems the company was making. A fourth was in charge of the Ballistic Systems Division pricing for the Air Force before he retired and went to work for the company. A fifth was the general in command of the Ballistics Systems Division who dealt with the company on these contracts.

The problem is presented most forcefully in an excerpt from Mr. Fitzgerald's memorandum to Gen. J. W. O'Neill. In it he stated:

"In formulating a broad management improvement plan for Minuteman I believe you should consider the problem posed by the mass migration of Air Force officers into the management ranks of contractors with whom they have dealt."

Mr. Fitzgerald continues:

"The Air Force Plant Representative (AFPR) . . . who revoked our clearance at Autonetics is now a division manager at Autonetics. His predecessor, equally protective of the contractor's interest, is also now employed by North American Aviation. The procurement officer who blocked access by the Minuteman Program Control Office to Autonetics contract negotiation records is now employed by North American Aviation. The immediate superior of the project office who was excluded from Autonetics' plant is now employed by Autonetics. The officer cited to me as responsible for killing the cost reduction project I contracted to perform at Autonetics is now employed by North American Aviation."

It is quite clear that these officers represented the Government in connection with the Minuteman missile system and the guidance and control systems of the Minuteman missile with the North American Rockwell Co. and its Autonetics Division subsidiary. It is also clear that they went to work for the company following their retirement from the service.

Title 18, section 207 of the United States Code certainly appears to make such action illegal. It provides that anyone who has been an officer or employee of the Government and then "knowingly acts as agent or attorney for anyone other than the United States in connection with a judicial or other proceeding, application, request for a ruling or other" and I emphasize "other proceeding, determination, contract, claim, controversy, charge, accusation or other particular matter involving a specific party or parties in which the United States is a party or has a direct and substantial interest and in which he participated personally and substantially as an officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, while so employed, shall be fined, etc."

It is clear that these men participated personally and substantially as officers of the Government in a wide variety of decisions affecting North American Rockwell.

As high-placed employees of the Autonetics Division of North American Rockwell and of the parent company which did some $668 million in defense work in 1968 there appears to be every reason to believe that they acted as agents for the company in connection with proceedings and contracts or other particular matters in which they were involved as specific parties when they were agents and officers of the U.S. Government.

It is one thing for a military or civilian officer of the Government to retire and go to work generally for a company doing business with the Government. It is another thing for those who represented the Government in the plant and in direct negotiation and supervision of contracts with a particular company to then go to work for that company.

As I wrote to the Attorney General:

"If this is not a conflict of interest, then the laws and the DOD directives are not worth the paper they are written on."

Mr. President, I ask unanimous consent that the letter I sent to the Attorney General and the excerpts from the transcript of the hearings which I mentioned be printed in the RECORD.

CONGRESS OF THE UNITED STATES,
JOINT ECONOMIC COMMITTEE,
Washington, D.C., June 23, 1969.

HON. JOHN N. MITCHELL,
Attorney General of the United States, Department of Justice, Washington, D.C.

MY DEAR ATTORNEY GENERAL: On Tuesday, June 10, 1969, the Subcommittee on Economy in Government of the Joint Economic Committee heard testimony from Mr. Merton Tyrrell, Executive Vice President of the Performance and Technology Corporation. Mr. Tyrrell had performed work for the Defense Department and the Air Force in connection with the cost efficiency of the production of the guidance and control systems for the Minuteman Missile. In the course of his work he had visited the plants of the contractor and conferred extensively with representatives of the Air Force and the company.

During his testimony, Mr. Tyrrell mentioned what he believed were the harmful effects on efficiency and costs when military or civilian Defense Department contracting, procurement, and plant representative officials go to work for the very firms where they have previously represented the Government on contracts held by these companies.

Under questioning by me Mr. Tyrrell gave a number of specific examples where the plant representatives of the Air Force retired and went to work directly for the company (Autonetics Division of North American Rockwell) where they had just been representing the Government on contract work for the Air Force. In this case, the four men mentioned by Mr. Tyrrell worked on the Minuteman contract for the Air Force and then went to work for the Minuteman contractor. Two of them had been plant representatives for the Air Force. A third was the guidance and control project officer for the Air Force. A fourth was in charge of BSD pricing for the Air Force before he retired and went to work for the company.

In addition to these four, a memorandum provided by the Air Force indicates that the General in Command of the Ballistics Systems Division who dealt with the company on these contracts, also went to work for the company. (See p. 1044, Friday, June 13, 1969 transcript of hearings).

In 1968, North American Rockwell, the parent company, was the 9th largest defense contractor and had contracts worth some $668 million in that year. As of February 1969, they employed over 100 retired military personnel of the rank of Colonel or Navy Captain and above.

I am enclosing copies of pages 631–634 of the transcript of the hearing where the testimony is given.

I am forwarding this testimony to you for action. If true, and I have no reason to doubt the testimony, these acts appear to be a clear violation of the conflict of interest laws, regulations, Executive Orders, and codes of ethics laid down by the Defense Department, the Civil Service Commission, and by the Congress. If these acts are not a violation then, contrary to the repeated representations and statements by the Defense Department, either the laws are toothless or their enforcement is feeble. If this is not a conflict of interest, then the laws and the DOD directives are not worth the paper they are written on.

I say this because when I made public the list of almost 2100 former retired officers of the rank of Colonel or Navy Captain and above who in February of this year were working for the 100 largest defense contractors, I received reassurances that the laws and regulations against conflict of interest were effective from no less a person than the Assistant Secretary of Defense for Installations and Logistics, the Honorable Barry J. Shillito.

Concerning these former officers, Secretary Shillito wrote:

"Their employment, as is the case of all of our approximately 700,000 retired military personnel, is covered by regulation and laws which are designed to prevent conflict of interest."

In reference to the conflict of interest statutes (P.L. 87–649, 87–778, and 87–849 plus the policies and procedures implementing them in DOD Directive 5500.7), Secretary Shillito said:

"We feel these controls are sound and are working."

I therefore urge you to take immediate action in this case as well as any others brought to light by our hearings.

When government contracting officers and representatives—whether civilian or military—leave the government and go to work directly for a company where they have just been representing the government on contracts with that company, there certainly appears to be a prima facie case of a serious conflict of interest.

With best wishes.

Sincerely,

WILLIAM PROXMIRE,
U.S. Senator.

EXCERPTS FROM JUNE 10, 1969, HEARINGS OF THE SUBCOMMITTEE ON ECONOMY IN GOVERNMENT OF THE JOINT ECONOMIC COMMITTEE, PAGES 631–634

Senator PROXMIRE. Thank you gentlemen, very much.

Mr. Tyrrell, this is one of the most shocking examples of waste and extravagance that I have seen in the years I have been in Washington.

As I understand it, on Minuteman overall, we have been told by a witness before our committee last November, there was a profit of 42 percent on invested capital. Now, in your statement you refer to the harmful

effects as you put it "of the switchover of personnel between Government and industry," the very thing Senator Goldwater and I were discussing, that is, procurement officials who go to work for the industry, and sometimes industry officials who come in and go to work in procurement. Can you explain what you mean specifically, how much of a problem was it on Minuteman—let me put it this way—first, how many Defense Department officials, civilian or military, made the switch over to the contractor?

Mr. TYRRELL. Well, in the area of the guidance and control area alone, there were a number of them. For example, the Air Force Plant Representative when we first arrived there, Colonel Roland, retired and went to work for Autonetics. Another Air Force Plant Representative while we were there, Colonel Yockey, retired and went to work for Autonetics.

Senator PROXMIRE. What jobs did these men hold in the Defense Department before they went to work?

Mr. TYRRELL. They were the Air Force Plant Representative who was locally stationed at the contractor's plant and who in effect headed up the administrative administration of the guidance and control contracts.

Senator PROXMIRE. Isn't there a law that prohibits a procurement official from going to work for the contractor with whom he is dealing within a period of two years?

Mr. TYRRELL. I am not a lawyer, sir, and I could not tell you if there is a law to that effect.

Senator PROXMIRE. At any rate, you know as a matter of fact that these men did work on the Minuteman contract for the Air Force?

Mr. TYRRELL. That is correct.

Senator PROXMIRE. And then went directly to work for the Minuteman contractor?

Mr. TYRRELL. That is correct.

Senator PROXMIRE. What were their jobs with the contractor when they went to work for them?

Mr. TYRRELL. Yockey I believe is a director of the business operations there.

Major Klecker, who was the guidance and control project officer, is assistant program manager at Autonetics.

I am not familiar with Colonel Roland's title.

Senator PROXMIRE. Are there other people whose names you could give us?

Mr. TYRRELL. Well, as I mentioned, Major Klecker, who was the project officer, went to work for Autonetics.

Additionally, when we first arrived there there was a Colonel Richard Cathcart who subsequently retired and went to work for Autonetics. And he was the head of the PSD pricing before his retirement.

Senator PROXMIRE. In your judgment, is this prevalent in defense industry in its relationship with the Defense Department?

Mr. TYRRELL. I think it is relatively prevalent. We see it quite frequently. And a number of personnel or military people do retire at a relatively early age, and they quite frequently go to work for the defense contractors.

Senator PROXMIRE. Is it your conviction that this is one of the reasons why there is a soft attitude toward cost overrun and why there isn't the kind of strict surveillance and discipline which you recommend?

Mr. TYRRELL. I think it probably relates to that. I am not sure whether it is the sole cause. I think one of the things that tend to create the softness as you phrase it is this team concept that I brought out in my statement, wherein they consider themselves all members of the same team. And it becomes rather difficult, then, for them to disassociate themselves. And I don't think it is conscious collusion as was pointed out by the Senator, it is something that has just evolved.

They are all part of the same group.

Senator PROXMIRE. Autonetics is a division of North American; is that correct?

Mr. TYRRELL. Yes, it is.

Senator PROXMIRE. And what companies made up the contract or team to which you refer on page 3?

Mr. TYRRELL. There were eight major associate contractors in the Minuteman program.

The Autonetics divisions of North American Rockwell is the guidance and control contractor.

The Boeing company is the integrating contractor, and produces some of the aerospace vehicle equipment.

The Thiokol Wasatch Division produces the first stage motor.

Aerojet General, Sacramento the second stage motor.

Hercules Bokas Works did produce the third stage motor.

Sylvania Electronics the electronics system.

The General Electric Systems Department the Mark XII re-entry system.

Avco Lycoming missile systems division the Mark XI re-entry.

Senator PROXMIRE. You say 490.4 million dollars was the original cost of the research and development for the Minuteman II as of 1962?

Mr. TYRRELL. That is correct.

Senator PROXMIRE. What were the total original estimates including R&D and production as of 1962?

EXCERPTS FROM DECEMBER 15, 1967, MEMORANDUM FROM A. E. FITZGERALD TO AIR FORCE GEN. J. W. O'NEILL INCLUDED IN HEARINGS FROM FRIDAY, JUNE 13, 1969

In formulating a broad management improvement plan for Minuteman, I believe you should consider the problem posed by the mass migration of Air Force officers into the management ranks of contractors with whom they have dealt. The AFPR who revoked our clearances at Autonetics is now a division manager at Autonetics. His predecessor, equally protective of the contractor's interest, is also now employed by North American Aviation. The procurement officer who blocked access by the Minuteman Program Control office to Autonetics contract negotiation records is now employed by North American Aviation. The immediate superior of the project officer who was excluded from Autonetics' plant is now employed by Autonetics. The officer cited to me as responsible for killing the cost reduction project I contracted to perform at Autonetics is now employed by North American Aviation.

It is of course impossible to assess the effect of impending employment by contractors on the actions of officers still on active duty. I am sure that many of the individuals I have cited had no idea of going to work for North American at the time they were so vigorously protecting the interests of that company vis-a-vis the Government. On the other hand, it is perfectly clear to me that these same officers studiously avoided any action which might offend their ultimate employer.

Lest you accuse me of being unfair to North American and the officers they have employed, I concede that the condition I have described is not unique. Indeed, it is common enough to be our next national scandal. However, the fact that it is so widespread makes it imperative that the practice and its corrosive effect on our stewardship be controlled.

I believe publicity is the solution to the problem just cited. However, I do not have strong convictions on this point. I should like to discuss it with you further.

Mr. PROXMIRE. Mr. President, shortly afterward, on July 17, I received a reply from the Attorney General, in which he wrote that the law did not cover the situation I sent to him.

Because of that fact and the large number of both former civil and military employees and officers who leave the Pentagon, I believe this amendment is urgently needed.

Disclosure itself will help cure the problem.

I ask unanimous consent that the Attorney General's letter be printed in the RECORD at this point.

The PRESIDING OFFICER (Mr. ALLEN in the chair). Without objection, it is so ordered.

DEPARTMENT OF JUSTICE,
Washington, D.C., July 17, 1969.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: This is in reply to your letter dated June 23, 1969, wherein you forwarded to the Department information obtained during the hearings before the Subcommittee on Economy in Government of the Joint Economic Committee concerning alleged violations of the conflict of interest statutes by five former Air Force officers who went to work for the Autonetics Division of North American Rockwell Corporation after they retired from military service. The information furnished has been carefully examined and reviewed by the Criminal Division in regard to possible violations of criminal statutes. Our review did not encompass possible infractions of the Code of Ethics or the Standards of Conduct for Government employees because the enforcement of these provisions are within the jurisdiction and responsibility of the Department of Defense and the Civil Service Commission.

There are generally four criminal statutes which concern the area of your inquiry. These statutes are Title 18, United States Code, Sections 207, 208, 281 and 283.

Section 207 is a twofold statute. Subsection (a) prohibits any former employee from *acting as agent or attorney* for anyone other than the United States in connection with any "particular matter" in which the United States is a party and in which matter he personally and substantially participated while he was a Government employee. This is a lifetime bar. It is to be noted that the former employee must act as an agent or attorney. The office of the Attorney General stated in a January 28, 1963, *Memorandum Regarding Conflict of Interest Provisions of Public Law 87–849* (which can be found in the supplement to Section 201 of Title 18, U.S.C.A., and also at 28 F.R. 985) that—

An individual who has left an agency to accept private employment may, for example, immediately perform technical work in his company's plant in relation to a contract for which he had official responsibility—or, for that matter, in relation to one he helped the agency negotiate.

Subsection 207(b) basically prohibits a former Government employee for one year from *personally appearing* before any court or Federal department or agency *as an agent or attorney* for any party other than the United States in connection with any particular matter involving a specific party in which the United States is a party and which particular matter was under his official responsibility while he was a Government employee. Official responsibility is defined in 18 U.S.C. 202(b).

It can, therefore, be readily seen that both of these subsections require some act of a representational nature on the part of the former Government employee before they are violated.

With regard to retired officers of the Armed Forces of the United States, there are two additional statutes. Section 281 of Title 18, United States Code, forbids any retired officer to "*represent* any person in the sale of anything to the Government through the department in whose service he holds a retired status." (Emphasis supplied.)

Section 283 of Title 18, U.S.C. forbids a

retired officer for a period of two years after his retirement to—

. . . act as agent or attorney for prosecuting or assisting in the prosecution of any claim against the United States involving the Department in whose service he holds a retired status, or to allow any such retired officer to *act as agent or attorney for prosecuting or assisting in the prosecution of any claim* against the United States involving any subject matter with which he was directly connected while he was in an active-duty status. (Emphasis supplied.)

It can readily be observed that once again both of these statutes require some act of a representational nature by the retired officer. It is to be noted that these statutes are a prohibition against the retired officer selling to his former service (Section 281) and acting as agent for prosecuting or assisting in the prosecution of any claim. It is to be further noted that the term "claim" is not as broad as those particular matters set forth in Section 207 of Title 18, U.S.C.

There also exists a provision of Section 208 of Title 18, U.S.C., which requires a Government employee to notify his superiors if he is negotiating employment with any firm with which he is officially dealing as a Government employee. There are no criminal statutes which prohibit a retired military officer from being employed by a corporation or company solely because he had been dealing with that corporation or company in his official capacity as a Government employee. There is a non-criminal statute (37 U.S.C. 801(c)) which provides, in essence, that a regular retired officer shall not receive his retirement benefits if, within three years after his retirement, he engages for himself or for others in the selling or contracting for the sale or negotiating for the sale of any supplies or war materials to any agency of the Department of Defense. It can be observed that this statute also requires a representational act.

The information supplied in your letter and its enclosure is insufficient to indicate a violation of any of the aforementioned statutes. While there exists an opportunity for possible conflict of interest violations to occur when a former Government employee takes a position such as described in your letter, the employment is not, in and of itself, a violation. In view of the fact that thousands of Government employees leave Federal service for private employment each year, evidence that there is a specific allegation of a violation, and not a mere opportunity for the violation to have been committed, is needed to justify the initiation of a criminal investigation. If, however, you have additional facts sufficient to indicate the existence of a violation, I assure you that the matter will be thoroughly investigated and evaluated for possible criminal prosecution.

I hope this letter has helped clarify the existing law in this difficult area.

Sincerely,

WILL WILSON,
Assistant Attorney General.

VIETNAM REASSESSMENT

Mr. GORE. Mr. President, according to published reports, President Nixon has called a general conference for an assessment, or peradventure a reassessment, of the Vietnam war and the policy of the U.S. Government with respect thereto. I take the floor in a genuine effort to make a small contribution to this reassessment and to the solution of this intolerable problem. I hope I can do so without the slightest measure of partisanship. At least, this will be my endeavor.

Nevertheless, it will be necessary to speak frankly. It may be that some will interpret a statement of the hard facts as I interpret them as being partisan. Let the record show it is not so intended.

Beginning last fall, the press began to carry unconfirmed reports about consideration being given to phased withdrawal of U.S. troops from Vietnam. These reports indicated that the plans under consideration involved the withdrawal of increments of U.S. troops as South Vietnamese troops improved their capabilities. On February 28, President Thieu of South Vietnam indicated that some such plan had been discussed with his government. He was quoted in the Washington Post as saying:

> One and possibly two United States divisions can leave South Vietnam during the last 6 months of 1969.

Added credence was given to reports about phased withdrawal by Secretary of Defense Laird. Upon his return from an inspection trip to Vietnam in March, he spoke of implementing what he called phase II of the program to train and equip the South Vietnamese Army to take over a major share of the fighting.

Mr. President, announcements of the withdrawal of U.S. troops have a most pleasant sound, particularly to those whose sons, husbands, and fathers are in Vietnam. But I am convinced that a phased withdrawal of increments of U.S. troops is not a formula for ending the war. Rather, it is a formula for prolonging the war, perhaps under conditions somewhat more palatable to the electorate, for a time, but which would condemn this country to indefinite involvement in the morass in which we now unfortunately find ourselves.

When Secretary Rogers appeared before the Foreign Relations Committee on March 27 to brief the committee on U.S. foreign policy generally, I asked him about a statement that had been attributed to a State Department briefing officer about a gradual phased withdrawal that would extend over a period of 2 or 3 years. I suggested to the Secretary—

> A long drawn out phased withdrawal seems to me to overlook the one and only formula for America to extricate herself from this morass. What it should be is a political settlement brought about all at once in one agreement.

The Secretary responded, in part, as follows:

> I agree with you that I would be unrealistic and unwise to be talking about a phased withdrawal over any such period of time as that. I would think, and if the other side is willing that we ought to have a withdrawal as quickly as possible. We are prepared, if the other side is prepared, to have a withdrawal over a very short period of time.

In his prepared statement, Secretary Rogers had said:

> We are prepared to begin withdrawal of our forces simultaneously with those of North Vietnam.

The Secretary made it clear that he was talking about the mutual withdrawal of both our own and allied troops on the one hand, and North Vietnamese troops on the other. He made no reference to unilateral U.S. withdrawal.

On May 8 of this year, in a statement on the floor of the Senate, I expressed my concern about phased withdrawal of U.S. troops. At that time, I said:

> If troop withdrawal is to herald the actual termination of this American land war in Asia, it must be a step that is taken in consequence of a negotiated political settlement that is plain for all, including the American people, to see, to read, and to understand. Our experience with secrecy and credibility has been an unhappy experience. So much so that "open covenants openly arrived at" is deeply imbedded in American ideals. If the Pentagon-Saigon axis has in mind the withdrawal of increments of U.S. troops over a period of years, leaving behind U.S. troops to back up the South Vietnamese Army, and to prop up a corrupt military dictatorship in Saigon, such withdrawals will but signify a prolonged war there and a long-term U.S. involvement. It is utterly unrealistic to think that the United States will be permitted, without a very long war, to establish in South Vietnam another South Korea-type client state.

On May 14, President Nixon made a major policy statement on Vietnam—the only one on this subject he has made to the American people since his inauguration.

I found some encouragement in what he said. After repeating the cliches about self-determination for the people of Vietnam in almost the same words previously used by the Johnson administration, President Nixon proposed—

> An international supervisory body, acceptable to both sides, would be created for the purpose of verifying withdrawals, and for any other purposes agreed upon between the two sides.

The President added:

> As soon as possible after the international body was functioning, elections would be held under agreed procedures and under the supervision of the international body.

It seemed to me that in his May 14 speech, President Nixon was suggesting the creation of an international body, with elections to be held under the supervision of that international body. Such an approach might make possible genuine self-determination for the people of South Vietnam—a far cry from the Saigon regime's concept of self-determination.

After a careful reading of the President's speech, I concluded not only from what he said, but also from what he did not say, that he had recognized that this war can be ended only by a political settlement, and that he had recognized further that a political settlement having as its cornerstone the maintenance in power of the Thieu-Ky regime was not attainable. Thus it seemed to me that the President might have realized that if we are to extricate ourselves from Vietnam, we must first extricate ourselves from the embrace of the Thieu-Ky regime—the albatross which destroyed the Johnson administration.

But on June 8, President Nixon met with President Thieu on Midway Island. It will be recalled that President Thieu prepared for this meeting by going first to South Korea and Taiwan, at each place issuing militant statements in which he was joined by Presidents Park

and Chiang Kai-shek, about the necessity for carrying on the war.

At Midway, on June 8, President Nixon announced the "withdrawal" of 25,000 U.S. troops from Vietnam.

The President indicated that a decision would be reached on further "withdrawals"—the term "withdrawal" later being changed to "replacement"—by the end of August. On one occasion, he stated that he hoped to "beat" a withdrawal timetable suggested by former Secretary of Defense Clark Clifford, who had proposed the withdrawal of 100,000 U.S. troops this year and the withdrawal of all remaining ground combat troops by the end of 1970.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. GORE. I yield.

Mr. MURPHY. I should like to ask when the former Secretary made the proposal. Was that while he was Secretary or after the new administration came into office? I have forgotten the exact date.

Mr. GORE. This was made later, this year.

Mr. MURPHY. Did the former Secretary propose withdrawal of any troops while he was Secretary?

Mr. GORE. If so, I do not have the record.

Mr. MURPHY. I just wanted to keep those dates straight.

I thank the distinguished Senator.

Mr. GORE. I thank the able Senator for his contribution and his clarification.

Recently, however, the President deferred to an indefinite date a decision on any further unilateral withdrawal of U.S. troops.

Whether the President has, in fact, deferred a decision on withdrawal of additional U.S. troops or merely postponed the announcement of it, is not clear. There are rumors that a firm decision had been made to withdraw another increment of troops and that the announcement was canceled at the last minute. I do not know.

Be that as it may, the crucial issue is whether this administration has determined to go down the rocky, endless road of piecemeal withdrawal of only a portion of U.S. troops with a commitment that sufficient troop strength will remain to maintain in power the Saigon regime.

Surely, the return of even a single soldier is welcomed. But I do not believe that the return of 25,000 or 100,000 American men is a formula for ending the war.

According to reports, 25,000 troops, or thereabouts, have now been withdrawn. What contribution to peace has this made?

It has been suggested that phased withdrawal, coupled with an unspoken but obvious pledge that we will keep enough troops there indefinitely to prevent collapse of the current Saigon regime, would convince North Vietnam that its cause is hopeless and therefore encourage Hanoi to negotiate. In my view, the history of the Vietnamese people does not support such a conclusion. They are accustomed to long struggles, spanning generations or even centuries. Neither does our experience in this war indicate that such a policy would be successful. A policy of phased withdrawal holds no more promise of success than did the policy of bombing North Vietnam to the conference table.

It may well be true that the phased withdrawal of increments of U.S. troops from Vietnam will buy time for the administration with the American people. But the question is, how will this time be used?

If it is used to tighten our embrace of the Saigon regime, the prospects for peace will be dim indeed.

When President Nixon went to Vietnam a few weeks ago, he stood side by side with President Thieu on the steps of the Presidential Palace, a symbolic act which proclaimed both to President Thieu and to the world that our Government stands with President Thieu's government. While there, the President described the Vietnam war as possibly "one of America's finest hours." After departing Vietnam, President Nixon praised President Thieu, according to the Washington Evening Star, as "a very capable guy, an excellent politician—probably one of the four or five best in the world."

Perhaps the President's appraisal of Mr. Thieu as a politician is accurate, in a sense, depending upon definition. After being elected by about one-third of the vote in an election run by a military junta which he controlled, Mr. Thieu has managed to keep the United States firmly tied to his government. This is quite a political feat.

President Thieu insists that any election to be held in South Vietnam would have to be organized and run by his regime. This seems to me in contravention of President Nixon's speech on May 14. Moreover, President Thieu insists that—

> It will take 2 years to set up the machinery so that elections can actually take place.

Two years from when? How long must American boys fight and die in Vietnam? We have suffered more than 60,000 casualties since the inauguration of President Nixon on January 20.

Although President Nixon came back to Washington saying the door to peace was open, President Thieu went back to Saigon and said:

> There will be no coalition government, no peace cabinet, no transitional government, not even a reconciliatory government.

Meanwhile he continues to close down newspapers that voice dissent and to jail those who disagree with him.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. YARBOROUGH. I wish to ask the Senator if it is not a fact that we have now suffered more casualties in the Vietnam war than we suffered during the entire Korean conflict?

Mr. GORE. I believe that is correct.

Mr. YARBOROUGH. Is it not a fact that, at the casualty rate for the past month, in about 8 more weeks, if the war progresses at the same rate, we will have suffered more casualties than we suffered in World War I?

Mr. GORE. I do not know.

Mr. YARBOROUGH. I think the Senator will find that is correct. If the casualties continue at the past month's rate, in 8 weeks we will have suffered more casualties in this war than we did in World War I.

Mr. GORE. This is a bloody, costly war. We have gained nothing from it and we will gain nothing from it. This war must be ended.

Even so, President Thieu, according to reports, was even reluctant to engage in a cease-fire during the funeral of the leader of North Vietnam, although urged to do so, according to reports, by the United States.

The current widely heralded "reshuffling" of President Thieu's cabinet makes it clear that he has no intention of broadening the base of his government or making it more responsive to the needs of the South Vietnamese people. On the contrary, press reports concerning changes in the cabinet reflect a step in the opposite direction, a revival of the influence of followers of former President Diem.

Two weeks after Midway, President Nixon was asked at a press conference if we were "wedded" to the Thieu government. After saying, quite naturally, that the United States is not wedded to any government in the sense that it has to get that government's approval before we act, he went on to say that "there is no question about our standing with President Thieu" and that "we are not going to accede to the demands of the enemy that we have to dispose of President Thieu before they will talk." Sadly, President Nixon's visit to Vietnam confirmed his earlier statement.

If this Nation continues to equate its own interests with those of President Thieu, we will not achieve a political settlement anytime in the foreseeable future that will end the Vietnam war. Mr. Thieu may well be an able politician, but he ought not have any license to make U.S. policy.

It is my earnest hope that President Nixon is, in fact, reconsidering the efficacy of what appears to me to be a policy of piecemeal withdrawal of only a portion of U.S. troops, rather than merely considering the announcement or postponing the announcement of the second step along that road. It is my hope that the President does not feel obliged to stand indefinitely with President Thieu, sacrificing our own national interests in favor of those of the Saigon regime, for sacrificing our own interests means not only our interests in the international context but it means sacrificing every day the lives, health, and limbs of many, many more American boys.

Rather, I hope that President Nixon will expand and develop what I interpreted as the subtle message of his May 14 speech, which I promptly applauded on the floor of the Senate, and seek a political settlement based upon genuine self-determination for all of the people of South Vietnam. A little tarnish on Mr. Thieu's political image will not be too high a price to pay for such a settlement.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. FULBRIGHT. Mr. President, I think the Senator has presented in a very

concise and persuasive manner the very crux of the situation facing us in Vietnam. He did so also in his speech on May 8, which he quotes on page 3 of the copy of the speech I have. There he made clear, as he has done today, that there is no possibility of political settlement so long as we are completely committed to the support of the existing Government of South Vietnam. That does not necessarily mean we wish to insure that they have no future at all, but that we are not committed to them.

The principle the Senator reads into the President's speech of May 14 is correct, I believe. He was right in applauding it, if the President meant it; but I do not think the President has acted in the way the Senator interpreted the speech. If he had, I think we would all be better off.

I congratulate the Senator on the way he has stated the issue. I have tried to state it in a similar way.

It does not matter how much we talk about settlement, the war cannot be settled as long as we insist on maintaining the puppet government in South Vietnam. I think that is clear.

Mr. GORE. I thank the Senator. Would he not agree that unless the people who live in South Vietnam have the will to live together in peace, there is no way that the United States can force peace?

Mr. FULBRIGHT. I agree. There is no way. We cannot force peace. We have the alternative, of course, of all-out war, or using nuclear weapons. The previous administration has rejected that alternative. I certainly reject it. I take it that the present administration has rejected it. I hope we can prevail upon the administration not to return to any such idea.

Now the question is how to settle the war by negotiation. A free election is an indispensable element, it seems to me. This requires a return to what the Senator from Tennessee is saying; namely, the principles of the Geneva Accords. North Vietnam did accept those principles as did others.

I think that means an open election, not under the control of any existing government—certainly not the present government in South Vietnam.

May I briefly remind the Senator from Tennessee that we are engaged now in an examination of the tax bill and he has been playing a prominent part in it. I only wish to remind the Senate, and the country, that the war is damaging this Nation not just by the tragic loss of lives in Vietnam, which is serious enough, but by its dramatic cost—almost as much as World War I. And now there is the dislocation of our economy and the lives of our people which is brought out every day in hearings in the Finance Committee. We see what is happening as a result of inflation and the effort to control it. There is the heavy taxation, and all the other disruptions flowing, I believe, from the Vietnam war either directly or indirectly. Consider the debate here today on a matter like the C–5A program. In normal times, I do not believe the country would stand for the extraordinary extravagance and improvidence exhibited in that contract. What has happened in that contract is absolutely unprecedented. Yet, because of the Vietnam war, which has so distorted our judgment, we are willing to take anything.

That is what I mean by the Vietnam war being the background against which our judgments are distorted in things like contracts, inflation, the great need for educational improvements, and pollution control. Our approach to all these things is distorted by the Vietnam war. It is destroying the United States if it is not stopped. If this war goes on year after year, this country will be, I think, on the decline, a decline from which I believe we will not recover. This is very serious, much more serious than many people in this country realize. This war must be concluded.

Mr. GORE. Not only are taxes and the budget affected by the war, but the high cost of living——

Mr. FULBRIGHT. And inflation.

Mr. GORE. Yes. The high interest rates. Indeed, this poses a serious threat to this country, and to the well-being of its citizens.

Mr. FULBRIGHT. This morning's newspaper reported that the interest rates on AAA corporate bonds are the highest in history, over 8 percent.

Mr. GORE. I should like to advert to one statement the Senator from Arkansas made; namely, relating that the previous administration had ruled out nuclear war. He expressed the opinion that the present administration had done that, too. I believe that to be the case. Indeed, one of President Nixon's statements made on May 14 was that—and I use his words right now, we have "ruled out"—I remember those words because they impressed me—we have "ruled out" a victory on the battlefield.

I think perhaps that former President Johnson had finally ruled that out, too; but so far as I recall, he never quite said so.

A few days ago, at the Governors' conference at Colorado Springs, the distinguished and able Governor of Tennessee, the Honorable Buford Ellington, chairman of the Governors' conference, was quoted in the press saying that he thought it was high time the United States either win the Vietnam war or settle the Vietnam war. I may not be quoting his exact words, but that is how I remember them. At any rate, that was the sentiment that he expressed, according to press reports.

In my opinion, he bespoke the single largest segment of sentiment held by the people of Tennessee.

During the course of this year, I have made more than 100 visits to Tennessee and to various communities in Tennessee, talking to thousands of people, and listening to many opinions. I believe that the one single largest segment I heard expressed was that which was voiced by Governor Ellington last week.

Well, since President Nixon, Commander in Chief, has "ruled out" a military victory, the only alternative is to find a settlement.

I do not believe that we will find a settlement by equating the interests of the United States with the interests of a corrupt, military dictatorship in Saigon.

Mr. FULBRIGHT. I agree with the Senator from Tennessee. Whether corrupt or not, it is simply not in our interests.

Mr. GORE. Whatever it is, it still is not, I agree, in our interest.

Mr. FULBRIGHT. It is not in the interests of the United States to distort our whole national life and economy for the benefit of a small segment in Vietnam, regardless of whether they are corrupt or not. It is against our interests. It never has been in our interest. This is not a war in a true sense. It was a horrible mistake in judgment. This is a conflict of inequality and disproportion. The strength and size of little North Vietnam and the powerful United States, make it inconceivable to think of it in terms of a war such as World War I and World War II.

People get killed, of course, but it is not that kind of contest. That is why, I think both the previous and the present administrations have ruled out nuclear war.

If there were to be war with Russia or with China—a desperate war—I have no doubt that we would use whatever weapons we had. I believe we probably would, if we ever got into war with Russia or with China. But I think it is inconceivable that the President would continue to hold up a settlement for the reasons the Senator from Tennessee has stated. I believe those are the reasons, and I congratulate the Senator from Tennessee on a very fine statement.

Mr. GORE. I thank the Senator.

Mr. YARBOROUGH. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I am happy to yield to the Senator from Texas.

Mr. YARBOROUGH. I congratulate the distinguished Senator from Tennessee, a distinguished member of the Committee on Foreign Relations, for his review of the situation.

I associate myself with his remarks on the withdrawl of troops being dependent upon the statements of the present Saigon regime.

As an American citizen, I have been galled and humiliated time after time by the statements of those men in Saigon who say that we cannot withdraw any of our troops.

Under the Constitution of the United States, the President of the United States is the Commander in Chief of our Armed Forces and Congress is given the authority to declare war. The President sent those Armed Forces into South Vietnam. Congress did not send those Armed Forces into South Vietnam. He sent them. He was the sole Commander. Statements have been made, not by the present President but by the former President, that no American troops would be withdrawn at this time, because the South Vietnamese could not afford to let them go. No American President has said anything about it.

I think it is time that the President of the United States say that our troops be withdrawn—it is long overdue—he should have said that 3 years ago, 2 years ago, 6 months ago.

Any time is a proper time for the President of the United States to remind Thieu and Ky that he, not they, commands the Armed Forces of the United States. I long to see an American President remind those fellows of that.

Now, I wish to ask the Senator whether he has any information on this point: I

have had a number of Americans who have served in Vietnam in different capacities come back and tell me that the wife of Marshal Ky is rapidly picking up rich rice plantations in South Vietnam.

Does the Committee on Foreign Relations have any information on that point? Does the Senator from Tennessee have any? If we do not, I wish that the chairman of the committee with jurisdiction would investigate that.

I think the American people who are sending their sons to have their blood shed are entitled to know whether Ky or Thieu—Ky is the one I have heard—is using this means to grab off this personal property in his wife's name—the personal hegemony of the rice estates in South Vietnam. I think we ought to know it. Enough Americans coming back say it to warrant a Senate investigation to find out. If it is not true, it should be laid at rest. If it is true, the American people ought to know it.

Mr. GORE. I do not know whether or not that is true. I did read a report a few days ago that an estimated 2,000 Vietnamese who have grown rich are leaving Vietnam each month, to live in Paris, Geneva, Bern, and other nice and safe places in Western Europe.

There is no question that there is enormous profiteering in Vietnam from the war. A lowly soldier from Tennessee, who had just returned from Vietnam, drove more than 200 miles yesterday to see me in Memphis, Tenn., and related to me one incident after another of thievery, pilfering, and profiteering of American goods, their being misused and their being on the black market. He said he had served his year's time over there for nothing; that we would gain nothing.

Another man told me that the helmet of a boy had been brought home by a friend and that, as this boy lay dying in the jungle, he had scrawled on the helmet, "I have given my life for a useless war."

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. STENNIS. I know the Senator has had a fine prepared statement here. I hurriedly read part of it. If I may say so, we are down to a situation in which we may be able to vote in a few minutes on an amendment on which the yeas and nays have been ordered; and the Senator knows the situation tomorrow. If it is his plan to conclude soon, and if he could indicate that, we could let Senators know. Otherwise——

Mr. GORE. Mr. President, it has been with reluctance that I have intruded these remarks upon the Senate——

Mr. STENNIS. I do not blame the Senator at all.

Mr. GORE. But when I read the announcement that President Nixon had called a major conference of his advisers to assess, and perhaps reassess, the Vietnam war and our policy, I felt an urge to try to exercise the responsibility of advice from the Senate. I feel there is nothing before the Senate, nothing before this country, including the pending bill, that even approaches the importance of peace in Vietnam.

But, Mr. President, I have now expressed my views, and I do not wish to detain the Senate further.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each reserve component of the Armed Forces, and for other purposes.

Mr. STENNIS. Mr. President, the Senator from Wisconsin has an amendment with the most laudable purposes. It goes to the following situation: Of course, there are a great many people in the Department of Defense, some in uniform, some in civilian clothes, and a great number of contracts and subcontracts must be handled, and many of them are very involved, as the Senator knows. Many officers are retiring every day. Civilians leave the Department. Some of them show up rather quickly as employees of the very contractors whose work they had been passing on and who still have contracts pending in the Department of Defense. It has caused embarrassing situations before, and, it seems to me, that is true more and more now. There is nothing wrong with the employment.

As I understand the amendment, it merely requires a disclosure of those relationships. The Senator from Maine and I have discussed this subject and studied it together quite a bit. I have talked with other members of the committee, even though it has not been before our committee. Some regulation in this field would perhaps serve a good purpose.

I have the floor, I believe, and I wonder if the Senator will make some response. As I understand the amendment of the Senator from Wisconsin, it would apply to civilians and military officers alike, with no discrimination between the two groups. Is that correct?

Mr. PROXMIRE. The Senator is correct.

Mr. STENNIS. It applies to those with a rating of GS–15 and above, and also those with a military rank of——

Mr. PROXMIRE. Naval captain or colonel in the Army or Air Force and above.

Mr. STENNIS. And above.

Mr. PROXMIRE. And, in addition, it applies to all procurement officials. It applies to all plant representatives, regardless of their rank.

Mr. STENNIS. The Senator's amendment also applies to people who are coming into the Department of Defense from civilian life for a certain capacity?

Mr. PROXMIRE. Yes.

Mr. STENNIS. Will the Senator explain that for us somewhat?

Mr. PROXMIRE. For instance, if a man from civilian life is hired and if he has worked for a defense contractor, or several defense contractors, he would be required to disclose that fact at the time he went to work at the Pentagon. He would disclose his former employment, and he would disclose the weapons systems he and his company were working on when he was with the defense company. We know this goes both ways. We do not have that information with respect to some of the civilians who worked in the Pentagon and went out. We do have some of it as to officers, but that is not disclosed publicly.

Mr. STENNIS. All civilians who are nominated by the President of the United States to fill roles as assistant secretaries, for example, must come before our committee and disclose information about their former connections and make a full disclosure of their records. The amendment would require a disclosure by those, I will not say on a lower level, but on a different level of employment who are in similar categories. Is that correct?

Mr. PROXMIRE. The Senator is correct. As the Senator well knows, important decisions are made by people who are not at the assistant secretary level, but who may have relatively important and precise responsibility for procurement.

Mr. STENNIS. What does the Senator require? Merely disclosure, or is there something else?

Mr. PROXMIRE. Disclosure. There is no prohibition in this amendment. Persons may work anywhere they wish to, but they merely have to disclose, and make publicly available, for whom they work or for whom they have worked, and must do so for a period of 5 years.

Mr. STENNIS. There are no limitations or restrictions of any kind?

Mr. PROXMIRE. No; none whatever.

Mr. STENNIS. The amendment applies to officers and civilians alike?

Mr. PROXMIRE. That is correct.

Mr. STENNIS. They would merely have to disclose their previous connections?

Mr. PROXMIRE. They would have to disclose their names, former employers, former positions and also, of course, what their work was before—what their duties were, what their duties are, and whether their duties had changed at the time they made their reports. Duties would include a listing of specific weapons systems they worked on.

Mr. STENNIS. That would continue, under the present language of the amendment, for a period of 5 years?

Mr. PROXMIRE. Five years.

Mr. STENNIS. Would the Senator reconsider that point? After all, 5 years is a good, long time. If the Senator would modify his amendment, I believe it would be more acceptable. Would he be willing to make the period 3 years? Is it not true that the main point to which the Senator's amendment is directed is transitions from the Department to a contractor, or from a contractor to the Department, and the closeness of time and the affinity that might exist? Is not that the main

condition which the Senator is trying to correct?

Mr. PROXMIRE. There was no magic in the choice of a period of 5 years. That seemed like a reasonable period of time. Perhaps it may be too much. I would be willing to modify my amendment to provide, instead of a 5-year requirement, a requirement for 3 years, so that if an employee left the Pentagon and worked for a contractor, for 3 years he would have to make reports of this kind; and vice versa: If an employee of a defense contractor left to work for the Pentagon, he would have to report for 3 years.

Mr. President, I ask unanimous consent that in my modification on page 8 the word "five" be changed to "three".

The PRESIDING OFFICER (Mr. ALLEN in the chair). Is there objection? The Chair hears none, and the amendment is so modified.

Mr. STENNIS. Mr. President, I have read the amendment carefully. I know something about the problem. I have observed some of the matters to which it relates. I know the amendment has a wholesome purpose, and I believe it will have a wholesome effect.

Like anything else of this kind, a regulation has to be developed by trial and error. But I believe this is a good start. I expect to support the amendment because of its evenness in application, its lack of restriction, and its impartiality.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HOLLAND. Does the amendment apply only to the expenditure of funds to be covered by this authorization, or for the period covered by this authorization, or for what period?

Mr. STENNIS. This is general law. This would be a general regulation. It will be written into the bill, and, if it survives conference, it will become permanent law.

Mr. HOLLAND. Another question: Does this amendment provide that the rate of compensation paid by private contractors and employers in the defense field to officers of the types mentioned and to civilian employees of the types mentioned must be disclosed?

Mr. STENNIS. No.

Mr. PROXMIRE. No, no salary disclosure is involved.

Mr. HOLLAND. Does this bill apply to Members of Congress, either generally or those who have been on the defense committees or the appropriations committees?

Mr. STENNIS. No, it does not undertake to regulate that group. I frankly think that if this does become law, it will lead to a general law on this subject matter.

Mr. HOLLAND. Mr. President, as I understand, the distinguished Senator thinks this is a good effort in the right direction, not necessarily perfect, and that probably if adopted here, it will bring about general legislation of greater clarity and importance?

Mr. STENNIS. Yes, that is my opinion of the situation.

Mr. HOLLAND. I thank the Senator, and I thank the Senator from Wisconsin.

Mrs. SMITH. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Maine.

Mrs. SMITH. Mr. President, I think the amendment of the Senator from Wisconsin has much merit.

I hope he will offer similar amendments to all other procurement authorization bills whether they be for HEW, Labor, Commerce, Public Works, or any other legislation dealing with this subject.

Several Senators addressed the Chair.

Mr. STENNIS. Mr. President, I am not trying to keep the floor, but I believe I have the floor.

May I say to the Senator from Maine that I certainly endorse the suggestion she has just made. We did not make any effort to apply it to other departments and agencies, because on this bill we thought it would be better not to.

Mr. PROXMIRE. Mr. President, I thank the Senator from Maine very much. I agree wholeheartedly with her suggestion; I think it is excellent, and if no other Senator offers such amendments, I shall be happy to offer them on other authorization bills.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from California.

Mr. MURPHY. I ask the Senator from Mississippi if it is his clear understanding that the amendment proposed in no way militates against employment of military officers, but is simply a requirement of disclosure.

Mr. STENNIS. The Senator is absolutely correct. Nothing but disclosure.

Mr. MURPHY. I should like, just for the sake of the record, to point out from personal experience that there are sometimes methods involved in bidding on Government contracts, and the only people that you can find who can help you and explain to you how to make out your bid are people who have been with the Government. I do not think this is the best way to do it, but it is the case that it is very often necessary to get exactly such a person, who is experienced; otherwise, you cannot bid properly and in fair competition.

I wanted to make certain that the mere disclosure requirement in no way would impede such persons from employment, but that this is purely and simply for a matter of record so that, I guess remotely, if in any event there is a chance of conflict of interest, we would be able to find it out and stop that which would be illegal.

Mr. PROXMIRE. The Senator is absolutely correct. It is purely and simply a disclosure amendment, and that is all.

Mr. GOLDWATER. Mr. President, will the Senator yield, so that I may ask the author of the amendment a question?

Mr. STENNIS. I yield.

Mr. GOLDWATER. The Senator may have answered it when I was not present.

On page 1 of the amendment, under (A), the amendment designates officers who "served on active duty for any period of time as a member of a regular component of the Armed Forces in the grade of colonel (or equivalent) or above".

That language is used in defining the term "former military officer."

Would this language be so broad as to apply to the Reserve officer who has never served during a period of emergency, but has merely served his annual 2 weeks' tour of duty to maintain his commission and obtain promotions?

Mr. PROXMIRE. As I understand it, it would apply only to Regular officers. It would not apply to Reserves who served only from time to time. The minimum specified is 10 years, and that would be an unlikely situation.

Mr. GOLDWATER. I should like to hear the Senator's opinion on this, because it would probaly apply to tens of thousands of Reservists who probably never served for a long period, but would retain their proficiency by a 2 weeks' tour of duty every year.

Mr. PROXMIRE. It was not my intention that the amendment should cover that type of situation, because it would mean, as the Senator implies, that those people would be covered when this would not be their major occupation, and they would not have had any significant authority as far as procurement is concerned.

Mrs. SMITH. Mr. President, will the Senator yield to me for a question?

Mr. PROXMIRE. I am happy to yield to the Senator from Maine.

Mrs. SMITH. Will the Senator from Wisconsin advise the Senate whether his amendment covers $100-a-day consultants, for example?

Mr. PROXMIRE. As I understand it, it would not cover the consultants unless they came to work for the Pentagon.

Mrs. SMITH. Even though a consultant serves to the extent of $13,000 a year, with expenses? Would the Senator accept an amendment to include such consultants?

Mr. PROXMIRE. I am advised that if his company did $10 million a year business with the Pentagon, he would be covered. The amendment covers all firms that do $10 million a year business or more with the Pentagon, and the consultant would be covered in his own capacity, just as any other individual.

Mrs. SMITH. Would the Senator accept an amendment to include consultants up to a certain amount?

Mr. PROXMIRE. Absolutely.

Mrs. SMITH. Mr. President, I ask unanimous consent that the Senator from Wisconsin be permitted to accept my amendment, to include consultants earning up to $5,000 a year.

I am willing to make that $13,000.

Mr. PROXMIRE. May I say to the Senator from Maine that I have just been discussing this matter with staff members, and although they will go over the amendment to determine whether we have to write in the specific language, it may be that if we make our intentions clear here, consultants would be included without additional language.

Mrs. SMITH. Consultants would be included up to a certain amount?

Mr. PROXMIRE. Yes.

The PRESIDING OFFICER. Does the

Senator from Maine ask unanimous consent to withdraw her request in light of the explanation of the Senator from Wisconsin?

Mrs. SMITH. Mr. President, I ask unanimous consent to withdraw my request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I should like to make one other modification to make my amendment consistent.

The Senator from Mississippi has suggested that we reduce the number of years from 5 to 3. I only corrected the previous modification I submitted to make that consistent. I ask unanimous consent to modify the amendment on page 8, line 17, where the term "five years" occurs to make it read "three years."

The PRESIDING OFFICER. Is there objection to the requested modification? If not, the amendment is so modified.

The question is on agreeing to the amendment as modified of the Senator from Wisconsin. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Idaho (Mr. CHURCH), the Senator from Washington (Mr. MAGNUSON), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Georgia (Mr. RUSSELL) are absent on official business.

I further announce that the Senator from Hawaii (Mr. INOUYE), the Senator from Missouri (Mr. SYMINGTON), and the Senator from Georgia (Mr. TALMADGE), are necessarily absent.

I further announce that, if present and voting, the Senator from Idaho (Mr. CHURCH), the Senator from Hawaii (Mr. INOUYE), the Senator from Washington (Mr. MAGNUSON), the Senator from Georgia (Mr. RUSSELL), the Senator from Georgia (Mr. TALMADGE), the Senator from Missouri (Mr. SYMINGTON), and the Senator from Connecticut (Mr. RIBICOFF) would each vote "yea."

Mr. SCOTT. I announce that the Senator from Colorado (Mr. DOMINICK) is necessarily absent.

The Senator from Tennessee (Mr. BAKER) is absent because of death in his family.

If present and voting, the Senator from Colorado (Mr. DOMINICK) and the Senator from Tennessee (Mr. BAKER) would each vote "yea."

The result was announced—yeas 90, nays 0, as follows:

[No. 83 Leg.]

YEAS—90

Aiken	Cranston	Harris
Allen	Curtis	Hart
Allott	Dodd	Hartke
Anderson	Dole	Hatfield
Bayh	Eagleton	Holland
Bellmon	Eastland	Hollings
Bennett	Ellender	Hruska
Bible	Ervin	Hughes
Boggs	Fannin	Jackson
Brooke	Fong	Javits
Burdick	Fulbright	Jordan, N.C.
Byrd, Va.	Goldwater	Jordan, Idaho
Byrd, W. Va.	Goodell	Kennedy
Cannon	Gore	Long
Case	Gravel	Mansfield
Cook	Griffin	Mathias
Cooper	Gurney	McCarthy
Cotton	Hansen	McClellan
McGee	Packwood	Sparkman
McGovern	Pastore	Spong
McIntyre	Pearson	Stennis
Metcalf	Pell	Stevens
Miller	Percy	Thurmond
Mondale	Prouty	Tower
Montoya	Proxmire	Tydings
Moss	Randolph	Williams, N.J.
Mundt	Saxbe	Williams, Del.
Murphy	Schweiker	Yarborough
Muskie	Scott	Young, N. Dak.
Nelson	Smith	Young, Ohio

NAYS—0

NOT VOTING—9

Baker	Inouye	Russell
Church	Magnuson	Symington
Dominick	Ribicoff	Talmadge

So Mr. PROXMIRE's amendment, as modified, was agreed to.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. McGEE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, just to keep the record straight, the distinguished senior Senator from Georgia (Mr. RUSSELL), the President pro tempore of this body, would have voted in the affirmative had he been present, but he was absent on official business.

Mr. MONDALE. Mr. President, I call up my amendment which I submitted today as a modification to amendment No. 136.

The PRESIDING OFFICER. The amendment offered by the Senator from Minnesota will be stated.

The legislative clerk proceeded to read the amendment.

Mr. MONDALE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

AMENDMENT NO. 146

On page 2, line 16, strike out "2,568,200,000;" and insert in lieu thereof "2,191,100,000;"

At the end of the bill add a new section as follows:

"SEC. 402 (a) None of the funds authorized to be appropriated by this Act may be expended in connection with the production or procurement of the nuclear aircraft carrier designated as CVAN-69; and no funds may be appropriated for any such purpose until after the Congress has completed a comprehensive study and investigation of the past and projected costs and effectiveness of attack aircraft carriers and their task forces and a thorough review of the considerations which went into the decision to maintain the present number of attack carriers. Such study and investigation shall, among other things, consider—

"1. What are the primary limited war missions of the attack carrier; what role, if any, does it have in strategic nuclear planning;

"2. To what extent and in what way is the force-level of on-station and back-up carriers related to potential targets and the number of sorties needed to destroy these targets;

"3. What is the justification for maintaining on continual deployment two carriers in the Mediterranean and from three to five in the Western Pacific;

"4. What is the overall attack carrier force level needed to carry out these primary missions;

"5. Does the present 'one for one' replacement policy for these carriers have the effect of maintaining or increasing this force level, in light of the fact that the newer carriers and their aircraft are more expensive and have far more capability than the older carriers which they are now replacing;

"6. Would a policy of replacing two of the oldest carriers with one modern carrier maintain a constant force level;

"7. How many, if any, attack carriers and carrier task forces are needed to back-up a carrier task force 'on-the-line';

"8. What efficiencies, such as the Polaris 'blue and gold' crew concept, can be utilized to increase the time in which a carrier can stay 'on-the-line';

"9. What type of military threats are faced by the attack carrier; what proportion of the costs of a carrier task force are allocated to carrier defense; what is the estimated effectiveness of carrier defense against various types and levels of threats;

"10. To what extent does the carrier's vulnerability affect its capacity to carry out its missions; what are the plausible contingencies in which carriers may be committed;

"11. What type of resources should be devoted to carrier defense, considering the range of threats, the costs and effectiveness of the defense, and the plausible contingencies in which a carrier can be effectively used;

"12. To what extent can land-based tactical air power substitute for attack carriers; to what extent should the role of the attack carrier be restricted to the initial stages of a conflict;

"13. What are the comparative systems costs for land-based and sea-based tactical air power;

"14. What is the comparative cost effectiveness of land-based and sea-based tactical air power;

"15. How is the attack carrier being used in support of American foreign policy; if there is a need for a 'show of force' in support of foreign policy commitments, can this need be met by smaller carriers or other types of ships?

"(b) In order to assist the Congress in carrying out such study and investigation, the Comptroller General of the United States shall review and make a report to the Congress on items number '8' and '13' in subsection 'a', above. He shall also review any studies which have been made, or may be made, by the Executive Branch which relate to the other items listed in subsection 'a', above. He shall provide summaries of such studies, together with any appropriate comments or questions, to the Congress. The report and summaries provided for by this subsection shall be furnished to the Congress not later than April 30, 1970."

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. STENNIS. I am glad the Senator called up his amendment. That will permit us to start on it tomorrow. Even though we do not have controlled time now—and I do not think it wise to try to have an agreement now as to time—in the course of the debate I hope we can consider having a limitation on time.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

ORDER OF BUSINESS

Mr. SCOTT. Mr. President, could the majority leader advise us as to the status of the pending bill and what his plans are for the remainder of the week?

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished acting minority leader, there will be no further votes tonight, but the Senate will meet at 10 o'clock tomor-

row morning. I understand that at 10:15 the sponsors of the pending amendment will be ready to speak.

Those Senators who desire to go to the funeral services for our late and beloved colleague, Mr. Dirksen, at the National Presbyterian Church will leave the steps of the Capitol at about 12:15. The service, I understand, is at 1 p.m. We should be back at 2 p.m. During that period, the Senate will stand in recess subject to the call of the Chair, and it is anticipated that the debate will be resumed at approximately 2 o'clock tomorrow afternoon. It is to be hoped that we can make some more progress with the bill. I am pleased with the progress made today—a little faster would not hurt.

We will not meet on Thursday, because some of us will be going to Pekin, Ill.

On Friday, we will come in at 10 a.m. It is anticipated that we will stay late, and if sufficient progress is made, we will not meet on Saturday; but if sufficient progress is not made, we may be forced to meet on Saturday.

Mr. SCOTT. I suggest, if the majority leader approves, that at the time the casket is removed from the rotunda tomorrow to be taken to the church, Members be invited to accompany the casket as a guard of honor. Senators are invited to attend for that purpose, and it is hoped that they will do so.

Mr. MANSFIELD. Yes. It is my understanding that buses will be available and that there will be a police escort all the way. It would be a fine mark of respect to our late colleague if we could all do that.

S. 2875—INTRODUCTION OF A BILL TO AMEND THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

Mr. HRUSKA. Mr. President, I introduce a bill, the purpose of which is to provide financial assistance to States for the construction of correctional institutions and facilities. I ask that it be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2875) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide financial assistance to States for the construction of correctional institutions and facilities, introduced by Mr. HRUSKA, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. HRUSKA. Mr. President, the Nation is engaged in a massive reexamination of its social programs. Tremendous sums are being spent by the Federal, State, and local governments to combat these ills. Concurrently, we have turned our attention and our resources to the problems of increasing crime and the protection of our citizens for, without an orderly society all else loses significance.

But one aspect of this problem represents a national disgrace to which relatively little in the way of additional effort and resources have been committed. I refer to the jails and the prisons of this country and to the juvenile training schools and detention facilities.

Experience has clearly demonstrated that far too many of these institutions corrupt rather than correct; contaminate rather than rehabilitate. In a great many instances, institutions are socially infectious breeding places which develop criminal careers. Too frequently, our jails and prisons are little more than human warehouses where idleness, homosexuality, and brutality are commonplace occurrences. In some institutions, the toughest, most hardened criminals gain power and control over other inmates and use this power to satisfy their own depraved desires.

When considering the conditions found in many of our jails and prisons, it is little wonder that rates of recidivism are so high. Confining men under these conditions can only serve to foster criminal behavior. So long as we permit recidivism to be the rule rather than the exception, crime will continue to increase as it has in the past.

Correcting criminal behavior is, and certainly should be, the primary goal of our jails and prisons. Unless we change the offender while he is incarcerated, the prospects for his returning to society as a law-abiding citizen are indeed remote. The endless cycle of arrest, imprisonment, release and rearrest has plagued us for too long. We must reverse this cycle. We must close down and eliminate these "schools of crime." We must begin to correct the problems which contribute to recidivism, or rates of crime will continue to increase.

Mr. Chief Justice Burger, in remarks before the American Bar Association's annual convention in Dallas, articulated his deep concern for reform of our Nation's penitentiaries and demonstrated his deep insight into the heart of the criminal justice system.

Mr. President, I ask unanimous consent that Chief Justice Burger's speech be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HRUSKA. Mr. President, some small effort at reform has been made. Under the Omnibus Crime Control and Safe Streets Act of 1968, resources are made available for the improvement of prison facilities. But they are not enough, for under the present provision of the act the bulk of the funds rightfully is committed to a wide range of law enforcement activities. Only token sums so far have been applied to correctional construction purposes.

In its corrections program the Law Enforcement Assistance Administration has appropriately given its highest priority to the development of community-based projects for the rehabilitation of juvenile youth, and adult offenders. Here is where the greatest immediate impact can be made in the improvement of correctional services, and it is in the community, of course, where we have the best hope of accomplishing the rehabilitation of offenders.

The costs of institutionalization are rising and already have reached the point where we can no longer afford this form of disposition purely for purposes of punishment. It costs as much as $6,000 to $9,000 to keep a juvenile or youth in an institution for 1 year, and as much as $3,000 or $4,000 for an adult offender. Quite properly, therefore, the Law Enforcement Assistance Administration has emphasized in its initial efforts the bolstering of probation and other community resources in order that the costs of institutionalization may be minimized.

But the hard, simple, fact is that for the protection of the public thousands of offenders must be sent to institutions each year. These institutions are the single most neglected element in the entire law enforcement process.

The President's Commission on Law Enforcement and Administration of Justice reported:

> Institutional corrections suffers from long and indiscriminate use simply for punishment and banishment, purposes which inspire in the system little imagination, hope, or effort to improve.

There are in this country approximately 220 State training schools for juveniles and an undetermined number of detention facilities. According to the State plans submitted to the Law Enforcement Assistance Administration under the terms of the Safe Streets Act, these facilities are inadequate for their purposes. But even more significantly, the very absence of detention facilities has resulted throughout the United States in the widespread use of jails for juvenile offenders.

One Midwestern State reported that more than 1,600 children annually were held in jail. In many of the jails it was impossible to separate the juveniles from the adults and there was no supervision on a 24-hour basis. None of these jail facilities had any rehabilitation program whatsoever.

A Western State reported that only two of its counties has any separate juvenile detention facilities and that as a result the juveniles in the other counties had to be housed in the jails. An Eastern State reported that although its statutes specifically forbid the holding of juveniles in jail, "in 115 of the 120 counties there are no other facilities."

The results of this practice must be regarded as the shame of the Nation. One State, for example, said:

> Because of the lack of suitable detention facilities children have been placed in situations that were not only unfit for confinement of animals but have resulted in suicides, injuries, being subjected to unsanitary conditions, and forced into contact with undesirable influences.

Still another State acknowledged that it was not uncommon to have dependent homeless youngsters confined in facilities adjacent to, or mingled with, adults. No attempt was made to provide segregated housing for sexual offenders or the mentally ill other than what might be available in the individual cells.

A recent survey by the National Council on Crime and Delinquency reflected that more than 100,000 juveniles are held in jails every year in the United States.

And the jails themselves constitute yet another disgraceful picture in the almost total neglect of the so-called correctional institutions of this country.

There are more than 3,000 county jails in the United States and an undetermined number of city jails, perhaps 10,000 in all.

Almost without exception these jails are lacking in any meaningful rehabilitative programs or facilities. All too many of them have long ago been condemned as totally unfit for their purpose.

An Eastern State has closed all but seven of its jails. But of these seven, none was built in this century and six of them are more than 100 years old.

One jurisdiction reported to the Law Enforcement Assistance Administration that its jails had "no separate facilities for housing females, either juvenile or adult."

Another State said that its jails are "on the whole, outdated and unfit for use."

The planning agency of a Southern State asserted that its jails "suffer from neglect, often promote unsafe and outright brutal practices and encourage many first offenders to become career criminals."

A Midwestern State planning agency concluded that—

> There is a consensus that local jails are in trouble. . . . Many county jails were built in the nineteenth century and few have modern facilities . . .

A neighboring State described its municipal and local jails facilities as "often structurally inadequate, overcrowded, unsafe and filthy." The planning agency found that in one jail of this particular State "the plumbing had backed into the cells of the prisoners discharging human feces on the floor and walls." In another jail, the prisoners slept on mats on top of the welded cages because of overcrowding and that the prisoners had an open fire burning on the cell block floor to keep warm. In the same State they found a juvenile being held in an isolation cell without a toilet, with consequent abhorrent results, and that he had actually burned his own shoes in an attempt to keep warm. The report of the planning agency concluded:

> Conditions were even worse in other places . . .

There are no words fit to describe the degraded conditions characteristic of the jails of this country. And it is a problem that we have too long shrunk from recognizing and taking the action necessary to resolve sufficiently to meet even minimum standards of human decency.

Then there are the prisons.

The National Council on Crime and Delinquency reports that there are 358 penal and correctional facilities for adults in the United States. Of these, 55 are maximum security, 124 medium, 103 minimum and 68 mixed.

The Council stated:

> Of the original institutions still in use, 61 were opened before 1900; 25 of these are now more than 100 years old. Of the dormitories or cell blocks now in use, 31 percent are more than 50 years old; 29 percent are between 25 and 50 years old; 20 percent are between 10 and 24 years old; 20 percent are less than 10 years old.

Many of these institutions share the same problems as the jails. The physical facilities do not meet even the minimum standards of human decency and suitable facilities for effective rehabilitation programs are almost totally lacking.

A Western State reported to the Law Enforcement Assistance Administration that its State penitentiary should be replaced, that it was "a mass care, multitiered cell physical plant geared to custody and not conducive to proper segregation of different types of offenders and corrective programs."

A Southern State commented concerning its penitentiary:

> The "cages" are all dormitory-type with beds closely grouped together and various belongings of the inmates placed around the beds. On rainy days and at night, the close proximity of the inmates presents explosive situations. Also, the open dorms afford no privacy for the inmates. This lack of privacy and overcrowding is particularly acute in the women's camp.

A Midwestern State described its two State maximum security institutions as "old and rundown." The main penitentiary was built in 1839. An adjoining State reported similarly—

> A continuing problem is the age of the major penitentiary . . . Some of the buildings still in use were completed in 1836.

Still another State summed up the common problem in simple terms:

> Penal facilities, adult and juvenile, are inadequate and overcrowded.

Considering the deplorable state of the penal institutions in this country, we can easily understand why the field of corrections has failed so miserably in its responsibility for the rehabilitation of offenders. We can understand why the majority of the persons released from these institutions again get into trouble, and why the same persons go back to prison time and time again.

It is time that the Nation faces up to the fact that the outdated and outworn institutions must be replaced, and that facilities must be created where they are presently lacking. The unpleasant truth is that for years to come we will continue to send hundreds of thousands of juveniles, youths, and adults to institutions of various kinds. If we are ever to make any significant inroads on the problems of crime and delinquency, we must establish a system of institutions where it is possible to provide modern and effective programs of rehabilitative treatment.

To achieve this goal will, of course, require substantial sums of money.

The average State, and the average county and city, simply do not have the tax resources necessary to accomplish the task unaided. Here again, as with other grave national problems, the Federal Government must provide financial assistance.

I am, therefore, today sending a bill to the desk which would provide this assistance. My bill would amend the Omnibus Crime Control and Safe Streets Act of 1968 to make available initially $100 million for direct grants to the States. Additional sums would be authorized for subsequent fiscal years.

The bill follows the same formula as in the Safe Streets Act. Eighty-five percent of the annual appropriation would go directly to the States in the form of block grants, based on the relative population of each State. The remaining funds would be allocated by the Administrators of the Law Enforcement Assistance Administration to projects where additional assistance is particularly urgent.

The States would obtain these funds in the same way as they now obtain block grants under the Safe Streets Act, by incorporating their requirements in the same comprehensive law enforcement plans that they now submit to the Law Enforcement Assistance Administration. The bill provides for certain assurances that the funds would be distributed equitably, as for example, that the counties and localities would receive at least 50 percent.

The projects to be funded under this amendment would meet certain basic criteria to be worked out jointly by the Law Enforcement Assistance Administration and the Federal Bureau of Prisons. These criteria are intended among other things to assure that the design of new facilities would be economical and provide adequately for rehabilitative treatment programs.

I am convinced that the Law Enforcement Assistance Administration provides the best procedure for administering the provisions of this bill. The machinery is already established and functioning. The States would retain the responsibility for their own planning and for setting their own priorities.

Also, the Law Enforcement Assistance Administration, under its existing authority, is already encouraging the development of modern correctional programs, which include prototypes and models for correctional institutions. The additional provisions contained in my bill fit very properly into this effort.

One of these provisions calls for the sharing of correctional facilities on a regional basis. This is very important. Communications and transportation have progressed to the point where it is no longer necessary for each jurisdiction to have separate and distinct jail facilities. Care must be taken to insure that modern techniques of administration can be employed. Duplicity must be avoided whenever and wherever possible. This goal can only be achieved if proper emphasis is placed on establishing regional jail facilities.

The plight of the juvenile facilities, the jails, and the prisons is shared by every State in the Union, and the situation is growing progressively worse. These institutions have already reached the point where they have what most experts consider to be a heavily negative effect on the Nation's drive to bring its problems of crime and delinquency under control.

I am hopeful therefore that this bill will receive the early consideration of the Congress. The condition of our correctional systems constitutes a national shame and a repudiation of our national ideals and goals. We must finally acknowledge and face up to this shame, and start to do something about it.

Mr. President, the bill is not lengthy. I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

A PROPOSAL: A NATIONAL CONFERENCE ON CORRECTIONAL PROBLEMS

(Remarks of Warren E. Burger, Chief Justice of the United States)

For many years we neglected the entire spectrum of criminal justice. Slowly but with increasing pace we have corrected procedural inequities. This emphasis has led us to commit large public resources to the fact-finding process—the litigation of criminal charges and issues. In time we must take stock of what we have done and see whether all of it is wise and useful and constructive.

Meanwhile we must soon turn increased attention and resources to the disposition of the guilty once the fact-finding process is over. Without effective correctional systems an increasing proportion of our population will become chronic criminals with no other way of life except the revolving door of crime, prison and more crime.

There are some problems of American life relating to the law and the fair administration of justice which judges in their decisional function cannot properly and ought not attempt to solve. That judges cannot solve a problem by judicial decision is no reason for judges to remain silent or to be passive spectators of life around us. Judges can help—in the sense that all lawyers can help—by contributing leadership, ideas and programs based on the unique experience our work provides, and we have a duty to do so.

Specifically, I speak of the problem of what we should do with those who are found to be guilty of criminal acts. This is one of Mankind's large unsolved and largely neglected problems.

I do not mean that everyone everywhere has neglected the correctional phase of criminal justice. Many important improvements have been made in the Federal system over the past 30 years or more. Some of the states have very superior correctional systems guided by dedicated and skilled men and women drawn from the social and behavioral disciplines and many whose skills derive from long experience. Indeed, it is with this corps of dedicated people that much of the hope for the future rests.

I need not say in mid-1969 that the problem of securing an orderly society within a system of ordered liberty, guided by fair concepts of justice, is one of the great priorities of our time. However, the disposition of convicted persons is a crucial priority within that primary priority. The day when lawyers and judges could confine themselves sedately to deeds, wills, trusts and matters of commerce is gone. They must increasingly devote their special skills and talents to the large problems of community and national concern.

A friend of mine expressed some surprise 8 or 10 years ago that I had become so deeply concerned with the administration of criminal justice and asked "why?" I answered with a question, in the common fashion of lawyers:

"If we do not solve what you call the problems of criminal justice; will anything else matter very much?"

As we prepare to welcome the Moon Astronauts in Los Angeles it may not be out of order to make the obvious comment that a society which can spend billions to place three men into a flawless moon landing operation ought to be able to enforce its laws, protect its people, and deal with its delinquents both before and after conviction. Being first in space does not prove anything about the validity of the social and legal institutions of either Russia or America—and it surely proves nothing about our systems of justice. Dealing with the human animal is a task far more complex than exploring space; there the mathematician gives us a degree of predictability which can never be possible when human beings are involved. Moreover, if Man could be "programmed" our race will have really been lost.

Immature societies, like immature people, sometimes tend to think and say that everything they have is "the best"; but we are now the oldest continuing republic on earth and we have no need to bolster our national ego. We can afford to take a hard look at all our institutions, to compare them with other societies and to learn from them as they have so often learned from us.

Let us look for just a moment at how we are dealing with those charged with crimes. Over a period of 30 years, with a sharp acceleration in recent years, we have afforded the accused offender the most elaborate procedures, and the most comprehensive system of trials, retrials, appeals and post conviction reviews of any society in the world. None can match us in these manifestations of concern for the accused.

If I were sure—and I am not sure either way—that all this was good for the accused in the large and long range sense that it helps him, I would be in favor of all of it. We should put the question: "What is the social utility of what is proposed?" By "social utility" we must mean simply that a process is useful to all of us and that it strikes a fair balance between Society and the individual. This is the keystone of a fair and decent system of justice. It is against this standard that social institutions must be judged.

I challenge the social utility of any system of criminal justice which allocates, as we now do, a disproportionate amount of our resources to the techniques of trials, appeals and post conviction remedies while it gravely neglects the correctional processes which follow a verdict of guilt.

I do not suggest we diminish in the slightest our efforts toward ensuring that in every criminal proceeding—trial or not—we have three competent and trained professionals: a skilled judge, a skilled prosecutor and a skilled defense advocate. This tripod must have three legs to stand. We must insist on this. What I do suggest is that we must not stop there.

The American Bar Association Criminal Justice Project will soon be drawing to a close. All but two of its 15 or 16 reports have been, or are ready to be printed. I believe this undertaking will in due time take its place as one of the great enterprises of the organized bar. If the bulk of these standards becomes part of the state and Federal administration of criminal justice we will have a much better system. Parenthetically it will reduce the work of the Supreme Court—a matter in which I now have an acute interest.

But splendid as these efforts are, they are not enough. No progress should ever really satisfy Man. No accomplishments should ever be regarded as completing any task. Each becomes a platform for the next step, and the Criminal Justice Project is surely no exception. I hope progress and events will soon render it obsolete.

We must not content ourselves, however, with lavishing great concern and expense and manpower on criminal trials. We must take a fresh look at our responsibility to society with respect to the guilty who are convicted. By that I do not mean to expand or enlarge the post-conviction remedies—let that be clear—except as to states which still fall short in this respect. Some improvements need to be made in the processing of post conviction claims and examination of such claims administratively—but that is another story for another day.

What I propose is this: that the American Bar Association take the leadership in a comprehensive and profound examination into our penal and correctional systems from beginning to end—parole, probation, prisons and related institutions, their staffs, their programs, their educational and vocational training, the standards and procedures for release. By this I mean a study at least as careful and comprehensive as the American Bar Association Criminal Justice Project. (1) We should explore the desirability of separating the sentencing from the fact-finding function; (2) we should explore more fully programs of limited confinement and work release; (3) we should explore teaching methods adapted to the abnormal psychology of the habitual offender; and (4) we should search for programs that will permit the reduction of sentences as incentives for prisoners who will educate and train themselves. The prospect should be held out to each that he can—literally—educate himself out of confinement, thus preparing him to make his living honestly, with pride in his own skills.

I have no program or plan. All I have is the profound conviction, which I believe most judges share, that there must be a better way to do it. There must be some way to make our correctional system into something other than a revolving door process which has made "recidivist" a household word in America.

Such a study will cost a great deal in time of busy lawyers, judges and others. It will require that the social and behavioral disciplines, as well as state and Federal prison administrators, and parole and probation officials, take part. Such a study will require considerable money, but when I observe what has been done in the Bail Projects, the National Defender Project, the American Bar Association Criminal Justice Project and others, I have no doubt the manpower will be a far greater problem than the money.

If there are any correctional experts, they are not the lawyers and judges. For this reason the American Bar Association should enlist every discipline which has something to contribute.

This great Convention of the American Bar Association opened appropriately with a Prayer Breakfast Sunday morning so that we could seek Divine guidance in all matters relating to our responsibilities as members of the Bar. Let us never forget that in His teaching the redemption of sinful men has a high place. If we accept this in our daily lives, we surely cannot fail to apply it to the correctional phase of criminal justice.

EXHIBIT 2

S. 2875

A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide financial assistance to States for the construction of correctional institutions and facilities

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That 82 Stat. 197 is amended as follows:

SECTION 1. Parts E and F of Title I are redesigned Parts F and G and the sections renumbered accordingly.

SEC. 2. Add a new Part E as follows:

PART E—CORRECTIONAL CONSTRUCTION ADMINISTRATION

"SEC. 501. (a) The Administration shall, in accordance with the provisions of this Part, make grants to State agencies for the period beginning July 1, 1969, and ending June 30, 1972.

"(b) for the purpose of making such payments, there is authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1970, $150,000,000 for the fiscal year ending June 30, 1971, $200,000,000 for the fiscal year ending June 30, 1972, and $250,000,000 for the fiscal year ending June 30, 1973.

"SEC. 503. (a) Any State desiring to receive its allocation of Federal funds under this Part shall, consistent with such basic criteria as the Administration may establish under Section 504, incorporate its application in

the State plan provided in Section 303. The application in addition to the provisions of Section 303, shall:

"(1) set forth a comprehensive Statewide program for the renovation and construction of correctional institutions in the State under which at least 50 per centum of all Federal funds granted to State agencies under this Act for any fiscal year will be available to agencies of political subdivisions of such State;

"(2) provide satisfactory assurance that the control of funds granted under this Act and title to property derived therefrom shall be in a public agency for the uses and purposes provided in this Act and that a public agency will administer such funds and property;

"(3) provide assurances that the State agency will pay from non-Federal sources the remaining costs of such program;

"(4) provide assurances that projects assisted under this Act will incorporate innovations and techniques in the design of such facilities in order to improve the effectiveness of the correctional institutions within such States;

"(5) provide assurances that the personnel standards and programs of such facilities will reflect the best practice prevailing in the United States;

"(6) set forth policies and procedures designed to assure that Federal funds made available under this Act will be so used as not to supplant State or local funds, but to supplement and, to the extent practicable, to increase the amounts of such funds that would in the absence of such Federal funds be made available for the purpose of this Act;

"(7) set forth procedures under which the State agency shall not finally disapprove an application for funds from an appropriate agency of any political subdivision of such State without first affording such agency reasonable notice and opportunity for a hearing;

"(8) provide, where feasible and desirable, the sharing of correctional institutions and facilities on a regional basis either among the political subdivisons of a State or among the various States in a region;

"Sec. 504. As soon as practicable after enactment of this Act, the Administration shall, after consultation with the Federal Bureau of Prisons, by regulation prescribe basic criteria to be applied by the State planning agency under Section 503. In addition to other matters such basic criteria shall provide:

"(1) the general manner in which State planning agency shall determine priority of projects based upon (a) the relative need of the area within such State for correctional facilities, (b) the relative ability of the particular public agency in such area to support a program of construction of such facilities, and (c) the extent to which the project contributes to an equitable distribution of assistance under this Act within each State;

"(2) general standards of design, construction and equipment for correctional facilities for different types of offenders and in different locations.

"Sec. 505. Nothing contained in this Act shall be construed to authorize the making of any payment under this Act for the construction of facilities as a place of worship or religious instruction."

Sec. 2. (a) Subsection (f) of Part G—Definitions is amended to insert immediately after the first sentence, the following: "For correctional facility purposes, the term also includes the preparation of drawings and specifications for correctional facilities; altering, remodeling, improving or extending such facilities; and the inspection and supervision of the construction of such facilities. Such term does not include interests in land or off-site improvements."

(b) Part G—Definitions is amended to add the following subsections:

"(l) The term 'correctional institution' means any prison, jail, reformatory, work farm, detention center, community correctional center, regional correctional center, or other institution designed for the confinement or rehabilitation of individuals charged with or convicted of any criminal offense, including juvenile offenders.

"(m) The term 'correctional facilities' includes any buildings and related facilities, initial equipment, machinery, and utilities necessary or appropriate for correctional institution purposes."

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. HRUSKA. I am happy to yield to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I am unfamiliar with the proposed legislation but I wish to commend the distinguished Senator from Nebraska for bringing this general area to the attention of the Senate.

I have the good fortune to serve on the Committee on the Judiciary with the distinguished Senator from Nebraska. Last spring we had an opportunity to visit what I think is one of the most ideal correctional institutions that I have had an opportunity to see. This particular institution is a Federal youth rehabilitation facility located in West Virginia, just outside Morgantown. It is a very fine, modern correctional institution and can serve as a model for the Nation.

At that time we visited the institution in the company of the former Attorney General, Ramsey Clark. From past experience I know of his great interest and concern about this entire area. I think the whole area of rehabilitation of offenders is long overdue for action by Congress and the Senate.

I wish to commend the Senator for drawing our attention to this dimension of the criminal justice system. As a member of the committee which will consider it, I hope to be able to work with him on this legislation because I know very well of his deep commitment in this field. This is an area in which all of us talk about doing something but where there remains a very great opportunity for action.

I thank the Senator.

Mr. HRUSKA. I thank the Senator from Massachusetts for his contribution.

The Senator will find upon examining the bill that it is a projection of some of the things discussed during the formulation of the omnibus crime bill of 1968. In that bill and the provisions of the Law Enforcement Administration Act, we touched peripherally on the subject of correctional institution, but only slightly. This is an effort based on a study of longer duration than the procedures and mechanics contained in the Law Enforcement Administration Act in the field of construction and improvement of those institutions.

The proposed bill will be found to be within that framework. Without it all we are doing is spending a tremendous sum today to detect and apprehend for crime, maintaining an elaborate system for charging those persons with crime, and convicting them with crime, and that is the end of the road.

The greater part of the jails in America today—I would say as many as one-third, but the exact number escapes me—are over 100 years old and few were built in this century. That is a terrible indictment in this field.

Mr. KENNEDY. I commend the Senator. The whole area of corrections, both within and without correctional institutions, is one in which there has not been enough attention. I think all of us are at fault for not working with greater industry in this area. The Senator from Nebraska has performed a very important service in bringing this matter to the attention of the Senate. I am hopeful that we can get consideration of this entire field in the Committee on the Judiciary and develop legislation in this area at an early time.

Again I commend the Senator from Nebraska.

Mr. HRUSKA. I thank the Senator for his generous remarks.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. KENNEDY. Mr. President, if there is no further business to come before the Senate I move, in accordance with the previous order, that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 16 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, September 10, 1969, at 10 a.m.

HOUSE OF REPRESENTATIVES—*Tuesday, September 9, 1969*

The House met at 11:45 o'clock a.m.

Rev. Donald N. Duncan, First Baptist Church, Marietta, Ohio, offered the following prayer:

Father of all mankind, we thank You for our Nation, which has been built upon the principles of Jesus Christ. Help us to remember that we are not our brother's keeper, but our brother's brother. For these men of the Legislature, who will write laws to control all facets of life, we thank You. Make them sturdy in mind and spirit.

We thank You for our world. We pray for peace, but not peace at any price. The peace that will last must be a cooperative peace. Be with our men in service.

Give this Government a keen sense of fairness. A will to make change, without losing the sense of direction of life. Help each Member of the House of Representatives to have faith, courage, and hope.

Bless the President of our country and all who are involved in making our Nation stalwart. Keep us mindful of the weak. Help us to be proud of the strong. Bless all who are in mourning this day.

We put ourselves in Your hands. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MEMORIAL SERVICES FOR THE LATE HONORABLE EVERETT McKINLEY DIRKSEN

The SPEAKER. Pursuant to the provisions of House Resolution 531, the House will attend the memorial services for the late Honorable Everett McKinley Dirksen in the rotunda of the Capitol.

At the conclusion of the services the House will return to its Chamber.

The Clerk and the Sergeant at Arms, bearing the mace of the House, will head the procession.

The Chair, the majority and minority leaders, the majority and minority whips, and other Members appointed to the funeral committee will take places at the head of the column and the House will then proceed to the rotunda.

Thereupon, at 11:49 o'clock a.m., the Speaker and the Members of the House, preceded by the Clerk of the House of Representatives (Hon. W. Pat Jennings) and the Sergeant at Arms (Hon. Zeake W. Johnson, Jr.), bearing the mace of the House, proceeded to the rotunda of the Capitol.

At 12:35 o'clock p.m., the Members of the House returned to the House Chamber.

(For memorial services for the late Honorable Everett McKinley Dirksen, see proceedings of the Senate today.)

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute for the purpose of asking the distinguished majority leader the program for the remainder of this week and any other information concerning the business of the House.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the distinguished gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I am glad the distinguished minority leader has made this inquiry because all Members know that the death and funeral services of Senator Dirksen have caused us to change the program in several particulars.

As Members know, the astronauts will not be here this week.

We will go on with the program as scheduled, with this exception for this week. When we finish the general debate on the resolution providing for a constitutional amendment on presidential elections, we will adjourn over, whether we finish on Thursday or Friday. We are hopeful we may finish up on Thursday, in view of all the circumstances.

We will announce the program for next week later. But for the benefit of Members, I might say there will be interruptions in the continuation of consideration of the resolution to which I have referred because of other priority matters, one of which of course is suspension day on Monday. Another is that the astronauts have been invited to come on Tuesday of next week rather than tomorrow. Another is we have long intended to schedule the legislative appropriation bill for next Tuesday, and subject to interruptions resulting from these factors, we will proceed as speedily as possible to the conclusion of the consideration of the resolution on the constitutional amendment next week to finality.

Mr. GERALD R. FORD. May I ask the distinguished majority leader a further question? We are taking up this afternoon the two bills from the Committee on Interior and Insular Affairs. Will we take up the rule on the resolution for the change in the method of electing the President today or tomorrow?

Mr. ALBERT. It is our plan to take it up today, if we can get to it in a reasonable time.

Mr. GERALD R. FORD. I thank the distinguished majority leader.

SERVICES FOR THE LATE HONORABLE EVERETT M. DIRKSEN AT THE NATIONAL PRESBYTERIAN CHURCH

Mr. GERALD R. FORD. Mr. Speaker, may I advise Members planning to attend the services at the National Presbyterian Church on Nebraska Avenue tomorrow that there will be buses at the Capitol steps at 12 o'clock noon tomorrow for providing transportation to and from the church.

PERMISSION FOR SUBCOMMITTEE ON HOUSING, COMMITTEE ON BANKING AND CURRENCY, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Housing of the Committee on Banking and Currency may sit during general debate today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE SMOTHERS BROTHERS COMEDY HOUR

(Mr. HOWARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOWARD. Mr. Speaker, tomorrow at 8 p.m., channel 5 will telecast "The Smothers Brothers Comedy Hour" show which the CBS television network recently refused to show, and which created a major controversy over the subject of TV censorship.

I urge all of my colleagues to watch this show, not so much to decide if they feel the show is worthy or not, but to decide if they feel that its content was so objectionable as to be subjected to censorship.

Mr. Robert D. Wood, president of CBS, in a letter to the Democratic Study Group, said in part that—

> CBS has an obligation to the audience—and to its sense of decency, propriety and morality.

Mr. Speaker, I urge everyone to watch this show and to then decide whether this action was responsible, or the result of the personal political philosophy of a few individuals in determining what the American people may or may not see.

I wish to stress that I believe that if any part of the show is indecent, improper, or immoral, then CBS was justified in censoring those portions. On the other hand, if, because of a political philosophy, this program was censored under the guise of "morality" then a great disservice has been done to the American people and American freedom.

I urge my colleagues to watch the show and then judge for yourselves.

PERSONAL ANNOUNCEMENT

(Mr. BINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BINGHAM. Mr. Speaker, yesterday I was unavoidably absent from the House because of illness in my family. Had I been present I would have voted against the motion to recommit H.R. 11039, the bill to extend the Peace Corps, and in favor of the bill as amended.

U.N. SECURITY COUNCIL SHOULD DEMAND RELEASE OF TWO TWA HOSTAGES

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PUCINSKI. Mr. Speaker, I would like to call attention of the House to a letter which I sent to the Secretary of State yesterday, which appears in the CONGRESSIONAL RECORD on page 24741.

This letter urges Secretary Rogers to seek assistance from the United Nations Security Council to demand the immediate release by Syria of two American passengers who were taken hostage from a TWA airliner hijacked more than 10 days ago.

It might not seem very important. There are only two individuals. But the integrity of this country and the security of this Nation are at stake. More than 10 days have elapsed. Syria has taken these two passengers as prisoners and is holding them as hostages. This is the first time a nation has taken as hostages passengers removed from a hijacked commercial carrier.

This is an outrage against the dignity of the United States and an act of the most atrocious kind of international piracy we have ever seen. I hope my colleagues will join me in urging the Secretary to seek action through the United Nations. I believe the Security Council ought to be summoned, and I think the Security Council ought to demand safety for these two passengers and ought to demand their immediate release.

If we do not do this, I warn the Members, there is going to be more and more of this type of action. We have already seen the kidnaping of an American Ambassador, and we are witnessing the outrage against our three helicopter pilots in North Korea. If this country does not take action through the Security Council, we are going to see a serious escalation of this new kind of terrorism against American interests around the world. I hope my colleagues will join me in this plea.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERSONAL ANNOUNCEMENT

(Mr. MORSE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MORSE. Mr. Speaker, due to a longstanding engagement away from the Capitol, I was unable to be on the floor to vote in favor of the Peace Corps Act, H.R. 11039.

The Peace Corps is a vital part of our efforts and the goals of our foreign policy: a better and mutual understanding between the United States and the developing countries; a closer communication and basic rapport between peoples that can lead to greater cooperation; the support and participation of the American people in meeting the urgent and basic human problems which challenge the future of civilization.

As a relatively young program, it has faced vastly complex and varied situations. It has undertaken a course virtually uncharted in our experience as a nation, without the benefit of past efforts or tradition. Its achievements have been significant, and its continued strength and success will be indicative of our commitment to the principles of human equality, dignity, and peace.

HURRICANE GERDA

(Mr. EDWARDS of Alabama asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. EDWARDS of Alabama. Mr. Speaker, at this very moment Hurricane Gerda is off the Atlantic coast threatening possible damage to heavily populated land areas of the United States. Hurricane watches went up a few days ago on the Georgia coast when Gerda was just a mere tropical storm. Now emergency plans are being formulated from Long Island to Maine to protect shipping, aircraft, homes, and other property. Residents of low-lying areas are being urged to move inland. Hopefully Gerda will blow out to sea.

We have just been through a devastating hurricane—Camille.

As Gerda moves up the Atlantic coast, we must ask ourselves, how long will it be before we have the necessary legislation to effectively help hurricane victims? How long will it be before we have a national plan to prevent great damage in advance of these killer hurricanes?

Solving these problems should have a high priority in this Congress. I urge prompt and early action.

AMERICAN PRISONERS OF WAR HELD BY NORTH VIETNAM OR VIETCONG

(Mr. DICKINSON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DICKINSON. Mr. Speaker, I previously sent out a message to all Members of the House pointing out that on Thursday of this week it would be my intention to take a special order in connection with our prisoners of war who are now held captive by North Vietnam. As is probably known by most of the Members of this House, we have over 1,300 men missing in action in Vietnam, of which only 450 are known to be prisoners. Yet, to this date, neither North Vietnam nor the Vietcong have revealed the names of those Americans they are holding prisoner.

I take this opportunity, Mr. Speaker, to inform the Members of the House, as I have by mail, that because of the change in the legislative schedule this week, I have asked for a special order for Wednesday of next week, September 17.

Notices will appear in the public press.

We expect the families of many of the POW's and those missing in action to be in attendance in the gallery for this special order. We expect 200 or 300 here.

We will follow this up with a reception at which the Joint Chiefs of Staff and other Government officials have been invited to attend, honoring the families of the missing in action and the prisoners of war.

Once again I should like to invite the Members of the House to participate in this special order with me and to honor the families of POW's and MIA's by being present at the reception.

THE CRUEL AND INHUMANE TREATMENT OF AMERICAN POW'S BY NORTH VIETNAM

(Mr. DON H. CLAUSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DON H. CLAUSEN, Mr. Speaker, I want to take this opportunity to address myself to a situation that, for too long, we in the Congress have been altogether too silent on. I refer to the cruel and inhuman treatment afforded American prisoners-of-war by the Government of North Vietnam.

Since the outset of U.S. involvement in the war in Vietnam, the Government in the north, while disassociating itself with the conflict in the south, has taken custody of American prisoners, refused to even report their names or the exact number they hold, and, as confirmed by two who were recently released, these men are being subjected to the lowest forms of human degradation and suffering.

For a government that claims to be concerned about human suffering and interested in seeking a negotiated settlement of the conflict, North Vietnam's treatment of American servicemen raises serious doubts about their true intentions. Quite frankly, I hope the world is watching and I further believe that this tragic story should be told to the American people—they have a right to know.

In addition to the captives themselves, the real victims here are the families and loved ones of those who's fate now hangs in the balance. Not knowing whether their servicemen are dead or alive, these helpless victims represent the true agony of Vietnam.

To them, the relatives of our missing fighting men, I hereby pledge my full support to do everything I can to correct this human tragedy.

ADMINISTRATION POLICY OF NEGOTIATION, NOT CONFRONTATION IN VIETNAM

(Mr. FISH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FISH. Mr. Speaker, a news story that the United States will not initiate new military actions following the current 3-day cease-fire in Vietnam is the most welcome and if accurate is the most significant peace initiative to date. Let us call it what it is, and proclaim to the world that we are prepared to simply bring a stop to the shooting and killing.

Regardless of the reception in Hanoi to such action, the world will know that continuation of the war is up to the North Vietnamese.

The President is to be commended for his leadership in reversing our military strategy. No less significant is his assertion of decisionmaking by Washington and not by Saigon.

Limiting our military operations would be the most dramatic effort to deescalate. It would follow a reduction in B–52 flights and the start of troop withdrawals. It would follow steady progress during this year toward moving settlement of the issues from the battlefield to the political arena. It is consistent with administration policy of negotiation not confrontation.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 247, RELATING TO THE ADMINISTRATION OF THE NATIONAL PARK SYSTEM

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 461 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 461

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 247) relating to the administration of the national park system. After general debate, which shall be confined to the joint resolution and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the joint resolu-

tion shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. BOLLING. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 163]

Anderson, Ill.	Ford,	Powell
Ashbrook	William D.	Preyer, N.C.
Baring	Foreman	Purcell
Belcher	Frelinghuysen	Reuss
Blanton	Gaydos	Rooney, N.Y.
Boland	Giaimo	Roudebush
Cabell	Gubser	Scheuer
Cahill	Hungate	Shriver
Celler	Jacobs	Sikes
Clark	Karth	Smith, Calif.
Clay	Kirwan	Smith, Iowa
Collins	Landrum	Taft
Conyers	Lipscomb	Teague, Calif.
Cunningham	MacGregor	Teague, Tex.
Daddario	Mailliard	Tiernan
Davis, Ga.	Meeds	Tunney
Dawson	Melcher	Udall
Diggs	Meskill	Watson
Dwyer	Miller, Calif.	Widnall
Esch	Murphy, N.Y.	Wilson,
Fallon	Nix	Charles H.
Fisher	Pelly	Young
Foley	Pickle	

The SPEAKER pro tempore. On this rollcall 364 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 247, RELATING TO THE ADMINISTRATION OF THE NATIONAL PARK SYSTEM

The SPEAKER pro tempore. The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Nebraska (Mr. MARTIN), pending which I yield myself such time as I may consume.

Mr. Speaker, while there is some controversy on the legislation made in order by this resolution, there is no controversy on the rule, so far as I know. It is a simple, open rule providing for 1 hour of general debate.

Mr. Speaker, I reserve the balance of my time.

Mr. MARTIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this rule provides for 1 hour of debate, to be equally shared and controlled by both sides of the aisle.

The purpose of the joint resolution is to prohibit any overnight camping, or the erection of any temporary structure at any location within a national park which has not been previously designated as a regular campground.

Present law and existing regulations leave to the Secretary of the Interior the right, in his discretion, to issue a permit for group camping at park areas other than such designated locations.

The joint resolution removes this discretion and treats all persons wishing to use camping facilities equally. All may camp on a first-come, first-served basis at designated campgrounds. Other areas of the parks cannot be used for overnight camping.

Several exceptions are provided. Military use, including overnight camping is permitted, as is overnight use by U.S. park employees in the performance of their duties. Public overnight use is permitted for an emergency arising out of an act of God; that is, fire, flood, earthquake.

Mr. Speaker, I know of no objection to the rule.

Mr. Speaker, I reserve the balance of my time.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 471, TO HOLD IN TRUST CERTAIN LANDS FOR THE PUEBLO DE TAOS INDIANS IN NEW MEXICO

Mr. BOLLING. Mr. Speaker, I call up House Resolution 462 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES 462

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 471) to amend section 4 of the Act of May 31, 1933 (48 Stat. 108). After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore. The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska (Mr. MARTIN), pending which I yield myself such time as I may consume.

Again, Mr. Speaker, there is some controversy on the bill made in order by this resolution, but I know of no controversy on the resolution itself. Therefore, I reserve the remainder of my time.

Mr. MARTIN. Mr. Speaker, I yield myself such time as I may consume.

House Resolution 462 provides for an open rule with 1 hour of debate for consideration of H.R. 471.

The purpose of the bill is to grant to the Pueblo de Taos Indians of New Mexico trust title to approximately 48,000 acres of federally owned land now a part of the Kit Carson National Forest. These lands were taken from the Indians without payment in 1906. The 48,000 acres which were conveyed are part of a larger tract of approximately 130,000 to which the Pueblo de Taos Indians have aboriginal title. This was confirmed by a decision of the Indian Claims Commission in 1965. The Indians attach great significance to this particular 48,000 acres and have urged the Government to return title to the land which the Indians now use rather than make a lump sum payment.

The importance of this tract of land to the Indians has long been recognized by the Government. Preservation of the land in its natural condition is said by the Indians to be essential to the protection of their religion. The Forest Service has stated that the transfer of the land to the Indians would not prejudice the administration of the remaining acreage in the Carson National Forest.

The bill transfers the land to the Indians and continues existing rights and uses now permitted on a part of the 48,000 acres so transferred. These rights include grazing permits granted by the Forest Service and recreation use by the public which have heretofore been granted with the approval of the Indians on a limited basis which will be continued.

The committee report makes clear that the committee does not consider this bill as a precedent for settling of claims by the conveyance of land rather than by money payment. The committee considers the Pueblo de Taos Indians to be a unique position in that their aboriginal title was extinguished without compensation. Also, the religious needs of the Indians with respect to this land have been recognized by the Federal Government for the past 63 years and that the Indians interest in the land includes preservation of their religion.

No additional Federal cost is anticipated through the passage of this bill. The Department of Interior supports the legislation. The Department of Agriculture opposes enactment of the bill believing that the land should remain a part of the national forest and that the Indians should continue to be permitted their special user rights. They foresee the attempt to use this legislation as a precedent in settling future Indian claims.

The Bureau of the Budget supports the Department of Agriculture in its opposition.

This bill is almost identical to H.R. 3306 which passed the House in the 90th Congress but died in the Senate.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RELATING TO THE ADMINISTRATION OF THE NATIONAL PARK SYSTEM

Mr. ASPINALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 247) relating to the administration of the national park system.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 247), with Mrs. GREEN of Oregon in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent, the first reading of the joint resolution is dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Colorado (Mr. ASPINALL) will be recognized for 30 minutes, and the gentleman from Iowa (Mr. KYL) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. ASPINALL. Madam Chairman, I yield myself 10 minutes.

Madam Chairman, as the gentleman from Missouri stated, there is some opposition to the legislation and those in charge of the time will endeavor to see to it that those who wish to speak in opposition have that right.

Madame Chairman, the Committee on Interior and Insular Affairs has carefully considered the legislation now before the House. In addition to the consideration given to House Joint Resolution 247 this year, the committee studied a comparable measure during the 90th Congress but time did not permit its consideration before adjournment.

House Joint Resolution 247 is not a difficult measure to understand. Its purpose is simply to provide basic statutory standards with respect to camping activities within the various units of the national park system. It does not prohibit camping, overnight occupancy, or the erection of temporary structures, but it limits them exclusively to areas regularly designated for that purpose.

Presently, there are no statutory standards for the guidance of the Secretary with regard to overnight use of national parks and recreation areas. In fact, he has general authority to manage and control all areas of the system and to regulate their use as he deems appropriate. The majority of the members of the committee feel that this discretionary authority is far too broad, particularly with respect to his authority to issue special permits to camp in areas that are otherwise unavailable for that purpose.

Madam Chairman, there are many good reasons why temporary campgrounds should be prohibited except in very extraordinary circumstances.

First, they can be menacing to public health, because they lack the usual water and sanitary facilities commonly found at all regularly designated camping areas;

Second, they place an undue burden upon those who are charged with the responsibility of providing protection and other administrative services for visitors;

Third, they can cause irreparable harm to the natural values of an area or, at best, they can require costly restoration; and

Fourth, and perhaps most important, they interfere with the normal public use of an area and with the enjoyment of that area by the public at large.

In fact, Madam Chairman, the National Park Service is so convinced of the validity of these arguments that it has denied some persons and groups permission to temporarily camp in areas not regularly available for overnight use. On some occasions, however, temporary campgrounds have been permitted notwithstanding the magnitude of these problems.

The members of the committee do not argue that special, temporary permits should be granted to all who applied. On the contrary, most members feel that these special privileges should be extended to no one or no group, because we feel that such permits have been and will continue to be detrimental to the national park program and contrary to the public interest.

House Joint Resolution 247, if enacted, would assure an equal opportunity for all persons and special privileges for none except in the extraordinary circumstances detailed in the resolution. It would prohibit the Secretary of the Interior from permitting anyone to be domiciled overnight in any area of any unit of the national park system which is not regularly designated for that purpose.

The exceptions to this general policy are carefully limited by the legislation. In the event that parklands should be essential for some temporary military or governmental use, appropriate arrangements would have to be made with the Secretary of the Interior. Similarly, in the event of some natural catastrophe—an earthquake, a hurricane, a flood, or the like—the Secretary could permit the establishment of temporary campgrounds. Before authorizing the use of any parklands for such temporary uses, the Secretary should explore all reasonable alternatives and should secure assurances that such uses will be truly temporary and not for an unduly extended period of time.

Another exception to this general policy relates to the back country camping. By definition, back country camping is located in remote areas where regularly designated campgrounds would be inappropriate and impractical. This legislation does not affect back country camping, but as it has been in the past, it will remain subject to reasonable regulation.

With these exceptions, this legislation, as recommended by our committee, limits camping, overnight occupancy, and the erection of temporary structures to areas: First, which are regularly designated as campgrounds; and, second, which are open to all persons on the same basis.

Because the Congress has the constitutional responsibility to make all rules and regulations respecting the territory and property of the United States, House Joint Resolution 247 attempts to carefully circumscribe the discretionary authority of the Secretary of the Interior. Since it restricts his authority, we cannot expect his enthusiastic endorsement of the measure, but I hasten to add that this administration has indicated—as did the past administration—that it does not object to the enactment of this legislation. Most of the members of the Committee on Interior and Insular Affairs feel that this legislation represents a reasonable measure of control over the property of the people of the United States.

Madam Chairman, House Joint Resolution 247 is one measure which did not originate with some ambitious bureaucrat. Its origin is here in this House. It is the product of a bipartisan group of Members of the House who are intimately familiar with national park matters and who are concerned about the future of these treasured areas. It was cosponsored by 14 Members of the Committee on Interior and Insular Affairs and by two of our former committee colleagues, Mr. MORTON and Mr. WHITE.

To be sure, we feel that more adequate camping facilities should be provided in our national parks and recreation areas. Regularly designated camping areas should be suitably located so as to assure the accommodation, health, and safety of park visitors without impairing the values for which the area was set aside as a part of the park system and without interferring with others wishing to use and enjoy these same outdoor areas.

In conclusion, Madam Chairman, we feel:

First, that House Joint Resolution 247 is a reasonable exercise of legislative control over the property of the United States;

Second, that it is consistent with the constitutional responsibility imposed on the Congress by article IV, section 3;

Third, that it is needed to assure the protection of park values from unnecessary, intensive intrusions; and

Fourth, that it is essential to assure all people that they will have an equal opportunity to use and enjoy their national parklands.

As chairman of the Committee on Interior and Insular Affairs, I feel that this legislation is most important. It protects the future of our parks against abuses. I feel that it merits your support and I recommend its enactment by the House.

Mr. TAYLOR. Madam Chairman, will the gentleman yield for the purpose of my seeking additional information?

Mr. ASPINALL. I yield to the distinguished gentleman from North Carolina, the chairman of the subcommittee which handled this legislation.

Mr. TAYLOR. Would the gentleman explain how this legislation relates to H.R. 1035 which the House passed earlier this year which deals with public lands in the District of Columbia?

Mr. ASPINALL. This legislation is not inconsistent with the bill H.R. 1035 which was approved by the House on June 11. Both bills could, and I believe should, be enacted into law, because they deal with different circumstances. H.R. 1035 abso-

lutely prohibits all camping and overnight occupancy on all Government property located in the District of Columbia—including the National Capital Parks. The legislation now before the House—House Joint Resolution 247—involves all units of the national park system—everywhere in the country—and it restricts camping to those areas designated for that purpose except in specified circumstances. Inasmuch as there are no regularly designated campgrounds in any of the national park areas located in Washington, D.C., House Joint Resolution 247 would have the effect of prohibiting camping and overnight occupancy on these parklands. H.R. 1035 goes one step further in that it prohibits even the designation of regular campgrounds for overnight use on any Government lands in the District of Columbia.

Mr. TAYLOR. If the gentleman will yield further, the gentleman indicated that back country camping would not be subject to the limitations in this legislation. I notice that the report of the Department of Justice suggests that that terminology is not sufficiently definite. Will you tell us precisely what is meant by the term back country camping?

Mr. ASPINALL. I do not believe that this term is vague; it is a term of art commonly understood in the field. It is defined in the "National Park Service Glossary of Commonly Used Terms" as meaning "a part or parts of a park beyond the main developed use areas and generally not accessible to vehicular travel. Back country is characteristically of primitive or wilderness nature, of considerable dimensions, and accessible, if at all, only by horse or foot trails or in some cases by unimproved roads."

I think that this pretty clearly designates the areas which we call back-country areas in our national parks.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. ASPINALL. Madam Chairman, I yield myself 2 additional minutes.

Mr. TAYLOR. Madam Chairman, will the gentleman yield further?

Mr. ASPINALL. I yield further to the gentleman from North Carolina.

Mr. TAYLOR. In reading the dissenting views, I notice that it is suggested that by requiring designated camping areas to be open to all persons, House Joint Resolution 247 might be interpreted to prevent the National Park Service from designating areas for the exclusive use of groups. Would House Joint Resolution 247 have the effect of preventing a Scout group, for example, from using a campground?

Mr. ASPINALL. Madam Chairman, let me say first that most members of the committee do not feel that House Joint Resolution 247, as recommended, interferes with the designation of group camping areas, but the legislation does specify two requisites for campgrounds:

First, they must be regularly designated by the National Park Service as campgrounds; and

Second, they must be open to such use by all persons—that is, by all persons on the same basis.

There was some concern, however, that this language was ambiguous with respect to group campgrounds or campgrounds which are available exclusively for group use. Consequently, after the resolution was ordered reported, the committee reconsidered this specific issue and authorized a clarifying amendment to be offered at the appropriate time.

When offered, that amendment will make it clear that the Secretary may designate areas for group camping only, provided that they are available to all groups on the same basis. The language is carefully drafted to assure that all group camping areas are available for the use of any and all groups. This, of course, will not—and I emphasize this point—will not permit the Secretary to designate a temporary group campground in any unit of the national park system to exclusively accommodate a single group. It will enable him, or those he designates, to reserve a regularly designated group camping area for the use of groups or organizations making application in proper form.

The CHAIRMAN. The time of the gentleman from Colorado has again expired.

Mr. ASPINALL. Madam Chairman, I yield myself 1 additional minute.

Mr. TAYLOR. If the gentleman will yield further, I have one final question.

Throughout your presentation and in the resolution and report, there are references to "regularly designated campgrounds." For the purposes of legislative history, would you explain the meaning of that phrase?

Mr. ASPINALL. Madam Chairman, I would be happy to explain the phrase. When we refer to a "regularly designated campground" we mean an area in a unit of the national park system which is used for camping and overnight occupancy, because it is developed with that use in mind. Such an area would be equipped to provide required sanitary facilities, water, and the like.

The National Park Service publishes a list indicating the areas where campsites are available—these are "regularly designated campgrounds" within the meaning of the legislation. There are presently 83 units of the national park system which have regularly designated campgrounds, according to a 1969 publication entitled "Camping in the National Park System." Within these 83 units, there are approximately 365 group camps and roughly 25,000 camping spaces for public use.

Regularly designated campgrounds certainly are not permanent because circumstances may require that they be moved from time to time in order to preserve the outdoor values of the area, but they most certainly are not temporary. So we must keep this in mind.

Mr. TAYLOR. I thank the gentleman.

The CHAIRMAN. The gentleman from Colorado has consumed 13 minutes.

The gentleman from Iowa (Mr. KYL) is recognized.

Mr. KYL. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, my friend, who is the distinguished chairman of the House Committee on Interior and Insular Affairs, has done an excellent job of explaining what this bill does. It will probably be said by some that it is an unusual bill, that it restricts certain Americans to do things which they might want to do. There may be even more serious charges leveled at the bill.

I rise in support of House Joint Resolution 247, relating to the administration of the national park system.

The purpose of this legislation is to limit the discretion of the Secretary of the Interior to permit camping, overnight occupancy, or the erection of temporary shelters or other structures within the national park system. The legislation provides that the Secretary of the Interior in his administration of our national parks may permit camping and overnight occupancy only in those areas regularly designated for individual or group camping and in other specific instances named in the bill.

There is no question of the need for this legislation. The need was dramatized by the "Resurrection City" or "camp-in" which took place on the Mall here in Washington, D.C., last year. The subject matter of this bill was debated long before that event. Whether or not you or I agree with the objectives or purposes of that event is not important to this legislation. What is important is that it was that event which clearly demonstrated the lack of basic statutory standards with respect to camping or overnight occupancy in the administration of our national park system. It was that event which clearly indicated a threat to the values of our national parks system. The random designation of camping areas in the national park system, can eventually destroy the national park system.

The fact that our national park system can be destroyed by the random designation of camping areas within the system is dramatically demonstrated by the fact that it cost the taxpayers of the United States in excess of $1 million to recover from the issuance of a permit by the Secretary of the Interior to permit camping on the Mall for a period of 6 weeks last year. We cannot permit a similar situation to occur on other lands or property administered by the National Park Service and the Department of the Interior.

The values of our national park system are national assets which belong to all the people of the United States. It is the responsibility of Congress to protect these values for all the people of the United States. House Joint Resolution 247 does exactly this, it assures the preservation and protection of the values of our national park system in accordance with the purposes for which they were originally established.

I urge all of my colleagues to support the passage of this legislation.

Mr. ASPINALL. Madam Chairman, I yield 5 minutes to the gentleman from New York (Mr. RYAN).

Mr. RYAN. Madam Chairman, I rise in opposition to this resolution, and I refer the Members to the dissenting views that several of us who are members of the Interior and Insular Affairs Committee have expressed in opposition to House Joint Resolution 247 as they appear in the report.

In my view, this resolution is unnecessary and unwise and, by infringing upon fundamental freedoms, raises serious constitutional questions.

It is perfectly clear that this resolution is a product of the adverse reaction by the Congress to last year's Resurrection City. Had it not been for Resurrection City, this bill would not be before the House. In its efforts to prevent future Resurrection Cities, Congress should not ignore the constitutional rights of all Americans.

This resoluton is unnecessary. It has not been requested by the Secretary of the Interior or the Director of the National Park Service. As a matter of fact, last year in a letter dated June 15, 1968, commenting upon a similar resolution, the Deputy Attorney General, Warren Christopher, stated, and I quote:

In view of the fact that present statutory authority and regulations appear to be adequate we question the need for adoption of this resolution.

Then this year, this June 11, despite the opposition of some of us, the House did pass the bill, H.R. 1035, which prohibits overnight occupancy or camping on property owned by the U.S. Government or the District of Columbia government in the District of Columbia. That bill was obviously intended to prevent future Resurrection Cities, as this one is. The House has already acted, and I suggest that this resolution is simply legislative overkill.

Furthermore, let us look at the effect of this resolution. It would prevent, for instance, groups such as the Boy Scouts of America from making application to the Department of the Interior for special permission to camp on undesignated areas of our national parks.

The Director of the National Park Service testified before our committee that more than 100 such applications were made to him in 1968 alone. One example was a request from the Boy Scout Council to camp out on the historic battlefield at Yorktown. Why should the Congress pass legislation preventing the Secretary from having the discretion to grant a permit for Boy Scout encampments?

The House ought to approach the problem of regulating the use of our national parks without emotion and without denying to the Secretary of the Interior the flexibility that he needs for the efficient administration of our national parks.

In reality this resolution is an after-the-fact reprimand of the former Secretary of the Interior for granting the permit to use West Potomac Park last year to the the Poor People's Campaign. Its passage would unwisely tie the hands of all future Secretaries of the Interior. Congress ought to have enough confidence in the wisdom of the person who has been designated by the President to be Secretary of the Interior, a Cabinet position, to permit him the flexibility and authority to handle administrative matters which are properly within his province.

Moreover, as I pointed out, this resolution is unduly restrictive of the freedoms guaranteed by our Constitution, and it may impose a prior restraint upon the rights guaranteed in the Bill of Rights.

Congress shall make no law abridging the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Restrictions upon camping and overnight occupancy on national park land in the District of Columbia may well inhibit the exercise of the right to assemble peaceably and to petition for redress of grievances.

Publicly owned land and parks in the Nation's Capital should be available under reasonable regulations for the purpose of peaceable assembly and petitioning the Congress. Those deprived Americans, who cannot afford the luxuries of a Washington hotel or motel which are available to lobbyists for vested interests, should not be forced to forfeit these rights.

All people, rich and poor alike, should have an equal opportunity to lobby for laws which will meet their needs. It has been said that the problems of this Nation can be solved through political channels within the framework of our Government, and I believe that to be true. But I also believe that Congress should not, as this resolution does, block channels for peaceful protest.

This is one of a series of resolutions which have been introduced in the Congress in an attempt to prevent the recurrence of the Poor People's Campaign. Perhaps there may be some fear that, if the spotlight of another Poor People's Campaign or a similar event is thrown upon Congress, it may reveal our failures to deal with the fundamental problems which confront our society, the need to enact meaningful legislation to deal with the problems of want, hunger, poverty, and discrimination.

If Congress really wants to eliminate future Resurrection Cities, then let us eliminate the underlying conditions which have brought so many millions of people in our society to the point of living in despair without hope. This resolution should be defeated.

I include at this point in the RECORD the dissenting views which were filed by Congressman BURTON, of California, Congressman KASTENMEIER, Congresswoman MINK, and myself.

DISSENTING VIEWS

We believe that House Joint Resolution 247 is unnecessary, unwise and raises grave constitutional issues.

This resolution would prohibit camping, overnight occupancy, and the erection of temporary shelters in areas under the jurisdiction of the National Park Service except in those areas which are regularly designated for such purposes.

Legislation has not been requested by the Secretary of the Interior or the Director of the National Park Service. The Department of Justice in a letter commenting upon a similar resolution introduced in the 90th Congress and dated July 15, 1968, from the Deputy Attorney General, Warren Christopher, to the chairman of the Committee on Interior and Insular Affairs stated: "In view of the fact that present statutory authority and regulations appear to be adequate we question the need for adoption of this resolution."

Existing law gives the Secretary of the Interior general authority to issue rules and regulations concerning use and management of park and other areas under the jurisdiction of the National Park Service. In sections 2.5 and 50.27 of title 36 of the Code of Federal Regulations camping is now permitted only in designated locations.

This resolution would take away the flexibility needed by the Secretary of the Interior to administer efficiently the Nation's parks. A statutory prohibition on camping in all areas not regularly designated for such purposes may handicap the Department of the Interior in administering our national park system.

First, it would restrict the educational and recreational use of our national parks by groups such as the Boy Scouts. The Director of the National Park Service testified in 1968 that annually there are between 100 and 150 requests for permission to camp in parts of the national park system that are not regularly designated for camping. An example was a request from the Boy Scouts Council to camp out on the battleground at Yorktown. This resolution would make such a camp out impossible, for it would make it necessary for the Secretary of the Interior to designate the battleground site as a regular camping area and thus raise the prospect of endangering the condition of the site as a historic landmark.

Second, it would prevent the use of nondesignated areas in an emergency situation except an emergency arising out of an act of God. The committee rejected an amendment incorporating language recommended by the Department of the Interior excepting "an emergency as determined by the official of the National Park Service in charge of the area involved." It is apparent that the committee does not intend to permit the Secretary to have any discretion.

Third, by requiring that designated camping areas "be open to such use by all persons," the resolution creates a potential administrative tangle. This is not a nondiscriminatory provision. Existing regulations provide for the use of camping sites on a first-come, first-served basis and only to the extent that the applicant can reasonably be accommodated in the particular area. This is already nondiscriminatory. By the additional language, the resolution would prevent the National Park Service from granting special permits to groups requesting the exclusive use of regularly designated camping areas for a certain period. For instance, it might make it impossible for a Boy Scout troop to be together in a camp site.

This resolution was originally drafted in response to the poor people's campaign of 1968 and, according to its sponsors, with the intent of preventing a future Resurrection City. It is an after the fact reprimand of the former Secretary of the Interior for granting the use of West Potomac Park for Resurrection City.

We believe the Department of the Interior and the National Park Service should be commended for its handling of the poor people's campaign. The use of West Potomac Park was, in fact, a demonstration of the right of the people peaceably to assemble and to petition Congress as guaranteed in the Bill of Rights of the Constitution.

In a period of confrontation politics often marked by violence, it is to the credit of the administration then in office and the leadership of the Poor People's Campaign that a confrontation did not occur.

The impression has been created that this resolution will punish demonstrators or those who might seize and occupy portions of the national park system. It does not. It is directed solely at the Secretary of the Interior, making him a law violator if he grants a permit in an area other than one regularly designated. It would impose a statutory prohibition upon an act which should be a matter within the administrative authority of the Secretary.

It is with the possible encroachment of fundamental freedoms that this resolution raises grave constitutional questions. The first amendment of the Bill of Rights states that "Congress shall make no law * * * abridging * * * the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

The prohibitions upon camping, overnight occupancy, and the erection of a temporary structure may be in effect a prior restraint upon the exercise of first amendment rights, inhibiting expression before the fact. There are already special regulations governing camping in the National Capital parks which provide a permit may be denied if "the event will present a clear and present danger to the public health or safety." (36 CFR 50.19C)

Why should not the public parks in the Nation's Capital be available under reasonable regulations for peaceable assembly and the petitioning of Congress?

This resolution would deprive American citizens of the opportunity to use land acquired and maintained by public funds as a place of assembly. It tells the poor, the deprived and the oppressed, who do not have $15 or $20 per night for an air-conditioned Washington hotel or motel, that they will be restricted in lobbying for laws necessary to meet their needs.

During past summers our Nation has witnessed "civil disorders" involving people for whom America has failed to provide hope of sharing her abundance. And each time, as national leaders decried the violence, they repeated again and again that violence was not the answer to economic and social ills—that there were legitimate means of social protest in our democracy—that functioning mechanisms for redress of grievances exist within the framework of our Government.

House Joint Resolution 247 is only one of a series of resolutions that have been introduced in an attempt to block a recurrence of the poor people's campaign. Perhaps it is feared that, if the poor people's campaign comes back to Washington, it might put the spotlight back on the failures of Congress.

Instead of reacting by infringement upon the Bill of Rights, the Congress should attack the underlying conditions of want and hunger and enact meaningful legislation to eliminate poverty.

WILLIAM F. RYAN.
PHILLIP BURTON.
PATSY T. MINK.
ROBERT W. KASTENMEIER.

Mr. KYL. Madam Chairman, I yield such time as he may require to the gentleman from Pennsylvania (Mr. SAYLOR).

Mr. SAYLOR. Madam Chairman, I rise in support of House Joint Resolution 247, relating to the administration to the national park system.

The purpose of this legislation is to guarantee to the American people that the values of our national park system and other lands over which the National Park Service and the Department of the Interior exercise control will be protected and preserved in accordance with the purpose for which they were originally established.

To accomplish this purpose, House Joint Resolution 247 limits the authority of the Secretary of the Interior to permit camping, overnight occupancy, or the erection of any temporary shelter or other structure for such purpose, to those areas of the national park system which are regularly designated for such purposes and to those areas so designated which are open to use by all persons or all groups.

This legislation seeks to prevent the occurrence of "Resurrection Cities" within the national parks system or areas so administered by limiting the discretionary authority of the Secretary of the Interior to issue camping permits to areas not designated or otherwise suitable for camping or temporary occupancy. Congress must exercise this responsibility to protect these values in light of the fact that it cost the American people in excess of $1 million as a result of the "camp-in" on West Potomac Park on the Mall here in Washington, D.C., for a period of 6 weeks, just last year. Therefore, this limitation on the authority of the Secretary of the Interior is necessary to protect and preserve the values of our national parks and areas so administered.

This legislation is not an attempt to rebuke any individual or group in any way. Nor does it, in my opinion, encroach upon the fundamental right of the people to peaceably assemble and petition the Government for a redress of grievances. House Joint Resolution 247 is responsible and constructive legislation to protect the values and assets of this Nation which belong to all the people. The overriding national interest is what is really involved in this legislation and I urge my colleagues to support its passage.

Mr. ASPINALL. Madam Chairman, I yield 4 minutes to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK. Madam Chairman, House Joint Resolution 247 in my opinion is an unfortunate reaction against the decision made by the past administration to authorize use of certain lands in Washington, D.C., for the purpose of housing the Poor People's Campaign last year.

I believe it is an overreaction prompted by a disagreement with the judgment of the previous administration on this matter.

The issue before this Congress is not whether the White House and the Secretary of the Interior were correct in the exercise of their discretion or whether they were incorrect. The issue before the House in House Joint Resolution 247 is whether, because some disagree with the past judgment of the previous administration, the discretion to exercise that judgment ought to be removed to avoid for all future time all such uses because some may again be criticized.

This bill not only prohibits all overnight uses of all public lands under the jurisdiction of the national parks administration in the District of Columbia which have not previously been designated as campsites, but it also extends this prohibition throughout the country and affects uses of all national parks lands.

It is my view that not only is House Joint Resolution 247 unnecessary to the efficient administration of our national parks, but also it could actually lessen this efficiency. Existing legislation gives the Secretary of the Interior authority to issue rules and regulations, and existing regulations now permit camping only in designated locations except under the conditions of issuance of special permits. Flexibility in administration permits the Department of the Interior to issue special permits for camping in areas not regularly designated.

For example, Boy Scout troops frequently request permission to establish encampments in park areas with special significance for them, because of a current project, but which would not be suitable for designation as a permanent campsite. House Joint Resolution 247 would force the Secretary of the Interior either to refuse permission to the Boy Scouts or other organizations making similar requests, or to designate the area under consideration as a regular campsite,

I believe this resolution is intended as a reprimand to the former Secretary of the Interior for granting the use of West Potomac Park in Washington, D.C., as a campsite for citizens participating in the Poor People's Campaign of 1968. This House Joint Resolution 247 does not punish demonstrators or those who might illegally seize and occupy portions of the national park system. Instead, it is aimed solely and directly at the authority of the Secretary of the Interior. It would make him guilty of violating the law if he grants a permit for camping within an undesignated area. His judgment is no longer trusted. I believe this lack of confidence in a member of the President's Cabinet is unjustified, and I am opposed to the present resolution.

Madam Chairman, the first amendment of the Bill of Rights states:

> Congress shall make no law . . . abridging . . . the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

There are already special regulations governing camping in the National Capital parks which provide a permit may be denied if "the event will present a clear and present danger to the public health or safety."

Why should not the public parks in the Nation's Capital and throughout this country be available under reasonable regulations for peaceable assembly and the petitioning of Congress if the Secretary of the Interior so finds?

Why should not the President of the United States together with his Cabinet officer, the Secretary of the Interior, be charged with the determination of this reasonableness? I believe they should retain this discretion and, therefore, I oppose this resolution.

Mr. ASPINALL. Madam Chairman, I yield 5 minutes to the gentleman from North Carolina (Mr. TAYLOR), the chairman of the subcommittee and the gentleman handling this legislation.

Madam Chairman, will the gentleman yield?

Mr. TAYLOR. I yield to the gentleman from Colorado.

Mr. ASPINALL. Madam Chairman, a statement was made by the previous speaker as to the reason for the introduction of the legislation.

I want it distinctly understood that I was one of the main sponsors of this legislation and one of those who sought that it be drafted, and I asked my colleagues to join in its sponsorship with me. It was not intended to reprimand anyone whatsoever. The fact is the legislation was introduced for the purpose of aiding the Secretary of the Interior in the furtherance of his administrative

obligations, and not to hurt him nor to handicap him nor to reprimand him, but to aid him, so his final authority would be well designated.

Mr. TAYLOR. I thank the gentleman.

Madam Chairman, this legislation was cosponsored by 16 Members of this House—Members representing districts from all parts of the Nation and people with different political beliefs and different backgrounds. No one believes more than we do in the Bill of Rights. We do not feel that this legislation impairs, in any way, the right of free speech, or the right of people peaceably to assemble, or the right to petition the Government for the redress of grievances. Those rights are basic to our system of government and should never be unjustly denied. House Joint Resolution 247 does not restrict those rights; it does not involve those rights; it merely involves parklands and how they should be used with respect to overnight use. It operates just like other regulations affecting parklands in that it has as its objective protecting those areas for the public, for their use and enjoyment, for all time.

This legislation, like a comparable measure introduced during the 90th Congress, was thoroughly considered by the Subcommittee on National Parks and Recreation.

House Joint Resolution 247 seeks to exercise a reasonable measure of legislative control over the use of our national parklands. In essence, this measure provides basic statutory standards with respect to camping, overnight occupancy, and the erection of temporary shelters in units of the national park system.

In establishing these standards, House Joint Resolution 247 says to all people:

First, that camping and overnight occupancy will continue to be permissable in regularly designated campgrounds open to all on the same terms;

Second, that camping may be permitted in the isolated back country, where few people trod, because the regular designation of campgrounds would be impracticable; and

Third, that camping, overnight occupancy, and the construction of temporary shelters may be permitted when such use is essential for governmental or military purposes or when emergencies arising from a natural disaster require the temporary accommodation of dislocated people.

Fourth, an amendment was approved by the Interior Committee after the bill had been reported out with the understanding that the amendment would be presented as a committee amendment on the House floor. This amendment would deal only with designated group camping areas. It makes certain that group camping areas will be continued and that all groups will be treated alike on a first come, first serve basis, just as will individuals. Thirty-three parks in our Nation now have group camping areas which are used by Boy Scout groups and other groups. These areas are usually operated in connection with a regular camping area and are equipped for the parking of a bus and the serving of a group of campers.

In operation, House Joint Resolution 247 will not handicap the administration of our national park lands. It will provide him with the necessary mechanism to deny requests for special permits for extraordinary privileges to camp in areas unsuitable for overnight occupancy or temporary residential use.

Experience has shown us that the broad general authority granted to the Secretary by existing law can result in significant damage to the values in park areas and can disrupt other public uses of such areas. We will not soon forget the costly restoration caused by the special use permit issued for the so-called Resurrection City nor will the public tolerate the administration of the park lands in such a way as to provide special privileges for the few to the detriment of all others. House Joint Resolution 247 cannot undo the physical damage to the Mall nor the psychological and political damage to the cause of conservation that resulted from this imprudent administrative action, but it will preclude the Secretary from issuing permits in the future for camping, overnight occupancy, or for the erection of temporary shelters except in certain specified instances.

As one Member of the House and as chairman of the Subcommittee on National Parks and Recreation, I recommend the enactment of House Joint Resolution 247, as amended.

Mr. GROSS. Madam Chairman, will the gentleman yield?

Mr. TAYLOR. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. How much has the Department of the Interior collected from the leaders of the Southern Christian Leadership Conference for the misuse of that land down along the Potomac River and in the Mall area?

Mr. TAYLOR. The gentleman from Colorado may have that information.

Mr. ASPINALL. Madam Chairman, if the gentleman from North Carolina will yield to me, we have not been able to collect anything. There is a forfeited bond in the amount of $5,000, which was credited to the Treasury.

Mr. GROSS. Did the gentleman say the bond was forfeited in this case?

Mr. ASPINALL. It would be expected it would be forfeited.

Mr. GROSS. If it had been effected, it would be forfeited?

Mr. ASPINALL. That is right.

Mr. GROSS. It was my understanding that it cost some $80,000 just to resod the area used by the so-called Resurrection City.

Mr. GRAY. Madam Chairman, will the gentleman yield to me?

Mr. TAYLOR. I am glad to yield to the gentleman from Illinois.

Mr. GRAY. I might be able to shed some light on the question propounded by my friend from Iowa.

A $5,000 bond was forfeited, and the Government recouped a little over $20,000 on the sale of used lumber.

Out of a half million to a million dollars worth of damage, the taxpayers have recouped approximately $25,000.

Mr. GROSS. This resolution is intended to put a stop to the outrage of the taxpayers being left holding the bag with only $25,000 as against the damage of up to $1 million.

That is what this resolution is all about; is it not—to put a stop to this kind of business?

Mr. TAYLOR. The gentleman is exactly correct. I agree with his interpretation of the bill.

Mr. DENNIS. Madam Chairman, will the gentleman yield?

Mr. TAYLOR. I am glad to yield to the gentleman.

Mr. DENNIS. I am conscious of the fact that this was probably covered while I was out of the Chamber by the chairman, but I am a fellow who likes to go camping once in a while in the back country, as they say. As I understand it, right now I could have a campsite permit in the national parks and let them know where I am going in general, but I would not camp in the places marked as campgrounds necessarily but would camp when I got tired. As I understand it, under section 2 of this act my privilege in that regard, as it now exists, is in no wise circumscribed or changed. Is that correct?

Mr. TAYLOR. The gentleman is correct. This legislation does not in any way restrict the present use concerning camping in the back country.

Mr. DENNIS. I thank the gentleman.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the portions of the national park system and miscellaneous area, as defined in section 1(c), title 16, United States Code, that are open to the general public, the Secretary of the Interior shall not permit camping or overnight occupancy or the erection of any temporary shelter or other structure in connection therewith by any person or group of persons except:

(a) in areas that are regularly designated for such purposes and that are open to such use by all persons, or

(b) by military personnel when necessary for national security purposes in accordance with arrangements made with the Secretary of the Interior, or

(c) by employees or officials of the United States or other public agency in the performance of their official duties in accordance with arrangements made with the Secretary of the Interior.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the committee amendments to section 1.

The Clerk read as follows:

Committee amendments: On page 2, line 9, change the period to a comma and add the word "or"

On page 2, following line 9, add a new subsection as follows:

"(d) in case of an emergency arising out of an act of God."

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: On page 2, line 2, after "or", insert ", in the case of areas designated for group camping only, are open to such use by all groups, or".

Mr. ASPINALL. As was explained earlier, Madam Chairman, subsequent to

the completion of its consideration of House Joint Resolution 247, some concern was expressed with respect to group campgrounds and the effect that this legislation might have on them. As the Members will recall, there are two requirements which must be met before overnight use can be permitted under the terms of this legislation:

First, they must be regularly designated campgrounds; and

Second, they must be open to such use by all persons.

While it was generally felt that this did not interfere with the regular designation of campgrounds for the exclusive use of groups, most Members agreed that any possible ambiguity should be removed. For this reason the committee considered the proposed amendment and authorized it to be offered as a committee amendment.

The thrust of the amendment is to authorize the Secretary to continue to designate campgrounds for the exclusive use of groups so long as:

First, they are regularly designated group campgrounds; and

Second, they are open to all groups on the same basis.

This amendment would not permit the temporary designation of a camping area for the exclusive use of any group, but it does recognize the fact that there are presently some 365 regularly designated group campgrounds in various units of the national park system which are reserved from time to time for group use exclusively. The members of the committee feel that it is appropriate to permit such areas to be exclusively used for a reasonable length of time by groups making application for their use in the usual manner. The approval of this amendment by the House will assure adequate authority for that purpose.

With that explanation, Madam Chairman, I urge the adoption of the amendment.

Mr. SAYLOR. Madam Chairman, the Members on this side of the aisle support the amendment which has been offered by the gentleman from Colorado.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. ASPINALL).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. The provisions of section 1 shall not apply to camping or overnight occupancy incidental to back country use of any portion of the national park system and miscellaneous areas.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mrs. GREEN of Oregon, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution (H.J. Res. 247) relating to the administration of the national park system, she reported the joint resolution back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. RYAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 334, nays 55, not voting 41, as follows:

[Roll No. 164]

YEAS—334

Abbitt
Abernethy
Adair
Addabbo
Albert
Alexander
Anderson, Calif.
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspinall
Baring
Barrett
Beall, Md.
Belcher
Bell, Calif.
Bennett
Berry
Betts
Bevill
Biaggi
Biester
Blackburn
Blatnik
Boggs
Boland
Bolling
Bow
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Caffery
Camp
Carey
Carter
Casey
Cederberg
Chamberlain
Chappell
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Coughlin
Cowger
Cramer
Cunningham
Daniel, Va.
Daniels, N.J.
Davis, Wis.
de la Garza
Delaney
Denney
Dennis
Dent
Derwinski
Devine
Dickinson
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Feighan
Findley
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R.
Foreman
Fountain
Frey
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Gettys
Gibbons
Gilbert
Goldwater
Gonzalez
Goodling
Gray
Green, Oreg.
Griffin
Griffiths
Gross
Grover
Gude
Hagan
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harsha
Harvey
Hastings
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Henderson
Hicks
Hogan
Holifield
Horton
Hosmer
Hull
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kazen
Kee
Keith
King
Kleppe
Kluczynski
Kuykendall
Kyl
Kyros
Landgrebe
Langen
Latta
Lennon
Lloyd
Long, La.
Long, Md.
Lukens
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKneally
McMillan
Macdonald, Mass.
Madden
Mahon
Mailliard
Mann
Marsh
Martin
Mathias
Matsunaga
May
Mayne
Melcher
Michel
Miller, Ohio
Mills
Minish
Minshall
Mize
Mizell
Mollohan
Monagan
Montgomery
Morgan
Morse
Morton
Mosher
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nelsen
Nichols
O'Konski
Olsen
O'Neal, Ga.
Passman
Patman
Patten
Pelly
Perkins
Pettis
Philbin
Pike
Pirnie
Poage
Poff
Pollock
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Rhodes
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Rostenkowski
Roth
Ruppe
Ruth
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Sebelius
Shipley
Sisk
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Taft
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Ullman
Utt
Vander Jagt
Vanik
Vigorito
Waggonner
Wampler
Watkins
Watson
Watts
Weicker
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yatron
Zablocki
Zion
Zwach

NAYS—55

Adams
Bingham
Brademas
Brown, Calif.
Burton, Calif.
Celler
Chisholm
Clay
Cohelan
Corman
Culver
Dellenback
Edwards, Calif.
Eilberg
Farbstein
Fish
Ford, William D.
Fraser
Friedel
Green, Pa
Hathaway
Hawkins
Helstoski
Howard
Kastenmeier
Koch
Leggett
Lowenstein
Lujan
McCarthy
Meeds
Mikva
Mink
Moorhead
Moss
Nedzi
Obey
O'Hara
O'Neill, Mass.
Ottinger
Podell
Rees
Reid, N.Y.
Rosenthal
Roybal
Ryan
St Germain
Scheuer
Stokes
Thompson, N.J.
Udall
Van Deerlin
Waldie
Whalen
Yates

NOT VOTING—41

Ashbrook
Ayres
Blanton
Cabell
Cahill
Collins
Conyers
Daddario
Davis, Ga.
Dawson
Diggs
Dwyer
Esch
Fallon
Frelinghuysen
Giaimo
Gubser
Hungate
Kirwan
Landrum
Lipscomb
MacGregor
Meskill
Miller, Calif.
Nix
Pepper
Pickle
Powell
Purcell
Reuss
Rooney, N.Y.
Roudebush
Shriver
Sikes
Smith, Iowa
Talcott
Teague, Tex.
Tiernan
Tunney
Wilson, Charles H.
Young

So the joint resolution was passed.

The Clerk announced the following pairs:

Mr. Rooney of Pennsylvania with Mr. Cahill.
Mr. Sikes with Mr. Ashbrook.
Mr. Miller of California with Mr. Lipscomb.
Mr. Kirwan with Mr. Ayres.
Mr. Charles H. Wilson with Mr. Gubser.
Mr. Daddario with Mr. Meskill.
Mr. Giaimo with Mr. Nix.
Mr. Fallon with Mr. Frelinghuysen.
Mr. Pickle with Mr. Roudebush.
Mr. Reuss with Mr. Dawson.
Mr. Smith of Iowa with Mrs. Dwyer.
Mr. Davis of Georgia with Mr. Talcott.
Mr. Cabell with Mr. Collins.

Mr. Young with Mr. MacGregor.
Mr. Tiernan with Mr. Diggs.
Mr. Tunney with Mr. Conyers.
Mr. Hungate with Mr. Esch.
Mr. Blanton with Mr. Purcell.
Mr. Pepper with Mr. Shriver.
Mr. Teague of Texas with Mr. Landrum.

Messrs. CELLER and FRIEDEL changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

TO HOLD IN TRUST CERTAIN LANDS FOR THE PUEBLO DE TAOS INDIANS IN NEW MEXICO

Mr. ASPINALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 471) to amend section 4 of the act of May 31, 1933 (48 Stat. 108).

The SPEAKER. The question is on the motion offered by the gentleman from Colorado.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 471, with Mrs. GREEN of Oregon in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Colorado (Mr. ASPINALL) will be recognized for 30 minutes and the gentleman from Pennsylvania (Mr. SAYLOR) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Colorado (Mr. ASPINALL).

Mr. ASPINALL. Madam Chairman, I yield myself 13 minutes.

Madam Chairman, this is substantially the same bill that was passed by the House in June 1968. It was debated under a 1-hour rule, and had bipartisan support. There was no opposition to the bill at that time. The bill died in the other body, with the expiration of the 90th Congress. Conditions have not changed, and the Committee on Interior and Insular Affairs recommends that the bill be passed again by the 91st Congress.

The purpose of the bill is to return to the Taos Indians in New Mexico a trust title to 48,000 acres of land that were taken from them in 1906 by mistake. The land was taken, without compensation, by an Executive order that included it in the national forest system. It was mistakenly thought at that time to be public domain, but in fact the land belonged to the Indians.

In 1965 the Taos Indians recovered a judgment in the Indian Claims Commission for the value of these 48,000 acres, plus an additional 82,000 acres, making a total of 130,000 acres. The value of the land has not yet been determined.

The 48,000 acres covered by the bill are particularly important to the Indians, and they want these 48,000 acres to be returned to them rather than be paid for their value. If the land is returned, the judgment which the United States must pay will be reduced accordingly.

The importance of the land to the Indians is not questioned. It is essential to the maintenance of their culture and their religion. In spite of the erroneous taking in 1906, the Indians have never ceased using the land. In fact, one of the reasons for including the land in the national forest was to protect the Indians from intrusion by the white man. Moreover, in 1933 Congress recognized the Indians' need for the land and provided for the issuance to the Indians for a special-use permit for a large part of the area.

The Taos Indians have lived in their present pueblo since the year 1400. They are a sedentary people, and have continually used and occupied a well-defined area surrounding the pueblo for farming, grazing, hunting, gathering, and other purposes. Because of the 7,000-foot elevation and a 100-day growing season, the Indians have relied less on farming than on hunting and gathering. They are a conservative people and are resistant to change. They value their Indian culture, their Indian religion, and their traditional way of life. They insist on preserving them.

When the Spaniards came to this continent in the 16th century, they encroached on some of the lowlands of the Taos Indians along the Rio Grande, but the Spaniards left the Taos Indians relatively undisturbed in their aboriginal use and occupancy area. When the United States acquired sovereignty over New Mexico by the Treaty of Guadalupe Hidalgo on February 2, 1848, the Taos Indians were the owners of all of the lands which they then used and occupied exclusively.

In 1906 the United States took 130,000 acres of the Taos Indians lands for inclusion in the Carson National Forest. The taking was by Executive order of the President. The Indians were not consulted, they were not paid, and they did not agree to the taking. These 130,000 acres include 48,000 acres in the Blue Lake area which are most important to the Indians, particularly from the standpoint of their relgion. It is these 48,000 acres which the Indians want back.

The Indians have been persistent and unrelenting in their efforts to recover their land. In the early days of the national forest, the Indians were given exclusive use of the Blue Lake area when the Forest Service set it aside for grazing by the Indians. The Indians were dissatisfied with this arrangement, and in 1912, the Secretary of the Interior proposed to include the area in an Executive order reservation for the Indians. The Department of Agriculture objected, pointing out that the Indians already had exclusive use of the area.

Under a 1924 statute, a Pueblo Lands Board was established to confirm the titles of non-Indians to certain lands, which are not involved here, which had been occupied in good faith by non-Indians. The Pueblo Lands Board extinguished the Indian title to land appraised at $458,520, but awarded the Indian only $76,128. The Indians offered to waive payment of $297,000 on the understanding that they would be given title to the Blue Lake area, which they so greatly desired. A bill providing for the issuance of a patent to the Indians was introduced in the 72d Congress, but did not pass.

The Indians then sought from the Forest Service a cooperative agreement giving them exclusive use of the area. An agreement was signed in 1927, but it did not give exclusive use.

The Indians were not satisfied, and in 1928 the matter came before Congress. The Forest Service opposed a grant of title to the Indians but recognized the special interest of the Indians in the Blue Lake area. The acting chief forester pointed out that the Indians have a peculiar interest, and, to some degree, equity in the area.

In 1932 another bill was introduced in Congress to patent the lands to the Pueblo, but it also was opposed by the Forest Service. This time there was a compromise and the act of May 31, 1933, was enacted. It provided for issuance to the Indians of a 50-year special-use permit. The special-use permit was intended to safeguard the interests of the Indians by giving them the right to occupy and use the land and resources for their personal use and benefit. The Indians thought their use rights would be exclusive, but the Forest Service thought differently.

Although this act was approved in 1933, a special-use permit was not issued until 1940 because of continuing controversy between the Forest Service and the Indians over its terms, particularly the desire of the Indians for exclusive use. The Indians have never been satisfied with the permit, and friction between them and the Forest Service has continued.

The controversy centers around the need of the Indians to have exclusive use of the area in order to protect their Indian culture and religion. Their religion is based on nature, is secret, and demands complete privacy. For that reason the Indians have insisted that the Forest Service issue no permit to enter the area unless the permit is countersigned by the Pueblo chief. The Forest Service objected and until recently insisted on permitting recreational use of the area by the public. It is this recreational use of the area by the public that threatens the interest of the Indians.

Bills with respect to this area were introduced in 1955, 1957, 1959, 1965, and 1967.

The land can be returned to the Indians without impairing any Federal program. It will continue to be managed for conservation purposes, but administration will be by the Secretary of the Interior instead of the Secretary of Agriculture. The watershed will be fully protected. The land will be maintained in its natural condition and administered in a manner that is consistent with the wilderness which it adjoins. Transfer of the 48,000 acres will not affect the administration of the national forest, which contains 1.5 million acres.

No water rights will be affected by the bill.

Only seven grazing permits are in effect and they are protected by the bill.

The recreational use of the area is

minimal and would continue to be minimal even if this bill were not passed.

Timber harvesting is not permitted or contemplated.

The last administration strongly supported the bill and the present administration strongly supports it. In spite of this strong administration support, the Forest Service has continued to oppose the bill. I believe their objections can be easily answered.

Their first argument in opposition is that the needs of the Indians can be met by a special-use permit, and that a transfer of title to the land is not necessary. This argument is based on a false premise. The Indian needs cannot be met by a special-use permit. We have had more than 60 years of strife and conflict between the Forest Service and the Indians, and the conflict will continue unless the land is restored to the Indians.

This argument works better in reverse. The resources of the land can be adequately conserved and protected by the Secretary of the Interior, if the lands are returned to the Indians, and no Federal or public program will be impaired. So why not let the Indians have back the land which they once owned and have continued to use? Who will be hurt? No one.

Another argument is that the enactment of the bill may set an undesirable precedent and cause other Indian tribes to seek a return of land rather than the payment of money in settlement of their claims. There are several answers to this argument. First, after careful search we have found no other case like the Taos case. It is unique. The land involved is essential to Indian culture and religion; the Indians are actually using the land; and the special need of the Indians has been recognized by the Government throughout the past 63 years. Although the Forest Service says that it believes other tribes might make similar demands, it cites no facts to support its belief.

A second answer is that the committee report expressly states that the committee will not regard the enactment of this bill as a precedent. As a general proposition, the established policy of compensating Indian tribes with money rather than land is sound.

A third answer is that this particular land can be returned to the Indians without prejudicing in any way the administration of the national forest system, and without altering in any way the conservation of the physical resource. Is the Forest Service willing to admit that other forest areas can be similarly handled without damage to the national forest system?

Another objection raised by the Forest Service is that subsection 4(c), which permits the Taos Pueblo to purchase a relinquishment of outstanding grazing permits, would be a recognition that grazing permittees have vested rights that can be bought and sold. This objection was met by a committee amendment stating that the purchase of a relinquishment of a grazing permit shall not be regarded as a recognition of any property right of the permittee in the land or its resources. Moreover, the committee report expressly states that existing law recognizes no real property interest in a grazing permittee, and reaffirms this existing law.

I should also point out that this provision will have no relevance to the question of grazing fee levels, which are now being studied by the administration. As an economic fact, the value of a grazing permit is reflected in the sale price of base ranch property when a ranch is sold. This is undisputed. As a legal fact, it is equally clear that a permittee has no real property interest, and that a permit can be canceled without compensation. Section 4(c) is consistent both with the economic facts and with the legal facts. Let me repeat: the purchase of a relinquishment of a grazing permit by the Taos Indians has nothing to do with the amount of the grazing fee charged. In fact, after the purchase the Indians will pay no grazing fee at all because the land will be theirs.

The issue before us is simple: Do the Indians or the Forest Service have the greater need for this land? The Indian needs have not been met adequately by the special-use permit from the Forest Service. We have had 60 years of conflict and of dissatisfaction. The Forest Service has identified no Federal need that would be prejudiced by the enactment of the bill. From the standpoint of the Government and the public interest, the conservation values of the area can be fully protected by the Secretary of the Interior under Indian ownership, and the bill requires such protection to be maintained. The Forest Service may, in fact, continue to provide conservation services in the form of disease, insect, and fire control.

Simple justice requires that the Indians be given title to the land when their need is great, when no public purpose other than conservation of the resources is involved, and when the resource can be protected and conserved as effectively by the Secretary of the Interior as by the Secretary of Agriculture.

I urge enactment of the bill.

Let me make this statement: To some people the amount of 48,000 acres of land seems to be a tremendous amount of land for religious purposes. But remember that we are talking here about a different kind of culture than most of us recognize, the trees, the rivulets, the plants, and even the rock formations hold religious inspiration to the people of this particular tribe. They have used the area for almost 600 years. They lost it simply in the overenthusiasm of the creation of the national forests. They lost it without any effort on the part of the Government to find out their real title. It would appear to anyone who understands Indians and understands their willingness to meet the equities involved, to take the land in the place of the cash award that was given to them by the judicial procedures, it seems to us that their position is justifiable and more than equitable.

Mr. EDMONDSON. Madam Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the chairman for yielding. I think he has made a splendid and comprehensive argument for the bill. To me the most moving part of his argument were the closing sentences of his remarks, because in them he has recognized the basic argument that is present for this bill and is difficult to convey. He has put it in very fine words indeed.

The report of the Department of the Interior makes it very, very clear that the right of this Indian tribe to exclusive use and possession of this property has been recognized successively by the Government of Spain, by the Government of Mexico, and by the Government of the United States by treaty, very specifically and clearly.

Now we have a court decision reemphasizing and restating that right and title in the Indians. It seems to me we do nothing but honor our own treaty commitments and equity and justice when we enact this bill. I hope it will be enacted overwhelmingly in this body.

Mr. ASPINALL. Madam Chairman, I thank my colleague, the gentleman from Oklahoma, for his statement.

Mr. SAYLOR. Madam Chairman, I rise in opposition to H.R. 471, a bill which conveys approximately 48,000 acres of the Carson National Forest, in the State of New Mexico, in trust for the exclusive use of the Pueblo de Taos Indians of New Mexico.

I oppose this legislation with full knowledge that I supported similar legislation in the 90th Congress. However, after a careful reappraisal of the merits of this legislation, I must oppose its passage and I urge my colleagues to oppose its adoption.

H.R. 471, if enacted, will without question establish some undesirable precedents in settling Indian claims. The bill also raises the issue of double compensation to these Indians, and in my opinion, raises serious questions as to the soundness of the Indian Claims Commission interlocutory order which provides the basis of this legislation.

Since 1880 when Congress allowed the first Indian claim for compensation, there has followed a multitude of Indian claims. On August 13, 1946, Congress established the Indian Claims Commission with a mandate to settle all just and equitable Indian tribal claims against the United States. Five years after the filing deadline, some 370 claims representing approximately 350,000 Indians had been filed, asking for 1.5 billion acres of land or 75 percent of the Nation's total land areas before the admission of the States of Alaska and Hawaii. As early as 1963, the United States has paid approximately $70 million in such claims. Additional claims paid within the last 6 years takes this figure well above the sum of $100 million. One can only speculate as to the total amount to be paid to the Indians from the number of claims filed before the Indian Claims Commission, which is listed in its authority to award only a money judgment.

However, this legislation which will convey lands of the United States in trust to the Pueblo de Taos Indians, is in fact, as these Indians believe, a return or reconveyance of these lands to

the Pueblo de Taos Indians. At the same time, these Indians are also seeking monetary compensation for other lands before the Indian Claims Commission.

Settlement of the Pueblo de Taos Indian land claims is one of the most vexed ancient of Indian land claims. As far as I am able to determine, bills have been introduced in the Congress of the United States at least a dozen times or more to resolve this claim. In the 72d Congress, the act of May 31, 1933, was passed granting to the Pueblo de Taos Indians a 50-year renewable permit to use the lands in question. The granting of this permit, I am advised, was in partial settlement of the Pueblo de Taos land claims. In addition, the act of May 31, 1933, also authorized the appropriation of $84,707.09, for payment of the liability of the United States under the act of June 7, 1924, which also involved lands claimed by the Pueblo de Taos Indians.

The purpose of the act of June 7, 1924, was to quiet title to lands within Pueblo Indian land grants. The Pueblo Lands Board, acting pursuant to its authority under the act of June 7, 1924, found that the total value of the Pueblo grant lands to which title was extinguished was $458,520.61. The Pueblo Land Board awarded $76,128.85. The $84,707.29 awarded by the act of May 31, 1933, made payment to the Pueblo de Taos Indians of $160,835.94, and left a balance of $297,684.67.

I submit that the 73d Congress paid the bill by giving a 50-year permit which was accepted at that time by the Indians as full settlement.

Nobody has appeared before our committee, then or now, and has denied that this was full payment.

Mr. EDMONDSON. Madam Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. My own recollection of the testimony of the Indians on that point was that the use and possession which had been granted under that permit was not a satisfactory settlement because it was not an exclusive use, and that the religion of the Pueblo de Taos Indians required that it be an exclusive use of the sacred areas, and that because they are permitting others to go in—campers, hikers, and so on—they simply have not satisfied the basic and fundamental requirements of the religious practice of this tribe; which it seems to me they have been fairly unanimous in informing our committee is their position.

Mr. SAYLOR. That is correct. The gentleman has reiterated just what I have tried to tell the Members that they settled it once but now the present Indian people say that because of what has happened it was not settled. This is a matter of hindsight.

Mr. HALEY. Madame Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from Florida, the chairman of the subcommittee and my distinguished friend, who I might say has probably done more for the American Indians than any other Member of Congress. He and the gentleman from South Dakota, Congressman BERRY, have been two of the outstanding members of this committee and most interested in taking care of the problems of the Indians before our committee. I am glad to yield to the gentleman.

Mr. HALEY. Madam Chairman, I thank my good friend for yielding to me.

Of course, the gentleman from Florida hopes that he can do just a little bit more for the Indians with the passage of this bill, but let me call attention to the fact that practically every treaty entered into between the United States and Indians was supposed to be some part of a final settlement, but here Congress comes along, for the first time in the history of our Nation, and establishes a court—the Congress of the United States establishes a court—to do justice to these early Americans. So the Congress at the time of establishing it did not think all of these claims had been adjudicated.

Mr. SAYLOR. No. I might say to my colleague and good friend that when we established the Indian Claims Commission we certainly did not expect to dig up all of the claims that had never been presented and certainly we expected to give some credence to the fact that Congress in the past had settled some of these claims.

Mr. DINGELL. Madam Chairman, will the gentleman yield to me?

Mr. SAYLOR. I am glad to yield to the gentleman from Michigan.

Mr. DINGELL. I would like to point out that if what my good friend from Florida says is true, this bill will not satisfy the Indians in question, either. I note here that on pages 4 and 5 of the bill the Indians do not get fee title to the land at all. Rather it is set up for purposes compatible with their preservation as a wilderness. In addition to this, it says that the Secretary of the Interior shall be responsible for the establishment and maintenance of conservation measures for these lands, including without limitation protection of forests from fire, disease, insects, or trespass; prevention or elimination of erosion, damaging land use, or stream pollution; and maintenance of stream flow and sanitary conditions; and the Secretary is authorized to contract with the Secretary of Agriculture for any services or materials deemed necessary to institute or carry out any of such measures. So the Indians will not get their land under this. The Indians may think so, but in point of fact they will only get this bill. However, in this bill it will do a number of other things, also, that the Indians are probably not even aware of.

Mr. SAYLOR. The gentleman is absolutely correct. And we do not know whether the Federal Government will take an appeal from the interlocutory decree or not, but the committee has refused to legislate on this basis before.

From the information available to me, the Pueblo de Taos Indians waived their rights to their other land claims in lieu of a patent to the area claimed in this legislation. It was precisely this waiver that precipitated the inclusion of section 4 in the act of May 31, 1933 which granted the issue of a 50-year renewable permit in lieu of the patent requested by the Indians as a final settlement.

In order that the record is clear as to the content of section 4 of the act of May 31, 1933, I insert the same here in my remarks:

SEC. 4. That for the purpose of safeguarding the interests and welfare of the tribe of Indians known as the Pueblo de Taos of New Mexico in the certain lands hereinafter described, upon which lands said Indians depend for water supply, forage for their domestic livestock, wood and timber for their personal use and as the scene of certain of their religious ceremonials, the Secretary of Agriculture may and he hereby is authorized and directed to designate and segregate said lands, which shall not thereafter be subject to entry under the land laws of the United States, and to thereafter grant to said Pueblo de Taos, upon application of the Governor and council thereof, a permit to occupy said lands and use the resources thereof for the personal use and benefit of said tribe of Indians for a period of fifty years, with provision for subsequent renewals if the use and occupancy by said tribe of Indians shall continue, the provisions of the permit are met and the continued protection of the watershed is required by public interest. Such permit shall specifically provide for and safeguard all rights and equities hitherto established and enjoyed by said tribe of Indians under any contracts or agreements hitherto existing, shall authorize the free use of wood, forage, and lands for the personal or tribal needs of said Indians, shall define the conditions under which natural resources under the control of the Department of Agriculture not needed by said Indians shall be made available for commercial use by the Indians or others, and shall establish necessary and proper safeguards for the efficient supervision and operation of the area for national forest purposes and all other purposes hereinstated, the area referred to being described as follows:

Beginning at the northeast corner of the Pueblo de Taos grant, thence northeasterly along the divide between Rio Pueblo de Taos and Rio Lucero and along the divide between Rio Pueblo de Taos and Red River to a point a half mile east of Rio Pueblo de Taos; thence southwesterly on a line half mile east of Rio Pueblo de Taos and parallel thereto to the northwest corner of township 25 north, range 15 east; thence south on the west boundary of township 25 north, range 15 east, to the divide between Rio Pueblo de Taos and Rio Fernandez de Taos; thence westerly along the divide to the east boundary of the Pueblo de Taos grant; thence north to the point of beginning; containing approximately thirty thousand acres, more or less.

I am further advised that it was contemplated in the passage of the act of May 31, 1933, that subsequent renewals of the permit would equal the balance claimed of $297,684.67, and therefore, the claim or debt due the Pueblo de Taos Indians was paid as far as Congress was concerned.

If the granting of the permit by the act of May 31, 1938, was in partial settlement of the Pueblo de Taos land claims, then passage of H.R. 471 would constitute double compensation. On this basis, Madam Chairman, the contention that this legislation involves double compensation to the Pueblo de Taos Indians does merit consideration.

H.R. 471 will, if passed, provide us with at least three undesirable precedents. First, it establishes the precedent of substituting payment in kind or land in lieu

of monetary awards for judgments rendered by the Indian Claims Commission. If Congress had intended this policy to be established then it could and should have provided for this in the legislation creating the Indian Claims Commission. Second, the bill authorizes the Pueblo de Taos Indians to obtain the relinquishment by purchase of non-Indian grazing permits in 16,000 acres not covered by the existing permit. The Forest Service and the Bureau of Land Management of the Department of the Interior have consistently maintained before our committee that grazing permits have no vested rights or value which can be bought and sold. H.R. 471, if passed, will establish this undesirable precedent.

Third, the passage of H.R. 471 will be a precedent for the granting of forest lands or other Federal lands in settlement of their claims or provide a basis for increasing monetary awards of the Indian Claims Commission. I am advised that because of the passage of similar legislation by the House in the last Congress numerous tribes or Pueblos are considering the return of lands on the basis that such lands were subject to their aboriginal use and occupancy and necessary for the fulfillment of their religious practices. Already the newspapers of New Mexico have printed the possibility of such claim by the Santa Clara Indians and the Sandia Pueblo with possible additional claims from the Mescalero Indians and the Navajos. I am also advised that a drafting service has been requested of the Department of the Interior to grant the Havasupai Indians 70,000 acres of the Kaibab National Forest and 110,000 acres of the Grand Canyon National Monument and National Park on the basis of aboriginal use.

The history behind this legislation is too lengthy to attempt any summary of it at this time. However, it is interesting to note that the case made for this legislation is based upon the findings of fact and opinion of the Indian Claims Commission entered on September 8, 1965, in an interlocutory order, in the case of the Pueblo of Taos against the United States of America. The Commission determined that the Pueblo of Taos Indians were entitled to compensation on two separate and distinct claims. The first claim found that the Indians had established aboriginal title on the basis of use and occupancy of 130,000 acres which was extinguished by the United States in 1906. In the second claim, the Commission found that the Indians had recognized title by way of patent to 17,360 acres which was extinguished by the United States in 1933 and compensation in the sum of $297,684.67 was due the Indians less the value of the use permit covering 32,000 acres of the 48,000 acres involved in H.R. 471.

The finding of the Indian Claims Commission that these Indians had aboriginal title to 130,000 acres of land by reason of use and occupancy is most interesting in light of its finding of fact No. 18 in which the Commission found that the Indians "offered little proof other than a general statement that the date of taking was around 1906" as to these aboriginal lands. Certainly the Commission should have required further evidence on this point in light of their additional findings of facts Nos. 9 and 14 which recite the true historical facts as encountered by the Spanish when they entered the Rio Grande Valley in the 16th Century and found the Pueblo Indians to be a sedentary people who lived in villages or fixed communities. Further evidence is also required as to the taking of the 130,000 acres when the historical facts also indicate that the Spaniards adopted the policy of fixing pueblo boundaries to areas comprising approximately 17,712 acres. It is extremely difficult to justify in my own mind such findings of fact by the Commission when the same Commission also concludes in finding No. 17, that in 1850 the total Taos Indian population of approximately 400 people were allegedly using and occupying a total acreage claim in excess of 300,000 acres.

Madam Chairman, these inconsistent findings on the part of the Indian Claims Commission raises serious doubts in my mind as to the soundness of the interlocutory order. Moreover, the Commission also finds that the grant of 17,360 acres to the Pueblo of Taos by Spain is not a limitation on their claim to aboriginal title to the area. Yet the Commission fails to discuss the effect of the Act of December 22, 1958, in which Congress confirmed both town claims and pueblo land claims in the county of Taos, N. Mex., among others.

Madam Chairman, Congress has failed to enact the legislation before this body on numerous occasions in the past for reasons which I have attempted to point out. It is for these reasons that I oppose the passage of H.R. 471.

The CHAIRMAN. The gentleman from Pennsylvania has consumed 20 minutes.

Mr. ASPINALL. Madam Chairman, I yield myself 30 seconds.

Madam Chairman, in response to the argument of the gentleman from Pennsylvania, may I state:

First. The Indian Claims Commission decided by an order dated September 8, 1965, in Docket No. 357 that the Taos Indians had aboriginal Indian title to some 130,000 acres of land, which are described in the Commission's findings of fact. It also decided that the title was extinguished in 1906, and that the Indians have not been paid. The Commission then ordered the case to proceed to a determination of the value of the land in order that a money judgment may be issued, but this has not yet been done.

Second. The 130,000 acres covered by the Commission's order include the 48,000 acres described in H.R. 471. This is shown by plotting on a map the boundaries of the area described in the Commission's findings of fact, and then by plotting on the same map the boundaries of the area described in H.R. 471. The area described in the bill is entirely within the area described by the Commission. Therefore, the Commission has formally and specifically determined that the Indians have not been paid for the 48,000 acres in question.

Third. Incidentally, if H.R. 471 is not enacted, the Commission will in due course enter a judgment against the United States for the value of this land. If the bill is enacted the judgment will be reduced by the value of the 48,000 acres.

Fourth. When the gentleman from Pennsylvania argues that the Indians have been paid for the land, he is in reality arguing that the Commission's finding of fact was wrong. The finding was made almost 4 years ago, and the Department of Justice did not appeal. Moreover, the floor of the House is not the proper place to examine into the correctness of a judicial decision of this kind. Indian claims litigation is highly technical and complicated. If an error is made, the Court of Claims is the proper place to correct it. The Department of Justice did not appeal this decision and apparently was satisfied that the decision was correct.

Insofar as the gentleman's argument is based on an analysis of the Commission's findings of fact, I do not propose to debate that kind of an issue here. I should point out, however, that the issue was not raised last year either in committee or on the floor. It was not raised this year during committee consideration of the bill. The gentleman from Pennsylvania did not disclose to me before this debate the basis for this contention. Nevertheless, when I became aware of his position, I asked the committee counsel for a careful review of the Commission's decision, and I can assure my colleagues that I am completely satisfied that nothing in the decision or in the findings of fact casts any doubt on the correctness of the decision. The Commission's decision is clear and unambiguous. The Taos Indians have been paid for other land that is not involved here, but they have not been paid for this land.

Mr. ASPINALL. Madam Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. DINGELL.)

Mr. DINGELL. Madam Chairman, this is a very difficult bill to oppose. I have great fondness and affection for my good friend, the gentleman from Colorado, the chairman of the distinguished Committee on Interior and Insular Affairs, from which the bill originates.

It is always with a great deal of concern that I oppose legislation that the distinguished gentleman from Colorado has brought before this body.

Madam Chairman, it is very difficult to defend the things that have happened to the Indians over the years in the taking of their lands, and it is also very difficult to defend a number of other actions which this Nation has taken against our Indian people, but the fact of the matter is, as the gentleman from Pennsylvania (Mr. SAYLOR) has so well pointed out, this legislation is going to afford one tribe double compensation. There is, in addition to affording double compensation, a matter which I believe should concern all of us here in that it is going to establish dangerous and bad precedents such as have already been pointed out by my good friend, the gentleman from Pennsylvania, not the least of which will be the precedent that the national forests shall become devices to be disposed of in large blocks for settle-

ments of monetary claims awarded by the Indian Claims Commission.

Madam Chairman, I intend to offer an amendment which I believe will go a long way toward settling or meeting the legitimate and just complaints of the Indians concerned here. It will give them, for all intents and purposes, total, exclusive, and complete use of the area in which they assert religious interest. It will afford protection for watersheds and water rights of persons in the areas, and it will still afford a measure of protection of the land to assure that it will be protected against hazardous fire, insects, and other dangers which would threaten, not only the land and its use, but also the rights and the interests of the Indians therein.

I would point out that this bill, if passed and enacted into law, will be followed very shortly by a number of substantially similar bills giving substantial tracts of national forests and public domain land to the Santa Clara Indians; to give the Navajos Mount Taylor and Navajo Mountain; to give the Mescaleros significant tracts of land, give the Hava Supai Indians some 70,000 acres in Kaibab National Forest, and 110,000 acres in Grand Canyon National Park, and Grand Canyon National Monument.

The Hopis will assert claims for the San Francisco Peaks.

The San Carlos Indians are going to claim minerals in the north end of the Santa Theresa division of the Coronado National Forest.

This matter was adjudicated a long time ago.

In 1906 it was found by the Indian Claims Commission that the Taos Indians were entitled to compensation for two claims: First, Aboriginal title to 130,000 acres. It was found that this was extinguished in 1906; and, the second claim by patent to some 17,360 acres which was extinguished in 1933 and that compensation was due the Indians in the sum of $297,684 less the value of a use permit which is now under discussion in 32,000 acres of the 48,000 acres involved here.

Because of a controversy involving the lands here, a special use permit was issued the Taos Indians for the land in question.

I think it would be well that this body understand what was said by the special attorney for the Taos Indians when he was discussing this matter and informed that the above-mentioned agreement had been approved by the free and voluntary action of the members of the Indian tribe.

He said as follows:

> The agreement meets nearly every reasonable requirement that the Indians can have and yet leaves the administration of the area in the hands of the Forest Office so that they can care for and preserve the same for all time. As I see it, this arrangement is a much better one than if the area had been set aside to the Pueblo by act of Congress, granting, for the purpose of argument, that the latter could have been accomplished, which I very seriously doubt.
>
> There are a few of the Taos Indians that still feel that this land is rightfully theirs and that the same should have been set aside to them without restriction, but I believe that the more intelligent of them realize that this agreement is the most that they could hope for and are satisfied to have it so.

As a matter of fact, the study of the history of the area will indicate that some of the Taos Indians concerned were actually glad to have this set aside as part of the national forest because at the time they felt they could not establish any reasonable and viable claim to the land in question.

Going further, let us listen to the remarks of Mr. Herbert J. Hagerman, special commissioner to negotiate with the Indians. He said this:

> As to the Blue Lake area—I have to say this: The area contains the watershed at the head of both the Indian and non-Indian water supply of the Taos region. The people of Taos do not wish this area patented to the Indians. I see no good reason why it should be. It is now administered effectively as a part of the Carson National Forest. The Indians already have grazing privileges as well as rights to cut firewood, and the effective use of the lake for certain annual ceremonies. A continuation of the present arrangement should be acceptable to everybody.

Madam Chairman, the answer to this legislation is that it is bad legislation. It sets up a bad precedent and opens the national forest to raids by any number of interests, including good faith claims by Indians who wish to redress grievances perpetrated long ago but which were quieted and abated by judicial action and by action of the Indians Claims Settlement Commission.

This legislation should be defeated, or at best it should be substituted for by the amendment which I will offer later by which I am trying to protect the rights of the Indians and yet protect the rights of the people of the United States.

Mr. KYL. Madam Chairman, I yield 5 minutes to the gentleman from South Dakota (Mr. BERRY).

Mr. BERRY. Madam Chairman, I rise in support of the bill, H.R. 471, which is a bill to give trust title to this property, to 48,000 acres to the Pueblo de Taos Indians of New Mexico.

We have had some opposition on the floor today from not only our side of the committee, but also from the other side, giving as their reason that this legislation may establish some sort of precedent. We recognize the voice of Esau and the hand of Jacob in this opposition.

As it has been pointed out by our chairman so ably, the land was taken from these Indian people in 1906 by an Executive order.

Then in 1933, as has been pointed out, Congress attempted to ease its conscience, or the conscience of the Federal Government, by giving to the Indians a 50-year renewable easement. But this was without the consent of the Indians, and I think this is a point that should be clearly understood—without the consent of the Indians—and it has never been approved by the Indians. They have never been satisfied with this permit because they have had considerable interference in their religious practices because of the adverse use of the land. They have constantly sought to have these lands returned so that they can use them without interference from the outside. That is exactly what this bill is all about.

During the hearings on the legislation witnesses were asked to address themselves to the main issue of the legislation; namely, first, Do the Indians have a need for this land? Can their need be met adequately by a continuation of the special-use permit rather than by conveyance of trust titles? Third, is a trust title necessary to meet their needs, and would any public program be impaired by the conveyance of a trust title?

The response to these issues was overwhelmingly in favor of the Taos Indians.

As has been pointed out, in 1965 the Claims Commission made a money determination, but the Indians have asked that they have their land back rather than the money, because this is their religion; this is their church, and I think that their religious beliefs and ceremonies, while they may seem strange to us, by the same token our religious ceremonies and beliefs may seem equally strange to them. We do not go into any other church and build campfires. We do not leave debris in any other church. But this is what the organizations, the Sierra Club and the so-called conservationists, would like to have you believe, that we, the public, are entitled to do, even though they are dealing with the Indian's church and the religion of these people.

Madam Chairman, the argument presented during the hearings that this legislation will set undesirable precedents are spurious. There will be no great change in the administration of these lands by the transfer in trust of these lands. The bill merely substitutes the Department of the Interior for the Department of Agriculture's administration of these lands.

The House Committee on Interior and Insular Affairs, with I think one exception, have determined that the equities in this case are on the side of the Indians, and they have again brought this bill to the floor in order that this Congress may have an opportunity to rectify a wrong that was done originally in 1906. I hope that this Committee and this Congress and this House will support the Committee on Interior and Insular Affairs in its decision to protect the rights of these first Americans.

Mr. ASPINALL. Madam Chairman, I yield 4 minutes to the gentleman from Arizona (Mr. UDALL).

Mr. UDALL. Madam Chairman, it grieves me to see a man who has contributed so much to America, my distinguished colleague from Pennsylvania—it grieves me to see him go so wrong. We heard a lot of talk about precedent here this afternoon, and I would suggest that you never set a bad precedent when you do what is right.

Mark Twain once said—and I saw this quotation on someone's wall not too long ago:

> Do what is right. You will please some people and astonish all the rest.

Mr. SAYLOR. Madam Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. Madam Chairman, I want to say, I did just that. I reversed my position from last year. I finally saw the error of my ways.

Mr. UDALL. I would say to the gentleman from Pennsylvania, I have had some

experience with changing my mind on questions too, so I feel keenly the dilemma in which the gentleman finds himself, but I have always tried to follow the leadership of the gentleman, as frequently as I could, and I was touched and moved as I read this morning the CONGRESSIONAL RECORD from last year, when the gentleman made the speech to which he referred.

Madam Chairman, I just want to refer to a portion of the gentleman's speech again, because the oratory moved me again when I read it. This is what the gentleman from Pennsylvania said last year in this very Chamber when he was supporting this bill. He said he supported the bill "as a matter of simple justice." He also said, and I continue to quote:

> The Pueblo de Taos Indians need this land more than the Forest Service needs it. A conveyance in trust to the Pueblo de Taos Indians will not prejudice sound conservation management of the lands . . . the enactment of this will not set a precedent for compensating the Indians with land instead of money in Indian Claims Commission cases.

The gentleman from Pennsylvania gave the reason for that when he said:

> There is no other claims case like the Taos-Blue Lake case.

The facts today are exactly the same facts as they were a year ago when the House passed this bill by an overwhelming vote, but because the gentleman from Pennsylvania is held in such high regard in this Chamber and he made such a persuasive speech on that occasion, I want to continue to quote him for a minute. This may pain the gentleman somewhat, but it hurts me more than it hurts the gentleman to have these words of wisdom quoted, only to have them rejected by their author. The gentleman from Pennsylvania said:

> I also want to reject the idea that the enactment of this legislation would in some way be regarded as a threat to the integrity of the national forest system. National forest lands are disposed of every year when the disposition is in furtherance of the conservation program. A transfer of the Blue Lake area from a national forest reserve to an Indian reserve, with explicit provisions for conservation management, is in furtherance of the conservation program and at the same time a belated amends for a wrong committed 60 years ago.

These were the words of the gentleman in June of 1968.

Madam Chairman, the facts are the same today as they were then. I certainly believe with the great majority of the members of the Committee on Interior and Insular Affairs that we must do justice in this case, and we must pass the bill once again, as we did last year.

Mr. EDMONDSON. Madam Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Madam Chairman, I listened to the gentleman from Arizona read these words of wisdom from the past from the gentleman from Pennsylvania. My heart has been stirred by the eloquence of those words, just as the gentleman's heart was moved. Would the gentleman not agree with me also that on that previous occasion the gentleman from Pennsylvania put a little more heart and a little more really moving spirit into what he had to say then than he did when he was in the well today?

Mr. UDALL. I would have to agree. I have been a student of oratory and I have followed many Members as they speak, and I can testify that the gentleman from Pennsylvania did appear to have more enthusiasm and spirit when he gave the speech a year ago than when he gave the speech today, even though the speech he delivered today was superb.

Mr. SAYLOR. Madam Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. Madam Chairman, I would like to thank my colleague, the gentleman from Arizona, for having had the courage to remind me of my own remarks, but I would like to remind the gentleman that a year ago in June, when I made that speech, I had a real fight going with the Forest Service. As the result of that speech, the gentleman would be surprised at the change the Forest Service has seen fit to make. So even though I have been seeing the wisdom of changing my views, that speech was so good that it convinced the U.S. Forest Service to change some of its views. So all is not lost even though I have changed my position.

I am delighted to have the House know once again that a year ago I was very persuasive. As I say, I hope I am just as persuasive today.

Mr. UDALL. Madam Chairman, I thank the gentleman from Pennsylvania for his contribution.

I am reminded of one of the eulogies we heard here yesterday of the late Senator from Illinois. He was quoted as saying on one occasion that he was a man of principle and one of his first principles was flexibility. So perhaps that is appropriate to the gentleman from Pennsylvania.

I note in closing that one of the Representatives from the State of New Mexico indicated to me he was going to support this legislation. I think this should have some considerable weight in our deliberations.

Madam Chairman, I urge the support of this bill.

Mr. SAYLOR. Madam Chairman, I yield 5 minutes to the gentleman from South Dakota (Mr. REIFEL).

Mr. REIFEL. Madam Chairman, I thank my good friend for giving me this time. As the ranking minority member of the Interior Subcommittee on Appropriations, with the distinguished chairwoman of our subcommittee, the gentlewoman from Washington (Mrs. HANSEN), I have had frequent conversations with representatives of the people from the Taos Pueblo.

In each of those instances, of course, out of their warm feeling for the consideration of the Members of this body, and this committee, they have expressed their high regard for the chairman of the full Committee on Interior and Insular Affairs, the gentleman from Colorado (Mr. ASPINALL), and the chairman of the Subcommittee on Indian Affairs, the gentleman from Florida (Mr. HALEY), a gentleman who has not a single Indian in his district and yet is one of the champions for Indian welfare and Indian well-being. They have also had the highest words of praise for the fine support which was provided by the ranking minority member of the full Committee on Interior and Insular Affairs, as he was quoted just a few minutes ago by the gentleman from Arizona (Mr. UDALL), because the gentleman from Pennsylvania (Mr. SAYLOR), too, has no Indians in his district but at the same time is one of the champions for what is good for America and what is helpful to Indian Americans.

Of course, much has been said in the course of this debate with respect to precedent. There is a precedent connected with this legislation, which is really the essence of what is attempted to be done; that is, so far as the Taos Pueblo people are concerned they are the beneficiaries of a spiritual relationship with their Maker which is older than that of the Judeo Christian religions to which many of us belong, the formal organizations with their cathedrals and other lesser edifices to provide an opportunity to express their relationship to their Creator. There are few in our land who have this kind of continuous direct relationship with their Creator, and among these are the Taos Pueblos. They look upon their land as the halls of a cathedral in which they may stand, in the valleys looking to the mountains and the skies of that great State of New Mexico, to pray, beseech, and thank their Creator.

That is all that this legislation is attempting to do—not to give a 50-year lease to a piece of land on the basis of which they might in that period have this privilege, but, as this legislation attempts to do, to provide in perpetuity a place where they may stand on their mother soil and pray to their God as they have from time immemorial.

That is all that is being asked here. This is recognized by the chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado (Mr. ASPINALL), and the chairman of the Indian Affairs Subcommittee, the gentleman from Florida (Mr. HALEY), and my colleague, the gentleman from South Dakota (Mr. BERRY), and as it was recognized by the distinguished gentleman from Pennsylvania, even last year.

Madam Chairman, it is interesting to note, just as a piece of side information, that this agency of the Government, the Forest Service, you know, is full of chiefs. There is the Chief Forester and all the rest of them are deputy chiefs. Now, really it would not hurt the chiefs to give a few Indians a little bit of land that is now in the national forest.

Mr. ASPINALL. Madam Chairman, I yield the balance of the time on the majority side to the gentleman from Florida (Mr. HALEY), the chairman of the subcommittee.

Mr. HALEY. Madam Chairman, this bill restores to the Taos Pueblo in New Mexico the trust title to 48,000 acres of land that were taken from them in 1906 by an Executive order which put the lands in a national forest. The Indians did not agree to the taking, they were not paid for the land, and they want their land back. It is only fair that they get it.

Restoration of the land to the Indians will right a wrong in the only manner that is acceptable to the Indians, and it will not affect adversely the conservation program of the United States. Ordinary principles of fairness and equity require this action.

The governor of the Taos Pueblo, a secretary of the Pueblo, and two senior council members appeared before the Subcommittee on Indian Affairs in support of this bill. They are proud descendants of a proud people. The Taos Indians have maintained their pueblo life in the original Taos Pueblo since the year 1400, long before the white man arrived. All of us who heard the four leaders were impressed with their dignity, their sincerity, and the fairness of their request. They are asking only for something which was theirs and which they continue to believe is theirs.

The Pueblo Indians are noted for their peaceful ways. They are friendly. They do not bother others, but in turn they expect others to leave them alone. They value their Pueblo society and they want to preserve it.

They do not have much in the way of wordly goods. They live frugally. They have little cash income.

The Taos Indians are a closely knit group, and religion permeates their communal life. The Blue Lake area is the most holy symbol of their ancient religion, and the symbolism attaches to the entire watershed. The watershed is the source of their life. Although the nature of their religion is secret, it is clear that if the area were extensively used for recreation by the public it would be desecrated in the eyes of the Indians.

In 1933 Congress authorized the Secretary of Agriculture to issue to the Taos Pueblo a special-use permit for approximately 32,000 acres in the Blue Lake area. The Indians thought the special-use permit gave them an exclusive use, and it did insofar as timber and forage were concerned. The admission of non-Indians for recreational use, however, has been a constant source of conflict between the Indians and the Forest Service. The Forest Service administration of the Blue Lake area has exerted a continuing pressure on the religious use of the land of the Pueblo. Religious privacy has been constantly jeopardized.

This bill amends the 1933 act by substituting for the special-use permit on 32,000 acres a trust title to 48,000 acres of land. In other words, the Indians will get a trust title to the land, and the land will become a part of their reservation. The enlargement of the area from 32,000 acres to 48,000 acres describes more accurately the land the Indians actually use and need.

The transfer of the lands from a national forest reservation to an Indian reservation will not affect the management of the land for conservation purposes. The Indians want the land to be retained in its natural condition, and the bill so requires. Except for traditional Indian uses such as religious ceremonials, hunting, fishing, forage, and wood for personal use, the land must be maintained as a wilderness. This is a limitation which the Indians sought because it reflects their intended use and because it should dispel any idea that they want to exploit the natural resources for purposes of private gain. Moreover, the bill requires the land to be administered in accordance with sound conservation practices, and the Secretary of the Interior may enter into an agreement with the Secretary of Agriculture providing for the services of the Forest Service in this respect. The interest of the United States in the conservation of the resource is therefore fully protected.

Seven grazing permits are now outstanding on portions of the land. The annual fees paid for the permits are about $340. The bill provides that the permittees may renew their permits under regulations of the Forest Service to the same extent they could have been renewed prior to enactment of the bill. The Pueblo, however, may purchase relinquishments of the grazing permits. This provision is not intended to recognize the permits as a property interest. They are not property rights. The Indians desire, however, to liquidate the permits in an orderly way, and this provision of the bill authorizes the use of tribal funds for this purpose.

The bill also provides that the Indian Claims Commission will determine the extent to which the value of the interest in the land conveyed should be set off against the claim of the Taos Indians which is still pending. This is a standard setoff provision that is carried in all similar bills. Incidentally, this provision of the bill will result in reducing the financial liability of the United States to the Indians in the claims litigation. This is not, however, a reason for enacting the bill. The bill is fully justified on its merits.

The CHAIRMAN. The time of the gentleman from Florida has expired. All time has expired.

The Clerk will read.

The Clerk read as follows:

H.R. 471

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act of May 31, 1933 (48 Stat. 108), providing for the protection of the watershed within the Carson National Forest for the Pueblo de Taos Indians in New Mexico, be and hereby is amended to read as follows:

"SEC. 4. (a) That, for the purpose of safeguarding the interests and welfare of the tribe of Indians known as the Pueblo de Taos of New Mexico, the following described lands and improvements thereon, upon which said Indians depend and have depended since time immemorial for water supply, forage for their domestic livestock, wood and timber for their personal use, and as the scene of certain religious ceremonials, are hereby declared to be held by the United States in trust for the Pueblo de Taos:

"Beginning at the southeast corner of the Tenorio tract on the north boundary of the Taos Pueblo grant in section 22, township 26 north, range 13 east;

"thence northwesterly and northeasterly along the east boundary of the Tenorio tract to the point where it intersects the boundary of the Lucero de Godoi or Antonio Martinez Grant;

"thence following the boundary of the Lucero de Godoi Grant northeasterly, southeasterly and northerly to station 76 on the east boundary of the survey of the Lucero de Godoi Grant according to the March 1894 survey by United States Deputy Surveyor John H. Walker as approved by the United States Surveyor's Office, Santa Fe, New Mexico, on November 23, 1894;

"thence east 0.85 mile long the south boundary of the Wheeler Peak Wilderness, according to the description dated July 1, 1965, and reported to Congress pursuant to section 3(a)(1) of the Wilderness Act (Public Law 88–577);

"thence northeast approximately 0.25 mile to the top of an unnamed peak (which is approximately 0.38 mile southeasterly from Lew Wallace Peak);

"thence northwesterly 1.63 miles along the ridgetop through Lew Wallace Peak to Old Mike Peak;

"thence easterly and northeasterly along the ridgetop of the divide between the Red River and the Rio Pueblo de Taos to station numbered 109 of said 1894 survey, at the juncture of the divide with the west boundary of the Beaubien and Miranda Grant, New Mexico (commonly known as the Maxwell Grant), according to the official resurvey of said grant executed during July and August 1923 by United States Surveyor Glen Haste and approved by the General Land Office, Washington, District of Columbia, on April 28, 1926;

"thence southeasterly, southwesterly, and southerly along the west boundary of the Maxwell grant to the north line of unsurveyed section 33, township 26 north, range 15 east;

"thence southerly to the north boundary of fractional township 25 north, range 15 east;

"thence southerly and southwesterly through sections 4, 9, 8, and 7, township 25 north, range 15 east to the southwest corner of said section 7;

"thence westerly along the divide between the Rio Pueblo de Taos and Rio Fernandez de Taos to the east boundary of the Taos Pueblo grant;

"thence north to the northeast corner of the Taos Pueblo grant.

"(b) The lands held in trust pursuant to this section shall be a part of the Pueblo de Taos Reservation, and shall be administered under the laws and regulations applicable to other trust Indian lands: *Provided,* That the Pueblo de Taos Indians shall use the lands for traditional purposes only, such as religious ceremonials, hunting and fishing, a source of water, forage for their domestic livestock, and wood, timber, and other natural resources for their personal use, all subject to such regulations or conservation purposes as the Secretary of the Interior may prescribe. Except for such uses, the lands shall remain forever wild and shall be maintained as a wilderness as defined in section 2(c) of the Act of September 3, 1964 (78 Stat. 890). With the consent of the tribe, but not otherwise, nonmembers of the tribe may be permitted to enter the lands for purposes compatible with their preservation as a wilderness. The Secretary of the Interior shall be responsible for the establishment and maintenance of conservation measures for these lands, including, without limitation, protection of forests from fire, disease, insects or trespass; prevention or elimination of erosion, damaging land use, or stream pollution; and maintenance of streamflow and sanitary conditions; and the Secretary is authorized to contract with the Secretary of Agriculture for any services or materials deemed necessary to institute or carry out any of such measures.

"(c) Lessees or permittees of lands described in subsection (a) which are not included in the lands described in the Act of May 31, 1933, shall be given the opportunity to renew their leases or permits under rules and regulations of the Secretary of the Interior to the same extent and in the same manner that such leases or permits could have been renewed if this Act had not been enacted; but the Pueblo de Taos may obtain

the relinquishment of any or all of such leases or permits from the lessees or permittees under such terms and conditions as may be mutually agreeable. The Secretary of the Interior is authorized to disburse, from the tribal funds in the Treasury of the United States to the credit of said tribe, so much thereof as may be necessary to pay for such relinquishments and for the purchase of any rights or improvements on said lands owned by non-Indans.

"(d) The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1049, 1050), the extent to which the value of the interest in land conveyed by this Act should be credited to the United States or should be set off against any claim of the Taos Indians against the United States."

Mr. SAYLOR (during the reading). Madam Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the committee amendments:

The Clerk read as follows:

Committee amendments:

Page 4, line 2, strike out "Fernandez" and insert "Fernando".

Page 4, line 5, strike out "grant." and insert "grant;".

Page 4, between lines 5 and 6, insert a new paragraph as follows:

"thence west to the point of beginning; containing approximately 48,000 acres, more or less".

Page 4, line 14, strike out "or" and insert "for".

Page 5, line 21, after the period insert a new sentence as follows: "The authority to pay for the relinquishment of a permit pursuant to this subsection shall not be regarded as a recognition of any property right of the permittee in the land or its resources".

Page 6, line 4, strike out "States." and insert "States".

Page 6, after line 4, insert a new subsection (e) as follows:

"(e) Nothing in this section shall impair any vested water right."

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. DINGELL

Mr. DINGELL. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DINGELL: Strike out all after the enacting clause of H.R. 471 and insert in lieu thereof the following:

"That (a) for the purposes of safeguarding the interests and welfare of the tribe of Indians known as the Pueblo de Taos of New Mexico, the following described lands are hereby designated for addition to and as a part of the Wheeler Peak Wilderness, Carson National Forest, New Mexico:

"Beginning at a point on Old Mike Peak on the southeast boundary of the Wheeler Peak Wilderness; thence easterly along the crest of the ridge dividing Red River from the Rio Pueblo de Taos to its interception with the west boundary of the Beaubien and Miranda Grant (Maxwell Grant);

"thence southeasterly along the west boundary of the aforesaid grant to the crest of the ridge between the Bonita Park drainage and the Rio Pueblo de Taos;

"thence southward along the crest of the aforesaid ridge to the junction of the Witt Park drainage and the Rio Pueblo de Taos;

"thence northwesterly along the crest of the ridge forming the south boundary of the Waterbird Lake drainage to its interception with the crest of the ridge between the Rio Lucero and the Rio Pueblo de Taos;

"thence northerly along the crest of the aforesaid ridge to the point of beginning on Old Mike Peak, containing approximately 4,600 acres, more or less.

"(b) Subject to the provisions of subsection (c) of this section, the area added to the Wheeler Peak Wilderness by this Act shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as 'wilderness'.

"(c) The following described portion of the Wheeler Peak Wilderness as enlarged by this Act, containing approximately 1,640 acres, more or less, is hereby segregated for the exclusive use of the Pueblo:

"Beginning at a point where National Forest System Trail Numbered 90 intercepts the crest of the ridge between the Rio Lucero and the Rio Pueblo de Taos south of Old Mike Peak;

"thence easterly along trail Numbered 90 to a point approximately 0.1 mile south of Red Dome;

"thence southeasterly to an unnamed lake approximately 0.5 mile southeast of Red Dome;

"thence southerly along the drain from the aforesaid lake to its junction with the Rio Pueblo de Taos;

"thence southeasterly along the Rio Pueblo de Taos to the nose of the ridge forming the south boundary of the Star Lake drainage;

"thence westerly along the crest of the aforesaid ridge to its interception with the crest of the ridge between the Rio Lucero and Rio Pueblo de Taos;

"thence northerly along the crest of the aforesaid ridge to its interception with the National Forest System Trail Numbered 50;

"thence northerly along aforesaid trail Numbered 50 to its departure to the west from aforesaid ridge; and

"thence northerly along the crest of the aforesaid ridge to its interception with National Forest System Trail Numbered 90 and the point of beginning.

"The Secretary of Agriculture shall (1) administer this portion of the Wheeler Peak Wilderness for the exclusive use of the Pueblo de Taos Indians in connection with their religious ceremonials; (2) remove all structures from the portion and discontinue trail maintenance therein; (3) not authorize persons who are not members of the Pueblo de Taos Tribe to enter the described portion: *Provided*, That the Secretary shall continue to be responsible for protection of the area from fire, insects, and disease, and employees of the Forest Service may enter the area for these purposes: *Provided further*, That law enforcement officers may enter the area in performance of official duties.

"SEC. 2. Section 4 of the Act of May 31, 1933 (48 Stat. 108), providing for the protection of the watershed within the Carson National Forest for the Pueblo de Taos Indians in New Mexico, is hereby amended by amending the description of the area referred to in that section to read as follows:

"Beginning at the northeast corner of the Taos Pueblo Grant;

"thence west along north boundary of aforesaid Grant to its interception with the southeast corner of the Tenorio Tract;

"then northwesterly and northeasterly along the east boundary of the Tenorio Tract to the point where it intersects the boundary of the Lucero de Godoi or Antonio Martinez Grant;

"thence following the boundary of the Lucero de Godoi Grant northeasterly, southeasterly, and northerly to station 76 on the east boundary of the survey of the Lucero de Godoi Grant according to the March 1894 survey by United States Deputy Surveyor John H. Walker, as approved by the United States Surveyor's Office, Sante Fe, New Mexico, on November 23, 1894;

"thence east .85 mile along the south boundary of the Wheeler Peak Wilderness according to the description dated July 1, 1965, and reported to Congress pursuant to section 3(a)(1) of the Wilderness Act (78 Stat. 891) to intersection with the crest of the ridge between the Rio Lucero and the Rio Pueblo de Taos;

"thence southerly along aforesaid crest to its interception with the ridge forming the south boundary of Waterbird Lake drainage;

"thence southeasterly along aforesaid ridge to junction of Witt Park drain and the Rio Pueblo de Taos;

"thence easterly along the Witt Park drain to a point ½ mile from the Rio Pueblo de Taos;

"thence southwesterly along a line ½ mile east of the Rio Pueblo de Taos and parallel to it to the northeast corner of section 1, township 25 north, range 14 east;

"thence southward along the township line to the east quarter corner of section 13, township 25 north, range 14 east, on crest of ridge dividing the Rio Pueblo de Taos from the Rio Fernando de Taos;

"thence westerly along aforesaid ridge to its interception with the east boundary of the Taos Pueblo Grant;

"thence northerly to the point of beginning containing approximately 34,500 acres, more or less.

"SEC. 3. The Secretary of Agriculture is hereby directed to amend the permit granted to the Pueblo de Taos Indians pursuant to section 4 of the Act of May 31, 1933 (48 Stat. 108), to provide that:

"(a) The description of the area under permit to the Pueblo de Taos shall conform with the description of the area described in section 2 of this Act.

"(b) The Secretary shall make timber, forage, and wood available without charge in the entire permit area as amended by this Act for personal or tribal community needs of the members of the Pueblo or the Pueblo community in such manner that does not impair the watershed.

"(c) Through extension and improvement of the forest and other vegetative cover in the permit area the Secretary shall manage the area in accordance with accepted watershed management principles so as to provide optimum quantities and quality of water from the area for the benefit of the Pueblo de Taos Indians and others dependent on the Rio Pueblo de Taos and Rio Lucerno for water.

"(d) Other provisions of the existing permit shall apply to the entire permit area as amended by this Act.

"SEC. 4. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value to the Pueblo de Taos of the provisions of this Act as well as the value of the Carson National Forest permit pursuant to section 4 of the Act of May 31, 1933 (48 Stat. 108), should be credited to the United States or should be set off against any claim of the Pueblo de Taos against the United States."

Mr. ASPINALL (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. DINGELL. Madam Chairman, this is the amendment I mentioned earlier in my remarks during general debate, and when I said that at the proper time I would offer an amendment which would afford full protection to the religious concern of the Indian people involved here. This is the amendment. What it does is to set up the same kind of protection for the land as does the bill before us. It affords the Indians every right that they would have under the proposed bill except for title, and it does not get into the question of grazing.

It preserves the national forests of our Nation from the establishment of an unwise precedent; that is, giving away title to portions of the great national forests, a treasure which is for the protection, for the enjoyment, and for the opportunity of all of the people, and yet it affords full and complete protection to the Indian people with regard to their religious ceremonies and their opportunities to engage in worship.

It affords protection for the land, protection for the water, protection for persons both Indian and non-Indian, who would use the waters which are generated by precipitation in the area concerned.

I believe it is a good amendment. I think it is a humane amendment. I think it is an amendment which protects the interests of the Indians, and which protects the interests of all of the people in their national forests. It certainly is an amendment which merits careful consideration, particularly in view of the fairly doubtful nature of the claims which have been asserted up to this time. It does avoid the principle and the practice of double compensation to Indians who have already had their claims extinguished by cash awards and by the establishment of grazing rights and other special use rights in the national forests for which they signed in full faith and in the spirit of fair agreement with the Government of this Nation.

It reflects the intentions and the attitudes of the persons who have been involved in this matter, both Indian and non-Indian, that certain protection should be afforded to the Indians. As I have indicated, it avoids giving away our great national forests, something which I have always vigorously opposed, and something which this Congress has always supported.

It is my hope that this body will adopt the amendment. I believe it is humane, I believe it is fair, and I believe it is just.

Madam Chairman, I yield back the balance of my time.

Mr. ASPINALL. Madam Chairman, I rise in opposition to the amendment.

Madam Chairman, what this amendment really does is that it takes the bill of the other body without any study on the part of the committee having jurisdiction in this body, and substitutes the other body's bill for the bill that we have worked upon before the Committee on Internal and Insular Affairs for a considerable length of time.

The amendment enlarges the Wheeler Park Wilderness Area by 4,600 acres; 1,640 acres of this 4,600 acres were segregated for the exclusive use of the Pueblo.

The present special-use permit which the Indians have under the 1933 act is enlarged from 32,000 acres to 34,500 acres. This figure, plus the 1,640 acres of exclusive use, totals 36,140 acres. This compares with 48,000 acres in the House bill.

The major differences between the House bill and the Dingell amendment are:

First, the House bill gives the Indians trust title to 48,000 acres. The Dingell amendment gives them only a special-use permit to 36,140 acres, with exclusive use of only 1,640 acres of the total. This has meant controversy in the past, and undoubtedly it will continue controversy in the future.

Second, the House bill puts administrative authority over the trust title in the Secretary of the Interior. The Dingell amendment would leave complete fee title and administration in—the fee title in the Federal Government just the same as the House bill, but leaves the administration in the Department of Agriculture.

The Dingell amendment will not resolve the longstanding controversy between the Indians and the Forest Service. I made reference to this a minute ago.

It gives the Indians very little more than they have now. It does not recognize the fact, first, that the Indians have a legitimate and demonstrated need for title to the land, and, second, all conservation values, and all Federal program interests, can be protected by the Secretary of the Interior under an Indian trust title as well as they can be protected by the Secretary of Agriculture through the Forest Service.

Madam Chairman, I may as well be honest with my colleagues—undoubtedly, if the other body handles this legislation, they will pass something like the bill that has been introduced by the senior Senator from New Mexico.

This, then, would mean that there would have to be a committee of conference, and at that time, after study, we will be able then to give consideration to what is proposed in this amendment. Until that time, I do not believe that the House is in a position to act favorably on the amendment and I would ask for its defeat.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Michigan (Mr. DINGELL) in the nature of a substitute.

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mrs. GREEN of Oregon, Chairman of the Committee of the Whole House on the State of the Union, reported that that Commitee having had under consideration the bill (H.R. 471) to amend section 4 of the act of May 31, 1933 (48 Stat. 108), pursuant to House Resolution 462, she reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

AUTHORITY FOR SPEAKER TO DECLARE RECESS TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it may be in order at any time tomorrow for the Speaker to declare a recess, subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, do I understand that this is in connection with the funeral services for the late Senator Dirksen?

Mr. ALBERT. That is correct.

Mr. GROSS. That is, in Washington?

Mr. ALBERT. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 681, ELECTORAL COLLEGE REFORM

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 491 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 491

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the White House on the State of the Union for the consideration of the joint resolution (H.J. Res. 681) proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President. After general debate, which shall be confined to the joint resolution and shall continue not to exceed six hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the joint resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Mississippi is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the customary 30 minutes to the very able and distinguished gentleman from California (Mr. SMITH), pending which I yield myself such time as I may consume.

Mr. Speaker, more than 150 years ago the Founding Fathers of our country

set up a scheme or plan for the election of a President and Vice President. In their wisdom, they saw fit to establish the electoral college. The scheme that these wise men had in mind was to select good men as electors based upon the number of Representatives in the House of Representatives and the number of Senators. These men were to be selected because they would be known to be good, honest and wise men. They would meet in a so-called electoral college and select candidates for President and Vice President. That was before the development of the party system.

After the growth of the party system, that procedure was more or less changed, for the parties would meet in convention, select their candidates, and present their candidates to the country.

However, with the growth of the party system, there arose a wide demand to reform the electoral college system. There is considerable demand to wipe out the electoral college entirely and select the President and the Vice President by a so-called popular or direct vote. In other words, we would elect the President and Vice President as we elect the Members of both branches of the Congress. This system has been advocated for some time. It has great popular appeal. I am not so sure in my own mind that it is the best system, notwithstanding the fact that I know it has popular appeal and I know that most Members of the Congress who have given insufficient thought to some of the possible consequences of the plan are inclined to embrace the popular election theme.

So the Committee on the Judiciary, headed by the very able and distinguished and powerful advocate, the gentleman from New York (Mr. CELLER), has brought out a resolution that would provide for the popular vote election method of electing a President and a Vice President. As I say, I have some reservations about it. I had not intended to talk at this time on the matter, but the situation has arisen which is now such that I have to present the matter.

I understand the President of the United States, I might say to my friends on the left side of the aisle, has endorsed a different plan, one that I believe is popularly known as the proportionate plan.

There are some of us who feel that possibly another plan would be equally as good if not better, and that plan is the one that is advocated now, and as I understand it, was proposed in the Committee on the Judiciary on a bipartisan basis by the gentleman from Texas (Mr. DOWDY) and the gentleman from Virginia (Mr. POFF), as well as the gentleman from Indiana (Mr. DENNIS). They are very able students of the Constitution, who believe, of course, in the American system.

That plan briefly would provide that the electoral college, in effect, would be retained, or the substance of it, and that a candidate for the Presidency would get the electoral vote of the various congressional districts that he carried, and the candidate who got the most votes in the whole State would get the two votes represented by the Members of the other body, the Senators.

In that way we would pretty largely achieve the reform that is needed. I think there is room for some change. So that plan will be presented here by these gentlemen when we get into consideration of the resolution itself. I think it has much merit.

I do not want to get personal, but I see here two able gentlemen, the gentleman from California (Mr. HOLIFIELD), who is a Representative from, I believe, the State with the second largest number of electoral votes, and the gentleman from New York (Mr. CELLER), the author of this bill, who is a Representative from the State of New York which has the greatest number of electoral votes.

Let us consider the effect of this substitute plan in respect to the last election. I do not know what the number was, but we will say for illustration that Mr. Nixon carried 25 of the congressional districts of New York. He would get those 25 electoral votes plus the two senatorial votes, the majority of that State's vote, and therefore would carry the State.

There was a third candidate, Mr. Wallace. If Mr. Wallace had carried two congressional districts in New York he would have gotten two electoral votes.

The same thing, of course, would apply to the great State of California and to the other States of the Union.

We have heard a lot of complaint in the past, and I believe with some justification—again not becoming personal—that the larger States, like the one represented by the gentleman from California (Mr. HOLIFIELD) and the one represented by the gentleman from New York (Mr. CELLER) and the one represented by the gentleman from Texas, and so on, because of the larger electoral vote under the present system were able to control the nominations and the elections.

That is certainly true under the system advocated by the Judiciary Committee, wherein the larger populated States like New York, California, Texas, Massachusetts, and so on would have a popular vote so powerful and numerous that they would be able to control the elections.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I am happy to yield to my friend the majority leader.

Mr. ALBERT. Would that not be true under a situation where the winner would take all, more than it would under a situation where every candidate got his share of the popular vote? In other words, he would get the entire New York delegation, and New York would be much more persuasive in its ability to feel its candidates might be elected, with the winner taking the entire State electoral college vote.

Mr. COLMER. If I understand my friend, and I am not quite sure I did, that is one of the evils which is sought to be corrected by this proposed substitute resolution.

Under the present system, in the State of New York, with its great metropolitan center and its great populous vote, if Mr. Humphrey had received 10 more votes or 1 more vote than Mr. Nixon got in that State, then Mr. Humphrey would get all of the electoral votes. I think that is the point my friend was trying to make. In other words, it is a case of winner take all.

Under the substitute plan to be offered here, which is a modification of the one I understand President Nixon has recommended, that would not be true. Each candidate would get the electoral vote that he was entitled to rather than winner taking all.

Now, I do not want to be sectional nor do I want to be anti city or pro rural. However, my State, the State represented, in my judgment, sir, by the able majority leader the gentleman from Oklahoma (Mr. ALBERT), the State represented by the gentleman from South Dakota (Mr. BERRY), and the gentleman from Iowa (Mr. GROSS), and a number of the other smaller States, if I analyze this thing correctly, in my judgment, would suffer as a result of the passage of this so-called popular or direct vote election amendment.

Mr. Speaker, there is another aspect involved here that I want to touch on just briefly; namely, that the advocates of this direct vote election method say they want the people to express their will. Yet they provide in their resolution for a 40-percent figure. The candidate receiving 40 percent of the popular vote would be the man who was elected. If you are going to adopt this plan, then it would seem to me logical and reasonable that you should make it 51 percent or 50 percent plus of those voting. In other words, the man who is elected as President should get a majority of the vote if you are going to follow that scheme.

Now, Mr. Speaker, passing on to another facet of this committee proposal briefly, this is the question of the opportunity for corruption and for contest.

Now, can you imagine what would happen if there became a contest under this so-called popular plan in New York, California, Mississippi, North Carolina, or one or more States where corruption were charged to have occurred in one or more counties or or in one or more precincts, and where that went on in several States?

It seems to me that you are running the risk of having the Presidential election suspended in limbo, as it were there, while all of this investigation into the charges of corruption was made. We could have some serious trouble in this country while we were waiting for these charges of corruption to be decided. There are a number of other things that I could go into here, but I am not going to take any further time on this resolution.

The rule, undoubtedly, will be adopted for the consideration of the resolution amending the Constitution. I am informed and believe—as a matter of fact I have reason to know—that the alternate plan suggested will be germane, will be offered and will be debated. I do not want to array, I repeat, the small States against the large ones. But I do want to say to you gentlemen who are advocating this committee plan that if you really want some reform legislation, if you want to amend the Constitution and if you want to get away from what you cite as the present evils, you had better give careful thought to this matter. I say this, first, because it is going to take a

two-thirds vote here and in the other body to adopt the resolution and then it is going to take three-fourths of your States to ratify it before it becomes a part of the Constitution in order to achieve your objective of some reform.

Mr. Speaker, I am going to predict here and now that even though we pass this resolution by a two-thirds vote in this body, it is going to run into serious trouble over in the other body and that you are going to find those Senators over there representing the smaller States lining up in opposition to this plan of a popular election. But if you survive that hurdle, then you have got to go to your State legislatures and get the three-fourths vote. In other words, I believe it has been figured that if 13 States fail to ratify the amendment, it fails. These small States like Utah, Nevada, Delaware, Alabama, South Carolina, and a substantial number of other States with relatively small populations are not going to give up the advantage they now enjoy to the more populous States with their great metropolitan centers.

The whole philosophy and traditions of this great country are involved. Under the committee plan, the country could well come to be dominated by the big cities.

So I want to repeat, Mr. Speaker, if you want to reform the present system you had better give serious thought to the plan that I mentioned earlier that is to be offered, as I understand it, jointly by the gentleman from Texas (Mr. DOWDY), and the gentleman from Virginia (Mr. POFF), otherwise you may go through here for the next 2 or 3 years and then wind up with no change in your present system.

Mr. Speaker, I know we are all interested in the perpetuation of this young Republic and our system. I know that you want to see something done, something that is practical, and something that has a reasonable chance of becoming the law of the land. So as we go through here in the next 6 hours, after this rule is adopted, of general debate, and then the debate upon the substitute, we had better most seriously consider this matter.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman from Mississippi has consumed 27 minutes.

The Chairman now recognizes the gentleman from California (Mr. SMITH).

Mr. SMITH of California. Mr. Speaker, I yield myself 15 minutes.

Mr. Speaker, House Resolution 491 provides an open rule with 6 hours of debate for the consideration of House Joint Resolution 681, the presidential election reform measure.

Although the rule does not state anything about germaneness of substitutes and other proposals, it is my understanding, and it was the understanding of the members of the Committee on Rules, that all substitutes which have presently been printed will be germane under this open rule, and that amendments to those substitutes will also be germane.

The purpose of the joint resolution is to amend the Constitution to abolish the electoral college. Substituted for it is a system of direct popular election of the President and Vice President.

The present election system provides that each State appoints a number of electors equal to the total number of Senators and Representatives to which it is entitled. These electors meet in December in their respective States to elect the President and Vice President. If no candidate receives a majority, the House of Representatives, with each State delegation casting one vote, elects the President from the three persons receiving the most votes, and the Senate chooses the Vice President.

Several recent elections, particularly that of last year, have shown that some change in the system may be necessary.

The Judiciary Committee, by a vote of 29 to 6, has reported House Joint Resolution 681, a constitutional amendment providing for: First, elimination of the electoral college; second, substitution of a direct popular election; and, third, a runoff election if no candidate receives at least 40 percent in the first election.

Before the committee were a number of other, alternative proposals; the district, the proportional, and the automatic electoral vote systems. These were all rejected.

The committee believes that only a direct popular election system will remove all the objections and defects in the present system.

Section I provides for the direct election of both the President and Vice President, who will run jointly. The people of the District of Columbia, as well as those of the several States, are eligible to cast votes.

Section 2 provides that electors for President and Vice President in each State shall have the same qualifications as are required for electors of the most numerous branch of the State legislature. Any State may adopt less restrictive residence requirements for voting for President and Vice President, and Congress retains authority to set uniform residence requirements.

Section 3 provides the major change in the manner of election. A system of direct popular election is instituted. Each elector shall cast one vote for one slate of candidates. If one slate receives at least 40 percent of the total popular vote cast, and has more than any other slate, such persons shall be elected. If no slate receives a total of 40 percent of the total vote, a run-off election shall be held between the two slates receiving the most votes.

Section 4 provides that the times, places, and manner of holding a presidential election and any run-off election, and requirements for entitlement of a candidate to inclusion on the ballot shall be set by the several States. But this is not what it seems because Congress reserves the power to, by law, make or alter such regulations adopted by the several States. Congress is also empowered to set the date of the original election and the run-off election which are to be uniform. Congress also retains power to set the manner in which results of the elections shall be ascertained and declared.

Section 5 empowers Congress to provide, by law, for the case of death or withdrawal of a candidate, before the election, and of the President-elect or Vice President-elect.

The amendment is to become effective one year after the 21st day of January following its ratification by three-fourths—38—of the States within 7 years from the date of its submission by the Congress.

The committee report discusses the advisability of providing for election of a slate of candidates with less than 50 percent of the vote, and if a lesser figure is desirable, what percentage should be selected. It notes that by law a simple plurality wins most U.S. elections. However, a figure of at least 40 percent was selected to insure that the elected candidate would have a sufficient mandate. Suggestions of 45 percent and 35 percent were considered and rejected.

The committee also believes that the 40-percent figure will make the likelihood of a runoff election extremely remote, based upon past election history.

While the States retain primary jurisdiction over the ballot, the Congress expressly retains power to deal with any problems which might arise. State laws could be superseded by uniform Federal standards with the provisions of section 4. In many respects, this authority, if exercised, would result in as big a change in our presidential election system as the switch to a direct popular vote.

The committee finds that the stated major objections to the direct election plan—First, a possible aid to the proliferation of political parties; and, second, the possible destruction of our federal system of government—do not outweigh what it is believes is the fundamental opjection to all other possible changes—that each would allow the election as President of a candidate who failed to win the popular vote.

The gentleman from Colorado (Mr. ROGERS) has filed additional views. He believes that the 40-percent provision is too low. He favors increasing it to 45 percent.

The gentleman from New York (Mr. RYAN) has filed additional views. He supports the idea of uniform national standards of voter qualification, covering age and residency in national elections. He also believes that the votes for Vice President should be cast separately, not one joint vote for the two-man slate. Finally, he believes that U.S. citizens in Puerto Rico, Guam, and the Virgin Islands should be allowed to vote.

The gentleman from Illinois (Mr. MCCLORY) has filed additional views. He opposes the 40-percent figure, and supports a lower one—35 percent as less likely to require any runoff elections or permit the rise of third parties. He also suggests that rather than have each State legislature approve the constitutional amendment, each State should elect a convention to ratify it. He believes this would be quicker and insure ratification in time for the 1972 elections.

The gentleman from New Jersey (Mr. SANDMAN) agrees with the gentleman from Illinois (Mr. MCCLORY) in opposing the 40-percent figure; he supports a simple plurality rule.

The gentleman from Virginia (Mr. POFF) has filed separate views. He has a substitute which he may offer as an amendment. It provides for an automatic apportionment of electoral votes in proportion to the popular vote in each State. A majority of the electoral vote would be necessary for election. If no candidate receives a majority of the electoral vote, then, if any candidate received a plurality and at least 40 percent of the popular vote, he would be elected. If no candidate receives at least 40 percent of the popular vote then the Congress would jointly choose the President and Vice President from the top two slates, with each Member having one vote.

The gentleman from Texas (Mr. DOWDY) has filed minority views. He believes this joint resolution proposes a fundamental change in our system of government—one he opposes. He favors the district system embodied in House Joint Resolution 791. He also notes that under the direct popular election system 33 smaller States would lose political power in presidential elections. Some of these will surely oppose the amendment, probably enough to kill the amendment.

The gentleman from Alabama (Mr. FLOWERS) and the gentleman from South Carolina (Mr. MANN) concur in Mr. DOWDY's views objecting to the direct election system. They favor the proportional election plan and want to insure that the States retain control over voter qualifications.

The gentleman from Michigan (Mr. HUTCHINSON) has filed views supporting Mr. POFF's substitute. He points out how fundamentally different the direct popular election system is from that created by the framers of our Constitution—and how far along the road it goes in changing our federal system of government. He opposes this while agreeing that the present election system must be corrected. He believes Mr. POFF's substitute successfully does this.

The gentleman from Indiana (Mr. DENNIS) has filed individual views supporting the position taken by Mr. POFF and Mr. HUTCHINSON concerning the great change the proposal will work on our system of government. He favors either a district plan or an automatic electoral vote plan.

Personally I think we should have some changes in the electoral college system. I will state in all honesty that the hearings, which covered, I believe, 4 days, and at which 10 or 11 learned witnesses testified, were among the most interesting that I have ever participated in, and I must admit that after hearing the sage remarks of these gentlemen, I came to the conclusion that even though we might need some changes, maybe our forefathers did not do so bad when they wrote our Constitution 182 years ago. We would probably live to do something better, but we have gone through all these years and the system has worked, even though we had some frightening experiences when the House selected a couple of Presidents.

At any rate, I have attempted to mention what this bill contains. I would hope that the Members would listen to the debate, which, of course, because of the breakup in the schedule, will be periodical. But I, for one, have found it to be one of the most interesting discussions of any measure I have ever heard in the Rules Committee.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Illinois.

Mr. McCLORY. I thank the gentleman for yielding. I want to compliment the gentleman and the committee for allocating 6 hours of general debate on this historic subject. It is my understanding that the full debate which we will have here in the House of Representatives will be the first which has occurred for almost 150 years. Electoral college reform may be the single most important legislative subject which the Congress will consider at this session.

As the gentleman knows, I have two amendments which I will offer which are intended to be in support of the direct election plan as recommended by the committee. These amendments relate to subjects which the gentleman in the well has touched upon in the course of discussing this issue.

First of all, I want to express appreciation to the committee for the generous recommendation of 6 hours for the general debate and also the open rule which will permit opportunity to improve and clarify this constitutional amendment.

May I say briefly that one of my amendments would reduce the minimum requirement for the election of the President in a direct popular election from 40 percent to 35 percent. There are two main reasons for this. One is to avoid the probability of general runoff elections. I have had some computer studies made based upon the existing historical facts which show that a runoff election is very remote if we reduce the minimum required figure to 35 percent, whereas the incidence of a runoff is greatly increased if we hold to the 40-percent requirement.

Also I want to emphasize the other amendment which would provide an alternative method of submitting this constitutional amendment to State conventions instead of to the State legislatures for ratification. Many of those who support the amendment for direct popular election question whether three-fourths of the State legislatures will ever ratify the amendment even though we get two-thirds support in the House and in the Senate. I think there is a real doubt as to whether such requisite support could be obtained. But I wish to point out that the Constitution also authorizes us to submit such constitutional changes to State conventions for ratification.

The State conventions would consist of representatives or delegates selected by the people. In my opinion they would reflect more accurately the popular will with regard to this subject. Anyone who has taken a poll in his district knows, and the professional pollsters also know, that the people overwhelmingly favor a plan for the direct popular election of the President and Vice President. In response to this popular sentiment I am confident that State conventions would ratify such a constitutional change promptly.

May I say that when the 21st amendment was ratified by the State convention method, the job was completed in about 10 months. That is one of the speediest ratifications in history.

The SPEAKER. The time of the gentleman from California has expired.

Mr. SMITH of California. Mr. Speaker, I yield myself 2 additional minutes.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Speaker, I thank the gentleman from California for yielding me this additional time.

Mr. Speaker, I had wanted to apprise the Members at this time of the proposals which I will make, and I had about completed what I wanted to say. I am communicating with each Member by letter. Also, I invite the attention of the Members to the additional views set forth in the committee report. In the course of the full debate and also when we reach the amending stage, I expect to propose these two amendments for which I urge your most earnest consideration.

Again, I want to emphasize that these are in support of the direct popular election plan. Indeed, I am a sponsor of the constitutional change which the House is going to consider, but I do think that these two technical changes, as perhaps we might refer to them, will increase the chances of ratification and will improve the practical operation of the amendment if passed by both the House and the Senate and ratified by the people.

Mr. Speaker, I thank the gentleman from California for yielding.

Mr. SMITH of California. Mr. Speaker, I have no further requests for time. I reserve the balance of my time.

Mr. Speaker, I urge the adoption of the rule.

Mr. BERRY. Mr. Speaker, it is my intention to support an amendment to the bill under consideration which would provide a district plan for the election of the President and Vice President of the United States, rather than the proposal to abolish the electoral college and amend the Constitution to provide for the election of the President and Vice President by a direct vote.

Referring to election by direct vote, one Member of the House pointed out that this is not electoral reform, it is merely political transformation. It flies squarely in the face of the most basic precept of the Constitution—a Union of sovereign States. I agree completely.

The district plan is not a new proposal, but in my judgment, it is certainly the best. First, it would preserve the electoral college, but would require that electors be chosen from single congressional districts within each State, with two electors representing the senatorial delegation of the State running at large.

If no candidate received the requisite number of electoral votes, election would be by a joint session of the Senate and the House of Representatives with the Members voting as individuals.

The district plan is patterned along the lines of our congressional districts in which each voter could vote for three electors, the entitlement being the same as his representation in Congress: two Senators and a Representative. Presently the citizen casts his votes for all of the electors on the ballot, and depending

upon the population of his State, he has considerably more "vote power" if he lives in a small State. For example, a South Dakotan casts a vote for four electors while a New Yorker can vote for 43 electors. The district plan equalizes the power of the vote. It is the only plan which will do away with the "winner take all" system while at the same time provide an improved method of contingency election. Another result would be the elimination of the balance of power leverage on large blocks of electoral votes.

The people are as much entitled to choose their representative electors by single-Member districts as they are entitled to choose their Representatives by congressional districts. I know of no way by which people can be represented in proportion to their numbers except by single-Member districts.

Mr. COLMER. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. CELLER).

Mr. Speaker, will the gentleman from New York yield?

Mr. CELLER. I yield to the gentleman from Mississippi.

Mr. COLMER. Mr. Speaker, I want personally to apologize to the gentleman from New York for using so much time myself, but I understood the gentleman from New York wanted only 3 minutes. However, if he wishes additional time, I will try to get the gentleman some more time if he wants it.

Mr. CELLER. Mr. Speaker, I thank the gentleman from Mississippi.

Mr. Speaker, Victor Hugo once said:

When the time for an idea has come nothing can stop it.

The time for the idea of changing our method of electing the President and the Vice President has indeed come, and nothing, I can assure Members, can stop it.

The rule will make in order consideration of a proposed constitutional amendment providing for a direct vote of the President and Vice President and will do away with the present electoral college system.

Our present electoral system was born at a time when this country's population was only 4 million, of which 700,000 were Negro slaves and more than 2.3 million were white women and children. Only about 100,000 people lived beyond the Appalachian Mountains. Only five cities had a population in excess of 10,000 souls. Horseback, wagon, stagecoach, boat, and foot were the main modes of transportation. To go from Boston to New York was a journey of from 3 to 6 days, from New York to Philadelphia 2 or more days. Newspapers usually were distributed on a weekly basis and had limited circulation and contained mostly local news.

Small wonder that such an election apparatus applicable to horse and buggy days is ill suited to the present TV jet age. The time for change has indeed come.

The electoral system—we can no longer embalm it from further decay.

I cannot, in the short space of time allotted me, indicate all the evils inherent in the electoral system, but let me point out the following:

Thrice in our history the winner of the popular vote was declared the loser. An unwelcome candidate occupied the White House. This is as unsporting as it is dangerous. All the successful candidate can do is to bite his nails in anger. He is very much like Sancho Panza in Don Quixote. He is presented with a very sumptuous meal, and he is about to relish it, when it is taken away from him.

There has been no major debate on this subject, no full stage debate in this House, since 1826, almost 150 years ago.

The adoption of this rule will usher in, therefore, the very important historical event, an amendment to the Constitution that will permit the Nation to vote directly for President and Vice President with no intervention of the so-called elite electoral college.

This direct election follows the theory and principle of one-man, one-vote.

This amendment has the approval of such disparate organizations as the AFL–CIO and the U.S. Chamber of Commerce, as well as the American Bar Association, the Federal Bar Association, and many other organizations.

I am quite sure after the debate the Members will fall in line and vote, more than two-thirds of this body, for this historic amendment.

Mr. SMITH of California. Mr. Speaker, I have one additional request for time, by the gentleman from Indiana (Mr. DENNIS), and I yield him 3 minutes.

Mr. DENNIS. Mr. Speaker, I merely wish to take this opportunity to advise the membership, as has already been done by mail, that among the amendments to be offered will be a bipartisanly sponsored amendment which will be offered by the gentleman from Texas (Mr. DOWDY) and myself, which basically will present what is known as a district plan type of amendment as a substitute.

We have already communicated with the membership on this matter by mail, enclosing a copy of House Joint Resolution 791, which with one change is the amendment which we will offer. Basically, it is what one might call an automatic district plan which abolishes the elector as a person but retains the electoral vote of each State, assigning two votes to the candidate who carries the State and the others according to the candidate who carries the several electoral districts within the State.

Rather than the present contingency election provision, it provides that if no one receives an electoral majority, the decision will be made by a joint session of the House and Senate voting as individuals.

Mr. Speaker, I ask unanimous consent to insert at the end of my remarks a printed copy of that bill with the necessary changes inserted therein, and I ask the membership to give it their attention prior to the debate.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The matter referred to is as follows:

H.J. RES. 791

Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, to be valid only if ratified by the legislatures of three-fourths of the several States within seven years after the date of final passage of this joint resolution:

"ARTICLE —

"SECTION 1. In each State and in the District constituting the seat of Government of the United States (hereafter in this article referred to as the 'District') an election shall be held in which the people thereof shall vote for President and Vice President. Each voter shall cast a single vote for two persons (referred to in this article as a 'presidential candidacy') who have consented to the joining of their names as candidates for the offices of President and Vice President. No person may consent that his name appear with that of more than one other person or as a candidate for both offices. Both of the persons comprising a presidential candidacy may not be residents of the same State nor may both of them be residents of the District. No person constitutionally ineligible to the office of President shall be eligible to that of Vice President.

"SEC. 2. Each State shall be entitled to a number of electoral votes for President and Vice President equal to the whole number of Senators and Representatives to which such State may be entitled in the Congress. The District shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State. Each State shall establish a number of electoral districts equal to the number of Representatives to which such State is entitled in the Congress. The Congress shall establish in the District a number of electoral districts equal to the number by which the electoral votes of the District exceed two. Electoral districts within each State or the District shall be, insofar as practicable, of compact territory, and shall be of contiguous territory, and shall contain substantially equal numbers of inhabitants. Electoral districts in a State or the District shall be reapportioned following each decennial census, and shall not thereafter be altered until another decennial census of the United States has been taken.

"The presidential candidacy which receives the greatest number of popular votes in a State or in the District shall receive two of the electoral votes of such State or of the District. For each electoral district in which a presidential candidacy receives the greatest number of popular votes, it shall receive one electoral vote.

"SEC. 3. Within forty-five days after the election, the official custodian of the election returns of each State and of the District shall prepare, sign, certify, and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate, a list of all presidential candidacies for which popular votes are cast in such State or in the District, together with the number of popular votes received by each presidential candidacy in such State or in the District and in each electoral district therein.

"SEC. 4. On such day between the 3d day and the 20th day of January following the election as Congress may provide by law, the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the electoral

votes shall then be counted. The persons comprising the presidential candidacy receiving a majority of the electoral votes shall be the President and the Vice President. If no presidential candidacy receives a majority, then from the presidential candidacies having the two highest numbers of electoral votes, the Senate and House of Representatives together, each Member having one vote, shall choose immediately, by ballot, a presidential candidacy. A majority of the whole number of Senators and Representatives shall be necessary to a choice.

"SEC. 5. The place and manner of holding any election under section 1 in a State shall be prescribed by the legislature thereof. The place and manner of holding such an election in the District shall be prescribed by Congress. An election held under section 1 shall be held on a day which is uniform throughout the United States, determined in such manner as the Congress shall by law prescribe.

"SEC. 6. The voters in such elections in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except that the legislature of any State may prescribe less restrictive residence qualifications for voting for presidential candidacies. Congress shall prescribe by law the qualifications for voters in the District of Columbia.

"SEC. 7. The Congress shall have power to enforce this article by appropriate legislation. The Congress may by law provide procedures to be followed in case of (1) the death, disability, or withdrawal of a candidate on or before the time of an election under this article, (2) a tie in the popular vote in a State or in the District or in an electoral district which affects the number of electoral votes received by a presidential candidacy, or (3) the death of both the President-elect and the Vice President-elect.

"SEC. 8. This article shall take effect one year after the 21st day of January following its ratification."

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE LATE HONORABLE WILLIAM PATRICK FAY

(Mr. BURKE of Massachusetts asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BURKE of Massachusetts. Mr. Speaker, I rise to voice my shock and sorrow at the sudden and untimely death of the Honorable William Patrick Fay, the very popular and distinguished Irish Ambassador to the United States.

Ambassador Fay will be remembered especially for his hard-working manner as a veteran diplomat, having served as chargé d'affaires in Belgium, Norway, and Sweden, and Ambassador to France and Canada before coming to Washington. Born in Dublin, Mr. Fay received his education at Clongowes Wood College and at the National University of Ireland, where he received his law degree.

It was my happy privilege to meet the Ambassador on several occasions and his friendliness and warmth stands out in my memory. The Republic of Ireland has lost a cultured, highly honored, and gracious diplomat. I consider it a privilege to add my praise to his memory and I offer my heartfelt sympathy to the sorrowing members of his family.

Mr. Speaker, I submit for the RECORD the following biographical news articles on Ambassador Fay:

[From the Washington (D.C.) Star, Sept. 8, 1969]

WILLIAM PATRICK FAY, 60, IRISH AMBASSADOR, DIES

William Patrick Fay, 60, the popular Irish ambassador to the United States, died yesterday in Dublin after surgery. He had returned to Ireland last month on sick leave.

Mr. Fay had been stationed here since 1964, and was known as a courtly host and gracious entertainer. He and his wife, Lilian, presided at numerous parties and dinners at the first embassy residence owned by the Irish government here at 2244 S St. NW.

Mr. Fay was born in Dublin. He was educated at Clongowes Wood College and earned a law degree at the National University of Ireland. He practiced law in Ireland from 1931 to 1937 when he joined the Irish government's Attorney General's Department.

In 1941 he joined the Irish Foreign Service, serving in Dublin, London and Brussels. He held diplomatic posts in Sweden and Norway in 1950, and then became legal adviser to the Irish Department of External Affairs in Dublin.

From 1954 to 1960, Mr. Fay served as Irish ambassador to France, and also headed the Irish delegation to the Organization for European Economic Cooperation in Paris, until he was appointed ambassador to Canada in 1960, a post he held until 1964.

He was a member of the Metropolitan Club and the John Carroll Society and was an honorary member of the Friendly sons of St. Patrick of Washington. Mr. Fay had been awarded the Grand Cross of the Royal Order of the Phoenix by the Greek government and the Grand Cross of the Legion of Honor by the French government.

He is survived by his wife.

A requiem mass will be celebrated at St. Matthew's Cathedral by Patrick Cardinal O'Boyle at 11 a.m. tomorrow.

The Irish chancery, 2234 Massachusetts Ave. NW., will have a condolence book open today through Wednesday from 11 a.m. to 1 p.m. and from 3 p.m. to 5 p.m. daily.

[From the Boston (Mass.) Globe, Sept. 8, 1969]

ERIN'S U.S. ENVOY. W. P. FAY, AT 61

DUBLIN, IRELAND.—William Patrick Fay, the Irish Republic's ambassador to the United States, died Sunday in Dublin. He was 60.

Fay, who had served in Washington since 1964, had returned from Washington for a gall bladder operation.

He was a veteran diplomat, having served as charge d'affaires in Belgium, Norway and Sweden and ambassador to France and Canada before going to Washington.

Born in Dublin, he was educated at the Jesuit College of Clongowes Wood and University College, Dublin, and practiced law before entering the diplomatic service in 1937.

[From the Washington (D.C.) Post, Sept. 8, 1969]

WILLIAM P. FAY, AMBASSADOR, DIES IN IRELAND

William Patrick Fay, 60, Ireland's ambassador to the United States, died yesterday in Dublin after surgery. He had returned to Ireland on sick leave several weeks ago.

Mr. Fay, first stationed here in April, 1964, was known as a hard worker, and particularly as a courtly host and gracious entertainer.

Like previous Irish ambassadors, he was accorded certain special privileges, regularly presenting fresh shamrocks to the President on St. Patrick's Day.

He and his wife Lilian decorated their house at 2244 S St. NW as the first embassy residence owned by the Dublin government in Washington.

Mr. Fay was born in Dublin and educated at Clongowes Wood College and at the National University of Ireland, where he earned a law degree.

Called to the Irish bar in 1931, he practiced until 1937 when he joined the Attorney General's department in the Irish government.

In 1941, he joined the Irish foreign service, serving in Dublin, London and Brussels. He was appointed minister plenipotentiary to Sweden and Norway in 1950.

In 1951, he became assistant secretary and legal adviser to the Irish Department of External Affairs in Dublin, and in 1954, he was appointed ambassador to France.

At the same time, Mr. Fay served as head of the permanent Irish delegation to the Organization for European Economic Cooperation, continuing in that post until designated ambassador to Canada.

When he left Paris for Ottawa, he was awarded the Grand Cross of the Legion of Honor by the French government and the Grand Cross of the Royal Order of the Phoenix by the Greek government, for his work with the OEEC.

He was a member of the John Carroll Society and the Metropolitan Club and an honorary member of the Society of the Friendly Sons of St. Patrick of Washington.

He is survived by his wife.

A Requiem Mass at St. Matthew's Cathedral will be celebrated by Patrick Cardinal O'Boyle Tuesday at 11 a.m. A condolence book will be open at the embassy, 2234 Massachusetts Ave. NW, today through Wednesday from 11 a.m. to 1 p.m. and from 3 to 5 p.m.

Mr. McCORMACK. Mr. Speaker, the death on September 7, 1969, of the Honorable William P. Fay, while home in Ireland for medical treatment and surgery, leaves a deep feeling of sorrow and sadness with the people of the country he served so well for many years, but also with countless of thousands of American friends and admirers.

As Ambassador from Ireland to the United States, Ambassador Fay served his country with outstanding ability, with dignity, distinction, grace and courage.

The friendship between Ireland and the United States has always been close. Under Ambassador Fay that friendship has been strengthened.

Ambassador Fay possessed by his Godgiven talents and his years of experience, those qualifications that made him a superb diplomat.

During his period of service as Ambassador for Ireland, there developed between us a friendship that I valued very much, and shall always treasure.

Mrs. McCormack joins with me in expressing and extending to Mrs. Fay our profound sympathy in her bereavement.

GENERAL LEAVE TO EXTEND REMARKS

Mr. BURKE of Massachusetts. Mr. Speaker, I further ask unanimous consent that all Members may have 5 legislative days to extend their remarks with reference to Hon. William Patrick Fay.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE 12TH ANNUAL STEUBEN PARADE

(Mr. ADDABBO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ADDABBO. Mr. Speaker, on September 20, 1969, more than 15,000 Americans will march up Fifth Avenue and participate in the 12th annual Steuben parade.

Public officials, dignitaries, and millions of Americans of German descent will celebrate and pay tribute to those who have contributed so much to our Nation. This year's celebration will be particularly significant because it coincides with the celebration of the 50th anniversary of the Steuben Society and the passage by the House of Representatives on September 4, 1969, of House Joint Resolution 250, sponsored by our distinguished colleague from Ohio, the Honorable MICHAEL A. FEIGHAN, calling upon the President of the United States to proclaim September 17, 1969, General von Steuben Memorial Day.

The tradition of Gen. Friedrick Wilhelm von Steuben has kept the Steuben Society of America strong and dedicated to the highest ideals of freedom and justice for all in this Nation. The history of General von Steuben's deeds following his arrival at our shores on December 1, 1777, is a record for all who love our country to be proud of and to remember. He was heroic in the battle to win independence for America; he joined with Gen. George Washington at Valley Forge to bolster and help organize our fighting men; he distinguished himself in the Battles of Monmouth and Yorktown; he issued regulations for the training of American troops, and he is credited with the proposal to establish the U.S. Military Academy at West Point.

The Steuben parade is organized and sponsored by the German-American Committee of Greater New York which represents approximately 400 societies and organizations through its affiliated Steuben Parade Committee. It is a joint undertaking by all these groups which are dedicated to continuing the memory of General von Steuben, to honoring the scores of German immigrants who have been leaders and statesmen of American history from the battle for our independence down to the present day and to display the pride of our citizens of German descent in that history.

Floats, bands, and entertainers will be on hand as every segment of the German-American community is represented in this stirring celebration. A great deal of work and time has gone into planning this parade and there will also be a companion parade in the city of Chicago.

Among the many honored guests who will review the New York parade will be Staats-sekretaer Prof. Dr. Carl Kastens of Chancellor Kiesinger's office; Gov. Nelson Rockefeller; Mayor John V. Lindsay; Consul General Klaus Curtius, of the Federal Republic of Germany; Dr. Heinrich A. Gleissner, of the Republic of Austria; and New York Supreme Court justice, the Honorable Albert H. Bosch, former national chairman of the Steuben Society, who also serves as general chairman for the golden jubilee of the Steuben Society. Justice Bosch was my distinguished predecessor in the U.S. House of Representatives for the Seventh District of New York.

Grand marshal of the Steuben parade is the Honorable William E. Ringel, an outstanding justice of the criminal court of the city of New York, and this will be his 12th parade in addition to many other worthwhile endeavors. The general chairmen of the parade are Gustave I. Jahr and George Pape and together with the Honorable George J. Balbach, judge in charge of Queens County for the criminal court of the city of New York, have done an outstanding job in coordinating the events for the parade, with Hellmuth G. Dippel as honorary chairman.

Special mention should also be made of the successful efforts of Mr. Ward Lange, national chairman of the Steuben Society and Edward J. Sussmann, national secretary. Under their direction the society organized a drive to obtain recognition from the Congress of General Steuben Memorial Day. This is Mr. Lange's seventh term as national chairman of the society and he has earned the respect of all who know him.

The trademark for the parade will be the blue cornflower which is so common in Germany and a cornflower queen, Miss Evelyn Maier, of Elmhurst, will reign over the parade from atop the Cornflower Queen-Miss German America float. The President of the United States will send a representative to review the parade and the Army, Navy, Air Force, and Coast Guard will be represented by bands, troops, and color guards.

The 12th annual Steuben parade promises to be an exciting and stimulating day and I know that my colleagues in the House join with me in wishing our friends of German descent a successful celebration and in commending them for their outstanding contribution to our society.

DIRECT ELECTION WILL HURT MINORITIES

(Mr. CLAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLAY. Mr. Speaker, the Rules Committee has reported out a proposed constitutional amendment that would abolish the electoral college and replace it with direct popular election of the President. This radical alteration in our electoral process will occasion harmful ramifications throughout our governmental system and within our society as well. Too little attention has been given to the effect of electoral reform on the public influence of minorities, the groups who need political leverage the most. I hope this report will serve to illustrate both the fundamental and necessary nature of the electoral college and to indicate the dangerous consequences overzealous reform will have on the position of minority groups in American political life.

Minor electoral reform is necessary. While the chances for serious consideration of an alternative plan are slight, I am also submitting my own reform proposal which would preserve the traditional organization of our electoral machinery while eliminating the present loopholes and dangers.

With the advent of George Wallace's American independent movement and the close popular returns of the 1960 and 1968 elections, the electoral college is presently suffering another chronic flurry of abuse from both congressional and private sources. The special commission on election reform of the American Bar Association, for instance, in advocating direct election, declared the electoral college to be, "archaic, undemocratic, complex, ambiguous, indirect, and dangerous." Part of this criticism may be valid, but all of it cannot negate the fact that the electoral college has served the Nation well, and that it has come to be a more fundamental aspect of our political system than many detractors care to realize or to acknowledge.

The college is not an archaic appendix—it cannot be removed without inducing grave problems throughout the entire governmental structure. Much of our system of political balances and alinements has evolved around it, and its sudden removal will create dangerous consequences for all the remaining parts. There is obvious need for reform to insure that the present system is not thwarted by faithless electors and to provide for a better method of contingent election, but a major alteration of the college will not result in an assured advancement of the commonweal and could, to the contrary, cause unexpected realinements of power in our political system. The theoretical advantages of stringent majoritarianism are more than offset by the possibilities of damaging our basic political institutions such as the two-party system.

The contemporary situation must also be considered in proposing electoral reform. The present system maximizes the importance of the urban regions and especially of the high-cohesion minority groups, which have gravitated to our cities and which are able to command attention as the potential "swing vote" in a close election. Considering the immense needs of our cities and the unrest within their black communities, it would seem a foolish and potentially tragic action to institute, under the banner of perfecting democracy, a system that might perceptively diminish urban influence in national politics.

There are four main reform proposals: the automatic, district, and proportional plans, and direct election. The first merely modifies the existing process and entails the automatic operation of the electoral college by abolishing the office of elector. The unit rule would be written into the Constitution. A majority or 40 percent of the electoral votes would be needed to win, contingent election of the President would be by a joint session of Congress, and the President and Vice President would be voted for as a team. Since this proposal modifies and perfects rather than transforms, the existing plan, it is the only one that would not seriously damage the political influence

of the urban minorities. It merely sanctions what is already custom. The district plan would give each congressional district—or special electoral district—one electoral vote. Two electors would also be selected at large from each State. The proportional plan would distribute a State's electoral votes in accordance with the percentage of the popular vote each candidate received, thus eliminating the unit rule. Generally, 40 percent of the electoral votes is considered to be sufficient for election. Direct election would abolish the electoral college altogether. If no candidate received a majority of the popular vote, a runoff between the top two candidates would be held.

Despite the superficial appeal of direct election, it is of dubious value. It would require abolishing a part of a system of balances that has always worked well. Under direct election, we would be, without sufficient cause, setting out upon an untried path that could lead anywhere. The one certain result of direct election would be to lessen the influence of the minorities at a time when their needs are urgent and critical.

Regardless of the endless lamentation over the inefficiency of the college, it has actually been surprisingly accurate. In 45 presidential elections, only in 1888 did the college itself create a minority President, and even in that election the electoral winner was the popular loser by less than 1 percent of the vote. In the elections of 1844, 1848, 1880, 1892, 1916, 1948, 1960, and 1968 the popular vote margin was less than 5 percent, yet in every case the popular winner was the electoral victor. Thus, it is obvious that the possibility of a minority President is stronger in theory than in reality. This, in turn, raises the question of whether the need for reform is truly urgent or worth the risks. As then Senator Kennedy noted in 1956 when defending the traditional unit rule:

> It is not only the unit vote for the Presidency we are talking about, but a whole solar system of governmental power. If it is proposed to change the balance of power of one of the elements of the solar system, it is necessary to consider the others.

This justified fear of deleterious effects throughout the political system and particularly to our two-party system is hopefully adequate to kill the chances for direct election or for any other proposal containing significant alterations of our present system.

Although our political philosophy tends to promote a strong majoritarianism among its adherents, if out of 75 million votes, someone won by only 100,000, it would be difficult to insist that he was truly more representative of the Nation than his opponent. At some point returns can be so large and the differences so small that the popular margin may not be meaningful. It is in a situation like this where microscopic margins have little significance that the college is most likely to elect a "minority" President. So long as the distortions within our system do not persistently or maliciously contradict the popular will, and, in fact, help to insure by the unit rule that someone will receive a majority of the electoral votes, there seems little reason for attacking them. With only three exceptions, 1824, 1876, and 1888, the overall electoral process has functioned as though we already were using direct election.

If the popular vote distortions in our system did nothing but accurately reflect the popular will and aid in producing an electoral majority, then they might, in truth, be superfluous. However, the influence of the college on national politics extends much farther. The present system forces the parties to compete most intensely for the large, urban States where most of the self-conscious ethnic groups have clustered. In a close presidential race it is most likely that the election will be decided in one of these large, heterogeneous States, and at this point solid support from a large minority community, like the blacks, could be decisive. As a result the executive branch usually needs to be very responsive to urban and minority needs. This has caused the major parties to take on a duel character, a presidential one with its base in the liberal urban centers and a congressional one, deriving its support from the less urban, moderate-conservative regions.

The liberal-conservative division between the President and the Congress is enhanced by the basic nature and rules of the legislative branch. While the States have begun reapportionment as a result of Baker against Carr, 1962, there has, of course, been no alteration in the Senate where the rural regions are overly represented. The Senate, in fact, where Alaska and New York have equal membership, belies the argument that our system is predicated on a strict belief in "one man, one vote." This situation, combined with the House seniority and committee systems, gives the Congress, at best, a moderate disposition. Also, some academic circles insist reapportionment has not really aided the liberals since it has given much new power to the more conservative white suburbs. Thus, the President and the Congress generally tend to balance each other, with the Executive acting as the spokesman for urban minority groups.

While large urban States would still be well represented in a direct election, the decisive influence gained through the use of the unit rule, which allows, in effect, every vote in a State to be cast for a single candidate, would disappear, especially since the urban States are well divided between the two major parties. If a State could no longer swing a large bloc of votes, its ethnic minority groups would lose the primary political lever through which they are able to command the attention of the national parties and of the Presidency. This lessening of urban influence would be even greater under the district or proportional reform plans. Without the ability to swing large blocs of votes, a minority even as large as the blacks could be nearly ignored in national politics. In one obtuse stroke, we would be severing the minorities' main connection with the mainstream of American political life. Furthermore, the President would no longer need to be an urban, liberal lobby, giving more influence to the conservative elements in the Congress.

Richard Nixon would seem to be a major flaw in the theory that the President generally acts as a liberal influence, but even he could not abandon entirely the strategy of appealing to the urban regions, and his very narrow victory is a demonstration of just how dangerous any significant deviation from the traditional campaign procedure, generated by the college, is. Also, the 1968 election was exceptional due to the Vietnam issue which transcended normal voting patterns. The greatest difficulty with the present system is the uncertainty that the high population density regions will remain liberal with the ever increasing growth of the white suburbs, which are often politically conservative.

Advocates of direct election note that while the present system awards blacks in the urban areas with significant political leverage, it sacrifices many black votes in the single-party regions of the South. Under direct election these "lost" votes would be added to the national returns, but the problem remains that 10 million black votes in a national election might not have as much effect as swinging New York State's 43 electoral votes does today. Furthermore, the present system may be haltingly forcing the creation of a two-party system in the South under which the blacks there, too, could gain a position of significance. This may occur because while the South retains, under the present system, more leverage than it might have under a direct voting scheme, its power in comparison to the urban, Northern States is now such that it is no longer crucial to the Democrats. Thus, most Democrats have not been willing to compromise on many issues with the southern wing of the party, and this has been a factor in the reappearance of the Republicans in this region. Republican competition, the Voting Rights Act of 1965, and black voter registration drives could eventually put the large black communities in a position to swing or control State and local elections. Recent black victories show this trend has already begun.

A Southern Regional Council report asserts that only the black vote kept Florida, Arkansas, Tennessee, and Virginia from going Republican in 1964. Southern urbanization and industrialization might also tend to promote a more competitive system. Under the district or proportional plans, however, the South would gain greatly in influence, forcing the Democrats to make concessions to the conservatives, and allowing the South to revert back into a single party region. Under the present system southern politics may be undergoing some gradual but basic alterations that conceivably could lead to blacks wielding much more political influence than they have in the North. Even if these changes do not come about, the electoral college still gives the blacks more political leverage than they could expect under any of the reform plans.

Although advocating maintenance of the present system on the basis that it aids minority groups may seem crass, it makes good political sense and fits well into our political philosophy. Ethnic politics has traditionally been a method of forcing and hurrying social accept-

ance of minority groups. Certainly, black social progress is analogous to the use and protection of black political rights and influence. In addition, we want as much of society beyond the majority as possible represented in our political life. The present system does this by allowing the minority groups to bargain with the major parties and thus to feel like an important part of the political system. Insisting on strict application of the "one man, one vote" doctrine under direct election, necessarily negates this and could easily lead to a tyranny of the majority. Only so long as minorities have an influential voice in the major parties will there be little incentive to form separate, racially oriented political groups. Thus the present electoral process works to keep the ethnic groups within the framework of the major parties and thereby benefits the entire political structure.

The present situation is not flawless. There are several modifications of the existing machinery that are generally acknowledged to be necessary to insure the proper functioning of the electoral process. While only nine of over 15,000 electoral votes have been cast in opposition to the will of the people, this in itself argues for the abolition of independent electors in favor of an automatic system. Until this is done, there remains the danger that electors will begin to think for themselves in a tight election. As early as 1826 a Senate committee noted:

> Electors have degenerated into mere agents, in a case which requires no agency, and where the agent must be useless, if he is faithful, and dangerous if he is not.

Removal of the electors would bring the people a big step closer to direct election by eliminating the barrier between the popular vote and the electoral college totals. This step is already implied by the use in over 30 States of the presidential short ballot, which does not even list the names of the candidates for elector. The automatic system would also remove the present right of the State legislatures to appoint all electors or have them chosen in any manner they choose.

Other needed changes include having a joint session of the Congress elect the President and Vice President, selecting both as a team, if no pair receives a certain percentage of the electoral votes. As for objections to putting the unit rule into the Constitution, it should be noted that for most of our history this custom has been a basic aspect of the elective process and that in a democracy there must be a point where the "winner takes all" since the Presidency cannot be shared. The unit rule also works to insure that somebody will receive a majority of the electoral votes by tending to convert a small popular plurality into a significant electoral victory. While the unit rule may allow the majority to "use" the minority's votes and not just to negate them, the present system, with its balances and opportunities for political leverage, offers far more protection from a tyranny of the majority than does unchecked direct election.

The present system has always made it difficult for a splinter party to be successful. With the college all a third party can usually hope to do is to spoil the election for another candidate. Even if the new party polled 25 percent of the vote it might win few or no electoral votes. However, a regionally centered third party, like George Wallace's, might exploit the electoral system by winning enough votes to put the election into the House. This threat could be countered under the present system by lowering the necessary number of electoral votes from a majority to either 45 percent or 40 percent. The failure of any candidates to receive 50 percent of the electoral vote would occur only when there is a third party, and this rule would be effective in limiting third party activity in the first place. Since it would now be nearly impossible to force a contingent election, this provision would act as a harmless brake, and would help to insure some candidate a true majority of the electoral vote. Under the reform systems, however, a 40 percent plurality rule might encourage third parties to campaign seriously, for even a small party could easily garner several electoral votes or a few percent of the popular vote.

There are strong objections to each of the three major reform proposals in contrast to the automatic system. One of the principal arguments against direct election is the possibility that it might produce a plethora of splinter parties. When a candidate loses at a party convention, he usually loses on his issues. Thus, the party platform is contrary to the loser's views. Someone in this position, who feels he might receive a significant portion of the popular vote would be under great pressure to keep fighting. Considering the magnitude of the preconvention campaigns, it would not be impossible for a candidate to extend his private effort into November. Thus, last year there might have been five men running: Nixon, Humphrey, McCarthy, Rockefeller, and Wallace.

The South, with its low voter turnout, holds more power now than it would with direct election, and could be expected to oppose it. Likewise, the 35 smallest States, which enjoy a proportional advantage in the college because of the three-vote minimum allotted to each State, might fear their influence would decline even more under direct election.

The strongest objection to the proportional plan is that the one-party regions would become crucial since the important factor would be the margin of victory in each State rather than the State's electoral vote total. Those States with healthy competitive systems would become the least important, since their electoral votes would be evenly divided between the candidates. If the Democrats were able to reassert themselves in the South, that party would gain a very tight hold on the Presidency. This would occur because a landslide victory in Georgia might be worth more that close victories in New York, California, and Illinois. The lead produced by the South would be nearly impossible for the Republicans, or whoever ultimately lost the one-party areas, to overcome. A national party that could no longer elect a President might not survive, confronting our political system with another kind of threat: the evolution of a one-party system.

The proportional plan does not remedy the inequalities caused by differences in voter turnout, and it appears to be just as vulnerable to a regionally centered third party as the present process. Finally, this plan still does not eliminate the possibility of a minority President.

The Supreme Court reapportionment decision might make the adoption of the district plan more feasible in the future, but the plan is still imperfect. One major problem is that it is not necessarily more responsive to the popular vote than the present system since the use of the unit rule is merely shifted from the State level to the congressional districts. A single-vote win in one district would be just as valuable as a landslide victory in another, and factors such as a voter turnout would still be ignored. Thus, this system too retains the possibility of a minority President.

Another problem is the absence of a tradition of equitable districting of the States. The temptation to create favorable electoral districts would be enormous, and with sufficient ingenuity, Baker against Carr might be circumvented.

Since the urban regions would split their votes between the major candidates, the South and other "safe" areas would become crucial for victory. Minority groups would suffer, for while geographically concentrated communities might win several votes, they would no longer be able to swing a bloc of 30 or 40. This loss in political influence, accompanied by an electoral system that stresses regional community unity, might help to reinforce the geographic-racial separatism already present in our cities. Thus, societal effects of the district plan could become as damaging as the political realinements it would bring about.

The district plan makes it easy for a third party to win electoral votes, and to deadlock the college. This plan also gives the President the same electoral base as the Congress, not only weakening the concept of separation of power, but also threatening to upset the rural-conservative, urban-liberal balance.

In considering these and any plans, the presumption must always be against a basic change unless the common welfare is clearly and safely benefited. This is the case only with the automatic reform proposal; all the others are too sweeping and endanger our traditional political orientations. Those who support radical reform must be prepared for radical consequences. The electoral college needs a minor operation, not vivisection.

America has the oldest written Constitution still in operation. This unprecedented longevity can be attributed to our wise temperance in tampering with basic political institutions, especially after a delicate set of balances and customs have grown up around them. Abolishing the electoral college would be perhaps the most fundamental alteration to the Constitution in its long history.

Previous amendments have merely aimed at perfecting that document; direct election would be the first major step toward restructuring it. Any such change in an elementary institution like the Presidency creates a precedent that threatens the integrity of the entire Constitution as the solid foundation of our law and government. Those who agitate against the academic and theoretical injustices of the electoral college would do better to protest the real, physical injustices in our society. The intense division among the college's critics as to which reform plan should be instituted in its place reveals that none of the sweeping proposals is very suitable. The electoral college harms no one; it helps many to stay within the traditional framework of American political life. Until this situation is reversed, it is in our essental interests to oppose direct election and the other major proposals, and to support in their stead a minimal automatic plan.

A SITUATION AT DISTRICT OF COLUMBIA GENERAL HOSPITAL

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, there exists a situation at District of Columbia General Hospital which holds dangerous implications for every member of the Congress and every citizen of this Nation.

It was reported this morning that a group of doctors at District of Columbia General were threatening to "admit every soul who comes to the door" unless certain demands were met.

I am not yet familiar with the demands made by these doctors or the merits of these demands. But I do know that similar situations have already taken place in New York, Boston, Chicago, Philadelphia, and other cities because staff personnel have finally reached the point where they feel the hospital's system of service has about broken down due to a lack of personnel, lack of facilities, lack of finance, lack of attention, and lack of equipment.

I doubt if there is a Member here who is exempt from dire problems of health service in his district.

And I am at a loss to think of a more bitter irony than doctors "threatening" to admit all those who need attention to a hospital unless something is done.

Had I not heard of other such incidents I would be shocked. I am still discouraged that despite the fact that the President, Health, Education, and Welfare Secretary Finch and Dr. Egeberg all recognize the crisis that today exists in the health field. I am discouraged because there is little hope that the administration is mounting a crusade against disease, illness, and inadequate health delivery.

On the contrary, I have seen a report indicating that the administration has decided to lower the priority of health within HEW behind education and welfare.

Yet I am sure that of the people who need help at District of Columbia General and every other hospital in this Nation, there are many who are uneducated and below the poverty level.

Last month I spoke to the national convention of the American Hospital Association and told those in attendance that the hospital is the symbol of health crisis in this Nation today.

The example of District of Columbia General is a vivid example.

Think for a second what has been said of the District of Columbia General situation. People who need help are being turned away. What greater indictment of our health delivery system could be possible?

I would like at this time to call for the administration to re-examine its list of priorities in HEW. I would call upon the administration to set a course of action which would result in a national effort to correct the gross inadequacies and inequities of health service in this Nation today.

One of the doctors said he would not want his wife or child to be treated the way patients are treated at District of Columbia General.

Well, those patients are someone's wife or child or father. And unless we do something about it, similar situations will bring home the message in every district in this Nation.

IS THE UNITED STATES BEING SQUEEZED OUT OF WORLD MARKETS?

(Mr. MIZE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MIZE. Mr. Speaker, one of the most serious problems encountered by this administration is the rapid evaporation of our favorable balance of trade. For many years, Americans have depended upon a commercial trade surplus to offset expensive, dollar-draining programs of aid and military assistance throughout the world. As humanitarians, we have promoted programs such as food for peace, the Alliance for Progress, and the Marshall plan.

But now, as each day passes, U.S. opportunities overseas become more limited. The collective security of our allies and ourselves has become a much heavier burden. Programs of industrial development with private capital abroad have become a more serious drain on our economy. All these difficulties are the result, in large part, of the shrinking trade balance which traditionally has offset overseas expenditures by Government and private citizens.

From the early 1960's to the present, our trade surplus has diminished by 80 percent—and the trend has yet to be reversed.

Mr. Speaker, Secretary of Commerce Maurice H. Stans is acutely aware of these difficulties. In an interview published in the September 8 issue of U.S. News & World Report, Mr. Stans outlines his views on the challenges we must face up to in trade. His "open table" policy could be a first step toward reversal of a trend already long underway when this administration took office.

Because of the extreme importance of Mr. Stans' observations, I insert the U.S. News & World Report interview in the RECORD at this point:

INTERVIEW WITH MAURICE H. STANS, SECRETARY OF COMMERCE: "IS UNITED STATES BEING SQUEEZED OUT OF WORLD MARKETS?"

Q. Mr. Secretary, are you worried about what's happening in U.S. foreign trade?

A. Yes, I am. In the early 1960s, this country was going blithely along with a trade balance in its favor of 5 billion to 6 billion dollars a year—that is, the U.S. sold that much more abroad than it bought.

Now, quite abruptly, that favorable balance has almost disappeared. In 1968, it fell to less than a billion dollars, and there is no present sign that it will be any better this year, or even in 1970.

Q. Is that because sales of U.S. goods abroad are lagging?

A. No, that isn't the real problem. Exports have done fairly well in recent years. They have been increasing at a rate of 8 or 9 per cent a year. But imports have been growing far faster than that. Last year, for instance, they rose by 24 percent, while our exports rose only 10 per cent.

Q. Does this have an impact on business and jobs in the United States?

A. Yes. Take the textile industry as an example. Some studies I have seen show that if imports of textiles and apparel continue to grow at the present rate there could be a loss of 100,000 jobs a year in this country. That would be serious, particularly because many of these displaced workers would be from the black minority. So we would face not only economic problems but social problems, too.

Q. Why has the gap been narrowing between what we buy from other countries and what we sell to them?

A. There are several reasons:

One, of course, is the inflation, we have had in the U.S. the past few years. This has made it more attractive to import goods from countries where wage rates—and thus selling prices—are lower.

For another thing, Americans seem to like the idea of buying imported things. There is a little touch of glamour attached to products made abroad.

Also, other countries have modernized their manufacturing capabilities to the point where they can compete with us rather well in world markets.

Q. But aren't U.S. industries modernizing, too?

A. Yes. We are ahead in technology in some areas, but not significantly ahead in such products as radios, TV sets, typewriters and some household appliances.

A great many consumer items, and some industrial products—including machine tools—are made as efficiently and as well in other countries as they are here, and often other countries have the advantage of lower wage costs.

There are only a few industries in which our technology is so far ahead of that of other nations that we can still outdistance them in world trade. Those fields include aircraft, computers, some chemical products. But on the broad range of manufactured goods, exporters in other countries have the edge on us, not only because of lower wages but because of tax and credit advantages.

Q. What about farm products—can we still compete on those?

A. Yes, to a great extent—but competition is getting stiffer. Agricultural products make up approximately 20 per cent of U.S. foreign shipments each year. That is certainly important to our farm population in terms of jobs and income. In recent years, the rate of agricultural exports has not been increasing.

Q. Are we losing our over-all position in world markets?

A. Yes, to some extent. It has been a slow downward drift.

Over the past eight years, the U.S. share of world export trade has fallen from a level of 21 per cent of the total to about 19 per cent.

Q. Does this whole trade problem threaten to get out of hand?

A. No, I don't see it getting to the stage of crisis. But we don't want it to get any worse.

In the Department of Commerce, we are taking steps to restore our trade balance, and we hope that over the next four or five years we can rebuild it significantly.

Q. Will that be done by boosting exports—selling more goods abroad—or by asking Americans to cut down on what they buy overseas?

A. By increasing exports. We do not believe that the answer to the trade gap is to hold back on imports of foreign products into this country, except in highly unusual cases where special factors apply.

We must induce more American companies to realize that there is profit to be made by exporting, and that the feared difficulties of language, foreign exchange and differing trade customs are easily surmounted. The Department of Commerce and the State Department are both able to be of real help in guiding our producers into foreign markets.

Q. Do we have to control inflation as a first step?

A. That is vitally important, of course, but it is only one element in the picture. If we can slow down the inflationary spiral, that will automatically help to keep imports in check, because domestic prices will be more competitive. This would also help to widen our range of exports.

But we need to do much, much more than that. For example, this country needs a better means of financing exports. U.S. exporters today are not at all competitive in the financing terms they can offer buyers in other countries—and it is essential that they should be competitive. In our Department, we are spending a lot of time on this problem, working with Henry Kearns, the president of the Export-Import Bank, and with the Federal Reserve Board.

Q. What are other countries doing to help increase their own foreign trade?

A. Among other things, they are providing larger amounts of credit for their exporters for longer periods of time, and often at lower interest rates than are available to exporters in the U.S.

Q. Does this mean that governments of some countries subsidize exports?

A. Yes, in some cases. There is a tendency aboard to hold down interest rates on money that finances exports, regardless of the movement of money rates in their domestic economy.

In the U.S. we don't do that. Export-financing costs here follow the movement of our interest rates, so at a time like the present, when interest rates are the highest in years, U.S. companies that want to sell abroad are at a deep disadvantage.

Q. Should we follow the pattern set by our competitors and subsidize interest rates for American firms that sell things abroad?

A. I think we have to be competitive with other countries, and if that means subsidizing interest rates, then we should find a way to do it.

Q. Should we also provide tax credits for exporters?

A. That is a matter we are studying. There are several ways in which our Government could help exporters through direct tax credits or tax deductions. Some of these steps could be taken without any new laws; others would require action by Congress. We are not prepared to say yet which might be the most feasible. Before the end of the year, however, we are hoping to find ways in which the tax system can be used to benefit exporters.

HOW BORDER TAXES HURT

Q. Do U.S. exporters run into problems from taxes in foreign countries where they sell goods?

A. Yes. A particular problem is the growth of border taxes abroad—taxes on goods moving into a country. An American company that wants to market its products in a country with a border tax has to pay that levy if it wants to make the sale.

In many European countries, these border taxes are a reflection of value-added taxes, imposed at various stages of the manufacturing process. There are plans now in the Common Market to get those European countries together on a uniform value-added tax on all manufactured goods, at about 15 per cent of the total price of the goods. That tax would apply to citizens of the countries involved. But U.S. exporters who wanted to sell within the Common Market would have to pay the same 15 per cent when their goods entered a member country, even though they already were priced to include our domestic taxes.

The disadvantage faced by an American producer is even more evident in dealing with a third country. A competitor in a country with a 15 per cent border tax receives a refund of that tax from his government on all exports to another country. The American company gets no such refund of the domestic taxes it pays.

All of this is the result of a major difference between tax systems. In the U. S., we collect most of the taxes by direct levies on corporations and individuals. In Europe, a high proportion of revenues is collected on merchandise, and it is these so-called indirect taxes that are reflected in the border-tax rates that are assessed on imports and rebated on exports.

We in the Commerce Department are coming to the conclusion that there should be serious study of a value-added tax in the U. S. as a partial substitute for other types of excises and income taxes.

Q. Have you made such a recommendation?

A. We have not as yet. But we want to study this possibility further with the Treasury Department to be able to make a recommendation, pro or con, at an early date.

OTHER HURDLES FOR UNITED STATES

Q. Besides taxes, are there other things that cut the flow of U. S. goods into foreign countries?

A. Yes, besides tariffs there are a great many kinds of nontariff barriers that restrict trade.

Q. What are some of them?

A. One example is the restrictions other countries put on the purchases of products by their government agencies or by nationalized industries. These tend to effectively shut out American goods.

Then, in addition, many countries put difficult technical requirements on imports for the purpose of regulating health or safety. In some cases, foreign governments actually subsidize exports by one means or another. And there are hundreds of other nontariff barriers that impede our exports.

Q. Do we in the U. S. have some of these nontariff barriers, too?

A. Yes, we have some restrictions on imports that are highly criticized by other nations. The "Buy America" law is one. But this Act specifies very clearly the exact measure of disadvantage a foreign company has in selling to the U.S. Government or its agencies. No other country has the equivalent of this law, and in most countries such transactions are foreclosed to American producers by local administrative procedures.

By and large, we do not have anywhere near the trade restrictions that other countries have, and that makes for a lack or reciprocity in our trading relationships.

Q. In your recent travels abroad trying to get trade barriers lifted, what attitudes have you found?

A. Governments of most countries agree that these bars to trade ought to be eliminated, or at least considerably reduced.

On behalf of the U.S., I have proposed what we call an "open-table policy"—a suggestion that we put all the facts about trade barriers and restrictions out in the open and try to find ways to reduce their number and their impact. In almost every case, this proposal has been welcomed, and steps are under way now to set up meetings at which these things can be explored.

Q. What about the Japanese? Are they cooperating?

A. The Japanese Government has not endorsed the principle as wholeheartedly as some other countries. Japan has more than 120 different quantitative restrictions on imports. Those restrictions are in violation of their commitment under the General Agreement on Tariffs and Trade—the so-called GATT agreement.

On the other hand, our own trade difficulties with Japan have been related in large measure to timing. We have been pressing them for some time to cut trade barriers and to make it easier for our people to invest there. They have set up a timetable, but it is much too slow, particularly since our trade balance with Japan last year was a negative 1.1 billion dollars, and probably will rise to a negative 1.5 billion this year.

On the positive side, for the long term, I believe the Japanese are slowly coming to the conclusion that their position as a major world power requires them to assume a greater degree of international reciprocity, and thus to modify some of their trade restrictions.

Q. Since a major trade worry now centers on textile imports from Japan, are you proposing some special kinds of voluntary import restraints?

A. Yes. We have proposed that an international agreement be negotiated with key exporting countries as a solution of this problem. Our concern over textile imports involves not only Japan but a number of other countries in the Far East and elsewhere. President Nixon and his Administration recognize it as a unique type of problem that requires a special approach. The situation is this:

For certain kinds of textiles and apparel, mostly from synthetic fibers and wool, the U.S. is the only open market in the world. Every other major nation has put restrictions on imports of those items. As a result, the producing countries all are directing their output toward the U.S., and are increasing their capacity at an outstanding rate. This has brought a tidal wave of imports that the domestic industry simply hasn't been able to combat. Just on apparel from synthetic fibers, U.S. imports from Japan were up 51 per cent in the first six months of 1969, compared with the same months last year.

Q. Has this posed a critical problem for textile manufacturers here?

A. Yes. The labor organizations are greatly exercised at the loss of employment and the necessity for closing plants in some communities. And producing companies are finding their profit margins shrinking. Wage rates here are several times as high as those of our large overseas competitors.

Q. What can be done about it?

A. We think it can be handled by an orderly system of marketing. We are telling textile producers in Japan and elsewhere: "We do not ask you to reduce the level of your shipments to the U.S. We are willing to accept the 1968 level and even permit an increase, year by year, as our total market grows. No one in your country need lose a job and no one in the U.S. need be forced out of work."

In other words, we are seeking to hold imports to a moderate rate of growth, rather

than permitting the massive increases that have been taking place in the past few years.

Q. Why not work through GATT and get the countries that have put barriers on imports of textiles across their own borders to reduce those barriers, so the U.S. doesn't have to absorb the whole flood?

A. None of the countries we have talked to is willing to do that. They feel that a degree of protection is necessary for their own industries.

Here, obviously, is a perfect example of the unworkability of an absolute free-trade policy. There is no really free-trade country in the world. Every nation has some barriers to trade, over and above tariff walls, to protect what it considers its long-term interests.

So the U.S. has to face the textile problem on that same basis, and find a way to moderate the rate of imports. This unusual situation does not contradict President Nixon's basic belief in a freer trade policy.

Q. Are there other products besides textiles where manufacturers are demanding protection from foreign imports?

A. Yes. Congress has been getting complaints from producers of shoes, steel, electronics, flat glass and other items. In some of these instances, adjustments to the import problem might be made by the industries concerned. But I believe that we need better legislation than now exists to help companies that are clearly harmed by excessive imports.

Q. Isn't there an "escape clause" in existing law that is supposed to help companies that are being hurt?

A. Yes, but that provision is ineffective. The law is so tightly written that no company up to now has been able to qualify for aid.

Q. What changes do you propose?

A. The President should be given more authority to adjust tariffs in such cases, and access to financial and other assistance should be liberalized for a company and its workers who are clearly being harmed by excessive imports.

Q. More and more American companies are setting up plants in other countries to manufacture goods for the foreign market. Doesn't income from those subsidiaries help offset a falling-off in exports from the U.S.?

A. Yes, to a degree—and this source of income will grow increasingly significant as time goes on.

However, many American companies with subsidiaries overseas that were originally created just to supply foreign markets now are finding it profitable to send some of their merchandise back to the United States. In the future, it may be necessary for more U.S. companies, in their own interest, to move into the low-wage areas of the world and produce for the U.S. market. This is a matter of great concern to us, because it means exporting jobs to other countries.

Q. How much has that meant so far in taking jobs away from American workers?

A. There is really no way to document that or quantify it. We are in an expanding economy with high employment, so it is difficult to measure this kind of loss. But, as a result of more and more U.S. companies moving into the low-wage areas of the word, we do know that we are suffering a definite loss of job opportunities—now and for the future.

WHERE EXPORTS WILL GROW

Q. In what fields of U.S. industry do you foresee the greatest growth of exports in days ahead?

A. We have identified 17 categories of American manufacturing in which we see the greatest opportunity for export growth. At the top of this list is commercial aircraft, in which the U.S. has pre-eminence in the world. Next are computers and high-technology components in electronics. Chemicals are high on the list, and there are others, such as nuclear power plants, telecommunications systems, instrumentation and measuring devices, materials-handling equipment, and so on.

Q. What else is our Government doing, in addition to trying to increase exports, to improve our balance of payments with other countries?

A. The Commerce Department has the responsibility in two other areas which directly affect our payments balance. One has to do with travel, the other with investments by U.S. companies overseas.

In the case of travel, the U.S. presently has a "travel gap" of about 2 billion dollars a year. That is the amount that Americans spend in other countries in excess of what people from other countries spend here.

We are pushing an active campaign to induce more people abroad to visit the United States. We are expanding the program this year to induce travel agencies to offer flat-price package and group tours to foreigners to visit the U.S., and we are trying to get business and professional groups from other countries to hold conventions in this country.

In the case of direct control over foreign investments, we recognize that this is not a desirable long-range program. We want to eliminate it. We are continuing it now only because of the current stringency in the balance of payments.

Under present controls, the amount of American investment that will be permitted overseas in 1969 is about 3.35 billion dollars. That is in terms of actual net investment, which will be augmented, of course, by money that can be raised by American companies in foreign markets.

This limit is not a severe impediment to business in the present economic climate. As soon as the balance-of-payments situation permits, the Administration will want to remove the remaining controls on overseas investment.

Q. In the meantime, should measures be taken to restrict American travel abroad?

A. As you know, the Johnson Administration proposed some restrictive measures, and even taxes on spending by U.S. travelers abroad. President Nixon has decided against any proposals of this type.

We would very much like the American people to see their own country first. But, beyond exhortations of that type, we have no plans to make it more difficult for Americans to travel to other countries.

TRIP TO SOUTHEAST ASIA

(Mr. DENNIS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DENNIS. Mr. Speaker, I have just completed a trip to Southeast Asia with two of my colleagues, the gentleman from Indiana, EARL LANDGREBE, and the gentleman from Wyoming, JOHN WOLD. We made this trip at our own expense during the congressional recess. We visited South Vietnam, Laos, Taiwan, South Korea, Japan, and Hong Kong.

On our trip we talked with many people, civilian and military, official and unofficial, native and American. We made a conscientious effort to expose ourselves to all points of view.

Within the inevitable limitations of time, opportunity, and language, I believe that we reasonably accomplished this objective.

Without claiming to be any sort of expert I have come, as a result of our trip, to at least some tentative and general conclusions as to our situation in South Vietnam. These conclusions I should like to share with my constituents, my colleagues, and my Government.

First. Our troops have the military situation basically well under control, and any enemy offensive could be, and would be, defeated.

Second. The enemy has suffered heavy casualties, and the unsuccessful Tet offensive also cost him popular support. His present indiscriminate guerrilla attacks are costing him additionally in popular support.

Third. It remains true, nevertheless, that we are faced by an active enemy all over the country. Guerrilla warfare is widespread; large areas remain hostile and unpacified. The areas which are pacified and those which are not pacified still shift from time to time.

Fourth. The ARVN—Army of the Republic of Vietnam—troops are improving. Our military men are unanimous in praise of the 1st ARVN Division, which they say is as good as any American division. Most ARVN divisions are not that good, however. Desertions, lack of motivation, and lack of leadership remain serious ARVN problems.

Fifth. The morale of our own troops in the field is good, and their performance is high. There is some skepticism about what we are actually accomplishing, and about the ability and performance of our allies. There is some dissatisfaction with the restrictive ground rules under which the war is being fought.

Sixth. The present Government of South Vietnam is the most viable government since the days of Diem. President Thieu is a patriot, according to his lights, and is, I believe, making a real effort to establish a stable government. Land reform is underway with some prospect of success. In general, the governmental situation is slowly improving.

Seventh. The Government of Vietnam still has a long way to go. It lacks widespread popular support, partly because the average Vietnamese peasant is basically locally and not nationally minded, and because the average Vietnamese politician is factionally and not nationally oriented.

Thieu has difficulty obtaining a broadly based Cabinet, even when he tries to do so. There are a substantial number of non-Communist political prisoners. Inflation and corruption are serious problems. American foreign aid is at present an absolutely necessary prop to the economy.

Eighth. To date the North Vietnamese have, on balance, shown more drive, cohesiveness, unity, and purpose than the South Vietnamese Government has shown. This is partly due, no doubt, to totalitarian terror. Ho killed many people in the north and the migrations have been to the south, not in the other direction.

This motivation is due also, however, to a more dedicated and convinced leadership based on a mixture of communism and nationalism which has had, and has, considerable strength and appeal.

Ninth. The civilian population has suffered and is suffering severely as a result of the war. There are many refugees, populations have been moved and up-

rooted. Sometimes they have later been repatriated. There have been many civilian casualties, caused by both sides.

Those we have caused have been generally unintentional, an inevitable by-product of waging war. We have found it necessary, for military reasons, to subject wide areas of the South Vietnamese countryside to aerial bombardment.

The enemy, on the other hand, has made, and still makes, many indiscriminate and deliberate terroristic attacks upon civilian centers of population and carries out assassinations of local officials. The city of Hue was in large part destroyed as a result of the enemy's Tet offensive.

Tenth. There are too many Americans in Saigon. Our presence in such numbers has an inflationary effect on the economy, and an unsettling effect upon the social structure.

Eleventh. Most of our official American personnel, both civilian and military, are dedicated, hard-working individuals. They believe that they are performing a worthwhile task, and with a reasonable chance of success. They are not overly optimistic, but they are hopeful. It is a fact that they are engaged in a gargantuan task of waging a war and, at the same time, rebuilding and restructuring a government and an entire society.

There are those—including some non-official Americans on the scene—who think the effort is doomed to failure. This is true particularly as long as we work through and with what they regard as an unpopular and corrupt government.

Many Vietnamese appear to be indifferent; while others give heartening cooperation. The American officials believe that, given time, they have a fighting chance to win through.

Twelfth. In my judgment—given this point in time and circumstance—President Nixon's apparent policy of gradual American withdrawal and gradual Vietnamization of the war is probably the only practical course which we can follow.

An all-out effort for military victory could still be successfully made—but it is not now politically feasible. The question would still remain, What do you have, once you have got it?

Immediate and unilateral withdrawal, on the other hand, would cause a military and political collapse in South Vietnam, followed by chaos. This would probably lead to a Communist takeover with an attendant political bloodbath. All of this would necessarily mean that the blood, lives and treasure expended in Vietnam had been expended in vain.

The gradual withdrawal policy is by no means a happy one in itself, and no one can be sure that it can or will be successful. I believe—as an honest estimate—that this process of gradual withdrawal, even vigorously and single-mindedly pursued, will take from a minimum of 2 years to possibly a period of 4 years to complete with any reasonable prospect of success. Any lower estimate I regard as wishful thinking.

However, I believe further that there is a reasonable chance that, given sufficient time, a viable, friendly, and non-Communist government can be achieved in South Vietnam which can survive and which can be of benefit to its people and to the world. The assistance of American air, logistic, and economic support will be necessary for the foreseeable future, but without the use of American combat ground forces.

I believe that this objective is worth working for. It holds forth a fair prospect for future peaceful progress in Southeast Asia, such as is now apparent in Taipei and in South Korea. This policy is much to be preferred to the defeat and despair which, I believe, would result from an immediate withdrawal and from the Communist takeover which would follow. We cannot base an American policy upon the acceptance of such a prospect.

The American people are faced with a difficult situation; but we can find the strength and wisdom to resolve it, and I think that we must do this.

POSTAL REFORM IS THE ISSUE: WHAT IS BEHIND THE FRANTIC PUSH FOR CORPORATION PLAN?

(Mr. DULSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DULSKI. Mr. Speaker, some 2,000 civic, business, and government leaders from across the country are gathered here in Washington for Postal Forum III.

But it sounds like more of the same.

Part of the gigantic and well-heeled effort to jam one particular postal reform proposal down the throats of Congress and the American people.

Let me make it clear again—as I have tried on repeated occasions in the past year—I believe sincerely that the Nation's postal system needs a massive reorganization. No one can be more convinced of the need for major postal reform than I am, based on my close association with the Department over the past decade.

I am not wearing blinders, however, as the top brass in our new Post Office Department seem to be doing. They are vigorously committeed—and have been since the day they took office beginning last January—that the only solution is to convert the Post Office Department into a public corporation.

They consider this is the great panacea and they are quite reluctant to take into account any shortcomings which have been pointed out in their own proposal.

For myself, I say once again, I am for postal reform.

Over the objections of the Postmaster General, who went to the highest levels of Government to thwart my efforts, I started full-scale public hearings on postal reform before our full Committee on Post Office and Civil Service last April 22.

Those hearings would still be going on if I had waited for the Postmaster General and his staff to give the "go signal."

I missed only 1 of the 35 days of hearings over the period of nearly 4 months and I believe I know a little about the problems of the postal system and what we might do about them.

What is more, I looked at the issue at hand—the need for postal reform.

I did not wear blinders that saw the issue as simply whether or not we should convert to a corporation. That is not the issue. That is simply one of the possible solutions.

I noticed on the postal forum schedule yesterday that Jim Hagerty was moderator for a "panel of experts" to answer questions on postal reform. Did you notice the names of the panelists? Postmaster General Blount, his Deputy, and his Assistant Postmasters General. All on one side of the issue.

So you see the Department recognizes only one solution to the problems of the postal system. Otherwise they would have included some panelists who have other views.

In our committee hearings we heard from all sides while still giving Mr. Blount more time than anyone else.

But when our committee goes into executive session shortly you can rest assurred that we are going to act on the basis of all the testimony.

I have not closed my mind on alternates. I have not closed my mind on details. I introduced my own postal reform bill last January—it was the most comprehensive measure ever presented to the Congress up to that time. But, I also am the first to admit that it is not perfect in ever detail. I offered my bill for consideration on its merits—as it should be.

Indeed I sometimes wonder just what is behind this well-heeled, high-powered effort to create a corporation. Who stands to benefit? Certainly not the individual citizens—they are going to have to carry the burden of a healthy increase in mail rates, on the order of 12 or 15 cents for a first-class letter—maybe more.

There is real reason to wonder why the sponsors of the corporation plan are making this desperate effort to obtain the vigorous backing of top executives around the country to push the corporation plan through the Congress.

I refer specifically to the hard-handed demands for support made upon the airlines. It should be remembered, of course, that the airlines are subject to the whims and the regulations of the administration in connection with their routes and rates.

Indeed, if the corporation plan is such a good approach, why are they pushing the panic button in this all-out lobbying effort? There must be more to this great procorporation concept push than appears on the surface.

As I said a moment ago, I introduced H.R. 4 back in January, which is an alternate way to bring about the same ultimate broad reform of the postal system. Some of my friends suggested that we form a public committee to support H.R. 4—shades of the O'Brien-Morton committee for the postal corporation concept.

But I have refused to be a party to such lobbying. I am letting my bill stand on its merits. That's the way I presented it to our committee and that is the way I want it considered.

Incidentally, I was intrigued at the way in which Postmaster Blount tried to rationalize his campaign Monday with President Nixon's demand for a 75-percent cutback in Government construction work.

While explaining to the postal forum the amount of capital construction and financing that is urgently needed by the postal system, Mr. Blount, made this observation:

> The Post Office building program, of course, will be affected by the President's effort to fight inflation by reducing the amount of government construction. It is another indication of how important it is for us to find a better way of capital financing.

This statement causes a person to wonder further just what is involved. Even the President should wonder—notwithstanding the interesting pow-wow which he had with Mr. Blount and the O'Brien-Morton team in California a few days ago.

OPERATION ENTERPRISE

(Mr. BUSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUSH. Mr. Speaker, too little has been said about the success that has been achieved by the Small Business Administration in the area of minority entrepreneurship. Instead it has become fashionable to criticize the SBA for its lack of direction or lack of funding to minorities. Too many have failed to realize the importance of the private sector in any effective program and by doing so have shown their lack of faith in the dedication of the American people toward each other. They have also vastly underestimated the catalytic role that a conscientious agency—in spite of limited funding—like the SBA can play in providing initatives and technical experience to the minority small business community.

Clearly the time has come to spotlight this Administration's positive approach in maximizing private sector participation and to illuminate a movement that has developed within SBA over the past year in concert with the thrust of this policy.

I will use as an example a program developed by the Small Business Administration in Houston. By grabbing the initiative and rolling up their sleeves, my constituents, black and white, did something about minority entrepreneurship.

Convinced that the needs of the minority community forms the only real foundation for any effective program, a group of concerned citizens met. Listening and hearing their needs Operation Enterprise was born.

On September 9, 1968, Operation Enterprise was launched as a Houston project with full community endorsement.

To help you visualize the scope of community interest and participation, here are the organizations involved in Operation Enterprise and basically what they are doing to support it:

First, a consortium of 27 major Houston banks: Funds totaling $7,400,000 set aside for soft loans to minority members.

Second, office of the mayor, Business Resource Development Center: Provides SBA with quarters for screening and interviewing applicants and assists in public relations activity relative to Operation Enterprise.

Third, business round table: A racially mixed organization, meeting regularly and sponsored by the Houston Citizens Chamber of Commerce, from whose members the concept of Operation Enterprise developed.

Fourth, Rotary Club of Houston: The formation of RAMP—Rotary Assistance to Management Personnel—volunteer management assistance to minority communities.

Fifth, Houston chapter of Texas Society of CPA's: Conducting seminars and general education session to assist applicants in understanding and preparation of applications for financial assistance.

Sixth, Harvard Business School Alumni Club: Works in conjunction with BRDC in assisting in special management problems of minority businessmen.

The Houston Legal Foundation: Provides facilities for three outreach offices in the target areas for interviewing applicants.

Eight, SCORE—Service Corps of Retired Executives: SBA sponsored management assistance group.

Ninth, SBA: Providing banks with guarantees on loans made through Operation Enterprise.

The point in listing the above organizations is to emphatically present the extent of community involvement. SBA has merely acted as a catalyst and provided direction when needed. The obvious question is, "Has it been successful?"

The project began September 9, 1968. It has been in operation 1 year. Here are the results:

City of Houston only: 81 loans to minority group members approved; value, $1,094,800—77 percent Negro, 23 percent Mexican-American; 71 percent of dollars from banks; 14 percent of dollars for new businesses; 20 percent of dollars for business ownership change; 66 percent of dollars for existing businesses; and 150 new jobs created.

Currently there are 24 applications in the processing stage valued at $537,500.

Now compare this to the preceding year—September 1967 to September 1968. In the 37 county region, including Houston 19 loans to minority group members approved—value $220,700.

The increased performance and impact on Houston's target areas through Operation Enterprise is dramatic.

This is what can be accomplished by total involvement.

Much has been said about lack of funds for SBA—prudent budgeting of available funds was required during this past 12 months' activity of Operation Enterprise, but note the way bankers have rallied to the cause. Too little is being said about the technique of utilizing the private sector's resources.

Much has been said about too few recipients of loans to minorities. Admittedly, much more can and will be accomplished this year, but let us not pretend every member of the minority is a potential entrepreneur—nor is the majority. It takes a special type of individual to be a successful independent businessman. So, let us not play simply with numbers.

Finally, much has been said about a lack of direction within SBA. New programs are not necessarily the answer. Within their existing act there is a multitude of possibilities—a veritable warehouse of ammunition waiting for use. So what is wrong with the field offices? By lifting their sights and applying ingenuity along with some blood, sweat, and tears, field offices should lead the way in creative Federal management, on a local level responsive to local needs.

Here then for the serious consideration of this House are examples providing the much sought-after prototype positive action—moving minority businessmen from economic serfdom to economic dignity.

I cannot in all good conscience permit the blatant rape of a well-conceived and legislated agency to continue without defense. It is time to accent the positive and move with speed and confidence.

THE PROGRAM INFORMATION ACT

(Mr. ROTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTH. Mr. Speaker, the lack of meaningful program information is most harmful to those most in need. Facing the current maze of Federal aid programs, and without a single, Government-wide catalog, a large city or heavily endowed college can afford a full-time grantsman—or perhaps even a full staff—to ferret out information on which programs really are funded and which programs really are tailored to a particular need. A small town, a tiny county, or a small State school cannot afford such a luxury. The system now is inequitable. Those who need the money are left out in the cold.

Currently, dozens of Government offices and agencies publish dozens of catalogs, and most of these, to be quite frank, are little more than public relations documents. Occasionally they do more harm than good, for they sometimes advertise programs for which no funding exists. A single Government-wide catalog, updated monthly, with facts, figures, guidelines, and contacts, would enable the small college, the small city, the average person back home to have access to information about all Federal aid programs.

Unfortunately, that situation does not exist now. Time and time again, in sorting through replies to a questionnaire I sent out to administrators across the country, I found statements like the following:

> Full information is now available only to those who already have money enough to hire it searched out. (From a State college in New England.)

> Perhaps worst of all is the fact that local governments must be "in" with Federal department thinking and language to get funds. Most programs are too competitive, meaning the "in" cities get the funds. (From a county planner in Georgia.)

> Our budget simply doesn't allow the best aids, the commercial catalogs. (From a small western college.)

> Perhaps the most helpful tool for all who are involved in Federal assistance on a State or local level would be the publication of a catalog similar to that which Rep. Roth has

inserted in the CONGRESSIONAL RECORD. If this type of catalog could become the "bible," probably substantial savings could be made by ending much of the brochure and catalog production of the various Federal departments and agencies. (From a State planner in Vermont.)

A city has no other way of knowing what assistance is available to it, except to hire a consultant and hope he knows all the programs. (From an official in the District of Columbia.)

Because I could not agree with these people more, Mr. Speaker, I urge my distinguished colleagues to press for adoption of the Program Information Act, H.R. 338, which would require the President to publish an annual catalog of all Federal aid programs and to update the catalog monthly.

I will discuss this subject again tomorrow.

IN MEMORY OF BILL BAGGS

(Mr. PEPPER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PEPPER. Mr. Speaker, it was my sad duty to call to the attention of our colleagues on April 21 the untimely death of the brilliant editor of the Miami News, William C. Baggs. Recently a memorial service was conducted to honor this dedicated newsman and on that occasion an eloquent tribute was paid to him by his great friend and fellow newspaperman, Mr. Harry S. Ashmore. I wish at this time to call to our colleagues' attention and insert in the RECORD the Miami News account of this memorial service on Sunday, August 10, and the fitting tribute which Mr. Ashmore made to Bill Baggs on that occasion:

PEACE ALTAR DEDICATED TO BAGGS AT MEMORIAL

Hundreds of friends of Bill Baggs—black and white, the high and the humble—gathered yesterday afternoon at a Coconut Grove Negro church to dedicate an altar in his honor.

They heard Harry Ashmore, Baggs' longtime friend and his companion on two peace-seeking missions to Hanoi, recall him as a man who "literally created a worldwide network of friends and supporters by doing what came naturally . . . He acquired personal loyalty on a wholesale basis and he gave it in return."

"I doubt that the case for ending the war in Vietnam ever was made more elequently than he made it in our long private audience with Ho Chi Minh," said Ashmore, "and, in turn, in the inner reaches of the U.S. State Department. Our failures made no dent in his massive stubbornness; for him the effort to damp down the miserable conflict would end only with his death."

Baggs, 48, late editor of The Miami News, died last Jan. 7 after being stricken with flu and pneumonia.

Canon Theodore Gibson, rector of Christ Episcopal Church and one of Baggs' closest friends, arranged yesterday's service at his church on an Episcopalian feast day—The Day of Transfiguration—because "Bill helped to transfigure Miami by bringing blacks and whites together in a spirit of good will and cooperation."

Ashmore, who won a Pulitzer Prize as editor of the Little Rock, Ark., paper during that city's integration crisis, recalled that Baggs "would not suffer the denial of any black man's dignity and condescension was not in him."

Baggs, a native of Georgia, was a long-time leader for civil rights and equality.

Ashmore now is executive director of the Center for the Study of Democratic Institutions, of which Baggs was a director. Ashmore suggested that "whatever tangible things" are done in Baggs' memory should "reflect his abiding concern with justice tempered by love . . . and the most appropriate place to do him honor is among the blacks, who still have a long lonely way to go."

Others participating in the service included The Rt. Rev. bishop of the Episcopal Diocese of South Florida; the Rev. Theodore J. Jones, vicar of St. Christopher's Church; TV newscaster Ralph Renick; Dr. Joseph Narot, spiritual leader of Temple Israel and chief of the area's rabbinical association; Garth Reeves, editor of the weekly Miami Times; and Martin Clark, president of Burdines.

Mrs. Baggs and the Baggs' two sons, Craig and Mahoney, attended the service.

The portable altar was described in the special printed program in these words:

"Despite its profound purpose, the Memorial Altar is simple in appearance, for Bill Baggs is remembered as an outwardly simple person, but one of profound depth. The altar is of African mahogany, wood of rare quality; Bill Baggs' friends knew that he shunned show adornment, that he admired rather plain articles of good quality, and that he considered fine wood to be one of nature's most pleasing gifts.

"The pastor could have selected any number of symbols for the front of the altar. He chose the letters "PX," the symbol used by the early Christians to signify "pax" or peace. His friends believe that Bill Baggs who devoted his greatest skills and energies to the search for peace—peace among the races, peace among the nations—might have made the same selection."

REMARKS BY HARRY S. ASHMORE

About the time the Miami News began pulling itself together to move to the Herald building, Bill Baggs started referring to "our little portable newspaper." He recalled that he had been through all this before, when the staff decamped from the old building on the bayfront, and he made it clear that he regarded portability as a personal imposition.

He complained that he had barely survived the attack of nostalgia brought on by cleaning out his desk the first time around. It was a slow and frequently painful business, sorting through the drawersful of indecipherable notes, forgotten clippings, unprintable photographs, unanswered letters, and obscene objects d'art that served as mementos of an active and untidy life. Now new accretions had formed, and he had to do it all over again.

"Cleaning out a man's desk," he told me, "is an office that ought to be carried out posthumously, by an understanding friend."

In a way this is the office many of us here have been performing in the months since we lost Bill. Miss Myrt Rathner, the stalwart guardian at the editorial gate, has turned to us when she picked up some skein that connected our special interests and his. And Louis Hector, handling the legal end, has discovered how various and wide-ranging those interests were.

A man who had accumulated more honors than money, and had not yet reached fifty, could hardly have been expected to have acquired retainers. But Bill had them—an assortment of the less fortunate who had helped him in some way, or had earned a measure of his capacious pity, and so he had conducted his own eccentric, cut-rate Community Chest, and, characteristically, had said nothing about it.

But the money he gave away was the least part of the bounty he quietly spread around. He functioned in Miami as an ombudsman long before anyone in these parts had heard that now-fashionable word—taking up as a personal cause the individual and collective injustices unearthed by the *News'* reporters, or called to his attention by readers he might never see in person.

Sometimes he responded with the cutting edge of his signed column, or the heavy artillery of the editorial page, and some of those battles made journalistic history with their high charge of moral indignation and their leavening of humor. There were other times when his reaction was a private telephone call to one of the remarkable array of persons in high places who could be counted on to listen to him with affection and respect. There is no record to tell us the full extent of those private interventions, for which neither he nor his newspaper received public credit. To my knowledge they were frequent, and effective, and they went on right up to his final illness.

Most of you are familiar with the triumphs and failures and high style of Bill's career on the *News*. I met him shortly after World War II, when Ralph McGill rescued him from exile in the northern latitudes of Carolina and persuaded Jim Cox to give him a spot where he would at least be in reach of cracker country. It was a natural, and perhaps a necessary affinity. John Popham of the Chattanooga *Times* is an expert on what Bill called Uncle Remus matters, and when he first saw the News' gangling young columnist he grabbed my arm and exclaimed: "My God—that boy's got a real cracker face!" And so he had, and so it remained long after he had set it off with a seersucker suit and made it familiar to heads of state from Washington to Hanoi.

I remember sitting with him at lunch in the roof garden atop the Intercontinental Hotel in Geneva overlooking the palace of the old League of Nations. With us were the editor of Le Monde of Paris, a member of the British House of Lords, a South African bishop, a Pakistani general, a Rumanian ambassador, a princess of royal Loatian blood, and a Polish justice of the International Court at the Hague. Bill peered at the company over those Old Grandad glasses he affected, and said, "Your highness and gentlemen, I can tell you one thing—we're a long way from Colquitt, Georgia."

We were, and we weren't. The mischievous Huck Finn character who plagued his beloved grandparents in the little South Georgia town lived on in the sophisticated journalist who became the lion of the Washington cocktail circuit—at least during the seasons when the Democrats were in power. He accorded respect to those he thought had earned it, but he was without awe. So it was that he treated everyone he met as an equal, the high and the low, even that considerable company of scoundrels and knaves with whom he chose to do public and private battle.

I had as much trouble prying him loose from happy pidgin-English conversations with Cambodian pedicab drivers as I did getting him across a hotel lobby full of United States senators. He could be sharp, he freely and indiscriminately indulged his needling sense of the ridiculous, and I often complained that he had the nerve of a burglar, which led him into outrageous intrusions into the privacy of friends and foes alike. For ten years after I moved to California he never recognized the three hours time difference between Miami and Santa Barbara, and on a thousand mornings I was jerked out of bed before dawn by the telephone, to have my outraged cursing greeted by his delighted laughter.

He was gifted with what can only be described by an old cliche, infectious humor, and it became a tool of his trade, and an invaluable asset in the extracurricular activities in which we became engaged as practitioners of what has been called private diplomacy. He literally created a worldwide

network of friends and supporters by doing what came naturally. Sitting in a bar one day with Ambassador Nugroho, a dignified Indonesian diplomat who, like most of his countrymen, has only one name, Bill leaned over and said, "Mr. Ambassador, you pose a serious problem for me. What do I do when I like a man so much I want to call him by his first name, and he hasn't got one?" The Ambassador beamed and replied, "Just call me Nug!" Bill roared with delight and hugged the Indonesian, who replied in kind. Months later, in Hanoi, where Nug then served as head of his country's mission, our recently-acquired old friend made his embassy's communications facilities available to us to send out North Vietnam's first response to President Johnson's cut-back on the bombing.

He could turn the coin over, and argue a good cause with relentless earnestness. I doubt that the case for ending the war in Vietnam was ever made more eloquently than he made it in our long private audience with Ho Chi Minh, and, in turn, in the inner reaches of the State Department. Our failures made no dent in his massive stubborness; for him, the effort to damp down the miserable conflict would end only with his death.

He acquired personal loyalty on a wholesale basis, and he gave it in return. As a result, he suffered more than most, and his sense of tragedy ran deep. Bill not only considered Jack Kennedy a personal friend, but saw in the late President the embodiment of his own hopes for a gay and enlightened span of national government, and the assassin's bullet in Dallas wounded him grievously. In Hanoi we received the news of the death of another old friend and harbinger of hope, Martin Luther King, and we mourned him together on a bizarre plane flight half way around the world to a Washington closed down by curfew in the wake of race riots. In New York a few weeks later, I saw Bill off to St. Patrick's where he stood midnight vigil by the bier of Robert Kennedy—and this was a deep grief he would take with him to his own grave. Perhaps the most painful of the mortuary offices I have performed for him came when, as he had requested, I went out to Hickory Hill to deliver a single red rose to Ethel Kennedy as she awaited the birth of her slain husband's last child.

He wore his religion lightly, but he never ceased to needle me about my own skeptical ways. A knee I had banged up on our second journey to North Vietnam required surgery, and when I joined him in Chicago for the Democratic Convention last summer I was hobbling on a heavy cane. My condition, I suggested, had obvious utility, since the cane would be useful in fending off the Chicago police, and might earn me safe passage among the militant demonstrators as a man suffering from a peace wound. "They'll never believe it," he said. "You might as well tell them you got the bad knee kneeling in cold churches."

It wouldn't have been too far off the mark, at that. Early one Sunday morning in Hanoi, when the American bombers were still pounding away at the suburbs, he routed me out of bed and insisted that I come with him on a mission of great urgency. It was too early even for our escorts and interpreters, and we walked alone down the deserted streets of the city to a shabby Buddhist temple he had noticed the day before. In Communist North Vietnam religious practice is largely an indulgence of the aged, and the temple was deserted except for a very old woman who scuttled away from the altar. Bill took her place, knelt, and recited a version of the Episcopal liturgy, while a benign Buddha looked down across the flickering candles. Early next morning came word that Lyndon Johnson had cleared the skies of bombers north of the nineteenth parallel.

He had an unfailing interest in children, and these, too, he treated as equals, and they responded in kind. I am sure his sons, Craig and Mahoney, have already found comfort in their memories of long, rambling conversations laced with laughter. But they may not know how proud he was of them, how to young people all over the world he bragged about Craig's growing size and Mahoney's skill at chess. His love for his boys, and for their mother, warmed these anecdotes, and made them a kind of international currency that took him past barriers of language, custom and culture and into the family circle of people who looked upon Americans as beings from another world.

So it was with the blacks. They were his friends, and always had been, even back in the distant South Georgia days when inequality of the races was assumed and segregation was as much a way of life as the summer heat. He would not suffer the denial of any black man's human dignity, and condescension was not in him. So the long struggle for justice for the Negro minority that began here in our familiar Southern precincts, and was destined to spread across the nation and beyond, was for him, as it was for me, not an abstraction but a family affair. Black men were our friends; they shared our past and, in truth, our blood; and if thin-lipped men accused us of the high crime of loving Negroes we were honored to plead guilty.

The great crusade for Negro rights has become a grim contest, but it never seemed so to Bill. As he took part in it there was laughter, and grace, and a sort of instant communion with even the toughest of the new breed of militants. Again, it was a question of equality—not equality ritualized, but equality assumed, bolstered by simple courtesy, and applied in the ordinary affairs of daily life. "We have arrived," he once told an agitated Negro demonstrator, "when we can get mad at each other for reasons that have nothing to do with the color of our skins. That works for you as well as for me." It was, then, no wonder that when racial tensions neared flashpoint here in Dade somebody usually sent for Bill Baggs; the blacks knew he would settle for nothing less than justice, and the whites knew that he wouldn't hesitate to lean on his black friends to remind them that justice is a two-way street.

I hope that whatever tangible things may be done in Bill's memory will reflect his abiding concern with justice tempered by love. This, I think, is what religion meant to him. And the most appropriate place to do him honor is among the blacks, who still have a long, lonely way to go. The walls are coming down now, and there's a new black pride—but, welcome as it is, the new day brings new demands upon both races for compassion and understanding.

Bill already has many monuments, and not the least of them is present here today. I think in many ways the proudest day of his life came when Theodore Gibson was ordained a canon of that one-time white citadel, the Episcopal Diocese of South Florida. And certainly the most moving moment in mine came when I stood outside the cathedral while thousands of Bill's mourners filed away, and heard Canon Gibson say: "I owe Bill Baggs my life—more than that, much more, for he saved my faith. I had become frustrated and bitter. I could find no evidence of that love I had been taught in the name of Jesus, I could see no sign that the people who ran Miami would even recognize the plight of my people. And so I began to hate, to lump white people together and hate them all, and it ate away at me like acid until I thought I had no right to wear the cloth. I was at the point of leaving the church when I met Bill Baggs. It wasn't so much what he did, but the way he was, that showed me that there is still love and grace in the world, and that a man who is not blind or afraid can find it if he looks. He restored my faith, and as long as I live Bill Baggs lives in me."

THE LATE HONORABLE DANIEL J. RONAN

The SPEAKER. Under previous order of the House, the gentleman from Illinois (Mr. ROSTENKOWSKI) is recognized for 60 minutes.

Mr. ROSTENKOWSKI. Mr. Speaker, I am deeply grieved as I join with distinguished colleagues who eulogize today the life and accomplishments of a truly great political leader—the Honorable DAN RONAN, Representative from the Sixth District of Illinois. Words alone cannot fully express the omnibus contributions that this man made to his constituents over the past 20 years in all levels of government.

Active in politics since his youth, DAN RONAN commenced his elective political career in 1948, when at the age of 34 years old he won election to the Illinois General Assembly. DAN'S tenure in this body was limited to 3 years because in 1951, he was elected alderman from Chicago's 30th ward. He served in the Chicago City Council from 1951 to 1965. During the 14-year period DAN had the honor of serving as chairman of the traffic and public safety committee and chairman of the important building and zoning committee. As a State representative and alderman, DAN was a champion for the cause of social justice and equality for all persons without regard for their race, color, or creed. He was a leader in the fight for strong laws regulating the sale and distribution of narcotics.

In 1964, DAN RONAN embarked on the road to higher public office when he was elected, overwhelmingly, to the U.S. House of Representatives from the Sixth District of Illinois. In the House he was chosen to serve as a member of the Interstate and Foreign Commerce Committee and its Subcommittee on Transportation and Aeronautics. As a member of this important committee, DAN labored quietly but effectively to promote the best interests of Chicago, the transportation hub of the world; and of Illinois, the center of our Nation's commerce. He was instrumental in having rescinded an arbitrary order of the Federal Aviation Administration prohibiting direct commercial airplane service to our great city and the Midwest from Washington National Airport. During his all-too-brief tenure in the Congress, he was recognized by Democrats and Republicans alike for his careful deliberations and fair decisions which were always rendered in favor of the people he represented.

Essentially, DAN RONAN was a private man. He willingly worked in the background lending his considerable efforts and talents to others without expecting, in fact preferring not to share in the legislative limelight. His capacity to listen to all sides of a question or problem and his quiet manner in asserting his own views won DAN a legion of friends. It was these attributes that gained him his wide popularity as a political leader and contributed greatly to his effectiveness as a public official.

My heart goes out to his wonderful mother and his two sisters. But, in addition to their great loss, his constituents have lost a dedicated public servant, the country has lost an able Congressman, and I have lost a close personal friend.

Mr. ANNUNZIO. Mr. Speaker, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield to my distinguished colleague, the gentleman from Illinois (Mr. ANNUNZIO).

Mr. ANNUNZIO. I thank the gentleman for yielding.

Mr. Speaker, I rise today to pay tribute to the late Honorable DANIEL J. RONAN, who represented the Sixth District of Illinois in the Congress of the United States during the 89th, 90th, and 91th Congresses. DAN RONAN was not only my colleague, but a dear friend for over 25 years.

DAN RONAN died unexpectedly on August 13, 1969. His loss is a tremendous loss personally for me and my family, and for hundreds and thousands of Chicagoans who knew him, and who respected and admired his outstanding record of dedicated public service.

As secretary-treasurer of the Illinois CIO Political Action Committee, I met DAN RONAN in 1948 during his first try for public office. He was elected then, and again in 1950, as a member of the house of representatives in the Illinois State Legislature.

From that day to this, he was like a member of my own family. The people of his community elected him as their alderman from 1951 to 1965 and ward committeeman for the 30th ward from 1959 to 1969. As an alderman in the City Council of Chicago, he served as chairman of the powerful committee on building and zoning, and in this capacity, he did an outstanding job in protecting the rights of our citizens under the zoning laws of the city of Chicago.

During the 5 years he served in the U.S. Congress, he was a member of the Interstate and Foreign Commerce Committee and led the successful fight by the Chicago congressional delegation against an order by the Federal Aviation Administration halting nonstop plane service between Chicago and Washington's National Airport.

When he was only 4 years old, DAN RONAN's father died. Despite this tragic loss, DAN, in the best of American traditions, assumed responsibility, worked hard, and grew up to become one of the most respected members of his community and a powerful voice in the Congress of the United States.

He was a graduate of St. Ignatius High School and Loyola University where he earned a B.A. degree in economics and political history. He also had done postgraduate work at Loyola University from 1939 to 1941 and again from 1947 to 1948.

During World War II, he served 42 months with the U.S. Air Force as a cryptographer in the China-Burma-India Theater.

Three of our outstanding veterans organizations, the American Legion, the AMVETS, and the Veterans of Foreign Wars, were proud to list DAN RONAN as one of their members.

Congressman RONAN was also affiliated with the Knights of Columbus and with other civic organizations.

DAN RONAN was a quiet and unassuming man, who had great insight and a profound understanding of the American political scene. He had a ready smile, and a quip that fitted every circumstance. This unique faculty was appreciated by all who knew him, for when seriousness prevailed in a room, he knew how to get everyone smiling again.

As a legislator in the House of Representatives, DAN firmly believed that it was the duty of political officials and elected representatives of Government to alleviate the plight and suffering of the poor and disadvantaged through enactment of far-reaching legislation to provide better housing, better education, more jobs, and more opportunities for all of our people. He was a genuine American in every sense of the word who stanchly supported the democratic principles established by our Founding Fathers.

DAN RONAN's death leaves a void in our community which will be difficult to fill, but his family and his friends can be proud of the tremendous contribution he made on behalf of the little people of America.

I have lost a real pal and a genuine friend, and his family has lost a dedicated son and brother. DAN is survived by his mother, Mrs. Justina Ronan, his two sisters, Mrs. Betty Dlouhy and Mrs. Eileen Burke, two nephews and a niece.

Those of us who had the privilege of knowing DAN RONAN as a friend and colleague for so many years deeply mourn his passing, and our hearts go out to his bereaved family.

Mrs. Annunzio joins me in extending our heartfelt sympathy to the members of DAN RONAN's family on their great loss.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I join my colleagues from Illinois and other Members of the House in associating myself with the tribute which my friend, the gentleman from Illinois (Mr. ROSTENKOWSKI) has made to the life and service of a wonderful man and friend, DAN RONAN. DAN quickly endeared himself to all the Members of the House. His service here, though relatively brief, was outstanding. He served on the Committee on Interstate and Foreign Commerce. He worked quietly but effectively and has made an imprint on the House and on every Member of the House that will long endure. He was one of the most cooperative colleagues I have ever known.

I am happy to say that DANNY was my friend. He was as kind and considerate, as gentlemanly and as compassionate as any man I have ever known. I shall miss this wonderful friend, this able legislator, this great human being.

My heart goes out to his mother and sisters and to his friends who must be numbered in legions. May the Heavenly Father be with them in their sorrow.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield to our distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, while I have already expressed my words of deep sympathy in the passing of our late colleague and friend, Congressman DANIEL J. RONAN, I want to join with my friend, the gentleman from Illinois (Mr. ROSTENKOWSKI), and the other Members of the Illinois delegation, in again expressing my keen regrets and to say how deeply I feel in his passing.

DAN RONAN, as has been stated—and in which I thoroughly concur—enjoyed the complete respect and confidence of his colleagues, whether they were Democrat or Republican. He was a very effective Member of the House, taking his work in committee seriously and taking the deliberations on the floor of the House equally seriously. He was one who wielded a powerful imprint by his wisdom and his advice and by his sound judgment, particularly in connection with the consideration of bills that came before one of the most prominent committees of the House, of which he was a member, the Committee on Interstate and Foreign Commerce.

DAN RONAN possessed unusual qualifications. His outlook on life was noble, uplifting and inspiring. His was a very attractive personality—always pleasant—and always with a smile on his face, that made a powerful impression upon his colleagues.

When I received word of his death, I was shocked, and I know my colleagues are shocked, as well as countless of thousands of his friends both in and outside of his congressional district were shocked.

I immediately made a telephone call to one of his sisters to convey to his mother and his sisters not only my shock but Mrs. McCormack's as well.

DAN RONAN had a very fine and refreshing outlook—not only on life—but as a legislator. He was always found supporting progressive legislation that was in the best interest of the people of our country and particularly in the interest of the little fellow, if I might refer to some people in that way, and those who might be forgotten.

DAN RONAN thought of the sick and the afflicted and the underprivileged. He thought of those who were persecuted. He thought of those whose economic outlook on life was an adverse one and he was always trying, by and through voting for progressive legislation to bring hope and confidence in the minds of people through such progressive legislation. One could enumerate so many bills.

His years of service in this body—cut short by death—were productive and constructive. And while they were not many years in terms of service to this body, he did make his marked imprint upon the legislative history of this body.

The people of his district are justified in feeling proud of the service that DAN RONAN rendered for them as well as for the people of the State of Illinois. He always reflected great credit upon them.

Mrs. McCormack joins with me in expressing and extending to his dear mother and to his two sisters our deep sympathy in their great loss and sorrow.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield to the gentleman from Illinois (Mr. PRICE).

Mr. PRICE of Illinois. Mr. Speaker, the passing of DAN RONAN came as a great shock to me. Only the day before he and others of our colleagues were gathered in the House restaurant as we were wont to do frequently during an afternoon session.

DAN RONAN was an effective Member of the House of Representatives. He was an effective member of the great committee to which he was assigned, the Committee on Interstate and Foreign Commerce. He enjoyed his work on that committee. He had a quick and a pleasant wit about him. He could bring a laugh at the proper moment to relieve many a tense situation.

He was well trained for his position here in the House as a former member of the Illinois General Assembly and as a member of the city council of the great city of Chicago. His political philosophy was progressive, and he indicated this in the great compassion that he showed for his fellow man.

His voting record was one that showed that uppermost in his mind was, as the great Speaker of this House, the gentleman from Massachusetts (Mr. MCCORMACK), just stated, his interest in the underprivileged and those who needed help most. He was a great legislator, an able legislator, and those of us who were close to him shall miss him greatly.

Mrs. Price joins me in extending our deepest sympathy to his mother and to his two sisters.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield to the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. I join with the gentleman in the well and my colleagues in paying tribute to our late colleague, Congressman DAN RONAN. There is no question that he was a very compassionate friend, a great legislator, an honest political leader, and a dedicated son. We were all inspired to witness the deep devotion he had for his ailing mother, and to note the times he would leave here on weekends to fly back home to be with her as she was trying to recuperate from her illness.

We marveled and admired his quiet counsel here in this Chamber. President Nixon could very well have been speaking of DAN RONAN today when he delivered that beautiful eulogy about a "politician" in the rotunda in relation to another one of our colleagues. The President said that work in a committee does not necessarily provide headlines, but provides great legislation.

DAN RONAN was a quiet Member in this Chamber. He did not participate frequently in debate, but he was a dedicated Member. He spent a great deal of time in his committee, and he was a well informed Member because he spent a great deal of time here in this Chamber listening to debate. You could always find out from DAN RONAN the complex structure of issues that come before this House because he did his homework well. He studied the reports. He was an impressive and effective political leader in one of the finest political organizations in Chicago, the 30th ward. He was a committeeman. He took on that difficult job of providing political leadership.

Too often we tend to malign those who take on such great responsibility, forgetting that, without political leaders, this democracy could not very long survive as a free nation. Someone has to do the job, and DAN RONAN was willing to do that job as a leader. We are going to miss him.

As my colleague from southern Illinois said a little while ago, DAN was an effective member of the Interstate and Foreign Commerce Committee. I had occasion to discuss with him many of the problems that confront our city—the jet noise at O'Hare Field, the heavy traffic at O'Hare Field, the heavy traffic into our docks, the problems the St. Lawrence Seaway is now encountering, the state of our harbor facilities. DAN RONAN was a quiet man, but, as you sat and discussed with him these various big issues, you could not help but be impressed and amazed about how well he knew his subject and how well informed he was. He was a giant among legislators.

This House is going to miss him. The people of Chicago are going to miss him. The people of Illinois are going to miss him, and the people of his district are going to miss him.

Mrs. Pucinski joins me in extending our deepest condolences to his mother and his family on his untimely death. It is a great loss to all of us.

Mr. DAWSON. Mr. Speaker, it is with a feeling of deep emotion that I rise today to join my colleagues in paying tribute to the outstanding life of public service of our late fellow-Chicagoan, Hon. DANIEL J. RONAN.

In such a brief span of years, DAN RONAN has served the city of his birth, his State, his beloved country, and his God with honor and distinction; and he has suddenly departed this life leaving us, his friends and admirers, saddened of heart but enriched by having known him.

Long before this day, the people of Illinois, particularly the citizens of Chicago and Cook County, had paid tribute to DAN RONAN. He was their choice as representative in the Illinois General Assembly for 3 years; as city alderman for 13 years; and as Sixth District Representative in the U.S. Congress for 3 consecutive terms.

DAN RONAN'S was a life of public service, spanning a quarter century, devoted to the cause of justice and dignity for all mankind. It seems fitting, therefore, to recall words from that immortal address delivered more than a century ago by another devoted public servant from Illinois:

> The world will little note, nor long remember what we say here, but it can never forget what they did here.

And a little later, Lincoln said:

> It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced.

To the members of the Ronan family, I extend deep and sincere sympathy and I share their great loss.

Mr. KLUCZYNSKI. Mr. Speaker, the untimely death of Representative DANIEL J. RONAN has left his friends and colleagues with hearts bowed in deepest sorrow.

As a dedicated public servant, DAN pursued his career with a firm faith, an unwavering hope for a better world, and unflinching courage.

As a fellow citizen of the great State of Illinois, I was privileged to know, DAN better than most. He was an intensely proud man yet his pride was tempered by humility. He was proud of his participation as a crytographer in World War II, yet humble because his life had been spared in that great conflict, which was fought for freedom and the dignity of man.

He was proud of his public service as an Illinois State Representative and as alderman of Chicago, yet humble before the people who gave him their trust and support.

He was proud to be a Member of the House of Representatives and of his seat on the important Committee on Interstate and Foreign Commerce, yet grateful and humble in the knowledge that he had been given the opportunity to serve his country and State.

From his record it will be seen that Representative RONAN was an active, earnest, and zealous worker. But his labors in behalf of better government and the institutions of democracy, which he loved so well, were not limited to the faithful performance of official duties.

He went out of his way to help those less fortunate than himself. He was generous with his time and talent. With an open heart and hand, he was a constant source of comfort and ministration to those in need of assistance.

DANIEL RONAN was a man who did his own thinking. Forming his own opinions only after careful investigation, he was firm and fearless in defending his conclusions when once they were formed. When he felt called upon to defend what he believed to be right, or to expose what seemed to him wrong, he did so with all the power of his great intellect, regardless of the consequences to himself.

My dear friend DAN RONAN was a splendid example of that noblest work of God—an honest man. He was honest in his public and private obligations, honest and sincere in his convictions, honest and faithful in the performance of every duty.

Let us who survive him emulate his virtues and profit by the bright example which he has left us.

Mr. YATES. Mr. Speaker, Congressman DANIEL J. RONAN was a friend of mine. We spent many hours together as fellow Members of the House, and I will always look back on those occasions with keen pleasure, with great nostalgia. That he was taken so unexpectedly from his family, his friends, his colleagues here in the House, and the Nation which he served is a great tragedy.

DAN RONAN was a warm, generous dedicated man whose compassion and sense of justice won for him the respect of all who knew him. Though his term of service in the House spanned only 5 years, he had already established a reputation for fairness and candor in handling his official duties.

DAN RONAN was a Representative who provided forward looking, progressive leadership to his district and his Nation. Before his election to the Congress he

was an alderman for 13 years and served in that office in an exceptionally able fashion.

When he died, he was still a young man with much to offer and our country will be poorer because he is gone.

Personally, I feel his loss very deeply. I will not forget his ready smile and his hearty handshake, his understanding and his sense of humor. DAN RONAN was a good man, a man who cared about people and about his country. I will miss him very much.

Mr. ERLENBORN. Mr. Speaker, it is with sadness that I speak of the death of my Illinois colleague, Representative DANIEL J. RONAN, of Chicago.

It is difficult, sometimes, for people to understand how legislators can have friends among the opposition; but these are people who have not known DAN RONAN. He was a quiet, hard-working Member of Congress who enjoyed the respect of those who knew him—those on both sides of the aisle.

His sudden passing came as a shock. It grieves me to realize that we shall see him no more.

Mr. STAGGERS. Mr. Speaker, an extraordinarily honorable and useful career in public service was brought to an untimely end on August 13, 1969, with the death of DAN RONAN. The House was shocked by the news of his passing just after it had recessed for the summer intermission. In all humility we offer this belated expression of deep sympathy to his sorrowing mother, to his legion of admiring friends, and to his constituents in the great city of Chicago, who had been so capably and brilliantly served by him in a number of prominent posts. They will all miss him, as all of us do in this legislative assembly of the Nation.

Like many of his colleagues in the House of Representatives, DAN RONAN began his public service in the Armed Forces of the United States during World War II—specifically in the Air Force, which attracted so many of the gifted youth of our country in that unfortunate episode of human vanity and arrogance brought into being by the enemies of freedom across the seas. As an expert cryptographer, he filled a delicate and responsible position in the Asian theater during most of the war.

Returning to civil life, he was almost immediately called upon to serve his district in the State Legislature of Illinois. In 1951 he was elected alderman in Chicago, and in that position he busied himself with the problems of the big city for 13 years. Having established a reputation as an indefatigable and selfless worker for the general good, it was only natural that his people should ask him to represent them in Washington, where he came at the opening of the 89th Congress.

The Interstate and Foreign Commerce Committee was fortunate in having Congressman RONAN take a seat on the committee. His intimate and extensive knowledge of the problems of urban transportation and communication were peculiarly usefu' in the numerous legislative proposals for their solution. What might be termed a hobby with him was an attempt to work out some practical answer to the vital need for mass transportation in a crowded city such as Chicago. Other areas in which he provided useful information to the committee included the improvement of railway facilities, passenger safety, and improved television reception. With other Members, he took the lead in the attempt to bar transcontinental air flights from National Airport in Washington.

We shall sadly miss his genial and friendly disposition as well as his wise counsel. His associates unite in ascribing to him "strength without arrogance, courage without ferocity, the virtues of a man without his vices." And we shall carry with us throughout the coming years "that best portion of a good man's life; his little, nameless, unremembered acts of kindness and of love."

Mr. O'NEILL of Massachusetts. Mr. Speaker, I join my colleagues in mourning for DANIEL RONAN. We, in the House, the people of his district, and all of the Nation have lost a responsible and dedicated Representative.

DAN RONAN was always interested in government. He served on the local level as a State representative and alderman. As a Congressman, he constantly strove for better living and working conditions for the people living in Chicago's west side. He sought to lighten their daily burdens and, at the same time, sought long-range solutions to complex urban problems. The people in these areas knew that they had a friend in DAN RONAN.

Appropriately, he spent much time delving into transportation problems, not only to help Chicago, but the entire country. These problems were not just part of his job, but real problems which deeply concerned him personally.

With our big cities in such turmoil today, our Nation certainly could not afford to lose his talent. I offer my sympathy to his family and friends. We all miss him and his contributions to our work.

Mrs. REID of Illinois. Mr. Speaker, those of us from the State of Illinois were particularly saddened to learn of the passing on August 13 of our colleague, DANIEL J. RONAN.

DAN RONAN was serving his third term in the House of Representatives and he had earned the respect, friendship, and admiration of all who knew him. He was highly regarded for his work on the Subcommittee on Transportation and Aeronautics of the House Committee on Interstate and Foreign Commerce. Prior to his election to the Congress he had served for 13 years as an alderman, city of Chicago, and as a State representative. To the people of his district, State, and Nation he was, in the best sense, a public servant; and his loss will be deeply felt.

DANIEL RONAN was the kind of man who gave himself unsparingly to his work and yet always had an equal amount of devotion for his friends and colleagues. We mourn him and shall miss him. I extend my sincere sympathy to his family.

Mr. MIKVA. Mr. Speaker, DAN RONAN was a gentle soul. His smile and his greeting were always easy. There was almost a shyness about him, a surprising quality for one who had been as successful in the political arena as had DAN RONAN. In fact, the easygoing nature was a part of his political reputation. Nobody disliked DAN RONAN; he never gave anyone any cause.

DAN RONAN served at every level of government—State, local, and Federal. His views were formed in those crucibles, and he was an urban Congressman in the best sense of the word. He was aware that the big cities of our country could not make it alone. He was aware that State government had limited wherewithal to help solve urban problems. The sprawling constituency, city and suburban, that DAN RONAN represented was fortunate to have his wise voice in the councils of this Congress.

I had special reason to be grateful to DAN RONAN. As the next most junior member of our delegation, he seemed especially conscious and aware of the adjustment problems of a freshman Congressman. His encouragement and kindness were muchly appreciated in these early days of my first term, and will be sorely missed.

The gentle Congressman from the Sixth District of Illinois is no longer with us, and we are all the poorer for losing him.

Mr. HANLEY. Mr. Speaker, like most of my colleagues, I was shocked and deeply saddened to learn of the sudden death of my good friend, DAN RONAN, of Illinois, last month. A gentle, witty, and generous person, he was at the same time a skilled and humane legislator.

DAN and I came to Congress together in January of 1965, and in the intervening years we become good friends. He was always conscious of his role not only as a Member of Congress but more importantly as a human being who had an obligation to other human beings. He was one of the kindest men it has been my pleasure to know.

Death, as we are told, comes like a thief in the night. But when it strikes one close to us, one who is in the prime of his life and career, it carries with it a certain added element of shock and disbelief. Such, of course, was the reaction to DAN RONAN'S passing.

I join with my colleagues and his legion of friends and admirers in extending my prayers and sympathy to his beloved mother and family.

Mr. RAILSBACK. Mr. Speaker, I am most proud to be able to say that I was associated with DANIEL RONAN. He was a very humble and unassuming man who was held in high esteem by me and all of his colleagues who knew him. He was attentive and industrious so far as his legislative work was concerned, and the State of Illinois and our country will sorely miss his fine talents.

Mr. MURPHY of New York. Mr. Speaker, the people of Chicago and the Nation lost an unusually fine legislator with the untimely death of DAN RONAN. He was my friend and my colleague on the House Interstate and Foreign Commerce Committee. As you have said, Mr. Speaker, he was "one of the most dedicated Members of the House." DAN RONAN, suddenly taken from us at the early age of 55, was the kind of man who was never too busy to work with the people and to sit down with them and discuss their problems. He was a truly dedicated public servant and his death is a great personal loss to me. Mr. Speaker, I in-

clude the following Community Publications editorial on the death of DAN RONAN:

CONGRESSMAN RONAN—FRIEND TO ALL

In the untimely death of Cong. Daniel J. Ronan of the sixth district of the West Side has lost one of its most popular, effective and conscientious public officials of the post-World War II era.

We at Community Publications feel the loss deeply because we worked closely with him on many public projects, particularly when he was alderman of the 30th ward. He was always eager to lend his considerable effort to a worthy project suggested by someone else and by the same token others, including this newspaper, had no trouble whipping up enthusiasm for a project he proposed because it was always in the public interest and deserving of everyone's support.

Though he could handle himself well as a public speaker when the occasion demanded, Cong. Ronan was not one who attempted to sway Congress, the City council or the General Assembly—all of whose hallowed halls in which he served—by mere oratory.

While others talked, Cong. Ronan was digging up facts and figures, consulting with individuals on a personal, man-to-man basis or calmly taking part in a committee discussion of issues.

His willingness to listen to all sides of all questions and his quiet manner in making his own views felt won Cong. Ronan a legion of friends. It was in this area that he gained his wide popularity as a political leader and his effectiveness as a public official.

This was particularly evident in his home ward, the 30th, where in recent years he had demonstrated his ability to deal fairly with both races. He earned and received the respect of everyone and it was no accident that his ward escaped most of the conflict that broke out in other wards of the city with a similar makeup.

It is a tragedy, indeed, that Cong. Ronan was struck down at the comparatively young age of 55. For while he had risen to a considerable height in the political field, there are many who feel that his skill in the art of government would have carried him even further. We are among those who share this view. Certainly he was on the threshold of his career in Congress, where he was just gaining the seniority necessary to earn the important committee assignments.

In his 14 years as 30th ward alderman, Cong. Ronan was responsible for a virtual face-lifting of the ward. It was during this time that installation of a modern sewer system was completed, extensive street lighting installed, streets resurfaced, and several small parks created. He was most active in his support of youth programs, a fact which caused the Lexon league to name their baseball park in his honor.

Cong. Ronan's death will come as a heavy blow to his aged mother, to whom he had been devoted. To her and other members of the family we extend our deepest sympathy.

We hope the residents of the 30th ward, the 30th Ward Democratic organization, of which he was committeeman, and the Sixth district will do as well in picking his successor as they did when they selected him as their leader. Cong. Ronan's will be hard shoes to fill.

Mr. RODINO. Mr. Speaker, it is with a deep sense of loss that I join today in mourning the untimely passing of our distinguished colleague, the Honorable DANIEL J. RONAN.

I was privileged to know DAN as a warm friend, whose counsel I valued greatly. He was a man of outstanding ability, deep compassion, and courage. It was these qualities that stamped his service in the House, and endeared him to his constituency. Throughout his tenure, DAN gave completely of himself in order to try to bring fulfillment to the high ideals which motivated him, and earned the respect and admiration of all who had the good fortune of working with him. In knowing DAN RONAN, all our lives were made more meaningful.

Mr. SPRINGER. Mr. Speaker, our late colleague DAN RONAN, whose untimely death occurred during the August recess, served his country well in war and peace. He had 4 years in active duty with the Army Air Corps in World War II. His political career began in 1948 with his election as State representative and he subsequently served as a Chicago alderman before his first election to Congress in 1964.

I came to know DAN well during our service together on the Interstate and Foreign Commerce Committee. We belonged to different parties, but our political preferences never affected our cordial personal relationship. DAN's passing is a great loss to our committee and to the Illinois delegation.

Mr. COLLIER. Mr. Speaker, I wish to join my colleagues in expressing my sorrow and condolences to the family of my good friend DANIEL J. RONAN, who passed away on August 13.

The contributions which DAN made in his active and very successful political career have been well documented by others who have spoken before me today. It is a record of which his family and many friends and associates can be justifiably proud. But I shall personally cherish his memory in terms of the quiet sense of dedication in which he pursued his duties and responsibilities in public life.

DAN RONAN was as fine a gentleman as any man I have met in my lifetime, either in or outside of the political arena. He was a man of compassion, yet one who never compromised his convictions. He was particularly interested in youth and did much to help young people through his personal efforts and financial contributions to various recreational and educational activities.

I shall miss DAN as an esteemed colleague in the U.S. House of Representatives and as a friend for whom I held the highest regard from the time it was my privilege and pleasure to know him.

Mr. MURPHY of Illinois. Mr. Speaker, I rise to join with my colleagues in paying tribute to the memory of DANIEL J. RONAN, who represented the Sixth District of Illinois in the U.S. House of Representatives.

DANIEL RONAN was born in the city of Chicago and educated in its parochial schools. During World War II, he served his country as a cryptographer in the China-Burma-India theater with the Army Air Force. Upon his return from service, he did postgraduate work at Loyola University and in 1948 was elected representative to the Illinois State Assembly. As a State assemblyman, he distinguished himself by working to promote stronger laws on narcotics and gun control.

Congressman RONAN and I became friends while we served together in the Chicago City Council. He was elected to the council in 1951 and was appointed to the committee on planning and housing of which I was chairman. He served as my vice chairman and I also appointed him chairman of a special subcommittee on housing. In 1964, after 14 years on the city council, DANIEL RONAN was elected to the U.S. Congress. He was reelected in 1966 and again in 1968. For a number of years, we also represented our respective wards on the Cook County Democratic Central Committee. Throughout my many years of association with DANIEL RONAN, I developed a deep and abiding respect for his talents and legislative abilities.

Mr. Speaker, Mrs. Murphy joins me in extending condolences to his mother and two sisters on the loss of this great American.

Mr. FINDLEY. Mr. Speaker, a good friend and colleague has departed from us. DAN RONAN, a distinguished Representative from my own State of Illinois, is no longer with us. He will be sorely missed, not only by his constituents in the Sixth District, whom he so ably served, but also by those of us in the House of Representatives who were privileged to serve with him.

Although DAN RONAN was not of the same political party as I, nevertheless we were both members of the same team from the State of Illinois. DAN was an especially valuable friend and counselor to the members of the delegation. In the few years that he was with us, he was always alert to serve the needs of the people who elected him.

He had dedicated his whole life to public service. Like many of us, he was a veteran of World War II. Later, he gained a keen knowledge of local administration and urban problems from his service with the city of Chicago. Beginning in 1965, he continued his distinguished career of public service in this body.

The city of Chicago, the people of Illinois, and all Americans have lost a truly dedicated public servant.

Mr. McCLORY. Mr. Speaker, it is my privilege to join in respectful tribute to our late colleague, DANIEL J. RONAN. He and I shared many things in common as well as our service in the 89th, 90th, and 91st Congresses.

Our earliest association was in the Illinois General Assembly where we served together from 1951 to 1952. During this term he was elected to the Chicago City Council and did not return to the general assembly.

During my service as chairman of the State senate's committee on highways and traffic regulations, he was chairman of the Chicago City Council's Committee on Traffic and Public Safety. Our interests remained congenial and we had reason to work together for the public benefit.

DAN RONAN came to the 89th Congress one term after I had been elected to the 88th. We were fortunate enough to be reelected so that we came to this 91st Congress at the same time. Outside the walls of this Chamber, we met frequently and discussed our mutual interest in crime prevention, stronger laws on nar-

cotics and gun control, transportation regulations, and improved airline service between Washington and the State of Illinois. We had long been interested in urban and regional planning—he as a member of the Chicago Plan Commission and I as a supporter of the Northeastern Illinois Metropolitan Area Planning Commission. And so we talked about our home communities for whose betterment we were working.

Mr. Speaker, DAN RONAN left his work, his thinking and planning suddenly. He left to those of us who knew him well the legacy of conscientious application to his responsibilities as a citizen and a public official—in the Chicago City Council, the Illinois General Assembly, and the Congress of the United States.

Family and friends from Illinois and around the Nation mourn the passing of Congressman DANIEL J. RONAN. To his bereaved mother and beloved sisters, I extend my sympathy and affection.

Mr. FRIEDEL. Mr. Speaker, it is with deep sorrow that I join my colleagues in the House today in paying tribute to the late Congressman DANIEL J. RONAN, from the Sixth District of Illinois. It is a tragedy that DAN RONAN was struck down at the comparatively young age of 55.

He was elected at age 34 to represent the district of the Chicago West Side in the Illinois General Assembly. This post he held until 1951, when he was elected alderman from the 30th ward to the Chicago City Council. He served with distinction in that body for 14 years. As an alderman, he was one of the most popular, effective, and conscientious public officials of the post World War II era.

Upon his election to the 89th Congress in 1964, he was assigned to the House Committee on Interstate and Foreign Commerce, and in turn to the Subcommittee on Transportation and Aeronautics, of which I have the honor of being chairman. In committee work we have the opportunity to know and evaluate each other. More often than not, I found DAN RONAN quietly digging up facts and figures, and at all times willing to listen to all sides of all questions, before making up his mind.

It is true that he had risen to a considerable height in the political field, but many felt that his skill in the legislative field would have carried him even further. Certainly he was on the threshold of his career in Congress, where he was just gaining the seniority necessary to earn important committee assignments.

Congressman RONAN'S death came as a great shock to all of us who served with him. Mrs. Friedel and I extend our deepest sympathy to his mother and other members of his family.

Mr. BOGGS. Mr. Speaker, permit me to join my colleagues on both sides of the aisle in honoring the memory of our good friend and colleague, Congressman DANIEL RONAN, of Illinois.

The State of Illinois—and indeed the United States—lost a devoted and able leader with the tragic and untimely passing of Congressman DAN RONAN.

I was in DAN RONAN'S home city of Chicago when the sad news of his death reached me, and I was a witness to the great sense of loss which swept over that great city.

A great loss it was, for DAN RONAN had devoted most of his adult life in the able service of his city, his State, and his Nation, and the people of Chicago knew it.

As a member of the armed services during World War II, as an Illinois State representative, as an alderman of the city of Chicago, and finally as the Congressman of the Sixth District of Illinois, DAN RONAN gave generously of his rich resources of leadership.

I think it appropriate that we remember DAN RONAN for what he was: a gifted and compassionate human being who devoted his life to the service of his fellow man, a public official who dedicated his life to the precept that American institutions can and will work, if people care enough.

DAN RONAN was a gifted leader who cared about people and for this reason his loss is especially grievous. This Nation can never have enough DAN RONAN'S.

Mrs. Boggs joins me in mourning the loss of a good friend and a remarkable man.

Mr. RANDALL. Mr. Speaker, for some reason I did not learn of the special order of yesterday, Tuesday September 9, when our colleagues eulogized our dear departed friend from Illinois, DANIEL J. RONAN. I regret I was not on the floor to join in paying tribute to his life and accomplishments. However, it is not too late to express my words of tribute to my friend, who was a distinguished Member of the House of Representatives and enjoyed a wide popularity among his fellow Members.

Although DAN at the time of his passing had served for only a few years, he made an imprint upon the minds and hearts of those who knew him. I say this is true because he possessed that rare quality of peace of mind which showed through into a continuously pleasant and cheerful disposition.

It was not my privilege to serve with him upon any of his committee assignments. I only knew him as a Member with whom I enjoyed visiting while sitting on the floor of the House. I can truthfully report in every instance after a conversation with DAN, I came away feeling better and with a more optimistic outlook. So frequently one of our fellow colleagues will say to us when we are engaged in thought over a serious matter and with a frown on our face, "cheer up. It just cannot be that bad." It was that kind of a statement DAN so frequently made to his colleagues. I think this attitude best reflects his great heart and spirit of optimism.

He was burdened with all the cares of office that the rest of us have. He had to make the same decisions as each of us. His headaches, I am sure, were as great as any of ours. But I shall remember DAN RONAN with a pleasant memory of one who refused to take himself so seriously as to indulge in a pessimistic attitude toward his problems or the problems of his office.

Because of DAN'S outlook on life and the counsel that he so frequently gave to those of us with whom he talked, he will be missed more than we now realize. His departure from our midst will be a loss to all of us. I am sure I am right in this appraisal because he seemed to be able to pass on to those around him his own peace of mind.

Now, that he is gone those of us who survive him should find it worthwhile to emulate his virtue of optimism and to try to follow the example he provided for us. I join with my colleagues in extending sympathy to his dear mother and family.

Mr. ANDERSON of Illinois. Mr. Speaker, recently, I lost a dear friend and a colleague, a valued member of the Illinois congressional delegation, the Honorable DANIEL J. RONAN. DAN came to Congress in 1965, after a long and distinguished career in the government of our home State of Illinois. He served first for two terms as a State representative and then as an alderman for the city of Chicago from 1951 until 1954. Here in the Congress DAN proved an able and effective member of the House Committee on Interstate and Foreign Commerce.

His sudden and untimely death sincerely saddened all of us who had worked with him and who had grown to respect him over the past 5 years. To his mother, Mrs. Justina Ronan, go my personal and deepest sympathies.

Mr. DANIELS of New Jersey. Mr. Speaker, I wish to join my colleagues in expressing my sorrow over the passing of our friend DAN RONAN of Illinois.

DAN was a quiet man. He worked studiously representing the interests of his constituents in Washington. He had been active in politics most of his working life as an alderman and as a representative in his State legislature. He understood the rigors and responsibilities of a political career.

He had been with us in the House only 3 years. We knew him as a friendly man, eager to learn when he first joined us and eager to help in the difficult work after he learned the ropes. His main concern always, was to represent his people as effectively as he could.

DAN RONAN was a good legislator. We need such men and we shall miss him very much.

Mrs. Daniels and I extend to the members of the family of the late DAN RONAN our sincere condolences.

Mr. ROONEY of New York. Mr. Speaker, it was a profound shock to learn of the untimely death of the Honorable DANIEL J. RONAN who for the past 5 years so ably represented the people of the Sixth Congressional District of Illinois. Although DAN RONAN was just midway through his third term in this body he had devoted his lifetime to public service. At 34, in 1948, he was elected to the Illinois General Assembly where he served 3 years until he was elected alderman in the city of Chicago. He spent the next 14 years serving in that municipal capacity until he was elected to this House of Representatives. DAN was a quiet and unassuming man with an infectious sense of humor and wit that will be missed. We shall all miss him. To his loving mother and sisters and family I extend our deepest sympathy and prayers in their great loss.

GENERAL LEAVE TO EXTEND

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order.

The SPEAKER pro tempore (Mr. KLUCZYNSKI). Is there objection to the request of the gentleman from Illinois?

There was no objection.

AMERICAN BANKERS ASSOCIATION HOLDS STUDENTS HOSTAGE IN ORDER TO INCREASE INTEREST RATES—BIG BANKERS BONUS BILL PROPOSED INSTEAD OF SOURCES OF AVAILABLE CAPITAL AT LOWER INTEREST RATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PATMAN) is recognized for 15 minutes.

Mr. PATMAN. Mr. Speaker, the Committee on Education and Labor, under the distinguished chairman, the gentleman from Kentucky (Mr. PERKINS) has done an admirable job in trying to make certain that loans are available for higher education purposes. It is because of the many hours that the committee has devoted to this problem that I find it is with great reluctance that I must oppose H.R. 13194. This legislation is presently scheduled to come before the House next Monday under suspension of the rules.

Quite clearly, the Congress must act to help students obtain funds for higher education but the legislative vehicle before this body on Monday is not the answer nor is the procedure under which the House is being asked to consider the legislation.

I am opposed to H.R. 13194 for a number of reasons:

First. Banks are making record profits and therefore do not need any interest subsidy.

Second. Instead of fighting for higher interest, we should be fighting for additional sources of capital that could do the job at lower interest rates.

Third. If this bill passes, it will be the first time Congress has authorized the payment of 10 percent interest on a Government-guaranteed obligation. The Government will guarantee the payments and the banks will collect the interest.

Fourth. Because most colleges are now in session and students have arranged financing, for at least the first semester, there is no emergency and the legislation should be reconsidered under a realistic time frame.

Fifth. The Department of Health, Education, and Welfare has not sought alternative methods for running this program other than raising interest rates. There are sources of enormous capital that could be used.

Sixth. The costs of this program, which could amount to $126 million in slightly more than 2 years, could be reduced by exploring alternative methods.

Seventh. An establishment of a 10-percent guaranteed interest rate would force banks to increase interest rates on other loans or refuse to make any loans for necessary items such as housing at less than a 10-percent rate.

Eighth. The legislation should not be retroactive to July 1 of this year nor should the interest subsidy be paid more than once on any individual loan.

Ninth. The gag rule under which this bill will be brought before the House does not permit amendment.

Tenth. If we vote for this bill under the gag rule as proposed, we will date the interest payments back to July 1, 1969, in order to carry out a promise to the big bankers' lobby.

BANKS MAKE RECORD PROFITS

In the simplest terms, it has been argued that this legislation is necessary so that banks can "at least break even" on the student loans, which presently have legislative ceiling of 7 percent interest. It is thus contended that the banks are losing money on the student loans. But I ask the Members of this body, if the banks are losing as much money on these loans as they contend, why is it that bank profits are up from 20 to 30 percent over last year with some banks recording profit increases as much as 60 percent?

In short, what the banks are trying to do is to refuse to make student loans so that Congress will give them more money with which to line their pockets.

BIG BANKERS BONUS BILL

Mr. Speaker, ever since the student guarantee loan program was put into operation, the banks have used the program as a lever to personal gain. It must be remembered that last year the American Bankers Association told Congress unless they received a placement fee of $35 for each loan, there would be no more college loans. Rather than going along with the placement fee, Congress raised the statutory rate on these loans 1 percent. Now, only a year later, the bankers are back with open wallets. Once again we are told in no uncertain terms "give us more money or we cut off student loans." It is bad enough that we are being blackmailed by the bankers but it is even worse that the administration is playing right into the bankers' hands by waiting until the final minute to rush the legislation to Congress. Unless this legislation is enacted, we are told between 150,000 to 200,000 students will be denied loans.

IS THERE AN EMERGENCY?

I do not believe that the problem is that grave and while there may be many students who are having difficulty obtaining loans, I strongly question the 150,000 to 200,000 figure. It would also seem that now that colleges have begun their fall semester, there is no need to rush this legislation through but rather it is time that the administration in general and the Department of Health, Education, and Welfare in particular seek alternative ways to run the loan program without having to depend upon individuals who are not satisfied with making a normal profit.

On two separate occasions, in testimony before the Education and Labor Committee, I have suggested that HEW should consider arrangements with the numerous pension plans throughout the country to interest them in the student loan program. This idea was endorsed by Commissioner Howe last year when he appeared before the House Education and Labor Committee. However, HEW has done little, if anything, in this area, and from their past efforts, it would appear that they do not plan to work to interest pension plans in the program.

Mr. Speaker, there may well be a submerged reason why HEW is so strongly supporting the bankers' plan for an interest subsidy for student loans. In the Insured Loans Branch of the Office of Education, at least three of the major sections or departments are headed by bankers and it is also my understanding that a number of bankers are being hired for various other positions within the Branch. These bankers are being brought into the agency with no experience and given jobs that should properly go to career employees of the Department. Perhaps the reason that the career employees are not getting the jobs is that they are more interested in the students' welfare than the banks' welfare.

COULD COST TAXPAYERS MILLIONS

If this legislation is hastily enacted, it could cost the taxpayers many extra millions of dollars. According to the committee report on the legislation, if the full 3-percent market adjustment rate is used, by the end of fiscal year 1972, it will have cost more than $126 million to pay the bank subsidy. Of course, it will be argued that the 3-percent subsidy is a maximum. However, this legislation should be considered as if the full 3 percent will be paid because that is exactly what is going to happen. True, HEW may start out with only a 1- or 1½-percent subsidy payment to the banks but it will not be long before the American Bankers Association puts on its guns and masks and tells HEW that unless the banks receive the full 3-percent subsidy, there will be no more student loans. If we can expect to pay out more than $126 million in bank subsidies by 1972, what will those figures be after that date? Thus, if it takes 10 years to repay a college loan, the Government will be paying out a 3-percent subsidy every year, which means at the end of the loan, the banker will receive not only the original principal amount back but 100 percent in interest charges. Why should the banks receive a multiyear subsidy after a loan has been made? For instance, if a bank lends a student $1,000 in his freshman year, and a 3-percent subsidy payment is made, the bank will receive a 10-percent yield on that loan until it has been repaid. Since repayment does not begin until after the student graduates, or in some cases even later, it can easily be seen the huge amount of interest that must be paid, even though the bank had only a one-time cost for this loan. If it is the will of this Congress that the banks should be subsidized to higher profits, the subsidy should be limited solely to the first year of the loan. This would severely limit the possibility of the banks manipulating maturities in order to gain more in the way of market adjustment payments.

The enactment of H.R. 13194 could also have a damaging effect on all inter-

est rates since it would provide banks with a guaranteed 10-percent source of income. What will happen to mortgage loans and other worthwhile loans that now carry an interest rate below 10 percent? The banks can use the argument that these loans must be increased to 10 percent in order to provide them with the profit return that they would make on student loans. We may be helping a few students get loans but at the same time cause irreparable damage to all other types of loans. The Members of this body should consider that carefully before voting on this legislation on Monday.

BANKS COULD SUBVERT BILL'S INTENT

There are also several other basic financial problems with this legislation. For instance, it provides that the market adjustment payments will be made for loans that are outstanding at the end of each 3-month period. It will be quite easy for the banks to cram all their lending activities into the final few days of the quarter and thus qualify for a subsidy based on a 3-month period, when in actuality, the loans were on the books for only a few days.

Also, objectionable is the retroactive feature of this legislation. Officials of HEW and the administration are runing around telling bankers that this legislation will be passed retroactive to July 1, 1969. This body should not be held accountable for promises made by the executive branch which are made to force the Congress to pass this legislation. The effective date of the legislation should not be July 1, 1969, but rather the date that the bill is signed by the President. Because of these promises or predictions which certain administration officials have been making, we are still faced with the problem of not being able to find out whether or not the 7-percent rate is adequate. It may very well be that the 7-percent rate is adequate. We will never know if we pass this legislation. We may, in fact, be handing out hundreds of millions of dollars where such a handout is not necessary.

If this legislation were not to be brought up under suspension, I had intended to offer several amendments designed to truly help the college student and once and for all put an end to the yearly problem of blackmail by the banking industry. There is a simple answer to the problem. The U.S. Government maintains huge interest-free deposits in our Nation's commercial banking system. These deposits reach approximately $10 billion a year. It was my plan to attach an amendment to this legislation, in the form of a substitute, that would have required commercial banks to place a certain percentage of their lendable funds in student loans. This plan would not cost the Government a penny and since the banks do not want to give up their free deposits, they would rapidly begin to make the student and small business loans.

But because I will be prohibited from offering amendments, my only course is to ask that the bill be defeated.

Mr. Speaker, I want to make it clear that my remarks do not reflect upon the members of the Education and Labor Committee. Under the guidance of Chairman PERKINS and the Special Education Subcommittee chairlady, the gentlewoman from Oregon (Mrs. GREEN), the committee has strived to bring some order to the problem of student loans. Unfortunately, the committee has not had all the tools available with which to tackle the problem. Given these handicaps, the committee has done an outstanding job. I would only ask that the committee now take time, when there is no emergency, to work this problem out with HEW so that we will not be faced with the same problem next year when the banks want to increase the market adjustment rate from 3 percent to 5 or 6 percent.

AMERICAN MARIGOLD: OUR NATIONAL FLOWER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. MCDONALD) is recognized for 5 minutes.

Mr. MCDONALD of Michigan. Mr. Speaker, the great voice is stilled, but his toil in behalf of his country made such a record of achievement that he became a legend in life.

It is not my purpose today to recall the great career of Senator Everett McKinley Dirksen, a man loved and respected by all on both sides of the aisles of Congress.

I wish to take these few minutes to pay homage to his memory by calling upon Congress to grant him that wish in death which he failed to see fulfilled in life.

As we all know, Senator Dirksen sought over a period of years to have the American marigold designated our national flower.

He noted that among its virtues was an appearance representing not just beauty but a rugged humility of character. This latter aspect certainly is in the tradition of one of the virtues that made a great nation out of a bleak wilderness.

The marigold is native to the United States, first blossoming in New Mexico as a wild weed. It grew also in a number of countries south of the border before being taken to Africa and France for development.

In recent years, the marigold has undergone a remarkable transformation with the development of a hybrid bearing immense flowers of as much as 5 and 6 inches.

Dr. H. M. Cathey, head of ornamental investigations for the Department of Agriculture, advises me that in his opinion this hybrid is one of the major developments in garden flowers in a quarter of a century.

It bears such names as "Toreador," "First Lady," "Doubloon," and "Double Eagle."

Mr. Speaker, I can think of no more beautiful way to honor the memory of Senator Dirksen than by designating such a magnificent creation as the national flower of the United States.

In the hope that other Members of this House and of the Senate join in these sentiments, I am today offering a joint resolution calling for designation of the American marigold as our national flower, the text of which follows:

H.J. RES. 891

Joint resolution designating the American marigold (Tagetes erecta) as the national flower emblem of the United States

Whereas the peoples of the world have from time immemorial adopted emblems—flags, birds, flowers—for their countries, representative of their national virtues; and

Whereas the people of the United States have similarly adopted emblems—the American flag and the American eagle—to represent the virtues of this country; and

Whereas each of the fifty sovereign States of the United States, in addition to its State flag has a floral emblem which it cherishes as its own; and

Whereas the United States is the only major country in the world without a floral emblem; and

Whereas the American marigold represents the character of the United States more appropriately as an emblem than does any other flower in that it is an American native; grown in abundance in the home gardens of every State in the Union yet not the floral emblem of any State in the Union; grown easily and quickly from seed; already acknowledged as a symbol of religious faith; and a flower in its very appearance representing not just beauty but a rugged humility of character: Therefore be it

Resolved by the House of Representatives and Senate of the United States of America in Congress assembled, That the flower commonly known as the American marigold is hereby designated and adopted as the national floral emblem of the United States, and the President is requested to declare such fact by proclamation.

ONE WAY TO SAVE MONEY—JUST REPAIR AND RESTORE THE WEST FRONT OF THE CAPITOL RATHER THAN EXTENDING IT

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and include extraneous matter.)

Mr. STRATTON. Mr. Speaker, the old familiar drive to extend the west front of the Capitol—a project that would add 4½ acres of additional area to the Capitol structure, would cover up the last remaining portion of the original historic Capitol Building, largely destroy the historic architecture of the west front, and add to the Capitol Building two restaurants, two movie theaters, additional committee rooms, an escalator and a couple of dozen hideaway offices for favored Members of Congress—all at a cost of no less than $45 million—is on once again.

Older Members of the House will recall that this proposal, first unveiled in 1966, was vigorously opposed by myself and others at the time. A national Sunday supplement magazine attacked the idea and a National Committee To Preserve the U.S. Capitol was formed in opposition. As a result the plan was shelved and the House leadership assured us it would not be revived until after the Vietnam war had ended and the resulting budgetary situation has eased.

Nevertheless, something has suddenly changed. The Commission for the Extension of the Capitol has now recommended the expenditure of $2 million in the current budget to finance full working plans for the construction of this extension project. The Speaker himself urged the Appropriations Committee to reopen its legislative hearings and to

take action on this proposal, in spite of the fact that the Vietnam war is still on, the budgetary and inflationary situations are even more critical now than they were in 1966, and the President had just ordered a 75-percent cutback in Federal construction projects. The Subcommittee on Legislative Appropriations held a new hearing on this request on Monday and I testified in opposition to the proposal, just as I opposed it in 1966.

Nevertheless, the subcommittee voted unanimously to appropriate the additional $2 million, and the legislative bill incorporating this item is expected to come to the floor of this House for action next week.

At that time I intend to offer an amendment to the committee bill to delete the $2 million for detailed studies of the proposed expansion plan and substitute for it $100,000 to pay for a study of what needs to be done to repair the Capitol, keep it from crumbling, and restore it as much as possible to its original condition, together with an estimate of the cost of this kind of job.

Incredible as it may seem, the Congress has never had any careful, competent study made of what would be necessary to repair the Capitol and how much it would cost. All we have available to us is a study that would expand the Capitol in a very massive way, in the way I have already referred to, and we are being told that this is the only possible way to keep the Capitol from crumbling around our heads. Now, obviously we do not need an escalator to keep the building from crumbling, and we do not need two extra restaurants to do that job. So there must be a simpler and cheaper way of saving the west front than the elaborate expansion project recommended by the Capitol Architect and the Commission for the Extension of the Capitol. I say we ought to spend the money to find out just how that simple repair job can best be done. If by spending $100,000 now we can save $5 or $10 million in ultimate construction costs, it will be well worth it.

Oh, we will be told that we must approve the expansion project because of the dangerous cracks developing in the west wall and the danger that the Capitol might collapse. Yet the interesting thing is that even if the House approves the $2 million appropriation recommended by the subcommittee it will be another year or more before a single brick is moved or a single step is taken to keep anything from crumbling, because the $2 million is just for plans, and plans do not represent construction work. Therefore, if we have a year or so available to us to draw up plans, we certainly have 6 or 8 months to consider the alternate possibility of saving the Capitol by some more reasonable and less extravagant means.

Not everybody may be interested in the niceties of architectural beauty, I realize, but I am sure everyone is well aware of the desirability of avoiding all unnecessary spending at a time of serious governmental inflation. I believe we can save the west front more cheaply than the elaborate expansion scheme would do. And the American Institute of Architects, which includes about 80 percent of the members of the architectural profession, also believes the same thing. Does not it make sense for us to take a look at this proposal before we take the first step down the road to what could very well result in the expenditure of $60 to $70 million of taxpayers money at a time when we can ill afford to spend such sums?

They do not start a new weapons system over in the Pentagon without considering several "options," and trying to select the one that is most effective at the least cost. Should we in the Congress do anything less in connection with structural repairs on our own Capitol?

I do hope that Members of this House will study this issue and support my amendment when the time comes. To provide further background on this important controversy, I am including at this point in the RECORD my full testimony before the legislative Appropriations Subcommittee, including an important letter from the American Institute of Architects, and also a copy of a recent newsletter of mine on this same subject.

The items referred to follow:

STATEMENT OF CONGRESSMAN SAMUEL S. STRATTON IN OPPOSITION TO PROPOSED EXTENSION OF WEST FRONT OF THE CAPITOL BEFORE LEGISLATIVE APPROPRIATIONS SUBCOMMITTEE, SEPTEMBER 8, 1969

Mr. Chairman, I appear here this morning in opposition to what I understand is a request this Committee has received from the Commission for the Extension of the Capitol for $2 million to finance complete planning for the projected extension of the West Front as proposed by the Architect and the firm of Thompson & Lichtner, Engineers.

This request and the action of this subcommittee in scheduling this hearing come to me as something of a surprise in view of the assurances that were given to me and to the House some time ago that nothing would be done on the West Front until after the Vietnam war. But the war is still on, and our budgetary and inflationary pictures are even far more serious now than when that commitment was originally made. In fact the President of the United States has only recently curtailed Federal construction projects by 75 percent in an effort to stem inflation.

My opposition to the West Front Extension is, of course, no secret to members of this subcommittee. Let me summarize my position briefly, however. I oppose the extension for three reasons:

First, because it would cover up for all time the last remaining portion of the original historic Capitol building, and would also seriously alter the basic architecture of the original West Front in a way that the extension of the East Front never did. I believe we have an obligation to do everything possible to maintain the basic structure of this building as a national shrine, and ought not to destroy it, hide it, or alter it other than what is absolutely necessary to preserve it from deteriorating or collapsing.

Second, I do not believe we ought to add on any additional spaces within the present Capitol, however desirable those spaces might be in themselves. It may be more convenient not to have to walk over from the Rayburn Building, but I do not believe the Capitol should be expected to provide any more office spaces or restaurant spaces now that we have the Rayburn Building; and I certainly do not think the Capitol should be expected to include a visitors' center when we are already in the process of creating such a center in the old Union Station.

Third, I believe the west front extension scheme espoused by the Architect is just too costly for our needs. When it was first proposed in 1966 the estimate was $34 million. Mr. Stewart has now advised this subcommittee that the same project today will cost $45 million. On the basis of his advance estimates of the costs of the east front and the Rayburn Building, however, I would think a reasonable estimate of the final cost would run close to $70–$80 million. That is just too much to spend in the light of all our other priority needs.

The argument is being made today, however, and I assume it underlines the sudden request made to this subcommittee that fresh cracks are now developing in the west front and that unless this familiar extension project is begun without further delay the building will shortly collapse about us. Let me make it clear that I do not dispute the fact that the west front is in need of repair. Indeed I appeared before this subcommittee two years ago to urge that funds be appropriated to make some needed repairs on the building. Although my request was not approved by the subcommittee, I was pleased to see last year that the Architect finally did get around to cleaning up the West Front, removing the bird droppings, and at last repainting the sandstone.

But the nub of my own position, Mr. Chairman, and the most incredible part of the whole west front extension story, is that no one has ever seriously studied what would be the minimum amount we would need to do to repair the west front, restore it to safe condition, and just how much that job would cost.

Instead we have only one plan which calls for a vast 4½ acre extension of the west front to include two restaurants and two theaters, several other rooms and additional offices, and even an escalator. And we are being told that the only possible way in which we can prevent the west front from collapsing is to implement in full all this elaborate expansion scheme.

But this is nonsense. Obviously no one can seriously suggest it would be impossible to prevent the west front from collapsing unless we install escalators or additional resturants inside it. Of course the firm that developed the expansion plan claims that theirs is the only way the Capitol can be saved, but they have an obvious interest in their own project. We need the truth.

Over in the Pentagon they have a system known as cost-effectiveness. I am sure it is not a completely fool-proof system, but it does have an element of good business sense. Before they embark on developing a new weapon, they take a look at the weapon and then at alternative ways of dealing with the same problem, and then they compare the different alternatives both as to their relative cost and their relative effectiveness. This ends up by presenting our Pentagon planners with several "options," and from these options they can then select the best one in terms of greatest effectiveness and lowest cost.

This is what I think we ought to have over here on this side of the river too, Mr. Chairman. Before we take the first $2 million step down the long road toward an ultimate expenditure of $60 to $70 million, doesn't it make sense for us to pause for just a moment to take a careful look at all the other options? Isn't there any other way we can repair and restore the Capitol without spending as much money as this 4½ acre restaurant cum escalator expansion project would involve? Isn't there some way we can keep the Capitol from falling down around the heads of Members of Congress without destroying its basic architecture or hiding the last remaining section of a very historical structure? Isn't it possible that we can repair the Capitol at a lesser cost than what we would have to pay to transform it into a giant Howard Johnson?

The blunt fact is, Mr. Chairman, that no one has paused to look into this simple question. I think we should look into it and therefore I urge this subcommittee not to appropriate the $2 million to start down the road on a $70 million dollar project, but rather to appropriate $100,000 for an independent, competent engineering study of exactly what is the minimum we need to do to prevent the West Front from collapsing, and what is the reliable cost for such a project.

I am, of course, not an architect myself, but the American Institute of Architects says that they are convinced that this restoration job can be done more cheaply than the expansion project, and they are convinced that a reliable survey can be completed in a reasonable amount of time at a cost not to exceed $100,000. After all, we have already spent $447,835 in preliminary surveys of this expansion project and the elaborate model associated with it which is now enshrined in Statuary Hall. Surely it makes sense to spend another $100,000 if the end result will be to save us, let us say $10 or $15 million and at the same time preserve a historic building relatively intact.

Last year, the late Senator Bob Bartlett of Alaska wrote to the American Institute of Architects to ask them for certain comments on an address made by Mr. Mario Campioli, Assistant Architect of the Capitol, before a convention of the American Registered Architects. Mr. Campioli was defending the thesis that the only way to prevent the collapse of the West Front was to get the restaurant-escalator expansion project rolling. Senator Bartlett wrote the AIA to ask them to comment on Mr. Campioli's statements. As the closing part of my remarks, I would like to read and include in the RECORD the letter which the AIA had prepared for Senator Bartlett, but which, because of his untimely death, they sent instead to me.

The letter follows:

"THE AMERICAN INSTITUTE OF ARCHITECTS,

"St. Louis, Mo., February 17, 1969.

"Hon. SAMUEL S. STRATTON,
"U.S. House of Representatives,
"Washington, D.C.

"DEAR CONGRESSMAN STRATTON: This is my belated reply to the late Senator E. L. Bartlett's letter of November 25, 1968, (enclosed), in which he asked the American Institute of Architects to comment on a speech given by Mario E. Campioli, Assistant Architect of the Capitol, before the Convention of American Registered Architects. Since you have long been interested in plans for correcting the condition of the West Front of the Capitol, I am directing my reply to you.

"The American Institute of Architects believes that the West Front of the Capitol can and should be restored in its present location using existing sandstone where possible or new sandstone where necessary. Like any prudent owner, Congress should commission an impartial structural engineer to study all aspects of restoration and to recommend a program for restoration complete with cost and risk evaluations and detailing any disruption of Capitol activities. Only then will Congress be able to make an effective comparison between restoration and extension.

"The questions which Senator Bartlett asked illuminate one glaring fact: no one knows exactly what restoration will entail.

"The engineering report prepared in 1964 by Thompson and Lichtner (which was commissioned by the Architect of the Capitol) is devoted solely to the feasibility of extension—nowhere does it state that restoration is impossible. This report professionally justifies extension but does not professionally analyze the expected risk, cost and disruption factors which would be encountered in restoration.

"Without the benefit of a feasibility study we and the members of Congress can do no better than to make educated guesses about the risk, cost, and the extent of restoration needed. Yet, we are certain that restoration is possible. On this basis, then we answer Senator Bartlett's questions which were prompted by the picture of horribles painted by Mr. Campioli.

"Will restoration of the existing structure entail vacating the entire West Front 'for a period of five to ten years'?

"By using modern technological developments, the entire West Front would not have to be vacated 'for a period of five to ten years.' Only those spaces immediately adjacent to active restoration would have to be vacated.

"Is it true that there would be no limit on risk or cost, if the West Front were restored rather than extended?

"Of course, there would be a limit to cost and risk of restoration. We firmly believe restoration will prove much less costly than extension (much structural repair must be done in either event). A feasibility study would provide Congress with cost information.

"Does the structural preservation of the Capitol indicate an extension of the building to the West?

"The structural preservation of the Capitol does not necessarily indicate an extension to the West. Structural preservation can be accomplished by several means, including either restoration *or* extension. We strongly urge Congress to choose restoration.

"Senator Bartlett also asks: 'Am I mistaken in believing that nothing of the original Capitol building will remain if the West Front were extended?' The Senator was not mistaken: the West Front is the last remaining exterior portion of the original Capitol building. And for this very reason, we argue that Congress should restore the West Front.

"As you know, the West Front of the original Capitol building is substantially unchanged from its appearance in 1825. In that year, Charles Bulfinch completed the West Front of the Capitol, slightly modifying William Thornton's prize-winning design of 1793. In 1800, under the direction of James Hoban, the north wing of the original Capitol—Congress House—was completed and the legislators moved in. In 1807, the south wing was finished under the charge of Benjamin Latrobe. Bulfinch then completed Thornton's conception of the Capitol by construction of the central portion, including its West Front. For reasons of economy, President George Washington chose sandstone as the building material.

"In 1851, Thomas Walter began to add the present House and Senate chamber to the north and south wings. At this time, too he designed the present steel dome to replace Bulfinch's low brass dome which was dwarfed by the new wings.

"No further changes were made in the Capitol until the late 1950's when the Associate Architects, commissioned by the Architect of the Capitol, J. George Stewart, extended the original East Front 32½ feet in order to eliminate the impression that the huge dome overhung the original central portico. In so doing, Mr. Stewart also replaced the sandstone of the East Front with marble. Thus, even though the original East Front was preserved as an interior wall, it has disappeared from view.

"Now the Architect of the Capitol and Speaker McCormack want to extend the West Front in the same manner: replacing sandstone with marble and preserving the West Front as an interior wall. If this is done, all vestiges of the original Capitol will be buried beneath marble.

"Since 1800, parts of the West Front have witnessed the unfolding of the story of the United States as a Nation. Surely, now when Americans are beginning to appreciate the heritage of their past, we can afford to restore the West Front in its original place for historical reasons.

"Thus, we urge restoration in order to bequeath to the future a reliable representation of an original portion of the Capitol in the place where it was built. Restoring the wall in its present position is important to preserve a position in time without change: a position in time which will be credible to generations of Americans now and in the future. Certainly in our hierarchy of buildings there is none more important to our Nation than the Capitol. If a small portion of it is not worth restoring, what is?

"Finally, Senator Bartlett inquired about The Institute's consistency in supporting restoration of the West Front. Once again he points to the AIA MEMO (see enclosed article) of January, 1958, which stated in part: 'It is believed that the space requirements could be better filled—and at far less cost—by leaving the East Front alone and instead developing a proposed scheme for expansion of the West side of the building.' The above quotation was contained in an article reporting the activities of the Committee on the Preservation of the Capitol which was not an AIA committee, but composed of a group of architects (some AIA members), architectural historians, as well as other prominent citizens outside the profession, to rally support against the proposed extension of the East Front of the Capitol. This quotation is entirely out of context and misrepresents The Institute's long-standing position in favor of restoration. The American Institute of Architects has never officially or unofficially espoused any proposal for extending the West Front of the Capitol. While opposing destruction of the historic East Front, and reporting activities of that nature, The Institute has been cast by proponents of a West Front extension, in the position of recommending extension of the West Front.

"In 1958, we urged restoration of the East Front for historical reasons. Now, extension of the East Front makes stronger our historical argument in favor of preserving the West Front as the last remaining exterior portion of the original Capitol. Only Congress can and should make the decision to restore the West Front. In so doing, Congress should not let its current and future space needs (which can and should be accommodated elsewhere) dictate; rather it should consider what our Capitol means to Americans now and will mean to future generations of Americans.

"I feel that the controversy over restoration or extension of the West Front of the Capitol poignantly emphasizes the need for a professional commission to plan the comprehensive development of Capitol Hill. I hope that legislation such as S.J. Res. 74, which passed the Senate last year, will be reintroduced this session and enacted into law. Only then will there be an orderly resolution of controversies such as this.

"I appreciate the opportunity to express once again The Institute's position on this most important matter.

"Sincerely yours,

"GEORGE F. KASSABAUM,
"President."

SAVE THE NATIONAL CAPITOL

(Congressman STRATTON's weekly report from Washington)

The drive is on again to destroy the historic West Front of the U.S. Capitol—something even the British couldn't do in 1814—and replace it with a new structure embodying two super Howard Johnsons and a movie theater. I intend to do all I can to stop it, and I need your help.

The plan is an old one, first unveiled 3½ years ago with a price tag of $34 million. But public indignation, including an article in a national Sunday supplement and formation of a Committee of One Million to Preserve

the United States Capitol, finally shelved the scheme. House leaders assured us nothing would be done to provide funds for this monstrosity until after the Viet Nam war. A week before Congress left on its August recess a ranking Appropriations Committee member told me no move would be made this year on the West Front extension.

But something happened last week, and the Appropriations Committee opens hearings Monday on a plan to spend $2 million to get the scheme rolling again even though the war is still on and President Nixon just ordered a massive cutback in Federal construction. What happened, I hear, is that Speaker McCormack sent a letter to the committee urging them to get going on the West Front. So despite all the assurances, the hearings are on and I am scheduled to testify strongly in opposition.

I'm against the plan for two reasons. First is the cost. To cover up the last remaining portion of the original historic Capitol and add on two big restaurants, a movie theater, and a couple dozen hideaway offices for favored Congressmen was estimated at $34 million back in 1966. The Capitol architect (who isn't really an architect) now says the cost has jumped to $45 million. Knowing his track record on cost estimates I'd guess the final tab would be a lot closer to $70 or $80 million. We just can't afford that kind of extravagance today.

An argument is made that such an expenditure is urgent because otherwise the Capitol dome might come crashing down around our heads any day. The American Institute of Architects tells us this just ain't so. To be sure, there has been some deterioration in the Capitol's external walls, as happens in any 169-year-old building. I'm much in favor of doing whatever needs to be done to fix those crumbling portions. *But the incredible part of the West Front extension story is that in all these years no one has ever spent a dime to find out how much it would cost to just repair it instead of expanding it.*

Let's repair it, yes! But let's not destroy it, hide it, extend it, or transform it. That, basically, is what the argument is all about.

ATLANTIC-PACIFIC INTEROCEANIC CANAL STUDY COMMISSION—FIFTH ANNUAL REPORT COMMENTARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 30 minutes.

Mr. FLOOD. Mr. Speaker, on August 6, 1969, the President transmitted to the Congress the fifth annual report of the Atlantic-Pacific Interoceanic Canal Study Commission covering the period July 1, 1968, to June 30, 1969, stating that this body will render its final report not later than December 1, 1970.

On previous occasions after transmission to the Congress of the first four annual reports by this study group, I commented at length on each of them in statements in the CONGRESSIONAL RECORD as follows: August 25, 1965, page 21855; September 27, 1966, page 24061; August 15, 1967, page 22730; and October 11, 1968, page H9934, temporary. In line with past practices, I shall do so again on the fifth annual report.

The current sea-level canal inquiry is being conducted pursuant to Public Law 88–609, 88th Congress, approved September 22, 1964, as amended, which law provides for a full and complete investigation to determine the feasibility of and the best site for the construction of an interoceanic canal of so-called sea level design. The 1964 statute does not authorize the study of any other design.

It will be noted from the report that the indicated inquiry is not of an independent character but one rooted in the executive branch of our Government. Its activities have been directed toward advancing the age-old dream of a canal at sea level. The so-called Study Commission is not an independent body, appointed by the President by and with the advice and consent of the Senate, but merely a part-time consulting board hired by the executive branch of our Government. Moreover, its chairman is the Honorable Robert B. Anderson, who was also the chief negotiator for the discredited 1967 proposed giveaway treaties with Panama.

While the report presents a picture of the supposedly comprehensive nature of the canal studies, it certainly is not a disinterested study, but one directed toward justifying the predetermined objective of a canal at sea level under a statute prepared and enacted under the direction of sea level advocates and which precluded the study of any other type of canal other than the so-called sea level design.

As I have stated on other occasions, much of the work of the Study Commission has been a waste of the taxpayers' money in knocking over "straw" proposals such as the Atro-Truando route in Colombia, which were included in the investigations as potential sea level projects. The report also serves to confuse the real issues in the problem of increased transit capacity by emphasizing detailed studies of various proposals other than the solution that applies—the completion of the improved third locks project, on which more than $75 million has been expended. Nor does it even specifically mention this project for the major increase of capacity and operational improvement other than as a vague allusion.

One of the major developments during the past year was the publication in the January 1969 issue of Bio Science, with the support of the National Science Foundation, of an article by Dr. John C. Briggs, respected professor and chairman of the department of zoology of the University of South Florida, of an article on "The Sea Level Panama Canal: Potential Biological Catastrophe." In this article, Dr. Briggs concludes that because of invasions through a sea level waterway by 6,000 marine species from the Atlantic into the Eastern Pacific, and 4,000 species from the Pacific into the Western Atlantic, there would be large-scale extinction of marine life, involving international complications with nations depending upon the sea as a source of food, such as fish and other sea animates.

In the April issue of Bio Science, is an exchange of letters between the executive director of the sea level canal study group, Col. John P. Sheffey, and the author of the article. The director took exception to the conclusions of the article and Dr. Briggs ably refuted the counterarguments of Colonel Sheffey, concluding with a call for biologists of the Nation to support a canal plan that would retain a fresh water barrier between the Atlantic and Pacific Oceans. Legislation for such plan in the form of bills for the Panama Canal Modernization Act, introduced and now pending in both Houses of the Congress, have gained strong support among independent engineers, geologists, nuclear experts, navigators, biologists, and others.

A reading of the fifth annual report will disclose that it is significant not so much for what it says, but for what it fails to state. In order to facilitate its examination, I have prepared a commentary on some of its highlights, which will be quoted later. The page numbers used in the commentary are those of the study commission's print and my comments aim at both clarification and amplification.

The whole effort of the current study group from first to last has been directed at determining all the questions involved in the canal situation by administrative processes and not by those of congressional character. The goals toward which the group strives, if achieved, would not only drive the United States from the isthmus but would lead to a Communist takeover of Panama, sparking like takeovers in other Latin American countries.

The report makes no reference to the critical posture of the world at large, with war clouds all around the horizon. It absolutely ignores the crucial conditions now obtaining at home and abroad and appears ready not only to acquiesce in giving away what we now own but also any new canal that we may construct, both in violation of the U.S. Constitution—article IV, section 3, clause 2. Nothing could be better calculated to destroy the influence of the United States in the Western Hemisphere than the adoption of the plans that the current study group is striving to have the President and the Congress approve.

In these connections, the recent announcement of the pending nomination of Robert M. Sayre as U.S. Ambassador to Panama is most significant, for he was an active participant with Walter W. Rostow in the formulation of the three proposed new canal treaties that would surrender the jugular vein of the Americas.

Mr. Speaker, I would urge all Members of the Congress to read the entire fifth annual report, which has been distributed; also my evaluations of previous reports. My Comments on some of the highlights of the current report follow:

COMMENTARY

Page 1, par. 4, first sentence:

"The report on the technical feasibility and cost of both sea-level and lock canals on Route 8, generally along the border between Nicaragua and Costa Rica, has been completed in draft."

Comment. From this statement it would appear that there is a sensible choice at Nicaragua as to the type of canal that should be constructed there. Is this a fact or an assumption? Every competent study of the Nicaragua Canal has utilized the fresh water Lake Nicaragua about 105 feet above mean sea level as part of the project, which requires locks near each end; and which, therefore, is not a sea level project but a lake-lock type.

In this connection, attention is invited to Ho. Doc No. 139, 72d Congress, which con-

tains the report of the 1929–31 survey by Lt. Col. Dan I. Sultan. That report concluded that a lock and lake type canal at Nicaragua is feasible. It did not recommend construction of any sea level type there.

Page 3, lines 1–3:

". . . the cost of a lock canal through Lake Nicaragua would be more than the cost of a sea-level canal on Route 10 or Route 14. (Canal Zone or Chorrera)."

Comment. Regardless of the truth or falsity of this statement, cost is only one of the factors involved. It would be more appropriate if a competent comparison were made between the lake-lock type canal at Nicaragua and the so-called sea-level design at that site from the operating as well as engineering viewpoints.

Page 3, par. 2, first sentence:

"The investigation thus far on Route 10, some five miles outside the westerly border of the Canal Zone, indicates that conventional construction of a sea-level canal along this route is technically feasible."

Comment. The plan currently contemplated for such project would consist of three sections in Panamanian territory each about 15 miles in length, the center section having two separate channels, with the sections divided by two tidal locks. Experienced navigators oppose this plan for reasons of operations. Moreover, it would require a new treaty with Panama with a huge indemnity that would have to be added to the costs of acquiring the right of way and of construction. Moreover, there would be no protecting frame as now obtains with reference to the present canal; and without such frame such proposal, if adopted, would be a failure in maintenance, operation, sanitation and protection.

Page 3, par. 2, last sentence:

"The major advantage of Route 10 is that construction on it would not interfere with the continued operation of the present Panama Canal."

Comment. It would appear from this statement that the objective of the current study group is to have two canals close together, one in the Canal Zone (present canal) and the other in Panama. Such duplication of facilities would be impossible to justify.

Page 3, par. 3, lines 5–6:

"A sea-level canal near the present canal would involve the minimum costs for new supporting installations. . . ."

Comment. With the exception of its two ends, such canal in the Canal Zone Territory would be a new canal. Its adoption would involve the negotiation of a new treaty with Panama to determine the specific conditions for its construction, slide dangers, and "heavy maintenance problems (perhaps insuperable)" that would develop because of "higher banks through a longer distance". (See E. S. Randolph, "An Engineer's Evaluation of Isthmian Canal Policy", U.S. Naval Institute Proceedings, April, 1956, pp. 395–99.)

Page 3, par. 3, lines 7–8:

". . . but construction on Route 14 (Canal Zone) could create problems in maintaining the high-level lock canal in operation during the construction period."

Comment. This assertion minimizes the dangers involved. The 1960 report of the Board of Consultants, Isthmian Canal Studies, makes the following significant statements:

"16. We are doubtful if any reasonable plan to construct a sea level canal in the Canal Zone could be carried through without serious danger of a long interruption to traffic at the time of cutover from the present lock canal.

"* * * We are extremely doubtful of the stability of the slopes (proposed in the 1947 report), during the very short period of unwatering the present lakes. In our opinion, slides of the first magnitude could easily result from the use of such slopes, in the short period of unwatering." (Ho. Rept. No. 1960, 86th Congress, 2d Session, p. 5).

Page 5, par. 2, second sentence:

"Both the Stevens Institute of Technology and the Naval Ship Research and Development Center are conducting studies and model tests for the Commission to determine the relationships of ship characteristics, channel design, and currents."

Comment. Extensive tests in this field were made during 1946–48 at the Taylor Model Basin, Carderock, Md. The use of Panama Canal pilots in conducting them provided a higher degree of practicality than usually obtains in theoretical tests. (See *Transactions* of the American Society of Civil Engineers, Vol. 114 (1949), pp. 685–733, for a summary of the results.)

Page 5, par. 2, third sentence:

"While it obviously would be desirable to reduce or eliminate tidal currents, conclusions as to the necessity for tidal controls in a sea-level canal have not as yet been reached."

Comment. Regardless of whether the present canal study group has reached its conclusions on this point, all competently prepared plans for a sea level type of canal in the Canal Zone have provided for such controls in the form of tidal locks or navigation passes. In this connection, it should be noted that the Suez Canal has a record of accidents in which vessels ground at both ends, with the bow on one bank and the stern on the other.

The proposed Panama Sea Level Project (Route 10 or 14) would not provide a fresh water barrier, regardless of the number of locks required.

Page 5, last par., first sentence:

"The opening of an unobstructed channel between the oceans would allow a far greater exchange of marine life between the oceans than take place through the Panama Canal."

Comment. This may be true. Recent studies predict that in such a waterway 6,000 Atlantic species would invade the Eastern Pacific and 4,000 Pacific species would invade the Western Atlantic, with large scale extinction and international consequences. In fact, Dr. John C. Briggs, Professor and Chairman of the Department of Zoology of the University of South Florida, on August 11, 1969, wrote me that "the sea-level canal project poses one of the most important, if not *the* most important, conservation problem of our time." (Italic by author).

Page 5, last par., third sentence:

"The Commission has now requested the National Academy of Sciences to propose a program of long-term ecological studies to be conducted if the decision is made to construct a sea-level isthmian canal."

Comment. A recent article of basic importance on this subject by Dr. John C. Briggs, with the support of the National Science Foundation, supplies much information on the ecological subject. In a subsequent discussion, Dr. Briggs ably refutes the counter argument of the Executive Director of the Sea Level Canal Study Commission. (See John C. Briggs, "The Sea-Level Panama Canal: Potential Biological Catastrophe", *Bio Science,* January, 1969, pp. 44–47; and Sheffey-Briggs exchange of letters, *Bio Science,* April, 1969, pp 300–301.)

Page 7, par. 2, second sentence:

"Should the past twenty years' growth rate of all traffic continue unabated, the demand for transits would be approaching the capacity of the present Panama Canal around 1985."

Comment. For many years, Panama Canal authorities estimated that increased capacity would be needed by 1970, and, to meet this need, had planned to construct a third set of locks. Such project was authorized without adequate inquiry in 1939 at an estimated cost of $277,000,000. Construction was started in 1940 and pushed vigorously until suspended in May, 1942. Total expenditures on this project were $76,357,405, with substantial completion of lock site excavations at Gatun on the Atlantic side and Miraflores on the Pacific. No excavation was accomplished at Pedro Miguel.

In addition, the current program for the enlargement of Gaillard Cut is due for completion in 1970 at an estimated cost of $81,257,097. These two projects together represent a total expenditure of more than $157 million for the major modernization of the existing Panama Canal.

Such modernization should meet traffic needs "for the next 75 years or more" and legislation for it has been introduced in both House and Senate, and is now pending. This legislation would provide for a set of larger locks for larger ships, but not for ships designed to escape tolls and which are already plying around Cape Horn and Cape of Good Hope, the latter the alternative to the closed Suez Canal.

Page 7, par. 2, last sentence:

"Another factor to be considered is the constraint of the ship size limitation of the present Panama Canal on the movement of raw materials in bulk carriers."

Comment. This statement ignores important facts. The huge bulk carriers now being constructed are so designed to avoid passage through any type of canal for the reason that it is more economical to route them around Cape Horn or the Cape of Good Hope than to pay transit tolls.

Page 7, last par., third sentence:

"A canal large enough to transit all U.S. Navy aircraft carriers would add speed and flexibility to deployment of naval forces."

Comment. This statement also ignores important facts. Our Naval planners long ago eliminated transit of the Panama Canal as a military characteristic in the design of our largest war vessels for the reason that any type of canal is vulnerable to destruction by nuclear attack. Moreover, we have a two ocean Navy.

Page 7, last par., last sentence:

"A sea-level canal's lesser vulnerability to all forms of attack, short of complete closure by nuclear weapons, has been found to give it marked defense advantage in comparison with a high-level lock canal."

Comment. Because the principal arguments for a so-called sea-level canal historically have been those of relative vulnerability, I wish to elaborate. In 1905–06, the main contention of sea-level advocates was the "threat of naval gunfire"; in 1939, it was the fear of possible "enemy bombing attack"; in 1945–47, it was hysteria over the "atomic bomb and other new weapon dangers"; in 1964, it was "sabotage" with "two sticks of dynamite"; and in 1969, it is defense against "surprise attack", as well as "sabotage". No doubt we can expect new bugbears as new weapon systems are developed.

As I have stated on many occasions, the true criteria for deciding upon the question of type is not one of "inherent resistance" to attack as may be embodied in design, but what is best for operations and navigation. Where our statesmen have based their decisions on what is best for these two factors, they have been right and their work has stood the test of time. Where they have not, they have erred, at times with tragic consequences, for example, the 1939 Third Locks Project.

Moreover, the simple facts are that any canal is vulnerable to nuclear attack unless fully protected therefrom. We have gone through four great wars without injury to the Canal. In the future as in the past, we must protect the canal by active measures and not by passive design features. Therefore, the argument as to vulnerability of the present canal is specious and insincere.

Page 9, par. 2:

"In November 1968, the Government of Panama created its own Canal Study Commission, giving it the mission of studying the problems related to a canal through Panamanian territory. Its functions include that of evaluating the data made available from the U.S. Commission's site surveys in Panama."

Comment. In view of the limited resources of the Republic of Panama, its long record of revolutionary violence and political instability, and failure in such simple matters as sanitation, it is hardly realistic to expect anything productive to eventuate from such study in relation to a project of the magnitude of an interoceanic canal. Moreover, under provisions of the 1903 Treaty, the United States exercises all the rights, power and authority over the U.S. owned Canal Zone territory and Panama Canal to the entire exclusion of the exercise by Panama of any such rights, power and authority.

Page 9, last par.:

As a result of the changes of government in Panama since June 1967, action has been suspended on the proposed new treaties with Panama completed in draft at that time. The treaty terms for the construction, operation, and defense of a new sea-level canal will be of major importance in the determination of the feasibility of its construction by the United States. Therefore, for each of the routes under consideration, the Commission will take cognizance of possible treaty terms in formulating its final recommendations.

Comment. The texts of the three proposed canal treaties were published in statements to the Senate by Senator Thurmond in the *Congressional Records* of July 17, 21 and 27, 1967. In both Panama and the United States, they aroused strong opposition, with some 150 members of the House introducing resolutions in opposition.

Chairman Robert B. Anderson of the Canal Study was also chairman of U.S. negotiating team. It is noted that the Fifth Annual Report does not make any recommendations adverse to the three proposed treaties, which provide for the eventual surrender to Panama without compensation not only of the existing canal but also of any new canal that the United States may construct at the expense of our taxpayers.

As evidence of Panamanian instability attention is invited to my statement in the *Congressional Record* of August 7, 1969, entitled "Panama: Land of Endemic Revolution Requires Objective Evaluation."

Page 1–1, top par.:

Public law 88–609, 88th Congress, S. 2701, September 22, 1964, 78 Stat. 990, as amended by: Public Law 89–453, 89th Congress, S. 2469, June 17, 1966, 80 Stat. 203; Public Law 90–244, 90th Congress, S. 1566, January 2, 1968, 81 Stat. 781; and, Public Law 90–359, 90th Congress, H.R. 15190, June 22, 1968, 82 Stat. 249.

Comment. This attempt at legislative history is far from adequate. As to Public Law 88–609, in the Senate, it was passed by voice vote without debate; in the House, I appeared before the Committee on Merchant Marine and Fisheries and strongly opposed it. Despite my efforts, the House hearings were never printed and it was called upon to enact this important statute without the benefit of published hearings.

For additional information, attention is invited to two of my addresses in the House on April 1 and July 29, 1965, on "Interoceanic Canal Problem: Inquiry or Cover Up?", which will be found on pages 428–52 and 454–16 of my volume on *Isthmian Canal Policy Questions* published as H. Doc. No. 474, 89th Congress.

Page 2–1, numbered par. 3:

"The period of July 1, 1970 to December 1, 1970 will be used to coordinate the draft of the final report with other Federal agencies *prior to its being printed for presentation to the President not later than December 1, 1970.*" (Emphasis supplied.)

Comment. This statement suggests the intention of securing the publication of the report of the current sea level canal study before it is transmitted to the Congress. Under the law, the final report is required to be submitted to the President for transmittal to the Congress not later than December 1, 1970. Publication by the Government Printing Office requires the authorization of the Congress.

In the case of the 1947 report, its basic fallacies were so glaring that the Congress never authorized its printing. So far there are no indications that the report of the current study will be any more palatable to informed members of the Congress than the 1947 report. In fact, informed officials in our government do not expect anything of common sense to result.

Page 7–2, numbered par. 1, third sentence:

"Modernization of the present Panama Canal, including new locks, is also being examined to obtain a comparison between sea-level canal alternatives and an improved lock canal."

Comment. Public Law 88–609, approved September 22, 1964, provides for an investigation and study to determine the feasibility of, and most suitable site for a sea-level canal. The inclusion by the current canal panel of a study for the major modernization of the present Panama Canal is usurption of authority, probably subject to court action.

Page 7–2, numbered par. 3:

"3. The following alternatives are being considered in the engineering study:

"a. Constructing a sea-level canal by conventional excavation methods.

"b. Constructing a sea-level canal by a combination of nuclear and conventional excavation methods.

"c. Modernizing the present Panama Canal to increase the transit capacity for anticipated future intercoastal and interoceanic ship traffic."

Comment. As regards subparagraph b, attention is invited to the book, *The Constructive Uses of Nuclear Explosives,* by Teller, Talley, Higgins and Johnson, published by McGraw-Hill in 1968. This volume makes available essential information for independent engineers and geologists in evaluating or refuting the claims of sea level advocates.

In respect to subparagraph c, this is not clearly stated. Does it mean simply the repair and improvement of the existing canal structures, or does it contemplate the elimination of the Pedro Miguel Locks with the consolidation of all Pacific Locks south of Miraflores?

Legislation introduced in the present Congress, House and Senate, deals with the problem of Panama Canal Modernization in a realistic manner. Any proposal that fails to eliminate the locks at Pedro Miguel is fatally inadequate.

For additional information as regards the needed modernization, attention is invited to my statement in the Congressional Record of February 19, 1969, on "Panama Canal Modernization: Time for Action Has Come", which includes the text of the proposed modernization legislation. The report fails to make any reference thereto and by ignoring such proposed legislation, its authors evidently hope to avoid proper consideration by the Congress of the grave questions involved.

HURRICANE CAMILLE RESTORATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia (Mr. STAGGERS) is recognized for 15 minutes.

Mr. STAGGERS. Mr. Speaker, it has been most gratifying to note the speed with which the Federal Government, as well as State and private agencies, has moved into the areas overwhelmed by the wind and flood connected with Hurricane Camille. After devastating the gulf areas of our Southern States, the hurricane seemed to lose much of its force as it moved northward. Unexpectedly during the night it turned sharply eastward and passed over West Virginia and Virginia on its way to the Atlantic Coast, leaving a recordbreaking flood of rain in its wake. The damage to property as well as to human life in its path can hardly be believed.

In my own Second District of West Virginia, the southern tier of counties caught the brunt of the storm. Without warning torrents of water rushed down the valleys, carrying away people asleep in their homes. The picture of destruction has been pretty well publicized.

It is with a thankful heart that I report the prompt action of the Federal departments in bringing help. HUD immediately arranged to bring in a number of temporary shelters to provide housing not otherwise available. A large sum from the President's disaster relief fund was provided. Other agencies of a semi-public or private nature rushed men and materials to the scene. Mr. Speaker, I wish publicly to thank all these agencies and organizations for their efforts to bring relief to a stricken portion of the Nation. While it is the normal reaction of Americans to desperate need, one cannot fail to be impressed by the speed with which it was brought to bear on the situation.

It might be noted that Federal contributions to relief in disaster situations have been made possible through the foresight of Congress in setting up relief organizations and funds. Both the Congress and the administration should share in the credit for what has been done.

So far as I know, all areas affected by the storm were given similar treatment. It is a magnificent tribute to the benevolence and good will of this great Nation.

Notwithstanding the generosity already shown, the need is still very great. Whole towns and villages have been swept away. The number of missing persons is still great. Survivors have lost everything they possessed. With these thoughts in mind, I have introduced H.R. 13612, which would appropriate a special fund for the help of victims of Hurricane Camille. It is my understanding that several of my colleagues have proposed similar measures. I trust that the Congress will respond favorably to this appeal.

CLEAN WATER RESTORATION ACT

(Mr. DINGELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DINGELL. Mr. Speaker, I wish to place in the RECORD at this point additional correspondence from Governors and State agencies regarding the necessity of fully funding the Clean Water Restoration Act. This correspondence was generated by a letter I sent to State Governors June 6, 1969. I inserted replies from some 30 Governors in the RECORD on July 10, 1969, on pages 19102 to 19121, and additional letters on July 28, 1969, on pages 20924 to 20926.

The correspondence today reveals that the New England Governors' Conference urges full appropriation of $1

billion for fiscal 1970 authorized in the Clean Water Restoration Act; the Governors of Florida and Georgia regard the situation in their States as crucial; the Governor of Indiana says construction in his State barely keeps up with the population increase; the Governor of Idaho foresees a slowdown, and so on. The correspondence demonstrates a truly national need, and a growing national recognition of the need.

I also include a recent press release, which I hope all will find informative:

NOTICE

DEPARTMENT OF NATURAL RESOURCES,
Lansing, Mich., August 18, 1969.

The Natural Resources Commission of the State of Michigan unanimously approved the enclosed resolution pertaining to the Federal sewage treatment works grant program authorized by the Clean Water Restoration Act of 1966, at the August 15, 1969, meeting held at the Holiday Inn, Marquette, Michigan.

The Chairman of the Commission has instructed me to bring this matter to your attention for your kind consideration.

Sincerely,

SAMUEL A. MILSTEIN,
Executive Assistant.

RESOLUTION ON SEWAGE TREATMENT WORKS GRANT PROGRAM

(Adopted by the Natural Resources Commismission, August 15, 1969, Marquette, Mich.)

Whereas the $335 million Clean Water Bonding Program approved by the voters of Michigan in November of 1968 was directly based on the level of funds authorized for the Federal sewage treatment works grant program by the Clean Water Restoration Act of 1966; and

Whereas appropriations for the Federal grant program have fallen far short of the level originally authorized resulting in delays in the construction of needed sewage treatment works and a reduction of the ultimate impact of the Michigan Clean Water Bonding Program; and

Whereas adequate financing is essential for an effective pollution control program: Now, therefore, be it

Resolved, That the Michigan Natural Resources Commission hereby respectfully urges the Michigan Congressional delegation and other organizations to support full funding of the sewage treatment works grant program in fiscal year 1970 to the level originally authorized by the Clean Water Restoration Act.

AUGUST SCHOLLE,
Chairman.
CARL T. JOHNSON,
Member.
E. M. LAITALA,
Member.
ROBERT C. MCLAUGHLIN,
Member.
HARRY H. WHITELEY,
Member.

It was moved by Mr. Johnson, supported by Mr. Whiteley, that the above resolution be approved. The question being stated by the Chair, the motion prevailed.

IOWA STATE DEPARTMENT OF HEALTH,
Des Moines, Iowa, August 12, 1969.

The Honorable JOHN D. DINGELL,
Congress of the United States, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN DINGELL: Governor Ray has asked that I reply to your letter of June 6, 1969 regarding the effect of funding of the construction grant program on the water pollution control program in the State of Iowa.

During the early years of the grants program subsequent to 1956 the State of Iowa was receiving only approximately $700,000 annually as compared with the $3,200,000 allocation now received under the $214 million national appropriation. Priorities for grant funds were given to communities with the greatest water pollution control need but approximately one third of the communities proceeded without Federal assistance during the early years of the program. Likewise, many communities received much less than 30% grant due to early limitations on maximum grants.

Construction grant funds under the $214 million appropriation have been ample to fund all Iowa projects on a 30% basis. The State of Iowa has approached 100% treatment of the municipal sewered population for a number of years and a major share of the federal funds are utilized in expansion of treatment plants in the larger cities. The state has averaged construction of 30 to 50 treatment plant projects annually and Federal funding has been ample during recent years to support our water pollution control program, although for the current year priorities have again become necessary.

Legislation to establish a program of 25% state aid to municipalities for sewage treatment plant construction failed to pass during the last Iowa legislative session. In the event this state aid program should be adopted, there would be a need for increased federal assistance to fund the 50% federal share for which the state would be eligible.

I hope this information will be helpful to you and we will be glad to furnish additional information.

Very truly yours,

R. J. SCHLIEKELMAN,
Director, Water Pollution Division.

STATE OF IDAHO,
Boise, Idaho, August 13, 1969.

Hon. JOHN D. DINGELL,
Member of Congress, Rayburn House Office Building, Washington, D.C.

DEAR REPRESENTATIVE DINGELL: I share your interest and concern over the fact that construction grant appropriations under the Federal Clean Water Restoration Act have been grossly short of the authorizations contained in the Act.

Although the grant level of such appropriations has not been a major handicap in the construction program in the State of Idaho up to the present time, we do anticipate that failure to appropriate at a significantly higher level in the next few years will certainly slow down our clean-up program. We are also aware that the present funding level has severely handicapped the clean-up programs of some of our neighboring states.

Sincerely,

DON SAMUELSON,
Governor.

STATE OF INDIANA,
Indianapolis, Ind., August 19, 1969.

Hon. JOHN D. DINGELL,
Member of Congress, House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR CONGRESSMAN DINGELL: Reference is made to your letter of June 6, 1969, relative to the effect of past federal funding on Indiana's water pollution abatement program. The lack of adequate federal grant funds has been the major deterrent to our program. This has become acute in the past few years.

Each year since the grant program was initiated in 1956 we have received applications for more funds than were available. In the earlier days of the program the requests usually amounted to from two to three times the amount of money available. Following the enactment of the 1966 amendments which increase the authorization and provided for an increase in the federal grant from 30% to 50% if the state gave a 25% grant, the 1967 Indiana Legislature appropriated $8.6 million for state grants for the 1967–69 biennium. This appropriation was sufficient to match Indiana's federal allotment from a $300 million appropriation for 1967–68 and $400 million for 1968–69.

In 1967–68 we received 57 applications for $17.2 million in federal funds, on a 50% basis. However, only $4.9 million were allotted to Indiana. In 1968–69 we received 93 applications for $31.5 million federal funds. Only $5.2 million were received. As a result a considerable portion of the $8.6 million state funds which were available reverted to the state general fund.

The 1969 Indiana Legislature appropriated $3.0 million for 1969–70 which is sufficient to match our allotment from a $250 million federal appropriation. It appropriated $3.5 for 1960–71. The experiences of the previous biennium were a major factor in determining the amount of state funds appropriated for the current biennium.

The 1969–70 applications for federal and state funds are now on file. There are 135 applications for $44.3 million in federal funds. Priorities have been established by the Stream Pollution Control Board. A copy of the priority list is attached hereto. Since Indiana receives only $5 million from a $214 million appropriation a glance at the table will show we can satisfy only the first four applications.

It is obvious the lack of federal grant funds has slowed our program. In fact, our rate of construction for the past two years, and our apparent rate for this year, is barely keeping pace with population expansion.

The Indiana Constitution does not permit bonding of the state. Consequently we cannot raise the money to pre-finance the federal grant as New York and a few other states have done.

Sincerely,

EDGAR D. WHITCOMB,
Governor of Indiana.

EXECUTIVE DEPARTMENT,
Atlanta, Ga., August 12, 1969.

The Honorable JOHN D. DINGELL,
Member of Congress,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: Your letter dated July 21, 1969, in reference to my views on the impact of present funding for the construction grant program under the Clean Water Restoration Act, was greatly appreciated.

The Georgia State Water Quality Board in its letter dated July 21, 1969, and the Georgia Department of Public Health in its letter dated July 29, 1969, have provided you with details of the effects of present funding. On behalf of the people of Georgia, I urge you to press for increased funds for the construction grant program. Without this help, we and other states face a frightening future in our fight against water pollution.

If I can be of further assistance to you, please do not hesitate calling.

With kindest personal regards, I am

Sincerely,

LESTER MADDOX,
Governor.

STATE OF FLORIDA,
August 20, 1969.

Honorable JOHN D. DINGELL,
U.S. Congress,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN: Florida for the past several years has required at least twice the amount of federal funds available from the Clean Water Restoration Act. In fiscal year 1968–69, the State could have used more than three times the amount allocated. Florida's allocation in FY 1968–69 was $5,695,400. There was an additional sum of some $4,000,000 available from previous years from municipalities whose grant applications could not be approved for one reason or another. There will be no surplus this year.

Some 75 grant applications totaling more than $17,000,000 were received during this fiscal year which is ending. The State has been able to recommend funding on only 26 of these. An additional 18 applications have been certified to the Federal Water Pollution Control Administration as reimbursable. Because of the squeeze on funds, the State had to set a limit of funds for any individual project of no higher than 25 percent of the federal allocation. Florida's water quality standards require all sources of municipal and industrial waste attain a treatment efficiency of 90 percent or better no later than January 1, 1973. This early deadline is expected to increase the pressures in this State for more federal funds to aid in sewage treatment plant expansion and improvement. Other sources of funds, such as bonds, are becoming increasingly hard to obtain, especially for the smaller communities in the State. The cost of money has risen sharply and is still climbing.

This brief outline shows that the situation regarding availability of federal funds for water pollution control and abatement shortly is critical in Florida. The State has not taken up the slack left by the under-funding at the Federal level. It is my hope that we will move more vigorously at the State level. A strong presentation will be made to the Legislature next April for a State grant program. However, even this will not serve to lessen the need for Federal funds to carry on this important battle. Let me assure you of support from this office in your attempts to secure full funding for the Clean Water Restoration Act for Fiscal year 1970.

Sincerely,

CLAUDE R. KIRK, Jr.,
Governor.

STATE OF MAINE,
Augusta, Maine, August 19, 1969.

Hon. JOHN D. DINGELL,
Member of Congress, Congress of the United States, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN DINGELL: Recently, an article in the Conservation Foundation Newsletter was brought to my attention in which it was stated that you and six other Congressmen were pushing a drive for the full $1 billion authorization for waste treatment plant construction. My letter to you of June 19th detailed Maine's deep interest in having the full authorization funded.

Subsequently, a resolution was introduced by me and unanimously passed by the New England Governor's Conference, of which I am Chairman, calling upon the New England Congressional Delegation to support efforts for further Federal funding and specifically, to work for the full authorization of $1 billion. I am enclosing a copy of the resolution for you.

Any suggestions you might have as to how we could be helpful to you in your effort would be appreciated.

Sincerely yours,

KENNETH M. CURTIS,
Governor.

RESOLUTION

Whereas, the continued pollution of our region's lakes, rivers, estuaries, and coastline is a serious threat to the economic vitality, environment and public health of our six States; and

Whereas, each New England State has demonstrated leadership and determination in attempting to resolve these critical water quality problems through the development of water quality standards on interstate and intrastate waters; through regional cooperative action and the establishment of one of the Nation's first interstate water pollution compacts and also one of the first river basins commissions; through substantial State aid to local communities for the construction of waste treatment facilities and prefinancing of the Federal share of these facilities; and

Whereas, the Federal Government after enactment of strong water pollution control legislation has not appropriated the funds authorized under that legislation required to assist in the task of restoring the quality of this region's polluted water; and

Whereas, the National fiscal gap over the past five years between the appropriations and authorizations under that legislation amounts to a total of one billion five hundred twelve million dollars;

Now therefore be it resolved, that, the Governors of the New England States call upon the members of the New England Congressional Delegation to support all reasonable methods designed to resolve this crucial financial problem. Specifically, we urge Congress to fund the full authorization under the existing program and that we oppose any move to reduce the current 50 to 55 percent level of Federal support to individual projects as now established under the Water Pollution Control Act.

Be it further resolved that, we urge that the Congress seriously consider long term financing of the Federal share of the cost of water pollution control facilities in order to extend Federal assistance to the maximum number of projects within allocated funds if these allocated funds remain significantly below the authorization; provided that, the Federal obligations incurred as a result of State pre-financing of the Federal share are assumed by the Federal Government.

MORE THAN THIRD OF CONGRESSMEN JOIN REPRESENTATIVE DINGELL'S CLEAN WATER CAMPAIGN

The number of Congressmen signing up to vote for full $1 billion funding of the Clean Water Restoration Act is certain to grow when the House of Representatives resumes sessions this week, Rep. John D. Dingell, Democrat, of Michigan's 16th Congressional District, predicted today.

"This is truly a national campaign we have going," Rep. Dingell said. "We have more than 160 members—more than a third of the House—enlisted now. They come from all parts of the country and represent all shades of opinion.

"I am particularly pleased that 40 Republicans already have joined our drive. We are making a bipartisan appeal for a bipartisan cause.

"What we are saying is that all Americans want their water supplies restored to decent purity, and we believe that the country can afford the cost."

Rep. Dingell spoke for a bipartisan group of seven Congressmen who, on June 2, launched a drive for $1 billion in Federal aid for State and local water purification projects. The $1 billion was authorized for 1970 in the Clean Water Restoration Act passed in 1966, and throughout the land, States and cities have gone ahead with construction plans on the assumption that Congress would make the money available.

But Congress appropriated only $214 million of $700 million scheduled for this year, and the Budget Bureau is asking only $214 million instead of the $1 billion scheduled for 1970. Meanwhile, a backlog of more than 4500 State and local water treatments projects calling for $2.3 billion Federal aid is piling up.

The $200 million water treatment modernization program of the City of Detroit system has fallen two years behind schedule, partly for lack of Federal funds. Modernization programs of Trenton, Riverview, Grosse Ile, South Rockwood and other cities not served by the Detroit system will be delayed if money is not forthcoming soon.

The State of Michigan, so far, has avoided delay by advancing the expected Federal share of its $540 million program. But if Federal money is not provided, Michigan will be able to complete only half of its present water purification plans.

Rep. Dingell's group plans to propose an amendment appropriating the $1 billion when the annual Public Works appropriation bill comes to the House floor for passage. Besides Rep. Dingell, they are: Reps. John A. Blatnik, D., Minn.; John P. Saylor, R., Pa.; Michael A. Feighan, D., Ohio; Paul N. McCloskey, R., Calif.; Henry D. Reuss, D., Wis.; and Jim Wright, D., Texas.

THE ARTS AND POLITICAL CRAFTS

(Mr. MORSE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MORSE. Mr. Speaker, I could not have been more delighted at President Nixon's appointment of Nancy Hanks to be the new Chairman of the National Council on the Arts. In Nancy Hanks, the President has found a person uniquely qualified to direct the Government's effort in this area.

Miss Hanks has had extensive experience in Washington, especially in the White House during the Eisenhower administration. Her credentials in the arts are widely recognized. She served as head of the Associated Council of the Arts, a private organization which supports the arts. Most recently, she was associated with the Rockefeller brothers special projects funds where she was primarily responsible for turning out a comprehensive report on financing the performing arts.

In the Washington Post for Sunday, September 7, there appeared the following editorial regarding Miss Hanks' appointment and I include it at this point in the RECORD:

THE ARTS AND POLITICAL CRAFTS

Miss Nancy Hanks is a neat catch as chairman of the National Council on the Arts, the fledgling agency that steers federal money into culture. Her role in producing the comprehensive Rockefeller Fund report on financing the performing arts, and her most recent post as head of the main private national organization that supports the arts, comprise fine credentials. For her charm as well as her savvy, she has the respect of the pros in the field. The Nixon administration had erred gratuitously by dismissing Miss Hanks' predecessor, Roger Stevens, six months ago simply because he was a Democrat. In the interim, the staff at the council began to disintegrate and planning for the current year was paralyzed. But the appointment of Miss Hanks makes for a good recovery.

In nominating her, President Nixon said: "One of the important goals of my administration is the further advance in the cultural development of our nation." To honor these words, he will have to do much more than name an attractive arts council chairman. At once, he will have to remove the $1 million lid which his Budget Bureau is reported to have placed on the council's budget, for which the House has already approved $4.25 million. A President who removes most of the council's money can scarcely pretend to be "advancing" culture. Moreover, with Miss Hanks' counsel, the President must take the opportunity, which arises next year when the council's authority runs out, to put federal support of the national culture life on a solid foundation. We would like to believe that without a presidential commitment to do these things, a person of Miss Hanks' stature would not have signed up.

NIXON ADMINISTRATION FOREIGN POLICY

(Mr. MORSE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MORSE. Mr. Speaker, last week the distinguished Under Secretary of State, Elliot L. Richardson, spoke before the International Studies Association in New York City. Under Secretary Richardson provided a comprehensive review of the foreign policy of the Nixon administration, with particular emphasis on its objectives and strategies. I think our colleagues will be most interested in Mr. Richardson's remarks.

The Under Secretary points out that President Nixon has begun to forge a distinct and fundamental change in the course of American foreign policy with long-range goals within the framework of which immediate decisions can be more rationally made. Recognizing that changing environments require changing policies, the Nixon administration seeks to preserve an important degree of flexibility with which to meet new circumstances and new situations.

We have already seen some indications of the new policy Mr. Richardson speaks of. During his visit to Asia, President Nixon took care to point out that, while the United States would retain its interest in the Pacific and would continue to play a role there, the nature of that role and that interest would be updated to fit the requirements of the present.

The hallmark of this new policy is that the United States will limit its commitments abroad to those which it can "prudently and realistically keep."

I include, Mr. Speaker, Under Secretary Richardson's remarks at this point in the RECORD, and I commend it to our colleagues' attention:

ADDRESS BY THE HONORABLE ELLIOT L. RICHARDSON, UNDER SECRETARY OF STATE, BEFORE THE INTERNATIONAL STUDIES ASSOCIATION, BILTMORE HOTEL, NEW YORK CITY, SEPTEMBER 5, 1969

I would like to discuss with you today the foreign policy of the Nixon administration. It has been taking shape for seven or eight months now, a sufficient and appropriate time to make some observations on its overall strategies and objectives.

The policies of every administration reflect the interaction between the philosophy and temperament of the man who is President, and the mood, pressures and requirements of the moment in history in which he leads the nation. In the case of this administration, and in international affairs particularly, the views and experience of the President and the needs of the moment represent a particularly beneficial blending.

I think this is true for several reasons: For one, President Nixon is a highly trained and sophisticated foreign affairs expert, whose professional experience goes back for a quarter of a century. He served, for example, on the Herter Committee which developed the Marshall Plan. In the sixteen years before his assuming the Presidency—eight as Vice President and eight as a private citizen—he traveled extensively and became intimately familiar with many world leaders and their problems. The President's political support, moreover, so representative of the broad middle body of American thought, gives him a degree of flexibility in his dealings with other nations that would be denied to someone who represented either political extreme.

Mr. Nixon himself recently observed that one of the weaknesses of American foreign policy has been that "too often we react rather precipitously to events as they occur. We fail to have the perspective and the long range view that is essential for a policy that will be viable." The President's reinvigoration of the National Security Council system has helped to insure that our policies will not lack these attributes. On this score, incidentally, I am obliged to disappoint those journalists who delight in fomenting feuds: relations between the NSC staff and State are vigorous and constructive, and the objective of taking into account all the national interests in foreign policy making is being achieved.

Finally, like people in many other lands, Americans are disillusioned by rhetoric, bored with false drama, and tired of exaggerated hopes and overblown undertakings. They are looking for stability, not adventurism. Not himself given to flamboyance, the President has sensed and responded to their mood.

The general nature of the policy that has emerged from this blending of the President's views, experience, and temperament with the exigencies of the period has often been characterized by observers in the press, academic community, and elsewhere as pragmatic and flexible. So far as it goes, this is a fair enough assessment. Certainly there has been no unfolding of elaborate schemes for their own sake, no flourish of simplistic slogans, no promulgation of a "grand design." In this time of rapidly shifting events, when each region, country and situation poses different problems and presents different requirements, any foreign policy *not* capable of flexible and pragmatic adjustment is in trouble almost by definition.

What seems to have become somewhat overshadowed in this concentration on pragmatism, however, is the fact that under this administration American foreign policy has entered upon a distinct new era, one marked by some quite fundamental changes in course, emphasis, and direction. Definite long range goals are being set against which the wisdom of shorter range decisions can be judged. Flexibility, in other words, must not be confused with drift. Under the President's direction a cohesive and dynamic new policy is being crafted to fit the requirements of changed circumstances.

To make clearer where we are going, let's take a quick backward look at where we have been.

Having added, at Hiroshima and Nagasaki, a new dimension to war in World War II, the United States could not in its aftermath escape a new dimension of responsibility for peace. During the decade of the fifties, therefore, we extended the protection afforded by our capacity for massive retaliation over most of the free world, organizing in the process a number of regional alliances.

On the whole the system has worked—and is still working—to deter massive or blatant aggression. By the end of the fifties, however, it began to be apparent that the capacity for massive retaliation was not an answer to small, conventional wars; it followed that wars of insurgency, abetted by Communist organizers and aided by Communist arms, could become instruments of Communist aggression. There was good reason, moreover, to doubt that our allies and friends could defend themselves against such wars by themselves; without the threat of American military intervention there was a risk that they would fall under Communist domination. And so in the early sixties we moved to close this "loophole" in our security system. Vietnam was a logical, if not inevitable, product of this policy.

Now that the sixties are ending, we have come to see in sharper focus the hard realities which affect American capacity to help our friends and allies combat insurgency, whether or not externally assisted. Fortunately, at the same time, other circumstances have so changed as to restrict the kinds of help that are needed. Both of these factors have important implications for U.S. policy, as Mr. Nixon himself, writing in the October 1967 issue of Foreign Affairs, was among the first to point out.

The Vietnam experience has made clear the difficulties involved in applying a policy of American intervention in insurgency wars. It has demonstrated that the effectiveness of any government, even with our help, in controlling insurgency is depedent on the broad-based support of its own people. And this in turn has underlined the importance for any such government of domestic programs responsive to the social demands upon which insurgency feeds. We cannot, it now seems clear, do the job of fighting insurgency for someone else. We cannot provide the indigenous will and resolution, or the toughness and durability that are needed if this kind of warfare is to be waged successfully.

Foremost, meanwhile, among the developments making dependency on American help less necessary has been the growth in strength and confidence of the newly independent nations, particularly those of Asia. Since emerging from colonialism, these nations have shown a growing capacity to protect their independence. Despite troubling growing pains, population problems, and economic difficulties, their demonstrated nationalist ardor, regardless of their particular ideology or form of government, makes outside domination difficult to accomplish and harder to maintain.

In the light of these developments, the President has made clear that the nature of our assistance to nations threatened by internal subversion will hereafter depend on the realities of each separate situation. In some cases assistance in economic and political development may be enough. In other cases aid in the form of training and equipment may be necessary. But the job of countering insurgency in the field is one which must be conducted by the government concerned, making use of its popular support, its resources, and its men. Large-scale intervention from abroad is, of course, something else again and must be considered against the backdrop of the total obligations and interests of the American people.

This, in essence, was the message the President carried to the nations of Asia. It was a message of support and encouragement of their new strength and nascent regional awakening and cooperation. It was a reassurance that United States commitments in Asia remain unchanged. It was a reminder that we will continue to play a role as a Pacific power. But it was also a declaration that the character of our participation is being updated.

As he said in Bangkok:

"Our determination to honor our commitments is fully consistent with our conviction that the nations of Asia can and must increasingly shoulder the responsibility for achieving peace and progress in the area.

"The challenge to our wisdom is to support the Asian countries' efforts to defend and develop themselves, without attempting to take from them the responsibilities which should be theirs.

"For if domination by the aggressor can destroy the freedom of a nation, too much dependence on a protector can eventually erode its dignity."

The new developments and changed circumstances to which the President addressed himself in Asia have their counterparts, of course, throughout the world. Among these, the most important, perhaps, is the tendency on the part of developed and underdeveloped countries alike to focus increasing attention on internal problems. The goals of economic growth, technological development, expansion of educational opportunity, and easing of urban pressures absorb their minds and energies. Their student populations reflect and reinforce those preoccupa-

tions. Among the by-products are waning ideological fervor and, in the developed countries at least, growing impatience with the diversion of limited resources into "nonproductive" military uses. This inward focus, nevertheless, cannot shut out the outside world, which is reflected back by every significant economic and technological undertaking. Indeed, it may well turn out that the most important by-product of national introspection is an awareness of global interdependence.

Neither the U.S. nor the USSR has been immune from these developments. On our country, their impact is felt in the pressing demands of neglected domestic problems, which have become powerful competitors with the claims of external security. In the USSR, efforts to cope with agricultural deficiencies and to meet growing consumer demands are undoubtedly having some effect on Soviet society. Most Soviet young people the New York Times reported on Tuesday, seem almost burgeois in their desire for more and better material things. They work by day and study by night, saving for vacations, clothes and better apartments.

It would be dangerous, however, to gamble on the proposition that the material aspirations of these young people have fundamentally altered the nature or objectives of the Soviet state. Its actions in Czechoslovakia and its repression of its own intelligentsia bear melancholy witness to the contrary. But the Soviets also have good reason to seek some relief from the enormous and ever-increasing costs of modern strategic weapons systems. With their massive nuclear stockpile, they may now share our own realization that overkill multiplied by overkill still equals overkill.

This, at any rate, is important among the factors which have led President Nixon to open the door to an "era of negotiation." In heading into this era, we are prepared to "take risks for peace—but calculated risks not foolish risks." We shall not bargain away our security for vague improvements in the "international atmosphere." Progress in East-West relations can only come out of hard bargaining on real issues. A detent that exists only in "atmosphere" without being related to substantive improvements in the relationship between the powers is worse than no improvement at all. It tempts us to lower our readiness, while providing no really concrete basis for a reduction in tensions.

If tensions are to be *genuinely* lowered, progress will have to be made in the solution of outstanding issues of a concrete nature—issues such as access to Berlin and European security; a Middle East settlement; a permanent resolution of the Vietnam conflict; or in the strategic arms limitation talks. This is the reason also that we and our NATO allies have insisted that a European Security Conference might be useful only after specific items to be negotiated have been nailed down. The final communique of the NATO Foreign Ministers issued at their April meeting made this point very explicitly. It said: "The allies propose, while remaining in close consultation, to explore with the Soviet Union and the other countries of Eastern Europe which concrete issues best lend themselves to fruitful negotiation and an early resolution."

The manner in which the Soviet Union reacts to our specific proposals on specific issues will afford a test of its basic intentions. If their responses seem reasonable and their approach to the conduct of negotiations appears to be in good faith, then grounds will have been established to move forward. But no single step ahead can in itself bring an end to East-West tensions. Identifying, negotiating, and resolving disputed situations must be a continuing process, one that will take time, patience and ingenuity. Genuine progress will be achieved only if both sides are satisfied at each step along the way that their security has not been jeopardized.

Whatever, at any rate, may be the progress of our negotiations with the Soviet Union, we shall, in the meanwhile, continue to pursue two parallel objectives. One—closely related to the fulfillment of our treaty obligations—is to strengthen our relations with our friends. This was one of the objectives of the President's trips to Europe and Asia. His European trip, for example, assured our NATO allies that we view the alliance as an evolving partnership, one which is capable of growing to meet changed needs. In the President's words, we see it not as "the temporary pooling of selfish interests" but "a continuing process of cooperation." The full and genuine consultation he promised has reinvigorated our relationships in Europe and brought forth greater frankness and trust on both sides.

The other objective is to improve our relations with countries not aligned with us, including those that are hostile. This, of course, was the purpose of the President's visit to Romania, and the overwhelming reception given him there was a graphic indication of the warmth many Eastern Europeans feel toward America.

In the case of Communist China, long-run improvement in our relations is in our own national interest. We do not seek to exploit for our own advantage the hostility between the Soviet Union and the Peoples Republic. Ideological differences between the two Communist giants are not our affair. We could not fail to be deeply concerned, however, with an escalation of this quarrel into a massive breach of international peace and security.

Our national security would in the long run be prejudiced by associating ourselves with either side against the other. Each is highly sensitive about American efforts to improve relations with the other. We intend, nevertheless, to pursue a long term course of progressively developing better relations with both. We are not, in other words, going to let Communist Chinese invective deter us from seeking agreements with the Soviet Union where those are in our interest. Conversely, we are not going to let Soviet apprehensions prevent us from attempting to bring China out of its angry, alienated shell.

Firmness toward our commitments, realism toward change, and respect for other nations can be seen in varying combinations in all of this Administration's approaches to the problems of foreign policy. Although the United States no longer has the overwhelmingly onesided margin of strength that was ours in the shattered postwar world, we are still a great power, and we have a vital stake in international peace and stability. We cannot shrink from the responsibilities that this fact and the nature of our worldwide interests bring to us. As President Nixon told the Governors on Monday, "The new strategy for the seventies . . . means maintaining defense forces strong enough to keep the peace—while not allowing wasteful expenditures to drain away resources we need for progress. It means limiting our commitments abroad to those we can prudently and realistically keep. It means helping other free nations maintain their own security but not rushing in to do for them what they can and should do for themselves."

These, in broad profile, are the directions the foreign policy of this Administration are now taking. The unfolding international situation presents us with difficult choices and makes exacting demands. But it also holds before us unparalleled opportunity to achieve the peace which, in the words of the President's inaugural address, "is not victory over any other people, but the peace that comes with healing in its wings; with compassion for those who have opposed us; with the opportunity for all the peoples of this earth to choose their own destiny."

KEEP COOL WITH COAL

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SAYLOR. Mr. Speaker, I wish to extend to those colleagues who are residents of our Atlantic megalopolis my congratulations upon enjoying a cool summer. My congratulations are occasioned by the temperature tantrums thrown by the electric utilities in recent weeks. One major cause of the inadequacies of these utility companies has been their overoptimistic reliance upon the availability of nuclear generating capacity to meet the high electrical power demands of consumers.

Every time the temperature reached a high level, the request to cut down on the use of electricity went out to consumers. At the very time when fans and air conditioners were needed most, we were asked to forgo their use. The consumer—and by this I mean not only the individual citizen, but business and Government as well—has been victimized by the electric power industry's fascination with nuclear energy.

The time may come when the technology for nuclear power generation has become reliable enough and safe enough to make a meaningful contribution to our expanding requirements for electricity. That time is not yet in sight, however.

A 640,000-kilowatt nuclear generating plant at Oyster Creek, N.J., was expected to be on line but delays have now put that project more than 2 years behind schedule.

Similarly, a new nuclear facility at Indian Point in Buchanan, N.Y., was to be delivered to Consolidated Edison earlier this year, but will not be available for about 2 more years due to construction problems and a lack of skilled workers.

In other instances, delays and cost increases have contributed to an overall deterioration of the power situation. In the face of growing power demands and the lack of expected nuclear generating capacity, older conventional equipment has been increasingly subject to breakdowns.

What nuclear energy has generated in abundance is not power, but problems.

Those in the utility industry who have locked their development planning to the emergence of nuclear technology now find themselves in a very uncomfortable position. Being human, they have cast about and found a scapegoat—the conservationist.

Dr. Seaborg, Chairman of the Atomic Energy Commission, has characterized those who have historically been concerned with environmental factors as guilty of "irrational thinking and activity based on misinformation and unfounded fears."

Con Ed's Charles F. Luce has heroically shifted the blame for the shortage of electric power to conservationists, stating:

> We're not constructing a single plant that someone is not objecting to.

He added "the pendulum has swung too far" in favoring protectors of the environment, but—

> There's no reason why we can't have power and not louse up the environment.

His latter point has been dramatically proved by those in the power industry who have maintained a flexible attitude toward energy sources.

In Pennsylvania the Keystone operations of the Pennsylvania Electric Co. utilize the tremendous energy available in coal to generate electricity which is then distributed throughout the Eastern United States. Penelec too, had considered use of atomic energy, but wisely decided that the day of the useful atom had not arrived, and that wish power would not run an air conditioner or light a lamp.

Power company executives are finding that if consumer demands for electricity are to be met in the next few years, there is a need to return to the available technology and abundant energy source which are characteristic of coal.

My colleagues may wish to reverse the usual situation by writing a letter to their constituents—at least those in the electric power industry—and in that letter pass along this refreshing thought—"Keep cool with coal."

GUN CONTROL—PENNSYLVANIA ASSEMBLYMAN'S VIEW

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, I have often directed our colleagues' attention to matters dealing with the drive for gun confiscation in America, and I will continue to do so until the gun control lobby finally admits that their attempts to infringe upon the rights of the individual is not the way to solve the problem of firearms violence in America. Today, I feel honored to bring to the attention of our colleagues an article on the subject of gun control, which was written by a close friend in the Pennsylvania House of Representatives.

Representative George W. Alexander of Clarion County, Pa., has been a leader in the battle against the gun controllers in the Pennsylvania house since 1962. He writes a regular newspaper column which appears in the Oil City Derrick. A current article expresses his and my anger and disgust with the recent report and recommendations of the National Commission on the Causes and Prevention of Violence. It is a pleasure to recommend this article to our colleagues:

[From the Oil City (Pa.) Derrick, Aug. 13, 1969]

FROM THE STATE HOUSE—NEW GUN LAW IGNORED IN SEVERAL COURT CASES

(By George Alexander)

Years ago it was taught to me not to do certain things when you are angry. At least to try to refrain from certain things when your blood pressure is up. Things like fighting, arguing, writing or reporting, you should lay off when seeing red. The reason given (especially for fighting) was that when you are angry you lose. Over the years this teaching, while not always heeded, has proven correct in most cases.

But right now I'm breaking the rules, disregarding the teaching and writing with admitted anger, plus disgust. And although the anger is mixed with disgust, the anger remains undiluted.

I'm admitting being fed up, completely fed up, with the ever-recurring attempts, both federal and State, to legislate on so-called gun control measures. If I figured myself a criminal I imagine I would be the opposite of angry; meaning happy. Happy to know any so-called gun control registration, or confiscation would be right smack up my criminal alley. But because I figure myself just an average citizen, minus criminal tendencies, but certainly concerned about criminals and their actions, I am far from happy, just plain angry. To put it bluntly and to the point, I wonder what the hell is going on.

Within recent months we of the Pennsylvania General Assembly passed legislation, and the Governor signed it into law, whereby any criminal committing certain crimes with the use of any kind of gun, was to be given stronger sentences by the courts. Mandated sentenced. What happened? In numerous cases, since this law became law, courts have ignored and by-passed this new law. Criminals using guns will get light sentences or parole.

Just a few days ago, July 28th, the National Commission on the Causes and Prevention of Violence issued a statement on firearms and violence. This statement went on to propose legislation which would restrict the use and possession of handguns (revolvers and pistols). They recommended the confiscation, by States, of 90 per cent of the handguns in private ownership. The next day, July 29, 34 bi-partisan members of the House, including this one, introduced a resolution (H.R. 128). The resolution was worded in part as follows:

"Handguns are widely used for sporting purposes. The citizens of the United States of America possess the constitutional rights to bear arms; therefore be it resolved, that the General Assembly of the Commonwealth of Pennsylvania express its opposition to the statement issued July 28, 1969 by the National Commission on the Causes and Prevention of Violence; and be it further resolved that copies of this resolution be transmitted to the members of said Commission and to each Senator and Representative from Pennsylvania in the Congress of the United States of America".

It just so happens I am one of many who use a handgun for hunting purposes. My .357 Magnum has performed well. However, while this method of hunting is important and enjoyable to me and many others, that is not really the important issue. The issue is why try to take any gun from, or make it awfully hard to own, for thousands of law-abiding citizens?

I repeat, I'm angry. Completely fed up with the "do-gooder, big-brother" stuff that is so prevalent in 1969 legislation, national or State.

Because thousands of people are killed yearly in cars, should you as the owner of a car be forced to turn in your car and buy a horse and buggy? Or walk? Because criminals, who will get guns no matter what the laws are, and use them unlawfully, should the thousands of law-abiding gun owners be penalized?

Guns, by themselves, don't break laws or kill people, it's the criminal using a gun unlawfully. Let's aim at him. And if criminals knew beforehand they would be aimed at literally, fewer crimes would be committed.

Concern has been expressed by the beforementioned Commission, and other sources, over the increase in the sale of handguns in the United States recently. To any law abiding citizen seeing, hearing about, and experiencing present day lawlessness in the form of rioting, burning, rape, and just plain trouble making, this increased sale is certainly understandable.

The increase in sales is because of needed, desired, and rightful protection. A person caught in the middle needs and has the right of protection. A handgun is not only protection, it could often prove to be a deterrent. A fly swatter won't do the job.

Let's cease attempting to destroy, alter or lessen the long-standing right of law-abiding citizens to bear arms. We built quite a country respecting such rights.

I've already admitted present angriness. If some day in the future, for some reason, an agent, or an officer, or some type of bureaucrat came to confiscate the guns I own, for no other reason than ownership, the anger I now feel might be rated bush league.

On a wall in front of my desk is a well-worded Pennsylvania Fish Commission poster. It reads:—

"Bless Your Heart—Relax—Go Fishing."

Perhaps today I should have heeded the poster.

H.R. 13694, A BILL TO CREATE THE HOME OWNERS MORTGAGE LOAN CORPORATION FOR DIRECT FEDERAL LOANS TO MODERATE INCOME FAMILIES

(Mrs. SULLIVAN asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. SULLIVAN. Mr. Speaker, I have today introduced H.R. 13694, a bill to create the Home Owners Mortgage Loan Corporation, an independent agency authorized to make direct loans to creditworthy families in the middle-income range who cannot otherwise obtain home financing at reasonable rates of interest.

As the ranking Member of the Subcommittee on Housing of the House Committee on Banking and Currency, and as a member of the National Commission To Study Mortgage Interest Rates created by Public Law 90–301, I have become convinced that our many programs to assure a decent home for every American family cannot succeed in their objectives during periods of tight money, such as the present, without the ready availability of new sources of mortgage funds at reasonable rates.

It appears obvious that the only avenue for assuring the availability of such funds is the Federal Government. This bill says, in effect, that if private lenders cannot provide adequate mortgage funds at reasonable rates, the Government must do so, and will do so.

COSPONSORED BY HOUSING SUBCOMMITTEE CHAIRMAN BARRETT

Joining me in introducing this far-reaching measure—a drastic but absolutely necessary cure for today's unconscionably high mortgage rates—is the distinguished gentleman from Pennsylvania, the Honorable WILLIAM A. BARRETT, chairman of the Subcommittee on Housing of the House Committee on Banking and Currency.

Congressman BARRETT's cosponsorship of this bill is indeed heartening to me and assures that this measure will be seriously considered in the Housing Subcommittee. It is not intended as a "gimmick" to "jawbone" present high interest rates down on the threat that we might act; it is put forward as both an immediate and long-range solution for recurring crises in home financing. It is a permanent solution, not a temporary expedient, for tight money as it affects homeownership.

HOLC SAVED HOMES; HOMLC CAN PROVIDE NEW ONES

The Home Owners Loan Corporation, launched in the early days of the Roosevelt New Deal, enabled millions of Depression-era American families to remain homeowners, by providing them with direct loans for refinancing so that they could avoid eviction and save their existing homes from foreclosure. The Home Owners Mortgage Loan Corporation can enable millions of today's middle-income families to achieve homeownership, not otherwise available to them in periods like the present, through direct loans on terms they can afford.

The HOMLC, although an independent agency with its own board of directors, will operate through existing Federal Housing Administration offices, so it will have no elaborate administrative structure. It will function only during periods when private mortgage lenders are unable or unwilling to provide housing loans to the average family at reasonable rates.

We must bring interest rates down, and hold them, to a level the average family can afford, so that it no longer costs them more to finance a home than to build it.

FLEXIBLE MAXIMUM INCOME CEILINGS, INTEREST RATES

The bill defines "moderate income" eligible families as those with incomes of $12,000 or less, a figure which could later be raised or lowered by the proposed Home Owners Mortgage Loan Corporation. The maximum interest rate to be charged by the Federal Government would be 6½ percent, or less. Loans as high as $24,000 for up to 30 years could be included under the program.

The Sullivan-Barrett bill would authorize appropriations of $2 billion a year for 5 years to establish a basic capitalization of $10 billion.

Thereafter, if repayments on outstanding loans or investment income did not provide a loan pool of at least $2 billion a year, additional appropriations would be authorized.

The proposed HOMLC would have a board of directors of nine members, including the Commissioner of FHA. The board would set all policies. At least five of the nine board members would be private citizens who would be paid on a per diem basis only when actually engaged in board business. The officers of the Corporation would be drawn from among the public members.

MEETING THE NEEDS OF MIDDLE-INCOME FAMILIES

Mr. Speaker, we have numerous programs for assisting our lowest income families to obtain good housing through subsidized rentals or subsidized mortgages. The average family—above the public housing income level—is dependent entirely upon the free market for its housing. This group is completely at the mercy of the current tight money squeeze. There is no existing avenue of help. This bill would prove help to that family, without subsidy, by utilizing the Government's vast borrowing power to obtain loans at reasonable rates.

The National Commission To Study Mortgage Interest Rates, which was created by Congress last year to recommend policies to assure an "adequate supply of mortgage credit at rates of interest the American family can afford," made no effective proposals for bringing down interest rates, and as Congressman WRIGHT PATMAN and I said in our dissenting views in that Commission, it gave the Federal Government "no alternative but to become the mortgage banker of last resort." This bill establishes the machinery for carrying out that judgment.

The preamble, or statement of policy of H.R. 13694, the proposed Home Owners Mortgage Loan Corporation Act, expresses its purpose in these words:

FINDINGS AND PURPOSE

SEC. 2. The Congress finds that the many programs of Government, intended to assure good housing for the American family at prices it can afford, are incapable of achieving their goals during recurring periods of tight money and high interest rates. Many credit-worthy families are being and have been denied mortgage financing on reasonable terms, not because of their inability to repay the obligation but because private funds needed for home financing have been diverted into other investment avenues. Such funds as are available for home mortgages are frequently offered only at unconscionable rates of interest. It is therefore the policy of the Congress and the purpose of this Act to stabilize mortgage availability and establish machinery for assuring moderate income families access to mortgage financing within their means, and thus to enable the average family to achieve its goal of home ownership, by providing direct housing loans through a Federal instrumentality to individuals in those instances where private enterprise cannot or will not extend loans at reasonable rates to credit-worthy applicants.

THE FIGHT FOR PURE WATER

(Mr. McCARTHY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. McCARTHY. Mr. Speaker, when Congress passed the Clean Water Restoration Act of 1966, we authorized a strong program to clean up the water resources in this country. Federal law requires the States to adopt water quality standards to be implemented by State and local governments within certain prescribed time limits. Millions of local dollars have been invested in waste treatment facilities, on the understanding that matching Federal funds would be available. But Congress has failed to honor the promise made in the Clean Water Restoration Act. For fiscal 1967 we appropriated the $150 million authorized in this act, but for fiscal 1968 we voted only $203 million of the $450 million authorized. Last year only $214 million of the authorized $700 million was approved. And for fiscal 1970 the administration request remains at $214 million against an authorized $1 billion.

Mr. Speaker, this governmental spectacle reminds me of the show "Promises, Promises." I share the view of the New York Times that it is hypocritical to enact grandiose programs and then undermine them by slashing appropriations vital to their fulfillment. I also believe that it is very unfair of the Federal Government to encourage States to embark on sound programs to clean up their waters and then oblige them to reduce the scope of those projects when we do not fulfill our part of the bargain.

The importance of full funding of the Clean Water Act is recognized throughout the country, and there is a good deal of support here in the House for an appropriation of $1 billion for fiscal 1970. To say that it has bipartisan support is to understate the situation, for support comes not only from the more liberal Members of both parties, but also from individuals and groups who generally favor reduced Government spending on all levels. Governor Reagan, of California, certainly one of our more fiscally conservative State leaders, has indicated his support for efforts to secure full funding.

I would like to insert in the RECORD at this time two editorials from the New York Times—dated August 25, 1969, and September 8, 1969—which urge the administration to revise upward the budget request of $214 million and urge the Congress to approve the full $1 billion authorized by the Clean Water Act:

[From the New York Times, Aug. 25, 1969]

THE FIGHT FOR PURE WATER

One of the few hopeful aspects of the presently vacationing Congress is its increased awareness that purifying the nation's water will take more money and speedier action than the Administration seems prepared to devote to that great objective. Urged on by a Citizens Crusade for Clean Waters, 162 Representatives are pledged to vote for an appropriation for sewage facilities that equals the sums authorized by Congress when it passed a major anti-pollution act three years ago.

That measure to provide matching grants to state and local governments for building waste treatment plants, called for an outlay of $450 million the first year, $700 million in the second and $1-billion for the current year. When it came to actual appropriations, however, only $417-million was voted for the first two years combined, and only $214 million is allotted in the current Administration budget. One result is that states that embarked on sound programs to clean up their lakes and rivers are forced to reduce the scope of those projects when what is desperately needed is their expansion.

The revolt in the House of Representatives, which has enrolled five committee chairmen, the majority whip, and a number of fiscal conservatives, is doubly significant. It rejects the hypocritical Congressional practice of passing grandiose programs only to undermine them later by quietly slashing the appropriations that are vital to their fulfillment. And more far-reaching, it is a sign that on Capitol Hill, as elsewhere, men are coming to understand that if they do not plan for a future of pure air and water, they need not plan for a future at all.

[From the New York Times, Sept. 8, 1969]

HALF-WAY STEP

The Department of the Interior has announced a commendable reversal in the Government's handling of those who pollute the country's waters. The department intends to return now to those abatement hearings which it abandoned last spring as mere "yelling and screaming" sessions.

This time, however, there will be something behind the abatement process that promises better results than either fruitless yelling or cozy talks. If an individual or company is found guilty of violations which it fails to correct in 180 days, the Interior Department itself will sue for a mandatory court injunction instead of leaving that recourse, as formerly, to the doubtful initiative of the state.

We are relieved by this evidence that the "New Federalism" has not wiped out a lively awareness in Washington that state govern-

ment can be sluggish and local government impotent, on this front at least. That comfort would be more substantial, however, if the Administration likewise reversed its decision to seek only $214 million from Congress to support the Federal grant program for the construction of waste treatment plants instead of the $1 billion which Congress itself originally authorized for fiscal 1970. Governors and mayors from Delaware to Hawaii have already protested this glaringly false economy, including the financially prudent Ronald Reagan of California.

If cities are prevented, for lack of Federal help, from meeting the anti-pollution requirements of the law, it will be difficult to say the least, for Federal agencies to keep private industries in line. Why, they will be all too ready to ask, should they be penalized for adding pollutants to rivers which are already turgid with municipal waste? A fair question, we think, for the Administration.

LABOR DAY SPEECH BY W. A. "TONY" BOYLE

(Mr. WAMPLER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WAMPLER. Mr. Speaker, I was recently honored to participate in a Labor Day celebration on September 1 at Elkhorn City, Ky., with Mr. W. A. "Tony" Boyle. Mr. Boyle is the president of the United Mine Workers of America, and he is one of the most respected and courageous labor leaders in our country.

Approximately 15,000 coal miners and their families were at Elkhorn City for this celebration, which was sponsored by districts 28 and 30 of the United Mine Workers of America. These two districts are composed of the membership of 50 locals in southwest Virginia and about 70 locals in eastern Kentucky.

Mr. Carson Hibbitts, of Norton, Va., is president of districts 28 and 30, and he introduced Mr. Boyle. As the representative of the Ninth Congressional District of Virginia, I have the privilege of representing the counties where district 28 of the UMW of A is located.

Prior to the Elkhorn City celebration, Mr. Boyle spoke at Logan, W. Va. I insert in the CONGRESSIONAL RECORD the remarks made by Mr. Boyle in these two coal mining areas:

W. A. BOYLE'S 1969 LABOR DAY ADDRESS DELIVERED SEPTEMBER 1, 1969 AT LOGAN, W. VA. AND ELKHORN CITY, KY.

Fellow mineworkers and friends: In Labor Day's Hall of Fame the members of the United Mine Workers of America, both past and present, stand the tallest.

Ours is a proud heritage.

The real spirit that is Labor Day was born right here in the coal fields long, long years before the day was formally declared a national holiday for the working man by the United States Congress in 1894. It was born of the sweat and blood and danger-filled days of those thousands of coal miners who preceded us and welded together our great union, the United Mine Workers of America. We have learned over the years—sometimes the hard way—that without our union we are less than serfs in this free Nation.

On this Labor Day, 1969—let us remember that lesson.

As we relax and enjoy ourselves this day, let us not forget the hard struggles of the past that have brought us to this moment in our history. Once again we are faced with troubled times.

We are faced today with an administration in Washington that is conservative and business minded. We of labor—the United Mine Workers and other unions—can expect little favor from that administration. Whatever we get in the years ahead will come only as a result of our own efforts.

This is an administration that has already been proved a master at juggling words and at stalling. Its attitude is well-expressed in the occupational safety message recently sent by the President to Congress. Stripped bare of verbiage, the President's message again calls upon the Congress to enact a law that would, in effect, turn over the problem to the States.

We coal miners have lived with inadequate state laws too long and we are sick of them. We serve notice now that we will not continue to live with this kind of law. If this administration fails to approve for the coal industry a Federal law that produces dust-free and safe mines, we will take action in our collective bargaining agreement. We serve notice now that dust-free and safe mines is our number one objective. We inform both the Congress and the administration that we will wait no longer.

We serve notice upon the coal operators here and now that we will begin new discussions on the intent and meaning of the mine safety clause in our present contract. We will wait no longer for the industry to move against the needless hazards and terrors of the mines. I am calling a union-industry conference in Washington, D.C. within the next few weeks. What the operators agree to at that conference will determine our future course.

We warn the coal operators here and now that if we have to close unsafe mines, as permitted under our present contract, we will do so! We warn the operators that as far as we are concerned a mine having excessive dust or gas is an unsafe mine. We intend to win a Federal law limiting dust to no more than three milligrams, and we will not permit such a law to become a dead letter. We will train our safety committees in their rights under the law. We will see to it that the law is enforced to the very letter.

We will mount a huge lobbying effort to show Congress that we mean business. We will bring hundreds of miners to Washington to lobby for the Federal law.

The United Mine Workers will soon expand the activities of our safety division to work even more closely with our rank and file safety committees. We are beginning a training session for our safety committees in district 31, and we intend to expand this training program throughout the union.

We have established a department of occupational health in our union. You will be hearing lots about that department and its work. We know you will like what you hear.

Two weeks ago I sent a letter to an official of Consolidation Coal Company informing the industry that unless it works with the union to insure safe and healthful mine working conditions, it will face a confrontation with our union. This letter was sent after learning that the operators are worried because of their inability to recruit 50,000 new coal miners over the next five years.

The industry's answer to this tremendous manpower problem has been to show glamor movies even to kids in the third grade. We have informed Consolidation Coal and we now take this occasion to inform all other operators, that all the glamor movies in the world won't solve the coming manpower crunch in coal.

The children of today's coal miners are leaving the mining areas. They have seen their fathers face death beneath the ground. They have seen too many of their elders cough out their lives with black lung. They know too many who are sick, or maimed or who have been left fatherless by mine accidents.

It will do the coal operators little good to sit on their unmined piles of black gold five or ten years hence. There are no profits in unmined coal. Sound economics alone should induce the mine operators to make mining a safe and healthful occupation.

While coal mine health and safety is of major concern, we of the United Mine Workers share other concerns with the working people of this Nation. We know from past experience that the lash of unemployment has been used to drive us into the coal pits and to prevent escape by our children, on this Labor Day 1969 we would be less than true to ourselves if we were not disturbed by the recessionary policies being followed by the Nixon administration.

Interest rates in this Nation have reached an all-time high. With the blessing of the administration, the Federal Reserve Board is making it impossible for the average worker to buy a home. Public construction—badly needed in the mining regions—is being cut back. The administration is fighting to reduce the Federal allotment for public education—something urgently needed in the coal mining areas.

This high interest rate policy has not stabilized prices. Although we are no longer forced to buy at the company store, the prices we now pay in the supermarket make yesterdays company-store gouging look quaint. Prices go up month by month, and miners' wives feel the burden every time they buy groceries. High interest rates, which are reflected in every price transaction, adds to inflationary pressures.

There is no question that if these high-interest policies of the administration are carried far enough, we will have a recession. The United Mine Workers, therefore, will join with all unions in fighting these policies. We believe that we can have stable prices without unemployment, and we will fight for policies that will produce this result. We will have to put first things first—education before space exploration for example.

The recent moon-landing was indeed a wonder of American technology. And it proved we can do almost anything we choose to commit our resources to achieve. Now that we have gone to the moon, let us lower our sights to the earth below. We just cannot spend eight billion dollars a year to reach Mars. Let's treat the space program as a science program, as so many leading scientists have advised, and put it back in its proper perspective. While it won't have the drama of a moon-shot, it will permit us to divert important resources to the earth's problems.

We need new resources right here in Appalachia, in the coal country. The Appalachian program has constructed highways, but the tourists just travel through. Many of you knew this country as children; it was beautiful then, and it can be beautiful again.

Miners—both working and retired—should not be forced to live with smoldering culm heaps and polluted streams. We need to fill up and seal the abandoned mines. We need re-forestation and the restoration of clean waters. If our children are to remain at home, we must make this land fit for their habitation.

We can bring in tourism to these mountains if we develop programs that restore all the beauty that God put here. The United Mine Workers believes that it will do God's work by fighting to restore this area. We will mount a legislative drive for a Federal program of restoration and for funds to carry it out.

I have had the privilege of serving as the president of the United Mine Workers of America for the past six years. During that period, our union has negotiated three new industry-wide contracts with the coal operators. Despite the vilification now heaped upon us by our critics, we have in this period developed an arms-length relationship with the coal industry. We have shown in negotiations that there are two sides to the bargaining table—theirs and ours. If anybody thinks otherwise, let them ask the coal operators!

There are two aspects to our relationship with the coal industry, on the one hand, we

have an adversary relationship in our battle to win a fair and just share of the fruits of this industry for the coal miners. On the other hand, we have a common interest with the employers in research, marketing and the maintenance of an expanding industry—provided, of course, that such expansion benefits the miner and does not take place at his expense.

A look at the wage contracts negotiated in the past six years is the best proof that we have conducted our negotiations at arms-length. Our wages today range from $28 to $33 per day. One month from today each working bituminous miner will receive an increase of $2 per day. And by the time this present contract terminates in 1971, we will have a wage of $37 per day.

Your union increased the number of paid holidays, gained extended vacations with pay for thousands of working miners, improved our seniority, won pay for jury duty, made the coal operators agree to provide and pay for wash houses and won many, many other improvements.

Yes, we have worked with the operators to combat the encroachments in America on the use of deadly atomic energy for power plants. We did so both for the preservation of the coal industry and our jobs, and because America does not know what horrors it faces from the disposal of radioactive wastes from these plants.

Yes, we cooperated with the operators for more efficient coal product research. We even cooperated with the operators for more efficient marketing arrangements. We cooperated because these things are good for coal miners.

And if that kind of cooperation be treason, let our critics make the most of it! A prominent political figure in American life once said "Let's look at the record." The record of our union on wages and other benefits for its members speaks for itself. At the risk of being charged with being political at this Labor day celebration, I would like to quote a certain officer of this union who shall remain unnamed, here is what that officer had to say at our last constitutional convention, and I quote: "There have been two contracts negotiated under the great leadership of our distinguished president, and I say this without fear of contradiction from anyone; there is more bread and butter, there are more pork chops and potatoes in those contracts in that short period of time than any negotiator in the country has ever negotiated."

While that's fulsome praise indeed, the argument isn't whether or not this union administration merits such praise, but if that's a sweetheart deal, let this same officer and our other critics explain away both the words of the speaker and the outcry and complaint of the mine operators *because* of our gains.

But the past is meaningless unless it is prelude to the future, to a tomorrow. I place the coal industry on notice now that we are getting ready for that tomorrow! The United Mine Workers, despite past gains, has tremendous catching up to to do to lead this Nation once again in wages and working conditions. We intend to do *just that* because we merit *just that*. Our contract terminates two years from now and two years from now there better be a real concession on the part of the operators or there will be a confrontation with a determined membership of this union!

The productivity of the coal miner is possibly the highest in the Nation. Our industry employed more than 600,000 miners in 1950. Automation and mechanization has reduced the work force to 150,000 working miners. This reduced work force today produces far more black gold than the big 1950 work force. The coal industry, in general, has become prosperous and highly profitable. The demand for bituminous coal grows and grows as this Nation requires ever-more electric power, steel and chemical products directly dependent upon coal, while coal may no longer be the sole fuel, its domain extends farther than ever. American coal is produced so efficiently that we can and do export coal throughout the world.

The United Mine Workers of America on this Labor Lay 1969 notifies this Nation that its wage goal for the men who dig its coal is $50 per day. This is not an excessive goal. We intend to achieve it by the end of our next contract if not before. If a doctor, a psychiatrist, a lawyer, an actor or other professional is worth $50 an hour or more, the men who risk their lives in the highly skilled work in coal mines are worth far more than $50 per day.

But the $50 daily wage is only a start. With the kind of productivity being achieved in the mines, this coal industry can afford now to pay a guaranteed annual wage. We promise now that we will win this goal in 1971, hopefully in peaceful negotiations but otherwise if the operators so choose.

While your union achieved better seniority in the 1968 contract, we still have an important distance to go. We will move in that direction in the coming contract. We intend to make it clear that seniority shall permit a mine worker to take any job in any classification for which he is qualified or can become qualified through training at company expense.

If we win the kind of strong mine-safety law we want, we intend to write miners' rights to enforce the law in our next contract. If, for any reason, we fail to win the kind of Federal law we want, we intend to write our objectives for mine health and safety into the next contract. This is a striking issue. We will not take less than the maximum possible health and safety in the mines.

The mine workers' welfare fund has provided highly important benefits to the Nation's miners, but the basic 40 cents per ton royalty has remained unchanged since 1952, the time has come for improvement.

I became a trustee of the fund only recently following the death of our beloved John L. Lewis. In that position, I called for and won a pension increase of $35 monthly. Incidentally, the operators' trustee was fired after the increase was won.

I intend to seek and develop an actuarially sound pension and welfare fund that will accomplish the following:

(1) Increase the pension to $200 monthly.

(2) Provide hospital, medical care and wage payments to injured miners as long as they cannot work.

(3) Provide pension benefits as well as medical care for miners physically unable to work because of black lung, regardless of their age.

(4) Provide widows of coal miners with pension benefits for life or unitl they remarry.

(5) Provide dental care as part of the fund's medical program.

Because of the hazards of their occupation, miners are ineligible for group health and accident insurance benefits. Unlike other industrial workers in major industries, they are not covered by hospitalization, surgical and major medical plans. Nor are there provisions for sick pay such as are commonly enjoyed in other mass industries. Yet, the miner needs this kind of help most because of the hazards he faces.

The mine workers' welfare fund was created to fill the gap, and, up to now, has been able to do an important part of the job. More than two and one-half billion dollars has been paid to fund beneficiaries since 1946. Last year, the pension fund paid out $101 million in pensions, and $50 million to clinics, hospitals and doctors for medical care. It was not enough, but more than 100,000 received benefits.

Our ultimate goal must be the equivalent of the health, medical and lost-wage benefits paid in other industries, as well as pensions that rise with improved living standards and higher living costs. We will make a new beginning in 1971 in the next contract. If it is necessary to double the present royalty to the welfare fund to achieve the five points outlined here, the UMWA will fight to win that amount of royalty increase.

There has been much propaganda about the welfare fund and fat salaries it is supposed to pay. Yet, our doctors and lawyers are not paid even as much as they might earn in similar positions elsewhere, and when all is counted up, total administrative costs for the fund amounted to only 3 percent of disbursements last year.

We have been criticized for our ownership position in the National Bank of Washington, but that position has permitted us to operate this union without increasing dues, or assessing our members. It has been a good investment for our union and its members, and it has given us the financial strength needed to stand up to the coal operators.

New situations and changing circumstances require new solutions and innovation, the time has come in our union to begin to invest part of our resources consistent with safeguarding your union's assets and the assets of the welfare fund, for the direct welfare of miners.

The United Mine Workers of America intends to develop low and moderate income housing for working and retired miners. We intend to use every Government program available to that end. We know that we shall not end inadequate miners' housing overnight, but we shall make a beginning. We intend to consult with other unions that have undertaken such programs and with housing experts.

We will put up seed money to start housing programs where seed money alone will do the job. We will provide mortgage money at the best possible rates where that is required. We will work with Government agencies where matching money is needed.

The present structure and operation of the United Mine Workers Union has served us well under yesterday's conditions. We have inherited that structure from our predecessors but it is inadequate to meet the needs of today and tomorrow. The time has come for major change leading to greater membership participation in all union affairs and at all union levels. We must determine what structural changes would best serve our membership.

These problems will not be easily resolved. I propose therefore to name a commission of UMWA officers, together with rank and file members from each district and qualified staff experts, to examine the problem and to make recommendations for change at our next convention, if outside consultants are required to find solutions, the commission would be provided with their services. I propose also, that the recommendations of the commission be published and a copy made available to every member. There would be but one objective—make the United Mine Workers an effective democratic servant of its members.

I propose also that the United Mine Workers re-examine its jurisdiction. The commission should seek better to define that jurisdiction. The time may well have arrived for this union to change its name to "United Mine and Allied Workers of America." We would not seek to raid any organized plant, but we would organize the unorganized in plants which use coal for production and product purposes. We want no more district 50's, but we want to aid workers in the coal-consuming industries with our strength, and to aid miners with the strength of those whose work depends upon coal.

Let us begin now with active organizing campaigns in the unorganized sector of our industry and the other areas of mining and industry which are closely allied. That will require new manpower and new kinds of planning. This matter will be brought before the international executive board in the near future. We have made a start in the department of organization that was created

during my tenure. We have begun to view the workers in plants producing synthetic gas and oil from coal as part of the mining industry. We have some such workers under UMWA contract now. We cannot stand still. We must provide the manpower to sustain a never-ending organizing drive.

The United Mine Workers must help to develop new leadership from its ranks to work in the locals, in the districts and as representatives and officers of our union. We need trained officers on the job. Local officers—especially our new generation—require training. We will need organizers and international representatives able to cope with today's emerging problems.

I propose that we establish a department of education and manpower development to conduct an education and development program. As part of its activity, I propose that the department operate a mine workers' study center. Such a center would include accommodations for away-from-home study, for courses that run up to two weeks in length. Study courses would deal with such matters as labor and UMWA history, legislation, union structure and operation, grievance procedure, mine safety, contract analysis, contract negotiation and the like.

In the future our union will need many kinds of trained staff members, and I, for one, believe that most can be developed from our union's membership and their children. The department of education, in the course of its activities, will discover much of the talent we need. Through the study center and through on-the-job training, we can and will meet our union's needs from our own union family.

From here on, I intend to spend as much time as possible in the field. Knowing myself, I am certain that I will do much talking. But I plan to listen, and listen hard. There will be many new ideas to build our union and to improve the lot of the United Mine Workers membership. You will find me receptive to ideas and to your answers to our needs.

Whatever happens in the months and years ahead, we must guard with all our might the unity of the Mine Workers' Union. While some may express a passing interest in your welfare, your strength and your hope lies in the great organization we have forged over these many years. We will need change, but change must be constructive.

We face great challenges from changing technology, new social forces and changing values. I have faith that the problems that we will face in the time ahead can and will be met and overcome by the unity of purpose of the Nation's coal miners.

We have overcome adversity for all our lives.

We shall overcome in the world of today.

We shall, united, overcome the challenges of tomorrow.

Thank you very much.

STRANGLING TAX REFORM IN ITS CRADLE

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, last month the House, in response to the outcry of millions of taxpayers, passed and sent to the Senate a major tax reform measure. This bill, acclaimed by so many knowledgeable citizens, would appreciably alleviate unfair burdens now being borne by lower and middle-income taxpayers. Loopholes were narrowed or closed entirely. A fairer share of the tax burden was shifted to where it belongs; on major corporate and wealthy interests, many of whom have been escaping taxation entirely, to the outrage of the Nation at large. Eagerly an expectant country awaited the administration's position on this bill, hoping for positive support which would have guaranteed tax relief to so many who so desperately yearn for it. We have waited in vain.

For the administration strode forward, leaned over the cradle of tax reform and placed a pillow of vested interest over its face in an attempt to strangle it. Showing its true proprivilege colors the administration wants to alter the bill in favor of the rich and corporations at expense of staggering lower and middle-income taxpayers, particularly the latter. This is an appallingly brazen coup, ignoring human needs, tax justice and a coast-to-coast outcry demanding reform. It is a deliberate effort to ruin our best work, handing back to the rich almost all we have at last succeeded in beginning to take away from them. The gentle labors of Jehovah pale before the destruction this proposal would wreak.

First, the President wants to actually reduce the corporate tax rate by 2 percent, beginning in 1971 and completing the gift by 1972. Should he succeed, corporate tax payments would be lowered by $1.6 billion by then. Simultaneously, the average taxpayer would lose $2.5 billion in benefits granted by the House-passed bill. These proposals are an open book, filled with blank pages.

Tax-free municipal bonds would remain untaxed under the President's plan. This would continue to allow multimillionaires to obtain huge incomes from such sources, while completely evading Federal income tax. How about that sweet little plum? Stricter tax treatment of capital gains would be eliminated. A low-income allowance aimed at assisting those with earnings under $11,000 is revised and reduced. A large increase in the standard deduction, benefiting those who do not own their own homes, is reduced. So our hard-pressed apartment dweller will end up by receiving nothing, another example of this administration's contempt for cities and those who live in them. Tax relief for single persons over 35 is lowered by one-third. Wealthy Americans who feared the House bill would trim their profit-filled sails can rest easy, for the President is very solicitous of their good life. He has proposed a 50-percent ceiling on earned income, so they may keep their integrity, bacon, and profits intact.

Figures and counterproposals will now fill the air for weeks. Average citizens will shake their heads in confusion, only vaguely aware of what is transpiring from within. I would not blame them for being confused. Anyone would be. Yet there is one basic conclusion emerging from all this. After the House passed a bill which would measurably help people now being taxed most, the President decided to support a series of changes which deprive them of tax relief. Instead, he wants to aid the wealthy and major business enterprises. Does this make sense? Then so will the Archbishop of Canterbury run off tonight and become a circus acrobat.

Is it not touching to see our administration worry so much about those poor little waifs on Wall Street? Poor, barefooted stock brokers plodding through the snow, clutching tattered rags around their poor shivering bodies, have moved the President to the quick. After all, $75,000 a year is not an awful lot to struggle by on, is it? It costs wheelbarrows of money to support a yacht, buy emeralds and sables and take lengthy cruises. How can millions of middle-income Americans who make those big $7,500 to $15,000 salaries begrudge a millionaire his profits? So the President will rescue those persecuted coupon clippers and slam the door in the face of the slavering wolf of tax reform. Poor tax reform. Always a bridesmaid, and never a bride. President Nixon will aim his bouquet at a far more eminent member of the wedding.

Mr. Speaker, I fervently hope the public is aware of what is being done to it by these proposals. Let its voice be heard. The present Government of our country is obsessed with 19th century economics, and is bringing economic ruin upon the Nation. Prosperity deteriorates before our eyes. Men are losing their jobs. Homes and other necessities are increasingly out of the reach of millions. All the while, the administration is worrying about how to better help out the rich. Heaven help us if this is the logic governing the reasoning of our elected leaders. They are carrying on a holy war against working people and horsesense.

TALES OF ARABIAN NIGHTS: SYRIAN PIRATES AND IRAQI ASSASSINS

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, just as there are individuals who by their acts become outlaws, so there are nations which, by their policies and actions, violate all accepted norms of international behavior. The truth of these accusations is amply illustrated by recent events in the Middle East. It is one thing to observe these happenings. It is quite another to allow them to go unpunished.

On August 29, a U.S.-flag aircraft owned and operated by Trans World Airlines en route from Rome to Tel Aviv, was hijacked by Arab terrorists and forced to fly to Syria. It carried 113 passengers and crew, among them six citizens of Israel; four women and two men. After a terror-ridden flight, ending in detonation and destruction of the plane, the Israelis began their inevitable ordeal. After 60 hours of detention, the Israeli women were released. As of this moment, the two Israeli men are still in Syrian custody, tender as it must be. This of course is a complete violation of all formal and unwritten codes of accepted international behavior. I am astounded that our Government has allowed this pirate state, run by a bloodthirsty coterie of Communist stooges, to insult and defy our Nation, flag, and international conventions we are a party to.

This is the very same Syrian regime which is inexorably persecuting the 4,000 remaining Jews within its borders to the ultimate degree. The same regime which races through the most menacing powder keg since the Balkans in 1914; uttering loud childish shouts, waving torches and throwing lighted matches around. This is the regime which acts as a Soviet satellite, allowing them to utilize Aleppo as a

naval base. Now it blandly contravenes basic international conventions and dares the United States to do something about it. Much credit is due the International Federation of Airline Pilots' Associations for their prompt, no-nonsense stand on behalf of international law. The United States can do no less than follow their example and demand Syria's adherence to these conventions.

From Syrian pirates we move to the bleak darkness inhabited by Iraqi murderers. Some 2,500 Jews survive in Iraq, living in the shadow of the gallows which so aptly symbolizes the essence of that unhappy country's present regime.

About 80 of Iraq's hostage Jewish population are already believed to be in prison. The rest live in terror of further orgies of public executions which have already sickened the world. Torture and discrimination are their daily lot, combined with censorship, economic discrimination, constant surveillance, and denunciation by informers. Of 51 people already executed by this coterie of sadistic killers, 11 were Jews. In addition, it is reliably stated that at least seven other Iraqi Jews have been tortured to death in Baghdad jails.

While such atrocities are being perpetrated, at least 1,500 Egyptian Jews are suffering similar fates under the heavy hand of an increasingly desperate Nasser regime.

What is the response of the United Nations to all this accumulated evidence of Arab brutality and nationally focused hatred? It yields to Arab refusals to permit investigation of the plight of Jews in Arab lands. A U.N. Commission has toured the Middle East, investigating the condition of Arabs in areas administered by Israel, lending a solemn ear and aura of respectability to the most fanciful fevered imaginings and distorted accusations the Arab mentality can conjure up. Except for Adolph Eichmann, not a single death sentence has been passed in Israel. Israeli conduct is an open, fair book to thousands of impartial observers, including innumerable journalists.

So here we have some of the more memorable modern tales of the Arabian Nights. Instead of genies, incense, gardens of the night, and fabulous treasures of the east, we recoil in distaste from assassins, jingoism, torments, and hatreds let loose by these modern demons. It is an old story of persecution in a new setting, and the world beats its breast from afar as the torment of innocents proceeds apace. Is there justice? Is there fairness? Not for the Jews of Arab lands. Not at the hands of the United Nations. Not, it seems, from the United States, either.

LOGAN COUNTY CAN HEAR AND COMPARE BOTH JOSEPH YABLONSKI AND W. A. BOYLE

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, Logan County annually ranks at the top or right near the top among all counties in the United States in its production of coal. It is entirely fitting that both candidates for president of the United Mine Workers of America should come personally to Logan to be seen, heard, and judged by all the people of this coal-rich county. Since Mr. Boyle was in Logan on Labor Day, the people of the entire county will have an equal opportunity to come and hear Mr. Joseph Yablonski, also a candidate for president of the United Mine Workers of America when he appears at Midelburg Island Stadium at 3:30 p.m. on Sunday afternoon, September 14.

It is my understanding that several of the leaders in the West Virginia black lung movement, including Dr. Donald Rasmussen and Dr. H. A. Wells—who pioneered in directing the searchlight of attention on the need for new health and safety legislation to protect coal miners—will also be present and speak at next Sunday's meeting. It is also possible that Dr. I. E. Buff may be present, depending on his plans for a foreign trip to inspect coal mines in other countries.

The legislation which is now pending in Congress designed to strengthen the coal mine health and safety protection of the coal miners cannot be fully effective without two important factors: First, effective enforcement; and second, a strong and aggressive United Mine Workers of America to insure that the rules and regulations pertaining to health and safety are interpreted and enforced to the fullest degree throughout the coal industry, and in such a way as to provide the best protection for every individual coal miner.

The only way that all those concerned with improved coal mine health and safety can get to size up those who will be responsible officers of the UMWA is to attend meetings like the Labor Day meeting, and next Sunday's meeting at Logan High School at 3:30 p.m.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COLLINS (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. PRICE of Texas (at the request of Mr. GERALD R. FORD), for September 11, and 12, 1969, on account of official business.

Mr. SAYLOR (at the request of Mr. GERALD R. FORD), for September 10, 1969, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 15 minutes, today, to revise and extend his remarks and to include extraneous matter.

Mr. MCDONALD of Michigan (at the request of Mr. DENNIS), for 5 minutes, on September 9, to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. ANDERSON of California) and to revise and extend their remarks and include extraneous matter:)

Mr. DENT, for 10 minutes, today.
Mr. FLOOD, for 30 minutes, today.
Mr. ADDABBO, for 15 minutes, today.
Mr. STAGGERS, for 15 minutes, today.
Mr. GONZALEZ, for 10 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. RYAN and to include extraneous matter during his remarks in general debate on House Joint Resolution 247.

Mr. BERRY immediately following Mr. SMITH of California during consideration of House Resolution 491.

(The following Members (at the request of Mr. DENNIS) and to include extraneous matter:)

Mr. KEITH in three instances.
Mr. WYATT.
Mr. MIZE.
Mr. SNYDER in 10 instances.
Mr. DERWINSKI in three instances.
Mr. WYMAN in two instances.
Mr. TALCOTT in three instances.
Mr. MAILLIARD.
Mr. STEIGER of Wisconsin in two instances.
Mr. SCOTT.

(The following Members (at the request of Mr. ANDERSON of California) and to include extraneous matter:)

Mr. MONAGAN in two instances.
Mr. FISHER in four instances.
Mr. FRASER.
Mr. ADDABBO in two instances.
Mr. FLOOD in three instances.
Mr. RARICK in four instances.
Mr. CORMAN.
Mr. HECHLER of West Virginia in two instances.
Mr. KASTENMEIER in two instances.
Mr. DINGELL in two instances.
Mr. ASHLEY in two instances.
Mr. MIKVA in two instances.
Mr. GONZALEZ in two instances.
Mr. PICKLE.
Mr. MURPHY of New York in two instances.
Mr. O'NEILL of Massachusetts in two instances.
Mr. MINISH in two instances.
Mr. BINGHAM.
Mr. BROWN of California.

BILL PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 7206. An act to adjust the salaries of the Vice President of the United States and certain officers of the Congress.

ADJOURNMENT

Mr. ANDERSON of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 31 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 10, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1124. A letter from the Acting Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting a report of agreements signed under Public Law 480 in July and August 1969, for foreign currencies, pursuant to the provisions of Public Law 85–128; to the Committee on Agriculture.

1125. A letter from the Comptroller General of the United States, transmitting a report on the potential for savings by reduction of aircraft engine procurement, Department of the Navy and Department of the Air Force; to the Committee on Government Operations.

1126. A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to modify the boundaries of the Santa Fe, Cibola, and Carson National Forests in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

1127. A letter from the Assistant Secretary for Administration, Department of Commerce, transmitting the report of the Department on commissary activities outside the continental United States for fiscal year 1969, pursuant to the provisions of 5 U.S.C. 596a; to the Committee on Interstate and Foreign Commerce.

1128. A letter from the Attorney General, transmitting a report on the administration of the Foreign Agents Registration Act for calendar year 1968, pursuant to the provisions of that act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DULSKI: Committee on Post Office and Civil Service. H.R. 13000. A bill to implement the Federal employee pay comparability system, to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes; with an amendment (Rept. No. 91–480). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG: House Resolution 534. A resolution providing for the consideration of H.R. 474. Committee on Rules. An act to establish a Commission on Government Procurement. (Rept. No. 91–481). Referred to the House Calendar.

Mr. DELANEY: House Resolution 535. A resolution providing for the consideration of H.R. 13300. Committee on Rules. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to provide for the extension of supplemental annuities and the mandatory retirement of employees, and for other purposes. (Rept. No. 91–482). Referred to the House Calendar.

Mr. MADDEN: House Resolution 536. A resolution providing for the consideration of H.R. 8449. Committee on Rules. A bill to amend the act entitled "An Act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907. (Rept. No. 91–483). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUSH:

H.R. 13682. A bill to amend the Federal Meat Inspection Act; to the Committee on Agriculture.

By Mr. CLARK:

H.R. 13683. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

H.R. 13684. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. DELLENBACK:

H.R. 13685. A bill to amend the Gun Control Act of 1968 to provide that certain records of the sale or delivery of firearms and ammunition shall be maintained for a period of only one year and shall thereafter be destroyed; to the Committee on the Judiciary.

By Mr. GALLAGHER (for himself, Mr. BARING, Mr. BIAGGI, Mr. BRASCO, Mr. BURKE of Florida, Mr. BUTTON, Mr. BYRNE of Pennsylvania, Mr. CHAPPELL, Mr. CLARK, Mr. COLLINS, Mr. DANIELS of New Jersey, Mr. DUNCAN, Mr. FARBSTEIN, Mr. FREY, Mr. FRIEDEL, Mr. FULTON of Tennessee, Mr. GRIFFIN, Mr. HAYS, Mr. HELSTOSKI, Mr. HORTON, Mr. MCKNEALLY, Mr. NIX, Mr. O'NEAL of Georgia, and Mr. PETTIS):

H.R. 13686. A bill to amend the Internal Revenue Code of 1954 to increase the penalties for the unlawful transportation of narcotic drugs and make it unlawful to solicit the assistance of or use a person under the age of 18 in the unlawful trafficking of any such drug; to the Committee on Ways and Means.

By Mr. GALLAGHER (for himself, Mr. PODELL, Mr. POWELL, Mr. RODINO, Mr. SANDMAN, Mr. SCHNEEBELI, Mr. SLACK, Mr. STEED, Mr. THOMSON of Wisconsin, Mr. WAGGONNER, Mr. WHITEHURST, Mr. WYDLER, and Mr. ZION):

H.R. 13687. A bill to amend the Internal Revenue Code of 1954 to increase the penalties for the unlawful transportation of narcotic drugs and to make it unlawful to solicit the assistance of or use a person under the age of 18 in the unlawful trafficking of any such drug; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 13688. A bill to amend title 38 of the United States Code to permit certain active duty for training to be counted as active duty for purposes of entitlement to educational benefits under chapter 34 of such title; to the Committee on Veterans' Affairs.

By Mr. McMILLAN (for himself, Mr. ABERNETHY, and Mr. DOWDY):

H.R. 13689. A bill to reorganize the courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr McMILLAN (for himself, Mr. ABERNETHY, and Mr. DOWDY):

H.R. 13690. A bill to amend the District of Columbia Bail Agency Act to increase the effectiveness of the Bail Agency, and for other purposes; to the Committee on the District of Columbia.

By Mr. MATSUNAGA:

H.R. 13691. A bill to establish a national program of assistance to the States with the goal of achieving equalized excellence in schools throughout the Nation over a 10-year period; to the Committee on Education and Labor.

By Mr. MONTGOMERY:

H.R. 13692. A bill to amend title 38 of the United States Code to provide insurance for any veteran receiving a specially adapted housing grant which will pay, upon the death of the veteran, the remaining balance on any of certain obligations assumed with respect to such housing; to the Committee on Veterans' Affairs.

By Mr. SISK:

H.R. 13693. A bill to provide for the orderly expansion of trade in manufactured products; to the Committee on Ways and Means.

By Mrs. SULLIVAN (for herself, and Mr. BARRETT):

H.R. 13694. A bill to assist in meeting the housing goals of the American people by creating the Home Owners Mortgage Loan Corporation; to the Committee on Banking and Currency.

By Mr. ZION:

H.R. 13695. A bill to amend the Social Security Act to permit payment to title 19 recipients for certain medical and dental services; to the Committee on Ways and Means.

By Mr. DONOHUE:

H.R. 13696. A bill to amend the Military Personnel and Civilian Employees' Claims Act of 1964, as amended, with respect to the settlement of claims against the United States by civilian officers and employees for damage to, or loss of, personal property incident to their services; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 13697. A bill to amend chapters 31, 34, and 35 of title 38, United States Code, in order to increase the rates of vocational rehabilitation, educational assistance and special training allowance paid to eligible veterans and persons under such chapters; to the Committee on Veterans' Affairs.

By Mr. FISHER (for himself, Mr. CASEY, Mr. WHITE, and Mr. WOLD):

H.R. 13698. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. HANLEY:

H.R. 13699. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. McMILLAN:

H.R. 13700. A bill to amend chapter 17 of title 11 of the District of Columbia Code to revise the provisions relating to the retirement of the judges of the courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. MINISH:

H.R. 13701. A bill to amend the Foreign Assistance Act, as amended, to authorize the Secretary of State to participate in the development of a large prototype desalting plant in Israel, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MOLLOHAN:

H.R. 13702. A bill to provide for the orderly marketing of flat glass imported into the United States by affording foreign supplying nations a fair share of the growth or change in the U.S. flat glass market; to the Committee on Ways and Means.

By Mr. MURPHY of Illinois:

H.R. 13703. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. NICHOLS:

H.R. 13704. A bill to amend the Packers and Stockyards Act of 1921, as amended, so as to more adequately cover the egg industry, and for other purposes; to the Committee on Agriculture.

By Mr. ROYBAL:

H.R. 13705. A bill to amend title 5, United States Code, to include as creditable service for civil service retirement purposes service as an enrollee of the Civilian Conservation Corps, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SCOTT:

H.R. 13706. A bill to amend title 38 of the United States Code to extend by one year the period in which certain guaranty and insurance entitlement may be used by World War II veterans; to the Committee on Veterans' Affairs.

By Mr. ULLMAN:

H.R. 13707. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

By Mr. WHITEHURST:

H.R. 13708. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

By Mr. CLAY:

H.J. Res. 890. A resolution proposing an amendment to the Constitution of the United States providing for the election of the President and the Vice President; to the Committee on the Judiciary.

By Mr. McDONALD of Michigan:

H.J. Res. 891. A resolution designating the American marigold (*Tagetes erecta*) as the national floral emblem of the United States; to the Committee on House Administration.

By Mr. ABBITT:

H. Con. Res. 327. A resolution protesting the treatment of American servicemen held prisoner by the Government of North Vietnam and backing the administration in its efforts on behalf of these servicemen held captive by the North Vietnamese Government; to the Committee on Foreign Affairs.

By Mr. CLARK:

H. Con. Res. 328. A resolution expressing the sense of Congress relating to films and broadcasts which defame, stereotype, ridicule, demean, or degrade ethnic, racial, and religious groups; to the Committee on Interstate and Foreign Commerce.

By Mr. CELLER:

H. Res. 537. A resolution to provide funds for the Committee on the Judiciary; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DADDARIO:

H.R. 13709. A bill for the relief of Francine Zimmerman; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 13710. A bill for the relief of Salvatore Taormina; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 13711. A bill for the relief of Dr. Ernesto Tanguilig; to the Committee on the Judiciary.

By Mr. SMITH of New York:

H.R. 13712. A bill for the relief of Vincenzo Pellicano; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

230. By Mr. COUGHLIN: Petition of resolution of the council of the city of Philadelphia regarding right of farm workers to bargain collectively; to the Committee on Education and Labor.

231. By Mr. COUGHLIN: Petition of resolution of Township of Lower Merion, Montgomery County, Pa., regarding tax status of municipal bonds; to the Committee on Ways and Means.

232. By the SPEAKER: Petition of Allan Feinblum, New York, N.Y., relative to observation of the birthday of M. K. Gandhi; to the Committee on the Judiciary.

233. By the SPEAKER: Petition of the Marshall Chamber of Commerce, Marshall, Tex., et al., relative to the unsolicited mailing of pornographic literature; to the Committee on Post Office and Civil Service.

EXTENSIONS OF REMARKS

TELEPHONE CONSUMERS NEED ADVOCATE

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Tuesday, September 9, 1969

Mr. METCALF. Mr. President, Florida consumers are dissatisfied with the General Telephone Co. of Florida. The Florida Public Service Commission is holding hearings regarding the company's rates and service, and the public is responding in large numbers to voice its complaints on the subject. But, as the St. Petersburg Independent aptly points out, there exists no public advocate to represent the interests of the people:

Only one side has attorneys. Only one side has access to the records. Only one side is able to produce reams of statistics to back up its arguments.

The utility has a built-in advantage for its side of the case. Having just participated in hearings on S. 607, a measure which would provide for the service of a Utility Consumers' Counsel in just such an instance, I ask unanimous consent to have printed in the RECORD this pertinent editorial from the St. Petersburg Independent of July 31.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GENTEL REAPS HARVEST OF ILL WILL

We hope General Telephone Co. of Florida and the Public Service Commission (PSC) are learning the lessons being taught at a series of public hearings in the Tampa Bay area.

The lessons are being driven home with the authority of a schoolmaster with a long ruler in his hand.

The lesson for General Telephone is that inadequate service, unkept promises and high rates are the basic ingredients for a revolt of telephone users.

Both in Tampa and St. Petersburg, large crowds have turned out to tell of the problems they have had with phone service. These people were only those who had detailed information of what they considered inadequate services and who were anxious to tell the PSC about it. How many more people are dissatisfied but simply could or would not attend the hearings is not known.

The lessons for the PSC is that there is indeed a general dissatisfaction with telephone service in Tampa and St. Petersburg, and that the people, given a fair opportunity to air their complaints, are only too happy to tell commissioners what is wrong.

Such large crowds have turned out for these hearings and so many people are anxious to be heard that it is conceivable the commissioners may never be able to complete the hearings if the present format of allowing the public to be heard first is continued.

The hearings have not been noted for their decorum and formality. At times they have resembled ancient Roman circuses with the audience cheering and clapping each time a witness made a thrust at the company.

This points up the need for a public advocate. The rules of the commission for such hearings are the same as those of the Circuit Court.

But only one side has attorneys. Only one side has access to the records. Only one side is able to produce reams of statistics to back up its arguments.

Attorneys for GenTel will have the opportunity to cross examine opposing witnesses, which will create a hardship on many of them since they will have to miss another day's work in order to appear. But who will have the opportunity to cross examine telephone company executives? Does every member of the complaining public have this right?

A public advocate could do a great deal to simplify the proceedings by screening witnesses and vigorously contesting evidence presented by the utility.

It must now be evident to both GenTel and the PSC that telephone subscribers in this area are angry and dissatisfied.

They know they are paying high prices for service inferior to that in almost all areas of the country.

Time simply has caught up with General Telephone Co. of Florida. The people who are forced to buy their service have had enough.

In 1971, the St. Petersburg freeholders will vote on renewing the company's franchise in the city. Company officials must now be looking forward to that date with concern for it is obvious the opposition is beginning to jell.

The company must stand on its record. It may be too late for GenTel to build a record that will meet public acceptance.

The public, at last, is getting the message across.

EMERGENCY MEDICAL SERVICE GETS HIGH PRIORITY IN JACKSONVILLE

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. BENNETT. Mr. Speaker, John M. Waters, Jr., director of public safety, Jacksonville, Fla., recently addressed the third International Congress on Medical and Related Aspects of Motor Vehicle Accidents, and his address was reported in the August 1969 edition of Traffic Safety. This dedicated public official has in his remarks set out the realistic program which Jacksonville has inaugurated to provide quick, efficient services for sick and injured. The program may well serve as a model for other large cities; and therefore, I include here the article as it appeared in Traffic Safety:

EMERGENCY MEDICAL SERVICE GETS HIGH PRIORITY IN JACKSONVILLE

Providing emergency medical services is a growing problem in all areas of the world in which the use of the automobile is increasing. It is a complicated problem in the large cities, where heavy traffic often impedes the transfer of the injured from the scene of the accident to a treatment center.

There are several fundamental differences between the problem in this country and that facing our friends in some other countries.

First, we have an acute shortage of physicians and nurses, and little prospect of remedying this matter in the foreseeable future. The shortage is not merely in numbers but in capabilities, for specialization has greatly reduced the percentage of physicians capable of coping with severe trauma or acute medical episodes outside their specialty. Therefore, we will rarely find a physician treating an accident patient outside the hospital.

Next, we must realize the size of our country, and the millions of miles of roads in it. What might be a practical alerting system on the autobahn between Hamburg and Kiel would provide prohibitively expensive for the highway of more than 1,000 miles between Chicago and Denver. Any suggested general highway improvements are deterred by the very massiveness of the system and the consequent costs of improvements.

Fortunately, our telephone system is widespread and in nearly all cases efficient, and along most roads, we can find homes and places of business with phones. In a city, it is highly improbable that a crash could occur without someone being aware of it and phoning in.

Lastly, our problem is complicated by the number of cars, now in excess of 100 million and increasing steadily. It has become a deadly race between our efforts to reduce the accident rates and the increasing exposure that raises the number of deaths and injuries.

While there are some basic differences between our situation and that of other countries, there are also mutual problems. I can testify from a recent trip to Europe that their cities have traffic congestion just as we do, though it seldom approaches anywhere in the world what exists in New York City. Likewise, I imagine that cities everywhere are faced with the problems of increasing costs without a comparable increase in tax revenues. Our American cities are caught in what seems to be almost an insolvable dilemma as to how to provide all the services required without bankrupting the taxpayer.

Oddly enough, until less than five years ago, there was no concerted national effort to do much about automobile accidents, which by then were claiming 50,000 dead yearly. In sharp contrast, we, probably to a greater degree than any other nation, have for over 100 years maintained an extensive rescue system for ships at sea, and in later years for aircraft. Cost has not been a deterrent to this complex and efficient rescue system; and, although only 3,000 non-combat people were lost at sea and in the air in our areas of responsibility in the last year recorded, the Coast Guard incurred a cost of $34,000 for every seaman and airman saved, while the Air Force in Viet Nam paid out $48,000 per save. While cheap in terms of human life, the highway victim in comparison had little or nothing spent to rescue him, and thousands died needlessly. It often became literally true that a citizen could be safer on a boat sinking 20 miles at sea than he could in a wreck in the middle of one of our largest cities.

As an example, several years ago a tanker fire occurred in New York harbor. The injured were evacuated in less than 10 minutes by Coast Guard helicopters from the ship. Yet a pedestrian, struck by an automobile in the incurring confusion, could not be reached by an ambulance for nearly 45 minutes due to the traffic congestion.

The National Highway Safety Act of 1966 was a sweeping one, aimed at all facets of highway safety. One of them was the medical care and transportation of those injured on the highway. In early 1967, I was loaned from the Coast Guard, where I had been chief of the search and rescue division, to the newly created National Highway Safety Bureau (NHSB) to see if the methods and techniques of our military system could be applied to our highway problem at the state and city level. We made a great deal of progress in the next 18 months, initiated considerable research and passed out volumes of guidance to the states. In the summer of 1968, I elected to retire from the military, left the NHSB and became director of public safety of Jacksonville, Fla. In this position, I think I am well situated to evaluate the problem from both sides of the hill, compare theory with practice and report on our progress in emergency medical services in a dynamic and forward looking city. Some of our "Ivory Tower" thinking from Washington has been battered a bit, but on the whole, I think we may develop a system which, though not ideal, will be unsurpassed in this country.

At the very outset I ran into realism with a jolt, and the jolt was produced by one main factor—money. We, like every major city in this country, are fighting a desperate rearguard action against rising costs. Most cities are retreating; I like to think that we are holding our own, and in at least one sector, emergency medical services (EMS), are advancing on a fairly broad front. In order to do so, we have had to take a realistic approach, discard the merely desirable and stick to the essentials. This involved not only some hard-nosed management decisions, but a quick separation of facts from myths.

Jacksonville is a city unique in many ways, the most notable being the recent "consolidation" of the City of Jacksonville and Duval County, in which the county was abolished, the city limits extended to the county line and several sets of duplicating governments replaced by one. Now we have one mayor, one police department, one fire department and a unified chain of command. The creation of one governmental unity to replace many has not only greatly simplified government and avoided duplication and confusion but has made us into the largest city in the world geographically, with an area of 848 square miles and a population of 525,000 people. It consists of dense urban areas, rural terrain, rivers and ocean, express highways and city streets. The city contains three large military bases and two colleges, with a third university building. The implication of this large group of over 50,000 sailors and students for the auto accident rate is clear. Jacksonville serves as the gateway to the Florida vacationland for the entire East Coast and much of the Midwest, and out-of-state transient traffic is very heavy. As a resort, the city and its beaches draw hundreds of thousands in the summer months. A large retired population contributes to the medical problems. More than 125,000 of the city's population are medically indigent.

In 1967, faced with inadequate ambulance service provided mostly by morticians, the city took over emergency ambulance services. The fire department was directed to operate it, and a federal grant was obtained to assist in purchasing 10 ambulances and operating them for the first year. This has resulted in largely solving the emergency ambulance problem in Jacksonville, and has been done at a considerable lower cost than in most other cities of similar size. With all 10 ambulances deployed, 90 per cent of the citizens of Jacksonville are within a seven-minute response time of quality ambulance service.

The National Highway Safety Bureau has stated that an efficient highway EMS system (outside the hospital) consists of communications, emergency care at the scene, transportation and command and control. One more item should have been included here—the physician and hospital team, and their role in definitive medical care. This omission was a calculated policy of the NHSB to avoid any implication that the government was entering further into the world of professional medicine. Yet, we have major problems in our hospitals, and they must be solved before we can have an efficient emergency medical services system.

Communications. The matter of communications in a city EMS system is no great mystery. The simple fact is that most calls for help come by phone into our fire department or police operations centers, and the fire center promptly dispatches an ambulance. Our problem is greatly simplified since we went into a consolidated form of government, abolishing the county and small suburbs. All dispatching is done by one city fire department operations center. It is silly to set up a special center to handle medical calls only. The already established centers in any city, whether they be police or fire, can do a highly effective job of dispatching; after all, that is their 24-hour job. We found that most of our citizens did not know emergency telephone numbers and usually called the telephone operator for help. Delays sometimes resulted. To remedy this, we are sending out in our regular city electrical billings two gummed labels containing the number for fire and ambulance (same), police and suicide control. We are urging that these be stuck on each phone in every home and business. This will give our citizens direct dialing service to the people who can help. In July, 1970, we are installing the "911" universal emergency number, but this does not invalidate the stickers on the phones; in fact, by dialing the number on the sticker, you avoid the screening switchboard used by the "911" number.

We have replaced all the old fire alarm pull boxes with emergency telephones. In our main city area, they are located on every other corner. One simply opens the box picks up the phone, and talks directly to the fire operations center. A large wall chart in the center shows a light where the street phone is in use, so our men know the location immediately. When called on these phones, we can dispatch police, firemen, ambulances or auto repairmen to the caller. An interesting phenomena is that our fire false alarm rate has dropped from 90 per cent to less than 5 per cent since we installed these phones. People apparently cannot lie well over a phone while they are being recorded on tape. An equally great advantage is that people can tell us in advance what their trouble is. In the old pull box days, a fire alarm pulled in mid-city required us to dispatch a full assignment of fire equipment adequate to deal with a large building fire, even though the trouble may have been only an auto with ignition wires afire. Now, knowing the trouble in advance, we can respond appropriately. We intend to add more of these street emergency phones, primarily in our ghetto areas, where most homes do not have phones, and one on the corner will provide emergency communications for the whole neighborhood in time of trouble. We have these emergency phones at every cutoff, from the main expressways. The highway department is putting up signs on the highways pointing out that the emergency phones are at the exits. Furthermore, we have placed large signs over each such phone to let people know they are for public use. Many people thought they were either the old pull type fire alarms, or were for use of police and firemen only.

The placing of emergency telephones at one mile intervals along the highways is a thing we cannot financially afford in this country. I have seen this arrangement on European highways; but, as I pointed out in the beginning, we have many more miles of road. In our city, we have placed emergency phones at the exits from the major express highways and are placing signs on the highways pointing out their locations. Actually, in most cases within the city, crashes are generally accompanied by traffic congestion, and it is amazing how sensitive the people living along the road are to this. We quickly hear by phone from citizens liv-

ing nearby and dispatch police cars and ambulances. So I don't worry too much about delays in alerting on our highways in Jacksonville.

In a couple of places, notably on Highway 295 around the Maryland area of Washington, D.C., they have placed, at one-mile intervals, pushbutton boxes, which are cheaper to install than telephones. One can push buttons marked "Police," "Service," or "Fire," and wait until the radio signal is received at a center and a patrol car is dispatched. In practice, the motorists, many of whom merely wish information, will not wait, and over 30 percent of calls are false alarms. The cost in patrol cars running out to investigate is high, and the frustrations of the waiting motorists immeasurable. This is a system that was fine in theory but fell flat in actual application. It has all the drawbacks of the old fire-pull alarm system, which is 50 years behind the new street phone alarm system we are using in Jacksonville.

There has also been a great deal of talk about use of radios in taxicabs, fleet trucks and municipal equipment to broadcast a radio alert in case of wrecks or other trouble. The Motorola Co. sponsored one such program called Community Radio Watch, and we participated in Jacksonville. The results have been mediocre, and the real need for such an organization is doubtful. People traveling with two-way radios in their vehicles will radio in to their own dispatching center of their own free will if they see something, though the chance that a radio vehicle will come along when needed is fairly remote. In eight months, though my car is radio equipped. I have reported one wreck and several stalled motorists who had not been previously reported. With a rising crime rate, and a limited police force, we feel our radio patrol cars are more needed in the high-crime-incidence areas than on the highways.

As a result, nearly all alerting is going to be by phone with only a very small minority of cases by radio.

Dispatching. Let me again stress that in a large city, ambulance dispatching should be handled by the fire or police department operations center, depending on which is providing the service. Even where municipal ambulances are not provided, and private ambulances are used, they should be dispatched for emergency calls by the city center. I favor the fire department operations center doing it, because they don't have as many total calls daily as do the police. The use of private ambulances on routine patient transfer calls is no real concern of ours. However, if it is an emergency run, we either dispatch the private ambulance from the fire operations center, or they inform us if they have been called by a private party. The fire department is responsible for emergency ambulance service, but we may need backup from private operators on occasion.

When an ambulance is dispatched, all times are kept on a running card punched by a time machine. All conversations, radio and telephone, are recorded on 24-hour tapes. The center has direct "red phone" connections with every hospital emergency room in the city and can quickly determine load condition and readiness to receive patients. In serious cases, we alert the receiving hospital while the ambulance is still outbound, following this up with an estimated time of arrival when received. All of our ambulances have two-way radio communications, not only with the operations center, but with the emergency rooms of all the hospitals. This was an easily solved problem. We found that the hospitals all had a civil defense radio in each emergency room. We, therefore, put the civil defense frequency crystal on one channel in all of our ambulance radios, and we were in business. We perform a radio check with very hospital at a set time each morning, then the volume of the radio in the emergency room is turned all the way down and the set left on. When an ambulance operator wishes to talk with the emergency room, he asks center, which tells the emergency room by "red phone." "Call rescue seven." The emergency room nurse then merely turns up the radio volume and calls to establish communication. We have actually had little use for this, as our men usually know what to do in first aid, and center can relay needed information quickly to the emergency rooms. However, we expect the use of direct communications with the emergency room to pick up as our cardiac program progresses.

We feel that with our new $600,000 fire operation center, our regular and emergency phone systems, and a flexible and efficient radio system, our communications and dispatching problems are solved. The proof of the matter is the satisfaction of our citizenry, and the average response time in the city area is less than five minutes from call until arrival of an ambulance. In remote areas where ambulance response time may be delayed, we dispatch a fire engine company to render first aid until the ambulance arrives.

I have mentioned that in area we are the largest city in the world, 848 square miles extending 37 miles east and west, and 33 miles north and south. To cover this large an area might seem an insurmountable problem with our resources. However, we have relatively light traffic as it is spread over such a large area, and the fast express highways allow our ambulances to travel at speeds up to 80 m.p.h., nearly as fast as a helicopter. As a result, one of our ambulances may be able to reach a patient 10 miles away faster than one in New York City could arrive at a scene one mile away.

Transportation. Our ambulancese are not luxury jobs but practical cabins mounted on one-ton Chevrolet chassis. Complete with equipment, they run about $12,500 each. Our last four are in full conformance with the "Medical Requirements for Ambulance Design and Equipment" of the National Academy of Science, both as to vehicle and equipment; in fact, we have already exceeded the equipment requirements. From an economy viewpoint, these ambulances are winners. Not only are they cheaper initially than the large custom jobs, but every two or three years we simply insert a new chassis and have a new vehicle. We expect the cabin to last through three chassis. These ambulances have plenty of working space and ample stowage space for both medical and extrication equipment. Our ambulance personnel carry out all except heavy extracation. The primary drawback of this type ambulance is that it rides roughly on bad roads, and a fast run can be excruciatingly painful for a person with broken bones. In such cases, we return at a slow speed without lights or siren. In fact, 80 per cent of our return runs are made in this manner, for we emphasize treating and stabilizing the patient on scene and returning at a safe speed whenever possible. Outbound, we seldom have enough information to determine the seriousness of the case, and such runs are made with light and siren; we never forget, however, that running a red light still leaves us as the responsible party should an accident occur, and street intersections are crossed at reduced speeds.

Emergency Case. In Jacksonville we have a long and intensive training program for rescue ambulance personnel, and we have long tenure with little or no turnover. Without the latter, we could not afford the training. The firemen have good pay and exceptionally good working hours. To participate in the rescue program, a fireman must volunteer for the duty; have two years on the department with excellent record, and hold an American Red Cross Advanced First Aid card. He then passes through five stages of training:

Stage One: Review of advanced first aid procedures (20 hours);

Stage Two: Advanced procedures taught by 25 doctors (30 hours);

Stage Three: Extrication from autos, aircraft and trains (25 hours);

Stage Four: Hospital training in ER's, intensive care units, and OB (50 hours);

Stage Five: Hospital training in emergency cardiac care (231 hours).

This program is, we believe, the most advanced of any in the country. In the beginning, much of it was done in the men's off time. When this became burdensome and the men began seeking extra compensation, we began basing our ambulances at the hospitals, where training can be obtained on the job while the men are between calls. Our first trials of hospital basing have been an unqualified success, enthusiastically supported by both the medical staffs and the ambulance personnel. If there is one message I wish to give to anyone planning a similar program, it is to *base your ambulances at hospitals,* while at the same time keeping them under control of the operations center for dispatching. Our men sleep at some of the hospitals; at others, they are there during daylight hours, returning to the fire stations at night. The emergency room staffs have been surprised, not only at the ability of the ambulance personnel to help them in the emergency room, but at the rapidity with which the men absorb the training. In a city in which we have a severe shortage of doctors and nurses, the presence of two trained emergency medical technicians in the emergency room, when not on runs, has proved a boon. At the same time, our men are receiving excellent training, and I might add that this is only made possible by the enthusiastic cooperation of our fine doctors and nurses, and the strong support of our medical society.

At a recent meeting of the American College of Surgeons and of the American Academy of Orthopedic Surgeons, it was recommended that this concept of the highly trained ambulance attendant be adopted. It was also recommended that the emergency medical technician be adopted as a full member of the medical team, and that appropriate job description and training courses be prepared. The training recommended was similar to that I have just outlined. It would appear that the training of these men and their acceptance as part of the professional team offers a partial solution to the acute shortage of nurses in our emergency rooms and intensive care units. Certainly, our Armed Forces hospital corpsmen carry out functions even in advance of that allowed nurses in some locations, and the emergency medical technician, with similar training and under supervision of a physician, could carry out many functions now required of physicians and nurses when not on ambulance runs.

As a result of this training, I have every confidence in the ability of these rescue ambulance personnel of the fire department to handle nearly any first aid situation. Twenty-nine babies have been delivered without mishap. I have accompanied our ambulances to attempted suicides, to acutely ill patients, heart attacks and many severe auto crashes. At these crashes, it is most satisfying to watch the men work. No one is moved until his airway is checked, he is splinted and bleeding has stopped and backboards have been inserted. Then, in the words of our chief of rescue, "We do not extricate a seriously injured victim, we disassemble the car around him." In most cases, the care at the scene is so complete that the trip to the hospital is at regular road speeds without siren or lights. Once at the hospital, the victims are kept on the special backboards until after x-ray, for x-ray will penetrate the material.

Hospital Emergency Departments. Surveys in a number of our states have indicated gross deficiencies in the emergency departments of many of our hospitals. Long delays in treatment of patients may be common, and

the quality of care poor. With an increasingly transient population, many of whom have no family doctor, the emergency room has become the focal point for an increasingly large number of patients, only a minority of whom are actual emergencies. This crowding aggravates an already poor situation, with the result that treatment in the emergency rooms of the nation's hospitals may often be as inept and as backward as is the majority of ambulance service. The need for reform is great. I will go a step further. In the very near future in some areas, highly trained emergency medical technicians manning rescue ambulances are going to be more proficient in doing their job of emergency care and transportation than are some hospital emergency departments in providing the definitive treatment with which they are charged. While we municipal officials are searching for ways to improve rescue, care and transportation outside the hospitals, the medical and hospital professionals needs to do some deep soul searching. I think that in our city we are progressing well here, but much still remains to be done, especially in obtaining sufficient physicians and nurses. One trend that is on the increase is the formation of groups of physicians devoted to emergency practice only. Such a group, consisting usually of four physicians alternating on eight hour watches, perform all emergency room services, turning the patient over to his regular doctor or to a specialist after emergency care is administered and the patient stabilized. This system insures the presence in the emergency room of a physician and relieves the rest of the hospital staff of having to rotate on duty in the emergency room.

Private Ambulances. In our city, we have a number of private ambulance services, including a number of funeral directors. For the most part, they are not interested in emergency service. Some funeral homes haul chronically ill patients to and from hospitals free, realizing that they will get the funeral business later. I see nothing wrong with the practice, especially when it involves indigents. Florida is one of the few states that has an ambulance law, but it is a weak one. We realize that our private ambulance operators can neither afford the salaries nor the equipment to render service comparable to that given by our fire department rescue service. Yet, if they are going to engage in emergency service at all, we must insist on minimum standards. A new city ambulance law is now pending before the city council, and I am confident that it will pass. It will be a major step forward in eliminating marginal and untrained operators, and we intend to enforce it strictly. Those remaining in the emergency business will do so under the supervision of the department of public safety and the health department.

Despite the widespread criticism of private ambulance service, I have seen a number of fine services, well managed, well trained and efficient. Private enterprise can give quality service if it has a franchise to eliminate destructve competition, a subsidy when required, and is under government inspection. However, for sophisticated treatment, such as we describe later for heart attack patients, few private ambulance companies can afford the equipment or retain the highly trained personnel required. Such procedures must be carried out in our cities by government. We regard emergency ambulance service in the same category as police and fire protection. In fact, we make more ambulance runs yearly than fire runs.

Costs. To operate 10 rescue ambulances, we require 66 men, a chief of the rescue branch, a training supervisor and a secretary. Personnel services, including fringe benefits and pensions, total $595,481 yearly. Each private, for example, is paid $8,357 yearly, including benefits. Commodities total $22,986, and other direct costs about $16,000. Each ambulance costs us $63,447 per year to run, of which 94 per cent is for personnel. The predominance in personnel costs and the great disparity between public and private salaries are what separate private and public ambulance service. Yet, if we are to have quality, we must pay enough to get high type individuals and retain them. Ambulance service costs, like all medical costs, are skyrocketing. We are attempting to defray this in many ways. We charge $17.50 per run, and are going to raise the fee to $22.50, primarily to discourage needless calls. Our collection rate, which is running at about 40 per cent, must be raised, and we are looking for ways to do this. We are receiving a subsidy from the NHSB of $11,890 per ambulance, which helps defray expenses. Lastly, as the number of runs increases, the cost per run decreases. We estimate that by 1970, we will be making 13,000 emergency runs yearly. The cost breaks down as follows:

Cost per run	$48 85
NHSB subsidy	9. 15
Fee collected	9. 00
Tax supported	30. 70
Total	48. 85

In summation, the total cost of operating a first rate emergency ambulance system in our city is 76 cents per capita.

Our figures are considerably below those given for government operated services in the NHSB publication, *Economics of Highway Emergency Ambulance Services,* and well below those of most other cities of similar size. Most of this difference can be attributed to the difference in salary scales for firemen in southern cities as compared with those in the north. In my opinion, the NHSB economics study, while generally an excellent one, errs on the high side in estimating costs of ambulance service and on the low side in estimating the number of ambulances required to service a certain number of persons. Almost certainly more ambulances are required to service the 525,000 people in our 850-square-mile city than would be needed for the same number of people in a city of 50 square miles. The number needed and the money the city can afford to devote to the service must vary with the peculiarities of each city.

Helicopters. Despite my continual protests, I have acquired a reputation over the past few years as the man who advocates replacing ground ambulances with helicopters. Nothing could be further from the truth. I see little use for helicopters in a dense urban area, or where adequate and efficient ground ambulance service is available. If a ground ambulance can reach a patient in 10 minutes, there is no need for a helicopter. On the other hand, I do see need for helicopters in remote or inaccessible areas and in transporting critically ill patients of all kinds from outlying community hospitals to major medical centers. To determine the feasibility of this (which the military has long ago determined for their people) for civilian use, I recommended in 1967 that arrangements be made for use of military helicopters from some 200 continental military bases to aid in severe civilian injury cases. Although the various military services were amiable, the proposal was bungled and mishandled by bureaucrats in Washington, with the result that finally only the commandant of the Coast Guard took action, issuing an order to his operational commanders to cooperate whenever possible with state authorities in aiding highway victims. In other cases, agreements have been made between local authorities and nearby military base commanders, though helicopters are in short supply due to the Viet Nam war.

No one doubts that the helicopter can do a superb job of medico evacuation. The problem is one of costs. We cannot justify a helicopter just to evacuate highway injured. We can, however, in certain localities, use one economically (1,000 hours yearly or more) if we use it for highway rescue, sea and land rescue, police and highway patrol, apprehension of lawbreakers, riot control, accident investigation, cardiac and inter-hospital transport, fire control (both urban and forest), photo missions and administrative flying. These missions would be assigned on a priority basis, with rescue as top priority. Until we utilize the helicopter on such a basis, with firm central control, or unless we can obtain use of available military helicopters, I see little prospect of widespread and successful use of these machines in EMS.

Operation Heartbeat—Answer to the Greatest Threat. For the months I was with the NHSB, my attention was devoted to the highway victim and, as a result, trauma. For 20 years before that in the Coast Guard, I had been concerned with aid to the distressed at sea and in the air. Naturally when I came to Jacksonville, it was with visions of starting up vigorous programs in these fields. But when I asked for the vital statistics for the past year, it caused a realignment of my thinking and a drastic change in perspective.

In 1968, in Jacksonville, 26 persons died in water accidents; 139 in traffic mishaps, and, far overshadowing these, 1,497 of heart disease. Not only was heart disease by far the greatest killer of Jacksonville citizens, but in EKG tests of 10,000 of our citizens made by the Heartmobile of the American Heart Society in February, 1969, one of every three of our citizens tested showed signs of cardiac abnormalities. The greatest single life threat to a citizen in Jacksonville today is not the criminal on the street, nor fire in the home, nor death on the highway, it is an acute myocardial infarction. We must consider the cardiovascular "accident" along with traffic accidents.

One cardiologist, in reflecting the prevalent attitude of physicians, recently stated: "If I suspect a cardiac condition, I will have the patient meet me at the emergency room. If I went to the home, I simply wouldn't have the equipment with me to properly diagnose and treat him. I would have to transfer him to the emergency room anyway."

Logical as this reasoning is, it is cold comfort to the hundreds of thousands of people who will suffer heart attacks to realize that they must make it to a hospital on their own, or rely on an ambulance crew to get them there.

Nationally, due to the poor quality of ambulance services, not only can long delays in response be expected, but the attendants may be poorly trained and incapable of rendering meaningful help. In many cases, they will not have minimum equipment even by present lax standards.

That definitive treatment can be effectively given in the field and in ambulances has been proved in a number of locales, but to date it has been given by physicians and nurses. Belfast, Ireland; Waveney Hospital, North Ireland, and St. Vincent's in New York are among facilities reporting on this procedure. A number of other groups are planning or are experimenting with telemetry of EKG's from the field or ambulance in the hospital so that physicians in the hospital can read an EKG and recommend to the rescue crew further action. One report on telemetry estimates that of 16 patients DOA (dead on arrival) on whom telemetry readings were received, 11 may have been salvageable with proper therapy, which was not available. Waveney reports that of 95 heart attack patients transported, not a single death occurred in transport, due undoubtedly, in many cases, to the presence of proper equipment and trained medical personnel. In all of these cases, however, physicians with proper equipment were operating in a relatively small area. These conditions do not prevail in Jacksonville, where

we are faced with providing care to the largest city area in the world, and with little likelihood of physicians or nurses accompanying the emergency rescue ambulance.

The president of the medical society appointed an advisory committee of some of the city's leading cardiologists to work with us on this matter. A number of alternatives were explored by the committee. From these discussions, a plan was evolved to equip all of our 10 ambulances with necessary equipment and trained para-medical personnel to allow quick access to any place in the city in which one of our citizens suffers a heart attack. An early plan to employ two large cardiac ambulances staffed by physicians and nurses was abandoned when it became evident that the time required for two centrally located vehicles to reach the suburbs would be excessive, and that we could not provide properly qualified physicians for this service due to the acute shortage in the city. It was agreed that if more definitive treatment were to be given cardiac victims outside the hospital, it would have to be by our rescue personnel. They would require not only special equipment but, more importantly, special training. This proposal was presented to the executive committee of the county medical society, and after consultation with the American Medical Association, the executive committee has formally endorsed the program, contingent on proper training of the rescue personnel. The training syllabus and methods of training have now been developed by the cardiac advisory committee and planning is already well underway.

This concept is a bold one in medical care. Already, inquiries have been received from many parts of the country. To the more conservative who have doubts about the wisdom of the program, it is well to remember that only two or three years ago grave doubts were expressed as to the feasibility of utilizing nurses in intensive care units to administer treatment to heart patients. Now it is a commonly accepted practice, but its coming was expedited because of the shortage of physicians to carry out these functions. This same shortage makes it imperative that we expedite the training and equipping of our rescue personnel to deal with cardiac emergencies outside the hospital.

At this time, more than 50 of our rescue ambulance personnel are engaged in hospital training. The time required to fully train a man for this type of work is in excess of 200 hours, but it has already become evident that the high type of personnel we are utilizing quickly learn the procedures taught. No man will be allowed to perform any procedure until he has been thoroughly checked out and certified by medical professionals. The amount of responsibility placed on the rescue personnel will be greatly increased as their training progresses.

The extent of treatment will be determined by the patient's condition. In many cases, a cardiac victim can simply be transported to the nearest suitable hospital. In others, his condition may be such that an attempt to transport him would be fatal, and the rescue crew will carry out CPR and defibrillate when necessary. In addition, after consultation with a physician, by radio and telemetry, of EKG, they will administer drugs when directed by the physician. At this point, the rescue crewmen will basically be performing the same function in their portable intensive care (IC) unit, as does the nurse in the hospital IC unit.

The training of the personnel will require time and will be a continuing process. The equipment is being procured now. We believe the number of people saved will be considerable. If we can bring to the hospital, alive, every patient we take into the ambulance with a detectable pulse and breathing, our program will be a great success. We believe this goal is attainable. We believe the chance is worth the $51,000 of special equipment for our ambulances and special crew training involved. Compare the cost for this city of over half a million with a heart transplant cost of $30,000. If we save only one person, the equipment will have been paid for.

In summary, hundreds of our citizens are going to suffer heart attacks outside hospitals, and the majority who fail to survive will not have medical help. Due to the shortage of doctors, and their inability to give definitive treatment without equipment and outside the hospital environment, doctors will not go to the scene of the attack. The initial treatment during the critical first hour is going to have to be given by properly equipped and trained emergency medical technicians, and the patient delivered alive to hospital intentive care units, where chance of survival is high. We feel that this is the pattern of the future, and we intend to pursue it vigorously.

Providing emergency care to a large city is a complex and never ending job, and we must be prepared for anything. We feel that our progress has been great. In addition to being known as the Bold New City of the South and an All-American City, we hope that Jacksonville will also become known as the safest place in the country to have an accident or a heart attack.

SOVIET SUPPORT OF GUERRILLA ACTIONS IN LATIN AMERICA

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, September 9, 1969

Mr. THURMOND. Mr. President, in recent weeks various stories have appeared in the press saying that the Soviets no longer had any interest in promoting guerrilla style insurrections in Latin America. Similar statements have alleged that Cuba is no longer a base for subversion and some commentators even say that it is time to normalize relations with Cuba.

In my judgment, such statements are merely wishful thinking which do not accord with the determined campaign of subversion which is now being waged against the responsible governments of Latin America. The facts of the situation have been put forward in an article in the current Human Events by Mr. Paul Bethel, who has frequently appeared before Senate committees as an expert witness on Latin American affairs. Mr. Bethel's article cites dates and facts based upon newspaper reports and official intelligence sources of the Latin American government's concern. Mr. Bethel concludes:

(1) That the Communists are indeed behind terrorist and guerrilla attacks in Latin America; and (2) That the Soviet Union has both the policy and the plan to assault free nations of our hemisphere.

Mr. Bethel's article was obviously written before the recent kidnapping of Ambassador C. Burke Elbrick in Brazil. This kind of gangster activity is typical of the operations now being conducted in Latin America. It is remarkable that news reports say that the so-called 15 political prisoners for whom the Ambassador was held hostage are reported to be going to Cuba from Mexico. I find it shocking that the news media continuously refers to these men as political prisoners as though they were members of a political opposition put in jail for their views. The facts do not seem to bear out this designation. One of those exchanged, for example, was arrested 6 months ago and charged with directing the machinegun assassination plotted against U.S. Capt. Charles R. Chandler in Sao Paulo. Others are identified Communist Party leaders and leaders of violent demonstrations.

Mr. Bethel's article, on the other hand, clearly cites the specifics about the pro-Soviet connection of revolutionary leaders throughout Latin America and his article deserves a careful reading by all those concerned with the future of the Western Hemisphere.

Mr. President, I ask unanimous consent that the article "Liberals Call for U.S. Pull-Back in Latin America" from Human Events of September 13, 1969 be printed in the RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LIBERALS CALL FOR U.S. PULL-BACK IN LATIN AMERICA

(By Mr. Paul Bethel)

In yet another assault on America's commitment against Communist aggression, a small but powerful group of people is proposing that the United States retire its military missions from Latin America and terminate military aid to our friends. Sen. Frank Church (D.-Idaho) has used his Subcommittee on Latin America to the Senate Foreign Relations Committee as a very effective platform to propagate these views. A stream of liberals, many of whom served under President Kennedy, are willing and ready to oblige him—among them Ralph Dungan, ambassador to Chile 1964–67; David Bronheim, a former coordinator of the Alliance for Progress; and George Lodge, an assistant secretary of labor under Eisenhower and JFK.

Bronheim straight-facedly told the Church subcommittee: "Demonstrations and rebellions today in Latin America are not led by Communists nor encouraged by Russia." And further: "The Russians today do not have a policy for fomenting guerrilla was in Latin America, and, accordingly, rebels and demonstrators alike look on the local Moscow-line Communists as reactionaries." Bronheim, who directs the Ford Foundation-financed Center for Inter-American Relations in New York, stressed again: "My point is simply the insurgency threat today is not from the Communists." Period.

Ralph Dungan, who is largely responsible for U.S. support of Chile's Christian Democrats despite their steady march toward Marxism, had this to say: "The principal threat to the United States in Latin America is not communism but a form of Nasserism which tends to grow in Latin American republics." (This may be considered a variation on the "agrarian reformer" theme used in the 1940s to describe Mao Tse-tung's Communist legions, I suppose.) Dungan arrives at this astonishing conclusion: "To continue to assist the Latin American military means to encourage insurrection rather than to insure stability."

Mr. Lodge is equally uninformed: "The organization of the Communist party in Latin America does not constitute a revolutionary force or even a serious threat to American interests." Referring to Brazil, Lodge states: "The most radical elements are not the Communists, but the priests."

For his part, Sen. Church extends the attack on U.S. military assistance to Latin America with the comment that it is a "hydra-headed monster that has very strong support in Congress, in the State Department and even in the White House." For which, we might add, thank God. Uninformed and irrational attacks on the military—any military, anywhere—have reached serious proportions and threaten the very security of our country and that of our allies.

What about the facts?

With no more research than a mere reading of news dispatches and official statements, Sen. Church, Mr. Bronheim, et al., would learn (1) that the Communists are indeed behind terrorist and guerrilla attacks in Latin America; and (2) that the Soviet Union has both a policy *and* a plan to assault free nations of our hemisphere. Let's examine just a few bits of evidence, all taken from published reports:

Colombia's *El Tiempo* reported on January 12 that the government (ruled, incidentally, by the Liberal party) had "discovered an international Communist subversive plot which extends to Mexico, Bolivia, Peru, Venezuela, Brazil and Colombia." *El Tiempo* reported in the same edition that "70 guerrilla delegates from five countries met in the Andes Mountains along the Venezuelan-Colombian border to 'integrate' their activities in a continental war of subversion and terror." The meeting took place between December 20–31 last year and was attended by three Soviet KGB agents, one identified by the government as B. Tarascov.

On January 13 Venezuela's minister of interior, Reinaldo Leandro Mora, confirmed the *El Tiempo* story, saying that his information "fully coincides with the reports published in the Bogotá daily."

Urban riots, which the Bronheim-Lodge-Dungan axis concludes have not received support or encouragement from Communists, convulsed five Colombian cities last January and left 13 killed and 200 arrested. They were the direct result of plans made at the guerrilla conference.

Citing another Bogotá daily, *El Espectador*, that two members of the Soviet Embassy attended a meeting of Marxist labor leaders which planned those riots, *El Tiempo* went on to say on January 19: "The rioters received instructions from the Central Committee of the pro-Soviet Communist party in Bogotá to take advantage of a labor dispute involving a hike in bus fares to create a waive of terror." The signal to start the riots was given by radio from Havana. President Lleras Restrepo was able to control the situation only after mobilizing tens of troops and placing the five cities under a form of martial law.

Moreover, President Lleras discovered that an official from the Soviet Embassy in Havana periodically traveled to Mexico City to turn over money to a Castroite courier. The courier then took the funds to Bogotá for the purpose of supporting Communist guerrilas. One was captured at El Dorado airport in Bogotá with $100,000 in U.S. money together with Soviet plans to intensify both urban and rural guerrilla wars in Columbia, Venezuela, Bolivia and Panama.

These initial Soviet beginnings in creating a united "continental guerrilla force" have advanced considerably over the following six months.

On July 1 the French news service AFP moved this starling story. Said AFP over a Bogotá dateline: "Military sources here revealed today that Colombian and Venezuelan guerrillas recently merged. They did so on the recommendation of the Soviet Union. Venezuelan Pompilio Figueredo has announced that the Soivet Union is prepared to finance these rebel groups on the condition that the merger will formally take place to put an end to ideological quarrels among the group which had been divided between pro-Chinese, pro-Soviets and pro-Castroities." In other words, the Soviet Union has consolidated the guerrilla groups under its command.

El Espectador had more to say on the subject. "According to military intelligence sources," reported the Bogotá daily, "Commander Pompilio Figueredo was said to be able to deliver $1 million in U.S. currency in the name of the Soviet Union to achieve the unification of the guerrilla struggle."

Moreover, *El Espectador* reported that "the Soviet Union submitted the name of Manuel Marulanda (alias "Tiro Fijo") as commander-in-chief, and Castroite Fabio Vasquez as his deputy." AFP also quotes the Colombian intelligence sources on the $1-million figure, then adds that other subversive civilian groups have been brought into the new front, identifying them as "the Worker-Student-Peasant Movement, and 'progressive' priests." "Tiro Fijo" is a member of the Politburo of the Soviet-controlled Colombian Communist party which also works hand-in-glove with Fidel Castro.

On August 5 *El Tiempo* charged the Kremlin with financing two Communist meetings "disguised as student assemblies," and organized by something called the "World Federation of Democratic Youth." The purpose of those meetings, *El Tiempo* reported, "is to adopt measures for uninterrupted promotion of subversion. Though Peking-line and Camilista supporters will be present at the conferences, actually they are financed and organized by the Moscow line."

Among the subjects to be treated at the October 9–12 meeting is the distribution of funds made available by the USSR for maintaining guerrilla movements and a membership drive within universities, schools, labor unions and the like.

Soviet intrigue extends southward toward the tip of the continent. In Brazil, Gov. Abreu Sodre of São Paulo State said recently that terrorists operating in his country receive both local and foreign aid from Communists.

The governor's statement came on the heels of the discovery of a Castro-Communist training camp containing a powerful radio transmitter capable of reaching Cuba, a helicopter landing site and large amounts of arms and ammunition.

Thirty-two members of the Revolutionary Movement of October 8 were captured, including a Paraguayan who had received guerrilla training in Cuba. The movement, called "MR–8," was found to be operating on funds provided initially by Cuba and Russia plus money taken in bank robberies by urban terrorists who had been trained in the art in Cuba.

On August 4 Bolivia's morning paper, *El Diario*, quoted a captured guerrilla to the effect that former Vice President Juan Lechín (a far-leftist) was recruiting guerrilla candidates for training in Cuba. The guerrillas, identified as Félix Melgar Antelo, had been enlisted by Lechín, trained in Cuba and then returned to a ready-made organization of subversion set up in his absence. He stated that Cuba is now elaborately equipped to support guerrilla subversives—with false passports, disguises, money and sophisticated equipment of all sort.

Soviet-Cuban coordination in spreading guerrilla wars, urban terrorism and the like was exposed only recently by a Castro defector, Orlando Castro Hidalgo. He revealed that Cuban intelligence is under the absolute control of the Soviet Union, and said that as a member of that service in Paris he supplied Latin American revolutionaries and guerrilla leaders with money, passports and hideouts.

Castro Hidalgo also stated that the myth that Castro is easing up on his export of guerrilla wars is nonsense; to the contrary, it is proceeding with greater finesse under Soviet supervision (explaining, in part at least, the Soviet interest in creating a united guerrilla front in Latin America).

On July 11 Argentina's prestigious paper, *La Prensa*, published a detailed plan for the Communist conquest of eight countries—Eucador, Peru, Argentina, Venezuela, Brazil, Bolivia, Uruguay and Colombia. Citing intelligence reports from Uruguay, Argentina and Peru, *La Prensa* revealed that the plot had been approved "by a central revolutionary committee of Castro-Maoist Communists" which met in Montevideo, Uruguay, last June to follow up the guerrilla conference held six months earlier in Colombia.

The plan contains a combination of sophisticated subversion and military action. It is worth reproducing in condensed form:

"Universities: Catholic Universities will be the true motor of actions planned and carried out in the streets. The demand: 'Change the universities; change the political structure of the nation!'

"The Church: It is now publicly recognized to be revolutionary and reformist. . . . It must be made to declare, from the pulpit and every other suitable place, this new orientation for the masses. To support this goal, we must have 1,500 active clergymen to convert the Church into the major base for the revolutionary movement of the left. The slogan: 'Each hour a disturbance, on each street corner a riot!'

"Workers: Make demands for privilieges and wages that will shake the capitalist regime. Government of the workers and the overthrow of the system of government by politicians and militarists!

"Professors and Teachers: Professors must be surrounded and made to work in harmony with the priests.

"Campesinos: It is a proven fact that these are the most difficult to incorporate into our movement. They must, therefore, be directed by local priests in the interior of the country and made to occupy the land."

It is perhaps necessary to add that *La Prensa* is no stooge of President Juan Carlos Onganía; Publisher Gainza Paz established his integrity long ago when he steadfastly opposed Juan Perón and was sent into exile for years.

In any event, Communist (and specifically, Soviet) complicity in guerrilla wars and the advancement of continental subversion on a well-organized basis is so obvious as to be ostentatious—making hash out of the incredible therories proffered by the Bronstein-Lodge-Dungan trio.

Indeed, in many Latin countries only the police and military establishment stand against Soviet intrigue and the formidable array of cold-and-hot-war weaponry the Communists employ. Thus, Venezuela's defense minister, Martin Garcia Villamil, acknowledged the importance of U.S. aid when he declared on August 12 that Communist subversion was on the march in Latin American countries and that "the technical advice of U.S. military missions is useful to the armed forces of our country."

Opposing the Church-Lodge-Dungan-Bronheim assault on both common sense and the U.S. military is the House Subcommittee on Inter-American Affairs. In recent hearings Gen. George R. Mather pointed out defense costs of 15 Latin American nations averaged only 10.9 per cent of national budgets last year—less than 2 per cent of their gross national product. What is more, the money going to the military is to replace antiquated equipment, some of it dating back to pre-World War II days. Little or no expansion is being made in military forces, though such expansion would seem to be badly needed at this point.

Many Washington officials are concerned over the testimony given to the Church subcommittee by Messrs. Dungan, Bronheim and Lodge. For example, Mr. Bronheim was a key member of Gov. Rockefeller's recent mission

to Latin America on behalf of President Nixon. If the report—which was submitted by the governor last week, but not made public—contains the prejudices and unsupported theories as expressed by Mr. Broheim before the Senate, then the credibility of the whole report will be very much open to question.

Those liberals who constantly deplore the shrinking image of the United States in the eyes of Latins, and allege that it stems from unwarranted U.S. support to Latin American military dictators, had better take a long look at the display of intellectual dishonesty, ignorance or just plain naivete as it appeared in the Senate.

There are many points on which one can agree with Mr. Bronheim, as, for example, "the leading mythology which claims that the very poor and oppressed are an explosive element and that by improving their lives they will be less explosive." But all that Mr. Bronheim has done is to substitute his own mythology that communism is no driving force in Latin America and that the best way to handle problems there is to cut off military aid.

This slack-jawed, lazy-minded view is aptly described in the editorial appearing in the July 6 edition of *O Estado do Brasil:* "To hold that the armed forces are a factor of instability [referring to Mr. Dungan's testimony] is similar to arguing that communism is a force compatible with the exercise of democracy. And that, in résumé, is what those who testified before the U.S. Senate wanted to prove."

The editorial concludes: "It remains only to say that if the characterization as 'doves' and 'hawks' is apt for the two currents of thought on American policy, the personalities we mention in this commentary [Dungan, Bronheim, Lodge] in all justice deserve to be included in a category that is not at all novel: that of ostriches."

"THE MAN NOBODY SAW"

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. CORMAN. Mr. Speaker, several months ago I had the privilege of being in the audience at the Smithsonian Auditorium to view a play entitled "The Man Nobody Saw." This was a production of the Plays for Living Division of the Family Service Association of America, and was inspired by the report of the Kerner Commission.

Ben W. Gilbert, a Washington Post staff writer, explored the meaning of the drama in a recent Post article. He offers the opinion that the drama is "an acknowledgment of what the Kerner Commission has called the 'destructive environment unknown to most white Americans' that segregation and poverty have created in the Nation's ghettos."

I was deeply affected by the play. Millions of Americans, black and white, should have the opportunity to see it. Perhaps to do so would make well-intentioned white Americans aware that sympathy and outrage at the plight of black Americans are not enough; that, more important, there must be recognition of the way white America, consciously or unconsciously, influences ghetto life. For, until white America permits this awareness to surface and accepts it, racism cannot be erased.

Mr. Whitney M. Young, Jr., executive director of the National Urban League, and Mrs. Adelaide Eisenmann, coordinator of the National Capital pilot demonstration project responsible for the 14 organizations involved in staging this production, are to be particularly commended for their efforts. Should Mr. Young and Mrs. Eisenmann achieve their goal in having this play performed again, hopefully throughout the Nation, I would recommend it highly to my colleagues. But in the meantime, Mr. Gilbert's review captures the full essence and meaning of the play, and because of the drama's deep and subtle meaning, I want to bring his review to the attention of my colleagues. Mr. Speaker, I insert the review at this point in the RECORD:

A DRAMA EXPLORES MEANING OF RACISM

(By Ben W. Gilbert)

The young black lawyer turns to the two white courtroom witnesses, a man and a woman, and angrily charges that they are guilty of the violent crimes for which his black client, Nathan Richardson, is on trial. It is the opening scene of "The Man Nobody Saw" at the Smithsonian Auditorium.

The lawyer's charge appears too stark, too shocking to reach many persons in the audience yet. The two white actors who will play a succession of roles no doubt will turn out to be mean, horribly racist persons whose outrageous behavior will confirm the lawyer's charge and thereby establish the innocence of the defendant who is both black and poor. And then, the audience will be asked to decide what should be done with the white characters.

But no, it turns out that the whites portrayed are generally well-intentioned, ordinary persons—insensitive, perhaps, but not hateful. They fail to realize the impact of their casual, occasionally prejudicial, but seldom overtly hostile actions on the young Negro family, Richardson, his wife who is a domestic, and their two children.

Is this failure of whites to understand this lack of sensitivity and empathy, racism? The unasked question becomes the central problem of the play and a key element of the audience discussion to follow. The Kerner commission whose report inspired the play said that white society is "deeply implicated" in the ghetto, but is not aware of the part it plays. Tom Wicker of the New York Times in an introduction to the riot report said that "until the fact of white racism is admitted, it cannot conceivably be expunged." The design of the play is to produce that awareness.

A white widow's husband, an accountant, was a hospital trustee who saw that the institution ran on a "sound fiscal basis," a policy that deprived Richardson's mother who died in childbirth of prenatal care. The widow does volunteer work at the adoption center where there is nothing to do for black children including Richardson.

A white father favors bussing black children to the school his youngsters attend, but does not show up for the crucial vote because his wife is opposed. So Richardson loses an educational chance. Richardson is turned away at the union hall because he lacks qualifications to be a journeyman and there are no openings for apprentices. An employer refuses to give him a job requiring little training because he lacks experience.

The whites in the audience begin to feel sorry for the Richardsons. They are making such an enormous effort, but get absolutely nowhere. Some notion of what it means to be both black and poor reaches the audience. It is not long before the white spectator senses that he too is on trial. It is becoming evident that he shares responsibility for the plight of the Richardsons. Does that make him a racist? That's a tough question and the audience is becoming uneasy.

The play moves rapidly to a predictable climax. A banker has just refused to grant Richardson a mortgage loan to enable him to become a partner in a small dry cleaning plant. He goes berserk after learning that his younger child has succumbed to rat bites in the family's frightful hovel.

Mrs. Richardson, who is one of the victims of her husband's rage, reacts to the shattering of his hopes for independence and says how hard it is to see her husband "made meaner and smaller" each day. But, she won't press charges against him, although the authorities want her to, because she is glad to find he can still fight back.

Discussion leaders ask audience groupings to write on index cards what they think the play means to them. Outrage and frustration are typical answers. The Richardsons are trapped by the system. Acknowledgment of guilt is slow to appear, but it is there. A few whites in the audience of 450 find it all too painful and depart.

The leaders probe gently. What can be done about it? Clear-cut answers do not emerge, but that is not surprising. Nevertheless, there is evident identification of the problem and the system that produced it, thereby providing a better understanding of what is meant by the charge of white racism.

Although the charges against Richardson are serious—"arson, assault, attacking his wife, felonious stealing and other acts of an incendiary nature," a thread of compassion ties the audience to him and focuses discussion on his plight, rather than his offense, an acknowledgement of what the Kerner commission has called the "destructive environment unknown to most white Americans" that segregation and poverty (and white racism) have created in the Nation's ghettos.

In a discussion guide prepared for the evening, Whitney Young, executive director of the National Urban League, defines white racism as "the effect of white institutions on the life of the ghetto . . . the things that more or less well-meaning white people do, unknowingly and unthinkingly, that cripple lives in the black community."

"White racism," Young says, "doesn't mean that Americans in any large numbers want to lynch Negroes or send blacks back to Africa, but it does mean that the vast majority of white Americans . . . to make basic assumptions of their own superiority . . . to justify actions injurious to black citizens."

Although the play by Elizabeth Blake, a production of the Plays for Living division of the Family Service Association of America, was prepared primarily for white audiences, the group at the Smithsonian literally was mixed.

The sponsors, of course, hoped that the audience took away more than an emotional jolt and would want to see the play shown to other community groups. There was some evidence of members of the audience being affected. For instance, one black woman, a Federal employe, reported that a white co-worker came to her the next day to discuss the meaning of the play.

"You know," the black woman reported, "I felt that she saw me for the first time."

THE APPALACHIAN POWER CO. ASSISTS AN ANTIMUNICIPAL POLITICAL GROUP

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Tuesday, September 9, 1969

Mr. METCALF. Mr. President, I have on previous occasions described the situation that exists in Danville, Va., as a classic example of the struggle of a small, municipally owned electric system against takeover by a large investor-

owned utility, in this case Appalachian Power Co., a subsidiary of American Electric Power.

The accusation had been made by the Danville City Council that the New Day for Danville Committee, which was waging the fight against local power bond referendums, was being assisted financially by the Appalachian Power Co.

I have received correspondence from Mr. John W. Daniel, chairman of the New Day for Danville Committee, concerning his denial at a recent Senate hearing that Appalachian Power had in any way assisted the political activities of the committee, along with correspondence from the advertising agency of Cochran, Harding, & Stuart, indicating that through an "error in billing and payment" the Appalachian Power Co. had paid printing and mailing expenses for the committee.

Mr. President, I ask unanimous consent that the correspondence be printed in the RECORD.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

NEW DAY FOR DANVILLE COMMITTEE,
Danville, Va., March 26, 1969.

Hon. LEE METCALF,
U.S. Senate,
Washington, D.C.

DEAR SENATOR METCALF: We certainly appreciate your Committee hearing our side of the Danville story pertaining to the various power bond issues.

As promised during our appearance before your Committee on March 19th, we submit the following information from our records. To the date of this letter, we have received 302 contributions to our New Day for Danville Committee ranging from $1.00 on up. The total amount received to date is $3,818.25. In reviewing the above contributions, we do not find that Appalachian Power Co., American Electric Power Co. or any official of these companies are listed among the contributors, and to our knowledge we have not received any contribution from any employees of either power company.

Hope the above is the information you desire.

Very truly yours,

JOHN W. DANIEL,
Chairman.

JULY 19, 1969.

Mr. JOHN W. DANIEL,
Chairman, New Day for Danville Committee,
Danville, Va.

DEAR MR. DANIEL: Enclosed is evidence introduced this week in the Federal Power Commission proceedings regarding Appalachian Power Company. This statement, by Russell E. Faudree, Jr.,* an FPC auditor, deals in part with the New Day for Danville Committee. The information he put in evidence does not accord with that which you furnished the Subcommittee in your appearance last March and subsequent statement.

When I concluded hearings on S. 607 on 9 July, I stated that the record will be open for two weeks. However, I shall keep the record open until Monday, July 28, in the event that you wish to amend your denials of assistance from Appalachian Power and submit additional financial data regarding the New Day for Danville Committee.

Very truly yours,

LEE METCALF.

*Text of Mr. Faudree's report printed in CONGRESSIONAL RECORD of July 24, 1969.

NEW DAY FOR DANVILLE COMMITTEE,
Danville, Va., July 25, 1969.

Hon. LEE METCALF,
U.S. Senate,
Committee on Government Operations,
Washington, D.C.

DEAR SENATOR METCALF: On returning to Danville on July 24th I found your letter of July 19th.

In regard to your offer to change my "denials of assistance from Appalachian Power" given in testimony before your subcommittee on March 19, 1969:

My testimony stands as given. I was not then aware that Appalachian had—through a mistake in billing—paid a bill which should have been sent to the New Day For Danville Committee. As soon as the local press printed a report of the FPC Audit of Appalachian expenditures showing this payment, I asked the Committee's advertising agency to determine if this had happened. When the agency informed me that it had occurred (see enclosed letter), I made arrangements to take care of this expenditure out of Committee funds.

I repeat, my testimony given before your sub-committee stands as given, as it represented the facts as I knew them at the time.

I am enclosing a statement I released to local news media the day after the story on the FPC audit was printed.

Very truly yours,

JOHN W. DANIEL,
Chairman.

COCHRAN HARDEN & STUART, INC.,
Greensboro, N.C., July 21, 1969.

JOHN W. DANIEL,
Chairman, New Day For Danville Committee.

DEAR MR. DANIEL: I am sorry that I was out of town Friday (July 18) when you tried to contact me. When I returned to the office today I found a clipping from the Danville Register that you had sent to me. I was so surprised as you were to read that Appalachian Power Co. had allegedly paid some bills for the New Day For Danville Committee. On checking into the matter, I discovered that indeed the expense for printing the Committee's first letter, the labor involved in folding and stuffing the letter and the postage for mailing it had been paid for by Appalachian.

I regret that this happened as I know it has caused you some undeserved personal embarrassment. And I especially regret it because you told me repeatedly that the Committee was paying all of its expenses, in that you and the committee were fighting for a principle and "not fighting any battles for Appalachian."

I have requested Appalachian to bill our agency for any expenses involved in getting out the first mailing, and as soon as this bill is received I will in turn render a statement to the Committee.

Once again, Mr. Daniel, let me say how much I regret this error in billing and payment; and I hope this method of re-payment will meet with your approval.

Cordially,

JERRY REECE.

NEWS RELEASE FOR NEW DAY FOR DANVILLE COMMITTEE

(Statement by John W. Daniel, July 19, 1969)

I have not knowingly made any misstatement of fact as to anything that the New Day for Danville Committee has been concerned with.

When I appeared before the Metcalf Sub-Committee in Washington on March 19, 1969, I knew that the New Day's letter to the people of Danville had been prepared by the New Day Committee and had gone out. It was my understanding that all expenses in connection with this letter were to be billed to the Committee by Cochran Harden & Stuart, Inc., the advertising agency which had been employed by the Committee to assist with its publicity.

Subsequently, in April, the Committee received from Cochran Harden & Stuart, Inc. the invoice appearing below which contained an item of $783.56 for "design, layout and printing of envelopes and letterhead (paid to Stuart Studio)." It was my belief that this item included all expenses in connection with the Committee's letter.

The newspaper story published Friday, July 18th, was the first I knew that the $298 cost of printing the letter was separately paid by Appalachian and not included in the bill rendered the Committee by Cochran Harden & Stuart, Inc.

The bill above referred to is as follows:

Conferences and creative time for account executive (Jerry Reece)	$1,335.00
Advertising bill paid by CHS	1,260.25
Outside services purchased by CHS:	
Production of jingle, taping of radio spots (paid to Sound Creators)	337.50
Voice for spots (paid to William Alspaugh)	100.00
Art, production and layouts for newspaper ads (paid to Stuart Studio)	2,385.99
Design, layout and printing of envelopes and letterhead (paid to Stuart Studio)	783.56
Design, layout and printing of small card and brochure (paid to Stuart Studio)	1,010.78
Design and layout of two billboards (paid to Stuart Studio)	279.23
	7,492.31

This entire bill has been paid by the Committee and I remain personally responsible on a note used to raise the money to pay it.

The committee and Appalachian Power Company both had a clear right to spend money to inform the people and to get their views across. The City Government evidently felt that it had the same right since it did not hesitate to expend a large amount of the taxpayers money in promoting the Power Bond Issue.

It would be only fair for the City to consent to have the amount it has spent in this matter revealed by an independent audit.

TRITUTE TO THE HONORABLE CHARLES S. JOELSON

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. GILBERT. Mr. Speaker, it is with mixed feelings that I watch my friend, CHARLES S. JOELSON, leave the House of Representatives and return to his home State of New Jersey to assume the position of judge of the superior court.

My feelings are mixed because I will be losing a warm and valuable friend but I am pleased because "CHUCK'S" long and capable years of service to the people of New Jersey are again being recognized by this new appointment.

I have enjoyed working with "CHUCK" JOELSON and in the 8 years we have served together, I have come to think of him as one of my closest friends. We in the Halls of Congress will be losing an able legislator who has served with distinction on the Education and Labor

Committee and the Appropriations Committee.

I wish to join with my other colleagues today in the House of Representatives in wishing "CHUCK" JOELSON all the very best in the years to come.

ON ASSESSING HO CHI MINH

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. MIKVA. Mr. Speaker, this body has heard some discussion in recent days over the assessment by his own countrymen of the career of North Vietnamese Leader Ho Chi Minh. It has unfortunately been implied that to recognize Ho's standing as a nationalist and patriot in his own country is somehow to praise him and to dishonor the memory of American soldiers who have died in South Vietnam.

In light of this line of argument, I was interested to note in reading through one edition of a paper from my home town, the Chicago Daily News, two columns which treated—one seriously and one humorously—the significance of Ho Chi Minh's career and of his death. The widely read publisher and columnist John S. Knight had a column under the headline "Yes, Ho Was a Red, But Also a Firm Nationalist." One of Chicago's most talented writers and humorists, Mr. Mike Royko, has made somewhat the same point mixed with some shrewd observations about the attitude of Americans toward the war in South Vietnam.

It has been said, Mr. Speaker, that a Member's comments about Ho Chi Minh's standing among his own countrymen reflects adversely on his qualifications to sit in this body. I submit that this is no more true than that John S. Knight's comments reflect adversely on his qualifications as a publisher or Mike Royko's on his qualifications as a columnist and journalist. The most important point, however, is that this body must remain, as it has traditionally been, a forum in which all opinions may be heard and all voices raised without fear of misrepresentation or recrimination. To the extent that this freedom of comment and debate is hindered or restricted, all the Members of this House and all the people of this Nation are the losers.

The articles referred to follow:

YES, HO WAS A RED, BUT ALSO A FIRM NATIONALIST

(By John S. Knight)

The death of Ho Chi Minh marks a milestone in the history of Indochina.

Ho was a dedicated Communist, trained in Moscow. But he was likewise a confirmed nationalist who roused his people with the cry for independence of his homeland.

In his youth, this ruthless, intelligent and resourceful man was impressed by President Woodrow Wilson's 14 points as enunciated at Versailles. He sought unsuccessfully to petition the Versailles conference with similar guarantees for these freedoms in Vietnam.

When spurned, Ho turned to Communism as the only effective way to gain his objective.

Ho's further frustration came in 1946 when the French reneged on an agreement to permit the Democratic Republic of Vietnam to become part of the French union as a free state within the Indochina Federation.

Ho had been recognized by the French as chief of state and was promised a plebiscite in the south on the question of unified Vietnam under his leadership.

France's repudiation of this agreement brought on a 7-year war. Until the victory of Dien Bien Phu, Ho received no official diplomatic recognition from either Communist China or Russia.

The cease-fire accord signed at Geneva divided Vietnam at the 17th Parallel, creating a North and a South Vietnam. Elections were promised as a means of unifying the country.

Although a party of the Geneva accord, the United States declined to sign it. South Vietnam, also a nonsignatory, refused to hold the elections. It was Gen. Eisenhower's opinion at the time that if elections had been held, Ho would have received about 80 per cent of the vote.

The United States made a lamentable mistake in appraising the Vietnam situation following World War II.

Ho had collaborated with American O.S.S. agents during the Japanese occupation. He hoped, and with some cause, that the Americans might support Vietnamese independence after the Japanese defeat.

Franklin D. Roosevelt had declared his distaste of colonialism and remarked that Vietnam must never be returned to the French.

Yet the United States sided with the French and supported return of their colonial power to Indochina. At that time, popular opinion in this country was imbued by the fear of a monolithic communism which might one day dominate the world.

We had learned nothing from the French fiasco and even less about the impossibility of shooting down either nationalism or communism with superior fire power.

And that, ladies and gentlemen, is why we are today in Vietnam—uncertain, bewildered, boastfully reciting the huge enemy casualties one day and pleading in Paris with North Vietnam for peace on the next.

No one can be sure yet whether Ho's passing will raise or diminish our hopes for an end to the fighting.

This will largely depend upon Ho's successors, all tough and seasoned disciples of their fallen leader's philosophy. But the impression persists that they may lack the old man's tenacity of purpose and even find it to their advantage to become less dogmatic at Paris.

After a proper interval, President Nixon should take the initiative.

This is not the hour to make threats, belabor the past and snarl over trivia.

Rather we should be generous in our proposals and seek a workable compromise which may not satisfy the hard liners on either side.

Of prime importance is to devise a way to bring the fighting to an end as we, together with other nations, strive for solutions which can alleviate world tensions and bring to all of Vietnam the democratic processes so essential to the welfare and progress of that beleaguered land.

In my various editorial capacities, I have published Drew Pearson's column since 1934 and often to the disgust of some readers.

In explanation as to "Why you print that so-and-so," the reply has always been made that while Drew is sometimes careless with the facts, he nevertheless manages to dig up pertinent information we don't get from any other source.

And Pearson never took exception to the editor's authority to set him straight, point out errors or simply toss the offending column in the round file.

On his more than 50 libel suits, Drew once wrote me: "I am rather proud of them because it would be fairly easy to settle and instead I have spent an awful lot of money and even more time proving I was right. I suppose some day I'll get set back on my heels, but I'm still going to fight them anyway."

Drew Pearson's exposes of men in public life demanded great courage. Presidents called him nasty names, the late Joe McCarthy kicked him in the groin, accused him of being a Communist and inspired a successful boycott of his radio program.

The columnist's revelations led to the censure of Sen. Thomas J. Dodd of Connecticut. Pearson was denied a Pulitzer Prize, although recommended by the jury, because of distaste for the methods he used.

Withal, Drew Pearson was a quiet, self-effacing man with the manners of a diplomat and the conscience of his Quaker birthright.

His faults notwithstanding, Drew Pearson's crusades turned the light on the dark crevices of government where lesser men sought to conceal their deceits.

WE'VE RUN OUT OF "BAD GUYS"

(By Mike Royko)

The day after President Truman announced that Hitler was finally dead, the Illinois Legislature happily passed this resolution:

"We hereby commend Hitler on the one good act of his career . . . and condemn him for not having died 56 years ago."

British radio marked the event by quoting Shakespeare: "The day is over. That bloody dog is dead."

Everyone was happy. Strangers bought each other drinks, celebrated, cheered. People beamed and talked about it on the street. It couldn't have happened to a more deserving monster, they all agreed.

The reaction was the same, on a lesser scale, when Mussolini got his. And when Tojo tried to kill himself, people hoped he'd survive, which he did, because they wanted to see him hanged, which he was.

And why not? Next to a total victory over the enemy nation, there's nothing as encouraging as the death of the enemy nation's leader.

That's why I couldn't wait to get downtown after I turned on the radio and heard that Ho Chi Minh had died.

Stuffing my pockets with confetti and party noisemakers, donning a red-white-and-blue straw hat, and humming a medley of George M. Cohan songs, I set out to join in the patriotic outbursts I was sure would be sweeping the Loop.

Strangely, I couldn't find any happy crowds gathering at State and Madison. People went about their business as if nothing wonderful had happened.

And in the bars, nobody made "V" signs with their hands, drank a toast, or sang "Roll me over in the clover. . . ."

So I hurried to the office to read the papers and make sure I hadn't misunderstood the radio announcer.

No mistake. It was right there in black and white. Ho was dead, all right.

At least, I thought, there would be the satisfaction of reading about the monster's end. I began looking for the stories quoting out national leaders about what a great victory for freedom his demise was; about how death was too good for this Red octopus who tried to crush us in the tentacles of international communism. I wanted to savor the editorials that would say the world can rest a little easier today, and that this terrible man left a dark splat on the pages of history.

But the situation got even more confusing.

The President hadn't even commented on Ho's death. Hardly anyone in public life said anything. There were no sardonic resolutions being passed by legislatures anywhere.

Even more remarkable, some stories and editorials described him as being a "George Washington to millions of Vietnamese."

One editorial talked about his "unrelenting and unswerving fight of more than 30 years to free all of Vietnam from foreign domination."

A hard-bitten war correspondent who had spent more than two years in the thick of the Vietnam battles, described Ho as being "venerable, bearded, ancient, gracious, grandfatherly."

And the most flag-waving paper in town, which I had expected to verbally dance on his grave, didn't say one editorial word.

Just about the only harsh comment I could find was the rather obvious fact that he was a big Communist. But even that was tempered by the observation that he was even more of a Vietnam nationalist than a Communist.

Unbelievable as it was, there is no getting around it: He came off sounding better than some of the people who are on our side.

What kind of patriotism is that? Common sense alone should tell us that he was a fiend of the darkest evil. Why else would we be killing his followers by the hundreds of thousands, and losing more than 30,000 of our own men doing it? If that many of his followers are bad enough to deserve killing, imagine what he, the leader, was like?

And the fact that we've been at it longer than we were in World War II should be prima facie evidence that he was probably the most evil man in the world, because if he wasn't, why aren't we fighting the guy who is?

I hope the next time we get into a limited war, we find an enemy with a more hateful leader. After all, we do have freedom of choice.

NEWSLETTER

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. SCOTT. Mr. Speaker, in an effort to keep the people of the Eighth District informed I send out a newsletter to all who request it and am inserting at this point in the RECORD a copy of the September issue for the information of the membership:

YOUR CONGRESSMAN BILL SCOTT REPORTS

CONGRESSIONAL VACATIONS

The Congress was in recess for three weeks and reconvened last Wednesday. This is a departure from the usual procedure of having a continuous session beginning in January. However, the sessions have become so long that they almost run throughout the year, and some of the younger Members with school age children urged a vacation time during the summer which they could share with their families.

Inez and I spent a portion of the time on our boat on the Potomac, some of the time working around the house, but the entire vacation within the district. We also had an opportunity to attend some activities sponsored by civic groups, to spend some time in the district office at Fredericksburg, and the remainder in the Washington office.

ELECTORAL REFORM

A most important measure is now before the House of Representatives for consideration. It proposes to amend the constitution to provide for the direct election of the President and the Vice President and to eliminate the electoral college. Under the proposal, a single vote would be cast for two persons who have consented to the joining of their names as candidates for the offices of President and Vice President. No candidate could consent to the joining of his name with more than one person. The pair of persons receiving the greatest number of votes for President and Vice President would be elected, provided however, that if no one received at least 40% of the whole number of votes cast, there would be a run-off election between the two pairs of persons who received the highest and second highest number of votes. While a 2/3rd vote is required for passage, the measure is popular and will probably be approved in the House of Representatives. The Senate Judiciary Subcommittee on Constitutional Amendments, however, has recommended a different plan for electing the President and the Vice President. Under its proposal, known as the "District Plan, the President and Vice President would be selected by receiving the greater number of votes in a majority of each of the 435 Congressional Districts in the country, and in addition, a majority of the at large votes corresponding with the two Senators from each state.

The present electoral system for electing the President and Vice President was a compromise which grew out of the Constitutional Convention of 1787. Some wanted the President to be elected directly by the people while others felt that the selection should be made by either the Congress or the State Legislature. However, the present method provides that the Chief Executive be chosen by electors equal to the 535 members of both Houses of the Congress plus three electors from the District of Columbia, and in order to be elected President or Vice President, a candidate must receive a majority of all electoral votes.

Certainly a direct vote of the people is a democratic way of selecting our two top government executives. However, in our cities we have bloc voting to a great extent and the District Plan adopted by the Senate Committee has considerable appeal. The measure was scheduled to be considered for the balance of the week with the understanding that if final action were not taken, it would go over for further consideration next week. Some rescheduling may be made because of the death of Senator Dirksen. This should be one of the most interesting and important matters considered by the Congress in recent years and I want to hear arguments on the proposed amendments, but do intend to vote for abolishing the present electoral system.

FUTURE ACTIVITIES

The President has indicated that many public projects financed in whole or in part by the federal government will be curtailed, and I am not sure at this time what effect, if any, this determination will have upon any proposal within our district. However, inflation is a matter that concerns us all, and especially a person on a fixed salary or a retirement income. Therefore, it seems reasonable to support efforts to control spending and to establish a stable dollar. Another proposal of the President relates to welfare. He speaks of transferring people from the welfare roll to the payroll and the key word in his plan appears to be "work." We would all agree that there is an obligation to support persons unable to care for themselves because of age, mental or physical deficiencies, but as I understand the President's proposal, it will be to encourage persons to obtain employment in private industry and develop a plan whereby it will be in their financial interest to work rather than stay on relief. A provision is also included for job training and a person able to work who will not accept training or a job will be eliminated from the welfare roles.

NATIONAL CEMETERY

The Committee on Veterans Affairs will conduct a hearing on September 23 at 10:00 a.m., on H.R. 8818, to provide for the establishment of a national cemetery adjacent to the Manassas Battlefield Park. During the past century, Arlington has become an outstanding and cherished national shrine commemorating the lives and services of members of the armed forces. A number of constituents have expressed concern about the limited burial space there and the restrictions recently established. Even under the restricted rules, however, Arlington will be completely filled by 1985. The suggestion was made that an auxiliary be established at the Manassas Battlefield Park as a supplement to Arlington. Of course, the battlefield is already an historical shrine in view of the first and second battles of Bull Run or Manassas during the Civil War. However, a heroes' cemetery such as exists at Arlington would relieve the present congestion and provide a buffer area against encroachment by commercial interests. My bill would authorize the acquisition of not more than 500 acres of land to meet present and future burial needs. Even though I know your views on this proposal because of the annual questionnaire and personal contact, you may want to share them with the Chairman of the committee conducting the hearing. He is Congressman Olin Teague, Chairman, Committee on Veterans Affairs, House of Representatives, Washington, D.C. 20515.

GOVERNMENT EMPLOYEES

The Committee on Post Office and Civil Service has favorably reported a bill to establish a Federal Employee Salary Commission to fix future federal employees' salaries, subject to appeal to a Board of Arbitration and ultimately a Congressional veto. It provides an additional pay raise for postal workers but none for other government employees. Each year, the commission would report its recommendations to the Congress on the first of February and these recommendations would become law unless vetoed by the Congress within thirty days. The Postal Employees Union generally support the measure but other Government Unions oppose it. There is considerable doubt in my mind as to whether the Congress and the President should abdicate their jurisdiction over federal salaries. The responsibility for developing a budget rests with the President and government employees' salaries constitute a large portion of the budget. Therefore, it does not seem reasonable to have these salaries determined without any opportunity for him to pass upon them, and none is provided in the bill. As Congress has a responsibility to appropriate funds, it seems reasonable that it would also have a voice in determining the amount of salaries. However, there should be an opportunity to amend or rewrite the measure when it is considered on the floor of the House, and I am not sure of how the final version will read.

FLOOD RELIEF

Six counties in our Congressional District were affected by the recent heavy rainfall and flooding. Although other areas of Virginia suffered more damage, these counties are said to qualify for federal assistance. Assistance, if needed, is available through the Small Business Administration (SBA), the Department of Agriculture, and, of course, the various private agencies. The SBA regional office in Richmond can take applications for loans to repair businesses and homes damaged or destroyed by the storms and floods. Loans may be made direct or in cooperation with local banks. In some cases, the SBA will guarantee a loan made directly by a bank. It must be pointed out that emergency loans are for emergency purposes only, such as to replace furniture destroyed in the flood or to repair homes damaged by the flood. In addition to its vital role in feeding victims of the storm, the Department of Agriculture also provides aid for farmers. Emergency loans are available through FHA, and feedgrain is available on an interim basis for farmers whose stores were affected by the storm. The six counties eligible for these services include Caroline, Charles City, Goochland, Hanover, New Kent, and Louisa. Information and literature can be obtained through the appropriate agency or through this office.

AMONG OUR CORRESPONDENCE

A constituent wrote regarding the inadequacy of the postal facilities at Dumfries indicating that persons parking at the facility had to back out into U.S. Route 1. The Postmaster General, however, advised on September 5 that the department is proposing construction of a new facility for the community and that a report will be sent at an early date.

NEWSLETTER

If you are not presently receiving the newsletter and would like copies each month, please let us know. However, if you are already on the mailing list and are regularly receiving it no further action on your part is necessary.

SOMETHING TO PONDER

Noah didn't wait for his ship to come in; he built his own.

JUDGE TO JUSTICE

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. KEITH. Mr. Speaker, the nomination of Judge Clement Haynsworth to the U.S. Supreme Court has drawn a certain amount of fire, as every Supreme Court nomination does. In Judge Haynsworth's case the critics argue that he has "dragged his feet" on civil rights in his earlier decisions in the South.

The critics are finding it difficult to gain much support in their efforts to block the nomination of the judge, for the simple reason that they have a poor case. Those who have examined Judge Haynsworth's overall record find it to be a fair and progressive one. While one might quarrel with some of his earlier civil rights rulings, the majority of his decisions in this area—and certainly most that he has made in recent years—show an outstanding degree of fairness and regard for the merit of the individual case.

Although a southerner, Judge Haynsworth has drawn editorial praise from every end of the country, including my own area of New England. The Boston Herald Traveler recently ran such an editorial, and I am glad for the opportunity to bring it to the attention of my colleagues:

JUDGE TO JUSTICE

President Nixon's nomination of Judge Clement F. Haynsworth Jr. of South Carolina to be an Associate Justice of the Supreme Court seems to be an excellent choice.

Mr. Haynsworth, the chief judge of the U.S. Court of Appeals for the Fourth District, meets superbly what President Nixon considers the qualifications for the nation's highest tribunal: He is prudent, fair-minded, erudite and keen.

These qualifications should commend Judge Haynsworth to the U.S. Senate, notwithstanding complaints from some liberal and civil rights leaders about some of Judge Haynsworth's earlier decisions.

Mr. Haynsworth himself is the first to concede that he has, like most men, changed his mind over the years, and although some of his earlier opinions showed conservatism and caution in civil rights cases, he cannot be categorized as a foot-dragger in the federal judiciary's steady expansion of civil liberties. In 1965, for example, he decreed the integration of the South Carolina Dental Society.

Judge Haynsworth, the fifth generation of the same family that has produced esteemed members of the bar in South Carolina, has shown that he likes to decide each case on its merits and its constitutionality. His judicial temperament and scholarship have earned him a reputation as a distinguished jurist, a reputation which we hope his tenure on the Supreme Court will further embellish.

DESALTING PLANT IN ISRAEL

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. MINISH. Mr. Speaker, I am today introducing legislation to amend the Foreign Assistance Act to authorize the United States to participate in the development of a large desalting plant in Israel. The proposal presently is pending before the House Foreign Affairs Committee and I urge favorable consideration of this worthwhile project by the members of that body.

The project in question is a dual purpose power and desalting plant designed to eventually produce 40 million gallons of fresh water per day. Under the legislation, the U.S. Government would extend $40 million to Israel to pay half the cost of constructing the water plant and half the cost of 5 years' operation. Israel would cover the balance for the water plant and assume the entire cost of the power facility. A conservative estimate has placed the projects total cost to Israel at approximately $100 million.

Israel anticipates a severe water shortage in the next decade and must seek assistance in the development of freshwater conversion methods. By necessity, Israel maintains a large defense force at great expense to her citizens. Unlike the Arab governments, Israel is not receiving free arms assistance from any nation. When available, essential armaments must be purchased at staggering costs from the few nations willing and able to cooperate toward the goal of a free, sovereign, secure Israel at peace with her neighbors.

The development in Israel of the world's first major desalination installation promises rich dividends to the United States in return for a modest investment. A critical shortage of fresh water for home and industrial use will confront much of the world, including parts of the United States, in future decades if a solid beginning of research and development in desalting is not made promptly. As former President Lyndon Johnson said on February 6, 1964:

Our own water problems in this country are not yet solved. We, like Israel, need to find cheap ways of converting salt water to fresh water, so let us work together.

Israel constitutes the ideal setting for a prototype project in desalination to benefit all mankind. Anticipating a severe water problem, the Israel Government already has begun to acquire skill and experience in the management of her meager water supply and the production of fresh water. Moreover, Israel has consistently demonstrated an outstanding ability in science, economic growth, and agriculture. Her strides in all areas of endeavor over the short span of two decades serve as indisputable testimony to her ability to tackle and to overcome the most difficult obstacles.

Mr. Speaker, the inclusion of this legislation in the Foreign Assistance Act of 1969 will mark a giant step in the world's effort to assure a more peaceful and a more prosperous future for all mankind.

EULOGY OF THE LATE EDWARD A. KELLY

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. McCORMACK. Mr. Speaker, recent weeks have seen the passing of distinguished Americans whose service to the Nation can never be fully measured. Not least among these stands the name of Edward A. Kelly, dear friend and honored colleague of whose life it is my privilege to speak on this occasion.

To an exceptional degree, Edward Kelly was very much a part of the dramatic event which shaped American—and therefore world—history during the great years of the New Deal and the Second World War, an era crucial to the survival of this Nation and, indeed, of those ideals and values which our Judaeo-Christian tradition has held before men's eyes through centuries of struggle—freedom, justice, and compassion. Edward Kelly came to the Congress of the United States in 1931 in the heart of the depression. Always a vigorous supporter of President Franklin D. Roosevelt, he served not only in the 72d but in the five succeeding Congresses until his defeat in 1942. In 1945 he returned to the city on his election to the 79th Congress. Defeated in his bid for the 80th Congress in 1946, he was able to look back upon some 14 years of distinguished service in this House, years of triumph and of defeat alike, years which marked the recovery of our people from the most serious economic crisis of our history and which prepared them for the fierce time of testing which began at Pearl Harbor and culminated at Berlin and Hiroshima. It was Edward Kelly's privilege to serve in this body during that time and to participate in the shaping of decisions, national and international, which were to vindicate the cause of representative government in the never-ending conflict with tyranny and oppression.

Edward Kelly was a man loyal to party, in the best tradition of American political life. He recognized that the two-party system is an effective means to the common good. In this spirit he served his party tirelessly. Born in the city of Chicago in 1892, he was a lifelong Democrat who, at the age of only 23, was elected president of the 32d ward of his party organization. Political and civic responsibility were for him a way of life. From 1944 to 1946 he served with distinction on the Chicago Planning Committee. From 1943 to 1945 he was assistant to the

chief justice of the Chicago municipal court.

His patriotic zeal found expression in the Great War: from 1917 to 1919 he served with the American Expeditionary Force in Battery D of the 32d Field Artillery, including 9 months overseas. Prior to the coming of the war, he had attended business college—in 1911. From 1916 to 1920, barring the war years, he was an accountant for the Illinois Steel Co. The experience thus acquired led him into real estate and insurance brokerage; in 1920 he organized the E. A. Kelly Co. This interest, which gave him practical insight into the problems of industry, continued, and in 1947 he returned to the field of industrial real estate as a broker, following his retirement from Congress.

He is remembered today with respect and affection not only by the people of the Third District of Illinois whom he served for so many years but by all who came into contact with him in this House, where he was a member of the Interstate and Foreign Commerce Committee.

To his family—his dear wife, the former Rosemary Eulert; his two brothers and three sisters; his children—Robert, formerly of the U.S. Naval Academy and all-American halfback at Notre Dame, Edward A. Jr., and Rosemary; and to his eight grandchildren—I extend deepest sympathy in their and our loss. Surely they may find consolation not only in the assurances of faith but also in the honored memory of his life, a life characterized by loyalty, service, and fidelity, ideals which, precious in every generation, constitute a noble legacy to us all.

THE 747 GENERATION

HON. WILLIAM S. MAILLIARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. MAILLIARD. Mr. Speaker, we have survived, happily, the changes 10 years of the jet transport age have wrought. It was in the autumn of 1958 when Pan American World Airways inaugurated jet service between the United States and Europe with 707 aircraft. Before the year is out Pan Am will bring still another new sophistication to international air transport with the introduction of the gigantic and breathtaking 747 service.

I am pleased, Mr. Speaker, to report that this new 747 service will have its inauguration on a Pan Am flight from San Francisco to Hawaii. Shortly thereafter, according to Pan Am's president, Jeeb Halaby, Pan Am will be flying nonstop from San Francisco to Tokyo.

I am pleased to place in the RECORD the text of Mr. Halaby's timely address before the Commonwealth Club in San Francisco concerning the future of air transport as it concerns the San Francisco gateway:

THE 747 GENERATION

(By Najeeb E. Halaby)

Thank you, Mr. Chairman. It's a great job to be here with San Franciscoans, classmates and friends, and probably a few competitors and critics as well. We are very happy to say that we are going to usher this 747 generation in—just about Christmas time—by offering you flights from San Francisco to Hawaii. Shortly thereafter we'll be flying from San Francisco to Tokyo, perhaps without even a fuel stop all the way, with this fabulous space jet.

When you hear the word space jet, you think maybe of astronauts, you think maybe of jets, you think of space. And that's the real thing we're going to sell—all of us airlines are going to fly this airplane. Since our boys are on the way to the moon, I think this is an auspicious day to make predictions. Considering what is happening within these last few years, I can't think of anything that would be way out any more and, on the other hand, if any company president makes predictions that may be considered way in, he may find himself in trouble with the SEC. Even after skipping a dividend.

I'm going to try to talk to you about something that is here and now, and to intrigue you with a little bit of the future. All of our lives will be affected by two great motions, or tides, I think. The mystery of life itself is now being seen in a completely new perspective, and the mastery of change which is engulfing us in so many ways, with so many vortices all around the world. A big order, I think, but let me try.

The Boeing 747 is hardly a small machine, as our chairman pointed out. It's I think a bird that will bear people all over the world, all over this great universe of ours, and it will I guess, create a generation gap in the sense of the difference between what we've been accustomed to and what we'll become accustomed to.

Now, as Mr. Dinkelspiel said, it is only a bit more than a triple size 707 with a bump on its nose, but it will fly about 50 miles an hour faster. It's startingly quiet, and leaves no trail of black smoke for the neighbors to be irritated by. All of these things are more than new makeup on an old lady. Some airline friends of ours have tried to change personalities by painting themselves up a bit, and I must admit it gets initial attention, if that's what you need.

But the payoff comes from what's underneath the paint and that applies to an airplane as much as to a lady. The first generation of commercial jets, the 707s, DC–8s were very productive and amazingly reliable. They provided a new perimeter—a sort of an expanded envelope for human activity. They really have, through their technology, enlarged all of our lives. Unhappily, as more and more people flock to these airplanes, the airports became too crowded, the terminals too small, the airport access routes too cluttered and clogged. In a sense, we've had almost too much success.

Now we're only beginning to face up realistically to these problems, explore better ways to exploit the great technological advance that this first generation of jets has offered. And along comes the Boeing 747, as one magazine puts it—ready or not. And after seeing one, I suppose some of you might ask who needs it. Especially those harassed airport managers who have to accommodate this giant bird.

On the other hand, go back to the railroads. Visualize—perhaps 80 or 90 years ago—the possibilities of high speed transportation, when somebody, or maybe a whole group of railroaders, woke up screaming at this new state of the art, and said—who needs it?—and they didn't provide it. Therefore, I think something is far worse than the unwillingness to face this rapidly changing state of the art, and that's to block it out.

So today, and tomorrow, we have the lunar excursion above us. And, by the way, as of last night, we had 36,000 applications for the first Pan Am moon flight. They are all in the computer by number, and they are real people and they are from all over the world. It's fascinating that there is this much vision and courage. Some of them propose to pay later, unfortunately. One letter from a young man in Australia said, "I'd like the reservation now, and I will send you the check in 1984."

I suppose in some respects things may be easier getting out to San Francisco International Airport for that first moon flight, too. Bart will be working by then, and I hope it will be extended to the airport, and maybe even to the moonport. All of us here remember what flying was like only a decade ago. In his generous introduction, Mr. Dinkelspiel pointed out that I'd had the privilege as a Lt. JG in the Navy to fly a propellerless airplane across the United States, just about 15 years ago. It really was a startling event. I recall, contrary to all regulations of the Navy and FAA and everyone else, that flying a little formation at a discreet distance from commercial airliner, we got in fairly close and the co-pilot looked over and saw this propless beast, off his wing, and he damn near fainted.

The prospect, too, of an airplane taxiing without any propellers into an airport, was a rather scary one then. I think 10 years ago, millions of people weren't quite aware that they'd stepped into a mobile decade. The engineers even then were rolling doodles off their drawing boards, but a lot of them never got airborne. There were lots of brainstorming sessions—many of them here in San Francisco as the aerodynamicists and electronicists of the area planned our future.

One of those impossible doodles did take off just a short time ago for a nonstop flight from Seattle to Paris. It was the first 747 to fly the ocean, and that particular airplane will be delivered to us in September of this year. It drove up next door to another doodle called the Concorde Supersonic Transport—a fabulous partnership across the Channel between two great nations and their technologies. And due, but not present at the Paris Air Show, was another doodle—from Moscow. The TU144, designed by a very brilliant engineer, Andre Nicolavitch Tuppelef, who at 81, with his son, designed this fabulous supersonic transport which has now been tested at supersonic speeds. We have to face the possibility that it will be flying first across Siberia and then across the Atlantic in competition with our airliners and those of the rest of the world.

We've been invited to go and see it, and it will be for an antique test pilot, a very exciting adventure. This moment in Paris was a bit sad because our supersonic airliner is still in a paper debate, and although Europeans have two designs and three airplanes flying, it looks as though it will be in the late 70s, before we are able to field one. It may be a serious and expensive mistake. We've certainly given our friends abroad a gift of lead time, and they've been doing it, and they've been developing a machine that is as inevitable in man's future as time.

I'm a great believer, as I think most of the members of this great commonwealth club of California are, in meeting and talking to each other. I don't think it's realistic to carry on a love affair by telephone. I don't think major corporations can do business with full success around the globe, by memo. And I don't think it's possible for nations to live in peace without being able to exchange citizens freely and en masse.

And I would predict that this 747 is going to be the greatest people to people machine man has ever devised. We are only a few weeks away from putting it into service, and, of course, there are only a few who have ever heard of this very creative beast. Many think it carries over 500 people which, I suppose, it could if you were interested only in cattle steerage. Some think it's a supersonic plane, with devastating sonic boom. It isn't.

Many think they will be herded like cattle, and dropped off at airports with a perfunctory anonymity of baggage. Many are convinced they'll never see their baggage again. And a few indicate that it's just too big to

fly safely—it'll fall. I mention these specific untruisms, not at random, but after market research has disclosed some of these contemporary preliminary misconceptions.

Now our motives as a public service organization are very plain really—to satisfy a growing public demand around the world. And that's why we've advanced 250 million dollars to date, on the purchase price of the first of these planes. We have 33 on order, and at 20 million dollars a copy, plus the ground facilities and supporting equipment, we will have a billion dollar investment, by the end of 1972.

Now we do need currently to conserve some cash and that interest rate, that Wells and Bevay and others seem to be thriving on, makes us conserve a little money and maybe we would have to pass a dividend. But that's no indication of any weakness in our financial strength or in our resolve and our expectation for the future. A short term dip in the airline business has never deterred the long term growth.

Now 27 other airlines of the world have ordered this airplane, and the total for 16 foreign carriers and the other U.S. carriers is now 150 of these spacious jets, as Boeing calls them. That's a lot of money, of course. It's a very good positive factor in our balance of payments. It's only a beginning, however. A constant renewal is part of our airline business, and we look ahead to the supersonic transport with some trepidation, but with confidence that it's really an intercontinental time machine of the highest order.

And then later, as the astronauts have proved, a kind of hypersonic, many times the speed of sound, and finally space ships. Some people say you shouldn't talk about space transportation until you have solved the problems of getting people in and out of the airplane comfortably with their baggage at the same time and the same place. And I agree. That's our primary emphasis. But, there is a concept now emerging, which we will hear more and more about in the next few days. It's the concept of boosters that can be re-used, of a space station which is like an airport in space with frequent trips between the orbiting station and various points on the moon, which will be points for laboratory experimentation and very serious and expensive exploration. And finally, toward the end of the century, when we are only 30 years older than we are now, there will be sightseeing trips out into the universe for the affluent curious.

No more fantastic really than the first jet flight 20–30 years ago. Coming back to the 747, you could put 500 souls on board this bird, but that would be doing it the inconsiderate way. That would be making it a really steerage kind of airplane. We intend about 360 passengers divided into five compartments. You will not feel as though you were going into a subway train or even into a crowded theatre. You will be airborne in a series of lobbies or salons.

The way the load factors are working out these days on the airlines, with less than half of the seats sold last year, only about 75 per cent of the time will the airplane be more than half full. So you will get up and roam around and choose your seats. And you will eat, sleep and work. Upstairs there will be a very handsome lounge.

Below, there will be a huge cargo deck, a hold that can carry almost as much cargo as a full 707 does today. A new cabin service, and for those of you who are addicted to watching birds in flight, will be a full load, 14 beautiful stewardae. We are having a hard time coming up with a good name for this airplane. 747 sounds kind of numerical. Some say it should be called the Superjet. Boeing calls it the spacious jet. Even the space jet has suggested itself.

Fortunately, these huge four-engine airplanes are not going to be providing a noisy New Year. They appear to be quieter than expected, and certainly with all that power, the airplane will climb out of the airport fairly rapidly. It will do the work of almost three 707s, and yet it can use the same airport runway.

I think this machine is going to change our lives qualitatively as well. I think by this very massive exchange of people, we can, for example, have airborne schools and colleges. Instead of going for a term to Florence or Vienna, you can literally take a whole high school class to a school abroad, and take a 90-day semester. After all, there's no better way to get understanding than the eyeball to eyeball, mouth to mouth, hand to hand, mind to mind approach.

Let's start it back in high school and college. Let's see the world. Let's understand it. Let's penetrate a lot of the old myths and shibboleths that our generation has carried around with us.

I think we'll see new cities created by these big airplanes, just as San Francisco to a large extent was created by ships, and Chicago by trains. The airport will pace the development. It's really falling a little behind this great new bird, provided by private enterprise and relatively private technology. The future, in other words, is full of prospect and promise.

Knowing this technology is available, we also know that the world wants to travel. For example, there are three and a half billion people in the world, and I would estimate that not more than two per cent of the three and a half billion have ever been in an airplane. That gives us 98 per cent of three and a half billion which over the next 30 years will grow to six to seven billion unless we make planned parenthood a reality.

The race between the pill and the airplane and the plow will be an interesting one. You might say why would an airline executive be interested in birth control? And I would tell you very frankly that we are interested because we want a healthy, well-fed, well-heeled population in the world that can fly on our airplanes. I think that's the kind of world in which peace will prosper.

We'll see in the next 10 years, three times as many people flying airplanes as now. We will see many of these big and these faster planes here. Now what are you going to do about it? You the leadership of a nest of aviation, certainly for Pan Am, one of our three greatest stations, what are you going to do to convert this technology to the users of mankind?

I suggest there are some things that you can do now by meeting the challenge posed by technology. I think first is to recognize and understand the problem. We are more and more dependent on the airplane. There are less and less alternative methods of travel. Therefore, let's try to develop the airplane in such a way that it serves all of us. I think for that purpose you need an enlightened public and certainly the Commonwealth Club is one of the enlighteners of the public in our country.

We need, I believe, a master regional plan for transportation, and work on that is being done in your various bay area groups. I think that from the moon, Neil Armstrong, would look back and see how tiny we are, how compressed we are, how absolutely inconsequential the fences and barriers of counties and cities and jurisdictions thrown around our communities of interest must look from that distance.

Maybe we can take that kind of perspective about some of our bay area problems. We have to, as I see it, organize for the development and operation of a regional transportation system. We have to fund such a plan, as a third step. If there's no more bond money available for this purpose, then you've got to look toward some not-for-profit-authority, with a sound basis for issuing tax exempt bonds to get on with the conversion of technology to serve the public.

We need an airport rapid transit link to serve not only the city but the whole community and the economy that develops from it. Whether it's an extension of Bart, down across the old red car right away, whether it's the GE monorail, whether it's the West Bay Plan, I don't know. But, I do know that in Cleveland it only takes 18 minutes to get to the airport. And I do know that we have a plan even in Manhattan (which is not the ideal politically-organized community in the world) to get from the Penn Station to JFK in less than 25 minutes.

Then, within the airport, it should not be an ordeal; it should be another step in smooth and safe and comfortable transportation. Cargo is going to develop very rapidly; we're going to have to move off the airport some of the warehousing and distribution, and confine to the airport the actual handling of the cargo in and out of the airplane.

Finally, you're going to have to confront, as I see it, a need for something in New York we call a fourth jetport. You do have some fabulously good airports in this area. San Francisco International is one of the world's great airports; Oakland is a fine airport; San Jose is an airport that is on its way in growth. You're going to need another airport, and I'm not going to try to tell you where to put it. I am, however, urging you to be thinking about it; to be locating one or two sites and getting them under option and under zoning, and to be prepared to convert this fabulous technology of the future to your benefit.

That's a lot of optimism. Some people think this world is in a mess, and that the bigger and faster we get, the worse we are. I think that that is not so. I believe that with a little optimism and a little idealism things are moving toward a more peaceful world than two or three years ago. I think that this people to people, eyeball to eyeball, hand to hand and mind to mind generation, that technology can bring, is going to bring with it progress.

JOHN PORY: SPEAKER OF THE FIRST REPRESENTATIVE ASSEMBLY OF THE NEW WORLD

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. FLOOD. Mr. Speaker, as a Pennsylvanian with ancestral lines tracing back to early Virginia, and as a student of constitutional government, I have long been interested in the history of our legislative bodies for both the State and general governments that make up our Federal system.

The year 1969 marks the 350th anniversary of the formation in 1619 of our first legislative body—the first General Assembly of Virginia. The principal leader in organizing this first representative assembly of the new world was John Pory, a former member of Parliament, traveler, and diplomat.

Bringing to Virginia a wealth of knowledge gained by a broad background of experience and study, Pory was a natural choice for speaker of the first Virginia General Assembly over which he presided from 1619 until 1622. A brief story of his life by William S. Powell with special reference to his legislative achievements was published in a

recent issue of Cavalcade, the quarterly publication of the Virginia State Library.

In order that the indicated story may be suitably recorded in the permanent annals of the Congress, I quote it as part of my remarks:

SPEAKER JOHN PORY: A MEMBER OF PARLIAMENT HELPED ORGANIZE THE FIRST REPRESENTATIVE ASSEMBLY IN THE NEW WORLD

(By William S. Powell)

The debt which the United States owes to England for her institutions, customs, and other aspects of her heritage has often been acknowledged. There are a very few cases, however, where one can point to a special place and time, and say with any degree of certainty, that then and there a particular English practice was transplanted in America. This year marks the 350th anniversary of just such an event: the first session of Virginia's Grand Assembly, which met at Jamestown on July 30, 1619. Thus, the English form of representative government was introduced to the New World.

John Pory, the man responsible for organizing America's first representative assembly, is little known today. Yet in his time he moved in the best circles in London. As a member of Parliament he gained the political experience that would prove invaluable in the development of Virginia's political life. When the first assembly of elected representatives met at Jamestown late in July, 1619, Pory was chosen as Speaker of that body. He organized it and directed its work, drawing on his experiences in the House of Commons between 1605 and 1611.

Pory was born in the fen country of Norfolk north of London in 1572, and was the great-nephew and namesake of the master of Corpus Christi College, Cambridge. The family was not wealthy but it was well connected. Young Pory's first cousin, Temperance Flowerdew, married George Yeardley, who was to become governor of Virginia.

At the age of sixteen Pory entered Caius College, Cambridge, from which he was graduated in 1592; he was made a Master of Arts three years later and became an instructor in Greek at the college. In 1597, Pory began a period of study and work under Richard Hakluyt, the historian, and assisted him in the preparation of the final volume of his *Voyages*. The master commended the pupil as his "very honest, industrious and learned friend," and predicted that Pory's "special skill and extraordinary hope to performe great matters in the same" would be "beneficial for the common wealth." Pory soon saw a work of his own come from the press. This was *A Geographic Historie of Africa*, a translation of the work of Leo Africanus, which appeared in 1600. He also published the *Epitome of Ortelius*, based on the work of the great Flemish geographer, Abraham Ortelius. In 1605 Pory was elected to Parliament from the borough of Bridgewater in Somerset and served in that body for six years. During that time the Crown attempted to stifle the debates of the House of Commons, but the members resisted, declaring that it was an "ancient general and undoubted right of Parliament to debate fully all matters which do properly concern the subject."

When King James submitted six "Demandes" to Parliament, the members rejected some but compromised on the others. Committees were set up to consider these demands and report on them before final action was taken. Committees were established by Pory in Virginia in 1619, and the committee system has been an integral part of representative government in America to this day.

After Parliament was dissolved on February 9, 1611, Pory entered the employ of George Lord Carew, then Master General of the Ordnance. Like Pory, Carew was a member of the Virginia Company. That spring Pory was sent on a mission to Paris by Lancelot Andrewes, the Bishop of Winchester. He stayed in France until the early summer of 1613, when he travelled on to Turin in Italy. Later that summer he went on to Constantinople, where he found service with the English ambassador, Sir Paul Pindar. By January, 1617, he was back in London and was employed at Whitehall by Sir Ralph Winwood, principal Secretary of State. Later he came to the attention of Sir Dudley Carleton, the English ambassador to the Netherlands

During these years, Pory was also using his position, his knowledge, and his ability by serving certain wealthy and prominent men as a professional newsletter writer. In a day before newspapers were published in England, persons of position often relied on professional correspondents to keep them posted on important events at home and abroad. In 1605 and 1606 he seems to have served Sir Robert Cotton, the antiquarian, in this capacity; in 1610 he was corresponding with Sir Ralph Winwood, and in 1612 with George Lord Carew; all three were members of the Virginia Company. While he was at Constantinople, Pory corresponded with Sir Dudley Carleton, and from 1619 to 1622, while he was in Virginia, Pory frequently wrote to Sir Edwin Sandys, treasurer of the Virginia Company, concerning affairs in the colony.

Pory's letters, which generally were written at regular intervals of a week, are filled with comments and observations on such diverse subjects as Ben Johnson's masques and the beheading of Sir Walter Raleigh; the grisly details of his account of that execution suggest that Pory had a front row position.

Late in October, 1618, Sir George Yeardley was appointed governor of Virginia. Shortly thereafter Yeardley recommended to the Virginia Company that Pory, his wife's kinsman, be named secretary of the Virginia colony for a three year term. The Company appointed him to this post, and the new officers reached Jamestown on April 19, 1619. Almost immediately Pory was made a member of the Governor's Council.

A new day was dawning for Virginia. The new governor brought with him commissions and instructions from the Company "for the better establishinge of a Commonwealth heere." By proclamation, he let the people know "that those cruell lawes, by which we had soe longe been governed, were now abrogated, and that we were to be governed by those free lawes, which his Majesties subjects live under in Englande." Martial law was abolished, and the English common law substituted. A broad program of reform had been instituted by the Virginia Company to attract the more stable sort of settlers who were needed for the advancement of the colony. It was felt that wider interests in agriculture should be developed, as well as a system of schools, inns to accommodate newcomers, and better homes for all. A representative assembly was to be established as a part of this program, and Yeardley brought over instructions concerning it.

A call for the election of burgesses, or members of the Assembly, was issued in June and on July 30, 1619, the governor, a four-member Council, and twenty-two elected Burgesses—two from each of the eleven major settlements—gathered in the "Quire of the Churche" at Jamestown.

The Assembly began work with a minimum of formality. Pory reported that "the Governor, being sett downe in his accustomed place, those of the Counsel of Estate sate next him on both hands excepte onely the Secretary [Pory] then appointed Speaker, who sate right before him, John Twine, clerke of the Generall assembly, being placed next the Speaker, and Thomas Pierse, the Sergeant, standing at the barre, to be ready for any service the Assembly should comaund him."

In a simple opening ceremony the Rev. Richard Bucke prayed "that it would please God to guide and sanctifie all our proceedings to his owne glory and the good of this Plantation." All the Burgesses were then "intreatted to retyre themselves into the body of the Churche, which being done, . . . they were called in order and by name, and so every man (none staggering at it) tooke the oathe of Supremacy, and entered the Assembly."

The House of Commons in 1586 had asserted its right to determine the eligibility of its members; the first General Assembly in America did the same thing in 1619. The right of three members to take their seats was challenged, and after a full debate, one of them was seated. The other two were denied their places, because they represented Martin Brandon, Captain John Martin's plantation, which was exempted from the laws of the colony by a special grant.

After the matter of membership was settled, Speaker Porty "delivered in briefe to the whole assembly the occasions of their meeting," after which he "read unto them the commission for establishing the Counsell of Estate and the general Assembly, wherein their duties were described to the life." He then read to them "the greate Charter, or commission of privileges, orders and laws" brought over by Sir George Yeardley. To facilitate the consideration of the matters covered in these documents, Porty divided the provisions of the Charter into "fower books," and then read them a second time. Two committees of eight burgesses each were appointed to consider the various sections in turn. The Speaker directed these committees to determine which of the company's instructions "might conveniently putt on the habite of lawes." The legislators were also to consider "what lawes might issue out of the private conceipte of any of the Burgesses, or any other of the Colony," and to decide "what petitions were fitt to be sente home for England."

During its first session, the Virginia Assembly twice sat as a court, in accordance with parliamentary precedent. A servant was tried for "falsely accusing" his master, and Captain Henry Spelman was found guilty of having "spoke very unreverently and maliciously" against Governor Yeardley while at an Indian village.

On the final day of the session the Burgesses commended Pory for his "great paines and labour" as speaker. It was he, they said, "who not onely first formed the same Assembly and to their great ease and expedition reduced all matters to be treated of into a ready method, but also . . . wrote or dictated all orders and other expedients and is yet to write several bookes for all the General Incorporations and plantations both of the great Charter, and of all the lawes."

While in Virginia, Pory travelled widely and wrote long descriptive letters to his former patrons in England. A 500-acre plantation on the Eastern Shore was granted to him for his support in place of a salary, and he visited this property in what is now Northampton County several times. The "Secretary's Land" belonged to the office rather than the individual, and it was later held by Pory's successors.

The Secretary became interested in the possibility of iron production in the colony, and he encouraged the establishment of the ironworks at Falling Creek in what is now Chesterfield County. He criticized the wasteful process of boiling sea water to produce salt and he proposed that a more efficient method, similar to one he had observed on his visits to France and the Low Countries, be used. In the spring of 1622 the Virginia Company adopted his recommendations and sent over a "Rocheller" from France to establish more productive salt works. Pory was also interested in the production of naval stores, hemp and flax. After a voyage of exploration into what was to become North Carolina, he recommended that the pine forests which he found there might free

England from her dependence on Norway for tar, pitch, and turpentine.

Pory's three year appointment expired late in 1622, and he returned home by way of Plymouth colony in New England, and he wrote a glowing account of that settlement. While he was in New England, he "collected a small dictionarie" of the language of the local Indians and found many of their words were similar to those used by the Indians in the "South Colonie, and of the easterne shore of the bay."

In the spring of 1623, soon after Pory returned to England, he was appointed to a royal commission which was assigned the task of inquiring into the state of affairs in the colony. Pory and John Harvey, another commissioner, arrived in Virginia about the end of February, 1624, where they were met with a stiffly polite but not cordial reception. The Assembly was uncooperative, and many officials proved to be stubborn, since they were suspicious of the purposes of the commission. The commissioners returned to England late in April, taking with them a report in which they recommended various changes and improvements. When the commissioners arrived in England again, they discovered that on May 24, 1624, the Company's charter had been declared vacated, and that Virginia had come under the rule of the Crown.

Pory spent the next five or six years in London, busily engaged in his old occupation as a writer of newsletters. In addition to his regular patrons, he also corresponded from time to time with Sir Thomas Lucy and Sir Fulke Greville, Lord Brooke. Shortly after 1631 he retired to his home in Lincolnshire, where he died in the autumn of 1635. He was never married. As a young man he was said to have been "fond of the pot," and in later life he seems to have accumulated substantial personal debts.

Pory's estate, such as it was, was administered by his sister, Mrs. Anne Ellis. He left three acres of land to the church warden in his local parish with the provision that two "Commemoration Sermons" be preached each year. The church at Sutton St. Edmund, Lincolnshire, still holds Pory's land, and the rector of the local church preaches the required sermons.

His greatest legacy, however, was his work in organizing the first legislature in America. From that beginning grew the system of representative government that flourishes today, although this is a result of which Pory probably never even dreamed.

BEN WOOTEN—DYNAMIC TEXAN

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. COLLINS. Mr. Speaker, Dallas has no natural resources. We have no oil. We lack an ocean port. Our water reserves are very low. It is a hot town in the summer. It is a flat land that is a dusty place in the spring, and a mighty cold place when we get northern winds.

But Dallas has been blessed with the greatest asset of all—we have had the greatest men in the world make their homes here and dedicate their lives toward building a progressive city. One of the finest of these is Ben Wooten. In the Baptist Church, he is a plain spoken member in any session. When the final day comes on a community charity drive building a hospital, a university endowment, the United Fund or whatever we are raising money for—you can count on Ben to lay down the law as to what everyone's share is going to be, because Dallas is going over the top.

Bankers built our city by loaning folks the money. With this borrowed capital our neighbors have been able to build and repay it. When he was at the First National, they had a slogan which I always liked, "Give us an Opportunity to say yes." You will be interested in this summary of some of the highlights of the life of Ben Wooten. I think Felix McKnight, editor of the Dallas Times Herald, summed up well the 50 year anniversary of Ben H. Wooten, as follows:

Men reap rich reward from a Golden Anniversary, and the 50 years of living woven into it. But few men sense the full satisfaction five-fold.

Ben H. Wooten is about as household a word as one can get around Dallas—and the springy, 75-year-old business-civic figure is capping it all right now with an incredible performance.

He is celebrating five significant 50th anniversaries in one swoop.

If his ankle weren't bothering him a bit at the moment, he probably could go out to the golf course and celebrate it all by shooting his age. He did it two years ago by carving a 73 at Dallas Country Club.

It is quite a story about this man born Dec. 21, 1894, at R.F.D. 4, Box 22. That was a small East Texas farm seven miles northwest of Timpson.

Fifty years ago a hawk-nosed, lean second lieutenant who served as a machine-gunner in Co. A, 345th Machine Gun, 90th Division, survived the hellish battles of St. Mihiel and Meuse Argonne in World War I and was mustered out—very honorably—in July, 1919.

Fifty years ago Ben Wooten came home to the Broadway ticker tape showers and the giant pines of his East Texas and joined the American Legion—an association that has taken him in that span to the loftiest levels of the veterans' outfit.

Fifty years ago Ben Wooten, graduate of the North Texas State University he now serves as chairman of its Board of Regents, hurried out of uniform and was elected principal of the high school at Alba, Tex. (pop. 1,200).

Fifty years ago Ben Wooten suddenly, and quite characteristically, decided that he did not want to be a high school principal; tendered his resignation and started a banking career that has brought national renown.

Fifty years ago, and most importantly he notes, he married Miss Margaret Kay, the town belle of Center, Tex.—an event they prayerfully acknowledged together a couple of weeks ago.

Fifty years ago the Dallas Federal Savings & Loan Association, where he daily sits as chairman of the board, opened shop in a three-room office. Today, it is Texas' largest.

Indeed, it was the Wooten year—1919.

The golden path of Ben and Margaret Wooten started when he accepted the position of assistant cashier at the Alba National Bank in December 1919. He entered the banking business with a title—but chuckles today when confessing that there were three employees of the institution. He was the least.

"We had a good thing going at Alba. The T&P Railroad built a line to get lignite out of nearby reserves. But something happened; they played out."

Ben Wooten moved over to Farmersville with the Farmers and Merchants National Bank in 1923, and actually took off on the fascinating trip to the top in 1926 when he became a state bank examiner.

In chaotic 1932, the Federal Home Loan Banking System was created by the Congress, and Wooten became its chief examiner in Washington. Three months later he was elected president of the Federal Home Loan Bank of Little Rock, Ark.—servicing the states of Arkansas, Louisiana, Mississippi, Texas and New Mexico.

Ben Wooten, the East Texan, wanted to come home, and in 1944 he returned to Dallas as vice president of the Republic National Bank. It was the day of the two banking giants separated only by the alley that runs between Elm and Main. On Feb. 6, 1950, Ben Wooten made that walk across the alley and became president of the First National Bank.

Folks just thought, on Jan. 1, 1964, that Ben Wooten was retiring. He made another walk across the street and became chairman of the board of Dallas Federal. He sits there today as father counselor to young and driving president Lloyd Bowles.

Fifty years, says Ben Wooten, actually isn't too much time. Really just gives a man time to stretch out in several directions. Here is a man who has held every high-level civic job; hit the heights in banking; ascended to the highest positions in his Baptist church; given mightily to education and been rewarded with doctor of laws degrees from Arkansas, Baylor and North Texas State.

Service to his country has been recognized by his appointment as one of only three civilian aides-at-large to the secretary of defense. But he identifies the 50 years with Margaret Kay Wooten as the anchor anniversary. The other four just came naturally.

Ben Wooten can handle five simultaneous golden anniversaries. He is rugged—and competent.

PETER RODINO NAMED "FRIEND OF LITHUANIA"

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. MONAGAN. Mr. Speaker, on August 24 my good friend and dean of the New Jersey delegation, PETER RODINO, was awarded the "Friend of Lithuania" medal and citation at the 56th annual convention of the Knights of Lithuania. Over 400 persons attended the presentation banquet at the Robert Treat Hotel in Newark, N.J., which was presided over by the newly installed officers; Dr. Jack J. Stukas, Hillside, N.J., president; Mrs. Diane Daniels, Philadelphia, Pa., Leon Pauksta, Chicago, Ill., and Longinas Svelnis, South Boston, Mass., vice presidents; Miss Stella Sankel, Cleveland, Ohio, treasurer; and Miss Dorothy Dutkus, Maywood, N.J., secretary.

As a former recipient of this cherished award, I want to extend my most sincere congratulations to PETER, who was cited as a "recognized authority on immigration and refugee settlement, who has aided many Lithuanians, among other victims of Communist tyranny, to gain a haven in America."

Mr. Speaker, we are all aware of the continuing struggle of the brave Lithuanian people to once again taste the joys of freedom, and I want to include in the RECORD the following resolution, which was passed at the convention:

RESOLUTION

Whereas, despite its tremendous propaganda efforts, Soviet Russia continues to enslave Lithuania against the free will of her people; and

Whereas, House Concurrent Resolution 416, passed by Congress some three years ago, calls for our President to bring the question of the freedom of Lithuania and the Baltic States before the United Nations organization and further calls for free elections under

the guidance of the United Nations to take place in those countries;

Now therefore, be it resolved, that the Convention respectfully urge the Government of the United States to fulfill the conditions of House Concurrent Resolution 416 in behalf of the restoration of the independence of Lithuania and the other Baltic States;

Be it further resolved, that the Convention manifest its sincerest gratitude to the Government of the United States for its consistent and continued non-recognition of the Soviet annexation of Lithuania and the other Baltic States;

Be it further resolved, that copies of these resolutions be sent to the President of the United States, to the Secretary of State, the Honorable William Rogers, to the Ambassador of the United States Delegation at the United Nations, to the Honorable Chairmen of the Senate and House Foreign Relations Committee and to the press.

LARRY JANONIS,
Chairman.
(MRS.) SUSAN K. BORASKAS,
Secretary.

I know PETER RODINO joins me in hoping that it will some day be possible for Lithuania to once more enjoy the independent status that is hers.

THE CHANGING MOOD ON VIETNAM

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. BROWN of California. Mr. Speaker, yesterday I addressed the House on the need for new American initiative to break the stalemate which has developed in our policy toward the Vietnam war. One factor that I emphasized was the apparent changing mood of this country—at all levels, from all types of people—on the objectives we seek in Vietnam.

No longer is it possible to say that the American people are largely in favor of a military victory. Poll after poll, letter after letter indicate that a majority of Americans want us to get out of Vietnam, and the sooner the better.

An equally large shift in opinion has come right at the top of Government. As Stewart Alsop points out in the current issue of Newsweek, the Nixon administration now aims not to win the war but not to lose it either. And that is a startling reversal from all the goals of the past 4 years when the key objective was a military victory.

Certainly, as the mood changes here in the United States, it is undergoing equally subtle permutations in Hanoi. No one can tell at this point the exact effect the death of Ho will make upon the future course of negotiations, but one observer, Arthur J. Dommen of the Los Angeles Times Saigon bureau, wrote last week that the outlook may favor a somewhat softer war line from the North.

Yet, the only place where these new attitudes seemingly are not making a dent is in Saigon. There, the militarists who run both the South Vietnamese Government and the American military machine still fantasize dreams of eventual and complete victory in the field for "our side." And, as long as we procrastinate on such crucial issues as the pace of troop withdrawals and acceptance of offered cease-fires, I foresee no alteration at all in the snail's pace at which we are now moving in our efforts to reach a settlement in Southeast Asia.

Mr. Speaker, just today I have found a group of current news items and reports which go into more depth on the changing mood over Vietnam. Two of the articles, the Alsop piece from Newsweek and Dommen's story from the Los Angeles Times, I have already mentioned. In addition, I would like to insert in the RECORD two fascinating articles from this week's New Republic magazine, one, the column by T. R. B. and second, the lead editorial, "Leave or Get Out."

The items follow:

[From Newsweek, Sept. 15, 1969]

VIETNAM: THE NIXON GAME PLAN

(By Stewart Alsop)

WASHINGTON.—If the specialists in such matters are right, the death of that undoubted genius, Ho Chi Minh, is very unlikely to result in the near future in any real change in the policy line laid down by Ho. That policy line was based on a simple assumption—that domestic political pressures would sooner or later force the Nixon Administration to accept, perhaps with some light camouflage, the Communist terms for a settlement in Vietnam.

Those terms, tirelessly repeated in Paris, amounted to unconditional surrender—unilateral withdrawal of all American troops and the replacement of the anti-Communist Saigon regime with a Lublin-model Communist-front government. The Communist terms have been repeated so tirelessly that they have led the President and his advisers to a somber conclusion—that a negotiated settlement in Vietnam is simply not possible, as long as Hanoi is convinced Washington has no choice but to liquidate the war at any cost.

As this conclusion has come to seem more and more obvious and unavoidable, the President and his chief advisers have had to discard the pet theories of how to end the war which they brought with them into office. The President's pet theory was that the Russians could somehow be pressured or persuaded to arrange an acceptable settlement. Dr. Henry Kissinger's pet theory was the "two-track" idea—that a military settlement, based on mutual withdrawal, could be negotiated between Washington and Hanoi, while a political settlement was negotiated between Saigon and the NLF.

CLOUD COVER

These theories have been exploded by events. In their place, what that ardent sports fan President Nixon calls a "game plan" for Vietnam has emerged in rather clear outline, beneath a cloud cover of apparent indecision and intentional obfuscation. Barring some sudden change in the situation resulting from Ho's death, the Nixon game plan will from here on out govern American policy in Vietnam.

The purposes of the Nixon game plan are twofold. One purpose is not to win the war—which the Nixon Administration has recognized as unwinnable in any traditional sense—but (to split an infinitive) to not lose the war. The other purpose is to create the domestic political conditions necessary to persuade Hanoi that the U.S. is capable of continuing indefinitely to not lose the war.

Hanoi, in short, is to be persuaded that Washington, too, can play the waiting game, and thus eventually—if the theory behind the game plan works—an "honorable" settlement of the war will be achieved, tacitly or by negotiation. What Defense Secretary Melvin Laird likes to call "Vietnamization" of the war is the first part of the game plan.

PRESENT INTENTION

By "Vietnamization"—substituting Vietnamese infantry for American infantry—the bulk of the American ground combat forces will be withdrawn. The present intention is to reduce the total U.S. troop commitment to "around 300,000, or maybe less" before the Congressional elections in November 1970. By that time, according to the game plan, the basic mission of the American troops still in Vietnam will be to supply the Vietnamese infantry with logistic support, air- and fire-power.

Since the infantry takes almost all of the casualties, American casualties will—according to the theory—be much reduced. But President Nixon and his advisers are convinced that the draft, even more than American casualties, provides the really combustible fuel for antiwar passions, especially on the college campuses.

Therefore, the game plan calls for a determined effort to pass lottery-type draft legislation in this session of Congress. If such legislation passes, only about one boy out of three will be affected by the draft—the other two will be free to go about their business, unworried by the draft, after the age of nineteen. This, the authors of the game plan believe, would do much to cool campus passions.

If legislation cannot be passed, administrative action will be used, to the extent possible, to accomplish the same end. Everything will also be done to keep draft calls to a minimum. Finally, the Pentagon will be ordered to reduce the proportion of draftees in Vietnam—now about 29 percent of the 500,000-plus men there—to a minimum, leaving in time only volunteers or regulars to carry on the war there.

The game plan thus envisages a situation in which only one unlucky boy out of three is affected by the draft, and the unlucky one (as well as his girl friend or his fond mama) can be assured he will not be sent to Vietnam against his will. In this situation—or so the authors of the game plan reason—the passions of dissent will be stilled, and the United States can continue, if necessary for a long time, a limited effort sufficient to assure that the war will not be lost.

This plan is not stupid or irrational. But as Robert Burns pointed out, the best laid game plans of mice and men gang aft a-gley. The plan calls for a rapid withdrawal rate—around 20,000 troops a month as an average for the next year. The military are simply not going to agree willingly to such a withdrawal rate.

In June, President Nixon wanted to announce a withdrawal of 60,000 troops, but he was persuaded by the military to hold the withdrawal to 25,000. As reported last week in this magaizne, the delay in the expected withdrawal announcement in August was caused by a hassle between the White House and the Joint Chiefs on the size of the withdrawal. In short, if the Nixon game plan is to operate on schedule, the President is going to have to buck the generals.

REAL RISK

Bucking the generals is not as risky as it once was, and the President has a useful ally in Secretary Laird, who is liked by the generals and who is determined to push through his program of "Vietnamization." The real risk is that the generals could turn out to be right. What they fear as a result of the rapid rate of U.S. withdrawal envisaged in the Nixon game plan is some sort of military disaster, and the disintegration of the whole anti-Communist front in Vietnam.

That risk is of course real. Is it what Secretary of State William Rogers calls "a sensible risk for peace"? A clue to the answer to that question will be found in the soon-to-be-announced "second-slice" withdrawal. If it is 40,000 or more, that can be taken to mean that the President intends to buck the generals and push ahead with his game

plan. That in turn will mean that the President has concluded that the war, fought as it is now being fought, is poisoning the body politic of the United States; and that it is better to risk military disaster in Vietnam than political disaster in the United States.

[From the Los Angeles Times, Sept. 5, 1969]

HANOI REGIME LIKELY TO REASSESS WAR OPTIONS—WINNERS OF POWER STRUGGLE EXPECTED TO IMPOSE NEW MILITARY, DIPLOMATIC STRATEGY

(By Arthur J. Dommen)

SAIGON.—President Ho Chi Minh's death probably will force a reassessment in Hanoi of North Vietnam's options in fighting the war in the south and in negotiating in Paris.

North Vietnam can continue for a time by exploiting Ho's memory and by naming Vice President Ton Duc Thang, 81, as acting president to maintain a facade of unity among its leaders.

But one faction or the other within the Politburo probably will achieve dominance and impose its own strategy, analysts here believe.

The pressing problem of the war in the south, affecting as it does the Hanoi regime's foreign relations as well as almost every facet of its internal daily life, cannot be put off indefinitely.

STRUGGLE IN VOID

Even if the elderly Thang is named acting president—what one analyst calls the "Voroshilov solution"—the void created by Ho's death could induce a power struggle similar to that in the Soviet Union after the death of Stalin. The aging Klementi Y. Voroshilov was Soviet president, mainly a titular post, for seven years after Stalin's death in 1953 while Stalin's successors vied for power.

In case of such a struggle, Hanoi's Nikita S. Khrushchev is likely to turn out to be Le Duan, whose post of secretary general of the Vietnam Workers (Communist) Party gives him a head start.

Le Duan's preeminence seemed to be confirmed by the listing of the state funeral committee broadcast by Hanoi Radio a few hours after Ho's death. The listing provides analysts with the first lineup of the contenders for Ho's dual positions as president and party chairman. Le Duan was named head of the funeral committee over Thang.

MILITARY EMPHASIS

In the history of the debate within the Politburo, Le Duan has favored a reliance principally on carrying the war through to victory by military means. His position on the issue stems from his opposition in 1954 to the party's acceptance of partition of Vietnam, a partition that cut off the South, where Le Duan had for a time led the resistance against the French.

Opposed to this faction is a faction led by Truong Chinh, chairman of the National Assembly. Included in this faction are three other Politburo members—Le Duc Tho, Foreign Minister Nguyen Duy Trinh, and Hoang Van Hoan, a member of the Viet Minh delegation to the 1954 Geneva conference.

SOFTER WAR LINE

The members of this second faction, while they also support the use of military force in the south, reportedly believe the southern war must remain essentially a civil revolutionary war, one waged principally by southerners instead of northerners. They also think that negotiations should be pursued simultaneously with the fighting and given equal importance.

The difference in viewpoint between the two factions is basically a difference in interpretation of the mixture of political and military action. Thus, the first faction would argue that the halt to the American bombing of North Vietnam last Nov. 1 was primarily a result of the heroic fight waged by millions of North Vietnamese with guns, while the second faction would be inclined to give credit to the persistent expounding at Paris of Hanoi's "principled stand" demanding that the United States call off the bombing.

Until the new leaders have achieved a new balance of power, no new initiatives at the Paris negotiations involving risk-taking by Hanoi can be expected. This new balance of power could come about relatively quickly.

GREAT LEADER LOST

For one thing, Hanoi must take into consideration that in Ho's death it lost not only a leader whose prestige was so much greater than that of the men around him that he could settle a debate with a single word, but also a figure whose familiarity among all Vietnamese, Communist and non-Communist alike, made him a uniquely exploitable symbol in the war in the south.

"It is difficult to imagine the Viet Cong fighting for a collective leadership dominated by, say, Truong Chinh," one analyst here observed. Hanoi must find someone to replace Ho who is acceptable as a figure in the south as well as in the north and someone who is not simply a remote theoretician, but someone who can be identified with the southern struggle.

Ho's prestige from the first Indochina war as a nationalist fighter was so great that as long as he was alive Hanoi could slur over the distinction between its aim of total rule over a united Vietnam and the professed aim of the South Vietnam National Liberation Front to be fighting for an independent South Vietnam.

Ho, while president of a state whose constitution proclaimed it to be the sole legal government of all of Vietnam, could still make it look as if the struggle waged by the NLF to evict the Americans from the south was the natural sequel to the Viet Minh struggle against the French.

Of late, the contradiction between these two ideas has been sharpened by the needs of the Paris negotiations. Minister Xuan Thuy, for instance, has been known to voice in the course of a single session of the Paris conference both his support for the NLF's southern identity and the contention that any Vietnamese has the right to fight anywhere in Vietnam.

The creation of the Provisional Revolutionary Government of the Republic of South Vietnam last June appeared for a time to have tipped the balance in the direction of a separate state in the south with a "special representation" in Hanoi at the seat of the Democratic Republic of Vietnam. But this was counterbalanced by ever more strident personal appeals by Ho, even including reference to Saigon as "Ho Chi Minh City."

The only two Politburo members who have anywhere near the prestige of Ho from the war against the French are Ho's two trusted lieutenants, Premier Pham Van Dong and Defense Minister Vo Nguyen Giap. But both are outclassed in the party hierarchy and are rated outsiders in any race for supreme power.

Giap was listed in seventh place in the state funeral committee, just after Le Duc Tho, a fact that appeared to confirm reports that he had been even further downgraded.

Giap is a northerner, as is Truong Chinh. Premier Pham Van Dong and party secretary Le Duan were born in what is now South Vietnam.

The emergence of a predominantly northern leadership would create widespread distrust among the ranks of the southern insurgents, many of whom are not Communists, and aggravate Hanoi's problem in retaining control of the insurgency.

Such a situation might lead eventually to the takeover of the southern insurgency by Peking, an eventuality Hanoi may be presumed to want to avoid at all costs.

Analysts here believe that the debate on strategy within the Politburo serves to slow the progress of the Paris negotiations, and that a clear-cut victory by one faction or the other, even the "war" faction, could result in decision in Hanoi that would enable a settlement to be negotiated rapidly.

The ten Politburo members, all included in the 26-member state funeral committee broadcast by Radio Hanoi, were listed in the following order Thursday:

(1) Le Duan; (2) Ton Duc Thang; (3) Truong Chinh; (4) Pham Van Dong; (5) Pham Hung, the Politburo member in charge of directing the war in the south, who has not been seen in Hanoi since Sept. 29, 1967; (6) Le Duc Tho; (7) Vo Nguyen Giap; (8) Nguyen Duy Trinh; (9) Le Thanh Nghia, and (10) Hoang Van Hoan.

[From the New Republic magazine]

THE SHORT WAR

In the summer of 1967, I took a 10,000-mile trip across America in a battered old Rambler, asking people everywhere what they thought of the war. They didn't think much of it. It had been going on 17 years for the Vietnamese but only about two for the U.S. if you start from the big troop buildup. People shrugged; they didn't like the war but felt it had to be finished; it was bound to be short, thank God.

Then about midsummer President Johnson suddenly said that the nation faced a $25-billion deficit and that he wanted a $10-billion tax increase. Maybe it was my imagination but I thought I felt the mood stiffen. By Denver I was pretty sure of it. "President Johnson is in trouble, bad trouble," I wrote.

The war still goes on and two or three hundred Americans get killed every week. There have been several new developments. Ho Chi Minh has died. The State Department is weighing what Hanoi's chief negotiator at Paris meant when he said a sizable withdrawal of U.S. troops *might* break the deadlock (was this a signal?). In Saigon, our man Thieu picked a new premier (a general), and enlarged his cabinet (soldiers and technicians of the old regime) but didn't broaden its base which is what it agonizingly needs. Truong Dinh Dzu, the runner-up peace candidate in the September, 1967 election, got five years in jail for his presumption.

Here at home, the draft generation is going back to college. Everybody hopes they won't be violent. After all, why should they be? The country is prosperous! It is in the eighth year of the longest uninterrupted upswing in history, and the Vietnam war is fattening dividends, making big corporations bigger and pumping $30 billion a year into the economy. Why should those kids behave so uncooperatively; what's bugging them, anyway? They have nothing to lose but their lives.

"But what are we fighting for?" ask the youngsters. Ah, to be sure; that's the question. Glad you asked me that.

We are fighting, I suppose, for reasons that go back a long way. America has a yen for world-crusading, followed by resentful periods of isolationism. After World War II our ersatz partnership with Russia collapsed suddenly in angry confrontation. If you believed spheres of influence were bad, that a balance of power was a makeshift, that Soviet control was temporary, that saboteurs in the State Department had "betrayed" China, that nations would implacably put ideology ahead of national interest, and that Communism was a monolithic world conspiracy—then the war in Vietnam made sense.

So, perhaps, would any war of containment. The U.S. had very good reason for wanting to stop Moscow after the war, but it developed into a frenzy that threatened to commit the country beyond its capacity. General Douglas MacArthur warned that anyone who got the U.S. into a land war in Asia ought to have his head examined. Walter Lippmann looked at the matter with Olympian calm. He urged succeeding Pres-

idents to uphold our presence in Asia by sea and air forces and not to get bogger down in guerrilla fighting. It would be like an elephant fighting a swarm of mosquitoes, he said. Vietnam was not external aggression, he declared, but a civil war. In December, 1966, he wondered in print whether Lyndon Johnson "will not withdraw before 1968?" He wrote that "if the only way out of the quagmire is to elect a Republican it is not improbable that there will come forward a Republican to elect." Mr. Lippmann has made his share of mistakes in 60 years of journalism but as he reaches his 80th birthday, September 23, he can boast remarkable prescience on Vietnam.

The great theory of monolithic Communism fell apart when Peking and Moscow split. (There is even now talk of a preemptive Russian strike against China.) In Europe Mr. Nixon has just visited a Communist country, Rumania. This softens a little the rationale of our Asian crusade.

But there was the "domino theory." Depending on circumstances it may have validity, but then, why is the US so agonizingly alone in the war? James C. Thomson, Harvard East Asian specialist, says, "the domino theory was not merely inaccurate but also insulting to Asian nations." Again, there was Walt Rostow's theory that phased bombing would bring North Vietnam quickly to its knees. Well, it didn't. It is now almost universally acknowledged that the bombing strengthened Vietcong morale.

There was the 1964 Tonkin Gulf incident that gave LBJ the "functional equivalent of a declaration of war". Only two senators voted against the resolution, Morse and Gruening—both defeated in 1968. A startling book is just to be published, "Truth is the First Casualty: The Gulf of Tonkin Affair," by Joseph C. Goulden ($6.95; Rand McNally). I can read it with no other thought than that Congress was deceived, perhaps deliberately. Even while US retaliatory bombs were falling on North Vietnam the Administration was frantically pleading for verification that enemy patrol boats in Tonkin Gulf had actually attacked our destroyers, and getting foggy answers. In fact, in that eerie, overcast night, with fitful lightning flashes and a damaged sonar system, it is not certain that enemy boats were even present.

The public now mostly thinks the war was a mistake. One casualty is social reform at home—the poor old Great Society. Lyndon Johnson was saying only last year that the amount of money required to bring every last American up out of deep poverty was only the equivalent of a quarter of the nation's annual economic growth. In a war with bands and banners, and patriotic zeal, you can wage war on two fronts, but this was different. A taxpayers' strike doomed the double effort.

Two years ago people across America weren't bothering much about the merits of the war, the big thing was that it would be over quickly; it would be cheap and easy. Anybody could see a primitive land of 16 million couldn't stand up long against a giant of 200 million. . . .

So why fight now? Because, I suppose, we feel we have certain obligations and to save face, and because we are trapped. Is that worth 200 to 300 lives a week? Not for me, it isn't.

[From the New Republic magazine]

LEAVE OR GET OUT

After the French had more or less made up their minds to get out of Algeria, they found to their dismay that the war the young men hated and even the old men had grown to loathe went on much as before. France seemed bewitched. President Nixon may yet play de Gaulle's Algerian role and get this country out of Vietnam, but there are doubts. Not long ago, everything and everyone seemed to be converging on withdrawal. Former Defense Secretary Clark Clifford said we should get all ground troops out by end 1970; Mr. Nixon appeared to have said, in rejoinder, why wait that long? But there are still 515,000 uniformed Americans in Vietnam—and 50,000 in Thailand—and withdrawals of real magnitude from either place appear far off.

Averell Harriman has made two proposals for finding a way out of Vietnam. He suggested that heat be put on President Thieu to broaden his Saigon government so as to make it a more popular instrument, capable of concluding the fighting. By far the most effective form of pressure would be a firm timetable of large withdrawals of American forces; each time the Thieu regime balked, the timetable would not be slowed down, but speeded up. Harriman also suggested there ought to be a "cease-fire in place", deliberately cutting back the level of fighting. The prescription seems worth trying. But Thieu has reshuffled his cabinet in the opposite direction and Mr. Nixon exhibits no distress. The Thieu government is bigger, but narrower; more militant, and even less popular. In fact it looks very like a wilful slap at President Nixon's professed Vietnam policy, as well as at Hanoi and Ho Chi Minh's successors there. Yet Mr. Nixon behaves as though he now believes that if he withdraws American forces slowly, buying the Saigon generals still more time than they've been given already, they will be able to take over the fighting, and impose their military solution on Vietnam with our arms. The entire history of the war suggests this is a pipe dream; current events do, too. Thieu's army is riddled with desertion, his "pacification" is a flop and his land reforms are fraudulent. The French hung on in Vietnam until they went down in resounding defeat, but this country is stuck in a can't win, can't lose position. Thieu's position is disastrously different. Ho Chi Minh is gone, but Nguyen Van Thieu will never be Uncle. Thieu can only lose. The US choice isn't win or lose, it's leave or get out; orderly but genuine withdrawal, or cut-and-run.

THE HONORABLE CHARLES S. JOELSON

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. MURPHY of New York. Mr. Speaker, "CHUCK" JOELSON leaves the House of Representatives with the respect, admiration and affection of all who knew him. I congratulate him as he assumes the high honor of a place on the bench of the Superior Court of New Jersey. It is a sorrow, however, to contemplate working in the House without the wisdom, wit, skill, and dedication of this gifted man I am privileged to call a friend.

"CHUCK" JOELSON, intelligent and eloquent, first came to Congress in January, 1961, having been elected as the Representative of the Eighth Congressional District on November 8, 1960. He served continually—with unwavering devotion to the public interest—since that time, having been reelected to the 88th, 89th, 90th, and the present 91st Congress.

He was one of the most progressive and innovative legislators to serve in the House, as a member of the Committee on Education and Labor and later the Committee on Appropriations. He tackled every assignment with enthusiasm and creativity and the strength of character to support causes in which he believed.

"CHUCK" JOELSON is well trained in the complexities of the law, having held many important judicial positions before coming to the Congress. The gain of the judiciary of his home State is a loss for the people of this Nation who he served at all times with wisdom, virtue, and patriotism. For he was always on the human side of an issue—particularly his courageous efforts in behalf of education.

I am proud to be a friend of this outstanding Democratic statesman. Although we in the House will miss him, the people of New Jersey will indeed be fortunate to have his wise counsel and fine judgment on the bench of the Superior Court of New Jersey.

I wish him continued good health, happiness, and success.

WHITHER THE BERTH LINE?

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. FEIGHAN. Mr. Speaker, berth line trade is a most vital and irreplaceable segment of our foreign commerce—yet, there is a chance that this type of operation may be phased out of existence. Berth line operation is common carriage with regular service between given trading areas and to established destinations, as provided by the 1936 Merchant Marine Act.

The following brochure, published by the Labor-Management Maritime Committee, outlines the reasons why preservation of the berth line is essential to the continued functioning of our merchant marine fleet.

The brochure follows:

SUSTAIN THE BERTH LINE SERVICE AND THE NATIONAL MARITIME LAWS WHICH PROMOTE IT

Regular and repetitive service is the lifeblood of the general cargo trade. This is so vital to the nation that the 1936 Merchant Marine Act was enacted in principal measure to support and sustain it. Any demise or substantial deterioration of this service would disrupt the general cargo movement in U.S. foreign commerce. It would lay the nation more broadly open to the mercies of foreign flag shipping, including that of the Soviet Union. This brochure treats of the essentiality of the berth line service and some of the problems it faces.

BERTH LINE SERVICE—WHAT IT IS

Berth line operation is common carriage with regular service between given trading areas and to established destinations.

A ship is said to be on berth when it repetitively offers itself to transport cargo on an established trade route with regularity of service.

Berth lines operating under the 1936 Act receive Government support, measured only in terms of the differential cost between U.S. and foreign ship operation for a few essential items. In return, such lines—

Must confine operations to trade routes declared essential by the U.S. Government;

May not choose customers;

Must accept any general cargo offered;

Must sail on schedule even if vacant space remains;

May not normally vary from fixed and approved itineraries;

May not unilaterally increase or diminish established ranges in yearly sailing schedules;

Must receive Government approval for modifying maximum and minimum sailings;

Must operate under "efficient business principles" subject to Government examination;

Must provide modern competitive ships on a rotating replacement basis built and repaired in U.S. shipyards;

Must purchase stores, supplies, and maintenance needs in the U.S.;

Must hold customer service pre-eminent over all other factors;

Must operate under profit limitations established by law;

Must submit to profit recapture where earnings exceed established limits;

Must successfully compete with all foreign competition in the trade;

Must lay aside yearly reserves for continuing ship replacement; and

Must satisfy Government that the objectives of the 1936 Act are being met.

Berth line operation under the 1936 Merchant Marine Act, provides the best possible type of service to the nation and its citizens.

It does not necessarily provide the most profitable enterprise for those operating under its provisions.

BERTH LINE PARTICIPATION IN THE FOREIGN COMMERCE—A STABILIZING FORCE

U.S.-flag participation in foreign commerce [tonnage-wise] slid from 57.6% in 1947 to 5.6% in 1967. Some seek to place the blame on the 1936 Merchant Marine Act.

They are principally dry cargo carriers who for some 20 years have operated World War II ships purchased from the government at [tax payer-supported] bargain prices, but devoid of Government obligation or restriction.

During that 20 year period few sought to be embraced within the orbit of the 1936 Act. Nor did they appear to oppose or fault its basic provisions.

Now, however, with inadequate provision for vessel replacement, their ship capability is running out of gas.

The real toboggan slide was not in the subsidy contract berth line service but in the dry and liquid bulk transport field.

Total U.S. *dry cargo* carriage slid from 55.8% in 1947 to 6.9% in 1967. U.S. *tanker* carriage slid from 62.8% in 1947 to 3.5% in 1967.

Subsidized liner operation did not resume immediately after the war. However, during the 10 year period 1956–65, it transported [tonnage-wise] an average of 23.3% of all U.S. liner type foreign commerce (reached as high as 30.1%). This was 78.8% of all cargo carried by U.S.-flag liner ships. Dollar-wise, the percent of liner carriage by subsidy contract lines was appreciably higher.

Taking the equivalent period 1956–1965, all U.S. liner services shrank from 38.7% to 21.5% (the latter transported principally by subsidy contract lines). Non-liner carriage shrank from 13.6% to 2.9%. Tanker carriage alone shrank from 20.6% to 3.5%.

Bulk carriers represent approximately one half of all private U.S. shipping. Yet the greatest relative cargo shrinkage is in this segment where the 1936 Act has never been applied.

Reduction in the size of the U.S. bulk fleet is the principal reason; furthermore, ship replacement has been overtaken by fleet obsolescence.

Attacks of the dissident carriers on the 1936 Merchant Marine Act, as a reaction to their own dilemma, is unjustified. It resembles burning down a city to gain what has not otherwise been secured.

The Labor-Management Maritime Committee is in no wise opposed to those segments of merchant shipping not encompassed within the berth line category. Indeed, it has pled their cause in many publications and in testimony before both Houses of Congress. However, it is vigorously opposed to advancing the cause of one shipping segment at the unwarranted expense of another, as has been done by the so-called "charter advocates", or those seeking a monopoly on government cargoes.

With a world threatened by massive Russian merchant fleet expansion and with U.S.-flag participation at its lowest point in history, a way must be found to advance the cause of all segments of the American Merchant Marine, including berth lines, tramp services, dry bulk carriers, and upon proven need, tanker carriers as well. Such an advancement would provide greater employment for shipyard workers, longshoremen, and merchant seamen. The Labor-Management Maritime Committee will devote its full efforts to such a cause and the cause of the men who man the ships.

THE BERTH LINE TRADE—DESCRIPTIVE OBSERVATIONS

The berth line trade involves all general cargo transportation (including containerization).

General cargo includes all items of transport except liquid and dry bulk cargo.

As a river's channel is mandated by the topography of the terrain, so the course of berth line service is mandated by the flow patterns of general cargo.

Fixed commercial trade channels involving producers and their consumer counterparts abroad require timely and regular deliveries to meet contract agreements and compliance dates.

Thus, timely repetitive and dependable service with emphasis on its regularity is the essence of the berth line trade.

Failure to supply such service would have serious impact on the American economy.

The manufacturing and marketing complex of the nation is intricately dependent on efficient berth line services to foreign outlets.

Such services must be responsive to adjustment. The vicissitudes of time and the incidence of change erode old trade channels as the streams of progress break forth into new courses.

No period of the 20th century has wrought such volatile change as the current decade.

An age which attains the circumnavigation of the moon, struggles with an ever accelerating population explosion, and contends with unprecedented social and economic change, must expect corresponding impact upon commerce and trade.

The shipping industry is no exception.

Berth line services cannot be maximized if there is excessive containment of operations or denial of necessary flexibility for adaptation to changing times.

The regulatory rigidity of berth line operation on essential trade routes under the 1936 Act must be appreciably modified and tempered to meet today's trade developments.

Containerization and other transport innovations call for: liberality in adjusting maximum and minimum sailings; facility in modifying ports of call; and broader trade route determinations based on ultimate intermodal destinations.

Partial transport by land as an interim transit on a water-borne voyage (termed the land bridge) and a broader definition of the "commerce of the United States" are essential.

Such modifications do not impair the berth line concept. They only make liner operation more responsive to changing conditions.

PROFILES OF INCENTIVE—ADVANTAGES OF THE BERTH LINE SERVICE

Incentives in Berth Line Operation under subsidy contract

Carriers operating under subsidy contract are not guaranteed a profit. They must earn it.

Operating cost-differential support provides no advantage over lower cost foreign competition. It is only intended to equate limited items of operating expense (wages, maintenance, repairs and insurance). Under current Government practices it does not even do that.

Today's high operating costs give no assurance that freight income plus differential subsidy will provide a profit.

An unfavorable balance is a constant threat.

The incentive to achieve highest income with lowest cost is a dynamic and ever present force. Subsidy with inadequate cargo is a "go broke" formula.

Subsidy contract lines have generally shown a modest profit overall.

Incentive has been sufficiently productive to offset:

1. Uncompensated increases in operating cost;
2. Inflationary trends in the economy;
3. Ever increasing foreign competition;
4. Deficiencies in parity payments under current Government practices; and
5. Government lag in providing shipyard differential subsidy to construct new ships.

Incentive under subsidy contract has produced a commitment of over $2 billion in private funds for modern ship construction.

No such incentive is evident in any other segment of U.S. merchant shipping.

Incentives under proposed long-term "Charter/Sub-Charter" operations

Long or short term Government charters, reasonably conceived, are not objectionable. However, Government charters that underwrite all risks in shipbuilding and ship operations federalize the American Merchant Marine and destroy incentive.

Certain carriers propose to assure private financing for fleet replacement by leasing new ships to government on 20 year bareboat charters, thus guaranteeing entire construction loans. Government is then asked to subcharter the same ships back to the same carriers for operation.

With assured financing, incentive to maintain shipbuilding reserves would diminish, if not disappear.

Sub-charters may be of one or more years' duration thus eliminating any incentive to insure future vessel employment; leaves Government holding the bag.

Charter proposals let Government recover costs through profit-sharing only. If no profits, no recovery; if meager profits, meager recovery; thus a perfect insulation from normal shipping obligations—a realistic dilution of incentive.

The charter advocates ask, in addition, that all Government aid and military cargo be reserved for them. This would insure massive cargo allocation with minimum effort or incentive.

They also seek Government-established premium freight rates sufficient to guarantee a profit with minimum service.

Under such a formula, little incentive remains.

The carrot in front of the donkey is dwarfed indeed.

LOSS OF BERTH LINE SERVICES—EFFECTS UPON FOREIGN TRADE

Berth line trade is a most vital and irreplaceable segment of our foreign commerce.

Its abandonment would reset the entire general cargo movement. Smaller ports would suffer.

Lower volume trades would appreciably decline; those to South America, Africa and Australia.

Heavy volume trades would expand; those to Europe and Asia.

More profitable trade designations would be sought, eliminating those of lesser financial gain.

Some trade services would tend toward diminution or abandonment; those to underdeveloped areas of the world.

On the American side, some services would

substantially diminish due to lower revenues generated; those from the Gulf and South Atlantic ports.

Any demise of the berth service would transform liner operations into tramp services. Like the call of the wild goose, shipping services in the common carriage would tend to follow a straight course to the most rewarding financial feeding ground.

Foreign commerce outside the berth trade orbit moves under a broad canopy of commercial transport freedom.

With no mandated regularity of sailings or destinations, the nature of services may be more directly controlled by the carrier than the customer.

Such carriers may normally abandon a given service at will; may leave any given service for more lucrative trade; may delay sailings until ships are fully loaded; may choose any ports of call or embarkation; may concentrate on high rate cargo; and may otherwise maximize vessel utilization.

Non-berth line carriers have no *mandated* responsibility for the steady and regular flow of commerce, nor the commercial transport protection of given trading areas.

Berth line service under the Merchant Marine Act of 1936 operates effectively to promote such objectives.

Any loss of the service would leave general cargo shipping irreparably impaired.

FAYETTE COUNTY LEADERS

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. PICKLE. Mr. Speaker, two of my close friends passed away during the recess and I am compelled to honor and applaud their contributions to good government. Both men were among the natural leaders in La Grange and Fayette Counties, Tex.; both were young, and both died on the same tragic day.

I refer to County Judge Ike Petras and Frank Kana, first vice president of the La Grange State Bank. Both men died on Tuesday, August 19, 1969.

We had no warning. The public could not have been more shocked, or grievously saddened.

Judge Petras was in the hospital with minor surgery when complications set in. He was 49. Frank Kana was making excellent recovery of a mild heart attack when a second attack struck him. He was 42.

Judge Petras was long a leader in La Grange; he had served the county for the past 22 years. He rose from a deputy in the tax office, to district clerk to county judge. He knew his business from the ground up. He loved people; and people loved and respected Ike.

Since the day Ike Petras first grabbed the reins, he was a busy man for his people. Among his most visible projects are the beautification of the courthouse and the grounds, and the addition of an annex building in nearby Schulenburg.

The intangibles are not visible, but you can feel them. Judge Petras breathed a spirit and vigor into his central Texas home. He would not let problems sit around unsolved. I remember well his many visits to Washington. Often, he and I would visit with another close friend, President Lyndon Johnson. Once, the judge carried his fight directly to the Presidential Commission on Poverty, making a skilled presentation.

One of the most recent projects that Ike was working on was a proposed outdoor theater in La Grange. Ike wanted to present in an art form, the cultural heritage left by Czechs and Germans in Texas.

I visited with his wife Amanda during the recess and found her a woman of courage. His son and his daughter will be a close comfort; they are all strong people.

Ike died that Tuesday morning and while the town was still dazed, they received word of yet another loss. Frank Kana died that same night. He was coming back strong from a mild heart attack and no one expected anything but full, complete recovery.

I remember Frank as a young man—he was an outstanding athlete at the University of Texas. Twice he played on national championship teams and he continued to support all of the university athletic programs during his adult life.

Frank demonstrated the same competive drive in the business world. While many would have found contentment and security as a banker, Frank moved out into active civic work. He was president of the La Grange Lions and served with other organizations such as the Knights of Columbus and the chamber of commerce.

These men were good and they were good for their community. We will close the ranks somehow and continue, but we can never forget them, because, Mr. Speaker, these two men were genuine, progressive leaders who did things for their people.

PERSONAL LIBERTY IN SOUTH AFRICA

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. FRASER. Mr. Speaker, the following is an editorial which was printed in the August 20, 1969, edition of the Star of Johannesburg, South Africa. The society which is able to conceive and execute the apartheid system is a society which is insensitive to issues of personal liberty. Certainly it is heartening to see a South African newspaper raising its editorial voice against this violation of human rights.

TEN MONTHS' DETENTION

There is an indifference to personal liberty which is doing the South African judicial system no credit.

In the Pretoria Supreme Court on Monday six Bakwena from Hebron, north of Pretoria, were found not guilty of sabotage and were discharged.

It is not relevant to our complaint that this serious charge appeared to have evolved from a relatively commonplace incident—some hut-burning in protest against the appointment of an allegedly unpopular headman. The thing might have turned out to be a conspiracy of some real importance to public security.

Nor is it relevant that the evidence eventually presented to the court against these men was slight, conflicting and valueless. The court lost no time in finding that out.

No. The trouble is that these six men, together with others, were detained as long ago as last October. Since then they had, presumably, been undergoing interrogation. Judging by the experience of other detainees they were quite likely in solitary confinement. During their detention two of them died, and at the inquest on one, Nicodemus Kgwathe, allegations of a very serious nature were made, though not proved, against the police. Even when the men were at last indicted, bail was refused. All this time their families, have presumably, been without breadwinners under a situation which holds out little hope of redress.

Even allowing for the difficulties this kind of case presents, it ought not to have taken 10 months to bring some alleged hut-burners to trial or, alternatively, to discover that the case against them was a flimsy one.

STATE INITIATIVE IN MANPOWER PLANNING

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, one of the most important reasons why I have introduced the Comprehensive Manpower Act of 1969 is my firm conviction that a number of States now possess the talent and know-how to develop and implement more effective and efficient manpower programs. In my own State of Wisconsin, a number of manpower officials were talking in terms of a comprehensive manpower council long before the idea became fashionable. California, Oregon, Utah, and New York have already taken steps in this direction.

The State of Iowa, as early as last July, took significant steps to improve and coordinate its delivery of manpower services. The following excerpt is from a report prepared by the Iowa State CAMPS Staff Committee and written up by Mr. Allen Jensen, administrative assistant to the committee. Mr. Jensen is now a staff member of the National Governors' Conference. I would like to introduce this report as an example of what one State has done to develop a workable interagency manpower planning system in spite of the current chaos and confusion which characterizes our manpower programs. I am also including the excellent statement of manpower goals which the Iowa State CAMPS Staff Committee has drawn up:

REPORT OF THE IOWA STATE CAMPS STAFF COMMITTEE

The following report which has been prepared by the Iowa State CAMPS Staff Committee is presented in a rough form and can only give an indication of the effort being made in the State of Iowa to develop a truly interagency manpower planning system.

EMPHASIS ON AREA OR LOCAL INVOLVEMENT IN PLANNING

The planning system which is being developed emphasizes the involvement of 16 Area CAMPS committees whose formal membership includes representatives from 15 Area Vocational Schools, 21 Community Action Agencies, 8 district offices of the Division of Rehabilitation Education Services, 34 local Employment Service offices, 8 area offices of the State Department of Social Services and 5 Area offices of the Statewide On-the-Job Training project.

PLANS FOR PLANNING

The regional CAMPS Committee should evaluate the following document as a "Plan for Planning" and not a final Plan that spells out the planned allocation of resources of the many federal, state and local programs according to priorities of needs. Such a sophisticated Plan and the various elements of such a Plan will be submitted to the Regional CAMPS Committee as the procedures and tools of an interagency manpower Planning system are developed. It is the feeling of the State CAMPS Staff Committee that CAMPS is an ongoing planning process and cannot be effective if limited to a single *one-time* report to be completed annually.

The Regional CAMPS Committee can expect to be continually receiving additions and changes in the Iowa State CAMPS report until it will eventually be called an Iowa State CAMPS Plan.

IOWA APPROACHES CONTRARY TO NATIONAL CAMPS ISSUANCES

There are a number of approaches that were taken to the Cooperative Area Manpower Planning System in Iowa this past year that were not in agreement with the suggestions set forth in the National CAMPS Issuances. I will comment on them briefly anticipating that there will be an opportunity to discuss them in more detail personally with representatives of the National and Regional CAMPS Committees at a later date.

A. Sixteen Area CAMPS Committees were established in contrast to the one for the Des Moines metropolitan area that was recommended.

B. The State CAMPS Executive and Staff committees in Iowa are made up only of State government personnel and did not include representatives of the Federal manpower agencies.

C. The Planning system that is being developed is being developed on the premise that federally funded manpower programs cannot be planned or realistic plans developed without the involvement of the relevant decision makers concerned with State and locally financed programs. This is in contrast to what is projected as the primary focus of the National and Regional CAMPS planning activities, that is, built around federally financed manpower programs.

PRIMARY PROBLEMS CONFRONTED

The total and comprehensive approach which is being attempted in Iowa has meant that there were many people to get involved, many of whom have never been required to do any realistic planning before. It also meant that the present lack of uniformity in the boundaries of the geographic areas that are the service areas for the agencies participating in CAMPS created logistics problems and problems in data gathering for the area CAMPS committees. Just these two problems alone would be enough to require additional time to develop a realistic plan even though the Iowa State CAMPS Staff has averaged at least one meeting a week since the middle of December of last year. This again emphasized the fact that there is the need to develop a manpower planning system which is continuous in nature and that adequate and specialized planning staff be organized within each of the agencies participating in CAMPS.

INFORMATION SYSTEM DEVELOPMENT PROGRESS

As is explained in more detail in the report the State CAMPS Staff Committee is developing an interagency data or information system for use in the planning process. These efforts were primarily in the following three areas:

A. The development of categories and definitions of the manpower service activities that are a part of an interagency manpower service effort in a multi-county area or State. This provided the common language between the agencies as to their services so that they can compare and analyze and plan their activities, in such a way that will minimize the duplication of effort that sometimes may occur and likewise attempt to ensure that manpower services of particular types are not absent in other areas.

B. The needs of the job market is probably the most complete part of the report at this time and is in large part the result of the Skilled Needs Surveys that were financed and coordinated in large part by the State Department of Public Instruction through the Area Vocational Schools. Data available through the local Employment Service offices was also utilized.

C. The employability development needs of the people of the State of Iowa is in the process of being determined through a combination of a review of agency case records plus surveys and other relevant information in order to determine the mix and incidence of the needs of all of the people of the State of Iowa. One thing is unmistakenly clear and that is, that a priority item in the development of a viable and accurate manpower planning system is the development and the funding of research and survey activities and data storage and retrieval systems that will provide a more adequate measure of the relative needs between the geographic areas to be served and the priorities as to the manpower service activities needs of the people in an area.

INVOLVEMENT BY THE OFFICE OF THE GOVERNOR

The Office of the Governor has been providing the overall leadership to the development of the Cooperative Area Manpower Planning System in Iowa this year through a subdivision of the Governor's office, the Office for Planning and Programming. I would urge the members of the Regional CAMPS Committee to read the introduction to this report found in Chapter I. This introduction gives the rationale for the type and nature of the involvement of the Office of the Governor of Iowa in CAMPS.

I wish to point out again that the docu ment which follows is not a final draft of an Iowa State CAMPS plan but is only a tool that is being used by the State CAMPS Staff Committee to present some idea of the nature of the interagency manpower planning system that is being developed in Iowa.

In summary the manpower planning system being developed emphasizes:

1. local or area level involvement in the planning process

2. comprehensiveness in scope as to the service activities being planned, and

3. is cognizant of the interdependencies of Federal, State and locally financed and administered manpower programs.

GOALS FOR AREA CAMPS COMMITTEES FOR FISCAL YEAR 1969

1. Develop and implement a systematic approach to defining the role of each agency in the provision of each specific and commonly defined type of service activity.

2. Develop and implement a planning system which can for a given population determine the amount and ratios between the identified and estimated employability development and employer relations and community service needs and relate these to optimum amounts and ratios between service activities required.

3. Develop and implement an interagency service delivery system which includes (a) an interagency individual case planning system and (b) an interagency case tracking system during the process of providing services to an individual by more than one agency.

4. Develop a plan for organizing a manpower development service delivery system on a common multi-county area basis taking into account levels of specialization needed and needed location of services within the area.

TYPES OF SERVICE ACTIVITIES CHANGES THROUGH THE COOPERATIVE AREA MANPOWER PLANNING SYSTEM

1. Increase or decrease total amount of a service activity based on identified population and/or job market needs.

2. Specialization or concentration of a service activity in fewer agencies to increase efficiency and effectiveness.

3. Shifting responsibilities between agencies to achieve intra agency coupling of service activities needed to ensure continuity between services.

4. Create balance between the amounts of service activities to fit ratio between needs identified.

5. Shift to use of different type of service activity to serve some needs of population and/or job market.

RETREAT ON CIVIL RIGHTS ENFORCEMENT

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. RYAN. Mr. Speaker, 15 years after the U.S. Supreme Court desegregation decision, 5 years after the historic Civil Rights Act of 1964, the power of the Federal Government is not being fully used to achieve equality for all of our citizens—in education, in housing, in jobs, and in other areas of our national life. Not only have legislative acts and Executive orders against discrimination not been fully implemented, but civil rights protections have been undermined by administrative failures and retreats.

The latest blow to civil rights was the action of the Secretary of Health, Education, and Welfare in asking for a postponement of public school desegregation in 33 Mississippi counties—as though 15 years was not enough time in which to comply with the Supreme Court decision.

Roy Wilkins, executive director of the NAACP, in a column published in the New York Post of September 6, commented upon the latest failure of the Nixon administration to enforce equal rights. Mr. Wilkins observed:

Everyone familiar with government operations has known for months that the Nixon Administration has been playing patty-cake with civil rights . . . The law is there for the law and order regime to enforce. Or does law and order mean only containment and control of the Negro population?

I urge my colleagues to read Roy Wilkins' article, "An Unmistakable Retreat," and I urge the administration to enforce law and order for the protection of the civil rights of all Americans—black and white.

The article follows:

AN UNMISTAKABLE RETREAT

(By Roy Wilkins)

Even those who have bent over backwards trying to find some good in the civil rights policies of the Nixon Administration have been taken aback by recent developments.

The real blow came with the unprecedented letter of HEW Secretary Finch to federal court judges withdrawing the school desegregation suit against 33 Mississippi counties.

The letter said the action, prepared after analyses by HEW experts, would bring "chaos" to the school districts. It implied clearly that the districts had special problems and would not have time enough to effect desegregation. Secretary Finch asked a delay until December 1.

There might have been only the cynical (and expected) reaction from Negro citizens had not lawyers in the Civil Rights Division of the Justice Dept. held a protest meeting. The men present, reportedly as many as one-half of those employed, broadened their criticism from that on schools to include the alleged "slowdown" on the whole civil rights issue.

Nothing in these events is new—certainly not the general downward civil rights trend—except the letter of Mr. Finch and the protest meeting of the attorneys. Everyone familiar with government operations has known for months that the Nixon Administration has been playing patty-cake with civil rights. It has asserted that it is merely being "more businesslike," "more efficient" and is "streamlining" a vast confusion.

These phrases have fooled no one. They have not deceived those Southern whites who invented racial doubletalk long before President Nixon was born. They have not deceived Negroes.

Mr. Finch (whom I believe—perhaps naively—acted under pressure) stripped away uncertainty. Withdrawing a law suit is an unmistakable retreat. It is a confession of error, if not in judgment, then in timing. No matter how it is explained, it remains a backdown. The segregationists win another round.

With a hard-fisted and knowledgeable Texan in the White House, their victories were few and never in the open. With a Californian-New Yorker there, heading a party hungry for jobs and power, the going has been easier. In the background, always, has been the insatiable group of professional white Southerners whose followers are the emotional, unperceptive opponents of the idea that government should do anything for blacks.

The basic racial struggle in this country since 1865 has been to persuade the central government to protect the constitutional rights of black citizens against the subtle and overt onslaughts of the states. The racial practices imposed by whites upon blacks, while cruel and often spectacular and revolting, have been secondary.

Whenever legislation and the courts have bolstered these rights, as in the period, 1954–1968, discrimination has been beaten back. Until recently, the screams of the militants against government have been mostly heated rhetoric. But the Nixonites, by actively aiding the erosion of rights, are giving substance to stridency.

It cannot be repeated too often that the school districts in and outside the South have been on notice since May 17, 1954, to desegregate. Those communities that resisted a court decision for a decade ran finally into the Civil Rights Act of 1964. They chose still to stand pat. Under these circumstances, the "chaos" and "special problems" excuses of the Nixon Administration mean little.

The law is there for the law and order regime to enforce. Or does law and order mean only containment and control of the Negro population?

HON. BARRATT O'HARA

HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. YATES. Mr. Speaker, with the passing of Barratt O'Hara the United States has lost one of its great political figures. Barratt O'Hara was one of the few truly unique public men of our age.

For Barratt O'Hara's story is not the story of a single career, but of several careers, any one of which would have proven more than a match for the capabilities of an ordinary man. Barratt O'Hara was not an ordinary man.

His life and public career spanned generations and included his participation in events that most of us have only read about in history books. Barratt O'Hara was a veteran of the Spanish-American War and was the Congress' last direct link with that historic conflict.

He was a historic figure in his own right—serving nearly 20 years in this body. His integrity, his conscientiousness, and understanding of the issues were noted and admired by his colleagues. Those of us who knew him well were not surprised at all to hear him stand in this Chamber at the age of 84 and articulate a policy for Africa and the emerging third world that was a model of foresight, humanity, and commonsense. He brought to his work on African affairs more energy and insight than men half his age.

Barratt O'Hara lived his life fully. He was a man never content to stand still. He was out in front on the important issues of his day, whether the day was in 1925 or 1965. He was a constant source of inspiration and amazement to all those who knew him. Barratt's career was legendary. It has been duplicated and matched by very few, and I doubt that many in future years will be able to achieve as much. He was truly "The Happy Warrior."

MRS. MATTIE MEISNER, CITIZEN EXTRAORDINAIRE

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. MIZE. Mr. Speaker, the generous act of Mrs. Mattie Meisner of Sabetha, Kans., in willing more than $55,000 to the Federal Government to apply on the national debt, has attracted widespread attention. I recently received the editorial page of the Painesville, Ohio, Telegraph and had my attention directed to an editorial in which the editor suggested that Mrs. Meisner be given the title of "Citizen Extraordinaire."

I heartily subscribe to this recognition for Mrs. Meisner, and insert the editorial in the RECORD, as follows:

CITIZEN EXTRAORDINAIRE

U.S. Rep. Chester L. Mize the other day was telling the House floor how he was performing "one of the most unusual chores to befall me."

Continuing in the same tone of emphasized amazement, he said, "I have been requested to serve as the middleman in a transaction, the likes of which I have not heard about before. . ."

His mission in short was to relay a check in the amount of $55,657.79 to the government. That sum represented what a constituent had left in her will to the U.S. government. She left a similar amount to the state of Kansas. Both sums, according to the deceased one's will, are to be used "for the payment of the federal debt and the debts of the State of Kansas."

So many do their utmost to be good American citizens. They have to for this nation to succeed. But this contribution by a citizen in dollars and cents is truly beyond the realm of norm.

We suggest this person, a widow, in Kansas, be remembered as more than a good citizen. Perhaps she may be given the title: Mrs. Mattie Meisner, Citizen Extraordinaire.

MARS, THE EARTH, AND COMMITMENT

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. DINGELL. Mr. Speaker, the September, 1969, issue of Nation's Cities, the official publication of the National League of Cities, ran a front cover editorial on the need to provide adequate funding for the Clean Water Restoration Act.

Entitled "Mars, the Earth, and Commitment" the editorial expresses the frustrations of local government in their efforts to meet the Nation's clean water needs.

The Clean Water Restoration Act was enacted by Congress in 1966 as a "cooperative" effort between the Federal Government, the States and local communities to get on with the necessary job of building municipal sewage treatment plants. Federal funding, however, has never been adequate and as the editorial evidences, we are reaping a harvest of frustration and bitterness from the Nation's cities. I recommend this important reading to our colleagues:

MARS, THE EARTH, AND COMMITMENT

So now they want to send men to Mars. NASA director Dr. Thomas Paine says we have the technical knowledge to do the job by 1981. All we need is the will and commitment. Well, we have the technical knowledge to correct most of our urban pollution problems—*now*. All we need is the will and commitment.

We feel the will and commitment to battle pollution have been evident in most of our municipal governments. But we can't say that about the federal government. Take, for example, the shameful way it has failed to meet its obligations under the 1966 Clean Waters Restoration Act. A total of $1.3 billion was *authorized* under the act from fiscal 1967 through 1969. But now much actually was *appropriated* to help states and local governments build wastewater treatment facilities? Only $567 million, or roughly 44 per cent. The remaining unappropriated 56 per cent is an outrageous funding gap. But during that same period, a total of $4.1 billion in wastewater treatment facilities somehow were built. Where, then, did the money come from? It came, of course, from local governments (and, in a few cases, from states), placed under the gun to meet new federal/state water quality standards set by the 1965 Water Quality Act. Now these water quality standard deadlines are fast approaching and many cities will be able to meet them only by overextending themselves financially, thus taking already limited funds away from other vital urban needs such as education, poverty, and housing.

Will Congress continue to renege on its

obligation to fully fund the 1966 act? Not if the National League of Cities and the other concerned groups joined together in the Citizens Crusade for Clean Water have anything to say about it. And not if the growing congressional support for a full $1-billion 1970 appropriation continues to gain momentum. City officials and concerned citizens throughout the nation can join this fight for full federal funding by immediately bombarding their congressmen with requests to support the $1-billion 1970 appropriation. Success in gaining increased funding is not only necessary to meet our water pollution control needs in the years ahead, but to restore local and state government confidence in the federal government's credibility. National goals for an unfouled urban environment have been enunciated by Congress many times during the past decade. But, unlike the space program, the will and commitment to achieve these goals often have not been present.

Mars can wait. Our environmental pollution control needs here on Earth cannot.

NEED NEW NATIONAL POLICY FOR WATER POLLUTION ABATEMENT

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. WYATT. Mr. Speaker, I wish to share with my colleagues, and all who are interested in water pollution control, a speech I delivered at the Downtown Rotary Club in Portland, Oreg.:

THE NEED FOR DRAMATIC NEW NATIONAL POLICY FOR WATER POLLUTION ABATEMENT

One of the programs hit hardest by the current money pinch is one which we can least afford to delay—the nation's water pollution control program. Many other problems we face will be irrelevant if we so foul our environment that it becomes an unfit place in which to live.

The pollution of our nation's waterways with municipal and industrial wastes is a problem of ever-growing magnitude. The Federal government long ago saw the grave impact on our environment of these wastes if nothing was done to halt the pollution flood. As a result we have today in Washington the Federal Water Pollution Control Administration, and a variety of programs in not only that agency, but many others, designed to combat this cancerous disease of our rivers, lakes, streams, and coastal waters.

This country will have an estimated population of 400,000,000 people by the year 2,020 . . . just fifty years from now. Pollution problems will increase proportionately; they will certainly not simply disappear.

The Federal government has been channeling millions upon millions of dollars into pollution control and abatement programs, yet at best we have done little more than hold even. Many of our rivers and lakes are no cleaner today than they were when the Federal programs were begun.

The Great Lakes, once magnificent bodies of water—useful for fishing and recreation, are steadily being degraded in quality to the point where their recreational value is becoming more and more limited. Recreation on many stretches of lakefront is forgotten. Pollution has made the water unsafe for swimmers. Successful efforts to plant Oregon Cohoe salmon in Lake Michigan have been negated by pollution which makes them unsafe to eat.

Many of our rivers are no better. The Hudson flows to the sea as a ribbon of filth. The Potomac is occasionally lovely to look at, but swimming is a real health risk. All over the nation our great natural water resources are being despoiled by an ever-growing glut of filth.

What has happened to the millions and millions of dollars we have expended in trying to combat this disease that has cost us one of our greatest national assets? It has been spent in a scatter-shot approach to the problem, using outmoded methods, and, as a result, pollution has increased at a greater rate than our efforts to clean it up.

In 1966 we in Congress authorized 3.4 billion dollars to be spent through the year 1971 on pollution abatement. This money was to be spent primarily to increase secondary sewage treatment facilities. Yet testimony has shown that to keep up with increasing needs at least $20 billion would be needed by 1972 in order to achieve this goal.

The New York Times estimated in 1966 that we must spend 75 billion dollars in the next twenty-five years if we are to conquer water pollution with the conventional approach now being used. This is an average of 3 billion dollars per year for 25 years. Yet only $200 million in federal funds is available for the current fiscal year. The pollution funding gap now stands at three quarters of a billion dollars. But even at this reduced rate of funding, there is serious question as to whether we are getting anywhere near our money's worth.

Municipal and industrial wastes dumped into rivers and lakes is the single and prime cause of pollution. It is in the treatment of these wastes that we must take our stand against pollution. These facts are well known. This is the reason so much federal emphasis has been placed on the secondary treatment of sewage wastes. You should realize, however, that 45 per cent of all United States population is still not served by secondary sewage treatment plants.

We are not failing in achieving our water pollution abatement goals for lack of will. The people in the United States overwhelmingly desire to save our environment. The fancy funding promises of the last few years by the Federal government have resulted in amazing responses from American votes, this in spite of the predictable inability of the Federal government to come up with its matching share.

The strong desire of our citizens for adequate pollution control programs is reflected by the great margins by which very large pollution control bond issues have recently been carried, in the face of general tax revulsion.

For example, the voters of the State of New York approved a one billion dollar bond issue in 1968 by a margin of 4 to 1. The people of St. Louis, Missouri, recently approved a $95,000,000 bond issue by a 5 to 1 margin. These results reflect the intense desire to improve our environment. Unfortunately, the public's desire is running ahead of the government's abilities to provide a suitable program.

Our present approach toward control of pollution is both outmoded and ineffective. Our dollars are being spent and our entire abatement program is based on a concept that cannot work, and has not worked.

This concept calls for secondary treatment of all wastes. These secondary facilities are being designed around technology 40 years old and are intended to serve for 20–30 years in the future. This results in some serious inconsistencies in national policy. By designing facilities sized for the distant future, we are imposing a tremendous financial burden on today's economy. In many cases, taking a bite this big causes us to choke and take no immediate action to alleviate today's problems. The technology commonly used as a basis for design is largely outmoded today and results in inefficient use of dollars. We are spending sizable amounts of Federal money in financing research efforts to develop improved technology making such long range projects even a more inefficient use of today's dollars.

In effect we are spending money to design facilities for the future, and at the same time are striving to make sure they are obsolete before they are built. In addition, the now-outmoded 1963 standards for pollution control are based on the concept of unlimited funding. This is falacious to the extreme in light of the tremendous fiscal burden that the Congress and the nation must face this year and in years to come. We have too many areas that require Federal aid, and too few dollars to go around. In addition, the spiral of inflation has created further spurs for Federal thrift.

So we cannot toss the needed billions into the fray against pollution and get the results we want and need. But we continue to plan as though these billions were available.

An overall master plan for meeting our needs in the year 2000 is fine, but it does not meet today's needs and it does not give us pollution abatement today. Even more, planning and building plants for that far in the future is almost impossible to finance today. Trying to meet the waste treatment needs of the next generation with today's dollars is a very heavy burden; so, in many cases, only half measures are undertaken, and pollution continues to grow.

Another weakness is that waste treatment plants built today are assumed to operate at 90% efficiency all of the time when in fact they may operate at this efficiency only 80% of the time. During the other 20% of the time the plant may be 100% ineffective to the boy wanting to swim downstream from the plant discharge pipe. A realistic evaluation of the reliability of today's treatment processes indicates that many pollution programs may fall considerably short of hoped for effectiveness and reliability.

Is the situation hopeless? Must we accept the continuing blight of pollution as inevitable? The answer is a strong and resounding NO!!!

I propose that our efforts be concentrated on altering the time accepted approaches to this problem so that reasonable dollars expended wisely will allow us to make immediate progress yet take full advantage of new technology in effectively gaining the upper hand in the pollution control problems of tomorrow.

It is time to discard outmoded, often impossible 20 year plans. It is time to stop our scattergun approach to fighting pollution. It is time to meet the needs and wishes of our people *today*, not on a "maybe" basis 20 years from now or at the end of the century.

I suggest today that the Federal government undertake a complete revision of its concept of pollution abatement. A new national policy must be adopted. I suggest new priorities be drawn. And, most of all, I suggest we use our limited funds in the most effective possible way to fight the filth in our lakes and rivers, so that we will begin to harvest the results today, instead of hoping for results in the far future.

This is not an impossibility. This is not a pipe dream. It can and should be done. And it can be done by allocating our funds under a priority system that gives the most pounds of pollution removed per dollar spent. As it is now most of the funds are distributed on a first come, first served basis, without regard to obtaining maximum returns.

To do this we must utilize the advanced technology available. We must invest, not in

old-fashioned plants that are already outmoded, but in the newest and most productive areas of waste treatment.

Our goal must be immediate high-yield pollution abatement. We must be able to see results from our efforts. It costs far less, for example, to use this technology to improve existing waste treatment plants to where they can handle waste materials at 90% efficiency 100% of the time than to build plants for twenty years in the future. And technology can keep pace. Updating existing facilities through modern methods every five years, instead of making one great expense on the basis of twenty years will give pollution abatement results *now*, and will cost less, is more easily financed and offers more flexibility for incorporating future advances in technology.

Technology developed in Oregon offers one means of achieving these intermediate goals. We have developed techniques for increasing the capacity and performance of existing primary or secondary sewage clarifiers without the need for new construction. Plastic modules of high-rate sedimentation devices can be installed in existing clarifier structures to greatly increase their capacity and efficiency. This concept has already been proven in plants as large as 45 MGD. Pollution caused by overloaded primary and secondary clarifiers can be greatly reduced by use of this concept until new plant construction can take place. Incorporation of this settling concept in new plant design will reduce the cost of new facilities when they are built. Space and capital costs of industrial waste treatment system can be reduced. The treatment of storm-water overflows can be carried out in systems much smaller and cheaper than those currently being considered. A preliminary design of a stormwater treatment system utilizing this settling concept has been laid out in which the treatment could be accomplished beneath existing city streets within existing city rights-of-way.

At the same time, our research efforts need to be given a sharper focus and more clearly defined objectives. As it is now, our federally financed research projects largely are originated by field researchers and are conceived with the primary objective of getting a Federal grant. In many instances the research makes little or no contribution to technology and provides answers to which there are no practical questions.

Pollution abatement should be a national goal of the same priority as the moon program. Neil Armstrong would never have set foot on the moon if the Apollo program had no more central direction than the pollution research program. There is only one NASA but there are 15 Federal agencies conducting pollution control research and 50 state agencies which must first review and approve new concepts before they can be put into practice. The Federal Water Pollution Control Administration should set specific goals and make specific research assignments intead of merely handing out the money to projects that often are unrelated to practical solutions.

We should make a national commitment to deal with water pollution of the same magnitude that we made a decade ago to place a man on the moon.

Waste treatment and pollution abatement must be financed on today's dollars, and it should meet today's needs. Pollution does not operate on 20 year projections. It is here and now. We must meet it here and now or it will be with us 20 years from now, after we have spent our money in vain.

For if we do not start getting results in cleaning up our waterways soon, it may be too late. It may already be too late for Lake Erie. We must demand a dollar's worth of abatement for a dollar spent. We must meet today's needs. We must utilize technology now available to lower finance costs and to create results now. We need central direction of a national research effort to develop still more advanced technology. And we must revise our Federal outlook to adopt this high-yield pollution abatement concept immediately if we are not to perish in our own wastes.

Our needs are great today. They will be greater tomorrow. We must begin to meet them today by expecting and getting immediate results from our efforts at pollution control.

The logic of the programs of the immediate past would have led the legendary Dutch boy to refuse to put his finger in the hole in the dike because he felt the optimum solution was to build a new dike. Let's plug the hole in the pollution control dike until we can afford the new dike lest we drown in a flood of pollution in the interim.

COVINGTON MARINE KILLED IN VIETNAM

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. SNYDER. Mr. Speaker, on July 25, 1969, Cpl. Michael A. Dwyer, a 20-year-old marine from Covington, became another of the valiant youths who has given his life while serving his country and protecting the free world.

The sympathy of thousands of other families who have paid this sacrifice goes out to the Dwyer family and to them also goes the gratitude of those of us whom Mike died protecting.

The Kentucky Post article of August 12, written by Sigman Byrd, which reports the loss of the 101st Upper Bluegrass young man to the war in Vietnam, follows:

MIKE WAS WONDERFUL

(By Sigman Byrd)

When word got around on July 20 that Mike Dwyer was on the hospital ship Sanctuary, folks around Scott and Martin streets, Covington, starting praying for the young Marine.

Those who didn't pray, and some who did, had masses said for Cpl. Michael A. Dwyer, USMC, who was wounded accidentally while on combat duty in Vietnam.

Mike was only 20. Up until the time he enlisted in the Marine Corps last December he neither drank nor smoked.

But at Suttmiller's Saloon, 1358 Scott, Paul Suttmiller started a fund to buy Mike a gift.

Everybody loved Mike Dwyer. He had no enemies except the enemies of his country.

Today corporal Dwyer lies in a casket covered with the national ensign at the Linnemann Funeral Home, Covington. The money collected at the neighborhood saloon went for some of the flowers beside the casket, and for a mass to be offered for the repose of his soul.

He is the 101st northern Kentucky serviceman killed in Vietnam, and Kenton County's 40th.

Visitation is 3 to 9 p.m. today. A Requiem High Mass will be sung for Corporal Dwyer at the Cathedral Basilica of the Assumption at 9 a.m. Wednesday.

Burial with military honors will be at Mother of God Cemetery.

Today at the Dwyer home, 1412 Scott, the Stars and Stripes hangs from a flagstaff bracketed to a front-porch pillar.

A mood of sadness haunts the whole neighborhood. Inside the house where the flag hangs, this sadness is particularly acute because Mike's parents, brother, sisters and grandmother don't know exactly how death came to the young Marine.

This anguish is heightened by a newspaper report about the accidental shooting and by telephone calls to newspapers.

"There's no basis for the newspaper report about how the shooting occurred," said the corporal's father, Joseph Dwyer, a machine operator for Union Light. "No details have been reported by the Marine Corps."

Yesterday, while preparing to attend the funeral of Joseph Dwyer's uncle, John Murphy of 118 Martin street, the family paused to speak of Michael.

His mother, Mrs. Alpha Dwyer, a keypunch operator at Shillito's, said:

"He was a wonderful boy. You don't find his like any more. It would be nice if there were more young men like Mike."

His sister Patricia, 18:

"To me, Mike was a kind of second Christ. He had such kind feelings toward everybody. I never heard him say anything against anybody—even if he hated something about them."

His sister Deborah, 15:

"Oh, Mike was wonderful! He was such a nice big brother!"

His father:

"I don't know. You got me stumped. I don't know how to say it."

His brother Rickey:

"Mike and I used to wrestle. The only way I could beat him was to take him by surprise. He could have let me win, but he didn't. He wanted to make a man of me."

Michael Dwyer dropped out of Holy Cross High School to enlist in the Marine Corps. He died of an accidental gunshot wound aboard the hospital ship on July 25.

His cousin, A2c Jack Huenefeld of Ft. Thomas, stationed in Vietnam, acconpanied Corporal Dwyer's body as escort.

The airman said his cousin had received a Purple Heart in Vietnam but had never told his family he had been wounded.

BARRATT O'HARA

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. ADDABBO. Mr. Speaker, we have lost a true leader with the passing of our former colleague, Barratt O'Hara.

He lived a full and meaningful life and as a result future generations will remember him with the same admiration once so eloquently expressed by Clarence Darrow who said:

I am envious of only one thing in this world. I wish I had Barratt O'Hara's courage.

First elected to the House in 1948 at the age of 66, Barratt O'Hara arrived in Washington with the well-earned reputation of one of the Nation's leading criminal attorneys. He had defended literally hundreds of persons and never lost a defendant to the death penalty.

He had been the youngest Lieutenant Governor of Illinois—age 30—and his congressional career was to be just as outstanding as his legal career.

After serving his initial few terms on the House Banking and Currency Committee, Barratt O'Hara was appointed to the Committee on Foreign Affairs where

he became chairman of the Subcommittee on African Affairs.

He led the fight to establish the National Science Foundation and was a vigorous advocate of civil rights legislation—one of the early sponsors of anti-poll tax legislation.

We have lost a courageous colleague and our consolation lies in the legacy which he left to us—a career filled with excitement, achievements, and recognition.

THE AMERICAN DILEMMA—IS PERMISSIVENESS PROGRESSIVE?

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. WYMAN. Mr. Speaker, the extent of the existing confusion of our institutions and precepts is capably described by former Ambassador to Zambia, Robert C. Good, in an article appearing recently in the Washington Sunday Post. Ambassador Good's reactions to life and affairs in America upon his return after more than a 3-year absence furnish a concise synthesis of conditions resulting from a permissiveness syndrome since 1950.

Has this American permissiveness been progressive? Perhaps the answer to this must depend on how one views progress, but I cannot help but feel that somehow it is not progress to demand reparations from the church, or blink at the widespread use of drugs such as at the recent mass jam session at Bethel, or break criminal laws indiscriminately in the so-called cause of student expression on campus by blocking streets or throwing out deans or what have you. The list can go on and on to say nothing of outright license in print and photograph called freedom of speech but actually licentious material unbridled.

What puzzles me—if this sort of thing is felt to be progress—is the answer to the further question of where it all leads to? Where are we heading as a society, as a people, if the coming generation is to simply throw away the rule book and dance along the road of life as a little brown leaf in the wind?

It seems to me that the basic principles of honor, integrity, restraint, prudence, thrift, respect, hope, faith, charity, and courage, upon which this Nation rose to its present position of material wealth are still the best base upon which to forge the character of those who will lead us in tomorrow's world. It is difficult to see much of this in the America viewed by the Ambassador on his return, or for that matter, in the America as it exists at this hour. It is there, nevertheless, if one looks far enough below the surface and into the American home; yet, if there be any cause of urgent meaningfulness in terms of the ultimate national will, it is to restore these basic principles to the lives and times of those who so loudly proclaim that there is a generation gap incapable of transition.

I commend Ambassador Good's article to all reading the CONGRESSIONAL RECORD:

[From the Washington Post, Sept. 7, 1969]

A FLAWED DREAM HURTS UNITED STATES

(By Robert C. Good)

(NOTE.—Good resigned as ambassador to Zambia in January and returned to Washington to write a book. He found "a deeply changed America" after 3½ years abroad, and in an address to the Council on Religion and International Affairs at Denver, he took "an intensely personal, almost private, look at this restless America . . . It is the searing experience of re-entry (for which available heat shields are really quite inadequate) . . ." The following is excerpted from his speech.)

It hits you at first in innumerable trivial encounters, each inconsequential, but the cumulative impact is undeniable. It takes perceptibly longer to drive from point to point on congested streets. Spring comes and you notice more sick trees than there used to be.

An armed guard admits you to the local savings and loan, locking the door after you enter. The manager explains that they were robbed five times last year. Next to the bank there is a row of loan offices, each with an identical sign in the window: "There is no cash kept in this office; we pay all loans by check." Buses accept only tokens or exact change.

A real estate developer is advertising luxurious homes in a "maximum security" area. A friend, before you depart his home in downtown Washington at night, quotes the city's crime statistics: 1500 persons shot last year, 132 fatally.

You attend meetings bringing together white and Negro. The latter now call themselves blacks and there is healthy candor in that word, as there is assertive candor in their comment. It is all very new. White complacency and Negro reticence have disappeared.

It is easier, you discover, to define the new Negro mood than that of the white. "Telling it like it is" often means "telling it not quite like it is" as internalized anger at long last can be expressed freely, and sometimes acted out.

You listen to a Negro sociologist assert that there has been no progress but a dangerous retrogression in recent years. You are told by a Negro minister speaking from one of Washington's most eminent pulpits that in America "the fabric of justice is woven on the loom of hypocrisy." A brilliant young Negro congressman thinks aloud some unthinkable thoughts about the option of political separation for American blacks. And you wonder if you haven't been bamboozled for four long years by all those U.S. Information Agency statistics about Negro advancement.

So you double-check and discover that the advancement was real all right, but, like they say, it's become a part of the problem, not of the solution—or, more accurately, it becomes a part of the problem before it becomes a part of the solution.

So you conclude that there has been striking advance and that there remains striking inequities. And the inequities seem the more unjust because the advance proves that the situation is not immutable. Change excites expectations faster than they can be fulfilled.

Paradoxically, we are at that point where the amelioration of the problem makes it worse. Prestigious universities recruit ghetto students, federal funds promote local community action and the numbers of smart, highly vocal activists expand. With that comes new self-confidence, pride, a "renaissance of the psyche," someone has called it. And long suppressed feelings can now be expressed—in words and in action.

You spend an evening with a black doctor and his wife. She talks frankly of her vicarious enjoyment—and the almost irresistible urge to join in—when it was "Burn, baby, burn" time in Washington a year ago.

Why, you wonder—why so terribly bitter? In Denver, there is a school board election, and it provides part of the frighteningly obvious answer. The issue is school integration. A liberal board has devised techniques for achieving genuine mixing despite largely segregated neighborhoods. It involves busing some students.

Negro leaders fight hard to maintain it, giving the the lie to the notion that Negroes now want only separation. But liberal candidates are defeated by 2½ to 1. A black leader sums it up: "We now see. The dream is over. The white community is not willing to take on the commitment and make our country one and bring us together."

RAGE WITH VARIATION

Anger accumulates. It can now break surface. That is the difference four years have made.

You attend a conference at Cornell. The president—it was what you might call a command performance—explains the university's investment policy from a stage presided over by two black students wearing black gloves and carrying clubs sawed from a new 2x4. One of them impatiently seizes "Perkins," as he is adderssed by the radicals—courtesy, you discover, having quite disappeared from revolutionary rhetoric—and in the ensuing uproar you express shock to an SDS leader with lots of hair sitting near you.

He says, referring to the feelings of the blacks, "Now you know what real rage is." And you hear yourself reply, "Yes, my friends. I have just experienced it myself."

You are struck by the hyperbole which infuses our speech—full of nihilism, reeking of destruction and threatening always escalation into the real thing. The vice chairman of the National Conference on Black Power, in a letter to the editor of the "racist" Washington Post, rhapsodizes about the burning ghettos and visualizes "the flames licking the side of the Washington Post building" when the fires burn next time.

There is Ginsburg's "humane anarchy" and the celebration of "creative destruction" as war protesters burn draft records on the south side of Chicago. Ghetto spokesmen condemn social repression as "educational, institutional and psychological genocide." And a Panther tells Methodist Sunday morning worshipers in New York that "you can wait-in or sing-in all you want but . . . you put a .38 on your hip and you get respect."

Verbal extravagance seems self-fulfilling. University buildings are seized and academic men are mauled in what is euphemistically called "confrontation politics"—probably the only understatements in our contemporary lexicon. Students emerge from Willard Straight Hall carrying a small arsenal. On campuses in North Carolina and Missouri, there is actual sniping. In a California police action against student radicals, a bystander is killed. And a law officer explains with peculiar irrelevance that "we used buck shot because we ran out of bird shot."

MOMENT OF TRUTH?

So your thoughts run to the coming backlash. The most poignant warning came the other day from a black judge in Brooklyn who remonstrated with 35 white students after they had been sentenced to five days in jail for trespass of a college registrar's office:

"I don't know who appointed you to defend the cause of the Negro," he told them. "What you are doing is helping racism. You know this country is in a worse spot today than it was a year ago—because you have polarized the whole situation."

But one ought not load too much blame on the students as the law and order theme becomes the leit motif in one city after an-

other. And you wonder how America will respond as black majorities in our inner cities get on with the task of organizing themselves politically, as slum dwelling minorities always have in the past, and begin pushing their demands with added political muscle—and whether this will not be the moment of truth when the success or failure of the American experiment in nonracial democracy will be decided.

The reasons for our domestic disorientation need not detain us. I find that even the most cursory reading is filled with answers. More central to our concern is to measure the impact of our domestic problems on our national will, on our capacity to act and on our priorities.

As a nation, we are in danger of being gripped by a kind of spiritual crisis. No other word can describe it adequately because it arises from doubts about values and premises around which we have ordered our civic life and defined our national destiny.

A small minority of radicalized students promote an unprogramed revolution. It is total protest and its net impact is destructive. Militant blacks, working out the insufferable depredations and frustrations of past generations, seek a renewal of their community and a larger share of American affluence, leaving neither time to examine or inclination to serve the larger national purpose.

Young people in general seem to perceive America very differently from their elders. The mood is not one of pride and patriotism, but criticism, even condemnation. For the moment, antipatriotism is one of the symbols of this alienation—students marching to the chant: "Ho, Ho, Ho Chi Minh; only the NLF can win."

THE AMERICAN DREAM

These particular disaffections are serious enough. But I wonder if the core of the problem will not emerge among the mass of middle-aged, middle-class Americans for whom the times seem so badly disjointed. There is a palpable lack of certainty about self and society. The questions and doubts are slowly taking shape.

What has happened to the American dream? We knew things weren't perfect, but according to our doctrine, they were getting better. The democratic process might falter or throw up the occasional rascal. But the process was self-correcting and, like the idea of God in a theistic age, a premise beyond question. America might make a mistake now and then, but its essential disposition was right and progress in the longer run assured. We might momentarily be overwhelmed by forces beyond our control, but the individual by his own effort could master his fate if he tried hard enough.

Well, the trauma and the accompanying spiritual crisis arise because all of these assumptions are at least open to question if not subject to serious doubt. What Paul Valery has said of the French, we have tended to think was true of us, too: "Our special quality is to believe and feel that we are universal." Now we are not so sure. We sense we may be more or less out of control. Will, purpose, the capacity to act are in some degree crippled by doubt, apprehension, guilt and even fear.

Nothing perhaps epitomizes this condition so vividly as the new administration with its cautious probings, its endless studies, trying to determine how far it can go in this direction or in that, balancing conflicting priorities, building backfires against possible overreactions here and there—doing everything, in short, but taking the lead. The sense of unease deepens when one wonders whether at the moment, given the national mood, it can be otherwise.

Our confusion and disorientation arise from what is going on abroad as well as at home. More than anything else, I think it is our awareness in recent years of our relative powerlessness that vexes us. This is a paradox, for we have been told (rightly) that no nation in history has mobilized power equal to ours, and it was after all not many years ago that on every occasion such as this one we were telling ourselves how important it was to exercise our great power with restrained responsibility and warning of "the illusion of American omnipotence."

We are now no less powerful, but our power seems less relevant. It is not just Vietnam, where the adversary's willingness to die exceeds our capacity to kill despite the most awesome deployment of power. Almost nowhere do we seem to be able to translate power, whether physical or moral, into influence, or to link our power to the engines of change in predictable and compatible ways.

It must come to the American people as something of a psychological kick in the teeth that eight years after the inception of the Alliance for Progress, the President's special emissary is virtually barred from entering three Latin countries and 21 Latin governments tell us there is a "deep crisis" in hemispheric relations and a "growing and harmful resentment" against U.S. policies throughout the region.

In the Middle East, the combined efforts of the great powers seem unavailing and peace remains as fragile as ever. (It has been observed that in the last decade there have been in fact only two great powers, Israel and North Vietnam, both of which have been more influential in directing the course of international affairs than either the United States or the Soviet Union.)

Hannah Arendt speaks of the pervasive impotence of power. "I feel like we're living in a fairy tale," she says. "The country seems to have fallen under a spell and nothing seems to work any more . . . I believe all the large West European governments suffer the same power loss. It is very characteristic of our time that only small governments still can rely on the support of their citizens and still can solve problems because their problems are still manageable."

MUTUAL TOLERANCE

All of these revelations ought to do us some good, since unrealistic expectations about the world we are dealing with and, even more, about ourselves are unsteady foundations for policy. Also, our domestic problems should make us somewhat more tolerant of the stresses and strains in other societies.

For it is now evident that here at home we are dealing with our own "revolution of rising expectations," with the instabilities created by the "development process" and the dislocations consequent on a massive migration from rural areas to our cities, not to mention our hangovers from an essentially colonial psychology. In short, it should be apparent to us that the line between developed and developing, between stable and unstable societies is not all that distinct.

Incidentally, these realizations should work the other way, too. Heady expectations about the United States on the part of many emerging societies are probably being adulterated. That too is basically healthy.

It is by no means sure, however, that we will absorb these lessons, proceeding thereafter from new levels of wisdom. For disillusionment creates a receptivity for new illusions, and as a people we are not beyond the danger of replacing one oversimplification for another. In fact, in our present mood of self-doubt and perplexity, stereotyped answers to complex issues are again elbowing their way to the forefront of national debate.

They present themselves in now familiar evocative phrases: "military-industrial complex," "policeman to the world," "containment in passe," "overcommitment" and "get out of Vietnam." It is not that these words are meaningless. It is rather that they become symbols, fixing blame or exciting expectations rather than demanding analysis.

Take Vietnam, for example. The war has become a source of unrest so deep in our national life that we are probably expecting too much from ultimate disengagement. We have told ourselves over an over again that it has distorted our priorities, played havoc with our image abroad, radicalized our students, enflamed black militants and given rise to feelings of national guilt in sensitive sectors of our population.

All these things are in a measure true. The domestic consequences have overwhelmed the foreign—and we must withdraw. But the method and the terms of our disengagement from Vietnam will also deeply affect both our policy problems and our national life. This is why we should be patient while this administration attempts an honorable compromise.

A FURTHER TRAUMA

The danger remains very real, however, that options now being sought by our government will not be made available by Hanoi. In that case, we shall finally have to choose between continued engagement at levels that imposes a great and probably intolerable strain at home or virtual abandonment of South Vietnam under conditions that will tax the credibility of our steadfastness in many parts of the world and create a backwash of uneasiness here at home.

We are familiar with the national trauma of prosecuting this ambiguous war. We should not underestimate the national trauma which will follow hard on the realization that we have "lost" that war, particularly if our withdrawal is shortly followed by Vietcong ascendancy in the South and a blood bath as the new regime is consolidated. These developments might only serve to deepen the spiritual crisis I have alluded to, further distorting our national life and crippling our national will, with quite unpredictable effects on policy.

Even under the best of circumstances, the resolution of the Vietnam conflict will not be a cure-all. We will still face tough decisions in allocating essentially scarce resources. Perhaps the toughest of these decisions will be what weight to give to domestic as against foreign programs.

The administration has now made clear that even following the end of the Vietnam war, our savings will not be very substantial if we maintain force levels consistent with the full range of our present military commitments. My own view is that military commitments (which is to say military spending) must be selectively reduced in favor of vitally needed domestic programs.

This is not an isolationist option. It does not represent withdrawal, which, I suspect, given the character of our involvement in the world, is virtually impossible anyway. Rather it signifies that domestic and foreign policies have become, perhaps more than ever before, an integral part of one another.

Our leaders cannot pursue coherent policies and take significant initiatives abroad without a larger measure of social stability, consensus and, above all, collective self-confidence than would seem likely to obtain in America if present trends depends in part on our giving evidence at home of a people resolutely meeting the challenges of change in developing a viable and humane community.

I say all this not unmindful of our continuing and unpredictable confrontation with the Soviet Union, and the uncertainties that surround Chinese intentions in Asia; nor am I suddenly oblivious of the importance of maintaining and increasing our commitment to economic aid for the developing countries. I do not question the continuance of strategic parity, even as we seek negotiated control mechanisms with the Soviet Union. It is the sine qua non of whatever

stability remains in the international system.

But at lesser levels, the experience of the last decade would indicate that neither side is easily able to gain decisive advantage in exploiting the instability of the in-between world. Once again, this does not argue for American withdrawal. But it does suggest that our commitments (and corresponding force levels) can selectively be pared back with tolerable risks once they are analyzed rigorously in terms of interest rather than premised on some universalist doctrine of maintaining maximum stability everywhere—which is hardly a tenable objective in any event in an inherently unstable, even revolutionary, world.

A FEW FRESHETS

I must not leave this unwieldy subject without one or two concluding observations to set straight my own mood. I find myself worried but not unto distraction. The shape of the crisis I have alluded to is there for all to see. But the evidence, while presently trending badly, is not all negative. The operative adjective is "restless," not "rigid."

Here and there into the turgid mainstream of our life you find a freshet forcing its way, revealing a capacity for experimentation and newness—whether individual variations in men's sideburns (it must be accepted as a forward step that the graying sideburn is replacing the gray flannel suit in business circles) or some remarkably uninhibited forms, for example in church worship. You visit an Episcopal church in Washington where the mass is a true celebration of life, complete with drums, instrumentalists and sometimes impromptu dancing; above are psychedelic banners declaring, "Let the Risen Lord Turn You On," or "Love is a Damned Good Thing."

You learn that the counterpoint to your hangups is "doing your thing." It is often done with worrisome abandon, calculated to shock, and to dramatize and ridicule contemporary nonsense. But there is buried underneath the ridiculousness and the strident protest a thrust for self-expression which, harnessed, can be turned to enormously creative account—or, unbridled, can do a good deal of harm.

You read the polls on student attitudes and wonder if these don't reveal more than the bizarre happenings that dominated our evening television fare all spring. Eighty-four per cent of college kids place themselves in the middle ground categories of moderately conservative (19 per cent), middle-of-the-road (24 per cent) and moderately liberal (41 per cent).

Still more important, the surveys find this college generation self-motivated, deeply sensitive to injustice, service-oriented and (needless to say) anticonformist. There is an enormous potential for constructive change in all of this; it is, in truth, a little disconcerting that students should profess such splendid motivations as they go around occupying buildings, roughing up the deans and defiling the established generation.

THE CHANGING SUBURBS

Residential trends in and around Northern cities remain ominous. Yet an expert in Washington tells you that the outflow of whites to the suburbs has in the past year, and for the first time, almost been equaled by the outflow of blacks. Residential integration is still essentially a fleeting transitional phase as city neighborhoods move from white to black occupancy.

Then you go to the graduation ceremonies of the local junior high school. The integrated glee club (not as many whites as before, but still some) sings, "We Shall Overcome." It sounds as if they mean it.

Attitudes on both sides of the color line remain more malleable than perhaps we realize. You come across a CBS public opinion poll from 1968 which found 49 per cent of its Negro respondents willing to give active support to the successor of Martin Luther King, as opposed to 1 per cent to Ron Karenga, 2 per cent to Rap Brown and 4 per cent to Stokely Carmichael. Mohammed Ali tells a television interviewer: "For black people to start shooting in their fight against American society would be as silly as for you to get up and start hitting me."

Bradley loses in Los Angeles; that is bad. But 47 per cent of the population votes for a black candidate in a city where only 18 per cent of the community is Negro; that is good. In fact it is almost unprecedented. And in the New Yorker, you read Charles Evers' speech after being elected mayor of Fayette, Miss.: "All of us have won a victory in Mississippi. All the poor blacks, and all the concerned scared whites. I'm not going to belittle the whites, because they need help, just as we need help."

So the returns are not all in, not yet. This much at least can be said. We are talking about our problems. Before returning home, I had heard that there was in this country a perilous communications gap. But never before have I been exposed to such a flood-tide of communications as have swept over me since our return.

It is true that much of what is said is not being heard. The decibel level is too high, or the message too strident, or we are simply not turned on. But talking we are. With extraordinary frankness. I read that Deputy Attorney General Kleindienst has even urged police to invite militants to lecture at police academies!

No other society exposes itself to analysis, criticism and debate with the abandon practiced here. That is why we cannot yet take seriously the glib comparison between modern America and ancient Rome, by those who talk of a "decline and fall" syndrome.

OIL DEPLETION CONTROVERSY

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. FISHER. Mr. Speaker, during the course of the recent debate on the tax reform bill in the House, many of the Members enthusiastically applauded the action of the Ways and Means Committee in cutting the rate of the oil and gas percentage depletion allowance. I believe their endorsement of the provisions of H.R. 13270 that adversely affected America's natural resource industry was unwise.

Over the past several months, it has been clear to me that the critics of percentage depletion have not been willing to consider the factual considerations that fully justify the retention of the present tax incentives designed to encourage the search for oil and gas. Many things that an individual does in this life are greatly influenced by the emotions of the times, but my concern in this particular case is that the emotional appeal of eliminating a symbol may blind us to reality with the result that hasty action may produce irreparable harm. In my judgment, the action taken with regard to percentage depletion, if allowed to stand, could and would have a serious effect on the economic strength and military security of this great Nation.

In this regard, I would like to call your attention to an editorial which appeared in the St. Louis Globe-Democrat on July 30, 1969, which presents a factual point of view that must be considered in reaching an informed attitude on this important subject. I would like to insert a copy of this editorial in the RECORD at this time and urge all the Members of this body and our colleagues in the other body to evaluate objectively and dispassionately the logic and thoughts of the editorial. The editors of the Globe-Democrat have rendered an outstanding public service by publishing this thoughtful and timely editorial comment.

The editorial follows:

OIL DEPLETION CONTROVERSY

The House Ways and Means Committee, dedicated to mapping out a tough tax reform bill, has moved against the 27½ percent oil depletion allowance for income taxes. The committee has decided to recommend slashing this allowance to 20 percent.

Something of a public clamor has been drummed up against the oil depletion exemption—designed to help oil companies develop new wells. It has been a provision in the law for at least four decades.

This is a complex issue. Many feel the allowance is simply a loophole favoritism, giving huge oil corporations special tax consideration.

There is a tub-thumping drive to persuade the public they are getting gigged by big-power interests.

The assault on the depletion allowance, however, could prove a danger to national security and the United States economy.

The oil companies have offered a plausible case for retaining the allowance. Unless a better case can be made by opponents, it seems to us the 27½ percent depletion credit should be continued.

Whether imperative development of essential oil reserves could result without the full depletion program is very doubtful.

In conjunction with existing import quotas, to bar cheap foreign oil from our markets in heavy quantity, the depletion can aid the oil industry to keep the United States relatively self-sufficient in basic fuel supply.

Petroleum and gas now supply 75 percent of America's required energy. Studies indicate that by 1980 the industry will have to find virtually as much oil as has been produced since the first well was drilled in 1859. This means a drastic need for developing new resources in buried oil.

The United States Geological Survey has estimated there is still plenty of oil to be discovered in the United States. But exploratory drilling has declined sharply because of a cost-price squeeze.

The nation's security, its very operation, depends on oil. Our self sufficiency in petroleum—certainly as far as possible—should not be imperiled through dependence on Arab or other foreign oil, which could be suddenly cut off. It was, in 1967, when the Middle East crisis stopped the flow of Arabian oil to the United States.

This is a basic reason for the depletion allowance, plus the fact that all reserves are part of the industry's capital assets. Why should oil be heavily taxed on its capital, without some means of restoring that capital through new exploration. Other industry and business are not assessed income taxes on capital.

The idea that the oil industry is a profit mammoth, sucking special privilege through tax laws, is in our opinion a bugaboo. Certainly there must be profits or the industry would erode and fail.

The 21 large companies, according to a recent survey by Price Waterhouse and Co., paid a direct tax bill of $9.5 billion in 1967. This equalled 64.2 percent of these corporations' net profits before income taxes.

The total tax load of the petroleum industry has been put at 5.43 percent of gross revenues; all other corporations were taxed 4.62 percent of gross revenues.

Oil does not appear rolling up vast profits and seeking unfair tax loopholes through the depletion route. Actually return on oil's net assets was a bit less than on manufacturing companies generally.

High living standards in the United States mean we consume the most energy of any other country, and correspondingly need more reserves. Otherwise the future will find us power-crippled. It should also be remembered the depletion provision applies to some 100 other mineral products, imperative to the economy.

Not for benefit of the oil industry, but in the necessity for national security, a prospering economy and self-sufficiency in a critically essential product. It seems the 27½ percent depletion allowance should be retained by Congress.

CHARLES "CHUCK" JOELSON

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. FRIEDEL. Mr. Speaker, it gives me a great deal of personal pleasure to join with my colleagues and the many friends of CHARLES S. "CHUCK" JOELSON in wishing him all the best upon assuming his new duties as a judge on the Superior Court of New Jersey.

Before being elected to the 87th Congress, "CHUCK" already had a distinguished career behind him. He attained his B.A. in 1937 from Cornell University, and in his junior year was elected to membership in Phi Beta Kappa, and received his LL.B. in 1939. He began his practice in law in his hometown of Paterson, N.J. In 1942 he enlisted in the Navy and served with distinction in the Far Eastern Branch of the Division of Naval Intelligence. Upon his release from the Navy and return to civilian life, he became counsel to the city of Paterson, then deputy attorney general, and in turn acting prosecutor of Passaic County. For 2 years he was director of criminal investigation for the entire State of New Jersey, until his election to the Congress in 1960.

He served first as a member of the House Committee on Education and Labor, and subsequently on the House Committee on Appropriations. In his duties as a legislator, he showed fair and impartial treatment in his approach to legislation before his committee and the House.

Mr. Speaker, now that "CHUCK" is returning to his chosen profession, the field of law, I am sure that he will bring to the superior court the same sense of fairness and impartial justice that he used as a Member of the House of Representatives, and extend heartiest congratulations to him for a most rewarding career on the bench.

LOWERING THE VOTING AGE

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, in the course of the history of our country, we have amended our Constitution four times to enlarge or protect the exercise of the voting franchise. On each of these historic occasions, great issues confronted the Republic. The issues involved questions of sex, race, and equality of representation. Our decisions in those moments of stress and change have been wise, serving to strengthen our political process, our form of government and our people.

Today we again confront such an issue. That issue is whether full participation in the Nation's political affairs should be extended to those under 21 years of age. While four States have moved to grant the franchise to those under 21, the balance of the States have not up to this point made such a change. But I think it is clear that more and more attention is being given to this issue. In Wisconsin, the State assembly had passed a constitutional amendment which would lower the voting age to 18.

During my 6 years in the Wisconsin Legislature, I opposed lowering the voting age. I did so for many of the reasons which are stated today by those who oppose this proposition. I will not take the time, Mr. Speaker, at this point to detail either my reasons for opposition in the past or all of my reasons for having decided that it was appropriate to extend the voting franchise to those 18 and over.

There are, it seems to me, some very basic considerations which need to be considered by the House as we pursue this matter. There are two primary considerations as one examines the question of who should or should not vote. One is the need for awareness of the issues facing this Nation and the world. The other is a matter of judgment in terms of how one goes about making a decision before casting a vote. It is my considered opinion, Mr. Speaker, that there never has been a generation better informed than the current young generation. Our exceptional educational system coupled with rapid developments in communications have produced a competitive atmosphere and a body of information that combined has educated today's students far more than ever before. The interest of students today is increasingly directed into public affairs by means both of courses taught in high school and of the opportunity to view the world being shaped through the media. The young men and women in this country today are not only better informed but their opportunity to view a wider range of topics is greater. Our society has produced a consciousness and an incisive questioning of issues that are to me, astounding. Those of us who were a part of the campus task force group found across the country some common identifiable major concerns of young people. These related to our society and its priorities to world affairs and to the kind of government and people we are.

This concern is not superficial. The kind of probing attitude revealed by young people across this land is based on candor and honesty. Thus, they are, I believe, more attuned to and knowledgeable about the political issues which face us as a people.

This argument is compelling insofar as lowering the voting age is concerned. There are some who will argue that those between 21 and 29 who now enjoy the right to vote, vote in lesser numbers than any other age group. This is, of course, true but one of the problems, I believe, is that we do not tap the knowledge that exists in those between 18 and 21 immediately upon their graduation from high school when their interest is at a peak.

The 3 years which I had at one time felt was needed for maturation today apparently serves as a time when people so seriously question the world about them that as they reach 21 they are no longer sure they want to be involved.

The tremendous enthusiasm, drive, interest, and concern our young people are exhibiting today is in danger of being directed against so many of the institutions that have served the country well in periods of past stress. The honest, forthright student of today's politics is increasingly faced with frustration when he is denied access to the process of affecting the world around him. The genuine dedication of many of today's young people to solving our Nation's problems deserves full recognition. We cannot turn a deaf ear to their suggestions, deny them their place in the political process, force them into affecting a system from without with ineffective means.

The age of 21 has since days of the Magna Carta in England been considered the time at which a person became mature and responsible. I question today whether that is, in fact, still valid. From my experiences on the college campus and in high school assemblies across the Sixth District of Wisconsin I find young people today older, more mature, more capable of asking perceptive questions and fully capable of exercising sound political judgment.

Judgment is not something that is reached magically at 21. There are those over 21 who lack judgment and yet we extend to them the franchise without qualification. I believe the vast majority of those under 21 to whom House Joint Resolution 865 would apply for Federal elections are capable of the kind of judgment which is needed to cast an intelligent vote.

To the extent that our political processes can foster trust, participation, and involvement, I believe the danger of violent confrontation can be reduced. To the extent that this Nation can foster an enchancement of quality and excellence throughout its political system, I believe creative leadership can be developed.

As in the past we have the opportunity

to extend the voting franchise to those who ought to be a part of our political system. As an increasing number of young people pay taxes, raise families, work hard for their community, State, and Nation, then they too must be recognized as full citizens. We have acted wisely in the past in recognizing ideas whose times have come. Today we have such an opportunity once again.

It is for that reason that I have joined with my colleague, the gentleman from Illinois (Mr. RAILSBACK), in cosponsoring the resolution which would extend the right to vote to those 18 and over in Federal elections.

W. AVERELL HARRIMAN

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. BINGHAM. Mr. Speaker, during the recess the New York Times magazine carried the text of a remarkable interview with that great American statesman, Ambassador W. Averell Harriman, on the Vietnam war, the Paris talks, and the road we should follow to move toward peace. I include herewith the article as it appeared in the August 24 issue of the Times magazine and commend it to my colleagues and other readers of the CONGRESSIONAL RECORD:

THE PARIS TALKS STARTED 471 DAYS AGO: HARRIMAN SUGGESTS A WAY OUT OF VIETNAM

(By Hedrick Smith)

The lanky profile of W. Averell Harriman has been a familiar sight in the highest councils of the nation since the days of the New Deal. Under four Democratic Presidents he has become a superdiplomat, a man who has dealt with Trotsky, Stalin, Khrushchev and Kosygin. His latest mission took him to Paris last year as the Johnson Administration's chief negotiator in the Vietnam peace talks.

Even at 77 and in retirement, the former New York Governor has been lobbying publicly and privately at the White House and with members of Congress and the press corps for faster and more flexible American initiatives to end the war.

I reported on Harriman in action last year in Paris and recently talked with him about his ideas on Vietnam and dealing with the Russians. In this interview Harriman is careful not to give away official secrets, but he does make some interesting disclosures—for example, that he and his deputy in Paris, Cyrus R. Vance, arranged for secret four-party talks but the agreement fell through, and that the Americans won Hanoi's approval for a roundtable only to have Saigon object. And he suggests ways of breaking the negotiating deadlock and scaling down the combat.

Harriman's comments reveal his grave doubt that the South Vietnamese President, Nguyen Van Thieu, can survive a settlement unless many more non-Communist elements are drawn into the regime, and his view of a likely settlement of the war: a share of political power for the National Liberation Front, a gradual reunification of North and South and long-term U.S. aid for Hanoi.

Governor, you've talked many times about the idea of a Southern solution in Vietnam. Is this just a polite way of saying that in the end we're going to have to settle for a coalition which includes both Saigon elements and the National Liberation Front?

HARRIMAN. I don't know what's going to come out of it. I'd always hoped we could get the people from Saigon together with the N.L.F. and put them in a room and lock the doors and throw away the key until they came out with a decision.

We had arranged—or at least we thought we had, Cy Vance and I—that we would have private talks, the four of us together, right after the first open meeting.

This wast last November in Paris?

HARRIMAN. Yes, after the end of the bombing and after we had agreed on the procedures for four-party talks with the South Vietnamese Government represented. In fact, it was so clear that we would have four-party private talks that the North Vietnamese asked if it would be possible for us to continue sometimes to have bilateral talks. I said: "Well, of course it would be, because we must have many subjects of mutual interest."

It hasn't worked out that way; both sides have been rather cautious about being unwilling to talk to each other, and it shows that each side is a bit afraid of the other. But one of the things that's absolutely essential is that the Saigon Government must broaden its base. It's not a very good negotiating team for the future of the South Vietnamese people when it represents such a narrow group.

You mean it should include many other elements, even progressives like the leftist Buddhists?

HARRIMAN. Yes. There are a number of different groups. I'm quite convinced that by far the majority of the people don't want to be taken over by the Vietcong or Hanoi; they want to be independent. The trouble is they're split a dozen different ways, and no one has been able to bring them together.

President Diem was not able to do so. That was the reason for his fall. And he got too arbitrary, put too many people in jail. And this Government is putting a lot of people in jail. I was rather startled when I heard President Thieu, coming back from meeting President Nixon at Midway, announce that he was going to punish severely anyone who suggested a coalition government.

Well, our position has been that we're not opposed to a coalition government. You remember I said in Paris a number of times that we would not impose it. We were not against it, but we would not impose it. We were against a government's being imposed either by Hanoi or by Washington.

How do you distinguish between broadening the base of the Thieu Government and what Hanoi and the N.L.F. call forming a "peace cabinet"? Are you suggesting we have to dispense with the Thieu regime?

HARRIMAN. No, I'm not. We've been urging Thieu to broaden the base, and he did to some extent when he brought in Tran Van Huong last year as Premier, and then others, but he didn't really bring together a coalition of all the anti-Vietcong forces. There are different groups, different sects, religious groups. There are two techniques, and both should be used. One is to bring in ministers that are representative of different groups, get a coalition that way. Another, possibly better technique, is to have what they once had, which is a council of notables. They could get some fellow who had great popular appeal—Big Minh,[1] for instance—to be chairman, and have it a consultative group, bring in everybody. Now, it couldn't be just a front; it would have to be consulted. Thieu would have to give up some of his arbitrary positions; he would have to really consult these people as to the kind of settlement they wanted to have.

We've been trying to persuade Thieu to broaden the base, but we've never really put heat on him, and I think that is something that ought to be done; I say put the heat on him and make him understand that this is essential for our support. I think he'd do it then.

I'm afraid that I would disagree with what the Embassy people think is enough. Some people think it's enough that he reshuffle the Cabinet and bring in two or three people who belong to certain different groups. I think he's got to bring them all into something like this council of notables, all the non-Communist groups.

There'd be some very vigorous differences of opinion between these groups, of course. But if Thieu cannot dominate the non-Communist groups, there's not much hope—is there?—for his surviving as a leader in his country, because the other side has no use for him. Thieu has been a very shrewd operator, but he hasn't got the appeal that a fellow like Big Minh has.

Do you think that broadening the base of the Saigon Government would break the present stalemate in the Paris talks, or do you think other steps are necessary?

HARRIMAN. I don't think that we'll ever come to serious negotiations until we're ready to accept the status quo, militarily and politically. The other side made it quite plain to us that they'd continue fighting as long as we continued fighting. This seems rather natural to me. If you're going to try to make a settlement you've got to accept the status quo.

I think that we ought to abandon our efforts to expand the pacification program into new areas. That's an attempt by the Saigon Government, with our support, to improve their position, to get control of more villages which were rather doubtful or were under V.C. control. As I recall it, in December, half of our combat forces were engaged in that operation. So it was a quite important activity.

But the principal object would be for our forces to go into more defensive positions, to be available if the other side attacked, but not to try, at the last minute, either to "win the war" militarily or to pacify the people. You know, there's great hope in the Embassy in Saigon that in a few more months they can do a good deal in pacification. I have grave doubts about the permanent value of this procedure.

What's more important is to consolidate our position in the areas clearly controlled by the Government, and that means getting more of the people back of the Government in the manner that I described. That has to be done or the future elections will be quite unfortunate.

You seem to imply that recognizing the political realities means recognizing that the other side is going to have a share of the political power in the South as part of any settlement. Otherwise, they won't have any interest to stop fighting.

HARRIMAN. That's right. How it can be achieved is very hard. There are certain countries that have survived with an active, vigorous Communist party. In France and Italy, for instance, you have strong Communist parties in opposition to the Government. In Finland, the Communist party is participating in the Government. There are others that were not successful in withstanding this. In the Western European countries, a number of them had Communist participation in government for a short period but

[1] Maj. Gen. Duong Van Minh, a leader of the 1963 coup that overthrew the regime of President Ngo Dinh Diem. Minh was in exile in Thailand until last fall and since then has been living quietly in Saigon.

the non-Communist forces were strong enough to throw them out.

Let's look at the military side for a moment. We've had 16 months in Paris now, and we've had a battlefield lull this summer, as we had last summer and at other periods. Do you think that the first order of business now should be getting a cease-fire in order to set the conditions for political talks?

HARRIMAN. A cease-fire is a difficult thing. We had hoped in January to—well, as a matter of fact, in November, it was very clear there was not only a lull in the fighting, but there was a disengagement in the northern two provinces of South Vietnam. Ninety per cent of the North Vietnamese troops there were taken out. Half of them went as far north as the 20th Parallel, nearly 200 miles north; the others were kept closer by, either just north of the DMZ or in Laos. There was little or no fighting, and that had been one of the most active battlegrounds. But General Abrams, our commander, was able to take advantage of their pullback to move the First Cavalry Division out of that area, the I Corps, and into the III Corps area to increase our pressure on the enemy there.

Did you feel that Hanoi was ready to proceed with some kind of formal disengagement?

HARRIMAN. We weren't sure what we could do. Our trouble was that we never could talk about military settlements with the North Vietnamese alone because they maintained that they weren't fighting; it was the N.L.F. or the V.C. that was fighting. They wanted to talk to us about a political settlement and we wouldn't talk about a political settlement without the Saigon Government represented.

So we only talked around subjects. But their act of disengagement in the North convinced us in Paris that they were ready to move further in the reduction of the level of violence, working toward a cease-fire.

Now, you have to have a cease-fire if there is to be a political settlement. We thought perhaps we could feel our way into a cease-fire by specific actions; in other words, areas of disengagement—no fighting in the I Corps area, for instance—and see how it worked.

Then we did have a very important negotiating weapon, the B–52 raids. They were extremely unhappy about the B–52 raids. They never told us how effective they were in terms of the damage they did, but the effect on the morale of the V.C., N.L.F., North Vietnamese was terrific. Suddenly out of the sky would come the most tremendous explosions, and they wanted to get rid of that.

Now, I think in return for stopping the B–52's we might well have come to an understanding that they would stop a great deal of their violence, or all of their violence in Saigon and the other cities—stop ambushing some of the highways.

This was what we hoped to achieve if the Saigon Government representation had come to Paris and been ready to negotiate. This is what we hoped to achieve right away in November, and I think it would have made a basis for us to withdraw troops even last year because they had taken troops north. This is after all, one of the ways to come to an understanding. One way is by specific agreement, the other by mutual example. And both are effective.

Now a cease-fire should be our objective, but how we can reach it is a matter that has never been fully worked out. The military have never liked it, you know, because to some extent, what President Nixon said the other day is their view: "We cease and the other side fires." That's a little bit too facetious on a serious subject. And there is a feeling that the conventional armies are at a disadvantage with the guerrillas because you can see an army move, whereas the guerrillas can move around in the jungle without much difficulty.

On the other hand, there are certain things we can tell, such as whether there are terrorist acts in the villages. If they did that sort of thing, we'd know about it.

Did you object last fall to our maintaining unceasing pressure on the enemy—building up the pressure in III Corps, for instance, when the action fell off in I Corps?

HARRIMAN. No. Well, we in Paris were for a change in the orders for all-out pressure, but we were not pressing it because we always thought that the Saigon representatives would appear in Paris and then we would negotiate.

Were there actual proposals being discussed within our Government at that time for a mutual reduction of violence?

HARRIMAN. No—I came back at the end of November, you know, and made our views known here in Washington. But by that time the Saigon Government had agreed to come to Paris. We thought any moment we would start the discussions, so we were going to try to come forward with specific proposals on the mutual reduction of violence. But that never came about because we had this ridiculous performance of Saigon objecting to the shape of the table. I kept telling these Saigon representatives it didn't make the slightest difference what the shape of the table was. We had suggested a round table in October, and the other side had accepted it. The fact the other side accepted it made the Saigon people opposed to it. The round table historically has been a method of ending all dispute as to who has seniority; no one knows where the head of a round table is.

I remember your suggesting—and Secretary of Defense Clifford's suggesting—during this period that if Saigon dragged its feet we'd just go right ahead and talk with the North Vietnamese about this question of military disengagement, de-escalation. Why wasn't that tried?

HARRIMAN. Well, that was not accepted by the President. I was entirely willing to go ahead. I think if we had the Saigon Government would have come along pretty rapidly. But I think that probably our officials in Saigon felt that it would be too much of a blow to the prestige and position of the Saigon Government and would tend to undermine it too much.

On this summer now: Do you think the other side has been trying to signal us with the latest lull that they're willing once again to go into military disengagement?

HARRIMAN. I'm not sufficiently *au courant* with the details. They reduced the fighting, undoubtedly because they ran out of steam. They have these offensives and they carry them on as long as they can. Then they run out of steam and they wait and re-equip and replace their losses and start again. The military are quite right in saying that.

But in almost all the cases in the last year, I think, there was a political intent in connection with it. In fact, they stated it to me once in private talks. They said: "Whenever we attack, you say that this attack is not conducive to an atmosphere which furthers the peace negotiations. But when we stop, Saigon announces we are defeated and forced to end the attack."

They never said—they never will say—"We have stopped for a political purpose." They think that it would be considered by many people in the United States, both the military and other hawks, that they'd been beaten if they were to say, "We've stopped because we wanted to negotiate."

The way to freeze this is to take parallel action, announce that you're taking parallel action; we can afford to announce it. That's one trouble with the present situation. Nobody knows whether we really have stopped offensive action.

Do you take Secretary of Defense Laird's announcement that we're now following a strategy of "protective reaction" as a step in the right direction?

HARRIMAN. I would say it's a step in the right direction, but I don't think it's enough so far because I still see the B–52 raids. Maybe there are discussions going on in Paris that I don't know about. But we have to be very precise about what we're going to do and demand what we expect them to do in return.

I was very much disturbed by these recent terrorist attacks, one at Camranh and one in Saigon. They undoubtedly did this to show that they were not completely impotent, not defeated. They attacked the two supposedly most well-protected areas. Now, this is unfortunate, and one of the things that I certainly would have recommended is that we would make a deal with them that we stop our B–52 raids in return for their agreeing not to take this kind of terrorist action. Unfortunately, fighting has recently increased.

Then you are advocating that we move toward a kind of a territorial accommodation, where they have areas that we really don't go into much, and we have large sanctuaries that they don't hit so forcefully?

HARRIMAN. Well, all I can say is that our program in January was to do what Secretary of Defense Clark Clifford said publicly: "Our first objective should be the reduction of the level of combat," were the words he used. We can't have it both ways—expect the enemy to end their attacks while we keep up a "little" offensive action, "some" B–52 raids and "somewhat fewer" offensive sweeps. There was a plan to avoid contact. In other words, have our probes to avoid contact rather than to get contact. Now Cy Vance, my partner in Paris, has joined the group calling for a cease-fire in place. If the Administration undertook to go that route, I'd support it.

The position I've been taking is for a step-by-step reduction in violence. There may be a more practical way to get at it, but I do feel that one thing is absolutely vital: that the President of the United States take the lead in ending the fighting, ending the killing.

So you take issue with the idea that, in offering a mixed election commission and an election open to all, we have gone as far as we can go, to use Nixon's words.

HARRIMAN. I don't understand what's been offered. I don't know why they take this position. It never occurred to me that the Communists would enter an election on the basis of the winner taking all. There has to be some prior understanding on other issues. You've got to go through the N.L.F.'s points.[2] You can't pick just one aspect of settlement. You've got to go through each one of those 10 points and see how much of it you can give in to and how much you won't. The Saigon Government has its objectives, its eight points; these have to be molded.

I don't think it's a reasonable proposition to just pick one thing in the election, particularly as the Government continues to put people in jail. They give no indication so far that anybody's going to have any freedom in South Vietnam to have a free discussion or free campaigning.

So you have to have some understandings. For instance, you would want to be sure that

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[2] The National Liberation Front put forward in Paris last May a 10-point proposal that is still the basis of its negotiating position. The plan called for the establishment of a provisional coalition government to hold national elections, the implementation of agreements on the withdrawal of U.S. and allied forces, the achievement of "national concord" as the basis for a post-war coalition government, the "step-by-step" reunification of North and South and the payment of war reparations to both North and South Vietnam by the United States. The 10 points are considered to be more up to date than a more detailed though generally similar political program published on Sept. 1, 1967.

there would be no reprisals against anyone for their past political actions. If there is to be a political settlement, it must provide for the personal safety of people on both sides. In addition, there might be an understanding about postponing reunification. My own feeling has been that the N.L.F. has been rather keen to see South Vietnam independent of the North for some years. They may want to delay reunification until the South is as strong as the North. I would have thought they'd agree to postponing any merger for a period of five to ten years.

Another point that could be discussed is the character of the postwar society. The N.L.F.'s 1967 program included a provision that the social-economic structure would seem to be a mixed socialist and capitalist society. Peasants would own their own farms. Private capital, both domestic and foreign, would be encouraged in many activities. These are things which might be talked out, and if you could get an arrangement which had some lasting qualities about it, then there'd be a chance for it to succeed.

Doesn't the mixed election commission that Nixon and Thieu have talked about open the way to this sort of thing?

HARRIMAN. It's an important step from Thieu's standpoint, but it isn't enough. What's going to come out of that election? A new constitution isn't provided for—the character of the regime, the manner in which it's to operate.

And, of course, I have the very strong feeling that we have to come to an agreement with Hanoi ourselves—the United States. It's very vivid in my mind that Hanoi didn't abide by the 1962 Laos agreement for a single day. So, no matter what is agreed to in the South, it isn't going to be of any value unless we come to an understanding with Hanoi which makes it in their interest to keep the agreement.

North Vietnam is fiercely nationalistic. It doesn't want to be dominated by China. It doesn't want to be beholden to Moscow. Now, we have every reason to believe that Moscow wants to see Southeast Asia independent, so we have some basis to start to work out some kind of an agreement. This would be of the most vital importance.

The North Vietnamese are very anxious, you know, to get economic and technical assistance. Miracle rice is one of the most important things to them. They've had a 300,000-ton food deficit which they're getting from China. The don't like that. If they could get miracle rice and the techniques of growing it from us, I think they would hope to be independent of China.

Do you think that this kind of economic enticement is going to be a sufficient safeguard?

HARRIMAN. Well, there's something to their desire to be independent of China and to have normal relations with us, the desire to have technical assistance, to have loans to buy equipment from us and other ways to rebuild and develop their country. These are all things that are a basis for coming to an agreement.

What other kinds of safeguards ought to be put into an agreement?

HARRIMAN. Of course, we should consider international guarantees and an international police force. They're all very difficult. The International Control Commission set up in '54 has worked badly. The old procedures would not be acceptable; they would have to be improved. But there'd have to be real guarantees that would have a reasonable chance of being effective.

Isn't there going to be inevitable tension after any agreement between the desire of the North Vietnamese—and many other Vietnamese, for that matter—to have the country reunified and our desire that it not be immediately reunified?

HARRIMAN. Actually there's a good deal of evidence to indicate that the N.L.F. wants to have independence for South Vietnam for a period of years. That is hinted at in the 10 points and in their program published Sept. 1, 1967. And a number of your reporter friends have reported that they spoke about reunification being a long-delayed matter—10 to 15 years.

These men are Southerners. They don't want to be taken over by the North. My guess is that it would not be too hard to come to an agreement that a merger with the North would be done only after a popular vote in the South, but it would be postponed for several years.

Some people maintain that the other side has sensed the tremendous urge in this country to wind up the war, and that they're content to sit tight and just let American impatience finally drive us and Saigon to accept their terms.

HARRIMAN. It's very hard to tell. They had a very good young reseacher. They got the Congressional Record. They could quote speeches of some of our distinguished members of the Senate in detail and sometimes rather embarrassingly to me, but how far they believe that represented the main body of American opinion I don't know.

My own feeling about this is that they want to come to a settlement rather than have a military takeover; there's an advantage to them in having the stability that comes from some sort of a settlement. They had a lot of difficulties from the political opposition when they took over the North. It wasn't an easy thing, and it would be much more difficult to take over the South. I think they'd much rather move into a situation where there's a political agreement.

What has bothered me very much is that very little progress seems to have been made since January. And I'm more concerned about the United States, really, than I am about North Vietnam. The demand for a settlement, the demand for the end of the fighting, may become very real in this country. One hears and talks about student movements next October if there's no settlement by then or if the fighting goes on as it is now.

I'm very much opposed to a cut-and-run strategy, and I'm afraid that if this Administration doesn't make more progress, there will be more and more pressure on the Government.

That can expand, and I would hate to see that. I think it's very important to have an orderly settlement of this, and I believe it can be done if we stick to our limited objectives.

I think we could rally public opinion, world opinion, to us if the President would announce that he was for an end to the fighting, for taking steps for a cease-fire, and that should be the first order of business. I think you'd get a good reaction everywhere. The North Vietnamese pay a lot of attention to world opinion.

What about the Soviet Union, how much can it help achieve a settlement?

HARRIMAN. I want to first say what they won't do. I saw Premier Kosygin just about four years ago and had two long talks with him. He made it very plain that they were going to support Hanoi militarily, both with equipment and with volunteers—any number of volunteers they wished. The great Soviet Union, as leader of the Communist movement, had an obligation to support a "sister Socialist state." I assume the North Vietnamese have some kind of an understanding with China because China has been helping them, too.

But the Russians are not going to come to Washington and say, "What kind of a settlement do you want?" and then try to impose it on Hanoi. They're going to take Hanoi's side in these negotiations. If we can come to some basic agreement with Hanoi, I think they'll be very helpful in smoothing out some of the rough parts of the road. That happened in October and also in January.

They will, I think, add some confidence to Hanoi in its negotiations. Hanoi felt it had an agreement with the French in '46, you remember, and that petered out, and they don't think the '54 agreement worked out as it was intended to. And I think the Soviet Union can be of a good deal of help to them in giving them a sense of confidence and in urging them to give in on some of the less-important details. But they won't take our side in supporting the Thieu Government, for instance.

You mentioned that they had helped before. How did this actually work out before the bombing halt and when you were trying to get four-sided talks started?

HARRIMAN. Well, we made certain progress and then we came to some roadblocks. I kept in touch with the Soviet Embassy in Paris and the State Department kept in touch with the Embassy here. They wouldn't tell us just what they did or how they did it, but in any event, the roadblocks were removed.

Now, in January, the procedures were settled in Paris. A member of the Soviet Embassy talked it over with Hanoi's representatives and persuaded them, I think, that they had more to gain by starting negotiations than they had to lose by this argument over the shape of the table—they were being as stubborn as Saigon, you know.

It's very hard to say just where they would be helpful. We found ourselves in a parallel position with the Soviet Union in India and Pakistan. We supported Mr. Kosygin's initiative in bringing the leaders of the two countries together in Tashkent to arrange for a cease-fire. We are both helping India and Pakistan economically. They are helping them both militarily, and it's quite clear that they want to see a subcontinent strong enough, independent enough, to check China's advance.

You think they have the same common interest with us in Southeast Asia as there?

HARRIMAN. They have parallel interests, not the same, because eventually I think they'd like to see the whole world communized. But in the meantime an immediate objective is to see these countries strong enough to check Chinese expansion. We're not going to come to an agreement, but we will find ourselves in a parallel position. There's no reason to believe they won't act in Southeast Asia as they acted in India.

What sort of things do you think they'll nudge Hanoi on? Are they really going to push Hanoi to do something it wouldn't do anyway?

HARRIMAN. I think they will encourage them to abandon positions which are very difficult for us to accept, and they'll give them a sense of confidence. If they saw us withdrawing and reducing the fighting, I think they'd encourage the other side to agree to stop the fighting and the violence. If we were doing something and expecting Hanoi to take parallel action, I think they'd encourage it.

Some of President Nixon's advisers have spoken rather loosely of the idea that you might be able to link such issues as Vietnam, the Middle East, Berlin, arms talks—this sort of thing—with the Soviet Union. You've been negotiating off and on with the Russians for 40 years. Do you think that this is the way they operate?

HARRIMAN: I would say that this a most unwise notion. Each situation stands on its own feet. The idea that we could ask the Soviet Union to abandon some of their political positions in one part of the world in order to bribe us to come to an agreement with them about nuclear restraint is just

unreal, it isn't so. They have exactly the same interests in nuclear restraint as we have. They want a secure situation; they want to reduce the danger of nuclear war, and we cannot combine these negotiations. This is an absolutely erroneous conception.

Any thought that they will pay us something to come into negotiations for nuclear restraint, I just don't understand. We wouldn't do it. They wouldn't sacrifice their personal security any more than we would, and it only complicates a situation.

Now, the Russians are very much affected by what we do, and I would assume that we are affected by what they do. President Kennedy was successful in the nuclear test ban, which, as you remember, he appointed me to go to Moscow and negotiate, because of his American University speech. It was a conciliatory speech. He didn't give anything away, but it indicated a real desire on his part to come to an understanding. Also, he announced that we would stop testing as long as the other side stopped testing. This persuaded Premier Krushchev that he was serious and jarred those prolonged negotiations off dead center. When we went to Moscow, we settled it within two weeks.

If today the President would announce that we would not go on testing multiple warheads (we'd of course go ahead with research and development but not test) provided the Soviet Union would abandon any further tests in this field, I think it would expedite the negotiations and carry them forward.

One can say that this can't be all one-sided. I'm very much influenced by a conciliatory speech Foreign Minister Gromyko made. I'm affected by the manner in which Mr. Kosygin called in the senior American who happened to be in Moscow at that time, Hubert Humphrey, and spoke very glowingly in congratulating the United States on the moon achievement. That was an unusual thing to do. This must have been particularly difficult because of the failure of their moonshot, whatever it was supposed to do.

These are gestures on their part, in spite of the lack of progress in both the Middle East and Vietnam. Now we want to watch what they do with the greatest of care and see whether the atmosphere is right. But this idea of saying, "Well now, you force Hanoi to do thus and so and we'll come to Moscow and trade you," just doesn't work.

In the first place, they can't dominate Hanoi. Number two, they're competing with Peking for the goodwill of Hanoi. They can only go so far.

I gather that Gromyko went to see President Nasser the other day and came back empty-handed. Now, how much pressure the Soviet Union's ready to put on Egypt to get a Middle East settlement I don't know, but it was unsuccessful. I'm still hopeful that something can be done. Events in the Middle East are heading on a collision course, and the only way we can hope to come to a settlement before that happens again is through the influence of the Soviet Union and ourselves.

They are publicly demanding that Israel accept the Nasser terms, which, of course, Israel isn't going to do and we're not going to ask Israel to do. But it's unrealistic to think that you can link a settlement in Vietnam with a settlement in the Middle East. They are not within the Soviet Union's ability to deliver.

You said they would be impressed by what we do. Do you think Moscow and Hanoi were impressed by the theme of President Nixon's trip to Asia, "Asia for the Asians; we're not going to get involved in internal wars in the future"?

HARRIMAN. Well, I would think that they were probably just about as much puzzled as to what President Nixon has in mind as we are puzzled by what Moscow has in mind when they speak about collective security for Asia. If you understand what collective security on the part of Moscow means, why then I think you can explain to me what President Nixon means.

Wasn't that Soviet idea directed primarily against Communist China? What's the possibility of war between the Soviet Union and China in the next few years?

HARRIMAN. I wouldn't want to predict it. We have to remember that the Soviets are used to having minor border conflicts. They had them with Japan before World War II along the Amur River. We may see some minor conflicts.

Something like the Chinese border war against India in 1962?

HARRIMAN. Well, that's a little bit more vigorous than I would think. The Chinese tried to show up the weakness of India. I'm not sure that the Russians will want to go that far; they might. There may be border skirmishes. There may be an attempt by the Soviet Union to teach China a lesson. But I don't think it will develop into a major conflict.

What impact do you think President Nixon's visit to Rumania had on Soviet-American relations?

HARRIMAN. Frankly, I was very glad to see President Nixon go to Rumania. Obviously, the Russians object to it a bit. They don't want to see Rumania become too independent. But it's a move in a healthy direction for the President of the United States to try to develop better relations with the Eastern European countries. And I hope that this Administration explained to the Soviets that this was his objective and in a sense that it will help further some things which the Soviets would like to see accomplished—better trade relations, which they're very much interested in.

And I would hope the talks in Bucharest would lead to President Nixon's recommending legislation to permit us to engage in more trade with Eastern Europe and the Soviet Union. We are denying ourselves of very profitable trade. Western Europe and Japan do about $8-billion in trade with them each year, whereas we have only a few hundred million dollars.

Are you optimistic about the over-all prospects for detente between the United States and the Soviet Union?

HARRIMAN. Not over-all detente. There are still too many subjects on which agreements cannot be reached. They still want to promote Communism to a point where it will dominate the world. We want to see nations of the world free, people free.

There are certain areas, however, in which I think we can come to an agreement. Nuclear restraint is the one which I think is the most important. Despite the discouragement so far, I hope we can work together in finding a solution to the Middle East, and I do expect the Soviets to help us in Vietnam if we can make more progress with Hanoi than we have so far.

You give more over-all importance to the arms talks than the Vietnam negotiations?

HARRIMAN. Yes. Vietnam is the most immediate problem, but—looking at the long term—ending the nuclear arms race is of vital importance. It's important not only to save reckless additional expenditures on both sides but also, as Mr. Kosygin said to me, while the Soviet Union and the United States have the preponderant control of nuclear weapons, it is our obligation to attempt to come to an understanding, which will reduce the risk of nuclear war. I'm satisfied that the Soviets are sincere in that and if we meet them halfway, I think we can come to an understanding.

AMERICAN LEGION CONFIRMS ABSENCE OF CREDIBLE EVIDENCE OF MILITARY-INDUSTRIAL CONSPIRACY

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. FISHER. Mr. Speaker, many Americans have become concerned by unfounded claims that some sort of a "conspiracy" exists between our great scientific-industrial community and the Defense Establishment, and that this is not in the public interest.

While it is true that there have been instances of unjustified waste and extravagance in the Department of Defense, it is equally true that there has been waste and extravagance in other branches of the Government.

These problems must be dealt with as they arise, but in striving to cope with them let us not lose our perspective and downgrade the important role that a powerful Military Establishment plays in terms of our national security and survival. If the critics have their way, in this highly competitive world, our great potential may be weakened to the point that we will become a second-rate power. Who wants that to happen?

Now let us examine for a moment what this military-industrial complex has done by way of positive accomplishment. Not only have we become preeminent as a military power, but other evidences of results that flow from this combination become apparent.

Let me cite an example. A few weeks ago all Americans were thrilled by the performance of the astronauts on their trip to the moon. We marveled at the discipline displayed by these heroic Americans. This magnificent achievement was by no means an accidental thing. What about the machine which took the astronauts to the moon and brought them back?

The discipline displayed by these three Americans, who will take their place among the heroes of all times, left nothing to be desired. Although the trip to the moon was under civilian control, the disciplines displayed had their roots in the development of the air arm of the Navy and the Air Force. The machine was itself incomparable in its perfection.

The building of this machine utilized all of the best in the industry of our great country. It involved private capital, efficient management, loyalty of workers, the latest in technical science, all blended together in building the perfect product which we have come to expect as routine from our superior free enterprise industry. In plain terms, let us not lose sight of the fact that this team of superbly disciplined men and a machine perfect beyond human understanding was the product of our military-industrial complex.

Yet, today, there are those who malign and question the fact that we do have a great military tradition. The presence of this concept has indeed been the bul-

wark of our defense throughout this century.

Let us listen to those who know whereof they speak, those who can speak with authority on this subject of how industry and the military have worked together. One of the most knowledgeable and respected authorities on this subject has been Lt. Gen. Ira C. Eaker, retired, who, incidentally, hails from my district. As a part of my remarks I will include a letter written by him to the Washington Post, and also a column which he writes regularly for a number of daily newspapers.

Scores of others have shown their concern and have spoken out. Their warning should be heeded. Only recently an editorial which appeared in the Wall Street Journal contained this:

For the foreseeable future an effective military force will remain absolutely essential to national survival. An effective force depends on generals who think and act like generals. If they worry about funds for defense and Communist advances in Asia, it is because that is what we pay them to worry about.

It is my belief that the voices of these patriotic citizens are beginning to be heard. The American Legion, which speaks authoritatively for millions of war veterans, has sounded a timely warning. The voice of the Legion is in fact the composite voice of all Americans who understand the rewards of peace, the meaning of war and the need for an adequate national defense.

Mr. Speaker, under leave to extend my remarks I include a copy of a resolution recently adopted by the American Legion. I will also include a copy of a letter written to the Washington Post by General Eaker, and a column written by him which appeared in the San Angelo, Tex., Standard-Times. In addition, I include an editorial which appeared in the Wall Street Journal. I urge careful reading of each of these.

These items follow:

RESOLUTION 527—COMMITTEE MILITARY-INDUSTRIAL COMPLEX

Whereas, the strength of the nation depends not only on the number and quality of the men available to fight for it but also upon the scientific, technological and productive capacity of the nation's industries; and

Whereas, a harmonious relationship must exist between the military and industrial organizations to design, develop and deploy necessary weapons systems in support of our national security; and

Whereas, in two world wars the United States helped bring victory to the free nations by serving as the "arsenal of democracy" because management and labor united in a vital contribution to the effectiveness of our gallant comrades in arms; and

Whereas, many statements regarding the "military-industrial complex" have been made to the citizens of our country in biased or undocumented form in the attempt to downgrade our national military posture; and

Whereas, no modern military power can be created or maintained without sophisticated and vast industrial productive capabilities; and

Whereas, through the investment of private capital, efficient management and loyal workers, the great industrial corporations of America doing research, development and production for our aerospace, naval and ground forces as well as for our space program, are an indispensable national resource which would have to be created if it did not already exist; and

Whereas, the maligned military-industrial complex is composed of workers, technicians, scientists and managers, united in support of their brothers and sons serving our country in all our military forces; now, therefore, be it

Resolved, by The American Legion in National Convention assembled in Atlanta, Georgia, August 26, 27, 28, 1969, that we cannot accept any philosophy that would downgrade or destroy the private enterprise relationship between the military and industry that has made this nation great and has kept it free; and we express our unending gratitude to all who have contributed to the industrial efforts which have supported our armed forces in war and at times of international tension; and, be it

Further resolved, that we urge the press, radio and television media as well as others who attract public attention and help mould public opinion to make every reasonable effort to present to the American people a fair and undistorted picture of the essentiality of cooperative efforts between our military forces and private enterprise so necessary to the survival of the nation and the protection of freedom throughout the world.

[From the Washington Post, June 9, 1969]

ANTI-MILITARY EMPHASIS

The Outlook Section of the Washington Post of Sunday, May 25, contained four anti-military articles under the headings:

1. Leashing Military Complex.
2. Defense Budget and the Nation's Future.
3. Formula for Harnessing the High Riding Military.
4. Toward a Society Dominated by the Military.

There were also four large defamatory cartoons highlighting the same theme, "Get rid of the military."

Your extraordinary emphasis upon destruction of the confidence of our citizens in their defense establishment, leadership and forces perplexes me. I can think of only two reasons why a rational U.S. citizen would want to destroy the military. One, the belief that we now live in a peaceful world and no longer need defense forces. The other, of course, is the knowledge that if U.S. military power is destroyed there will be no further bar to a world dominated by the USSR. Anyone sympathetic with or hopeful for a Red-dominated world could be most effective toward that end by enlisting in the campaign to destroy U.S. military forces.

I have always thought that a great newspaper should give its readers both sides of the principal issues affecting the security and welfare of our people. Is there any hope that the Washington Post will return to such a policy?

IRA C. EAKER,
Lieutenant General, U.S. Air Force, retired.

WASHINGTON.

[From the San Angelo (Tex.) Standard-Times, Apr. 26, 1969]

NO CREDIBLE EVIDENCE SUPPORTS CLAIM OF MILITARY-INDUSTRIAL CONSPIRACY

President Eisenhower in January 1961, warned against "the acquisition of unwarranted influence whether sought or unsought, by the military-industrial complex."

Recently, this admonition has been quoted a thousand times by far left columnists and commentators and by the pacifist press to support their contention that all generals are bomb-happy maniacs who love war and that all defense contractors are greedy robbers who build weapons at unconscionable profits.

One of the strangest anomalies of our times is the fact that a statement of the late Gen. Eisenhower, who proudly devoted a major part of his life to a military career, should be used to support the charge that military men are warmongers and defense arsenals are unnecessary burdens.

In the last years of his life Gen. Eisenhower expressed regret at the reaction to his military-industrial complex warning, when temporarily exasperated by the false charge of a missile gap. He was disturbed that this statement had been taken out of context and made the rallying cry of the disarmament crowd. He wondered why no one seemed to remember another warning in his farewell address: "We face a hostile ideology—global in scope, atheistic in character, ruthless in purpose and insidious in methods. Unhappily, the danger it poses promises to be of indefinite duration. . . . A vital element in keeping the peace is our military establishment. Our arms must be mighty, ready for instant action, so that no fanatical aggressor may be tempted to risk his own destruction."

In an address in Washington on March 17, Sen. Henry M. Jackson labeled the military-industrial complex charge as a myth. He put it in proper perspective in these terms: "Patently, this view (the industry-military complex theory) ignores the three great factors which have compelled the United States, for the first time in its history, to create and maintain a large permanent military establishment—the expansionist drive of Soviet and Red Chinese communism, the historic shift of world power westward to the United States and eastward to the Soviet Union, and the continuing scientific revolution."

The charge that weapons makers reap fantastic profits is clearly a myth. These corporations now making the principal weapons systems average 6 per cent profit on their government business while making more than 10 per cent on their non-government sales. For this reason all present weapons makers are now struggling to increase the percentage of their commercial sales over government business.

If the generals have striven to seize the power of decision over armaments, they have been singularly unsuccessful. At no time in our history has civilian control over the military been more positive than during the past eight years, as a few typical examples will indicate.

The $8 billion TFX and the $1 billion McNamara Line were approved by the secretary of defense against all military advice.

Civilian political leaders decided to engage in a massive land war in Asia against the counsel of military advisers. They also decided to create sanctuaries for the enemy and refrain from the normal use of sea and air power, contrary to military counsel.

Military leaders, disturbed by the rapid growth of Russian strategic power and our own unilateral disarmament, frequently have urged the replacement of aging ships and bombers. These requests have been repeatedly denied or deferred by the civilian leadership.

The 1970 budget initially submitted by the Johnson administration called for $79 billion for defense although the Joint Chiefs of Staff had proposed an expenditure of $93 billion. As proof that the Nixon administration has not surrendered to the military, it reduced the Johnson budget nearly $2 billion.

Any concerned citizen who assembles and assesses all the facts will be reassured that there is no credible evidence to support the charges of a sinister military-industrial conspiracy.

[From the Wall Street Journal, Apr. 24, 1969]

REVIEW AND OUTLOOK—FOUR-STAR SCAPEGOATS

The "military-industrial complex" has become an increasingly fashionable bogeyman, and indeed the notion is spreading that the generals have created nearly all our national ills by running up defense spending and in-

volving us in Vietnam. These problems are certainly serious, but making the generals scapegoats for them obscures the actual lessons to be learned.

The international climate being what it is, the garrison state remains a real enough long-term danger, though it ought to be plain that at the moment military influence is not burgeoning but plummeting. This long-run danger surely will not be solved by turning military officers into a pariah class, as much as that would please those intolerants whose personality clashes with the military one. The danger requires a far more sober diagnosis, and this would find that many of the present complaints should be directed not at the generals but at their civilian superiors.

We tend to agree, for example, with the complaints that the Pentagon budget is swollen. But it tells us nothing to observe that the officers press for more funds for their department; in this they are no different from any bureaucrat anywhere. Indeed, the same people who think the generals malicious for requesting large funds would find it quite remiss if, say, the Secretary of Health, Education and Welfare failed to make similar demands for his concerns.

Choosing among competing budget demands is the responsibility of civilians, in the Pentagon, at the White House and in Congress. Part of the current problem seems to be that in the ballyhoo about "scientific" management of the Pentagon, the old-fashioned unscientific Budget Bureau review was relaxed. More generally, it needs to be recognized that the problem of fat in the budget is due less to the generals' greed than to a want of competence or will in civilian review.

Much the same thing is true in Vietnam. There is plenty of room to criticize the generals' incoherent answer to the problems of limited war, but many of the most decisive mistakes were made by civilians.

Take the failure to understand the escalation of our commitment implicit in supporting the coup against Ngo Dinh Diem. After we had implicated ourselves in overthrowing the established anti-Communist government, we could not with any grace walk away without a real effort to salvage the resulting chaos. Reasons of both honor and international credibility left us vastly more committed than before, and it was almost solely the work of civilians.

Or take the fateful decision to have both guns and butter, made in 1965 when the U.S. part of the ground fighting started in earnest. It was a civilian—and in no small part political—decision to avoid mobilization, to build the armed forces gradually, to expand the bombing of North Vietnam at a measured rate, to commit the ground units piecemeal. All of this is in direct contradiction to the thrust of military wisdom. And if the generals did favor defeating the Communists, the little public record available also suggests they favored means more commensurate with that goal.

The point is not that the generals necessarily should have been given everything they wanted. The point is that the civilians decided to do the job on the cheap. They would have been wiser to listen when the generals told them what means their goal required, then to face the choice between allocating the necessary means or cutting the goal to fit more modest means. This discord between means and goals is in a phrase the source of our misery in Vietnam, and primary responsibility for it rests not on military shoulders but civilian ones.

Blaming the generals for these problems maligns a dedicated and upstanding group of public servants. More than that, it obscures the actual problem with the military-industrial complex itself. For the real long-term danger is that the garrison state will evolve through precisely the type of failing that led to fat in the budget and trouble in Vietnam.

For the foreseeable future an effective military force will remain absolutely essential to national survival. An effective force depends on generals who think and act like generals. If they worry about funds for defense and Communist advances in Asia, it is because that is what we pay them to worry about.

That the nation needs people to worry about such things certainly does release potentially dangerous forces that need to be controlled. The military's responsibility for controlling them is passive, to avoid political involvement, and our officer corps has a splendid tradition in that regard. The more difficult task of active control is essentially a civilian responsibility and the modern world makes it a terrible responsibility. But make no mistake, civilian control depends squarely on the will and wisdom of civilian leaders.

This simple but crucial understanding gets lost in the emotional anti-militarism growing increasingly prevalent. What gets lost, that is, is the first truth about the actual menace of a military-industrial complex—the danger is not that the generals will grab but that the civilians will default.

AMBASSADOR FAY OF IRELAND PASSES

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. FLOOD. Mr. Speaker, during this last week, which was marked by the death of several great Americans, the Diplomatic Corps of our Nation's Capital suffered a tragic loss of a great diplomat and gracious gentleman, Ambassador William P. Fay of Ireland.

His sudden death while visiting his home capital of Dublin ended an illustrious career in the diplomatic service of the Emerald Isle. His assignment to head the Irish Embassy in 1964 complemented a distinguished tenure of service that included assignments in Canada and France and other European nations.

Wherever he served, Bill Fay represented all that was the finest in a gentleman and diplomat—the scholarly human approach with a classic finesse for making friends for Ireland and winning the hearts of his legion of friends throughout the world.

Both he, and his likewise charming wife, Lilian, brought to the Washington diplomatic community a breath of fresh air and warmth that is so characteristic of the Irish people—something new and pleasant which made them among the most gracious and likable hosts this city has known.

It was my pleasure to know him, and call him my friend, and we in the United States shall miss him deeply.

William P. Fay was a great man, and was known as a great lover of Shakespeare, and I know he would love me to bring down his curtain with these lines from Hamlet:

Now cracks a noble heart.
Good night, sweet prince, and flights of angels sing thee to thy rest!

UNITED STATES MUST DIVORCE ISRAEL AGGRESSION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. RARICK. Mr. Speaker, as men of good will the world over talk of achieving peace, the world community opinion is shocked by today's news that Israel troops, tanks, and aircraft had executed an aggressive attack against Egyptian forces in the troubled northeast Africa region. In the days and weeks ahead there will be charges and countercharges offered by both sides, and the watching world can expect a counter-retaliation by the Egyptian forces to avenge their people.

The American people, weary of fighting communism—in Vietnam in a war their leaders have not permitted them to win—have been told repeatedly that world opinion would react against attacks across sovereign borders or bombing a hostile force supplying guerrilla infiltrators. To the American people there can be only one major concern with this new international crisis. Why did the United States supply the Israel forces with jet fighter planes and train their pilots just days before this Israel attack? How can our Government say that our position is neutral when we supplied the implements of aggression? How can our Government hope to escape censure from the world community for our involvement? Under such circumstances, we fall victim to damaging propaganda that we are supporting the Israelis in a religious war.

Someone must tell the world that the American people will not send their sons into another war created by diplomatic blundering, treaty, or by executive order. If our foreign policy is one of neutrality in the Middle East, then it is time our President announce it to the world and prove our credibility by forbidding any more armaments to be supplied in areas of world tension. Of what value are nuclear test ban agreements or nonproliferation treaties, when we allow ourselves to become drawn into a potential holocaust.

The American people want no U.S. role in bringing about Armageddon.

Mr. Speaker, I include several news clippings:

[From the Washington Star, Sept. 9, 1969]

ISRAELIS STRIKE EGYPT BELOW SUEZ; 30-MILE SWATH CUT IN 10-HOUR TANK ASSAULT

TEL AVIV.—Israeli planes, tanks and ships struck Egypt today in the heaviest raid since the 1967 six-day war. Tanks were landed in Egypt by assault craft and cut a 30-mile swath through military installations, radar and rocket sites.

An Israeli military spokesman said the 10-hour punitive raid cost the Egyptians "dozens" of killed and wounded and that the only Israeli casualty was a slightly wounded soldier who was withdrawn safely with the entire attacking force.

An Israeli plane, reported to be an American-built Skyhawk, was shot down by antiaircraft fire and the pilot parachuted into the Gulf of Suez. He was officially listed as missing.

Intense naval activity preceded the landing which a spokesman said began last night,

when Israel reported its motor torpedo boats destroyed two Egyptian PT boats in the Gulf of Suez. Cairo reported sinking an Israeli patrol boat today with the loss of its crew. These were the first naval engagements since 1967.

CALLED RESPONSE TO "AGGRESSION"

An Israeli communique said the raid was in response to Egyptian "aggression."

(This was believed to include not only heavy Egyptian artillery attacks along the Suez Canal but Arab terrorists attacks on Israeli installations in Europe and various attacks against Israeli airlines, spokesmen said in Washington.

(Despite the obvious warning, the leftwing extremist Arab guerrilla group known as the Popular Front for the Liberation of Palestine warned today in Amman, Jordan, it would escalate its terrors campaign against Israeli organizations abroad with "more dangerous, possibly fatal" attacks.

(Cairo Radio had no immediate reaction to the Israeli raid, but it broadcast communiques reporting heavy Israeli shelling of Egyptian installations in the Suez area at the southern end of the Suez Canal and reported dogfights over the canal between Egyptian and Israeli planes today.)

24 MILES BELOW SUEZ

The Israeli forces hit the Egyptian coast from El Hafayer, 24 miles below Suez City, south to Ras Zafrana, 54 miles below Suez. The Gulf of Suez ranges from 30 to 50 miles wide at this area across the Israeli-occupied Sinai desert.

Israelis in Tel Aviv said they struck to punish the Egyptians for what they called increasing fire at Israel's troops posted on the east bank of the canal. Nine Israelis have been killed and 11 wounded there in the past week. Observers said Egyptian artillery may have been the prime target.

There was no official word on oil installations being hit. The biggest producer of Egypt's offshore oil works lies about 100 miles south of the Suez and in the general area of today's raid.

The center of that oil works is the offshore Morgan oilfield where about 100 Americans are employed. The field is exploited by GUPCO, owned half by Egypt and half by the Pan American Oil Co.

There was no sign of general war preparations, and no sign of any callup of reserves.

The Israeli spokesmen, when they finally gave details, stressed that the raid was punitive.

It apparently was aimed at drawing Egyptian troops and artillery away from the Suez Canal zone to ease up on the constant Egyptian bombardment.

Israeli sources in Washington said it was unlikely that the first of the U.S. F4 Phantoms delivered to Israel took part in today's raids but that they were thought to be in combat readiness. For the purpose of air support slower planes would be more useful.

The raid followed a series of Israeli warnings to Egypt and the other Arab nations. Israeli Transport Minister Moshe Carmel said in Tel Aviv yesterday Israel was considering new retaliation against Arab guerrilla attacks.

The Israeli army spokesman said Egyptian jets and troops made no effort to interfere with the armored raid's progress although the operation was reported to have lasted 10 hours.

Israeli officials did not announce the action until it was over in midafternoon.

Ras Zafrana, southern limit of today's raiding, lies 50 miles across the gulf from Abu Zemina in the Sinai which Israel occupied in 1967. It is the center of American-owned oil installations in the gulf.

Unofficial reports said tanks went ashore from landing craft and that Israeli troops plunged ashore from craft protected by the tanks that went ahead of them. Jets swooped overhead to give fire cover and to attack targets ahead of the advancing Israelis.

"Warnings are not enough," said one Israeli source. "More drastic action is needed to put an end to these attacks."

Strict control was maintained on all information of military activities.

(Israeli sources in Washington confirmed that the area chosen for the raid is where the Egyptian armed forces are thinnest.

(The aim, according to these sources, was to show the Egyptians, who are said to have concentrated as high as 100,000 men along the northern reaches of the canal, that their southern flank is vulnerable to Israeli attack.)

PHANTOM'S FLYOVER DELIGHTS TEL AVIV

TEL AVIV, September 7.—A U.S.-supplied Phantom fighter-bomber streaked over this Israeli metropolis today, watched by thousands of delighted Israelis.

The warplane was one of a long-awaited batch of Phantoms which the army said yesterday had arrived from the United States. The flight was obviously demonstrative, observers said. Israeli military aircraft are very rarely seen over Tel Aviv.

"Even now we will not ignore our security worries, but we can anticipate the future with a more relaxed feeling," said the influential newspaper Haaretz.

[From the Christian Science Monitor, Aug. 11, 1969]

UNITED STATES TO DELIVER ISRAELI JETS

WASHINGTON.—The United States plans to deliver four supersonic F–4 Phantom jets to Israel next month and will complete delivery of a shipment of 50 of the high-performance fighter-bombers within a year, according to authoritative sources here.

At the same time, it was reported, Israel has lodged a tentative request for about 100 additional aircraft—including another 25 F–4's—to meet its defense needs.

The State Department declined comment on the report, but reliable sources said the request had come through the Israeli Embassy.

It appeared that disclosure of the Israeli bid for extra aircraft was deliberately leaked here well in advance of Israeli Prime Minister Golda Meir's planned visit Sept. 25 for talks with President Nixon.

Israel first turned to the United States Government for new fighter planes after the June, 1967, Arab-Israeli war when France clamped an embargo on an order for 50 Mirage jets for the Jewish state.

In December, long after Israel sought Phantoms from the United States, the outgoing Johnson administration announced approval of the sale of 50 of the sophisticated jets, capable of twice the speed of sound.

Authoritative sources said it was the delivery of that order that would begin next month. About 12 Israeli pilots have completed training in the United States to fly the Phantoms.

[From the New York Times, Aug. 6, 1969]

ISRAELIS REPORTED SEEKING TO BUY MORE U.S. PLANES

(By Hedrick Smith)

WASHINGTON, August 6.—Israel is reported to have approached the Nixon Administration with a request for nearly $150-million worth of aircraft, including F–4 Phantom jets, to maintain long-term air superiority over her Arab neighbors.

Reliable informants said today that the Israeli Ambassador, Itzhak Rabin, had asked the United States to agree to sell about 80 more Skyhawk A–4 fighter-bombers and about 25 more supersonic Phantoms.

Under previous deals the United States is already selling both types of aircraft to Israel. The Phantoms are estimated to cost $3-million to $4-million each and the Skyhawks about $1-million with the exact cost depending on the equipment included.

The informants said the request was made last month, shortly before the flare-up in the air war between the United Arab Republic and Israel in the Suez Canal area. This was also about the time that President Pompidou indicated publicly that France would maintain her 1967 embargo on the delivery of the supersonic Mirage jets previously bought by Israel.

NO U.S. RESPONSE REPORTED

The Nixon Administration was reported to have given no response to the Israeli request, but to have taken it under consideration. If past patterns are followed, the request marks the first step in a lengthy process of negotiations in which the Israeli figures may be revised before the United States considers that it has a final and formal request. Detailed talks are expected to begin this fall, the informants said.

Israeli officials are reported to have renewed their earlier expressions of interest in having the Phantoms equipped for carrying atomic weapons. The United States has rejected such pleas and has insisted that Israel agree not to use American-supplied jets to carry such weapons.

The United States became the principal supplier of the Israeli Air Force after the Arab-Israeli war of June, 1967.

Under an agreement signed in 1966 and expanded in January, 1968, during the Johnson Administration the United States has delivered more than half of 80 promised Skyhawks. Israeli officials acknowledge that some of the planes have been used in the recent fighting.

In a more publicized deal, announced last Dec. 27, the United States agreed to sell Israel 50 Phantoms. The 1,200-mile-an-hour aircraft was then the most advanced American fighter-bomber in operation. About a dozen Israeli pilots have completed training in this country, and Israel is scheduled to begin receiving a squadron of 16 Phantoms next month, at the rate of four planes a month.

WILL PUBLIC WORKS CUTBACKS CURE INFLATION?

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. MINISH. Mr. Speaker, with regard to recent statements by President Richard M. Nixon to halt construction on 75 percent of public works projects, I should just like to add my voice to the increasing chorus of critics on this issue.

Although the President has stated that his curb on Federal construction projects will also serve to curb inflation, I must wholeheartedly disagree. Although economists have various and sundry ideas on what will serve to halt the present inflationary spiral, it is generally agreed that the main cause of the present problem is defense spending.

I cannot see where it would serve the public interest to halt projects already in various stages of completion. It would seem to me that such methods would only cost the public more in the long run. These projects will be taken up at some future time for completion, when

construction costs may be much increased. Additionally, unemployment would certainly ensue were projects under construction to be halted midway. To increase the number of unemployed workers is certainly not an efficient solution to the problem of rising prices.

I urge the administration to more thoroughly investigate the matter of inflation, so as to arrive at an answer that will not throw the baby out with the bath water.

NEW U.S. AMBASSADOR TO PANAMA MUST BE OBJECTIVE

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. FLOOD. Mr. Speaker, there has been widespread discussion in the press of the Nation during recent weeks quoting from a letter by me to the President of the United States in opposition to the appointment of Robert M. Sayre, now U.S. Ambassador to Uruguay, as our Ambassador to Panama.

My information is to the effect that Mr. Sayre was an active participant with Walt W. Rostow in the formulation of the three proposed new Panama Canal treaties, which were never signed after completion of negotiations in 1967, because of strong opposition in both Panama and the United States.

What is needed as our Ambassador in Panama is someone who will defend the indispensable sovereign rights, power, and authority of the United States over the U.S.-owned Canal Zone territory and Panama Canal and not one who has been active toward subverting them, and who cannot be objective because of his previous commitments.

Mr. Speaker, it is, indeed, unfortunate that the President has surrounded himself with advisers whose records have, in effect, been unsound as regards the best interests of our country. It is fortunate that we do have able and well-informed men in the United States, with the proper qualifications for appointment as our Ambassador to Panama, and they should be appointed.

In order that the Congress and the Nation at large may know precisely what I have stated regarding the proposed appointment, I include the entire correspondence with the White House; also, an article in a recent issue of Human Events that quotes me correctly:

JULY 28, 1969.

The PRESIDENT,
White House,
Washington, D.C.

DEAR MR. PRESIDENT: Recent Spanish language press news from Panama is to the effect that the Panamanian Government hopes to reopen the negotiations for new Panama Canal Treaties. This news, coupled with current reports that Foreign Service Officer Robert M. Sayre is being seriously considered for appointment as U.S. Ambassador to Panama, is ominous.

According to my information, Mr. Sayre was an active participant with Walt W. Rostow in the formulation of the discredited 1967 proposed new Panama Canal treaties, which proposed treaties aroused strenuous public opposition in both Panama and the United States. In the latter, some 150 members of the Congress introduced resolutions opposing ratification. Many speeches in opposition were made in both the House and Senate.

As those proposed treaties were not only weak and unrealistic, but also perilous to the security of both the United States and the Western Hemisphere, including Panama, I trust that you will not appoint anyone associated with the preparation or negotiation of the proposed 1967 treaties as Ambassador to that country, but someone who can be depended upon to protect the indispensable sovereign rights, power and authority of the United States over the Canal Zone territory and canal. Except for our presence in Panama today, Soviet power would be dominant there, and would absolutely control the Panama Canal in which project the United States has made a net investment, including defense, from 1904 to June 30, 1968, of more than $5,000,000,000, all supplied by the American taxpayer.

The situation affecting the Panama Canal is of such grave character that it should not be dictated by shabby sentimentalities. We have enough trouble on our hands with Cuba which was permitted to pass into the Soviet orbit; we do not wish to have another like, and even more grave, situation at Panama.

Sincerely,

DANIEL J. FLOOD,
Member of Congress.

THE WHITE HOUSE,
Washington, D.C., July 30, 1969.

Hon. DANIEL J. FLOOD,
House of Representatives,
Washington, D.C.

DEAR MR. FLOOD: This will acknowledge your letter of July 28 to the President regarding Mr. Robert M. Sayre, a Foreign Service Officer, and the proposed Panama Canal treaties which were submitted to the 90th Congress.

I know the President will appreciate having this frank expression of your views which will be called to his attention upon his return. At that time we will be in further touch with you.

With cordial regard,

Sincerely,

WILLIAM E. TIMMONS,
Deputy Assistant to the President.

THE WHITE HOUSE,
Washington, D.C., August 14, 1969.

Hon. DANIEL J. FLOOD,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FLOOD: With further reference to your letter of July 28 regarding Panama, you will have noted that on August 9 the President announced his decision to nominate Mr. Robert M. Sayre, present Ambassador to Uruguay, as Ambassador to Panama. The President wants to assure you that this decision was taken only after the most careful consideration, and that Mr. Sayre is a very able career officer who can be depended upon to protect the interests of the United States and to implement faithfully the policy of this Administration.

With respect to reports that Panama hopes to re-open negotiations for a new canal treaty, such a suggestion has not formally been made by the Panamanian Government. We do not know if it will be, but again the President wishes to assure you that our policy toward this question will be carefully reviewed within the National Security Council mechanism.

With cordial regard,

Sincerely,

WILLIAM E. TIMMONS,
Deputy Assistant to the President.

"GIVEAWAY" AMBASSADOR FOR PANAMA ATTACKED

(From the Allen-Goldsmith Report)

President Nixon faces a bruising fight if he appoints Robert M. Sayre as ambassador to Panama.

Rep. Daniel Flood (D.-Pa.), a House Appropriations subcommittee chairman, has served blunt notice of this in a letter to the President. A 25-year congressional veteran, Flood has long been closely interested in Panamanian affairs.

Basis of his emphatic opposition to Sayre is that he was an active participant in the drafting of the 1967 proposed Panama Canal treaties.

These treaties evoked such a storm of disapproval in Congress that they were never signed. Some 150 House members sponsored denunciatory resolutions. They made three charges: That the agreements ceded sovereignty over the canal to Panama; made that country a "partner" in canal management, and would share its defense with Panama; authorized the U.S. to construct a new canal in Panama.

The uproar over these treaties were so massive and vehement that the Johnson Administration shelved them. No effort has ever been made to revive them. The House Foreign Affairs Committee did hold hearings, but for some unexplained reason they were not published.

Sayre, 45, a career foreign service officer, is now ambassador to Uruguay. Authoritative reports have been current for some time that he was to be shifted to the U.S. Embassy in Panama.

One of the State Department's leading experts on Latin America, Sayre has served in a number of countries there—including Mexico, Peru and Cuba. For several years he was deputy assistant secretary of state with the Bureau of Inter-American Affairs. In formulating the discarded Panamanian treaties, he worked with Walt W. Rostow, controversial special assistant on foreign affairs to Presidents Kennedy and Johnson.

In assailing Sayre's reported contemplated appointment as ambassador to Panama, Rep. Flood sharply challenged his fitness and qualifications.

"I emphatically trust," the influential legislator wrote the President, "that you will not appoint anyone as ambassador to Panama who was associated with the preparation of the abortive 1967 giveaway treaties, but someone who can be depended upon to protect the indispensable sovereign rights, power and authority of the United States over Canal Zone territory and the canal. Those treaties not only were weak and unrealistic, but also perilous to the security of both the United States and the Western Hemisphere, including Panama.

"Except for our presence in Panama today, Soviet power would be dominant there, and would absolutely control the Panama Canal in which the United States had made net investment, including defense, from 1904 to June 30, 1968, of more than $5 billion, all supplied by the American taxpayer."

Citing the recent visit to Havana of a powerful Russian fleet and authoritative reports of the establishment of a Soviet naval base there, Flood stressed the crucial necessity of preserving the security of the Panama Canal.

"The situation affecting the canal is of such grave character," Flood declared in his unpublished letter, "that it should not be dictated by shabby sentimentalities. We have enough trouble on our hands with Cuba, which was permitted to pass into the Communist orbit, without having another similar, and even more grave, situation at Panama."

Flood has long strongly advocated removal of State Department control of Panama Canal policy. He wants that placed in the Defense Department.

"Panama is still a land of endemic revolution and political turmoil," Flood maintains. "For the U.S. to surrender its full sovereign powers over the Panama Canal is not only unrealistic, but fraught with the greatest peril for the security of all the Americas. That's why it is of such urgent importance for us to have an ambassador there who understands that fully and clearly, and not one who would acquiesce in the surrender and subversion of such powers."

BILL WESCOAT OF THE REYNOLDSVILLE, PA., STAR COMMENTS ON GUN CONTROL

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. DINGELL. Mr. Speaker, in a recent speech on the subject of gun control legislation, my friend and colleague, one of the outstanding Members of this body, JOHN P. SAYLOR, who represents the 22d District of Pennsylvania with great credit and distinction, made a number of particularly hard-hitting comments on the real intent of the report of the President's Violence Commission. In brief, Congressman SAYLOR, like myself, opposes the gun confiscation proposals of the Commission. Further, we believe that the concern of Congress should be on controlling the criminal rather than the law-abiding citizen. One response to that speech has come to my attention which I want to share with you and our colleagues. An article by Bill Wescoat in the Reynoldsville, Pa., Star, succinctly captures the concern I share along with Congressman SAYLOR about attempts to confiscate the guns owned by law-abiding citizens and sportsmen in the United States. The article follows:

[From the Reynoldsville (Pa.) Star, Sept. 4, 1969]

GUN CONTROL

(By Bill Wescoat)

In the long and continuing fight about gun control in the United States, this district's representative, Congressman John P. Saylor, has been an outspoken opponent of any attempt on the part of the government to deprive citizens of the right to own firearms. In his opposition he has performed admirably as a watchdog guarding the rights of all citizens, not just those of his own district, and doing what he can to prevent further intrusion into our private lives by the Federal Government.

Now he has quite correctly recognized the ultimate goal of the National Commission on the Causes and Prevention of Violience for what it is—complete gun confiscation by the U.S. Government. He brought this forcibly to the attention of his colleagues in a speech in the House of Representatives the other day. The Commission, with many fancy phrases and statistics, has tried to convince any who would listen that the way to control crime in the United States is by making it against the law to own or possess a gun, and that the Government should, by law, call upon all citizens to surrender their arms.

This is gun confiscation pure and simple, of course, and Mr. Saylor delights in the fact that the real issue is now out in the open, and expresses confidence that the American people will now begin to "fight these unnecessary, unwarranted, and unworkable recommendations that would destroy their right to self-protection." He said, "I believe . . . the turning point has been reached. The direction now is toward realism. The sob sisters and do-gooders have had their day, now the voice of reason—the voice of the American people, the voice of the American sportsman—will prevail."

There are many of us who couldn't agree more about the sob sisters and do-gooders, not only in regard to gun control, but many other things as well. If the bleeding hearts in this country continue to have their way much longer, our society is most certainly doomed. We must begin to face realism about many things, and take the hard, tough stands where it is necessary to take them. The Treasury Department and the Justice Department have already discovered that the Gun Control Act of 1968 is basically an unworkable law. Spokesmen from those two departments have recognized a couple of important facts. First, Federal control of sporting firearms constitutes an unwarranted invasion into the province of State and local governments. Second, each state and each section of the United States faces different problems in regard to gun control. Problems peculiar to the populous urban areas are certainly not the same as those of the sparsely populated plains and mountain areas.

It is indeed encouraging to learn that there are those in high places who realize that it is impossible, in many, many instances, for ivory Tower thinkers to prescribe one remedy for all ills everywhere—whether they be at a local, state or Federal level. The Washington Post recently ran an editorial entitled "More Gun Control Nonsense," in which it pointed out the obvious—that the Violence Commission's proposal that all Americans surrender their hand guns (there are an estimated 24 million in the country) is rather ridiculous for the criminals most certainly are not going to surrender theirs, and this would leave the law-abiding citizens more than ever at a disadvantage.

Congressman Saylor has long advocated attacking the problem of guns and crime the way it should be attacked—on the criminal, not a broadside against the law-abiding citizen who owns a gun. He recommends that anyone committing a crime while armed be mandatorily sentenced to prison, and that there be no authority for any judge to suspend this sentence, or to have it run concurrently with any other sentence. The purpose of this bill is to attempt to convince the person who sets forth on a criminal venture to think twice about being armed.

There are many arguments for and against gun control, and to the average citizen any control that would hamper the criminal element in the country, or any law that would bring swift punishment for the illegal use of a firearm, would be a good one. What we must watch, and what Mr. Saylor is watching, is that under the guise of protecting us, the do-gooders would actually strip us of a cherished right and place us even more at the mercy of any criminals who would threaten our homes or our families.

PEACE CORPS AUTHORIZATION

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. GILBERT. Mr. Speaker, I was unavoidably absent from the House on yesterday, but had I been present I would have voted for H.R. 11039, the authorization bill for the operation of the Peace Corps for fiscal 1970. As the RECORD indicates, I had requested that I be paired for passage and against recommittal of the bill.

The bill authorizes $101.1 million for fiscal 1970. This is $900,000 less than for fiscal 1969, and I believe it reflects the desire and effort of the Peace Corps to conform to budgetary restraints, as well as to place more emphasis on quality, rather than quantity of Peace Corps volunteers. The Peace Corps is a large and important operation, and I believe all of us agree that since its beginning in 1961 the Corps has made a major contribution, not only in the foreign countries where we have volunteers serving, but also in the United States. Under the authorization which the House passed yesterday, the Peace Corps intends to recruit 7,500 new volunteers for 1970 and these people will come from communities throughout the country. The Peace Corps is not increasing in size and cost, but its work and stature have grown in scope and importance. It is anticipated that as of June 30, 1970, the number of volunteers overseas will be 2,525 in Africa; 1,800 in North Africa-Near East-South Asia; 2,100 in East Asia-Pacific; and 2,825 in Latin America. Mr. Speaker, I wish the Peace Corps continued success.

AN OPEN ELECTION IN NORTH VIETNAM

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. TALCOTT. Mr. Speaker, Ho Chi Minh is dead. Imminent political events in North Vietnam may give us some perspective about some facets of the settlement of the war in South Vietnam.

I am suggesting that our Government urge the North Vietnamese to select a successor to Ho Chi Minh in the same manner in which they would propose that the South Vietnamese select their political leaders. I would also urge that the election be open to uninhibited international observation.

The Communists demand free, open elections in the south. So they can show the way in the north, now that they have this made-to-order chance.

The manner of selecting a successor to Ho Chi Minh may just separate the true nationalists from the Communist demagogs there and their sympathizers here.

I predict that the successor to Ho Chi Minh will be selected in the conventional Communist manner—the sham election will be rigged and closed—and there will be little public outcry there, or here, by those who crassly demeaned the 1967 elections of Thieu and Ky.

Think about this—Communist power and authority is force and treachery—not the open ballot box, no matter what they proclaim at the negotiating table.

"CHUCK" JOELSON

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. VAN DEERLIN. Mr. Speaker, among all the Members of this body, it is probably true that a relative handful can feel certain of commanding full attention of the House when they rise to speak.

"CHUCK" JOELSON has been one of these—a man of incisive wit, always superbly prepared to make his point with a minimum of words—words which colleagues knew would be worth hearing.

He is, moreover, a kind and gentle man whose gay spirit will be sorely missed in this Chamber. When he takes the judicial bench, surely, justice in New Jersey will be tempered with wit, as well as with mercy.

RETIREMENT OF CONGRESSMAN CHARLES S. JOELSON

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. EDWARDS of California. Mr. Speaker it is with a very real pleasure that I join in the host of tributes to our colleague, the Honorable CHARLES S. "CHUCK" JOELSON, on his retirement from this House to take his seat on the bench in New Jersey.

Mr. JOELSON's 9 years in the House have been distinguished ones and he has served well on the House Committee on Appropriations. His legal training and distinguished legal career before his election to the House suited him well for his calm and judicial work here.

I think, perhaps, the finest tribute to Mr. JOELSON will be the record he leaves behind, a record marked by his brilliant efforts in behalf of education. Young people throughout the Nation have much to thank him for and their future achievements will reflect his achievements.

For us in the House, our memories of Mr. JOELSON will be of his humor, his wit, his calm and his wisdom. He has been a most valuable Member of this House and a good friend to all of us.

HOUSE OF REPRESENTATIVES—*Wednesday, September 10, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Unto Thee, O Lord, do I lift up my soul.—Psalm 25: 1.

O God, our Father, who art the truth that keeps men free and the love that makes them good, give to us the faith to see life as it is, the strength to change for good what we can change for good, and the serenity to accept calmly and courageously what we cannot change at this time.

We pass through this world but once. Any good we can do, any kindness we can show, any help we can give do Thou help us to do it now, for we shall not pass this way nor live through this day again.

May we the representatives of our people in loyalty to Thee and our country keep our lives committed to goals great enough for free men.

In the spirit of Christ, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

RECESS

The SPEAKER. In accordance with the unanimous consent agreement entered into yesterday, the Chair declares the House in recess subject to the call of the Chair, and the bells will be rung 15 minutes before the House meets.

Accordingly (at 12 o'clock and 3 minutes p.m.) the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 o'clock and 50 minutes p.m.

COMMUNICATION FROM THE ASSISTANT ATTORNEY GENERAL

The SPEAKER laid before the House the following communication from the Assistant Attorney General, which was read and referred to the Committee on the Judiciary;

DEPARTMENT OF JUSTICE,
Washington, D.C., September 5, 1969.

Hon. JOHN MCCORMACK,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: As you know, pursuant to House Resolutions 673, 674 and 675, dated June 27, 1967, and subsequent resolutions, certain documents and records of the House of Representatives were made available to a District of Columbia grand jury in connection with an investigation involving Congressman Adam Clayton Powell.

The Department of Justice has received a request from the Internal Revenue Service to review evidence developed before the grand jury relevant to an official investigation of Congressman Powell by the Internal Revenue Service. In order to comply with this request, it will be necessary to obtain a court order authorizing access to grand jury records.

Since the information of interest to the Internal Revenue Service involves records furnished to the grand jury by the House of Representatives, it is requested that the House of Representatives authorize the Department of Justice to include relevant House records and materials in our application for a court order granting the Internal Revenue Service access to grand jury information.

Sincerely,

WILL WILSON,
Assistant Attorney General.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEDGED REPORT ON LEGISLATIVE APPROPRIATIONS, 1970 UNTIL MIDNIGHT THURSDAY

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight Thursday, September 11, to file a privileged report on the legislative branch appropriation bill for the fiscal year 1970.

Mr. ANDREWS of North Dakota reserved all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

DIRECT POPULAR ELECTION OF THE PRESIDENT AND VICE PRESIDENT

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 681) proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 681), with Mr. MILLS in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York (Mr. CELLER) will be recognized for 3 hours, and the gentleman from Ohio (Mr. MCCULLOCH) will be recognized for 3 hours.

The Chair recognizes the gentleman from New York.

Mr. CELLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, House Joint Resolution 681 contains the provisions for a proposed new article to the Constitution which shall be valid only if ratified by the legislatures of three-fourths of the States within 7 years after it has been submitted to them by the Congress.

The purpose of the article of amendment is to abolish primarily the electoral college and to substitute the direct popular election of President and Vice President. It provides for a runoff election between two pairs of candidates who receive the highest number of votes if none of the candidates receives at least 40 percent of the popular vote.

Second, the proposed amendment provides that the President and Vice President shall be voted for jointly only as

candidates who have consented to the joining of their names. That is in section 1.

Third, under the new articles of amendment, the voters for President and Vice President in each State shall have the same qualifications as are required for persons voting therein for the most numerous branch of the State legislature, except that each State may adopt less restrictive residence requirements and the Congress may establish uniform residency requirements for voting in presidential elections. That is in section 2.

Fourth, the times, places, and manner of holding the presidential election and any runoff election and entitlement to inclusion on the ballot shall be prescribed in each State by the legislature thereof except that Congress is empowered to make or alter such regulations. The Congress is specifically empowered to determine the days on which the original election or any runoff election is to be held.

Moreover, the Congress is authorized to prescribe the time, place, and manner in which the results of such presidential election shall be ascertained and declared—section 4.

Fifth, the Congress is specifically empowered to provide for the case of the death or withdrawal of any candidate before the election and for the case of the death of both the President-elect and Vice President-elect—section 5.

Finally, the amendment provides that the direct popular election system will take effect 1 year after the 21st day of January following ratification—section 7.

That generally is the purport of the amendment now before you.

I plea for the indulgence of the members of the committee that I may be permitted to finish my general statement before being interrogated and asked questions.

Gentlemen of the committee, Jefferson said way back in 1823 that our system of election of President and Vice President was the most dangerous blot on our Constitution and one which some unlucky chance will soon hit. The dangers that Jefferson pointed out are even more grave today. The uncertainty, the doubts, the fears, the imponderabilities of even the last presidential election emphasize the need for some change. We of the Committee on the Judiciary, as Benjamin Franklin stated many years ago at the close of the Constitutional Convention on September 17, 1787, cannot help expressing the wish that every Member will learn a little of his own fallability. Thus we of the Committee on the Judiciary are not infallible and are not so infallible as to state that House Joint Resolution 681 is perfect. It is indeed not prefect. Nothing is perfect. But we do believe that it contains the least number of inequities, the least number of objections of all plans considered, and we did consider a plethora of plans. Among these plans was the district plan, the proportional plan, the automatic electoral vote plan, the direct vote, and combinations of all four. We rejected decisively all except the direct election plan. The final vote in the Committee on the Judiciary was decisive. Twenty-nine members voted for the joint resolution now before you, and only six voted against. Thus, as I said, a very strong sentiment existed in the Committee on the Judiciary and still exists for the plan now before you.

The reform we seek is timely and wise. It is anomalous to preserve the electoral college system. It is outmoded. It is ill suited to our times.

Edmund Burke in a classic speech for reform said:

> A wise Government well knows the best time and manner of yielding that impossible to keep.

Every well-intentioned statesman, every worthy institution, be it civic, religious, or educational, knows that the present system is not in the best interest of the Nation and should not be further maintained. Thus, Congress must start to weed out the distressing system that can be a catchall of much evil.

Mr. EVANS of Colorado. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 165]

Abbitt	Eckhardt	McCloskey
Anderson, Tenn.	Edwards, Ala.	Martin
Ashley	Esch	Michel
Ayres	Fallon	Morton
Baring	Ford, William D.	Nix
Barrett	Gallagher	Obey
Blanton	Giaimo	Powell
Bolling	Gubser	Railsback
Bush	Hansen, Idaho	Rooney, N.Y.
Cabell	Hansen, Wash.	Rosenthal
Cahill	Harsha	Rostenkowski
Carey	Hathaway	Saylor
Chisholm	Hawkins	Scheuer
Clark	Holifield	Sisk
Clay	Howard	Smith, Iowa
Collier	Hungate	Stuckey
Cunningham	Karth	Teague, Tex.
Daddario	Kirwan	Tiernan
Davis, Ga.	Kleppe	Tunney
Dawson	Kuykendall	Watkins
Dent	Landrum	Wilson, Charles H.
Diggs	Lipscomb	Wydler

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution (H.J. Res. 681) and finding itself without a quorum, he had directed the roll to be called, when 364 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from New York (Mr. CELLER) had been recognized and had not completed his remarks. The Chair now again recognizes the gentleman from New York.

Mr. CELLER. Mr. Chairman, I was about to say when I was interrupted by the quorum call that even the President of the United States deprecated the present system of electing the President and Vice President.

I would like at this juncture, however, to express my gratitude and appreciation to the members of the Committee on the Judiciary who in the most painstaking and dedicated manner helped to prepare and shape this resolution. They all worked most diligently and in a most careful fashion, rounding out each sentence. They did all and sundry to see that the words in this resolution are properly set and each phrase was diligently rounded out, polished, and refurbished. This is not an easy task, especially when it involves a constitutional amendment. I want to pay a special tribute to my colleagues, all of them, on the Judiciary Committee for the work that they accomplished and in particular pay tribute to the ranking Republican member, the gentleman from Ohio (Mr. MCCULLOCH), who, in tandem with myself, made possible—let me put it that way—the real and final shape of this legislation. It is a very important piece of legislation because as I said in speaking on the rule yesterday, there has been no full-scale debate on this momentous subject of the electoral system since 1826. So, we are engaged in a rather historical debate and everyone who participates in this debate, participates in a momentous event.

Ladies and gentlemen of the Committee, I must say that those who forget the mistakes of history must live them all over again. The electoral college system turned out, contrary to the spirit and words of the Founding Fathers to be a historical blunder, a real genuine blunder. Twice the election of the President and the Vice President was thrown in the House, with most aggravating and evil consequences; namely, in 1800 and in 1824. There were additional narrow escapes. In 1968, in the election between Humphrey and Nixon; in 1960, in the election between Nixon and Kennedy; in 1948, the election between Truman and Dewey, in those contests a mere shift of 1 percent—of 1 percent—of the popular vote in a number of the key States would have thrown the election, shall I say, into the "cockpit"—would have thrown the election in the House of Representatives with the probability of political wheeling and dealing that always accompanies such election in the House for President.

The Nation must shudder at the prospect of a repetition of such a situation. We must prohibit it and we must pass, therefore, the instant resolution.

Thrice in our history, because of the electoral system, the winner of the presidential popular vote became the loser and the loser became the winner. Such a result is horrible; it is unsporting, it is dangerous; it is downright uncivilized to have the winner become the loser and the loser become the winner.

In 1824, in 1876 and in 1888 such flukes happened. As I said during the discussion of the rule yesterday it is very much like Sancho Panza in "Don Quixote" who sits down to a very sumptuous meal and is about to partake thereof and the meal is taken away from him. That is what happens to the winner in a popular election and the loser in the electoral college. It is all filched from him and all he can do is bite his nails in anger. We should not permit such a situation. By a popular vote the loser in those elections in 1824, 1876 and 1888, the popular vote

loser was elected President by the electoral college in those years; namely, John Quincy Adams, Rutherford B. Hayes, and Benjamin Harrison. The political convolutions and skullduggery that turned the Presidency, for example, over to Rutherford B. Hayes in 1870 might have well caused another Civil War. Read the history of those times and you will find that the country seethed with excitement as a result.

And the winner there, who was branded the loser—Samuel J. Tilden, was the winner of the popular vote. Samuel J. Tilden had been former Governor of the State of New York. He was a man of character and strength, he calmed, however, the seething political waters of that year, 1870. He said:

I am returning to private life with a consciousness that I shall receive from posterity the credit of having been elected to the highest position within the gift of the people without any of the cares or responsibilities of the office.

In 15 elections, as I indicated before, a shift of less than 1 percent of the electoral vote would have made a popular loser the President. Now, that kind of a situation we must circumvent in the future. We will be like spineless—and I put it that way—jellyfish to continue an elective method that entails such tragic and idiotic factors. Nor can we, like troglodytes, keep our heads in the sand and keep away the evils, they will not go away.

These evils attendant upon this elective system struck hard in the past, and we cannot foretell what can happen in the future if there is repetition. Some man who might be the winner in the popular election and declared the loser in the electoral vote might be some demagog who could proceed on a white charger and arouse the Nation, arouse the Nation to the tragic error that had been committed as a result of this constitutional mistake. He might arouse the Nation to such a furor as to cause great havoc. Great danger therefore, I say, lurks in this electoral system. The evil has struck several times in the past, and it will strike again unless we now use the remedy that is at hand, and do away with this elective system.

There are many, many evils attendant upon this electoral system. I am going to point out to you several of them—and there are many others.

First, you have the so-called bonus electoral votes. Each State gets three electoral votes, regardless of population. I will explain that more in detail momentarily.

Second, you have the unit rule, the winner takes all in each State.

Third, you have the machinations that are resident in the contingent procedure if the election is thrown into the House of Representatives.

Fourth, there is the situation wherein the loser becomes the winner.

Fifth, you have the so-called faithless elector. An elector may not vote for the candidate of the party that nominates him, and causes his election. He has a free choice. He can be a turncoat—and there is nothing more abominable than a turncoat. We do not want any turncoats in our electoral system.

Now, what about this bonus vote? Let me tell you something about that. Take Alaska, with a population of 226,000 people—it has three electoral votes, one for every 75,000 people, but New York, with a population of 16,782,000 people, has 43 electoral votes, only one for every 390,000 people.

On a population basis then, Alaskans received electoral votes at better than five times the rate that New Yorkers did.

The ratio is low for all other small States as well: Nevada, one electoral vote for every 95,000 people; Wyoming, one electoral vote for every 110,000 people; and Vermont, one electoral vote for every 130,000 people.

And the rate is high for the other large States: California, one electoral vote for every 393,000 people; Pennsylvania, one electoral vote for every 390,000 people; and Illinois, one electoral vote for every 388,000 people.

Now what is the cumulative effect of all this?

For example, the cumulative effect of this small State advantage may be gaged by the fact that New York with a population of 16,782,000 has 43 electoral votes. Whereas, Alaska, Nevada, Wyoming, Vermont, Delaware, New Hampshire, North Dakota, Hawaii, Idaho, Montana, South Dakota, and Rhode Island with a combined population of only 6,364,000 people also have a total of 43 electoral votes—the same number as the State of New York has.

That is unfair. That violates the principle enunciated by the Supreme Court, which has been wholly acceptable in the United States; namely, "one person, one vote."

Inherent in this system is the so-called unit rule where the winner takes all of the electoral votes in a State. This suppresses a State's minority vote. The winner of the popular vote in a State regardless of the percentage of votes cast receives all of the State's electoral votes. The votes of the losing candidate are discarded in that State.

Way back in 1824 a very distinguished Senator had this to say about this situation.

Senator Thomas Hart Benton said:

To lose their votes is the fate of all minorities and it is their duty to submit. But this is not the case of votes lost, but of votes taken away, added to those of the majority and given to a person to whom the minority is opposed.

Now the system we propose—namely, the direct popular election of the President and Vice President—does away with "winner take all" and does away with this lopsidedness as to the value of the electoral vote. It also does away with the possibility that the election may be thrown into the House.

Election of the Chief Executive is a very serious situation. As I have said, it has happened twice in our history. It happened in 1800, when we had the election of Jefferson versus Burr. The election was thrown into the House. There were 36 ballots taken. The country was excited, and there were grave doubts as to where the majority of the votes in the House would go.

Under the Constitution, each State has but one vote, regardless of the number of Congressman to which that State is entitled; regardless of the State's population. The election lasted for several weeks. It was necessary to get eight votes to obtain a majority.

The result was seven for Jefferson and four for Burr and the rest undecided. Alexander Hamilton, however, threw his great weight and influence to Jefferson, thereby incurring the ill will and the enmity of Aaron Burr, the other candidate.

The result was that tremendous venom of Burr against Hamilton, resulting in the duel, which occurred 1 year after, in which, unfortunately, Alexander Hamilton was shot. Jefferson triumphed, but he triumphed under rather unusual circumstances. Bayard of Delaware was the one who cast the final vote, making it eight, instead of seven, for Jefferson. Charges were made of deals between Jefferson and Bayard; however, it was never proven. In my opinion, it could never be proven against Jefferson because Jefferson was not the type of man to make any such deal, even if the price was to be the Presidency. But it is strange that after Jefferson became President, Bayard of Delaware received all manner and kinds of political preferment, all manner and kinds of so-called political plums, as a result of which charges were made but never proven, and I am quite convinced that Jefferson was blameless. But there was always that suspicion.

What happened in 1824, when the contest was between Andrew Jackson, Crawford, Henry Clay, and John Quincy Adams? The four of them were in a contest. John Quincy Adams had not won the popular vote. Crawford had a stroke and was eliminated. All that was left was Clay, Jackson, and John Quincy Adams. Clay and Adams hated Andrew Jackson, the radical out of the West. They made a deal with this great Henry Clay, with this great John Quincy Adams, a scurvy deal. Henry Clay agreed to throw his influence in support of John Quincy Adams in this House. The result was that John Quincy Adams became President of the United States. A minority candidate became President of the United States, and it was said then that it was done as a result of the machinations of Clay. He was made, as a result of the deal, Secretary of State. That has all been proven by historians. And John Quincy Adams was said to have become a "Clay" President. He suffered for the rest of his life because of that scurvy deal. And the Congress that followed was of a different party. Adams was not reelected.

Then, as you know, he came back to public life as a Member of Congress.

We do not want these kinds of deals or the possibility of these deals, but there are great possibilities of such situations happening if an election is thrown into the House. Very serious consequences can result. I caution you gentlemen that such a contigent election can be eliminated if we pass this resolution.

As I said before, we do not want a winner to become the loser and the loser to become a winner. That is not cricket.

That can happen under the present system. It cannot happen if you pass this resolution.

So, my dear friends, I do hope that you will see fit to embrace this resolution. It has many advantages, and I would like to point them out to you. Only the direct popular election plan, of all the alternative proposals, can eliminate all the basic deficiencies in our present electoral system. It will remove electors as nameless intermediaries who are not needed to express the people's choice of national leader. It will eliminate existing disparities in the weight given to certain votes because of the geographic location of the voters. It will guarantee that the presidential electoral system is in harmony with the principle of "one man, one vote." It will conform presidential elections to the system of plurality voting used throughout the Nation in congressional elections and in elections for statewide and local offices.

It will assure that the people who elect the Chief Executive in all cases—and that the candidate receiving the most popular votes will be elected.

Mr. Chairman, I shall be very glad to answer any questions from my colleagues.

Mr. GILBERT. Mr. Chairman, if the gentleman will yield, I understand under the joint resolution we have on the floor, the joint resolution provides that the candidate shall be elected by 40 percent of the vote, which will be a minimum.

Mr. CELLER. Mr. Chairman, the resolution provides the candidates who receives a plurality of the votes, on condition he receives at least 40 percent, shall be elected President.

Mr. GILBERT. That is correct. And that would not be a majority, as I understand it. It would be a plurality, but not a majority.

As I listened to the chairman a moment ago, the chairman made reference to John Quincy Adams, and he seemed to belabor the point that Mr. Adams was elected by a minority of the vote. In testimony before the gentleman's committee, I offered to amend the joint resolution to the effect that whoever be elected President be elected by at least 50 percent of the vote, which I think would reflect the majority will of the country, as opposed to the 40 percent that would be still a minority. I wonder if the distinguished chairman could make some comment on that point.

Mr. CELLER. The Committee on the Judiciary weighed very carefully the question whether the vote should be a plurality or a majority vote, and it discarded the latter. It is interesting to note that 15 of our Presidents have been elected President by less than 50 percent of the vote cast. One-third, in other words, of our Presidents never received a majority. I will list them for the Members: Adams; Polk; Taylor; Buchanan; Lincoln—who received only 39 percent in the first election; Hayes; Garfield; Cleveland, twice; Harrison; Wilson, twice; Truman; Kennedy; and Nixon.

We discarded the idea of 50 percent, because it would give rise to the proliferation of other parties. It would be to the advantage of other parties to endeavor to gather unto themselves as many votes as they could and then to try to make deals and try to cast their strength with one or the other of the candidates.

The gentleman's memory is fresh, I am sure, with the plans that occurred in only the last election, when a certain gentleman sought to get votes and tried to make a deal with either of the two major candidates. Fortunately those two candidates—namely Mr. Nixon and Mr. Humphrey—refused to make a deal.

In order to forfend against that type of practice in the future the committee concluded that 40 percent would be proper, especially since one-third of our Presidents were elected with less than a majority of the popular vote.

Also, it was felt that if we increase the amount from 40 percent to 50 percent, we would increase the possibility of runoff elections. It would be difficult for a candidate to get 50 percent, and therefore there would be an inducement for a runoff or second election.

For all those reasons, the Judiciary Committee, very carefully sifting all the pros and cons of 40 percent, 43 percent, and 45 percent, thought that the 40-percent would be proper, and that is what we brought in, and it is now before the Members.

Mr. GILBERT. Will the distinguished chairman yield further?

Mr. CELLER. I yield to the gentleman from New York, (Mr. GILBERT).

Mr. GILBERT. Mr. Chairman, as I understand the thrust of the gentleman's argument, he says that 40 percent would lessen the likelihood or the probability of a runoff, but the reasons are the same if we had 50 percent or 60 percent.

In other words, the reasoning is it is less likely we might have a runoff if there were required 40 percent of the vote. I submit, Mr. Chairman, why not reduce that to 35 or 30 percent, if that is the fear of the members of the distinguished Judiciary Committee.

Mr. CELLER. That would be what we call reductio ad absurdum. We cannot make it as large as that. We have to draw the line somewhere. I believe 40 percent is the appropriate line. This was the consensus of the opinion of the members of the committee.

Mr. GILBERT. If we are in the process of changing the Constitution and we want to get the fairest denomination for the election of a President I would submit, Mr. Chairman, that a majority of 50 percent would be the proper denomination to determine who should be the President of the United States, and not 40 percent, because then we are still dealing with a minority candidate or a minority President.

Mr. CELLER. I must respectfully be in disaccord with the gentleman from New York. I believe this adequately covers the situation. The grave danger would be the proliferation of splinter parties, if we raised the amount to as high as 50 percent.

Mr. GILBERT. May I say, it is only a question of degree, whether it is 40 or 50, because we would still have the same splinter parties whether it was 40 or 50. My personal opinion is with 50 percent the likelihood of splinter parties would be lessened.

I thank the gentleman.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Chairman, I direct the attention of the committee to my additional views set forth on page 15 of the committee report, wherein I advocated that there be a plurality requirement of at least 45 percent rather than 40. That was submitted to the committee, and unfortunately the committee did not go along.

What I am trying to bring out is the same thing the gentleman from New York did; that is to say, if we elect a man President let us elect him with a mandate at least from 45 percent of the people.

I suggest to the Members that they read the additional views I filed, because I anticipate offering an amendment, wherein I will try to increase this figure from 40 percent to 45 percent. Then if any individual fails to get 45 percent there would be a runoff election.

Mr. CELLER. I want to say to the gentleman from Colorado and to the gentleman from New York that the provision is not just 40 percent. That is only half the story. The provision is a plurality of the vote on condition that that plurality is at least 40 percent.

In most States the Governors, Senators, Members of Congress, all high officials and low officials, are elected by simple plurality. It is the plurality that counts. That is the measure in the election; not 40 percent or 60 percent, but simple plurality.

We add another condition, that the plurality must be at least 40 percent of the votes cast. We have a double safeguard; plurality and 40 percent.

The gentleman wants to increase the 40 percent figure to 45 percent, and the gentleman from New York wants to increase it to 50 percent. Somebody else will come along and want to make it 52 percent. Where do we draw the line?

The gentleman will remember that in the Judiciary Committee we labored long on this subject and we argued for hours on it.

Finally a consensus of the members of the committee was that it would be reasonable to require a plurality on the condition that plurality would reach at least 40 percent of the popular vote cast.

Mr. MIKVA. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Illinois.

Mr. MIKVA. Mr. Chairman, I wish to commend the chairman of the committee on his most recent remarks that 40 percent is the secondary protection. The first protection is that the person must be a winner and receive a plurality.

As the distinguished chairman pointed out, almost every Governor in the country is elected in that way and every Member of Congress is elected in that way, by a plurality. So that the insistence on it being 50 percent or a percentage of 45 merely seeks to impose a restriction which would cause the very fragmentation of the parties that the gentlemen are seeking to avoid. Any splinter party obtaining 1 or 2 percent could in effect cause a run-off if a 50-percent

plurality were required. The higher the percentage, the larger the number of run-offs there would be. None of us look forward with relish to that prospect. The reason for the 40 percent minimum is that we want to make sure the President has a mandate under which he could govern. We felt that 40 percent was that reasonable minimum that would give him that mandate.

Mr. Chairman, I commend the distinguished gentleman from New York for his able answer.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield to me for one moment?

Mr. CELLER. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. The chairman has very properly emphasized the two requirements of first a plurality and then a minimum of 40 percent of the vote. The gentleman from Illinois (Mr. MIKVA) reinforced the significance of the chairman's remarks.

In order to set the RECORD straight in the light of the reference to John Quincy Adams by the distinguished gentleman from New York (Mr. GILBERT), the evil in the case of John Quincy Adams was not because he failed to obtain an absolute majority or failed to obtain 45 percent but the fact that he was the loser and not the winner in the election. He was the loser and ran a weak second in the popular vote. Also, he was the loser and ran a weak second in the electoral vote. The evil in the case of John Quincy Adams is that he became President notwithstanding the fact that he was a loser. The evil there lies in the fact that he was a weak second and not that he failed to obtain a majority or a plurality of the vote.

Mr. HECHLER of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I am glad to yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. The distinguished chairman of the Judiciary Committee has outlined eloquently, powerfully, and succinctly the reasons why we should support this historic constitutional amendment. One of the inequities pointed out by the chairman in the current system was the apparent bonus to smaller States under the electoral vote system. I would like to suggest, as a Representative of a State which is somewhat smaller than the State represented by the distinguished chairman in the well the reason why Representatives of small States should rally to support this constitutional amendment. Under our political system smaller States are ignored in the presidential campaigns. Smaller States would be given their just due and all presidential candidates would feel the obligation to seek every vote possible in every State, small or large, under the system proposed by the amendment which is being considered here.

I recall that the present occupant of the White House indicated in 1960 that the only reason why he went to Alaska was that it was because he made a promise to visit all 50 States. I doubt that he would have done so otherwise.

Therefore, I feel that all Representatives of small as well as large States, despite the apparent bonus under the current electoral system, will stand to gain much more and the American political system will be healthier if this amendment is passed.

Mr. CELLER. Let me make a brief statement with reference to advantages and disadvantages first with reference to small States and large States which might quiet and still some of the fears that might reside in the mind of some of the Members.

Small State interests cite statistics to establish that the smaller States today enjoy advantages under our present electoral college system which would be relinquished if meaningful electoral reform is accomplished. This supposed advantage grows out of the distortion in voting strength resulting from the allocation of so-called bonus electoral votes to the small States. This deceptively simple mathematical analysis views voter strength as follows.

Alaska, 1 electoral vote for each 75,389 persons.

California—1 electoral vote for each 392,930 persons.

According to this analysis an Alaskan voter has 5 times the weight of a California voter.

Other observers cite statistics to establish that electoral reform would require citizens in the large States to relinquish important political leverage which they now enjoy. This disproportionate strength of the larger States grows out of the winner-take-all, or unit count, system. Respected mathematical analyses of voter strength indicate that voters in States like New York and California have more than 2½ times as much chance to affect the ultimate result in a Presidential election than voters in smaller States. This results from the fact that the larger State voter influences a much large bloc of electoral votes.

Whatever the advantages—to large States or to small States—neither can be justified because it rests on the notion of voter inequality.

Under the doctrine of one man, one vote, no citizen's influence upon the choice of President should depend on the accident of his geography.

To my mind that is a most logical statement. We have to wipe out this advantage or disadvantage, whatever it may be. And, we can only do it by a direct popular election of the President and Vice President.

Mr. HECHLER of West Virginia. I concur with the gentleman and I enthusiastically support the joint resolution. I urge Representatives of the smaller States, for the reasons given by the chairman of the Judiciary Committee, to rally to the support of this proposed amendment to the Constitution.

Mr. CELLER. There is no question that the large States are going to vote for the direct election plan and I think the small States likewise.

It is interesting to note that certain polls have been taken. The Gallup poll shows that 81 percent of the Nation favors a direct vote for President. The Harris poll shows throughout the Nation that approximately 80 percent of the Nation favors the direct vote which is embodied in the joint resolution now pending before us. Polls were taken by Senator GRIFFIN, of Michigan, which indicate that there is a preponderance of sentiment even in the legislatures of the smaller States for the direct election plan. Other surveys have been taken by Members of the House which clearly indicate that fact. Also, many Senators from the smaller States are in favor of this joint resolution that is now pending before you.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Illinois.

Mr. McCLORY. I thank the gentleman for yielding. I do not want to disagree with the gentleman's general statement. I support House Joint Resolution 681.

Mr. CELLER. I just want to make one more statement. Forgive me for interrupting you. However, the American Federation of Labor and the CIO is on record as being in favor of this bill. The U.S. Chamber of Commerce favors this bill. Never before have such disparate organizations like the AFL–CIO and the U.S. Chamber of Commerce agreed on anything. However, they have agreed on this resolution. It is favored by the American Federation of Labor, by the American Bar Association, the Federal Bar Association and a host of other organizations.

Now, I yield to the gentleman from Illinois, and again ask the gentleman to pardon me for my interruption.

Mr. McCLORY. Mr. Chairman, I thank the gentleman for yielding.

I do recall, Mr. Chairman, that the labor organizations and the U.S. Chamber of Commerce agreed on the uniform Monday holiday bill which was passed at the last session, but I did not rise to make that comment. I rise to indicate that at a later time, after the general debate and during the amending stage, I will offer an amendment that the minimum plurality required to elect the President and Vice President be reduced from 40 percent to 35 percent.

I take that position because of the cost and inconvenience of a popular runoff election. The chances of such a runoff are at least 10 times greater at the 40-percent level than at the 35-percent level.

And at the same time I feel that a popular-vote winner with 35 percent of the vote has a mandate, and that he has the necessary support in the country which would enable him to lead us.

The Members of the House and Senate are elected by a mere plurality. I feel that on this resolution we should support what is practical, reasonable, and workable, and avoid the problems which are inherent in the runoff with the probabilities of such in the resolution in this form. But I do not want to discuss this in detail at this time.

Mr. CELLER. Now we have 35 percent suggested, and we had 45 percent suggested, and the committee has come in with 40 percent. All civilization is based on compromise. Now we have a good compromise at 40 percent.

Mr. McCLORY. If the gentleman will yield further, Mr. Chairman, I might say that I do not believe I am disclosing any-

thing inappropriate in saying that the vote in the committee was evenly divided on my 35-percent amendment and lost because of the tie vote.

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Michigan (Mr. HUTCHINSON), a member of the committee.

Mr. HUTCHINSON. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would like to point out that under our present system the requirements are that the candidates for the Presidency and the Vice Presidency in each political party must come from different States. This comes about because of the provision in the Constitution that says that the electors of one State have to vote for at least one of the candidates that must be a noninhabitant of their State. That is the present system.

Under the present system, then, we are virtually assured that on every political ticket the candidates for the Presidency and the Vice Presidency will come from different States.

Under the committee bill as it stands, that provision is not carried forward. I do not recall that we ever discussed it in the committee. I simply want to bring the subject up at this time so that the distinguished chairman in the well will be aware of the fact that at the proper time I would like to offer an amendment to the committee resolution in the spirit of perfecting it, and not to obstruct it at all, in order that we, under the direct election system, could be assured that on each presidential ticket the candidates for President and Vice President would come from different States.

Mr. CELLER. Mr. Chairman, if my memory serves me correctly, I believe we did have a discussion on that in the committee. We felt that traditionally we never had a situation like that, and probably would not have in the future. But of course the gentleman is welcome to offer such an amendment.

Mr. THOMPSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Georgia.

Mr. THOMPSON of Georgia. Mr. Chairman, I thank the gentleman for yielding.

I recognize the work the committee did in arriving at the 40-percent figure. However, I feel there is considerable merit to the 50-percent figure, notwithstanding the fact that a number of Presidents in the past may have been elected with as low as 39 and a fraction percent, and in the forties, I believe that President Nixon had around 43 percent.

But we are attempting to correct the Constitution of the United States with respect to elections.

We are attempting to correct what we view to be an inherent fault in the Constitution—a fault which we all recognize as a possibility of some very disastrous situations developing.

I certainly support the direct election of the President. However, I feel a majority requirement is not unreasonable. I am not too concerned about runoffs. We have runoffs in our State and we never have had any particular problem with runoffs. It is an additional election, but this body is elected every 2 years and we could take the position that an election every 2 years is too much trouble. Yet, it serves a useful purpose and the 50-percent requirement would serve a useful purpose in making absolutely certain that the President does have the majority support of the people behind him when he takes office.

Mr. MIKVA. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. MIKVA. Mr. Chairman, for the purpose of clearing up what I think might be some confusion about the present article of the Constitution so far as the President and Vice President are concerned, the present Constitution does not say that the President and Vice President cannot come from the same State. The present Constitution only says that the electors in any State must not vote for both a President and Vice President, from their own State. As President Nixon pointed out during the recent campaign, the vice-presidential candidate might have come from New York. It would merely have meant that the New York electors would not have been able to vote for both President Nixon and the Vice President from the State of New York. So that the present article does not say that the President and Vice President must be from two separate States and the proposal here does not say that they must be from two separate States. I would hope that we would not write into the Constitution an absolute prohibition that would say that even though the two most qualified men for President and Vice President happen to come from the same State that we would, by the Constitution, be precluded from electing them.

The CHAIRMAN. The gentleman from New York (Mr. CELLER) has consumed 55 minutes.

Mr. McCULLOCH. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, I am pleased to join with the chairman of the Committee on the Judiciary, the gentleman from New York (Mr. CELLER) in the appraisal of the diligent, dedicated, long and careful work of the members of the Committee on the Judiciary on this most important joint resolution that has been before either branch of the Congress for almost 20 years.

Mr. Chairman, many speeches will be given, many amendments will be offered, many points will be made as we start down the long road that leads to the 26th amendment to the Constitution of the United States. I hope that in the heat of debate we never lose sight of the fundamental issues.

Should the people of the United States elect their President?

Should every vote be counted in ultimately determining who is President?

Should each voter be given an equal voice in determining who is President?

Should the candidate with the most votes be declared the winner?

I answer those questions in the affirmative. So do the American people—as the Gallup and Harris polls both very clearly indicate.

Anyone who subscribes to the neutral principles that Government should be representative, that every vote should count, that individual voting power should be equal, that winners should be declared winners and losers should be declared losers must also subscribe to the direct election proposal. No other proposal—and this is critically important—no other proposal contains those neutral principles. The district plan, the proportional plan and the automatic plan—one and all—desregard such principles.

Each of those plans holds that geographical territories—not people—elect the President.

Each of those plans, except the proportional plan, holds that the votes of the minority in such a geographical area should be counted against the minority voters.

Each of those plans holds that a vote should count more or less depending on where it was cast.

Each of those plans holds that in at least some elections the winner should be the loser and the loser should be the winner.

I urge the Members of this body to reflect upon the gravity and solemnity of our meeting today. We must never for one moment forget that it is a constitution that we are writing.

Then how could we—how dare we—enshrine in the Constitution any of the troublesome propositions that inhere in the district plan, the proportional plan and the automatic plan? How can we ask the other body and the States to expend time and energy in considering some proposal whereby, for example, winners lose and losers win? Should we undertake the difficult time-consuming task of amending the Constitution to make that the fundamental law of the land?

We have confronted that question in this body before. We voted on the district plan in 1826—and rejected it. We voted on the proportional plan in 1950—and rejected it. Yes, when those plans were at the pinnacle of their popularity, this body saw their imperfections.

The time for the district plan and the time for the proportional plan have come and gone. Today, if you want to reform the electoral college, there is only one choice: House Joint Resolution 681.

I support House Joint Resolution 681 because it is the only plan that cures all the defects in our present system, because it is the only plan that is supported—overwhelmingly supported—by our constituents, and because it is the only plan that has a chance at ratification.

Let us examine some of the basic defects of the present system.

First, winners may be declared losers and losers may be declared winners. This happened three times in our history. We have been very fortunate that the system has failed only three times because in 15 other elections a shift of less than 1 percent of the vote would have made the popular-vote loser the electoral-vote winner and the President of the United States. Beyond that, in three other elections, a shift of less than 1 percent of the vote would have thrown the election into the House where, of course, it is possible for the popular-vote winner to lose.

That is what happened in 1825, the last time the House chose a President.

Official popular-vote tabulations are available for all elections as far back as 1824. Thus in the 37 elections that have occurred since 1824, there have been 21 occasions where the electoral system failed or nearly failed. This will not do any longer.

Second, the present system is defective in resolving the question of who becomes President when the electoral college fails to accord any candidate a majority. In such a case, the House of Representatives—each State having one vote—selects the President from the top three candidates in the electoral college voting. That is certainly anachronistic, undemocratic, and mischievous. The Nixon administration, although it did not wed itself to any particular plan for the general election, has unequivocally called for a popular runoff election in lieu of the present House selection. I agree.

The basic flaw in the present provision in the eyes of the American people is not that each State has one vote in the selection process but that the process itself is removed from the people. A "corrupt bargain," such as the one allegedly made by John Quincy Adams and Henry Clay, whereby the popular-vote loser became President of the United States and the Speaker of the House became Secretary of State, can be made whether the formula be "one State—one vote" or "one member—one vote." It is wheeling and dealing in smoke-filled rooms that the people dislike and not the way the votes are counted in the House.

Third, the present system is defective because the States employ a unit rule in casting their electoral votes. The unit rule has the following adverse effects.

It promotes voting fraud because the entire election can hinge on a few popular votes in heavily populated States. For example, the theft of 10,000 votes in a key State under the present system is the equivalent of the theft of 10 million votes under the system outlined in House Joint Resolution 681.

Likewise, an honest mistake in counting votes in a State may have the same disproportionate result.

The heavily populated States have disproportionate voting power because of the unit rule.

The incentive to participate in the representative process is blunted in States where the result is fairly certain. This would also be true—in fact, more true—under the district plan—such as House Joint Resolution 791—when the outcome of an election in a district is certain. Conversely, since there would be no such enclaves under the direct plan, political participation would be encouraged.

Those who vote for the loser in a particular State under the unit rule do not have their votes discarded but worse than that have their votes counted against them. However, the district plan may function even less democratically. For under the district plan, the majority of voters in a given State may find themselves substantially disenfranchised since the popular-vote loser may receive a majority of the State's electoral votes.

Since a candidate needs only a plurality of votes in the 12 largest States under the unit rule to be elected President, winners may lose and losers may win.

Fourth, the present system is defective because every State is given two bonus votes. This produces a disparity between people power and electoral power in every State. We boast that as a Nation we grant our citizens equal rights. Yet the election for our highest office, we fail to fulfill that promise. For some are given more equality than others.

These four major defects can be remedied completely only by the direct plan. The proportional plan and the district plan do attack some of the evils of the unit rule. But those plans ask the large States to surrender the advantage they have in the unit rule but do not ask the small States to surrender their advantage in their bonus votes. How could such a ruse ever succeed? This body has been asked the question three times. And we have answered "no" three times—in 1820, 1826, and in 1950.

The proportional and district plans are old failures. And I suggest to the Members of this body that every plan that does not eliminate both of the competing inequities of the present system—the unit rule and the bonus votes—is doomed to defeat. House Joint Resolution 681 is the only realistic chance—the only chance—at reform that we have.

When these competing inequities are both eliminated, then automatically another major defect is remedied. For no longer is it possible for winners to lose and losers to win, as it is when one or both inequities are retained.

Thus only the direct plan—House Joint Resolution 681—cures all the defects in the present system.

The people want this plan. The Harris poll shows that 78 percent of the people want direct election. The Gallup poll shows that 81 percent want direct election. People in every State want this plan. All parts of the country want this plan. The people in small States and large States alike want this plan.

House Joint Resolution 681 is right in principal. It is overwhelmingly favored by the people. So what is the problem?

It is claimed "the States would not ratify the plan." However, in 1966, a poll was taken by a Member of the other body which revealed that the direct plan was the first choice of every State legislature, large State, and small State, North, South, East, and West. But the claim persisted. Early this year the President stated that, although he personally favored the direct plan and would vigorously support it if adopted by the Congress, he doubted that such a plan would be well received in small States.

Early in this session, the House Judiciary Committee held 10 days of hearings. Attendance was excellent. Our study was thorough. Although a good majority of the Republican members of the committee favored some reform other than the direct plan at the start of those hearings, 12 of the 15 Republican members were persuaded by the merits of the direct plan by the time the hearings had concluded. I believe that the same thorough study would produce similar results in the Congress and in the State legislatures.

During those hearings we learned that the direct plan was supported by the American Bar Association, the U.S. Chamber of Commerce, the National Federal of Independent Business, and the AFL–CIO.

In spite of that powerful coalition of support, the Attorney General testified on the final day of the hearings that although direct election was the best concept it would not be ratified by the small States. That claim was not substantiated.

Last month that claim was again refuted. The junior Senator from Michigan, an advocate of the proportional plan, polled legislators in 27 States considered most likely to reject ratification of the direct plan. The results of the poll indicated that all but two of the States would ratify the direct plan and that the direct plan actually had the best chance of being ratified. Needless to say, the poll made at least one convert to the direct plan in the other body.

In summary, the direct plan is the only plan that cures all the defects of the present system. The direct plan is the only plan that is favored by the people. The direct plan is the plan that has the best chance at ratification.

Therefore, for those who want reform there is only one choice—House Joint Resolution 681.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio, Mr. FEIGHAN.

Mr. FEIGHAN. Mr. Chairman, I wish to commend the able chairman and members of the committee for their untiring efforts and careful deliberations which brought forth the joint resolution.

Mr. Chairman, I rise in support of House Joint Resolution 681 which I have cosponsored with the distinguished chairman, the gentleman from New York (Mr. CELLER), and many of my colleagues of the Judiciary Committee.

This resolution has seven major provisions which together would make vast revisions in the present electoral college system of electing our Chief Executive and Vice President.

Section 1 would abolish the electoral college system of electing the President and Vice President and provide for direct, nationwide popular vote by the citizens of each State and the District of Columbia. The presidential and vice-presidential candidates must run jointly as a team and must have consented to the joining of their names.

Section 2 provides that voters for President and Vice President must meet the qualifications for voting for the most numerous branch of the State legislature. However, the States are permitted to establish lesser qualifications with respect to residence requirements for presidential elections than are utilized in State elections. Thus, in most instances, the requirements for voting in State and national elections would be identical unless the States determined otherwise. Finally, Congress is empowered to establish uniform residence requirements throughout the Nation.

Section 3 requires that the candidates must obtain 40 percent of the popular

vote and a plurality of votes to be elected. If no pair of persons has a plurality and 40 percent of the popular vote, a runoff election shall be held between the two presidential and vice-presidential pairs having the greatest number of votes.

Section 4 gives Congress the authority to set the days of presidential elections which would have to be uniform throughout the country. Congress would also be required to establish by law the time, place, and manner in which election results would be ascertained and declared. The States would prescribe the time, place, and manner of the elections by legislation, but Congress would have the power to make or alter the regulations. State legislatures would also determine entitlement to inclusion on the ballot subject to a reserve power in Congress to make or alter such legislation. Thus, if a State sought to exclude a major party candidate from appearing on the ballot, Congress would be empowered to deal with such a situation.

Section 5 authorizes Congress to provide for the case of death or withdrawal of any candidate for President or Vice President before a President or Vice President has been elected. Once the President or Vice President has been elected, existing constitutional provisions would apply.

Section 6 confers on Congress the power to enforce the new article by appropriate legislation and section 7 provides that the new article shall take effect 1 year after the 21st day of January following ratification.

I firmly believe that the closeness of the recent presidential election has again conclusively demonstrated the dire necessity for electoral reform. Three times in our history, a President has been elected who had fewer popular votes than the defeated candidate—1824, Jackson-Adams; 1876, Hayes-Tilden; and 1888, Harrison-Cleveland. Eleven other victorious candidates were elected without having a majority of the popular vote.

Moreover, under the present system, there are several other significant inadequacies, which follow:

First. It is possible for a candidate to win a majority of the electoral votes with approximately one-fourth of the total popular votes. If he won New York, 43; California, 40; Pennsylvania, 29; Illinois, 26; Ohio, 26; Texas, 25; Michigan, 21; New Jersey, 17; Florida, 14; Massachusetts, 14; Indiana, 13; and two more votes, he would have a majority of the electoral votes. These States have 50 percent of the total population. However, if he won each of these States by a small margin, he would only have 26 percent of the popular vote.

Second. The electoral college does not reflect whether one person or several million voted within a State. For example, in 1964 Delaware and Alaska had the same number of electoral votes and yet three times as many people voted in Delaware as Alaska. In the 1968 election, 590,000 more people voted in Connecticut than South Carolina, yet both have the same number of electoral votes.

Third. If no candidate wins a majority of the electoral vote for President, the election process would devolve upon the House of Representatives. There each State would have one vote regardless of its size. Thus, the five smallest States with one Representative each, and a combined population of less than 2 million, would have the same voting power as the five largest States with a total of 154 Representatives and a combined population of 64 million. Moreover, since the House elects the President and the Senate the Vice President, it could easily happen that each party would choose a candidate from the opposing party.

Fourth. Third-party candidates have power far surpassing the number of popular votes they receive. In a closely contested race, a third-party candidate could easily capture enough electoral votes to deny either of the major party candidates the majority necessary to win. Moreover, once the election was thrown into the House of Representatives, this third party candidate, by controlling a handful of States, might be able to determine the outcome. George Wallace may have been an excellent example of this principle.

Fifth. Under the Constitution, there is no provision binding electors to vote for the candidate of their parties. In fact, in the last election, an elector from North Carolina voted for George Wallace even though a plurality of the voters of North Carolina indicated a preference for Richard Nixon. If electors chose to vote as they saw fit in a close election, one or several individuals could determine the outcome by thwarting the will of the people.

Sixth. If both the presidential and vice-presidential candidates are residents of the same State, that State could not cast its electoral votes for both candidates. Thus, if Hubert Humphrey had chosen EUGENE MCCARTHY as a running mate, since both are residents of Minnesota, the electors of that State could not vote for both of them.

Seventh. The present system gives too much discretion to the States to determine which candidate may be on the ballot and who may vote. Thus, some States have been able to keep a major party candidate off the ballot. For example, in 1948, Truman did not appear on the ballot in Alabama.

Eighth. The electoral system encourages the selection of the vice-presidential candidate with primary attention to regional and other considerations rather than his ability to govern.

Ninth. The Constitution does not provide for selecting the President if the President-elect should die between election day and the day in December when electors cast their votes.

Various other electoral reform plans were considered by the Judiciary Committee. Extensive testimony was heard—in fact, the committee transcript is 1,009 pages. The overwhelming majority of the witnesses and members of the committee clearly favored the direct election plan. This is the only electoral reform proposal which would eliminate all of the principal defects in the present system and guarantee that the popular winner is elected President. It will assure that each vote cast is given equal weight; it will eliminate the possibility of electors repudiating the will of the people; it will assure that the electoral decision is truly democratic and consonant with the principle of one man, one vote; it will eliminate the possibility of the election devolving upon the House of Representatives; and it will conform the process of electing the President to the method proven by experience throughout the country in elections of Senators, Representatives in Congress, as well as State and local officials.

I firmly believe that the right to vote also includes the right to have that vote accorded equal weight with a vote cast by any other citizen of the United States. Only the direct election can guarantee the realization of this principle. Therefore, I urge each of you to join in support of House Joint Resolution 681.

I include a particularly enlightening editorial pertinent to this legislation which appeared in the Cleveland Plain Dealer yesterday.

ELECTORAL REFORM'S TIME IS NOW

Nineteen sixty-nine could be the year Congress recognizes that American citizens are worthy of voting directly for their president and vice president.

A proposed constitutional amendment abolishing the archaic Electoral College and establishing direct election of the president and vice president, running as a pair, comes before the U.S. House this week.

It is only just that American voters should select their president as they select every other public office holder—by direct vote. It is only fair that every vote should have equal weight in determining who will be president. It is only right that an election system should assure that the man with the most votes is the man who becomes president.

Direct election is the only system that answers all counts. It should be approved by the House. We hope it is approved overwhelmingly to reflect the overwhelming desire of American people to vote directly for their president.

The proposed amendment needs a two-thirds majority in the House, and two-thirds again in the Senate. If approved by Congress, it will require ratification by three-fourths of the 50 states.

Only then will American citizens for the first time be permitted to take a direct and personal part in selecting their president. Only then will a vote in California have the same weight as a vote in Maine and a vote in Ohio. Only then will the electorate be assured that the candidate with the most votes becomes president. (Three times in American history, a candidate receiving a minority of popular votes became president.)

Many attempts have been made through the years to change the unfair, undemocratic and dangerous double-election system in which voters choose electors who select the president. All have failed for one reason or another.

The reform effort gained new urgency in the 1968 election. The third-party candidacy of George Wallace and closeness of the race between Richard M. Nixon and Hubert H. Humphrey threatened to deny any candidate a majority of electoral votes. Had that happened Wallace could have bargained to throw his votes to one or the other, or the election could have been thrown into the House of Representatives, where each state would have one vote for president, if the state delegations could agree on a candidate. The results could have been chaotic.

Direct election would solve the problem for good.

Mr. McCULLOCH. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois (Mr. McCLORY).

Mr. McCLORY. Mr. Chairman, first of all, I want to commend the chairman, the ranking member, and all the members of the committee for the very deliberative, the very patient, and the very thorough job which I feel was done in connection with the consideration of electoral college reform by the full Judiciary Committee. I think that it is entirely consistent with the work of the committee that this measure comes before the Chamber with overwhelming bipartisan support. I am proud that my party has expressed itself decisively in behalf of the direct popular election amendment which is before the Committee for consideration today, and that we have joined in presenting this resolution to the House, as the chairman has indicated, for the first full scale debate in almost 150 years.

I am convinced that this single measure will be the most important legislative measure considered at this session of the Congress. Certainly, the people of the Nation have expressed themselves vocally, articulately, and overwhelmingly in favor of a change from the existing system, and indicating a strong preference for the direct popular election of the President.

I am glad, too, that there has been provided adequate time for debate on the resolution and for debate on any amendments that will be offered, before we come to a final vote.

The dangers inherent in the present system are those factors that impel us to take action on electoral college reform at this session. I know that at the time the original Constitution was completed, in September of 1787, the delegates to the Convention had agreed upon a compromise insofar as the establishment of the electoral college is concerned.

We can recall that there was strong debate at that time as to whether or not the President should be elected by the House of Representatives, with each Member having one vote, or whether each State should have one vote. The great compromise was not between a direct popular election plan and some other system, but was between election by the States, each having one vote, and by the Members of the House. The compromise resulted in the establishment of the electoral college, which reflected both of those views—in other words, giving representation to each congressional district in the person of an elector, and giving two bonus votes to each State for the two Members of the Senate. This gave an advantage to the smaller States in that they got the two bonus votes, and reflected also the larger populations of the big States which are represented by larger delegations in the House of Representatives.

The system was intended to elect electors who would be popularly known, who would be leading citizens, and who would have the intelligence and the wisdom to select well-qualified men to be the candidates for President and Vice President.

The system never worked. The system never worked from the outset.

We know that this electoral college system results in the selection of electors, most of whom are unknown to the voters. When the voters go to the polling places on election day, they think they are voting for a President and a Vice President, but, in fact, they vote for nameless electors, who may or may not respond to their wishes in the election of the President.

Under the present system the result in the entire State determines the manner in which the electoral votes of that State goes. The winner takes all. This can, and has resulted in the winner of the most popular votes being defeated by a less popular candidate in the electoral college.

As a result of these obvious inequities, most members of the Judiciary Committee and, I am certain, the Members of this House, are determined to eliminate the existing system and give expression to what is the popular will of the people. It seems to me there is no way we can give expression to this popular will except to count each individual citizen's vote equally with that of every other citizen of the Nation.

With regard to the determination of popular will, earlier this year I took a poll of my constituents in the 12th district of Illinois on various subjects and found that of the 25,000 plus who responded, more than 75 percent favored the direct popular election of the President and Vice President. Only 14 percent favored the proportional system and a mere 5 percent favored the district plan. Further, in response to a questionnaire sent out by 40 other Republican Members representing some 16 million Americans, 80 percent of those answering favored election of the President by popular vote.

It has been argued, and it may be argued further in the course of these debates, that the small States were given some advantage by the original system, that this was the intention of the framers, and that they should retain this advantage. It will be argued also that the present system gives great leverage to bloc voters in the large cities and that those who hope to continue to enjoy this leverage will vote to retain the existing system.

There was testimony before the committee in behalf of both these ideas. But I say we are not charged here with favoring or giving special advantages to citizens living in the small States or in the large cities or in any States, but rather to give expression to the votes of every citizen in every State throughout the Nation.

As the Members know, in the course of the amending stage I intend to offer two amendments. One will be to reduce the minimum required plurality for election from 40 to 35 percent of the total popular vote cast. One reason for offering that amendment is to overcome the danger inherent in the proposed runoff elections. I have some studies on this subject made by an expert in the field of systems analyses, in the business of making projections through the use of computers. This expert has taken the existing historical facts with respect to third parties and third-party votes, and has attempted to project the likelihood of runoff elections based on various fact situations.

We know as an historical fact that Abraham Lincoln would not have been elected President of the United States by the popular vote system if we required the 40 percent minimum set out in the committee proposal, because he received only 39.8 percent of the popular vote.

Mr. MIKVA. Mr. Chairman, will the gentleman yield at this point for a question?

Mr. McCLORY. I yield to the gentleman from Illinois.

Mr. MIKVA. Mr. Chairman, I recognize that Mr. Lincoln did not receive 40 percent of the vote, but does the gentleman in the well know that the name of Mr. Lincoln did not appear on the ballots in some 10 States? Had his name appeared on those State ballots, it is quite probable that he would have picked up enough votes to go over 40 percent of the popular vote.

Mr. McCLORY. I am aware of that, but the votes cast for him were less than 40 percent of the total votes cast, and if we are going to consider the percentage of popular votes cast for President, then Mr. Lincoln received less than 40 percent. We know a number of other candidates have received just a shade above 40 percent.

At any rate, based on the history of our national elections, there is more than a remote chance that we will have a runoff if we retain the 40-percent figure proposed by the resolution before us.

Also it has been reported, and I think justifiably, that the direct popular vote system is going to increase the number of third-party candidates, and this could adversely affect the two-party system. It may well be that third parties will become more prevalent in the years ahead. My study has projected what would result if we doubled the frequency of substantial votes for third party candidates.

In that case, we find that, retaining the requirement for a 40-percent plurality, the chances for a runoff increase to 1 in every 18 elections. If, however, we are to reduce the required plurality to 35 percent, the chances for a runoff drop dramatically to 1 in every 167 elections.

The CHAIRMAN pro tempore (Mr. MONTGOMERY). The time of the gentleman from Illinois has expired.

Mr. McCULLOCH. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. McCLORY. Mr. Chairman, if we would take the same facts, except to say that the strength of third-party candidates will be great in five times as many elections, we find that at the 35-percent minimum plurality I propose, a runoff will occur only once in 100 elections. However, if we retain the 40-percent minimum, the chance of a runoff soars to 1 in every 11.9 elections. The likelihood of a runoff, and all the dangers inherent therein, are reduced immeasurably if we reduce the 40-percent requirement to 35 percent.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Did the gentleman run it through the computer to see how the runoff election would come out using 45 percent rather than 40 percent?

Mr. McCLORY. I may have that result later. Obviously the chances of a runoff would be greatly increased if we went to 45 percent. At 50 percent we would have it every time if there were any kind of third-party candidate at all.

As I stated in my additional views to the Judiciary Committee Report (H. Rept. No. 91–253): I believe that a 35-percent requirement would accomplish the twin task of preventing runoff elections and preserving the two-party system while at the same time providing a guarantee against the remote possibility of the election of a President who has only very minor national support. It would allow a third party to cause a runoff election only when it had itself risen to the stature of a major party—the only situation that appears to me to justify the cost and inconvenience of a runoff election.

The other amendment which I will propose would require that the constitutional plan for a direct popular election be submitted to State conventions for ratification rather than to the State legislatures. It has been argued here that the chances of ratification of this amendment are difficult inasmuch as approval by the State legislatures is doubtful. Some are not yet committed to the direct election system for this very reason.

While the distinguished chairman of the committee has pointed to the very convincing poll conducted by Senator GRIFFIN, of Michigan, I wish to point out that in May of this year the UPI released a survey which indicated that only 12 State legislatures would support the direct plan while 10 were going to oppose it, with 28 undecided. I believe we have to recognize that there is some validity in that poll, too.

We must further recognize the practicalities. We know the people are now overwhelmingly in favor of the direct election plan. We know also that members of State legislatures, due to their abilities and their distinction in their communities, often are elected term after term and that many are committed to a position in opposition to the direct election principle. It is clear to me that we would get a better expression of opinion with regard to the public thought from conventions than from the State legislatures.

I spoke earlier of the excellent poll taken by Senator GRIFFIN and I commend it to the Members. It was sent to legislators in the 27 States where difficulty in ratification was regarded most likely. While the results from those answering indicate approval of the direct election plan, a majority of those responding in eight States—with three others extremely close—predicted failure in their State legislatures. Only 13 rejections are required to defeat the amendment and we therefore must think long and hard with regard to our choice of method of ratification.

The CHAIRMAN pro tempore. The time of the gentleman from Illinois has again expired.

Mr. McCULLOCH. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. McCLORY. Mr. Chairman, I thank the gentleman for yielding further.

Congress was faced with a similar dilemma in 1932 when it approached the subject of the repeal of prohibition.

It was represented then that Congress could propose repeal but the State legislatures would not ratify the constitutional amendment. As a matter of fact, both political parties stated that they would not take that chance. They declared in their party platforms that they would vote a constitutional amendment for repeal of prohibition and provide that it be submitted to State conventions for ratification. There were extensive debates on the floor of the Senate with regard to the alternative modes of submitting a constitutional amendment and finally, the amendment was sent to State conventions. Within 10 months the people had spoken and prohibition was repealed. This was the second fastest ratification to date.

Let me point out that an amendment cannot be submitted in the alternative. We cannot say that it may be ratified by State conventions or by State legislatures. Article V requires that we submit it in one mode or the other.

It seems to me that this is another case where we should submit it to State conventions. Why do I say that? It is because I have grave doubts myself that three-fourths of the State legislatures would ratify the amendment.

There are 99 State legislative bodies involved. Just a negative vote in 13 could veto, and destroy all that we do here in behalf of the direct popular election principle. The people want the direct popular election. If we submit it to the States for State conventions the people electing delegates to the State conventions will insist that the delegates elected commit themselves and that they vote to ratify the direct popular election amendment.

One further point must be made in this connection. It has been argued that the convention method is time consuming and will delay ratification. The contrary is much more accurate. As noted above, the one time this method was used, it took only 10 months to ratify the 21st amendment. Indeed, those who propose the legislative method should be aware that at least 26 States are not scheduled to have legislative sessions during 1970. This delay would make it impossible to complete work on whatever proposal we pass in time for the 1972 presidential election.

It is my hope that we can adopt the two amendments I will propose, not for the purpose of interfering with the direct popular election, but in order to strengthen the chance of it being ratified and it being workable after its ratification by the people.

Mr. DENNIS. Mr. Chairman, will the gentleman yield to me?

Mr. McCLORY. I yield to the gentleman from Indiana.

Mr. DENNIS. It occurs to me, as I understand the position of those who are advocating the direct popular vote method that the thrust of their argument is that this is a popular measure. Yet under the district plan there always has to be a majority, either an electoral majority in the point session. Under the gentleman's proposal you can elect the President, as I understand it, with 65 percent of the people opposed. Even under the committee bill you can do it with 60 percent of the people opposed. Is that not correct?

Mr. McCLORY. May I say this in answer: We elected John Quincy Adams with 30 percent of the vote and we elected Lincoln with less than 40 percent and Nixon with 42 percent.

The CHAIRMAN. The time of the gentleman has expired.

(Mr. McCLORY asked and was given permission to proceed for 1 additional minute.)

Mr. McCLORY. What I am trying to emphasize here is that each individual should have one vote and that vote should be equal to that of every other individual in the Nation. I know that it has been difficult in years past when the popular vote loser has been the electoral vote winner. But I shudder to think of what would occur in our Nation today, if a popular vote loser, by 1 million or 2 or 3 million votes, would be declared the winner under the electoral college system. This same result could occur even with the district plan. I do not think we should take that chance in the consideration of this subject. I cannot support any other proposal than the direct popular vote plan.

Mr. DENNIS. Will the gentleman yield further for one moment?

Mr. McCLORY. If I have any further time.

Mr. DENNIS. I just want to suggest that when the gentleman says that in order to adopt his direct plan he needs to bypass the legislatures of the several States in order to go to this system, he is reinforcing the argument of those of us who feel that one of the defects of the direct plan is that it does bypass and ignore the several States. The gentleman underlines that argument.

Mr. McCLORY. I cannot agree. The State conventions made up of delegates selected by the people, will be making the final decisions. If the State convention method is authorized for ratifying the direct popular vote plan, then we will have the people themselves deciding that the people—and not presidential electors—shall elect the President and Vice President of the United States.

Mr. CELLER. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. BENNETT).

Mr. BENNETT. Mr. Chairman, I wish to congratulate Chairman CELLER and the other members of the Judiciary Committee for acting promptly in recommending to the House legislation calling for the direct election of the President and the Vice President. I have actively supported this concept since I first came to the Congress—over 20 years ago—and have introduced legislation continuously since that time to bring this

about. The qualified American voter needs no middleman in his selection for President. He needs no agent to cast his vote.

The direct election plan certainly is the best method of achieving one-man, one-vote citizen participation in government, and since each vote would count equally, it would encourage more people to vote. This is the cornerstone of our representative democracy.

Very little time needs to be spent establishing the fact that reform in this area is long past due. The events of the 1968 presidential election brought home clearly the unworkability of our present system. The two most widely referred to opinion polls—the Gallup poll and the Harris poll—show that 81 percent and 79 percent respectively of the American people want direct popular election of the President and the Vice President. The section of the country and the size of the community in which one lives does not seem to affect the positive support for this measure in these polls. And I see that the November 1968 Gallup poll shows that on a regional basis, no less than 78 percent of those in communities under 2,500 and over 1 million in population want this reform measure.

I have reviewed the bill's proposals, which were rejected by the Judiciary Committee in favor of direct election, and feel that none of them resolves all the problems inherent in our present system of electing the President and the Vice President. All three alternate plans—district, proportional and automatic—risk electing the candidate who did not receive the greatest popular vote and under each, the States would continue to cast the same electoral votes regardless of population changes occurring between decennial censuses, and regardless of how many people voted in each State. Also under each, the small States receive additional power because of the bonus two electoral votes. The widely discussed district plan—this plan preserves the electoral college and selects college electors on a congressional district basis—would encourage gerrymandering to achieve at least one vote for the minority candidate. The proportional plan—this plan would in each State allocate the electoral vote in accordance with the proportion of votes cast—although taking away from the large States their advantage under the "winner-take-all" system, which allows their majority vote in each State to eliminate large minority voting, would encourage splinter parties in each State, thus requiring many second elections. The automatic plan—this plan would abolish the electors, but retain the electoral vote and cast it for the winner in each State—would compel the "winner-take-all" system writing it into the Constitution.

I am confident that on this matter the American people will rise above provincialism in order to have the opportunity, for the first time, to vote directly for the President and the Vice President. Passage of this legislation will bring about a new era in our electoral system, and we will show our faith in the ultimate judgment of the American people.

Mr. CELLER. Mr. Chairman, I yield to the gentleman from New Jersey (Mr. RODINO) 5 minutes.

Mr. RODINO. Mr. Chairman, first of all, may I also join with my colleagues on the Committee on the Judiciary in extending my congratulations for the commendable efforts of the chairman of this committee, together with the ranking minority member (Mr. MCCULLOCH), who worked laboriously and diligently over the 10 days during which these hearings were conducted and during the time during which the article was considered in executive session, which also took 6 days. I know the chairman and the ranking minority member were eminently fair in giving of the time needed and afforded to each member in order adequately to address themselves to this very important amendment. Many people appeared before the committee expressing their pros and cons.

Mr. Chairman, may I say after all this deliberation I was very happy to join as a cosponsor of House Joint Resolution 778 out of a deep conviction that the enactment of a system of direct election of the President and Vice President is urgently essential now.

There are many compelling reasons favoring the enactment of this legislation. The American Bar Association report of 1969 for instance characterizes the present system as "archaic, undemocratic, complex, ambiguous, indirect, and dangerous." This of course was not a conclusion reached without very, very much deliberation, studies, and research of this very vexing and perlexing problem. However, two principal reasons stand out and while either is sufficient unto itself—when combined they make passage of this resolution imperative.

The first reason why a system of direct elections should be instituted is because such a system is based on the soundest and most equitable principle that we can possibly apply in our democracy—the principle that each man's vote shall be equal. There is not the slightest doubt that the implementation of this principle in presidential elections is necessary to perfect our democracy by removing the glaring defects of the present system. The defects under which we now labor cannot be disputed. The present sytem contains the insidious possibility of deadlocks and vacancies in the Presidency of uncertain duration. It also allows for a gross departure from democratic principles in that it permits electors to cast votes in disregard of the wishes of their constituents, making therefore the vote of an individual a useless and futile action.

At the same time, the most gaping inequity of all lies in the possibility that the people of the United States will have a President who has been elected on the basis of votes which are not proportionate to the population and do not reflect the wishes of the majority or possibly even a plurality of the American people.

Given these archaic and inequitable features of the present system, our obligation as Members of Congress is clear. We owe it to our people and to our democracy to remedy the defects by substituting the fairest possible system—one that makes each man's vote count as much as another's. Only the direct election plan embodied in this resolution does that.

Mr. Chairman, for considerations of fairness and equity alone, we have an obligation to pass this resolution. This obligation would exist even if our present society was functioning in great harmony and under ideal conditions—even if our country and its democratic institutions were not being threatened from divisive forces within and enemy forces abroad. However, a second, perhaps more urgent reason for adopting this resolution. The harsh reality of our times is such that we simply cannot afford to have our Nation torn asunder by constitutional crises which can arise under the present system.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. RODINO. Mr. Chairman, that system is no longer simply archaic, it is now clearly dangerous. Once was a time when we could leisurely read histories of past presidential races and note with intellectual disfavor the three instances when popular vote losers were electoral college winners; or when a congressional-appointed commission decided the 1876 winner; or when this body on two occasions "elected" Presidents.

If such an aberration were to occur now, and we all know in our bones that we courted one only last year, the question would be more than academic—more than a principle of democracy. In fact, under present conditions I fear that the question would be in the streets, and the House would have an impossible job of imposing a President upon the Nation—even if the House could finally come to an agreement upon who that President was to be.

Mr. Chairman, if we grant the two major reasons that I have spelled out—that this resolution embodies the fairest presidential election plan and that the present system is dangerous—then I think we can readily answer the small but vocal opposition. Those who rely solely on tradition for their opposition need only be reminded that we now number as a nation over 200 million people, and their wishes in a national election cannot be left in the capricious hands of unknow electors. Those who claim that direct election will destroy federalism need to be reminded that only when voting for President are voters in America denied a democratically direct vote.

All local, State, and congressional contests are decided by direct elections, and often by subsequent runoff elections. Such practices at every level of government have certainly not destroyed federalism and neither will election of our national leader. In fact, the protection of intrastate interests and State interests at the national level lies with the House and Senate respectively—two bodies whose Members are directly voted into office.

And finally, there are those who say that the small State advantage would be wiped out and therefore all the smaller States will fail to ratify this constitution-

al amendment. Recognizing that this question can only be firmly settled by the ratifying action of State legislatures, there appear on the horizon no indications of small State hostility. Two pieces of evidence, in fact, point toward small State favorable receptivity toward direct election of the President. The State of Delaware along with 12 other States brought court action against the present electoral system, and congressional polls specifically aimed at small State legislators have uncovered no greater minority opposition than in the larger States. The opposite conclusion, that now is precisely the time to submit a direct election plan to the States, seems to me better indicated.

Mr. Chairman, with the present system outmoded and dangerous, with the fairest and most logical system embodied in the resolution before us, and with a social climate that precludes further delay, I urge this House to overwhelmingly pass this historic constitutional amendment.

Mr. Chairman, I yield back the balance of my time.

(Mr. BROOMFIELD (at the request of Mr. McCULLOCH) was granted permission to extend his remarks at this point in the RECORD.)

Mr. BROOMFIELD. Mr. Chairman, I rise in support of House Joint Resolution 681 as reported by the Committee on the Judiciary to abolish the electoral college and provide for direct popular election of the President and Vice President.

We have an opportunity this week to continue the process toward a necessary and historic change in our national election system and at the same time take a step that will reinforce the confidence of the American people in the responsiveness of their Federal Government.

As the sponsor of House Joint Resolution 128 which is very similar to House Joint Resolution 681 and as the author of identical proposals in each of the last several sessions of Congress, I have been impressed and encouraged by the great number of electoral reform measures introduced in the 91st Congress.

They reflect the intense and overwhelming interest of the American people in affecting a meaningful change in the electoral system, hopefully by 1972.

The Judiciary Committee merits the highest commendation for its recognition of this concern and for its thorough, yet expeditious consideration of the broad range of reform proposals with which it was confronted.

The committee's approval of House Joint Resolution 681 by a conclusive vote of 29 to 6 is testimony to the tireless efforts of Chairman CELLER, Representative McCULLOCH and all of its other distinguished members.

There is no question in my mind about the need for fundamental reform of the electoral college system.

Realization that the American concept of popular presidential elections rests more on myth than constitutional guarantees has distressed many of us for a long time.

The 1968 election campaign crystallized that concern in the minds of a great many more.

For years voters have marked their ballots for a presidential candidate in the belief that they were, in fact, casting a vote for that candidate.

In reality, of course, they were voting for a slate of electors pledged to vote for that candidate in the electoral college. But there was and still is no enforceable constitutional requirement that electors actually vote for the candidate to whom they are pledged.

That point was underscored last December by a North Carolina elector, pledged to President Nixon, who chose to cast his ballot instead for third-party candidate George C. Wallace.

Many specific remedies have been proposed for this specific problem, chief among them the so-called automatic electoral vote plan which would abolish the office of elector but retain the electoral votes of each State.

While this solution would deal with the problem of the "faithless elector," it would not treat the other fundamental deficiencies in the electoral college system.

Another equally distressing misconception is that the candidate who receives the most popular votes will always be President. That, of course, is equally dependent on circumstance and chance.

There is the perpetual possibility that a candidate may be elected President even though he does not get as many popular votes as his nearest rival. In fact, this circumstance benefited John Quincy Adams in 1824, Rutherford B. Hayes in 1876, and Benjamin Harrison in 1888.

The 1968 election marked the fourth time in this century alone that the anachronistic workings of our electoral college system threatened a clear-cut choice in a presidential election.

George Wallace's assertion that he might bargain his electoral votes if neither of the major party candidates obtained the necessary majority demonstrated again how susceptible the electoral college is to abuse.

In multicandidate elections in 1912 and 1948, as in 1968, shifts of only a few votes per precinct in key States would have deprived the eventual winner of victory and thrown the election into this body.

In 1960, similar shifts could have reversed the electoral college results and elected Richard M. Nixon even though he received fewer popular votes than John F. Kennedy.

This winner-take-all procedure has the effect of canceling all of the popular votes received by any other candidate no matter how close the popular election may be.

A number of proposals have been advanced which would abolish the electoral college, but retain the electoral vote, allocating it either proportionately by popular vote, or by voting districts.

But with each of these proposals, as with the automatic plan, the possibility remains—although diminished somewhat—that a candidate who failed to win a majority of the popular vote could be elected President.

House Joint Resolution 681 eliminates that possibility by providing for the direct popular election of the President and Vice President.

In addition, it removes this body once and for all from the responsibility of electing a President in the case of an impasse in the electoral college with the further potential for deadlock here.

It accomplishes this by providing for a runoff election between the top two vote-getters if neither receives at least 40 percent of the vote.

Possibilities for abuse of the electoral system are reduced but not eliminated by proposals for proportional electoral voting or electoral voting by district.

Under most proportional distribution systems electoral votes would be awarded according to the popular vote received by each candidate in each State.

But unless the electoral votes are fractionalized—which poses further complications—the system lacks precision, especially in the smaller States. For example, in a two-candidate contest in a State with four electoral votes, a candidate would need nearly 63 percent of the popular vote for the electoral votes to do anything but split evenly.

Most district electoral voting plans would award one electoral vote to the popular vote winner in each district with a bonus of two votes to the statewide winner. But the bonus votes would preserve the same degree of overweighted representation for the small States that is contained in the present system.

In view of all of these considerations, the direct popular election plan is the most desirable in the minds of most Americans. President Nixon has said he favors it as have a great many Members of this and the other distinguished body.

It has the endorsement of a long list of private organizations including a commission of the American Bar Association and nearly 80 percent of the voters, according to public opinion polls.

Questions remain, however, about which plan is most likely to be accepted and ratified by three-fourths of the States as required by the Constitution.

In my view, the direct election plan stands a better chance than any of the other three basic choices.

The overwhelming public support for the plan as revealed in virtually every opinion survey cannot be dismissed.

Moreover, a survey conducted recently by our distinguished colleague in the other body, the Honorable ROBERT P. GRIFFIN, revealed surprisingly strong support for the direct election plan among the State legislatures of the 27 States thought most likely to oppose it.

Sixty-four percent of the nearly 4,000 State legislators who responded to the poll said they favor the direct election proposal. Only two of the 27 States indicated they would oppose it.

The surveys were conducted in States with the smallest populations and in those thought most likely to object to the direct election plan.

The electoral college served in its time. It was designed as an elite body which would rationally debate the merits of presidential candidates and pick the best man. Making that choice was not a task trusted to the ordinary voter in the early days of our country.

Great changes have taken place in the last two centuries and there is broad agreement that the need to protect the system from the voters has long since past.

Our challenge today is to find ways of making the system more responsive to the wishes and needs of the ordinary voter. I believe House Joint Resolution 681 best meets that challenge.

In this day of monumental national problems, instant communications and a need for the widest possible national consensus, our goal must be the election of a President and Vice President by the most direct method possible.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio (Mr. WYLIE).

Mr. WYLIE. Mr. Chairman, I had not intended to present my statement today. I thought I might wait until after other Members, favoring a district plan, or a proportional plan, present their arguments. I know the gentleman from Indiana (Mr. DENNIS) will argue for a district plan. The gentleman from Virginia (Mr. POFF) has a plan. The gentleman from Louisiana (Mr. BOGGS) favors a plan which would eliminate the faithless elector and retain the present winner-take-all system, I believe.

However, I have been offered some time now to present my plan, and I am glad for the opportunity. I appreciate the gentleman from Ohio (Mr. McCULLOCH) yielding me this time.

Mr. Chairman, following the last election almost everyone agreed that the time for reform in the method of electing the President and Vice President had come. We were all wrung dry from anxiety on election evening when it seemed that we were on the brink of a constitutional crisis.

We came dangerously close to having the election of the President and Vice President thrown into the House, where a decision might not have been made. Then, the selection of the Vice President would have been made by the Senate, and he would have acted as President for a time.

Yes, we are all agreed, I think—every Member of the House is agreed, perhaps every Member of the Senate is agreed—that the time has come for some change and we, as representatives of the people of this great country should be innovative in proposing change. We should present ideas for the change which will have a chance for approval by the people of the United States.

We do not want to perpetuate the electoral college, the faithless elector, or the system of electing by the House—and maybe even electing by the Senate. Most people seem to prefer the direct election plan. But most is not enough. In a UPI survey reported on February 6, 1969, 46 Senators were willing to vote for a direct popular election plan, and indeed committed themselves to do just that.

Eighteen Senators supported a proportional plan. Twenty-six said that they would vote for a district plan. That adds up to 90.

Even if the other 10 who did not indicate a preference voted for a direct election plan that would only be 56—and that is not two-thirds of the Senate, and we must have at least a two-thirds vote in the House and Senate before a plan can be submitted to the States.

Now I doubt, therefore, any plan including the direct election plan has two-thirds of the Senate. I say that additionally because only recently the Senate Subcommittee on Elections adopted a resolution which would provide for a district plan. Back on February 24, President Nixon in his message to the Congress indicated that he preferred a direct election plan, but felt it could not win the approval of at least three-fourths of the States. We may find ourselves in a situation where it matters not what we do in the House, for no method will pass by the required two-thirds vote in the other body.

So the argument goes. I have tried to think of a procedure or method by which we could get two-thirds of the Members of Congress to adopt something which could be submitted to the States to determine how the States feel. I do not want to get into the position of not adopting anything in this Congress and saying to the people of the United States we have reached an impasse. We could not get two-thirds of the Senate or two-thirds of the House and that no plan is being submitted to the States.

So I conceived a method which would in effect be a two-step constitutional amendment procedure. The first step would amend article V of the Constitution to accommodate the submission of four plans to the States and the States could then select from any one of those four plans their plan for election of the President and Vice President.

The four plans would be a direct popular vote plan which is proposed in the resolution now before us; the electoral vote by congressional district, which will be offered I understand by the gentleman from Indiana (Mr. DENNIS); the proportional vote plan, which I understand will also be submitted; and a continuation of the present plan which has been offered by the gentleman from Louisiana (Mr. BOGGS) eliminating the office of elector.

Now my bill would suggest that each of these four plans be submitted to the States for consideration and the first one to receive the approval of three-fourths of the States would be adopted as a constitutional amendment for the election of President and Vice President.

By this two-step procedure, the States can say, "Yes, we want an amendment in the first instance, we think there should be a change," adopt that portion of the resolution and hammer out the kind of election plan they want later on.

To me this plan is completely fair. It gives the States a choice. We are not saying to them, you either vote yes or no on the plan which we, the Members of Congress, submit to you. We are urging that this is the time for a change. Yet, at the same time we are not saying that it must be our way or nothing at all. We are accepting our responsibility and providing a vehicle for necessary change. I have given the idea a great deal of thought—and it is the idea that I am offering. I am not wedded to any plan. I trust the idea has sufficient merit that it will meet with the approval of the Members of the House.

Mr. WIGGINS. Mr. Chairman, will the gentleman yield?

Mr. WYLIE. I yield to the gentleman from California.

Mr. WIGGINS. I would like the gentleman to comment on the argument that has been made that your proposal would require an amendment to article V of the Constitution, in that it proposes a new way for amending our Constitution. It has been said that the gentleman's amendment, in effect, delegates the power which is reserved to the Congress and gives to the States the power to propose amendments as distinguished from reserving that power.

Mr. WYLIE. I thank the gentleman for propounding that question, because I evidently did not make it clear. My amendment proposes a two-step procedure.

Under present article V of the Constitution, submitting four plans to the States might not be possible. Therefore, this two-step procedure is offered, article V of the Constitution would be amended to accommodate the submission of four plans, and that would come as a first step. In other words, if my amendment were adopted, article V would say precisely that any one of the four plans could be adopted by the States. It would be a special type of amendment to allow for this special type of situation.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. WYLIE. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Do I correctly understand the gentleman to say that we would have to amend the Constitution first before the States could consider the four plans which the gentleman has proposed?

Mr. WYLIE. Under the resolution which I submitted, and under the substitute bill which I will offer to the House, both steps are in the same resolution, so that we would vote on them simultaneously and, indeed, the States could do the same thing.

Mr. ROGERS of Colorado. Once they are submitted to the respective State legislatures, would the State legislatures be permitted to adopt one, two, three, four—all the plans—or must they adopt only one?

Mr. WYLIE. A State would be permitted to adopt only one plan or none at all. It could say, "We think the Constitution ought to be amended, and we will go along with amending the Constitution, but we are not ready yet to say which plan we prefer." On the other hand they could say, "We are not for changing the Constitution on presidential elections, but, we will select a plan, and protect ourselves on the outside chance the Constitution will be amended."

Mr. ROGERS of Colorado. In other words, if the State of Ohio should adopt one plan and my State should adopt another, and by the time all the States got through the process of acting on the question of adoption no plan had received anything close to three-fourths of

the vote, would you permit my State to change its position and follow what the State of Ohio did, under your proposal?

Mr. WYLIE. Yes, I have made provision in my amendment so that any State can change at any time until one plan receives approval of three-fourths of the States.

Mr. ROGERS of Colorado. That is, my State might adopt one, two, three, or four of the plans, changing it around, with the hope that you can get a three-quarters vote of all the States?

Mr. WYLIE. That is correct. A State could adopt a plan. For instance, it could adopt the proportional plan, and later determine that the district plan is getting more votes and the direct plan is getting still more votes than that, and it might want to decide between those two. Until such time as three-fourths of the States adopt a plan, a State could adopt an alternate plan.

Mr. ROGERS of Colorado. In other words, a State legislature would be free to choose and dispose at its pleasure until three-fourths of the States got together on a plan.

Mr. WYLIE. That is correct.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. WYLIE. I am glad to yield to the distinguished chairman of the Judiciary Committee.

Mr. CELLER. In contemplating your plan, I am free to confess that we Members of Congress would abdicate our authority, would we not? We would sort of dump it into the laps of the States. Is it not our duty to present a plan to the States rather than plans? Your theory envisages four plans, as I understand it. Would we not sort of abdicate our responsibility through such action?

Mr. WYLIE. Mr. Chairman, I think that is a very excellent question, but I feel the opposite. I think our primary responsibility is to offer a plan to the States. I think we are demonstrating to all the States that we do not want to take the chance that one plan which might receive a two-thirds vote in the Senate after a two-thirds vote in the House, if that be the direct election plan, that three-fourths of the States are sure to adopt it. Especially, when there is doubt that the direct election could receive approval by three-fourths of the States.

What I am saying is, with this evidence before us, we want to be certain to meet our responsibility and provide a vehicle so that the States will have an opportunity for amendment, if they want it. I think the argument goes the other way. Rather than abdicating our responsibility, I think we are saying we, as Members of Congress, do have strong preferences but we are more desirous of effecting the necessary change.

Mr. CELLER. Has there been any precedent for something akin to the idea offered by the gentleman; namely, those three or four prongs in the proposal? Has that ever been done before?

Mr. WYLIE. Not that I am aware of, sir. When I testified before the Committee on the Judiciary a similar question was asked, and I am not prepared for it at the time. It concerned a so-called Daniel amendment which was offered in 1956. But that plan provided that one State could adopt a proportional plan and another State could adopt a district plan. That would only serve to confuse the whole issue.

Under my proposal all the States would be governed by the same plan. It is not the same, and I do not think any similar proposal has ever before been offered.

Mr. CELLER. Mr. Chairman, I yield to the gentleman from Colorado (Mr. ROGERS) such time as he may consume.

(Mr. ROGERS of Colorado asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ROGERS of Colorado. Mr. Chairman, although I join in the committee report and support the proposed new article of amendment providing for the direct, nationwide popular election of the President and Vice President, I do have a serious reservation concerning the wisdom of requiring only a 40-percent plurality of the national popular vote to elect the Chief Executive of the United States.

No convincing demonstration has been offered in either the course of the committee hearings or in the majority report to rationalize a 40-percent plurality requirement. If 40 percent, why not 30 percent; or 20 percent?

Only a majority requirement would furnish unequivocal evidence of a national mandate and would completely dispel the possibility that the candidate elected was a minority choice. By meeting the requirement of a majority of the popular vote, the successful candidate would not only overcome the vote of his nearest competitor, but also would have the support of more voters than all other candidates combined. We are told, however, that under a direct election system a majority requirement will precipitate runoffs, that the first or general election will come to resemble only a primary, and that runoff elections will be commonplace. It is prophesied that this, in turn, will encourage and strengthen splinter parties, who will be able to postpone making accommodations with major party candidates until after the first election. It is difficult to disprove such speculations—or prove them, for that matter. However, I am mindful of the practical problems that two elections for President every 4 years would entail. I also share the desire expressed in the majority report to make resort to contingent election machinery the exception rather than the rule. I am further persuaded that a majority requirement under a direct popular election system might unduly increase the likelihood of runoff elections.

Although I am willing to dispense with the majority requirement, I find no justification for the 40-percent plurality requirement of the proposed new article. Proponents say that 40 percent is a figure low enough to preclude runoffs, yet high enough to furnish a national mandate. Of course, the lower the required plurality, the less likelihood a runoff—but it does not follow that a President can successfully govern this Nation when almost 60 percent of the national electorate has refused to support him. I am of the opinion that the 40-percent figure fails to insure a broad enough mandate for a President to govern. Traditionally, we have required that a President be elected by a majority, albeit a majority of electoral votes. The fact of the matter is that in the overwhelming number of the 46 presidential elections held to date, the successful candidate polled more than 45 percent of the national popular vote. Indeed, in 26 of the last 29 presidential elections—1856–1968—the winning candidate received a plurality in excess of 45 percent of the popular vote.[1] Thus, the 45-percent plurality requirement which I recommend incorporates our most recent historical experience as a future norm. In the 1968 presidential election, for example, a requirement of a 45-percent plurality would have resulted in a runoff election. This result, I believe, would have afforded the people an opportunity to register a clearer choice between the two leading candidates.

The committee resolution embodying the direct nationwide popular election system is a long overdue reform of our antiquated and potentially dangerous system of choosing our Chief Executive. I would prefer, however, that the proposed new article of amendment require a 45-percent plurality, as being more directly reflective of the people's will and more consistent with this Nation's actual past experience in presidential elections.

Mr. CELLER. Mr. Chairman, I yield to the gentleman from Massachusetts (Mr. BOLAND) such time as he may consume.

Mr. BOLAND. Mr. Chairman, I rise in support of this proposed constitutional amendment calling for the abolition of the electoral college—a dangerous and antiquated institution that was of questionable value even when it was created nearly 200 years ago.

This legislation, substantively identical to a bill I introduced the first day of this Congress—proposes direct popular elections among presidential and vice-presidential candidates linked together on national tickets.

The need for abolition of the electoral college is clear and pressing: every 4 years the American people run the risk of being thrown into a constitutional crisis that could threaten public confidence in the basic processes of government. For almost 200 years the election of the President has been carried out through the use of the electoral college system. The harrowingly close elections of 1960 and 1968 have again raised a number of longstanding questions about the value of a system that is so capable of distorting or betraying the very will of the majority. The present electoral college system is open to valid criticism, but the problem is far from simple.

The actual working of the Constitution appears to have departed far from the intentions of its framers as to the provisions for electing the Chief Executive. The Constitution's draftsmen displayed great foresight but they could not know that the development of organized political parties and the development of a

[1] The three exceptions were: Abraham Lincoln, 1860 (39.78); Woodrow Wilson, 1912 41.85); Richard M. Nixon, 1968 (43.40).

literate and informed electorate would so change their conception of the role of elections.

In essence, as Prof. James E. Kirby has stated, we have subjected ourselves to an "ox-cart method of selecting space-age Presidents." The prospect of an indecisive election, serious enough in the 19th century, has become wholly unacceptable in the 20th when a nation of great power and worldwide responsibility demands continuity in the Executive leadership.

A product of compromise, the electoral college was settled upon at the Constitutional Convention only after much discussion. Although more than 15 proposals for electing the President were presented to the Convention, one of the most frequently suggested was a plan entailing election by Congress. Fear of an Executive dominated by the legislative body as well as fear of cabal and intrigue brought rejection of this method. Deadlocked on this and other proposals—among them a direct election plan advocated by James Madison—the Convention devised the electoral college as a method most acceptable to the people. The plan was devised by men who envisioned a system under which persons of the highest caliber would be chosen as electors. The founders contended that it was impossible for the people to know the candidates, reinforcing the hesitancy expressed by Elbridge Gerry to subject the election of the President to the "ignorance of the people."

Yet the men designated as electors today function for the most part under a cloak of anonymity. In fact, in 35 States no attempt is made to inform the voters just who is representing them. Instead, these States use what is referred to as "the short ballot" listing only the names of the party candidates. Only 14 States place on the ballot with the candidates the names of all the electors pledged to each. Alabama prints only the names of the electors.

Stemming from compromise between large and small State factions, the electoral college gave something to both. All States, regardless of size, received a minimum of three electoral votes, corresponding to the two Senators and one Representative to which they were entitled. The large States won the right to have the element of population recognized, since the assignment of electoral votes depended on the size of the State's representation in the House. Small States were given assurance that, providing no candidate received a majority of the electoral votes, the House would select the President with all States having equal voting power; that is, one vote each.

While small States today may express fear at relative loss of power without the electoral college, we need only mention the 1968 election, as in other recent elections, where even with the electoral college system, most of the emphasis of campaigning focused on the larger States that have the power to throw large blocs of electoral votes to one candidate or the other.

Throughout previous elections numerous instances have occurred in which all electoral votes of large States were cast for a candidate who won only by a small majority or plurality. For example, elections in which the national outcome depended on a single large State are legion: a shift of 2,555 votes in New York could have reversed the electoral college outcome to make Henry Clay President instead of James K. Polk in 1844. In 1880 Winfield S. Hancock would have been made President instead of James A. Garfield if there had been a vote shift in New York of 10,517 votes. A shift of 575 votes in New York during the election of 1884 would have made James G. Blain President instead of Grover Cleveland. In 1888 a shift of 7,189 votes in New York could have changed the electoral vote to favor Grover Cleveland instead of Benjamin Harrison—Cleveland actually won a popular vote plurality but lost in the electoral college vote. A California shift in the election of 1916 of 1,983 votes would have made Charles Evans Hughes President instead of Woodrow Wilson, although President Wilson still would have had a half million more popular votes.

Under the present system a candidate can win the Presidency by concentrating on and winning the electoral votes of 11 large States plus one small State. The electoral votes of New York, California, Pennsylvania, Illinois, Ohio, Texas, Michigan, New Jersey, Florida, Massachusetts, and Indiana total 268. Only one more State with 12 electoral votes would be necessary to win with the required 270.

On the other hand it is of interest to note that the five smallest States, with one Representative each and a combined population of about 1,700,000, would have the same voting power as the five largest States, with a total of 154 Representatives and a combined population of 64 million, if an election were thrown into the House. The 26 smallest States, with 76 Representatives and a total population of about 31 million, would thus be able to elect the President.

The means whereby all of a State's electoral votes go to the candidate polling the largest vote, even when that vote is only a plurality, exaggerates concentration on the large-population States with their large blocs of electoral votes. This winner-take-all approach is responsible for the discouragement of political activity in States considered safely in the pocket of either major party and leaves the door open for a President to be elected who has received fewer popular votes than his leading opponent. The winner-take-all procedure, in effect, disenfranchises voters on the losing side by giving their votes to the candidate they opposed.

In the "winner-take-all" approach a candidate's popular vote is isolated in one State from those cast for him in another State. For example, in 1960 John F. Kennedy received 2,377,846 popular votes in the State of Illinois while Richard M. Nixon received 2,368,988 votes. The late President received all the electoral votes in Illinois. Nixon received the 13 electoral votes in Indiana where he obtained 1,175,120 popular votes and Kennedy, 952,358 votes. Although Mr. Kennedy received more than two-thirds of the combined electoral votes of the two States, Mr. Nixon actually received a substantial majority of the popular votes cast.

This disproportion between the popular vote and the electoral vote is to be found in every presidential election. For example, in the 1964 election, President Johnson received 61.1 percent of the popular vote, or 43,128,958 votes, yet Mr. Johnson received 486 electoral votes to Mr. Goldwater's 52. In 1944 Franklin D. Roosevelt received 53.4 percent of the popular vote and 81 percent of the electoral vote. In 1936 Alfred M. Landon received 36.5 percent of the popular vote and only 2 percent of the electoral vote. In 1912 Woodrow Wilson received 41.9 percent of the popular vote and 82 percent of the electoral vote.

The fact that a State's electoral votes remain the same regardless of voter turnout is highly significant. Thus, in the 1964 election with the total popular vote cast in New Jersey substantially more in number than that cast in Texas, the winning candidate in Texas received 25 electoral votes while the winning candidate in New Jersey was awarded only 17 electoral votes. In that same election, the three electoral votes in Alaska were decided by 67,259 votes at a ratio of one electoral vote for every 22,419 voters. In the same election, New York citizens voted at a ratio of one electoral vote for every 166,657 voters with 7,166,275 people casting ballots.

These are the sorts of problems with which the American people are confronted every time they vote for the President. If the people fail to cast a decisive presidential vote on election day, a constitutional crisis could very well follow the balloting in the electoral college. With no candidate receiving the majority of the electoral votes, selection of the President would be forced upon the House of Representatives. The possibility of such a crisis is increased by the strength of a third party candidate, whose momentum is capable of upsetting the machinery of the college. This submits the electoral college to the level of bargaining—giving a third party the balance of power.

These inequities in the present system have underscored the necessity of fundamental changes in the election process. If we are to have fair presidential elections we must focus on the elimination of the undemocratic and complex system that exists. This need for reform is magnified by the perpetual risk of deadlock—a risk heightened by the emergence of third party movements and the use of uncommitted electors in recent years.

This danger has become a reality twice in American history in 1800 and 1824 when electoral deadlocks have placed the election of the President in the House.

While in 1800 it was generally assumed that the Democratic-Republican electors were voting for Thomas Jefferson for President and Aaron Burr for Vice President, this was in no way specified on their ballots. The Constitution prior to this time provided that each elector should vote for two candidates, the one receiving the highest number of votes to be declared the elected President, the next highest, Vice President. With a tie of 73 votes for Jefferson and 73 for Burr, the House took 36 ballots to choose be-

tween them. Jefferson was elected President only after arduous and vociferous debate. By the time of the next election the 12th amendment had been ratified, providing that electors cast separate votes for President and Vice President.

The electoral college again deadlocked in the election of 1824 when John Quincy Adams, Andrew Jackson, Henry Clay, and William Crawford vied for the presidency. When thrown into the House the election went to Adams; in this instance he was the candidate receiving the second highest number of popular and electoral votes.

In the recent presidential elections of 1948, 1960, and 1968, the college was again threatened with deadlock. In 1948, the Dixiecrat Party and the Progressive Party siphoned off enough normally Democratic votes to cost President Truman the States of New York, Michigan, and Maryland. The switch of only a few popular votes in California and Ohio would have put those States' electoral votes in another column and deadlocked the college.

Dissident Democrats in 1960 ran slates of uncommitted electors in the Deep South, and these slates were successful in Alabama and Mississippi. With the popular vote split more closely than ever before in history, the switch of fewer than 5,000 votes in Illinois and Missouri would have required the House to pick among John F. Kennedy, Richard Nixon, and Virginia's Senator HARRY BYRD, who received the votes of the uncommitted electors.

Just how close the Nation came to an electoral deadlock in 1968 is evident from an examination of the returns. With 270 electoral votes needed for victory, Richard Nixon received merely 302. The shift of a relative handful of popular votes in Illinois, which gave him 26 electoral votes, and Missouri, which gave him 12, would have produced the deadlock. Only through Mr. Nixon's capture of a clear-cut majority of electoral votes was a major political crisis averted.

Although electors normally cast their ballots for their State's winner, most are not required to do so. In only 17 States and the District of Columbia are electors bound to vote for the winner. Only in three of these States, Florida, New Mexico, and Oklahoma, are penalties provided for electors who choose not to do as instructed. However, the Constitution appears to leave the electors as free agents, and it is highly questionable whether these instructions and laws have any real meaning or could be enforced. The issue has never been adjudicated.

As long as the elector retains the constitutional power to exercise his own judgment, the voter reckons with the eventuality of disfranchisement. Voters who cast a ballot for candidates who do not carry the State are disfranchised at the State level in the sense that their ballots do not figure in the national tabulations. Under the winner-take-all rule, the candidate who carries a State, no matter how small his popular vote margin, receives that State's total electoral vote. The relatively high voter turnout in pivotal States may flow in part from the mathematics of this disfranchisement. When the voter believes he has the chance to influence the selection process, then he will go to poll.

For most citizens the electoral college is a meaningless institution which only confuses the presidential election process. Often the voter is unaware that his vote is one cast for electors and that he is not voting directly for President.

What alternatives are there to the present electoral system? Three basically different proposals have been developed and examined in great detail as possible replacements. They are: the district plan under which presidential electors would be chosen by congressional districts with two statewide at-large electoral votes going to the candidate who wins the popular vote in the State; the proportional distribution plan under which a State's electoral vote would be divided among the candidates in proportion to each candidate's share of the popular vote; and the direct election plan—the plan now before us—under which the winner of a majority or a substantial plurality of the popular vote would be elected President.

Under either the district or the proportional plan it would still be possible, as it is now, for a candidate to win the popular vote and still lose the electoral vote and therefore the Presidency. This is the fundamental weakness of both of these plans, although they have other serious shortcomings which make me wonder if either of them would represent very much of an improvement over the system now in use.

This is not true of the direct election plan. This resolution does away with the electoral college, electoral votes, and, of course, the electors themselves and provides quite simply and straightforwardly that the people of the States and the District of Columbia shall vote directly for the President and the Vice President. The people would cast one ballot for the candidates of their choice, who would be required to join their names and run as a team so that there could be no confusion about who was running for President and who for Vice President. The State legislatures would keep the powers they now have to prescribe the places and manner of holding the election, and all persons qualified to vote for Members of Congress would be entitled to vote for the President and his running mate. A State could, if it wished, relax its residence requirements for voting for President, and Congress could, if the necessity arose, approve legislation requiring uniform residence and age requirements for the presidential vote.

The pair of candidates with the greatest number of votes shall be declared, respectively, President-elect and Vice President-elect if they have received at least 40 percent of the total number of votes cast. In case no team of candidates wins a majority or the 40-percent plurality, Congress must provide by law for a runoff election between the two pairs of candidates who received the greatest number of votes.

The unanswerable and overwhelming argument in favor of direct election is that it is the only plan that would always guarantee that the choice of the people, as expressed in their votes, would be elected President. Every vote throughout the entire United States would carry exactly the same weight and have exactly the same value as every other vote. This, to me, is democracy in action.

There are other very practical and compelling reasons which make the direct vote alternative so attractive. Words and phrases like the big States, small States, and key States that are now so important at election time would no longer have any special significance. Carrying the States as such would have no particular value because it would be the separate vote of every individual that would count. For this same reason the parties would no longer feel required to rely so heavily on the big States for their candidates.

Opponents of direct election have argued that it would damage the two party system at the grassroots level. In my opinion it would have exactly the opposite effect, especially in those areas where the reinvigoration of a party is most needed—areas which have long been dominated by one party. Under the present unit electoral vote plan there is certainly little incentive for a weak party in a State to bestir itself. It cannot carry the State anyway, so why do any work. But under direct election this would not be relevant. The strength of a party would be precisely recorded everywhere in the Nation, and votes within a State for a losing candidate would not be thrown away, as they now are.

Another argument we sometimes hear is that direct election would lead to a proliferation of political parties. As a strong believer in the two-party system I would be very much concerned about this possibility if I thought this argument to be valid. Frankly, I do not think it is. Members of the House and the Senate, Governors, and other statewide officials have long been elected by direct vote without causing a multiplication of parties. The people are not particularly anxious to waste their votes on parties and candidates that have no chance of winning, and the 40-percent plurality requirement for election in House Joint Resolution 681 makes it certain that the victor would have to be the representative of a major party. Of course, the strength of minor parties would be accurately reflected at the polls, but I think it should be and I do not see why anyone should object to this. Incidentally, along these lines, and for the same reasons, there would be less need than at present for the major parties to make excessive concessions to minority groups who may hold a balance of power in certain States.

One of the strongest features of direct election as proposed in my amendment is that it would do away with the need for the House of Representatives to choose the President as is now the case under the contingent election procedures. The choice of President would always be where it should be—with the people in the general election and with the people in the unlikely event that a runoff election is needed.

Direct election is simple, uncomplicated, and easy to understand. The voters would know exactly for whom they are voting. The temptation toward fraud

would be greatly reduced, perhaps completely eliminated, in the large States where tampering with a few votes can, under the present system, mean the delivery of a large bloc of electoral votes.

Adoption of direct election would in one clean sweep wipe out a system that is undemocratic, complicated, and potentially dangerous and replace it with a plan that would in every election give to every voter an equal voice in the selection of the person to fill the most important office in the Nation.

Mr. MOLLOHAN. Mr. Chairman, I support the electoral reform resolution reported to the floor by the Judiciary Committee.

The need for this reform is evident. Under our preesnt system, there is no guarantee that a majority of the people will elect a President and this transgresses the fundamental concepts of democracy we hold. Twice in this decade, we have come perilously close to electing a minority President and last year, the specter of the election being thrown into the House hovered unpleasantly over the entire process of our elections.

It is this latter possibility, the possibility of an election being decided by the Congress, that gives the most cause for concern to the country. For, the process of congressional decision in a situation of a deadlocked election is not clear. The Constitution does not establish guidelines which cover all the problems arising and, indeed, it gives a poor guide to some of the problems with which it deals.

The provision under which each State shall cast one vote is implicitly undemocratic. The requirement for an absolute majority has a democratic facade, but inasmuch as the House would be called upon to choose a President only when there are more than two presidential candidates, this provision leads in fact to deadlock.

Traditionally, we have had only two candidates and consequently, the Congress has not been called upon to decide an election. Only with minor exceptions in times of stress or crisis has the Nation had more than two serious candidates to choose from for President. But, it is in times of stress or crisis, that we can least afford the kind of constitutional and political crisis within the Congress that deciding a Presidency would make almost inevitable under our present constitutional provisions.

We should take a lesson from history here. The makers of the Constitution did not have a party system firmly fixed in their minds when they drafted the constitutional provision concerning the election of a President and Vice President.

They did not, for instance, make reference to a two-party system or a convention system, for they could not have envisoned the precise direction our political evolution would take. They did make mistakes.

The largest mistake, of course, was the failure to provide for a presidential-vice-presidential team. As a consequence, it was possible to have a Vice President from the minority party. The election of 1800 again found our presidential election process wanting because Jefferson's running mate, Aaron Burr withheld electoral votes in his control from Jefferson and forced the decision to the House of Representatives, where a massive deadlock developed. It was only after the considerable statesmanship of Alexander Hamilton that Jefferson became President on the 36th ballot.

The Tilden-Hayes incident proved another embarrassing episode for the electoral system as electoral votes were callously bargained for in Louisiana. The result of that bargaining constitutes one of the darker chapters in American history.

Mr. Chairman, the people should elect a President and they should do so directly; a vote cast anywhere in the Nation should have no more weight than any other vote because of circumstances of place of residence. Both the electoral college and the congressional selection procedure when the electoral college fails are detrimental to an effective and efficient election process.

Alternatively, the proposal to allow direct elections and provide for a runoff in the event that no candidate secures 40 percent of the vote insures that the people, and only the people, shall choose their President.

Mr. PODELL. Mr. Chairman, any society which does not maintain the relevancy of its basic institutions is doomed to collapse the moment those outdated institutions are subjected to meaningful challenge and test. Today, the manner in which this Nation elects its Presidents demands updating, particularly in light of events which characterized and highlighted our last national election. Such a solution has been long sought, and at long last is being offered to this House.

A proposed constitutional amendment that would elect the candidate with the largest number of popular votes has been reported out of the Judiciary Committee. This would insure a candidate's orderly election, no matter where he comes from. Much credit is due the most distinguished chairman of that committee (Mr. CELLER) for the measure which now awaits scheduling on the calendar of this body.

Alternative plans are due to be offered for consideration and approval of this body, and it is my fervent hope that they will be presented to no avail. There must be direct popular election of national leaders of the United States by all the people themselves. For many years Members of the other body were elected by their respective State legislatures. At last America opted for direct popular election of Members of that body. Shall we deny our people the same right as far as their national executives are concerned?

As the influence of the executive branch of government has grown, so has power of our Chief Executive. His accumulated prerogatives are awesome in their extent and ability to affect lives of all people on earth, much less the Nation. It is imperative that direct popular election be instituted in order to make our Chief Executive, no matter what party, more closely responsive and responsible to people he has the privilege of leading. No meaningful argument may be made against such arguments.

As our system is constructed today, a candidate may command the votes of a majority of our people, and fail of election. This has occurred several times in our history. The possibility of throwing an election into the House holds open the possibility of uncertainty, deadlock and political bargaining for the Presidency. Such a specter presented itself in the last campaign, revealing the inherent weakness of our present system. Shall we allow the future of all Americans to be potentially at the mercy of the ideologies and whims of itinerant demagogs? Shall we not pay a full bitter penalty in the future if we delay or cast aside the opportunity we now possess to permanently prevent such occurrences? Shall we allow our system to continue on a winner-take-all basis, which disenfranchises all those who vote for a man who finishes second?

The possibility of total deadlock in the House is a distinct possibility, as the last election showed. What would we have done then, when all avenues of decision had been explored and been found blocked? What would we have done then except resort to the worst political chicanery in order to gain advantage? Or perhaps it could even have degenerated into violence, and those familiar with the American scene then and now certainly cannot discount that possibility.

We can guarantee one-man, one-vote, combined with direct popular election of the Chief Executive. It eliminates possibilities of deadlock, insuring that every vote cast contributes to the result. Further, such a reform would open up the presidential nomination to men from smaller States, while preserving our two-party system by discouraging regional candidates.

If a nation remains blind to existing inadequacies in its institutions which endanger the very underpinnings of its society, it courts national disaster. Political maturity requires admission of such shortcomings and taking of appropriate legislative action to correct them. Such a situation now exists here. Such an opportunity is offered us. Let us by all means put aside partisan bickering and regional prejudice in order to retain viability and flexibility in this, the most basic of our elective institutions.

Mr. EILBERG. Mr. Chairman, we know from Madison's notes on the Constitutional Convention that the Founding Fathers were deeply troubled by the problem of how the President should be elected. The Gallup and Harris public opinion polls in November 1968 indicated that 81 and 78 percent, respectively, of the adults surveyed believed that the system of the electoral college should be changed so that the President and Vice President are elected directly by the voters. A poll which I conducted myself several months ago indicates that the people of northeast Philadelphia, in my Fourth Congressional District, overwhelmingly agree that the electoral college must be eliminated and that direct election of the President should be substituted in its place.

The present system we use to elect the President and Vice President of this great Nation is archaic, undemocratic, complex, indirect, ambiguous and dangerous. This system has made it possible for the greatest of all nations in the free world to have a leader supposedly elected by the people but who, in fact, did not receive a majority of the votes cast. John Quincy Adams in 1824, Rutherford B. Hayes in 1876, and Benjamin Harrison in 1888, all received fewer votes than their opponents. Yet history records each of these men as a President of the United States.

The fact that the system must be changed has been evident since John Kennedy and Richard Nixon were involved in their close contest of 1960. Yet, while there has been agreement that some changes must be made, there has been no semblance of agreement about what course we should take prior to this year when the Judiciary Committee, on which I am proud to serve, set out to clear away the myths and half-truths about the various proposals which had been advanced and get down to the difficult task of drafting the resolution we now have before us.

The 1,000 pages of testimony which was heard on the subject of electoral reform and the countless executive sessions which the committee held to assure that all points of view were fully and carefully aired commend the resolution now before the House to the affirmative consideration of all the Members.

House Joint Resolution 681 recognizes that the election of the President and Vice President of the United States is the most important act of government performed by the people of this Nation. It is an act which demands that each vote be counted equally with another. It demands that my vote and that of the gentleman in California or Alabama be counted equally. In short, the election of our President and Vice President demands full implementation of the one-man, one-vote dictum. No longer can we be content to subjugate this feast of democracy through the use of provisions and procedures that constantly threaten the very principles and practices of that democracy.

Adoption of House Joint Resolution 681 and ratification by the States will take the electoral college—this mockery of everything that this Nation has espoused and symbolized for almost 2 centuries—and abolish it. We will at long last be assured that the man or woman who wins the confidence of the majority of the electorate will lead the Nation.

The fact that direct election of the President and Vice President is the only truly democratic way to elect our national leaders that assures victory to the popular vote winner is reason enough for adoption of House Joint Resolution 681. There are many other reasons also which I am sure are well known to the Members of the House. As a result of our constitutional provision for the electoral college, millions of Americans have known that their votes do not count as much as those of their fellow Americans. I believe that the safety of the Nation and the dignity of the elective franchise dictate that we act favorably and start the machinery in motion to achieve the direct election of the President.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT), having assumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution (H.J. Res. 681) proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President, had come to no resolution thereon.

GENERAL LEAVE

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may revise and extend the remarks they made on House Joint Resolution 681 and include therewith pertinent extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

FREE ELECTIONS IN NORTH VIETNAM

(Mr. MARSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARSH. Mr. Speaker, I rise to urge free elections in North Vietnam whereby the people of that country might select their chief of state.

The recent death of Ho Chi Minh has caused wide-ranging speculation as to his likely successor. There has been little speculation as to the method of selection.

Granted, it has been suggested that he probably will be one of four lesser-known powers in this tightly held police state. Some observers have advised us to expect a form of collective leadership by two or more figures prominent in the Communist hierarchy of North Vietnam.

All predictions, however, are couched in the language of possibility, contingency and speculation. The term "interim leadership" is mentioned to put us on notice that the succession might not be settled without a protracted power struggle within the collective group, while factions seek to consolidate the people by political finesse and the use of raw power. "Consolidate," in this connotation, is an euphemism for "liquidate." From experience in the observation of other agonies of power transition in Communist states, we might expect the techniques of the purge, even to the possibility of the firing squad.

Implicit in this situation is a travesty of the governmental process and a double standard of political morality.

The holding of free elections long has been a cause celebre in South Vietnam, a country ripped by the agonies of a savage war. In these unstable circumstances, we have pressed, nevertheless, for representative government and free elections. Let us now press for free elections in North Vietnam. Through world opinion and diplomatic channels, let us demand and insist that those who seek to succeed the deceased dictator resort to election by the people at the ballot box rather than selection by liquidation.

Will bullets or ballots choose those who will speak for the people of North Vietnam? Will the people of that oppressed land be heard to say who shall lead them toward peace, or rather, will they be driven farther along the cruel path of conflict with their brothers of the South?

I believe it appropriate, Mr. Speaker, that the Congress, representative of a people which has made a heavy investment in blood and treasure in defense of the freedom of South Vietnam, now make expression of its hope that the interim leaders of North Vietnam will back up a professed interest in peace with a significant gesture of trust in their own people. Accordingly, I have offered today in association with my distinguished colleague (Mr. TALCOTT) a concurrent resolution expressing the sense of the Congress that free elections be held to select the new leader of North Vietnam.

TV DISCOUNTS BILL

(Mr. MACDONALD of Massachusetts asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MACDONALD of Massachusetts. Mr. Speaker, every Member of this body should take particular interest in a bill that I am introducing today. Indeed, more than 32 Members of this body are demonstrating specific interest by joining with me in bipartisan cosponsorship of the measure representing a broad geographical distribution across the continental United States and extending as far west as Hawaii. They, along with myself and the rest of the membership, can testify as experts on a growing crisis that threatens the American political process.

This Nation's basic mechanism for political democracy, the campaign for election, has been subject in recent years to an accelerated inflation of costs that is increasingly rendering all those who seek to hold or gain office hostage to their own fortunes or to the wealth of others. In large part, these costs have been increasing faster than the general price level, and this, in turn, is because of increasing use of the electronic media of communication.

Television in particular has proven to be indespensible in many election campaigns and television is the most expensive single item in most campaign budgets. Those who cannot afford to use this uniquely efficient tool, with its unparalleled capacity for inspiration and motivation, dream that they could. Those who can afford some television exposure, wish for more. Those who are able to make use of the medium to the full extent of its potential escalate the costs of campaigning for others who cannot match the financial stakes. The pressures of financing campaigns have long had unwholesome influences on the political processes; those pressures now show signs of getting wholly out of hand.

The time has surely come when we in the Congress must come to grips with the

hard realities of the situation, and face the incontestable fact that the costs of campaigning—the keystone political activity of our representative democracy—are fast outrunning our traditional means of campaign financing. In no areas of campaign spending are decreasing costs being predicted by any serious student of the matter. On the contrary, all indications are that future campaign spending totals will eclipse even the projections being made today.

The problem of broadcasting costs has been subject to intensive study by a number of groups both in and out of Congress. The bill I am introducing today is a result of many years of concerned thought and months of detailed research on specific legislative language. The bill, as finally drafted, would not end with one stroke the myriad problems of campaign-financing reform. But it is a start—a careful start, perhaps a modest start, but a workable start.

No area of campaign-financing reform is without controversy. The legislation I am submitting today will no doubt be seen by some as going too far. Others may say it does not go far enough. Many, upon studying the bill and the problems with which it deals, as I have, will conclude that the approach is fair, reasonable, and that it offers a meaningful improvement to the present situation. It is a realistic and practical measure that can command consideration this year, and could—with concerted effort—be put in place to begin yielding benefits to all America by election time next year.

Some progressive broadcasters have already taken meaningful steps in the direction of reduced rates for paid political messages. Among them during the last campaign was a network, NBC, and a major group broadcaster, Storer Broadcasting Co., whose WSBK–TV is located in Boston, which experimented in offering reduced rates to candidates as a public service.

In essence, the bill would provide limited amounts of television time at substantial discounts during the 5 weeks preceding the general elections for U.S. Senators and Representatives. Candidates for those offices would continue, as they do now, to decide how much use of television was in their interest, and on what stations, with complete control of format as is customary with paid time.

The bill makes no change in the workings of section 315 of the Communications Act—the equal-time provisions. A feature of the proposal is that candidates must be serious enough contenders to be willing to pay for their television time. The discounts that are proposed—70 percent off a station's top rates for spot announcements—and 80 percent off for program-lengh time—amount to considerable reductions in cost of television, but under the discounts the time would still not be free. This represents a basic policy decision to avoid equal-time complications and the associated problems with publicity-seeking nonserious candidates.

The time to be made available is limited in the total amount available to any one candidate, and even more limited from the standpoint of the broadcasting stations covering districts where there are multiple television signals available. Candidates for the House seats could claim the discounts on 60 1-minute spot announcements or the equivalent in spots of varying lengths. Candidates for the Senate would have an opportunity to buy 120 1-minute spots or the equivalent. I would stress that no limit is to be placed on the amount of time a candidate may choose to purchase at any station's going rates, and, likewise, there is no obligation for a candidate to buy all the time offered at the discounts proposed under the legislation.

Where, as in many cases, there are two or more television stations covering a given district, the stations would equally share the time to be made available for spot announcements at a discount.

Candidates for the House would be entitled to buy one-half hour of program-length time at substantial discount from each station covering the district. Candidates for the Senate could purchase 1 hour of discounted program-length time from television stations in the State.

Stations located out-of-State or beyond the confines of a given district would share in the provision of time to candidates if a specified percentage of the audience—one-third for House races, one-fifth for Senate races—was within the State or district in question.

Mr. Speaker, it is my hope that the introduction of this measure today will mark the start of a concerted effort to keep this Nation's political processes abreast of the rapid changes in communications technology, so that optimum use is made of the great potential of television—which has been correctly called "a miracle of our age"—to enlighten and stir interest and commitment in our representative system of government. The public interest demands no less.

Likewise, as our Nation progresses, the financial facts of political life demand new attention to the problem of containing runaway costs. This bill is seen first and foremost as a practical measure, that is in accord with the political and economic realities with which every Member of this body has to deal. It deserves to be supported and enacted, so that its benefits can be promptly brought to bear on the growing crisis of campaign financing.

INFORMATION FOR VETERANS ON SCHOOL, TRAINING, AND AVAILABLE BENEFITS

(Mr. MADDEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MADDEN. Mr. Speaker, when I was home during the recess, many veterans or their wives made inquiry as to what opportunities veterans had to take advantage of education and training benefits. For their information I have summarized the legislative enactments which will be of great help to all veterans and dependents.

The Government will give you money for study or training that will help qualify you for a well-paying job. This money is not a loan. You will not have to pay it back. This is because the Government would like to help you help yourself in return for the service you gave it. The people at the Veterans' Administration can tell you how to get the money available to you.

You can use Government money to get a high school diploma or a college degree. You can use it for apprenticeship or on-the-job training, vocational or technical school, flight training, farm training as part of a farm-cooperative program, and correspondence courses.

The payments for full-time study toward a college degree can amount to $130 a month. Extra money is given to you for your dependents. Provision is also made for part-time study. You must check with the Veterans' Administration for exact details.

The money given to you while you earn our high school diploma also can amount to as much at $130 a month. If you use Government money to study for your diploma now, you will not lose your eligibility for money for college or training later.

Apprenticeship or on-the-job training benefits amount to $80 a month for the first 6 months. This is in addition to pay from the job. As your training goes on, the Government payments go down every 6 months because you will be earning more on your own.

If you study full time at a vocational or technical school, the payments are the same as for college—$130 a month plus extra money for your dependents.

If you enter a farm-cooperative training program, you will combine work—for which you will be paid—with study. The additional Government payments to you will be $105 a month with extra money for dependents.

Flight training benefits amount to 90 percent of what it would cost a nonveteran for the same training. But before you can receive money for this training, you must have a private pilot's license or have taken training equal to the 40 hours needed for this license.

Government payments will take care of the full cost for correspondence courses. However, your eligibility for other study and training benefits goes down by 1 month for each $130 paid to the correspondence school for your courses.

To find out exactly what Government money is available to you for study and training, and how to get it, visit the regional office of the Veterans' Administration, 2030 West Taylor Street, Chicago Ill. Veterans residing in congressional districts other than the First District of Indiana should visit the nearest regional office or write directly to the Veterans' Administration Headquarters, 2033 M Street NW., Washington, D.C. 20421.

A booklet that also will help you is Federal Benefits for Veterans and Dependents, VA Fact Sheet IS–1. Veterans residing in my congressional district may secure this booklet by visiting my district offices located in the New Post Office Building, Hammond, Ind., and the New Federal Building, Gary, Ind., or writing to me at my Washington office. Other veterans should contact their respective Members of Congress or order this in-

formation for 30 cents from the Superintendent of Documents, Washington, D.C. 20402.

Any correspondence pertaining to a veteran should give his full name, address, C-number or serial number.

PROPOSED AMENDMENT TO TARIFF ACT OF 1930 TO ENLARGE THE CONCEPT OF DRAWBACK

(Mr. MILLS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLS. Mr. Speaker, today I am introducing an amendment to the Tariff Act of 1930, H.R. 13713, that could give our exports a badly needed boost, and without the risk of provoking nullifying actions on the part of the other countries with which we trade.

As is well known, our surplus trade balance has declined alarmingly, to the point where it is playing almost no role at all in helping to rectify our deficit balance of payments. Although exports have grown steadily and substantially, they have not kept pace with the increase in imports.

One positive way of improving this situation would be to give our exports the same kind of tax benefit that is allowed under international agreement and that is granted by most of the countries of Western Europe. This is the remission of indirect taxes, such as sales or excise taxes, that are imposed upon exports or goods used to make exports.

The bill I am introducing would seek to encourage exports in this manner by enlarging the concept of drawback. Ever since the first Congress, our tariff laws have provided for the return—or drawback—of duties paid on imported goods upon the exportation of products made with such goods. This concept of drawback of duties has been liberalized so as to permit drawback when domestic goods like the imported goods are used in making the export product.

But the drawback of taxes—as opposed to duties—for the benefit of exports is now permitted by law in only a few cases. The bill I am introducing would provide for the drawback of local, State, and Federal indirect taxes to the extent consistent with our international obligations. It would also simplify the existing provisions concerning the drawback of duties.

I am introducing this bill primarily to focus attention on the serious need to improve our export performance. I am aware that the present administration is studying this problem, but I would frankly like to see that study expedited. I understand that the Tariff Commission has been conducting a basic investigation of provisions in our trade laws relating to temporary duty-free imports which include the drawback provision. I am also aware that discussions have been going on in Geneva concerning the remission of indirect taxes and related problems, but I have been disappointed to see how little progress these discussions have made.

The need to do something in this area is too great to go on studying and discussing. I would therefore invite views on this bill not only from the agencies of the executive branch but also from all interested persons outside the Government.

DESCRIPTION OF BILL

The bill reenacts in simplified form the drawback provisions contained in sections 313 (a) and (b) of the Tariff Act of 1930. In addition, the bill provides for the refund of such local, State, and Federal taxes as the Secretary of the Treasury determines are directly or indirectly borne by exported articles.

New subsection (a)(1) is in substance the same as the basic drawback provision in section 313(a). But new subsection (a)(2) modifies the so-called substitution provision in section 313(b) by providing that the domestic merchandise be similar to—and not the same as—the imported merchandise with respect to kind and quality. This change is designed to make it easier for exporters to qualify for substitution. Present drawback recipients would continue without interruption to receive drawback under existing drawback rates.

New subsection (a)(3) adds a new general provision concerning the refund of indirect taxes, using the precedent now in section 313(d) with respect to the refund of Federal excise taxes on certain alcoholic products. This new provision provides for the refund of all local, State, and Federal taxes that the Secretary of the Treasury determines are borne directly or indirectly by the exported article and merchandise used in the manufacture of such article. In administering this new provision, it is anticipated that the Secretary of the Treasury would, under his broad regulatory authority contained in section 313(i), compile average rates of taxation with respect to categories of products.

It should be noted that the amount of drawback provided for in new subsection (a) is fixed at 98 percent—instead of the present 99 percent—because the cost of administering the drawback program has been somewhat over 1 percent in recent years.

New subsection (b) provides that the Secretary of the Treasury shall allow the three kinds of drawback only insofar as he determines it to be consistent with the international obligations of the United States. This is designed, in particular, to assure that the United States engages in no practice that could be deemed a subsidy and thereby provoke retaliatory action against our exports. At the present time, it is believed that all three forms of drawback are consistent with the obligations of the United States under the General Agreement on Tariffs and Trade.

A CRISIS FACING THE PUBLIC SCHOOLS OF ALABAMA

(Mr. NICHOLS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NICHOLS. Mr. Speaker, the schools in my State opened recently for the new school year as they did throughout other parts of the country. But the public schools of Alabama find themselves facing a crisis which is not likely to be resolved in the immediate future.

Last year, every school system in Alabama operated under the so-called freedom of choice plans ordered by the Federal courts. These plans gave any student, regardless of his race, the right to attend any other school in the system. It allowed those Negro students who wished to do so to attend previously all-white schools. It also allowed white students to continue to attend the school they traditionally and customarily had attended in the past.

But the bureaucrats here in Washington and the Federal judges decided that not enough Negro students had chosen to attend the previously white schools, so this year, they ruled that freedom of choice plans, which were constitutional last year, were not constitutional this year. In other words, parents of the Negro students did not choose the way the bureaucrats and judges felt they should, so this year they are doing the choosing rather than the parents.

They have accomplished this by closing many of the Negro schools, and requiring all students to attend the previously all-white schools. In many instances, the Negro school is practically a new school with better facilities than the white school. Since most of our schools were already crowded, you can imagine what they are like with the enrollment suddenly doubled as it has been in many cases.

I have received numerous phone calls and letters during the past few days from parents in my district. These parents are not particularly concerned about the integration of these schools. Granted most of them would prefer to have their children go to school with members of their own race. But they are more concerned about the overcrowding of schools and the lack of facilities and the general lowering of the educational standards than anything else. They are concerned, too, about the long bus trips many of the students, colored and white, are required to make to school.

Mr. Speaker, this concern is not limited to white parents. Negro parents are also opposed to the closing of their schools just to accomplish integration. I have many letters from Negro students, parents, and teachers who want to remain in their own schools. In most cases they are proud of their own school, their own glee clubs and bands, their own football teams.

Because of the seriousness of the conditions in the public schools in Alabama, I have asked Attorney General John Mitchell to personally come to my State and see firsthand the problems we are facing. I sincerely hope that he will have enough compassion for the young people of my State to spend a day or two viewing the deplorable conditions that exist. If he does, I believe he will make every effort to help grant us some relief so that our educational system will not be completely destroyed.

NEED FOR PASSAGE OF PROGRAM INFORMATION ACT

(Mr. ROTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTH. Mr. Speaker, over the past 3 legislative days, I have spoken briefly of the need for passage of the Program Information Act, H.R. 338, which would require the President to publish an annual catalog of all Federal aid programs and to update the catalog monthly. As I have in my earlier statements, I would like again today to use the comments of some of our constituents across the Nation, who responded to a questionnaire I sent out dealing with the accessibility of meaningful program information.

I would like to make one point today; however, we vitally need adequate information because potential beneficiaries now are uncertain where to turn for help. In addition, inadequate, meaningless information often misleads applicants and results in the waste of precious manhours.

For example, this comment comes from a county official in California:

It would be very helpful to know that all available aid programs were outlined in one catalog . . . if we could be satisfied after a brief check of such a catalog that we had an outline of all available funding sources for a particular project or program we were contemplating, we could eliminate a significant amount of time formerly needed for "shopping around."

From colleges in New York, Michigan, and New Hampshire:

We currently spend a great deal of time tracking down from a variety of sources the kind of information you would include in a catalog. Not infrequently it is not possible to assemble a complete and current program profile.

In general, the more information you can give us in a consolidated and integrated fashion, the more intelligent will be our response to federal programs.

What we need is a better indexed, single, central catalog.

From a trade group in New England:

Many communities have the feeling they are not taking advantage of available programs because of lack of awareness.

From a city official in the East:

(a) A Comprehensive catalog would provide a guideline for government reorganization of agencies that would more efficiently combine efforts that are otherwise overlapping. This would save money for the government. (b) It would show those in need of help where to go for programs that would give such help, thereby making each program more effective. (c) Program administrators should have copies of the catalog so that families of programs can be coordinated and to guide people in the right direction if the latter apply to the wrong agency.

Mr. Speaker, I ask my colleagues this question: What is the sense of evolving a creative, innovative program to meet the needs of the people if the Government does not simultaneously provide information about the program in a central repository? Many of our efforts will be for nothing if the people back home cannot take advantage of what we do. For this reason, I urge action and adoption of H.R. 338, the Program Information Act.

I will speak on this subject again tomorrow.

ACROSS-THE-BOARD CUT BY ADMINISTRATION ON FEDERALLY FINANCED DOMESTIC CONSTRUCTION

(Mr. ALEXANDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALEXANDER. Mr. Speaker, I rise today to add my voice to those of my colleagues who have expressed their dismay and amazement at the administration's meat ax approach to the problem of inflation. To say the least, I was shocked that the new administration would just start cutting across the board without giving any apparent consideration to priorities.

I am in agreement that the problem of inflation has become a major threat to the orderly growth and development of our country. I agree that inflation has been even more cruel in its effect on our people that has the tax system which we are trying to reform. I agree that the finding of a solution to this growing problem is one of the most urgent challenges facing the administration and the Congress.

But the problem is not such that we must take actions, the results of which have apparently been given little or no consideration. The magnitude of the problem is not such that we do not have time to give thoughtful consideration to priorities for our Federal tax dollars.

In essence, how can we justify slashing haphazardly across the whole spectrum of domestic construction programs while continuing high funding for programs which, even if good and worthwhile, could be cut back or delayed with little or no effect on our domestic economy. How can we justify a 75-percent cut in federally financed domestic construction, which could lead to financial hardships for many construction companies and a possible increase in the unemployment rate?

I agree that Federal expenditures must be held in check. I agree that a Federal surplus is needed and necessary as a check on the inflationary spiral. I agree that the Federal Government must exert strong, positive leadership in the fight against the shrinking dollar.

But I do not think we would classify an across-the-board cut on all federally financed domestic construction as "strong positive leadership." I urge the administration in the strongest of terms to take a new look at this problem, to reconsider the effects of this decision on our domestic economy and on the construction industry, and to take a new look at what the priorities of this great Nation should be in this time of economic trial.

NARCOTIC DRUGS

(Mr. GALLAGHER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GALLAGHER. Mr. Speaker, it is my pleasure to announce that 35 distinguished Members of this House have joined me in introducing legislation (H.R. 13686 and H.R. 13687) designed to strike hard at the trafficking in lethal narcotic drugs.

Our legislation imposes a maximum sentence of life imprisonment on the nonaddicted person who transports narcotic drugs across State lines.

Further, our bill makes it a Federal offense, punishable by life imprisonment, for any adult person to solicit the assistance of, or to actually use a juvenile in an unlawful drug transaction.

Mr. Speaker, as I have previously reported to this body, the two areas covered by our legislation represent huge gaps in our criminal law structure; we seek to fill these gaps today.

The need for stringent Federal laws against the interstate transportation of narcotic drugs is easily seen. Although local law enforcement agencies have performed with superior skill in the drug war, both their numbers and their jurisdiction are limited.

For example, in my own State of New Jersey, the municipal and State police authorities have vigorously, and diligently pursued the battle against narcotics. But they still require, as do police authorities throughout the Nation, strong Federal legislation supported by strong Federal manpower to supplement and strengthen their own notable efforts.

We cannot deny this need. Our city and suburban sidewalks literally bulge with dope peddlers who deal in death and destruction. But, due to the gaps I have indicated, our Federal criminal machinery cannot be applied with full force against these merchants of menace.

The drug addicts themselves are really not the root of the problem. When we consider the tremendous rise in drug abuse throughout the United States, we must carefully keep in mind that the dope peddlers are the true villains of the peace. They are the malicious individuals who rape our neighborhoods and defile our society. The addict is, more often than not, merely the helpless victim of the pusher; both psychological and environmental factors have combined to put him at the mercy of the narcotics junkie.

The addicted pusher is, in a sense, caught up in the same vicious cycle as the ordinary addict; he is under some compulsion to pursue his wayward course, and is desperately in need of compassion and therapy. Accordingly, under the transportation offense section of our bill, we aim the heaviest artillery at the nonaddicted junkies, and prescribe a minimum of 10 years—hard labor—and a maximum of life imprisonment in a Federal penitentiary, for their transportation of hard narcotic drugs across State lines.

Our bill provides that the addicted narcotics transporter be committed to a Federal hospital for therapy and cure. Such commitment would be a mandatory sentence for the addict who is convicted under this section of the bill.

Mr. Speaker, we feel it is essential that the law distinguish between the ad-

dicted and nonaddicted pusher when applying sanctions to transporters. In order to knock out the trade in narcotics, we must knock out the responsible suppliers; this means the cold, calculating dope peddlers who, while not hooked themselves, willfully initiate and continue the addiction of others.

The nonaddicted junkie is the twisted animal that rests at the root of our crime problem. Indeed, most of our crime in the streets can be traced directly back to the trafficking in illegal drugs, prostitution, muggings, larcenies—these are all ultimately linkable to the drug trade. The proximate cause is evident: An addict in need of a fix is an addict who will do almost anything to get that fix. And to whom does this addict owe his misfortune and his monetary tribute? To the dope peddler, who dines at a table spread full with the products of human misery.

The perversity of dope peddling requires no sermon. But, it nevertheless boggles the mind to realize the extent to which youths have been coerced and used in the drug traffic. Schoolyards, no less than streetwalks or campus grounds, have become centers for the distribution of narcotics. It is no source of comfort to consider that our children may be walking to the welcome arms of a waiting pusher when they walk to school.

And usually, the demon who they encounter at school is not some leering adult villain; rather, narcotics are distributed in the schools through the hands of youngsters themselves who have been abused, corrupted, and exploited by the adult pusher. If and when these unfortunate youngsters are apprehended, literally nothing can be done to get at the real criminal, for it is the young person who is found with the illegal product and caught in the illegal act.

And, how much worse even than the man who just sells dope, is the man who involves a young person with narcotics? It is this man who reproduces and regenerates his own terror and perversity and who guarantees that the drug traffic will continue its flow.

It is precisely for this reason that we need legislation which would enable law enforcement officials to remove the adult who uses or who attempts to use juveniles in the narcotics trade.

The States, too, have a responsibility in this area; yet, at the present time, only six States—Colorado, Illinois, Massachusetts, New York, Pennsylvania, and Texas—have laws specifically forbidding the use of juveniles in an unlawful drug transaction.

Through our legislation, we post notice to all those who would involve young people in their vicious, venemous activities.

Let them stand warned that this Congress, this Government will not tolerate a further disintegration of our society through the slow undoing of our young.

Let the dope pusher beware that while it may be too late to save him from the perversity of narcotics trafficking, it will never be too late for this Government to stop him from destroying a child.

Mr. Speaker, the current administration has stated that it is up to this Congress to seize the initiative in the war on narcotics. We dare not shrink from the challenge or the responsibility.

The proof that this Congress has decided to raise the standard against dope peddlers is found in the wide, bipartisan cosponsorship of my bill. For there is no Republican or Democrat position on this issue, no division in sentiment between a political left and a political right. When a dope peddler poisons a young American, he does not first inquire as to his party affiliation or ethnic background.

What we need, then, is not more jails for young persons, or more cells for helpless addicts. Rather, what we require is a concerted effort to attack those who are truly at fault, those who provide the drugs and who establish the outlets for their sale.

Let us today decide to junk the junkies for once and for all.

The distinguished Members who have joined with me in this legislation, have committed their energies to the task fighting drug abuse in our society. I know that the entire House recognizes the urgency of this fight and will support it in full measure.

Mr. Speaker, in the hopes that our legislation will receive quick and favorable consideration, I am placing a copy of the bill, with a list of its cosponsors, in the RECORD at this point:

H.R. 13686 AND H.R. 13687

A bill to amend the Internal Revenue Code of 1954 to increase the penalties for the unlawful transportation of narcotic drugs and to make it unlawful to solicit the assistance of or use a person under the age of 18 in the unlawful trafficking of any such drug

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 7237 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new subsections:

"(f) Unlawful Transportation of Narcotic Drugs.—Any person who commits the offense described in section 4724(b) shall—

"(1) if such person—

"(A) is determined in accordance with section 4252 of title 18 of the United States Code not to be an addict, or

"(B) committed such offense after a prior conviction for committing such offense,

be imprisoned for not less than 10 years and may be imprisoned for any additional term of years or for life; or

"(2) if such person is determined in accordance with such section to be an addict and has no prior conviction for such offense, be committed, in accordance with chapter 314 of such title 18, to the custody of the Attorney General for treatment.

For purposes of this subsection, the term 'addict' shall have the meaning prescribed for that term by section 4251 of such title 18.

"(g) Soliciting or Using a Minor in Unlawful Trafficking of Narcotic Drugs.—Any person who solicits the assistance of another person under the age of 18 to commit, or uses such person in the commission of, the offense described in section 4724(a) shall be imprisoned for not less than 10 years (with hard labor) and may be imprisoned for any additional term of years or for life."

(b) Section 7273(d)(1) of the Internal Revenue Code of 1954 is amended by inserting ", (f), or (g)" after "subsection (b)".

LIST OF COSPONSORS

Walter S. Baring.
Mario Biaggi.
Frank Brasco.
J. Herbert Burke of Florida.
Daniel E. Button.
James A. Byrne of Pennsylvania.
Bill Chappell.
Frank M. Clark.
James M. Collins.
Dominick V. Daniels.
John J. Duncan.
Leonard Farbstein.
Louis Frey, Jr.
Samuel N. Friedel.
Richard Fulton of Tennessee.
Cornelius E. Gallagher.
Charles H. Griffin.
Wayne L. Hays.
Henry Helstoski.
Frank Horton.
Martin B. McKneally.
Robert Nix.
Maston O'Neal of Georgia.
Jerry L. Pettis.
Bertram L. Podell.
Adam Clayton Powell.
Peter W. Rodino, Jr.
Charles W. Sandman, Jr.
Herman T. Schneebeli.
John M. Slack.
Tom Steed.
Vernon W. Thomson.
Joe D. Waggonner, Jr.
G. William Whitehurst.
John Wydler.
Roger H. Zion.

CROPLAND AND WATER RESTORATION BILL

The SPEAKER pro tempore (Mr. ALBERT). Under a previous order of the House, the gentleman from Missouri (Mr. HALL) is recognized for 1 hour.

(Mr. HALL asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. HALL. Mr. Speaker, on the second weekend of August of this year Dr. Don Paarlberg, special assistant to the Secretary of Agriculture; Congressman ODEN LANGEN, chairman of the House Republican agriculture task force, and other officials of the Department of Agriculture gave very generously of their time in order to accompany me in a visit to the Gene Poirot farm near Golden City, Mo. This is the same farm that the House Committee on Agriculture took time to visit 2 years ago and this is the same Gene Poirot that testified before the committee both in the 89th and 90th Congresses. The purpose of the visit was to view personally the soil restoration and water retention program in use on this 1,900-acre Missouri farm. The Poirot family magnificently demonstrated how it has applied the basic laws of nature to farm and land management. This distinguished group saw low cost irrigation methods which have enabled the Poirots to weather successive periods of extensive drought which brought severe economic loss and tragedy to other farm operations. Then they saw, spoke with, and listened to a "man of the soil" who has had the ability to incorporate his observations and experiences in a most readable book, "Our Margin of Life," which I sincerely believe should be must reading in every school of agriculture in the United States.

Dr. Paarlberg lavishly praised this book and indicated that the Nixon administration would borrow features from the book whose concepts I have incorporated

into my farm legislation. An article in the August 10, 1969, edition of the Springfield, Mo., Sunday News & Leader, written by Frank Farmer, spells out in greater detail this successful visit. The article follows:

HALL-POIROT IDEAS TO BE PART OF NEW FEDERAL FARM PROGRAM?

(By Frank Farmer)

"When Secretary Hardin makes his recommendations to Congress, don't be surprised if you see some of the features of Doc. Hall's Cropland and Water Restoration Bill in it."

That was the comment late Saturday by Dr. Don Paarlberg, special assistant to Secretary of Agriculture Clifford Hardin.

The place was the sprawling prairie farm of E. M. (Gene) Poirot, south of Golden City. The occasion was a field demonstration on the Poirot farm to Dr. Paarlberg, Rep. Durward G. Hall, Rep. Odin Langen, Minnesota, and to conservationists and agriculturists, of row crop hydrology, water conservation and soil restoration, wildlife habitat and enhancement of natural resources.

Dr. Paarlberg's comment possibly was the most concrete hint yet of what the Nixon administration intends to do in the field of agriculture. He spoke swiftly, articulately, with poise and confidence, that appeared to make a favorable impression on the 100-plus visitors at the demonstration.

He did not staunchly confirm Congressman Hall's Cropland and Water Restoration Bill, but he praised features of it highly, and complimented Poirot on his labors and his book, "Margin of Life," which partially inspired the bill.

"I have read his book," Paarlberg said. "He has an appropriate insight into humanity, a philosophy, a sensitivity. He is also somewhat of a poet."

Paarlberg noted that his job is to help make studies that will finally lead to the recommendations Hardin will make to Congress, probably in the fall. "He has not said if it is to be general or in the form of alternatives," Paarlberg said, "if it will point in a specific direction or be left open."

"We have received various proposals, including Dr. Hall's. I have read the bill and it has features of great merit. There is a full range of farm proposals, many of them with the resource adjustment akin to those presented this afternoon.

"The idea to limit crop production is appropriate. The idea to restore resources is good. The idea to change resources as determined by market conditions is appropriate. The idea of product income is good, and the idea that the public has a great enough stake in the food resources is a good idea which the secretary and Congress will like.

"When the secretary makes his recommendations, don't be surprised if you see some of these features, but there are indications there will be other than those. The recommendations may be a synthesis of what we are able to borrow from the work of Poirot and Dr. Hall, from the experience of the Department of Agriculture, other people who have resource adjustment ideas, people on our own staff, Congressman Langen's task force and other congressmen.

"Secretary Hardin has not promised a sure-shot single solution of all of the problems in agriculture. That has been promised in the past and most have fallen far short of those promises.

"The secretary is heartened that all over the country there are programs like this. He has chosen to listen, rather than preach, study, rather than talk, to analyze before acting. The purpose of the extension of the 1965 farm program for one year was to give us time to make this study.

"When he has his studies made, he will make his recommendations. That may not be the dramatic way, but it is the sound way."

Hall, in explaining his farm bill, said, "Cropland soil, its plant food, and the water necessary to make crops grow are not expendable. If these die or disappear, the rest of the population cannot be sustained, and some will also die until these basic elements are brought back into the balance with human need.

"The basic premise of our bill is that the cost of doing soil and water restoration IS a cost of producing food. It must be paid by the consumer either directly at the store, or indirectly through the government which is ALL the people. It must result in voluntary and honorable profit to the farmer. He must be considered and respond with expertise.

"The basic approach is to offer farmers a 'second market' by the opportunity to shift a percentage of cropland to the production of a suitable cover crop for his particular region, such as sweet clover, plowed under, with the government paying a fair price per dry-weight ton, and with the farmer free to choose between this market, or the consumer market for food and fiber he would otherwise grow."

Hall noted that under the "second market" plan three important objectives would be met:

1, Each farmer would be given a chance to earn a minimum fair net income for values accomplished, without a chance to produce a surplus of questionable quality, or later, the need of producing it to pay costs.

2, Each farmer would be given the opportunity to adjust his participation to the size of his own problem. He could use all, or none, of his land, one year at a time.

3, Each farmer would be given not only a chance, but the incentive to use the science of agriculture to solve his own individual problems relating to his land, without creating a problem of over production for others.

Dr. Hall was asked four questions by a reporter:

Q: "Where will the money come from?"

A: "From the taxpayers' pocket. It is of direct benefit to them."

Q: "How much will it cost?"

A: "We estimate $2.6 billion, a reduction of $6 billion from the cost of the current program."

Q: "Who would administer the program?"

A: "The Department of Agriculture through the ASCS offices, with a man on the spot at time to plow or cut."

Q: "Would it supplant the current programs entirely?"

A: "Yes."

Now, Mr. Speaker, I am introducing today an updated farm bill which is largely based on Gene Poirot's observations and recommendations, and which offers to this body, to the Nixon administration, to the farmers and consumers of this Nation: a new concept, a new and fresh approach to the farm dilemma, which has plagued without exception every administration in office for the past four decades. This bill is entitled the "Cropland and Water Restoration Bill."

Effective agricultural production depends upon a suitable supply of air, sunshine, soil plant food minerals, and water. Any one or all of these can limit agricultural production. In general, soil plant food minerals and water are the limiting factors. These four are nature's requirements and will continue to produce food and fiber without man. When man enters agricultural production as a farmer, and as a consumer paying the farmer for producing his needs, science becomes necessary for the farmer and economics becomes necessary to provide an orderly means of exchanging products between them.

During our past agricultural history, farmers have produced more in food and fiber—under an unorganized business—than nonfarmers would buy; so, many farmers went to town. The result is our industrial prosperity built upon a great agriculture now nearing its top in capacity to produce for an ever increasing demand.

So as to raise our agricultural soils and water resources to a higher level of production in a scientific manner, and so as to prevent unfair low prices to the farmer and unfair high prices to the consumer, and so as to continue to have an efficient national agriculture capable of growing abundance for the consumer at a reasonable cost to him and without producing an unwanted surplus yet flexible enough to readily meet the new demands, a new type of farm program has been suggested, called "A Second or Escape Market for the Farmer."

In operation the second market would—

Buy tons of a suitable crop which by its growth and yield would—

Prove the degree of soil restoration and water conservation accomplished and paid for by the farmer—

In any amount of tons the farmer wants to sell—

At a fair price announced each year but above an approved standard such as a minimum wage, parity or share of national income—

Grown on any part or on all of his cropland—

Leaving the farmer the choice of selling to the Government or of otherwise disposing of the crop without Government payment.

In actual practice in Missouri, for example, the second or escape market would offer to buy sweet clover or its equivalent growing alone for 1 year at $25 per dry weight ton to be plowed under. If the farm had a pond approved by the SCS for irrigation and flood control or other practices of special value the suitable crop would be worth say $30 or more per ton. The weight and rent per acre would be figured on the spot for the farmer to accept or reject the offer.

In the past, the surplus seemed the only problem, so economists and politicians—few of them farmers—were given the job of reducing it. Various farm programs, at a great cost, have worked at doing so for more than 30 years. They have been successful but they have also disregarded the following important items:

First, soil and its plant food minerals: 37 percent of the topsoil is gone beyond repair. As late as 1963 we were still using and wasting three times as much plant food as we returned in all fertilizers. There is no program to change that course.

Second, water: It falls on the land in abundance. Agriculture needs it in great amounts for efficient production. Farm programs have, perhaps by necessity, ignored it as a vital part of agricultural production and have seldom made any effort to conserve it.

Third, farmers: 70 percent of them are in the poverty group, family net income of $1,851 in 1965. The average income of all of them about 64 percent of

that of the nonfarm population. In previous years, it was 50 percent or less. Farmers cannot control the price of what they buy or sell. They have no control over the research done for them. They have no control over the farm programs. They are penalized if they do not participate. They do not agree on a policy of their own or on Government programs. There is no leadership.

Fourth, consumers: Programs were to increase the prices to the consumer by reducing the surplus. When the program was getting it done in 1966 the consumer objected and prices started down for the farmer but up for the consumer with the farmer taking the blame. No one told the true story. Farm programs should give first consideration to the consumer who is the only reason for farming. The program should open the door to science to provide the best food of the highest nutritional value in an efficient way at reasonable cost and it should protect the potential—soil, water, research, and farmers—for producing such food in the next generations.

The Poirot suggestion, called a second market for farmers, differs in that it is based upon further developing soil and water resources—not limiting them—according to the teachings of scientific agriculture—not politics and economics alone—as we know it now and as more facts become available through research. By all college of agriculture's standards, this is called "good farming."

The program differs by offering a fair money reward for good farming—not a stingy amount of relief money for idling land as in the soil bank. Not large sums of money for surplus control to those on rich land where there is no problem, and only one-third as much per acre to those on poor land, needing fertility, water, and the money to buy them. The second market buys only proven results, regardless of the political power a group may have, or the richness of the soil. It does not pay for storing large amounts of surplus products, or large sums for giving them away later.

The program pays at a minimum wage or parity level for the services it buys from the farmer. Any product he grows which yields less net income per acre is at once a surplus so he shifts farming efforts and the troublesome land to the second market provided by the Government for developing its soil and water resources to a higher level of more economic production.

Since yield per acre, market price, and local costs are all factors in net profit a change in any one of them can cause acres to be shifted into or out of production under the second market program. This is far more flexible than any directive delivered from Washington, D.C., could ever be because the individual farmer makes the deicsion on his farm.

The evident results are "good farming" at a high level of efficiency. Run by farmers, producing above the poverty level at a reasonable price for the consumer without danger of accumulating a surplus and without the sting of "farm relief" and "subsidy" attached.

Another result will be a permanent system for agricultural production with little or no competition from the off-the-farm people who either own already rich land or can restore soil and water resources to make it so and thereby gain income tax relief. If the land should become rich, beyond our food and fiber needs, industry can find use for the products it will grow at low cost to make them into products people will need. Many such products are already known. Research will find others. Other uses for any extra land could well be environment controls to hold insects and diseases in check; restoration of wildlife habitat; ponds for farm and community water supplies where nitrate poisoning in wells becomes a health hazard; the preservation of virgin stands of grasses and timber, and beautification in general are a few. The extra good land we had when Columbus discovered America was never a liability.

Unlike past and present programs, the "second market" program offers the dairy and livestock farmers a defense against low market prices and high costs by giving them a chance to make money by selling their low producers while building up more productive land, and growing more efficient animals. Because of the mild climate, south Missouri dairymen can compete with any farmer if they enrich their soils and provide cheap water to irrigate the crops growing on them.

The "second market" program gives the small farmer, raising a large family but lacking credit and information, a chance to compete with the large farmer who has credit and information but who must hire help. The Government second market gives both the same chance for soil restoration and water conservation with the help of already available county agents and SCS engineers. Small productive Ozark bottom fields, cheap hillside pastures and a large family can produce a lot of wealth with a little help in the selection of more valuable crops and soil restoration and water conservation.

The soil bank bought land abandonment at a per acre figure already distressing to the farmer living on it. The community lost the farmer as a customer and the chance to haul and process the products of his abandoned land. The "second market" program retains the farmer as a customer, restores the capacity to produce to the land so it can meet the competition of better lands and farmers elsewhere and serve in the economic development of the community.

The amount of money appropriated for present programs is not determined by any specific guides. The amount of money to be appropriated for the "second market" program is to be an amount large enough so that the farmers of the Nation will return to the Nation's soils in total as much plantfood each year as that used, wasted, and lost in agricultural production. The figure will probably not be too high because as consumer market prices go near to where they should be, farmers will use more fertilizer to supply that market.

Let us remember: Human bodies and minds are the final product of agriculture.

To protect those bodies and minds from disease we support the best scientific laboratories in the world. We require doctors to be trained for years in using the best science has to offer, before they get a license to touch human bodies.

Our Armed Forces are geared to protect them from an enemy attack with the best in science, skills, and machines money can buy.

Is there any sensible reason for denying agriculture the money to encourage farmers by this "second market," or by any other means to use science in restoring and preserving our food producing soil and water resources so vital in guarding the health and growth of human bodies from the moment of conception to death?

Administrative costs should be less. There would only be one crop to measure; participation would be checked only on those farms selling to the second market. There would be no surplus to measure and give away. There would be no "cost sharing" for fertilizer, lime, terraces and many other activities now requiring many more people than were needed a few years ago.

In return for the administrative costs there would be something bought of great value to all people, soil restoration and water conservation.

To summarize then Mr. Speaker, there is no doubt that the farm policies of the past are reaping a bitter harvest today.

The American farmer, uneasy and restless, because of the unstable trend of agriculture, needs a new seeding of ideas. Ideas that will necessitate the plowing of new ground, to revive and bring forth new fruit in the orchards of the economy of the Nation's largest business.

To that end, Gene Poirot, a man of the soil, a master farmer, author of the book, "Our Margin of Life," who has applied the fruits of science and technology to his farm operation on wornout acres, members of the Missouri Seventh Congressional District farm advisory council, and myself, have put together some ideas for legislation that we call the cropland and water restoration bill. I think, that contained in this measure, is a better way to meet the farm challenge, based on concepts that any farmer can understand, and on concepts which if properly explained to the public, will erase the popular conception that farmers are being paid not to grow food and fiber.

The backbone of this legislation is for soil and water restoration, the incentive to accomplish both, with a realistic profit margin for the farmer.

It is important to remember, that it is not the big farmer—that is, the one with top-quality land, adequate water, and sufficient capital—who needs the help. It is the farmer on marginal land, with the ever-present threat of inadequate rainfall, with little capital and no margin for error, and no control of the market forces, who is in real trouble. Yet it is this same man who under the farm policy of the past two decades or more, receives the least Federal assistance, while the man who already has everything going for him—including rich soil—benefits the most from present

farm program outlays, even to the point of not properly using the resources.

The Hall farm bill—the cropland and water restoration bill—makes clear that cropland soil, its plant food, and the water necessary to make crops grow, are not expendable. If these die or disappear, the rest of the population cannot be sustained, and some will also die until these basic elements are brought back into balance with human need.

The basic premise of our bill is that the cost of doing soil and water restoration is a cost of producing food. It must be paid by the consumer either directly at the store, or indirectly through the Government which is all the people. It must result in voluntary and honorable profit to the farmer. He must be consulted and respond with his expertise.

The basic approach is to offer farmers a "second market" by the opportunity to shift a percentage of cropland to the production of a suitable cover crop for his particular region, such as sweet clover, plowed under, with the Government paying a fair price per dry weight ton, and with the farmer free to choose between this market, or the consumer market for food and fiber he would otherwise grow.

Under the "second market" plan three important objectives would be met:

First. Each farmer would be given a chance to earn a minimum, fair net income for values accomplished, without a chance to produce a surplus or questionable quality; or later, the need of producing it to pay costs.

Second. Each farmer would be given the opportunity to adjust his participation to the size of his own problem. He could use all, or none of his land, one year at a time.

Third. Each farmer would be given not only a chance, but the incentive to use the science of agriculture to solve his own individual problems relating to his land, without creating a problem of overproduction for others.

The results that would occur would be—

First. Surplus control would be done by farmers, voluntarily.

Second. Abundance would be assured in a steady, nutritious supply, at a reasonable price for the consumer.

Third. Net profit to the farmer would be assured at or above the parity of top income level.

Fourth. Above that level, the consumer would regulate the price by his demands. At that level, the farmer would regulate the price of what he buys by his demand and/or options.

Fifth. The Nation would be assured of a permanent potential in case of emergencies for the production of food and fiber by a constant program of soil and water restoration.

It is my feeling that this cropland and water restoration bill, with the built-in feature of a "second market" could become the answer to what has been termed our national disgrace, the seemingly insoluble farm problem. It is truly based on the balance of nature, "our margin of life."

LEGISLATION TO CONTROL AND SUPERVISE PRIVATELY CONTROLLED TAX-EXEMPT FOUNDATIONS AND CHARITABLE TRUSTS

The SPEAKER pro tempore (Mr. ALBERT). Under a previous order of the House, the gentleman from Texas (Mr. PATMAN) is recognized for 15 minutes.

Mr. PATMAN. Mr. Speaker, I would like to unfold another chapter in the continuing story of privately controlled tax-exempt foundations.

The bill introduced today by me with Congressmen EVINS, ADDABBO, and BUTTON coauthors, has been needed over a long period of time. It is referred to the Committee on Ways and Means for consideration.

As we look upon our great country today, we see the big corporations, the big banks and the privately controlled tax-exempt foundations closing their hold on the economic windpipe of America.

The average American citizen is overburdened with taxes and unable to obtain mortgage money, even at the present high interest rates, to buy a home. The small businessman is hamstrung by his inability to obtain a loan despite high interest rates, and is competing against tax-exempt business.

We have the highest interest rates in our history; the greatest concentration in our history of financial, economic and business power in the hands of the big banks, big corporations, and the conglomerates. Privately controlled tax-exempt foundations and charitable trusts add a further dimension to the problem. Tax exemption places an additional burden on the average taxpayer who must pay from his pocket what the tax-exempts do not pay, or what is lost through tax deductible contributions to such organizations.

In 1962, in the original report of the Subcommittee on Foundations, which I as chairman issued, I pointed out that for the 10-year period from 1951 to 1960, almost $7 billion in receipts of 534 foundations was not subject to taxation. In the one year, 1951, these receipts had amounted to $554 million, but by 1967, $1¼ billion in receipts of 647 foundations were being siphoned off, in that one year alone, from the taxable income of this Nation. From 1961 to 1967—a 7-year period—receipts of the foundations studied—575 to 647—totaled $8.7 billion or 25 percent more than for the preceding 10 years from 1951 to 1960 for the 534 foundations studied.

On an accumulated basis from 1951 to 1967, almost $15.7 billion had been received by such organizations. Of this $15.7 billion, a little less than half, or $7.3 billion, came from such sources as business income, interest, dividends, rents and royalties. Over half of the balance, or $4.1 billion, came from capital gains on the sale of assets and the remainder, $4.3 billion from contributions, gifts, and grants.

It is clear that foundation-controlled businesses are competing with tax-free dollars against the average businessman who is at a disadvantage because of his taxpaying requirements. Further, it is obvious that there is a great deal of speculative activity in the securities field—note the capital gains. Our latest report shows that 154 of 647 foundations, or almost 25 percent held sizable amounts of stock, from 5 to 100 percent, in 313 corporations. At the close of 1967, the carrying value of these shares was $2.7 billion with an estimated market value of $6.2 billion. These holdings have a powerful influence on control situations, in the marketplace and in proxy solicitations.

When we take a look at the market value of total corporate stockholdings by these foundations, we find that their holdings amount to the staggering sum of $13.1 billion, or almost 80 percent higher than the holdings at the end of 1960. In a similar vein, these foundations had total assets at market value at the end of 1967 of $17.8 billion as compared to some $10.2 billion at the end of 1960, an increase of almost 75 percent. To place this in perspective, the $17.8 billion valuation is half as much again as the $11.8 billion of the capital stock, surplus, undivided profits and contingency reserves of the 50 largest banks in the United States.

What have these foundations done with these tax-free dollars? In the years 1951 through 1967, these foundations disbursed, out of $15.7 billion in receipts, $9.9 billion of which $1.9 billion, or almost 20 percent was paid out for expenses, and $8 billion was distributed for contributions, gifts, and grants. In other words, it cost the foundation $25 in expenses for every $100 of contributions, gifts, and grants made. However, this is an average figure. For 1967, it cost the foundations $33 in expenses—$253 million—for every hundred dollars in contributions, gifts, and grants made—$754 million. Further, the $8 billion in contributions, gifts, and grants represents only about one-half of the receipts for this period.

Privately controlled tax-exempt foundations and charitable trusts are established to distribute their tax-free dollars for the worthy purposes for which tax-exemption status was granted. Has this been done? No indeed. As of the close of 1967, the accumulated unspent income exceeded $2 billion as compared to $367 million at the end of 1951, or an increase of almost 500 percent with no signs that such accumulations are at an end. In addition, their capital structure is constantly increasing.

When we consider that this incredible tale covers only 647 of some 30,000 foundations, even though these include most of the larger ones, the tremendous impact can only begin to be realized. Further, such organizations are proliferating at the rate of some 2,000 each year.

The Internal Revenue Service and the Treasury Department has admittedly been extremely lax in their surveillance of these organizations. It took them years to supply the Subcommittee on Foundations with a listing of these organizations. Shortly, thereafter, a large number of corrections to this list were made. They have proven themselves unable to exercise the close supervision and control

over these organizations for which the average taxpayer and the small businessman of this country are crying aloud. While the tax problem is an important one, there are many other aspects of foundation operations which require the closest scrutiny.

We have built a Frankenstein monster, which together with high-interest rates, the big greedy banks and big corporations will continue to choke economically our average taxpayer and small businessman. We cannot let this happen. We must take action now.

In 1962, I made a number of specific recommendations on this subject, based on the abuses which were uncovered. They are as applicable today as they were then and at this point I would like to insert them in the RECORD:

1. In my view, consideration should be given to a limitation of 25 years on the life of foundations instead of permitting them to exist in perpetuity.

2. Tax-exempt foundations should be prohibited from engaging in business directly or indirectly.

Foundations controlling corporations engaged in business, through the extent of stockownership in those corporations, should themselves be deemed to be engaged in that business.

3. Commercial money lending and borrowing by foundations should be banned.

4. Arms-length relationships should be enforced. A foundation should not be permitted to use its funds to grant benefits to a controlled company's employees. This is quite a competitive advantage.

5. Foundation or donor solicitation or acceptance of contributions from suppliers or users of goods or services should be prohibited.

6. A foundation should not be in the position of exercising control over any corporation, directly or indirectly. In my view, all foundations should be limited to ownership of no more than 3 percent of the stock of a corporation and should not be allowed to vote stock.

7. Standards should be established with respect to foundation behavior in a proxy fight.

8. Another area that needs consideration is that of investments. There is a sharp difference between investing in securities and speculating or trading in securities. In other words, there is a difference between being a passive investor and an active securities merchant or gambler.

9. Is the tax law sound in permitting a deduction for charity to a person who merely transfers funds to a foundation that he himself controls, where the money has not as yet reached actual operating charities?

In my view, a contributor should not be allowed a deduction for payments to a foundation that he controls until the foundation actually uses the money for charity. The foundation should be recognized as being the alter ego of the controlling contributor. Income earned by the foundation should be taxable to the controlling contributor until put to charitable use.

10. Exemption should be denied if a foundation has been formed or availed of for tax avoidance purposes or to get financial benefits for the contributor. Conversely, a controlled corporation should not be allowed a contribution to a foundation, but instead the payment should be considered as a dividend to the controlling stockholder where the amount is significant and the foundation is unrelated to the business purpose of the corporation.

The tax law says that a foundation's earnings may not inure to the benefit of any private individual. It should be made clear that "individual" includes corporations and trusts.

11. Isn't there something out of gear with the tax law that, under the guise of charity, permits a taxpayer to actually enrich himself at the cost of all other taxpayers? One answer may be to treat gifts to foundations in the same way as private gifts, and figure them at the cost of the property given or their value, whichever is lower.

12. In the case of corporations that are treated like partnerships (Subchapter S, Chapter 1, Internal Revenue Code), contributions to foundations should "pass through" to the stockholders and be included pro rata as contributions by the stockholders personally. In that way, the 20 percent and 30 percent limitations on contributions will be maintained. At present, through the mechanics of Subchapter S (Chapter 1, Internal Revenue Code), an extra 5 percent of the corporation's income becomes deductible by the stockholders.

13. For the purpose of figuring the accumulation of income, contributions to a foundation and all capital gains of the foundation should be considered as income, and not capital. Both the original contribution and the income from it are ordinarily available to the foundation without distinction.

This would eliminate a device for avoiding unreasonable accumulation of income: contributions from one donor-controlled foundation to other foundations controlled by the same donor.

14. For the purpose of computing the accumulation of income, amounts unreasonably accumulated in corporations controlled by a foundation should be added to the foundation's direct accumulation as if the two were one.

15. Corporations controlled by foundations should be subject to the unreasonable accumulation earnings tax in section 531 of the Code. At present, that tax is imposed where dividends are held back to save tax for stockholders. It should also apply where dividends are held back to save the existence of unreasonable accumulations for foundations otherwise exempt from tax.

16. Re gift and estate taxes:

(a) Exclude from the base for the marital deduction amounts left to foundations that are hence untaxed.

(b) While amounts given to foundations are not subject to gift and estate taxes, the rate brackets to be applied to amounts that are taxable should be the same as if the foundation amounts were part of the taxable gifts or estate.

17. Consideration should be given to a regulatory agency for the supervision of tax-exempt foundations.

18. A penetrating review of every application for tax exemption is needed.

19. All matters relating to the granting or denial of tax exemption, as well as revocations and penalties, should be made public.

20. The full content of foundation tax returns should be open to public inspection.

21. A national registry of all foundations should be published annually.

22. The tax returns of foundations should require disclosure of amounts spent for instigating or promoting legislation, or political activities, or amounts paid to other organizations for the purpose.

23. The returns should likewise require disclosure of amounts spent for TV, radio, and newspaper advertising.

24. The returns should call for a description of all activities, directly or indirectly engaged in by the foundation, in which commercial organizations are also engaged.

25. The program of field auditing returns of foundations should be greatly expanded.

26. Stiff penalties and revocation of tax exemption for improper or insufficient reporting would help curb abuses.

Mr. Speaker, these and other reforms are vitally necessary.

H.R. 13270 which was recently passed by the House contains provisions dealing with some of these abuses; others still remain.

I am, therefore, introducing legislation to establish an independent Federal agency to control and supervise these organizations. The agency, the Private Foundation Control Commission, would be headed by three Commissioners appointed by and reporting to the President. It would—

First, provide general leadership in the identification and solution of problems relating to private foundations;

Second, facilitate the enforcement of internal revenue laws and regulations relating to private foundations and aid in the development of a more equitable tax structure with respect to such foundations;

Third, develop and recommend to the President and the Congress policies and programs designed to ameliorate the problems relating to Federal taxation and regulation of private foundations; and

Fourth, establish and administer a comprehensive registration and reporting system for private foundations and to determine and centrally record the financial and other operations of such foundations in order to assist in the accomplishment of the foregoing objectives.

The agency would be self-sustaining by assessing against the foundations a registration and an annual maintenance fee to cover the agency's administrative costs. This fee would not be a substitute for the 7½-percent tax on net investment income contained in H.R. 13270 recently passed by the House.

Your support is solicited for consideration and speedy action on this legislation to cure this ever-growing problem.

THE ARMS TRADE—PART IV

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. COUGHLIN) is recognized for 15 minutes.

Mr. COUGHLIN. Mr. Speaker, last week week King Idris of Libya was overthrown by a small group of radical military officers. Whether or not this coup will ultimately prove to be beneficial to Libya's, America's, or the West's best interests remains to be seen. But what is certain at this time is that a regime friendly to the West has been overthrown by an unknown quantity armed with Western weapons. It is also certain that the unrestrained trade in conventional arms by the great Western industrial powers helped provoke this latest incident.

According to the Institute for Strategic Studies in London, Libya's military posture in the spring of 1966 was as follows:

LIBYA

GENERAL

Population: 1,610,000.

Voluntary military service; a conscription bill is to be introduced during 1966.

Total armed forces: 7,000.

Defence estimates 1965: £L5,000,000. ($14,000,000).
Total expenditure 1965: £L85,801,430.

ARMY

Total strength: 6,000.
1 armoured and 5 infantry battalions equipped mainly by Britain.
2 artillery battalions equipped by the USA.

NAVY

Total strength: 200.
1 corvette.
2 inshore minesweepers.

AIR FORCE

Total strength: 800.
6 light aircraft and a C–47 transport.
2 T–33 jet trainers.
Some more T–33s, about 6 C–47s, and 2 helicopters may be supplied by the USA.

POLICE

Total strength: 12,000.
In Cyrenaica the Police (CYDEF) is a stronger military force than the regular army. It has recently been given the responsibility of guarding oil installations against the threat of sabotage.

AID

Army personnel have had training from the British and US military missions in Libya, some Naval cadets have been training in the UK, and about 50 pilots in Germany and the USA. A few military personnel are also being trained in the Italian, Greek, and Turkish forces.

From all other indications, the Libyan defense posture changed little in the next 2 years.

But in 1968, Great Britain concluded a $280 million sales agreement with the Libyans which included supplying sophisticated Thunderbird and Rapier antiaircraft missiles, elaborate radar equipment, and various other air defense gear.

At the same time, the United States agreed to sell Libya 10 F–5 Freedom Fighter jets, despite the fact that Libya had—and apparently still has—no personnel capable of flying or servicing them.

In early 1969, Libya agreed to purchase a large supply of British Chieftain tanks and self-propelled cannon. All of this equipment, including the air defense missiles and jets, is estimated to cost the Libyans approximately $500 million.

What becomes obvious is that Great Britain, and to a lesser extent the United States, in their eagerness to sell weapons, have convinced Libya to spend nearly 36 times its entire annual defense budget—$14 million versus $500 million—on arms it cannot operate and certainly does not need.

As the New York Times of September 2, 1969, pointed out:

Many of the members of the revolutionary council (who overthrew King Idris) are believed to be air force officers who acquired stature recently with the conclusion of a large air defense agreement with Britain.

Stripped of all gloss about how such a sale adds to "the defensive strength of the West," the case of Libya's recent military buildup amounts to a clear attempt by Britain and the United States, both of which have crushing balance-of-payments deficits, to ameliorate their international monetary problems by selling arms to a nation with some ready gold. Ten years ago, when Libya was poor, no one wanted to sell or loan the country anything. Now that Libya is rich, suddenly it needs the most sophisticated military equipment in the world. The expansion of its oil industry requires a natural expansion of its border police, but certainly not to the tune of 36 times its entire defense budget.

Yet no one asks: Where is the war? Who is Libya's enemy? Where is the threat? Just sell them all the arms you can, take the money, and then show surprise when a group of military officers, puffed up by the inordinate infusion of arms you just sold them, makes a grab for power.

If the situation were not so serious, it would be ludicrous.

I believe it imperative that the great arms suppliers of the world—the United States, the Soviet Union, Great Britain, France, West Germany, Italy, Sweden, Canada, and the rest—must stop this kind of thing. That is why I have repeatedly called for the question of conventional arms control to be added to the agenda of the forthcoming strategic arms limitation talks in Geneva, and why I once again ask that our Government take the initiative and seek to have it included.

How many military coups must there be before the great arms suppliers learn that there exists a deadly relationship between both the quantity and the quality of arms in a country and the behavior of the military using those arms? And how long will it take before the great arms suppliers realize that the trade in conventional arms which they so assiduously promote is ultimately detrimental to their own interests?

FTC ORDERS FULL-SCALE INVESTIGATION, PROSECUTION IN MAGAZINE SUBSCRIPTION SALES FRAUDS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ROONEY) is recognized for 20 minutes.

Mr. ROONEY of Pennsylvania. Mr. Speaker, several months have passed since I last addressed my colleagues on the despicable methods by which magazine subscription sales frequently are conducted.

My silence has not been the result of any shortage of new evidence of deception, fraud, or intimidation in the sale of magazine subscriptions. To the contrary, this time has been utilized to explore various unscrupulous practices in depth and to press for effective corrective action by several means.

I am pleased to announce today that the Federal Trade Commission has now launched a full-scale nationwide investigation to gather evidence for legal action against magazine subscription sales companies which are continuing to use deceptive sales practices.

This investigation is the direct result of two inquiries by the FTC into evidence I was able to uncover to establish that an FTC-endorsed "code of fair practices" which supposedly controls sales activity in the subscription industry is not being observed by many magazine sales organizations.

The initial FTC inquiry was a limited field survey conducted primarily in Pennsylvania and New Jersey. It established that there are numerous abuses occurring in the two-State area, despite implementation of the fair practices code in January of 1968.

The second inquiry, conducted through the FTC's 12 regional offices around the Nation, was intended to determine what impact the fair practices code has had upon the deceptive and fraudulent sales tactics which have marked the magazine selling industry for decades.

FTC Chairman Paul Rand Dixon has advised me:

Our investigation of the impact of the PDS Code indicates that the Code does some good and that it probably has sufficient potential to justify continued Commission approval. I hasten to add, however, that the question of continued approval has not been decided by the Commission.

Although the PDS Code appears to be serving a useful purpose in assisting some consumers, it has not effectively stopped the flow of complaints regarding magazine subscription solicitors.

Accordingly, the Commission has now directed its staff to review the files and to promptly investigate all indications of law violation with a view to recommending issuance of formal complaints where justified. The staff has advised me that a further field investigation involving several of our field offices will be initiated in the near future.

This investigation will be given the highest priority.

Mr. Speaker, since February I have been identifying specific bad practices, naming names, and identifying companies. Although some steps have been taken by some companies to stop abuses, I find that in too many instances the company effort has been too little and too late.

Unless far more decisive steps are taken promptly, this industry risks its own destruction. It is still my contention, however, that more than self-regulation will be required to keep deceptive practices from gaining a new foothold, if in fact they can be rooted out. For that reason I will continue to submit evidence to the FTC to establish that the code of fair practices, now being administered by the magazine industry through its Central Registry of Magazine Subscription Solicitors, can never hope to provide the degree of protection against deception and fraud to which the American consumer is entitled.

In pursuing the new investigation to gather evidence for legal action against offending magazine sales companies, the FTC investigators have met with officials of some of the Nation's leading publishing houses which operate magazine sales subsidiaries—Hearst Corp., Cowles Communications, Inc., and Time, Inc. A similar meeting with the former Curtis organization is planned.

These meetings are not intended to imply that subsidiary sales companies of any or all of these publishing companies will be the subject of FTC action. However, they are being advised that past and present sales activities and practices are being examined closely.

I previously identified a subsidiary of the Hearst Corp., International Magazine Service of the Mid-Atlantic, and five

subsidiaries of Cowles Communications, Inc.—Home Reader Service, Home Reference Library, Civic Reading Club, Mutual Readers League, and Educational Book Club—as the sources of most of the complaints of sales abuses I have received from all parts of the country.

Abuses by Cowles subsidiaries have been the subject of so many complaints, I recently outlined some of these abuses in two letters to Gardner Cowles, chairman of the board, with an appeal that he intervene personally to correct them. Mr. Cowles has assured me of his concern and has outlined a series of specific steps he is taking to combat abuses within his own subsidiaries.

I include this exchange of correspondence, as well as a recent letter from Chairman Dixon relative to the FTC investigation, in the RECORD. I should also like to include a letter from Richard Maxwell, president of the National Better Business Bureau, Inc., as well as an article by Arthur F. Rowse, special writer for the Washington Star, which provides further proof that the deception and fraud continues.

In addition, I would like to insert in the RECORD a column I have prepared for the "Action! Express" public service feature of the Easton, Pa., Express newspaper in which I trace my investigation of magazine subscription sales abuses to the present time.

The above-mentioned material follows:

FEDERAL TRADE COMMISSION,
Washington, D.C., August 12, 1969.

Re PDS Magazine Subscription Code, File No. 673 7038.

Hon. FRED B. ROONEY,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROONEY: This is in response to your letter of July 16, 1969, regarding the current status of the Commission's inquiry into the effectiveness of the PDS Code in stopping illegal practices of door-to-door magazine subscription solicitors. Your continued cooperation in this matter is greatly appreciated.

Our investigation of the impact of the PDS Code indicates that the Code does some good and that it probably has sufficient potential to justify continued Commission approval. I hasten to add, however, that the question of continued approval has not been decided by the Commission.

Although the PDS Code appears to be serving a useful purpose in assisting some consumers, it has not effectively stopped the flow of complaints regarding magazine subscription solicitors. Accordingly, the Commission has now directed its staff to review the files and to promptly investigate all indications of law violation with a view to recommending issuance of formal complaints where justified. The staff has advised me that a further field investigation involving several of our field offices will be initiated in the near future. This investigation will be given the highest priority.

I am sure that the information you refer to in your letter will be very useful in our continuing investigation and I have instructed the staff to take full advantage of your offer of assistance and cooperation. Thank you again for your helpfulness.

With best wishes, I am,

Sincerely yours,

PAUL RAND DIXON,
Chairman.

COWLES COMMUNICATIONS, INC.,
New York, N.Y. June 2, 1969.

Hon. FRED B. ROONEY,
U.S. Congress, House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROONEY: Thank you for your letter of May 22nd.

I want to assure you that I am just as concerned as you are by the evidence of some deceptive practices in the sale of magazine subscriptions.

I am initiating a thorough investigation so far as our own subscription subsidiaries are concerned, and I want to assure you that all of the executives here are determined to find a way to stamp out any improper sales tactics.

We take pride in the good reputation of this company and we do not propose to allow that reputation to be tarnished.

Sincerely,

GARDNER COWLES.

MAY 22, 1969.

Mr. GARDNER COWLES,
Chairman of the Board,
Cowles Communications, Inc.,
Des Moines, Iowa.

DEAR MR. COWLES: You are aware, I am certain, of my deep concern regarding the manner in which certain magazine subscription sales organizations are conducting their sales.

Enclosed is a statement from the Congressional Record in which I discuss practices which are being utilized by various Cowles subsidiaries. The statement is self-explanatory.

I know that the practices described are not limited to a few individuals or a few franchises in isolated parts of the country. I have polled the Attorneys General of every state and a number of them have singled out various Cowles subsidiaries for special comment regarding deceptive practices.

It appears to me that some basic policies of Cowles Communications are in need of revision and that effective action can best begin at the very top. I urge that you consider this matter seriously and that effective action be taken.

I am certain you share my view that the publications which are offered for sale by your subsidiaries can be sold in reasonable quantities on their own merits, without gimmicks designed to confuse or mislead the purchaser.

With kind personal regards, I am,

Sincerely yours,

FRED B. ROONEY,
Member of Congress.

JULY 15, 1969.

Mr. GARDNER COWLES,
Chairman of the Board,
Cowles Communications, Inc.,
New York, N.Y.

DEAR MR. COWLES: I thank you for your letter of June 2nd evidencing your personal concern regarding sales practices being used by Cowles' subsidiaries which are engaged in magazine subscription sales.

Naturally, I have no way of knowing what method of investigation you are employing. However, if you merely question top echelon personnel, you will receive the "propaganda" which has been supplied freely to me and which is readily offered for public examination. This material reflects great concern that fair sales practices be adhered to, etc.

There is no offer to disclose the sales practices which are recommended by word of mouth and through personal contacts by officials of the Cowles subsidiaries to franchised dealers. Nevertheless, my own investigation is producing these in quantity, along with testimony of personnel who have been instructed by directors to use a variety of deceptive and fraudulent practices, "because they are boosting production for this dealer or that dealer."

I have received reports from dealers that they were relieved of their franchises because they refused to follow the "suggestions" of directors (who earn their keep by commissions, incidentally) to employ sales pitches which were untrue. Further, despite denials by some of the corporate officers of Cowles' subsidiaries that dunning tactics are being used in collection, I continue to collect dunning letters under recent dates from a large array of your franchises around the country.

So-called "unauthorized" but identical 48-hour "Notices of Court Action" continue to flow from various franchise offices of Home Reader Service, Civic Reading Club and other subsidiaries to collect sums often amounting to less than $10. These are in direct violation of the code and are not to be found in the "collection letter series" supplied to me as evidence of fair practices employed by Civic, for example.

Recently, a quantity of Civic Reading Club contracts containing hidden gift subscriptions—outright fraud—came into my possession. I have contacted these subscribers in writing and have determined from a number of them they have no knowledge of persons identified on their contracts as having received free subscriptions to Look at their expense. This material is being turned over to U.S. Postal inspectors.

There are still other aspects of the operations of various Cowles subsidiaries I am investigating now which may prove even more serious.

What steps you personally take to stamp out these practices are, of course, your concern. I merely want to point out that Look magazine utilizes top flight investigative reporters to develop some of its enterprising exposes. If you were to turn some of these reporters loose on a confidential investigation of the manner in which your subscription sales subsidiaries are being run, and have been run over a period of years, I venture that your eyes will be opened.

Again, I do appreciate your concern and I sincerely hope you will be successful in identifying the upper echelon personnel who are responsible for the unsavory manner in which business is being conducted.

Incidentally, I have touched upon only a few of the abuses my own investigation is revealing. For example, even reports that unscrupulous sales personnel are dismissed prove to be shams—the personnel are simply transferred to other communities to carry on their productive but despicable practices.

I am enclosing several letters which will help to demonstrate that I'm not talking off the top of my head.

Further, it has come to my attention that some rather extensive personnel changes are occurring at upper echelons within the sales subsidiaries. This may be the result of reports circulating within the industry that two of the Cowles subsidiaries are being discontinued. Perhaps, however, this is evidence of steps already begun to correct abusive practices.

Certainly, I would be most interested to learn of any specific steps taken to insure that deceptive and misleading practices are being abolished.

Again, I am pleased to note your concern and wish you success in your efforts.

With kind personal regards I am,

Sincerely yours,

FRED B. ROONEY,
Member of Congress.

COWLES COMMUNICATIONS, INC.,
New York, N.Y., July 28, 1969.

Hon. FRED B. ROONEY,
U.S. Congress,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROONEY: Upon receipt of your letter dated July 15th, I immediate-

ly called a meeting of the Executive Committee of Cowles Communications, Inc.'s Board of Directors to consider the serious charges made in such letter with respect to our subscription-selling subsidiaries. Due to vacations and other absences from the city, it was not possible to hold a meeting with all members present until July 22, 1969. I might explain that this five-man Committee includes the Chairman of the Board, the President, both Executive Vice Presidents and the Vice President and Controller of Cowles Communications, Inc. Immediately following this meeting here in New York at which your letter was fully discussed, all members of the Committee—other than myself—flew to Des Moines, Iowa, where our subscription subsidiaries are headquartered and met with top management of the subsidiaries and of the Look subscription department. This Committee has now reported back to me that improper sales practices, though greatly reduced in recent months, have not been entirely eliminated. It has also made specific recommendations on how to correct the situation and these recommendations are already being implemented.

Basically, our Executive Committee agrees with your conclusion that policing of the field operation by regional directors who report directly to the agency heads and whose emphasis is primarily on production has not proved as effective as we had anticipated. We believe that most of our agency officials have made a genuine effort to clean up both sales talks and collection efforts. Parent company representatives have also made continuing effor's—especially during the last few months—to tighten controls over franchise dealer practices. As you note in your letter, we have consolidated the management of Educational Book Club and Home Reference Library; also the management of Home Reader Service and Mutual Readers League. We have also earlier this month changed some of the agency top management to strengthen the operations.

Our Executive Committee now proposes to establish a task force, members of which will contact franchise dealers regularly to check the dealer's operation, his sales talks, his collection procedures and generally how he is carrying on his business. This task force will be a *Cowles Communications, Inc.* auditing group operating completely independently of the agency heads and the regional directors. Its responsibility will be to Cowles Communications, Inc. and its members will report to a Cowles Communications, Inc. official in New York City to be designated by the Executive Committee. Members of this task force will *not* be assigned to specific dealers or specific subscription-selling subsidiaries. They will not only be shifted as among dealers and agencies, but they will also from time to time verify subscription orders in the field and monitor telephone verifications made either by the dealer or by the agency. We would expect under this program to have our Executive Committee informed at all times as to sales talks and collection procedures being used in the field by dealers and their representatives and would be in a position to shut off the authorization of any dealer whose practices were not proper.

Although you can well appreciate that it will take some time to implement this program, I am sure you will agree that prompt and constructive action is being taken by Cowles Communications, Inc. to correct the situation described in your letter to me. We shall keep you advised as to our progress and would in turn greatly appreciate your permitting our representatives to meet with you or your assistants on a regular basis to ascertain what complaints may be continuing and the extent to which the same are justified. It certainly is not in our interest to permit improper sales practices. Business obtained that way obviously does not profit the subsidiary involved because it cancels out and does not renew. But even more important, we at Cowles Communications, Inc. have too much pride in our publications—principally LOOK—to permit what we believe is a very highly regarded image to be tarnished by the unauthorized practices of field-selling personnel.

Thank you for your most constructive and helpful letter. I assure you that we intend to cooperate most fully with your efforts to eliminate improper practices in the magazine subscription-selling field.

Sincerely yours,

GARDNER COWLES.

DECEPTION UNLIMITED IN MAGAZINE SALES

(By FRED B. ROONEY, Member of Congress)

Nearly seven months have passed since "ACTION! Express" turned over to me a two-inch-high stack of complaints about magazine sales practices and asked, "What can the federal government do about this?" Although I didn't realize it then, that was a loaded question.

It marked the beginning of an investigation, undertaken by my own office staff, which has grown to proportions I wouldn't have believed possible when it began last February. While "ACTION! Express" pursued means to correct deceptive and fraudulent practices in magazine sales in the Pennsylvania and New Jersey area, I began pressing for effective action in Washington. Today, after months of cooperation with "ACTION! Express," it is possible to report that magazine sales companies are faced with the alternatives of cleaning up their sales practices swiftly or of wrecking their own industry.

Since February, that two-inch-high stack of magazine complaints supplied by "ACTION! Express" has grown into an eight-foot-high record of deception and fraud, consisting of documented complaints, of signed testimony by magazine sales personnel, of actual magazine sales company records which contain hundreds upon hundreds of examples of deception, and copies of hundreds of documents which provide clear evidence of violations of a "code of fair practices" under which magazine subscriptions supposedly are sold.

Evidence of possible abuses of federal laws has been turned over to investigators of the Federal Trade Commission, the United States Post Office Department and the Internal Revenue Service. News wire services have dispatched a number of stories nationwide regarding the magazine sales investigations and hundreds of letters from victims of deceptive sales practices have poured into my office from every part of the country. Hundreds of daily and weekly newspapers in virtually every state have carried articles describing the deceptive and fraudulent tactics used to sell magazine subscriptions to the unwary.

I have surveyed the Attorneys General of all 50 of the United States and received detailed reports of magazine sales abuses within their own jurisdictions from virtually every one. Within the past few weeks, magazine sales practices have been the subject of columns by Senator Warren Magnuson, Chairman of the Senate Commerce Committee, and by nationally-known columnist Jack Anderson. World Wide Features Syndicate is preparing an article at the present time.

Several major business and industry newsletters have been carrying regular reports on progress of the investigation and some have even forecast that the very survival of the magazine sales industry may be at stake. I doubt that anything so extreme as the demise of magazine sales companies will result, although I am determined that if they are to survive it will be because they have learned to sell subscriptions honestly. There is no reason why the American consumer should tolerate the sales abuses which still are rampant in door-to-door sales of magazines, as well as various books and encyclopedias.

Throughout the nearly seven months that I and my staff have been working to uncover magazine sales abuses, one of my primary objectives has been to expose the abuses to public scrutiny. Through publicity, it is possible to alert the consumer to the pitfalls which may await him when he answers the telephone solicitor's call or responds to the salesman's knock at his door. This is not to suggest that all telephone solicitors nor all door-to-door salesmen are dishonest. It is intended to suggest that too few consumers take the time to make the distinction, or are able to do so. But by publicizing various sales abuses, consumers will learn to be wary and an educated consumer is this nation's strongest weapon against deception and fraud.

In the investigation of magazine sales practices, consumer education has been but one of the results of the excellent news coverage this effort has received. The publicity has prompted many consumers to write and describe their own experiences. A California housewife, for example, wrote to explain that she had had an unpleasant experience with one company which sells magazine subscriptions nationwide and that she had retained a complete file of all documents, letters and receipts. She sent along the complete file for use in the investigation. Scores of others sent their contracts—many of which clearly showed violations of the industry's code of fair practice—while others sent copies of high-pressure collection letters, including threats of lawsuits, bad credit reports and other forms of persuasion used to prod deceived consumers to complete payments on long-term subscription contracts.

The third and most important result of the publicity about the investigation of magazine sales practices was the first-hand descriptions of magazine subscription sales practices by people actually engaged in sales. Dozens of individuals, including franchised dealers, salesmen, solicitors, and contract renewal writers called my office or sent letters offering to help the investigation. Each of them agreed that the magazine subscription sales industry is thriving today on misrepresentation and fraud. They offered testimony and produced documented evidence of their own experiences. Some came to Washington from as far away as the New England states to discuss their experiences. Not a week goes by that I do not hear from others who have worked in the magazine subscription sales industry and who want to offer their help to clean it up.

Through the help of these sales personnel, many of whom have worked in magazine sales for 10 or 15 years or longer, it was possible to learn many of the intimate details about the internal operations of subscription sales companies. Their personal knowledge has helped bring into focus the degree of effectiveness of Central Registry of Magazine Subscription Solicitors—the magazine financed agency which is responsible for policing sales practices. I have described Central Registry as a "smokescreen behind which the fraud and deceptive practices flourish." Personnel in the industry regard Central Registry as a "joke" and are quick to cite its loose control of salesman registration and ineffective supervision of fair selling codes which are its prime functions.

Basically, three types of magazine subscription sales are conducted on a door-to-door basis. Two of these are the "cash" or "two-payment" types, the latter merely a variation of the former involving an initial cash payment at the door and a subsequent * * *. Generally, cash sales of magazine subscriptions are conducted by traveling crews of high school and college age boys

and/or girls, under the direction of a crew manager. They canvas neighborhoods door-to-door claiming to be students earning points toward college scholarships or to win trips to Europe, or purporting to be conducting research or surveys, or representing themselves as working for some charity, foundation or civil rights effort, to mention but a few of the standard sales pitches. A deputy attorney general for the state of Delaware told me he checked out magazine salesmen claiming to be college students and found that "none of them were in college, had been in college or really intended to go to college."

Cash crews transact their sales "on the spot," collecting payment-in-full immediately for the magazine subscriptions sold. Cash salesmen generally are recruited through classified ads which offer "travel to resort areas or major cities," hired on the spot with little or no regard to character, and sent out of town within hours (before they change their minds) as members of a traveling sales crew. Classified pages of large urban newspapers frequently contain such ads recruiting Negroes for crews to be sent into white suburban neighborhoods and instructed to use a civil rights sales pitch which often involves intimidation. Recently, an elderly woman in a Northeastern State collapsed and died after two members of a magazine sales crew threatened to "burn your house down" for refusing to buy magazines.

A fourteen-year-old New York State boy, describing his experiences during two weeks' work as a member of a traveling magazine crew, said youthful members of his crew often were mistaken for the "paper boy" and gladly accepted payment for newspapers at one door, then sold magazines at the next. A check of police records of 500 traveling salesmen who registered in Fairfax County, Va., during a 12-month period showed that more than 200 of them had committed crimes ranging from forgery to armed robbery and assault with deadly weapons. And a veteran magazine dealer who visited my office explained how cash crew leaders often carry guns to persuade disillusioned or disgruntled sales personnel to stay on the job.

Central Registry of Magazine Subscription Solicitors supposedly maintains a register of all cash and two-payment sales personnel and administers a code of ethics for these methods of selling magazines. Yet many of the complaints involving cash sales which I sent to Central Registry for action revealed that sales personnel involved were not registered. Nearly four months have passed since I sent a list of about 200 magazine salesmen to Central Registry with a request that I be advised how many of them were actually registered as salesmen. To this day I have not received a report, despite the fact I was told by Central Registry's administrator more than two months ago that the information would be supplied promptly.

Approximately 50 magazine sales companies are members of Central Registry. Of that number, about a dozen companies engage in "paid during service (PDS)" sales—that is, long term financing of multiple magazine subscriptions for four-year or five-year periods. Although Central Registry is the self-designated administrator of the code of fair practices for cash sales of magazines, it has a more official responsibility in administering a separate code of fair practices governing PDS subscription sales. The PDS code of fair practices has the distinction of having been formally endorsed by the Federal Trade Commission in May of 1967 by a 4 to 1 vote of the five-member FTC. Thus, since January of 1968 when that new Code took effect, Central Registry has had a quasi-official role as a "law enforcement agency" for the federal government.

Basically, I believe the FTC was wrong in delegating responsibility for enforcement of fair sales practices to a private agency which is financed by the very same industry it is expected to regulate. My own experience during the months of investigating magazine sales practices convinces me that the FTC is wrong to continue this relationship with Central Registry. I have urged in the past—and will continue to do so—that the FTC should dissolve its relationship with Central Registry and take over enforcement of fair practices for the benefit of the American consumer. It was my criticism of this relationship, coupled with my contention that Central Registry was not enforcing the PDS Code effectively, which convinced the FTC to reopen its investigation of magazine sales practices five months ago.

Beginning with a limited field investigation in the Pennsylvania-New Jersey area, the FTC found sufficient evidence of continued sales abuses to order a broader nationwide investigation through all 12 of its field offices in major population centers around the country. FTC Chairman Paul Rand Dixon has just advised me that this nationwide field investigation "indicates that the Code does some good and that it probably has sufficient potential to justify continued Commission approval." But Chairman Dixon further explained, "I hasten to add, however, that the question of continued approval has not been decided by the Commission. Although the PDS Code appears to be serving a useful purpose in assisting some consumers, it has not effectively stopped the flow of complaints regarding magazine subscription solicitors."

Thus, the FTC now recognizes that the Code has not lived up to expectations. "Accordingly," Chairman Dixon advised, "the Commission has now directed its staff to review the files and to promptly investigate all indications of law violations with a view to recommending issuance of formal complaints where justified. The staff has advised me that a further field investigation involving several of our field offices will be initiated in the near future. This investigation will be given the highest priority. In short, the FTC now is gathering evidence to begin prosecuting misrepresentation and fraud in the sale of magazines. Of course, all of the material in my files has been offered to the FTC and the Chairman has acknowledged he instructed the FTC staff "to take full advantage of your offer of assistance and cooperation."

Throughout my investigation, my files on magazine sales abuses have been open to any and all official investigations. Information as well as photostatic copies of complaints and documents have been supplied regularly to investigators for the FTC and the Post Office Department. Some material has been supplied to individual members of the FTC. Investigators also have spent many hours with myself and members of my staff in discussing magazine sales practices and abuses with the various sales personnel who have come to Washington to assist the investigation.

I have exchanged correspondence with the United States Chamber of Commerce and have met several times with representatives of the Mazagine Publishers Association. I discussed various abuses with the President of the National Better Business Bureau, Richard Maxwell, and just recently received a report from him that 13 crew managers and 113 magazine salesmen have been dismissed as the result of complaints of bad business practices. Dozens of individual complaints of misrepresentation have been sacrificed by the sales companies involved, but of all the complaints I submitted to Central Registry, I have yet to receive any report of a single punitive action taken against the offending companies, despite repeated requests for such information and repeated assurances from CR that I would be kept informed.

I have discussed directly with top management of the nation's leading magazine sales companies the specific abuses attributed to their organizations. In almost every instance, I was assured the particular company in question was doing its utmost to root out misrepresentation but that its competitors are the offenders who need to be dealt with. A high corporate official of one leading publishing company insisted his company is "the church" among magazine sales organizations. Yet, weeks ago, a New Jersey judge issued a temporary injunction against the use of certain deceptive sales practices by a sales subsidiary of that same "church." Another cited the "integrity" of his nationally prominent publication and insisted his organization has too much at stake to tolerate sales abuses. Yet, company documents from some of his subsidiaries show that his publication's high circulation figures have been maintained in part by overcharging unsuspecting subscribers to pay for magazines sent to individuals unknown to the subscribers.

Invariably, these corporate officials insist their policies do not permit deceptive practices and they place full blame on individual sales personnel for any misrepresentation or fraud. With few exceptions, they insist that parent sales organizations cannot be held accountable for abusive actions by what they describe as "a few overly-aggressive salesmen." They are quick to point out that unscrupulous salesmen, when identified, are promptly terminated. When a salesman offered a member of my staff "free magazines—you pay only the wrapping charges" several months ago, I promptly filed a complaint. The company proudly announced a short time later that the offending salesman had been discharged. But my sources within the industry reported that the same salesman was back working for the same company in another city the following week and a short time later turned up in a third city, still selling magazines for the same company.

In dismissing any burden of responsibility for the sales tactics utilized by their sales personnel in the field, these corporate officials disregard the fact that the parent corporation sets production quotas, sends regional directors into the field to pressure its dealers to maintain the production quotas, and seizes entire dealerships when production falls off, plunging longtime, dedicated personnel into virtual bankruptcy. My investigation indicates the degree of pressure applied by the parent organization to maintain high subscription sales quotas is largely responsible for deceptive practices in the industry. The production quotas often are unattainable, unless consumers can be tricked into becoming subscribers.

The tricks, of course, usually involve offers of xx magazines "free of charge" but "of course, you'll have to pay a small sum for postage (or handling, or wrapping, or editing, as the case may be)." One woman reported she was asked to "sign a receipt for 200 free green stamps" and after signing discovered that she had signed a contract to buy magazines.

Obviously, we have just begun to penetrate the surface of shoddy business practices in the magazine subscription sales industry. The complaints continue to pour in. The investigation goes on.

NATIONAL BETTER BUSINESS BUREAU, INC.,
New York, N.Y., August 22, 1969.

Congressman FRED B. ROONEY,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROONEY: Further following your letter of August 11th, I wanted to tell you of our continuing action program.

1. Since my visit with you in May, I have held a series of meetings with individual publishers to acquaint them with our activities and furthermore, to enlist their efforts with respect to their own organizations.

2. When I was in your office, I indicated that some nine crew managers and sixty-eight solicitors had been terminated by their individual employers after the records of bad business practice collected through the auspices of Better Business Bureaus and local Chambers of Commerce had been pointed out. Since then, four more managers and forty-five solicitors have been terminated.

3. Some of those terminated for cause, namely, bad practices, have gone to other agencies who are not a part of the self-regulatory programs. As this has occurred, some publishers have withdrawn their authorizations for agencies who would employ this type of people to sell their magazines.

4. We are having another review meeting in mid-September with local Bureau managers and the industry to discuss first of all, the progress since our last meeting in cleaning up these problems and secondly, to turn our attention to the matter of sales talks and advertising for prospective employees.

While not directly bearing on the magazine selling industry, I thought you should know about our efforts in promoting higher ethical standards for direct selling in general. One of our landmarks has been the adoption by the Direct Selling Association of a code of ethics entitled appropriately "The Right Thing To Do". I am attaching a copy of this brochure. This was released to the press and to the companies in June. Since then, we have distributed over 40,000 copies to people engaged in direct selling.

I really feel, Congressman Rooney, that this is a tangible expression of the concern of business, as well as its willingness to maintain and improve high ethical standards in the public interest.

Kindest regards,

RICHARD MAXWELL,
President.

[From the Washington (D.C.) Evening Star, Sept. 7, 1969]

HOW MAGAZINE SOLICITORS CAN HOOK YOU

(By Arthur E. Rowse)

The charming female voice on the other end of the telephone said she was making a survey (where did I hear that one before?) and wondered if I would answer a few questions about TV advertising.

What a beautiful hooker. Who wouldn't like to give a polling firm some choice comments on the quality and taste of TV commercials? So I lost no time responding to such questions as "What do you think of TV commercials?"

While I was trying to find appropriate words to answer the last question, the voice thanked me very graciously and then got down to the real business behind her call.

NUMEROUS FEATURES

"In appreciation for answering these questions," she said, "we are going to send you a brand new Webster's Encyclopedia Dictionary without charge." She said it had 1,500 pages and beautiful color pictures, plus many other wonderful features too numerous to mention here.

My, how generous she was, I thought, just for a few minutes of my time. Before I could even catch my breath to reply she added:

"In addition, with our compliments, we will send you 60 issues of Holiday, Sport, True, Look and Venture."

I knew, of course, that such unbounded generosity was too good to be true, so I asked who she was representing and what the gimmick was.

"The only favor we ask," she explained, "is that you send us 57 cents a week to pay the cost of mailing the magazines to you. You will get a written guarantee verifying what I have said to you. Just give me your complete name and address and I'll have our field representative deliver it to you."

NICE NAME

Pressed further for the company involved, she said it was the Educational Book Club—isn't that a nice name?—and that it was a subsidiary of the Cowles Publishing Co., publishers of Look and Venture magazines.

She said I would be billed $2.45 a month (57 cents a week times an average of 4⅓ weeks per month). A little hasty figuring showed that $2.45 a month times 60 months comes to $147.

When I complained that such an amount was quite a lot for postage for magazines that pay the low-lov· second-class rate, she said that was not her "department" but the representative would explain it.

Sure enough, a nice man visited my office the next day with the dictionary and the "guarantee." He said he would have a dictionary sent, then explained that it would be better for both of us to pay the whole thing in 2½ years instead of five, only $4.90 monthly.

The "guarantee" turned out to be an order form. But when I asked if I could check with my wife and mail it with my signature to him, he suddenly turned curt, crossed off my name and walked away.

His reason of course, was to avoid getting anything into the mail and thus make him liable under the laws on postal fraud. By avoiding the mails, this scheme has flourished for years, hooking countless thousands of people on a deal many may regret later.

WORLD PEACE DEMANDS POSITIVE U.S. NONALINEMENT ANNOUNCEMENT ON MIDDLE EAST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. RARICK) is recognized for 15 minutes.

Mr. RARICK. Mr. Speaker, attempting to take sides in the Middle East is impossible to an impartial American because the events of the case have been too confused by the usual sources of information which have, seemingly, in the past several days turned handsprings as if to explain away the essential facts by calling aggression a "deterrent" and military escalation "defensive" in the long boiling tension areas of northeast Africa.

Yet the provocative utterances of the U.S.-born Prime Minister of Israel, Golda Meir, that Arab leaders "should not be surprised if they are hit sevenfold in response" must be considered in any evaluation of the latest series of events.

Can any thinking American conceive of the wrath of world opinion should the President of the United States threaten sevenfold reprisals against the Communists of North Vietnam for the terrorist acts of the Vietcong? Or the frantic world censureship should Prime Minister Ian Smith announce similar policy measures against African states from whose territory guerrilla terrorists stream into Rhodesia. What about South Africa or the Portuguese?

The recent events in the Middle East must be considered the most serious threat to peace in the world which, if major powers participate or allow themselves to be drawn in, could evolve into a nuclear showdown.

The abbreviated policy statement by the U.S. Department of State is that our Government "deplores and regrets cease-fire violations by either side by regular or irregular forces." This weak official announcement by our diplomatic spokesmen will not even convince the American people of a nonpartisan position by our Government. How can it be expected to vindicate our image of suspect involvement in the eyes of the world community?

Under unanimous consent I submit a newspaper clipping for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Washington (D.C.) Post, July 1, 1969]

GOLDA MEIR WARNS ARABS OF "SEVENFOLD" RETALIATION

JERUSALEM, June 30—Israeli Prime Minister Golda Meir warned the Arabs today that if they continued attacking Israel they "should not be surprised if they are hit sevenfold in response."

"Anybody who fails to honor the cease-fire agreement and shoots at us cannot claim immunity from the results of his aggression," she told the Israeli parliament, the Knesset.

"Arab leaders should make a correct appraisal," she said, "of what their aggression achieves and our inevitable reply. They should realize the suffering they are inflicting on their own people."

Mrs. Meir's stiff warning in Jerusalem followed the explosion of a parked, stolen jeep loaded with more than 100 pounds of explosives in the heart of Tel Aviv early this morning.

The Israelis said 10 persons were wounded in the first significant terrorist attack in Tel Aviv this year. Police set up roadblocks all over the country and picked up 20 to 30 Arab suspects, mostly from Jaffa, the city south of Tel Aviv.

[The Al Fatah Arab guerrilla organization issued a statement in Amman, capital of Jordan, claiming credit for the bombing.]

Israeli jets strafed and bombed Arab guerrilla positions in Jordan south of the Sea of Galilee early this morning, a military spokesman announced in Tel Aviv. The Jordanians mentioned no casualties.

Mrs. Meir referred to an Israeli commando raid last night in the Upper Nile Valley in which the Israelis claimed to have destroyed a 500-kilowatt high-tension power line linking Cairo to the Aswan High Dam.

She said the raid deep inside Egypt proved Israel's potential to strike back.

"Although the acts of aggression along the Suez Canal have multiplied," she said, "we once again appeal to the rulers of Egypt to change their minds and their policy." Unless they do so, she said, they may create a situation "more unbearable for them than it would be for us."

The Egyptians denied that any such raid took place.

Mrs. Meir complained of hundreds of violations of the cease-fire. She said there had been 111 cases this month of firing into Israel from Jordan, 16 of them involving regular Jordanian forces. She said there had been dozens of cases of attempted infiltration from Jordan by would-be saboteurs.

She accused Egypt of having used artillery 333 times and light arms 121 times across the Suez Canal in the last month.

Mrs. Meir's words were the latest in a series of warnings to the Arabs apparently designed to convince them that Israel means business.

Deputy Prime Minister Yigal Allon warned in mid-June that "Israel will stop drawing the distinction between the terrorists and the Arab regular armies" if Arab guerrilla attacks did not cease.

In mid-May, Defense Minister Moshe Dayan warned that Israel would not restrict itself to purely defensive action if the Egyptians kept up their military activities along the Suez Canal.

CURING A VIRUS BY KILLING THE PATIENT

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, the administration has slashed new Federal construction contracts in order to curb inflation. Cutbacks could total anywhere from $2 to $4.5 billion during the remainder of this current fiscal year. All Federal agencies have been ordered to immediately put into effect a 75-percent reduction in dollar value of new contracts for Government construction financed entirely by Federal funds. Some States already are freezing awarding of new highway contracts and advertising for bids. Such an action is like amputating a leg to cure a barked shin.

Our national leaders have put on a great show of sorrow and indignation in recent months over inflation. They beat their breasts and rend their political garments, claiming labor is the villain because it requires wages to match rising prices. This latest catastrophic decision is supposed to save us from the brink of economic catastrophe. Humbug, nonsense, and flapdoodle. Our patient has measles, and the doctor is about to attempt brain surgery.

Usurious interest rates charged by banks cause inflation. Our leaders pretend not to notice. Price hikes by steel, aluminum, copper, and auto industries cause inflation. No Republican voice is raised against this herd of sacred cows.

Instead, Government construction is halted, and all States are encouraged and almost commanded to halt projects partially covered by Federal financing. And what is their excuse? Out of the economic dark ages comes their reply. This cutback is supposed to take public housing and homebuilding out of its present depression, mainly caused by the 19th century economic policies of this administration. We are informed by our reigning economic oracles that contractors who build flood control projects, dams, small watersheds, bridges, roads, post offices, and other Federal works, will because of the cutback, turn with eager cries to building of private homes and apartment buildings. Blinding logic. Let us examine it a little more closely.

Almost all contractors engaged in such major Federal projects are specialists in several ways. Their massive capital investment is sunk into earthmovers, road graders, steam shovels, cranes, and similar units. They are as different from most housing contractors as cucumbers are from hoot owls. It would be fascinating indeed to see them immediately switch to construction of homes suited to an average American family. Unless subdivisions are shortly to consist of multistory buildings poured out of concrete and supported by bridge beams, it is not likely to occur in this century.

Perhaps houses should have foundations 100 or more feet deep. Maybe our apartment houses should have corridors more suited to four-lane truck traffic. Carpets might make a difference, though. Instead of back yard wading pools, an average home would be sold complete with a small watershed project or a diversion dam. Wonderful when it rains. Is this what the Government meant when it solemnly assured us that the cutback would divert construction efforts into housing? Soon an average workingman would not have capital at going mortgage and interest rates to afford a well-furnished and laid-out chicken coop.

This disastrous decision will complete the devastation of our entire construction industry. Already its unemployment figures are at recession levels. Minorities in our midst who hold so many positions in this sector will be economically devastated, pouring more oil on already smouldering social situations throughout the Nation. Essential projects will slide down the drain for years. But we should be consoled by knowing that our housing industry will revive. I imagine that tomorrow Mao Tse Tung will announce his candidacy for the office of mayor of Moscow.

We must halt inflation at its source. Bank interest rates; steel industry price hikes; price rises by aluminum, copper, and auto firms; these are basic building blocks of our economy. When they raise interest rates or prices, it heaves a huge boulder of inflation into our national economic pond. As long as this administration stands paralyzed on dead economic center, not daring to protest such greedy actions, we shall have disastrous inflation in tandem with other signs of impending economic collapse. And the average worker with a few hard-earned dollars will not be to blame. The tail does not wag this dog. Certainly not in this case.

Is our patient curable? Definitely. But cancer does not yield to poultices. Warts are not banished by stump water and dead cats in a cemetery at night. Correct diagnosis and skillful action will do the job. Right now a first-year medical student is at work rather than an experienced physician. The patient may expire while the student learns basic anatomy. They are sowing the wind. We shall all reap the whirlwind.

ERRONEOUS INTERPRETATION OF A COLLEAGUE'S REMARKS

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, a few days ago, when Ho Chi Minh's death was announced, our distinguished colleague, Mr. KOCH of New York, had the occasion to make a series of comments bearing on the war in Vietnam. He spoke of the possibility of utilizing the occurrence of his death to seek yet another peace initiative. Simultaneously, he described in general terms the overall role this man had played in the affairs of his own country. I was present on the floor of this House when Mr. KOCH made these statements, and can attest to their content.

Several other Members of this body, who were not present when Mr. KOCH took to the floor, heard of his comments second or third hand. Most regrettably, they misinterpreted what he said, thinking that his description of Ho Chi Minh's activities was meant as praise. Mr. KOCH described Ho Chi Minh as a "patriot" in the eyes of the people of North Vietnam. In no way did he give the impression that he himself shared that opinion. I hold no brief for Ho Chi Minh, a man who murdered so many of his own people so brutally and callously. Nor did Mr. KOCH's comments in any way imply praise of him or his works.

We all know our distinguished colleague from New York is an avid, utterly sincere, and dedicated seeker for a solution to the Vietnam conflict. He was merely exploring the possibility of another initiative which conceivably could have been opened or precipitated by an event which no one could have accurately predicted or anticipated. It is ungracious and unfair to place an interpretation upon his remarks which not only does him an injustice, but impugns his motives and casts a cloud over the very floor of this House.

It is to be fervently hoped that Members will ascertain the exact content of remarks made before mounting attacks upon those who utter them.

SECRETARY FINCH ASKED TO REOPEN SCHOOL

(Mr. THOMPSON of Georgia asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. THOMPSON of Georgia. Mr. Speaker, it will come as no surprise to the Members of this body that I am greatly concerned over the unreasonable activities of the Department of Health, Education, and Welfare regarding the requiring of racial balance in our school system. Mr. Speaker, let me make one point clear, and that is, discrimination in our schools because of race, creed, or color should not and cannot be allowed, and it will be my purpose to attempt to assure all persons regardless of race, creed, or color their basic right to achieve a quality education. However, Mr. Speaker, I cannot accept the absurd actions in requiring racial balance through school closings, pairings of schools, and busing of students.

An American child has a basic right to attend the school closest to his home. To deny him this right and force him through either pairing, closing, or busing to attend a school more distant is nothing short of Hitleristic or Stalinistic tactics.

In College Park, Ga., there is a 6-year-old school of which the students are very proud. Without a single exception every child attending this school lives closer to it than any other school. No discrimination whatsoever was present in student assignment. There were more library books and textbooks per pupil at this school than any other. The salaries of the teachers were higher on the average than at other schools. Yet, the Department of Health, Education, and Welfare has insisted on destroying the school as an entity through trying to force its pairing with another school or through

the gerrymandering of student districts or the closing of the school. After confrontation with HEW, wherein I advised the local school board not to accede to threats or intimidations of HEW and to assign students to the school they live closest to, court action was initiated. The court has ordered the 6-year-old high school closed and the students bused and distributed to four other schools. The students who last year won the State basketball championship do not want to give up their school. They have been picketing, staging sit-ins and refusing to attend the new schools to which they have been assigned. Mr. Speaker, my sympathy lies with these black students who want to attend the school closest to their home but are being denied this right because of the absurd racial balance requirements.

Mr. Speaker, in Vietnam, President Johnson stated over and over that our only purpose in being in Vietnam was to assure the South Vietnamese of the right of free choice as to the type of government they would have. Forty thousand Americans have died in trying to assure the South Vietnamese this right of free choice. Yet, we are denying to our own students the basic American right to attend the school closest to their home and are forcing them against their will to attend schools more distant simply in order to achieve what some people deem desirable, a racial balance. Mr. Speaker, I repeat that these are Hitleristic and Stalinistic tactics and must cease.

I have today written the Secretary of Health, Education, and Welfare, Robert Finch, and have urged him to petition the Federal court, asking that the Eva Thomas High School be reopened on the basis of allowing the students who live closest to it to attend their beloved school and to forget about the absurd remarks of racial balance. I hope there will be some humanitarian and Americanistic spirit evidenced by the Secretary of Health, Education, and Welfare, and he will allow these students to go back to the school closest to their home.

PERSONAL ANNOUNCEMENT

(Mr. ROGERS of Florida asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ROGERS of Florida. Mr. Speaker, because of a most important meeting with Secretary of the Army Resor, concerning the welfare of a soldier in Vietnam who is a constituent, I was not present on Monday when the vote was taken to recommit the bill, H.R. 11039, to amend the Peace Corps Act.

If I had been present, I would have voted "yea" for the motion to cut $11.1 million from the bill. I favor the program, but object to the recommended funding level.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. CHAPPELL), to revise and extend their remarks and include extraneous matter:)

Mr. ROONEY of Pennsylvania, for 20 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. RARICK, for 15 minutes, today.

Mr. PATMAN, for 15 minutes, today, to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. DENNIS), to revise and extend their remarks and include extraneous matter:)

Mr. SNYDER, for 5 minutes, today.

Mr. COUGHLIN, for 15 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. DENNIS) and to include extraneous matter:)

Mr. HARVEY in two instances.
Mr. ASHBROOK.
Mr. FINDLEY.
Mr. CLANCY.
Mr. STEIGER of Wisconsin.
Mr. BLACKBURN in five instances.
Mr. SANDMAN.
Mr. SHRIVER.
Mr. MCEWEN.
Mr. PELLY.
Mr. WEICKER.
Mr. HASTINGS.
Mr. GROVER.

(The following Members (at the request of Mr. CHAPPELL) and to include extraneous matter:)

Mr. POWELL in two instances.
Mr. OTTINGER.
Mr. ROONEY of Pennsylvania.
Mr. HAYS in two instances.
Mr. JONES of Tennessee.
Mr. OBEY in four instances.
Mr. DENT in four instances.
Mr. EDWARDS of California in two instances.
Mr. HAWKINS in two instances.
Mr. JACOBS.
Mr. TEAGUE of Texas in eight instances.
Mr. RARICK in two instances.
Mr. ANNUNZIO in five instances.
Mr. SYMINGTON.
Mr. CELLER.
Mr. STEPHENS.
Mr. GALLAGHER.
Mr. VANIK in four instances.
Mr. MOLLOHAN in three instances.
Mr. REUSS in 10 instances.
Mr. HECHLER of West Virginia in two instances.
Mr. BINGHAM in two instances.
Mr. COLMER.
Mr. OLSEN in two instances.
Mr. HAGAN in two instances.
Mr. GONZALEZ in two instances.
Mr. EDMONDSON.

ADJOURNMENT

Mr. CHAPPELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 14 minutes p.m.), the House adjourned until tomorrow, Thursday, September 11, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1129. A letter from the Deputy Secretary of Defense, transmitting a report of support furnished from military functions appropriations in Southeast Asia for the fourth quarter of 1969, and cumulative fiscal year amounts through June 30, 1969, pursuant to the provisions of section 537 of the Defense Appropriation Act, 1969 (Public Law 90–580); to the Committee on Appropriations.

1130. A communication from the President of the United States, transmitting an amendment to the 1970 budget for the Legislative Branch, Architect of the Capitol (H. Doc. No. 91–154); to the Committee on Appropriations and ordered to be printed.

1131. A communication from the President of the United States, transmitting an amendment to the requests for appropriations transmitted in the budget for fiscal year 1970 for the Department of Defense-Civil, Corps of Engineers (H. Doc. No. 91–155); to the Committee on Appropriations and ordered to be printed.

1132. A letter from the Comptroller General of the United States, transmitting a report of the examination of the financial statements of the Federal Housing Administration, fiscal year 1968, Department of Housing and Urban Development (H. Doc. No. 91–156); to the Committee on Government Operations and ordered to be printed.

1133. A letter from the Assistant Secretary of Defense (Comptroller), transmitting a report on the value of property, supplies, and commodities provided by the Berlin Magistrate for the quarter April 1 to June 30, 1969, pursuant to the provisions of section 519 of Public Law 90–580; to the Committee on Appropriations.

1134. A letter from the Comptroller General of the United States, transmitting a report on U.S. assistance programs in Tunisia, Department of State, Agency for International Development; to the Committee on Government Operations.

1135. A letter from the Comptroller General of the United States, transmitting a report on enforcement of sanitary, facility, and moisture requirements at federally inspected poultry plants, Consumer and Marketing Service, Department of Agriculture; to the Committee on Government Operations.

1136. A letter from the Chairman, Interstate Commerce Commission, transmitting a draft of proposed legislation to amend section 13a of the Interstate Commerce Act, to authorize a study of essential railroad passenger service by the Secretary of Transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

1137. A letter from the Assistant Attorney General, transmitting a request that the Department of Justice be authorized to include certain documents of the House of Representatives in its application for a court order; to the Committee on the Judiciary.

1138. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to improve and clarify certain laws affecting the Coast Guard; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 13369. A bill to extend for 2 additional years the authority to set interest rates necessary to meet the mortgage market for guaranteed and insured home loans to veterans under title 38 of the United States Code and for other loans; with an amendment (Rept. No. 91–484). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 13713. A bill to provide for the refund of certain duties and taxes with respect to exported articles, and for other purposes; to the Committee on Ways and Means.

By Mr. CAHILL:

H.R. 13714. A bill to require the Secretary of the Army to make a feasibility study of providing a dredge exclusively for use in the North Atlantic region; to the Committee on Public Works.

By Mr. DULSKI:

H.R. 13715. A bill to provide for the orderly expansion of trade in manufactured products; to the Committee on Ways and Means.

By Mr. GARMATZ (for himself and Mr. CLARK):

H.R. 13716. A bill to improve and clarify certain laws affecting the Coast Guard Reserve; to the Committee on Merchant Marine and Fisheries.

By Mr. HALL:

H.R. 13717. A bill to establish a cropland and water restoration program, and for other purposes; to the Committee on Agriculture.

By Mr. JOHNSON of Pennsylvania:

H.R. 13718. A bill to provide for a preliminary examination and survey of the Allegheny River and French Creek and their tributaries; to the Committee on Public Works.

By Mr. KOCH (for himself, Mr. BLATNIK, Mr. CAHILL, Mr. ESHLEMAN, Mr. FULTON of Pennsylvania, Mr. MCCLOSKEY, Mr. MCDADE, and Mr. WHALEN):

H.R. 13719. A bill to establish an urban mass transportation trust fund, and for other purposes; to the Committee on Banking and Currency.

By Mr. MCKNEALLY:

H.R. 13720. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. MACDONALD of Massachusetts (for himself, Mr. TIERNAN, Mr. PODELL, Mr. HARVEY, Mr. ST. ONGE, Mr. ROSENTHAL, Mr. LEGGETT, Mr. BURLISON of Missouri, Mr. ECKHARDT, Mr. OTTINGER, Mr. BURTON of Utah, Mr. BOLLING, Mr. MURPHY of New York, Mr. DANIELS of New Jersey, Mr. ESCH, Mr. HATHAWAY, Mr. GONZALEZ, Mr. REID of New York, Mr. SISK, Mr. BUTTON, Mr. MOSS, Mr. ADAMS, Mr. BINGHAM, Mr. DENT, and Mr. HOWARD):

H.R. 13721. A bill to amend the Communications Act of 1934 to provide candidates for congressional offices with certain opportunities to purchase broadcast time from television broadcasting stations; to the Committee on Interstate and Foreign Commerce.

By Mr. MACDONALD of Massachusetts (for himself, Mr. THOMPSON of New Jersey, Mr. MEEDS, Mr. KARTH, Mr. SANDMAN, Mrs. MINK, Mr. RIEGLE, Mr. MCCARTHY, Mr. MOORHEAD, and Mr. MIKVA):

H.R. 13722. A bill to amend the Communications Act of 1934 to provide candidates for congressional offices with certain opportunities to purchase broadcast time from television broadcasting stations; to the Committee on Interstate and Foreign Commerce.

By Mr. MESKILL:

H.R. 13723. A bill to provide compensation for firemen not employed by the United States killed or injured in the performance of duty during a civil disorder, and for other purposes; to the Committee on the Judiciary.

By Mr. OLSEN:

H.R. 13724. A bill relating to mortgaged Indian land redeemed by a tribal member or tribal organization; to the Committee on Interior and Insular Affairs.

By Mr. PATMAN (for himself, Mr. EVINS of Tennessee, Mr. ADDABBO, and Mr. BUTTON):

H.R. 13725. A bill to provide for the study and investigation of private foundations, to establish a Private Foundation Control Commission, and for other purposes; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania:

H.R. 13726. A bill to provide for special programs for children with specific learning disabilities; to the Committee on Education and Labor.

By Mr. ST. ONGE:

H.R. 13727. A bill to establish an Intergovernmental Commission on Long Island Sound; to the Committee on Interior and Insular Affairs.

By Mr. SISK:

H.R. 13728. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

By Mr. SLACK:

H.R. 13729. A bill to amend the Randolph-Sheppard Act for the blind so as to make certain improvements therein, and for other purposes; to the Committee on Education and Labor.

By Mr. TEAGUE of Texas:

H.R. 13730. A bill to direct the Administrator of the National Aeronautics and Space Administration to erect a monument commemorating the lunar landing of the Apollo 11 mission, and for other purposes; to the Committee on House Administration.

By Mr. CAHILL:

H.R. 13731. A bill to require an investigation and study of improved and additional means of protecting the coastal waters of the United States from further pollution; to the Committee on Public Works.

By Mr. OLSEN:

H.R. 13732. A bill to provide for loans to Indian tribes and tribal corporations, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROSENTHAL:

H.R. 13733. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 13734. A bill to amend section 3 of the Housing and Urban Development Act of 1968; to the Committee on Banking and Currency.

H.R. 13735. A bill to increase the participation of small business concerns in the construction industry by providing for a Federal guarantee of certain construction bonds and authorizing the acceptance of certifications of competency in lieu of bonding in connection with certain Federal projects, and for other purposes; to the Committee on Banking and Currency.

H.R. 13736. A bill to amend the act of August 24, 1935 (commonly referred to as the "Miller Act"), to exempt construction contracts not exceeding $20,000 in amount from the bonding requirements of such act, and for other purposes; to the Committee on the Judiciary.

By Mr. SIKES (for himself, Mr. DINGELL, Mr. FOUNTAIN, Mr. FASCELL, Mr. REUSS, Mr. MOORHEAD, Mr. WRIGHT, Mr. ST GERMAIN, and Mr. HORTON):

H.R. 13737. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus personal property to State fish and wildlife agencies; to the Committee on Government Operations.

By Mr. ESHLEMAN:

H.J. Res. 892. Joint resolution proclaiming week of September 21 to 27, 1969, as "National Y-Indian Guide Week"; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.J. Res. 893. Joint resolution to provide for the issuance of a commemorative postage stamp in honor of the 25th anniversary of the Battle of Bastogne; to the Committee on Post Office and Civil Service.

By Mr. HECHLER of West Virginia:

H. Con. Res. 329. Concurrent resolution declaring the sense of Congress on the depressed domestic mining and mineral industries affecting public and other lands; to the Committee on Interior and Insular Affairs.

By Mr. JOHNSON of Pennsylvania:

H. Con. Res. 330. Concurrent resolution to provide for a permanent United Nations peacekeeping force; to the Committee on Foreign Affairs.

By Mr. MARSH (for himself, and Mr. TALCOTT):

H. Con. Res. 331. Concurrent resolution calling on the interim leaders of the government established at Hanoi, North Vietnam, to provide for free and open elections to choose a successor to the late chief of state of such government; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 13738. A bill for the relief of Carl Gilles; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 13739. A bill for the relief of Radha Majumdar; to the Committee on the Judiciary.

By Mr. DELLENBACK:

H.R. 13740. A bill for the relief of Kimball Brothers Lumber Co.; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 13741. A bill for the relief of Dr. Clara Satanowsky Becker; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

263. By the SPEAKER: A memorial of the Legislature of the State of California, relative to cooperative federalism; to the Committee on Ways and Means.

PETITIONS, ETC.

Under clause 1 of rule XXII,

234. By the SPEAKER: Petition of Kathryn E. Worden, et al., Granger, Wash., relative to appointments to the U.S. Supreme Court; to the Committee on the Judiciary.

SENATE—*Wednesday, September 10, 1969*

The Senate met at 10 o'clock a.m. and was called to order by Hon. JAMES B. PEARSON, a Senator from the State of Kansas.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, whose mercies are new every morning, open our eyes to Thy beauty, open our minds to Thy truth, open our hearts to Thy spirit, and use us this day to advance the Nation's welfare and extend Thy kingdom among men.

Draw together the world of the visible and the invisible, the temporal and the eternal, and unite us in our labors with that unseen Host, whom we have loved long since and lost awhile. Grant that being compassed about with so great a cloud of witnesses we may run with patience the race that is set before us looking unto the author and finisher of our faith for guidance and strength.

In His holy name, we pray. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will read a communication to the Senate.

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., September 10, 1969.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JAMES B. PEARSON, a Senator from the State of Kansas, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. PEARSON thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, September 9, 1969, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar, beginning with Department of Justice.

There being no objection, the Senate proceeded to the consideration of executive business.

The ACTING PRESIDENT pro tempore. The nominations on the Executive Calendar will be stated, as requested by the Senator from Montana.

DEPARTMENT OF JUSTICE

The bill clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 388 and 389.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NATIONAL ADULT-YOUTH COMMUNICATIONS WEEK

The joint resolution (H.J. Res. 614) authorizing the President to proclaim the week of September 28, 1969, through October 4, 1969, as "National Adult-Youth Communications Week," was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-394), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the joint resolution is to authorize and request the President of the United States to issue a proclamation designating the week of September 28, 1969, through October 4, 1969, as "National Adult-Youth Communications Week."

STATEMENT

This legislation will demonstrate to young people in all parts of the United States that meaningful change can be brought about through the democratic legislative process rather than through violence or by taking over administration buildings. It is hoped that this resolution would encourage the communication of ideas and cooperation between persons of different generations.

The committee is of the opinion that this resolution has a meritorious purpose and accordingly recommends favorable consideration thereof without amendment.

RESTORATION OF THE GOLDEN EAGLE PROGRAM TO THE LAND AND WATER CONSERVATION FUND ACT

The Senate proceeded to consider the bill (S. 2315) to restore the golden eagle program to the Land and Water Conservation Fund Act, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, after line 2, insert:

(c) The first sentence of section 8 of the Land and Water Conservation Fund Act, as amended, is further amended to read as follows:

"Not to exceed $30,000,000 of the money authorized to be appropriated from the fund by section 3 of this Act may be obligated by contract during each fiscal year for the acquisition of lands, waters, or interest therein within areas specified in section 6(a)(1) of this Act."

After line 10, insert a new section, as follows:

SEC. 2. (a) Section 2(a)(1) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), is amended by deleting "$7" and inserting in lieu thereof "$10".

(b) Section 7 of such Act (78 Stat. 903), is amended by inserting immediately before the period at the end thereof a comma and the following: "except to the extent that the Secretary of the Interior determines necessary in order to advertise and promote any entrance or user fee program established pursuant to section 2(a) of this Act."

After line 19, insert a new section, as follows:

SEC. 3. Section 210 of the Flood Control Act of 1968 (82 Stat. 746) is repealed.

So as to make the bill read:

S. 2315

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first section of the Act entitled "An Act to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes", approved July 15, 1968 (82 Stat. 354; Public Law 90-401), is hereby repealed.

(b) Subsection (c) of section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-5), as added by section 2 of the Act of July 15, 1968 (82 Stat. 354; Public Law 90-401), is redesignated as subsection (d).

(c) The first sentence of section 8 of the Land and Water Conservation Fund Act, as amended, is further amended to read as follows:

"Not to exceed $30,000,000 of the money authorized to be appropriated from the fund by section 3 of this Act may be obligated by contract during each fiscal year for the

acquisition of lands, waters, or interest therein within areas specified in section 6(a)(1) of this Act."

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SEC. 3. Section 210 of the Flood Control Act of 1968 (82 Stat. 746) is repealed.

Mr. HATFIELD. Mr. President, we on the Interior Committee reported out a bill S. 2315, which would extend the golden eagle passport. To many Oregonians, the golden eagle is the best investment they can make in their vacation enjoyment. Each time they visit an area, the cost drops.

I wish to highlight two groups of people who profit greatly from the golden eagle program. They are senior citizens and large families. Many older Oregonians have written me to tell of their great pleasure in using our parks. The golden eagle offers them an opportunity to visit our parks as often as they can with no increase in cost. Because so many elderly people have fixed incomes, the golden eagle helps hold down the cost of vacation plans.

Large families are not penalized by a per-person charge, and, therefore, are encouraged to take family vacations. I think the Senate shares my belief that we should encourage such endeavors, and the golden eagle is a step in that direction.

I support the golden eagle and am pleased to be a cosponsor of the bill.

The reason I speak today is to point out the support in my State for the program. I wish to call attention to a fine article from the East Oregonian of Friday, August 29, 1969, written by Mrs. Bernice Riley. I think that it represents the views not only of Oregonians, but of many Americans.

Mr. President, Mrs. Riley captures the feelings of many of us who support the bill. Because of the interest in this bill, I ask unanimous consent to have the article by Mrs. Riley printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GOLDEN EAGLE PERMITS TO BE TERMINATED

(By Mrs. Bernice Riley)

The first of September marks the end of summer to many families in this area. There will still be several weeks of bright, sunny days. But the nights will turn crisp and there will be the feeling of autumn in the air.

Camping equipment will soon be stored to await the return of the long vacation period, when we head for the mountains almost every weekend.

This part of Oregon is blessed with vast forests unmarked by the inroads of commercial exploitation. Outdoor lovers can find camp spots at a hundred places, tree-shaded, with creeks winding through meadows or rippling over rocks in the gorges.

The Umatilla National Forest maintains camp facilities in many scenic locations. Eight of these, with tables, water and sanitary facilities, are "charge camps."

This means there is a box at the entry to the camp, where you leave a dollar for each night you'll be staying there.

(If you go to Union Creek Camp, at Mason Dam in the Wallowa-Whitman Forest, you'll pay $2 a night. But you can connect your trailer to water, sewer and electricity. This is the only forest camp in the west with such plush facilities.)

For the past several years the Forest Service has offered vacationers a bargain fee for use of camps, and for entry into national parks. You've been able to buy a "Golden Eagle" card for $7, good anywhere in the United States for a year.

"The law was passed by Congress," said Jay Hughes, recreation director on the Umatilla Forest, "as part of the land and water conservation fund act of 1965. This act provided $150 million yearly to expand the recreation program in the nation."

Hughes said many people have believed the $7 fee for the Golden Eagle goes directly back into the Forest Service for development of more recreation areas.

"This isn't true," he said. "Actually, 60 per cent of all land and water conservation funds goes to the states, and only 16 per cent of the remainder is allocated to federal agencies west of the Mississippi River."

Hughes said the states pass along their share of the fund to counties for development of local facilities, after a community plan has been made and approved, and matching funds have been assured.

"For example, the tennis courts at Athena were built partly with these funds. And Pendleton has bought some property adjacent to McKay Creek School under this program." The remainder of county funds will go into development of the camp ground at the Port of Umatilla.

The Forest Service use of the fund can be only for land acquisition, said Hughes. He said the only project currently underway in the Umatilla Forest is Kelly Prairie, where a lake will be built. Land is being purchased for this new recreation site.

So, if you have felt that you are contributing to the maintenance of your national forest when you pay $7 for a Golden Eagle, you'll have to adjust your feeling of ownership a bit.

You are buying land for new camp sites. You are paying for recreational facilities in your home town as well.

Apparently you aren't paying enough.

For this is the last year the Golden Eagle will be available, said Hughes. "The program will be discontinued at the end of this year. Congress has decided to return to the policy of an individual fee for use of each facility."

He said there has been complaint because some of the big national parks, such as Yellowstone, Yosemite and Grand Canyon have suffered a big decline in receipts since the Golden Eagle went into effect.

"Some of those parks charge as much as $2.50 admission. Golden Eagle owners have been gaining entry by showing their cards."

The director observed that termination of the Golden Eagle will work a hardship on persons on fixed incomes who may spend seven or eight months a year traveling with trailers or campers. These people use the federal campgrounds with no other charge than their yearly $7 fee.

Low-income families may spend almost every weekend during the summer in a forest campground, said Hughes. These people too will be hurt by termination of the Golden Eagle.

There has been some discontent voiced by the public over termination of this bargain fee. Letters are being sent to members of the Congress and U.S. Senate, asking that the policy be continued. If there are enough letters, the solons may reconsider.

Hughes said the Umatilla Forest collected $1,206 in dollar fees from the charge camps in 1968. That same year 507 Golden Eagle cards were purchased for $3,549.

It may be that few people will object to paying the dollar a night to use a forest camp ground.

On the other hand, when the camper displays his Golden Eagle, he has tangible evidence that he is part owner of the great national forests in our country.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-395), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF S. 2315

The primary objective of this measure, as introduced by Senator Jackson and amended by the committee, is to retain the extremely popular golden eagle program created by the original enactment of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended. The legislation would restore the golden eagle passport program due to expire next March, while also increasing the annual fee from $7 to $10. The bill also continues the advance contract authority of the Secretary of the Interior to deal with the increasingly serious problem of land-cost escalation. He had this authority for fiscal years 1969 and 1970 for the acquisition of certain land, water, or interests therein.

Other provisions of S. 2315, as amended, include: (1) authorization for the Secretary of the Interior to advertise and promote entrance or user fee programs currently in operation and, (2) repeal of section 210 of the Flood Control Act of 1968, which, as interpreted, precludes the sale of golden eagle passports in recreation areas under the administrative jurisdiction of the Corps of Engineers.

BACKGROUND OF THE GOLDEN EAGLE PROGRAM

The Land and Water Conservation Fund Act of September 3, 1964, Public Law 88-578, established the Land and Water Conservation Fund, as of January 1, 1965, to help expand local, State, and Federal outdoor recreation opportunities.

The act authorized as revenue for the fund: (1) Proceeds from the sale of Federal surplus real property, (2) Federal motorboat fuels tax, and (3) Entrance, admission, and user fees at Federal recreation areas, or the so-called golden eagle program.

Money appropriated by Congress from the fund is used by the National Park Service, Forest Service, and Bureau of Sport Fisheries and Wildlife to acquire authorized national outdoor recreation lands and waters; and as matching grants to the States and their political subdivisions for planning, acquiring, and developing outdoor recreation areas and facilities. During the first 5 fiscal years of the fund, receipts have averaged around $100 million annually.

In 1968, Congress amended the Land and Water Conservation Fund Act to provide that the original sources of revenue to the fund could be augmented to provide a fund of $200 million annually, during fiscal years 1969 and 1973. The additional income to the fund, if not appropriated into the fund by Congress, will be earmarked from Outer Continental Shelf mineral leasing receipts.

By the same 1968 act, Congress repealed authority for the annual Federal recreation area permit, known as the golden eagle passport, and for other recreation entrance and used fees collected under the golden eagle program. Under the 1968 act, the Federal

agencies are not precluded from collecting recreation fees at their areas, but after March 31, 1970, no such collections may be made under the auspices of the Land and Water Conservation Fund Act.

ADMISSION AND USER FEES

Support for the enactment of S. 2315 and a continuation of the popular golden eagle program came through thousands of letters received from citizens throughout the Nation urging reconsideration of the action terminating the golden eagle and other fee programs next March. Many, if not a majority of these citizens were retired people living on fixed incomes who have found a new way of spending their retirement years in the out of doors at a price they can afford. Others supported user and admission fees because they do not adversely affect large families by extending a "per person" charge. Consequently, family vacations are encouraged, and the costs are reduced.

The golden eagle passport, purchased for $7, provides access to all Federal recreation areas including national parks, seashores, recreation areas, monuments, and historic sites under the jurisdiction of the Department of Interior, and recreational areas operated by both the Department of Defense and the Department of Agriculture.

During the hearing on S. 2315, it was reported by a witness representing the U.S. Forest Service that the fee system—

* * * has led to significant improvement in administration of use of National Forest recreation developments, facilities and services provided at public expense.

Particularly, we believe recreation users have had greater interest in and respect for the areas they visit. In turn, the emphasis of the program has encouraged us to continue to provide high quality recreation opportunities.[1]

A Department of the Interior witness, also testifying in favor of S. 2315, confirmed a statement that the National Park Service encountered reduced vandalism and destruction to areas under its administration where an entrance charge is collected. The Interior Department witness states "* * * I think it is not an uncommon phenomenon that when you have to pay for something you are a little more careful of that something than if you get it for nothing."[2]

Continuation of the golden eagle program is completely consistent with the national policy of requesting users of special public facilities to be responsible for paying their fair share of the costs. For many years, the Federal Government has had a policy that where the use of Federal resources convey special benefits to identifiable recipients above and beyond those which accrue to the general public, such recipients should pay a reasonable charge for the service or product received or for the resource used. The Department of the Interior reports, for example, that specific charges are made for other similar recreational services such as bathhouses, boat launching ramps, cabins, overnight shelters, electricity, fuel and winter sports facilities.

A similar policy of collecting fees for special benefits also exists at the State level of government. Forty-seven of the 50 States make charges for the use of tent and trailer campsites or for picnicking, swimming, water access, shelter rentals, boat rides, et cetera. The charges for the use of overnight camping facilities range from 50 cents per night for tent campsites to $3.50 per night for trailer campsites.

LAND ACQUISITION CONTRACTS

In the act of July 15, 1968, language was added which authorized the Secretary of the Interior to enter into advance contracts prior to actual appropriation for the acquisition of certain lands and waters within authorized Federal recreational areas for fiscal years 1969 and 1970. The advance contract limitation was $30 million annually. If enacted, S. 2315 would continue this advance contract authority.

In reviewing the operation and conduct of the program by the responsible agencies, the committee found that advance contract authorization served as an important anti-inflationary measure and useful land management and acquisition tool. With recreational land price increases averaging 5 to 10 percent per year for land not in close proximity to water, and significantly higher for water-oriented areas, the advance contract authority has the potential of enabling the Departments of the Interior and Agriculture to purchase lands and waters at substantial savings.

Although this provision does not alleviate the frustrating, and as yet unresolved problem of rapid land price escalation of new parks and recreation areas between the time a bill is introduced to create such an area, and the time it finally becomes law, it does at least shorten the time between enactment and the availability of appropriations. In extending the advance contract authorization provision, the committee expressed its belief that this authority should be utilized in recently authorized areas, areas where the best opportunities and greatest need occur, and sites where prices are rising or are likely to rise rapidly enough to jeopardize eventual Federal purchase.

INCREASING GOLDEN EAGLE PASSPORT COST TO $10

Section 2(a) of the amended bill, S. 2315, amends the Land and Water Conservation Fund Act of 1965, by increasing the golden eagle passport cost from $7 to $10. The committee members, in agreeing to this provision, stated that many of those who favor extension of the golden eagle program actually expressed a willingness to have a fee increase. Some users of the passport spend weeks, and even months in Federal outdoor recreational areas, and consequently do not contribute a reasonable share of the costs associated with maintaining those areas.

EXPENDITURE OF FUNDS FOR ADVERTISING ADMISSION AND USER FEE PROGRAMS

The committee, in reporting this measure, expressed the belief that the revenues collected under the golden eagle and other recreational fee programs during the last 4 calendar years are not a true reflection of the future funds which can be generated under this program. The passport's apparent lack of acceptance until recently by recreationists was felt to be caused by incomplete knowledge of the program stemming from restrictions imposed on the advertising of the golden eagle passport. The committee feels that as the benefits to be derived from these fee programs are better understood, brought about through the expenditure of funds for advertising, that participation will expand, thus substantially adding to the revenue source of the Land and Water Conservation Fund.

A study conducted by the Arthur D. Little, Inc., for the Bureau of Outdoor Recreation provided recommendations on both the collection and advertising systems of the entire Federal recreation area permit and fee system. The report, entitled "Marketing Study and Recommendations Concerning Federal Recreation Area Permit and Fee System," recommended that a major, adequately funded, program be implemented for the educational task of attaining greater public acceptance and conformity of Land and Water Conservation fee programs. For the 1969 recreation season, the study recommended the expenditure of $1 million be made available for a mass-media advertising approach to the permit and fee program. Approximately one-half to one-third of this amount was recommended for each succeeding fiscal year.

In referring to the potential revenues capable of being generated from increased public information on fee programs, the report stated:

In the absence of adequate indication of congressional intent as to the amount of revenue to be raised from a recreation area user fee program, except indications that the present level of revenues is considered to be inadequate and disappointing, we recommend a permit system which for 1969 as a first calendar year of operation, would be designed to raise approximately $33 million of gross revenue of which $29 to $30 million would be carried into the land and water conservation fund net of the cost of sales commissions. It is also designed to have increasing revenues in each succeeding year so that 1979 net revenues into the fund would be $58 million, and total revenues for the years 1969–89 would be about $1,250 million.

USER FEE COLLECTIONS BY THE CORPS OF ENGINEERS

The Land and Water Conservation Fund Act listed the Corps of Engineers as one of several agencies deemed appropriate to collect user and admission fees for support of the fund on recreational lands under its jurisdiction. In practice, however, the corps which has over 4,000 recreation areas and has in excess of one-quarter billion visitations each year, has made only minimal contributions to the fund through the collection of admission and user fees. Nearly 75 percent of the total collection of admission and user fees come from the Department of the Interior, while another 20 percent is collected by the Department of Agriculture. The remaining 5 percent are received by all other agencies combined, including the Corps of Engineers.

While the Corps of Engineers maintained at our hearing that it has no objection to an indefinite extension of the admission and user fee programs, it feels that it is prohibited from collecting any such fees as a result of provisions in section 210 of the Flood Control Act of 1968 (Public Law 90–483). Subsequent to passage of this act last year, the Corps of Engineers discontinued, entirely, fee collections of any kind at recreation areas under their administration. Section 210 of the Flood Control Act of 1968 is printed below:

SEC. 210. No entrance or admission fees shall be collected after March 31, 1970, by any officer or employee of the United States at public recreation areas located at lakes and reservoirs under the jurisdiction of the Corps of Engineers, United States Army. User fees at these lakes and reservoirs shall be collected by officers and employees of the United States only from users of highly developed facilities requiring continuing presence of personnel for maintenance and supervision of the facilities, and shall not be collected for access to or use of water areas, undeveloped or lightly developed shoreland, picnic grounds, overlook sites, scenic drives, or boat launching ramps where no mechanical or hydraulic equipment is provided.

Prior to enactment of this act, the corps collected admission and user fees at as many as 189 areas according to the criteria established by the President in Executive Order 11200.

[1] Refer to page 42 of the hearing record on the "golden eagle program", held before the Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs, July 17 and 18, 1969.

[2] Refer to page 34 of the hearing of July 17 and 18 cited above.

In a recent letter to Senator Jackson from Major General Clarke, Deputy Chief of Engineers, it was reported that the corps, acting in accordance with the procedures established, issued regulations governing the collection of fees. The criteria, as set forth in the corps letter, states as follows:

The Corps of Engineers, in accordance with the procedures established, issued regulations governing the collection of fees at its projects. Under these regulations no entrance fees were charged at projects, where the total Federal investment in recreational facilities for the entire project was less than $50,000, and the recreation pool was less than 100 acres. Entrance fees were collected at designated public use areas of the project where at least $25,000 had been spent by the Federal Government on recreational facilities at each area, apart from roads; there were at least 25 acres of usable land available in the area above the conservation pool; there was an annual recreational attendance of at least 50,000 per year; and the area had potential for further recreational development. Consideration was also given to such factors as to whether there were other access areas on the same project with minimum recreation facilities where no fee was charged. There was at least one such no-charge area at each project. The developed areas for which entrance fees were charged contained such facilities as campsites, water, toilets, picnic tables, boat launching ramps, and the like.

The committee believes that the Corps of Engineers should not be exempt from charging entrance or user fees at its recreational areas, when other Federal agencies such as the Park Service, the Forest Service, and the Bureau of Land Management presently impose such fees. The corps, which supports more waterborne recreational users than any other Federal agency, could make a significant contribution to the land and water conservation fund if included among the other fee-collecting agencies.

The Corps of Engineers places heavy reliance upon the use of recreational benefits to justify the construction of navigation and multiple-use dams and reservoirs. For example, Public Law 90-483, the River and Harbor and Flood Control Act, approved August 13, 1968, authorized the construction of 19 projects which included multiple-purpose reservoirs in the plan for development. Total benefits accruing to all project purposes would be $71,322,400 annually of which $22,781,090, representing 32 percent, would accrue to recreation or fish and wildlife enhancement.

As the corps becomes more recreationally oriented, their investments will constitute an increasingly larger portion of the Federal Government's investment in public recreation. Therefore, it seems appropriate that revenues should be derived from these investments to help support such activities.

COST

The continuation of the golden eagle will not enlarge the land and water conservation fund program because the ceiling is set at $200 million a year. Rather, if the golden eagle, and other fee collections are continued the income from such sales will go into the fund and the amount of mineral receipts entering the fund will be reduced accordingly. Therefore, the miscellaneous receipts of the Treasury will benefit to the extent of the golden eagle and other related fee income.

At the request of Senator Bible, chairman of the Subcommittee on Parks and Recreation, the committee was provided with data from the Bureau of Outdoor Recreation as to the cost of collecting recreation fees. Subsequent to the hearing on S. 2315, the committee received correspondence from the Bureau of Outdoor Recreation, stating:

We have carefully reviewed all available information relating to the costs of collecting recreation fees. None of the agencies involved has a cost accounting system that would reflect actual costs of collecting such fees. The estimate of 10 percent used by the Bureau of Outdoor Recreation includes the same cost items as the other agencies use. One reason for the difference is that each agency figures its costs in relation to the funds it collects. Many permits are sold by mail orders addressed to the Bureau of Outdoor Recreation. While the cost of checking Passports at areas, answering questions and processing visitors falls on the managing agencies, the revenues from the mail order sales cannot be credited to specific agencies. Thus, their costs may run 15 to 20 percent. Overall, we believe that total costs will not exceed 12 to 15 percent of total collections.

During the executive session on S. 2315, the committee thoroughly discussed the anticipated costs of advertising the annual passport to increase public awareness and acceptance of the program. Rather than establish rigid guidelines on expenditures, the committee felt that the Secretary of the Interior should be given sufficient latitude to expend such sums as he deems necessary in order to advertise and promote any recreational entrance or user fees of the golden eagle passport. The committee anticipates that the Appropriations Committee will review these expenditure requests each year.

COMMITTEE RECOMMENDATIONS

The Interior and Insular Affairs Committee recommends that S. 2315, as amended, be enacted.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. KENNEDY. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDING OFFICER (Mr. ALLEN in the chair). Without objection, it is so ordered.

OFFICERS' BONANZA

Mr. YOUNG of Ohio. Mr. President, in 1966 Congress was prevailed on to pass the 10-percent overseas savings plan. Generals galore appeared before the House and Senate Armed Services Committees claiming GI's in Vietnam and other foreign countries—a total 1,422,000 at this time—should be encouraged to save money. I voted against the bill predicting at the time that it would become a bonanza for officers, but mean little to enlisted men and draftees. The fact is that 50 percent of eligible officers have made deposits, but only 15 percent of GI's. Many high-ranking officers are depositing much more than their "unallotted pay and allowances" notwithstanding that monthly deposits were limited to pay and allowances. Instead of the $25 million expected to be deposited, approximately $200 million was deposited in the first 14 months, mostly by officers. Unfortunately, American taxpayers are paying that 10-percent interest compounded quarterly. The money paid in interest to officers greatly exceeds actual deposits made by enlisted men and draftees overseas.

Unfortunately, this program has a rule that GI's cannot withdraw any of their deposits while overseas unless they prove an emergency. GI's in Vietnam, for example, desiring a rest and relaxation trip to Australia or Hong Kong naturally need their money, so very few make deposits. Officers who borrow money in the United States and whose relatives send their own money or borrow money in the United States at from 5 percent to 8 percent and then send bank drafts and checks overseas have no desire to end this bonanza. Obviously, relatives and close friends send bank drafts for deposit at 10-percent interest compounded quarterly by their officer relative, or friend, and join in this profiteering. The Secretary of Defense should end this racket. He should lower the interest rate to 5 or 6 percent without delay. This would not affect GI's adversely. It would end the racketeering and quick profiteering being made by some thousands of officers.

S. 2876—INTRODUCTION OF THE CAMPAIGN BROADCAST REFORM ACT

Mr. PEARSON. Mr. President, today it is my privilege to introduce the Campaign Broadcast Reform Act of 1969, together with the distinguished senior Senator from Michigan (Mr. HART) and Senators ANDERSON, BROOKE, BURDICK, CASE, CRANSTON, DODD, EAGLETON, FULBRIGHT, GOODELL, GRAVEL, HARRIS, HARTKE, HATFIELD, HOLLINGS, HUGHES, INOUYE, KENNEDY, MCGOVERN, MATHIAS, METCALF, MUSKIE, MONTOYA, NELSON, PELL, PERCY, RANDOLPH, SAXBE, SCOTT, SCHWEIKER, SMITH, SPONG, TYDINGS, YARBOROUGH, and YOUNG of Ohio.

Earlier this year I resubmitted the Campaign Finance Act (S. 1692) which was originally introduced several years ago. That bill is designed to broaden the contributions base in public affairs by offering tax incentives to small- and medium-sized donors to political campaigns. The bill would also require much more stringent reporting of all campaign spending. At that time I noted that the rising costs of political campaigns was rapidly pricing many qualified men of modest means out of the public arena. A better system of reporting and a broadened contributions base would help alleviate the problem, of course, but they could not alone halt the costly trend that is rapidly making a mockery of our democratic election philosophy. Thus, something must also be done to directly reduce the major costs of seeking public office. That is the purpose of the legislation we introduce today, for it is obvious that the greatest expense faced by serious candidates for Federal office is incurred in the purchase of television time.

Mr. President, the Campaign Broadcast Reform Act is designed to provide candidates for the House and Senate with the opportunity to purchase, at significantly reduced rates, the minimum amount of time demanded by today's modern campaigns. The bill applies only to nominated candidates for the House and Senate, and is limited to the 5 weeks preceding the November general elections. Recognizing the average candidate's preference for spot announcements, it provides a basic amount of spot time to be used in segments of 1 minute or less. Also offered is a bonus amount of program time at an even greater cost reduction to encourage the use of longer, more educational segments of not less than 5 minutes' duration each. Every affected candidate is free to use some, none, or all of the discount time, in whatever manner he chooses—prime or nonprime time, long or short segments, film or live. Moreover, he is in no way prohibited from purchasing additional television time at regular rates if he so desires.

SPOT TIME PROVISIONS

Mr. President, under this bill each candidate for the U.S. House of Representatives would be entitled to purchase 60 1-minute segments of prime television time, or the equivalent, and each candidate for the U.S. Senate would be allotted 120 1-minute segments of prime television time, or the equivalent, to be used in the 5 weeks prior to the general election. Recognizing the schedule variations in the 50 States, prime time is defined as the continuous 3-hour period of the broadcast day which reflects a station's highest published rates.

On every television station, the cost for 1 minute at 9 p.m. is more than for 1 minute at 9 a.m. Also, the cost of a 20-second spot is more than one-third of the cost for the full 60-second spot.

Spot time equivalencies, when a candidate requests some or all of his spot time allotment in nonprime time and/or in segments of less than 1 minute, would be derived from the station's highest published rate for the 1-minute, prime time spot; for example, the single spot, one-time buyer rate. These rates are available in, or can be derived from the rate schedules published in such accepted buyers' guides as Standard Rate and Data.

For purposes of a simple example, assume a rate schedule such as the following:

$100 per one 60-sec. spot at prime time.
$50 per one 20-sec. spot at prime time.
$50 per one 60-sec. spot at non-prime time.
$25 per one 20-sec. spot at non-prime time.

In this case, the equivalent of a prime time 1-minute spot would be two 20-second prime time spots, two 1-minute nonprime spots, or four 20-second nonprime spots. In this way the candidates in any given race would benefit as equally as possible in terms of the monetary discount they received, while the total air time used by each would vary according to the actual composition of the schedule which each candidate devised.

COST DISCOUNTS

For both House and Senate candidates, the charge by broadcasters for spot time would be 30 percent of the regular commercial rate charged by the licensee for comparable use of the station. Thus, the discount would apply to the general rate schedule, including the discount prices which stations generally afford commercial buyers in the purchase of long-term or multiple-unit packages. In regard to the discount provisions, as well as the equivalency provision mentioned above, the FCC would have the power to review station's current rate schedules. The Commission would be expected to issue such general regulations and instructions as necessary to assure uniform application of these provisions, and in the case of disputes to investigate and rule promptly.

Mr. President, in each constituency, all UHF and VHF licensees would be expected to share equally the responsibility for providing the necessary broadcast time. Thus, while these individual requirements will vary from district to district and State to State, no broadcaster would bear a larger burden than any other licensee in his given area. In no case would any station be expected to assume the responsibility of another; should a candidate not wish to purchase his allotted time on one or more of the stations in his constituency, this portion of time would be sacrificed from his total allotment.

House races: For every House candidate—except those running at large—the sixty 1-minute segments to which he is entitled would be equally divided among the broadcast stations located within the geographical boundaries of the congressional district and such stations outside the district whose broadcast area population—for instance, the population residing within the radius of the station's "A-contour" broadcast area—includes at least one-third of the population of the given district. Example: If there are three stations in the district and one just outside which counts one-third of the district's population in its A-contour market area, the candidate's 60-minute allotment would be equally divided among these four stations: each offering him 15 minutes of discounted time.

Senate races: The 120 1-minute segments to which each Senate candidate is entitled, and the sixty 1-minute segments in the case of House candidates running at large, would be equally divided among those broadcasters located within the State and such broadcasters outside the State, one-fifth of whose broadcast area population—or a contour population—reside within the State.

It should be possible to estimate well in advance the total amount of time required to be provided by any given station in any given election year, thus permitting licensees to set aside adequate time for political candidates. It is also presumed that a licensee would have the right, whether formally or informally established, to preempt commercial advertisers during the 5-week preelection period if necessary to meet the requirements established by this law. Obviously, we hope that any such instances would be the exception and not the rule.

PROGRAM TIME PROVISIONS

Mr. President, in order to encourage broader exposure of candidates and issues, broadcasters would also be required to offer candidates the opportunity to purchase an additional bonus of program time—that is, time to be used in segments of 5 minutes or more. Each candidate for the House and Senate would be entitled to a 30-minute program, or its equivalent, on each of the stations required to provide him time. Station responsibility is defined exactly as it is in the section dealing with spot time allotments.

Program time equivalencies are derived from the highest published rate charged for the basic time unit, as in the spot-time formula, but in this case the base unit is the 30-minute prime-time program, rather than the 60-second prime-time spot announcement.

For both House and Senate candidates, the cost of this program time would be 20 percent of the regular commercial rate charged by the station for comparable use for other purposes. As in the case of spot-time discounts, the FCC would have the power to review a station's rates and to issue such regulations as necessary.

PROCEDURES FOR REQUESTING, ALLOTTING, AND PURCHASING POLITICAL TIME

Candidates and broadcasters, or their representatives, would neogtiate the purchase of spot and program time much as they now do, within the limits of the timetable specified in the bill. This would require submission of applications and schedule requests by candidates at least 60 days before the election and the presentation of a suggested schedule by the broadcaster to each candidate 40 days before the election. A minimum of 5 days would be left for resolving problems or disagreements. Special provision is made to cover late primaries where a candidate is not selected until after the 60-day schedule submission date. Almost all candidates are now required to make payment for time purchased prior to broadcast, and under the Campaign Broadcast Reform Act, candidates would be expected to continue to observe this procedure. In order to assure uniformity and fairness, the FCC would have responsibility for prescribing the form of the applications and schedule presentations and for arbitrating disputes.

ALTERNATIVE APPROACH

Mr. President, other avenues of reform are open and certainly should be explored. In recognition of this fact, the Campaign Broadcast Reform Act of 1969 is not offered as a panacea for the problem of skyrocketing campaign expenditures. Rather, it is submitted simply as a focus for discussion and a stimulus for debate. Thus, the sponsors of this bill are not wedded to every comma and semicolon contained within it. Quite the contrary. We are open to any reasonable approach which addresses the problem. But we do ask that the problem be ad-

dressed and, that after careful deliberation, action be taken.

In considering any alternative approaches, however, let us remember that the use of a small amount of discounted time such as we propose circumvents many of the complications that are raised by legislation which would substantially alter the equal-time provision of section 315 of the Federal Communications Act. Any such alterations always run the grave risk of exposing the broadcast industry to the very abuses that section 315 was designed to prevent when it was originally enacted 35 years ago.

The Campaign Broadcast Reform Act manages to avoid all these pitfalls while still providing a guarantee of access to the television medium for every serious candidate. Yet, because the cost of even discounted broadcast time is relatively high, strong deterrents guard against abuse by frivolous candidates and protect the broadcast industry in high-priced metropolitan areas where television is not now a campaign factor.

THE NEED FOR REFORM

Mr. President, the cost of television campaigning in the United States—the only country in the world that charges its candidates for access to the medium—is making it impossible for a man of moderate means to run for public office unless he successfully curries the support of wealthy men or powerful special-interest groups.

The total cost of all campaigns in the United States last year is estimated at approximately $300 million, an increase of 50 percent since 1964 and 100 percent since 1956. Roughly $58.9 million of this total was expended on political broadcasts, 64.5 percent being spent on television. If we limited our attention solely to the Federal offices that would be affected by the Campaign Broadcast Reform Act, the proportion spent on television would be much, much higher.

Even when production costs are eliminated, the amounts spent on political television time are enormous. In 1952 the declared figure for all candidates was $3 million, excluding primaries. In 1956 the comparable figure was $6.6 million; in 1960, $10 million; in 1964, $17.5 million; and in 1968, $27.4 million. These rising broadcast expenses represent greater use of television as well as higher costs, of course. But we cannot ignore the fact that television rates also climbed by an average of 30 to 40 percent between 1961 and 1967.

Mr. President, from the time Abraham Lincoln spent 75 cents on his 1864 Congressional campaign until the early 1950's, most of the growth in political spending corresponded to the increases in our population and our cost of living. That campaign spending has jumped 114 percent since 1952 can only be directly attributable to the television revolution in American politics. The cost per vote cast for the two major party candidates never exceeded 19 to 20 cents during the years 1912 through 1928. In fact, it even remained at this low level through the elections of 1952 and 1956. But in the past 12 years this cost indicator has soared upward by over 300 percent, reaching 67 cents per vote in 1968 when spending on behalf of third party candidate George Wallace is included.

The full extent of the insatiable demands imposed by this campaign revolution are best revealed when the specific requirements for House and Senate races are considered. For example, many, many House races cost each candidate at least $100,000—of which 40 to 50 percent is often spent on broadcast time. As for the Senate, several candidates last year were told by their advertising agencies that television would cost them 10 cents for every man, woman, and child in their States. This meant that senatorial candidates in six States could expect to pay at least a million dollars for television if they conducted a well run campaign. In California and New York the sum would be nearer $2 million. And these figures do even include the cost of producing the advertisements. These extras are normally equivalent to one-fourth the expense of purchasing the time needed to air them.

Mr. President, the television industry has done a marvelous job in bringing the issues developed in our major campaigns before the public. The nightly newscasts and special documentaries represent worthy efforts to provide the vital information every intelligent voter needs to make a wise choice. But the hard fact remains that these efforts, by necessity, are highly condensed and, as a result, are of limited effectiveness. For example, a half-hour news show, literally covering the entire world's events, is equivalent in content to only three-quarters of a single newspaper page.

Our radio stations, too, must be considered in evaluating the need for reform of our political broadcast practices. For, certainly, they, too, have contributed, however unwittingly, to today's dangerous cost spiral. The problems involved in defining the minimum discount-time obligations of radio broadcasters is much more difficult, however, given the far greater number of stations involved. And, as pointed out earlier, radio advertising costs are a relatively small percentage of television costs at the Federal level where we must operate. No doubt reform is needed here, too, but we cannot delay action on the heart of the problem—television—while waiting for a solution of the minor issues.

With each year that passes, the crisis grows more grave, and if any action is to be taken by 1970 we will have to begin now, where we can, while we can.

Mr. President, the broadcasters have a right to do their best to make a fair profit under our free enterprise system. But they also have an obligation, a higher obligation, as the law states, to operate "in the public interest." After all, they are licensed by the American people to use their airways as a public service. They have not been granted their broadcasting opportunities by divine right. Congress can alter the requirements for use of the airways any time it is in the public interest to do so. And given the vital importance of reopening our political system to maximum competition, now is clearly such a time.

Thus, Mr. President, I am quite hopeful that the Campaign Broadcast Reform Act will achieve the speedy consideration it deserves, for nothing less than the integrity of our historic belief in democracy is at stake. Technology has radically changed the demands of campaigning for public office in just the past decade. We must adapt our laws and practices to deal with these changes if we are to succeed in preserving the open character of our political system. And let us remember that this free competition has produced some of the greatest statesmen the world has ever known—men of unlimited talent, but very limited means—men such as Abraham Lincoln. If he were to enter the public arena today, for example, I doubt if he would be able to survive.

Such a situation is obviously unhealthy. The responsibility to do something about it is ours. We cannot shirk it any longer. If we do not have the wisdom and courage to reform our political system from within there are many who stand ready to overthrow it from without. Public confidence can only be maintained by reforming obvious inequities. The remedy offered by the Campaign Broadcast Reform Act is a mild one, but it is reasonable and should prove effective. Let us take this opportunity for moderate reform before more extreme measures are the only viable alternative.

Mr. President, I ask unanimous consent that the Campaign Broadcast Reform Act be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2876) to amend the Communications Act of 1934 to provide candidates for congressional offices with certain opportunities to purchase broadcast time from television broadcasting stations, introduced by Mr. PEARSON, for himself and other Senators, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2876

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Part I of title III of the Communications Act of 1934 is amended by adding at the end thereof the following new section:

"Television Broadcast Time for Candidates for Congressional Offices

"SEC. 331. (a) For purpose of this section—

"(1) The term 'broadcast area' means the A contour area of a television broadcasting station, as determined under regulations of the Commission.

"(2) The term 'legally qualified candidate' includes only candidates in general elections.

"(3) The term 'Representative in Congress' includes the Resident Commissioner from the Commonwealth of Puerto Rico.

"(4) The term 'television broadcasting station' means a television broadcasting station operating on a channel regularly assigned by the Commission under this Act to the television broadcasting station's community.

"(b) Each legally qualified candidate for the office of Representative in Congress or United States Senator shall be provided, in accordance with subsection (d), opportunities to purchase broadcast time from the television broadcasting stations required under subsection (c) to provide such opportunities to such candidate.

"(c)(1) Each legally qualified candidate for the office of Representative in Congress elected from a congressional district shall be provided opportunities to purchase broadcast time from each television broadcasting station located in such district and from any other television broadcasting station whose broadcast area population comprises at least one-third of the population of such district.

"(2) Each legally qualified candidate for the office of Representative in Congress elected at large from a State or for the office of United States Senator from a State shall be provided opportunities to purchase broadcast time from each television broadcasting station located in such State and from any other television broadcasting station which has at least one-fifth of its broadcast area population residing in such State.

"(3) The population of each State, congressional district, and broadcast area shall be determined by the Commission on the basis of the latest available census information from the Department of Commerce.

"(d) The opportunities to purchase broadcast time required to be provided by television broadcasting stations under this section shall be provided as follows:

"(1) The broadcast time required to be provided shall be provided during the five-week period ending on the date of each general election held to select Representatives in Congress and United States Senators. Not later than the 60th day preceding the date of such election (or if a primary election to select candidates for such election is to be held after such 60th day, not later than the 42nd day preceding the date of such election), each legally qualified candidate in such election for the office of Representative in Congress or the office of United States Senator may apply (in such manner as the Commission shall by regulation prescribe) to any television broadcasting station, required under subsection (c) to provide opportunities to purchase broadcast time to such candidate, to purchase the broadcast time described in paragraph (2) of this subsection. Not later than the 40th day preceding the date of such election, each television broadcasting station which has received any application under the preceding sentence to purchase broadcast time shall provide each applicant with a schedule of the broadcast time which may be purchased by the applicant. Such schedule shall be made in accordance with the requirements of this section.

"(2)(A) Each legally qualified candidate for the office of Representative in Congress shall, with respect to each general election in which he is running, be entitled to purchase—

"(i) Sixty one-minute announcements or the equivalent (as determined under regulations of the Commission), and

"(ii) A thirty-minute, program-length broadcast or the equivalent not to be used in segments shorter than five minutes in length (as determined under regulations of the Commission) from each television broadcasting station required under subsection (c) to provide opportunities to such candidate to purchase broadcast time.

"(B) Each legally qualified candidate for the office of United State Senator shall, with respect to each general election in which he is running, be entitled to purchase—

"(i) One hundred and twenty one-minute segments of broadcast time (or the equivalent as determined under regulations of the Commission), and

"(ii) A thirty-minute program-length broadcast or the equivalent not to be used in segments shorter than five minutes in length (as determined under regulations of the Commission) from each television broadcasting station required under subsection (c) to provide opportunities to such candidate to purchase broadcast time.

"(C) If more than one television broadcasting station is required under subsection (c) to provide a candidate with opportunities to purchase broadcast time, all the television broadcast stations so required to provide such candidate with such opportunities shall divide equally among themselves (in accordance with regulations of the Commission) the responsibility to provide to the candidate the opportunity to purchase broadcast time described in clause (i) of subparagraph (A) or (B) of this paragraph, as the case may be.

"(3) Each candidate shall be given the opportunity to purchase broadcast time during the continuous three hour period of each broadcast day which reflects the highest published rates of the station, or during such other period as the candidate may request.

"(4) The rates charged a candidate for broadcast time purchased under this section shall not exceed—

(A) Thirty per centum of the charges made for comparable use of such station for other purposes for the announcements described in clause (i) of subparagraph (A) or (B) of paragraph (2), as the case may be.

"(B) 20 per centum of the charges made for comparable use of such station for other purposes for the program time described in clause (ii) of subparagraph (A) or (B) of paragraph (2), as the case may be.

"The Commission shall have the authority to require licensees to keep such records as may be necessary to determine the sale price of broadcast time during the four month period preceding the date of the general election. Upon application of a candidate, the Commission shall promptly review the station's records to determine whether the station is in compliance with this Act and take such steps as may be necessary to bring the station into compliance."

SEC. 2. The amendments made by Sec. 1 of this Act shall be applied in accordance with the provisions of Sec. 315 of the Communications Act of 1934.

SEC. 3. The amendments made by Sec. 1 of this Act shall apply with respect to candidates in general elections held on or after the 180th day following the date of the enactment of this Act.

Mr. HART. Mr. President, will the Senator yield?

Mr. PEARSON. I am glad to yield to the distinguished Senator from Michigan.

Mr. HART. Mr. President, at a time when there is considerable and laudable interest in widening participation in our electoral process, soaring campaign costs work in the opposite direction.

It has been estimated that in 1968 candidates for public office at all levels spent about $300 million campaigning, up $100 million from the previous presidential election year.

Similar expenditures in presidential election years between 1952 and 1964 only rose from $140 million to $200 million.

Inflation accounts for only part of that increase.

One major increase came from greater use of political broadcasts as a campaign tool, in Senate and House races, as well as in presidential elections.

The Federal Communication Commission reported that $34.6 million were spent on all political broadcasting in 1964. In 1968, that figure was $58.9 million.

Almost 65 percent of that total went into television.

Clearly, television campaigning, with its many pluses and minuses, is not only here to stay, but reliance on TV as a major campaign strategy undoubtedly will continue to increase.

As campaign costs soar, the search for wealthy candidates and wealthy contributors intensifies.

Reliance on just one segment of society undermines the basis for representative and responsive government.

Statistics emphasize the narrowness of participation represented by political contributors.

It has been estimated than only 5 percent or less of our population contribute to political campaigns.

It has been estimated that only 1 percent of our people contribute 90 percent of all political funds.

The Nation is faced, then, with a serious problem of maintaining representative and responsive governments, both as to making possible races for public office by candidates of low and moderate incomes and as to supporting political campaigns which reach and inform as many people as possible.

Today, the able Senator from Kansas (Mr. PEARSON) and I introduced a bill designed as a small step toward alleviating one aspect of the problem of increasing campaign costs.

The Campaign Broadcast Reform Act of 1969 seeks to lower the cost of a limited amount of television campaigning.

The rationale for starting with television is:

First. The airways belong to the public.

Second. TV time is a major campaign cost and will continue to be so.

The Campaign Broadcast Reform Act would work this way:

In the 5 weeks prior to a general election only, a candidate for the U.S. House of Representatives could purchase the equivalent of 60 1-minute prime-time spots at 30 percent of the commercial rate, and the equivalent of one 30-minute prime-time program at 20 percent of the regular commercial rate.

Senate candidates could purchase the equivalent of 120 1-minute prime-time spots at 30 percent of the regular commercial rate and the equivalent of a 30-minute program at 20 percent of the prime-time rate.

At the discretion of the candidate, spot time could be divided among 1-minute ads and ads of shorter duration and purchased at various times. The cost of the package would be limited to the cost of 60 1-minute or 120 1-minute prime-time spots.

Similarly, program time would be divided at the discretion of the candidate, though programs would have to be at least 5 minutes long.

Discounted time purchased would have to be divided equally among all stations in a House district or a State. Also, out-of-district or out-of-State stations serving prescribed percentages of an area's population also would have to accept an equal share of the discounted time.

The bill does not limit a candidate from purchasing additional time, nor does it interfere with billing procedures involving political candidates.

The bill also is designed not to raise questions of equal time.

Again, the intent of the Campaign Broadcast Reform Act of 1969 is to help provide all candidates with access to a most important campaign tool.

It is my hope that not only will this bill be considered on its own merits, but that its introduction will generate needed study of ways to open the opportunity to run for public office to all persons, regardless of the degree of affluence of the candidate or of his backers.

Only in that way can we insure that the high cost of campaigning does not thwart efforts to insure that our Government elected by the people represents and is responsive to all people.

Mr. PEARSON. I thank the Senator.

Mr. SPONG. Mr. President, the rapidly growing cost of political campaigns poses a serious threat to our traditional political values and system. In the past few years the impact of technological developments on our campaigning has become obvious to all. The need for a good television image and the use of TV documentaries and television spots similar to those used to sell commercial products have become accepted parts of our system of choosing our leaders and legislators.

Besides becoming a dominant influence in our elections, TV has had a profound effect on the cost of running for political office. For example, in 1952, $3 million was spent for TV time by all candidates; by 1968, this figure reached $27.4 million. These figures do not include the considerable cost of the production of TV materials, which is estimated to run 25 percent or more of the cost for time.

In Virginia, we have just completed a Democratic primary election in which record amounts were spent by the candidates on their campaigns, much of which was for TV time and production. For example, one candidate spent about a quarter of a million dollars on TV time and production, a figure in excess of the total amount spent by any previous Virginia candidate in a primary or a general election.

Recently released figures on campaign costs in 1968 indicate that the percentage spent for TV time was greater than in previous years. Whatever figures are used, one point is clear—campaign costs are increasing rapidly and the cost of TV time is a significant factor in the increase.

As campaign costs increase, it is becoming more and more difficult for candidates without personal wealth or the backing of powerful interest groups to run for high office. Such a situation is totally unacceptable in a system such as ours.

It is clear that the current election laws are ineffective in limiting the cost of campaigning and that Congress must take steps to bring the cost of campaigning within reason. The bill introduced today by Senators HART and PEARSON represents a modest first step in that direction. I join in its sponsorship as an expression of my concern over complaints—heard with increasing frequency—that only the independently wealthy, or those backed by well-to-do special interests, can afford to seek public office. I hope the bill will serve as a vehicle for further refinements leading to limitations on campaign spending and disclosure.

Congress must act to restore the public's faith in our Government. Broader participation in political campaigns, together with a reduction in campaign costs and financial disclosure by public officials, would serve to eliminate doubt and suspicion about the activities of people in government, and those aspiring to public office.

The bill provides for reduced rates for TV time for candidates for the House and Senate, and does so in the simplest manner possible and without imposing an undue burden on any one station. Simply, the bill provides that each candidate for the Senate and House of Representatives, in a general election, would be able to buy a certain amount of time at a reduction from the regular commercial rate.

Candidates for the Senate would be able to buy up to 120 minutes of spot time to be used in segments of 1 minute or less at 30 percent of the regular rate. Candidates for the House would be able to buy up to 60 minutes of this time. The time would be divided among the stations serving a significant portion of the candidate's State or district. In addition, each candidate would be able to buy a 30-minute program or its equivalent on each station servicing his State or district at 20 percent of the regular rate.

Mr. President, I would hope that the simplicity of the bill would be a start toward a more complete limitation and control upon campaign costs, particularly those involved in television. In view of this, the bill is worthy of consideration by the Senate. I hope early hearings will focus the Senate's attention upon this problem.

The PRESIDING OFFICER. Is there further morning business?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

JOINT COMMISSION BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED MEXICAN STATES

A communication from the President of the United States strongly urging prompt action on S.J. Res. 119 and provision of sufficient funds to cover the modest expenses of the U.S. Section of the United States-Mexico Commission for Border Development and Friendship; to the Committee on Foreign Relations.

REPORT OF TITLE I AGREEMENTS UNDER THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

A letter from the Acting Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting, pursuant to law, a report of agreements signed under Public Law 480 in July and August 1969 for foreign currencies (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT ON VALUE OF PROPERTY, SUPPLIES, AND COMMODITIES PROVIDED BY THE BERLIN MAGISTRAT

A letter from the Assistant Secretary of Defense, reporting, pursuant to law, on the value of property, supplies, and commodities provided by the Berlin Magistrat for the quarter April 1, to June 30, 1969; to the Committee on Armed Services.

PROPOSED LEGISLATION AUTHORIZING A STUDY OF ESSENTIAL RAILROAD PASSENGER SERVICE

A letter from the Chairman, Interstate Commerce Commission, transmitting a draft of proposed legislation to amend section 13a of the Interstate Commerce Act, to authorize a study of essential railroad passenger service by the Secretary of Transportation, and for other purposes (with an accompanying paper); to the Committee on Commerce.

PROPOSED LEGISLATION IMPROVING AND CLARIFYING CERTAIN LAWS AFFECTING THE COAST GUARD

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to improve and clarify certain laws affecting the Coast Guard (with accompanying papers); to the Committee on Commerce.

REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of financial statements of the Federal Housing Administration for the fiscal year 1968, Department of Housing and Urban Development, dated September 9, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the potential for savings by reduction of aircraft engine procurement, Department of the Navy and Department of the Air Force, dated September 9, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the enforcement of sanitary, facility, and moisture requirements at federally inspected poultry plants, Consumer and Marketing Service, Department of Agriculture, dated September 10, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report on review of U.S. assistance programs in Tunisia (with an accompanying report); to the Committee on Government Operations.

PROPOSED LEGISLATION MODIFYING THE BOUNDARIES OF THE SANTA FE, CIBOLA, AND CARSON NATIONAL FORESTS, N. MEX.

A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to modify the boundaries of the Santa Fe, Cibola, and Carson National Forests in the State of New Mexico, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT ON COMMISSARY ACTIVITIES OUTSIDE THE CONTINENTAL UNITED STATES

A letter from the Assistant Secretary for Administration, Department of Commerce, transmitting, pursuant to law, a report of the Department on commissary activities outside the continental United States (with an accompanying report); to the Committee on Commerce.

PROPOSED AMENDMENT OF THE ATOMIC ENERGY ACT OF 1954

A letter from the Acting Chairman, Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Atomic

Energy Act of 1954, as amended, and for other purposes (with accompanying papers); to the Joint Committee on Atomic Energy.

REPORT ON FOREIGN AGENTS REGISTRATION ACT

A letter from the Attorney General of the United States, transmitting, pursuant to law, a report of the Attorney General on the Foreign Agents Registration Act, for the calendar year 1968 (with an accompanying report); to the Committee on the Judiciary.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with amendments:

S. 560. A bill to provide for the establishment of the William Howard Taft National Historic Site (Rept. No. 91-396).

EXTENSION OF AUTHORITY TO LIMIT THE RATES OF INTEREST OR DIVIDENDS PAYABLE ON TIME AND SAVINGS DEPOSITS AND ACCOUNTS—REPORT OF A COMMITTEE (S. REPT. NO. 91-397)

Mr. PROXMIRE. Mr. President, from the Committee on Banking and Currency, I report favorably an original joint resolution (S.J. Res. 149) to extend for 3 months the authority to limit the rates of interest or dividends payable on time and savings deposits and accounts, and I submit a report thereon.

The PRESIDING OFFICER. The report will be received and the joint resolution will be placed on the calendar; and the report will be printed.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session, the following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Jack W. Lydman, of New York, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Malaysia;

Charles T. Cross, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Singapore;

Charles W. Adair, Jr., of Florida, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Uruguay;

Robert M. Sayre, of Virginia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Panama;

Douglas MacArthur II, of the District of Columbia, a Foreign Service officer of the class of career ambassador, to be Ambassador Extraordinary and Plenipotentiary to Iran;

Robinson McIlvaine, of Pennsylvania, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Kenya;

Charles W. Yost, of New York, William B. Buffum, of New York, Dante B. Fascell, U.S. Representative from the State of Florida, J. Irving Whalley, U.S. Representative from the State of Pennsylvania, and Shirley Temple Black, of California, to be representatives of the United States of America to the 24th session of the General Assembly of the United Nations; and

Christopher H. Phillips, of New York, Glenn A. Olds, of New York, Rita E. Hauser, of New York, William T. Coleman, of Pennsylvania, and Joseph E. Johnson, of New Jersey, to be alternate representatives of the United States of America to the 24th session of the General Assembly of the United Nations.

By Mr. EASTLAND, from the Committee on the Judiciary:

Leonard E. Alderson, of Wisconsin, to be U.S. marshal for the western district of Wisconsin.

BILLS AND JOINT RESOLUTIONS INTRODUCED OR REPORTED

Bills and joint resolutions were introduced or reported, read the first time and, by unanimous consent, the second time, and referred or placed on the calendar, as follows:

By Mr. PEARSON (for himself, Mr. HART, Mr. ANDERSON, Mr. BROOKE, Mr. BURDICK, Mr. CASE, Mr. CRANSTON, Mr. DODD, Mr. EAGLETON, Mr. FULBRIGHT, Mr. GOODELL, Mr. GRAVEL, Mr. HARRIS, Mr. HARTKE, Mr. HATFIELD, Mr. HOLLINGS, Mr. HUGHES, Mr. INOUYE, Mr. KENNEDY, Mr. MCGOVERN, Mr. MATHIAS, Mr. METCALF, Mr. MONTOYA, Mr. MUSKIE, Mr. NELSON, Mr. PELL, Mr. PERCY, Mr. RANDOLPH, Mr. SAXBE, Mr. SCHWEIKER, Mr. SCOTT, Mrs. SMITH, Mr. SPONG, Mr. TYDINGS, Mr. YARBOROUGH, and Mr. YOUNG of Ohio):

S. 2876. A bill to amend the Communications Act of 1934 to provide candidates for congressional offices with certain opportunities to purchase broadcast time from television broadcasting stations; to the Committee on Commerce.

(The remarks of Mr. PEARSON when he introduced the bill appear earlier in the RECORD under the appropriate heading.)

By Mr. DODD:

S. 2877. A bill for the relief of Pasquale Sandolo; to the Committee on the Judiciary.

By Mr. MONDALE:

S. 2878. A bill for the relief of Donato Losenno; to the Committee on the Judiciary.

By Mr. STEVENS:

S. 2879. A bill to amend the Internal Revenue Code of 1954 to require the issuance of certificates of release of tax liens and the filing of such certificates in the same offices in which the notices of such liens are filed; to the Committee on Finance.

S. 2880. A bill to provide that time spent by a Federal employee in a travel status shall be considered as hours of employment; to the Committee on Post Office and Civil Service.

S. 2881. A bill to amend the Food Stamp Act of 1964 in order to permit eligible households living in remote areas of Alaska to use food stamp coupons for the purchase of ammunition; to the Committee on Agriculture and Forestry.

(The remarks of Mr. STEVENS when he introduced the bills appear later in the RECORD under the appropriate heading.)

By Mr. FANNIN:

S. 2882. A bill to amend Public Law 394, 84th Congress, to authorize the construction of supplemental irrigation facilities for the Yuma Mesa Irrigation District, Arizona; to the Committee on Interior and Insular Affairs.

By Mr. MONTOYA (for himself, Mr. HOLLINGS, Mr. MOSS, Mrs. SMITH, and Mr. YOUNG of Ohio):

S. 2883. A bill to provide for the imposition of a duty on excessive imports of potassium chloride or muriate of potash; to the Committee on Finance.

(The remarks of Mr. MONTOYA when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. MURPHY:

S. 2884. A bill to provide for the duty-free entry under bond of certain plastic bags to be used as containers for exporting organic fertilizer from the United States; to the Committee on Finance.

By Mr. HOLLINGS (for himself and Mr. COTTON):

S. 2885. A bill to establish an orderly trade in textiles and in leather footwear; to the Committee on Finance.

(The remarks of Mr. HOLLINGS when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. FULBRIGHT:

S. 2886. A bill to change the names of certain projects for navigation and other purposes on the Arkansas River; to the Committee on Public Works.

(The remarks of Mr. FULBRIGHT when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. HARTKE (for himself and Mr. MAGNUSON) (by request):

S. 2887. A bill to amend section 13a of the Interstate Commerce Act, to authorize a study of essential railroad passenger service by the Secretary of Transportation, and for other purposes; to the Committee on Commerce.

(The remarks of Mr. HARTKE when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. MONTOYA (for himself, Mr. ANDERSON, Mr. ALLEN, Mr. BENNETT, Mr. BIBLE, Mr. BURDICK, Mr. CANNON, Mr. CRANSTON, Mr. DODD, Mr. EAGLETON, Mr. FULBRIGHT, Mr. GURNEY, Mr. HARRIS, Mr. HART, Mr. MANSFIELD, Mr. MONDALE, Mr. MOSS, Mr. MURPHY, Mr. MUSKIE, Mr. SPARKMAN, Mr. SPONG, Mr. STEVENS, Mr. THURMOND, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota:

S.J. Res. 148. Joint resolution to amend the joint resolution making continuing appropriations for the fiscal year 1970 in order to provide for payment to local educational agencies of full entitlements pursuant to the provisions of title I of Public Law 874, Eighty-first Congress; to the Committee on Appropriations.

(The remarks of Mr. MONTOYA when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. PROXMIRE:

S.J. Res. 149. A joint resolution to extend for 3 months the authority to limit the rates of interest or dividends payable on time and savings deposits and accounts; placed on the calendar.

(The remarks of Mr. PROXMIRE when he reported the joint resolution appear earlier in the RECORD under the appropriate heading.)

S. 2879—INTRODUCTION OF A BILL RELATING TO RELEASE OF TAX LIENS

Mr. STEVENS. Mr. President, I have today introduced a bill as an amendment to the Internal Revenue Code which would require the issuance of certificates of release of tax liens and the filing of such certificates by the Internal Revenue Service.

When the Internal Revenue Service files a lien upon an individual or business, that lien is recorded.

When the lien is satisfied a release of the lien is recorded only if the expense of that release is borne by the taxpayer.

This procedure works a hardship on owners of real property who have had a lien filed against that property. In order

to clear title, the owner of the property must file the release of lien at his own expense.

In many cases the expense is really borne by subsequent owners of real property who have the burden of removing the cloud from the title which was originally created by the Internal Revenue Service lien.

The Federal Government should be in no greater position than anyone else in regard to removing clouds from titles created by liens. The legislation I have introduced today would require the Federal Government to take the necessary simple measures to remove the cloud created by a tax lien by filing a certificate of release of lien in the same office in which the notice of such lien was originally filed.

I ask unanimous consent that the text of this bill be printed in the RECORD in full at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2879) to amend the Internal Revenue Code of 1954 to require the issuance of certificates of release of tax liens and the filing of such certificates in the same offices in which the notices of such liens are filed, introduced by Mr. STEVENS, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2879

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsections (a), (b), (c), (d), and (e) of section 6325 of the Internal Revenue Code of 1954 (relating to release of lien or discharge of property) are amended by striking out "may issue" wherever appearing therein and inserting in lieu thereof "shall issue".

(b) Subsection (f)(1) of such section is amended by striking out "if a certificate is issued pursuant to this section by the Secretary or his delegate and is filed in the same office as the notice of lien to which it relates (if such notice of lien has been filed) such certificate" and inserting in lieu thereof "a certificate which is issued pursuant to this section and is filed as provided in subsection (g) (if filing is required under such subsection)".

(c) Subsection (g) of such section is amended to read as follows:

"(g) Filing of Certificates and Notices.—If the notice of lien to which a certificate or notice issued pursuant to this section relates has been filed, such certificate or notice shall be filed by the Secretary or his delegate, within ten days from the date of issuance, in the same office in which the notice of lien was filed. If the notice of lien to which such certificate or notice relates was filed in the office designated by State law under section 6323(f) (or in the office of Recorder of Deeds of the District of Columbia) and if such certificate or notice may not be filed in such office, then such certificate or notice shall be effective if filed in the office of the clerk of the United States district court for the judicial district in which such office is situated."

SEC. 2. The amendments made by this Act shall take effect on the first day of the first month which begins more than thirty days after the date of the enactment of this Act.

S. 2880—INTRODUCTION OF A BILL RELATING TO TIME SPENT IN TRAVEL STATUS BY FEDERAL EMPLOYEES

Mr. STEVENS. Mr. President, today I am introducing a bill that will treat that time spent in travel status by a Federal employee as hours of employment.

Too often in the past a Federal employee has been required to travel, while on Government business, on his own time. Many instances are documented in which an employee is required to be in a distant city on a Monday morning, necessitating his traveling on Sunday and many times on Saturdays in order to make his business appointments.

In many areas, such as my home State of Alaska, it is difficult to arrange convenient travel schedules to allow travel during normal working hours. In these cases, in order to carry out his job responsibilities, the employee must travel on a weekend or after regularly designated working hours.

Mr. President, it seems to me to be inconsistent to require an employee to sacrifice his personal time, time that could be spent with his family and friends, in order to meet Federal employment commitments.

My bill will correct this glaring deficiency by counting that time spent in travel status, outside of normal working hours, as hours of employment.

Mr. President, I ask unanimous consent that the text of my bill be printed in the RECORD following these remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2880) to provide that time spent by a Federal employee in a travel status shall be considered as hours of employment, introduced by Mr. STEVENS, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

S. 2880

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 5542(b)(2) of title 5, United States Code, is amended to read as follows:

"(2) time spent in a travel status away from the official station of an employee is hours of employment."

(b) The last sentence of section 5544(a) of such title is amended to read as follows: "Time spent in a travel status away from the official duty station of an employee subject to this subsection is hours of work."

SEC. 2. Section 3571(e) of title 39, United States Code, is amended to read as follows:

"(e) Time spent in a travel status away from the official duty station of an employee is hours of employment."

S. 2881—INTRODUCTION OF A BILL TO AMEND THE FOOD STAMP ACT OF 1964

Mr. STEVENS. Mr. President, I introduce for appropriate reference a bill that will amend the Food Stamp Act of 1964 to allow certain eligible households in my home State of Alaska to use food stamp coupons for the purchase of ammunition.

The purpose of the bill is to allow those Alaskans in the remote parts of the State who rely on subsistence hunting for the bulk of their diet to purchase rifle and shotgun ammunition for this purpose. In these areas where the cost of living can be 50 to 100 percent higher than Anchorage—and Anchorage has a cost of living 25 to 50 percent higher than Washington, D.C.—it is imperative that we do everything possible to assist these people to obtain an adequate diet.

Mr. President, when a person pays 30 cents for a small can of milk, 50 cents for a box of salt, or $11 for 50 pounds of flour from a village store and must still pay a high freight rate to have the staples delivered to his homesite, something must be done. My bill will help relieve this tremendous economic burden by allowing the purchase of ammunition with food stamp coupons. It is obvious that by allowing these Alaskans to purchase ammunition to shoot game for subsistence they will be able to supplement their basic diet to assure an adequate food intake.

The IRS in a recent administrative order has recognized the unique Alaskan problem by allowing Alaskans in remote areas to purchase rifle and shotgun ammunition through the mail. It would seem that we should carry this one step further and allow them to purchase the needed ammunition for subsistence hunting with food stamp coupons.

My bill would allow this.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD immediately following my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2881) to amend the Food Stamp Act of 1964 in order to permit eligible households living in remote areas of Alaska to use food stamp coupons for the purchase of ammunition, introduced by Mr. STEVENS, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 2881

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Food Stamp Act of 1964 is amended by adding at the end thereof a new section as follows:

"AUTHORITY OF CERTAIN ELIGIBLE HOUSEHOLDS IN ALASKA TO USE COUPONS FOR THE PURCHASE OF AMMUNITION

"SEC. 17. Notwithstanding any other provision of this Act, members of eligible households living in the State of Alaska shall be permitted, in accordance with such rules and regulations as the Secretary may prescribe, to purchase ammunition with coupons issued under this Act if the Secretary determines that (1) such households are located in an area of the State which make it extremely difficult for members of such households to reach retail food stores, and (2) such households depend to a substantial extent on the use of firearms to kill game for food. As used in this section, the term 'ammunition' means ammunition for rifles and shotguns."

S. 2883—INTRODUCTION OF A BILL CURBING EXCESSIVE POTASH IMPORTS

Mr. MONTOYA. Mr. President, the agricultural production of the United States is looked to as a model by the entire world. The quality and abundance of our food supply is a credit to the American farmer and a tribute to the modern science and technology which this country has developed in order to feed an ever-growing population in the United States. I think we would all agree that to place this production capability in jeopardy by making it dependent on the will of a foreign nation—no matter how amiable that nation may be or how cordial our mutual relationships—would be utter folly. Yet this is just what is occurring.

We are doing this by allowing our domestic potash production to be jeopardized—by excessive imports—and thus presenting this country with a situation wherein we could become totally dependent on Canada and other countries for our supply of potash.

Potash is one of three primary plant-food elements, the other two being nitrogen and phosphorous. Potash is an element for which there is no substitute, and without which most food crop plants cannot flourish. Since potash is one of the three essential ingredients of fertilizers, it is, therefore, the key to dependable crop production.

My logic then is this: Without potash the farm community cannot maintain or increase the productivity of our land to match the food requirement of our growing population, estimated to be 300 million persons by the year 2000. It is just that simple.

I find it unthinkable that this Nation could knowingly allow an industry so vitally important to our well-being and national security as our domestic potash industry to become economically atrophied. It may behoove us to recall the reasons why our domestic potash industry was founded in the first place.

Prior to World War I, American agriculture was entirely dependent on foreign sources for its potash. When the war cut off these supplies, an intensive search was made to locate sources in this country. As a result, potash began to be produced here in 1916 and production continued on a moderate scale at Trona, Calif., from brines of Searles Lake, even when imports were resumed.

In 1931, shipments were made from the newly discovered potash deposits near Carlsbad, N. Mex. Production increased rapidly until at the outbreak of World War II about half of the potash consumed here was of American origin. Since 1938, brines of the Saldura Marsh in Utah, and subsequently brines in eastern Michigan, also have been used as sources of potash.

Imports were again cut off during World War II, while the demand soared due to the huge war-food program and intensified industrial activity. The American potash industry immediately expanded its mines and refineries to meet these needs and continued to increase production in the postwar period. This production is now in jeopardy, and prompt, aggressive action must be taken if we are to safeguard an industry whose importance to our national interest is all too clear from past history.

As I pointed out to my colleagues in the Senate 2 years ago and again last January, new discoveries of potash in Canada have been flooding the U.S. markets, steadily squeezing out our domestic supplies. Total foreign imports of potash have jumped from 9 percent of domestic consumption in 1960 to 54 percent in 1968. Over the 9 years from 1960 to 1968, total imports of potash into the United States averaged about 30.5 percent of our domestic consumption for those 9 years. It is interesting to note further that potash imports excluding Canadian imports have remained relatively constant, totaling approximately 350,000 tons per year in raw mineral, while Canadian imports have jumped astronomically from 3 tons in 1961 to 3,309,142 tons in 1968 of the mineral known as potassium chloride.

Mr. President, some American potash producers have found it more profitable to operate in Canada. The primary reason is because of an extensive body of high grade, low cost ore, making possible lower production costs. This advantage, plus special inducements given by the Canadian Government to Canadian potash producers, creates a difficult competitive situation for the producers in Carlsbad, where our domestic production is concentrated. Consequently, some of our domestic producers are phasing out their operations in the United States and moving their operations to Canada. To compound the situation, potash imports are duty free.

There is a human side to this story also, my colleagues. Plants in the Carlsbad area are laying off workers by the hundreds due to mine shutdowns and plant closings. In the year between June 1967 and June 1968, alone more than 1,400 workers were put out of work in the Carlsbad area, and all because of potash imports. Many of these workers are over 50 years of age, and their previous education has been in one field—potash mining. It is late in their lives to retrain them for other jobs, and even if they could be retrained, there are no other jobs available to them in the area.

The advent of the Canadian potash industry is, to a degree, a welcome development to our country in that it can supplement our domestic requirements if and when we have a shortage of supply; we are not advocating a total restriction on imports—but what we do say is that no force within our control should be allowed to render us without a domestic industry. The close and friendly relationship that has been maintained by the United States and our good neighbor to the North is indeed a pattern of excellence that could be followed by other contiguous nations. But in spite of our friendship with Canada, it must be realized that it is not in the best interest of any nation to be dependent upon another for the production of its food supply.

Mr. President, 2 years ago I introduced a bill in this body to place a limit on imports of potash into this country. My bill then would have allowed for up to 25 percent of our domestic needs to be imported from foreign sources. I stated in introducing that measure, and again during hearings before the Senate Finance Committee in October of 1967, that if my measure was not enacted promptly that a domestic industry would be destroyed. Regrettably my import quota bill was not enacted and my warnings are becoming prophetic. A domestic industry is being destroyed.

I reintroduced my import quota bill again this session—in January of this year. I intended to push vigorously for its enactment and felt that I had the force of the history of unfortunate mine closings to support my contention. But what has happened? The administration, in a report from the U.S. Tariff Commission on May 6, 1969, to the Senate Finance Committee on my bill, S. 344, while openly acknowledging the plight of our domestic industry, nonetheless has reserved judgment on the measure. Thus, without the open support of the administration, and given the number of import quota bills pending before Congress, being practical, one would have to surmise that my measure stood little chance of passage soon enough to help our domestic industry. Thus, another alternative or alternatives must be sought.

There is one small ray of hope for our domestic industry short of legislative action. The U.S. Treasury Department, at the request of Senator ANDERSON and myself, initiated an investigation 2 years ago into possible violations by potash importers of the Anti-Dumping Act of 1921, as amended. Finally, after constant prodding and urging on our part, the Department has concluded their investigation and has informed me that—

> This merchandise (potash) is being, or is likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 *et seq.*). The cases, therefore, have been referred to the United States Tariff Commission for determination as to injury.

The determination was with reference to potash imports from Canada, France, and West Germany.

Mr. President, I think it is interesting to note that in the case of one exporter from Canada, International Minerals and Chemical (Canada) Ltd.—IMC—"less than 25 percent of its merchandise was sold in the home market." Mr. President, how can any industry hope to survive with this type of unfair competition from foreign importers? No industry can. You have an exporter that sets up shop in Canada where it gets special incentives from the Canadian Government, mines potash in Canada, helps the Canadian economy, pays Canadian taxes, then turns around and exports over 75 percent of its product into the United States because we place no restrictions whatsoever, and it does so at less than fair market value. Our domestic potash industry is at the mercy of foreign producers. This is totally incomprehensible. No other sovereign government would stand still for this sort of cutthroat competition from a foreign source.

It is to be hoped that the Tariff Commission within the 90-day period that it has been given to determine the extent

of injury to the domestic potash industry from foreign imports will take appropriate action to curb this situation. I vigorously urge them to do so and serve notice that I will be following their proceedings extremely close. If remedial action cannot be enacted by the Tariff Commission in this situation and under these circumstances, then I feel we need no further proof that the machinery which has been established to deal with these situations is not adequate and cannot meet the purposes for which it was established. Under such circumstances—that is, if the Tariff Commission fails to take remedial action or fails to take adequate action, then I feel that it is then up to the Congress to enact additional legislation.

For this reason, Mr. President, and because the legislation which I had previously introduced, S. 344, is not receiving the active support of the administration at this time, I am today introducing a bill on behalf of myself and Senators HOLLINGS, MOSS, SMITH, and YOUNG of Ohio, which bill would not prohibit nor place a limitation on the volume of potash which can be imported into the United States. Instead, this bill would simply establish a limit on the volume of potash which can be imported duty free. Any amounts over and above that limit would be assessed an ad valorem tax.

Mr. President, this bill would allow up to 30 percent of our domestic needs to be supplied from foreign sources and be imported duty free into the United States. I repeat that up to 30 percent of our domestic needs in any one year could still be imported duty free under my proposal—duty free, just as now is the case. When our domestic demand increases, the amount that can be imported duty free would also increase correspondingly, subject to the 30-percent limitation. As I stated earlier in my statement, during the 9-year period from 1960 to 1968, total imports of potash into the United States averaged approximately 30.5 percent of our domestic needs. Thus, the 30-percent limitation on duty-free imports that I have provided for in my bill seems more than judicious.

In addition, Mr. President, I emphasize that imports into the United States would not be limited to 30 percent of our domestic needs. Foreign sources could still continue importing potash into the United States without limit. They could supply any volume whatsoever they choose to. However, for any amounts imported over 30 percent of our domestic needs for any one year, there would be assessed a 40-percent ad valorem tax on such imports—only on the amount that exceeds 30 percent of our domestic needs.

Mr. President, I cannot see anything unfair about this proposal. At least not as far as foreign potash producers are concerned. Perhaps it is unfair to our domestic potash industry because it is so liberal in its coverage. It is far more liberal than S. 344 which I introduced earlier and which would place a 25 percent ceiling on the amount of our domestic needs that could be imported. However, it is a measure which the domestic industry feels it can live with and which because of its liberal terms, I am hopeful this session of Congress can take action on. However, it can still be hoped that the U.S. Tariff Commission will recommend the necessary action during the proceedings it presently has underway, so that perhaps this legislation may not be required. In the event it fails to do so, however, I shall press vigorously for enactment of this proposal.

Mr. President, I ask unanimous consent that the text of my bill which I have introduced on behalf of myself and Senators HOLLINGS, MOSS, SMITH, and YOUNG of Ohio, be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred and, without objection, the bill will be printed in the RECORD.

The bill (S. 2883) to provide for the imposition of a duty on excessive imports of potassium chloride or muriate of potash, introduced by Mr. MONTOYA, for himself and other Senators, was received, read twice by its title, referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

S. 2883

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) schedule 4, part 11, of the Tariff Schedules of the United States is amended by striking out item 480.50 and inserting in lieu thereof the following:

"	Potassium chloride or muriate of potash:		
480.50	In any calendar year prior to the entry, or withdrawal from warehouse, for consumption of the quantity proclaimed by the President for such year under headnote 2	Free	Free
480.51	Other	40% ad val.	40% ad val. ,,

(b) The headnote to schedule 4, part 11, of such Schedules is amended—

(1) by striking out "headnote" in the heading and inserting in lieu thereof "headnotes"; and

(2) by adding after headnote 1 the following new headnote:

"2. (a) Before the beginning of the calendar year 1970 and of each subsequent calendar year, the Secretary of Agriculture shall determine and certify to the President—

"(i) the estimated domestic production and estimated domestic consumption of potassium chloride or muriate of potash during such calendar year, and

"(ii) the estimated domestic production of potassium chloride or muriate of potash during the calendar year in which such determination is being made.

"(b) On or before January 1, 1970, and on or before January 1 of each subsequent calendar year, the President shall, by proclamation, fix the quantity of potassium chloride or muriate of potash which may be imported free of duty during the calendar year under item 480.50. The quantity so proclaimed for any year shall be the greater of—

"(i) the quantity by which the estimated domestic consumption during such year exceeds the estimated domestic production during such year (as determined by the Secretary of Agriculture under paragraph (a) (i)), or

"(ii) a quantity equal to 30 percent of the estimated domestic production determined by the Secretary of Agriculture under paragraph (a) (ii).

If during any calendar year, the actual domestic production or domestic consumption is greater or less than the estimates determined under paragraph (a) (i), the President may, by proclamation, modify any quantity previously proclaimed for such year."

SEC. 2. The amendments made by this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after January 1, 1970.

S. 2885—INTRODUCTION OF A BILL TO ESTABLISH AN ORDERLY TRADE IN TEXTILES AND IN LEATHER FOOTWEAR

Mr. HOLLINGS. Mr. President, for many years our Nation has followed a foreign trade policy based on the myth that our capital-intensive industries are able to compete with world trade and that their technological sophistication will enable them to supply jobs for all the workers who have been displaced by rising import competition. Experience clearly indicates, however, that this is not the case. We have been witnessing an erosion of jobs and job opportunities in labor-intensive industries because our national trade policy exposes these industries to unrelieved pressure in rising imports without hope for limitation. The need is urgent. We must promptly undertake a realistic foreign trade policy that would preserve for our labor-intensive industries opportunity to participate in the growth of the American market with foreign products. Unless such action is taken, we are sentencing our basic manufacturing industries to economic doom and their workers to insecure and uncertain futures.

The disastrous impact of imports has been graphically demonstrated by the distressed positions of the textile industry and the domestic footwear industry. With 2,525,000 workers the textile mill products, apparel, and manmade-fiber-producing industries are by far one of the Nation's largest employers of workers in the manufacturing industries. In 1968 textile mill products experienced a foreign trade deficit of $437.3 million. In apparel and related products, the trade deficit was $674.5 million. Neither my State nor the Nation can afford to ignore the fact that the U.S. foreign trade in products like or directly competitive with such articles is ever increasing our foreign trade deficit.

In 1968 our Nation had a balance of trade deficit of $377.3 million in footwear. In that regard the domestic consumption of leather footwear amounted to 804 million pairs of shoes of which imports supplied 175.4 million pairs of shoes. These imports were equivalent to 21.8 percent of the domestic consumption in 1968 where it was only 5.8 percent in 1961.

Today the distinguished Senator from New Hampshire (Mr. COTTON) and I are introducing a bill calling for maintaining orderly trade in textile articles and leather footwear. In addition, in the national interest our legislation will provide for revision of the administration of title III of the Trade Expansion Act of 1962 to assist domestic industries, firms and

groups of workers caused or threatened with serious injury by increased imports.

Mr. President, the time has come for Members of this body to take the initiative in combating the serious problems created by excessive imports.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2885) to establish an orderly trade in textiles and in leather footwear, introduced by Mr. HOLLINGS (for himself and Mr. COTTON), was received, read twice by its title, and referred to the Committee on Finance.

S. 2886—INTRODUCTION OF A BILL CHANGING THE NAMES OF CERTAIN PROJECTS FOR NAVIGATION AND OTHER PURPOSES ON THE ARKANSAS RIVER

Mr. FULBRIGHT. Mr. President, I introduce for appropriate reference a bill to change the names of certain projects for navigation and other purposes on the Arkansas River.

Navigation on the Arkansas River from Oklahoma through Arkansas to the river's junction with the Mississippi will be the result of the dreams and efforts of many men. No men, however, worked more tirelessly and faithfully for this navigation project than my senior colleague from Arkansas, Senator JOHN MCCLELLAN, and our late colleague from Oklahoma, Senator Robert Kerr. Consequently, my bill would honor these Senators by naming this waterway the McClellan-Kerr Arkansas River Project. In addition, my bill would honor three former Members of the House of Representatives from Arkansas who worked diligently for the development of the Arkansas River project—W. F. Norrell, Brooks Hays, and J. W. Trimble.

A similar bill has been introduced in the House of Representatives by Representatives MILLS, PRYOR of Arkansas, HAMMERSCHMIDT, and ALEXANDER. I hope that this legislation may be enacted during the present session of the Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2886) to change the names of certain projects for navigation and other purposes on the Arkansas River, introduced by Mr. FULBRIGHT, was received, read twice by its title, and referred to the Committee on Public Works.

S. 2887—INTRODUCTION OF A BILL AUTHORIZING A STUDY OF ESSENTIAL RAILROAD PASSENGER SERVICE

Mr. HARTKE. Mr. President, I introduce for appropriate reference on behalf of Senator MAGNUSON and myself and by request of the Interstate Commerce Commission, a bill to amend section 13(a) of the Interstate Commerce Act, to authorize a study of essential railroad passenger service by the Secretary of Transportation, and for other purposes. I ask unanimous consent that the letter of transmittal and the text of the bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter of transmittal will be printed in the RECORD.

The bill (S. 2887) to amend section 13a of the Interstate Commerce Act, to authorize a study of essential railroad passenger service by the Secretary of Transportation, and for other purposes, introduced by Mr. HARTKE, for himself and Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2887

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13a of part I of the Interstate Commerce Act (49 U.S.C. 13a) is amended to read as follows:

"13a(1) A carrier or carriers subject to this part, if their rights with respect to the discontinuance or change, in whole or in part, of the operation or service of any passenger train or ferry operating between a point in one State, the District of Columbia, or a foreign country and a point in any other State or in the District of Columbia, are subject to any provision of the constitution or statutes of any State or any regulation or order of (or are the subject of any proceeding pending before) any court or an administrative or regulatory agency of any State, may, but shall not be required to, file with the Commission, and upon such filing shall mail to the Governor of each State in which such train or ferry is operated, and post in every station, depot, or other facility served thereby, including stations, depots, or facilities on the property of other carriers which share in the operation of said train, notice at least sixty days in advance of any such proposed discontinuance or change. The carrier or carriers filing such notice may, upon the expiration of, but not during, the notice period, discontinue or change any such operation or service pursuant to such notice except as otherwise ordered by the Commission pursuant to this paragraph, the laws or constitution of any State, or the decision or order of, or the pendency of any proceeding before, any court or State authority to the contrary notwithstanding. Upon the filing of such notice the Commission shall have authority during said sixty days' notice period, either upon complaint or upon its own initiative without complaint, to enter upon an investigation of the proposed discontinuance or change. Upon the institution of such investigation, the Commission, by its investigation order served upon the carrier or carriers affected thereby at least twenty days prior to the day on which such discontinuance or change would otherwise become effective, may require such train or ferry to be continued in operation or service, in whole or in part, pending hearing and decision in such investigation, but not for a longer period than seven months beyond the date when such discontinuance or change would otherwise have become effective; except that the Commission may further require such train or ferry to be continued in operation or service, in whole or in part, for a period of no longer than two months beyond the date specified in its investigation order, pending completion of the investigation or the Commission's determination of any petition or petitions for reconsideration of its decision and order in such investigation. However, if during the notice period, the carrier or carriers discontinue or change, in whole or in part, the operation or service of any train or ferry, the Commission shall retain jurisdiction to enter upon an investigation of the change or discontinuance and may require the immediate restoration or continuance of operation or service of such train or ferry until the expiration of the notice period. When an investigation by the Commission is instituted under this section, the carrier or carriers filing such notice shall have the burden of establishing that public convenience and necessity permit the proposed discontinuance or change, in whole or in part, and that the continued operation or service of such train or ferry without discontinuance or change, in whole or in part, will unduly burden interstate or foreign commerce. If, after hearing in such investigation, whether concluded before or after such discontinuance or change has become effective, the Commission finds that the public convenience and necessity permits the proposed discontinuance or change, in whole or in part, and that the continued operation or service of such train or ferry without discontinuance or change, in whole or in part, will unduly burden interstate or foreign commerce, the Commission shall by order permit discontinuance of operation or service of such train or ferry in whole or in part. If, however, the Commission finds that the operation or service of such train or ferry is required by public convenience and necessity and will not unduly burden interstate or foreign commerce, the Commission may by order require the continuance or restoration of operation or service of such train or ferry, in whole or in part, for a period not to exceed one year from the date of such order; except that for two years following the enactment of this proviso, where any trains or ferry proposed to be discontinued represents the last remaining passenger train or ferry operated in either direction by the carrier or carriers proposing such discontinuance, between a point in one State and to a point in another State, the District of Columbia, or a foreign country or from a point in the District of Columbia to a point in any State or a foreign country, the Commission shall require the continuance of the operation or service in question for one year from the date of its order unless it finds that (1) the public convenience and necessity do not require its continuance, or (2) that it finds that continuance of the service or operation in question will impair the ability of carrier or carriers proposing such changes or discontinuance to meet its common carrier responsibilities, considering the overall financial condition of the carrier or carriers in question; except that in the case of operations and service covered by the first proviso, the Commission may attach such conditions to its order, requiring the continuance of the operations or service in question, as are just and reasonable to assure the preservation of a reasonable level of service for the passenger trains or ferries required to be continued; and except that the jurisdiction of the Commission over operations and service subject to the first and second provisos of this sentence shall be exclusive and the carrier or carriers proposing to discontinue or change any operation or service covered by these provisos shall file a notice with the Commission as provided in this paragraph, the laws or constitution of any State, or the decision or order of, or the pendency of any proceeding before, any court or State authority to the contrary notwithstanding. The provisions of this paragraph shall not supersede the laws of any State or the orders or regulations of any administrative or regulatory body of any State applicable to such discontinuance or change unless notice as in this paragraph provided is filed with the Commission. On the expiration of an order by the Commission, after such investigation requiring the continuance or restoration of operation or service, the jurisdiction of any State as to such discontinuance or change

shall no longer be superseded unless the procedure provided by this paragraph shall again be invoked by the carrier or carriers.

"13a(2) Where the discontinuance or change, in whole or in part, by a carrier or carriers subject to this part, of the operation or service of any train or ferry operated wholly within the boundaries of a single State is prohibited by the constitution or statutes of any State or where the State authority having jurisdiction thereof shall have denied an application or petition duly filed with it by said carrier or carriers for authority to discontinue or change, in whole or in part, the operation or service of any such train or ferry or shall not have acted finally on such an application or petition within seven months from the presentation thereof, such carrier or carriers may petition the Commission for authority to effect such discontinuance or change. Upon the filing of such a petition, such discontinuance or change shall be subject to all of the provisions of paragraph (1) of this section to the same extent as if the subject train or ferry operated as described in the first sentence of paragraph (1) of this section. When any petition shall be filed with the Commission under the provisions of this paragraph the Commission shall notify the Governor of the State in which such train or ferry is operated at least thirty days in advance of the hearing provided for in this paragraph, and such hearing shall be held by the Commission in the State in which such train or ferry is operated; and the Commission is authorized to avail itself to the cooperation, services, records, and facilities of the authorities in such State in the performance of its functions under this paragraph.

"13a(3) Any State, administrative or regulatory agency of a State, or person, adversely affected or aggrieved by an order of the Commission entered pursuant to paragraph (1) or (2) of this section, may bring suit to obtain judicial review thereof under those provisions of law applicable in the case of suits to enjoin, suspend, or set aside orders of the Commission."

SEC. 2. The Secretary of Transportation, acting in cooperation with the Interstate Commerce Commission and other interested Federal agencies and departments, is authorized and directed to undertake and submit, within one year after the date of enactment of this Act, a study of the existing and future potential for intercity railroad passenger service in the United States to the Committee on Commerce of the Senate and the Committee on Interstate and Foreign Commerce of the House of Representatives. In making this study, the Secretary shall consider, among other things:

(1) Existing resources of all types for meeting the Nation's present passenger transportation needs.

(2) Anticipated expansion of those resources by 1975 on the basis of current governmental or private activities (such as the interstate highway program, by Government, and auto production increases, by industry).

(3) The Nation's expected passenger transportation needs, including business, private, and defense movement, in the years 1975 and 1985.

(4) The ability of the existing resources, or resources as expanded by current governmental or private programs, to meet these anticipated needs adequately, efficiently, economically, expeditiously, safely, and comfortably, at least as far ahead as 1975.

(5) The ability of improved railroad passenger service to meet these anticipated needs.

(6) The proper role of the carriers and governmental bodies in developing the required quality and quantity of service, including methods of financing operations which are necessary but not economically viable.

The letter, furnished by Mr. HARTKE, is as follows:

INTERSTATE COMMERCE COMMISSION,
Washington, D.C., September 9, 1969.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce, U.S. Senate, Washington, D.C.

DEAR CHAIRMAN MAGNUSON: I am submitting with this letter a draft bill for your consideration. The bill would amend section 13a of the Interstate Commerce Act and authorize a study of essential railroad passenger service.

As you may recall, the Commission submitted a similar proposal in June 1968, with our report, *Intercity Rail Passenger Service in 1968*, copy attached. Following that, at your request, the Commission undertook an analysis of the costs to various railroads in conducting intercity passenger operations. Our report, *Investigation of Costs of Intercity Rail Passenger Service*, was submitted July 16, 1969.

The need for legislation dealing with the crisis in intercity rail service is even greater today than it was in June 1968. At that time, there were approximately 590 regular intercity trains in operation. That number has now dropped to under 500, and more than 60 of these have been proposed for discontinuance but are currently the subject of investigation.

As a result of our report on *Costs*, there is no longer any question as to the adverse financial impact passenger operations have on the Nation's railroads. Without changes in Federal policy, and a study of the present and future need for intercity rail service recommended by the Commission in 1968, and renewed here, further deterioration in service is imminent. We believe immediate action is essential if a minimum amount of rail service is to be maintained.

We would very much appreciate your assistance in having this bill introduced and hearings scheduled thereon.

Sincerely,

VIRGINIA MAE BROWN,
Chairman.

ADDITIONAL COSPONSORS OF BILLS

S. 2146

Mr. HART. Mr. President, I ask unanimous consent that, at the next printing, my name be added as a cosponsor of S. 2146, to encourage the flow of credit to urban and rural poverty areas in order to stimulate the rate of economic growth and employment in those areas, and to provide the residents thereof with greater access to consumer, business, and mortgage credit at reasonable rates.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2847

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Wisconsin (Mr. NELSON), I ask unanimous consent that, at the next printing of S. 2847, to amend the Foreign Assistance Act, as amended, to authorize the Secretary of State to participate in the development of a large prototype desalting plant in Israel, and for other purposes, the name of the Senator from Rhode Island (Mr. PELL) be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE JOINT RESOLUTION 148—INTRODUCTION OF A JOINT RESOLUTION PROVIDING SCHOOL AID TO FEDERALLY IMPACTED AREAS

Mr. MONTOYA. Mr. President, I introduce on behalf of myself and Senators ANDERSON, ALLEN, BENNETT, BIBLE, BURDICK, CANNON, CRANSTON, DODD, EAGLETON, FULBRIGHT, GURNEY, HARRIS, HART, MANSFIELD, MONDALE, MOSS, MURPHY, MUSKIE, SPARKMAN, SPONG, STEVENS, THURMOND, TYDINGS, WILLIAMS of New Jersey, YARBOROUGH, and YOUNG of North Dakota, a joint resolution to authorize the Department of Health, Education, and Welfare (HEW) to begin making allocations to local educational agencies under the Public Law 874, school aid to federally impacted areas, based upon the full entitlement for that school district instead of upon the much reduced amount in the President's budget request.

As you know, Mr. President, until Congress completes action upon an appropriation measure for an executive agency, that agency can expend funds only at the rate authorized under a continuing resolution. The continuing resolution presently in effect authorizes HEW, among other agencies, to expend funds at last year's rate or the fiscal year 1970 budget request, whichever is the lesser. This procedure has undoubtedly caused much uncertainty and many difficulties in the past on the part of agencies which must function for several months not knowing the total amount of funds they will have to operate with. Inconvenient as this may be, however, we have yet to devise a more efficient approach.

This interim funding procedure, however, is creating havoc with most school budgets and particularly those school districts which have a heavy concentration of Federal activity. We are all familiar with the Public Law 81–874 program which authorizes payments based on a formula to school districts which are federally impacted and which are thus deprived of a tax base for funding their educational system. Congress has decreed time and time again—usually at appropriation time—that we have a responsibility to assist these school districts because the Federal Government is, in effect, depriving them of school taxes. And we have decreed time and time again that we should meet our responsibility fully by paying full entitlement and not merely lipservice as represented by the small amounts that are usually recommended by the executive branch.

This year, Mr. President, the schools with heavy concentrations of Federal activity are feeling a heavy crunch, and unless this resolution is enacted promptly, there is no prospect of any immediate relief for them. We are faced with the prospect of not having final action on the appropriation measure for HEW until late this year. The Senate Appropriations Committee is not even contemplating resuming hearings on the HEW appropriation bill until mid-October.

In the meantime, HEW is bound by

the continuing resolution which only authorizes them to make payments under this program based on last year's appropriation or the President's fiscal year 1970 budget request, whichever is lower.

Unfortunately, the President's fiscal year 1970 budget request is substantially below either full entitlement for fiscal year 1970 or last year's appropriation. Figures supplied me by HEW show that appropriations for fiscal year 1969 were $505,900,000 and full entitlement for fiscal year 1970 totaled $650,594,000, but yet the President's fiscal year 1970 budget request is only $187,000,000. Further, the President's recommended budget would provide for payments only for the so-called A category children and no payments at all for the B category children. The A category children, as you know, are those whose parents both live and work on Federal property. The B category children are those whose parents work but do not live on Federal property. Thus, school districts with B category children in them, would receive no funds under this program whatsoever for their B category children unless Congress acts to amend the President's budget request.

Fortunately, Mr. President, the Congress will probably act to amend the President's budget request. The House has already increased the President's budget request for Public Law 874 funds from $187 million to $585 million. This represents almost full entitlement for each school district for fiscal year 1970 for both A and B category children. I, and others in the Senate, have pledged to seek at least the same level of funding as has the House. I am confident that we will be successful.

However, until we do pass on the HEW appropriations, HEW can allocate funds under the Public Law 874 program, and all other education programs, based on the extremely small Presidential budget request. Thus, unless we move immediately to remedy this, many school districts throughout the country which are dependent on these funds are going to be thrown into a financial panic.

I have secured from HEW a listing of all the applications which they have already received for funding under this program. The listing of applications already received and for which little or no funding will be available unless this resolution is adopted, includes school districts from the west coast to the east coast to the Gulf of Mexico. This, then, is a national problem. Apparently no State is being spared.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, a chart showing a State-by-State breakdown of the amounts which school districts in each State are entitled to for fiscal year 1970; the original budget request for fiscal year 1970 submitted by former President Johnson; and the revised budget request submitted by President Nixon. I also ask unanimous consent to have printed in the RECORD, a second chart, showing by State, the fiscal year 1969 appropriation; the Nixon budget request for fiscal year 1970; and the House amendments for fiscal year 1970.

There being no objection, the charts were ordered to be printed in the RECORD, as follows:

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

TITLES I AND III, PUBLIC LAW 874, AS AMENDED

CHART A

State and outlying areas	1970 full entitlement [1]	1970 original estimate [2]	Amendment	1970 revised estimate [3]
Total	$650,594,000	$300,000,000	−$113,000,000	$187,000,000
Alabama	12,129,000	6,177,000	−3,815,000	2,362,000
Alaska	17,664,000	7,793,000	+6,142,000	13,935,000
Arizona	12,014,000	5,139,000	+1,387,000	6,526,000
Arkansas	3,444,000	1,530,000	−572,000	958,000
California	100,922,000	40,218,000	−14,993,000	25,225,000
Colorado	17,227,000	7,539,000	−4,430,000	3,109,000
Connecticut	4,410,000	1,945,000	−442,000	1,503,000
Delaware	2,303,000	1,756,000	−368,000	1,388,000
Florida	22,231,000	10,201,000	−5,188,000	5,013,000
Georgia	20,606,000	11,575,000	−5,826,000	5,749,000
Hawaii	11,914,000	5,172,000	+569,000	5,741,000
Idaho	3,579,000	1,507,000	−463,000	1,044,000
Illinois	16,537,000	7,217,000	−2,937,000	4,280,000
Indiana	5,673,000	2,491,000	−1,590,000	982,000
Iowa	3,366,000	1,478,000	−1,168,000	310,000
Kansas	11,168,000	4,849,000	−1,547,000	3,302,000
Kentucky	10,402,000	7,277,000	−1,673,000	5,604,000
Louisiana	4,375,000	2,023,000	−1,253,000	770,000
Maine	3,987,000	1,730,000	+483,000	2,213,000
Maryland	32,584,000	13,893,000	−10,506,000	3,387,000
Massachusetts	20,427,000	9,489,000	−3,518,000	5,971,000
Michigan	5,948,000	2,594,000	+258,900	2,852,000
Minnesota	3,736,000	1,658,000	−812,000	846,000
Mississippi	3,397,000	1,483,000	−368,000	1,115,000
Missouri	11,048,000	4,757,000	−2,581,000	2,176,000
Montana	6,052,000	2,521,000	+1,439,000	3,960,000
Nebraska	5,887,000	2,513,000	−227,000	2,286,000
Nevada	$4,583,000	$1,961,000	−$535,000	$1,426,000
New Hampshire	2,745,000	1,213,000	−309,000	904,000
New Jersey	15,358,000	6,771,000	−2,520,000	4,251,000
New Mexico	12,539,000	5,745,000	+402,000	6,147,000
New York	22,777,000	10,605,000	−4,578,000	6,027,000
North Carolina	13,414,000	9,413,000	−2,549,000	6,864,000
North Dakota	3,203,000	1,419,000	+1,245,000	2,664,000
Ohio	14,023,000	5,990,000	−4,808,000	1,182,000
Oklahoma	15,666,000	6,886,000	−3,191,000	3,695,000
Oregon	3,407,000	1,453,000	−662,000	791,000
Pennsylvania	11,324,000	5,365,000	−4,509,000	856,000
Rhode Island	4,533,000	2,030,000	−445,000	1,585,000
South Carolina	10,801,000	5,432,000	−1,843,000	3,589,000
South Dakota	4,741,000	2,039,000	+658,000	2,697,000
Tennessee	8,549,000	3,725,000	−3,020,000	705,000
Texas	38,467,000	16,878,000	−9,169,000	7,709,000
Utah	8,953,000	3,915,000	−2,860,000	1,055,000
Vermont	153,000	67,000	−63,000	4,000
Virginia	43,624,000	21,328,000	−13,886,000	7,442,000
Washington	16,755,000	7,339,000	−2,487,000	4,852,000
West Virginia	544,000	234,000	−216,000	18,000
Wisconsin	2,952,000	1,278,000	−707,000	571,000
Wyoming	2,120,000	908,000	+367,000	1,275,000
District of Columbia	7,484,000	3,396,000	−3,022,000	374,000
Guam	2,255,000	983,000	+264,000	1,247,000
Puerto Rico	6,131,000	6,731,000	−664,000	6,067,000
Virgin Islands	67,000	24,000	−24,000	0
Wake Island	396,000	347,000	+49,000	396,000

[1] Based on Public Law 81-874 as it exists as of May 9, 1969.

[2] Estimate based on existing data (1967) and assuming proposed amendments to the Public Law 874 formula.

[3] Estimate based on latest data (1968) and assumes existing formula but only funding children who live on Federal property with parents who are employed on Federal property and children for whom the Commissioner of Education is required to make arrangements for their education.

ALLOCATIONS TO STATES FOR OPERATIONS AND MAINTENANCE UNDER PUBLIC LAW 874

CHART B

	1969 appropriation	1970 revised estimate [1]	House allowance
Total	$505,900,000	$187,000,000	$585,000,000
Alabama	9,530,000	2,362,000	11,075,000
Alaska	13,379,000	13,935,000	15,917,000
Arizona	9,059,000	6,526,000	10,825,000
Arkansas	2,696,000	958,000	3,071,000
California	78,042,000	25,225,000	88,431,000
Colorado	13,291,000	3,109,000	15,522,000
Connecticut	3,429,000	1,503,000	3,974,000
Delaware	1,922,000	1,388,000	2,212,000
Florida	17,351,000	5,013,000	20,056,000
Georgia	16,421,000	5,749,000	18,978,000
Hawaii	9,117,000	5,741,000	10,735,000
Idaho	2,656,000	1,044,000	3,225,000
Illinois	12,724,000	4,280,000	14,805,000
Indiana	4,391,000	982,000	4,974,000
Iowa	2,605,000	310,000	3,033,000
Kansas	8,534,000	3,302,000	9,836,000
Kentucky	$8,731,000	$5,604,000	$9,801,000
Louisiana	3,431,000	770,000	3,960,000
Maine	3,049,000	2,213,000	3,593,000
Maryland	24,846,000	3,387,000	29,362,000
Massachusetts	15,743,000	5,971,000	18,514,000
Michigan	4,574,000	2,852,000	5,211,000
Minnesota	2,923,000	846,000	3,367,000
Mississippi	2,615,000	1,115,000	3,048,000
Missouri	8,386,000	2,176,000	9,617,000
Montana	4,444,000	3,960,000	5,453,000
Nebraska	4,429,000	2,286,000	5,298,000
Nevada	3,457,000	1,426,000	4,130,000
New Hampshire	2,139,000	904,000	2,474,000
New Jersey	11,933,000	4,251,000	13,835,000
New Mexico	10,127,000	6,147,000	11,299,000
New York	17,641,000	6,027,000	20,504,000
North Carolina	11,198,000	6,864,000	12,621,000
North Dakota	2,501,000	2,664,000	2,886,000

Footnote at end of table.

ALLOCATIONS TO STATES FOR OPERATIONS AND MAINTENANCE UNDER PUBLIC LAW 874 —Continued

CHART B—Continued

	1969 appropriation	1970 revised estimate [1]	House allowance
Ohio	$10,561,000	$1,182,000	$12,384,000
Oklahoma	12,140,000	3,695,000	13,952,000
Oregon	2,535,000	791,000	3,076,000
Pennsylvania	8,953,000	856,000	10,184,000
Rhode Island	3,578,000	1,585,000	4,084,000
South Carolina	8,446,000	3,589,000	9,872,000
South Dakota	3,587,000	2,697,000	4,216,000
Tennessee	6,566,000	705,000	7,703,000
Texas	29,659,000	7,709,000	34,617,000
Utah	6,901,000	1,055,000	8,067,000
Vermont	119,000	4,000	138,000
Virginia	$34,531,000	$7,442,000	$39,552,000
Washington	12,938,000	4,852,000	15,097,000
West Virginia	413,000	18,000	490,000
Wisconsin	2,252,000	571,000	2,660,000
Wyoming	1,600,000	1,275,000	1,910,000
District of Columbia	5,984,400	374,000	6,744,000
Guam	1,735,000	1,247,000	2,032,000
Puerto Rico	5,764,000	6,067,000	6,124,000
Virgin Islands	43,000	0	60,000
Wake Island	281,000	396,000	396,000

[1] Estimate based on latest data (1968) and assumes existing formula but only funding children who live on Federal property with parents who are employed on Federal property and "sec. 6" children whose education is arranged for by the Commissioner of Education.

Mr. MONTOYA. Mr. President, unless this joint resolution is enacted promptly, the school districts that are being denied their funding under the Public Law 874 program will be faced with the decision of making drastic cuts either in personnel, in services, equipment, materials, or in other vital areas all with the resultant effect of a poor quality education. Congress has pledged itself to a quality education for all American children. Let us demonstrate that commitment by enacting this resolution and freeing the necessary funds under the Public Law 874 program immediately. We may well have to provide this same type of emergency relief for other education programs in the future if Congress does not soon enact the HEW appropriation bill. However, for the meantime, let us begin by seeking early release of funds for the Public Law 874 program based on the full amount which the school districts are entitled to for both "a" and "b" category children.

Mr. President, I ask unanimous consent that the text of my joint resolution be printed at this point in the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 148) to amend the joint resolution making continuing appropriations for the fiscal year 1970 in order to provide for payment to local educational agencies of full entitlements pursuant to the provisions of title I of Public Law 874, 81st Congress, introduced by Mr. MONTOYA, for himself and other Senators, was received, read twice by its title, referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

S.J. RES. 148

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101(b) of the joint resolution entitled "Joint Resolution making appropriations for the fiscal year 1970, and for other purposes", approved June 30, 1969 (83 Stat. 38), is amended by inserting after "Elementary and Secondary Education Act of 1965, as amended" a colon and the following: *"Provided further,* That such amounts as may be necessary shall be available to pay local educational agencies full entitlements for the fiscal year 1970 pursuant to the provisions of title I of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress".

ADDITIONAL COSPONSOR OF JOINT RESOLUTION

SENATE JOINT RESOLUTION 144

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New Mexico (Mr. ANDERSON), I ask unanimous consent that, at the next printing of Senate Joint Resolution 144, to provide for the appropriation of funds to assist school districts adjoining or in the proximity of Indian reservations, to construct elementary and secondary schools and to provide proper housing and educational opportunities for Indian children attending these public schools, the name of the Senator from Wisconsin (Mr. NELSON) be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE CONCURRENT RESOLUTION 36—CONCURRENT RESOLUTION EXPRESSING THE SUPPORT OF CONGRESS OF A NATIONALLY PROCLAIMED WEEK HONORING MAN'S BEST FRIEND, THE DOG

Mr. STEVENS. Mr. President, September 21–27 will mark the 42d annual celebration of National Dog Week.

It is my understanding that the primary purpose of this celebration will be to encourage dog ownership and to achieve better standards of dog care through education for dog owners. The week has as its slogan "Deserve To Be Your Dog's Best Friend."

The people of my State have a very great feeling of appreciation for dogs. For without the faithful, and in many cases extraordinary, efforts of our huskies and malemutes much of the Northland's tundra would be impossible to travel during the winter months. It is no exaggeration that many native Alaskans depend on their dog teams for their very existence. For without their dog teams it would be impossible for these people to hunt and fish.

I ask unanimous consent that the text of the concurrent resolution which I have submitted be printed in the RECORD following these remarks.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 36), which reads as follows, was referred to the Committee on the Judiciary:

S. CON. RES. 36

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that man's best friend and ally, the dog, be so honored by proclaiming a National Dog Week, September 21–27, 1969. It is fitting and proper that Congress urge citizens to pay respect to this animal that contributes so much to our civilization and way of life. It is especially fitting because—

(1) The dog was the first animal to be domesticated by man, and since the earliest days of his domestication has aided his master down through the centuries in procuring food, and

(2) The dog stands always foremost of the protectors of man's life and property, and

(3) Transportation in the regions of perpetual ice and snow is in some places entirely dependent upon this hardy animal, just as he was the first beast of burden of man, and

(4) Man's best friend is a staunch and able ally of those sworn to uphold the law, as well as those who defend their country, and

(5) The dog is the only animal trained to guide the blind, or capable of such training, and

(6) Mankind's life is made happier and safer because of the companionship and devotion of this four-footed friend who stands by his master through the most bleak of times, and

(7) The week of September 21 through 27 should be designated as National Dog Week.

ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

SENATE CONCURRENT RESOLUTION 32

Mr. STEVENS. Mr. President, on behalf of the Senator from Colorado (Mr. ALLOTT), I ask unanimous consent that, at the next printing, the name of the Senator from Montana (Mr. METCALF) be added as a cosponsor of Senate Concurrent Resolution 32 providing for the Secretary of Transportation to make an investigation of potential rail transportation over existing lines and rights-of-way for passenger and mail transportation in the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF RESOLUTION

SENATE RESOLUTION 245

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New

Mexico (Mr. MONTOYA), I ask unanimous consent that, at the next printing of Senate Resolution 245, calling for the release of American prisoners of war, the Senator from Massachusetts (Mr. BROOKE), the Senator from Nevada (Mr. CANNON), the Senators from Kentucky (Mr. COOK and Mr. COOPER), the Senator from Tennessee (Mr. GORE), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from Louisiana (Mr. LONG), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Iowa (Mr. MILLER), the Senator from Minnesota (Mr. MONDALE), the Senator from Utah (Mr. MOSS), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Ohio (Mr. SAXBE), the Senator from South Carolina (Mr. THURMOND), and the Senator from New Jersey (Mr. WILLIAMS) be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARINGS ON TERRITORIAL LEGISLATION

Mr. BURDICK. Mr. President, I wish to announce, for the information of Members of the Senate and other interested persons, that the Subcommittee on Territories and Insular Affairs of the Committee on Interior and Insular Affairs will hold an open public hearing on Wednesday, October 1, on four bills concerning our offshore territories: S. 232, to promote the economic development of the Trust Territory of the Pacific Islands; S. 1148, to amend the Revised Organic Act of the Virgin Islands; S. 1149, to amend the Organic Act of Guam; and S. 2314, to amend section 4 of the Revised Organic Act of the Virgin Islands relating to voting age.

The hearing will be held in room 3110, New Senate Office Building, beginning at 10 a.m. Anyone who may wish to testify on these proposals should contact the staff of the committee at the earliest possible time in order that a list of witnesses may be prepared.

PROPOSED CLOSING OF 19 GENERAL CLINICAL RESEARCH CENTERS

Mr. MUSKIE. Mr. President, on August 7, 1969, on the floor of the Senate, I called attention to President Nixon's warning that the Nation faces a "major crisis in health care unless something is done about it immediately." In view of the President's statement and its support by the Secretary of Health, Education, and Welfare Robert Finch and Dr. Roger O. Egeberg, Assistant Secretary for Health and Scientific Affairs, I find myself increasingly concerned about administration proposals for the curtailment of programs which are playing an important role in the crucial stage of medical research. I refer to a news item in the New York Times of September 9, 1969, regarding the proposal to close down 19 of the general clinical research centers throughout the country next year because of lack of funds. I ask unanimous consent that this article be printed in the RECORD.

Mr. President, the history of the general clinical research centers program of the National Institutes of Health may not be familiar to millions who may benefit in the future from its activity. Physicians and surgeons working in hospitals during the 19th century advanced medical science as far as they could through empirical observation. This was followed during the first half of the 20th century by a remarkable increase in the scientific base of medicine. This led to the realization that something new and different was required if clinical science were to keep pace with the rapid changes occurring in the biological sciences.

In 1959, in response to this emerging requirement, the U.S. Senate recommended that centralized facilities be created in universities to provide highly integrated research opportunities and services to large numbers of investigators and research groups. The National Advisory Health Council interpreted this directive to mean creation of clinical research centers to support research of the highest quality, centered around patients and backed by laboratories and other ancillary facilities. The goal of the GCRC program is to provide centers where physicians and scientists can define and attempt to conquer the great unsolved problems of human disease. Each center provides a highly coordinated environment that allows the controlled conditions necessary for precise clinical investigations. They are essential to much of the clinical research supported by project grants, since the studies require the special facilities available in the centers.

There are now 93 general clinical research centers located in 32 States, the District of Columbia, and Puerto Rico. During the past year, 2,762 investigators used these resources, and 2,525 physicians and 2,538 medical students received training in research techniques in these centers. The program has been hard hit by rising hospitalization costs and by the increased need for sophisticated equipment and facilities to carry out the end of the programs. For fiscal year 1970, the National Advisory Research Resources Council recommended the amount of $48.5 million to operate the 93 centers; the administration budget provided $35 million; and the House Appropriations Committee increased the amount of $39 million, the amount requested in the original 1970 budget. This would provide funds for the operation of 93 centers at an absolute minimal level.

Of the 93 general clinical research centers, 19 specialize in clinical research on children's diseases. Progress is being made at these centers on many fronts to reduce this Nation's relatively high infant mortality rate and morbidity rate. Infants with assorted physical abnormalities have been recognized and early treatment instituted. Of the 19 centers that have been warned they may have to close down next year because of lack of funds, eight are pediatric centers. This represents nearly one-half the number that have been making vast strides in improving the health care of young children.

In view of the administration's proposal for a 5-year plan that would expand federally financed health care for the young, it would appear that this program is not one that should be cut back. This is still another example of the disparity between the goals expressed by the administration and the financial support it recommends.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NINETEEN CLINICAL UNITS FACING SHUTDOWN—MEDICAL RESEARCH CENTERS WARNED THEY MAY LOSE U.S. FUNDS NEXT YEAR

(By Harold M. Schmeck, Jr.)

WASHINGTON, September 8.—The directors of 19 medical research centers throughout the nation have received letters from the National Institutes of Health warning them that they may have to close down next year because of lack of funds.

Most of the centers are affiliated with major medical schools, where they play an important role in the crucial final stage of medical research. This is the phase in which new ideas, drugs and devices that have been tested in the laboratory are first made available to patients.

In short, it is the phase where the benefits of advanced science and technology are first used to improve patient care.

The research units are called general clinical research centers. The National Institutes of Health supports 93 of them at present. Some have been in existence since 1960. All of those that may face closing next year have been operating for several years.

The centers have been described as "hospitals in miniature." Each is equipped to care for a few hospitalized patients at a time—the range is between four and 35. The care is particularly thorough, designed to test the merits of promising new concepts in medical and surgical treatment.

Much of the modern experience in organ transplantation has been gained in such centers. They have also contributed to improvements in care of shock patients and high-blood pressure cases and in understanding of many aspects of maternal and infant health.

Indeed, parents of the children who have been treated at one such center in Chicago have protested to their representatives in Washington on learning yesterday that the unit might lose its financial support. This center has been in operation for about five years at the Children's Memorial Hospital in Chicago.

Dr. Robert B. Lawson, professor and chairman of pediatrics there, said today that he had been shocked when he received the letter saying the center might have to be phased out during the next 12 months.

He said comparable facilities for dealing with infant and maternal health problems were scarce. Furthermore, he said, the hospital cannot afford to support the center through nongovernment funds.

In answer to a query today, Dr. William R. DeCesare of the National Institutes of Health confirmed that he had sent out letters to 19 of the 93 centers on Aug. 15.

RELUCTANCE EXPRESSED

Dr. DeCesare, chief of the general clinical research centers branch of the institutes' division of research resources, said that the step had been taken with great reluctance.

The letter said that no final decisions had been made but asked the institutions to draw up contingency plans for phasing out their Government-supported activities by Oct. 1 of next year.

During the fiscal year 1969, the 93 centers have been funded on a minimal basis with a total of $35-million. Because of continued inflation in medical costs, that same amount next year would not allow even minimal operation for all of them.

As one planner explained, the choice was between substandard operation for all 93

centers and reduction in the total number so that the surviving centers could operate effectively.

The hard choice of which centers to consider dropping was made with the aid of two independent advisory groups—the National Advisory Research Resources Council and the General Clinical Research Centers Review Committee.

Four of the centers that may lose their Federal support are in New York State. They are at Albert Einstein College of Medicine in the Bronx; the Albany Medical College of Union University in Albany, and the State University of New York Medical Centers in Buffalo and Syracuse.

The others are situated in 12 other states. Seven of them specialize in clinical research on diseases of children.

The full list of 19 was supplied today by Dr. John A. D. Cooper, president of the Association of American Medical Colleges. All of the institutions at which the centers are situated are members of the association. Dr. Cooper said that his organization was deeply concerned over the probable cutback in clinical research centers.

"It will be a substantial setback in clinical research which aims at getting the real answers to disease," he said during an interview today.

OTHER CENTERS LISTED

He said that the centers were usually major research and training resources for their parent institutions and sometimes for their entire regions. They have had an important impact on medical education, he said, and on the effort to increase the ranks of medical manpower and effectiveness in delivery of health services to patients.

In addition to the four in New York, the centers that have received letters warning of a possible cutback are at:

University of California at Los Angeles; Children's Hospital of Los Angeles; Medical College of Georgia; Children's Memorial Hospital, Chicago; University of Illinois College of Medicine, Chicago.

Also, Indiana University School of Medicine; University of Kentucky Medical Center; University of Maryland School of Medicine; Wayne State University Children's Hospital of Michigan; University of Mississippi School of Medicine.

Also, Children's Hospital Research Foundation of Columbus, Ohio; University of Cleveland; Children's Memorial Hospital of the University of Oklahoma Medical Center; Jefferson Medical College in Philadelphia and Baylor University College of Medicine in Houston.

MAXIMUM USE OF OUR NATURAL RESOURCES

Mr. STEVENS. Mr. President, the tremendous interest in the natural resources of the Far North, generated in part by the great petroleum discoveries on the north slope of my State, is evidenced by the renewed efforts to develop the mineral wealth of the Yukon Territory.

While we sit on the greatest storehouse of mineral wealth in the world and, at the same time, are plagued by dwindling supplies of critical raw materials, the Yukon Territory, through incentives and cooperation with private developers, is dramatically increasing Canadian mineral production. In light of the passage by this body of S. 719, which establishes a policy favoring development of our mineral resources, the efforts of the Yukon to stimulate development of its mineral wealth may well offer a useful example of how we can eliminate this paradox and carry out our national policy.

Don Sawatsky, Whitehorse correspondent for Alaska Industry magazine, describes this new development in a recent article. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YUKON MINING: WHAT MAKES IT SO SUCCESSFUL?

(By Don Sawatsky)

The Yukon territory—comprising 207,000 square miles and only about 18,000 people—is finally beginning to come full circle.

After more than 60 years of almost total political, social and economic limbo (except for a few short years during the building of the Alaska Highway), Canada's most northerly and westerly territory is beginning to feel the first effects of millions in development money. It's the mines and exploration companies that are pumping this economic lifeblood into an otherwise starved economy and unlike the famed and fabled Klondike gold rush of 1898, this rush looks as though it's here to stay.

The advent of a couple of new mines may seem to be a rather narrow base on which to rest an entire economic analysis but it must be kept in mind, that an estimated 65 prospecting syndicates, exploration companies and operating mining companies were active in Yukon during 1968. Their spending on Yukon projects amounted to about $7 million.

This, considering that Yukon was almost completely dormant prior to 1965, is a jolting amount of money to be plunged suddenly into an area with such a small population, and, except for tourism, little economic base.

And, there's virtually no one in the territory, both from government and private enterprise, who will deny that it's just the beginning. D. W. Carr, president of D. William Carr and Associates, conducted an economic survey of the territory in 1968 on behalf of the federal government. The findings were optimistic beyond the wildest beliefs of many Yukoners:

"For the first time the territory may look forward with reasonable assurance to a sustained and rising tempo of investment, employment, growth and development in all phases of life—economic, social and cultural. It is no longer a question of if, but when.

"The activity to date has been the result of a number of influences. A growing world demand and price for the ores found in the Yukon, the longer-run view of sources and the increased willingness to expand exploratory horizons as ores are dug out of more and more remote regions of the globe are the wider influences at work," the report stated.

But, more concretely, the advance of technology is reducing the real costs of cold, darkness and exposure on both men and machines. Transportation and communication are being improved and cheapened in real terms so that time and distance from head office to the field are not so significant.

Additionally, the Yukon has enjoyed the "legacy of the defense period" which has provided a more reasonable base from which to move. Government development incentives have bridged the critical gap between discovery of a potential ore body and proving it up for production.

Most mining men feel that the government incentives, such as Tote Trail Assistance, prospector assistance and a cost-sharing program for resource development airports in the North, have been one of the keys to unlock the hitherto resource riches of the North.

Until the mid-1960s, federal government policy generally has been based on a short-term, ad hoc approach that dealt with emergencies after they were passed and formed policies largely with little idea of the unique local circumstances. Policy was directed basically toward exploitation of a few high-grade ore bodies that were discovered from time to time. Now, this narrow, myopic approach seems to be changing.

It all started with the discovery of the giant lead-zinc ore body near Ross River, 230 miles northeast of Whitehorse. The apparent size of the discovery by Yukon prospector Al Kulan sparked a frenzy of staking throughout 1965 and 1966. The announcement in August of 1967 that the Anvil Mining Corporation Ltd. would bring the orebody into production in 1969 maintained the excitement.

Prospectors from across Canada flooded the country, examining old mines and discovering new, promising properties. As a direct result of the Vangorda discovery at Ross River, new finds of silver-lead have been reported in the Mayo area, Ketza River and McMillan River country and new copper discoveries have been reported in the Quill Creek, Bonnett Plume, White River and Whitehorse areas.

At the moment, the lead-zinc reserves that have been proven by Anvil and Kerr Addison in the Vangorda area are estimated at well over 80 million tons. By 1970, with the coming into production of Anvil, the value of mineral production in the Yukon will reach more than $50 million.

There are six producing mines or mines that will be in production this year as well as about 30 small placer operations in the Dawson City and Mayo areas:

New Imperial Mines Ltd. (copper) situated about five miles south of Whitehorse, came into production in June of 1967. The mill has a capacity of 2,500 tons a day and employs about 170 men in an open pit operation. Cost of the complex was $7 million. Relatively little exploration work has been carried out so far. However, during the past few months some work has been done with the view to going underground. The company has an estimated 8.7 million total known tons of reserves, 3.7 million tons of 1¼ to two per cent copper underground. Underground work will begin next year. Concentrates are shipped by White Pass to Skagway for Japanese markets.

United Keno Hill Mines Ltd. (silver-lead). Once the largest silver-lead mine in North America, operations were cut back from 525 tons a day to about 200 tons in August of 1967 because of failing ore reserves and mounting production costs. Recently, the company has been prospecting, carrying out geochemical surveys, over-burden drilling, diamond drilling, trenching and underground exploration in the Galena Hill, Keno Hill and Mount Hinton areas of Mayo and the results have encouraged rehabilitation of the Sadie-Ladue Mine on Keno Hill. A new vein near the Elsa camp has been uncovered.

Cassiar Asbestos Corp. (asbestos) at Clinton Creek, 40 miles northwest of Dawson, brought its property into production in October, 1967, at a rated capacity of 60,000 tons of asbestos fibre a year. The mill is designed to increase to 80,000 tons at a later date. It employs about 200 men and the estimated cost of building the plant was $24 million. (In addition, the federal government spent $4.5 million on roads and bridges in the general area. The fibre is trucked to Whitehorse where White Pass rails it to Vancouver.)

Arctic Mining and Exploration (gold-silver) announced production plans for its property on Montana Mountain near Carcross, 45 miles south of Whitehorse, and construction of the 200 ton-a-day mine and mill was completed in 1968. Drilling indicated a strong vein of good grade silver ore 180 feet by four feet and other veins have also indicated promising grades.

Venus Mines Ltd. (gold-silver) is across from Arctic Mining on Windy Arm and plans to come into production later this year or

early next. It has at least 50,000 tons of gold-silver, valued at $29.61 per ton.

Anvil Mining Corporation (lead-zinc) announced in 1967 that their ore body would come into production in early fall of 1969 but a forest fire that destroyed the half-built townsite of Faro will likely put the original schedule behind. Anvil will produce 370,000 tons of lead-zinc concentrates a year. A road has been completed between Ross River and Carmacks at a cost of $9 million and concentrates are to be hauled to Whitehorse by truck and then railed to Skagway for Japanese markets. Seven million dollars is being spent by White Pass on improving the existing rail system and building new dock facilities at Skagway.

Activity is bubbling in practically every corner of the territory. There are promising properties around Mayo, Watson Lake, the 60-Mile country west of Dawson and Hart River, all of which may come to the fore within the next couple of years.

Northern Development Minister John Chretien feels that the future is promising but in a recent speech to the third annual Northern Development Conference in Whitehorse issued this warning:

"Development does not occur in a vacuum—it is closely related to political, social and economic development and priorities in other parts of Canada and the world, many of which cannot be controlled by the government. Thus the rate of future growth in the Yukon depends upon more than the rate of future government investment in the territory."

Dr. Carr touched on this point, too, in his report: ". . . economic history has demonstrated that economic development is much less a function of resources and technology than it is of institutions and attitudes. Resource potential may be a necessary condition for development but it is by no means a sufficient condition to ensure it.

"Public policy must do much more to identify the resource potential and much more to provide sufficient conditions for its exploitation. Its role is not one of selective paternalism toward particular enterprises nor is it a partnership with them.

"It is a serious recognition that the benefits from development are not regional but national and that the public sector is the agent responsible for the location and nature of development. Its priorities ought to be based more closely on the widespread multiplier effects on employment and income than on the short term project pay-out."

Dr. Carr said Yukon and most of the northwest regions of Canada have reached a critical plateau in their economic progress, where the potential for economic growth seems to warrant a new departure from the philosophy of development that has dominated the region over so much of the past 60 years. It is a departure not unlike that which brought the great plains of Canada into the national economy.

Gordon McIntyre, Yukon mining inspector, is convinced that government incentives provide a major impetus to the wide exploration activity, particularly for the small prospector and young company.

"It's far easier to launch a mining company in Canada than in the U.S.," he said. "It's easier to float a stock issue to finance an operation through the Vancouver Stock Exchange than through any of the American exchanges because U.S. securities administration is much tighter than in Canada."

Most of the companies who have come to Yukon since the boom started in 1965 are Vancouver-based people. He added that mining activity in Alaska is at a near standstill because of the higher labor costs.

"They've priced themselves right out of competition by their higher cost of production."

Most of the men who work in mining in the territory are immigrant labor from other parts of Canada or from Europe, mostly Germans, Italians and Hungarians. But, mining operations are having a rather peculiar problem with finding miners to man their equipment: Canada is just too prosperous. Men don't feel they have to go into the mines to make a buck! This was part of the reason for United Keno Hill cutting back on its production.

Those who do go into the mines make a fairly decent living. Virtually all are organized. Following is a list of estimated wages that are pretty well basic throughout the territory:

Laborers for underground operations get from $2.75 to $2.80; surface laborers $2.90 to $3; miners $3.20 to $3.50; drillers $3.50; blasters $3.50 to $3.60; trades people about $4; heavy duty operators $3.60; shovel operators $4 to $4.25.

Miners also receive a bonus for tonnage or danger which can amount to from $10 to $50 a day depending on the individual and most employes get a guaranteed $3 a day bonus.

They work a 44-hour week with time and half after eight hours and double time after 12. They also get nine statutory holidays, $75 a week in sickness benefits for up to 36 weeks, $10,000 in life insurance while they are employed with the company, paid transportation to either Vancouver or Edmonton for a man and his wife at least once a year and sometimes twice, two weeks holiday after one year, three weeks after five years and four weeks after 10 years along with special leave provisions.

Problems facing Yukon companies are similar to those experienced in Alaska; severe winter conditions, distance from consuming markets and from source of supply of both materials and adequate experienced labor, inadequately developed transportation routes and lack of cheap power. These all add to the cost of operation.

Transportation is the key. Roads are being pushed into more remote areas every month. There has been talk of a railroad, either an extension of White Pass or the nationally-owned Canadian National Railway which is now conducting a survey of the area up to Whitehorse and into Ross River country.

One of the world's largest iron ore deposits is in the Snake River country northeast of Dawson City, for example, and this potential production depends on the three main factors—financing, transportation and markets.

It's the giant Crest Exploration development that offers tens of billions of tons of ore with several billions of tons available for open pitting. The iron content of the hematite jasper ore varies between 45 and 50 per cent and varies in gross thickness from 90 feet to a maximum of 340 feet in its exposed length of 30 miles.

This fabulous find was first recognized by the California Standard geological field party during the late fall of 1961 and staking started along the boundary of Yukon and Northwest Territories in the spring of 1962, although the general location was common knowledge since gold rush days.

But, throughout the past 60 years private prospectors still represent the main-stay of exploration in the territory. It's anybody's guess, but there are probably more than 50 full-time independent prospectors in the territory and 150 more representing companies and syndicates.

Wally Hyde of Whitehorse feels that since the Dynasty discovery the odds to come up with a paying proposition has risen from 15 per cent and 25 per cent to 50 per cent or more. Three or four years ago it was generally accepted that only about five per cent of the entire Yukon had been thoroughly prospected. Now, this has risen to about 10 to 15 per cent.

Hyde decries the "Al Capone attitude" of some companies who pick up moose pasture and promote strictly on the basis of speculation. "Although there are a very few of these types of characters, they are the type that mine the people and not the properties. It makes a bad name for the industry as a whole and there's no defense against them—just common sense."

Generally, he claims, the people who are working in the Yukon are honest.

The Yukon Chamber of Mines is one of the strongest organizations in the territory and it has been one of the leading advocates of change for the Yukon Quartz Mining Act, an Act that most mining men accept as antediluvian. Proposed amendments to the Act have been held up in the federal cabinet for the past year or two but time is running out.

"We simply have to have these changes in the Act now," Chamber president Bert Boyd has said. "The present legislation is worse than none at all."

Boyd said many of the sections are so vague you have no guide lines, some are so discriminatory they simply aren't fair to anyone—some are too lenient and some are too strict. "The whole thing has to be opened up."

Many mining men in the territory feel that while the current boom is a result of the Anvil development, another large find is going to have to be announced soon or the present high enthusiasm is quickly going to be dispelled.

Mining is a non-renewable resource and to attain highest amount of recovery there must be a mutual agreement between private enterprise and government to approach the problems jointly and intelligently.

It's generally felt that the entire proposition is a partnership between the territory and the Ottawa and the United States and other foreign markets. Without the cooperation, the terriory's minerals are useless.

As Northern Development Minister Chretien says: "If the promise of development is to be fulfilled, there will have to be continued incentive programs, road development, transportation development, power development and social capital in large amounts. The federal government is committed to Northern development, not for purely economic reasons, although we hope they will be economic, but for social reasons, for national reasons. We cannot leave the North undeveloped."

BIG DOLLAR IMPACT BY IRRIGATION IN NEBRASKA

Mr. HRUSKA. Mr. President, agriculture is Nebraska's greatest industry. In 1968, the Nebraska cash receipts for livestock and livestock products were $1.27 billion and, for crops, cash receipts were $484 million. Most Nebraskans, whether selling shoes or insurance, are greatly affected by the well-being of the agricultural community.

The Cornhusker State rates fifth in corn production and sheep feeding, first in the production of alfalfa meal, wild hay, and great northern beans, second in grain-fed cattle marketed and in commercial livestock slaughtered, third in sorghum production, grain storage capacity, and number of cattle, and fourth in wheat production.

In making Nebraska the thriving State that it is today, irrigation has had a tremendous role. Its 3.3 million acres under irrigation make it the third highest State in irrigated land. Most of the irrigation is provided by pumps. In 1967, only about 420,000 of those 3.3 million acres were supplied with water by facilities constructed by the U.S. Bureau of Reclamation.

Major benefits in terms of dollars have resulted from the growth of irrigated agriculture.

The August 1969 issue of Reclamation Era, a Water Review Quarterly, published by the U.S. Department of Interior, contains an article entitled "Big Dollar Impact in Nebraska." This article discusses the great advantages that irrigation has brought to Nebraska agriculture.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BIG DOLLAR IMPACT IN NEBRASKA: $812.3 MILLION PER YEAR FROM IRRIGATION

(By Richard F. Barber, Jr., regional economist, Grand Island)

Between rocky bluffs and such landmark mounts on western prairies were spread miles of plains over which travelers made their way years ago. When they used that section of the Oregon Trail which traversed Nebraska prairies, Scottsbluff always was one of their reliable landmarks.

Many of these travelers stopped at likely prairie locations along the way, took plows from their wagons and tried them. Generally the soil they prepared was fertile. But most of the thirsty crops did not get a wetting before withering and dying.

In making Nebraska the thriving State it is today, a big change was made. Major benefits in terms of dollars, and other obvious ways, have resulted from the growth of irrigated agriculture. It is the primary reason that agriculture is the State's dominant industry. The once parched prairie around the majestic Scottsbluff—as only one of the soil-rich areas—now includes irrigated fields of lush alfalfa from which a farm operator profits with multiple harvests annually.

So many men have taken the opportunity for irrigation farming in Nebraska, that more than 3 million acres are now under irrigation—the third highest State in such acreage. A greater percentage of the cropland is without irrigation. But it is revealed in an economic impact study that the value of crops which farmers were able to produce by irrigation exceeded equivalent dryland farm values by $121.6 million in only 1 year.

SUPPLIERS $157 MILLION

That year, 1963, is when the Census of Manufacturers was available for analysis. The recently completed penetrating study of that census and other data showed that businesses providing farm products and services, direct and indirect—being induced by the large irrigation production in the State—received sales increase of $157 million. This is 29 percent greater than the farm production increase.

Businesses which received the $157 million supplied such wide ranging items as machinery, fertilizer, seed, and other commodities farmers need for growing crops.

Meanwhile, the sales increase to the business sector which handles and processes the irrigation production, was $534 million for the year. This is a comparison of $4.39 to $1, referring to use of the products in the greater segment of the economic community such as households; and by such manufacturers as mining, metals, and machinery; and such businesses as livestock, finance, insurance, real estate, and transportation.

In other words, the high value of irrigation for 1963 increased the total business volume by $812.3 million, or about $300 per irrigated acre, figured in view of the slightly more than 3 million irrigated acres in the State.

Although there are 40 million acres of land under irrigation in the United States, few people understand or appreciate the chain reaction of benefits which results from the productivity of these lands. For this reason the Bureau of Reclamation has sponsored economic impact studies of this and other irrigation areas.

A study completed in 1966, in cooperation with Washington State University, focused on the economic significance of the Columbia Basin water development project in the State of Washington.

This economic analysis, was completed by the University of Nebraska's Bureau of Business Research under contract with Reclamation. The Nebraska study team was headed by Dr. Theodore W. Roesler, professor of economics. He was aided by Dr. F. Charles Lamphear, associate professor of economics, and David Beveridge, a student Ph. D. candidate.

Roesler and Lamphear were able to work full time on the project from July 1967, to September 1968.

RESEARCH METHODS

Census statistics were augmented by questionnaires and personal interviews which enabled the researchers to sample from 22 to 89 percent of industries within specific categories operating in the State.

The Cornhusker State of 1.5 million persons rates fifth in corn production and sheep feeding. However, it is first in the production of alfalfa meal, wild hay, and Great Northern beans. It is second in grain-fed cattle marketed, and in commercial livestock slaughtered.

It is third in sorghum production, grain storage capacity, and number of cattle. It is fourth in wheat production.

Of the 3.3 million acres irrigated in Nebraska in 1967, about 420,000 were supplied with water from facilities constructed by the Bureau of Reclamation.

Growth of irrigation in the postwar period has been rapid and shows a significant future potential. Between 1947 and 1963, the value of total crop production produced on irrigated land increased from 10 percent to 27 percent.

A significant $3.5 billion of increased business activity was generated during the 20-year period from 1946–65 directly by the farmers and by businesses where farmers make purchases for their agricultural production.

Industry stemming from processing farm goods was not studied in detail for the 20-year period, but was estimated in the study to be at least another $6.5 billion, producing an overall economic impact of more than $10 billion over the 20 years.

While the effects of this increased activity due to irrigation extended well beyond the State, no attempt was made to measure its economic impact. However, it is significant that in 1963 an estimated 60 percent of Nebraska's irrigated crop production was sold outside the State.

For a State of "parched prairies"—but of productive action which only irrigation developments could have caused—Nebraska is making a valuable impact on the Nation.

TINDERBOX IN LATIN AMERICA

Mr. JAVITS. Mr. President, our distinguished former Ambassador to the Organization of American States, the Honorable Sol Linowitz, has written a sensitive, disturbing, and highly perceptive article for the Saturday Review on the state of our relations with Latin America. I commend the article to all Senators who are interested in the state of our relations with this crucial area of the world whose population is now more than that of the United States.

I invite the particular attention of Congress to two sections of the article.

Ambassador Linowitz writes:

Obviously, it is far from the intent of the Congress to do anything that would slow the rhythm of development in Latin America, for that could only weaken the constructive forces of peaceful change and give impetus to those who believe in violence as the way to alter the status quo. But cutting our share of the alliance appropriation has this precise effect, whether that is the intent or not, and the United States cannot evade responsibility.

Later in the article, Ambassador Linowitz observes that the Alliance for Progress "is not a bilateral aid program, but rather a cooperative self-help program, to be carried out primarily by the people of Latin America. The United States is one partner in the program, of which 90 percent is financed by the countries of Latin America."

Ambassador Linowitz then goes on to describe our Alliance appropriation "as a hand of help extended in friendship."

In acting on this year's aid request, I would urge Congress to continue the financing of this hand of help extended in friendship—it is important to Latin America and to the United States.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TINDERBOX IN LATIN AMERICA

(By Sol M. Linowitz)

(NOTE.—Sol M. Linowitz, former United States Ambassador to the Organization of American States, is presently practicing law in New York and Washington, D.C.)

For some time now it has become a tired Washington cliché to issue periodic pronouncements to the effect that United States relations with Latin America are in a state of crisis and we must, finally, do something about it. It would be difficult to find anyone, no matter how sparse his knowledge of the hemisphere, who would argue about the crisis half of the cliché. It is the latter part—"do something about it"—that causes all the trouble.

James Reston once observed that the American people will do anything for Latin America except read about it. The apathy is so widespread and endemic, however, that the usually reliable Mr. Reston may have overstated the case with regard to the American people's willingness to do anything for their hemispheric neighbors.

There is a paradox about the situation that contributes to making it one of the most perplexing among the many foreign policy problems that periodically plague Washington administrations, no matter what their political gender. Beginning with Franklin Roosevelt and his Good Neighbor Policy through John Kennedy and the Alliance for Progress, Lyndon Johnson and the summit meeting of American presidents, and now Richard Nixon and the Rockefeller Latin American study mission, no President, Democratic or Republican, in nearly two generations has denied the importance of Latin America, or has claimed it can be negelcted or ignored.

Yet despite all the programs and official avowals of concern, who can find any sense of excitement about Latin America among the people of the United States? That does not mean we do not get worked up over a Castro, a Cuban missile crisis, a Dominican Republic crisis, an oil company expropriation, a fishing boat seizure. Or that we are not shocked when the visit of a Governor Rockefeller, who is rightly regarded as a friend of Latin America, touches off nasty demonstrations.

That is the heart of the paradox, for the emotions are genuine and the concern is real. Yet when the crisis of the moment is over, emotion subsides and concern is shrugged off, and once again we turn our attention to another part of the world—until some new Latin explosion, such as the El Salvador-Honduran clash, reluctantly drags it back again to our own hemisphere.

To suggest that this lack of public interest is directly responsible for the state of affairs in Latin America would be less than accurate. Surely it is not responsible for the nagging economic underdevelopment that grips the continent and its 240 million people—240 million who will be 600 million before the century is out, and, if circumstances continue as they are, many times poorer.

The other side of the coin, however, is that our public disinterest sharply points up the inescapable fact that there is no real Latin American constituency in the United States—a political nuance that the Congress has not failed to notice.

Last year, for example, we disappointed the people of Latin America with cuts in our appropriation for the Alliance for Progress—cuts that made it the lowest since that vital program was launched in 1961: $336-million against some $500-million in 1966 and $460-million the following year. This year President Nixon has proposed an appropriation of $603-million, and already we are beginning to hear the sound of chopping on Capitol Hill.

Obviously, it is far from the intent of Congress to do anything that would slow the rhythm of development in Latin America, for that could only weaken the constructive forces of peaceful change and give impetus to those who believe in violence as the way to alter the status quo. But cutting our share of the alliance appropriation has this precise effect, whether that is the intent or not, and the United States cannot evade responsibility.

What it all boils down to is that we cannot help Latin America solve its economic problems with bargain-basement tactics. We cannot do it on the cheap. Rhetoric is fine in its place, and the ringing words of our regard for Latin America make for fine speeches. But without the financial commitment to back up the words we are in trouble in this hemisphere, and we had better make no mistake about it.

Too often in our relations with Latin America over the years we in the United States have not done as we said, nor have we always said clearly just what it is we would do. Our promises, moreover, have not always withstood the test of time or pressure. The people of Latin America have good reason to be confused about how seriously we regard them and their problems and, based on past experience, even better reason to have skepticism with regard to the credibility and continuity of the commitments we make to them.

There should be no doubt that this uncertainty in Latin America is a contributory factor in the repeated demonstrations of anti-U.S. sentiments that crop up with disturbing frequency, or that it is a potent weapon in the hands of those who relish the notion of a fragmented Western Hemisphere, with the South being played off against the North. Nor can there be any question that the time is long past for Washington to undertake a credible commitment to the republics of Latin America that will resolve the doubts that now give rise to such uncertainty and even to fear.

President Johnson, following the summit meeting of American presidents at Punta del Este in 1967, went a long way toward extending such a commitment when he said, "We will persevere. There is no time limit on our commitment." But realistically speaking, the words he spoke did not have the force of law or of a treaty—a fact Congress made all the more evident when it cut the alliance funds last year. And with a change of Administration, accompanied by all the uncertainty that such a change brings with it, the Latins are still wondering how far we will go, and to what extent we will persevere.

It was not, I am sure, President Nixon's intent to add to this uncertainty when, a few months after taking office, he addressed the Organization of American States and strongly criticized the alliance for all that it had left undone. Even the dispatch of Governor Rockefeller on his fact-finding mission, rather than help assuage fears that Washington was contemplating a major change in its Latin American policy, only intensified the uncomfortable feeling that, once again, things were up in the air.

Inevitably, there will be much of value in what Governor Rockefeller will be reporting to the President, but the point cannot be overstressed that we need, above all, patience, perspective, and the determination to see the job through, Latin America should not be an issue for domestic party politics. Quite the contrary, it offers what is perhaps the most inviting area for constructive and imaginative bipartisan foreign policy cooperation.

It is the kind of cooperation that must look beyond the immediate horizon and focus on another far off, one still shrouded in clouds of uncertainty. For no matter what we do, no matter how firm our commitment, no matter what funds we appropriate to help the people of Latin America to build and to develop their continent, no matter what our trade policies, we cannot guarantee the future; we cannot say that if we do this Latin America will be an unwavering ally and firm friend of the United States, that it will offer us a vast commercial market for our goods. No one—politician, economist, or seer—can offer any such guarantee. And even if he could, it would be a poor motivation for the kind of effort that must be undertaken for the remainder of this century.

Latin America is not for sale to the highest bidder, and if we gear our programs with the idea that it is, we are in for a sad awakening—an awakening that, as recent events demonstrate, has already begun. What we must understand is that change in Latin America is inevitable. The only question remaining is whether it is to be a violent change or a relatively peaceful one, and obviously, therefore, our own best interests would dictate that we aid those forces seeking to build and to strengthen economic and political democracy in Latin America.

If they should fail, the change that is bound to follow can only be one of violence. All the explosive ingredients are present. For in Latin America, even as in the United States, we cannot expect people denied hope and dignity to sit patiently while life and the world passes them by.

The point has been made that if Latin American governments do not pass badly needed economic and social reforms they deserve to fall. And it has been argued too that perhaps some violence may be necessary to convince the oligarchies and military governments that desperate conditions beget desperate actions. To some extent it is difficult to answer these arguments. It is all too true that in too many cases Latin governments are not doing all they should and all they could to cope with the underlying causes of economic and social underdevelopment, nor are they doing enough of what must be done to promote the growth of representative government responsive to the will of the people. These facts are all too glaring to be swept under the rug, and we should recognize them for what they are—part of the reality of Latin America today.

What all this points up is the truism evident wherever people are struggling to be free—economically, socially, and politically: Time is not on the side of those who would shelter the status quo. Those who would see democracy and freedom fulfill their destiny have the responsibility of seeing to it that the vicious circle of poverty, sickness, and illiteracy is broken once and for all. People within its orbit live outside the mainstream of society and really play no part in shaping their nation's policies; because they are not part of the democratic process, they have little stake in it.

Clearly we must do all we can to encourage the growth of orderly, democratic procedures sensitive to the needs of the people they are designed to serve. But we can not and must not elbow our way into another country's system, telling it how it should manage its affairs, as if we had all the answers. We haven't, as the problems before us of putting our own house in order aptly testify.

What we can do however—and what we have not done with any real consistency—is to make clear our firm commitment to representative government and to the growth of political democracy in this hemisphere. Such a policy will enable us to develop special friendships with Latin America's men of vision, with the men who know that peaceful social progress is endangered by any entrenchment of the privileged few.

Today the despair that exists in much of Latin America provides the climate in which a Batista or a Castro flourishes best, or in which a despotism of the right can provide the foundation for a dictatorship of the left. Or vice versa. It is a situation that only underscores the urgency of continuing the partnership launched eight years ago this month when President Kennedy, following a Latin-inspired initiative known as "Operation Pan-America," pledged the support of the United States to the Alliance for Progress.

The alliance was a magnificent concept, with goals and aspirations to match its grandeur. If it can be faulted in hindsight, it would be for assuming that the job could be done in ten years. That, and setting an annual growth-rate goal without recognizing that the birth rate was shooting up at a pace that far exceeded Latin America's growth-rate capabilities.

But who can argue that any program of the scope and reach of the alliance—a program designed to bring about the upheaval of the Latin American continent and build a healthy, vibrant, economically secure, and politically sound inter-American community—must not set its sights high, and that it must not keep them there? Surely not the people who live without amenities of civilization, or without hope of a better tomorrow. For they can attain that tomorrow only if there is no compromise in the fight to attain the goals the alliance so eloquently set forth—goals for better housing, education, health, tax and land reforms, a revitalized and modernized industry and agriculture, and an integrated continent-wide economy.

Yet the yearly per capita growth rate still is well behind the Punta del Este goal of 2.5 per cent. The birth rate soars. Fifty per cent of the people are illiterate. The cities are clogged with workless *campesinos*. Tight protective tariffs protect inefficient monopolies. Feudalism persists in the countryside, and the people there go hungry or move away.

If it was a mistake then to hope that this could be changed in ten years, it would be catastrophic now to turn our backs on what has been done. True, economic sufficiency remains a distant goal, but for the first time a way has been charted out of the Latin American jungle of underdevelopment.

The statistics add up to an impressive total, particularly in an area of the world that has never experienced such concentrated doses of progress. But no statistic can possibly convey the meaning of a new road that slices through an Amazon jungle and links up a hitherto isolated village with the heartland of its country. Nor can it convey the significance of a new classroom opened for children in the plateaus of the Andes or

in the *barios* of the cities; of a *campesino* who now works his own farm; of water supplies made potable; of infant mortality rates reduced; of a family able to quit the sordid life of the slums for a new start in a new apartment.

And with all the statistics totaled up, it is clear that the alliance has devoted more of its resources to investments in the social areas, particularly education and health services, than in any other sector.

The actual rate of Latin American development, therefore, is higher than the economic growth charts indicate simply because social investment is not reflected in Latin America's gross product. But the direct effort to speed up the processes of education and social welfare is the surest guarantee that an obsolete social order will be peacefully transformed, as in Japan or Britain, rather than explosively altered via the violent, revolutionary routes of eighteenth-century France or twentieth-century Russia.

What must be understood above all about the alliance—and perhaps the most misunderstood feature, even among a number of our own key government officials—is that it is not a bilateral American aid program, but rather a cooperative self-help program, to be carried out primarily by the people of Latin America. The United States is one partner in this program, of which 90 percent is financed by the countries of Latin America. The alliance is not ours to manipulate, and the amount we appropriate, therefore, is no handout, but a hand of help extended in friendship. Congress must not forget this when considering how much we can afford to appropriate for our share of the effort.

When all is said and done, and with all that remains undone, there is no escape from the conclusion that eight years ago the alliance launched a truly creative, regenerative development program. But it was, and is, only the first step in a long journey. In our inter-American relations, we need most of all a sense of propriety, a sense of time, a sense of scale, and a sense of destiny.

As for propriety, Americans may find wry amusement in cartoons that depict the stereotyped Latin American—the sleepy, guitar-playing, sombrero-wearing, not too ambitious but pleasant fellow. But the stereotyped North American—the Yankee with the dollar sign for a heart—is hardly the object for smiles in Latin America. The truth, of course, is that neither stereotype is valid today, if it ever was.

The people of Latin America are a combination of some of the wealthiest cultures our civilization has known. Its young people, with their passion for country and their zeal for the future, are restless and prone to impatience. They are skeptical of our aims and so are more willing to blame us for their problems than to understand the difficulties in solving them. Yet these are the people with the mystique and the vision of grandeur who can spark the enthusiasm and loyalties of their countrymen. These are the people who are so anxiously searching for a revolution of social justice—the very people we must convince that we want to work with them because our continued partnership is essential to the future of freedom. In so doing, anti-Communism as such will not get us very far. It is not a powerful argument for the average citizen who is steeped in a personal struggle to keep his head above water.

A student at the University of Chile once summed it up when he told me: "The United States is constantly talking about the value of political democracy. We agree that it is essential, but we also feel you would accomplish far more if you said less about political democracy and put more of your weight behind the concept of economic democracy."

What he was saying is that city slum dwellers denied hope and illiterate rural Indians denied even a glimpse of the twentieth century neither comprehend the meaning of political democracy nor offer any foundation to sustain or to nurture it. They will either remain mute or give their sullen support to the demagogue or "leader" who elbows his way through the masses offering them protection and food. These are the staple commodities they want and need, and no promise of a better life made possible by democracy can vie with them. As former Senator Paul Douglas once said, "When you offer a starving man a choice between the Four Freedoms and four sandwiches, he always chooses the four sandwiches."

When, however, attention is given to questions of basic order, when roads and streets are made safe, when food, clothing, and shelter are made available, when attention is given to living conditions, when the masses discover they can rear, educate, and marry off their children and leave them an opportunity for a better life, political democracy becomes not only possible, but imperative. For as living standards rise, democracy becomes the only political system through which that better life can be sustained and advanced. And this is to the mutual benefit of all the Americas.

As for time, no nation has fully modernized itself in less than sixty years. The United States took much longer. In eight years Latin America, despite false starts and frustrated hopes, has made more progress than we had any right to expect. Realistically, however, it would be unwise to think in terms of less than thirty years for full-scale modernization of the continent. After eight years the alliance must, therefore, be regarded as in its infancy. Any other view does injustice to Latin America.

And this leads to the need for a sense of scale in our relations with Latin Americans, including a sense of proportion in both the United States and Latin America. We must look at our hemisphere with a new eye of understanding, one that recognizes its importance to the future peace of the world. We cannot take Latin America for granted, believing it will be there when we need it. We need it now no less—and perhaps more—than it needs us, for what happens there in the closing years of this century may well shape the coming years of the next century.

As for Latin Americans, it is time for them to recognize that the United States is not the wielder of the big stick of the 1900s, that we mean what we say about wanting to work with them, that our commitment is to an inter-American community of equal states. In short, they must turn away from memories of the past and turn instead to our mutual hopes for the future.

We talk of destiny, of partnership, of shared hopes and efforts toward hemispheric unity. But what does that destiny look like if our hemisphere ends up half suburb and half slum? Is this the limit we set to the creative, working partnership the American presidents established at Punta del Este to meet the increasing needs of today's "revolution of rising expectations"?

Surely our destiny is more in keeping with the brave new world we have always sought to build. Surely it is more in keeping with our faith that the dream of Simón Bolívar will flourish at last, like the dreams of our own founding fathers—that this hemisphere will grow in prosperity and confidence into a model of how states, with all their diversity of cultures and differences of gifts, can work together to improve and enrich and ennoble their common life.

We shall not do this with cold, lifeless graphs and charts. We shall not do this with Congressional cuts. We shall not do this between today and tomorrow. But with time and with resources, and with the republics of the Americas all working together, it can be done.

TENNESSEE WALKING HORSE

Mr. TYDINGS. Mr. President, on July 2 I introduced a bill, S. 2543, designed to end the cruel and unnecessary practice of deliberately making sore the feet of the Tennessee Walking Horse in order to alter its natural gait.

This animal is a magnificent show horse. To sore its feet in order to promote its "walk" is a cruel and debasing practice. It is also unnecessary, for the horse can and should be trained, rather than maimed, to walk in its distinctive style.

Hearings on S. 2453 will be held on Wednesday, September 17 by the Commerce Subcommittee on Energy, Natural Resources and the Environment, beginning at 9:30.

Mr. President, the September 3, 1969, issue of the Christian Science Monitor published an editorial commenting favorably on the bill. I ask unanimous consent that it be printed in the RECORD along with certain letters of support for S. 2543 which I have received.

Additionally, I ask unanimous consent that two letters addressed to Mrs. Roger Stevens and Voice Publishing Co. be printed in the RECORD for they offer clear evidence that soring is presently taking place as it has in the past.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, Sept. 3, 1969]

SORING MUST STOP

Progress in the campaign against the cruel practice of "soring" the feet of Tennessee walking horses has been painfully slow, but the most positive action taken so far seems now to have a fighting chance.

The Tennessee "walker" has a distinctive gait—a quick, high-stepping walk, in which the front feet barely skim the ground and the hind feet bear most of the horse's weight in a long stride. This gait can be developed by training, but it takes time and patience. Unscrupulous owners and trainers have found a shortcut: by various agonizingly cruel devices, they deliberately sore the front feet so that the horses will avoid putting weight upon them. So far, public opinion (perhaps not widely enough expressed) and attempts at legislation have done little to halt this abuse.

Now, Sen. Joseph D. Tydings of Maryland and Congressman G. William Whitehurst of Virginia have introduced identical bills in Senate and House. In effect, these bills would prohibit the shipping of sored horses for exhibition purposes, would prohibit the showing of such horses, and would forbid any horse show in which such horses participate.

The Senate bill is S. 2543, and has been referred to the Senate Commerce Committee, Sen. Warren G. Magnuson, chairman. The House bill is H.R. 12438, and has been referred to the House Interstate and Foreign Commerce Committee, Hon. Harley O. Staggers, chairman.

Now is the time for the public to ask these two chairmen to see that the bills are reported favorably. Senators may be addressed at the Senate Office Building, Washington, D.C. 20510; congressmen at the House Office Building, Washington, D.C. 20515.

AUGUST 12, 1969.

MRS. ROGER L. STEVENS,
President, Animal Welfare Institute,
Grand Central Station,
New York, N.Y.

DEAR CHRISTINE: This is in reply to your recent letter involving the Tennessee Walk-

ing Horse which I found it necessary to disqualify during the running of the Michigan Horse Shows Association All-Breed Show held at the Michigan State Fairgrounds May 23 through May 25, 1969. The facts are as follows.

Included among the various breeds entered at the Show was a section for Tennessee Walking Horses. Rule XXIII, Part I of the American Horse Shows Association rules provides:

"Horses foaled after January 1, 1965 with any scar (granulated tissue that can be detected from eye level which will not produce hair) on the pastern or coronet areas are ineligible for competition and any substance used in these areas is prohibited, whether or not it alters the natural color of a horse. Judges must disqualify any such entries. Horses having raw or bleeding sores in the pastern or coronet areas from either old or new scars or chain sores shall be disqualified by the Judge for the balance of the show and the owners, trainers and riders are subject to further penalty under the provisions of Rule III, Part I, Sec. 7."

And Part II of the same rule reads as follows:

"Boots will not be dropped or removed for inspection in the ring unless the judge requests it on a specific horse or horses. At any show, a mandatory inspection must be conducted by the Show Veterinarian and the Show Steward not more than ten (10) minutes before the class enters the ring. Horses will be presented for inspection with the boots, which will be worn in the class, in place. The boots will be removed for inspection at the direction of the Steward. The Steward and Veterinarian shall work as a team. The Veterinarian shall inspect the pastern and coronet areas of the horse to determine if they meet the standards set in Part I, General. The Steward shall examine the boots to determine if they meet the standards set in Part I (a) or (b). He shall also observe the height of the heels of the front hooves and where, in his opinion, the height exceeds the standards set in Part I, measurements will be taken. In either case, the Steward will excuse horses not meeting the standards."

In this particular instance, I as Steward, working with the Veterinarian as a team, inspected all the Walking Horse entries just before the beginning of the class. The entries were presented for inspection with the boots on and when I requested that the boots be removed, I noted that in all cases the pastern and coronet areas were heavily coated with a material which prevented the visual inspection for sores. I requested that all such material be wiped off the entries. A couple of the exhibitors protested strenuously that neither the Veterinarian nor the Show Steward had the authority to "touch the horse." I referred, however, to the one sentence in Part II of the rules which says: "The Veterinarian shall inspect the pastern and coronet areas of the horse to determine if they meet the standard set in Part I, General." I told the exhibitors that I interpreted this to mean that the Veterinarian could inspect by physical contact any part of the horse. When I instructed the Veterinarian to put slight pressure on the flesh part of the one entry's pastern area, the horse reacted violently against the pain. With the removal of the material from the pastern area, blood could be observed slowly weeping from the wounds created by chains fastened to the hoof during training periods. I summarily dismissed the horse from showing in that or any subsequent class of the Show. I also observed in every other case obvious scar and granulated tissue around the pastern areas of all the other entries, but this was the only one that showed weeping, bloody sores. In my Steward's report to the American Horse Shows Association, under the paragraph reading "Were there any instances of cruelty to a horse?" I wrote as one of two Stewards: "No instance of cruelty to a horse occurred. The two Stewards and the Veterinarian, however, rejected one horse in the Tennessee Walking Horse Division with running and bleeding sores in the pastern area, with questions on one or two other entries. This Steward believes it most unfortunate that such conditions are tolerated in this Division."

I would appreciate your sending me a copy of the proposed bill to which you refer.

Sincerely yours,

ALFRED R. GLANCY, Jr.

SEPTEMBER 4, 1969.

DOUGLAS F. WEBB,
Goodlettsville, Tenn.
VOICE PUBLISHING CO.,
Chattanooga, Tenn.

GENTLEMEN: I am writing you in regard to the recent publicity we as breeders of Tennessee Walking horses have had with primary reference to the soring and scaring of horses in training with "so-called" professional trainers.

We recently had a fine three year old Midnight Duke stud out of a Merry Boy mare and also a six year old stud by a son of Merry Go Boy in training with a "so-called" professional trainer at Lewisburg, Tennessee. These horses were sound as a "gold brick", not a hair off their ankles or legs, when we sent them to this so-called trainer. He was to finish breaking and professionally train the three year old and put some speed on the six year old. After ten (10) months and approximately twelve hundred dollars ($1,200) later paid for training and such, we were compelled to bring them home. They were so scarred around their pastern area that very little hair was left on their feet. We had to treat these horses for damaged legs, scars, callouses, chain bruises, and etc.; and we are still at it.

A lot of talk has been going on as to what to do about such abuse, but nothing constructive has been accomplished so far and probably will not be until the Law-makers outlaw such tactics and put some "teeth" into such laws. If the Association (TWHBA) and Trainer's Association want to do something about these abuses, why not outlaw boots, chains or any other loose objects around or on the horse's ankles or legs. By doing this the so-called "nichol" horse will be eliminated and the natural Walking Horse will be recognized as it should be.

We have raised, bred, and shown the Walking Horse for thirty (30) years and have never shown what people would call a sore horse. When we tell the ring master and/or judge at shows that our horses are clean, they just look at us and say, "Well, they sure are clean"; but when the ties come up, we usually get the Gate, and the sore horses get the winnings.

We contend that this is rotten judging and it seems that the following are the only alternatives to try and clean up this situation: namely, (1) the judges guilty of such tactics as tieing sore horses should be barred from ever judging another horse show, or being licensed to judge any show where the Tennessee Walking Horse is to be shown; and (2) bar every showman or exhibitor from allowing their horse to be shown before any such judge under penalty of $500.00 fine to anyone violating such rules—including the judge and/or exhibitor.

If the powers that be want to stop all this criticism and bad publicity, and really clean up our breed, we dare them to try these recommendations for at least five (5) years. It will take that long to get back our reputation as true Walking Horse showmen.

We are signing our name to this letter, because we are not "chicken" as to whom knows whence it came.

We are not members of the Walking Horse Trainers Association, but are members of the Tennessee Walking Horse Breeders and Exhibitors Association (TWHBEA) and have been for years.

Sincerely.

DOUGLAS F. WEBB.

WASHINGTON, D.C.,
August 28, 1969.

Senator JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.

DEAR JOE: I want to express my appreciation and support of your bill S. 2543 to prevent cruel soring of Tennessee Walking Horses.

I saw the Tennessee Walking Horses classes at the Washington International Horse Show last October. I can truthfully say the audience was shocked by the apparent pain the horses were enduring. This deliberate cruelty so inflicted approaches downright torture and certainly should be stopped.

Thanks for your important help.

Sincerely,

CECI CARUSI.

FLORIDA FEDERATION OF HUMANE SOCIETIES, INC.,
Jacksonville, Fla., August 31, 1969.

Senator JOSEPH TYDINGS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR TYDINGS: Let me express the appreciation of our Federation for your introducing the bill S. 2543 which should prevent the soring of Tennessee Walking Horses.

The bill definitely has the support of our 5000 or more members of the Florida Federation of Humane Societies and of countless other just ordinary people who are horrified when told the odious practice.

It is amazing how many people never heard of the practice and find it hard to believe that "horse" people could be so unutterably cruel.

I had factual evidence of it some time ago when two Tennessee teachers told me that one of their pupils had told them that one of his jobs was to place acid or other irritants on the delicate part of the horses' front feet at a near-by stable where he was employed part time. Objective: to make them high steppers.

Count us all in as supporters of your bill.

Sincerely yours,

Miss MABEL E. CRAFTS,
Cochairman, Legislative Committee and Chairman Animal Welfare Committee.

RED BANK, N.J.,
August 31, 1969.

Senator JOSEPH D. TYDINGS,
Washington, D.C.

MY DEAR SENATOR TYDINGS: All humanitarians are grateful to you for your support of S. 2543 and all the related efforts to stop cruelty.

Most sincerely,

ABBIE V. STRICKLAND.

BALTIMORE, MD.,
September 4, 1969.

Senator JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR TYDINGS: I read in The Christian Science Monitor about your Bill S. 2543, regarding the "Soring" of Horses. I congratulate you on the stand you have taken, and I trust that your Bill can become Law without delay. It is high time that suffering to dumb animals be stopped by Law.

You have my wholehearted support, as well as the support of many other right thinking people.

With every wish for your success.

Sincerely yours,

CHARLOTTE K. SMITH.

CHELSEA, MASS.,
September 1, 1969.

Senator JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR TYDINGS: I am writing to express my heartfelt thanks to you for the creation of the bill S. 2543—designed to help prevent the unbelievable cruelty of scoring which is inflicted—nation-wide, upon the Tennessee Walking Horse for show purposes.

This brutal practice that produces such torture for the defenseless horses—has long tortured those of us as well—who so bitterly deplore the senseless suffering endured by all these unshielded creatures.

We will follow with deepest concern and vigilance the outcome of hearings re this all-important bill—S. 2543—scheduled for September 17—in Washington, D.C.

Again thanking you.

Most sincerely,

Miss BEATRICE GRIFFIN.

YORK, ME.

Dear SENATOR: Please accept the sincere thanks of myself and all animal lovers for your bill S. 2543 to protect the Tennessee Walking Horses. The humane leadership of all who sponsored this bill is deeply appreciated.

Sincerely,

Mrs. BETH H. BANKS.

NEW YORK, N.Y.,
August 31, 1969.

Hon. JOSEPH D. TYDINGS

DEAR SENATOR: All humanitarians congratulate you on introducing the bill to prevent the soring of the feet of Tennessee Walking Horses. This cruel practice must end. I feel that people only have to be informed of such cruelty—to be revolted against it.

I urgently hope that S. 2543 becomes law.

Your truly,

JANE M. MCAULIFFE.

BIAFRANS ARE STILL STARVING

Mr. PEARSON. Mr. President, for more than 2 years a brutal struggle has been waged in West Africa between the country of Nigeria and its secessionist eastern region which now calls itself the Republic of Biafra. During this time perhaps as many as 1½ million innocent victims have died by starvation—most of them women and children. An entire generation of talented and energetic human beings is slowly wasting away.

Many distinguished Members of Congress have joined our President in urging that more be done. Often frustrated by the tangles of the bureaucracy these good intentions have not been translated into the speedy action required. More must indeed be done and done quickly.

As an excellent editorial published in yesterday's Washington Post observes, the blame for the current relief impasse is not easy to ascribe. It now appears as though the Biafran leaders are primarily responsible for the failure to resume Red Cross flights, though given past Nigerian behavior, it can be fairly said that neither side is free from guilt in this terribly complicated tragedy.

In any event, it is neither our responsibility nor our right to comment on the internal workings of other states, though in this case it is a great temptation to do so given the number of lives involved. Moreover, to date, such an approach has appeared, to me at least, to be counterproductive. The one salient fact that cannot be disputed is that we all must redouble our efforts to strengthen existing relief operations and open new avenues as quickly as possible.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BIAFRANS ARE STILL STARVING

While everybody else was vacationing this summer, the secessionist regime of Biafra went about its by-now routine business: starving. Much of the responsibility of this calamity, which has gone on for so long that few people outside the area pay much attention to it any longer, falls upon the harsh imperatives which halted all relief flights of the International Committee of the Red Cross after early July. Nigeria insisted, as it had a right to do, that relief cargoes touch down in its territory for inspection. Biafra's leadership regarded fulfillment of that demand as an acknowledgement of federal authority, and it preferred to starve its own people instead.

Now, however, Nigeria has magnanimously abandoned its earlier inspection demand. General Gowon, its leader, says Nigeria will allow food planes to fly to Biafra direct from Dahomey; he claims only a right to call the planes down for inspection. Biafra, however, is still balking. The Biafran chief, Colonel Ojukwu, evidently is willing to accede to even more suffering and death, rather than accept the new Nigerian stand. The world's humanitarians, if they are to be fair, ought immediately to turn their appeals from General Gowon to Colonel Ojukwu.

The war, already in its third year, goes on. Nigeria has a heavy logistical preponderance but Biafra stays in the field. So far no effort at outside mediation has gotten anywhere. Lagos won an important public relations victory by the defection to its side of Dr. Nnamdi Azikiwe, Nigeria's first president and and Ibo tribesman who had formerly supported the Ibo-led administration in Biafra. Addressing himself to the critical issue in the Ibos' fears, he termed reports of Nigerian genocide a "cock-and-bull fairy tale." But General Gowon is under heavy pressure from his own military colleagues to go for a "quick kill," and it is uncertain whether he can demonstrate to Biafra the generosity necessary to capitalize on "Zik's" stand. In these stalemated circumstances, it becomes all the more vital for arrangements to go forward on relief.

SENATOR EVERETT McKINLEY DIRKSEN

Mr. ANDERSON. Mr. President, I have listened with great appreciation while others have praised Everett McKinley Dirksen for his leadership and his responsibility to that leadership during his long service in the Senate. I have been particularly impressed by the work he has done, especially when I reflect that he left Congress in 1949 with an eye condition which apparently indicated that he would be completely away from active participation. Subsequently, he found medical men who felt that his sight could be improved. He received some expert care.

He became a candidate for the U.S. Senate in 1950. I felt that the reason he was elected to the Senate was the care he displayed in meeting the people at every level. He wore out two automobiles in that campaign. He traveled back and forth throughout his State, over and over, and many participants in that election asked him to do almost impossible tasks while speaking to their local groups. But he took real joy in campaigning. He was determined to participate in every segment of the State and every occupation whether it was banking or partisan activities.

I came to know and like Senator Dirksen when he was serving in the House of Representatives. I sought to persuade him that many of the Truman activities involved all types of leadership. Best of all, he remembered his friends and always had a kind word for those who had known him for a long time.

His family rated very high in his responsibilities. He was not interested merely in official activities in the Senate but recognzed what needed to be done to take care of his friends and his duties. Many people in Illinois can testify to the fact that he searched out their problems and did his best to take care of them.

As a member of the Committee on Finance, he was an excellent representative of his people, yet he never tried to usurp leadership in the Senate. Time after time we all enjoyed his friendly personality, and we will all miss him in this committee as we try to work out a tax proposal. He was a true friend of all of us. I certainly hope that the country will appreciate all that he did.

WITHDRAWAL OF TROOPS FROM VIETNAM

Mr. GOLDWATER. Mr. President, recently, I discussed with the Senate the President's decision to withdraw 25,000 troops from South Vietnam, the date that the promise was made, and the target date for completing the withdrawal.

That was necessary because there were those who were contrasting the number of troops in Vietnam in January with those there in mid-August and using these figures to insinuate that the President was not living up to his commitment. They did this even though they knew he made his promise in June and that the target date was August 31.

Mr. President, August 31 has now come and gone. And more than 25,000 fewer troops are in Vietnam than there were in June.

In fact, as of last Monday, fewer than 509,600 troops were in Vietnam compared with 537,500 on June 7, the day before the President's announcement—that is, a reduction of 27,500.

In addition, and even more important, the Pentagon tells us that it hopes to keep the number of troops there at or below the 515,000 figure. Last January 1, the troop ceiling was 549,500. That figure was never reached, but it allowed for nearly 40,000 more men than are now there.

Mr. President, I bring this subject up only because I hate to see politics played with a war and with our American fighting men. We all have one interest, an honorable peace. I hope we all would support the President's efforts to gain peace. And I further would hope that future criticisms would be based on solid fact, not on political expediency.

ACTIVITIES OF REPRESENTATIVE LEONOR SULLIVAN, OF MISSOURI, IN CONSUMER AFFAIRS

Mr. EAGLETON. Mr. President, Representative LEONOR SULLIVAN, of St. Louis, is a public servant of whom Missouri and the Nation can be proud. Her leadership efforts over the years in the fields of consumer education and protection have been outstanding. From her sponsorship of the first food stamp bill to the recent truth-in-lending law, she has been a tireless supporter of legislation benefiting all Americans.

I have the honor and the privilege of serving with Mrs. SULLIVAN in the Missouri delegation, and I ask unanimous consent that an article describing her activities in consumer affairs and published in the St. Louis Post-Dispatch of September 5, 1969, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MRS. SULLIVAN PUSHES FIGHT FOR CONSUMER

(By Lynn Langway)

WASHINGTON, September 5.—The woman who wrote the new truth-in-lending law made her last credit purchase 40 years ago.

"It was a Victrola, and when I found out the little bit I was getting for all that extra cost, I decided to stick to cash," says Representative Leonor K. Sullivan, the only woman on Capitol Hill to head a consumer committee.

A senior member of the House Committee on Banking and Currency, the St. Louis Democrat is chairman of its subcommittee on consumer affairs. A fighter for strong laws on food, drugs, cosmetics and credit, she was the author of the 1968 Consumer Credit Protection Act, which took effect last month.

"I'd like to think the law will educate consumers, but I have no real conviction that the information it provided will cure credit addiction," says the handsome, silver-haired widow, who has occupied the seat held by her late husband since 1952.

"People buy too readily on credit, without realizing that of course it costs to use someone else's money. They aren't inquisitive enough because they don't want to look dumb," she adds.

Mrs. Sullivan is worried that borrowers will not ask for clarifications of credit charges that merchants and moneylenders now must give. She notes, for example, that many people believe that an "8 per cent discount," loan means an 8 per cent interest rate.

"In fact, if they'd ask, they'd find it means that the 8 per cent is deducted first. You get $92 for a $100 loan. But you pay back on the full amount, so it's really 16 per cent interest," she explains, sitting in a House office feminized by flowering plants, homey blue leather furniture and a bouquet of peonies on the desk.

Leonor Sullivan's consumerism began with a question and she hasn't stopped asking them since. A St. Louis consumer group asked the newly elected Representative to explain the Food, Drug and Cosmetics Act to them and "I found I didn't know anything.

"So I began poking around and saw a lot of changes that needed to be made," she says. The search led to sponsorship of the first poultry inspection act and the first food stamp law. She has also been a major force in passing laws on food and color additives, drug control, labeling, and meat inspection. And every year since 1962, she has gamely submitted an omnibus bill that would extend Food and Drug Administration coverage to medical devices, diet foods and cosmetics, none of which are now regulated until proven harmful.

"The FDA doesn't act on anything unless someone is seriously harmed and Congress is often the same. We couldn't get the FDA to act until people went blind from coal tar and we couldn't get drug control until thalidomide.

"The committees are loaded with consumer legislation, but people don't push enough until a tragedy happens, and we're not getting any help from the Nixon Administration," she said.

(Mrs. Sullivan, like other Democrats, is particularly annoyed at lack of response from the Department of Agriculture and Commerce, which have not answered her queries on specific bills and problems.)

The feisty Representative shops and cooks for herself in her small Virginia apartment, decorated with some of her hobby—hooked rugs. She is as fearless about questions at the checkout counter as she is in the Capitol.

"I don't believe in picket-type boycotts, because they've been overused to the point of ineffectiveness. But if the price is too high or the quality is low, I boycott it by not buying.

"And I make sure to tell the supermarket manager why in a loud, clear voice," says the Congressional consumer, who often cooks with stew meat and ground round steak. "They have just as much nutrition and you can dress them up with a little suet," she says firmly.

She uses the same "supermarket voice" in pointing out the costliness of games and stamps, which her subcommittee soon may probe.

"I don't think we should outlaw them, but I'd like to see stamps redeemable in the same stores for cash or discounted goods. I usually ask the checker audibly if this is possible. She answers 'no' and then the next lady in line gets intrigued."

Wise about credit and costs, Mrs. Sullivan is wary over the proliferation of charge cards. "We're all going to rue the day they multiplied, because 5 per cent or more is added to the price of things for everybody, even those who pay cash."

She does admit to one sloppy shopping habit: "I'm an impulsive buyer of clothes, like most women with little time to shop."

The only woman Missouri has sent to Congress, Mrs. Sullivan is enthusiastic about another active woman newer to the scene—Mrs. Virginia Knauer, President Richard M. Nixon's special assistant for consumer affairs.

"She has the enthusiasm and the know-how to give consumers a great boost—if she can get the ear of the President.

"That remains to be seen," concludes Leonor Sullivan and you know she'll be avidly watching and asking questions.

THE STUDENT IN THE MIDDLE

Mr. JAVITS. Mr. President, the majority of students in the Nation's colleges do not participate in campus disruptions and, as a matter of fact, many find the activities of the more militant of their fellow students disruptive to the very education which they seek and desire.

The plaint of one such student "in the middle" and the frustration he feels is well stated in a letter from a Queens College undergraduate, Leonard A. Leon. Mr. Leon has sent me a copy of his letter to the President and has given permission for its publication here. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I am one of the "apathetic, middle-class bourgeoise" undergraduate college students. The fact that I go to Queens College of the City University of New York is not important. I could go to Harvard, Cornell, Columbia, Stanford or Queensboro Community. I am very grateful for the education I am receiving and feel that many new ideas and experiences have been opened to me. I realize that this is not just the result of going to college, but that fact that I was willing to give of my time, interest and determination to accomplish what I have.

But I am one of the "apathetic, middle-class bourgeoise" college students. This means that I do not belong to Students for a Democratic Society and I do not support their student strikes and disruptions on campus. I do not join counter-demonstrations because these groups use the tactics of the SDS and I have more constructive ways of using my time.

My problem, as with many students today is that I feel that I am being abused. Abused by the small minority of protestors that are disrupting my classes and causing the closing-down of my school. I am also being abused by the power structure that refuses to protect the rights of the majority by enforcing the present laws and halting the illegal actions taken by the minority.

At this point I am frustrated by this contradiction. The laws are being broken and my education is being hindered, but the power structure refuses to protect my rights and interests. Where do I turn? The administration refuses to act and if I join the counter-demonstrations I defeat my purpose. For these reasons I am writing to you, the people of the power structure, so you can readily see my dilemma.

Another characteristic of the "apathetic, middle class bourgeoise" student is patience and understanding. I understand that the present disorders that are sweeping the country are a complex problem and that there are no easy answers. But my patience, although greater than some of these other factions who demand immediate action to alleviate their problems, is not unlimited. There comes a time when the frustration that I am feeling and the millions of other college students like me, will become intolerable. It will not be tomorrow or next week, but a person cannot suffer this kind of abuse, seemingly without recourse, indefinitely.

I sincerely hope that you get the message. I am sure this is one of many letters of this nature that you have received recently. But this cannot go on, so I urge you to put your power behind some constructive measures to alleviate the problem.

Sincerely yours,

LEONARD A. LEON.

THE PESTICIDE PERIL—XLVI

Mr. NELSON. Mr. President, the continuing controversy over the use of DDT has come to a head in the last year as more and more evidence has become available to the public regarding the danger to fish, wildlife, the total world environment and potentially to human health.

Conservationists and scientists have testified to the already alarming death toll of certain wildlife species which are threatened with total extinction because of the presence of DDT in their systems and have revealed results of studies which link this highly persistent, toxic

pesticide to stomach and liver ailments in man.

Much has been written about this issue. An article published recently in the Eau Claire, Wis., Daily Telegram offers a good summary of the status of the controversy on the national scene. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WISCONSIN NOT ALONE IN DDT FIGHT

(By Sherry Conohan)

Michigan has banned the sale of DDT.

Arizona has banned its use.

In Wisconsin, the Natural Resources Department recently concluded hearings on a request for a ban and is considering whether to impose one.

The Illinois Legislature sent a bill to Gov. Richard B. Ogilvie for his signature giving the state Departments of Agriculture and Public Health the authority to regulate the sale and use of pesticides. The Minnesota Legislature passed a bill authorizing the state secretary of agriculture to ban the use of any pesticide.

Other legislation dealing with DDT is pending in a number of states but the greatest concern in the building controversy is centered in the Great Lakes area where high concentrations of DDT have been found in fish.

DDT is a nerve poison. The initials are an abbreviation for the chemical dichlorodiphenyl-tricholoroethane, a chlorinated hydrocarbon. The discovery in 1939 of the insecticidal properties of DDT led to the development in the 1940s of a series of chlorinated hydrocarbons for use as pesticides. Paralysis spreads from any part of the insect body that comes in contact with DDT.

Some scientists and conservationists contend that DDT has contributed to the extinction of certain wildlife species and poses a serious threat to the health of man, while others, such as Dr. Gordon Guyer, head of the Michigan State University pesticide research center, dismiss the warnings as overblown.

Guyer said coho salmon and other fish caught in the Great Lakes are "perfectly safe to eat." The pesticide controversy he said, has raised a scare which is not founded in scientific fact.

"We need to take it out of the press and put it back into the scientific ground," he said. "When anything gets this much publicity, there are misunderstandings that develop and spread."

But the controversy cannot be suppressed and, in fact, drew wide public interest when the Federal Food and Drug Administration (FDA) in early March seized 28,150 pounds of coho salmon caught in Lake Michigan on the grounds the fish contained dangerous concentrations of DDT.

A few weeks later, on April 16, the Michigan Agriculture Commission imposed the ban on sale of DDT in that state. The ban was appealed early this month by four pesticide manufacturers. Hearings on the appeal were scheduled for June 18.

Subsequent to the imposition of the ban in Michigan, the FDA set an interim maximum of 5 parts per million DDT for fish sold in interstate commerce. The interim maximum is to remain in effect until studies can be completed and permanent standards set.

The World Health Organization has set a DDT tolerance level of 7 parts per million.

The Lake Michigan fish seized by the FDA contained up to 19 parts per million DDT residue. Concentrations of up to 2,000 parts per million have been found in fish in Clear Lake in California.

Figures from the National Agricultural Chemicals Association in Washington, D.C., show use of DDT in the United States has declined significantly in recent years. In the 1966–67 crop year, 40 million pounds of DDT were used (including 27 million pounds in agriculture) compared to 71 million pounds 10 years earlier in 1956–57.

A spokesman for the association attributed the reduction to the development of other chemicals that are more effective than DDT.

An encyclopedia says the average sized person in the United States in the mid-1960s contained in his body tissues about 7 parts per million DDT. In recent testimony before a congressional committee, David Brower, former executive director of the Sierra Club, put the figure for an average person at 12 parts per million.

Arizona, in January, outlawed the use of DDT for agricultural and commercial purposes for a one-year period. The ban, which will be either renewed or lifted in January, 1970, by the State Board of Pest Control Applicators, was levied after alfalfa and other forage crops had become contaminated by DDT to the extent the DDT content in milk had risen to levels higher than allowed by federal laws.

In Minnesota, public agencies stopped using DDT in 1962 for spraying forests and in metropolitan areas.

In New York, the use of DDT has been banned since 1964 on all state owned lands under the jurisdiction of the state Conservation Department.

In Wisconsin, the Natural Resources Department has prohibited the use of DDT on state-owned lands and some Milwaukee suburbs have discontinued the use of DDT for tree spraying.

The DDT question perhaps has been given its best public airing in the lengthy hearings conducted by the Wisconsin Natural Resources Department.

The hearings were ordered after three citizens groups—the Citizens Natural Resources Association, the Wisconsin Division of the Izaak Walton League of America and the Michigan Audubon Society Inc.—petitioned the department for a ban on DDT, contending the chemical has entered state waters and polluted the environment.

Twenty-seven days of testimony ensued over a six-month period beginning Dec. 2 and concluding May 21, with chemical companies and agricultural interests waging the fight against the petition. Attorneys for both sides have said any decision will be appealed through the courts.

Environmental scientists favoring the ban on DDT made these points:

DDT does not break down and is highly mobile, spreading throughout the world.

DDT has been traced to the extinction of various forms of wildlife, particularly birds. Witnesses said DDT throws the birds' calcium-producing mechanism out of balance, causing them to produce thin-shelled eggs that often do not hatch.

DDT is having an unknown, harmful effect on man.

Dr. Richard M. Welch, Terrytown, N.Y., a biochemical pharmacologist, testified that concentrations of DDT far below those found in man produce alterations in the sexual mechanisms of both male and female rats. He said DDT also interferes with common drugs by causing the body to break down the drugs faster than normal.

Opponents of the ban claimed DDT is safe and that it does not have the effects attributed to it by scientists supporting the ban. They also argued that DDT is the only pesticide that can be used economically to control some insect pests.

Dr. Weyland Hayes, an official of the World Health Organization, testified: "I think it is safe."

Hayes described FDA studies on DDT, saying: "Volunteers were fed doses of DDT 200 times what you and I would get every day for 12 months and they showed no ill effects."

In New York State, traces of DDT have been found in fish since 1960, but the state Health Department is not worried about any "immediate health risk." Health Department scientists estimate a person would have to eat 70 pounds of fish a day to be affected adversely by the current levels of DDT found in the state's fish.

ARCHIE MOORE FIGHTS FOR YOUTH

Mr. MURPHY. Mr. President, one of my close friends and fellow Californians, Archie Moore, former light heavyweight champion, is engaged in a vital and praiseworthy battle which is as challenging as any he faced during his long career in the ring. This battle is to save youths from a life of juvenile delinquency and push them in the right direction so that they may become productive and successful citizens of our country. His own city is as proud of him and his work as he is of San Diego. Certainly, this is a kind of program that deserves more attention and support. I ask unanimous consent that two articles praising Archie Moore be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Saginaw (Mich.) News, Feb. 13, 1969]

MOORE FIGHTS FOR YOUTH—FORMER LIGHT HEAVYWEIGHT CHAMPION VISITS SAGINAW

(By Joe Hart)

They called him ancient Archie Moore a decade ago when he was light heavyweight boxing champion of the world.

Nothing could be farther from the truth. The mustachioed and goateed Moore, with flecks of gray streaking through his hair, is ageless. He is blessed with the eternal spirit of youth.

Moore, an unscarred veteran of 235 professional bouts for more than a quarter of a century, was fighting for the youth of America this morning when he began a busy two-day schedule of appearances in the Saginaw area as a Boy Scout executive at a press conference at Saginaw High.

"I am not a civil rights leader, as some people say. I'm a leader of youth," Moore told a youthful audience of high school reporters. "True, I seek equality. But the only way that can be accomplished is to motivate the youth of our nation. This must be done or all the undeveloped talents will go down the drain."

What is Moore's primary job with the Boy Scouts of America? "I am especially interested in community relations, particularly in areas where the Boy Scouts have not been able to establish a foothold. What I am trying to do is to open up opportunities for youngsters of all races and creeds. Not only for jobs, but for positions in administrative posts, particularly in corporations, and in the professions."

Moore warned that parents can make or break a child. "A father or mother who does not provide the proper food or clothing, or discourages an ambitious child from obtaining an education can reap unmeasurable harm."

What can a neglected youth do? "To keep a parent from killing his spirit, he must have fierce determination to succeed."

Archie should know. He spent time in a reform school as a youngster. "When I got out, I wanted to become a good fighter. One night, while I was still a 19-year-old amateur boxer, I sparred with a good pro in a gymnasium. When I got home my mother told me I would never amount to anything hanging around gyms. It was exactly 20 years from that day that I became world champion."

How old is Moore? "I never reveal my true age." But according to Ring Book and Boxing Encyclopedia, Archie was born Dec. 13, 1913 in Benoit, Miss. He knocked out the Poco Kid in the second round in his first professional fight on Jan. 31, 1936 in Hot Springs, Ark.

Moore became the lightweight heavyweight champion of the world Dec. 17, 1952 when he won a 15-round decision from Joey Maxim in New York. He fought classic battles against the likes of Bobo Olson, Yolande Pompey, Tony Anthony and Yvonne Durelle. He twice tried to capture the world heavyweight title. In 1955, Moore was knocked out by champion Rocky Marciano in the ninth round in New York. Floyd Patterson scored a fifth round knockout over Moore in 1956 in a battle for Marciano's vacated heavyweight crown at Chicago.

Moore's last fight was in 1962. Would you believe at the tender age of 49? An upstart named Cassius Clay ended Archie's career with a fourth round knockout. In his 235 fights, Moore knocked out 137 of his foes and was the winner of 54 decisions. That's a lot of mileage for a boxer.

But ageless Archie was raring to go this morning. Following a student assembly at Saginaw High, he attended a combined luncheon of the five Kiwanis Clubs in Saginaw at the YWCA. Another student assembly at Arthur Eddy School and a meeting with inter-city project workers kept him busy until tonight when he will be the speaker at the Eagle Scout Recognition Dinner at the Bay City Country Club.

Tomorrow, Moore has morning meetings with community leaders and a luncheon with youth agency directors from Saginaw and Bay City at the YMCA. A student assembly at Washington Junior High School in Bay City in the afternoon and an open forum meeting for inner-city boys and parents at UAW Hall (Sixth Street) will conclude Moore's whirlwind visit to Saginaw.

How's that for going 10 fast rounds?

The former light-heavyweight boxing champion of the world, Archie Moore, last night "sparred" with some 20 West End youngsters at the Goodwill Industries plant on Ocean terrace.

Throwing questions instead of right hooks, the former fighter turned youth leader demonstrated the value of "position."

Over 300 people, many of them Boy Scouts and Cub Scouts, turned out to greet Mr. Moore, whose visit was co-sponsored by the Pomperaug Council of the Boy Scouts of America and the Greater Bridgeport Chamber of Commerce Social Services committee.

"You, you, you, you and you," the leader "volunteered" some 20 recruits, a number of them Boy Scouts in uniform, a couple of them girls.

Because, he said, like any group, they would need organizational discipline to function properly, the leader lined up the "volunteers" by height from tallest to shortest, and in sharp, rapid-fire commands, he ran them over a series of mental hurdles.

"You people can do what I tell you to because I knew you were tremendous when I picked you; all you've got to do is try," he said.

Setting his stage to get everyone present involved, the ex-champion said, "We're going to need judges, we don't want any drop-outs, but we're going to need judges," and turning to the audience he said, "You people are the judges."

"Repeat after me, judges, 'Sorry about that.' That's what you say when somebody up here doesn't do what I tell him," the leader told the group.

Then he ran the recruits through their paces.

"Tell me this, all of you have younger brothers and sisters or cousins going to school. What one thing would you tell the youngster not to do while he's in school?

Hands at their sides and feet apart, one at a time until all had finished, the volunteers shouted out "Fight unless he had to, steal, swear, not take part in athletics, smoke, play in the streets, drink, skip classes, beat up the teacher, write nasty things on the wall."

Mr. Moore then told the group to do again what they had just completed and cautioned them not to repeat any of the given suggestions. Applying pressure, he said, "You've got until I count three or the judges will count you out."

This task completed, the leader asked the youngsters, "When he gets out of school, what would you want that young person to become?"

The 20 youths had the "judges" literally rolling in laughter, as they stuttered and stumbled their way through occupations ranging from truck driver, to dictator.

Mr. Moore toughened the task, warning no repetitions, and the group exhausted possibilities ranging this time from X-ray technician to disc jockey. Five times the leader tested their ingenuity, interrupting frequently with "Come on baby, you can do it, you've got 'til 3."

This completed, Mr. Moore explained that there were many occupations open, and many people who "will help you get there."

PHILOSOPHY UNPACKED

Unpacking some of his own philosophy, he added: "The word to get you there is position. Position is your stance in life, and the man who stands neutral stands for nothing."

Over and over again the fighter shouted the command "Position," and the youths assumed the fighter's stance, fists set and ready to throw a punch. On the command "As you were," hands fell to sides.

Then, with the word, "out" he had the youngsters strike out and recoil their punches until they were able to perform to his satisfaction.

JUDGES PUT IN ACTION

Now putting the "judges" into action and cautioning "no repetitions this time," the leader again asked the group the two questions asked earlier.

With much laughter and many calls of "Sorry about that," all but five of the 20 were eliminated.

The five, whom Mr. Moore then termed "winners" were singled out to sing any song of their liking.

Most shuffled about, nervous, and had further difficulty singing. One, instead of singing, said he'd "appreciate a seat."

Another, Eddie Burns, from Explorer Post 49, quieted the gathering with a notable rendition of "What Kind of a Fool Am I?"

Applause from the audience as Mr. Moore placed his hand over the head of each contestant choose Mr. Burns the winner, and he received a payment in cash from the ex-champion.

Concluding, Mr. Moore made certain to point out that it was not important whether anyone had a good voice. What is important, he said, is that they all tried.

INVITED TO TEEN CENTERS

James Barrett, as A B C D worker, praised the demonstration, and on behalf of the poverty agency invited the boxer to visit the teen centers throughout the city.

He said what Mr. Moore, founder-director of ABC (Any Boy Can) clubs had done in the demonstration was meaningful.

"It showed us that any of us can, as long as we feel that we can. Nothing in the world is great enough to make us feel that we cannot excell. Mr. Moore's record is what it is because of what he himself has done."

Mr. Moore who won 187 of his 229 fights and who with 136 knockouts set an all time knockout record, addressed a Chamber of Commerce luncheon yesterday afternoon at the Stratfield Motor Inn.

COMPARED TO MUSIC

The "champ" likened his work with youth to a piece of music in which every one must face each other, whether black or white, in perfect harmony.

"EGBDF—every good boy does fine," Mr. Moore stated, "and this involves communication and appreciation of youth working together."

Mr. Moore, who is the founder of the ABC (Any Boy Can) clubs, stressed that any boy who wants to get ahead must have help.

"I have often heard of the self-made man," he said, "but I do not know of one, for everyone needs help, whether spiritual or physical, to get him motivated."

He stressed that those who are willing to help and give aid to youth must follow through with their efforts, and not leave them high and dry.

ARCHIE MOORE'S GREATEST FIGHT IS NOW

(By Duane Valentry)

Let's take a hasty inventory of the things which you believe are keeping you from success?

Are you getting along in years and feel you've "missed the boat"?

Archie Moore did not become light-heavyweight champion of the world until he had passed his thirty-ninth birthday.

Are you overworked and in a menial job?

Archie Moore fried chicken for thirteen hours a day, seven days a week until he could no longer stand upright.

Is your background one of poverty or lack of security?

Archie Moore is the son of a Mississippi farm laborer. He lived with his aunt when his family broke up. He is a school dropout.

Is your health poor?

Archie Moore, overworked and undernourished, weighed only 100 pounds when he was twenty-eight.

With this type of background what would you expect a man like this to be doing with his life now that he is no longer champion?

Archie Moore, today, is actively engaged in helping the nation he loves through his unique juvenile program entitled Any Boy Can. Abbreviated to initials, ABC is being seriously considered in many cities across the country as one possible answer to civil unrest.

Archie still looks as if he could handle himself in the ring against most of the current crop of fighters and his "students" in the ABC program listen to him with unusual respect. He teaches his boys to be fearless, how to defend themselves, how to walk away from a fight and how to take a licking, if it comes, with good grace. He knows how to do each. In 1955 he challenged world heavyweight champion, Rocky Marciano and he lost. He also fought Durelle, Patterson, Clay, and others—often winning, sometimes losing.

"As a boxer, Moore had a way of creating excitement inside and outside the ring," says a reporter. "His persistent pursuit of the heavyweight champion was a masterpiece. He finally got his fight, lost it, but covered himself with glory. Marciano, who never lost, has frequently said that Archie was his best and most dangerous opponent."

Now, Archie Moore is engaged in his greatest battle as he attempts to inculcate a sense of dignity, respect for others, and pride, in children who know only a world of poverty, vice, and despair.

Recently crowned "Mr. San Diego of 1968" by his proud home town, Moore is known as a humanitarian as well as a great fighter who holds the all-time ring record for knocking out 140 opponents—some of them long after even his friends thought he should quit. Said the president of the Grant Club—a group of citizens and businessman—on presenting him with the honorary title:

"He is being honored because he has brought national and international fame to San Diego and has depicted the city as a

place where people live and work together in religious, patriotic and civic endeavor."

"I try to work along uncomplicated lines as much as possible," Archie says, "so as not to be confused. At night before bed is research time for me. What did I accomplish today? Whom did I do wrong? I try not to make the same mistakes over again. I feel I'd rather hurt myself than my neighbor because I believe I could take it and keep going."

When he meets a man, Archie always learns his name and address. As soon as he can he sends him a postcard, even if it is only a few words of greeting. His friends number in the hundreds, are intensely loyal, and include the high and the low—from sparring partners to presidents. Though he is always colorful and has a way of making headlines, his good deeds do not, although he is one of the real givers whenever he senses a need, contributing his time and money freely, irrespective of age, creed or color.

"The young people of today think they have a hard lot," he says. "They should have been around in the '30's when I was coming up in St. Louis. We had no way to go, but a lot of us made it. I became light heavyweight champion of the world. A neighbor kid down the block, Clark Terry, became one of the most famous jazz musicians in the world. There were doctors, lawyers and chiefs who came out of that ghetto. One of the top policemen in St. Louis came from our neighborhood.

"We made it because we had a goal, and we were willing to work for it. Don't talk to me of your 'guaranteed national income' . . .! The world owes nobody—black or white—a living. God helps the man who helps himself!"

"But belief that God helps those who try to help themselves could be construed more than one way," says this literate and successful businessman. "The sharp businessman, the cold, crafty landlord, the loan shark, and the money lenders certainly help themselves. But if they take undue advantage of their clients, they are not adhering to the Golden Rule. My life has always been lived around the Golden Rule, 'Do unto others as you would have them do unto you.'"

In starting his ABC program, Archie wrangled a store front, a set of punching bags and a regulation boxing ring out of a chain store and opened the doors to the kids who thronged the streets and were creating a serious problem by vandalism. Though some came to sneer they stayed to become students and the vandalism stopped nearly overnight. Noting his success the American Savings and Loan agreed to back him for the duration of a pilot program in Vallejo, California.

No boy who comes to ABC can have been more tried by circumstances than the pleasant guy who now takes the time to guide them ("If some bigot can misguide, I can guide," he says.) They're too young—but their elders can tell them about a man flattened in a fight in Montreal against Durelle who got up from the canvas not once, but four times, to score a knockout. They also remember the man who didn't quit when beaten by Marciano but tried for the heavyweight title again only to be beaten by Patterson.

They can tell of his stupendous wins too. Famed sportswriter Jim Murray says of him:

"If you rent a computer and program yourself a prize fighter, you couldn't do much better than Archibald Lee Moore. He was the best mechanical fighter ever to hit a weigh-in. He was a slum kid who saw America from the back of a bus, the bottom of a freight car, the windows of a flophouse. Archie never owed America a thing. But he never figured it owed him anything, either. He never joined the Boy Scouts, or went to the aquarium, and the Junior Chamber of Commerce wasn't after him to sign up until he was too old. He was voted 'Mr. San Diego' because of all people, he's trying to save America from itself."

There have been some disappointments in acceptance of ABC. Though he has offered it to the government and recently spoke before a Congressional Committee, many promises from politicians and businessmen have yet to materialize. However, many people feel it is merely a matter of time; that the Archie Moore ABC project is one of the better solutions yet offered and as such must be given proper recognition.

Archie is without bitterness as he looks back over his eventful life, much of it spent slugging away at obstacles.

"I love God, and God loves me. He has been good to me all my life even when I thought man did not give me my rightful breaks. I can only figure God was teaching me a great virtue—patience."

Who is there to say that the patient, old champion will not win his greatest fight, help bring dignity to his people . . . and peace to a troubled land?

THE GRADUATE'S RESPONSIBILITIES AND OBLIGATIONS

Mr. TYDINGS. Mr. President, thousands of speeches were made to graduating classes this June. Many of these speeches were inspiring, educational, and informative. Earlier this summer, at the graduation exercises of Northwood High School, of Silver Spring, Md., David Gordon, president of the June 1969 class, in his welcoming address emphasized the role of the young graduate not only in participating in meeting the problems of the Nation and the community, but in doing so responsibly and with an understanding of their complexities. He urged the students to work with the older generation in making changes that are constructive. He stressed the need for students to develop their ideals to achieve practical results, and to be honest both with themselves and with others.

I believe young David's message contains sound advice which will be of interest to Members of Congress and to the public; I therefore ask unanimous consent that the text of his speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE GRADUATE'S RESPONSIBILITIES AND OBLIGATIONS

Senator Tydings, Mrs. Hilberg, Mr. Packard, and other members of the administration, members of the faculty, parents and friends, fellow students of the Northwood Class of '69. At last, after struggling through three years of senior high school, we are finally ready to graduate. Soon we will receive our diplomas and many of us will be saying goodbye to our friends. Thus our Commencement Exercises marks the end of our high school education.

Yet this is not the end. As you know, the word "commencement" means the beginning, because this ceremony marks the beginning of our actual involvement in society. Until now, youth has been called "the future leaders of the world." Now, some of society's controls are being handed over to us. We are going out and filling one of society's jobs, and in doing so, we are beginning to have a meaningful say in how those jobs shall be done. We are going into the colleges and universities, the educational institutions upon which our nation relies heavily for much of its research and knowledge. Therefore we are beginning to have a meaningful say in our nation's affairs. Now we will have the chance to perpetuate those things we have seen in the world that we feel are right, and to change or abolish those things which we feel are wrong. Thus our graduation is hardly an end, but rather the beginning of our generation's meaningful involvement in society.

What gives us the right to have such a meaningful say in what society does? First of all, we have had about eighteen years experience in this world, during which time we feel we have become more fully acquainted with the ways in which our society operates. Secondly, as shown by our statements and ideas on various issues facing us, such as the Vietnam war, the grape boycott, education, Biafra, and many others, we are aware of our society's problems and have already started working on solutions. In many cases our teachers comment that we are often more aware and educated in these issues than are our parents. Finally, these problems of society do not belong only to the members of the older generation because if solutions to these problems are not found, we will suffer the consequences along with our parents. If another great and crippling economic depression hits this nation again as it did in the 30's, we will go hungry just as much as our parents will. If the air and waters become strongly polluted, our bodies will suffer just as much as our parents'. Yes, even if the world is torn by a nuclear *war*, we will die the same as our parents. Therefore, these problems belong just as much to us as they do to the older generation, and therefore, as genuine members of our society, we not only have a right, but an obligation, to help in the solving of these problems.

Our generation will face numerous and extremely difficult problems, all of which will demand solutions. There will be no easy answers to the problems, and some of them may have no definite answers at all. As an example of the type of problem we will encounter, a scientist who spoke to one of the classes on "Problems of the Twentieth Century" stated that in a few years, man would have mastery over his own genes. Thus, by manipulating the genes of an unborn baby, he would be able to make that child into a musician, a mathematical genius, a great politician, a soldier, or a moron. The problem, however, is, who will decide what the child is to be and who will do the manipulating? If a nation wants a powerful army, will it have the right to manipulate genes to make nothing but soldiers and superpatriots? Shall a doctor who is prejudiced against another group of people manipulate genes so as to make morons out of that group? Who shall determine how many of each type of child is to be born? Maybe we can't conceive of this problem ever being a reality, but then many of today's problems seemed farfetched only a generation ago. We will have to find answers to this problem just as we will have to find answers to others. What are we going to do about air and water pollution? How are we to match a worldwide growing population with adequate food production? What are we going to do about the extreme poverty in our world? In our own country, how are we going to do away with racial and religious prejudices that have been brewing for hundreds of years? How are we in the Western Hemisphere going to live peacefully with those peoples of the East, some of whom are now being taught to hate and kill us? Yes, in a world where the two primary powers are increasing the number and the force of their thousands of nuclear warheads which are aimed at each other and ready on a minute's notice to be fired, how and for how long are we to maintain peace in the world? These problems are some of the most complex, if not the most difficult and serious, problems mankind has ever faced, and these are the problems that we are going to have to solve. We can't shy away from them. As members of our society,

as responsible people who are beginning to take control of society's affairs, we are obligated at least to try to solve them, and try we must. As Richard Lloyd Jones once said, "The men who try to do something and fail, are infinitely better than those who try to do nothing and succeed." The consequences for doing nothing are far too grave for us not to act. We must seek answers to these problems if we are to survive.

Our generation has not been standing by, though, and doing nothing. We have arrived at proposals for solving these problems. We have looked at our present high school education, seen a number of faults that need to be corrected, and have proposed ways of correcting them; for example, we have asked that the grading system be reviewed, that there be a greater choice of electives. We have done the same with local, national, and international issues. But one major error in our proposals and solutions is that too often they are overly idealistic. Idealism itself is not a flaw. To balance the more practical and conservative minds of our parents, we need idealistic thoughts in our society. But often our plans and proposals lack practical application and therefore appear vague and impossible to carry out. Just to give a small example, you know that I have been asking many students to take a poll of mine on education at Northwood. One of the questions on the poll reads as such: "What improvements would you like to see at Northwood concerning the manner in which courses are taught?" When I posed this question to one typical student, he replied that Northwood needed better teachers. I asked him what he meant by "better teachers." He replied, "Teachers who are interesting and make their classes interesting." But how is a teacher interesting and how does he make his class interesting? He answered, "By motivating the students." But exactly how does a teacher motivate the students? "Well," he continued, "like one of my teachers for example. She takes an interest in us. She motivates us. She's just interesting, that's all." Notice there was no mention of self-motivation. The student's ideas are excellent, but poor as proposals. Imagine that same student addressing a group of young teachers and telling them how to become better instructors by following those undefined terms. Imagine again the effect a young person would have on the Paris Peace Negotiations by telling the different sides not to fight but to sit down and love each other. Our ideas are great, but we must be able to make them explicit, specific, and practical before we can expect other people to accept them. All of us want better teachers, and I'm sure some teachers wish they had better students, but it's what better teachers are and how to go about getting them that is the problem, just as how to go about ending the Vietnam war is also the problem.

How do we then formulate workable ideas? The answer to this question is first to be thoroughly acquainted with the problem; its causes, its history and all other ramifications—what solutions that have been proposed have worked and why—those solutions that have been proposed and have failed, and why. This last point we sometimes tend to forget. Most of our ideas are not new. Everyone knows how old the concept of worldwide peace through love is, and yet few of us have studied the numerous attempts of the different religions to put this concept into universal practice.

Another example is in foreign affairs. Many people feel the United States should first concern itself with its domestic problems and limit her involvement with other countries. What these people have forgotten, or don't know, is that the United States had such an isolationist policy before World Wars I and II. If, however, after we have gone back and studied the historical and present difficulties connected with our proposals, modify them, and try to put them into effect. Thus, before we attempt to tackle these problems we must be fully prepared, fully educated.

Yes, graduation is the beginning of our generation's actual involvement in society's affairs. Soon we will be grappling with the problems our society faces. But let us remember to work with each member of society, young and old, in solving these problems.

Parents, as you realize that you do not possess all of the answers, please also realize that you are not the only ones capable of providing these answers. And just as the older generation should listen to us and consider our proposals, let us always seek to be heard, but let us never cease to listen. Let us be fully informed before we confront the problems and let us have a will to solve them.

Last week, one of my teachers commenting on students finding fault with our educational system, asked the question, "Why not become teachers if you see faults you want to correct?" He was making two points. One, that students who have complaints about the educational system should also look at the problem from a teacher's point of view: and two, that if we honestly feel certain changes should be made in the system, we should be committed enough to become teachers and make those changes. These are points that apply to almost any profession in society. Therefore you who will become our teachers, go out and right those faults you see in our present educational system. You who will become our politicians, go out and tackle those local, national, and international political problems that face us. And let us all be fully committed to enter the arena of the world to fight and tackle these problems that will confront us. But when we enter that arena, let us not be so weak in foundation that we are immediately thrown out on our heads; nor let us be so weak in commitment that we are defeated within a minute. Let us be educated and prepared so that we stay in that ring, that we solidly come to grips with our foes, and that we win. And as we are struggling in that sometimes vicious but always challenging arena of the world, we will look back on our educational institutions. We will look back at Northwood High School and say "thank you."

So my fellow students, let us continue to dissent, but let us dissent with a purpose. Let us change, but let us change constructively. Let us challenge, but let us challenge with respect. Let us be moral in all our undertakings, but let us recognize our own imperfections. Let us withdraw from society's wrongdoings but let us not withdraw from society. Let us dream, but let us not hide in our dreams of halucination. Let us love one another, but let us love honestly.

My fellow classmates, I thank you for your cooperation during our senior year. I congratulate you upon graduating and I wish you success in the future. To our parents, teachers, and friends, the Northwood Class of '69 expresses its thanks, because without your understanding, your compassion, and sacrifices, many of us would not have reached this commencement day. Thank you very much.

OBSTACLES TO FREE TRADE

Mr. JAVITS. Mr. President, I ask unanimous consent that an unusually perceptive article written by Prof. Richard N. Gardner and published in the London Times be printed in the RECORD.

Professor Gardner, an internationally recognized expert and author of "Sterling-Dollar Diplomacy" examines the growing debate on Britain's application to join the Common Market and the alternate idea of a North Atlantic Free Trade Area—NAFTA—and the obstacles both in Europe and America to freer trade.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the London Times, July 29, 1969]

HURDLING THE TRADE BARRIERS

The United States and Britain have had two opportunities in this generation to move the world into a regime of free trade.

The first was during the war, when the British Government sought American approval for James Meade's plan for a Commercial Union. The second was in the early 1950s, when France and other Continental countries sought British and American endorsement of an automatic formula for leveling tariffs across the board.

Unfortunately, the United States Government rejected the first initiative, and both the British and American Governments rejected the second. Had either of these proposals been accepted, the developed countries of the non-Communist world would today be enjoying free trade, or something very close to it in the industrial sector.

The problems of reconciling British and American trade interests and those of other countries with a European Common Market would either not exist or would be much more manageable.

We have not, however, done too badly. When the Kennedy Round cuts are completed in 1972, tariffs among the industrialized countries will be down to an average of about 10 per cent. On a broad range of industrial products, we will be within striking distance of free trade.

Yet quotas, border taxes, discriminatory procurement policies and other non-tariff barriers (as well as some severely protective tariffs) continue to obstruct trade in important sectors. Agricultural protectionism continues unabated on both sides of the Atlantic. And even the Kennedy Round accomplishments are threatened by protectionist rumblings in the United States and elsewhere.

In trade policy, as in other matters, one seldom stands still. It seems likely that we will move in the 1970s toward the free trade goal or slip backward into self-defeating policies of economic nationalism. As a matter of practical politics, it will be difficult to hold on to past gains and overwhelm the last bastions of protectionism in the most sensitive industries unless there is some kind of "grand design" in which the major trading countries commit themselves to the progressive elimination of protection by a fixed target date.

We are fortunate, therefore, that bold spirits in Britain and the United States are now exploring the possibilities of doing this. Among the most significant contributions are the pamphlets that have been issued by the Atlantic Trade Study in Britain, some of which have recently been revised and published in a book edited by Professor Harry G. Johnson.[1]

The Atlantic Trade Study was launched at a time when General de Gaulle's veto on British entry into the Common Market looked as if it would last indefinitely. At least one of the authors represented in Professor Johnson's book considers the formation of a North Atlantic Free Trade Area as a superior alternative and others regard it as a viable approach if British entry is barred.

The participants in Nafta, as they see it, would be Britain, the United States, Canada, the Commonwealth, some of Britain's Efta partners, and possibly, Japan.

To this American observer, the concept of a Nafta excluding the E.E.C. does not seem

[1] *New Trade Strategy for the World Economy*, edited by Harry G. Johnson, London, Allen and Unwin, 1969.

fully convincing. The reason is not only that, with the passing of de Gaulle, the powerful political and economic case for Britain's entry into Europe justifies a further try. It is that American participation in a Nafta excluding the E.E.C. simply does not look like a political possibility.

The United States is a global power, and will be most skeptical of any trade design that excludes the major countries of the European Continent. The United States needs the participation of the surplus countries of Europe to rebuild its lost trade surplus and resolve its balance-of-payments difficulties.

Moreover, the last protectionist ramparts in the United States are unlikely to fall as long as there is substantial European protectionism against American products.

Fortunately, most of the authors in Professor Johnson's book, including Professor Johnson himself, seem to regard Nafta as synonymous with a broadly based, multilateral free trade initiative open to E.E.C. participation and operating within the framework of Gatt.

Such an approach might appeal to the United States as a way of eliminating, or at least substantially reducing, the margin of discrimination against non-participants in the E.E.C. and also as a way of preserving a measure of economic and political unity among America's major trading partners and political friends.

The hard questions, of course, are whether the E.E.C. would really be prepared to eliminate its common external tariff and whether there could be sufficient freeing of agricultural trade to persuade major agricultural exporters like the United States to offer free trade on industrial goods.

If the answer to either of these questions turns out to be no, it is doubtful that the United States will then form a Nafta without the E.E.C. For the reasons given above it will probably seek something less than complete free trade—the elimination of tariffs in certain sectors where there is a perceived general interest in trade freedom, and modest measures of liberalization in other areas.

The United States will not be ready for a bold trade initiative, in any case, until the Kennedy Round cuts are completed and until it liquidates the political and economic consequences of its tragic military involvement in Vietnam.

The once powerful liberal and internationalist constituency, now embittered, divided and inwardlooking, has to be rebuilt.

The dangerous rate of inflation must be reduced and the United States trade surplus at least partly restored. Hopefully by 1973 a United States Administration will have the freedom to opt for a bold trade initiative that the Nixon Administration does not have now.

That is four years off, it is true, but not so long in the perspective of history considering the magnitude of the objective.

We can use the four years to consolidate the accomplishments of the Kennedy Round, explore the possibilities of Britain's entry into Europe, begin the assault on nontariff barriers, reform our inadequate international monetary system, and lay the political and economic groundwork for a free trade initiative.

That should be enough to keep us busy.

GEN. JOHN J. PERSHING URGED RATIFICATION OF 1925 GENEVA PROTOCOL ON CBW

Mr. PROXMIRE. Mr. President, in 1926, 8 years following World War I, the first war in which chemical agents were extensively used, General of the Armies John J. Pershing sent a letter to the Committee on Foreign Relations warning of the dangers of such warfare, stating:

Chemical warfare should be abolished among nations as abhorrent to civilization. It is fraught with the gravest danger to noncombatants and demoralizes the better instincts of mankind. It is unthinkable that civilization would deliberately embark on such a course.

The Senate at the time was considering singing the 1925 Geneva protocol prohibiting the use of any kind of gas or bacteriological methods of warfare. It decided not to ratify that agreement in spite of General Pershing's argument. Instead, the Senate chose to forget about the issue, and the War Department began a massive program of research, development, testing, and storing of chemical-biological warfare agents. By the end of World War II, for example, the United States was far ahead of the Nazis in the development of the means of germ warfare.

Mr. President, the Senate has before it a resolution calling on the President to resubmit the Geneva protocol to the Senate for its advice and consent to its ratification.

I urge the passage of a no-first-use agreement—such as the Geneva protocol of 1925—to make absolutely clear the position of the United States and to forestall Soviet and other international propaganda about our failure to ratify such a declaration.

INTERNATIONAL TRADE PROBLEMS OF THE UNITED STATES

Mr. JORDAN of Idaho. Mr. President, an interview with Secretary of Commerce Stans, published in U.S. News & World Report of September 8 represents the best capsule summary I have seen of the international trade problems which we face as a nation. As the interview implies, the issue is complex. Our balance of payments, tax system, unemployment situation, agriculture, banks, Federal Reserve policy, manufacturing productivity, and diplomatic relations all have their part to play in the international trade picture, and all give rise to competing goals and methods. As the interview also implies, Congress, with its power over taxation and commerce, has the leading role to play in insuring that the United States retains its traditional preeminence in world trade.

Secretary Stans describes our present weakened position in world markets, saying that "in the broad range of manufactured goods, exporters in other countries have the edge on us." He also notes that our agricultural exports have not increased in recent years. The result, as some studies point out, is that the textile industry alone is threatened with the loss of 100,000 jobs a year from further increases in imported textiles and finished textile goods.

The remedies which the Secretary describes demonstrate clearly how archaic our past trade policy has been, for each of these remedies—preferential credit terms and tax rates for exporters, a value-added tax, adjustment assistance for domestic industries harmed by imports, effective "escape clause" legislation and voluntary import agreements—already forms a part of the bag of tools of other industrialized countries.

Most of these remedies would require congressional action. Together, they would serve to put to rest the rising waves of protectionism which, though stirred up by legitimate grievances, nevertheless threaten the standing of the United States as a trade leader. For some years, Congress has complacently taken our preeminent position for granted and, with a few exceptions, has turned down some choice opportunities to enact fruitful and progressive trade legislation. Now the complacent ones need to formulate for themselves an effective plan of action, lest our national trade policy become caught in the net of quotas, prohibitive tariffs, and trade wars. I believe that the administration has finally given us some responsible guidelines for this plan of action, and I expect our trade policy to become one of our chief matters of concern in the next session of Congress.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of Secretary Stans' interview.

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

INTERVIEW WITH MAURICE H. STANS, SECRETARY OF COMMERCE: IS UNITED STATES BEING SQUEEZED OUT OF WORLD MARKETS?

Q. Mr. Secretary, are you worried about what's happening in U.S. foreign trade?

A. Yes, I am. In the early 1960s, this country was going blithely along with a trade balance in its favor of 5 billion to 6 billion dollars a year—that is, the U.S. sold that much more abroad than it bought.

Now, quite abruptly, that favorable balance has almost disappeared. In 1968, it fell to less than a billion dollars, and there is no present sign that it will be any better this year, or even in 1970.

Q. Is that because sales of U.S. goods abroad are lagging?

A. No, that isn't the real problem. Exports have done fairly well in recent years. They have been increasing at a rate of 8 or 9 per cent a year. But imports have been growing far faster than that. Last year, for instance, they rose by 24 per cent, while our exports rose only 10 per cent.

Q. Does this have an impact on business and jobs in the United States?

A. Yes. Take the textile industry as an example. Some studies I have seen show that if imports of textiles and apparel continue to grow at the present rate there would be a loss of 100,000 jobs a year in this country. That would be serious, particularly because many of these displaced workers would be from the black minority. So we would face not only economic problems but social problems, too.

Q. Why has the gap been narrowing between what we buy from other countries and what we sell to them?

A. There are several reasons:

One, of course, is the inflation we have had in the U.S. the past few years. This has made it more attractive to import goods from countries where wage rates—and thus selling prices—are lower.

For another thing, Americans seem to like the idea of buying imported things. There is a little touch of glamour attached to products made abroad.

Also, other countries have modernized their manufacturing capabilities to the point where they can compete with us rather well in world markets.

Q. But aren't U.S. industries modernizing, too?

A. Yes. We are ahead in technology in some areas, but not significantly ahead in such

products as radios, TV sets, typewriters and some household appliances.

A great many consumer items, and some industrial products—including machine tools—are made as efficiently and as well in other countries as they are here, and often other countries have the advantage of lower wage costs.

There are only a few industries in which our technology is so far ahead of that of other nations that we can still outdistance them in world trade. Those fields include aircraft, computers, some chemical products. But on the broad range of manufactured goods, exporters in other countries have the edge on us, not only because of lower wages but because of tax and credit advantages.

Q. What about farm products—can we still compete on those?

A. Yes, to a great extent—but competition is getting stiffer. Agricultural products make up approximately 20 per cent of U.S. foreign shipments each year. That is certainly important to our farm population in terms of jobs and income. In recent years, the rate of agricultural exports has not been increasing.

Q. Are we losing our over-all position in world markets?

A. Yes, to some extent. It has been a slow downward drift.

Over the past eight years, the U.S. share of world export trade has fallen from a level of 21 per cent of the total to about 19 per cent.

Q. Does this whole trade problem threaten to get out of hand?

A. No, I don't see it getting to the stage of crisis. But we don't want it to get any worse.

In the Department of Commerce, we are taking steps to restore our trade balance, and we hope that over the next four or five years we can rebuild it significantly.

Q. Will that be done by boosting exports—selling more goods abroad—or by asking Americans to cut down on what they buy overseas?

A. By increasing exports. We do not believe that the answer to the trade gap is to hold back on imports of foreign products into this country, except in highly unusual cases where special factors apply.

We must induce more American companies to realize that there is profit to be made by exporting, and that the feared difficulties of language, foreign exchange and differing trade customs are easily surmounted. The Department of Commerce and the State Department are both able to be of real help in guiding our producers into foreign markets.

Q. Do we have to control inflation as a first step?

A. That is vitally important, of course, but it is only one element in the picture. If we can slow down the inflationary spiral, that will automatically help to keep imports in check, because domestic prices will be more competitive. This would also help to widen our range of exports.

But we need to do much, much more than that. For example, this country needs a better means of financing exports. U.S. exporters today are not at all competitive in the financing terms they can offer buyers in other countries—and it is essential that they should be competitive. In our Department, we are spending a lot of time on this problem, working with Henry Kearns, the president of the Export-Import Bank, and with the Federal Reserve Board.

Q. What are other countries doing to help increase their own foreign trade?

A. Among other things, they are providing larger amounts of credit for their exporters for longer periods of time, and often at lower interest rates than are available to exporters in the U.S.

Q. Does this mean that governments of some countries subsidize exports?

A. Yes, in some cases. There is a tendency abroad to hold down interest rates on money that finances exports, regardless of the movement of money rates in their domestic economy.

In the U.S. we don't do that. Export-financing costs here follow the movement of our interest rates, so at a time like the present, when interest rates are the highest in years, U.S. companies that want to sell abroad are at a deep disadvantage.

Q. Should we follow the pattern set by our competitors and subsidize interest rates for American firms that sell things abroad?

A. I think we have to be more competitive with other countries, and if that means subsidizing interest rates, then we should find a way to do it.

Q. Should we also provide tax credits for exporters?

A. That is a matter we are studying. There are several ways in which our Government could help exporters through direct tax credits or tax deductions. Some of these steps could be taken without any new laws; others would require action by Congress. We are not prepared to say yet which might be the most feasible. Before the end of the year, however, we are hoping to find ways in which the tax system can be used to benefit exporters.

HOW BORDER TAXES HURT

Q. Do U.S. exporters run into problems from taxes in foreign countries where they sell goods?

A. Yes. A particular problem is the growth of border taxes abroad—taxes on goods moving into a country. An American company that wants to market its products in a country with a border tax has to pay that levy if it wants to make the sale.

In many European countries, these border taxes are a reflection of value-added taxes, imposed at various stages of the manufacturing process. There are plans now in the Common Market to get those European countries together on a uniform value-added tax on all manufactured goods, at about 15 per cent of the total price of the goods. That tax would apply to citizens of the countries involved. But U.S. exporters who wanted to sell within the Common Market would have to pay the same 15 per cent when their goods entered a member country, even though they already were priced to include our domestic taxes.

The disadvantage faced by an American producer is even more evident in dealing with a third country. A competitor in a country with a 15 per cent border tax receives a refund of that tax from his government on all exports to another country. The American company gets no such refund of the domestic taxes it pays.

All of this is the result of a major difference between tax systems. In the U.S., we collect most of the taxes by direct levies on corporations and individuals. In Europe, a high proportion of revenues is collected on merchandise, and it is these so-called indirect taxes that are reflected in the border-tax rates that are assessed on imports and rebated on exports.

We in the Commerce Department are coming to the conclusion that there should be serious study of a value-added tax in the U.S. as a partial substitute for other types of excises and income taxes.

Q. Have you made such a recommendation?

A. We have not as yet. But we want to study this possibility further with the Treasury Department to be able to make a recommendation, pro or con, at an early date.

OTHER HURDLES FOR THE UNITED STATES

Q. Besides taxes, are there other things that cut the flow of U.S. goods into foreign countries?

A. Yes, besides tariffs there are a great many kinds of nontariff barriers that restrict trade.

Q. What are some of them?

A. One example is the restrictions other countries put on the purchases of products by their government agencies or by nationalized industries. These tend to effectively shut out American goods.

Then, in addition, many countries put difficult technical requirements on imports for the purpose of regulating health or safety. In some cases, foreign governments actually subsidize exports by one means or another. And there are hundreds of other nontariff barriers that impede our exports.

Q. Do we in the U.S. have some of these nontariff barriers, too?

A. Yes, we have some restrictions on imports that are highly criticized by other nations. The "Buy America" law is one. But this Act specifies very clearly the exact measure of disadvantage a foreign company has in selling to the U.S. Government or its agencies. No other country has the equivalent of this law, and in most countries such transactions are foreclosed to American producers by local administrative procedures.

By and large, we do not have anywhere near the trade restrictions that other countries have, and that makes for a lack of reciprocity in our trading relationships.

Q. In your recent travels abroad trying to get trade barriers lifted, what attitudes have you found?

A. Governments of most countries agree that these bars to trade ought to be eliminated, or at least considerably reduced.

On behalf of the U.S., I have proposed what we call an "open-table policy"—a suggestion that we put all the facts about trade barriers and restrictions out in the open and try to find ways to reduce their number and their impact. In almost every case, this proposal has been welcomed, and steps are under way now to set up meetings at which these things can be explored.

Q. What about the Japanese? Are they cooperating?

A. The Japanese Government has not endorsed the principle as wholeheartedly as some other countries. Japan has more than 120 different quantitative restrictions on imports. Those restrictions are in violation of their commitment under the General Agreement on Tariffs and Trade—the so-called GATT agreement.

On the other hand, our own trade difficulties with Japan have been related in large measure to timing. We have been pressing them for some time to cut trade barriers and to make it easier for our people to invest there. They have set up a timetable, but it is much too slow, particularly since our trade balance last year was a negative 1.1 billion dollars, and probably will rise to a negative 1.5 billion this year.

On the positive side, for the long term, I believe the Japanese are slowly coming to the conclusion that their position as a major world power requires them to assume a greater degree of international reciprocity, and thus to modify some of their trade restrictions.

Q. Since a major trade worry now centers on textile imports from Japan, are you proposing some special kinds of voluntary import restraints?

A. Yes. We have proposed that an international agreement be negotiated with key exporting countries as a solution of this problem. Our concern over textile imports involves not only Japan but a number of other countries in the Far East and elsewhere. President Nixon and his Administration recognize it as a unique type of problem that requires a special approach. The situation is this:

For certain kinds of textiles and apparel, mostly from synthetic fibers and wool, the U.S. is the only open market in the world. Every other major nation has put restrictions on imports of those items. As a result, the producing countries all are directing their

output toward the U.S., and are increasing their capacity at an outstanding rate. This has brought a tidal wave of imports that the domestic industry simply hasn't been able to combat. Just on apparel from synthetic fibers, U.S. imports from Japan were up 51 per cent in the first six months of 1969, compared with the same months last year.

Q. Has this posed a critical problem for textile manufacturers here?

A. Yes. The labor organizations are greatly exercised at the loss of employment and the necessity for closing plants in some communities. And producing companies are finding their profit margins shrinking. Wage rates here are several times as high as those of our large overseas competitors.

Q. What can be done about it?

A. We think it can be handled by an orderly system of marketing. We are telling textile producers in Japan and elsewhere: "We do not ask you to reduce the level of your shipments ot the U.S. We are willing to accept the 1968 level and even permit an increase, year by year, as our total market grows. No one in your country need lose a job and no one in the U.S. need be forced out of work."

In other words, we are seeking to hold imports to a moderate rate of growth, rather than permitting the massive increases that have been taking place in the past few years.

Q. Why not work through GATT and get the countries that have put barriers on imports of textiles across their own borders to reduce those barriers, so the U.S. doesn't have to absorb the whole flood?

A. None of the countries we have talked to is willing to do that. They feel that a degree of protection is necessary for their own industries.

Here, obviously, is a perfect example of the unworkability of an absolute free-trade policy. There is no really free-trade country in the world. Every nation has some barriers to trade, over and above tariff walls, to protect what it considers its long-term interests.

So the U.S. has to face the textile problem on that same basis, and find a way to moderate the rate of imports. This unusual situation does not contradict President Nixon's basic belief in a freer trade policy.

Q. Are there other products besides textiles where manufacturers are demanding protection from foreign imports?

A. Yes. Congress has been getting complaints from producers of shoes, steel, electronics, flat glass and other items. In some of these instances, adjustments to the import problem might be made by the industries concerned. But I believe that we need better legislation than now exists to help companies that are clearly harmed by excessive imports.

Q. Isn't there an "escape clause" in existing law that is supposed to help companies that are being hurt?

A. Yes, but that provision is ineffective. The law is so tightly written that no company up to now has been able to qualify for aid.

Q. What changes do you propose?

A. The President should be given more authority to adjust tariffs in such cases, and access to financial and other assistance should be liberalized for a company and its workers who are clearly being harmed by excessive imports.

Q. More and more American companies are setting up plants in other countries to manufacture goods for the foreign market. Doesn't income from those subsidiaries help offset a falling-off in exports from the U.S.?

A. Yes, to a degree—and this source of income will grow increasingly significant as time goes on.

However, many American companies with subsidiaries overseas that were originally created just to supply foreign markets now are finding it profitable to send some of their merchandise back to the United States. In the future, it may be necessary for more U.S. companies, in their own interest, to move into the low-wage areas of the world and produce for the U.S. market. This is a matter of great concern to us, because it means exporting jobs to other countries.

Q. How much has that meant so far in taking jobs away from American workers?

A. There is really no way to document that or quantify it. We are in an expanding economy with high employment, so it is difficult to measure this kind of loss. But, as a result of more and more U.S. companies moving into the low-wage areas of the world, we do know that we are suffering a definite loss of job opportunities—now and for the future.

WHERE EXPORTS WILL GROW

Q. In what fields of U.S. industry do you foresee the greatest growth of exports in days ahead?

A. We have identified 17 categories of American manufacturing in which we see the greatest opportunity for export growth. At the top of this list is commercial aircraft, in which the U.S. has pre-eminence in the world. Next are computers and high-technology components in electronics. Chemicals are high on the list, and there are others, such as nuclear power plants, telecommunications systems, instrumentation and measuring devices, materials-handling equipment, and so on.

Q. What else is our Government doing, in addition to trying to increase exports, to improve our balance of payments with other countries?

A. The Commerce Department has the responsibility in two other areas which directly affect our payments balance. One has to do with travel, the other with investments by U.S. companies overseas.

In the case of travel, the U.S. presently has a "travel gap" of about 2 billion dollars a year. That is the amount that Americans spend in other countries in excess of what people from other countries spend here.

We are pushing an active campaign to induce more people abroad to visit the United States. We are expanding the program this year to induce travel agencies to offer flat-price package and group tours to foreigners to visit the U.S., and we are trying to get business and professional groups from other countries to hold conventions in this country.

In the case of direct control over foreign investments, we recognize that this is not a desirable long-range program. We want to eliminate it. We are continuing it now only because of the current stringency in the balance of payments.

Under present controls, the amount of American investment that will be permitted overseas in 1969 is about 3.35 billion dollars. That is in terms of actual net investment, which will be augmented, of course, by money that can be raised by American companies in foreign markets.

This limit is not a severe impediment to business in the present economic climate. As soon as the balance-of-payments situation permits, the Administration will want to remove the remaining controls on overseas investment.

Q. In the meantime, should measures be taken to restrict American travel abroad?

A. As you know, the Johnson Administration proposed some restrictive measures, and even taxes on spending by U.S. travelers abroad. President Nixon has decided against any proposals of this type.

We would very much like the American people to see their own country first. But, beyond exhortations of that type, we have no plans to make it more difficult for Americans to travel to other countries.

THE INTERNATIONAL EYE FOUNDATION

Mr. HARTKE. Mr. President, a unique charitable organization, one of the most valuable in the United States, is the International Eye Foundation, with headquarters located in the Sibley Memorial Hospital, Washington, D.C. In the words of its executive director, Mr. James Jay Lawlor, the IEF is dedicated to the promotion of peace and better understanding through the prevention and cure of worldwide blindness. In its work toward this great end the foundation receives no Government funds of any sort, but depends entirely upon the generosity of individuals.

In order that Members of Congress may become newly or better acquainted with the activities of the IEF, I ask unanimous consent that a statement of its history and purpose and its annual report for 1968–69 be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE INTERNATIONAL EYE FOUNDATION

HISTORY AND PURPOSE

The International Eye Foundation is the result of an expanded organization of the International Eye-Bank, to provide training in the latest eye diagnostic and surgical techniques for young American and foreign ophthalmologists. In answer to many requests, and as a result of the observations of Doctors Tom Dooley, Peter Commanduras and J. H. King, Jr., the International Eye-Bank was established in 1961 to fulfill an urgent need. Eye tissues were becoming available in the United States for the treatment of the blind who would benefit by eye tissue transplants, but no tissues were available in many other countries. This free service to provide ocular tissue to foreign hospitals and eye surgeons has been successful in the prevention and treatment of blindness in areas where no help was formerly forthcoming. During times of emergencies, such as have occurred recently in the Near East and Viet Nam, special efforts are made to provide corneal tissue for military and civilian casualties of war. The international Eye Foundation recently established an eye-bank for this purpose at the Vinh Long Hospital near Saigon. Twenty-five others have been formed throughout the world.

It became obvious soon after the establishment of the eye-bank that a much broader program was not only necessary, but in demand in practically every area of the free world. Many newly emerging countries do not have the benefit of trained medical and para-medical personnel, especially in the highly specialized fields of eye surgery and eye-banking. As a result, the International Eye Foundation program has been expanded to include fellowships, surgical teaching teams and visiting professor programs throughout the world. One facet of the reorganization has been the formation of a prominent lay board of which former President Dwight D. Eisenhower is the Honorary President.

The International Eye Foundation is dedicated to the promotion of peace and better understanding through the prevention and cure of world-wide blindness. Of the more than 15 million known blind throughout the world, over one-fourth could be cured or helped to a great degree by the services of the International Eye Foundation; thousands have already returned to a useful place in society. This is not a "missionary" program, but is an effort to teach others to become self sufficient in proper eye care and the prevention and treatment of blindness.

The general plan of the International Eye Foundation is to establish eye units in areas, including the United States, where the need for the prevention and treatment of blindness is of paramount importance and where present facilities are inadequate. Most of

these areas are those of low economic status where there are few eye specialists, nurses, technicians and trained administrative personnel. The "People to People" philosophy of assistance initiated by President Eisenhower is followed as closely as possible.

Teaching is the primary aim of the International Eye Foundation, geared to the reduction of blindness by raising the standards of eye care. These programs are primarily to encourage self-help and are designed to phase out after a specified period of time. I.E.F. doctors go only where they are invited.

Assistance is offered in the establishment of local eye-bank facilities, with new preservation methods. In some countries, this is augmented by the presence of eye specialists from the U.S.A. in residence from periods of several months to a year or more. Ophthalmologists in their last year of training, or those who have recently completed training, are assigned for a minimum of three months. These men work in a university eye clinic, in most instances, under the authority of the senior local ophthalmologist. Visiting voluntary senior professors supplement the program by teaching for two to four week assignments.

The young men are sponsored by the International Eye Foundation fellowships for travel plus a small monthly stipend. The host country furnishes housing, local transportation and food (or a food allowance).

Fellowships are assigned to countries that desire to send a young ophthalmologist to the International Eye Foundation in Washington to study eye-banking methods and new techniques in ophthalmology. These individuals are selected by their local ophthalmological societies for a tour of three months. Travel, a small monthly stipend, and in some cases, housing, are provided. These are financed by private fellowship donations to the International Eye Foundation and funds raised through the efforts of the "Foresight" club.

A research program is conducted to discover the causes and treatment of blinding diseases and to upgrade eye-banking technics and processes for the preservation of human ocular tissues. Clinics and conferences are held at the headquarters of the International Eye Foundation and are attended by local and foreign ophthalmologists, fellows and eye residents. A research fellowship is sponsored by the International Eye Foundation on a yearly basis.

In cooperation with the 60 members of the Eye-Bank Association of America, fresh and preserved eye tissues are shipped to hospitals and eye surgeons who cannot obtain them locally. United States and foreign ophthalmologists, technicians, nursing and administrative personnel are offered free courses in eye-banking, preservation, nursing care and administration at the Foundation headquarters in Washington.

The International Eye Foundation structure consists of a Medical Director, Associate Medical Director, Director of Research and Training and Executive Director. The Medical Advisory Board lists many well-known United States ophthalmologists interested in international medicine. The Board of Directors is made up of prominent laymen, interested in the concepts of the International Eye Foundation, who direct its development and recommend measures for fund-raising. Reports are submitted to sponsors of fellowships and other contributors.

ANNUAL REPORT, 1968–69

Fellowships . . .

During the past fiscal year, renewals were received for the Bunker, Hermann and Carrigan Fellowships, and a new fellowship was established in the name of Walter Atkinson, M.D. Program areas and fellows serving included:

1. El Salvador: The Hermann Fellowship provided funds for four young American ophthalmologists from Washington University, St. Louis, Missouri to teach, operate and continue their surgical training at the University Hospital in El Salvador under the direction of Professor Humberto Escapini. Each of the following men served for a period of three months: F. Thomas Ott, M.D., George Bohigian, M.D., Mitchell Shapiro, M.D. and Richard E. Lernor, M.D.

2. Karachi, Pakistan: The McCormick and Bunker Fellowships provided funds for the training of two young ophthalmologists at the Spencer Eye Hospital, Stephen P. Shearing, M.D. of San Francisco and G. David Wiltchik, M.D. of Brooklyn. Doctor Shearing and Doctor Wiltchik each served in Karachi for a period of six months and both participated in an "eye camp" program where hundreds of destitute blind patients were operated upon.

3. Haiti: The Fitzgerald Fellowship at Port de Paix, Haiti, provided training for Fred Slaughter, M.D. of Bristol, Tennessee and G. David Wiltchik, M.D. of Brooklyn, New York. Both men served at the Immaculate Conception Hospital for six months.

4. Puerto Rico: From January to April 1969, the International Eye Foundation, utilizing funds from the Bunker, Hermann, Atkinson and Smith, Miller & Patch Fellowships, granted fellowships for ten Latin American ophthalmologists to study the Basic Sciences of Ophthalmology at the University of Puerto Rico in San Juan, Puerto Rico. This course was formerly sponsored by a grant to the I.E.F. from the Agency for International Development, however, these funds were not available during the past year. As a result, it was necessary for the I.E.F. to provide $10,000 from its fellowship accounts for this purpose. The men who were sponsored, and their countries of origin are as follows:

Dr. Carlos Alberto Antonini Romero, Argentina.
Dr. Oscar Blacutt López, Bolivia.
Dr. Francisco J. Vázquez Gómez, Colombia.
Dr. Ernesto Gómez Sánchez, Dominican Republic.
Dr. José E. Marmolejo Arache, Dominican Republic.
Dra. Esperanza Mungula Salina, Nicaragua.
Dr. Silvio Colman Romero, Paraguay.
Dra. Renée Villaverde Samaniego, Peru.
Dr. Juan H. Berrios Rivera, San Salvador.
Dr. Juan Espinoza Camacho, Venezuela.

Alfredo Levisohn, M.D. was provided a fellowship to assist in the lectures given in the Basic Science Course during February. Doctor Levisohn is a senior resident in ophthalmology at Georgetown and was quite valuable to the course because of his ability to translate lectures into Spanish.

Serving with the International Eye Foundation on a fellowship from the Heed Foundation of Chicago was Ann Irish, M.D., a graduate of the Georgetown University program. Doctor Irish spent the entire year with the I.E.F. It was agreed that following her fellowship, Doctor Irish would remain with the I.E.F. as Director of Research and Training. In order to investigate locations for future Eye Foundation programs, Doctor Irish was requested to make a survey of several eye institutes in India, Pakistan, Ceylon, Egypt and Tunisia. As a result of her trip, it is anticipated that new programs will be established by the I.E.F. in India and Tunisia as soon as the necessary funds are available.

The Carrigan Fellowship provided three month's training at the Foundation headquarters in Washington and at eye centers in New York, Baltimore, Philadelphia, Duke University and the University of Florida for Roberto Fernandez, M.D. of Argentina. Doctor Fernandez spent six weeks studying eye-banking, corneal preservation methods and cornea transplant surgery at the I.E.F. headquarters, and the rest of his time was devoted to working in the various research projects which are being performed at the above-named centers.

This year, for the first time, a fellowship was granted to a social worker serving the blind. Mr. S. H. Siddiqui of the Spencer Eye Hospital in Karachi, Pakistan was sponsored by the Bunker Fellowship for study at the Columbia Lighthouse for the Blind in Washington, D.C. Mr. Siddiqui spent three months on case work in Washington, D.C. and had one month's training at the Lighthouse in New York City.

Juan Berrios, M.D. of El Salvador was provided a partial Hermann Fellowship to supplement his training at Washington University in St. Louis, Missouri.

The Bunker Fellowship provided funds for the purchase of a Jenkel-Davidson Clini-Camera to be used in the Corneal Clinic at the Sibley-Georgetown Corneal Center for close-up ocular photography. The Hermann Fellowship and a grant from Ethicon, Inc., provided new eye instruments and sutures for use in the I.E.F. programs in El Salvador and Haiti. Photographic equipment to assist in the training of fellows at the Foundation headquarters was purchased with funds from the Atkinson and Carrigan Fellowships and several new eye texts for the I.E.F. library were provided through the Bunker and Hermann Fellowships.

Mr. Grover Hermann and Mr. George M. Bunker, long-time sponsors of fellowships for the I.E.F., were both honored by the Pan American Association of Ophthalmology for their efforts to provide better care and treatment for the blind throughout the world.

Tissue shipments

During the past year, there was a marked shortage of eye tissue available for cornea transplant surgery in the United States. For this reason, it was possible for the International Eye Bank to send only 25 pairs of eyes for penetrating cornea grafts to foreign hospitals and surgeons. However, 316 preserved corneas, 42 preserved sclera and 18 specimens of vitreous were shipped. Corneas and scleral tissue were provided to the Vinh Long Hospital in Viet Nam for the treatment of both civilian and military casualties of the Vietnamese war. Other supplies and equipment were provided for the eye-bank there which was established under I.E.F. auspices in 1966. Supplies and equipment were also donated by the I.E.F. to help establish eye-banks in Quito, Equador; Buenos Aires, Argentina and Bilaspur, India.

A new eye shipping container was developed by the I.E.F. which maintains the proper temperature for shipment of eye tissue for 72 hours. The container was thoroughly tested, both in the laboratory and in the field, and has proven completely satisfactory for eye shipments to any part of the world. This multi-use container is inexpensive enough to be considered disposable for overseas use. It is felt that most eye-banks will begin using this "eye shipper" regularly in the near future.

A detailed report of the activities of the International Eye-Bank since its inception in 1961 is attached.

Surgical teaching teams

A team consisting of A. B. Rizzuti, M.D. of Brooklyn, New York; Anthony Della Rocca, M.D., White Plains, New York and Trimble Johnson, M.D., Atlanta, Georgia, traveled extensively through the Far East teaching and operating under the auspices of the I.E.F. in February and March. Areas in which the team operated were Karachi, Pakistan; Djakarta, Indonesia; Denpasar, Bali and Singapore. These surgeons were also honored guest lecturers at eye conferences being held in Djakarta and Singapore. An eye-bank to serve the South Pacific was established at this time in Singapore, with the support of the I.E.F.

Corneal conference

The First annual Corneal Conference sponsored by the I.E.F. Corneal Center was held at the Foundation headquarters, Sibley Memorial Hospital, Washington, D.C., on April 9 and 10, 1969. The conference was attended by 45 ophthalmologists and eye residents from the Washington area. Among the eleven well-known guest lecturers were two outstanding South American professors, Enrique Malbran, M.D. and Juan Arentsen Sauer, M.D. The Chairman of the Conference was John Harry King, Jr., M.D., Medical Director of the Foundation. Also attending the lectures, at no fee, were a number of ophthalmic nurses, technicians and operating room assistants from the Washington area.

Corneal center

The Corneal Center, co-founded in 1968, by the International Eye Foundation, Sibley Memorial Hospital and Georgetown University was responsible for examination and treatment of 62 patients under the direction of A. M. Reynolds, Jr., M.D., Chairman of the Department of Ophthalmology at Sibley Memorial Hospital, J. H. King, Jr., M.D. and Ann Irish, M.D.

Research

The International Eye Foundation research program involving the use of collagen was initiated at the Veterans' Administration Hospital in Washington. Doctor Ann Irish is devoting one-half of her time to the work which was begun by Doctor King in 1964. A small research grant has been made available by the Veterans' Administration to help support this important project. Additional funds have been applied for in order to expand the research program during the coming year.

Tissue distribution center

Plans for an eye-bank teletype network have been formulated by the I.E.F. which would provide instant communication between ten major regional members of the Eye-Bank Association of America. The network would greatly increase the efficiency of communications regarding available tissue, emergency needs and methods of shipment of tissue throughout the United States. The system would be valuable for not only the distribution of eye tissue, but also other human tissue used for transplantation, including heart, kidney, blood vessels and inner ear. An application to provide funds for a pilot study for the "Tissue Distribution Center" was submitted to the National Institutes of Health, however, the application was rejected and funds are still being sought for this most important project.

Eye test charts provided free

An eye test chart developed by the Prevention of Blindness Society, Washington, D.C. was sent by mail from the International Eye Foundation to over 35,000 families throughout the country during the spring of 1969. The test charts are designed to indicate eye problems such as amblyopia in young children. Early diagnosis of such problems can quite often save the eyesight of a child. The chart is designed to be used by the mother in the home with the recommendation that if problems are indicated, the child should be taken to an ophthalmologist for further examination. The I.E.F. brochure and a donation request were included in the mailing. A grateful response was received by the Foundation for this service, which will be continued on a larger scale when funds are available.

Eye dance

The 1969 Eye Dance was held at the home of Mr. and Mrs. George M. Bunker of Spring Valley, Washington, D.C. Due to the sudden illness of President Salazar of Portugal, the dance was relocated at the last moment from the Embassy of Portugal to the Bunker home. Thanks to the superlative effort put forth by the Ladies Committee, a profit of $4,500 was received to help support the I.E.F. programs.

Christmas cards

A profit of over $700 was realized from the sale of Christmas cards in 1968. The Foundation will have cards available for sale each year as a result of the success of past efforts.

Black tie dance benefit

A benefit dance for the I.E.F. was held in May of 1969 at Marwood, the Gore estate, in Potomac, Maryland. The dance was sponsored by the Black Tie Club of Washington and was highly successful. As a result of the dance, the Black Tie Club presented $5,000 to the I.E.F.

Foresight luncheon

A Ladies Committee, chaired by Mrs. John F. Kramer and Mrs. William D. Clark, both of Bethesda, was formed in April to sponsor the first annual Foresight Luncheon and Fashion Show for the benefit of the I.E.F. The luncheon will be held on September 10, 1969, at the Mayflower Hotel in Washington, D.C. The ladies hope to sell 900 tickets for the luncheon to raise a minimum of $5,000 for the support of the Eye Foundation programs. Miss Anita Colby, a prominent member of the I.E.F. Board of Directors and well-known fashion consultant, has agreed to serve as Mistress of Ceremonies. Tickets are available through the I.E.F. headquarters at Sibley Memorial Hospital.

Public service announcements

The Eye Foundation owes a debt of gratitude to Miss Anita Colby and Miss Barbara Walters of New York City and Mr. Al Ross of Washington for their generous cooperation in producing radio announcements for the Foundation. These announcements were sent to 300 radio stations throughout the country during the past year and, as a result, many letters of inquiry and offers of support were received. The announcements are played free of charge by the radio stations on public service air time.

A T.V. announcement is being planned, and a script has been sent to Mr. Bob Hope with the request that he donate his services for this one-minute announcement.

A documentary film is also being planned with production to begin as soon as funds are received for financing. The total amount needed for the documentary is $40,000.

AID accreditation

At the request of the Accreditations Committee of the Agency for International Development, three members of the Foundation appeared before their April hearing. Mrs. Florence S. Mahoney; Doctor King, Medical Director, and Mrs. James J. Lawlor, Executive Director of the I.E.F. testified regarding the Foundation's programs in order to have the I.E.F. recognized as an accredited voluntary agency providing medical services abroad. One of the prerequisites of the Committee was that the Foundation be incorporated. This was accomplished in the District of Columbia on May 25, 1969. Accreditation was received early in July.

New York office

The Foundation has rented space in New York City at 135 East 54th Street for an office and department which will be used by the New York Fund Raising Committee and I.E.F. staff, and also to house I.E.F. fellows who are sent to New York to study at various eye institutes as part of their fellowship program.

New quarters

Additional space has been provided to the Foundation on the sixth floor of Hayes Hall at Sibley Memorial Hospital. Approximately three times as much floor space as our old unit has been renovated for both administrative offices and laboratory area. This has been provided at no additional charge by the administrators of Sibley Hospital, and plans are currently under way to provide space for research animals in the animal quarters at the main hospital building. This will allow the Foundation to increase its research activities and relocate some of the programs which are being carried out at other institutions.

New board members

During 1969, the following new members were added to the International Eye Foundation Board of Directors:

Mr. John H. Meier, Hughes Nevada Organization, Las Vegas, Nevada.

Mr. James F. Ryan, Georgetown Research and Development Corporation, Washington, D.C.

DRUGS FROM THE SEA

Mr. FONG. Mr. President, in its comprehensive report to the President and Congress earlier this year, entitled "Our Nation and the Sea," the Commission on Marine Science, Engineering, and Resources called attention to the need for exploration for new food and drug resources from the oceans.

Last month, a conference to discuss this particular subject was held at the University of Rhode Island. Its sponsors were the Marine Biology Committee of the Marine Technology Society, Earl Herron, Jr., chairman; the College of Pharmacy, University of Rhode Island; and the Bio-Instrumentation Advisory Council of the American Institute of Biological Sciences.

Out of this conference came strong endorsement of S. 1588, introduced by the Senator from Washington (Mr. MAGNUSON) and cosponsored by the Senator from Rhode Island (Mr. PELL) and myself. The bill would establish a National Institute of Marine Medicine and Pharmacology in the National Institutes of Health.

The endorsement is gratifying because it underscores the need for enactment of the legislation and emphasizes the findings of the Marine Science Commission, when it stated:

> Practically no research is presently being conducted by government or industry on marine bioactive substances as possible sources of new commercial pharmaceutical products. . . . So far, less than one per cent of all the sea organisms known to contain biologically active materials have been studied.

The Commission, therefore, specifically recommended the establishment of a National Institute of Marine Medicine and Pharmacology "to effect a methodical evaluation of the sea as a source of new and useful active substances."

It is gratifying, also, that a general publication like Time magazine has devoted a full page of text and illustration to the subject of "Drugs From the Sea." I ask unanimous consent that the Time article of September 5, 1969, be printed in the RECORD at the conclusion of my remarks.

My State of Hawaii has a keen interest in marine medicine. The University of Hawaii has pioneered in various aspects of research of the sea and its products with a view toward advancing scientific knowledge which can be applied toward the causes, diagnosis, prevention, treatment, and control of physical and mental diseases and impairments of man.

Several groups of investigators at the

University of Hawaii are studying various marine biomedical products in the seas about Hawaii and in the tropical Indo-Pacific.

I have been advised that the many biomedical scientists at the University of Hawaii view with great satisfaction the proposed legislation to establish the National Institute of Marine Medicine and Pharmacology, as the institute has objectives which are consistent with those endorsed by the Hawaii State Legislature in setting up the Pacific Biomedical Research Center in 1962.

It was recognized then that the University of Hawaii could most usefully capitalize on the adjacent marine environment for undertaking studies of organisms which are of direct medical usefulness to man in that they yield drugs, and also that many marine organisms provide simple models of the more complex systems operating in man and the higher vertebrates.

In this context, for example, it is recalled that the whole range of disorders known as cancer involve the rapid and uncontrolled division and replication of cells. Some of the most sophisticated studies of cell division in the world are taking place now in the Pacific Biomedical Research Center where a group of investigators are using the sea urchin egg as their experimental tool; the sea urchins are collected right off shore from the Waikiki laboratory.

In addition to the work at the Pacific Biomedical Research Center, the Hawaii Institute of Biology at the University of Hawaii has been investigating marine toxins, especially of fishes, in a continuing program over the last decade.

The major research effort in the poisonous fish program has centered on ciguatera, the most common and widespread form of blood poisoning from eating fish. It is found in tropical regions throughout the world and involves a great many species of reef fishes.

More than 28 scientific publications have resulted from the poisonous fish investigations of the University of Hawaii.

Another group of investigators, in the school of medicine, is systematically searching for various pharmacological agents in the Pacific and Asian tropics, several of which come from the tropical seas.

A professor in the department of botany is studying chemical products of biological activity produced by Philippine algae, while several in the department of microbiology are devoting part of their search efforts to the study of products and activity of various algae, fungi, and bacteria.

In the department of chemistry, several faculty members are working on the elucidation of the molecular structure of marine biological products.

As an institution oriented toward the biologically rich tropical sea, the University of Hawaii has a deep interest in the progress of S. 1588, now pendng in the Senate Committee on Labor and Public Welfare. If S. 1588 is enacted and funded, the University of Hawaii would be in a position to move to the forefront of institutional research in marine medicine and pharmacology.

I am confident that other universities, in their own marine setting, would advance also if given the impetus possible with the establishment of the proposed National Institute of Marine Medicine and Pharmacology.

For the sake of the health and well-being of people everywhere who would benefit from marine medicine and pharmacology, I urge that S. 1588 be given early and favorable consideration.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DRUGS FROM THE SEA

Researchers will go anywhere and test anything in the hope of finding medicines to use against diseases and disorders that by present methods are either difficult to treat or incurable. One of their most fortuitous finds was made in a Peoria (Ill.) market, where they scraped from an overripe cantaloupe the parent strain of mold that fathered millions of doses of penicillin. Now that most of the world's land surface has been fine-combed for microbes that might yield new antibiotics, the scientists are turning to the sea. One useful drug, cephalothin (which is effective against many germs that are resistant to penicillin), has already been developed from a mold that was recovered near a sewer outlet in the sea off Sardinia. The search, recently intensified, extends from the Sea of Japan to the frigid waters of Antarctica, from the tepid shallows of coral reefs in the Caribbean to the far-western Pacific.

Last week 202 specialists in half a dozen sciences met at the University of Rhode Island for a roundup conference on the progress and problems connected with mining the seas for drugs. Almost to a man, they complained of lack of funds—a shortage intensified by recent cutbacks in governmental grants—and proclaimed their support of Senator Warren Magnuson's bill to set up a National Institute of Marine Medicine and Pharmacology. In speech after speech they pointed out that the vast majority of all known forms of animal life are found in the sea, which they expect to yield a proportionately rich harvest of medically useful chemicals. Dr. Paul R. Burkholder, famed for his discovery of chloramphenicol[1] (in a Venezuelan soil mold) more than 20 years ago, prodded the pharmaceutical industry to speed up its testing of sea-spawned compounds that show antibiotic promise, a number of which he himself has isolated.

Esoteric Substances. In fact, six drug companies were represented at the Rhode Island conference. Some are already active in the field, testing such esoteric substances as paolin I, an antibacterial compound, and paolin II, an antiviral agent. Both were extracted from the juices of the abalone by Dr. Chen Pien Li at the National Institutes of Health. Similar extracts from quahaugs (thick-shelled clams) have been found to be active against some forms of cancer in mice. So far, chemicals from shellfish appear to have only moderate potency, but the sea offers an almost infinite variety of other potential sources, such as algae, corals and sponges, and the bacteria that live in or on them.

Marine pharmacologists have extracted alginic acid from algae and seaweeds, and have made salts (alginates) with a wide variety of medicinal properties. Some help tablets to disintegrate more rapidly in the stomach. Others form the basis of anti-clotting drugs and of preparations to control surface bleeding. Sodium alginate has the exciting ability to reduce man's absorption of radioactive strontium by about 90%.

The most biologically potent chemicals so far extracted from marine life are the poisons that primitive creatures use for self-protection. That does not discourage the sea-going biologists. After all, they point out, the vegetable poison curare has proved invaluable as a muscle relaxant that is used with general anesthesia for surgery. The Japanese are already using molecular modifications of marine venoms as medicines.

Paul Burkholder, 66, who is now at the University of Puerto Rico and works in a laboratory at Mayagüez, also serves as senior marine scientist for Lederle Laboratories. Some of his antibacterial finds have come from sponges collected from as far away as Australia's Great Barrier Reef and Palau in the Caroline Islands. When he arrived in Rhode Island last week, he had scarcely dried off from a scuba-diving, sponge-hunting expedition on the outermost edge of the Caribbean, between the British islands of Virgin Gorda and Anegada. Burkholder made his dives with an assistant, Robert Brody, who is completing his doctoral work on the gorgonians, or "soft corals." Together they snipped off specimens of the most familiar gorgonian, the purplish fan coral, and a variety of sponges (of which about 5,000 species are known).

Semisynthesis. In the boat from which they worked, Dr. John Webb put the specimens into jars filled with alcohol. Ashore, within a few hours, some were quick-frozen, others were dried, and all were flown to Lederle's labs at Pearl River, N.Y. There the tedious and time-consuming process of searching for medicinally useful compounds began with the preparation of crude extracts. It will continue through a variety of screening tests that will determine whether the extract is active against such familiar microbes as the staphylococcus and other causes of human disease.

If an extract proves to be active, the next stage of testing will be more difficult: isolating the individual ingredient responsible for the activity. Even more difficult is the task of determining the chemical identity of the isolated substance. Once that is done, it must be tested in animals to find out whether its germ-killing powers outweigh whatever undesirable side effects it may have. If the compound proves both safe and effective enough to be tested in man, the laboratory chemists will face the task of either synthesizing it or using the natural product as the base for a semisynthetic drug, the technique that is used in producing cephalothin.

In the search for drugs from the sea, from five to seven years may well elapse from the underwater snipping of a sponge specimen to the marketing of an antibiotic. But the seafaring scientists are confident that eventually the seas will yield a whole new pharmacopoeia of valuable drugs.

[1] The most effective drug against typhoid fever, psittacosis and Rocky Mountain spotted fever, but commonly misused for minor infections.

PROJECT SANGUINE

Mr. PROXMIRE. Mr. President, the Navy is at present involved in developing in northern Wisconsin a massive communications system called Sanguine. This multibillion-dollar project will eventually dig up miles of Wisconsin farm and forest land to bury thousands of miles of wire.

My eminent colleague from Wisconsin (Mr. NELSON) has been expressing grave concern about the project which is now in a testing phase in our State. With some $50 million appropriated for initial work, Senator NELSON fears that the electrical currents given off by the grid could cause irreparable damage to the

natural ecology of the north country. He is also concerned that the electrical currents could be a threat to human safety.

On August 31, the Washington Evening Star published an excellent article entitled "Pentagon at War in Wisconsin," written by Roberta Hornig.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PENTAGON AT WAR IN WISCONSIN

(By Roberta Hornig)

A "secret" Pentagon project called Sanguine is sparking a new kind of warfare in Wisconsin.

Project Sanguine calls ultimately for a massive underground electrical field covering parts of 26 counties in northern Wisconsin. The grid system would then serve as the military communications network for the United States.

But almost everyone, including the Pentagon, is worried that Project Sanguine will harm northern Wisconsin's natural environment.

And at a time of increasing concern over man's plundering of his environment, a state committee has been formed to try to halt the project.

The critics say they are worried because:

The massive electrical field could be harmful to living creatures in the area, upsetting fertility and natural cycles. Long-term effects could be fatal.

Any metallic object in the area would be electrified, unless first grounded or insulated.

The state's telephone system could be adversely affected.

Plant life within the area—which is mostly scenic woodlands—could be hurt.

The Pentagon is spending $1.6 million just to investigate those problems, and to soothe public fears in the state.

Sources say Project Sanguine eventually will cost more than $1 billion. Thus far, Congress has appropriated between $25 million and $50 million for initial work.

The Navy is coordinating construction, and a Navy spokesman says:

"Sanguine is big. It would give worldwide coverage for a single transmitter complex in the United States." No relays will be necessary, the Navy said, and no nuclear attack could knock it out.

Why Wisconsin? That state was chosen because it has "good bedrock, is an area with low conductivity and has insignificant faults" that are not likely to cause earthquakes.

Although the Navy is willing to talk about Sanguine, to tell what the goal is and all the things, the military is doing to make certain it won't hurt the environment of northern Wisconsin, the most specific information about it is coming from the Wisconsinites fighting it.

Democratic Sen. Gaylord Nelson and Prof. Ken Shifford of Northland College, who heads the "State Committee to Stop Sanguine," report that the huge military communications antenna will be made up of approximately 6,000 miles of underground, high voltage wire.

TO BE 240 SITES

In addition to the miles of cable, requiring 30-foot rights-of-way, they say, there will be 240 transmitter sites each requiring 10 fenced-off acres.

Presumably the information is coming from briefings the military is conducting both in Washington and in Wisconsin for the state's congressional delegation, governor, heads of state agencies and worried property owners.

Shifford, who teaches European history, and others putting together a statewide anti-Sanguine organization will hold a meeting at Stevens Point on September 21.

"I'm against it for a half-dozen categories of reasons," Shifford said yesterday in a telephone interview.

His big concern—and the Navy apparently agrees to this—is that no one knows what the ultimate environmental effects will be.

"At any time," Shifford said, "an electrical field could be harmful to any living creature in it.

"It could affect fertility . . . then there's fish and earthworms."

Shifford said that even simple shocks can drive earthworms from the ground. "An earthworm is an essential link in the chain of nature," he said, suggesting the electrical shock therefore could upset all plant life in the area.

"We don't know what this will do to the deer and the ducks and the geese. It could possibly cause a change in flyways—the flying patterns of waterfowl," he said.

TO CONVINCE THE NAVY

Shifford, who owns 60 acres of land around Ashland, said the group he has formed is against Sanguine "because we think it's bad for the ecology, the economy and the people. We hope to convince the Navy of these three points."

The committee has about 100 workers and, he said, is attracting people "from all political persuasions from all walks of life."

Sanguine involves electrical current in all metallic objects, meaning for example, that wire fences will carry voltage, Shifford said.

"Every doorknob, every fenceline will be electrified. The Navy calls it a 'mild electric shock'.

"I just don't want to live in a mild electric shock area."

QUOTES NAVY

Senator Nelson said that in his briefing, the Navy admitted that powerful currents will be running through the ground but argued that the problem can be "mitigated" by a massive insulating process.

"The Navy actually plans to insulate every strand of wire fence, metal guardrail, railroad track and any other type of running strip of metal that runs near the communications wire," Nelson said.

For example, Nelson said, the Navy predicts that 1,000 feet of wire, 100 feet from an underground wire, will carry 52 volts. At two miles from an underground wire, the same fence would carry 22 volts, he said.

He added that the normal voltage in an electrified cow fence is 12 volts and "a cow fence has been known to be extremely dangerous to small children or to persons with bad hearts, especially on wet days."

Nelson said that the Navy has been sending representatives to northern Wisconsin cities and towns telling concerned citizens that the voltage will be no problem because each fence will be cut at varying intervals, determined by a computer, and insulators will be installed.

"It seems unbelievable when one considers the problems a farmer will have to go through to put in new fencing or change a fence line," Nelson said.

THE DANGER

"The most frightening thing, however, is what happens in the case of old, abandoned fence lines the Navy hasn't found because they are rusting away and half buried in the forests. The chance of a hunter or a small child on a rainy day touching one of these unmitigated lines could bring a real tragedy," Nelson added.

One of these things the Navy is doing to mitigate the fears of the Wisconsonites is to spend $150,000 on tests both in the field and in the lab by the Hazleton Laboratories of Falls Church, Va.

Shifford and others say they would feel more comfortable about the tests, which are just beginning, if the Navy had picked a laboratory it had not worked with before.

They are citing language from Hazleton's research proposal, made before it won the contract last spring.

At one point the research lab reported:

"The antenna will be enormous, and therefore, many people, domestic and farm animals, fish, insects, earthworms, birds and indigenous plant life will be exposed to its field for very long periods of time, unless they are killed by it, are removed, or in the case of free ranging animals, are driven out by noxious effects."

At another point the research proposal said:

"The potential hazard from temperature increases associated with antenna elements, after power is on, will similarly be investigated only to a limited extent using plants.

"It is our opinion that such animals as groundhogs are not of sufficient economic value to be of concern."

In its testing, mostly at the Falls Church lab, Hazleton plans mostly to use cows, bulls, geese, and then, "smaller animals," presumably mice or rats.

The Navy also is having tests conducted out in the field.

THE BEGINNING

The testing is one of the ways Wisconsin citizens found out something was up. They became curious when one day, in the middle of the resort woods, teams of servicemen began building fences and a laboratory.

The test contracts, besides Hazleton's, that have gone out include:

$500,000 to the Radio Corporation of America to study fences and railroads, presumably to assure that no one gets electrocuted.

$400,000 to the Illinois Technical Research Institute "to pull together" and oversee the "mitigation on interference" program.

$200,000 to the Bell Telephone Company Laboratory, to assure no interference with telephone calls. The Wisconsin Public Utilities Commission has been promised that instead of hurting the state's telephone system, Sanguine will upgrade it.

$100,000 to the Battelle Institute, which is a part of Ohio State University, to make certain that underground pipelines won't corrode.

$250,000 to the Great Lakes Shore Electronics Activity, for a "mitigation" study.

AIRPLANES, TOO

The Navy also is conducting studies to make certain that the hot lines won't interfere with the equipment of any airplanes flying overhead.

It is also promised that as part of its "mitigation" program, it will "break long metal things (such as railroad tracks) and insulate every 1,000 feet."

The military also says it has several project "watchdogs," including the President's Science Advisory Council, the National Academy of Sciences, the U.S. Public Health Service and a governmental advisory council on electro-magnetic radiation.

At present, Sanguine is small, consisting of a 28-mile grid system in the form of a cross—to see what happens when the electricity goes on—and a transmitter building with an "interference mitigation" laboratory.

The Navy insists the voltage it plans to use will be quite small—some 64 volts per meter, or, if very near the transmission line, about 100,000 volts per meter. And it promises to use the electricity at "extremely low frequency."

Currently, for testing purposes, Sanguine looks like a bunch of fenced-in telephone lines. These will go underground if the project wins final approval.

Navy spokesmen also insist that testing is just beginning and that there is no design for a Sanguine system at this time. It's at

least a couple of years away from reality, they say.

The project's environmental effects "are an honest question at DOD," a Navy spokesman said.

There will be at least one year of testing, and that proves the military's good intentions, he said. And, he added, the government understands that "the mood of the country now is the environment."

THE INTERNATIONAL JOINT COMMISSION—UNITED STATES AND CANADA

Mr. HARTKE. Mr. President, a distinguished former Governor of Indiana, the Honorable Matthew E. Welsh, has been serving since 1965 as chairman of the U.S. section of the International Joint Commission, United States and Canada. The work of this significant body is not so widely known as it should be. To remedy that deficiency, Chairman Welsh wrote an unusually interesting article describing its structure and activities for the Department of State Bulletin. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE WORK OF THE INTERNATIONAL JOINT COMMISSION

(By Matthew E. Welsh)

The five Great Lakes form a chain of inland seas whose vast size staggered the early explorers. They could not believe these were lakes. They kept testing for salt water, thinking surely the chain would lead them to Asia.

These lakes are truly one of the wonders of the world and are a precious asset to the United States and to Canada. Over 60 percent of Canada's population and economy, as well as some 15 percent of ours, is concentrated around the rim of the Great Lakes and in the St. Lawrence Basin. The area presently supports over 40 million people, and a population of 60 million is projected for the year 2000.

Not only are the Great Lakes the busiest waters in the world, but they constitute almost one-third of the earth's total supply of fresh surface water. And four of them are boundary waters.

For some reason, these sea-sized waters have been so taken for granted that their importance and their beauty have been barely comprehended. This attitude appears to be changing, however, because of the dangers to the lakes which have now become apparent to even the most indifferent. As a result, there is considerable interest in the agency which has been given wide-ranging responsibilities with respect to these and other boundary waters—the International Joint Commission—and in the methods used by this unique international institution.

The Commission was formed to carry out the purposes of the Boundary Waters Treaty of 1909,[1] which are: ". . . to prevent disputes regarding the use of boundary waters and to settle all questions which are now pending between the United States and the Dominion of Canada involving the rights, obligations, or interests of either . . . along their common frontier, and to make provision for the adjustment and settlement of all such questions as may hereafter arise."

The Commission consists of six members, three from each country. The United States Commissioners are appointed by and serve at the pleasure of the President. The Canadian Commissioners are appointed by Order in Council of the Canadian Government and serve at the pleasure of the Government.

[1] 36 Stat. 2448.

The treaty gives the IJC responsibilities in two general categories.

The first of these responsibilities is to approve or disapprove all proposals for use, obstruction, or diversion of boundary waters on either side of the boundary which would affect the natural level or flow of the boundary waters on the other side. Examples in the Great Lakes system include the regulating works at Sault Ste. Marie and those on the St. Lawrence, as well as the numerous small dams constructed by water, timber, and paper companies that might affect the natural state of the boundary waters. These projects are brought before the IJC by what are termed "applications," filed by interested persons—either public agencies or private corporations or individuals.

The second general responsibility of the IJC—which is becoming the major work of the Commission—is to investigate and make recommendations on specific problems referred to it by either or both Governments. It is under this provision of the treaty that requests—or "references"—by the two Governments have been made on such varied subjects as water pollution, air pollution, regulation of the levels of the Great Lakes, and preservation of the American Falls at Niagara.

HANDLING OF APPLICATIONS AND REFERENCES

In the case of an application for Commission approval, the burden is on the applicant to furnish all necessary information and data required. Interested persons may intervene in support of or in opposition to the application. This is followed by public hearings, usually on both sides of the boundary, after which the Commission hands down its order concerning the project, which is final.

In the case of references, the procedure is somewhat different. The Commission appoints an international technical board which is directed to make a thorough investigation of the facts involved and file written report with the Commission. The IJC then publishes the board report and schedules full-dress public hearings, normally one in each country in the areas affected, at which any person, *even the humblest*, is given an opportunity to comment on the board's finding and recommendations. The Commission then prepares its report to the two Governments.

I emphasize "even the humblest," for I believe these hearings have been invaluable as a sounding board and safety valve. We are continuously reminded that just because the experts agree on a program it is not automatically acceptable to the public.

Any controversy involving water has a high emotional content. One of the principal reasons for the creation of the Commission was to establish a permanent institution to deal with these problems, an institution that would be free of local or sectional prejudice and would be able to act more expeditiously on matters arising along the boundary than was—or is—possible through usual procedures. On controversial subjects every government tends to move slowly at best, and when the complicating factor of the many interests of another sovereign power is thrown in, movement can become very slow indeed. It was hoped that the IJC could provide a mechanism which would permit prompt as well as equitable resolution of these matters of common concern to both Governments before they festered into serious disagreement.

I believe the IJC has lived up to this expectation. The matters brought to it have been resolved, and resolved, I am sure, with much more dispatch than would have been possible otherwise. It is true that some matters have taken many years from inception to final report to the Governments, but this was because the problem itself could not be quickly or easily solved.

When circumstances require, the IJC moves with dispatch. One recent application, for instance, was acted upon only 17 days after it was received by the Commission; and this included a board investigation and report, two hearings, and the preparation and issuance of an order of approval. In this situation prompt action was necessary if the seasonal spring waters were to be maintained at higher than normal levels for availability during a period of exceptional drought anticipated in the summer and fall. While this speed was unusual, it does sharply point up the flexibility which the IJC has achieved in its procedures.

A TRADITION OF IMPARTIALITY

Another reason for establishing the Commission was to lift questions involving boundary waters out of the hands of a series of temporary bodies charged with resolving only one particular problem or controversy. A permanent commission, with equal representation from each country would, it was hoped, develop a tradition of impartiality and a body of precedent, which would encourage the use of reason in resolving what might otherwise easily become very difficult international disputes.

Here, too, I believe the record is little short of remarkable. Since the formation of the IJC, the Commissioners have divided along national lines or failed to reach unanimous agreement in only three decisions! Of course this search for a common ground, for agreement, has not been easy and frequently has taken much time. Discussions in executive sessions of the Commission are open, frank, and spirited as well as deliberate. The important fact, however, is that a decision *is* reached, but only after thorough and careful investigation, public hearings in both countries, and careful deliberation by a permanent body interested in principles rather than short-term expediency.

When the Commission is charged with a mission by the Governments, just how does it go about this business of determining the facts? In every case the problem area is, by definition, intersected by an international boundary; and within each country there are numerous overlapping jurisdictions, Federal, Provincial, and State, each of which in turn has an interest, frequently one which is very jealously defended. The energies and talents of all these agencies must be harnessed so that they are all working together toward an agreed solution rather than at cross purposes, since it is not possible to regulate only one side of a river or control pollution of only part of a lake. Unless there is general agreement by all concerned, the mere obtaining of accurate and complete data for an entire river basin, for example, would be very difficult, and the attainment of a solution even more so.

INTERNATIONAL TECHNICAL BOARDS

The IJC achieves this coordination by creation of an international technical board to assist it with each of its dockets. As a matter of policy, an effort is made to see that each board contains so far as is practicable a member from the agencies in each country which have the primary administrative responsibilities for the matter involved. This board, then, becomes an official forum where information and ideas may be freely exchanged by those most knowledgeable about the problem, with the full sanction of both Governments, having the end in view of developing a technical report which all of them will support. The members of each board are charged by the IJC to act as professional experts rather than as representatives of the point of view of their respective agencies, and in the discussion of their frequent progress reports to the Commission this aspect of their mission is emphasized.

As a result, the IJC provides a vehicle which encourages frank and constructive discussion on a continuing basis between the best technical experts in both countries who have been charged by their governments—Federal, State, and Provincial—with administrative responsibility for the particular

matter at issue. Appointment to an IJC international board is regarded as a mark of professional recognition, and the record of accomplishment of the IJC rests to a considerable extent upon the very high level of competence and dedication of those who provide the technical expertise and data upon which the Commission bases its decisions.

Another result of this procedure is that the IJC has remained a very small agency, not having found it necessary to build a large technical staff of its own. By drawing on experts from existing agencies in both countries and releasing them when the job is finished, the Commission avoids the rigidities that frequently accompany a large permanent organization.

When the Commission approves an application for works, it usually appoints an international board of control to insure compliance with the conditions specified in the order of approval. Similarly, when reporting to the Governments on completion of its investigation following a reference, it may recommend a course of action that will require continuing supervision on an international basis to insure satisfactory results. In such cases the two Governments may authorize appointment of an advisory board to establish and maintain such surveillance under the direction of the Commission. This follow-through procedure has been used successfully in connection with regulation of water levels—where international boards of control answerable to the IJC were created, such as the Kootenay Lake, Niagara River, and St. Lawrence River Boards—and with pollution references, where the advisory boards watch over the progess being made in pollution control and inform the Commission.

An additional device or technique has recently been developed by the IJC in discharge of its growing responsibilites in the field of transboundary water and air pollution, namely, the calling of public international meetings to inquire into the progress being made. The first such meeting was held last January with regard to pollution of the Niagara River. It was felt to be quite successful in bolstering the efforts of the local agencies concerned with the problem, and this procedure will see further use in the future.

The role of the IJC appears to be changing. It its first 20 years it docketed 23 applications and 8 references. From 1933 through 1952 it received 23 applications and 14 references. In the last 15 years, however, it has received more references than applications, 11 versus 9.

While the number of new dockets of the Commission is small, the scope and magnitude of each of the more recent tasks referred to it by the two Governments can only be described as enormous. Regulation of the levels of the entire Great Lake system, investigation into causes of and means of control of pollution of Lakes Erie and Ontario, and investigation of air pollution along the entire boundary are examples. Well over 1,000 engineers, scientists, and specialists and their supporting personnel, all drawn from the public service of both countries, are involved in studies of the Great Lakes under supervision of the IJC on these three references alone.

In addition, over the years a total of 27 boards of control and advisory boards answering to the Commission have been created.

Thus, the Governments are increasingly making use of the IJC to investigate and make recommendations concerning problems of mutual concern along the boundary and entrusting it with the responsibility of supervising efforts at solution. The Commission looks forward to a busy and challenging future.

NEEDED CHANGES IN EVALUATION OF WATER RESOURCES PROJECTS

Mr. DOLE. Mr. President, the neglect of our precious water resources has become a national shame and disgrace. Erosion, flooding, siltation, and, more recently, pollution are taking a staggering annual toll which cannot be accurately calculated.

Though Congress has given much attention to these problems over the years and private organizations have performed yeoman service in promoting corrective measures, much remains to be done.

One private organization which has long been in the forefront of water resource development is the Mississippi Valley Association. Mr. Grant Barcus, of Kansas City, Kans., who is presently serving as president of MVA, presented a statement to the Water Resources Council on September 9, 1969, setting forth the views of his organization concerning the role of the Bureau of the Budget in evaluating water resource projects. I commend the statement of Mr. Barcus to the attention of the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF MISSISSIPPI VALLEY ASSOCIATION, BEFORE THE WATER RESOURCES COUNCIL, WASHINGTON, D.C., SEPTEMBER 1969, PRESENTED BY GRANT BARCUS, PRESIDENT

My name is Grant Barcus. I am president of L. G. Barcus and Sons, Inc., Kansas City, Kansas, a heavy construction firm. I am also president of the Mississippi Valley Association and appear here as a representative of that Association and its members.

The Mississippi Valley Association, now in its 50th year, is the Nation's largest water resource development organization with membership extending into 42 states and including nearly 200 local and regional resource and economic development associations.

Continued dedication to the full development and the proper use of this Country's water and soil resources has put the Mississippi Valley Association in the forefront of resource development organizations and has attracted the support of individuals, corporations and organizations with an underlying membership numbering in the millions.

The value to this Nation of the development of our water and related land resources which has taken place in recent years is obvious to anyone who will look. Actual benefits have been far greater than anyone imagined or projected at the time these projects were authorized and constructed. The record is open and the results prove conclusively that these investments are among the very best capital expenditures our Federal Government has ever made. The benefits of water resource projects compare most favorably with the benefits derived from some of the "social" programs of recent years which were prosecuted without the bother of a benefit-cost ratio.

Last November, former President Johnson sent to Congress a first assessment of the Nation's water resources under the Water Resources Planning Act of 1965. The second paragraph of the former President's letter of transmittal said and I quote, "A Nation that fails to plan intelligently for the development and protection of its precious waters will be condemned to wither because of its shortsightedness. The hard lessons of history are clear, written on the deserted sands and ruins of once proud civilizations."

The letter then pointed out a number of problems relating to all aspects of water and stated, "These problems only illustrate the need to analyze and then to take positive action to assure water resources adequate to the demands of America's future."

The former President concludes with a final paragraph, "Responsible government cannot overlook the importance of water management to the Nation's economy and health. This assessment merits your close attention."

Thus we find a federal program that has clearly demonstrated its value and the national assessment which repeatedly suggests that this work should not only be continued, but expedited. However, instead of getting on with the job, we find ourselves enmeshed in a web of economic jargon attempting to prove the obvious in searching for more terms which can be equated into dollar signs, almost totally ignoring obvious developmental aspects of resource development simply because they cannot be expressed in dollars.

On August 26, 1969, Senator Allen J. Ellender, Chairman, Subcommittee on Public Works, Senate Committee on Appropriations, wrote President Nixon a letter which deals with water resources development. We commend this letter to your attention and attach a copy of it as a part of this statement.

Senator Ellender stated, "In spite of the fact that next to the air we breathe, water is our most precious resource, it seems the Bureau of the Budget first looks to the water resources program for a disproportionate share of any contemplated cuts whenever there is a need to reduce federal expenditures.

"If we are to meet the water needs of the 300 million people that you recently estimated will occupy our land by the year 2000, we must not only support adequate annual appropriations for the orderly development of these resources, but it is also essential that the unrealistic and arbitrary restrictions placed upon project evaluations be removed."

In commenting on the Flood Control Act of 1936, Senator Ellender said, "The terms, 'benefits' and 'costs,' have no meaning in the abstract. They must be related to objectives in order to give these terms meaning. Since the passage of that Act, the technicians have chosen national economic efficiency as the sole criteria for project evaluation and have disregarded the phrases, 'in the interest of the general welfare' and 'if the lives and social security of the people are otherwise adversely affected.'

"The result of such an interpretation has been that as far as flood control and hurricane protection projects are concerned, we have become a 'cow society.' If, for instance, a thousand cows were lost in a flood or hurricane, we could consider the economic loss involved since a cow has an economic value in the market, and the monetary losses sustained can be used in the justification of protective works. On the other hand, if a thousand human lives were lost, it would not add one dollar to the all-important economic evaluation of the project. The loss of life and human suffering associated with the havoc wrecked on the Gulf Coast by Hurricane Camille transcends the imagination."

As Senator Ellender pointed out, water resources project evaluation now has a long history, dating at least in its formal aspects, from the Flood Control Act of 1936, which required that navigation and flood control projects could be authorized only "if the benefits to whomsoever they may accrue are in excess of estimated costs. . . ." From that date the benefit-cost project evaluation system was established. Each year since 1936, it seems, it has grown ever more difficult with each new statement on the subject or restatement of the scoring rules for project validity and as each new academic economist

comes to hear about projects in some scholarly seminar. One may well wonder at the insistence from the academics, from the "high-church" economists of the Ivory Tower, and from the obscure but potent bureaucrats in the Bureau of the Budget that water projects survive an especially rigorous test since no other Federal projects or programs suffer such heavy scrutiny and outright doubt. Surely the historic economic success of the water projects is well-documented and water resource development constitutes only a small portion of the annual budgets. Still, the doubts are not dispelled and the scrutiny continues and is intensified. Yet the water development agencies lead the field in economic analysis and in description of project effects!

Though the Task Force Report and this series of hearings have aroused the hopes and expectations of many of us that finally an evaluation system is being devised that will record and account for all the effects of projects to their fullest, including regional effects and social welfare effects on communities and groups, the peril that the objective may be thwarted continues. The thwarting may come at the hands of the Bureau of the Budget, that obscure-to-the-public institution has prevailed in this respect before, notably since 1962, when the previous rules known as Senate Document 97 were promulgated. Those rules were supposed to apply to the Bureaus review of projects as well as to the agencies formulation of projects. Yet it is evident that the B-O-B did not regard the Senate Document 97 rules as binding on the Bureau. The evidence is most conspicuous in regard to "secondary benefits" which were acknowledged by Senate Document 97 to be valid project benefits. The B-O-B ignores such benefits in its project review. How do we know that it will regard any new document any more highly? Can there be reservations in whole or in part?

The concern and the responsibility for public policy and action do not reside entirely or exclusively in the Executive Branch of Government. The Congress has at least an equal role, and this role should not be thwarted by the Bureau of the Budget either by permitting that formidable agency to be umpire and judge or by allowing it to compose its own rules of the game and its own project evaluation principle as though it were some sort of self-appointed collection of philosopher kings. One wonders whether any agency so far removed from political responsibility and one that remains so much unchanged by elections should exercise such power in a democratic society.

Therefore, to offset the reservations and exclusiveness and to assure some measure of responsibility while retaining the proper role of overseer, critic, and commentator, the Bureau of the Budget should be required to use the same set of evaluation principles that are developed through the Water Resources Council, or by the Congress in the event the Water Resources Council fails to act, and not to keep a private set of its own.

Furthermore, the B-O-B should be required to forward all project reports to the Congress within ninety days of their receipt from the Executive Branch departments, just as other Federal and State agencies are required to do. The comments of the B-O-B, of course, with its dissents and objections as well as its praises, should go along with the reports to the Congress. This practice would establish a more forthright process and would permit the Congress to know which features of projects incur particular critical comment. This practice would also bring the B-O-B within the system of overt responsibility. Anything short of this practice will mean continuing a serious deficiency in project evaluation features with a consequent loss for sound water resources development.

The new discount rate has been discussed by others at this series of hearings but it should be pointed out that the new discount rate has adversely affected many of the longer range benefits considered in the evaluation of both new and currently authorized projects. This may result in only partial development of many projects which would otherwise have been developed to their fullest potential. Projects constructed on this basis can probably never be corrected, and the under-development can only result in a disservice to future generations.

Another aspect of the new methods and procedures for project evaluation now being developed that compels comment involves the environmental objective and the environmental account recommended in the Task Force Report. One should note that the Task Force expects that the environmental objective for each project be carefully described and the physical dimensions of the situation specified thoroughly and carefully. The intention here is that the environmental factors and considerations be made as clear and specific as possible in at least physical terms and other dimensions in recognition of the fact that the economic benefits and costs for the environment necessarily are much less susceptible to enumeration and measurement than are the development factors of a project. The specific and clear description that is urged and required by the Task Force will permit the public and the governmental decision-makers to know what they are getting for their money if environmental investments are to be made or what is being retained, preserved or enhanced if a recommendation is made that a project not be constructed or that it be significantly modified as to scale, location, or operation. In other words, it is apparent that emotional and frivolous objections to projects cannot substitute for sound evaluation. The advocates and proponents of the environmental objective must accept the responsibility for stating clearly and cogently the dimensions and significance of that objective in each case as noted on pages 113 through 117 in the Task Force Report.

The Mississippi Valley Association testified before the Water Resources Council on January 13, 1969. Following that testimony, we submitted a supplemental statement on January 20, 1969 entitled, "Additional Benefits Which Should Be Considered in Evaluating Water Resources Projects". In the interest of time, I will not discuss these benefits but have attached this list as a part of my statement.

The Mississippi Valley Association, for more than fifty years, has advocated the full development and proper use of the Nation's water and soil resources as the best capital investment which the Federal Government can make. We believe the results of the projects which have been constructed as a result of this philosophy prove conclusively the wisdom of this approach. This is a program for *all* America and not for protectionists, preservationists or other special interest groups.

The Mississippi Valley Association has been consistent in its approach, as have other resource groups who are dedicated to the principle of "the greatest good for the greatest number."

The preservationists, who insist on mislabeling themselves "conservationists", have also been consistent in advocating that the Nation's resources be dedicated to "perpetual non-use." Fortunately, or unfortunately, as some see it, the United States has progressed beyond the "bow and arrow" society and we must seek to meet the needs of our great grandchildren, not our great grandfathers.

This Country's railroads too have played the part of dinosaurs in the area of water resources development but, unlike the Mississippi Valley Association and the preservationists, they have failed to be consistent. They have been, and are, for water resources development when it benefits their selfish, self-interest but they oppose these same developments when the lines of beneficiaries are not so clearly drawn.

Railroads have been in the forefront in pushing irrigation projects because they are probably the greatest single beneficiaries. Increased agricultural production, and the equipment needed to produce it, must be transported.

Railroads have also been among the greatest beneficiaries of flood control because their tracks parallel the great rivers and they serve the cities which have grown along these rivers.

Railroads are among the chief beneficiaries of navigation projects, although they consistently oppose all of these water projects. The record will show that tonnage hauled by railroads serving areas with improved waterways has been consistently greater than the industry average, as have been the revenues.

What this Nation needs is a program to assure the full and rapid development of its water resources to meet its future needs. What the Task Force must do is develop an evaluation technique which will expedite, not curtail, this development. If the Water Resources Council is unable to do the job which Congress assigned it then the Nation must again look to its elected representatives who are not hamstrung with the phrase "with policy guidance from the Bureau of the Budget."

The Mississippi Valley Association wishes to thank you for this opportunity to present the views of its membership and to commend to you for what appears to be a step in the right direction. We look forward to seeing the fruits of your labor.

ADDITIONAL BENEFITS WHICH SHOULD BE CONSIDERED IN EVALUATING WATER RESOURCE PROJECTS

1. The value of resources, both human and physical, that would be used for project construction and maintenance which, in the absence of a project, would be unemployed or underemployed resources.

2. Employment effects as a result of the goods and services produced by a project, and especially those which take place in areas or regions where there has been a past history of unemployment or underemployment, is:

a. Through expansion of capacity of productive resources located in an area.

b. Through better utilization of existing productive capacity in a region.

c. Through location of new productive capacity in a region induced by the water resource project.

d. Through the general response of the business community as a result of increased income flows arising from higher employment levels.

e. Provision of opportunities for resource development occasioned through reduced production costs arising from a water resources project.

3. Contributions to regional development objectives.

a. Increase in total regional income as a result of the effects of projects.

b. Diversification of economic base of a region.

c. Improved redistribution of income within a region resulting in lifting the average per capita income.

d. Enhancing the growth potentials of key areas within a region that serve as focus of improved regional services.

4. Contributions to a more orderly and rational development of urban areas and rural areas.

a. Improved use and management of urban flood plains.

b. Reduction in overall costs of public services (water supply, sewage, recreation) through development of water resource projects as part of overall plans for urban and rural development.

c. Improved linkages between rural and urban areas.

[From the CONGRESSIONAL RECORD, Sept. 3, 1969]

U.S. SENATE, COMMITTEE ON AGRICULTURE AND FORESTRY,
Washington, D.C., August 26, 1969.

Hon. RICHARD M. NIXON,
The President,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: During the past several weeks, the nation has witnessed several natural disasters and near-disasters which have worked extreme hardship on our people. For example, note the following:

The brutal hurricane Camille that wrecked the Gulf Coast and resulted in more than 250 known deaths and perhaps half a billion dollars of property damage in Mississippi and Louisiana alone.

The water shortage that threatened our Capitol City in midsummer, followed immediately by severe flooding in the Washington metropolitan area.

The current floods on the James River in Virginia which may result in as many as 200 lives lost and missing and $150 million in property damage.

Although we do not have the means totally to prevent such natural disasters, this great and wealthy nation certainly does possess the means to fortify our most vulnerable areas against these ravages of nature and to minimize their toll of damage and human suffering.

We do have the know-how to minimize the effects of severe drought on our municipal and industrial water supplies. We do have the ability to prevent flooding of our great river valleys. We do know how to minimize the impact of the tidal waves which accompany coastal storms.

The fact is, however, that we are doing far too little either of a preventive or of a developmental nature and are in fact annually *decreasing*, rather than increasing, our actual effort in the field of water resources and flood control projects.

This unfortunate situation seems to me to call for a reevaluation of our priorities in the allocation of Federal funds. In effect, the Congress and the Administration must become as generous and as urgently concerned in our efforts to guard against damage resulting from hurricanes and floods as you yourself have been in your recent efforts to bring relief and rehabilitation to those who have suffered so gravely on the Gulf Coast and in Virginia.

Appropriations for water resource development has been a matter of concern to me for a number of years. On April fourteenth of this year, the senior Senator from West Virginia, Senator Randolph, discussed on the floor of the Senate a statement which Budget Director Robert P. Mayo had made before the Senate Committee on Finance, indicating that he was considering a freeze on public works construction. I joined in the colloquy that followed Senator Randolph's statement, at which time I discussed my growing concern over the delays in the completion schedule on most of the going public works projects which had been revealed to our Committee during the hearings on the Public Works appropriation bill. I concluded my remarks by restating my belief that we must do what we can to protect our two most important resources, land and water. If we failed to do that, our country will sustain great losses.

Subsequently, in May, I addressed the National Rivers and Harbors Convention, at which time I pointed out that in 1964 the construction program of the Corps of Engineers and the Bureau of Reclamation was $1,188,428,700, or about 1.09% of the 1964 budget. I noted that for fiscal year 1970, the original budget request for these two agencies was $1,038,920,000, or about .49% of the budget.

The request for the Corps of Engineers and the Bureau of Reclamation was subsequently cut by your Administration by $181 million. The revised budget represents a dollar reduction in the past six years of about 15.39%. When you take into account the rise in the cost of construction, the level of appropriations in the revised budget for these agencies represents a drop in construction capability of about 50% since 1964!

Similarly, the efforts being made by the Federal Government to control air and water pollution are completely inadequate to cope with the severe damage these problems are working on our environment and, in fact, on the very health of our citizens. For instance, in the last few years that the Federal Water Pollution Control program has been under the jurisdiction of the Subcommittee on Public Works, I have noticed an increased disparity between the authorization for construction grants for sewerage treatment facilities and the appropriations requested, as indicated below.

Fiscal year	Authorization	Appropriation request in the budget	Percent of authorization request in budget
1968	450,000,000	200,000,000	44.4
1969	700,000,000	203,000,000	29.0
1970	1,000,000,000	214,000,000	21.4

I have received well over 1,000 letters from individuals and organizations urging the Committee on Appropriations to provide the full amount authorized for construction grants for fiscal year 1970. Most of these letters point out the extent to which the states and their political subdivisions have approved bond issues to finance the non-federal costs, relying on the Federal Government's ability to meet its share of the cost.

In spite of the fact that next to the air we breathe, water is our most precious resource, it seems the Bureau of the Budget first looks to the water resource program for a disproportionate share of any contemplated cuts whenever there is a need to reduce Federal expenditures.

If we are to meet the water needs of the 300 million people that you recently estimated will occupy our land by the year 2000, we must not only support adequate annual appropriatons for the orderly development of these resources, but it is also essential that the unrealistic and arbitrary restrictions placed on project evaluations be removed.

For instance, the basis for the benefit-to-cost ratio for water resource projects had its origin in the 1936 Flood Control Act, where the policy was established that the Federal Government should improve or participate in the improvement of rivers and other waterways for flood control purposes in the interest of the general welfare if the benefits to whomsoever they may accrue are in excess of the estimated cost and if the lives and social security of people are otherwise adversely affected.

The terms, "benefits" and "costs," have no meaning in the abstract. They must be related to objectives in order to give these term meaning. Since the passage of that Act, the technicians have chosen national economic efficiency as the sole criteria for project evaluation and have disregarded the phrases, "in the interest of the general welfare" and "if the lives and social security of the people are otherwise adversely affected."

The result of such an interpretation has been that as far as flood control and hurricane protection projects are concerned, we have become a "cow society." If, for instance, a thousand cows were lost in a flood or hurricane, we could consider the economic loss involved since a cow has an economic value in the market, and the monetary losses sustained can be used in the justification of protective works. On the other hand, if a thousand human lives were lost, it would not add one dollar to the all-important economic evaluation of the project. The loss of life and human suffering associated with the havoc wrecked on the Gulf Coast by Hurricane Camille transcends the imagination.

Fortunately, the Water Resources Council is attempting to find a way to deal with this problem of recognizing loss of life and misery associated with disastrous floods, by setting up four separate accounts which recognize national objectives other than economic efficiency such as regional development, environmental benefits, and the well being of man. The Council's efforts along these lines are to be commended and they deserve and need your personal encouragement.

Had the center of Camille been 50 miles east, the damage to New Orleans in terms of lives lost and property damaged would have been incalculable. Yet, despite this near miss and in spite of the constant threat of hurricane damage to the New Orleans area, the hurricane protection project for Lake Pontchartrain will continue to drag along with inadequate appropriations, unless the Administration loosens the purse strings and cooperates with the Congress in revamping the national priorities vis-a-vis such projects.

The budget estimate for this project for fiscal year 1967 was $450,000 for planning, at a time when the Corps of Engineers had a capability of $1,600,000, which would have permitted the initiation of construction. Recognizing the potential danger to New Orleans, the Congress provided the full capability of the Corps of Engineers.

For fiscal year 1968, the original budget was $2,300,000, which was subsequently revised to $3,260,000, at a time when the Corps' capability was $4,500,000. Again, recognizing the potential loss of life and property, the Congress approved the $4,500,000.

For fiscal year 1969, the budget estimate was $7,800,000, compared with a Corps capability of $10,800,000. But in view of the expenditure ceiling contained in the Revenue and Expenditure Control Act of 1968, the Committee, although recognizing the risk involved in not moving forward expeditiously on this project, did not increase the budgeted amount for this project or any other project in the bill.

For fiscal year 1970, the budget estimate is only $6 million, compared with the Corps capability of $8,500,000. Neither New Orleans nor the nation can afford the gamble of procrastination on this project.

Similarly, the hurricane protection project, New Orleans to Venice, proceeds at an alarmingly slow rate. Since 1967, the estimated completion date for this project has slipped from June 1975 to December 1977.

Two years ago, I secured authorization for a study of the Louisiana coastal area, looking toward hurricane protection, the protection of the physical features of the coastline, and reestablishment of the former ecology of the area which contributed so much not only to the wildlife but to the marine resources of the entire Gulf Coast. Naturally, I was disappointed this year to find that the budget provided only $60,000 for the continuation of this study in fiscal year 1970. At least double that amount will be required for satisfactory progress on the study, and I intend to urge my subcommittee and the Congress to expedite the project to this extent, at a minimum.

A few weeks ago, this nation—indeed, the whole world—was thrilled when man first set foot on the moon. In reflecting on this accomplishment, I had occasion to recall the hearings which I had recently completed on the Public Works appropriation bill, where the effect of the budget cuts which your Administration made in an already austere budget submitted by President Johnson were graphically revealed to the Committee.

Among the most serious cuts that I recall

were those affecting the Southern Nevada Water District, the Folsom South Canal in Southern California, the Bonneville unit of Central Utah Project, the Chatfield Reservoir in Colorado, the Newark Bay, Hackensack and Passaic Rivers Project in New Jersey, the Wynoochee Reservoir in Washington, the New Melones Reservoir in California, the Lake Kemp Reservoir in Texas, and many more.

In a number of cases, we are finding that the expenditure ceilings imposed on the Corps will not permit contractors to pursue their work in accordance with the terms of the existing contracts, even though in many cases the funds are available or requested. Failure to provide funds and expenditure ceilings adequate to permit accomplishment of existing contracts inevitably will increase costs on all Government contracts and could even result in legal actions being taken by the contractor against the Government. I cannot help but feel that our priorities are out of balance.

These thoughts led me to a review of the requests for research and development appropriations requested by President Johnson for the NASA program, and I found that he had requested $3,051,427,000. Further research revealed that in the review of the 1970 budget, your Administration recommended a reduction of $45 million in this program, of about 1½%. In contrast, the "Construction, General" appropriation request of $769,420,000 for the Corps of Engineers was cut $142,415,000, or about 18½%. I realize that our space program is based on a national objective—but so is our water resource program.

It would require a good deal of imagination to attempt to identify the tangible benefits that will result from man's flight to the moon. Any attempt at a monetary evaluation of those benefits would be almost impossible. If, however, these benefits could be identified and evaluated, the realization of most of the benefits would be projected far into the future.

If we applied the same economic principles to the benefit-cost evaluation of our space program as are required in our water resource program (where future benefits are discounted at a rate of 4⅞ percent) the benefits expected to result from the space program would shrink drastically. For instance, benefits evaluated at $1 million to be realized 25 years from now would be worth only $304,200 in terms of economic justification for a project under today's regulations. A $1 million benefit to be realized 50 years from now would provide justification for the expenditure of only $92,600 today. Such a system would probably kill the space program, just as it is now strangling our vital water resources, flood control and hurricane protection programs.

I am enclosing a list of selected hurricanes and their damages, compiled from information provided by the Office of Emergency Preparedness. It should be recognized that many hurricanes of earlier years are not listed. In fact, during the recorded history of Louisiana alone at least 150 hurricanes or tropical storms have battered or threatened the coast of my state.

I think it is interesting to note that, based only on the partial statistics available to us, the average damage from hurricanes since the turn of the century is over $85 million per year. During the last 30 years, the damage averaged $185 million. During the last 20 years, the damage averaged $200 million and during the 10-year period from 1958 to 1968, the damage averaged about $320 million. If this progression continues, we can expect average damages of $500 million a year (or a total of $5 billion) over the next decade.

Such damage tabulations are always on the conservative side because, by their nature, they tend to exclude many categories of physical and economic loss. As I have already mentioned, the loss of human life is a factor that is incalculable in monetary terms. In addition, there are the inaccuracy of complete inventory estimates, the impossibility of fixing replacement costs, the loss of business and trade to local enterprises and to the local economy in general, the loss of employment income, the loss of earning ability by those who are too old to "get started" again and who instead become public charges. All of these factors and many others add substantially to the damage estimates that are ascribed to various hurricanes.

Yet even these staggering figures tell only part of the story of the "cost" of hurricanes, for they generally do not include the multimillion dollar rehabilitation expenditures by Federal, State and local governments following the disaster. In the case of Camille, the Army, Navy, Air Force, NASA, SBA, HUD, HEW, GSA, USDA, OEP, and numerous other federal agencies are spending large sums to assist in the recovery effort. Also, in terms of the federal costs, over the next several years both individual and corporate tax payers will be deducting from their income taxes considerable sums to which they are eligible as a result of the hurricane damages suffered.

All things considered, we might properly *double* the so-called "damage estimates." In order that you might see the disparity between these enormous damages and the feeble efforts being made to provide protection, I am also enclosing a status report of the authorized hurricane protection projects for your review.

In view of the magnitude of the floods that this nation has experienced this year, the recent hurricane, and the lack of adequate progress being made in meeting the water resource needs of our expanding population, I expect that our Committee will respond to the needs of the Country. I cannot help but feel that you also will want to take another look at your recommendations for water resource development projects, particularly those relating to health, safety and the protection of human life, prior to the time the Congress acts on the Public Works appropriation requests you have submitted, and I urge that you do so.

I would welcome the opportunity to discuss this matter with you personally, or with a small bipartisan group of concerned members of the Congress.

Respectfully yours,

ALLEN J. ELLENDER,
Chairman, Subcommittee on Public Works.

AUTHORIZED HURRICANE PROTECTION PROJECTS

Project	Year authorized	Total cost (estimated)	Federal cost	Appropriation to date	1970 budget	Capability of Corps
Freeport, Tex	1962	$19,000,000	$13,300,000	$4,637,000	$2,200,000	$2,200,000
Port Arthur, Tex	1962	59,900,000	41,600,000	8,557,000	5,000,000	5,000,000
Texas City, Tex	1958, 1968	44,714,000	31,200,000	15,132,000	1,100,000	1,100,000
Lake Pontchartrain, La	1965	166,000,000	113,562,000	12,498,000	6,000,000	8,500,000
Morgan City and vicinity, Louisiana	1965	6,067,000	4,180,000	347,000	150,000	200,000
New Orleans to Venice, La	1962	43,400,000	25,885,000	1,654,000	950,000	1,400,000
Grand Isle and vicinity, Louisiana	1965	11,310,000	3,393,000	408,000		0
Hillsborough Bay, Fla	1968	13,088,200	9,163,200			15,000
North River dike, North Carolina	1966	500,000	358,000			(1)
Top Sail Beach and Surf City, N.C	1966	2,500,000	1,430,000			(1)
Brunswick County beaches, North Carolina	1966	24,400,000	14,400,000			110,000
Hyde County dike, North Carolina	1966	3,272,000	2,290,000			60,000
Neuse River barrier, North Carolina	1965	15,900,000	11,100,000			100,000
Ocracoke Island, N.C	1965	2,150,000	1,880,000	109,000		500,000
Bodie Island, N.C	1966	16,400,000	8,800,000			(1)
Fire Island Inlet to Montauk Point, N.Y	1960	68,600,000	33,900,000	3,578,000	500,000	500,000

[1] Awaiting action by local interests.

RECENT HURRICANES AND TROPICAL STORMS

Name	Date	Areas affected	Deaths	Estimated damage (millions)
Carol	August 1954	North Carolina to Maine	60	$461
Edna	September 1954	New Jersey to Maine	21	7
Hazel	October 1954	South Carolina to New York	95	252
Connie	August 1955	North Carolina to New York	25	46
Dianne	do	North Carolina to New England	184	832
Ione	September 1955	North Carolina	7	88
Audrey	June 1957	Texas and Louisiana	390	150
Donna	August 1960	Florida to New England	50	500
Carla	September 1961	Texas and Louisiana	46	408
Great Atlantic coast storm	March 1962	Florida to New England	33	200
Cleo	August 1964	Florida	3	129
Hilda	October 1964	Louisiana	38	100
Betsy	August 1965	Florida and Louisiana	75	1,420
Alma	June 1966	Florida	7	7
Beulah	September 1967	Texas	15	500
Gladys	September 1968	Florida	5	7
Camille	August 1969	Central gulf coast and Virginia	500	750

EASTLAND-HRUSKA MEMORANDUM, JUSTICE DEPARTMENT FILE, AND HRUSKA-REHNQUIST CORRESPONDENCE REGARDING THE NOMINATION OF CLEMENT F. HAYNSWORTH, JR., TO BE AN ASSOCIATE JUSTICE OF THE SUPREME COURT

Mr. EASTLAND. Mr. President, yesterday I released to the members of the Judiciary Committee and to the press, copies of the Justice Department file on the investigation made concerning the conduct of Judge Clement F. Haynsworth, Jr., of the U.S. Court of Appeals for the Fourth Circuit in participating in the decision of that court in the case of *Darlington Manufacturing Company* v. *National Labor Relations Board*, 325 F. 2d 682. Simultaneously, Senator HRUSKA and I issued a memorandum pertaining to the facts as shown by this file.

On September 2, 1969, Senator HRUSKA requested the Attorney General of the

United States to review this matter, and in response to that letter Hon. William H. Rehnquist, Assistant Attorney General, Office of Legal Counsel, wrote a letter to Senator HRUSKA.

I ask unanimous consent that the memorandum, the copy of the file, and a copy of the exchange of letters between Senator HRUSKA and Mr. Rehnquist be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MEMORANDUM OF SENATORS EASTLAND AND HRUSKA RELATING TO THE DEPARTMENT OF JUSTICE FILE ON JUDGE CLEMENT F. HAYNSWORTH, JR.

Certain questions have been raised as to the propriety of the participation by Judge Clement F. Haynsworth, Jr., of the U.S. Court of Appeals for the Fourth Circuit, in the decision of the case of *Darlington Manufacturing Company vs. National Labor Relations Board,* 325 F. 2d 682.

We have made a thorough review of all of the charges, allegations, and insinuations pertaining to these questions, and, in our considered judgment, a study of the facts clearly shows that these charges, allegations, and insinuations are utterly baseless.

In our judgment, it is clear that Judge Haynsworth owned no stock in any of the companies or corporations that were litigants in that case, that he had no financial interest or stake in the outcome of the litigation, and that he could not have been actuated or motivated by any hope of pecuniary gain in deciding the case.

With the permission of the Department of Justice we are today releasing copies of the entire file of the Department's investigation of this matter, and we are also releasing as a separate package copies of the eight most pertinent letters in that file.

A reading of these documents reveals the following facts:

That the Judges of the Fourth Circuit Court of Appeals carefully and painstakingly investigated all aspects of the conduct of Judge Haynsworth in participating in the decision of the *Darlington* case, including all surrounding circumstances, and completely exonerated him of any improper or unethical conduct;

That these findings of the Judges, along with the files, were submitted to the Attorney General of the United States, Honorable Robert F. Kennedy, who unqualifiedly approved the findings;

And that after the true facts had been established, the person who originally made the charges against Judge Haynsworth to Judge Simon E. Sobeloff, then Chief Judge of the Court of Appeals, Miss Patricia Eames, Assistant General Counsel of the Textile Workers Union of America, acknowledged that the charges made against Judge Haynsworth were unfounded.

It has been suggested by some persons that the thorough investigation conducted by the Judges of the Fourth Circuit Court of Appeals, led by Judge Sobeloff, and of the Justice Department only considered charges of bribery against Judge Haynsworth, and did not consider his conduct in the light of the issues of judicial ethics and conflict-of-interest. Thus, such persons contend that the question of *propriety* of Judge Haynsworth's conduct has never been resolved.

A study of these documents compels the conclusion that there is no basis for this contention. Rather, there is an abundance of evidence to show that the Judges and the Justice Department considered *all* aspects of Judge Haynsworth's conduct, including the questions of judicial ethics and conflict-of-interest, and that Judge Haynsworth was absolved of any misconduct.

The text of the letter of December 17, 1963, from Miss Eames to Chief Judge Sobeloff, which first made the charges and which initiated the investigation by the Judges of the Fourth Circuit Court of Appeals shows that questions were raised not only as to possible bribery, but also as to propriety and ethical conduct. We quote from portions of Miss Eames' letter found on page 3 thereof:

"Depending on a number of facts which we do not know but which could be discovered by an investigation with subpoena powers, there may or may not be violations of 18 U.S.C. sections 201 and 202. It would appear, however, that only one fact which is now unknown—namely whether or not the Deering Milliken contract was thrown to Carolina Vend-A-Matic needs to be known in order to conclude that Judge Haynsworth should have disqualified himself from participating in this decision.

"Whether or not a criminal violation has occurred, we certainly believe that if the Deering Milliken contract was thrown to Carolina Vend-A-Matic, Judge Haynsworth should be disqualified from participating in the decision in this case, and that the resulting two-to-two decision should lead to the sustaining of the NLRB decision below."

After referring to the bribery statutes, 18 U.S.C. sections 201 and 202, Miss Eames stated that whether or not a violation of the bribery statutes had occurred that Judge Haynsworth should have disqualified himself and that his vote should not have been counted in the decision of the case. Obviously, this raised the questions of ethical conduct and conflict-of-interest.

It is just as obvious that Judge Sobeloff and the other Judges of the Fourth Circuit in their thorough investigation did not restrict themselves to implications or insinuations as to alleged bribery, but rather, thoroughly examined the ethical aspects of the conduct of Judge Haynsworth. The concluding paragraph of Judge Sobeloff's letter of February 18, 1964, to Miss Eames illuminates this point:

"It thus appears that the information received, anonymously, by you was completely unfounded, and it is gratifying that after mature consideration you are convinced of this. However unwarranted the allegation, *since the propriety of the conduct of a member of this court has been questioned,* I am today, at Judge Haynsworth's request and with the concurrence of the entire court, sending the file to the Department of Justice, together with an expression of our full confidence in Judge Haynsworth." (emphasis added). Judge Sobeloff made the following statement in his letter of February 18, 1964, to Attorney General Kennedy:

"Enclosed is the file of correspondence passing between our court and counsel for the Textile Workers Union of America and Deering Milliken Corporation following the argument of an appeal in our court. Inasmuch as this relates to alleged conduct of one of our colleagues, we think it appropriate to pass the file on to the Department of Justice."

The "alleged conduct" to which Judge Sobeloff referred clearly relates to "the propriety of the conduct of a member of this court" mentioned by him in his letter of the same date to Miss Eames.

Judge Sobeloff concluded his letter to Attorney General Kennedy as follows:

"I wish to add on behalf of the members of the court that our independent investigation has convinced us that there is no warrant whatever for these assertions and insinuations, and we express our complete confidence in Judge Haynsworth."

After a review of the file by the Justice Department, Attorney General Kennedy replied to Judge Sobeloff on February 28, 1964, as follows:

"This will acknowledge receipt of your letter dated February 18, 1964, enclosing the file that reflects your investigation of certain assertions and insinuations about Judge Clement F. Haynsworth, Jr.

"Your thorough and complete investigation reflects that the charges were without foundation. I share your expression of complete confidence in Judge Haynsworth.

"Thanks for bringing this matter to my attention."

Such a ringing endorsement of the conduct of Judge Haynsworth, such broad and spacious language, cannot be reasonably taken to be restricted to charges of alleged bribery, but certainly must include all facets of Judge Haynsworth's official conduct, including the questions of ethics and propriety.

If the Justice Department review of the file had indicated that Judge Haynsworth was innocent of any violations of the criminal law, but that his ethical conduct was questionable, then surely Attorney General Kennedy would have spoken in more guarded language and would have hedged his "expression of complete confidence in Judge Haynsworth."

Senator Hruska has recently requested the Department of Justice to reexamine the conduct of Judge Haynsworth in this matter as it relates to the standards of judicial ethics.

Honorable William H. Rehnquist, Assistant Attorney General, Office of Legal Counsel, has submitted a thorough and well-reasoned reply to the inquiry of Senator Hruska. This Opinion of the Justice Department closely examines all of the pertinent facts and circumstances relating to the conduct of Judge Haynsworth taking part in the *Darlington* decision, and comes to the conclusion that his conduct in that case comported with the laws of the United States, the Canons of Judicial Ethics, and the Canons of Judicial Ethics of the American Bar Association.

The Opinion concludes that Judge Haynsworth should not have recused himself or been disqualified from participating in the decision of the *Darlington* case, and that in light of the facts he was under a duty to take part in that decision.

The Opinion further states that the opinions of the American Bar Association Committee on Professional Ethics and the decisions of state and federal courts confirm the conclusion that Judge Haynsworth acted properly, and that this conclusion is supported by common sense ethical considerations.

Two members of the Senate Judiciary Committee have requested additional information pertaining to certain additional facts and circumstances relating to Judge Haynsworth's participation in the *Darlington* decision. It is our understanding that this additional requested information is in the process of being furnished.

We firmly believe that a review of the presently known undisputed facts pertaining to this matter will lead to the inescapable conclusion that it affords no basis for opposing the nomination of Judge Haynsworth to be an Associate Justice of the Supreme Court of the United States.

TEXTILE WORKERS UNION OF AMERICA,
New York, N.Y., December 17, 1963.

Hon. SIMON E. SOBELOFF,
Chief Judge, U.S. Court of Appeals for the Fourth Circuit, Richmond, Va.

DEAR JUDGE SOBELOFF: I have taken the liberty of marking this letter as "personal" because I believe that you should be the first person to see it. It is written to you in your capacity as Chief Judge of the Court of Appeals.

The consolidated Deering Milliken cases were decided by the Fourth Circuit on Friday, November 15, 1963. On the morning of Wednesday, November 20th, our Union received a telephone call in which the caller,

who said that he would not identify himself, stated substantially the following:

I believe that you should know that Judge Haynsworth, who voted against your Union in the Deering Milliken case is the First Vice President of Carolina Vend-A-Matic Company, and that two days after the decision in the Deering Milliken case, Deering Milliken cancelled its contracts with the company or companies which previously supplied vending machines to all of the numerous Deering Milliken mills in the Carolinas, and proceeded to sign a new contract with the Carolina Vend-A-Matic Company pursuant to which that Company would supply vending machines to all Deering Milliken mills.

We immediately proceeded to do what we could to check the accuracy of this allegation. The first element checked out readily; there is no doubt that Judge Haynsworth is or was until very recently the First Vice President of Carolina Vend-A-Matic Company. (We do not know the extent, if any, of his shareholding in the corporation, but we are informed that he has been the First Vice President since the company was founded, and that the Judge's former partner in the law firm of Haynsworth, Perry, Bryant, Marion and Johnston, in Greenville, Mr. W. Francis Marion, is and has been the President of Carolina Vend-A-Matic Company.) As to the second element of the allegation—that regarding the throwing of the Deering Milliken vending machine contracts to Carolina Vend-A-Matic—we were first informed that a notice was posted in the Drayton Mill of the Deering Milliken chain at some time prior to December 11th of this year stating that as of January 1st, a complete new set of vending machines would be installed in the mill; we were later informed that the most recent story was that as of January 1, Deering Milliken would *take bids from* vending machine companies.

We have seen two credit reports on Carolina Vend-A-Matic Company. (These reports are not our property.) The first of these reports was dated October 18, 1963. The report stated that it was based upon an interview on October 8, 1963 with the general manager of Carolina Vend-A-Matic, Mr. Wade Dennis. (The interview could not have been held any earlier than October 1, 1963, since it includes the statement that volume for *the first nine months* of 1963 had increased about 25% over that for the corresponding period of 1962.) This report stated that the First Vice President of the corporation was Clement F. Haynsworth, Jr. It further stated that annual estimated sales were $2,000,000. It happened that there was a typographical discrepancy in the report: On the first page the report stated that the company had been founded in 1960; on the second page the founding date was stated as 1950.

A second report had been sought to reconcile this typographical discrepancy. The discrepancy was corrected (the proper date was 1950) in a report sent out on December 3rd entitled "substitute Report of Even Date [presumably October 18]: Correcting Errors in Composition." This report, still stating that it was based upon the October 8th interview, claimed that "C. F. Haynsworth, Jr., formerly shown as First Vice President resigned about September 1, 1963 and no one has been elected to that office." (The corrected report further states that annual sales were estimated at $3,000,000, an increase of a million dollars—which could represent the Deering Milliken contract.) This is apparently an attempt *retroactively* to create a September, 1963 resignation from corporate office for Judge Haynsworth, since the first report of the October 8th interview (which had to have been written later than September 30th) stated that Judge Haynsworth *was* the First Vice President.

I am sure you can imagine that our union is gravely disturbed. After having lost a case of the most serious importance by one vote, we have been informed that the party which won the case awarded a significant contract to a firm in which one of the judges was interested. The allegations have checked out: (1) In fact, the Judge was (at least until recently) an officer of the corporation, and there has been an effort to hide that fact, and (2) in fact, a notice was posted in the mill at Drayton that the vending machines were to be changed.

Thus far, the allegations are clear and definite—the kind of thing that clearly means something if it is true. Because we see these allegations checking out as apparently true, then we begin to wonder about the import of facts whose significance is less clear. For example, we are informed that Judge Haynsworth is extremely close to former Senator Charles Daniels, who in turn is extremely close to Roger Milliken. If this fact stood alone, we would endeavor not to to be perturbed by it, but it does not. Knowing these facts, we cannot help but suspect that the reason why Deering Milliken moved for a hearing en banc was to be sure to have Judge Haynsworth on the panel. We cannot help but wonder whether the sentence in the decision regarding print cloth, which was evidently not a part of Judge Bryan's original text (since it was added in handwriting to the typed manuscript) and which the Court has subsequently, on its own motion, omitted from the decision, was not introduced at Judge Haynsworth's suggestion and then withdrawn at his suggestion because Deering Milliken had pointed out to him that by going this far, he had caused the opinion flatly to contradict the record in the case.

We of course have no subpoena power. We cannot examine the officers and look into the books of the vending machine corporation or corporations which previously had the Deering Milliken contract (the chief among which corporations we believe to be the Spartamatic Corporation of Spartanburg, South Carolina), the records of which should presumably reflect any contract cancellation which may have occurred and the date of such a cancellation. Depending on a number of facts which we do not know but which could be discovered by an investigation with subpoena powers, there may or may not be violations of 18 U.S.C. sections 201 and 202. It would appear, however, that only one fact which is now unknown—namely whether or not the Deering Milliken contract was thrown to Carolina Vend-A-Matic—needs to be known in order to conclude that Judge Haynsworth should have disqualified himself from participating in this decision.

We had intended to wait until January 1st to see whether Carolina Vend-A-Matic machines were installed on that date as the notice at Drayton suggested. But the making of the changes in the financial report and the story regarding a taking of bids suggest that Carolina Vend-A-Matic may already fear discovery and consequently have begun an effort to cover its tracks.

We believe that an investigation should be made immediately. We do not know whether we ourselves should ask the Justice Department to investigate or whether we should leave the handling of this matter entirely up to you. It is clear to us that you are the first person to whom the matter should be referred. Whether or not a criminal violation has occurred, we certainly believe that if the Deering Milliken contract was thrown to Carolina Vend-A-Matic, Judge Haynsworth should be disqualified from participating in the decision in this case, and that the resulting two-to-two decision should lead to the sustaining of the NLRB decision below.

If you have any questions to ask of our Union, either I or anyone else in this organization to whom you may wish to speak will make himself immediately available to you.

Very truly yours,

PATRICIA EAMES,
Attorney for Textile Workers Union of America, AFL–CIO.

RICHMOND, VA., *January 7, 1964.*

THORNTON W. BROOKS, ESQ.,
McLendon, Brim, Holderness & Brooks,
Greensboro, N.C.

STUART N. UPDIKE, ESQ.,
Townley, Updike, Carter & Rodgers,
New York, N.Y.

GENTLEMEN: Enclosed to each of you is a copy of a letter I have this day written to Miss Patricia Eames, counsel for Textile Workers Union of America, together with a copy of a letter addressed to me by her on December 17, 1963.

The court will be glad to receive any comment from you or your clients. It is suggested that a copy of any communication to the court should be sent to opposing counsel.

Sincerely,

SIMON E. SOBELOFF.

RICHMOND, VA., *January 7, 1964.*

Miss PATRICIA EAMES,
Textile Workers Union of America,
New York, N.Y.

DEAR MISS EAMES: Your letter of December 17, 1963, addressed to me at Richmond, was forwarded to my Baltimore office but an answer was delayed because I was out of the city, recuperating from a recent illness. When our term opened yesterday your letter was placed before the court. An inquiry will be made into the subject matter about which you wrote me, and I will communicate with you further.

Sincerely,

SIMON E. SOBELOFF.

TOWNLEY, UPDIKE, CARTER & RODGERS,
New York, N.Y., December 10, 1964.

Re *Darlington Mfg. Co. et al.* v. *NLRB.*

Hon. SIMON E. SOBELOFF,
Chief Judge, U.S. Court of Appeals, Fourth Circuit, Richmond, Va.

DEAR JUDGE SOBELOFF: We acknowledge your letter of January 7, 1964, together with the enclosures mentioned. It would have been sooner acknowledged but for my absence, because of illness, on the day of its arrival.

Our preliminary inquires indicate that, so far as the facts are within the knowledge of ourselves and of our client, Deering Milliken, Inc., the innuendoes and charges by TWUA counsel against our client and Judge Haynsworth with regard to vending machines in the Drayton Mill are utterly without foundation in fact.

We have already begun a thorough investigation of the facts to enable us promptly to accept the Court's invitation to submit comments. We shall of course comply with the Court's direction that copies of all communications be supplied to opposing counsel. In doing so, however, we would assume that all correspondence between the Court and counsel on this subject is to be considered sealed and not available for public inspection or distribution, pending further directions from the Court.

Respectfully,

STUART N. UPDIKE.

MCLENDON BRIM, HOLDERNESS & BROOKS,
Greensboro, N.C., January 13, 1964.

Hon. SIMON E. SOBELOFF,
Chief Judge, U.S. Court of Appeals, Richmond, Va.

DEAR JUDGE SOBELOFF: Your letter of January 7, with enclosures, was received by my office during my absence. The serious allegations and inferences contained in the letter of Miss Eames compel me to promptly reply to the extent possible at this time. The Court has solicited the comment of counsel or their clients, and I am replying on behalf of my client, Darlington Manufacturing Company, although it is no longer in existence. I understand that counsel for Deering Milliken, Inc., will communicate with the Court in due course as to Carolina Vend-A-Matic Com-

pany, about which I have no knowledge whatsoever.

My comments on the other points are as follows:

1. *En banc court.* Miss Eames states at page 2, paragraph 5, "we cannot help but suspect that the reason why Deering Milliken moved for a hearing en banc was to be sure to have Judge Haynesworth [sic] on the panel." Miss Eames' suspicion is totally unwarranted insofar as my client or myself are concerned. The reason why Darlington petitioned for an en banc hearing is set forth in its petition of 30 May. In brief, the reason there stated was:

"This Court wisely utilized the power to initiate an en banc hearing sua sponte in Docket No. 8908, *Simkins, et al. v. Moses H. Cone Memorial Hospital, et al.*, argued on 1 April 1963. Counsel for the parties in that case, including counsel for the Petitioner herein, were unanimous in the view that it was helpful to utilize the power of the Court to have an en banc hearing. This Court has wisely heeded the admonition of the Supreme Court that the en banc power convened by § 46(c) is too useful for a court ever 'to ignore the possibilities of its use in cases where its use might be appropriate.' In less than one year's time, this Court has heard the following cases en banc:" (Nine cases listed.)

I sincerely considered at the time that if it was wise for the Court to initiate an en banc hearing sua sponte in the *Simkins* case, certainly the importance of the present case warranted the invocation of an en banc court, particularly considering the fact that the National Labor Relations Board had decided the case by a three to two decision. Furthermore, my position for an en banc court noted that as four of the five judges of this Court were already familiar with some aspects of the case, it was particularly appropriate that "all members of the Court pool their wisdom in the hearing and the ultimate determination of these complex proceedings." Interestingly enough, the opinion of the majority was written by Judge Bryan who was the only member of the Court who had not previously participated in some of the proceedings related to the case.

Subsequently, both the National Labor Relations Board and the Union, through their counsel, responded to the petition by notifying the Court that they had no objection to the motion for a hearing and determination of the proceedings en blanc.

2. *Deletion of sentence in order.* Miss Eames states at page 2, paragraph 5, that "We cannot help but wonder whether the sentence in the decision regarding print cloth . . . was not introduced at Judge Haynsworth's suggestion and then withdrawn at his suggestion because Deering Milliken had pointed out to him that by going this far, he had caused the opinion flatly to contradict the record in the case." I do not know who introduced the sentence in question into the decision, but I do know who suggested that it be modified or withdrawn. The Clerk mailed to counsel for the parties a photocopy of the decision when it was entered and filed. I am enclosing the photocopy of page 9 of the decision as sent to me and this shows that my copy did not contain the sentence in question. On 20 November Mr. Schoemer called me over long distance telephone from his law office in New York, after he had received his photocopy of the opinion, and in the course of our conversation I learned for the first time that my copy did not contain the inserted sentence. Thereafter I telephoned the Clerk to ascertain if the sentence had been inadvertently omitted from my copy, and as to the exact language in the official copy. The Clerk then examined the record and advised that the sentence should have been written into my copy as well. I then advised the Clerk that in my opinion the statement was not entirely correct and I requested him to call my views to Judge Bryan's attention so that changes, if any, that might be made by the Court in the opinion could be handled before the opinion was sent to the printer; I also asked the Clerk to advise me if it was necessary for me to officially call the matter to the Court's attention by means of a formal document. I did not hear further from the Clerk, nor from any member of the Court, until I received the order of December 9, 1963, wherein the sentence was ordered deleted. The suggestion to Judge Bryan that the added sentence in his written opinion was not entirely supported by the record originated solely with me, and was transmitted by me to Judge Bryan through the Clerk, as indicated.

With respect and esteem, I remain

Sincerely yours,

THORNTON H. BROOKS.

[Enclosure]

"There is no decided case", the Board candidly states, "directly dispositive of Darlington's claim that it had an absolute right to close its mill, irrespective of motive". While a number of the decisions on the point mention the presence of a legitimate economic reason in connection with the right to close, an analysis of them discloses that they do not declare the existence of such a reason to be indispensible to the validity of the closing. See e.g., NLRB v. Preston Food Corp., 309 F.2d 946, 352 (4 Cir. 1962); NLRB v. New England Web, Inc., 309 F.2d 696, 700 (1 Cir. 1962); NLRB v. Rapid Bindery, Inc., 293 F.2d 170, 173 (2 Cir. 1961); Union Drawn Steel Co. v. NLRB, 109 F.2d 587, 592 (3 Cir. 1940). Nor are there precedents for the proposition that an owner or operator cannot go out of business at his option if the closure is intended to be, and is in truth, absolute and permanent. These authorities, we think, support the view that if the termination is without intent to resume the business elsewhere—as a runaway—the power to close, even if spurred by unionization, is not precluded by the act.

RICHMOND, VA.,
January 13, 1969.

Re *Darlington Mfg. Co., et al.*, v. *NLRB.*

STUART N. UPDIKE, Esq.,
Townley, Updike, Carter & Rodgers, New York, N.Y.

DEAR MR. UPDIKE: Thank you for your letter of January 10. The court will await your further communication.

Your suggestion that all correspondence between the court and counsel on this subject should not be available for public inspection or distribution pending further direction from the court, is, of course, correct.

Sincerely,

SIMON E. SOBELOFF.

TOWNLEY, UPDIKE, CARTER & RODGERS,
New York, N.Y., January 13, 1964.

Re *Darlington Mfg. Co. et al.* v. *NLRB.*

HON. SIMON E. SOBELOFF,
Chief Judge, U.S. Court of Appeals, Fourth Circuit, Richmond, Va.

DEAR JUDGE SOBELOFF: I regret that I must call to the Court's attention that the date "December 10, 1964" on my letter sent to you last Friday should read "January 10, 1964". Please accept my apologies for the error.

Respectfully,

STUART N. UPDIKE.

TOWNLEY, UPDIKE, CARTER & RODGERS,
New York, N.Y., January 17, 1964.

HON. SIMON E. SOBELOFF,
Chief Judge, U.S. Court of Appeals, Fourth Circuit, Richmond, Va.

DEAR JUDGE SOBELOFF: This will supplement our letter of January 10, 1964, acknowledged by your letter of January 13, 1964, for which we thank you.

On January 12, a member of our staff was dispatched to Spartanburg, South Carolina, to make a full investigation of the relevant facts concerning vending machine operations in Deering Milliken mills. (We are using that term in this letter generically to identify the mills which sell their products through Deering Milliken, Inc.) The investigation was made by John P. Reiner, Esq., who joined the staff of this firm on January 2, 1964 after service as law secretary to Chief Judge Sylvester J. Ryan, followed by service as an Assistant United States Attorney, both of the Southern District of New York. He has submitted to us a written report, backed up by copies of the relevant documents. This letter is based thereon.

The investigation was conducted primarily through two sources: (1) Deering Milliken Service Corporation, the purchasing department of which, where requested by a plant manager, advised in obtaining proposals from in-plant feeding contractors at the Deering Milliken mills; and (2) Pacolet Industries, Inc., of which the Drayton Mill is a division. Deering Milliken, Inc., as such, was not involved in the investigation.

By way of preface, we observe that the letter to you from union counsel of December 17, 1963, makes two broad charges with respect to vending machine operations at these mills:

(1) On November 17, 1963, two days after the Court's decision in the Darlington case, "Deering Milliken" cancelled its contracts with the suppliers of vending machines "to all of the numerous Deering Milliken mills in the Carolinas" and transferred or "threw" the business to Carolina Vend-A-Matic Co., Inc. (page 1 of Miss Eames' letter).

(2) While the union has been unable to verify the correctness of the foregoing hearsay report supposedly given it by an anonymous telephone caller, it has established that Drayton Mill has transferred, or as of January 1 would transfer, its vending machine contract to Carolina Vend-A-Matic Co., Inc. (hereafter "Carolina Vend-A-Matic") (page 2 of Miss Eames' letter).

Both these statements are absolutely and unqualifiedly false, as we shall now demonstrate, first dealing with the specific instance of Drayton Mill and then with the other Deering Milliken mills.

As to Drayton Mill: For a number of years, food and beverages at Drayton Mill were supplied in part by an outside independent contractor and in part by the services of mill personnel. Early in 1963, the mill manager questioned whether these operations might not be more efficiently carried out by a single outside independent vending contractor. After investigation of the subject and in late October 1963, the manager decided to transfer these operations to such an outside firm, and enlisted the aid of the purchasing department of Deering Milliken Service Corporation in obtaining proposals. At about this time, a notice was posted on the mill's bulletin board indicating that in the future, but at an unspecified date, vending machine operations would be placed in the hands of an independent contractor.

With the assistance of the purchasing department, five vending companies thought to be interested in supplying food and equipment to the Drayton Mill were invited* to submit proposals to Mr. Rogers, the plant manager. Included in the list of invitees were Carolina Vend-A-Matic and Automatic Food Service, Inc. of Spartanburg, the company which had been supplying beverage vending machines at Drayton Mill for some years. Proposals were received; most, if not all, of the invitees inspected the facilities available at the plant and the plant man-

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*Each of the invitees, including Carolina Vend-A-Matic, was then supplying food and beverage vending operations to one or more Deering Milliken mills.

ager personally visited the facilities of each of the invitees in order to satisfy himself as to which was likely to supply the best quality food.

On or about December 10, 1963, the plant manager made his determination. To aid in the formulation of his judgment, he prepared a chart on which he tabulated what he regarded as the principal criteria by which each of the invitees was to be judged, and then awarded points to indicate his own evaluation of the invitees' qualifications. By this method. Automatic Food Service, Inc. of Spartanburg, the existing contractor at the mill, emerged with the highest rating; Carolina Vend-A-Matic was second, with a rating about 25% below the first company. Accordingly, Automatic Food Service, Inc. was notified that the contract would be awarded to it, and the four other bidders (including, of course, Carolina Vend-A-Matic) on December 16, 1963 were notified that they had lost out. The contract was signed on December 19, 1963.

Examples of the documentary evidence available in support of the foregoing are: proposals to Drayton Mill from each of the vending companies; the chart prepared by Drayton's manager during the process of arriving at his decision; and the correspondence with the various bidding concerns.

As to Other Deering Milliken Mills: During the latter part of 1963, there were approximately 40 textile mills (including related companies) which sold their production through Deering Milliken. These include the mills acquired by Deering Milliken, Inc. from Textron, Inc. in the Spring of 1963. Of these, 27 were served by 10 different independent vending machine companies, of which Carolina Vend-A-Matic was one, serving 5 different plants. (Another vending machine company served 6 plants; the rest served less than 5.) It appears that of Carolina Vend-A-Matic's 5 contracts, 4 had been in existence since 1958. The remaining one was awarded in July 1963, on the basis of an invitation for proposals, followed by an award of the contract, as has been described above in the case of Drayton Mill. In this instance, however, the mill management decided on Carolina Vend-A-Matic (out of eight competitive proposals) as the preferable bidder. The contract was awarded accordingly. The plant in question has only about 250 employees.

Needless to say, there is not the slightest evidence that any Deering Milliken mill has ever cancelled a vending machine contract with the intention of transferring or "throwing" the contract to Carolina Vend-A-Matic, nor has any such mill ever done so. In short, the charge which union counsel says was anonymously relayed by telephone on November 17, 1963, to that effect is utterly without foundation.

We are, of course, in no position to deal with the allegations concerning Judge Haynsworth's ownership in Carolina Vend-A-Matic, or what the union portrays as a clumsy attempt to divest himself of any public connection with that company on the eve of the Darlington decision. It would, we feel, be both presumptuous and unnecessary for us to assay any defense of Judge Haynsworth against the irresponsible charges in the letter from Miss Eames. From the standpoint of Deering Milliken, Inc., however, as a party to the litigation in which the innuendoes have been raised, and a company which is implicitly if not primarily charged with bribing, or attempting to bribe, a member of the Federal Judiciary we can only voice the hope that if and when there should issue from the Court a vindication of Judge Haynsworth and a flat rejection of the union's suggestion that he should be disqualified from the Darlington decision, the Court's determination should make clear that Deering Milliken, Inc. is likewise free from any possible guilt in this situation.

In view of the length which this letter has already reached, we shall refrain from commenting on the peripheral charges by Miss Eames that are dealt with in Mr. Brooks' letter to the Court of January 16. Needless to say, we adopt Mr. Brooks' statement of the facts, so far as they are known to us.

We stand ready to meet with the Court, or to supply to the Court any information desired concerning any particulars of the matters under inquiry. We shall be happy to make Mr. Reiner, and his report, available to the Court; or if the Court wishes, either Mr. Schoemer or I will be glad to attend before it for further substantiation of these statements.

Respectfully,

STUART N. UPDIKE.

RICHMOND, VA.,
January 23, 1964.

Re *Darlington Mfg. Co., et al.* v. *NLRB.*

STUART N. UPDIKE, Esq.,
Townley, Updike, Carter & Rodgers,
New York, N.Y.

DEAR MR. UPDIKE: Thank you for your letter of January 17. The court would like to be advised of the identity of the five plants referred to by you as being served by Carolina Vend-A-Matic, the dates on which such service began, the number of machines and the approximate volume of business transacted in each of these plants.

Sincerely,

SIMON E. SOBELOFF.

TOWNLEY, UPDIKE, CARTER & RODGERS,
New York, N.Y., January 27, 1964.

Re *Darlington Mfg. Co. et al.* v. *NLRB.*

Hon. SIMON E. SOBELOFF,
Chief Judge, U.S. Court of Appeals, Fourth Circuit, Richmond, Va.

DEAR JUDGE SOBELOFF: I acknowledge with thanks your letter of January 23, 1964. I respond to your inquiry as follows:

THE FIVE PLANTS SERVED BY CAROLINA VEND-A-MATIC CO., INC.

At Marietta, South Carolina on the premises of Gayley Mill are located three separate operations. The first of these is the Gayley Mill itself; the other two are Clemson Industries and Mayco Yarns. Each of these is a separate manufacturing operation, although all three are located in the same plant premises at Gayley Mill. These operations constitute three of the total of five served by Carolina Vend-A-Matic Co., Inc. (hereafter "Carolina Vend-A-Matic"), as stated in my letter of January 17th.

The fourth plant is Jonesville Products, located at Jonesville, South Carolina. The fifth is Magnolia Finishing Plant, located at Blacksburg, South Carolina.

THE DATES ON WHICH SUCH SERVICE BEGAN

While the initial installation of two coffee machines by Carolina Vend-A-Matic at Gayley began in 1952, the more substantial operation as presently constituted began in March 1958. The servicing at Jonesville began in October 1958. The servicing at Magnolia began in August, 1963.

THE NUMBER OF MACHINES AND APPROXIMATE VOLUME

At Gayley there are six vending machines, as follows:

1 Coffee machine;
1 Cold Drink machine;
1 Candy machine;
1 Cigarette machine;
1 Hot Soup machine;
1 Sandwich machine.

The employees at Gayley Mill, Clemson Industries and Mayco Yarns are all served by the same machines. They total approximately 380 people. The average gross weekly sales is approximately $950.

At Jonesville Products there are two vending machines: 1 Coffee machine, 1 Candy machine. The plant employs approximately 50 people. The average gross weekly sales is approximately $24.

At Magnolia Finishing Plant there are *two* banks of machines, each consisting of eight vending machines, as follows:

1 Coffee machine;
1 Cold Drink Machine;
1 Candy machine;
1 Cigarette machine;
1 Sandwich machine;
1 Milk machine;
1 Ice Cream machine;
1 Pastry machine.

There are three other service areas in the plant, each with three vending machines, as follows:

1 coffee machine.
1 cold drink machine;
1 candy machine.

The Magnolia plant employs approximately 250 people. The average gross weekly sales is approximately $1,000.

For the convenience of the Court, we have prepared and enclose herewith a table setting forth the above information. As stated in concluding our letter of January 17th, we stand ready to meet the further requests of the Court.

Respectfully,

STUART N. UPDIKE.

CHART SHOWING DATES, NUMBER OF MACHINES, AND VOLUME BY PLANT

Plants	Date service began	Number of machines	Approximate volume: Number of employees	Approximate volume: Average weekly gross sales
Gayley M. Marietta, S.C. Clemson Industries, Marietta S.C. Mayco Yarns, Marietta, S.C.	March 1952 (coffee only) March 1958	6	380	$950
Jonesville Products Jonesville, S.C.	October 1958	2	50	24
Magnolia Finishing Plant, Blacksburg, S.C.	August 1963	8×2=16 3×3=9	250	1,000

TOWNLEY, UPDIKE, CARTER & RODGERS,
New York, N.Y., February 11, 1964.

Re Darlington Mfg. Co. et al v. NLRB.

Hon. SIMON E. SOBELOFF,
Chief Judge, U.S. Court of Appeals,
Fourth Circuit,
Richmond, Va.

DEAR JUDGE SOBELOFF: In Mr. Updike's absence, I acknowledge receipt of a copy of Miss Eames' letter of February 6th to the Court.

As a comment by us or our client would seem to be superfluous under the circumstances, we shall await further instructions or advice from the Court.

Respectfully,

JOHN R. SCHOEMER, Jr.

TEXTILE WORKERS UNION OF AMERICA,
February 6, 1964.

Hon. SIMON E. SOBELOFF,
Chief Judge, U.S. Court of Appeals for the Fourth Circuit, Richmond, Va.

DEAR JUDGE SOBELOFF: Having read and reread Mr. Updike's letter to you of January 17, I believe that the facts therein set forth establish that Deering Milliken did not throw its vending machine contracts to Carolina Vend-A-Matic as was alleged to our Union on November 20. With that basic fact established, it becomes clear that my collateral concerns, as expressed to you in the last paragraph on the second page of my letter to you of December 17, become inappropriate.

I regret that Mr. Updike feels that my letter

to you was irresponsible. At the time when the telephoned message to our Union had been passed on to me, and I had noted the officerships in Carolina Vend-A-Matic and had heard what reports were available to me regarding Deering Milliken's southern plants, frankly I was sorely troubled as to what I *should* do about a half-knowledge which it would clearly be irresponsible to keep silent about. It appeared to me that the most responsible course was to write to the Chief Judge.

My letter to you has caused trouble. I am genuinely sorry for that. Since we now know that the allegation made to our Union was inaccurate, we know that that trouble was unnecessary. Thus I am the more regretful of the trouble caused.

Sincerely yours,

PATRICIA EAMES,
Assistant General Counsel.

U.S. COURT OF APPEALS,
FOURTH JUDICIAL CIRCUIT,
February 18, 1964.

Miss PATRICIA EAMES,
Assistant General Counsel,
Textile Workers Union of America,
New York, N.Y.

DEAR MISS EAMES: Thank you for your letter of February 6. Your frank recognition that the statements made to you in the anonymous telephone call were in error, and that your acknowledgment that the concerns expressed by you on the basis of that call were unwarranted, should terminate this matter satisfactorily to all concerned.

For your further information, to complete the record, and in simple justice to Judge Haynsworth, I think I should inform you of some additional facts which our inquiry disclosed.

Information which the court has obtained from officials of Carolina Vend-A-Matic is entirely consistent with that which it has received through attorneys for Deering Milliken, copies of which were sent you. There was one slight discrepancy which calls for an explanatory word. Carolina Vend-A-Matic Co. had reported that it had vending machines in *three* identified plants related to Deering Milliken, Gayley Mill being one of them. Though Gayley Mill is one plant under one roof and there is only one vending installation there, Deering Milliken classed it as three operations; but they both meant the same thing.

Your anonymous informer said that Deering Milliken had cancelled all of its contracts with other vending machine companies and was throwing all of its many plants as vending machine locations to Carolina Vend-A-Matic. Some apparent corroboration of this might be inferred from the fact that a notice of a new vending operation had been posted at Drayton Mill.

Our inquiry produces no confirmation of the cancellation by Derring Milliken of any vendor's contract. A vending machine company had coffee vending machines in Drayton Mills, but all other food services were supplied by employees of the company operating "dope wagons." As Mr. Updike has reported, officials of Deering Milliken decided to replace the dope wagons with vending machines and sought proposals for complete vending from five companies, including the one which already had the coffee vending machines in the plant. Mr. Dennis and Mr. League, of Carolina Vend-A-Matic, conferred with Mr. Rogers of Drayton Mills on December 4, 1963, and, in response to his request on that date, submitted a proposal to him on December 9. Mr. Dennis, of Carolina Vend-A-Matic, received a letter from Mr. Foster, Personnel Manager of Drayton Mills, dated December 16, informing him that it had been decided to have Automatic Food Service, Inc. provide this service. Automatic Food Service, Inc. is the company which previously had the coffee machines in the plant.

As we also have learned, Carolina Vend-A-Matic was one of a number of vending machine companies which sought the business of the new Magnolia Finishing plant in 1963. On the basis of competitive bidding, Carolina Vend-A-Matic obtained that business. At about the same time, however, in the summer of 1963, it was one of several competitive bidders for the vending business of another Deering Milliken related plant, which, like Drayton Mills, was moving to complete food vending. It did not get that business. Thus, in 1963, Carolina Vend-A-Matic sought through competitive bidding the business of three Deering Milliken related plants, obtained that of one and lost that of the other two.

The actual facts do not warrant any inference that Deering Milliken related mills have preferred Carolina Vend-A-Matic in any way over other vendors.

The circumstances of Judge Haynsworth's resignation as a director of Carolina Vend-A-Matic are also well known to us, and it was prompted by a resolution of the Judicial Conference of the United States and was in no way related to Deering Milliken contracts.

When Judge Haynsworth came on this court in 1957, he was a member of the board of directors of a number of corporations. He resigned from the board of each of those corporations which was publicly owned. He did this in order to avoid any chance that someone might undertake to influence him indirectly through a corporation of which he was known to be a director. He did not resign from the boards of two corporations. One of those two is a small, passive corporation in which members of his family have an interest. It owns real estate under long term leases and engages in no active business. He also remained on the board of Carolina Vend-A-Matic, which is not publicly owned, for he thought that the considerations which led him to resign from the boards of the other corporations were inapplicable to it and the small, passive corporation.

Some months ago it became known that judges in other sections of the country were serving on the boards of large, active, publicly owned corporations. They had not done what Judge Haynsworth had done in the first instance. Their service on the boards of such corporations led to criticism, with the result that last fall the Judicial Conference of the United States adopted a resolution that

"No justice or judge of the United States shall serve in the capacity of an officer, director or employee of a corporation organized for profit."

In obedience to this resolution Judge Haynsworth severed official relations with Carolina Vend-A-Matic and the small, passive corporation. Judge Haynsworth's colleagues knew of these matters at the time and discussed them with him. Clearly his resignation has no sinister implication; it was a prompt, natural and expected response to the resolution adopted by the Judicial Conference.

Incidentally, we are assured that Judge Haynsworth has had no active participation in the affairs of Carolina Vend-A-Matic, has never sought business for it or discussed procurement of locations for it with the officials or employees of any other company.

It thus appears that the information received anonymously, by you was completely unfounded, and it is gratifying that after mature consideration you are convinced of this. However, unwarranted the allegation, since the propriety of the conduct of a member of this court has been questioned, I am today, at Judge Haynsworth's request and with the concurrence of the entire court, sending the file to the Department of Justice, together with an expression of our full confidence in Judge Haynsworth.

Sincerely,

SIMON E. SOBELOFF.

U.S. COURT OF APPEALS,
FOURTH JUDICIAL CIRCUIT,
February 18, 1964.

Hon. ROBERT F. KENNEDY,
Attorney General,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: Enclosed is the file of correspondence passing between our court and counsel for the Textile Workers Union of America and Deering Milliken Corporation following the argument of an appeal in our court. Inasmuch as this relates to alleged conduct of one of our colleagues, we think it appropriate to pass the file on to the Department of Justice.

Happily, Miss Eames, who wrote the initial letter to the court on December 17, 1963, has herself acknowledged that the assertions and insinuations about Judge Haynsworth, made to her by some anonymous person in a telephone call, are without foundation; but I wish to add on behalf of the members of the court that our independent investigation has convinced us that there is no warrant whatever for these assertions and insinuations, and we express our compete confidence in Judge Haynsworth.

Sincerely,

SIMON E. SOBELOFF.

February 28, 1964.

Hon. SIMON E. SOBELOFF,
U.S. Court of Appeals for the Fourth Circuit,
Baltimore, Md.

DEAR MR. CHIEF JUDGE: This will acknowledge receipt of your letter dated February 18, 1964, enclosing the file that reflects your investigation of certain assertions and insinuations about Judge Clement F. Haynsworth, Jr.

Your thorough and complete investigation reflects that the charges were without foundation. I share your expression of complete confidence in Judge Haynsworth.

Thanks for bringing this matter to my attention.

Sincerely,

ROBERT F. KENNEDY,
Attorney General.

DEPARTMENT OF JUSTICE ROUTING SLIP

To: John Duffener, Bldg. 4212.

JOHN: As I began at the beginning and read this—I thought—"Shades of Bobby Baker" with the vending machine aspects.

Having read it all I agree the matter has been fully and satisfactory by Judge Sobeloff.

A. GILCHEN.

FEBRUARY 26.

DEPARTMENT OF JUSTICE ROUTING SLIP

To Criminal Division.

Prepare reply for the signature of RFK.

CARL: I intend to prepare an acknowledgement from A. G. making reference to Sobeloff thorough & satisfactory handling of this allegation. Any comment?

———. ———.

FEBRUARY 26, 1964.

DEPARTMENT OF DEFENSE ROUTING SLIP

To: A. G.

O.K. to sign.

———. ———.

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, D.C., September 2, 1969.

Hon. JOHN N. MITCHELL,
The Attorney General,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: The Senate Judiciary Committee is scheduled to begin hearings soon on the President's nomination of Judge Clement F. Haynsworth to be an Associate Justice of the Supreme Court of the United States.

Shortly after the President submitted

Judge Haynsworth's name to the Senate, statements in the public press have charged that Judge Haynsworth should have disqualified himself from a labor case that was decided several years ago by the Court of Appeals for the Fourth Circuit.

Because these same charges indicate that the Justice Department has a file on this matter, and because the Justice Department has been called upon in prior confirmation hearings to assist this Committee in analyses of legal points, I would very much appreciate having the views of the Department as to whether Judge Haynsworth should have disqualified himself in this case.

I would propose to share your reply with the Chairman and my fellow members of the Judiciary Committee.

Yours very truly,

ROMAN L. HRUSKA,
U.S. Senator.

DEPARTMENT OF JUSTICE,
Washington, D.C., September 5, 1969.

Hon. ROMAN L. HRUSKA,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HRUSKA: The Attorney General has asked me to reply to your letter to him dated September 2, requesting that the Justice Department comment on certain charges that have been made against Judge Clement F. Haynsworth. These charges, as I understand them, are that since Deering-Milliken, Inc., was a party to the case of *Darlington Mfg. Co.* v. *National Labor Relations Board*, 325 F. 2d 682, decided by the Court of Appeals for the Fourth Circuit in 1963, and since Judge Haynsworth owned stock in a corporation which did business with Deering-Milliken, he had an "interest" in the *Darlington* case and should have disqualified himself from sitting. I understand from your letter that the Department's views will be circulated to the Chairman and other members of the Judiciary Committee, which will shortly consider the President's nomination of Judge Haynsworth to be an Associate Justice of the Supreme Court of the United States.

We have received from Judge Haynsworth a copy of a statement which he has prepared in response to a request from Senator Eastland, the Chairman of the Judiciary Committee, and have used that statement, together with the file forwarded to the Justice Department in 1964 by Chief Judge Sobeloff,[1] as the factual basis for our reply to your question.

The *Darlington* case was orally argued before the Court of Appeals for the Fourth Circuit on June 13, 1963, and was decided by that court on November 15, 1963.[2] Judge Haynsworth had been appointed to the Court of Appeals six years earlier, in 1957. During all of the time that the *Darlington* case was pending before the Court of Appeals in 1963, Judge Haynsworth held one-seventh of the stock of a South Carolina corporation known as Carolina Vend-A-Matic Company, which he had helped organize in 1950.

During 1963 Vend-A-Matic obtained slightly more than three percent of its gross sales from various plants of the Deering-Milliken combine, plants in which some 700 out of a total of 19,000 Deering-Milliken employees worked. Deering-Milliken granted space to vending machine companies on the basis of competitive bidding. During 1963 Vend-A-Matic competed for three such awards, obtaining one and losing two. None of the Deering-Milliken officials who awarded vending machine rights knew that Judge Haynsworth was associated with Vend-A-Matic. Judge Haynsworth in turn played no part at any time in Vend-A-Matic's site acquisition program, and was largely unfamiliar with information regarding its site locations at the time the *Darlington* case was before his Court.

Prior to 1957 Judge Haynsworth took some part in obtaining financing for Vend-A-Matic; after his appointment to the Court of Appeals, he took no active part in the business at all. Prior to his appointment to the Court of Appeals, he was both a director and a Vice President of Vend-A-Matic; he orally resigned as Vice President in 1957, although the minute book of the corporation continued to show him as holding that office in subsequent years. He continued as a director until October, 1963, when he resigned in compliance with a resolution of the United States Judicial Conference adopted shortly before that date.

I regard the dates of resignation by Judge Haynsworth as an officer and director of Vend-A-Matic as immaterial for purposes of this analysis. Since he remained a holder of stock in the company of substantial value after he had resigned his official positions, he was in spite of these resignations unquestionably "interested" in Vend-A-Matic. Since he was not active in the conduct of its business, and was unfamiliar with the details of the location of its machines, the fact that he was a director does not change the situation from what it would have been had he been simply a stockholder. The legal and ethical question raised by these facts is whether a judge, who owns stock in one corporation, which in turn does business with a second corporation, should disqualify himself when the second corporation is a party litigant in his court.

Those statutes and canons of ethics which regulate judicial conduct are basically of two kinds: those which govern the *extra-judicial* activities of a judge, and those which govern his *judicial* activity.

18 U.S.C. 205 prohibits judges from acting as attorneys or agents for any party in a proceeding to which the United States is a party; 28 U.S.C. 454 prohibits the practice of law by a judge appointed under the authority of the United States; several of the canons of judicial ethics likewise restrict the sort of extra-judicial conduct in which a judge may engage. The recent action of the Judicial Conference of the United States, requiring that permission of the Conference be obtained for judges to engage in extra-judicial employment, and that judges report to the Conference outside income from personal services, was addressed to extra-judicial conduct. The charges made against Judge Haynsworth, on the other hand, are directed to the second kind of judicial conduct which is regulated by statute and by canons of judicial ethics—the conduct of the judge in the discharge of his *judicial* duties.

Both a statute and one of the Canons of Judicial Ethics are relevant in assessing these charges.[3] 28 U.S.C. 455 provides that:

"Any justice or judge of the United States shall disqualify himself in any case in which he has a substantial interest, has been of counsel, is or has been a material witness, or is so related to or connected with any party or his attorney as to render it improper, in his opinion, for him to sit on the trial, appeal, or other proceedings therein."

Canon 29 states:

"A judge should abstain from performing or taking part in any judicial act in which his personal interests are involved. If he has personal litigation in the court of which he is a judge, he need not resign his judgeship on that account, but he should, of course, refrain from any judicial act in such a controversy."

Though this Canon has been mentioned in connection with the charges made against Judge Haynsworth, I do not believe that it is applicable. None of the information about the Vend-A-Matic suggests that it was an enterprise ". . . apt to be involved in litigation in the courts", and it was not in fact involved in the *Darlington* case.

In addition to the federal disqualification statute, numerous states have disqualification statutes cast in somewhat similar terms, and precedents from those jurisdictions are helpful in the absence of authoritative decisions construing the federal statute. Under the statute, the question is quite clearly whether Judge Haynsworth had a "substantial" interest in the *Darlington* case; under Canon 29, the question is whether Judge Haynsworth's "personal interests" were involved in that litigation.

Quite obviously, when we are dealing with a concept which has both a legal and an ethical content, it is not desirable to parse the language in a manner which might sacrifice ethical substance to legal form. At first blush, indeed, it might appear to be an easy solution to the question of disqualification for the judge to "bend over backwards" and recuse himself if there be even the most tenuous claim that he ought to do so. More careful consideration, I believe, suggests that this is not the case, and requires that a quite precise determination be made in each case on the basis of the statute, the canons and the facts. This is because of the generally accepted principle stated as follows by two different federal courts of appeals:

"There is as much obligation upon a judge not to recuse himself when there is no occasion as there is for him to do so when there is." In re *Union Leader Corp.*, 1st Cir., 292 F. 2d 381, 391 (1961), quoted with approval in *Wolfson* v. *Palmieri*, 2nd Cir., 396 F. 2d 121 (1968).

The delays and procedural snarls which not infrequently result from the disqualification of a trial judge are serious enough to suggest that such action should be resorted to only when justified. Additional complications occur when the judge recusing himself sits on an appellate court, since there is not the freedom to transfer a case from one appellate court to another as there is from one trial judge to another. John P. Frank, in an article entitled, "Disqualification of Judges", 56 Yale Law Journal 605 (1947), points out that from 1941 to 1946 three cases pending before the Supreme Court of the United States had to be either dismissed for lack of a quorum, *Chrysler Corporation* v. *United States*, 314 U.S. 483 (1941), continued for lack of a quorum, *North American Company* v. *Securities & Exchange Commission*, 327 U.S. 686 (1946), or transferred for final decision to a court of appeals pursuant to special statute, *United States* v. *Aluminum Company of America*, 322 U.S. 716 (1944). On more than one occasion since the date of that article, the Supreme Court of the United States has been obliged to affirm the judgment of the lower court by an equally divided vote and without opinion, because of disqualification. *Bailey* v. *Richardson*, 341 U.S. 918 (1951); *Alitalia-Linee Aeree Italiane*, S.p.A. v. *Lisi*, 390 U.S. 455 (1968); *Anderson* v. *Johnson*, 390 U.S. 456 (1968); *World Airways, Inc. v. Pan American World Airways, Inc.*, 391 U.S. 461 (1968). One of the leading antitrust cases of the 1950s, *United States* v. *E. I. du Pont de Nemours & Co.*, 353 U.S. 586 (1957), was decided by a Court consisting of only six

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[1] The file compiled by Chief Judge Sobeloff was the result of an investigation by the Court itself into a similar, though not identical, accusation against Judge Haynsworth. I have assumed from your letter that you wished to have the views of the Department without regard to the findings of the Court, and this letter has been prepared accordingly.

[2] Though not strictly relevant to your inquiry, an accurate procedural description of this litigation is attached to this letter with the thought that it may be of interest to you and to other Committee members.

[3] Canon 26, ABA Canons of Judicial Ethics, states:

"A judge should abstain from making personal investments in enterprises which are apt to be involved in litigation in the courts; and, after his accession to the bench, he should not retain such investment previously made, longer than a period sufficient to enable him to dispose of them without serious loss."

justices, who divided 4 to 2 on the issue before them.

While disqualifications in the courts of appeals do not have the same significance with respect to final decision of important points of law as do disqualifications in the Supreme Court of the United States, they nonetheless create more akwardness than do disqualifications at the trial court level. Indeed, a serious procedural snarl would have resulted in the *Darlington* case had one of the five judges of the Court of Appeals disqualified himself. Had Judge Haynsworth disqualified himself, the Court would presumably have been evenly divided, Judges Bryan and Boreman voting to set aside the Board's order, Chief Judge Sobeloff and Judge Bell voting to enforce the order. While in the case of a direct appeal of a judgment of a district court, the result of such a division is affirmance, it is by no means clear that this would be the result in an agency proceeding where both the agency and the respondent are petitioning the appellate court for relief.

Disqualification where required by statute or by the Canons of Ethics is a judge's undoubted duty. But the disruptive consequences of disqualification, which may be readily borne in order to insure fairness where the judge does have a "substantial interest" in the litigation, should not be borne in order to gratify the desire on the part of either a litigant or of the judge himself that the judge not sit when he does not have such a substantial interest.

There is thus no escape from a careful analysis of each fact situation. The "substantial interest" referred to in the statute and the "personal interest" referred to in the canon is a pecuniary, material interest in the outcome of the litigation. The clearest case is one in which the judge is a party to the lawsuit; obviously he may not sit in such a case. Little different is the case in which the judge owns a significant amount of stock in a corporation which is a party to a lawsuit before him; he, too, must rescue himself. Parties to lawsuits either win or lose them, in whole or in part, and it is difficult to conceive of a lawsuit in which a party, or the stockholder of a corporate party, does not have a material, pecuniary interest in the way in which the lawsuit is decided.

These clear cases quite obviously do not decide the question relating to Judge Haynsworth in the *Darlington* case. Vend-A-Matic had some business dealings with Deering-Milliken, but it was in no sense a party to the Darlington litigation. One question is presented when a judge holds stock in a corporation which is a party to litigation before him. A quite different question is posed when the judge merely owns stock in a corporation which "does business" with a party to litigation before him. A general rule of disqualification in the second situation is neither administratively workable nor ethically desirable. The judge who owns stock in American Telephone and Telegraph Company must simply seek other employment if such a rule be applied, since that corporation presumably does business with virtually every party to every lawsuit in the nation. On a smaller scale, the same would be true of a judge owning stock in a local public utility. Yet surely no one would seriously contend that a judge, by reason of his stockholding in such corporations, would be influenced in favor of parties who were their customers.

A slightly different case is that of a judge who owns stock in a local bank, which in turn has loans outstanding to various individuals and businesses in the community. Where a solvent debtor of the bank is a party to a lawsuit, the interests of the bank in seeing its debtor prevail in order to increase the probabilities of repayment of its loan is theoretically present, but is remote indeed. On the other hand, a judge owning a significant amount of stock in a bank which in turn has a large unsecured loan outstanding to Company X, a company in financial difficulties, should disqualify himself in a treble damage action brought by Company X against a thoroughly solvent defendant.

It therefore seems clear that no categorical rule may be laid down in the case of a judge owning stock in a corporation which does business with a party litigant in the judge's court. Not only is disqualification in all such cases not required ethically, but the adoption of such a principle would make it impossible in many cases to even assemble the facts necessary to pass on a question of disqualification. A corporation need not be listed in Poor's in order to have a number of customers buying from it, and a number of sellers selling to it. The great majority of each are likely to be unknown to a stockholder who takes no active part in the conduct of the corporation's business.

Instead of a broad rule of disqualification in such cases, the principle behind the provision for disqualification suggests that the facts of each case must be analyzed in order to see whether the judge can fairly be said to have a "substantial interest" in the litigaton. It is clear from the examples cited that the characterization of a corporation as "doing business" with a party litigant is far too imprecise to enable one to determine whether the corporation has a "substantial interest" in the litigation. The type and amount of business done, and the effect that various alternative outcomes of the litigation would have on the corporation which is "doing" the "business" must all be considered. A corporation, and therefore those owning substantial stock in the corporation, would seem to have a "substantial interest" in the litigation if it would be probably affected in some defineable, material way by one outcome of the litigation as opposed to another.

Applying this test to Judge Haynsworth's position in the *Darlington* case, I am inescapably led to the conclusion that he should not have disqualified himself. Vend-A-Matic was one of many suppliers of food services to the various Deering-Milliken plants, and Deering-Milliken was one of many owners of installations in which Vend-A-Matic food dispensing machines were placed. It is clear from the facts presented that the Deering-Milliken officials who dealt with vending machine suppliers had no idea that Judge Haynsworth had any connection with any of these companies. As a matter of common sense, as well as of law, it is not possible to identify any conceivable effect that a decision one way or another in the *Darlington* case would have had on the fortunes of Vend-A-Matic.

The opinions of the American Bar Association Committee on Professional Ethics and the decisions of state and federal courts confirm our conclusion that Judge Haynsworth acted properly; disqualification has not been regarded as proper in circumstances such as those surrounding the *Darlington* decision.

In attempting to delineate the scope of the "substantial interest" referred to in the statute and the "personal interest" referred to in the Canon, virtually all of the decisions speak in terms of a "direct" or "immediate" interest as opposed to a "remote" or contingent" interest in the outcome of the litigation. A New York appellate court made this statement in connection with the general problem:

"The interest which will disqualify a judge to sit in a cause need not be large, but it must be real. It must be certain, and not merely possible or contingent; it must be one which is visible, demonstrable, and capable of precise proof." *People* v. *Whitridge,* 129 N.Y. Supp. 300, 304 (App. Div. 1911).

Similarly, The American Bar Association Committee on Professional Ethics decided in Formal Opinion 170 (1937) that a judge should disqualify himself from a case if he owned stock in a corporation that was a party to the litigation. In response to a questionnaire, virtually all state and federal appellate judges indicated that their practice was in conformity with the opinion of the ABA. Frank, op. cit.

At the other extreme, judges, recognizing their duty to sit, have properly refused to disqualify themselves when their interest was remote and insubstantial. For example, it has been held that disqualification was not required under the federal statute when the judge's stockholding in one of the litigants was a minuscule fraction of the issued and outstanding stock. *Lampert* v. *Hollis Music, Inc.,* 105 F.Supp. 3(E.D.N.Y. 1952).

Attempts to extend disqualification to cases where a judge holds stock, not in a party litigant, but in a corporation which had some sort of dealings with a party litigant, have been rebuffed by courts except under unusual circumstances where that interest was not remote. Several cases have arisen in which a judge owned stock in a creditor of one of the parties to the litigation before him, and his disqualification was sought, presumably on the theory that the creditor necessarily had a pecuniary interest in seeing its debtor prevail in litigation with a third party. The decided cases have without exception rejected this contention. *Webb* v. *Town of Eutaw,* 63 So. 687 (Ala. 1913); In re *Farber,* 260 Mich. 652, 245 N.W. 793 (1932).

Related efforts to expand disqualification beyond stockholding in an actual party litigant have met with no success. In *Board of Education of City of Detroit* v. *Getz,* 321 Mich. 676, 33 N.W. 2d 113 (1948), the court held that the fact that the judge was a member of the faculty of the institution for which land was being sought by condemnation did not disqualify him. The Supreme Court of Texas held that ownership of stock by a judge's brother-in-law in a corporation which was a party to the litigation was not grounds for disqualification. Texas Farm *Bureau Cotton Ass'n* v. *Williams,* 300 S.W. 44 (Tex. 1927). The fact that a judge is a taxpayer of a municipality does not disqualify him to hear the municipality's claim of ownership to certain lands, *City of Oakland* v. *Oakland Waterfront Co.,* 50 Pac. 268 (Calif. 1897), or an action brought against the city for some other sort of relief, *Prawdzik* v. *City of Grand Rapids,* 313 Mich. 376, 21 N.W. 2d 168 (1946).

The Supreme Court of California rejected an attempted disqualification even though the judge had a definite, if indirect, interest in the pending litigation. The judge there owned stock in a title insurance company which had insured the title of many trust beneficiaries whose interests would fail in the event that the plaintiff in litigation before the judge was successful. *Central Savings Bank of Oakland* v. *Lake,* 257 Pac. 521 (Calif. 1927).

I have found only two cases in which the courts required disqualification even though the judge did not own stock directly in the party litigant. *In re Honolulu Consol. Oil Co.,* 9th Cir., 243 F. 348 (1917), the sitting trial judge had earlier disposed of stock in corporations which had been named defendants in other actions brought by the United States to quiet title to certain oil lands.

The pending action was similar to the other actions, all of them being part of a "unitary plan" on the part of the United States to bring such actions against all California Oil Companies. The issue of damage was identical in all, and the litigation before the judge could have served as a precedent for the remaining ones. Under California law, as it then existed, stockholders remained personally liable for corporate debts even after their stock had been sold. The Court of Appeals held that under these circum-

stances the judge was disqualified. In *City of Vallejo* v. *Superior Court*, 249 Pac. 1084 (1926), it was held that a judge who was a stockholder in a bank which in turn held the mortgage on property that was the subject of a pending condemnation action in his court was disqualified, even though the bank was not technically a party to the action. It is apparent from the facts of these cases that they have no bearing on Judge Haynsworth's situation in the *Darlington* case.

There is no doubt in my mind that these precedents support the conclusion, equally readily reached on common sense ethical considerations, that Judge Haynsworth ought not to have disqualified himself in the *Darlington* case. While the spirit as well as the letter of the statute and canons must be faithfully applied, questions of disqualification are to be decided in exactly the same manner as a judge decides substantive legal questions which regularly come before him. He must exercise a careful and informed judgment leading him to disqualify himself in those cases in which he has a "substantial interest", and to sit in those cases in which he does not. I am satisfied that Judge Haynsworth adhered to this standard.

Yours very truly,

WILLIAM H. REHNQUIST,
Assistant Attorney General, Office of Legal Counsel.

DARLINGTON VERSUS *NLRB*: SEQUENCE OF PROCEEDINGS

The case arose out of the action of Darlington Manufacturing Company in closing and liquidating its only plant following the victory of the Textile Workers Union of America in a representation election at that plant in 1956. The Board found that both Darlington and Deering-Milliken, Inc., which owned some 40 percent of Darlington's stock, were thereby guilty of an unfair labor practice, and directed that Darlington's employees receive back pay or preferential hiring at other Deering-Milliken mills.

The Court of Appeals, in an opinion by Judge Bryan, refused to enforce the order of the Board, holding that Darlington had an unqualified right to shut down its only plant, regardless of its motive in so doing. The Court further held that even if the Darlington plant be treated as a part of the Deering-Milliken operation, the order nonetheless could not be enforced because an employer had a right to shut down a portion of his business for whatever reason he chose. Judges Haynsworth and Boreman concurred in Judge Bryan's opinion. Chief Judge Sobeloff concurred in a dissenting opinion written by Judge Bell.

Both the union and the Board successfully sought certiorari from the Supreme Court of the United States, which vacated the judgment of the Court of Appeals in *Textile Workers* v. *Darlington Co.*, 380 U.S. 263 (1965). The Supreme Court agreed with the position of the majority of the Fourth Circuit that an employer had a right to completely cease business even if motivated by anti-union animus in so doing, but held that an unfair labor practice could be found to exist if Darlington were regarded "as an integral part of the Deering-Milliken enterprise". The Supreme Court went on to hold that the Board's findings were insufficient to support such a conclusion, and sent the matter back to the Board for further findings.

The Board proceeded to find all of the necessary elements to support the sort of unfair labor practice that the Supreme Court had held could be found under the circumstances, and again sought enforcement of its order in the Court of Appeals. The case was again heard *en banc* by the court. This time a majority of the court, in an opinion written by Judge Butzner, directed that the Board's order be enforced. Judges Bryan and Boreman dissented, but Judge Haynsworth concurred specially with the majority.

VIETNAM POLICY: STALLED ON BOTH TRACKS

Mr. JAVITS. Mr. President, the blunt fact facing the President and the Nation is that the administration's "two track" Vietnam policy—negotiations in Paris and political evolution in Saigon—is badly stalled on both tracks; and that renewed progress on both tracks is both necessary and possible. I come away with this view after detailed discussions I had with Ambassador Lodge and his principal assistants in Paris less than 2 weeks ago, detailing the absence of any meaningful progress in the negotiations there. This has convinced me of the urgent need for a rethinking of the U.S. negotiating position in Paris—one of our tracks—and for shedding the optimism which still seems to be entertained in high quarters concerning the progress that could be made in Paris under present policy assumptions and objectives, which are largely inherited from the Johnson administration.

The "two track" policy of the Nixon administration is conceptually creative and I have expressed my support of this approach. But it has always necessarily been based on a policy of phased U.S. troop withdrawal.

It is vital that the President recapture the momentum of his earlier announcements. He can do this by setting a timetable for the withdrawal of 200,000 more U.S. troops by the end of 1970.

The overriding objective of a withdrawal policy should be to place the combat responsibility where it now clearly belongs—with the South Vietnamese. Uncertainty as to whether North Vietnam has reduced its forces in a reciprocal way must not be allowed to obstruct or vitiate the process of phasing U.S. forces out of the main combat role in a reasonable and orderly way.

The President's decision to suspend further troop withdrawals at this time has created a sense of uneasiness in many quarters which could lead to a serious erosion of public confidence in the way the administration is seeking to end the Vietnam war.

The failure of the North Vietnamese and NLF negotiators to respond meaningfully to U.S. offers, which our officials believe to be real overtures toward giving them an opportunity to participate in the Government of South Vietnam, has caused some understandable feelings of frustration and bitterness within the administration. Natural as these emotions may seem under the circumstances, they are no substitute for policy. And, there is renewed danger that U.S. Vietnam policy will again fall captive to the false optimism and lack of realism which continues to pervade the thinking of some top U.S. officials in Vietnam, both civilian and military.

Perhaps drawing sustenance from the perennial overoptimism of U.S. military commanders in Vietnam—for whom "victory" seems always just around the corner—President Thieu has precipitated a political showdown with the Nixon administration on the question of the composition of his government. It is essential that the United States respond. A timetable for the withdrawal of 200,000 troops is a necessary element of the U.S. response, in my judgment.

For many months, the Nixon administration has been urging President Thieu to broaden the base of his government by including civilian leaders who could help it compete politically with the Communists in an open election. President Nixon himself is reported to have raised the matter twice with President Thieu, first at the Midway Conference on June 8 and again in Saigon on July 30.

However, as reported in the New York Times:

> When the long-awaited new Cabinet was finally unveiled last week, even the boundlessly optimistic United States Mission here was hardpressed to conceal its disappointment . . . For, rather than broaden the political base of his Government, President Thieu effectively narrowed it . . . Not a single political leader of any consequence is included in the new group, nor is there any representative of the responsible, non-Communist opposition in the South.

The conclusions drawn by the New York Times report are far from reassuring. The reported stated:

> The effect of this seemingly self-defeating, exercise was to raise serious doubts about President Thieu's motives. . . . he evidently felt free to disregard the American desires for more political participation in the Government, apparently confident that he would incur only mild criticism from the embassy here. As it turned out, he incurred none at all.

The "moment of truth" with the Saigon government cannot be postponed much longer; for, it is clear that President Thieu and his military associates regard as in their highest self-interest a continuation of the status quo in South Vietnam. The stark implications of this status quo are unacceptable, I believe, to the American people. The Thieu government is seemingly committed to the political repression of all possible rival non-Communist political groups; to pressing offensive combat operations against the Communist forces by a large U.S. expeditionary force as well as by the ARVN; and to the maintenance of large ARVN forces equipped and subsidized by the United States—but with a major function to provide political and administrative support for the Saigon government.

Only when it is unmistakably clear to the Saigon government—and to the U.S. officials in Saigon—that the United States will no longer support the status quo, can there be any expectation of the kind of political evolution which may assure the survival of an independent government in South Vietnam. A timetable for the withdrawal of 200,000 U.S. troops could provide the needed catalyst.

The question of the orderly phasing out of major numbers of U.S. troops from combat also poses an important issue for the U.S. military command. In the great U.S. tradition of civilian paramountcy in the control of the Armed Forces, it is now their duty to tell the country how best, most securely and most efficiently to withdraw these forces. And, how best to use the forces which remain, as well as how to phase them out in their turn. Also, how best to aid South Vietnam consistently with these policy decisions on troop withdrawal.

The United States has accomplished its one legitimate mission in Vietnam. It has prevented the military conquest of the South by the armed forces of the North. We have no commitment to "make it good" for the Saigon government in any political settlement or contest which follows the end of the U.S. combat involvement.

Fortuitously, the inescapable "moment of truth" with Saigon has coincided with the death of Ho Chi Minh. Undoubtedly, Ho's death marks the end of an era in Vietnamese affairs. It is an event which makes it particularly timely for the United States to place its relationship with the Saigon government on a new footing and to regain control over our policies and level of involvement.

In my judgment, President Nixon should endeavor to extend the present cease-fire initiated by North Vietnam in connection with Ho Chi Minh's funeral into a permanent, inplace cease-fire.

It is significant that opposition to a cease-fire on our side is centered in the Thieu government and in the U.S. military command in Saigon. Cheered on by the GVN and ARVN commanders, our military commanders—with irrepressible optimism—seem again to have convinced themselves that the Communist forces are about to collapse and that "victory"—once again—is just around the corner. Consequently, they oppose a cease-fire on the grounds that it would concede too much residual political influence and territorial control to Communist forces within alleged cease-fire "sanctuaries." The Saigon government, and our military people, believe that "keeping up the pressure" will reduce and finally eliminate all areas of Communist strength and influence.

It is the same "threshold of victory" which General Westmoreland assured us we had attained just before the Tet offensive in February 1968.

There has been no progress whatsoever at the Paris peace talks, at least since the departure from Paris last July of Le Duc Tho, an important North Vietnamese figure in his own right. In retrospect it now appears to be possible that Duc Tho's return to Hanoi—and the ensuing freeze in the Paris talks—may have been related to the imminent death of Ho Chi Minh. It is plausible, if not probable, that Ho's death was a prolonged deathbed vigil during which no innovations in North Vietnamese policy was possible. If this proves to have been the case, renewed progress may again be possible when the new lines of political authority have been sorted out in Hanoi.

In addition to these moves, the United States should make a major effort to induce Hanoi to take a more humanitarian and forthcoming position with regard to U.S. prisoners of war. This is a task in which our traditional friends in Europe and elsewhere can play an important role. Their support of the United States with respect to the prisoners of war could mark a new rapprochement since the freeze of the Vietnam war beginning in 1965. If Hanoi would provide a list of prisoners it holds, and indicate a program for their release and repatriation, suspicion of Hanoi's motives in this country would be significantly allayed. This would make it easier for President Nixon to provide more flexible and accommodating negotiating instructions to Ambassador Lodge.

The alternatives to further administration efforts to break the stalemate on both tracks of the two-track approach are ominous indeed. In the United States tensions are bound to increase dramatically if antiwar activists again take to the streets and campuses and if public confidence in the capacity of the Nixon administration to carry out its overwhelming electoral mandate of 1968—an end to the Vietnam war—wanes.

For President Thieu and other non-Communists in South Vietnam, the prospects are equally ominous. Continued bickering and jockeying among the disparate non-Communist groups, and continued foot dragging by the Thieu government in the all-important task of seeking to create a broadbased non-Communist coalition, would leave the non-Communist majority of South Vietnam totally unprepared for the day when most U.S. troops have been withdrawn from combat. Only such a coalition could provide a viable political alternative in open competition with the NLF.

Accordingly, the Thieu government especially, but also all the other non-Communists in South Vietnam, should be given unmistakable notice that 200,000 U.S. troops will be withdrawn according to a timetable by the end of 1970. If this does not galvanize the South Vietnamese into political reform and rapprochement, then it will be clear that our policy of seeking a viable non-Communist government in South Vietnam was never based on a sense of realism. Under these circumstances the only course for the United States to follow will be the phasing out of our remaining forces.

However, if—as we all hope—the South Vietnamese can be shaken out of their torpor and inertia to demonstrate a capacity to be master of their own destiny the United States can provide continued support and assistance. But the day is past when the United States can be more concerned—and make more sacrifices in blood and treasure—for the well being and survival of our Vietnamese allies than they are doing for themselves.

DISTRICT PLAN FAVORED FOR ELECTORAL REFORM

Mr. MUNDT. Mr. President, inasmuch as the House of Representatives is about to begin discussion and action on the comprehensive and controversial question of electoral college reform, it seems appropriate to call attention of the Congress and the country to a highly informative article on this subject appearing in last night's Evening Star. I ask therefore, that at the end of these remarks, this article by James J. Kilpatrick be printed in the body of the RECORD.

Mr. President, I think most of us agree that electoral college reform is desirable but I wonder how many Members of Congress have fully considered the far-flung ramifications of the "meat-ax proposal" now before the House whereby through one big, unprecedented legislative action they propose by constitutional amendment to eliminate entirely our traditional electoral college procedures and provide instead the direct vote for President of the United States. Clearly, this is employing a pickax to do the work required by a scalpel. What is today required is a correction of certain demonstrable inequities in our electoral college system rather than a major operation attacking the very foundations of our great American Federal system of Government.

Before Americans commit themselves to undertake such a irrevocable experiment as abolishing our electoral college and thereby drastically destroying for more than half our States their present influence and authority in nominating and electing Presidents of the United States there are many questions citizens should ask and answer for themselves. Among them are the following:

First. Is it desirable to turn over to the Central Government in Washington the full authority to regulate and control the elections in our several States? At present, the States themselves prescribe the age levels for voting, the hours that the polls shall be open, the manner in which absentee votes shall be cast, the residence requirements essential for newcomers in a State to have the right to vote—and all other such considerations. Should the direct, popular vote for President be adopted as a substitute for our present electoral procedures, all of these determinations would immediately and necessarily be transferred to some authority in the Federal Government?

Second. Should sheer weight of population be the only factor to be considered in determining where and how a President is to be selected and elected and who among us is to be realistically eligible to become President of the United States? As of today, small- and medium-sized States command at least some attention since they get the advantage of a great "dividend from federalism" in that each State gets two electoral votes because it is entitled to two Members of the U.S. Senate. To force well over half our States to lose this advantage of federalism; to reduce for them substantially their influence over national policies and the determination of who shall be President would be to surrender to the "sheer weight of population" the most important choice we get to make as free men and women—the election of our President.

Third. The proposal for a direct vote for President as before the House provides a formula for the regular election of "minority Presidents" since it would declare elected any candidate receiving as little as 40 percent of the popular vote. In this connection another very serious, expensive, and disruptive situation is created since the House direct election proposal provides that there should be a national runoff election for President whenever any candidate receives less than 40 percent of the popular vote. Since the direct popular vote process for electing a President is certain to have the effect of stimulating the proliferation of splinter parties of all types in this country because each candidate will

have his votes reported for national publicity on election night, the probability of runoff elections being necessary will grow greater with each presidential election. Consequently, serious-minded Americans should reflect upon the tremendous financial and physical costs of a second presidential election as well as the disruptive and disquieting impact upon our National well-being of a second, heated presidential race so soon following the earlier, indecisive contest.

With elections coming on the first Tuesday following the first Monday in November, each 4 years, serious consideration should also be given to the time element involved as we approach our annual holiday seasons. It is only reasonable to allow 2 or 3 weeks between the presidential election and the probable runoff second election. That would carry us into late November as time must be allowed for weary candidates to get some rest, to arrange for the refinancing of national campaigns, and for the realinement of competing forces once all third party and splinter party candidates are out of the running. At best 3 weeks should be allowed for the runoff presidential election unless it is expected presidential candidates will ignore entirely all of rural America and all our smaller States to concentrate on getting the biggest possible majorities in our vast centers of population. Holding a presidential runoff election during the Christmas holidays or in the later winter months of November and December in many of our Northern States is a near impossibility as it is to hold them during the busy, pre-Christmas days of shopping, family reunions, and general holiday observances.

Mr. President, there are many other serious repercussions flowing from the hastily devised and considered proposal to drop our electoral college system which has served this Federal Republic so long and so well and substituting a direct-vote popular election concept. This Senator and others will discuss them later but in the meantime it is hoped the House of Representatives will go into these matters carefully and either reject the direct-vote experiment entirely or substitute for it the so-called district plan—Senate Joint Resolution 12—which will correct the deficiencies of the present electoral college system without abandoning our whole concept of federalism and altering the historic relationsip which has always existed between our several States and the Central Government.

Mr. President, I now read into the RECORD the article on electoral reform written by James J. Kilpatrick:

[From the Washington Star, Sept. 9, 1969]

DISTRICT PLAN FAVORED FOR ELECTORAL REFORM

(By James J. Kilpatrick)

The House of Representatives this week will debate the most important proposal for constitutional amendment, in terms of the structure of our government, since the Constitution itself was adopted in 1788.

The pending resolution calls for direct popular election of our Presidents. In my own view, the proposal is wrong. It ought to be defeated in favor of a less drastic plan that will accomplish all needed reforms. The better plan is the "district plan."

Under the proposal recommended by a divided Judiciary Committee, the Congress effectively would take over the management of presidential elections. The States could still fix an age limitation for their voters—that is the presumption, anyhow—but all other regulations would be subject to federal law.

The idea is that Congress would provide for the qualification of presidential candidates, for the make-up of ballots, for the holding of a national election, for a run-off if none of the candidates received 40 percent. Congress presumably would provide for vote challenges, recounts, and all other aspects of the elections. Every vestige of the present electoral system would be wiped out.

These are drastic changes. The proposal, if adopted, would tend to convert this Republic from a union of States into a consolidated form of democracy. Overnight, we would abandon our structure of federalism in one of its most important manifestations—the election of a President. It is a fundamental change that the House has before it.

No such upheaval is required. The great George Wallace scare of 1968 arose from the possibility that the Alabaman might prevent either Nixon or Humphrey from obtaining a clear majority of the 538 electoral votes. If this had developed, the election might have gone to the House, or Wallace might have traded off his electors in some fashion, and the country would have faced a constitutional crisis.

None of this happened, of course; no such dreadful prospects have materialized since 1828; but the apprehensions are valid. Besides, there are other things wrong with the present system of independent presidential electors, chosen in each State on a basis of winner-take-all. The system cries out for reform.

But reform is one thing, and fundamental change is quite another. The House ought to ask: Is there a way of achieving the reforms without such radical surgery? The answer is plainly, yes. In the district plan, or in the similar "proportional" plan, every procedural objective sought by critics of the present scheme could be attained. Either of the two plans would (1) abolish independent electors, (2) abolish the last resort of one State, one vote, in the House, and (3) end the evil of winner-take-all.

Under the district plan, a presidential candidate would win one electoral vote for each congressional district he carried, plus two for each State he carried. We can see how the plan would operate by looking back to 1964. Johnson polled 948,000 votes in Florida. He carried the State, and claimed all of its 14 electoral votes. Goldwater got nothing for the 906,000 votes he received, or for the seven congressional districts he carried. Under the district plan, Florida's electoral vote would have been divided 7–7. In the same election, Louisiana's 10 electoral votes went wholly to Goldwater. Under the district plan, Johnson would have won three votes for the districts he carried.

The district plan represents the least change from the federalism that has served us well. It would apply to the presidency the same basic plan used to elect the Congress. It would avoid the philosophical swamps and the cumbersome obstacles of "national democracy." It is fair and workable, and it has this further political advantage: It is far more likely to be ratified by three-fourths of the State legislatures than a radical plan for direct election.

ADDRESS BY LT. GEN. JAMES L. RICHARDSON TO GRADUATING CLASS, CALIFORNIA MILITARY ACADEMY

Mr. MURPHY. Mr. President, Lt. Gen. James L. Richardson, Jr., retired, recently addressed the graduating class of the California Military Academy. During his long and distinguished military career General Richardson ably commanded the Sunburst Division—40th—of the California Army National Guard when that unit was called into service during the Korean conflict. After a series of well-deserved promotions, and new and challenging assignments, General Richardson assumed command of the Sixth U.S. Army, with headquarters at the Presidio of San Francisco. Though now retired from the Army, General Richardson maintains an active interest in military affairs and particularly the California units he commanded with such distinction. His remarks to the graduates of the California Military Academy, are timely and valuable and I ask unanimous consent that they be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF LT. GEN. JAMES L. RICHARDSON, THE CALIFORNIA MILITARY ACADEMY GRADUATING CLASS, SAN LUIS OBISPO, AUGUST 23, 1969

General Ames, Mr. Meese, Col. Nimm, distinguished guests, members of the California Military Academy graduating class, ladies and gentlemen.

This graduation is such an important occasion in the lives of so many, that I feel very privileged and honored to be permitted to share the day with you. Thank you so very much for inviting Mrs. Richardson and me to be with you.

To you members of the graduating class this is an especially important day for you. It is the successful culmination of more than a years hard work. It represents many extra hours of devotion to your duties and your country. While others have been at the beach, or just resting in the back yard, you have been studying, training and improving your capabilities. You are far better men today as the result of this hard work, and I offer my congratulations on your successful completion of this course.

For those of you who are married, I would like to say a word to your wives. You ladies are to be highly congratulated for your strong support and sincere assistance to your husbands. You have been a great help to him. Perhaps he hasn't expressed his appreciation as adequately as he would have liked, or as affectionately as you would have liked. But never forget, he is as proud of you as you are of him. You both deserve a world of credit.

I see many parents in the audience today. It is especially nice that you are able to attend this ceremony. You too deserve a world of credit for your strong support of your son's efforts. After all, if it weren't for you, he wouldn't be here today.

Some of you new 2nd lieutenants will be going to active duty soon. Some will be attending your branch service school, while others will be taking positions of responsibility in Guard units. Whatever your next step may be, you owe a debt of gratitude to your families and friends for their patience, loyalty and assistance.

General Ames was very considerate when he invited me to speak today as he said I could talk on a subject of my own choosing. There is such a wealth of material to talk to you young men on because in being members of the National Guard you belong to a very dynamic and patriotic organization, and the California National Guard is the most dynamic of all. So I could have talked about the many outstanding achievements of the Guard, about your summer camp or about your week-end training sessions or many other subjects. I wanted though to talk for

a few minutes on a subject personal to you and so I have chosen leadership as my subject.

Those of you being commissioned today have heard about leadership since you first enlisted in the Guard. You have studied it, you have read about it and you have seen examples of it. But starting today it has a little different meaning to you. I really cannot tell you anything new about leadership, but perhaps I can tell it in a little different way. Perhaps too your wives and families would be interested in hearing something about it—what it is, what are the characteristics of a leader, how these characteristics will serve you and them.

What is leadership? It can be defined very simply as—the ability to lead men. But then women are leaders too. So, perhaps a better definition is that leadership is the ability to influence, to guide, to show the way, to motivate, to set an example.

What are the characteristics of leadership? They are many, and I will not attempt to put them in any order of priority—because, as the old cliché from the Command and General Staff College at Fort Leavenworth goes—"it depends on the situation".

In talking about the characteristics of leadership, now that you will be commissioned officers from today on, perhaps it would be best to look at them from the angle of your men—the ones you will be responsible for. What do they expect of you? What leadership traits are indispensable to success as a small unit leader?

Surely one is "professional competence". Another way to describe it, and perhaps a little more civilianized way is, "job qualification". It is part of what you have been working for by your attendance at the officer candidate school. "Know your job—and demonstrate it to the satisfaction of everyone". This is the trait that is the foundation of self-confidence and the one which will do most to gain the confidence of your men.

Another trait is integrity. Accept the responsibility for what your unit does or does not do; do not blame subordinates for mistakes and failures; be honest and fair in bestowing credit on your men when credit is due.

I mentioned the phrase, "what your unit does or does not do". That should be a familiar phrase to you because it is in so many of your field manuals. The entire statement is, "the commander is responsible for all that his unit does or fails to do". I always felt that this was so important that in our final training phase in Japan before going in to combat in Korea, I had a large sign painted with this statement on it and had it put up in front of the regimental C.P. I wanted all of those who visited the C.P., to see it, read it and think about it. Incidentally, that was when I had the privilege of commanding a regiment in the 40th Infantry Division, California National Guard. I was permitted to serve two years with the division and it was one of our finest tours of duty.

Another important trait or characteristic is "concern for your men". When I first came into the service, back in the early thirties, the old "field service regulations" repeatedly stated that the young platoon leader must look after the needs of his men before he considered his own needs. This was stressed in every officers school. Another term for this might be "compassion" or "loyalty". The latter, loyalty, is a two way street. If you look after your men, they will look after you.

Moral courage is another trait. The ability to adhere to tough and unpopular decisions. Be strict, but be fair. As a platoon leader, or in fact as any commander or officer, you are not in a popularity contest. Your men will respect you if you demonstrate moral courage.

Other traits are initiative, aggressiveness, sound judgment, common sense, resourcefulness, physical courage, devotion to duty, personal dignity, and willingness to accept responsibility.

You often hear the term "he is a natural born leader." This means, I believe, that the individual referred to has demonstrated certain of the qualities I have just mentioned. He inherently does certain things, his ability to lead is very pronounced. All of us have known individuals who were great combat leaders. Their physical courage was their greatest asset. This, I think, is an inherent quality, where as professional competence is something that must be developed.

"Effective leadership is the key to success in any endeavor, and development of this leadership should start at the lowest level." I do not know who originally made that statement, but it is a very true and a very profound statement, I think you will all agree. Leadership is important in all walks of life. In the military, in business, and in politics. Probably more so in the military than anywhere else. Perhaps I am prejudiced. But in what other profession is one man, such as a platoon leader, responsible for every act, thought, deed and the lives of forty men—responsible for training them, clothing them, feeding them, paying them, housing them, responsible for their medical care, their appearance, their actions both on and off duty, and the actions and living conditions of their families. It is a great responsibility and it demands leadership ability.

We hear a great deal today about a generation gap. Especially if you are over thirty. Certainly I qualify. But I do not know what this generation gap is. I don't think there is one in the military. I really don't think there is one anyplace. Perhaps it is because I do not know what is meant by the term. I do wonder, though, how these 18—19—or 20 year old hippies, yippies, or whatever they are called, became so smart all of a sudden. Where have they acquired the knowledge and the know-how, to say what courses should be given in our colleges and universities, how our country should be run, what we should do in Vietnam, and how society should behave? Most of them, as you see them roaming the streets and the highways, are perfect examples of failure to appreciate the things they have, and they show an utter lack of respect for authority. They do not want to accept any responsibility. They are not the future leaders of our country. Personally, I am a great believer that experience is a wonderful teacher. An 18—19—or 20 year old has had limited experience, at best. I will agree, however, that our younger generation today has had far more opportunities for rapid advancement, they are better educated and more knowledgeable than was my generation at their age. But who made all of this possible? Not today's younger generation. If they are smart they will take advantage of the marvelous opportunities created for them. The things that the MacArthurs, the Eisenhowers, the Dr. Sterlings, the Dr. Salks, the Von Brauns, to name only a few, have worked so hard to create so we could have a better world in which to live.

Speaking of those who have worked so hard to create a better world, I should mention Neil Armstrong, Buzz Aldrin and Mike Collins. The Apollo 11 shot to the moon was one of the greatest achievements of our time. As those of you who had an opportunity to see the President's State dinner in Los Angeles on television the other evening, you heard them mention many times the 400,000 who worked to make this shot a success. All of those 400,000 accepted the responsibility of their part in this great endeavor. The accuracy of this shot and the reliability of all elements make this such a huge and successful feat as to be almost beyond comprehension. This undertaking will certainly do a great deal to create a better world for all of us.

You men graduating today are young, you are smart, you are well educated and well trained. You *are* taking advantage of the advanced technology in our world today. You, and the others like you who have worked so hard to get ahead—You are the future leaders of our country. You have a perfect opportunity to demonstrate your leadership abilities. In both the guard and in your business, you have the opportunity to direct into the proper channels the energies and aspirations of the young men under you. Especially is this true in the guard. These young soldiers are willing to learn, they are eager to improve their capabilities. Whether they remain in the guard or not, they will be better citizens because you have been willing to accept responsibility.

In conclusion, those of you graduating today have a great future ahead of you. You have already set a fine example for those following you. My heartiest congratulations to you and very best wishes to your wives, families and friends. Thank you.

AIR POLLUTION

Mr. NELSON. Mr. President, I ask unanimous consent that an editorial published today in the New York Times regarding the urgent need for high priority attention to the mounting problem of air pollution from the automobile be printed in the RECORD at the end of my statement.

Clearly, if we are to properly confront this grave problem, every alternative must be considered in expeditious fashion. There are strong indications that the answer will have to be finding a substitute for the gasoline engine. If this is the case, we cannot afford any delay in initiating high priority efforts to find the most effective means of achieving this.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SLOW CLEANING

President Nixon's Environmental Quality Council has come up with all the right worries about the impurity of urban air, but the country may choke to death before anything comes of its relief program. After three hours of discussion about the problem of automobile-produced air pollution, the Council decided that what was needed is a low-pollution vehicle for the 1990's. By way of start, the Department of Transportation will spend this year a modest $2.2 million to stimulate research on substitutes for the present high-pollution gasoline engines.

One need not be a member of the "now generation" to question the adequacy of this approach, so typical of the generally lethargic Federal attitude toward ecological problems. Ironically, the President's council adopted this feeble program on auto pollution at a meeting which had before it a report criticizing such lethargy—one prepared by the Citizens Advisory Committee on Environmental Quality headed by Laurance S. Rockefeller.

A few years ago Los Angeles was almost alone among American cities in being plagued by automobile-induced smog, but that source of discomfort and ill health is now very much a national problem. The growing alarm in this city, for example, was vividly expressed recently by Mayor Lindsay when he asked, "Can we continue to permit millions of automobiles, powered by internal combustion engines to swarm through city streets . . . spewing more and more deadly chemicals in our air?" And almost a year ago, the Commissioner of the National Air Pollution Control Administration, John T. Middleton,

warned the petroleum industry that the gains made in reducing automobile pollution threatened to be wiped out by the increasing number of vehicles.

The basic facts are that automobiles now account for over 60 per cent of all air pollution in this country, while in urban areas that figure goes up to 85 per cent. A recent Senate Commerce Committee report estimated that cars annually dump over 90 million tons of pollutants into the air Americans breathe; it noted that present approaches—which focus on limiting certain types of exhaust emission—may permit a doubling of pollution levels within thirty years as the number of cars increases.

That background makes it difficult to understand the leisurely schedule suggested in sunny, smog-free San Clemente, Calif., for development of a low-pollution vehicle. In the great cities of this country, such a vehicle is needed now.

If there were a rational allocation of this nation's priorities, an intensive program for developing needed alternative engines would long since have been under way with financing far more generous than anything the Government and private industry are now spending.

MEMORIAL ADDRESS FOR THE HONORABLE CHARLES EDISON

Mr. MUNDT. Mr. President, I ask unanimous consent to have printed in the body of the RECORD the very eloquent and highly appropriate funeral address delivered by Adm. Ben Moreell on August 4, 1969, at Madison Avenue Presbyterian Church of New York City in tribute to America's great and good Charles Edison.

Mr. Edison served America well in a great many capacities, and Ben Moreell's address highlights some of his great services to this Republic. Charles Edison and Ben Moreell were steadfast friends who worked shoulder to shoulder for many years as fellow officers of Americans for Constitutional Action—ACA—and in other capacities. Both in ACA and in their respective contributions to our great American way of life in other areas of activity, Mr. Edison and Mr. Moreell have done much to fortify our American freedoms and to protect our cherished institutions.

Mr. President, I hope and believe the tribute paid to Charles Edison by Ben Moreell will do much to inspire other Americans to follow in their footsteps.

There being no objection, the memorial address was ordered to be printed in the RECORD, as follows:

MEMORIAL ADDRESS FOR THE HONORABLE CHARLES EDISON, BY ADM. BEN MOREELL, CEC, U.S. NAVY, RETIRED

I am profoundly grateful for the honor of delivering the Memorial Address for Charles Edison.

It was my good fortune to be closely associated with him in the Navy, in private industry, in public affairs and in support of patriotic undertakings over a period of thirty-two years.

Our paths first crossed in January 1937, when he took the oath of office as Assistant Secretary of the Navy. Prior to that, he had been for ten years President of Thomas A. Edison, Incorporated, having previously served the same company in other capacities for thirteen years. He received his engineering education at the Massachusetts Institute of Technology.

With the advent of the Roosevelt Administration in 1933, Mr. Edison began his service with various government emergency operations whose purpose was to relieve human distress stemming from the great depression. The record of his numerous assignments is that of a "trouble shooter," who moved from one important post to another as critical needs arose.

His effective performance of those tasks resulted in his appointment to the office of Assistant Secretary of the Navy by President Roosevelt in November, 1936. He served as Assistant Secretary until December, 1939, when he was named Secretary of the Navy, an office which he occupied until he began his campaign to be elected Governor of New Jersey in 1940.

His service as Assistant Secretary and Secretary of the Navy came during a troubled period when it appeared that war would break out in Europe at any moment and that the United States could not avoid becoming involved. Even after the war began in September, 1939, there were some amongst us who opposed any measures of military preparedness. They had prestige and power sufficient to persuade a large segment of American public opinion that any preparation to defend our Nation against foreign aggression would induce our entry into the war.

In the face of this strong opposition, Mr. Edison was able to achieve some notable advances for the Navy. I will mention only a few.

Against strong resistance within and without the Service, he succeeded in having the Navy adopt the use of high pressure steam on combatant vessels, an innovation which resulted in greatly increased battle efficiency and, as it turned out later, without increased hazards.

Early in 1940, when it became clear that we would eventually enter the war, Mr. Edison strongly advocated that the Army and the Navy, with their respective air forces, be provided at the earliest practicable date with the basic facilities which could be used for future expansions to conduct a major war. The total cost was estimated at $10 billions. Secretary Edison transmitted the program to the President with his strong recommendation for immediate action. But the President was not prepared to take such a bold step. Instead he sent to Congress a drastically curtailed program to cost $1½ billions. Congress authorized the project and appropriated the funds; and the work began promptly.

In light of subsequent events it seems clear that if the $10 billion program had been undertaken in early 1940, many lives, limbs and huge amounts of treasure would have been saved later in the war years. It is probable that the sneak attack on Pearl Harbor, as well as the loss of Wake Island, Guam and possibly the Philippines would have been averted. As it was, the provision of the relatively modest sum of $1½ billions had a notably favorable effect on the later conduct of the war.

While appreciating the value of his many tangible achievements, I believe Secretary Edison's greatest contribution to the Navy was the morale-building effect of his unfailing encouragement and sympathetic understanding of our many problems in those trying prewar days when our preparations for defense of the Nation were frequently denounced as war-mongering. On many occasions he protected his subordinates from the sharp blows of critics by willingly accepting them for himself.

Charles Edison served as Democratic Governor of New Jersey from January 1941 to January 1944. His term of office was notable for his uncompromising battles with Mayor Hague, who controlled the New Jersey Democratic machine. The Governor's efforts resulted in the elimination of much of the corruption in State and local governments and the eventual elimination of Mr. Hague as a power in New Jersey politics. He initiated a movement which led to the adoption of a new State Constitution; he introduced reforms in the State Judiciary; and he succeeded in modernizing the State's tax laws.

At the conclusion of his term in 1944, he returned to business as President of Edison Industries. In 1950 he was elected Chairman of the Board of that company and in 1957 he became Chairman of the Board of the newly formed McGraw-Edison Company.

During this period he served, also, as a Director of the Jones & Laughlin Steel Corporation, the International Telegraph and Telephone Corporation and the United States Life Insurance Company.

He retired from McGraw-Edison on January 1, 1961.

While Secretary of the Navy and, later, as Governor of New Jersey, Mr. Edison had maintained his keen interest in civic affairs. When he returned to the business world, he resumed his active role in such matters.

He served as President of the National Municipal League; as a member of two of the Task Forces of the Second Hoover Commission; and on the Citizens' Committee for the Hoover Reports.

He was one of the founders and an active participant in the work of the Committee of One Million (Against the Admission of Red China to the United Nations). He was Vice Chairman of the American Afro-Asian Educational Exchange; Co-Chairman of the Committee for Monroe Doctrine; Honorary President and Trustee of the Thomas Alva Edison Foundation; Vice President and Trustee of the China Institute of America; Trustee of the Stevens Institute of Technology, the Edison Birthplace Association, the Newark Museum and the North American Wildlife Association and he took part in many other important civic activities.

Although reared in a Republican household, Mr. Edison was active in Democratic politics in New Jersey from the early thirties through his term as Governor. Subsequently, as an outgrowth of his dedication to conservative principles, he aligned himself with conservative causes, groups and candidates, irrespective of Party labels.

He was one of three founders of Americans For Constitutional Action, a conservative, non-partisan, political action organization which he served as Trustee and Treasurer until his death.

He was a member of the State Committee of the New York Conservative Party.

I have given here a skeletonized account of the career of a great American, illustrious son of an illustrious father. It falls far short of defining the true measure of the man. From my close association with him over many years, I offer these thoughts:

Based on the time-honored premise that what we *do* is far more important than what we *say* and what we *are* is most important of all, Charles Edison easily passes all of the requirements for immortality as a great American patriot.

Foremost amongst his many admirable traits were his profound reverence for his father, the greatest benefactor of humanity in the history of our Country; and his devotion to his charming wife, Carolyn, his working partner for forty-six active years.

Charles Edison was a man of principle. He knew what he believed in and he had the courage to stand up and be counted when the chips were down and the weather was rough. He never sacrificed principle on the altar of expediency. He adhered steadfastly to his own high standards of personal honor and official conduct.

He was a friendly man who inspired friendship in others.

He was an understanding man. Being fully aware of the frailties of human nature, he did not expect perfection in others just as he renounced any claims to perfection in himself. Thus, he was overly generous in his appraisals of his fellow man.

He was a humble man, who knew that without humility one cannot have an open mind which is receptive to the truth.

He was a generous man, who believed in and practiced the biblical admonition: "Give, and it shall be given unto you; good measure, pressed down, shaken together, and running over. . ." Thus, he gave freely of his time, his energies and his material means to countless patriotic, charitable and civic causes and to many worthy individuals who needed a helping hand over the rough spots of life's journey.

He was without the slightest taint of bigotry, intolerance or prejudice, appraising every man on his own merits, respecting his personal dignity and his individual rights as a child of God.

He was a self-disciplined man. He knew that the optimum in personal conduct flows from voluntary obedience to the laws which govern a good life, which are enforceable only by the power of one's own conscience.

And, finally, he was a dedicated American patriot who loved his Country, its ideals, its traditions, and its fundamental principles which, together, have enabled ours to become the greatest Nation in recorded history, in terms of human dignity, spiritual strength and material prosperity.

Charles Edison was a leader of men who, by the power of his personal example, inspired countless others to emulate his devotion to righteous causes, even those causes whose futures looked very bleak. He was always ready to fight for what was right and what was good, even when the fight appeared to be for a lost cause. For he knew that fighting for a lost cause can give meaning and savor to life; that men are tempered in the fires of adversity; and that rough seas make good sailors!

There could be no more fitting ending to this tribute than to quote the closing words of Charles Edison's address at the testimonial dinner given in his honor on May 2d, 1963. After recounting the awful perils now confronting our beloved Country, Mr. Edison said:

"The world has seen many dark times. One period of history was even called the Dark Ages. But even in those times, men carried on. In those years, there were monks who went from town to town—from country to country. Under their robes they carried with them the manuscripts, the learning of the centuries gone before. They were hunted from place to place, and yet they carried with them the light of knowledge and the light of truth. Without them, all would have been lost.

"Perhaps that is the function of Americans today—to keep on fighting and to carry with them the eternal truths laid down by our Founding Fathers.

"I have lived a good many years. No one knows all the answers, but I do know this: in the time that is left me, I will continue fighting for America—for what it really is and what it really means. And so must we all—no matter what the obstacles and no matter how discouraged we may become. To give up would, indeed, be a sin against the memory of all those heroes of the past who have given us a nation."

Charles Edison could have left us no more precious legacy than that. It is a legacy of inspiration for millions of Americans who are here now and many more who will come after us, to keep fighting for America—"for what it really is and what it really means!"

We have lost a great leader, a great fighter, and a beloved friend.

Our Nation is much the poorer for that loss. May we be comforted by the knowledge that his indomitable spirit lives on to inspire us!

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The BILL CLERK. A bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Minnesota (Mr. MONDALE).

Mr. STENNIS. Mr. President, the Senator from Minnesota (Mr. MONDALE) is temporarily detained. He is expected on the floor in just a few minutes. He will make the opening argument for the amendment.

Mr. President, I do not want the floor until after the Senator from Minnesota has spoken. I shall be here and hope to get the floor after the Senator from Minnesota.

I have also asked the Senator from Virginia if he could present his views. There is no time limitation, as the Senate knows. Perhaps it is possible or probable that we could get an agreement to vote on the amendment sometime late on Friday next, the Senate not being in session tomorrow. That will depend, of course, upon the prospects for attendance because we should have fairly full attendance before the amendment is voted on.

I have nothing further to announce at this time, Mr. President.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANNOUNCEMENT OF RECESS TODAY TO ENABLE SENATORS TO ATTEND FUNERAL SERVICES FOR THE LATE SENATOR EVERETT McKINLEY DIRKSEN

Mr. BYRD of West Virginia. Mr. President, at the request of the distinguished majority leader, I make the following announcement: It is suggested that the Senate will recess at 11:45, subject to the call of the Chair. The Senate will then proceed in a body to the rotunda to pay its respects to the late minority leader, Everett McKinley Dirksen, as his body is removed from the Capitol.

Transportation will be available to the 1 p.m. services to be held at the National Presbyterian Church, 4123 Nebraska Avenue NW.

Senators attending the church services should assemble on the Senate stairs of the Capitol at 12:15 p.m.

It is likely that the Senate will reconvene by 3 p.m.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from Utah (Mr. Moss) may proceed for not to exceed 15 minutes on a speech he wishes to make, and that the rule of germaneness be waived.

Mr. STENNIS. Mr. President, reserving the right to object—and I shall not object—the understanding was that the Senator from Minnesota would have the floor this morning. He is on his way here now, I should like to inquire if this is agreeable to the Senator.

Mr. MOSS. My remarks will be quite brief. I understand that the Senator from Minnesota is coming over to the Chamber now.

Mr. STENNIS. I have no objection.

The PRESIDING OFFICER. Without objection the Senator from Utah (Mr. Moss) my proceed for not to exceed 15 minutes, and the rule of germaneness is waived.

Mr. BYRD of West Virginia. Mr. President, I am clearly aware of the understanding with respect to the Senator from Minnesota. I inquired of his office as to whether he was on his way over here and it was my understanding that he was. I therefore thought we might as well fill the hiatus while he was getting here and let the Senator from Utah (Mr. Moss) make his remarks.

Mr. MOSS. I appreciate that very much. I shall not be very long.

SUGGESTION THAT GENERAL HERSHEY RETIRE ON FRIDAY, HIS 76TH BIRTHDAY ANNIVERSARY

Mr. MOSS. Mr. President, I rise today for an unpleasant but necessary purpose. This Friday, Lt. Gen. Lewis B. Hershey will be 76 years old. I think that would be an appropriate occasion for the general to announce his retirement as Director of the Selective Service System.

This is an unpleasant request because General Hershey has served his country long—for 28 years—as Director of the Selective Service. And it is unpleasant because it is somewhat unfair to blame a single man for the faults and failings of an entire system.

Nevertheless, it is time for General Hershey to retire. In his age, in his manner, and in some of his deeds, General Hershey symbolizes the outmoded and arbitrary nature of the Selective Service System. His determined attempts, despite the objections of the Attorney General, to use the draft to punish dissent and his recent paralyzation of the presidential appeal board amply demonstrate his autocratic disregard for the constitutional rights of those who disagree with him.

Of course, it cannot be denied that more than a new director is needed to reform the draft. The cruel inequities and uncertainties of the present system should have been corrected long ago; yet in neither House of the Congress have hearings been held. Congress has been terribly insensitive to these legitimate criticisms by young men facing the draft. School is now resuming and nothing has been done. Such neglect is a disgrace to the democratic process, which, as we are always telling the young, is supposed to respond to the will of the people.

If press reports are accurate, President Nixon is about to issue an Executive order which would draft the youngest first. I commend this action because it will help remove some of the uncertainties which now haunt many young men over a span of 5 or 6 years.

But Mr. Nixon can go still further without legislative action by finding a new Director of the Selective Service System who understands the feelings of young people and who will at least administer the laws with an even hand. The retirement, or if it comes to that, the removal, of General Hershey could be a meaningful first gesture to the Nation's young that their Government is beginning to respond. We cannot allow any longer our young to watch with hopelessness this futility in Washington.

CONSUMER SEMINARS HELD BY SENATOR MOSS IN UTAH DURING RECESS.

Mr. MOSS. Mr. President, I would like to report to the Senate on the very useful and informative consumer seminars which I held in my home State during the recess.

In one sense, these six seminars served as a traveling complaint bureau where consumers could get a hearing for their grievances. But I believe consumers have more than a right to complain; they also have a right to participate in the making of consumer protection laws. I told those who attended—and I am even more convinced after this experience—that we Senators can sit back in Washington and pass all the laws we want. But they will do the consumer little good unless these laws are fair, unless they are reasonable, and unless they are workable. On the practical level, a law handed down from Washington is unlikely to be able to cope with the realities of the marketplace.

I made a point of trying to find out if the recently enacted consumer legislation was working as we intended. The answer to my question may be that it is too early to tell. Truth in lending just came into effect on July 1, and the impact of the Fair Packaging and Labeling Act—FPLA—is just beginning to be felt. The disclosure provisions of the Truth-in-Lending Act has, however, made many of our citizens aware for the first time just how much interest they were paying. Whether the act has affected consumer purchasing decisions is impossible to determine. Ideally, the disclosure of actual interest rates should cause credit retailers to compete by lower rates.

It is already clear, however, that consumers are not satisfied with the effects of FPLA. I heard many complaints about the difficulty of comparative shopping. Because many items are packaged in fractional sizes, one woman said she needed a "computer in her purse" in order to determine which brand was the least expensive. Even within the same brand this difficulty existed. When I held up three tubes of the same brand of toothpaste in sizes of 8.75 ounces, 6.75 ounces, and 3.25 ounces, no one could tell me which was the best buy without going through a complicated arithmetic procedure. As one woman in Brigham City said to me:

> Why do they put things in such sizes except to deceive us. Why can't we have things in good old American sizes?

I had to tell her that FPLA provided only for voluntary compliance by industry in the size of packages. She was not pleased.

Not only were the fractional sizes severely criticized, but the identity and percentage of the contents were often difficult, if not impossible, to determine. To demonstrate this problem, I would first read the contents of a can of deviled ham which listed the ingredients of ham and ham fat. Then I would read the label on a can of dog food. The label lists not only the identity of the contents, but also the percentage of each. The least we can expect, it seems to me, is that human food should be labeled as well as dog food.

Many women also despaired at finding boxes and packages not completely full. Said a woman in Ogden:

> Twelve ounces of cookies doesn't mean much to me, but the size of the box does. Boy, was I fooled.

Art Buchwald satirized the slack-fill phenomenon in a typically delightful column. I ask unanimous consent that it be printed in the RECORD at the close of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MOSS. Mr. President, a constant subject in our seminars was the bad experiences that many have had with door-to-door sales. There are many glib, fast-talking salesmen who employ such schemes as bait advertising, fictitious pricing, chain referral selling, deceptive giveaways, and simple scare and high-pressure tactics. A man in Ogden said he was made to feel like a heel because he would not purchase a $300 fire alarm system. The Ogden man said the salesman had him "hypnotized" into believing that his children were going to burn to death that very night.

A favorite trick is to tell the unsuspecting buyer that the company wants to use the house as a before-and-after advertisement and will, therefore, sell the carpeting or the aluminum siding "for practically nothing." "Practically nothing" usually turns out to be much higher than the market price.

No law, of course, can outlaw persuasive salesmen nor can it bar all door-to-door sales. But legislation that would provide a 48-hour cooling off period during which the buyer could rescind any unsolicited sale made in the home would meet with much favor.

I heard numerous tales of woe about warranties and guarantees. A woman from Vernal noted that requiring the buyer to ship the merchandise back to the factory effectively negated the value of the warranty. Most people cannot afford to be without an essential appliance for the many weeks and months that returning it to the factory consumes.

A Price woman asked:

> What is a lifetime guarantee? Whose lifetime, mine or the chair I bought?

But the major complaint about warranties was the incomprehensible language used in the warranty. Oftentimes consumers found that significant parts of a product's mechanism were not covered, but this had not been made clear at the time of sale. As a man in Tooele put it:

> The fine print takes away what you thought the bold print had given you.

A woman from Price complained that she needed a lawyer to understand the warranty. I replied that sometimes even attorneys had difficulty.

We also discussed proposed legislation dealing with the packaging of poisonous items, toy safety, home improvement frauds, tire defects, and consumer councils. Helpful suggestions were made on all these subjects.

The purpose of the legislation we discussed was not just to protect the consumer but to make free enterprise work. Free enterprise is based on the theory that competition will create the lowest prices and the best goods, but that theory depends upon having an informed consumer who is free to choose. We cannot allow the substitution of cajoling for quality; of hidden persuasion for price. A strongly competitive market based on quality and quantity is to the best interest of all—the producer as well as the consumer.

EXHIBIT 1

[From the Washington Post, Aug. 31, 1969]

PACKAGED INFLATION—LESS AND LESS GOES INTO EVER BIGGER CARTONS

(By Art Buchwald)

The wonderful thing about American industry is that it rises to every challenge. Even something as distasteful as inflation has not discouraged most manufacturers. Their solution to the problem is not in the product but in the package.

Rather than raise the prices on many goods, American industry is devising new methods to make the product smaller while making the package larger. In this way, the

customer feels assured that nothing has changed.

I visited one of the largest packaging companies in the country the other day to see how they were doing it. The vice president in charge of inflationary design took me around the plant.

"We're going 24 hours a day," he said proudly. "Everyone is asking us for new designs to help them get through this rough period."

I noticed women in white smocks working with tweezers under microscopes. "What are those women doing?" I asked.

"Those are 5-cent chocolate bars on their tweezers. They put each one in that large aluminum foil and then they wrap wax paper around it. Over the wax paper they put the name of the chocolate bar in large letters. Here's one that's finished."

"Why, from the outside it looks like an old-fashioned chocolate bar!"

"No one can tell the difference until they open the package," he said proudly.

We went into another part of the building. There were air hoses hanging all over the ceiling and boxes were rolling along a conveyor belt.

I looked perplexed.

"We're packaging soap flakes in here," he shouted above the din. "The lady down at the beginning of the line puts one teaspoon of soap flakes into those giant-sized boxes; then those men over there with the hoses pump air into the rest of the box."

"How ingenious!" I shouted back.

"The bottom of the box is weighted with very heavy cardboard so no one will know, when picking up the box, how many soap flakes there are in it."

"That's a lot of air to put in a box."

"We don't only use the air for soap flakes. We also use it for cereals, baking products and anything that comes in a box.

"Let me show you this invention which we have a patent on. This is a see through wax paper window for noodles. Well, when you look at it, you think you're getting a full box of noodles. Right?"

"Of course."

"Now look at the inside of the box."

"Why, the only noodles in it are stuck to the window," I said in amazement.

"Yup. The windows and the noodles are magnetized. When the window fills up with noodles, the box moves on."

"Are those frozen TV dinners over there?"

"They certainly are. They look like a complete dinner, don't they?"

"You bet."

"Now look under the tray. You see how it's indented. There's nothing in the tray but what you see on the top."

"Fantastic," I said.

He took me into another building which had a large sign, "Pharmaceuticals," on the outside. "This is where we work on new packaging for medicines." He opened a door and everywhere I looked were large mounds of white cotton.

"What do you do with that stuff?" I asked.

"We put two pills in each bottle of medicine and stuff the rest of it with white cotton. If it weren't for cotton, I don't think the drug industry could survive."

"You people think of everything."

"Not everything. Our dream is to devise a package filled with nothing but air, cotton and aluminum foil. If you bought one, you'd get a second package free."

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

AMENDMENT NO. 146

Mr. MONDALE. Mr. President, at the end of yesterday's session, I called up the amendment offered by the distinguished Senator from New Jersey (Mr. CASE) and myself dealing with the pending authorization for a nuclear aircraft carrier. I refer to amendment No. 146, which I ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the amendment (No. 146) was ordered to be printed in the RECORD, as follows:

On page 2, line 16, strike out "2,568,200,000;" and insert in lieu thereof "2,191,100,000;"

At the end of the bill add a new section as follows:

"SEC. 402. (a) None of the funds authorized to be appropriated by this Act may be expended in connection with the production or procurement of the nuclear aircraft carrier designated as CVAN-69; and no funds may be appropriated for any such purpose until after the Congress has completed a comprehensive study and investigation of the past and projected costs and effectiveness of attack aircraft carriers and their task forces and a thorough review of the considerations which went into the decision to maintain the present number of attack carriers. Such study and investigation shall, among other things, consider—

"(1) what are the primary limited war missions of the attack carrier; what role, if any, does it have in strategic nuclear planning;

"(2) to what extent and in what way is the force level of on-station and backup carriers related to potential targets and the number of sorties needed to destroy these targets;

"(3) what is the justification for maintaining on continual deployment two carriers in the Mediterranean and from three to five in the Western Pacific;

"(4) what is the overall attack carrier force level needed to carry out these primary missions;

"(5) does the present 'one for one' replacement policy for these carriers have the effect of maintaining or increasing this force level, in light of the fact that the newer carriers and their aircraft are more expensive and have far more capability than the older carriers which they are now replacing;

"(6) would a policy of replacing two of the oldest carriers with one modern carrier maintain a constant force level;

"(7) how many, if any, attack carriers and carrier task forces are needed to back up a carrier task force 'on the line';

"(8) what efficiencies, such as the Polaris 'blue and gold' crew concept, can be utilized to increase the time in which a carrier can stay 'on' the line';

"(9) what type of military threats are faced by the attack carrier; what proportion of the costs of a carrier task force are allocated to carrier defense; what is the estimated effectiveness of carrier defense against various types and levels of threats;

"(10) to what extent does the carrier's vulnerability affect its capacity to carry out its missions; what are the plausible contingencies in which carriers may be committed;

"(11) what type of resources should be devoted to carrier defense, considering the range of threats, the costs and effectiveness of the defense, and the plausible contingencies in which a carrier can be effectively used;

"(12) to what extent can land-based tactical air power substitute for attack carriers; to what extent should the role of the attack carrier be restricted to the initial stages of a conflict;

"(13) what are the comparative systems costs for land-based and sea-based tactical air power;

"(14) what is the comparative cost effectiveness of land-based and sea-based tactical air power; and

"(15) how is the attack carrier being used in support of American foreign policy; if there is a need for a 'show of force' in support of foreign policy commitments, can this need be met by smaller carriers or other types of ships.

"(b) In order to assist the Congress in carrying out such study and investigation, the Comptroller General of the United States shall review and make a report to the Congress on items number '(8)' and '(13)' in subsection 'a', above. He shall also review any studies which have been made, or may be made, by the executive branch which relate to the other items listed in subsection 'a', above. He shall provide summaries of such studies, together with any appropriate comments or quesitons, to the Congress. The report and summaries provided for by this subsection shall be furnished to the Congress not later than April 30, 1970."

Mr. MONDALE. Mr. President, this amendment is a modification of our original amendment, and is the one which Senator CASE and I propose be adopted.

In the first quarter of this century, a great debate arose in military circles over the question of whether automatic fire and mechanization made the horse cavalry obsolete. Even though it was obvious to everyone but cavalry men that this institution had outlived its usefulness before World War I, it took another 30 years before the advocates of modern technology were able to put the cavalry to rest once and for all.

It may seem strange to us today that the horse cavalry was able to survive for so long in defiance of technology and the 20th century. But military history, as one commentator noted, "is studded with institutions which have managed to dodge the challenge of the obvious."

A clear example of this phenomenon from naval history is the battleship's durability in remaining at the center of naval planning. It was not until World War II that naval strategists recognized what had long been obvious to most military observers: that modern airpower had ended the battleship's role as the keystone of the fleet.

The most recent example of the tenacity of military institutions can be found in the military authorization bill now be-

fore the Senate. That bill contains the Navy's requested authorization for a new nuclear attack carrier, a request based upon an assumption which has gone unchallenged and generally unexamined since the end of World War II: that the U.S. Navy must maintain at least 15 attack carriers in its fleet.

Like its forerunner, the battleship, the attack carrier is now the heart of our fleet. Questions about its role and proper force level are often viewed as a challenge to the Navy's existence.

Nevertheless, I do have some serious doubts about continuing to authorize additional attack carriers without first obtaining adequate justification for a fleet of this size.

In expressing doubts about our present carrier policy, I am not alone. Within the confines of the Pentagon there has been ever increasing doubt about the attack carrier force level. Much of this debate has been kept from public view. For example, the Defense Department's Office of Systems Analysis has often recommended cuts in the attack carrier fleet, but the studies underlying these recommendations have not been made public, and many have been referred to me upon my request.

However, these recommendations did come to light in the Defense Department's posture statement for fiscal 1965—presented by Secretary McNamara on February 4, 1964—which called for "some reduction in the number of attack carriers by the early 1970's." The factors underlying this decision were the increased tactical air capability of modern carriers and modern carrier-based aircraft, the end of the carrier's role as part of our strategic nuclear forces, and the reduced need for forward based airpower due to the increased range of land-based tactical aircraft.

Criticism of the carrier force level from within the Defense Department has persisted. Dr. Arthur Herrington, a Department official, questioned the size of the carrier fleet in a recent speech at the Naval War College—published in the September 1969 issue of the Naval War College Review. He said:

> Today we still plan a 15-(attack carrier) force for the future. Yet over this 25-year period we have seen: a polarization of the world into Communist and non-Communist camps, and lately an increasing fragmentation of both; the development of the Marshall Plan, NATO, the conversion of our enemy in the Pacific, Japan, to an ally, and the conversion of our old ally, China, to an enemy; a doubling of the size of the attack carrier; nuclear propulsion; jet aircraft and nuclear weapons. In truth, 15 attack carriers (or 15 capital ships in the U.S. Navy if you will) appears to be close to an "eternal verity" in U.S. military planning.

The most revealing admission of the Pentagon's own doubts about the justification for 15 attack carriers can be found in a Departmental Statement filed with the Joint Economic Committee. Representative MOORHEAD of that committee asked the Defense Department to explain the necessity for a force of 15 attack carriers. A Department spokesman wrote in reply:

> It is very difficult to determine the precise division of effort between land-based and sea-based forces which will meet our worldwide commitments at the least cost. The program supported by the previous administration included 15 attack carriers.

He does not refer, apparently, to the Secretary's statement of 1965. Continuing:

> In response to a directive by the National Security Council to examine alternative General Purpose Force strategies, we are currently reassessing both the total requirement for tactical aircraft to meet each alternative strategy and the relative costs and effectiveness of different mixes of land-based and sea-based aircraft. Pending completion of this study, we are not recommending any major changes in the previous program.

I should like to emphasize what it is the Defense Department is telling us here. In effect, it is that the Defense Department, right now, is undertaking the very kind of study that we are asking them to undertake by our amendment. As we meet today, the Defense Department and the National Security Council are engaged in the very kind of study we are talking about. It will include both the total requirement for tactical aircraft and the relative cost and effectiveness of land-based and sea-based aircraft. That is what the Defense Department and the National Security Council are doing. Surely this is a study of sufficient significance to involve the effort of Congress as well.

It is interesting that the Defense Department takes the position that, while they see serious questions surrounding the present level of attack carrier forces, sufficient to require them to undertake this searching review of force levels. Nevertheless, pending the conclusion of that study, we should continue spending billions of dollars on a force structure that is now in doubt and under serious study. One would guess that the more proper way of proceeding would be to complete the study, find out what we need, and then establish spending levels. But the position of the Navy is the other way around: Continue to spend, assuming the continuance of a policy about which there is now, we admit, great doubt.

I think it is the wrong way around. When asked to justify a 15-carrier force level, the Defense Department tells a congressional committee that the matter is under study. In the meantime, we are asked to spend millions of dollars to maintain this force level, until Defense officials find the time or inclination to determine the proper size of the attack carrier fleet.

I think it is also important, for the RECORD, to state at this time that that study has been completed, or will be completed in the next few days.

It is in hand or soon will be in hand in the National Security Council, supposedly determining the very issue we are now dealing with. So, we are in the fortunate situation of having a defense study which bears upon the very issues which is central to the whole matter, either completed or shortly to be available.

Other high-level Government officials directly responsible for defense planning have also expressed doubts about our carrier policy. Charles Schultze, a former Director of the Bureau of the Budget, recently testified before the Joint Economic Committee that the request for an additional attack carrier was the first item to be examined in eliminating unnecessary military expenditures. And a national news magazine has reported that officials in the present administration are seriously considering cutting the number of attack carriers from 15 to 12.

Similar reservations have also been expressed by military strategists and military historians. In a lengthy case study on the evolution of the attack carrier, Dr. Desmond Wilson—now at the Center for Naval Analysis, a Navy "think-tank"—raised serious questions about the justification for 15 attack carriers.

These doubts and reservations about the need of 15 attack carriers may explain the growing congressional concern over the carrier program. In addition to those of us in the Senate who have voiced this concern, the distinguished Chairman of the House Appropriations Committee recently stated that he intends to take a close look at the Navy's request for a nuclear attack carrier.

In questioning the need for an additional attack carrier, I am not advocating any weakening of our defense posture.

It is significant that despite the abundant amount of evidence that top, responsible leaders in the Defense Department for years have been urging a serious review of the carrier force level, that the Secretary of Defense himself proposed a reduction of such level, that the systems analysis has repeatedly called for a reduction in such levels, and that U.S. scholars and responsible critics have called for such reduction, those of us who propose considering such a course are greeted with the charge that we are for unilateral or partial unilateral disarmament and are opposed to America being No. 1 in defense posture.

In response to our questions about why we should have 15 attack carriers, we have received no answer. The only answer we have received that is responsible at all is that the matter is under study and that we soon should know what the carrier-force level should be, but that until they do decide to go ahead, we should go right ahead and spend the billions of dollars requested.

The key issue concerning the 15 attack carriers is one to which the Navy has addressed itself.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. TYDINGS. Mr. President, in the Washington Post of September 8, 1969, there was an article entitled, "Air Force Study May Spur Navy Carrier Debate," written by George Wilson.

The article contained a reference to a report from the U.S. Air Force which stated that there are enough air land bases in Southeast Asia and Europe to base all of the tactical fighter aircraft which the Joint Chiefs of Staff estimate are required to meet a major contingency in those areas.

The article went on to state that the capability of the U.S. Air Force tactical

air has in no sense been diminished by land-based inactivations.

Does not this report by the Air Force buttress the argument which the Senator from Minnesota and the Senator from New Jersey are making in support of their amendment that there is no urgent defense need for the hundreds of millions of dollars requested by the Pentagon that the amendment in question would defer pending further study?

Mr. MONDALE. Mr. President, I am glad the Senator from Maryland raised the point. I ask unanimous consent to have printed at this point in the RECORD a document from the Air Force which was the basis for the Wilson argument. This demonstrates that Mr. Wilson was exactly accurate in saying that the Air Force contends that land-based air is more than adequate for any action which the Joint Chiefs of Staff would contemplate in Europe or Southeast Asia.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAJOR BASE CLOSURES

Of the major air bases closed since the Korean War (attachment 1), only those in Morocco, France and Saudi Arabia could be classified as involuntary or political closures. All others and some in France were closed because they either were no longer needed or were closed for economic reasons. Dhahran, Saudi Arabia retains a USAF presence. Many of the bases were used by the Strategic Air Command and as auxiliary bases for tactical air units. Although listed as major installations, those designated "AFD" and "ASN" were not used to base tactical flying units on a permanent basis. With the possible exception of France and Morocco most of the closed bases could be easily reactivated if necessary to support contingency operations. In the event of a Warsaw Pact-NATO conflict it is considered probable that the use of French bases would be approved.

Only one air base closure has posed problems in contingency planning. An operation conducted in support of the Israelis could not be supported through Dhahran. Even in this case an exception might be made in the event of overt Soviet aggression. None of the other base changes to date have jeopardized contingency plans nor prevented the formulation of contingency plans to meet current commitments. There are enough land air bases in Southeast Asia and Europe to base all the tactical fighter aircraft which the Joint Chiefs of Staff estimate are required to meet a major contingency in those areas.

In addition, as demonstrated in Attachment 2, there are airfields all over the world that are adequate to support tactical air combat operations. There are more than 1,700 Free World airfields with runways 5,000 feet or longer and there are 685 airfields with runways 8,000 feet or longer. Any nation which requests the assistance of U.S. military forces can be expected to permit use of its airfields. The Air Force is developing bare base equipment which will provide the capability to deploy to any base which has a runway, taxiways, ramp space and potable water source.

In summary, the majority of the land air bases that have been inactivated were not needed or were closed to decrease expenses, although some were closed for political reasons. The capability of USAF tactical air has in no sense been diminished by land base inactivations. Attachment 3 summarizes the number of inactivated and operational USAF bases and the Free World airfields.

Mr. MONDALE. Mr. President, I have several things to say about the observation of the Senator from Maryland. First of all, I see very little evidence that the Navy and the Air Force have got together to decide what their complementary roles are.

I think that each is trying to outdo the other and that there is an overlap and waste of the tactical air available in certain areas and perhaps none at all in other areas.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. TYDINGS. Mr. President, the more we study this area of comparative cost for air defense and air support and the different requests made by the Air Force and the Navy for multibillion-dollar projects that are redundant or largely overlapping, the clearer it becomes the Pentagon has really declined to make a judgment as to the most effective means to spend our defense dollars.

It almost appears that they feel that Congress will appropriate anything asked for and that therefore they will give both competing groups, the Air Force and the Navy in this instance, everything they want without regard to where the priorities really are or how the taxpayer is best served.

Mr. MONDALE. The Senator is accurate in making that statement. However, I think the situation is worse than that.

I have been inadvertently supplied with information about what the Systems Analysis Office has said this year concerning reduction of tactical force levels in terms of the shockingly high cost of sea-based tactical air relative to land-based air.

The Defense Department has ignored the advice of its own Systems Analysis Office in supporting and, in effect, repeating demands for land- and sea-based air without reconciling and making complementary the competing striking force.

Mr. COOK. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. COOK. Mr President, with regard to the debate just had between the Senator from Maryland and the Senator from Minnesota, would the Senator from Minnesota also admit that regardless of the fact that a report may show that there were adequate bases in Korea at the outset of the war, every land-based airfield was immediately overrun and the only air support the troops in South Korea had in the original incidents occurring in that war was from aircraft carriers?

Mr. MONDALE. Mr. President, I inform the Senator from Kentucky first that it must be clearly understood what the pending amendment would do.

We are not saying that we should have no aircraft carriers. In fact, the Senator from New Jersey and I make it very clear that we think there should be aircraft carriers. Also, we are not saying there have not been occasions when the carrier has been useful.

We are saying that we do not need 15 attack carriers.

Recently the Chief of Naval Operations in a speech before the VFW cited a need for the aircraft carriers and cited 50 wars or near wars in which this country has been involved since 1946.

I was fascinated by the figures. I asked for them. Some of the wars were wars in which carriers were not used but were only alerted.

Some wars involved enemies whose chief weapon would be a 10-pound rock incapable of sinking a carrier or even chipping paint off its side.

The question is whether we need 15 nuclear attack carriers costing $1.8 billion a year in the light of the record over the last 23 years in which we have found that kind of involvement.

This does not say that there have not been times when the carrier has been useful. The question is, Do we need 15 of them, and do we need 15 nuclear attack carrier task forces which are so exceedingly expensive?

Mr. COOK. I should like to reply to the Senator, but first I wish to get into the RECORD the fact that every airfield in South Korea was overrun. It was necessary for the first airstrikes in Korea to be totally and completely sustained by aircraft carriers. The record shows that it was absolutely necessary that the first airstrikes in South Vietnam be sustained by aircraft carriers.

To get to the second point of the Sentor's discussion, it really has never been so emblematic of the Navy and the Defense Department that there be 15 aircraft carriers. If the Senator will check the RECORD, he will find that at the commencement of the Korean conflict there were not 15 but either seven or nine, and at the height of that conflict, in fact, there were 19 aircraft carriers.

When we speak of building one, we must also remember—and I think every Member of the Senate must remember—that we now have four aircraft carriers in operation which are 19 and 25 years old, respectively. One is 19 and three are 25 years old. All four should be phased out. Three of them should have been phased out 5 years ago. All four are now in use. When these aircraft carriers are put into use in the Vietnam theater at the present time, for example, and four modern carriers are withdrawn, we are subjecting the pilots of the airplanes off those four aircraft carriers to the use of second- and third-rate airplanes, because modern Navy aircraft are not capable of landing on those four aircraft carriers in the oldest class. Is that not true?

Mr. MONDALE. First, we have repeatedly said that there may be a need for aircraft carriers in search situations, as the Navy refers to them—and that there was a short period around Korea when, for a period, most if not all of the land-based air potential on the Korean peninsula was removed.

But does that satisfy the Senator from Kentucky that a case has been established for a fleet of 15 attack carriers or for a policy that does not involve holding our own but, because these new carriers are almost twice as effective and three times more expensive than the old carriers to which he has made reference, puts us into almost doubling attack carrier potential over the next few years?

Second, as to the issue of whether we have maintained an attack carrier force level of 15 without a rationale over the past years, I am aware of the Navy's arguments, and I say that they are highly misleading.

I ask unanimous consent to have printed at this point in the RECORD an attack carrier force table prepared by Dr. Desmond Wilson, which shows that the level of attack carrier forces since 1946 has been exactly 15.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE XIV.—ACTIVE CARRIER FORCE (1946-64) (ATTACK CARRIERS OR THEIR EARLY EQUIVALENTS)[1]

Year	Atlantic/ Mediterranean	Pacific	Total
1946	7	11	18
1947	9	6	15
1948	7	5	12
1949	7	5	12
1950	9	2	11
1951	9	6	15
1952	10	7	17
1953	9	9	18
1954	9	8	17
1955	7	10	17
1956	6	9	15
1957	6	8	14
1958	6	9	15
1960	6	9	15
1961	6	9	15
1962	6	9	15
1963	6	9	15
1964	6	9	15

[1] See app. A for complete listing of carrier force by ship type.

Mr. COOK. I might say to the Senator that the number 15 really does not bother me, except in its ineptness to take care of a situation, for example, such as World War II. Prior to World War II we still had subscribed to that particular level, but during the course of World War II, of one kind or another, we had approximately 100 carriers that were available for the discharge of aircraft, in the defense of this Nation.

I can only say to the Senator that we come down to a matter of saying, "Would you rather have 15 to start from, when you may have to have 100, or would you rather have 10 to start from, when you may have to have 100, in the event of another major world war that would in essence be nonnuclear or even nuclear?"

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. TYDINGS. The questions raised by the Senator from Kentucky are interesting, because they pose a point; namely, would we rather have 15 carriers or would we rather have 100? In answer to that question, perhaps we might say that it would be reassuring to have 200, assuming the worst possible contingencies. But this is all speculation. I would say that the answer should be supplied by the Secretary of Defense and the Joint Chiefs of Staff, based—and I hope the Senator from Kentucky will listen to me——

Mr. COOK. I am listening.

Mr. TYDINGS. Based on whether it is more cost-effective given current conditions to invest primarily in tactical aircraft utilizing our land bases around the world, or in carrier-based aircraft, or in some mix of the two. In addition, we need figures before authorizing more money in this area comparing present contingencies with those that existed in the Korea period and before when the figure of 15 carriers was deemed desirable.

I think that is one of the basic issues in this debate—to get the Pentagon and the Joint Chiefs to make a choice based on comparative costs and comparative abilities. I think if we got the facts from the Pentagon, we would find out that it costs, over a 10-year period, almost a billion dollars more to support a wing of aircraft carrier planes than it does to support a similar wing of land based planes.

I believe that the report which the Air Force has released stating, that their capability in operating from land bases in Southeast Asia and Europe today is equal to handling any foreseeable contingencies is of tremendous import.

I think we have to consider all these things together before making a decision to commit billions of dollars over a period of years in support of increased carrier strength. We owe it to the American people to require certain choices and decisions to be made by the Secretary of Defense and the Pentagon, and to not just give them basically everything they want enabling them to avoid the hard choice between the competing demands of the various service branches.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MONDALE. I will yield for one more question, and then I will return to my text.

Mr. GOLDWATER. I should like to make an observation with respect to the article from the Washington Post which has been put in the RECORD.

I have to say, from very close personal knowledge of this matter, that this is another example of partial information being leaked to the Washington Post. If the Senator wanted to go into the Pentagon, he could find any number of unclassified items that are parts of war games studies or continuing studies. This is a part of a study.

The Air Force and the Navy are working very closely together in the entire field of tactical air; and I might say, in defense of the carrier in Southeast Asia, that the daily targeting committee over there meets constantly—the Navy and the Air Force—to decide on targets. The value of carriers in the Tonkin Gulf is that they can make strikes which would require air-to-air refueling if the Air Force attempted to make them, which is very expensive. It cuts down the weapons load.

The Navy has taken over the entire responsibility of the tactical attacks on North Vietnam and has relieved the Air Force from much of this responsibility, except for strikes they make from the other countries up there.

I hope that we are not subjected to a continuation of these partial reports emanating, so-called, from the Pentagon through the Washington Post. I do not know whether or not this paper was classified secret. I doubt that it was.

Mr. MONDALE. I have just put it into the RECORD.

Mr. GOLDWATER. I have the entire report, and this is merely a part of the entire report. The military planner has to lay out everything.

The old estimate of the situation still applies. We have to try to guess what the enemy will do. If they do this, what will we do? If the Navy can do this, what can the Air Force do; or if the Air Force can do this, what can the Navy do? What will be the reaction of the enemy? This is all a part of the study that goes on constantly. The Navy and the Air Force are working very closely together in theory in the Pentagon and in practice all over Southeast Asia.

Mr. MONDALE. I thank the Senator from Arizona. The report was not classified. I think the reporter for the Washington Post quoted it very accurately. To demonstrate this, I have placed in the RECORD the Air Force letter, substantiating categorically what the article said. I think this is one of the items that should be considered if the study contemplated in the pending amendment is agreed to.

Mr. GOLDWATER. I think the entire study should be in the RECORD. This is merely a part of it.

Mr. MONDALE. Maybe they would submit more of the classified studies; that would help our case.

Mr. GOLDWATER. I do not think they should do that. They are so top secret the Senator from Wisconsin (Mr. PROXMIRE) felt he should not read them. I think the Washington Post is the best source of secret information available. It is even better than going to the Pentagon.

Mr. MONDALE. My impression is that the Pentagon system of classification has more to do with political embarrassment than with hiding information from the enemy. That has been my experience.

Mr. GOLDWATER. I disagree with the Senator. In these particular cases the Senator is calling for reports and the Senator from Wisconsin has called for reports, and I suppose every other American will call for reports. However, these are probably the most highly classified bits of information in the Pentagon. I want no part of seeing them. Members of the Committee on Armed Services are cleared for the most secret documents but they refuse to see the material. It pertains to our most secret information on the enemy and I do not think we should see it.

Mr. COOK. Mr. President, will the Senator yield?

Mr. MONDALE. I yield briefly to the Senator from Kentucky.

Mr. COOK. I want to make clear to the Senator, and I am sorry the Senator from Maryland has left the Chamber, that the Senator from Kentucky is not one who has permitted the Pentagon to wildly spend money and not ask questions. I think the record is clear on this point.

Second, in regard to the increased cost of airpower by way of carriers rather than land bases, I think we should consider in this entire argument that if we refuse to continue to modernize our Navy, and obviously we have been dragging our feet in this regard for years, we place ourselves in the position where the cost to maintain old carriers and old-

er aircraft is considerably higher. On older aircraft the accident rate has a ratio of 2 to 1 compared with modern aircraft.

The Senator from Maryland will say that the cost to maintain these squadrons will continue to grow and the only way is to supply America with an adequate and modern Navy.

Mr. MONDALE. I agree with the Senator. We want an adequate and modern Navy. We have 10 carriers which are under 13 years old; we have three Midways, too, which have been modernized. One of the alternatives this study suggests is the possibility of replacing not one, but two, of the older carriers. The idea here is not to pass judgment on this, but to come up with a responsible study on the question of how many carriers we do need, how they would be used, what kind of carriers, so that we can have a modern and adequate Navy, and one which is consistent with the financial realities of the country as we see it today. This study would be a modest and long overdue effort, and one which could probe into some of the questions raised by the Senator from Kentucky.

In questioning the need for an additional attack carrier, I am not advocating any weakening of our defense posture.

My questions refer to the complete lack of justification for a continuing fleet of 15 attack carrier task forces: In light of the acknowledged change in the role of the carrier in our overall defense plans; in light of great changes in the international situation and the kinds of threats to which we must be prepared to respond; in light of the most dramatic changes in weaponry the world has ever seen—changes which must affect the relative vulnerability of every portion of our Armed Forces; and, in light of changes elsewhere in our own defense capabilities—changes which must have some effect upon the division of responsibility among all of our armed services.

Like the advocates of the horse cavalry and the battleship, the proponents of the carrier have looked first to the maintenance of an existing force level and only then to reasons which would justify this level.

It is for such reasons—reasons which I shall further elaborate upon—that Senator CASE and I have decided we cannot simply support the requested authorization for another nuclear attack carrier, contained in the current military authorization bill. This authorization now calls for $377.1 million for laying the keel of the carrier CVAN–69—the second of three planned *Nimitz*-class nuclear carriers. The first of these carriers is almost completed, and the third is programed for fiscal year 1971 funds.

We have introduced an amendment which would withhold this authorization, pending a complete congressional review of the Navy's attack carrier force level.

This is not an "anti-carrier" amendment, as Navy spokesmen would have us believe. Our amendment in no way suggests that the attack carrier is obsolete or has no viable role in the U.S. Navy.

The purpose of the amendment is to generate a rationale for the number and type of carriers required by present and future defense contingencies. Such a rationale has long been requested but never been provided by the Navy or the Defense Department. Instead, they have reacted to our questions by arguing the irrelevant issue of "carrier versus no carriers" and have ignored the far more difficult issue of the proper size and composition of the carrier fleet.

The wisdom of a new attack carrier and the wisdom of a continuing force level of 15 attack carriers must depend upon several things. It must depend upon the cost of carrier task forces—money which, if used for carriers, is not then available for other defense needs—not to mention other domestic needs.

It must depend upon the effectiveness of carrier-based air power—an effectiveness which, in turn, is greatly influenced by the carrier's vulnerability in various types of conflicts.

And, the wisdom of the current policy depends upon the capabilities of land based air power, which the carrier is designed to complement.

The fact is, the Navy has simply failed to justify in these terms the continuing need for a 15-carrier fleet.

This blind adherence to a force level is symptomatic of the failure to formulate a clear and consistent naval policy since the end of World War II. If the United States has a naval policy at all, Dr. Herrington noted:

> It is one of maintaining constant force levels and adapting these forces to the exigencies of the day.

COST OF PRESENT CARRIER PROGRAM

Such a nonpolicy is indefensible in light of the enormous costs of maintaining a fleet of 15 carriers. The Navy itself concedes that this fleet accounts for 40 percent of its total budget.

The cost of building an attack carrier rose from about $83 million in World War II to $171 million during the Korean war; the total construction cost for the nuclear carrier in this bill is pegged at $510 million, but a Defense Department official and others have estimated that it could run as high as $700 million. That amounts to a cost escalation of 600 percent since World War II, which is quite high even considering the decreased value of the dollar.

But the cost of the carrier itself is just the beginning of the story. The Navy only operates the carrier with a task force, consisting of various escort and logistical ships. And every carrier is equipped with an air wing.

The Navy estimates a $1.4 billion procurement cost for a nuclear carrier task force—consisting of the carrier and four destroyer escorts. The air wing costs an additional $409.5 million—bringing the total procurement cost for the task force—which does not include operating costs, basing costs, and other logistical ships—to $1.8 billion. Needless to say, these costs will often run a great deal higher.

But even this is not a complete picture. For the Navy normally deploys two task forces "on station" in the Mediterranean and three in the western Pacific on a continual basis. For every carrier task force "on station," two must be held in reserve as backups, since the normal rotation time of a carrier is 4 months. Since each task force contains an air wing, the Navy must pay for three wings to keep one "on station."

The Navy can operate at a higher rate of efficiency but only with great stress to the carrier's crew. The investment cost of maintaining one nuclear task force on continual deployment, therefore, amounts to a multiple of 3 times the cost of one carrier task force—or $5.4 billion.

The question of the proper attack carrier force level is therefore extremely important. For if it is determined that a smaller force level is needed, we will not only save the cost of additional carriers, but the cost as well, of numerous escorts, support ships, and air wings.

These costs dramatically illustrate the need for justifying a policy which insists on maintaining at least 15 attack carriers. But what is the origin of this number?

ORIGIN OF CURRENT FORCE LEVEL

It is generally thought that the force level of 15 carriers originated with the Washington Naval Disarmament Treaty of 1921. This treaty allotted 15 "capital ships" to the U.S. Navy. When the battleship became virtually obsolete in World War II, the carrier became the captial ship, and the Navy switched from a fleet of 15 battleships to one of 15 carriers.

Since the end of the Second World War, the Navy has maintained, with few exceptions, a fleet of at least 15 attack carriers. This number has been exceeded in only 5 of these years.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD table XIV, "Active Carrier Force, 1946–64, Attack Carriers or Their Early Equivalents," which I earlier introduced in my colloquy with the Senator from Kentucky (Mr. COOK).

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE XIV.—ACTIVE CARRIER FORCE (1946–64) (ATTACK CARRIERS OR THEIR EARLY EQUIVALENTS)[1]

Year	Atlantic/ Mediterranean	Pacific	Total
1946	7	11	18
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1955	7	10	17
1956	6	9	15
1957	6	8	14
1958	6	9	15
1960	6	9	15
1961	6	9	15
1962	6	9	15
1963	6	9	15
1964	6	9	15

[1] See app. A for complete listing of carrier force by ship type.

Mr. MONDALE. Mr. President, this table was prepared by Dr. Wilson, with an effective, and I think searching, analysis of the attack carrier by him. In it

he states the accurate equivalents of carrier force levels since 1946 and it comes out exactly to 15 as a modal figure. The Navy has developed some of its own figures in which it tries to show a wide and greatly varying figure year by year.

The truth of it is that Dr. Wilson's thesis has established beyond doubt that since the end of World War II we have followed a 15 capital ship policy without ever justifying the basis for that number. That is the only reason we continue that force level. If there are other reasons, the Navy has not seen fit to submit them to me or, to my knowledge, to anyone else in the Senate. In response to that question they say, "We are studying it."

Mr. President, it is evident that this number "15" is a legacy of the past, maintained without reference to the changing role of the carrier, the changing international situation, or the changing weapons against which the carrier must defend itself. The advocates of 15 attack carriers—like their predecessors who defended the horse cavalry and the battleship—are following a path of tradition rather than reason.

After World War II, the attack carrier—indeed, the entire Navy—became a force in search of a mission. There were no other surface fleets to engage, and the very existence of the Navy was threatened by the competition of new long range aircraft capable of delivering nuclear payloads. The Navy responded to these events by seeking justification for the attack carrier in strategic nuclear warfare. It appeared to the Navy planners that if the carrier task force was to survive as a major offensive weapon, it would have to get into the business of strategic bombing.

With the advent of land and sea-based missiles such as the Minuteman and the Polaris in the early 1960's, the carrier no longer had any role as part of our nuclear retaliation forces. The Defense Department's posture statement of February 4, 1964, concluded that by 1966, the United States would "have a large enough number of strategic missiles in place" to relieve the carrier forces of their strategic retaliatory mission.

Faced with the loss of their strategic retaliatory role, the Navy began to emphasize the carrier's potential tactical role in providing air support for ground troops, maintaining air superiority, and destroying supply lines. However, the argument that 15 attack carrier task forces is needed to provide sea-based tactical air power throughout the world is not a persuasive one, in view of these changing circumstances.

LAND- VERSUS CARRIER-BASED AIRPOWER

It is true that where land-based airpower is not immediately available or where political constraints limit the use of land bases, the carrier may well serve as a complement to our overseas bases. But where the carrier clearly competes with, rather than complements, land-based airpower, the role of the carrier must be justified on the basis of its effectiveness and its efficiency.

On these criteria, the maintenance of 15 carrier task forces for the provision of tactical air support around the world appears to be both wasteful and ineffective. In the first place, the sustained use of the carrier sorties duplicates and overlaps existing and potential U.S. capability for providing land-based tactical airpower.

Carrier task forces are assigned to the two major "trouble areas" of the world—nine are available for the Western Pacific and six for the Mediterranean. But it is quite clear that our capacity to deploy land-based tactical airpower is more than adequate in these areas as well as in most other parts of the globe where peace or U.S. interests may be threatened.

The U.S. Air Force maintains 23 wings of tactical fighters and bombers in active forces at home and abroad.

The geographic spread of overseas bases either operated by, or available to, the United States gives us an impressive land-based tactical capability, especially in the Mediterranean and the Western Pacific. In Europe, the United States alone—not including NATO forces—has bases in six countries, with over 400 tactical aircraft; at least four of those bases are within striking distance of the Mediterreanean. In the Pacific, we have bases in seven countries, with over 800 tactical aircraft.

Furthermore, our capacity for creating new land bases as needs arise is almost limitless. There are at least 1,000 overseas civilian airfields which the Air Force, within 3 days time, claims it can convert to a fully equipped tactical air base using the "pre-positioned kits" of the bare base support program.

These existing and potential bases do not tell the full story of the effectiveness of our land-based tactical air forces. The range of modern tactical aircraft is between two and three times greater than that of the older jets.

Mr. President (Mr. EAGLETON in the chair), I refer again to the letter, which I have already inserted in the RECORD, in which the Air Force asserts the capability of land-based air in Europe and Southeast Asia to meet any defense contingencies.

Mr. President, Secretary McNamara, in calling for a reduced carrier fleet, pointed out in the Defense Department's February 1964 posture statement that—

> The increasing range of land-based tactical aircraft has reduced our requirement for forward-based airpower.

This increased range is expanded even further by the use of midair refueling. Consequently, our overseas land-based planes are capable of reaching many more targets than they were even 10 years ago; and U.S.-based tactical aircraft can be operational anywhere in the world in a short period of time.

The Navy contends that the reduction in the number of our bases justifies the need for a 15-carrier fleet. While these bases have decreased from 119 in 1957 to 47 at the present time, the number of tactical air wings has increased from 16 to 23 during the same period. More important, the greatly increased range of these planes—both in the United States and overseas—means that far fewer land bases can provide ample tactical air support in any areas of potential conflict. And the bare base support program enables the United States to supplement existing land bases to the extent that it is necessary to do so. Even with fewer overseas land bases, then, carriers still overlap and duplicate our land-based capability.

More important than overlap alone, however, is the vastly greater cost of carrier-based airpower. As I explained earlier, the enormous initial expense of a single aircraft carrier is multiplied by the Navy's insistence upon an accompanying task force for defense and for logistical support. Added to this is the fact that to maintain a single carrier base requires three task forces and three air wings in rotation. This brings the investment cost of deploying one carrier base—with nuclear carriers and escorts—to $5.4 billion.

A land base is a far cheaper operation. According to the Air Force, a base in the Pacific can be built for $53 million; the bare base support program can convert an existing civilian runway for about $36 million.

The Air Force has indicated that many of them can be set up and made operational in 3 days.

We had an earlier discussion about the Defense Department's classification system. This is one of the areas where I believe the present policy is to be seen in its starkest dimensions, because one of the key questions in this debate, one of the key questions in this amendment, is what is the relative cost of land-based versus sea-based air, where they are equally available? That is one of the key questions. It has already been adverted to by Senators who oppose this amendment.

I have been advised secretly of information, which I cannot disclose, which shows the scandalously higher cost for sea-based over land-based air, but I am not permitted to use that information. I am not permitted to use it in defense of this amendment, even though it exists, and primarily because the Navy knows that if it were known it would hurt its case. I think that this classification has been made more because of political embarrassment and to maintain the 15 active carrier force than to protect us from having the enemy get that information.

One of the reasons why the Senator from New Jersey (Mr. CASE) and I are proposing this amendment is that a fight of this kind is an unequal one, and we need to have resources and facilities in the Senate itself that permit us to get the information we must have to make intelligent choices in this field.

I make the statement I have made because I believe it is as far as I can go under the present classification system; but if we knew, as Senators in this body, what I have seen and have been told, the issue of cost effectiveness would be put to rest once and for all, and decisively so.

The high cost of carrier-based airpower must be viewed in relation to its effectiveness. The Navy has failed to demonstrate the cost-effectiveness of carrier airpower.

For example, we know that the two carrier task forces "on station" in the Mediterranean are capable of providing a maximum of 150 offensive sorties per day. But what is the military significance of this number of sorties? Since we are flying almost 1,000 offensive sorties per day in Vietnam, it is clear that 150 sorties would only be of marginal value in a conflict of similar size in the Mediterranean. Given this fact, it is important to determine whether the Navy's policy of continually maintaining a certain number of carriers on station is worth the costs.

The reliance upon carrier rather than land-based airpower is made even more questionable by the high degree of vulnerability of the carrier in light of modern weaponry. Carriers are vulnerable to attacks by submarines, aircraft, ship-to-ship and air-to-ship missiles.

Submarines pose a particularly ominous threat to carriers. Because of the very rudimentary nature of antisubmarine warfare, there is very little a carrier can do to defend itself adequately from submarine attacks. The Navy has acknowledged in congressional testimony that one of the primary missions of the large Soviet submarine fleet is anticarrier warfare.

Rapid technological innovations in missile development have made the carrier unusable in all but the most limited conflicts. The lethal nature of even the older missiles, such as the Soviet STYX, was recently demonstrated when an Egyptian PT boast sunk an Israeli destroyer with a single STYX. Both the Soviet and the American arsenals contain far more advanced antiship missiles, with greater range and higher speed.

Once again, the basic material is classified, and probably wisely so; but it is fair to say that modern missilery raises profound doubts concerning the vulnerability of the modern attack carrier.

Unique to the Soviet inventory, according to the Chief of Naval Operations, is the guided cruise missile. The Navy estimates that 16 percent of the Soviet fleet carry 400 nautical mile cruise missiles designed primarily for use against land or sea targets.

In his testimony before the Senate Armed Forces Committee, Secretary of the Navy John H. Chaffee spoke of "the wide scope and gravity" of the missile threat to our surface fleet:

> In an effort to counter the surface forces, the Soviet Union is developing the capabilities of the terminal-homing cruise missile which may be launched from aircraft, surface units, surfaced submarines, or land sites, at short or long ranges . . . our capability to defend against a cruise missile attack continues to concern us, but we are moving forward with programs directed toward significant long-term improvements.

I would like to ask that special emphasis be placed upon the Secretary's own admission in this field when we hear the arguments, as I am sure we will, that the carrier is invulnerable.

It is not that the carrier is completely defenseless against these threats. Rather, the ever-present fear of enemy attack causes the carrier task force to concentrate its resources on defense, thereby substantially reducing its offensive capability. This idea was best expressed in a 1966 dissertation on attack carriers by Desmond Wilson, now at the Center for Naval Analysis. In Dr. Wilson's words:

> Most of the carriers' usefulness when functioning in support of a land campaign during a limited war appears to be significant only under conditions of little or no submarine opposition. It is a matter of some doubt that the carrier force could continue providing combat sorties in support of a land campaign if the task force commander had to worry about air or submarine attacks.

As Wilson observed, effectiveness of the carrier task forces in limited war is closely related to the problem of vulnerability, which, in turn, is conditioned by the rules or limits by which the war will be fought. Threats of escalation, such as the introduction of submarines or aircraft, can diminish carrier effectiveness: By forcing carriers to stay far at sea, thus diminishing the fuel available to the aircraft for combat purposes, and, by requiring continual movement of the carriers from area to area, thereby preventing it from staying in one locale to provide continual air support.

Mr. President, I understand the time has now come to recess for the funeral services. I ask unanimous consent that I be permitted to resume my speech at the commencement of the session this afternoon.

Mr. GOLDWATER. Mr. President, reserving the right to object—and I shall not object—I wonder if the Senator would ask that the Senator from Mississippi have unanimous consent to follow him for 20 minutes.

Mr. MONDALE. We had left that on an informal basis. I propose to do so. I wanted to see what would happen with the colloquy, but I propose to do so at the appropriate time.

The PRESIDING OFFICER. Without objection, the Senator from Minnesota will resume the floor at the conclusion of the recess.

Mr. BYRD of West Virginia. Mr. President, there will be a recess at 11:45 a.m., at which time Senators will assemble to go to the rotunda, to be present when the body of the late and beloved minority leader, Everett McKinley Dirksen, will be removed. Senators who wish to attend the church services at 1 o'clock will assemble on the Senate steps at 12:15.

I shall now put in a quorum call, with the expectation of calling off the quorum call at 11:45, at which time the Senate will recess.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair. For the information of the Senate, we will very likely be back in session somewhere between 2 and 2:15 this afternoon.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 11 o'clock and 52 minutes a.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 2 o'clock and 13 minutes p.m., when called to order by the Presiding Officer (Mr. GRAVEL in the chair).

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there be a brief quorum call without interfering with the rights of the able Senator from Minnesota (Mr. MONDALE) under the order.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MONDALE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H.R. 471. An act to amend section 4 of the act of May 31, 1933 (48 Stat. 108); and

H.J. Res. 247. A joint resolution relating to the administration of the national park system.

HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by their titles and referred to the Committee on Interior and Insular Affairs:

H.R. 471. An act to amend section 4 of the act of May 31, 1933 (48 Stat. 108); and

H.J. Res. 247. A joint resolution relating to the administration of the national park system.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. YOUNG of Ohio. Mr. President, will the Senator from Minnesota yield to me without losing his right to the floor?

Mr. MONDALE. I am pleased to yield to the distinguished Senator from Ohio.

Mr. YOUNG of Ohio. Mr. President, I strongly support the pending amendment offered by the distinguished Senators from New Jersey and Minnesota. I favor that we do withhold the expenditure of the $377 million authorized in the military authorization bill for a proposed additional nuclear aircraft carrier until the Congress has completed a comprehensive study and investigation of the need for building an additional attack carrier.

In my opinion, Mr. President, this proposed huge carrier is just as obsolete now and will be more obsolete in future years as much as was the battleship some time back. But, of course, the big brass in the Navy did not appreciate that and did not believe it. They were proved wrong.

Over the years, it has become clear that our military and naval leaders are among the last to accept changes in the nature of warfare in this space age of change and challenge. For example, we continued to add battleships to the fleet long after it was obvious to all intelligent persons in the United States that they were ineffective and uneconomical in the age of the nuclear submarine. The fact is that the aircraft carrier is no longer part of our strategic nuclear forces. Our ICBM's, Polaris and Poseidon submarines, and land-based SAC bombers form our real deterrent force.

The best defense of the United States at this time is the power of our Polaris submarines capable of roaming beneath the surface of the seven seas for as long as 300 days and nights, capable of firing nuclear warheads and striking targets in an enemy country at a distance of 2,875 miles.

The primary mission of aircraft carriers today is to provide tactical air power. We now have 15 attack carriers, each requiring a task force of escort and supply ships. It is estimated that one nuclear carrier task force, consisting of a carrier and four destroyers, costs taxpayers more than $1.4 billion. Also, as the distinguished junior Senator from Minnesota (Mr. MONDALE), who has made extensive research and devoted a great deal of time to the subject, has pointed out, to keep one such task force on station in normal times involves maintaining two complete task forces in reserve. Therefore, the real cost of placing one carrier task force on station is approximately $4.2 billion. This is luxury that our economy and taxpayers can no longer afford. It would be an unjustified extravagance.

Neither the Soviet Union nor Communist China is building a single attack aircraft carrier. There are no indications that either plan to do so. It is a fact that the Soviet Union is rapidly building up its naval strength, but it is doing so in keeping with the realities of the nuclear age. The main emphasis is placed on nuclear submarines and other smaller more maneuverable vessels by the astute leaders of the Soviet Union. Great Britain and France are the only other nations with attack carriers in their fleets. The British have announced their decision to phase out their carriers.

At a time when the United States maintains approximately 138 squadrons of tactical fighters and bombers on land bases at home and abroad, it is unconscionable and wasteful to maintain at the same time 15 aircraft carrier task forces. An average airbase in the Pacific area costs $53 million. It accomplishes the same purpose as a carrier task force costing $4.2 billion. Furthermore, with modern midair refueling techniques, our tactical air power can be operational in a very short period of time regardless of where it may be needed.

The large, modern carriers are effective only in very limited conflicts and situations. They are extremely vulnerable to destruction by submarines, aircraft, ship-to-ship missiles and air-launched missiles. Almost one-half of the cost of a carrier task force is for defensive purposes.

It is high time that our admirals recognize and accept the realities of present and future defense needs. They seem to ignore the availability and the comparable effectiveness of land-based aircraft. Not only is there no need whatever for additional carriers, but there is no reason why the Navy cannot reduce the present number of the fleet.

Mr. President, the $377.1 million requested for the proposed CVAN–69 nuclear aircraft carrier is merely the downpayment for what will eventually be an expenditure of $4.2 billion of taxpayers' money. I am hopeful that the Senate will agree to the pending amendment, authored by the Senator from Minnesota, who just yielded to me, to prevent that expenditure until the Congress has had the opportunity to complete its study and investigation of past and projected costs and the effectiveness of attack aircraft carriers and their task forces.

Mr. MONDALE. I thank the Senator from Ohio for his excellent statement and, if I may say so, for his leadership, much earlier, in this field. He was one of the first in the Senate, some time back, to raise the question whether, in the light of modern realities, it was wise to continue at our present attack aircraft carrier levels or whether that policy should be reviewed.

Mr. STEVENS. Mr. President, will the Senator yield?

Mr. MONDALE. I will be glad to yield in a little while.

The Senator from Ohio underscores the importance of having systems that are modern and relevant, not to World War II or to World War I, but, tragically, to the next war which we will have to fight if it is necessary to do so.

Referring to what one military historian said, military history is studded with institutions which have managed to dodge the challenge of the obvious; and one of the reasons why they have been able to do so in this country is that we in Congress have not done our job as well as we should. The job Congress is required to do under the Constitution is to raise and maintain the Army and the Navy. It is our responsibility under the Constitution. I am hopeful that in this amendment, and in other ways, we can begin to assert our traditional, and almost sacred, responsibility in this field.

I thank the Senator from Ohio for his contribution, not only today but in the past.

I now yield to the Senator from Alaska.

Mr. STEVENS. In my study of this problem, it is my understanding that the carrier to be authorized by the bill before us, which the Senator's amendment seeks to delete, will be capable of handling the F–14, but that the *Essex*-type carrier—which this newly authorized carrier will replace—not only will not handle the F–14, but also not serve the F–4, or the RA–5C, the A–6, or the F–14. There are four of the carrier-based planes that cannot be landed upon this obsolete type of aircraft carrier. It was valid in World War II but is no longer capable of dealing with these new aircraft.

If the Senator's amendment is adopted, what are we going to do with the F–14?

Mr. MONDALE. I thank the Senator from Alaska for his question. The truth of it is that at least 10, and possibly 13, of the 15 carriers can handle the current aircraft which the Navy has, and could handle the F–14 when completed, if it is authorized.

If the Senator would review the remarks by the Chief of Naval Operations in which he recounted to us the wars and near wars in which we have been involved since 1946, he would find that at least half of those wars were against "major" powers like Zanzibar.

It seems to me when we look at the question of the carrier force, we must look at it not only in terms of numbers but of the mix. To send a $1.8 billion nuclear-powered force to show our flag off Haiti, for example, seems to me the greatest waste of money. So we might wisely ask what kind of attack force we need.

What we are asking is not to strike the authorization for the carrier, but to ask, what kind of carrier force level we need, what kinds we need, and what the purpose will be.

The same questions we are asking today are the questions that were asked in the executive branch and in the National Security Council. That is all we are doing. We are not asking to pass on the merits. We are asking questions which should have been asked a long time ago as to where we can save money and avoid waste where it exists. That is the sole purpose of the amendment.

Mr. STEVENS. Mr. President, will the Senator yield further?

Mr. MONDALE. I am glad to yield.

Mr. STEVENS. I did review a statement made by Admiral Moorer, Chief of Naval Operations, the one which was made to the Veterans of Foreign Wars last month. He pointed out that the Soviet Union had quadrupled its merchant marine tonnage since 1950, and, even further, in the warship area, that 60 percent of the warships on which we based our advance strategy had passed the 20-year mark, whereas, of the Soviet Union's 1,000 or more navy or surface ships that they relied on, less than one-fourth had passed the 20-year mark.

My question to the Senator from Minnesota is that it was my understanding that this matter had been studied—it was studied in 1968, before I got here, and it

was studied particularly by Secretary McNamara who requested this building program—are we annually to get to the point where we ask for a delay? Having had a review by the executive branch and by the Congress, are we now to come up the next year and say, "Let us delay it for a year so we can study it again?" What new matters have entered into the matter which the executive branch and the Congress studied that require the review that he suggests at this time?

Mr. MONDALE. I am glad the Senator has raised the question for, as a matter of fact, after writing the Navy Department, there came a letter which says it is studying the issue of national security and is making a sweeping review of the traditional arms of the Navy and the Navy aircraft carrier and Navy aircraft carrier levels.

But even the Navy and the Department of Defense have said in writing that this matter should be, and it is being, studied. As a matter of fact, I know that it is; and it may be that as we meet here today, these recommendations are being submitted to the National Security Council.

Furthermore, I am glad that the Senator from Alaska brought up the former Secretary of Defense, because in 1964 he testified that he wanted a reduced level of aircraft carriers for the early 1970's. So the recommendation of the past Secretary of Defense, as well as the recommendations which are classified by the present systems analysis group this year, have called for reductions in the aircraft carrier level, and there has been a good deal of speculation, albeit not confirmed, that this administration is planning to cut two or three aircraft carriers from its force.

So there is plenty of inside, official consideration being given to that, and it would seem very strange that in the midst of all this, the one agency that the Constitution charges with establishing and maintaining the Army and Navy would sit back and simply continue to appropriate billions of dollars for a system that is under study. I think we can afford to take a few months and make certain we are acting wisely.

Mr. STEVENS. Mr. President, will the Senator yield for one last question?

Mr. MONDALE. I yield.

Mr. STEVENS. My last question is this: In my study, I have found that we have already obligated, in 1968 and 1969, after the time that the previous review took place, some $132.9 million for this carrier. I am informed that if a disruption of the production schedule comes about by virtue of this amendment, it will probably cost us in the neighborhood of $100 million to delay this carrier.

If that is correct, the total cost of the Senator's amendment would be approximately $232 million, as opposed to the total cost of a carrier under the program that was previously authorized, with the idea that the new carrier and the F–14 would come on the line at the same time.

Is this really wise use of our Treasury, the taxpayers' money, if we make a decision in Congress to go ahead with the construction of a new carrier, and spend the money, order the vessel, and then, a year later, come along with an amendment to delete this new carrier?

I understand we have an amendment pending to delete the F–14 also. But how can the Senator justify the spending of $132 million, if my information is correct, that has already gone by the board, and the $100 million additional that will be brought about by the disruption of the production schedule? In view of the total cost of the carrier itself, why not go ahead with the carrier?

Mr. MONDALE. In the revised amendment which I called up yesterday, and which is the pending business, we made one alteration to correct a technical error in the original amendment, to make it clear that this amendment applies only to moneys authorized to be appropriated under this act, not the earlier $130 million to which the Senator's argument makes reference.

Based on the earlier amendment, the Senator is correct; based on the amendment as revised, it is no longer relevant.

Of course, the big issue today is not whether a few million dollars will be lost, as we determine whether we are pursuing the wisest course and the wisest force levels. I regret any losses; but what we are talking about here is a nuclear attack carrier which, with its nuclear escorts and wings, will cost at least $1.8 billion, and could well be $2 billion, and a policy which involves 40 percent of the budget of the Navy. Certainly, a few days spent wisely determining these matters could save billions of dollars. If I may say so, it is a standard tactic of the Defense Department to buy long lead items, and then come in and say:

> It is too late to decide the policy matters underlying this system, because we have already spent a few million dollars; let's not get into it.

Mr. STEVENS. But as I understand the justification of this program, this is just replacing an existing carrier; it will not add to the carrier fleet.

Mr. MONDALE. The present policy of the Navy, as I understand it, is to retire one of the old World War II type carriers for every one of these massive new nuclear carriers. But that is not holding to the same military capacity; it is doubling it, because one of these old World War II type carriers had, at best, half the capacity of the new nuclear attack carriers. We are not pursuing a neutral, hold-the-line policy. Our present policy is to commit an ever-increasing share of the Navy's contribution to this Nation's defense on an ever-growing fleet of aircraft carriers.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. MONDALE. Mr. President, I yield for one question; then I wish to return to my speech.

Mr. MURPHY. Does the Senator understand they are going to retire one carrier as they build one new carrier?

Mr. MONDALE. That is my understanding.

Mr. MURPHY. Then the Senator's implication is that they will have increased, actually, the carrier force?

Mr. MONDALE. No, my implication——

Mr. MURPHY. My understanding is that there are several carriers presently being used that are so old they should have been retired some time ago. As a matter of fact, last Saturday morning I saw two carriers in Long Beach, Calif., that are to be retired; and it is my understanding that the nuclear carrier, by the time it is constructed, fitted, and furnished, will just barely, if actually, maintain the present strength. That was the purpose of my question.

I thank my distinguished colleague.

Several Senators addressed the Chair.

Mr. MONDALE. Mr. President, I should like to respond to the question of the Senator from California, and I am willing to respond to one or two more questions, but I am only half-way through my speech, and would like to complete it, if I may.

In my later remarks, I intend to get into this matter. I asked the Navy if there were some shorthand way that one could refer to the capacity of these aircraft carriers, and it turns out that they have developed what they call an A–4 equivalent, which measures roughly the capacity of each of these carriers.

They rate the old *Hancock* class carrier, which is one of those scheduled for replacement by the new nuclear carrier, at 83, and the *Nimitz*-class nuclear carriers, which are at issue here, at 152—not quite two to one in terms of capacity, but nearly so.

I am happy now to yield first to the Senator from Virginia, and then to the Senator from Mississippi.

Mr. BYRD of Virginia. Mr. President, I mention this point just for purposes of clarification.

In the Senator's colloquy with the Senator from Alaska, he very accurately brought out that in 1964, Secretary of Defense McNamara recommended a reduction in the number of carriers.

Mr. MONDALE. That is correct.

Mr. BYRD of Virginia. But I think, so that the record may be complete and accurate, it should show that subequent to that, in 1968, I believe it was, or 1967, Secretary McNamara strongly recommended the building of three new nuclear carriers.

Mr. MONDALE. Yes; and the two statements may be consistent.

In other words, while I do not have his testimony before me, he may have contemplated that each of the new nuclear attack carriers, which are being built in the State of the Senator from Virginia, may in fact replace not one but two of the older carriers, so that, while we are attaining the new nuclear attack carriers the total carrier attack force level, in terms of numbers of carriers, would be reduced.

Mr. BYRD of Virginia. The Senator is correct. I interrupted him at this point only so that the record could show that the Secretary of Defense, Mr. McNamara, recommended that the carrier now under discussion be built.

Mr. MONDALE. The Senator is correct.

Mr. STENNIS. Mr. President, will the Senator yield to me briefly?

Mr. MONDALE. I yield to the Senator from Mississippi.

Mr. STENNIS. I understand that the

Senator has not finished his speech, and I certainly do not wish to detain him on that. As the Senator knows, I have in mind asking for about 20 minutes, at least, when he has finished; but I want to respond, if I may, quite briefly about this carrier-force level, and simply say this: that of the 16 carriers in operation now, number 16 is extra because of the war, and it is to come out, as the Senator knows, as soon as possible, and not count as the carrier reduction that this will cover.

The Navy has the very definite position that they will take out of operation carrier No. 15, I will call it.

I have conferred with Admiral Moorer, who is, I think, one of the ablest and frankest men in the military. I am one who will not disbelieve what military men tell me and not believe it just because they wear uniforms. They are in trustworthy positions. Until I know to the contrary, I would trust them on these direct, major questions.

Who knows what our conditions will be when the carrier provided for in the pending bill is completed? If anyone knows that, then he can give an accurate estimate about what we will do about the carriers and how many we will take out.

I have pressed for an answer on this. It is going to be reviewed and ought to be reviewed by the President, the Secretary of Defense, the Chief of Naval Operations, and everyone else, including Congress, in a position of responsibility as to how many will continue to be operated.

I think there is a very fine chance that by the time this carrier is completed, an additional one, carrier No. 14, will come out of the fleet. I hope so. I hope that even more of them will come out of the fleet. However, I think there is a high probability, with the added capacity that the Senator has already mentioned, that it will be entirely possible to take an additional carrier out of the fleet.

I do not think we can argue with any success at all now as to definitely how many carriers we will need in 1972 or 1973.

As we remember, we built airbases in France. We helped to provide hundreds of millions of dollars to build and construct those airbases. Now, we cannot use those bases or even fly across France without a day-to-day permit, as I understand it. That is the kind of world in which we are living.

I had the experience of being in French Morocco. We were there looking very closely at the bases. A bystander told me, "You will never use these bases for more than a short time."

I said, "Why?"

He said, "French Morocco will get its independence and run you out of here."

That is exactly what happened 2½ years later. That is the kind of world in which we live.

I think the Senator from Minnesota has a very fine statement here. However, the matter concerning the number we need rests with the gods.

I thank the Senator for yielding.

Mr. MONDALE. Mr. President, I thank the Senator from Mississippi. I was quite encouraged by the statement he made the other day in which he expressed the hope, and repeated it this afternoon, that when the next nuclear carrier is completed, we might displace not only one but, he hoped, more than one. I was encouraged by that statement because I think that may well be one of the possible results of this amendment.

One of the problems I have had in seeking to deal responsibly with the amendment is the remarkable degree of difference that exists between the Navy and the Air Force when each one of them describes the effectiveness of its own tactical airpower and its own bases and equipment.

The Senator from Mississippi quite correctly states that he does not disbelieve a person because he is in the Navy or wears a uniform. I agree with that statement. However, in this case we have a letter which I had printed in the RECORD earlier today in which the Air Force said in response to a question from the Senator from Oregon (Mr. HATFIELD) that we have enough land bases in all of Europe and Southeast Asia to meet all of the tactical air needs of any contingency which the Joint Chiefs have considered.

We are all aware that one of the chief uses of the aircraft in Vietnam has been the bombing of North Vietnam which we have since stopped.

Certainly the fact that aircraft were once used for functions which are no longer required ought to be some justification for lowering the task force level in that area.

The fact is, the National Security Council of the Defense Department right now, as the Senator from Mississippi knows, is undertaking, and may have completed, a sweeping review of the general purpose of the force level.

I am not content—and I am sure the Senator from Mississippi would agree with me—to let the matter of the defense spending level of this country or the wisdom of every expenditure rest in the exclusive domain of the executive branch. I have been around long enough to believe that it would be an unwise policy.

Mr. STENNIS. I will develop my idea and my argument about the level of the carriers on my own time. However, I do want to point out that I have never been and never will be a party to the argument between the Air Force and the Naval air arm as to how much the other one needs. I will never be a party to that. I have never had any patience with it. I do not now.

We need both of them in a supplemental way. And we need them very badly.

Mr. MONDALE. Mr. President, I ask unanimous consent that, at the conclusion of my remarks, the Senator from Mississippi (Mr. STENNIS) be recognized for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. SYMINGTON. It was not possible for me to be present at the beginning of the address being made by the distinguished Senator from Minnesota.

I was back in my State last night and part of this morning and was impressed by the fact a great many of the programs considered essential in our cities, our suburbs, and the rural districts of our country are drying up because of lack of funds.

It has been my lot to be associated at least indirectly with the defenses of the United States for some 50 years, and directly in this town for over a quarter of a century.

I have watched weapons systems come and go. The RECORD will show that as a Senator at no time have I criticized the use, development, or number of aircraft carriers. But I have seen the death of the battleship. That all started when the *Prince of Wales* and the *Repulse* were sunk by some old Japanese planes off the coast of Malaysia; and continued when the *Bismarck*, after sinking the greatest battleship ever built, up to that time, was destroyed by a few old Fairey planes off an old British carrier, the *Wasp*.

It happened I was flying militarily from England to Portugal at that time—the spring of 1941—and ran into that particular fight, which thereupon also ended the concept of the large battle cruiser.

There was a time when many of us were convinced that the new strategic bomber, the B–70, was needed for the security of the United States. It is a matter of record that the B–70 was voluntarily abandoned by the Air Force, when the latter changed from the B–70 to the RS–70. At that time I left the boat, primarily because of the great development of ground-to-air missiles by the possible enemy.

For years efforts have been made to ascertain the true cost of a carrier task force; and also it is true now that we have this tremendous development in missiles, a development which is increasing in momentum rather than decreasing; it is vital that this system be examined.

Now the Senator says in his talk that the mission of the carrier, because of the development of these missiles, in effect has been changed from a strategic mission to a tactical mission. That is worthy of most serious consideration.

For the first time since World War II we are really discussing, in detail, a weapons system that never before was discussed in detail. I am not saying that we should adopt or reject this amendment, but I am saying that it is not only the right, it is also the duty of the Senate to consider this system as it considers all other weapons systems and problems of defense procurement that come before the Senate. There should be nothing inviolate, nothing sacred, about any weapons system; because, in the end, it is the taxpayer of the United States who is going to pay for it.

I respectfully commend the distinguished Senator from Minnesota and the distinguished Senator from New Jersey for bringing this matter up in such detail before the Senate.

There have been sharp and basic developments in warfare in recent years, and without question the greatest development has been in the missile field. Missiles are air to sea, sea to sea, and ground to sea, just as they are ground

to air and sea to air, and ground to ground.

The Mediterranean situation is one of particular interest to me, because my Foreign Relations Subcommittee has to do with that part of the world. A great many people have expressed new interest in, and concern about, the future of naval warfare because of the recent development of the Styx missile by the Soviet Union and the catastrophic result when it was used in an attack by the United Arab Republic in the Mediterranean.

I did not intend to make extended remarks on this subject, and look forward to listening to the able Senator from Minnesota. I do know, as does everyone in this Chamber, that this country must stay strong if it is to stay free. But it is our duty—and I believe the Senator from Minnesota is quite accurate when he says it is our duty—to discuss all weapons systems in detail. At other times I have opposed various systems in the other two branches of the services, but to the best of my knowledge, this is the first time I have ever given consideration to reducing a Navy system. Now we should examine in detail whether or not the addition of aircraft carriers is the right type and character of action in this missile age.

Somehow, in some way, we must cut the increasingly high cost of defense. If we do not, we will destroy the value of the dollar, and all that connotes also from the standpoint of the real future security of the United States.

It would be unfortunate if this discussion deteriorated at any time into a disagreement between one service and another—specifically, between the Air Force and the Navy. I would hope that does not develop. The Air Force may have too many bases abroad. So may the Navy, in this nuclear space missile, have too many bases in the form of carriers. Many bases were created and supported when the strategic bomber, Navy and Air Force, was dominant as the strongest strategic defense weapon of the United States. That is no longer the case. The Polaris is the greatest strategic weapon today.

All of us should worry about the fact that the strength of the Soviet Union in submarines is far greater than anything the Kaiser or Hitler ever had or the United States has today. We stick with the carriers while they now build an attack submarine force which is hundreds larger than ours. As they look toward modernity in weapons, however, they have not yet laid down a single carrier.

In any case the point I want to make is that it does not make any difference whether the tactical airpower of the Air Force is more important or more valuable or more desirable than the tactical airpower of the Navy, or whether the tactical airpower of the Navy is more desirable or more important than the tactical airpower of the Air Force. What is important is what is necessary for the security of the country. I would hope that many of these bases in these faraway lands, created to handle a type and character of warfare which will never occur again, are dismantled, so they will no longer be an additional burden on the American taxpayer.

I would hope we would look at all this not as rivalry between the services, rather as a possible way, manner method by which we can reduce the costs of Defense.

Mr. MONDALE. I thank the distinguished Senator from Missouri. I shall respond shortly but I had promised that I would yield to the Senator from New Jersey. I now yield to the Senator from New Jersey.

Mr. CASE. Mr. President, I thank the distinguished Senator. I have not previously joined in the discussion. I wish to say first how much I value this collaboration. It has been not only a satisfaction but also a very great pleasure to this point. My association with the Senator from Minnesota has increased my high regard for his ability. My participation in the discussions on these several amendments has also increased my regard for the Senator from Mississippi and the splendid way in which he has accommodated himself to what has been in many ways a very trying experience.

After working for months on this legislation in his committee he has had to deal with what I know has been a very trying series of amendments. To someone who has been over this ground many times already, perhaps it seems an unnecessary expenditure of time and energy on his part. However, for the good spirit he has shown in permitting us to continue what we think is our duty today I am most grateful. That was the reason I asked to be recognized.

I want the Senator from Missouri to recognize what we are attempting to do in this amendment, as in other amendments which have been and which will be offered to the bill. It is very helpful and encouraging that he has so fully accepted and so well stated what we think is the primary issue here: Shall Congress remain in control and, as some of us think, regain control of the basic decisions affecting national policy in the field of weaponry and large strategic matters?

It is our conviction, and my own very definitely, that we have not done our share of this in the past, we have not been organized to do it, and we have not regarded it as a function which we ought to perform. I can see no argument against our asking the Congress to do that job now.

I think that the matter of the carrier and several of these other strategic weapons systems are appropriate vehicles by which we can ask Congress to bring itself to this task. That is the purpose. We are not for or against this carrier, qua carrier, nor do we have any firm view as to the number of carriers, if any carriers there are to be in the armed services of the United States now and for the next 30 years. We do think Congress should take this opportunity to study that question, and that is the purport and purpose of our amendment.

I am grateful that someone so experienced in the operations of high policy in the defense of the United States should approve our effort and think it good.

Mr. MONDALE. Mr. President, I am glad to yield to the Senator from California.

Mr. CRANSTON. I thank the Senator for yielding. My purpose in rising is to address a question to the Senator from Missouri.

I wish to say first that the views of the senior Senator from Missouri carry extraordinary weight with me on military matters because of his utterly unique background in this field, and because of his careful attention to the broadest strategic implications of these matters and the narrowest details in relation to tactics, costs, and so forth. His speech the other day on the C–5A had more to do with my opposing that amendment than any other single factor.

Having said that, I would like to ask the Senator if the remote presence concept has any relevance to the carriers? Does the existence of a substantial number of carriers specifically relate to this amendment? Is there any reason to believe that by supporting the carrier presently under consideration we might have a greater opportunity to cut back on troops stationed abroad?

Mr. SYMINGTON. Mr. President, I say to my able and distinguished friend, the Senator from California, that I deeply appreciate his kind but undeserved remarks.

His question gets into tactics.

The Mediterranean Sea today is a narrow lake from the standpoint of modern weaponry; in fact, for a time, after the Egyptians sank the Israel destroyer *Elath*, it was believed the missiles must have come from the land. The fact there was disagreement as to whether it came from sea or from the land is in itself interesting from the standpoint of the question posed by the able Senator from California. Some parts of the Mediterranean are but 7½ miles wide; therefore of course ships could be attacked from the land by missiles as well as from the sea and from the air.

We know how dangerous the Sam missiles were to our planes in the Vietnam theater. For example, unless by mistake, no B–52 ever went over North Vietnam. But that Sam-2 missile is obsolescent compared with modern air-to-ground missiles developed by the Soviet Union and passed out to their friends and allies.

A ground-to-air missile works against gravity but an air-to-air or air-to-ground missile has gravity working in its favor.

Today both the United States and the Soviet Union have underway missiles far more sophisticated than those Soviet Styx missiles which sank the *Elath*.

In reviewing the speech of the distinguished Senator from Minnesota (Mr. MONDALE), I noticed the large proportion of our carrier task fleets that he says are assigned to the Mediterranean. At one time I worked for the late, great Secretary of Defense James Forrestal. He felt that the first person responsible for putting one enemy of the United States in the Mediterranean could be responsible for the first nail placed in the coffin of our security. Today the forces of possible enemies are spread all over the Mediterranean.

It is interesting to notice just how few

Mediterranean ports are now available to our fleet.

Perhaps the most dramatic development in the Mediterranean in recent months and years has been the growth of the Soviet fleet in that sea.

But even as of today they have not built a single carrier. They have a helicopter pad called the Moskua, but that is not a carrier. They also have a lot of submarines and cruisers and destroyers. If it is true, as the talk of the Senator from Minnesota brings out, that counting the backup, the money we have invested in the Mediterranean in carriers runs into many billions of dollars, as the development of the art of missilery continues, that would appear of the greatest importance in this discussion.

Is by chance this inland sea a trap to old concepts of weaponry in this missile age? If it is, should we not change our concept; or should we continue to handle it today as we did 25 years ago?

All countries that once built carriers have now discontinued building them, except the United States; and the country rising in naval power, all over the world—the Soviet Union—has never yet laid down a single carrier.

These are problems the Senator from Minnesota is bringing out on the floor of the Senate. The theory of "remote presence" is certainly designed to eliminate some Army and Air Force bases; and I would say to my good friend from California that this theory should also eliminate some Navy bases as exemplified by carriers.

Mr. MONDALE. I thank the Senator from Missouri for his most useful and gifted discussion of this issue. I share the admiration of the Senator from California for the Senator from Missouri for his lifetime of interest in this subject, the unique experience which he brings to bear, and his devotion to his country and its best interests.

Would the Senator from Missouri say that while much of it is classified, it is fair to say that the Soviets have been making an intensive effort to develop the latest, most accurate, speediest, and most powerful missilery? Would there be any doubt about that?

Mr. SYMINGTON. The proponents of the ABM system made this perhaps their chief argument in justification of that system. To the best of my knowledge, no one has questioned the fact that the Soviet Union was racing ahead in the missile field and attempting to equal, if not exceed, the position of the United States in that field.

Mr. MONDALE. Is it not correct that a good many of the currently deployed Soviet cruisers, destroyers, submarines, and airplanes have on them cruiser missiles of this kind?

Mr. SYMINGTON. That is my understanding. The missiles which sank the *Elath* are now considered to have come from what was little more than a large motorboat. The sharpness of that attack, and its decisiveness, amazed various naval people with whom I talked. The launching ship was very small, and the missiles were made by the Soviet Union, and were effective.

Mr. MONDALE. As the Senator from Missouri has already said, the Styx missile is an old generation and certainly is not in the front ranks of the current state of the art as developed by the Soviet Union; is that not correct?

Mr. SYMINGTON. I would answer my good friend that it probably does not go as far back as Sam, the Redstone, or the Thor, but it is a long, long way from what we are confident the Soviet Union has today; and what are our own plans and programs in this particular field.

Mr. MONDALE. As the Senator knows, the amendment—and we have to keep repeating this because it is being characterized in a very different way—is a very modest amendment. It would ask only that Congress ask the General Accounting Office to review the facts, the cost evaluation, and all the accounting data, and to pass this information on to Congress so that we can make some judgments as to the proper force level, the best use of our total defense budget, and the need at this time for a new nuclear attack carrier. That is all the amendment would do. As I understand the comments of the Senator from Missouri, this kind of study is not only valuable but long overdue.

I should like to make one final comment and then I should like to return to my speech.

The President made a statement about the spending level of the economy and asked some grave questions about the future value of the American dollar. We all agree that if we want to demoralize this country, erode the value of the dollar, and destroy the savings and pensions of millions and millions of Americans, all we have to do is continue to spend billions of dollars without first asking "why" or setting forth any priorities. Thus, as we look at the Nation's budget, every bit of it has to be analyzed, including the budget of the Department of Defense.

The other day, the President called certain people "unilateral disarmers." I think he might have had me in mind. I checked to see how much I had voted for in defense spending since I came to the Senate. I am a junior Member of this body and have been here for 5 years; that is two and one-half Congresses. I find that I voted for $289 billion worth of defense spending. That is direct spending—$289 billion—think of it. Does that make one a unilateral disarmer in the judgment of the Senator from Missouri?

Mr. SYMINGTON. Well, it is tiresome to have people put in the broad categories of hawks or doves just because they try to discriminate between all the weapons systems advanced instead of endorsing all said systems.

The two men who introduced the ABM amendment, one, the senior Senator from Kentucky (Mr. COOPER), enlisted in the U.S. Army as a private in the Second World War and came out an officer. The other sponsor, the senior Senator from Michigan, received his Purple Heart on Utah Beach on D-day.

One of the two Senators I joined in signing the ABM minority report of the Armed Services Committee was a decorated combat infantryman on the Anzio beachhead when he was over 50, the other, who left his right arm in Italy fighting for his country, received the finest citation I ever read, and the Distinguished Service Cross. Based on the citation, and what Gen. Mark Clark said about him to the Armed Services Committee, I still do not understand why he did not receive the Medal of Honor.

So talk of pacifism and unilateral disarmament on the part of certain Members gets a little tiresome.

I have been here longer than my able and respected colleague from Minnesota, and found out recently that I have worked for and voted for $953 billion for the security of the United States since coming into the Government. That means that by the end of this year the figure will be over $1 trillion. But just because one asks, not that a system be stopped, only deferred for additional development, he is labeled in some quarters as being antimilitary. What a farce.

I have great respect for the ultimate wisdom of the people of this country, who are watching the continuation of this sad and tragic venture in Vietnam; and because I have that respect, I believe none of us has cause for apprehension about such attacks.

It is both patriotic and constructive for the Senator from Minnesota and the Senator from New Jersey to bring this matter up for discussion. We have a right, as representatives of the people—all the people, no particular clique or caste—to ask: What is true security? Is it more important for our citizens to respect the wisdom of the leadership of the country in the expenditure of their money than to have a particular weapons system? Which is the more important? It would appear just as important to the security of the United States for us to have a sound economy as to have a particular weapons system.

Should we continue to pile armament onto armament as against continuing to make every effort to work for a just and honorable peace.

These are but a few of the questions being raised back home with respect to weaponry, on this carrier system as they have been raised on other systems. It is all constructive and I believe what the people expect of their representatives.

Mr. MONDALE. I thank the Senator from Missouri for his most encouraging remarks and his keen interest in this issue.

James Field, a naval historian, noted that a carrier task force, in fear of enemy attacks, cannot successfully participate in a campaign of interdiction. He wrote that in Korea, for example, "Logistic considerations and the dangers of air and submarine attack made it undesirable for carriers to operate for more than 2 days in the same location."

Perhaps the most crucial limitation on the carrier's effectiveness is that the threat of attack diverts potentially offensive carrier sorties to defense of the task force. Thus, during World War II and the Korean war, 23 percent of the total combat sorties flown from carriers were defensive. This contrasts with 2.7

percent flown by planes from land bases during the Korean war.

Fears and uncertainties concerning an enemy's anticarrier warfare potential also affects the rapid responsiveness of the attack carrier, which is its strongest attribute. Wilson noted that uncertainties as to weapons, belligerents, and the limits of the war did in fact impede carrier deployment early in the Korean conflict. Future limited wars will also be surrounded by "uncertainties as to who will fight and with what weapons."

Because of the tremendous investment in a carrier and its task force and because of the recognition of the vulnerability of the carrier under certain conditions, the Navy is naturally hesitant to commit the carrier to a conflict or potential conflict. Once committed, the ever-present fear of enemy attack may prevent the carrier from serving as an effective sea base for tactical airstrikes.

It should be emphasized that the threats which have limited a carrier's responsiveness and effectiveness in past wars are far more dangerous today. And since naval doctrine, as Wilson points out, "as yet says nothing about treating the attack carrier as expendable in a limited war," there is every indication that the carrier will be even less effective in future conflicts with a sophisticated enemy.

The Navy, however, refuses to fully recognize the vulnerability of carriers. Its grandiose planning for the use of carriers illustrates this fact.

Mr. President, at this point I wish to comment upon the agreements by which the Navy has attempted to demonstrate the invulnerability of the aircraft carrier. I will quote from a speech of the Chief of Naval Operations, Admiral Moorer, who said at a recent Veterans of Foreign Wars convention:

> In some 50 wars or near wars since 1946, we have not lost a carrier or had one damaged owing to hostile action.

That is what he told the VFW in order to satisfy them that the attack carrier was no longer vulnerable.

I wrote the Chief of Naval Operations and asked, "Would you please provide me with a list of those wars or near wars that you based your invulnerability argument upon?"

After some 10 days, I received a document which, surprisingly, was classified. In it, he recounted not 50, but 48 wars or near wars in which the aircraft carrier had actually been involved or alerted.

In four of those wars or near wars, the aircraft carrier was not even there; it had just been alerted. We checked the names of the various wars or near wars, and asked the admiral to declassify them, so that the Senate could know the experiences, areas, and events in which the carrier has been involved during the past 23 years. Such a list would probably be the best indication of when, under what circumstances, and in what kind of challenges the naval attack carrier was used.

We received a partially declassified list. To be charitable to the Navy, I would say the most embarrassing incidents remain classified. But it is fair to say that at least half of these alleged wars or near wars were wars in which the carrier was only remotely involved, and against alleged enemies which had no capacity at all to inflict any kind of damage upon the attack carrier, even if they wanted to; and in most cases there is no evidence that they did.

I do not think that it says much about the invulnerability of the carrier in those incidents where the carrier was not involved, to say it was not sunk; or to say, when in about half the instances that he has listed in this message the enemy had no capacity to respond at all, or showed no intention of responding, that somehow the carrier survived and therefore is invulnerable.

The issue on vulnerability is an obvious one: Do modern missilery, aircraft, submarines, and other kinds of technology and weapons raise doubts as to the survivability of the attack carrier under certain instances and in certain kinds of wars? That is the issue, and I deeply regret that the Chief of Naval Operations would base his case for the invulnerability of the carrier by referring to a list of minor events and foreign riots in which no carrier was sunk or damaged.

I ask unanimous consent that the declassified version of the list of instances to which the admiral made reference be printed in the RECORD at this point.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

SUMMARY OF WARS, NEAR WARS SINCE 1946

(The following list represents only major/minor conflicts or crises where U.S. Naval units were involved as prime factors, alerted or redeployed.)

Turkey (4/46): USSR-Iran hostilities and USSR-Turkey diplomatic tensions; Naval unit deployed as affirmation of U.S. intentions to shore up Turks against Soviet imperialism.

Trieste (7/46): Trieste ownership dispute; U.S. and British Naval units dispatched to scene with open warfare imminent. Commenced Adriatic Patrol which lasted until Trieste issue resolved in 1954.

Greece (9/46): Political crisis. Naval Units visit requested by U.S. Ambassador.

Indochina War (11/46–7/54): Naval units employed in evacuation, assistance, alert status.

Israel (6/48–4/49): Naval units assigned UN mediator for the Palestine Truce. Evacuated UN team eventually in July.

Greek Civil War (46–49): Presence and alert.

Korea (50–53): Combat operations.

Tachens Crisis (7/54–2/55): Evacuation of civilians/military personnel; alert and operations.

Vietnam Guerrilla War (9/55–Present): Presence, assistance, combat operations.

Red Sea (2/56): Naval unit patrols established in view of developing Suez Crisis.

Jordan Tension (5/56): Provided presence.

Pre-Suez Tension (7/56): Alert.

Suez War (10–11/56): Alert, evacuation, provided presence.

Jordan Crisis (4/57): External conspiracy charged with intent to subvert Jordan. Naval units dispatched.

Kinmen Island (7/57): Communist shelling. Naval units dispatched to defend Taiwan.

Haiti Disorders (6/57): Alert, surface patrols.

Syria Crisis (8–12/57): Alert, provided presence.

Lebanon Civil War (5/58): Support operations.

Jordan/Iraq Unrest (8–12/58): Alert, surveillance, surface patrol.

Cuba Civil War (12/56–12/58): Alert, evacuation, provided presence.

Quemoy-Matsu Crisis (9–10/58): Evacuation, combat operations.

Panama Invasion (4/59): Provided presence.

Berlin Crisis (5–9/59): Alert, provided presence.

Nationalist China-Communist China Crisis (7/59): Provided presence.

Panama Demonstrations (8 & 11/59): Alert.

Laos Civil War (12/60–5/61): Alert, provided presence.

Congo Civil War (7/60–8/63): Alert, evacuation.

Caribbean Tension (4–12/60): Alert, air and surface patrols.

Guatemala-Nicaragua (11/60): Alert, air and surface patrols.

Bay of Pigs Crisis (5/61): Alert.

Zanzibar Riots (6/61): Alert.

Berlin Crisis (9/61–5/62): Alert, provided presence.

Dominican Republic (11–12/61): Alert, air and surface patrols.

Guantanamo Tension (1 and 7/62): Alert, provided presence.

Guatemala (3/62): Alert, provided presence.

Thailand (5/26): Alert, provided presence.

Quemoy-Matsu Crisis (6–62): Provided presence.

Cuban Missile Crisis (10–11/62): Provided presence and intervention.

Yemen Revolts (2–4/63): Alert, provided presence, surface patrols.

Laos Tension (4/63): Alert, provided presence.

Jordan Crisis (4/63): Alert, provided presence, surface patrols.

Caribbean Tensions (1963): Alert, air and surface patrols.

Vietnam Civil Disorders (8–9 and 10/63): Alert, air and surface patrols.

Dominican Republic (9/63): Alert.

South Vietnam Crisis (11/63): Following death of President Diem. Provided presence.

Indonesia-Malaysia (12/63): Alert, provided presence.

Panama (1–4/64): Alert, provided presence and evacuation.

Guantanamo Tensions (4–7/64): Provided presence, surface patrols.

Panama (5/64): Provided presence.

Dominican Republic (6 and 7/64): Air and surface patrols.

Tonkin Gulf (8/64): Combat operations.

Dominican Republic (4/65): Intervention and combat operations.

Arab-Israeli War (6/67): Alert, provided presence, covered evacuation of U.S. citizens.

Pueblo Capture (1–4/68): Redeployment of forces; maintained presence in area to take actions as directed.

EC–121 Loss (4/69): Redeployed forces; maintained presence to take actions as directed.

Mr. MONDALE. The Navy, however, refuses to fully recognize the vulnerability of the carrier.

The Navy justification for 15 carriers is based on the theory that the carrier fleet must be adequate to fight, simultaneously, two and one-half wars—that is, a major conventional war upon both the Atlantic and the Pacific, plus a brush-fire war somewhere else.

The Navy assumes that the carrier will be a vital participant in the full range of conventional conflicts—the relatively minor, Dominican Republic type, the mild-range Vietnam type, and the full-scale conventional war—whatever that would be in this nuclear era.

By allocating to itself such a major role in such a range of possible conflicts, the

Navy refuses to acknowledge that events have changed the proper role of the carrier since 1945 by limiting the scenarios in which carriers can be effective.

When engaged in a major conventional war with a sophisticated enemy, the carrier task force will be exposed to a complete range of anticarrier weapons. While the Soviet Union represents the greatest military threat to the carrier, other countries possess various weapons designed for anticarrier warfare.

For example, Desmond Wilson points out that Cuba, China, Indonesia, and Egypt, in addition to the Warsaw Pact states, are known to have large numbers of Soviet-built IL–28 Beagles—bombers which are capable of striking carrier task forces with a 4,400-pound bomb load at a combat radius of about 800 nautical miles. Moreover, the Soviet Union has distributed at least some of their 1,500 to 2,000 TU–16 Badgers, a bomber capable of being used against surface vessels. The Badger, known to have been supplied to China and Indonesia, can carry two air-to-surface missiles or a 7,000-pound load to a radius in excess of 1,500 nautical miles. Large numbers of Mig–21's have been made available to Communist satellites and some neutral states. Furthermore, the Styx missile and other antiship missiles are also in the arsenal of many of the Soviet allies.

In addition to high performance aircraft and missiles, the Soviet Union has distributed a number of its *Whiskey* class long-range conventional submarines to several satellite and neutral nations.

There are, therefore, relatively few scenarios in which you can imagine a carrier free from threats of enemy action and thus able to function effectively in an offensive tactical capacity. This is not to say that the carrier has no role in a conflict where the enemy has some anticarrier capability. But as the capability increases, so does the threat, and carriers simply do not operate effectively in such an environment.

The Navy is quick to remind us that land bases for tactical aircraft are also vulnerable to enemy attack. This is, of course, true. Land bases are subject to attack by aircraft and missiles; in addition, they are uniquely subject to ground attack and artillery, particularly in a guerrilla war as in Vietnam.

But in examining the relative vulnerability of land and sea-based tactical airpower, we must look at their relative effectiveness. The historical record strongly suggests that land bases are less inhibited than carriers by the threat of attack and that they are capable of delivering more offensive sorties.

The threat of enemy attack also makes the carrier less desirable from a cost point of view. It has been estimated that at least one-half of the cost of a carrier task force is allocated for carrier defense. This high allocation of resources to defense sharply raises the cost of each carrier-based offensive sortie. In return for this large investment in carrier defense, we have carrier task forces which, in all probability, would be of little value against high level threats—and are overly oriented toward defense against low level threats.

FAILURE OF OTHER NATIONS TO BUILD CARRIERS

It may well be that all of these considerations explain the reluctance of the Soviet Union—and almost every other nation—to rely on attack carriers. In fact, the United States is the only major military power with an attack carrier in its fleet. Neither the Soviet Union nor China has built a single attack carrier, and neither plans to do so. England is in the process of phasing out its attack carriers, and France is the only other country with such a carrier.

According to a 1969 report by the Seapower Subcommittee of the House Committee on Armed Services, the Soviet Union in recent years has built over 500 surface ships in 20 classes. The report states:

> The Soviet Union is developing a massive well-balanced program in virtually all phases of seapower.

The U.S. Navy not only agrees with this assessment, it constantly stresses the growing menace of the Soviet's surface fleet. Only the absence of attack carriers prevents the Soviet fleet from surpassing ours, according to the Navy. The Chief of Naval Operations recently stated that these carriers "are the key to our present superiority," and that "with too few, or none" in the U.S. fleet, "the Soviets would probably be the leading naval power."

Even assuming that carriers are the key to our naval superiority, it is obvious that we do not need as many as 15 carriers to maintain this superiority.

But if the carrier is really such a vital ship, then why have the Soviets failed to build a single attack carrier? Why do they have no plans to do so? Since they are currently in the midst of a massive shipbuilding program and since they obviously have the technological capability to build carriers, their decision to rely on other surface ships cannot be due to limited resources. The U.S. Chief of Naval Operations offered the following explanation for the Soviet failure to build attack carriers:

> Geography, more than any other reason has kept the Soviets out of the aircraft carrier business. The routes of egress from Soviet naval bases to the open oceans are, by way of choke points, controlled by other powers. For an aircraft carrier such a situation could spell disaster in a shooting war. If the Soviets were to gain control of the points, however, the situation might change.

But this constriction of egress from Soviet naval bases to the open seas has not deterred the Soviets from building a large number of almost every other type of surface warship. If the Soviets can move their carriers and destroyers through those choke points, then why would a carrier pose a different problem? It would seem that Soviet naval planners have decided that attack carriers simply are not worth their enormous cost.

Regardless of the reasons for the Soviet decision not to build carriers, our Navy cannot have it both ways. Either carriers are not that vital to a surface fleet and the Soviet Navy is a threat without them, or else the Soviet's surface fleet is not a significant naval threat.

FAILURE OF NAVY TO RECOGNIZE COMPLEMENTARY ROLE

All of these arguments are not intended to prove that there is no need for attack carriers. Indeed, carriers can serve as a complement to land-based air power—but primarily in limited conflicts where land bases are not immediately available.

Despite the Navy's recognition that carriers should be complementary to land-based airpower, it has been unwilling to accept the fact that the need for carriers is reduced where there is ample land-based air capability.

Carriers, for example, were useful in the beginning of the Vietnam conflict when land bases were still limited. But a serious question can be raised whether the Navy's continuing level of involvement in the Vietnam conflict—once sufficient land bases were constructed there—reflects as much the need to give the Navy a "piece of the action" as a reasoned military judgment.

Mr. President, I point out here that the decision to stop bombing in Vietnam, with which I heartily agree, has certainly reduced the need for attack air carrier force levels. One would like to see what response the Navy makes to that change of circumstances.

The designation of six carrier task forces to the Atlantic and nine to the Pacific also attests to the Navy's unwillingness to recognize the complementary nature of carrier-based airpower. Commenting on the Mediterranean task forces, Desmond Wilson wrote:

> With the subsequent development of land-based air covering NATO's southern flank, and with the later introduction into the region and coverage of the region by sea and land-based missile systems, the Sixth Fleet may have become increasingly redundant. It almost certainly became increasingly vulnerable with the marked growth of the Soviet nuclear capability, along with submarine, aviation, and missile delivery systems.

But even this type of fleet deployment can be carried out with less than 15 carriers. The Navy claims that 15 carrier task forces are required to keep five continually on station—two in the Mediterranean and three in the Western Pacific. While the Navy points out that the rate of "on station" deployment has actually been higher in the past, they continue to insist that three task forces are needed to maintain one "on station" throughout the year. This method of deployment is explained as arising from the need to rest the crew, make necessary repairs, and take care of other logistical problems.

The Navy does concede that, but for the need to relieve the crew, a carrier task force could remain on station for a longer period of time. However, they have never satisfactorily explained why the relief of the crew should force the carrier to be withdrawn from forward deployment.

The Navy itself has successfully dealt with this problem in the operation of Polaris submarines by using what is called a "blue and gold" crew concept—

the submarine stays on active duty and the crew is simply rotated. By this method, a Polaris submarine is able to stay on active duty for a significantly longer time than the carrier. And yet, the Navy has failed to adapt this method or a similar one to the attack carrier. Such a procedure would make it possible to deploy five task forces on station with a reduced carrier fleet.

MORE EFFICIENT USE OF PRESENT FLEET

Those who favor the authorization for the new carrier in the pending bill argue that the carrier is needed, even if the carrier force size is reduced. In a recent news conference, Secretary Laird stated:

Whether we have a 12- or 15-carrier force does not affect the request for CVAN-69.

The assumptions underlying this argument are that the older attack carriers are no longer usable; that they, therefore, must be replaced with modern nuclear carriers; and that a congressional decision to defer the building of CVAN-69 will insure that there is a substantial percentage of obsolete attack carriers in the 1970's; and that such a decision will weaken the capacity of our attack carrier fleet, thereby weakening our overall defense posture.

This argument does not square with the facts. To begin with, the attack carriers which have joined the fleet since the mid-1950's are almost double the size of the older carriers, are equipped with the most modern aircraft, and, therefore, have far greater capability for tactical air than the oldest carriers which they replace. The Navy has stated that the nuclear carrier air wing is tactically more than twice as effective as that of the World War II carriers.

But since the Navy has followed a one-for-one replacement policy in the past, the actual capacity of the carrier fleet in terms of providing tactical air power is far greater than the 15 carrier force level would imply. The Navy's carrier replacement policy would, therefore, more accurately be described as a two-for-one policy—an escalation, in fact, of the carrier force level. Even if the Navy can support a case for replacing the older carriers with nuclear carriers, there is no reason why at least two of the older carriers could not be replaced as each new carrier joins the fleet.

We tried for some time, as I indicated earlier, to determine whether the Navy had a shorthand way of indicating the relative effectiveness and capacity of the various carriers.

I am pleased to find that they have worked it out in terms of what they call the A-4 equivalent, which indicates the number and the amount and the type of aircraft that operate on each carrier.

As I said earlier, the older *Hancock* class has an equivalent of 83. The *Nimitz* class has an A-4 equivalent of 152.

I ask unanimous consent to have printed at this point in the RECORD a tabulation setting forth that information.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Nominal air wing complements

Enterprise/Kitty Hawk/Forrestal classes:	
Fighter squadrons (F-4)	2
Light attack squadrons (A-7)	2
Attack squadron (A-6)	1
Electronics warfare/tanker squadron (EKA-3)	1
Airborne early warning squadron (E-2)	1
Reconnaissance squadron (RA-5C)	1
Rescue squadron detachment (UH-2)	1
Total A-4 equivalents	132
Midway class:	
Fighter squadrons (F-8) (F-4's assigned when available)	2
Light attack squadrons (A-7)	2
Attack squadron (A-6)	1
Electronics warfare/tanker squadron (EKA-3)	1
Airborne, early warning squadron (E-2)	1
Reconnaissance squadron (RF-8G)	1
Rescue squadron detachment (UH-2)	1
Total A-4 equivalents	108
Hancock class:	
Fighter squadrons (F-8)	2
Light attack squadrons (A-4)	3
Electronics warfare/tanker squadron (EKA-3)	1
Airborne early warning squadron detachment (E-1B)	1
Reconnaissance squadron detachment (RF-8G)	1
Rescue squadron detachment (UH-2)	1
Total A-4 equivalents	83
Nimitz class (the air wing listed below is planned for the *Nimitz* in fiscal year 1973):	
Fighter squadrons (F-14)	2
Light attack squadrons (A-7)	2
Attack squadron (A-6)	1
Tanker squadron (KA-6)	1
Electronics warfare squadron (EA-6)	1
Airborne early warning squadron (E-2)	1
Reconnaissance squadron (RA-5C)	1
Rescue squadron detachment (UH-2)	1
Total A-4 equivalents	152

(NOTE.—The types of aircraft which can be operated by a carrier depend primarily upon the flight deck and its installations such as the catapults, arresting gear and elevators. Ship-installed support facilities also limit aircraft types which can be operated. The number of aircraft which can be carried depends upon deck area and the mix of types. Some types of aircraft are considerably larger than others, and a smaller total of generally larger aircraft can be physically accommodated. The smallest tactical aircraft in the U.S. Navy's carrier inventory is the A-4 *Skyhawk*. Therefore, for standardization purposes, the Navy expresses carrier aircraft capacity in terms of A-4 equivalents.

Mr. MONDALE. This increased capability of the carrier fleet means that today's 15 attack carriers can deliver more tactical air support than the 15 carriers which comprised the fleet in the mid-1950's. That is why Secretary McNamara relied on the increased capability of the newer carriers as a justification for reducing the size of the carrier fleet. Unless it is assumed that the need for tactical airpower has substantially increased in the past 15 years, a decision to defer the building of an additional nuclear carrier will not endanger national security.

Nor does a decision to postpone this carrier mean that we will be stuck with an obsolete attack carrier fleet. I referred to this argument several times today. Excluding the oldest four carriers, the attack carrier force consists of one nuclear carrier, the *Enterprise*; eight *Forrestal* carriers, and three *Midways;* in 1972, the second nuclear carrier, CVAN-68, will join the fleet. At least 12 of these 13 carriers are suited for handling all modern aircraft with safety and efficiency.

I emphasize that because the Armed Services Committee report cites as one of its main reasons the fact that many of the new aircraft cannot be accommodated on these carriers.

The truth is that 12, or perhaps 13, of these carriers can handle everything we are making and plan to make. In addition, the three *Midways* are the only carriers in this group over 13 years old, and two of these carriers have recently been modernized.

This means that we will have 13 attack carriers which are not obsolete by the Navy's standards, at least through 1976, and probably longer in light of the modernization of the *Midways*. Even if we decide not to authorize funds for CVAN-69, the attack carrier force level will remain at 13 fully effective ships—by the Navy's definition—for some time.

But why are the World War II attack carriers called obsolete?

Secretary McNamara testified before Congress in 1964 that the chronological age of a particular ship was not important in determining fleet obsolescence. Rather, the key question was whether a ship "is able to perform its mission in the face of the expected threat."

Mr. President, I ask the Senate to look at the list of occasions on which the carrier has been used as set forth by Admiral Moorer, and I ask how many of these minor events are events in which, if a carrier has to be used at all, one of the older carriers would not be adequate and how many events as listed by the admiral require the latest, largest, and most advanced carriers?

The Armed Services Committee, as well as the Navy, maintains that these older carriers are "simply inadequate to serve efficiently and safely the newest aircraft now operating in the fleet." However, these carriers can certainly handle other jet aircraft—such as F-8's—with safety and efficiency. And since the usefulness of attack carriers is limited to conflicts where there are low-level threats, there is no reason why these older carriers cannot continue to provide tactical air support—that is, if the Navy insists that it needs a minimum of 15 attack carriers.

It should be pointed out that the Navy's carrier fleet is not limited to attack carriers. There are, in addition, six smaller carriers, used primarily for anti-submarine warfare. These carriers are capable of handling several types of tactical jet fighters, and one of them is being currently used in Vietnam in an "attack" capacity. Surely such carriers could be used to supplement the existing attack fleet in many cases where limited tactical air power is called for. It be-

comes all the more difficult, therefore, to justify the beginning of a brandnew attack carrier in light of the overwhelming cost of a fleet which actually numbers not 15 but 21.

The Navy claims that a "modern force" of 15 attack carriers, in which each ship is retired after 30 years of service, requires a construction program including a new carrier every other year. But there are several alternatives for maintaining or increasing the number of carriers capable of providing tactical air support, without resorting to such a costly construction program. Given the more limited role of carriers called for by modern military realities, the requirement for a fleet composed entirely of huge attack carriers, all capable of handling the most modern aircraft, is at best questionable.

It is likely that the Navy will not accept a more limited carrier role. The Navy insists that the attack carrier can meet any conventional war contingency, claiming the carrier to be no more vulnerable today than it was in World War II. Such a position ignores a warning made some years ago by the great naval historian, Alfred Mahan:

> He (the strategist) will observe also that changes of tactics have not only taken place after changes in weapons, which necessarily is the case, but that the interval between such changes has been unduly long. This doubtless arises from the fact that an improvement of weapons is due to the energy of one or two men, while changes in tactics have to overcome the inertia of a conservative class; but it is a great evil. It can be remedied only by a candid recognition of each change; by careful study of the powers and limitations of the new ship or weapon, and by a consequent adaptation of the method of using it to the qualities it possesses, which will constitute its tactics. History shows that it is vain to hope that military men generally will be at pains to do this, but that the ones who do will go into battle with a great advantage—a lesson in itself of no mean value.

FOREIGN POLICY IMPLICATIONS

There is another basic motivation for our amendment, other than the call for an evaluation of the proper carrier force level. For, in addition to these problems of efficiency and effectiveness, the use of the aircraft carrier has serious foreign policy implications. For example, it is official naval doctrine that one of the main advantages of carrier airpower is that it can be employed unilaterally, without involving third parties and without relying upon treaties, agreements, or overflight rights.

One such instance is the use of the carrier task force to show the flag or to establish our military presence in an unstable region. There may have been times in the past when a show of force has lent stability or discouraged hostilities. On the other hand, there is reason to believe that the ready availability of American power has, at times, generated unilateral action where such intervention has actually been harmful to our image and our interests.

The Senate has an obligation to debate whether it is in our national interest to maintain 15 carrier task forces "posed for unilateral action." In fulfilling this obligation, we need to know the situations in which carriers have been used in this "show of force" role and the reasons for such a use of the carrier. Even if it is determined that this is a legitimate use of naval power, the question arises whether attack carriers are essential in performing this mission—would smaller carriers or other warships have the same effect?

The Navy also contends that a carrier can always be counted upon for tactical air support in a limited engagement where land bases may not be available because of political constraints. To be sure, there may be times, as in the early days of the Korean war, when land bases are actually held by enemy forces, and carrier-based air support may be a valuable temporary complement to nearly all land bases.

But how much of our overall defense capability should be devoted to that unlikely possibility where we might be called upon to defend a nation and, at the same time, be denied the use of its bases for tactical support? And, if the commitment arises out of a multination treaty, such as SEATO, should there not be land bases available to us in at least some of those nations in the treaty organization? If we need carrier-based airpower to allow us to meet foreign commitments in areas where the United States is denied the use of land bases, it may well be that there is something amiss about the nature of these commitments.

In recent congressional testimony, the Chief of Naval Operations stated:

> The carrier will be necessary in the future if the U.S. is to have the flexibility and the selectivity of operations in areas *without first having to make some political arrangement to do so.* [Emphasis added.]

In light of such testimony, it is important for Congress to be involved in determining those situations in which the United States should be prepared to intervene in conflicts unilaterally and "without first having to make some political arrangements to do so."

A congressional inquiry into the foreign policy implications in the use of carriers is necessary to assure that foreign policy determines the need for military expenditures—rather than the other way around.

CONCLUSION

Because of these foreign policy implications and, more important, because of the overwhelming evidence that the carrier is an extravagant and often unnecessary means of providing tactical air support, the request for an additional carrier raises fundamental questions which must be answered.

Throughout this statement, certain contentions have been made about the role of the attack carrier, the manner in which it is deployed, and the proper size of the carrier fleet. It should be emphasized, however, that the burden for justifying the carrier in this bill—as well as other carriers—is and should be on the Navy. And while there may be strong disagreement with some of the points raised herein, there should be little doubt that the Navy has simply failed to meet its obligation in this matter. The one point the Navy has made in response to the question of whether we need 15 carriers is that the matter is under study.

The Navy has responded to questioning of the carrier force level with vague and general assertions that at least 15 attack carriers are needed to meet the various contingencies which might arise in fulfilling U.S. commitments and in protecting national security. There has been little or no explanation as to why changing missions and contingencies have not altered the carrier force level.

Again I bring up the fact that none of our carriers in Vietnam was used primarily in the bombing of North Vietnam. I am glad we stopped bombing there. Is this not, then, a proper time to consider whether we could reduce some of the attack carrier force levels, now that that mission is no longer necessary?

In response to doubts about the efficacy of sea-based air power, the Navy points out that since the seas cover three-fourths of the earth's surface, the carrier can be used in many more places than land bases. The military historian will recognize the disturbing similarity between this argument and that advanced in 1922 by a major in the Cavalry who, observing the absence of roads on much of the earth's surface, wrote:

> To base our transportation needs solely upon conditions existent in the comparatively tiny portion of the earth's surface containing roads . . . is putting too many eggs in the same basket.

As we have seen, there are substantial doubts within the Defense Department as to whether a fleet of 15 attack carriers can be justified. Indeed, the Defense Department's official response to a congressional inquiry about the need for this many carriers is that the entire matter is under study. We know that classified recommendations from the Systems Analysis Office have recommended the same thing. It has made observations about the relative costs of sea-based air that should be the subject of and should be available for the Senate's consideration, but because of classification by the Defense Department, it cannot be produced here. Until this study is completed, Congress is asked to continue spending for carriers as if the need for a fleet of 15 was clear.

In effect, the Defense Department would have us reverse the normal authorization process. Instead of seeking funds for items which have already been justified, we are being asked to provide funds in expectation of a rationale. We are not following a policy of one for one. Our policy is not neutral, even with respect to force levels, because each new nuclear task force attack carrier is nearly twice as effective as the one it is replacing.

It would be fiscally irresponsible for Congress to act in this manner. At a time when the American people are bearing an overwhelming tax burden, at a time when the President is calling for a 75-percent cutback in Federal construction, and when inflation is demanding economies in every area of Government spending, we must demand adequate justification for all programs.

That is why we have introduced our amendment. The amendment in no way

questions the integrity of military leaders or of the civilian officials at the Defense Department. If anything, the amendment is a bipartisan recognition of the fact that those of us in Congress have failed to ask the hard questions concerning military spending that we have asked in the domestic area. Our past history of blanket acceptance of the military budget not only is in sharp contrast to our close scrutiny of proposed domestic programs; it also amounts to an abdication of our responsibility under the Constitution "to provide for the common defense," "to raise and support armies," and "to provide and maintain a navy."

The acquiescence in military matters is particularly true of that part of the military budget involving the general purpose forces—as opposed to strategic nuclear forces. These forces, which include everything from carriers to manpower, make up 60 percent of the peacetime defense budget. And yet, their underlying assumptions and objectives are seldom discussed by Congress and the public.

In calling for congressional vigilance over military spending, I am acutely aware of the high priority of national defense. In my earlier colloquy with the Senator from Missouri, I pointed out that in the 5 years I have been in the Senate, I have voted for $289 billion in defense spending. But approval of questionable items in the defense budget does not serve the cause of national defense. It has been observed that national security can best be maintained if we are "efficient in the forces we buy"—any time forces cost more than is necessary to do a job, our inefficiency may require us to give up other policy commitments.

There is another reason why it is imperative to take a close look at military expenditures. Because of the pressing nature of our other national priorities, any form of unnecessary and unjustified Federal spending must detract from our commitments to our children, our cities, our towns, our farms, and our natural environment.

Budget Director Charles Schultze observed:

> The benefits and costs of proposed military programs cannot be viewed in isolation. They must be related to and measured against those other national priorities which, in the context of limited resources, their adoption must necessarily sacrifice.

The time when we could afford the luxury of such "eternal verities" as a fleet of 15 carriers has long since passed. I am very much afraid that unless we take a close look at this carrier program, our children will observe in the future that our blind adherence to 15 attack carriers was every bit as absurd and wasteful as the failure to recognize the demise of the battleship and the obsolescense of the horse cavalry.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. PROXMIRE. Mr. President, I commend the distinguished Senator from Minnesota on a remarkable speech. It is remarkable because there is no question that this enormous amount of spending does require a challenge. We have not had this kind of documented and thorough challenge in the years I have been in the Senate. There have been times when we objected to aircraft carriers in the past, but it was suggested that there had been a comprehensive study of the kind that this speech represents.

As I understand what the Senator said, as long ago as 1965, the Secretary of Defense, in his posture statement, called for some reduction in attack carriers by the early 1970's.

Mr. MONDALE. The Senator is correct. The former Secretary of Defense cited a number of reasons in support of a reduced role for one attack carrier. He cited the effective end of the carrier's role in strategic retaliation, given our land and submarine-based missiles.

He referred to a number of developments in modern carriers, modern aircraft, and modern refueling techniques. These developments give our existing carriers a far greater capability. They also give our existing land bases a far greater range and effectiveness. For example, in the last few years the reach of land-based air has increased from two to two and a half times and with refueling techniques it is even more than that.

Mr. President, I ask unanimous consent to have printed in the RECORD excerpts from the posture statement of the then Secretary of Defense, Robert McNamara.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXCERPT FROM STATEMENT BY SECRETARY MCNAMARA

By the early 1970's we plan to make some reduction in the number of attack carriers. Therefore, in the fiscal years 1965–69 program the new investment in aircraft and ships is limited to that which would be required by a somewhat smaller CVA force.

This judgment is supported by four major considerations:

(1) The *Forrestal* class carriers are much more effective than the *Essex* class they are replacing. A *Forrestal* class costs between one-third to one-half again as much as an *Essex*, but this differential does seem justified. For example, the area available for spotting aircraft is about 50 percent greater; overhead clearances in the hangar bays are about 40 percent greater, permitting larger aircraft to be stowed; aviation fuel and ordnance storage spaces are greater, allowing longer periods of sustained combat; and so forth.

(2) The capabilities of carrier-based aircraft are improving steadily. In the attack aircraft field, we are replacing the early A–4's with the A–4E's, and an entirely new all-weather, large payload aircraft, the A–6, is being introduced. In the fighter field, we are replacing the F–8 low supersonic, fair-weather day fighter armed with Sidewinder missiles, with the supersonic all-weather F–4, armed with Sparrow air-to-air missiles. Further gains in combat capability will be realized when still more effective aircraft, such as the new VAL (which I will discuss presently), and the F–111 (TFX), become available later in the planning period.

(3) By fiscal year 1966, when we will have a large number of strategic missiles in place, the CVA forces will be relieved of their strategic alert retaliatory mission, thus releasing additional capabilities for the carriers' limited war misison. Assignment of carriers to strategic missions restricts their flexibility in terms of areas in which they can operate and the kinds of operations they can conduct. If pilots and aircraft must be held on nuclear alert, limited war capabilities are reduced.

(4) The increasing range of land-based tactical aircraft has reduced our requirement for forward based airpower. The F–4's with inflight refueling, can be flown to Europe and the West Pacific. The TFX will be able to deploy to Europe without any inflight refueling.

Although a precise analysis of the optimum number of carriers is difficult to make, it seems clear on the basis of these factors that some reduction in the number of attack carriers will be possible by the end of this decade.

We have deleted from the shipbuilding program the previously planned fiscal year 1965 carrier but have tentatively programed another new carrier in a later year.

Mr. PROXMIRE. The Senator from Minnesota also points out that the notion that we should have 15 attack carriers goes back to a time when we faced Japan in the Pacific.

Mr. MONDALE. It actually goes back further.

Mr. PROXMIRE. To 1921.

Mr. MONDALE. Dr. Wilson wrote a thesis on the attack carrier and he tried unsuccessfully to determine what policies and decisions justified what he called the "eternal verities" of a fleet of 15 battleships, followed after World War II by 15 attack carriers. The only thing he could find was the agreement in 1921, the Washington Naval Disarmament Treaty, that we should have 15 ships. The Navy came back and said we said they had not had 15 ships.

We called an expert on the matter and we have had printed in the RECORD today a table. As a matter of fact the number of carriers we have had every year since 1946 has been 15.

Mr. PROXMIRE. This research has not been done publicly before. It has not been publicly disclosed. I think it is very significant.

In World War II we were facing Japan, which was a great sea power in the Pacific where positions were so farflung. Japan had its own attack carrier fleet and a great air force. A large number of attack carriers was then logical and necessary. Now, Japan has disarmed.

What kind of navy does China have? Roughly how big is China's navy?

Mr. MONDALE. It is insignificant, I am sure.

Mr. PROXMIRE. I am talking about in comparison with the navy we faced in Japan.

Mr. MONDALE. I would not think there is any comparison. I am not an expert.

Mr. STENNIS. Mr. President, will the Senator yield to me briefly?

Mr. MONDALE. I yield.

Mr. STENNIS. Mr. President, I do not wish to intrude on the time of anyone, but as a matter of taking inventory of our time, I wish to make an observation. We are not going to be in session tomorrow. The Senator from Minnesota will remember that I suggested he obtain the floor first today, and I objected to anyone else obtaining the floor until he arrived this morning.

However, in fair play, several other

Senators wish to speak. The Senator from Washington has been waiting. The Senator from Virginia has been waiting all day. I think the chairman of the committee should say at least a few words without attempting to cut off anyone else. In that sense of recognition, if the Senator could conclude shortly, I would take just a few minutes. The Senator from New York has a speech he feels compelled to make this afternoon.

Mr. MONDALE. I thank the Senator. The Senator has been very kind to me. We had the recess for the funeral. I have yielded a good deal, and thus it has taken me nearly 5 hours.

Mr. STENNIS. The Senator does not have to yield indefinitely. I do not want to make a point of order, but the Senator cannot yield to anyone to make a speech.

Mr. MONDALE. I shall yield the floor in just a moment. I thank the Senator.

Mr. STENNIS. I thank the Senator from Minnesota.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. SYMINGTON. Mr. President, I fully support the position of the able and distinguished chairman of the Committee on Armed Services. This matter is one which should be discussed extensively.

I hope we do not have the vote on Monday; and before we vote, I hope we can develop the issue thoroughly.

I have listened with a great deal of interest this afternoon to the Senator from Minnesota.

It was necessary for me to be in my State part of yesterday. I hope not to miss the vote on this issue. Let us continue until all the facts are on the table.

Mr. MONDALE. I thank the Senator.

Mr. PROXMIRE. Mr. President, I shall continue briefly. I appreciate the need for others who want to speak and speak soon.

I am delighted that the Senator in his presentation stressed at the outset that he is not making a proposal that we eliminate all of our carriers. He is saying we should consider whether we need 13 or 14.

On the 14, this is the issue that should be debated again and again, I am sure, in the course of debate, as in the course of the so-called briefings—the brainwashing to which we have been subjected by those who oppose the amendment—that we cannot eliminate all the carriers, because if we do, we will be defenseless. No one is suggesting that. The Senator from Minnesota would provide merely for a study as to whether it is necessary to spend this additional money for this additional carrier.

Mr. MONDALE. The Senator could also observe that this is not a bizarre request. In fact, as we gather here this moment, we know that the Defense Department and the National Security Council have requested and may have already received a study on the very issue we are talking about today. It is obvious that this is a case where the legislative and executive branches can work together with mutual studies and come up with a rational decision that can bring about the most effective and sensible defense and would generate the kind of public confidence which that would bring about.

Mr. PROXMIRE. I was present at the joint economic hearing when former Director of the Budget Schultze testified. In my view, he is the most able man who ever served in the Budget Bureau. He of course was responsible for expenditures covering a vast area, including military expenditures, for a number of years. This kind of question is rarely asked. Either the Senator from Missouri (Mr. SYMINGTON) or Representative MOORHEAD asked Mr. Schultze if he could designate the area of military spending which, in his view, should have the lowest priority where we could justify most clearly a reduction. Without any equivocation or qualification at all. Budget Director Schultze said, "Yes, a 15th aircraft carrier." In his view, it was the hardest to justify of all that was in the $80 billion budget.

I am very happy that the distinguished Senator from Minnesota brought that out, because I think it is the kind of thing that should make us stop, look, and listen.

May I also commend the Senator from Minnesota on his stress on the revolution we have had in military weaponry. It is a revolution. Some people say we have had a revolution almost every 5 years. There has been a dramatic change. Yet we go on and on on the basis of a set justification that we had 20 years ago and we must have exactly the same now. We make the same kind of argument that we have to have the same fleet we had in the past. I would also like finally to commend the distinguished Senator from Missouri on what I think is a most impressive analysis of the cost of maintaining a carrier fleet. He points out, first, not only that we have the ships, but the planes, and the escort carriers and another fleet behind it, and a third fleet. So, we end up with something that we were told in World War II cost $83 million, was $171 million at the time of the Korean war, and is now $510 million to $700 million for this one——

Mr. MONDALE. It might be $700 million, but somewhere between $510 million and $700 million.

Mr. PROXMIRE. It could be. I have heard the figure in committee unchallenged, as given by the Senator from Missouri, of $1.8 billion for the whole fleet.

Mr. MONDALE. The Navy says it will cost $1.8 billion for an attack carrier, the wing, the destroyers, and the escorts. Of course, that has to be times three.

Mr. PROXMIRE. Yes, times three. Then we get $5.4 billion to maintain a carrier fleet with replacements. The 15 carriers, that is right. This refers to 40 percent of the entire operating budget of the U.S. Navy. This cost is so astronomical, I suppose the only way we can appreciate it is in proportion to other spending. That $5.4 billion is 15 times as much as we spend on low- and middle-income housing for the entire country. It is more than twice as much as is spent on Federal aid to elementary and secondary education in the entire Nation. So that I think to put this in perspective and to challenge it is not to say that we tear down the military force or weaken it or enfeeble it, but as the Senator says so well, it will save money to be used more wisely in our defense, or in some other areas which are so essential.

Mr. MONDALE. I thank the Senator. I want to yield, because the Senator from Mississippi (Mr. STENNIS) has been very kind to let me complete my message.

I would simply say this in closing, that the one set of nuclear carriers, destroyers, and so forth, to keep one wing on station, would cost nearly $1 billion more than the President's widely heralded new welfare program which is supposed to bring sustenance, health, and the good life to 22 million Americans.

One other point in closing, and that is that Systems Analysis has completed this year in July a study of cost effectiveness, a cost comparison between the same wing of aircraft, one on sea and one on land. It is classified. I cannot give the figures. But the cost comparison shows astonishing savings that can be made through land-based aircraft.

I want to thank the Senator from Mississippi for his impressive patience here today. I regret it has taken so long, but I have yielded to so many Senators both pro and con that it has taken this much time.

Mr. STEVENS. Mr. President, the attack carrier is the backbone of the surface Navy of the United States. The carrier force is the primary naval strength which assures us freedom of the seas in the face of a growing Russian maritime capability. And freedom of the seas is absolutely essential to the security of these United States. The Soviet Union, which is situated on the large land mass of Europe and Asia, has access to most of the world's raw materials over land lines of communication. On the other hand, the United States must use the sea lanes to provide critical raw materials not available in this hemisphere, as well as the tremendous amounts of fuel that are needed to operate an industrial machine in peace or a war machine during hostilities. Our reliance on the high seas for the movement of the bulk of our overseas cargo is a simple matter of geography: We are essentially an island and this is not a transient condition but a permanent, unchanging physical fact.

To maintain our capability to preserve the freedom of the seas for the pursuit of our own national interest under the threat of a growing Russian Navy, we must have a strong modern Navy. This can only be achieved through the continuing input of new and modern ships. Let me just make this point, Mr. President—we are not building a new fleet; we are trying to maintain a viable force by replacing aging ships which can no longer perform their mission in the face of the rapidly increasing strength of the threat that they face. The attack carrier is the basic building block of our Navy's strength. It seems to me that delaying the acquisition of this carrier, while costs continue to rise, and funds are spent on obsolete equipment, constitutes false economy.

As a maritime power with our very survival as a first-class Nation depending on freedom of the seas, it is a matter of

great concern to me, Mr. President, that our capability of insuring the uninterrupted use of the sealanes of communication is being actively threatened. I was impressed by some rather startling statistics which were cited by Admiral Moorer, the Chief of Naval Operations, in an address last month to the Veterans of Foreign Wars. He pointed out that the Soviet Union has more than quadrupled its merchant ship tonnage since 1950. On the other hand, today the United States has less than a third of the merchant shipping which we operated in 1950.

Admiral Moorer pointed out that the same trend prevails in combatant ships. Mere numbers tell only part of the story though: Nearly 60 percent of our warships upon which our forward defense strategy depends, are 20 years old or more, while in the Soviet Navy, of the 1,000 or more surface combatants and submarines currently in the Soviet Fleet, less than one-fourth of 1 percent are past the 20-year mark.

In the face of this dramatic increase in naval capability by the Soviet Union, I consider it the height of imprudence for us to allow our own fleet to rust away into obsolescence while we drag our feet and fail to provide the replacement ships that will keep our Navy a viable force.

On the subject of modernization, Mr. President, I think it is important for Senators to recognize that the need for the carrier which is funded in this bill does not depend for its validity on a carrier force level of 15 or 16 carriers. When this ship goes into the fleet in 1974 it will replace a carrier which at that time will be 30 years old—it replaces an *Essex*-type carrier of World War II vintage which is not capable of handling such modern aircraft as the F–4, the RA–5C, the A–6, or the F–14. Thus, Mr. President, the *Essex* class carrier today is restricted to second class fighters and by 1974, when it is replaced, it will be operating what is, in effect, third-rate planes. I think it is clear, Mr. President, that we are approaching the time when the *Essex* class air wing cannot survive in the threat environment established by the newest Soviet tactical aircraft. Certainly we will reach that point before CVAN–69 can be completed, even if it is started this year. I for one am not willing to say to our pilots and crewmen, "Do the best you can with these inferior weapons. They are all your country can afford." I can see no valid reason for delaying the funding of this carrier any further while we restudy the requirement. The requirement has been validated by careful study and analysis in the Navy, the Department of Defense, and the Congress when we studied this three-ship building program in 1968. The sea lanes are too vital to us as a maritime power to risk their loss. We need this carrier and we need to start it this year.

The reasons for this action are as follows:

First. For all levels of military action other than all-out nuclear war—from a show of force to general war—the attack carrier is the primary striking force of our Navy. It provides the offensive power necessary to assure free use of the seas and the air over the seas in support of our national objectives.

Second. Despite the tremendous technological progress that has been made in transportation and weapons systems in this century, free use of the seas—which cover three-fourths of the earth's surface—continues to be essential to the security of the United States, whether we are forced to fight to defend ourselves or to help defend our allies.

Third. Today our overseas allies depend upon our support, which must come by sea. There is no valid plan for overseas military operations of the Army, Air Force, or amphibious forces with embarked marines that does not depend on our free use of the seas. For example, 98 percent of all of the supplies which have gone to Vietnam have been carried by ships.

Fourth. Our present national strategy relies heavily upon military forces deployed overseas—forces capable of responding to a spectrum of contingencies in overseas areas of primary national interest. These forward deployed forces, which must be supplied by sea, provide this country with flexible and rapid response to whatever pressures our potential enemies may apply.

Fifth. A change in national strategy resulting in the withdrawal of our deployed military forces, would increase the requirement to maintain a strong maritime posture. The capability of the United States to fight for an extended period in defense of its territory and areas of interest is dependent on our ability to maintain the flow of materials and oil over the seas. The sheer bulk of the daily use of oil for military and industrial needs precludes stockpiling quantities for more than short-term needs.

Sixth. An effective tactical air capability is essential to sustain our general purpose and logistic support forces against a determined enemy using modern weapons. Sea-based and land-based tactical aircraft are required to provide support for our forces in the areas of the world where we must be prepared to fight.

Seventh. Land-based tactical aircraft can be employed when their land bases have been adequately prepared, provisioned and defended, and when they are located within range of the area of conflict.

Eighth. Sea-based tactical aircraft are required when land bases are not available or do not have the capacity to meet the required tactical aircraft needs. The attack carriers can quickly concentrate this sea-based tactical air power.

There are those that say that carriers are provocative; that they tend to involve the United States in the affairs of other nations and commit us to wars we do not want to fight. To this I can only say that of all our major instruments of national power, the carrier is the least provocative. U.S. bases on foreign soil invariably involve political and military commitments in exchange for base rights. The bases themselves, as centers of U.S. power and influence, invite attack from dissident elements in the host country, involving us in unwanted confrontations, committing us to measures not in consonance with our overall national policy. Sovereignty questions associated with our overseas bases have caused problems between our Government and host nations and have been a major source of the Yankee-go-home sentiment. Attack carriers, on the other hand, are mobile air bases which can be retained in home waters and deployed or withdrawn to meet changing international situations without altering our international commitments. Carriers can remain in home waters and then deploy to an overseas trouble spot. When deployed, the carrier can remain in the wings, out of sight, so as not to upset a delicate situation but still be available to unleash its power at a moment's notice or should the situation dictate, the deployed carrier can appear on the scene and by its very presence provide a stabilizing influence by serving as tangible evidence of U.S. interests.

A final word, Mr. President, about the effect that delay in funding this carrier this year would have. I am sure the Senators are aware that we have already obligated in 1968 and 1969 funds, some $132.9 million, and that a large portion of this has either been spent or would be lost in termination charges if the contract for long leadtime nuclear propulsion components were terminated. In addition, the Navy estimates that the disruptions in the production plan might well add an additional $100 million to the projected total cost of this carrier should we make the delayed decision next year to fund the carrier with fiscal year 1971 funds. Mr. President, I am proud of the efforts of the Senate this year to reduce the spending level of our national defense. I know that this has been a sincere effort, a dedicated effort, but we must all recognize that the threat we are facing is not diminishing and if we reduce the level of our spending to oppose that threat, then we must get more for our money. We must spend our available defense funds more wisely. In my judgment, Mr. President, it is not wise to waste funds on indecision. It is not wise to delay the introduction of needed capability into our fleet needlessly, and that, in my judgment, is what this amendment would do: First, inject needless delay, and second, substantially increase the cost in the weapon system which I am convinced is urgently required to maintain modern naval forces that are vital to our national interests. I hope that the amendment will not be adopted.

The PRESIDING OFFICER. Under the previous order, the Senator from Mississippi (Mr. STENNIS) is recognized for 20 minutes.

Mr. STENNIS. Mr. President, I shall not undertake today, particularly at this time, to outline all of the real, basic reasons for inclusion in the bill of the carrier. I shall do so in the course of future debate. But many other Senators are prepared to speak on the subject. As chairman of the committee, I wish briefly to sum up what I think are the real issues and the real decision to be made.

In the first place, there is no law that sets 15 or any other number as the level of the carrier force. They are not authorized in that way. The President can order them cut in half tonight. He would not be violating any law if he did so. This matter is passed on every time a

bill on the subject comes before the Senate, or on an appropriation bill. The Appropriations Committee could recommend cutting down on the number of carriers by cutting down on the money. That would be the issue. So there is no single, fixed law about it.

This afternoon, I have already explained that this is purely a replacement. We have four types of planes, four of the major ones of all the planes that fly from carriers, that cannot even use the old carriers. In the course of time, something must be done about them. The only thing to do, anyway, is to have the modern weapons and phase out the older ones as fast as can be done with prudence. How much is taken out because of this one going in will be determined by conditions that exist in 1974.

That will be a judgment matter for the President of the United States, the Secretary of Defense, and the Congress.

We start with the fact here that 3 years ago Mr. McNamara—he has been quoted on both sides of this matter, but he is a very knowledgeable man—decided that this country should have three modern *Nimitz*-class carriers. The plan was to get them over a period of 6 years, one every 2 years. We have already slipped on that 1 year in time; $140 million, in round numbers, has already been appropriated for the carrier we are talking about, and a great deal of that has been spent under authorizations of the Congress. Virtually all of it has been authorized under the authority of the Congress. Now this is for the final payment on it.

But someone comes along and says, "Wait. We ought to have the General Accounting Office look into this. We ought to cut back and overrule these people until we can get certain information from them."

I understand an amendment has been offered to change the provision from the General Accounting Office to the Congress, but, anyway, that is the motivation, or part of it, involved in the amendment.

There are no overruns involved, because there has not been time for overruns with respect to this particular carrier. However, I have the figures for the overruns for the last two we built of this kind. One had an authorized total cost of $280 million, with an actual cost of $298 million. The second one had an authorized cost of $293 million. The actual cost was $247 million, so that cost was almost $50 million less than the estimate.

So we are talking here in a category of something that is fairly definite and fixed. The matter has already been started. The money has been spent. The only issue here, after all, is the modernization of weapons.

There is another item that has been spoken against already, the A–14, which is to be an ultramodern Navy plane to take the place of the one that did not pan out, the Navy version of the TFX. Those two go together to show the need for modernization. We must be up front with the best weapons that science and money can afford.

In my humble opinion, Mr. President, this carrier fleet is the best possible investment we could make, world conditions being what they are and our leadership being what it is. There has been talk about Soviet Russia having no carriers. Of course Soviet Russia does not have carriers as compared with us. She does not have any commitments, either, in the Pacific to protect Japan. She does not have any commitments to protect the Philippines or the State of Hawaii in the middle of the Pacific Ocean. She does not have any commitments with reference to Formosa. She has no commitments with respect to protecting Korea over all those water miles, even if she has commitments with respect to North Korea. It is a land-based nation, living off the land, where the life of the people is, and the country has few commitments.

This carrier force, after all, which is able to exert a deterrence, and which has a stabilizing influence, has been the single most powerful influence in world affairs since World War II.

I have a list of the incidents which have happened when our carrier force was directly involved. In the Korean war, 10 carriers engaged in combat operations during the period of that unfortunate conflict. We remember that our air bases were knocked out earlier. If it had not been for our carrier fleet, where would we have been or where would the United Nations Forces have been?

I will skip down the list to the Kinmen Island, 1957, Communist shelling, in which the naval units were dispatched to defend Taiwan. Four carriers were on the scene. Taiwan was once the symbol of our efforts to protect those parts of Asia from encroachment.

The Lebanon civil war in 1958. Three carriers provided air cover for the Marine landing.

Does anyone belittle the Mediterranean Sea? When the conflict came, what was it there that did the work and carried the protection?

Quemoy and Matsu crisis in 1958. Many of us remember that. Three carriers were sent to cover evacuation and two additional carriers alerted.

The Cuban civil war in 1956 and 1958. One carrier was on the scene to cover evacuation and provide a presence.

The Quemoy and Matsu presence again in 1962.

The Cuban missile crisis in October and November 1962. Naval forces provided protection and intervention. Eight carriers were on the scene.

The Arab-Israel war, June 1967. Two carriers were on the scene to cover evacuation.

We saw the headlines in the morning newspapers. Shooting is going on over there now.

In my humble opinion, if it were not for the American fleet in the Mediterranean area—and I am not trying to stir up anything—within 6 months' time Greece and Turkey could be invaded and more serious troubles and clashes could, and probably in time would, occur in the Near East.

Those are the practicalities. We are talking about hardware. We are talking about modernization. We are talking about some of the most effective and some of the most immediately available weapons we could possibly use.

It is all right to challenge this matter. Debate is always wholesome. But no one need think this subject has been a quiet subject all these years. This matter has been heard in the Appropriations Committee year after year after year, and we on the Appropriations Committee are all familiar with the conflict of interest between the Air Force and the Navy. I speak with proper respect for both branches, but I do not have any patience with their eternal argument about which is the best and which is the worst, which is the most effective and which is the least effective. It is just "trade talk," mostly, and very few members of the Appropriations Committee who have followed the matter all the way through have any doubt about the need for this weapon to be there at the right time at the right place.

I will help take the lead in reducing the amount of the cost of the operations of the Navy as to carriers or anything else. I will help anyone who goes at it in the right way. But I will not come in here and attack from the side or from the rear in any way on the foremost and the keenest possible naval weapon we could have, except for our modern submarines, which serve in another field.

Let us get down to someone who knows something about the subject, another man who wears his uniform. I will take his word anywhere, any time, any place, in a statement for himself or against himself.

That is Admiral Rickover. I wrote Admiral Rickover a letter; I did not call him up and ask him what he thought, what he would say, or anything else. I just wrote him a letter and told him I wanted to know what he thought about carriers. I knew one thing: He would put submarines first, which he did. He knows the subject, and he knows why, and we can thank God there has been a Rickover, and that Congress would not let them put him out of the Navy 10 years ago. We can be thankful for that.

But that very fine man and very gracious officer said:

> There are, however, some important Navy missions, which cannot, in any known practical way, be carried out by submarines.

Then, after he complimented the submarines, he said:

> One of these is the provision of sea-based tactical air power to protect our sea lanes and our air lanes over the seas, as well as to support amphibious operations and overseas military land operations beyond the range of the land-based tactical air power available to us.

Then he goes on, and I shall read more from this letter, but briefly now I shall read, as he gives them, the reasons for his conclusions about this *Nimitz*-class carrier and the need for it.

He said:

> Three-fourths of the earth's surface is covered by water; 95 percent of the world's population live within range of carrier aircraft.
>
> The United States is essentially an island between two oceans—an island dependent on free use of the seas for transport of material and fuels necessary for our survival—

I mentioned our commitments a while ago. He continues:

> No valid plan exists for overseas military operations by the Army—

This is Rickover speaking—

by the Air force, or by amphibious forces, which does not depend on our ability to guarantee free use of the seas. Virtually all supplies to Vietnam, for example, have been carried by ships.

That will be true a long, long time, in spite of the C–5A's, to Vietnam or some other Vietnam. A lot of it will have to go by ship, the followup part particularly. He continued:

Without a modern attack carrier force, the United States is not assured free use of the seas in those areas of the world that are important to us. It is simply not practicable to establish enough land air bases adequately prepared, provisioned, defended, and within range of potential areas of conflict.

This is still Rickover speaking:

Seven of the sixteen carriers currently operating in the attack carrier role were launched during or shortly after World War II. Five of these cannot operate several of the modern aircraft types now in the fleet. They will not be able to operate air wings which can survive against Soviet weapons technology of the 1970's.

That is the admiral still speaking, Mr. President.

Each *Nimitz*-class carrier—

And that is what we are arguing about—

will carry 50 percent more aircraft ammunition and twice as much aircraft fuel as the latest conventional powered attack carrier. This, combined with the unlimited high speed endurance provided by nuclear power will greatly increase their capability for sustained combat operations.

* * * * *

The *Nimitz*-class will be the best protected and least vulnerable carriers ever designed—

That is the *Nimitz* class, which is what is in this bill—

The added protection is provided by extensive use of armor against bombs and guided missiles, as well as by improved anti-torpedo hull design. The unlimited endurance at high speed and freedom from the need to slow down to refuel provided by nuclear propulsion further reduces the carriers' vulnerability.

Our friends here say all the carriers are vulnerable. Is there any weapon that is not vulnerable? Is there any invulnerable weapon? Not even the igloo in the frozen north can be made invulnerable. Certainly those of us down home in the path of that hurricane know that man devises or plans, but a superior power acts. And a superior power decides in the military. Nothing is invulnerable. But he says they are the best protected and least vulnerable of all carriers ever designed.

The second ship of this class, the CVAN—

That is the one in the bill—

is scheduled for delivery in 1974.

And he says what it will replace. That, of course, was already known. He continued:

Were the Navy required to operate a smaller carrier force, the improved capabilities of the *Nimitz* class would become even more important.

I hope we do operate a smaller number of carriers, and I believe we will. The best way to get the number reduced is to have this modern type, with its additional capabilities. He continued:

The 3 *Nimitz*-class attack carriers are the only ones authorized or planned from FY 1964 through 1972, a period of 9 years; this will average out to but one new attack carrier every 3 years.

He says further:

If we do not continuously modernize our attack carrier force, its ability to protect our naval and overseas military forces and the logistic lifeline for our military and industrial needs against the increasing capabilities of potential enemies will be degraded.

Mr. PASTORE. Mr. President, will the Senator yield at that point?

Mr. STENNIS. I yield to the Senator from Rhode Island.

Mr. PASTORE. Speaking on this question of modernization and improvement, I think the one thing that we have to bear in mind is that we cannot rest on the accomplishments of the past to guarantee the security of the future.

Take the *Enterprise*. The *Enterprise* was the first nuclear propelled aircraft carrier. The *Enterprise* has eight reactors, and its maneuverability, was proved in the Mediterranean and in the Cuban crises. It has been further proved in Vietnam.

But now, the *Nimitz*, instead of the eight reactors, will have two reactors. Mind you what improvement has been made in such a short time. The *Nimitz* will hit the water, I understand, in 1971.

Mr. STENNIS. The first one, that is right.

Mr. PASTORE. Those two reactors have the same power of the eight reactors in the *Enterprise*. And do you know what those two reactors are the equivalent of, in power? They tell me the power of those two reactors is equivalent to that of the line of oil freight cars stretching a distance of 500 miles. That is the power, and that shows the progress that we have made. If we stop at this point, what we are going to do is rely on the past to protect us in the future. That is the mistake of stopping now.

Furthermore, we have already invested, in this new aircraft carrier, almost $130 million, that will go right down the drain. The question here is, How far can we go in flirting with disaster when it comes to the security of this country?

I thank the Senator.

Mr. STENNIS. I thank the Senator from Rhode Island very much for his splendid contribution. No one is more knowledgeable as a legislator—I make no exceptions—in this field and related fields than is the Senator from Rhode Island, who has contributed so very much indeed as chairman, for a while, and then as a member of our Joint Atomic Energy Committee.

The PRESIDING OFFICER. The 20 minutes of the Senator from Mississippi have expired.

Mr. STENNIS. Mr. President, I ask for 1 additional minute. We are not under controlled time, but I shall take 1 additional minute.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 1 additional minute.

Mr. STENNIS. Mr. President, the argument made by the Air Force—I have heard it over and over—is that they are able to take care of all situations that we might have anywhere with their ground bases.

Fine as they are, our land bases overseas have shrunk from 105 to 35 in the last 10 years, in round numbers. I remember being in France, as I have stated before so many times, where so many of our air bases were dedicated—I know of nearly a billion dollars that we spent there on those bases—and now we cannot even land there without a permit. We cannot even fly over the airspace above France, the heart of Europe, without getting a permit. Of course, this is a diplomatic thing, but you have to fly. Thirty days in advance, you have to get that.

It shows that we are skating on the thinnest possible ice and are talking about an imaginary thing when we talk about having airbases wherever we might need them.

I yield the floor.

Mr. GOLDWATER. Mr. President, in an effort to clear up what I think was a misunderstanding this morning, before today's debate ends on this issue, I should like to clarify remarks made this morning by the Senator from Maryland concerning Mr. George Wilson's article published in the Washington Post entitled "Air Force May Spur Navy Carrier Debate." The article was printed in the RECORD as evidence of Air Force efforts to discredit the capability of the naval air force.

Part of the information was taken from a letter from the Air Force to a U.S. Senator in response to these three questions:

(1) What is the number of overseas-air bases that the Air Force has relinquished since the Korean war? Why were these bases given up? And has the release of these bases jeopardized the USAF tactical air capability?

I stress and underline the words "the U.S. Air Force tactical air capability." It does not say anything about the level of the Naval Air Force tactical capability.

The other questions were:

(2) What is meant by the "KIT" method of quick construction of land bases as briefly described in the August 25 edition of the Washington Post?

(3) What is the capability of the Air Force's new air superiority fighter, the F–15?

The Air Force capability refers only to Air Force tactical capability. In fact, the words "Navy carrier" are not even contained in the letter. Consequently, to quote from the letter and then refer to it as an "Air Force paper likely to have short- and long-range impact on the debate on the American Military Establishment" is an incredible exaggeration.

More specifically, I feel that in his statement made his morning, the distinguished Senator from Maryland clearly implied that the Air Force was attempting to discredit and replace the Air Force carrier. Such implication is erroneous.

Air power, land-based and sea-based, each has its separate and distinct role to play.

The Air Force clearly recognizes the complementary nature of the mission in support of the aircraft carrier and the mission of the U.S. Tactical Air Force.

I have some confidential information with me which, if I eliminate enclosure No. 1, is no longer classified. Enclosure

No. 1 has to do with major base disclosures, going into it item by item.

I ask unanimous consent to have printed at this point in the RECORD the letter addressed, "Dear Senator HATFIELD," from the Air Force.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SEPTEMBER 2, 1969.

Hon. MARK HATFIELD,
U.S. Senate.

DEAR SENATOR HATFIELD: A few days ago, Mr. Michaelson of your Staff asked the Air Force to provide you with information regarding air bases overseas, quick construction of bases and the performance capability of the F–15. More specifically, I understand your questions were:

1. What is the number of overseas air bases the Air Force has relinquished since the Korean War; why were these bases given up; and has the loss of these bases jeopardized the USAF tactical air capability?

2. What is meant by the "Kit" method of quick construction of land bases as briefly described in the August 25 edition of the *Washington Post?*

3. What is the capability of the Air Force's new air superiority fighter, the F–15?

Although an attempt was made to keep the answers to these questions unclassified, to be completely responsive, an additional classified answer was required for the F–15 because some of the performance parameters of the aircraft are classified and similarly, a portion of the information relating to base closures is classified.

If we can be of any further assistance, please call.

Sincerely,

JOHN R. MURPHY,
Major General, U.S. Air Force, Director, Legislative Liaison.

Mr. GOLDWATER. Mr. President, I will eliminate enclosure No. 1 which will downgrade the classification from confidential to normal. I then ask unanimous consent that attachment No. 2 and attachment No. 3 be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TOTAL NUMBER OF AIRFIELDS BY COUNTRY AND BY LENGTH RUNWAY (FEET)

	0–3,000	3,000–5,000	5,000–8,000	8,000 or over
Aden		1	1	1
Afghanistan		2	4	5
Algeria		1	12	15
Angola		6	8	4
Argentina	4	11	31	11
Australia		11	54	14
Austria	1	4	6	1
Antarctica			3	3
Azores			1	2
Bahrein			1	1
Belgium		4	1	9
Bahamas		1	4	3
Br. Guiana			1	
Bornholm			1	
Balearic			1	2
Bechuanaland		1	2	
Bolivia	1	9	5	2
Burma		6	7	3
British Honduras	1		1	
N. Borneo		1	2	
Brazil		23	37	7
West Berlin			3	
Brunei			2	
Canary			1	2
Central African Republic			3	1
Ceylon		1	3	1
Chad			5	1
Chile	1	9	16	2
Cocos Island			1	1
Caroline			1	
Cameroon			3	1
Canada	24	82	101	28
Columbia		2	9	3
Congo, Republic of			3	1

TOTAL NUMBER OF AIRFIELDS BY COUNTRY AND BY LENGTH RUNWAY (FEET)—Continued

	0–3,000	3,000–5,000	5,000–8,000	8,000 or over
Crete			1	3
Costa Rica		1	1	
Corsica			2	1
Cuba		8	8	8
Congo BC		1	10	3
Cyprus			1	2
Dahomey			1	
Denmark	3	4	1	8
Dodecanese		4	1	
Dominican Republic		1	5	1
Easter			1	
Ecuador			2	3
Egypt		1	6	29
Ireland		1	3	1
E. Pakistan		1	4	2
El Salvador			1	
Ethiopia			2	4
Finland		2	12	6
France	3	10	51	17
Fiji		3	3	1
Far West Indies			1	1
Gambia			1	
Gabon Republic		2	1	1
Ghana		2	1	1
Gibraltar			1	
Greenland			1	7
Gotland	1		1	
Greece		7	2	11
Guatemala		2	2	1
Guinea			1	2
Federal Republic of Germany	35	23	27	34
Haiti			1	1
Honduras			2	
Indonesia	1	15	16	7
IFNI			1	
Iceland		1	2	1
India	2	11	36	38
Iraq			3	6
Iran		1	8	13
Israel	1	2	1	5
Italy	1	5	16	21
Ivory Coast		1	1	1
Japan	6	26	13	14
Jammu Kashmir			1	2
Jamaica	2		4	
Kenya		2	3	2
South Korea	5	6	5	6
Laos	1	5	6	
Line Island Group			1	
Leeward			2	
Libya			4	2
Malagasy Republic		7	2	3
Madiera			2	
Malaya		2	4	2
Marshall			2	
Malta			1	
Morocco	1	1	7	3
Mauritania			7	
Midway Island			1	
Mexico	1	7	33	7
Mozambique		4	8	3
Netherlands		1	3	12
New Hebrides			2	
Nigeria			8	1
Niger			5	1
Norway			9	11
Nepal	1	7	1	
Nicaragua	1		2	1
New Guinea		1	8	
Nyasaland		1	1	
New Zealand	2	28	10	2
Muscat-Oman		1	2	1
Paraguay	3	3	1	1
Peru	1	1	3	10
Phoenix			1	
Philippines		10	6	6
West Pakistan		1	9	8
Panama	1	2	2	2
Puerto Rico		4	2	3
Portugal		1	3	8
Port Guinea			1	
Panama Canal Zone			1	1
Ric Muni			1	1
Ryukyu Islands		1	3	3
Mali		2	3	1
N. Rhodesia		1	3	2
S. Rhodesia		1	3	1
Solomon		2	3	
Sardinia			2	1
Sarawak		3	1	
Sicily		1	3	2
Society		1	4	1
Senegal		1	2	1
Somali			1	2
Singapore		1	1	2
Spain		4	9	17
Saudi Arabia			3	8
Sp. Sahara			2	
Sao Tome			1	
Sudan			5	
Sweden	2	4	47	6
Syria			2	9
Switzerland	5	5	10	6
Tanganyika		1	3	
Trucial Oman			1	2
Thailand		7	4	9

TOTAL NUMBER OF AIRFIELDS BY COUNTRY AND BY LENGTH RUNWAY (FEET)—Continued

	0–3,000	3,000–5,000	5,000–8,000	8,000 or over
Turkey		4	9	20
Togo			1	
Tunisia			3	1
Taiwan	1	2	3	10
Union South Africa	1	7	23	8
United Kingdom	4	41	88	33
Upper Volta			1	1
Uruguay	2	4	2	
Venezuela		4	7	5
South Vietnam	7	22	6	8
Virgin Islands			2	
Windward			1	
Western Samoa		1	3	
Yemen		1	1	2
Yugoslavia	2	7	7	15
Zanzibar		1		
Lebanon				3
Luxembourg				1
Wake Island				1
Maldive Islands				1
Netherlands Antilles				2
French Somaliland				1
St. Helena				1
Sierra Leone				1
American Samoa				1
Trinidad				1
Uganda				2
Rwanda		1		1
St. Pierre		1		1
Port Timor		1		1
Surinam				1
Qatar				1
Cape Verde				1
Andaman Island				1
Barbados				1
Bermuda				1
Burundi				1
Cambodia				2
Nawpo Shoto Island				1
Faeroe Islands		1		
French Guiana				1
Liberia		1		1
Mascarene Islands		1		2
New Caledonia		1		1
Total	128	541	1,036	685

SUMMARY

Country	Number of major bases [1] Inactivated	Number of major bases [1] Active USAF	Number of active national airfields Longer than 8,000 feet	Number of active national airfields All airfields
Europe:				
France	22	0	17	81
Germany	11	8	34	119
Italy	3	1	21	43
Netherlands	0	1	12	16
Spain	0	2	17	30
United Kingdom	14	9	34	171
Others	0	0	73	226
Subtotal	50	21	208	686
Mediterranean:				
Greece	0	1	11	20
Libya	0	1	3	6
Morocco	4	0	3	11
Saudi Arabia	1	0	8	11
Turkey	0	2	20	33
Others	0	0	98	149
Subtotal	5	4	143	231
Pacific:				
Bonin Is	1	0	0	1
Japan	9	4	14	59
Korea	1	2	6	22
Others	0	18	132	476
Subtotal	11	24	152	558
Others:				
Canada		2	28	235
Miscellaneous	0	10	154	680
Subtotal	1	12	182	915
Total	67	61	685	2,390

[1] Bases in U.S.-owned territory excluded.

Mr. GOLDWATER. Mr. President, I did not mention the "KIT" construction matter that the Washington Post brought up. The Air Force does not

know what the Post is talking about. I am not surprised. That is customary.

I should like to comment on the matter because the distinguished Senator from Missouri (Mr. SYMINGTON) was present earlier and called for overseas base reduction.

I would point out that since the Korean war, we have inactivated 67 overseas bases, and there remain 61 active overseas Air Force bases. There are 685 overseas national air fields, with longer than 8,000-foot runways. There are 2,390 airfields in all.

Mr. President, I will eliminate any reference to the F–15 question, because that remains, as it should remain from the nature of the information, a highly classified one. However, I did want to get this matter disposed of today, because I felt distinctly that it was an effort to generate a feud between the Air Force and the Navy. And I have sat through too many hearings to think for one moment that the Navy is out to get the Air Force, or that the Air Force is out to get the Navy. They work in a complementary way. There are differences, of course; there always will be argument about weapons.

I did not want the debate to proceed further with Senators thinking that the Navy was out to get the Air Force, or that the Air Force was out to get the Navy. Such is not the case.

There is a distinct difference in the basic need for sea-air power as brought out very distinctly by the chairman of the committee.

When I note that the basic requirement of sea-air power is to provide air superiority for the fleet and for the conveyance of merchandise and troops and heavy cargo overseas, their distinct use for tactical operation is largely for attacking tactical targets that we cannot attack from land because of the long distance involved.

I cite the part played by the Navy in basing the carriers in the Tonkin Gulf and eliminating the need for the U.S. tactical aircraft to make long missions which require refueling.

Mr. President, I appreciate the opportunity to clear up this matter.

Mrs. SMITH. Mr. President, I would like to commend the proponents of amendment No. 136 for drastically changing their original proposal. The distinguished Senator from Minnesota and the distinguished Senator from New Jersey have demonstrated wisdom and foresight by rewriting their amendment.

As originally proposed, Mr. President, there were two items out of 14 that the Comptroller General could properly perform.

The amendment as rewritten now seeks to have the Comptroller General investigate and report on only those two of the original 14 tasks.

The amendment as originally prepared, after striking $377 million from the bill, sought to impose the Comptroller General as a new form of congressional systems analysts reminiscent of that office that has caused such fearful headaches during the McNamara regime.

I am particularly delighted that the original amendment has been withdrawn because the Congress never intended that the General Accounting Office should second guess the Joint Chiefs of Staff. This is what that amendment sought to accomplish.

The rewriting of amendment No. 136 also demonstrates that the debate on the C–5A aircraft has provided a warning signal that the meat-ax approach is an exercise in futility.

Mr. President, I would like also to say that I am pleased that the distinguished Senator from Minnesota has now returned to his earlier thinking about the proper functions of the Comptroller General and the General Accounting Office.

During hearings on Economic Opportunity Amendments of 1969 in May of this year before the Subcommittee on Employment, Manpower, and Poverty, Senator MONDALE addressed the Honorable Elmer B. Staats, Comptroller General of the United States as follows, from page 367 of the printed hearings:

> I don't wish to be unduly critical. I think that it was the Congress that insinuated the General Accounting Office in this whole arena. But I have grave doubts that this is the role that the General Accounting Office should perform because these are political judgments. These are judgments in addition that require the sophistication of professionals in education, in health, in legal services, that involve a lifetime of the most rigorous sophisticated academic and practical background coupled with experience.

I agree wholeheartedly with the distinguished Senator from Minnesota.

Thank you, Mr. President. During the debate I will further comment on the subject of this amendment.

UNANIMOUS-CONSENT AGREEMENT

Mr. STENNIS. Mr. President, the pending matter is the amendment of the Senator from Minnesota and the Senator from New Jersey, and I ask unanimous consent that when the Senate convenes on Friday the time on the amendment be controlled, commencing at 10:30 a.m. I understand that an order already has been entered that the Senate convene at 10 a.m. on Friday.

I also ask unanimous consent that the Senator from New Jersey (Mr. CASE) be recognized first to speak on the amendment; that the time, beginning at 10:30, be controlled by and be equally divided between the proponents of the amendment and the Senator acting as floor manager of the bill on behalf of the committee; and that we vote at 3 p.m., not before, on Friday.

The PRESIDING OFFICER (Mr. CRANSTON in the chair). Without objection, it is so ordered.

The unanimous consent agreement, subsequently reduced to writing, is as follows:

> *Ordered*, That effective at 10:30 o'clock a.m., Friday, September 12, 1969, further debate on pending amendment No. 146, offered by the Senator from Minnesota (Mr. MONDALE), to S. 2546, the military procurement proponents (Mr. MONDALE) and the opponauthorization bill, be limited to 4½ hours to be equally divided and controlled by the ents (Mr. STENNIS), and that the Senate proceed to vote on said amendment No. 146 at 3 o'clock p.m. on that day.
>
> *Ordered further*, That at 10:30 o'clock a.m., Friday next, the Senator from New Jersey (Mr. CASE) be recognized by the Chair.

Mr. JACKSON. Mr. President, I speak in opposition to the pending amendment which would strike from the fiscal year 1970 Department of Defense authorization bill the funds necessary to build our third nuclear-powered attack aircraft carrier, CVAN–69.

My opposition to this amendment derives from three main considerations:

First, there are only two practical ways to project modern tactical airpower into those parts of the world where we have vital interests—tactical aircraft flying from Air Force land airbases and tactical aircraft flying from the Navy's attack carriers. The United States could not build the number of land airbases around the world that would be required to meet all of our tactical air requirements. In fact, we are experiencing continuous erosion in the number of overseas bases available to us. For example, at the end of the Korean war we had 551 overseas bases. Today we have less than 173. Operational U.S. Air Force overseas bases have declined in number from 105 in 1957 to 35.

The difficulties involved in keeping foreign bases are becoming increasingly evident as the United States tries to negotiate or renegotiate foreign base agreements. Also, land bases on foreign soil are vulnerable to political action. Regardless of treaties or agreements, a nation can unilaterally cancel a treaty and our bases in that nation are no longer available. This happened to us, for example, in Morocco and France. Furthermore, the use of land bases can be temporarily denied to us for political reasons—and without warning.

Naval attack carriers, by contrast, are mobile airbases which can be kept in home waters or deployed to meet contingencies, without political involvement. Operating from international waters, the carriers are normally unencumbered by overflight clearances and base restrictions so frequently encountered by land-based air.

Second, if any reduction in our carrier force level is decided upon in the next several years, I believe it should be made by retiring our World War II carriers, not by canceling or delaying the construction of our new nuclear-powered attack carriers.

The Navy has built nine modern attack carriers since 1952, including the nuclear-powered *Enterprise*. The remaining six attack carriers operating today were launched during or shortly after World War II; four of these are of the *Essex* class.

It is not practical to further modernize the *Essex*-class attack carriers. They cannot operationally support several of the new aircraft: F–4 Phantom II, RA–5C Vigilante, A–6 Intruder, E–2 Hawkeye, F–14. The problem is that aircraft size and speed have become too much for the smaller size decks of the World War II carriers.

There are three carriers in the *Midway* class which were laid down at the peak of World War II. These ships are

larger than the *Essex* class, but much smaller than the *Forrestal, Enterprise,* and *Nimitz* classes. The Department of Defense had planned to modernize all three of these carriers over the next several years. However, the modernization of the *Midway* which is nearing completion has turned out to be so expensive that plans to modernize her sister ships, the *Franklin D. Roosevelt* and *Coral Sea,* have been abandoned.

The *Nimitz*-class carriers incorporate the most modern technological advances including nuclear propulsion and the capability to handle and support the newest tactical aircraft. In designing the CVAN–69 the Navy has drawn on many lessons learned in carrier operations in the Vietnam war, particularly in the areas of command and control, intelligence processing, ordnance handling, firefighting, and damage control.

Also, since the nuclear carrier does not have to carry propulsion fuel oil, it can carry much larger amounts of aircraft fuel and other combat consumables which greatly increases its combat capability. The nuclear cores being built at the present time for the *Nimitz* and the CVAN–69 will fuel the ships for at least 13 years of normal operations.

If it proves necessary for us to operate a smaller carrier force in the future, it will become even more important that each ship in the operating forces be as up to date and capable as possible. In this regard, it should be noted that proceeding with the CVAN–69 will not increase the number of carriers in the Navy's active inventory. When this carrier joins the fleet in 1974 it will replace the *Bon Homme Richard*—which will then be 30 years old—a veteran of World War II, Korea, and Vietnam.

Third, this ship—CVAN–69—has been in the 5-year defense plan for 4 years. Each year the need for the ship has been thoroughly reviewed and reconfirmed by the Department of Defense and Congress.

Congress has already appropriated a total of $132.9 million for this ship over a 2-year period. The propulsion machinery for the CVAN–69 is well along in fabrication. The procurement of the remaining components and the ship construction are carefully sequenced with the *Nimitz* for maximum economy—this economy can be achieved only if the funds required for this ship are retained in the fiscal year 1970 budget.

To delay this ship now by further study—as would be done if the proposed amendment were adopted—would waste tens of millions of dollars due to the disruption and inefficiency that would be forced into the ship construction by the holdup.

Mr. President, I cannot see that it makes any sense to delay or otherwise interfere with the construction of this *Nimitz*-class carrier. I shall vote against the proposed amendment.

Mr. BYRD of Virginia. Mr. President, I wish to commend the distinguished Senator from Washington for his very excellent presentation as to the reasons the pending amendment should be defeated.

Mr. President, I support the authorization of $377 million for the CVAN–69 nuclear aircraft carrier. It is a vitally important part of the military procurement program and will provide an equally important element of our seapower. Our Nation must remain militarily strong if it is to remain free.

The aircraft carrier is the primary striking force of our Navy. Our aircraft carriers must be modern if our Navy is to be modern.

The carrier proposed for fiscal year 1970 originally was scheduled to be funded in fiscal year 1969. Congress already has appropriated nearly $133 million for this carrier, making a total cost of $510 million.

The cost of a modern, nuclear aircraft carrier is great. But the stakes involved in control of the seas are even greater.

The distinguished senior Senator from Vermont (Mr. AIKEN) recently used these words in discussing nuclear submarines:

> Whoever controls the seas will control the overriding question of peace or war.

Because of sea power, I strongly urge authorization of the new nuclear carrier, which will be our third such ship.

I speak as one who does not believe in blank checks for Pentagon projects: I already have voted for a reduction of $2 billion in the current military procurement authorization.

Mr. President, it is important to put in perspective the money involved in the total procurement program. The budget submitted by the administration of President Johnson in January called for a $23 billion outlay for military hardware, research, and development. When President Nixon came into office, this was reviewed and the Nixon administration brought in a budget of $22 billion.

The Armed Services Committee, under the leadership of the distinguished Senator from Mississippi (Mr. STENNIS), went very carefully into the military procurement program, and the committee recommends to the Senate that $2 billion be taken out of the request from the administration, leaving a military procurement authorization bill of $20 billion. Thus, the committee favors a reduction, and the Senator from Virginia favors a reduction. We favor cutting the fat out of the military budget, but we do not favor cutting out the muscle.

The carrier now being considered is the second in the *Nimitz* class. The name ship of the class, the *Nimitz,* now is under construction. The *Nimitiz* will be our second nuclear-powered carrier—the *Enterprise,* of course, already is in action—and the ship requested in the current authorization will be Navy's third.

This program is essential if we are to maintain mobile bases for our tactical aircraft.

Tactical aircraft are vital to the defense of our national interests. Tactical aircraft, like any other, need a place to land and a place from which to take off. Since 1954, the United States has lost two-thirds of its overseas bases, and there is nothing in the world political scene that indicates a future reversal of this trend.

The aircraft carrier, therefore, is the only assured overseas "base" for tactical aircraft that can be bought today. The carrier does not come cheap, but the cost is not prohibitive, considering the stakes that are involved.

It has been proposed that a review be made of the role of carriers in contingencies, the vulnerability of carriers, the policy of replacing carriers on a one-for-one basis and the foreign policy implications of the carrier force.

This kind of review is being carried on continually. I believe that the whole spectrum of American foreign policy and military posture should be under continuous review by the Congress and the administration.

However, even though such a review is carried out, it would not eliminate the need for this carrier.

For one thing, no review of the international situation and our military posture can result in an accurate prediction as to when, or where, or under what conditions wars may be fought in the years to come. The only way to insure that a war will be fought in a particular place is to start it yourself, and that is not the policy of the United States.

On the contrary, our policy is to deter war—either limited or general—to the very best of our ability.

I do not favor extension of U.S. military commitments overseas. As a matter of fact, I feel that this country already is overextended in its commitments.

But this does not mean that the United States can stage an instant withdrawal from the world at large, nor does it mean that we can let our guard down.

I do not favor a "world policeman" role for this country.

I have felt from the beginning that the involvement of the United States in a ground war in Southeast Asia was a grave error of judgment. But in this uncertain and imperfect world, I want our Nation to remain militarily strong.

There is a critical difference between declining to police the world because we do not choose to do so, and declining because we are unable to do so.

Choosing not to do so is an act of judgment, which implies the existence of an American deterrent that discourages adventurism on the part of potential enemies.

Being unable to do so implies a posture of impotence that can only encourage aggressors.

We must be in a position of choice, not a position of impotence.

We cannot escape our position of responsibility in this imperfect world. I do not favor a policy of intervention—certainly not a policy of unilateral intervention—but I believe in looking at the world as it is, not as we might wish it to be.

In the world as it is, the aircraft carrier is an important instrument of national policy.

Before the Senate now is an amendment proposed by the Senators from Minnesota and New Jersey which would eliminate the nuclear-powered aircraft carrier from this year's military procurement authorization.

I do not believe that the course recommended in this amendment is either wise or safe.

The sponsors of the amendment maintain that the status and mission of our

carrier force should be reviewed. I do not disagree.

As a matter of fact, all weapons systems should be under continuous review. The Navy, the Defense Department, the President, and the Congress have the obligation to see that our defense dollars are wisely spent.

But this should be a continuing process. Such questions as the mission of carriers, their overall effectiveness, their relative vulnerability, and the comparative effectiveness of alternate weapons systems should be reviewed regularly.

However, this is being done. The Defense Department constantly weighs the effectiveness of weapons systems against their cost.

So far, experience has taught us that the aircraft carrier is a valuable and versatile member of our weapons family, and that nuclear power has great advantages over conventional power. That is why the Department of Defense now supports this third nuclear aircraft carrier.

Mr. President, at this point, I might mention that the Senator from Minnesota (Mr. MONDALE), in making his presentation today, pointed out that the then Secretary of Defense, Robert S. McNamara, recommended in 1964 that the number of aircraft carriers be reduced. That is an accurate statement by the Senator from Minnesota.

What I think should be emphasized is that while he recommended that the number of carriers be reduced, he equally strongly recommended that three new nuclear carriers be built, because he recognized, as I think most officials in the Department of Defense recognize, that if we are going to have a Navy, we had better have a modern Navy.

In addition to Defense Department studies, there is the annual review of military spending proposals by the authorizing and appropriating Committees of Congress, and debates like the ones that have occurred on the floors of the House and the Senate over the past 6 to 9 weeks.

If it is true that weapons systems once were automatically approved by the services, the Secretary of Defense and the Congress, that certainly is not the case today. I should say at this point that I heartily approve of the close scrutiny now being given military appropriations.

I think it is well that the Senator from Minnesota presented this amendment. I think it is well that the Senator from Wisconsin presented the various amendments he has presented. I think it is well that the Senate and the Congress debate fully matters of military appropriations, because we should want to give the taxpayers a dollar's worth for every dollar of their funds that is spent; and that can only be done if there is a careful review on the part of the Congress. I approve of this debate. But, while I approve of this debate as a symbol of alertness to possible waste in the military, I cannot approve of the amendment proposed by my distinguished colleagues from Minnesota and New Jersey.

One of the announced aims of the pending amendment is economy. But even as an economy move, the amendment makes no sense.

The fact is that $133 million already has been spent for a second *Nimitz* carrier. If the carrier is eliminated from the budget, this money will be down the drain.

If the construction of this carrier is delayed, of course, the cost will go up.

Of course, it might make sense to sacrifice $133 million if there were real reason to believe that the new carrier will not be needed. But this is not the case.

I believe the role of aircraft carriers and the need for this particular nuclear carrier have been sufficiently studied and is sufficiently established.

However, if the Senate should decide that additional study is required, without delaying the second *Nimitz* carrier, I would have no serious objection. I do not believe the study would be harmful. There may be some value in a review of the need for 15 carriers.

Let us indulge in fantasy for a moment. Let us suppose that the proposed study is carried out and the verdict is that the United States will need only three aircraft carriers in the 1970's and beyond. Personally, I would call into question the judgment of anyone who would come to such a conclusion, but for the sake of argument, let us assume for a moment that this unbelievable conclusion is reached and accepted.

How would we go about reducing our future force to three carriers? By keeping the newest, of course, and retiring the older ones.

But it is axiomatic that the smaller your force, the more important its quality. Surely we do not have to prove again, having finally hammered it home even to Mr. McNamara, that nuclear aircraft carriers are the carriers of the future.

The United States now has only one active nuclear-powered carrier, the *Enterprise*. A second, the *Nimitz*, is under construction. That is all we have.

So if this Nation were to have only three modern carriers, carriers with nuclear power—why, even then, the ship proposed in this bill would demand immediate authorization.

Proponents of the amendment now before us maintain that land-based tactical aircraft can do the job of carrier-based aircraft more cheaply and efficiently.

But tactical aircraft based on land cannot substitute for carrier-based forces. As a matter of fact, during World War II and in the Korean war aircraft based on carriers often were essential to provide air superioity in areas. where we seized bases that later became airfields for land-based tactical planes.

I may point out that during the Lebanon crisis, a base was available in Turkey, but the use of this base was denied us because Greece, a NATO ally, refused to allow overflights. Our carrier fleet provided air cover for the Marine landing after the order was issued.

The carrier force which we have today is rapidly aging. Of our 15 attack carriers, seven were built during World War II or shortly thereafter.

I have a list of all of those. Three of them were built 25 years ago. When these are replaced under the program which has been worked out, some of them will be 33 years old before they are taken out of service. I submit that those no longer can be called modern aircraft carriers.

Three of these ships, the *Essex* class, are unable to operate some of the Navy's newest aircraft, including the F–4 Phantom II, A–6 Intruder, and the RA–5C Vigilante. The safety record of these old carriers is unsatisfactory; the landing accident rate aboard these ships is about twice that of their more modern sisters.

It is possible that a review of our foreign policy and overseas commitments may conclude that fewer than 15 attack carriers will be needed in the fleet in the future.

I do not argue as to whether we should have 15 carriers. I do reason we must have some modern, nuclear-powered carriers, and to date, we have only one.

Another is being built and should be in service in 1971, and a third one is the one which is being considered today.

It has seemed to me somewhat sad that the memory of that fine sailor, former President Kennedy, should be honored with an aircraft carrier powered with an outdated propulsion system.

The decision to build the *Kennedy* with oil-fired engines was an error of judgment—nearly all military authorities agree on this point—and it is an error that should not be repeated. It was an error, I might say, not on the part of the professional military leaders, but rather on the part of Secretary of Defense McNamara.

Sooner or later, this new nuclear aircraft carrier proposed in the bill now before the Senate must be built. Delay in providing the necessary funds will only increase the cost and lessen our security.

We have only one nuclear carrier today—the *Enterprise*. The *Nimitz* nears completion, and a second *Nimitz* is the carrier to which the current authorization would apply. Thus, even with the currently sought authorization, we will have only three modern nuclear-powered aircraft carriers.

Unless we want to get out of the seapower business entirely, the very least we can do is have three nuclear-powered modern aircraft carriers.

In analyzing and studying the excellent speech made this morning by the Senator from Minnesota—excellent from his point of view; I heard most of it; I read it twice—what impressed me about that speech was that his main argument is built along the line that we should not have 15 attack carriers.

That is not the point at all, as I see it, Mr. President. The point is, shall we have a modern Navy? It is not a question of how many carriers we should have. That is not the question at issue today. The question at issue today is that we have one modern nuclear-powered carrier now, we have a second one being built, and the question is, Shall a third modern nuclear-powered carrier be built?

That is the issue. It is not the issue whether we should have 15 carriers or 12 carriers or 10 carriers, or whatever. This year, shall we have a modern fleet? Shall we have at least some modern carriers?

I submit that these fossil fuel carriers

cannot be considered to be modern carriers. The only modern carriers are those which are nuclear powered.

Mr. President, I wish to say again that I believe very strongly that Congress has an obligation to cut the fat out of any military budget submitted to Congress. I have voted for very considerable cuts in budgets submitted by President Johnson, and I have voted for cuts in the current budget which has been submitted by President Nixon. I believe in cutting out the fat.

But, Mr. President, we must not cut the muscle. We must not cut the muscle, and I say that if you cut out, eliminate, scuttle the nuclear-powered aircraft carrier, we are cutting the muscle of the U.S. Navy.

Mr. President, I was tremendously interested in one aspect—I was interested in many aspects of it, but particularly in one aspect—of the address of the distinguished Senator from Minnesota, in which he said—and I read from page 4 of his manuscript—speaking of his amendment:

> This is not an "anti-carrier" amendment, as Navy spokesmen would have us believe. Our amendment in no way suggests that the attack carrier is obsolete or has no viable role in the U.S. Navy.

Mr. President, that is a very significant statement, I believe. And I might say that the able Senator from Minnesota repeated several times in his comments today that he felt that the Navy has an important role to play.

If that is the case—and I think it is—then I say we must have a modern Navy. There are Senators—and many of them have told me so—who do not believe that we should have aircraft carriers. They say there is no need for aircraft carriers, they are obsolete, and we ought to do away with them.

I say that Senators who feel that way certainly should vote for the Mondale-Case amendment. It is the only logical vote for them to cast. But I point out, Mr. President, that Senator MONDALE and Senator CASE do not believe that the Navy is obsolete, and I have just quoted a passage from the speech of the Senator from Minnesota to justify that assertion. They do not believe that the Navy is obsolete and should be done away with. What they do want to do is eliminate from the present authorization bill the funds to construct a third nuclear-powered aircraft carrier.

I can see the point of some Senators who say we should not have aircraft carriers. I do not agree with their view, but at least they have something that they can stand on. They just do not believe in aircraft carriers serving a useful purpose. If they believe that, they ought to vote for the amendment. But I am convinced that the large majority of Senators do not feel that way. Most Senators feel we must have aircraft carriers.

I submit that if we feel we must have aircraft carriers, then it is only logical that we have modern, nuclear-powered ones, and not be forced to utilize carriers which are reaching a high age, and which, as a consequence, are and will continue to be much more costly to operate.

Mr. President, I think it would be unwise if the Senate were to adopt the amendment of the distinguished Senator from Minnesota and the distinguished Senator from New Jersey. I say again, it is not a question—and the amendment is built on this premise—of how many carriers the Navy ought to have. I do not argue whether the Navy should have 15 carriers, 10 carriers, seven carriers, or whatever it should have; but if you concede that the Navy should have carriers, if you concede that we must have carriers if we are to maintain a modern navy, then I submit, Mr. President, that the least number of modern nuclear-powered carriers we can or should have is three.

We have to date one, the *Enterprise*. We have the *Nimitz*, which will be in use in 1971, and the funds for the third nuclear-powered carrier are included in this bill, which the Senate has been debating for the past 8 or 9 weeks.

So, Mr. President, I support the authorization of this third nuclear-powered attack aircraft carrier, and I oppose the amendment offered by the Senator from Minnesota and the Senator from New Jersey.

Mr. President, in connection with my remarks about the value of aircraft carriers, I ask unanimous consent that a study of the use of carriers, entitled "Carrier Employment Since 1950," by Adm. David L. McDonald, former Chief of Naval Operations, be printed at this point in the RECORD.

There being no objection, the study was ordered to be printed in the RECORD, as follows:

CARRIER EMPLOYMENT SINCE 1950

(By Adm. David L. McDonald, U.S. Navy, president, U.S. Naval Institute)

At this time of international tensions that require large national investments for defense, at this time when technology makes possible a wide selection of complex, costly weapons, it is well, perhaps, to back off and look at the practical results recently achieved by any given major weapon under consideration. If it is true that the proof of the pudding is in the eating, then it is true that the proof of a weapon is in its employment. Let us examine, then, the employment in recent years of one of the Navy's major weapons—the aircraft carrier.

The end of World War II found the Navy with an inventory of 24 *Essex*-class attack carriers commissioned or building, eight light carriers, 74 escort carriers, and three obsolete prewar carriers. Of the 111 carriers of all types used in the War, 11 were lost in combat, none of which were *Essex*-class. If the performance of carriers in World War II can be summarized in one sentence, it is this—carrier strike forces, Japanese as well as American, always defeated land-based air forces. The issue was in doubt only when they were carriers on both sides of the battle.

At the outbreak of the Korean War in the summer of 1950, the Navy had seven attack carriers, four light carriers and four escort carriers in commission. Three of the attack carriers were of the 45,000-ton *Midway*-class—the *Midway*, *Franklin D. Roosevelt*, and *Coral Sea*, CVBs 41–43, respectively—which had joined the Fleet between 1945 and 1947. The bulk of the force was in the Atlantc or Mediterranean; the Pacific Fleet included only three attack carriers and two escort carriers. The one Pacific Fleet attack carrier west of Pearl Harbor, USS *Valley Forge* (CV–45), was in the South China Sea on 26 June; on the 27th she was ordered to Korean waters. En route, she was diverted to make a show of force in the Taiwan Straits because of possible Chinese Communist invasion preparations. Operating in the Yellow Sea a few days later, she launched the first carrier strikes of the War on 3 and 4 July against Pyongyang, capital of North Korea and focal point of its western railroads. The *Valley Forge* was then ordered south to stand by to counter possible hostilities in the Taiwan Straits. Back in the Sea of Japan on 18 July, she supported the landings at Pohang. Remaining in the area for several days, she operated to the south and west of the peninsula with offensive missions against enemy troops and supply lines in support of the holding actions of Americans and South Korean ground forces.

The *Valley Forge* remained the only engaged carrier until the beginning of August when another Pacific Fleet attack carrier arrived. The build-up continued with two escort carriers whose ASW aircraft had been replaced by Marine squadrons and by the third Pacific Fleet attack carrier—the USS *Philippine Sea* (CV–47)—which arrived in mid-September. The first Atlantic Fleet attack carrier—the USS *Leyte* (CV–32) arrived in early October. At this point, four of the seven attack carriers in operation at the beginning of the War were committed to Korean operations; the fifth and sixth were in the Mediterranean, and the seventh was operating in the Caribbean.

In the meantime, reinforcements were arriving from the United States, and an amphibious force was organized to land at Inchon, behind the front and halfway up the west coast. After delivering a capacity load of ammuntion, 145 F–51s for the U.S. Air Force, and a number of radar vans, jeeps, and other material, from Alameda, California, to Yokosuka, Japan, the USS *Boxer* (CV–21) returned to Alameda for reloading and rejoined the forces in the Western Pacific just in time to participate in the landing. Under cover of naval gunfire and sea-based aircraft from three attack carriers and two escort carriers, the landing force went ashore at Inchon on 15 September and pressed inland toward Seoul.

The fighting during this period, ranging as it did from the retreat to Pusan to the Inchon invasion, comprehended a number of interesting characteristics. The final North Korean drive to the Pusan perimeter resulted in the withdrawal of all Air Force fighter bombers to Japanese bases, and this reduced the payloads and loiter time available for close support. Carrier-based aircraft thereafter provided a substantial advantage in sortie rates, weapons, and time on station, but it proved difficult to exploit this. Even relatively modest numbers of aircraft tended to saturate the existing air control system (although targets were not lacking). Action reports of the period contain frequent complaints of the inability of the control system to absorb profitably naval close support missions.

Following the Inchon landings our forces moved rapidly toward the Yalu River. Victory appeared imminent, so the *Boxer* was permitted to return to the United States for her delayed overhaul. The *Valley Forge* was also ordered home on 21 November.

Chinese Communist forces from Manchuria attacked en masse on 26 November. In addition to throwing back the Eighth Army in the west, they succeeded in cutting off the Tenth Corps near the Chosin Reservoir. At this point, with land-based tractical air being pushed off advanced bases, the situation was critical; with only the *Leyte* and the *Philippine Sea* on the line, reinforcement was urgently required. The USS *Prince-*

ton (CV–37), freshly out of mothballs and already on the way, arrived on 2 December. A fourth attack carrier having just arrived in San Diego on 1 December, embarked the *Boxer* Air Group and returned to action on 22 December in time to cover the last days of the evacuation. Marine Corps squadrons ashore, now without airfields, were used to fill empty deck spaces on three carriers offshore (two escort carriers and one light carrier) and continued their support missions. For 16 successive days, the surrounded Tenth Corps received on the order of 220 close support sorties a day with a record peak of 315 on one day at the height of the breakout. Each carrier-based sortie remained on station from one to 1.5 hours and made between five and nine attack passes. Over three-quarters of these sorties were provided by carriers, and it is unlikely that the Tenth Corps would have broken out to the coast without them. As a result of the severe losses inflicted on the Chinese by the Tenth Corps and tactical air, the subsequent evacuation of over 100,000 troops and their full equipment was accomplished with negligible loss.

Carrier operations in the remaining years of the Korean War emphasized sustained interdiction of the logistic net in the eastern half of Korea. When the Chinese undertook offensive ground action there were diversions to close air support and to airfield neutralization during the periodic Chinese efforts to regain air superiority. The fact that the front line was perpendicular to the coast line gave carrier aircraft shorter radii and therefore higher payloads and sortie rates for many interdiction and airfield targets. Throughout 1952 and 1953, about half of the Pacific Fleet carriers were maintained in Korean waters.

Of the 11 attack carriers which ultimately saw action in Korea, only four were in active status at the start of the War. The carrier force level rose during the three years of war from seven at the beginning to 18 at the end by reactivating ships from the Reserve Fleet inventory which had been created as a result of World War II.

The Korean Armistice went into effect in July 1953. Soon thereafter, the Communist effort was stepped up in Southeast Asia. In response, the Navy shifted the bulk of its Western Pacific carrier forces to the south. During the desperate battle of Dien Bien Phu in May 1954, two attack carriers were standing by to intervene on behalf of the entrapped French and Vietnamese forces had a decision been made to do so.

The next major employment of attack carriers occurred in 1955, north of the Taiwan Straits. The Chinese Communists assaulted and seized one of the Tachen Islands. Of the nine attack carriers in the Pacific Fleet, five were quickly assembled off the Tachens to cover another amphibious evacuation. The commitment of this major naval force unmistakably indicated U.S. willingness to intervene, and the 1,800 sorties flown in a week also clearly demonstrated a capability to intervene effectively without recourse to nuclear weapons. The over-all posture of the carrier force at this time was as follows:

In commission	16
Overseas	7
Coastal waters	7
Overhaul	2

Active intervention in the Taiwan area was again necessary in 1958. The incident also involved coastal islands and was accompanied by renewed activity in the Straits, a build-up of forces on the Chinese mainland, and repeated announcements that Formosa would be "liberated." The timing may have been influenced by the simultaneous involvement of U.S. naval forces in the Lebanon crisis in the Mediterranean. If this was an attempt by the Communists to catch U.S. naval forces off guard, it failed. In fact, an immediate move was made to improve the readiness posture in the Western Pacific by sailing the USS *Lexington* (CVA–16) (when, in October 1952, CVs and CVBs were officially designated as CVs, they became in name what they had been in fact—*attack* aircraft carriers) from San Diego on 17 July for that purpose.

On 15 July with the situation in Lebanon rapidly approaching the crisis state, President Dwight D. Eisenhower responded affirmatively to President Camille Chamoun's appeal for intervention. At this time we had two attack carriers deployed in the Mediterranean out of a total of six in the Atlantic Fleet. Twelve hours after the President's order was issued, these two carriers supported U.S. Marine Corps landings to seize the Beirut airport. U.S. Army troops were air-lifted into the Marine-held airport four days later, on 19 July. Clearances on over-flights and landing rights were required by several European, African, and Middle Eastern nations. Since these did not affect carrier operations, the Navy retained air support responsibility until 5 September.

Turning back to the Pacific, the Communists began shelling the islands of Quemoy and Matsu, off the Chinese mainland, on 23 August 1958, thus preventing the logistic support of Nationalist garrisons there. When the Seventh Fleet intervened, all the ingredients of all-out war were present.

The pattern of Fleet operations that developed concentrated the attack carrier task groups on an arc around Formosa with their activity designed to make the enemy fully aware of both their presence and their strength. Carrier aircraft covered surface units escorting Chinese Nationalist logistic forces in international waters en route to and from the island groups under fire. U.S. support helped to keep the islands from falling to the Communists.

On the day the shelling of Quemoy and Matsu began, we had 15 attack carriers on active duty and they were located as follows:

Eastern Mediterranean (Lebanon area)	[1] 2
Eastern Atlantic	1
East coast	[2] 2
Overhaul east coast	1
Total	6
Western Pacific (Quemoy-Matsu)	3
En route western Pacific	2
West coast	[2] 4
Total	9

[1] One CVA sailed five days later for WestPac via Suez, as her relief arrived in the Mediterranean.

[2] One CVA on each coast was conducting refresher training subsequent to major overhaul.

The situation again stabilized and the immediate threat of an over-water invasion subsided. Communist forces kept the issue alive, however. Unable to achieve control of Formosa Strait and the coastal water of the East China Sea, they turned with renewed effort to expand southward on the mainland. Without challenging the naval forces present, they waged war in Vietnam, in Laos, and on the borders of India. None of the countries in Southeast Asia escaped their persistent aggressiveness.

During this general period, the carrier forces had been undergoing a gradual change in character and capabilities. Four *Forrestal*-class attack carriers—the *Forrestal, Saratoga, Ranger,* and *Independence,* CVAs 59–62, respectively—joined the Fleet between October 1955 and January 1959. Two improved *Forrestal*-class carriers—the *Kitty Hawk* and the *Constellation,* CVAs 63 and 64 were commissioned in 1961, as was the nuclear-powered USS *Enterprise* (CVAN–65). In response to announced national policy, the emphasis on nuclear delivery capabilities grew steadily. Aircraft primarily designed for nuclear strikes, such as the A–3, were introduced in quantity. Efforts were made to develop improved weapons like Bullpup despite increasing pressure to economize on conventional capabilities.

In 1960, a major short-term build-up of U.S. retaliatory capability was undertaken in response to Soviet pressure on Berlin. Among other emergency measures taken was a major increase in the degree to which the carrier force was committed to a nuclear retaliatory role. Most noticeable was the deployment of an additional carrier to the Mediterranean bringing the total there to three. This carrier and one of the three carriers in the Far East were loaded with air wings which consisted almost entirely of attack aircraft. This emergency posture was maintained from mid-1960 to mid-1961, and provided for overseas deployment of six of the 15 available carriers during most of the period. The protracted commitment placed a severe strain on Fleet resources.

During the spring of 1961, carriers were involved in readiness operations in the Caribbean and Western Atlantic, which did not receiver public notice. This is an illustration of the discreet manner in which aircraft carriers can be employed.

A more recent crisis in which carriers participated involved Cuba. In October 1962, the late President John F. Kennedy demanded the removal of Soviet missiles clandestinely introduced into the island and took firm measures to back up his demand. The USS *Enterprise* (CVAN–65) and the USS *Independence* (CVA–62) played major roles in the Quarantine action and they, along with the *Lexington,* would have supported the landings in Cuba had the President made a decision to invade. The adaptability and flexibility of the sea-air team was demonstrated by reassigning the *Lexington,* on duty as the Naval Air Training carrier, temporarily to attack carrier duty with an Air Wing embarked from a carrier in overhaul. During the Quarantine, the *Enterprise* and the *Independence* were at sea for 49 and 41 consecutive days respectively without relief or in-port replenishment, and their air wings averaged 120 flights per day. Because of the possibility of Soviet moves elsewhere, for example against Turkey, the two attack carriers in the Mediterranean were maintained on station. Similar contingencies in the Pacific motivated the movement of a carrier to the Hawaiian area to reduce the time required to reinforce the three carriers already in the Western Pacific. The resulting posture is summarized below:

Active carriers	16
Committed to Cuban operation	3
Deployed overseas	6
Coastal waters and overhaul	7

There were other crises and incidents in which attack carriers played important roles.

For almost three years following the 1948 break between Moscow and Belgrade there was a steady military build up in the East European Satellites. This was coupled with economic, ideological, and implied military pressure. In the politically critical spring of 1951, the United States suddenly doubled its Mediterranean Fleet by having the forces scheduled to relieve arrive about six weeks ahead of time and by retaining the forces due to be relieved for several weeks beyond their normal tour. In November, the United States formally committed itself to provide military assistance to Yugoslavia. A month later, a cruise by Marshal Tito in the USS *Coral Sea* (CVA–43) further underscored this commitment and advertised the immediate availability of U.S. military power in the Mediterranean even thought we were at the same time fighting a war in Korea.

During the Suez crisis in late October 1956, the USS *Franklin D. Roosevelt* (CVA–42) covered the evacuation by ship of 1,700 U.S. citizens from Israel and Egypt. Both Mediterranean carriers were kept at a high degree of readiness during this crisis.

In April 1957, Sixth Fleet units, including the USS *Forrestal* (CVA–59), were in the Eastern Mediterranean to support President Eisenhower's warning against a threatened take-over of the government of Jordan by the Communists. This show of force was maintained for a week to emphasize U.S. determination that Jordan should remain independent.

In the summer of 1960, the USS *Wasp* (CVS–18) arrived off the Congo to help in the mass evacuation of Americans should that become necessary. She also delivered aviation gasoline to support the United Nation's airlift of Congo forces.

In November 1961, at the request of Guatemala and Nicaragua, President Kennedy ordered a naval patrol of Central American waters to intercept and prevent any Communist-led invasion of those two countries from the sea. The USS *Shangri-La* (CVA–38) immediately initiated the patrol.

Pacific Fleet carriers covered the deployment of the Marines in Thailand in May 1962. This action, in response to the violation of the cease-fire in Laos, followed by major Pathet Lao successes, was designed to give a clear indication of U.S. intentions to defend Thailand, to place a precautionary impact on the situation in Laos, and to maintain positions for quick reaction in the event of a decision calling for further action.

A table of crises showing carrier force levels and inventory is given below:

CRISES INVOLVING CARRIERS

Date	Crisis	Force CVA level	CVA inventory
June 1950	Korea (start)	7	27
March–December 1951	Yugoslavia	14	27
July 1953	Korea (end)	18	27
February 1955	Tachen evacuation.	16	16
October 1956	Suez	19	17
April–May 1957	Jordan	17	17
July–August 1958	Lebanon	15	12
August–December 1958	Quemoy-Matsu.	15	12
July 1960	Congo	14	14
September 1960	Berlin	15	14
November 1960	Guatemala and Nicaragua.	14	14
February–April 1961	Laos	14	17
June 1961	Dominican Republic.	15	17
May 1962	Thailand	15	17
October–December 1962	Cuba	15	15
Present strength		15	15

Inventory includes those CVAs capable of operating all models of CVA aircraft existing in significant numbers in the aircraft inventory. Where force level exceeds inventory, in the table above, obsolete carriers with second line aircraft were included.

It is instructive to review the actual ways in which carriers have been used since 1950 with a view to comparing doctrine with practice. Since the demise of the Japanese Fleet and the appearance of nuclear weapons, carrier force doctrine (in common with many other force doctrines) had emphasized nuclear deterrence, with reduced emphasis on supporting amphibious operations, control of the sea, and showing the flag. All of these missions have continued to engage the Fleet, however. It is striking that amphibious evacuation has been encountered about as often and as importantly as amphibious assault. Perhaps it is natural that this role has been commonly overlooked. Few planners plan on disaster, and the recurrent occurrence of military and political reverses has been submerged by the generally successful results of the series of confrontations during the past decade.

The classic World War II role of the carrier—the gaining and exploiting of air superiority in a local area until forward land-based air could assume the function—has not been exercised in the recent past primarily because such a challenge was declined by the opponents. However, the potential vulnerability of airlifted forces which was inferentially demonstrated in the 1961 Laotian crisis implies that the air superiority mission of the carrier may recur with increasing importance. A new but related role has emerged since 1950 which provides cover for the arrival of airlifted troops and deploying land-based aircraft. In Lebanon, this mission was only an extension of the basic purpose of amphibious operations. But in the 1961 Laotian crisis, the potentially chaotic ground situation at the terminal airfields made troop commanders conscious of the importance of having close air support available immediately upon landing. Similarly, the proximity of the airlift route to Chinese airfields indicated the desirability of carrier-based fighter escort.

A final characteristic of the past decade and a half can also be noted. This was the tendency of crises to occur in the Taiwan Straits coincidentally with the commitment of U.S. forces elsewhere. This happened several times during the Korean War, perhaps for diversionary purposes, and the Quemoy-Matsu crisis appears to have been a test of U.S. ability to respond while major forces were committed in the Middle East.

It is interesting to note that although the carrier force is relatively slow moving in comparison with modern aircraft, carriers have been on the scene early in the development of most major crises. This appears to result from one of the salient characteristics of the force. Although it moves in an assault configuration, essentially ready for maximum effort air operations, it can be moved as ostentatiously or as discreetly as desired. One thing in common about most of these crises is the manner in which carrier forces have been moved toward the trouble spots, is they were in Lebanon, Quemoy-Matsu, and Cuba, on the most tenuous strategic warning and prior to national political decisions. They have also moved in the face of substantial enemy threats as was the case both in Korea and during the Taiwan crises.

Looking back over the last 15 years, what have the attack carriers' missions been and what have their particularly useful characteristics been? The missions can be summarized as follows:

Provide air cover for amphibious landings, as in Inchon, Lebanon, and potentially in Cuba.

Provide close air support for ground forces as in Korea.

Provide U.S. military presence, as during the Dominican Republic crisis, the Tachens evacuation, the Quemoy-Matsu and Lebanon crises.

Provide air cover and ground support for amphibious evacuations as at Hungnam.

Provide air cover for deployment of troops and land-based air as in Korea, Lebanon, and, more recently, Thailand.

Prepare to conduct blockade, search and attack, as was done off Cuba, Guatemala, and Nicaragua.

Contribute to the alert strategic forces for general war.

The particularly useful characteristics of attack carriers have been that they move in an assault configuration prepared, as they were in the Inchon and Lebanon landings, the Tachens and Hungnam evacuations, and the Quemoy-Matsu crisis, to take control of the air against air opposition. As pointed out previously, they move easily to trouble spots on the basis of even tenuous strategic warnings. Lebanon, Quemoy-Matsu, Cuba, and the Dominican Republic are examples. Top level decisions to move naval forces prior to commitment have not been required because they were operating in international waters. Because they operate in international waters, permission from a foreign country has never been necessary to proceed to the scene of a crisis, whereas U.S. land-based planes en route to Lebanon and the Congo required overflight clearances, sometimes a time-consuming requirement.

The aircraft carrier is sovereign U.S. territory. The carriers have proven themselves to be initially self-sustaining and readily replenishable at sea during all of the crises in which they have played a role. In these crises they have not had to depend on prepositioned base facilities, supplies, etc., since overseas replenishment has been made at sea from an underway replenishment group. Carrier's launch and recovery areas have proven as extensive as international waters; for example, a show of force over the Taiwan Straits and a few days later a strike from the Yellow Sea against Pyongyang. Tactically, carriers have been able, as in the Tachens evacuation and the Quemoy-Matsu crises, to concentrate as a single force to obtain desirable odds.

The records show that attack carrier force levels rose from a low of seven at the beginning of Korea to 18 at the end by recommissioning from the inventory created by World War II; force levels subsequently ranged from 19 in 1956, to 14 in 1960, to 15 at the present time. The average number of active carriers has been slightly more than 15.

Secondly, in the Far East, a maximum deployment of five carriers has been recurrent; in the Mediterranean, three have been used with additional carriers pushed forward in the Eastern Atlantic; and in the Caribbean, three have been called out.

This history, covering a decade and a half, suggests the following conclusions about attack carriers:

They have typically been on the scene when needed.

They have been directly involved in the majority of post-World War II crises.

They have been ideally suited for the projection overseas of U.S. military power either discreetly or ostentatiously.

They have been adaptable to a wide range of missions.

Carriers have always been used advantageously by the United States; it is difficult for me to conceive of accomplishing the same results with fewer.

SUMMARY OF USES OF CVA'S SINCE 1950—CRISIS AND MISSION

Inchon: Provided air cover for amphibious landings.

Inchon, Lebanon, Thailand: Provided air cover for deployment of land-based air and troops—in Lebanon from time of landing of troops until relieved of air support responsibility six weeks later.

Korea: Provided close air support for ground forces.

Yugoslavia, Tachens, Jordan, Lebanon, Congo, Quemoy-Matsu, Dominican Republic: Provided U.S. military presence.

Cuba, Guatemala, and Nicaragua: Prepared to conduct blockade, search, and attack.

Hungnam, Tachens: Provided air cover for amphibious evacuation.

Korea: Interdicted logistic net and neutralized airfields.

Berlin: Contributed to nuclear strategic deterrent.

Suez, Cuba: Provided air cover for evacuation of U.S. civilians in crisis area.

Korea: Transported Army and Air Force equipment including planes, jeeps, vans, ammunition, etc.

Congo: Transported gasoline to U.N. forces.

Mr. SPONG. Mr. President, today we begin the debate on the amendment to defer the construction of a second attack carrier already funded in part; and once again, as is so well pointed out in an editorial published in the Virginian-Pilot of September 8, 1969, the effectiveness of the attack carrier is being challenged.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NAVY CHALLENGED AGAIN: THE CASE FOR THE CARRIER

The Navy has had, heaven knows, experience enough at defending the aircraft carrier—in concept, propulsion, numbers. Its current campaign against the Mondale-Case amendment in the Senate to cut the projected third nuclear-powered carrier from the 1970 military authorization bill is a reminder that one decade ago Senator William Proxmire was arguing against the construction of a second nuclear carrier on the grounds that the first, which was a year from launching, would be obsolete in this "age of intercontinental and intermediate-range ballistic missiles."

In those days the Navy was insisting that the big attack carrier had a nuclear-deterrent role, just like the Polaris-missile submarines and the land-based ICBM. "In a nuclear war," Admiral George Anderson said when Chief of Naval Operations in the Kennedy years, "any carrier that could launch its air group equipped with nuclear weapons would have performed its mission. Even if ten of our fifteen carriers were caught before they could launch, planes from the five other attack carriers could destroy any country in the world."

That argument soon was shifted; the Navy began to justify the attack carrier for its guarantee to the Nation of "strategic air mobility" in distant corners of the world. Should United States air bases abroad become untenable—as surely they would in many circumstances—the carrier's usefulness as a mobile airfield would become highly important. And even if land bases remained intact and available, carrier readiness and speed would be advantageous. "The best example of comparative reaction time between carrier-based and other air power was the Lebanon crisis," said Vice Admiral P. D. Stroop, then Chief of the Bureau of Weapons, in 1963. "Strike aircraft from the Sixth Fleet were flying 120 sorties a day on the first day—within twelve hours of President Chamoun's request for aid—covering the landing of 5,500 Marines. The carrier planes continued this sortie rate for three weeks until the first land-based aircraft—a TAC strike group flown in to the big NATO jet base at Anda, Turkey—were available for sustained operations."

The Lebanese affair of 1958 remains an argument for the aircraft carrier. It also is an anti-carrier argument. For U.S. people have become progressively skeptical, largely in reaction to the Vietnam War stalemate, of the Government's involving itself in the far-place flareups that from time to time become inevitable. There is opinion that the carrier fleet tempts Washington into sticking its nose where it should not—into continuing its dubious role of world policeman.

Yet there is an overwhelming case for a powerful carrier force. Control of the seas is vital to the North Atlantic Treaty Organization and to the system of Western alliances upon which the security of the United States has been built. So the Soviet Union's current drive for maritime dominance threatens to become the most important development of this half of the Twentieth Century. The principal Western check on that drive is the carrier and her family of escorts and auxiliaries—is, in brief, the U.S. surface fleet. It is indispensable to the Free World.

AUTHORIZATION FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS ON FRIDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate convenes on Friday morning at 10 o'clock, there be a period for the transaction of routine morning business not to extend beyond 10:30 o'clock.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR UNFINISHED BUSINESS TO BE LAID BEFORE SENATE ON FRIDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the pending business be laid before the Senate as the unfinished business at the conclusion of the transaction of routine morning business on Friday morning, but not later than 10:30 o'clock.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum will be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL FRIDAY, SEPTEMBER 12, 1969, AT 10 A.M.

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order of September 9, 1969, that the Senate stand in adjournment until 10 o'clock Friday morning.

The motion was agreed to; and (at 5 o'clock and 50 minutes p.m.) the Senate adjourned until Friday, September 12, 1969, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 10, 1969:

DIPLOMATIC AND FOREIGN SERVICE

Joseph S. Farland, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Pakistan.

NATIONAL COUNCIL ON THE ARTS

Nancy Hanks, of New York, to be Chairman of the National Council on the Arts for a term of 4 years, vice Roger L. Stevens, term expired.

U.S. ATTORNEY

Edward R. Neaher, of New York, to be U.S. attorney for the eastern district of New York for the term of 4 years, vice Joseph P. Hoey, resigned.

U.S. MARSHAL

Gaylord L. Campbell, of California, to be U.S. marshal for the central district of California for the term of 4 years, vice George E. O'Brien, retired.

Arthur F. Van Court, of California, to be U.S. marshal for the eastern district of California for the term of 4 years, vice John C. Begovich.

Anthony T. Greski, of New Jersey, to be U.S. marshal for the district of New Jersey for the term of 4 years, vice Leo A. Mault.

IN THE ARMY

I nominate the following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. George Gray O'Connor, O21088, U.S. Army.

The following-named officers for temporary appointment in the Army of the United States to the grade indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major general

Brig. Gen. Robert Clinton Taber, xxx-xx-xx... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. Charles Carmin Noble, xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. James Francis Hollingsworth, xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. Burnside Elijah Huffman, Jr., xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. Warren Kennedy Bennett, xxx-... xxx-xx-xx... Army of the United States (colonel, U.S. Army).

Brig. Gen. John Reiley Guthrie, xxx-xx-xxxx xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. Edwin I. Donley, xxx-xx-xxxx, Army of the United States (colonel, U.S. Army).

Brig. Gen. Thomas Matthew Rienzi, xxx-... xxx-xx-xx... Army of the United States (colonel, U.S. Army).

Brig. Gen. Felix John Gerace, xxx-xx-xxxx, Army of the United States (colonel, U.S. Army).

Brig. Gen. Thomas Harwell Barfield, xxx-... xxx-xx-xx... Army of the United States (colonel, U.S. Army).

Brig. Gen. Edward Michael Flanagan, Jr., xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. Bernard William Rogers, xxx-... xxx-xx-xx... Army of the United States (colonel, U.S. Army).

Brig. Gen. Allen Mitchell Burdett, Jr., xxx-... xxx-xx-xx... Army of the United States (colonel, U.S. Army).

Brig. Gen. John Albert Broadus Dillard, Jr., xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. Richard Logan Irby, xxx-xx-xxxx, Army of the United States (colonel, U.S. Army).

Brig. Gen. Richard McGowan Lee, xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. John Daniel McLaughlin, xxx-... xxx-xx-xx... Army of the United States (colonel, U.S. Army).

Brig. Gen. George Mayo, Jr., xxx-xx-xxxx, Army of the United States (colonel, U.S. Army).

Brig. Gen. Albert Hamman Smith, Jr., xxx-... xxx-xx-xx... Army of the United States (colonel, United States Army).

Brig. Gen. John Stephan Lekson xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. Franklin Milton Davis, Jr., xxx-... xxx-xx-xx... Army of the United States (colonel, U.S. Army).

Brigadier General Leo Edward Benade, xxx-... xxx-xx-xx... Army of the United States (colonel, U.S. Army).

Brig. Gen. Theodore Antonelli, xxx-xx-xxxx, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Bennison Fulton, xxx-... xxx-xx-xx... Army of the United States (colonel, U.S. Army).

Brig. Gen. James George Kalergis, xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. Erwin Montgomery Graham,

Junior, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Harry Lee Jones, Junior, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Robert Paul Young, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. John Joseph Hennessey, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Darrie Hewitt Richards, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Howard Harrison Cooksey, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Verne Lyle Bowers, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. William Warren Cobb, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Fred Kornet, Junior, [redacted] Army of the United States (major, U.S. Army).

Brig. Gen. Harold Gregory Moore, Junior, [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. George William Casey, [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Alexander Russell Bolling, Junior, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. William Love Starnes, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. John Howard Elder, Jr., [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Joseph Edward Pieklik, [redacted] Army of the United States (colonel, U.S. Army).

The following-named officers for appointment in the Regular Army of the United States to the grade indicated, under the provisions of title 10, United States Code, sections 3284 and 3306:

To be brigadier general

Brig. Gen. Leo Edward Benade, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Richard Logan Irby, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Charles Carmin Noble, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. George Mayo, Jr., [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Felix John Gerace, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Franklin Milton Daxis, Jr., [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. George Samuel Beatty, Jr., [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Robert Clinton Taber, [redacted] Army of the United States (colonel, U.S. Army).

Maj. Gen. Paul Alfred Feyereisen, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Albert Hamman Smith, Jr., [redacted] Army of the United States (colonel, U.S. Army).

Maj. Gen. Richard George Ciccolella, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. James Francis Hollingsworth, [redacted] Army of the United States (colonel, U.S. Army).

Maj. Gen. Wesley Charles Franklin, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Edwin I. Donley, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. William Warren Cobb, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Edwin Montgomery Graham, Jr., [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Thomas Harwell Barfield, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. John Daniel McLaughlin, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Richard McGowan Lee, [redacted] Army of the United States (colonel, U.S. Army).

Maj. Gen. Jack Jennings Wagstaff, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Warren Kennedy Bennett, [redacted] Army of the United States (colonel, U.S. Army).

Maj. Gen. Harris Whitton Hollis, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. John Stephan Lekson, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. John Albert Broadus Dillard, Jr., [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Robert Paul Young, [redacted] Army of the United States (colonel, U.S. Army).

Maj. Gen. Francis Paul Koisch, [redacted] Army of the United States (colonel, United States Army).

Brig. Gen. Thomas Matthew Rienzi, [redacted] Army of the United States (colonel, United States Army).

Maj. Gen. Willis Dale Crittenberger, Jr., [redacted] Army of the United States (colonel, United States Army).

Maj. Gen. Kenneth Lawson Johnson, [redacted] Army of the United States (colonel United States Army).

Maj. Gen. Donald Hugh McGovern, [redacted] Army of the United States (colonel, United States Army).

Brig. Gen. Joseph Edward Pieklik, [redacted] Army of the United States (colonel, United States Army).

Brig. Gen. William Love Starnes, [redacted] Army of the United States (colonel, United States Army).

Brig. Gen. Elvy Benton Roberts, [redacted] Army of the United States (colonel, United States Army).

Brig. Gen. William Bennison Fulton, [redacted] Army of the United States (colonel, United States Army).

Brig. Gen. Harry Lee Jones, Jr., [redacted] Army of the United States (colonel, United States Army).

Brig. Gen. James George Kalergis, [redacted] Army of the United States (colonel, United States Army).

Maj. Gen. Leonard Burbank Taylor, [redacted] Army of the United States (colonel, U.S. Army).

To be brigadier general

Col. Thomas McKee Tarpley, [redacted] U.S. Army.

Col. John Willson Donaldson, [redacted] U.S. Army.

Col. Ira Augustus Hunt, Jr. [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. Frederick James Kroesen, Jr., [redacted] U.S. Army.

Col. Ernest Graves, Jr., [redacted] U.S. Army.

Col. Herbert Joseph McChrystal, Jr., [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. Alexander Meigs Haig, Jr., [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. George Shipley Prugh, Jr., [redacted] U.S. Army.

Col. Frank Ambler Camm, [redacted] U.S. Army.

Col. William Roy Wolfe, Jr., [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. Robert Morin Shoemaker, [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. Adrian St. John II [redacted] U.S. Army.

Col. Charles Robert Myer, [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. Gordon James Duquemin, [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. Henry Everett Emerson, [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. Herbert Ardis Schulke, Jr., [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. Charles James Simmons, [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. Harold Ira Hayward, [redacted] U.S. Army.

Col. Thomas Joseph McGuire, Jr., [redacted] U.S. Army.

Col. John Quint Henion, [redacted] U.S. Army.

Col. Charles Austin Jackson, [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. Charles Echols Spragins, [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. Robert Neale Mackinnon, [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. George Magoun Wallace II, [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. Henry Richard Del Mar, [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. William Randolph Bigler, [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. DeWitt Clinton Smith, Jr., [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. Edward Bartley Kitchens, Jr., [redacted] U.S. Army.

Col. Jonathan Rowell Burton, [redacted] U.S. Army.

Col. Thomas Wilson Brown, [redacted] U.S. Army.

Col. Archelaus Lewis Hamblen, Jr., [redacted] U.S. Army.

Col. Harold Robert Aaron, [redacted] U.S. Army.

Col. James Bradshaw Adamson, [redacted] U.S. Army.

Col. Robert Leahy Fair, [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. Wilbur Henry Vinson, Jr., [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. George Smith Patton [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. John Royster Thurman III, [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. Kenneth Trevor Sawyer, [redacted] U.S. Army.

Col. John Einar Murray, [redacted] U.S. Army.

Col. Edwin Thomas O'Donnell, [redacted] U.S. Army.

Col. Kenneth Banks Cooper, [redacted] U.S. Army.

Col. Lawrence McCeney Jones, Jr., xxx-xx-x... xxx-x... Army of the United States (lieutenant colonel, U.S. Army).

Col. Rolland Valentine Heiser, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Harry Ellsworth Tabor, xxx-xx-xxxx, U.S. Army.

Col. William Holman Brandenburg, xxx-xx-x... xxx-..., U.S. Army.

Col. Harold Burton Gibson, Jr., xxx-xx-xxxx xxx-... Army of the United States (lieutenant colonel, U.S. Army).

Col. John Alfred Kjellstrom, xxx-xx-xxxx, U.S. Army.

Col. Peter George Olenchuk, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Charles Maurice Hall, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Daniel Orrin Graham xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. John Thornton Peterson, xxx-xx-xxxx, U.S. Army.

Col. Frank Anton Hinrichs, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Joseph Charles Fimiani, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. John Walter Collins III, xxx-xx-xxxx, U.S. Army.

Col. Theme Troy Everton, xxx-xx-xxxx, U.S. Army.

Col. John Carpenter Raaen, Jr., xxx-xx-xxxx xxx-... U.S. Army.

Col. Alvin Curtely Isaacs, xxx-xx-xxxx, U.S. Army.

Col. Carl Vernon Cash, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Carl Ray Duncan, xxx-xx-xxxx, U.S. Army.

Col. Bruce Campbell Babbitt, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Robert Charles Hixon, xxx-xx-xxxx, U.S. Army.

Col. John Murphy Dunn xxx-xx-xxxx, Army of the United States (major, U.S. Army).

Col. James Alexander Grimsley, Jr., xxx-... xxx-xx-xxxx Army of the United States (lieutenant colonel, U.S. Army)

Col. Eugene Priest Forrester, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

CONFIRMATIONS

Executive nominations confirmed by the Senate September 10, 1969:

U.S. ATTORNEYS

Wayman G. Sherrer, of Alabama, to be U.S. attorney for the northern district of Alabama for the term of 4 years.

Peter Mills, of Maine, to be U.S. attorney for the district of Maine for the term of 4 years.

U.S. MARSHALS

Harold S. Fountain, of Alabama, to be U.S. marshal for the southern district of Alabama for the term of 4 years.

John H. deWinter, of Maine, to be U.S. marshal for the district of Maine for the term of 4 years.

Marvin G. Washington, of Michigan, to be U.S. marshal for the western district of Michigan for the term of 4 years.

Charles S. Guy, of Pennsylvania, to be U.S. marshal for the eastern district of Pennsylvania for the term of 4 years.

EXTENSIONS OF REMARKS

ONE MILLION STUDENTS BENEFIT FROM COLLEGE WORK-STUDY PROGRAM—ROXANNE LAHTI RECOGNIZED AT OFFICE OF EDUCATION CEREMONY

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, September 10, 1969

Mr. RANDOLPH. Mr. President, in the 5 years since it was passed by the Congress, the college work-study program has opened the door to a college education to many young people who might not otherwise have had the opportunity.

This morning it was my pleasure to participate in a ceremony at the U.S. Office of Education recognizing Miss Roxanne Lahti, of the University of Minnesota, as the one-millionth student to participate in this valuable program.

Miss Lahti was presented a certificate signed by Dr. James E. Allen, Deputy Assistant Secretary for Education, which read as follows:

Given in recognition of Roxanne Lahti as the one-millionth student in college work-study program of federal financial assistance to the youth of America in her education.

Dr. Preston Valien, Acting Associate Commissioner for Higher Education, presided and an informative address was made by Timothy Wirth, assistant to the Under Secretary of Health, Education, and Welfare. Two distinguished legislative leaders from the House of Representatives, Hon. JOHN A. BLATNIK, who represents Miss Lahti's district in Minnesota, and Hon. JOHN BRADEMAS, member of the House Education Subcommittee, had timely remarks about this young lady and the program that is helping her obtain a college education. I was privileged to speak for the Senate Education Subcommittee.

Also participating in the program were James W. Moore, Director of the Office of Education's Division of Student Financial Aid, and these Office of Education staff members: Norman Brooks, James Allen, Mike Oliver, Warren Troutman, and Ed Sanders.

Mr. President, I ask unanimous consent that the address of Mr. Wirth and my remarks be printed in the RECORD.

There being no objection the addresses were ordered printed in the RECORD, as follows:

ADDRESS BY TIMOTHY WIRTH

It is a pleasure to greet the distinguished guests who have come here this morning to join us in the Department of Health, Education, and Welfare in honoring Miss Roxanne Lahti, the one millionth student to hold a job under the College Work-Study program.

Roxanne grew up on a farm near Barnum, Minnesota, where she attended high school, taking an active part in her school's activities—including playing clarinet in the band. She has done all the work there is to do in running a farm—beginning with milking cows at age four—and learning, by age nineteen, to say "You can't beat the tranquillity of the country."

As a former peach farmer from California, I know Miss Lahti has long been interested in medical science. This, with her natural love for animals, has led her to an early and logical career choice. She is going to be a veterinarian.

Her school—the University of Minnesota, Duluth Campus—also made a logical choice in arranging Miss Lahti's summer time job under the College Work-Study program. She was employed by the Duluth Zoo, where she bottle fed baby tigers and other young animals, and worked in the museum.

Wherever possible, the 2,200 colleges participating in the College Work-Study program try to provide employment for their students in occupations related to their career objectives. For example:

James Bryant, a 30-year old veteran majoring in special education here in Washington at D.C. Teachers College, spent the summer working with elementary school children with learning difficulties;

Horace Williams, a major in graphic designs at the Kansas City Art Institute and School of Design, has been writing pamphlets and taking pictures for the Police Department this summer;

Findley Scribner, a deaf mute vocational student at Idaho State University, who plans to become an upholsterer, has been refurbishing a college office this summer.

Lydia Sonia Vasquez, a business administration major at Metropolitan State College in Denver, works as a secretary in the College's Financial Aid Office;

Eilien Duda, a senior at Alaska Methodist University in Anchorage, who wants to be a nuclear technician, is working as a hospital x-ray technician;

William S. LaCorte, a pre-med student at Johns Hopkins University in Baltimore, has worked this summer in biomedical research with NIH's National Cancer Institute;

Employment in the College Work-Study program is varied: Some students are also food service workers, typists, library assistants. Some mow the lawns and others work with sophisticated computers, or work off-campus in hospitals, local units of government or in the school system. But they have one thing in common: They are performing a useful service, and they all need their job to help pay college expenses.

As a Nation we move toward the goal that no talented young American will be denied a college education because he can't afford the costs. We are not there yet—but every year we get a little closer to the goal, and our society is that much richer for it.

This year more than a million young Americans will continue their education beyond high school with the help of about one billion dollars in Federal support through the four major programs of financial assistance administered by the Office of Education: The College Work-Study program, the National Defense Student Loan program, the Educational Opportunity Grant program, and the Guaranteed Loan program.

Many of you in Congress who are here today have worked hard, using your time and creative talents in developing and supporting the legislation that makes these statistics possible. And I am certain that you share with us a pride in the knowledge of

what it means, in human terms, to say simply: One million young people are in college today who could not have made it without the help of one or more of these programs of assistance to students.

Some day we will be proud that we invested enough of our resources to make it possible for these young people to attain a college education, to develop their own human potential and make their maximum contribution to our country's continued growth and strength.

REMARKS BY SENATOR JENNINGS RANDOLPH AT CEREMONY RECOGNIZING MISS ROXANNE LAHTI

Thomas Wolfe said: "To every man his chance; to every man, regardless of his birth, his shining, golden opportunity; to every man the right to live, to work, to be himself, and to become whatever his manhood and vision can combine to make him. This is the promise of America."

Wolfe hardly thought in terms of a College Work-Study Program. He did, however, have visions—rather in his time a dream—of a better America.

It is this dream that we continue to strive to achieve. To create that "golden opportunity" regardless of one's birth is our unfulfilled task. And a very real part of this task is access to education and learning—not just at the elementary or secondary level but in college, to the extent of an individual's potential.

The College Work-Study Program, through employment and the benefits of earned income, is providing that access to higher education for young men and women. In no sense is this effort the final answer. But in serving a certain level of need—as do direct loans and grants and insured loans—it becomes an integral and vital part of our total task in affording educational opportunities to our young people.

We sometimes fail to realize how substantial a portion of our population is composed of young people of college age. There are now 14 million Americans, seven per cent of the total population, between the ages of 18 and 21.

Today we honor Roxanne Lahti—the one-millionth student to participate in College Work-Study. In honoring her, we also express tribute to the hundreds of thousands of young men and women who are defraying or partly defraying their college expenses through this program. We commend their initiative and their accomplishments.

As a member of the Senate Education Subcommittee, it was my privilege to actively work on the legislation authorizing this program in late 1964. Its purpose was: "to stimulate and promote the part-time employment of students, particularly students from low-income families, in institutions of higher education who are in need of earnings from such employment to pursue courses of study at such institutions."

And now one million students have been aided, with over two thousand colleges involved. This is a remarkable record. College Work-Study has been an effective means of assisting students in financing their education through meaningful and, in many cases, career-related employment.

I can assure those present today that the Committee on Labor and Public Welfare chaired by the able Sen. Ralph Yarborough and the Subcommittee on Education under the direction of the diligent Sen. Claiborne Pell, remain alert to the needs of higher education and responsive to ideas for making education more readily available to our young people.

Roxanne, congratulations! I commend and congratulate those in the Office of Education who have made such a concerted and splendid effort in achieving the first million. They share—and rightly so—genuine gratification in this accomplishment. Now, let us look to the second million. We hope, Roxanne, that you and the other young women and young men who have benefitted, will help toward this goal.

The late Henry Kaiser, a great industrialist, in his 85th year, said to me: "Tell our young people that we have only scratched the surface. There is so much yet to be done." In College Work-Study there is indeed much to be done. It is a challenging future.

MILITARY REVIEW BOARDS—SOCIO-MILITARY EXPERIMENT CONTINUES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 9, 1969

Mr. RARICK. Mr. Speaker, in discussing race riots in the military no interest is being displayed in retaining an effective armed service; rather the crux of the investigation is directed toward defusing the explosive effects of forced integration. Social differences have been, heretofore, an unknown consideration of the military which has successfully mixed all classes through the use of strict discipline and uniform dress.

Yet, the self-styled experts whose only concern is admittedly purely racial, with no interest in maintaining an effective military force, refuse to face the reality—that the cause of the problem is of their own creation in misusing the armed services as a massive, prolonged and failing social experiment in integrated living. How can the race problem be solved until it is understood that race mixing is the problem.

The attacks against the military as racist must be exposed as a farce. For if they were true, the solution would be very simple—merely to segregate the troops by color so that there could be no question of an order's being racist. But the socio-military experimenters abolished segregated troops on the theory that segregation was racist. But, at least, under the segregated troops, we did not have the race riots and tension now being investigated.

Military officers and men have no free speech to "sound off" publicly as to what has caused the erosion of morale and breakdown in disciplinary conditions. So, it is incumbent upon retired military men to tell the American people before the entire military is destroyed.

One of the more outrageous recommendations offered as a solution to race riots would handcuff officers in command with biracial committees—a type of civilian military review board—which would examine and analyze orders to eliminate any racist overtone before being given, and probably even the right to countermand the order.

The Commandant of the Marine Corps, one of the best disciplined military organizations in the world has now approved of black marines being granted the special privilege of wearing "Afro" haircuts. Once permissiveness is accepted, what is to stop marines from wearing peace medallions over their uniform, hippie beards and haircuts, and even authorize Black Panthers to wear leopard skins in lieu of the usual marine uniform.

Career military men—those who have developed a pride for and a love of discipline in the service of their country—are and can be expected to decline serving in an undisciplined mob wherein any serviceman can be indulged in special privileges merely because of the color of his skin or other personal tic.

The present undermining attacks against our armed services as well as appeasement by those in position to know better are not conducive to reenlistment or extended service by the caliber of men that are needed to defend our people and our country.

The President's promise of a volunteer army is being precluded by this policy of compensatory military privilege. Based upon the human behavior displayed elsewhere in our society under similar attack, as conditions now exist and faced with the present recommendations, we can expect few enlistments and career servicemen from the Caucasian race. As conditions of service become more disagreeable and discriminatory against merit any volunteer army of the future could be expected to be composed predominantly of Negroes.

Vast appropriations of tax money and statistics indicating large numbers of men in uniform do not constitute an army. Without discipline, without responsible leadership including the commensurate authority to carry out that leadership, there can be no fighting force.

Mr. Speaker, I insert several newspaper clippings following my remarks:

[From the New York Times, Aug. 18, 1969]

MILITARY WEIGHS BIRACIAL COUNCILS—PENTAGON ALSO CONSIDERING REVIEW OF JUSTICE SYSTEM

(By William Beecher)

WASHINGTON, August 17.—The Defense Department is considering requiring all American military posts throughout the world to establish biracial human relations councils.

The councils would consist of officers and enlisted men and would seek, among other things, to determine the causes of racial friction and try to eliminate or minimize them.

Although the idea has been studied before, racial incidents at Camp Lejeune, N.C., and at other posts have given it new impetus, according to Pentagon officials.

Other actions under consideration include the following:

A review of the entire system of military justice to determine whether nonwhites have been regularly discriminated against, as is sometime alleged.

Special indoctrination courses, not only for incoming recruits but for troop commanders as well, on the need for racial harmony if the military is to perform its missions effectively.

The busing of young women to isolated posts for weekend dances in an attempt to minimize the natural frustration of young servicemen lacking female companionship.

A NEW DIMENSION

"There are problems within the military that we must tackle," said L. Howard Bennett, acting deputy assistant secretary of defense for civil rights. "But there is a new dimension to the recent troubles. They represent a spill-over from the problems of the civilian community."

Mr. Bennett, who is a Negro, cited a conversation he had recently with a Negro marine at Camp Lejeune. He quoted the marine as saying:

"I've been to Vietnam. A good many of my brothers died over there. And I exposed myself to all the risks. I've come back home and

found there hasn't been much change for my brothers and sisters in New York, Chicago, Louisville and Cincinnati. It's as bad as before."

Mr. Bennett, a tall, white-haired man who was a municipal judge in Minneapolis before going to the Pentagon to work in the civil rights area nearly six years ago, said Negro servicemen were not talking that way as recently as two years ago.

Their complaints then, he said, centered on such things as promotion policies and the housing available near camps.

ARTICULATE AND ANGRY

"The young black today is aggressive, articulate and angry," Mr. Bennett said. "He even looks at his Negro sergeant as an Uncle Tom, someone who has achieved his rank by working hard, keeping his mouth shut, ignoring insults."

Mr. Bennett and other defense officials feel there has been a breakdown of communications in the military, both from top commanders down and from low-ranking servicemen up. Senior noncommissioned officers and junior officers are blamed by many.

GENERATION GAP

Officials talk of a generation gap problem. Some sergeants, for example, tend to consider as cry-babies some of the young servicemen who resent barracks harassment and name-calling by those who outrank them. In addition, if the sergeants pass along many individual complaints, this tends to reflect on their own leadership.

Prejudice does exist in the military, as it does in civilian life, officials concede, but in the military a man is not as readily able to walk away from it. He is often forced into daily contact with his tormenter, and is sometimes assigned the bunk next to him.

The human relations councils would be intended to force men at all levels to tackle local problems. Proposed orientation courses would be aimed at reminding officers and enlisted men of the value of getting along, as well as the dangers of not trying.

On July 20 at a Camp Lejeune dance, 30 Negro marines attacked 14 white marines, one of whom later died.

After talking with a number of Negro servicemen there, Mr. Bennett said that a frequent complaint was that there were not many women around, either on the post or in nearby Jacksonville, N.C.

"You put 10 to 15 girls in a club with 200 men and you have a volatile situation if only because of the mixture of blacks and whites," he said. "You add dancing and drinking and it becomes increasingly volatile."

MILITARY JUSTICE

Mr. Bennett, who was an official of the United Service Organizations in World War II, would like to borrow a page from U.S.O. experience and bus in women from Raleigh, Wilmington, Wilson and Rocky Mount, N.C., to ease this problem.

Similar activities should be considered for other posts that are far from large cities, he said.

Mr. Bennett recalled a Negro marine's complaint that he got a stiffer sentence for being absent without leave for 15 days than did a white marine who had been away for five months.

"I dont know if this is true, or of the extenuating circumstances," Mr. Bennett said. But complaints of discrimination in military justice are frequent and a major study is contemplated.

Among other things, he would recommend that race be noted in the original docketing of a case. This would allow the Pentagon to compare the treatment of whites and nonwhites for similar offenses.

The striking of racial identification from most records, once thought to be a device to reduce discrimination, often has the opposite effect, Mr. Bennett said.

He said that troop information programs should go out of their way to publicize certain racial information. For example, various young Negro marines have asserted that the Marine Corps has only about half a dozen Negro officers.

"But the marines have a good record. From 65 Negro officers in 1965, they now have 271," Mr. Bennett said. "But who knows that?"

Mr. Bennett, pushing his steel-rimmed glasses back on his nose, conceded that the military had a major, growing problem on its hands. "But, I'm convinced we can get hold of this with vigorous, affirmative action," he said.

[From the Washington Post, Sept. 4, 1969]

MARINES TO PERMIT "AFRO" HAIRCUTS IN MOVE TO DISPEL RACIAL TENSION

(By Fred S. Hoffman)

Acting to cool racial friction, the Marine Corps commandant yesterday granted black Marines permission to wear limited "Afro" haircuts and moved to remedy what he said were some "valid causes of complaint."

At the same time Gen. Leonard F. Chapman Jr. sent messages to his commanders around the world emphasizing the requirement for "total impartiality" in dealing with Marines of all races, colors and creeds and ordering measures "to dispel the racial problems that currently exist."

The commandant, whose corps has been embarrassed by recent racial disorders at bases in North Carolina and Hawaii, stressed that acts of violence between marines "cannot be tolerated, and must stop." The message is to be read to all marines within 24 hours.

His message, and a subsequent news conference, showed that Chapman felt it necessary to permit Negro Marines more leeway in expressing racial pride, provided everything remains within regulations.

So far as the Afro haircut is concerned, Chapman's message said "commanders will permit the Afro-natural haircut providing it conforms with current Marine Corps regulations." He read a regulation which suggests that the Afro haircut would have to be quite limited. The rule says:

"Hair should be worn neatly and closely trimmed. It shall be clipped at the sides and back so as to present an evenly graduated appearance.

"The hair on top must not be over three inches in length. Long or conspicuous sideburns are prohibited."

Marines are supposed to keep their faces clean shaven, although they are allowed what is termed "a noneccentric mustache."

Chapman said "such gestures as the Black Power clenched-fist salute should be discouraged, but not banned except during formation or when rendering military courtesies to colors, the national anthem, or individuals."

"They are . . . expressions of individual belief and are not, in themselves, prohibited," Chapman said. "However, they are grounds for disciplinary action if executed during official ceremonies or in a manner suggesting direct defiance of duly constituted authority."

Chapman suggested that regulations and other materials avoid provocative wording such as paleness to describe a symptom of heat prostration.

He also urged commanders to remedy minor annoyances. For example, he said, there is sometimes a lack of "soul music" in juke boxes at servicemen's clubs on base.

"That sounds like a small thing, but it means something to my black Marines," Chapman said.

He told newsmen his message was an attempt to re-emphasize, especially to younger officers and noncommissioned officers, what he described as the "father-son relationship" between the enlisted man and his superiors.

[From the New York Times, Aug. 17, 1969]

BLACK SERVICEMEN, LAST TO BE CALLED UP IN PAST, MAY BE IN VANGUARD OF DRIVE FOR SOCIAL CHANGE

(By Thomas A. Johnson)

While supervising a security guard detail at the dusty, sun-drenched First Infantry base south of Saigon in South Vietnam, S. Sgt. James Frost mopped perspiration from his nut-brown face and told a visitor why he was a "lifer," or career man in the United States Army.

"The Man can't overlook talent when he wants the job done," he said. "That's pure and simple."

Black career men in the nation's military—especially the Army and the Air Force—have frequently expressed this idea since the armed forces were integrated during the early nineteen-fifties.

For while the military restricts the mobility a civilian enjoys, it has provided career opportunities nonetheless for many persons of varied, or very little skills.

While there are still problems of racial discrimination in the military, as pointed up by recent reports of some racism and some violent outbreaks in the Marine base at Camp Lejeune, N.C., black career men insist that the idea of equal opportunity is more a reality in the military than in most civilian occupations.

REENLISTMENT RATES HIGH

This attitude is reflected in re-enlistment statistics in recent years. These consistently show black servicemen re-enlisting at rates at least twice as high as those of whites in the Air Force, Navy and the Marines and about three times as high in the Army.

Pentagon statistics show that Negroes in the armed services number more than 320,000, or about 9.4 per cent of the total. In the Army, black soldiers come to some 11.5 per cent of the total.

While Negro privates and privates first class in the Army range from 12.4 to 13 per cent, black sergeants first class come to 20.6 per cent and master sergeant 15.7 per cent, showing a concentration by Negroes on military careers.

Two out of three of the Army's drill sergeants in the United States are black, as are one out of four front-line supervisors in Vietnam.

Among Army officers, there is one black general, Brig. Gen. Frederic E. Davison; 42 full colonels (0.7 per cent of the total); 620 lieutenant colonels (3.7 per cent); 1,302 majors (5.5 per cent); 1,322 captains (3.7 per cent); 1,129 first lieutenants (2.9 per cent) and 616 second lieutenants (2.3 per cent).

LARGEST NUMBER IN ARMY

The Army has the largest number of black Americans of the military services, with some 167,599. This compares with 32,934 (4.5 per cent) for the Navy; 33,420 (10.7 per cent) for the Marine Corps and 78,879 (8.9 per cent) for the Air Force.

Black officers in the Navy total 373 (0.4 per cent), while in the Marine Corps they come to 231 (0.9 per cent) and there are some 2,417 officers, (1.8 per cent) in the Air Force.

The highest ranking Negro in the military is Air Force Lieut. Gen. Benjamin O. Davis Jr., former commander of the 13th Air Force in the Far East. He is scheduled to retire soon after 30 years service.

The war in Vietnam has given black fighting men what they call "a sudden visibility" as it is both "the world's first television war" and the first major conflict since the armed forces were fully integrated.

The percentage of Negroes on the front line far exceeds the 10.5 per cent figure that reflects their participation in Southeast Asia.

This is in part because their mostly disadvantaged backgrounds, say Army officials, place them in the basic soldier or rifleman

classifications and also because black youths have volunteered at a very high rate for combat and elite military units.

Front line visitors who watched Airborne units in Vietnam found rifle and reconnaissance platoons that were almost completely black. Large numbers of Negro marines are in the volunteer Community Action Platoons that live in isolated Vietnamese villages.

NEGRO CASUALTIES

Since 1961, Negro combat deaths in Vietnam have come to 13.3 per cent of the total. As of March, 1969, some 3,044 soldiers, 1,410 marines, 24 sailors and 16 airmen had been killed.

Historically, Negroes have fought in every war in which this nation has been engaged. Ironically, the pattern was always to keep them out of the military but then to relent, as the need for manpower grew.

Gen. George Washington set the pattern during the Revolutionary War, ordering his army not to enlist "any deserter from the ministerial army, nor any stroller, Negro or vagabond or person suspected of being an enemy to the liberty of America."

He relented as the British, promising freedom for black slaves, began enlisting them into Dunmore's Ethiopian Regiment. By the war's end 5,000 of the 30,000 soldiers who fought against the British were black.

The pattern of using Negroes as a last resort continued until the Civil War. The first permanent black military units, the 9th and 10th Cavalry and the 24th and 25th Infantry, came out of that war. These regiments fought in the Indian wars on the frontiers, in Cuba, the Philippines and in World Wars I and II.

UNIT SCORES VICTORY

The 24th Regiment, just before it was phased out as an all-Negro unit, scored this nation's first military victory against the North Koreans in 1950 at the South Korean town of Yechon.

Like every other institution, today's military has been greatly affected by the new black consciousness.

Many Negro career men, who rejected the militants' accusations that they are "mercenaries," contend that they are as much involved in the black struggle as any one else.

"We're holding the line," Lieut. Col. Felix L. Goodwin in Longbinh, South Vietnam, insisted, "making sure that Negro youths have alternatives so they can go either into the military or into industry."

A Negro intelligence officer in Saigon, Lieut. Col. Robert B. Burke, stressed the point that "we need a 'brother' in every phase of American life, in everything 'the Man' has going."

The military's public position is that there is no difference between white and black servicemen, but many Negro youths are now insisting that they are "black first" and servicemen second. In recent months Negro youths in the service have insisted on having Afro-styled haircuts.

The Defense Department's director for civil rights, Judge L. Howard Bennett, said in a recent interview that he had noticed in recent months "a dramatic new dimension in young black troops expressing a far greater concern for their black brothers and sisters on the outside than had their predecessors."

Much of the racial outbreaks in recent months on military bases, Mr. Benentt said, can be traced to black reactions to acts of discrimination in the civilian society.

Judge Bennett, who is a Negro, also said part of the current military's difficulties was that the services had become an instrument for social change and that many career men were not used to this new role.

He said it was necessary that the military return young men to the civilian community with positive experiences of racial cooperation and mutual respect because "they can either become the seeds for a dangerous discontent or cadre for leadership in building a better society."

[From the New York Times, Aug. 17, 1969]

RACIAL VIOLENCE MARS THE INTEGRATION RECORD

(By Thomas A. Johnson)

CAMP LEJEUNE, N.C.—"Frequently a marine or a paratrooper doesn't believe he's had a weekend unless he's had a fight," the marine officer said. "But racial clashes put this on another plane. The normal brawls help build individual confidence, unit spirit too, but racial fights could destroy the corps."

In recent weeks this camp and several other military installations have been witness to serious outbreaks of racial trouble. Here at Camp Lejeune the racial conflict has already resulted in the death of one white enlisted man. A feeling of concern and urgency felt by marines at the base is shared by civilians. And members of Congress, Pentagon investigators, and journalists have flocked to this sprawling eastern North Carolina amphibious training camp in days to look for themselves.

FLOCKING TO MILITARY

The United States military, in many respects a totalitarian society, is at the same time probably the most thoroughly integrated society America has produced. Many of its Negro members have praised its efforts to assure equal opportunity.

Black Americans have flocked to the military services in unprecedented numbers and their re-enlistment rates have been consistently at least twice as high as the rates for whites.

But racial discrimination still exists within the military. In addition, the civilian patterns of discrimination prevail in localities close by the military installations.

The question raised by a black civilian during a "soul session" in Saigon some months ago is pertinent to the present. The civilian asked: "Can that black cat [the Negro serviceman] walk like a dragon in Vietnam and like a fairy in the land of the big PX [America]? And can America expect him to?"

A major fear in the Pentagon is that many black servicemen and especially veterans of Vietnam will react violently to continuing patterns of racial discrimination in and outside of the military services.

Judge L. Howard Bennett, director for civil rights in the Department of Defense who warned recently of the danger of racial explosions, rushed to Camp Lejeune where most of the marines are recent Vietnam veterans for a first hand inspection last week.

"We find a new dimension in Camp Lejeune," Judge Bennett said: "There is a far greater concern among young black marines for their brothers and sisters in the civilian community who are suffering discrimination."

He found, too, that they were far more vocal in criticizing both the civilian community and the marines than had been their black predecessors.

A white marine officer suggested this was because the mostly teen-aged marine enlisted men "grew up during the civil rights movement . . . with the boob-tube (television) as their babysitters."

One black marine, a decorated veteran of Vietnam, who was branded a "militant," or troublemaker, on the base, told a newsman that he had grown tired of trying to make it in the corps and being thwarted by discriminatory practices. "You get tired of trying behind that action," he said. "One day Chuck (white people) gets down wrong and you try to take that beast's head off."

A report by Negro and white marine officers here in April had warned of the danger of "an explosive situation of major proportions" primarily because of some white officers and sergeants who "retain prejudices and deliberately practice them."

Some whites here have charged, too, that "black power" advocates and "other militants" have infiltrated some black marines to fight other marines.

"They always cry outside 'agitators,'" said Hurtis Coleman, a Negro barber on the marine base, "because they don't want to admit that they are prejudiced and mistreating black people."

VIETNAM VETERANS

Much of the racial difficulty at Camp Lejeune comes from the non-racial situation of working thousands of marine enlisted men, recently returned from Vietnam, into new organizations and into new patterns of peacetime, barracks life.

One marine colonel has noted: "They have been rushed and scared and catching hell without letup for many months. First, at Parris Island, they were screamed at, pushed around and harassed during basic training. Then there was 13 months in Vietnam, fighting a war, killing and seeing their buddies killed. Suddenly, while they are still teenagers, they are combat veterans and expected to quickly and easily adjust to the spit and polish routine of Stateside."

And, of course, they cannot "quickly and easily" adjust.

The question of race in America today both complicates and exacerbates their adjustments.

RESULTS OF QUESTIONNAIRE

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. SYMINGTON. Mr. Speaker, I am pleased to provide for the RECORD the results of the opinion survey I recently conducted among my constituents. Questionnaires were returned by over 10,000 families living in the Second District of Missouri, which I represent. I invite readers of the RECORD to draw their own conclusions and impressions from these results. I do want, however, to observe that this profile of public views has been highly informative and useful to me, and that I greatly appreciate the time and thought invested by the thousands of my constituents who completed and returned questionnaires. Results of the questionnaire follow:

OPINION SURVEY, 1969, SECOND CONGRESSIONAL DISTRICT, MISSOURI

[Answers in percent]

1. Concerning the Vietnam war, which of the following policies do you think the United States should follow?

Expand the war on all fronts in an attempt to achieve a military solution	14.0
Establish an accelerated time table for U.S. withdrawal, shifting responsibility for the war to the South Vietnamese government, with or without agreement in Paris	57.4
Continue to prosecute a limited war, with no major U.S. withdrawal, continue negotiations with the South and North Vietnamese and the Vietcong at the Paris talks	6.2
Accept a substantial compromise in Paris as the basis for early mutual withdrawal of the U.S. and North Vietnamese troops from the South	15.2
No response	7.3

2. There have been several suggestions for the reform of our present system of drafting men into the armed services. Which do you favor?

Creation of a draft lottery system which selects men from a nationwide pool of 19-year-olds and recent college graduates	46.8

OPINION SURVEY, 1969, SECOND CONGRESSIONAL DISTRICT, MISSOURI—Continued

[Answers in percent]

Creation of an all volunteer army	31.5
Retention of the existing Selective Service System with local draft boards	16.2
No response	5.5

3. Congress is currently debating two new nuclear arms programs, the ABM and the MIRV. The proposed ABM is designed to defend our offensive missile sites; the MIRV would equip U.S. offensive missiles with multiple nuclear warheads designed to hit several enemy targets. Which of the following would you prefer?

Deploy the ABM missile site defense estimated to cost $11 billion; develop and deploy MIRV	33.1
Delay nuclear arms expansion pending a decision on a strong arms-control agreement with the Soviets at the upcoming arms-limitation talks	33.4
Do not develop either of these systems because they may trigger a dangerous and expensive escalation of the arms race	26.0
No response	7.5

4. There have been several proposals for changing the present electoral college system. Which do you prefer?

Direct election of the President	66.7
Abolish the electoral college but retain the electoral vote, which would be cast automatically for the winning candidate in each State	9.2
Abolish the electoral college; apportion each State's electoral votes among candidates, based on their popular vote either statewide or by Congressional district	15.6
Retain the present system	5.5
No response	3.0

5. Should the voting age be lowered to 18?

Yes	49.4
No	47.3
No response	3.3

6. Do you approve my legislation which would provide grants for schools and communities to conduct special educational programs concerning drugs and drug abuse?

Yes	75.9
No	18.4
No response	5.7

7. I have introduced a bill to permit parents to deduct the major portion of higher education expenses from their total income tax liability. Do you favor this proposal?

Yes	82.0
No	15.6
No response	2.4

8. The House Ways and Means Committee is now analyzing tax reform proposals. Please indicate whether or not you agree with these possible changes.

Should religious and charitable organizations be required to pay taxes on their outside business activities?

Yes	89.9
No	7.7
No response	2.4

Do you feel the oil industry's 27½% oil depletion allowance should be decreased or eliminated?

Yes	74.9
No	15.6
No response	9.6

Should the personal exemption of $600 be raised?

Yes	84.2
No	11.9
No response	3.9

9. To fight inflation, do you favor extension of the 10% surcharge on personal and

OPINION SURVEY, 1969, SECOND CONGRESSIONAL DISTRICT, MISSOURI—Continued

[Answers in percent]

business income, coupled with the repeal of the 7% investment tax credit?

Yes	46.6
No	44.0
No response	9.4

10. Of the following, which should be given the highest priority by Congress and the Administration?

Ending the Vietnam conflict	69.9
Strengthening law enforcement and crime prevention	10.7
Pollution abatement	3.9
Reforming Federal tax structure	3.3
Federal assistance to education	1.8
Building an ABM and/or MIRV system	1.3
Strengthening the peace-keeping function of the United Nations	1.1
Developing adequate housing	1.0
Settling campus disorders	0.7
Exploring space	0.3
Building mass rapid transit	0.2
No response	5.7

11. In dealing with the problem of campus unrest, which of the following do you feel is most necessary?

Tougher enforcement of existing rules and laws by college administrators and local officials	41.3
Greater university, government and business effort to be more responsive to student and citizen involvement	29.3
Additional Federal legislation denying financial aid to those students who participate in disorders	13.2
No response	16.2

BOGGS FAMILY HELP REBUILD MISSISSIPPI GULF COAST

HON. WILLIAM M. COLMER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. COLMER. Mr. Speaker, there is an old saying to the effect that lightning never strikes twice in the same place. Unfortunately, this is not true about hurricanes. The beautiful and prosperous little city of Long Beach on the Mississippi coast was the victim of the 1947 hurricane and again was the victim of the recent destructive storm Camille. This attractive little city is the birthplace of our assistant leader, Congressman HALE BOGGS. The Boggs family, including his mother, still resides there. The Congressman's aunt was killed in the 1947 hurricane. While the family suffered substantial property loss, they were more fortunate with Camille in that there was no loss of life.

Mr. Speaker, Long Beach, hurricanes, and the Boggs family seem to be inseparable as is illustrated by the enclosed story from the New Orleans Times Picayune:

BOGGS COMPOUND TO BE REBUILT IN LONG BEACH

The Boggs Compound in Long Beach will be rebuilt!

Spearheading the undertaking of rebuilding the five homes destroyed by the hurricane is the 81-year-old matriach of the family, Mrs. W. R. Boggs, whose spirit and courage is so exemplary it is spurring the younger generations to get on with it.

Hurricanes are not new to the Boggs family. The compound was partially destroyed in the 1947 hurricane in which the aunt of Rep. Hale Boggs (D-LA.) lost her life. The homes were rebuilt.

But in the great blow, the family portraits, heirlooms and antique furniture dating back over 150 years to the Stanley, Morrison and Boggs plantations were saved.

Camille in her onslaught spared nothing this time—not even the new wedding gifts for Claire Josephine (Jo Pepper) Morrison and her groom, John Tuepker, which were on display for family and friends at their wedding reception Saturday afternoon, Aug. 16.

The young couple was married at 5:30 p.m. in St. Thomas Catholic Church of Long Beach where the bride was christened, as was her mother before her, her uncles, aunts, brothers, sisters and cousins: where the Boggs family had attended worship services for several generations. Jo Pepper's wedding was the very last in the old church, now heavily damaged by wind and water.

The reception in the Boggs large community living room, reception halls and smaller family living rooms were filled with friends and neighbors although the weather was threatening.

The bride's aunt, Miss Mary Boggs, had used native flowers from the gardens to decorate the rooms. She had transformed two antique hatracks into indoor bowers with Confederate jasmine. Single majestic stalks of Yucca, or, Our Lord's Candles, stood straight in old-fashioned floor baskets.

Passion flowers from the yard encircled the 60-pound wedding cake made by Mrs. Jacobie, Bay St. Louis, a close friend of the bride. Champagne toasts were drunk to the bride and groom by the guests. One of these happy guests became one of Camille's victims later Sunday night.

The bride and groom, who were sent on their happy way in showers of rice, returned early Monday morning to the site of their wedding reception to help the family pick up the debris; to shovel mud from the summer home of Dr. James T. Nix, New Orleans, at 419 E. Beach, Pass Christian, which he so generously offered the Boggs Clan. They are using the home as a base to oversee the rebuilding of the compound. They still come to Gulfport for fresh water. There is no electricity or telephone service as yet, but they are determined people.

The entire Boggs family, including grandchildren, great-grandchildren and in-laws, had gathered at the home for the wedding. All but Congressman Boggs, who was on the West Coast visiting his daughter. According to his niece, Mrs. Daniel Shoemaker, Dallastown, Pa., messages were sent East to Pennsylvania then relayed to Mr. Boggs' secretary in New Orleans thence to California to inform him of the family's safety. Also here to officiate at his niece's wedding was the bride's uncle, the Rev. Robert Boggs, S.J., Mobile.

Helping in the cleanup were not only the bride and groom, but most of the members of their wedding party; her brother, Robert Morrison, the best man and bridesmaid, Ken and Judy Pober, all three former Peace Corps members; the bride's uncle, Daniel Shoemaker, father of the four-year-old ring bearer. William Boggs Shoemaker, the bride's brother-in-law, Bobby O. Homes Jr., New Orleans, and of course, the parents of the bride, Mr. and Mrs. Stanley Morrison, nee Claire Boggs.

The Boggs family lost not one house, but all of the homes in the compound. They included the homes of Miss Mary Boggs, Mr. and Mrs. Stanley Morrison, Archie Boggs (his summer home), and Mrs. W. R. Boggs and son, William R. Boggs, Jr. All will be rebuilt, including a new home planned by Representative and Mrs. Boggs. In fact, if the contractors had been a week earlier than the hurricane, the foundation for this new home would have been down.

The family took refuge in New Orleans during the hurricane but returned to the Coast early Monday, as did the bride and groom, who had gotten to Meridian, and the rebuilding began.

Following the 1947 storm, the compound was named Will-Stan, a play on the first names of Mrs. Morrison's father and husband with the connotation, "It will stand."

When Mrs. Morrison and Mrs. Shoemaker, both dressed in sturdy work clothes came to Gulfport for fresh water and to give an account of the wedding, they could laugh at the idea that they are thinking of calling the new compound Stan-Dee.

Spirited, proud families like the Boggs will build back the Coast. The true pioneers can never be washed away.

Although the Morrison-Tuepker wedding was the last in the historic little Catholic church with its many side altars, there will be other weddings, christenings and funerals in the new church that the determined congregation in St. Thomas Parish is already making plans to build.

Mr. Speaker, I am happy that Camille was better to the Boggs family insofar as the loss of life is concerned and I am delighted to know this splendid family is to continue to retain its Mississippi ties by rebuilding.

PENTAGON POLICIES PROMOTE DISORDERS

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. HAWKINS. Mr. Speaker, last week I addressed a letter to President Nixon concerning the policies of the Department of Defense in reference to personnel, manpower, and race relations. This was the latest of a series of communications on this subject in which I was fervently seeking clarification and, hopefully, positive results.

Our intense concern with the Military Establishment is not incidental. No single institution has pervaded so many aspects of our life as the military.

In sheer magnitude of Federal expenditures, about $80 billion annually, the military is in a strategic position to substantially affect economic trends and influence the quality of American life.

Of the 50 million males over 18 in the labor force, more than half are veterans or are currently in the services. In fact, almost all young men will spend 2 to 3 years on active duty during their lifetime. However, less than 1 out of 4 servicemen engages in combat activity. Most are used in logistic support requiring technical skills comparable to those used in civilian life. Thus, the potential for counseling, training, and skill development in the military is tremendous.

The military is our largest "employer," our most elaborate "boarding school," the biggest "contractor," an effective public affairs agency, and an international radio and television operator, but still, it is an arm of the Federal Government subject to the same laws and rules as other departments.

Earlier this year many of us criticized the Department for signing contracts with Southern textile mills whose employment policies violated Executive order 11246. Such violations were illustrative of vague and often contradictory policies emanating from the Pentagon.

Subsequently, in questioning the Department's policies on personnel, I received a report regarding Negro civilian personnel in supergrade positions which revealed the lily-white character of the Pentagon. This letter—April 11, 1969—is herein being submitted for the RECORD together with my most recent letter addressed to President Nixon. In addition, I am including a recent statement from the editorial page of the Washington Post, September 9, 1969, issue, and an article by Carl T. Rowan from the August 27, 1969, edition of the Evening Star titled "Racial Strife at U.S. Military Bases Ominous":

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 4, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Since March of this year I have sought some clarification of the policies of the Department of Defense in reference to its personnel, manpower, and race relations policies as they affect minorities. I have expressed grave concern about the absence of Negro civilian personnel in policy-making levels a fact which has great bearing on the overall policies and the image portrayed by this Department of the Federal Government. To date my concerns have not been eased but on the contrary have been justified as being of the highest importance to your administration and in the national interests.

The Pentagon has had its warnings. What has been happening in a few camps and posts may soon erupt throughout the military establishment. If it does there will be none to blame but the heads of our forces—military and civilian—who refuse to believe that manpower (black and white) is the key essential to adequate military posture. It is not guns or ships or airplanes or the material used by these which really counts. Rather, it is the men who must make these things work who make the difference between victory and defeat.

Manpower and its enlightened management have been relegated to the lowest position in the order of things in the Pentagon philosophy. What attention is given to this key area is limited to the logistics of getting men into service, into training, into technical schools, into units, into battle, into camps and stations which can absorb them. Little, if any, attention is given to the personnel which should be the key element in manpower or personnel management. Small wonder, then, that manpower finds its morale at a low point. There is even less mystery in the developing discontent of the black men who having served well in combat are looked down upon, maltreated, and given the dirty end of every detail without regard to their qualifications.

When the explosions begin seriously to rock the complacency of the "big brass" in the Pentagon and the White House, it will be too late to look for ways to avoid what has happened. Even now it may be too late. Certainly the clouds of disaster will not be lifted by the efforts of a meager civil rights staff in the office of the Assistant Secretary of Defense. Even if the staff were to be increased in size grave doubt exists as to whether any real achievements could be expected. What seems to escape the thinking of the brass is that "civil rights" cannot be separated from those key functions of managing the military. These rights are a part of every action which makes the machine operate. They are in Logistics, Research and Development, Budget and Finance, and in every major or minor division which together constitute the Pentagon organization. There are no key black policymakers in these divisions. There is no confidence that a black person can contribute to their functioning. But when a problem arises in which racial considerations appear the tendency is to look to the "Civil Rights" division for instant solutions. Let the Pentagon be forewarned—there are no instant solutions. With its absence of early planning for the welfare of all military manpower, planning which embraces its total responsibility for men coming into service, being utilized and being separated, the inevitable result is disaffection and distaste for the military. Add to this the special problems of the black soldier, sailor, marine or airman, and you have the ingredients of a major breakdown in discipline. Such a condition will not yield to the hasty "justice" and traditional military way of quieting discontent.

The Pentagon created a policy but has not awakened to the consequences of that policy. World Wars I and II involved masses of manpower the quality of which many field commanders attested was too low. So, responding to their pleas and the ready availability of better qualified personnel, standards for entry into the services were raised well beyond the true requirements of the duties to be performed. It appears only natural that these better educated men (black and white) would seek for their understanding something more than a mere order or command. They have been taught to think and to question. This is the essence of education. Why, then, should they not question what happens to them in the matter of performing duty, in the discipline to which they are subjected, and in all the vital details of their living and dying for what appears to many to be a remote and useless cause.

The black serviceman shares the concerns of the white serviceman. He carries another burden which is hard to bear. He sees promotions given where there seems to be less attention to qualification than to skin color. He sees discipline as harsh when the color of the disciplined is black but lenient if the color of the individual is white. He knows from experience that life is tough for his black brothers outside of the military services. He sees himself going back to civilian life where no one cares whether he risked his life for his country when he seeks a job. He knows of no special efforts to assure him that life for him will be better because he has sacrificed something for those who could make life better. He hears talk of equal opportunity but finds few evidences of it in or out of the services. He concludes that if the military can ignore policies intended to provide equality there is even less hope for such a condition in areas beyond the control of the military.

The Pentagon must be charged with many failures. It has failed to place black men in key policy positions. It ignores the advice of the few blacks to which it infrequently turns. The paucity of uniformed blacks in key roles in the Pentagon and field establishments is proof enough that opportunity is limited in the extreme. Programs which should address themselves to easing the return of servicemen to civilian life are seldom supported with any enthusiasm by the military. What hope, then, is there? One thing our service personnel have been taught and this they will remember; they, individually and collectively, constitute a force. As such, when applied, the force which they are gets results. What recourse is there for them if all other measures have failed? They, these black servicemen, are beginning to see that what is hoped for in far away places like Viet Nam

may be possible here at home if the same tactics are applied. We have taught these men to think. We have taught them to fight. How do we expect them to do anything different from what they may do if our teaching has been effective.

The Pentagon may yet have time to do something. It can place some blacks in key policy positions throughout the Pentagon and its field establishments. It can learn to listen to these blacks and act on their recommendations. It can constitute a task force which includes informed blacks to advise them as to conditions which exist and solutions which hold promise. It can cease to be the defense and it can respond positively to enlightened counsel. There is little time left. What there is of it should be utilized wisely by those who control our military establishment.

Respectfully yours,

AUGUSTUS F. HAWKINS,
Member of Congress.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., April 11, 1969.

Hon. AUGUSTUS F. HAWKINS,
House of Representatives,
Washington, D.C.

DEAR MR. HAWKINS: Secretary Laird has asked that I respond to your letter of March 18, 1969 regarding Negro civilian personnel in policy positions within the Department of Defense. Your comments and suggestions on this matter have been carefully reviewed by this Office. Please accept our assurance that such affirmative action, to assure equal employment opportunity at all levels within this Department, is a matter of first priority. As you may know, President Nixon's statement of March 28 on equal employment opportunity expresses his strong support for this program.

You also request that we supply a report on the presence of Negro civilian executives in key positions in this Department. In supplying this report we follow the paragraph order indicated in your inquiry:

1. The total number of supergrade positions currently allocated to the Department of Defense is as follows:

Army	136
Navy	88
Air Force	96
OSD & Defense Agencies	203
Total	523

2. The number and grade of Negro executives occupying three of the above positions together with a description of functions is as follows:

(a) Stanley P. Hebert, Esquire, Deputy General Counsel, Department of the Navy (GS–17):

Provides legal advice and counsel on all aspects of Department of the Navy operations. Serves as a top legal officer in the Office of General Counsel of this Department and supervises civilian attorneys supplying legal analysis and advice to the Navy Department. (Served in 1967–1968 as Deputy Director of Investigations for the Kerner Commission.)

(b) Mr. James C. Evans, Civil Rights Counselor, Office of the Deputy Assistant Secretary of Defense (Civil Rights and Industrial Relations) (GSC–16):

Reviews, audits and advises on policy formulation in equal opportunity programs for military and civilian personnel throughout the Department of Defense. Advises on all aspects of this program for the Armed Forces. Member of OSD Central Clearance Group.

(c) L. Howard Bennett, Esquire, Director for Civil Rights, Department of Defense (GS–16):

Responsibiliites include policy formulation and program supervision of equal opportunity and equal treatment in the Armed Forces including special responsibilities for Military Academy recruitment and personal reviews of DoD installations to audit equal opportunity and equal treatment programs. Advises the Deputy Assistant Secretary of Defense (Civil Rights and Industrial Relations) on equal opportunity and equal treatment policy for all Military Departments and Defense Agencies.

3. The total number of positions by Department and level are provided in the attached summary of Executive Level Positions in the Department of Defense. At the present time all positions listed are filled by incumbents. However, in past years this Department has experienced periodic changes in assignments to these positions.

I wish to assure you that my personal attention will be supplied to all equal opportunity matters within the Department of Defense. The Secretary of Defense has directed us to formulate goals and methods to assure solid results at all levels of our civilian employment. In addition, we administer a similar program for contractors of all elements of DoD.

I am also supplying an attached copy of a recent statement by the Secretary of Defense expressing his personal support of the Equal Employment Opportunity Program. I hope that the above will supply the information requested.

Sincerely,

W. P. MACK,
Vice Admiral, U.S. Navy, Deputy.

MEMORANDUM FOR ALL EMPLOYEES

THE SECRETARY OF DEFENSE,
Washington, D.C., April 3, 1969.

Subject: Equal Employment Opportunity for Civilian Employees of the Department of Defense.

I am pleased to take this opportunity to affirm the merits of our Equal Employment Opportunity Program in the Department of Defense. This program, which is based upon Presidential Executive Orders, assures all employees of the Federal Government that their working careers will be free from discrimination on account of race, color, religion, sex or national origin. In the past the Department of Defense has provided strong support for such efforts and for parallel programs of equal opportunity in the Armed Forces. This policy of equal opportunity and equal treatment will be continued and expanded by me.

Although we have made some progress in this respect under past Presidential Executive Orders and equal employment opportunity programs, we must make a much greater effort in the months to come. The social implications of this program, and elementary fairness, require that a great deal be accomplished in a short time.

The affirmative action aspects of equal employment opportunity must include equal opportunity in recruitment, career development, progression, selection for supervision, awards and other recognition, and all other aspects of employment. The requirements of this effort will make demands upon the initiative and creativity of employees, first-line supervisors and all elements of management above them.

Consistent with our function of preserving and protecting freedom in the world, we have a parallel and supporting obligation to assure this nation that our actions result in beneficial social consequences. None of these consequences is more important than equal opportunity in a lifetime of employment with this Department. Proper administration of our program must necessarily include actions to remedy employment problems created in the past.

I shall require such development and achievement during my tenure as Secretary of Defense and will personally review our progress. We must produce solid results at every employment level consistent with the high standards of the Department of Defense.

MELVIN R. LAIRD.

EXECUTIVE LEVEL POSITIONS IN THE DEPARTMENT OF DEFENSE

LEVEL I

Secretary of Defense.

LEVEL II

Deputy Secretary of Defense.
Secretary of the Army.
Secretary of the Navy.
Secretary of the Air Force.

LEVEL III

Director of Defense Research and Engineering.

LEVEL IV

Principal Deputy (DDR&E).
Assistant Secretary of Defense (Comptroller).
Assistant Secretary of Defense (Manpower and Reserve Affairs).
Assistant Secretary of Defense (Installations and Logistics).
Assistant Secretary of Defense (International Security Affairs).
Assistant Secretary of Defense (Public Affairs).
Assistant Secretary of Defense (Administration).
The General Counsel.
Under Secretary of the Army.
Assistant Secretary of the Army (FM).
Assistant Secretary of the Army (I&L).
Assistant Secretary of the Army (M&RA).
Assistant Secretary of the Army (R&D).
Director of Civil Defense.
Under Secretary of the Navy.
Assistant Secretary of the Navy (I&L).
Assistant Secretary of the Navy (M&RA).
Assistant Secretary of the Navy (R&D).
Assistant Secretary of the Navy (FM).
Under Secretary of the Air Force.
Assistant Secretary of the Air Force (FM).
Assistant Secretary of the Air Force (I&L).
Assistant Secretary of the Air Force (M&RA).
Assistant Secretary of the Air Force (R&D).

LEVEL V

Assistant to Secretary of Defense (LA).
Principal Deputy Assistant Secretary (ISA).
Chairman of the Military Liaison Comm. to the AEC.
Director, Advanced Research Projects Agency.
Deputy General Counsel.
Deputy Director, DR&E (Research & Technology).
Deputy Director, DR&E (Strategic & Space Systems).
Deputy Director, DR&E (Tactical Warfare Programs).
The Special Assistant to Secretary & Deputy Secretary.
Deputy Director, DR&E (Electronics & Information Systems).
Deputy Director, DR&E (Southeast Asia Matters).
Principal Deputy Assistant Secretary (Comptroller).
Assistant to Deputy Secretary.
DASD (Reserve Affairs).
General Counsel, Army.
General Counsel, Air Force.
General Counsel, Navy.
Governor, Panama Canal Zone.

RACISM IN UNIFORM

Since the United States Marine Corps is as American as baseball, it can hardly be thought astonishing that, like the rest of the country, it has been infected with the cancer of racism. That cancer has manifested itself of late in some shocking instances of violence among men wearing their country's uniform. Gen. Leonard F. Chapman, the Marine Corps' commandant, is entirely right, of course, in

asserting as he did in strong, clear tones, that such violence "cannot be tolerated and must stop."

But the general's order is easier to issue than to enforce. For the unrest in the Marine Corps reflects a deep unrest in the society at large. The corps is composed, in part at least, of young white men brought up to believe, as an abstract proposition, that all men are created equal but nevertheless accustomed, as a matter of course, to conditions of life under which white men are entitled to perquisites not available to black men.

The corps is composed also, in part, of black men who have been imbued lately with a belief that the American ideal of human equality must be made a living reality and that acceptance on their part of any sort of racial discrimination is a betrayal of their race and of the very values they entered the Marine Corps to defend. In combat in Vietnam, these men learned that race makes no difference when white men and black men are exposed in common to mortal peril.

Returning from Vietnam, however, Marines are often stationed at bases in the deep South where ancient patterns of prejudice still persist among white civilians and where scorn for the uniform they wear, as an emblem of the "white establishment," is common among black civilians. They are caught up, in short, in the currents of racial antagonism and distrust which are now so prevalent in American life.

It is not to be supposed that the hostilities which exist within the Marine Corps are to be extirpated by a command any more than the hostilities existing outside the corps. But General Chapman has embellished his order with certain specifics which can help to eliminate discrimination. Most significantly he has declared that no one should stand in the way of any Marine, regardless of his rank, who may wish to lodge a complaint about racial discrimination with his commanding officer. Discrimination is a form of injustice which the Marine Corps authorities can deal with. Hostility and prejudice, being states of mind, are harder to get at. They will diminish and disappear in the Marine Corps only as they diminish and disappear in the nation.

Racial Strife at U.S. Military Bases Ominous

(By Carl T. Rowan)

From Defense Secretary Melvin Laird right down through the ranks, the Pentagon suddenly is moving urgently to adopt programs that will prevent an epidemic of racial violence on military bases.

They have been prodded, of course, by the outburst in Camp Lejeune, N.C., in which one white Marine died and another was seriously injured, by serious fighting among black and white Marines in Hawaii two weeks ago, and by at least three racial outbreaks in Vietnam which the Pentagon classified as "serious riots."

The ominous implications of these violent episodes ought to be obvious: an army full of dissension, where various factions are at each other's throats, can never be an effective army. So the Pentagon does well to act with a sense of urgency, for the nation's security is far more threatened by racial hostility within the military ranks than is it by that $3 billion budget cut that Laird says will "weaken our worldwide military posture."

There is a tragic aspect of the current racial outbursts that is not so obvious to the public. It is the fact that leaders at the Pentagon had plenty of warning of what was coming, but out of arrogance (and the notion held by some white liberals that they knew more about the problems than the Negroes who were warning them) nothing was done. So we have drifted into a situation that is far more serious than most of the public realizes.

In 1967 racial conflict broke out among U.S. troops in Germany. The Pentagon played down this conflict publicly, but Thomas D. Morris, then assistant secretary for manpower and reserve affairs, quietly ordered all military installations to "take affirmative action" to preclude racial violence.

But in June, July, and August of 1968 a series of racial eruptions occurred at Cam Ranh Bay in South Vietnam. There were "serious riots" at Long Binh and Da Nang. Then on Oct. 15 and 16 "a real donnybrook" of racial rioting broke out at Camp Tien Sha, a Navy base in Vietnam.

L. Howard Bennett, a Negro who is now acting deputy assistant secretary of defense for civil rights, went to Vietnam last fall with Jack Moskowitz, who then held the job in which Bennett now is acting.

Upon return, Bennett filed an urgent warning that if the Pentagon did not move rapidly to deal with inequities and grievances and to combat racial hostility the military could face "riots and demonstrations of epidemic proportions."

Al Fitt, a Michigan liberal and former colleague of G. Mennen Williams, had then replaced Morris. Fitt professed to be stunned by Bennett's report which he seemed to consider "alarmist." He called in Moskowitz who allowed as how he hadn't observed any signs of racial strife such as Bennett had referred to.

So Fitt and Moskowitz ignored Bennett's report.

The incoming Republicans were ironically blessed in that almost none could profess to be an expert on civil rights, human relations, or Negroes. Some of them saw the trouble that was brewing within the military and they admitted they needed help in doing something about it.

Still, a big "interdepartmental task force" on the subject did almost nothing. It did conclude that draftees coming off the nation's troubled streets and volunteers from the nation's strife-ridden high schools were bringing racism with them. So there was talk—but mostly talk—of "threshold orientation" designed to strip new GIs of their racism during their first days in the service.

Now there is frantic talk of human relations programs at West Point, the Naval Academy, schools for noncommissioned officers, in basic training and about anyplace else in the military that anyone can think of.

This may help. But it does not come to grips with the fundamental problem. This new breed of black GI feels that he is being discriminated against in a variety of ways. Reports have been coming into the Pentagon of white officers referring to black GIs as "boy" and "nigger," actions just about guaranteed to produce a fight.

Black soldiers say they are cut off from the ranking people who might do something about their grievances. They say black GIs receive inordinately severe punishment for minor offenses. They say the promotions too often go to white GIs who don't work as hard or efficiently as the passed-over blacks.

And they speak bitterly of something I warned about in a column a few months ago: the civilian hierarchy at the Pentagon is and always has been lily-white, and it is not much better at the top level of the military side.

This is the first problem that the President and Laird must do something about. Before this tense problem of racial strife within the military is solved, some top-level teams of blacks and whites from the Pentagon are going to have to visit a lot of bases and talk to a lot of men.

The magnitude of the Pentagon's problem will become obvious when Laird discovers he has a real paucity of top-level blacks to put on such a team.

OIL IMPORT PROGRAM IS VITAL TO AMERICA'S SECURITY

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. EDMONDSON. Mr. Speaker, a recent article appearing in the Bartlesville, Okla., Examiner-Enterprise newspaper carried some important comments from one of the industry's leading authorities on our oil import program.

Mr. John Houchin, president of Phillips Petroleum Co., was quoted in regard to a study made by the Charles River Association on proposed changes in our import program. I commend Mr. Houchin for his very thoughtful analysis of both our present import program and his comments on the Charles River study, and include his remarks in the RECORD at this point:

HOUCHIN CRITICIZES CHARLES RIVER STUDY

"The nation's security could be gravely imperiled, and its petroleum consumers and domestic oil business harmed if some of the conclusions made in the Charles River Associates study of the oil imports program were made a part of the import policy," John M. Houchin, president of Phillips Petroleum Company, said.

Houchin pointed out that the study, which was prepared for the office of Science and Technology and has been submitted to the Cabinet Task Force on Oil Import Control, was full of faulty assumptions, inconsistencies, and inaccurate methodology. "For example," Houchin said, "the report assumes that reserve producing capacity in 1975 without import controls and prorationing would remain at the present level of about 1½ million barrels a day, and that an increase of one million barrels a day would be readily obtainable from new drilling. This results in an overestimate during emergencies of about two million barrels daily for the conditions assumed."

Houchin also pointed out that in its hypothetical example of an emergency condition the analysis does not consider the widening gap between current oil demand and domestic production which would occur in the absence of import controls. "Because it ignores this fact, the amount of storage for emergencies, and the cost of this storage would have to be much higher than assumed in the report," Houchin stated. "These inaccuracies alone could result in a critical shortage of petroleum supplies during a national crisis," he stressed.

A wrong assumption in the study which is a deception to consumers is that foreign prices of crude oil would not increase if U.S. import controls were removed," Houchin continued. "Like so much in the Charles River report this assumption ignores reality. If the United States should become dependent on foreign nations for its petroleum, the governments of these nations would inevitably raise the price of their oil. The evidence that they would do this is clear. An announced goal of the Organization of Petroleum Exporting Countries (OPEC) is higher prices for crude oil for member countries. A recent resolution by OPEC calls upon members to deny oil contracts or concessions to consuming countries whose policy is to reduce prices of imported crude oil."

Houchin said that it follows that the assumption in the Charles River's study that the import control program costs 6.2 billion dollars is "completely out of the ball park." He said, "the January 1969 report by the Department of the Interior which is the most

comprehensive published report on the cost of the import control, concluded that savings in oil prices as a result of elimination of import controls might be about a billion dollars a year, but warned that higher prices for foreign oil would come with increased U.S. dependency on foreign supplies. These higher prices would, of course, offset the billion dollars.

"The CRA report adopts the time-worn argument of economic theorists that state proration encourages drilling of marginal wells," Houchin continued. "This argument ignores the inherent risk in finding and developing oil reserves. Few operators deliberately drill marginal wells and no one intentionally drills a dry hole. It is not normally possible to determine until after a well is drilled whether it will be good, marginal or dry," Houchin stated. "Abandonment of prorationing would not only result in wasteful use of oil and gas, but would virtually wipe out the small, independent producers who are so vital because they discover most of the new petroleum supplies in our nation," he added.

The Charles River study also does not give consideration to the cost to consumers resulting from reduced production of natural gas which would result from eliminating import controls, according to Houchin. "Some 25 percent to 30 percent of gas produced in the U.S. is oil well gas, much of which would be lost as a result of eliminating import controls," Houchin concluded.

HAROLD A. PATTEN

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. SIKES. Mr. Speaker, I am honored to join with my colleagues in paying special tribute to our esteemed friend and distinguished former colleague, the late Harold A. Patten, who passed away on September 6. He was a warm and genuine human being who spent much of his life in the service of his fellow man and his country.

As we pause to honor the memory of the gentleman who so ably represented the First District of Arizona for 6 years in this Chamber, from 1948 to 1954, we recall the accomplishments of this very able legislator.

"Porque" Patten, as we affectionately knew him, served with distinction on the Committee on Armed Services and the Committee on Veterans' Affairs. As such he was a most effective man.

He was also a very active member of the Air Force Reserve, who went on active duty every year. He was very proud of his commission and of his connection with the Air Force.

The confidence of the thousands of constituents who elected Harold Patten to the 81st, 82d, and 83d Congresses was not misplaced. He was dedicated to the highest ideals of public service and to our American democratic system. He was never too big to do a little thing—never too busy to help when help was asked, never too worried or preoccupied with his own affairs to spare a smile or a friendly greeting to visitors in his office.

Seldom does one find a man of this stature so wholeheartedly dedicated and responsive to the needs of people he served. "Porque" Patten's record in Congress earned for him the genuine admiration and deep respect of his colleagues. I extend my most profound sympathy to his bereaved family.

GREATER WASHBURN RISES

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. SHRIVER. Mr. Speaker, many Members of Congress are aware of the devastating toll in lives and property taken by tornadoes and hurricanes each year in our Nation. In 1966 a killer tornado ripped through Topeka, Kans. While great damage was suffered throughout the capital city, a crippling blow was dealt Washburn University. Nearly all of the older buildings on the Washburn campus were demolished.

However, the university has survived and indeed has grown in the months following that terrible disaster. New buildings have risen to take the place of the old, and students in greater numbers have been attracted to Washburn. Incidentally, on Saturday, September 27, the Washburn Law School of which I am an alumnus, will dedicate a new law school building.

The recovery and restoration of Washburn University results from the untiring efforts of its administration and board of regents with the wholehearted cooperation of the public, and assistance from both private and public sources.

I include in the RECORD the following editorial from the Topeka, Kans., Daily Capital which discusses Washburn University's progress. The editorial follows:

GREATER WASHBURN RISES

The sounds of construction continue on Washburn University's campus, marking progress being made since the 1966 tornado ripped it apart.

As classes open with greater enrollment Sept. 8, another new building will go into use for the first time and work has been started on still another, which, when completed in a couple of years, should make possible removal of the temporary classroom buildings.

The new law school building, to be occupied this fall for the first time, will be dedicated in three-day ceremonies ending Saturday, Sept. 27, when U.S. Supreme Court Justice Byron R. White is scheduled to speak.

A good start has been made on the Learning Resources Center, estimated for completion in 1971. It will house numerous classes, including those to meet this fall in the temporary buildings.

Until then three clusters of metal buildings along 17th—Crane, Boswell and MacVicar Villages—will house classes in psychology, sociology, business and economics, and classroom work in physical education.

The new Fine Arts Building, used and enjoyed for the first time last spring, adds beauty to the campus in addition to providing some of the finest auditoriums and classrooms in the Middle West.

Most of the scars of the storm have been erased in the 39 months since it demolished nearly all of Washburn's older buildings. Within a short time after the debris had been cleared away, the Memorial Union addition was completed, as were the west wing of Morgan Hall and repairs to Stoffer Science Hall. Carnegie building was restored and renovated, Benton Hall repaired, and the roof on Whiting Fieldhouse made whole again.

All this, in addition to the new buildings, has modernized Washburn's campus, even more than programmed before the tornado.

That students are appreciating advantages offered by Topeka's municipal university is shown by enrollment forecast for this fall. It is expected to be 4,400—which would be 1,178 more than the number attending the fall before the tornado.

Washburn, undaunted, is moving ahead.

NINTH ANNUAL QUESTIONNAIRE RESULTS

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. HARVEY. Mr. Speaker, I am again taking this opportunity to further report on our annual congressional questionnaire conducted throughout the Eighth Congressional District of Michigan. This was the ninth consecutive questionnaire, and I am pleased that interest and participation in this opportunity to vote on issues of major importance remains high.

I am further indebted to the weekly and daily newspapers throughout the district which devoted considerable space to the questionnaire and, in most instances, even published the 10-question ballot. This type of public service enables us to make absolutely certain that every citizen has the opportunity to participate and to make his views known.

The results, which are listed below along with the questions, are based on the tabulation of approximately 10,000 returns. It is likely that over 15,000 individuals took the time to vote.

The results are:

9TH ANNUAL QUESTIONNAIRE RESULTS

	Yes	No
1. If the Paris peace talks do not progress, do you favor:		
a. Gradual withdrawal of all U.S. forces in Vietnam regardless of enemy reaction?	4,211	5,843
b. Gradual withdrawal only an a mutual basis?	3,911	6,134
c. Intensifying the war effort?	2,335	7,710
2. Do you favor President Nixon's proposal to deploy the antiballistic missile system around 2 ICBM sites, to safeguard our nuclear deterrent?	6,123	3,922
3. Would you favor U.S. support for admission of Red China to the United Nations?	3,512	6,533
4. Are you satisfied with the performance of the United Nations?	2,091	7,954
5. Would you favor a constitutional amendment which would allow Congress to override a U.S. Supreme Court decision by a ⅔ vote?	6,513	3,532
6. Should the electoral college be abolished and the election of the President and Vice President be accomplished by popular vote?	8,486	1,558
7. Should the voting age be lowered to 18 years?	3,489	6,556
8. Should Federal financial assistance be withheld from those students who disrupt the academic operations of colleges and universities?	9,313	
9. Should the farm program be changed to gradually reduce dependence on price supports?	7,994	
10. Do you favor converting the Post Office Department into a Government-owned corporation to operate on a self-supporting basis?	7,424	2,618

IRISH CATHOLICS BEMOAN YEARS OF SECOND CLASS CITIZENSHIP

HON. CHARLES W. SANDMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. SANDMAN. Mr. Speaker, in recent weeks various stories concerning the rebellion in Northern Ireland have appeared in the press. I am pleased to share with my distinguished colleagues a first-hand account of the situation as reported to the Vineland Times Journal, Vineland, N.J., by Cyril J. O'Brien who covered the story while vacationing in Ireland at the time of the outbreak:

IRISH CATHOLICS BEMOAN YEARS OF SECOND CLASS CITIZENSHIP

(By Cyril J. O'Brien)

DERRY, NORTH IRELAND.—"We are treated worse than the Black Man in some parts of the United States."

The young man who said that was about 22, dressed in soiled tweed coat he had slept in for two nights, and he carried an axe handle. He would not give his name because "I've been in jail too many times already . . ." for civil defiance.

But because I was an American the rebel barricade was let down and the young sentry and a compatriot named Francis Oakley let us across the rampart of steel rimmed beer barrels, scaffolding and debris.

Inside was Bogside, the Catholic ghetto of this ancient walled city. Although the majority population, they had been bound to their inferior housing for half a century by blatant prejudice, job inequality and gerrymandered voting districts.

Now they were tired of successive city administrations which spurned appeals and maintained a special sectarian auxiliary police force called "B-Specials" to uphold the establishment.

In their soft Irish voices the young men explained what they wanted told across the sea: how employers ask the school you attended to scratch Catholic applicants; how an archaic property-based voting system disenfranchises the poor—Protestants and Catholics alike.

The young men, in their rumpled suits with sleep-starved eyes, crowded around in relaxed poses, holding their cudgels like walking sticks and pocketing the egg-sized cobblestones they had been heaving to keep the constabulary out of the Bogside.

For two days now they had been holding off the Royal Ulster Constabulary which they considered a sectarian body which sided with the anti-Catholic extremists.

The trouble had started Monday, Aug. 12, when more than 12,000 of the Orange Apprentice Boys organization came here from all over Ireland and from Scotland to march around the Derry walls. They sang provocative anti-Catholic songs and then walked along the Bogside ghetto. Then on-lookers came out to pelt the marchers. The police then pushed the Bogsiders back into their enclaves, aided by a swarm of Paisleyites who were around for just an event and about 300 of the Apprentice Boys themselves.

However, the police stopped at the fringe of the Bogside as the people inside the ghetto returned with a barrage of stones and petrol bombs (Molotov cocktails).

The bombs were being made by a "factory" of young girls, boys and older women.

This battle for the Bogside was in its second day when the "rebels" let me through their barricade.

A block away from our flanking position came the sounds of falling rocks and the scramble of feet and rattle of shields as the RUC's charged. There followed the hail like patter as the shields deflected the shower of rocks. This continued all day.

Headquarters for the rebels is a nine-story apartment building which houses the leaders, civil rights supporters and such protagonists of the Catholic position as pretty brownette Bernadette Devlin—a member of the British (Westminster) Parliament. From its roof flies the Tricolor of the Republic of Ireland. They briefly flew the Stars and Stripes of the United States, as a tribute.

Today, all of the Apprentice Boys have gone home while Derrymen, and neighbors, fight among themselves. Paisleyits (named for the extremist anti-Catholic Rev. Ian Paisley) support the police and have been blamed for burning a Catholic-owned factory. The rebels, however, had been getting support and reinforcements from foreign students out of Belfast and a few that dribbled up from the South.

"Tell them back in the States," said Oakley, "that all we want is one man, one vote . . . that there should be a house for every family, Catholic or Protestant . . ."

"Is that too much to ask?" queried a blond fellow who had a steel helmet he had wrested from the police.

"Here, I want you to meet Herbert." Oakley joined in again. "He lost an eye to the police."

Herbert Francis McCauley, 24, with his shaggy red hair and his tweed coat turned up at the collar, was the prototype of the Hollywood IRA man of the troubles with the Black and Tans following 1916.

"They kicked it out in the Victoria (police) barracks," the young man said, brushing his hand across a false eye that looked too small for its red-rimmed socket.

Another flurry of stones and steps and most of the crowd around me moved to the wide alley off William st. where the battle line had been drawn.

"See we use rocks, not guns . . . ," one youngster explained. He demonstrated by a running throw in the direction of the police.

Another had no such aversion to firearms: "If we had guns it would be all over by now . . ." However, in an earlier skirmish an armored police van had been burned which contained rifles and Bren guns—and not a one had been removed.

"Mind now," said Oakley, "we are fighting for our homes, our women and our children. The police should go and leave us alone. The men, women and children here did nothing to the police. But they make our homes a battleground. Why don't they go away?"

"Last night," said Charles Meehan, "they came, 500 of them, and the police did not a thing to stop them. They were Paisleyites, bigots, full of hate and they fought for four hours to get at the Cathedral . . . The police even helped them with tear gas . . . But they never got to the church . . . They did not."

"There's the flag, we are fighting for," said another young fellow who grabbed the lapel of my coat.

He pointed to the brazen Tricolor over the Derry apartment building. It countered the many Union Jacks which extremists often hoist in defiance of the Nationalists (who want union with the South) as much as a nod to Great Britain.

Oakley, McCauley and the unnamed others who came around told how they considered the arrival of British troops a victory. It would show the world, they felt, that the Northern government could no longer maintain control. Their contempt for police is that the constabulary is not an impartial force.

"It can only do us good," said McCauley. "It will be a moral victory at least. The British troops will not be on one side."

(As this story was being written Thursday, the arrival of British troops in Derry was announced. The Bogsiders have stopped throwing stones and there were reports of soldiers and rebels sharing canteens of tea).

Dorman Malachy told us how things will never be the same in Northern Ireland now that the events in Derry and Belfast have centered world attention on the situation.

Earlier, John Hume, civil rights leader and member of the North Ireland Parliament, expressed the same conviction. Hume, who like Martin Luther King has pressed for non-violence among his followers, told of attacks on Catholic homes by mobs who threw petrol bombs in windows. In Ku Klu Klan fashion, the night riders have also affixed warnings to the doors of Catholic workers' homes.

Yet, Hume holds that much of the problem in Derry and Northern Ireland is economic. Religious bigotry simply exacerbates the situation.

Of course, the matter of a United Ireland is always on the minds of many of the Catholic majority. However, Hume sees no imminence of a united nation. It may come some time, he holds, when, economically feasible and agreeable to the majority. Many liberal Protestants and civil rights activists who are strong for the equality of all in North Ireland are not impressed with the political aspects of national unity.

Back at the barricades, it was obvious that the gap between Derrymen will exist a long time.

A rosy cheeked constable pulled up the visor on his steel helmet and shook his head at the fury of it all. He and his colleagues seemed much restrained in light of the Bogside accusations that they had invaded Catholic homes without provocation.

Asked how he felt about getting the brunt of attacks from both sides on the Derry confrontations:

"Not both sides," he made very clear. "We've got only one enemy—and he's there." And he pointed to the Bogside.

SPOTLIGHT ON BRUTALITY

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. TEAGUE of Texas. Mr. Speaker, the Saturday, September 6, edition of the Evening Star carried an editorial relating to our prisoners of war in North Vietnam and the treatment they are receiving from their captors.

I have been very active with a group of wives and families of these prisoners of war in the last several months in an effort to bring public opinion to bear throughout the world on the North Vietnamese with the hopes that it will change their attitudes toward the treatment our men are receiving as well as force them into releasing information on them and seeing to it that they are treated under the terms of the Geneva Convention.

The editorial follows:

SPOTLIGHT ON BRUTALITY

The press conference of Lieutenant Robert Frishman and Postal Clerk Douglas Hegdahl at Bethesda Naval Hospital marks a new phase in this government's approach to the prisoner of war problem.

Hitherto, administration spokesmen have bitten their tongues and gone along with the falsehood that the North Vietnamese were treating American POWs in a humane way. The object of this restraint was to avoid possible retaliatory action against millitary men still in captivity.

But, clearly, this policy has counted for nil with the hardhearted leadership of Hanoi.

Not only have the North Vietnamese continued to deal out beatings and other torture as a routine affair. They also have rejected all appeals to announce the names of their prisoners—which means that relations and friends have no way of knowing whether these men are alive or dead. Further, the prisoners are denied their basic rights under the Geneva Protocol to receive mail from home and to have access to competent medical care.

It was in these grim circumstances, then, that Lieutenant Frishman and Seaman Hegdahl fulfilled their pledge to their buddies back at the camp to reveal how brutal their treatment at North Vietnamese hands really has been. They spoke of solitary confinement in broiling human ovens, fiendish tortures such as exposure to swarms of mosquitoes and the yanking off of fingernails, callous disregard of injuries, and worse. They told their story, moreover, in the certain knowledge that their luckless comrades will get an extra ration of the same.

Perhaps the harsh glare of publicity will shame the North Vietnamese to modify their unspeakable behavior toward their charges. In any event, this shift in approach is worth a try.

"MR. DEMOCRAT OF GIBSON COUNTY" PASSES

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. JONES of Tennessee. Mr. Speaker, one of the "grand old men" of west Tennessee, Mr. Charley C. Berry, died on Monday, August 25, 1969, at the age of 89. His life is such an outstanding example of service that I feel it should be brought to the attention of my colleagues and the Nation. I would, therefore, like to insert the following tribute to my warm friend, Mr. Charley, which was written by Don E. Chevalia, now chairman of the division of social studies and education at Jackson State Community College in Jackson, Tenn. As a young man, Don Chevalia grew up in Mr. Charley's hometown of Dyer, Tenn., and loved and admired him as we all have through the years.

The article follows:

A TRIBUTE TO "MR. DEMOCRAT OF GIBSON COUNTY, TENN."

(By Don E. Chevalia)

Mr. Charley C. Berry, former Mayor of Dyer, Tennessee, died Monday, August 25, 1969. "Mr. Charley", as he was affectionately called by his friends, was 89.

Mr. Charley was known far and wide as "Mr. Democrat of Gibson County" because of his unswerving loyalty to the Democratic Party. He developed his party interest in 1896, when as a boy of 16 he heard William Jennings Bryan, Democratic nominee for President of the United States, speak in Humboldt, Tennessee.

His personal political career began in 1916, when he was appointed postmaster at Dyer by President Woodrow Wilson. He held this position for eight years. He served a total of sixteen years in the trustee's office in Gibson County, from 1932 to 1947. In 1947, he was elected Mayor of Dyer and was re-elected nine times by his fellow townsmen. Because of failing health, he declined to seek re-election in 1967.

While serving on various boards and in various offices, Mr. Charley remained loyal to and active in his party. He was a member of the Democratic Executive Committee of Gibson County for 55 years. He served as chairman of the committee from 1951 to 1968.

In recognition of the many years of service of Mr. Berry, the Legislature of the State of Tennessee voted unanimously to name the bridge over G M & O Railroad on South Main Street in Dyer the "Charley C. Berry Bridge." The Legislature further directed the State Highway Department to keep the bridge so posted forever.

Mr. Charley was a steward in the First Methodist Church for sixty years. He was a member of the Sons of the American Revolution, the Dyer Lions Club, and had been a member of the Masonic Lodge since 1914.

Mr. Charley's death leaves a great void in Gibson County politics. There are few who have come our way who have left a greater heritage. He had undoubtedly done more things for more people than any man in Gibson County. He will be sorely missed by all of us.

ERLANGER SOLDIER KILLED

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. SNYDER. Mr. Speaker, on Saturday, August 16, Mrs. Marion L. Zipp received notice that her husband SP/4 Marion L. Zipp had been killed when the helicopter in which he was riding was shot down by enemy fire.

Marion Zipp thus becomes another of the valiant men who has given his life in defense of his country and in protecting the free world.

The sympathy of thousands of other families who have paid this sacrifice goes out to Mrs. Zipp and the Zipp family. To them also goes the sincere gratitude of those of us whom Marion died protecting.

The Kentucky Post article of August 18, written by Burl Russell, which reports the loss of the 102d upper Bluegrass soldier to the war in Vietnam, follows:

VIET SHOOT DOWN 'COPTER AND KILL ERLANGER SOLDIER

(By Burl Russell)

"Honey, you can circle Dec. 12 on your calendar and start counting the days. That's the day I'll be leaving Vietnam."

This was part of a letter received Saturday by Mrs. Helen Zipp, 459 Buckner street, Elsmere, from her husband, Sp. 4 Marion L. Zipp, 23.

But she won't circle Dec. 12.

Instead she will have emblazoned in her memory Saturday, Aug. 16, the day she received the letter.

At 8 a.m. just hours before, an Army sergeant knocked on the door.

"Are you Mrs. Zipp?" he asked.

"When I told him yes, he said it very quickly: "Your husband has been killed," she recalled.

The soldier was a crewman aboard a troop-carrier helicopter. It was coming in for a landing at Da Nang airstrip when shot down by the enemy.

"It was not the first time he had had a brush with death," his wife said. "He wrote that about three months ago he was walking at Da Nang with a friend when a mortar attack came.

"The friend was killed."

He had been in Vietnam since Dec. 10, and in the army since July 5, 1967. He was a graduate of Campbell County High School.

The letter Mrs. Zipp received after she learned of his death stated "I'll be coming out of the field any day now."

Besides his wife the specialist leaves his mother, Mrs. Omega Martin, Alexandria, and two brothers, Robert, Alexandria, and William, Covington.

The death of the helicopter crewman marked the 102nd casualty for Northern Kentucky and Kenton County's 40th.

PROPOSALS PRESENTED BY THE OREGON STATE LEGISLATURE

HON. EDITH GREEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mrs. GREEN of Oregon. Mr. Speaker, developing the harbor, recreation, and land transportation facilities of the Pacific Northwest are concerns which hold importance for the future growth of this country.

Aware of this, the Oregon State Legislature recently passed a number of joint memorial resolutions advising action by the National Congress. The proposals are presented here for consideration by my fellow colleagues:

SENATE JOINT MEMORIAL 2

To His Excellency, the Honorable President of the United States, and to the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Fifty-fifth Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas the Port of Coos Bay, Oregon, is one of the great natural port sites on the west coast of North America; and

Whereas full development of this port will create new heavy manufacturing and other industries and encourage the growth of existing manufacturing, distributing and construction industries, provide full and fair employment and insure a better life for all in this area and provide Oregon and the west coast of North America with an additional major access to world trade and the ocean's wealth; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

(1) The President of the United States and the Congress of the United States are memorialized to:

(a) Institute a plan to develop the Port of Coos Bay, Oregon, into a major world seaport.

(b) Coordinate all federal agencies toward development of this plan, including the agencies involved in commerce, atomic power generation, oceanography, geology and mineral recovery, outdoor recreation, timber management and sale, highway, rail and water transport, pollution control, fish and wild life habitat, and developmenal finance.

(c) Cooperate with private businessmen and investors and with state and local governmental agencies including the port commissioners of the Ports of Coos Bay and Bandon and the county commissioners of Coos County in providing aggressive but orderly comprehensive development of the port site, the estuarine and ocean resources and the industrial potential of the area; and

(d) Adopt a program to provide sufficient funds for the establishment of atomic power generation facilities, improvement of the existing highway system from the port inland to the Willamette Valley with long-range plans to create a new direct freeway route inland and other such developments that will promote access to and facilities for the Port of Coos Bay.

(2) A copy of this memorial shall be transmitted to the President of the United States, each member of the Oregon Congressional

Delegation, the Secretary of Transportation, the Secretary of Interior, the Secretary of Agriculture, the Secretary of Commerce, the Director of the Bureau of Public Roads, the Bonneville Power Administration, the United States Army Corps of Engineers and the Federal Power Commission.

SENATE JOINT MEMORIAL 7

To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Fifty-fifth Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas the Federal Government has established and is assisting the several states in the construction of the National System of Interstate and Defense Highways; and

Whereas the National System of Interstate and Defense Highways is designed to connect principal metropolitan areas, cities and industrial centers, to serve the national defense; and

Whereas Astoria, because of its strategic location, has served and is serving military establishments, business, industry and recreation on the Coast of Oregon, is a center for business and industry from a large area of the coast with substantial new industries now locating in the area and even greater potential for expansion and development since the opening of the Astoria Bridge on the Columbia River, is a recreation center for Oregon and the Pacific Northwest, is the base of a Job Corps Center and the location of a new United States Coast Guard installation; and

Whereas United States Highway No. 30 extends between Astoria and Portland and Portland is on Interstate Highway No. 80 North and the designation of this part of United States Highway No. 30 as part of the National System of Interstate and Defense Highways would complete the route to the Pacific Coast; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

(1) The Congress of the United States is memorialized to direct the Secretary of Transportation, acting in cooperation with the Oregon State Highway Department, to designate as part of the National System of Interstate and Defense Highways that portion of United States Highway No. 30 which extends between Astoria and Portland, Oregon.

(2) A copy of this memorial shall be transmitted to the Secretary of Transportation and to each member of the Oregon Congressional Delegation and to the Oregon State Highway Commission.

SENATE JOINT MEMORIAL 9

To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled, and to the Honorable Secretary of Agriculture:

We, your memorialists, the Fifty-fifth Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas the United States of America constructed Timberline Lodge as a public recreation facility in 1937 at the 6,000 foot elevation on the slopes of Mount Hood within the boundaries of the Mount Hood National Forest in the State of Oregon, at a distance of approximately 60 miles from Portland, Oregon; and

Whereas Timberline Lodge is under the administration of the United States Forest Service and has been operated since 1937 for the benefit of the public as a recreation facility; and

Whereas Timberline Lodge has been called the world's most magnificent wooden structure and is one of the outstanding architectural wonders in the United States; and

Whereas in excess of 600,000 members of the public annually visit Timberline Lodge, both during the winter skiing season and the summer tourist season, by reason of which Timberline Lodge has become and is one of the outstanding tourist attractions of the State of Oregon; and

Whereas the facilities of Timberline Lodge for some time have not been adequate to provide proper recreation facilities for such extensive use by the public; and

Whereas Timberline Lodge also lacks many vital service facilities needed for an economic, businesslike resort accommodation; and

Whereas the United States Forest Service has undertaken studies and prepared detailed plans for improvements and additions to the present facilities of Timberline Lodge; and

Whereas it has come to the attention of the Legislative Assembly of the State of Oregon that consideration is now being given by the Congress of the United States to providing funds for the implementation of such studies and plans by the construction of additional facilities and improvements; and

Whereas the citizens of the State of Oregon and the members of the Legislative Assembly believe that the best interests of the general public and of the United States would be promoted by the construction of the additional public recreation facilities at Timberline Lodge proposed by the United States Forest Service; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

(1) The Congress of the United States and the United States Forest Service are urged to take all necessary steps to construct the additional facilities and improvements at Timberline Lodge within the Mount Hood National Forest in the State of Oregon as proposed by the United States Forest Service.

(2) A copy of this memorial shall be transmitted to the President of the United States, to the Secretary of the Department of Agriculture and to each member of the Oregon Congressional Delegation.

CITY OF WATERTOWN, N.Y., CELEBRATES ITS 100TH YEAR

HON. ROBERT C. McEWEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. McEWEN. Mr. Speaker, the city of Watertown, N.Y., is celebrating its 100th anniversary this year. The city has been recognized in the July–August issue of the Industrial Bulletin of the New York State Department of Labor in an article entitled "Watertown's Centennial Year, Bright Future Seen for Garland City." Because the story is well written, and because it so accurately describes the exciting atmosphere of the centennial year, I would like to share it with my colleagues. The article follows:

WATERTOWN'S CENTENNIAL YEAR, BRIGHT FUTURE SEEN FOR "GARLAND CITY"

"A proud heritage—a bright future" . . .

The bustling city of Watertown, heralded as the International Shopping Center of Northern New York and "the Gateway to the Thousand Islands," could not have selected a more perfect theme for its year-long Centennial celebration. From the establishment of the settlement on the shores of Black River some 169 years ago by a handful of far-sighted pioneers, who foresaw its development as an industrial and business center, Watertown has enjoyed a proud heritage.

And as far as the future is concerned, the prospects have never been brighter, what with expansion of existing industries and businesses and the building of new plants—all part of what is being described as the greatest building boom in the city's history. The picture for 1969 shows projects estimated at $33 million to be completed or started during the year.

Biggest of the jobs slated to begin this year will be the $8.5 million New York State Office Building at Washington-Sterling-Academy streets. Second comes the $4.25 million Mercy Hospital community mental health project, followed in size by the proposed $3 million elementary public school complex.

A $2.6 million high-rise, 16-story federally sponsored apartment building for senior citizens is scheduled to be started this year, along with the first of three commercial complexes of the city's $11 million Court-Arsenal streets urban renewal development.

Million dollar projects will be fairly common this year as at least eight other projects of this magnitude are initiated.

In looking ahead, one mustn't overlook Watertown's stake in the mushrooming tourist business. Only a "stone's throw" from the Thousand Islands area and the Canadian border, less than 30 miles from the St. Lawrence Seaway and only 100 miles from the St. Lawrence Development, Watertown stands to reap a good share of the benefits as hundreds of thousands of outdoor-minded Americans and Canadians pass through the city en route to vacation havens.

A prosperous city of 34,000 population situated in the heart of Jefferson County, "New York State's vacationland." Watertown can rightfully take pride in its colorful history, its industrial growth and its burgeoning economy, but by far its most important asset is its people. From the business executive to the policeman on the corner of Public Square, the service station attendant and store clerk do more to "sell" Watertown and the nearby resort area than all the posters and brochures. They always have time for a friendly greeting and are quick to sing the praises of "their city."

This has been especially true during the Centennial observance. It's safe to assume that 99 per cent of the populace have identified with the Centennial and have become self-appointed promoters. This highly successful yet surprisingly inexpensive venture has taken the city and surrounding area by storm.

The idea for the Centennial Celebration was first broached by Mayor Ted Rand and got off to a flying start when the Common Council designated two community-minded citizens, Richard M. Hollenbeck, sales representative for Niagara Mohawk Power Corporation and Tony C. Malara, manager of Radio Station WWNY as co-chairmen of the Centennial Committee.

Their initial step was the appointment of an Executive Committee and monthly chairmen to organize the special programs and activities to be held each month throughout the year.

From the outset, this has been a labor of love for key personnel and the hundreds of citizens who either volunteered or were recruited for this gigantic project.

According to Dick Hollenbeck, upwards of 1,500 people are working on the Centennial. "Cooperation has been nothing short of phenomenal."

Hollenbeck is immensely proud of the fact that this is strictly a "do-it-yourself" project. "We felt that we could save a lot of money and do as good a job of promoting this Centennial as could any of the professional promotion outfits, and I think we've proven our point."

Members of the upper echelon are easily identifiable at Centennial functions and on the streets of Watertown in their bright red blazers carrying the Centennial patch.

Among the more important aspects of the celebration has been the publishing of an impressively-done Centennial magazine, 10,000 copies of which will be given away free to Watertown residents.

In addition, heritage plaques have been placed on more than 40 city landmarks that

are 100 or more years old. For the souvenir seekers, the committee has provided hundreds of silver coins retailing at $7.50 and several thousand brass coins at $1.50.

For the younger set, coloring books depicting the history of Watertown have been made available.

By far the biggest attraction is the huge birthday cake on display in Public Square. The three-tiered "cake," 16-feet square, is made of fiber glass and cheese cloth and is the handiwork of carpentry students at Jefferson Vocational-Technical Center. The cake was unveiled Feb. 1 and was to have come down after one month. However, it generated so much interest that it was decided to leave it up for the duration of the celebration.

"It's been repainted once," says Dick Hollenbeck, "and is in surprisingly good condition, considering the weather, etc. That cake cost us only $165 but has given us thousands of dollars worth of publicity."

As for the monthly programs, it has been and will continue to be one special event right after another, including band concerts, parades, exhibits of century old articles and materials, barbershop concerts, essay contests, art shows, historical pageants, visits by the mayors of Watertown, South Dakota and Watertown, Mass., etc.

Long known as the "Garland City" and as the metropolis of Northern New York, Watertown is actually commemorating the 100th anniversary of its becoming an incorporated city on May 8, 1869.

The community has a balanced economy based on small diversified industry and trade from a large dairy farming and resort region. Heavily contributing to the economy base are several major industries which manufacture papermaking machinery, paper products and air brakes.

It has a non-partisan City Council presided over by the energetic mayor, Ted Rand, and city manager form of government.

In addition to its attractive downtown park area, known as Public Square, the city boasts of a fine developed park of 200 acres that features a zoo, swimming pool, golf course, etc.

A number of flourishing concerns were doing business in Watertown more than 100 years ago. These include the Agricultural Insurance Company, Knowlton Brothers, Inc., Jefferson County Savings Bank, the Watertown Daily Times, the Woodruff Hotel, and the James R. Miller Clothing Store.

Knowlton Brothers, Inc., manufacturers of special industrial papers since 1804, is Watertown's oldest industry. It is the third oldest paper mill in the United States in uninterrupted operation on the same site. Since 1808, when the firm's predecessor established the Pioneer Mill, Knowlton has been a leader in the development of special industrial papers.

Aside from Knowlton Brothers, the city's industrial community includes Black Clawson Manufacturing Company, Aco Machinery; New York Air Brake Company, a unit of General Signal Corporation, which has helped build the proud heritage of Jefferson County over the last 78 years; Fisher-Gage, Inc., a precision die-casting company that moved from Ontario in 1964; Chesebrough-Pond's, Inc., Faichney Instrument Division, which is presently building a new clinical thermometer plant; Hall Ski-Lift Company; Bomax, Inc., manufactures of small electric motors, a recent acquisition of Gould National Lead, and others.

The city has many famous landmarks including the Arcade and the century-old dam at the Knowlton plant but perhaps the best known of them all is the ornamental fountain in Public Square which dates back to 1853 or 1854.

The fountain came close to disappearing from the scene in 1959, but was restored through the efforts of public spirited citizens and officials and foundry workers at New York Air Brake Company.

The fountain was originally set up during the administration of Joseph Mullin. It was originally dubbed "Cary's Punch Bowl" because it was advocated by Benjamin Cary, a member of the village board of trustees.

In the early morning hours of August 22, 1959, it was knocked down by two reveling out-of-town firemen. The two men told police they climbed to the top of the 15-foot high fountain "to see where the water came from."

The lion's share of the credit for restoring the fountain which was dedicated on May 31, 1960, went to officials of the New York Air Brake Company and representatives of Local 78, International Molders & Foundry Workers of North America, AFL–CIO, who donated labor and material for the project. It was decided that the new fountain would be constructed of cast iron sections molded from parts of the original structure.

Two men who were deeply involved in Local 78's restoration effort nine years ago are still active in the union at Air Brake: Antonio Castro, then president of Local 78 and Clarence Pringle, corresponding secretary who was then vice president.

Early in the 1920's, Watertown businessmen united with village leaders to advertise the Thousand Islands on a regional basis through a single agency. This was the beginning of a long continuing effort on the part of Watertown to promote the tourist and vacation business within its trade territory.

The next eventful project undertaken was to get a State Regional Park Commission established to help boost the Thousand Islands area. Watertown civic leaders used their influence to have such a commission created by Congressional legislation in 1932. First chairman was Charles A. Winslow, a past president of the Watertown Chamber of Commerce, who later became mayor of the city.

The Thousand Islands Park Commission now has under its administration 17 well-developed parks ranging from Sackets Harbor to Massena.

The Thousand Islands Bridge was another area asset promoted during the depression years. Watertown civic leaders, headed by civil engineer William T. Field, successfully promoted the project of a bridge across the St. Lawrence at Collins Landing, to be built and financed by a bridge authority whose members would be appointed by the county government.

Executive Secretary of the Bridge Authority these many years is W. Grant Mitchell. The Authority's secretary is Clinton W. Marsh of Watertown, a member of the Centennial's Executive Committee.

What about the labor picture?

Veterans in various building trades view the volume of construction in Watertown, stemming from 1969 starts, as the biggest for any single period in the city's history. The package of local projects is expected to provide at least three years of employment, almost on an uninterrupted level, for those in the building and allied trades.

The man with his finger on the labor situation in Watertown is the highly respected Milton Frey, business manager of Carpenters Local 278, AFL–CIO, president of the Central Trades and Labor Council and secretary-treasurer of the Adirondack and Vicinity District Council of Carpenters of the United Brotherhood of Carpenters and Joiners of America.

"The outlook for employment is bright," says Frey, "taking into consideration the possibility of problems caused by weather and delays in the urban renewal negotiations."

As for labor-management relations in the Watertown area, Frey notes that the labor record has been good and "our relationship with management has been equally as good."

Frey doesn't share the opinion of some area executives that the building boom will bring about a shortage of labor in the building and allied trades. "I do not foresee any labor shortage. . . . In the past, there have been very few times when we have experienced a lack of workers. The possible exception would be in July and August and would involve those with special skills."

"When these jobs are ready to go," Frey says, "we will be able to scour the 14-county area covered by the Adirondack and Vicinity District Council . . . we have a big area to draw from."

Frey, who has been business agent of Local 278 for 17 years, maintains his office in the Watertown Labor Temple which houses the following organizations: Adirondack Carpenters Pension Fund; Adirondack Carpenters Welfare Fund; Building and Construction Trades Council; United Brotherhood of Carpenters and Joiners of America; International Brotherhood of Electrical Workers Local 910, AFL–CIO; Jefferson, Lewis and St. Lawrence Counties Central Trades and Labor Council, AFL–CIO; Plumbers and Steam Fitters Local 117, AFL–CIO; Laborers Union Local 322, AFL–CIO, and the Truck Drivers and Helpers Local 687.

The multi-million dollars worth of physical assets now invested in Watertown, the additional millions committed to expansion and new construction by governmental agencies and private business, combined with the organized effort now directed toward creating more industrial employment opportunities combine to assure a bright future for Watertown.

OUR ENVIRONMENT: COMMITMENT OR COMPLACENCY

HON. LOWELL P. WEICKER, JR.

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. WEICKER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

OUR ENVIRONMENT: COMMITMENT OR COMPLACENCY

(Keynote address by Congressman LOWELL P. WEICKER, JR., 4th District of Connecticut, before the Southwestern Connecticut Girl Scout Council Conference on Natural Resources, Hartford, Conn., Monday, August 11, 1969)

In Ohio, they say that anyone who falls into the Cuyahoga River does not drown. He decays. This river caused a fire because of its oil slick.

The Potomac River reaches Washington as a clear stream. It oozes from the area with 240 million gallons of waste per day.

Yellow-brown is the color of the Charles River in Boston. Sailboats in college regattas seem to crawl, rather than drift over its murky depths.

Of 62 beaches along Lake Erie's U.S. shores, only 3 are rated completely safe for swimming. Even wading is unpleasant because 30,000 sludge worms may be found in each square yard of lake bottom.

To breathe for half a day in New York City is similar to smoking a pack of cigarettes.

Industries fill Lake Erie with 15 billion gallons of wastes. The lake is being strangled by lack of oxygen. Weeds are the only form of life which survives.

When you dive into Long Island Sound you are diving into 196 million gallons of waste that comes from 46 municipal plants, 59 industrial plants, and 7 federal installations every day.

In many instances we have abused natural resources to the point where it is no longer possible to repair the damage. This situation is a direct result of our nation's lack of will and wisdom rather than a lack of ability to solve these pollution problems. In our na-

tional list of priorities, conservation of our natural resources has always ranked low. Clearly, what this country lacks is a resolute national commitment to solving the pollution crisis. Nothing less than a total commitment will solve the problems of dirty air, clogged rivers, inadequate waste treatment and destruction of public lands.

It's too easy to put off appropriating funds to preserve our national resources. And we have been guilty of doing so for too long.

Truthfully, our national attitudes are not much different from the attitudes we exhibit at home. Given the choice of a new septic field or a color television set, the average American will opt for the tube. And yet, the future value of his home is much more dependent on that septic field than on the initial oohs and ahs of his friends viewing a Saturday night special.

So the question must be asked as to whether or not this generation of Americans is interested in the future value of their nation's natural resources and national beauty and clean environment or whether we will continue to indulge ourselves in an orgy of resource revelry.

What is the situation today? The tremendous growth of population and expansion of industry have doubled the waste. Less survives to be wondered at, while our capacity for wonder is leapfrogging. You and I just now can see tell-tales of past negligence. We can't let the problem slide by anymore. It could be that talk sufficed to meet yesterday's commitment. But today, the distance has closed and we're standing eyeball to eyeball with the truth—and that is that our commitment must be in the form of action and money.

Traditionally, the Federal Government has not played a large role in conservation. The citizen sector took the initiative. When sent to research expenditures, my staff found it difficult to pinpoint Federal conservation spending before 1965. That's only 4 years. But waste and pollution problems existed 10 years ago. They existed 50 years ago. They have existed since the industrial revolution. Landmark conservation bills have been few and far between. The 79th Congress enacted the coordination act which protected wildlife in connection with Federal drainage and water projects. Then the 89th Congress passed the Federal Pollution Control Law which provides benefits to state and local communities. This also helps in protecting wildlife habitats in streams, lakes, marshes, and coastal waters. Legislation has increased somewhat in recent years. The Water Quality Act of 1965 was followed by the Clean Water Restoration Act of 1966.

The national interest is interlocked with the problem of preserving natural resources. This makes it a federal, local, state, industrial, and individual responsibility.

Federal financial commitment has been minute in the past. In 1967, only 2% of the federal budget was spent on natural resources. In 1968, it dropped to 1.9%. And in 1969, still only 1.9% of the federal budget was spent on natural resources.

The past few years have not been encouraging. Specific federal programs would be more meaningful if they had sufficient funds.

There are five prime areas of conservation: wetlands reclamation and land acquisition, air pollution, water pollution, and wildlife preservation.

Wetlands reclamation received attention in the 90th Congress. This attention was all talk and no action. While we're waiting for bills to reach the floor of the House which would provide money for the national wildlife refuge fund, valuable marshes and swamps are being filled in. This causes wetlands animals to flee the area and upset environmental balance. Originally we had 140 million acres of swamp and marshland in the U.S. Recent investigations show we have about 76 million acres left. Drainage of these areas is proceeding at an alarming rate: in the 12 year period 1943–1954, nearly one million acres were drained and lost to marsh-wildlife production. When we unthinkingly plot the destruction of a wildlife habitat, we are undermining the whole structure of one part of our natural resources.

In the second area of land acquisition, we do not have a very bright picture. There have been many bills concerned with parks introduced into the House, but they have no financial muscle. In 1969, 15 million dollars less than requested was given to the National Park Service. The National Park Service received one-half the amount it is supposed to from the land and water fund.

Encouraging efforts have been made in the third area, air pollution. The Department of Health, Education, and Welfare has set up a National center for air pollution control. Another good sign is the 96 million dollars appropriated for the clean air act. Also, tax incentives have been given for the control of air pollution.

Of course, I must confess to wondering why those that make the mess shouldn't clean it up without a carrot paid for by the American people. Money for air pollution has increased from 5 to 32 million dollars for the states to set standards in 70 air quality control regions. The major attack on air pollution in 1970 has been preceded by a 150% increase in state and local expenditures on air pollution since 1965. In addition, 45 states now have air pollution statutes compared with only 17 states before 1963. This shows concern at the local level. However, federal research will be needed to provide the scientific basis for air quality standards and to develop more effective equipment to control air pollution. Emphasis will continue to be given to research and control activities related to pollutants from automobiles which account for approximately 60% of all air pollution. With the increasing number of automobiles on the road, carbon monoxide in the air would be expected to increase 50% by 1980, if left uncontrolled. New controls required by federal regulations on 1970 and 1971 model cars will prevent an increasing amount of these harmful wastes from ever being emitted to the air. However, the controls alone will not be sufficient to achieve the low level of auto exhaust emissions believed necessary for health protection in our cities.

The fourth area is water pollution. Some important legislation has occurred in this area. The water quality improvement act has passed the House and has been reported to the Senate.

This bill would finance the building of municipal waste treatment plants. A 50 million dollar revolving fund to provide for financing effective waste removal would be set up. The Secretary of the Interior would set up standards of performance for marine sanitation devices.

Practically every important water resource in this country is polluted to some degree. No one can say just how much it will cost to clean up the nation's polluted waters and to keep the still-clean waters from becoming polluted. At today's prices, the bill could run as high as a hundred billion dollars. When we shortchange water pollution control, we have agreed to give our children a toilet bowl, rather than the clear spring that was left to us.

In the Department of the Interior, for example, the 1969 budget for the Federal Water Pollution Control Administration for waste treatment plants was 214 million dollars. It is the same amount for 1970. In the Department of Agriculture, water and waste disposal grants totalled 28 million for both 1969 and 1970. When taken by themselves, these may seem like large amounts of money to be spent to clean up the nation's waterways. They aren't. In a recent four volume report for the Federal Water Pollution Control Administration, it was estimated that approximately 25 billion dollars will be needed over a five year period for municipal and industrial waste treatment works and sewer construction in order to launch a meaningful cleanup of our nation's waterways. These estimates did not even include cleanup costs for dealing with problems of combined sewers, agricultural runoff, mine drainage, or oil pollution. Programs proposed by 40 states indicate that municipal waste handling investments from 1969 to 1973 amount to 6 billion dollars, roughly equal to that spent during the last five years. At the same time, costs of plant expansion and replacement have climbed by about 20 million dollars a year in the last four years and may exceed the costs of new plant construction during 1969. What this means is that if construction costs continue to rise as they have in the past, and this seems likely, total clean water costs are expected to amount to 28 billion dollars in the next five years. The gap between what is needed and what we are getting is frighteningly obvious.

In the fifth area, while man neglects his natural resources he is not the only one who suffers. The wildlife of North America is being pushed back as the wilderness disappears. Many species have totally vanished from existence, and many more are in danger. How many of you, if you have visited National Park and Preserves, have seen alligator, panthers, eagles, wolves, and falcons? These are well known animals our fathers and grandfathers once took for granted as part of their surroundings. Now many of these species exist only in zoos. Indeed, the time is not too far off when you will be parents. But if we continue at this rate, your children may know these animals only through textbooks, for they will have vanished from the scene. Our wildlife is an indispensable part of our heritage and it must be protected. I was shocked by a recent Bureau of Sport Fisheries and Wildlife Study which listed 89 species of wildlife: 14 mammals, 46 birds, 8 reptiles, 21 fish, which are now threatened with extinction. Equally appalling is the long list of extinct species which once were a part of the fauna of North America.

The picture is bleak, common sense tells us that. But the Federal Government is beginning to put its house in order so it can adequately deal with environment control.

The President has recently created the Environment Quality Council. This council is a cabinet-level advisory group which will provide the focal point for this administration's efforts to protect all of our natural resources. The Council will review existing policy and suggest ways of improving it. In other words, it's an effort to unite all the government operations into an efficient coordinating body.

A national policy must include the following to be effective: First, environmental quality must be considered in a worldwide context, extending in time from the present, far into the future. Second, purposeful, intelligent management to recognize and accommodate the conflicting uses of our environment must be a national responsibility. Third, information required for systematic management must be provided in a complete and timely manner. Fourth, educational efforts developing are essential in individual citizen understanding and appreciation of environmental relationships and participation in decision making on these issues. And finally, science and technology must provide management with increased options and capabilities for enhanced productivity and constructive use of environment.

We need money. There is no question about that. We can do everything else, but if we don't have funds, we won't solve the problem. I'm not talking just about milking the taxpayer either. Industry and business must take more initiative and responsibility than they have in the past. For years our environment has been sacrificed to individual laziness and corporate profits. Our rivers have

provided the dumping ground for garbage, chemicals, and other waste products. That which is burned is poured into the air in the form of dangerous gases which, after a long period of time, can seriously impair health and shorten life.

Some industries have responded. Others have made token gestures. Most, however, will not risk even the smallest investment in the future of the environment because it might mean some loss of profits. Nobody's fooling anyone on this account—it will amount to some loss in overall profits. Any expense does that. The thrust of public opinion must be strong, because laws alone cannot police all the activities of government, industry or your neighbor. And actions have to be backed by finances. In its latest report to Congress, the Federal Water Pollution Control Administration stated that over the past fifteen years, private industry and business had contributed 700 million dollars to public facilities for water pollution control and $2.2 billion to waste treatment facilities of their own. New plants usually are equipped with waste control facilities, but most older plants have no facilities and do little in this area. It must be considered that by meeting minimum standards, our waterways could be kept clean, assuming that they were clean—which they are not. There is inadequate private response to address the task of compensating for the almost irreparable damage done in the past.

According to the Department of Commerce and the National Air Pollution Control Board, there is only 400 million dollars worth of air pollution equipment sold in a year. New industries, in publishing the amount of their profits used for conservation, will sometimes include the entire cost of the plant, saying that the entire factory is contributing to reduction of air pollution. How is that possible? If you drive through any city, you have to roll up the windows to be able to breathe. Four-hundred million dollars is a very small percentage of the total profits of all industries. Industry must be willing to invest in cleaning up the air and water. In short, the business community has an obligation to preservation of natural resources which it, by and large is not facing up to. Good environment is profitable.

We have to decide on how much progress toward achieving the zenith of our own comfort should be exchanged for the rape of our environment. As the pollution increases, people will demand more cars, more houses, more refrigerators, more boats, more one-way containers, more flip-tops, more airplanes, and so on. This means more pollution and more garbage and more wastes.

The task is monumental. It increases when you consider that misuse of our natural resources is expanding each year. As technology increases, new pollutants and chemicals are fed into our air and waterways. These in turn need specific scientific research for each pollutant.

I think we all know, as was the case with the moon landing: that when the nation commits itself to a goal, that goal is achieved. Why not apply the lesson that we relearned from the success of Apollo 11 to the crucial conservation problem on this planet.

The underpinnings of reaching our goals must be a greater care for future man and hard cash.

What I am asking for is nothing less than a total commitment on the part of each citizen of this nation to be prepared to act as well as pay for the preservation of our environment.

In my capacity as a representative of the people of this state and nation, I will work for the cause of conservation at the federal level.

I am deeply impressed with your concern and awareness. It is unparalleled by any other generation in our history. Each of you here has made a commitment to the preservation of our environment and it is an excellent beginning. But we will not solve the pollution until the commitment is total and national. It is your task to return to your communities and get your friends, neighbors, and legislators committed to the goals discussed here today. Your actions and hopes will create the realities of the future.

There is a popular song that was at the top of the charts recently and it begins: In the year 2525, if man is still alive . . . This is a pretty grim outlook. It is up to each one of you and it is up to me—all of us—to make sure that man does survive.

REVENUE-SHARING AS A MEANS OF MODERNIZING STATE AND LOCAL GOVERNMENT

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. REUSS. Mr. Speaker, current discussion of revenue-sharing is sharpened by a recent editorial broadcast on Boston's radio and TV station WBZ:

WITH STRINGS ATTACHED

We've long urged federal revenue sharing with states and communities. So basically we back President Nixon's plan to get this type of program started. But we've always envisioned revenue sharing as a way of bringing about some basic changes in the way state and local government operations are run. This is an issue President Nixon has ducked. And we think the final version of his revenue sharing program should be amended to include some definite reform provisions.

Accepted standards of state and local government operations have been spelled out in a whole series of public and private reports in the past few years. The federal government obviously can't make these changes from above. But there's no excuse for it to subsidize obvious waste and inefficiency.

Here in Massachusetts substantial progress has already been made toward reforming the structure of state government. The big needs now are for strong administration, real political leadership and a major upgrading of the personnel system. At the local level, though, darn little has been done, here or elsewhere. Prospects for action are still dim without some outside prodding. And there's no better prod than the danger of being cut off from a new and expanding revenue source.

Rep. Henry S. Reuss of Wisconsin, one of the early Congressional backers of revenue sharing, argues that the Nixon plan would be a "crutch to perpetuate ineffective state and local government." Instead Mr. Reuss would like to see it as a catalyst to bring about badly needed reforms. We think he's right. We hope many of you will back him up, too.

The editorial sets out quite rightly the view that revenue-sharing should be seen as a means of bringing about some fundamental changes in the way State and local governments operate. But it is in just this crucial respect that President Nixon's revenue-sharing proposal fails.

First, it seems that the States are to be given their money at once, without being required to undertake any reforms, indeed, without even being required to develop any plans for reform.

Second, the pass-through formula will apparently make all units of general local government eligible for a share of the money, thus assuring the most archaic jurisdictions and the tiniest of suburbs of support while failing to create any incentive toward consolidation.

Third, the formula for distributing funds within the State will do little to alleviate the scandalous disparity between the revenues of various localities with the same population. Community X may at present receive far more revenue than Community Y simply because it has several wealthy income-tax payers, or a vast public utility installation, or a sales tax generating shopping center. Moreover, Community X may have set minimum building cost limitations which in effect zone out poor people, particularly those with children. But if each unit of local government is to receive a sum "based on its share of total local government revenues raised in the State," rich Community X will get still richer, and poor Community Y will get only a litte less poor. Although the Nixon administration's proposal would permit States to develop alternative distribution plans, I see little incentive in the proposal for States to change present inequitable distribution formulas.

H.R. 11764, a bill introduced by me this year to make revenue sharing a "catalyst" for needed reforms, would provide block grants to the States and localities for a 3-year trial period, of $5 billion, $7.5 billion, and $10 billion, respectively. For later years, annual contributions at the $10 billion level are envisaged. There is only one big initial string attached to these funds—that the State develop in good faith a program setting out plans to modernize and vitalize its local governments and the State government.

Each State wishing to participate in the revenue-sharing plan of H.R. 11764 would develop a modern government's program over a 2-year period. H.R. 11764 would authorize $50 million to cover the full cost of all State planning.

The bill would create four regional coordinating committees of Governors—Eastern, Southern, Midwestern, and Western—also financed by Federal planning funds. Draft State programs would be completed within 18 months, and then forwarded to these Governors' committees for review and suggested improvements. The regional coordinating committees, after 6 months of dialog with State planners, would by majority vote send to the President those State government programs which they found reflected "sufficient creative State initiative" to qualify them for Federal revenue sharing.

Within a year, the President would make his own independent finding as to whether a State's modernization program qualifies it for revenue sharing. In reaching his decision, the President would be authorized to seek the advice of the Advisory Commission on Intergovernmental Relations, an independent and respected body of Federal, State, and local officials created by Congress in 1959. Only States whose programs were approved by both the coordinating committee of regional Governors and the President would be eligible for block grants.

In order to qualify for revenue-sharing grants, a State's modern govern-

ment program must include enough reforms to demonstrate bona fide "creative State initiative." The list of possible reforms includes recommendations made over the years by such organizations as the Committee for Economic Development, the U.S. Chamber of Commerce, the Advisory Commission on Intergovernmental Relations, the Council of State Governments, the National Municipal League, the National League of Cities, the Mayor's Conference, and the National Association of Counties.

These reforms are at three levels—interstate, State, and local. They would involve constitutional, statutory, and administrative changes.

Reforms at the interstate level include regional agreements among States, and interstate compacts, for cooperative efforts in health, education, welfare, and conservation, for the government of metropolitan areas overlapping State lines, and for dealing with other interstate regional problems.

At the State level, possible reforms include the short ballot, longer terms for constitutional officers, annual sessions of the legislature, adequately paid legislators, the merit system, modernized borrowing powers, rationalized boards and commissions, improved tax systems—including a progressive income tax—and assistance to local governments.

A first set of reforms at the most important local level would be designed to make local government operations more efficient, economical, and responsive. These reforms would include reduction of the number of counties, towns, and other unnecessary local units, promotion of all forms of metropolitan government and true home rule, adoption of the short ballot, modern borrowing power, the merit system, and decentralization of local government in order to make it more democratic and humane.

A second set of local government reforms would be aimed at removing economic disparities between various local governments, and supporting current efforts by big-city mayors and the Federal Government to save the central city. Among current inequities to be corrected are local zoning regulations which keep out low-income housing, or in some cases all homes. Related reforms would entail the revision of State grants-in-aid for local health, education, welfare, and housing activities, as well as State formulas for sharing of tax revenues, in order to eliminate preferences given to wealthy communities at the expense of poor communities.

Other economic reforms which have been proposed include easing restrictions on local taxing and borrowing powers, improving local tax administration, authorizing local governments to use nonproperty taxes, and furnishing State financial and technical aid to metropolitan areas for planning, building codes, urban renewal, and consolidation.

If H.R. 11764 were enacted in 1970, States qualifying for Federal block grants could begin receiving payments as early as 1973—the first year when a sizable Federal fiscal dividend can reasonably be expected. The only "string" on the block grants would be the demonstration of State initiative through the filing of modern governments' programs. These programs would be screened by the Governors themselves, and then reviewed by the President. There would be no statutory strings with respect to compliance with the State plans. However, some incentive to follow through on the plans would be provided by the requirement of annual reports to Congress and by the fact that the initial program would run for 3 years only.

For the initial 3-year period of 1973–75, the sums stipulated for revenue-sharing are in the annual range of $5 to $10 billion. They would be authorized and appropriated by the usual congressional processes. Some have argued that a trust fund would be preferable in that it would give the States more assurance that funds would be available on a continuing basis. In H.R. 11764, I have opted for the annual appropriations process in the belief that Congress, for better or worse, must be the final arbiter of national priorities. Continuity in revenue-sharing is indeed vital, but Congress should probably retain the power, in a fiscal pinch, to share adversity between revenue-sharing and such competing claims as direct Federal spending, or the level of private spending as reflected by the Federal tax bite.

H.R. 11764 would allocate revenue-sharing funds on a basis which would make funds available via the States to cities and urban counties of more than 50,000 population, with the most money going to those of over 100,000 population. The allocation to each State and its localities would be based on population as a percentage of total U.S. population, but with an adjustment for relative tax effort, and a credit based on the State's revenues from its income tax. By giving extra weight to revenue from State individual income taxes, States would be encouraged to increase their reliance on this type of tax, which has not yet been adopted by a third of the States, and is only very modestly used by a large number of others.

Under H.R. 11764, allocation of funds to localities would proceed as follows: The share of each large local government within the State—cities and urban counties of over 50,000—would be derived by the ratio between its own local tax revenues and the total revenues from all State and local taxes in the State. Cities and urban counties would be entitled to these shares of their State's revenue-sharing payments: if population is 100,000-plus, twice the ratio; if population is 50,000 to 100,000, the product of the ratio times the percentage by which its population exceeds 50,000. In 1960, there were 310 over-500,000 cities, with 63.4 million inhabitants, and 407 over-50,000 counties, with 103.1 million inhabitants. Without double counting, the aided population was 121.7 million. Thus, only 717 of the Nation's 80,000 local units would be directly aided—avoiding staggering administrative complexities.

On a nationwide basis, this formula using 1966 statistics would allocate 65 percent of the revenue-sharing payments to the State governments, 22 percent to the cities, and 13 percent to urban counties. Based on past performance, a large portion of the States share would be rechannelled to local areas. In the case of a large urban State like New York, the percentages are respectively 22 percent, 67 percent, and 11 percent. In the case of a rural State, Wyoming, the percentages are 99, 0, and 1, respectively. In the case of a combined rural-urban State, Tennessee, the percentages are 47, 26, and 27 respectively.

The great advantage of this allocation formula for the localities—which was devised by the National Advisory Commission on Urban Problems headed by former Senator Paul H. Douglas—is that it would give smaller communities an incentive to consolidate into more workable metropolitan systems. By basing the formula on local taxation, it favors local governments that try to provide adequate services, and seeks to allocate payments between cities and urban counties which have overlapping boundaries.

I have outlined the essential features of H.R. 11764 in order to demonstrate how revenue sharing can serve as a catalyst to creative reform rather than as a mere crutch for our outmoded State and local governments. When the Nixon administration comes forward with all the details of its revenue-sharing proposal, I hope that we will find that it has changed its mind in some important respects, and come around to the view that revenue sharing should be used as an incentive to large-scale and progressive reforms at the State and local level of government.

RESOLUTION ADOPTED BY GEORGIA OILMEN'S ASSOCIATION

HON. ROBERT G. STEPHENS, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. STEPHENS. Mr. Speaker, the Georgia Oilmen's Association has adopted a resolution expressing the concern of its membership over the methods used by the Internal Revenue Service in the collection of the Federal income tax. This resolution calls for a complete reassessment and reevaluation of the Federal Revenue laws.

I think this resolution will be of interest to all of the Members of Congress. I submit it, therefore, for insertion in the RECORD:

RESOLUTION BY GEORGIA OILMEN'S ASSOCIATION

Whereas, The Officers and Directors of the Georgia Oilmen's Association have a vital and growing interest in government financing and the method of providing the revenue for such purpose, and

Whereas, the Georgia Oilmen's Association is now gravely concerned over the loss of certain constitutional guarantees to many citizens of our great nation, and

Whereas, the method of collecting federal revenue under the present Income Tax Laws is too complex and oppressive for compliance by the average citizen of this country.

Now therefore be it resolved that the Georgia Oilmen's Association petition the members of Congress from the Sovereign State of Georgia to encourage, promote and actively support a complete reassessment and reevaluation of the Federal Revenue Laws, and

Be it further resolved that the Georgia

Congressional Delegation be requested to give its most serious consideration to adoption of a National Sales and Gross Receipts Tax in lieu of the present income tax with the elimination of all such Federal Income Tax Laws as may be possible through the adoption of such procedure, and

Be it further resolved that the members of Congress from the State of Georgia be requested to use all means at their disposal to insure the constitutional rights of the individual and the privacy of one's affairs in the enactment of all Federal Revenue Laws, and

Be it further resolved that the Georgia Congressional Delegation, and the news media, be furnished a copy of this resolution.

Adopted this 18th day of June 1969, at Atlanta, Georgia.

BUDDY M. NESMITH,
President.

Attest:

HARRISON W. BRAY,
Executive Director.

TAX REFORM

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. TEAGUE of Texas. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include an editorial piece from the Boston Herald Traveler for August 13 relating to the actions of the Congress with respect to tax reform:

THE INVESTOR

(By Edson B. Smith)

QUARTER EARNINGS BELOW ESTIMATES; TAXES, LABOR COSTS RISE RAPIDLY

The second-quarter earnings in the cases of many important companies were not as good as had been generally expected. Labor costs, and particularly taxes, have been moving up more rapidly than have prices in several industries.

Declining earnings plus continued monetary stringency and the highest interest rates on record have made the going tough for the stock market. Most Wall Streeters have given up hope on Vietnam. Apparently today Russia is the only hope of persuading the North Vietnamese to quit. In the meanwhile there is little sign of the inflation slowing down. Stocks and bonds go down, so do business profits. But the prices of goods on average continues to rise.

The Nixon economists and the Federal Reserve have said they wanted to dampen inflationary expectations. There is little to indicate that their efforts have been successful but they have dampened about everything else, including the security markets and the feelings of business men about profits in the months ahead.

This exhibition Congress has been putting on about tax "reform" has made many investors sick at their stomachs. A lot of people thought that when they voted for Nixon last fall and he was elected we were about to get a decent conservative government. One thing which is increasingly clear is that Nixon can't control the left-wing gang in Congress, which seems to be getting worse than ever.

While Wall Street at the beginning of May was none too happy about bonds, the outlook for stocks and for business was generally deemed O.K. Now it is getting so one needs a magnifying glass to find even a little bull.

OIL COMPANIES TO FIGHT BACK AT "REFORMS"

The Texaco earnings for the second quarter of 1969 were definitely disappointing, $1.28 a share compared with $1.38 a year before. Gross was up but wages and taxes were up more with the resultant loss in net.

At last reports Congress was busily engaged in trying to cut the depletion allowance for the oil companies. They try to hold the price of gasoline and fuel oil down and our politicians at the national level slap them with more taxes.

Everybody with an ounce of brains knows that the combination of the labor unions and the tax collectors is going to boost the price of gasoline and other petroleum products. The Chase National Bank of New York, which has a department which is really expert in matters pertaining to the oil industry, says that profits are too low now, which is amply demonstrated by the current Texaco and other leading oil company figures.

Pretty soon the price of petroleum products will start upward. The people that run companies like Texaco and Shell are not going to sit idly by and let forces over which they have little or no control hurt them financially.

Secretary of Labor Shultz recently warned that a lot of men are pricing themselves out of jobs by the exorbitant wage demands. One of two things is bound to happen. Either prices are raised to offset rising costs or men are fired. And when a company's profits go down, the tax collectors' take drops proportionately.

Obviously one of the things there is no shortage of in the United States today is fatheads.

HOW TO LOSE A WAR

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. JACOBS. Mr. Speaker, with reference to the recently unearthed secret plan of the administration to end the war, does the following sound familiar?

[From the Indianapolis Star, Sept. 10, 1969]

HOW TO LOSE A WAR

The proposal to settle the Vietnam war by 18 House Democrats including 11th District Representative Andrew Jacobs Jr. should make Hanoi happy.

The plan calls for free elections in South Vietnam with the participation of all parties—including the National Liberation Front (NFL), the political arm of the Viet Cong.

The 18 House Democrats also urged that all foreign troops be withdrawn on a gradual, reciprocal basis following the elections.

How to get negotiations underway to accomplish all this was not included in the statement of the 18. It did call for a pre-election cease-fire, banning military operations and terrorist acts.

This is a totally unrealistic program. In the first place the development of the NFL is the work of Ho Chi Minh who attempted, following the partition of Vietnam in 1954, to capture the government of South Vietnam by political means. When this failed the acts of terrorism began. Villages were brought under the control of guerrillas armed from the north, brought in from the north and commanded from the north. This brought the plea from the late South Vietnam President Diem which led to the first American advisers being sent to Vietnam. Since then North Vietnamese regulars have invaded South Vietnam. Aided by the guerrillas they have conducted attack after attack culminating in the current offensive against the cities of the south.

The original aim of the NFL to win the south by political means failed. That led to a military attempt to seize control. So any agreement by the U.S. or South Vietnam which would allow their participation in the affairs of South Vietnam would be handing the NFL its original goal. It would be an admission to the world that the U.S. had failed in its commitment to South Vietnam.

It is possible the NFL might not win in a first election. But in the confusion of war and in the war's wake, what would be left to stop an infiltration of "voters" from the north? Who could stop the same terrorist tactics from influencing the vote of others, if the "foreign troops," meaning the U.S., had been withdrawn?

The proposal of the House Democrats, if accepted, would cause us to suffer a political defeat. It would hand to the Communists the objective they have sought since the beginning. It is a way to give Communist aggression another victory.

BARRATT O'HARA, A GREAT MIDWESTERNER

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. McCLORY. Mr. Speaker, Barratt O'Hara, oldest Member of the 90th Congress and its only Spanish-American War veteran, was one to whom the words "first" and "only" were often applied. Although a native of Michigan, most of his life was spent in the State of Illinois—a life of public service—and it was thus I came to know and respect him. Under the leave to extend my remarks in the RECORD, I wish to comment on this son of the great Midwest.

Much has been said and written since his passing, most of us are familiar with his adventurous role as a schoolboy explorer in Central America, particularly in the jungles of Nicaragua and Costa Rica. A teenager, he later enlisted in the 33d Michigan Volunteer Regiment to fight with the Cubans seeking their freedom from Spain. He was able to lay aside his uniform and return to high school to be graduated with honors, but he could not put aside the gratitude of those for whom he fought and he was awarded the Order of Military Merit by the Republic of Cuba.

There were the years in newspaper work, in the editor's chair from the Mississippi to the Great Lakes. After attending the University of Missouri and Northwestern University at Evanston, Ill., he began the study of law and graduated from the Chicago-Kent College of Law in 1912. That same year he was elected Lieutenant Governor of Illinois—the youngest in its history, a mere 30 years of age. He often served as Acting Governor when Gov. Edward F. Dunne was out of the State. Admitted to the bar in 1912, he resumed the practice of law in Chicago, in 1917, following his term in office of Lieutenant Governor.

It was in his role of alumnus of the Chicago-Kent College of Law that I knew him first. A student at the same law school 20 years later, I joined in the admiration of and respect for him as one of the most colorful and successful members of our alumni. He had been chief officer of a film company in Hollywood from which he resigned to enlist in the military service with the entry of the United States into the war with Ger-

many. He served as a major and as a division judge advocate.

On his return to civilian life, he resumed law practice and served as an attorney for the city of Chicago. He served as a radio commentator over WCFL—the voice of the American Federation of Labor—for a number of years. After less successful attempts, he was elected to Congress in 1948, serving in the 81st, 83d, and subsequent Congresses—the last of which was the 90th. It was in the Congress that his wealth of experience could be well utilized. As a member of the House Committee on Foreign Affairs and of the Subcommittee on Africa, he was warm and understanding in his attention to the developing countries. As a delegate to the 20th General Assembly of the United Nations, he gave conscientious service

For more than three decades, I have followed the career of Barratt O'Hara. Alumnus, fellow alumnus, fellow lawyer, fellow citizen, eloquent orator, and dedicated public official. It was my good fortune to be here when he was praised by his colleagues on the 50th anniversary of his career as an elected public official. He accepted our attention with characteristic humility and graciousness. Mellowed by the years, his devotion was undimmed, and his loyalty to his traditional background and his constituents was undiminished.

He has moved forward to answer a rollcall that we cannot hear and to receive an award we cannot see. For him adjournment and rest deserved.

JOEL PERWIN WINS NATIONAL COLLEGIATE DEBATE CHAMPIONSHIP

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. FASCELL. Mr. Speaker, several years ago I was pleased to be able to call to the attention of our colleagues in the House the accomplishment of a young constituent of mine, Mr. Joel Perwin of 500 Santurce Avenue, Coral Gables, Fla.

At that time Mr. Perwin had won the Florida State championship in debate and went to Omaha, Nebr., to represent Florida in the national high school debate competition.

Last summer I again heard from Mr. Perwin as he was about to enter his junior year at Harvard University. In the time that had elapsed, he had won many championships and been named best speaker in a number of tournaments. The Miami Herald's coveted Silver Knight Award had been bestowed on him.

But last summer young Mr. Perwin set his sights on the greatest prize of all for a debater. He wanted to win the national collegiate debating championship. I am proud that he received his first information on the national topic "Resolved: The Executive Control of U.S. Foreign Policy Should be Significantly Curtailed," from my office.

It was a long and often frustrating year for Joel Perwin. Victories in the routine tournaments were hard to come by, but he never lowered his vision of the final goal. He and his colleague qualified to represent their region of the country at the national championships, and entered the grueling 4-day competition in New York.

Mr. Speaker, I am proud and happy that, at the end of that tournament, Mr. Perwin and his colleague were judged to be the best collegiate debaters in the Nation, giving Harvard its first national championship in many years.

Mr. Perwin deserves the congratulations and respect which is due those whose persistence and determination combine with talent to bring them to great accomplishments.

I think it only fair to warn other aspiring debate champions that Joel Perwin has recently written again for information on the coming year's national collegiate topic. I know our colleagues will join me in wishing him congratulations and success in the coming year.

PRUDENT COURSE

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. BLACKBURN. Mr. Speaker, all of us desire peace and I am sure none of us desire it more than President Nixon.

Peace, however, is not always easy to come by and peace at any price can be too costly. Therefore, the President must move carefully and prudently in the quest for it.

The Atlanta Journal of August 28 carried an editorial that makes this point very well:

PRUDENT COURSE

President Nixon's announcement that he will defer a decision on further withdrawals of U.S. troops from Vietnam is the only rational approach to the upsurge of Viet Cong attacks.

The President made his initial unilateral offer to withdraw American forces from Vietnam as a conciliatory gesture toward the Cong. He clearly indicated that any sort of favorable response from the enemy would bring about further troop withdrawals.

The initial offer was ignored for awhile and then denounced. But a lull of a sort did descend on the battlefield and this was interpreted as a favorable response from the Cong.

The enemy's decision to break this lull and escalate hostilities could only serve to give President Nixon pause.

To continue to lower our strength while the enemy was increasing the intensity of his attacks would be little short of foolhardy.

Mr. Nixon is as anxious as the most ardent dove in Congress to terminate the fighting in Vietnam—perhaps even more so, for he has more at stake.

But the difference is that Mr. Nixon realizes the United States cannot simply cut and run, as some doves seem to think. We have a position of trust and we have responsibilities which we cannot eschew.

And as much as the President would like to see us out of the Vietnamese abyss, he realizes that it must be accomplished in orderly fashion and with a modicum of self-respect.

Consequently, for Hanoi to step up operations just at the time when the President is supposed to announce further troop withdrawals constitutes a well-considered slap in the face.

Mr. Nixon took the only course open to him in deferring his decision.

To proceed with the announcement of further withdrawals in the face of escalated enemy action would be tantamount to waving the white flag of surrender.

Mr. Nixon has taken the prudent course.

AIR FRANCE, ALITALIA, AND BRITISH OVERSEAS AIRLINES SHOULD BOYCOTT OPENING CEREMONIES AT DAMASCUS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. PUCINSKI. Mr. Speaker, my attention has been called to the fact that on September 15 the Syrian Government plans to open its new airfield at Damascus.

The Syrian Government is arranging a colorful program of festivities in connection with the opening of this new air facility.

Among those who have been invited to participate in these opening ceremonies are three international carriers that operate substantial flights into the United States. These are Air France, Alitalia, and BOAC.

It would be my hope that all three of these airlines would boycott the opening of the Damascus airfield in Syria until such time as the Syrian Government releases the two passengers who have been held hostage by the Syrian Government since the TWA airliner was hijacked to Syria more than 10 days ago.

It is inconceivable to me that these three international airlines would dignify the opening ceremonies of an airport in a country that is the first nation to seize international passengers as hostages for a bunch of hoodlum hijackers.

The hijacking itself is indefensible but the fact that Syria would be a party to this hijacking by illegally detaining these two Israel passengers on an American carrier is contemptable.

I call upon the management of Air France, Alitalia, and British Overseas Airways, in the name of decency, to announce they will not participate in the opening ceremonies of the airport at Damascus until these two Israel citizens who were legitimate passengers on an American carrier are released forthwith by the Government of Syria.

If these three airlines do participate in these opening ceremonies, I am going to call upon the International Association of Machinists and all other labor organizations in the United States to refuse to handle any work on aircraft belonging to these three airlines landing at American fields.

I have called for a boycott of Syria until these two American passengers are released. I cannot see how three international airlines which do a substantial traffic in the United States can remain aloof to the fact that two passengers on an American airliner hijacked in midair and taken to Syria continue to be held hostage by the Syrian Government in violation of every code of moral conduct by nations.

Mr. Speaker, it is my hope that the Governments of France, Italy, and Britain will impress upon these three airlines which carry the flags of these respective countries to refuse to participate in the Syrian ceremonies.

The detention of these two American passengers in my judgment is an act of international piracy and deserves the strongest condemnation by all nations.

CARGO DECLINE STIRS FEARS OF SMALL SHIP COMPANIES

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. FEIGHAN. Mr. Speaker, for the past 8 months I have included in the RECORD a number of statements and articles on the deplorable condition of our merchant marine, which has been allowed to deteriorate and dwindle, while the Soviet Union is placing a high priority on the building of their maritime industry. The merchant marine is our fourth line of defense, and it has performed exemplary service whenever there has been a call to arms.

Another example of the bleak future facing a maritime industry is the once profitable two-way hauling of ocean cargos between the United States and India by four American steamship companies, which is now almost extinct. Why? The Indian Government now has a fleet of fast ocean freighters which our foreign aid program indirectly brought into being. And so the U.S. propellers churn. Where to? Either toward extinction or healthy revitalization.

Further details on this subject are found in the following New York Times article by George Horne published on the 31st of August entitled "Cargo Decline Stirs Fears of Small Ship Companies".

CARGO DECLINE STIRS FEARS OF SMALL SHIP COMPANIES

(By George Horne)

An important segment of the merchant marine is facing a serious crisis, with the threat of ship lay-ups and possible bankruptcy for numerous small companies, operators warned last week.

Nearly 40 ships have been made idle in recent weeks, most of them World War II-vintage vessels on the verge of obsolescence.

One operator wrote a letter to Federal authorities and warned that various shiplines would have some 50 vessels in idleness for lack of cargoes by this week.

FOREIGN-AID CARGOES OFF

The companies are unsubsidized concerns, tramp operators, mostly small outfits with one or two ships that depend almost wholly on Government-aid cargoes and military shipments for their existence. There are however, some larger lines facing the same problems.

For the most part, they blame the Government for retaining in service, particularly in the Vietnam emergency sealift, a fleet of Federally owned warbuilt ships that were withdrawn from the National Defense Reserve Fleet bases during the height of the Vietnam operation.

But they also say that the volume of foreign-assistance cargoes has sharply declined in the last few months.

There is considerable bitterness among the threatened operators, who feel that they are being slighted by the Navy's Military Sea Transportation Service. At the height of the Vietnam sealift in 1965 and 1966 they responded to tonnage calls and put their ships in the emergency service, and now the Navy is letting them "whither and die" they said.

At the peak, the M.S.T.S. was using 172 of the old vessels withdrawn from reserve and patched up and made operable at a cost of more than $400,000 each. At the same time, the Navy agency had 239 ships under charter from various companies, the small ones and the big ones.

The reserve ships were being operated for the Navy by commercial concerns, under what is known as General Agency Agreements.

According to figures available last week, the fleet of G.A.A. ships is now down to about 70 vessels, and the chartering of privately owned ships has been reduced to about 140 craft.

Thus, the industry does participate in all of these operations in one way or another, but the critics of the Government say that as long as one privately owned ship is idle, the Navy should not be employing a Government vessel.

They have appealed to Maritime Administrator Andrew E. Gibson, in the Department of Commerce, and he has taken the matter to Under Secretary of the Navy John W. Warner, who is, Mr. Gibson said in a telephone interview, doing "everything that he can" to reduce the Government fleet.

Rear Admiral Thomas King, deputy commander of M.S.T.S., said last week that there was a "firm schedule" to withdraw the G.A.A. ships "as circumstances permit." But he added, "it has to be done with judgment."

Admiral King said that berth liner ships carrying parcel M.S.T.S. cargoes, together with outright charters of private freighters and tankers, were carrying about 80 per cent of the agency's entire sealift.

But the affected industry also complains that M.S.T.S. is keeping its charter rates for private ships at levels below what it costs them to operate their ships.

All of the lines say that their costs have increased by about 15 per cent in the current inflationary advance, but owing in part also to this year's wage rises for seamen. The M.S.T.S rate for a C–2 class vessel is around $3,520 a day but many owners have escalation clauses to cover wage increases. Some of the small lines are refusing to charter; instead they are laying up their ships, and a few have taken a cargo on a one-way voyage that ends in the sale of their ships for scrap in a foreign port.

The plight of the private vessels is worsened by their age and inability to compete in the world market for regular commercial cargo. Prohibitive insurance rates on old ships inhibits them. Many of them are close to a juncture at which expensive survey and repairs must be incurred. Moreover, a number of the critic companies are thinly financed, and the Navy is calling for a showing of financial stability before granting long-term contracts.

In both the shipping industry and the Government, bankruptcies are regarded as inevitable, just as they were in the aftermath of the Korean conflict in the 1950s, when more than 50 companies, mostly those relying on a one-ship operation, went out of business or failed.

The gloomy picture in this segment of the fleet is a part of a whole chapter in merchant marine deterioration. Although the country has many fine ships built by the hard-core subsidized segment (with as many 20-knot freighters as all the other major maritime nations combined), the main body of the fleet is old and worn out. In another year or two, 80 per cent of the merchant marine will be past the 25-year useful life span.

What worries the small independent lines, the tramp operators and some of the larger unsubsidized companies like States Marine-Isthmian, which owns fifty war-era vessels, is what they consider to be the inconstant support from the Government, particularly the Navy.

"One thing we can't survive," said A. Theodore DeSmedt, president of States Marine-Isthmian, "is governmental competition. They want us to be there if they have an emergency. The question we ask is this: for a future emergency do you need us, do you need conventional break-bulk ships, and if so, what support will you give us now, so we will be ready?"

Not all the irritation of the small lines is aimed at Federal agencies. They also complain that subsidized companies, already sustained by programed Government assistance, nose out the unsubsidized operators in competing for non-commercial cargoes because they have better fleets, including new tonnage, which only the aided lines can afford to build.

MEMORIAL TO A GALLANT MARINE

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. GROVER. Mr. Speaker, the loss of a son is always a cause for family sorrow. But how much more so when the loss of the young man occurs on a foreign battlefield under the cruel and frightening conditions of modern warfare. Indeed, such a tragedy is often attended by bitterness and despair.

Recently I received a letter from the parents in honor and eulogy of their fallen hero son. In its brevity and simplicity it is an expression of love for a son and faith in our great country so moving I am constrained to place it in the CONGRESSIONAL RECORD as a permanent memorial to their son, and to honor the families and sons in my congressional district who have similarly demonstrated courage and devotion to our country; those who have made sacrifices and endured anguish far beyond the understanding of most of us.

The letter is as follows:

Representative JAMES GROVER,
Capitol,
Washington, D.C.

DEAR SIR: Our Beloved and Precious Son Robert, a very brave and heroic Marine was killed in action April 16, 1968.

This obituary seems so light but its impact is heavy. In his short 20 years of life he lived and accomplished much. He loved his family, friends and college. He left all to serve his country which he loved best.

He was at Khe Sanh throughout the 77 day siege. His Battalion took the worst beating in Khe Sanh. After surviving the siege and being sent out continuously on search and destroy missions, He lost his precious life five days before He was to leave, in a battle that His Buddies told us "as bad as Khe Sanh was this last one was truly Hell."

We feel it would be fitting and proper if it is possible to have a flag that has flown at the Capitol, to be flown at our home in Honor and Memory of our Precious Son Robert D. Cicio.

Respectfully,

NELLIE and VITO CICIO.

Mr. Speaker, I will indeed send a flag to Mr. and Mrs. Cicio, and one which will be flown over the Capitol, in honor of Marine Robert Cicio, beloved son and patriot.

THE WAR

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. BINGHAM. Mr. Speaker, Mr. Pete Hamill, one of the most stimulating columnists and reporters in New York, has written a very moving and justifiably angry column on some of the human aspects of the war in Vietnam. This column, on a subject about which so much has been written that it seems all the phrases would be worn thin, stands out from the torrent of words. A number of my constituents were as impressed with it as I am, and feel it deserves wider attention. For the RECORD, I am, therefore, submitting a copy of Mr. Hamill's article, "The War," from a recent issue of the New York Post:

THE WAR

(By Pete Hamill)

The day was fine and lovely, one of those late summer New York days when all the girls are beautiful and all the men are polite. In dark afternoon saloons, there was warm talk about the Mets. Men headed for the parks to play ball with children. On the piers, you saw longshoremen taking off their shirts to spend a few sweet hours watching the barges slice up the rivers. It was a day made for small wonders, but Roy Peterson, Gerald Silverstein and Richard Doria were not here to celebrate them. Roy Peterson, Gerald Silverstein and Richard Doria are dead.

They died in the swamps and muck of Vietnam, and their blood is on our hands. We have rather given up on stopping that war; it has become some strange and terminal disease, one that seems out of human control. The slick diplomats sit in Paris, Richard Nixon and his agents sit in San Clemente, and every week the best young people we all know are shipped out to die.

It is Richard Nixon's war now, but nobody seems to care. Nixon got a lot of publicity by ordering 25,000 men home, but there was little notice that at that rate it would take 23 years for us to get out of Vietnam. Some nerve of moral outrage seems to have died in us; the Green Berets get involved in a gangland-style murder, and we read it as if it were a movie, and not the act of men from a democracy. The troops of Company A, sick and bone-weary, their nerves shredded by too much death and slaughter, refuse to move out and their action is treated as a one-day curiosity, instead of one of the most damning judgments yet made about our filthy commitment.

Already there are 38,000 young men dead. There are hundreds of thousands who are maimed and crippled, men with steel and plastic where their bones once were, men with poisonous dreams in the dark of night, men whose eyes will never see a flower in spring, men who will never play ball with their children at dusk because it takes arms and legs to do so. Those young men will carry the infection of the Nam across all the summers of their lives.

Roy Peterson, a Pfc. in the Army, will hear no brass bands at Seattle; he will never loll on the corner of E. 17th St. and Av. S in Brooklyn, watching the girls go by, or talking about the Mets. Warrant Officer Gerald Silverstein will not walk the Grand Concourse with his wife, or play a radio on a stretch of summer sand, or feel himself tickled by the rub of love. SP/4 Richard Doria will never hold a son in his arms, or feel wonder, or have a beer with his friends in White Plains. For them, the war is over. They had the worst luck of all; to be young and brave in a bad time.

And yet we owe them something. We owe them the promise that no more of their friends will die. It should be our duty to change all of this around, to stop this slow and filthy dance on the killing ground, and let our young men live out their lives. It is a measure of how much Vietnam has corrupted our sensibilities that we seem unable anymore to act on such promises.

The other night in Brooklyn I was drinking with some young men, all of whom had survived the Nam. Not one could think of anything he had done there which was sweet and honorable. They hated the war when they were there; they hate it more now.

You can con a generation just so much. And these young men know now that they were conned, that the brave politicians had never had the guts to bring this war to an end. They know that if every Congressman, Senator and employe of the Defense Dept. were sent to Vietnam as troops, the war would be over tomorrow. If Mendel Rivers had to carry an M–16 up Nui Lon Mountain he wouldn't be so brave with his mouth. But we know how wars are put together: old men, rheumy with bitterness, corruption and power, start the wars; young men fight them.

And this time we have asked them to fight on the wrong side. Our allies are the most debased, corrupt government in Southeast Asia, a collection of blackmailers, thugs and totalitarians. They are fighting for the integrity of their Swiss bank accounts; when the war is over, they will lie on the Riviera; Roy Peterson, Gerald Silverstein and Albert Doria will not share their champagne.

When my brother John was there as an airborne medic earlier this year, he found himself searching the bodies of North Vietnamese soldiers who had been killed somewhere near Bong Son. In the pockets of one of them he found a wallet. The wallet contained pictures of the dead man's wife and children, and a magazine photograph of John F. Kennedy. There was no way to find out why, but I would certainly have preferred to talk for a few hours with that young Vietnamese than with Melvin Laird. That, of course, will never happen because like 38,000 of our brave children, he too was dead.

WASHINGTON, D.C., TRANSPORTATION PROBLEMS

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. EDWARDS of California. Mr. Speaker, some time back the City Council of the District of Columbia under pressure from this Congress bowed to congressional demands for the construction of the bridge and freeway system. In return the District believed funds for construction of a much needed subway system would be freed. Those funds have not been freed and the public and journalistic reaction to the arbitrary demands of Congress becomes more bitter.

So that we may see ourselves as we are seen by the public, I ask that a letter published in the September 6, 1969, edition of the Washington Afro-American be reprinted in this RECORD along with an article published in the New York Times on August 24, 1969. Both are representative of the reaction to the congressional use of force in this dispute:

CASE AGAINST FREEWAYS

Dear AFRO:

President Richard M. Nixon would surely be well-advised to keep the following points in mind as he and Department of Transportation Secretary John A. Volpe go forward with their new freeway program in the District of Columbia. For example:

1. A local newspaper pointed out that "most Washingtonians who would be displaced are black and most suburbanites are white, and the suburbanites would presumably make greater use of the roads. Everyone who has studied the problem at all knows that these roads are for white suburban commuters, and question the use of 90–10 Federal funds to build commuter roads, disguised as interstate highways.

2. The second victim of President Nixon's new road program was the D.C. City Council, it is now clear. The Black United Front, for instance, has asked those black councilmen who voted for the Nixon highway program, the Rev. Jerry Moore, Sterling Tucker, Joseph Yeldell, and Mrs. Margaret Haywood, to send their resignations to President Nixon, and have also demanded home rule. This issue will heat up.

3. The first victim of President Nixon's new highway program for the District is peace and stability in the District of Columbia. More black citizens and their families will be displaced by Pres. Nixon's highway program than were displaced by the Eisenhower-Nixon Southwest Urban Renewal Project in 1953. 23,500 citizens were displaced from the SW urban renewal project, 70 per cent of them low-income Blacks.

4. The shape of the dismal future in the District was predicted at a St. Louis meeting of the American Road Builders Association by Richard J. Whalen, a writer for the Saturday Evening Post and a recognized national authority on the Federal Highway Program, who said that black citizens of Washington, D.C. will refuse "to allow white men's highways to run through black men's bedrooms. And behind this refusal lies raw, violent, physical power."

5. Rep. Augustus F. Hawkins of the Watts area of Los Angeles has introduced a new bill, H.R. 13487, "to reduce the number of homes and small businesses destroyed by Federally-aided programs which use eminent domain powers to excess," a measure which is long-overdue in the District of Columbia.

This bill should be supported by all citizens opposed to the destructive new road program approved by the City Council, and by those who realize that home ownership and "a piece of the action" will stabilize black residential and business areas. This bill would provide the black business areas on U Street and elsewhere in the District the same kind of favorable zoning given the white areas to prevent slum and blight.

City planners in Tokyo have now provided high buildings to relieve pressure on the soaring price of land which will make it possible to compete with the suburbs which, as here, are getting the jobs and new housing. We can and should learn from other cities from Los Angeles to Tokyo, how they use land and prevent slums and blight and rebuild burned out areas devastated by war, arson, slums, blight, poor planning, etc.

6. The Evening Star, which was largely responsible for the new Nixon Highway Program, published on August 10, 1969, page A–6, a map showing the freeway related to the Three Sisters Bridge in a tunnel under K Street. This route would not displace a single family or business. However, if this freeway is built in the Florida Avenue-U Street corridor, thousands of black citizens and hundreds of black small business will be displaced. President Nixon must see to it that this freeway is built in a tunnel under K St., and citizens, black and white, of the

District and of suburban Virginia and Maryland must join together on this issue, to make certain it is built there and not in the black areas.

7. Secretary of Transportation Alan Boyd dropped the Three Sisters Bridge and its related freeway. The Washington Post (Aug. 19) said: "ECTC's view was lent some legitimacy by former Transportation Secretary Alan S. Boyd. He once recalled publicly that the North Central (Freeway) had been shifted from the predominantly white Wisconsin Avenue corridor to a predominantly black area of Northeast Washington." Secretary Boyd also said that the Wisconsin Avenue corridor is the logical route for the North Central. He said white political clout moved the freeway.

We are convinced that the study of the North Central Freeway required by the Federal Highway Act of 1968 if carried out in a fair and objective way, as it must be, will show one of two things (a) that it is not needed, or (b) that Secretary Boyd was right and that the Wisconsin Avenue corridor is the logical place to build the North Central.

Clearly, the North Central should not be built in Northeast Washington and, wherever it is built, it should be built in a tunnel to avoid displacement of families and businesses—just as the Evening Star has said the freeway related to the Three Sisters Bridge will be built in a tunnel under K Street. Wisconsin Ave. surely deserves to have the same protection as the Evening Star would provide for K Street—and this goes for all areas traversed by the North Central and the Three Sisters Bridge freeway connector.

8. The Emergency Committee on the Transportation Crisis has labelled as "an unprecedented intervention" in court matters President Nixon's statement, in a "Dear Bill" letter to Chairman William H. Natcher of the House Appropriations Subcommittee on the District of Columbia, that he has directed Attorney General Mitchell and Transportation Secretary Volpe to help the D.C. Government "vigorously defend" any law suits attacking the new Nixon Highway Program.

Surely, such manipulation of the courts—coming on top of the plans of President Nixon to build the North Central Freeway, and the Freeways related to the Three Sisters Bridge, in the black areas of Washington to protect and preserve the white areas—are the very things which will heighten racial tension and harden the resolve of District citizens in Northeast Washington, and in the Florida Avenue-U Street corridor, to preserve their homes and businesses.

At a time when so many people of both races have been working for good race relations, it is clear that President Nixon has been very ill-advised, indeed, to take positions and advance programs which are so clearly destructive of the homes and businesses of black citizens.

President Nixon should be the first to recognize that his Administration, as well as the courts, will suffer if the courts come to be dominated by the highway-parking-trucking-big-business-white-only lobbies, and the suburban country club set, which are pushing the new Nixon Highway Program. The courts will undoubtedly react strongly to any suggestion that they are the "willing tools" of the white suburbs against the inner city.

And, President Nixon owes it to the black citizens of Washington to take special and definitive steps to avoid the kind of thing which took place in Nashville, Tennessee. Here is what the Saturday Evening Post wrote about the Federal Highway Program in Nashville on December 14, 1968—

"A three-mile segment of the inner loop of Interstate Highway 40 will pass through North Nashville, the city's oldest ghetto, destroying or seriously disrupting 234 colored-owned businesses with a gross annual volume of $11,700,000. These represent more than 80 percent of all the colored-owned businesses in Nashville's home county . . . As I–40 marches through the ghetto, and feeder streets such as Jefferson are widened, the bulldozer will level about 650 houses, 27 apartment buildings and several churches. An area of almost 100 square blocks will be walled off. Even those businesses not marked for physical destruction face financial ruin as their customers flee.

"The route of I–40 was briefly discussed at only one poorly advertised public hearing in May, 1957. For a decade, when colored people inquired about it, they were told that the route was 'preliminary' and 'subject to change.' Without further hearings, the state quietly committed $10 million to engineering studies and land acquisition. In a suit that they fought to the U.S. Supreme Court, the colored people, organized as the I–40 Steering Committee, contended that inadequate public hearings and the lack of any study of the economic and social consequences of the highway violated federal law. Beyond that, they charged that the right of way was chosen on a racially discriminatory basis. (Note—there has been no such study here.)

". . . The expressway is needed, so the local, state and federal governments maintain, to speed through traffic across the state from Memphis to Knoxville. In practice, the road will be most useful to white commuters from the suburbs of East and South Nashville on their daily trips to work in West Nashville's growing industrial complex. The unemployed and underemployed colored people of North Nashville, who number one in four of the working-age population, will be able to sit on their crumbling porches and watch the white men's cars whiz by. In countless ways the expressway will remind the colored people that they stand outside the 'system' that built it. The construction of Nashville's self-destructive expressway is a symptom of the deepest crisis of the American environment."

9. Many diverse groups have aided in fighting the destructive freeways in Washington, D.C. These groups include the two old-line citizen and civic Federations, the Midway Civic Association, the Kalorama, and DuPont Circle, and Georgetown, Citizens Associations, the Emergency Committee on the Transportation Crisis, the Democratic Party, the Committee for the Rights of the Washington, D.C. Business Community, the Committee of 100 on the Federal City. The Democratic Party put the D.C. freeway issue on the ballot last year and the citizens demanded a referendum to decide freeways by a vote of 93,000 to 4,000.

The Federation of Citizens Associations on July 24 (it is largely white) recommended that consideration of additional gateways and freeways in the District of Columbia "be deferred until the rapid transit system is in operation and the need for such additional freeways has been demonstrated. Included in the programs which we recommend be deferred are the Three Sisters Bridge and the North Central Freeway." This clearly is not just a cause for black citizens.

The D.C. Federation of Civic Associations voted on July 25 to participate in a lawsuit, if necessary, to stop construction of the Three Sisters Bridge and the North Central Freeway as a price for a start to the subway system. The Evening Star (July 26) also reported that the Federation voted to lobby on Capitol Hill against the Three Sisters Bridge and its related freeway, and the North Central Freeway.

These are the groups, representing all but a tiny handful of District citizens, which the Post and Star regularly denounced as "noisy extremists." Most of those pushing the freeways and parking plans are white suburbanites, whom these papers support.

10. The Emergency Committee on the Transportation Crisis (ECTC), which has fought the freeways hard and well, will begin circulation of charts in the Florida Avenue-U Street corridor in a few days showing the homes and businesses which will be destroyed to make way for the freeway connector to the Three Sisters Bridge, we have been advised by R. H. Booker, chairman, and Sam Abbot, publicity director. Buildings to be taken include the headquarters building of Pride, Inc. at 16th Street and U Street, NW.

11. Rep. Hale Boggs, a leading Democrat in the Congress, on August 11 in a speech on the House floor, called for the formation of an ad hoc committee here composed of civic and citizens groups and individuals which will bring all factions together to meet with top Federal officials. It is high time that such an all inclusive ad hoc committee was formed to deal with the highway issue, instead of letting the freeway issue be dictated by the highway-parking-trucking-big business lobbies which are big contributors to the Republican Party. Rep. Boggs helped stop the Freeway in New Orleans, after two were stopped in New York. The issue was aptly framed by Rep. Edwards (D-Calif.) in a speech on the House Floor on August 11, in which he said this about the situation here:

"I am ashamed of the recent misuse of Congressional power in this District, I am ashamed of the use of blackmail, withdrawal of funds, aid threats used to blackjack the City Council of Washington, D.C., into accepting a freeway plan and the Three Sisters Bridge.

"I wonder if this House of Representatives might consider allowing the citizens of Washington to have their views represented in our deliberations. In particular, I would suggest the Congress allow the people of Washington to vote on the freeway and on the bridge—a referendum as has already been proposed—and that Congress abide by the wishes of the people of Washington. We are, or at least we are supposed to be, a Republic and we do, or at least we are supposed to, represent the wishes of the people.

"For those who decry civil disorder, and I am one of them, I would remind them of the duties of government. In December 16, 1773, the people of Boston made known their feelings about taxation without representation. I do not recommend such a party to the people of Washington, D.C., but I do hope they will be allowed to make their wishes known to this Congress and that this Congress will respond to them."

MRS. SARAH E. ELLIS,
Chairman, Committee for the Rights of the D.C. Small Business Community.
GEORGE FRAIN,
Delegate, D.C. Federation of Citizens Associations.
CATHERINE MCCARRON,
Past President, DuPont Circle Citizens Association.
PHILIP BROWN,
Delegate, D.C. Federation of Citizens Associations.
SYLVIA L. KOHRN,
Property Owner, Silver Spring, Md. and Washington, D.C.

DISTRICT OF COLUMBIA, TO GAIN SUBWAY, ACCEPTS BRIDGE AND FREEWAY IT DID NOT WANT

(By Paul Delaney)

WASHINGTON, Aug. 23.—The District of Columbia, after decades of controversy, is getting a new subway to help solve its transportation problems. It also will get a $105-million Federal contribution to its budget. Its authority to tax real estate and personal property will not be tampered with.

But it will also be given a new bridge across the Potomac River and another freeway, which its City Council does not want.

The passions over the issue are so strong that they have produced a physical clash that resulted in the arrest of two elected officials.

The arrests came earlier this month during a meeting at which the council, bowing to Congressional pressure, voted to approve a package deal in which it, in effect, accepted

the bridge and the freeway as the price for winning the subway and other benefits it wanted.

FIGHT FOR HOME RULE

To Washington citizens, the freeway-subway battle is symbolic of the long fight for home rule.

When President Johnson issued a 1967 executive order that established a new city government under the Reorganization Act, most officials knew they were not really taking any authority for running the city away from Congress. But many had hoped that Congress would not seek to thwart the new City Council if it was acting in a united fashion to carry out the clear will of the people.

Now, such leaders as Vice Chairman Sterling Tucker say that the freeway-subway fight has made it clear that the city is still under the rule of a national legislature that it can neither elect nor greatly influence.

They fear that the present city government may have been permanently damaged and may never gain the confidence of the people.

"Of course our image suffered," commented Mr. Tucker. "It may come to the point where we all might have to resign, the Mayor and council."

"CONGRESS PREDOMINATES"

Councilwoman Polly Shackleton remarked: "The significant thing about the fight was that Congress showed us who was boss. Everybody was much too optimistic that we had power and really were a City Council. But when we get into a crunch, Congress predominates. That's the way it is. We should have known it."

Adding to the frustration of District residents is the fact that antifreeway forces are winning some battles against new urban roads in such cities as Philadelphia, Baltimore, New Orleans and New York.

The bridge plan was strongly backed by Washington merchants, who believed the proposal would bring carloads of surburban shoppers into their downtown stores.

But it was vigorously fought by residents who said its approaches would obliterate a scenic section of the historic Georgetown shoreline and further congest crowded city streets. Many black residents feared the freeway would sweep through their neighborhoods, displacing hundreds.

RELUCTANT ACTION

The council, making it clear that it was acting against its will, finally voted 6 to 2 to accept the bridge and freeway, with the provision that an alternate freeway route would be studied. Thus the council cleared the way to get the subway, whose funds had been held up in an 18-month fight with Congress.

Throughout, Representative William H. Natcher, Democrat of Kentucky, who holds a key voice over District of Columbia funds, was adamant: no bridge, no subway.

Funds for the bridge and freeway had been included in the original transportation plan approved by Congress for the city, and he apparently believed that it was a good program with construction well under way and that the council opposition was irrelevant.

The lines in the freeway-subway fight were clearly drawn. On the one side was the nine-man city council, appointed by the President but representing the city's largely black populace. On the other side was Mr. Natcher, intervening on behalf of Congress.

NAMED BY JOHNSON

The council, composed of six Negroes and three whites, was named originally by President Johnson and told to "act as though you were elected." The members worked hard at that assignment, often championing the black community.

Mr. Natcher, from the conservative tobacco-and-corn country around Bowling Green in south central Kentucky, holds the purse strings of the city as chairman of the House Appropriations subcommittee on the District.

The new City Council, taking office in 1967, was directed by President Johnson to work with the National Capital Planning Commission to develop a major comprehensive transportation plan for the District. The commission and the old form of government, the three-man Board of Commissioners, had never been able to agree on a plan, though freeway construction was proceeding from plans adopted by the old board.

In a series of public hearings directly and indirectly involving freeways, testimony from public groups was overwhelmingly against the Three Sisters Bridge and the North Central Freeway. Support for the freeway project was voiced by the Metropolitan Board of Trade and several representatives of trucking concerns.

PROJECTS ELIMINATED

Responding to what appeared to be the expressed demands of the people, the new council and the newly constituted planning commission adopted a plan that omitted the bridge and freeway, thereby eliminating the two projects specifically called for by the Highway Act of 1968.

That act was the basis of Mr. Natcher's persistence. He would not tolerate the council's defying an act of Congress. He then tied release of money to begin construction of the $2.5-billion 98-mile subway to the start of construction of the bridge and finding an alternate route for the freeway.

The council, in its opposition, was acting on direction of President Johnson, who noted that he would have vetoed the act if he had thought the council would have to follow what he considered to be an illegal attempt of Congress to tell the District it had to build a bridge and freeway it did not want. Freeway foes have already notified the city they intend to file court suits to test the legality of the provision of the act that forces the city to build the bridge and freeway.

The first indication that some members of the council were sympathetic to the cause of the freeway foes came during consideration of the 1969 budget. A motion to cut freeway money out of the budget lost by only one vote.

Two months later, in February 1968, a Federal court ruled that the city had violated an old statute in failing to hold public hearings on freeways, and work on four projects was stopped.

ORGANIZATION REVIVED

Those two events put new life into an organization that had been fighting freeways for several years, but with little success—the Emergency Committee on the Transportation Crisis.

The committee's leaders were R. H. Booker, a 28-year-old dashiki-wearing black clerk with the General Services Administration, and Sammie Abbott, 58, a slightly built white resident of Maryland who operates a business here.

The committee exerted a major influence on the council and its first chairman, John W. Hechinger, owner of a chain of hardware-lumber stores who was converted to the cause of the black poor in Washington and kept the pressure on the entire city government.

But Congressional overseers of the District were accustomed to be obeyed. Two men accustomed to carrying out Congressional orders in the District were Mayor Walter E. Washington and Deputy Mayor Thomas W. Fletcher. They urged a compromise, and Mr. Fletcher at one point accepted the Congressional plan in a deal that Mayor Washington later disclaimed.

THREE VACANCIES

After the election of 1968, it was felt that President Nixon would fill three vacancies on the council, including those of chairman and vice chairman, with persons who would accede to Congress. But he did not.

He appointed as chairman Gilbert Hahn Jr., a Republican lawyer and former money raiser for Republicans in New York City; as vice chairman, Sterling Tucker, a Democrat who is an Urban League official, and as the third member, the Rev. Jerry Moore Jr., a Republican, pastor of a middle class black Baptist church a few blocks from the White House.

Mr. Hahn was not committed either way when he took office in March, but a month later he came out forcefully against the projects "because my clients, the people of the District, don't want them."

With this stand, Mr. Hahn, whose family owns a chain of shoe stores in the Washington area, gained many supporters and the confidence of both white conservatives and black militants.

CONGRESS DEFIED

The Hahn-led council defied Congress, taking on all challengers. Corporation Counsel Charles T. Duncan ruled that Mayor Washington could let contracts for the Three Sisters Bridge without council authority.

Mr. Hahn dared the Mayor to do it.

But Congressional pressure mounted and appeared irresistible to a majority of councilmen.

In Washington the freeway-subway issue had been made part of nearly every issue. The budget was in jeopardy. Programs were being cut from appropriations, and revenue proposals were threatened. The pressures mounted. When Mr. Hahn finally called a meeting for Aug. 9, the end was already in sight.

After the meeting was disrupted and violence broke out, 14 persons were arrested, including Mr. Booker and Mr. Abbott. Also jailed were Julius Hobson, a member of the school board, and Bruce Terris, chairman of the District Democratic Central Committee. Ironically, Mr. Hobson and Mr. Terris are members of the only two political bodies directly elected by the citizens of Washington.

After the vote, Mrs. Shackleton a tough former District Democratic national committeewoman and Councilman Stanley J. Anderson, the two who cast the two dissenting votes, both broke down and wept.

"This whole episode shows that we are a creature of Congress, a kind of amoral creature," Mr. Tucker said. "Our political soul belongs to someone else."

TRIBUTE TO THE HONORABLE CHARLES S. JOELSON

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. REUSS. Mr. Speaker, I am pleased to pay tribute to the Honorable CHARLES S. JOELSON as he leaves the House to become a judge of the Superior Court of New Jersey.

I know that Mr. JOELSON will exhibit the same kind of insight, creativity, compassion, and diligence in his new judicial role that he did as a legislator. Through his exemplary work on the House Education and Labor, and Appropriations Committees, Mr. JOELSON gained a richly deserved reputation as a man of integrity, responsibility, and high intelligence. Possessed of such qualities, he is a valuable addition to the New Jersey bench.

Personally, I wish Mr. JOELSON the best as he departs the House. However, it is saddening to know that his considerable wit shall be absent from the House floor. His legislative ability also shall be missed.

Mr. JOELSON is a truly dedicated public servant, one who has never ceased to

strive in the public interest. Aside from his distinguished 9 years in the House of Representatives, he has been a deputy attorney general in the State of New Jersey. Mr. JOELSON entered public life 20 years ago as city counsel for the city of Paterson, N.J. His record speaks for itself.

CHARLES JOELSON has set an admirable example, both in word and deed, for his House colleagues during his tenure. Perhaps this has been his most valuable contribution to this body. It is as a model of excellence in public service that we who remain in the House shall continue to know him.

SMOKING DDT

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. OBEY. Mr. Speaker, many years ago the poet Carl Sandburg wrote a poem called "The Fog," which became quite popular and is quoted often. It goes as follows:

The fog came in on little cat feet. It sat looking over harbor and city on silent haunches, and then moved on.

Recently I read two small items which reminded me of that poem.

One was an editorial in the Wausau Record Herald. It told of research at North Carolina University which found that DDT residues in cigarettes and cigars are six to seven times as high as that permitted by the Food and Drug Administration for leafy products such as cabbage, lettuce, and spinach.

Another article appeared in the latest issue of Conservation News, published by the National Wildlife Federation. Quoting from information received from the Wisconsin Department of Natural Resources, and entitled "DDT Cuisine," it gives pointers to every camper and fisherman who looks forward to cooking a Lake Michigan trout on the day he catches it. Again, the problem is DDT, and the residues of this pesticide which are found in the fatty tissue of trout and other fish which live in the waters of Lake Michigan.

The idea of smoking DDT or providing recipes for cooking it out of fish would undoubtedly be funny, if the situation were not so serious. So, Mr. Speaker, it is not fog, but DDT which is lurking over harbor and city, lake and stream. It sits on silent but deadly haunches, and moves on from place to place, where it pollutes the environment and dooms the fish and wildlife with which it comes in contact.

Unfortunately, it is not difficult to turn Mr. Sandburg's beautiful image into a deadly one.

The articles mentioned above follow:

[From the Wausau Record Herald, Aug. 14, 1969]

SMOKING DDT

The surgeon general has identified certain substances in tobacco that can cause cancer, chronic bronchitis and pulmonary emphysema.

But there's even more bad news for smokers.

North Carolina University researchers have found 38 parts per million of DDT in cigarettes and up to 53 parts per million in cigars. In addition, it found 100 parts per million on the green tobacco leaf after harvesting.

It is interesting to note that tobacco is the only consumable agricultural crop that does not have a tolerance level specifying when the pesticide residue is hazardous. The tolerance level for DDT established by the Food and Drug Administration for similar leafy products, such as cabbage, lettuce and spinach, is seven parts per million.

These statistics are being used by Sen. Gaylord Nelson, D-Wisconsin, in fighting for a national ban on DDT. They may also be used to encourage the Wisconsin Legislature to take action on such pesticides.

Before recessing the Legislature had differing bills in the Senate and Assembly on the matter. Each was passed on a unanimous vote, but there was disagreement over details.

DDT is a non-degradable pesticide, the residues of which have even been found in penguins in Antarctica, not to mention the birds, fish and animals within this state.

We need a tough DDT control program, at the very least. At best, it should be banned.

[From Conservation News, Aug. 1, 1969]

DDT CUISINE

Wisconsin chefs confront a new challenge in the preparation of trout from Lake Michigan waters: how to keep the flavor in and the DDT out.

Wisconsin Department of Natural Resources has found that "up to 55% of DDT residues in fish taken from Lake Michigan can be removed before the fish are eaten." Gourmet fanciers of baked trout amandine eat at high risk to their well-being. Deep-frying was shown to reduce DDT residues by 55%; broiling by 36%; and baking by only 11%.

After you slide your first sizzling batch of trout out of the fry grease, the Wisconsin Department of Natural Resources suggest that you discard the DDT-saturated cooking fat before you plop the next rainbow into the pan.

NORTH BRADDOCK MARINE KILLED IN VIETNAM

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. GAYDOS. Mr. Speaker, it is with deep regret that I announce the death of another of our brave fighting men, Cpl. Carl S. Mikula, of North Braddock, Pa., who died of wounds received on August 24 in Vietnam.

We owe a profound debt of gratitude and appreciation to our dedicated servicemen who sacrificed their lives for this great country. In tribute to Corporal Mikula for his heroic actions, I wish to honor his memory and commend his courage and valor, by placing in the RECORD the following article:

DISTRICT MARINE KILLED IN VIETNAM

A North Braddock Marine, who hoped that his children "would never have to go through this (Vietnam) war," has died as a result of wounds he received in Quang Nam province, the Defense Dept. announced.

Cpl. Carl S. Mikula, 21, died Tuesday at Da Nang Hospital from wounds he received Aug. 24. He had been in Vietnam about 10 weeks.

Serving with the 1st Marine Division, Cpl. Mikula enlisted in June, 1968.

In a letter to his parents, Cpl. Mikula of 1305 Bell Ave., said the South Vietnamese "needed our help. From all this I can see that Americans are blind . . . they're all for themselves."

He was a 1966 graduate of Scott High School, North Braddock.

Surviving are his parents, Mr. and Mrs. Michael J. Mikula; two brothers, Army Sp/5 Michael G., Camp Roberts, Calif., and Thomas at home; and a sister, Stephanie, also at home.

NATIONAL SHUT-IN DAY

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. GAYDOS. Mr. Speaker, Americans have a tradition of honoring their heroes. Their exploits are extolled by the news media and, in certain cases, they are given ticker tape parades through the streets of our largest cities.

These public salutes, naturally, are reserved for national heroes. But we have many little heroes, people whose contributions to society and their neighbor often go unnoticed. Many times they do not receive the accolades they deserve.

One such hero is Earl Rutter of 3–A Garden Drive, in Turtle Creek, Pa., a man who has earned the title "Champion of the Shut-In."

Since March 30, 1939, Mr. Rutter has traveled hundreds of thousands of miles to bring a little happiness into the lives of people confined to their homes or hospitals. He has sent cards of cheer to thousands more and now maintains a mailing list of more than 3,000 names.

With his daughter, Doris, Mr. Rutter visits hospitals, sanitariums, private homes, or anyplace where they are needed. They entertain their shut-in friends with music and song, poetry and literature. Because of him, March 30, annually is recognized as National Shut-In Day.

I would like to draw the attention of my colleagues to Mr. Rutter's hobby and offer for inclusion in the RECORD copies of testimonials paid him, as well as a brief summary of his work with shut-ins:

THE STORY OF NATIONAL SHUT-IN DAY

(By William V. Mangan)

It has often been asked of Mr. Earl Rutter how he founded National Shut-In Day, March 30th. It is a story that goes back to the year of 1939. The year when one of the most unusual hobbies was conceived. This hobby has caused the founder to travel 134,000 miles. It has made a mailing list necessary that now consists of 3,000 names. To entertain such a hobby has cost thousands of dollars, and countless hours of time.

This is how this hobby came into being:

Mr. Rutter heard of Mr. Tom Russell, a resident of Juniata, Pennsylvania who had been confined to his bed with arthritis for twenty-four years. On March 30, 1939, Mr. Rutter with his 2½-year daughter Doris, called on Tom. Tom was so cheered by the Rutter's songs and musical selections that his gratitude was heart warming.

While returning home that afternoon from their visit to Mr. Russell, Mr. Rutter was amused at the personal satisfaction he felt from this act of kindness. He remembered there were many more people who were forced

to lead tedious lives of confinement. Could he help these people whose greatest need was variety and entertainment? Why not? So was born the hobby of visiting Shut-Ins and that's how Earl and Little Doris Rutter, Shut-In Entertainers came into being.

Earl and Doris sent cards, pictures, poems and any literataure they thought might bring a ray of sunshine into some shut-in's life. They brought their songs and music to anyone. They visited the hospitals, sanitariums, homes or wherever they were needed. Neither weather or distance discouraged the Rutters. Their act went on regardless. The demand was great and the requests were many. They spread sunshine wherever they went, which was an average of three nights a week.

Of course such endeavor became known to those of responsibility. They were nationally known as Earl and Little Doris Rutter, Shut-In Entertainers. March 30th was declared "Shut-In Day" and Mr. Rutter was recognized as the founder.

This is the story of Earl and Little Doris Rutter. The story of a man's desire to help his fellowman and the story of a hobby that is really worth-while.

HOUSE OF REPRESENTATIVES,
Harrisburg, Pa., June 20, 1952.

Mr. EARL RUTTER,
Turtle Creek, Pa.

TO YOU, EARL RUTTER: Truly a great American, the good American of the day, our country is indebted to you. Your work speaks for itself, and indicates the unselfish American you are—one that is doing something in his country above and beyond any call of duty.

For the past thirteen years, you have traveled about entertaining those that are shut-in—just to bring a little laughter and sunshine into the lives of others. Your hobby is an unusual hobby and also an expensive one, travelling, printing literature, etc.

You have purchased a moving picture projector to show pictures to those unfortunate Shut-Ins, and now you are trying to buy an ambulance to take the Shut-Ins to the ball games, to their family reunions, a drive in the country.

You are doing things for others, giving of your time and money, and doing things far beyond man's dreams. Your hobby is the most talked about in America today. You have never received any honors or citations or flag waving. I sincerely hope some day, you, Earl, for your outstanding work, will receive the highest honors that can be bestowed on man.

I have known Earl Rutter for many years, and have aided and supported his work in bringing happiness to the Shut-Ins. I introduced the bill in the Pennsylvania House of Representatives, proclaiming March 30 each year as Shut-In's Day in Pennsylvania. This Bill passed both Houses, and was signed by the Governor. This Bill also proclaims Earl Rutter the founder of Shut-In's Day.

Earl, may your deeds set a high standard for all persons to follow.

I sincerely hope that whoever reads this message will better appreciate Rutter's hobby.

With best wishes and continued success, I am

Sincerely yours,

J. P. MORAN,
Representative, 10th Legislative District, Allegheny County.

COURT OF COMMON PLEAS,
Pittsburgh, Pa., September 12, 1960.

Mr. EARL RUTTER,
Champion and Idol of the Shut-Ins, Turtle Creek, Pa.

MY DEAR EARL: I wish to be one of the many, many thousands of persons to congratulate you on your 22nd Anniversary of Earl Rutter Day, September 19, 1958, which is set aside by Governors and Mayors throughout this entire country in your honor.

Your tireless efforts, your vision in entertaining people who are shut indoors with sickness and physical disability brought about the founding of National Shut-In Day, which is observed throughout the country on March 30. Spending an entire lifetime in Turtle Creek, Pennsylvania, you give of your time and your zealous efforts, accompanied by your lovely daughters, Doris and Janet. During the past 20 years you have attempted to make this a better world in which to live. That is why every shut-in in Western Pennsylvania and hundreds of other municipalities consider you their idol. The impact of your efforts has reached every state in this country and even foreign countries.

Your name will always ring a bell not only with the sick and disabled but with all of us who want to see a better world in which to live. You are an unselfish American; you are always complying with the requests of the needy and the sick and render service far beyond the call of duty. You will never need a publicity agent or a television or radio program to give you fame for among 1/5 of the people of America you are greater than our President, than Governors, than Judges or Mayors, because yours is an unselfish sacrifice to make them smile and happy, and we all know that a smile goes a long, long way towards medical recovery.

We salute you today as a great American who believes in making others happy. May God bless you and your family and give you His richest blessings, Good Health and Long Life, to continue your fine work in the vineyard of the Lord.

Sincerely yours,

SAMUEL WEISS.

CUTBACKS IN ROAD CONSTRUCTION

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. DENT. Mr. Speaker, President Nixon's unprecedented call for cutbacks in road construction is just part of a plot to create planned unemployment. Highway funds are trust funds and will not help in any way to meet any budget deficiencies in the general fund expenditures. The only purpose served would be to squeeze or rather intimidate Congress into action, cutting back on social legislation and education, to vote for increasing taxes, put over 700,000 directly related workers on the streets and idle thousands of others supplying transportation, steel, and other vital supplies and services to the multibillion dollar construction industry.

In his latest statement the President has asked private industry, construction companies, and State and local governments to cut back 75 percent of the proposed spending this fiscal year. This would, in my opinion, put close to 4 million people on unemployment compensation for a while, and probably relief later. My Dad said many years ago, "It's a heck of a way to run a railroad."

Nixon will learn a lesson in economics at the expense of the workers of America. Given a choice, a worker is better off with more money than goods to buy, than unemployment, no money, and a surplus of goods. We have had that before. This is a memory we do not want to repeat. Anybody can start a ball rolling down hill, but few can stop the avalanche it starts.

Unemployment from cutbacks may well start the unemployment over the hill too fast to stop. The risks are too great. The results may well destroy what is left of our peace and tranquillity in our cities and streets. There is too little left now. Workers will not give up their homes and credit purchased homes, and so forth, as we did during the great Hoover depression. With reduced income, the workers will look for the cheaper imported products to meet their needs. More and more factories will curtail or close down their productions. If the automobile industry puts 7 to 9 million more vehicles on existing roads, we will all know how stupid this action by Nixon will be.

Of course, the real issue is whether our Congress can stop the spending by cuting into military spending and reasonable demands for Government savings in other areas, or whether the President can force the Congress to bow to his demands with the fearful threat of unemployment and depression. What can Congress do, rescind its tax increases, rescind its budget cuts, or take a chance that Nero will not burn Rome down to the gutter.

The President says it is to control inflation. This means that instead of paying $30,000 for a home, you will have your $30,000 home taken from you for the mortgage debt, or your car or your furniture. Remember that while inflation is undesirable and hurts the rich the most, a depression hurts the poor and in every instance in history, the rich become richer during depression. To save the rich man's dollar, Nixon would take the poor man's penny.

ROTARY AROUND THE WORLD

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. OTTINGER. Mr. Speaker, recently Dr. Mauro Baradi, the distinguished Philippine statesman, lawyer, and diplomat, delivered an address on the activities of Rotary International throughout the world.

I am sure our colleagues will find Dr. Baradi's remarks to be of interest and I am pleased to insert them herewith for inclusion in the RECORD:

ROTARY AROUND THE WORLD

(By Dr. Mauro Baradi)

I am delighted to be with you on this occasion. I feel at home among you, knowing that wherever Rotarians gather together, an atmosphere of understanding and fellowship prevails. This is particularly so in the case of members of the Rotary Club of Waterville who have individually and collectively rendered yeoman service to their fellowmen. To some of us, the year 1918 is significant; it marked the end of World War I and the beginning of a life of service of your Club. And 1969 is also memorable because it was during this year when the great American soldier and former President of the United States, General Dwight David Eisenhower passed away; furthermore, 1969 is also the 51st anniversary of the Rotary Club of Waterville.

It has been suggested that I give a talk on "Rotary Around The World." This is a

big order. However, we are aware that Rotary encourages and fosters "the advancement of international understanding, goodwill, and peace through a world fellowship of business and professional men united in the ideal of service." This is done through the International Service Committee of a Rotary Club with practicable methods of implementing the service, namely: 1. Education of Rotarians; 2. Club Programs; 3. International Contacts for every Club; 4. District Organization of International Service; and 5. Education of the Public.

All I can do at this time is to mention highlights of my observations as a traveler and as a Rotarian.

Manila, Philippines.—It is said that charity begins at home. Therefore, let me start with the country whence I came. The Philippines with a population of 34,656,000, lies 600 miles off the southeast coast of Asia; it consists of about 7,000 islands with a total area of 115,707 square miles, as big as the combined areas of Maine, Vermont, New Hampshire, New York, Massachusetts, and Maryland. Besides "Filipino" as the national language, English is widely used; Spanish and other languages are also spoken. The First Philippine Republic inaugurated in Malolos on January 23, 1899 was the first constitutional republic in Asia. The present Philippine Republic inaugurated in Manila on July 4, 1946, is the first modern republic in Asia and Africa after World War II.

Manila, with the famous Manila Bay and its glorious sunset, is the administrative capital and principal port of the Philippines. It is the headquarters of the Rotary Club of Manila which was organized in 1919; this is the first Rotary Club in my country and the first in Asia. On January 29, 1919, the Club held its first regular weekly meeting at the Manila Hotel. Since that time, this hotel has remained the registered meeting place of the Rotary Club of Manila which meets at luncheon every Thursday.

Those who were elected presidents of the Club include Carlos P. Romulo (1935–36), former President of the University of the Philippines and of the United Nations General Assembly (1949), and now Secretary of Foreign Affairs of the Philippines; Gil J. Puyat (1940–41), (1945–46), President of the Senate of the Philippines; and Conrado Benitez (1955–56), President and Chairman, Benitez & Company. The Club counts among its membership outstanding leaders in government, business, commerce and industry, and in other professions. And this is important because the Philippines where agriculture is the main industry, has already embarked on a nation-wide program of industrialization—cement-manufacturing, electric power plants, flour-milling, food products and beverages, fruit-canning, furniture and textile, medicinal goods and pharmaceuticals, metal and glassware, mining, oil-refining, paper-manufacturing, plywood and lumber, rubber-processing, and salt-making.

Not long ago, President Ferdinand E. Marcos of the Philippines who has rendered and is rendering fruitful service to our country and people delivered a thought-provoking address before the Rotary Club of Manila of which he is an honorary member. The occasion was in connection with the commemoration of the fiftieth anniversary of the founding of the Club. The President stated among other things, that there would be no further restrictions, no exchange controls and no devaluation in the country.

Rotary is synonymous with service in my country. Its civic activities are manifold and its influence widespread. As of 1968–69, there were 69 Rotary Clubs with 2,781 members in the Philippines. They have been very busy and are presently engaged not only in initiating and completing community projects but in improving the lot of the masses. Our dynamic President and his predecessors have repeatedly commended Rotarians for their valuable assistance to the nation.

Tokyo, Japan.—Tokyo, capital of Japan, with a population of more than eleven million people, is the world's largest city. Rotary came to the country in 1920.

The Rotary Club of Tokyo meets at noon every Wednesday, except on national and local holidays, at the Imperial Hotel. In 1940, the Club, due to circumstances, terminated its twenty years of existence. In spite of it all, the members expressed the earnest hope that the time might come soon when they could peacefully join again in world fellowship for the advancement of the Rotary principles. This hope was realized when in 1949, the Rotary Club of Tokyo was reorganized and first readmitted in the world family of Rotary from Japan.

In a meeting that I attended, the proceedings were in Japanese; although, I heard an American—a former resident of Nippon—deliver a talk in Japanese. And there I was, a Filipino whose countrymen suffered much during the years of Japanese occupation of the Philippines! Then as now, I have come to realize that warships and airships no matter how powerful, could be destroyed; on the other hand, true friendship is indestructible. Verily, I subscribe to the message of Rotary's Goodwill Song:

"Befriend your brother man,
Let hate and envy die
No more may war rage at our door
Goodwill forever more."

The Rotary Club of Tokyo lays stress on internationalism. Members who traveled abroad, returned home with glowing reports of the hospitality of other fellow Rotarians. In the Club's schedule of events in 1968, we found the following: Interact Week of Rotary International; Rotary Foundation Week of Rotary International; and Club Forum on International, Community and Vocational Services. Rotarian Kiyoshi Togasaki, former President of the Club, whom I previously met in Tokyo, Manila, and New York, is a personal friend. While President of Rotary International (1968–69) he gave a one-word positive motto for Rotarians: "Participate"—in your Club, through your work, in building your community, and in international contacts.

New York, New York.—I am a frequent visitor of New York City, first capital of the United States; in this city, the main offices of the world's largest corporations are located; and here too, we find the headquarters of the United Nations.

The Rotary Club of New York, the sixth club in Rotary International, was organized in August, sixty years ago. It meets at luncheon on Thursday of each week at Hotel Commodore. The classification of club members is one of the most numerous in Rotary—from abrasives exporting, burial services, medicine, on down to YMCA, to mention but a few.

The Club's committees are grouped into Club Service, Vocational Service, Community Service, and International Service. It has firmly established the New York Rotary Foundation to perpetuate Rotary's ideals through gifts, devises or bequests of money or property that may be made to the Rotary Club for educational, charitable or other philanthropic purposes. Students from many parts of the world have benefited from the work being undertaken by the Club's International Service Committee.

No one is more familiar with the nature and workings of Rotary clubs in this country than the American himself. Generally, the type of program at club meetings is the same; hence, the remark, "If you have seen one, you have seen them all." But at one of the meetings I attended, the Rotary Club of New York presented a different type of program—a panel type program with three leading representatives of the communication industry directing their questions to the co-authors of a book, *The Gap*. The big attendance was cosmopolitan in character. The question and answer method concerning the generation gap was informative and revealing to all parties concerned. Suggestions were made to hold similar programs in the future.

Rome, Italy.—Italy's capital, Rome, is often called the "Eternal City," and the heart of Italy. The city, a world within the greater world, is a great cultural, administrative, and educational center. This ancient and modern metropolis has an ever-expanding commercial and industrial life which is of continuing interest to the scholar, the artist, and the businessman alike.

The Rotary Club of Rome-Est. meets on Mondays at 20:30 o'clock at Hotel Quirinale, a historic edifice. The language spoke is Italian.

In one of the Club's meetings, I met Italians who served their Government in East Africa; they gave accounts of their journeys to distant lands and appreciated the Rotarian hospitality extended to them. H.M. Victor Emmanuel III, King of Italy, now deceased, was an Honorary Governor of a Rotary District in Italy.

The Club cooperated in organizing expeditions and offered food supplies, medicines, and financial help to the poor and the sick. It acted as host to numerous Rotarians and their friends who were touring Italy.

When asked in what way can Rotary best contribute to the advancement of international peace, Rotarians in Italy gave a two-fold reply: 1. by facilitating the intercourse and mutual acquaintance between business and professional men from the various nations and 2. by giving its members an opportunity to obtain directly from other members, sure and reliable information regarding conditions in their countries; by helping members of one nation to understand the problems, difficulties and troubles of others, and to appreciate better the contribution they all give and are able to give to the prosperity of the world.

Sydney, New South Wales.—Sydney, is the capital of the state of New South Wales. With a population of over two million, Sydney is Australia's principal port and largest city. It is the country's leading commercial and industrial center and serves as Australia's main air terminal and port of entry.

The Rotary Club of Sydney meets every Tuesday noon at the Trocadero. During its early years, it devoted its attention to fellowship among settlers. But the steady growth of Sydney attracted distinguished visitors who were welcome guests of the Club.

A regular feature of the Club's activities is the Friday meeting for fellowship. Here Rotarians and friends from far and nearby countries are afforded the opportunity to know one another better.

In Africa.—During my more than three years' (1962–65) tour of duty as Philippine Chief of Mission to Africa, South of the Sahara, and later as Philippine Ambassador to Nigeria, Cameroon, Ghana, Liberia, and Sierra Leone, I had the opportunity of getting acquainted and of mingling with Rotarians there. I saw Rotarians in action in the following capital cities: Mogadiscio, Somalia where I resided for four years (1956–1960) as Philippine Representative on, and as Chairman of the United Nations Advisory Council for Italian Somaliland; Nairobi, Kenya; Lagos, Nigeria where I became a member of the Rotary Club of Lagos; Yaounde, Cameroon; Accra, Ghana; Monrovia, Liberia; Freetown, Sierra Leone; Cairo, Egypt; Algiers, Algeria; and Tananarive, Malagasy.

Rotary came to Africa by the establishment of the Rotary Club of Johannesburg in 1921. For sometime, officers and members of Rotary Clubs were non-Africans. Since Rotary's membership is not exclusive as regards color, creed, or country, it has spread

far and wide. Thus, as of June, 1968, there were 13,302 Rotary Clubs with a total membership of about 633,000 in 143 countries and geographical regions.

In 1945, on the occasion of the fortieth anniversary of the founding of Rotary International, General Jan C. Smuts, then South Africa's Prime Minister, praised Rotary's world-wide service in the following message:

"Rotary has been in the van of the humanitarian trend towards greater social security in all democratic countries and the movement can find no more worthy cause for its unselfish endeavours than the application of its motto, 'Service Before Self,' to not only the national community but the international community as well."

In the case of some African countries which became independent in 1960, Rotary clubs were organized only recently. These clubs meet either at noon or in the evening at hotels, taverns, or halls. Some clubs have members belonging to fourteen or more nationalities. In this way, Africans are enabled to talk intimately with fellow Rotarians at home and are brought closer to their counterparts abroad.

Africans have asked me this question: "What do Rotarians do?" This same query was directed to George Bernard Shaw who was reported to have made the curt reply: "Rotarians go to lunch." This should not be taken as a criticism against, but rather as a compliment to Rotarians, for no world organization in our day, goes to lunch as does Rotary. By breaking bread together around tables under a common roof, men of divergent and even conflicting views could meet face to face and discuss their problems ever remembering that service is their common business.

Still the impression persists that Rotary is merely a luncheon club. This mistaken concept may be due to misinformation, lack of experience, and nonexposure to the Rotary ideal of service and its Four-Way Test of the things we think, say or do regarding truth, fairness. friendships, and mutual benefits.

It is inspiring to feel that a native of Africa, Mr. Justice Charles D. Onyeama, formerly of the Supreme Court of Nigeria and now a member of the International Court of Justice at The Hague, himself a past President of the Rotary Club of Lagos, has expressed in writing, his understanding of Rotary luncheon. Rotarian Onyeama stated:

". . . We, as a club, are comparatively young and have not much experience of Rotary work; for this reason, if for no other, it is important that we attend our meetings and involve ourselves fully in committee work. As has been said—and this cannot be said too often—the Rotary Club is not a luncheon club. The purpose of the luncheon is to provide an opportunity for meeting of all those who are interested in serving the community in which they live; our club is a *service* club."

At club meetings, I noticed a display of Rotary banners, District flags, and flags of many nations. An African colleague impressed me when he said that such a display was a three-in-one reminder: 1. the invitation for more Africans to become Rotarians; 2. the need for peace and stability among Africans; and 3. the desire to make a useful contribution toward world understanding and harmony.

Another African who seemed impatient, wished that Rotary came to his country earlier. He said his countrymen had urgent needs to meet and serious problems to solve; that there were not enough native hands to help their communities in order to lighten the heavy burdens which Africans had carried for so long.

Why should we care about Africa? This is one of the burning questions of the day. Rotarians are in a position to answer the question because they are committed in one way or another to serve humankind.

Lest we forget, the Africa of today is radically different from what it was yesterday. Way back in 1945, out of a total membership of 51 in the United Nations, only four were African countries. In 1960 alone, sixteen African countries became independent. By 1966, when the membership of the United Nations increased to 121, there were 39 African countries as members; these latter figures constitute almost one-third of the entire membership in the World Organization. African votes carry weight and their views on world affairs can not be disregarded.

The emerging African states subscribe to the purposes and principles of the United Nations, one of which is to develop friendly relations between nations based on equal rights and self-determination of peoples, and to use international cooperation in solving economic, social, cultural and humanitarian problems. Rotary which came into being forty years before the United Nations Charter came into effect, has a similar objective.

In the Charter of the Organization of African Unity formed in 1965, the African states likewise agreed "to promote international co-operation, having regard to the Charter of the United Nations and the Universal Declaration of Human Rights." These states place high priority to economic growth and development of trade. They prefer external assistance from the free world. They desire technical co-operation because of a shortage of trained and experienced men in their midst. In this connection, it is worthy to note the new program launched by Rotary—Rotary Volunteers Abroad—which "utilizes the talents of available mid-career or retired Rotarians to help resolve problems in developing countries in need of expert counsel in education, health, business, rural and community development."

One of the grievances against former colonial rulers is the fact that the latter "starved" education in most of Africa. Is it not ironical to find so much starvation and misery in a continent with so much wealth and potentiality? On this point, Smith Hempstone wrote:

". . . Africa produces 95 per cent of the world's diamonds, 39 per cent of the world's gold, 21 per cent of the world's copper, 77 per cent of the world's cobalt, 34 per cent of the world's manganese, and 70 per cent of the world's cocoa. It has enough iron, tin, chrome, and bauxite to supply the world's needs for years to come."

But Africa's most important resource is its own people—303 million and more—living in an area of 11,685,000 square miles. They are entitled to their God-given right to be free. They have valuable assets: capacity to endure, willingness to sacrifice, and anxiousness to learn, Like others, countries in Africa have long-time enemies: poverty, illiteracy, and disease. To fight these foes and minimize the evils connected therewith, the assistance of men of goodwill everywhere would be welcomed. Africans appreciate the value of friendship and here again, Rotarians may contribute their share and talents.

I have traveled by car, ship, and plane in five continents: 1. Asia, where the first Rotary Club was organized in 1919; 2. North America, where the premier Rotary Club was founded in 1905 by Paul P. Harris, lawyer; 3. Europe (continental), where the first Rotary Club was organized in 1920; 4. Australia, where the first Rotary Club was organized in 1921; and 5. Africa, where the first Rotary Club was organized in 1921.

My visits to Rotary Clubs and contacts with Rotarians around the world, were enlightening and reassuring; enlightening because I was enabled to understand why businessmen and professionals were enthusiastic in serving neighbors and friends for the common good. Rotarians by precept and example do preach and practice the Golden Rule, not the rule of gold. I became convinced that an organization like the Rotary, which is a worthy ideal in action, is bound to grow and glow as the years come and go.

A service club which labors incessantly to enhance international understanding, is indeed, a powerful and dependable ally in our unfinished task of bringing about the Brotherhood of man under the Fatherhood of God.

POSTAL REFORM

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. DULSKI. Mr. Speaker, the Wall Street Journal—one of the major recipients of special treatment by our postal system—has decided that "Congress is likely to reject any meaningful reform of the postal service."

I do not know where the newspaper got its information, but it is clear that it paid little or no attention to the nearly 4 months of public hearings on this matter which have just been concluded by our Committee on Post Office and Civil Service.

The hearings by our committee have been the most extensive in history. We have compiled a comprehensive record of testimony from every segment of our economy which is associated with or concerned about postal service.

To my mind, there is no question about the need for major reform of our postal system and I believe—notwithstanding the Journal's gloomy prophecy—that our committee will come forward with "meaningful" postal reform legislation this fall. Failure, if any, will not be due to any obstructions on my part.

The Journal, like other outspoken proponents of the plan to convert the Post Office Department into a public corporation, seems unable to see the woods for the trees.

The issue is postal reform—comprehensive reform. How we accomplish this reform is a detail which our committee will decide shortly—whether we convert the Department into a public corporation or whether we accomplish the same end by a massive reorganization of the present executive department.

It is interesting, of course, to have the Journal's views. It is a matter of record that there is no other national publication which receives the day-after-day special treatment from the postal service.

It has same-day delivery—by mail—in most cities and communities in the Nation. The Post Office Department has estimated the Journal's annual subsidy as about $9.4 million.

Mr. Speaker, following is the lead editorial which appeared in the September 9 edition of the Wall Street Journal:

POSTAL POLITICS

From all accounts Congress is likely to reject any meaningful reform of the postal service—an unfortunate but nonetheless predictable outcome.

The chief trouble with the Post Office, after all, is its thorough immersion in partisan politics. Congressmen enjoy playing for votes by manipulating postal rates and workers' pay, whatever the results may be in postal service.

So it can't be counted surprising that many Congressmen are cool to the Administration plan to turn the Post Office into a public corporation that would set its own rates and salaries, raise funds by selling bonds and largely balance its books. The lawmakers' rationalizations of their opposition, however, are likely to sound ingenuous to most citizens.

One contention is that the Post Office is not just a business but a Government agency with major public responsibilities that might suffer if put in the hands of a public corporation. It's surely true that the Post Office does have large public responsibilities, but it's equally true that in recent years it has become more and more inept at handling them.

Perhaps there are reasons to quarrel about the precise mechanics of prying politics out of the postal service. Yet a sensibly constituted and wisely run corporation could hardly fail to do a better job with the mails than the present setup has done.

The demands on the service are growing enormously. The Post Office now handles about 84 billion pieces of mail a year, more than double the figure for 1945, and the future trend is clearly upward.

Despite all of the talk of the coming wonders of Zip Code, the fact is that mail still is sorted manually into partitioned bins, in much the same way that Benjamin Franklin originally planned it. The speed and regularity of service steadily diminish.

The more candid Congressman may admit that they don't want to lose the campaign support of big mailers, companies that use the mails heavily for distribution of publications and advertising. If rates were set by a public corporation, these mailers no longer would find it necessary to curry favor with Congress—a development that most of the public could count as a blessing.

The postal unions also play a part in the opposition to the Administration's plan. The unions have grown accustomed to bargaining with legislators for higher pay, and then swinging electoral support to those lawmakers who befriend them. A postal organization that would end that sort of vote-buying surely would be in the general public's interest.

One of the more important advantages of the corporation plan is that it would at least make it possible to breathe fresh air into the system. Lawrence F. O'Brien, an early advocate of taking politics out of the Post Office, testifies to the need for change:

"When I became Postmaster General in 1965 I was confident that once I cleared out the deadwood and began to apply sound management principles, I could provide the kind of mail service that our citizens demand. I was in for a rude awakening. There was very little deadwood in personnel but whenever I tried to apply sound management principles, there was usually some antiquated law that prevented me from doing so."

Some of the anti-change Congressmen actually argue that postal reform is pointless since, under any system, the public would continue to blame Congress for shortcomings. If the lawmakers really are concerned about citizens' feelings, you would think they would be anxious for a change—almost any change—that might improve the mails.

Meanwhile the postal service continues to spiral downhill and rates go on rising. And there's no question at all about whom the public can blame for that.

ENGINEER OF THE YEAR

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. BLACKBURN. Mr. Speaker, recently, it was brought to my attention that a fellow Georgian has been named "Engineer of the Year." Mr. F. R. "Bob" Prybylowski received this honor for his "outstanding achievements in engineering design, and his service to his profession and his community."

An active member of the Cancer Society, United Appeals, and the Heart Fund, Mr. Prybylowski has resided in Georgia for 20 years. He is recognized as one of the foremost bridge designers of the Southeast.

Mr. Prybylowski's achievements were cited in the following newspaper article which appeared on July 17, 1969, in the DeKalb New Era:

PRYBYLOWSKI IS GEORGIA'S ENGINEER OF THE YEAR

A Decatur resident, F. R. (Bob) Prybylowski, P. E., was named Georgia's "Engineer of the Year" at the annual meeting of the Georgia Society of Professional Engineers in Atlanta last week.

Prybylowski received the award for his "outstanding achievements in engineering design, and his service to his profession and his community."'

A Georgia Tech graduate, Prybylowski has been a partner in the Atlanta engineering firm of Prybylowski and Gravino, Inc., since its formation in 1959. Since that time the firm has been responsible for civil and structural projects of over $100,000,000 valuation. Their work as primary engineers on the Atlanta Stadium and the Cincinnati-Hamilton County Sports Stadium in Ohio, has received national recognition, including the American Institute of Steel Construction Architectural Award of Merit for the Atanta Stadium, and the Progressive Architecture Design Awards Citation for the Cincinnati Stadium.

Prybylowski spent five years as an engineer with the State Highway Department prior to the formation of his consulting firm, and is recognized as one of the foremost bridge designers in the Southeast.

Prybylowski was selected for the Georgia honor from four candidates who had been honored in their local areas during 1969 "Engineers Week" in February. At that time he was selected as the "Atlanta Engineer of the Year" and received special commendation from the Georgia General Assembly.

A native of Perth Amboy, New Jersey, Prybylowski has lived in Georgia for 20 years and currently resides at 209 East Parkwood Road, Decatur. He is a Past State President of the American Society of Civil Engineers and has been an active member of the Georgia Society of Professional Engineers, Georgia Architectural and Engineering Soviety, Society of American Military Engineers, Consulting Engineers Council of Georgia and American Concrete Institute.

FEDERAL HELP OR SELF-HELP?

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. SNYDER. Mr. Speaker, during a time when the dole approach to welfare is becoming totally discredited—and rightly so—and as we search for new approaches and ways out of the present welfare mess, I submit the following text of a broadcast by Mr. Ed Wimmer, president of Forward America, Inc., of Covington, Ky.—the public relations arm of the National Federation of Independent Business.

Ed Wimmer provides, through these broadcasts, some helpful insights into the problems and difficulties faced by America today. The text of the broadcast follows:

FEDERAL HELP OR SELF-HELP?

(By Ed Wimmer)

Before we get into tonight's main course, I would like to ask you a few questions which I hope will divert your attention away from whatever you may be doing.

1. Are you one of those people who believes that a country can continue to tax and spend and spend and tax in an expanding effort to support the artificial prosperity of a Welfare-Warfare State, and do you believe that if our present tendency to build bigger chain store systems, bigger unions, bigger farms, bigger banking corporations, and bigger government, also continues, that your children will inherit anything that even resembles free enterprise and constitutional government?

2. Have you half-made up your mind that individualistic capitalism won't work in our modern society? That the kind of middle class democracy we built around respected professional people and independent enterprisers (in all fields), and people willing to put in a day's work for a day's pay—with young people beginning small enterprises up and down the Main Streets of America—is no longer the American dream?

3. What are your convictions with regard to the propaganda that those who work and do business have an obligation to keep every man and his family on some kind of permanent relief, helping to pay his rent or build him a house, or should we have a job-making program, and say "here is your job; it may not be what you want, but it is a job, and whether you better yourself or not, is up to you. Your care is now your own responsibility, not that of your neighbor"?

4. How much basis is there to the charge of top educators, men in public office, commentators, publishers, business leaders, et cetera, who insist that "capitalism will die in the house of its friends from lack of support?" From competitive abuses? From monopolistic practices and political graft?

5. My final question: Are you, whatever your position in life, concerned enough about the monopoly problem, about urban renewal problems, civil rights, inflation, unfair foreign and domestic competition, the crime in our towns and cities, the wholesale murders in our Capital city—a rape a day, where government is made and taxes are passed; the 25 teen-age killings in Philadelphia this year—where the Liberty Bell hangs . . . Are you, I repeat, are you concerned enough to put up your cash and give some of your time to keep this country from going the way of Rome, of Germany before Hitler, or Britain today?

These are my questions. Now listen to what Pope Leo XIII wrote in one of his Encyclicals before the turn of the century:

"Let men try as they will. No strength and no artifice will ever succeed in banishing from human life the ills and troubles which beset it. If any there are who pretend—who hold out to hard pressed people freedom from pain and trouble, undisturbed repose and constant enjoyment—they cheat the people and impose upon them, and their lying promises will only grow worse than before. There is nothing so sad as to look at the world as it really is—and then look elsewhere for a remedy to its troubles."

The Pope was not advocating, however, that efforts be lessened in fighting poverty, ignorance, slums, graft, crime, child neglect, or other abuses. What he was driving at and what we have been driving at in all of these broadcasts, is that help that doesn't end in self-help, and create desires for betterment in this life, is not help at all, and it is why I have continued to argue that when people in our society keep hammering away on the theme of helping people without ham-

mering away at the same time on self-help, we are doing an injustice to that person aided, and to society itself.

A young man who is given an OEO training, for example, ought to sign a contract that he will, over whatever length of time is necessary, pay for that training when he begins to capitalize on his learning; so his earnings may be used to train others.

What is more harmful to human character than something which is constantly held up as being free—to which no future obligation is attached?

President Nixon should have kept saying what he did in one of his speeches:

"The ghettos of our cities will be remade when the people in them have the will, the power, the resources and the skill to remake them. They will not be remade by government billions. . . . The human and social conditions of the spirit are in large part dependent upon our laying the foundation for an economic structure that can support a rebirth of pride, individualism and independence."

The question ought to be, how do you create a foundation for "individualism" and "independence" with all the trends in agriculture, industry, labor, finance and government leading to the destruction of both?

In a recent broadcast I mentioned that the huge Litton Industries is financing a vast chain of National Farm Stores, predicated on the idea of literally swamping the rural towns of America with 40-acre complexes, tied in with Gulf Oil and other huge combines, and so located as to cover what they say in their own words "the entire agricultural economy". An official of National Farm Stores says there will be only 500,000 big farms in a few more years, and he further said:

"We feel that once the National Farm Stores centers are established, they will take care of all the needs of these farmers."

Litton Industries, a huge conglomerate, has absorbed company after company, and conglomerates like Littons were called by American Finance Magazine: "Wolves of Wall Street"—"Raiders"—"Take-over Titans"—and a leading columnist and commentator called them "Hogs". We have been joined by the National Farmers Organization, National Independent Bankers' Association, the Oregon Independent Retail Grocers' Association, and the National Association of Retail Druggists, in an all-out battle to stop the liquidation of the family farm, and the further spread of the conglomerates, combines and huge chains, and if we are unsuccessful, independent, individual capitalism in the United States is doomed.

There are those who say:

"The public is too dumb to be educated. Our kids are a bunch of long-haired bums. The members of Congress a gang of graft-takers. The giants are too big to fight. I have no time. We have spent our budget for this year. I would be willing, but my partner said no. I'm too busy now, you'll have to come back next year. I have a golf game this afternoon. I can't see you now. Et cetera. Et cetera."

But this has not stopped Forward America, Inc., and the National Federation of Independent Business, Inc., or the other organizations working with us, because we have learned that it is the minority who carry all the battles for freedom; that if they can be found in time, they will come through in time. We have auto dealers, druggists, meat packers, dairy plants, brewers, funeral directors, all types of retailers, great national concerns, bankers, doctors—people in all walks of life who have supported Forward America since 1932, winning one battle after another, and the Federation since 1943, with a membership now of over a quarter-million, in NFIB.

For those who would say that one more person added to our membership wouldn't mean too much, maybe I could relate that Dr. Harry Fagedes, a Cincinnati optometrist, came into our Covington office to discuss his concern over mergers taking place in his professional field. We prepared a release on the subject, and mailed it to all members of the Ohio Optometrical Association about to meet in convention.

This lone young man gathered a few friends together, aroused their enthusiasm, and for the first time an assembly of professional people in the field of optometry adopted a resolution calling for an end to mergers and consolidations; for support of the independent wholesale laboratories that faithfully aided in the development of the optometric profession.

A leading wholesaler sent out an open letter following this resolution, in which he said:

"It would have been a lot easier and more profitable for me to sell our quality service business to a single big company, and stop competing with the undesirables and mass produced, inferior prescription work, but we have decided to stay independent because we believe there is a place for quality minded wholesale houses in our business. All rumors that we are selling out, are untrue. We do care enough to stay and fight. Do you? If not, we'd like to know."

Ladies and gentlemen, the spirit of independent enterprise is not dead when one young man can walk into an organization like our own, and in 90 days help to bring about the foregoing results.

When you hear that old dirge that you can't win, that people don't care, that independents won't fight, keep in mind that society still rests upon the spiritual more than the mechanical basis, and so long as there are men who know this, and who know that the temple of liberty and justice, in all things, rests upon their individual and collective actions, a way will be found to take that action.

Who would have believed during the recent national elections that Mr. Nixon would appoint an Attorney General, William Mitchell, and an Assistant Attorney General, Antitrust Division, Richard McLaren, both of whom are now charged with being anti-bigness because they said (in the words of Mr. Mitchell):

"We do not want our little sized and smaller cities to be merely branch store communities, nor do we want our average consumers to be second class economic citizens. A community's independent businessmen should have an opportunity to supply community needs, its lawyers should have the opportunity to act as counsel, its unions should have the opportunity of negotiating in their own community for their members, and its consumers should have the opportunity to exercise local economic options in their choice of competing goods and services."

Under no other system but widespread, independent ownership of farm, home and business enterprise, wherever practical and possible, with local control over local affairs in government will such a way of life continue to exist.

This is why the National Federation of Independent Business, Inc. and Forward America, Inc. are fighting to save independent business. "The More the Enterprisers the Freer the Nation," is our slogan, and in the promotion of this idea it is hoped that more people will patronize independent business, helping in this way to build a better tomorrow.

When people patronize independent stores, for example, the profits on their transactions are ploughed back into the community in which they live. The merchant, as a rule, owns his home or is paying for one. He deposits his money in the local bank. Sends his children to the school and church of his choice, and for this reason he is more interested in better playgrounds, better parks and other community developments.

TRIBUTE TO HON. CHARLES JOELSON

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. RYAN. Mr. Speaker, I am delighted to join with my colleagues in wishing out departing colleague, CHARLES JOELSON, continued success and happiness as he leaves us to devote his unusual talents and ability to the judiciary. The qualities of mind and character, which have made CHARLES JOELSON a respected and effective Congressman, will be invaluable assets to the Superior Court of New Jersey.

Knowing of his deep seated desire for judicial service, I am pleased that CHARLES JOELSON's ambition has been realized. However, knowing the void which will be created among us in the House of Representatives, I am saddened because of our loss.

CHARLES JOELSON and I were first elected to the 87th Congress and have served together through five successive Congresses. His friendship and companionship have meant a lot to me, and I will miss him as a friend as well as a respected and admired colleague who could alway be counted upon to make a telling and effective contribution to debate. Intelligence and wit marked his comments both on and off the floor.

CHARLES JOELSON's leadership was particularly effective recently during the consideration of the fiscal year 1970 appropriation bill for the Departments of Labor and Health, Education, and Welfare. As a result of his efforts the Joelson amendment was adopted on the House floor, adding $894 million for educating the children of our country.

The length and variety of his public service running through a continuous period of almost 30 years have secured for CHARLES JOELSON a conspicuous and permanent place upon our public records. As a member of the Naval Intelligence Division in World War II, as the city counsel of Paterson, N.J., as New Jersey chairman of the National Institute of Municipal Law Officers, as New Jersey deputy attorney general, as acting prosecutor of Passaic County, as director of criminal investigation for the State of New Jersey, and as a Member of this House since 1961, he has consistently demonstrated both versatility and devotion to the public interest.

The House of Representatives and the Nation which it serves have benefited immeasurably from his devoted service. Let us not be content simply to deplore his loss, but let us resolve to bring about the necessary congressional reform which would make it possible to keep CHARLES JOELSON, and other talented and able legislators in the future, as contributing members of this body.

CHARLES JOELSON has been a crusading lawyer as well as an effective Repre-

sentative; he will be an able and conscientious judge. But above all, he will continue to devote his days and years to bringing the best that this Nation can offer to the citizens whom he continues to serve.

MARSHALL FIELD ELECTED PUBLISHER OF CHICAGO SUN-TIMES AND CHICAGO DAILY NEWS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. PUCINSKI. Mr. Speaker, it was with great pleasure that I learned that Marshall Field has been elected publisher of the Chicago Sun-Times and the Chicago Daily News.

At the age of 28 he becomes one of the youngest publishers of any major newspaper in the Nation.

I have every reason to believe that young Marshall Field will follow with great competence the footsteps of his highly respected father, Marshall Field IV, and his distinguished grandfather, Marshall Field III, who founded the Chicago Sun, predecessor of today's Chicago Sun-Times.

The Field publications in Chicago have made a particular impact on young moderns and so it is fitting and significant that a young man of 28 should take the helm of these two highly respected publications.

As one who for 20 years had a very warm and friendly relation with the old Chicago Times and later the Chicago Sun-Times, before I was elected to Congress, I am particularly heartened by this election of Marshall Field.

It was my great privilege to work with his father when he took over stewardship of the Chicago Sun-Times and I also have fond recollections of working with his grandfather.

Both Fields had a great love for Chicago and both had an abiding desire to make their publication among the finest in the country.

I am sure the new publisher of these two outstanding newspapers will carry on the high standards of journalism set by his father and grandfather.

I am taking the privilege today of including in the RECORD an article which appeared in the Chicago Sun-Times announcing the election of Marshall Field as publisher of the Chicago Sun-Times and its sister paper, the Chicago Daily News.

The article follows:

FIELD IS ELECTED PUBLISHER OF SUN-TIMES, DAILY NEWS

Marshall Field has been elected publisher of The Chicago Sun-Times and The Chicago Daily News effective Oct. 1, Bailey K. Howard, president of The Newspaper Division of Field Enterprises, Inc., announced Monday.

At 28 years of age, Field is the youngest publisher of any major newspaper in the nation. The title of publisher of the two Field newspapers has not been used since the death of Field's father, Marshall Field IV, in September of 1965.

Commenting on the new publisher, Howard said:

"Three years ago Marshall Field began a five-year training program, working in each of the 23 subsidiaries and divisions that make up our parent company, Field Enterprises, Inc.

"His talent, probing curiosity and diligence have given him such an excellent understanding of the business that Marshall is ready to assume the position and responsibility of publisher now. Under his creative leadership, The Chicago Sun-Times and The Chicago Daily News will each continue to develop its own distinctive, strong image, and will achieve new challenging objectives."

ELECTED SENIOR VICE PRESIDENT

A year ago (Sept. 4, 1968), Field was elected senior vice president of The Newspaper Division and senior vice president of the corporate division of Field Enterprises, Inc. He had been assistant to the general manager of The Newspaper Division since October 1965.

In September 1965, Field was elected to the board of directors of Field Enterprises, Inc., to succeed his late father. He now serves on the boards of directors of all subsidiaries and divisions of the corporation.

Field's professional memberships include serving on the board of directors of the Bureau of Advertising of the American Newspaper Publishers Assn. He also is a trustee of the American Newspaper Publishers Assn. Foundation.

Because of his keen interest in learning through reading, Field accepted chairmanship of the Committee for National Library Week in Illinois this year. He is a member of the National Book Committee, Inc., and the Chicago Committee of the Chicago Council on Foreign Relations.

ACTIVE IN CIVIC AFFAIRS

In civic affairs, Field is a governing member of the Chicago Orchestral Assn. and a member of the board of directors of the Field Foundation of Illinois, Inc., the National Boulevard Bank of Chicago and the Lyric Opera. He is a trustee of the Art Institute of Chicago and of the Field Museum of Natural History.

While attending Harvard University, Field worked one summer in the editorial department of the Boston Globe. After graduation, he worked for Random House and later the New York Herald-Tribune. He resigned to return to Chicago when his father died in 1965.

In July, 1964, Field began his military service with the U.S. Army at Fort Dix, N.J., and was released from active duty on Dec. 11, 1964. He currently is a member of the Illinois National Guard.

The morning newspaper, The Chicago Sun, was founded by Field's grandfather, Marshall Field III, in 1941, the year Marshall Field V was born. In 1948, Marshall Field III merged The Sun with The Chicago Times into a daily and Sunday newspaper and became publisher of The Chicago Sun-Times.

Marshall Field IV, father of the present publisher, began his career in journalism on The Chicago Sun in 1946 as an apprentice. The following year he worked on the New York Herald-Tribune. He returned to Chicago in 1948 as assistant publisher and associate editor of The Chicago Sun-Times. In 1950, at age 34, he was appointed editor and publisher of the paper.

In 1959, Marshall Field IV bought the Pulitzer Prize winning Chicago Daily News from John S. Knight, and became president, editor and publisher of the newspaper. He simultaneously held the same positions on The Chicago Sun-Times.

The Chicago Sun-Times ranks today as the fifth largest morning newspaper in the nation. In the afternoon field, The Chicago Daily News is also in fifth place. The Chicago Daily News/Sun-Times Service is America's oldest auxiliary wire service, founded in 1898 as The Chicago Daily News Foreign Service. It provides Publishers-Hall Syndicate with a network of foreign and domestic correspondents and feature writers. Their dispatches are run in almost 100 client newspapers.

STATE ROLE IN OEO

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, OEO Director Don Rumsfeld recently enunciated an important step in the redirection of OEO to improve its services to the poor.

In a speech on September 8 before the State Economic Opportunity Office Directors Conference he outlined steps to bring the States into a fuller partnership with OEO. For the benefit of my colleagues I include the full text of his address as a part of my remarks:

STATE ROLE IN OEO

(Statement by Donald Rumsfeld)

As you are all well aware, we are midstream in a redirection and new emphasis for the efforts of the Office of Economic Opportunity.

The broad framework has been set down for the reorganization of headquarters OEO and we are now working the changes down through the individual divisions of the Washington and Regional offices. Although we are finding that reorganization of a government agency is a timeconsuming, somewhat painful process, it is moving along with steady progress. When complete, the agency will be better structured to perform the pioneering role the President has outlined for us.

At the same time, we have launched a study of the regions so the expansion from seven to ten regional offices can be accompanied by a thoughtful reorganization of our field operations.

Other recent major changes have included the delegation of Head Start and Job Corps and the elevation of Legal Services and Health Affairs to independent program divisions within OEO.

No less significant for the future of the agency in terms of productive change are the administrative steps we are taking to bring the states into a fuller partnership with OEO.

It has become increasingly clear in my first months in office that the resources available at the state level have not been brought to bear as fully as they might have been in the effort to build routes out of poverty.

The states have much to offer, yet they cannot contribute effectively without the opportunity for more meaningful participation. James Martin, representing the National Governor's Conference and the Council of State Governments in testimony before the House Education and Labor Committee last April, made this case. He pointed out that no new legislation is required because the existing OEO legislation provides in 15 instances for an active state role. But he added that full participation has not been encouraged by OEO officials.

In the future, there will be encouragement.

I sent a letter to your governors last week asking for their assistance in marshalling ideas and resources for the development of economic opportunity. Coordination and cooperation between OEO and the governors' offices are vital if we are going to enable underprivileged Americans to join in the economic benefits of our society.

Words like coordination, cooperation, and

participation can easily become lip-service phrases surrounding a policy of inactivity. But I intend to see that these words mean what they say in relationship of OEO to the states. There will be fuller consultation with the governors in OEO matters affecting their states.

This new posture for OEO is consistent with the overall Administration policy of giving states a greater share of the responsibility for the operation of government programs in our federally-structured system.

This reversal of the trend of three decades was a key point in President Nixon's speech to the National Governor's Conference in Colorado Springs last week. He said, "Washington will no longer try to go it alone. Washington will no longer dictate without consulting."

Regarding OEO, the administrative authority provided for in the Economic Opportunity Act will be exercised. After careful study and review, I have decided to take several steps to strengthen the state contribution to the poverty program.

Some of these changes are spelled out in a completely revised OEO instruction on the role of the State Economic Opportunity Offices, a draft of which will be mailed out to you and your governors for comment shortly. Among the changes are:

Greater involvement of the SEOOs in the regional funding plans for OEO-funded programs within each state.

Systematic consultation with the SEOOs in the training and technical assistance process.

Fuller participation of SEOOs in the monitoring and evaluation of OEO-funded programs.

A requirement that Regional Offices work out a joint agreement with the SEOOs on the coordination of field personnel activities.

Increased emphasis on the role of the SEOO as a mobilizer of state resources for use against poverty.

A clear statement encouraging a more important role for the SEOOs in state government.

Under active consideration are proposals for:

Achieving adequate staffing for SEOO offices.

Greater use of states for research and demonstration projects in areas where they have special expertise.

In-service training for OEO personnel on the workings of state government and, vice-versa, for SEOO personnel on the workings of the Federal government.

Where the added responsibilities imposed on the state offices require more staffing and resources, and where innovation and effectiveness have been shown, we will attempt to increase the budgets of individual state offices.

Some steps have already been taken in recent months to upgrade the relationship between SEOO offices and OEO. They include:

The initiation and funding of a program of poverty-oriented state planning grants in ten SEOOs.

Three pilot projects for State Special Technical Assistance (State/STAP) Programs.

An effort to strengthen the checkpoint system for processing grants.

A directive has been written and will be sent shortly to the regional offices and contractors for training and technical assistance. It sets forth their responsibilities for working with SEOOs in this area.

Another program which will receive major emphasis in the coming months is the Federal-State-Information Exchange System. As a result of a recent decision, this method of linking Washington and the states is being expanded to include half of the 50 states, and it has bright prospects for still further expansion.

In short, we are seeking a wide variety of ways to put substance into the oft-used phrase "a more meaningful role for the states." Details on the steps taken and those to be taken will be available in the immediate future.

Our firm intention to make the state-OEO relationship a day-to-day working partnership is also reflected in the reorganization of the headquarters office. Instead of an isolated office for state relations on the staff level, the new structure places the state liaison office directly in the major decision-making process of the agency.

A new State and Local Government Relations Division is being established in the Office of Operations. This means the views of SEOO directors will be heard in the development of OEO operating policy and procedure, since the Office of Operations will be headed by a presidential appointee with responsibility for most of the field activities of the agency. SEOO contributions will be fed directly to the man making the key decisions for field operations.

Another administrative action of importance to the states is the revision of the guidelines implementing the Green Amendment. We are presently working on new guidelines to rewrite the language which has been construed by some to have inhibited the use of the amendment by the states.

These changes all move in the direction of more effective working relationships for the states with OEO. But this is not the final word on this subject.

In two months, a nationwide evaluation of the SEOOs by the Midwest Research Institute will be completed. That study, along with the consultation I recently invited in my letter to the governors of the 50 states, will be carefully reviewed with an eye to still further improvements in their relationships.

Our partnership will not be a static. I am confident that it will continue to evolve as better ideas are found to make the Federal-regional-state-local system work more effectively for the benefit of the poor.

"PORQUE" PATTEN

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. DELANEY. Mr. Speaker, I was deeply grieved to learn of the passing of our friend and former colleague from Arizona, the Honorable Harold A. "Porque" Patten.

"Porque" was a warm and friendly person, who had a great many friends on both sides of the aisle. He was a valued member of the Committee on Armed Services, and the Committee on Veterans' Affairs. He worked with diligence and effectiveness to serve his constituents and the Nation, and contributed greatly to the work of the House of Representatives.

He was an outstanding athlete at the University of Arizona, and, after graduation, devoted his talents to the field of public recreation where he provided in tion, devoted his talents to the field of young people. He served with valor and distinction as a combat observer with the Army Air Corps in World War II and rose to the rank of major. After the war he maintained an active interest in veterans' affairs, and was proud of his service in the Air Force Reserve, from which he retired in 1960 as a lieutenant colonel.

Arizona has lost one of its finest citizens and a devoted public servant. The Nation has lost one of its outstanding patriots. We who were privileged to know him mourn the loss of a kind and gentle friend.

I extend my deepest sympathy to his wife, Mary, and his family.

A FADING SHADOW

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. FEIGHAN. Mr. Speaker, our merchant marine fleet, often referred to as "Our Fourth Arm of Defense," has been reduced to a shadow of its former self, especially in terms of international prestige.

The following brochure, published by the Labor-Management Maritime Committee, sets forth our Nation's maritime plight and outlines the response we must make to avert the continuance of the downward trend.

The brochure follows:

THE U.S. MERCHANT MARINE—OUR FOURTH ARM OF DEFENSE

Self-preservation is the first law of nature. Likewise, national perpetuation is the first and most basic law of any nation. Its freedom, its security and its national defense are protected by its military strength. All major conflicts between nations involve the sea lanes of the world. The possession of adequate sea power is thus imperative. Every major seagoing military mission must be backed up by maritime transport capability. This is the role of the U.S. Merchant Marine. For this reason it is aptly termed "our fourth arm of defense."

Today, except for the liner fleet, the U.S. Merchant Marine has diminished to a shadow of its former self while the nation remains indifferent to its plight. The degree of this indifference is in direct proportion to the peril the nation faces by continued maritime neglect. This brochure sets forth our maritime plight and certain corrective measures to offset the peril to our seagoing capability which in turn adversely affects our national security.

THE RUSSIAN DRIVE TO THE SEA

The Russian bear is already manipulating its sea power like marionettes in the strategic sealanes of the world.

The Soviets have boasted that "The flag of the Soviet Navy now proudly flies over the oceans of the world. Sooner or later, the United States will have to understand that it no longer has mastery of the seas". Its rapidly expanding merchant marine gives great credence to this boast.

The USSR is the fastest growing maritime nation on earth. It now presses Japan for fifth place and will rapidly continue to move higher.

It doubled its merchant fleet tonnage in the period 1961–65.

It is expected to expand an added 50% by 1970 for a total of 14 million DWT. This will overtake and surpass the U.S.

The USSR has been adding in excess of 1,000,000 DWT per year to its merchant fleet. The United States has been adding only 170,000 DWT annually in recent years up through 1967.

Well over 80% of the Soviet merchant fleet is *less than 10 years old*. Conversely, more than 80% of the U.S. merchant fleet is *over 20 years* of *age*. This means four out of every

five Soviet merchant ships are *new;* four out of every five U.S. merchant ships are *old.*

A Senate Committee on Commerce Report (December 1967) points out that in "outstanding orders for dry cargo vessels, the Soviet Union is now leading all competitors" (28% of the world's dry cargo ships on order). In 1968 Russia had 456 merchant ships on order. The U.S. had only 51.

The United States, because of budget privation and indifference to its national maritime policy, constructs an average of only 8 to 10 merchant ships a year for the foreign commerce under the 1936 merchant marine act.

The Soviet Union thus drives to the sea in a massive effort *to dominate it.* The U.S., meanwhile, drives toward a maritime graveyard with accelerating pace *to lose it.*

MARITIME GRAVEYARD

One segment of the merchant fleet does not have the mortuary tow attached to it—the liner fleet operating under subsidy contract. This segment remains strong and viable.

The Merchant Marine Act of 1936 (Section 101) declares "it is necessary for the national defense . . . that the United States shall have a merchant marine . . . capable of serving as a naval and military auxiliary in time of war or national emergency."

To that end, liner ships, constructed under such act are built with modern defense capability and with special defense features determined by the Navy.

To that end, subsidy contract lines have developed the RESPOND program to provide sealift capability to DOD on a short-of-war basis. This program commits all subsidy contract lines [and all others interested in the National Defense] to meet the needs of DOD in progressive steps up to and including full fleet utilization for the defense of the nation.

Both the Comptroller General and the Department of Defense have endorsed the RESPOND concept. It is similar to the highly successful CRAF program which commits the airlines to provide airlift capability to DOD.

It is now vigorously opposed by the owners of the "Rustic Relics"—the tottering GRANDFATHER SHIPS of World War II.

These owners have sought to exclude new fast ships of the contract-supported lines from the defense of the nation by imposing special penalties on their use. They are attempting to secure a monopoly on the carriage of all government cargo at high rates and guaranteed profit. Thus they hope to breathe a little more life in to the GRANDFATHER SHIPS.

The Acting Maritime Administrator rejected such preposterous attempts on February 28, 1968, when he refused to "impose a surcharge or penalty in the military charters of the newer ships."

His action sustains the concept that to perpetuate antiquated sea power is to risk the national security; that the desires of a small and decaying segment of the industry must not impair the national interest.

It is high time we strengthen our fourth arm of defense with an aggressive joint industry-government effort toward maritime improvement.

While the Russian Bear grows massive in size, the U.S. has struggled through two decades of inept maritime action. In this year 1969, another MOUNTAIN of effort must not again BRING FORTH A MARITIME MOUSE.

SADDLING THE NATIONAL DEFENSE WITH MARITIME OBSOLESCENCE

In a declared war of any major proportion, merchant ships to back up our military forces will not be the obsolete rust buckets of World War II.

They will be our new fast modern ships built chiefly by the contract-supported lines and other new ships yet to be constructed.

Both shipyard support and national defense features have been provided by Government under the Merchant Marine Act of 1936 for just such a purpose. Neither redounds to the operators who are committing over $2 billion in private funds for new ship construction.

The new ships are used substantially in supporting the Vietnam conflict, both on route and under direct charter.

However, Vietnam is a limited conflict, fought with Uncle Sam's hands partially tied behind his back. Such a military engagement does not justify the abandonment of all the nation's commercial sealanes to foreign flag shipping.

Were this done, much of it would never be regained. Nevertheless, subsidy contract lines have responded with ships for both military and commercial purposes.

Operators of old World War II fleets attempt to deprecate these efforts while boasting of their own Vietnam participation.

Actually, Vietnam was a Godsend to them. Many of their ships are so non-competitive in commercial operation that military employment, on a sizable scale, is a considerable bonanza. Since most unsubsidized ships are so old they can't qualify for commercial insurance at reasonable rates, the carriage of self-insured government cargo solves many shipping problems for an ill-fated fleet faced with accelerating decay.

Their attacks upon the contract-supported lines is a classic example of inconsistency. On the one hand, they charge them with doing too little in military transport and in the second breath attack the RESPOND program for providing too much.

One group called AUL (American Unsubsidized Lines) has been in the vanguard of this charge. Yet, as of December 31, 1967, the subsidy contract lines had approximately twice the AUL ships and twice their tonnage on charter to the military—39 vs. 20 ships and 455,000 DWT vs. 231,000 DWT.

The dissident carriers eulogize the performance of "the unsubsidized ships and World War rust relics which had been taken out of mothballs", but minimize "the amount of Vietnam-bound cargo carried by the subsidized segment of the fleet".

On one hand, they view with alarm the great amount of military cargo carried by contract-supported lines such as "automobiles, household goods and personal effects" and "food, clothing and medical supplies destined for military installations around the globe", and, on the other hand, criticize it for not carrying more.

They decry what they call "low" participation of subsidy contract lines in military transport, then complain because such lines are carrying too much of it worldwide.

They complain that the subsidy contract lines "were carrying only 17.1%" Vietnam military cargo (one isolated quarter of 1967) but object bitterly to the RESPOND program designed to transport more.

They decry their lack of modern ships to more effectively serve the armed forces but oppose increased participation by those who do possess them.

They have climbed upon a TEETER-TOTTER without knowing which end to ride.

While they TEETER on one side, THEIR AGING FLEETS TOTTER WITH THEM on the other; albeit over an abyss of decay and obsolescence.

OUR DEFENSE MUST NOT BE ALLOWED TO TOTTER WITH THEM TO DESTRUCTION.

DEFENSE AND THE DUAL SUBSIDY KICK

Some dry cargo carriers will be virtually forced from the seas in a few years; not by the RESPOND program; not by subsidy contract lines; but by technical obsolescence, higher insurance rates, heavy maintenance costs, and non-competitive ships.

Perhaps in a final effort to maximize profits before going wholly foreign, they now seek a corner on all military cargo. To achieve this they have gone on a DUAL SUBSIDY KICK from which neither the rulings of the Comptroller General nor the Acting Maritime Administrator have been able to extricate them.

U.S. Flag operators must build their ships in U.S. yards.

Shipyard subsidy, as its name implies, goes to U.S. shipyards to offset differentials in cost with foreign yards. Yet the dissident carriers demand it be reclaimed from those who never received it—the berth line carriers operating under the 1936 Merchant Marine Act. By this device they hope to disadvantage such lines and gain all Government transport business for their own aging fleets.

On February 28, 1968, the Acting Maritime Administrator advised them that their war-built ships were "not under any disadvantage vis-a-vis any other ship of comparable age", pointing out that capital costs of ships were comparable whether built under construction subsidy or sold under the 1946 Ship Sales Act.

He then rejected their concept of repayment of construction differential subsidy, holding it "would introduce an element, not of equity but of inequity".

In a previous attempt, these carriers sought repayment of operating differential subsidy from subsidy contract lines where military or aid cargo is carried. On October 14, 1966, the Comptroller General ruled that such support was for maintaining regular services on the route—not for carrying Government cargo. He held that such costs were not affected by partial lot Government cargo carried *incidental to the service.*

Subsidy contract operation under the 1936 Merchant Marine Act imposes limitations and obligations conceived in the national interest for maximum customer service.

These limitations and obligations, while publicly beneficial, serve to depress profits and offset subsidy payments without reference to partial lot military cargo carried incidental to service on the route. Such cargo *is,* therefore, not a factor in competitive rate making.

Ships chartered to the Government for full load carriage go off operating differential subsidy. Under such circumstance, dual subsidy simply cannot exist.

Those claiming that subsidy contract lines generally enjoy a high profit level due to military transport need only look at comparative rates of return on equity and long-term debt in both peace and war time operation.

Subsidy contract lines

Year:	*Percent of return*
1958	5.9
1959	3.2
1960	2.8
1961	2.8
1962	3.9
1963	3.9
1964	4.5
1965	3.3
1966	4.8
1967	2.3
1968	not yet available

The highest return was before the Vietnam war; the lowest in one of the heaviest war years.

Actually, the profit level of the subsidy contract lines ranks at the bottom of the 50 major U.S. industries.

An industry report [based on Maritime Administration data] shows the following comparisons for three representative years of return on "net worth and long-term debt" for subsidy contract and selected non-subsidy contract lines.

Subsidy contract lines

Year:	*Percent*
1964	4.6
1965	3.3
1966	5.4

Nonsubsidy contract lines

Year:	Percent
1964	6.5
1965	7.2
1966	9.5

Actually, one of the largest non-subsidy contract lines showed a return on net worth alone of 61.1% in 1965; 39.9% in 1966 and 48.9% in 1967. Such lines have high profits because they concentrate on carrying full ship loads of government cargo in older fully depreciated ships.

Nevertheless such lines operating with complete freedom from the limitations and obligations of subsidy contracts, have built no new dry cargo ships specifically for the foreign commerce.

It seems clear that the "dual subsidy" kick is without foundation. Governmental review at the highest levels has rejected it. In spite of this fact, the dissident carriers continue to beat the drum and sing out like Johnny-one-note—a false song for a false cause.

THE RESPOND PROGRAM—WHAT IT IS

The U.S.-flag Merchant Marine plays three vital roles:

1. Contributes to the economic welfare of the U.S. by (a) improving the balance of payments; (b) providing jobs and opportunities for U.S. capital; and (c) facilitating our national position in world trade.

2. Affects significantly our diplomatic-political position in world affairs.

3. Supports national security by providing sealift to the Defense Establishment and military forces.

In a peacetime situation national defense needs are small. The U.S. Merchant Marine consequently may center attention on economic and commercial activities.

In a full wartime situation, economic and diplomatic needs are integrated with those of the national security. The U.S. Merchant Marine is correspondingly integrated with the military forces as a fourth arm of defense.

In emergency situations short of full war, the several roles of the U.S. Merchant Marine are subject to conflicting demands. Vital commercial operations may be curtailed to meet military demands. Careful judgments are necessary in allocating fleet usage to conflicting needs.

The RESPOND program is an instrumentality to solve these problems through scheduled availability of sealift.

RESPOND provides five stages of quantitative sealift between all out peace and all out war.

Appropriate Government agencies may invoke the various stages in accordance with emergency or security needs.

Sealift may be provided as follows:

1. Complete ship usage through charter to Government.

2. Pre-emption of any space by the military on regular trade route operation.

3. Solicitation of military cargo by ship operators.

Ship utilization under all three methods is available to Government "on a graduated fleet percentage basis."

Availability

Stages:	Percent of capacity
I	20
II	25
III	33
IV	50
V	66
All out war	100

Private merchant fleet utilization is progressively coordinated with expanded ship assignments from MSTS and the National Defense Reserve Fleet, thus committing all segments of U.S. merchant sea power.

"Respond" is a responsible and responsive plan to help meet both the commercial and military commitments of the United States.

The fast, new ships of the subsidy contract lines constructed under the Merchant Marine Act of 1936 represent our best arm of maritime support to the nation's naval and military forces. Old ships of World War II vintage weaken rather than strengthen this logistic maritime support. By 1972, virtually all will be over 25 years old.

Efforts to saddle our future defense with such relics of a bygone age are futile and ill-conceived. We need to strengthen both our commercial and military sea power in the interest of both progress and safety.

The nation needs to build up its sea power capability by adopting a new realistic shipbuilding program. Such a program should insure participation by all segments of our U.S. merchant marine. The Labor-Management Maritime Committee supports such objectives.

THE BLACK MANIFESTO

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. ASHBROOK. Mr. Speaker, last week, meeting on the campus of Notre Dame, the Protestant Episcopal Church voted $200,000 to help in the economic development of Negro people. According to press accounts, the money would go to the National Committee of Black Churchmen with the unwritten understanding that the funds will be channeled directly to the National Black Economic Development Conference.

It will be remembered that the NBEDC met in Detroit, Mich., on April 25, 1969, and, among other things, approved the Black Manifesto which was read to the conference by James Forman, director of International Affairs of the Student Nonviolent Coordinating Committee. The conference was sponsored by the Interreligious Foundation for Community Organization of New York City, a foundation established several years ago which has as charter members a number of large religious denominations here in the United States.

As many churchmen now know, the Black Manifesto demanded of the "White Christian Churches and the Jewish Synagogues in the United States of America and all other racist institutions" a sum of $500 million as reparation for the wrongs done to the Negro people in the past. The demands were later increased to $3 billion.

In all probability, not too many churchgoers have had an opportunity to read the full text of the Black Manifesto and the prefacing remarks made by James Forman at the conference. A recent Gallup poll found that even among Negroes, only 21 percent actively favor his demand for "reparations," and speakers at the recent NAACP convention denounced his approach.

Part 19 of the hearings, "Riots, Civil and Criminal Disorders," by Senator McCLELLAN's Permanent Subcommittee on Investigations, carries both the opening remarks and the manifesto as it was delivered by James Forman in April. For those members of the various churches who might contemplate contributing to the NBEDC or IFCO, they would be well advised to read the Black Manifesto before deciding. To provide wider dissemination of this document, I insert it in the RECORD at this point:

BLACK MANIFESTO

(Presentation by James Forman, delivered and adopted by the National Black Economic Development Conference in Detroit, Michigan on April 26, 1969)

INTRODUCTION—TOTAL CONTROL AS THE ONLY SOLUTION TO THE ECONOMIC PROBLEMS OF BLACK PEOPLE

Brothers and Sisters: We have come from all over the country, burning with anger and despair not only with the miserable economic plight of our people, but fully aware that the racism on which the Western World was built dominates our lives. There can be no separation of the problems of racism from the problems of our economic, political, and cultural degradations. To any black man, this is clear.

But there are still some of our people who are clinging to the rhetoric of the Negro and we must separate ourselves from those Negroes who go around the country promoting all types of schemes for Black Capitalism.

Ironically, some of the most militant Black nationalists, as they call themselves, have been the first to jump on the bandwagon of black capitalism. They are pimps: Black Power Pimps and fraudulent leaders and the people must be educated to understand that any black man or Negro who is advocating a perpetuation of capitalism inside the United States is in fact seeking not only his ultimate destruction and death, but is contributing to the continuous exploitation of black people all around the world. For it is the power of the United States Government, this racist, imperialist government that is choking the life of all people around the world.

We are an African people. We sit back and watch the Jews in this country make Israel a powerful conservative state in the Middle East, but we are not concerned actively about the plight of our brothers in Africa. We are the most advanced technological group of black people in the world, and there are many skills that could be offered to Africa. At the same time, it must be publicly stated that many African leaders are in disarray themselves, having been duped into following the lines as laid out by the Western Imperialist governments.

Africans themselves succumbed to and are victims of the power of the United States. For instance, during the summer of 1967, as the representatives of SNCC, Howard Moore and I traveled extensively in Tanzania and Zambia. We talked to high, very high, government officials. We told them there were many black people in the United States who were willing to come and work in Africa. All these government officials who were part of the leadership in their respective governments, said they wanted us to send as many skilled people that we could contact. But this program never came into fruition and we do not know the exact reason, for I assure you that we talked and were committed to making this a successful program. It is our guess that the United States put the squeeze on these countries, for such a program directed by SNCC would have been too dangerous to the international prestige of the U.S. It is also possible that some of the wild statements by some black leaders frightened the Africans.

In Africa today, there is a great suspicion of black people in this country. This is a correct suspicion since most of the Negroes who have left the States for work in Africa usually work for the Central Intelligence Agency (CIA) or the State Department. But the respect for us as a people continues to mount

and the day will come when we can return to our homeland as brothers and sisters. But we should not think of going back to Africa today, for we are located in a strategic position. We live inside the U.S. which is the most barbaric country in the world and we have a chance to help bring this government down.

Time is short and we do not have much time and it is time we stop mincing words. Caution is fine, but no oppressed people ever gained their liberation until they were ready to fight, to use whatever means necessary, including the use of force and power of the gun to bring down the colonizer.

We have heard the rhetoric, but we have not heard the rhetoric which says that black people in this country must understand that we are the Vanguard Force. We shall liberate all the people in the U.S. and we will be instrumental in the liberation of colored people the world around. We must understand this point very clearly so that we are not trapped into diversionary and reactionary movements. Any class analysis of the U.S. shows very clearly that black people are the most oppressed group of people inside the United States. We have suffered the most from racism and exploitation, cultural degradation and lack of political power. It follows from the laws of revolution that the most oppressed will make the revolution, but we are not talking about just making the revolution. All the parties on the left who consider themselves revolutionary will say that blacks are the Vanguard, but we are saying that not only are we the Vanguard, but we must assume leadership, total control and we must exercise the humanity which is inherent in us. We are the most humane people within the U.S. We have suffered and we understand suffering. Our hearts go out to the Vietnamese for we know what it is to suffer under the domination of racist America. Our hearts, our souls and all the compassion we can mount goes out to our brothers in Africa, Santa Domingo, Latin America and Asia who are being tricked by the power structure of the U.S. which is dominating the world today. These ruthless barbaric men have systematically tried to kill all people and organizations opposed to its imperialism. We no longer can just get by with the use of the word capitalism to describe the U.S., for it is an imperial power, sending money, missionaries and the army throughout the world to protect this government and the few rich whites who control it. General Motors and all the major auto industries are operating in South Africa, yet the white dominated leadership of the United Auto Workers sees no relationship to the exploitation of black people in South Africa and the exploitation of black people in the U.S. If they understand it, they certainly do not put it into practice which is the actual test. We as black people must be concerned with the total conditions of all black people in the world.

"• • • no oppressed people have ever gained their liberation until they were ready to fight, to use whatever means necessary, including the use of force and power of the gun to bring down the colonizer. JAMES FORMAN.

But while we talk of revolution, which will be an armed confrontation and long years of sustained guerrilla warfare inside this country, we must also talk of the type of world we want to live in. We must commit ourselves to a society where the total means of production are taken from the rich people and placed into the hands of the state for the welfare of all the people. This is what we mean when we say total control. And we mean that black people who have suffered the most from exploitation and racism must move to protect their black interest by assuming leadership inside of the United States of everything that exists. The time has passed when we are second in command and the white boy stands on top. This is especially true of the Welfare Agencies in this country, but it is not enough to say that a black man is on top. He must be committed to building the new society, to taking the wealth away from the rich people such as General Motors, Ford, Chrysler, the DuPonts, the Rockefellers, the Mellons, and all the other rich white exploiters and racists who run this world.

Where do we begin? We have already started. We started the moment we were brought to this country. In fact, we started on the shores of Africa, for we have always resisted attempts to make us slaves and now we must resist the attempts to make us capitalists. It is in the financial interest of the U.S. to make us capitalists, for this will be the same line as that of integration into the main-stream of American life. Therefore, brothers and sisters, there is no need to fall into the trap that we have to get an ideology. We HAVE an ideology. Our right is against racism, capitalism and imperialism and we are dedicated to building a socialist society inside the United States where the total means of production and distribution are in the hands of the State and that must be led by black people, by revolutionary blacks who are concerned about the total humanity of this world. And, therefore, we obviously are different from some of those who seek a black nation in the United States, for there is no way for that nation to be viable, if in fact the United States remains in the hands of white racists. Then too, let us deal with some arguments that we should share power with whites. We say that there must be a revolutionary black Vanguard and that white people in this country must be willing to accept black leadership, for that is the only protection that black people have to protect ourselves from racism rising again in this country.

Racism in the U.S. is so pervasive in the mentality of whites that only an armed, well-disciplined, black-controlled government can insure the stamping out of racism in this country. And that is why we plead with black people not to be talking about a few crumbs, a few thousand dollars for this cooperative, a thousand dollars which splits black people into fighting over the dollar. That is the intention of the government. We say . . . think in terms of total control of the U.S. Prepare ourselves to seize state power. Do not hedge, for time is short and all around the world, the forces of liberation are directing their attacks against the U.S. It is a powerful country, but that power is not greater than that of black people. We work the chief industries in this country and we could cripple the economy while the brothers fought guerrilla warfare in the streets. This will take some long range planning, but whether it happens in a thousand years is of no consequence. It cannot happen unless we start. How then is all of this related to this conference?

First of all, this conference is called by a set of religious people, Christians who have been involved in the exploitation and rape of black people since the country was founded. The missionary goes hand in hand with the power of the states. We must begin seizing power wherever we are and we must say to the planners of this conference that you are no longer in charge. We the people who have assembled here thank you for getting us here, but we are going to assume power over the conference and determine from this moment on the direction in which we want it to go. We are not saying that the conference was planned badly. The staff of the conference has worked hard and have done a magnificent job in bringing all of us together and we must include them in the new leadership which must surface from this point on. The Conference is now the property of the people who are assembled here. This we proclaim as fact and not rhetoric and there are demands that we are going to make and we insist that the planners of this conference help us implement them.

We maintain we have the revolutionary right to do this. We have the same rights, if you will, as the Christians had in going into Africa and raping our Motherland and bringing us away from our continent of peace and into this hostile and alien environment where we have been living in perpetual warfare since 1619.

Our seizure of power at this conference is based on a program and our program is contained in the following Manifesto:

We the black people assembled in Detroit, Michigan for the National Black Economic Development Conference are fully aware that we have been forced to come together because racist white America has exploited our resources, our minds, our bodies, our labor. For centuries we have been forced to live as colonized people inside the United States, victimized by the most vicious, racist system in the world. We have helped to build the most industrial country in the world.

We are therefore demanding of the white Christian churches and Jewish synagogues which are part and parcel of the system of capitalism, that they begin to pay reparations to black people in this country. We are demanding $500,000,000 from the Christian white churches and the Jewish synagogues. This total comes to 15 dollars per nigger. This is a low estimate for we maintain there are probably more than 30,000,000 black people in this country. $15 a nigger is not a large sum of money and we know that the churches and synagogues have a tremendous wealth and its membership, white America, has profited and still exploits black people. We are also not unaware that the exploitation of colored peoples around the world is aided and abetted by the white Christian churches and synagogues. This demand for $500,000,000 is not an idle resolution or empty words. Fifteen dollars for every black brother and sister in the United States is only a beginning of the reparations due us as people who have been exploited and degraded, brutalized, killed and persecuted. Underneath all of this exploitation, the racism of this country has produced a psychological effect upon us that we're beginning to shake off. We are no longer afraid to demand our full rights as a people in this decadent society.

We are demanding $500,000,000 to be spent in the following way:

(1) We call for the establishment of a Southern land bank to help our brothers and sisters who have to leave their land because of racist pressure for people who want to establish cooperative farms, but who have no funds. We have seen too many farmers evicted from their homes because they have dared to defy the white racism of this country. We need money for land. We must fight for massive sums of money for this Southern Land Bank. We call for $200,000,000 to implement this program.

(2) We call for the establishment of four major publishing and printing industries in the United States to be funded with ten million dollars each. These publishing houses are to be located in Detroit, Atlanta, Los Angeles, and New York. They will help to generate capital for further cooperative investments in the black community, provide jobs and an alternative to the white-dominated and controlled printing field.

(3) We call for the establishment of four of the most advanced scientific and futuristic audio-visual network to be located in Detroit, Chicago, Cleveland and Washington, D.C. These TV networks will provide an alternative to the racist propaganda that fills the current television networks. Each of these TV networks will be funded by ten million dollars each.

(4) We call for a research skills center which will provide research on the problems

of black people. This center must be funded with no less than 30 million dollars.

(5) We call for the establishment of a training center for the teaching of skills in community organization, photography, movie making, television making and repair, radio building and repair and all other skills needed in communication. This training center shall be funded with no less than ten million dollars.

(6) We recognize the role of the National Welfare Rights Organization and we intend to work with them. We call for ten million dollars to assist in the organization of welfare recipients. We want to organize the welfare workers in this country so that they may demand more money from the government and better administration of the welfare system of this country.

(7) We call for $20,000,000 to establish a National Black Labor Strike and Defense Fund. This is necessary for the protection of black workers and their families who are fighting racist working conditions in this country.

(8) We call for the establishment of the International Black Appeal (IBA). This International Black Appeal will be funded with no less than $20,000,000. The IBA is charged with producing more capital for the establishment of cooperative businesses in the United States and in Africa, our Motherland. The International Black Appeal is one of the most important demands that we are making for we know that it can generate and raise funds throughout the United States and help our African brothers. The IBA is charged with three functions and shall be headed by James Forman:

(a) Raising money for the program of the National Black Economic Development Conference.

(b) The development of cooperatives in African countries and support of African Liberation movements.

(c) Establishment of a Black Anti-Defamation League which will protect our African image.

(9) We call for the establishment of a Black University to be funded with $130,000,000 to be located in the South. Negotiations are presently under way with a Southern University.

(10) We demand that IFCO allocate all unused funds in the planning budget to implement the demands of this conference.

In order to win our demands we are aware that we will have to have massive support, therefore:

(1) We call upon all black people throughout the United States to consider themselves as members of the National Black Economic Development Conference and to act in unity to help force the racist white Christian churches and Jewish synagogues to implement these demands.

(2) We call upon all the concerned black people across the country to contact black workers, black women, black students and the black unemployed, community groups, welfare organizations, teachers organizations, church leaders and organizations explaining how these demands are vital to the black community of the U.S. *(Revised and approved by Steering Committee) of the racist white Christian churches and Jewish synagogues. All black people should act boldly in confronting our white oppressors and demanding this modest reparation of $15 per black man.

(3) Delegates and members of the National Black Economic Development Conference are urged to call press conferences in the cities and to attempt to get as many black organizations as possible to support the demands of the conference. The quick use of the press in the local areas will heighten the tension and these demands must be attempted to be won in a short period of time, although we are prepared for protracted and long range struggle.

(4) We call for the total disruption of selected church sponsored agencies operating anywhere in the U.S. and the world. Black workers, black women, black students and the black unemployed are encouraged to seize the offices, telephones, and printing apparatus of all church sponsored agencies and to hold these in trusteeship until our demands are met.

(5) We call upon all delegates and members of the National Black Economic Development Conference to stage sit-in demonstrations at selected black and white churches. This is not to be interpreted as a continuation of the sit-in movement of the early sixties but we know that active confrontation inside white churches is possible and will strengthen the possibility of meeting our demands. Such confrontation can take the form of reading the Black Manifesto instead of a sermon or passing it out to church members. The principles of self-defense should be applied if attacked.

(6) On May 4, 1969 or a date thereafter, depending upon local conditions, we call upon black people to commence the disruption of the racist churches and synagogues throughout the United States.

(7) We call upon IFCO to serve as a central staff to coordinate the mandate of the conference and to reproduce and distribute en mass literature, leaflets, news items, press releases and other material.

(8) We call upon all delegates to find within the white community those forces which will work under the leadership of blacks to implement these demands by whatever means necessary. By taking such actions, white Americans will demonstrate concretely that they are willing to fight the white skin privilege and the white supremacy and racism which has forced us as black people to make these demands.

(9) We call upon all white Christians and Jews to practice patience, tolerance and understanding and nonviolence; as they have encouraged. advised and demanded that we as black people should do throughout our entire enforced slavery in the United States. The true test of their faith and belief in the Cross and the words of the prophets will certainly be put to a test as we seek legitimate and extremely modest reparations for our role in developing the industrial base of the Western world through our slave labor. But we are no longer slaves, we are men and women, proud of our African heritage, demanding to have our dignity.

(10) We are so proud of our African heritage and realize concretely that our struggle is not only to make revolution in the United States, but to protect our brothers and sisters in Africa and to help them rid themselves of racism, capitalism, and imperialism by whatever means necessary, including armed struggle. We are and must be willing to fight the defamation of our African image wherever it rears its ugly head. We are therefore charging the Steering Committee to create a Black Anti-Defamation League to be funded by money raised from the International Black Appeal.

(11) We fully recognize that revolution in the United States and Africa, our Motherland, is more than a one dimensional operation. It will require the total integration of the political, economic, and military components and therefore, we call upon all our brothers and sisters who have acquired training and expertise in the fields of engineering, electronics, research, community organizations, physics, biology, chemistry, mathematics, medicine, military science and warfare to assist the National Black Economic Development Conference in the implementation of its program.

(12) To implement these demands we must have a fearless leadership. We must have a leadership which is willing to battle the church establishment to implement these demands. To win our demands we will have to declare war on the white Christian churches and synagogues and this means we may have to fight the total government structure of this country. Let no one here think that these demands will be met by our mere stating them. For the sake of the churches and synagogues, we hope that they have the wisdom to understand that these demands are modest and reasonable. But if the white Christians and Jews are not willing to meet our demands through peace and good will, then we declare war and we are prepared to fight by whatever means necessary. We are, therefore, proposing the election of the following Steering Committee:

Lucious Walker, Renny Freeman, Luke Tripp, Howard Fuller, James Forman, John Watson, Dan Aldridge, John Williams, Ken Cockrel, Chuck Wooten, Fannie Lou Hamer, Julian Bond, Mark Comfort, Earl Allen, Robert Brown, Vincent Harding, Mike Hamlin, Len Holt, Peter Bernard, Michael Wright, Muhammed Kenyatta, Mel Jackson, Howard Monroe, Harold Holmes.

Brothers and sisters, we no longer are shuffling our feet and scratching our heads. We are tall, black and proud.

And we say to the white Christian churches and Jewish synagogues, to the government of this country and to all the white racist imperialists who compose it, there is only one thing left that you can do to further degrade black people and that is to kill us. But we have been dying too long for this country. We have died in every war. We are dying in Vietnam today fighting the wrong enemy.

The new black man wants to live and to live means that we must not become static or merely believe in self-defense. We must boldly go out and attack the white Western world at its power centers. The white Christian churches are another form of government in this country and are used by the government of this country to exploit the people of Latin America, Asia and Africa, but the day is soon coming to an end. Therefore, brothers and sisters, the demands we make upon the white Christian churches and the Jewish synagogues are small demands. They represent 15 dollars per black person in these United States. We can legitimately demand this from the church power structure. We must demand more from the United States Government.

But to win our demands from the church which is linked up with the United States Government, we must not forget that it will ultimately be by force and power that we will win.

We are not threatening the churches. We are saying that we know the churches came with the military might of the colonizers and have been sustained by the military might of the colonizers. Hence, if the churches in colonial territories were established by military might, we know deep within our hearts that we must be prepared to use force to get our demands. We are not saying that this is the road we want to take. It is not, but let us be very clear that we are not opposed to force and we are not opposed to violence. We were captured in Africa by violence. We were kept in bondage and political servitude and forced to work as slaves by the military machinery and the Christian church working hand in hand.

We recognize that in issuing this manifesto we must prepare for a long range educational campaign in all communities of this country, but we know that the Christian churches have contributed to our oppression in white America. We do not intend to abuse our black brothers and sisters in black churches who have uncritically accepted Christianity. We want them to understand how the racist white Christian Church with its hypocritical declarations and doctrines of brotherhood has abused our trust and faith. An attack on the religious beliefs of black people is not our major ob-

jective, even though we know that we were not Christians when we were brought to this country, but that Christianity was used to help enslave us. Our objective in issuing this Manifesto is to force the racist white Christian Church to begin the payment of reparations which are due to all black people, not only by the Church but also by private business and the U.S. government. We see this focus on the Christian Church as an effort around which all black people can unite.

Our demands are negotiable, but they cannot be minimized, they can only be increased and the Church is asked to come up with larger sums of money than we are asking. Our slogans are:

"All roads must lead to revolution.

"Unite with whomever you can unite.

"Neutralize wherever possible.

"Fight our enemies relentlessly.

"Victory to the people.

"Life and good health to mankind.

"Resistance to domination by the white Christian Churches and the Jewish Synagogues.

"Revolution black power.

"We shall win without a doubt."

THE DIPLOMA—WHAT IS IT REALLY WORTH?

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. PUCINSKI. Mr. Speaker, recently, the editorial pages of the Philadelphia Inquirer carried an excellent article by Mr. David Hapgood concerning the overemphasis we place on a college diploma in our society.

Not unlike the publish or perish syndrome under which university professors are placed whereby they are promoted by the number of articles they publish instead of the quality, or whether they have teaching ability, our students too are placed under a similar syndrome where emphasis is placed on a college degree and not whether or not they have a marketable skill.

Since education is the greatest growth industry in America, Mr. Hapgood quite properly points out the fallacies in our educational system. When more and more college graduates come into the market, the college diploma will start losing its value and there will be a demand for an even "higher" diploma.

Mr. Hapgood presents some provocative arguments concerning diplomaism, and I recommend this timely and excellent article to my colleagues.

Mr. Speaker, the article follows:

THE DIPLOMA—WHAT IS IT REALLY WORTH?

(By David Hapgood)

"Education is the greatest growth industry in America," proclaimed Dr. Grayson Kirk, the Lyndon B. Johnson of Columbia University, not long before the children of that growth drove him into exile. Neither the rebels nor Kirk connected the cause of the growth rate with the students' dissatisfaction. Both are the result of diplomaism.

Because diploma requirements are being attached to virtually every well-paid job, more and more students must attend universities that offer less and less in return for their time and tuition. Yet, ironically, no one in the campus turmoil advocates the abolition of the diploma.

In the genuinely democratic society, jobs and promotions would be awarded strictly on the basis of performance. But in the United States, the disease of judging people by paper credentials has been spreading rapidly and few occupations are still exempt.

Sports and the arts are virtually the only pursuits in which performance is the exclusive test of merit. Of all the paper credentials now on the market, the bachelor's degree is the one with the least meaning and the most power. It has become the almost indispensable passport to good jobs and to the advanced degrees that offer better ones.

IMMENSE POWER

The industry we call education is the greatest beneficiary of diplomaism. It is the most avid practitioner of diplomaism; in no field of endeavor, with the possible exception of the health industry, does reward have as little connection with performance as in education. The industry has acquired immense power as the agency that sorts out those who will be discarded.

"We operate the sluice gates of this society," a Columbia professor observed as he gazed down from his office at the now-silent battlefield before Low Library.

Education now spends $58 billion a year, second only to the military and coming up fast. (Some defense contractors like Raytheon and Litton have been buying into the school business as a hedge against the danger of peace).

Measured in time, the power of education is still more impressive. More than 60 million Americans are engaged full time in the industry; 57 million as students, three million as teachers and administrators. It may well be that the time devoted to school is growing faster than our life expectancy.

MORE YEARS?

The years in school are bound to increase, for the diploma system contains built-in forces for escalation that have nothing to do with learning. Sorting people out by diploma for their eventual employers works only as long as graduates are scarce. Once there is an ample supply of graduates, the diploma loses its value, and the system must escalate by requiring a "higher" diploma.

This escalation has already deprived the high school diploma of most of its monetary value as a job credential. Now the cry is college-for-everyone (a goal quite different from assuring equal access regardless of race or income in a non-diploma system, where one would be free to compete for jobs without the college credential). State and community colleges are sprouting like pizza stands. Graduate schools are booming and the end is not in sight. When the cornerstone of New York's University's new library was laid not long ago, President James Hester entombed in its concrete a prophecy that "advanced degrees beyond the Ph. D." are on the way.

"MUST" FOR TEACHERS

Diplomaism is supreme within the industry itself. Teaching ability is not a criterion for being hired to teach in a university or a school. At the university, the diploma you need is the Ph. D., a degree that proves little beyond your tolerance for boredom.

In the primary and secondary schools, you need a diploma from a school of education and you must have taken a list of prescribed courses. Again, whether you can teach remains an unanswered question. Anecdotes about diplomaism in the schools abound. A former Peace Corps volunteer in Latin America who is rated "extremely fluent" in Spanish cannot teach the language in Washington, D.C., because she did not take 20 credit hours in Spanish in college. Another girl, who majored in literature at Smith, taught for two years in Liberia, and had a master's degree from Columbia Teachers College, was turned down by Washington as an English teacher because she had not taken three courses in education methods.

Similarly, promotion in the industry is by credential, not ability. The university system actively discourages good teaching, while the schools are simply indifferent to proven talent.

The professor is promoted according to the number (not the quality) of his publications; if he devotes his time and energy to being a good teacher, his career chances are hurt. In most school systems, the only way a teacher can be promoted is by going back to the industry for graduate credits. With one kind of credit, he can get on a higher salary scale; with another, he can become an administrator at double or triple the salary, and escape teaching entirely.

On the rare occasions when diplomaism in education is challenged, forces in the industry mobilize like white blood cells to meet the threat.

POPULAR ATTITUDE

If the diploma system stands in the way of giving credit to human achievement, and if it sentences us to ever more years of passive boredom and frustration, then why not abolish the diploma?

The question is hardly ever raised, even among those most critical of the education industry. They believe in reforming the industry, but not in breaking its monopoly of access to the job market. Skeptics mock the diploma but do not challenge the system that produces it. The popular attitude is that school means learning and that learning is measured by the diploma. Let us then briefly examine the arguments commonly offered for the diploma system.

Our technological economy needs a growing number of people with advanced education, or: you have to get a degree to get a good job. The second half of the statement is unanswerable, but it does not prove the accuracy of the first part.

Of course many jobs do involve highly specialized skills. But that does not mean that the rigid diploma system—four years of college, followed by three or four years of professional school before you go to work—is the only or even the best way to produce people with those skills.

The common assumption is that employers have sound economic motives when they require a college diploma. That assumption needs to be revised as a result, mainly, of the landmark work of Ivar Berg of Columbia University.

EQUAL PERFORMANCE

Berg found that graduates and non-graduates doing the same jobs performed about equally well. In no case could any significant difference in productivity be attributed to education.

Two other students, Jaffe and Froomkin in "Technology and Jobs," found that "there is little, if any, relationship between changes in educational level and changes in output per worker." But Berg also discovered that the employers did not care about such comparisons. Most employers, even those who devoted considerable attention and money to personnel programs, made no effort to find out whether their diploma requirements made any sense.

Sometimes, indeed, their policies flew in the face of facts of which they were aware, as in six big manufacturing firms where "men with master's degrees who were designated by management as among the 20 percent of their scientists who were 'relatively most valuable in terms of present performance and potential' were paid an average salary which was $1000 less than paid to Ph.D.s who were reportedly less valuable."

The belief that changes in employers' tastes, not changes in the nature of the work itself, are responsible for the diploma race is supported by a study of the 1960 census by John K. Folger and Charles B.

Nam, "Education of the American Population." In surveying the decade from 1950 to 1960, a time of escalating diploma requirements, Folger and Nam concluded that only 15 percent of the increased demand for diplomas could be accounted for by changes in the nature of work. The other 85 percent, they found, was the result of added diploma requirements for the same jobs.

OPEN QUESTION

They suggest that "the growth of educational attainment in America is not so much the result of the demands of the economy as it is the belief that education is good in itself, and that educational opportunity is part of everyone's expectations." (Note the usual failure to distinguish between education as learning and education as going to school.)

Whether automation and computerization increase the demand for educated people is still an open question. What is already clear, from the spreading downwards on the skill ladder of diploma requirements, is that the nation is producing an oversupply of college graduates Economist Seymour Harris predicted that in 1949; he was hooted at then, but time is proving him right.

This new insight into how people are hired raised a question of exceptional theoretical importance, for it challenges a basic assumption about our system. Students of the capitalist order assume that business firms actions are motivated by the desire to maximize profits. Individual exceptions exist, and employers can make mistakes, but when a phenomenon is as general as the employers' preference for diploma-holders, the classical theory tells us that their preference must make economic sense.

To illustrate how this works in practice, I was told recently about an economist who is setting out to study "why" more educated employees are more productive.

When I asked why he did not begin by finding out "whether" they were in fact more productive, I was informed that this could be assumed from the fact that they were paid more. "Whether" was out of bounds as a question because it had supposedly already been answered in the marketplace.

HOLES IN ARGUMENT

At this point, believers in diplomas-for-jobs take a step backward and reply: all right, most education has no direct vocational value, but our economy needs people who have something called "general educational development." That term, coined in the United States Employment Service, means basic reading and arithmetic and a capacity for abstract reasoning. They then go on to scale "GED" to diplomas. The more time you have served in the institutions, the higher you rate on the GED scale. Then, having as usual assumed what they set out to prove, they tell us the economy benefits if we put in more years in school.

More hole than cheese is visible in that argument, when it goes beyond the commonplace that the nation has fewer jobs for people who cannot read and count. At most, a diploma for an elite university like Harvard suggests an intellectual ability needed for some pursuits—but the diploma requirement tends to rule out other ways of developing and measuring that ability. School is, in any event, an extraordinarily inefficient way to acquire what the job market supposedly wants.

James Coleman, of "The Coleman Report," estimates that high school students are mentally alert for an average of 10 minutes of the school day, and James B. Conant holds that high school—the point applies to college as well—is geared only to the 15 percent of students who are academically inclined.

And hardly anyone except Paul Goodman, that least orthodox of critics, points out that the greatest social need of this troubled country is for people with humane skills, skills which are discouraged in school. It may be that no institution contained in four walls is a good place to learn those skills.

"IT'S FOR CULTURE"

Now the believer, if he hasn't already abandoned us, will retreat to higher and foggier ground: school isn't for jobs—it's for culture. You go to school to learn civic virtue—good marks in citizenship. You soak up the values of our civilization—especially good old deferred gratification, that marvelous excuse for incompetence. If the first grader will only sit still for another 20 years, he'll discover why he's there. You also go to acquire an appetite for Western culture.

Reason can scarcely be brought to bear on such misty sentiments.

What remains is what the believer is reluctant to say: school is the place where the young are taught—programmed, in the current idiom—to behave the way adults want them to behave. The diploma proves you have conformed enough to be turned loose in adult society. The historic function of education has always been first to housebreak the young, with learning useful skills as a distant second. At most times in most places schooling has been in the hands of religious leaders, who were telling everyone how to behave. The main difference is that other cultures complete cultural indoctrination in a much shorter time than it takes in America.

The escalating demand for diplomas in the marketplace has made of education a huge, sluggish beast, as alert and competitive as a grass-eating dinosaur.

It need not pursue its food; the grass grows ever thicker in that warm swamp.

The school of education may be the worst way to prepare teachers—except, of course, for the way college teachers are produced—but it alone gives the diploma, and the enrollments keep rising.

BACKLASH FACTOR

The growing number of years of dependence imposed on youth as the price of the diploma is helping produce today's backlash.

Hardly anyone is proposing a revolution against the tyranny of the diploma. Paul Goodman, a lonely prophet, stalks the land, calling down anathema on the schoolmen, preaching less institutionalization and more freedom to learn. But about all the response Goodman gets is "puzzled looks."

The world that Goodman and a few others see in their dreams could be made reality by the abolition of most diplomas beginning with the bachelor's degree.

If degrees were deprived of their market value, then the schools that issue them would have to produce something in return for the time and money their clients now spend just for the diploma. A free market would prevail, and schools would have to compete with other ways of learning. Some people would choose to learn on their own, or by apprenticeship. Some would work for a while, then, having decided there was a branch of knowledge they need or want, would shop around for courses that could provide it.

It is this freedom to shop around that is the key. The life preserver of the incompetent teacher and the irrelevant course is the degree requirement—you have to take 120 points even if after 30 or 60 or 90 you've run out of good, well-taught courses.

FEW OPPONENTS

The diploma is a no more legitimate reason to say in school than that other great stimulant of the education boom, the student draft deferment.

Low students now sit through three years of law school hearing their professors say the law school isn't for learning the law (the law can always be "looked up") but for developing abilities to analyze and define issues, to organize facts, to present persuasive oral and written argument. Since some men possess these skills the day they enter law school, and others lack them when they leave, there is a lot of waste in the three years—and in the $11,700, according to the latest Yale figures, required to buy a law degree. There is no reason why these skills could not be appraised during a period of apprenticeship to a practicing lawyer.

The transition to such a world would of course be painful.

Denuded of the academic figleaf, we would all have to examine ourselves—and be examined by others. Personnel departments would have to learn how to examine their applicants' abilities instead of counting their diplomas. Educational institutions, especially the colleges, would truly be up against the wall. Hundreds of them would go out of business, and doubtless it would be necessary to provide insurance for unemployed professors and deans.

But the result would be a freer society, one much closer to the set of ideas we call the American Dream.

Such a revolution is not even on the horizon today. Only a small group of people are combating diplomaism. The trend is still in the opposite direction. In the absence of alternatives, the diploma is supreme. The price of not conforming is too high for any but a few wild men to pay. So the diploma mills grind on, and they grind exceeding bland.

REQUEST THE RETIREMENT AND RESIGNATION OF HON. WILLIAM B. CAMP, COMPTROLLER OF THE CURRENCY

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. OLSEN. Mr. Speaker, with leave to extend my remarks in the RECORD, I wish to include a letter from a former Member, James H. Morrison, to me, a copy of his letter to President Richard M. Nixon, and a copy of a lawsuit that was filed here in Washington, D.C.:

WASHINGTON, D.C.,
September 10, 1969.

Congressman ARNOLD OLSEN,
Member of House Post Office and Civil Service Committee, Washington, D.C.

DEAR ARNOLD: I am enclosing a copy of a letter, together with a copy of a lawsuit that I have sent to President Richard M. Nixon, which is self-explanatory.

Having served on the Committee of the House Post Office and Civil Service with you for many years and knowing of your dedicated interest in federal employees, and what is required of them, particularly those appointed to a delicate and sensitive position, such as the Comptroller of the Currency, I would appreciate it, if you would place these enclosures in the Appendix of the Congressional Record.

Thanking you in advance and with best wishes, I am,

Sincerely,

JAMES H. MORRISON.

WASHINGTON, D.C.
September 9, 1969.

RICHARD M. NIXON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: During the 24 years in which I served in Congress (1943 to 1967), I often defended the actions of various government employees and appointees.

Recently, however, I was approached by a very reputable and successful business man from Toledo, Ohio, who narrated to me a most amazing story thoroughly documented by written evidence clearly showing the rep-

rehensive villification and utterly false persecution of this man by the holder of a very high office within our government. The story related points to a totally unwarranted personal attack by the present Comptroller of the Currency, William B. Camp, in which he used the powers of his high office for personal sadistic satisfaction.

The present Comptroller, William B. Camp, personally called or corresponded with various officials of national banks throughout the United States, directing them to refuse loans to certain named individuals without regard to the purpose of said loans or the abundance of securities and other collateral offered to support these loans.

After having listened intently to the narrative, examined the documentation, and questioned the narrator, I have undertaken the representation of this outstanding and yet persecuted businessman, Mr. Thomas Donofrio. Mr. Donofrio has been subjected to, and is on the verge of utter business failure occasioned solely by the villification wrought on him by Mr. Camp in personally conveying to numerous bank officials Mr. Camp's unfounded opinion that Mr. Donofrio is a member of the Mafia or Cosa Nostra.

Availing myself of every resource at my disposal, I am unequivocally convinced that there is no truth whatsoever to Mr. Camp's allegations, and that acting outside of the scope of his authority as Comptroller of the Currency, while using the prestige of this high government office, he has for purely personal motives set out to ruin, not only Mr. Thomas Donofrio, but a number of other outstanding business leaders throughout the United States, such as Mr. Frank C. Anderson of New Orleans, Louisiana, a highly respected individual, whose father founded the well known cotton firm of Anderson-Clayton Company and Mr. Robert L. Moody, of Galveston, Texas, also a highly respected business man, whose father founded one of the country's largest insurance companies, namely, American National Insurance Company, as well as a large hotel chain operated in many cities throughout the United States.

During my 24 years as a member of Congress, many of those as chairman of the Sub-Committee on Civil Service of the House Post Office and Civil Service Committee, I have on numerous occasions defended the actions of a large number of employees of our government from the very top to the very bottom and did, during that time, praise the integrity of government employees generally.

In a continuing effort to support the high caliber and honesty of the vast majority of those men serving our government, I felt compelled to advise you of the heinous and despicable actions of Mr. William B. Camp, and earnestly request of you that you review the attached petition, which I have filed in the United States District Court for The District of Columbia, naming Mr. Camp as defendant in that action.

I sincerely hope that after you have reviewed the attached petition, that you will, in the interest of proper governmental personnel, request the resignation of Mr. Camp, who with 34 years of service, can retire on a substantial annuity.

Sincerely,

JAMES H. MORRISON.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA—CIVIL DIVISION

Thomas F. Donofrio, 3970 West Bancroft Street, Toledo, Ohio. against William B. Camp, U.S. Treasury Building, 15th and Pennsylvania Avenues, N.W., Washington, D.C. Civil action No. 252169, filed Sept. 9, 1969.

COMPLAINT SUIT FOR DAMAGES-LIBEL-SLANDER

The claim for relief on behalf of Plaintiff Thomas F. Donofrio against the Defendant, William B. Camp is for a sum in excess of ($10,000) Ten Thousand Dollars and is within the jurisdiction of this Honorable Court, and suit in this court, is based on diversity of citizenship.

The petition of Thomas F. Donofrio, a resident of full age of majority of the County of Lucas, City of Toledo, State of Ohio, with respect represents that;

1. Defendant, William B. Camp is a person of the full age of majority and is a resident of the City of Rockville, County of Montgomery, State of Maryland, residing at 1397 Canterbury Way, Rockville, Maryland and is at present serving as Comptroller of the Currency, and prior thereto as Deputy Comptroller of the Currency having been duly and legally appointed to both offices, which offices, are under the United States Treasury Department, and are located at Fifteenth and Pennsylvania Avenues, Northwest, Washington, D.C. which agency of the United States Government was duly authorized and created by the laws of the United States of America, is justly and truly indebted to your Petitioner in the full and true sum of Two Million ($2,000,000) Dollars, together with judicial interest thereupon from date of judicial demand, for the following;

2. Petitioner has been the victim of many and certain vicious, malicious, cruel, false, illegal libels and slanders in the form of various and sundry statements which Plaintiff alleges were insitgated, made and done by Defendant, William B. Camp, the same being premeditated and made both personally from time to time in his office in his capacity as Comptroller of the Currency and also while he was First Deputy Comptroller of the Currency prior to the becoming Comptroller, during and in the years of 1969, 1968, 1967, and 1966.

3. That Plaintiff for the twelve years prior to 1966 had been successful in the business of mergers and acquisitions of various businesses, partnerships, corporations, banks, and various types of businesses in the various parts of the United States, and the stock of some of them were listed on both the New York Stock Exchange and the American Stock Exchange.

4. That Defendant at various intervals during the years 1966, 1967, 1968, and 1969, has continued to viciously slander and libel Plaintiff by telling various individuals, bank officials, public officials, officials in the Agencies of the United States Government, and others, that Plaintiff is a member of the Mafia and or Cosa Nostra, and therefore connected with the Underworld, which will be set forth in detail as to dates, places, and individuals, in the hereafter numbered paragraphs.

5. That on or about May 25, 1966, Plaintiff called on Mr. B. Mark Freid, an attorney for and Director of the National Bank of Commerce located in Fairfax County, Virginia about his client buying the controlling stock interest in the said bank, and Mr. Freid expressed interest in the offer and said that same had excellent possibilities. Mr. Freid signed an agreement in the form of a letter, confirming tentatively a sale of the said Bank stock on June 2, 1966.

A few days thereafter on or about June 19, 1966 the said B. M. Freid went to the office of the Defendant, in the Treasury Building in Washington, D.C., Fifteenth and Pennsylvania Avenues, Northwest and Defendant told Mr. B. M. Freid that Plaintiff was a member of the Mafia or Cosa Nostra and further read the riot act to him, for even talking or negotiating with Plaintiff about the sale of the said bank stock because of Plaintiff's connections with the Underworld.

At this time the Defendant told the same falsehood to Mr. James K. Evans, President of said Bank and Mr. Lawrence Hurwitz who was Chairman of the Board of the said Bank and who resides in New York City.

Plaintiff was authorized, by his client, to receive a $50,000 fee for arranging said purchase of this said Bank stock and this amount was lost when the sale was cancelled because of the untrue, libelous and slanderous statements made by Defendant about the Plaintiff as outlined above.

6. That on or about June 26, 1966 the Plaintiff personally went to the office of the Defendant who was then Deputy Comptroller General in his office in Washington, D.C. and told Defendant of libelous and slanderous and derogatory remarks that he was spreading and telling to Plaintiff's clients and others to Plaintiff's damage, financial detriment and harm. Defendant denied making any such statements and told Plaintiff that he blew-up the deal intentionally with National Bank of Commerce in Fairfax County, Virginia and further stated that if Plaintiff was looking to buy stock in banks that he should go to state banks because the Defendant further stated emphatically that he would block any national bank sale or merger that he Plaintiff had anything to do with.

7. That on October 4, 1967, Plaintiff had been so unfairly and outrageously damaged by the Defendant acting entirely out of the scope of his duties as the Comptroller of the Currency and thereby seriously interfering with and damaging Plaintiff's business, that Plaintiff wrote to Defendant the following letter dated October 4, 1967, quote:

Hon. WILLIAM B. CAMP,
Comptroller of the Currency,
Main Treasury Building,
Washington, D.C.

DEAR MR. CAMP: In the past several months a number of reliable people told me that you have made derogatory and slanderous remarks about me and my nationality and you have referred to me as a member of the Cosa Nostra. And it has recently come back to me that you have questioned my company's credit and my integrity and have so informed several banks that we do business with. Unless I receive a letter from you retracting these slanderous statements about my personal life, that will have an injurious bearing on my family, I intend to take legal action against you.

For your information, Mr. Camp, I was born in the city of Toledo, Ohio and have lived here all my life and have raised 3 boys that have attended the finest schools in Toledo. I live in the exclusive area of Ottawa Hills in the same house for the past 20 years. I have never had any police record and I don't even remember if I ever had a parking ticket. I live a clean life and I will not tolerate anyone, whether it be you or anyone else, making uncomplimentary remarks about me. I further wish to advise you that I have recently obtained a $1,000,000 life insurance policy from the Connecticut Mutual Life Insurance Co. I am sure that if I were a member of the Cosa Nostra or a racketeer that you refer to me as, Connecticut Mutual would never issue a policy of this size. I know of no one directly or indirectly that are members of the Cosa Nostra. I know nothing about the Cosa Nostra other than what I recently read in Life Magazine.

I am enclosing a copy of Dixie Roto Magazine, September 17, 1967. I would like to particularly call your attention to pages 24 through 30 dealing with Italian descent. Waiting to hear from you by return mail.

Very truly yours,

(Signed) THOMAS F. DONOFRIO.

A copy of said letter is hereto attached and made part hereof.

8. That on or about October 10, 1967, Plaintiff called personally on Defendant in his office in Washington, D.C. and requested an answer and apology of the above detailed letter.

9. That Defendant not only refused the request of the Plaintiff in the above letter to apologize, but has further refused to even

answer said letter up to and including the present date of the filing of this suit.

10. That on August 25, 1967, the Defendant, acting not within the scope of the duties of his said office, but with flagrant disregard to same, notified in writing all of the Directors of another national bank not to make any loans to the members of what Defendant designated as the Zimmerman Group, who had loans with the Underwriters Trust Co. of New York City, and among the individuals named by Defendant were Plaintiff, Thomas F. Donofrio, Wesley Alexander, Frank C. Anderson, Robert L. Moody, Louis J. Roussel, H. Earl Smalley, Malcolm Woldenberg.

Plaintiff avers that Defendant was incorrect in naming Louis J. Roussel, because Louis J. Roussel did not owe Underwriters Trust Co. anything then, or now, having never made any loans from this said bank, nor did he endorse or guarantee any loans with said bank, which shows gross negligence and a willful act by Defendant.

Plaintiff further avers that when the Underwriters Trust Co. requested its loans be paid when due, said loans were paid, and it is Plaintiff's belief that the Defendant, in a most irresponsible manner and without the scope of the duties of his Federal Office (not a state office) precipitated the calling of these loans by the New York State Banking Department, a state agency only, and in no respect under any jurisdiction of the Federal Office of Comptroller of the Currency by taking or causing to be taken at his direction, unilateral confidential information, out of context, from confidential national bank files and giving same, illegally, to the said New York State Banking Department to intentionally harm and injure Plaintiff and the other individuals listed above in this allegation.

Plaintiff avers that Defendant was incorrect in naming or calling the above individuals as a "Zimmerman Group" because same is non existent and Plaintiff believes that the "Zimmerman Group" as created by Defendant, is a figment of Defendant's imagination.

Plaintiff avers that there is a Mr. S. Mort Zimmerman, of Dallas, Texas, who is a highly respected business man and enjoys an excellent reputation in the banking and business fields and who gained this splendid reputation by paying and meeting his personal and business obligations promptly and when due.

That by such unwarranted and unlawful tactics, as set out above, Defendant has done all of these acts to willfully harm and injure and thereby discriminate against Plaintiff, Mr. S. Mort Zimmerman and the other highly respected individuals listed in this allegation, all of whom are outstanding business men and enjoy an excellent reputation in their respective communities.

11. That in notifying the said national bank referred to in the preceding allegation, the Defendant acted clearly in violation of his duties as required by law of the Comptroller of the Currency and in using Plaintiff's name in such a manner, Plaintiff was further damaged and was prevented from carrying on his business and was further damaged by having his credit further curtailed by this said illegal and unwarranted and unlawful act of Defendant.

12. The Plaintiff had several contemplated mergers with the friends of and with Mr. Lawrence Hurwitz who was an Executive Official in General Artis Corporation which mergers Plaintiff had been previously working on, with other companies which Mr. Hurwitz had been associated with and who owned the controlling stock, or substantial stock. Defendant had so poisoned the mind of Mr. Hurwitz, to the effect that Plaintiff was a member of the Underworld, and a member of the Mafia and Cosa Nostra that these several contemplated and planned mergers collapsed after Defendant's libelous onslaught against the Plaintiff as above set forth. These untrue attacks on Plaintiff by Defendant thereafter caused Mr. Hurwitz to refuse to even discuss any business with Plaintiff.

13. In July of 1966 Plaintiff negotiated the sale of the controlling interest of the common stock that was held by a group of stockholders in New York City in the Underwriters Trust Company of New York located at 50 Broadway and because of these libelous and slanderous, untrue statements made by Defendant, the Plaintiff had to get Mr. Bernard Zimmerman and a member of the firm and brokerage-house of Schieman, Hoskin and Trotta, who were members of the New York Stock Exchange in New York City to negotiate and front this transaction resulting in Plaintiff having to split his commission of $54,000 with said brokerage firm which resulted in a net loss in this transaction of $27,000 to Plaintiff. This stock was sold to Capital Bancshares Inc.

14. That in the latter part of July, 1966, Plaintiff went to Mr. Roger Elton an official and Vice President of the Franklin National Bank in New York City, along with Mr. S. Mort Zimmerman and told Mr. Roger Elton that they had just put through a deal and that Mr. S. Mort Zimmerman had just bought the Underwriters Trust Bank in New York City, by merging it with Captal Bancshares Inc. After this meeting Mr. Roger Elton talked to the Defendant over long distance telephone and told Mr. Camp that it was Mort Zimmerman and someone else who had purchased the said Underwriters Trust Bank of New York, and the Defendant said, "Oh I know who the other fellow was, his name is Donofrio and he is a member of the Cosa Nostra and represents the Mafia".

15. When Plaintiff learned about this phone conversation between Mr. Elton and Defendant, Plaintiff went to Defendant's office in Washington for the second time and confronted Defendant with the above account of his conversation with Mr. Elton.

16. That on or about October 13, 1967 Plaintiff again went to Defendant's office and Defendant in a screaming voice denied making any libelous and slanderous remarks about Plaintiff.

17. That on or about October 17, 1967, Plaintiff called on Mr. Robert Elton in New York City and gave him a copy of the letter as set forth in allegation (7) of this petition.

18. That on or about May 10, 1968, Plaintiff again went to see Defendant in Washington at his office and in the absence of Defendant he talked with his personal secretary, and gave her a copy of the letter set out in allegation (7) of this petition and again requested an answer from Defendant. His secretary replied that all she could do was to tell Defendant about their meeting. Again Defendant refused to answer Plaintiff's said letter.

19. That on or about June 10, 1967, Plaintiff met with a number of Toledo, Ohio, businessmen, headed up by a Mr. Phil Joseph, owner of a chain of supermarkets in Toledo, Ohio who requested the Plaintiff to make inquiries with a Mr. D. H. Overmeyer of New York City, who owned the controlling stock in the Progress National Bank of Toledo, Ohio, with an intent of buying a large block of the stock of the said Bank.

20. That on or about June 12, 1967, Plaintiff went to Washington, D.C. and discussed this sale of the said Bank stock with Defendant, explaining that the said Bank was on the verge of closing its doors, which would seriously damage many of the citizens of Toledo, Ohio, the depositors and stockholders, as well as the City itself.

21. That Defendant gave Plaintiff certain official forms and papers that were to be filled out by the proposed purchasers of the said Bank stock.

22. That on or about June 13, 1967, Defendant contacted Mr. William Kees, the President of the Progress National Bank and told him not to enter into any negotiations for any of this Bank's stock with Plaintiff and not to make any loans to Plaintiff regardless of what the collateral was, because of Plaintiff's membership in the Mafia and his Underworld connections. Plaintiff lost a commission of $60,000 when the above mentioned stock in the above mentioned bank was sold, but without Plaintiff having an opportunity to negotiate the said sale, which Plaintiff had originally started.

23. That on or about March 17, 1969, the Plaintiff received a letter from a Mr. David Ross, an employee of the Securities and Exchange Commission requesting information about Plaintiff's activities and stated that subpoenas were sent to his various clients and the businesses that he had had or was having business negotiations with.

24. That on or about April 4, 1969, Plaintiff met with Mr. David Ross in his office in New York City and requested to know why the above described inquiries were being made.

25. That the said Mr. David Ross asked Plaintiff if he knew any of the persons whose names he read off of a list. Plaintiff answered by saying he knew none of them personally. He then asked Plaintiff if he, Plaintiff, had any dealings or associations with certain Underworld persons who had headquarters in Las Vegas, Nevada, and Plaintiff answered in the negative, further stating that he had never even been to Las Vegas. The Plaintiff said Mr. Ross then said that he was told by the Comptroller of the Currency (the Defendant herein) that Plaintiff's name was linked with Underworld and Cosa Nostra members.

26. That Plaintiff on April 7, 1969 sent the said Mr. David Ross a copy of his letter to the Defendant, set forth in allegation (7) of this petition.

27. That on or about June 5, 1968 the Defendant using the same libelous and slanderous, and untrue statements did contact officials of the Underwriters Trust Company, 50 Broadway, New York City, not withstanding the fact that the said bank is not a national bank and therefore without and not under the jurisdiction of Defendant's office of Comptroller and by his libelous and slanderous statements to this Bank's officials, caused Plaintiff's loan of $50,000 and his wife's loan of $40,000 to be called and cancelled as a direct result of the malicious, vicious, libelous, and untrue statements made by Defendant about Plaintiff.

28. That on or about May 15, 1969, Plaintiff applied to the National American Bank of New Orleans, La., for a loan, with the assurances that he would put up ample, adequate and an abundance of stocks and bonds as security, and was told by the proper official of said Bank, that no loan of any amount could be made to Plaintiff, regardless of security, because Defendant had, as the Comptroller of the Currency, written to said Bank and instructed it not to make any loans and to liquidate existing loans as soon as possible, naming Plaintiff directly.

29. To further show how Plaintiff has been singled out by Defendant to willfully and maliciously damage him, Plaintiff avers that Defendant, as set forth in allegation (10) of this petition, also named a Mr. Malcolm Woldenberg, as being likewise unworthy to borrow any funds, but recently Defendant reversed himself, and allowed the said Malcolm Woldenberg to purchase controlling stock in the Mercantile National Bank of Miami, Florida which bank was under jurisdiction of the Defendant's Office of Comptroller of the Currency, all of which shows gross discrimination against Plaintiff by Defendant, and shows gross negligence and neglect in ascertaining facts.

30. That the Plaintiff denies that he is now or ever was or had been a member of the Underworld, Mafia or Cosa Nostra or any Underworld organization as has been stated by the premeditated, false, malicious, and libelous allegations by the Defendant in the

foregoing above numbered allegations of this petition, but on the contrary Plaintiff avers that he was given by direction of the Secretaries of the Air Force, the Army, and the Navy access to top secret and secret contracts and information of the Departments of the Army, the Navy, and the Air Force, listing him as follows on their official document: Donofrio, Thomas F. (Plaintiff herein).

Plaintiff further avers that he was treasurer and a major stockholder in the McKay-Davis Chemical Corporation which was the recipient of contracts for several million dollars with the Air Materiel Command, Dayton, Ohio, said contracts requiring the top secret security clearances of Plaintiff which top security clearance was given Plaintiff as set out above.

31. That as a direct and proximate result of the aforesaid libelous and illegal acts of Defendant the Plaintiff has suffered irreparable and permanent and serious damage in the past and present and will continue to suffer damage in the future, to his personal reputation, earning potential, public business stature and private stature, and has been subjected, along with his wife, and other members of his family to serious pain, misery, suffering and mental anguish and suffering at seeing his reputation destroyed, his business so severely damaged, and the resulting harm to himself and to his family, and has been damaged in the full and true sum of Two Million ($2,000,000) Dollars, for which amount the Defendant is liable unto Plaintiff as a result thereof.

32. That in all of these malicious acts of libel and slander made by Defendant naming and identifying petitioner personally and clearly doing so, with actual malice and with malice aforethought toward Plaintiff and with a premeditated desire to harm and injure the Plaintiff's family, his wife and three sons and with full knowledge that these accusations were false with the sole and full intention to injure and harm Plaintiff with willful intent, knowing said words were false and untrue; that Defendant conducted his office, using the same for his personal sadistic desire to injure Plaintiff personally and thereby to maliciously cause financial damage and ruin to Plaintiff's business and his reputation.

33. That all these libelous and slanderous acts done by Defendant against Plaintiff were made outside of the scope of the official duties of his office and that all of the said acts did not and do not fall within the scope of his official duties as Deputy Comptroller of Currency and as Comptroller of Currency.

Wherefore Petitioner prays that Defendant herein be served with a copy of this petition and be duly cited to appear and answer same, and that after due proceedings had that a judgment be rendered against said Defendant in favor of the Plaintiff in the sum of Two Million ($2,000,000) dollars together with legal interest from date of filing this suit until paid and for all costs of this suit and for all judicial demands and equitable relief in the premises.

BERNARD B. WOLSON,
Of Counsel.

TOLEDO, OHIO.
HERBERT CHRISTENBERRY, Jr.,
Christenberry, Bruneau and Miller.
NEW ORLEANS, LA.
F. D. V. DE LA BARRE,
NEW ORLEANS, LA.
JAMES H. MORRISON,
Attorney for Plaintiff.
WASHINGTON, D.C.

STATE OF OHIO,
County of Lucas:

Before me the undersigned Notary Public in and for the above mentioned County and State, personally came and appeared Thomas F. Donofrio, who being duly sworn deposed and said; that he is petitioner in the foregoing petition, that he has read same and all the allegations therein contained are true and correct to the best of his knowledge, information and belief.

THOMAS F. DONOFRIO.

Sworn to and subscribed before me this 2nd day of September, 1969.

ANGELA D. KIFER,
Notary Public.

My commission expires Dec. 9, 1971.

FREEDOM BECOMES ILLEGAL—JUDICIAL TYRANNY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. RARICK. Mr. Speaker, can any responsible citizen contemplate a judge of the United States telling concerned parents that he was "not worried about education, just about integration" and that "there is no such thing as freedom of choice in Tangipahoa Parish.

It is small wonder that the concerned parents of schoolchildren are distraught over the denial of freedom by the Federal "takeover" of the public school systems. No dialog is possible when the parents are only interested in quality education, and the judge cares only about integration.

Justice is truly blind. A court spokesman who would convict a group of people because of the section of the country in which they live is just as guilty of judicial genocide as one who would convict individuals of one race, creed, or color because of their group identity—especially when the judgment considers individual facts and the merits of the case as irrelevant.

So that the bureaucrats and judicrats who have decided that denial of freedom of choice is progressive, I include several news accounts of the educational progress in the new Federal academies:

[From the Hammond (La.) Daily Star, Sept. 5, 1969]

STUDENT PLEA REJECTED; SCHOOL PICKETS PLANNED

INDEPENDENCE.—A biracial delegation of six Independence High School students was rebuffed by Federal Judge Alvin Rubin Thursday when they pleaded in person for return to freedom of choice for their protest-involved school.

And Thursday night a big crowd at Reimers Memorial planned to boycott area schools and threatened recall of some School Board members if they do not close the schools.

Joe Sinagra, spokesman for the student delegation, told The Daily Star this morning that Judge Rubin had said he was "not worried about education, just about integration."

Rubin said "there is no such thing as freedom of choice in Tangipahoa Parish," the students said.

The judge explained that he is beholden to rule against freedom of choice because of higher court rulings.

During their one-hour meeting with the judge in New Orleans, they described the problems that have arisen with the separated-sexes plan for Independence High. All the girls are at former Independence High. All the boys are at former Negro school, Burgher High.

Students and parents have complained that many courses are not available. One woman said that science and math-oriented classes are generally at the boys school and that English-oriented classes are generally at the girls school.

The girls' principal, A. B. Constantino, denied that this was a problem.

"We offer them what we can," he said, "and no one is getting left out."

Constantino answered "no" when asked if all courses offered last year have been offered to both boys and girls this year.

Rubin explained that class scheduling was not up to him, "that it was up to the school board."

It had been explained earlier that Rubin had nothing to do with the sex-separation plan at Independence. This was conceived by Independence members of the School Board.

Besides, Sinagra, other members of the delegation were whites Steve Mulkey, Diane Canale, Judy Rodriguez and Negroes Rossevelt Collins and Larry Jackson.

At the meeting in Reimers Memorial some 500 persons made plans to boycott the schools and to recall members of the School Board if they do not close down the schools.

Main speaker was Ned Touchstone, publisher from Shreveport, who said "people here shouldn't let the judges tell you what to do."

He called the judges actions unconstitutional and outlined a battle plan to halt integration of the schools. Included were boycotts of stores and businesses which do not go along with the plan, setting up pickets at the schools, and keeping children home. Two men from Reserve High School area told how their pickets worked.

Pickets were to be at Independence High today and at Hammond and Ponchatoula schools Monday, when classes are slated to begin.

Another meeting was held in Tickfaw Thursday night. Several persons called The Star this morning, asking whether Tickfaw schools had been closed. He said he had been ordered not to send his children to school today "because Rubin had given Independence a good break and we want to get one, too."

[From the Amite (La.) Tangi Talk, Sept. 3, 1969]

JUDGE DISMISSES SCHOOL SUIT

Judge Alvin Rubin of the U.S. District Court here has denied a motion for a new trial in the integration suit calling for a racially, non-discriminatory and total unitary school system in Tangipahoa Parish.

The suit filed by Joyce Marie Moore, et al., and had named as defendants the Tangipahoa Parish School Board.

Rubin also dismissed contempt charges against board president C. P. Schwartz, superintendent of schools Dewitt Sauls and personnel supervisor M. H. Hendry, Jr., who were charged with dismissing six non-tenure teachers whose services were "deemed unsatisfactory," according to the board.

The board was advised of Rubin's action at a meeting last week.

In other action, the board:

—Voted to amend its resolution requiring all new teachers to take the National Teacher's Examination, to include all teachers (including E.S.E.A. teachers) with less than two years of service, and score 500 on the common examination as a provision for continued employment.

—Authorized Sauls to reassign teachers in order to attain a 60-40 ratio of white to Negro teachers in each school in conformity with a recent court order.

[From the Baton Rouge (La.) Morning Advocate, Sept. 7, 1969]

GUARDS ARE POSTED AFTER FIRES ERUPT AT TWO LOUISIANA SCHOOLS

Watchmen were posted Saturday night at schools in Tangipahoa and Washington parishes after fires were discovered at Amite High and Franklinton Elementary.

The Amite structure was gutted. Some equipment and materials were saved. Damage at Franklinton was estimated between $3,000 and $5,000.

Deputy state fire marshals and arson investigators were reported investigating at both schools for clues as to the origin of the two blazes.

No one at Amite wanted to be quoted on the investigation.

However, Franklinton Fire Chief Earl Brown said he found what he believed to be some type of liquid poured on the floors just inside doors of the elementary building where the fire broke out. The building housed the lunchroom, two classrooms and a large storage area.

The blaze was discovered and reported to Franklinton firemen about 1:45 a.m. Saturday. The fire was contained some three hours later.

WITHDRAWS BOYCOTT CALL

Meanwhile, the Committee of Concerned Citizens in Washington Parish withdrew its call for a boycott of classes. The group said it felt the boycott had served its purpose and the organization was turning to legal means to combat federal desegregation guidelines.

The committee declared it did not want to hamper education opportunities for students of the parish.

Ward 3 school boardmen in Tangipahoa met Saturday morning and planned a program for keeping the some 700 now-displaced Amite High students in class.

Boardman M. L. Richardson said Amite High students in grades 9–12 will attend classes at Amite West Side High. Lunches will not be served because of the overload and classes will be dismissed at noon.

An estimate of damages at Amite High was placed at $500,000.

Supt. Dewitt Sauls observed: "Mostly, the walls are all that is left." The second floor was "completely burned out," he said.

The fire had a "good start" when units first arrived after word was received at 10:40 p.m. Coming to assistance of the Amite firemen were equipment and men from Hammond, Roseland, Independence and Ponchatoula.

A group of students arriving back at the school from a football game in Franklinton discovered the fire and alerted authorities. The students began dragging and carrying out books, trophies, desks, records and equipment.

Deputies finally had to order the students to stay out of the blazing school because of the danger of falling objects from the roof and upper floor.

Flames were extinguished at 7:30 a.m. Saturday, firemen reported. They, however, still poured water on the smoldering structure throughout most of the morning.

Three Hammond firemen and one from Amite were treated at Lallie Kemp Hospital, Independence, for smoke inhalation and exhaustion during the battle. They were all released and in good condition.

The auditorium, where officials believe the blaze originated, is located near the center of the school. The building was erected around 1927.

Tangipahoa board president C. P. Schwartz said night watchmen were ordered posted at all school buildings in the parish in light of the Amite and Franklinton fires.

Similar action was taken by the Washington Parish School Board in Franklinton.

[From the Baton Rouge (La.) Morning Advocate, Sept. 7, 1969]

EVANGELINE, E. ASCENSION SCHOOLS HIT

Schools in east Ascension Parish were ordered closed Saturday by the school board at the same time a federal judge ordered the Evangeline Parish School Board to show cause why it should not be held in contempt for closing its schools.

Ascension Supt. W. C. Brunson said his board met in special session Saturday afternoon and notified U.S. Dist. Judge E. Gordon West in Baton Rouge of its action. The federal jurist was asked to return freedom of choice to schools on the east side of the Mississippi River.

Schools in west Ascension will remain open, the board decreed.

In Lafayette, U.S. Dist. Judge Richard Putnam set Sept. 15 for Evangeline boardmen to reply to the order.

WOULD NOT COMPLY

Evangeline schools were closed by the board, rather than comply with the U.S. court's desegregation orders.

If found in civil contempt, the nine school board members named in the district court order could be fined or sent to prison.

Evangeline Parish has nine predominantly white schools and five all-Negro schools, the department said. In the 1968–69 school year, under a freedom of choice plan, 68 of the 3,300 Negro pupils in the system attended classes with 5,600 white pupils.

On Aug. 5, the district court ordered the school board to pair Negro and white schools and assign students to them on a nonracial basis, the department said. The order allowed freedom of choice to continue until the 1970–71 school year for high school and kindergarten pupils at Ville Platte schools but called for immediate desegregation of all others.

The Evangeline school board tried twice to win stays of the order but both attempts were rejected by the U.S. Supreme Court. The board now has an appeal of the Aug. 5 decision pending before the Supreme Court.

On Sept. 2, the day schools were scheduled to open, the school board approved a resolution suspending operation of classes until the Supreme Court decides on its request for appeal.

In its petition to Judge Putnam, the Justice Department said the "acts and omissions" of the school board "were such as to have the necessary effect and have had the effect of frustrating the implementation of the district court order of August 5."

Those named in the show cause order were school board president Fulton J. Bacon and board members Vories Morein, D. M. LaFleur, L. M. Ortego, Roy Aguillard, Harold Monier, Roderick Perron, H. P. Dupre and Joe Forman.

TRIED IN GOOD FAITH

The superintendent said the Ascension board advised West that implementation of the court order on the east side of the river had been attempted in good faith. But, six days, the plan was proving to be unworkable, he said.

Brunson said the board declared school patrons in east Ascension feel their freedom has been denied.

The judge was asked to make freedom of choice the plan for all schools—on both sides of the river.

He did not know how long the schools might be closed, Brunson said.

Pickets appeared at east Ascension schools all last week after educational plants were opened Sept. 2. Boycotts have pretty proven to be effective as some white students were registered, then taken out of school by parents, and other parents just did not send children to school.

Two schools reported no attendance during the week.

The Ascension board was the second to close its schools within two days.

Friday, the St. Landry Parish School bowed to pressure at a meeting attended by some 2,000 persons and ordered postponement of classes.

[From the Bogalusa (La.) Sunday News, Sept. 7, 1969]

COMMITTEE WITHDRAWS APPEAL FOR BOYCOTT OF SCHOOLS HERE

The Committee of Concerned Citizens yesterday withdrew its call for a boycott of Bogalusa schools.

In a statement released over the signature of Chairman Benjamin W. Miller, the committee said that it feels the boycott has served its purpose and that continuation of the boycott "would not be in the practical interests of our children".

The committee, which seeks a return to last year's freedom of choice school integration plan, said it would continue to fight the current U.S. District Court order in other ways.

In this connection, Vice-Chairman C. W. Jarrell said a delegation from the committee will go to Washington in a week or two, armed with the freedom of choice petitions circulated during the summer, to seek an opportunity to present the committee's case to officials high in the Justice Department, Supreme Court or White House.

The committee's statement follows:

"The Committee of Concerned Citizens was formed for the purpose of keeping our schools open under 'freedom of choice.'

"We believe that the people of Bogalusa want their children to get the best education available under the best possible conditions.

"This committee has urged the people to express their disapproval of this plan which the court has imposed upon us through a boycott of the public schools.

"However, at this time we feel that a boycott of the schools has served its purpose, and that any further boycott would not be in the practical interests of our children.

"We appreciate the efforts of those people who have supported the committee through a boycott. But any further boycotting will be the choice of the individual parent.

"We urge the people to understand that the committee has not disbanded and that other plans are being made at this time to continue our fight for freedom of choice.

"We continue to ask the people to support this Committee's efforts as we seek to remedy the situation which exists in our schools."

[From the Gonzales (La.) Weekly, Sept. 5, 1969]

SCHOOLS IN EAST ASCENSION CLOSED FOR LACK OF PUPILS

Pickets appeared at all East Ascension Schools on opening day protesting a court order which will prohibit a "Freedom of Choice" plan similar to other school districts in this and neighboring parishes.

The boycott of the schools have closed most of them. The school board in a meeting with the citizens last night had nothing new to report on the situation according to a school board member.

Mr. W. C. Brunson in a question and answer program on a Tv station stated that some phone calls of a threatening nature had been received by some employees of the school system and that four schools were closed, Galvez Dutchtown, E. A. Elementary and St. Amant for lack of pupils.

A suit filed by East Ascension Group for School Freedom in the local board was removed by the U.S. District Court from the state court to the federal court. The case will be tried in October.

Padlocks were put on Galvez and St. Amant elementary schools some time before school was to open Tuesday morning. They were still on Wednesday morning.

Mayor Pasqua called for a limited curfew Friday night after a negro youth received minor wounds in Gunplay at the Hancock station on Burnside st. after a day of tension.

About 3:00 P.M. Friday a Negro was killed when he ran his car in front of a freight train. According to Sheriff Waguespack the negro and one of the white pickets had exchanged words downtown and the negro left saying he was going to get a gun. A gun was found in the car.

Sheriff Waguespack put into effect a ban on the sale of Beer and Liquor in the Parish, which is still in effect and an 8:00 P.M. to 6:00 A.M. curfew is still in effect in Gonzales.

[From the Bogalusa (La.) Sunday News, Sept. 7, 1969]

MEETING CALLED TO KEEP PINE HIGH SCHOOL OPEN

PINE.—A meeting has been called for 7:30 tomorrow night at Pine High School, designed to show interest in keeping the school open in the face of a report that the school might be closed if there is trouble over integration of the faculty.

Pine, which has an all-white student body, has several Negro teachers for the first time this year. Pickets appeared at the school Friday, and some disturbance was reported.

The group of local residents who have called tomorrow night's meeting said they have been told that U.S. District Judge Frederick J. R. Heebe has stated that he will order the school closed and its students transported to classes elsewhere if trouble continues.

The statement issued last night by the Pine group follows:

"Through this article an appeal is being made to all patrons of Pine High School who are interested in keeping the school open for the purpose of educating their children, to attend a meeting in the school's auditorium at 7:30 Monday night.

"Word has come from Judge Heebe that unless some reports of positive action on the part of the local citizens, rather than reports of trouble and turmoil, are received by him within the next week, he will close the doors of the school permanently.

"Each patron is urged to consider that in the event this should take place, public education for his children would be available only by transporting them long distances to schools which have much more serious integration problems than those at Pine.

"The time for decision is now. The high school is open for the education of children today. But unless the local patrons immediately face the problems before them, they will have to seek education for their children elsewhere in the near future.

"Help keep your school open by displaying your sincere interest through your attendance Monday night."

[From the Bogalusa (La.) Sunday News, Sept. 7, 1969]

EVANGELINE MAY GET CONTEMPT CHARGE—"RECESS" DECLARED IN ST. LANDRY

OPELOUSAS, LA.—Demonstrators chanting "close the schools . . . close the schools" pressured the St. Landry Parish school board Friday into placing public schools in recess for "the time being."

The board asked the Justice Department to come see the situation for itself.

A crowd of about 3,500 persons first converged in the school board offices to protest desegregation procedures in the parish that is about evenly divided between white and black students, then, when there was no more room inside, forced the board into the auditorium of Opelousas High School.

The vote to postpone Tuesday's opening of the school was taken in the tension-charged atmosphere of the auditorium, but the board later met quietly in its own offices to make the decision to call on the Justice Department.

School board president Floyd Andrepont read to the crowd a telegram which had been sent by the Justice Department civil rights division.

The message advised the board it was aware citizens might try to pressure the school board into shutting down schools rather than have them open on a non-racial unitary basis this fall for the first time.

But, said the Justice Department, it had a responsibility to enforce the federal court integration orders new this fall to 37 Louisiana school districts, and it would not hesitate to use "whatever legal means" necessary to enforce the order.

Some individuals in the crowd screamed they would burn down the St. Landry schools if the board did not shut them down. One board member said the schools would be closed at least until Wednesday.

There are 23,300 students in 43 public schools in the parish.

Earlier this week a similar angry crowd of 2,000 forced the Evangeline Parish School Board to close classes involving all 9,000 of the parish's school age children.

Jerris Leonard, chief of the Justice Department Civil Rights Division, sent word Friday he was considering filing contempt of court charges against the Evangeline School Board for failing to open schools this fall.

A group called Citizens Committee for Quality Education had vocal representatives at meetings which closed both St. Landry and Evangeline schools. The group seeks a special session of the Louisiana Legislature to repeal compulsory school attendance laws so parents would not be prosecuted for keeping their children away from newly desegregated schools.

At Lafayette, a federal court has granted a continuance to seven Negro students accused of disrupting the orderly desegregation of their high school in New Iberia.

Iberia Dist. Atty. Knowles Tucker filed suit against the seven because they "refused to abide by the reasonable directives of the school principal . . . did lie in wait for other students and committed assault and battery on them."

Students returned to Westlake High School classes Friday under the eyes of armed guards. The school was closed Wednesday when discipline problems occurred due to new desegregation conditions.

More than 1,000 parents attended a meeting of the Iberia Parish School Board Friday, which then voted to re-establish freedom of choice integration in four elementary schools, a move previously okayed by a federal judge. The board also voted to ask the federal courts to permit zone freedom of choice throughout the parish.

SWAZILAND'S INDEPENDENCE DAY

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. POWELL. Mr. Speaker, the Swazi people are among the latest and smallest group of Africans to attain national independence; they reached that goal only a year ago, proclaiming their independence on September 6, 1968.

Swaziland is a small country in southeast Africa, east of the Republic of South Africa and west of Portuguese Zululand. Its territory is less than 7,000 square miles, with a population just under 400,000. The country is rich in natural resources, producing asbestos, iron, coal and even some gold. It is mostly an agricultural country, and its principal products are sugar, citrus fruit and rice, all of which are grown under irrigation.

The Swazis had enjoyed a rather favored status under the British, and until recently were under the South African administration. In 1966 the British granted them internal self-government, and their king was recognized as head of state. Finally on September 6, 1968, they opted for full sovereignty. It was recognized as such and on September 24 Swaziland was admitted into the United Nations as an independent state. On the first anniversary of their Independence Day we wish the Swazi people peace and prosperity.

THE TECHNO-POLITICS OF SPACE

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. TEAGUE of Texas. Mr. Speaker, Mr. Robert Hotz of Aviation Week and Space Technology offers a most interesting editorial in the August 25, 1969, issue of that magazine. Mr. Hotz reviews the recent achievement of the Apollo 11 lunar landing and Mariner 6 and 7 flyby of the planet Mars. He points to the international implications of these achievements by the United States and the awareness of the Soviet Union to the need for technological leadership in our world today. Significantly, Mr. Hotz recognizes that we must not shrink from the challenge of space and that the future of our Nation may well depend on the technological leadership and benefits that come from such programs as our national space effort.

The editorial follows:

THE TECHNO-POLITICS OF SPACE

(By Robert Hotz)

The last month of achievement in space technology has provided another lesson in the little understood area of techno-politics. This time it is the United States image that is shining brightly all over the third planet. The small step of an American astronaut on the moon truly projected the feeling of a giant leap to almost all mankind. In addition, the amazing duet of Mariner 6 and 7 in their close reconnaissance of Mars provided scientific pioneering of equally epic flavor.

Not since the end of World War 2 has America stood so tall around this globe. Our European correspondents report that Apollo 11 crowded everything else off the front page of foreign newspapers and almost monopolized television for weeks. President Richard M. Nixon was a first-hand observer of the international charisma generated by Apollo 11 during his recent globe-girdling tour. He noted that the fantastic welcome accorded him in Communist Romania was in large measure a tribute to the intrepid trio of Apollo 11, as evidenced by the many pictures of the astronauts which were waved at him along his route through Bucharest.

But it was not always thus. There are many who can recall those bitter days, less than a decade ago, when it was the Red Star of Moscow that lit the vastness of outer space. The sickening shock of the first three Sputniks and the tidal wave of acclaim they brought to the Soviet Union should not be forgotten. Nor should the glory that reflected from the manned space flight pioneering of Yuri Gagarin in Vostok, the first three-man

Voskhod crew and first EVA of the Voskhod 2 flight dim with the passing of time.

The origins of the impetus that pushed the Soviet Union into pioneering space exploration are still misty to the Western World. But it is clear that Nikita Sergeyevich Khrushchev was an unorthodox politician by Soviet standards. He needed a major, bold, spectacular enterprise to refurish the international image of Soviet Communism as the dynamo of the future. It had faded into a symbol of gloomy, medieval regression under Stalin's post-war regime. It seems likely that Sergei P. Korolev, the guiding genius of the Soviet space program, sold it to Khrushchev as an effective measure to achieve this image change.

History has recorded how well it worked. Almost overnight the Soviet Union blossomed as a major technical power. The brilliance of its technical image was enhanced by the contrast with the United States. There, an aging conservative leadership never did comprehend the significance of space technology, and its bumbling policies contributed to some unnecessarily humiliating technical failures.

Nikita Khrushchev felt so confident over Soviet triumphs in space technology that he laid down a direct challenge to the United States and asked the world to choose which system—Communist or American—was demonstrating the best understanding of the dynamics of the future and which indeed would provide the best launching pad for the aspirations of mankind.

Jack Kennedy, too, decided to hitch his political career to the star of space technology. Elected President by a hairline margin, buffeted by early disasters such as the Bay of Pigs and the Soviets' first manned space flight, he chose to accept Khrushchev's challenge in space. President Kennedy used the target of landing American astronauts on the moon and returning them safely before the end of the decade as one measure toward reviving the dormant spirit of American pioneering. History must record, too, how well this worked. The world knows full well that in this direct challenge of space technology the Soviet Union has been surpassed by a significant margin. It knows, too, that Americans will not shrink from any task they regard as important and that they still have the ability to achieve whatever they must.

There is a certain breed of cat in this country that constantly deplores the spirit of fierce competition between the U.S. and USSR that has resulted in such tremendous progress in the first decade of space exploration. If these philosophers had their way, the U.S. and the USSR would join in some vaguely cooperative effort aimed at some dimly perceived goals in the interests of saving money and improving international relations.

They fail completely to understand how space technology has become a basic sinew of national power, a dynamic spur to the economy and an important yardstick by which to measure competing systems—in short the techno-politics.

The Soviet Union is encountering both political and technical trouble with its space program. Khrushchev's successors lowered his national priority for space, probably as another method of disassociating themselves from his policies. The 1966 death of Sergei Korolev, still in his prime at 59, also had its effect as the scope of his towering leadership became fully outlined by the gap he left.

But the Soviet Union will not shrink from continuing the fierce competition in space technology. It cannot afford to without also abandoning its pretensions of international leadership. Undoubtedly, lights have been burning late in the Kremlin as the debate rages over what new course to set for Soviet space technology. The Soviets are not easily deterred by temporary failure, are used to coming from behind and have a keen appreciation of the international stakes in this game. They are in space to stay and will play second fiddle only by necessity, not by choice.

That is why the leaders of this country must deliberate so carefully in setting the space policy of this nation for the 1970s. Space technology has now matured to the point where no single spectacular goal will serve its purpose, as did the Apollo program in the 1960s.

The possibilities for its future development have expanded into many key areas that offer positive returns in both economics and science on the investments already made. Determining a sound national space policy for the next decade is a far more difficult and complex problem than setting the Apollo goal was in 1961.

Yet a great deal of the future growth and health of this nation depends on how wisely this course is charted in the next few months.

IN DEFENSE OF REPRESENTATIVE KOCH

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. CELLER. Mr. Speaker, I have read the exchange of remarks which took place on September 4 between Mr. WATSON, my esteemed colleague from South Carolina, and my colleague from New York, Mr. KOCH, both distinguished and honorable Members of this House, on the subject of the death of Ho Chi Minh.

Previous to their exchange, Mr. KOCH, under the 1-minute rule, had submitted a statement urging that the death of North Vietnam's leader be used to extend a hand of friendship to the people of Vietnam and as an occasion to initiate a cease-fire. It is my belief from the exchange between Messrs. WATSON and KOCH that our colleague from South Carolina misconstrued Mr. KOCH'S remarks so that Mr. WATSON'S response misstated the intention of those remarks. Mr. KOCH specifically referred to Ho Chi Minh as a tough and dedicated Communist and no fair-minded person could interpret those remarks to be a eulogy of the deceased leader of the North Vietnamese. I do not believe Mr. KOCH intended his remarks to have this meaning.

Clearly, Mr. KOCH did not praise the North Vietnamese leader; he only urged that we understand the feelings of the people in Vietnam toward Ho Chi Minh. And it should be noted that, in the past few days, our own Government has given enough credit to the cease-fire proposal so that we have agreed to honor a modified cessation of hostilities.

No doubt, there continues to be a division in this House on our continuing military role in Vietnam. And each of us surely has the right to express his position. But it would be manifestly unfair in supporting our own position to misinterpret the statements of any colleague. The gentleman from South Carolina is an honorable Member of this House, for whom I have genuine respect and regard and I am sure he has misunderstood the nature of the statement of Mr. KOCH.

I do indeed hope the episode is closed and forgotten and that both gentlemen will adhere to the esprit de corps that exists in the House.

A REAL SUCCESS STORY

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. HARVEY. Mr. Speaker, we have often heard that our country has reached great heights and enjoyed success because its people were willing to sacrifice and had tremendous faith in the future. It was this individual effort, through our free enterprise system, that has contributed to the greatness of our Nation.

To me, an excellent example of this faith and sacrifice is embodied in the success story of Joan and John Bintz, whom I am proud to count as friends in Saginaw, Mich. The September 1969, edition of the Farm Journal carries an article which relates best the planning, the sacrifice, and the confidence of this young couple to turn a small 80-acre fruit farm into a business which has an investment of about $500,000 and a permanent payroll of 10 employees with over 50 working at peak periods. The article will be included at the conclusion of my remarks.

The Bintz success story is known not only throughout Michigan, but the Midwest and elsewhere. It just is not too often that you hear of a seven-tow, night-lighted ski resort on the slope of a "mountain" made by man on land as flat as a Kansas prairie.

I join with Farm Journal in saluting Mr. and Mrs. John Bintz. They have a pioneer spirit which should be copied by others. The article follows:

EIGHTY ACRES THAT GREW TO $0.5 MILLION

(By Frank A. Cooper)

Fresh out of ag school and the Armed Services, John Bintz, 26, refused to believe that the small family farm was doomed. He and his father had 80 acres, mostly in apples, on a county road near Saginaw, Mich.—miles from a main highway. Even so, people would drive out to buy their fruit.

One day in 1958 young John took a look at their business and concluded that what it needed was some hard, smart retail selling. He and his wife, Joan, began to plan.

Today, just over 10 years later, cars full of customers flow into a 40-acre parking lot which he rents across the road, and on busy weekends it takes two deputy sheriffs to handle traffic.

In the process of selling apples, John operates an old-fashioned cider mill, a commercial bakery, a general store, a gift shop, a candy factory—and finally a 7-tow, night-lighted ski resort on the slope of a "mountain" he built himself on land as flat as a Kansas prairie. To build the 160-foot high slope, he excavated a 7-acre lake, which he is developing as a recreation area. And adjoining it, he acquired land for an 18-hole golf course.

He had a permanent payroll of 10 employees with over 50 working at peak periods. His investment is about half a million dollars.

All this from a small 80-acre farm may sound impossible. But that's the genius of salesmanship. Here briefly, is what happened.

Not content with selling apples from a roadside stand, John and his father scoured the country for an old fashioned, commercial-sized cider press. They found one nearly 100 years old. John, his father, and his foreman, Harold Maier, built a big Swiss chalet-type building of rough native timber to house the press, leaving plenty of room for visitors to watch the press in operation.

John invited newspapermen to come for a look; several big-city papers ran feature stories. Crowds of curious people dropped in, they took apples and cider back home with them, and the Bintz's one-stop recreation center was on its way.

Since cider and doughnuts are natural companions, John bought a used doughnut machine and sold a glass of cider and a doughnut for 15c. The doughnuts were so good that visitors started buying them by the dozen.

John's mother wondered if people wouldn't buy homemade bread as well. Apple-conscious John decided to try it, but with cider instead of water in the dough. Nok Bintz "Cider-Bread" has become a favorite "specialty of the house."

Some of the simplest ideas proved most profitable. John took a look at the swarms of kids playing around the place and the thought hit him—caramel-candied apples. He and his foreman contrived a hollow, realistically painted "apple," 12' in diameter, made of cement plastered over chicken wire, with a sales window built into it. On some Sundays they sell as many as 5000 caramel apples at 15c each.

Even before they built the cider mill, John's mother had noticed that women usually stayed in the car while men came to the roadside stand. So she started a gift shop.

It caught on at once and quickly grew into something more. An old-fashioned "country store" complete with hard candies scooped out of barrels. A gourmet shop is stocked with exotic foods including quality jellies, jams and preserves.

One thing bothered the Bintzes. Theirs was a good-weather-only operation. The winters were dead.

So though his land was flat John Bintz decided to build a ski slope. The first year he scooped up a hill 90' high, the second year pushed it to 120', and now he has a miniature mountain of 1,500,000 cubic yards of earth 160' tall with snow machines as insurance against uncertain weather. He built a ski lodge and opened for business.

Restless John Bintz tried other things. He has 10 acres of irrigated raspberries where families can pick their own. Hundreds come, often for a full day's outing.

Two horses and a bobsled take visitors for rides around the farm in winter. There is a wagon for summers. Many bring the youngsters just for that, but of course they buy apples.

"Much of our success can be attributed directly to Joan," says John. She knows the business as well as I do." Joan handles advertising and publicity, supervises the bakery and candy factory, and is in charge of the ski lodge. It's the kind of family partnership that proves a "small" farm can be successful.

CONGRATULATIONS ON MOON LANDING FROM YUGOSLAVIA

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. PELLY. Mr. Speaker, I received a post card from Yugoslavia recently, addressed to American Congress, Washington, U.S.A., which I sent to the Library of Congress for translation.

This translation has been completed, and because of its address to all Members of Congress, and because of the text of the message from behind the Iron Curtain, I ask that it appear at this point in the RECORD:

Esteemed Ladies and Gentlemen: On the occasion of the successful conquest of the Moon by your astronauts, please accept my most heartfelt greetings, my most sincere congratulations and best wishes for further great successes of NASA in the study of our natural satellite.

Mr. HRVOJE VELEBIT,
Vela Luka, Korcula, Yugoslavia.

RED EMBASSY DIPLOMACY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 1969

Mr. RARICK. Mr. Speaker, days following the ransomed release of U.S. Ambassador Elbrick, who was kidnapped by Communists and held hostage, Mr. Arthur F. Burns, counsel to the President of the United States, and his wife and son attended the Bulgarian Embassy reception marking the 25th anniversary of communism—politely termed socialism—in Bulgaria.

Counselor Burns is reported to have wanted to show his son a typical night on the town of Washington so he selected this Red Embassy party.

Also reported in attendance was the Ambassador of Czechoslovakia and representatives of the Soviet Embassy and together they sipped red and white Bulgarian wine.

If any agreements were entered into between the President's counsel and the Communist diplomats to refrain from kidnapping any more U.S. representatives, let us hope the Red terrorists operating around the world will respect such commitments.

A news article follows:

[From the Washington Post, September 10, 1969]

BULGARIA PROVIDES NIGHT ON THE TOWN

(My Dorothy McCardle)

Counselor to the President and Mrs. Arthur F. Burns wanted to show their son a typical night on the town in Washington. So they took him to an embassy reception last night.

As it turned out, Dr. Burns was the top-ranking Administration official at the 25th anniversary reception at the Embassy of Bulgaria on Van Buren Street.

For Joseph Burns, a 31-year-old economics professor, this was his first visit here since his father became top White House adviser to President Nixon. It was also a homecoming to a town he knew well as a school boy, first at Bethesda-Chevy Chase High School and then at St. Albans from which he graduated. He now teaches at the University of California at Los Angeles (UCLA).

"Did your son take up economics under your influence?" Dr. Burns was asked.

"No, I took up economics under my son's guidance," quipped one of the top economists of the country.

The Burns family and all the other 300 guests enjoyed the menu. They sipped red and white Bulgarian wine, tried Bulgarian cheese, salad, cabbage and grape leaf rolls and then tackled American dishes—ham, turkey and steamship rounds of roast beef.

For the occasion, Bulgarian Ambassador and Mrs. Luben Guerassimov had a supply of a 35-page illustrated brochures about Bulgaria. The brochures described the anniversary as marking the "advent of socialism in Bulgaria, an event without parallel in the thirteen-centuries-long history of the Bulgarian people."

Two ambassadors who will shortly give parties at their embassies to say goodbye to Washington were there—the Ambassador of Tunisia Rachid Driss and Dr. Karel Duda, the Ambassador of Czechoslovakia. Representatives from the Soviet Embassy also were there.

TRIBUTE TO THE LATE HONORABLE BARRATT O'HARA

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1969

Mr. REUSS. Mr. Speaker, our former colleague, the late Barratt O'Hara, was a man of unceasing energy and sharp intelligence whose career in both public and private life was marked by uncommon versatility and achievement.

Mr. O'Hara's 18-year career in Congress began in 1948, when he was 66 years old. In itself, this is a remarkable achievement. Barratt O'Hara's long legislative tenure was the culmination of a full life of service to his country that began in 1895 when, at age 15, he ran away from home to volunteer to fight in the Spanish American War.

This adventuresome spirit characterized Barratt O'Hara. He accepted diverse challenges with untiring diligence and energy. At age 30, he was elected Lieutenant Governor of Illinois, the youngest Lieutenant Governor in that State's history. Before entering the House, Barratt O'Hara enjoyed careers as a motion picture executive, radio commentator, and lawyer.

As a legislator, he was an early advocate of civil rights legislation. The first chairman of the Subcommittee on African Affairs, he strove to promote African self-government and self-development.

This was the many faceted career of Barratt O'Hara, a lifetime of dedication to the elimination of human misery and suffering.

Mr. Speaker, those of us who served with the late Barratt O'Hara are richer for our association with this man of such varied interests and exceptional ability. Throughout his life, his deeds embodied all that is great in America.

I am honored to pay tribute to Barratt O'Hara. We shall all sorely miss our former colleague. All of us and his loved ones may be consoled in the knowledge that Barratt O'Hara's memory shall never grow old, but shall forever represent the breadth of vision and depth of human concern that marked our late colleague's entire life.

TRIBUTE TO CHARLES S. JOELSON

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1969

Mr. DELANEY. Mr. Speaker, I am pleased to join my colleagues in paying tribute to the extremely able gentleman from New Jersey, the Honorable CHARLES S. JOELSON, who is retiring from this body to accept appointment to the Superior Court of his State.

For the 9 years it has been my privilege to serve with "CHUCK" in the House, I have been deeply impressed with his insight into highly complex legislative proposals, as well as his lucidity and eloquence in debate. He has demonstrated to an exceptional degree the qualities of prudence and sound judgment, which will be of inestimable value to the citizens of New Jersey as he carries on his new responsibilities in the highest tribunal of that great State. He has been a diligent and dedicated legislator who has served his constituents, his State, and his Nation with uncommon ability and great distinction.

His genial and warm personality, spiced with gentle humor, will be greatly missed in this Chamber. We wish him well.